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HOUSE OF REPRESENTATIVES—*Monday, May 5, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

If My people humble themselves, and pray, and seek My face, and turn from their wicked ways, then will I hear from Heaven, and will forgive their sin and heal their land.—II Chronicles 7: 14.

Almighty Father, at this sacred moment of prayer we pause in silence before Thee, seeking the wise guidance of Thy worthy spirit as we face the problems that beset us and think of the decisions we must make.

In these critical days of our national life help us to see the way and give us the courage to walk in it, that we may promote the values which have made our Nation great and possess the virtues which have kept her strong.

During this time of turmoil when the spirit of revolution is in the air, when wrong seems at times triumphant and goodness so feeble, may we be sure of Thee and know that behind the shadows standeth Thy presence which never fails. May we realize anew that—

This is my Father's world, and let me ne'er forget
That though the wrong seems oft so strong,
Thou art the ruler yet.

In Thy name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, May 1, 1969, was read and approved.

SWEARING IN OF MEMBER

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that the gentleman from California, Mr. BARRY GOLDWATER, JR., be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no question has been raised with respect to his election.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GOLDWATER appeared at the bar of the House and took the oath of office.

TRUCK SAFETY REGULATIONS

(Mr. VANIK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. VANIK. Mr. Speaker, this morning I witnessed another terrifying accident in which a passenger automobile with its precious cargo of human life passed under the rear end of a high-platform truck. The severely damaged passenger vehicle was following too closely or operating at a speed which was unreasonable under the circumstances.

However, the severe damage and hazard to life could have been minimized if the truck had been equipped with an inexpensive low-level bumper—at a height level designed to match passenger automobiles.

Too little has been done in highway and automobile safety to provide for a safer intermix of passenger vehicles and the huge highway trucks and juggernauts which share our highway systems.

I urge that our Federal highway safety administrators take immediate steps to direct the development of truck safety regulations which include matching bumpers to prevent the horrifying accidents which result from telescoping.

OUST FORTAS

(Mr. GROSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GROSS. Mr. Speaker, the revelation by Life magazine that Abe Fortas, while a Justice of the U.S. Supreme Court, accepted a fee of $20,000 from a foundation operated by the notorious financial manipulator, Louis Wolfson, is a shocking commentary on the Nation's judicial system and its highest Court.

This, taken in combination with Fortas' acceptance, since becoming a member of the Court, of a $15,000 fee for delivering eight or nine lectures at American University—that fee being supplied by officials of certain corporations—makes it imperative that an immediate demand be made that Fortas resign from the Supreme Court. His failure to do so should lead to the institution of impeachment proceedings.

It makes no difference that Fortas returned the $20,000 of Wolfson money 11 months after he had deposited the check to his personal account. This in no way mitigates the rank impropriety of having accepted the money in the first place. And it should be noted that only shortly before Fortas returned the $20,000, Wolfson was indicted for the second time on charges growing out of his financial manipulations.

Mr. Speaker, when Abe Fortas was nominated to the Supreme Court bench, I said then that he had an established record as a glorified fixer. I reiterate that statement.

A PROPOSAL TO ELIMINATE TAX INEQUITIES CONCERNING WINE PRODUCTION FOR PERSONAL CONSUMPTION

(Mr. SYMINGTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SYMINGTON. Mr. Speaker, today I have introduced a bill to allow individuals to produce, tax free, up to 200 gallons of wine per year, not for sale but for personal or family use. Heads of households already enjoy this right, and there is no reason in law or equity to deny it to single persons. Indeed, correspondence with the Internal Revenue Service reveals no intent at the outset to make such a distinction, the latter growing out of decades of regulatory interpretation of a statutory ambiguity. On the 5th of September last year my distinguished predecessor introduced a similar bill. I commend to my colleagues the reasoned analysis he offered on that occasion. The Ways and Means Committee never acted on his bill because the Treasury Department, although cognizant of the inequity and sympathetic to the requested change in the law, did not assign it sufficiently high priority to submit a report. This bill is meritorious enough to deserve, and simple enough to warrant, the early preparation of such a report. It must be realized that a vintage cause like this does not die; it merely ripens. But justice must be done before the ardent spirits of an afflicted minority turn to vinegar.

Mr. MACGREGOR. Mr. Speaker, will the gentleman yield for a question?

Mr. SYMINGTON. Yes, indeed.

Mr. MACGREGOR. I wonder if the gentleman knows how many people would be benefited by the consumption of 200 gallons of wine produced by each person per year?

Mr. SYMINGTON. I know of at least one.

PRESIDENT'S MESSAGE CALLING FOR LEGISLATION TO PROHIBIT DISSEMINATION OF OBSCENE MATERIALS HARMFUL TO PERSONS UNDER THE AGE OF 18

(Mr. BENNETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENNETT. Mr. Speaker, the President has presented to Congress and the Nation a strong message calling for legislation to prohibit the dissemination

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of obscene materials harmful to persons under the age of 18.

I congratulate the President on his message and pledge to work toward his goals to rid our Nation of the filth and smut literature, magazines and films that are flooding our homes and are potentially dangerous to our youth.

The President has endorsed, in essence, my bill, H.R. 5171, to prohibit the mailing and distribution of harmful pornographic materials and movies to minors. The bill is patterned after a New York State statute, which has been upheld by the U.S. Supreme Court, in the case of Ginsberg against New York. It has 40 cosponsors and is pending in the House Judiciary Committee. There are over 150 sponsors of antismut bills in the Congress.

I have written to the President and asked him to adopt the bill, H.R. 5171, now pending in Congress, as the administration's approach to drive pornography out of our homes, schools, theaters, and bookstores. The bill follows his point in the obscenity message:

> I ask Congress to make it a federal crime to use the mails or other facilities of commerce to deliver to anyone under 18 years of age material dealing with a sexual subject in a manner unsuitable for young people.

The bill, H.R. 5171, is now pending in the House Judiciary Committee. It follows a law already upheld by the Supreme Court. It can be amended in the committee. We need to act now against these smut peddlers and the fastest approach, the one needed now, is to consider in Congress H.R. 5171—it will hasten the day when our youth are protected from this evil and damaging pornography.

PERSONAL EXPLANATION

(Mr. **FREY** asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. **FREY**. Mr. Speaker, on last Thursday, May 1, I was confined at home because of illness and therefore was not in attendance for roll call No. 53, on House Resolution 17. Had I been present, I would have voted "yea."

COMMUNICATION FROM THE CLERK OF THE HOUSE

The **SPEAKER** laid before the House the following communication from the Clerk of the House:

MAY 1, 1969.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 3:35 p.m., on Friday, May 2, 1969, and said to contain a Message from the President concerning sex-oriented mail.

With kind regards, I am,
Sincerely,
W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

SEX-ORIENTED MAIL—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–114)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and referred to the Committee on Post Office and Civil Service and ordered to be printed:

To the Congress of the United States:

American homes are being bombarded with the largest volume of sex-oriented mail in history. Most of it is unsolicited, unwanted, and deeply offensive to those who receive it. Since 1964, the number of complaints to the Post Office about this salacious mail has almost doubled. One hundred and forty thousand letters of protest came in during the last nine months alone, and the volume is increasing. Mothers and fathers by the tens of thousands have written to the White House and the Congress. They resent these intrusions into their homes, and they are asking for federal assistance to protect their children against exposure to erotic publications.

The problem has no simple solution. Many publications dealing with sex—in a way that is offensive to many people—are protected under the broad umbrella of the First Amendment prohibition against any law "abridging the freedom of speech, or of the press."

However, there are constitutional means available to assist parents seeking to protect their children from the flood of sex-oriented materials moving through the mails. The Courts have not left society defenseless against the smut peddler; they have not ruled out reasonable government action.

Cognizant of the constitutional strictures, aware of recent Supreme Court decisions, this Administration has carefully studied the legal terrain of this problem.

We believe we have discovered some untried and hopeful approaches that will enable the federal government to become a full partner with states and individual citizens in drying up a primary source of this social evil. I have asked the Attorney General and the Postmaster General to submit to Congress three new legislative proposals.

The first would prohibit outright the sending of offensive sex materials to any child or teenager under 18. The second would prohibit the sending of advertising designed to appeal to a prurient interest in sex. It would apply regardless of the age of the recipient. The third measure complements the second by providing added protection from the kind of smut advertising now being mailed, unsolicited, into so many homes.

PROTECTING MINORS

Many states have moved ahead of the federal government in drawing distinctions between materials considered obscene for adults and materials considered obscene for children. Some of these states, such as New York, have taken substantial strides toward protecting their youth from materials that may not be obscene by adult standards but which could be damaging to the healthy growth and development of a child. The United States Supreme Court has recognized, in repeated decisions, the unique status of minors and has upheld the New York statute. Building on judicial precedent, we hope to provide a new measure of federal protection for the young.

I ask Congress to make it a federal crime to use the mails or other facilities of commerce to deliver to anyone under 18 years of age material dealing with a sexual subject in a manner unsuitable for young people.

The proposed legislation would not go into effect until the sixth month after passage. The delay would provide mailers of these materials time to remove from their mailing lists the names of all youngsters under 18. The federal government would become a full partner with parents and states in protecting children from much of the interstate commerce in pornography. A first violation of this statute would be punishable by a maximum penalty of five years in prison and a $50,000 fine; subsequent violations carry greater penalties.

PRURIENT ADVERTISING

Many complaints about salacious literature coming through the mails focus on advertisements. Many of these ads are designed by the advertiser to appeal exclusively to a prurient interest. This is clearly a form of pandering.

I ask the Congress to make it a federal crime to use the mails, or other facilities of commerce, for the commercial exploitation of a prurient interest in sex through advertising.

This measure focuses on the intent of the dealer in sex-oriented materials and his methods of marketing his materials. Through the legislation we hope to impose restrictions on dealers who flood the mails with grossly offensive advertisements intended to produce a market for their smut materials by stimulating the prurient interest of the recipient. Under the new legislation, this form of pandering could bring a maximum penalty of 5 years imprisonment, and a fine of $50,000 for a first offense and 10 years and a fine of $100,000 for subsequent offenses.

INVASION OF PRIVACY

There are other erotic, sex-oriented advertisements that may be constitutionally protected but which are, nonetheless, offensive to the citizen who receives them in his home. No American should be forced to accept this kind of advertising through the mails.

In 1967 Congress passed a law to help deal with this kind of pandering. The law permits an addressee to determine himself whether he considers the material offensive in that he finds it "erotically arousing or sexually provocative." If the recipient deems it so, he can obtain from the Postmaster General a judicially enforceable order prohibiting the sender from making any further mailings to him or his children, and requiring the mailer to delete them from all his mailing lists.

More than 170,000 persons have re-

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quested such orders. Many citizens however, are still unaware of this legislation, or do not know how to utilize its provisions. Accordingly, I have directed the Postmaster General to provide every Congressional office with pamphlets explaining how each citizen can use this law to protect his home from offensive advertising. I urge Congress to assist our effort for the widest possible distribution of these pamphlets.

This pandering law was based on the principle that no citizen should be forced to receive advertisements for sex-oriented matter he finds offensive. I endorse that principle and believe its application should be broadened.

I therefore ask Congress to extend the existing law to enable a citizen to protect his home from any intrusion of sex-oriented advertising—regardless of whether or not a citizen has ever received such mailings.

This new stronger measure would require mailers and potential mailers to respect the expressed wishes of those citizens who do not wish to have sex-oriented advertising sent into their homes. These citizens will put smut-mailers on notice simply by filing their objections with a designated postal authority. To deliberately send such advertising to their homes would be an offense subject to both civil and criminal penalties.

As I have stated earlier, there is no simple solution to this problem. However, the measures I have proposed will go far toward protecting our youth from smut coming through the mails; they will place new restrictions upon the abuse of the postal service for pandering purposes; they will reinforce a man's right to privacy in his own home. These proposals, however, are not the whole answer.

The ultimate answer lies not with the government but with the people. What is required is a citizens' crusade against the obscene. When indecent books no longer find a market, when pornographic films can no longer draw an audience, when obscene plays open to empty houses, then the tide will turn. Government can maintain the dikes against obscenity, but only people can turn back the tide.

RICHARD NIXON.

THE WHITE HOUSE, *May 2, 1969.*

PROBLEM CREATED BY MAILING OF OBSCENE MATERIAL

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, Congress has struggled long and unsuccessfully to cope with the problem created by the mailing of obscene material. Now the Nixon administration has come up with three proposals which offer genuine hope of curbing this despicable activity of the smut profiteer.

The trend of most U.S. Supreme Court decisions in recent years has caused some Members of Congress to throw up their hands and take the attitude that little or nothing can be done about obscene mail.

But President Nixon appears to have found the means of stopping the flood of obscene mailings. This mail is aimed at expanding the smut peddler's market and is therefore directed to our youth and to adults as well.

In the case of our young people, President Nixon is proposing an antiobscene mail law which is based on a New York statute already upheld by the U.S. Supreme Court. This law would place a flat ban on the sending of obscene materials to any young person under 18. The Court has indicated that such a blanket prohibition on the mailing of offensive sex material to under-18 Americans will be upheld because of the age of those involved.

The other two of the Nixon administration's antiobscenity proposals involve mailings to adults. I strongly support these proposals as well as that dealing with young people. It is long past time that the courts recognize there must be a basis in law to support the desire of decent Americans to curb the smut peddler.

The people rightly are looking to the Federal Government for protection from the flood of pornographic mail. The laws now on the books have definitely proven inadequate.

President Nixon's antiobscenity proposals constitute a reasoned and workable approach to a most difficult problem. I intend to press for prompt enactment of his recommendations. I would expect that the Congress would welcome Mr. Nixon's legislative initiative in this problem area.

Mr. POFF. Mr. Speaker, the President's message of May 2 presented a comprehensive plan for regulation of the mailing and transportation of sexually oriented advertisements, and for the protection of our young people from salacious materials which may be harmful to them. This plan is one which imposes no restrictions beyond those absolutely necessary to meet the immediate need for legislation in this area. I fully support the President and I urge early action on these important measures.

Today when one subscribes to a magazine, or joins an organization, or does any number of things which result in the placement of his name upon a list, he may expect that some peddler of lewd pictures, books, or films is going to buy and use that list, and that one day an advertisement promoting some provocative material will be delivered to his home. Purveyors of smut are no respecters of persons, so the children in our homes are susceptible as well.

It is difficult indeed to understand the man who will deliberately deliver advertisements dealing in sex, perversion, and sadistic behavior to some child who happened to be named on somebody's list. It is time that we did something to prevent such callous commercial exploitation.

The President has recommended that we make it a Federal offense, punishable by imprisonment of up to 5 years, for mailing harmful materials to anyone under 18. Already more than 30 States have special provisions dealing with children in their obscenity laws. Federal action in this area would assist the States in their efforts to protect their young people.

It is my sincere hope that we will see early action on this most important recommendation.

Mr. CUNNINGHAM. Mr. Speaker, when one observes the sad state of some of our contemporary literature and the more conventional forms of the performing arts in America today, he can only speculate on the appalling nature of the material that is marketed clandestinely over the counter and through the medium of our postal system.

While most of these sordid films, plays, and publications are protected by the broad umbrella of the first amendment prohibition against laws "abridging the freedom of speech and the press," the American people can express their contempt and revulsion against this sort of material by refusing to patronize the movie houses and book stores that deal in them.

By and large, however, they are left defenseless against the onslaught of pornographic literature and materials that are mailed to their homes from the fever swamps of the smut industry in America.

This peculiar form of interstate commerce is indeed big business and it is getting bigger.

It is a particularly odious enterprise in that it deals in a commodity that is corrosive and destructive of the moral character and principle that all parents seek to inculcate in their children.

It is particularly harmful because of its furtive nature—often operating through seemingly respectable business fronts which mask its destructive potential.

I am reminded of the case where a Midwest youth of 14 responded to a magazine ad for 25 cents worth of foreign stamps. He received instead, a cheap booklet containing illustrations which would shock the sensibilities of any decent American.

You may multiply this example by the thousands; indeed as President Nixon pointed out in last week's message to Congress, 140,000 letters of protest regarding salacious mail were received by the Post Office in the last 9 months alone.

Mothers and fathers resent these intrusions into their homes and want our help to protect their children against exposure to erotic publications.

Mr. Speaker, the American people do not appreciate the irony of being asked to pay for a postal rate increase while the traffic in smut and pornography is virtually unfettered.

They cannot understand why, if they must pay higher postal rates, the privacy and dignity of their homes cannot be protected from the sex-related material that violates those homes.

Within the guidelines established by the Constitution and the courts, we have previously moved to protect American homes from this material, and this bill represents another step in that direction.

I introduced a bill in the 90th Congress dealing with the prohibition of pandering advertisements in the mails

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which became law. That act represented the first significant move toward according the American citizen protection from this sort of pandering.

That law permitted a homeowner to secure a judicially enforceable order which prohibited the sender of salacious matter from making any further mailings to him or his children and requiring the mailer to delete their names from all his mailing lists.

Mr. Speaker, many citizens are unaware of this legislation and do not know how to utilize its provisions although over 175,000 individuals have taken advantage of the law during the past year.

The purpose of the Postal Revenue and Offensive Intrusion of Sexually Oriented Mail Act of 1969 would place the additional burden on the smut mailers to respect the rights of our citizens to keep their homes inviolate from the filth and smut that war against these homes and adds additional provisions.

Those sending pandering advertising materials through the mails will be required to purchase from the Post Office Department lists containing the names of families whose homes are off limits to this sort of material.

Mr. Speaker, I believe the average citizen understands the need for postal rate increases where they will serve to help reduce the chronic deficits and build a solid fiscal foundation that will promote post office efficiency and improvement.

At the same time, they have every right to demand that the Post Office exercise all of its authority to dry up the cesspools of obscenity that burden our postal system.

This legislation marks a major step in the achievement of both of these highly desirable objectives.

It is positive response to a condition, which, if left unchecked, can strike at the moral fibre of our national life as completely and as effectively as the termites that eat away, quietly and unobtrusively, at the foundations of your home.

We owe it to the American citizen to help rid him of the pestilence and virulence caused by this particular breed of termite.

Mr. CORBETT. Mr. Speaker, I would like to extend my full support to the President and the Attorney General in their efforts to end the interstate traffic and mailing of pornographic matter. It is an extremely difficult task to strike a balance between the necessity of freedom of expression, and the equally compelling necessity to protect our youth from the smut peddlers who prey on their immaturity and natural curiousity about sexual matters.

The Supreme Court has made it clear in recent decisions that obscenity does not come within the protection of the first amendment. Surely much of the smut mail which is sent unsolicited by these commercial exploiters into our homes falls outside the constitutional protection of free expression. Congress could strike a telling blow against such exploitation by passing the President's legislation with strong penalties for those who would use the mails as a vehicle of transmitting their filth to our young people. It would make a mockery of the first amendment of the Constitution to suggest that it was intended to protect those individuals who would poison the minds of our children with filthy books and pictures. These promoters have flooded the market with literature to satisfy any type of perversity, and they will continue to do so until shown by the Congress that this country has had enough.

The President has taken the important first step in this direction by firmly supporting legislation aimed at putting restrictions on these smut peddlers. Every Member of Congress should put himself on record as firmly endorsing the stand of the President and the Attorney General in their efforts to eradicate this social evil.

Mr. MACGREGOR. Mr. Speaker, it is one of history's little ironies that freedom of speech, that noble, that sacred institution of this Nation, should be linked in today's public mind almost exclusively with the problem of obscenity.

Anyone familiar with the lives and work of the Founding Fathers would be doubtful—at the very least—that they risked their lives, their fortunes, and their sacred honor so that some cunning pornographers could use the U.S. mails to destroy the moral fiber of young Americans. I believe, if somehow these great Americans of revolutionary times could come back to us, they would not hesitate to deal with these oligarchs of obscenity, these princes of pornography, these sultans of smut, with a directness and dispatch that might shock some who are more sensitive to their rights than their wrongs.

But lacking such a visitation, we must do what we must do, within the limits of our wisdom, and within our understanding of constitutional guarantees. President Nixon's message requests that we protect minors by making it a Federal crime to use the mails or facilities of commerce to deliver to those under 18 material dealing with a sexual subject in a manner unsuitable for young people. This request has the stamp of common sense and common decency; two qualities seen all too rarely today. I applaud the message as a whole and particularly this part of it.

Mrs. MAY. Mr. Speaker, last year, nearly 200,000 letters were received by the Post Office Department by those offended by unsolicited, erotic advertising material.

This material has become increasingly bold and shocking as the smut peddlers abuse the first amendment protection against abridging the freedom of speech or press.

As these American families have demanded protection from sexually related advertising, we in Government have often "shadow-boxed" with this issue, Mr. Speaker.

Two years ago, we attempted to bring protection to families not wanting offensive, erotic advertising material through the so-called pandering advertising amendment to the Postal Revenue and Federal Salary Act of 1967.

Unfortunately, this law put nearly all the burden upon the family not wanting such mail and the Post Office Department. Despite the Department's collecting the names of more than 170,000 families wanting their names taken off these mailing lists, there is little evidence they are receiving protection. Lacking criminal penalties, the law provides a cumbersome and time-consuming process for requiring the mailer to respect the mail patron's wish.

The President's proposal will remedy this defect by requiring those sending pandering advertising materials through the mails to first buy a list of those not wanting such mail from the Post Office Department. Secondly, violators will be subject to criminal penalties.

Mr. Speaker, the Postal Revenue and Offensive Intrusion of Sexually Oriented Mail Act of 1969 will do much to put the Post Office Department on a sounder fiscal basis and check the flow of offensive advertising through this great avenue of commerce.

Mr. SANDMAN. Mr. Speaker, obscenity and pornography are debasing to a nation which allows it to exist unchecked and unregulated. The quality of a nation can be measured by its art. Unfortunately, the United States today seems to disregard art in favor of sensationalism and sadism. This trend is beginning to adversely affect our country.

There is a broad spectrum of opinion concerning possible action or inaction by our Government to come to grips with this problem. Some would place no restrictions at all on what is shown in films or sent through the mails to our children. Others would set up rigid censorship of all our art forms. I am gratified that the President in his message to Congress has avoided these extremes in favor of a moderate, realistic approach to the problem of obscenity which aims at eliminating the smut peddlers while allowing art to flourish in an atmosphere of freedom.

We in the United States should jealously safeguard this precious right of free speech, and should be especially cautious unless we engage in overkill in our attempt to rid the country of pornography. President Nixon's message considers these factors calling for limited action where the need is most acute and the violations most flagrant—against those who send unsolicited pornography through the mails to our young people.

Freedom of speech is not freedom to poison the minds of our children with books and pictures with no artistic merit or socially redeeming value. I applaud the President in his wisdom and restraint in this very difficult area.

Mr. CAHILL. Mr. Speaker, it has always been a matter of great concern to me that certain individuals have been permitted, through the laxness of our laws, to flood our homes and mailboxes and our bookstores with what can only be described as utterly worthless filth, with absolutely no redeeming social value.

While we should not stifle true creative thinking, or free expression of ideas, neither should we permit these peddlers of perversion to pollute our society with their trash. We have a legitimate interest, in particular, in protecting the morals of our impressionable youth, and

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in keeping from our door unsolicited salacious advertising materials.

I am, therefore, delighted that the President has proposed today that we take steps to curb the activity of pornographers in these two important areas. The first title of the proposed legislation is substantially identical to the bill which I introduced last January, designed to prohibit the mailing of obscene matter to households with minor children. The widespread support which my bill received—as of the date of the President's message more than a hundred other Representatives and 20 Senators have introduced identical or substantially similar bills—evidences the willingness of Congress to move now in this important area.

As the President has indicated in his message, the Supreme Court, in the Ginsberg case, has recognized the unique status of youth, and has pinpointed society's interest in protecting them from the cynical onslaught of the purveyors of hard-core pornography. We have a clear mandate to enact legislation in this area. The President has recognized this mandate, has seized it, and has passed it on to us.

With regard to the problem of unsolicited mailings, many of us have received complaints from constituents concerning unwanted and offensive advertising arriving at their homes. And they have asked, "Why can the Government not do something about this?" We can and we must do so now.

It is true that some steps have been taken. Present law allows those who receive unwanted mailings to ask the Postmaster General to order their names stricken from the mailing list of the sender. Our study commission will undoubtedly produce useful material for our further study and action. Also, some very significant steps have been taken in the private sector. But, much more can and must be done. And we can start now by enacting the President's proposals into law.

Mr. MESKILL. Mr. Speaker, I vigorously and wholeheartedly congratulate President Nixon for his message depicting one of the most serious problems afflicting the American public today, and proposing strong and appropriate ways to deal with it. The problem so eloquently described by the President is the fact that this Nation has, for the past several years, and even more so today, been deluged by a flood of filth in books, magazines, photographs, and movies.

There are persons in this country who have taken the constitutional right of freedom of expression as a license to pervert for profit. These smut purveyors have deliberately chosen to sell their obnoxious products to American young people.

We can no longer stand still and allow the basic moral fiber of our young people and, indeed, our families, to be so grossly and ruthlessly attacked. The President has called for the enactment of what could prove to be a very effective arsenal of weapons to be used in his declared war against obscenity. I applaud the President's proposal to protect minors from being mentally assaulted by prohibiting sex-oriented books, magazines, and materials being sent to them through the mails.

The President's program would also severely penalize those who advertise by emphasizing the salacious nature of the material involved. The deliberate moral corruption of our youth by pornographic materials must and will be curtailed with the approval of this program to shield young people from "offensive sex materials," to keep some smut advertising out of everyone's mailbox and to prevent delivery of any sex-oriented ads to people who do not want them.

Since 1964, complaints by people who have received unsolicited and unwanted pornographic material through the mails have doubled.

It is my opinion and the opinion of this administration that it is contrary to the public policy of our Government to allow an agency of the Federal Government, the Post Office Department, to be the instrument by which this highly offensive material is distributed to persons who do not want their privacy invaded or their children exposed.

That is why I am introducing today legislation to police the mails.

There can be no doubt that this legislation is necessary. It has been carefully drafted to conform to constitutional standards and Supreme Court decisions in this area. The time for words has passed; now, it is time to act.

The following is an explanation of this bill:

EXPLANATION OF THE OFFENSIVE INTRUSION OF SEXUALLY ORIENTED MAIL ACT OF 1969

Section 2. This section sets forth Congressional findings to the effect that sensational, sexually-oriented advertisements are being sent through the mails, unsolicited, to persons who find such material profoundly shocking and who do not want the privacy of their homes invaded in this manner. The section goes on to state that it is contrary to the public policy of the United States for the Post Office Department to be used as an instrumentality for the distribution of such material to persons who do not want their privacy to be so invaded, or who wish to protect their minor children from exposure to such material.

Section 3. This section adds two new sections to Chapter 51 of title 39, United States Code, relating to mailability.

Subsection (a) of the first new section, 4001, requires any person who mails sexually-oriented advertisements, as subsequently defined, to place his name and return address on the cover of this type of mail, and authorizes the Postmaster General to require that such mail carry a distinctive mark or notice. This requirement is designed to facilitate enforcement of other provisions of the law, and to enable unwilling recipients to refuse or otherwise dispose of such mail without opening the envelope.

Subsection (b) permits any person to place his name as well as the names of his children under the age of 19 on a list of those desiring not to receive sexually-oriented advertisements. All mailers are prohibited from sending any sexually-oriented advertisement to any person whose name has been on the list for more than 30 days. The list is to be maintained by the Postmaster General, and is to be made available to mailers upon payment of a reasonable service charge. The imposition of the service charge, in an amount determined by the Postmaster General, should result in the mailers of sexually-oriented advertisements bearing a significant part of the economic burden entailed in providing a mechanism to keep this type of mail out of homes where it is not wanted.

Subsection (c) prohibits any traffic in the list compiled by the Postmaster General, and restricts its use to the purging from private mailing lists of the names and addresses of persons who do not want to receive sexually-oriented advertisements. These limitations are intended to prevent the misuse of the Postmaster General's list to the annoyance of those who have requested that their names be placed on it and to prevent mailers from obtaining copies of the list without paying the service charge.

Subsection (d) defines the term "sexually-oriented advertisement" in a manner designed to cover the type of material that has been found to be most offensive to substantial numbers of citizens. The remedies provided under the present Pandering Advertisement statute, 39 U.S.C. section 4009, continue to be available with respect to advertisements whether or not they are within the statutory definition set forth in subsection (d).

The second new section of Chapter 51 of title 39, section 4012, provides machinery for judicial enforcement of section 4011.

Subsection (a) authorizes the Attorney General, upon request by the Postmaster General, to seek an order from a United States District Court directing an offending mailer to refrain from mailing sexually-oriented advertising to specified persons or groups or to the public at large. Authority is also provided for the inclusion in such an order of provisions directing postmasters to refuse to accept for mailing sexually oriented advertisements sent by the offending mailer, and to withhold relevant mail addressed to such a mailer.

Subsection (b), like present section 4005(b) of title 39, provides a simplified method of proving a relationship between a mailer and his agent, thereby making subsection (a) more readily enforceable.

Subsection (c) authorizes United States District Courts to issue temporary restraining orders and preliminary injunctions either before or during the course of judicial enforcement proceedings. The order or injunction may include provisions similar to the provisions authorized in subsection (b), as well as other appropriate provisions. This subsection is analogous to section 4007 of title 39.

Subsection (d) prescribes the venue for civil actions instituted under subsections (a) and (c), and states that such actions may be brought in the district in which the mailer resides or has his place of business, or in the district to which mail has been sent in violation of section 4011.

Subsection (e) makes it clear that the new statute is not intended to amend or repeal any of the postal obscenity laws or the Pandering Advertisements statute.

Section 4: This section adds two new sections to chapter 83 of title 18, United States Code, relating to postal offenses.

The first new section, 1735, makes willful violators of section 4011 of title 39 liable to a fine of $5,000 and 5 years imprisonment for a first offense and a fine of $10,000 and 10 years imprisonment for subsequent offenses.

The other new section, 1736, is designed to avoid the possibility of a natural person's incriminating himself by complying with the requirements of section 4011 of title 39.

Subsection (a) prohibits the Government from using information or evidence supplied by a natural person in compliance with section 4011 of title 39 as evidence in a criminal proceeding against him.

Subsection (b), similarly, provides that the fact of compliance by a natural person with the requirements of section 4011 of title 39 shall not be used against him in a criminal proceeding.

Subsection (c) provides that the grant of

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immunity contained in the preceding subsections shall not extend to prosecutions for furnishing false information.

Mr. STEIGER of Wisconsin. Mr. Speaker, a measure of the flood of pornography inundating the Nation's mail boxes can be found in the fact that more than 170,000 Americans have sought Post Office orders against obscene mailings in the short period of time since the antipandering provision of Public Law 90–206 was adopted by Congress. It is very appropriate that President Nixon should propose the extension of this legislation in his timely message.

The President's message on obscenity is an example of the preciseness of thought and intensity of concern for justice that must characterize any honest discussion of the methods for combating pornography. The President does not fall prey to the emotional solutions which, while dealing harshly with the purveyors of obscenity, would also cripple our traditions of free speech. However, the President emphasizes that no Americans should be forced to accept this kind of material in his home through the U.S. mail.

Stating that "the courts have not left society defenseless against the smut peddlers; they have not ruled out reasonable government action," the President has refused to accept arguments that we have no recourse other than to allow the peddlers of obscenity to use our postal system unchecked.

I am convinced that this sense of balanced and reasoned judgment will prove to be the most effective weapon we have against obscenity in our free society.

The President's message gives impetus to the work of the Commission on Obscenity and Pornography created by the 90th Congress with my support. This Commission has the responsibility to analyze present laws pertaining to the control of pornography; study the methods, nature, and volume of the distribution of pornographic material; study the effect such material has on the public and particularly on minors; and make recommendations for appropriate legislative and administrative action. The Commission includes persons expert in the field of psychiatry, sociology, and criminology, and is probing deeply into the possible relationships between pornography and antisocial behavior. Distinguished lawyers and judges are researching the difficult area of protected expressions and criminal traffic in obscene materials.

Mr. Speaker, the decisive leadership of the Nixon administration, coupled with the work of the Commission, should go far toward making our society a more decent place in which to live.

Mr. RHODES. Mr. Speaker, a serious concern of many Americans is the invasion of their homes by those attempting to peddle filth and smut through the use of the mails. The President has recognized—and I certainly agree with his conclusion—that the answer to the problem of obscenity as well as other social ills lies ultimately with the people rather than with legislation by the Government.

Generally, those who desire to subject themselves to certain kinds of filth may do so. But, Mr. Speaker, there is no reason whatsoever why those persons not desiring to have themselves or their families exposed to such patently offensive matter should be required to do so. To hold otherwise would constitute a violation of one's right to privacy of the first order.

The President's proposal is a constructive one. It would require those who utilize the mails to respect the wishes of any citizen offended by unsolicited offensive material. It would prohibit the mailing of such material to persons under 18 years of age.

Mr. Speaker, I, for one, place great weight upon the constitutional protections to which we are entitled under the first amendment. For that reason, I find the contentions of those who would seek to justify every possible form of smut under the guise of free speech especially repugnant.

I support the President's proposal as one which recognizes both the protections of the first amendment and the interest of the individual in defending himself against an increasing onslaught of obscenity.

Mr. WIDNALL. Mr. Speaker, in a very forthright and forceful message, the President has put the administration squarely for legislation to restrict the flow of pornographic materials, particularly to minors. This is not a partisan issue, but one which reaches into every home in this Nation. I commend the President for his timely statement, and I hope that the Congress will act promptly.

The first of the President's requests is for legislation making it a Federal crime to use the mails to send obscene material to minors. My bill, H.R. 6651, introduced on February 7, 1969, would do this by making it a Federal offense to send obscene material to minors or to homes containing minors. This would do much to stamp out the ever-growing trafficking in smut. I am pleased that the President in endorsing my effort.

The President has asked the Congress to make it a Federal crime to use the mails, or other interstate commerce, for the commercial marketing of material with a prurient appeal. This is in line with the Supreme Court's decision that advertising with the specific intention of appealing to the recipient's sexual interest can be illegal.

The message also recognizes the limited effect of the current law permitting a recipient of obscene mail to request that his name be removed from a mailing list. The President asks for a statute which would permit citizens who do not wish to receive sex-oriented material to register their wishes with the Post Office Department. To send offensive mail to people on the list would be a crime.

The President has requested a sound package of legislation, one which would be effective and is based on sound legal precedent. The important thing, Mr. Speaker, is for this House and the Congress to act swiftly. The courts have made it abundantly clear that we may legislate in this area. Each day we do not act, more young minds are polluted and the moral standards of the country are endangered. We must act now.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members wishing to do so may have 5 days to extend their remarks following the message of the President.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is the day for the call of the Consent Calendar.

There are no bills on the Consent Calendar.

SOUTH CAROLINA 300th ANNIVERSARY MEDALS

The SPEAKER. The Chair recognizes the gentleman from Georgia (Mr. STEPHENS).

Mr. STEPHENS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6269) to provide for the striking of medals in commemoration of the 300th anniversary of the founding of the State of South Carolina, as amended.

The Clerk read as follows:

H.R. 6269

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

§ 1. Medals authorized

In commemoration of the three hundredth anniversary of the founding of South Carolina, which will be celebrated in 1970, the Secretary of the Treasury (referred to in this Act as the Secretary) shall furnish medals (referred to in this Act as the medals) in accordance with this Act to the South Carolina Tricentennial Commission (referred to in this Act as the Commission). The medals authorized under this Act are national medals within the meaning of section 3351 of the Revised Statutes (31 U.S.C. 368).

§ 2. Design and materials

The medals shall bear such emblems, devices, and inscriptions, shall be of such size or sizes, and shall be made of such materials as the Commission may determine with the approval of the Secretary.

§ 3. Minimum quantities; expiration of authority

Except for such quantities, if any, of gold or silver metals as may be approved by the Secretary, the medals may not be made in quantities of less than two thousand nor in an aggregate quantity greater than one hundred thousand. They shall be made and delivered at such times as may be required by the Commission, but no medals may be made after December 31, 1970.

§ 4. Determination of cost; security for payment

The medals shall be furnished at a price or prices equal to the costs of manufacture as estimated by the Secretary, including labor, materials, dies, use of machinery, and overhead expenses. The medals may not be made unless security satisfactory to the Secretary is furnished to indemnify the United States for full payment of these costs.

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

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The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Georgia (Mr. Stephens) is recognized.

Mr. STEPHENS. Mr. Speaker, this is a completely noncontroversial bill introduced by the distinguished gentleman from South Carolina (Mr. Rivers) to provide an appropriate means by which the people of the United States can join—without any cost to the United States—in the ceremonies marking the 300th anniversary of the founding of South Carolina. This would be accomplished through the striking of national medals which would be paid for in full—every cent of the cost—by the South Carolina Tricentennial Commission created by the General Assembly of South Carolina.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. STEPHENS. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I have only a couple of questions.

In the first place, will any of these bills coming from the gentleman's committee require expenditures on the part of the Federal Government?

Mr. STEPHENS. I believe there will only be one bill of the five that will entail any expense of the U.S. Government, and that is an initial expense which is designed to be recovered by the sale of the medal. That is the bill that will be coming up third, if we go along in an orderly procedure. It is a bill that deals with a medal to honor the U.S. diplomatic courier service. It is in line with the type of medals that have heretofore been struck by the mint and placed on sale as list medals. That is the only one of these five that would be of any cost to the Government, but that would be the initial cost, and if the pattern is followed, the cost will be reimbursed through sales.

Mr. GROSS. Will gold be used in the making of any of these medals or whatever may be issued?

Mr. STEPHENS. In one of them gold definitely will be used. A decision will be made by the Secretary of the Treasury and the Office of Gold and Silver Policy as to whether gold or silver will be used in the others. But the gold will be purchased on the market. It will be bought and delivered to the Treasury by the sponsors of the medals who must also buy any silver at the regular going price.

Mr. GROSS. Has not the Banking and Currency Committee subscribed to the condemnation of gold? In other words, has it not said it is a barbaric metal; that it is an anachronism? I am surprised that the committee would bring out a bill which would provide that a medal, with the official sanction of the Government, would contain gold. I thought the Banking and Currency Committee joined with the Treasury Department last year in condemning gold as evil.

Mr. STEPHENS. If the gentleman will let me answer that statement, I do not think the Banking and Currency Committee has gone on record as saying that gold is evil. In fact, we have tried to make gold available so that it can be used for commercial purposes. We are not trying to compete with commercial enterprise. What we are trying to do is to keep people from collecting our paper dollars and converting them into gold, placing a demand on the Treasury. But this bill would not make a demand on the Treasury.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. STEPHENS. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. The only way to obtain commercial gold is from the Government; is that not true?

Mr. STEPHENS. No.

Mr. GROSS. We just do not deal in gold in this country, and a succession of Democratic administrations have said that it is evil; that the public cannot traffic in gold. I am surprised that you would approve the issuance of a medal or anything else of value containing gold after the treatment that you have given gold to this country.

Mr. DORN. Mr. Speaker, I commend the House today for considering legislation to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina. I know it will meet with the approval of both Houses of the Congress.

The tricentennial celebration which will take place next year is largely supported by the State of South Carolina, by private citizens and local businesses and industrial firms in the State. It will be a statewide observance commemorating the 300th anniversary of the permanent European settlement at Charles Town in the spring of 1670. There were earlier known unsuccessful settlements by the Spanish and French. In 1526 a group of Spaniards led by Lucas Vasquez de Ayllon attempted a settlement near Winyah Bay, and later, in 1562, Jean Ribaut attempted a settlement at Port Royal.

Mr. Speaker, South Carolinians were leaders in the political, cultural, and economic life of the early colonial government. No State has contributed more brilliant statesmen that South Carolina. Our State was one of the Thirteen Original Colonies to create the Union. No State fought harder to maintain its independence in the struggle of men to determine their own destiny. Devastated by war, no State worked harder or made greater sacrifices to rebuild its economy and reestablish itself as one of the most prosperous and influential States in our young Republic. South Carolina was virtually occupied by the enemy from the foothills of the mountains to the sea, but under the leadership of Thomas Sumter, Francis Marion, and Gen. Andrew Pickens, they continued to fight and eventually drove the enemy back. At Cowpens and Kings Mountain, the turning point of the Revolutionary War was accomplished for the whole Nation.

Yes, Mr. Speaker, we are proud of the Palmetto State. The tricentennial celebration will be one of South Carolina's greatest undertakings. We invite our neighbors and visitors from throughout our Nation to join with us in this celebration of our heritage.

The SPEAKER. The question is on the motion of the gentleman from Georgia that the House suspend the rules and pass the bill H.R. 6269, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended, was passed.

The title was amended so as to read: "A bill to provide for the striking of medals in commemoration of the three hundredth anniversary of the founding of South Carolina."

A motion to reconsider was laid on the table.

WINSTON CHURCHILL COMMEMORATIVE MEDALS

Mr. STEPHENS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1081) to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library.

The Clerk read as follows:

S. 1081

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a), in honor of the dedication of the Winston Churchill Memorial and Library at Westminster College in Fulton, Missouri, in May 1969, the President is authorized to present in the name of the people of the United States and in the name of the Congress to the widow of the late Winston Churchill a gold medal with suitable emblems, devices, and inscriptions to be determined by the Fulton Area Chamber of Commerce, Incorporated, subject to the approval of the Secretary of the Treasury. The Secretary shall cause such a medal to be struck and furnished to the President: *Provided,* That the Fulton Area Chamber of Commerce, Incorporated, agrees to pay, under terms considered necessary by the Secretary to protect the interests of the United States, all costs incurred in the striking of such medal.

(b) The die from which such gold medal is struck shall be marred and donated to the Winston Churchill Memorial and Library for display purposes.

Sec. 2. (a) The Secretary of the Treasury shall strike and furnish to the Fulton Area Chamber of Commerce, Incorporated, not more than one hundred thousand duplicate copies of such medal in silver and bronze (of which not more than five thousand copies shall be in silver). The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

(b) The medals provided for in this section shall be made and delivered at such times as may be required by the Fulton Area Chamber of Commerce, Incorporated, in quantities of not less than two thousand, but no medals shall be made after December 31, 1969.

(c) The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such costs.

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. STEPHENS. Mr. Speaker, S. 1081 authorizes the striking of a gold medal to be presented to the widow of the late Sir

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Winston Churchill, and of duplicate medals in bronze and silver, commemorating the dedication of the Winston Churchill Memorial and Library at Westminster College, Fulton, Mo., where the great wartime leader of Great Britain made one of the most important speeches of modern political history.

Not one cent of the cost of these medals—of any of the medals—would come out of the Treasury of the United States. All costs associated with the gold medal and of all of the duplicate medals are to be paid to the Treasury out of funds raised by the Fulton Area Chamber of Commerce, Inc.

The gentleman from Missouri (Mr. HUNGATE) is the sponsor of H.R. 7212, a companion bill to S. 1081. I might say, Mr. Speaker, that the subcommittee which first considered the bill and the full committee not only had no objections to the legislation but strongly endorsed this proposal for honoring Sir Winston Churchill in this fashion.

The SPEAKER. The question is on the motion of the gentleman from Georgia that the House suspend the rules and pass the bill S. 1081.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

U.S. DIPLOMATIC COURIER SERVICE COMMEMORATIVE MEDALS

Mr. STEPHENS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7215) to provide for the striking of medals in commemoration of the 50th anniversary of the U.S. diplomatic courier service.

The Clerk read as follows:

H.R. 7215

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the fiftieth anniversary of the United States Diplomatic Courier Service, the Secretary of the Treasury (hereinafter referred to as the "Secretary") is authorized and directed to strike bronze medals of a suitable size, and with suitable emblems, devices, and inscriptions to be determined solely by the Secretary.

SEC. 2. The Secretary shall cause such medals to be struck and sold by the mint, as a list medal, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses.

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. STEPHENS. Mr. Speaker, H.R. 7215 would honor the U.S. diplomatic courier service, and its intrepid group of career couriers, in the same manner in which Congress 3 years ago voted to strike medals honoring the U.S. Secret Service. The U.S. diplomatic courier service has completed 50 years of service without once having had a letter or document stolen. Its skill in safeguarding and promptly delivering secret dispatches to our oversea diplomatic posts is legendary.

All expenses associated with the production of this medal would be recovered by the Bureau of the Mint through sale of the medals to the public at a price sufficient to recover the full cost of manufacture.

Unlike the medals authorized in the other bills being considered this afternoon, the medals provided for in H.R. 7215 would be available to the public directly through the mint—as a list medal. There are numerous such list medals which are avidly purchased by the public, and which remain on sale for many years. The most recent such list medal authorized by Congress, as I said, was the Secret Service commemorative medal in 1966.

Mr. PATMAN. Mr. Speaker, as the sponsor of H.R. 7215, to authorize the striking of medals in commemoration of the 50th anniversary of the U.S. diplomatic courier service, I want to make a few remarks about the background of the organization in the State Department which this legislation would honor.

This is a career service of men specially trained in the safe handling and transport of the most important, most secret, official documents of the United States in the conduct of our foreign affairs. The responsibilities placed on the shoulders of our diplomatic couriers are as heavy as any assumed by any officials of the Government.

It is only since World War I that we have had any regular and secure method for transporting diplomatic documents. Prior to that, the documents were entrusted to individuals who served without pay and who carried these papers as an honorary assignment—they were entitled to special passports and this gave them some status and prestige. As a type of political plum—but the security was totally inadequate and other nations complained about the slipshod and haphazard manner in which our papers were being handled. They had reason to object, because often the information contained in those documents was supplied by friendly governments which feared our courier methods would compromise that information or embarrass the nations which had provided it to us.

Mr. Speaker, the story of the U.S. diplomatic courier service is a dramatic and exciting one. Under unanimous consent I include at this point, as part of my remarks, an article on the service written some years ago by Mr. Jack Grover of the State Department:

[From the Department of State Foreign Service News Letter, October 1953]

A BRIEF HISTORY OF THE U.S. DIPLOMATIC COURIER SERVICE

(By Jack Grover)

Surprisingly, it was not until quite recently, in 1918, that there was an organized U.S. Courier Service.

The question, "How were secret messages sent before that time?" at once arises. The answer is, "Haphazardly."

American ship Captains, United States Diplomatic Officers and miscellaneous American travelers were handed sealed mail with the simple instruction that it be delivered on arrival. Needless to say, the security afforded these items would have turned a modern SY man's hair gray.

The persons who carried such mail were called "Bearers of Despatches," and they received no pay for their services. However, to be so designated was considered something of a plum, as there was granted with the title a special passport which facilitated passage at international frontiers. The first real courier trip yet found in the records was made from Savannah to London on May 24, 1819, by Mr. Nat Crane, a red-headed Post Office employee.)

As might be guessed, since almost anyone could be made a Bearer of Despatches, many persons who should not have been were designated as such and entrusted with the carriage of important documents. Other governments, namely the British and Austro-Hungarians, who already had good courier services staffed by professional Couriers, from time to time objected to this laxness on our part, and stated that they did not wish to recognize other than official Couriers.

These objections were strongest in the very first part of the 20th Century. At that time, the U.S. Government began to emphasize to its posts that only diplomatic personnel should be appointed Couriers. This policy naturally resulted in a reduction of the number of persons available for courier service, but not in the need for it. So gradually some of the most important posts began to employ persons whom they used as full-time Couriers.

On December 2, 1914, the Department received a telegram from the Embassy at London to the effect that a man, who would be used as a Courier, had been employed. Paris soon followed suit. By 1917 the Couriers from these two posts were traveling to several others in Europe, notably Madrid and Rome.

Other posts in other parts of the world, as the need arose, established the same type of limited courier service. On August 24, 1918, trips between Mexico City and the border were initiated. In November, 1918, courier service between Tokyo and Peking was established. However, when the need for these lessened, the service was abolished. Gradually, very gradually, U.S. courier service, within Europe was extended

But the whole tenor of both the official and unofficial U.S. attitude toward courier service from 1776 until our entrance into World War I was marked by a cool indifference.

THE BEGINNING

The first great war, with its constant demands for speed and security of communications, changed the picture abruptly and drastically. In 1917 there was great disorder and confusion in the handling of mail moving between Europe and America. Mail was piled high in European stations, trains were crowded, and troop trains were constantly disrupting the movement of the mail cars It was taking mail pouches from four to six weeks to travel between Washington and France.

At this time there was assigned to the Ordnance Department in Washington a Captain by the name of Amos J. Peaslee, who recently was appointed United States Ambassador to Australia.

As were so many others, Captain Peaslee was unfavorably impressed with the delays the mails were experiencing, and early in 1918 he conceived the idea of a Courier Service whose members would accompany the most vital mail in transit, seeing to its rapid and secure passage. On February 2 this plan was presented to General C. B. Wheeler, then Acting Chief of Ordnance. General Pershing was cabled and permission was immediately granted to put the idea into effect.

Late in March a small unit of seven men headed by then—Major Peaslee departed for Europe. Within three weeks after their arrival the transit time of the mail being moved between Europe and Washington had been cut in half. By the end of June the transit time had been reduced to an average of less than 12 days. The record was seven days, six hours. This drop in transit time was

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considered remarkable, and certainly for those days it was. This military courier service continued its work to the end of the war, steadily expanding in personnel and area covered.

At the close of the war, the transatlantic courier service was technically disbanded. But in the last week of November, 1918, Major Peaslee received an urgent summons from the American Commission to Negotiate Peace to report to Paris. The Commission, impressed by the fine record of the military courier service, asked him to organize, set up, and operate a courier service throughout Europe to re-establish communication lines with the isolated Foreign Service posts, and service the Hoover Food Missions for central Europe.

The Military approved, and Major Peaslee with a nucleus of personnel from the previous military courier service took officers at 4 Place de la Concorde in Paris. The service was under the Department of State, and the personnel carried diplomatic passports. This Courier Service began operations on December 2, 1918, and this is the official birth date of the U.S. Diplomatic Courier Service. Major Peaslee deserves full credit for its conception and establishment.

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This group at once set up trips between America and France, and spread its strands of communication through most of Europe and even into the periphery of Asia. Personnel increased with service and in a few months the Courier's ranks numbered 70 men.

In the summer of 1919 however the American Commission to Negotiate Peace completed its mission and terminated its activities. On September 1 the Courier Service was disbanded and the men, on loan from the military forces, returned to civilian life.

No longer was there any service between the U.S. and Europe. However, due to the vital need for some sort of intra-European courier service, 11 Couriers (Marines) were assigned to the Embassy at Paris. Later one civilian was added, and two Couriers were assigned to London and one to Rome.

Various Americans—ship Captains, traveling members of the Foreign Service, and other travelers—were once again entrusted with the transmittal of diplomatic mail. This irregular and unsatisfactory service continued for some years. Then in 1929 there began pressure in Washington to cut professional courier service, until finally, at the close of business on June 30, 1933, due to financial consideration, the U.S. Courier Service was abolished completely.

REVIVAL

At the abolishing of the Courier Service a rumble of protest came from the posts throughout Europe. As the weeks and months went by, rather than dying out it grew louder. The posts had had a taste of secure, efficient, safehand diplomatic pouch service and they had liked it. Before it had been a case of not knowing what they were missing; now they did know.

At the London Conference in 1934 President Roosevelt learned of the discontinuance of courier service and decided that it should be re-established. For the fiscal year 1935, due mainly to Presidential backing, the State Department was granted $24,000 with which to operate the service.

On August 9, 1934, in a telegram to the Embassy at Paris the Department allotted that post $16,000 for the remainder of the fiscal year for one Courier and the work he would do. Two more Couriers were soon added to the rolls. Paris remained the headquarters.

In 1935 local courier service was set up between Peiping, Tientsin, Nanking and Shanghai, with Peiping as the base. Foreign Service Career Officers were used as Couriers. Next Japan was included in the runs.

For the fiscal year 1939 the Courier Service, which was under the Department of State's Chief of Foreign Service Administration, was allotted $35,000. Plane as well as ship Captains were now used to transmit pouches. In the middle of 1939 a courier trip between Mexico and Washington was initiated.

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Suddenly the Courier Service, like so many organizations, mushroomed and thrived in the deepening shadow of war. Money became a secondary consideration. In 1941 the Courier Service received an appropriation of $58,000, in 1942 it received $144,000, and in 1943 the sum jumped to $335,000. These years were a major turning point in the history of the Courier Service.

About this time, in the fall of 1940, Courier Horton R. Telford was ordered on a trip from Berne to Istanbul. Many things could have happened to Telford on a trip into this area at that time, and many did. He was strafed by a plane, had to travel by oxcart, was arrested as a spy. But he got there.

On December 14 of the same year the SS *Western Prince* was torpedoed and sunk. Courier Henry E. Coleman who was aboard saved his mail, but nothing else, took charge of a lifeboat and finally made it to London. He then calmly continued his trip as though nothing had happened.

And there is the story of veteran Courier Al Frazier who was escaping from Yugoslavia just before the United States entered the war. The Germans boarded the train and ordered Frazier to hand over his pouches. Frazier in a loud voice stated that they contained dynamite which would be touched off before the pouches would be handed over. He was allowed to pass on.

After the Germans had occupied Paris Courier Tom Claffey made a bold dash with several pouches from Spain to our Embassy in France's capital. He went without necessary documents and against the advice of friends and authorities alike. He simply got aboard the train with his pouches and unexpectedly went through without mishap. From Paris he slipped across international and military frontiers to Rome.

Three Couriers were appointed on July 9, 1941 to provide courier service to Central and South America. The Embassy at Panama from then on was used so much as a transfer point that a Courier Office soon was established there. And another Courier Office was set up in Miami.

After America's entry into the war, events moved fast for the Courier Service. Courier P. Henry Mueller, in April of 1942, was sent to Cairo to establish a courier base for the servicing of Northeast Africa and the Near and Middle East. This office quickly expanded in personnel and area covered. On February 19, 1943, old-time Courier Thomas Valenza arrived in Algiers from Washington for the purpose of setting up courier service behind the Allied Forces, which he did. The Iberian Peninsula was made a separate area for courier operations in February of 1944.

In April of the same year, moving right behind the advancing Allied armies, Valenza switched his Algiers headquarters to Naples. From that point he set up service for southern Europe and the western section of North Africa. Our courier service spread in the wake of the conquering armies, and the Berne Office was moved back to Paris (from which it had been transferred early in the war) under Communications Officer Clark.

In the fall of 1945 Communications Officer Sylvain R. Loupe (now Chief of the Department of State's Diplomatic Mail and Courier Branch), the only man in the Service with training in the three fields of postal, military and Department of State communications, was instructed by the Department to organize and begin courier service in the Far East. This he did, setting up his Regional Base at Shanghai. Service from this post quickly expanded to many parts of Asia and the Pacific.

POSTWAR

Immediately after V-J day the Courier Service entered another phase of its history, that of consolidation and streamlining. Until that time the expansion of the courier routes had been so fast and conditions had changed so quickly that the service provided had to be more or less on an as-can basis. Sometimes Couriers would be sent out with only instructions of "Get there and back," and often they would be gone for weeks at a time with few people knowing where they were.

The Courier Service soon began to pick up the loose ends: rigid schedules were set up all over the world; documentation and paperwork were improved tremendously; duplication was cut out; rules and regulations were laid down. Edward T. Brennan of the Head Office in Washington, soon to become Chief of the Western Hemisphere Regional Office, and subsequently Chief of the Couriers, began making a long-needed series of basic studies of other courier systems, personnel and cost problems, and other analyses which were essential to a firm foundation on which to base actual operations.

Gradually the combined efforts of the Service's personnel paid off and efficiency became the general rule. In the eight years after the end of World War II the Courier Service had been reworked into an efficient, streamlined organization.

Things were still, as they have been throughout the history of the Service, happening to Couriers. The Head and Regional Offices' files concerning crashes, riots, special hardships, accidents and the many other hazards which are an integral part of a Courier's life, are full ones, and they are still growing.

Crash landings are routine.

In the past 11 years four professional Couriers have been killed while performing their duties. The airplane in which one was traveling, Homer C. White, departed from Accra on December 4, 1945, and simply never was seen again. Every Courier realizes he is pushing the old law of averages.

Dame Misfortune seems to have singled out John Powell, now Regional Supervisor at Panama, for special attention. He has been in accidents, riots, shootings, plane trouble, under ack-ack fire and other such uncomfortable circumstances. He was the Courier who, in April of 1948, landed in the middle of a revolution in Bogota. With his pouches he made his way by foot from the airport to the Embassy, but not without being assaulted and stabbed by the revolutionists.

The lot of a Diplomatic Courier is not all foam rubber airline cushions.

TODAY

Since 1948 the Courier Service has been in the Department of State's Division of Communications, and now includes the Head Office in Washington as well as four Regional Offices at Panama, Paris, Cairo and Manila. The Couriers service about (the number varies) 113 countries.

The number of Couriers and Courier Supervisors recently has been reduced from 100 (in January, 1953) to 77. Still, a rapid, worldwide web of courier communications is maintained. At this moment Couriers are traveling in the air and on the ground with their pouches of secret material—perhaps circling Rio, approaching Auckland, catching another plane at Colombo, passing Aconcagua between Santiago and Buenos Aires, going up through the Khyber Pass to Kabul.

Each year the professional Couriers travel over the equivalent of 20 round trips to the moon. (One man, veteran courier Tom Grimes, in 1951 was the first Courier to pull all of the runs all over the world.)

Regular official courier travel has been made in every type of conveyance from gondolas to jet jobs.

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The Courier Service has never had a pouch or piece of mail stolen.

For an impartial observer looking at the whole panorama of history's courier services there is one certain conclusion: The United States Diplomatic Courier Service, from the stand points of security, speed, efficiency and world coverage—in short, on those points which are the major objectives of a courier service—is unquestionably and by far the finest of the courier services of history.

A short time ago the Department of State's Diplomatic Couriers adopted an official emblem—a golden eagle in flight. Each Courier may carry one. On the reverse side of the emblem is inscribed in Greek the Courier Service's motto, part of Herodotus's description of the Persian Couriers. The translation is: "None is swifter than these."

The SPEAKER. The question is on the motion of the gentleman from Georgia (Mr. STEPHENS) that the House suspend the rules and pass the bill H.R. 7215.

The question as taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WICHITA CENTENNIAL COMMEMORATIVE MEDALS

Mr. STEPHENS. Mr. Speaker, I move to suspend the rules and pass the bill H.R. 8188) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans.

The Clerk read as follows:

H.R. 8188

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

§ 1. Medals authorized

In commemoration of the one hundredth anniversary of the founding of the city of Wichita, Kansas, which will be celebrated in 1970, the Secretary of the Treasury (referred to in this Act as the Secretary) shall furnish medals (referred to in this Act as the medals) in accordance with this Act to Wichita Centennial, Incorporated (referred to in this Act as the Corporation). The medals authorized under this Act are national medals within the meaning of section 3351 of the Revised Statutes (31 U.S.C. 368).

§ 2. Design and materials

The medals shall bear such emblems, devices, and inscriptions, shall be of such size or sizes, and shall be made of such materials as the Corporation may determine with the approval of the Secretary.

§ 3. Quantities; expiration of authority

The medals may not be made in quantities of less than two thousand, nor in an aggregate quantity greater than one hundred thousand. They shall be made and delivered at such times as may be required by the Corporation, but no medals may be made after December 31, 1970.

§ 4. Determination of cost; security for payment

The medals shall be furnished at a price or prices equal to the costs of manufacture as estimated by the Secretary, including labor, materials, dies, use of machinery, and overhead expenses. The medals may not be made unless security satisfactory to the Secretary is furnished to indemnify the United States for full payment of these costs.

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. STEPHENS. Mr. Speaker, this bill proposes the striking of commemorative medals honoring the 100th anniversary of the city of Wichita.

I now yield such time as he desires to the gentleman from Kansas (Mr. SHRIVER), the author of the bill.

(Mr. SHRIVER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SHRIVER. Mr. Speaker, I rise to urge the passage of this bill (H.R. 8188) which is sponsored by me and provides for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans.

In July 1969, the city of Wichita, which it is my privilege and honor to represent in the Congress, will begin a yearlong celebration of her 100th year as an incorporated community. An unprecedented program of centennial festivities will reach its climax, in 1970, on the anniversary of the date, July 21, 1970, when Wichita was first incorporated as a town.

This legislation authorizes the Secretary of Treasury to furnish medals in accordance with established regulations and procedures to Wichita Centennial, Inc. The corporation is prepared to submit the necessary design and artwork for the medals.

According to provisions of this bill, the medals may not be made in quantities of less than 2,000, nor in an aggregate quantity greater than 100,000.

The medals would be furnished by the Secretary of the Treasury at a price or prices equal to the costs of manufacture as estimated by the Secretary including labor, materials, dies, use of machinery, and overhead expenses.

It is my understanding the Wichita Centennial, Inc., is prepared to furnish the necessary security to indemnify the United States for full payment of the costs.

Wichita Centennial, Inc., is registered and recognized by both the State of Kansas and the Federal Government as a nonprofit corporation. Officers of the corporation include Mr. Jack K. Lashley, president; Mr. Herb D. Hollinger, vice president; John F. Eberhardt, secretary; Mr. H. Marvin Bastian, treasurer; and Mr. Kenneth E. Johnson, chairman of the finance committee. Managing director for the centennial is Mr. Robert Carroll.

This corporation is an organization of citizens who believe that the 100th anniversary of the city, and the year during which she crosses the threshold from her first to second century, represent a rare opportunity to pay tribute to the heritage of an historic past, to evaluate the achievements of a vital present, and to acknowledge the unlimited potential offered by a challenging future.

Striking of this medal will be an important part of Wichita's centennial observance, and it will serve as a reminder of the city's historic past as well as its great potential in its second century.

Mr. Speaker, I wish to thank the subcommittee and full Committee on Banking and Currency which have acted expeditiously and favorably on this legislation.

The SPEAKER. The question is on the motion of the gentleman from Georgia that the House suspend the rules and pass the bill H.R. 8188.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

STRIKING MEDALS IN COMMEMORATION OF THE 100TH ANNIVERSARY OF THE FOUNDING OF AMERICAN FISHERIES SOCIETY

Mr. STEPHENS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1130) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society.

The Clerk read as follows:

S. 1130

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the one hundredth anniversary of the founding of the American Fisheries Society on December 20, 1870, the Secretary of the Treasury is authorized and directed to strike and furnish to the American Fisheries Society not more than one hundred thousand medals with suitable emblems, devices, and inscriptions to be determined by the American Fisheries Society subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the American Fisheries Society in quantities of not less than two thousand, but no medals shall be made after December 31, 1970. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such various metals as shall be determined by the Secretary of the Treasury in consultation with the American Fisheries Society.

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. STEPHENS. Mr. Speaker, S. 1130 is identical to H.R. 8648, sponsored by Representatives DON H. CLAUSEN and JOHN P. SAYLOR. It authorizes the striking of medals commemorating the 100th anniversary of the American Fisheries Society. We have received no objections to this bill. S. 1130 passed the Senate earlier this year, sponsored by the two Senators from the State of Washington. The Treasury has no objection to it. No costs would be assumed by the Treasury in striking the medals.

Mr. Speaker, I yield now to the gentleman from Pennsylvania (Mr. SAYLOR), one of the coauthors of the bill.

(Mr. SAYLOR asked and was given

permission to extend his remarks at this point in the RECORD.)

Mr. SAYLOR. Mr. Speaker, I am very pleased to note that the Committee on Banking and Currency has approved and reported to the House, bill H.R. 8648, which my colleague, Congressman DON H. CLAUSEN of California and I sponsored to commemorate the 100th anniversary of the American Fisheries Society.

The society will celebrate its centennial mark next year with appropriate ceremonies in New York City, September 13 to 16, 1970. H.R. 8648 would provide for the striking of medals in commemoration of the founding of the society on December 20, 1870.

The American Fisheries Society has been an active and constructive force for the gathering and dissemination of information pertaining to fisheries. From modest beginnings, the society is now embarked on programs that include the promotion and enhancement of all branches of fishery sciences in colleges and universities, the exchange of information relating to fishery sciences, and most important, the promotion of conservation and wise utilization of fisheries.

Membership of the society now includes 5,000 persons in the United States, Canada, and 60 other countries throughout the world. Over the years, the influence of the members of the society has been demonstrated in international fisheries decisions, both fresh water and marine. While negotiating treaties and agreements with foreign countries, prominent members of the society have served on international commissions and advisory bodies in discussions on fisheries problems. By holding national and international scientific meetings annually to report on findings of research and management studies, and then publishing these results, the field of fisheries has kept the public and scientists worldwide, abreast of developments.

The American Fisheries Society has performed a very valuable function in serving in the field of natural resources, and I feel it is appropriate to commemorate these many years of service with the striking of the medals called for in H.R. 8648.

Mr. PELLY. Mr. Speaker, the American Fisheries Society will commemorate its 100th anniversary this year, and it is fitting that this outstanding organization be honored by the striking of a centennial medal. I strongly urge my colleagues to support this legislation.

The American Fisheries Society gathers and disseminates information in the area of fishery science and practice which is a vital function in these days when our fishing industry is facing such problems. The United States today accounts for only 4 percent of the world catch, but she consumes about 12 percent of the total and is the world's largest market. Our fishing industry must be restored to a competitive, profitable position with consequent benefit to the economy, and without the fishery science and practice that has been exercised in the past, our problems undoubtedly would be even greater.

The American Fisheries Society now has more than 5,000 members in the United States and Canada, dedicated to the promotion and enhancement of all branches of fishery science, the encouragement of teaching all phases of fishery sciences in colleges and universities, the exchange of information relating to fishery sciences, and, most important, the promotion of conservation and wise utilization of fisheries.

Again, Mr. Speaker, I urge a favorable vote on the striking of medals for the American Fisheries Society as a commendation for the vital contributions it has made during the last century.

The SPEAKER. The question is on the motion of the gentleman from Georgia that the House suspend the rules and pass the bill S. 1130.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 8648) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STEPHENS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the five bills considered today under the suspension of the rules.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

WE MUST ACT TO HALT THE FLOW OF SMUT MAIL TO MINORS

(Mr. DULSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DULSKI. Mr. Speaker, there is widespread concern about the continued flow of obscene matter through the mails, particularly matter addressed to minors.

In February, I introduced comprehensive legislation aimed at halting the flow of material to our young people. This measure and others are pending before our Subcommittee on Postal Operations which is planning to hold public hearings in the near future.

Today, Mr. Speaker, I am introducing an expanded antismut bill, which includes all of my previous bill—H.R. 7375—plus several additional provisions which have been recommended by President Nixon, and which I feel it is proper to place before our committee as hearings are scheduled.

The control of the mailing of obscene material is a very difficult area of law, but I feel it is essential that we act forcefully to prevent mailings of obscene material to minors.

I have no question about our authority to protect our young people and this is the heart of my bill as originally introduced. The variation which I am introducing today, along with three other Members of our committee—Mr. NIX, Mr. CORBETT, and Mr. CUNNINGHAM—adds two other features:

First. I am proposing making it a Federal crime to use the mails for the commercial exploitation of a prurient interest in sex through advertising.

Second. I am proposing extension of the present law to enable a citizen to protect his home from any intrusion of sex-oriented advertising—regardless of whether or not a citizen has ever received such mailings.

This bill incorporates the features suggested by the White House in its message to Congress while we were in adjournment last Friday.

It does not, however, include the postal rate increase proposal, which was included as a part of the obscenity bill text sent to the Speaker by the Postmaster General at the same time.

The message from the White House on obscenity made no reference to postal rates. What is more, postal rates have no business being tied with control of obscene material being sent through the mails.

I have made it plain earlier that our committee has no intention of dealing with any change in postal rates until we first make substantial progress on postal reform. Our committee already is dealing with postal reform proposals.

It would be a grave mistake to burden legislation on control of obscenity with the very controversial matter of proposed postal rate increases.

In substance, my bill will impose a stricter ban on the use of the mails, in any way, for the solicitation, sale, delivery or distribution of pornographic material to a minor.

The same ban would apply on mailings to any person with whom a minor resides.

This new authority to the Post Office Department, with enforcement provision, is aimed directly at the area of greatest concern: the continuing unsolicited mailings to our young people.

In trying to curb the flow of smut, I feel it is essential that the law spells out in detail exactly what type of material is objectionable and should be banned from the mails. Such standards are a vital feature of my bill.

The Federal antipandering law which originated in our committee has proven its worth during the past year in giving recipients of such mail a way in which to halt further solicitations.

Since April 1968, the Department has received nearly 200,000 complaints about material which the recipients considered to be of the smut variety.

Acting on these complaints, the Department was able to order the removal of names from the mailing lists, under threat of referral of individual cases to the Justice Department.

In summary, what we aim to do in my bill today is—

First, to stop unsolicited mailings to minors at their source;

Second, to extend the present law to enable a citizen to protect his home from any intrusion of sex-oriented advertising—regardless of whether a citizen has ever received such mailings; and

Third, to make it a Federal crime to use the mails for the commercial exploitation of a prurient interest in sex through advertising.

Further legislative action to curb antismut mailings is a matter for urgent con-

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sideration by our committee and the Congress and scheduling of hearings is now underway.

SUPREME COURT DECISIONS ON REAPPORTIONMENT RESULT IN CHAOS

(Mr. SPRINGER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SPRINGER. Mr. Speaker, a recent decision of the U.S. Supreme Court declared the recent reapportionment of Missouri invalid.

It would appear to me from a reading of the decision that this will invalidate reapportionment in at least 44 of the 50 States. If Illinois is forced to reapportion, this will be the third time in 8 years.

The disappointing fact with reference to the Supreme Court decision in reapportionment is that, instead of helping and guiding the legislatures, it has merely nullified the action of the various State legislatures. Nowhere has the Court indicated what it believes would be a valid and legal reapportionment.

The scope of the decisions of the Supreme Court have not just affected the Congress. They have affected both the lower and upper houses of every legislature in the land.

No decisions within the history of the Supreme Court have been so destructive to the morale of the legislative bodies as have the decisions of the last 7 or 8 years of the Supreme Court with reference to reapportionment. Even local legislative bodies at city, townhall, and county levels have been affected. There have been streams of correspondence to us as Members of Congress to please give them some indication as to where they stand with reference to proper proportional representation. The decisions have been so mixed and without guidance that it has been impossible for me as a Congressman to properly advise my own State legislature as well as lesser bodies as to what is the proper course to follow.

Mr. Speaker, these decisions have resulted in chaos in this country. In my own State, some counties will have been shifted three times if we are forced to reapportion again in Illinois. Surely local counties ought to have some idea of wherein they lie and who represents them in the Congress. These decisions of the Supreme Court have resulted in an impossible situation with reference to local governments. Somewhere this has to stop.

Under article III, section 2, paragraph 2, jurisdiction has been given to Congress to determine wherein the Supreme Court shall have appellate jurisdiction. In order that the Members may know the exact language, I herewith quote:

> In all the other Cases before mentioned, the Supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

A desperate situation demands action which will prevent what has been taking place in the past few years. This will leave to the States determination by them through their elected representatives of how various States should be apportioned. This is as the Constitution determined it in the beginning and it is as it should be.

I ask all of those Members of Congress who have like thinking to join me in this legislation which I can assure you has only been drawn as a last recourse to bring some kind of sense into the entire problem of reapportionment from Congress down to the county supervisor.

CAMPUS DISORDERS

(Mr. ARENDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker—

> There can be no compromise with lawlessness and no surrender to force if free education is to survive in the United States of America.

Those were the clarion words of our President when he spoke out last week about the disorders on our college campuses. Attorney General John Mitchell was even more explicit in his condemnation of the militant students who violate the law. He emphasized that the law must be enforced because "where law ends, tyranny begins."

It comes within my knowledge that our Attorney General is determined to prosecute to the fullest extent of the law where there is legally acceptable evidence of a violation of a Federal law, such as the antiriot provision we wrote into the Civil Rights Act. But there are constitutional limitations on what the Federal Government can do or should do.

Local disorders are primarily a local and State responsibility. But the basic responsibility, insofar as campus disorders are concerned, rests with the administrators and faculties of the colleges and universities.

It is not the proper role of Government to interfere in the internal affairs of our colleges. It is, however, incumbent on the Government to provide the college authorities with whatever tools may be needed to deal with what has been taking place on our campuses.

In the final analysis, the solution to this problem of rebellion on the campuses lies with the college authorities themselves. All of us can understand the restlessness of youth, their questioning of authority and desire for changes. That has always been true with each generation in varying degrees, and it is a healthy, much to be desired, condition that makes for progress. All of us understand where there might be need for change and where student protests might be legitimate. But peaceful protest is one thing; anarchy is something else.

It is my considered judgment that the colleges and universities themselves have been lax in taking disciplinary action against those who have participated in these disorders. They have been all too willing to yield to demands and to grant amnesty.

It is not true that when a college admits a student he is granted a privilege? In our more prestigious colleges and universities, such as Harvard and Cornell, many apply for admission and few are granted the privilege to enroll. It does not follow that the mere granting of this privilege confers on the student all manner of rights to the extent of dictating what courses shall be taught and who shall teach them.

When a student abuses this privilege to the detriment of the purpose of the college to provide an education, the college authorities can and should withdraw the privilege. This is where our college administrators have lacked "backbone." They have meekly allowed a disruptive few to deny the many their privilege of learning.

It is contended that the head of a college or university is practically helpless when a group of students take over a university building. President Pusey, of Harvard, has been severely criticized for calling in the police when confronted with such a takeover. This action resulted in other undergraduates, and some members of the faculty, lending their support to the radical few and their "demands."

Perhaps President Pusey acted hastily. We do not know. But at least he showed he had "backbone," and he was determined that there be law and order on the Harvard campus.

In hindsight it would have been wiser if President Pusey had told everyone occupying the building that they had until a given time to leave the building or they would be expelled, and in any case all would be subject to disciplinary action. If within the stipulated time the building was not relinquished, the President might have obtained a court order enjoining occupancy and left it to the court to enforce its order.

I am not advocating suppression. Nor am I advocating counterviolence to combat violence. I am simply saying that, in my opinion, this problem of campus disorders can be resolved if our college and university authorities showed some "backbone," as President Nixon suggested, and employ the legal processes available to them in a society founded on freedom under law. If everyone is free to do everything, no one can be free to do anything. Freedom is not license; it is ordered liberty under law.

BILL TO ESTABLISH CABINET-LEVEL DEPARTMENT OF MARITIME AFFAIRS

(Mr. ANDERSON of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of California. Mr. Speaker, I am today introducing H.R. 10869, to establish a Cabinet-level Department of Maritime Affairs. This bill would bring together and coordinate all U.S. commercial and governmental interests with respect to the sea. The proposed Department would include many of the agencies already in existence and scattered among several departments, such as the Maritime Administration, the Federal Maritime Commission, the Bureau of Commercial Fisheries, the Merchant Marine Academy, the Coast Guard, the Coast Guard Academy, the Coast and Geodetic Survey, the National Council on Marine Resources and Engineering Development, the national sea

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grant college program, and the coastal area functions of the Federal Water Pollution Control Administration.

History and experience prove that our maritime interests, if included in an agency or department having other duties and responsibilities, become submerged, and are largely ignored and neglected.

MERCHANT FLEET

Today the American merchant marine carries less than 8 percent of this country's export-import trade. Over 90 percent of America's world trade is in foreign hands, dependent on foreign-flag ships, and the policies of foreign governments.

We rank a low 16th as a merchant shipbuilding Nation. America's obsolete merchant fleet is not only faced with a totally inadequate program of new ship construction, but also with a modern, rapidly expanding Russian fleet.

Today the privately owned American merchant marine consists of only 1,000 ships, of which about three-fourths are 20 years of age or older. In contrast, the Russian state-owned merchant marine consists of 1,400 ships, almost all of which are less than 10 years of age.

FISHING INDUSTRY

The health of our fishing industry is to great extent related to the size and strength of our merchant marine. Today our fishing fleet is, by and large, technically outmoded. Catches made by U.S. flag vessels have remained constant over the last three decades. During this period the United States has dropped from second to sixth among the world's fishing nations. United States vessels today land only about one-half of the total fish consumed in the United States and harvest less than one-tenth of the potential, available over the U.S. Continental Shelf.

I believe that our fishing industry can be restored to a competitive and profitable operation, but to do so we must abandon our pattern of neglecting this vital industry.

WATER POLLUTION

Much of the health of the fishing industry is in turn dependent upon our successful control of water pollution. Pollution in the coastal waters threatens to destroy marine life. Pollution in many of these waters has already contaminated the fishing population. For example, an estimated 1.2 million acres of the Nation's shellfishing grounds have been declared unsafe for the taking of shellfish for human consumption. We can no longer afford to give only part-time attention to the problems of pollution as it affects the marine environment.

OCEANOGRAPHY

The problems of water pollution and the conditions of our shipbuilding and fishing industries also affect our efforts in the field of marine science and oceanography. Today full realization of the potential of the sea is presently limited by lack of scientific knowledge and exploration. Support of basic research is vital to understand our marine environment, explore the sea's resources, and develop the ocean's potential.

Lack of maritime policy coordination and lack of a strong spokesman for the marine sciences is partially responsible. If we correct these faults we would bring marine research and development into line with our other major scientific endeavors.

Oceanography, water pollution, the fishing and shipping industries are indeed interdependent and interrelated. If any one of these four fields is neglected, the others will suffer. Unfortunately, for too long they have all been neglected. This is not a healthy situation for our Nation—either economically or militarily.

We must establish an aggressive national maritime program to promote development of our marine and maritime interests. A Department of Maritime Affairs, as I am proposing today in H.R. 10869, would provide an overall national ocean policy, so imperative to the revitalization of our maritime interests. With some 22 separate Government agencies presently engaged in various ocean activities, a unified policy for our merchant marine, fishing industry, water pollution efforts, and oceanography program is impossible. A Department of Maritime Affairs would create one strong maritime advocate instead of many weak ones, and provide a creative and imaginative approach to solving many of our maritime problems which have been ignored and neglected for too many years.

H.R. 10869

A bill to establish a Department of Maritime Affairs, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of Maritime Affairs Act".

DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby declares that the general welfare of the people, the continued growth of the economy, and the ability of the Nation to meet ever-increasing demands for food and raw materials require the establishment of coordinated, comprehensive maritime policies conducive to the development of a fast, efficient merchant marine, to the rehabilitation of our fishing industry, to the restoration and preservation of our waters, and to the exploration of the ocean and its resources.

(b) The Congress therefore finds that the establishment of a Department of Maritime Affairs is necessary to assure the unified and effective administration of maritime programs of the Federal Government; to provide maximum development of commercial fishing potential; to stimulate technological advances in marine sciences; to encourage utilization of the ocean's resources; to prevent pollution of our shorelines, coastal waters, harbors and navigable waterways; to provide general leadership in the identification and solution of maritime problems; and to develop and recommend to the President and Congress for approval national maritime policies and programs to accomplish these objectives with full and appropriate consideration of the needs of the public, industry, labor, and the national security.

ESTABLISHMENT OF DEPARTMENT

SEC. 3. (a) There is hereby established at the seat of government an executive department to be known as the Department of Maritime Affairs (hereafter referred to in this Act as the "Department"). There shall be at the head of the Department a Secretary of Maritime Affairs (hereafter referred to in this Act as the "Secretary"), who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) There shall be in the Department an Under Secretary, who shall be appointed by the President, by and with the advice and consent of the Senate. The Under Secretary (or, during the absence or disability of the Under Secretary, or in the event of a vacancy in the office of Under Secretary, an Assistant Secretary or the General Counsel, determined according to such order as the Secretary shall prescribe) shall act for, and exercise the powers of the Secretary, during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary. The Under Secretary shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

(c) There shall be in the Department four Assistant Secretaries and a general counsel, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

(d) There shall be in the Department an Assistant Secretary for Administration, who shall be appointed with the approval of the President, by the Secretary under the classified civil service who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

SEC. 4. (a) The Secretary in carrying out the purposes of this Act shall, among his responsibilities, exercise leadership under the direction of the President in maritime affairs, including those affecting national security; provide leadership in the development of national maritime policies and programs, and make recommendations to the President and the Congress for their consideration and implementation; promote and undertake development, collection, and dissemination of technological, statistical, economic, and other information relevant to domestic and international development of the ocean's resources, to the merchant marine, to the fishing industry, and to water pollution; consult and cooperate with the Secretary of Labor in gathering information regarding labor-management problems and in promoting industrial harmony and stable employment conditions in the shipping and fishing industries; promote and undertake research in the areas of oceanography and water pollution; consult with the heads of other Federal departments and agencies on maritime requirements of the Government; and cooperate with State and local governments, industry, labor, and other interested parties, holding, when appropriate, public hearings.

(b) In exercising the functions, powers, and duties conferred and transferred to the Secretary by this Act, the Secretary shall give full consideration to the need for operational continuity of the functions transferred.

(c) Orders and actions of the Secretary in the exercise of functions, powers, and duties transfered under this Act shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the department or agency exercising such functions, powers, and duties immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by this Act shall apply to the exercise of such functions by the Secretary.

(d) In the exercise of the functions, powers, and duties transferred under this Act, the Secretary shall have the same authority as that vested in the department or agency exercising such functions, powers, and duties immediately preceding their transfer, and his actions in exercising such functions, powers, and duties shall have the same force and effect as when exercised by such department or agency.

MY DADDY HAS BLACK LUNG

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

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Mr. HECHLER of West Virginia. Mr. Speaker, a very poignant personal account of coal workers' pneumoconiosis—"black lung"—has been written by Geneva Talbott, Marshall University student journalist. This article which appeared in the Sunday Gazette-Mail of Charleston, W. Va., on May 4, deserves the attention of all Members. It tells in moving terms the human story of the meaning of this dread disease among coal miners, and should strengthen the resolve of this Congress to pass meaningful coal mine health and safety legislation. It follows:

My Daddy Has Black Lung

(By Geneva Talbott)

Daddy has Black Lung. Third stage. The doctors say that's next to final. He hasn't been able to work in over four years and of course, will never be able. He doesn't do much—just sits and stares out the picture window of his comfortable little home near Chapmanville. Or he reads his Bible. He and my mother spend much time in the church where he is Sunday School superintendent.

My father spent 35 years in coal mines. It was his livelihood—and his way of life. Now poor health has taken his living—and will soon take his life.

I remember when I first read the doctor's report. "Pneumoconiosis." It leaped out at me. There were other big words, too: arteriosclerotic cardiovascular disease, pulmonary emphysema, chronic asthmatic bronchitis, and more—but they hadn't stricken fear in me as that big word had. I asked my father what it meant.

"I don't know much about it. The doctor tried to explain it to me, but you know I can't understand all them big words. He just called it black lung. I guess that's because it's easier to pronounce and it kind of tells you what it is, too."

"But, Daddy . . ." I began to protest.

"Now, don't you worry. Whatever happens is God's will," he interrupted as he picked up his worn Bible and began reading.

I was a sophomore at Marshall University and I offered to quit school and get a job.

"We have a little saved. We can make it. You stay in school." Mother smiled in rejection of my idea.

I didn't know how hard it was for them until I came home from summer school and saw Mother's calloused hands and tired eyes.

"Mother, I heard from one of the neighbors that you . . ." I began.

"That I peddled vegetables? What's wrong with that? We had to pay the electric bill and I ain't got above my raisin'. Besides, people liked having the vegetables brought right to their doors," she informed me.

I remember that on this visit home Daddy had seemed so much worse than I had recalled—but then it had been several weeks. He had had a serious attack a few days before I arrived. He had gone to the cellar for canned food and had fallen, clutching at his heart and gasping for breath. "I thought it was all over," my mother told me tearfully.

"How do you feel now?" I asked my father.

"Ah, I'm all right. I just have a few pains around my heart sometimes—feels like a heart attack. Guess that's why this black lung is diagnosed as heart disease so often."

There have been many such attacks during these past four years. One might suppose that the frustration of poverty and of fighting two years for a monetary settlement added little pleasure to Daddy's dull and painful life. Then when the small check came, the lawyer got his share.

Despite all his diseases my father is a big, rugged man whose once-bulging muscles have become a little less firm. The twinkle in his dark eyes is gone except for when he talks about God or the mine.

As he recalls exciting, dangerous, happy or sad experiences in the dark cold mine, my mind follows him inside the mountain where I stand by his side as these things happen. I can see him as a good-looking sixteen-year-old dressed in patched jeans and overall jacket. His first day's work in a coal mine. A miner's hard hat would be cocked to one side. As he relates this tale, I look at his face and I know that look of excitement is the same as the one years before when his jaunty gait led him right up to the mine entrance. No signs of fear.

When he started mining in the late 1920's they used picks and shovels. Mechanization came along and Daddy told about his first day on a mechanical loader.

He remembered telling his friend Joe, I'm trading in my shovel today. The company's got that new mechanical loader now you know, and I'm going to be the first man to run it."

Joe had been interested.

"Yeah, I heard something about that. I went to see that thing—don't think it'll work at all."

"Oh, yes! I think it will. Them big arms will be slapping around in there loading more coal than all the rest of you guys put together," my father predicted. "Tell you all about it at lunch."

By lunchtime the loader had proved itself. Daddy victoriously eyed Joe as he pulled a bologna sandwich from the black lunch bucket.

"Reckon eating this coal dust could hurt a man's stomach?" my father laughed as he watched his buddy tenderly holding his sandwich with only two black fingers. That was so he wouldn't get the rest of it dirty.

"Nah," Joe replied as he gulped down the last bite—the one the dirty fingers had held. "There does seem to be a lot more today. Guess if that new loader loads more coal there has to be more bug dust," he added.

They put sprinklers on the head of loaders. This cut down the black, flour-like dust somewhat, but it could not be eliminated.

Years passed. Mechanization increased. Coal dust grew. Good health among miners decreased.

Daddy was an electrician the last 10 years of his coal mining life. Working on machinery necessitated his being throughout the mine. This meant breathing even more coal dust than usual.

He talks about the different kinds of machinery he worked on and his fingers twitch in wishfulness. He describes the long, low cutting machine so that one can almost see it at work. Once he demonstrated his method of moving around the 35 to 42 inch ceiling of the mine. His posture resembled that of a slumped over ape. He showed me his best position for comfort while repairing the machines—crouched on his ankles.

One wonders (except miners) what mysterious fascination holds these men within its grip. Many think coal mining is dull, routine, monotonous. Daddy says it's exciting and challenging.

"Never a dull minute. The men are the jolliest in the world. Sure they complain some but that's natural. It's dangerous and that makes it exciting. You never know if you'll be alive the next minute."

This amazes me, and I asked my father, "If you were able, would you go back to the mine?"

"Tomorrow!"

PRESIDENT NIXON'S MESSAGE ON THE DISTRICT OF COLUMBIA

(Mr. GUDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUDE. Mr. Speaker, I would like to take this opportunity to commend President Nixon on his comprehensive message last week to the Congress offering practical and balanced proposals for the District of Columbia.

As a member of the House District Committee I am well aware of the political realities which we face in considering such proposals as: The establishment of a commission to provide more self-government and to strengthen the District's government generally; voting representation in Congress; the 30 percent annual Federal payment formula; and the commencement of a regional rapid transit system. I feel that these proposals are timely with respect to decisions to be made as we deal with the essential priorities for our Nation's Capital.

As a representative of suburban Washington for more than 10 years, in the House of Representatives and the Maryland Legislature, I feel that it is high time that we all become committed to improving the structure, both physical and political of the District. The recommendations cited by President Nixon have been major emphases in my legislative agenda for Washington; I have worked especially toward the acceptance of the 30 percent payment formula to the District, District of Columbia representation in Congress, and the implementation of a balanced transportation system which would include resolution of the freeway impasse and adoption of a rapid rail system serving the entire Washington metropolitan area.

In light of this longstanding interest, I am greatly pleased by the President's obvious concern and astute approach toward progress in our efforts to make our Nation's Capital the model city for the Nation and for its residents. I cannot stress enough my ardent hope that we in Congress can join with the President in his concern and, in the coming weeks, give his proposals our careful and due consideration.

INVESTIGATE FORTAS

(Mr. SCHERLE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SCHERLE. Mr. Speaker, a full-scale congressional investigation into the conduct of Supreme Court Justice Abe Fortas is long overdue. Fortas, nominated by President Lyndon Johnson for Chief Justice, refused last year to reappear before a congressional committee to answer questions involving his financial and ethical behavior during his Supreme Court tenure.

The article on Justice Fortas, which appears in this week's issue of Life magazine, raises additional questions on his conduct in office. The excellent article, written by an outstanding investigative reporter, William Lambert, outlines the unusual relationship of a sitting Supreme Court Justice and a well-known stock manipulator then under Federal investigation—subsequently convicted—for that type of criminal activity. Included in that relationship was a questionable plane ride by Fortas to Wolfson's Florida plush resort home where he spent a

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couple of days, and a $20,000 check for legal "studies" given Justice Fortas, which he returned 11 months later.

While the information collected by Life magazine is most valuable, the need for a thorough investigation by a congressional committee, which would have far more facilities available, is paramount.

The American people have a right to expect that even a member of the U.S. Supreme Court will be held accountable to the public for his activities. Justice Fortas should be called immediately before a congressional committee and made to answer questions about his conduct on the Bench. He should not be allowed to hide behind a cloak of judicial immunity. The American people and the Congress are entitled to know the facts in this matter.

The article follows:

Fortas of the Supreme Court: A Question of Ethics—The Justice and the Stock Manipulator

(By William Lambert)

On Tuesday, April 1, the Supreme Court of the United States shut the door on an appeal by financial manipulator Louis Wolfson and his longtime associate, Elkin "Buddy" Gerbert. It was very nearly the last hope of the two men to set aside the first of two convictions for violating U.S. securities law. In the announcement of denial of the writ, one of the justices, Abe Fortas, was noted as "recused," a lawyer's expression meaning he declined to take part in the decision.

On the surface, the recusal seemed usual and proper, for it was widely known that the justice's former law firm—Arnold, Fortas & Porter—had represented a Wolfson company, New York Shipbuilding Corp., while Fortas was a member of the firm. Moreover, after Fortas had ascended to the bench and his name had been scraped off the law firm's door, Arnold & Porter had represented Gerbert in his two criminal trials with Wolfson. Actually, quite apart from the actions of his former firm, Justice Fortas had reason to abstain from judging Louis Wolfson.

In an investigation over a period of several months, Life found evidence of a personal association between the justice and Wolfson that took place *after* Fortas was seated as a member of the nation's highest tribunal.

The basic facts are simple: While a member of the High Court, Fortas was paid $20,000 by the Wolfson Family Foundation, a tax-free charitable foundation set up by Wolfson and his brothers. Ostensibly, Justice Fortas was being paid to advise the foundation on ways to use its funds for charitable, educational and civil rights projects. Whatever services he may or may not have rendered in this respect, Justice Fortas's name was being dropped in strategic places by Wolfson and Gerbert in their effort to stay out of prison on the securities charge. That this was done without his knowledge does not change the fact that his acceptance of the money, and other actions, made the name-dropping effective.

Justice Fortas ultimately refunded the money to the foundation—but not until nearly a year after receiving it. By that time Wolfson and Gerbert had been twice indicted on federal criminal charges.

Wolfson is no stranger to litigation. He began his rise in financial circles in the 1930s when he took over the family junk business his immigrant father had built. By the early '50s his tall, lean figure and ruggedly handsome face, which shows some marks of youthful experience as a professional boxer, was a familiar sight at various corporate board meetings and on the newspaper financial pages. He took over the Washington, D.C. transit company and siphoned off its rich capital reserves. He nearly succeeded in gaining control of Montgomery Ward, but was narrowly beaten in a proxy battle. At one time he was the largest shareholder in American Motors, and when he sold out his position, he got embroiled in a dispute with the government over making "false and misleading statements." A prominent financial writer called him "the biggest corporate raider of all time."

On his part, Fortas was a well known figure in legal circles—and a high-powered political operator as well—long before he was appointed to the Court. As a leading partner in one of Washington's most prestigious law firms before his elevation to the bench, he is widely considered to be more than comfortably rich. He is acknowledged a brilliant legal scholar and also a violin virtuoso and a connoisseur collector of art and antiques.

From Lyndon Johnson's days as a congressman through his term as President of the United States, Fortas was counsel and close confidant. In 1964, when Johnson aide Walter Jenkins ran afoul of the law, it was Fortas (along with Clark Clifford) who tried to get the newspapers to suppress the story. If a person had to see the President, Fortas was the man who could arrange it. If the President wished to fend off influential tormentors—including the press—Fortas frequently was dispatched to do the fending.

Fortas continued to advise and do favors for President Johnson after he took his seat on the Supreme Court in October, 1965. That extrajudicial activity finally got him in trouble and cost him the job of Chief Justice.

When Johnson nominated him to succeed Earl Warren last June 26, 1968, Fortas had to face a not altogether friendly Senate Judiciary Committee. Some Republicans wished to hold the job open for a possible Republican appointment; conservative senators attacked Fortas for his liberal positions on criminal law and censorship. But there were also considerations which seemed germane to his judicial fitness.

His cronyism with the President bore on the doctrine of separation of powers among the branches of government. There were accusations that Justice Fortas had been functioning as a conduit for presidential wrath against friends who opposed his policies; that Fortas had tried to arrange appointments to the State Department and the federal bench; that he had functioned as a presidential consultant on various problems and position papers. He irked some senators by declining to comment on certain aspects of these matters.

The issue of his appointment approached a climax when a newspaper revealed that Fortas had accepted $15,000 for lecturing at American University's Washington College of Law. Such compensation (though overlarge) was not in itself criticized; but when it developed that Fortas' former law partner, Paul Porter, had solicited funds for the lectures from five of his or Fortas' influential friends, consternation prevailed even among Fortas supporters. One contributor was Troy Post, a wealthy Texan and Fortas friend whose son had been helped by Porter after an indictment for mail fraud. Another was Maurice Lazarus, who at one time sat with Fortas on the board of Federated Department Stores. Others were investment bankers Gustave Levy and John Loeb and New York lawyer Paul Davis Smith.

Critical senators were eager to press questioning about the fund and other matters. But on September 13, in a letter to the chairman, Fortas declined to appear again before the committee; and on Oct. 2, 1968, at Fortas' request, President Johnson withdrew his nomination.

Fortas' personal association with corporate tycoon Wolfson appears to have begun about four years ago. Wolfson himself recalls that Milton Freeman, a partner in Arnold, Fortas & Porter and a highly skilled securities lawyer, was active in his behalf as early as December 1964 in regard to his growing difficulties with the Securities and Exchange Commission. Fortas himself says that apart from the firm's representation of one of Wolfson's companies since May or June, 1965, his "only 'association' with Mr. Wolfson had to do with conversations beginning when I first met him in 1965, in which he told me of the program of the Wolfson Family Foundation. . . ."

This statement is contained in a letter to Life written in response to a request for a meeting where he would be given an opportunity to explain any information in Life's possession that might be construed in any way as an impropriety on his part. The request was turned down. "Since there has been no impropriety, or anything approaching it, in my conduct, no purpose would be served by any such meeting," Fortas wrote.

It is not easy to pin down the exact extent of the Wolfson-Fortas relationship, nor has Life uncovered evidence making possible a charge that Wolfson hired Fortas to fix his case. But the conflicting accounts of participants (some of whom refuse to tell all or anything), coupled with the findings of Life's independent investigation, yield certain facts.

On Jan. 3, 1966, three months after Fortas was sworn in as Associate Justice, a check for $20,000 was drawn to him personally on a Jacksonville, Fla. bank account of the Wolfson Family Foundation, and signed by Gerbert as foundation treasurer. It was endorsed with the Justice's name and deposited in his personal—not his old law firm's—bank account.

In February, Alexander Rittmaster, a Wolfson business associate who later was to be indicted with him, asked Wolfson what he was doing about the Securities and Exchange Commission's investigation, then at least 15 months in progress. Rittmaster said Wolfson told him it was going to be taken care of "at the top," and that the matter wouldn't get out of Washington. He also said that Fortas was joining the foundation.

On March 14, the SEC forwarded a report to the Justice Department in Washington and to U.S. Attorney Robert Morgenthau in New York. The report, highly classified, recommended criminal prosecution of Wolfson and Gerbert. The charge was that they conspired to unload secretly their control shares in the Wolfson-dominated Continental Enterprises, Inc., by failing to publicly register their projected stock sales. (The SEC investigation showed they realized $3.5 million from the sale, after which the remaining stockholders found their shares had dropped from $8 to $1.50).

On June 10, the SEC forwarded to Morgenthau's office another report, also classified, recommending prosecution of Wolfson; Gerbert, Rittmaster and two other Wolfson associates, Joseph Kosow, a Boston financier, and Marshal Staub, president of the Wolfson-controlled Merritt-Chapman & Scott Corp. The charges: buying secretly, in violation of securities laws, $10 million in Merritt-Chapman stock and selling it back to the company for a $4 million profit.

This was a particularly trying period for Wolfson. Government lawyers believe he learned almost immediately that the criminal reference reports had been forwarded to the Justice Department. He had clearly not expected this development. (Later, in support of a defense motion, Dr. Harold Rand of Miami indicated that those troubles had aggravated Wolfson's heart condition: "In June, 1966, Mr. Wolfson had several bouts of severe substernal pain and heaviness on his chest after prolonged long-distance calls of distressing news from meetings.")

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On June 14, the day after the Supreme Court had gone into a week's recess, Justice Fortas flew to Jacksonville. Gerbert met him at the airport and drove out to Wolfson's elegant Harbor View Farm near Ocala, where Wolfson runs one of the largest thoroughbred horse-breeding spreads in the country.

On June 15, while Fortas was a house guest at Harbor View, the SEC's long-feared investigation finally came to public attention. An SEC attorney indicated what was up when he asked a New York State judge to hold up settlement of several stockholders' suits against Merritt-Chapman directors pending results of the SEC study.

The next day Fortas returned to Washington.

Later that month (the exact date is in question), Wolfson told Rittmaster—according to Rittmaster—that Fortas was "furious" because the SEC had reneged on a pledge to give the Wolfson group another hearing before forwarding a criminal reference report. Rittmaster said he was further reassured by Gerbert that there was no need to worry, that Fortas had been at the horse farm to discuss the SEC matter and that it was to be taken care of.

On July 18, Wolfson wrote a long letter to Manuel Cohen, SEC chairman, complaining, among other things, that "I had understood from my counsel that before the investigation was concluded responsible officials of the SEC would give us a chance to fully explain the results of the investigation." He asked that the criminal reference report be recalled to Washington, and that his associates and counsel be given a chance to appear.

On Aug. 16, 1966, a federal grand jury in Manhattan begin to take testimony in its investigation.

On Aug. 19, when Wolfson was under oath before the grand jury, Assistant U.S. Attorney Michael Armstrong recalled the letter to Cohen, and offered Wolfson an opportunity to be heard. Now, Wolfson took the Fifth Amendment.

On Sept. 8, before the same grand jury, Prosecutor Armstrong asked Merritt-Chapman President Staub this question: "Have you had any discussions with anybody relating to this grand jury investigation and to the effect that the investigation was going to come to a halt as a result of influence used in Washington?"—at which point *Staub* took the Fifth, and Armstrong lectured him that Washington influence would have no effect on the grand jury's deliberations. (Later, in arguing before the U.S. Circuit Court of Appeals against a defense contention that Armstrong's question was improper, Assistant U.S. Attorney Charles P. Sifton queried, "And I would ask where else such a warning can be given, where the government has reason to believe—as it had in this case—that pressure was being brought?")

On Sept. 19, Wolfson and Gerbert were indicted in the Continental Enterprises case.

On Oct. 18, Wolfson, Gerbert, Kosow, Rittmaster and Staub were indicted in the Merritt-Chapman & Scott case on charges of conspiring to obstruct the SEC investigation. Wolfson and Gerbert were also indicted for perjury.

On Dec. 22, Fortas drew a personal check for $20,000 on his own bank account, payable to the Wolfson Family Foundation, thus paying back the money he had received from the Wolfson foundation more than 11 months earlier.

Attorney Paul Porter, as Fortas' spokesman, told Life that the $20,000 was paid to Justice Fortas after Wolfson asked Fortas to help trustees of the foundation outline future charitable and scholarship programs for the fund. Porter affirmed that the money was paid to Fortas personally, not the law firm; that he—Porter—understood "a secretary" put it in Fortas' bank account, and that it was later refunded by the Justice "because Abe had a whole sackful of petitions for writs; the business of the Court took so much of his time he couldn't do the work for the foundation."

Fortas' interest in the foundation, Porter said, stemmed from his long-time involvement in charitable activities and his interest in education—the foundation had a program for granting scholarships for theological studies. He said Fortas made two trips to Florida to meet with foundation trustees, one before he went on the bench and the other after he became Associate Justice.

Mrs. Fortas—Carolyn Agger, as she is known in her role as tax attorney and partner in Arnold & Fortas—gave an account to a government agent which corroborated Porter's account in most respects, but in addition suggested that her husband's role was that of advising the trustees on possible civil rights projects.

The question arises: Aside from legal advice, what manner of counseling service could Fortas perform for the foundation that would justify a $20,000 fee? In the light of other recorded foundation expenditures, the amount seems generous in the extreme.

In its 1966 fiscal year, the foundation's gross income from capital investment was $115,200. Its outlay for expenses was $9,300 and included taxes, interest and $415 in miscellaneous costs. Its total grants for charity, scholarships and gifts came to $77,680. A $20,000 item—apparently the Fortas fee—was identified as "exchange" and was listed on the foundation's federal tax information return as an asset. One accountant said it appeared to be a prepayment for service expected to be rendered. The item disappears on the 1967 return, which would indicate Fortas' repayment.

In his letter to Life, Fortas fails to mention the payment at all, nor does he concede discussing foundation matters in any way with Wolfson. He says only that he was "told" by Wolfson of the foundation's works and admits being present at Wolfson's horse farm near Ocala, Fla. in June 1966, while *others* discussed the charitable programs.

The letter stated: "Mr. Porter, of Arnold & Porter, has told me you are interested in obtaining a chronology, and I am glad to send you the following information: The firm with which I was associated before I became a Justice of this Court was retained by one of Mr. Wolfson's companies in May or June 1965, as I remember. I was nominated as an Associate Justice of the Supreme Court in July of 1965, and took office in October. I began reducing my activities in the firm after the nomination, pending actually taking office, and most of the work on the account was done by others in the firm. If you are interested in more information on this subject, Mr. Porter has access to the facts and can presumably answer any questions concerning this that may be appropriate. I understand he has offered to do so.

"Apart from this, my only 'association' with Mr. Wolfson had to do with conversations beginning when I first met him in 1965, in which he told me of the program of the Wolfson Family Foundation in Jacksonville to promote racial and religious understanding and co-existence and to provide financial assistance, on a nondenominational basis, to candidates for the clergy.

"In June of 1966," the Fortas letter to LIFE continues, "I had the pleasure of a brief visit to Mr. Wolfson's famous horse farm, and during that trip to Florida I was present at a meeting of the Wolfson Family Foundation during which some of those present described some of its programs and, as I recall, discussed some of the pending scholarship applications. I did not, of course, participate in any of Mr. Wolfson's business or legal affairs during that visit, nor have I done so at any time since I retired from law practice. In fact, my recollection is that Mr. Wolfson himself was not present at the meeting of the Family Foundation."

Wolfson's reputation and his troubles with the SEC were well known in financial and legal circles. Fortas' questionable association with such a man was rendered even more serious by the fact that money passed between them. And if Rittmaster is to be believed—that Wolfson and Gerbert were using Fortas' name to calm their troubled co-conspirators and keep them from cooperating with government prosecutors—the relationship had far more serious implications. Rittmaster's story was unfolded to the government in August 1966. (Later, he was to testify for the government in the Continental Enterprises case.)

Rittmaster told government investigators of pressures supposedly brought by Wolfson to stop the criminal proceedings, and Fortas' name quickly arose. Rittmaster said Gerbert had told him that he—Gerbert—had picked up Fortas at the airport and driven him to the Wolfson farm, and that Fortas *had discussed* the SEC problem. Fortas himself had made Rittmaster's claim credible—he was in Ocala. Assistant U.S. Attorney Armstrong, obviously skeptical, dispatched the chief investigator in the Wolfson cases, SEC financial analyst Stuart Allen, to Florida, ostensibly to interview other prospective witnesses. Allen affirmed that the Justice had made the trip from Miami to Jacksonville on the date in question. He found a round-trip ticket to Jacksonville in Fortas' name in the files of Eastern Air Lines in Miami.

Other aspects of Rittmaster's story were also checked. The government attorneys finally concluded he was telling the truth.

Then they began to worry: there was, on the basis of Rittmaster's account, an outside possibility that Fortas himself might appear as a witness and testify that while in private practice he might have suggested to Wolfson that the financier had no legal problem in his handling of Continental Enterprises stock. Wolfson's defense, in essence, was ignorance of the law. If he could plead that he acted improperly with *advice of counsel,* and if a Supreme Court Justice then backed him up, the government's case might go down the drain. It is a measure of how seriously government prosecutors regarded the Wolfson-Fortas relationship that they viewed this as a serious contingency, and were prepared, if necessary, to cross-examine Justice Fortas.

The government still had to get the Merritt-Chapman case to trial, and here again there is no doubt that Fortas was regarded as a possible factor in the defense.

When that case came to trial nine months later, with Assistant U.S. Attorney Paul Grand heading the prosecution, Rittmaster walked into the courtroom and pleaded guilty, and the court was told that he would be a witness for the government against Wolfson and Gerbert. The jury apparently believed Rittmaster's testimony—an important consideration in weighing the credibility of his accounts of the Wolfson-Gerbert uses of Fortas' name—and voted conviction. (Without Rittmaster's testimony, the prosecution later conceded, the government would have lost its case.)

When Wolfson appeared for sentencing in the Merritt-Chapman case, Prosecutor Grand recalled to the court Rittmaster's testimony that Wolfson had said "if he had to he would go as far as Capitol Hill to see that nothing happened, and that at most these people would receive only a slap on the wrist."

Grand told the judge: "Mr. Wolfson, as the evidence indicates, stood ready to use what power and what influence he had, even beyond his own perjury, to prevent the investigation from proceeding."

It remained for Wolfson himself to have the last word. In an interview with a *Wall Street Journal* reporter, just days before he went to prison, the embattled industrialist said that through political connections he

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could have gotten a pardon from President Johnson last December if he had asked for it. He told the reporter he received that assurance "from somebody who is as close as anybody could be" to Mr. Johnson.

But, said Wolfson, he turned down the offer. He didn't want any favors.

FROM THE CANONS OF JUDICIAL ETHICS, AMERICAN BAR ASSOCIATION

Canon 4: "A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach."

Canon 24: "A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official functions."

ROGERS SAYS TAXPAYERS' INVESTMENT SHOULD BE PROTECTED AT RIOTING COLLEGES

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, in recent days I have discussed the stake the American taxpayers have in the current violent upheavals on the college campuses across our Nation. As campus disorders continue, and there are new ones practically every day, some people still say the Federal Government has no direct concern. Some of these same people will be seen around Capitol Hill seeking larger Federal aid commitments at the same time they refuse to take action to restore order so that these funds can be used as intended—for the education of students.

Total Federal support paid directly to universities and colleges increased from $1,400 million in 1963, to $3,300 million in 1967, the latest year published figures are available. These funds were given to some 2,100 institutions, but almost 69 percent went to only 100 of the total.

Let us take a look at some of the key universities involved in the current campus violence.

The University of California, including the Berkeley campus where many say today's troubles started 5 years ago, received $127,392,000 in 1967.

Columbia University, which last year had to close down completely and has again been taken over by mobs, $55,908,000.

Harvard University, which is now experiencing continued difficulties because of a refusal to crack down on lawbreakers and in spite of 3-to-1 vote by the majority of students not to continue a strike, $51,961,000.

Cornell University, which permitted an armed mob to force a reversal of a faculty vote against appeasement, $39,468,000.

Howard University, which has been in almost continuous turmoil, $21,873,000.

George Washington University, which is one of the few to indicate it will take action against rioters, $10,310,000.

And American University, which has seen it's president surrender his own office to a mob, $3,187,000.

In addition to these funds paid directly to the universities, California, Harvard, George Washington, and American have received an additional $188 million through research and development centers administered by them, and additional millions through such R. & D. centers in which they participate with other institutions. Nationally, this R. & D. expenditure adds another $908 million to the $3,300,000,000 given directly in 1967, for a grand total in that one year of $4,200,000,000.

So it can be seen that the taxpayers of this Nation have a considerable investment in these institutions. The funds to be dispersed from the 1970 budget are undoubtedly higher. Looking at the actual 1967 figures, we see that the American taxpayers spent one-half of a billion dollars on just seven institutions which have been experiencing violence, and only one of the group has indicated a firm policy to stop the militant minority from denying educational opportunities to the lawful majority.

The President of the United States, speaking this week to the national chamber of commerce meeting in Washington, Health, Education, and Welfare Secretary Finch in an earlier meeting, and the Vice President later, and others, have made strong statements about the need for colleges and universities to put their own houses in order. All Americans who respect lawful order, lawful dissent, and lawful reform, but who oppose illegal revolt, agree.

If the colleges and universities which receive tax funds are not willing or able to control illegal activity which denies the majority the right to an education, action by the Federal Government to protect its large investment in education will be required.

RECENT TAKEOVERS ON COLLEGE CAMPUSES BY GROUPS OF MILITANT DISSIDENT STUDENTS

(Mr. NICHOLS asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and to include extraneous matter.)

Mr. NICHOLS. Mr. Speaker, Americans everywhere are understandably concerned about the recent takeover which is occurring on college campuses by groups of militant dissident students. Some of the participants claim to be protesting this country's military efforts in Southeast Asia, others are protesting social aspects of campus life, while others are attempting to dictate the policies of the universities including the hiring and firing of faculty members and are even demanding that their groups select the curriculum on campus.

After watching the television media and reading the newspaper recounts there is no question in my mind but that these groups are maliciously trying to disrupt and tear down our educational standards. I am further convinced that the American public is fed up to the gills with this type of irresponsible behavior of small groups on campus which deny the right of the majority of bona fide students in pursuing their education.

The patience of the people back home has reached its limit and I find in talking with people in all walks of life in my own State of Alabama that they expect this matter to be dealt with in a forthright and firm manner by those in authority at our institutions of higher learning. Fortunately in my State we have had a minimum of this sort of campus riots, demonstrations, and the like and certainly this is commendable on the part of the students, faculty, and the college presidents of my State. It is my belief, however, that it is the responsibility of the college presidents to control the affairs on campus and in this day and age it is absolutely imperative that he have the strong backing and support of his board of trustees. It is my belief further that those responsible for instigating, promoting, and conducting campus disorder should be expelled and on campuses where the college administration fails to correct these disorders that Federal financial assistance should be withdrawn and that all Federal financial assistance to college professors or students participating in such disorders be suspended and I am today introducing legislation to this effect.

In last week's editorial from the Sylacauga News, my editor, Mr. Charles Greer, has expressed my views and I commend this timely article to the attention of my colleagues. In the same issue a very fine article "The Third Eye" also appeared by my long-time friend, Dr. John Langley, which likewise calls attention to the responsibility which parents must assume in correcting a situation on the college campuses of this country which has gotten completely out of hand.

The articles follow:

Expel Them All

President Nixon called the tune this week when he said it is time for faculties, boards of trustees and school administrators to stand up against terror on the campus. It is our conviction that were these leaders to have done so before campus disruptions became a so-called fad, there would be reason and calm would be the rule of thumb among university students today.

Granted there have been some repercussions at Notre Dame, but its president, Father Theodore Hesburg, proved faculty leaders can calm a dangerous situation with the authority of their office. What he said was, in our opinion, a classic:

"Any member of the faculty or student body who seeks to disrupt the Notre Dame campus, either violently or otherwise, will be given 15 minutes to 'meditate.' During that 15 minutes he must decide whether he wants to obey school rules and behave himself or not . . . If he persists five minutes more he is expelled . . . Immediately when expelled, he becomes a trespasser on campus and will be summarily arrested."

As someone has said, it would be ideal could the rebels be isolated from this mob ("La Psychologic des Foules"), for them they are apt to be dealt with as intelligent individuals, and as individuals they will be more rational in thought and action.

We agree as do Americans throughout the country, college students today are far more learned than in previous years. We respect their new ideas because up until now they have demanded this respect with their maturity and desire to learn. It is regretable the few campus rioters can change their attitude of esteem for students of higher learning.

It is nonsense to ever consider closing a university or college because of unruly stu-

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dents. The answer lies in what the President and Father Hesburg advocates; the rioters must be expelled forthwith and room made for deserving youths who desire further education.

Educational institutions cannot survive unless their environment is conducive to higher learning.

THE THIRD EYE

(By Dr. John M. Langley)

When they spit on calm procedure
Anarchy is the name—
When the few disrupt the many
Revolution is the game!

In Baltimore—on Sunday afternoon—for the sake of decency—forty thousand young people gathered in Memorial stadium. Roving bands of militants and dissidents attacked the crowds leaving the rally—started fighting the promoters of decency—snatched purses from the girls—the whole fracas resulting in thirty eight being taken to hospitals and over fifty arrests. The statement of the Attorney General of that city, quote: "The idea of bringing 40,000 teenagers to Memorial Stadium, largely without parental supervision on a hot Sunday afternoon, was ill advised." The author agrees with him—not that forty thousand shouldn't have gathered for a decency rally—but about the lack of parental supervision, or sympathy, or moral backing. We prate and sigh about a lost generation of teenagers, but when forty thousand of them saw fit to rally about decency—where, pray, were their parents—their religious representatives—their PTA—their adult example setters? No one can convince me that someone in these many Baltimore homes and churches didn't know a rally was to be that afternoon. I imagine the churches were full that morning—the collection plates, as well! But where were the representatives in the afternoon—when the subject up for discussion was decency? Or doesn't that term qualify?

At Cornell University, two hundred and fifty out of a student body of eighteen thousand confronted all authority—were allowed to bring rifles and shotguns onto campus (for self defense?)—the whole goings on photographed—cowed and surrendered college authorities—the robed leader of the assault in all his splendor—the background (for all to see) a mass of loaded guns in the hot little hands of the victors. And the terms—complete amnesty—payments of suit fees in case any parent was annoyed enough to sue—all demands met—a complete and disgusting tucking-of-tail! It's enough to bring on acute nausea. Where do the parents stand?

Parents still have moral responsibility for their children and their public actions—and private too, for that matter. Government still is responsible for the safety of the public at bona fide rallies—and in the name of deceny yet. The autonomy of college authorities concerning the policies expressed on their campuses should be such that, at Cornell, the seventeen thousand seven hundred and fifty serious students could pursue, unpressured, their places in the sun. When these three authorities have broken down—call it by any name you care to—you have anarchy, you have revolution—and the infallible result of those two monsters is ruin! Let's not blame the teenagers—not this time? Remember—they were there—uncoerced—unpressured—volunteers in the express pursuit of a word embodying every virtue known to man—decency! Again, we have to ask—where were the parents—the representation of safety in public places—and the religious, whose prime purpose for being is more and more decency!!!?

Oh yes—a postcript, if you please? They postponed the one scheduled for last week in Birmingham. The why of that is every man's and woman's dead albatross!

REPRESENTATIVE PICKLE INTRODUCES BILL TO INCREASE AMOUNT OF OUTSIDE EARNINGS FOR SOCIAL SECURITY RECIPIENTS.

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PICKLE. Mr. Speaker, today I am introducing a bill designed to increase the amount of outside earnings social security recipients may receive without suffering a reduction in present benefits.

As you probably know, the level was raised in the 90th Congress from $1,500 a year to the present level of $1,680 per year. In spite of this increase, I still have witnessed many situations which are aggravated by this limitation, and, the bill I am introducing today will increase the level to $2,400 per year, or $200 a month.

With the cost-of-living rates going up at such a rapid rate, it is difficult for fixed-income individuals and couples to maintain any kind of financial stability. Yet, under the present arrangements, if they seek substantial outside employment to make up any shortages which may arise, they are confronted squarely with the proposition that if their income goes over $140 per month, then their social security benefits are correspondingly reduced.

This situation needs relief, and I am hopeful that the Ways and Means Committee will give this point its closest consideration in any upcoming social security hearings.

I realize that there are many who would feel that there should be no limits at all on outside income, and that if an individual has obtained eligibility for social security payments, then he has a vested interest in having them at whatever level his past earnings warrant.

While there is a certain logic to this approach, there are several reasons why that approach is questioned. The main reason is that unless there were a limit on the income, there would be a tremendous additional load on the social security fund. It is estimated that the increase to $2,400 per year ultimately will call for an increased withholding tax of .2 to .3 percent, and removing the limit altogether would require the withholding rate to go much higher.

Moreover, there are valid reasons based on public policy for having the social security fund work to the best possible benefit of the greatest number of those eligible retired individuals who in fact need the monthly benefits simply to maintain a decent but modest standard of living. If the benefits were distributed too widely—including to those who may have very large incomes from other sources and who do not really need the social security payment—then the results would be that the man who does need it worse is not helped as much as he might be.

We realize, I believe, that the Social Security System is premised on the philosophy that the monthly payment alone will probably not be enough for a retirement. Still, it is a good way to provide a sound basis for the retirement years, and it elevates everyone to a certain floor from which the rest of his needs are at least within striking range.

Mr. Speaker, I repeat that this increase is needed, and I hope that it is given a good hard look.

FOR AN END TO MINORITY TYRANNY ON COLLEGE CAMPUSES, AND FOR THE IMMEDIATE REESTABLISHMENT ON CIVIL PEACE AND THE PROTECTION OF INDIVIDUAL RIGHTS

(Mr. MACGREGOR asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. MACGREGOR. Mr. Speaker, the American Association of University Professors met in convention in my home city of Minneapolis, Minn., on Friday and Saturday of last week. On Saturday they passed what appears from newspaper stories to be an ill-considered resolution bordering on the irresponsible. The resolution reportedly "deplored" the speech of Attorney General John Mitchell delivered on the occasion of Law Day, 1969, to the members of the Detroit Bar Association. It appears that the professors acted without having before them the actual words uttered by Mr. Mitchell in Detroit.

In that speech Attorney General John Mitchell called "for an end to minority tyranny on college campuses and for the immediate reestablishment of civil peace and the protection of individual rights." In pointing out that peaceful students also have rights—the right to study in an atmosphere of reason and civility—the Attorney General said:

> Let me be specific. University officials are not law enforcement experts or judges . . . they should not take it upon themselves to decide how long the violence should endure and what rights should be trampled upon before local government is called in . . .
>
> When people may be injured, when personal property may be destroyed, and when chaos begins, the university official only aids lawlessness by procrastination and negotiation.

Mr. Speaker, I believe it will benefit all of us in the Congress, and perhaps the interested citizenry throughout America, to have the exact and complete text of the Attorney General's Law Day speech.

The document referred to follows:

WHAT KIND OF WORLD DO YOU WANT?

(Address by Attorney General
John N. Mitchell)

INTRODUCTION

It is a great pleasure to come to the City of Detroit to speak to your bar association on Law Day.

As you may know, while I was born in Detroit, I have spent most of my life in New York and now in Washington—one the center of financial power and the other the center of political power. But their very peculiarities tend to insulate those who live there from the real problems of America. That is why I enjoy coming to a great industrial center like Detroit on this occasion.

This evening, I would like to talk to you about a serious threat to our system of law, a threat which is as disturbing as the violence in our cities. It is the violence and dissatisfaction on our college campuses.

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Campus disorders are basically a local problem to be solved at the local level and not by the federal government. But as Attorney General—as the senior law enforcement officer in the nation—I believe that I have the responsibility to comment on national problems which affect the administration of justice even though my legal jurisdiction may be limited.

I also come to you tonight as a fellow citizen, as a parent with two children recently graduated from college and as a grandfather concerned about the future.

An eminent Nobel laureate said last month in Boston: "What we are up against is a generation that is by no means sure it has a future." I disagree with that assessment.

I suggest that this generation has the most promising future world of any generation of Americans.

But I must pose to them the query of Mr. Justice Holmes:

"Behind every scheme to make the world over lies the question, what kind of world do you want?"

What kind of world do our students want? Do our university officials want? Do our teachers want? Do our citizens want? And I must remind you that when we talk about our students we are not talking about an alien people—we are talking about our own sons and daughters and about the type of nation we are making for them to inherit.

I. THE FACTS

Let me quote briefly to you a capsulized dispatch issued by the Associated Press at 10:15 a.m., EST, on April 24:

Washington—Student militants seize buildings at American University and George Washington University.

Ithaca—Cornell University faculty members agree to demands of students who seized college buildings armed with guns.

Kent, Ohio—Kent college students create physical disturbances.

New Orleans—Southern University students lower the American flag.

Cambridge—Harvard professor resigns in the wake of police-student clash.

Princeton—Sixty students block doorways to a research facility.

New York—One hundred-fifty students and faculty stage a sit-in at Fordham University.

College Park, Maryland—University of Maryland protestors attempt to block entry to a science center.

New York—Two Brooklyn high schools forced to close after three days of student unrest.

That is one day of what kind of world some of our students have. In the current academic year, there have been demonstrations on over 200 college campuses throughout the nation. This has resulted in more than 2300 arrests and property damage in excess of an estimated $2.2 million.

Since January 1, 1969, the protest movement has escalated its tactics. For example, in the State of California:

At San Francisco State a bomb permanently blinded one student and a second bomb was discovered before it exploded.

At Pomona College in Claremont, a secretary was blinded in one eye and lost two fingers when a bomb exploded as she was removing it from a college mailbox.

At the University of California in Santa Barbara, a custodian at the Faculty Club died from burns when he picked up a firebomb.

At Berkeley, in the last eight months, there have been four arsons and two bombings, and $1.1 million in property damage.

This Administration has tried to be patient in the hope that students, faculty, and local officials, working together, would put an end to this chaos.

But the time has come for an end to patience. The time has come for us to demand, in the strongest possible terms, that university officials, local law enforcement agencies and local courts apply the law.

I call for an end to minority tyranny on the nation's campuses and for the immediate reestablishment of civil peace and the protection of individual rights.

If arrests must be made, then arrests there should be. If violators must be prosecuted, then prosecutions there should be.

It is no admission of defeat, as some may claim, to use reasonable physical force to eliminate physical force. The price of civil tranquillity cannot be paid by submission to violence and terror.

II. THE IDEA OF THE UNIVERSITY

The American university educational system is one of our proudest achievements.

Perhaps, it is that our current generation does not appreciate the toil that has gone to build it. Starting with one small donated library in 1636, our university system now numbers more than 2,000 public and private institutions with 6.9 million students. The concept that we have in this nation that all who are qualified deserve an education has been one of our unique contributions.

James Russell Lowell noted:

"It was in making education not only common to all, but in some sense compulsory on all, that the destiny of the free republics of America was practically settled."

Another cherished concept of our university is—as the Commission headed by former Solicitor General Archibald Cox reported—

"A university is essentially a free community of scholars dedicted to the pursuit of truth and knowledge solely through reason and civility . . . resort to violence or physical harassment, or obstruction is never an acceptable tactic for influencing decisions in a university."

III. THE STUDENT MOVEMENT

To date, we have had disturbances on more than 200 campuses—about nine per cent of the colleges in the country. In only a small number of such disturbances was there any severe physical violence and bloodshed reported. The total arrest rate, of 2300, is less than four-tenths of one per cent of all of our students.

While accurate statistics are not available, it is believed that less than two per cent of our students have engaged actively in any disruptions causing physical or property damage.

It might be convenient to look at these statistics and suggest that the situation has been exaggerated. I think not.

Society has a way of selecting symbols and it is no accident that some of the most violent demonstrations have occurred at some of our most highly regarded universities—California, Wisconsin, Harvard, Cornell, Duke, Columbia—the universities to which we point with pride as among the leaders of our higher educational system.

Furthermore, it is undeniable that, while violence-prone activists represent a small percentage of our students, some of their actions have struck a responsive chord to a whole generation: so responsive, in fact, that the activists receive at least tacit support or neutrality from many other students.

As Professor Freund said prophetically, a year ago, our students accuse us of hypocrisy: that our laws, while pretending to be equal, give preference to the rich; that our politics, while pretending to be honest, are tools for the influential; that our scientists, while pretending to be humanitarian, build machines of war; that our economic prosperity, while pretending to affluence, leaves some citizens hungry; that our religion, while pretending to be pious, is conveniently indifferent.

I would be less than candid with you if I did not admit that their accusations are sometimes true. I cannot deny that the world of my generation may appear hypocritical to the generation of our sons. Neither do I deny that my father's generation appeared hypocritical to me as his father's did to him.

What our sons must remember is that we have today in this nation more equality in the law, more honesty in politics, more ethics in science, more people employed and less people hungry, and more religious dedication to the problems of society than at any other period in our history and than in any other nation in the world. Our progress may be too slow for our sons. But it is good faith progress; and cautious advancement is no justification for destruction.

A decade ago we saw the "silent generation" going quietly from the university to earning a living. Today, we have the "involved generation" who are interested in the problems of our society. They are active in civil rights, in poverty, in hunger, in education for the poor, in job retraining, and in partisan politics. I welcome this generation's demand that the university not be an extraterritorial community removed from society, but that it and its members deeply involve themselves with the problems of the day.

But if they are to assume a role as adult activists in a community, they must also assume the obligations that go with adult citizenship. And one of the primary obligations upon which we exist is a simple maxim, carved above an entrance of the Justice Department in Washington, which says:

"Law alone can give us freedom. Where law ends, tyranny begins."

Campus militants, directing their efforts at destruction and intimidation, are nothing but tyrants. But there are others who share the blame by failing to act—university administrators must take firm and immediate action to protect the rights of faculty members to teach and of other students to learn. Faculty members should stop negotiating under the blackmail threat of violence. Apathetic students should stand up for the rights of those who wish to pursue civility and scholarship in the academic community. To the extent that they remain neutral or refuse to act, they are all accessories to the tyranny we are now witnessing.

IV. THE CONSTITUTIONAL RIGHT TO DISSENT

The genesis of our current student problems is thought to lie in our encouragement of lawful dissent.

The right to express disagreement with the acts of constituted authority is one of our fundamental freedoms. The First Amendment expressly protects "the freedom of speech" and "of the press" and "the right of the people peaceably to assemble, and petition the Government for a redress of grievances."

As one Supreme Court Justice has described it:

"The right to speak freely and to promote the debate of ideas is . . . one of the chief distinctions that sets us apart from totalitarian regimes."

Recognizing this, the Supreme Court has construed the First Amendment to protect the right of a citizen to speak, to write and to disseminate his ideas by peaceful methods.

Citizens have the right to use the streets and other public grounds, to conduct reasonable demonstrations, to distribute handbills and to quietly picket.

Furthermore, schools should be encouraged to abide by First Amendment principles.

As Mr. Justice Brennan has said:

"The vigilant protection of constitutional freedom is no where more vital than in the community of American schools. The classroom is particularly the 'market place of ideas'."

While this description was applied to the public, tax-supported school, it would seem to me that First Amendment ideas should apply equally to all universities, both public and private.

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V. THE LIMITS OF DISSENT

But there are definite limits beyond which these First Amendment guarantees may not be carried.

The Supreme Court has flatly rejected the argument "that people who want to propagandize protests or views have a constitutional right to do so whenever and however they please."

As Mr. Justice Goldberg has said:

"We also reaffirm the repeated decisions of this Court that there is no place for violence in a democratic society dedicated to liberty under law. . . . There is a proper time and place for even the most peaceful protest and a plain duty and responsibility on the part of all citizens to obey all valid laws and regulations."

The Supreme Court has explained that demonstrators do not have a constitutional right to cordon off a street, or to block the entrance to a building, or to refuse to allow any one to pass who will not listen to their exhortations.

The question remains, of course, whether the rights of students to protest on a university campus are to be greater or the same as the rights which the ordinary citizen enjoys under the First Amendment.

Only two months ago the Supreme Court ruled that the right of students to engage in peaceful protests does not include the right to disrupt the educational process.

If we are to be consistent, I believe that students on campus enjoy at least the minimum protections for freedom of speech specified by the Constitution. In certain circumstances it may be appropriate for university authorities to offer additional rights. Exaggeration and bizarre behavior, romanticism and intellectual rebellion are traditional among our youth. The scope of these additional rights, if any, should be decided by each individual university authority.

But let me make one thing clear; students do not enjoy any special prerogative to interfere with the rights of other students or, as the Supreme Court has said: ". . . conduct by the student in class or out of it . . . is . . . not immunized by the constitutional guarantee of freedom of speech."

The right to be a student carries other fundamental rights than the right to dissent. Among these valuable rights which must also be protected are the right to use research facilities, free from occupation by demonstrators; the right to use libraries free from seizure by dissidents; the right to consult with administrators free from having one's personal file and records destroyed; the right to study in an atmosphere of "reason and civility."

VI. THE MORAL RIGHT TO DISSENT

In any honest discussion on student protests, one must meet the claim that civil disobedience is an accepted tradition in American society.

This is especially true among our student population who claim that their seizures of university buildings and imprisonment of university officials are legitimate acts of civil disobedience similar to their participation in the civil rights protests.

I disagree. First: traditionally, civil disobedience has involved an issue of universal or fundamental morality—such as the equality of the races. No such issue has been involved in the current student protests.

Second: organized disobedience in the civil rights movement has rarely involved violence or bloodshed. It has concentrated, rather, on non-violence and on symbolic action which offered no substantial deprivation of rights to anyone else. One can hardly equate a sit-in at a bus terminal with throwing a student out of a second story window.

Third: in this country, the historical key to civil disobedience has been its amenability to arrest and prosecution. Indeed, it has always been considered, as Thoreau told Emerson, that the moral righteousness of breaking a law was in the punishment that the law meted out.

Today's militants also reject that concept. They physically resist arrest and they are unwilling to submit the merits of their cause to any tribunal other than their own self-determination.

VII. WHAT SHOULD BE DONE

Having defined the problem, I feel obligated to offer a few suggestions on what can and should be done to resolve it.

My jurisdiction, as you well know, is limited to the application of federal law. Our concept has always been that, unless we in the federal government have a clear mandate, we permit the states and the municipalities to deal with law enforcement problems. The clearest mandate we have, so far, is the antiriot provisions of the 1968 Civil Rights Act. It prohibits persons from crossing state lines with intent to incite riots.

We have substantial information confirming the widely accepted belief that several major university disturbances have been incited by members of a small core of professional militants who make it their tragic occupation to convert peaceable student dissatisfaction into violence and confrontation.

These circumstances can only lead to the conclusion that this hard core is bent on the destruction of our universities and not on their improvement.

You can be assured that these violence-prone militants will be prosecuted to the full extent of our federal laws.

We are also collecting a great deal of information about student disorders and those who cause them.

We are offering this information to state and local law enforcement officials operating in jurisdictions where campus disorders may occur.

No society, including an academic society, can survive without basic agreement by a great majority of its members as to the fundamental precepts upon which it operates.

The first precept for any academic community must be to outlaw terror.

The second premise is that students, faculty and administration officials should all participate, in some measure, in the decision-making process. What this means, at a minimum, is that university administrators must offer a serious forum for responsible student criticism—and more than that, it must be clear to the students that their grievances will be honestly considered and will not be lightly dismissed under the procedural ruse of an artificial dialogue.

Third: universities must prepare for prospective violence. It is no longer acceptable for a university administration to claim, after the events of this year, that they were taken unawares—that they acted in panic and that their mistakes can be blamed on the alacrity with which the demonstration developed.

Here, too, the entire university community should be consulted since it is the censure or approbation of a majority of this community which will determine the course of student violence.

If, as has been done at some universities, the majority overwhelmingly rejects minority violence, the militants are left isolated except for brute physical power. Since the entire concept of confrontation is to attract the sympathy of the majority—and sometimes the sympathies may be forthcoming because of inappropriate reactions—this major avenue of support for violent demonstrators should be substantially diminished.

In any event, the university administrator should, in anticipation of the outbreak of a disturbance, consult with local law enforcement officials on the methods of handling various disturbances. Preparation and coordination by these parties may well eliminate the disturbance and will assure the timely application of any required counter-force.

Fourth: if all else fails and a disturbance does occur, university officials should consider applying immediately to a court for an injunction. This tactic has proved fairly successful in the past. It takes the university out of the law enforcement business, where it does not belong, and replaces it with the court which is better suited for this purpose.

Let me be specific: University officials are not law enforcement experts or judges. When a violent outbreak occurs, they should not take it upon themselves to decide how long the violence should endure and what rights should be trampled upon until local government is called in. For minor demonstrations, which involve no serious disruptions, the university should have the viability to decide for itself what the best solution may be.

But when people may be injured, when personal property may be destroyed, and when chaos begins, the university official only aids lawlessness by procrastination and negotiation. The university is not an extraterritorial community and its officials have the obligation to protect the rights of the peaceful students on its campus by use of the established local law enforcement agencies and the courts.

I should like to conclude this address by asking our sons and daughters to consider the words of Rousseau:

"If force creates right, the effect changes with the cause: every force that is greater than the first succeeds to its right. As soon as it is possible to disobey with immunity, disobedience is legitimate; and the strongest being always in the right, the only thing that matters is to act so as to become the strongest. But what kind of right is that which perishes when force fails?"

Ladies and Gentlemen: "Behind every scheme to make the world over, lies the question: what kind of world do you want?"

THE CASE FOR SPANISH BASES

The **SPEAKER** pro tempore (Mr. ANDERSON of California). Under a previous order of the House, the gentleman from Florida (Mr. SIKES), is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, the question of the retention of American bases in Spain has not been resolved. Negotiations are in progress between the U.S. Government and the Government of Spain. These negotiations, if I am correctly informed, are not on whether the United States needs the bases or on whether Spain wants the U.S. presence continued in that country, but on the compensation which is properly due Spain for the use of the bases. While these negotiations are in progress, there has been criticism from some quarters of the fact that the United States wants to continue its bases in Spain. To me, this criticism is completely meaningless. It cannot have foundation in fact. It ignores important fundamentals regarding the defense of the United States and of the free world. It ignores the fact that Spain is one of the strongest bastions against communism in the entire world. It ignores the fact that Spain has a stable government; that Spain is one of the few countries which has shown it wants U.S. bases on its soil. These in today's troubled world are not small considerations. There should be a vigorous outpouring of support for the retention of U.S. bases in Spain to reflect what I consider to be the true sentiment of the

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American people. I am convinced America needs these bases and that the American people want them continued.

Now let us talk about purely military considerations which continue to be highly important.

We have heard many critics argue that the American bases in Spain, built to accommodate SAC B-47 bombers nearly 15 years ago, are now obsolete and should be abandoned. The B-47's are certainly obsolete and if the only purpose served by the bases in Spain was to support B-47 operations, I could agree that the bases themselves are now superfluous. But American bases and facilities in Spain are not serving an obsolete strategy. Just as the nature of the threat from the Soviet Union has evolved since 1953, so have the uses of our bases in Iberia.

We are all aware of the increasing Soviet presence in the Mediterranean area both in terms of naval vessels and in terms of military assistance programs to countries on the southern shore of the Mediterranean. The political-military geography of the West European Mediterranean area has undergone substantial change since the negotiation of the first 5-year extension of the United States-Spanish Defense Agreement in 1963. We no longer have the air bases which we once had in Morocco. France's withdrawal from NATO's military structure has deprived us of bases in that country and, while we still enjoy overflight rights in France, we cannot count on French cooperation in times of crisis.

In 1953 American base rights in Spain provided a launching point for nuclear armed B-47's. Today Rota Naval Base on the Atlantic coast near Cadiz is used as home port for a submarine tender which serves Polaris equipped nuclear submarines. The Polaris boats operating out of Rota constitute a significant portion of the American SSBN force deployed in the Atlantic-Mediterranean areas. Use of Rota permits these submarines to attain a higher degree of target coverage than would be possible if they had to operate from U.S. ports. To meet the growing Soviet submarine threat, Rota is a staging base for airborne antisubmarine surveillance operations at the entrance to the Mediterranean. The rapid growth of the Soviet nuclear powered submarine force puts dramatic emphasis on our need to retain the capability to perform this key mission. Rota also provides logistic support for surface naval elements transiting the area, including underway replenishment ships for the 6th Fleet.

A POL—petroleum, oil, and lubricant—pipeline runs from Rota through Moron Air Base, Torrejon Air Base, and terminates at Zaragoza Air Base, in northeast Spain. We have large POL storage terminals at each location. Thus, in the event of a crisis, the bases are prepared to handle the large number of U.S. tactical and airlift aircraft which would stage through Spain. The U.S. Navy also maintains several remote POL and ammunition storage depots which support the 6th Fleet.

Spain is a nodal point for a military communications network which carries U.S. transatlantic channels and circuits connecting the Mediterranean area with Germany and the United Kingdom. In the future, communication satellite technology will gradually reduce U.S. reliance on ground communication relay stations in Spain. Until the 1972–73 time period, however, the existing facilities in Spain will continue to constitute a major component of the worldwide U.S. defense communications system. Spain also provides sites for Loran—long-range navigation—systems operated by the U.S. Coast Guard and which provide electronic navigational data to ships.

One of our three air bases in Spain is now in standby status. Zaragoza Air Base, in northeastern Spain near the city of Zaragoza, was placed in caretaker status in 1964; it can be quickly activated for a general war contingency, and could play an important role in speeding augmentation forces into the theater.

Torrejon Air Base near Madrid is the principal U.S. Air Force base in Spain. Headquarters 16th Air Force is located there. The 401st Tactical Fighter Wing, a military airlift command unit, a Strategic Air Command subgroup, and numerous communications and support units are also housed at Torrejon. The 401st, home based at Torrejon, provides fighter aircraft committed to sensitive missions at forward bases in the Mediterranean area and the aircraft are deployed in these forward areas. Basing these aircraft in Spain has provided a feasible alternative to stationing them in the United States, which would involve considerably greater expense and would require many more aircraft to support the mission at the forward bases.

The military airlift command terminal at Torrejon has absorbed over half the load formerly handled at Chateauroux, France. In addition, Spain figures importantly in the evacuation plans of U.S. dependents and other American noncombatants in the event of a European crisis. Moron Air Base near Seville contains and air/sea rescue squadron and a mobile communication group. Both Moron and Torrejon are key bases for staging through combatant aircraft deploying from the United States in emergencies. Like Torrejon, Moron is a refueling point and staging base for transport airlift flights to the southern Europe Mediterranean area.

Often overlooked in an evaluation of the importance of U.S. base and operating rights in Spain is the critical need for overflight rights. If we lose our rights in Spain, American military aircraft in peacetime and in emergencies would have to "thread the needle" through the narrow Strait of Gibraltar. Availability of Spanish air bases allows us to enter the Mediterranean from the north as well as the west. Loss of these rights would place severe limitations on our ability to protect our interests in the Mediterranean area.

I understand that the Department of Defense has studied thoroughly the need for our bases in Spain. It is the judgment of that Department that the availability of the Spanish base complex and operating rights will continue to be militarily of great importance to the United States during the next 5 years. In reaching this conclusion, the Defense Department studied various alternatives to the Spanish bases including relocation to the Untied States and relocation to other areas in Europe. In every case the conclusion was the same: to leave Spain would be quite expensive, it would be difficult to find and establish suitable alternate bases, and it is unlikely that a capability truly equal to what we have now could be maintained. These conclusions have been supported by the State Department and endorsed by the past administration as well as by the present administration. It would be foolish to abandon these bases when our need for them is so clearly evident.

THE EMERGENCY SMALL LOAN PROGRAM: ITS BENEFITS IN LEON, IOWA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have introduced the Emergency Consumer Small Loan Act of 1969 which is designed to alleviate financial hardships and crises of the very poorest of our Nation's poor. This is a program which was initiated by my amendment in 1966 to the Economic Opportunity Act of 1964. The funds for the program will terminate in June of this year; accordingly, I have submitted legislation for its extension and expansion.

In order to demonstrate the value of making emergency loans available to the poor, I have sought to publicize my findings from a survey I made of the 15 "demonstration" areas in which the program is operating. Today, I wish to highlight the effectiveness of the program in Leon, Iowa, which is located in the Fourth Congressional District of Iowa. This district is represented in Congress by the Honorable JOHN HENRY KYL.

As of January 31, 1969, the emergency family loan program, operating under the South Central Iowa Community Action Program, Inc., and extending over five counties—Clarke, Decatur, Lucas, Wayne, and Monroe—has granted 204 loans out of 258 applications for a total of $37,292. The initial fund was only $20,000, but $19,299 in loan repayments has enabled the making of almost double the original loan grant. The loan repayments have gone so well that none of the loans have had to be written off. At the end of January 1969, 131 loans were outstanding for a total of $17,993. The average loan has been $183 and the director of the emergency family loan program estimates that total savings in interest to all applicants has been $5,379.

These statistics demonstrate that funds appropriated for the loan program, except for administrative expenses, can be used over and over again for the benefit of the poor who want to help themselves. I believe that the operation of this program in Leon, Iowa, shows the value of the experience gained in this effort by the administrators: losses are minimal and professional standards have been established. In the light of that experience, there is no reason to

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believe that we cannot use the program at Leon as a model for extending emergency loan services to many other areas. The poor wish to help themselves and maintain their own dignity by proving that they can act responsibly.

It is my informed judgment that the Emergency Consumer Small Loan Act of 1969 is directed expressly toward the factors of human development which would be most conducive to overcoming the problem of poverty in America. We not only aid the poor during emergencies, but the poor offer us the opportunity to convince them that their own initiative is the most valuable resource that they possess. The director of the program in Leon, Iowa, feels that his most valuable contribution is the financial counseling and budgeting assistance he renders to low-income persons. This has been a common remark by administrators in all parts of the country and buttresses our belief that this program is successful, has proven itself, and should now be extended on a more appropriate scale. The bill I have introduced, H.R. 9643, is designed to accomplish this and deserves support.

THE COMPREHENSIVE MANPOWER ACT OF 1969

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. Steiger) is recognized for 60 minutes.

Mr. **STEIGER** of Wisconsin. Mr. Speaker, today I rise to introduce the Comprehensive Manpower Act of 1969. Joining me in cosponsoring this legislation are Representatives Quie, Widnall, Erlenborn, Dellenback, Eshleman, and Hansen of Idaho.

While developing this legislation in recent months, I have remained in close contact with the Labor Department. This bill is intended as a positive step in the direction of a comprehensive manpower policy. It is in fundamental agreement with an administration bill, which will, I am sure, be introduced in the next few weeks, and attempts to achieve similar objectives.

The bill is designed to develop a systematic national manpower policy and to provide a comprehensive delivery system for manpower services. CMA will consolidate dozens of Federal and State job training and placement programs.

Present manpower programs are fragmented, overlapping, and contradictory. The result is that the people who need the services most are getting them only in an incoherent, inefficient, and frustrating way, if at all. Manpower policy is unnecessarily complicated. Comprehensive planning is discouraged and the systems at the local level are often swamped in chaos and confusion.

The legislation I propose would result in "one stop shopping" for manpower training, work experience, and placement services focused on the needs and requirements of the individual worker. This bill would not solve all of the problems, but it will alleviate many of them.

The objectives of the proposal are to facilitate long-range manpower planning; adapt the program mix to community circumstances; and allow packaging of services according to individual need.

The bill seeks to strengthen the State and local role in manpower planning and implementation while maintaining Federal guidance through a series of explicit guidelines.

Ultimate responsibility for the success or failure of manpower programs must be vested in the State and local political officials who are answerable to their constituents and thus to the clients receiving manpower services. Sufficient authority and resources at the same time must be placed in the hands of State and local administrators to enable them to meet the challenges within their jurisdictions both with sustained plans of action and with sufficient flexibility to adjust their programs to the unique and changing needs of each community. The separate administrators for each of the innumerable existing manpower programs are now so little known and scattered that they are far removed from the control either of elected officials or even in many cases from the control of the funding agencies.

THE NEED FOR A COMPREHENSIVE MANPOWER BILL

What is the magnitude of this Nation's job and training problem? As James Sundquist points out in the Brookings Institution's "Agenda for a Nation," it is not measured by the unemployment figure, which has averaged about 3 million during the last 3 years. On the one hand, that figure includes well-trained workers who suffer unemployment only briefly, as well as secondary workers in families with good income. On the other hand, it excludes those who are underemployed and need training to raise their earnings above the poverty level.

To get a better measure of the problem of unemployment and low earnings, the Labor Department has developed the concept of "subemployment" which includes two groups: the long-term unemployed—who are unemployed 15 weeks or more during the year—and those who earn less than $3,000 for year-round, full-time work. In 1966, a total of 9.1 million persons, about one out of every 10 workers, was classified as subemployed.

According to estimates by the interagency manpower planning task force, there are currently about 11 million persons in poverty, for whom better employment is a possible solution to their own poverty as well as the poverty of their dependents. About 7 million of these persons possess inadequate education and training for the skills required in today's labor market. And the great majority of these 11 million may well be handicapped by a lack of knowledge of what kinds of jobs are available, where they are, and how to go about applying for them. These figures stand in sharp contrast to the 1 million people who Stanley Ruttenberg, writing in the Labor Department's new Manpower magazine, indicates have been enrolled in Manpower Development and Training Act programs since 1962.

The employment problems of certain areas and groups are particularly severe. A Department of Labor survey of 10 urban slum areas in 1966 revealed a subemployment rate of 34 percent. Unemployment rates of nonwhites remain approximately twice the average rate. Unemployment of youths is three times the general unemployment rate, and the rate of nonwhite youth unemployment is twice as high as that of white youths. There remains a high incidence of unemployment among the undereducated, and several million unskilled persons remain below the poverty threshold, even though they work in full-time, full-year jobs.

Population and labor force trends indicate what the magnitude of our manpower effort must be in the next few years. The task force on occupational training in industry indicates that there are now 82 million in the labor force and that figure is likely to increase to 100 million by 1980. Forty million youths will enter the world of work during the 1970's. The 1969 Manpower Report of the President anticipates that the labor force will grow faster than ever before both because of the increasing participation of women and the increasing numbers of young people reaching working age.

The Manpower Report concludes that both economic growth and "an immense effort to develop the skills and abilities of the labor force" will be needed.

It concludes:

> The manpower future is promising for those who have or will achieve the education and training essential for professional and technical jobs. In the semiskilled trades, which have in the past provided great numbers of jobs for people with limited education, a high school education or prior skill training is likely to be increasingly necessary as the supply of persons with such preparation becomes larger. And all workers, regardless of their level of education, are likely to need continuing education to prepare for the constant changes in jobs that are characteristic of our society.

We are thus faced with the dual challenge of greatly increasing the number of our manpower training, development, and placement programs and at the same time raising the level and quality of these efforts. If we can mount a sufficient effort, the jobs will be there. Ruttenberg estimates that professional and technical occupations will increase by about 45 percent and provide 651,000 new openings in addition to 3.3 million replacements for those who retired, died, or shifted to other jobs. An average of 175,000 openings for typists and stenographers will be available each year. The number of office machine operators is expected to double and the number of electronic computer workers to increase by 140 percent in the coming decade.

The challenge will be formidable. For example, among nonwhite youths—the group that includes the largest number and percentage of people that enter the labor force poorly equipped for getting and holding a job—the rate of increase between 1965 and 1975 will be 50 percent.

But we must develop a comprehensive manpower policy equal to that challenge. As Peter Drucker emphasizes in "The Age of Discontinuity: Guidelines to Our Changing Society:"

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> The most hopeful development in America today is the rapid growth of the Negro knowledge worker in recent decades.

The emergence of knowledge as central to our society, Drucker feels, has opened up "the greatest opportunity the black man has yet had in America."

More generally, Dr. Seymour Wolfbein, dean of the School of Business Administration at Temple University, recently concluded:

> Our problem is to set our manpower goals to make certain we have the skills and talents we need so desperately now and in the near future.

Testifying before the Joint Economic Committee, Secretary Schultz pointed to another function which our manpower policy will increasingly perform in coming years. While indicating that he did not want to exaggerate this new role, the Secretary suggested that manpower programs have now "grown to a size and scope that gives them strategic significance in our economic as well as social policies."

The extent of our present manpower efforts falls far short of meeting the full scope of our current and future employment needs. Unless we begin to build a planning and delivery system which utilizes both the public and private sectors at the Federal, State, and local levels, we shall not be able to cope with this Nation's manpower requirements. No single level of government can do the job. The comprehensive manpower bill is an attempt to begin to pull together and utilize our resources more systematically and effectively.

RECOGNITION OF THE NEED FOR A COMPREHENSIVE MANPOWER BILL

Many experts, with varied perspectives on employment and education issues, have spoken out on the need for a more comprehensive approach to manpower policy.

In the concluding chapter of "Federal Training and Work Programs in the 1960's," Dr. Sar Levitan and Dr. Garth Mangum write:

> Communities can accommodate federal and local (manpower) goals only if both are clearly articulated and neither has been. Unification of the federal manpower programs into a single funding source might facilitate a clear statement of goals from which guidelines could be developed. With that beginning, it would seem advisable to distribute the bulk of federal manpower funds through the states by formulas based on need, allowing considerable discretion in the use of funds within federal guidelines and in pursuit of national goals adjusted to the peculiarities of local conditions; there should be, however, federal review and monitoring to see that guidelines are followed and appropriate goals pursued.

The national manpower policy task force is a private nonprofit organization of academic manpower experts who earlier this year published a position paper on "The Nation's Manpower Programs." The group, which includes among its members Dr. John Dunlop, Dr. Eli Ginzberg, and Dr. Arthur Ross, former Commissioner of the Bureau of Labor Statistics, recommended a comprehensive approach to serve the disadvantaged. Building on the work of Mangum and Levitan, who are also members, the task force advocated new legislation that would build upon the cooperative area manpower planning system and other efforts at streamlining the administration of manpower programs. Working closely with Dr. Mangum and other members of the task force, I have tried in the Comprehensive Manpower Act of 1969 to translate their carefully developed approach to manpower policy into legislation.

Others have also advocated a more comprehensive approach to manpower development, training, and placement. In its report last month the Joint Economic Committee stated:

> There is urgent need to reorganize manpower programs to provide comprehensive coordinated assistance that the disadvantaged need and to carry that assistance through until the individuals are fully supporting.

In concluding his policy paper on "Jobs and Income for Negroes," Dr. Charles Killingsworth finds:

> The policy problem is much less one of selection from among competing programs than it is one of coordination of complementary approaches.

He indicates that while everyone agrees in theory, there is no single solution to the question of a systematic employment and income policy, and what they say in practice is—

> Other programs will be needed, too, but what I advocate is the single most important thing that we can do, and we should give this priority.

It is time now to stop looking for new program gimmicks and get down to the business of fitting the diverse pieces of our manpower policy together.

In a speech before the Industrial Relations Research Association, my distinguished colleague from Michigan, Congressman JAMES O'HARA, eloquently expressed a similar concern:

> Federal manpower legislation has grown, like the British Empire, in a series of fits of absent-mindedness. . . . As 1968 begins, we are looking forward to a total annual investment of $3 or $4 billion in the area of manpower training. And yet, we still have nothing that can fairly be assessed as a manpower policy. We have no broad, overall manpower institutions.

Both the outgoing and incoming Labor Department executives through their actions and statements have demonstrated an awareness and conviction that it is now time to develop a comprehensive manpower approach. The recent reorganization of the Labor Department drawing the Employment Service and bureau of work training programs into a unified framework within the Manpower Administration represents an important step—a welcome step and prerequisite for greater Federal-State-local manpower collaboration.

The Manpower Report of the President transmitted to Congress in January endorses the concept of a Comprehensive Manpower Act stating:

> As long as the manpower program is constrained to operate within a framework put together on a piecemeal basis, just so long will it be unable to achieve full effectiveness in providing the kinds and amounts of services each disadvantaged person may need to become employable. . . . Effective action to overcome the roadblocks imposed by categorical programs would be aided by new legislation—a comprehensive manpower act providing a single, consolidated legislative base for planning, developing, administering, coordinating, and evaluating a nationwide manpower program designed to meet the needs of all Americans.

In a speech last February before the national Governors conference, Secretary Shultz proposed removing the labels from a number of remedial manpower programs. Instead, he suggested, a unified program should be established under which funds could be "deployed flexibly" to meet differing needs in different areas of the country.

Not only the Federal Government, but also a number of the States have demonstrated a desire to develop a more coherent manpower policy. California has recently begun coordinating a large number of programs within a human resources development agency. Utah last month passed a bill creating a State manpower development council. New York has long demonstrated an awareness of the close relationship between economic development and manpower policy, and has devoted considerable resources to manpower planning. For manpower planning purposes, Iowa has divided itself into a series of multicounty regional units which are coordinated under its State cooperative area manpower planning system. Several manpower experts in Wisconsin have expressed to me their strong interest in assuming a greater manpower responsibility at the State level.

Some States may well not be ready to allocate additional resources and play a larger role in manpower planning and implementation. But we have now reached the point where it is no longer advisable to hold back those States which are ready to move forward and indulge in the luxury of administering the bulk of our programs from Washington. Under the Comprehensive Manpower Act the Secretary of Labor is given considerable authority to insure that manpower funds at the State and local levels are spent wisely and serve those who most need manpower development and training. But the only way in which the States which have proven less able to run these programs will develop greater capability is if they are given more decisionmaking responsibility and additional funds to allocate. We shall never attract as many capable people as we need to serve in these programs at the State level, if we merely allow these agencies to monitor Federal grants.

The rapid growth in Federal expenditures and number of people served in our manpower programs alone is sufficient reason to begin drawing the programs together. The following tabulation by the Bureau of the Budget demonstrates both the rapid strides we have made in a comparatively short time and the formidable administrative task which lies ahead in adequately serving this many people and economically and efficiently this much money:

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TABLE 1.—GROWTH IN FEDERAL EXPENDITURES FOR TRAINING AND WORK-TRAINING PROGRAMS, FISCAL YEARS 1963-69

[Expenditures in millions of dollars]

Program	Expenditures							Number of people served in [1] 1969
	1963	1964	1965	1966	1967	[1]1968	[1]1969	
Training:								
Manpower Development and Training Act [2]	50	104	222	275	275	434	407	275,000
Job Corps			54	258	339	306	295	98,000
Jobs in business sector (JOBS) program						35	175	[3] 140,000
Work incentive program [4]						15	119	102,000
Other programs [5]	15	17	18	18	21	85	103	105,000
Work-training:								
Neighborhood Youth Corps:								
School and summer			51	241	133	191	178	469,000
Out of school					131	168	181	93,000
Operation Mainstream [6]					13	41	46	22,000
Work experience program [7]			21	76	121	113	41	13,000
All programs	65	121	366	868	1,033	1,388	1,545	

[1] Estimated.

[2] Excludes $10,000,000 in 1968 and $16,000,000 in 1969 included in totals for the JOBS program.

[3] Number placed from beginning of program in February 1968 through August 1968.

[4] Public employment of adults, and out-of-school teenagers on public assistance.

[5] Includes: Indian manpower activities, new careers, veterans on-the-job training, opportunities industrialization centers, and Area Redevelopment Act training (1963–66).

[6] Public employment of elderly poor.

[7] Public employment of unemployed parents of dependent children and other needy persons. To be replaced in 1968 and 1969 by the work incentive program and Operation Mainstream.

Source: U.S. Bureau of the Budget, unpublished tabulations.

WHAT THE COMPREHENSIVE MANPOWER BILL DOES

The comprehensive manpower bill would encompass the manpower programs currently available under the Economic Opportunity Act with those authorized under the Manpower Development and Training Act, a total of $1 billion in fiscal year 1969. The act allots 70 percent of the total funds available to the States. The remaining 30 percent is to be granted by the Secretary of Labor to meet particular poverty needs, interstate, regional and national manpower problems, and manpower programs involving national industries. Incentive grants are also authorized for States which develop exceptionally effective manpower plans and implement them unusually well.

The bill vests authority for State manpower planning in the Governor of each State and directs him to form a manpower planning group with Federal approval of the structure but not the personnel. The planning group would have staff and budget supplied from the manpower program budget. Included among the planners would be representatives of all State agencies which are involved in the delivery of services under federally funded manpower programs, such as State employment agency and State educational agencies, closely related agencies which might include vocational rehabilitation and welfare agencies, representatives of labor and management and the public. This group would indicate the present and projected needs for manpower programs and suggest long-term objectives. They would also write an annual program plan describing how programs, services and activities for the coming year would fit into the State's long-term needs.

Individual programs which never look beyond the upcoming year, and work separately and with little coordination and communication would be replaced by a joint effort in which each agency would be involved in implementing part of a comprehensive plan. The individual worker in need of job training or employment services would be informed of all the program alternatives available to him rather than only those which a single agency can make available.

The main problem this bill tries to come to grips with is that the array of manpower programs that have emerged in the 1960's are not part of any systematic effort to identify and provide each of the services needed by various groups of workers or by all the work force. Instead, individual programs were written, made into law, and amended in rapid succession to meet current crises with little attention to their interrelationship. Though particular goals of various programs are reasonably clear, the overall objectives of these programs, when viewed together, are not.

The manpower programs treated in this bill, which emphasize services for those who face various disadvantages in competing for jobs, are the Manpower Development and Training Act, and the several manpower components of the Economic Opportunity Act. In addition, the new responsibilities added during the Sixties to the U.S. Employment Service make it a major deliverer of manpower services.

The act is an attempt to preserve and build upon what has been accomplished in recent years. The States are given considerable freedom, but not a blank check, to develop the mix of programs which are suitable to their area. The Secretary of Labor would not approve any State comprehensive manpower plan which does not meet standards specified in the act. The quality of the State programs, the effectiveness of job-related educational training, and the extent to which State programs meet the needs of poverty families will determine whether the Secretary of Labor agrees to fund the State's comprehensive manpower plan.

For the benefit of my colleagues I include at this point in my remarks a copy of the bill and a section-by-section analysis of the bill.

H.R. 10908

A bill to develop and strengthen a systematic National, State, and local manpower policy and provide for a comprehensive delivery of manpower services

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Comprehensive Manpower Act of 1969".

FINDINGS AND STATEMENT OF PURPOSE

SEC. 2. In recognition of the unmet needs of the unemployed and underemployed, the Congress finds that it is essential to the welfare of all Americans that concerted action be taken by National, State, and local governments to more effectively and economically utilize State and Federal funds for manpower training, work experience, job placement, and other services. Further, that it is essential to (1) establish explicit priorities for the allocation of these funds to insure that they are used to reach and assist those in greatest need of manpower services; (2) to establish clear-cut goals for the total system of manpower training, work experience, placement, and other services to maximize the effectiveness of the system in assisting individuals to find and maintain gainful employment; (3) to enlist the full support of private industry in securing jobs for enrollees of manpower programs; (4) to link together and coordinate the efforts of Federal, State, and local public and private agencies involved in performing manpower services; (5) to facilitate a smoother transition for students leaving the Nation's educational institutions and entering the world of work; (6) to develop new approaches for improved services and changes in traditional organizational patterns used to assist economically disadvantaged and insufficiently trained individuals; and (7) to coordinate the Nation's manpower needs and services as closely as possible with economic development, transportation planning, new residential housing, and other factors related to the development of new job opportunities.

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. There is hereby authorized to be appropriated to the Secretary for making grants under this Act the sum of $2,000,000,000 for the fiscal year 1971, $2,300,000,000 for the fiscal year 1972, $2,500,000,000 for the fiscal year 1973, and $3,000,000,000 for the fiscal year 1974. For the fiscal year 1975, and each succeeding fiscal year there is authorized to be appropriated only such sums as the Congress may hereafter authorize by law.

USE OF FUNDS

SEC. 4. From the sums appropriated for making grants under this Act for a fiscal year, the Secretary shall reserve 30 per centum for making grants authorized under section 12. The remainder of such sums shall be used by him to make grants to assist States to carry out comprehensive manpower plans as hereinafter provided.

ALLOTMENTS TO STATES

SEC. 5. (a) The Secretary shall allot among the States the funds remaining after he has made the reservation required by section 4 in accordance with uniform standards, and in arriving at such standards, he shall consider only the following factors:

(1) the proportion which the manpower allotment of a State during the preceding fiscal year bears to the total manpower allotments of all States during the preceding fiscal year,

(2) the proportion which the non-agricultural labor force of a State bears to the total non-agricultural labor force of the United States,

(3) the proportion which the unemployed within a State bears to the total number of unemployed in the United States, and

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(4) the proportion which the population, age 14 through 17 years, in a State bears to the total population, age 14 through 17 years, in the United States.

Notwithstanding the foregoing, the allotment for the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands shall be $150,000, and none of the remaining States shall be allotted less than $1,000,000.

(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Secretary determines will not be required for such year shall, if section 10 does not provide for its expenditure, be available for reallotment from time to time, on such dates during such year as the Secretary may fix, to other States in such amounts as the Secretary shall determine.

DEVELOPMENT OF COMPREHENSIVE MANPOWER PLANS

SEC. 6. The Secretary shall enter into an agreement with the Governor of each State under which a planning group will develop a comprehensive manpower plan for the State. Such planning group shall consist of the appropriate State agencies, including the State education agency and the State employment service, and representatives of labor, management, private agencies active in the manpower field, and the public, appointed by the Governor. Each such agreement shall—

(1) require each comprehensive manpower plan to set forth a long-range program plan (or, as is appropriate, a supplement to, or revision of, a previously submitted long-range program plan) for programs to be carried on with assistance under this Act, which program plan extends over three years beginning with the fiscal year for which the comprehensive manpower plan is submitted, describes the present and projected needs for programs provided for in this Act, and sets forth the long-range program objectives;

(2) require each comprehensive manpower plan to set forth an annual program plan, which describes the content of, and allocation of Federal funds to, programs, services, and activities to be carried our under the plan during the year for which Federal funds are sought, and indicates how and to what extent such programs, services, and activities will carry out the program objectives set forth in the long-range program plan;

(3) require (A) that institutional training be, where possible, arranged or provided through State education or training agencies and that such training and on-the-job training provided for under the plan be of high quality and be so constituted as to duration and content as to meet the special needs of trainees, (B) that adequate and safe facilities, and adequate personnel and records of attendance and progress be provided, and (C) that in the case of on-the-job training, each trainee's program involve reasonable progression and reasonable compensation considering such factors as industry, geographical region and trainee proficiency;

(4) require each comprehensive manpower plan to give special emphasis to the employment and training needs of persons who are from poverty families using as an index of poverty the minimum income per household of a given size, composition, and farm or nonfarm status, as set forth by the Social Security Administration;

(5) set forth priorities in terms of target groups, and varieties of programs established by the Secretary in light of national needs;

(6) set forth a program for providing placement services which w'll utilize the facilities and services of the State employment services as well as facilities and services from other sources, and which will make effective placement services available, not only to persons who have completed training under a comprehensive manpower plan, but also to other categories of persons;

(7) require that personal and educational and vocational counseling, testing, and evaluation be utilized to assure that each individual served will be provided appropriate services, and that follow-up services be provided to insure that training is effectively utilized by the trainee;

(8) establish the criteria to be used in fixing training and other allowances and compensation for services;

(9) establish the criteria to be used in fixing the payments to be made to employers participating in on-the-job training and similar programs;

(10) require the utilization to the maximum extent feasible of public and private profit and nonprofit agencies and organizations, and of all the State and local agencies and organizations which are capable of contributing to the program, with priority given to skills centers and other education and training programs operated or arranged through State and local educational agencies; and

(11) require the establishment and operation of a data system which will provide, in readily accessible form, statistical information sufficient to enable the administrators of the plan to evaluate the effectiveness of programs carried on under the plan and to determine means of improving their effectiveness.

COMPREHENSIVE MANPOWER PLANS

SEC. 7. (a) Any State which desires to receive a grant from funds allotted it under section 5 shall submit through the Governor thereof to the Secretary a comprehensive manpower plan developed pursuant to an agreement entered into under section 6, but no such plan shall be submitted until a public hearing has been held on the plan. The comprehensive manpower plan of a State must—

(1) provide that responsibility for carrying out the plan is placed in the Governor of the State,

(2) provide for as varied and extensive manpower programs (and related activities) and work experience programs as is consistent with the needs and resources of the State and with the amount of Federal assistance being provided,

(3) set forth the method of administration and the organizational structure to be used in carrying out the plan,

(4) meet the guidelines and standards prescribed by the Secretary under section 6,

(5) provide for coordination of the programs carried on by the State with those carried on by any metropolitan area any part of which lies within the State,

(6) take into consideration manpower programs carried on under title I of the Demonstrations Cities and Metropolitan Development Act of 1966, the Appalachian Regional Development Act of 1965, the Public Works and Economic Development Act of 1965, or any other Federal or State law,

(7) set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State or metropolitan area (including any such funds paid by either of them to any other public or private agency) under this Act, and

(8) provide for making such reports, in such form and containing such information, as the Secretary may reasonably require to carry out his functions under this Act, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

(b) The comprehensive manpower training plan of a State may include any (or all) of the following types of programs, services, or activities;

(1) A program for testing, counseling, and selecting for occupational training those unemployed or underemployed persons who cannot reasonably be expected to secure appropriate full-time employment without training.

(2) A special program for the testing, counseling, selection, and referral of youths for occupational training and further schooling, who because of inadequate educational background and work preparation are unable to qualify for and obtain employment without such training and schooling.

(3) A special program of testing, counseling, selection, and referral of persons forty-five years of age or older for occupational training and further schooling designed to meet the special problems faced by such persons in the labor market.

(4) Programs of training for persons who, though employed, are in need of additional skills.

(5) Programs for the attainment of basic education and communications and employment skills, by those eligible persons who indicate their intention to and will thereby be able to pursue, subsequently or concurrently, courses of occupational training of a type for which there appears to be a reasonable expectation of employment, or who have completed or do not need occupational training but do require such other preparation to render them employable.

(6) Programs to provide appropriate physical examinations, medical treatment, and prostheses for persons selected or otherwise eligible to be selected for training under this Act.

(7) Experimental programs for part-time training of persons, including employed persons, to meet critical skill shortages.

(8) Programs for on-the-job training needed to equip persons selected for training with the appropriate skills, and giving special consideration to on-the-job training programs which devote systematic effort to providing new opportunities for advancement through more systematic development of career ladders.

(9) Programs to provide part-time employment and useful work experience for students from low-income families who are in the ninth through twelfth grades of school (or are of an age equivalent to that of students in such grades) and who are in need of the earnings to permit them to resume or maintain attendance in school.

(10) Programs to provide unemployed, underemployed, or low-income persons (aged sixteen and over) with useful work and training (which must include sufficient basic education and institutional or on-the-job training) designed to assist those persons to develop their maximum occupational potential and to obtain regular competitive employment.

(11) Special programs which involve work activities directed to the needs of those chronically unemployed or underemployed poor who have poor employment prospects and are unable, because of age, lack of employment opportunity, or otherwise, to secure appropriate employment or training assistance under other programs, and which, in addition to other services provided, will enable such persons to participate in projects for the betterment or beautification of the community or area served by the program, including without limitation activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands.

(12) Special programs which provided unemployed, underemployed, or low-income persons with jobs leading to career opportunities, including new types of careers, in programs designed to improve the physical, social, economic, or cultural condition of the community or area served in fields including without limitation health, education, welfare, neighborhood redevelopment, and public safety, which provide maximum prospects for

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advancement and continued employment without Federal assistance, which give promise of contributing to the broader adoption of new methods of structuring jobs and new methods of providing job ladder opportunities, and which provide opportunities for further occupational training to facilitate career advancement.

(13) Special programs which concentrate work and training resources in urban and rural areas having large concentrations or proportions of low-income, unemployed persons, and within those rural areas having substantial outmigration to urban areas, which are appropriately focused to assure that work and training opportunities are extended to the most severely disadvantaged persons who can reasonably be expected to benefit from such opportunities, and which are supported by specific commitments of cooperation from private and public employers.

(14) Special programs for referring persons who have finished training to employment opportunities in urban and suburban areas outside their own neighborhoods.

(15) Programs for needy persons who require work experience or special family and supportive services, as well as training, in order that they may be assisted to secure and hold regular employment in a competitive labor market.

(16) Supportive and follow-up services to supplement work and training programs under this or other Acts including health services, counseling, day care for children, transportation assistance, and other special services necessary to assist individuals to achieve success in work and training programs and in employment.

(17) Employment centers and mobile employment service units to provide recruitment, counseling, and placement services, conveniently located in urban neighborhoods and rural areas and easily accessible to the most disadvantaged.

(18) Programs of the type described in section 12(a), with particular emphasis on programs involving intrastate and local employers.

(19) Programs to establish and operate, in cooperation with the State education and other appropriate State agencies, skills centers to provide basic education, employability and communications skills, prevocational training, vocational and technical programs, and supplementary or related instruction for on-the-job training whether conducted at the job site or elsewhere.

(20) Programs to make relocation payments to allow unemployed persons to relocate themselves and their families in localities affording employment opportunities.

(21) Programs to provide guidance, counseling, testing, and job referral services to unemployed and underemployed persons.

(22) Programs to evaluate the effectiveness of other programs carried on under the plan.

(23) Programs to equip migrant and seasonal farm workers through education and training to meet the changing demands in agricultural employment and to take advantage of opportunities for regular or permanent employment.

(24) Programs under which a cooperative working relationship is developed between education and training institutions and private employers.

APPROVAL OF PLANS

SEC. 8. The Secretary shall not approve any comprehensive manpower plan of a State which fails to meet the requirements of this Act and the standards and guidelines prescribed by him under section 6. The Secretary shall not approve the comprehensive manpower plan of a State until the Secretary of Health, Education, and Welfare has given his approval of those aspects of the plan relating to institutional training, including the operation of skills centers. Any political subdivision dissatisfied with the comprehensive manpower plan submitted by the State shall have the right to appeal to the Secretary. The Secretary shall not approve such a plan until he has afforded each such political subdivision an opportunity for a hearing on its appeal.

ADMINISTRATION OF PLANS

SEC. 9. Whenever the Secretary, after reasonable notice and opportunity for a hearing to the appropriate official of the State which submitted a plan, finds—

(1) that the plan has been so changed that it no longer complies with the requirements of this Act or of the standards and guidelines prescribed under section 6, or

(2) that in the administration of the plan there is a failure to comply substantially with any such requirement,

the Secretary shall notify such official that no further payments will be made with respect to such plan (or, in his discretion, further payment with respect thereto will be limited to portions thereof not affected by such failure); until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, the Secretary shall make no further payments with respect to such plan (or shall limit payments to portions thereof not affected by such failure).

DIRECT FUNDING BY SECRETARY

SEC. 10. Where a State fails to submit a comprehensive manpower plan to the Secretary within a reasonable time, or the Secretary disapproves such a plan or discontinues payments with respect to such a plan under the authority of section 9, he and the Secretary of Health, Education, and Welfare shall jointly formulate and carry out a comprehensive manpower plan in such State. Such a program shall meet the requirements of this Act applicable to plans submitted by States, except that where the Secretary has discontinued payments with respect to a portion of a plan under section 9 the program which they carry out directly shall be similar in character to the portion of the plan with respect to which payments were discontinued. In carrying out this section where a State has failed to submit a plan or the Secretary has disapproved it, the State's allotment may be utilized. In carrying out this section where the Secretary has discontinued payments, the sums withheld may be utilized.

INCENTIVE GRANTS

SEC. 11. (a) In order to encourage States to expand and improve the programs, services, and activities provided under their comprehensive manpower plans, the Secretary may make incentive grants to States. An incentive grant may be made to any State which the Secretary finds has developed a comprehensive manpower plan which shows resourcefulness and imagination in making effective use of the manpower resources of the State and is carrying out such plan in a highly effective and efficient manner. An incentive grant may also be made to any State which makes expenditures from non-Federal sources in carrying out its comprehensive manpower plan. Such a grant may not exceed 75 per centum of the amount so expended. At the time he makes an incentive grant the Secretary shall make public a statement detailing the reasons he has made the finding required by this section. Incentive grants made to a State shall be used by it to supplement the funds paid to the State to carry out its comprehensive manpower program.

(b) There is authorized to be appropriated for making grants under this section the sum of $100,000,000 for the fiscal year 1972, $115,000,000 for the fiscal year 1973, $125,000,000 for the fiscal year 1974; and $150,000,000 for the fiscal year 1975. For each fiscal year thereafter only such sums may be appropriated as the Congress may hereafter authorize by law.

DIRECT GRANTS

SEC. 12. (a) The Secretary may utilize the sums reserved under section 4, either directly or through grants to or contracts with public and private agencies and organizations (including States and metropolitan areas), for the following types of programs, services, and activities:

(1) Programs which, though eligible for inclusion in a comprehensive manpower plan can be effectively carried out only on a national or multistate basis,

(2) Programs, services, and activities carried on under title I of the Manpower Development and Training Act of 1962: *Provided*, That special emphasis shall be placed on carrying out research projects showing promise of finding solutions to problems arising in carrying out this Act,

(3) Programs, services, and activities which, though not included in a comprehensive manpower plan, will supplement such plans and meet needs which are uniquely national, interstate, or regional in character,

(4) Programs to provide incentives to private employers, other than nonprofit organizations, to train or employ unemployed or low-income persons, including arrangements by direct contract, reimbursements to employers for a limited period when an employee might not be fully productive, payment for on-the-job counseling and other supportive services, payment of all or part of employer services, payment of all or part of employer costs of sending recruiters into urban and rural areas of high concentrations or proportions of unemployed or low-income persons, and payments to permit employers to provide employees resident in such areas with transportation to and from work or to reimburse such employees for such transportation,

(5) Programs, services, and activities supplementary to activities carried on under a comprehensive city demonstration program approved under title I of the Demonstration Cities and Metropolitan Development Act of 1966,

(6) Educationally oriented projects (with the approval of the Secretary of Health, Education, and Welfare) where the Secretary of Health, Education, and Welfare finds that, in a manpower context, the educational community is significantly modifying its methods, or procedures, or is developing effective linkages with industry, labor organizations, and other groups or organizations,

(7) Experimental and demonstration programs of training and education for persons who are in correctional institutions and are in need thereof to obtain employment upon release.

(b) In carrying out this section the Secretary shall give special emphasis to programs meeting the needs of low-income persons who are chronically unemployed.

FUNCTIONS OF THE SECRETARY

SEC. 13. (a) In carrying out this Act, the Secretary is authorized and directed to use his authority under the Act of June 6, 1933 (the "Wagner-Peyser Act") with a view to insuring that the activities of the United States Employment Service and of the systems of State employment offices are coordinated with activities carried on under this Act.

(b) The Secretary shall carry out research programs and demonstration and evaluation programs designed to assist States and metropolitan areas to make their programs more effective.

(c) The Secretary shall carry on a program for the continuing evaluation of the effectiveness of programs, services, and activities provided under this Act. In carrying out this subsection, the Secretary shall make maximum use of the data systems of States.

(d) The Secretary is authorized to make grants to States to assist them in preparing their comprehensive manpower plans, but

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the amount of such grant shall not exceed 90 percentum of the cost of such preparation.

(e) The Secretary shall make technical assistance available on a continuing basis to assist States in developing and carrying out their comprehensive manpower plans.

(f) In carrying out the responsibilities under this Act, the Secretary shall provide, directly or through grants, contracts, or other arrangements, training for specialized or other personnel and technical assistance which is needed in connection with the programs established under this Act or which otherwise pertains to the purposes of this Act. Upon request, the Secretary may make special assignments of personnel to public or private agencies, institutions, or employers to carry out the purposes of this section; but no special assignments shall be for a period of more than two years.

(g) There is authorized to be appropriated such sums as may be necessary to enable the Secretary to carry out his functions under this section and the functions transferred to him by section 18 for the fiscal year 1970, and each of the three succeeding fiscal years.

DEFINITIONS

Sec. 14. For purposes of this Act—

(1) The term "Secretary" means the Secretary of Labor.

(2) The term "State" includes the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territories of the Pacific Islands.

ADVANCE FUNDING

Sec. 15. To the end of affording the responsible State, local, and Federal officers concerned adequate notice of available Federal financial assistance for programs, services, and activities provided for under this Act, appropriations for grants, contracts, or other payments under this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation. In order to effect a transition to this method of timing appropriation action, the preceding sentence shall apply notwithstanding that its initial application under any such Act will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

MAINTENANCE OF EFFORT

Sec. 16. No comprehensive manpower plan shall be approved under this Act unless the Secretary satisfies himself that the State has not reduced or is not reducing its own level of expenditures for programs of the type included under the plan, or expenditures for vocational education.

OTHER AGENCIES AND DEPARTMENTS

Sec. 17. (a) The Secretary and the Secretary of Health, Education, and Welfare shall enter into arrangements under which the Secretary of Health, Education, and Welfare will supervise and evaluate all instructional training provided under this Act so as to protect the United States against loss and to assure that the training provided is of high educational quality.

(b) In the performance of his functions under this Act the Secretary, in order to afford unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government. Each department, agency, or establishment of the United States shall cooperate with the Secretary and, to the extent permitted by law, provide such services and facilitates as he may request for his assistance in the performance of his functions under this Act.

ANNUAL REPORT

Sec. 18. Not later than one hundred and twenty days after the close of each fiscal year, the Secretary and the Secretary of Health, Education, and Welfare shall prepare and submit to the President for transmittal to the Congress a full and complete report on activities carried on under this Act during such year.

TRANSFER OF JOB CORPS

Sec. 19. (a) All functions of the Director under part A of title I of the Economic Opportunity Act of 1964 are, effective July 1, 1969, transferred to the Secretary of Labor.

(b) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, held, used, available, or to be made available, in connection with the functions transferred by subsection (a) of this section as the Director of the Bureau of the Budget shall determine shall be transferred to the Department of Labor on July 1, 1969.

(c) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem necessary in order to effectuate the transfer provided for in subsection (a) of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

REPEALS

Sec. 20. Titles II, III, and V of the Manpower Development and Training Act of 1962, and part B of title I and title V of the Economic Opportunity Act of 1964 are repealed, effective July 1, 1970.

EFFECTIVE DATE

Sec. 21. For purposes of planning and preparing for carrying out programs under this Act, including the preparation and approval of comprehensive manpower plans, this Act shall be effective immediately, but for purposes of making grants under sections 4 and 13, this Act shall become effective July 1, 1970, except that the repeals provided for under section 20 shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment, or other obligation entered into prior to July 1, 1970.

EXTENSION OF ECONOMIC OPPORTUNITY ACT PROVISIONS

Sec. 22. Section 161 of the Economic Opportunity Act is amended by inserting before the period at the end of the first sentence the following: ", except that he shall carry out part B until June 30, 1971". Section 504 of such Act is amended by striking out "three" and inserting "four".

ADDITIONAL MATERIAL TO BE INCLUDED IN MANPOWER REPORT

Sec. 23. Section 107 of the Manpower Development and Training Act of 1962 is amended by adding at the end thereof the following new sentence: "The President's report shall also include appropriate information with respect to educational programs which relate to the purposes of the Comprehensive Manpower Act."

A Section-by-Section Analysis of the Comprehensive Manpower Act of 1969

A Bill to develop and strengthen a systematic National, State, and local manpower policy and provide for a comprehensive delivery of manpower services.

SECTION 2

The purpose of the bill is to establish priorities for the allocation of manpower funds, to establish clearcut goals for a National, State and local system of manpower training, work experience, placement and other services which would focus on the needs of the individual, to coordinate the efforts of the public and private sectors in performing manpower services, to develop a closer relationship between the nation's educational institutions and the world of work, and to link manpower services more closely with economic development and agency planning which involves the development of new job opportunities.

SECTION 3

Authorization of appropriations is $2 billion for FY 1971, $2.3 billion for FY 1972, $2.5 billion for FY 1973 and $3 billion for FY 1974.

SECTION 4

Use of funds: 30% of the sums appropriated under this Act are reserved for the Secretary of Labor. The remaining 70% is to be allotted by the Secretary to the States to carry out comprehensive manpower plans.

SECTION 5

Allotments to the states are to be made on the basis of a formula including only the following four factors: 1) the proportion of the total allotment of manpower funds which the state received the previous fiscal year; 2) the proportion which the state's non-agricultural labor force bears to the nation's total non-agricultural labor force; 3) the proportion which the unemployed within a state bears to the total number of unemployed in the U.S.; and 4) the proportion which the population, age 14 through 17, in a state bears to the total population, age 14 through 17, in the U.S.

SECTION 6

Development of Comprehensive Manpower Plans: The Secretary of Labor shall enter into an agreement with the Governor of each State under which a planning group will develop a comprehensive manpower plan. The planning group is to consist of those public and private agencies within the state who are active in manpower development and training. A number of guidelines and standards must be met in such an agreement including: 1) a 3 year manpower plan describing the present and projected needs for manpower programs and setting forth long-range program objectives; 2) an annual program plan dscribing the allocation of programs, services, and activities for the coming f.y. and relating those actions to the program objectives set forth in the long-range plan; 3) the requirement that each comprehensive manpower plan give special emphasis to the employment and training needs of persons who are from poverty families using as an index of poverty the size and composition of the family and its farm or non-farm status; 4) the setting forth of priorities in terms of target groups, and varieties of programs established by the Secretary in the light of national needs; 5) the setting forth of a job placement program including the facilities of the Employment Service and other sources which will be available both to persons who have completed training under a comprehensive manpower plan and to other persons; 6) the utilization of all public, private, and non-profit agencies which are capable of contributing to the program, with priority given to skills centers and other education and training programs operated or arranged through State and local educational agencies.

SECTION 7

(a) Before the Governor may submit a plan to the Secretary, a public hearing shall be held. The comprehensive manpower plan of a State *must:* 1) place responsibility for carrying out the plan in the Governor; 2) provide for manpower programs consistent with the needs and resources of the State; 3) set forth clearly a method of administration and the organizational structure to be used in carrying out the plan; 4) meet the guidelines and standards prescribed by the Secretary; 5) be prepared by a planning group the members of which are appointed by the Governor; 6) provide for coordination of the State plan with programs carried on by metropolitan areas within the State; 7) take into consideration manpower programs carried on in connection with Model Cities, Appalachian regional development, Economic Development areas, or any other Federal or State law; 8) set forth careful fiscal control

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and fund accounting procedures and 9) provide for keeping necessary records and making periodic reports to the Secretary.

(b) The comprehensive manpower plan *may* include a number of programs spelled out in the act including the following: a program for testing, counseling, and selecting for occupational training those unemployed or underemployed persons who cannot reasonably be expected to secure appropriate full-time employment without training; programs for the attainment of basic education and communications and employment skills where there is a reasonable expectation of subsequent employment; programs for on-the-job training which are to be given special consideration because they devote systematic effort to providing new opportunities for advancement through development of career ladders; programs to provide part-time employment and useful work experience for students from low-income families in the ninth through twelfth grades of school; special programs which provide the unemployed or underemployed with jobs leading to new careers; special programs which concentrate work and training resources in urban and rural areas having large concentrations of low-income, unemployed persons, and within those rural areas having substantial outmigration to urban areas; programs for needy persons who require work experience or special family and supportive services, as well as training, in order to be competitive in the labor market; programs such as Job Opportunities in the Business Sector with particular emphasis upon programs involving intra-state and local employers; skills centers to be established and operated in cooperation with the State education and other appropriate State agencies.

SECTION 8

Approval of plans: The Secretary shall not approve any State plan which fails to meet the standards and guidelines he is directed to enforce. The Secretary of HEW must give his approval to those portions of the plan related to institutional training. Each political subdivision within the State is entitled to a hearing before the Secretary. The Secretary, in turn, may not disapprove a plan without giving a State an opportunity for a hearing.

SECTION 9

Administration of plans—where the plan has changed to the point where it no longer complies with the standards and guidelines or the administration of the plan fails to comply with the plan, the Secretary shall curtail further payments of all or part of the plan until he is satisfied that there will no longer be a failure to comply.

SECTION 10

Direct funding by the Secretary—When a State fails to submit a comprehensive manpower plan within a reasonable time, the Secretary may discontinue payments and, with the Secretary of HEW, formulate and carry out the entire plan or that portion of the plan which they have vetoed.

SECTION 11

(a) The Secretary of Labor may award *incentive grants* either where a State has shown exceptional ability in developing and implementing a plan or where a State has made expenditures from non-federal sources in carrying out its plan.

(b) A separate authorization is made for incentive grants for $100,000,000 for FY 1972, $115,000,000 for FY 1973, $125,000,000 for FY 1974 and $150,000,000 for FY 1975.

SECTION 12

(a) Direct grants—The Secretary may use the sum reserved for him to fund:

1. programs which are national or multi-state in character;

2. programs carried on under Title One of MDTA;

3. programs which will supplement State plans and at the same time meet needs which are uniquely national, interstate, or regional in character;

4. programs directly involving national corporations in large-scale hiring of unemployed or low-income persons;

5. programs to supplement activities carried on under the Model Cities program;

6. educationally oriented projects which the Secretary of HEW determines have, in a manpower context, significantly modified educational procedures or developed effective linkages with industry, labor and other organizations;

7. experimentation and demonstration programs of training and education for persons in correctional institutions.

(b) In carrying out this section the Secretary shall give special emphasis to programs meeting the needs of low-income persons who are chronically unemployed.

SECTION 13

Functions of the Secretary: The Secretary is authorized to perform several functions including the use of his authority under the Wagner-Peyser Act to coordinate the activities of the Employment Service closely with the activities under this Act; the provision of funds and technical assistance to States for program planning, and of funds for further training of people who are, or will be, involved in the manpower field.

SECTION 14

1. The term "Secretary" means the Secretary of Labor.

2. The term "State" includes the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territories of the Pacific Islands.

SECTION 15

Advance funding: Appropriations for grants, contracts, or other payments under this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year they will be available for use.

SECTION 16

Maintenance of effort: The Secretary shall not fund any State which reduces its own level of expenditures for programs of the type included under the plan.

SECTION 17

Other Agencies and Departments: The Secretary of HEW shall supervise and evaluate all instructional training provided under this Act. In order to avoid unnecessary duplication and expense, the Secretary shall use the available services or facilities of other agencies of the Federal government.

SECTION 18

An Annual Report shall be submitted covering activities carried on under this Act.

SECTION 19

Transfer of Job Corps: (a) All functions of the Director of the Job Corps under Part A of Title 1 of the Economic Opportunity Act are, as of July 1, 1969, transferred to the Secretary of Labor.

(b) So much of the personnel, property, records, and unexpended balances of appropriations as the Director of the Bureau of the Budget shall determine shall be transferred to the Department of Labor.

(c) Such further measures as the Director of the Bureau of the Budget finds necessary to effectuate the transfer shall also be taken.

SECTION 20

Repeals: Titles II, III and IV of the Manpower Development and Training Act of 1962, and Part B of Title V of the Economic Opportunity Act of 1964 are repealed, effective July 1, 1970.

SECTION 21

Effective Date: For purposes of planning, this Act shall become effective immediately. The grants to be made, however, shall not become effective until July 1, 1970.

SECTION 22

Extension of Economic Opportunity Act provision: Part B of Title I and Title V of the Economic Opportunity Act are extended for one addtional year and these provisions will, therefore, not expire until June 30, 1971.

SECTION 23

Additional material to be included in the Manpower Report: Section 107 of Title I of MDTA is amended to include appropriate information with respect to educational programs which relate to the purposes of the Comprehensive Manpower Act.

Mr. Speaker, in the bill there are four criteria specified to serve as the bases for the formula by which the Secretary of Labor will allocate to the various States funds with which to operate their comprehensive manpower programs. While under the bill the Secretary will be allowed necessary flexibility for effective administration of the law, Congress will still have exercised its function by specifying the criteria on which the decisions of the Secretary will be based. We provide the "what" of the standards; the Secretary provides the "how."

The four criteria are specified in section 5 of the bill. They are: First, the average number of the unemployed in each State; second, the size of the nonagricultural work force in each State; third, the number of teenagers in the State; and finally, the relative size of the allocations previously received by each State for manpower purposes, as measured by the 1968 allocation of manpower funds.

The use of the 1968 allocation enables us to build on existing experience, but provides continuity in administration. The other three factors introducing weightings which allow for the relative size of the adult population in the labor force but not working; the size of the employed nonagricultural labor force, and the entrance group of workers. Teenagers are not adequately represented in proportion to their number in the labor force figures themselves.

As an example of how these criteria would allocate funds to the States for their comprehensive manpower programs, I include at this point a table indicating the percentage distribution by State, using the new criteria in this act and giving each equal weight in the formula, and an illustrative distribution of the 70 percent of the 1968 manpower funds for the programs to be included within the Comprehensive Manpower Act of 1969 which would be allocated to the States:

PERCENTAGE DISTRIBUTION BY STATE AND AN ILLUSTRATIVE DISTRIBUTION OF THE 1968 MANPOWER FUNDS BY STATE USING THE FORMULA IN THE COMPREHENSIVE MANPOWER ACT OF 1969

State	Percentage distribution of the allotment	1968 manpower fund distribution (millions)
Alabama	1.82	$10.1
Alaska	.24	1.3
Arizona	.87	4.8
Arkansas	1.01	5.6
California	10.14	56.3
Colorado	.97	5.4
Connecticut	1.46	8.1
Delaware	.23	1.3

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PERCENTAGE DISTRIBUTION BY STATE AND AN ILLUSTRATIVE DISTRIBUTION OF THE 1968 MANPOWER FUNDS BY STATE USING THE FORMULA IN THE COMPREHENSIVE MANPOWER ACT OF 1969—Continued

State	Percentage distribution of the allotment	1968 manpower fund distribution (millions)
District of Columbia	1.45	$8.1
Florida	2.43	13.5
Georgia	2.06	11.4
Hawaii	.38	2.1
Idaho	.30	1.7
Illinois	5.20	28.8
Indiana	2.26	12.5
Iowa	1.21	6.7
Kansas	.86	4.8
Kentucky	1.65	9.2
Louisiana	1.77	9.8
Maine	.55	3.1
Maryland	1.56	8.7
Massachusetts	2.83	15.7
Michigan	4.19	23.2
Minnesota	1.91	10.6
Mississippi	1.18	6.6
Missouri	2.27	12.6
Montana	.41	2.3
Nebraska	.62	3.4
Nevada	.27	1.5
New Hampshire	.34	1.9
New Jersey	3.58	19.9
New Mexico	.60	3.4
New York	9.38	52.1
North Carolina	2.41	13.4
North Dakota	.29	1.6
Ohio	4.61	25.6
Oklahoma	1.19	6.6
Oregon	1.06	5.9
Pennsylvania	5.19	28.8
Rhode Island	.49	2.7
South Carolina	1.35	7.5
South Dakota	.32	1.8
Tennessee	2.30	12.7
Texas	4.80	26.6
Utah	.51	2.8
Vermont	.20	1.1
Virginia	1.84	10.2
Washington	1.59	8.8
West Virginia	.94	5.3
Wisconsin	2.03	11.3
Wyoming	.15	.8
Total, United States	97.28	554.9

FEDERAL EMPLOYEES' HEALTH INSURANCE COSTS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. **HALPERN**. Mr. Speaker, I have today introduced a bill to require the Federal Government to assume, in stages, the full cost of the health insurance which since 1960 has been available to Federal employees. My bill provides that the Government's share of the cost of health insurance for Federal employees shall rise to 50 percent of the cost after June 1969, to 75 percent of the cost after June 1970, and to the full cost after June 1971.

When health insurance was first made available to Federal employees the Federal Government paid about two-fifths of the cost and the employee paid about three-fifths of the cost. However, as things have worked out, because of dollar limits on the amount the Federal Government can pay toward any individual's health insurance, the rising cost of health insurance has resulted in employees paying an average of over 70 percent of the cost.

Progressive employers, all over the country, provide health insurance to their employees at no cost. In fact, since the amounts paid out for employees' health insurance is a cost of doing business, and, therefore, not taxable income, one can say that the Federal Government pays a part of the cost of health insurance for employees in private industry. And, with corporate tax rates being what they are, in some cases the Government share for private employees is more than the Government pays for its own employees.

It is time, Mr. Speaker, for the Federal Government to take the same action in regard to its employees that progressive employers everywhere have taken with regard to their employees. If we do not do something, and do it soon, Federal employees will be priced out of the health insurance market.

I would call this body's attention to the fact that I am not alone in crying out against the unfair treatment Federal employees receive in regard to health insurance. On the very first day of this Congress the honorable gentleman from New Jersey (Mr. DANIELS)—who is so knowledgeable about matters relating to the retirement and health benefits provided Federal employees—introduced a bill identical to my bill. At that time he pointed out the urgent need "to relieve employees and annuitants of the unfair burden of continuing to assume the lion's share of constantly spiraling costs."

Mr. Speaker, I join with the gentleman from New Jersey in urging prompt action on this proposal. Health care costs continue their rapid rise. As health care costs rise, health insurance costs must rise. Under the present program, employees and annuitants must bear the full burden of rising costs. Therefore, we must act to relieve them of their disproportionate burden.

AMENDING SOLID WASTE DISPOSAL ACT

(Mr. TIERNAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TIERNAN. Mr. Speaker, a generation ago, the terms solid waste and litter were virtually unknown. Solid waste, until recently, was just plain garbage and people did not worry so long as it was properly disposed of.

Litter has been around as long as there have been people. It is mentioned in the histories of early Rome, and Shakespeare's father was once fined for littering. But it was not considered a problem until the advent of the packaging revolution and the automobile which made people sufficiently mobile to litter the entire national landscape.

Consumers today discard over 5 pounds of refuse a day, per capita, and projections show this will double by 1975 and may triple by 1980. Few people worried or spoke about this problem even as late as 1960. By 1965, the problem in urban areas reached the crisis stage, so that the Solid Waste Disposal Act of 1965 was enacted. Action has been faster since then, mainly due to the latent nature of the problem. Attention thus far has been principally focused on municipalities and local governments. Unfortunately, the public's commitment to this problem has been inadequate. While we have developed elaborate systems of transportation, organization, and management to bring goods to the consumer, we have left the major questions of disposal and reuse of our wastes unanswered.

Senator MUSKIE, when introducing this bill in the Senate last week, stated:

> In our current view, materials are relatively cheap. We buy, we use, and we throw away.

Senator MUSKIE referred to the statement of Austin C. Daley, chief of the division of air pollution control of the Rhode Island Department of Health, given during a hearing before the Senate Subcommittee on Air and Water Pollution at Boston on April 10. Mr. Daley stated:

> We are a nation of users, not consumers.

Mr. Daley, a nationally recognized expert in the field of solid wastes management, also pointed out:

> In our efforts to cope with this problem, we must recognize that we can neither create nor destroy matter.

Mr. Speaker, with this in mind, I am today introducing the Resource Recovery Act of 1969. This bill would amend and strengthen the Solid Waste Disposal Act of 1965. It would also extend the provisions of that act for an additional 4 years. Two new provisions incorporated within this legislation are:

First, the Secretary of Health, Education, and Welfare is directed to conduct studies and report to the President and the Congress on economical means of recovering useful materials from solid wastes, recommended uses of such materials for national and international welfare, and the market of such recovery; recommended incentive programs—including tax incentives—to assist in solving the problems of solid waste disposal; and recommended changes in current production and packaging practices to reduce the amount of solid wastes. The Secretary also would be authorized to carry out demonstration projects to test and demonstrate the recovery techniques developed by these studies.

Second, the Secretary would be authorized to make grants to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal facilities, with incentives for new and improved methods for dealing with solid wastes.

The Solid Waste Disposal Act of 1965 was just a beginning. If we are to effectively manage our refuse, we must first effectively utilize our resources. Billions of dollars in raw materials are now being wasted. We can no longer afford this waste. This bill, the Resource Recovery Act of 1969, will help us meet this pressing problem. I urge my colleagues to join with me in supporting this vital legislation.

Mr. Speaker, for the further edification of my colleagues, I insert the text of the bill and Mr. Daley's remarks at this point in the RECORD:

H.R. 10916

A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That this Act may be cited as the "Resource Recovery Act of 1969."

SEC. 2. Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

"(7) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law and having jurisdiction over the disposal of solid wastes."

SEC. 3. (a) Subsection (a) of section 204 of the Solid Waste Disposal Act is amended by striking out all beginning with "the development and application" through the end of such subsection and inserting in lieu thereof the following: "the reduction of the amount of such waste and unsalvageable waste materials, and the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering usable materials from solid waste (including devices and facilities therefor)."

(b) Such section 204 is further amended by striking out subsection (d).

SEC. 4. The Solid Waste Disposal Act is amended by redesignating sections 205 and 206 as section 206 and 207, respectively, and by inserting after section 204 a new section as follows:

"SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF USEFUL MATERIALS

"SEC. 205. (a) The Secretary of Health, Education, and Welfare shall as soon as practicable carry out an investigation and study to determine—

"(1) economical means of recovering useful materials from solid waste, recommended uses of such materials for national or international welfare, and the market impact of such recovery;

"(2) appropriate incentive programs (including tax incentives) to assist in solving the problems of solid waste disposal; and

"(3) practicable changes in current production and packaging practices which would reduce the amount of solid waste.

"(4) practicable methods of collection and containerization which will encourage efficient utilization of facilities, and contribute to more effective programs of reduction, reuse, or disposal of wastes.

The Secretary shall report the results of such investigation and study to the President and the Congress.

"(b) The Secretary is also authorized to carry out demonstration projects to test and demonstrate recovery techniques developed pursuant to subsection (a).

"(c) The authority contained in section 204 for the purpose of carrying out research and demonstration projects shall be applicable to the provisions of this section."

SEC. 5. Section 207 of the Solid Waste Disposal Act, as redesignated by the previous section of this Act, is amended to read as follows:

"GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

"SEC. 207. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of not to exceed 66⅔ per centum of the cost in the case of a single municipality, and not to exceed 75 per centum of the cost in the case of an area including more than one municipality, of (1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and (2) developing solid waste disposal plans as part of regional environmental protection systems for such areas, including planning for the reuse, as appropriate, of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites, and not to exceed 50 per centum of the cost of overseeing the implementation, including enforcement, and modification of such plans.

"(b) Grants pursuant to this section shall be made upon application therefor which—

"(1) designates or establishes a single agency as the sole agency for carrying out the purposes of this section for the area involved;

"(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal programs;

"(3) sets forth plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

"(4) provides for submission of a final report of the activities of the agency in carrying out the purposes of this section, and for the submission of such other reports, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary to assure the correctness and verification of such reports; and

"(5) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

"(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with, and not duplicative of, other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954."

SEC. 6. The Solid Waste Disposal Act is further amended by redesignating the last four sections in such Act as sections 211 through 214, respectively, and by inserting after section 207, as redesignated by this Act, the following new sections:

"GRANTS FOR CONSTRUCTION

"SEC. 208. (a) The Secretary of Health, Education, and Welfare is authorized to make grants pursuant to this section to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal and resource recovery facilities, including completion and improvement of existing facilities.

"(b) Any such grant—

"(1) shall be made for a project only if it is consistent with any State or interstate plan for solid waste disposal, is included in a comprehensive plan for the area involved which is satisfactory to the Secretary for the purposes of this Act, and is consistent with any standards developed pursuant to section 209;

"(2) (A) shall be made in amounts not exceeding 25 per centum of the estimated reasonable cost of the project as determined by the Secretary in the case of a project serving a single municipality and not exceeding 50 per centum of such cost in the case of a project serving an area including more than one municipality, and only if the applicant is unable to obtain such amounts from other sources upon terms and conditions equally favorable;

"(B) notwithstanding any other provision of this paragraph, the Secretary may increase the amount of a grant made under (A) by an additional 50 per centum of such grant for any project which utilizes new or improved techniques of demonstrated usefulness in reducing the environmental impact of solid waste disposal, recovery of resources or recycyling useful materials.

"(3) shall not be made until the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project after completion;

"(4) shall not be made unless such project is consistent with the purposes of the Federal Water Pollution Control Act and the Clean Air Act; and

"(5) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

"(c) In determining the desirability of projects and of approving Federal financial aid in connection therewith, consideration shall be given by the Secretary to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of the project to the public interest and to the public necessity for the project, and the use by the applicant of comprehensive regional or metropolitan area planning.

"(d) Not more than 15 per centum of the total of funds appropriated for the purposes of this section in any fiscal year shall be granted for projects in any one State. In the case of a loan for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant which is chargeable to the percentage limitation under this subsection for each State into which such area extends.

"RECOMMENDED STANDARDS

"SEC. 209. (a) The Secretary of Health, Education, and Welfare shall, in cooperation with appropriate State, interstate, and regional and local agencies, within eighteen months following the date of enactment of this section, recommend to appropriate agencies standards for solid waste collection and disposal systems (including systems for private use) which are consistent with health, air, and water pollution standards and can be adapted to applicable land use plans.

"(b) Further, the Secretary shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act.

SEC. 6. (a) Subsection (a) of section 214 of the Solid Waste Disposal Act, as redesignated by this Act, is amended by striking out "not to exceed $19,750,000 for the fiscal year ending June 30, 1970." and inserting in lieu thereof the following: "not to exceed $46,000,000 for the fiscal year ending June 30, 1970, not to exceed $83,000,000 for the fiscal year ending June 30, 1971, not to exceed $152,000,000 for the fiscal year ending June 30 1972, not to exceed $216,000,000 for the fiscal year ending June 30, 1973, and not to exceed $236,000,000 for the fiscal year ending June 30 1974. The sums so appropriated shall remain available until expended."

STATEMENT OF AUSTIN C. DALEY, CHIEF OF THE DIVISION OF AIR POLLUTION CONTROL, RHODE ISLAND STATE DEPARTMENT OF HEALTH, BEFORE HEARING OF U.S. SENATE SUBCOMMITTEE ON AIR AND WATER POLLUTION, UNDER CHAIRMANSHIP OF SENATOR EDMUND S. MUSKIE, AT BOSTON CITY HALL COUNCIL CHAMBER, APRIL 10, 1969

My name is Austin C. Daley. I am the Chief of the Division of Air Pollution Control of the State of Rhode Island. Prior to my present position for seven years I was Director of the Air Pollution Control Department of the City of Providence, Rhode Island. I am a registered professional engi-

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neer in Rhode Island and a Diplomate in the American Academy of Environmental Engineers. I have been a member of the Air Pollution Control Association for 20 years.

First, I would like to express my appreciation to Senator Muskie and the Senate Subcommittee on Air and Water Pollution for the honor of receiving an invitation to testify here today.

The problems in solid waste disposal in Rhode Island are basically no different from any other Atlantic coastal state. They are growing rapidly and will soon reach nightmare proportions. At present the two most satisfactory methods of disposing of this waste are by means of the sanitary landfill and by the reduction of combustible waste by incineration. Unfortunately, there are very few municipal incinerators in this country that do not cause air pollution, and the residue from these incinerators also has to be deposited in a landfill. Lack of space, particularly in congested urban areas, makes it apparent that the landfill is not a long-range solution, and science will have to come up with a breakthrough in research as to a satisfactory method of disposal. Since private industry has not been successful in devising solutions, greater support for this research must be given to the Solid Wastes Program of the United States Public Health Service and to the universities which are working on solid waste disposal projects. It is imperative that we come up with answers before our urban society chokes in its own solid waste.

In our efforts to cope with this problem it is important that we recognize two basic facts: first, we can neither create nor destroy matter and, second, we are a nation of users, not consumers.

However, while waiting hopefully for the needed breakthrough in solid waste disposal, whether it be in recycling and re-use of material or a more efficient reduction process, we must meanwhile make a greater effort to improve conditions with the means we have at hand. One of the most serious solid waste disposal problems is created by the nation's largest industry, i.e. junked car bodies. Millions of them are being left on our streets and open spaces annually.

On October 9, 1968 the Rhode Island Division of Air Pollution Control sponsored a conference on the disposal of junked car bodies which was well attended by scrap metal dealers, including out-of-state people, a representative from the Institute of Scrap Iron and Steel in Washington and many state and federal health officials. We were told that this was the first conference of such scope ever held in this country. We offered several plans for cooperation among the scrap metal dealers. These schemes included a big nuisance-free incinerator financed on a cooperative venture by members of the industry. Such cooperative arrangements have been worked successfully by dairy farmers and fishing fleets for years. To our disappointment very little enthusiasm was manifested by those in attendance. Today many still continue to strip car bodies and dispose of components by clandestine open fires, usually burning after dark. For obvious reasons this arrangement is bad, particularly when it is realized that the junked car dealers, in picking up these abandoned cars, are performing a useful solid waste disposal function.

The automobile industry should be induced and encouraged to work out with the scrap metal dealers a coordinated, efficient and inoffensive system of processing these junked cars for steel reclamation. Similar steps should be taken to encourage the manufacturers of glass and plastic bottles and containers and aluminum cans to assist in devising means in the proper disposal of the solid waste they create. We are confident that this committee has heard these views expressed before, but we in Rhode Island want to add our voice to those in other states as to the urgency of the solid waste problem confronting this country.

Those of us engaged in fighting air and water pollution and tackling solid waste problems have found that our activities overlap, and we are in fact members of a team battling for environmental survival. Because of the interstate travel of pollution, the role of the federal government in combatting it has, of necessity, been increased, and we in Rhode Island appreciate both the financial and professional assistance we have received from federal agencies. However, we would like to point out, particularly in two great undertakings of the federal government, some activities creating serious solid waste problems that are not being handled properly.

The Department of Transportation pays for 90 percent of the interstate highway program costs, and this road construction frequently entails the removal of miles of trees and brush and hundreds of buildings in the path of a new highway. In Rhode Island the contractors clear this brush by burning it. Since they claim the brush is green, even in winter, they always lace it with old auto tires to sustain combustion. The resulting heavy pollution is visible for miles.

We have repeatedly protested against this pollution but our state law does not give us authority over this type of open burning. It is under the authority of the municipality where it takes place and, although nearby residents often complain, no city or town has ever made a move to stop it. We have suggested that a logging and wood chipping program be inaugurated. These chippers can handle logs up to eight inches in diameter and wood chips make excellent mulch. So far our suggestions have been fruitless and it is particularly frustrating, after the pavement is poured, to witness the arrival of truckloads of expensive wood chip mulch to be spread on the banks for highway beautification. We believe that to chip the brush and store it at the site would not only eliminate air pollution, but would result in considerable savings. We also object to the open burning of buildings that have to be removed from the path of the highways, but we will offer our proposed solution for this problem in our discussion of urban renewal demolition.

Virtually all of Rhode Island's 39 municipalities have present or future plans to participate in urban renewal programs under the Department of Housing and Urban Development grants, which provide from two-thirds to three-quarters of total project cost. This will necessitate the razing of approximately 1,900 buildings in the next five years in our little state. Sometimes these buildings are burned on the site. Our colleagues in the Massachusetts Air Use Management Division can tell you about the evils of this practice. A few years ago scores of buildings were burned down for urban renewal clearance at this very spot where we are meeting today. The Boston urban renewal people were interested solely in creating this present attractive downtown complex. Vast quantities of poisons and dust entering the atmosphere were of no concern to them. This same attitude is frequently displayed by the people building our interstate highways.

Since these two activities, interstate highway construction and urban renewal, are so heavily financed by federal agencies, we feel that the Department of Transportation and HUD have a responsibility to make arrangements for decent waste disposal as part of their projects when they are in the planning stages. In a broad sense, these two government agencies are engaged in manufacturing and all manufacturing processes generate waste. We cannot ask the Rhode Island city of Central Falls, with 19,000 people in its 1.27 square mile area, to find room to dispose of the rubble and timber from a cluster of buildings demolished in the path of a highway or urban renewal. The same situation holds true for most of our congested cities.

We feel that when all the interstate highway programs and urban renewal projects are on the drawing boards, a Solid Waste Program expert from the U.S. Public Health Service should be included as an integral member of the planning team, and he should stay with each project until its completion. His duties would be to plan for the proper removal and disposal of all solid waste. In the highway projects he would arrange for the logging and chipping of brush and the carting of rubble and timber from demolished buildings to a proper disposal site. The disposal of demolition debris would be coordinated with urban renewal waste disposal.

For demolition debris disposal the solid waste disposal engineer would select sites for a defined region which could conceivably cover an area as large as Rhode Island and southeastern Massachusetts. All demolition debris would be trucked in suitable vehicles without spillage to the disposal site where adequate personnel and equipment would work the landfill. If the disposal sites have sufficient area, municipalities could deposit other solid wastes there on a fee basis.

This would cost money but comparatively little when computed as a proportionate cost of the entire project. And air pollution is costing us more than money today. It is a sad commentary on our affluent society when we permit these vast, polluting open fires to vitiate our atmosphere because of economics. Solid waste dispostal is a vital function in any urbanized community, and it should not be neglected because it costs money. Soap, hot water, towels, toothpaste and brushes cost money but, because of this, should we discard personal hygiene? Since the activities of federal agencies create some of our biggest solid waste problems, these departments should set the pace in decent solid waste disposal. By doing so, they would be offering a splendid example for our states and municipalities to follow. The U.S. Public Health Service Solid Waste Program has the experts to provide the know-how as planning team members for all future highway and urban renewal projects. Let us put these people to work immediately.

PLANS FOR ENDING THE VIETNAM WAR

(Mr. EDWARDS of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. EDWARDS of California. Mr. Speaker, recently a distinguished American scholar with great experience in international affairs outlined what I believe is a sound plan for ending the Vietnam war, Dr. Richard A. Falk, professor at the Center for Advanced Study in the Behavioral Sciences at Stanford University, former professor of international law at Princeton University, former counsel to the Senate Foreign Relations Committee and to the U.S. Arms Control and Disarmament Agency, and counsel before the International Court of Justice, made his proposals in a speech April 7, 1969 in Portland, Oreg.

I recommend Dr. Falk's views, and while I know that President Nixon said during the recent presidential campaign he had a plan to end the Vietnam war, I would suggest he also study this proposal. President Nixon's plan for the Vietnam war has not become clear during the first 100 days of his administration, and perhaps application of Dr.

Falk's proposal would make that plan clearer.

I believe Professor Falk has outlined a workable proposal to end the Vietnam war and I include it in the RECORD so all of us may have the opportunity to study it:

ENDING THE VIETNAM WAR: SOME PREMISES AND A PLAN

(By Richard A. Falk)

1. By now it should be evident to all that the United States military mission has been able to prevent victory by the National Liberation Movement. This mission has been accomplished at great cost in blood, treasure, and prestige. Even in the United States important sectors of our society have lost confidence in the integrity and wisdom of the government. In Vietnam the damage and devastation is awesome, and it is continuing: more tonnage of bombs is dropped per month on the tiny agricultural country of South Vietnam than on the whole of Europe during the height of World War II.

2. Why have the costs been so great to accomplish such a meager political mission? To prevent, in reality to delay an NLF victory is very different than securing victory on behalf of the Saigon regime. Not long ago, the Presidential Adviser, Henry Kissinger wrote: "the guerrilla wins if he does not lose. The conventional army loses if it does not win." (*Foreign Affairs*, Jan. 1969, p. 214). Why have more than 535,000 American troops, supported by the greatest arsenal of weaponry ever known (the helicopter support has been estimated as alone worth more than 1,000,000 combat troops) been unable to achieve victory, especially when fighting alongside more than 1,000,000 troops of the Saigon armies? We have been able to destroy but not to prevail, because in a war of revolutionary nationalism it is the allegiance of the people that finally and decisively counts. The Saigon regime is isolated to such an extent that most leaders of non-Communist political groups are in jail for advocating some kind of political compromise to end the war. To advocate in Saigon what is official South Vietnamese policy in Paris continues to be a serious crime. As recently as March 15, Thich Tien Minh, one of the few Buddhist student leaders not yet in prison, was arrested with fifty student followers and sentenced to 10 years of hard labor. His crime: the advocacy of peaceful settlement through negotiations and a coalition government.

3. The Saigon regime knows that it cannot survive peace. If the present rulers are lucky they will physically escape the wrath of their countrymen. When the Americans leave the government of Thieu and Ky is almost certain to collapse. The leaders in Saigon have demonstrated that they understand that their fate is linked to the continuation of the war and to the maintenance of the massive American presence: hence, they opposed President Johnson's original limited bombing halt as of March 31, 1968, and they have opposed the complete halt of bombing North Vietnam as of October 31, 1968 and have advocated the resumption of bombing in the North ever since; hence, they opposed the Paris negotiations and have done all in their power to obstruct the continuation of peace talks; hence, they imprison all moderate anti-Communist political leadership in South Vietnam.

4. Why, then, does the Saigon regime propose to meet directly and secretly with the NLF to discuss a settlement? It is a tactic designed to confuse the American government and to undermine criticism. It is not a serious offer of a political compromise. In fact, the probable objective of the Saigon government is to demonstrate that no settlement can be reached by non-military means. The conclusion, then, is as follows: it is impossible to settle the war in Vietnam by negotiations if a condition is that the terms of settlement should be acceptable to the present government of South Vietnam.

5. If this analysis is correct, then what should the United States do about it? If it does nothing, then the prospects are for a continuation of the military stalemate, with high casualties, periodic bursts of official optimism (never gloom); and a renewed and rising cycle of protest and repression here at home. President Nixon's 100 days of domestic grace are drawing to a close. At present, there is little leverage that the United States possesses. Secretary of Defense, Melvin Laird recently returned from South Vietnam with the startling discovery that no Americans should be withdrawn until all North Vietnamese troops have left South Vietnam *and* the armies of the Saigon regime have received training and modern equipment such as to provide "an indigenous capability." Only then can they avoid defeat, prevent political collapse, and hope to hold their own against the NLF. The military and political balance remains highly unfavorable and the glimmer of light all but disappears from the end of the tunnel. We are, in effect, saying to Hanoi that it must unilaterally withdraw its troops from South Vietnam, and, then, perhaps, if we have built up the armies of Saigon sufficiently we will begin to withdraw. This is obviously untenable. Beyond this, it would not be likely to work. The failure of the South Vietnamese Armed Forces has been primarily a matter of its unwillingness to fight against the NLF. One never hears about the inabilities of the DRV or NLF to fight the American forces, despite their complete exposure to American bombing patterns and their markedly inferior equipment and firepower.

The bitter irony is that the Vietnamese on our side are a conscript, mercenary army that, by and large, lacks any political will; the American military units engage in more combat with far greater motivation. The war cannot be won, defeat can be prevented indefinitely at high costs; in such circumstances Saigon has no incentive at all to seek a political compromise.

6. What should be done? The United States should begin to withdraw its armed forces at the rate of between 50,000 and 100,000 per two months so long as (1) Sagion keeps non-Communist third force political leaders in prison and discourages third force politics; (2) Saigon fails to broaden its regime to include moderates, including several prominent figures who have advocated a political compromise; (3) Hanoi reciprocates to the extent of avoiding major initiations of military combat and withdraws or keeps withdrawn an equivalent percentage of its own forces. The American withdrawal should take place in a certain context of ambiguity so as to enable maximum leverage over both the Saigon regime and over the NLF and Hanoi, that is, by providing the former with incentives to terminate the withdrawal process and the latter with incentives to continue it. The United States would finally recover some initiative and be in a position to exert some leverage. In any event, the stalemate would be broken, a way down and out would have been created, and some alternative found to the present cruel and destructive war of attrition. Almost anything is better than what we are doing now. Either the Saigon regime cooperates in the search for a compromise or it collapses or it demonstrates, most unexpectedly, its capacity to fight on alone.

7. Finally, we need to have some idea about the character of a political compromise. In essence, there would need to be three main groups represented in a coalition national government; the NLF, the third force constituencies, and the army and civil service. It would be essential to have a strong moderate as Minister of the Interior, that is, as the person in charge of police functions in post-war South Vietnam. A provisional coalition government can most effectively be established by negotiations rather than elections. The completion of the process of withdrawing foreign forces should be scheduled to occur during a transitional period no longer than 18 months. Several international observation teams could be gradually built up during this period staffed by neutral and distant countries and supported by neutral financing.

One observation team would observe elections on a village and province level and another would investigate and report on allegations of reprisal. National elections open to all parties and all platforms (including planks on reunification) would be scheduled to occur within two years of the ceasefire. A Vietnam Reconstruction Agency, staffed by international civil servants and funded from American and possibly other sources, would give aid to the governments in Saigon and Hanoi for purposes of reconstruction. Reunification, if it occurs, would be the result of negotiations between the elected governments of North and South Vietnam. Within three months of a ceasefire, however, normal economic, cultural, and social relations between the two parts of Vietnam would be re-established. Serious consideration should also be given to encouraging a free trade area among all parts of what was formerly Indochina. A separate conference of principal world states should be convened before national elections are scheduled so as to ratify the Vietnam settlement, re-examine the prospects for reinvigorating the neutralization plan for Laos, and explore the possibility of securing some kind of endorsement of principles of peace for Asia by China, the United States, and the Soviet Union.

8. The proposal, in summary, has the following constituent parts:*

Phase I: immediate incremental withdrawal of U.S. forces, at the rate 50,000–100,000 per two months, terminable by major DRV–NLF escalation of war *and* GVN failure to release political prisoners, broaden its regime, and permit third force politics to occur.

Phase II: negotiated settlement:

Offensive, then total, cease-fire followed by the complete withdrawal of foreign forces and substantial disarmament of domestic armed forces of NLF and ARVN within 3–6 months.

Coalition government (NLF, army-civil service, third force groups) (strong control of police by third force Minister of Interior).

Observed elections in stages (local, province, national) to be completed within two years of cease-fire. National elections will not be held in the event that the observer group directorate recommends their postponement.

Gradual build-up to 10,000 of international observer group with distinct teams having investigative and reporting functions and independent funding in relation to political activity and complaints of reprisal.

Reunification, if at all, by free inter-governmental negotiations *following* national elections in South Vietnam or, in the event elections are postponed no sooner than five years from the date of formal cease-fire; normalization of releases between North and South Vietnam within three months after total cease-fire.

Economic reconstruction planned according to the priorities of the two governments, funded by the United States at $1–2 billion per year for a minimum of three years, and administered by a small agency staffed by international civil servants.

Guarantees and pledges by all parties on reprisals and an offer of political asylum by the United States to as many as 10,000 Vietnamese.

Conference of guaranty to ratify the settlement in Vietnam, scheduled to occur after

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*The more detailed reasoning of the fuller document can be obtained by request from the author.

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the cease-fire and before the national elections; China, the Soviet Union, and the United States are essential participants and would seek to agree to a code of behavior to maintain peace in the area. India, Japan, and possibly France, Australia, and Pakistan would also be invited to participate.

Phase III: sustaining peace:

Partial or total withdrawal of observer groups within 30 days at the discretion of the head of the elected national governments in South Vietnam or, in the event elections are not held, by the provisional government at any time after three years from the date of ceasefire.

Annual meeting of the conference of guaranty to review progress toward peace in Asia and examine opportunities for neutralization of countries vulnerable to intervention.

Normal diplomatic and economic relations between the United States and all Asian countries, including North Vietnam and China.

THE PRESIDENT'S CRUSADE FOR DECENCY

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, the countless letters and protests of concerned parents petitioning their Government for help in protecting their children—and their homes—from invasion of unwholesome sex-oriented materials has been heard.

President Nixon has called for a three-pronged legislative program to assist the mothers and dads—our decent society—toward reasonable protection from grossly obscene matter distributed through the U.S. mail.

The administration's program is necessary and urgent. I commend the President for his acknowledgement of this serious threat against our youth and for his leadership in urging long overdue corrective action.

I support the President's program for decency and urge prompt enactment of legislation to offset these degrading influences which have been unleashed against society by recent Federal court rulings.

Mr. Speaker, the President has called for more than action by Congress. He has, in fact, called for a citizens' crusade for decency—taking the profit out of pornography, obscenity, and perversion, through inaction—that is, not buying it.

I hope all will heed his words:

> The ultimate answer lies not with the government but with the people. What is required is a citizens' crusade against the obscene. When indecent books no longer find a market, when pornographic films can no longer draw an audience, when obscene plays open to empty houses, then the tide will turn. Government can maintain the dikes against obscenity, but only the people can turn back the tide.

The citizens' petition has been received and must be promptly acted upon. We can enact the called-for legislation, but let us go further. Let us also encourage our citizens at home to join in turning back the tide of obscenity by shunning it.

Success in this endeavor can only be achieved by the concerted action of the people at home.

DISTRICT OF COLUMBIA—PROGRESS REPORT

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, events over the past weekend here in our Nation's Capital are most appalling, considering the suggestions of some that the citizens will be competent to govern the District.

Conditions have so worsened that the employees at St. Elizabeths mental institution protest transfer to the District control.

Marines can not even exercise their civil rights to walk a date without being assaulted. Servicemen might expect an attack in Vietnam and be ready, but visiting their Nation's Capital, they carry no weapons.

Church services are subject to armed holdup in broad daylight and the deacons relieved of the offering—while the congregation is at worship.

Hobson, the insurrectionist member of the elected school board—a self-professed Marxist—has already announced his candidacy for Mayor or Congressman, if District of Columbia home rule is granted.

Is home rule proposed to give a right to vote—or, if granted, would it but give control of the Nation's Capital to a violent and irresponsible fraction of the Nation's population?

I include several clippings from the local papers, as follows:

[From the Washington (D.C.) Star, May 4, 1969]

HOLDUP MEN HIT AREA CHURCH, TAKE $30,000

Three men, two armed, stole an estimated $10,000 in cash and $20,000 in checks collected as offering yesterday during services at Sligo Seventh Day Adventist Church, Flower and Carroll Avenues, Takoma Park.

The robbery occurred about 11:30 a.m., police said, as two deacons were taking money collected during the 11 a.m. service to the treasurer's office in the rear of the church.

The deacons were confronted in the hall by three men, who police described as being in their early twenties and "well-dressed in mod-type clothes." One of the men had a beard, police said, and two of the men were armed with .45-caliber pistols.

The deacons were forced to go to the treasurer's office, police said, where six other deacons were counting the money collected at both the 9 a.m. and 11 a.m. services.

The deacons were bound with masking tape, and the robbers escaped. No one was injured. One of the deacons freed himself and called police about 11:45 a.m.

Police said that the congregation was unaware that the robbery was taking place, and that the service was concluded in the main auditorium.

[From the Washington (D.C.) Post, May 2, 1969]

ST. ELIZABETHS EMPLOYEES FIGHT TAKEOVER BY CITY

(By Stuart Auerbach)

St. Elizabeth's Hospital employes opened a campaign yesterday to stop the transfer of the 5000-patient mental hospital here from the Federal Government to the District.

At a series of five meetings Wednesday and yesterday, employes formed a "Committee of 1000" to lobby in Congress, the District Building and the Department of Health, Education and Welfare against a change.

Another group of employes, represented by Local 1 of the Government Workers Union, favors the transfer, president Lenzell Ruffin said. He said the District government is easier to deal with on employe problems than is HEW.

The transfer from the National Institute of Mental Health was recommended by HEW and approved on a staff level by the Bureau of the Budget. Committees are currently studying the mechanics of the transfer, which an HEW source said was months away.

District Health Director Dr. Murray Grant wants the city to run St. Elizabeths since it supplies most of the patients and 85 per cent of the money.

"At first blush this seems quiet reasonable," said the Rev. Joseph O'Brien, a Catholic chaplain at St. Elizabeths for 10 years and an organizer on the Committee of 1000.

But, he added, "there is a great deal of dissatisfaction and disgruntlement with the present level of performance of the Health Department."

He said that the Federal Government spends $7.3 million a year at St. Elizabeths in subsidies, training and research that will be lost if the District takes over.

In addition, Father O'Brien said, one-third of the Hospital's 122 physicians will leave. Many of them are Public Health Service officers working at the Federal hospital instead of serving in the Army.

Doctors in the training program, he said, care for about half the admissions and staff the hospital at night.

Father O'Brien said NIMH should be allowed to fulfill the mission handed it 18 months ago by HEW Secretary John Gardner and reaffirmed in November by HEW Secretary Wilbur Cohen to bring the overcrowded, 114-year-old hospital up to par before handing it over to the District.

About 250 employes, apparently a cross-section of workers at St. Elizabeths, attended each of two meetings yesterday. Three other meetings were held Wednesday. Dr. Louis Jacobs, Hospital superintendent, said the meetings were "unofficial."

About 150 union members also met yesterday with Dr. Jacobs to complain about working conditions at the Hospital.

Ruffin, the union president, charged that the Committee of 1000 was sparked by higher-level employes who feared for their jobs if the city takes over.

[From the Washington (D.C.) Post, May 1, 1969]

NURSE SHOT IN BATTLING ASSAILANTS

A Washington nurse was shot in the back early yesterday as she and her escort struggled with two men who attempted to rob them in the Kalorama Triangle area, police reported.

The nurse, Jean Piekarski, 28, of the 2200 block of 20th Street nw., was treated for a flesh wound at Georgetown Hospital and released.

She told police that she and Sgt. Glenard Graybow, a marine stationed at Quantico, were accosted by two men at 20th Street and Wyoming Avenue nw. Miss Piekarski said her escort, a Karate expert, struck one of the assailants while she broke her umbrella over the other's head. She told police she was shot during the struggle by the man struck by Sgt. Graybow.

[From the Washington (D.C.) Post, May 2, 1969]

THREE MARINES STABBED BY GANG

Three marines were treated for stab wounds at Bethesda Naval Hospital yesterday after an early morning attack by a gang of men in the Southeast, police reported.

The marines, who are assigned to the

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Marine Barracks here, told police they were attacked about 2:20 a.m. outside Clancy's Restaurant at 25th Street and Good Hope Road se. One man, George Abbott, 22, was found at 16th Street and Good Hope suffering from slash wounds on his back and facial cuts.

The other victims, Walter T. Solonoski, 21, and Roger Lynn Orr, 22, were found outside 2316 Ager pl. se. and at 25th Street and Alabama Avenue se., both with facial wounds.

[From the Washington (D.C.) Evening Star, May 3, 1969]

THREE SHOT ON STREET, SNIPER SUSPECTED

Shots, apparently from a sniper, wounded three District residents within a 40-minute period last night on 14th Street between U and V Streets NW, police reported.

Robert Thompson, 45, of the 1400 block of K Street NW, was wounded in the lower left ribcage and right leg; Robert Pennell, 25, of the 600 block of 15th Street NE, suffered a minor wound; Gloria Briscoe, 37, of the 600 block of 15th Street NE, a wound in the thigh.

Thompson and Gloria Briscoe were reported in satisfactory condition at Freedmen's Hospital, and Pennell was treated at the Washington Hospital Center and released. Police said no suspect had been arrested.

[From the Washington (D.C.) Post, May 5, 1969]

SOUTHEAST GIRL ABDUCTED AND RAPED

An 11-year-old girl was pulled into a car in Anacostia yesterday and driven to a wooded area off the Suitland Parkway where she was raped, police reported.

They said the girl was on her way to church and was in the 1300 block of Jasper Road se. when she was accosted shortly after 10 a.m.

Witnesses to the abduction gave police a description of the car, and two Park policemen found the girl crying in the woods near Branch avenue se. where they also found the car abandoned.

Canine units from Metropolitan, Park and Prince Georges County police forces converged on the area in a massive manhunt. A suspect was spotted by Park Police who chased him across the Oxon Run Golf Course, but he got away. The girl was treated at D.C. General Hospital.

[From the Washington (D.C.) Post, May 2, 1969]

CHARGES DROPPED IN KILLING

A 20-year-old suspect in the killing of a Northwest restaurateur was released yesterday when the prosecution was unable to produce a key witness at his preliminary hearing.

U.S. Commissioner Sam Wertleb dismissed murder and robbery charges against Joseph D. Pigg, of 6225 Clay st. ne.

Pigg had turned himself in when he learned that he was a suspect in the March 31 killing of George Stavrakas, 68, proprietor of the Randolph Grill, 3908 14th st. nw.

[From the Washington (D.C.) Evening Star, May 1, 1969]

ALL OPEN BURNING BANNED IN DISTRICT OF COLUMBIA

The District Government today put a stop to all open burning of leaves and trash through new air pollution regulations passed earlier * * *.

The law, which goes into effect today, prohibits the burning of waste material except in approved furnaces and incinerators and provides a fine of $300 or 90 days in jail or a combination of both for violators.

Heretofore, persons have been able to obtain permits from the health department to burn trash in the open.

[From the Washington (D.C.) Evening Star, May 4, 1969]

HOBSON SAYS HE WOULD RUN FOR MAYOR UNDER HOME RULE

School board member Julius Hobson today became the first person to announce that he would be a candidate for mayor—should home rule come to the District.

Hobson said in an interview that he will seek the post of mayor or a congressional seat if one is included in the home-rule package.

Hobson was the first guest on a new local interview program, "Washington Press Conference," scheduled for 1 p.m. today on television station WTOP–9.

The militant board member also said that the American people are approaching a revolutionary attitude in their desire to control their own communities. He said community control would happen when people were ready to take command.

[From the Washington (D.C.) Evening Star, May 1, 1969]

DISTRICT WEIGHING DR. KING HOLIDAY

District City Council Chairman Gilbert Hahn Jr. said this week the lawmakers will consider asking Congress to designate Jan. 15, the birthday of the late Dr. Martin Luther King Jr., as a holiday in the District.

Joining Channing Phillips, Democratic national committeeman, at a press conference, Hahn said he will recommend public hearings on such a proposal next month. Phillips said the District Democrats favor making Jan. 15 a national holiday and support such efforts in Congress. However, failing that, the day should be a holiday at least in the District, he added.

"It is particularly important that a city which is over 70 percent black remember perhaps our greatest leader," Phillips said.

UNIVERSITY OF WASHINGTON PRESIDENT STANDS UP TO ANARCHISTS

(Mr. PELLY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PELLY. Mr. Speaker, in the face of campus disorders across America, and indeed the world, it is highly rewarding to find a university whose leadershhip is standing up to the threat of disruption. The school of which I speak is the Universtiy of Washington and its president is Dr. Charles E. Odegaard.

Dr. Odegaard has addressed a statement of position to all those who are concerned by student threats to the peaceful operation of the university: students, faculty, staff, and the Seattle community at large. In his conclusion, Dr. Odegaard forcefully and forthrightly makes his position known. He said:

> As long as I am President of this University the threat of force or use of force will not dictate solutions to problems we all face and are all attempting to solve.

I bring this commendable statement to the attention of my colleagues, and particularly to the attention of the gentlewoman from Oregon (Mrs. GREEN) who this week will be looking into the problems on our Nation's campuses. I include the statement of Dr. Charles E. Odegaard at this point of the RECORD:

STATEMENT BY DR. ODEGAARD

As President of the University I am charged by the Board of Regents of the University of Washington with responsibility for the operation of the University, its internal administration, its discipline, and the care of its grounds and property.

The faculty and students of this University look to this office to steer the University on a peaceable course so that they may go about unmolested on this campus in the business of the pursuit of learning and the conduct of teaching. Innumerable letters, communications, and calls coming to me in recent weeks and days testify to the fact that the University community still looks to the President for leadership and initiative in protecting the peace of the campus.

In the face of actual forceful acts of serious disruption and violence which keep any member of the University community from carrying on his normal business, what tools are available to the President to carry out his responsibilities and the high expectations others hold of him for the keeping of the peace? They are reliance on university discipline and seeking the assistance of law enforcement officials.

University discipline is a special system of rules, judgment of individual cases, and sanctions which grow out of, and are grounded in, the teaching character of the University. The University student discipline system, far from being an exercise of arbitrary authority from on high, is a highly decentralized system involving administrators, faculty, and students based on authority delegated by the Board of Regents. Its fair play concept is in harmony with concepts of due process as defined by the courts. The present student discipline code shows the small role played by the President directly. His role has to do with a final review to assure that the offender has had a fundamentally fair hearing of those cases in which the extreme penalties against a student, expulsion or suspension, are recommended.

The University discipline system has worked; it has worked only because it has had the broad support of the University community; students faculty, administrators, and Regents alike. Indeed this system has worked well enough that people have come to expect university communities to be peaceful places where individuals go about in an unmolested fashion, respecting the rights of one another with essentially no or only a few peace-keeping personnel on campus. Hence it has become the custom to think that even in a congested community of perhaps 45,000 occupants a day like the University of Washington a police presence on campus is unnecessary except for the minimal resources of the University Security Division devoted largely to traffic and parking regulation. Only in rare instances of serious criminal actions by individuals have non-University law enforcement officers appeared on the campus. This is why it is now shocking to a university community to think of police on the campus or to see them arresting students.

The community at large too feels suprise at the thought of police on campus because it expects universities to have standards of peaceable and lawful conduct without the necessity of the police.

The nationwide rash of student violence on campuses has, however, obviously shaken confidence in the traditional system of internal university peacekeeping, but still most people, I think, look to the university to keep the peace on the campus. Nevertheless some no longer have confidence in university discipline, and proposals to establish more external jurisdictions over campuses are numerous this year in many legislatures.

Hence, university discipline as a guarantee of standards of conduct acceptable to society is undergoing a critical test of survival. It is not the President's power which is at stake; it is the University's whole system of internal regulation and discipline of students which is at stake.

In the face of immediate threats to the peace of this University I wish all to know

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that I will use to the full extent the means of university discipline against students who break University regulations by engaging in serious disruption or violence on the campus. The ultimate effectiveness of this approach will turn on the level of moral support within the community for the disciplining of offenders fairly heard and found guilty. It is my sincere hope that recourse to university discipline will prove sufficient. In view of the gross interference with the rights of others and of the personal and material harm which have occurred on many campuses, I cannot, and I will not, promise not to call for outside help including police assistance if similar acts occur here.

I hope that the general public will understand the need to leave us with the largest possible scope for university discipline. They must recognize that this is a slow process, since it is the responsibility of the entire University family, not a fast acting presidential prerogative. The tradition of high university standards maintained by the sanctions of university discipline is at issue. It will take a degree of patience on the part of those outside the University for this tradition to survive the present crisis.

I call to the attention of the University community the fact that, apart from University discipline, there is another type of peace-keeping jurisdiction which can affect the life of the university community. The University of Washington is not an independent community outside the reach of the law and public law enforcement authorities. The University campus is within the City of Seattle in the County of King in the State of Washington. Law enforcement officers of the city, county, and state have the authority to enter the campus at any time, without informing University authorities or asking their consent, to watch for infractions of law and to make arrests at their own initiative. At any time that they feel the peace may be broken or a crime committed, they may appear on the campus. That they have not regularly done so in the past is simply a tribute to their recognition of the effectiveness and tradition of University regulation and discipline.

The University of Washington does not belong alone to those of us who are on the campus. It belongs to the people of the State of Washington. There is no better example of a people's university than this university, initiated by the people and supported by them for more than a century. If the University community has enjoyed a remarkable degree of autonomy for self-regulation, it is because it has enjoyed the confidence of the people in its capacity as a free institution to regulate itself to a high standard of conduct and service. A very significant element in earning that confidence has been the support of the University community for its own internal system of university discipline of students.

I appeal again to all University students, therefore, to give moral support to our system of University discipline and to make it clear that those who engage in major offenses will not have the sympathy and support of the student body.

I appeal to those who have threatened to use force against the University as well as to those who have threatened to meet that force with force of their own to reject such tactics and to return to open and free discussion of any and all issues in comformance with the peaceable university tradition and its tolerance of differing views.

As long as I am President of this University the threat of force, or use of force, will not dictate solutions to problems we all face and are all attempting to solve.

FREEDOM'S CHALLENGE—ESSAY BY MISS BARBARA JASINSKI

(Mr. MESKILL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MESKILL. Mr. Speaker, on one of my recent trips home to the Sixth District I had the great honor of attending the Veterans of Foreign Wars awards banquet as the recipient of the Distinguished Citizenship Medal. At the banquet, I was privileged to hear the winning essay of the Voice of Democracy contest sponsored by the Pvt. Walter J. Smith Post No. 511, read by the author, Miss Barbara J. Jasinski.

I was highly impressed by the thoughts expressed in this essay and would like to share them with the Members of this distinguished legislative body, as follows:

Freedom's Challenge

(By Miss Barbara Jasinski)

The most precious possession we have in this world is freedom. Yet freedom is a gift—it is not given, but through men's united efforts it is won.

If we searched for an exact definition, the chances are that the answers we received would be nearly as many and as varied as the people who tried to define freedom for us. Even if someone could succeed in setting down a formula covering the vast range of its capabilities, there would always be someone else to point out the exceptions which disproved these rules. And yet, the French Revolution of 1789 was separated from the East Berlin uprising of 1953 only in time—because men fought for the same ideals. The new republics of South America in the nineteenth century and those of Asia in the twentieth had an important thing in common. This common bond was not one of race or color, even of time or place, but it was a bond of freedom and of justice.

An early twentieth century philosopher once said that freedom is but a state of mind. You can kill men and destroy everything they have, but you cannot take away their dreams or lower their ideals. The individual is important because he is a human being, and each man, regardless of his race or rank, is entitled to the same respect and the same consideration that are due all other men.

Look, for example, at one of the individual rights most of us enjoy today, freedom of expression. We pass a newsstand and buy one of a score of newspapers or magazines. Some are highly critical of the government, others praise it. We turn the knob of our radio on or off, no one tells us what we must hear. Men write books, speak out on controversial subjects, or gather on street corners to discuss the events of the day. All this is so simple that we take it for granted. Yet man did not achieve this freedom in a day, or even in a century.

Freedom is not easily forgotten once it has been experienced, and its price is often quite high. But as people throughout the world prove each day, it is a risk well worth fighting and dying for. Freedom is not license, it is growth. To ruin, to hurt, to remove dignity where dignity is essential, these are not the acts of a free man. They are negative and destructive, and therefore we can rule out the possibility that they are products of freedom. True freedom creates, never stagnates, and never directs itself toward tearing down without a plan for rebuilding. Freedom is a challenge to all men, one which people are more than willing to accept.

The late President Kennedy, who had a great love for his people and country, once made a very effective and thought provoking statement about freedom. Surely he spoke as a representative of every American citizen when he said:

"In the long history of the world, only a few generations have been granted the role of defending freedom in its hour of maximum danger. I do not shrink from this responsibility, I welcome it. Nor do I believe that any of us would exchange places with any other people or any other generation. The energy, the faith, and the devotion which we bring to this endeavor will light our country and all who serve it, and the glow from that fire can truly light the world!"

DWIGHT DAVID EISENHOWER

(Mr. MESKILL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MESKILL. Mr. Speaker, Dwight David Eisenhower, the 34th President of the United States, was a truly great American in every sense of the word. He was an individual who exemplified everything that we strive for. General Eisenhower's passing is mourned by all Americans.

The Hartford Courant carried a fine tribute to this great American which I would like to bring to the attention of my distinguished colleagues. It tells about another side of one of our outstanding leaders:

Grist From the Sports Mill

(By Mike Caruso)

A great man was laid to rest last week in Kansas under the floor of a chapel where a cornfield once stood. He led his nation through war and peace. He requested that he be buried in a simple steel $80 G.I. casket. Simplicity was his style and mark of greatness.

During World War II he was known as "the boss" to many of us in uniform. No wonder that we experienced pride, admiration and melancholia when we watched the young servicemen of this era execute their duties during the four-day ceremony with such precision and dedication.

As is the case more times than not, the military and athletics seem to go hand in hand. The latter was another facet of Dwight D. Eisenhower. One reason that he wanted to go to West Point was the hope that he could continue an athletic career. "It would be difficult to overemphasize the importance I attach to participation in sports," General Ike once stressed.

The farmer's son from Abilene felt while he was in grade school that his first idea of glory was to become a member of the high school baseball team. His boyhood dream was to toe the mound and whiff three batsmen on just nine pitches with the bases jammed in the bottom of the ninth.

Ike performed nobly as a tackle and end on the Abilene High School football team in addition to playing baseball. When he reached the Hudson Highlands in 1911, Ike became a 150 pound plebe halfback who sometimes played on the varsity squad. He was also a center fielder with the baseball club. He was alert afield but had problems at the plate. Ike was told he would have to overcome his method of chopping at pitches and learn to hit away. He was also a boxer of repute.

In 1912, the determined cadet from the long gray line improved his speed by running distances and strengthened his muscles through devotion to a gymnastics program. His weight increased to 174 pounds and he showed well in a practice football game against a rugged squad of soldiers.

While Ike was trotting off the field in ill-fitted gear, Coach Ernest Graves stopped him. The Army mentor instructed the team manager to outfit Ike properly—which was a way of indicating Ike would make the varsity. Ike later recalled the incident saying it was not only a thrill but a highlight of his football career on the plain overlooking the Hudson.

Ike's spirit made up for lack of size. He set his sights high. Army downed three of its first four opponents but succumbed to a 27–6 defeat against the legendary Jim Thorpe and his Carlisle Indians.

Disaster struck. Two weeks before the annual battle with Navy, Army met and defeated Tufts 15–6. But Ike suffered a twisted leg that brought an end to his athletic career. The injury was taken lightly at the time but during a riding drill a few days later the cartileges and tendons were torn.

Ike mused that there must have been a multitude of Jumbos on the field the day he was incapacitated, because in later years at least three dozen men who claimed they were Tufts players apologized to him for inflicting the injury.

Navy beat Army that year while Ike was encased in a cast from hip to foot. The finish of his football career had a demoralizing effect on Ike. Baseball and boxing were dropped also because of his lack of lateral movement. During vacation he umpired baseball games in a semi-pro league in Kansas. Many years after, Ike referred to the knee injury as one which "kept me from small town baseball and big league football."

In 1913, the U.S. Military Academy had a new football coach—former three-time all-American quarterback Charles Daly. The academy tried diligently to get Ike back in harness but the knee never responded. Daly did induce Ike to coach the Cullum Hall squad, better known as the Jayvees.

Later that autumn, Army won 22–9 over the rival Midshipmen from Annapolis. Ike reveled in the fact that he collected $65 from fellow Cadets to put up against a naval officer's wager the Middies would win. The Navy man never showed up after he let Ike hold the money.

Ike's Cullum Hall squad was the breeding ground for an undefeated Army team that won the national title in 1914 with a 9–0 record. Ike was acclaimed by "Howitzer," the West Point yearbook, gaining more plaudits than the varsity, which beat Navy and accomplished an unblemished record.

In 1915 while stationed at Fort Sam Houston in Texas, Ike coached Peacock Military Academy's football team. He originally turned the position down but reconsidered when the post general persuaded him to take on the extra duty so that his coaching would encourage youngsters in military training and give them a favorable impression of the Army.

The following year, Ike took the head coaching job at St. Louis College, which hadn't won a game in five years. Ike replaced a staff of priests and achieved a winning season. The happy Fathers invited Ike and his young wife, Mamie, to a victory dinner. The gesture started a friendship that lasted to Ike's death. Ike returned to the Roman Catholic institution in San Antonio, now known as St. Mary's in 1962 for a reunion with the faculty.

Ike coached football while stationed at Camp Meade in Maryland for four years in the early 20s. He quit when the club ended a dismal season by losing to a Marine eleven. In the late 20s, he rejected a military-coaching assignment for a battalion command at Fort Benning, Georgia. As one might have guessed, another friendly persuasion brought Ike back to coaching as an aide at the Georgia base. Service football talent was limited in those days.

During World War II, Ike was on a continual lookout for natural leaders. In his popular informal biography, "At Ease," Ike recounted his respect for athletics—especially football.

"Athletes take a certain amount of kidding, especially from those who think it is always brawn versus brains. But I noted with real satisfaction how well ex-footballers seemed to have leadership qualifications and it wasn't sentiment that made it seem so—not with names that turned out to be Bradley, Keyes, Patton, Simpson, Van Fleet, Harmon, Hobbs, Jouett, Patch and Prichard. Among many others, they measured up. I think this was more than coincidence. I believe that football, perhaps more than any other sport, tends to instill in men the feeling that victory comes through hard—almost slavish—work, team play, self-confidence and an enthusiasm that amounts to dedication."

There was another general's expression that has perhaps meant more to any cadet at West Point in the academy's 167 year history. And he was manager of the Army football team that sank Navy in 1902. So penned Douglas MacArthur, "Upon the fields of friendly strife, are sown the seeds that, upon other fields, on other days, will bear the fruits of victory."

THE FATE OF REFORM IN POLAND

(Mr. MESKILL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MESKILL. Mr. Speaker, I rise today to pay tribute to the freedom-loving people of Poland.

The document approved in the Polish Diet on May 3, 1791, is a landmark in the development of constitutional law. At the time of its enactment it was hailed at home and abroad as the beginning of a new era for liberty in Poland. Edmund Burke, the renowned British statesman, remarked:

> All humanity must rejoice and glory when it considers the change in Poland.

Burke was particularly impressed with the many principles which the Polish and British Constitutions shared in common. The French scholar, Baron d'Escare, noted that the Poles had avoided the bloodshed associated with the French Constitution:

> In France, to gain liberty, they began with anarchy; in Poland, the nation was given liberty and independence, the respect for the law, for person and property was assured, and all this without violence, without murder solely through the virtue of the courage of the nation, which, realizing her misfortune and error, knew how to heal her wounds.

President George Washington complimented the progressive Polish King as "the principle promoter of the business." All Poland marked May 3 with celebrations, each village striving to outdo Warsaw in tribute to the legislative reform.

Czarina Catherine the Great alone regarded with horror these reforms on Imperial Russia's western border. For centuries Russian czars had enjoyed a sphere of influence in Eastern Europe. The perpetuation of a weak and partitioned Poland was a cornerstone of Russian foreign policy. Then, as now, Russian rulers would not tolerate a Poland strong enough to exercise the Polish penchant for nationalism and democracy. Catherine denounced the Polish reformers as "the Jacobins of Warsaw" and their constitution as producing "disorders analogous to those of France." Russian armies invaded Poland April 8, 1792, to destroy the new constitution. Within 3 months the valiant Polish patriots were overcome by the superior forces of the Russians. The armies of Prince Jozef Poniatowski and Thaddeus Kosciuszko were crushed. The invaders partitioned much of Poland between Russia and Austria, and made a vassal state of the remainder. The constitution was abolished forthwith as "a dangerous novelty."

Nearly two centuries later, the hopes of Polish nationalists have again been disappointed, this time by internal corruption. When Wladyslaw Gomulka came to power in Poland after the Poznan insurrection of October 1956, Poles expected an end to the excessive Sovietizing measures of his Stalinist predecessor. Gomulka could have become Poland's Tito. He could have been a Polish De Gaulle. But power-preserving measures soon took precedence over the idealism of the "October" period. Gomulka carried out one purge after another to consolidate his rule. This constant purge has drained the caliber of men in political office. The most recent anti-Zionist campaign has removed the last progressive from the Central Committee and party apparat. The remaining core is about as untalented a pack of Philistines as can be found anywhere in Eastern Europe. Gomulka's power rests on these men, the majority of whom have a vested interest in political stagnation and are personally loyal to Gomulka.

In foreign policy, Gomulka, the avowed nationalist, is stanchly alined with Moscow. For a decade he has acted as the Kremlin's proconsul in Warsaw. He encouraged and has endorsed the Soviet invasion of Czechoslovakia, which occured a few months after Gomulka quelled the riots of thousands of Poles who boldly demanded the same reforms enacted in Prague. For years Gomulka has been the cornerstone of Moscow's anti-Bonn campaign. Now he defends Soviet imperialism to preserve his power.

Two centuries ago the Poles were denied their pioneering constitution by Russian invaders. Today they are denied "socialism with a human face" by a national dictator in collusion with Russian imperialists. Let us hope that one day the Poles will attain their freedom.

RESOLUTIONS ADOPTED BY REPUBLICAN GOVERNORS' ASSOCIATION

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, it was my privilege to attend the Republican Governors' Association conference in Lexington, Ky., last weekend, and I believe Members of this body will be interested in some of the results of that meeting. The 26 Governors present—four of the 30 Republican Governors were absent—adopted resolutions in several areas of interest to the Congress. They were strongly in favor of President Nixon's plans to consolidate many of our proliferating Federal aid programs, and urged the speedy House and Senate approval of his recent request for authority to accomplish this by the reorganization plan process. Also, this association which speaks for the elected chief executives of the States in which more than 60 percent of all Americans live, voiced

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unanimous support of the President's plan to reorganize the poverty war and urged the administration to consider abolishing regional offices of the OEO and channeling all poverty programs through State governments. They adopted another resolution calling for the immediate repeal of the present HEW regulation which allows welfare recipients to determine their own eligibility for welfare by declaration. I append the texts of these resolutions and excerpts from my remarks to the Republican Governors:

RESOLUTIONS ADOPTED BY THE REPUBLICAN GOVERNORS' ASSOCIATION, LEXINGTON, KY., MAY 2, 1969

I

The Republican Governors' Association strongly supports President Nixon's proposed Grant Consolidation Act and urges Congress to move with speedy action.

II

The Republican Governors' Association unanimously urges the President in his efforts to reorganize and make more effective the National War on Poverty to consider the channeling of all anti-poverty programs through the Executive Agency designated by the Governor of each state; and, consider abolishing the regional offices of the Office of Economic Opportunity.

III

The Republican Governors' Association unanimously urges the Secretary of Health, Education and Welfare to immediately repeal the regulation that requires that welfare applicant will determine his own eligibility for welfare by his own declaration, without any investigation and begin steps to further study ways to develop the best mechanism to insure the dignity of individuals while at the same time preventing abuses of the welfare system.

REMARKS OF HON. GERALD R. FORD, OF MICHIGAN, TO THE REPUBLICAN GOVERNORS ASSOCIATION, LEXINGTON, KY., MAY 2, 1969

I'm very grateful to have been invited to come to the native State of our first Republican President in this beautiful season of the year. I remember the story of young Abe Lincoln walking 12 miles just to borrow a book, and reading it by the flickering light of his log cabin fireplace.

It's so much easier nowadays for an ambitious young man to get an education. All he has to do is steal a rifle from the ROTC, seize the campus library and read by the light of burning draft cards.

Seriously, I always enjoy these opportunities to meet with the Republican Governors on our common problems.

You've heard a lot lately about 100 Days and how Congress hasn't done much and President Nixon is moving at too deliberate a speed, but in the context of the Derby everybody knows the fast starters don't always finish in the money. In legislation there is no special virtue either in speed or volume; we need only look back to the lopsided 89th Congress of 1965 and 1966 to prove that. I believe the Nixon Administration will be in a strong position in the stretch, where it matters, and right now it's hardly entered the first turn.

But if you want my judgment on the most significant domestic development of the first 100 days it happened last week in the House of Representatives. It was an emphatic 235 to 184 vote victory for the Nixon Administration on the extension of the Elementary and Secondary Education Act, commonly known as the Federal school aid bill.

On this crucial showdown we were joined by 60 Democrats and won by a comfortable margin which almost reversed the numerical division of 244 to 190 in the current House.

Gone were all the old arguments about Federal intrusion and church-state schools. Even the amount of money was not at issue. Put in blunt political terms, the bill as reported by the House Education and Labor Committee would have extended the present program, virtually unchanged, for five years—putting it well beyond the reach of President Nixon in his first term of office.

Maybe it is an exaggeration to say that if this bold gambit had succeeded, every other part of the Great Society program would have been put in deep freeze, ready to be revived and expanded in the hoped-for Democratic Restoration of 1972. But we had a number of indications that such a strategy was developing in certain quarters, who would be most happy to strip President Nixon of all but his Constitutional functions in foreign and defense matters and stop cold the needed domestic reforms and new direction the new Administration is studying and shaping up.

So the lines were drawn. We Republicans stood almost solidly for a two year extension, enough to permit both the educators and the Administration to plan ahead, and also to take us to the point where the updated findings of the 1970 Census could be applied to future school aid formulas.

In addition, we joined with responsible Democrats who saw the flaws in the present system and proposed interim improvements such as eliminating local citizen's advisory committees (what can be more representative of local citizens than elected school boards?) and by consolidating four different Federal aid programs into a single block grant to the States. Such a substitute for the Perkins bill was offered by an Oregon Democrat, Mrs. Green, and prevailed by a bipartisan majority of 51 votes.

Now some of our Washington critics see this as a revival of "the old Southern Coalition." I'd call it the continuation of the Common Sense coalition which has often written this country's laws. I predict it will continue to prevail over similar (though perhaps subtler) attempts to sabotage the Nixon program in this 91st Congress.

We have demonstrated convincingly in the House what can be accomplished when we are working for the good of the country, with strong leadership from the White House, against those who are still stubbornly working for the continuation of a political philosophy which the voters rejected in November, 1968.

President Nixon has now asked Congress for authority to go ahead with further consolidation of Federal programs by the reorganization plan method. This would permit the President to act unless Congress objects. I urge all Republican Governors, and indeed all 50 Governors, to press for prompt action, already long-overdue, to make sense out of hundreds of categorical aid programs. It will lead to greater efficiency and flexibility in such areas as job training, housing, health, urban renewal and other programs now being administered by your former members, Vice President Agnew, Secretary Romney and Secretary Volpe, and in HEW by the former Lieutenant Governor of California, Secretary Finch.

Now for a brief look at the future. Next year will be a critical one for Republicans in the Congress and for the Nixon Administration. Only one other President has entered the White House faced with an opposition Congress, and that was long ago. Further, the form sheet shows that a President's party usually loses House seats in his first midterm election—the only exception being FDR's gain in 1934.

Looking at what we call marginal Congressional districts, those won by 5% or less last time, analysis shows that since World War II the party in power at the White House has lost on the average slightly more than half its marginal seats at midterm, ranging from 72% lost by the Democrats in 1946 to only 12% lost by President Kennedy due to the Cuban Missile Crisis of 1962.

By this gloomy reckoning, we *could* lose 14 of our marginal Republicans in 1970. To gain control of the House, we would need a net gain of 28. So it's an odds-on fight, but I'm still running for Speaker. And we do have some advantages this time around.

We'll have the Executive Branch of the Federal government working for us instead of agianst us, well knowing how much a friendly Congress can mean in 1972. We'll have thirty or more of the 50 Governors, in the most populous States, on our team—as we will be on theirs. And finally, hopefully, we will have demonstrated to the American people before next year's campaign that they are getting better government at every level from the Republican party than that to which they have been so long accustomed from the Democrats.

But our greatest advantage, it seems to me, is that in this crisis of our national union there is a crying need for new leadership, leadership that is neither weary nor wedded to the disproven dogmas of yesterday, leadership that is firm and strong, calm and courageous. Such leadership wears no permanent party label. But I believe President Nixon in the White House, you gentlemen in your state capitals, and we in the Congress, have once again the golden opportunity given to Abraham Lincoln in another time of trouble, of demonstrating that ours is indeed the party of the people and the hope of the future.

CONGRESSMAN ANNUNZIO APPLAUDS POLISH AMERICAN CONGRESS' FIGHT AGAINST DEFAMATION

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, on Friday, May 2, 1969, the Polish American Congress officially began its fight to halt defamation of Poles with the issuance of a proclamation and with full-page advertisements in the four Chicago daily newspapers: Chicago Today, Chicago Daily News, Chicago Sun-Times, and Chicago Tribune.

As the Representative of the Seventh Illinois Congressional District, I rise today to express my wholehearted support for this campaign against defamation of the Polish people through the press, through radio, through the movies, through television, and through other mass media.

As an American of Italian descent, I am well acquainted with the innuendos, the guilt-by-association techniques, the sick jokes, and the countless other vicious, contemptible, and cruel methods employed by mass media to depict members of ethnic groups as cowards, imbeciles, liars, gangsters, and slobs.

These gross injustices have been perpetrated against American ethnic groups without regard for the outstanding contributions these groups have made to the growth and development of our great country. These are the groups which have helped to forge the backbone of America, and without their blood, sweat, and tears, our country would not be the bulwark of democracy and the leader among nations that she is today.

I congratulate Aloysius Mazewski, president of the Polish American Congress and the National Polish Alliance;

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Marion N. Baruch and Mitchell P. Kobelinski, cochairmen of the Civic and Political Action Committee of the Polish American Congress; and the courageous, public-minded members of the committee and the congress for the resolute stand they have taken against those who would malign and defame the Polish heritage and thereby distort the good name and the favorable public image of the Polish people.

The proclamation was published on May 2 which is the day after Law Day and the day before the anniversary of the Polish Constitution of May 3, 1791, and was chosen, because of its special significance, as the kickoff date for the antidefamation campaign.

Mr. Speaker, this campaign against defamation deserves the enthusiastic support of all ethnic groups, and indeed, all Americans, for its success will rededicate us to the spirit of brotherhood in which our Founding Fathers met to establish our great democracy.

I am pleased, therefore, to insert at this point in the Record the full text of "A Proclamation by Americans of Polish Heritage":

A Proclamation by Americans of Polish Heritage

In the shadow of "Law Day", honoring a concept which we cherish, and on the eve of the Third of May, a day steeped in historical significance to our forefathers:

We, Americans of Polish heritage, break a silence of generations, elect to speak and shall be heard, in the interest of promoting greater understanding between ethnic groups in a nation of many origins, colors, and creeds. By this declaration we seek to disseminate knowledge and understanding, hoping thereby to eliminate ignorance and its consequences—prejudice, bigotry and defamation—particularly as they affect ethnic groups in our country.

We charge that those who command the press and airwaves and influence the opinions of the masses, have failed to present an honest portrayal of the heritage of Americans of various origins; that they have in fact engaged in conduct diametrically opposed to the American principles of justice and equality. The mass media—literary publications, press, radio, television and motion pictures—have, all too often, allowed demeaning misrepresentation and defamation to spread like a cancer, this being especially true in their use of vicious ethnic humor, which has worked to the detriment of every American whose heritage places him in the defamed group.

We invite an examination of our history, filled with examples of dedication to liberty, justice and the rule of law: The Charter of 1374; religious freedom as early as the 14th century which made Poland the haven of Europe's Jews; the continent's earliest parliament; a Constitution adopted on May 3, 1791; liberal leaders such as Kosciuszko and Pulaski who were also our American Revolutionary War heroes; the heroic resistance to the nazi invasion and magnanimous assistance to the Jews of Poland during a long and cruel occupation, at great personal peril. These and other like influences have instilled in the American of Polish heritage an appreciation of freedom under the law, together with the knowledge that scorn for the law is scorn for the freedom of others.

We, Americans of Polish heritage, do hereby solemnly declare and proclaim that we will hereafter, on every possible occasion, expose, deplore, and denounce those powerful rules of the pen and airwaves who violate our right to truth and accuracy. We refer to those who, by the use of vicious ethnic humor and malicious misrepresentation of our cultural heritage, deform and vilify our public image or the heritage and image of any other ethnic group.

We re-dedicate ourselves to freedom under the law and demand justice and fairness with respect to each man's public image. To deny this is to close the door of opportunity to every ambitious member of any ethnic group whose public image has been maligned and distorted, and it is thereby also to deny a basic civil right which our American Constitution so zealously protects.

CONGRESSMAN ANNUNZIO LAUDS PETER FOSCO, GENERAL PRESIDENT OF THE LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, on Saturday, April 26, 1969, in the International Ballroom of the Conrad Hilton Hotel in Chicago, a testimonial dinner honoring Peter Fosco, the newly elected general president of the Laborers' International Union of North America, was sponsored by the affiliated local unions of the Construction and General Laborers' District Council of Chicago and Illinois.

Peter Fosco has been a friend of mine for over 30 years and he is known throughout my city, my State, and the Nation for his tremendous contributions and his dedication to the men who work with their hands and the sweat of their brows in the pits and tunnels of our country.

Peter Fosco has devoted over 50 years to the American labor movement. He became a member of the Laborers' Union in 1914 and 2 years later was elected to the post of secretary-treasurer of Chicago Local No. 2, which in 1920 elevated him to the office of president.

It was here that he began the activities which ultimately were to bring him nationwide recognition and respect.

In 1950 he was elected secretary-treasurer of the Laborers' International Union of North America, a post he held until a few months ago when he became the general president of the progressive and rapidly expanding 550,000 member organization.

As a leader of labor, President Fosco has consistently directed his efforts toward raising the living standard of workers, increasing their wages, and bettering their working conditions. He has organized and obtained job and retirement security for hundreds of thousands and his success in enlarging opportunities for the education of the workingmen and their families has brought them a new and significant sense of dignity and self-respect.

As a labor executive he also has experienced unique success in expanding the organizing scope of the international union and in the establishment of pension funds, highway and pipeline agreements, and training and educational programs throughout the United States and Canada.

As a member of the executive council and administrative committee, he has been one of the driving forces of the AFL–CIO Building and Construction Trades Department, whose 17 affiliates represent more than 3,500,000 of America's outstanding craftsmen.

Peter Fosco's political career has been notable for his accomplishments, not only on the national level, but also in the local community. He has served as commissioner and ward committeeman of Chicago's most populous wards.

In appreciation of his work in organizing the Chicago Youth Foundation, Fosco Park, a public city park, was named in his honor.

Peter Fosco, as a leader and as an individual, was recognized at the testimonial dinner as a man whose life has been devoted to improving the life of his fellow man. The persons serving on the general committee which sponsored this dinner are: Dan Bagnuolo, Felix Breden, Fred Budack, James Connolly, Joseph DeRose, Dan Del Ricco, Hans Erickson, Anthony Esposito, Jr., Alfonse Fosco, Sal Gruttadauro, Harold Kussman, Edward Kalosinki, Val Lazzaretto, Charles LoVerde, Jr., Dan Miroballi, David Miroballi, John Mocek, Richard Murphy, Joseph Neroni, James O'Brien, John Paul, Jr., Al Pilotto, Vincent Solano, Mike Stetich, Rich Weingart, Clarence Whipple.

Anthony Esposito was honorary chairman of the committee, Thomas Crivellone was general chairman of the committee, and the cochairmen of the committee were James Caporale, Joseph Griffiths, and Joseph Spingola.

The honorary committee members included: Dominick Franze, business manager, Will and Grundy Counties; Joseph L. Allen, business manager, Du Page County; Leo McClernon, business manager, Kane and Kendall Counties; Joseph Griffiths, business manager, Du Page County; William Grozis, business manager, Kane County; and Monroe Smith, Jr., business manager, McHenry and Boone Counties.

The people on the dais came from all of the United States and included the following:

Rev. Joseph L. Donahue, C.S.V.;

Hon. Richard J. Daley, Mayor, City of Chicago;

Hon. Abraham L. Marovitz, judge of the Federal court;

Hon. Frank Annunzio, Member of Congress, House of Representatives, Seventh Congressional District;

Hon. Daniel J. Ronan, Member of Congress, House of Representatives, Sixth Congressional District;

Hon. Daniel D. Rostenkowski, Member of Congress, House of Representatives, Eighth Congressional District;

Hon. Michael J. Howlett, auditor of public accounts, State of Illinois;

Hon. P. J. Cullerton, county assessor;

Hon. Matthew J. Danaher, clerk of the circuit court;

Hon. William T. Murphy, Member of Congress, House of Representatives, Third Congressional District;

Hon. Roman C. Pucinski, Member of Congress, House of Representatives, 11th Congressional District;

Frank Bonadio, secretary-treasurer, building and construction trades department, Washington, D.C.;

Edward F. Carlough, general president, Sheet Metal Workers International Association, Washington, D.C.;

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Robert J. Connerton, general counsel, Laborers' International Union of North America, Washington, D.C.;

William J. Cour, chairman, National Joint Board for the Settlement of Jurisdictional Disputes, Washington, D.C.;

Ledger Diamond, fifth vice president, Laborers' International Union of North America, Mobile, Ala.;

Maurice Fancher, fourth vice president, Laborers' International Union of North America, Washington, D.C.;

Herbert Flesher, second vice president, Laborers' International Union of North America, Vancouver, B.C., Canada;

Angelo Fosco, eighth vice president, Laborers' International Union of North America, Chicago, Ill.;

Wilbur Freitag, sixth vice president, Laborers' International Union of North America, Springfield, Ill.;

Joseph Germano, director, district No. 31, United Steel Workers of America;

B. A. Gritta, president, metal trades department, Washington, D.C.;

C. J. Haggerty, president, building and construction trades department, Washington, D.C.;

Edward T. Hanley, president, joint executive board of Hotel, Motel, Catering Services, and vice president, Local 593;

Edward Hussel, general president, Sheet Metal Workers, Chicago, Ill.;

Joseph Keenan, international secretary, International Brotherhood of Electrical Workers, Washington, D.C.;

William A. Lee, president, Chicago Federation of Labor;

Edward J. Leonard, Plasterers Union, Washington, D.C.;

Michael Lorello, seventh vice president, Laborers' International Union of North America, New York, N.Y.;

J. H. Lyons, Iron Workers Union, St. Louis, Mo.;

Sal Maso, general president, Wood, Wire & Metal Lathers Union, Takoma Park, Md.;

Hon. James J. McDonough, Commissioner, department of streets and sanitation;

George A. Miller, executive vice president, Mason Contractors Association of Commerce;

Thomas Murray, president, Chicago and Cook County Building and Construction Trades Council;

Thomas Nayder, secretary-treasurer, Chicago and Cook County Building and Construction Trades Council;

Terrence O'Sullivan, general secretary-treasurer, Laborers' International Union of North America, San Francisco, Calif.;

William Peitler, Marble Polishers Union, Washington, D.C.;

Milton Pikarsky, commissioner of public works;

Robert Powell, third vice president, Laborers' International Union of North America, Washington, D.C.;

W. Vernie Reed, first vice president, Laborers' International Union of North America, Washington, D.C.;

John F. Ryan, secretary-treasurer, Chicago Council No. 25, International Brotherhood of Teamsters;

O. T. Satre, secretary-treasurer, Painters, Decorators & Paper Hangers of America, Washington, D.C.;

William Schnitzler, secretary-treasurer, AFL-CIO, Washington, D.C.;

Ray Schoessling, president, Chicago Council No. 25, International Brotherhood of Teamsters;

Martin Segal, president, Martin E. Segal Co., New York, N.Y.;

Daniel J. Shannon, vice president, Chicago Park District;

H. Mayne Stanton, executive secretary, Building Construction Employers' Association;

Hunter P. Wharton, general president, International Union of Operating Engineers, Washington, D.C.; and

J. T. Woods, Jr., chairman of labor committee, National Constructors Association, Washington, D.C.

Mr. Speaker, Howard Miller, one of Chicago's outstanding radio personalities who is working with radio station WCFL, Chicago's labor station, did a magnificent job as toastmaster at Peter Fosco's testimonial dinner.

Over twenty-five hundred people paid tribute to Peter Fosco, the Italian immigrant who came to this country and started his life here as laborer, and by his own hard work, lifted himself up by the bootstraps, so that today he represents over half a million people in the partnership of the American Federation of Labor and the Congress of Industrial Organizations.

He personifies the American dream. He represents the hard-working immigrants who come from all ethnic groups and who have worked diligently to make America the greatest democracy on the face of the earth.

Mr. Speaker, I congratulate Peter Fosco on his election as general president of the Laborers' International Union of North America, and I congratulate his devoted and charming wife, his two sons, their wives, his grandchildren and his great-grandchildren, for I know how proud his entire family is at this moment. I extend to Peter Fosco my best wishes for many, many years of good health in the continued service of the laborers of America.

A VERY SPECIAL RETIREMENT FUND

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, sources in the Department of Labor have confirmed the existence of a very special retirement fund which has been set up to guarantee lifetime salaries of $40,000 to $50,000 to the president, vice president, and secretary-treasurer of the United Mine Workers of America, without contribution or deductions from their current salaries. This is a retirement fund for three offices alone.

Is it fair and just to expect the coal miners themselves to subsist on a retirement pension of $115 per month while the top three UMW officials have arranged for themselves to receive some 25 to 35 times that amount? Those who should be entitled to the $115 per month have to go through a lot of redtape to qualify, and many coal miners who have contributed their sweat and blood to the mining of coal have been arbitrarily cut off from their retirement pensions and had their medical cards taken away from them. I believe it would be only fair and just for those who have arranged to receive pensions of $40,000 to $50,000 per year to agree to accept the same $115 per month which is due to—but even that amount often denied to—those who actually mine the coal.

Under unanimous consent, I include the text of an editorial which was broadcast on May 1 and 2, 1969, over WTOP radio and television:

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The United Mine Workers leadership is not noted for its zeal in looking after its rank-and-file. But when it comes to looking after itself, the leadership really has the ginger.

For years, top officials have treated themselves like an elite group—several cuts above the men who do the dirty work in the mines and who pour part of their productivity into the UMW's bank. The union's brass not only draws enormous salaries but also enjoys a pension plan entirely separate from the one which serves the miners. It's also a much more generous plan, and it's worth noting that the endowment for it came right out of the union treasury.

Retirement benefits for the union's top three officers—the president, vice-president, and secretary-treasurer—are a very special case. These men can retire at full salary, which will assure a lifetime income of forty to fifty thousand dollars annually. The most a miner can look forward to is $1,380 annually.

Well, you might wonder, doesn't the heavier responsibility at that executive level justify such a grandiose retirement? The Internal Revenue Service emphatically says, "No!" In 1960, the IRS threatened to cancel the tax-exempt status of this special pension plan because the benefits at the upper levels were unusually discriminatory.

The union headquarters was much too enterprising to be stopped by a thing like that, and it executed a shrewd end-run around the IRS. On December 15, 1960, the sum of $850,000 went from the UMW treasury into a special "agency account" at the National Bank of Washington—which happens to be controlled by the union.

This special kitty serves as a very private, very elite pension fund for the union's top three leaders. It guarantees their retirement at full pay.

This maneuver satisfied the law, but it didn't erase the discrimination.

If the UMW leadership were as concerned with the welfare of the membership as it is with feathering its own nest, coal mining might not be the dangerous and hopeless occupation it is.

This was a WTOP editorial . . . Norman Davis speaking for WTOP.

UMW REPLIES TO CRITICISM OF FUND

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, in the April 14, 1959, issue of the CONGRESSIONAL RECORD, starting at page H2545, I had inserted a series of articles on the United Mine Workers welfare and retirement fund, written by Michael Adams and appearing in the

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Charleston, W. Va., Gazette. Subsequently, the fund issued a reply to these articles which was signed by Josephine Roche, trustee-director, salary $59,999.94; Thomas F. Ryan, Jr., comptroller, salary $50,000; and Welly K. Hopkins, counsel, salary $50,000.

I was interested to note according to the statement, the following:

> The salary scales and retirement benefits for employees of the fund are entirely competitive with those provided for employees with similar skills and responsibilities in all fields of industry and commerce. Maximum retirement benefits provided for top officials of the fund are less than one-third of their annual salary.

I am glad to learn that the retirement benefits for the top officials of the fund are apparently less than the 100 percent of salary retirement benefits provided for the president, vice president, and secretary-treasurer of the United Mine Workers of America. If indeed the 145 employees of the fund who draw salaries of over $10,000 per year, and the 37 employees of the fund who draw salaries of over $20,000, are being paid at salaries which are "entirely competitive," then what about the retirement benefits of $115 per month which are due to be paid to the men who dig the coal out of the ground? Are these retirement benefits of $115 per month genuinely "competitive?" And what about the thousands of coal miners who have worked and slaved for years underground at the risk of their health and safety, only to find that through some arbitrary technicality they cannot even qualify for their $115-a-month retirement pension?

Under unanimous consent, I am including these "replies" to the criticisms of the fund. I would like to see some action taken to make sure that the coal miners themselves get the benefit they deserve for their long years of work in the dangerously unsafe and unhealthy conditions underground. This is far more important than a "public relations" effort to gloss over criticisms.

Mr. Speaker, I still feel that there should be a full-scale congressional investigation of the United Mine Workers welfare and retirement fund. The UMW reply follows as printed in the Charleston, W. Va., Gazette of April 22, 1969:

UMW REPLIES TO CRITICISM OF FUND

A spate of articles, editorials and speeches critical of the United Mine Workers of America Welfare and Retirement Fund has suddenly been aimed at the fund from many directions.

Particular areas of criticism appear to be (1) the trust fund fails to make full report on its operations; (2) the "poor" investment record of the fund; (3) "large" bank deposits drawing no interest; (4) trust fund salaries and retirement benefits for its employees are excessive; (5) the trust fund has excessive reserves; (6) benefit structure and changes in eligibility requirements over the years have neglected the old and disabled miner.

Whatever the motives behind the attacks, which appear highly organized as to purpose and tactics, fund officials are of the opinion that it is time to "look at the record" as one prominent American liked to say.

The criticism: The trust fund fails to make full report on its operations.

The record: Annual reports, issued since the establishment of the fund, as a matter of policy, without compulsion of law or regulatory agency, have provided full details of its operations. In each such report, income, benefit expenditures and administrative expenditures in their various categories, have been reported in full. Each report has included in its entirety the report of the independent certified public accountants. Thus, every dollar of income and outgo since the establishment of the trust fund on May 29, 1946, has been subject to independent audit. Wide dissemination has been given to each annual report. Among others, copies are mailed to coal operators, lawmakers, state and federal officials and hundreds of newspapers, periodicals, radio and television stations, and it is reprinted in its entirety in the United Mine Workers Journal, the official publication of the United Mine Workers of America.

In addition, each year the trust fund files with the United States Department of Labor a detailed and voluminous report on its activities, financial and otherwise, including disclosure of its investments as required by the act in the same manner as thousands of other welfare and pension plans throughout the country. This report also includes a listing of the salary of every employee of the trust fund as well as a copy of the retirement provisions for fund employes. This report is a public document and available for all to review in the Office of the Department of Labor.

The criticism: The "poor" investment record of the trust fund.

The record: Any appraisal of our investment results must necessarily take into account that we are a trust fund and have fiduciary responsibilities. The objectives of the investment program of the trustees must be understood. Such objectives include, safety of principal, production of reasonable income on a steady basis and a high degree of liquidity. Our common stock investments admirably meet all these objectives.

All securities in which we are invested appear on the legal list issued semi-annually by the register of wills in the District of Columbia. All are traded on the New York Stock Exchange.

The yield on our common stock investments is approximately 5.3 per cent. The income from these investments has grown each year since their acquisition and it is expected to continue to provide a steadily rising source of income.

The common stock portfolio of the fund consists entirely of shares of public utility companies. In the past few years the market value of these shares has been adversely affected by high interest rates and a number of other factors. While at the present time the appreciation in this portfolio is minimal, we are confident that it will in the future, as it has in the past, show substantial appreciation in market value.

The criticism: "Large" bank deposits drawing no interest.

The record: At most times during our existence, our bank balances were not nearly as high as we would like to have them in relation to our monthly expenditures.

In January of 1965 the trustees made substantial improvements in the benefit programs which had the effect of increasing our expenditures by over $45 million annually. As a consequence, as income permitted, our cash balance was allowed to build up somewhat. Our cash balance on June 30, 1968, was actually no greater in relation to our monthly and annual expenditures than it had been at times in the past when expenditures were at a lower level.

With the conclusion of negotiations for a new three year contract between the union and the operators in October, 1968, the potential need for cash reserves has lessened and these balances have been reduced considerably.

The criticism: Trust fund salaries and retirement benefits for its employees are excessive.

The record: The salary scales and retirement benefits for employes of the fund are entirely competitive with those provided for employes with similar skills and responsibilities in all fields of industry and commerce. Maximum retirement benefits provided for top officials of the fund are less than one-third of their annual salary.

The criticism: The trust fund has excessive reserves.

The record: As at June 30, 1968, the unexpended balance of the trust fund was approximately $180 million. At this figure the balance represents only slightly in excess of one year's expenditures. Many other plans with a lesser number of pensioners, to say nothing about the extensive hospital and medical care program of the trust fund, have reserves many times this figure.

Proposals now pending in Congress would, if enacted, require the trust fund to accumulate reserves much larger than the present figure. While we do not feel that complete actuarial funding is necessary or even desirable, prudent administration dictates that a substantial reserve be maintained to insure continuity of present benefit programs in the event of a protracted recession or stoppage of work in the coal industry. It is recalled that in September, 1949, benefit payments from the trust fund had to be temporarily suspended completely and in February, 1961, the amount of the monthly pension payment was reduced because of the lack of sufficient reserves.

The criticism: The fund has neglected the old and disabled miner.

The record: Pensions and hospital and medical care benefits had always been the primary objectives of the miners in their long struggle for a benefit program. After the fund's establishment, however, pension payments were delayed by the court actions and the pitiful shortage of physicians and medical facilities slowed development of a medical care program. To begin paying benefits of any substantial nature, therefore, the trustees' only alternative was to set up temporary cash disability benefits until the basic programs could begin functioning. Within the short space of two years, more than $100 million was paid to disabled miners.

In 1954 the pension program was in full operation with $100 a month payments going to more than 55,000 miners—many of whom had earlier received these temporary disability benefits. Large numbers of the early pensioners continue on the rolls today and over the years have received hundreds of millions of dollars.

The fund's hospital and medical care program had also come of age in 1954 and was bringing to the heretofore deprived mining communities the most comprehensive hospital and medical care program in existence. By this time the severely disabled miners had been located by the fund and transported to the nation's most advanced centers for treatment and rehabilitation. Over the years thousands of other disabled miners have been assisted by specialists from the fund's area medical offices in obtaining physical and vocational rehabilitation. Fund personnel have also been instrumental in obtaining for the disabled miners assistance from federal, state and other public-supported agencies.

Oddly enough, the fund's pension program is condemned as being too restrictive in its eligibility regulations. This in spite of the fact that since 1948 well over $1 billion has been paid to more than 133,000 retired miners. As the record shows, pension provisions have always been geared as closely as possible to the nature of the industry with payments as high as fund finances would permit.

The criticism centers about a provision adopted 16 years ago that requires a miner to put in his 20 years within a 30-year period. Nothing is said about the liberality of the requirement that allows a miner to draw full

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pension at age 55 even though he may have left the mines at 45. Nor is mention made of the generous method of calculating service that gives a year's credit for 6 months' work in any of the bituminous mines. And no comparison is made with other pension plans in effect 16 years ago which required continuous service with one company up to age 65 in order to qualify. The fact that the trustees have liberalized the service requirement eliminating the 30-year provision and permitting a miner to qualify for full pension at 55 with 20 years worked at any time ending after February, 1965, also receives scant notice. But these features add up to one of the most liberal programs in existence.

GENERAL STATEMENT

This fund was created by the trust indenture contained in the National Bituminous Coal Wage Agreement of 1950 negotiated by National Collective Bargaining between the bituminous coal operators and the International Union, United Mine Workers of America. It is an entirely separate and distinct legal entity, created and operating under the terms of federal law, i.e., Section 302(c) of the "Labor-Management Relations Act of 1947", better Act. Its management is tripartite, one trustee appointed by the coal operators, one by the international union and a third and neutral trustee appointed by the parties.

In the preparation, promulgation and administering of eligibility requirements the trustees have, within the limits imposed upon them by applicable law the resources available to them, undertaken to exercise prudent and businesslike judgments characterized by humaneness and with full consideration of all relevant factors. These judgments were based on knowledge of changing conditions prevailing from time to time in the coal industry as this new and novel trust fund grew and developed. . . .

THE ABM

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALL. Mr. Speaker, in a recent column by the noted reporter, James J. Kilpatrick, an excellent summary of the anti-ballistic-missile argument is presented. Much has been said by many about the ABM, a discussion that probably should not have held in the first place, due to the highly classified nature of the project.

Mr. Kilpatrick reiterates what many of us have already said—that is, the ABM will, first, save lives; second, can and will work; and third, we cannot do without it.

I suggest that the Members of Congress read this timely and succinct editorial which follows:

THE ANTI-BALLISTIC-MISSILE ARGUMENT

(By James J. Kilpatrick)

In the unfolding debate over proceeding with an anti-ballistic missile system, the arguments against President Nixon's proposal fall into four main groups.

Some of the objections are scientific: The things won't work when the button is pressed. Other objections are financial: In terms of cost-effectiveness, even the modified plan is too costly. Still other arguments arise from political considerations: An American ABM system will escalate the arms race and present a new threat to the Soviet Union. Finally, one hears a tactical-strategic case: By the time our ABM's could be made operational, even if they worked to perfection, changes in the technology of weaponry will have made the missiles obsolete.

On careful examination, each of these arguments falls apart. The scientific objections, for example, are essentially an echo of the old argument against a hydrogen bomb; but the bomb worked. The problems of mounting an ABM system are fearfully complex, to be sure, but so were the problems of developing a moon-shot. If there can be no iron-clad guarantee of successful design, in the absence of an actual test, the guarantees are reasonably solid.

The financial arguments are the least impressive. President Nixon's recommendation is for an $800 million investment, but more than half of this—roughly $450 million—is for research and development. Virtually all the opponents have conceded the necessity for continuing research. The flight, on budgetary grounds thus boils down to $350 million only. In terms of national security, this is peanuts.

Perhaps the loudest complaint is that by going ahead with an anti-ballistic missile system, the United States in some fashion will escalate the arms race with the Soviet Union. This is nonsense. In its "Washington Report" for April 21, the prestigious American Security Council provides stunning documentation—from Soviet sources themselves—of the Soviet Union's own anti-missile defenses. It is not necessary, in this regard, to make guesses of future strength. "The fact remains," says the council, "they have ABM forces in being and we do not."

The tactical-strategic arguments are highly speculative. So far as the Soviet Union is concerned, the President and his advisers have had to act upon the intelligence available now. By every indication, the Kremlin is proceeding steadily with deployment of its fantastic SS-9 missiles. These terrifying weapons, carrying 20 to 25-megaton warheads are much larger than our own inter-continental ballistic missiles. They represent the threat that must be countered now—and by "now," we are talking of 1973, when the first minimal phase of the proposed Safeguard system is complete.

In the end, or so it seems to me, none of the familiar, rational arguments can prevail. What the opponents really are saying, out of their hearts and not their heads, is simply that war is hell. The disenchantment with Vietnam, the horrors of atomic conflict, the awful imaginings of whole continents aflame—these essentially emotional reactions have clouded the reasoning mind. It is Hamlet's pale cast of thought. Some of the Senate's ablest men are suffering from the hang-up.

Of course war is hell. If we lived in a perfect world, all nations would beat their swords into plowshares. We would defuse our missiles, scrap our bombers, and dump every weapon in the depths of the seas. But Presidents—and Senators—have an obligation to deal with hell as it is, and not with heaven as it might be.

The President's recommendations for an anti-ballistic missile system are the very least that he could make, in good conscience, as commander-in-chief, charged with keeping our nation secure. The most telling criticism, in truth, is not that Mr. Nixon is proposing too much, but that he is proposing too little. In any event, the President has looked at realities; he has not closed his eyes. No one can ask more than this of a troubled Congress; but the country cannot settle for less than this, either.

MIAMI'S FEDERAL NARCOTICS FIGHTERS

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, all of us are looking forward to receiving the President's forthcoming message on narcotics control. The need of expanded governmental activity in the field of dangerous drugs has long been apparent, and those of us who have tried to find workable solutions to this problem will welcome any new proposals.

In south Florida, the problem is not as critical as in some areas of the Nation, but is proportionate to the national increase in the use of mind-affecting substances. Especially among our younger people, the use of marihuana, LSD, and similar substances has become of major concern.

Last year, to combat this menace, I helped obtain a transfer of the Government's regional office on narcotics and dangerous drugs to Miami. Since then, I am happy to report, this field office has been very active in the fight to curb the use of these substances.

In the fiscal year through March, the Miami office closed 420 criminal investigations of violations of the Federal narcotics laws, made 155 arrests, closed 50 compliance investigations, made five seizures of illegal drugs, and obtained 86 criminal convictions for drug possession or use. Nationally, during this period, the figures for the same activities were: 2,419 criminal investigations closed; 3,284 arrests made, 498 compliance investigations closed, 22 compliance seizures, and 1,471 criminal convictions obtained.

In addition, the Miami field office has conducted a large-scale program to educate school students, law-enforcement officers, and the general public on the dangers of these substances. Its activities included eight seminars for 488 police and industrial security officers, 434 appearances before 56,853 persons, most of whom were students, and 35 radio and television appearances. Nationally, for the fiscal year to date, the figures were: 62 seminars for 5,167 officials, 3,171 appearances before 650,175 persons, and 130 broadcast appearances.

These figures show that the Miami field office of the Bureau of Narcotics and Dangerous Drugs has contributed a substantial share of the Government's effort to curb the use of these drugs. The Miami office's jurisdiction includes Florida, Georgia, and South Carolina, with the bulk of the activity centered in the largest cities, particularly Miami.

I am proud to have had a part in bringing this effort to bear on what is an increasingly serious threat to the health and happiness of our young people. Early in 1968, I personally contacted the Commissioners of the Food and Drug Administration's Bureau of Drug Abuse and Control, and the Bureau of Narcotics in the Treasury Department, calling to their attention the increasing sale of narcotic drugs to young people in the south Florida area. I urged their cooperation with local narcotics agents in south Florida to halt this traffic, and as a result of that request the Bureau of Drug Abuse and Control opened its new field office in Miami on April 1, 1968.

Very shortly after the opening of the Miami center, the President acted to

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combine the Narcotics Bureau and the Bureau of Drug Abuse Control, placing the new agency under the Justice Department. This was done to provide greater Federal coordination of efforts to curb the growing drug problem.

As chairman of the House Government Operations Subcommittee on Legal and Monetary Affairs, which has oversight jurisdiction over the new Bureau of Narcotics and Dangerous Drugs, I have taken an active interest in another aspect of the drug problem—the involvement of organized crime, and the Federal effort to combat it. My subcommittee held extensive hearings on the overall problem of what the Government is doing about syndicated crime, and much of our interest centered on drug abuse.

Our report recommended improved Federal efforts in this field, including the cooperation of all involved Federal agencies in special investigative units to fight organized crime in major cities. One such strike force is now operating in Miami, seeking to rid the city of underworld elements, and the Bureau of Narcotics and Dangerous Drugs field office is involved in these efforts, in addition to its other activities.

In further action in the fight against drug abuse, I supported legislation passed by the last Congress to strengthen penalties for illegal sales of dangerous drugs to both minors and adults. We need to do all that we can to solve the drug problem, both from the standpoint of cutting off the supply at the source, and educating potential users of the danger involved. I will continue my efforts to see that this goal is achieved.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Patman, for 1 hour, on May 7, and 1 hour on May 8; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Whitehurst) and to revise and extend their remarks and include extraneous matter:)

Mr. Steiger of Wisconsin, for 1 hour, today.

Mr. Halpern, for 5 minutes, today.

Mr. Minshall, for 30 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Sikes and to include extraneous matter in five instances.

Mr. Belcher and to include extraneous matter.

Mr. Pelly to extend his remarks prior to a vote on H.R. 8648 today.

Mr. Colmer and to include extraneous material.

Mr. Albert and to include extraneous material.

(The following Members (at the request of Mr. Whitehurst) and to include extraneous matter:)

Mr. Burton of Utah in 10 instances.

Mr. Pollock in three instances.

Mr. Ashbrook.

Mr. Pettis.

Mr. Anderson of Illinois.

Mr. Devine.

Mr. Hutchinson.

Mr. Halpern.

Mr. Shriver.

Mr. Johnson of Pennsylvania.

Mr. Hall.

Mr. Gross.

Mr. Reid of New York in two instances.

Mr. Derwinski in two instances.

Mr. Hansen of Idaho.

Mr. Denney in two instances.

Mr. Corbett.

Mr. Quillen in two instances.

(The following Members (at the request of Mr. Charles H. Wilson) to extend their remarks and to include additional matter in that section of the Record entitled "Extensions of Remarks":)

Mr. Boland in two instances.

Mr. Eilberg in two instances.

Mrs. Green of Oregon in six instances.

Mr. Anderson of California in four instances.

Mr. Jacobs.

Mr. Addabbo in two instances.

Mr. Brown of California.

Mr. Evins of Tennessee in four instances.

Mr. Karth.

Mr. Minish.

Mr. O'Neill of Massachusetts in two instances.

Mr. Rarick in four instances.

Mr. Hathaway.

Mr. Wolff in two instances.

Mr. Dorn in two instances.

Mr. Brinkley.

Mr. Hagan in three instances.

Mr. Giaimo.

Mr. Flood.

Mrs. Chisholm.

Mr. Ottinger.

Mr. Kluczynski.

ADJOURNMENT

Mr. CHARLES H. WILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 48 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 6, 1969, at 12 o'clock noon.

OATH OF OFFICE

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

"I A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 91st Congress, pursuant to Public Law 412 of the 80th Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (U.S.C., title 2, sec. 25), approved February 18, 1948; Barry M. Goldwater, Jr., 27th District, California.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

722. A communication from the President of the United States, transmitting proposed amendments to the requests for appropriations in the 1970 budget (H. Doc. No. 91–113); to the Committee on Appropriations and ordered to be printed.

723. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act of August 28, 1950, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work; to the Committee on Agriculture.

724. A letter from the Secretary of the Army, transmitting a report of the number of officers on duty with Headquarters, Department of the Army, and detailed to the Army General Staff, as of March 31, 1969, pursuant to the provisions of 10 U.S.C. 3031(c); to the Committee on Armed Services.

725. A letter from the Director of Civil Defense, Department of the Army, transmitting a report of Federal contributions program equipment and facilities for the quarter ended March 31, 1969, pursuant to the provisions of subsection 201(i) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

726. A letter from the Secretary of the Treasury, transmitting the semiannual consolidated report of balances of foreign currencies acquired without payment of dollars, as of December 31, 1968, pursuant to the provisions of section 613(c) of the Foreign Assistance Act of 1961 (75 Stat. 443); to the Committee on Foreign Affairs.

727. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report on the amount of Export-Import Bank insurance and guarantees issued in March 1969 in connection with U.S. exports to Yugoslavia, pursuant to the provisions of the Export-Import Bank Act of 1945, as amended, and the applicable Presidential determination thereunder; to the Committee on Foreign Affairs.

728. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to amend title 5, United States Code, to authorize consolidation of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

729. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on the administration of the Allied Health Professions Personnel Training Act of 1966, together wtih recommendations on the needs in this field of manpower, pursuant to the provisions of section 301(d) of the Health Manpower Act of 1968; to the Committee on Interstate and Foreign Commerce.

730. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting the Annual Report of the Immigration and Naturalization Service for fiscal year 1968; to the Committee on the Judiciary.

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731. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third- and sixth-preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

732. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States under the provisions of section 212(a) (28) (I) (ii) of the Immigation and Nationality Act; to the Committee on the Judiciary.

733. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d) (3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to the provisions of section 212(d) (6) of the act; to the Committee on the Judiciary.

734. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a) (1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

735. A letter from the Commandant, U.S. Coast Guard, Department of Transportation, transmitting statistics on boating accidents during 1968, pursuant to the provisions of section 10 of the Federal Boating Act of 1958; to the Committee on Merchant Marine and Fisheries.

736. A letter from the Postmaster General, transmitting a draft of proposed legislation to adjust the postal revenues and to afford protection to the public from offensive intrusion into their home through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

737. A letter from the Federal Cochairman, Appalachian Regional Commission, transmitting a draft of proposed legislation to provide for the renewal and extension of certain sections of the Appalachian Regional Development Act of 1965; to the Committee on Public Works.

738. A letter from the director, legislative commission, the American Legion, transmitting a statement of financial condition of the American Legion as of December 31, 1968, pursuant to the provisions of its Federal charter; to the Committee on Veterans' Affairs.

739. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to eliminate the limitation on the number of civilian officers and employees in the executive branch; to the Committee on Ways and Means.

740. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July 1968–January 1969, pursuant to the provisions of section 10(d) of the Small Business Act; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. H.R. 6269. A bill to provide for the striking of medals in commemoration of the 300th anniversary of the founding of the State of South Carolina; with amendment (Rept. No. 91–180). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. S. 1081. An act to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library (Rept. No. 91–181). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 7215. A bill to porvide for the striking of medals in commemoration of the 50th anniversary of the U.S. Diplomatic Courier Service. (Rept. No. 91–182). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 8188. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans. (Rept. No. 91–183). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 8648. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society (Rept. No. 91–184). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 8020. A bill to amend title 37, United States Code, to provide entitlement to round trip transportation to the home port for a member of the naval service on permanent duty aboard a ship overhauling away from home port whose dependents are residing at the home port; with amendment (Rept. No. 91–185). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 6790. A bill to authorize an increase in the number of Marine Corps Reserve officers who may serve in an active status in the combined grades of brigadier and major general (Rept. No. 91–186). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 8018. A bill to amend section 1072 (2) of title 10, United States Code, to include a foster child within the definition of dependent; with amendment (Rept. No. 91–187). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DULSKI (for himself, Mr. Nix, Mr. Corbett, Mr. Cunningham, and Mr. Rogers of Florida):

H.R. 10867. A bill to amend title 39, United States Code, to exclude from the U.S. mails as a special category of nonmailable matter certain obscene material sold or offered for sale to minors, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ADAMS:

H.R. 10868. A bill to provide for the election of a Delegate from the District of Columbia to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. ANDERSON of California:

H.R. 10869. A bill to establish a Department of Maritime Affairs, and for other purposes; to the Committee on Government Operations.

By Mr. BIAGGI:

H.R. 10870. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. BROYHILL of Virginia:

H.R. 10871. A bill to restore to the Custis-Lee Mansion located in the Arlington National Cemetery, Arlington, Va., its original historical name, followed by the explanatory memorial phrase, so that it shall be known as Arlington House—the Robert E. Lee Memorial; to the Committee on House Administration.

H.R. 10872. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia (by request:

H.R. 10873. A bill to require that investigations of the Public Service Commission of the District of Columbia into the regulation of the operation of, or into the rates and charges for the services provided by, taxicabs in the District of Columbia be held at the Commission's expense, and for other purposes; to the Committee on the District of Columbia.

By Mr. COLMER (for himself, Mr. Sikes, Mr. Hébert, and Mr. Dickinson):

H.R. 10874. A bill to provide for the establishment of the Gulf Islands National Seashore, in the States of Alabama, Florida, Louisiana, and Mississippi, for the recognition of certain historic values a Fort San Carlos, Fort Redoubt, Fort Barrancas, and Fort Pickens in Florida, and Fort Massachusetts in Mississippi, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CONTE:

H.R. 10875. A bill to amend the Tariff Schedules of the United States to permit the importation of upholstery regulators, upholsterer's regulating needles, and upholsterer's pins free of duty; to the Committee on Ways and Means.

By Mr. CORBETT (for himself, Mr. Meskill, Mr. Ross, Mr. Johnson of Pennsylvania, Mr. Lukens, Mr. Weicker, Mr. Blackburn, Mr. Hogan, and Mr. Scott):

H.R. 10876. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM (for himself, Mr. Gerald R. Ford, Mr. Don H. Clausen, Mr. Mathias, Mrs. May, and Mr. Pollock):

H.R. 10877. A bill to adjust the postal revenues and to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DADDARIO (for himself, Mr. Bell of California, Mr. Davis of Georgia, Mr. Mosher, Mr. Waggonner, Mr. Lukens, Mr. Brown of California, Mr. Cabell, and Mr. Podell):

H.R. 10878. A bill to authorize appropriations for activities of the National Science Foundation, and for other purposes; to the Committee on Science and Astronautics.

By Mr. DENNEY:

H.R. 10879. A bill to provide for the payment of expenses incurred by members of the uniformed services in traveling home under emergency leave or prior to shipment outside the United States; to the Committee on Armed Services.

H.R. 10880. A bill to amend title II of the Social Security Act to increase the amount

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of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 10881. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DICKINSON:

H.R. 10882. A bill to restrict the mailing of unsolicited credit cards; to the Committee on the Judiciary.

H.R. 10883. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

H.R. 10884. A bill to amend title 38 of the United States Code with respect to the standards under which compensation is awarded to persons disabled during vocational rehabilitation; to the Committee on Veterans' Affairs.

By Mr. DONOHUE:

H.R. 10885. A bill to amend the Internal Revenue Code of 1954 to provide that percentage depletion shall not be allowed in the case of mines, wells, and other natural deposits located in foreign territory; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 10886. A bill to amend title 5, United States Code, to correct inequities resulting from the exclusion from entitlement to severance pay of employees who, at the time of separation from the service, decline to accept employment in equivalent positions in different commuting areas, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOREMAN:

H.R. 10887. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 10888. A bill to authorize the appropriation of additional funds necessary for acqusition of land at the Point Reyes National Seashore in California; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 10889. A bill to amend chapter 89 of title 5, United States Code, relating to enrollment charges for Federal employees' health benefits; to the Committee on Post Office and Civil Service.

By Mr. HASTINGS:

H.R. 10890. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. HECHLER of West Virginia:

H.R. 10891. A bill to provide Federal financial assistance to States to enable them to pay compensation to certain disabled individuals who, as a result of their employment in the coal mining industry, suffer from pneumoconiosis and who are not entitled to compensation under any workmen's compensation law; to the Committee on Education and Labor.

By Mr. KING:

H.R. 10892. A bill to amend title 18, United States Code, to prohibit the disruption of the administration or operation of federally assisted educational institutions, and for other purposes; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 10893. A bill to amend title 38, United States Code, to permit for 1 year the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

By Mr. MESKILL:

H.R. 10894. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. NICHOLS:

H.R. 10895. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures forthwith, and to require the suspension of Federal financial assistance to teachers participating in such disorders; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 10896. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. POLLOCK:

H.R. 10897. A bill to amend section 305 of title 37 of the United States Code to provide that any member of a uniformed service, regardless of his State of residence, shall be eligible for the special pay provided for under such section while stationed outside the 48 contiguous States; to the Committee on Armed Services.

H.R. 10398. A bill to establish programs to reduce the seasonality of the labor force by encouraging residential and local governmental construction during the winter months; to the Committee on Banking and Currency.

H.R. 10899. A bill to amend title 5, United States Code, to provide additional cost-of-living adjustments in civil service retirement annuities of certain retired employees in Alaska as long as such retired employees continue to reside in Alaska, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RARICK:

H.R. 10900. A bill to prohibit the expenditure of Federal funds by the Secretary of Health, Education, and Welfare to promote the fluoridation of public water supplies; to the Committee on Interstate and Foreign Commerce.

H.R. 10901. A bill to amend title 38 of the United States Code so as to provide that hospital and medical care shall be provided under such title to any veteran of any war; to the Committee on Veterans' Affairs.

By Mr. REUSS:

H.R. 10902. A bill to provide that the temporary judgeship for the eastern district of Wisconsin created by the act of March 18, 1966 (80 Stat. 78), shall henceforth be permanent; to the Committee on the Judiciary.

By Mr. SPRINGER (for himself, Mr. Findley, Mr. Derwinski, Mr. Anderson of Illinois, Mr. Michel, Mrs. Reid of Illinois, Mr. Erlenborn, Mr. McClory, Mr. Railsback, Mr. Collier, Mr. O'Neal of Georgia, Mr. Skubitz, Mr. Blackburn, Mr. Utt, Mr. Haley, Mr. Meskill, Mr. Wyatt, Mr. Belcher, and Mr. Arends):

H.R. 10903. A bill to amend title 28, United States Code, to limit the appellate jurisdiction of the Supreme Court in certain cases relating to the apportionment of population among districts from which Members of Congress are elected; to the Committee on the Judiciary.

By Mr. STAFFORD:

H.R. 10904. A bill to amend the Federal Aviation Act of 1958 to provide for certain requirements with respect to the installation and maintenance of devices for locating downed civil aircraft; to the Committee on Interstate and Foreign Commerce.

By Mr. STEIGER of Arizona:

H.R. 10905. A bill to maximize the use of private capital in financing the activities of the Washington Metropolitan Area Transit Authority; to the Committee on the District of Columbia.

By Mr. STEIGER of Wisconsin:

H.R. 10906. A bill to amend title II of the Social Security Act to provide for increases based on rises in the cost of living; to the Committee on Ways and Means.

H.R. 10907. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Ways and Means.

By Mr. STEIGER of Wisconsin (for himself, Mr. Quie, Mr. Widnall, Mr. Erlenborn, Mr. Dellenback, Mr. Eshleman, and Mr. Hansen of Idaho):

H.R. 10908. A bill to develop and strengthen a systematic National, State, and local manpower policy and provide for a comprehensive delivery of manpower services; to the Committee on Education and Labor.

By Mr. SYMINGTON:

H.R. 10909. A bill to amend section 5042 (a)(2) of the Internal Revenue Code of 1954 to permit individuals who are not heads of families to produce wine for personal consumption; to the Committee on Ways and Means.

By Mr. TAYLOR:

H.R. 10910. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 10911. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures within a reasonable time, and to require the termination of Federal financial assistance to teachers, instructors, and lecturers guilty of violation of any law in connection with such disorders; to the Committee on Education and Labor.

By Mr. TEAGUE of Texas (by request):

H.R. 10912. A bill to amend title 38, United States Code, to liberalize the conditions under which the Administrator of Veterans' Affairs is required to effect recoupment from disability compensation otherwise payable to certain disabled veterans; to the Committee on Veterans' Affairs.

H.R. 10913. A bill to amend chapter 13 of title 38 of the United States Code to provide that widows of veterans who die while suffering from a total and permanent service-connected disability shall be entitled to dependence and indemnity compensation under that chapter, and to provide an alternative widow's rate of dependency and indemnity compensation; to the Committee on Veterans' Affairs.

H.R. 10914. A bill to amend title 38, United States Code, to provide increases in the rates of additional compensation for dependents payable to certain disabled veterans; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of New Jersey:

H.R. 10915. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such members dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. TIERNAN:

H.R. 10916. A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WATTS:

H.R. 10917. A bill to amend certain provisions of the Internal Revenue Code of 1954 to authorize refund of tax on distilled spirits, wines, rectified products, and beer

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lost or rendered unmarketable due to fire, flood, casualty, or other disaster, or breakage, destruction, or other damage (excluding theft) resulting from vandalism or malicious mischief while held for sale; to the Committee on Ways and Means.

By Mr. WHITEHURST:

H.R. 10918. A bill to authorize the Secretary of the Navy to convey to the city of Portsmouth, State of Virginia, certain lands situated within the Crawford urban renewal project (Va–53) in the city of Portsmouth, in exchange for certain lands situated within the proposed South Side neighborhood development project; to the Committee on Armed Services.

H.R. 10919. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10920. A bill to amend title 5, United States Code, to provide that the aggregate amount of reduction in retired or retirement pay incurred by a retired officer of the uniformed services by reason of Government civilian employment shall be paid to him as part of his retired or retirement pay after termination of such employment, to liberalize the monetary factor in the reduction formula applicable to that pay during such employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WOLFF (for himself, Mr. Don H. Clausen, Mr. Del Clawson, Mr. Gettys, Mr. Gonzalez, Mr. McClory, Mr. McEwen, Mr. Meskill, Mr. Randall, Mr. Roybal, Mr. Sikes, Mr. Snyder, Mr. Waggonner, Mr. Wyman, and Mr. Wright):

H.R. 10921. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 10922. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide that the rates of compensation of the officers and members of the Federal fire departments of Washington National Airport and Dulles International Airport shall be fixed in accordance with such act, and for other purposes; to the Committee on the District of Columbia.

By Mr. EILBERG:

H.R. 10923. A bill to amend the Consumer Credit Protection Act to provide a right of rescission with respect to sales not made at the seller's place of business; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H. Con. Res. 239. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. HALPERN:

H. Con. Res. 240. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. GUDE (for himself, Mr. Adams, Mr. Bell of California, Mr. Edwards of California, Mr. Esch, Mr. Frelinghuysen, Mr. Helstoski, Mr. Jacobs, Mr. McClory, and Mr. McCloskey):

H. Res. 392. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban and District of Columbia Affairs; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

145. By the SPEAKER: Memorial of the House of Representatives of the State of Hawaii, relative to construction and land acquisition for an antiballistic-missile site on the island of Oahu; to the Committee on Armed Services.

146. Also, memorial of the Legislature of the State of Nevada, relative to authorizing the coinage of silver dollars; to the Committee on Banking and Currency.

147. Also, memorial of the Legislature of the State of Minnesota, relative to amending the Older Americans Act; to the Committee on Education and Labor.

148. Also, memorial of the Legislature of the State of Oklahoma, relative to the Hodgens Job Corps Center, Oklahoma; to the Committee on Education and Labor.

149. Also, memorial of the Legislature of the State of Nevada, relative to declaring that the Federal Government holds specific California land in trust for the Washoe Indian Tribe; to the Committee on Interior and Insular Affairs.

150. Also, memorial of the Legislature of the State of Washington, relative to water rights; to the Committee on Interior and Insular Affairs.

151. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to legislation to control aircraft noise; to the Committee on Interstate and Foreign Commerce.

152. Also, memorial of the Legislature of the State of Tennessee; relative to the rights of citizens to possess and bear arms; to the Committee on the Judiciary.

153. Also, memorial of the Legislature of the State of Kansas, relative to designating Interstate Highway No. 70 as "Dwight D. Eisenhower Interstate Highway"; to the Committee on Public Works.

154. Also, memorial of the Legislature of the State of Kansas, relative to taxation of State and local government bonds; to the Committee on Ways and Means.

155. Also, memorial of the Legislature of the State of Minnesota, relative to abolishing residency requirements for federally supported programs for assistance to the blind; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (by request):

H.R. 10924. A bill to authorize the Secretary of the Interior to convey certain real property to J.E. Bashor and Marie J. Bashor; to the Committee on Interior and Insular Affairs.

By Mr. KASTENMEIER:

H.R. 10925. A bill for the relief of Percy Ispan Avram; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 10926. A bill for the relief of Robert and Alice Martin; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.R. 10927. A bill to provide private relief for certain members of the U.S. Navy recalled to active duty from the Fleet Reserve after September 27, 1965; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (by request):

H.R. 10928. A bill for the relief of United Spanish War Veterans; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

100. By the SPEAKER: Petition of the President of the National Academy of Sciences, relative to the administration of selective service regulations; to the Committee on Armed Services.

101. Also, petition of Laszlo Kalmar, München, Germany, relative to removal of his name from a list of undesired persons in the United States; to the Committee on the Judiciary.

102. Also, petition of Henry Stoner, Madison, Wis., relative to determining the location at which the State of New Hampshire ratified the Constitution of the United States; to the Committee on the Judiciary.

SENATE—*Monday, May 5, 1969*

The Senate met at 12 o'clock noon, and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

They that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not be weary; they shall walk and not faint.—Isaiah 40 : 31.

O Lord, teach us this day and every day the stillness, not of indolence or inertia, but the stillness of awareness and renewal. When nerves grow taut and spirits tense, help us to preserve a sanctuary in the soul where Thy throne is secure, and Thy voice is heard above all lesser voices. Make us who serve Thee here and all the people of this land to be a nation under God in service to all mankind.

In the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, May 1, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of May 1, 1969, the Secretary of the Senate, on May 2, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on May 2, 1969, see the end of the proceedings of today, May 5, 1969.)

EXECUTIVE REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of May 1, 1969, the following favorable executive reports of nominations were submitted, on May 2, 1969:

By Mr. EASTLAND, from the Committee on the Judiciary:

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George E. MacKinnon, of Minnesota, to be U.S. circuit judge for the District of Columbia circuit;

Roger Robb, of the District of Columbia, to be U.S. circuit judge for the District of Columbia circuit;

Shiro Kashiwa, of Hawaii, to be an Assistant Attorney General;

Victor R. Ortega, of New Mexico, to be U.S. attorney for the district of New Mexico;

Thomas A. Flannery, of Maryland, to be U.S. attorney for the District of Columbia; and

Robert K. Fukuda, of Hawaii, to be U.S. attorney for the district of Hawaii.

By Mr. McCLELLAN, from the Committee on the Judiciary:

William E. Schuyler, Jr., of Maryland to be Commissioner of Patents.

PROPOSED SEX-ORIENTED MAIL LEGISLATION—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT (H. DOC. NO. 91-114)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States received on May 2, 1969, under the authority of the Senate of May 1, 1969, which was referred to the Committee on the Judiciary:

To the Congress of the United States:

American homes are being bombarded with the largest volume of sex-oriented mail in history. Most of it is unsolicited, unwanted, and deeply offensive to those who receive it. Since 1964, the number of complaints to the Post Office about this salacious mail has almost doubled. One hundred and forty thousand letters of protest came in during the last nine months alone, and the volume is increasing. Mothers and fathers by the tens of thousands have written to the White House and the Congress. They resent these intrusions into their homes, and they are asking for federal assistance to protect their children against exposure to erotic publications.

The problem has no simple solution. Many publications dealing with sex—in a way that is offensive to many people—are protected under the broad umbrella of the First Amendment prohibition against any law "abridging the freedom of speech, or of the press."

However, there are constitutional means available to assist parents seeking to protect their children from the flood of sex-oriented materials moving through the mails. The Courts have not left society defenseless against the smut peddler; they have not ruled out reasonable government action.

Cognizant of the constitutional strictures, aware of recent Supreme Court decisions, this Administration has carefully studied the legal terrain of this problem.

We believe we have discovered some untried and hopeful approaches that will enable the federal government to become a full partner with states and individual citizens in drying up a primary source of this social evil. I have asked the Attorney General and the Postmaster General to submit to Congress three new legislative proposals.

The first would prohibit outright the sending of offensive sex materials to any child or teenager under 18. The second would prohibit the sending of advertising designed to appeal to a prurient interest in sex. It would apply regardless of the age of the recipient. The third measure complements the second by providing added protection from the kind of smut advertising now being mailed, unsolicited, into so many homes.

PROTECTING MINORS

Many states have moved ahead of the federal government in drawing distinctions between materials considered obscene for adults and materials considered obscene for children. Some of these states, such as New York, have taken substantial strides toward protecting their youth from materials that may not be obscene by adult standards but which could be damaging to the healthy growth and development of a child. The United States Supreme Court has recognized, in repeated decisions, the unique status of minors and has upheld the New York Statute. Building on judicial precedent, we hope to provide a new measure of federal protection for the young.

I ask Congress to make it a federal crime to use the mails or other facilities of commerce to deliver to anyone under 18 years of age material dealing with a sexual subject in a manner unsuitable for young people.

The proposed legislation would not go into effect until the sixth month after passage. The delay would provide mailers of these materials time to remove from their mailing lists the names of all youngsters under 18. The federal government would become a full partner with parents and states in protecting children from much of the interstate commerce in pornography. A first violation of this statute would be punishable by a maximum penalty of five years in prison and a $50,000 fine; subsequent violations carry greater penalties.

PRURIENT ADVERTISING

Many complaints about salacious literature coming through the mails focus on advertisements. Many of these ads are designed by the advertiser to appeal exclusively to a prurient interest. This is clearly a form of pandering.

I ask the Congress to make it a Federal crime to use the mails, or other facilities of commerce, for the commercial exploitation of a prurient interest in sex through advertising.

This measure focuses on the intent of the dealer in sex-oriented materials and his methods of marketing his materials. Through the legislation we hope to impose restrictions on dealers who flood the mails with grossly offensive advertisements intended to produce a market for their smut materials by stimulating the prurient interest of the recipient. Under the new legislation, this form of pandering could bring a maximum penalty of 5 years' imprisonment, and a fine of $50,000 for a first offense and 10 years and a fine of $100,000 for subsequent offenses.

INVASION OF PRIVACY

There are other erotic, sex-oriented advertisements that may be constitutionally protected but which are, nonetheless, offensive to the citizen who receives them in his home. No American should be forced to accept this kind of advertising through the mails.

In 1967 Congress passed a law to help deal with this kind of pandering. The law permits an addressee to determine himself whether he considers the material offensive in that he finds it "erotically arousing or sexually provocative." If the recipient deems it so, he can obtain from the Postmaster General a judicially enforceable order prohibiting the sender from making any further mailings to him or his children, and requiring the mailer to delete them from all his mailing lists.

More than 170,000 persons have requested such orders. Many citizens however, are still unaware of this legislation, or do not know how to utilize its provisions. Accordingly, I have directed the Postmaster General to provide every Congressional office with pamphlets explaining how each citizen can use this law to protect his home from offensive advertising. I urge Congress to assist our effort for the widest possible distribution of these pamphlets.

This pandering law was based on the principle that no citizen should be forced to receive advertisements for sex-oriented matter he finds offensive. I endorse that principle and believe its application should be broadened.

I therefore ask Congress to extend the existing law to enable a citizen to protect his home from any intrusion of sex-oriented advertising—regardless of whether or not a citizen has ever received such mailings.

This new stronger measure would require mailers and potential mailers to respect the expressed wishes of those citizens who do not wish to have sex-oriented advertising sent into their homes. The citizens will put smut-mailers on notice simply by filing their objections with a designated postal authority. To deliberately send such advertising to their homes would be an offense subject to both civil and criminal penalties.

As I have stated earlier, there is no simple solution to this problem. However, the measures I have proposed will go far toward protecting our youth from smut coming through the mails; they will place new restrictions upon the abuse of the postal service for pandering purposes; they will reinforce a man's right to privacy in his own home. These proposals, however, are not the whole answer.

The ultimate answer lies not with the government but with the people. What is required is a citizens' crusade against the obscene. When indecent books no longer find a market, when pornographic films can no longer draw an audience, when obscene plays open to empty houses, then the tide will turn. Government can maintain the dikes against obscenity, but only people can turn back the tide.

RICHARD NIXON.

THE WHITE HOUSE, *May 2, 1969.*

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communi-

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cated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on May 1, 1969, the President had approved and signed the following acts:

S. 458. An act for the relief of Yuka Awamura; and

S. 672. An act for the relief of Charles Richard Scott.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of Peter A. Bove, of Vermont, to be Governor of the Virgin Islands, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar, beginning with Calendar No. 307, Message No. 247.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated, as requested by the Senator from Montana.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The bill clerk read the nomination of William Hill Brown III, of Pennsylvania, to be a member of the Equal Employment Opportunity Commission.

Mr. DIRKSEN. Mr. President, when I first learned of the nomination of Mr. Brown—I believe it was probably 3 weeks ago—at a leadership meeting at the White House, I went to see my very esteemed friend, the Senator from Pennsylvania (Mr. SCOTT), who is the sponsor for Mr. Brown. I told Senator SCOTT that if the name of Mr. Brown came to the calendar, I would be constrained to place a "hold" on it. Senator SCOTT said, "I hope it would not be for more than a reasonable period."

But, Mr. President, I wanted to know something more about Mr. Brown, and there was a very good reason for it. Mr. Brown was nominated by former President Johnson, but his nomination was never confirmed. However, Mr. Brown did go with the Equal Employment Opportunity Commission to California in March of this year, and there he participated in a series of hearings covering the aerospace industry, the motion picture industry, a couple of unions, and others.

He participated actively, notwithstanding the fact that he had never been confirmed, and therefore was not legally a member of the Commission.

I went back to examine the record of the hearings and the transcript of that meeting, and there I discovered that he had actively participated, had asked questions of the witnesses, and had made some comment.

I felt that I ought to know more about it, particularly because that series of hearings seemed to me like a vendetta, if I ever heard of one. It was described in the California newspapers as something of a carnival. The audience was unruly. They shouted their hostility when there was an adverse witness. They shouted their approbation when somebody testified whom they liked.

They had one bit movie actor by the name of Marty, who I understand—maybe I had better not say it. I do not want to reflect on him, except to say that he described the movie industry, because they were not treating him better, as a lot of dogs; and then he described them as racist pigs. The chairman in charge of the hearing let him run on. There was no restraint. And Mr. Brown interposed no restraint, either.

I called Senator SCOTT and said I would be delighted to see Mr. Brown, and this morning, together with Senator SCOTT, he came to my office; and I fancy we spent at least 45 minutes together.

Now, this Commission will have $16 million to spend, and it will have 850 people. Many of them will be coursing around over the country, examining into industry to see how many minority employees it has, whether it achieves the kind of ratio they like, and so forth.

I made the point that they were harassing the business and industrial fraternity of the country, and I meant to raise my voice in protest until this situation was cured. The reason I do it, Mr. President, is that the Commission was created by title VII of the Civil Rights Act, and that title was written in my office, after weeks and weeks of time. I have never yet heard anybody charge me with being in favor of discrimination. I just wanted that title to work, and I am still interested in seeing that it works and that it does not create a new reservoir of prejudice in the country. We cannot afford to be traveling on two streets at once in that field, because it is shot through with so much emotion.

When Mr. Brown arrived this morning, I found him a very attractive and a very personable person. He visits well. His antecedents, according to those presented to the committee, in my judgment, are quite excellent. He belongs to an excellent law firm. He has done rather well. He is evidently a good trial lawyer, because he was an assistant to the present district attorney in Philadelphia, Arlen Specter, as I recall. So, Mr. President, those are good antecedents.

But what I wanted to know was his viewpoint, his outlook, in the enforcement of the Equal Rights Act. That is the important thing. So there were some questions to be raised; and I am delighted that Senator SCOTT was there, because he can concur in everything I say.

For example, I raised this question: We have recognized, in collective-bargaining agreements, that they can put in a seniority clause, and it has been acknowledged and recognized in the courts. I do not believe there has been a direct case that has gone to the Supreme Court on that point. But other courts have recognized it. Now comes the staff of this Commission; and when the time comes for an industry to take back an employee who has some seniority, the staff intrudes and says, "You cannot have preference over the minority who ought to be served."

Are we going to invalidate a solemn contract made between a labor union and an industry? Well, the courts generally have upheld those clauses, and maybe we had better get a Supreme Court ruling on it before it is too late.

But that is one of the difficulties that arise here. I have pointed out other difficulties, particularly the conduct of the hearings so that they become nonobjective. Hearings are ruined by the kind of demonstration that took place at the hearings in California.

Frankly, I think Mr. Brown satisfied me pretty well on that score and I believe that he will certainly improve the conditions so far as the Commission is concerned.

I have one other point. In connection with the work of the Commission I discovered that they violate the very law under which they operate. It is written in that law as clear as crystal that there be no preferential discrimination. Yet, in that transcript and in the data that has come to my attention I find that where, for instance, the minority population in an area was 16 percent and the industry in question had 16 percent, some staff member of the Commission says, "You have to appoint more Negroes." That is a violation of the discrimination clause in title VII, so they violate their own act. That is an irresponsible performance and it is not worthy of any Federal agency. The sooner we clean it up and the sooner we do something about courtesy and good manners in some of these bureaus which haul people before them and scale them down according to their desires, the sooner this will be a government that is better taken by the people.

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Mr. President, I have had a chance, by this rule, to make my protest and to talk to Mr. Brown. I am rather impressed with what I think he will do by measuring up to his responsibility under the law. The other thing is that the Committee on the Judiciary, of which I am a member, will have oversight powers, and I mean to pursue it as a member of the committee.

So I approve Mr. Brown, and there is no "hold" on him.

The **PRESIDENT** pro tempore. Is there objection to the confirmation of the nomination of Mr. Brown?

Mr. **FANNIN**. Mr. President, reserving the right to object, I would like to ask the distinguished minority leader whether Mr. Brown clarified his statement that he would be just as militant as former Chairman Alexander. That statement was very depressing to me, and I wonder whether Mr. Brown clarified his position.

Mr. **DIRKSEN**. I did not see that statement, and, therefore, I did not confront him with it. But frankly he does not look like an overzealous militant type to me. I thought he comported himself as a gentleman, and he would have to comport himself in that fashion in the line of work he has been in in Philadelphia.

Mr. **FANNIN**. I have been concerned since I learned of his position, and I know of the testimony that is in the record as to what he did in Los Angeles, the questions he asked. I share this concern. I have talked to the minority leader about it. Perhaps the distinguished Senator from Pennsylvania would like to clarify that point.

Mr. **SCOTT**. Mr. President, will the Senator from Illinois yield?

Mr. **DIRKSEN**. I yield.

Mr. **SCOTT**. I thank the Senator. I think we can clarify the point. I think that the minority leader's observation of Mr. Brown as he has commented on it here is in line with my experience. He is a fairminded and competent man, as I have said. He is from a law firm of excellent reputation. He has made the point only this morning that he would, indeed, be very quick to see that hearings were conducted fairly, he regrets any lack of dignity, and he commented on the fact that the hearings on the west coast involved a choice between two evils, an evil that existed of misbehavior in the room and a possible worse outcome had they not ridden through that hearing, which he indicated was distasteful to him.

I think it is clear that if he were conducting the hearing it would be conducted in an entirely different fashion, and it should be.

Mr. **FANNIN**. If the Senator will read the testimony he might not agree with what he has interpreted. I am concerned because some companies in my State have been involved. I resent what has been done. I do not want to make an issue of this matter but I will be watching his record with a great deal of interest. I hope each of us will be willing to take action if he does continue with the present policies of the Commission. I do not object.

Mr. **KENNEDY**. Mr. President, will the Senator yield?

Mr. **DIRKSEN**. I yield.

Mr. **KENNEDY**. Mr. President, just so the RECORD is quite clear on this matter, Mr. Brown appeared before the Committee on Labor and Public Welfare and in his appearance before the committee he was asked a number of different questions about his own attitude, his background, his experience, and his qualifications for service on the EEOC.

I think that former President Johnson is to be commended for making his recommendation and that President Nixon should be commended for carrying through on that request.

I think it is important that those who read this RECORD understand that the EEOC has an extremely important function, and what some people have been so quick to label as harassment, others have realized and recognized as fulfilling the responsibility of the EEOC under title VII. Whether or not it was written in someone's office, it is clear what that title provides.

I would certainly hope that when Mr. Brown reads this RECORD he feels it is the sense of those who supported title VII, and the sense of the membership of this body, that we expect him to carry through with his duties in a way which, while courteous and respectful of the interests which are represented, fully and vigorously meets his responsibility under that title.

I think he brings to this new responsibility a solid background and varied experience. I think he can do the job well. I do not think any of us would expect from the comments made here that there is any lessening of interest by any of us in having the EEOC perform responsibly and well. It has a a responsibility in a very important area of our Government.

I appreciate the Senator from Illinois yielding.

Mr. **DIRKSEN**. Mr. President, I am fully aware of what is in title VII. It conveys no license upon this Commission. It does not give them authority to exercise bad manners. It gives them no authority to exhibit discourtesies all over this country. It does not give them authority to inspire fear in the business community of the country, and that is what their overzealous staff people have been doing.

Mr. **KENNEDY**. Mr. President, will the Senator yield?

Mr. **DIRKSEN**. I yield.

Mr. **KENNEDY**. If businesses are interested in complying with the purpose and scope of the provisions of title VII, there is no need for having any kind of confrontation with the EEOC. No one is saying, obviously, that there is room for discourtesy by any agency. We all know that. But to set up any particular group or body, and say they are discourteous and, therefore, evil, is demagoguery, because any industries interested in compliance with the provisions of the title are not going to be brought in or questioned. Therefore, I think it is important that we keep the discussion in some perspective.

Mr. **DIRKSEN**. If the Senator from Massachusetts means to imply that this is demagoguery, he does not know what he is talking about. That is the long and the short of it.

I sat in the hearings with the Senator and I had to stop him most of the time to get back on the track and, because of the television cameras in the hearing room of the subcommittee, it got to be a show. But I had the California record. I read to Mr. Alexander his own words.

Mr. **KENNEDY**. Will the Senator from Illinois yield further?

Mr. **DIRKSEN**. Oh, yes, I yield.

Mr. **KENNEDY**. When the Senator talks about getting back on the track, the whole purpose and scope of the hearings related to changes in administrative procedures which had been accepted by the Department of Defense and the Department of Transportation. Of course, as much as we were interested and as valued as the comments of the Senator from Illinois were in his lengthy questioning, the purpose of all of us was to get back on the track of the subject of the hearings.

At that time we were focusing on administrative procedure changes which were certainly at variance with the regulations and blunted the impact of the applicable law. But we were always interested in the comments that were made.

Mr. **DIRKSEN**. I do not have to be patronizing. I know my business. I pursue it. I am just interested in a viable and workable commission. That is the only reason. But I do protest when we get people who are trying overnight to correct the injustices of 100 years and, in so doing, are disrupting the industrial processes of this country, knowing, of course, that they have a weapon; namely, that if an industry is cited for being in violation of the law, it cannot get a Federal contract.

When we stop to consider the procurement powers of this Government, they are a tremendous weapon. That is why this Commission is so important. It is far more important than what the Senate thinks. Maybe they had better get alert to it before the Empire State Building falls on it. Because that is what is going to happen. I am not being kidded about it. Now we are going to double the personnel. Just wait until they start moving through this country.

I am banking on Mr. Brown, but I am going to be watching Mr. Brown, too, because I have some interest in this.

Mr. President, that is all I have to say.

The **PRESIDENT** pro tempore. The question is: Will the Senate advise and consent to this nomination?

Mr. **ALLEN**. Mr. President, there appears to be no rollcall vote on this nomination, and I therefore ask unanimous consent that the junior Senator from Alabama be recorded as being in opposition to this nomination.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

The question is: Will the Senate advise and consent to this nomination?

The nomination was confirmed.

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—NOMINATION PASSED OVER

The bill clerk read the nomination of James E. Allen, Jr., of New York, to be Commissioner of Education.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that this nomination be considered later on in the morning.

The PRESIDENT pro tempore. Without objection, the nomination will be passed over temporarily.

DEPARTMENT OF DEFENSE

The bill clerk read the nomination of Philip N. Whittaker, of Maryland, to be an Assistant Secretary of the Air Force.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. DISTRICT COURT

The bill clerk read the nomination of John B. Hannum, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

BOARD OF PAROLE

The bill clerk read the nomination of George J. Reed, of Oregon, to be a member of the Board of Parole for the term expiring September 30, 1974.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. CIRCUIT COURT

The bill clerk proceeded to read sundry nominations in the U.S. Circuit Court.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

DEPARTMENT OF JUSTICE

The bill clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. PATENT OFFICE

The bill clerk read the nomination of William E. Schuyler, Jr., of Maryland, to be Commissioner of Patents.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I move that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. The motion was agreed to.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Several Senators addressed the Chair.

Mr. MANSFIELD. Mr. President, I was going to turn to the general calendar but, evidently, it would not be appropriate at this time. I would therefore like to make a few remarks on my own, on a different subject.

The PRESIDING OFFICER (Mr. ALLEN in the chair). The Senator from Montana is recognized.

THE THREE SISTERS BRIDGE

Mr. MANSFIELD. Mr. President, negotiations are now underway, we have been told by the press, which will produce a new highway plan for the District of Columbia, including immediate construction of the Three Sisters Bridge across the Potomac and, at a future date, a North Central Freeway. I was shocked when I read in last Friday's papers that the Deputy Mayor said publicly that the Three Sisters Bridge is the price the city has to pay to build a subway system. He said it is willing to pay that price.

Is this the way to plan the Nation's Capital?

Only a few months ago, in December, the duly constituted planning agency for the District—the National Capital Planning Commission—adopted a highway plan that eliminated these two freeway entrances to the city. The District of Columbia Council approved the plan unanimously and, I understand, is still unanimously committed to it. The Planning Commission represents the Federal interest in this city as well as the District's interest. The District Council is the voice of the people, or as close to the voice as we can get in a nonvoting community.

Can those who are now involved in what the press calls "nogotiations" really believe that an extensive freeway system will enhance the quality of life, the economic strength, or the great beauty of the Capital of the United States? Why do they want to build a bridge that is fervently opposed by the citizens on both sides of the Potomac?

In my years in Washington I was rejoiced in the parks of this city and been grateful for the foresight of our predecessors in Congress who made the park system possible. With dismay I learned recently that in the past 10 years 350 acres of parkland have been taken for other uses, almost all for highways. If the highway system resulting from the current "negotiations" is built, many more acres of parkland will be paved over. There is no way to make an overall estimate, but I do know from a review of past plans that a bridge across the Potomac at Three Sisters Islands would mean the loss of approximately 25 acres on the District side and more than that on the Virginia side.

The land to be used on the Virginia side was set aside for all time by Congress for park and parkway purposes unless the local jurisdiction agreed to a change in use. The Arlington County Board, the elected officials of the affected jurisdiction, have voted repeatedly over past years against the Three Sisters Bridge. On the District side the land to be used for the bridge's approaches would be taken from the historic C. & O. Canal and from Glover Archbold Park. This park was given by two public-spirited citizens to the people of Washington. To use any part of the park for highway purposes would be a betrayal of the trust those citizens put in public authorities.

Bridges stop at the water's edge, but traffic does not. I read that there is to be a tunnel along the Georgetown waterfront. But tunnels can go only so far. Where does the traffic surface and how does it get across town?

Plans in the past have shown a route called the North Leg which would pave over Rock Creek Park from the river up to P Street, then rip through the city to the east, taking homes and businesses, cutting neighborhoods in half, and displacing thousands of people. Another possible route would be a tunnel and ditch along K Street, through the city's busiest commercial area. A third possibility—unbelievable as this may seem, it has some official status—is to carry the traffic along E Street and in a tunnel under the south lawn of the White House.

I have outlined these possibilities to make it clear that a decision to build the Three Sisters Bridge has much wider implications than the construction of a span over the Potomac River.

By law an interstate freeway must be designed to carry truck traffic. But why should interstate truck traffic be routed through the heart of the Nation's Capital? The beltway makes it possible for trucks with other destinations to bypass the city, and the highway plan approved last December would improve access to the city's warehousing and industrial area.

I have addressed myself to the Three Sisters Bridge rather than the North Central Freeway because the news stories have been vague about those ne-

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gotiations. All early plans would have displaced hundreds of families, taken numerous businesses, and paved over many more acres of parkland. I believe the negotiators are deliberately vague about the North Central Freeway, hoping to persuade the black residents of northeast Washington that the Three Sisters Bridge is a problem only for affluent whites in Georgetown, sentimental park lovers, and bird watchers. I do not believe they will succeed.

There is one issue on which almost every resident of the District agrees: opposition to more freeways. This is true of the rich and poor, the black and white, and people in every geographical area of the city and in Arlington. These citizens also agree in their desire for a good subway system.

It is inconceivable to me that the proposed subway system could be held a hostage to more unwanted freeways. The Congress should not sit idly by while these freeways are forced on the Nation's Capital—disrupting the lives of its residents and destroying its great beauty. I invite my colleagues to look to the right as you leave Capitol Hill today to see the extent of the clearance—the great asphalt canyon—that construction of the Center Leg has made necessary. If the Three Sisters Bridge is built, we can expect a canyon like that, filled with exhaust fumes, to run from the Georgetown waterfront somewhere across the city to its Northeast boundary.

All of us are concerned with national programs to improve the quality of our environment, to control air pollution and noise, to preserve our natural heritage. All of us should be gravely concerned about what is happening right now here in the Nation's Capital.

Mr. DOMINICK. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am happy to yield to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I want to associate myself with what the Senator from Montana has just said. There is a very grave possibility that we are creating a huge pad of concrete which will become the city of Washington if we keep on going into the programs which have been put forth up to date. I certainly do not wish to see the city of Washington turned into that kind of monstrosity.

When I was on the Senate District of Columbia Committee, I asked personnel in the Interior Department and elsewhere whether they had made any study of the pollution factors which would be created by additional automobiles coming in as a result of the additional traffic which was anticipated. I was told that no such study had been made and that no preparation had been made for one. They had not even made any preparations for offstreet parking of any kind.

We did make some progress with the parking legislation but, so far as I know, we do not have any satisfactory explanation as to what will be done about the pollution problem or the potential enormous pad of concrete which will be built up in Washington over and above its surface.

Mr. MANSFIELD. Starts have been made. There is even a proposal to go under the White House, to build a road under the south lawn of the White House. That is what is being used as a bargaining point. We are told that more concrete to be poured everywhere is the price we must pay to obtain a subway. Included in the bargain we are told is the agreement to go ahead with the building of the Three Sisters Bridge. Such a posture flies in the face of the unanimous opinion of the City Council and the findings and recommendations of the National Capital Planning Commission.

Mr. DOMINICK. I am glad the Senator from Montana has spoken on this subject. I am no longer a member of the District of Columbia Committee, so there is not very much I can do about it except to express my opinion and accord with the statement of the Senator from Montana.

SPEECH BY SENATOR SCOTT ON SUBSTANTIAL REDUCTION OF U.S. FORCES IN VIETNAM

Mr. SCOTT. Mr. President, I ask unanimous consent that a speech which I delivered in Pittsburgh on May 3, be included at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SENATOR SCOTT URGES "SUBSTANTIAL REDUCTION" OF U.S. FORCES IN VIETNAM

The war in Vietnam has achieved all kinds of tragic superlatives. However good our motivations, however just our reaction to evil aggression, the hard facts are that this is the longest war in American history and one of the most expensive.

We have suffered more than 34,000 dead and more than 216,000 wounded in the past eight years. Those casualties surpass our Korean War losses.

President Nixon's number one priority is to end the war in Vietnam. He wants to end the killing to save lives. But he also wants to give us an opportunity to redirect this Nation's mighty resources toward the many domestic problems that are crying for solution.

But a war which has been escalating for nearly a decade cannot be ended overnight. Nor can American forces be left at the mercy of an enemy without adequate protection for U.S. forces remaining committed.

Two actions on the part of the United States have brought responses by the enemy. I am going to suggest a third.

On March 31, 1968, President Johnson announced a partial halt in the bombing of North Vietnam. Within days the North Vietnamese agreed to send representatives to talk peace with the United States and shortly thereafter both countries agreed to meet in Paris.

On October 31, 1968, President Johnson announced that the bombing halt would apply to all of North Vietnam north of the Demilitarized Zone. Three months later—after some wrangling about the shape of the negotiating tables, and after the election of President Nixon—the talks were expanded to include the South Vietnamese and the Viet Cong.

Now I suggest a bold move to flush out the intentions of the other side.

I urge the withdrawal of a substantial number of American troops from Vietnam.

I hope that the White House will announce such a move in the near future.

I make this recommendation because I believe the situation is ripe for progress. The Nixon Administration seems to have reached a new understanding with the South Vietnamese Government whose representatives now present a less rigid stance. We have gained from the leaders in Saigon considerable assurances that they are ready to assume more of the burden of the fighting.

Now we need to prod the North Vietnamese out of the sea of propaganda and onto the high ground of real bargaining sessions.

If North Vietnam responds with comparable actions of its own, we could then consider additional withdrawals.

Hanoi has already anticipated the possibility of a measured withdrawal of American troops and has tried to degrade our motives by saying ahead of time that we would only pull out support troops and "ice cream vendors."

This indicates how little the North Vietnamese understand American character. If they knew us better, they would realize that support troops may be the last to go.

The last American leaving Vietnam may very well be driving a beer truck. But who cares what the order of withdrawal should be, as long as it is in good faith?

Diplomatic maneuvering is part of the necessary preliminaries, but at some point there has to be the test of action which points the way to further progress, or spells rebuff. A measured withdrawal would provide that kind of test.

RESTRAINT OF FEDERAL GOVERNMENT FROM WITHDRAWING FEDERAL ASSISTANCE TO SCHOOL LUNCH PROGRAMS

Mr. TALMADGE. Mr. President, I have introduced legislation in the Senate to prohibit the Department of Health, Education, and Welfare from withdrawing Federal financial assistance to school lunch programs in desegregation noncompliance cases.

My bill is simple. It seeks only to restrain the Federal Government, through one of its agencies, from any action that would take school lunches away from needy schoolchildren.

There are thousands upon thousands of children to whom the school lunch, either free or at a reduced price, is the only nourishing meal they receive each day. I find no justification anywhere—not in the Office of Education school guidelines, not in the legislative history of title VI of this act, for crippling or destroying school lunch programs or for denying needed food to small children, black and white.

We have just about every other department of the Federal Government going all out to do everything possible to alleviate hunger and poverty in the Nation, while the Department of Health, Education, and Welfare is in effect contributing to this problem, very often with severe consequences.

Schoolchildren in dire economic circumstances are today going without lunch at their schools because of this ill-advised, uncompromising approach being taken by the Department of Health, Education, and Welfare. They are ill nourished in their homes because of a parental situation over which they have no control, and they are going hungry at school because of political controversy they do not understand.

This is bureaucracy at its worst. I hope Members of Congress will take note, and join me in demanding that this practice be stopped. School lunch programs, especially those in areas where there are heavy concentrations of needy children, must be protected from such heavy-handed Federal action.

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Mr. President, there appeared in the April 25 edition of the Wall Street Journal an excellent front page article on the tremendous damage being inflicted upon school systems in fund cutoffs.

I bring it to the attention of the Senate, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IRONY IN THE SOUTH: BLACK SCHOOLS SUFFER MORE THAN WHITE ONES IN FEDERAL FUND CUTOFF—SEGREGATED DISTRICTS SCORE PENALTIES—MOST OF MONEY WENT TO NEGRO STUDENTS—TEACHERS GONE, LABS IDLE

(By Neil Maxwell)

AMERICUS, GA.—President Nixon has made it perfectly clear: He will continue the Johnson Administration's policy of cutting off Federal funds as the "ultimate weapon" in prodding Southern public school systems to desegregate.

Educators in the Sumter County school system here, and their counterparts across Dixie, have just one question: At whom is the ultimate weapon aimed?

"They are hurting precisely the ones they are trying to help—the Negro children," fumes Ed Bailey, superintendent of schools in Sumter County, where U.S. funds have been withheld. "Not a dollar of that money was going to the white schools."

The Sumter County superintendent points up a curious situation: Inquiries around the South indicate that the fund cutoffs, manifestly designed to speed integration, are in practice having a disastrous effect on the Negro schools that the money was intended to help. And, adding to the irony, the cutoffs are harming predominantly white schools hardly at all.

WE WON'T CHANGE

The situation finds white school officials in rare unanimity with their black counterparts and with civil rights officials. All agree that the strategy of penalizing delinquent school systems just isn't working. However, whereas the white officials vow that they simply won't knuckle under to pressure, civil rights leaders urge even stronger penalties to force compliance.

A few Southern systems have sought to meet Federal guidelines to avoid cutoffs, but the overwhelming majority of white school authorities say financial pressure won't persuade them to change their methods. "Darn it, it's just not right to penalize the children because we aren't in compliance," says W. M. Perrigin, superintendent of schools in Choctaw County, Miss. "If we aren't in compliance, let the courts deal with us."

Most of the Federal money is dispensed under Title One of the Elementary and Secondary Education Act of 1965. Title One money is designed to "support special educational programs in areas with a high concentration of low income families."

In the South, low income often means black families, and most of the money has been going to black schools. In Sumter County, and other systems that have lost funds, observers report a serious decline in the quality of Negro schooling. The effect on the white schools has been negligible. Few of them were getting Federal money to begin with. Where there has been difficulty, taxes have been raised or priorities reshuffled in school budgets to minimize the damage to white schools.

ONE OF MANY

Sumter County is one of 535 school systems in six Deep South states that the Department of Health, Education and Welfare is pressing to meet integration guidelines, and one of 93 that have lost funds. (Some 235 other systems are under court orders to integrate; their funds can't be touched while the court orders are in force.)

Sumter, deep in the peanut- and cotton-growing region of south Georgia, is typical of the affected systems in many ways. In the two years before funds were cut off at the end of the 1966–67 year, $380,000 in Federal money was spent on "poverty" schools here. The impact of the cutoff already is great.

Three lavishly equipped reading laboratoires that cost $12,700 each stand padlocked in the black schools here. Electronic teaching equipment is gathering dust. Specialist teachers hired to operate the equipment have been dismissed due to lack of funds. In the science laboratories, the situation is similar. There is no money to buy new physics equipment, and, says Mr. Bailey, when the chemistry lab's chemicals are used up, I don't know what they'll do.

Title One grants great latitude in the use of funds: Musical instruments, free lunches and shoes for the children fall within its guidelines. In Sumter County, Federal money dressed the band members at the Negro high school in 40 resplendent uniforms. But now they are beginning to look shabby; there isn't any money to replace worn-out uniforms.

Much more serious for the poor children, most free lunches have been ended. Federal funds, first used for purchase of equipment here, gradually were diverted to buy food. If you are hungry, you can't learn, says Mr. Bailey in explanation of that allocation.

IT MAKES A DIFFERENCE

"We were feeding 1,367 children free and now we are feeding 255, and the 1,100 difference shows up in the classroom," the superintendent asserts. He says that failures dropped from 442 to 296 over a two-year period of free lunches. "It's a definite fact that some children come to school for the meal," Mr. Bailey says.

Moses Lightfoot, hulking Negro principal of the Lee County Training Center outside Leesburg, Ga., gets so upset when he thinks about the Federal policy that he talks in incomplete phrases: "If they have the money to help the poor people . . . all the children know is that they stop eating . . . they don't care about any ideology . . . it's beyond my comprehension. . . ."

Mr. Lightfoot says he has protested to HEW, without getting a reply. "I wrote Dr. Hugh Brim (of HEW) in Atlanta, trying to reach his heart, and I told him there was no trickery here, but still they cut us off," he says. "We teach the children about this great country, this land of plenty. What are they supposed to say about their country when we tell them the Government is cutting them off from lunch?"

In Coahoma County, Miss., Federal funds were used to buy such equipment as 50 "add on" classrooms for the Negro schools, then to hire 64 teachers, aides and other personnel to staff the rooms. Now funds have been cut off. The classrooms still are there, but the 64 have been dismissed for lack of funds to pay them (most of them have remained on the job, staging a "teach-in" to protest the cutoff, but school officials say there isn't any money to rehire them).

Some systems, like the one in Dooly County, Ga., find the small losses almost as hard to take as the large ones. Dooly County lost 32 teachers and aides and most of the free lunches in the Negro schools in the cutoff. It also lost the three nurses serving the schools.

"We miss one particularly," says W. F. Stone, superintendent of schools. "When she wasn't taking care of the childrens' health, she was making clothes for them. She made so many clothes we set up some money to buy her cloth."

Some Southern educators just can't fathom the reasoning behind the use of the ultimate weapon. "We want children to go where they want to go, but we would have to send them where they don't want to go to get our Federal money back," says John Ware, a farmer who was elected superintendent of schools in Oktibbeha County, Miss., last year.

The Oktibbeha County system uses the "freedom of choice" method of assigning pupils. About 20 of the 3,000 Negro students in the county now attend schools with the 900 whites. No whites go to black schools.

"I tried for months to get our funds back, but now I'm through messing with them," says Mr. Ware. "I don't care how you feel personally, it's just not fair to say I've got to have so-much per cent of one race in one school and so-much per cent of another race in another. It's against all the principles of Christianity."

Federal statistics for 11 Southern states show that 518,607 Negroes, or 20% of the black student population are in white schools now, compared with 14% a year ago. But such evidence of progress doesn't satisfy civil rights leaders.

Earlier this month representatives of several civil rights groups sent a telegram to HEW Secretary Robert H. Finch demanding that all Federal funds—including highway funds and crop support money—be cut off from Southern districts that don't meet school integration guidelines. The black leaders reason that such a drastic blow would produce prompt action by educators in Dixie.

MR. JUSTICE FORTAS AND CANONS OF JUDICIAL ETHICS

Mr. MILLER. Mr. President, many of us were shocked to learn from the morning papers that Mr. Justice Fortas had received a $20,000 fee in January 1966, only 3 months after being sworn in, from a family foundation of financier Louis Wolfson, recently sentenced to prison for violation of our security laws.

We were shocked over disclosure last year of his acceptance of a $15,000 fee for delivering a few lectures at American University with the funds coming from a fund supported by large contributors who were former clients of his law firm.

The point at issue is whether or not these disclosures involve a violation of the canons of judicial ethics which require that a judge's conduct be free from either impropriety or the appearance of impropriety. Taken together, these two incidents strongly suggest that Mr. Justice Fortas should resign. They place a cloud over the Court which is already in disrepute among a majority of the people of this country.

They also underscore the point I made last year during the debate on proposed acceptance, by the Senate, of a majority of the Judiciary Committee's recommendation that Mr. Fortas be confirmed as Chief Justice of the Supreme Court in line with the nomination by President Johnson. My point was that a majority of the Judiciary Committee had performed a disservice to the Senate in not doing an adequate job of checking on Mr. Fortas before making its recommendation to the Senate. The same could be said of the American Bar Association's Committee on the Judiciary, which recommended confirmation even before the Senate hearings disclosed the American University fee matter, and certainly never detected the Wolfson foundation fee incident.

I trust, Mr. President, that any future nominations to the Supreme Court and, for that matter, to any other court, will be given far more thorough scrutiny by both the administration and the Senate

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Judiciary Committee than was the case with the nomination of Mr. Justice Fortas. Moreover, it would seem that the courts, themselves, should take some action regarding any of their members who are of a mind to engage in practices which violate the canons of judicial ethics.

ACCEPTANCE OF FEE BY MR. JUSTICE FORTAS

Mr. WILLIAMS of Delaware. Mr. President, in this week's Life magazine there appears a shocking allegation that another member of the Supreme Court has accepted a $20,000 fee from a foundation controlled by a man who had cases pending before the Department of Justice.

This is the second time that a member of the Supreme Court has been caught accepting fees from tax-exempt foundations controlled by men who are in trouble with the Department of Justice. Justice Fortas' attempt to dismiss his acceptance of this $20,000 fee from the Wolfson Foundation on the premise that he voluntarily returned the fee 11 months later—in December 1966—does not minimize the implications. In fact, the point that he still sees nothing morally wrong with such an arrangement is even more disturbing.

It is significant that Justice Fortas never returned this $20,000 fee until after Justice Douglas had been caught with his hands in the same cookie jar and had been severely reprimanded in the press throughout the country. This was 11 months after it had first been received.

On October 16, 1966, Justice Douglas was exposed as having been on the payroll of the Albert Parvin Foundation, a tax-exempt foundation controlled by a group of Las Vegas gamblers, who likewise are in trouble with the Department of Justice.

Let us review the chronology of Justice Fortas' $20,000 fee from the Wolfson Foundation.

I ask unanimous consent to have printed in the RECORD immediately following my remarks the article appearing in this week's Life and also the article in today's Wall Street Journal which further comments on the Life magazine article of this week.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WILLIAMS of Delaware. Mr. President, on August 11, 1965, Mr. Fortas was confirmed as a member of the Supreme Court.

On January 3, 1966, Justice Fortas accepted a $20,000 fee from the Louis Wolfson Foundation. At that time Mr. Wolfson was under investigation by a Federal agency.

Two months later, in March 1966, the SEC sent to the Justice Department a recommendation for the criminal prosecution of Louis Wolfson and his associate Mr. Gerbert.

On June 14, 1966, Justice Fortas was a guest at Louis Wolfson's home in Florida.

In August 1966 the Department of Justice began to present testimony to the Federal grand jury.

September 19, 1966, Messrs. Wolfson and Gerbert were indicted on charges involving the Continental Enterprise stock.

On October 16, 1966, the first scandal involving payments to members of the Supreme Court broke in the national press. This was a charge that Justice Douglas had been on the payroll of the Albert Parvin Foundation, a foundation established by a group with extensive gambling interests in Las Vegas and that he was still on the payroll of that foundation at around $12,000 per year.

October 17, 1966, the story regarding payments to Justice Douglas was referred to by several other Members of Congress and me, and the press, in editorials throughout the country, denounced this questionable policy.

I ask unanimous consent that a copy of the article as appearing in the Washington Post of October 16, 1966, be printed immediately following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. WILLIAMS of Delaware. On that same date, October 17, 1966, I directed a letter to Chief Justice Earl Warren calling his attention to these charges against Justice Douglas and asking for his comments as to the policy of the Court.

On October 31, 1966, Chief Justice Warren replied and took the position that since this was a personal matter involving Justice Douglas he was enclosing a copy of a letter which he had received from Justice Douglas on the same date defending his action.

I ask unanimous consent that my letter of October 17 as addressed to Chief Justice Warren and his reply thereto of October 31 and Justice Douglas' letter of the same date as addressed to the Chief Justice be printed following the previous insertions.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. WILLIAMS of Delaware. Mr. President, As a sample of the editorial comment on Justice Douglas' being on the payroll of these Las Vegas interests I ask unanimous consent that there be printed following the previous insertions an article which appeared in the Los Angeles Times of October 19, 1966. I quote the last two paragraphs of that editorial:

> Other members of the Supreme Court thus far have not commented upon the Douglas case, but they cannot remain silent. His conduct and the standards of conduct for all members of the court can no longer be ignored.
>
> If the justices fail, Congress must act to assure that the integrity of the Supreme Court is not compromised.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. WILLIAMS of Delaware. Mr. President, it was not until then, after Justice Douglas had been exposed, that Justice Fortas reexamined his conscience, and on December 22, 1966, refunded the $20,000 fee—a fee which he never should have accepted in the first place.

It should be emphasized at this point that Justice of the Supreme Court are lifetime appointments and that their present salary is $60,000 per year with the further benefit that upon retirement they continue to draw this full salary for the remainder of their lives—no contributions are deducted from their salaries for the pension fund. This adequate salary with its liberal pension is awarded to the members of the Supreme Court on the premise that they are to be isolated from the need for accepting fees or retainers and free from being obligated to any individual or group of individuals. There is no excuse for the members of the Supreme Court to accept these outside legal fees on the basis of financial need, and most certainly their acceptance violates the moral standard of ethics that we expect from men holding these high positions.

The mere fact that Justice Fortas takes the same position that did Justice Douglas—namely, that they still see nothing wrong with what they did—causes one to assume that they will do it again, only hoping that the next time they will not get caught.

Payments by these foundations to any public official who is serving either as a member of the Court, or in some other capacity, are wrong, and they cannot be condoned.

They represent an additional danger in that since contributions made to these foundations are under our existing tax laws a deduction from the contributors' taxable income; therefore when lawyers are retained and paid through a foundation such lawyer fees are in effect being deducted from the taxable income of the individuals.

Let there be no misunderstanding, payments made by any tax-exempt foundation to public officials are made with one thought in mind; and that is, some service will be rendered. Surely no public official capable of holding public office is so naive as not to understand that reasoning.

This practice has got to stop and accordingly I am today introducing a bill which will: first, repeal the tax-exempt status of any foundation which makes or offers to make a payment—of any kind or description either under the guise of honorariums, grants, payment of trips, retainers, fees, and so forth—to any public official either at the Federal or at the State level or to any member of the courts—either Federal or State courts—while such public official is in office, or which makes any such payments to a Federal or State official during the 2-year period following his retirement from such public office or position on our courts, and, second, this bill also provides an additional penalty for the judge or public official who accepts such payments while in office or who accepts a paid position with a tax-exempt foundation during the 2 years following his retirement from public office in that in addition to the normal income taxes, the full amount of all such fees will be taxable at a 100-percent rate. In other words, 100 percent of whatever fees are accepted from such foundations by a public employee must automatically be

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turned over to the Federal Government, and in addition, the foundations making such payments would lose their tax exemption.

This proposal is being introduced today as a bill, but it will be reintroduced as an amendment to the first appropriate bill that comes over from the House. Therefore I am suggesting that any foundation that objects to this bill contact the Senate Finance Committee requesting an opportunity to testify, at which time they can explain why they support payments being made to public officials.

I ask unanimous consent that following the earlier insertions there be printed an article as appearing in the Los Angeles Times of April 16, 1968, entitled "Las Vegas Case Stuns Federal Racket Busters."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 5.)

Mr. WILLIAMS of Delaware. Mr. President, following this article I ask unanimous consent to have printed in the RECORD, two articles, as appearing in the April 28, 1969 and May 2, 1969 issues of the Wall Street Journal, further commenting in the manipulations of the Parvin-Dorman stock transactions.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 6.)

The PRESIDING OFFICER. Does the Senator introduce his bill?

Mr. WILLIAMS of Delaware. I send to the desk the bill, and ask for its appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

EXHIBIT 1

[From Life magazine]

FORTAS OF THE SUPREME COURT: A QUESTION OF ETHICS—THE JUSTICE AND THE STOCK MANIPULATOR

(By William Lambert)

On Tuesday, April 1, the Supreme Court of the United States shut the door on an appeal by financial manipulator Louis Wolfson and his longtime associate, Elkin "Buddy" Gerbert. It was very nearly the last hope of the two men to set aside the first of two convictions for violating U.S. securities laws. In the announcement of denial of the writ, one of the Justices, Abe Fortas, was noted as "recused," a lawyer's expression meaning he declined to take part in the decision.

On the surface, the recusal seemed usual and proper, for it was widely known that the Justice's former law firm—Arnold, Fortas & Porter—had represented a Wolfson company, New York Shipbuilding Corp., while Fortas was a member of the firm. Moreover, after Fortas had ascended to the bench and his name had been scraped off the law firm's door, Arnold & Porter had represented Gerbert in his two criminal trials with Wolfson. Actually, quite apart from the actions of his former firm, Justice Fortas had reason to abstain from judging Louis Wolfson.

In an investigation over a period of several months, Life found evidence of a personal association between the Justice and Wolfson that took place *after* Fortas was seated as a member of the nation's highest tribunal.

The basic facts are simple: While a member of the High Court, Fortas was paid $20,000 by the Wolfson Family Foundation, a tax-free charitable foundation set up by Wolfson and his brothers. Ostensibly, Justice Fortas was being paid to advise the foundation on ways to use its funds for charitable, educational and civil rights projects. Whatever services he may or may not have rendered in this respect, Justice Fortas' name was being dropped in strategic places by Wolfson and Gerbert in their effort to stay out of prison on the securities charge. That this was done without his knowledge does not change the fact that his acceptance of the money, and other actions, made the name-dropping effective.

Justice Fortas ultimately refunded the money to the foundation—but not until nearly a year after receiving it. By that time Wolfson and Gerbert had been twice indicted on federal criminal charges.

Wolfson is no stranger to litigation. He began his rise in financial circles in the 1930s when he took over the family junk business his immigrant father had built. By the early '50s his tall, lean figure and ruggedly handsome face, which shows some marks of youthful experience as a professional boxer, was a familiar sight at various corporate board meetings and on the newspaper financial pages. He took over the Washington, D.C. transit company and siphoned off its rich capital reserves. He nearly succeeded in gaining control of Montgomery Ward, but was narrowly beaten in a proxy battle. At one time he was the largest shareholder in American Motors, and when he sold out his position, he got embroiled in a dispute with the government over making "false and misleading statements." A prominent financial writer called him "the biggest corporate raider of all time."

On his part, Fortas was a well known figure in legal circles—and a high-powered political operator as well—long before he was appointed to the Court. As a leading partner in one of Washington's most prestigious law firms before his elevation to the bench, he is widely considered to be more than comfortably rich. He is acknowledged a brilliant legal scholar and also a violin virtuoso and a connoisseur collector of art and antiques.

From Lyndon Johnson's days as a congressman through his term as President of the United States, Fortas was counsel and close confidant. In 1964, when Johnson aide Walter Jenkins ran afoul of the law, it was Fortas (along with Clark Clifford) who tried to get the newspapers to suppress the story. If a person had to see the President, Fortas was the man who could arrange it. If the President wished to fend off influential tormentors—including the press—Fortas frequently was dispatched to do the fending.

Fortas continued to advise and do favors for President Johnson after he took his seat on the Supreme Court in October, 1965. That extrajudicial activity finally got him in trouble and cost him the job of Chief Justice.

When Johnson nominated him to succeed Earl Warren last June 26, 1968, Fortas had to face a not altogether friendly Senate Judiciary Committee. Some Republicans wished to hold the job open for a possible Republican appointment; conservative senators attacked Fortas for his liberal positions on criminal law and censorship. But there were also considerations which seemed germane to his judicial fitness.

His cronyism with the President bore on the doctrine of separation of powers among the branches of government. There were accusations that Justice Fortas had been functioning as a conduit for presidential wrath against friends who opposed his policies; that Fortas had tried to arrange appointments to the State Department and the federal bench; that he had functioned as a presidential consultant on various problems and position papers. He irked some senators by declining to comment on certain aspects of these matters.

The issue of his appointment approached a climax when a newspaper revealed that Fortas had accepted $15,000 for lecturing at American University's Washington College of Law. Such compensation (though overlarge) was not in itself criticized; but when it developed that Fortas' former law partner, Paul Porter, had solicited funds for the lectures from five of his or Fortas' influential friends, consternation prevailed even among Fortas supporters. One contributor was Troy Post, a wealthy Texan and Fortas friend whose son had been helped by Porter after an indictment for mail fraud. Another was Maurice Lazarus, who at one time sat with Fortas on the board of Federated Department Stores. Others were investment bankers Gustave Levy and John Loeb and New York lawyer Paul Davis Smith.

Critical senators were eager to press questioning about the fund and other matters. But on Sept. 13, in a letter to the chairman, Fortas declined to appear again before the committee; and on Oct. 2, 1968, at Fortas' request, President Johnson withdrew his nomination.

Fortas' personal association with corporate tycoon Wolfson appears to have begun about four years ago. Wolfson himself recalls that Milton Freeman, a partner in Arnold, Fortas & Porter and a highly skilled securities lawyear, was active in his behalf as early as December 1964 in regard to his growing difficulties with the Securities and Exchange Commission. Fortas himself says that apart from the firm's representation of one of Wolfson's companies since May or June, 1965, his "only 'association' with Mr. Wolfson had to do with conversations beginning when I first met him in, 1965, in which he told me of the program of the Wolfson Family Foundation. . . ."

This statement is contained in a letter to Life written in response to a request for a meeting where he would be given an opportunity to explain any information in Life's possession that might be construed in any way as an impropriety on his part. The request was turned down. "Since there has been no impropriety, or anything approaching it, in my conduct, no purpose would be served by any such meeting," Fortas wrote.

It is not easy to pin down the exact extent of the Wolfson-Fortas relationship, nor has Life uncovered evidence making possible a charge that Wolfson hired Fortas to fix his case. But the conflicting accounts of participants (some of whom refuse to tell all or anything), coupled with the findings of Life's independent investigation, yield certain facts.

On Jan. 3, 1966, three months after Fortas was sworn in as Associate Justice, a check for $20,000 was drawn to him personally on a Jacksonville, Fla. bank account of the Wolfson Family Foundation, and signed by Gerbert as foundation treasurer. It was endorsed with the Justice's name and deposited in his personal—not his old law firm's—bank account.

In February, Alexander Rittmaster, a Wolfson business associate who later was to be indicted with him, asked Wolfson what he was doing about the Securities and Exchange Commission's investigation, then at least 15 months in progress. Rittmaster said Wolfson told him it was going to be taken care of "at the top," and that the matter wouldn't get out of Washington. He also said that Fortas was joining the foundation.

On March 14, the SEC forwarded a report to the Justice Department in Washington and to U.S. Attorney Robert Morgenthau in New York. The report, highly classified, recommended criminal prosecution of Wolfson and Gerbert. The charge was that they conspired to unload secretly their control shares in the Wolfson-dominated Continental Enterprises, Inc., by failing to publicly register their projected stock sales. (The SEC investigation showed they realized $3.5 million from the sale, after which the remaining stockholders found their shares had dropped from $8 to $1.50).

On June 10, the SEC forwarded to Morgenthau's office another report, also classi-

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fied, recommending prosecution of Wolfson, Gerbert, Rittmaster and two other Wolfson associates, Joseph Kosow, a Boston financier, and Marshal Staub, president of the Wolfson-controlled Merritt-Chapman & Scott Corp. The charges: buying secretly, in violation of securities laws, $10 million in Merritt-Chapman stock and selling it back to the company for a $4 million profit.

This was a particularly trying period for Wolfson. Government lawyers believe he learned almost immediately that the criminal reference reports had been forwarded to the Justice Department. He had clearly not expected this development. (Later, in support of a defense motion, Dr. Harold Rand of Miami indicated that those troubles had aggravated Wolfson's heart condition: "In June, 1966, Mr. Wolfson had several bouts of severe substernal pain and heaviness on his chest after prolonged long-distance calls of distressing news from meetings.")

On June 14, the day after the Supreme Court had gone into a week's recess, Justice Fortas flew to Jacksonville. Gerbert met him at the airport and drove out to Wolfson's elegant Harbor View Farm near Ocala, where Wolfson runs one of the largest Thoroughbred horse-breeding spreads in the country.

On June 15, while Fortas was a house guest at Harbor View, the SEC's long-feared investigation finally came to public attention. An SEC attorney indicated what was up when he asked a New York State judge to hold up settlement of several stockholders' suits against Merritt-Chapman directors pending results of the SEC study.

The next day Fortas returned to Washington.

Later that month (the exact date is in question), Wolfson told Rittmaster—according to Rittmaster—that Fortas was "furious" because the SEC had reneged on a pledge to give the Wolfson group another hearing before forwarding a criminal reference report. Rittmaster said he was further reassured by Gerbert that there was no need to worry, that Fortas had been at the horse farm to discuss the SEC matter and that it was to be taken care of.

On July 18, Wolfson wrote a long letter to Manuel Cohen, SEC chairman, complaining, among other things, that "I had understood from my counsel that before the investigation was concluded responsible officials of the SEC would give us a chance to fully explain the results of the investigation." He asked that the criminal reference report be recalled to Washington, and that his associates and counsel be given a chance to appear.

On Aug. 16, 1966, a federal grand jury in Manhattan began to take testimony in its investigation.

On Aug. 19, when Wolfson was under oath before the grand jury, Assistant U.S. Attorney Michael Armstrong recalled the letter to Cohen, and offered Wolfson an opportunity to be heard. Now, Wolfson took the Fifth Amendment.

On Sept. 8, before the same grand jury, Prosecutor Armstrong asked Merritt-Chapman President Staub this question: "Have you had any discussions with anybody relating to this grand jury investigation and to the effect that the investigation was going to come to a halt as a result of influence used in Washington?"—at which point *Staub* took the Fifth, and Armstrong lectured him that Washington influence would have no effect on the grand jury's deliberations. (Later, in arguing before the U.S. Circuit Court of Appeals against a defense contention that Armstrong's question was improper, Assistant U.S. Attorney Charles P. Sifton queried, "And I would ask where *else* such a warning can be given, where the government has reason to believe—as it had in this case—that pressure was being brought?")

On Sept. 1, Wolfson and Gerbert were indicted in the Continental Enterprises case.

On Oct. 18, Wolfson, Gerbert, Kosow, Rittmaster and Staub were indicted in the Merritt-Chapman & Scott case on charges of conspiring to obstruct the SEC investigation. Wolfson and Gerbert were also indicted for perjury.

On Dec. 22, Fortas drew a personal check for $20,000 on his own bank account, payable to the Wolfson Family Foundation, thus paying back the money he had received from the Wolfson foundation more than 11 months earlier.

Attorney Paul Porter, as Fortas' spokesman, told Life that the $20,000 was paid to Justice Fortas after Wolfson asked Fortas to help trustees of the foundation outline future charitable and scholarship programs for the fund. Porter affirmed that the money was paid to Fortas personally, not the law firm; that he—Porter—understood "a secretary" put it in Fortas' bank account, and that it was later refunded by the Justice "because Abe had a whole sackful of petitions for writs; the business of the Court took so much of his time he couldn't do the work for the foundation."

Fortas' interest in the foundation, Porter said, stemmed from his long-time involvement in charitable activities and his interest in education—the foundation had a program for granting scholarships for theological studies. He said Fortas made two trips to Florida to meet with foundation trustees, one before he went on the bench and the other after he became Associate Justice.

Mrs. Fortas—Carolyn Agger, as she is known in her role as tax attorney and partner in Arnold & Fortas—gave an account to a government agent which corroborated Porter's account in most respects, but in addition suggested that her husband's role was that of advising the trustees on possible civil rights projects.

The question arises: Aside from legal advice, what manner of counseling service could Fortas perform for the foundation that would justify a $20,000 fee? In the light of other recorded foundation expenditures, the amount seems generous in the extreme.

In its 1956 fiscal year, the foundation's gross income from capital investment was $115,200. Its outlay for expenses was $9,300 and included taxes, interest and $415 in miscellaneous costs. Its total grants for charity, scholarships and gifts came to $77,680. A $20,000 item—apparently the Fortas fee—was identified as "exchange" and was listed on the foundation's federal tax information return as an asset. One accountant said it appeared to be a prepayment for service expected to be rendered. The item disappears on the 1967 return, which would indicate Fortas' repayment.

In his letter to Life, Fortas fails to mention the payment at all, nor does he concede discussing foundation matters in any way with Wolfson. He says only that he was "told" by Wolfson of the foundation's works and admits being present at Wolfson's horse farm near Ocala, Fla. in June 1966, while *others* discussed the charitable programs.

The letter stated: "Mr. Porter, of Arnold & Porter, has told me you are interested in obtaining a chronology, and I am glad to send you the following information: The firm with which I was associated before I became a justice of this Court was retained by one of Mr. Wolfson's companies in May or June 1965, as I remember. I was nominated as an Associate Justice of the Supreme Court in July of 1965, and took office in October. I began reducing my activities in the firm after the nomination, pending actually taking office, and most of the work on the account was done by others in the firm. If you are interested in more information on this subject, Mr. Porter has access to the facts and can presumably answer any questions concerning this that may be appropriate. I understand he has offered to do so.

"Apart from this, my only 'association' with Mr. Wolfson had to do with conversations beginning when I first met him in 1965, in which he told me of the program of the Wolfson Family Foundation in Jacksonville to promote racial and religious understanding and co-existence and to provide financial assistance, on a nondenominational basis, to candidates for the clergy.

"In June of 1966," the Fortas letter to Life continues, "I had the pleasure of a brief visit to Mr. Wolfson's famous horse farm, and during that trip to Florida I was present at a meeting of the Wolfson Family Foundation during which some of those present described some of its programs and, as I recall, discussed some of the pending scholarship applications. I did not, of course, participate in any of Mr. Wolfson's business or legal affairs during that visit, nor have I done so at any time since I retired from law practice. In fact, my recollection is that Mr. Wolfson himself was not present at the meeting of the Family Foundation."

Wolfson's reputation and his troubles with the SEC were well known in financial and legal circles. Fortas' questionable association with such a man was rendered even more serious by the fact that money passed between them. And if Rittmaster is to be believed—that Wolfson and Gerbert were using Fortas' name to calm their troubled co-conspirators and keep them from cooperating with government prosecutors—the relationship had far more serious implications. Rittmaster's story was unfolded to the government in August 1966. (Later, he was to testify for the government in the Continental Enterprises case.)

Rittmaster told government investigators of pressures supposedly brought by Wolfson to stop the criminal proceedings, and Fortas' name quickly arose. Rittmaster said Gerbert had told him that he—Gerbert—had picked up Fortas at the airport and driven him to the Wolfson farm, and that Fortas *had discussed* the SEC problems. Fortas himself had made Rittman's claim credible—he was in Ocala. Assistant U.S. Attorney Armstrong, obviously skeptical, dispatched the chief investigator in the Wolfson cases, SEC financial analyst Stuart Allen, to Florida, ostensibly to interview other prospective witnesses. Allen affirmed that the Justice had made the trip from Miami to Jacksonville on the date in question. He found a round-trip ticket to Jacksonville in Fortas' name in the files of Eastern Air Lines in Miami.

Other aspects of Rittmaster's story were also checked. The government attorneys finally concluded he was telling the truth.

Then they began to worry: there was, on the basis of Rittmaster's account, an outside possibility that Fortas himself might appear as a witness and testify that while in private practice he might have suggested to Wolfson that the financier had no legel problem in his handling of Continental Enterprises stock. Wolfson's defense, in essence, was ignorance of the law. If he could plead that he acted improperly with *advice of counsel,* and if a Supreme Court Justice then backed him up, the government's case might go down the drain. It is a measure of how seriously government prosecutors regarded the Wolfson-Fortas relationship that they viewed this as a serious contingency, and were prepared, if necessary, to cross-examine Justice Fortas.

The government still had to get the Merritt-Chapman case to trial, and here again there is no doubt that Fortas was regarded as a possible factor in the defense.

When that case came to trial nine months later, with Assistant U.S. Attorney Paul Grand heading the prosecution, Rittmaster walked into the courtroom and pleaded guilty, and the court was told that he would be a witness for the government against Wolfson and Gerbert. The jury apparently believed Rittmaster's testimony—an important consideration in weighing the credibility of his accounts of the Wolfson-Gerbert uses of Fortas' name—and voted conviction. (Without Rittmaster's testimony, the prose-

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cution later conceded, the government would have lost its case.)

When Wolfson appeared for sentencing in the Merritt-Chapman case, Prosecutor Grand recalled to the court Rittmaster's testimony that Wolfson had said "if he had to he would go as far as Capitol Hill to see that nothing happened, and that at most these people would receive only a slap on the wrist."

Grand told the judge: "Mr. Wolfson, as the evidence indicates, stood ready to use what power and what influence he had, even beyond his own perjury, to prevent the investigation from proceeding."

It remained for Wolfson himself to have the last word. In an interview with a *Wall Street Journal* reporter, just days before he went to prison, the embattled industrialist said that through political connections he could have gotten a pardon from President Johnson last December if he had asked for it. He told the reporter he received that assurance "from somebody who is as close as anybody could be" to Mr. Johnson.

But, said Wolfson, he turned down the offer. He didn't want any favors.

[From the Wall Street Journal, May 5, 1969]

WRONGDOING DENIED—FORTAS LANDS IN CONTROVERSY AGAIN OVER WOLFSON FOUNDATION'S CHECK

(By a Wall Street Journal staff reporter)

WASHINGTON.—Supreme Court Justice Fortas again found himself embroiled in controversy, after Life magazine reported that he accepted and subsequently returned a $20,000 check from a charitable foundation established by financier Louis Wolfson.

Mr. Fortas stated yesterday the check wasn't connected with any wrongdoing.

Mr. Fortas had been the subject for stormy Senate hearings after President Johnson nominated him for Chief Justice, and the Senate refused to confirm him. This time, the controversy creates complications of several kinds for the Nixon Administration.

Wolfson and an associate, Elkin B. Gerbert, were convicted of violating the securities laws by selling unregistered stock of Continental Enterprises Inc. Wolfson was sentenced to a year in prison and a $100,000 fine.

The Supreme Court, without Justice Fortas participating, on April 1 refused to review the conviction. On April 25, Wolfson began serving his sentence at a minimum-security Federal prison camp in his home state of Florida.

USE OF NAME CHARGED

Life said it hadn't "uncovered evidence making possible a charge that Wolfson hired Fortas to fix his case." But the magazine charged that, "whatever services he may or may not have rendered to the foundation," Mr. Fortas' name was "dropped" by Wolfson and Gerbert "in their effort to stay out of prison."

Earlier, in an interview with The Wall Street Journal just before he went to the prison camp, Wolfson said he could have obtained a pardon from former President Johnson relieving him of the sentence. He didn't say who had offered the pardon, but asserted the offer came "from somebody who is as close as anybody could be" to Mr. Johnson.

Justice Fortas, closeted in his Supreme Court office yesterday, refused to see reporters but issued a statement saying that he didn't believe the fee tendered him by the Wolfson family foundation was motivated by "any hope it would induce me to intervene on Mr. Wolfson's behalf." Justice Fortas also declared that "at no time have I spoken to or communicated with any official about Mr. Wolfson, whether with respect to a pardon or his criminal cases."

Members of the Wolfson family couldn't be reached for comment.

The Supreme Court's press officer, who distributed the Fortas statement, was asked by reporters whether Mr. Fortas was going to resign from the Court, and he replied, "not to my knowledge."

COMPLICATIONS FOR NIXON

The Life magazine charges Wolfson's statement to this newspaper and Justice Fortas' response all add up to complications for the Nixon Administration.

The Justice Department, for instance, issued a short but carefully worded statement. It said the department "is aware of the content of the article in Life magazine and currently has the matter under consideration."

The statement was drafted with care because, even if the department concludes that Justice Fortas engaged in something more than impropriety, it's uncertain what steps could be taken. Lawyers aren't sure, for example, whether under the Constitution the Executive Branch could institute a normal kind of legal action against a Supreme Court Justice, or whether impeachment would be the sole course available. If so, they don't know for sure whether the Executive Branch could recommend impeachment to Congress.

The Fortas-Wolfson matter also complicates President Nixon's task regarding the Supreme Court.

NOMINATION DUE SOON

Mr. Nixon soon will nominate a new Chief Justice to succeed Earl Warren. President Johnson last year proposed to elevate Justice Fortas to Chief Justice, succeeding Mr. Warren, but the Senate, after stormy hearings, didn't confirm Mr. Fortas. Thus, the nomination falls to Mr. Nixon.

Senators who succeeded in blocking Mr. Fortas' confirmation as Chief Justice recited a long list of objections to him. A principal objection of Senate conservatives was Mr. Fortas' voting record, as an Associate Justice, in favor of decisions widening the rights of the criminally accused and narrowing police powers. But the nomination also brought forth charges of "cronyism," stemming from President Johnson's long and close personal relationship with Mr. Fortas. And some Senators raised questions about Mr. Fortas' personal conduct, such as his role in advising President Johnson on a variety of matters at the time he was sitting on the High Court.

President Nixon hasn't given any hint of whom he will nominate, but Senate aides predict that because of the protracted and bitter fight over the Fortas nomination, the Senate will ponder any Nixon nominee long and hard. The Fortas-Wolfson affair almost certainly will prompt many Senators to examine the Nixon nomination even longer and harder.

An additional complication may concern Mr. Fortas himself. Ever since the Senate refused to confirm him as Chief Justice, rumors have persisted that he would resign from the High Court, sooner or later. If Mr. Fortas entertained thoughts of resigning, however, it seems highly unlikely that he voluntarily would leave while under attack in the Wolfson matter.

At the moment, it's certain only that Justice Fortas received a fee from the Wolfson Foundation and returned it and that, whatever caused Mr. Fortas to do what he did, Wolfson was convicted and wasn't pardoned. But it's also true that many Washington scandals result from the appearance of wrongdoings, without the allegations ever being proved.

FEE FOR STUDIES, ADVICE

Life magazine said, and Justice Fortas' statement yesterday seemed to confirm, that Mr. Fortas and Wolfson first met in 1965, the year before President Johnson named Mr. Fortas to the Supreme Court. Mr. Fortas then was a partner in the Washington law firm of Arnold, Fortas & Porter, which was retained by one of Wolfson's companies. According to Mr. Fortas, it was in 1965 that he met Wolfson and discussed with him the Wolfson foundation's work in racial and religious relations. The fee was for studies and advice in these matters, Mr. Fortas said.

According to Life, another partner in the firm in late 1964 first began to represent Wolfson in his difficulties with the Securities and Exchange Commission.

Life reported this sequence of events: On Jan. 3, 1966, after Mr. Fortas had gone on the High Court, the Wolfson foundation wrote a $20,000 check payable to the Justice. The following month, Alexander Rittmaster, then a Wolfson associate, asked what was being done about the SEC investigation, and Wolfson allegedly replied that the SEC matter would be taken care of.

March 1966, the SEC sent to the Justice Department a recommendation for criminal prosecution of Wolfson and Gerbert. On June 14, Mr. Fortas visited Wolfson's home in Florida. That same month, according to Life, the SEC's investigation began to come to public attention.

In August, the Justice Department began to present testimony to a Federal grand jury. On Sept. 19, the grand jury indicted Wolfson and Gerbert on charges involving Continental Enterprises stock. And on Dec. 22, Justice Fortas returned the $20,000 check to the Wolfson foundation.

LIFE SOUGHT LETTER

Life said it asked for and received from Mr. Fortas a letter explaining the Justice's role in the events. In the letter, according to Life, Mr. Fortas confirmed that he visited the Wolfson home in Florida in June 1966 and asserted that during the visit he discussed foundation affairs and didn't talk about Mr. Wolfson's legal troubles.

In his statement to the press yesterday, Mr. Fortas distinguished between his personal interests in racial and other matters of concern to the foundation and his work as a member of the Supreme Court.

He said in the statement that the foundation's work in racial and religious areas "is an area in which I have and have had a continuing interest apart from my official judicial or legal functions."

He didn't say how much he received from the foundation or how long he retained the amount. But he explained that the foundation in 1966 "tendered a fee to me . . . in the hope that I would find time and could undertake, consistent with my Court obligations, research functions, studies and writings connected with the work of the foundation." He said that he later returned the fee, "with my thanks," because he concluded "I could not undertake the assignment."

The statement didn't say why he decided he couldn't undertake the work for the foundation.

But Mr. Fortas emphasized that he hadn't any reason to believe, and still doesn't believe, that the fee was motivated by an expectation on Wolfson's part "that it would induce me to intervene or make representations on Wolfson's behalf."

Mr. Fortas said he had never given Wolfson, Wolfson's associates or his foundation "any legal advices or services, since becoming a member of the Court."

EXHIBIT 2

[From the Washington (D.C.) Post, Oct. 16, 1966]

VEGAS-LINKED FUND PAYS JUSTICE DOUGLAS

(By Ronald J. Ostrow)

An unusual situation involving Supreme Court Justice William O. Douglas has come to light bearing upon the broad issue of a judge's sources of income and outside activity.

The uncontested facts are these:

Douglas receives $12,000 a year from the tax-exempt Albert Parvin Foundation that derives much of its income from a mortgage on a Las Vegas hotel and gambling casino.

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A principal asset of the Foundation is an interest in the first mortgage on the Hotel Flamingo. Albert B. Parvin, chief benefactor of the Foundation, has an interest in three other Las Vegas gambling casinos.

Based in Los Angeles, the Foundation supports fellowship programs for students from underdeveloped nations to study at Princeton University and UCLA as a means of promoting international peace and understanding.

The Foundation's board of directors includes two of the Nation's best-known educators—Robert M. Hutchins and Robert F. Goheen. Hutchins, former president of the University of Chicago, now heads the Center for the Study of Democratic Institutions in Santa Barbara, Calif. Goheen is president of Princeton.

Douglas, however, according to the Foundation's tax returns, is the only official of the organization to receive regular compensation.

Douglas, in an interview, said the $12,000 a year is assigned to him "largely as an expense account" for trips in connection with Foundation work. He said drawing the funds, almost one-third of his annual $39,000 salary as a Justice, raises no ethical question in his mind.

Douglas has been with the Foundation, which he serves as president, since its formation in 1960. But the allowance did not begin until about 1962. It was instituted over Douglas' strenuous objections, according to Parvin, a Los Angeles businessman.

Douglas said that expenses he incurs in serving the Foundation are "pretty close" to the $12,000. According to Parvin, the Foundation asks for no itemization of Douglas' expenses and the Justice submits none.

In addition to the income it derives from the Flamingo mortgage, the Foundation has another, less direct link with Las Vegas—stock in Parvin-Dohrmann Co., which was donated by Parvin and other individuals.

CLIENTS ON STRIP

Parvin is president and chief executive officer of Parvin-Dohrmann, a Los Angeles concern that specializes in furnishing restaurants and hotels. Its top clients include major hotels on the Las Vegas Strip.

Last July, the company, after nearly a year of intense negotiations, acquired the Fremont Hotel and gambling casino in Las Vegas.

Purchase terms provided five-year employment contracts for two officers of the Fremont, Edward Levinson and Edward Torres. Their salaries: $100,000 a year each.

Levinson invoked the Fifth Amendment privilege against possible and self-incrimination in 1964 and raised other objections in refusing to answer questions of the Senate Rules Committee investigating the dealings of Bobby Baker, former secretary to the Senate Democrats.

Regardless of the Las Vegas connection, Douglas' expense account would appear to raise an ethical question that is not clearly answered by the American Bar Association's Canons of Judicial Ethics.

Many observers regard the 36 canons as being far from definitive. The fourth canon, for example, known as the "Caesar's wife" doctrine, says that "a judge's official conduct should be free from impropriety and the appearance of impropriety."

Federal judges are not required to disclose their financial holdings, outside income or activities under present law.

Under existing statutes, they cannot practice law, and they are required to disqualify themselves from ruling on cases in which they have an interest. But assessing personal involvement or interest is left up to the individual judge.

Douglas cited the power to disqualify oneself as a safeguard against conflicts of interest that may arise from any justice's outside activities. He noted that no case involving a company in which the Parvin Foundation has an interest has been before the Court.

Competent authorities on the Nation's judicial system privately expressed concern over details of Douglas' relationship with the Foundation. None of these authorities, however, was willing to speak for the record.

"While I don't think this is entirely proper," said one eminent student of the Supreme Court, "I don't want to say anything that will detract from the popularity of the Court and give ammunition to the 'know-nothings.' The problem with criticizing Justice Douglas is that he's attacked by the wrong people for the wrong reasons."

The Foundation was established in 1960 by Parvin with 75 per cent of the proceeds he realized from the 1959 sale of the Hotel Flamingo. The Foundation's share amounted to between $1.5 million to $2 million, he estimated.

Parvin put together a group to buy the Flamingo in 1954 when the hotel ran into problems in meeting its payments to the furnishing firm that Parvin heads. The group sold the facilities in 1959, but retains a first mortgage.

Parvin recounted how the Flamingo sale led to establishing the Foundation. He said he found himself with $2.5 million and no need for the money.

"I felt I wanted to do something to pay a vote of thanks for the good fortune I had," he said.

On the strength of reading Douglas' books, particularly the volume "America Challenged," Parvin wrote the Justice and told him of his desire to teach people of emerging countries about the American way of life.

Douglas responded; he and Parvin met to discuss plans and select directors, and the foundation was launched.

In addition to Douglas, Hutchins, Goheen and Parvin, the Foundation's board includes Illinois U.S. District Judge William J. Campbell and journalist Harry Ashmore.

Douglas recalled that when he agreed to head the organization he knew its assets included the Flamingo investment. He stressed that the Flamingo is a legitimate enterprise.

But Douglas, 27 years on the High Court and one-time Chairman of the Securities and Exchange Commission, said he thought the interest in the Flamingo "was owned for a brief period, but disposed of by the (Foundation's) finance committee," which he does not serve on.

Known as Parvin Fellows, the Foundation recipients—12 to 16 each year—attend Woodrow Wilson School at Princeton. Most come from Africa, the Middle East and Asia, Douglas said. The Foundation sponsors a similar program at UCLA for Latin Americans.

The two universities select the fellowship recipients. Douglas travels to the campuses to advise the fellows, to bring them to Washington and to make appointments for them with Government officials.

In addition to this work, Douglas also serves as "a sort of clearing house" for the Foundation board in assessing requests for funds. Propoals for as many as 24 to 36 different propects flow into the Foundation each week.

As Parvin recalls, it was after Douglas returned from a trip to South America on Foundation business that the $12,000 first was provided.

The Foundation's board was meeting in Santa Barbara, and Hutchins suggested providing the funds, Parvin said. Despite Douglas' objections, the board voted the money.

The concern of legal observers stems in part from clashes between Federal law authorities and some Las Vegas gambling figures, such as Levinson, who now is employed by Parvin-Dohrmann.

Levinson, who had business dealings with Bobby Baker, has a suit for damages pending against the FBI in a Nevada court, charging that the FBI's bugging of his office invaded his privacy.

The bugging issue already is before the Supreme Court in the appeal of Fred B. Black Jr., a Baker associate who has been convicted of income tax evasion. The Justice Department has admitted the FBI bugged Black's hotel suite.

In Black's petition to the Court he maintains that he telephoned his lawyer from various sites in Las Vegas, including the Fremont Hotel. He alleges that FBI agents may have monitored some of these conversations.

Justices Abe Fortas and Byron White have disqualified themselves in the case, Fortas because he was Baker's lawyer, White because he was a government prosecutor.

EXHIBIT 3

OCTOBER 17, 1966.

The CHIEF JUSTICE,
The Supreme Court,
Washington 25, D.C.

MY DEAR MR. CHIEF JUSTICE: In yesterday's Washington Post there appeared a front-page story alleging that a Las Vegas group has over the past four years been paying Associate Justice Douglas a $12,000 annual fee.

There is a grave question as to the propriety of his accepting such payments, and I would appreciate your reviewing these charges and advising me whether or not the Supreme Court condones such practices and if not, what steps will be taken to protect the integrity of the Court.

Yours sincerely,

JOHN J. WILLIAMS

SUPREME COURT OF THE UNITED STATES,
Washington, D.C., October 31, 1966.

Hon. JOHN J. WILLIAMS,
U.S. Senator,
Washington, D.C.

MY DEAR SENATOR WILLIAMS: This is in reply to your letter of October 17th concerning the association of Mr. Justice Douglas with the Albert Parvin Foundation, a charitable trust under the laws of California. This, of course, is a matter personal to Mr. Justice Douglas.

Since the receipt of your letter and after reading the newspaper article to which you refer, I received a letter from Mr. Harry Ashmore, Secretary of the Foundation, outlining its objectives, organization and activities. He also enclosed a commendatory article concerning the Foundation, dated November 8, 1964, which appeared in the Los Angeles Times, the same newspaper which initiated the recent critical article referred to by you. I am enclosing a copy of Mr. Ashmore's letter and the enclosures.

Mr. Justice Douglas has written me, for the information of the Court, a statement of the purposes of the Foundation and expressing his pride in its humanitarian accomplishments. He has advised me that he has no objection to my making it available to anyone who might be interested, and I enclose it herein.

I feel that these communications shed considerable light on the newspaper article to which you refer, and that you should have them.

Sincerely,

EARL WARREN.

SUPREME COURT OF
THE UNITED STATES,
Washington, D.C., October 31, 1966.

MY DEAR CHIEF JUSTICE: In light of some recent vicious press articles concerning me and the Parvin Foundation, I thought you and the Brethren should know what the truth is. The Secretary of the Foundation, Harry Ashmore, has released a statement summarizing in skeleton fashion the basic facts concerning the Foundation, and I attach herewith a copy of that statement. But I wish to amplify it so that you will have a clear idea as to the origin and nature of the work and functioning of the Foundation and my relationship to it.

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There has been criticism of the portfolio of the Foundation. Except for minor items, the selection of the portfolio was made solely by Mr. Parvin and was transferred by him to the Foundation as an irrevocable gift. Moreover, the Foundation has no connection with the operation of any enterprise whatsoever.

Let me also say that there has been no conflict whatsoever between the Foundation and my work on the Court. Historically, many Justices have had outside connections or activities—as a trustee or overseer of a college, as a professor of law or as a lecturer or author, as the owner of securities in a corporation. Every single Justice has been meticulous in observing the fundamental principle that he will not sit in a case in which he has a direct or even indirect interest. The only exception, I believe, is the one worked out during Justice Brandeis' regime when, as he told me, the Justices decided not to withdraw from a case involving an insurance company merely because they held a life or accident policy in that company. Nothing coming before the Court has involved matters in which the Foundation has had even an indirect, remote interest.

The formation of the Foundation goes back to the Walter E. Edge Lectures which I delivered at Princeton in 1960. They were published by the Princeton University Press in a book entitled "America Challenged." Albert Parvin of Los Angeles read the book, and it apparently put together in his mind some ideas he had had for combatting the forces of communism at the world level. He decided to form a Foundation directed to that end.

The Foundation was created under California law and its income has been dedicated primarily to phases of the international situation.

The first project we undertook was at Princeton, where originally ten Parvin Fellowships were established. Men between the ages of 25 and 35 were brought in from Africa, the Middle East, and Asia for a year's study at the Woodrow Wilson School. We chose men in government, in journalism, in education, our hope being that after exposure to both the theory and the practical operations of a free society, they would return to their own countries with new insight into how the forces of communism could be combatted.

We have been very proud of their achievements. Many of them have already moved into important positions in their native countries, and we are confident that over the years we will produce many Prime Ministers, many Secretaries of State, many journalists, many professors, all dedicated to the democratic cause.

The project at Princeton was so successful that we decided to launch a similar one at UCLA. There we decided to take only men and women between 25 and 35 from Latin America. Those who speak English in Latin America usually come from the "uppercrust." We were anxious to reach lower down into the strata where the communists seem to operate most effectively. So we decided to take only those who did not speak English. We bring them to UCLA and give them an intensive English language course first, followed by a year of study in the operations and institutions of the free society. The program, although more recent than the Princeton program, has also had very encouraging and promising results.

We decided to give occasionally an award to the man or woman across the globe who had done the most in that year to promote international peace. We voted a $50,000 award to Hammarskjold, but before he could be presented with it, he died. So we established a trust fund for that amount at the National School of Law and Administration, Leopoldville, where the income from that trust fund is used to give annual lectures in his memory.

The Parvin Foundation developed, with the assistance of the National Association of Broadcasters, of which Governor LeRoy Collins was the head, some 80 TV films for use in the Dominican Republic. These were designed to teach adults how to read and write Spanish through the medium of TV.

We have sent various lecturers into Latin America, speaking to student groups and faculty groups at various universities. We have collaborated with the press of Latin America, trying to inculcate some of the American ideas concerning the requirements of the free press, and we have occasionally made gifts to the Center for the Study of Democratic Institutions at Santa Barbara, primarily in an effort to set up a Dialogue between experts in this country and experts in Latin America. In those various ways we have hoped to contribute to a democratic leadership which offers effective resistance to the spread of the communist ideology in the underdeveloped nations.

We of the Parvin Foundation have been very proud of these educational ventures. As I said before, they have already produced some rich dividends. And if they are continued into the future, as I hope they will be, they will drastically influence the shape of things to come in the underdeveloped nations, many of which have few leaders with roots deep in the democratic society. It must be remembered that in some areas there are few lawyers and no law schools; and in others few university graduates and few schools, if any, worthy of the name of a university.

Our foreign aid has often done good. But if the tides of communism are to be turned back, these underdeveloped nations need primarily dedicated leaders on the democratic front; an it is to that end that the Foundation has directed itself.

I wanted you and the Bretheren to know what this educational venture was, because it has been very much distorted in the press.

As the work and activities of the Foundation increase, I am not sure how much longer I can direct its affairs. But I am very happy that I could help guide its course in those early years, and project its activities into those international fields where there is a great vacuum in which the forces of communism freely operate as I reviewed in my book Democracy's Manifesto.

There has been no conflict whatsoever between these activities and my duties as a Justice. I would have written you earlier but I have been out of the city.

WILLIAM O. DOUGLAS.

EXHIBIT 4

[From the Los Angeles Times, Oct. 19, 1966]

ETHICS AND THE SUPREME COURT

The United States Supreme Court, created as a separate but equal branch of government, exercises the ultimate authority of the judiciary. As the last court of appeal, the final arbiter of constitutionality, the Supreme Court can overrule Congress and the President.

The nine men given that immense power must deliberate and decide free from any outside influence. To assure their independence and impartiality, Supreme Court justices are appointed for life and given a $39,500 annual salary—which continues even after retirement.

Acceptance of outside income by a member of the highest court in the land, therefore, raises grave ethical questions.

Those questions must now be faced in the case of Supreme Court Justice William O. Douglas, who since 1962 has received $12,000 annually in outside expense funds. The Times disclosed Sunday that the money has been paid to Douglas as president of the Parvin Foundation, which is dependent in part upon Las Vegas gambling interests for its financing.

Justice Douglas said that acceptance of the money poses no problem of ethics. The Times disagrees.

So does Sen. John J. Williams (R-Del.), who said Douglas' action "raises a serious question as to whether he should now be permitted to remain on the court."

"To condone the right of any member of the Supreme Court to accept fees from outside clients would be indefensible," declared Sen. Williams, "and it would raise grave questions as to the integrity of the court itself."

The senator challenged the court to respond by asking Chief Justice Earl Warren "what steps will be taken."

No statute or specific rule prohibits a Supreme Court justice from accepting such funds. Douglas' expense account, therefore, was legally—if not morally—defensible. The money, he said, went for his expenses as president of the foundation, which grants fellowships at UCLA and Princeton University for foreign students.

Principal support of the foundation comes from a mortgage on the Flamingo hotel and gambling casino. Albert Parvin, who set up the foundation, also has an interest in three other Las Vegas gambling casinos, including the Fremont.

The Supreme Court now has before it an appeal of tax evasion conviction by Fred Black Jr., a business associate of Bobby Baker and of Edward Levinson, a $100,000-a-year employe of the Fremont Hotel. Levinson is also suing the FBI for invasion of privacy in a case that may reach the Supreme Court.

Other members of the Supreme Court thus far have not commented upon the Douglas case, but they cannot remain silent. His conduct and the standards of conduct for all members of the court can no longer be ignored.

If the justices fail, Congress must act to assure that the integrity of the Supreme Court is not compromised.

EXHIBIT 5

[From the Los Angeles Times, Apr. 16, 1968]

LAS VEGAS CASE STUNS FEDERAL RACKET BUSTERS—U.S. OFFICIALS SAY RESULT OF TAX TRIAL DAMAGES DRIVE AGAINST ORGANIZED CRIME

(By Ronald J. Ostrow and Gene Blake)

WASHINGTON.—Federal racket busters are shocked and demoralized by the sudden and unusual end of a major tax evasion case against Las Vegas casino operators.

These Internal Revenue Service and Justice Department officials said the government's organized crime drive has been damaged by the skimpy results of the case in which operators of two casinos were charged with skimming gambling profits before paying taxes.

These sources, who insisted on remaining anonymous, said they suspected an agreement had been made to end the once-heralded case so one defendant would in turn drop his $2 million bugging suit against the FBI.

The two assistant attorneys general whose Justice Department divisions handled the cases deny there was an agreement or that the cases were related in any way. So, too, does the lawyer for the tax case defendant who brought the damage suit.

NOT CONVINCED

But some inside the Justice Department and IRS are not convinced. They contend it is "just too coincidental" that the suit against the FBI was dropped the day after the criminal case ended.

So obvious is their dismay that Mitchell Rogovin, assistant attorney general in charge of the tax division, met last week at his request to discuss the case with IRS intelligence men who conducted the casino investigation.

"There appeared to be a misunderstanding," Rogovin said. "They felt a lot better

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hearing from me what actually had happened."

The tax evasion case is linked to the organized crime campaign because the government has long maintained that skimmed funds from the casinos are a major source of the underworld syndicate's revenues.

Racket busters note that Henry E. Petersen, chief of the Justice Department's organized crime and racketeering division, did not know the skimming case was being ended until it was all over.

Petersen refused to discuss the subject with a reporter.

"I refuse to talk because I don't know anything about this," he added.

The shock waves began March 28 when two of the seven defendants in the criminal tax case pleaded no contest in federal court in Las Vegas to having helped file a false tax return for their casinos.

The government objected, which is a standard move in such cases, but Judge Roger Foley accepted the plea. He fined Edward Levinson, former president of the Fremont Hotel in downtown Las Vegas, $5,000. Joseph Rosenberg, manager of the Riviera Hotel's casino, drew a $3,000 fine.

OTHER COUNTS

The government then moved to dismiss other counts against Levinson and Rosenberg and the charges against five other men, three of whom were former Fremont stockholder-employes and two Riviera owner-employes.

Two days later Levinson's lawyers filed papers in Nevada State Court dismissing his suit against four FBI agents whom Levinson had accused of invading his privacy by illegally bugging his office.

This suit, filed three years before, greatly embarrassed the FBI. It indicated how pervasive the bureau's electronic eavesdropping had been in Las Vegas. It also helped support claims by Bobby Baker that he was the victim of "massive" government eavesdropping.

Baker, former secretary to Senate Democrats and a protege of President Johnson when he was Senate majority leader, had business dealings with Levinson. Baker has cited the government bugging in defending himself against charges of conspiracy, theft and tax evasion. Baker was found guilty in federal court. His appeal, now pending before the U.S. Circuit Court of Appeals in Washington, is based partly on the bugging.

DAMAGES SOUGHT

At any rate, Levinson's suit was a real thorn to the FBI, partly because it sought money damages from the four agents involved, an attack the Nevada courts had been sustaining.

Edwin L. Weisl Jr., assistant attorney general in charge of the civil division which was responsible for defending the FBI agents, said the first indication that Levinson might drop his suit came in mid-February.

Weisl, son of the Democratic national committeeman from New York, was in Las Vegas in February to argue a motion that would have absolved the agents of financial responsibility for the bugging, an argument the state court rejected. He met there with Levinson's lawyer, Thomas A. Wadden Jr., who he said spoke of entering pleas on behalf of some of the lesser defendants in the criminal case.

Wadden, Weisl said, made no mention of dropping the civil suit against the FBI.

FORMAL DEAL DOUBTED

"I don't think they ever formally approached (the government) with a deal," Weisl said. "It was assumed and understood" that the civil suit would be dropped once the criminal matter was settled.

At that point, Weisl said, he and Wadden agreed to defer argument of other motions pending in the civil suit against the FBI.

Without confirming or denying the substance of the mid-February conversation as recalled by Weisl, Wadden told a reporter there was "no arrangement" to drop the civil suit in return for settling the criminal case.

Weisl said he reported his conversation with Wadden to Rogovin when he returned to Washington.

Rogovin said that because Wadden was both the defense lawyer in the criminal tax case and the plaintiff's lawyer in the civil suit, "we were made aware . . . we knew what was going on."

"They said they were considering dismissing the case," Rogovin said. "We made it eminently clear that this would have no bearing" on the criminal case.

NO DIFFERENCE

Wadden met with Rogovin in the Justice Department on Feb. 28 and March 8.

"I told them at the first meeting that it didn't make any difference" what happened in the civil case, Rogovin said.

"Mitch Rogovin made damn sure I understood that from the beginning . . ." Wadden said.

Then why did Levinson drop his suit against the FBI at that point?

"When the criminal cases went to bed, we wanted to clear the entire matter up," Wadden said. "It just fell that way."

A related suit against Central Telephone Co. for allegedly aiding the FBI in bugging Levinson's office is still pending. It's believed that negotiations have been held to settle the suit out of court.

At their Feb. 28 meeting, Rogovin said Wadden "wanted to know if they pleaded in a certain fashion whether we would go ahead with the trial."

"There were no negotiations," Rogovin said. "We merely told them what would be appropriate."

Rogovin would not disclose what plea Wadden mentioned at their first meeting, but said that it "was not satisfactory".

"After the March 8 meeting," Rogovin was asked, "Did Wadden know you would drop the other counts if Levinson and Rosenberg pleaded no contest?"

WOULD BE SATISFIED

"We told them we wanted them to plead guilty and would object to a nolo (no contest plea)," Rogovin said. "It was clear we were going to be satisfied if two people pleaded guilty to a felony."

"For all practical purposes," Rogovin said, a no contest plea "is like a sentence of guilty."

Why didn't the government proceed with the charges against the other defendants? Would not this have been more of a deterrent against skimming?

"The indictments went to the heart of the question—whether there was skimming in these two hotels," Rogovin said. The case "satisfactorily demonstrated there was skimming."

TWO CONVICTED

Rogovin recalled that state officials and the defendants were claiming there was no skimming in Las Vegas casinos.

"There is. Two men were convicted of it," he said.

"Two men pleaded guilty to a major count. What purpose would the ordeal of a long, arduous trial serve?" Rogovin asked.

He said unhappiness over the case really stemmed from the sentences the two men drew, not from his division's handling of the case.

Rogovin conceded he, too, was "disappointed" that the sentences were not stronger, but not surprised.

His division did an 11-page study of Judge Foley's record in tax cases. In 14 of them over the last six years, "he has given a jail sentence once," Rogovin said.

Rogovin is convinced the government's handling of the case was "proper." He said Atty. Gen. Ramsey Clark and Petersen's boss, Fred Vinson, assistant attorney general in charge of the criminal division, knew in advance of the government's strategy.

Weisl went further in hailing the result of the case.

"It served notice that skimming will have to stop," he said. "The government is aware and watching."

Weisl, who did not consider the criminal case to be a strong one, said that if a trial had been held and the defendants won, "they would have laughed at the government. This way they don't know if they can get away with it or not."

But one lesser official who had a role in the case noted that the investigation cost the government more than $100,000 and thousands of man-hours.

"Now the gamblers and the mob think they're immune from attacks on skimming," he said.

[From the Wall Street Journal, Apr. 28, 1969]

PARVIN-DOHRMANN STOCK ACTION PROMPTS AN INQUIRY BY AMERICAN BOARD'S GOVERNORS

(By Charles J. Elia)

NEW YORK.—The American Stock Exchange has escalated an inquiry into Parvin-Dohrmann Co. stock activity to the board of governors level, it was learned.

Trading in stock of the hotel equipment and gambling casino concern was suspended by the exchange before the opening of trading last Thursday, pending the exchange's inquiry into certain transactions, merger activities and disclosure.

The investigation will be conducted by a committee of exchange governors with staff assistance, it was learned. In the past, such inquiries have been handled at the staff level. Wall Street sources say they can't recall any instance in which exchange governors handled the initial information search.

Edwin B. Peterson, a partner of Francis I. Dupont & Co. and a governor of the exchange, has been selected chairman of the committee, it was learned.

A spokesman for the exchange declined comment on the report. He said an exchange statement last Thursday announcing that company officers and unspecified "other persons" will be asked for data "speaks for itself."

William Scott, president of Parvin-Dohrmann, was scheduled to travel to New York yesterday for a conference with American exchange officials this morning, the company said.

Stock of the Los Angeles-based concern closed last Wednesday at $126.

The exchange hasn't elaborated on what information it seeks. Some sources believe the inquiry was prompted in part by volatile action of the stock in the last four days on which it traded. It climbed $22 a share on heavy turnover in that period.

Brokers said the price action suggests a possible or potential squeeze on available supply of the stock. The company has 1.2 million shares outstanding, of which about 350,000 shares, or nearly 30%, are closely held.

The short position in the stock—representing borrowed shares that have been sold and must eventually be replaced, mainly by purchase—climbed to 76,840 shares as of mid-April from 59,450 in mid-March.

The exchange also is understood to be concerned over ownership and disclosure questions surrounding recent transactions in the stock.

The company had no comment Friday on the reported raising of the inquiry to the exchange's governing level. Mr. Scott earlier had expressed surprise at the exchange's trading suspension but voiced confidence that the matter would be "favorably and promptly resolved."

The trading suspension is the second in a

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month for the stock. Activity was halted March 26 and 27 pending public disclosure—at the exchange's insistence—of the sale last October of 143,200 shares by Delbert W. Coleman, chairman of Parvin-Dohrmann, to a group of investors, including FOF Proprietary Funds Ltd. of Geneva, Switzerland, at $35 a share.

Last week, under pressure from the Nevada Gaming Control Board, FOF was reported by Parvin-Dohrmann to have sold its entire holding of 81,800 shares to an unidentified group of private and institutional investors. Nevada authorities said FOF, part of the Investors Overseas Services Inc. mutual fund complex headed by Bernard Cornfeld, wasn't eligible to own the stock because it had other gambling casino holdings in the Bahamas.

Until their own current investigation into the company is completed, Nevada authorities also have said they won't permit further planned acquisitions of hotel and casino operations by Parvin-Dohrmann.

[From the Wall Street Journal, May 2, 1969]

SEC SAYS IT IS LOOKING INTO TRADING OF STOCK OF PARVIN-DOHRMANN—"ROUTINE INQUIRY" IS UNDER WAY; SHARES, SUSPENDED ON AMERICAN EXCHANGE, TRADING OVER COUNTER

NEW YORK.—The Securities and Exchange Commission's Washington staff is conducting what the SEC terms a "routine inquiry" into recent and current trading in stock of Parvin-Dohrmann Co.

Trading in the stock was suspended on the American Exchange last Thursday. The exchange is conducting a high-level inquiry into merger activities, transactions and disclosure practices of the company. Since that time, the stock has been trading over the counter.

Donald O'Connor, chief of market surveillance at the SEC, confirmed reports that he has initiated inquiries into transactions in the stock, including recent trades on the exchange. "When a stock is halted by the exchange we continue that surveillance. This is one of our routine surveillances," he said.

It's understood the SEC inquiry was prompted by the stock's activity and volatility in American exchange trading.

The stock last traded on the exchange at $126 last week before the suspension was announced. Troster Singer & Co., a large over-the-counter firm that has been making a market in the stock in the last few days, quoted the stock at $110 bid, $120 offered yesterday. The firm said trading has been "very quiet." Several hundred shares changed hands yesterday.

Both Troster Singer and another firm whose name appeared alongside a request for offers on the stock in the daily "pink sheets" listing over-the-counter quotations have been contacted by the SEC surveillance staff, it was learned. Troster Singer has been asked for details on all trades it has handled, including the identity of the buyers and sellers. Schweikart & Co., which requested offers of the stock via the pink sheets earlier this week, has since withdrawn its entry.

The American exchange inquiry is continuing. Officials of the company met with exchange officials Wednesday and were understood to have met again yesterday. They couldn't be reached immediately for comment.

Parvin-Dohrmann is in the hotel supply and equipment business and owns a Las Vegas resort.

Mr. CURTIS. Mr. President, this morning's paper carries the shocking news, which was originally disclosed by Life magazine, that a member of the Supreme Court had accepted a fee of $20,000 3 months after he went on the bench. The same article quotes the Justice in a manner that confirms that the fee was paid. This news account also reports that 11 months later, after an individual connected with the payment of the $20,000 fee was indicted, the Justice returned the money.

Mr. President, I rise to suggest that the ethics law which the Senate of the United States imposed upon itself be applied to the Supreme Court of the United States. Under the terms of that law, fees and honorariums, and contributions, are disclosed to the public. The Senate ethics law applies to the higher-paid employees of the Senate as well.

If it is in the public interest for the Senate to require the staff members of individual Senators and Senate committees to make such disclosures, why is it not in the public interest to apply it across the board in the Federal Government?

If this Justice's actions are not in violation of accepted standards of ethics and honesty, then it would be perfectly all right for an individual or a corporation or a foundation to pay a fee of $20,000 for research to a staff member for a committee of the Senate handling the most sensitive matters or a staff member of a committee who could influence the course of our tax program or some other important national policy.

If a $15,000-a-year staff member must file a disclosure of fees and honorariums, why should not a member of the Supreme Court who is paid $60,000 for life?

SENATE RESOLUTION 194—SENSE OF THE SENATE RESOLUTION IN REGARD TO CHANGES IN THE JOB CORPS PROGRAM—REPORT OF A COMMITTEE—MINORITY AND INDIVIDUAL VIEWS (S. REPT. NO. 91–163)

Mr. CRANSTON. Mr. President, on behalf of the Committee on Labor and Public Welfare at the request of the Senator from Wisconsin (Mr. NELSON), chairman of the Subcommittee on Employment, Manpower and Poverty, I am today reporting to the Senate an original resolution expressing the sense of the Senate in regard to changes in the Job Corps program.

I am also submitting the committee's report on this resolution, based on morning and afternoon hearings on the shutdowns held on April 18, April 25, and May 2, 1969. I ask unanimous consent that the report be printed together with minority and individual views, and that the committee have until midnight tonight to file the report with minority views.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, I also ask unanimous consent that the names of the following 31 Senators be shown as cosponsors of this resolution when it is printed: Mr. BAYH, Mr. BROOKE, Mr. BURDICK, Mr. CANNON, Mr. CHURCH, Mr. DODD, Mr. EAGLETON, Mr. GORE, Mr. GRAVEL, Mr. HARRIS, Mr. HART, Mr. HUGHES, Mr. INOUYE, Mr. KENNEDY, Mr. MCGEE, Mr. MCCARTHY, Mr. MCGOVERN, Mr. MAGNUSON, Mr. METCALF, Mr. MONDALE, Mr. MONTOYA, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mr. PELL, Mr. RANDOLPH, Mr. RIBICOFF, Mr TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH and Mr. YOUNG of Ohio.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. This resolution expresses the sense of the Senate that any action to shut down Job Corps camps should be deferred until the Congress has had an opportunity to review the Job Corps program and to decide upon the legislation which would extend the Economic Opportunity Act of 1964, as amended, and to determine appropriations for that program. It is thus substantively the same as Senate Resolution 183 which I submitted on April 25.

The only differences in language are that one whereas clause has been deleted and some minor wording changes have been made in the rest of the title and in the resolving clause. It is reported as an original committee resolution because of technicalities surrounding the procedure for amendment of the whereas clauses as part of the title of a resolution.

The purpose of the amendment was to seek a nonpartisan approach to the problem with no language involved that might in any way suggest any effort to quarrel with the administration on the underlying substantive considerations relating to the Job Corps.

I would like to add a few comments at this time about the purpose of this resolution.

Over the past 2 weeks, the Poverty Subcommittee has heard some very impressive and extensive testimony from many sources.

We have heard from the most able Secretary of Labor and his deputy, from the distinguished Comptroller General of the United States, from Mr. Louis Harris, whose firm authored an indepth study of the Job Corps, from Mr. John Gardner, chairman of the Urban Coalition Action Council and his associate, Mr. J. Irwin Miller, from Mr. Francis Keppel, chairman of the board and president of General Learning Corp., which administers the Women's Center at Clinton, Iowa, from distinguished Senators, Congressmen, and local officials, from representatives of the AFL–CIO, American Indians, concerned citizens groups, training schools, conservation organizations, and community action programs, from members of the National Advisory Commission on Civil Disorders, and from a number of corpsmen and former corpsmen from the Job Corps itself.

These corpsmen, themselves, have been perhaps the most eloquent witnesses—and certainly the most moving—asking for a chance, not for themselves, but for those, like them, who will lose out if the closings proceed.

The majority of these witnesses have spoken in opposition to the closings. A great deal of statistical data has been produced, dissected and generally subjected to the most intensive scrutiny possible in light of the time limitations under which we have been working.

Certainly, the subcommittee, let alone the full committee, has not had an adequate opportunity to digest this material and to decide upon the future course of legislation for the Job Corps.

I, for one, have not yet come to a conclusion on the best course.

I will want to discuss this with my colleagues in subcommittee sessions and elsewhere.

I, as most all of my colleagues, I am sure, need an opportunity to reflect more on the often divergent testimony we have received.

Although Secretary Shultz and his deputy were asked on several occasions why they felt it necessary to proceed with the closings before Congress had an opportunity to act on the program, no satisfactory response was ever forthcoming. The best that could be obtained was to the effect that, "We had to start sometime, somewhere." That kind of answer is hard to dispute, but I think it misses the point.

We who support this resolution are not necessarily opposing the idea of making changes in the structure of the Job Corps program, including, where demonstrably necessary and desirable, the closing of existing facilities. Rather, we are opposing the method used to decide upon and implement action, and the overall precipitous nature of these actions that will deprive Congress of a fair opportunity to legislate meaningfully on the future shape of the program.

That is what we object to, and that is why, since April 9, we have been urging the President to suspend any closing action for the time being.

To these concerns can be added our increasing skepticism at the administration's ability to deliver effectively on its surely well-intentioned promise of a job training opportunity for every displaced enrollee who wants it.

We have received very clear indications that this is not happening uniformly across the country in the numerous centers involved and that, inevitably, the intentions of the Washington Bureaucracy, no matter how sincere or well-motivated, are not capable of automatic implementation by the people in the field.

Although this undoubtedly would be a problem with any phaseout, it is sorely aggravated here by the lack of adequate advance planning and effective information transmission.

The end result is that young men and women presently in centers being shutdown now, and those who were in the process of enrolling, are being disappointed and once more deprived of opportunities held out to them.

There is one more facet of this situation that I think should now be highlighted.

In the list of witnesses I mentioned above, there is one conspicuous absence—those from the Job Corps Washington Administration.

It is certainly understandable that those who have been running this program for the past 5 years and those who are now proposing to cut it back so sharply do not see eye to eye.

It is thus also understandable that Job Corps spokesmen have been most reluctant to offer testimony which might be seen as contradictory to that offered by spokesmen of the administration they are now serving.

Although I say that we can understand this problem, our understanding does not alter the fact that the U.S. Senate sorely needs this testimony.

Any attempt by this body to decide upon the future course of the Job Corps program without hearing it will obviously be based upon inadequate and incomplete information.

Unfortunately, this shortfall of vital information severely handicaps Congress in considering this matter.

On Friday, unnamed sources leaked information to one of the wire services which formed the basis for what some apparently regarded as a shocking vice exposé of the Job Corps.

Let me note parenthetically that information regarding sexual misbehavior, violence, and use of drugs in Job Corps centers is not new to me or to anyone familiar with the Job Corps. These manifestations of a deprived environment are one of the main reasons why the Job Corps was created—and they represent what it was intended in part to obliterate. I might add that these very same problems are presently besetting a great many of our colleges and universities, to say nothing of our high schools, across the country.

And the appropriate response is not "Let's close down the schools," but rather "Let's try to resolve the causes of these conflicts and these difficulties."

I also wish to point out that there has not been a riot in any Job Corps center despite the disappointing news that they have been receiving from Washington in regard to their hopes for the continuation of these centers.

This kind of information contained in the wire story, if indeed it has official origins in terms of the source to the newspaper, was never provided to the subcommittee. Instead, the press story said it was being held in reserve to be brandished as some sort of last-ditch whipping rod.

This, too, is the sort of information Congress is entitled to examine before it acts.

Over the weekend I received a call from the Assistant Secretary of Labor for Manpower, Mr. Arnold Weber, informing me that he was disturbed by the press stories. He disavowed for himself and the Secretary any responsibility for the leak of the information to the press. I accepted his statement in the good faith in which it was offered. I assumed that the leak was due to some irresponsible actions by some overzealous employee somewhere.

I again call upon all those with information on the Job Corps to present it publicly to the subcommittee, and I urge that the hasty action by the Labor Department halt until Congress has time to consider all relevant data, good and bad.

We all want to learn as much as possible about the program before making a judgment on it and this chance is being denied to us. If truly derogatory evidence is being withheld by any source, I know that all members of the subcommittee wish it to be brought out in the open where it can be examined and evaluated.

Finally, this information gap now confronting the subcommittee was broadened this past Friday when a very articulate and knowledgeable witness—who is currently director of one of the large men's urban centers to be closed—became unavailable to testify before the subcommittee at the 11th hour.

We had hoped to learn from this gentleman exactly what has been happening in Job Corps centers since rumors about the closings began circulating in early April and since the shutdown orders were issued.

But Friday morning we were called by a representative of the corporation administering the camp in question advising that the witness would not appear that afternoon. We were told that his presence was required immediately at his center.

I suppose we could speculate on this incident at considerable length. We made attempts to determine the nature of the situation which required his presence. We were not able to do so to our satisfaction. But inevitably the judgment of necessity in this sort of situation is for those on the scene responsible for the consequences of any misjudgment.

So I do not wish to attempt to second-guess anyone on that score.

I am willing to accept the situation at face value.

The fact does remain, nevertheless, that the subcommittee was denied this witness and his testimony at a very crucial time, and we are the worse informed for that denial.

I thus hope, again, that the Senate will adopt this resolution and that the administration will respond by postponing the closings, so that Congress will then have time to study the matter carefully, with full access to all the information it needs if it is to act wisely.

I know that all those with pertinent information on the Job Corps will be encouraged to come forward to enlighten us—if we are given time to be enlightened.

Mr. President, I wish to thank the distinguished chairman of the Committee on Labor and Public Welfare, the Senator from Texas (Mr. YARBOROUGH), and the distinguished subcommittee chairman, the Senator from Wisconsin (Mr. NELSON), for permitting me the opportunity to submit, on behalf of the Labor and Welfare Committee, the committee report and resolution to the Senate this afternoon.

JOB CORPS

Mr. BROOKE. Mr. President, later this week the Senate will be voting on a resolution introduced by the junior Senator from California (Mr. CRANSTON), urging that the Job Corps be kept at its present status until the Congress has had an opportunity to study and to advise on the question of its future.

I am proud to be a cosponsor of that resolution. For despite the fact that I have on occasion been critical of the Job Corps, I believe that a promise has been made to the young men and women presently enrolled in the program, and I believe that their welfare should be paramount.

The present plan to close 59 Job Corps

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centers before adequate and appropriate slots are available in other comparable training programs is a source of great concern to me and to the people of New England. I have received hundreds of letters—from Job Corpsmen, from teachers, from parents, and from members of the community who have come to appreciate and to participate in the work of the training centers—protesting this particular economy measure. Some of these letters are particularly eloquent, and I ask unanimous consent that a representative sampling of these views may be printed in the RECORD for the edification of my colleagues.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CAMP WELLFLEET, CAPE COD,
April 13, 1969.

DEAR MR. PRESIDENT: We at the Wellfleet Job Corps Center feel that you could give us a chance to improve our selfs. Most of us didn't have anyone to care for us until we came here.

We also feel that you should give us a chance to complete the program and if you give us this chance we will try to work to the best of our ability. Most of us before we came here couldn't read or write, but since we have being here we have learn many things. So we here would like for you to keep our center open so you can give this chance and many boys like us to become useful citizens.

Your truly,
The CORPSMEN OF
WELLFLEET JOB CORPS CENTER.

PROVINCETOWN, MASS.,
April 21, 1969.

DEAR SIR: We are sure we join with many others across the country in strongly protesting the closing of Job Corps camps. Our main concern is the camp at Wellfleet. It seems unfair to play politics with young boys lives, especially when they have been promised a chance and then it is taken away from them in a rude and shocking manner. What must they think of their country now?

Your attention is called to lead story in the Provincetown Advocate of April 17, 1969, for ideas as to how the Corpsmen feel. What about the staff, especially local?

And, after the many thousands of dollars put into the camp for new buildings, renovation of buildings, the most brand new and expensive of equipment (kitchen, gym, etc.), is it to meet the same fate as the Camp Wellfleet it replaced? Stripped by local citizens, right down to lavatory items, showers, kitchen equipment, electric fixtures, tiles, flooring, roofing, ceiling tiles, windows, and anything not nailed down. Yes, what is to become of it.

Maybe some of the millionaires and million-dollar corporations who escape millions in taxes, would each be willing to take over and run a camp, in exchange for some kind of a tax advantage. Private enterprise and all that.

Probably the bad start the camps made in the beginning, is now coming back to haunt them, and is cause for their closing. But, how can some bureaucrat sitting in a plush Washington office issue such a closing order based only on paperwork? These camps should be visited individually, not by some underling, but by the higher-ups who issue the final orders. Each should be judged on its merit, and then, and only then, should closing orders be issued. Until such time as these evaluations are made, the present closing order and deadline should be rescinded. Implore you to fight for these boys, and give the kids a break.

LEROY and VIRGINIA ATKINS.

EVERETT, MASS.,
April 16, 1969.

Senator EDWARD W. BROOKE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BROOKE: I am writing to you because I am deeply disturbed over the impending plans of gradually phasing out the Job Corps program. I am particularly saddened by the proposed closing of the center located in Poland Springs, Maine.

As a social worker I am aware that many young men and women have greatly profited from their experiences in the Job Corps. At the present time I am primarily concerned with one girl, age 19, who is now discharged from my agency and is receiving training at the Job Corps Center in Poland Springs. She is heartbroken at the prospects of terminating prematurely from her program. Her efforts there have been tremendous and the benefits she was to have derived would have been invaluable to her. However, with the advent of the untimely termination, I can not help but question whether the investment made in this girl's education and future will not prove to have been in vain. She has not completed the program and is not yet prepared for being self-sufficient.

What would you suggest for this girl and others like her? Are alternative programs being considered? I sincerely hope that these young people are not being abandoned by the government. I would surely appreciate anything that you would do to prevent this injustice to our young citizens.

Thank you for your attention.

Very truly yours,
(MRS. M. C.) CYD OSTROSKY.

CLEARWATER DRIVE,
HARWICH, MASS.,
April 22, 1969.

Hon. EDWARD BROOKE,
U.S. Senate,
Washington, D.C.

DEAR SIR: As one of the volunteers for the past three years in the Reading Program at the Willfleet Job Corps Conservation Center I am distressed at the announcement of its closing. The Corpsmen have contributed their services in many ways to the various towns in their vicinity and have shown responsibility and enthusiasm in this work.

It has been a most rewarding experience to see the change in attitude and outlook of these boys as they develop a sense of pride and accomplishment in their reading and other educational advancement. This personalized study appears to have reached these young men, who had not responded to the usual educational patterns, and to have given them self-esteem and confidence for a better future.

To deprive them of their opportunity for further self-improvement seems to be letting them down and could be a possible source of additional discontent on our city streets this summer.

I trust that the closing of this Job Corps Center may be reconsidered, allowing it to continue the educational training of disadtanged young men to prepare them to take a more meaningful place in our society.

Yours truly,
CHARLOTTE P. SIMS.

SPRINGFIELD, MASS.,
April 22, 1969.

Senator EDWARD W. BROOKE,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BROOKE: Having been somewhat involved, through Springfield College, with Job Corps I have followed the news items on this program with some interest even though we have not managed a project for a couple of years now. I am familiar with some of the problems of mismanagement, real and apparent, which plague any scheme for instant social progress and Job Corps has been far from immune to these. I would venture an offhand guess that its boondoggles and honest errors have been less of an expense to the taxpayer than those indulged by the private sector through contracting with the government.

At any rate, to cut back the Job Corps program before it has had a reasonable chance to prove itself, and before a well worked out alternative to it is ready to absorb the youth involved, would be unjustified by any economic theory or political ideology however well phrased.

Once again I ask you to note that I speak for myself and not necessarily for the College.

Sincerely yours,
PAUL U. CONGDON,
Academic Dean.

HOW PRESIDENT NIXON CAN END OUR UNDECLARED WAR IN SOUTHEAST ASIA

Mr. YOUNG of Ohio. Mr. President, our former colleague Ernest Gruening, who has the affection and admiration of all Senators who served with him in the Senate of the United States, recently wrote an excellent article published in The Nation on the subject "How President Nixon Can End Our War in Southeast Asia."

This is so important and so convincing that I ask unanimous consent to have it printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ERNEST GRUENING: HOW PRESIDENT NIXON CAN END OUR WAR IN SOUTHEAST ASIA

It is, and for some time has been, obvious that the most important issue facing our nation is to get out of the war in Southeast Asia. All our other issues and problems are slighted, impaired and unresolved until we halt the fighting, stop the concomitant continuing drain of blood and treasure, and turn to the long-neglected and pressing needs at home.

During his election campaign Richard Nixon told the American people that he had a plan to end the war, but did not want to disclose it for fear of interfering with the negotiations in Paris. After three months in office President Nixon gives us no indication of any formula or proposal for achieving that widely desired objective.

On the contrary, draft calls are undiminished, casualties mount and we continue, as we have for the last five years, to be winning the war only in the optimistic pronouncements of our military leaders and their supporting newspaper columnists. The President has shown a commendable restraint in not re-escalating the battlefield activity, having no doubt learned that every time our military propose just one more upmanship we get in that much deeper. But the prospect is for continued warfare.

A new approach is desperately needed, and I offer it in the fervent hope that President Nixon who, I doubt not, would like to rid his Administration of the albatross bequeathed him by President Johnson, will lay aside his preconceptions and the assumptions that have underlain our policies to date. For that purpose a review of what has happened is appropriate.

Five years ago, on March 10, 1964, I delivered the first major opposition speech on this issue made in Congress. It was entitled, "The United States Should Get Out of Vietnam." With exhibits, it occupied 30 pages in the *Congressional Record*. It would have been easy for President Johnson to accept that counsel and to withdraw at that time, since

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no United States units had been committed to combat, and the casualties had been very few.

The opening sentence of that March 10 address was: "The mess in Vietnam was inherited by President Johnson." That holds true for President Nixon today; he is under no more obligation than was President Johnson to perpetuate his predecessor's policies.

That we have lost some 34,000 young Americans killed in action, several thousand more through other causes, more than a quarter of a million wounded, some horribly crippled for life, have killed tens of thousands of innocent noncombatants, created more than a million homeless refugees, sunk in excess of $125 billion unrecoverably in the Asian quagmire, and sacrificed our moral standards before the conscience of mankind, does not lessen but increases the need for an alternative course. To continue to permit our men to die in vain—as they all have died in this war—is not short of criminal.

The extent of our folly, despite official propaganda and the ever optimistic and misleading reports of military and diplomatic experts on the scene, has dawned increasingly on the American people. The desire and need to disentangle ourselves have been widely expressed, and as widely countered with the hopeless and unimaginative retort: "Well, maybe we shouldn't have gone in but we're there now," with the accent on the "there," implying that we have to keep on with what we have been doing.

More recently, this has been refined by acknowledgments that, while we must find a way out, it must be an "honorable" way—which can be translated to mean victory for our position. The "unthinkable" proposal that we withdraw unilaterally (why not, since we barged in unilaterally and in violation of all our treaty commitments?) is met with the loaded cliché, "You wouldn't scuttle and run, would you?" I'll examine that in a moment.

Let me urge that any way out would be more honorable than to continue the needless slaughter, and the ever deepening submergence of our nation's interests and values. But actually the most honorable way out would be to repudiate the whole dishonorable episode (made even more demonstrably so, since the Fulbright committee hearings last year revealed that the Tonkin Gulf incident was spurious), to make an "agonizing reappraisal" and confess error.

Defense Secretary Laird has recently revived the shopworn proposal that we strengthen the South Vietnamese army and turn the war over to it—Congress to appropriate additional millions of dollars for that purpose. This would mean merely further subsidy to the corrupt and dictatorial Saigon regimes which have been successively self-imposed by military coups or by electoral fraud, thereby justifiying the struggles of the anti-Communist opposition, as well as of the Vietcong against puppet regimes which have no popular support and are maintained solely by American armed might and financial aid.

On February 26 of last year, addressing the Senate shortly after the rigged South Vietnamese elections and the sentencing to years at hard labor of the defeated non-Communist opponents of the Thieu-Ky ticket (it was as if President Nixon after his victory had ordered Mr. Johnson and Mr. Humphrey to the chain gang!), I made a specific recommendation to the President. It appeared in the Congressional Record under the heading, "One Possible Solution to the Vietnam Dilemma," and follows:

"Recommendations for extrication of the United States from its Vietnamese folly are not the responsibility of those who for years have dissented from United States policy in Vietnam. It is the responsibility of those who got us into the Southeast Asia mess.

"However, if President Johnson really wants to get the United States out of the morass in Vietnam, and save us from ever-mounting and ever-deepening disaster and the increasing slaughter of the flower of our youth and of thousands of Vietnamese noncombatants, his opportunity is here and now.

"He could go on nationwide radio and television and, if effect, say to the American people:

"My fellow citizens, I have tried for four years and my predecessors have tried for a decade previosuly to bring a semblance of self-government and democracy to the people of South Vietnam. It has become clear beyond peradventure that it is not their desire, and that the United States, despite its prodigious efforts in manpower and money, and the sacrifice of thousands of American lives, cannot achieve these desired results for them.

"I have today ordered the unconditional cessation of all bombing of North Vietnam and of all offensive operations in South Vietnam. In addition, I have directed there be an immediate in-place cease-fire in South Vietnam on the part of the United States and I have requested the South Vietnamese Armed Forces to do likewise, with only defensive action authorized. I have called upon the forces of the National Liberation Front and of North Vietnam in South Vietnam to do the same. It is my purpose, which I now declare, to initiate a phased military withdrawal which should be completed within a year. In the meantime, behind the shield of American military forces with the leverage afforded by U.S. military and economic aid, U.S. representatives in South Vietnam will insist that the Thieu-Ky government broaden the base of its government to include their non-Communist opponents, represented in large measure by those whom they have now jailed and put in protective custody, and that this broadened South Vietnamese Government begin immediate negotiations with the National Liberation Front so that all these Vietnamese components can work out their own destinies.

"In addition, I have directed our Ambassador to the United Nations to work with other nations there to find places of refuge in other lands for those who would not want to live in South Vietnam under the new regime which will be formed and I will ask the Congress for such additional authority as may be needed to admit such refugees to the United States and to assist in their resettlement elsewhere.

"Further, I have instructed our Ambassadors to Great Britain, the Soviet Union, Canada, India and Poland to propose a greatly strengthened International Control Commission to supervise any elections to be held in South Vietnam to obtain an expression of the people's will.

"The United States will assist in the reconstruction and rehabilitation of the burned villages, destroyed buildings and defoliated fields, and give suitable fiscal assistance to economic development. But our military efforts will cease. We will make every effort to assist the people of both North and South Vietnam to establish whatever form of government they can develop.

"Here lies a solution which both Americans and Vietnamese, I am confident, will welcome."

This proposal in substance—with a few minor emendations because of changed conditions and its enunciation by a different President—is as valid for President Nixon today as when I proposed it to President Johnson fourteen months ago. President Johnson, of course, turned a deaf ear to it as to all other proposals for U.S. extrication. Instead, he extricated himself by announcing his withdrawal from office, a move which averted his certain defeat at the November elections.

This withdrawal was a confession of error even if he could not bring himself to admit such. He was lucky to have escaped impeachment proceedings which might have been his not undeserved fate, because of his betrayal of his campaign pledges, but was never a possibility because a supine Congress with its Democratic majority was a *particeps criminis* in the whole Southeast Asian affair.

Johnson's withdrawal, however, diminished the tension at home and allayed the mounting opposition to the war based on the hope that the "peace talks" in Paris could bring peace. This is an utterly vain hope because the premises of the two adversaries are diametrically opposed and irreconcilable. We have proceeded on the premise that we are there to repel aggression. Our adversaries maintain that the United States is the aggressor—a view substantiated by an objective review of the facts, many of them kept from the American people. That being so, our adversaries will naturally insist that we withdraw from Asia and let Asians settle their own problems. I doubt whether this proposition is negotiable and that peace by negotiation will be achieved. We should ask ourselves by what right we are there; what we have to gain by maintaining that presence, and whether the price is worth the costs—human, material and spiritual—which will haunt us for generations.

As for the secondary justification for our military intrusion to Southeast Asia—we must halt communism—it should be clear by now that we are actually aiding communism; that if the rulers of Communist Russia and Communist China desire our nation's debilitation and downfall, they could not devise a policy more likely to achieve that objective than the one our country is pursuing. To date, neither the Russians nor the Chinese have committed a single soldier to combat. And if our aim was to prevent the southward expansion of Mainland China we have pursued the worst possible policy; we have weakened and sought to destroy Vietnam, which has been hostile to the Chinese for centuries and would fight their aggression as it has successively fought that of the French, the Japanese and the Americans.

What would be the consequences of a unilateral American withdrawal? It would not be "scuttle and run." A phased withdrawal would require months and could be replaced by a nation-wide coalition government more responsive to the Vietnamese Nationalist aspirations.

Would there be a blood bath? One is going on now and it will continue as long the United States clings to its present policies. We can be confident that long before our withdrawal was far advanced the few hundred corrupt Vietnamese officials would have retired to Paris or the Riveria, to enjoy in luxury and ease the fortunes they have filched from our bounty. If some thousands of others would prefer to leave Vietnam, it would pay handsomely to arrange for their relocation and sustenance, if necessary for life, in other climes. It would be far less costly and more humane than the present $3 billion monthly military bill.

The others—the peasantry—would be absorbed and return to the life they had anticipated in the independent countries of Laos, Cambodia, and reunited Vietnam which the Geneva agreements predicated and we had agreed to support.

President Nixon has the opportunity to end the war and end it honorably by readherence to principles upon which our nation was founded and through which it grew to greatness until a faulty leadership began to abandon them and got us into the present tragic disaster. That disaster—already great—will only be magnified and intensified unless President Nixon reverses the policy that has brought our nation to unfathomable depths. The Congress, too, has a responsibility to change its course and stop voting the military authorization and appropriations which have supported Presidential misleadership.

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Mr. YOUNG of Ohio. Mr. President, Senator Gruening had a distinguished career before being elected to the Senate in 1958 and again in 1962.

For many years he was Governor of the territory of Alaska, and when Alaska achieved statehood, he became one of its first two newly elected U.S. Senators. In addition, his scholarly attainments are remarkable, and he has been the author of many important and interesting books, including "Mexico and its Heritage" and "The Battle for Alaskan Statehood."

I feel that my Senate colleagues and others will profit by reading his most recent statement pointing the way to ending our war in Southeast Asia, and stopping the bloodletting of American youngsters in Vietnam, in that undeclared, immoral, and most unpopular war.

STATEMENT OF DR. PANOFSKY BEFORE SENATE ARMED SERVICES COMMITTEE AGAINST THE ABM PROPOSAL

Mr. YOUNG of Ohio. Mr. President, in connection with the authorization bill for the procurement of aircraft, missiles, ships, and research and development for fiscal year 1970, the Committee on Armed Services held public hearings on April 22 and 23 on the proposed Safeguard ABM.

It was my privilege and that of my colleagues on the committee to hear testimony from one of the most distinguished scientists in our Nation, Dr. W. K. H. Panofsky, director of the Stanford University Linear Accelerator Center. Dr. Panofsky, who made one of the finest presentations before a congressional committee that it has been my privilege to hear, presented in the most cogent and logical manner his arguments in opposition to deployment of an antiballistic-missile system at this time. He questioned not only the need of this proposal but also the actual technical concept of its planned execution. After listening to his testimony and his answers to questions asked by members of the committee, I became more convinced than ever of the absurdity of proceeding with the ABM boondoggle.

Dr. Panofsky is one of the foremost experts in the world in the fields of X-rays and natural constants, accelerator design, nuclear research, and high-energy physics. He has a distinguished record of service to the Nation and of excellence in the academic community. In 1961 he was awarded the Ernest Orlando Lawrence Memorial Award; in 1966 he received the Alumni Distinguished Service Award from the California Institute of Technology; and in 1967 was named California scientist of the year. Dr. Panofsky is consultant to the Office of Science and Technology in the Executive Office of the President, and a member of the high-energy physics advisory panel to the Atomic Energy Commission.

Dr. Panofsky clearly and concisely pointed out the fact that the safeguard ABM, formerly called the Sentinel ABM, is completely unnecessary to our national security, and that in the broader sense it would be detrimental to the overall security of our Nation and the world.

I commend to my colleagues Dr. Panofsky's statement before the Armed Services Committee on April 22, 1969, and ask unanimous consent that it be printed in the Record as a part of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Statement by W. K. H. Panofsky Before the Committee on Armed Services of the United States Senate, April 21–22, 1969

Mr. Chairman and Members of the Committee: I am deeply grateful for the opportunity to appear before your committee. I am testifying as an individual citizen who has been involved in the ABM problem since 1955, and who has been serving on numerous advisory committees to various agencies of the Federal Government since that time. However, I did not participate in any advisory capacity to any branch of the government in reviewing the decision to deploy the current modified Sentinel or Safeguard System.

My regular full-time activity is basic research work on high-energy particle physics. Currently I am the Director of the Stanford Linear Accelerator Center at Stanford University; as it happens many of the techniques involved in the operation of that unique research instrument overlap in character with some of the essential elements of ballistic missile defense radar.

A. THE THREAT

I consider the arms race with the Soviet Union to be one of the great tragedies of our time. However, until meaningful arms control has been established, I believe that maintaining an adequate and reliable deterrent force against plausible projections of Soviet threat remains our best hope of preventing nuclear war.

The Administration's request for authorization of the modified Sentinel System was made in the framework of President Nixon's strategy statement of March 14, 1969, which proclaimed that (a) any completed ABM should not be interpretable by the Soviets as threatening their ability to deter U.S. nuclear attack, and (b) that this deployment decision should not affect adversely the chance of success in the forthcoming talks with the Soviet Union aimed at achieving limitation or reduction of offensive and defensive strategic forces. President Nixon's statement acknowledges that U.S. strategic planners consider "damage limitation" in case nuclear war breaks out to be an essentially hopeless strategy, and that prevention of nuclear war through a combination of political steps, deterrence and arms limitation remains the primary hope of survival in the nuclear age.

Since I am in basic agreement with the President's statement, I do not oppose some of the stated purposes of the modified Sentinel system; rather I question its present urgency as well as the actual technical concept of its planned execution. First I will address the question of present urgency and then I will discuss the compatibility of its technology with its stated missions.

It is now clear that the Soviet Union has generated an impressive and growing *second strike* force including land-based missiles in hardened silos in numbers comparable to our own (but still inferior in numbers of deliverable warheads), and a submarine fleet which is also growing, although its numbers are a small fraction of the corresponding U.S. Polaris and planned Poseidon force. The present urgency of initiating deployment of the modified Sentinel ABM system is, however, attributed to the newly raised technical possibility that the Soviets may have developed a *first* strike capability by 1975.

What does such a first strike posture imply? It would mean that the Soviet planners could make a decision with a high degree of confidence of success that they could launch an attack against U.S. strategic forces so well synchronized that all of its components—the U.S. land-based strategic missiles (Minuteman, Titan), and SAC bombers, and the Polaris and Poseidon fleet, not to mention the tactical nuclear armed aircraft in Europe, would be taken out of action *simultaneously* with such a precision of timing that none of these forces could mount significant retaliatory action.

During the past decade we have built up the strength of these strategic forces so that each individual component alone—the land-based missiles, the SAC bombers, and the Polaris/Poseidon fleet—could each by itself deliver on target more than the minimum retaliatory destruction required for deterrence.

I am aware of no technical prospects or of any current intelligence indicating a threat to our Polaris/Poseidon submarine force. Thus, unless the Soviets develop totally unforeseen methods for quickly and reliably destroying these boats at a precisely controlled time, they serve as an invulnerable second strike force by themselves. Furthermore, as a hedge against future possible Soviet ABM deployments the U.S. has developed MIRV's for the Poseidon force so that the warheads will arrive in sufficient numbers to overpower and saturate a possible Soviet ABM.

Even ignoring this submarine based missile capability for the moment I consider it extremely implausible that the Soviets could mount a successful first strike against our combined land-based missile and bomber force. The Secretary of the Air Force, when testifying before this committee one year ago, described the reasons for this diversification and duplication of the land-based missile and bomber forces:

"We should not discount the possibility of the Soviets temporarily being able to attrite significantly either our bombers or missiles, by destruction before launch, or by active defense. But if we continue to make wise development and deployment choices, such an enemy capability will be shortlived, and there will be practically no chance for him to degrade unacceptably either our bombers or our missiles, and no chance at all for him to degrade both simultaneously."

The essential basis to this statement is the existence of warning of a massive launch of Soviet ICBM's and the peculiar timing advantages afforded by the simultaneous existence of a strategic bomber and a strategic missile force.

Bombers can take off from their runways on very short delay. If we did imagine a coordinated attack both on our missile sites in the north by multi-megaton missile warheads, and at the same time an attack from the sea on our bomber bases, then the amount of warning available to us from detecting the launch of a massive ICBM attack against our missiles would be ample to get the SAC bombers into the air. On the other hand, if the bomber bases were attacked first, although part of the bomber force might not escape destruction, our missiles would be intact and the Soviet planners would know that they would be exposed to an overwhelming retaliatory strike from our Minuteman force. They also know that the Minuteman force by itself far exceeds the level of destructive capability required for a retaliatory second strike. Furthermore, in a period of heightened international tension it is possible (as we have done in the past) to put our SAC bomber force on "airborne alert," that is, to keep a substantial fraction of them in the air at all times to give additional security against a successful first strike.

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Therefore the *combined* strategic bomber and land-based missile force assure survival of one or the other from attack. Only in assessing the Minuteman force separately do we find that the numbers are such that survival of the force in the mid-70's against attack may be endangered, but a large extrapolation from current knowledge is required. Let me explain:

The recently declassified intelligence relating to the SS–9 indicates a growth of these large payload, silo-launched missiles to a number in the neighborhood of about 200; the Soviets have also about 1,000 of the smaller hardened missiles comparable in size to our Minuteman force. Projection of the function of the SS–9 force into the year 1975 requires a number of steps: (1) evaluation of the technical features of this force as we observe it now; (2) extrapolation of growth in numbers into the mid-1970's; (3) extrapolation of future Soviet MIRV potential from the uncertain data available; (4) estimate of the use to which the large payload of these vehicles will be put; and (5) evaluation of intent of the Soviet planners in deploying this force. I am enumerating these steps here in order to indicate how large an extrapolation from firm knowledge is the statement that our information about the SS–9 signifies first strike *intent* on the part of the Soviet Union. It is consistent with known technical intelligence information on their high yields and accuracy on target that SS–9 missiles could destroy Minuteman launch control centers, and/or silos. Each Minuteman can be fired even if the launch control centers are disabled and therefore a Soviet first strike would have to put each Minuteman silo out of action independently. Moreover an attacker would have to compensate for the limited reliability of his force by targeting at least two and possibly more warheads against *each* of the 1,000 Minuteman silos. The additional 1,000 Soviet small missiles can serve a useful anti-Minuteman role only if their aiming precision is improved beyond present best estimates. I present these numbers here to emphasize how far one has to extrapolate beyond the present observation of some 200 SS–9 missiles before concluding that the Soviets are in fact developing a first strike capability against Minutemen as has been claimed by Defense Secretary Laird.

Assigning the SS–9 to a first strike mission against the Minuteman force is far from being a unique interpretation of available intelligence. The large payload of the SS–9 could well have been designed for assuring penetration of a possible U.S. ABM deployment which has now been under discussion in the U.S. for many years. The large payload could be used for (a) multiple independent re-entry vehicles (MIRV's); (b) decoys; (c) hardening of re-entry vehicles against the effect of an attacking anti-missile. In this respect I note that the U.S. decision several years ago to proceed with MIRV deployment was reached primarily as a penetration aid against conjectured, but not as yet discovered, Soviet ABM defenses; we could well attribute a similar line of reasoning to the Soviets. As a third interpretation of the SS–9 deployment one might consider it as an anti-population weapon for deterrent purposes against large urban areas.

I thus disagree with Secretary Laird's definite assignment of the SS–9 to a first strike role on a numerical basis, and also conclude that there is no basis in the available intelligence to indicate *intent* on the part of the Soviets to consider the SS–9 as a first strike weapon.

Let me summarize: We have confidence in survival under attack of the Polaris/Poseidon fleet and in the survival of the combined land-based bomber and Minuteman complex. Then how can the Soviets *possibly* have confidence in the success of a coordinated and synchronized first strike attack against our entire strategic force? We must recognize that such a "first strike" implies that the Soviet decision makers would have to make a rational decision for such a fully coordinated attack in the absence of having carried out any operational full-scale tests involving nuclear warheads. I consider a first strike threat to be an *extremely* implausible projection of our available intelligence, including that concerning the SS–9.

I have thus shown that it is almost unimaginable that our deterrence can be endangered by 1975 through a Soviet first strike capability; therefore a case for urgency for deploying ABM to protect our retaliatory forces cannot be made.

B. THE MISSION OF "SAFEGUARD" VERSUS EXPECTED PERFORMANCE

The purposes of the Safeguard system stated by Secretary Laird are:

1. A local defense of the Minuteman missile silos.

2. Early warning and area defense of our bomber bases and command and control systems.

3. A defense of the continental United States against the kind of attack which the Chinese Communists may be able to launch in the mid-1970's.

4. Protection against an accidental or small attack from any source.

To this list I should like to add one item which has frequently been given as an additional motive for early Sentinel deployment:

5. Early experience with an operational ABM system.

Let me discuss these roles of the Safeguard system separately.

1. Minuteman defense

How is the present modified Sentinel actually configured? The first chart shows the Defense Department's deployment plan. In Phase I which is the only decision now under consideration, only two of our Minuteman bases are to be protected but in the follow-on phases bomber bases are also to be defended, some of which are in areas fairly close to cities but not near any Minuteman launch sites.

I turn now to serious criticism of an engineering nature in connection with those installations which are intended to protect the Minuteman force. My point is that an economical and effective hardpoint defense—that is a defense of sites which have already been hardened to withstand impact of megaton weapons at relatively close distances—requires a design greatly different from a defense of soft targets such as cities. The next chart tabulates this comparison. The Sentinel System was originally designed to defend 'soft" targets, but now the same components have been taken over for a completely different purpose. (The exception is that additional faces have been added to the MSR radars for looking in all directions.) Let me elaborate on the essential difference in requirements.

1. A hardpoint defense radar can be much simpler and cheaper than one intended for city defense since it is permissible to intercept the incoming missiles at very much lower altitudes where the atmosphere has done most of the job in filtering out decoys or other innocuous material accompanying the warhead.

2. The defense installation should be extremely hard itself if it is going to be able to defend a set of hard targets. The MSR radars can withstand an overpressure of less than one-tenth of what can be tolerated by the missiles they are to defend. Clearly an enemy in planning a first strike would attack primarily the more vulnerable radar and thereby totally deny the effectiveness of defense. The smaller Soviet missiles which are deployed in large numbers, could readily destroy the MSR's. Since the Safeguard system contains only a few very large radars, the offense needs to destroy only few targets to defeat the system.

3. For the hardpoint mission the short-range missiles required for terminal intercept could be much smaller in size and range and simpler than the Sprints which cost at least one million dollars each; the Spartan missiles cost about twice as much. The large underground nuclear tests now planned for ABM purposes at Nevada and Amchitka, Alaska would not be required for the hardpoint defense mission.

4. Opinions have been voiced by many critics of the Sentinel system that it will not work when actually deployed because it will remain untested for long periods of time until actually needed in an emergency; then it needs a "hair-trigger" response. Certainly the planned Sentinel system is an installation of unprecedented electronic complexity; it is also true that United States experience with its complex electronic military systems meeting either their specifications or their budgets has been poor. A system reduced to hardpoint defense only could be greatly simplified and should therefore be more reliable; moreover the standards of reliability for a hardpoint defense can be lower than those for a city defense: Hardpoint defense serves deterrence only and thus partial protection is sufficient; city defense should be complete.

The only acceptable excuse for deploying a system as unsuitable as the Safeguard system for a "hardpoint" defense would be extreme urgency to protect Minuteman against first strike attack. As discussed earlier I do not believe that such urgency exists. Moreover, the Soviets could offset the effect of the present system with its relatively small number of anti-missiles by increasing their offensive forces correspondingly.

If one believes that the Soviets are preparing for a first strike—and if future Soviet missile deployments make this interpretation more plausible that it is now—we may need a *really effective* defense of our missiles and surely the cost to achieve this is highly relevant; inefficient design of the system for this purpose would make such a race a losing one for the United States, quite apart from the strong incentive to prevent this kind of a race at all.

To summarize, if the Soviet threat continues to grow rapidly I would support development of a system which would truly implement the President's decision to defend the hardened Minuteman sites. The relative value of increasing, hardening or defending the Minuteman force is a complex question; however, I agree that it would be less provocative to the Soviet Union to defend the force we have; rather than to increase it. Such a defense can, however, be much more efficient if designed for this purpose and for this purpose only.

2. Defense of bomber bases

The inclusion of bomber defense in the modified Sentinel plan as an element of a defense against a first strike makes little military sense. As we discussed previously, the land-based bombers and missiles cannot both be destroyed in a synchronized first-strike attack; a missile strike against Minuteman would have to be launched 30 minutes beforehand; this gives ample warning time to put the SAC bombers into the air. If the bombers are attacked from the sea, there is time for Minuteman to retaliate. Furthermore the U.S. can again put our SAC bomber force on "airborne alert" during periods of threatening conflict. Inclusion of the coastal sites for bomber defense makes the system less easily distinguishable from a first step toward a city defense which would, as President Nixon has said, be provocative.

In short I can see no rational justification whatsoever for including bomber defense in an ABM system designed to protect our retaliatory force.

3. Defense against Chinese attack

Protection against a Chinese attack was the initial motive for proposing deployment of the original "thin" Sentinel system and this

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has remained one of the objectives of the modified system.

Technically what protection of our cities against Chinese attack in the mid-1970's can the Sentinel give? Any prediction of Chinese power in 1975 is an even farther extrapolation from known facts than is the prediction of the Soviet threat. If the Chinese choose to dedicate a large fraction of their industrial and scientific resources toward penetrating the Sentinel system soon after it was deployed then technically they could do so, using decoys or other techniques. Moreover, the Safeguard could probably be by-passed by a submarine or ship-launched weapon.

Our projections of Chinese capability have been revised radically downward during the last year as a result of our evaluation of the impact of the "cultural revolution"; moreover, it is possible that the Chinese may choose to exploit their entry into the nuclear club for political and propaganda purposes only. It is, of course, possible, and in fact likely, that Chinese actions will be influenced substantially by U.S. decisions. I conclude that the modified Sentinel system may protect some cities against simple forms of Chinese missile attack for some unknown but very limited period of time after its deployment; the duration of this time can be controlled by Chinese decisions.

There is complete agreement that should the Chinese carry out or even threaten any nuclear attack in the mid-1970's they would be subject to totally devastating retaliation. U.S. superiority in weapons over the Chinese will remain so enormous that we could even carry out a pre-emptive attack specifically aimed against Chinese launch sites.

4. Protection against accidental nuclear missile attack

The modified Sentinel system is intended to give some protection against a small accidental launch and I consider this to be a valid objective in particular in protecting command and control centers. However, the degree of protection it does offer is highly limited. For one thing the chance of such an accident occurring is in itself directly related to the level of armaments and the degree of tension in the world, and therefore heightening of the arms race increases the likelihood of an accident.

The technical effectiveness of the modified Sentinel in preventing damage from an accidental launch would depend very much on the nature of the accident. If it were due to some malfunction of control, the "accident" could include the dispersal of decoys or could involve multiple warheads; then in general the modified Sentinel System would be penetrated. It is true that a *single* accidental launch might be stopped; however, here we have the practical problem of whether the state of alertness of the system in peacetime can be kept at a high enough level that it would be effective against a single incoming missile. In short the modified Sentinel has very limited value in providing protection against accident, and accident of the ABM system itself can also occur.

5. Early experience with a deployed ABM

In earlier testimony it has been suggested that deploying Sentinel now would be essential so that operational experience with an ABM system of some kind could be obtained at the earliest possible date. Note that Research and Development of ABM technology has been pursued for about a decade at a cost close to one-half billion dollars per year.

What does operational experience mean? Clearly actual intercepts using nuclear explosions to exercise the system cannot be undertaken by any signatory of the Nuclear Test Ban Treaty. As far as testing technical performance is concerned the present R&D facilities are very much more suitable than the *operational* sites to be located at Grand Forks Air Force Base and Malmstrom Air Force Base. Several successful exercises have been carried out in which missiles launched from Vandenberg Air Force Base out over the Pacific Test Range have been tracked and intercepted from the R&D installations at Kwajalein. Unless the range safety policies now governing the firing of missiles over inhabited land areas are grossly modified it would be impossible to carry out such exercises with missiles fired into the operational Sentinel installations. Thus "Operational Experience" with the Sentinel installations will mainly relate to production, organization and training, but will be inferior to R&D exercises technically. Operational experience with all military systems has shown that transfer of a system from R&D to operational status greatly lengthens the time cycle over which improvements can be incorporated. Since design of a modified Sentinel system is far from optimum for its new mission of protecting hard strategic targets I would conclude that transferring the system from an R&D to operational status now would actually interfere with evolving a system suitable for the indicated mission.

CONCLUSION

I can think of no better prescription for accelerating the arms race than to take the position that we must prepare a fully safe counter measure for any technically imaginable contingency. This race has led to our current situation in which our true military security has decreased steadily while the cost of maintaining the degree of security we do possess has increased.

On reviewing the stated purposes of the modified Sentinel system I conclude that the mission of defending the Minuteman force is the only one which may become a valid and important motive in the future. However, the modified Sentinel system which is a simple reconfiguration of components designed for city defense is not a reasonable engineering solution for this problem. A good technical solution for this purpose should involve smaller and less expensive missiles and larger numbers of simpler hardened radars.

Considering the enormous combined second strike power of the Polaris and Poseidon fleet, the SAC bombers, Minuteman and Titan, and the tactical nuclear armed aircraft in Europe, it appears impossible that the Soviet Union can attain first strike power by the mid-1970's. For this reason we could well afford the time to develop a properly designed active defense for Minuteman, should it be required.

Since agreed limitation or reduction of armaments appears at last to be in sight I feel that the military value of any step such as the ABM which feeds the arms race should be examined most critically. It is my considered judgment that authorization of the ABM modified Sentinel system now would be an unwise decision—both in the sense of increasing military security within given total resources and in the broader sense of increasing the overall security of our nation and the world.

TECHNICAL REQUIREMENTS FOR ABM

CITY DEFENSE *High value target*	"HARD POINT" DEFENSE *Low value target*
Intercept at high altitude	Intercept at low altitude
Long fly-out range	Short fly-out range
Soft or slightly hardened Radar	Very hard Radar
Decoy discrimination at high altitude	Atmosphere eliminates decoy
Complete elimination of incoming missiles	Attrition of incoming missiles
Cost per anti-missile may be substantial	Anti-missiles should be inexpensive

DR. HERBERT F. YORK STRONGLY OPPOSES ABM PROPOSAL OF PRESIDENT NIXON

Mr. YOUNG of Ohio. Mr. President, on April 22, 1969, Dr. Herbert F. York testified before the Committee on Armed Services on the proposed safeguard anti-ballistic-missile system in connection with hearings on the authorization bill for fiscal year 1970 for the procurement of aircraft, missiles, ships, and research development.

Senators will recall that from 1958 to 1961, Dr. York was Director of Defense Research and Engineering in the office of the Secretary of Defense and is one of the Nation's foremost experts on defense weaponry. He was chancellor of the University of California, San Diego, from 1961 to 1967, and is presently professor of physics there. From 1964 to 1967, Dr. York was a member of the President's Science Advisory Committee; from 1962 to 1969, he was a member of the General Advisory Committee to the U.S. Arms Control and Disarmament Agency. He is presently a trustee of the Institute for Defense Analyses.

There are few men in our Nation as qualified as Dr. York to testify on the proposed ABM. He made a magnificent presentation before the Armed Services Committee, setting forth in detail his grave doubts as to the wisdom of proceeding with the deployment of an ABM system because of the fact that the safeguard system is technically questionable, and because its deployment would accelerate the arms race.

Perhaps the worst implication of the ABM with regard to arms control, as Dr. York put it, is that it would deceive Americans into believing that there is a technical solution to protection against nuclear attack.

Of course, our best defense against any possible nuclear Pearl Harbor or a nuclear attack of any kind from the Soviet Union or from Red China is our power of immediate retaliation, sometimes termed our second-strike capability, with our Polaris submarines and with our land-based missiles. On such a second strike we could completely obliterate every city in the Soviet Union, and every railroad, every airbase and military base in the vast expanse of the Soviet Union or Communist China within a matter of hours. Therefore, it is the height of stupidity to proceed with an ABM defensive missile system.

I commend Dr. York's opening statement before the Committee on Armed Services to the attention of the Senators. I ask unanimous consent that the statement may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY HERBERT F. YORK BEFORE THE SENATE ARMED SERVICES COMMITTEE, APRIL 22–23, 1969

Mr. Chairman and Members of the Committee:

I appreciate very much the opportunity to appear before your committee to discuss the proposed ABM program. I had, as you know, an opportunity to discuss this same general problem before a subcommittee of the Senate Foreign Relations Committee on March 11. Since that time, a new threat analysis has been presented, and a new ABM deployment,

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called Safeguard, has been proposed. Safeguard appears to be partly a response to the new threat analysis, partly a response to the objectives of many Americans to the deployment of Sentinel components in their backyards, and partly a response to technical objectives to the Sentinel system raised by scientists and engineers, both inside and outside the present defense establishment.

I do not doubt the statements of the Secretary of Defense that the Soviets are now rapidly building up their offensive forces. If we examine the charts presented to this committee by Defense officials a month ago, what is difficult to understand about this matter is why the Soviets settled for being a poor second in intercontinental nuclear arms for such a long time. Conceivably, the suggestion that the Soviets are reaching for a first strike capability may be true, but their actions can be easily understood without appealing to such a notion. In any event, I doubt the wisdom of the proposed U.S. response because (1) the Safeguard System is technically questionable and (2) the deployment of Safeguard would accelerate the arms race.

For our purposes today it is important to note that the Defense Department has in these last few weeks reintroduced the objective of providing an ABM defense capable of coping with a large and sophisticated offense. True, the defense of selected hard points now being proposed for Safeguard is theoretically somewhat easier than the defense of large soft targets such as cities, the goal of Sentinel and its predecessors. However, the designers are now again required to cope with that large variety of very difficult technical problems which defense designers tried unsuccessfully to solve in the days of Nike Zeus and Nike-X. I am referring to that group of qualifiable technical problems which includes radar blackout, penetration aids of all sorts (decoys, chaff, electronic countermeasures and multiple warheads), warhead kill mechanisms and the defenses against them, as well as offensive tactics such a "roll back" and saturation techniques. Fortunately, these matters have been much discussed in public in recent years and especially in recent months. As a result, I think it has become clear to most interested persons that while defense designers have sometimes been on the verge of solving one or two of these problems when they treat them separately and in isolation, they have never come close to coping with them in the complex combinations that even a moderately sophisticated offense can present. I see no reason to suppose that this situation will change.

I should like now to turn to two technical problems that pertain to all the forms of ABM so far proposed, but which unfortunately are not so simple to discuss nor so easy to quantify as that class of problems I have just mentioned.

Any active defense system such as the ABM, must sit in readiness for two or four or eight years and then fire at precisely the correct second following a warning time of only a few minutes. This warning time is so short that many systems designers would like to eliminate human decision-makers, even at low command levels, from the decision making system. Further, the precision needed for the fire time is so fine that machines must be used to choose the precise instant of firing no matter how the decision to fire is made. In the case of offensive missiles the situation is different in an essential way: although maintaining readiness throughout a long, indefinite period is necessary, the moment of firing is not so precisely controlled in general and hence human decision makers, including even those at high levels, may readily be permitted to play a part in the decision-making process. Thus if we wish to be certain that the defense will respond under conditions of surprise, the trigger of the ABM, unlike the triggers of the ICBMs and Polarises, must be continuously sensitive and ready, in short a "hair" trigger for indefinitely long periods of time. On the other hand, it is obvious that we cannot afford to have an ABM fire by mistake or in response to a false alarm. Indeed the Army went to some pains to assure residents of areas near proposed Sentinel sites that it was imposing requirements to insure against the accidental launching of the missile and the subsequent detonation of the nuclear warhead it carries. Moreover Army R&D officials have assured the public that no ABM's would ever be launched without specific approval of "very high authorities." These two requirements, a "hair" trigger so that it can cope with a surprise attack and a "stiff" trigger so that it will never go off accidentally or without proper authorization are, I believe, contradictory requirements. In saying this I am not expressing doubt as to the stated intention of the present Army R&D leaders, and I strongly endorse the restrictions implied in their statements. However, I am saying that if the system cannot be fired without approval of the "highest authorities," then the probability of its being fired under conditions of surprise is less than it would be otherwise. Furthermore, when control over the system passes from the present R&D oriented officers to operations oriented officers, it is not at all clear that these latter will approach the problem with the same degree of sensitivity. It is important to emphasize that this problem exists only in the real world and not in the test range; on the test range there need be no such concern about accidental misfires, the interceptions do not involve the use of nuclear weapons and the day, if not the second, of the mock attack is known. Another essential (but again difficult to quantify) difference between the real world and the test range lies in the fact that the deployed defensive equipment will, normally, never have been fully and realistically exercised and even the supposedly identical test range equipment will never have been tested against the precise target or targets that the deployed equipment would ultimately have to face. In the case of other defense systems which have worked after a fashion, practice using the actual deployed equipment against real targets has been possible and has been a major element in increasing their effectiveness. Thus, the Soviet SAMs in North Vietnam work as well as they do because both the equipment designers and the operating crews have had plenty of opportunities to practice against U.S. targets equipped with real countermeasures and employing real tactics.

For all these reasons, I continue to have the gravest doubts as to the capability of any ABM system I have heard of, whether or not the problem has been defined into being "easy" and whether or not it "works" on a test range. I stress that I am not just talking about some percentage failure inherent in the mathematical distribution of miss distances, nor statistically predictable failures in system components, but rather about possible catastrophic failure in which at the moment of truth either the system doesn't fire at all, or all interceptions fail for some unforeseen reason.

Let us now move from technical to political matters concerning the relationship between the ABM and the arms race. It is frequently said that the ABM, or at least some versions of it, does not have serious arms control implications. The reasons advanced have to do with its intrinsically defensive character. In my opinion such a belief is based on an error which may be called "The Fallacy of the Last Move." It is indeed true that if the last move ever made in the arms race consisted in deploying an ABM system, then deploying the ABM would by definition not have any arms race implications. But in the real world of constant change in both the technology and the deployed numbers of all kinds of strategic weapon systems, ABMs are accelerating elements in the arms race. In support of this, let us consider a relevant bit of recent history.

At the beginning of this decade, we began to hear about a possible Soviet ABM and we became concerned about its potential effects on our ICBM and Polaris systems. It was then that we began seriously to consider various penetration aid ideas, among them that of placing more than one warhead on a single offensive missile. This idea has since grown in complexity, as these things do, and has resulted in the MIRV concept (Multiple Independently targeted Reentry Vehicles). There are now additional justifications for MIRV besides penetration, but that is how it all started. As others have pointed out, the MIRV concept is a very important element in accelerating the arms race, and potentially seriously destabilizing. In fact, the possibility of a Soviet MIRV is used as one of the main arguments in support of the idea of hard-point defense and thus we have come one full turn around the arms race spiral. No one in 1960–61 thought through the potential destabilizing effects of multiple warheads, and certainly no one predicted, or even could have predicted, that the inexorable logic of the arms race would carry us directly from Soviet talk in 1960 about defending Moscow against missiles, to a requirement for hard-point defense of offensive missile sites in the United States in 1969. Likewise, I am sure the Russians did not foresee the large increase in deployed U.S. warheads that will ultimately result from their ABM deployment. Similarly no one today can describe in detail the chain-reaction which the Safeguard deployment would lead to. The response of our defense establishment to the Soviet ABM, which I have outlined above, was not the result of our being "provoked," and I emphasize this because we hear so much discussion about what is a "provocative" move and what is not. Rather, our response was motivated by a deep seated belief that the only appropriate response to any new technical development on the other side is further technical complexity of our own. The arms race is not so much a series of political provocations followed by hot emotional reactions, as it is a series of technical challenges followed by cool calculated responses in the form of ever more costly, more complex, and more fully automated devices. I believe that this endless, seemingly uncontrollable process was one of the principal things President Eisenhower has in mind when he made his other, usually forgotten, warning: "we must be alert to the . . . danger that public policy could itself become the captive of a scientific-technological elite." He placed this other warning, also from his farewell address, on the same level as the much more familiar warning about the military-industrial complex.

It may be that the present Soviet offensive buildup is in part a response to one of the earlier versions of our ABM. The Soviet "Pentagonologists" may simply have concluded in the mid sixties that the U.S. Military-Industrial complex eventually would succeed in foisting an ABM on the American people, and the Soviet technologists felt a need to provide a technical response to it, just as we did earlier in the reverse case. Just how correct this hypothetical analysis of our future action was, still remains to be seen.

Thus, although I cannot be sure of the mechanism, I believe that either Sentinel or Safeguard will produce further acceleration of the arms race. It is possible that the deployment of these ABMs will lead to a new round of penetration aid developments with further consequences of the magnitude of those produced by MIRV. It is indeed probable that deployment of these ABMs would

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lead to greater numbers of deployed offensive warheads on both sides. We may further expect deployment of these ABMs to lead to the persistent query, "but how do you know it really works?" and thus to increase the pressures against the current Partial Test Ban Treaty. Finally, it is certain that deployment of these ABMs will lead to placing greater reliance on automatic devices for making that ultimate decision about whether or not doomsday had arrived.

Perhaps the worst implication of the ABM with regard to arms control, is that the people and the Congress may be deceived into believing that we are finally on the track of a technical solution to the dilemma of the steady decrease in our national security which has accompanied the steady increase in our military power over the last two decades. Such a false hope would be extremely dangerous if it diverted any of us from searching for a solution in the only place it may be found; in a political search for peace combined with arms control and disarmament measures.

Let me close on a more positive note by saying that I do believe there are circumstances in which an ABM could play a beneficial role. Such a circumstance would be one in which, as part of a bold and strong arms control agreement, at least one offensive missile was eliminated for each defensive missile deployed. Under such circumstances, deployment of an ABM would receive very wide support indeed. But, unfortunately, that's not what we're talking about; instead, the only serious proposals before us seem to involve more of everything.

COURAGEOUS EMPLOYEES AND THE C-5A OVERRUNS

Mr. PROXMIRE. Mr. President, the C-5A affair has many ramifications, as an editorial in the Washington Post for Sunday, May 4, 1969, quite properly points out.

Among the points the Post questions is whether a thorough investigation at the Pentagon will, in fact, be made or whether the matter will be glossed over in order to protect the Pentagon's image.

QUESTIONABLE CONTRACT

In addition, the editorial quite rightly raises the fundamental issue as to the nature of the contract. Under it, Lockheed can recoup on a second run of the plane any losses or "overruns it encounters on the first run or installment of the plane."

Such a contract obviously puts no premium on cutting costs. Indeed, it gives every appearance of inviting "buy in bidding." That is the practice where a firm's original bid or offer is lower than it knows it can meet. It is made in the knowledge that once the contract is let the differences can be made up through a variety of devices, such as change orders, so that it gets the contract and yet makes big money.

This situation occurs because of the lack of competitive bidding at the Pentagon. The fact that almost 90 percent of all Pentagon buying is through "negotiated" contracts invites these abuses.

IMPROPER TO PROTECT COMPANY STOCK

The Post also points out that it is no business whatsoever for the Pentagon to concern itself about how the stock market may react to proper Pentagon announcements. The Pentagon should do what is right, tell the truth, and let the market assess the impact no matter who is helped or hurt.

It is no business of the Pentagon to shield the stock of any company from the functions of the market.

CONGRESSIONAL RIGHT TO KNOW THE TRUTH

There are other matters of great importance connected with the C-5A affair which the editorial does not mention.

First and foremost is the right, in fact, the duty of a Government employee to testify before a committee of the Congress without fear of retaliation. And related to the employee's right to testify is the fundamental right of Congress to know the truth.

It was the Economy in Government Subcommittee of the Joint Economic Committee which first exposed the C-5A affair last November.

FITZGERALD TESTIMONY

Mr. A. E. Fitzgerald, an Air Force cost expert, had detailed knowledge of the C-5A overruns. During our hearings I asked him to testify. I asked the Air Force representative at the hearings if the Air Force had any objections. They had none. Mr. Fitzgerald then testified to the $2 billion overrun. That was the first public expose of the fact that the C-5A would have the overrun. This began what has now come to be called the C-5A affair.

Then things began to happen to Mr. Fitzgerald. A notice that he was to receive a permanent appointment was withdrawn. A memorandum detailing the means to fire him was sent to the Secretary of the Air Force.

Here was a man who testified at the request of Congress and with the permission of the Air Force who was nonetheless the victim of intense retaliation. The Air Force now treats him as if he has smallpox or is radioactive.

Events have shown that his testimony was true. It was his superiors who were wrong and who were trying to hide the facts and cover up the huge cost increases because, among other reasons, such disclosures "might put Lockheed's position in the common—stock—market in jeopardy."

COLONEL BECKMAN'S STATEMENT

I hope that Col. K. N. Beckman does not suffer Mr. Fitzgerald's fate. Colonel Beckman is the Air Force colonel who testified to these facts under questioning by Congressman Moorhead at a House committee hearing last week. Congressman Moorhead is also a member of the Economy in Government Subcommittee of the Joint Economic Committee and had been in on the C-5A affair from the beginning.

PROMOTE, DO NOT RETALIATE

Mr. Fitzgerald and Colonel Beckman should be promoted, not retaliated against. They should be given medals, not fired or retired.

Both of them were right.

I will watch with great interest to see if the same fate now attaches to Col. K. N. Beckman of the Air Force that happened to Mr. A. E. Fitzgerald.

I serve notice that I intend to do anything I can to see that these men and other Government employees who testify to the truth at the request of Congress are insulated from petty retaliation on the part of higher ups who are at fault.

Mr. President, I ask unanimous consent that the Post editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Post, May 4, 1969]

Word of Defense Secretary Laird's plan to review the Air Force's contract with the Lockheed Aircraft Corp. to build the giant jet transport C-5A would be more reassuring if it had come unaccompanied by evidence that the Secretary is preoccupied with putting the best face on things. While promising a "thorough" inquiry about the contract, Mr. Laird asked his top aides to design ways to combat what he called "adverse commentary" on the rising costs of the C-5A. In any case, the results of "in house" investigations, even one conducted by a Republican Administration of actions during a Democratic one, are seldom as persuasive as those obtained by full-scale congressional hearings. In the case of the C-5A (also known as the Galaxy), a number of questions—if not allegations—of impropriety have been raised about the contract and about defense procurement policy itself.

Under probing by Rep. William S. Moorhead, an Air Force colonel told a House Government Operations Subcommittee last week that his civilian superiors had approved an effort to cover up huge cost increases in building the Galaxy because public disclosure "might put Lockheed's position in the common (stock) market in jeopardy." The civilians named by the colonel are Robert H. Charles, Assistant Secretary of the Air Force for Installations and Logistics, and Robert N. Anthony, a former Defense Department Comptroller. Whether, in fact, Messrs. Charles and Anthony glossed over cost increases to shield Lockheed's stock has yet to be determined. What is clear is that if they did, they should not have; the Pentagon's responsibilities do not include protecting the market value of stock of firms with which it contracts.

But that is only part of the matter, which really goes to the fundamental question of how the Pentagon buys its hardware. For one thing, the Galaxy contracts involve a $2.1 billion miscalculation on a $3.1 billion project. For another, the terms of the contract would seem to reward inefficiency—and at a premium rate.

Without getting engulfed in the esoteric language of cost analysis and weapons procurement it is important to understand a few basic things about the Galaxy contract. In 1964, the Air Force estimated that 120 C-5A aircraft would cost $3.1 billion. Now the Air Force figures the Galaxy will cost at least $5.2 billion, or $2.1 billion more. Excesses of actual costs over estimates, called "overruns" at the Pentagon, are not unique in weapons development and procurement, although a $2 billion overrun seems on the high side. But the Galaxy contract, which was designed by Assistant Secretary Charles, contains a novel feature which provides that losses suffered by Lockheed on the first installment of 58 planes it produced could be recovered and turned into profits—by a price adjustment—if the Air Force decided to order a second batch of 62 aircraft.

Just how much of the overrun can be attributed to inefficiency on the part of Lockheed or inflation or unforeseen, but normal development problems with the aircraft itself is not known. And it is not easily determined just how much of a loss Lockheed anticipated on the first batch of 58 planes. Rep. Chet Holifield, the California Democrat who heads the House Committee, not only ordered a witness not to answer that question, but threw in a challenge to at-

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> tendant newsmen to make what they could of it.
>
> What we make of it is that the instinct for the cover-up in these matters is as strong in certain quarters in Congress as it is in the Pentagon, and that some Congressman or Senator with more courage and candor than Mr. Holifield ought to step in on the taxpayers' behalf and investigate not only the Galaxy affair but the whole procurement process at the Pentagon.

HUMAN RIGHTS CONVENTION ON FORCED LABOR

Mr. PROXMIRE. Mr. President, the investigations which led to the Human Rights Convention on Forced Labor were first recommended by the labor organization here in the United States. In 1947 the American Federation of Labor requested that the United Nations conduct an investigation into the practice of forced labor in any and all areas of the world. For 2 years several Communist countries attempted to block any consideration of this matter by the United Nations, but in 1949 the International Labor Council was asked by the United Nations Economic and Social Council to set up an investigation into this question.

The Council announced that extensive forced labor existed in many nations, among them those Communist countries that had struggled so hard to block the investigation. The findings listed the Union of Soviet Socialist Republics, Red China, Rumania, Hungary, Czechoslovakia, and Bulgaria as the principal offenders.

In June of 1957, in response to the findings of the International Labor Council investigation, a Human Rights Convention calling for the abolition of forced labor was adopted in Geneva. In the 12 years since then, more nations have ratified this convention than any of the other major human rights conventions. There are some notable exceptions that have refrained from taking any positive action on this issue. Among these are Albania, the Union of Soviet Socialist Republics, Bulgaria, and Hungary. The reason for ignoring or denouncing of the convention by these nations is obvious; they are some of the offenders listed by the ILO investigation and their position would be rendered untenable by a ratification.

But why does the United States stand in the ranks of those nations that have failed to ratify the Convention on Forced Labor? It was our own labor organization that originated the call for the convention. The result is a convention which accords with the basic beliefs held and practiced here in America.

It is time for the United States to demonstrate its beliefs to the world community. It is time for the U.S. Senate to ratify the Human Rights Convention on Forced Labor.

ORDER OF BUSINESS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may be permitted to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

FORMER ASSISTANT SECRETARY OF DEFENSE THOMAS MORRIS

Mr. PROXMIRE. Mr. President, on Saturday I made a statement from my office in which I criticized former Assistant Secretary of Defense Thomas Morris for going directly from his position as the chief Pentagon procurement officer to a top job with Litton Industries, one of the Nation's biggest defense contractors. At that time I said:

> Morris's hiring by Litton is more serious than the hiring of admirals and generals by defense contractors. Morris has been the big boss on all military procurement.

I pointed out that this is especially important because the nature of our Pentagon procurement is such that holding down costs depends overwhelmingly on the zeal and determination of the Pentagon officer who is dealing with the contractor because procurement is not, by and large, on a competitive basis. Morris has been the Pentagon official responsible for hiring or appointing, for training and directing, and even promoting many of those with whom Litton Industries his new employer will be dealing at all levels, and undoubtedly this would have great influence with those promotion officers in dealing with Litton Industries, which is one of the top contractors in the country. In 1967, Litton's contracts jumped from $180 million to $466 million in 1968, a 250 percent jump. That jump occurred the last full year of Morris' power as the Pentagon procurement boss.

I said in my release that Morris' vice-presidency of Litton can be viewed both as a payoff for the huge Pentagon business shifted to Litton in 1968 and as assurance of immense future influence for Litton.

Mr. President, I had a telephone call yesterday from a man I highly respect, who was formerly in the Government, complaining about my statement regarding Mr. Morris. He said Mr. Morris was a conscientious and hardworking man who has very fine character. This is true. Morris' health broke down at times because he worked so hard in the Pentagon. He would work from early in the morning until late at night.

However, we cannot escape the fact that when the chief procurement officer of the Pentagon goes directly to work as a vice president of one of the bigger defense contractors in the country, it does result in influence for that defense contractor in what would appear to be a very strong likelihood of much more profitable associations with the Pentagon.

I called Mr. Morris this morning because the man who called me Sunday said that Morris' relationships with the Litton company had been restricted and preconditioned and that Mr. Morris' actions with Litton would be governed by a considerable degree of discretion. I asked Mr. Morris to tell me exactly what his relations were. He said he would make some notes and call back.

I have just been handed the notes of what he said. I have not had an opportunity to look at them first but I am going to read them into the RECORD. He is a good man. However, I do not repudiate anything I said, not only about the impropriety but also the unfortunate effect of the top Pentagon procurement official going to work for a large defense contractor.

Mr. President, I shall now read the statement taken over the telephone by my staff. The statement was read back to Mr. Morris and he approved it.

> DEAR SENATOR PROXMIRE: I appreciate this opportunity to comment on the statements contained in your press release of May 3 regarding my employment by Litton Industries. I would like to make three points.
>
> 1. It was a pre-condition of both Litton and myself that, if employed, I would have no connection whatsoever with defense contracts or with the divisions of Litton who are engaged primarily in defense business. This was readily possible since 70% of Litton business is non-defense.
>
> 2. During my five years of service as Assistant Secretary of Defense for Installations and Logistics, I did not participate at any time in the selection of Litton as a defense contractor.
>
> 3. Since joining Litton on February 3, 1969, I have been responsible only for overseeing the operations of three companies who produce metal cutting machine tools and related supplies. These companies sell primarily to industrial customers and their government sales are de minimus. In fact, their government sales would amount to a fraction of 1% of total Litton business.
>
> I have not and will not be involved in any way in the sale of any Litton products to the Defense Department.
>
> I hope that you will make these comments available to the public.
>
> Sincerely,
>
> THOMAS MORRIS.

Of course, I am making his comments available now—as of now—and am doing so because I think it is only fair to Mr. Morris.

I repeat, he was the chief procurement officer for the Pentagon. Obviously, he has the finest, the closest and the strongest kinds of ties with the procurement officers in the Pentagon who will be dealing with Litton.

Of course, Mr. Morris will not deal himself, directly or personally, with these officers, but they know that he is employed by Litton and that he is a vice president of that company.

It is my information that the particular branch of Litton for which Mr. Morris will be responsible does 10 percent of its business with the Defense Department and that represents many millions of dollars each year.

I think, under these circumstances, that it is most unfortunate that Mr. Morris has made this connection. There are any number of other jobs that Mr. Morris could have obtained. Therefore, it seems to me to impose no burden upon him to suggest that he should have taken one of these other jobs.

I do hope that the Congress will seriously consider legislation which will, in the future, prevent a top official of the Government, with this kind of influence and background, from making this kind of connection with a defense contractor who obviously, can gain so much from the connection, at the expense, I think, of the American taxpayer.

Mr. President, I ask unanimous consent to have printed in the RECORD my

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press release in connection with this matter which was issued on Saturday, May 3, 1969.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

[From the Office of Senator WILLIAM PROXMIRE, Wisconsin, May 3, 1969]

Senator William Proxmire (D.-Wis.) Saturday night sharply criticized former Assistant Secretary of Defense Thomas Morris for going directly from his position as the chief Pentagon procurement officer to a top job with Litton Industries, one of the nation's biggest defense contractors.

In a statement from his office in Washington, Proxmire said:

"Morris's hiring by Litton is more serious than the hiring of admirals and generals by defense contractors. Morris has been the big boss on all military procurement.

"In hiring Morris, Litton is buying influence with the Pentagon and plenty of it. Morris is the Vince Lombardi of Pentagon procurement influence.

"For years, no one has been more integrally and powerfully involved with every Pentagon decision on the annual $43 billion dollar military procurement than Morris.

"As a Litton vice president, just consider the powerful associations Morris will have with virtually every Pentagon official who will be dealing with Litton.

"Morris was responsible for hiring or appointing, for training and directing—and even promoting many of those with whom he will be dealing at all levels.

"Here is a conflict of interest at its most vivid and conspicuous. This is especially true because of the following nature of defense contracting:

"1. Almost 90% of defense contracting is not by competitive bidding but by some form of negotiation. Whether Litton or some other firm gets a particular contract will be determined very largely by the subjective attitude of Pentagon officials toward Litton officials.

"With Tom Morris coaching the Litton team, how objective will Morris' former subordinates be in deciding whether or not to give the big profitable jobs to Litton?

"2. Even more useful to Litton and expensive for the taxpayer than landing big contracts will be the way those Litton contracts are handled.

"Morris' influence will help Litton immensely in seeing that Pentagon officials take a 'soft' attitude on any inflations, mistakes or other unjustified reasons for cost increases.

'The right attitude from the Pentagon contracting officialdom can assure juicy profits to any contractor.

"By landing Morris, Litton has virtually assured this right attitude.

"As the recent report of Richard Stubbings of the Budget Bureau convincingly documented, overruns—those costs in excess of estimated costs—for big defense contractors—typically exceed 100 to 200%. How much these costs are allowed to exceed initial estimates is determined by Pentagon contracting officials.

"This determination is the vital factor in defense contractor profits.

"But as Litton's hiring of Morris is a bonanza for Litton stockholders, it is a vivid example of why military waste is such a burden on the American taxpayer.

"The waste in this $43 billion of annual military procurement is exactly because the influence of defense contractors with the Pentagon has been so potent in keeping procurement costs so high.

"Morris's decision to go with Litton is particularly offensive because in the last full year of Morris's power as the Pentagon procurement boss, Litton's contracts jumped $180 million in 1967 to $466 million in 1968—a mammoth 250%.

"So Morris's vice presidency of Litton can be viewed both as a payoff for the huge Pentagon business shifted to Litton in 1968 and as assurance of immense future influence for Litton.

"I intend to explore fully the possibilities of legislative action to prevent this kind of massive influence buying in the future."

S. 2055—INTRODUCTION OF A BILL TO PROVIDE THAT INSTITUTIONS OF HIGHER EDUCATION EITHER MAINTAIN DISCIPLINE ON THEIR CAMPUSES OR LOSE FEDERAL CONTRACTS

Mr. COTTON. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, I am introducing, for appropriate reference, a bill to provide that institutions of higher education that have failed to take necessary steps to maintain a reasonable degree of discipline upon their campuses be ineligible to receive Federal contracts.

The Attorney General of the United States in a Law Day speech called for a crackdown by Federal, State, and local law enforcement officials on violence on college campuses. The President has indicated the urgency of some such action.

On the other hand, the 800 delegates assembled in the annual convention of the American Association of University Professors, representing 90,000 college university professors, deplored this "hard line" approach and branded it as an attack upon academic freedom.

In my opinion, Mr. President, there is some justification for both points of view. Certainly, if student violence reaches the point where lives are endangered and the safety of the public jeopardized there would be need for public authority to move in with or without invitation by the college authorities. However, the administration of an educational institution and the enforcement of its discipline is primarily in the hands of the college authorities. Civil authority cannot and must not attempt to administer the affairs of any college. Discipline and the rules to be followed in maintaining it must come from within.

But, though the Federal Government is in no position to take over the administering of any college or university because of disorder and violence upon its campus, it does not follow that the Federal Government should use taxpayers money in supporting institutions that fail or neglect to take necessary steps to preserve order.

My bill simply provides that the Secretary of Health, Education, and Welfare, or the Secretary of Defense or the head of the National Science Foundation or any other executive of an agency of Government which grants research contracts or other benefits to the educational institution shall cease to make new grants, or enter into contracts, or renewals of contracts because they have failed or neglected to quell disorders. This applies only in cases when the Secretary determines that property is taken over or the right of students to attend classes has been interfered with, and the administration of such college has not expelled students, prosecuted those participating who are not students and called for police assistance when necessary.

It should be noted that this measure would not call for the interruption of existing contracts but only affects new grants or renewals. It does not encroach upon academic freedom. Any college or university can allow their administration buildings to be occupied, its orderly students deprived of their educational opportunities, and may knuckle under to any and all demands, so long as they pay their own bills.

The Federal Government last year paid colleges and higher institutions of learning $5,100,000,000, mostly in grants and contracts for research. This support of higher education should go only to those institutions that demonstrate their ability to keep their house in order.

Mr. President, I believe that this is the most effective way for the Federal Government, without exerting heavy-handed force, to stop campus violence. American colleges and universities have come to count on Federal contracts as a prime necessity. The money from these contracts is one-fourth of all that is spent in higher education. If this bill is adopted, many of the faculty members and college executives who are now shouting about academic freedom will take a second look.

It should be noted that this measure has no bearing on scholarships to individual students. It simply relates to benefits and contracts with the institution itself.

Nothing in the measure precludes peaceful picketing or nonviolent demonstrations by students seeking a representation in college administration, or any other objective.

Mr. President, it is my intention to press for passage of this bill. It is also my intention—should the Committee on Labor and Public Welfare not view this bill favorably, or should it fail of passage—as a member of the Appropriations committee to offer a similar limitation both in committee and on the floor of the Senate when the time comes to appropriate.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2055) to provide that institutions of higher education that have failed to take necessary steps to maintain a reasonable degree of discipline upon their campuses shall be ineligible to receive Federal contracts, introduced by Mr. COTTON, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of bills on the Calendar, beginning with order No. 121.

The PRESIDING OFFICER. Without objection the clerk will state the first bill.

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APPOINTMENT OF THOMAS J. WATSON, JR., TO BOARD OF REGENTS, SMITHSONIAN INSTITUTION

The joint resolution (S.J. Res. 35) to provide for the appointment of Thomas J. Watson, Jr., as Citizen Regent of the Board of Regents of the Smithsonian Institution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. Res. 35

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, shall be filled by the appointment of Thomas J. Watson, Junior, a resident of Connecticut, in place of Jerome C. Hunsaker, resigned, for the statutory term of six years.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–132), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Joint Resolution 35 would provide that the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, occasioned by the resignation of Jerome C. Hunsaker, be filled by the appointment of Thomas J. Watson, Jr., of Connecticut, for the statutory term of 6 years.

REAPPOINTMENT OF DR. JOHN NICHOLAS BROWN TO BOARD OF REGENTS, SMITHSONIAN INSTITUTION

The joint resolution (S.J. Res. 13) to provide for the reappointment of Dr. John Nicholas Brown as Citizen Regent of the Board of Regents of the Smithsonian Institution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. Res. 13

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress, which will occur by the expiration of the term of Doctor John Nicholas Brown of Providence, Rhode Island, on April 25, 1969, be filled by the reappointment of the present incumbent for the statutory term of six years.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–133), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Joint Resolution 13 would provide that the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, occasioned by the expiration of the term of Dr. John Nicholas Brown of Providence, R.I., on April 25, 1969, be filled by the reappointment of the present incumbent for the statutory term of 6 years.

JOINT RESOLUTION PASSED OVER

The joint resolution (S.J. Res. 11) to provide for the appointment of Robert Strange McNamara as Citizen Regent of the Board of Regents of the Smithsonian Institution, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The joint resolution will be passed over.

CHANGE IN LIMITATION ON APPRENTICES AUTHORIZED TO BE EMPLOYED BY GOVERNMENT PRINTING OFFICE

The bill (S. 1655) to change the limitation on the number of apprentices authorized to be employed by the Government Printing Office was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 305 of title 44, United States Code (82 Stat. 1240; Public Law 90–620), is amended by striking out "two hundred" and inserting in lieu thereof "five hundred".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–135), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Section 305 of title 44, United States Code (82 Stat. 1240; Public Law 90–620) provides that the Public Printer shall not employ more than 200 apprentices at any one time. S. 1655 would amend that provision by increasing the limitation on Government Printing Office apprentices to 500.

At a hearing before the Committee on Rules and Administration, Public Printer James L. Harrison stated that the present authority of the Government Printing Office to employ apprentices is quite unrealistic; that it is entirely inadequate to provide for the replacement of the approximately 250 journeymen lost each year by retirement, death, transfer, and other causes. He stressed that for the past several years in order to meet its responsibilities to the Congress and to the various departments the Government Printing Office had to acquire each year approximately 200 of the journeymen who had been trained by the private printing industry for its own use at considerable expenditure of time and money. Such "pirating" of their employees has been resented by private printing plants and criticized by their associations. S. 1655 would greatly reduce this regrettable but necessary impingement by the Government upon the private sector.

BILL PASSED OVER

The bill (S. 1647) to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

CITATION OF ALAN AND MARGARET McSURELY FOR CONTEMPT OF CONGRESS

The resolution (S. Res. 191) citing Alan and Margaret McSurely for contempt of Congress was considered and agreed to, as follows:

S. Res. 191

Resolved, That the President of the Senate certify the report of the Committee on Government Operations of the United States Senate on the appearance of Alan McSurely and Margaret McSurely before the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations on March 4, 1969, in Washington, District of Columbia, at which they—

(1) refused to produce books and records lawfully subpenaed to be produced before the said subcommittee, and

(2) failed to appear or to produce the said books and records pursuant to the order and direction of the chairman with the approval of the subcommittee before noon on March 7, 1969,

together with all the facts in connection therewith, under the seal of the United States Senate, to the United States Attorney for the District of Columbia, to the end that the said Alan McSurely and Margaret McSurely may be proceeded against in the manner and form provided by law.

ANA MAE YAP-DIANGCO

The bill (H.R. 4064) for the relief of Ana Mae Yap-Diangco was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–138), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States of the alien adopted child of a citizen of the United States and his wife, a lawfully resident alien.

DR. ROBERTO DE LA CARIDAD MIQUEL

The bill (H.R. 3548) for the relief of Dr. Roberto de la Caridad Miquel was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–139), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Roberto de la Caridad Miquel as of September 8, 1961, thus enabling him to file a petition for naturalization.

YAU MING CHINN (GON MING LOO)

The bill (S. 1438) for the relief of Yau Ming Chinn (Gon Ming Loo) was considered, ordered to be engrossed for

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a third reading, read the third time, and passed, as follows:

S. 1436

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Yau Ming Chinn (Gon Ming Loo) may be classified as a child within the meaning of section 101(b)(1)(F) of such Act, upon approval of a petition filed in his behalf by Mrs. Fanny Loo Chinn, a citizen of the United States, pursuant to section 204 of such Act: *Provided*, That no brothers or sisters to the said Yau Ming Chinn (Gon Ming Loo) shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–140), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in an immediate relative status of an alien child to be adopted by a citizen of the United States.

THI HUONG NGUYEN

The bill (S. 1104) for the relief of Thi Huong Nguyen and her minor child, Minh Linh Nguyen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1104

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Thi Huong Nguyen, the fiance of Sergeant Richard Beshada, a citizen of the United States, and her minor child, Minh Linh Nguyen, shall be eligible for visas as nonimmigrant temporary visitors for a period of three months: *Provided*, That the administrative authorities find that the said Thi Huong Nguyen is coming to the United States with a bona fide intention of being married to the said Sergeant Richard Beshada and that she and her minor child, Minh Linh Nguyen, are found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Thi Huong Nguyen and her minor child, Minh Linh Nguyen, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Thi Huong Nguyen and her minor child, Minh Linh Nguyen, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Thi Huong Nguyen and her minor child, Minh Linh Nguyen, as of the date of the payment by them of the required visa fees.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–141), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable Thi Huong Nguyen and her minor child to enter the United States for the purpose of marrying her U.S. citizen fiance.

HECTOR ENRIQUE GONZALES

The Senate proceeded to consider the bill (S. 738) for the relief of Hector Enrique Gonzales, which had been reported from the Committee on the Judiciary, with an amendment, strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Hector Enrique Gonzales shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 18, 1958, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–142), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill as amended is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents.

NEW HAMPSHIRE-VERMONT INTERSTATE SCHOOL COMPACT

The bill (S. 278) to consent to the New Hampshire-Vermont Interstate School Compact was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to its consideration.

Mr. PROUTY. Mr. President, the States of Vermont and New Hampshire share much in common, particularly New England pragmatism.

They now seek the assistance of this body in consenting to interstate school districts. The bill now before the Senate for consideration, S. 278, will permit, not require, an efficient consolidation of the educational resources of towns along the border of our two States which are separated only by the Connecticut River.

I urge the Senators to join me in approving this measure and enable the border towns to build educational bridges across the river. Passage of this measure is earnestly sought by the legislatures of both States, the congressional delegations from both States, and the people of the border towns.

With the consent of Congress, an experimental interstate school district was established in 1963 between the towns of Norwich, Vt., and Hanover, N.H.

This Dresdon School District has proved a success and has been watched very closely by nearby communities in both States. Other communities would like to follow this example.

A bill identical to S. 278 was passed by this body in the second session of the 90th Congress, but time did not permit its consideration in the House of Representatives.

I hope the Senate will again give its consent to this measure and that the House will take action on it at this session.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress consents to the New Hampshire-Vermont Interstate School Compact which is substantially as follows:

"NEW HAMPSHIRE-VERMONT INTERSTATE SCHOOL COMPACT

"ARTICLE I

"GENERAL PROVISIONS

"A. STATEMENT OF POLICY.—It is the purpose of this compact to increase the educational opportunities within the states of New Hampshire and Vermont by encouraging the formation of interstate school districts which will each be a natural social and economic region with adequate financial resources and a number of pupils sufficient to permit the efficient use of school facilities within the interstate district and to provide improved instruction. The state boards of education of New Hampshire and Vermont may formulate and adopt additional standards consistent with this purpose and with these standards; and the formation of any interstate school district and the adoption of its articles of agreement shall be subject to the approval of both state boards as hereinafter set forth.

"B. REQUIREMENT OF CONGRESSIONAL APPROVAL.—This compact shall not become effective until approved by the United States Congress.

"C. DEFINITIONS.—The terms used in this compact shall be construed as follows, unless a different meaning is clearly apparent from the language or context:

"a. 'Interstate school district' and 'interstate district' shall mean a school district composed of one or more school districts located in the state of New Hampshire associated under this compact with one or more school districts located in the state of Vermont, and may include either the elementary schools, the secondary schools, or both.

"b. 'Member school district' and 'member district' shall mean a school district located either in New Hampshire or Vermont which is included within the boundaries of a proposed or established interstate school district. In the case of district located in Vermont, it shall include city school districts, town school districts, union school districts and incorporated school districts. Where appropriate, the term 'member district clerk' shall refer to the clerk of the city in which a Vermont school district is located, the clerk of the town in which a Vermont town school district is located, or the clerk of an incorporated school district.

"c. 'Elementary school' shall mean a school which includes all grades from kindergarten or grade one through not less than grade six nor more than grade eight.

"d. 'Secondary school' shall mean a school which includes all grades beginning no lower than grade seven and no higher than grade twelve.

"e. 'Interstate board' shall refer to the board serving an interstate school district.

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"f. 'New Hampshire board' shall refer to the New Hampshire state board of education.

"g. 'Vermont Board' shall refer to the Vermont state board of education.

"h. 'Commissioner' shall refer to commissioner of education.

"i. Where joint action by both state boards is required, each state board shall deliberate and vote by its own majority, but shall separately reach the same result or take the same action as the other state board.

"j. The terms 'professional staff personnel' and 'instructional staff personnel' shall include superintendents, assistant superintendents, administrative assistant, principals, guidance counsellors, special education personnel, school nurses, therapists, teachers, and other certified personnel.

"k. The term 'warrant' or 'warning' to mean the same for both states.

"ARTICLE II

"PROCEDURE FOR INFORMATION OF AN INTERSTATE SCHOOL DISTRICT

"A. CREATION OF PLANNING COMMITTEE.—The New Hampshire and Vermont commissioners of education shall have the power, acting jointly to constitute and discharge one or more interstate school district planning committees. Each such planning committee shall consist of at least two voters from each of a group of two or more neighboring member districts. One of the representatives from each member district shall be a member of its school board, whose term on the planning committee shall be concurrent with his term as a school board member. The term of each member of a planning committee who is not also a school board member shall expire on June thirtieth of the third year following his appointment. The existence of any planning committee may be terminated either by vote of a majority of its members or by joint action of the commissioners. In forming and appointing members to an interstate school district planning board, the commissioners shall consider and take into account recommendations and nominations made by school boards of member district. No member of a planning committee shall be disqualified because he is at the same time a member of another planning board or committee created under the provisions of this compact or under any provisions of law. Any existing informal interstate school planning committee may be reconstituted as a formal planning committee in accordance with the provisions hereof, and its previous deliberations adopted and ratified by the reorganized formal planning committee. Vacancies on a planning committee shall be filled by the commissioners acting jointly.

"B. OPERATING PROCEDURES OF PLANNING COMMITTEE.—Each interstate school district planning committee shall meet in the first instance at the call of any member, and shall organize by the election of a chairman and clerk-treasurer, each of whom shall be a resident of a different state. Subsequent meetings may be called by either officer of the committee. The members of the committee shall serve without pay. The member districts shall appropriate money on an equal basis at each annual meeting to meet the expenses of the committee, including the cost of publication and distribution of reports and advertising. From time to time the commissioners may add additional members and additional member districts to the committee, and may remove members and member districts from the committee. An interstate school district planning committee shall act by majority vote of its membership present and voting.

"C. DUTIES OF INTERSTATE SCHOOL DISTRICT PLANNING COMMITTEE.—It shall be the duty of an interstate school district planning committee, in consultation with the commissioners and the state departments of education: to study the advisability of establishing an interstate school district in accordance with the standards set forth in paragraph A of Article I of this compact, its organization, operation and control, and the advisability of constructing, maintaining and operating a school or schools to serve the needs of such interstate district; to estimate the construction and operating costs thereof; to investigate the methods of financing such school or schools, and any other matters pertaining to the organization and operation of an interstate school district; and to submit a report or reports of its findings and recommendations to the several member districts.

"D. RECOMMENDATIONS AND PREPARATION OF ARTICLES OF AGREEMENT.—An interstate school district composed of all the member districts represented by its membership, or any specified combination of such member districts, be established. If the planning committee does recommend the establishment of an interstate school district, it shall include in its report such recommendation, and shall also prepare and include in its report proposed articles of agreement for the proposed interstate school district, which shall be signed by at least a majority of the membership of the planning committee, which set forth the following:

"a. The name of the interstate school district.

"b. The member districts which shall be combined to form the proposed interstate school district.

"c. The number, composition, method of selection and terms of office of the interstate school board, provided that:

"(1) The interstate school board shall consist of an odd number of members, not less than five nor more than fifteen;

"(2) The terms of office shall not exceed three years;

"(3) Each member district shall be entitled to elect at least one member of the interstate school board. Each member district shall either vote separately at the interstate school district meeting by the use of a distinctive ballot, or shall choose its member or members at any other election at which school officials may be chosen;

"(4) The method of election shall provide for the filing of candidacies in advance of election and for the use of a printed nonpartisan ballot;

"(5) Subject to the foregoing, provision may be made for the election of one or more members at large.

"d. The grades for which the interstate school district shall be responsible.

"e. The specific properties of member districts to be acquired initially by the interstate school district and the general location of any proposed new schools to be initially established or constructed by the interstate school district.

"f. The method of apportioning the operating expenses of the interstate school district among the several member districts, and the time and manner of payments of such shares.

"g. The indebtedness of any member district which the interstate district is to assume.

"h. The method of apportioning the capital expenses of the interstate school district among the several member districts, which need not be the same as the method of apportioning operating expenses, and the time and manner of payment of such shares. Capital expenses shall include the cost of acquiring land and buildings for school purposes; the construction, furnishing and equipping of school buildings and facilities; and the payment of the principal and interest of any indebtedness which is incurred to pay for the same.

"i. The manner in which state aid, available under the laws of either New Hampshire or Vermont, shall be allocated, unless otherwise expressly provided in this compact or by the laws making such aid available.

"j. The method by which the articles of agreement may be amended, which amendments may include the annexation of territory, or an increase or decrease in the number of grades for which the interstate district shall be responsible, provided that no amendment shall be effective until approved by both state boards in the same manner as required for approval of the original articles of agreement.

"k. The date of operating responsibility of the proposed interstate school district and a proposed program for the assumption of operating responsibility for education by the proposed interstate school district, and any school construction; which the interstate school district shall have the power to vary by vote as circumstances may require.

"l. Any other matters, not incompatible with law, which the interstate school district planning committee may consider appropriate to include in the articles of agreement, including, without limitation:

"(1) The method of allocating the cost of transportation between the interstate district and member districts;

"(2) The nomination of individual school directors to serve until the first annual meeting of the interstate school district.

"E. HEARINGS.—If the planning committee recommends the formation of an interstate school district, it shall hold at least one public hearing on its report and the proposed articles of agreement within the proposed interstate school district in New Hampshire, and at least one public hearing thereon within the proposed interstate school district in Vermont. The planning committee shall give such notice thereof as it may determine to be reasonable, provided that such notice shall include at least one publication in a newspaper of general circulation within the proposed interstate school district not less than fifteen days (not counting the date of publication and not counting the date of the hearing) before the date of the first hearing. Such hearings may be adjourned from time to time and from place to place. The planning committee may revise the proposed articles of agreement after the date of the hearings. It shall not be required to hold further hearings on the revised articles of agreement but may hold one or more further hearings after notice similar to that required for the first hearings if the planning committee in its sole discretion determines that the revisions are so substantial in nature as to require further presentation to the public before submission to the state boards of education.

"F. APPROVAL BY STATE BOARDS.—After the hearings a copy of the proposed articles of agreement, as revised, signed by a majority of the planning committee, shall be submitted by it to each state board. The state boards may (a) if they find that the articles of agreement are in accord with the standards set forth in this compact and in accordance with sound educational policy, approve the same as submitted, or (b) refer them back to the planning committee for further study. The planning committee may make additional revisions to the proposed articles of agreement to conform to the recommendations of the state boards. Further hearings on the proposed articles of agreement shall not be required unless ordered by the state boards in their discretion. In exercising such discretion, the state boards shall take into account whether or not the additional revisions are so substantial in nature as to require further presentation to the public. If both state boards find that the articles of agreement as further revised are in accord with the standards set forth in this compact and in accordance with sound educational policy, they shall approve the same. After approval by both state boards, each state board shall cause the articles of agree-

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ment to be submitted to the school boards of the several member districts in each state for acceptance by the member districts as provided in the following paragraph. At the same time, each state board shall designate the form of warrant, date, time, place, and period of voting for the special meeting of the member district to be held in accordance with the following paragraph.

"G. Adoption by Member Districts.—Upon receipt of written notice from the state board in its state of the approval of the articles of agreement by both state boards, the school board of each member district shall cause the articles of agreement to be filed with the member district clerk. Within ten days after receipt of such notice, the school board shall issue its warrant for a special meeting of the member district, the warrant to be in the form, and the meeting to be held at the time and place in the manner prescribed by the state board. No approval of the superior court shall be required for such special school district meeting in New Hampshire. Voting shall be with the use of the check list by a ballot substantially in the following form:

" 'Shall the school district accept the provisions of the New Hampshire-Vermont Interstate School Compact providing for the establishment of an interstate school district, together with the school districts of ________ and _________, etc., in accordance with the provisions of the proposed articles of agreement filed with the school district (town, city or incorporated school district) clerk?

" 'Yes (☐) No (☐)'

"If the articles of agreement included the nomination of individual school directors, those nominated from each member district shall be included in the ballot and voted upon, such election to become effective upon the formation of an interstate school district.

"If a majority of the voters present and voting in a member district vote in the affirmative, the clerk for such member district shall forthwith send to the state board in its state a certified copy of the warrant, certificate of posting, and minutes of the meeting of the district. If the state boards of both states find that a majority of the voters present and voting in each member district have voted in favor of the establishment of the interstate school district, they shall issue a joint certificate to that effect; and such certificate shall be conclusive evidence of the lawful organization and formation of the interstate school district as of its date of issuance.

"H. Resubmission.—If the proposed articles of agreement are adopted by one or more of the member districts but rejected by one or more of the member districts but rejected by one or more of the member districts, the state boards may resubmit them, in the same form as previously submitted, to the rejecting member districts, in which case the school boards thereof shall resubmit them to the voters in accordance with paragraph G of this article. An affirmative vote in accordance therewith shall have the same effect as though the articles of agreement had been adopted in the first instance. In the alternative, the state boards may either (a) discharge the planning committee, or (b) refer the articles of agreement back for further consideration to the same or a reconstituted planning committee, which shall have all of the powers and duties as the planning committee as originally constituted.

"ARTICLE III

"POWERS OF INTERSTATE SCHOOL DISTRICTS

"A. Powers.—Each interstate school district shall be a body corporate and politic, with power to:

"a. To acquire, construct, extend, improve, staff, operate, manage and govern public schools within its boundaries;

"b. To sue and be sued, subject to the limitations of liability hereinafter set forth;

"c. To have a seal and alter the same at pleasure;

"d. To adopt, maintain and amend bylaws not inconsistent with this compact, and the laws of the two states;

"e. To acquire by purchase, condemnation, lease or otherwise, real and personal property for the use of its schools;

"f. To enter into contracts and incur debts;

"g. To borrow money for the purposes hereinafter set forth, and to issue its bonds or notes therefor;

"h. To make contracts with and accept grants and aid from the United States, the state of New Hampshire, the state of Vermont, any agency or municipality thereof, and private corporations and individuals for the construction, maintenance, reconstruction, operation and financing of its schools; and to do any and all things necessary in order to avail itself of such aid and cooperation;

"i. To employ such assistants, agents, servants, and independent contractors as it shall deem necessary or desirable for its purposes; and

"j. To take any other action which is necessary or appropriate in order to exercise any of the foregoing powers.

"ARTICLE IV

"DISTRICT MEETINGS

"A. General.—Votes of the district shall be taken at a duly warned meeting held at any place in the district, at which all of the eligible legal voters of the member districts shall be entitled to vote, except as otherwise provided with respect to the election of directors.

"B. Eligibility of Voters.—Any resident who would be eligible to vote at a meeting of a member district being held at the same time, shall be eligible to vote at a meeting of the interstate district. The board of civil authority in each Vermont member district and the supervisors of the check list of each New Hampshire district shall respectively prepare a check list of eligible voters for each meeting of the interstate district in the same manner, and they shall have all the same powers and duties with respect to eligibility of voters in their districts as for a meeting of a member district.

"C. Warning of Meetings.—A meeting shall be warned by a warrant addressed to the residents of the interstate school district qualified to vote in district affairs, stating the time and place of the meeting and the subject matter of the business to be acted upon. The warrant shall be signed by the clerk and by a majority of the directors. Upon written application of ten or more voters in the district, presented to the directors or to one of them, at least twenty-five days before the day prescribed for an annual meeting, the directors shall insert in their warrant for such meeting any subject matter specified in such application.

"D. Posting and Publication of Warrant.—The directors shall cause an attested copy of the warrant to be posted at the place of meeting, and a like copy at a public place in each member district at least twenty days (not counting the date of posting and the date of meeting) before the date of the meeting. In addition, the directors shall cause the warrant to be advertised in a newspaper of general circulation on at least one occasion, such publication to occur at least ten days (not counting the date of publication and not counting the date of the meeting) before the date of the meeting. Although no further notice shall be required, the directors may give such further notice of the meeting as they in their discretion deem appropriate under the circumstances.

"E. Return of Warrant.—The warrant with a certificate thereon, verified by oath, stating the time and place when and where copies of the warrant were posted and published, shall be given to the clerk of the interstate school district at or before the time of the meeting, and shall be recorded by him in the records of the interstate school district.

"F. Organization Meeting.—The commissioners, acting jointly, shall fix a time and place for a special meeting of the qualified voters within the interstate school district for the purpose of organization, and shall prepare and issue the warrant for the meeting after consultation with the interstate school district planning board and the members-elect, if any, of the interstate school board of directors. Such meeting shall be held within sixty days after the date of issuance of the certificate of formation, unless the time is further extended by the joint action of the state boards. At the organization meeting the commissioner of education of the state where the meeting is held, or his designate, shall preside in the first instance, and the following business shall be transacted:

"a. A temporary moderator and a temporary clerk shall be elected from among the qualified voters who shall serve until a moderator and clerk respectively have been elected and qualified.

"b. A moderator, a clerk, a treasurer, and three auditors shall be elected to serve until the next annual meeting and thereafter until their successors are elected and qualified. Unless previously elected, a board of school directors shall be elected to serve until their successors are elected and qualified.

"c. The date for the annual meeting shall be established.

"d. Provision shall be made for the payment of any organizational or other expense incurred on behalf of the district before the organization meeting, including the cost of architects, surveyors, contractors, attorneys, and educational or other consultants or experts.

"e. Any other business, the subject matter of which has been included in the warrant, and which the voters would have had power to transact at an annual meeting.

"G. Annual Meetings.—An annual meeting of the district shall be held between January fifteenth and June first of each year at such time as the interstate district may by vote determine. Once determined, the date of the annual meeting shall remain fixed until changed by vote of the interstate district at a subsequent annual or special meeting. At each annual meeting the following business shall be transacted:

"a. Necessary officers shall be elected.

"b. Money shall be appropriated for the support of the interstate district schools for the fiscal year beginning the following July first.

"c. Such other business as may properly come before the meeting.

"H. Special Meetings.—A special meeting of the district shall be held whenever, in the opinion of the directors, there is occasion therefor, or whenever written application shall have been made by five per centum or more of the voters (based on the check lists as prepared for the last preceding meeting) setting forth the subject matter upon which such action is desired. A special meeting may appropriate money without compliance with RSA 33:8 or RSA 197:3 which would otherwise require the approval of the New Hampshire superior court.

"I. Certification of Records.—The clerk of an interstate school district shall have the power to certify the record of the votes adopted at an interstate school district meeting to the respective commissioners and state boards and (where required) for filing with a secretary of state.

"J. Method of Voting at School District

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Meetings.—Voting at meetings of interstate school districts shall take place as follows:

"a. School directors.—A separate ballot shall be prepared for each member district, listing the candidates for interstate school director to represent such member district; and any candidates for interstate school director at large; and the voters of each member district shall register on a separate ballot their choice for the office of school director or directors. In the alternative, the articles of agreement may provide for the election of school directors by one or more of the member districts at an election otherwise held for the choice of school or other municipal officers.

"b. Other votes.—Except as otherwise provided in the articles of agreement or this compact, with respect to all other votes (1) the voters of the interstate school district shall vote as one body irrespective of the member districts in which they are resident, and (2) a simple majority of those present and voting at any duly warned meeting shall carry the vote. Voting for officers to be elected at any meeting, other than school directors, shall be by ballot or voice, as the interstate district may determine, either in its articles of agreement or by a vote of the meeting.

"Article V

"OFFICERS

"A. Officers: General.—The officers of an interstate school district shall be a board of school directors, a chairman of the board, a vice-chairman of the board, a secretary of the board, a moderator, a clerk, a treasurer and three auditors. Except as otherwise specifically provided, they shall be eligible to take office immediately following their election; they shall serve until the next annual meeting of the interstate district and until their successors are elected and qualified. Each shall take oath for the faithful performance of his duties before the moderator, or a notary public or a justice of the peace of the state in which the oath is administered. Their compensation shall be fixed by vote of the district. No person shall be eligible to any district office unless he is a voter in the district. A custodian, school teacher, principal, superintendent or other employee of an interstate district acting as such shall not be eligible to hold office as a school director.

"B. Board of Directors.—

"a. How chosen.—Each member district shall be represented by at least one resident on the board of school directors of an interstate school district. A member district shall be entitled to such further representation on the interstate board of school directors as provided in the articles of agreement as amended from time to time. The articles of agreement as amended from time to time may provide for school directors at large, as above set forth. No person shall be disqualified to serve as a member of an interstate board because he is at the same time a member of the school board of a member district.

"b. Term.—Interstate school directors shall be elected for terms in accordance with the articles of agreement.

"c. Duties of board of directors.—The board of school directors of an interstate school district shall have and exercise all of the powers of the district not reserved herein to the voters of the district.

"d. Organization.—The clerk of the district shall warn a meeting of the board of school directors to be held within ten days following the date of the annual meeting, for the purpose of organizing the board, including the election of its officers.

"C. Chairman of the Board.—The chairman of the board of interstate school directors shall be elected by the interstate board from among its members at its first meeting following the annual meeting. The chairman shall preside at the meetings of the board and shall perform such other duties as the board may assign to him.

"D. Vice-Chairman of the Board of Directors.—The vice-chairman of the interstate board shall be elected in the same manner as the chairman. He shall represent a member district in a state other than that represented by the chairman. He shall preside in the absence of the chairman and shall perform such other duties as may be assigned to him by the interstate board.

"E. Secretary of the Board.—The Secretary of the interstate board shall be elected in the same manner as the chairman. Instead of electing one of its members, the interstate board may appoint the interstate district clerk to serve as secretary of the board in addition to his other duties. The secretary of the interstate board (or the interstate district clerk, if so appointed) shall keep the minutes of its meetings, shall certify its records, and perform such other duties as may be assigned to him by the board.

"F. Moderator.—The moderator shall preside at the district meetings, regulate the business thereof, decide questions of order, and make a public declaration of every vote passed. He may prescribe rules of procedure; but such rules may be altered by the district. He may administer oaths to district officers in either state.

"G. Clerk.—The clerk shall keep a true record of all proceedings at each district meeting, shall certify its records, shall make an attested copy of any records of the district for any person upon request and tender of reasonable fees therefor, if so appointed, shall serve as secretary of the board of school directors, and shall perform such other duties as may be required by custom or law.

"H. Treasurer.—The treasurer shall have custody of all of the moneys belonging to the district and shall pay out the same only upon the order of the interstate board. He shall keep a fair and accurate account of all sums received into and paid from the interstate district treasury, and at the close of each fiscal year he shall make a report to the interstate district, giving a particular account of all receipts and payments during the year. He shall furnish to the interstate directors, statements from his books and submit his books and vouchers to them and to the district auditors for examination whenever so requested. He shall make all returns called for by laws relating to school districts. Before entering on his duties, the treasurer shall give a bond with sufficient sureties and in such sum as the directors may require. The treasurer's term of office is from July 1 to the following June 30.

"I. Auditors.—At the organization meeting of the district, three auditors shall be chosen, one to serve for a term of one year, one to serve for a term of two years, and one to serve for a term of three years. After the expiration of each original term, the successor shall be chosen for a three year term. At least one auditor shall be a resident of New Hampshire, and one auditor shall be a resident of Vermont. An interstate district may vote to employ a certified public accountant to assist the auditors in the performance of their duties. The auditors shall carefully examine the accounts of the treasurer and the directors at the close of each fiscal year, and at such other times whenever necessary, and report to the district whether the same are correctly cast and properly vouched.

"J. Superintendent.—The superintendent of schools shall be selected by a majority vote of the board of school directors of the interstate district with the approval of both commissioners.

"K. Vacancies.—Any vacancy among the elected officers of the district shall be filled by the interstate board until the next annual meeting of the district or other election, when a successor shall be elected to serve out the remainder of the unexpired term, if any. Until all vacancies on the interstate board are filled, the remaining members shall have full power to act.

"Article VI

"APPROPRIATION AND APPORTIONMENT OF FUNDS

"A. Budget.—Before each annual meeting, the interstate board shall prepare a report of expenditures for the preceding fiscal year, an estimate of expenditures for the current fiscal year, and a budget for the succeeding fiscal year.

"B. Appropriation.—The interstate board of directors shall present the budget report of the annual meeting. The interstate district shall appropriate a sum of money for the support of its schools and for the discharge of its obligations for the ensuing fiscal year.

"C. Apportionment of Appropriation.—Subject to the provisions of article VII hereof, the interstate board shall first apply against such appropriation any income to which the interstate district is entitled, and shall then apportion the balance among the member districts in accordance with one of the following formulas as determined by the articles of agreement as amended from time to time:

"a. All of such balance to be apportioned on the basis of the ratio that the fair market value of the taxable property in each member district bears to that of the entire interstate district; or

"b. All of such balance to be apportioned on the basis that the average daily resident membership for the preceding fiscal year of each member district bears to that of the average daily resident membership of the entire interstate school district; or

"c. A formula based on any combination of the foregoing factors. The term 'fair market value of taxable property' shall mean the last locally assessed valuation of a member district in New Hampshire, as last equalized by the New Hampshire state tax commission.

"The term 'fair market value of taxable property' shall mean the equalized grand list of a Vermont member district, as determined by the Vermont department of taxes.

"Such assessed valuation and grand list may be further adjusted (by elimination of certain types of taxable property from one or the other or otherwise) in accordance with the articles of agreement, in order that the fair market value of taxable property in each state shall be comparable.

"'Average daily resident membership' of the interstate district in the first instance shall be the sum of the average daily resident membership of the member districts in the grades involved for the preceding fiscal year where no students were enrolled in the interstate district schools for such preceding fiscal year.

"D. Share of New Hampshire Member District.—The interstate board shall certify the share of a New Hampshire member district of the total appropriation to the school board of each member district which shall add such sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district. The interstate district shall not set up its own capital reserve funds; but a New Hampshire member district may set up a capital reserve fund in accordance with RSA 35, to be turned over to the interstate district in payment of the New Hampshire member district's share of any anticipated obligations.

"E. Share of Vermont Member District.—The interstate board shall certify the share of a Vermont member district of the total appropriation to the school board of each member district which shall add sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district.

"ARTICLE VIII

"BORROWING

"A. INTERSTATE DISTRICT INDEBTEDNESS.—Indebtedness of an interstate district shall be a general obligation of the district and shall also be a joint and several general obligation of each member district, except that such obligations of the district and its member districts shall not be deemed indebtedness of any member district for the purposes of determining its borrowing capacity under New Hampshire or Vermont law. A member district which withdraws from an interstate district shall remain liable for indebtedness of the interstate district which is outstanding at the time of withdrawal and shall be responsible for paying its share of such indebtedness to the same extent as though it had not been withdrawn.

"B. TEMPORARY BORROWING.—The interstate board may authorize the borrowing of money by the interstate district (1) in anticipation of payments of operating and capital expenses by the member districts to the interstate districts and (2) in anticipation of the issue of bonds or notes of the interstate district which have been authorized for the purpose of financing capital projects. Such temporary borrowing shall be evidenced by interest bearing or discounted notes of the interstate district. The amount of notes issued in any fiscal year in anticipation of expense payments shall not exceed the amount of such payments received by the interstate district in the preceding fiscal year. Notes issued under this paragraph shall be payable within one year in the case of notes under clause (1) and three years in the case of notes under clause (2) from their respective dates, but the principal of and interest on notes issued for a shorter period may be renewed or paid from time to time by the issue of other notes, provided that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt shall not exceed the maximum period permitted for the original loan.

"C. BORROWING FOR CAPITAL PROJECTS.—An interstate district may incur debt and issue its bonds or notes to finance capital projects. Such projects may consist of the acquisition or improvement of land and buildings for school purposes, the construction, reconstruction, alteration, or enlargement of school buildings and related school facilities, the acquisition of equipment of a lasting character and the payment of judgments. No interstate district may authorize indebtedness in excess of ten percent of the total fair market value of taxable property in its member districts as defined in article VI of this compact. The primary obligation of the interstate district to pay indebtedness of member districts shall not be considered indebtedness of the interstate district for the purpose of determining its borrowing capacity under this paragraph. Bonds or notes issued under this paragraph shall mature in equal or diminishing installments of principal payable at least annually commencing no later than two years and ending not later than thirty years after their dates.

"D. AUTHORIZATION PROCEEDINGS.—An interstate district shall authorize the incurring of debts to finance capital projects by a majority vote of the district passed at an annual or special district meeting. Such vote shall be taken by secret ballot after full opportunity for debate, and any such vote shall be subject to reconsideration and further action by the district at the same meeting or at an adjourned session thereof.

"E. SALE OF BONDS AND NOTES. Bonds and notes which have been authorized under this article may be issued from time to time and shall be sold at not less than par and accrued interest at public or private sale by the chairman of the school board and by the treasurer. Interstate district bonds and notes shall be signed by the said officers, except that either one of the two required signatures may be a facsimile. Subject to this compact and the authorizing vote, they shall be in such form, bear such rates of interest and mature at such times as the said officers may determine. Bonds shall, but notes need not, bear the seal of the interstate district, or a facsimile of such seal. Any bonds or notes of the interstate district which are properly executed by the said officers shall be valid and binding according to their terms notwithstanding that before the delivery thereof such officers may have ceased to be officers of the interstate district.

"F. PROCEEDS OF BONDS.—Any accrued interest received upon delivery of bonds or notes of an interstate district shall be applied to the payment of the first interest which becomes due thereon. The other proceeds of the sale of such bonds or notes, other than temporary notes, including any premiums, may be temporarily invested by the interstate district pending their expenditure; and such proceeds, including any income derived from the temporary investment of such proceeds, shall be used to pay the costs of issuing and marketing the bonds or notes and to meet the operating expenses or capital expenses in accordance with the purposes for which the bonds or notes were issued or, by proceedings taken in the manner required for the authorization of such debt, for other purposes for which such debt could be incurred. No purchaser of any bonds or notes of an interstate district shall be responsible in any way to see to the application of the proceeds thereof.

"G. STATE AID PROGRAMS.—As used in this paragraph the term 'initial aid' shall include New Hampshire and Vermont financial assistance with respect to a capital project, or the means of financing a capital project, which is available in connection with construction costs of a capital project or which is available at the time indebtedness is incurred to finance the project. Without limiting the generality of the foregoing definition, initial aid shall specifically include a New Hampshire state guarantee under RSA 195–B with respect to bonds or notes and Vermont construction aid under chapter 123 of 16 V.S.A. As used in this paragraph the term 'long-term aid' shall include New Hampshire and Vermont financial assistance which is payable periodically in relation to capital costs incurred by an interstate district. Without limiting the generality of the foregoing definition, long-term aid shall specifically include New Hampshire school building aid under RSA 198 and Vermont school building aid under chapter 123 of Title 16 V.S.A. For the purpose of applying for, receiving and expending initial aid and long-term aid an interstate district shall be deemed a native school district by each state, subject to the following provisions. When an interstate district has appropriated money for a capital project, the amount appropriated shall be divided into a New Hampshire share and a Vermont share in accordance with the capital expense apportionment formula in the articles of agreement as though the total amount appropriated for the project was a capital expense requiring apportionment in the year the appropriation is made. New Hampshire initial aid shall be available with respect to the amount of the New Hampshire share as though it were authorized indebtedness of a New Hampshire cooperative school district. In the case of a state guarantee of interstate districts bonds or notes under RSA 195–B, the interstate district shall be eligible to apply for and receive an unconditional state guarantee with respect to an amount of its bonds or notes which does not exceed fifty per cent of the amount of the New Hampshire share as determined above. Vermont initial aid shall be available with respect to the amount of the Vermont share as though it were funds voted by a Vermont school district. Payments of Vermont initial aid shall be made to the interstate district, and the amount of any borrowing authorized to meet the appropriation for the capital project shall be reduced accordingly. New Hampshire and Vermont long-term aid shall be payable to the interstate district. The amounts of long-term aid in each year shall be based on the New Hampshire and Vermont shares of the amount of indebtedness of the interstate district which is payable in that year and which has been apportioned in accordance with the capital expense apportionment formula in the articles of agreement. The New Hampshire aid shall be payable at the rate of forty-five per cent, if there are three or less New Hampshire members in the interstate district, and otherwise it shall be payable as though the New Hampshire members were a New Hampshire cooperative school district. New Hampshire and Vermont long-term aid shall be deducted from the total capital expenses for the fiscal year in which the long-term aid is payable, and the balance of such expenses shall be apportioned among the member districts. Notwithstanding the foregoing provisions, New Hampshire and Vermont may at any time change their state school aid programs that are in existence when this compact takes effect and may establish new programs, and any legislation for these purposes may specify how such programs shall be applied with respect to interstate districts.

"H. TAX EXEMPTION.—Bonds and notes of an interstate school district shall be exempt from local property taxes in both states, and the interest or discount thereon and any profit derived from the disposition thereof shall be exempt from personal income taxes in both states.

"ARTICLE VIII

"TAKING OVER OF EXISTING PROPERTY

"A. POWER TO ACQUIRE PROPERTY OF MEMBER DISTRICT.—The articles of agreement, or an amendment thereof, may provide for the acquisition by an interstate district from a member district of all or a part of its existing plant and equipment.

"B. VALUATION.—The articles of agreement, or the amendment, shall provide for the determination of the value of the property to be acquired in one or more of the following ways:

"a. A valuation set forth in the articles of agreement or the amendment.

"b. By appraisal, in which case, one appraiser shall be appointed by each commissioner, and a third appraiser appointed by the first two appraisers.

"C. REIMBURSEMENT TO MEMBER DISTRICT.—The articles of agreement shall specify the method by which the member district shall be reimbursed by the interstate district for the property taken over, in one or more of the following ways:

"a. By one lump sum, appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"b. In installments over a period of not more than twenty years, each of which is appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"c. By an agreement to assume or reimburse the member district for all principal and interest on any outstanding indebtedness originally incurred by the member district to finance the acquisition and improvement of the property, each such installment to be appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"The member district transferring the property shall have the same obligation to pay to the interstate district its share of the cost of such acquisition, but may offset its right to reimbursement.

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"Article IX

"AMENDMENTS TO ARTICLES OF AGREEMENT

"A. Amendments to the articles of agreement may be adopted in the same manner provided for the adoption of the original articles of agreement, except that:

"a. Unless the amendment calls for the addition of a new member district, the functions of the planning committee shall be carried out by the interstate district board of directors.

"b. If the amendment proposes the addition of a new member district, the planning committee shall consist of all of the members of the interstate board and all of the members of the school board of the proposed new member district or districts. In such case the amendment shall be submitted to the voters at an interstate district meeting, at which an affirmative vote of two-thirds of those present and voting shall be required. The articles of agreement together with the proposed amendment shall be submitted to the voters of the proposed new member district at a meeting thereof, at which a simple majority of those present and voting shall be required.

"c. In all cases an amendment may be adopted on the part of an interstate district upon the affirmative vote of voters thereof at a meeting voting as one body. Except where the amendment proposes the admission of a new member district, a simple majority of those present and voting shall be required for adoption.

"d. No amendment to the articles of agreement may impair the rights of bond or note holders or the power of the interstate district to procure the means for their payment.

"Article X

"APPLICABILITY OF NEW HAMPSHIRE LAWS

"A. General School Laws.—With respect to the operation and maintenance of any school of the district located in New Hampshire, the provisions of New Hampshire law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

"B. New Hampshire State Aid.—A New Hampshire school district shall be entitled to receive an amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the New Hampshire member district, and as though the New Hampshire member district pupils attending the interstate school were attending a New Hampshire cooperative school district's school. The state aid shall be paid to the New Hampshire member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

"C. Continued Existence of the New Hampshire Member School District.—A New Hampshire member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not therein delegated to the interstate district. The New Hampshire member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor, unless the indebtedness is specifically assumed in accordance with the articles of agreement. Any trust funds or capital reserve funds and any property not taken over by the interstate district shall be retained by the New Hampshire member dictrict and held or disposed of according to law. If all of the schools in a member diartict are incorporate into an interstate district, then no annual meeting of the member district shall be required unless the members of the interstate board from the member district shall determine that there is occasion for such an annual meeting.

"D. Suit and Service of Process in New Hampshire.—The courts of New Hampshire shall have the same jurisdiction over the district as though a New Hampshire member district were a party instead of the interstate district. The service necessary to institute suit in New Hampshire shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who reside in New Hampshire, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

"E. Employment.—Each employee of an interstate district assigned to a school located in New Hampshire shall be considered an employee of a New Hampshire school district for the purpose of the New Hampshire teachers' retirement system, the New Hampshire State employees' retirement system, the New Hampshire workmen's compensation law and any other law relating to the regulation of employment or the provision of benefits for employees of New Hampshire school districts except as follows:

"1. A teacher in a New Hampshire member district may elect to remain a member of the New Hampshire teachers' retirement system, even though assigned to teach in an interstate school in Vermont.

"2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of New Hampshire or the state of Vermont but in no case will they participate in both retirement systems simultaneously.

"3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedure of the retirement systems; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

"Article XI

"APPLICABILITY OF VERMONT LAWS

"A. General School Laws.—With respect to the operation and maintenance of any school of the district located in Vermont, the provisions of Vermont law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

"B. Vermont State Aid.—A Vermont school district shall be entitled to receive such amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the Vermont member district, and as though the Vermont member district pupils attending the interstate schools were attending a Vermont union school district's schools. Such state aid shall be paid to the Vermont member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

"C. Continued Existence of Vermont Member School District.—A Vermont member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not herein delegated to the interstate district. The Vermont member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor. Any trust funds and any property not taken over shall be retained by the Vermont member school district and held or disposed of according to law.

"D. Suit and Service of Process in Vermont.—The courts of Vermont shall have the same jurisdiction over the districts as though a Vermont member district were a party instead of the interstate district. The service necessary to institute suit in Vermont shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who resides in Vermont, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

"E. Employment.—Each employee of an interstate district assigned to a school located in Vermont shall be considered an employee of a Vermont school district for the purpose of the state teachers' retirement system of Vermont, the state employees' retirement system, the Vermont workmen's compensation law, and any other law relating to the regulation of employment or the provision of benefits for employees of Vermont school districts except as follows:

"1. A teacher in a Vermont member district may elect to remain a member of the state teachers' retirement system of Vermont, even though assigned to teach in an interstate school in New Hampshire.

"2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of Vermont or the state of New Hampshire but in no case will they participate in both retirement systems simultaneously.

"3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedures of the retirement systems; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

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"ARTICLE XII

"ADOPTION OF COMPACT BY DRESDEN SCHOOL DISTRICT

"The Dresden School District, otherwise known as the Hanover-Norwich Interstate School District, authorized by New Hampshire laws of 1961, chapter 116, and by the laws of Vermont, is hereby authorized to adopt the provisions of this compact and to become an interstate school district within the meaning hereof, upon the following conditions and subject to the following limitations:

"a. Articles of agreement shall be prepared and signed by a majority of the directors of the interstate school district.

"b. The articles of agreement shall be submitted to an annual or special meeting of the Dresden district for adoption.

"c. An affirmative vote of two-thirds of those present and voting shall be required for adoption.

"d. Nothing contained therein, or in this compact, as it affects the Dresden School District shall affect adversely the rights of the holders of any bonds or other evidences of indebtedness then outstanding, or the rights of the district to procure the means for payment thereof previously authorized.

"e. The corporate existence of the Dresden School District shall not be terminated by such adoption of articles of amendment, but shall be deemed to be so amended that it shall thereafter be governed by the terms of this compact.

"ARTICLE XIII

"MISCELLANEOUS PROVISIONS

"A. Studies.—Insofar as practicable, the studies required by the laws of both states shall be offered in an interstate school district.

"B. Textbooks.—Textbooks and scholar's supplies shall be provided at the expense of the interstate district for pupils attending its schools.

"C. Transportation.—The allocation of the cost of transportation in an interstate school district, as between the interstate district and the member districts, shall be determined by the articles of agreement.

"D. Location of Schoolhouses.—In any case where a new schoolhouse or other school facility is to be constructed or acquired, the interstate board shall first determine whether it shall be located in New Hampshire or in Vermont. If it is to be located in New Hampshire, RSA 199, relating to schoolhouses, shall apply. If it is to be located in Vermont, the Vermont law relating to schoolhouses shall apply.

"E. Fiscal Year.—The fiscal year of each interstate district shall begin on July first of each year and end on June thirtieth of the following year.

"F. Immunity From Tort Liability.—Notwithstanding the fact that an interstate district may derive income from operating profit, fees, rentals, and other services, it shall be immune from suit and from liability for injury to persons or property and for other torts caused by it or its agents, servants or independent contractors, except insofar as it may have undertaken such liability under RSA 281:7 relating to workmen's compensation, or RSA 412:3 relating to the procurement of liability insurance by a governmental agency and except insofar as it may have undertaken such liability under 21 V.S.A. Section 621 relating to workmen's compensation or 29 V.S.A. Section 1403 relating to the procurement of liability insurance by a governmental agency.

"G. Administrative Agreement Between Commissioners of Education.—The commissioners of education of New Hampshire and Vermont may enter into one or more administrative agreements prescribing the relationship between the interstate districts, member districts, and each of the two state departments of education, in which any conflicts between the two states in procedure, regulations, and administrative practices may be resolved.

"H. Amendment.—Neither state shall amend its legislation or any agreement authorized thereby without the consent of the other in such manner as to substantially adversely affect the rights of the other state or its people hereunder, or as to substantially impair the rights of the holders of any bonds or notes or other evidences of indebtedness then outstanding or the rights of an interstate school district to procure the means for payment thereof. Subject to the foregoing any reference herein to other statutes of either state shall refer to such statute as it may be amended or revised from time to time.

"I. Separability.—If any of the provisions of this compact, or legislation enabling the same, shall be held invalid or unconstitutional in relation to any of the applications thereof, such invalidity or unconstitutionality shall not affect other applications thereof or other provisions thereof; and to this end the provisions of this compact are declared to be severable.

"J. Inconsistency of Language.—The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the two states.

"ARTICLE XIV

"EFFECTIVE DATE

"This compact shall become effective when agreed to by the States of New Hampshire and Vermont and approved by the United States Congress."

Sec. 2. The right to alter, amend, or repeal this Act is expressly reserved.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–143), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to authorize a compact to encourage the formation of interstate school districts between New Hampshire and Vermont, each composed of a natural social and economic region with adequate financial resources and a number of pupils sufficient to permit the efficient use of school facilities within the interstate district and to provide improved instruction. The formation of any such interstate school district and the adoption of its articles of agreement would be subject to the approval of the State boards of education of both States.

STATEMENT

The committee in the 90th Congress reported favorably a bill (S. 3269) which was identical to S. 278 of the 91st Congress, and in its statement on S. 3269 related the following:

The Department of Health, Education, and Welfare has no objection to the enactment of this legislation.

The Legislatures of Vermont and New Hampshire have enacted an interstate school compact to enable adjoining communities in both States to form a cooperative school system on an educationally and economically sound basis. The interstate school compact is patterned after the similar legislation enacted by both States authorizing the establishment of the Dresden Interstate School District composed of the towns of Hanover, N.H. and Norwich, Vt. The Congress gave its consent to the establishment of this interstate school district in 1963 and the supreme court in each State found the legislation entirely proper.

The prototype interstate school district between Norwich and Hanover has proved so successful that other towns want to have the opportunity to use this method of providing quality educational programs for their children. The town of Lyme, N.H. has indicated an interest in being included in the present Dresden Interstate School District. Following passage of the interstate compact in New Hampshire in 1957, other towns, including Fairlee, Canaan, and Bradford in Vermont and Orford and Lyme in New Hampshire have begun exploratory discussions to establish an interstate school district. Passage of the act in Vermont has accelerated these studies. The towns of Barnet, Vt., and Monroe, N.H., are prepared to establish an interstate district as soon as the legislation is finally approved. There are strong economic and social ties between many other towns also. However, the political barrier of the Connecticut River has in the past prevented these communities from planning for their educational needs along these natural avenues. Generally, the towns are without sufficient financial resources to provide a comprehensive educational program by themselves. The natural economic and community ties which span the Connecticut River have prevented school district consolidation with towns east of and west of the river. Accordingly, this legislation would be of immense assistance to these towns in evolving a community educational system.

The legislation reflects the traditions of both New Hampshire and Vermont by requiring a local referendum on the formation of consolidated school districts. The interstate school compact is primarily designed to insure fair apportioning of school board representation, financial support, and sharing in State assistance to the school districts involved. The legislation provides that communities wishing to join in an interstate school district must first reach an agreement on all the vital matters relating to the government of such a district. There is flexibility in allowing these communities to reach their own solutions to problems that might arise, although such solutions would have to be approved by the Commissioner of Education in each State.

The primary effect of the legislation is to permit the towns involved to solve their educational problems along congenial community lines without hindrance by the State boundary line.

Copies of the legislative enactments approving this legislation by the States of New Hampshire and Vermont are contained in the files of the committee.

After a review of the foregoing, the committee adheres to its recommendation on S. 3269 of the 90th Congress and recommends that the bill S. 278 be considered favorably.

DR. LYDIA L. LAZARO

The bill (S. 465) for the relief of Dr. Lydia L. Lazaro was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 465

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Lydia L. Lazaro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 25, 1958.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–144), explaining the purposes of the bill.

There being no objection, the excerpt

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was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Lydia L. Lazaro as of March 25, 1958, thus enabling her to file a petition for naturalization.

DR. JAIME E. LAZARO

The bill (S. 464) for the relief of Dr. Jaime E. Lazaro was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 464

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jaime E. Lazaro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 29, 1957.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–145), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Jaime E. Lazaro as of June 29, 1957, thus enabling him to file a petition for naturalization.

FOO YING YEE

The bill (S. 354) for the relief of Foo Ying Yee was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 354

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (19) of section 212(a) of the Immigration and Nationality Act, Foo Ying Yee may be issued an immigration visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act. This Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of enactment of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–146), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has attempted to obtain a passport by misrepresentation in behalf of the son of a lawful permanent resident of the United States.

DR. KONSTANTINOS NICHOLAOS BABALIAROS

The bill (S. 330) for the relief of Dr. Konstantinos Nicholaos Babaliaros was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 330

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Konstantinos Nicholaos Babaliaros shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 27, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–147), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

BLANDINA SALVADOR

The bill (S. 245) for the relief of Blandina Salvador was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 245

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Blandina Salvador shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act during the current fiscal year or the fiscal year next following.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–148), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Blandina Salvador. The bill provides for the payment of the required visa fee and for an appropriate visa number deduction.

DR. ORLANDO FAJARDO VARGAS

The bill (S. 150) for the relief of Dr. Orlando Fajardo Vargas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 150

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Orlando Fajardo Vargas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 9, 1963.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–149), explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States of Dr. Orlando Fajardo Vargas as of February 9, 1963, thus enabling him to file a petition for naturalization.

HON CHUN ENG

The Senate proceeded to consider the bill (S. 684) for the relief of Hon. Chun Eng, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That notwithstanding the provision of section 212(a)(19) of the Immigration and Nationality Act, Hon Chun Eng may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.'

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–150), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill as amended is to waive the excluding provision of existing law relating to one who has falsely claimed U.S. citizenship in behalf of Hon Chun Eng. The bill as introduced would grant the beneficiary permanent residence in the United States. The committee feels that a waiver of the excludable ground is more appropriate and if granted would enable him to obtain a visa outside of the United States.

CHRISTINA BANGEAWAYAN

The Senate proceeded to consider the bill (S. 244) for the relief of Christina Bangeawayan, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 4, after the word "Act," strike out "Christina Bangeawayan" and insert "Cristina Bangcawayan"; so as to make the bill read:

S. 244

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Cristina Bangcawayan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act during the current fiscal year or the fiscal year next following.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Cristina Bangcawayan."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-151), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Cristina Bangcawayan. The bill provides for the payment of the required visa fee and for an appropriate visa number deduction. The purpose of the amendment is to correct the spelling of the beneficiary's first name.

ADULT EDUCATION WEEK

The joint resolution (S.J. Res. 45) to authorize the President to issue a proclamation designating the period beginning September 1, 1969, and ending September 7, 1969, as "Adult Education Week," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas education, training, and jobs for the poor permit the people of the United States to exercise their indispensable rights—to earn a respectable living and to be accepted as equally productive members of the society; and

Whereas the complexity of life has been immeasurably heightened by the growth of knowledge, technology, new means of mobility, and communication; and

Whereas all adults can profitably continue their education to assist them in employment skills and meeting their responsibilities as parents and citizens; and

Whereas high-quality, comprehensive and continuing education to meet existing and new needs of adult learners is a fruitful investment for the vitality, security, and prosperity of our citizens and our Nation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the period beginning September 1, 1969, and ending September 7, 1969, as "Adult Education Week", and calling upon the people of the United States, especially the educational community, to observe such week with appropriate ceremonies and activities.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-152), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the joint resolution is to authorize the President of the United States to issue a proclamation designating the period beginning September 1, 1969, and ending September 7, 1969, as "Adult Education Week," and to call upon the people of the United States, especially the educational community, to observe such week with appropriate ceremonies and activities.

NATIONAL FAMILY HEALTH WEEK

The joint resolution (S.J. Res. 46) to authorize the President to designate the period beginning November 16, 1969, and ending November 22, 1969, as "National Family Health Week," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas good health is a blessing prized above all others by every citizen,

Whereas the well-being of the Nation depends upon the maintenance of good health among all segments and elements of our population,

Whereas the family physician performs a critical service to the Nation in the maintenance of health and the prevention of disease,

Whereas the Nation's family doctors have a unique responsibility in the American health care system, since they are the individual's primary source of contact with the medical profession,

Whereas the dedication and skill of family physicians have served as the foundation of medical progress in this Nation,

Whereas the family doctor's role as a physician and counselor to the whole person and the entire family embraces the widest scope of basic medical necessity, including advice on subjects ranging from personal health to family planning to emotional well-being, and

Whereas the American Academy of General Practice, national professional association of family physicians is conducting a continuing effort to educate the public in the progress of our health care system and supports measures for its improvement: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Members of the Ninety-first Congress request the President of the United States officially to proclaim the week of November 16 to 22 as National Family Health Week as a means of focusing national attention during the year upon the accomplishments of the American health care system and the central role played by the family physician in the maintenance of superior medical care for Americans of all ages and from all walks of life.

The preamble was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-153), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the joint resolution is to authorize and request the President to proclaim the week of November 16 through 22, 1969, as "National Family Health Week."

PROFESSIONAL PHOTOGRAPHY WEEK IN AMERICA

The joint resolution (S.J. Res. 77) to authorize the President to designate the period beginning June 8, 1969, and ending June 14, 1969, as "Professional Photography Week in America," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, as a tribute to the importance of professional photography in American life and in recognition of Photo Expo, the largest photographic exhibition ever held in the United States, the President is authorized and requested to issue a proclamation designating the period beginning June 8, 1969, and ending June 14, 1969, as "Professional Photography Week in America", and calling upon the people of the United States and interested groups and organizations to observe such week with appropriate ceremonies and activities.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-154), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the joint resolution is to authorize the President of the United States to issue a proclamation designating the period beginning June 8, 1969, and ending June 14, 1969, as "Professional Photography Week in America."

BILL PASSED OVER

The bill (S. 1248) for the relief of Erman-Howell Division, Luria Steel & Trading Corp. was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

RESOLUTION IN HONOR OF AMELIA EARHART AND JOAN MERRIAM SMITH

The Senate proceeded to consider the joint resolution (S.J. Res. 81) in honor of Amelia Earhart and Joan Merriam Smith which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 3, after the word "issue" strike out "annually"; at the beginning of line 5, insert "1969,"; after the amendment just above stated strike out "in each year"; after line 7, strike out:

Sec. 2. In recognition of the aviation achievements for the United States by Amelia Earhart who blazed the frontier of aviation for all women and all Americans and by Joan Merriam Smith who dreamed of, lived for, and fulfilled the achievement of flying solo the uncompleted 1937 Earhart Equator route, the Congress recommends the names of both aviatrixes to the President for consideration of the awarding of the Presidential Medal of Freedom, posthumously, as provided under Executive Order 9586 of July 6, 1945, as amended (5 U.S.C. 4504 note), or of such other appropriate award as the President may authorize.

And, on page 3, after line 2, strike out:

Sec. 3. The Postmaster General is authorized and directed to give consideration to the issuance of a special series of airmail stamps commemorating Joan Merriam Smith's world flight and honoring the Civil Air Patrol, of which she was a cadet member. Such stamp shall be first issued on May

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12 in as early a year as practicable in such denomination and design, and for such period, as the Postmaster General may prescribe.

So as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and directed to issue a proclamation designating the 12th day of May, 1969, as "Amelia Earhart-Joan Merriam Smith Aviation Day", in honor of these two American aviatrixes.

The preamble was agreed to.

The amendments were agreed to.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–156), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the joint resolution is to honor the memory of Amelia Earhart and Joan Merriam Smith.

STATEMENT BY SENATOR GOLDWATER

I have the pleasure of introducing today for myself and several other Senators a joint resolution to provide official national recognition of the achievements of two of America's greatest women pilots, Amelia Earhart and Joan Merriam Smith.

I am sure we all remember the feats and records established by these courageous women. Miss Earhart, who was born of the same generation as Charles Lindbergh, became the first woman to match Lindy's classic feat of flying the Atlantic solo. In 1928, only a year after Lindbergh had achieved his record, Miss Earhart, flying with two others, became the first woman transatlantic flier. Then, in 1932, exactly 5 years after Lindbergh had pointed the way, Amelia Earhart established a world record by becoming the first woman to fly the Atlantic alone. Of course, Miss Earhart achieved many additional flying "firsts" and was the winner of aviation's highest award, the Harmon International Aviation Trophy, on three separate occasions.

The final adventure of this great heroine has become a legend. Flying the roughest route conceivable in the days of no aids or maps, Amelia Earhart and her navigator, Fred Noonan, disappeared outside New Guinea while attempting a round-the-world trip. The mystery concerning her last flight still persists. But we all know that the trip planned by her was charted as a complete world route, staying as close to the equator as airfields would permit, and intended to cross a distance of 27,000 miles.

This goal, that last dream of Amelia Earhart, was not to be fulfilled until this decade. On March 17, 1964, exactly 27 years to the day after Miss Earhart lifted off from Oakland on her world attempt, Joan Merriam Smith taxied her Piper Apache onto the same takeoff point and began a flight no other woman had attempted except one. Born within a year of the tragic disappearance of Amelia Earhart, Joan Merriam Smith had dreamed from early childhood of flying alone around the world and following the same route planned by Miss Earhart. And so she began the flight, both to fulfill her own ambition and to complete the goal inspired by Amelia Earhart.

Her trip took 57 days from March 17 to May 12. Forty-five percent of her trip was over areas having no air traffic and few radio aids. Many times she had to forecast her own weather. At the end, Joan Merriam Smith succeeded in achieving one of the most remarkable records in aviation. She was not only the first solo pilot, man or woman, to circumnavigate the globe, but she had made the longest solo flight in history. In all, her trip established six world records.

Mr. President, the basis for this joint resolution is clear. These distinguished American women have earned the fullest recognition that Congress can offer. The American people, and particularly the youth of today, need the inspiration which the spirit and bravery of these great ladies can give. The deeds and courage of these two women stand out as shining examples of the kind of service and dedication which individuals can render in the cause of their country. Mr. President, I hope the Senate will take early and favorable action on this resolution.

The committee is of the opinion that this joint resolution in this day and time is extremely meritorious and recommends that Senate Joint Resolution 81 be agreed to.

CAPT. WILLIAM O. HANLE

The bill (S. 882) for the relief of Capt. William O. Hanle was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain William O. Hanle, United States Army, retired, of Joppa, Maryland, is hereby relieved of all liability to repay to the United States the sum of $15,348.32, representing salary paid him during the period from July 9, 1962, through November 30, 1964, while he was employed as a criminal investigator at the mid-Atlantic regional office of the Internal Revenue Service at Philadelphia, Pennsylvania, in violation of section 2 of the Act of July 31, 1894 (28 Stat. 205: 5 U.S.C. 62), which prohibits the employment of certain retired military officers in a civilian position the said William O. Hanle having advised the Internal Revenue Service of his retired status prior to his employment. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. In determining length of service for purposes of step increases, retirement, annual and sick leave, and any other employee rights and benefits the said Captain William O. Hanle shall be entitled to credit for such period during which he was employed and received salary as a criminal investigator for the Internal Revenue Service.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–157), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Capt. William O. Hanle, U.S. Army, retired, of Joppa, Md., of all liability to repay to the United States the sum of $15,348.32, representing salary paid him during the period from July 9, 1962, through November 30, 1964, while he was employed as a criminal investigator at the mid-Atlantic regional office of the Internal Revenue Service at Philadelphia, Pa., in violation of section 2 of the act of July 31, 1894 (28 Stat. 205; 5 U.S.C. 62), which prohibits the employment of certain retired military officers in a civilian position, the said William O. Hanle having advised the Internal Revenue Service of his retired status prior to his employment.

STATEMENT

The Committee on the Judiciary in the 90th Congress reported favorably S. 664, as amended, to the Senate. This bill, S. 882, in the 91st Congress is identical to S. 664 in the 90th Congress which amended S. 2262 in the 89th Congress. The committee's statement of facts and conclusions on S. 664 was as follows:

The records of the Treasury Department disclose that Captain Hanle applied to the U.S. Civil Service Commission for an appointment to a civilian position while he was still on active duty with the U.S. Army. His employment application indicated his intention to submit an application for military retirement benefits.

After being certified by the Boarrd of the U.S. Civil Service Examiners as eligible for appointment, but prior to his appointment to a position in the Internal Revenue Service, Captain Hanle executed another employment application wherein he indicated that he had applied for retirement benefits from the U.S. Army. Further, on the day Captain Hanle began employment with the Internal Revenue Service, he executed another form wherein he answered "Yes" to the question of whether he receives or had applied for retirement benefits for military service, and indicated his retirement from the U.S. Army.

The fact that Captain Hanle's employment was apparently in violation of law became known in March 1965.

The Treasury Department, in reporting on the merits of this proposal, on an identical bill in the 89th Congress, states in part as follows:

"In view of the fact that Captain Hanle disclosed that he had applied for military retirement benefits prior to his employment by the Internal Revenue Service, the Department would have no objection to the enactment of this legislation."

The committee is in agreement with the Treasury Department that this legislation be favorably considered. It is apparent that the overpayment made to the claimant was the result of an administrative error. Furthermore, it is obvious that the repayment would impose an undue financial hardship, and it is clear that the claimant accepted these overpayments in good faith. For these reasons the committee recommends favorable consideration of S. 664, as amended.

The committee adheres to its recommendation on S. 664 and recommends that the bill S. 882 be considered favorably.

BILL PASSED OVER

The bill (S. 890) for the relief of the Pine Hall Brick & Pipe Co. was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

HELEN KELLER MEMORIAL WEEK

The joint resolution (S.J. Res. 99) to authorize the President to issue annually a proclamation designating the first week in June of each year as "Helen Keller Memorial Week," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of Helen Keller's outstanding contribution to the education, welfare, and re-

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habilitation of blind and deaf persons throughout the world, the President is authorized and requested to issue annually a proclamation designating the first week in June as "Helen Keller Memorial Week", calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–159), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the joint resolution is to declare the first week in June annually as Helen Keller Memorial Week and to call upon the people of the United States to observe such week with appropriate ceremonies and activities.

Mr. JAVITS. Mr. President, the adoption of Senate Joint Resolution 99 today is properly a tribute to a great woman, Helen Keller, whose victory over the major disabilities of blindness and deafness has inspired millions here and abroad. It is recognition that supposedly insurmountable physical handicaps can be conquered and that every individual has within her or him the power and ability to become a productive citizen. Helen Keller was a historically courageous woman who once she had arisen above the obstacles that had blighted her life—blindness and deafness—devoted her own life to helping others do the same. She had sufficient strength of spirit, mind, and body to lend this strength to others. Hers is a saga that bears infinite repetition—the resolution before us which I had the honor to sponsor fulfills this need.

DIAMOND JUBILEE YEAR OF THE AMERICAN MOTION PICTURE

The concurrent resolution (H. Con. Res. 165) designating the year 1969 as the "Diamond Jubilee Year of the American Motion Picture" was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–160), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the concurrent resolution is that the Congress of the United States do hereby designate 1969 as the Diamond Jubilee Year of the American Motion Picture.

YOUTH WEEK

The Senate proceeded to consider the joint resolution (S.J. Res. 100) to proclaim the week beginning May 1 as "Youth Week," which had been reported from the Committee on the Judiciary, with an amendment on page 2, after the resolving clause, strike out "That the Congress of the United States do hereby proclaim" and insert "That the President is authorized and requested to issue a proclamation declaring"; so as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation declaring the week beginning May 1, as Youth Week, and urge all departments of government, civic, fraternal, and patriotic groups, and our citizens generally, to participate wholeheartedly in its observance.

The preamble was agreed to.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–161), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the joint resolution is to authorize and request the President to issue a proclamation declaring the week beginning May 1 as "Youth Week," and to urge all departments of government, civic, fraternal, and patriotic groups, and our citizens generally participate wholeheartedly in its observance.

ADDITIONAL TERM OF 1 YEAR FOR CHAIRMAN OF THE JOINT CHIEFS OF STAFF

The joint resolution (S.J. Res. 104) to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 142(a) of title 10, United States Code, the President may, by and with the advice and consent of the Senate, reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of one year, the officer serving in that position on April 1, 1969.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–162), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This joint resolution would authorize the President, with the advice and consent of the Senate, to reappoint Gen. Earle G. Wheeler as Chairman of the Joint Chiefs of Staff for an additional term of 1 year.

EXPLANATION

Statutory background

Section 142(a) of title 10, United States Code, provides that the Chairman of the Joint Chiefs of Staff is appointed with the advice and consent of the Senate and that he serves at the pleasure of the President for a term of 2 years. The chairman may be reappointed in the same manner for one additional term. In time of war declared by Congress there is no limit on the number of reappointments.

Gen. Earle G. Wheeler, U.S. Army, was initially appointed to the position of Chairman of the Joint Chiefs of Staff on July 3, 1964. He was reappointed for a second term that began on July 3, 1966.

Pursuant to the authority of House Joint Resolution 1224 (Public Law 90–342, approved June 15, 1968), General Wheeler was reappointed for an additional 1-year term beginning July 3, 1968.

Justification for legislation

The President as Commander in Chief of the Armed Forces, and the Secretary of Defense have strongly urged enactment of this legislation in order to permit the President to retain General Wheeler in his present position for an additional 1 year.

The Secretary of Defense, Mr. Laird, in urging the passage of this resolution, testified as follows:

"Last year, Secretary Clifford, acting on a presidential initiative, requested, and the Congress enacted a similar exemption from current law because of the then existing world conditions and General Wheeler's unique experience and qualifications to continue as a principal military adviser to the President, the National Security Council, and the Secretary of Defense. Based on my experience, both as a Member of the Congress and as Secretary of Defense, I am convinced this was a wise decision and advanced U.S. security interests.

"Shortly after the previous Administration requested congressional approval to continue General Wheeler in the position of Chairman of the Joint Chiefs of Staff last year, the United States entered into preliminary discussions with North Vietnam and the Vietcong in Paris. Those negotiations continue as do our military operations in Southeast Asia.

"General Wheeler has a unique knowledge of the full array of our security requirements acquired during his tenure as Chairman of the Joint Chiefs of Staff. I believe it to be both prudent and wise to retain General Wheeler's invaluable experience and counsel during the current and impending period of decision not only in regard to the operations in Southeast Asia and related negotiations in Paris, but also with respect to oncoming major decisions affecting our overall military posture.

"The President, as Commander in Chief of our Armed Forces, and I, as Secretary of Defense, therefore strongly urge that authority be given to permit the President to retain General Wheeler in his present position for an additional year."

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, as soon as the distinguished senior Senator from New York (Mr. Javits) and other Senators who may have statements to make have concluded their remarks, it is the intention of the joint leadership to call up the nomination of James E. Allen, Jr., to be an Assistant Secretary of Health, Education, and Welfare, and also to be Commissioner of Education. Before that is done, however, there will be a quorum call, so that all Senators will be on notice that that will be the pending business.

THE SITUATION ON COLLEGE AND UNIVERSITY CAMPUSES

Mr. JAVITS. Mr. President, the morning news continues to be rocked by the situation on college and university campuses in the United States. We have seen an escalation of disorders and conflicts

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on our college and university campuses. The matter has been the subject of intense discussion and debate at all levels of government. In many States, as well as in the Congress of the United States—legislation to prevent and curb campus disorders and to punish students, agitators, and others engaged in them has been introduced.

Mr. President, when the President of the United States, as he has, and the Attorney General address themselves to an issue, and when the issue is so prominent in the public press, and so disturbing to the American people, that is the very moment when we might do something improvident, unwise, and very counterproductive.

Let us bear in mind that it is this generation now on the college and university campuses that will be occupying these seats in due time. They will be the leadership group in the United States.

It is in that sense that I speak today. I have already spoken out very strongly on what alarmed me very deeply—the presence of arms in these college disruptions and the general atmosphere of violence and nihilism of some of the groups concerned.

I now point out that radicalism and violence on our university campuses threaten to bring a wave of backlash, punitive law, repression, and counterviolence. In some cases this has already happened. However, we must remember that such a reaction will surely play into the hands of the extreme disrupters themselves. Indeed, that is exactly what they have sought to bring about. These disrupters—and we know these activists are a tiny minority on the college campuses—seek, through the "politics of confrontation," to bring about a radicalization of American society and politics. We cannot permit this to happen. We cannot play into their hands by reacting in a mindless, irrational, violent way as they invite and for which they are hoping.

On the other hand, many universities have shown the capacity to prevent and to deal effectively with student unrest. As an editorial in today's New York Times noted, "By a combination of concessions to justified demands, improved communications among students, administrators and faculty, and firmness where required, university administrators are showing that they can regain the initiative from the wildest dissenters and even mobilize student majorities to back campus order and peace."

I am convinced that American universities can deal with student disorder. Admittedly the universities have much to do to reform themselves, to bring about student representation in all aspects of campus administration and government. Such reforms have been long overdue, but many colleges and universities are now beginning to bring about these fundamental changes without violence and without physical duress. I reaffirm my faith in their capability to do so. It then would be inappropriate for the Congress to pass punitive Federal laws that seek to deprive students who engage in campus disruptions from receiving Federal loan or scholarship benefits.

Most of all, what we need is a sense of perspective and a sense of proportion about what is happening. The colleges and the universities themselves have the ultimate defense for dealing successfully with serious disruptions—namely the powers of suspension and expulsion. There is nothing worse, and every young person knows it. An expulsion from a university or college on his record is equivalent to a dishonorable discharge. It marks him for life. This is a very serious, very summary weapon, which is entirely within the hands of the colleges and universities themselves. Also they have the power to call onto the campuses peacekeeping authorities, and to determine in what way the police authority shall be handled. Lately, they are seeking to make use of the courts with injunction proceedings and contempt findings. These procedures have the great virtue of being due process of law, and specifying the target by name, and this is critically important. So we are beginning to understand and refine the instruments by which this situation can be handled.

I wish to say that right now it is we, who are in the seats of power, who ought to have our cooling-off period. I might say, too, that this could apply to the press as well. Their lengthy and sensational coverage of the irresponsible actions of a minority on a minority on our campuses have given them, often, incentives to seek more and more headlines, upon which these things, as we know, feed. The press must report the news, but they can report it with a certain modesty and a certain relationship of the minority to the majority. I think this would be helpful in this situation and would dampen down rather than build up the increasing spiral of emotional reaction to these disruptions.

But viewing this matter with intelligence and a sense of perspective does not mean that we should not view this issue with great seriousness, nor does it mean that there is no action which the Congress and the Federal Government can take. This action, however, should be divided toward our Nation's domestic and foreign ills at this point, because there is a deep alienation—the word has been used time after time—and an erosion of the confidence of our young people in those who govern them.

There is no use begging the question: We must face the fact that there are a good many of our young people who have lost faith in our processes.

More than the disruptive acts of the very few, what concerns me is the passivity and lack of faith in the orderly democratic and legal process which many, perhaps the majority of students, have shown on these disrupted campuses. Those of us who hold positions of political leadership must recognize that there is a lack of trust, a "credibility gap," between many young people and their government and their university administrations. If the turmoil is the result of the few militant extremists, it is discouraging to see in its midst that, while most students are not part of such violence, there is little in which they have confidence.

We in the Congress must address ourselves to the major problems of our society with a sense of urgency and immediacy. We must provide an agenda of social action for Americans. We must bring the war in Vietnam to a speedy conclusion and begin the process of shifting national resources away from military might to correcting social inequities. In a word, we must give our young something to believe in. It is this sort of congressional action—not punitive Federal laws—which is demanded in this situation.

I am confident that our colleges and universities have the capacity—they certainly are learning fast under this pressure—to deal quite successfully with the most serious forms of disruption.

I have uttered today a word of caution against backlash, against our proceeding out of a sense of resentment, which I do not think any one of us would consciously do, but the whole atmosphere surrounding the disruptions seems to create and stir up resentful feelings. We need to remember also, as we try to restore confidence on the part of youth, that we cannot restore it by words alone; we must restore it by deeds, and among those deeds must be to end the Vietnam war, to rearrange our national priorities, and to show a real concern and an ability to cope with the major causes of social and economic injustice in this country.

Mr. President, I ask unanimous consent that the editorial in the New York Times of May 5, 1969, to which I have referred, be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AVOIDING THE BACKLASH

In Minneapolis last week a police detective running as an independent on a "law and order" platform finished first by a wide margin in that city's mayoralty primary. At Queens College, in this city, white students offered physical resistance to rampaging blacks. In Congress and other legislatures over the country more and more demands are being made for "crackdowns" on student dissenters, and laws aimed at campus disorders have been passed or are under legislative consideration in almost half the states. The symptoms are evident that a massive backlash is building up against student disrupters.

Ironically, this build-up—with its threat of repression in the wings—is coming at a time when developments on many campuses suggest that university administrators are beginning to learn how to deal with the forces making for disruption, and thus to frustrate the minuscule minority whose only purpose is to destroy American higher education as a first step toward destroying American society. The fiasco suffered last week by the Students for a Democratic Society at Columbia was one important indication. Another was Harvard's ability to restore peace and normal conditions of study and class attendance so quickly after last month's "bust" and the passions it aroused. At Stanford, student demonstrators peacefully surrendered an administration building when informed police would be coming on campus.

By a combination of concessions to justified demands, improved communications among students, administrators and faculty, and firmness where required, university administrators are showing that they can regain the initiative from the wildest dissenters and even mobilize student majorities to back campus order and peace.

A mindless, vindictive backlash movement now will surely play into the hands of the disrupters, win them more supporters, and reverse the encouraging trend on what were

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recently some of the most endangered campuses. This is because the backlash is likely to result in overkill, in the passage of new laws and the taking of other punitive measures that would enable the disrupters to pose as the victims of persecution by a soulless adult Establishment.

Last spring at Columbia and this spring at Harvard, the radicalization of both campuses was the product of such overkill by policemen who used far more violence in ending student sit-ins than was required by the objective situation. Repetition of such tactics at higher levels of government is likely to have similar boomerang effects and increase rather than diminish the prospects for campus turmoil.

American society can deal with the mini-revolution on the campuses by insisting on the rule of law but at the same time by retaining perspective and a sense of proportion. The serious disrupters constitute a small minority among the millions of the nation's college and university students, and they have succeeded in shutting down only a very tiny fraction of the nation's thousands of higher educational institutions. This disruptive minority becomes powerful when it is able to gain leverage through the mistakes and insensitivity of its opponents.

It can be and has been defeated by intelligent administrators who have moved rapidly against the causes of student discontent, thus separating the majority that wants to continue its studies from those who have become semiprofessional revolutionaries. A firm adherence to the rule of law is necessary, along with understanding and a willingness to discuss needed change. But in dealing with the young people on the campuses, the blacklash psychology points the way only to disaster for university and society alike.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. JAVITS. I am happy to yield.

Mr. MURPHY. One question which I have asked on several occasions, which has to do with the subject the Senator has been so eloquently explaining, which, not being a lawyer, I cannot understand, but having the greatest regard for the ability of my distinguished colleague from New York in the field of law, I ask him: Is there any provision that makes the laws under which members of the academic community, either students or faculty members, different from those affecting the ordinary citizen?

Mr. JAVITS. None whatever, that I know of. As a matter of fact, we have pointed out time and again that where there were such laws, or such enclaves, education has suffered major setbacks. This has been true in Latin America, where, a century ago, the students "recaptured control" of the colleges and universities, and the result has been very harmful in many of the institutions of learning in which that "great victory" took place.

Mr. MURPHY. Mr. President, there has been a misunderstanding. It seems that every time there is a question as to the legality and the punishment, a special case is made, or at least it seems to me that way, to except a student or a faculty member. I just wondered whether I had been misled in thinking that students and faculty members and everyone else in this great country of ours operate under the same law.

Mr. JAVITS. They do. However, may I point out that we do have many acts on the books which are called youth offender statutes. Youthful offenders, depending upon age, are treated differently. For example, often the record is capable of being cleared so that something does not remain with a very young person throughout his life. And often there are youth courts which sit in camera so as to avoid the worst overtones of public knowledge of a particular act.

The second aspect is the disposition to prosecute. There, too, as the Senator knows, a prosecutor has very great power. It is he who decides what case to prosecute and what case to nol-pros or dismiss.

This is where the intelligence and the wisdom of university administrators come into play. Heretofore, as we have seen, no matter how bad the disruption, it was immediately followed by a plea for amnesty.

This does not mean that there should be no room for amnesty or discretion in withholding prosecution. However, it does mean that this very important decision must remain discretionary. We must judge every case on its merits.

There may be some cases in which judgment should be tempered with mercy. However, that is not universally true. And one does not bargain for amnesty at the mouth of a gun.

It is critically important at this time, I think, when the universities are beginning to learn how to deal with the matter better, that we should not enact a punitive Federal law which might give the majority of students reason to rally behind the minority. I believe that most college students would resent such action.

Mr. MURPHY. Having had experience in California, which began some time ago, I was not too surprised at Cornell.

The point I would like to make is that I am in complete sympathy. I know something about the way youngsters become involved or are inveigled into a situation. As a matter of fact, President Hayakawa of San Francisco State said, "Don't get too upset at students. The faculty members are, in many cases, responsible. They tell the youngsters, 'If you don't get out and join in the troublemaking, you will flunk the course.' "

This one of the complications, plus the fact that, as we know, a certain hard-core group of professionals seems to show up some place in the background. They are the ones I am concerned with.

Many of them are experienced in Berkeley and several other universities in California in which they have had trouble. They are not students or members of the faculty. And they are old enough to know better. These are the ones that I would like to see separated from the rest.

I think if we can find a way to isolate properly these fellows and expose them, it would be helpful. Perhaps we might get the communications media to join with us as we have done before.

We have not heard much of Stokely Carmichael. I do not know what has happened to old Stoke. I do not know what has happened to Rap Brown. They have disappeared. This is not a new thing. As soon as someone is overexposed, they bring out a new face.

The free-speech movement started at Berkeley 3 years ago. There was a very capable man who was a wonderful speaker. He had a group writing his speeches. I have not heard of him in a year and a half.

I am in complete sympathy with my distinguished colleague, but we tend to put everyone in a class. We say, "These students." It is not these students. It is these professional troublemakers who are using a very small minority of students and affecting the intellecual progress of the great majority of the students.

I think all facts should be brought out. Last year President Johnson read a report at the White House. I begged that the report be made public. However, for some reason it was not. I think it would have been most interesting to the American public. I think the American public has a right to know.

We do not know what has happened to old Cleaver. Cleaver was very busy on campuses in California inciting all sorts of horrible things. He used the worst imaginable language.

I used to see his picture on the television. I called the television station and said, "Why don't you broadcast what he is saying on the television?" They did not dare. They would lose their license if they were to do so.

This is the sort of thoughtful differentiation that we must make. We must find a way to recreate proper faith in the young people. We must also point out to the young people that they are being used by some older ones.

I think it is unfair for a pro to operate with an amateur. The amateur comes off second best.

I would like to help my distinguished colleague in an effort to see if we can find a way to differentiate between the two and not blame the academic community for things it should not be blamed for.

I think it has been lacking in judgment and experience.

I know one of our highly publicized presidents in California. As long as 12 years ago, I told him that his place was in trouble. I explained some of my background experience to explain how I knew. The trouble happened before he realized it. He thought that I was making up stories.

I hope that we can continue to find a fair basis on which to handle the matter. It is an awful mess. It is going into the high schools in my State.

Mr. JAVITS. The same thing is happening in my State.

I am very strongly for the selectivity of legislation and the selectivity of targets. All I call attention to today is that the colleges and universities are learning how to proceed, and it is a good thing. The inquiry under way here and in a number of committees will enable us to be selective. Under these circumstances, I utter a word of caution against some general and universal law that, I think, would cost us a lot more than we would gain from it.

ELECTION OF PRESIDENT AND VICE PRESIDENT—ADDITIONAL COSPONSORS OF SENATE JOINT RESOLUTION 59

Mr. GOLDWATER. Mr. President, I have previously expressed my belief that current endeavors to change the system of choosing a President and Vice President would be incomplete if they were not combined with efforts to secure the greatest possible participation by our citizens in the selection of such officers. For whatever the manner of electing the President, the system cannot function equitably or accurately unless the entire election machinery is geared to insuring that the maximum number of citizens will be eligible and able to vote in such elections.

It is to this end that I have offered two measures designed to broaden the opportunities for voting in presidential elections and to make it easier for citizens to use the polls at a convenient time.

The first proposal I have submitted is a constitutional amendment which would enable citizens to qualify for voting in presidential elections with only 30 days residence in any State and to obtain absentee ballots for such elections by making application for them up to 7 days before the election. The second measure I introduced is a bill to expand the period for voting in presidential elections and to make this period uniform throughout the United States. Both measures combined would, if adopted, apply to a body of 20 million or more citizens who now are disfranchised because of outmoded legal technicalities which have failed to adapt to the changing needs of a mobile citizenry and have erected a barrier to the full enjoyment of the fundamental right of such citizens to have a voice in the selection of the officers who will guide their Nation.

I am happy to announce that 26 Senators have agreed to join with me in sponsoring the first of these proposals. I am especially pleased that this group includes a large number of Members from both sides of this Chamber.

The constitutional amendment which we submit is designed to meet the reasonable interests both of the 11 million citizens who may benefit from its application and the State authorities who will have to carry out its implementation.

For the benefit of those State and local officials who will be involved in the day-to-day administration of the terms set forth in the amendment, I wish to state that before deciding that it would be appropriate to ask any State to comply with standards differing from its regular practices, I reviewed the laws of each of the States and the District of Columbia to be certain that the standards arrived at would be reasonable and practicable. On the basis of this research, I am able to say with confidence that the provisions of the measure we submit have been put into practice at the local level by several jurisdictions and found to be workable and successful. In case any Member may wish to refer to the procedure used in his or any other State, I have inserted a complete listing of State laws on this subject in the Record of February 28. As a supplement to that list, I ask unanimous consent to have printed at the end of my remarks today a table identifying the States which have adopted voting procedures similar to those provided for in the constitutional amendment that we are sponsoring.

The PRESIDING OFFICER (Mr. McIntyre in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. GOLDWATER. Also, for the attention of the States, I would like to emphasize that since the proposal we offer is a constitutional amendment, it must have the acceptance of three-fourths of the States before it can apply in any State.

Therefore, I can give my complete assurance to those Members who share with me a special respect and concern for the vitality and diversity of our State and local governments that the rights and interests of States and communities were taken into account fully and fairly in the preparation of this measure.

Turning to the 11 million citizens who may benefit from the expanded voting opportunities granted by this measure, I believe that adoption of the minimum standards provided in the amendment is an essential and legitimate action aimed at promoting the freedom of many millions of Americans to exercise a voice in the decision of who shall lead their country.

The impact of this measure will not be insignificant. In comparison with the number of persons who went to the polls last November, these additional citizens would represent an increase of 15 percent in the number of voters who take part in the choice of the highest officers in our land.

In closing, Mr. President, I wish to restate my conviction that all citizens of the United States should be entitled, by virtue of their national citizenship, to enjoy the right to vote for President and Vice President to the greatest extent practicable. It is with this principle in mind that I express my hope that all of our colleagues may see fit to join with us in support of the universal goal of seeking to secure and enhance the personal freedom of millions of individual citizens by enabling them to gain a role in the election of the Chief Executive of the United States.

At this point, Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Alaska (Mr. Stevens), the Senator from Arizona (Mr. Fannin), the Senator from California (Mr. Cranston), the Senator from Delaware (Mr. Williams), the Senator from Hawaii (Mr. Fong), the Senator from Idaho (Mr. Jordan), the Senator from Illinois (Mr. Percy), the Senators from Kansas (Mr. Dole and Mr. Pearson), the Senator from Kentucky (Mr. Cook), the Senator from Massachusetts (Mr. Brooke), the Senator from Michigan (Mr. Griffin), the Senator from New Hampshire (Mr. Cotton), the Senator from Nevada (Mr. Bible), the Senators from Oregon (Mr. Hatfield and Mr. Packwood), the Senators from Pennsylvania (Mr. Schweiker and Mr. Scott), the Senator from Rhode Island (Mr. Pell), the Senator from South Carolina (Mr. Hollings), the Senator from Tennessee (Mr. Baker), the Senators from Texas (Mr. Tower and Mr. Yarborough), the Senators from Utah (Mr. Bennett and Mr. Moss), and the Senator from West Virginia (Mr. Randolph) be added as cosponsors of the joint resolution (S.J. Res. 59) proposing an amendment to the Constitution of the United States providing that citizens of the United States shall be entitled to vote for President and Vice President without regard to excessive residence and physical presence requirements.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. THURMOND. I ask that the distinguished Senator from Arizona add my name as a cosponsor of the joint resolution.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the name of the distinguished Senator from South Carolina (Mr. Thurmond) be added as a cosponsor of the joint resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. MURPHY. Is the name of the senior Senator from California on the list of cosponsors?

Mr. GOLDWATER. I do not see it.

Mr. MURPHY. I ask that the distinguished Senator from Arizona add the name of the senior Senator from California as a cosponsor.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from California (Mr. Murphy) be added as a cosponsor of the joint resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I also ask unanimous consent that there be a star print made of the joint resolution (S.J. Res. 59) in order to make a technical change in the text of such resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Exhibit 1

Table of States With Voting Practices Similar to Those Provided in Senate Joint Resolution 59

ITEM 1. RESIDENCE REQUIREMENTS

Listing of 32 States which have made special provision for voting in Presidential elections, either for new residents or for former residents:

Alaska
Arizona
California
Colorado
Connecticut
Delaware
Florida*
Georgia
Idaho
Illinois
Kansas
Maine*
Maryland
Massachusetts*
Michigan
Minnesota*
Missouri
Nebraska
New Hampshire*
New Jersey
New Mexico*
New York
North Carolina
North Dakota
Ohio
Oklahoma
Oregon
Texas
Vermont
Washington
Wisconsin
Wyoming

*Voting in Presidential elections permitted with as few as 31 days residence.

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ITEM 2. ABSENTEE BALLOTS

Listing of 37 States ** which permit certain categories of voters to apply for absentee ballots up to 7 days or less before election:

Alabama
Alaska
Arizona
Arkansas
California
Colorado
Delaware
Florida
Hawaii
Idaho
Illinois
Indiana
Iowa
Kansas
Louisiana
Massachusetts
Michigan
Minnesota
Mississippi
Montana
Nebraska
Nevada
New Mexico
New York
North Carolina
Ohio
Oklahoma
Oregon
Pennsylvania
Tennessee
Texas
Utah
Vermont
Virginia
Washington
West Virginia
Wisconsin

** This list includes only those States in which the statutory laws clearly permit certain voters to apply for absentee ballots within 7 days or less before an election. There may be additional States in which similar opportunities for absentee voting are granted pursuant to rules or regulations issued under laws that are otherwise silent or ambiguous on this matter.

ITEM 3. ABSENTEE BALLOTS

Listing of 40 States *** which permit absentee ballots of certain categories of voters to be returned on day of election or later:

Alabama
Alaska
Arizona
Arkansas
Colorado
Delaware
District of Columbia
Georgia
Idaho
Illinois
Indiana
Kentucky
Maine
Maryland
Massachusetts
Michigan
Minnesota
Mississippi
Missouri
Nebraska
Nevada
New Hampshire
New Jersey
New York
North Carolina
North Dakota
Ohio
Oregon
Pennsylvania
Rhode Island
South Carolina
South Dakota
Tennessee
Texas
Utah
Vermont
Virginia
Washington
West Virginia
Wisconsin

*** This list includes only those States in which the statutory laws clearly satisfy this test. There may be additional States in which similar opportunities for return of absentee ballots are granted pursuant to rules or regulations issued under laws that are otherwise silent or ambiguous on this matter.

THE CIVILIAN COMPLEX

Mr. GOLDWATER. Mr. President, it is well known that I have devoted some little attention in recent weeks to the activities in the Pentagon of a group which I have identified as the "civilian complex" and which operated under the stewardship of former Defense Secretary Robert S. McNamara.

Perhaps we should alter the name somewhat to give hyphenated status. We could thus refer to the group of which I speak as the "civilian-industrial complex."

My reason for bringing up this question here today stems from published reports over the weekend which point to a major maneuver by the civilian complex to further control the handling of this Nation's defense contracts. These reports underscore my contention that it is not necessarily from the military or from retired military officers working with defense industries that the greatest threat to the American taxpayers ensues. They tell of the appointment of the Assistant Secretary of Defense for procurement in the Johnson administration as a vice president of the conglomerate Litton Industries. The published reports show that the Assistant Secretary, Thomas D. Morris, went to Litton right from his Pentagon job as supervisor of the $45 billion a year Defense Department program of contracting for research, supplies, services, and equipment.

The reports also show that another Assistant Secretary of Defense, Alain C. Enthoven, also joined Litton Industries right out of Government service. Enthoven, who is credited for computerizing much of the Pentagon's decisionmaking, now holds the title at Litton of vice president for economic planning.

It should be noted, Mr. President, that Litton's defense contracts increased more than 250 percent from 1967 to 1968. In 1967 Litton ranked 36th among companies receiving defense contracts, with awards totaling more than $180 million. But by the end of 1968, Litton had jumped to 14th in the list, with defense contracts valued at nearly $466 million.

I noticed in this morning's paper that the Senator from Wisconsin (Mr. Proxmire) has accused Litton Industries of hiring Mr. Morris as a "payoff" for huge defense contracts and as assurance of future influence for the firm.

I wish to congratulate Senator Proxmire for his interest in the civilian complex, and wish to urge him to press forward with proposals for a full investigation of his "payoff" charges. I can not help noting that Senator Proxmire's interest formerly was almost completely devoted to the fact that some 2,000 former high-ranking officers of the Nation's military establishment had been employed by the 100 top defense industries in the Nation. At the time of this disclosure, the Senator from Wisconsin found the situation both "shocking and dangerous." I trust that he will take a similar view of this latest revelation that members of the civilian complex of Secretary McNamara have been engaged in activities which at the very least are highly questionable.

Mr. President, I ask unanimous consent to have printed in the Record at this point the newspaper articles by the Associated Press and the United Press International covering some of the details which I had mentioned above.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From Associated Press]

Pentagon Procurement Chief Now With a Top Contractor

(By Jean Heller)

The assistant secretary of defense for procurement in the Johnson administration has been hired as a vice president of Litton Industries—a conglomerate whose defense contracts increased more than 250 percent from 1967 to 1968.

Thomas D. Morris went to Litton right from his Pentagon job as supervisor of the $45-billion-a-year Defense Department program of contracting for research, supplies, services and equipment.

In 1967, Litton ranked 36th among companies receiving defense contracts with awards totaling more than $180 million.

At the end of last year, Litton had jumped to 14th with defense contracts valued at nearly $466 million. During that time it had been acquiring subsidiary companies.

Alain C. Enthoven, assistant secretary of defense for systems analysis, also joined Litton right out of government service. Enthoven, the man who computerized much of the Pentagon's decision making, now carries the title at Litton of vice president for economic planning.

Both Morris and Enthoven left the Defense Department in January after working there since the first days of the Kennedy administration in 1961.

Neither was available for comment today.

Yesterday the Pentagon announced the award of a potential $1 billion-plus contract to Litton's marine division, Ingalls Shipbuilding Corp.

Ingalls will begin work on nine Navy amphibious assault ships called LHAs under a fixed-price incentive contract with a potential price of $1,012,500,000.

Ingalls said it was the largest shipbuilding contract ever received by one company.

It is not unusual for top government officials to get high-ranking posts in private industry when they leave office. This has been shown to be particularly true to top Pentagon officials, especially military officers.

Last month, Sen. William Proxmire, D-Wis., said that as of February 1969 the top 100 defense contractors employed 2,072 retired military officers of the rank of colonel or Navy captain and above. This is an average of more than 20 per company.

Litton was reported to have 40—2½ times the average—on its staff, but this was not the highest figure by a good bit.

Top positions on the list were occupied primarily by aircraft and space-oriented companies: Lockheed Aircraft Corp. had 210 retired high-ranking military officers; Boeing Corp. had 169; McDonnell Douglas Corp. 141; General Dynamics Corp. 113 and North American Rockwell Corp. 104.

THE DEFENSE

Private industry defends the practice of hiring top Pentagon officials and military officers on grounds they are knowledgeable in the defense contracting field.

Proxmire sees the practice as potentially dangerous to the public interest.

Noting that nearly 90 percent of all government contracts are negotiated rather than awarded through competitive bidding, Proxmire said:

"In some cases former officers may even negotiate contracts with their former fellow officers. . . . In addition, there is subtle or unconscious temptation to the officer still on active duty. After all, he can see that over 2,000 of his fellow officers work for the big companies. How hard a bargain does he drive with them when he is one or two years away from retirement?"

[From United Press International]

Proxmire Hits Litton "Payoff"

Litton Industries hired a former Pentagon procurement officer as a "payoff" for huge defense contracts and as "assurance" of future influence for the firm, Sen. William Proxmire (D-Wis.) charged yesterday.

Proxmire issued a bristling statement criticizing Thomas Morris, former Assistant Defense Secretary, for going directly last year from his position as the chief Pentagon procurement officer to the vice presidency of Litton, one of the Nation's largest defense contractors.

He said the decision was "particularly of-

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fensive because in the last full year of Morris' power as the Pentagon procurement boss, Litton's contracts jumped from $180 million in 1967 to $466 million in 1968—a mammoth 250 per cent."

Proxmire accused the firm of "buying influence with the Pentagon and plenty of it."

Proxmire summed up the Morris appointment to Litton as "a payoff for the huge Pentagon business shifted to Litton in 1968 and as assurance of immense future influence for Litton."

"Here is a conflict of interest at its most vivid and conspicuous," Proxmire said. He noted that Morris will have "powerful associations . . . with virtually every Pentagon official who will be dealing with Litton."

"For years, no one has been more integrally and powerfully involved with every Pentagon decision on the annual $43 billion military procurement than Morris."

He was responsible, Proxmire said, for "hiring or appointing, for training and directing—and even promoting many of those with whom he will be dealing with at all levels."

Proxmire noted that almost 90 per cent of defense contracting is not competitive bidding but by some form of negotiation.

"Whether Litton or some other firm gets a particular contract," he said, "will be determined very largely by the subjective attitude of Pentagon officials toward Litton officials."

The Senator said he is exploring the possibilities of some sort of legislation "to prevent this kind of massive influence-buying in the future."

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW—ORDER SUBSEQUENTLY RESCINDED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Subsequently, this order was rescinded, and the Senate ordered that, on the completion of its business today, it stand in adjournment until Thursday, May 8, 1969, at 12 o'clock noon.)

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, and this has been cleared by the joint leadership with the interested parties, it is anticipated that we will take up the Cranston resolution dealing with the Job Corps at the close of morning business tomorrow.

S. 2060—INTRODUCTION OF THE HEADSTART CHILD DEVELOPMENT ACT OF 1969

Mr. MONDALE. Mr. President, today, I am introducing for myself and Senators Cranston, Dodd, Eagleton, Harris, Hart, Hartke, Hollings, Hughes, Inouye, Kennedy, Magnuson, Mansfield, McGee, McGovern, Moss, Muskie, Nelson, Pell, Randolph, Williams of New Jersey, Yarborough, and Young of Ohio, a bill entitled "The Headstart Child Development Act of 1969." This measure, amending the Economic Opportunity Act of 1964, would greatly strengthen and expand programs in early childhood development. It would offer preschool children from poverty areas needed health care, nutritional aid, educational assistance, and social services. It would attack the conditions of poverty that can cripple a child's intellect for life. It seeks, in short, to help impoverished children reach their full potential.

EARLY CHILDHOOD NEEDS

The need to focus more antipoverty resources on early childhod efforts is compelling. There are at present about 6 million disadvantaged children under age 6. Most of them are growing up without adequate nutrition and health care, and without the active mental and intellectual stimulation that is necessary during these early years.

As a result, many of these children are very depressed, withdrawn, and listless. Child development specialists who have worked with some of the children report that in the beginning it is difficult to get them to smile or show interest in anything around them. Young children in many of these homes are considered well-behaved if they sit quietly in a corner during the day, instead of talking, playing, and exploring. The frequent moving and use of many different babysitters makes some of the children confused, insecure, and, in extreme cases, results in emotional disturbances and hyperactivity—"being almost impossible to control." There are often no books or even magazines in most of the homes—in fact, not even a clock or radio—and what few toys there are usually have no educational value for the child.

Yet the critical effect of the first years of life has been well documented. We know that the beginning years of life are the most important for a child's intellectual growth, and for his social, emotional, physical, and motivational development. We know, for example, that about 50 percent of an individual's intellectual development takes place between conception and age 4, another 30 percent between ages 4 and 8, and only about 20 percent between ages 8 and 17. These early years are the formative years—they are the years in which permanent foundations are laid for a child's feelings of self-worth, his sense of self-respect, his motivation, his initiative, and his ability to learn and achieve.

We know, moreover, that a child's intelligence is not fixed, once and for all, at birth. We have learned, instead, that a child's intelligence is shaped by his experiences, and that his mental development is heavily determined by the conditions and the environment he encounters in the first few years of life.

Dr. Joseph McVicker, a leading expert in the field of early childhood development, has estimated, for example, that proper environmental stimulation in early childhood may increase a child's IQ by as much as 30 points.

We know, in addition, that children are most eager and often most able to learn during their early childhood years. As Dr. Benjamin Bloom concluded in "Stability and Change in Human Characteristics":

> As times goes on . . . more and more powerful changes are required to produce a given amount of change in a child's intelligence, . . . and the emotional cost it exacts is increasingly severe.

To a very great extent, a child's experiences at the beginning are critical determinants of his entire future life.

Fortunately, most American children have the benefit of a stimulating, secure environment in their early years. Most of them receive the physical and mental nourishment that is necessary for full development. Thus, the child from an educated family who enters school at the age of 6, even if his parents have made no conscious effort to teach him, has behind him a full and complex learning history. Because his environment has been rich and interesting, and because he has been helped to understand it by someone who knows how important that help is, the privileged 6-year-old is able to recognize and understand what he sees. He knows about space and time, so he can find objects and events and understand his relationship to them. He knows what it is to be taught, and he knows that he will learn something interesting if he pays attention. He can talk comfortably with adults and can learn from these conversations. He can use examples as a way of learning new ideas and can ask questions to gather new information.

The variety of skills this well-endowed 6-year-old brings to school with him are impressive. Yet the child was born with none of these specific abilities. He has learned them all from interactions with his environment. In short, his "cognitive development" is already well advanced. He also, as a rule, has had his medical and dental needs attended to. And he has never truly been hungry or undernourished.

Unfortunately, most of the 6 million poor children under age 6 arrive at school without these same advantages and assets. Many of them may have suffered irreparable damage in their early years. Many have not had the benefit of adequate physical and mental nourishment. Many have not received sufficient nutrition, health care, and intellectual stimulation. Many of them, as a result, appear listless and apathetic at early ages—in stark contrast to the curiosity-filled active youngster from the average middle-class home.

Research reveals quite clearly the costly and lasting effects of deprivation in these early years. It reveals, for example, that as early as 18 months of age, disadvantaged children start falling behind middle-class children in tests of language development, and general intelligence. It reveals, furthermore, that this intellectual gap between poor and nonpoor children that appears so early in life tends to grow larger over time.

The following passage from the recent Westinghouse Learning Corp. study of Headstart summarizes the tragic conclusions of research in early childhood deprivation:

> One theme which emerges with great clarity from all the related literature and research is that there exist significant and substantial differences between so-called lower class and middle class children. It is universally reported that the former typically enter school much below the level attained by the latter, on the average, and that schooling furthermore operates to increase these differences, so that the children of the

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> poor suffer a "cumulative deficit" as they progress through school. Consequently, they drop out of school in large numbers, fail to develop saleable vocational competence, and thus continue the cycle of poverty throughout their own lives and throughout the lives of their own children, in turn.

In addition, many poor children—Mexican Americans, Indians, Eskimos, Puerto Ricans, and members of other minority groups—grow up learning English as a second language, or not at all. Besides being burdened with possible nutritional and intellectual deprivation in their early years, many of them are confronted with an alien language and an alien culture when they begin school. The special bilingual and bicultural needs of these children must be dealt with before age 6, and the bill I am introducing today assures that a reasonable proportion of funds for child development programs will be available for projects serving children with these special language needs. For the first time, explicit statutory provision is made for children whose dialect or vernacular creates problems for communicating and learning.

NUTRITIONAL DEPRIVATION

Mr. President, I would like to underscore the role that inadequate nutrition plays in perpetuating this cycle of poverty. As a member of the Select Senate Committee on Nutrition and Human Needs, I have had an opportunity to hear expert testimony about the tragic and permanent effects of nutritional deficiency during pregnancy and the first few years of life. Presently, there is no Government program that deals adequately with the critical nutrition needs of infants from the period before birth until they reach school age. Pediatricians have pleaded eloquently before the committee for national recognition of the disaster—mental as well as physical—which befalls undernourished infants. Besides the dangers of permanent physical impairment and increased susceptibility to illness which malnutrition brings during the preschool period, a child's capacity to learn can be seriously and permanently damaged by undernourishment.

Dr. Charles Lowe, chairman of the Committee on Nutrition of the American Academy of Pediatrics, testified before the Nutrition Committee:

> Severe malnutrition suffered during childhood affects learning ability, body growth, rate of maturation, ultimate size, and if prolonged, productivity throughout life.

Dr. Lowe stated further that:

> "In effect, the quality and quantity of nutrition given during the first formative years of life may have the effect of programming the individual for all the years of his life. Malnutrition during the last trimester of pregnancy and certainly during the first months of life may seriously compromise ultimate intellectual achievement."

When I asked Dr. Lowe if Government food and nutrition programs had to be limited arbitrarily to only 6 years, which period of a person's life he would focus these programs on, he answered, without hesitation, the last 3 months of pregnancy and the first 5¾ years of a child's life.

Mr. President, the problems and the potentials I have been discussing are all too familiar to most of us. We have known for some time that deprived children start school at a disadvantage; that most of them don't have the intellectual and verbal skills that their middle-class classmates developed at home. And we have known in recent years the reasons for this inequality, and the importance of early childhood and preschool programs.

HEADSTART

It was an understanding of this relationship between early childhood deprivation and the cycle of poverty that led to the creation and development of project Headstart. It was the understanding that most Government programs in education and nutrition stop at the shoreline of greatest need and greatest potential that inspired this preschool effort. We realized that Government food programs for families were inadequate and often inaccessible, and that education and school lunches starting at ages 5 or 6 were too little, too late. As a result of this understanding, we began several years ago to provide early childhood nutritional and intellectual nourishment through Headstart programs.

From the beginning the overriding objective of Headstart has been to give poor young children the kind of foundation that makes it possible for them to succeed in later life. Headstart was built on the understanding that a child's development involved not only that child, but also his parents, other family members, and the community.

Headstart represented a radically different approach to working with poor families and their children. It was not simply an extension of nursery schools or kindergartens; rather, it created "child development centers." The choice was more than semantic. It was intended to convey a major difference in focus and activities from the school situation.

These child development centers were designed to provide educational, nutritional, and health services for the children, social services for the family, and parent activities.

Their objectives included improvement of a preschool child's: medical, dental, and nutritional status; intellectual and physical readiness for public school; feelings about himself and his relationships with other people; social skills in relating both to other children and to adults.

These goals were ambitious, and we still do not know precisely to what extent they have been achieved. The evaluative research of Headstart to date has been limited, but the knowledge that has been accumulated strongly suggests the need to begin offering early childhood development experiences to children beginning at ages 3 and under.

The recently released study of Headstart by the Westinghouse Learning Corp. makes this suggestion. The study attempted to evaluate the long-range effects of Headstart on attitudes and academic achievement. It did not seek to measure Headstart's immediate effects in these areas. Neither did it try to determine Headstart's medical, nutritional or community effects. Despite these limitations, some of its study's findings offer insights into the need for expanded early childhood development programs.

In brief, the Westinghouse Learning Corp. study concluded that when measured for long term academic effects: First, summer Headstart programs appeared to be generally ineffective; and second, full year Headstart programs produced "small but statistically significant" improvements in children's learning readiness.

While some observers have expressed shock at these findings, I am not surprised. I wish very much that Headstart graduates could have scored better on all these tests, but it is unrealistic to expect 8 weeks of a Headstart program to help poor preschool children catch up with everything middle-class children learn during their first 6 years of life.

As Richard Orton, the Director of Headstart stated recently:

> Headstart was never intended as a one-shot inoculation that would save the child for the rest of its life.

Headstart has produced some notable gains, but it was simply too little and too late to save many poor children who may have had their bodies and minds irreparably diminished by nutritional and intellectual deprivation in their early years.

As a result of these findings, one of the recommendations of the Westinghouse study concerned "offering intervention programs of longer duration, perhaps expending downward toward infancy." Specifically, the study concluded that—

> It is the consensus of this staff of this project that any comprehensive compensatory intervention program is limited in its effect if it cannot be part of the child's environment for long periods of time. A test of a program of intensive enrichment for long periods of time has never really been implemented. Such an intervention program might begin prenatally, with education and medical help to the mother, followed by a program of infant education for the first two years, then by a two year Head Start program, and ultimately by a suitable kindergarten and elementary grade school experience, all articulated and operating as part of one system.

A similar recommendation for more extensive child development efforts serving younger children is made by the author of another major evaluative review of project Headstart. The author of this Ford Foundation financed study of the Office of Economic Opportunity is Sar L. Levitan, a George Washington University scholar. Dr. Levitan, in his soon to be published book entitled "The Great Society's Poor Law," reached the following conclusion about Headstart:

> The Headstart experience has indicated that we start public education too late, at least for children from poor families. By the time they reach public school age, many of these children are already 'retarded' compared with children raised in a more favorable environment. There is evidence that these disadvantages can be overcome, or at least minimized, by providing child development programs at age 3 and earlier . . .
>
> The failure of this program to leave lasting results should not be surprising, since it is unrealistic to expect the debilitating effects of living in poverty for 4 or 5 years to be

> overcome by an eight-week summer project. This suggests the need for universal nursery and kindergarten, supplemented by nutritional and health programs, for all poor children."

Dr. Hunt reaches a similar conclusion on the basis of his review of existing programs and existing needs. In his soon to be released book entitled the "Challenge of Incompetence and Poverty," he writes that:

> The evidence indicates quite clearly that compensatory education is remedial in nature even when it is given to the disadvantaged children of the poor at 4 years of age. . . . it is abundantly clear that compensatory education is expensive. Moreover, expensive as it is, it may all too often be too little too late, even at best, to overcome sufficiently the incompetence inculcated in the first four years of life, (and) to enable . . . these children of the . . . poor to . . . succeed in the public schools and to enjoy full participation in in the mainstream of our highly technological culture.
>
> We need measures to prevent incompetence. . . .
>
> We need to develop a way to intervene in the lives of families in poverty to enable the parents to help their children acquire the cognitive skills, motivational systems, and values and standards of conduct required, first for success in school, and ultimately for full participation in the mainstream of society.

Mr. President, I share the conclusion that Headstart has made many significant contributions to the war against poverty. It has brought badly needed nutritional, medical, and educational help to poor children. It has stimulated parents and members of local communities to take a more active part in shaping and staffing public programs. It has offered meaningful employment opportunities to many disadvantaged adults and has demonstrated the potential of nonprofessional aides in these programs. It has brought national attention to early childhood efforts. Perhaps most importantly, it has taught us that we need to offer early childhood programs to children age 3 and below.

I believe the evidence is indisputable that comprehensive early childhood programs must be made available, on a voluntary basis, to all impoverished families with young children. Our present failure to do so is causing human misery, and wasting human ability. We know that we need to expand our investments in early childhood development, and we know, on the basis of some current efforts, how to develop these programs.

PARENT AND CHILD CENTERS

For example, there are a number of parent and child centers operated by the Office of Economic Opportunity which show promise as models for early childhood programs. Headstart in fiscal year 1969 set aside $5 million for the operation of 36 pilot, experimental parent and child centers. These child centers provide comprehensive services, similar to those provided under Headstart, for disadvantaged families who have at least one child under the age of 3. They also provide extensive services for the parents, including child rearing, training, homemaking, and basic education.

While the approach of the parent and child centers is very similar to that of the Headstart program, the focus of the centers is on children under 3. They seek to prevent deficits from developing, rather than to remedy those found by the time the children have reached the age of 3.

One of these parent and child centers has been established in Minneapolis, and I understand that its initial experiences are very encouraging.

INFANT EDUCATION RESEARCH PROJECT

In addition to these parent and child programs, there is other evidence of effective early childhood efforts. An imaginative infant education research project for children below age 3 conducted in the District of Columbia has produced exciting results This outreach program was directed by Dr. Earl Schaefer of the National Institute of Mental Health. It sent tutors into the homes of 30 young children from disadvantaged families to provide intellectual and verbal stimulation. A tutor worked with a child and often with his mother 1 hour a day, 5 days a week, from the time the child was 15 months until he was age 36 months. Normally the tutor spent much of the time just talking with the child, and introducing puzzles and picture books to him. By age 3 the children in this program had I.Q.'s averaging about 17 points higher than a control group of children who received no special intellectual and verbal stimulation.

I had an opportunity to visit this project recently, and meet with Dr. Schaefer, a couple of the tutors, and several of the children and mothers who participated in the program. The promising results the project has achieved become even more exciting and remarkable after a visit such as this. Clearly, the bright, inquisitive children I spoke to are far better prepared for school, and for life, than their friends who did not receive this special educational stimulation. They are active, talkative, and interested in what is going on around them.

The Office of Education designated the infant education research project as an exemplary program for the education of disadvantaged children, and has published and circulated a report of the project for other communities that may wish to use it as a model. The report contains the suggestion that early childhood stimulation and "instruction might begin as early as age 6 months, for optimum efficacy." I ask unanimous consent that the entire report of this project appear at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

EARLY TRAINING PROJECT

Mr. MONDALE. Mr. President, there are other similarly successful early childhood programs around the country that can serve as models for the expanded effort that is required. The "early training project" directed by Rupert Klaus and Susan Gray at George Peabody College for Teachers in Nashville, Tenn., is a good example. This project established a special summer school for poor children, and for their mothers. Home visitors brought mothers to the school to observe the program, to see how the teachers worked with their children, and how their children responded. During the nonsummer months the home visitors kept contact with the mothers, discussing and demonstrating learning experiences in the home.

Tests indicate that the program was very effective in several respects. First, the children who participated showed significant improvement in general intelligence and vocabulary over similarly matched nonparticipants. Second and perhaps most important, the younger brothers and sisters of the children that participated in the program tested significantly higher than the younger brothers and sisters of the nonparticipants. This promising result certainly suggests that the involvement of the mothers in the program, and the success of the children participating, has a beneficial effect on the younger children in the family.

Mr. President, I believe our knowledge of the problems and potentials in early childhood development points to the need to take affirmative action now. We know beyond doubt that unless infants and young children receive adequate nutrition, health care and intellectual stimulation their potential is severely compromised, and the cycle of poverty is perpetuated. We know that the time to prevent cultural and nutritional retardation is in infancy and the early years. We know that compensatory education programs which start as late as age 5 or 6 may never be able to repair entirely the damage which has already been done.

President Nixon, in his February 19 economic opportunity message to the Congress, called for "a new national commitment to the crucial early years of life." In that message, the President described the relationship between early childhood deprivation and the cycle of poverty that I have been discussing today, and spoke about the need to act on the new knowledge which has been accumulated on the critical importance of a child's early years. He stated:

> . . . many of the problems of poverty are traceable directly to early childhood experience . . . if we are to make genuine, long term progress, we must focus our efforts much more than heretofore on these few early years which may determine how far, throughout his later life, the child can reach.

The President went on to say:

> Much of our knowledge is new. But we are not on that ground absolved from the responsibility to respond to it. So crucial is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first five years of life.

I concur completely with the priority President Nixon placed upon the first 5 years of life in this special message.

I believe the choice before us now is a simple one. We can act to prevent incompetence and equalize opportunities by significantly increasing our investment in comprehensive early childhood programs, or we can postpone investing heavily in early childhood, and continue

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paying the high social and economic cost of poverty, human misery, and incompetence. I, for one, choose to meet our responsibilities rather than ignore them. I choose to give substance to the "new national commitment" President Nixon announced, by investing the necessary funds in that effort, and I offer the Headstart Child Development Act of 1969 as a means to that end.

PROVISIONS OF THE CHILD DEVELOPMENT ACT

The act would establish a new title V of the Economic Opportunity Act of 1964. It would combine the Headstart program now authorized as a part of the community action programs in title II with the now unfunded day care authority included in title V–B.

This bill is presently without prejudice as to whether the combined Headstart and day care program should be retained in OEO or delegated to HEW. It assures, however, that wherever the program is carried out, it will have a sufficient statutory base and appropriations authorization to serve effectively the entire population of disadvantaged preschool children.

The new title V establishes "a comprehensive child development program which will first, assist children of preschool age from low-income families or from poverty areas to attain their full potential; and second, provide needed care to expectant or nursing mothers in low-income families." Services offered the children and parents will include comprehensive health, nutrition, education, social, and other services.

In addition to providing the needed services to children and expectant mothers, the act will have the objective of enabling the parents of such children "to continue basic education, vocational training, or gainful employment." Provision is also made for the establishment of child development projects in cooperation with employers or labor unions at or in association with a place of employment. In such cases, a major part of the funds must be provided by the project sponsor.

A proportion of the act's funds, roughly equivalent to the relative need, are made available for programs serving children with special bilingual and bicultural problems, including those who speak a district dialect or vernacular of English.

Nondisadvantaged children would be permitted to participate in the program, either in the regular child development centers or in those sponsored by employers or labor unions. The Director of OEO would, however, be authorized to require a family to make payment, in whole or in part, for services rendered where the family's income is sufficient to make such payment appropriate.

The act would require that preference be given to applications submitted by community action agencies. It would require emphasis on provision of employment for low-income persons residing in the community served by the projects, including the development of career ladder opportunities for such persons.

Rental, purchase, alteration, renovation, or construction of necessary facilities would be authorized. However, emphasis would be placed on financial assistance in the form of rental payments or in the amortization of loans, rather than on direct Federal construction grants.

Technical assistance and training of personnel would also be authorized. The Director would be required to carry out a thorough research and evaluation effort.

The Director and the Secretary of Health, Education, and Welfare would be required to cooperate in developing common program standards and regulations for child development services and to coordinate their programs. Joint funding of projects under authority of the Secretary of Health, Education, and Welfare, and the Director of the Office of Economic Opportunity would be authorized.

It is not anticipated that all of the children to be served would be enrolled in child development centers, requiring the children or their parents to leave their homes. Particularly for those under age 3, the act contemplates that services could be provided directly in the home. Visiting child development specialists could spend as little as an hour a day, several days a week, with the parents and children. They could offer advice and counsel and work with the parents in simulating the development of their children's potential.

For older children, a variety of programs would be offered. These would range from half-day to full-day programs and from full school year to full calendar year coverage. Where necessary to permit parents to hold full-time jobs, part-day child-development programs could be supplemented by day care services.

There are about 6 million children under the age of 6 who are disadvantaged. A comprehensive early child-development program should be designed so that it can eventually offer services to the entire needy population. This goal is well within the capability of this Nation. Indeed, the Nation cannot afford any longer to fail to offer needed services to these children.

Because there are limits to the number of trained personnel and the number of available facilities, it will take approximately 5 years to make child-development programs available, on a voluntary basis, to all disadvantaged families with young children. In addition, substantial additional experimentation will be possible as the program expands in the early years of the act so that full advantage can be taken of the knowledge acquired in shaping the expanded effort.

Current year-round child-development programs, under several statutes, which offer preschool services to disadvantaged children are reaching approximately three-quarters of a million children. Under this bill, it is anticipated that this number would be doubled in the first year. Preschool programs funded under other statutes would, of course, be continued.

Early childhood development programs under the Economic Opportunity Act alone would be expected to reach approximately 1 million children in fiscal 1970. In fiscal 1971, 1.7 million children would be served and roughly the same rate of growth could be sustained through fiscal 1974. Thus, programs would be available to serve an estimated 2.5 million children in 1972, 3.3 million in fiscal 1973, and 4 million in fiscal 1974.

Appropriation authorizations would increase from $1.2 billion in fiscal 1970 to $2.1 billion, $3.0 billion, $4.0 billion, and $5.0 billion in fiscal years 1971 through 1974, respectively. Substantial growth in preschool services offered under the Elementary and Secondary Education Act, under the Social Security Act, and under other nutritional and health programs is also anticipated. Together, these programs would be expected to fill the remainder of the need for comprehensive services for disadvantaged children.

Mr. President, the Nation has already committed itself to offering full opportunity to its disadvantaged citizens. But until we offer the full range of needed services to preschool children, we will never fully honor that commitment. This bill seeks to fill that void, and to insure that every child has an equal opportunity to reach his full potential.

I ask unanimous consent that a copy of the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2060) to provide for an expanded Headstart child-development program within the Office of Economic Opportunity, introduced by Mr. MONDALE (for himself and other Senators) was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2060

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Head Start Child Development Act of 1969."

SEC. 2. Title V of the Economic Opportunity Act of 1964 is amended to read as follows:

"TITLE V—HEAD START CHILD DEVELOPMENT PROGRAM

"STATEMENT OF PURPOSE

"SEC. 501. It is the purpose of this title to provide a comprehensive child development program which will (1) assist children of preschool age from low-income families or from poverty areas to attain their full potential, and (2) provide needed care to expectant or nursing mothers in low-income families. It is further the purpose of this title in providing this program to enhance the probability that families and relatives of the persons it serves will become or remain self-sufficient or otherwise obtain objectives related to the purposes of this Act, including their being enabled to choose to undertake or to continue basic education, vocational training, or gainful employment.

"FINANCIAL ASSISTANCE FOR CHILD DEVELOPMENT PROJECTS

"SEC. 502. (a) The Director is authorized to make grants to, or to contract with, public or private agencies or organizations to pay all or part of the costs of planning, developing and carrying out child development projects both on an in-the-home basis and in

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child development centers which are focused upon children who have not reached the age of compulsory school attendance and who are from low-income families or from urban and rural areas with high concentrations or proportions of low-income persons. Financial assistance under this section may also be provided to employers, labor unions, or to joint employer-union organizations for child development projects established at or in association with a place of employment or training where such projects are financed in major part by the project sponsor.

(b) Projects assisted under this section will (A) provide such comprehensive health, nutritional, education, social, and other services as the Director finds will aid children to attain their full potential, (B) provide for direct participation of the parents of such children in the development, conduct, and overall direction of the program at the local level, and (C) provide for the utilization of personnel adequate to meet the specialized needs of children, particularly those who are disadvantaged, including nonprofessional and volunteer personnel. Such projects may also provide such services to expectant or nursing mothers in low-income families as the Director finds will help to reduce malnutrition, infant and maternal mortality and the incidence of mental retardation and other handicapping conditions. Financial assistance under this section may be provided in conjunction with or to supplement child development or day care projects under the Social Security Act or other relevant statutes, utilizing to the extent practicable the joint funding authorities provided in section 612 of this Act.

"(c) Pursuant to such regulations as he may prescribe, the Director may permit persons who are not members of low-income families to receive child development services under projects provided for in this section. The Director may require a family which is not low-income to make payment in whole or in part for such services where the family's income is, or becomes through employment or otherwise, such as to make such payment appropriate.

"(d) Children and expectant or nursing mothers who are members of low-income families and who are served by any project assisted under this section shall be deemed eligible for certification to receive food assistance under the supplemental food program for low-income vulnerable groups administered by the Department of Agriculture pursuant to the authorities of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) and Public Law 90–463, 82 Stat. 645, 646, August 8, 1968.

"(e) In carrying out projects assisted under this section, emphasis shall be placed on providing unemployed or low-income persons residing in communities served by such projects with jobs providing career ladder opportunities, and such persons, to the extent feasible, shall be provided opportunities for occupational training in programs authorized under section 504 of this Act for the purpose of facilitating career advancement.

"(f) The Director shall assure that of the total number of children served by projects assisted under this section in each State the number of children served who have special education and other needs because of coming from environments in which the dominant language is other than English or is an identifiable dialect or vernacular of English, will be reasonably proportionate to the percentage such children constitute of the total population of children in the State who are eligible to be served by such projects.

"(g) In providing assistance under this section, the Director shall give preference to applications therefore submitted by community action agencies established pursuant to title II of this Act.

"(h) Project costs under this section may include costs of rental or lease of suitable physical facilities.

"ASSISTANCE IN PROVIDING PHYSICAL FACILITIES

"Sec. 503. (a) The Director is authorized to make grants to, contract with, or provide other assistance to agencies and organizations assisted under section 502 for the purchase of land and the purchase, construction, renovation, and alteration of physical facilities to be used in carrying out the projects authorized by this title. No assistance shall be provided under this subsection unless the Director finds that:

(1) Suitable facilities cannot be rented or leased in the community to be served by the project, or

(2) Purchase, construction, renovation, or alteration will be economically more advantageous to the Government than rental or lease of facilities.

No agency or organization may receive assistance under this subsection unless it agrees that the assisted facilities shall be available for public purposes for a period not less than ten years from the date of purchase or completion of construction, alteration, or renovation.

"(b) The Director is authorized to make separate contracts for annual grants to organizations receiving assistance under section 502 to reduce the cost of borrowing funds for the purposes enumerated in section 503(a). Annual grants to reduce such borrowing costs shall be made over a fixed period not exceeding forty years, and provision for such grants shall be embodied in a contract guaranteeing their payment over such period so long as the facilities are used for public purposes. Each such grant shall be in an amount equal to the difference between (1) the average annual debt service required to be paid, during the life of the loan, on the amount borrowed, and (2) the average annual debt service which would be required to be paid, during the life of the loan, with resepect to such amount if the applicable interest rate were 3 per centum per annum. The Director shall not enter into a contract for grants under this subsection unless he determines that the amount borrowed does not exceed the total amount necessary to carry out the above purposes in an economical manner. Contracts for annual grants under this section shall not be entered into for an aggregate amount greater than is authorized in appropriation Acts; and in any event the total amount of annual grants which may be paid in any year pursuant to contracts entered into under this section shall not exceed $15,000,000, which amount shall be increased by $20,000,000 on July 1, 1971 and by $30,000,000 on July 1, 1973.

"TECHNICAL ASSISTANCE AND TRAINING

"Sec. 504. (a) The Director may provide directly or through grants, contracts, or other arrangements, such technical assistance or training of personnel as may be required to implement effectively the purposes of this title.

"(b) For the purpose of increasing the supply of specially qualified persons available to work in child development programs serving disadvantaged children, the Director may, pursuant to such regulations as he may prescribe, lend to any person desiring to pursue a career in child development work, especially one who intends to work with disadvantaged children, sufficient funds to enable such persons to take suitable courses at an institution of higher learning to prepare for such a career. The Director shall pay the portion of the funds lent for tuition and other academic fees directly to the institution, and may pay directly to the student fund lent to meet such other costs as are reasonably necessary for the student to complete his training, including subsistence expenses, up to a maximum of $3,000 a year. The period of training provided to any person under this subsection shall not exceed two academic years.

Loans shall bear interest at 3 percent per annum, and shall be repayable by the person thus assisted over a ten-year period, beginning on the date of his completion of or withdrawal from the course of instruction in which he is enrolled, excluding any period, not in excess of three years, in which such person is a member of the Armed Forces of the United States, the Peace Corps, or such other periods as may be specified in regulations prescribed by the Director. Collections of principal and interest on student loans shall be deposited in the miscellaneous receipts account of the Treasury.

Not to exceed 30 percent of the amount loaned to an individual, plus accrued interest, shall be waived in each year following completion of the training in which he engages full-time in child development work in a project, determined by the Director, to be serving substantially children from low-income families.

"PILOT PROGRAMS AND RESEARCH, AND EVALUATION

"Sec. 505. (a) The Director may contract or provide financial assistance to public or private agencies for pilot or demonstration projects which are designed to test or assist in the development of new approaches or methods that will aid in overcoming special child development problems, with particular attention to those referred to in Section 502(f) or otherwise furthering the purposes of this title. He may also contract or provide financial assistance for research pertaining to the purposes of this title.

"(b) The Director shall provide for the careful and systematic evaluation of the program authorized under this title, directly or by contracting for independent evaluations, with a view to measuring specific benefits, so far as practicable, and providing information needed to assess the effectiveness of program procedures, policies, and methods of operation.

"FEDERAL SHARE

"Sec. 506. Unless otherwise provided in this title, financial assistance extended to a public or private agency or organization pursuant to section 502 of this title shall not exceed 90 per centum of the approved cost of the assisted programs or activities. The Director may, however, approve assistance in excess of such percentage if he determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of this title. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, or services.

"COORDINATION OF PROGRAMS

"Sec. 507. The Director and the Secretary of Health, Education, and Welfare shall take all necessary steps to coordinate programs under their jurisdictions which provide daycare or child development services, with a view to establishing insofar as possible, a common set of program standards and regulations, and mechanisms for coordination at the State and local levels. In approving applications for assistance under this part, the Director shall take into consideration (1) the extent to which applicants show evidence of coordination and cooperation between their projects and other child development programs in the areas which they will serve, and (2) the extent to which unemployed or low-income individuals are to be employed, including individuals receiving or eligible to receive assistance under the Social Security Act.

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"APPLICABILITY OF OTHER PROVISIONS OF FEDERAL LAW

"Sec. 508. The provsions of title II of this Act with respect to fiscal responsibility, accounting, and audit (section 243) and personnel standards for assisted projects (section 244(2)) shall be applicable to the comprehensive child development program authorized by this title to the extent not inconsistent with the provisions of this title.

"DURATION OF THE PROGRAM

"Sec. 509. The Director shall carry out the provisions of this title during the fiscal year ending June 30, 1970, and the five succeeding fiscal years."

ALLOTMENT OF FUNDS

Sec. 3. (a) Section 225(a) of the Economic Opportunity Act of 1964 is amended by striking out the word "and" immediately following "section 221," and by inserting "and for assisting child development projects provided for in title V of this Act," immediately following "section 222(a),".

(b) Section 225(b) of such Act is amended by inserting "and for the child development program provided for in title V of this Act" immediately following "section 222(a)".

TECHNICAL AMENDMENT

Sec. 4. Section 222(a) of the Economic Opportunity Act of 1964 is amended by striking out paragraph (1) of that section and by renumbering its subsequent paragraphs accordingly.

AUTHORIZATION OF APPROPRIATIONS

Sec. 5. For the purpose of carrying out the programs under title V of the Economic Opportunity Act of 1964, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1970, the sum of $1,200,000,000 for the fiscal year ending June 30, 1971, the sum of $2,100,000,000, for the fiscal year ending June 30, 1972, the sum of $3,000,000,000, for the fiscal year ending June 30, 1973, the sum of $4,000,000,000, and for the fiscal year ending June 30, 1974, the sum of $5,000,000,000.

Exhibit 1

Infant Education Research Project, Washington, D.C.

(One of a series of successful compensatory education programs, U.S. Department of Health, Education, and Welfare, Robert H. Finch, Secretary; Office of Education, Peter P. Muirhead, Acting Commissioner)

FOREWORD BY DIVISION OF COMPENSATORY EDUCATION BUREAU OF ELEMENTARY AND SECONDARY EDUCATION

This project report is part of an independent study of selected exemplary programs for the education of disadvantaged children completed by the American Institutes for Research in the Behavioral Sciences, Palo Alto, Calif., under contract with the U.S. Office of Education.

The researchers report this project significantly improved the educational attainment of the disadvantaged children involved. Other communities, in reviewing the educational needs of the disadvantaged youngsters they served, may wish to use this project as a model—adapting it to their specific requirements and resources.

INTRODUCTION

Tutors provided intellectual and verbal stimulation to children, from the time the children were age 15 months until they were age 36 months. Instruction was on a one tutor: one child basis, 1 hour per day, 5 days per week, in the child's home.

The children were Negro males. They were drawn from homes that met two of the following three criteria: 1) the mother's formal education was less than 12 years; 2) the mother's work history was of unskilled or semi-skilled employment; and 3) the family income was $5000 or less. Fathers were absent in many of the homes; the families were of lower socio-economic status. All lived in deteriorated areas of Washington, D.C. An attempt was made to choose the participants from relatively stable homes, not so noisy or overcrowded as to interfere with the home tutoring session which were central to the project. Children were not selected if they displayed serious sensory or neurological problems.

The training of tutors and selection of children began in September 1965 and tutoring began 2 to 3 months later. There were 28 children in the experimental group and 30 in a control group. Follow-up evaluation continues.

Various tests of intelligence were used. The effectiveness of the program was indicated by the increasing superiority of experimentals over controls at intervals in the program.

PERSONNEL

A. Project Director. (Approximately one-half time, divided into one-quarter time on research and one-quarter time on administration of the instructional program *per se*.)

The Project Director assumed overall responsibility for the project, participated in recruiting personnel, selecting the sample, and planning of data collection and analysis. He secured the cooperation of community agencies, conferred with the supervisor regarding day-to-day operation, and established policy.

B. Project Supervisor. (Full-time.)

The Project Supervisor conducted the day-to-day operation of the project under supervision of the director. He recruited the sample and the tutors, conferred with families to assure their ongoing cooperation, and scheduled the testing sessions and arranged the transportation in order to get the subjects to them.

C. Educational Supervisor (Full-time. Master's degree in speech and previous nursery-school teaching experience.)

He planned the basic curriculum and instruction, purchased instructional materials, supervised tutors and organized a weekly group session with them.

D. Tutors. (Eight in number, full-time. Female; college degree; previous experience with inner-city children in such capacities as teaching or nursing. Approximately half were Negro.)

E. Secretary. (Full-time.)

Dr. Earl S. Schaefer, the project officer from the National Institute of Mental Health, was also a key figure in the development and continuing program.

Also, there were three part-time test administrators, whose duties were related to the research and evaluation, rather than the instructional component of the program.

Methodology: General

The instructional program was based upon certain rationale, summarized as follows:

"Studies of intellectual development have found no differences in means mental test scores of infants from different social classes and from different races up to 15 to 18 months, but by the age of 3 years large differences between groups have emerged. A number of studies show that measures of intellectual level are highly correlated with verbal abilities as measured by tests of vocabulary and information, and that culturally-deprived groups and bilingual groups are more retarded on these verbal tests than on nonverbal tests of intellectual ability. Studies of lower socio-economic status groups have shown that such children receive less verbal stimulation from parents through mealtime conversation, reading, and other shared experiences than middle-class groups and that the parents present less adequate models for language learning. These studies suggest the hypothesis that culturally-deprived children develop progressively greater deficits in intellectual functioning during the period from 15 months to 3 years—the period of early verbal development, because of lack of adequate intellectual, particularly verbal, stimulation."

The initiative of the tutor and the one-to-one tutor-pupil relationship were considered to be the cornerstones of the project. The curriculum sequence was to a large degree evolutionary, rather than pre-specified. The tutor tailored the training to each child in cooperation with the educational supervisor and with one other tutor who shared responsibility for the child.

The training of the tutors began with the initial period of 2 to 3 months before the tutoring began. During this period approximately half-time was devoted to training activities. There were lectures by the project officer, other senior project personnel, and university professors from appropriate disciplines. Three needs of culturally disadvantaged infants were emphasized: 1) need for positive relationships with other persons; 2) need for varied stimulation; 3) need for verbal development. The training period was meant to encourage certain attitudes and behaviors of the tutor, such as acceptance of the child's interests, praising of his achievements, maintaining with the child an attitude of enthusiastic exploration, and giving him the sort of experiences that infants from the higher social classes usually enjoy. Tutors also visited children's institutions, and each had a pilot case for 2 weeks, to gain experience in tutoring and in dealing with the family.

The tutor then began the program of home visitation. Each child was tutored in the home for 1 hour a day, 5 days per week, from the time the child was 15 months old until he was 36 months old. Main emphasis was upon verbal development and concomitant concept formation. The tutor talked with the child, showed him pictures, taught new words, played games, read from books, assisted in coloring of pictures and construction of simple jigsaw puzzles, etc. Lesson plans were not rigid; emphasis was upon a flexible, spontaneous, and pleasant interaction between tutor and child.

The early sessions were devoted primarily to diagnosing the needs of the children and to discovering what items stimulated them. A wide variety of toys were used as stimuli, including blocks, wooden animals, and nesting boxes, as well as various items around the home. Subsequent sessions were devoted to meaningful verbal exchange between tutor and child. Objects were named casually but often. The children were led gradually from the familiar to the novel; as they matured they became interested in being read to from books, looking at pictures therein, and taking walks about the neighborhood.

Participation of the mother and of other family members in the education of the infant was encouraged but not required. Frequently, the mother spontaneously joined the activity and asked the tutor's advice as to how she could continue the activity with the child and his siblings. Books and materials were left in the home by the tutor for this purpose.

The typical daily schedule of a tutor began with a half-hour to 1-hour conference with the educational supervisor or the cooperating tutor. Then there were two tutorial sessions in the morning and two again in the afternoon, followed by completion of progress notes on the children. Each tutor worked on alternate weeks with two different groups of four children. In this way, each child came to know two different tutors, rather than just one. Thus, if a tutor had for any reason been replaced during the program, the children affected would have some continuity from the remaining tutor.

The average tutoring time per child was 340 hours, or 16 hours per month for the 21 months of the program.

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Each child was served continuously through the course of the project; even though some families moved several times, during this period.

Each mother was paid $1 per tutoring session and $10 each time she brought her child to one of several test administrations.

Tutors met with the educational supervisor in a weekly 2-hour group session. The function of these sessions was stated as follows:

"Primary emphasis will be upon group discussion of their experiences during the week, of problems they encountered, of methods and materials that proved useful, and of the developmental progress of the children. These sessions will also provide an opportunity to give further training to the tutors, to determine whether they are carrying out the program as planned, and to distribute materials and books. One of the major goals will be to develop and maintain the interest and enthusiasm of the tutors by allowing them to share their experiences in a meaningful group."

At some of these weekly sessions the educational supervisor presented a general training program, while other sessions involved a specific case history on a particular child.

METHODOLOGY: SPECIFIC EXAMPLES

The tutors wrote up a number of activities which they tried during the course of the experiment, and which they felt were successful. Some of these are described or quoted here, along with the name of the tutor contributing each.

A. A number of objects, with which the child has become familiar, are placed in paper bags. These might include toy cars and animals, pencils, buttons, brushes, etc. A game is played, in which the child must reach into the bag, handle the objects, and name them sight unseen. The child is allowed to remove and play with those objects he can name. The tutor guides him or provides hints to enable him to name the remaining objects (Lucille Banks).

B. Since the most frequently stated aim of the project has been to stimulate verbal development, I have concentrated on singing in my presentation of music. I have selected a few songs which have simple words, appealing melodies and rhythms and, most important, are repetitive. I have repeated these songs until they have been mastered by the babies.

Two of the babies have expressed a strong preference for one particular song. In these cases, I have attempted to include the favorite song in each singing session since the babies become very excited and responsive when it is sung. From this song, I have moved to less familiar songs, hoping that the initial enthusiasm stimulated by hearing and singing a familiar song will carry over. The babies appear to derive much satisfaction from their increasing familiarity with and ability to perform these songs.

Among the songs selected initially were:
"Shoo, Fly, Don't Bother Me"
"Skip to My Lou"
"Three Blind Mice"
"London Bridge"
"Yonder Tree" (used specifically for imitation of animal sounds.)

Later, I added:
"Wake Up"—both include motions
"Put Your Finger in the Air" with the words.
"Take Me Ridin' in the Car" (because of the appeal of this activity.)

The recordings were by Pete Seeger, Cisco Huston, and Woody Guthrie, all of whom are particularly adept at presenting children's songs in a captivating manner. They also repeat each song several times, a great aid to teaching and learning.

When the babies were young (15–18 months), I held them on my lap or arms, facing me, and moved my body or knees to the rhythm of the song, at the same time articulating the words carefully and drawing the child's attention to my singing by holding him close and using exaggerated facial expression. I repeated the same songs until eventually the child attempted to sing. At this point, I simplified the words, concentrating on those which were repeated most often in the song and therefore easiest to perceive and repeat. For example, in presenting "Shoo, Fly, Don't Bother Me," I sang *Shoo Fly* in the correct places throughout the song, I encouraged him to add the remainder of the phrase, *don't bother me*. The phrase, *for I belong to somebody*, because of its length and the rhythm with which it is sung, comes much later. When the child is unable to perceive the words from the recorded presentation, I have repeated them more slowly, later without the recording.

Once the child has become interested in the actual singing of the songs, I have lessened body contact and emphasized the rhythm, concentrating only on the words. When the child becomes tired of singing, I terminate the music session rather than changing the emphasis to clapping, etc.

I have found that the length of time required to learn a song has lessened considerably (in some cases, the child enters in during the first presentation) as the children become able to focus their attention on the words and as I continually reinforce, with praise and enthusiasm, their attempts to sing the words. (Patricia Chernoff)

C. I usually make the initial introduction of puzzles to a child who has shown me through other activities, viz., nesting cups, pop beads, stringing beads, towering blocks, etc., that he has capable fine motor control for such a task.

The presentation of the puzzle comes always as a fun game—a kind of "I Can Do It; Now, Let's See If You Can" situation—and usually is connected with some facet of our other activities. For example, we see a picture of a cat—the cat puzzle; a dog—the dog puzzle.

We talk about the puzzle while it it still intact; then dump out the pieces (and this act I leave to the child, because he seems to derive great pleasure from the "dumping"); then talk about the side with colors on it and the dark, rough side; then trace with our fingers around the inside of the puzzle; then attempt to fit the pieces in the puzzle.

It is important that the child complete the task, but it is imperative that he not become so frustrated in his attempt to do so that he sets up a negative block against the activity. For this reason, I initially put the pieces back slowly in the puzzle so that the child can observe me. This is the "I Can Do It" part. We then see if he can do it, with the assistance he may require to prevent overt frustration. When there are signals that assistance is required, I put my hand over the child's hand on the puzzle piece, and I explain, "Turn it around," or "Turn it over," or "Try another space," as we do what each command directs.

We may work on a single puzzle for five sessions, but with the majority of children, this is more than sufficient time for them to successfully grasp the concepts of that one puzzle and to complete it. There is no urging on my part. For the most part, it comes from the child himself when he is presented, for example, with a three-piece puzzle which he knows he can complete. He completes the assigned puzzle and puts it aside. He is bored with this one and is ready to move on to bigger and better things in the line of puzzles.

The puzzle problem must be approached with care, I believe, because it encompasses so much that is new in the child's realm; perception of shape, depth, color; his senses of sight and touch to distinguish one edge shape from another. Puzzles, as with any other task presented to the child, cannot be pushed. The child will give his teacher indices by which she can go as far as its readiness permits. (Betty Pair)

D. I began working with the subject children when they were about 2 years old. Books had already been presented to the subjects as early as 16 months of age. The attention span was short at this stage.

To increase the attention spans, I tried to select books that appealed to the subjects. The most popular type of books were the picture books. (Examples: *ABC Book, Things to See, Baby's First Book, Animal Panorama.*) These books have big, colorful pictures the subjects can identify with easily—familiar animals (cats, dogs, birds) and foods (apples, oranges, etc.). These books were presented at each session. Sometimes the child received pleasure from turning the pages. I named pictures and imitated if the picture was an animal. The boys really got a kick out of this. We played other games, too. Sometimes the child enjoyed just pretending he was eating the picture of food.

We took books along on walks to help the subject child realize that the pictures represented reality. I pointed out a picture of a dog, for instance, in the book and then pointed to a live dog. Another game we played to help the subject remember pictures in books was to chase or feed animals that were in the books (i.e., squirrels and elephants). I also brought books with pictures that represented family members. Each picture was named after one of the family members. A family game set helped to make the learning more fun. Each figure in the set represented a member of a family (boy, girl, mother, father, etc.). The subjects had fun naming each figure or, sometimes, just knocking them over. Sometimes the child would take a figure to his parents and say its name. If he could not name the figure, the mother would tell him.

I included parents whenever possible. Sometimes the parent could get the child interested in a book when all the tutor's efforts failed. Other siblings were used to encourage the subject to look at books. For example, if the subject refused to look at a book, I would look at the book with an older sibling. The subject child became jealous and then joined in looking at the book with the tutor. We sang songs about pictures and dramatized. We also used toys along with the books. First, I would point out pictures in the book and then give the child a toy like the picture. This was very effective.

Books were made and left in the homes. The child and I would cut out pictures that were in magazines and make our own book. Other books that the child enjoyed were also left in the home. Sometimes the older siblings took an interest in the books left and would help the subject name pictures. This was another effective method since the subject child imitated older siblings readily. The subject child was praised whenever he could name, imitate or recognize pictures in any way. This encouraged the child to make an effort to learn. . . .

. . . The story book and record combination has been successful. First, I tell the story, pointing out different portions of the story. Then the same story is played on the record player. The first thing on the record that interests the child is the phrase, "Turn the page." After hearing the record several times, the child began to get more interested. The story is told at least once or twice a week until the child masters the story. Three of my boys have done a good job with *Peter and the Wolf*. They can name all the characters in the story and can describe many actions taking place by looking at the pictures. . . .

. . . Cliff (subject child) likes animal books. He know many animals and can imitate

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them. He can name the more difficult ones such as the rhinoceros, zebra, seal, racoon, and buffalo. To encourage his interest, I have taken him to the zoo several times and also to the Rock Creek Nature Center, the Smithsonian Natural History exhibits, and the circus. His mother has taken him to the country. This child really got a thrill out of seeing the live animals. Some of Clifford's favorite books include *The Zoo Book, Animal Panorama, Animal Book,* and several others.

Sam prefers books about horses. Whenever he sees a picture of a horse, his face lights up. I provided this child with as many horse books as I could find. I also took this child on trips to see horses and ride ponies. He has been on the carrousel several times, to the circus, and also had a ride on a live horse! Whenever I present a picture of a horse, Sam relates his experiences. He loves horses so much that we will sit for 45 to 60 minutes looking at a book with pictures of horses in it. (Lucille Banks)

E. One tutor reports the following books as being among the most successful: *Things to See, A B C Book, Best Word Book Ever, Whistle for Willie,* and (when the children were older) the illustrations of the *Banks Street Readers,* which depict city life involving Caucasian, Negro, and Oriental children. The object of the children's "lively interest" evolved from picture books (at age 15 months, when the project began) to story books (beginning at about 28 months). This teacher felt much more successful with realistic books than with those which: 1) depicted animals in human dress, engaging in human activities; 2) presented inanimate objects (e.g., airplanes) as being animate; 3) presented nursery rhymes, which contain many words for which referents are lacking, e.g., curds and whey. (Patricia Chernoff)

F. Another tutor notes that at the beginning of the project, toys were the major instructional vehicle, with books secondary. As the children matured, however, these roles were decidedly reversed. At first, even picture books were ignored, and became of interest to the children only after sufficient handling and naming of the material referent. For instance, a picture of a ball was ignored by the child until he had played with and named a real ball on a number of occasions. This tutor reports that the most effective books at this early stage were those dealing with the sensations, such as *Pat the Bunny* and *Touch Me,* or those having large and brightly colored illustrations, such as *Things to See* and *Baby's First A B C.* As the children grew, they became increasingly interested in the vehicles they saw while walking with this tutor (the reader will note that these children were all boys). At this time the *Big Book of Trucks* and the *Giant Nursery Book of Things That Go* were particularly enjoyed by the boys. Durable, cloth-bound books were recommended, since they could be left in the home "with some hope of finding them intact at the next session." (Betty Pair)

G. Project personnel furnished the following list of recommended books:

Age—15 to 18 months

Book and Publisher

*Pat the Bunny, Golden Press.
*Touch Me Book, Golden Press.
*Things to See, Platt & Munk.
*1st A B C Book, Platt & Munk.
Baby's First Mother Goose, Golden Press.
My Toys, Capitol.
Words to Say, Golden Press.

Age—18 to 24 months

Baby Farm Animals, Golden Press.
My Toys, Capitol.
Happy Animal Panorama, Grosset & Dunlap.
Baby's Picture Panorama, Grosset & Dunlap.
All by Himself, Plakie Product.
Golden Happy Book of Numbers, Golden Press.
Golden Happy Book of Words, Golden Press.
Golden Happy Book of Animals, Golden Press.
Golden Happy Book of A B C's, Golden Press.
I Am a Bunny, Golden Press.
*Is This The House of Mistress Mouse, Golden Press.
*Best Word Book Ever, Golden Press.
*Golden Shape Books (entire series), Golden Press.
The Fish, Dick Bruna Follett Pub. Co.
The Apple, Dick Bruna Follette Pub. Co.
Big Train Book, McGraw & Hill.

Age—24 to 36 months

Woodland Animals, McGraw & Hill.
Come Walk With Me, Capitol.
Whistle for Willie, Viking.
Night, Harper & Row.
Little Verses, Golden Press.
*Uptown Downtown, Bank Street Readers.
*Around the City.
Saturday Walk, Wm. R. Scott.
Dr. Seuss' A B C Book, Random House.
Put Me in the Zoo, Random House.
Cat in the Hat, Random House.
Hop on Pop, Random House.
*Go, Dog, Go.
Goodnight,.Mom, Harper & Row.
The Big Parade, McGraw & Hill.
What's That?, Grosset & Dunlap.
Who's That?, Grosset & Dunlap.
When's That?, Grosset & Dunlap.
Where's That?, Grosset & Dunlap.
Big Beds and Little Beds, Wonder Books.
*Peter and the Wolf, Doubleday.
Aesops Fables, Maxton.
The Bike Lesson, Random House.
Are You My Mother, Random House.
Bear's Picnic, Random House.
A Fly Went By, Random House.
*Giant Nursery Book of Things That Go, Doubleday.
Giant Nursery Book of Travel Fun, Doubleday.
Giant Nursery Books of Things That Work, Doubleday.
Red Riding Hood, McMillian.
One Fish, Two Fish, Red Fish, Blue Fish, Random House.
The Snow Day, New York: Viking.
What Is Your Favorite Thing To Touch, Grosset & Dunlap.
Let's Go Shopping, Capitol.
Up Is Up, Down Is Down, McGraw & Hill.
The Wonder Book of Turtles, Eve Morel.
A Special Place for Johnny, Whitman.
Katie and the Big Snow, Maxton.
I Learn To Tell Time, Capitol.
The Brave Little Mouse, McGraw & Hill.
Fast and Slow, Platt & Munk.
I Learn To Button, Capitol.
The Color Wheel, McGraw & Hill.
Whisper in My Ear, Golden Press.
Happy Zoo Book, McGraw & Hill.

H. Project personnel also furnished the following list of recommended toys.

MOTOR ACTIVITY TOYS

1. String and Beads—Milton Bradley or Fisher Price.
2. Peg Boards and Pegs—Milton Bradley or Child Craft Bowls for Pegs.
3. Junior Turn a Gear—Child Guidance Toy.
4. Snap and Play—Sifo.
5. Bill Ding, Jr.—Sifo.
6. "Building Toy" (in can).
7. Jumbo Block Wagon—Playskool.
8. Pounding Bench—Playskool.
9. Tool Bench—Playskool.
10. Plastic Milk Bottles—Creative Playthings.
11. Lock and Keys.
12. Watch.
13. Lacing Shoe—Playskool.
14. Tinker Toys—The Toy Tinkers (A.G. Spaulding Bros., Inc.).
15. Rock-a-Stack—Sifo or Fisher Price.
16. Hexagonal Nesting Cups—Child Craft.
17. "Barrel" Nesting Cup—Child Guidance Toy or Child Craft.
18. Plastic Shapes on a Stick—Fisher Price Toy.
19. Wooden Shapes on a Stick.
20. Plastic Shapes on Plastic Screw.
21. Plastic Nesting Cups.
22. Measuring Spoons.
23. Bang Ball—Sifo.
24. Large Bags of Wooden Blocks.
25. Geometric Shapes—Creative Playthings.
26. Graded Circles, Squares, Triangles—Creative Playthings.
27. Shape—Sorting Box—Creative Playthings.
28. Rocky Board—Creative Playthings.
29. Pile-up Clowns—Creative Playthings.
30. Wood, Nuts, and Bolts—Creative Playthings.
31. Beginner's Blocks—Creative Playthings.
32. Pop-up—Sifo.
33. O-Blocks—Sifo.
34. Plain and Colored Blocks—Sifo.
35. Music Box Lacing Shoe—Fisher.
36. T.V. Radio—Fisher Price.
37. Pocket Radio—Fisher Price.
38. Pop Beads—Fisher Price.
39. Dump'n Fill Bottles—Child Craft.
40. Lincoln Logs—Playskool.
41. Hydroplane—Creative Playthings.

DOLLS

1. Negro Boy Doll.
2. Baby in Pajamas.
3. Baby (minus clothes).

TOY VEHICLES

1. Dump Truck.
2. Plastic Tug Boat.
3. Bulldozer.
4. Large Wooden Truck.
5. Moving Van.
6. Oil Trucks.
7. Volkswagen.
8. Airplanes.
9. Pick-up Truck.
10. Orange Dump Truck-Metal.
11. Cement Mixer.
12. Large Plastic Dumptruck.

PULL AND PUSH TOYS

1. "Snoopy Sniffer"—Fisher and Price.
2. Milk Wagon—Creative Playthings.
3. Playskool Wagon with Blocks—Playskool.
4. Wagon—Sifo.
5. Tyke Bike—Playskool.
6. Metal Wagon—Child Craft.
7. Tricycle.
8. Magnetic Train—Creative Playthings.
9. Creative Coaster—Fisher Price.
10. Rainbow Wagon—0—Block—Sifo.

MISCELLANEOUS

1. Jingle Totem Pole.
2. Magnets—Creative Playthings.
3. Prism.
4. Spin Top.
5. Plastic Tools on Belt.
6. Plastic Telephone.
7. Playskool Postal Stations.
8. Flannel Board.
9. Pocketbooks.
10. Plastic Duckling.
11. Wind-Up Mouse.
12. Can of Farm Animals.
13. Big Top.
14. Little Tops.
15. Dishes: Cups, Saucers, Coffee Pots, Skillet, Plastic Silverware Tray.
16. Mirror, Comb.
17. Mirror Box—Creative Playthings.
18. Puppets—Creative Playthings.
19. Color Paddles—Creative Playthings.
20. Playful Puppy—Creative Playthings.
21. Lock Box—Creative Playthings.
22. Number Sorter—Creative Playthings.
23. Counting Frames—Holgate—Playskool.

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*Books considered most valuable by project personnel.

24. Number with Pegs—Creative Playthings.
25. Number-ite—Judy.
26. Toy maker—Child Craft.

GARDEN TOOLS

1. Rakes.
2. Hoes.
3. Brooms.
4. Shovels.
5. Lawn Mower.

OUTDOOR TOYS

1. Balls.
2. Pails and Shovels.
3. Plastic Buckets.
4. Plastic Scoops.
5. Watering Cans.
6. Skates.

RECORDS: (RECORD PLAYERS)

1. Learning as We Play.
2. Nursery Rhymes, Games and Folk Songs.
3. Songs to Grow on for Mother and Child.
4. American Game and Activity Songs for Children.
5. Songbirds of America.
6. Songs to Grow on.
7. Noisy Baby Animals.
8. Nursery Rhymes.

MUSICAL INSTRUMENTS

1. Bells—Creative Playthings.
2. Drums and Drumsticks—Creative Playthings.
3. Wooden Sticks—Creative Playthings.
4. Xylophone—Creative Playthings.
5. Shaker Stick—Creative Playthings.
6. Castanets—Creative Playthings.
7. Triangle—Creative Playthings.

PUZZLES

1. Plate Puzzle—Playskool.
2. Fruit Puzzle—Playskool.
3. Colors I See Puzzle—Playskool.
4. Building Puzzle—Playskool.
5. Form Board—Playskool.
6. Dog Puzzle.
7. Puzzle Blocks.
8. Rainy Day Puzzle.
9. Color Match-ettes.
10. Shapes, Colors, Forms.
11. Transportation Puzzle.
12. Missing Face Puzzles—Creative Playthings.
13. Matchettes—Judy.
14. Airplane—Judy.
15. Tree—Judy.
16. Boy—Judy.
17. Cat—Judy.
18. Dog—Judy.
19. Butterfly—Judy.
20. Tools (single piece).
21. Squirrel.
22. Monkey.
23. Flower—Judy.
24. Three Kittens—Sifo.
25. Fruit—Sifo.
26. Playground—Sifo.
27. Rainy Day.
28. Plate.
29. Rubber Family.
30. Rubber Cars.
31. Rubber Ducks and Rabbits.
32. Buildings We See—Sifo.
33. Vegetable Puzzle—Sifo.
34. Eighteen Piece Bird Puzzle—Judy.
35. Children's Favorites—Sifo.
36. Children's Pets—Sifo.
37. Peter, Peter, Pumpkin-Eater—Sifo.
38. Five Piece Animal Puzzle.
39. Simplex Bear.
40. Rubber Counter—Creative Playthings.
41. Wood Lotto—Creative Playthings.
42. Little Jack Horner.
43. Fireman's Puzzles—Judy.
44. Zoo Lotto.
45. Horse Puzzle—Playskool.
46. Hippo—Playskool.

VERBAL STIMULATION TOYS

1. Plastic Magnetic Letters.
2. Sandpaper Letters.
3. Slates.
4. Family Hand Puppets—Creative Playthings.
5. Story Sets.
6. Telephone.

Evaluation

A. Measures of Achievement

All infants, experimental and control, were tested at age 14 months, before the experimental tutoring began. The Bayley Infant Scales of Development were used. The infants were retested with the Bayley at 21 months, and with the Stanford-Binet at 27 and at 36 months. Three other tests were also used at 36 months: (1) the Peabody Picture Vocabulary Test; (2) the Johns Hopkins Perceptual Test; (3) the Aaronson and Schaefer Preposition Test. (This consists of a magnetic board with three objects: an automobile, a boy, and a ball. The subject's command of prepositions is tested, when he is asked to place the ball "between the boy and the car," "into the car," "at the top of the board," etc.) The three part-time test administrators gave the tests at the project offices and were not told which children were in the experimental and which were in the control group.

Tests results are summarized in the following tables. It can be seen that the experimentals were not superior to the controls at the outset. (In fact, they were slightly lower, though not significantly so.) However, as instruction proceeded, they apparently grew increasingly superior to the controls.

TABLE 1.—MEAN IQ SCORES AT INTERVALS DURING INFANT EDUCATION PROJECT

	Experimental (n 28)	Control (n 30)	t
Age (in months):			
14	105	108	—0.96
21	97	90	[1] 2.12
27	101	90	[2] 3.35
36	106	89	[2] 5.91

[1] Significant, 0.05.
[2] Significant, 0.01.

TABLE 2.—MEAN SCORES ON VARIOUS TESTS AT 36 MONTHS, INFANT EDUCATION PROJECT

Test	Experimental (n 28)	Control (n 30)	t
Peabody	87.11	76.23	[1] 3.77
Johns Hopkins	11.61	6.60	[1] 4.18
Aaronson-Schaefer	13.43	12.40	1.23

[1] Significant, 0.01.

B. Other Evaluation Indices.

It was the consensus of the staff that the tutors became an important and desired element in the families of the tutored children. As the project proceeded, tutors became increasingly accepted in the home and neighborhood, and were not perceived as inspectors or welfare agents. As rapport was gained with the family, especially the mother, the tutor began to take on the role of a confidante and helper in diverse areas such as budgeting family finances, and use of community resources. In a number of cases, this project resulted in the family's first visit to the zoo or the library.

Problems experienced by the tutors included: the number of disruptions caused by the moving of several rather mobile families; the problem of finding the child ready to participate at the time of the visit; the lack of a quiet place in which to hold the tutoring session.

Project personnel felt that the weekly group discussions contributed significantly both to tutor morale and methodology.

Tutor ratings of parent behavior were correlated with achievement at 36 months. Child neglect was significantly related to performance in the expected direction; i.e., the more neglected children performed poorly.

C. Modifications and Suggestions.

It was suggested by program personnel that in action programs evolving from this research project, neighborhood learning centers could be tried, providing a relatively quiet environment for tutoring sessions. Neighborhood mothers and high school girls could be responsible for much of the tutoring, since a high level of formal education was probably more necessary in the research phase of the program than would be necessary in subsequent action programs. The number of research and administrative personnel could also be reduced to possibly one overall educational supervisor and a secretary. One field supervisor for every 12 tutors was recommended. It was further suggested that instruction might begin as early as age 6 months, for optimum efficacy.

Budget

Project director, Half-time.

Project supervisor, Full-time.

Educational supervisor, Full-time.

Tutors, one for every four children, Full-time.

Test administrators, $25 per test session per child.

Project secretary, Full-time.

Books and materials, First year: $40 per child; Subsequent year: $25 per child.

Office materials, $750 per year.

Reimbursement of parents, $1.00 per day of tutoring; $10.00 per test session.

Office rental.

Local travel.

PRECIPITATE CLOSING OF JOB CORPS CENTERS

Mr. MONDALE. Mr. President, I rise today to explain in detail the reasons why I support Senate Resolution 183, which is being reported to the Senate floor today by the Committee on Labor and Public Welfare. This resolution, sponsored by Senator CRANSTON, and cosponsored by myself and 30 other Senators, expresses the sense of the Senate that any action to close Job Corps camps should be deferred until the Congress has had an opportunity to review the Job Corps program and decide upon legislation which would extend the Economic Opportunity Act of 1964, as amended, and appropriations for that program.

There are numerous reasons why I support this resolution, and oppose the administration's precipitous action to close 59 Job Corps centers, and I would like to explain these reasons at this point.

First, I oppose the administration's decision to close these Job Corps centers because it was announced in a hasty fashion without prior consultation with Congress. Despite President Nixon's statement in his February 19 economic opportunity message to Congress, that he would seek full discussion and debate on his proposals for changes in the poverty program before they become effective, the administration announced its intention to take immediate steps to close 59 Job Corps centers without any prior discussion and consultation with Congress. This action seems particularly ill timed when two major studies of the Job Corps centers have recently been completed, and are currently being reviewed by appropriate committees in each House of Congress.

One very pertinent result of the Harris study, for example indicates that, on the average, a Job Corpsman's hourly wage increased more for those who attended conservation camps than for those who attended the urban centers.

Second, I oppose this precipitous action because of the damaging and demoralizing effects it is having on Job Corpsmen throughout the country. Many of these Job Corpsmen, as a result of announcements that their Job Corps centers would be closed in the very near future, have become embittered, disappointed, and are dropping out. It is my understanding, for example, that of approximately 160 Job Corpsmen at the Tamarac Conservation Center in my home State of Minnesota, about 40 of these men—one-quarter of the total—have chosen simply to return to their home communities rather than take advantage of an opportunity to transfer to another Job Corps center or another manpower program. These 40 Job Corpsmen are simply quitting, and it is hard to blame them. Some of them ask the obvious question: "Why should I transfer to another Job Corps center, they may close that one down." The damaging effect on these young men, who have left their home communities, and adjusted to what some call a second home, cannot be tolerated.

Third, I oppose this hasty action because of the obvious inadequacies of the alternative manpower programs the administration proposes to offer to the type of young men that have previously gone to Job Corps centers. A quick review of the education and ages of the participants in the other manpower programs, when compared to the education and ages of the Job Corps conservation corpsmen, indicates that programs like MDTA, the concentrated employment program, and the JOBS program, are simply not dealing with the hard-core, severely deprived young men that the Job Corps program serves. For example, 60 percent of the MDTA trainees are aged 22 and above, compared to only 5 percent of the conservation corpsmen, and 45 percent of MDTA trainees have 12th grade educations or more, compared to only 7 percent of conservation corpsmen. Similarly, in the JOBS program, 56 percent of the participants are aged 22 or above, compared to only 5 percent in the conservation centers, and 33 percent of the JOBS participants are high school graduates, compared to only 7 percent of the conservation corpsmen. Statistics for the CEP program show the same picture—64 percent of the CEP participants are 22 years old or older, compared to 5 percent of the conservation corpsmen, and 25 percent of the CEP participants are high school graduated, compared to only 7 percent of the Job Corpsmen. I think this information, plus an understanding of the services these alternative manpower programs provide, reveal quite clearly that these alternative manpower programs are not equipped, or accustomed to, dealing with the hard-core, deprived young man that needs Job Corps training.

In addition to these existing manpower alternatives, the administration talks about establishing minicenters in urban areas to provide training opportunities for those who previously would have gone to Job Corps camps. It may well be that this minicenter approach will prove to be valuable in practice. However, it seems very premature to close 59 Job Corps camps before any of these proposed minicenters have had an opportunity to prove its value in practice. It is my understanding that at present there are two urban programs in existence that may be similar to the proposed minicenters, and the experience of these two programs are quite dissimilar. While apparently the program in New Haven, Conn., is producing some promising results, I understand the program in Baltimore, Md., is having serious difficulties. I am told, for example, that the nonresidential urban center in Baltimore experiences daily absentee rates as high as 60 percent. Clearly, the alternative of minicenters should be tested before so many Job Corps centers are closed summarily.

Fourth, I oppose the precipitous decision to close Job Corps camps because it was reached in a way that is quite contrary to what I understand to be the appropriate decisionmaking process for programs which have been or are about to be delegated from one department or agency to another. All the evidence that is available indicates quite clearly that decisions regarding the Job Corps closings were reached without any active participation or consultation with the knowledgeable persons in the Office of Economic Opportunity who have had experience in administering this program. On the contrary, the decisions were reached, and announced, by the Labor Department—which will not become the administering agency for the Job Corps program until it is delegated in July of this year. I seriously question whether a decision reached in this fashion, can be based on all the relevant information and knowledge that should have been considered.

Fifth, assuming that after consultation with Congress, and all appropriate and experienced agencies in the executive branch, a decision is reached that some of the Job Corps centers should eventually be closed in favor of using alternative methods that have proved more effective in actual operation, then I question the criteria and selection of the conservation centers which have been designated for closing. Some of the centers which the administration intends to close have clearly produced some very valuable results.

I would like to cite two centers in Minnesota—Tamarac and Lydick Lake—as illustrations of my point. The Tamarac Job Corps Center has an annual per man operating cost of $4,427. This compares with an annual per man operating cost of $5,368 in one of the Job Corps centers that was designated to remain open. In fact, Tamarac's operating costs were less than 21 of 30 conservation centers which are designated to remain open. Similarly, the placement success at the Tamarac center is above average. The Tamarac center placement rate is 70.5 percent. This placement percentage is higher than 18 of 30 conservation centers that will remain open. From these statistics, and from some very encouraging reports I received from the people in Minnesota who have had first-hand experience with Tamarac and Tamarac enrollees, I seriously question whether these Job Corps centers should be closed.

Many of the same reasons exist for continuing the Lydick Lake Job Center operation. Lydick Lake's placement record is 69.9 percent—a better placement record than five of the centers that will remain open. In addition, graduates of the center are being placed at an average hourly wage of $2.19. I understand this compares with an average hourly wage at graduation of about $1.80 or $1.90 for the entire Job Corps program. Finally, the enrollees of the Lydick Lake Job Corps Conservation Center have completed conservation work projects of great value. The projects completed between September 27, 1966, and March 1, 1969, have an appraised value of $1,730,923. This conservation record is better than the conservation record of 24 of the centers that will remain open.

Mr. President, for the reasons I have listed above, I support Senate Resolution 183, and stand in opposition to the administration's precipitous decision to close 59 Job Corps centers without prior consultation with Congress.

Mr. President, an excellent article entitled "Job Corps Camp To Close June 30," published in the Minneapolis Tribune yesterday concluded by stating:

> "These kids are used to being pushed around," he said. "It's just another broken promise."

I deeply regret that our Government has decided to take this step.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I have referred which was published in the Minneapolis Tribune of May 4, 1969, an article which was published in the Sunday Forum of Fargo-Morehead, Minn., of April 27, 1969, and a representative sample of very useful and informative letters I have received from Minnesotans regarding the values of the Tamarac and the Lydick Lake Job Corps Centers.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Minneapolis (Minn.) Tribune, May 4, 1969]

JOB CORPS CAMP TO CLOSE JUNE 30

(By Andrew Barth)

CASS LAKE, MINN.—The Labor Department calls it a "phased orderly withdrawal," but to the staff and corpsmen at the Lydick Lake Job Corps Center it's the end of the dream.

Lydick Lake, with its basic education, job-training and health-care facilities, is scheduled to close forever June 30. When it goes, a major program in the War on Poverty, intended to rehabilitate and reeducate poor young men, will leave Minnesota.

The center, about 12 miles west of Bena, and another center at Tamarac near Detroit Lakes, are among 59 ordered closed under a cost-cutting reorganization plan of the Nixon administration. Lydick Lake lasted only three years, and many people involved with

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it feel that neither the program nor the young men accepted in it have had a chance to show what they can do.

The decision to reduce the Job Corps program, originally funded by the Office of Economic Opportunity but moved to the Labor Department by President Nixon, is based on an austerity drive and a belief that the centers don't work. William E. Morden, director of the Lydick Lake center, protests:

"What can be expected? We're dealing with failures to begin with, the bottom of the barrel. It takes time. Now if you take away these fellows' last chance, they may get pretty desperate."

Corpsman Gilbert Garrett, 17, said he "used to walk around Detroit with a 6-inch blade in my pocket." Since last fall he's been part of the Lydick Lake program, which tries to improve a corpsman's basic social and educational "living ability," and to give him a skill.

"The education's the biggest benefit for me here," Garrett said. "When I got here I couldn't say what I wanted to, couldn't read or write. If I'm sent home I know I'll be back on the street. Here I can study. You know I'm not going to walk 10 miles to Cass Lake to hang around street corners."

Before the shut-down directive was issued April 11, the center housed 224 young men of ages 16 to 22, with 54 counselors and teachers. Now the number has fallen to 106 as preparations to abandon the center advance.

The administration has promised help to corpsmen wanting to move to another center, but many don't plan to try again. They seem to feel either that the adjustment to a new camp would be too difficult or to wonder whether other centers might not be closed on them, too.

Corpsmen also oppose the administration plan to set up nonresidential urban centers giving employment training only. Most feel that the lure of big-city dissipation would hinder learning.

This fear of a future limited by illiteracy explains some of the resentment corpsmen feel:

"I'd look pretty silly sitting in a 3rd grade. Where else am I going to learn to read and write?" asked one older corpsman.

One corpsman particularly upset over the closing is Thomas Baxley, 20, New York, N.Y.

He chose cooking as his area of concentration from the five available, including carpentry, welding, auto mechanics and heavy equipment operation. He hopes to own a restaurant and support a family.

Baxley "hopes and prays" he someday will be an entrepreneur.

"I'm not afraid to work; I've worked all my life," he said. "Give me a few years and I'll have my own place."

Baxley's optimism is based more on the general educational skills he is picking up than on a belief that he has become a chef. He knows that experience with the Army-oriented Job Corps fare he now helps prepare will not equip him to concoct a competitive bernaise or chateaubriand in New York. But he said:

"The education here is out of sight. Teachers will sit down with you and really teach from the ground up. I had a reading problem. My teacher took his lunch hour, came over and talked just to me, broke down the words, and I could read. Back in New York a teacher would say 'I can't help you, I'm busy, sit down.' Not here."

Baxley also answered complaints about racial trouble among corpsmen at some camps: "Race riots? We got so many races here you don't know who to fight."

Not that campers don't know how to fight.

"At least I stopped street-fighting," James Glass said of his eight months at Lydick Lake after 21 years in Newark, N.J., "right around the corner from the riots." Huge but gentle ("Jimmy comes over most Sundays to play with my kids," Morden says), Glass feels hurt and betrayed by the closing.

"Somebody has used the Negro for a show case" and is now dropping him back into the ghetto before he has had sufficient time to learn a trade, Glass said.

None of the campers seems to blame the center staff for their plight; anger is focused on "them" in Washington. The staff also feels betrayed, although none expects much trouble finding another job.

Carpentry instructor Eugene Potter, 51, said he used to earn twice his present salary when he helped build taconite plants on the Iron Range.

"These kids learn measurements, they learn to care for tools, they want a second chance," Potter said, and his students, like Garrett, share his dismay at leaving.

Director Morden, 33, Manistique, Mich., is a veteran of the U.S. Forest Service, which supervises the Lydick Lake camp. He expects to return to forest management after the corpsmen have gone, but his efforts to submit to the closure as a silent civil servant have met mixed success.

"This facility cost $1.1 million. It could have been given more time to succeed," he said last week.

Closing the center will save its current budget, about $1 million a year, but that money comes back to the public in several ways, Morden pointed out. Much of it is spent on materials corpsmen use to construct recreational facilities, such as park furniture and fireplaces. Corpsmen do maintenance work in the forest and on forestry equipment.

Much of the return on money invested at Lydick Lake is deferred. It comes whenever corpsmen win good jobs, raise healthy families, avoid crime and welfare and pay taxes. Morden pointed as an example to the 20 graduates of his welding class who now work in Minneapolis, earning an average of $3 per hour.

He added that about 60 percent of his staff are Minnesotans and that most of his budget is spent inside state boundaries.

This point also was brought out by two Cass Lake businessmen.

Frederick Teal, owner and manager of Teal's Super Valu food store, expects to lose some revenue when the camp is closed.

"There are 34 staff families there and of course we get our share of the business," he said.

Another business which will be hurt is Richard Baird's Lake Region Lumber Yard, where "the camp was 20 percent of my business in the winter."

There is considerable human investment in Lydick Lake as well, according to some of the wives of staff members who live in 18 mobile housing units near the corpsmen's dormitories. They have formed a group they call Lydick Ladies, and have tried to deal with the homesickness of campers disoriented by their remote surroundings.

"We give a birthday party every month for the boys, we decorate the dining room, we get to know them. If they're thrown out of here they'll back on the streets," said Mrs. Robert Barrett, wife of a teacher. "I just don't think Nixon realizes what the Job Corps is."

The corpsmen know who Mr. Nixon is. Would-be restaurateur Baxley said, "The staff isn't backing out on us. Nixon's backing out."

A staff member was philosophical about the corpsman's complaint.

"These kids are used to being pushed around," he said. "It's just another broken promise."

[From the Minneapolis (Minn.) Tribune, May 4, 1969]

LYDICK LAKE CCC,
Cass Lake, Minn.

To the EDITOR OF THE TRIBUNE:

DEAR SIR: My name is James J. Ed Glass Jr. I'm a corpsman of Lydick Lake C.C.C. of Cass Lake, Minnesota. I want you to write a story for me. The story is about Lydick Lake—in what the President of the U.S.A. is doing to my center and home. Nixon is wrong about Job Corps and somebody should tell him so.

I am a Negro from New Jersey—Newark. Somebody smart used a Negro for showcase, then closed down the place he work at. You know something so tell me how much will it cost me. Please tell me sir.

Corpsman J. ED GLASS.

[From the Fargo-Morehead (Minn.) Sunday Forum, Apr. 27, 1969]

TAMARAC NEEDS THAT MIRACLE

(By Wayne Lubenow)

TAMARAC JOB CORPS CENTER.—On the bulletin board of a dormitary here a poster bears a picture of George Foreman, U.S. Olympic heavyweight boxing champion, a black and a former Corpsman.

The lettering exclaims proudly, "Join A Winner. Job Corps!" Underneath someone has scrawled, "Don't. It's Closed."

It's not closed yet—but you wouldn't like the odds on it staying open.

This camp on the tree-lined shores of Height-of-Land Lake just northeast of Detroit Lakes appears doomed to be mowed down by the budget blade of the Nixon administration.

It will not go without a fight.

The Detroit Lakes Industrial Development Corporation, the mayor of Frazee, civic organizations and dozens of private citizens have bombarded Washington with pleas for clemency—and a further study of the proposed closing.

They are defending the Jobs Corps Center on a dollar basis—a dreadful ignoring of the human lives here. But, realistically, it probably is the language Washington understands best.

The story here is the 200 Corpsmen.

They know about the proposed closing. They hear the news. And they are bitterly disappointed, visibly saddened. Yet they are resolutely, even zealously going about the task of learning—desperately cramming as much education as they can into the few remaining weeks they may have left.

It is almost as if they feel that by sheer force of will and exemplary conduct they can keep their Center open.

The pride of his Corpsmen shines through Center director Doyle Hughes.

It was last week that the teletype machine in Hughes' office clattered out the message that he had been reading about in newspapers for weeks: Start phasing out the Center. Begin redeployment of Corpsmen and make it by June 30 if you can.

Since then, just last Wednesday as a matter of fact, Hughes got word that specific orders would come on May 1.

When he got the message to phase out, Hughes took a very large calculated risk. Indeed, he ran a gigantic bluff.

At the 7 a.m. daily flag-raising ceremony, Hughes faced his L-shaped rank of Corpsmen and said, "I know you have heard about the possibility of closing this Center. But we are in training now and we are going to stay in training until they tell us to lock up."

Then Hughes ran his bluff: "If anybody feels he can't stay with the program, step forward now and I'll send him home."

The fact is that a man-by-man poll of the 200 Corpsmen here shows that 90 per cent want to stay in the Job Corps, but they want to stay in the Corps at Tamarac.

And 10 per cent felt so strongly about it that if Tamarac closes, they'll quit.

Said one Corpsman, "This has been my home for a year. I don't want to go anywhere else."

That is the plan of the present administration—to close the conservation Job Corps Centers and transfer the Corpsmen to urban Centers.

An overwhelming majority of the Corpsmen here are blacks. They came from the big cities. They do not want to go back—not until they are prepared.

More than 40 per cent of the Corpsmen can't read when they come to Tamarac. It is strange, but inspiring, to see young men in classrooms slowly pronouncing the "cat" and "hat" and "bat" of the primers.

They know what will happen to them if they are sent back and turned loose in the cities without even being able to read. They know what their chances of earning an honest living will be.

Growled one Corpsman, "Back to the ghetto. Back to crime."

Hughes and the 51 other staffers here are federal employees. "I can't talk personally," Hughes says of the proposed closing.

He sits at his desk, a stocky, red-haired southerner, and then he says grimly, "It's a damn shame. I can't agree with the reasons for closing. There's no way to judge our success. You can judge our failures, perhaps, and the economics of it all. But you can't put a dollar value on people. At least I can't.

Hughes clings to a slender thread of hope. It is more straw-grasping than anything. It is based on the people in Detroit Lakes and Frazee and the nearby community and their efforts to save the Center.

But he admits, "I have never heard of a community being able to save a center."

The community fires these figures at Washington:

The average cost per Corpsman for fiscal 1968 was $3,900, which ranks Tamarac 6th among the 82 conservation Centers in efficiency.

The Center spends around $400,000 yearly in the area for supplies.

The plant and equipment are worth about $3 million—and much of the facility can't be used anywhere else.

A more important figure is this: About 70 per cent of the corpsmen that have gone through the center have been placed in jobs above the "poverty level" whether they have completed the training or not.

Robert E. Summers, the tough-talking Corpsmen Supervisor, says it like this: "Hell, they won't close this place. They can't. We're too successful. We're doing too much good."

If Summers is wrong, there are 52 staff members who have to make a living, too. Washington has made no mention yet of staff.

But don't spend too much time worrying about staff. They can read and write. To get to the heart of this Job Corps Center listen to Craig Burnett, a 22-year-old Negro from White Plains, N.Y.

Craig has been here about two years. He couldn't read when he came in. He can now. He is ready to graduate. Ask him about the proposed closing.

Craig Burnett's eyes pierce you and he says, "I believe in miracles. To me, education is everything. Where can you go, what can you do, if you can't read?"

Craig Burnett is telling what is in his heart the only way he knows how, "We don't want to close. It's a sad thing. For us, this is our second chance. We feel this is the place. It doesn't make sense to send us back to the cities, to the ghettos."

He says, "I want to be somebody. I want a job that I have earned. I guess I'm a jealous guy. I don't want the next guy to get ahead of me."

He talks of the togetherness and the brotherhood and the spirit at Tamarac. "This is the value," he says.

"Reading and writing are the most important things," Craig says, "And now The Man wants to put us in darkness. They are talking about big things, but what is bigger than people?"

And then Craig Burnett puts his finger on the guts of it and says sadly, "They showed us what life can be like. They showed us we could do if we tried. They opened up our eyes. They made us hunger—and now they take it away."

A brilliant early-morning sun bounced off the waters of Height-of-Land Lake as the Corpsmen raised the flag Friday, then lowered it to half-staff for the Eisenhower tribute. The cool, clear Minnesota breeze ruffled the collars of Corpsmen shirts. It was not like the city.

In Washington, a California senator and 21 colleagues prepared a bill opposing the shutdown of Job Corps camps.

In St. Paul, State Sen. William Dosland of Moorhead said he had talked with Republican Congressman Odin Langen, in whose district Tamarac lies, about the possibility of turning the Center into a prison for incorrigible juveniles.

And a Minneapolis newspaper reported that Tamarac is abandoned.

Not yet, it isn't. Not yet. Craig Burnett believes in miracles.

FERTILE, MINN.,
April 14, 1969.

DEAR MR. MONDALE: I believe it is a crime to close out Job Corps Centers. I hope you will fight to keep them in our rural areas.

These young people are our Resources and the dictionary describes Resources as the wealth of a land. These young resources are being helped in a way they never been helped before. I knew because they have visited in our home and we sensed the pride of accomplishment and the sense of belonging they were developing with their work at the center. They felt someone cared! I realize there has been some controversy over the centers but there always will be controversy when someone tries to help someone else or do something different.

The plan to move them to urban areas may have merit but I feel keeping the centers and the training where they now are has merits too. Maybe urban areas as an addition to the present set up would be a worthy consideration but I feel our present Job Corp centers should continue to be used and expanded. Our rural areas need these young people and I believe the young people need the rural areas too.

I hope you will fight to save our Job Corps Centers.

Sincerely,

MRS. JOHN WABLIN.

DETROIT LAKES, MINN.,
April 12, 1969.

Senator WALTER MONDALE,
Washington, D.C.

DEAR SENATOR MONDALE: Our community is very much disturbed about the news that Tamarac Job Corps, located on the Tamarac Refuge, just north of Detroit Lakes, is about to be closed.

This is surprising, due to the fact that the cost per Corpsmen at Tamarac, is near the bottom of the list of all Conservation Centers, its average Corpsmen cost per year being $1,000.00 under the authorized cost.

There is a fine spirit of co-operation between the people of Detroit Lakes and Corpsmen of Tamarac. The Staff runs a very fine and orderly Center.

So why now, discontinue Tamarac Job Corps and send these young men back to the Cities, which are already over crowded?

Won't you please use your influence in keeping Tamarac Job Corps in operation? We want this here at Detroit Lakes, Minnesota.

Thanking you for what you can do to help keep it here, I am

Sincerely,

K. E. SWANSON.

CASS LAKE, MINN.,
April 18, 1969.

Hon. ODIN LANGEN,
House of Representatives,
Washington, D.C.

DEAR SIR: We, the undersigned business of the village of Cass Lake, Minnesota, would like to convey our feelings to you about the possible closing of the Lydick Lake Job Corps and give our reasons for being deeply concerned.

This is an economically depressed area with an unemployment figure far above the national average. The Lydick Lake Center has fifty-four full time employees and contributes approximately $750,000.00 to our economy each year.

Lydick Lake Corpsmen have done a great deal to improve our area as an attraction for tourists, which is our main source of total income and at the same time this has given the corpsmen an opportunity to develop skills as carpenters, welders, masons and many other useful trades. By so doing it has given the corpsmen many opportunities to obtain jobs in industry after completing their training at Lydick Lake.

We have questioned several of the corpsmen about the proposed plan to establish or maintain centers near large population centers and they have told us that this would put them right back into an environment that they had hoped to escape by enrolling in the corps.

The government has an investment of over one million dollars in the Lydick Lake camp and it does not seem to be good business to let this investment go to waste, inasmuch as this installation will have very little if any prospect for future use.

In your examination of this program, we urge you to consider these and other important aspects. The program may possibly need to be changed or reorganized, but we sincerely think that it should NOT be discontinued.

Having read the foregoing, we fully subscribe to it.

C. F. Neens; Robert H. Reed; Olaf A. Iverson, J. V. Bianco, President, First National Bank; Lawrence V. Oakes, Cashier, First National Bank; Archie Jennie; E. B. Hall; Giver G. Hill; Rodney McKermett; George Beck; Gunnar and Adeline Bokhen; John Rente; G. A. Miller; C. H. Coombs, M.D.; Geneveive Coombs, District 115, School Board Member; K. T. Bennett; Standard Oil Dealer and Agent; M. A. Lidin, L. & M. Oil Co., Inc.; H. C. Larson, C. Johnson; W. H. Ulrich; Edith M. Greenside; Dean Segguman; D. L. Craig; Elmer's Hardware; Fred G. Teal.

JOB CORPS RESOLUTION

Whereas, our young people are our most valuable resource, and,

Whereas, the Job Corps has provided a new approach to the education of our young people where the conventional methods have failed, and,

Whereas, these young people must be removed from the big city environment in order to gain a new hope in a different social atmosphere, and,

Whereas, a similar program of the 1930's known as the Civilian Conservation Corps was such a tremendous success, and,

Whereas, monies spent in distressed areas where these camps exist are of such vital importance to the economy of these areas, and,

Whereas, the scrapping of these fine camps with all of their modern facilities is a waste of the tax payers money, and,

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Whereas, many of the dedicated workers are striving to better the program, when they could be on jobs in private industry at higher wages, but believe that the program is the salvation of our underprivileged youth in America.

Be it resolved: that the Cass County D.F.L. Party go on record disapproving the closing of the Job Corps Camps.

Clarence O. Hopen,
Chairman.
Marie V. Smith,
Chairwoman.
Ardith V. Potter,
Secretary.

Gill Bros.,
Bemidji, Minn., April 15, 1969.

Governor LeVander,
State Capitol,
St. Paul, Minn.

My Dear Mr. LeVander: I am heartsick that Lydick Lake Job Corps is to be closed.

For over 2 years I have watched young men come here with 1st, 2nd, and 3rd grade reading ability and leave ready to earn their own living.

I agree with the editorial in the Minneapolis Star that Lydick Lake should be kept open. I am glad that groups I belong to such as American Association of University Women are in favor of it being kept open. I am glad Business and Professional Women have wired President Nixon to keep it open.

I know of no other way to have boys from the slums to get to know and have confidence in the people who live in the North. I am glad for every boy who has gone to Church in Bemidji, gone to dentists and doctors in Bemidji . . . . who have been invited into Bemidji homes. I think it is a built-in anti-crime program.

Here are the reasons I hope you will make effort to keep Lydick Lake Job Corps open:

1. Education for youth. Get them reading and writing and able to earn. Off welfare loads.
2. Anti-crime benefits.
3. Minnesota forest benefits.
4. Bemidji is in a depressed area and Northern Minnesota needs the money spent by Job Corps to help the economy.
5. It would be waste to abandon 1.1 Million Dollar investment already made by the government at Lydick Lake.
6. We understand this is one of the finest Job Corps in the United States and that urban centers have not done as well.

I know you are interested in the business economy of all sections of your state. Northern Minnesota needs the ¾ Million Dollars spent by Lydick Lake Job Corps.

For the past years I have served on the Resolutions Committee of the National Menswear Retailers of America. We have tried to work out ways to prevent crime and encourage education. Lydick Lake Job Corps does both.

I do hope that you are making effort to keep Lydick Lake Job Corps open.

I am sorry, Governor LeVander, that I cannot be in Minneapolis this Thursday noon to hear you speak at our club meeting at the Northstar Inn.

Very Truly yours,

Helen Gill.

P.S.—So that you will know a little more about me:

Graduate of University of Minnesota, BBA 1941.

Member of various Alumni groups, School of Business, U. of M., Etc.

Member American Association of University Women.

Third year serving of State of Minnesota Advisory Committee . . . Vocational Rehabilitation.

Bemidji C & C.

Member of Does (Elks).

American Legion Auxiliary.

Member of 18 years, Menswear Retailers of America. Served on many National committees.

American Legion Auxiliary.

N.W. Buyers & Jobbers, Inc. Minneapolis. Charter members. This is a group of buyers.

Minnesota Retail Federation Members.

Bemidji Jaycees Art Show Coordinator.

Member National Shoe Retailers.

League of Women Voters, Business and Professional Women.

Other members of my household are: Rotary, Toastmasters, Boy Scouts of America. VFW. DAV.

Detroit Lakes, Minn., *April 16, 1969.*

Senator Walter F. Mondale,
Senate Office Building,
Washington, D.C.
Re: Tamarac Job Corps Center.

Dear Senator: The people of Detroit Lakes are slowly coming to life and realizing the importance of retaining the Job Corps at Tamarac.

This Job Corps is located strategically between Frazee, Park Rapids and Detroit Lakes. Its effect economically on these three communities is great. Detroit Lakes alone has increased its spendable income, according to Standard Rate and Data, a publication, by approximately six million dollars in the last three years. At least to some degree this has to be attributed to the Job Corps.

The Job Corps trainees have caused absolutely no trouble in the community. They have carried out numerous projects of good for the town. People who never saw a negro in their life are developing a different attitude.

We feel that the move to centralize the Job Corps program in urban centers goes completely adverse to sensible planning. There should be a program to ruralize rather then urbanize. A simple drive on the Freeway in Minneapolis at 4:30 in the afternoon gives an illustration of just one of the big cities' great problems.

I would like to suggest to you that you come out very strongly for any program that retains or enlarges the Tamarac Job Corps Center. I would appreciate a copy of any public statements you might have made on this, or do make.

With kindest personal regards,
Sincerely yours,

R. W. Irvine,
Vice Chairman, Seventh District DFL.

Redding, Calif.,
April 13, 1969.

Hon. Walter Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: I am a registered Minnesota Democrat and voter despite my present California address; I maintain my permanent residence in Minnesota.

I am writing you in disturbance over President Nixon's recent decision to emasculate the Job Corps program. I urge you to use your influence to prevent the damage this decision will do if it is carried out. I also urge you to support continuance of the antipoverty program with special emphasis on community action. I support Representative Perkins' position on a five-year extension of the Office of Economic Opportunity.

I am writing my other congressional representatives on this matter, the chairmen of the appropriate committees in Congress, and the President. A copy of my letter to the President setting forth my position in detail is enclosed. If I can do more to influence this matter, please let me know.

I will closely follow developments as they are reported in the media. If you have information to send me which is pertinent, please do.

Thank you.
Peace,

David F. Brown.

Redding, Calif.,
April 12, 1969.

President Richard M. Nixon,
The White House,
Washington D.C.

Dear Mr. President: I disagree with your decision to close down 57 of the nation's Job Corps Centers. My disagreement with your decision is because 1) I think the Job Corps is a very good program for making many of our country's youth employable, 2) the decision seems to be made of haste which is inconsistent with your general manner of doing things, rendering the decision's execution faulty and disruptive, and 3) some of the particular Centers to be eliminated are the best of the Job Corps programs.

1. My support for the Jobs Corps program is based on careful consideration of its record. We have a Job Corps Camp near where I live—the Teyon Job Corps—which has been a definite contributing factor to the community and which has done a fine job for many of its young enrollees, What I have learned from two government studies considering the Job Corps has led me to conclude that our local program it not an exception in the good job it is doing. A recent report by the Government Accounting Office has scored the Job Corps on its cost-effectiveness characteristics and high turnover, but a recent report by the Office of Education indicates that all of the government's vocational training programs have these drawbacks, and the Job Corps is the best of the varied approaches which have been attempted in its field. The Office of Education report goes on to indicate that not only is the Job Corps a superior method of training its enrollees, but it often succeeds with youths, especially the hard-core, with whom other programs fail. If you are going to cut the Job Corps program, perhaps you should also cut the other vocational education programs proportionately. I would prefer to see you retain the present Job Corps effort and make what budget cuts you must have in other programs, especially those in less vital areas than that of fitting our population for more productive citizenship.

It puzzles me also that you would eliminate the Job Corps when you know that it has pioneered in getting business involved in realistic training programs. As I understand some of your policy statements, you are emphasizing participation of the private sector in the solving of many of our domestic problems. The Job Corps is doing this according to the Office of Education report referred to above: "in [The Job Corps] it was found that business organizations could be successful in providing basic academic, remedial and skilled training to hard-core deprived youths".

2. Your decision does not seem to have been based on the sound administrative criteria which we have been told to expect your administration would bring to our government. My understanding is that Job Corps officials were not consulted, nor did you avail yourself of the information to be available when a $270,000 government-financed evaluation of the Program is completed sometime this year. The Secretary Of Labor has said that the plan is to transfer men in those camps to be discontinued to other facilities, making the transition less rough than it first appeared, but could not a more gradual phase-out be yet arranged? Why not a gradual reduction in programs and staff at the affected facilities until some of the enrollees have had a chance to complete their training, and maybe close down after half of the enrollees have left normally? The suggested present method seems to me very disruptive. It leads one to believe that your Administration does not really care too much about these fellow citizens.

You have perhaps also noted that the method in which you choose to make savings

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in this program may be illegal. Most of the centers you are closing are the conservation camps which will bring the enrollment of Corpsmen in these camps below the 40% level prescribed by law in the Economic Opportunity Act Amendments of 1967.

3. If one must cut back a program, he usually cuts out the worst, and yet this does not seem to be your method in this decision. I note that Woman's Job Corps Centers in Cleveland, Ohio and Clinton, Iowa are among those Centers you are elminating, but they are among the best of the women's Centers in the program.

You are planning to replace the $130 million effort in the 57 centers to be excised with a $30 million effort through 'mini' skills centers in our cities. This is a $100,000,000 savings but at what cost in idle facilities at the closed centers, disappointed enrollees and their surrounding communities, and continued frustration of our disadvantaged youth. I also wonder if the decision to cut out the centers placed in our rural areas is indicative of further proportionate neglect of rural areas in our nation?

I am communicating my disagreement with your decision on the Job Corps to my congressional representatives and the appropriate committee chairman in the House and Senate. Hopefully they will join me in seeking more satisfactory action in this field.

Peace,

David F. Brown.

Upper Midwest Regional Educational Laboratory,
Minneapolis, Minn., April 14, 1969.

Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: I am sending you a copy of a letter I have mailed to President Nixon. I call your attention to the position I take in this letter and accordingly suggest that you may be able to help prevent that proposed action.

Very sincerely yours,

Donald J. Christensen,
Research Assistant.

Upper Midwest Regional Educational Laboratory,
Minneapolis, Minn., April 14, 1969.

The President,
The White House,
Washington, D.C.

Mr. President: I have learned today, of your decision to close 57 Job Corps centers across the United States. Because of my close association with the Job Corps Program (I was Director of Education at the Job Corps Conservation Center near Clam Lake, Wisconsin for two years), I feel compelled to respond to this action.

I fully concur with your expressed attitudes of upgrading and economizing efforts aimed at providing education of young people. I suggest to you, that the small gains, as considered within the magnitude of the total national budget, do not justify the damage and frustration felt by the young men enrolled in the Job Corps program. I once calculated that the entire Job Corps program could operate for one year on the number of dollars, compared to pro rated cost, of operating the Viet Nam war for a few days. I question whether there will be any real saving in dollars when the cost of relocating tenured government employees, the cost of disposing the facilities, and the wasted cost of recruitment and training of Job Corps personnel. What will become of the facilities at the closed centers? Fifty seven centers represents a capital cost of the order of one hundred million dollars. It is certainly no saving, if these facilities are scuttled at a fraction of the cost.

My concern, however, is not for the cost of buildings or machines. It is for the effect this will have on young men at the 57 centers now marked for termination. I am certain each of these young men feels now that the establishment which promised them a step to a productive future, has now gone back on that promise. Just another reason not to trust anyone in the establishment. Can the nation afford further frustration among its neglected young?

During my term of service at Clam Lake, I grew to know many young men who perceived they had gained a second chance from the Job Corps. One young man who is now a Freshman in a Baltimore Art College because he learned to read in the Job Corps. One young man is now a successful government civil service clerk, secured by reason of his Job Corps experience. Five of these young men are now buying homes in Minneapolis! Every Job Corps center has hundreds of similar success stories. None that will make the headlines, but all of which make productive, self sustaining citizens, taxpayers and voters!

Do not interpret my comments to suggest that the program is without latitude for improvement. I hold there are many measures which could be taken to upgrade and economize the Job Corps program. (I will be happy to describe such suggestions if you request). But, it should not be cut as you propose. I urge you to reconsider your position on this matter.

Very sincerely yours,

Donald J. Christensen,
Research Assistant.

Cass Lake, Minn.

Senator Mondale,
Senate Office Building,
Washington, D.C.:

Please help save Job Corps.

Laverne Johnson,
Lydick Lake Job Corps.

United Brotherhood of Carpenters and Joiners of America,
Washington, D.C., April 14, 1969

Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

My Dear Senator: We have been advised that a severe curtailment of the Job Corps Program is being considered.

Since May of 1968, we have had the opportunity of working very closely with the Job Corps Conservation Centers Program through the Department of Agriculture Forest Service and more recently with the Department of Interior in the operation of seven (7) Carpentry Programs, wherein we are providing related and manipulative experience to sixty (60) of the underprepared and underprivileged youth in each of the seven (7) centers.

Although none of the programs have run the full cycle, we have already placed fifty two (52) young men that we were able to qualify into our Apprenticeship Programs throughout the country and we expect to place all of the young men now in our programs in the industry upon the completion of their program, some of which will be completed in June, 1969 and others in July, 1969.

Therefore, we request that serious consideration be given to the continuance of the Job Corps Conservation Centers in that we feel an excellent job is being done in the training and placement of young men in gainful employment who will take their place in their community as active citizens and workers in the industry who, otherwise, will be returned to their same community as unskilled workers and thus become a burden, as well as a problem, for society.

If curtailment is essential of some of the Conservation Centers, it should be done on a selected basis after full investigation of the quality of training and job placement that has been completed at each center.

Sincerely yours,

M. A. Hutcheson,
General President.

Community Action, Lexington-Fayette County, Inc.,
Lexington, Ky., April 11, 1969.

Hon. Walter F. Mondale,
Senate Office Building,
Washington, D.C.

Dear Senator Mondale: I am writing to express my vigorous protest at not only the proposed closing of fifty-nine Job Corps Centers, but also at the manner in which the Nixon Administration has handled the matter.

Having worked with the original Job Corps Task Force, and as an Assistant Director of the Lincoln Urban Job Corps Center for Men, I can speak from some experience. The young men who will be forced to leave on July 1 will NOT again respond to any kind of training program, any kind of promises or exhortations about "bold, new innovative programs" because this current action is ample evidence to them that this Administration does not intend to practice today what it preached yesterday.

Secondly, to close down centers suddenly will put a frightening number of young people between 16 and 21 literally on the streets of our major cities at the worst possible time of year—the long, hot summer. The appropriations for summer programs such as Neighborhood Youth Corps have been so emasculated by cutbacks that what little we are able to get is almost a farce in face of the needs. It need not be said that the addition of thousands of displaced Job Corpsmen to the ranks of the waiting lists for summer jobs will find us in a disastrous situation this summer.

The fact that neither Congress nor the Job Corps Administration was consulted or involved in reaching this decision is indicative of an attitude that is perhaps even more alarming than the direct action. I urge you and your colleagues to act as forcefully and swiftly as possible to negate the closing of the Job Corps Centers.

With every wish for success in your efforts.

Sincerely,

Margaret Shannon,
Director, Manpower and Education Office.

John F. Kennedy High School,
Bloomington, Minn., April 17, 1969.

Hon. Walter Mondale,
Washington, D.C.

Dear Senator Mondale: It was very disappointing to learn about the proposed cutback in the national Job Corps budget. It is even more distressing to learn that such action is being taken as an economy move and is not based on the merits of the program.

The basic concept of the program has been the removal of a trainee from his slum environment to a wholesome, challenging environment. Each corpsman participates in a vigorous program of vocational training, basic education, and group living. The vocational training program teaches the use of tools for the trade. In the basic education program, it is learning the three R's, and in group living it offers an opportunity to learn the skill of "getting along" with others of different interests, religions, races, and backgrounds.

One year ago this summer, a group of forty-five high school students and their three instructors from Kennedy High School in Bloomington visited the Job Corps Conservation Center at Clam Lake, Wisconsin. Both students and their instructors left the center with a feeling that something constructive was being done. The program was structured to offer the trainee many varied opportunities.

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If we are to have an economy move, why should a program that has proved workable be in jeopardy? The Congress of the United States must act to assure our citizens that such meaningful programs shall not be discontinued for political or economic expediency.

Sincerely,

Roger House,
Conservation Instructor.
Larry Thomforde,
Biology Instructor.
Richard Anderson,
Physical Education Instructor.

Fosston Community Sportsmen's Club,
Fosston, Minn., April 18, 1969.

Senator Walter Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: As you know the Lydick Lake Job Corps Center in the Chippewa National Forest near Bemidji, Minn. is marked for closing.

This camp, as you probably know, has a capacity of 224 boys in the age bracket 16–21 and, during its three years of operation has helped a large number of young men find their place in the world. Many of them were school drop-outs and non-readers.

Operating under the Forestry Department, the young men spent half their time on work projects and half on education.

We believe that this served to help many of them to find a place in life, which is a good investment of money and effort, both in the financial sense as well as for the moral obligations involved.

If there is any way in which this project could be continued, we would appreciate your efforts to that end.

Yours truly,

Gil Danielson,
Secretary.

Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: I am writing to tell you how sorry I am to hear the new administration is closing the 8 Urban Job Corps—particularly the excellent one at Omaha.

We maintain registration to vote in Minnesota and continue to pay Minnesota State income taxes, as we, move with my husband's U.S. Air Force assignments. We hope you will recognize our distress in this matter and consider our voice of dissent.

We have seen so much poverty in our own country. It is sad to see the country take a step backward, when it should move forward to help poor people.

Sincerely yours,

Carol Gildner.

RETIREMENT OF MRS. MARY KING, BUTTE, MONT.

Mr. MANSFIELD. Mr. President, the Federal Government has many, many dedicated employees, and from time to time we learn of an outstanding achievement. I was just recently alerted to the retirement of one of the Nation's youngest deputy marshals. Mary King, of Butte, Mont., an old friend and whose family I have known for many years, has completed 30 years as a deputy U.S. marshal. She began her service when she was only 19. Mary received a number of service awards and just recently was given a pin and citation from the Department of Justice by her boss, the then U.S. marshal, George Bukovatz.

I wish to add my name to the long list of friends and associates congratulating Mrs. King on this most memorable occasion. She has been a loyal and efficient employee of the U.S. Government, and we wish her many years of happiness and fruitful endeavor.

I ask unanimous consent to have printed in the Record an article published in the Montana Standard, of Butte, dated April 19, 1969.

There being no objection, the article was ordered to be printed in the Record, as follows:

Thirty Years a Deputy U.S. Marshal

When Mary King recently completed 30 years as a deputy U.S. marshal, she was awarded a pin and citation from the Dept. of Justice to mark her service that began when she was only 19, then the youngest deputy marshal in the nation. U.S. Marshal George Bukovatz did the honors.

When appointed, she was Mary Shegina, daughter of the late Mr. and Mrs. John Shegina and member of a pioneer Anaconda family. Now she is Mrs. Joseph P. King, 3006 Harvard, in Butte.

She has served under six U.S. marshals and received commendations from them all. When Nicholas deB. Katzenbach was U.S. attorney general, she received a cash award for meritorious service. For a money saving suggestion, she received another cash award, this time when William P. Rogers, now secretary of state, was attorney general.

The presentation Friday was one of the last official acts in office of Bukovatz, who is retiring as marshal.

SENATOR MUSKIE WRITES ON AIR AND WATER POLLUTION

Mr. BAYH. Mr. President, I recently had the opportunity to read a thought-provoking article written by the junior Senator from Maine (Mr. Muskie) in which he dramatically sets forth the threats to human environment caused by ever-increasing air and water pollution and solid waste disposal methods in the United States. While stressing the continuing damage which has been done to our lakes, rivers, and landscapes and the resulting dangers to personal health and comfort, he also points to the positive gains which have been made in the last 5 years and summons the Nation to "renovate, rejuvenate, and recapture our environment."

Senator Muskie emphasizes that in the last analysis it is the people, not the Government or industry, who must act if the purity of air, water, and land is to be restored. As he states, the effectiveness and administration of laws made by Congress will depend in large measure on the people themselves. In view of the significance of Senator Muskie's analysis and his penetrating comments, I ask unanimous consent that the article, published in the March 1969 issue of the Carpenter, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Air We Breathe, the Water We Drink

(By Senator Edmund S. Muskie) [1]

Unfit for human consumption! Do not drink this water! No bathing—beach closed! Are these the signs inevitable of a modern industrial society? Or are they indicators of decay, lack of concern, and disregard for resources?

Today throughout America these signs mark centuries of neglect of our water resources. Headlines such as "Lake Erie is dying" and "pollution takes toll" appear daily across the nation.

And they apply only to our water supply.

Air pollution occurs with increasing frequency. Air pollution alert systems have been established in many of our major cities. Emphysema, bronchitis and other chronic respiratory diseases continue to increase in geometric proportions.

And our landscape is scarred. Land developers, highway builders and strip miners have laid waste to the countryside with little or no regard to erosion or siltation control. We abandon our litter and bury and burn our garbage, with little or no thought to the environmental effects or to the waste of resources.

The environment we live in is more than skies, streams and open spaces. Highways and buildings are part of modern man's habitat. A highway built without regard to the integrity of a community can destroy the vitality and degrade the quality of that community.

With increased leisure, broader education and greater mobility, we are more sensitive to the impact of environmental contamination on our lives.

We demand changes. We react to dirty air, foul odors, vile water, noise and ugliness with disgust. We demand changes.

But as consumers of an ever-increasing supply of goods and services, we contribute to the activities which cause us misery.

It seems, at times, that man expects to use this good earth only for a short time; that, when all our resources are consumed, our water is useless, and our skies are black, we will pack up and resettle on another new frontier.

I do not subscribe to this theory, nor do I support those who would make it fact. We must move now to renovate, rejuvenate and recapture our environment.

We must maintain that which is not defiled, enhance that which is degraded, and restore that which has been destroyed. While we may dream of the frontiers of space, we must act on the frontier of recovery.

None of this can be done if the people of this nation leave the decisions and the efforts to government and industry alone. Government can only make the laws.

It is people, consumers, who will determine the effectiveness of those laws—how they shall be administered.

This is what participatory politics is all about: People at each level of government actively participating in the decisions made at those levels.

We have laws on the books today to assure public participation in policy decisions which affect our environment.

The first stage of the water quality program has been a good example. During the period when states were required to set water quality standards, they were also required to hold public hearings to ascertain what kind of water quality the public wanted.

The same basic system—with some modifications—has been established for air quality standards. But, having environmental quality laws on the books is no guarantee of success.

Those who have profited in the absence of such statutes will always be better prepared, have more information, and spend more time protecting their interests.

Individual citizens tend to join battles on a crisis-to-crisis basis and fight unorganized battles.

This is where public officials can and must perform a key role. State and local environmental control agencies can translate consumer concern into meaningful standards which meet the tests of economic and tech-

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[1] An address by Senator Muskie before the Consumer Assembly 1969, Washington, D.C., January 30, 1969.

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nical feasibility and enhance environmental quality.

A creative people deserve a creative government.

Unfortunately, government develops vested interests which become more concerned with self-perpetuation than with social values. Sometimes economic interests and government agency interests become so intertwined that the public cannot distinguish between the two. When this continues for a long time, a clash between individual citizens and the combined forces of public agencies and private interests are almost inevitable.

We have seen this develop, for example, in the growing dispute over the location of large nuclear power plants licensed by the Atomic Energy Commission.

During the past five years, the Congress has been engaged in an accelerating effort to overcome the problems created by those who put short-term private gains ahead of long-term public needs.

From recent news accounts, it is apparent that our work is not done.

LAWS CHALLENGED

Those who put the conservation of resources and the enhancement of environmental quality far down the list of priorities are challenging existing laws and resisting our efforts to improve them. They are challenging and resisting even within the Department of Interior, whose principal responsibility is that of conservation.

We intend to overcome the challenges and the resistance, but we can't do the job alone.

We need the active support of consumers who care about a better environment. We need their participation in the educational and legislative job to be done.

Unfortunately, too many people, for too long, have assumed that participating in a democracy begins or ends at the ballot box. City, state and federal governments have functioned in the abyss of public neglect. Those who can afford constant representation in the halls of Congress, in legislative lobbies and in the city halls have dominated the decision-making procedures—often because of their constant presence.

The public—the consumer—has abdicated civic responsibility on a "let George do it" basis. The result has been devastating and will worsen. Too frequently that which is destroyed today cannot be recovered tomorrow.

We as a society, as consumers, must develop an ability to become involved. In effect, we must move our criticism from the kitchen to the hearing room, from the living room to the legislature, from the back fence to the ballot box, from in front of the tv set to in front of the tv camera.

All too few of us take an active interest in many, many problems which immediately affect our lives.

We depend on government to make fair and responsible decisions on these matters, yet we complain about the costs required to bring the necessary expertise to government.

We depend on government to find solutions to problems which seem too complex for us as individuals, and yet we make no attempt to provide direction or participate in the decisions.

I recognize that meaningful public participation in environmental policymaking cannot occur in the absence of alternatives.

Examples abound where projects designed to meet a public need are caught between adamant proponents and opponents, because no alternatives have been offered.

One needs only to look at the federal highway program to see the inherent dangers which exist when people concerned about the environmental quality have no available alternatives.

Government has an obligation to provide and the public has a right to demand built-in-safeguards in these programs to assure that this does not happen. These safeguards cannot be limited to public hearings and beautification measures. The public is entitled to and must demand alternative methods for meeting specific goals.

One of the areas where we are most in need of alternative approaches to pollution control is that of handling solid wastes.

We live in a disposable society. Appliances and machines have built-in obsolescence. No deposit, no return bottles and cans are used as a convenience and cast out as a nuisance.

Here, the consumer finds himself in the position of the industrialist or the government agency head. He—or she—intent on the enjoyment of technological advances and supported by the availability of the disposal and the trash collection, adds daily to the mountains of solid waste we dump, bury and burn.

RETURN TO NATURE

Some of these wastes gradually return to nature, as is the case with 100 million tons of wood wastes and 7 million tons of newsprint per year. Some kinds of wastes, however, become permanent additions to the landscape, as is the case with 150 million annual tons of steel mill slag and 30 billion glass containers per year.

The materials we waste need not be wasted. They contain resources which are limited and can be reused, if we are willing to find new and better ways to recover them.

From the limited evidence we have gathered in our committee, it is evident that recovery and re-use will have far lower costs than our present program of shifting the waste problem from private homes to public places.

But consumers will have to educate themselves and work for better solutions if public officials and corporate executives are to respond. The power of voices, votes and pocketbooks will have to be combined.

Man is affronted by his environment today because he has ignored his environment in the past.

We can never achieve the environment of our past, but we must recognize, as James Fenimore Cooper said in *The Prairie*, "The air, the water and the ground are free gifts to man and no one has the power to portion them out in parcels. Man must drink and breathe and walk and therefore each man has a right to his share of each."

Insuring that each of us has an equitable share of these blessings becomes more complex in a complicated world. But, as Cooper wrote, the water, the air and the land are in fixed supply. Each must yield to ever-increasing demands upon it. If we are not careful, God's future children will not have a fair share of any of them.

DEVELOPMENTS IN LEGAL EDUCATION—ADDRESS BY SENATOR MATHIAS

Mr. SCOTT. Mr. President, the distinguished Senator from Maryland (Mr. Mathias) recently delivered an outstanding address before the Baltimore chapter of the Federal Bar Association. In his remarks, Senator Mathias hails developments in legal education and notes that America needs and is beginning to get a "law corps" of young lawyers acquainted with social problems and dedicated to solving them. The Senator from Maryland highlights the reason behind the development of this "law corps"—the adoption by law schools of imaginative new programs which give the students meaningful experience in how the legal system actually works and integrate that experience with classroom teaching. As Senator Mathias aptly states, these young lawyers of the "law corps" can make a great contribution to society in the finest tradition of the law—commitment to the orderly resolution of disputes combined with a commitment to justice.

I commend this excellent address to Senators and ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks Delivered by Senator Charles McC. Mathias, Jr., at a Luncheon of the Baltimore Chapter of the Federal Bar Association, April 22, 1969

During the last five years we have seen greater changes in American legal education than during the previous ninety-four years since Langdell introduced the case method in 1870. It is no coincidence that these changes have occurred during a period of unprecedented social ferment. The law schools, perhaps more than any other segment of the legal profession, have recognized that this ferment poses new challenges to the bar, and that if lawyers are going to continue to play an active role as "social engineers" the very nature of legal education must change. I think this development is good, indeed necessary, because we need a special breed of "*social engineers*" to keep our society together while some painful adjustments are made. And that is the role—one might almost say the mission—of the bar today.

The term "social engineer" has been used before to describe our profession. And it fits very well, for much of what lawyers do can be described as "law-making." This is true in ways we do not always recognize. The terms of a contract are "law" to the parties to that contract; the elaborate covenants of a subdivision are a part, sometimes a very important part, of the law for those who live in that subdivision. This general point is especially true in the case of lawyers who work for or who practice before government agencies. The interpretation of laws, the making and interpreting of rules and regulations, all this is lawmaking just as surely as what we in Congress do. And in the long run it is probably more important. All in all, the way lawyers do their work and the attitude they bring to the job—in short the *kind* of lawyers we have—play a major role in determining what kind of society we have.

America needs—and is beginning to get—a "law corps" acquainted with social problems and committed to solving them. We have the Peace Corps, the Teachers' Corps, and VISTA—all of which give young people first-hand knowledge of social problems and a chance to do something about them. The law school graduates of today can truly be said to form a "law corps"—and it doesn't have to be a government-funded program to do its job either.

What then is happening in the law schools? The most significant development is the growing number of courses and programs that give the student an in-depth experience of how the legal system actually works. Students today are not just debating the constitutionality of "stop and frisk" laws under the fourth amendment; they are observing policemen stop and frisk. They are not merely learning the Uniform Commerical Code's definition of a "holder in due course;" they are seeing what that means when an automobile or a television set is repossessed by a finance company.

This development was long overdue. Mayor John Lindsay put it very well recently when he said that Law schools had "lost touch with the law on the streets—enforced by police, prosecuted by district attorneys, adjudicated by judges." He need not have limited this comment to the criminal justice system; it applies across the board.

One of the most imaginative programs anywhere in the country has recently been

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instituted here at the University of Maryland Law School, in close cooperation with the Supreme Bench of Baltimore City and the State's Attorney, Charles Moylan. Many of you are no doubt familiar with it. Under the direction of an Assistant State's Attorney and a law school professor, students do research, interview witnesses, answer motions and generally assist in preparing cases for trial. Part of the program takes place in the classroom with seminars on particular problems in criminal justice. There are also field trips, which have included competency hearings at a mental hospital, a visit to the police laboratory, and an autopsy at the morgue.

The students receive academic credit, and they ought to. For this is meaningful legal education, combining the practical and the academic. There are a number of other programs across the country, many of which have gained national attention. These include the "Squad Car Lawyers" at New York University, the Roxbury Defenders at Boston University, and the Urban Legal Studies Workshop at Yale.

Another important development is the recognition that the law does not exist in splendid isolation from other disciplines. Increasingly in the catalogues of our law schools, one finds courses with titles like "Psychiatry and the Law," "Sociology of Law," "The Law and Computer Technology." Joint professorships and combined degree programs among the various faculties of a university are also increasing.

What these two developments taken together mean is that our law schools are producing graduates who not only know how the law actually works and how it affects people, but also see the law in broad perspective as part of a larger whole. I think this is happening without sacrificing the traditional skills in which our profession rightly takes pride: ability to reason, to analyze and to see the component parts of a problem. And these graduates are also instilled with that special commitment to justice which, time and again, has set our profession apart.

Out of the work of the law schools and this new melding of the practical and the academic can come the reforms which our legal system vitally needs. There are many respects in which the traditional criminal justice system seems to have broken down, particularly when it must process a staggering volume of cases. And it may be possible—even necessary—to develop wholly new ways of resolving disputes between individuals, and between individuals and the state. One thinks, for example, of the concept of the ombudsman or of the controversial question of how to handle automobile accident cases.

Even more important, I think, are the graduates themselves and the role they will play in society. In a time of civil disorder, campus sit-ins, demonstrations, counter-demonstrations and general alienation, there is an urgent need for men who are committed to orderly processes of making decisions and resolving disputes, but who cannot stand silent in the face of injustice. That is the kind of young men who are graduating from our law schools today, and they represent, in my opinion, the finest traditions of the law.

IDAHO'S 116TH COMBAT ENGINEER BATTALION—MAKING THE BEST OF A BAD THING

Mr. CHURCH. Mr. President, the May 1969 issue of the National Guardsman contains part two of a two-part series entitled "The Army National Guard in Vietnam." I was especially interested in the part of the article, dealing with Idaho's 116th Combat Engineer Battalion.

The story points out the effectiveness of the Idaho National Guard unit and its successes in Vietnam. It tells of the work these fine young men from Idaho are doing in the service of their Nation in this most tragic and confusing of wars.

As a tribute to Idaho's 116th, I ask unanimous consent that the portion of the article dealing with the "Gem State Engineers" be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

THE ARMY NATIONAL GUARD IN VIETNAM—PART II

(By Lt. Col. Bruce Jacobs)

LONG BINH, REPUBLIC OF VIETNAM.—There are, as it has been written, so many strange aspects to this strange war which is Vietnam. It is strange for Guardsmen, too, and in a way which may not at once make sense to those who served as members of mobilized Guard units during World War II or the Korean War.

A Battalion Commander over here had this interesting observation: "This is the first time, in three callups as a Guardsman, that I have felt so distinctly the problem of being a member of a minority!"

The Guard units are, of course, but a small part of the force structure of U.S. Army, Vietnam. And this is what leads this particular officer to his main point.

"I think," he says realistically, "that it is precisely because there are so few of us that we just plain stick out. We always seem to be under the gaze of many sets of eyes!"

Many Regulars seem genuinely surprised to learn that there are Guardsmen in Viet Nam. There seems to be a somewhat general feeling that the mobilization sort of fizzled out. On the other hand, there is a widespread feeling among Guardsmen that the Army tends to over-supervise them and is reluctant to turn them loose.

As is always the case, there is a good deal of middle ground between the extreme views.

For example, those senior Commanders who have day-to-day or frequent contact with Army Guard units seem to be genuinely pleased and impressed. Guardsmen who voice feelings of frustration at being "over-supervised" tend to lose sight of the fact that in this tightly controlled and politically-oriented war, *all* military forces in Viet Nam are subject to sometimes extraordinary precautionary measures designed to protect friendly forces and friendly civilians and to give the troops themselves every possible advantage which will enhance the chances of survival.

What seems to come out of this situation is that the more contact Army Commanders have with Guard units, the better they like them. There is no note of condescension, for example, when Col. William L. Barnes, CO of the 35th Engr Group in the Southern II Corps Tactical Zone talks about the tough, hard-driving 116th Engr Bn from Idaho.

"GEM STATE" ENGINEERS

"These are good Engineer troops," he says. "And the same goes for my other Army Guard unit, the 131st Engr Co (from Vermont). Both of these outfits are out working key roads which have very high priority in the line-of-communications mission in the 35th Group. If they weren't first-rate Engineer troops we certainly wouldn't have them assigned to our high-priority tasks!"

Col Barnes' 35th Group is one of the major elements of the 18th Engr Bde—and it is the only Group with two Combat Engr Bns assigned. To give the 116th some of the capability of a Construction Bn, Lt Col Donald R. Ghormley's Idaho command was beefed-up with the attachment of the 572d Engr (Light Equipment) Co, an Active Army unit.

To provide the same configuration to the sister 70th Engr (C) Bn, Vermont's 131st, commanded by Capt John Andrews, was attached to the RA unit. It is, of course, sheer conjecture as to whether the achievements and reputation of the 116th caused the 70th to add to its CP sign: "The only *RA* Combat Engineer Battalion in the 35th Group."

That the 116th is a *Combat* Engineer Bn, however, is without question. The Bn soon after its arrival in Viet Nam last Fall moved out into an isolated area in the Central Highlands and threw up a defensive position which, from the air, looks for all the World like one's mental image of an old horse Cavalry post in the Far West.

With a well-fortified perimeter, a stout berm, mortars and machine guns emplaced for self-defense, the 116th base camp near Bao Loc is indeed a formidable sight. Essential installations are dug-in and sandbagged. "If Charley wants to come in here," the Bn CO says laconically, "he'd better bring his lunch."

But of course the Engineers are, first of all, road builders. When a visiting senior Commander worried over the lack of nearby Infantry forces, Col. Ghormley gently reminded him: "We're *Combat* Engineers. . . ." And the 116th continued to work its road.

Its road is the so-called National Highway 20 so-called because, like so many roads designated National Highways on topographical maps, it twists and winds, crudely paved in some places, little more than a meandering dirt trail in others, and a rock-strewn jumble where it slices through steep jungle canyons.

Yet it is a most vital artery whose opening, if it can be kept open, can have a profound effect on Viet Nam traffic and commerce.

The route is more-or-less North out of Saigon. At the boundary of the III and II Corps Tactical Zones, it traces its way through the so-called Banana Pass, winds past B'Sar to Bao Loc and thence North-Northeast through Di Linh to Dalat, and on to the coastal logistics complex of Cam Ranh Bay.

On the one hand it offers a possible major alternate means of getting from Saigon to Cam Ranh without having to use the often-interdicted portions of National Highway 1. Second, it holds out the promise of a high-speed road to carry farm produce from the lush fields of Dalat to the waiting markets in Saigon—a route which today is marked with delay and danger for the traveler, whether in military or civilian convoys.

The Bn AOR—area of responsibility—encompasses all of Lam Dong Province, the Southern half of Binh Thuan Province and Northwestern Tuyen Duc Province. The 116th is in support of Task Force South, a force of small Brigade size which is the I Field Forces fire brigade, as its name suggests, in the Southern Corps Tactical Zone.

The Bn, less Co B, moved into its AOR last October after its in-country orientation at Phan Rang on the Coast. Co B, commanded by Capt. George W. Eldridge, was sent on a special mission to Phan Thiet, some distance South of Phan Rang where urgently-needed repairs were to be made on an airfield.

In January, the author was present at an Engineer conference in Nha Trang when Lt Gen William R. Peers, the IFFV CG, talked about "the magnificent work of Co. B, 116th Engineers, in completing the airstrip construction task four full days ahead of the deadline we had given them . . ." It was a sincere and soldierly tribute and the General concluded his remarks by saying: "These people are going to be missed when they get pulled out. They are really paying dividends."

After its work on the 3500-foot Phan Thiet runway, a major resurfacing project, Co B also found itself with a road clearing and maintenance assignment on nearby sections of Highway 1.

Once the bulk of the Bn was airlifted to its present base camp site Bao Loc, its major job began. That, of course, was the task of upgrading Highway 20. The Engineers quickly found Lam Dong Province to their liking.

It is mountainous, thickly forested and cool after sundown, the climate proving to be strangely similar to that of Northern Idaho in the Summer.

Soon after the Bn started to occupy its new base camp, the enemy struck—a violent standoff attack by 82mm mortars. The result was one killed and 21 wounded. It was an angry and frustrated Bn that easily spotted the enemy mortar position but found itself lacking organic weapons with which to place effective fire on the enemy tube. Steps were taken quickly to get .50-cal. machine guns and 81mm mortars.

Engineer crews manned the heavy weapons and wasted little time in registering on nearby reference points. The VC took note of the Bn's improved defense status and the heavy attack was not repeated. But in the weeks and months ahead their work parties time and time again would be the targets of enemy gunners.

On 4 Dec., for example, a Co D work party drew sniper fire near Bao Loc, and the very next day a work detail from Co A was fired on near Di Linh. There were no friendly casualties. But on 8 Dec., three Co D men and six ARVN Infantrymen were wounded when a mine was detonated while the Engineers were trying to shore-up a battered bridge.

Also during December, Hq and Charley Co convoys came under sniper and automatic weapons fire. During January, the Engineers found that the enemy was stepping up his mine warfare campaign, intended to thwart the Bn's progress. An Alfa Co 'dozer hit a mine which resulted in a seriously-wounded operator and a slightly-wounded assistant; a Charley Co. 'dozer detonated a small explosive and a Bravo Co detail found two mines which the Engineers quickly blew in place.

When a MACV officer reported a bridge on Highway 20 blown, Delta Co found a mine in the roadway while its work detail was repairing the bridge. It was blown in place. Later that same day a nearby timber trestle bridge was blown.

By this time the Engineers had pretty well scraped and cleared the road from Dalat through Di Linh to Bao Loc. During January Cos A and C were ordered to displace to a new base camp in the vicinity of B'Sar, close to the Corps Tactical Zone bundary. Here they would come to grips with the last and most difficult section of their road, for B'Sar is the approach from the North to the winding and tricky Banana Pass.

Scarcely had Co C moved into its base camp when it received several rounds of 60mm mortar fire. But they landed 75 meters outside the defensive berm. In no time at all Co C cleared 90 acres of jungle to make way for its base camp. It set up housekeeping and soon was joined by Alfa Co.

Co D has remained co-located with "Head & Head" at the Bao Loc base camp where it continues its work on Highway 20—widening shoulders, ditching and culvert inlet basin improvement. It has repaired four damaged bridges (two of them twice) and built one permanent bypass.

Sometimes this can be frustrating work. For example, Delta Co raced against time to replace the decking on the Eiffel (a type of Engineer bridge) portion of the Dai Quay River bridge. A few days later the concrete bridge across the Da R'Sion River was partially destroyed, so the Engineers provided the Ministry of Public Works assistance in dismantling, repairing and launching a new bridge. A temporary bypass also was constructed. But within a couple of weeks the bridge once again was partially destroyed, and again the Engineers had their work cut out for them. To thwart the enemy thrusts, the Delta Engineers then constructed a permanent bypass.

Altogether, along Highway 20 from East of Di Linh to the Corps Tactical Zone boundary, the Bn has installed about 20 culverts, constructed two bridge bypasses and cleared better than 137,300 square meters of jungle and excavated some 85,000 cubic yards of earth.

Base camp areas have been cleared for an ARVN Infantry Regt. Showers, latrines and SEA "hootches" were built for a Bn of the 173d Airborne Bde. The Idahoans also improved the road nets in and around the various base camps, relocated berms for defensive purposes, and installed and upgraded culverts.

And while it has been working its road, improving base camp living and defensive conditions, clearing the jungle and completing a vital electrical distribution system, the Engineers have not neglected opportunities to take part in civic activities.

Co C, for example, leveled and cleared a 12,000-square-meter area to provide a village center for a Montagnard community and built earthen pads to be used as sites for a hospital, school and administration buildings near Di Linh.

While the Engineers were still in the Di Linh area, they started an English language program for Montagnard children. According to 1st Lt. Michael Brown, this project was undertaken by members of Alfa and Charley Cos. Some 50 men volunteered and 10 were picked. More than 100 children took part in the program until the Engineers displaced to B'Sar.

Although spared the effect of the formal infusion program (both Army Guard Engineer units were exempted from the system by USARV), an infusion of sorts has taken place in the flow of replacements for combat losses, ETS, etc. About 140 new men have come into the Bn. A number of officers have been promoted out to new jobs.

An important aspect of the Highway 20 assignment is clearing the jungle back 50 to 100 meters to each side of the road. In some places it would seem that this can't be done, so thick is the jungle and so steep are jungle-covered canyon walls.

But the Idaho Engineers with their 'dozers yo-yoing at hairy and precarious angles hack away at the jungle growth and day by day more of the thick, lush growth is laid bare, depriving the enemy of well-protected ambush positions. And as the road is widened, scraped and compacted, a high-speed highway appears, to make it more difficult for VC tax collectors to harass the civilian convoys that have been such easy prey in recent years.

"This is just exactly the right kind of job for this kind of Battalion," says Col. Ghormley. "This is a job for Combat Engineers."

DR. WILL PIRKEY ELECTED PRESIDENT, EXECUTIVE COMMITTEE, NATIONAL ASSOCIATION, PARTNERS OF THE ALLIANCE

Mr. DOMINICK. Mr. President, I am pleased to invite the attention of Senators to the recent election of a distinguished Coloradan to serve as president of the executive committee of the National Association of the Partners of the Alliance.

Dr. Will Pirkey of Denver will succeed Mr. Edward Marcus, of Dallas, in this post of an organization endeavoring to further mutual development with Latin and South American countries. Dr. Pirkey is the former president of the Colorado Partners Committee and was a member of the original Colorado program development team which traveled to their Partner state of Minas Gerais, Brazil, in 1964. Dr. Pirkey's leadership in the Partners program included service as cochairman of the Third Inter-American Partners Conference in Lima, Peru, in 1968.

The Partners committees throughout the United States and Latin America are making final preparations for the Fourth Inter-American Conference to be held in May in our neighboring State of Utah. Citizen leaders are volunteering their talents to implement action-oriented projects in the fields of agriculture, health, education, and business. The program is an encouraging example of how individuals and private business can organize and channel their resources in working with other nations, without relying solely on Federal programs.

I am very proud that Dr. Pirkey, as the president of the National Association of the Partners, has undertaken this new responsibility and I wish him all success in his effort.

OPPOSITION TO ABM

Mr. HART. Mr. President, I ask unanimous consent to have printed in the Record an unusually persuasive letter—among the many I have received—in opposition to the Safeguard ABM proposal. It was written by University of Michigan Associate Professor of Physics Byron Roe. I believe that Senators will find it of interest.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Ann Arbor, Mich.,
April 24, 1969.

Senator Philip A. Hart,
U.S. Senate, Washington, D.C.

Dear Senator Hart: I am writing in response to your request for comments on the Safeguard ABM proposal.

In the previous letter which I signed together with many of my colleagues I felt that our most important argument against the ABM system was that we did not feel the system as proposed would work.

I have seen no new features published about the Safeguard proposal which would lead me to believe it would work any better than the previous proposal.

Let me respond to the remarks made by John Foster in his letter to you dated March 23.

1. His discussion of penetration aids ignores the consideration that reliability is much more of a problem for the ABM than for the attacking ICBM. A 70 percent reliability is fine for the attacker but disastrous for the defender. It is in fact far simpler to design and build specific penetration aids against a specific and generally well known defense than to design a general defense system which would be effective against the whole spectrum of penetration aids. For instance, as I understand the present proposal it has only a few radar sites and would be extremely vulnerable to a radar blackout type of attack. This would involve essentially no new development of penetration aids by the Russians and only require them to fire some missiles in advance which would be exploded in midflight blacking out the sky behind them to radar stations. Further missiles appearing out of this blacked-out area could come closer to the radar, then explode bringing the blackout region closer. With an expenditure of perhaps 5 to 10 missiles per radar site, the blackout could be essentially complete, the Spartan system made useless, and the Sprint system crippled.

It would be exceedingly interesting to have the Defense Department estimate relative costs of alternate methods of maintaining our second strike capabilities. For instance,

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we could rearrange our missile sites to be far enough apart that on the average one attacking missile could only destroy one ICBM of ours. In that way the Russians could only hope to destroy our second strike capabilities if they had many more missiles than we had, which is not the case now and which I am certain we would never allow to happen. The same result could be obtained by "super-hardening" existing missile sites so that only extremely close hits by a huge bomb would disable them.

2. As stated in our previous letter, the accidental launch problems may in fact increase with a large number of ABM missiles in place which must necessarily be on a hair-trigger. It seems generally senseless to worry about an accidental launch of a single missile which is aimed at our missile bases. It would be hard for it to do 8 billion dollars worth of damage. If the ICBM missile is aimed at a city and if an ABM can intercept it, then generally the cities are also in the range of the ABM which necessarily has a larger accidental launch probability than an ICBM.

3. The Safeguard system was first advertised as a defense for our missile bases only. Foster's letter and also several newspaper releases, however, mention protection versus a Chinese attack. The Chinese will certainly not have the means to destroy a significant segment of our hardened missile bases and polaris submarines in the next few years. Presumably then it is being argued that these same bases will in fact defend our cities against a light ICBM attack. The Sprints will be useless for this purpose in the proposed system since they will not be placed adjacent to cities. The questions are then whether the Chinese will have sufficient technical skill to employ effective penetration aids against the proposed Spartan systems and sufficient insanity to attack our cities while leaving our first strike capabilities intact. I suspect that they will be able to develop penetration aids in a reasonable time. We may in fact obtain a year or two of some measure of security against Chinese attack but it is very unlikely that it would last for a longer time. It is quite conceivable in fact that their penetration aids could be readied before our ABM system is deployed.

I might add that Foster has previously been quoted (Aviation Week, May 15, 1967, p. 23) as making statements precisely counter to the arguments presented in his letter to you, and in fact arguing that any ABM system would necessarily be obsolete before being deployed.

There are perhaps several more important questions than those raised by Foster's letter. This defense, even if it would work, would defend only against ICBM's. The attacker has, however, a great many more options. Smuggling of A or H bombs into our cities, for example, appears to me to be quite feasible, especially considering that the amounts of money which could be utilized for such projects would be extremely large by normal standards and still be only a fraction of the cost of ABM's or ICBM's. Low-level bombers are a means of delivery of atomic warheads not defended against at all by this system. There are methods involving airborne radar systems which have been suggested as a partial defense against low-level penetration, but these involve the additional expenditure of several billions of dollars and are not included in the present request at all. The defense system would be almost totally useless without these, and it is a near certainty that if the Safeguard system is approved a further request for this system will follow shortly.

Finally I wonder why the question of biological warfare has not been raised. It seems unlikely to me that an aggressor willing to kill a hundred million or more people in a nuclear attack would shrink from this weapon. Deadly germs and viruses could be smuggled in almost trivially, and we have little conceivable defense against it.

In short, it would seem that we are defending against ICBM's because there is some small hope we can do it, but that it is like stopping up one hole in a sieve. The water will pour through all the same.

Sincerely,

BYRON ROE,
Associate Professor of Physics, University of Michigan.

CHRISTIAN CONSCIENCE AND THE WAR IN VIETNAM

Mr. FULBRIGHT. Mr. President, the April 17 issue of the Arkansas Baptist magazine contains an excellent article entitled "Christian Conscience and the War in Vietnam," written by Frank Stagg. I believe that it will be of interest to Senators and readers of the RECORD in general. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHRISTIAN CONSCIENCE AND THE WAR IN VIETNAM

(By Frank Stagg)

"Free, white, and twenty-one" was once a proud boast.

We have been compelled to rethink the meaning of color, and now millions of young men are compelled to reassess the meaning of being 21 or 18 or 26.

For many it means being thrust into the awful dilemma of a young man who loves his country yet loathes what it commands him to do. He must turn his back on moral, ethical, and personal values counted Christian and taught as primary in home and church. He must become the property of a military establishment and learn how to kill men ten thousand miles from home.

Vietnam hangs like a cloud over much of our life, crushing numberless young men whose plight it is to be between 18 and 26. For many there is a less viable option to an impossible course that there is for a boy in a ghetto, however improverished or disenfranchised. The boy in the ghetto can at least start walking out; the military draftee has no real option—only silent submission to what for him may be worse than death. He is forced to participate in a war which after eight years remains undeclared, possibly illegal, and judged unjust by many Americans who are impeccable in their devotion to their country.

Listen to Dwight D. Eisenhower and David M. Shoup. Parents agonizing over their sons may speak more from distraught feeling than informed judgment. Hear, then, the former general of the armies and president of the United States of America. In his farewell address, he uttered that by which he most wanted to be remembered, and what probably was the most important thing he ever said:

"In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for disastrous rise of misplaced power exists and will persist. . . . We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals so that security and liberty may prosper together."

President Eisenhower saw both security and liberty to be threatened by the rise of the military-industrial complex.

In the years since Eisenhower sounded the alarm, the number of retired high-ranking officers of the military now in industrial firms holding contracts with the Defense Department has increased 300 percent. According to a report prepared for Senator Paul H. Douglas (D.-Ill.): in 1959 there were 721 retired military officers of the rank of army colonel or navy captain or above in the top 88 defense industries. Today there are 2,072 such retired military officers in the top 95 industries holding contracts with the Defense Department.

But more! General H. Shoup, former commandant of the Marine Corps, hero of the Battle of Tarawa in World War II and holder of the Medal of Honor, has charged in a national magazine (*The Atlantic*, April, 1969) that our deep involvement in Vietnam and our invasion of the Dominican Republic are traceable to the search for promotion, inter-service rivalries, and the desire to test new equipment and tactics on the part of the military establishment.

What can a Christian father say to his son. Can Christian conscience keep silent when proven patriots in the military, in the Congress, even in the presidency warn that wars are sometimes fought for money, glory and promotion?

Already we have sent almost 35,000 young Americans to their deaths in Vietnam. We have killed probably a million Vietnamese soldiers and civilians. We have virtually destroyed a country and imperiled our own. To what end? For how much longer? The secretary of defense proposes at least two years and possibly ten. An eighteen-year war? Why?

Vietnam has a known history of more than 2,000 years (from 208 B.C.) characterized by strong nationalism and resistance to outside aggression. Until modern times it was China which the Vietnamese most feared and resisted. Then came France with missionaries backed by troops and colonialism. For one month after the defeat of the Japanese in World War II Vietnam was united. Then, at Potsdam in 1945, the country was arbitrarily divided by the "Big Three": Russia, Britain, and the United States.

North Vietnam was awarded to Chiang Kai-shek and South Vietnam to France as "sops" from the spoils of battle. Chiang Kai-shek was too weak to fight for his portion, but the French fought to hold on to theirs—by using captured Japanese troops (over Douglas MacArthur's protest) against the Vietnamese.

Finally, though, the French were out and we were in—caught in the middle of a civil war. Except for those who are deriving money and political power from us, do we have friends in Vietnam? Is the extensive "pacification" program itself an admission that we must persuade the people to let us "liberate" them? After eight years of war, we are still capturing the same villages—for we are fighting South as well as North Vietnamese! Why?

There are only two ways our land is vulnerable to military assault: by land invasion or by missiles. Vietnam, ten thousand miles away, means nothing to the safeguarding of our security against either threat. Our involvement there invites the fear and hostility of much of the world. And it serves no good for the Vietnamese!

When will the war stop?? When we choose to stop it. That could be and must be now. Save face? We can save face only by confessing that to err is human, and we are human. What is fatal is, not to err, but to persist in error.

While congressmen, generals, and a late honored President call in question our basic motives and interests, how can we justify continuing to send our young men into a war of such questionable morality or wisdom?

Some have proposed a million letters to Washington to protest the appointment of

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an ambassador to the Vatican. How about a few letters to demand that an undeclared war be stopped now!

(Note.—Frank Stagg, author of this provocative article, is a native of Eunice, La. He is a graduate of Louisiana College (Baptist) and the Southern Baptist Theological Seminary, where he received the Ph.D. in 1943. In addition to a Louisiana pastorate in the 1940's, Stagg taught on the faculty of New Orleans Baptist Theological Seminary from 1945 until 1964, when he was named to the James Buchanan Harrison Chair of New Testament Interpretation at his alma mater, Southern Seminary at Louisville. He has written five major books, and is currently managing editor of Review and Expositor, the faculty journal of Southern Seminary. He has studied abroad at Basel, Switzerland, Edinburgh, Scotland, and Tuebingen, Germany.)

DEDICATED SERVICE OF JOHN McGEE

Mr. TOWER. Mr. President, on May 1, the distinguished Senator from Wisconsin (Mr. Proxmire) brought an important matter to the attention of this body. I am speaking of the remarks made concerning Mr. John McGee and the dedicated service he rendered to his country.

The Congressional Record of May 1 contains adequate explanation of the circumstances which led to Mr. McGee's discovery of waste in the supplying of jet fuel oil to Vietnam. I do not intend to add any information to the excellent report given the Senate by the Senator from Wisconsin on that date.

I do, however, wish to join with those who commend Mr. McGee for the contribution he made to our effort in Vietnam. I have recently returned from that embattled country, Mr. President, and the problems facing our fighting men there are quite fresh in my mind. Those fine Americans deserve all the support that we can possibly give them. There is no room for waste an inefficiency in the delivery of vital war goods. Mr. McGee's determination to examine all the facts rather than merely look the other way has resulted in an elimination of a situation in which American taxpayers were paying for goods which were never delivered to our fighting men. To the extent that Mr. McGee's efforts will prevent a recurrence of this situation, he has saved American lives. Surely no finer thing can be said of a man.

ELECTORAL CHANGE SUPPORTED BY FORMER VICE PRESIDENT HUMPHREY

Mr. BAYH. Mr. President, various newspapers have begun recently to publish a newspaper column written by former Vice President Humphrey setting forth his views on public issues. I was pleased to note that one of his first commentaries discussed why the electoral college should be abolished and replaced with a system which would guarantee that the Presidential ticket receiving the most votes would be elected. At the same time he also advocated lowering the voting age to 18.

In view of his experience as the Democratic standard bearer in the 1968 campaign and because of the small margin separating the two major candidates in the election, Mr. Humphrey's testimony on these matters deserves special attention. Of particular interest are several of his conclusions regarding the advantages of a direct election system: that campaigns would be more national in character; that smaller States would get more attention than now; that no State would be considered "safe"; that the two-party system would be strengthened; and that there would be less inclination to nominate candidates from big States.

Mr. President, because of its timeliness and significance, I ask unanimous consent that the article, entitled "Electoral Change Held Necessary," published in the Indianapolis Star of April 21, 1969, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Popular Vote, Lower Age—Electoral Change Held Necessary

(Note.—Today The Star begins publication of two new weekly columns, one by Hubert H. Humphrey, former Vice-President and unsuccessful presidential candidate last year, and the other by Barry Goldwater, unsuccessful presidential candidate in 1964 and recently elected again to his previous post of Senator from Arizona. The two columns will appear on this page each Monday.)

(By Hubert H. Humphrey)

In the heat of the 1968 campaign, at a time when it looked very much like George Wallace might throw the presidential election into the House of Representatives, Richard Nixon asked me to join him in a pact committing each of us to the idea that the winner of the popular vote on November 5, ought to become President.

I declined, not because I disagreed with the principle of direct election of the President, but rather because I believe the Presidency was too important to be subject to campaign agreements between candidates. I told Mr. Nixon that while I had long worked for abolishment of the Electoral College in favor of direct election of the President by the people, I believed the change ought to be embedded in our Constitution, not bartered in the critical moments of a political campaign.

The 1968 election, decided by half a million votes, very nearly did end up in the House of Representatives, where each state would have cast one vote. What if either Mr. Nixon or myself had been elected by the House and the one of us chosen was not the popular vote winner?

It is, as the American Bar Association has noted, an archaic, undemocratic, complex, ambiguous, indirect and dangerous situation.

In 1787, when the framers of the Constitution created the Electoral College, they acted in the belief that the American people were not qualified to judge who ought to be President. They thought the voters of each state should elect a small, select group of men who would be qualified to judge.

But as it has evolved, each political party now puts up its own slate of electors, so the candidate who carries the state almost automatically gets that state's electoral votes. The electors, however, are legally independent. They can vote for whichever candidate they please, as one North Carolina elector did in 1968.

Congress and the states have let this situation continue for too long. The electoral reform issues raised in the recent election must be acted upon.

I favor direct election of the President, as do the American Bar Association and, according to polls, 80 per cent of the American people. It would give each American citizen an equal vote—a fundamental principle of our democratic process.

Under the present Electoral College system, there is one elector for every 75,389 citizens of Alaska and one elector for every 392,930 citizens of California. This is unconscionable and undemocratic.

Direct election would give campaigns more of a national flavor. Candidates would continue to go where the most people are, but the smaller states would likely get more attention. Every citizen of every state would have good reason to cast a vote. There would be no safe or swing states. Each person's vote would count equally.

Direct election would also strengthen the two-party system by discouraging regional or splinter party candidates from trying to throw the election into the House where they might play a kingmaker's role. If, under the direct election plan, no candidate received over 40 per cent of the popular vote, then I would favor a run-off election between the two top candidates.

Direct election would also make it less tempting for political parties to put candidates from big states on the ticket. There is now pressure to do so in hopes of picking up a big electoral vote payoff.

In this era of mass quality education and instant communications, we also ought to lower the voting age to 18. And we ought to break down the paper curtain of outmoded registration laws which keep so many of our citizens from voting. In 1968, only 72 million out of a possible 120 million voting-age citizens went to the polls.

Such a change will require enlightened political leadership—from the White House to the courthouse. We can afford no less. We cannot move toward the 21st Century with 19th Century election laws. Let's make this the year we safeguard our nation by putting the needed electoral reforms into the Constitution where they belong.

THE HICKENLOOPER AMENDMENT: A BLACK AND WHITE THEORY OF FOREIGN POLICY

Mr. CHURCH. Mr. President, recently the United States narrowly avoided a diplomatic disaster with Peru. The underlying problem, occasioned by the Peruvian expropriation of an oil company owned by American investors, has not been resolved, merely postponed.

Later this summer, President Nixon may again be faced with a new deadline for implementing the Hickenlooper amendment to the present Foreign Aid Act, which requires the President to suspend all aid to any foreign government which expropriates American-owned businesses and fails, within 6 months, to take appropriate steps to compensate the owners.

While the objective of just compensation is laudatory, the mandatory nature of the Hickenlooper amendment could force the President to place the private interest of certain American investors above that of the United States itself.

The danger implicit in such a law is well described in an editorial entitled "Buying Time," published recently in the Times-News, of Twin Falls, Idaho.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Buying Time

On the face of it, the Hickenlooper Amendment to the foreign aid law seems logical.

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The amendment, named after its sponsor, the retired senator from Iowa, requires the United States to cut off foreign aid to any government which does not pay fair compensation six months after it expropriates the property or facilities of U.S. businesses.

In practice, as shown by the current imbroglio with Peru, what the amendment really does is paint the United States into a corner and virtually tie the hands of the President.

In this case, the dispute is over Peru's seizure of the facilities of the International Petroleum Co., a subsidiary of Standard Oil of New Jersey—in particular, the exact amount of the reimbursement and a claim of $690 million against the company for its "illegal enrichment" at the expense of Peru over the past 40 years or so.

If this were a world of black and white, the Hickenlooper Amendment might make sense. But things are always more complicated than they seem.

As a recent appeal by 135 American religious and lay volunteers working with the Peruvian people put it:

"The Hickenlooper Amendment . . . cutting off all aid to Peru, is unwise in its automatic aspects and ignores the particular situation, state of mind and needs of developing countries . . . United States aid, which should be given as a matter of simple justice instead of being tied to narrow United States corporate or national interests, would better be channeled through international agencies."

The United States is reaping in Latin America the consequences of decades of devotion to the principle that "the business of America is business." In turn, the military junta now in power in Peru is riding the crest of popular revulsion against "Yankee imperialism."

By ruling that the process for reconciling the dispute has not been exhausted, the administration has wisely bought a few more months' time before the aid cutoff is to be applied.

But should negotiations fail, we stand to lose far more than Peru, and far more than mere money, if the iron-bound reflex written into the Hickenlooper Amendment is permitted to come into play.

OPPOSITION TO DEPLOYMENT OF ABM SYSTEM

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD the statement of the National Council of Jewish Women on the Deployment of the anti-ballistic-missile system.

This statement was adopted on April 21, 1969, at the council's biennial meeting in Chicago. This national organization is made up of exceptionally well-informed, public-spirited women. I believe the statement deserves wide reading.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TOPICAL STATEMENT OF THE 28TH NATIONAL CONVENTION, NATIONAL COUNCIL OF JEWISH WOMEN, INC., CONCERNING DEPLOYMENT OF THE ANTI-BALLISTIC-MISSILE SYSTEM

The National Council of Jewish Women as a strong supporter of the ratification of the Treaty on Non-Proliferation of Nuclear Weapons, which obligates the signatories to pursue measures relating to cessation of the nuclear arms race and towards general disarmament, considers the deployment of the Anti-Ballistic Missile System as counter to the spirit of this commitment.

The deployment of an Anti-Ballistic Missile System constitutes an escalation of the nuclear arms race, and is therefore not compatible with the promotion of world peace, to which the United States is committed. Escalation will tend to increase international tensions and greatly impair our efforts to create a climate in which constructive disarmament talks can take place.

Many eminent members of the scientific community challenge the validity of the ABM as a defensive weapon which will enhance the security of the United States. The enormous expenditure required to carry out the program—which could only be made at the expense of critical domestic needs—therefore seems unwarranted and not in the best interests of the country.

We urge the President to reconsider and the Congress to oppose the deployment of an Anti-Ballistic Missile system at this time.

ANTIPOLLUTION EFFORTS OF UNITED STATES STEEL

Mr. BAYH. Mr. President, considerable criticism has been directed at some of our industrial concerns for insufficient or improper means of waste disposal and for contributing heavily to the contamination of the Nation's supply of fresh water and air. While much of this criticism is thoroughly justified and conditions evoking them should be remedied, it is only fair to point out that many companies are now taking giant strides toward the control of pollution.

For example, last week Secretary of the Interior Walter J. Hickel cited one of our largest corporations, United States Steel, for its pollution abatement practices. In reply to a letter from the president of the company, Mr. Hickel described its progress in this field as a "fine example of industrial statesmanship and foresight" and as "both good policy and good industrial practice."

It seems to me that these achievements by the largest steel firm in America in combating both air and water pollution through intensive research, plant modernization, new equipment, and extensive construction deserve the recognition extended by Secretary Hickel. I ask unanimous consent that the text of a letter from President Speer, of United States Steel, to Secretary Hickel outlining these developments; a news release reporting Secretary's Hickel's citation of the company; and excerpts from an article entitled "Air and Water Care: 1969," from the United States Steel News for January–February 1969, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

UNITED STEEL CORP.,
Pittsburgh, Pa., April 30, 1969.

Hon. WALTER J. HICKEL,
Secretary of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: Knowing of your deep interest in promoting the cause of water pollution abatement in our country, I thought you might be interested in the progress to date in water pollution control by United States Steel.

While our efforts to control pollution from our plants have increased markedly in recent years, the fact is that the proper disposal of wastes from our operations has been a concern of our company for many decades. I want to make it very clear that it is now, and has been, our policy to install pollution control equipment as part of every new facility. With a major share of our water control installation program already accomplished, we are now concentrating on the installation of control devices on older facilities. Technology and economics are the principal factors governing our rate of progress in completing this phase of the program.

This year, in dredging operations at Lorain (Ohio) Works, we are disposing of the dredged material on land to avoid the possible pollution of Lake Erie. Similar arrangements for our South Works will be made to avoid possible pollution of Lake Michigan.

A program is under way to provide incinerators and treatment devices for sanitary wastes from our ore carriers and other vessels plying the Great Lakes. The completion of this program is now contingent upon determination of the degree of treatment required.

The conservation of water in recycle systems has been a necessity in such water scarce locations as Torrance, Provo, and the Iron Range. Recycling now holds promise of wider application in water quality control and selected for our South Works' blast furnace water cleaning system.

Modern methods of controlling the old problem of acid mine drainage include a variety of devices to prevent water from entering the mine. The water that does become acidic is neutralized with lime and contained in settling basins for removal of solids. Results obtained by these practices at Greensboro, Pa., and other locations are encouraging.

Expenditures for pollution control equipment by United States Steel have amounted to more than one quarter of a billion dollars in the last 15 years, with the greater amounts being spent more recently, and now have reached a rate of one-half a billion dollars in ten years, with many additional millions predicted for the next few years.

A complete rundown of our pollution control efforts is contained in the attached reprint from the U.S. Steel News. I know that many other industrial firms are as proud of their pollution control facilities as we are of ours. Only through such efforts as these can our urban society be assured of adequate water supply to fill future industrial and domestic needs. At U.S. Steel, we look on pollution control as sound investment for the future.

Sincerely,

EDGAR B. SPEER.

[Department of the Interior news release, Apr. 30, 1969]

SECRETARY HICKEL SALUTES UNITED STATES STEEL ON ANTIPOLLUTION EFFORTS

United States Steel Corporation was cited today by Secretary of the Interior Walter J. Hickel for its initiative in pollution abatement practices at the company's Lake Superior, Lake Erie, and Lake Michigan facilities.

"What U.S. Steel has done is both good policy and good industrial practice," Secretary Hickel said. "It is making a positive contribution to assuring adequate water supplies for future industrial and domestic expansion."

In a letter to Secretary Hickel, Edgar B. Speer, president of U.S. Steel, set forth the policy of his company in pollution abatement engineering in the Great Lakes as follows:

1. In Lake Superior at the company's Iron Range plant, all water used in the plant is completely recirculated and wastes are not discharged into the lake. In addition, all mine tailings are disposed of on waste land owned by the company, not discharged into the Lake.

2. In Lake Michigan, the company is going to dispose of all navigational dredgings on land and not into the Lake.

In its South Works' plant on Lake Michigan at the Calumet River, U.S. Steel is going to use complete water recycling in its blast water cleaning system.

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3. In Lake Erie, the company has also adopted the practice of disposing of all dredgings on land.

4. In addition to the above actions, the company has also initiated a program to provide marine sanitation devices for sanitary wastes and holding tanks for other waste waters on its 50 ore carriers and other ships in the Great Lakes.

In response to Mr. Speer, Secretary Hickel said, "This is a fine example of industrial statesmanship and foresight." He pointed out that water demand in the Great Lakes will be 3 times greater than supplies in 50 years. "The water reuse philosophy of U.S. Steel must become widespread if the industrial areas of the Great Lakes are to continue to provide jobs and incomes for millions of people," Secretary Hickel said.

"It makes good sense to be concerned with the quality of our environment. It is the base on which we have built a prosperous nation. If we destroy that base through careless and reckless pollution, we will diminish the economic and social fibre of our society," he said.

"Furthermore," Secretary Hickel added, "the company's action in the disposal of polluted navigational dredgings on land—rather than in the three threatened lakes—shows there is a sane, rational alternate to this dangerous pollution practice."

The company also told the Department it is now using lime to neutralize acid mine water, another source of pollution which causes significant damage.

[From United States Steel News, January-February 1969]

AIR AND WATER CARE: 19o9

We at U.S. Steel share many uses of the life-sustaining resources—air and water—with our community neighbors.

Air and water not only help provide food, drink, and breath, but also help grow material for our clothing and housing—they heat our homes—and cool them. They support us in travel, help provide our recreation, and beautify our environment.

Air and water also play a substantial part in the manufacture of U.S. Steel's products that serve mankind and provide our livelihood.

The following report updates our progress in protecting the interests of our neighbors in that fraction of the community air and water resources that we use in mining operations and in manufacturing steel, cement, and chemicals.

After performing its many manufacturing functions, the water we use "goes to the cleaners" before it returns to the natural water supply. Agitating, filtering, settling, clarifying, digesting, skimming, and flocculating are the standard quality-restoring processes of our water treatment systems. If this sounds like water torture, don't be alarmed. Flocculation, perhaps the most fearsome-sounding of the clean-up methods, is a gentle paddling which hastens the settling of solids by agglomeration.

The air we use undergoes equally strenuous treatment before it returns to the atmosphere. Washing, filtering, gravity, centrifugal force, precipitation, and vacuum cleaning are some of the ways air is induced to shed the impurities it picks up in manufacturing.

Necessarily, U.S. Steel News, in a single article, can only scratch the surface of our company's over-all performance in fulfilling its conservation responsibilities.

We have chosen for this report examples of the air and water conservation systems recently completed or now being built in U.S. Steel plants. Their physical dimensions will give you a pretty good measure of our effort.

This report will also touch on other phases of conservation with an example or two of plant-community cooperation in solving environment and water scarcity problems.

GARY'S NEW WATER SAFEGUARDS COVER 35 ACRES

Water treatment facilities require huge amounts of space—space to hold the water we have used in manufacturing. These resources must be held long enough to draw out the impurities chemically, by filtration, or gravity separation.

To illustrate the space needed, we have gathered the water conservation systems recently completed or now under construction at U.S. Steel's Gary (Ind.) steel plants and dropped them on Grant Park in downtown Chicago. Occupying 35 acres in all, they "cover the waterfront" from Randolph Street to Congress Street.

Could the engineers who laid out these plants half a century ago have foreseen today's vast demands for conservation space?

NEW STEEL DUST TRAPS—ELECTRIC AND HYDRAULIC MODELS

Electrostatic control of open-hearth dust emissions, introduced in America by United States Steel at Torrance (Calif.) Works in 1951, has become one of the Corporation's principal air conservation instruments.

John E. Angle, executive vice president-elect—production, shows Edward L. Stockton, chief of Allegheny County's (Pa.) Air Pollution Control Bureau, a model of the new precipitator that will bring the dust collection capacity of Homestead (Pa.) Works' famous open-hearth shop No. 5 abreast of production advances. The new unit will weigh 1,250 tons and tower 12 stories above the ground.

The gas-cleaning system is in the new basic oxygen steelmaking shop at South Works, Chicago. Through a series of sprays and scrubbers, this installation washes dust from the gas. The cylinders in the foreground, towering above the furnaces themselves, are the last step in the unit's hydraulic gas scrubbing system.

Comparable gas cleaning facilities will be incorporated in the new basic oxygen process shop at the Braddock (Pa.) plant of Edgar Thomson-Irvin Works, which will replace an existing open-hearth shop.

Basic oxygen steelmaking is an air quality plus because installation of pollution controls is an integral part of the basic production unit. This gives engineers the leeway they need to install the most advanced control technology.

ROLLING MILL SCALE, OILS STOP HERE

The more steel our rolling mills deliver, the more scale and oil we will have to trap. Theodore J. Koenig, general superintendent of Gary (Ind.) Sheet and Tin Works, sums up the increasing complexity of rolling mill waste collection with this bit of history:

"The first scale pit at Gary Sheet and Tin Works was dug in the Indiana dunes in 1911. A major conservation project for those times, Pit No. 1 was more than adequate to handle its oil and scale collection assignment. Today, just one of the new scale pits on the 84-inch hot strip mill covers 120 times the area of the original."

This huge pit will collect scale removed from the surface of hot steel billets as they are rolled into bars on the new mill scheduled to go into operation at Lorain (Ohio) Works early this year. Skimmers will keep waste oils from the new mill out of the Black River.

The process water from Fairless Works' new rod mill will be contained in this settling basin for ample time to settle out solids and skim off floating oils.

CHEMISTRY SEPARATES EMULSIFIED OILS FROM PROCESS WATER

The old adage, oil and water don't ever mix, was officially disproved by the Dravosburg (Pa.) plant of Edgar Thomson-Irvin Works in 1960 with one of the steel industry's earliest systems for removing emulsified oils from cold-reduction mill process water. Unlike the general run of steel mill lubricants, cold-rolling oils are only partially separable by gravity, and chemical treatment is required to break the emulsion before they can be removed.

The flocculator-clarifier at Gary (Ind.) Sheet and Tin Works removes the wastes of cold rolling from the process water by flocculation (aggregating particles of waste into larger, more readily removable flakes), sedimentation, sludge concentration, and free-oil removal (skimming).

TERMINAL TREATMENT

When this new flocculator-clarifier, and another just like it, along with three new primary settling basins, begin operating, Gary Sheet and Tin Works will be providing complete treatment for the waste oils of all of its cold-reduction mills. In addition, all of the plant's wastes, except those of the hot-strip mills which are separately treated, will receive terminal treatment.

DEEP WELLS ISOLATE WASTE CHEMICALS

In locations where geological studies have revealed that ground or surface water will not be affected by the deep well injection of chemical wastes, this disposal method has been adopted by U.S. Steel plants.

Gary (Ind) Tube Works' waste pickle liquor is collected in this storage tank for eventual transfer to a deep well at Gary Sheet and Tin for disposal 4,300 feet below the surface.

"Pickling" in steel mill language refers to the immersion in dilute sulfuric or hydrochloric acid solution by which steel rids itself of the oxide film which has formed during heating, rolling, and cooling. Reaction between acid and scale gradually reduces the strength of the pickle solution, and deep well disposal permanently isolates the weakened pickle liquor from ground and surface water.

UNITED STATES STEEL MINES SCORE GAINS OVER DRAINAGE

A steelmaking resource of great value, water is an unwanted infiltrator in a coal mine.

Water seepage into a mine may become weakly acidic on contact with the sulfur and iron compounds that are frequently present in coal. When the resultant drainage empties into nearby streams, it may form the familiar "yellow boy."

U.S. Steel mines use many devices—from surface fissure seals to galvanize steel sheaths beneath stream beds—to prevent water from entering the mine. Where it does seep in, pumps and canals are employed to minimize contact with polluting materials. The water that does become acidic is neutralized with lime, and the resultant "yellow boy" is removed in settling basins.

SUPER VACUUMS TRAP CEMENT DUST

The fine, powdery dust released by electric furnaces and cement kilns is trapped most efficiently by vacuum cleaning systems called bag houses. Duquesne (Pa.) Works has installed a bag house to control electric furnace emissions. Current interests focuses on the Universal (Pa.) and Hudson (N.Y.) plants of Universal Atlas Cement Division, where bag-house controls have recently been installed, and the Northampton (Pa.) and Waco (Texas) plants of UAC Division, where new vacuum systems are under construction.

The dust stops here at the Hudson (N.Y.) plant of Universal Atlas Cement. Inside this structure, an imposing array of fiberglass filter bags strains out practically 100 per cent of the dust generated by the operation of the plant's No. 5 kiln. Each of the 2,160 filter bags are 1 foot across and 30 feet tall.

The Northampton (Pa.) plant of Universal Atlas Cement nears completion of two high-efficiency glass-bag dust-collection units for its No. 3 and No. 4 kilns. They will replace electrostatic precipitators in operation since 1948.

The glass bags—936 of them and each 31 feet in length—will be installed vertically in each of the steel structures. Below the dust bags on each system are the giant pyramid-shaped hoppers where cement dust

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will be collected from the bags. The enclosures containing the bags were fabricated from USS Cor-Ten high-strength, low-alloy steel.

NEW INCINERATION SYSTEM CONTROLS CHEMICAL WASTES

At the new phthalic anhydride plant under construction at the Neville Island plant of USS Chemicals, Pittsburgh, a 100-foot-high stack tops a control system that will render exhaust fumes harmless by direct flame incineration.

WATER GUARD PLAYS SECONDARY ROLE

This new scale pit intercepts oil and scale generated on Gary (Ind.) Tube Works' rolling mills—after primary removel of solids and oil at the mills themselves. Each of its compartments is served by revolving belt skimmers.

RE-USE STRETCHES WATER SUPPLY

Water is unevenly distributed, but most U.S. Steel plants are endowed with abundant supplies. There are exceptions, however, and examples of strict water economy are offered at Geneva Works, Provo, Utah, and Torrance (Calif.) Works.

At Geneva Works, whose principal water supply is visible in the snows of the Wasatch Mountains, Utilities Engineer Boyd Erickson inspects outflow gates and overflow pipes of a new settling basin now under construction.

Retention in the new 43-acre lagoon will permit additional treatment for rolling mill process water. Geneva Works' management says it uses the same water 10 times over.

PLANT-CITY TEAMWORK YIELDS COKE PLANT WASTE CONTROL

These storage tanks and an intricate network of piping began collecting coke plant wastes generated at Gary (Ind.) Steel Works and delivering them to the Gary municipal treatment plant recently. Years of planning and engineering work with the city of Gary officials preceded the treatment of coke plant wastes in the city system.

A newly expanded cooling tower conditions over a million gallons of water daily for re-use at Torrance Works. The three-story column has the capacity to lower water temperatures 20 degrees and is one of the measures that enables the plant to re-use 96 per cent of its process water.

AIR AND WATER CARE—A CONTINUOUS EFFORT

America's growing demand for more products and services has resulted in crowded airports, jammed highways, and overburdened waste treatment systems. The air and water control advances shown here are a measure of U.S. Steel's efforts to bring control technology abreast of production gains. They are also evidence of its determination to continue this important work, because it cannot be completed everywhere all at once.

NEED FOR EXPANDED AIRPORT CONSTRUCTION AND AIR TRAFFIC CONTROL SYSTEMS

Mr. CANNON. Mr. President, recently the Washington press published an item to the effect that the President had rejected Department of Transportation plans for financing expanded airport construction and air traffic control systems, both badly needed by our rapidly growing air transport industry.

The article indicated that the rejected plans, among other things, called for an increase in the domestic flight ticket tax from 5 to 8 percent, a new 5 percent waybill tax on air cargo, and added user taxes on fuel used by general aviation.

The proposals were supposed to bring in about $400 million each year, which would be used to create a new air development trust fund from which $150 million would be used for airport development and $250 million for improvement of air traffic control and navigation facilities.

Mr. President, we are fast approaching the time, if we have not already reached it, that will require a crash program to handle our ever increasing air traffic, and the need is almost desperate for airport and traffic control facilities.

Soon the 747 will be scheduled; and if we think our airports and our traffic routes are crowded now, wait until those monsters land and each of them discharges around 400 passengers.

Apparently the Bureau of the Budget was afraid of tying up so much revenue in a permanent trust fund. They seemed worried that the President, "4 or 5 years" from now, might want to make other budget choices.

Be that as it may, I have a worry right now, not 4 or 5 years from now. I am afraid we are running out of time for improving our airports and traffic control systems.

While we have been predicting a tremendous growth in air transportation for a long time, we have not produced a program to foster it. So we end up with a dream turning into a problem.

Consider these facts: In the past 5 years the gross national product has increased about 8 percent per year, total transportation about 8½ percent per year, while air transportation has increased about 35 percent per year.

Take our business jet fleet as an example. It now numbers 1,000 aircraft, and the estimate for 1980 is 8,000.

Our general aviation aircraft fleet now has over 123,000 operating aircraft, which industry says will number 214,000 by 1980.

Production of all aircraft in 1969 will be over 15,000, and in 10 years this will more than double.

And remember, the increasing size of our transport aircraft will certainly add to the congestion, both on the ground and in the air.

As I stated earlier, the Bureau of the Budget seem afraid of a rigid program tying up funds for years. Why not launch a flexible program which may be changed, modified, or amended as required?

We can be sure that the problems of today will be multiplied tomorrow unless we improve our airway and airport traffic programs.

It would be deplorable if serious efforts are not made in the executive branch of our Government to compromise on any portion of the proposed legislation they are in disagreement on, or which they find objectionable.

The article also mentioned that a plan for funding the SST prototype was sent back to the Department of Transportation by the White House. I spoke about this problem Tuesday, April 15, 1969, pointing out that Russia, France, and England have all flown a supersonic aircraft. Delay on this program is also, I believe, a serious error.

Mr. President, I sincerely hope that the Department of Transportation will react quickly to the Budget's rejection of their ideas on airports, air traffic systems, and the SST program, so that we may proceed in these very critical fields.

THE FULBRIGHT-HAYS PROGRAM—WE CAN AFFORD UNDERSTANDING

Mr. CHURCH. Mr. President, recently I received a letter from Prof. William R. Lindley of Pocatello, Idaho. Professor Lindley shares the concern of many Americans over fund cutbacks in the Fulbright-Hays program.

Enclosed with Dr. Lindley's letter was an editorial published in the State Journal, Pocatello, Idaho, of April 29, 1969. The letter and the article speak well for themselves. It seems to many in our Nation that we show a high regard for the increments of war and all too little regard for the increments of understanding.

I ask unanimous consent that the letter and the editorial, "We Can Afford Understanding," be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Pocatello, Idaho,
April 29, 1969.

Senator Frank Church,
Senate Office Building,
Washington, D.C.

Dear Senator: As a former Fulbright professor with personal knowledge of the program's merits, I have been distressed to learn of wholesale cutbacks proposed in Fulbright funds.

May I ask your kind consideration of the enclosed for possible printing in the *Congressional Record*. And I hope you also will support the restoration of funds in the bill.

Thank you very much.

Sincerely,

William R. Lindley.

[From the Idaho State Journal, Pocatello, Idaho, Apr. 29, 1969]

We Can Afford Understanding

While billions are being poured into the arms race, a strange kind of thrift is cutting back one of our best programs in the field of international education.

"I never realized before how interested I am in America!" reported an American history teacher who went to Sweden.

"I was able to look at America from a different vantage point and to appreciate America far more than I ever did before," said a teacher from the U.S. who went to Greece.

Both were among the hundreds of Americans who teach overseas each year with the help of money provided under the Fulbright-Hays Act. As they teach, they also tell about America. And at the same time, other teachers from foreign countries are in the U.S.

It's hard to say which direction of exchange is more important. An American ambassador, after meeting prominent citizens of the country to which he had just been appointed, wrote:

"It was most rewarding for me to hear them express their gratitude for the opportunity afforded them to study in the United States as Fulbright scholars. But it was not so much the expression of gratitude that was impressive as the fact that these men and women have now become important members of their communities, and can relate to their countrymen the ideals that America stands for."

For 20 years these exchanges have been going on, and now they are being cut back. Educational and cultural exchange programs have been reduced by nearly one-half in the last three years. While some reductions had been expected because of Vietnam War expenses, these drastic actions have sent shock waves through the academic communities in the United States and in foreign countries, where in 20 years much goodwill and cooperativeness has been built up in planning for the annual appointments.

Up, up go the military expenditures, while in a single year the appropriations for international educational and cultural affairs are cut by 28 per cent.

The Fulbright-Hays exchanges have been among the noteworthy efforts in this field. In 1967–68, Americans from every state in the Union were among the professors, research scholars, teachers, and students who went abroad with the aid of funds from this program. At the same time, every state was host to one or more persons who came from overseas to study, teach or do advanced research. The foreign countries involved and the colleges and universities which participated added substantial sums to the federal money put into the program.

Now a reduction in the number of Fulbright-Hays awards to American scholars as great as from 1,600 to 650 is threatened. The sharpest reductions will be in the teaching of American Studies overseas. There also will be less help from Americans on hunger, disease, overpopulation and other problems.

Congress has often cast a skeptical eye toward these exchange programs, because their effects are hard to measure. But drastic cutbacks such as those recently made or threatened need to be looked into thoroughly by Congress, lest misguided "thrift" prove costly in the field of international understanding.

IMPORTANT BUSINESS GROUP SUPPORTS SLEEPING BEAR DUNES

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted on March 11, 1969, by the Michigan U.S. 31 Corridor Association. This group is made up of businessmen and local officials from 13 counties along the Lake Michigan shoreline. The resolution strongly supports establishment of the Sleeping Bear Dunes National Lakeshore.

The 31 Corridor Association is an important group in that portion of Michigan which will be closest to the lakeshore, including Benzie County, which is one of the two counties in which the lakeshore would be located. The group has had a number of meetings on the proposed legislation, and its members are thoroughly familiar with the issue.

This is significant and welcome support, and I feel certain that Senators will want to know of it.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION RELATIVE TO PASSAGE OF LEGISLATION TO AUTHORIZE AND ESTABLISH "SLEEPING BEAR DUNES NATIONAL LAKESHORE" IN NORTHWESTERN LOWER PENINSULA OF THE STATE OF MICHIGAN PROPOSED FOR ADOPTION AT REGULAR MEETING OF MICHIGAN U.S. 31 CORRIDOR ASSOCIATION, TO BE HELD AT FREMONT, MICH., MARCH 11, 1969

Whereas, there has been introduced in the Congress of the U.S. legislation to authorize and establish "Sleeping Bear Dunes National Lakeshore" in the northwestern lower peninsula in the state of Michigan; and

Whereas, responsible studies of this proposal confirm that the area included within the boundaries of the proposed national lakeshore consisting of 61,300 acres on the mainland of Benzie and Leelanau counties and the Manitou Islands lying offshore are of unique character from the standpoint of both natural scenic beauty and scientific, ecological and geological makeup, and that the national lakeshore will preserve, protect and enhance these qualities for present and succeeding generations; and

Whereas, the proposed national lakeshore would provide an area of great recreational value to the people of this area, state and nation, and would result in a substantial annual increase in the number of visitors to the western shores of Lake Michigan; and

Whereas, substantial, annual increases in the number of visitors to western shores of Lake Michigan must ultimately result in the development and construction of new highways capable of carrying passengers and goods throughout western Michigan in safety and comfort, and the development and construction of scenic parkways to provide our visitors with the opportunities to see and appreciate the scenic landscape and natural beauty of the western Michigan and Sleeping Bear Dunes region.

Now, therefore, at this regular meeting of the Michigan U.S. 31 Corridor Association, held at Fremont, Michigan, on March 11, 1969,

Be it resolved, that this association does hereby support and urges the passage of legislation authorizing and establishing a "Sleeping Bear Dunes National Lakeshore" in the northwestern lower peninsula of the state of Michigan; and

Be it further resolved, that the secretary of this association be and he is hereby directed to transmit copies of the foregoing resolution to the Honorable Walter Hickle, Secretary of the Interior; the Honorable Philip A. Hart and the Honorable Robert P. Griffin, U.S. Senators; the Honorable Guy Vander Jagt, U.S. Congressman; the Honorable William G. Milliken, Governor of the State of Michigan; the Honorable John F. Toepp, State Senator; the Honorable Ralph A. MacMullan, Director, Michigan Department of Natural Resources; the Honorable Henrik E. Stafseth, Director, Michigan Department of State Highways.

WYOMING'S WIND RIVER RESERVATION

Mr. HANSEN. Mr. President, the 1969 annual historic edition of the Thermopolis (Wyo.) Independent Record contains an excellent article recounting the history of the Wind River Indian Reservation in Wyoming—the home of the Arapahoe and Shoshone Tribes.

Many changes have taken place at the reservation since the late 1800's, when the great Chief Washakie of the Shoshones fought for and won a place for his people in Wyoming Territory, later agreeing to a treaty with Arapahoe Chief Sharpnose which enabled the two tribes to make the lands of the reservation their home.

Progress has been made through the years, as the article notes, in dealing with the long-standing problems of the reservation's citizens—high unemployment rates, poor educational achievements, and a lack of economic growth.

But the article recognizes, as well, that among the employable adults on the reservation, only 25 percent have full time work. It is pointed out that any resolution of the unemployment problem will involve exploring possibilities outside of agriculture.

Mr. President, in order to expand a bit on present-day efforts to increase opportunity for the Wind River Reservation's citizens, I would like to mention that the Arapahoes and Shoshones have exhibited a keen interest in recent years in attracting the kind of economic development to their land that will enable Indian citizens to have meaningful employment and the resultant increased income that will allow them to improve their standard of living.

The most significant of recent achievements in this area was the approval of a $234,000 grant from the Economic Development Administration for development of the Arapahoe Industrial Park on the reservation.

This development, to which three business enterprises will be added in the immediate future, promises to be of tremendous benefit in the area of creating jobs and opportunity on the reservation.

I ask unanimous consent that the article entitled, "History of the Wind River Reservation," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Thermopolis (Wyo.) Independent Record, Apr. 24, 1969]

HISTORY OF THE WIND RIVER RESERVATION

The Wind River Reservation is located in west central Wyoming just east of the Continental Divide, and is bounded roughly on the north by the Owl Creek Mountains and on the west by the Wind River Range. From these heights, streams and rivers flow south and east to form the fertile valleys and rolling plains of the lower elevations where the majority of the population reside. Riverton, with almost 7,000 people, is the only city on the reservation. Other communities are Fort Washakie (Agency headquarters), Ethete, Arapahoe, St. Stephens, and Crowheart. Lander, to the south; Thermopolis, to the northeast; Shoshoni, to the east; and Dubois to the west, are the principal communities near the Reservation.

The original reservation was established by the Fort Bridger Treaty of July 2, 1863, and included parts of Colorado, Utah, Idaho, Montana and Wyoming, for a total of some 44,672,000 acres. The Second Treaty of Fort Bridger, signed July 3, 1868, established the reservation in its present location. The present boundary is about 70 miles long (east to west) and 55 miles wide (north to south) containing 2,268,008 acres of which approximately 1,888,000 acres are Indian owned.

Both tribes are rich in historical background. The early treaties were made with the Shoshone Tribe. In 1878, the Arapahoe Tribe was moved to the Reservation. The celebrated Chief Washakie ruled as a paramount chief of the Shoshones for a period of 60 years, dying in 1900 at the approximate age of 102 years. He was always friendly to his non-Indian neighbors and helped protect them from the raids of hostile Sioux and Cheyennes in the early days of the settlement of Wyoming. He also prevented an uprising when the Arapahoes were brought to the Shoshone land, and was able to keep his vow not to shed white blood. His military prowess enabled him to hold this area against all other tribes and to eventually win it for the Shoshones as a reservation. Crowheart Butte stands as a monument to his courage, for this is where he fought a hand to hand battle with a Crow Chief for hunting rights to the Wind River Valley.

According to Shoshone Tribal information, Sacajawea, girl guide of the Lewis and Clark expedition in 1805 and 1806, was a member of the Shoshone tribe. They claim that she spent her last years on the Wind River Reservation and lies buried in the Shoshone cemetery near the Wind River Agency. Date of her death is 1884.

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The Arapahoes, long famous for their assistance to the Army in putting down the Sioux uprising and for their help as guides for the Army, had two great chiefs, Chief Black Coal and Chief Sharpnose, who enlisted General Crook's help in getting them placed on the reservation in 1878, when they were desperately in need of a winter home. Chief Sharpnose was present at the Gift of the Waters, and signed the treaty with Chief Washakie when the Thermopolis Hot Springs were turned over to the Government.

NATURAL RESOURCES

The Wind River Reservation is one of the best watered parts of the State of Wyoming, and supports large herd of Indian-owned cattle and horses. Large quantities of hay and grain are raised. Irrigation is used to produce crops because of lack of rainfall. About 70,000 acres are irrigated. There are approximately 358,490 acres of forest land and about 1,612,327 acres of open grazing land. Most of the ranches are small in size, with about 65 per cent having 100 cattle or less. The timber resources have not been fully developed as yet.

Revenue from oil and gas is the main source of tribal income. Phosphate deposits near the reservation are now being investigated for development; other minerals such as coal, gypsum, bentonite and uranium have distinct possibilities. Almost every mineral found in the State of Wyoming can be found in some quantity on the reservation. Forest resources also have recreational value not developed to the maximum at this time. Activities such as skiing, fishing, hunting and sightseeing tours have great potential for future development.

THE INDIAN TODAY

Practically all the Indians live in frame and log-type houses. Homes are equipped with electric lights, modern furniture, radios, TV, and other conveniences. Enrolled members of the two tribes receive monthly dividend payments from Tribal income.

The Indian children attend regular public schools, or the one parochial school in the area, and approximately 75 children are in attendance at Government boarding schools off the reservation. Each year an increasing number seek higher learning at various colleges and universities. Within the past few years a total of $127,973 has been granted by the Business Councils to enrolled members from both tribes to assist them in the pursuit of higher learning in colleges or post-high school vocational training schools. The Arapahoe Tribe grants $900 a year scholarship and the Shoshone Tribe a maximum of $750 a year to any high school student who has graduated. The Shoshone Tribe also grants scholarships to deserving students who have not graduated but who wish to go to vocational training schools.

New buildings and homes are being built. The new Shoshone Rocky Mountain Hall at Fort Washakie is a completely modern, well-equipped building with meeting rooms, kitchen, boxing arena and gymnasium. During 1964 the Arapahoes received nearly $3,000,000 in judgment funds from the Government, 85 per cent of which was paid out in monthly installments to tribal members, the remainder placed in the tribal operating fund. Much of this money was used by the Arapahoes to build new homes.

Among the employable adults on the reservation, only 25 per cent have been employed full time. But with more education, they will be better able to seek employment in competition with non-Indians. However, any resolution of the employment problem on the Reservation must look beyond agriculture and explore the possibilities for getting more employable people into wage work. To this end, numerous government programs have been started to increase the employability of the Indians.

There are a number of Indians, mostly children, now living on the reservation who are not enrolled with either tribe. To be an enrolled member, certain requirements must be met. These requirements were adopted by the Shoshone and Arapahoe General Councils respectively and are subject to the approval of the Secretary of the Interior. Under the latest revision of June 15, 1963, an applicant of the Shoshone Tribe must possess at least one-fourth degree of Shoshone Indian blood of the Wind River Reservation and shall be the degree of Indian blood shown on the tribal rolls. In addition, at least one parent of the applicant must be an enrolled member of the Shoshone Indian Tribe, but if the father of the applicant is a member of another tribe at the time of the applicant's birth, the applicant is not eligible for enrollment unless the applicant is not eligible for enrollment in the father's tribe. An applicant of illegitimate birth must be born to a female member of the tribe and for purposes of enrollment, the Shoshone Indian blood of the applicant shall be one-half the degree of Shoshone Indian blood of the mother.

Requirements for enrollment with the Northern Arapahoe Tribe were adopted by the Arapahoe General Council on August 10, 1956, and approved by the Secretary of the Interior on June 20, 1957. It provides that the applicant must possess at least one-fourth degree of Indian blood, and the father must be an enrolled member of the Northern Arapahoe Tribe. No illegitimate child is eligible for enrollment unless the mother and the natural father are married within two years following the birth of the child.

RESERVATION ECONOMY

The affairs of the Arapahoe and Shoshone tribes are not completely integrated, each having its independent associations or enterprises and incomes. In order to produce some income for the Arapahoe Tribe, that tribe in 1940 organized the Arapahoe Ranch Enterprise. It is a cooperative tribal venture operated by a paid manager. The Arapahoe Ranch operates on the original Padlock Ranch properties and on ten smaller ranches in addition to about 300,000 acres of tribal range on the slopes of the Owl Creek Mountains. The ranch is operated as a beef production enterprise. The herd has been stabilized at approximately 7,000 head. The Arapahoe Indians have participated extensively in the actual work at the ranch, and all enrolled members of the Arapahoe Tribe share in the profits. Both tribes have encouraged individual livestock enterprises by making loans for expansion, and granting assignments on base properties from which families can carry on ranching operations.

There are three types of employment available on the reservation—agriculture only, agriculture and wages, and wages only. These groupings account for 19 per cent, 12 per cent and 44 per cent respectively of all employable adults. A 1963 survey listed 897 adult tribal members between 18 and 55 years of age. Of this group 14 per cent were engaged in agriculture, 53 per cent in wage work and 33 per cent unemployed. Only 25 per cent were engaged in full time employment.

TRIBUTES TO FORMER SENATORS MORSE AND GRUENING—THEIR ADDRESSES AT AN HONOR DINNER

Mr. McGOVERN. Mr. President, a large and enthusiastic group of friends of former Senators Wayne Morse and Ernest Gruening attended a dinner honoring them on April 21 in the Capitol Hill United Methodist Church. They were representative of national organizations deeply concerned in the causes for which these two men had fought so long and so courageously—to end the war in Vietnam, for civil rights, antipoverty programs, and redirection of national priorities away from huge military spending to greater efforts for world disarmament through world law. The primary purpose was to show these Senators that their many years of leadership in the Senate were remembered with deep gratitude and that there is need for their continued help and work in this period of many crises.

The tribute to Senator Morse was made by Joseph L. Rauh, Jr., and to Senator Gruening by C. Edward Day. In addition a "traveling mike" carried by Sandford Persons broadcast brief messages from many nongovernmental representatives who had worked "on the Hill" with the Senators.

Rev. Channing E. Phillips and Rev. Rodney Shaw were cochairmen. The invocation was given by Rev. Robert W. Hoskins, pastor of Cleveland Heights Congregational United Church of Christ and the benediction by Rabbi Richard Hirsch of the Religious Action Center, Union of American Hebrew Congregations.

The sponsors of the dinner were:

Tilford Dudley, United Church of Christ.

Edward L. Ericson, Council for Humanist and Ethical Concerns.

Walter E. Fauntroy, Southern Christian Leadership Conference.

Sanford Gottlieb, National Committee for a Sane Nuclear Policy.

Thomas A. Halsted, Council for a Livable World.

James Hamilton, Washington Office, National Council of Churches of Christ.

Richard Hirsch, Religious Action Center, Union of American Hebrew Congregations.

James Jennings, Division of World Justice and Peace, U.S. Catholic Conference.

Elsie Karo, Greater Washington Area, Church Women United.

Frances Neeley, Friends Committee on National Legislation.

Channing Phillips, Democratic National Committeeman.

Neal Potter, United World Federalists.

Jeannie Rosoff, Planned Parenthood-World Population.

Rodney Shaw, Board of Christian Social Concerns, United Methodist Church.

John Silard, Attorney.

Annalee Stewart, Women's International League for Peace and Freedom.

A. Buel Trowbridge, United Nations Association.

Dagmar Wilson, Women Strike for Peace.

Raymond Wilson, Friends Committee on National Legislation.

Lord Reginald W. Sorenson, a member of the House of Lords of the United Kingdom, who was in the United States on a lecture tour, paid tribute to the former Senators, whose work in both domestic and foreign affairs fields are well known in his country. Lord Sorenson was formerly Lord-in-Waiting to the Queen, retiring from this post in 1968. He was Junior Whip and Assistant Minister in the

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House of Lords and before that a member of the House of Commons 1929–64, when he was made a peer. For many years he was chairman of the National Peace Council and is at present chairman of the World Congress of Faiths, the Mahatma Gandhi Memorial Committee, and the Tagore India Center, among many other organizations.

Lady Muriel Sorenson has been Lay Magistrate at Leyton since 1934 and a leader in community and welfare activities. She is well known in the peace movement, where she is a member of the British section of the Women's International League for Peace and Freedom.

After the tributes, Senator Morse and Senator Gruening spoke on the subject of peace and on the Vietnam war in particular.

Mr. President, I ask unanimous consent to have printed in the Record texts of the addresses by our two former colleagues.

There being no objection, the addresses were ordered to be printed in the Record, as follows:

Speech by the Honorable Wayne Morse, at Dinner Honoring Senator Morse and Senator Gruening, Capitol Hill United Methodist Church, Washington, D.C., April 11, 1969

Rev. and Mrs. Hoskins, Rev. and Mrs. Shaw, Channing Phillips, Secretary and Mrs. Day, Lord and Lady Sorenson, my dear friend Ernest Gruening and Mrs. Gruening, Rabbi Hirsch and Mrs. Hirsch, and dear friends.

It is impossible for Midge and me to tell you how much we appreciate this manifestation of true friendship. All I can say is that I shall never forget this evening. You have greatly strengthened us in our determination, as Lord Sorenson implied, to carry on with you together as we continue to fight for the great causes of freedom in our country.

We have a very fine procedure in the Senate of yielding to our superiors from time to time. I want you to know that I am going to yield most of my time tonight to my teacher, Ernest Gruening. I want to hear him, too, as I know you also do, and therefore, I shall just summarize my prepared written remarks. I shall leave the manuscript with Annalee Stewart for the records of the meeting. Thus, we will all have a greater opportunity to hear more from Ernest Gruening.

In summarizing my remarks, I want to say that I am more disturbed than I have ever been before about the cause of peace in this country. I am for stopping the escalation of the war and increasing the escalation of peace efforts. I think one of the most disturbing and discouraging experiences I have had in recent months was to listen to the press conference of the President of the United States the other day. I heard naught in it that gives me much hope for the escalation of peace. I wish to make a brief comment or two upon my evaluation of that press conference. I think it reflected again a determination on the part of the President to continue the foreign policy that Eisenhower and Nixon and Dulles laid down in 1953. I have opposed it from the beginning; it was and is a policy of establishing a military containment program of the United States in Asia. In the name of peace we must continue to oppose it.

I am so glad that Mr. Wilson in his comments tonight made reference to the Formosa resolution of January 1955, because the Eisenhower, Nixon, Dulles military containment policy of 1953 was quickly followed by the Secretary of State's proposal for massive retaliation. He then developed pact-mania that produced, as I point out in my manuscript, forty-two bilateral security pacts that we have entered into around the world. If any five of those countries sought to collect at the same time, we would have neither the manpower nor the resources to carry out our commitments. That's why I am for using the recision clauses in those pacts and turning over maintaining peace in the world to multilateral negotiations under the United Nations and other international bodies.

I shall never forget an assignment made by the Chief of Staff, General Ridgway, in 1954. He is one of the great national leaders of our time, may I say. He recognized the danger of an American military containment policy. He assigned in 1954 to General Gavin, then the top military strategist of the Pentagon Building, a great field commander in World War II, and a great American ambassador in Paris, the preparation of the famous Gavin Report of 1954. The assignment given to General Gavin by the Chief of Staff, General Ridgway, was to prepare a memorandum that would bring out all the problems connected with American military involvement on the mainland of Asia. The nation was entitled to be informed as to what would be the result if it ended up in a war. That memorandum was devastating from the standpoint of logistics; it was devastating from the standpoint of what would be involved in military losses if we became involved in a major war in Asia; devastating from the standpoint of the cost involved, and of course, devastating in the great loss of human lives that would result.

Unfortunately, the Gavin memorandum didn't stop the Eisenhower, Nixon, Dulles military containment program, for as Mr. Wilson pointed out tonight, in January 1955 Eisenhower, Nixon and Dulles proposed the Formosa resolution. Let me say that Formosa wasn't the key to that resolution. Quemoy and Matsu were, but we weren't told that by the administration. Therefore, I was in a very difficult position as I opposed the Formosa resolution in committee.

As I listened to the then chairman of the Joint Chiefs of Staff, Admiral Radford, and the then Secretary of State, Mr. Dulles, testify that what would be involved would be to authorize the United States committing a strike against the Mainland of China before an act of aggression was committed against the United States if they, in their discretion, decided that China was about to commit acts of aggression against the United States, I recognized that the Formosa Resolution was a preventive war resolution. I couldn't believe my ears.

I asked the chairman of the joint committee when it was my turn to cross-examine to call General Ridgway to the stand. I think that this testimony of Ridgway and that of George Marshall at the time of the MacArthur hearings probably represent the two greatest examples of courageous testimony before a Senate committee that I heard in my twenty-four years in the Senate. I asked if General Ridgway had been in the room all the time that Dulles and Radford had testified, and he said he had. I asked if he heard what had been said about the purpose of the resolution. He said he had. I asked if he agreed with them when I asked them if they thought that they could successfully prosecute such a maneuver without the use of American ground troops. They said they thought they could.

The plan was to use American naval forces and air forces, and Nationalist Chinese ground troops. Well, I happened to know what the then battle rating of the Nationalist Chinese was in regard to battle efficiency, and so I said I hope you won't get any American troops behind them, because I don't want them trampled to death from the retreat of the Nationalist Chinese forces as they retreat under Red Chinese attack, for their battle efficiency at that time was 11 per cent.

I asked General Ridgway if he thought ground action against the Red Chinese could be successfully prosecuted without the use of American ground troops, and he said, "No, Sir." I asked if he thought we had American ground troops in sufficient numbers to successfully prosecute that maneuver. He said, "No, sir." When you have been in the Senate as long as I had been there, one develops a keen sense of smell, and my nostrils told me that something was awry. So I said, "General, are we to understand that you are up before this committee, joining with the other members of the Joint Chiefs of Staff in a unanimous recommendation that this Formosa resolution be passed by the Congress?" You know what his answer was? "Senator Morse, I was never consulted on this resolution." Here was the Chief of Staff of the United States Army who would have in his control and under his jurisdiction tens upon tens of thousands of American boys had that maneuver ever been carried out, telling us that he had never been consulted on the Resolution. Senator Walter George quickly declared a recess. He cleared the room of all persons except senators.

After he got the room cleared, I knew a little relaxation was necessary in a period of tension such as this. So before we got back into formal hearing, I said, "Well, Mr. Chairman, I hope that all my colleagues on the committee took note of what just happened in this committee room. General Ridgeway just torpedoed Admiral Radford's flagship right out of the Pacific." That produced the relaxation, but it didn't in any way lessen the seriousness of the committee hearing crisis. Senator Walter George said, "I think you all know what's happened in this committee room under the questioning of the Senator from Oregon. I am declaring a recess until ten o'clock tomorrow morning. It is late in the afternoon, and I am going to the White House."

I will refresh your recollections. He went to the White House. He asked me to stay in my office to talk to me when he got back from the White House. He called me about eight o'clock, asked if he could come to my office. I said, "No, where are you?" He said, "I'm in my office." I said, "I'll be right down." He said, "You don't know what you have accomplished. The President is issuing, if he hasn't already issued it since I left the White House, a press statement that we agreed upon."

That was the famous Eisenhower press statement you now may recall in which the President said in effect to the American people that he, and he alone, would make the decision as to what would happen under the resolution, and it would not be left to others in his administration. We were greatly concerned, of course, in the hearing that the resolution might lead to some sort of a delegation of discretion to the Secretary of State and the Chairman of the Joint Chiefs of Staff.

Senator George then said to me that my questioning had performed a great service. He said, further, "I now want you to help me pass the resolution."

"Well," I said, "Mr. Chairman, you haven't helped the resolution any. I am just as much opposed to Eisenhower sending those boys to their death under such a military manuever as they have testified would be allowed under this resolution as I would be to have Radford or Dulles or anyone else do it. I am opposed to government by men. I believe only in government by law under our democratic system. I don't intend to pass over to the President of the United States war-making power without a formal declaration of war. This is a preventive war resolution outside of constitutional power." I said "I shall continue to fight the resolution," and I did.

The basic principle of the Formosa resolution is identical with the Tonkin Bay resolution. The principle of Tonkin Bay was hatched in the Formosa resolution. It was in January—January 28, 1955—when the Senate debate started. Only three of us in the Senate voted against the Formosa resolution. This military containment policy in Asia continued throughout the Eisenhower administration. The Formosa Resolution entrenched the military containment policy of Eisenhower, Nixon, and Dulles. Don't forget it was Nixon in 1954 that wanted to send American boys into the Indo-China War. He proposed it in an off-the-record so-called secret speech to the American newspaper publishers. One of them called me at midnight that night and told me what he had said. I took the position that the information belonged not to the American publishers, but to the American people. I reported the next day what the publisher had told me in that telephone conversation. That brought forth, as you may recall, a great national controversy over the Nixon speech. Another statement from the White House was issued announcing that so long as Eisenhower was president, American troops would not be involved in the Indo-China War. He was right then, but he became clearly wrong in his subsequent support of the escalation of the Vietnam War. President Eisenhower, in his later years, ought to have taken the same position in regard to Vietnam that he took in 1954 in regard to the involvement of American troops in the Indo-China War.

I wanted to mention the background of the Formosa Resolution because there is nothing in the Nixon press conference of the other afternoon to give us any reason to feel any encouragement about escalating peace in Southeast Asia. He said we can't make any commitments for bringing troops home now. What he ought to be saying to the people of the United States and the world is that we are going to start immediately in reducing our forces in Vietnam. He ought to be standing for a ceasefire now. He ought to be standing for drawing our men back to a line of defense we can hold without killing them out in the jungles through escalating the war. Such a line-of-defense plan is, of course, the Ridgway-Gavin proposal of some years past.

He ought to be listening to the former Commandant of the American Marines, General Shoup. He makes a conservative out of me on Vietnam as he points out what the military complex is really up to in American foreign policy. Read his recent article in the *Atlantic Monthly* in which he points out that if we stopped the Vietnam war tomorrow, the American military would still be insisting upon maintaining the present military expenditures of over 80 billion dollars. They probably would ask for an increase in those expenditures. That's why I say we must make clear to the American people that they may have to start marching for peace if we are going to stop a march toward World War III.

Nothing in the Nixon press conference gave us any hope, may I say, for de-escalation of the war. The most shocking thing is, of course, the proposal in regard to continuing the carrying on of our military spy activity in international waters and international air zones in the China-Korea area. Of course, I hold no brief for any violation of international law by any power, be it North Korea or China, Russia or the United States. The sad thing is that we stand in open violation of international law in Asia, and we have from the beginning of our emasculation of the Geneva Accords of 1954. We have torn them apart, article by article, and eventually, may I say, we will finally be tried before the bar of world opinion. We are going to be found to be from the very beginning of our military involvement in Vietnam an international outlaw in Vietnam.

Nothing in the Nixon press conference the other day gives any hope for a de-escalation program. Instead, we are now going to surround our spy ships and our spy planes with military coverage. Let me make very clear, as I did at the time we had our first discussions on the Pueblo, that if we are going to send in spy ships and spy planes, we owe to the boys we have involved in those spy vehicles adequate military coverage and protection.

But let us face up to the real problem that is involved. Even if we stay in international waters and stay in international skies, and continue to stimulate by our electronic spy equipment the electronic instruments of China and North Korea, they will continue to look upon our spying as acts of constructive aggression. They will continue to look upon our spying as an invasion, after all, of their military interests and safety. I do not think that we will stop the incidents of attack upon our spy ships and our spy planes by all the coverage we send up there. This is so risky that I raise the question, "Why send them up there at all?" I now challenge the Nixon administration to tell us what they can get by the kind of spying we are doing so close to Korea and China that they can't already get far removed from China and North Korea from bases that we already have.

Furthermore, may I say we know pretty well from other means of intelligence what's going on in those areas of the world. We are a proud people, and being a proud people, we like to hide our wrongdoings behind technical international rights. That's what Nixon is doing in all his talk about continuing to exercise our rights. I want someone to think about the rights of the boys that are going to be sent to be killed as a result of the involvement of this kind of spying in the North Korea and China area. The Nixon administration will have a hard time telling the American people how the security of America requires the kind of spying that we are engaging in. It is a form of provocation.

I close by giving you these vital statistics. We are the one power in the world that is building a military life-line around the world. No other nation is doing it. We maintain 429 major military bases abroad. We have 2,972 minor ones. This totals 3,401 American military installations scattered around this globe in 30 different countries. I have already pointed out the 42 security pacts we have. These bases are staffed, or have stationed at them one million U.S. servicemen; half a million dependents live with them, and a quarter million foreign nationals are employed at these bases. They cost between four and five billion dollars a year. Our present military cost is better than an 80 billion dollar defense budget. Now President Nixon proposes billions more for his ABM monstrosity. Let him produce the scientists that can demonstrate that it is scientifically feasible and justifiable. Of course, we know that he cannot justify it from the standpoint of building that ABM and still pretend he is for disarmament. With better than a 4 to 1 or 5 to 1 over-kill power now, the United States ought to start giving some demonstration in disarmament by rejecting the ABM. May I say to those senators who are inclined to vote for the ABM, your good faith as to whether or not you really believe in disarmament will be tested by your vote on the ABM issue.

It is not pleasant to find oneself in such complete disagreement with the President in regard to foreign policy. But I want to say that what is much more important than supporting the President is the future safety of this country. We must get unity back into our country. We must stop the wholesale killing that the United States is guilty of in Asia. The Eisenhower, Nixon, Dulles military containment policy has alienated Asia. We can't mention a single major power in Asia tonight that supports our military containment policy in Asia. We must get it out of our heads that some truce settlement in Paris is going to end our military containment in Asia. Unless we reject the Eisenhower, Nixon, Dulles military containment policy of 1953, we are going to be in Asia for decades until we finally end up in a war with China and other Asian countries. We will never come out of that war except as a fourth or fifth rate power. Now is the time for members of Congress, and I am disappointed that more of them haven't stood up thus far in this session of Congress, to make clear to this administration that the fight for peace is on, and we're going to fight for peace in order to stop this administration fighting for war.

Thank you very much.

Two Ways To Get Out of Vietnam Right Now

(Address of Ernest Gruening at a dinner honoring Senator Gruening and Senator Morse, Capitol Hill United Methodist Church, April 21, 1969)

The great issue confronting the American people is to get back to sanity.

With an $80 billion military budget which the Pentagon wants to enlarge further there is no hope of peace or progress in America until we cease giving top priority to the killing business.

Killing is now our nation's biggest industry. It is the product of what President Eisenhower in his farewell address called the military-industrial complex, but which Nobel Laureate George Wald of Harvard suggests should be labelled the military-industrial-labor union complex. I would add a fourth component to this hydra-headed monster: the Congress. This juggernaut should be called "the military-industrial-labor union-Congress complex."

The costs of this complex-begotten folly are terrifying: They include the 34,000 Americans killed in action in Southeast Asia, and 6,000 more dead from other causes—fine young Americans who have all died in vain.

The costs include a quarter of a million wounded—some of them horribly crippled for life—blinded, armless, legless, mindless, paralyzed.

The costs include the destruction of America's repute and tradition as a peace-loving, treaty-abiding nation, and a nation the pronouncements of whose leaders were credible.

The costs include the irrecoverable loss of $150 billion in Southeast Asia, much of it to support and enrich a corrupt dictatorship which makes a grotesque mockery of our talk of freedom for the South Vietnamese.

The costs include the slaughter of thousands of innocent non-combatants, old people, women and children, and the making of a million or more refuges.

The costs include the erosion of our vital, overdue domestic programs, the elimination of pollution, the elimination of poverty, slums, ignorance and hunger.

These costs will haunt America beyond the lives of those now living and will be saddled on generations yet unborn.

It has just been revealed that the United States now maintains 429 major bases and 2,972 minor bases overseas and these are staffed by a million men scattered around the globe in thirty foreign countries.

Ancient Rome's legions were likewise stationed everywhere in the known world. We are now witnessing a repetition of history: "The Decline and Fall of the American Empire."

The evidences of that decline are already manifest.

Violence—sanctioned and sanctified abroad—breeds lawless violence at home.

If we want to diminish lawless violence at home, the administration must stop making violence compulsory overseas.

In this connection it—the Administration and Congress—should put a stop to the infamous dilemma which confronts our draftees. They are compelled either to take part in a war that they consider immoral, to kill people against whom they have no grievance and themselves maybe get killed or maimed, or by following their conscience and refusing to go, face years of imprisonment at

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hard labor, with the possible ruin of their future careers in civilian life. I repeat that this is an infamous dilemma, to which no American, nor indeed any member of a society that calls itself free should be subject.

In the course of my Senate service I twice sponsored amendments to the Draft Act to provide that no draftee should be sent to Southeast Asia without his consent. These efforts failed, receiving only two votes—those of Senator Wayne Morse and mine. Yet the logic of such an amendment seems to me compelling. The draftees are the only Americans in our armed forces subject to this crucifixion. Their comrades who enlisted in one of the regular services—Army, Navy, Air Force or Marine Corps—may also detest the war, but they committed themselves when they enlisted to go wherever they are sent.

It is my view that enactment of such an amendment would be calming and beneficial, and in line with Senator Edward Kennedy's statement in connection with his bill to amend the Selective Service Act that "the hallmark of a free society is a pervasive spirit of individual freedom and choice," and that "in contrast, the hallmark of a closed society is compulsion." I was deeply disappointed that not more of my "dove" colleagues supported my amendment, particularly in view of their emphatic criticisms of the inequities of the existing draft. Senator Hatfield, for example, declared of the draft in the *Saturday Evening Post* (July 1, 1967), that it is "inherently unfair, monstrously inefficient and pernicious in its invasion of the individual liberty that eight generations of Americans have fought to preserve;" and further that "we are long overdue in ending this invasion of the liberties of our young men."

Senator Edward Kennedy on March 28, 1967 introduced a bill to revamp the Selective Service System which was co-sponsored by Senators Case, Hart, Kennedy of New York, Mondale, Nelson, Tydings and Yarborough. After extensive hearings, Congress took no action and the inequities which he and his colleagues deplored continued.

The remedies they proposed through revised methods of selecting draftees seemed, and still seem to me beside the point. The draft for this war is itself the monstrosity and inequity. While there is in Congressional circles and elsewhere much talk now about "no more Vietnams" and about a volunteer army for the future, it is the immediate and continued slaughter in Southeast Asia, with all the other deplorable concomitant effects, which calls for prompt remedial action. Talk about future reforms is escapism from the urgent current need. Either of two reforms of the Draft Act would meet the situation for the duration of this war—the one I have proposed or one that would allow conscientious objection to a particular war. The latter seems to me the less practical. Since there may be a time when our country is really attacked and when our security and vital interests are threatened—as they were at Pearl Harbor but are not in the present Southeast Asian involvement—conscientious objection to a particular war therefore appears to me the less desirable of the two. But enactment of the other proposal would go far to diminish the spreading bitterness and unrest among our young people, and would bring comfort and relief to the hearts and minds of millions of Americans.

But our first imperative is to stop entirely our participation in the war in Southeast Asia.

While a candidate for the Presidency, Richard Nixon assured the American people that he had a way out but that he did not want to reveal it at the time in order not to interfere with the talks in Paris.

This Administration has now been in office three months. The war is still with us. The draft calls continue. The casualties mount. The drain on our resources is increasing. The domestic crisis is unabated.

Hope was kindled in American hearts when a year ago President Johnson, facing political defeat on the war issue, announced his abdication and made some promises of diminished military activity.

These gestures proved as valueless as his repeated promises in the 1964 campaign that he would not send American boys to fight a ground war on the Continent of Asia and do the fighting that Asian boys should be doing.

Now we have a new administration which expresses its hope to achieve peace by negotiation. But it should be clear that that hope will *not* be fulfilled.

Why? Let us look at the realities.

The so-called Paris peace talks will not eventuate in anything because the United States' assumptions and those of its adversaries are diametrically opposed.

We claim we are there to repel aggression.

The North Vietnamese and the Vietcong consider us to be the aggressors. And the evidence, once we brush aside our mendacious official propaganda, justifies their belief.

Now there is no question that President Nixon and most of the American people would like to extricate ourselves from this mess.

Increasingly we have been hearing this desire expressed, but for a while proposals for extrication were countered with the response: "Maybe we shouldn't have gone in, but we're *there* now," with the accent on the *there*, which means that we've got to compound our errors, our losses and our folly.

Lately this reaction has been refined:

"Yes, we ought to get out, but we've got to find an honorable way out."

Which is a way of saying that our adversaries must agree to our terms.

I say to you that *any* way out would be more honorable than to continue what we're doing.

Actually, the most honorable way out would be to repudiate the whole dishonorable episode (made even more demonstrably so since the Fulbright committee hearings last year revealed that the Tonkin Gulf incident was spurious) the most honorable way out would be to make an "agonizing reappraisal," and to confess error.

A new approach is desperately needed and I shall to-night offer two of them. One is to President Nixon, who, I doubt not, would like to rid his administration of the albatross bequeathed him by President Johnson. I offer it in the hope that he will lay aside his preconceptions and the assumptions that have underlain our policies to date. Let me approach this proposal with a brief review.

Over five years ago, on March 10, 1964, I delivered a major speech on the Senate floor in opposition to the war, the first of its kind. It was entitled "The United States Should Get Out of Vietnam." With exhibits, it occupied 30 pages in the Congressional Record. It would have been easy for President Johnson to have accepted that counsel and to withdraw our troops at that time since no U.S. units had been committed to combat and our casualties had been very few. Moreover, President Johnson had not made the commitments that he was to utter repeatedly the following Fall that he would not send American boys to fight on the Asian continent.

The opening sentence of that March 10 address was: "The mess in Vietnam was inherited by President Johnson."

Now this also holds true for President Nixon, and he is under no more obligation than was President Johnson to perpetuate his predecessors' policies.

Moreover, President Nixon has the additional benefit of the ghastly experience of these last five years, and of the deepening disaster in the face of the optimistic forecasts of our military and diplomatic representatives at the scene.

My proposal to President Nixon is in line with one I made fifteen months ago to President Johnson.

On February 26 of last year, addressing the Senate shortly after the rigged South Vietnamese elections and the sentencing to years at hard labor of the defeated non-Communist opponents of the Thieu-Ky ticket (it was as if President Nixon after his victory had ordered Mr. Johnson and Mr. Humphrey to the chain gang!), I made a specific recommendation to the President. It appeared in the Congressional Record under the heading, "One Possible Solution to the Vietnam Dilemma." At that time there had been considerable official propaganda that one mustn't criticize our involvement unless one had a solution. So my statement began:

"Recommendations for extrication of the United States from its Vietnamese folly are not the responsibility of those who for years have dissented from United States policy in Vietnam. It is the responsibility of those who got us into the Southeast Asia mess.

"However, if President Johnson really wants to get the United States out of the morass in Vietnam, and save us from ever-mounting and ever-deepening disaster and the increasing slaughter of the flower of our youth and of thousands of Vietnamese non-combatants, his opportunity is here and now.

"He would go on nationwide radio and television and, in effect, say to the American people:

" 'My fellow citizens, I have tried for 4 years and my predecessors have tried for a decade previously to bring a semblance of self-government and democracy to the people of South Vietnam. It has become clear beyond peradventure that it is not their desire and that the United States despite its prodigious efforts in manpower and money, and the sacrifice of thousands of American lives, cannot achieve these desired results for them.

" 'I have today ordered the unconditional cessation of all bombing of North Vietnam and of all offensive operations in South Vietnam. In addition, I have directed there be an immediate in-place cease-fire in South Vietnam on the part of the United States and I have requested the South Vietnamese Armed Forces to do likewise, with only defense action authorized. I have called upon the forces of the National Liberation Front and of North Vietnam in South Vietnam to do the same. It is my purpose, which I now declare, to initiate a phased military withdrawal which should be completed within a year. In the meantime, behind the shield of American military forces with the leverage afforded by U.S. military and economic aid, U.S. representatives in South Vietnam will insist that the Thieu-Ky government broaden the base of its Government to include their non-Communist opponents, represented in large measure by those whom they have now jailed and put in protective custody, and that this broadened South Vietnamese Government begin immediate negotiations with the National Liberation Front so that all these Vietnamese components can work out their own destinies.

" 'In addition, I have directed our Ambassador to the United Nations to work with other nations there to find places of refuge in other lands for those who would not want to live in South Vietnam under the new regime which will be formed and I will ask the Congress for such additional authority as may be needed to admit such refugees to the United States and to assist in their resettlement elsewhere.

" 'Further, I have instructed our Ambassadors to Great Britain, the Soviet Union, Canada, India, and Poland to propose a greatly strengthened International Control Commission to supervise any elections to be held in South Vietnam to obtain an expression of the peoples' will.

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"'The United States will assist in the reconstruction and rehabilitation of the burned villages, destroyed buildings and defoliated fields, and give suitable fiscal assistance to economic development. But our military efforts will cease. We will make every effort to assist the people of both North and South Vietnam to establish whatever form of government they can develop.'

"Here lies a solution which both Americans and Vietnamese, I am confident, will welcome." End of President Johnson's broadcast.

I would not expect President Nixon to use that text—circumstances are somewhat different now—but the essential idea is there, namely that we should stop the killing and get out.

I am confident that such an approach would meet with widespread approval. It would lift a great fear from the hearts of millions of American parents.

But if the President persists in the obviously unproductive course that seems to be scheduled, I urge—this is my second proposal—that we turn to the Congress which shares the responsibility for our tragic and needless involvement in Southeast Asia.

It could—and indeed should—rescind the Tonkin Gulf resolution, the rescinding of which is provided for in the resolution, but failing that, Congress should unflinchingly vote against the military authorizations and appropriations. This would have been, during the last five years, the effective method of calling a halt to our folly and ending the war. It was a matter of regret to me, as I know it was to Senator Morse, that our fellow doves with only an occasional exception would limit their opposition to the war to speeches denouncing it. President Johnson himself twitted the Congress on this issue saying that if it voted for the appropriations, he did not care what anti-war speeches they made.

But the Congress can no longer evade its responsibility. It shares equally in the guilt for the bloodshed in Southeast Asia. A promising start was made a few weeks ago when 25 House members voted against a military authorization bill. That was unprecedented and vastly encouraging. All that is needed now is to increase their numbers so that a majority of each House makes use of its Constitutional prerogative to invoke the power over the purse which Wayne Morse repeatedly urged his colleagues to do. Let no one be misled into thinking that such action could be not backing our boys at the front. There are plenty of funds in the pipeline. The copters, guns, ammunition and other paraphernalia of warfare do not reach the front for a year or more after Congressonal action. Congess would on the contrary be backing the boys. We would start bringing them *back* home.

Having taken the steps that will end the war, The Congress should call a halt to the ABM folly. Opposition to it is growing on the Hill. A year and a half ago in October 1967, when the Sentinel Antiballistic Missile System was first brought before the Congress for its approval, only six of us in the Senate voted against it. They were Clark of Pennsylvania, Fulbright of Arkansas, Hart of Michigan, Young of Ohio, and old reliable Morse and Gruening. I am glad that so many are now joining this half-dozen.

Next the Congress should take over the examination of our commitments to Dictator Francesco Franco. To date they have been handled very secretly by the Executive Branch. It is doubtful whether those Spanish bases were ever necessary and whether the hundreds of millions of dollars spent there were not misspent. But now with missile weaponry it would seem clear that the bases are obsolete. How many Americans know that the Executive agreement the Johnson Administration entered into in 1963 and now up for renewal is in fact a formal military alliance with Spain which pledges us to go to the defense of that fascist country if called upon? This agreement should promptly be scrapped and not renewed. The Congress should examine not only into this pending commitment but all the others made by executive action, and transform those that are clearly vital to our security into treaties—negotiated after full hearings and with the respective commitments and duties of the contracting parties clearly spelled out—the "open covenants openly arrived at" to recall a phrase from the Wilsonian era. The Congress would do well also to question—and to challenge—the existing policies of getting in bed with dictators; it is slightly nauseating in the face of all the official professions of love for freedom and democracy.

It is extremely gratifying that Senator Fulbright has created a subcommittee to look into our numerous global commitments and has appointed Senator Stuart Symington to head it. The effort deserves unqualified support. It should, in addition to its valid objectives, be a first step in re-establishing the Congress as a co-equal branch of government in the management of the Nation's affairs. During the years it has abdicated its responsibilities with the disastrous results we now are becoming aware of.

Having reduced the superswollen military establishment to a reasonable department of true defense, and not offense, we can hopefully turn that offense into a war on our domestic enemies—pollution, poverty, ignorance, crime, and start the long march back to the America we long cherished and would support with fervor and good conscience.

A REPLY TO JAMES J. KILPATRICK'S ATTACK ON FARMWORKERS

Mr. MONDALE. Mr. President, the Washington Star of April 22, 1969, published an article written by James J. Kilpatrick giving his version of the working and living conditions of the farmworkers in and around Delano, Calif. Copies of the article entitled "Grape Boycott in Delano Perpetrates a Hoax," have heretofore been placed in the CONGRESSIONAL RECORD.

As chairman of the Subcommittee on Migratory Labor, I have been studying the working and living conditions of the farmworkers, and I am personally aware of the union leadership and the efforts to organize those who harvest our Nation's bounty of food. It is clear to me that Mr. Kilpatrick makes many unwarranted charges not based on fact.

While I do not believe that Mr. Kilpatrick's charges are worthy of a point-by-point rebuttal at this time, I do wish to share with Senators and millions of Americans my position on Mr. Kilpatrick's article, which I have expressed in a letter to the editor of the Washington Star.

Mr. President, I ask unanimous consent that my letter to the editor of the Washington Star be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 23, 1969.

The EDITOR, THE STAR,
Washington, D.C.

DEAR SIR: I have just read James J. Kilpatrick's April 22, 1969 attack on the Farm Workers' Union, its leader, Cesar Chavez, and the grape boycott. The inaccuracies and half truths in the article are too numerous to count and discuss in this forum.

I believe that Mr. Kilpatrick has done a serious disservice to millions of Americans who are committed to the peaceful pursuit of equal opportunity and justice. I know Cesar Chavez, and many of his colleagues and supporters, personally. Chavez is one of the most prominent American apostles of non-violence as a method in obtaining social justice. His supporters can more accurately be described as committed, concerned, socially conscious Americans, not gullible nuns, little children composing insulting letters, Hippies, Yippies, priests, professors, political leaders on the make, and housewives with time on their hands, as Mr. Kilpatrick calls them.

In a time of National crisis, when many turn to violent means of social action, the grape boycott, UFWOC, and Cesar Chavez stand out as a hope to all reasonable men that we can eliminate injustice in our Nation without the resort to violence. Mr. Kilpatrick's resort to innuendoes and character assassinations stands as a personal affront to Americans who are dedicated to maintaining non-violent, peaceful avenues to social change, such as those advocated by the patient, long-suffering farmworkers.

Sincerely,

WALTER F. MONDALE,
Chairman, Subcommittee on Migratory Labor, U.S. Senate.

THE JOB CORPS CLOSINGS—HOW DO CORPSMEN FEEL?

Mr. CHURCH. Mr. President, the recent announcement by the administration that it would close many Job Corps sites around the Nation has been met with mixed reaction across the country. I personally consider it to be an unfortunate miscalculation, both in terms of our Nation's commitment to the underprivileged and in human terms.

On April 20, an article entitled "How Do Job Corpsmen Feel?—We Just Can't Believe It," was published in the Lewiston, Idaho, Morning Tribune. Contained in the article are the opinions of Job Corpsmen themselves. Almost without exception, they are dismayed.

In this article they speak for themselves. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"HOW DO JOB CORPSMEN FEEL?—WE JUST CAN'T BELIEVE IT"

Hundreds of miles from home in a strange environment, 224 young men last week were worried about their future. To them the announcement that the Cedar Flats Job Corps Center would be closed came as a shock.

They had hoped to gain an education and a good job through the Job Corps. Now this opportunity seemed to be slipping away. The Selway River center would still be open several months. There is talk of new centers to be built in or near major cities. But there were still questions. Where would they go next? What would become of them now?

Mrs. Charles E. Fifield, wife of the counselor of Cedar Flats,, interviewed several corpsmen to get their reactions.

"If the center closes there wouldn't be anything left," says Wallace Evans, president of the Corpsman Senate, the governing body for the Cedar Flats youths. "I got as far as the 11th grade and had to quit because of financial difficulties.

"I came here to finish my education and now it is gone. I guess I will go back home and try to get a job. I won't be able to finish high school. We just can't believe the center

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is closing. If it weren't for the Job Corps lots of fellows wouldn't be able to go to school and would be in trouble besides."

Other corpsmen viewpoints:

Wendell Lethco, Dade City, Fla. I am 20 and have been in Job Corps for six weeks. I got as far as the 8th grade but just couldn't make English in high school. I have been working at odd jobs for the last seven years. I haven't gained anything from the Job Corps. My vision is bad and they won't let me go to education I need an operation but so far I haven't gotten one

Robert Schrefler, Cortland, N.Y. I am 19 and have been in the Job Corps for six months. I entered in programmed reading and am getting along pretty well. I want to go into forestry when I finish the program here. I don't feel very good about the center closing. It just isn't the right thing to do. Job Corps is needed to train men and give them an education.

Ronnie Smith, Pingree, Ida. I am 19 and got as far as the seventh grade in school. I dropped out because I just couldn't take it any more. I worked at odd jobs for a while and then came into the Job Corps to finish my education. I'm not doing as good as I would like but I can read more than I ever did. I hate to see the center close but I'll stay here until they close it up.

Robert Tinsley, Goochland County, Va. I am 22 and I got as far as the eighth grade but I still couldn't read. I came into the Job Corps in programmed reading and now I am in level five in reading and I have finished the math program. I want to be a heavy equipment operator and I would like to stay out in this part of the country for a while anyhow. I think if would be bad for me and for a lot of the guys if they close the center. We blame the President.

Artis Olds, Virginia Beach, Va. I am 17. I got as far as the ninth grade in school but I just couldn't learn to read. I started in programmed reading and I'm in level six in reading and level five in math. The Job Corps has really helped me to finish my education. I would like to finish the program and I will feel bad if they close it down because the other corpsmen want a chance to learn something too. I have learned a lot about leadership, too, since I have been here.

Harold Shults, Denver, Colo. I am 20. I finished the eighth grade but quit because of emotional problems in school and with my family. I didn't want to stay at home. A friend read an ad about the Job Corps and told me about it. I want to finish my education and then become a hospital attendant. I will feel bad if they close the center. This is my real home and if it closes I have no home. I guess I would go back to Denver and try to get a job.

Jesse Williams, Newark, N.J. I am 17 years. I got as far as the eighth grade but just couldn't get along in school. I ran into trouble all the time so I quit. I came in five months ago at level two, now I am in level six in reading and level eight in math. What would I do if they close the center? I couldn't finish anything. I want to be a heavy equipment operator, but I have to wait until I am 17½. We don't think it is fair to close the center.

Albert Snelling, Lexington, Ky. I am 20. I went as far as the 10th grade but I never learned to read. They just passed me along. I couldn't write when I came here either but I am learning. I am half way through the programmed reading schedule and I would like to have a chance to stay and finish the program.

Elijah Massey, Marge Point, Miss. I am 16. I got as far as the fourth grade. I am in level three in reading. I want to finish my education, that's what I came here for. I want to learn to weld. I think the center should stay open for the rest of the fellows so they get a chance too. There are 12 kids in our family so I wouldn't get a chance if I go back home now.

PROPOSAL TO MOVE FEDERAL REGIONAL OFFICES FROM KANSAS CITY, MO., TO DENVER, COLO.

Mr. PEARSON. Mr. President, the Kansas Legislature has adopted a resolution urging President Nixon to reconsider the proposed move of Federal regional offices from Kansas City, Mo., to Denver, Colo.

It is estimated that approximately half of the Federal employees affected by the proposed move are now residents of Kansas. Members of both the Senate and the House of Representatives in the Kansas Legislature are naturally concerned about the sacrifices these employees and their families might have to face. Most significantly, this concern is now expressed in the form of a positive alternative proposal that would provide two regional centers for the 11-State area in question, one in Kansas City and one in Denver.

I ask unanimous consent that the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Senate Concurrent Resolution 36

A concurrent resolution requesting the President of the United States to reconsider his executive order transferring the regional offices of numerous federal agencies from Kansas City, Missouri, to Denver, Colorado; and further requesting that the cities of Kansas City and Denver be established jointly as centers for federal offices within prescribed areas of the region

Whereas, Richard M. Nixon, President of the United States, has established, by executive order, the city of Denver, Colorado, as the location for the regional offices of numerous federal agencies in an eleven-state region; and

Whereas, Said region includes the mid-western states of North Dakota, South Dakota, Nebraska, Iowa, Kansas and Missouri; and

Whereas, The regional offices for many of the federal agencies which are proposed to be located in Denver are now located in Kansas City, Missouri; and

Whereas, The regional offices of the federal agencies located in Kansas City, serving the aforementioned mid-western states, serve a large territory and a large number of people: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature and the people of the state of Kansas respectfully request Richard M. Nixon, President of the United States, to reconsider his decision to establish the regional offices of numerous federal agencies for an eleven-state region in the city of Denver, Colorado; and

Be it further resolved: That the legislature and the people of the state of Kansas request the President to give consideration to establishing two regional centers for federal offices within said eleven-state region: One center to be located in Kansas City, Missouri, to serve the mid-western states of North Dakota, South Dakota, Nebraska, Iowa, Kansas and Missouri; and the other to be located in Denver, Colorado, to serve the five remaining states in the rocky mountain area of said region; and

Be it further resolved: That the secretary of state be instructed to transmit a copy of this resolution to Richard M. Nixon, President of the United States; to each member of the congressional delegations from the states of Kansas and Missouri; to Mayor Ilus W. Davis of Kansas City, Missouri; and to Mayor Joseph H. McDowell of Kansas City, Kansas.

I hereby certify that the concurrent resolution originated in the Senate, and was adopted by that body April 15, 1969.

James H. DeCoursey, Jr.,
President of the Senate.
Ralph E. Zarker,
Secretary of the Senate.

Adopted by the House April 15, 1969.

Calvin A. Strowig,
Speaker of the House.
L. B. Hazen,
Chief Clerk of the House.

WARNING AGAINST U.S. PULLOUT FROM SOUTH VIETNAM

Mr. McGEE. Mr. President, last week the prestigious Institute for Strategic Studies, in London, confirmed its belief in the so-called domino theory of Asian politics, warning that a U.S. pullout from South Vietnam would put Laos, Cambodia, and Thailand in a precarious position.

The impact would not, of course, be limited to Southeast Asia, for as the Institute said, if America withdraws from Vietnam, for whatever reason, the withdrawal will be looked upon in revolutionary circles as a defeat.

In that event—

It reported—

> the efforts now being made to launch such insurrections or sustain them, in Africa and Latin America would be redoubled.

In short, Mr. President, the Institute thinks, and with good reason, that an American pullout in Vietnam could only lead to additional hotspots around the world, with the area of greatest peril being in Southeast Asia. Its warning to this effect is timely. I ask unanimous consent that a news report on the Institute study, taken from the Washington Daily News for April 30, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Daily News, Apr. 30, 1969]

Prestigious Endorsement of Domino Theory—Vietnam Pullout Called Peril to Neighbors

London, April 30 (UPI).—An American withdrawal from Vietnam would emperil a number of Southeast Asian countries, the Institute for Strategic studies reported today.

"By far the most dangerous field of activity will continue to be Southeast Asia, whether or not the Viet Cong achieve victory," the prestigious institute said in its study on "Problems of Modern Strategy."

It warned that a U.S. pullout from South Vietnam would put Laos, Cambodia and Thailand in a precarious position in which their governments could fall to communists.

The institute endorsed the so-called domino theory of Asian politics, which says that if the United States allows Vietnam to fall into communist hands, the rest of the Asian peninsula would do the same.

"It is a relatively painless intellectual exercise to reject President Eisenhower's original and simplistic domino theory," the report said. "But an examination of the situation as it actually is will show a fair number of dominos ready for toppling."

"A North Vietnamese victory would be followed very rapidly, by the absorption of Laos." Cambodia is unlikely to survive for long and Thailand's turn would come next, the study said.

"It should be noted in this context that the vast American investment in strategic air

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bases in Thailand, and in aid to her governments over the years, makes sense only on the assumption that South Vietnam is to be held. If it is abandoned, Thailand will be expendable," the study said.

Vietnam therefore is the most decisive test case of revolutionary war, the report contended. It said:

"If the Americans are forced, whether for military or political reasons, to pull out of Vietnam, their defeat . . . will be hailed by revolutionaries everywhere as the final vindication of the theory of the people's revolutionary war . . ."

"In that event, the efforts now being made to launch such insurrections or sustain them, in Africa and Latin America would be redoubled."

LOYALTY DAY

Mr. MONDALE. Mr. President, May 1 is a day dedicated to various commemorations. Among them is Loyalty Day, whose celebration was provided for by law at the suggestion of the Veterans of Foreign Wars.

A stimulating letter calling attention to this occasion was recently published in the monthly paper of the Minnesota Department of the Veterans of Foreign Wars. I think the letter is worth reading by all concerned with patriotism and love of our country. I ask unanimous consent that the letter written by Helen Kennedy, president of the VFW Auxiliary be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LETTER FROM YOUR PRESIDENT, HELEN KENNEDY

THE MEASURE OF LIFE IS NOT LENGTH BUT LOYALTY

How do you measure up? Do you consider yourself a loyal person? Although not a tangible thing certainly loyalty is a measureable quality. It is detectable by positive action, and in no other way do we know of its presence.

This is one reason for the existence of Loyalty Day, a day to show patriotic responsibility and to manifest faith in our patriotic ideas. I am proud to say that display of loyalty was our idea. In order to counteract the communists' anti-American demonstrations on May 1st each year, the Veterans of Foreign Wars decided it was time for positive action in favor of our United States of America. It was time to proclaim our country's greatness and display the Stars and Stripes, and it was time to shout, cheer, parade, and generally with American patriotism, faze out any anti-American activity. This is a day on which we declare ourselves loyal Americans, and we call it Loyalty Day.

In 1962, under the 85th Congress, Loyalty Day was passed into public law by the Congress of the United States. The joint resolution states, "That the 1st day of May of each year is hereby designated as Loyalty Day and is to be set aside as a special day for the reaffirmation of Loyalty to the United States of America and for the recognition of the heritage of American freedom."

This year as in former years the President of the United States, the individual state governors, and leaders of local communities will sign proclamations calling upon all citizens to observe Loyalty Day with appropriate patriotic festivities.

On this May 1st week-end we as Americans are given an opportunity to renew our pledge of loyalty—loyalty to the democratic principles of our country, to the fundamental fact that we have a government of the people, by the people, and for the people. We renew our pledge of loyalty to the men and women who have given their lives to preserve these democratic principles. We renew our pledge of loyalty to the cause of freedom and face the challenge of current struggles with courage and strength, for we must remember, we shall remain here very briefly, and during this short time we are but caretakers of freedom and America for the generations that will follow us.

Your loyalty is measurable! You can participate with the Veterans of Foreign Wars and its Auxiliary on Loyalty Day. You can display your loyalty to the dignity, blessings, and precious heritage you possess today.

STATEMENT OF MATTHEW S. MESELSON ON CHEMICAL AND BIOLOGICAL WEAPONS

Mr. FULBRIGHT. Mr. President, on April 30, 1969, Prof. Matthew S. Meselson of Harvard University appeared before the Committee on Foreign Relations in executive session and submitted a statement on the subject of "Chemical and Biological Weapons."

I believe that Members of Congress and the public will find it interesting and informative. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CHEMICAL AND BIOLOGICAL WEAPONS

INTRODUCTION

Mr. Chairman, Members of the Committee: My name is Matthew Meselson. I am a professor of biology at Harvard University. I was trained in the field of chemistry and my present teaching and research activities are in the area of genetics and biochemistry. My concern with the problems posed by chemical and biological weapons stems from the summer of 1963 during most of which I served full-time as a consultant to the United States Arms Control and Disarmament Agency in Washington. Since then, I have continued to serve as a consultant to that Agency. However, I wish to emphasize that I appear here today purely as a private citizen, in no way representing any part of the United States Government.

Because of its leading military and political role, the United States can exert an important and possibly decisive effect on the factors that act to restrain or encourage CB warfare. This fact argues strongly against basing our policy on a weapon-by-weapon or situation-by-situation analysis and calls instead for the formulation of an overall policy on which decisions regarding particular weapons or particular situations can be based. Stated another way, decisions involving toxic weapons are likely to have important effects on the military environment we face years after those decisions are made.

I am concerned that United States policy for chemical and biological weapons has not received the far-sighted analysis it deserves. In part, this is because our CB programs and policies have been largely shielded from public and Congressional scrutiny. In what follows, I should like to present a brief description of certain CB weapons and a general discussion of their implications for national policy.

DEFINITION OF CHEMICAL AND BIOLOGICAL WEAPONS

Chemical and biological warfare has been defined by the U.S. Army as follows:

Chemical Warfare (CW): Tactics and technique of warfare by use of toxic chemical agents.

Biological Warfare (BW): Employment of living organisms, toxic biological products, and chemical plant growth regulators to produce death or casualties in man, animals or plants; or defense against such action.

STANDARD ANTIPERSONNEL CHEMICAL AGENTS

The United States has standardized for military use, seven anti-personnel chemical agents. Parts of the following descriptions are taken from U.S. Army Field Manual FM3–10, March, 1966.

1. Nerve Agent GB: GB is one of the highly lethal "nerve gases" developed but not used by Germany during World War II. It is a quick-acting lethal agent intended to enter the body by inhalation. Protection can be afforded by a gas mask. GB can be made available in a wide variety of munitions and delivery systems including land mines, mortars, artillery shells, rockets and bombs. It can also be dispensed from aircraft by means of special spray tanks. The performance of poison gas weapons, such as those containing GB, is highly dependent upon meteorological conditions. However, for rough descriptive purposes, it may be said that the explosion of an artillery shell containing 6 pounds of GB will kill most unmasked personnel within an area approximately the size of two football fields around the site of the burst.

At the other end of the magnitude scale, an attack on an urban area by a bomber dispensing GB might be able to kill most unmasked persons within an area of at least five square miles, this being the size of the zone of high mortality caused by the Hiroshima and Nagasaki atomic bombs. I have used the words "might kill" in the previous sentence in order to indicate that the statement is based on rather simple calculations and not on results of actual field tests on a simulated urban target. The properties and means for production of GB are relatively well documented in the open literature.

2. Nerve Agent VX: This is a lethal agent that enters the body primarily by absorption of liquid droplets through the skin. A gas mask, as well as complete covering of the body, is required for protection against VX. The same general types of munitions and delivery systems as listed above for GB may be used for VX. A tiny droplet on the skin will cause death. It appears that VX or an agent closely related to it was responsible for the accidental killing of approximately six thousand sheep near the Dugway proving ground in Utah last March. The affected sheep were grazing within an area of approximately 200 square miles located at an average distance of approximately 30 miles from a test area where an aircraft had conducted an operational test of a nerve gas spray system. Detailed information concerning VX is classified.

3. Blister Agent HD: Agent HD is also known as mustard gas, widely used in World War I. It primarily causes incapacitation rather than death. Casualties are produced by blistering action on the eyes, skin and respiratory tract. As in the case of nerve agent VX, protection against HD is afforded by a special impermeable suit and a gas mask. Weight-for-weight, HD is much less effective than VX in producing casualties.

4. Incapacitating agent BZ: This agent is classed as a temporary incapacitant. It interferes with normal mental and bodily processes. It can cause violent and irrational behavior and its effects may persist for several days. Most information regarding agent BZ is classified. Aircraft delivery systems are available for its dissemination.

5. Riot Control Agent CS: This agent, sometimes called "super tear gas" has been used in large quantities by U.S. forces in South Vietnam. It attacks the eyes, nose and throat even in extremely low concentrations and also causes nausea. Its effects continue for approximately ten minutes after exposure to fresh air. It is not generally lethal to healthy personnel even at quite high concentrations. However, a few

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deaths from CS in Vietnam have been claimed.

6. Riot Control Agent CN: This is the ordinary tear gas commonly used by police in this and other countries. It was also used in considerable quantity in World War I and manufactured in large quantity but not actually employed in World War II.

7. Riot Control Agent DM: This agent causes violent sneezing, nausea, and vomiting. It may also be lethal under certain conditions and is therefore not approved under current U.S. policy for operations, where deaths are not acceptable. It was first produced for military purposes during World War I.

BIOLOGICAL WARFARE AGENTS

Specific information on biological agents and weapons systems is classified. Nevertheless, certain general principles regarding the use of biological agents are widely known. Various germs, i.e., bacteria, ricketsia, fungi and viruses, have been examined for utility as weapons against humans, animals and crops.

Because of the very small weight of biological agent needed to cover a given area, biological weapons have been considered for use against large areas.

The most generally considered mode of attack is by means of an aerosol cloud released by planes, drones, missiles, off-shore submarines, or ships.

For infection of target personnel to occur, particles from the aerosol must generally lodge in the deep recesses of the lungs. A well fitting gas mask or, possibly, certain simpler protective devices can afford a large measure of protection, given adequate advance warning of attack.

For military purposes, it is desirable that epidemic spread of the disease to those outside the immediate target area be avoided. Therefore only those diseases which can infect the target population but which are believed to be incapable of man-to-man transmission are considered for military use.

Aerosol attack would cause the pulmonary form of a given disease. Generally this is not the most commonly occuring form under natural conditions. The pulmonary form of a disease is generally more severe, more rapid in its development and more difficult to treat than other forms.

The effectiveness of a biological aerosol attack on human populations is extremely difficult to predict. Poorly understood and highly variable factors that determine man's resistance to infection are involved. Additional serious uncertainties can be introduced by meteorological and atmospheric conditions and by complicated factors that influence the survival of infectious organisms in the air.

If biological weapons can be brought close to anything like their potential efficiency, very small amounts would suffice for the attack of large areas. Under such conditions, a single aircraft would be capable of attacking an area of many thousands of square miles.

Field Manual 3–10 presents an illustrative discussion of biological agent employment in terms of three hypothetical anti-personnel biological agents designated as Lugo Fatigue, September Fever, and Toledo Infection. Because it is unclassified, Field Manual 3–10 does not refer to actual biological agents. Nevertheless, the information given for the three hypothetical agents may be taken as illustrative of the properties to be expected for actual biological agents. Table 5 "Hypothetical Anti-Personnel Biological Agents and Delivery Systems", taken from Field Manual 3–10, is presented as Appendix I.

Not considered in FM3–10 are the potential anti-crop biological weapons. Chief among these are rice blast and wheat rust. These are fungal diseases of rice and wheat that cause considerable damage to crops in the world today. Their effectiveness in any given application would be difficult to predict, due to variable resistance of different plant strains and other technical factors. Potentially, however, relatively small quantities of anti-crop biological agents may be capable of devastating very large areas of cropland.

CONSIDERATIONS BEARING ON THE FORMATION OF THE CB WEAPONS POLICY

Half a century has passed since the world's only major outbreak of poison gas warfare. Large-scale germ warfare has never been attempted. Gas and germ warfare are explicitly prohibited by international law in the Geneva Protocol of 1925. Considering the enormous scale of gas warfare in World War I, it is remarkable how well the Protocol has been respected. There have been only two instances of verified poison gas warfare since 1925—in Ethiopia, and in the Yemen. In Vietnam the United States has been employing a powerful but generally non-lethal anti-riot agent, maintaining that the Protocol does not forbid it.

When compared with the recent history of other forms of warfare the record shows that the governments and peoples of the world have come to practise and expect a degree of restraint against the use of chemical and biological weapons not found for any other class of weapons, except nuclear ones. The chief factor justifying that restraint is the same for both nuclear and CB warfare—apprehension that, once begun, it would open up an unfamiliar and highly unpredictable dimension of warfare that might lead to the extermination of very large numbers of troops and civilians, especially one's own.

Destructiveness of CBW

There is no doubt that existing nuclear weapons could destroy entire populations. Although the performance of chemical and biological weapons in any particular attack would be less predictable than that of nuclear weapons, they too have very great potential for mass killing. The most effective method of strategic CBW attack would presumably entail the production by bombers or missiles of a cloud of toxic or infectious material over or upwind from a target, to be inhaled or absorbed through the skin by persons in the attacked population. Although masks, protective suits, and special shelters can provide effective protection against known chemical and biological agents, the cloud would readily penetrate dwellings and other ordinary structures.

An attack by a single bomber, dispensing one of the more deadly nerve gases, could kill most unprotected persons within an area of at least five square miles, this being the size of the zone of high mortality caused by the Hiroshima and Nagasaki atomic bombs. Although nerve gases are among the most poisonous substances known to be suitable for military use, it may well be possible to devise weapons containing far more poisonous materials, perhaps toxins or related substances. Weapons based on such superpoisons might become as destructive to unprotected populations as thermonuclear weapons of equal size.

Poisonous as nerve gases are, virulent micro-organisms and viruses can be a million or more times more so, in terms of the amount that can cause incapacitation or death. Although many infectious agents are rapidly inactivated or lose their virulence when dispersed in the atmosphere, this obstacle to the development of biological weapons can probably be circumvented or overcome with sufficient research effort. If so, biological weapons could surpass thermo-nuclear bombs, in terms of the area coverage possible for a weapon of specified size. However, even after very extensive research, the performance of biological weapons is likely to remain subject to great uncertainty. Their effects would depend in large measure on poorly understood and highly variable factors that determine man's resistance to infection. A biological attack intended to be highly lethal might actually kill very few persons, and, conversely, an attack expected only to cause temporary incapacitation could cause high mortality.

Although biological warfare agents might be chosen from among those that are not highly contagious under natural circumstances, this would not preclude the unexpected initiation of a widespread epidemic under the very unnatural conditions inherent in military use. Indeed, it is possible that bacteria or viruses disseminated in an aerosol cloud could subsequently emerge from the exposed population of humans, insects, birds, rodents, or other animals with increased persistence, contagiousness, and virulence to man. Large-scale operations in regions populated by many persons or animals would be more risky than small operations in desolate places, and viruses might be more hazardous than bacteria. However, we cannot evaluate the risks with any confidence in any of these situations. Therefore, the field testing of live biological weapons and especially the outbreak of actual biological warfare would constitute a menace to the entire human species.

The uncontrollability of CBW

A major uncertainty in predicting or controlling the course of CBW, once it is begun, would arise from the great variety of possible weapons and targets, from the incapacitating to the highly lethal and from the local battlefield to entire continents. Once begun at any level in earnest it would be very difficult to predict how far CBW might go. Distinctions and stopping places would be very difficult to define and to keep. The preparations and training required for one form of CBW would facilitate and therefore tempt escalation to larger scale and more deadly CBW operations. The breakdown of barriers to weapons once regarded as illegal and peculiarly uncivilized can inspire and encourage methods of warfare even more savage than those underway at the time.

The vulnerability of troops or civilians to CBW attack depends very much on the availability and effectiveness of protective facilities, the rigour of defensive training and discipline, and the performance of early-warning systems. All of this may act to place an unusually high premium on surprise or clandestine attack and on the use of novel or unexpected agents or means of dissemination. Once the effect of surprise has worn off and defensive precautions have been instituted, CB warfare might continue on a large scale but with relatively inconclusive effects until new weapons are introduced or until conventions against the attack of previously inviolate targets are transgressed.

The difficulty of allowing the limited employment of gas without running the risk of bringing the whole chemical and biological arsenal into use has been concisely stated by T. C. Shelling in his book *Arms and Influence* (Yale University Press, 1966).

" 'Some gas' raises complicated questions of how much, where, under what circumstances; 'no gas' is simple and unambiguous. Gas only on military personnel; gas used only by defending forces; gas only when carried by projectile; no gas without warning—a variety of limits is conceivable . . . But there is a simplicity to 'no gas' that makes it almost uniquely a focus for agreement when each side can only conjecture at what alternative rules the other side would propose and when failure at coordination on the first try may spoil the chances for acquiescence in any limits at all."

These principles appear to have been understood by the leaders of both sides in World War II, during which neither lethal nor non-lethal gases were employed. At the outbreak of the War, both sides exchanged assurances that they would observe the Geneva Protocol of 1925. Later, in 1943, President Roosevelt declared:

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"Use of such weapons has been outlawed by the general opinion of civilized mankind. This country has not used them and I hope that we never will be compelled to use them. I state categorically that we shall under no circumstances resort to the use of such weapons unless they are first used by our enemies."

Although many rules of war were violated in that conflict, it is fortunate for all sides that the rule against gas was observed. Germany had secretly developed and produced a large quantity of nerve gas. Although the Allies had no weapon of comparable deadliness, they could have produced vast quantities rather soon after becoming aware of its existence. Since the previous restraints against anti-city warfare had already broken down, the introduction of nerve gas in the midst of World War II would almost certainly have caused a death toll vastly greater than it was.

Chemical and biological weapons by their very nature are suited to the attack of large areas; their natural targets are people rather than military equipment; important military personnel can be equipped and trained to use protective devices far more easily than can civilians. For all of these reasons, civilians are the most natural and most vulnerable targets for CBW attack. If the barriers against CBW are broken down, civilians are likely to become its main victims.

The myth of humane CBW

It is well known that some chemicals such as tear gas are able to incapacitate a man for a short time with little risk of killing. Some people have concluded from this that the introduction of non-lethal chemicals and even of biological weapons thought to be non-lethal might actually make war more humane. The argument has shown considerable appeal both for thoughtless zealots who wish to advance the practice of CBW in any form and also for persons who genuinely hope to make war less savage. Although it is true that some chemical warfare agents are relatively non-lethal in themselves. it seems to me almost certain that their use would definitely not make wars on the whole less savage and would in fact risk making them much more so, should it trigger the use of lethal CB weapons.

It is naive to expect that in a real war non-lethal agents would be used by themselves. Once introduced into a combat area, the pressure would be very great to utilize them in any manner that increased the over all effectiveness of general military operations. Non-lethal chemical weapons would be used to increase the effectiveness of lethal ones. Tear gas can reduce the accuracy of enemy rifle fire, allowing one's own forces to approach more closely, increasing the accuracy and intensity of their counterfire. It can be used to force men out of protective cover and into the line of fire or the path of bomb and shell fragments. Under the desperate pressures of a war fought with artillery, bombs, napalm, and other lethal weapons, it is only reasonable to expect that "non-lethal" weapons once introduced will come to be used in order to kill. This has happened in Vietnam where U.S. forces have spread riot gas over large areas to force persons from protective cover to face attack by fragmentation bombs. It happened in World War I when both sides used tear gas and other non-lethal chemicals in grenades and artillery shells to facilitate conventional infantry and artillery operations.

In any case, if tear gas or similar agents should prove at all effective when first used both sides would introduce protective devices and tactics, making subsequent use of such agents much less effective. Thus, except perhaps when they are first introduced, non-lethal chemical weapons are unlikely to have much effect except to set the stage for more deadly CBW operations.

The conduct of non-lethal CBW can greatly facilitate preparations and training for the use of lethal chemical and biological agents. When combatants learn to protect themselves against the effects of mild or "conventional" agents the temptation will be strong and the means will be at hand to experiment with more deadly ones. During the first year of World War I both sides used tear gas and other harassing agents until the Germans introduced lethal chlorine gas. Following that, both sides tested a large number of poison gases seeking to find ones that would be decisive in battle. The first attack with poison gas had a devastating effect. The Allied front was broken, and 5,000 of the 15,000 gas casualties died. However, even though more effective gases were introduced in great quantity by both sides, advances in defensive preparations prevented gas from being a decisive weapon in World War I. Advocates of 'humane" gas warfare often point out that, at least toward the end of World War I, gas produced casualties with proportionately less mortality than did high-explosive weapons. However, this was not because commanders on both sides wished to fight without killing, but rather because the most effective gases then known caused more wounds than deaths. Modern nerve gases are vastly more lethal than the old World War I gases. Can anyone have much confidence that skin-penetrating nerve gas would not have been used in World War I had it become available in 1917?

Chemical and biological weapons and minor powers

The development and initial production of a new weapon usually requires much greater sophistication and effort than is needed to reproduce a weapon already possessed by another. The accessibility of chemical and biological weapons to smaller powers will depend very much on the CBW programmes of great powers and, for a limited time, on measures to keep the results of those programmes secret. With chemical and biological weapons as with other weapons, great powers will probably lead the way unless they deliberately refrain from doing so.

The chemical compositions of several nerve gases are published in the open literature, and detailed manufacturing procedures could be specified by competent chemists and chemical engineers. Although no thorough cost-analysis has been published, it would appear that a considerable number of smaller nations could produce and integrate nerve gas weapons into their artillery and air forces without great economic strain. Commercial transport aircraft could be modified without great difficulty to drop or spray the gas. No small power is definitely known to produce nerve gas or to have been supplied with it by another, although there have been newspaper reports that Egypt has used a nerve gas on a small scale in the Yemen conflict.

The acquisition of nerve-gas weapons would greatly increase the destructive potential of a small nation's military forces, but it might also greatly reduce its overall security by provoking its neighbours to arm themselves similarly. This they might do by producing the gas themselves or by demanding it from their great power allies. If nerve gas warfare should ever break out between two small states, the population of one or both could be largely annihilated within a short space of time, and the intense feelings provoked around the world might well ignite a much larger conflict.

The attempt to develop biological weapons of reasonably assured characteristics would require a costly and technically sophisticated effort and an elaborate testing programme. Indeed, only use in war itself would provide the kind of information that responsible military men would require before placing much reliance on a radically new type of weapon. It seems unlikely that a small power would attempt the development of biological weapons except perhaps as a deterrent threat. However, this would be an extremely risky posture for a small power unless large powers had already legitimized the possession and threatening display or use of biological weapons.

Why single out CBW for special prohibitions?

As long as wars continue to be fought with high explosive weapons and napalm, what sense does it make to maintain special constraints on CBW? The question is understandable, but it seems to me that some substantial answers are contained in the remarks above. We realize that special rules are required for nuclear weapons. The distinction between conventional weapons and nuclear ones of any size is a real one, and the importance of maintaining it is generally understood. Chemical and biological weapons share with nuclear ones the attribute of potentially overwhelming destructiveness. Biological weapons could pose a threat to the entire human species. Both chemical and biological weapons place a high premium on clandestine and surprise attack, thus lessening stability. Once developed, chemical and biological weapons can be exceedingly cheap, relatively easy to produce, and quick to proliferate. They would threaten civilians especially. Their use would violate the oldest major arms control treaty now in force.

Preventing the use of chemical and biological weapons

It is important for nations to understand that it is in their long-term interest to prevent the use of chemical and biological weapons. A relatively clear and unique standard to guide both the practice and the expectations of nations is provided by the Geneva Protocol of 1925. The Protocol has been ratified by all major powers except Japan and, ironically, the nation which proposed it at Geneva—the United States. Many of the states organized since World War II, including the People's Republic of China and both Republics of Germany, have ratified the Protocol or have agreed to be bound by the ratification of their predecessors. Less than two years ago, in December, 1966, the General Assembly of the United Nations passed without opposition a resolution calling for strict observance of the Geneva Protocol and appealing for universal accession to it. The United States and Japan voted in support of the General Assembly resolution along with 99 other states. It is important to secure the actual ratification of Japan, the United States, and other nations that have not yet ratified the Protocol. Means should be found to make clear that viruses as well as bacteria and non-lethal as well as lethal chemical and biological weapons are meant to be included under its prohibition. But great care must be exercised to make sure that attempts to further clarify the scope of the Protocol do not result in weakening its universal authority.

The Geneva Protocol is a no-first-use agreement. It does not prohibit CB weapons production, nor does it prohibit reprisal in kind. Last July, the United Kingdom submitted to the Eighteen-Nation Disarmament Conference in Geneva a proposal concerning biological weapons that goes well beyond the Geneva Protocol. Under the terms of the British proposal, states would undertake not to engage in germ warfare of any kind under any circumstances. In addition, the production of germ weapons would be prohibited under terms yet to be worked out in detail. A copy of the U.K. proposal is appended, as well as a copy of The 1925 Geneva Protocol.

TABLE V.—HYPOTHETICAL ANTIPERSONNEL BIOLOGICAL AGENTS AND DELIVERY SYSTEMS

A. Hypothetical antipersonnel biological agents

Agent	Symbol	Time required to produce casualties (days)	Percentage of deaths	Length of incapacitation	Time of effectiveness (hours)		Physiological effects
					Day	Night	
Lugo fatigue	AA	2-3	0-10	3 months	2	3	Incapacitating disease of long duration; sores in the nose and throat.
September fever	BB	1-3	2-3	6 to 10 days	1	3	High fever, muscular aches, vomiting, diarrhea, and extreme prostration.
Toledo infection	CC	1-3	90-100	(1)	10	10	High fever, glandular swelling, coughing, pneumonia, and sores on the skin.

B. Hypothetical delivery systems

System	Maximum range (hectometer)	HOB	Area coverage		Percentage of casualties		
			Square kilometers	Dimensions (kilometers)	Lugo fetigus	September fever	Toledo infection
Guided missile (medium)	75	High	100	5.7 (radius)	70	25	60
		Low	50	3.5 (radius)	90	50	30
Guided missile (heavy)	150	High	200	8 (radius)	70	25	60
		Low	100	5.7 (radius)	90	50	30
Fighter aircraft (spray)	(2)	(1)	1,000	50×20	60	25	50

[1] Not available.
[2] Variable.

Note: To be used for instructional purposes only.

Protocol for the Prohibition of the Use in War of Asphyxiating Poisonous or Other Gases, and of Bacteriological Methods of Warfare, Signed at Geneva on June 17, 1925

The text of the substantive part of the protocol reads as follows:

"Whereas the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, has been justly condemned by the general opinion of the civilized world; and,

"Whereas the prohibition of such use has been declared in Treaties to which the majority of Powers of the world are Parties; and,

"To the end that this prohibition shall be universally accepted as a part of International Law, binding alike the conscience and the practice of nations;

"Declare:

"That the High Contracting Parties, so far as they are not already Parties to Treaties prohibiting such use, accept this prohibition, agree to extend this prohibition to the use of bacteriological methods of warfare and agree to be bound as between themselves according to the terms of this declaration."

The United States delegation at Geneva proposed the ban on gas, and the Polish delegation suggested that this be extended to include bacteriological weapons. The protocol is in force with respect to most countries, including the United Kingdom, France, the Federal Republic of Germany, Italy, the Peoples Republic of China, and the U.S.S.R. The United States and Japan signed but did not ratify the protocol. Although the protocol was favorably reported by the Committee on Foreign Relations, the United States Senate in 1926 referred the report back to committee without giving its advice and consent to ratification.

Resolution Adopted by the General Assembly of the United Nations

The General Assembly,

Guided by the principles of the Charter of the United Nations and of international law,

Considering that weapons of mass destruction constitute a danger to all mankind and are incompatible with the accepted norms of civilization,

Affirming that the strict observance of the rules of international law on the conduct of warfare is in the interest of maintaining these standards of civilization,

Recalling that the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases and of Bacteriological Methods of Warfare of 17 June 1925 has been signed and adopted and is recognized by many States,

Noting that the Conference of the Eighteen-Nation Committee on Disarmament has the task of seeking an agreement on the cessation of the development and production of chemical and bacteriological weapons and other weapons of mass destruction, and on the elimination of all such weapons from national arsenals, as called for in the draft proposals on general and complete disarmament now before the Conference,

1. *Calls* for strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and condemns all actions contrary to those objectives;

2. *Invites* all states to accede to the Geneva Protocol of 17 June 1925.

(148th plenary meeting, 5 December 1966.)

Working Paper on Microbiological Warfare

The United Kingdom Delegation consider that the 1925 Geneva Protocol is not an entirely satisfactory instrument for dealing with the question of chemical and microbiological warfare. The following points may be noted:

(i) Many states are not parties to the Protocol and of those that are parties many, including the United Kingdom, have reserved the right to use chemical and bacteriological weapons against non-parties, violators of the Protocol and their allies.

(ii) Jurists are not agreed whether the Protocol represents customary international law or whether it is of a purely contractual nature.

(iii) Even if all states were to accede to the Protocol there would still be a risk of large-scale use of the proscribed weapons as long as states have the right to manufacture such weapons and to use them against violators and their allies.

(iv) There is no consensus on the meaning of the term "gases" in the phrase "asphyxiating, poisonous or other gases and all analogous liquids, materials or devices". The French version of the Protocol renders "or other" as "ou similaires" and the discrepancy between "other" and "similaires" has led to disagreement on whether non-lethal gases are covered by the Protocol.

(v) The term "bacteriological" as used in the Protocol is not sufficiently comprehensive to include the whole range of microbiological agents that might be used in hostilities.

(vi) The prohibition in the Protocol applies to use "in war". There may therefore be doubt about its applicability in the case of hostilities which do not amount to war in its technical sense.

2. It is not to be expected that all these difficulties can be easily or speedily resolved. The United Kingdom Delegation suggest, however, that the problem might be made less intractable by considering chemical and microbiological methods of warfare separately. The Geneva Protocol puts them on an identical basis, but—

(i) As indicated in paragraph 1 (iv) above, there is disagreement on whether the ban covers all agents or only lethal ones. It would be extremely difficult to secure agreement on a new instrument banning the use of all agents of chemical warfare, particularly as some of those agents have legitimate peaceful uses for such purposes as riot control.

(ii) Chemical weapons have been used on a large scale in war in the past and are regarded by some states as a weapon they must be prepared to use if necessary in any future war, particularly as they fear they may be used against them. In any event, at the moment, they would be reluctant to give up the manufacture of chemical agents and the right to conduct research, etc., in this field.

3. The United Kingdom Delegation recognize that verification, in the sense in which the term is normally used in disarmament negotiations, is not possible in either the chemical or the microbiological field. The difficulty, as far as the microbiological field is concerned, is that the organisms which would be used are required for medical and veterinary uses and could be produced quickly, cheaply and without special facilities either in established laboratories or in makeshift facilities. As far as chemical agents are concerned it seems unlikely that states will be prepared to forego the right to produce and stockpile such agents for possible use in war unless adequate verification procedures can be devised and applied and problems of definition etc. resolved. However, the use of microbiological methods of warfare has never been established, and these are generally regarded with even greater abhorrence than chemical methods. The United Kingdom Delegation therefore consider that in this field the choice lies between going ahead with the formulation of new obligations and doing nothing at all—in which case the risks and the fears of eventual use of

microbiological methods of warfare will continue and intensify indefinitely.

The United Kingdom Delegation therefore propose the early conclusion of a new Convention for the Prohibition of Microbiological Methods of Warfare, which would supplement but not supersede the 1925 Geneva Protocol. This Convention would proscribe the use for hostile purposes of microbiological agents causing death or disease by infection in man, other animals, or crops. Under it states would:

(i) declare their belief that the use of microbiological methods of warfare of any kind and in any circumstances should be treated as contrary to international law and a crime against humanity;

(ii) undertake never to engage in such methods of warfare themselves in any circumstances.

5. The Convention should also include a ban on the production of microbiological agents which was so worded as to take account of the fact that most of the microbiological agents that could be used in hostilities are also needed for peaceful purposes. Thus the ban might be on the production of microbiological agents on a scale which had no independent peaceful justification. Alternatively, the Convention might ban the production of microbiological agents for hostile purposes, or it might ban their production in quantities that would be incompatible with the obligation never to engage in microbiological methods of warfare in any circumstances.

6. Whatever the formulation might be, the ban would also need to cover ancillary equipment specifically designed to facilitate the use of microbiological agents in hostilities. In addition, the Convention would of course need to include an undertaking to destroy, within a short period after the Convention comes into force, any stocks of such microbiological agents or ancillary equipment which are already in the possession of the parties.

7. The Convention would also need to deal with research work. It should impose a ban on research work aimed at production of the kind prohibited above, as regardes both microbiological agents and ancillary equipment. It should also provide for the appropriate civil medical or health authorities to have access to all research work which might give rise to allegations that the obligations imposed by the Convention were not being fulfilled. Such research work should be open to international investigation if so required and should also be open to public scrutiny to the maximum extent compatible with national security and the protection of industrial and commercial processes.

8. In the knowledge that strict processes of verification are not possible, it is suggested that consideration might be given *inter alia* to the possibility that a competent body of experts, established under the auspices of the United Nations, might investigate allegations made by a party to the Convention which appeared to establish a *prima facie* case that another party had acted in breach of the obligations established in the Convention. The Convention would contain a provision by which parties would undertake to co-operate fully in any investigation and any failure to comply with this or any of the other obligations imposed by the Convention would be reported to the Security Council.

9. As regards entry into force of the Convention, the appropriate international body might be invited to draw up a list of states (say 10–12) that it considers most advanced in microbiological research work. The Convention might come into force when ratified by all those states and a suitably large number of other states.

10. Consideration should be given to the possibility of including in the Convention an article under which the parties would undertake to support appropriate action in accordance with the United Nations Charter to counter the use, or threatened use, of microbiological methods of warfare. If such an article were included it might be endorsed by the Security Council in rather the same way as the Council welcomed and endorsed the declarations made by the United States, the Soviet Union and the United Kingdom in connection with the Non-Proliferation Treaty.

THE 178TH ANNIVERSARY OF POLISH CONSTITUTION

Mr. JAVITS. Mr. President, May 3 marked the 176th anniversary of the Polish Constitution, one of the guiding lights of European democracy. That constitution encompasses many of the principles of a free society that we in the West hold true today: the sovereign power and will of the people, the rule of law, and the protection of the individual from the smothering influence of an all-powerful state.

How tragic it is that this nation should now be the subject of those evils against which it asserted itself at such an early date.

Yet despite the history of oppression and inhumanity that has troubled the country, Poland has been able to make a real contribution to the cultural development of Europe. We are indebted to Poland for Copernicus, Marie Curie, Chopin, Paderewski, Henryk Sienkiewicz, and many others, such as the courageous Kościuszko, the heroic Masaryk, and the Jewish heroes of the Warsaw ghetto.

The people of Poland have acquitted themselves on many historic occasions with the honor and courage that is so characteristic of a freedom-loving people in the many historical misfortunes they have had to bear.

America owes a great deal to Poland for the sturdy citizens it has sent to our shores. As a measure of appreciation I join in saluting the glories of Poland's past, and in looking forward to a hopeful future of greater understanding and cooperation between our two nations.

A NEW MEXICAN-AMERICAN MILITANCY

Mr. MONDALE. Mr. President, Homer Bigart is the New York Times reporter who just last month wrote an award-deserving series of articles on hunger in America. Some of the articles were directly related to the hunger and malnutrition suffered by migrant farmworkers, a substantial number of whom are Mexican-Americans.

It seems quite natural, therefore, that Mr. Bigart followed up his series on hunger with a long article on Mexican-Americans, "a distinctive minority, separated from the dominant culture by a great gulf of poverty and differences in language and culture." In his article, Mr. Bigart describes his travels throughout the Southwest and West and reaches a conclusion that—

> Too few of us have yet come to grips with the (Mexican-Americans) all have a common complaint: they say all the Anglos treat Chicanos as a conquered people by suppressing their Spanish language in the schools and discriminating against them in jobs, housing, and unions.

As chairman of the Subcommittee on Migratory Labor, I am particularly aware of Mr. Bigart's finding:

> The worst off Chicanos are the farmworkers.

As stated by the Most Reverend Robert E. Lucey, the local Texas Roman Catholic Archbishop, migrant farmworkers live "in the awful reality of serfdom."

The significance of the New York Times article is in the vivid description of the reality of a new militancy to which Mexican-Americans are being forced to turn. Will the Nation ever learn that if we do not awaken to this reality we are going to face the same turmoil in the brown community that was experienced in the black community?

Another social crisis is upon us, Mr. President. We must awaken to the reality. As a priest warned:

> If there are no immediate changes in the Southwest, no visible improvement in the political and economic status of the Mexican-American, then I definitely foresee that our youths will resort to violence to demand the dignity and respect they deserve as human beings and as American citizens.
>
> I see the barrios already full of hate and self-destruction. I see an educational system doing psychological damage to the Mexican-American, creating a self-identity crisis by refusing to recognize his rich cultural heritage and by suppressing his language.
>
> And therefore, to me, burning a building and rioting is less violent than what is happening to our youth under a school system that classes as 'retarded and inferior' those with a language difficulty.

As chairman of the Subcommittee on Migratory Labor, I hope to bring an understanding of this subtle yet powerful form of violence to the attention and conscience of the American people through hearings and investigation.

I ask unanimous consent that the excellent article written by Homer Bigart, and published in the New York Times of April 20, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 20, 1969]

A NEW MEXICAN-AMERICAN MILITANCY

(By Homer Bigart)

LOS ANGELES.—Five million Mexican-Americans, the nation's second largest minority, are stirring with a new militancy. The ethnic stereotype that the Chicanos are too drowsy, too docile to carry a sustained fight against poverty and discrimination is bending under fresh assault.

The Chicano revolt against the Anglo Establishment is still in the planning stage, however. No national leader has arisen. La Causa, as the struggle for ethnic identity is called, has only a fragmented leadership of regional "spokesmen." No one really seems to want a chief, for as one young militant explained: "It's too easy to co-opt; buy off or assassinate a single leader."

The Mexican-Americans are a distinctive minority, separated from the dominant culture by a great gulf of poverty and differences in language and culture.

California, with two million, and Texas, with a million and a half, have the most Chicanos. New York probably has less than 10,000 and they are completely submerged by the massive Puerto Rican presence.

Some in New Mexico claim descent from Spanish explorers. Others say they were derived from the ancient Aztecs, and stress their Indianness. But the vast majority describe themselves as mestizos, people of mixed Spanish and Indian blood.

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They all have a common complaint: they say the Anglos treat Chicanos as a conquered people by suppressing their Spanish language in the schools and discriminating against them in jobs, housing and income.

Consigned in the main to menial jobs, they earn a little more money than the Negro, but because their families are larger, the per capita income is generally lower: $1,380 for Mexican-Americans, against $1,437 for nonwhites in the Los Angeles area.

The worst-off Chicanos are the farm workers. Testifying last December before the Civil Rights Commission in San Antonio, the local Roman Catholic Archbishop, the Most Rev. Robert E. Lucey observed that migrant farm workers lived "in the awful reality of serfdom."

Like other ethnic groups, the Chicanos are drawn to cities. The crowded urban barrios are usually adjacent to the Negro ghettos, and the rising ferment among Mexican-Americans has been stimulated in part by the Negro civil rights movement.

There are varying degrees of Chicano militancy:

In the Spanish-speaking ghetto of East Los Angeles, barrio toughs boast of grenades and other explosives cached for the day of revolt against the gringo.

In Denver, Rodolfo (Corky) Gonzales plans a massive nation-wide school walkout by Chicano students on Sept. 16, Mexico's Independence Day. Corky, a former prize fighter, claims total victory in last month's strike at a high school in the west side barrio, a strike marred by violence in which, Corky says, a dozen police cars were disabled.

QUIXOTIC COURTHOUSE RAIDER

In New Mexico, Reies Lopez Tijerina, the quixotic former evangelist who raided a courthouse two years ago to make a "citizen's arrest" of a district attorney, takes a visitor on a tour of a "pueblo libre," a proposed free city-state in the wilderness where Chicanos will control their own destiny.

Unfortunately, 90 per cent of the pueblo is national forest. This does not bother Tijerina's followers. They claim the land under Spanish royal grants made prior to American sovereignty. They have chopped down the boundary markers and other signs of gringo occupation.

They have even held a mock trial for a couple of forest rangers who fell into their hands. Tijerina himself is under a two-year Federal sentence for aiding and abetting an assault on a ranger. His conviction is under appeal.

Tijerina, who has been alternately snoozing and crunching sunflower seeds in the back seat while his lawyer, Bill Higgs, takes the wheel, suddenly comes to life. At a high pass where the road cowers under skyscraper rocks, the leader shouts: "Here's our port of entry for the Free City of Abiquiu."

Straight ahead, gleaming in the sun, is the Abiquiu Reservoir of the Chama River and on either side, sloping gently to the mountains, are wide stretches of grazing land. The black tower of Flint Rock Mesa looks down on a bowl completely empty of cattle and men.

"To me, this is holy ground," cries Tijerina with some of his old Penecostal fervor. "Here we will build a city dedicated to justice. This is our Israel! And just like the Jews we are willing to die for our Israel, yes sir."

A DIVERSE PEOPLE

Mexican-Americans are as diverse as any other people. Cesar Chavez, the gentle, introspective, sad-eyed director of the California grape strike, is totally unlike either the fiery Tijerina or the somberly wrathful Corky Gonzales.

Mr. Chavez has been called the spiritual leader of the Chicano moderates. His tiny bedroom at Delano, Calif., where he spends most of his time (he is afflicted with muscular spasms) is adorned with photos of his heroes—Ghandi, Martin Luther King, both apostles of nonviolence—and of his political mentor, the late Senator Robert F. Kennedy.

His belief in nonviolence seems unshakeable. He told a visitor: "Those of us who have seen violence never want to see it again. I knew how it tears people apart. And in the end we lose.

"I am not saying we should lay down and die. I think I'm as radical as anyone. But I think we can force meaningful change without the short cut of violence."

The strength of the militants is impossible to gauge. Tijerina contends he has 35,000 members in his Alianza; Corky Gonzales says he can muster 2,500 for a demonstration in Denver. Barrio militants in Los Angeles say they have "gone underground" and refuse to discuss strength.

"Our people are still frightened, but they are moving," commented Mr. Chavez, who said he had no wish to become a national leader. "I'm at most a leader of our union, and that union is very small," he said.

Three years ago, the Mexican-American community had no staff-funded organization except Mr. Chavez's organizing committee. Today there are several, including the Mexican-American Legal Defense and Educational Fund (which resembles the N.A.A.C.P. Legal Defense and Educational Fund, Inc.) and the Southwest Conference of La Raza (The People), both of which are supported by the Ford Foundation.

The grape strike is now in its fourth year. The main issue is no longer money. Most of the table grape growers against which the strike is directed have raised wages. The main issue now is recognition of the United Farm Workers Organizing Committee, and Mr. Chavez says he expects a long tough fight before that is achieved.

STRIKE EXTENDED

This week Mr. Chavez extended the strike to the Coachella Valley of Southern California. The strikers expect even more trouble in organizing the workers there than in the San Joaquin Valley, for the Coachella vineyards are only 90 miles from the border and a plentiful supply of strike breakers can be recruited from the hordes of "green carders" who pour across the frontier each day in search of work.

These green carders, so-called from the color of identification cards, are aliens who are allowed to commute to jobs in this country. They are a constant source of cheap labor, undermining wage scales in the border region and frustrating union attempts to organize not only the farms but also the new industries that are settling in dozens of frontier towns from Brownsville, Tex., to San Diego.

Chicanos are demanding a tightening of the immigration laws. They would curb the commuting by requiring the green carders to reside in the United States. Then, confronted by higher living costs on this side of the border, the Mexicans would no longer be willing to work at depressed wages and might be more receptive to joining a union, the Chicanos believe.

The grievances of the Mexican-Americans, most of whom live in California, Texas, New Mexico, Arizona and Colorado, with sizable colonies in the Middle West (founded in the last century by construction gangs for the Santa Fe Railroad) sound familiar: job discrimination, miserable housing, social isolation, lack of political power (the result of gerrymandering the urban barrios) and exposure to a school system completely insensitive to Mexican-American history and cultures.

In only one respect is the Mexican-American better off than the Negro. Provided he is not too swarthy and provided he has money, the Chicano can escape from the barrio and move into Anglo middle-class districts.

He is worse off in other respects. Of all the minorities, only the American Indian makes less money than the Chicano. A linguistic and cultural gap separates the Mexican-American from the Anglo. Proud of his ancient Spanish-Indian heritage, the Chicano is less eager for assimilation than the Negro.

MOST SPEAK LITTLE ENGLISH

Most Chicano children speak only a few words of English when they enter school. It can be a traumatic experience, especially in districts where Chicano pupils are spanked if they are overheard using Spanish in the halls on the playground.

Recalling his first encounter with the strange and threatening atmosphere of an Anglo public school, Arnulfo Guerra, now a successful lawyer in Starr County, Tex., said that when a Chicano wanted to go to the toilet he had to wave his hand and try to say: "May I be excused?" Mr. Guerra said with a laugh that for a long time he believed that "bisquez" (be excused) was the Anglo word for toilet.

Children caught speaking Spanish were sometimes humiliated, he said, by having to stand with their nose pressed against the blackboard inside of a circle of chalk. If overheard on the playground, they were made to kneel and ask forgiveness.

Besides being confronted with an alien language, the Chicano pupil finds that the attitudes, social relationships and objects depicted in his lessons are entirely outside his home experience. He is constantly admonished that if he wants to be an American, he must not only speak American but think American as well.

Their school dropout rate (34 per cent for Chicano children enrolled in grades 7–12 in Texas) is the highest for any minority group.

In San Antonio, which has the second largest Mexican-American colony (about 350,000, Los Angeles is first with about one million), a hearing conducted last December by United States Civil Rights Commissioner J. Richard Avena disclosed subtle forms of discrimination.

School officials admitted, according to Mr. Avena, that junior high school counselors tended to steer Chicanos into predominantly Mexican-American vocational high schools. This betrayed the counselors' ethnic stereotype of the Chicano as an individual inherently equipped only for vocational training and unsuited for the Anglo college preparatory schools, he said.

SCHOOLS ARE ASSAILED

The school system is a prime target of Chicano wrath. "Cultural rape" is a term frequently used by Mexican-Americans to describe what they call the system's attempt to make little Anglos out of their children.

School strikes and boycotts in the Southwest are becoming an almost daily occurrence. In Texas, Chicano pressure has obliged the school districts of San Antonio, Austin, El Paso and Edcouch-Elsa (adjacent towns in the lower Rio Grande Valley) to stop the punishment of children using Spanish in schools or playgrounds.

In Denver a few weeks ago, Corky Gonzales made the school board suspend a teacher accused of "racist" remarks.

The teacher denied having called a Chicano "stupid," denied having said: "If you eat Mexican food you'll look like a Mexican," and his denials were supported by some students who said he had been quoted out of context.

However, the school board seemed intimidated by the disorders that attended the walkout. Stones and bottles were thrown at police cars; a 26-year-old Mexican-American was struck by a charge of birdshot fired by a policeman; 16 others were injured, and more than 40 persons, including Corky, were arrested.

CONCESSIONS GRANTED

The board made a number of concessions: more emphasis on Mexican history and litera-

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ture in west side barrio schools, a re-evaluation of the counseling programs (Corky charged that some counselors were urging Chicano youths to join the armed forces) and Mexican food in the cafeteria.

A grand jury returned no indictments on the Denver outbreak, although it found that "the inflammatory statements of Rodolfo (Corky) Gonzales at Lincoln Park bordered upon violations of the anarchy and sedition laws of the state." It exonerated the patrolman for shooting the demonstrator and praised the police for "remarkable self-restraint in the face of vile abuse and obscene taunts."

Corky Gonzales, 40 years old, father of eight children, was one of the top 10 featherweights from 1947 to 1955. A former Democratic district captain in the barrio, he gave up politics because, he said, "I was being used." Then he founded a militant organization, "Crusade for Justice."

On a recent warm April day, a visitor to Corky's headquarters, a former Baptist church in the decaying Capitol Hill district of Denver, was led upstairs to a barnlike room where four or five hairy, unkempt youths were watching the funeral of Dwight D. Eisenhower on television. They were offensive and rude.

"C'mon, stick him in the ground and get it over with," one of them said, and the others laughed.

ACCOMPANIED BY GUARD

Corky, when he arrived with a bodyguard, went directly to his office, a musty cluttered room that had been the minister's study. He was no longer a featherweight, but he still looked trim and tough. He had grown a bushy black mustache, and he wore a pendant symbol of his movement—a three dimensional head representing Spanish father, Indian mother and mestizo offspring, mounted on an Aztec calendar plaque.

"How can there be justice," he demanded bitterly, "if we don't have our people on the jury system and the draft boards?"

Denver Chicanos had lost faith in the political system, he said, because every Mexican-American who achieved office in the country was "absorbed into the Anglo Establishment and castrated by it."

Chicano schoolchildren were being perverted, he said, by "middle class aspirations," and the middle class was "dying and corrupt." He was against competitive society: "Success today in this country is learning how to cut throats."

Corky said he believed the best way to unify Mexican-Americans was through nationalism.

To foster Chicano nationalism Corky held a five-day conference in Denver at the end of March. About 1,000 youths from five southwestern states showed up, and they represented an ideological spectrum that included the New Left, Communists and Liberals.

COALITION IN DISPUTE

The convention nearly broke up on the issue of coalition with Negroes. Some barrio youths, resentful of Negro dominance in the civil rights movement, insisted on maintaining racial separateness.

Corky, who had quarreled with the black leadership of the Poor People's March on Washington a year ago, preached a modified ethnic nationalism, and he prevailed. Coalition with the blacks might be feasible later, he said, but meanwhile the Chicano must first achieve enough self-reliance to "do his thing alone."

As a first step toward liberating the Chicanos, Corky told the youths to go home and prepare a nationwide walkout of Mexican-American students on Sept. 16.

Down in Albuquerque, meanwhile, Corky's main rival for leadership of the Chicano youth, Tijerina, was plotting his own demonstration. It would be held on June 5, the second anniversary of his shootout at the Rio Arriba County courthouse, an event as significant to Mexican-Americans, Tijerina believes, as the Boston Tea Party was to the gringos.

Inside this fortress Tijerina discussed the future. The June 5 anniversary would be peaceful, he said, unless the gringo interfered. Some new Chicano families would be settled in the free city-state of San Joaquin and there would be a barbeque.

"Are you in rebellion?" he was asked.

"I don't know," he replied thoughtfully. "It's a matter of interpretation. The Government has raped our culture. So I think the Government is in revolt against the Constitution. It's our constitutional obligation to go on the cultural warpath to save our honor and identity. We demand that the Government cease the illegal occupation of our pueblos."

Tijerina said he had signed a treaty of mutual respect with the Hopi Indians, pledging mutual support against any aggressor.

SEPARATE STATE URGED

Another plan for territorial revision was being advanced in Texas by Dr. Hector P. Garcia, founder of the American GI Forum, an organization of moderate Mexican-Americans.

Dr. Garcia proposed that South Texas, which has a large Chicano concentration, be made a separate state. This would give the Mexican-Americans a chance to send one or two Senators and several Congressmen to Washington, he said, thereby easing the frustrations of political impotence.

The new Chicano militancy, with its cry of "Brown Power," can be heard even in Texas where Mexican-Americans have long complained of brutal suppression by the Texas Rangers and by the state and local police.

Last month more than 2,000 Chicanos paraded through the border town of Del Rio, ostensibly to protest Gov. Preston Smith's decision to shut down the local projects of VISTA, the domestic Peace Corps, but also to cry out against discrimination.

Normally such demonstrations are small and sedate, the Chicanos parading behind a priest carrying the banner of the Virgin of Guadelupe.

But this time the priest and the Virgin were forced to yield the front of the line to militants of the Mexican-American youth Organization (MAYO), and they tacked a manifesto on the courthouse door warning that violence might erupt if demands for equality were not met.

Two years ago Tijerina and his band raided the courthouse in the northern New Mexico hamlet of Tierra Amarilla to "arrest" the district attorney for "violation of our civil rights."

He said that the district attorney, the sheriff, the state police and the forest rangers were all conspiring to deprive the Mexican-Americans of ancestral land, insisted that the Federal Government had welshed on a promise, contained in the protocol to the Treaty of Guadelupe-Hidalgo (which ended the Mexican-American war in 1848) to honor some old Spanish and Mexican land grants.

ACQUITTED BY JURY

A jury acquitted Tijerina of kidnaping and other charges growing out of his bloodless coup.

Tijerina's headquarters are in a blue and white two-story abode building on a quiet Albuquerque street—quiet except when terrorists are trying to bomb the place. Tijerina, a hawk-faced man vibrant with nervous energy, said he suspected the Minutemen, a right-wing Anglo organization, of perpetrating three explosions, the last of which wrecked a dozen automobiles in the headquarters parking lot.

The leader of the Alliance of Free City-States has taken a few precautions. His apartment above the ground-floor meeting hall is protected by a steel door, by 18-inch concrete walls and by a triple-layered steel and cement floor.

INDEPENDENT POLITICS

One of the founders of MAYO, Jose Angel Gutierrez, 22, said the organization's goals were the formation of political units independent of the Republican and Democratic parties ("only Mexicans can really represent Mexican interests") gaining control of schools, and the building of economic power through the weapon of boycott.

But the cause has had serious setbacks in the Rio Grande Valley. Attempts to organize farm labor have failed completely. Unemployment is high. And a powerful friend of the Chicanos, the Rev. Ed Krueger, was recently dismissed by the Texas Conference of Churches as its field representative in the lower valley.

Mr. Krueger said he had been under pressure from conference officials to "work with the Establishment instead of with the poor," and that his superiors were also displeased because he refused to withdraw a suit against the Texas Rangers, a suit alleging that the Rangers manhandled Mr. Krueger and his wife when they tried to photograph a farm strike in Starr County two years ago.

The dismissal of Mr. Krueger was investigated by a panel headed by Dr. Alfonso Rodriguez, in charge of the Hispanic-American ministry of the National Council of Churches. The panel reported "tragic conditions of alienation, polarization, conflict and tension" in the valley, adding that the tension had been aggravated by Mr. Krueger's dismissal.

Further west, El Paso and Phoenix show scant signs of Chicano militancy, despite their teeming barrios. In El Paso, where thousands of Mexican-Americans still live in squalid, rat-infested, barrack-like "presidios," some of which have only one outhouse for 20 families, about the only recent demonstrations have been peaceful "prayer-ins" on the lawn of a slumlord's agent.

In Phoenix a Roman Catholic priest, the Rev. Miguel Barragan, field representative of the Southwest Conference of La Raza, said it was difficult to involve the older Chicanos because they were prejudiced against political solutions, recalling the turmoil in Mexico. And the newer migrants feared police harassment and loss of jobs.

Yet the priest warned:

"If there are no immediate changes in the Southwest, no visible improvement in the political and economic status of the Mexican-American, then I definitely foresee that out youths will resort to violence to demand the dignity and respect they deserve as human beings and as American citizens.

"I see the barrios already full of hate and self-destruction. I see an educational system doing psychological damage to the Mexican-American, creating a self-identity crisis by refusing to recognize his rich cultural heritage and by suppressing his language.

"And therefore, to me, burning a building and rioting is less violent than what is happening to our youth under a school system that classes as 'retarded and inferior' those with a language difficulty."

In California Mexican-American demands for larger enrollments of Chicanos at the Berkeley and Los Angeles campuses of the University of California were receiving sympathetic attention. And Berkeley was planning a Department of Ethnic Studies in which Mexican history and culture would be taught.

But in East Los Angeles and Boyle Heights, these concessions were taken as insignificant crumbs.

Basically, people are tired of talking, said a youth in the Boyle Heights barrio. "A confrontation is inevitable. It's not unusual to see people going around with grenades and TNT. The tension is here; the weapons are

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here. The new underground organizations of excon, addicts and dropouts make the Brown Berets look like Boy Scouts."

Across town, on the U.C.L.A. campus, a neutral observer gave a pessimistic but somewhat milder assessment. Prof. Leo Grebler, a German-born economist who directed a four-year study of Mexican-Americans for the Ford Foundation, a study soon to be published, recalled how Gunnar Myrdal in his classic study of the Negro in the United States had been over-optimistic about the nation's ability to cope with the racial crisis.

FORMER VICE PRESIDENT HUMPHREY'S REMARKS ON THE ABM

Mr. HART. Mr. President, former Vice President Humphrey is esteemed for his constructive and valiant efforts over a period of years in the disarmament field. He is a thoughtful and knowledgeable expert in this area.

Therefore, I believe it would be helpful to Senators and to the public generally to assemble in one place four major discussions of the ABM problem by the former Vice President. This material appeared in "ABM: Yes or No?" a publication of the Center for the Study of Democratic Institutions, February 1969; in a speech made at the University of Minnesota, February 26, 1969; in remarks at the William C. Foster dinner in Washington, D.C., April 3, 1969; and in a guest editorial in the Saturday Review of April 5,

I ask unanimous consent that these documents with their thought-provoking comment on this major issue be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE STATE OF THE QUESTION: AN INTRODUCTION

(By Hubert H. Humphrey)

America's determination to find ways of stabilizing the nuclear arms race will be severely tested in the coming days. President Nixon will be faced with a series of decisions that will irrevocably affect the security of this nation and the peace of the world. The U.S. Congress will review these decisions and a spirited exchange of opinions on Capitol Hill is guaranteed. We are, in short, on the verge of a great debate on nuclear arms control, a debate whose outcome could well determine the survival of this country, not to mention the life and death of millions of other persons around the globe.

Yet the American people are shamefully ill-informed on these matters. Decisions of far-reaching significance can be accomplished with only the slightest involvement of the informed and politically aware public. In a representative democracy this is unhealthy under any circumstances. When the survival of the planet may be involved, the situation becomes intolerable. That is why this paper is so important. It seeks to bring to the American people the facts on the most critical issue of nuclear arms control; should the United States build an antiballistic-missile defense system?

As President Nixon takes office he will find that the basic decisions on the strategic issues posed by ABM, far from being settled by the congressional authorization for a "thin" screen that lies on his desk, are yet to be made. He will receive, as we did in the Johnson Administration, directly conflicting testimony from his scientific advisers as to the capability of the proposed anti-missile defenses; and he will receive conflicting intelligence estimates as to the Russians' capability to penetrate our defenses, or shield themselves against our nuclear missiles. He stands now at the point where he must modify or reverse the recommendation of his military advisers; rest with the admittedly inadequate "thin" ABM system for which the Army is already selecting sites; or make a commitment to a "heavy" system that will, by common agreement, usher in another fateful stage in the nuclear arms race with the Soviet Union.

Throughout the Presidential campaign, I emphasized that the most important question facing the new President would be that of negotiating an agreement with the Soviet Union to limit the strategic arms competition. Despite the brutal invasion of Czechoslovakia by the Soviet Union and its dire consequences for East-West relations, both the United States and the Soviet Union continue to have a mutual interest in reaching such an agreement. The discussion over the ABM should be viewed in relation to this broader issue, but the ABM issue is however, the most immediate and potentially dangerous issue on the arms control agenda. Although the ABM issue was not discussed in detail in the Presidential campaign, I have always been skeptical in my own mind about the security value of deploying an ABM system. I share the reservations stated by Secretary McNamara when he announced the ABM deployment in 1967. At the same time, I understood the reasons why the President felt that preparations for a limited deployment might quicken the interest of the Soviet Union in meaningful negotiations on the strategic arms race, provided we place top priority on the urgent necessity of reaching an agreement on the ABM issue.

The ABM issue is not an easy one for the public to follow. It may be, as suggested by Dr. David R. Inglis, of Argonne National Laboratory, "the world's nuclear problems are too subtle for the average unconcerned citizen; the part most visible to him is the economic manna descending from the defense-industry heaven." The trouble with that complacent view is that there is no longer any such thing as an unconcerned citizen, whether he knows it or not.

There are a good many reasons why the ABM controversy, which has raged within the government for almost a decade now, has been hard to follow. Official secrecy has had something to do with it, but not much. Although sometimes delayed and distorted by security regulations, the essential facts on such large strategic questions always come to light and find their way into general circulation. The description of the development of American ABM policy quoted from a paper published by the British Institute of Strategic Studies in the preface to this paper is an example of the manner in which the information and estimates of the "intelligence community" are regularly publicized. Although a few details may be incorrect, or missing, the principal elements upon which the official policy-makers based their decisions are neatly laid out for all to see.

The record of the debate on *ABM: Yes or No?* which follows provides a valuable demonstration of how this kind of decision-making actually goes forward. As the reader will see, the participating scientists provide a hard core of factual analysis, usually reduced to numerical calculations suitable for a computer, and upon this base the strategists erect their structures of speculation and conjecture. It is, on the surface at least, comforting to come back to this solid collection of presumably measurable facts after a chilling exercise in what, in the nuclear era, has come to be called "thinking the unthinkable."

The very vocabulary of nuclear gamesmanship is uncomfortable for all but the most hardened practitioners. Neil Jacoby has noted that what economists ordinarily call "cost-benefit" analysis is changed to "cost-effectiveness" analysis in Pentagon parlance, "probably because it puts language under serious strain to refer to the death of a hundred million Russians or the destruction of a hundred billion dollars of Soviet capital as a benefit."

But one begins to suspect that this resort to the "facts" is not, as it appears, a return to reality but a retreat from it. Changing the vocabulary does not disguise the fact that the counters in the game are human lives, and the stake the fate of nations. Jerome Wiesner, who played it for years, calls it "the numbers game" and insists that it runs out of substance at the point at which it requires human judgment—as it always does.

Trying to explain to President Kennedy why scientists, who are supposed to be the most rational of people, could differ so on a technical issue, Wiesner pointed out that it is nature that is rational, not the scientists who try to explain natural processes: "Different people make different assumptions about all these elements. That is what is involved in the argument about anti-ballistic-missile systems. One man's assumptions give one set of conclusions; another man's assumptions give a different set. Some of the assumptions are essentially undefinable. We are talking about things we do not and cannot know anything about no matter how we try. And so you can take whichever set of assumptions you choose."

Yet much of our most critical defense policy is being made on the basis of these numbers. And even so experienced a Washington hand as Dr. Jacoby; turning a skeptical economist's eye on the decision to put five billion dollars in the thin Sentinel ABM system, has looked at the cost-analysis considerations involved and accepted the result because "presumably the Pentagon has plugged figures into the equations, run the calculations, and reached an affirmative conclusion."

We are living in an environment significantly affected by what President Eisenhower called the military-industrial complex and its principal off-spring, the mammoth research and development budgets which sustain the defense establishment in the nuclear and missile age. R & D is a catalyst; by its nature it leads to far greater investment in production of the goods and systems it makes possible. Thus every dollar spent on R & D has produced an expenditure of at least five dollars in military procurement alone. This diversion of funds into the military-industrial complex is widely recognized. What often escapes notice is the massive diversion of brainpower away from the civilian economy into the defense establishment. There inevitably arises among many of these talented individuals a disposition to justify defense expenditures, rather than to think in terms of national limitations on the production and dissemination of arms.

The principal points at issue in the ABM controversy are ably set forth in the following discussion. Here, as in the inner circles in Washington, they are advanced by men of great intellectual capacity and high moral purpose. In summary they are:

Challenge: The "heavy" ABM system will be the most complex technological system ever built by man, and there is no way to test it except under actual enemy attack. The odds are for at least a partial failure, and in this contest even a low percentage of missile penetration can be fatal.

Response: The military-industrial complex can meet the challenge and produce a system with a tolerable margin for error.

Challenge: Today's offensive missiles, with their improved penetration aids, probably could overcome the ABM system as now visualized, and the offensive improvement that its deployment is bound to stimulate certainly will render the system obsolete before it can be made operational.

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Response: Any projected margin of failure for the defense system is not necessarily any greater than that for the offense.

Challenge: The cost is disproportionate to the protection ABM can afford.

Response: Potential deaths in an undefended United States are a hundred and twenty million; ABM could reduce that casualty list to forty million; the saving of eighty million lives is not only a compelling humane consideration but involves our survival as a nation.

Challenge: ABM will intensify rather than restrain the arms race, worsening instead of improving U.S.-Soviet relationships.

Response: This does not necessarily follow. If the United States deploys an effective ABM system the Russians might also shift their emphasis to defense, thus permitting a mutual deëscalation of the offensive missile race.

There is not, as Dr. Wiesner points out, any final proof here, only untested assumptions—and a man may come down in good conscience on either side, depending upon which set of assumptions he chooses. In closely following the development of missile policy over the year, I have myself found the most persuasive scientific argument on the side of restraint. I did not change that view when Secretary McNamara reluctantly comprised in favor of the "thin" ABM; it seemed to me that even in announcing it he made a better case against the new system than he did for it.

There is a grave omission in all this. The missile game is played almost entirely within the limits of scientific and military concepts; political considerations are largely dismissed as imponderables, relegated in the computer computations to a place along with such diversionary factors as the possibility of human error. The result is to predetermine the character of the game's result; the policy it produces is bound to be shaped within limits of the military factors upon which it is predicated. We may have more missiles, or fewer, or missiles of a different type, but this is no more than addition and subtraction of the hardware of deterrence—and experience on both sides has indicated that the exercise leads inexorably to multiplication.

The tendency is to dismiss the political alternative to the balance of terror as entirely too risky—or at best to give it lip service. Well, politics is a risky business. But I would ask in all seriousness if it is any more difficult for the skilled and dedicated men who practice diplomacy to compute the odds on possible failure of a U.S.-Soviet disarmament treaty than it is for the scientists and strategists to determine the malfunctioning potential of ABM. I do not believe it is, and if the question is to be decided by the simple assessment of risk, it ought to be pointed out that a diplomatic debacle would not necessarily be terminal, while an ABM failure certainly would be.

The truth is that we have been demanding more certain guarantees of success of those who have urged the positive course of negotiated disarmament than we have of those who insist that prudence requires us to rely on the negative protection of nuclear deterrence. The only proof of effectiveness that can be offered in defense of the missile standoff is that we have survived twenty years of international tensions without precipitating World War III.

ABM is described by its proponents as defensive, but if it does achieve an effective missile screen it could become offensive, since it would release strategic policy-makers from the restraints imposed by enemy second-strike capacity. The Russians will certainly recognize such an offensive potential, as we did when a rudimentary missile defense system was deployed around Moscow several years ago.

It is contended that we can build up our defensive screen and our deterrent forces at the same time we actively pursue the goal of arms control and ultimate disarmament; indeed, it is argued that this is the only practical way we can proceed, since our adversaries will not respond to anything less than the clear threat of being outdistanced in the arms race. The history of the last decade seems to me to provide a monument to the fallacy of this theory.

So it is in the larger arena where we coexist uneasily with the Soviet Union, while sharing with the Russians the overt hostility of the People's Republic of China. I would be the first to agree with the dictum that the United States must negotiate with the communist world from a position of strength. But there is reason to doubt that we can any longer equate strength with military power alone. Secretary Clark Clifford, in his final report to the Congress, echoes the thoughts of his predecessor in the Defense Department by stressing that true national security is a compound of more than nuclear warheads and missiles. Another round in the nuclear arms race could only increase our insecurity compared to achieving verifiable agreement with the Soviet Union to limit strategic offensive and defensive forces.

For a while, when the leaders of all the nations accepted the balance of terror as an inescapable fact of strategic life, we began to see our differences more clearly, and to consider means by which they might be resolved without the use of the military force now denied the great powers, at least on a global scale. We did not resolve our ideological differences, nor reduce all our conflicts of interest, but, as Justice Douglas notes in the concluding essay in this paper, we did achieve a substantial number of agreements and arrangements under which a great deal of useful international business has been conducted. We can draw at least a minimal lesson from that experience: we are not strangers any longer, and it is not ordained that we must again become enemies.

Robert McNamara, who has been as close to these matters as any man alive, ended his long tour in the Defense Department convinced that the most dangerous thing in the world is a state of mind—the belief among powerful men on both sides, in the face of all the horrendous evidence to the contrary, that somehow the scientists will yet find a way to employ nuclear weapons so that military men may again win a war. This is the real issue in the ABM controversy; when nations begin to accept the thesis that they may be able to devise adequate protection against nuclear attack they also raise the possibility that they may yet be able to use decisively offensive missile force; and on the basis of a mixture of unfounded hopes and challenged assumptions they may turn away from serious negotiation and the effort to find a way to base international relations on liberating reason rather than paralyzing fear.

I say the time has come when we should take some risks in the name of peace, rather than continue the great nuclear gamble in the name of security. In this light ABM might yet provide a great service in advancing the strategic arms negotiations, if, having taken the system to this stage; of development, we set it aside as a symbol of our determination to halt the arms race where it is, and turn it back if we can. Let us couple this with passage of the nuclear non-proliferation treaty now pending in the Senate, and go back to the negotiating table with the Russians. The application of as much energy, imagination, and determination in an honest effort to find a formula for arms control as we have invested in the effort to ring our cities with ABM will, I am confident, bring far greater rewards with less risk.

Many wise and experienced men in Washington who agree that this is what we should do insist that it cannot be done—that it is a political impossibility to reverse the policies that have produced, and are now shaped by, the military-industrial complex. It will be difficult, yes, but it is not impossible. For we cannot forget that our only chance of obtaining the huge volume of funds and talent required to rebuild American society at home lies in placing some limitation on the arms spiral. If we fail to do this, urgent domestic needs will go unmet. What is needed now is a great expansion of the dialogue set forth in this paper: let us get the issues out in the open, and get them clear. The fundamentals of the missile controversy are not beyond the comprehension of the American people, and certainly no decision of the magnitude of ABM should be taken on their behalf without greater evidence of their informed consent than can be said to exist presently.

WAVERLY, MINN., *January, 1969.*

THE HONORABLE HUBERT H. HUMPHREY, UNIVERSITY OF MINNESOTA, MINNEAPOLIS, MINN., FEBRUARY 26, 1969

The security of a modern nation is to be found not only in its military power but in the sum total of its political, social, economic and military strength.

National security policy—while requiring the expert and technological advice of those skilled in military science—must ultimately be determined by the political leaders. Georges Clemenceau was right when he observed that war is too important to be left to the generals.

The 20th century has already seen two world wars and hundreds of regional and local conflicts that have taken millions of lives, consumed the resources of nations, and brought mankind to the brink of a nuclear holocaust. In many ways, it could be called a century of destruction.

And yet, paradoxically, this same century has seen the liberation of millions of people from colonial rule, a steady rise in the standard of living for many millions, the development of international institutions to preserve peace and to promote social justice.

It has been a century of war and a century of the search for peace. It has been a century of destruction of life and the century of human rights. In this century we have entered the nuclear and space age with its potential for human progress and peaceful exploration of the universe or its potential for the destruction of the human race as we know it.

This is the background to our discussion of the issues of peace and war in the nuclear age. More specifically, we now face a crucial decision: Will we continue the search for ways to end the momentum of the nuclear arms race, or will we begin yet another round of arms building—with all the danger and insecurity that decision would produce?

This is today's crucial political issue. Once we have moved to a new plateau of sophisticated weaponry, such as the Sentinel anti-ballistic missile defense system, it will become exceedingly difficult, if not impossible, to restore the strategic balance on which true security ultimately rests.

Since the dawn of the nuclear age, and the unleashing of the terrible destructive power of atomic bombs at Hiroshima and Nagasaki, we have tried to prevent the use of this indescribably destructive military power.

In these years we have provided for our defense—and for the protection of all mankind from nuclear war—through the philosophy of deterrence or, more precisely, a strategy of "mutual assured destruction." No man can contemplate a rational defense in a nuclear war that would leave millions of people dead. We must depend instead upon our ability to deter attack, to prevent a nuclear war from ever beginning.

This we have done thus far. We have provided ourselves with the ability to prevent any aggressor from attacking us with im-

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punity. We have the ability to destroy any nation or nations that should choose to unleash a nuclear holocaust against us, or to threaten our vital interests or those of our allies—just as we understand the fatal dangers to the United States if we should ever initiate a nuclear strike.

As a result, there has been no nuclear war, not even in the darkest days of our political conflict with the Soviet Union.

But relying upon a strategy of deterrence is not enough. We must also guard against the danger that nuclear weapons will be acquired by nations not directly involved in the equation of deterrence which restrains and controls the actions of the great powers.

Too often conflicts between small nations have grown into conflagrations involving many others. In the nuclear age, no one can rationally predict the consequences for the safety of all mankind of a single nuclear weapon exploded in some far-off, supposedly limited, conflict.

For this reason, we have labored for years to limit the spread of nuclear weapons—to keep these terrible devices out of the hands of smaller, less responsible nations. And we have just achieved our first measure of success.

During the Johnson-Humphrey Administration, we concluded a nuclear non-proliferation treaty to take the first step towards preventing the world from becoming hostage to the mad act of some small country.

I long supported this effort. Indeed, I was the first member of the Johnson-Humphrey Administration to discuss publicly the desirability of such a treaty.

I support it now, as the non-proliferation treaty is finally submitted to the United States Senate for ratification by the Nixon Administration. I urge its early ratification, and I hope that we will take those further steps now required if the spread of nuclear weapons is to be halted.

But halting the proliferation of nuclear weapons among the nations of the world is not enough. We must also halt the nuclear arms race among the super powers.

Indeed, this is a step we must take if the non-proliferation treaty is to achieve its desired results. In the long run we cannot ask others to forego nuclear weapons if we—and the Soviet Union—fail to restrain ourselves in the needless accumulation of destructive nuclear power.

But there is another more fundamental reason for halting the strategic arms race with the Soviet Union. We are now on a strategic nuclear plateau—where neither side can commit nuclear aggression without incurring unacceptable destruction in return. In these circumstances, there is a relative measure of nuclear security for the United States and the Soviet Union. Both nations can now turn their minds from the dread dangers of a surprise attack by the other side.

This easing of tensions arising from the nuclear arms race has been achieved only after long efforts and at great cost.

Today both super-powers possess sufficient nuclear power for mutual deterrence. But tomorrow, if we allow the nuclear arms race to accelerate once again, we may find ourselves fearing for our lives and safety. We must not, in short, return to the fears and insecurity of the 1950's by introducing new uncertainties into the strategic arms balance between the United States and the Soviet Union.

There is some evidence that the Soviet Union appreciates the dangers in a further escalation of the arms race. They have, for example, continued to confine their ABM activity to a rudimentary system around Moscow. On the other hand, they have continued to strengthen their offensive missile forces.

But the Soviets have also indicated a willingness to begin comprehensive talks on a limitation of both offensive and defensive strategic nuclear weapons. I have long advocated this step—and at the earliest possible opportunity.

I believe we can now join the Soviet Union in productive talks on controlling the strategic arms race.

To those who say you cannot successfully negotiate with the Soviet Union, I reply that we have successfully negotiated with them on many occasions. We have many precedents, beginning with the limited nuclear test ban treaty, negotiated by President Kennedy in 1963. We subsequently reached agreement to establish a hot-line between Moscow and Washington, and it was used to avert a confrontation during the Arab-Israeli War of 1967. At the United Nations we achieved a treaty to ban weapons of mass destruction from outer space.

We concluded a consular convention and a civil air transportation agreement with the Soviet Union.

I personally supported all of these measures and pioneered in advocating the test ban treaty and the space treaty. I understand the profound difficulties often encountered in such negotiations. Success is never guaranteed. Yet I think we have no alternative but to begin talks to end the nuclear arms race. We have to try.

To those who say you cannot rely on their word, I reply that it is not a question of relying on good faith alone. Any agreement to be acceptable must be subject to both inspection and enforcement. Modern technology has made this more easily accomplished than anyone would have dreamed possible, even five years ago. We are at a point in international relations where we can, through advanced techniques of science and technology, inspect and monitor agreements limiting strategic nuclear weapons and missiles.

To those who say we cannot risk losing the time that may be necessary for these negotiations to succeed, I reply that we now have the time to do this without jeopardizing our national security. Our offensive nuclear strength, based on our Polaris fleet, our Minuteman missiles and our manned long-range bombers, gives us the opportunity to explore in depth with the Soviet Union steps to preserve the existing strategic plateau and to avoid another round of weapons deployment that would destroy this plateau. We then can examine ways to reduce existing stockpiles of weapons by mutual action.

It has been suggested in recent weeks that these talks should be postponed until they can be linked to more settlement of outstanding political problems.

I cannot agree with this position. The urgency of our present problem—to prevent a further round of the nuclear arms race before it is irreversibly launched—cannot wait upon the solution of political disputes that have been many years in the making—and will be many years, if not generations, in solving.

Nor are these broader agreements necessary for success in talks to limit the arms race. Indeed, we negotiated both the limited test ban treaty and the non-proliferation treaty during the Vietnam War when our relations with the Soviet Union and the other Communist states were severely strained.

There is only one caution. It must be clearly understood that our desire to negotiate an end to the strategic nuclear arms race in no way condones the aggression of the Soviet Union against Czechoslovakia, nor would it condone similar acts in the future. Nothing we do now can erase from our memories the brutal repression last August in Prague.

We are sometimes told that our allies in Western Europe would be concerned lest our approaches to the Soviet Union on arms controls should delay the day when Czechoslovakia will again be free. I do not agree. I believe that our allies understand the grave issues involved in ending the arms race and, with adequate consultation and counsel on our part, will strongly support that move.

Indeed, an effective agreement to halt the nuclear arms race will make it far more likely that we and the Soviets will be able to go forward with our allies, toward the solution of outstanding political problems.

But the fundamental requirement for this process of consultation is strategic stability. Anything we do to maintain that strategic stability—to freeze the arms race at or near today's levels or to reverse it—will improve our political relations. But anything we do to reverse it—will improve our political relations. But anything we do to disrupt that strategic stability will lead us back to the darkest days of the Cold War.

There is today an immediate danger to the stability of our strategic relations with the Soviet Union—the impending decision by the administration and Defense Department to proceed with deployment of the Sentinel anti-ballistic missile system.

Let me be clear: I have always supported and will continue to support, any effort for the security of the United States. There can be—there will be—no compromise with our defense.

But is this anti-ballistic missile system a contribution to that defense? I believe it is not. And therefore, I firmly oppose deployment of the Sentinel ABM system at this time.

The Sentinel ABM system was originally designed to nullify an attack by China against the United States sometime during the 1970's, after China acquires the ability to launch a limited number of nuclear missiles against us. If Sentinel would do this, and would not erode our security in other ways, I would support its deployment—even though it would only be needed to deal with the mad act of a Chinese leader whose own country would be destroyed in return.

The Sentinel system will not do this. Even its advocates do not claim that the Sentinel will provide absolute immunity to a Chinese attack. There are serious questions with regard to its technical feasibility and reliability, particularly against a carefully planned and executed attack. It could never be tested without renouncing the atmospheric nuclear test ban treaty that we worked so long and hard to achieve.

But more significantly, deploying an anti-ballistic missile system against China—however imperfect the system would be, and for however few years it would be partially effective—could have serious repercussions on our relations with the Soviet Union.

Quite simply, we cannot afford to upset the strategic nuclear balance with the Soviet Union—and Sentinel will do just that.

If we begin to deploy this system, we will inevitably raise doubts in the minds of the Russians about our intentions. We will force them to improve their own offensive missile forces, thereby postponing further a freeze in the arms race. We will add new uncertainties to a strategic balance that can remain stable only when each side is satisfied it knows the composition of this balance.

There are further dangers. Major weapons systems, once begun have a tendency to expand. The Sentinel systems would be no exception, especially since there is already strong pressure—to transform it from the so-called "thin" system to a more elaborate and costly deployment directed against Soviet strategic nuclear forces.

But for every advance we achieve in anti-ballistic missiles, the Russians will be able, for much less effort, to recapture the same ability to wreak destruction on the United States through more sophisticated offensive weapons. The same argument applies in reverse, and would make a serious Soviet attempt to build anti-ballistic missile defenses equally futile. The *offense* can always be a step ahead of the defense—our generals and scientists agree on this.

What we are now facing, therefore, is the prospect of embarking on a project that will provide us with only a marginal increase, at best, in our physical protection against China, yet will almost surely introduce grave uncertainties into our relations with the Soviet Union. And if history is at all instructive in this regard, it is likely that the defensive weapons system will be obsolete at approximately the same time its initial deployment is completed.

On balance, then, the risks of deployment far outweigh the risks of continuing to maintain this system at the research and development stage.

To postpone—or to abandon—deployment of the Sentinel system does not mean that we are leaving ourselves to the mercy of Soviet technological breakthroughs. We must continue with research and development of ABM technology—and we are doing so. The issue is deployment—not development.

Then there is the question of cost. The present limited Sentinel system will cost at least $10 billion dollars. A full system, directed against the Soviet Union, would initially cost in the neighborhood of at least $40–$60 billion dollars—or more.

These are dollars vitally needed for meeting the problems of poverty, the decay in our cities, and the explosive time bombs of division and discord in America. We would purchase new nuclear weapons—adding nothing to our real defense—at the price of further postponing our efforts to improve our society at home.

It is now being argued that deployment of the Sentinel system will help us in our negotiations with the Soviet Union to control the nuclear arms race. We are supposed to trade it away for a comprehensive agreement on the more vital questions of limiting all offensive and defensive nuclear weapons.

I now question this view. If we have learned anything from our experience in two decades of deadly confrontation with the Soviets, it is that uncertainty in the strategic balance produces not agreement but fear and nuclear escalation which makes agreement more difficult.

With the bomber gap of the 1950's and the feared missile gap of the 1960's, there were grave complications in our ability to deal with the Soviet Union on political matters. With today's nuclear deterrence parity, we can be optimistic about chances for a strategic weapons treaty.

I repeat: we should halt deployment of the Sentinel system and begin, as expeditiously as possible, negotiations with the Soviet Union on the reduction of offensive and defensive strategic weapons.

There is one further—one crucial—point. For many years we have been concerned with the problem of preserving a strategic balance with the Soviet Union, of planning against the emergence of China as a nuclear power, and of preventing the proliferation of nuclear weapons. But all too often we have looked at these problems in terms of weapons and hardware, instead of diplomacy and ideas.

There is one hard fact of life in this nuclear age: the determined aggressor, armed with nuclear weapons he may have built in secret, will be able to reap damage to any nation beyond our power to comprehend, even though the aggressor will likely be destroyed in the process.

The hope for the world to avoid this fate ultimately lies not in pursuit of more elaborate technology of destruction but in the pursuit of peace through the only means that can make peace real and lasting—and these are primarily political means.

If we upset the existing strategic balance with the Soviet Union, we will harm the few prospects for meaningful political understanding and conciliation.

If we think of Mainland China only in terms of an irrational nuclear attack, we will stand to lose our chances in the coming years to encourage Peking to take an active peaceful part in the affairs of the world community.

And if we think of non-proliferation only in terms of nuclear weapons, and ignore the real conflicts and misunderstandings that may impel nations to acquire these weapons, we may find ourselves one day in a world made far more dangerous by the existence of many nuclear powers.

We must, in short, come to understand that real security is the compound of many elements—and not just the military weapons systems developed by the professional defense establishment. In the pursuit of real national security, we must not chase after shadows and illusions which will cloud our vision of the more difficult, but ultimately no less necessary, political settlements.

As President John Kennedy said at American University in June, 1963: "Let us examine our attitude toward peace itself. Too many think it unreal. But that is a dangerous, defeatist belief. It leads to the conclusion that war is inevitable, that mankind is doomed, and that we are ripped by forces we cannot control.

We need not accept that view. Our problems are man-made; therefore, they can be solved by men. And man can be as big as he wants."

I say we can yet be masters of our destiny.

We can walk the difficult path it takes. But it will require courage, conviction and hard, rational thought.

I do not think that this is too high a price to pay for the survival of mankind. This is not too high a standard to require of men who hold in their hands the power of nuclear destruction. It is simply what we as creators and stewards of the most terrible power ever known to man owe to ourselves and to future generations.

I say we must pay this price. We must find this way to peace.

The Honorable Hubert H. Humphrey: William C. Foster Dinner, Washington, D.C., April 3, 1969

It is a great privilege, and indeed a great personal pleasure, to participate in this dinner honoring William C. Foster, our first full-time disarmament diplomat—our first director of the first Federal agency concerned solely with arms control and disarmament.

Having had more than a passing interest in the legislation which made these "firsts" possible—the creation of the U.S. Arms Control and Disarmament Agency—I have thought many times of our good fortune in President Kennedy's selection of Bill Foster as the Agency's first director.

Our late President selected a man who understood the complexities and frustrations of attempting to control the accumulation by many nations of ever-more destructive weapons.

But this was understanding born of an inner toughness, a quiet courage, which characterized Bill Foster's conduct at Geneva and in the high councils of this government.

Make no mistake: it helps little to approach the issues of arms control with a bleeding heart. Neither anger nor anguish provide answers. The subject is too important for sentimentality—too difficult for sloppy thinking.

Clear vision is essential—but so is a hard head.

This issue of armaments—and how to control and curtail them—goes to the foundation of international behavior;

Of how the leaders of nations look at the world;

Of how men seek to defend themselves and their vital interests in an international environment which has never been secure.

The problem of controlling armaments is nothing less than the problem of achieving world order—and all that obstructs the establishment of a universal system for the peaceful settlement of conflict.

We know there are many kinds and levels of arms control problems. We know there is more than one arms race going on in this world.

But we know, too, that there is one arms race which overhangs and overshadows all the others: the strategic nuclear arms race between the Soviet Union and the United States.

We are, and we have been since the Soviet Union's initial rejection of the Baruch Plan, reluctant participants in this arms race.

But we have done what we had to do: we have stayed ahead in the race we tried very hard to avoid. We have stayed ahead not only for our own security and defense, but also because of our responsibilities and obligations to other free peoples.

But "staying ahead" in the nuclear race is a highly relative concept in the late sixties. The fundamental political fact is that both sides now possess the means to inflict "unacceptable damage" on the others.

We have kept our nuclear deterrent highly credible.

But we have kept it under lock and key—unusable except by decision of the President of the United States.

We have surrounded it with elaborate devices to guard against accident or misunderstanding: the hot line between the White House and the Kremlin, for example, is always open.

And despite the dangers and the terrors of this arrangement—or perhaps *because* of them—the policy of deterrence has worked. It is a stark fact that there has been no nuclear war. No man, woman or child has been a victim of nuclear arms since 1945.

But in our search for a more stable international environment, the United States has done more than maintain a credible deterrent force of strategic weapons.

We have negotiated patiently and seriously—in Geneva and New York, in Moscow and Washington—for ways to curtail production of nuclear weapons materials, to limit the means of delivery of nuclear bombs, to end nuclear testing, to prevent another upward spiral in the accumulation of nuclear weapons.

We have insisted only that the world be able to verify somehow that agreements made will be agreements kept.

In all of this there have been many false starts, much disappointment, and nerve-wracking frustration. And who knows this better than Bill Foster?

It stands to the great credit of the American government—and to the skill of our tireless negotiators—that patience with perseverance *has* prevailed. We have kept at the job of trying to limit and reduce arms whenever we had someone else to talk to—a rather basic prerequisite for productive negotiations.

But patience and hard work have reaped their rewards. We have not been standing still. In fact, it is only the immensity of the problem as a whole—and the awesome nature of strategic nuclear weaponry—that obscures a series of dramatic achievements.

In the past eight years:

Total disarmament has been achieved in Antarctica;

Testing of nuclear weapons has been banned in three environments;

The rise of atmospheric contamination has been halted;

Outer space has been ruled out for nuclear weapons;

Latin America has been quarantined against atomic arms;

A curb has been placed on the spread of nuclear weapons and nuclear weapons technology through the non-proliferation treaty;

Work has started on securing a second environment—the seabed—from encroachment by weapons of mass destruction; and

We have offered to move toward regional arms control in Europe;

We are seeking to negotiate a program of Regional Arms Control in the Middle East;

In order to insure and verify the integrity of Arms Control Agreements, we have developed an elaborate and effective system of detection, inspection and surveillance;

So if an enormous job remains to be done, we are not starting from scratch. Due in large measure to the man we honor this evening, impressive strides have been made.

We now stand at a critical moment—a rare opportunity to break the upward spiral of strategic weaponry which has dominated U.S.-Soviet relations since the dawn of the atomic age.

We have had reason to believe for many months that the Soviet leaders are willing to begin bilateral negotiations over the control of offensive and defensive strategic weapons. Only the tragic Soviet intervention in Czechoslovakia kept these talks from beginning last fall.

I have no illusions about the difficult nature of these negotiations. When responsible leaders of great nations approach their vital security interests, they do so with great caution. I know our leaders will not agree to anything that endangers our national security. And I make the same assumption about the Soviet leaders.

But I also assume that the Soviet leaders would not lightly enter into these talks with us. If that assumption is wrong, of course, all bets are off.

But we must believe, until their actions demonstrate otherwise, that the Soviets understand the compelling reasons for ending the nuclear arms spiral—a process which is not only expensive and dangerous, but one which has become meaningless in terms of securing for either side a decisive military advantage.

We must pray that the Soviet leaders see the futility and folly of pursuing further a course which cannot possibly add either to their security or to ours, but which will instead lead all mankind closer to the brink of nuclear disaster.

It is, therefore, vitally important that we understand the urgency of beginning these bilateral talks as rapidly as possible.

I do not agree that these negotiations should await progress in settling more general political problems. The imperative of our present circumstances—that of preventing the next round in the nuclear arms race before it is irreversibly launched—cannot await the solution of political disputes many years in the making, and that will be many years, if not generations, in solving.

It is especially important that prior to the negotiations we exercise great restraint in word and action on matters relating to strategic weapons.

It is primarily for this reason that I have opposed the decision to proceed with a modified deployment of the anti-ballistic missile system. I remain unconvinced that the security of our second-strike forces required such action at this time.

More than this, however, there remain severe questions about the efficacy of the Safeguard system in comparison to other steps which might be taken to protect our ICBMs or to strengthen our Polaris fleet—steps which would avoid moving to the next level of nuclear weapons technology.

My concern for restraint in word and action prior to U.S.-Soviet negotiations also causes me to regret very much those statements imputing to the Soviets a commitment to achieve a first-strike capability in strategic nuclear weapons.

In a world where our Polaris fleet is constantly on station, in a world where we have proceeded very far in the development of multiple independently -targeted reentry vehicles, I do not believe the Soviets could seriously delude themselves into thinking a first-strike capability was possible.

These statements, moreover, necessarily arise from a series of assumptions of long-term Soviet behavior, assumptions which by their nature can be neither proven nor disproven at this time and which remain, to say the least, a matter of considerable debate among our intelligence community.

Secretary Clark Clifford, for example, reached quite different conclusions as to the Soviet strategic posture less than three months ago. And Secretary of State Rogers clearly raised doubts about the reliability of these forecasts of a Soviet first-strike capability when he stressed the negotiability of the Safeguard system in any future arms control talks.

These forecasts of Soviet strategic intent—statements which depart markedly from earlier U.S. pronouncements—can only raise doubts in the Soviet mind about *our* strategic objectives. And we know from the past that doubt or uncertainty on either side about the strategic goals of the other has been a principal stimulus to the nuclear arms spiral.

A far more prudent course, in my opinion, would be one which avoided raising spectres of massive Soviet strategic commitments until we have determined through direct talks their actual willingness or unwillingness to decelerate the arms race. Then we will not have to speculate on such critical matters. We will know.

I trust we are wise enough to understand that within the Soviet government, as within our own, are found widely varying opinions and beliefs on the issue of strategic weapons. We must, it seems to me, be exceedingly careful not to erode through ill-considered statements or decisions the influence of those Soviet leaders who may be advocating a more rational policy of controlling the strategic arms race—those men who now seem to favor bilateral talks with the United States. For we can never doubt the Soviet Union's capacity to propel the arms race to new and more dangerous heights if saner and more rational heads do not prevail—just as the Soviets cannot doubt our ability to do likewise.

That is why our efforts must be directed toward beginning the negotiations as promptly as possible and in an atmosphere as conducive as possible to meaningful progress.

Let me also observe at this juncture: I would hope that our government would enter into these bilateral talks with a truly comprehensive proposal, one that raised all major issues for negotiation and which did not unilaterally restrict the flexibility and freedom of our negotiators.

Some people cannot conceive of the possibility that the two nuclear giants could ever reach an enforceable agreement to halt the arms race. These people may be right.

But even great powers with different values and different political and social systems share at least some areas of common interest. Manifestly the first area is a shared interest in survival.

Perhaps this does not respond to the highest ambitions of our hearts and minds. Perhaps it is no great compliment to the human race that it took nuclear weapons to teach us that lesson. But survival is an excellent place to start. It establishes the fact that the great powers today stand, in the most fundamental sense, on common ground. And from this, much that is sane and good can flow.

No doubt bilateral arms control talks with the Soviet Union will be difficult. No doubt they will take some time. More likely than not, they will have their ups and downs. But given the terrible risks to which the U.S., the Soviet Union and much of the world's populations will be exposed if the arms race proceeds unimpeded, we have the obligation—in the most profound sense of the word—to try.

Whatever we do has an element of risk—Isn't it time to take some risk for peace?

In all of this there is expectation—possibly premature but pregnant with hope for a world where the cold war is but a memory—where arms races are behind us— where peaceful engagement and reconciliation are the order of the day, East and West.

I think I know as well as any man just how hard it will be to get from here to there.

I know how many powerful traditions must be confined to history's junkyard—and how much new history must be made.

I know, too, that with all the will and all the energy we can summon, with the clearest vision and the most creative imagination, we cannot reform relations which others do not want to reform, or which they fear to reform.

But let history record that America was not the country which denied the people of this planet a chance for survival.

Let this nation boldly take the lead in working for arms control and disarmament—nuclear and conventional, global and regional—for peaceful settlement of those disputes which do arise among nations—for an atmosphere in which governments can at last devote maximum energies and resources to the needs and aspirations of their own peoples.

Let future generations read and know, that in a period of danger, uncertainty and peril—we had that extra measure of courage and character which challenged us to try.

This is the opportunity which now awaits us. I pray that we do not let it slip away. I pray that we are willing to take the risks for peace which can gradually transform the fragile balance of terror into a covenant of trust among nations.

For only as we succeed in replacing terror with trust, fear with faith, and suspicion with confidence can we expect to fashion the foundations of world order that are necessary for survival in the nuclear age.

"SAFEGUARD": A QUESTION OF PRIORITIES

(The following guest editorial is by Hubert H. Humphrey, former Vice President of the United States and titular leader of the Democratic party.)

President Nixon's decision to proceed with limited deployment of an anti-ballistic missile system is cause for sadness and concern rather than for sharp criticism: sadness that we sacrificed a rare opportunity for a bold U.S. initiative to slow down the spiraling arms race and concern over our apparent inability to run the same risks in the cause of peace that we are willing to assume in preparing for war.

At a time when the Vietnam fighting is intensifying, when the Paris negotiations appear to be stalled, and when tensions are rising in the Middle East, the world is waiting for some courageous act by a major power to demonstrate that a more stable and peaceful world is still within our grasp.

In my view, an explicit decision by the United States to suspend deployment of an ABM system at this time would have dramatized boldly our desire to negotiate an end to the strategic weapons race—*now*. To those who say this decision would involve military risks by failing to protect our intercontinental ballistic missile sites, I say the military risks in this instance are small and certainly smaller than the extremely grave risks we incur by permitting the strategic arms race to proceed unimpeded.

Two questions cut to the heart of the matter. Does a limited deployment of the

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"Safeguard" (ex-Sentinel) ABM system, as proposed by President Nixon, contribute to the military security of the United States? Is this decision a positive contribution in developing a more rational strategic arms policy for the United States and a more sensible ordering of our national priorities?

In answering these two questions, it is essential to understand that our survival in the nuclear age depends upon our ability to deter attack, that is, to prevent a nuclear war from ever beginning. By following this strategy of mutual deterrence, or, more precisely, of "mutual assured destruction," we have acquired the strategic forces to destroy any nation that would unleash a nuclear holocaust on us—just as we understand the fatal consequences to the United States if we should ever launch a nuclear first strike against the Soviet Union. It is in the context of this strategy of mutual assured destruction that the President's decision to proceed with limited deployment of the Safeguard ABM system must be evaluated.

To be specific: Has the recent growth of Russian strategic offensive weapons imperiled the United States' retaliatory (second-strike) forces to the degree where the Soviet Union might be tempted to initiate a nuclear attack? Do the intelligence projections of possible Russian offensive capabilities for the mid-1970s require us to deploy this new generation of weapons today in order to maintain an effective retaliatory capability during the coming decade? Can we afford not to enter into serious efforts to reverse the arms race first? *These are the crucial questions.*

As I said during the Presidential campaign, the United States possesses at the present time, and for the indefinite future, enough nuclear destructive power underground and in submarines at sea to obliterate any aggressor nation or nations. We are the most powerful country on earth. Our nuclear strategic second-strike force consists of 1,054 Minutemen and Titan ICBMs, 656 sea-launched ballistic missiles on Polaris submarines, and 646 intercontinental nuclear bombers. In presenting the Defense Department's budget for fiscal year 1969, Secretary McNamara estimated that as of October 1968 the U.S. could deliver approximately 4,200 nuclear warheads compared to the Soviet's capacity of 1,200.

The margin of security in preserving the credibility of our second-strike forces is considerable: Secretary McNamara estimated that 400 one-megaton warheads would kill about 74,000,000 Russians, and would destroy about 76 per cent of Soviet industry. With about 4,200 warheads ready to go, it is inconceivable that any Soviet or Chinese leader could doubt for a moment our capacity to deliver a crushing retaliatory blow.

The question is whether this margin of superiority will be eroded by ongoing Soviet strategic programs. Until the Nixon Administration switched its primary rationale for deploying the ABM, most analysts and policymakers were claiming that this was not the case. Secretary Clifford denied this Soviet capability as recently as January of this year. In his March 20 testimony, Secretary Laird raised the specter of the Soviet's being able to counteract our Polaris capability and deliver an effective first strike. One can't help but be struck by the coincidence of this being said, for the first time, at the very moment the Administration was being driven to find a new argument for ABM deployment.

If there is anything to this view, the President should lay it before the country with all the detail and gravity that a change of this magnitude commands. But if the view is not solidly grounded in new facts and estimates, raising this spector is the height of irresponsibility—a de-stabilizing factor of the first magnitude and, quite possibly, the poised trigger for a new round in the arms race which might well dwarf any possible effect of ABM deployment.

Even if one bought the argument that our ICBMs were critically threatened by the improved Soviet offensive weapons, there remains the nagging question of Safeguard's reliability. Since it can never be tested as a total system, and given the significant body of scientific opinion which doubts the system's reliability, is it unreasonable to wonder whether this is the best way to protect our second-strike forces? We might—for less money, in less time, and with greater reliability—choose instead to disperse and harden existing ICBMs, or place greater reliance on our Polaris strength.

Since a time might come when our national security would require some form of ABM defense—if, for example, arms control talks with the Soviets floundered and the strategic weapons race spiraled to new heights—I have supported our continuing with research and development of ABM technology. The issue before it now is deployment not development.

To sum up: Given the actual requirements of the strategy of assured destruction and the condition of second-strike forces, not to mention the questionable reliability of the Safeguard system. I do not see how the President's decision to proceed with limited ABM deployment contributed to the security of this country in any measurable degree. To the contrary, I believe it involves certain costs which the United States can ill afford to bear at this time. There are the obvious monetary costs—a minimum of $6 to $7 billion—which inevitably limit the amount of federal funds available for urgent domestic needs. We simply cannot afford any longer to ignore the crises in our cities and rural areas whose solutions inevitably will require substantial federal help. But there are less obvious costs, as well. For example, the cost of losing this chance to inject a note of rationality in the strategic arms race, and the cost of sacrificing a highly favorable moment to engage the Congress and the American people in the difficult and controversial business of achieving a more sensible ordering of our national priorities.

The ABM issue is now before Congress, and a protracted and story debate seems assured. Regardless of the outcome of this debate, we must now focus on the *urgency*—and that word is not chosen lightly—of decelerating the strategic nuclear arms race through arms control negotiations before the U.S. and the U.S.S.R. climb to the next plateau of offensive and defensive strategic weaponry.

It has been suggested that these bilateral talks should be linked to more general settlements of outstanding political problems. I cannot agree with this position. The urgency of our present situation—that of preventing the next round in the nuclear arms race before it is irreversibly launched—cannot await the solution of political disputes that have been many years in the making and that will take many years, if not generations, to solve. Nor are these broader agreements necessary for success in talks to limit the arms race. We negotiated the limited test-ban treaty in the aftermath of the Cuban missile crisis and developed the nonproliferation treaty during the Vietnam conflict when our relations with the Soviet Union and other Communist states were severely strained.

Many persons, including myself, have argued that any substantial deployment of an ABM system would upset the present balance of strategic forces between the U.S. and the U.S.S.R., thereby imperiling the arms control talks and triggering another round in the strategic arms race. But given the limited nature of the Nixon Administration's proposed deployment and its relocation from population centers to ICBM sites, it seems likely, although by no means certain, that the strategic balance has not been altered significantly—at least for the immediate future. Initial Soviet reaction to the President's decision would tend to support this assessment.

In the longer run, of course, the clear transformation of the system's initial anti-Chinese posture to one of defending our missile sites against both the Soviets and Chinese could complicate our relations with the U.S.S.R. This would depend on various factors, such as the rate, location, and quality of our future ABM deployment, as well as the results of bilateral arms control talks.

The urgency for arms control talks arises from the impending advances in offensive strategic weapons that threaten the strategic balance far more directly than a limited deployment of the Safeguard system, especially if the ABMs are kept away from population centers. Here the depth of President Nixon's recent commitment to the concept of U.S. "sufficiency" in strategic weapons, as opposed to his more bellicose campaign posture of U.S. "superiority" over the Soviet Union, will be put directly to the test.

The principal threat to the strategic arms balance and the notion of "sufficiency" is the development of MIRV (multiple independently targetable reentry vehicles)—a system which equips each ICBM with a number of separate warheads aimed at different targets. The deployment of MIRV-equipped Minuteman III missiles and Poseidon missiles on our Polaris submarines would multiply many times the number of deliverable warheads this country could unleash against the Soviet Union.

If, as President Nixon suggests, the Soviets understand the defensive characteristics of a limited Safeguard deployment around ICBM sites, they will be equally quick to get the message of MIRV—a manifold increase in our strategic offensive capacity. The Soviets can be expected to respond to such a dramatic expansion of U.S. nuclear forces with an equally concerted effort of their own—and the balance of terror will have been cranked up another notch.

There is a final and compelling reason for beginning arms control negotiations as quickly as possible. A freeze, and perhaps a subsequent reduction, of strategic offensive and defensive weapons is essential if the United States is to have the money that is so desperately needed on the domestic scene.

Unless we are successful now in slowing down the nuclear arms buildup, it can be predicted with certainty that our military planners will win approval of a number of long-delayed weapons programs costing, in the end, many hundreds of billions of dollars. The deployment of Safeguard and MIRV are only the most visible products of a development pipeline which contains, among other items, such exotic and expensive weapons systems as the Short Range Attack Missiles (SRAM), the Subsonic Cruise Armed Decoy (SCAD), the Manned Orbiting Laboratory (MOL), and a new manned strategic bomber.

I believe that the clear and present danger to the internal security of the United States—arising from the urban crisis, rural poverty, education deprivation, hunger, unemployment—make these projected levels of military spending totally unacceptable. It is time we got our priorities straighened around.

But the process of shifting significant sums of federal money from works of war to works of peace will not be easy. Every positive advance in nuclear arms control has been opposed by powerful members of Congress, the military and defense establishment, and certain segments of the defense industry. Any meaningful agreements reached with the Soviets concerning the freezing or reduction of our strategic weapons almost certainly will be attacked by these forces.

In my view, the battle over national priorities could have been productively joined around the issue of ABM deployment. A presidential decision in favor of postpone-

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ment, coupled with an announcement of this country's desire to proceed with bilateral arms control talks, would have been upheld in the Congress and supported enthusiastically by a large majority of the American people. But of greater importance than this: the United States would have made a truly historic contribution toward controlling the nuclear arms race, as well as a bold beginning in the difficult task of setting the right priorities in our national life.

THE MOLLENHOFF REPORT ON THE HARTIGAN CASE

Mr. ALLOTT. Mr. President, I have expressed my concern to my colleagues here in the Senate relative to the peculiar circumstances surrounding a former Assistant Postmaster General for Transportation, Mr. William J. Hartigan.

No reporter has followed up this matter more diligently than Clark Mollenhoff, of the Des Moines, Iowa, Register. Mr. Mollenhoff's expertise in the law as well as his wide knowledge of the Freedom of Information Act enabled him to obtain a reversal of policy by the Civil Service Commission with respect to divulging certain details about postal employees. As I told Mr. Mollenhoff when we discussed the matter, Congress had intended, when it passed the Freedom of Information Act, that personnel information be kept secret only for good and sufficient reasons.

I was delighted that Mr. Mollenhoff received the cooperation of the White House in his efforts; and I want to commend both Clark Mollenhoff and the White House communications director, Herbert G. Klein, for the work they accomplished in this regard. Accordingly, I would like to ask unanimous consent that two of Mr. Mollenhoff's recent reports on the Hartigan case be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD as follows:

[From the Des Moines (Iowa) Register, Apr. 23, 1969]

URGES PROBE OF IOWA FIRM, MAIL OFFICIAL—AWARDED CONTRACTS, JOINED COMPANY

(By Clark Mollenhoff)

WASHINGTON, D.C.—Senator Gordon Allott (Rep., Colo.) Tuesday asked for a General Accounting Office (GAO) investigation of the policies of former Assistant Postmaster General William J. Hartigan in connection with contracts awarded to an Iowa air-taxi firm.

Last week, Allott declared that Hartigan, a key Kennedy political organizer, has become a vice-president of the Iowa air-taxi corporation that received a large number of contracts while Hartigan was assistant postmaster general.

In a letter to Comptroller General Elmer B. Staats, Allott said he had "received additional information which causes me no little concern" over the policies followed by Hartigan as assistant postmaster general in charge of transportation.

SURFACE TO AIR

"Such an investigation by GAO should attempt to determine whether Mr. Hartigan manipulated the regulations of the post office so as to enable the rapid and wholesale conversion of surface mail transport routes to air, and the extent to which he might personally have benefited from such action," Allott stated.

"In addition, it should be determined whether any particular carrier benefited from this conversion to a degree they now dominate the industry."

Hartigan has been "a consultant" for the Sedalia's, Marshall, Boonville Stage Line, Inc., of Des Moines, since Mar. 6, 1968—about two weeks after he left his job as assistant postmaster general.

His contract called for $20,000 a year to be paid each month, officials of Sedalia, Marshall, Boonville told The Register.

Hartigan told The Register that he did have the official responsibility, and did approve more than 20 air-taxi mail contracts with the Des Moines firm in the six-month period prior to leaving the Post Office Department.

LOW BIDDER

However, Hartigan said that "all of the contracts were on bids, and Sedalia, Marshall, Boonville was the low bidder."

Hartigan said that he had avoided "any arrangement" with Sedalia, Marshall, Boonville prior to leaving the Post Office Department, but that he had "general offers" from that firm and others while still on the post office payroll.

The laws that prohibit making contracts with persons or firms dealing with a department make it difficult to make any arrangements before leaving government, Hartigan said:

"Once I got out of government, I didn't waste any time contacting some of the people who had offered me jobs," Hartigan said. "I have a wife and seven children, and I can't do too much sitting around between jobs."

NEVER SOLICITED

Hartigan declared that since he left the government he has "never solicited any contracts at the Post Office Department on behalf of Sedalia, Marshall, Boonville or any of my other clients."

The "conflict of interest law" prohibits a former employe or officer of a federal government agency from going before the agency "in connection with any proceeding, application request for a ruling or other determination contract claim, controversy, charge, accusation, arrest or other particular matter" as agent or attorney for any client.

Hartigan said he has been at the Post Office Department on many occasions "for social calls, and for obtaining explanations about government bulletins on transportation particularly on safety."

In recent weeks, Hartigan has been made a vice-president of Sedalia, Marshall Boonville and may go to Des Moines to take on the full-time job with the Iowa firm.

FLOOR SPEECH

Allott's first criticism of Hartigan in a floor speech a week ago was based upon the information that Hartigan was becoming a vice-president of the Iowa firm.

At that time, Allott did not know that Hartigan had become a consultant for the Iowa firm at $20,000-a-year only two weeks after leaving the government payroll.

The Colorado senator has questioned whether it was proper for Hartigan to become an officer of the Iowa firm even a year after having made more than 20 awards of air-taxi mail contracts to the Iowa firm.

Hartigan, a Boston man, was an airline employe who was active in the Senate campaigns of the late John F. Kennedy in Massachusetts, and in the 1960 presidential campaign.

TED'S CAMPAIGN

He was rewarded with a White House appointment in 1961, and later moved to the Post Office Department. In 1962 he resigned as assistant postmaster general to work on the political campaign of Edward M. Kennedy in Massachusetts.

After the campaign was over, President Kennedy again appointed Hartigan as an assistant postmaster general in charge of transportation. He kept that job until February, 1968.

[From the Des Moines (Iowa) Register, Apr. 25, 1969]

LIFT SECRECY LID IN POSTAL AIDE'S CASE

(By Clark Mollenhoff)

WASHINGTON, D.C.—The Civil Service Commission Thursday admitted it was "a mistake" to instruct federal agencies that it is a "violation of the law" to make public the government employment record of government employes.

The change of position by the legal office of the Civil Service Commission came within 24 hours of the time that The Register revealed that the commission had used the Freedom of Information Act to suppress release of essentially all personnel information.

RAPID RISE

David A. Nelson, general counsel for the Post Office Department, told The Register that he was notified early Thursday that the Civil Service Commission had made "a mistake" in telling Post Office officials that it would be "illegal" for them to make the step-by-step promotional record of government employes available to newspapers or the public.

The inquiries by The Register involved details of the rapid rise of G. Allan Brown from a $13,000-a-year job to a $27,400-a-year job while working for his brother-in-law, William Hartigan, former assistant postmaster general in charge of transportation.

Nelson told The Register that the detailed government record of Brown and any other friends and relatives of Hartigan will be made available to the press and the public now that the "erroneous" opinion has been reversed.

The dispute over the access to the record of Brown, now director of program budgeting and administration in the transportation division, was an off-shot from an investigation that Senator Gordon Allott (Rep., Colo.) has demanded of Hartigan's role in the award of more than 20 mail contracts, totaling more than $1 million, to a Des Moines air-taxi firm, Sedalia, Marshall, Boonville Stage Lines, Inc.

ACCEPTED POST

A few weeks after Hartigan left his job as assistant postmaster general in charge of transportation he took a $20,000-a-year job as a "consultant" for the Iowa firm, and in recent weeks it has been announced that he has accepted a post as vice-president of the firm.

Allott and Representative H. R. Gross (Rep-Ia.) have raised questions about the propriety of Hartigan taking the job with the firm, and they also have raised questions of possible conflicts of interest.

In a letter to the General Accounting Office (GAO), Allott has asked for an investigation with special attention to the role of Hartigan and "his relatives and friends" on contracts involving the Iowa firm.

Access to the personnel promotion records of Brown and others was an essential step in the over-all investigation.

NO FAVORITISM

Hartigan and officials of the Iowa firm say there was "no favoritism" and that the mail contracts were awarded "on bids."

In the course of the investigation it has become clear that many persons who were given unusual treatment in job assignments and promotions under Hartigan have remained in the transportation division and that Hartigan has moved out into the Washington world as a "consultant" on mail transportation contracts.

"It is a convenient arrangement, to say the least," Gross said Thursday. The Iowa congressman said it was "outrageous" that the Civil Service Commission would even try to withhold the records on when Brown was hired and promoted under Hartigan.

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"It was an outrageous distortion of the Freedom of Information Act into an information suppression act," Gross said. "I am pleased that the Nixon administration has forced the change in the civil service instructions, and I am hopeful that there will be more changes in the still too restrictive regulations of the Civil Service Commission with regard to personnel matters.

CONDUCT HEARINGS

Representative John Moss (Dem., Calif.), one of the authors of the Freedom of Information Act, called the Civil Service Commission's initial interpretation "ludicrous."

"If it isn't straightened out completely, we will conduct hearings on this matter," Moss said.

Senator Allott called the Civil Service Commission interpretation of the law "absurd and unreasonable."

"When Congress passed that law it intended that personnel information be kept secret only for good and sufficient reasons," Allott said. "In this case, I fail to see any such reasons. I was delighted to learn that the Nixon administration has taken the proper view of this question, and has assisted in the disclosure of proper information. This is certainly the will of Congress."

Herbert G. Klein, White House communications director, and James Henderson, director of public information for the Post Office Department, had commented critically Wednesday on the Civil Service Commission ruling as "unreasonable."

Henderson said Thursday that he still is unhappy about the restrictions on personnel information despite the fact that there was "an apology" for the initial "mistake" in ruling that it would be a "law violation" to give reporters, the step-by-step promotion record.

Even now the civil service continues in operation a regulation which bars release of any information about a government employe's age, his education record, or employment record prior to becoming a government employe.

Karl Ruediger, assistant general counsel for the Civil Service Commission, said Thursday that present regulations still include release of such information as "a clearly unwarranted invasion of personal privacy" under the Freedom of Information Act.

BEEN DISTORTED

An investigation of the history of the Freedom of Information Act and the interpretations of it show how a law designed "to protect the right of the public to information" has, in the words of congressional critics, "been distorted" into a tool for a coverup of information.

The intent of the law was so clear that an attorney general's memorandum in June, 1967, said it was "an affirmative direction to all agencies to make information available to the public."

There were nine areas of "exemption" including "national defense and foreign policy" and "personnel files . . . the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

PESTICIDE STUDY

Mr. MAGNUSON. Mr. President, the senior Senator from Michigan (Mr. Hart) recently placed in the Record a significant and disturbing report commissioned by the National Cancer Institute on the possible carcinogenic effects of certain pesticides. The Senator from Michigan has written a letter to the president of the National Academy of Sciences on this matter. Inadvertently the letter was omitted from the Record. I ask unanimous consent that it be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

April 25, 1969.

Dr. Frederick Seitz,
President, National Academy of Sciences, Washington, D.C.

Dear Dr. Seitz: Yesterday I received a copy of an extremely disturbing interim report entitled "Studies of Pesticides and other Agricultural and Industrial Chemicals" which was commissioned by the National Cancer Institute. This report, based on five years of research, indicates that eleven pesticides in common usage today cause "significant numbers" of tumors when administered orally to mice in the maximum doses tolerable.

In a specific test of DDT, the researchers discovered that when a group of mice was fed a mixture containing 140 parts/million of DDT over a period of 81 weeks, 63% developed tumors. With a control group of mice, only 16% developed tumors, indicating that the mice exposed to DDT were approximately four times more likely to develop tumors than mice not so exposed. In describing the DDT-induced tumors, the report states: "it seems more reasonable to conclude that the great majority had malignant potentiality."

In extrapolating from the experiments, the report contains the following alarming comments:

"At the present time, there is no way to predict whether man may be more or less susceptible than the mice to the induction of tumors by the compounds reported here. * * *

"Another problem in interpretation lies in the fact that laboratory experiences are designed to test a single chemical and to prevent exposures to other chemicals as much as possible. The environment of man, on the other hand, contains a complex mixture of chemicals. The way in which these interact to either enhance or inhibit carcinogenicity is a complex, difficult problem which has received insufficient investigation."

The report recommends that "a group of experts" be assembled "in the near future" to determine "whether any of the compounds should be labeled as carcinogenic."

Two weeks ago Dr. Herbert Ley, Commissioner of the Food and Drug Administration, concerned by the high levels of DDT (ranging up to 190 parts/million) found in the fish fat of certain seized shipments of Coho salmon, wrote to the Academy seeking advice on the potential hazards of pesticide contamination of sports and commercial fisheries. He asked the Academy to appoint an ad hoc Committee of distinguished scientists to review the problem and present its recommendations.

As Chairman of the Senate Commerce Committee's Subcommittee on Energy, Natural Resources, and the Environment, which in exercising its jurisdiction over fish and wildlife will soon commence hearings on the effects of pesticides on our nation's fisheries, I support this proposed study and urge that it be given high priority by the Academy. At the same time, however, I hope that the Academy will broaden its inquiry to pay greater attention to the impact of pesticides on mankind. In doing so, however, not only should the Academy consider whether certain compounds should be labeled as carcinogenic, as the Cancer Institute Report recommends, but it should also determine whether certain long-lived chemicals raise such serious carcinogenic or mutagenic dangers that they should be outlawed for use in the United States. For besides this Cancer Institute Report on carcinogenicity, there exists, as I am sure you are aware, a substantial amout of literature suggesting that these same chemicals may cause genetic mutations.

It is shocking to learn that a chemical like DDT, a common pesticide used around the house, in the garden, and on farms across the country, may be a dangerous carcinogen or mutagen. Yet if that long-lived compound is becoming increasingly concentrated as we progress upward in the food chain, the animal at the end of that chain—man—may face a serious medical and genetic crisis in the near future. Seven years have passed since the late Rachel Carson raised the alarm about the dangers posed by DDT and other pesticides and insecticides in her book *Silent Spring* and in hearings before our Committee. But the evidence indicates that we are continuing to pollute our environment with these chemicals at an alarming rate. We may well be facing a silent crisis.

The Academy has a unique opportunity to perform a great public service by creating a distinguished Committee to review the accumulated literature on this subject and to issue a comprehensive report containing recommendations for affirmative action. I hope that you will agree that this is a matter of utmost public importance and a project which the Academy should immediately undertake.

Sincerely,

Philip A. Hart,
Chairman, Subcommittee on Energy, Natural Resources, and the Environment.

DDT

Mr. TYDINGS. Mr. President, in the last few months there has been growing concern over the long term impact on the environment of man's increasing use of pesticides.

Many of these pesticides are persistent, that is they do not break down structurally after application. They remain in the natural system, passed on progressively through the food chain until practically all forms of life and considerable land and water are affected. Residue of these pesticides has been detected around the globe, in man and other animals.

There is no doubt that pesticides have brought benefits to mankind. At the same time, however, there is no doubt that man has applied them indiscriminately, in too great a quantity, and without a sufficient understanding of their impact on the environment.

I think it is time for us to review in depth our society's use of pesticides.

Perhaps the best known pesticide is DDT. It has been under considerable attack recently. Sweden has prohibited its use. After Lake Michigan coho salmon were contaminated by excess dosages of DDT and then seized by the FDA, the Michigan Agricultural Commission banned its use in that State.

Yesterday's Washington Post contained articles both pro and con on DDT, written by two distinguished scientists, Dr. Thomas H. Jukes and Dr. Charles F. Wurster. While I am inclined to agree with Dr. Wurster, who believes that DDT should be restricted, all of us concerned with the quality of the environment will profit from reading both articles. I ask unanimous consent that they be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Its Use Saves Untold Lives

(Note.—A biochemist, Dr. Jukes is professor of medical physics and associate director of the Space Sciences Laboratory of the University of California at Berkeley. He points out that he does not have, and never has had, any financial interest in the manufacture of DDT and that he worked for more than 20 years for a firm (American Cyanamid Co.) that makes a competitive pesticide (malathion).)

(By Thomas H. Jukes)

The pesticide DDT is under vigorous attack. We are told that it is a "biocide," a poison that threatens many forms of life. A generation has grown up that knows little of what the world was like before DDT came into use, and of the changes made by DDT. This story must be told again, because disease and hunger always lurk in the shadows. There is not room here, however, for more than a brief mention of the conquest of major sicknesses by DDT.

DDT first became famous for its effect on a terrible disease, typhus fever, carried by body lice and spread by rats. In the book "Rats, Lice and History," typhus fever is given credit for being the deciding factor in all major wars before World War II. The Allied armies of liberation found that typhus was widespread among the survivors in the Nazi extermination camps. Dusting of prisoners with DDT promptly stopped the increase of typhus and undoubtedly stopped a catastrophic epidemic from spreading through postwar Europe.

Malaria is rightly called the "monarch of diseases." In tropical countries, it has been almost universal. Sir Macfarlane Burnet said that it is the main agent of infantile mortality there and that much of the backwardness of peasants in the tropics has been ascribed to malaria. For a large section of the world, malaria is the way of life—a short and sickly life.

During the liberation of Italy in 1944, the Allies applied DDT to buildings in the Tiber delta. As a result, primary malaria disappeared from the region, and in 1945 it was reported that the health of the population was better than it had been for 2000 years.

From these beginnings, the use of DDT was adopted in malarious regions throughout the world because it is a residual insecticide with effects on mosquitoes lasting for months. It breaks the life cycle of the malaria parasite, which alternates between warm-blooded animals and mosquitoes. Sickness has decreased and large, previously uninhabitable areas have been opened up to human habitation through the use of DDT.

In discussing a few of the many aspects of DDT, I shall try not to use technicalities, but some reference to chemical and bilogical topics is unavoidable.

The use of pesticides depends on the principle of *selective toxicity*. All chemicals, including DDT, are poisonous, depending on the dosage. DDT is far more poisonous to insects than to ward-blooded animals. Insects would eat up the food supply of mankind if they had the chance, and the only practical way to prevent this is to use chemicals that are poisonous to insects but relatively harmless to man.

As a safeguard, pesticides are required to pass toxicity tests, and the amounts permissible in foods are set far below the toxic level. The Food and Drug Administration monitors the pesticide content of foods by taking samples for analysis. Sometimes a batch of food is condemned for being "over the line"; an example was the batch of Coho salmon from Lake Michigan that was recently seized.

These contained up to 19 parts per million of DDT. Ten grams of DDT, present in about half a ton of the salmon, would be an undesirable but not fatal single dose for one person. Men have had an intake of 18 mg of DDT per day for up to 19 years without detectable ill effects. This would correspond to eating two pounds of the salmon every day. Steps must be taken to stop the contamination, because it is undesirable and illegal. However, there is no immediate danger to public health.

DDT has been used to treat human beings far more than any other pesticide. It was applied as a dust to thousands of soldiers and civilians in the final year of World War II in typhus control. There was no injury to health, but it was obviously necessary to test the toxicology of DDT in controlled experiments.

Many such experiments were carried out with human volunteers who swallowed or exposed themselves to large doses, and information was also obtained from accidents. A single dose of about 700 milligrams for an adult is the borderline at which symptoms start to occur. About 20,000 milligrams (two-thirds of an ounce) has been eaten without a fatal result.

THE EFFECT ON INDIA

Of greater importance is the effect of prolonged daily dosage of small amounts. Here the information is far more extensive than for any other pesticide that is now widely used because, in several experiments, people were studied who had been exposed to DDT for up to 20 years.

The longest period of uninterrupted exposure was in the Montrose Chemical Co.'s plant in Los Angeles, where DDT has been produced exclusively and continuously since 1947. The turnover of employees is below avêrage. Sixty-three men had from five to 19 years of relatively heavy exposure to DDT and 35 of them were given intensive medical examinations by a team of researchers from the U.S. Public Health Service.

There were no cases of either cancer or blood abnormality among the 35 men who were examined or in the records of the other 28 men. The medical scientists concluded that heavy exposure of men to DDT for nine to 19 years produced no clinical findings that were significantly different from what might be expected from a similar unexposed group. In plain language, DDT had no effect, in spite of the fact that 20 of the men in the study were absorbing 17.5 to 18 milligrams per day, year after year, and had stored DDT in their body fat. The intake was more than 400 times that of the average person who gets traces of DDT in his food.

The greatest "experiment" of all with DDT took place in India. It started in 1953, with American cooperation, and was stepped up in 1958. It depended on the fact that DDT is a residual (or, as some say, "hard") insecticide, which stays on buildings after spraying.

At the start, there were 75 million cases of malaria in India, and life expectancy for Indians was 32 years. By 1962, 147,593,270 pounds of DDT had been used, and life expectancy had jumped to 47 years. The deputy director of the Malaria Institute of India commented that "a new era in economic development and social progress has been initiated with its beneficial transformation of the life of the people. . . . In the Terai region, land under cultivation and food grain production has increased and this region, once abandoned by its inhabitants because of the high incidence of malaria, has become a beautiful and prosperous area."

By 1967, Prof. Garnham estimated that there were fewer than 100,000 cases of malaria in India. Sir Macfarlane Burnet, in 1953, predicted appalling consequences of such a sudden conversion to a more vigorous and rapidly increasing population, including famine, emigration and intense internal and social repercussions. Many of these predictions have been fulfilled, but who would wish to limit populations by stopping the control of disease?

BIOLOGICALLY MEANINGLESS

How much is "zero"? Scientists recognize that zero exists only in theory.

Ever since man first appeared, the bodies of human beings have contained most or all of the so-called poisonous elements, including some that are radioactive. Shrimps contain more "natural" arsenic than would be permitted as a contaminant under pure food laws.

Judgments on how much DDT can be tolerated in foods are forced on us by the fantastically delicate testing methods that are now in use. One of these, vapor phase chromatography, can detect chlorinated hydrocarbons, including DDT, in fractions of a part per billion. Such minute traces are biologically meaningless.

One pound of DDT, if spread uniformly over the United States, would deposit one billion molecules on every square foot of surface. The best methods of analysis could detect the amount of DDT deposited on 1000 square feet by this tiny "fallout," and so I am not surprised or alarmed by claims that penguins in the Antarctic contain 1/20th part per million of DDT in their body fat. It just means that vapor phase chromatography is incredibly sensitive.

Incidentally, 38 penguin tissue samples gave a negative result in this investigation, and there are nonpesticide compounds, the chlorinated triphenyls, that test similarly to DDT and have been spread widely over the world. I am sure that the same penguins contained arsenic and gold from the sea water, molecules of sulphur compounds from New York City smog and radioactive carbon produced by cosmic rays. I am also sure that DDT is present in my fatty tissue, and I am not worried. I prefer this to malaria parasites or encephalitis viruses entering my blood from mosquito bites.

BIRDS AND ANIMALS

Public interest in wild birds and animals has grown widely in recent years, because we see the wilderness and its creatures vanishing as highways and subdivisions take over the landscape. We want to save our vanishing outdoor scene; and many conservation organizations have set up a great hue and cry against pesticides as a menace to wild life. I do not believe that the facts support such a concept.

Prof. R. L. Rudd said that the spread of suburbs, industrial pollution, the drainage of marshlands, the building of superhighways and the increase in numbers of people all have a disrupting effect on the wildlife population compared with which pesticides are of minor significance. Rachel Carson and her followers ignored this balanced viewpoint in favor of an emotional attack on pesticides, which are a convenient lightning rod to attract the indignation of many people who are alarmed by the onrush of technology.

Miss Carson attempted to discredit those who disagreed with her by saying that they were in the pay of the chemical industry. The same method of debate is used by some of her supporters. In January, 1969, a director of the Izaak Walton League was quoted on DDT as saying, "We are dealing with people concerned purely with the profit motive." One could point out that the publishers of "Silent Spring" made a handsome profit, but I prefer to discuss the effects of pesticides rather than to argue about the free enterprise system.

Many accounts of the effect of DDT on wild birds contain much "unfinished business" and indefinite findings. DDT undoubtedly has killed birds—for example, robins that got in the way of the nozzle when elm trees were being sprayed to control Dutch elm disease. Some bird-lovers stated their conviction that any robin that died for miles around was a victim of DDT.

It has become obvious that robins are not in danger as a species, despite the claim in "Silent Spring" that the robin seemed "on the verge of extinction." In 1963, the great bird expert Roger Tory Peterson said, "What is North America's No. 1 bird? Is it the house sparrow? The starling now outnumbers it. The American robin is a more likely can-

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didate than either. Found from coast to coast, it inhabits cities and forests alike."

It is said that DDT has caused a decline in the numbers of eagles and hawks, and sensational terms such as "extirpation" and "population crash" have been used in this connection. The spread of towns and cities is hard on hawks, and especially on eagles. So are hunters. Alaska, a few years ago, paid a bounty of 50 cents per claw for killing bald eagles. In 1962, the Fish and Wildlife Service reported that 91 per cent of eagles found dead will killed by violence, usually gunfire.

A survey of the numbers of migrating hawks has been carried on continuously at Hawk Mountain, Pa., since 1934, except for World War II. The count in 1968 was an all-time high of 29,765, 30 per cent higher than the previous record year, 1939. Ospreys are on the increase. Peregrine falcons have decreased in recent years, but are by no means extinct. The bald eagle count in 1968, which included 17 immature birds, was the same as the pre-World War II average, 55.

By far the commonest species (18,507) was the broad-winged hawk, which has a habit of eating caterpillars on fruit and shade trees, and hence should accumulate some pesticide residues. Its numbers in 1968 (18,507) were more than three times as great as the average count in the period 1935–42.

Eagles and hawks seem to be holding their own better than one would expect in view of the number of hunters and the increase in the human population.

BIRDS HAVEN'T HEARD

It has been claimed that DDT reduces the hatchability of birds' eggs by disturbing calcium metabolism. One version is that the disturbance causes thin eggshells, so that the eggs break before they are ready to hatch. Another account, in the London Observer April 14, quoted an international conference in Stockholm as stating that DDT causes "thickening of the shells of birds' eggs. If the shells become too thick, the chicks are unable to hatch." Most of the stories, however, seem to come from the "thin-eggshell" school of thought.

Some birds haven't got either of the two messages. In one experiment, quail receiving 200 parts per million of DDT in their diet produced eggs that hatched at a normal rate, 80 per cent, as compared with 84 per cent for those without DDT. However, the young quail were so severely poisoned by the mothers' diet that only 32 percent survived for two weeks and only 13 per cent for six weeks. In contrast, 83 per cent of the control birds survived for six weeks. Similar results have been reported with chickens. Obviously, the toxic effect was on the young rather than on the formation of the eggshell by the mother. In both experiments, the amounts of DDT fed were far higher than would be encountered under field conditions.

It is interesting to compare the numbers of birds seen per observer in the Audubon Society Christmas bird counts for 1941 and 1960, before and after the widespread use of DDT. The greatest increases are in grackles, redwing blackbirds, cowbirds, starlings and robins—up 11-fold to 131-fold. This may be a result of beneficial effects of DDT on wild birds. Insecticides kill certain lice that infest birds, especially baby birds.

I think, however, that by far the greatest effect of DDT on birds is to kill mosquitoes that carry serious diseases of wild birds, including malaria, Newcastle disease, fowl pox and encephalitis. This may explain the population explosion of redwing blackbirds. They dwell in swamps that are sprayed to kill mosquitoes. Obviously, such an effect upsets the "balance of nature."

THE THIRD WORLD

Why am I really for DDT? Why do I argue with my bird-loving friends? I was brought up to watch birds. Certainly the chemical industry can make lots of pesticides that are less "residual" (and more profitable) than DDT. But I am for DDT.

First, DDT is safe, and has been studied more than any other pesticide for its effects on human beings. Without pesticides, there wouldn't be enough food to go around. Next, the campaign against DDT is emotional and unscientific, and I object to this. Most important of all, DDT is needed by the millions of "Third World" people because it is a cheap, safe residual pesticide.

Prof. George Nelson sent me a picture of an African with "river blindness," caused by onchocerciasis, which, he says, afflicts between 30 million and 40 million people in Africa. In some villages, the adults are all blind, and are led around by children who face the prospect of blindness.

The disease is caused by a microscopic parasitic worm carried by a black fly that breeds in swiftly flowing streams. It was accidentally found—when a donkey carrying DDT fell in a river—that the fly larvae in streams are readily killed by DDT, and as a result of this discovery, the black fly was eliminated from a large area in Kenya. This should break the cycle of infection, which depends on the parasite shuttling between people and flies. Is there hope for the children of the victims of river blindness?

An article published in 1967 predicted that the campaign against pesticides can cause deaths and sufferings greater than those of World War II. I agree with this prediction.

It's Polluting All the World

(Note.—A Ph.D. in organic chemistry, Dr. Wurster is an assistant professor of biological sciences at the State University of New York at Stony Brook. As chairman of the scientists' advisory committee of the Environmental Defense Fund, he has played an active role in efforts to restrict the use of DDT.)

(By Charles F. Wurster)

A quarter-century ago, man launched a biological experiment of truly colossal proportions, inadvertently using most of the world's animals as the experimental organisms. That experiment was the large-scale introduction of the insecticide DDT into the world environment.

Not much was known in those days about either insect control techniques or about DDT. But World War II was on, DDT killed bugs and didn't kill people, and so the great experiment was begun.

By saving millions of human lives in combatting typhus and malaria, DDT played a vital role in World War II. The experiment thus had a glamorous beginning, and after the war, the use of DDT skyrocketed as it became the panacea for all insect problems.

During the past 20 years, however, we have learned much more about the control of insect populations, and also about the environmental effects of DDT. The great experiment no longer looks so clever. Clearly, some aspects of the experiment have gone sour and, in fact, are taking on the dimensions of a disaster.

The residues of DDT (which include DDT and some of its breakdown products, especially DDE) seem to be almost everywhere—in soils never treated with insecticides, in birds and seals that never leave the Antarctic (although DDT has never been used on that continent), in most other animals and probably all of the world's human beings, and in the air, even in remote parts of the world. DDT residues even come down in the rain and snow. Probably more widely distributed than any other manmade chemicals, they have become the world's most serious pollution problem.

The root of this problem lies with the DDT molecule itself, for it combines four properties that are responsible for its behavior in the environment:

1. Toxicity to almost all animal life rather than simply the insect pest.

2. Persistence, so that it remains in its original toxic form for at least a decade and perhaps much longer.

3. Mobility, so that it doesn't remain where applied, but is carried about the earth by currents of water and air.

4. Solubility properties that cause it to be accumulated by living organisms, instead of getting "lost" in the oceans, in soils or in other inorganic parts of the environment.

It is hardly surprising, then, that contamination of animal life with this material is so incredibly widespread and that harmful biological effects are occurring. DDT is an uncontrollable compound once released into the environment, and it is senseless to speak of "controlling" its use or using it "discriminately."

It is further misleading to draw analogies between DDT and such other materials as salt, which is a much less toxic and entirely normal component of our environment, or aspirin, which is also less toxic and is readily degradable. The DDT problem is unique; only compounds with its combination of properties, such as several other chlorinated hydrocarbon insecticides, can behave similarly, and none of these has been used (fortunately) as extensively as DDT.

Since the beginning of its use, DDT has repeatedly caused wildlife disasters. At first, only the most obvious were detected. Soon after the war, the use of DDT in an attempt to control the bark beetle that spreads Dutch elm disease (a fungus) was begun, and the practice has been widespread since then. In 1946, biologists warned that the indicated dosages would be lethal to birds. They were right. Soil organisms such as earthworms, as well as flying insects, become contaminated and are eaten by birds, which receive a lethal dose and die with tremors, the typical symptoms of DDT poisoning.

Up to 90 per cent of all the birds in a community have been killed this way; well over 100 species have been involved in these mortalities. The process has been so thoroughly studied and documented by so many scientists in so many parts of the country that it is no longer of scientific interest. Yet this dismal sequence has been repeated again and again during the past 20 years as hundreds, perhaps thousands, of municipalities in the Eastern United States have killed millions of birds.

The ironic part of the story is that DDT is relatively ineffective, when compared with the process of sanitation, in preventing the spread of Dutch elm disease. The town that depends on DDT loses its elms as well as its birds.

Since the 1950s, large areas of North American forests have been sprayed with DDT for spruce budworm control. In New Brunswick, Canada, where excellent salmon streams include the Miramichi River, DDT applications caused severe and widespread losses of salmon, trout and other fish.

In 1954, ½ pound of DDT per acre was applied to the Miramichi watershed, and not a single salmon fry was seen that year. These extensive fish mortalities were followed in later years by fewer adults taken in fisheries and returning as spawners.

Large fish kills from DDT have also occurred in Maine, Delaware, New Jersey, California and many other areas too numerous to mention. Other aquatic life, including crabs, crayfish, shrimp, frogs, toads and reptiles, is also highly susceptible to the toxic action of DDT. They, too, sometimes become involved in mass mortalities, but more often they just quietly disappear from areas where they were once common, leaving only the inevitable debate over what happened to them.

BIOLOGICAL CONCENTRATION

During the last five years, however, scientists have become aware of much less obvious, more subtle and insidious and far more dangerous effects of DDT. Because of its solubility properties, DDT residues are absorbed by living organisms from their environment. The chemicals thereby enter food chains at various levels and are then passed up the food chain, becoming more concentrated each step of the way.

The carnivores at the top of this food pyramid therefore show the greatest degree of contamination, with lower members of the food chain containing less and the nonliving environment the least. This mechanism, called biological concentration, can cause carnivores, especially fish and birds, to carry residues of DDT at concentrations more than a million times greater than that of their environment.

The result of biological concentration is that large fish and birds can become heavily contaminated, often from an environment that seems relatively clean. Some measurements of environmental quality, such as water, air and soil analyses, may therefore be very misleading. A water analysis that shows the minute concentration of 0.000003 part per million of DDT looks harmless indeed, but represents false security.

Large birds and fish feeding in such a system may accumulate enough DDT to diminish their reproductive capacities. One must analyze living organisms, rather than water, to monitor water quality. Yet the apologists for DDT quote such tiny numbers in their attempts to ridicule those who are concerned about the DDT problem.

Ornithologists have known for some time that the populations of certain birds of prey, including such well-known species as the bald eagle, osprey and peregrine falcon, have shown steep declines during the last 15 years. With some species, these declines appear worldwide in scope. The peregrine, for example, has become extinct as a nesting species east of the Rockies and has declined to a tiny fraction of its former numbers in the Western United States and Europe. Only very recently, however, have scientists learned the cause of these precipitous declines.

EFFECT ON LIVER

We now know that DDT is a hepatic enzyme inducer. This means that DDT causes the liver to increase greatly its concentration of certain enzymes. These induced enzymes modify steroid sex hormones, i.e., estrogen, progesterone and testosterone, thereby changing their biological action. In birds, estrogen influences calcium metabolism.

Since female birds of prey accumulate DDT residues from their contaminated food, induced liver enzymes destroy the birds' own estrogen supplies, thus causing them to lay inadquately calcified, thin-shelled eggs. Such eggs usually break in the nest or lose too much water through the thin shell, resulting in dehydration and death of the embryo.

Populations therefore collapse from low reproductive success. Extinction of a species can occur from such sublethal effects without the killing of a single individual.

Since the late 1940s when DDT was first introduced on a large scale into the world environment, carnivorous birds of many species on at least two continents (Europe and North America) have been laying thin-shelled eggs and population numbers have been collapsing. Included are not only hawks, eagles and other birds of prey, but many sea birds as well. There is no sanctuary from this insidious chain of events. Unless the use of DDT is stopped, we face the extinction of a long list of carnivorous birds over wide areas of the world.

Meanwhile, we are told of the good health of our avian populations, as indicated by increasing numbers of pheasants, quail, mourning doves, turkeys and other game species. But these are all herbivores. Short food chains are less subject to biological concentration; herbivores do not become heavily contaminated and their mention is irrelevant to the DDT problem.

Likewise, some birds of prey that feed on herbivores, i.e., red-tailed hawks, white-tailed kites and golden eagles, are also not involved for the same reason. Birds at the ends of long food chains are the ones in danger.

DDT residues can also cause the collapse of reproduction in fish. Residues are accumulated by adult fish from their environment and their food and are passed in increased concentration into the yolk of their eggs. The embryo develops, apparently normally, and the fry hatch. Final yolk absorption occurs after hatching, and at this point the fry are killed by poisoning with DDT.

Biological concentration results in higher DDT concentrations in the larger fish, which include most game and edible species. Thus when the watersheds of Lake George were treated with DDT, all lake trout fry were killed and there was no successful reproduction for several years. This effect has occurred in other lakes, and now the Coho salmon fishery in Lake Michigan is suffering a similar fate. Last year nearly a million salmon fry, representing 11 per cent of the entire crop, were killed by DDT in Michigan hatcheries.

ACCUMULATING IN OCEANS

Analyses of large carnivorous fish and birds of the oceans now tell us that residues of DDT are accumulating in the ocean basins and contaminating oceanic food chains. In many cases, the degree of contamination is already as high as it is in many waters draining heavily treated agricultural land. From its properties, we must expect DDT eventually to reach increasing levels of accumulation and food-chain contamination in the oceans, and apparently this is happening.

The implication is clear. The failure of trout and salmon to produce viable fry in Lake George and Lake Michigan may soon be repeated among some of the world's major marine fisheries, if it is not already occurring. Some commercial species have indeed shown sharp and unexplained declines during recent years. The prospect is hardly reassuring for those who look to the sea for the increased food supply required by an increasing number of human mouths.

There is also a bright side to the DDT story. We don't need it any more. Great progress has been made toward an understanding of insect populations and how to control them. Many biological control techniques are now known, and a long list of nonpersistent insecticides, such as sevein, malathion and abate, is available. Modern concepts of integrated control, i.e., the blending of both biological and chemical procedures to manipulate insect populations effectively and economically, have reduced DDT to a crude and disruptive ecological poison by comparison.

The propagandists with vested interests try to tell us that the food and fiber for a starving world depend on the continued use of DDT, but those days are far behind. Fortunately, we can choose effective and ecologically sane alternative methods of controlling insect pests. It is time to end the great experiment with DDT.

RETIREMENT OF JOHN WALKER FROM NATIONAL GALLERY OF ART

Mr. PELL. Mr. President, it is with mixed emotion that I take this occasion to invite the attention of the Senate to the departure of John Walker from active directorship of the National Gallery of Art.

Affiliated as Chief Curator, with the then forming Gallery from 1939 and its Director since 1956, John Walker has performed a service for our country which can never be repaid and in many ways will never be fully understood. The National Gallery of Art is a truly great institution, with a collection of visual art which many believe to be unequalled in the world. The vision and taste of John Walker is evident throughout the Gallery. The many notable acquisitions which have been made under his directorship insure that our Nation will remain to have an unequalled repository of visual inspiration.

But John Walker's efforts not only resulted in what we can see when we enter the National Gallery; he has also endeavored to provide the Nation with a scholarship on art; for through the efforts of the National Gallery, educational material is available throughout the land to school children and others seeking to broaden their horizons.

As director he has also schooled many professionals who are assuming curatorial posts in institutions throughout the country and therefore his effect will be widespread.

On a personal note, I shall miss John Walker; his counsel and advice have been of great value to me. However, I am pleased to note that he will still be with us in the post of Director emeritus and I am sure will have a continuing influence in the development of the National Gallery.

Mr. President, the Washington Post of Friday, May 2, contains an article about John Walker, and in today's Post contains an editorial about him. I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

HIS JOB WELL DONE

(By Paul Richard)

John Walker, the elegant and amiable art historian who helped design the National Gallery of Art 30 yeras ago and who has served as its director since 1956, will retire July 1.

He will be succeeded by J. Carter Brown, the Gallery's 34-year-old deputy director who came to Washington to serve as Walker's assistant in 1961.

Paul Mellon, the Gallery's president, announced the change of command at a staff meeting yesterday afternoon. Walker's resignation was accepted by the Gallery's trustees.

The 63-year-old Walker becomes the Gallery's director emeritus after his retirement. Smiling broadly, he told the assembled salesgirls, guards and curators that he was delighted with his new title, with the young man chosen to succeed him, and with the opportunity to write in the months ahead.

Walker's retirement was not unexpected. It has been clear for years that Brown—whose record is brilliant and whose social and academic credentials are impeccable—was being groomed as Walker's successor. When Brown became deputy director a year ago rumors of Walker's retirement began to be heard with increasing frequency.

Walker feels he is retiring at an auspicious moment. The Gallery, he believes, has never been in better shape.

The Gallery's collection consisted of only a few score painting when Walker became the museum's chief curator in 1939. The museum on the Mall, with its interior gardens, skylit galleries and marble stairs, did not open until 1941.

The building was designed to fulfill the Gallery's needs for at least a century. But under its first two directors (Walker and

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his predecessor, David Finley), the staff and collections grew so quickly that the Gallery is already overcrowded.

In addition to officially approving Walker's retirement yesterday, the trustees approved a preliminary scheme for an addition to the Gallery which will be built just to the east of the existing building on the Mall.

Designed by architect I. M. Pei, the new building will contain a library and photographic archive, offices for the Gallery staff, exhibition space for contemporary art, and a new institute for advanced study in the history of art.

Walker said yesterday that he regarded the foundation of the new institute—rather than the purchase of Leonardo's portrait of Ginevra de'Benci—as the culmination of his career.

That career did not begin particularly auspiciously. His family was wealthy, but Walker suffered a childhood attack of polio and remembers being "enormously melancholic and unhappy" as a young man.

Later he attended Harvard, where things improved. He helped organize a gallery that showed such far out artists as Alexander Calder and Buckminister Fuller, and studied art history. After leaving Cambridge he moved to Italy where he worked under Bernard Berenson, the renowned scholar of the Italian Renaissance. Walker credits Berenson with training his mind and changing his life.

While abroad, Walker met his wife, Lady Margaret Gwendolyn Mary Drummond, daughter of the late Earl of Perth, who served as British ambassador to Rome during the 1930s.

Walker has published half a dozen books, but only one of them, "Bellini and Titian at Ferrara," is a work of scholarship. The others, for the most part, are devoted to popularizing the collections of the National Gallery.

As his publications show, Walker has spent the past 30 years developing the Gallery. As a scholar his reputation is not so large. As a museum man it towers. First as chief curator and later as director he helped transform a small collection of old paintings into a museum that ranks with the finest in the world.

The Gallery is generally considered a conservative institution. It is close-mouthed about its internal operations and it is not known to gamble with contemporary art. But its conservative front is something of a cover. It has expanded its collections aggressively and with unprecedented speed.

Walker said yesterday—in response to a reporter's predictable question—that his greatest disappointment was the loss of the Gulbenkian collection.

Gulbenkian, a vastly wealthy Armenian-born oilman known as "Mr. Five Per Cent" for his share of Middle East oil production, had assembled a splendid collection of old masters which were shown here at the Gallery in the early 1950s. Walker expected the Gallery to get the collection, but the deal fell through.

Walker was luckier with other collectors. Labels beneath the paintings in the Gallery, bearing such names as Mellon, Kress, Chester Dale, and Rosenwald, testify to his success.

The National Gallery's John Walker

John Walker, retiring as director of the National Gallery of Art, played a central role in turning the Gallery from a Washington showplace "finest lawn in town," an old guidebook boasts) to one of the world's half-dozen greatest museums. Harvard- and Berenson-bred, he could well have stayed in the genteel alcoves of art scholarship. Instead he chose to develop another set of talents—those of the organizer, collector and popularizer. The result is not a shelf of scholarly works but a marvelous and flourishing institution which last year alone enabled more than a million and a half people to experience for themselves the pleasures and puzzles of exposure to fine art. In a day when museums are exploring new ties with their communities, it is easy to overlook that John Walker's National Gallery has been richly involved with its community—of Washingtonians, tourists, students in 3000 school systems associated with its extension program—for years.

This gracious and elegant man has always understood that much more than money and air conditioning and picture postcards—although he is not one to deprecate these—go into a modern museum. His special goal has been to make the Gallery a center of scholarship which, in turn, would find expression in the caliber of the country's art collections and museum men and collective sensibility. So it is that he delightfully points to the study institute to be built alongside the Gallery. It provides an institutional testimonial to the personal contribution made by John Walker.

Mr. PELL. Mr. President, I said it was with mixed emotions that I spoke today, for while I regret the retirement of John Walker, I can only look with pleasure on the elevation to the post of Director of the National Gallery of Art of an old friend and fellow Rhode Islander, J. Carter Brown.

I need not call to the attention of the Senate the qualifications which make his choice as Director of the Gallery the preeminent one. He is uniquely qualified for this position, both by education and by his ability to resolve problems and handle people. I know that under his directorship the Gallery will not only continue its present high standards, but will move into the newer realms of visual experience. I congratulate Carter Brown and wish him the best of luck on his being named Director, and assure him of my support as the National Gallery continues its quest of excellence.

Mr. President, I ask unanimous consent that an article published in the Washington Post of Friday, May 2, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Trained To Lead

(By Meryle Secrest)

The man who is taking over the operation of National Gallery of Art has money, breeding brains and drive.

J. Carter Brown, 34, who takes office as director July 1, may be young for the job, but he has been preparing for it for a long time. He begain his apprenticeship when he joined the staff under John Walker in 1961.

But his training and background are an essential part of the picture. Born to a wealthy and socially prominent Rhode Island family, he went to the right schools, was exposed to the right influences and went after the right goals with brilliance and determination from an early age.

His biography, with its references to Groton and Harvard, Phi Beta Kappa, scholarships, languages, travel and connections (he studied with Bernard Berenson in Florence) reads like a model for a future museum director.

Brown is a tall, slender man with thick blond, curly hair carefully restrained, light blue eyes usually accentuated by a slight tan (he loves to sail) and a sartorially elegant style.

Yesterday, he was wearing a narrow black-and-white pintstripe suit with side vents in the jacket. His white shirt cuff showed just a fraction of inch below the jacket sleeve.

Around town he is considered a highly eligible bachelor who once dated Lynda Johnson Robb, an excellent reconteur and the author of a brilliant color film now shown regularly at the Gallery: "The American Vision."

What came through yesterday in his public statements showed a willingness to take charge which could make him an energetic, forceful and forward-thinking director.

He was asked whether the interests and direction of the Gallery were likely to change in the next decade.

"I think we will want to exhibit much more contemporary art," he said. "The difficulty here is that we were never given adequate facilities for temporary exhibitions. There has been a problem of lighting, and out-of-date facilities. But there is something philosophical about the design of the present building that has mitigated against showing much contemporary art."

Brown discussed the National Gallery's new Center for Advanced Study in the Visual Arts, which is being designed by architect I. M. Pei to include office space, gallery space, and also as a meeting place for art scholars and intellectuals from around the world.

The building is a multi-million dollar gift of the Mellon family and is expected to be completed by 1973.

"I think there are two major gaps in our collection and 20th century art is one of them. By that I mean things that look to me now like Old Masters.

"The other gap I want to fill are graphics; particularly drawings. My hope is that we will be able to liberate galleries in the present building to become a great national museum on the graphic arts.

"In addition I want to deepen our commitment to scholarship by bringing great minds in art and art research from all over the world.

"I also want to broaden our education programs. I think people are getting more leisure time. We are in an age when society is lurching into a new era and the first order of values are always materialistic.

"I am not as pessimistic as some people because I think the younger generation is exhibiting this kind of awareness, of the importance of the individual's involvement with his environment. College registations show a switch from science and business into the arts. When I went to Harvard Business School I was the only one enrolled who was interested in a non-profit organization. Now the percentage is growing.

"What people are searching for with all of this technology, and I include drugs, are really roots. But if you are educated to see it you can "turn on" in front of a painting much more effectively than you can from drugs, and with less damage."

He expects his pleasant life—he is frequently seen at receptions and dinner parties—to change. He is an experienced sailor: he skippered a 40-foot yawl in the 1962 Newport-Bermuda race and reached the finals in the U.S. Men's National Championships.

"I was thinking of buying a boat this spring until I head about this possibility. Now I expect my evenings and weekends to be pretty well taken up.

"But I feel an institution can go only so far with one individual. You have to give the staff considerable freedom to do their own thing. I see my role as more that of an orchestra conductor with artists of solo quality."

SDS PROVING ITSELF DESTRUCTIVE: WELL-REASONED EFFORTS MUST CONTINUE TO SOLVE CAMPUS PROBLEMS

Mr. RANDOLPH. Mr. President, I am one of those millions of Americans who are saddened by what we see on our college and university campuses today. I

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share with my colleagues in Congress, with my constituents in West Virginia, and with citizens generally a concern about the violence and lawbreaking which continue to plague our institutions of higher education.

Based on actual events on many campuses, I continue to believe that Students for a Democratic Society is in reality proving itself to be "Students for a Destructive Society."

By their actions ye shall know them.

Mr. President, there recently have been several perceptive and illuminating articles in the press dealing with the turmoil on our campuses. I ask unanimous consent that the articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Keyser (W. Va.) Mineral Daily News-Tribune]

JUDGE HAYMOND LAMENTS VIOLENCE AT ALMA MATER

CHARLESTON, W. Va.—State Supreme Court President Frank Haymond sounded a note of urgency to law abiding citizens to turn the tide of "lawlessness and violence" in a Law Day speech here today.

Haymond, 82, and dean of the five-member Supreme Court, said:

"The trend toward civil disobedience and the lack of respect for law and authority and listless and ineffective law enforcement, as evidenced by the existing social disorders . . . constitutes a substantial threat to our continued existence as a nation of free men in a calm and peaceful social order."

Haymond said "that threat must not be, and it cannot be, permitted to develop or to grow in strength."

The judge berated college students for their "outrageous and clearly unlawful and violent conduct."

More than half a century ago, Haymond noted he attended Harvard University, one of several institutions of higher education under student attack.

"As a student I entered University Hall, the administration building, not with clubs and other weapons in my hand as did the recent unruly group, but with my hat in my hand and because I had respect for the authorities whom I went to consult concerning my studies.

"In those days we were too busily engaged in our affairs to think of closing the administration building, ousting the faculty, or protesting the addition of a ROTC unit if such a thing had existed in that era.

"Perhaps I was born too soon or have become old-fashioned, but if such is the case I am not unhappy about either," Haymond said.

Haymond's résumé in the West Virginia Bluebook said the judge was graduated with distinction from Harvard College with an AB degree in 1910, and received his law degree from Harvard Law School in 1912.

"The formal observance of Law Day throughout this nation should operate as a call of duty for all of us to preserve for ourselves and to transmit unimpaired to our posterity the blessings of liberty under law, which rightfully belong and which must be made secure to every American," Haymond said at an assemblage of lawyers sponsored by the Kanawha County Bar Association to celebrate the annual event.

[From the Washington Post]

BACKBONE AND FLEXIBILITY

President Nixon is everlastingly right in calling upon administrators, faculties and trustees to meet student dissent with flexibility, student violence with backbone. The two are not indistinguishable. Dissent or protest is a constitutionally protected right in America—constitutionally protected because it has been recognized since the beginning of the American Republic as the dynamic element in the democratic process, indispensable device for the achievement of change and progress. The aim of protest is persuasion. The aim of violence is to take by force what cannot be won by reason.

We must, the President said, listen to the voice of students seeking change. "We must listen, and certainly where that voice expresses views that ought to be implemented, we should implement them . . . But when we find situations in numbers of colleges and universities which reach the point where students in the name of dissent and in the name of change terrorize other students and faculty members, when they rifle files, when they engage in violence, when they carry guns and knives in the classrooms, then I say it is time for faculties, boards of trustees and school administrators to have the backbone to stand up against this kind of situation."

The problem is twofold. Flexibiilty is no less vital than firmness. Institutions tend to resist change; and those who possess prerogatives are often reluctant to relinquish them or to adopt new patterns of procedure. As Secretary of Health, Education and Welfare Robert Finch asserted recently in testimony before a House Education subcommittee, there is a great deal awry in the structure and substance of higher education in the United States today. Students are quite right to rise in protest.

Students in many situations have come to feel, however, that they gain no attention when their demands are presented in an orderly fashion; they contend, sometimes at least, that entrenched power responds only to force—that those who possess power are at once deaf and adamant. The first responsibility of college authorities must be to make sure there is no justification for that complaint. The channels for peaceful protest ought to be kept quite clear. And the voices of protest ought to be heard and heeded. As the President put it, "young people, students, are correct in asking that they have a voice: a voice in determining what the courses should be, a voice in determining what the rules should be." He added, of course, that voice should not be controlling.

When rules which students have shared in shaping are broken, when boundaries of civility which are the generally accepted modes of conduct in intellectual communities are crossed, university authorities must resist with resolution. There ought to be no paltering with coercion, no yielding to violence. Faculties, which have a tendency to turn soft and to expiate their own sense of guilt by surrender, need to face up to the imperative need for firmness and for discipline.

The appropriate form of discipline for violation of university rules is expulsion or suspension. Students ought to know that such discipline is going to be administered toughly and resolutely. If they are no longer babies, let them quit whimpering when they encounter the expectable consequences of misconduct. If they do not like the way things are administered at Harvard or at Cornell, let them see if they can gain admittance to Beloit or Bucknell or Bates.

There is one additional aspect of this problem on which we wish the President had had something to say. Discipline is a university responsibility. Government should not interfere in it—at either the state or Federal level. Legislatures in at least 18 states have recently passed laws, or have bills under consideration, to put down campus rebellions by expelling students, cutting off their scholarship grants or putting them in jail. These measures are a menace to the independence of the universities and to the hope of a rational resolution of disputes between students and academic authorities. It would promote the restoration of reason if the President would speak out against them plainly and forcefully.

[From the New York Times, May 3, 1969]

FIVE IN SDS YIELD TO COURT

(By Murray Schumach)

Five leaders of the Columbia chapter of Student for a Democratic Society, believed to have been active in the seizure of two Columbia buildings from Wednesday until about noon on Thursday, surrendered yesterday on contempt-of-court charges.

They were released in the custody of their lawyers, pending a hearing May 19. The lawyers also agreed to make available other S.D.S. members before the hearing.

As the five leaders entered State Supreme Court early yesterday afternoon, 60 sympathizers or fellow-members stood and saluted them with raised fists, but they made no disturbance.

An hour before their surrender the five told a small rally on the Columbia campus that while the S.D.S. might not be able to be active on the campus any more this semester, it would "continue the revolution" next fall.

There was enthusiastic applause from a few dozen supporters around the campus sun dial, but the 150 other listeners showed little enthusiasm and there was some heckling from a few in the audience.

Though a small rally of the S.D.S. became a lively topic on the campus, by far most students seemed to be going about their business or relaxing by throwing plastic discs or footballs.

MOTHERS AND CHILDREN, TOO

Scores of young couples sat in the sun and mothers from the neighborhood sat with their children in the area, as usual.

The five members of Students for a Democratic Society who surrendered were Juan Gonzalez, Thomas D. Hurwitz, Lewis Cole, Henry M. Gehman and Robert H. Roth. The first three are no longer students.

William M. Kunstler, one of the attorneys for the defendants, arranged for their surrender. He said he assumed they would be charged with criminal contempt, with a maximum sentence of a $250 fine or 30 days in jail. Specifically, he said, they were accused of "willful disobedience of the mandate of the court."

Though the surrender came on the heels of the occupation of Fayerweather and Mathematics Halls, the charge dated back to the occupation of Philosophy Hall on April 17, by S.D.S. members and supporters.

When Philosophy Hall was occupied, Columbia obtained a restraining order banning obstructive or disruptive demonstrations on the campus. On Wednesday night the university obtained a show-cause order requiring the occupants of the building to appear in State Supreme Court on Thursday morning.

SHERIFF GETS ORDER

None of the S.D.S. members showed up before Justice Charles Marks, and he then ordered Sheriff H. William Kehl to arrest any persons who could be identified as having occupied the two buidings.

The radicals fled the two buildings on Thursday shortly before noon, within minutes after warrants for their arrest were signed in the court.

At the rally before they went to court, the S.D.S. leaders conceded they had made some mistakes, but insisted they would profit by their experience and be back stronger than ever in September.

"This will not stop the movement," said Mr. Gonzales. "Out of this struggle has

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emerged a new leadership that will lead the S.D.S. and the black students next fall."

[From the New York Times, May 3, 1969]

FACULTIES' FAILURES

To the EDITOR:

Abject capitulation to student violence at Cornell climaxes a series of surrenders which may destroy the university in America as a place of free inquiry and respect for morality and law. Unbridled attacks on faculties, destruction of property and wanton breaking into private files would be crimes punishable under law in any other context. [Editorial April 26.]

Yet, mature members of the university condone these criminal acts and avoid disciplinary action. Is an attack on a dean less an assault and battery when committed by students? Are destruction of property and defamation of character less criminal when perpetrated by undergraduates? Breaking into confidential files is common thievery, but such action is excused by members of the faculty.

Culpability for this campus turmoil rests squarely with the faculties. The irony is that scholars who urge free inquiry and pride themselves as pragmatists have failed in this time of crisis. Torn between academic loyalty and empathy for student rebellion, they offer no viable alternative to violence, preferring to vacillate in a morass of indecision while democratic institutions are destroyed, attitudes polarized, and violence, feeding upon violence, spreads from campus to campus.

The faculties have failed themselves, their students—who sense weakness and exploit it—and society. Because the dissidents number relatively few, the present chaos might have been avoided had the faculty galvanized the majority of middle-ground students into a positive program, recognizing the right of dissent, but not the right to destroy.

Common cause among faculty and students would have prevented deterioration into either/or alternatives—either capitulate or call in the police. Confronted by a united faculty and students, the militants would have had to desist or face rejection by their peers. That scholars chose to vacillate may well mean the tragic demise of the university as the one place in society where sanity and reasons might have prevailed.

CHARLES S. STEINBERG,
Chairman, Committee on Higher Education, Public Education Association.

APRIL 28, 1969.

[From the Washington Daily News, May 3, 1969]

IN THE OFFING

Evidence indicates leaders of student disorders are being financed from Cuba and Algeria.

Red Chinese use both countries as centers from which to foment revolution.

Evidence is in hands of Senate Investigations sub-committee headed by Sen. John McClellan, D-Ark. He has had staff men at work for weeks in many parts of the country and is ready for hearings—probably opening Friday—to put evidence on the record.

McClellan investigators worked closely with intelligence chiefs of police departments in cities where Students for a Democratic Society (SDS) have been active. Twenty of them met secretly here this week with Sen. McClellan and his staff to poll information on student disorders.

Sub-committee hearings will disclose evidence of a "troika" of Marxist-oriented militants who send orders to comrades in college trouble spots. Sub-committee investigators believe most SDS activists are directed by:

Michael Klonsky, national secretary from New York who is the son of an old-style Communist Party organizer; Bernadine Dohrn, international organizing secretary who describes herself as a "revolutionary Communist," and Fred Gordon, national education secretary of SDS who operates out of Chicago.

Sub-committee will attempt to disclose organizational operations of SDS, Black Panthers, and other militant groups. Its running into trouble, however, because New Left groups keep no membership lists, no records of operating plans.

Some of the testimony will come from government security agents who have infiltrated SDS. (After violence last week at George Washington University, a student disclosed he had been working undercover for the FBI for four months.)

THREE CAMPUS PROBES POSSIBLE

There may be three other investigations of campus violence.

Sen. Everett M. Dirksen, R.-Ill., wants Senate Internal Security sub-committee, chaired by Sen. James Eastland, D.-Miss., to explore Communist connections of student rioters, determine whether Subversive Activities Control Act has been violated.

House Internal Security (formerly Un-American Activities) Committee plans to investigate.

House Education sub-committee headed by Rep. Edith Green, D.-Ore., has been looking into student unrest in connection with proposals to cut off Federal aid to students and colleges involved in disorders. She'll hold hearings.

UNITED STATES READY TO ACT ON RIOTS

Decision for Federal action on college crisis was made when President Nixon and FBI Chief J. Edgar Hoover met at Camp David last weekend.

Federal government can't take over law and order role from local officials, but it can call Federal grand juries to indict under 1968 Civil Rights Act which forbids crossing state lines to incite riots.

Justice Department is expected to summon grand juries in hot spots in all parts of the country. Department has evidence of trips taken by SDS leaders, amounts spent. Agents have followed some of them and learned purpose of trips thru infiltration.

Justice is ready with evidence against some 60 SDS leaders, but will move first against a dozen of them, hoping indictment of ringleaders will curtail their operations.

COLLEGE RIOTS COSTLY

There have been demonstrations on 200 college campuses, Attorney General John H. Mitchell says. Property damage has amounted to $2.2 million. Half the damage was suffered at Berkeley Campus of University of California, where there have been four cases of arson and two bombings in past eight months.

Altogether there have been 2,300 arrests—less than four-tenths of one per cent of total college enrollment.

[From the Washington Post, May 2, 1969]

HARVARD BLACK MILITANTS: A SAD, SELF-DEFEATING STORY

(By Joseph Alsop)

CAMBRIDGE, MASS.—A hundred scruffy young men and women shouting obscenities and insults at an unprotected, 58-year-old woman scholar of extreme distinction and famous disinterestedness—that is a fairly typical spectacle of the "student revolution."

This splendid display of "meaningfulness" and "relevance" was put on the other day at Radcliffe, for the benefit of Radcliffe's president, the eminent microbiologist, Dr. Mary Bunting. Yet if the universities themselves will only hold firm to the end, it will do no grave, permanent harm if Harvard's and Radcliffe's few score whites of the students for a Democratic Society go to hell in their specially chosen hack.

At Harvard, the true underlying tragedy lies, rather, among the black militants. These young people, sought out by Harvard and Radcliffe, should be standardbearers leading their people out of the wilderness of exclusion and injustice.

But only consider the sad and self-defeating story of the militants' success in intimidating the majority of the Harvard faculty! It was a story that began both well and hopefully, with the much-abused university administration's decision that serious black studies ought to be included in the Harvard curriculum.

To this end, a preparatory committee was formed. It was led by the able economist, Prof. Henry Rosovsky, plus the faculty's most prominent Negro member, the admirably careful student of modern African government, Assistant Prof. Martin Kilson.

The committee recommended what may be called an embryo black studies department, inter-disciplinary in character. It was to become a full department as enough scholars matured, and enough materials were gathered, for a solid, independent scholarly discipline. All welcomed this recommendation.

The difficulties had already become apparent, meanwhile even before the SDS opened its assault on Harvard. Three scholars were asked to come to Harvard to launch the embryo department. But despite Harvard's normal attractive powers, plus certain special inducements, all three of Harvard's first choices turned Harvard down flat.

Then came the SDS attack on Harvard, followed by an attack of the more extreme black militants. The militants demanded immediate creation of a full-fledged black studies department with student "participation." Among the faculty, too many were quivering with guilt, or wiggling with masochism, or twittering with terror. The habitual advocates of peace-at-any-price were also numerous, as you might expect.

So a large majority of the faculty prostrated themselves before the threats, and granted the demands. Prof. Rosovsky publicly resigned from the preparatory committee, on the ground that grave decisions taken under threat were usually very bad decisions. More significantly, Prof. Kilson backed Prof. Rosovsky to the hilt.

"I was sad," said the black scholar later, "that the faculty decided it would rather have peace than a decent academic program."

As to what will come now, Prof. Kilson has further said that it can hardly be better than an "ideological" version of "basket-weaving or home economics." And he has added the somewhat bitter "hope" that it may "do some good for the black kids who need that sort of thing," as well as "the white masochists who enjoy it."

The dreadful truth is that this forecast is just about certain to be correct. Think of those first three scholars who rejected Harvard's invitation, under much better conditions, mainly because they feared they were being invited to walk into a wasp's nest. Then remember that the new "participatory" committee includes three representatives of the militants' Association of African and Afro-American Students, plus three more intending concentrators in black studies, with only a majority of one of academically mature committee-members.

Any fool can foresee what the new department will be like—if it ever gets off the ground at all. One can also foresee its value. Those "white mascochists" of Prof. Kilson's can always find other pleasures, to be sure. But what of the black students? The dire fact is that ideological basket-weaving is a very poor way to lead any excluded community out of the wilderness. That does not mean that there is not an urgent need for academically serious black studies—which Harvard now has little or no chance of offering, by vote of the faculty.

But that most emphatically means there is danger of black students neglecting the door-opening opportunities, by which excluded minorities have always been led into

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the American mainstream. In the whole sorry mess, perhaps the worst story was the one concerning Harvard's almost unique, very promising black physics-major.

The physics-major came to one of the deans to ask for transfer to Virginia, "because I can't get any work done here." He was, of course, being threatened with violence by the ultras, simply because he wanted to stick to door-opening work.

[From the Washington Evening Star, May 2, 1969]

Rustin Raps "Soft" Colleges

(By Brian Sullivan)

New York.—Bayard Rustin, long-time Negro civil rights leader, says colleges are taking a cheap way out by agreeing to Negro students' demands for black studies programs.

Instead, he says, colleges need to develop massive—but expensive—remedial projects to improve the scholastic level of Negro students and to enable them to make their academic way.

In a question-and-answer session with a reporter on Negro unrest on the campus, Rustin deplored violent protests and said it was humiliating to see college administrators and faculty submitting to Negroes with guns.

They wouldn't submit to "Ku Klux Klansmen coming on campus with guns," he said, and suggested this indicated the college officials didn't really consider Negroes equal to whites.

"They say, well, it's only Negroes behaving that way. They wouldn't tolerate this from white students," he said.

Rustin, who organized the March on Washington in 1963 and now is executive director of the A. Philip Randolph Institute, said Negroes had made substantial gains in educational opportunities.

"It is therefore all the more tragic that instead of taking advantage of the opportunity for learning, they are reducing the situation to a series of courses that cannot really prepare them for the kind of life they have to live."

The interview ranged over a spectrum of Rustin's views on campus problems, Negro militancy, and faculty reactions and concessions. The questions and answers:

Q. How do you view the efforts to establish separate black studies departments?

A. I am very much opposed to separation under any circumstances and I'm also opposed to black studies. And I believe it is a grievous mistake that there has not been the study of Negro culture history, but I'm opposed to it as black studies, because I believe there should be the integration of Negro contributions into the American historical forces, into the economic forces, and into other forces. For example, I don't think you should study the American Revolution without studying Crispus Attucks.

But in this country, to try to separate the black experience from the American experience, is ridiculous.

Q. Do you think that the college militants, black or white, have a valid protest?

A. I think there are valid reasons for protesting. I think administrations have been insensitive to the needs of college students. I think that in a society where we have war, racism and poverty, young people are justified in protesting.

Q. What kind of demonstration would you lead on a campus in a protest you consider justified?

A. I believe people have the right to withdraw. They have the right to go on strike, but not to interfere with other people. They have the right to refuse to get to classes, they have the right to carry on any form of nonviolent protest.

Q. Do you think Negroes have made significant gains in the past few years, within the education system?

A. I think there has been a number of important gains. The U.S. government expects that by 1975 there will be 400,000 Negro college students. The fact is in 1969 there are over 400,000. We are way ahead of schedule—largely because of the education bill which President Johnson introduced and Congress passed. There are many, many campuses where only three or four years ago Negro students did not have an opportunity to attend. Now they have been offered scholarships, or special cases have been made to encourage Negro students to come on campus.

It is therefore all the more tragic that, instead of taking advantage of the opportunity for learning, they are reducing the situation to a series of courses that cannot really prepare them for the kind of life which they have to live when they get out of college. Now here again I'm all for studying in an integrated manner. Just as I'm for integrating whatever contributions Jews and Irish and Italians made into our whole history, I'm for integrating the contributions of blacks. However in the long run, what one has to come out of college with, is a degree which prepares one to do something significant in the society. We need doctors, we need lawyers, we need people with degrees in economics and sociology and a myriad number of things. People ought to use their time in college really to specialize and to be able to make a contribution.

Q. There were reports that black students at Cornell armed themselves from fear of an imminent attack by some white students. You mentioned psychological stress that the ghetto student is under when he is dropped into an Ivy League school. How are you going to resolve this?

A. That is a police matter or, better still, a matter for the university to take care of. If the university cannot take care of it, then it's a police matter. I think there's been brutality to Negroes for centuries. We have been able to mount a concern about brutality to Negroes precisely because people were fairly convinced that Negroes were not engaged in aggressive violence.

It's going to be increasingly difficult now when people see pictures of young Negroes carrying guns for us to get attention called to that degree of brutality which is still left in our society. People will get the notion that Negroes are engaged in aggressive violence, and therefore, that the brutality may be justified. So I think these people are doing us a grave disservice with these guns. And I simply do not believe that there are organized groups of white college students on campus, at this point, which are prepared to attack Negro students with violence and guns. If Negro students continue to carry guns, that may very well happen later.

Q. How are we going to resolve this, given the feelings of the black militants?

A. The college administrations will have to be honest with themselves, and first of all, believe that Negroes are equal to other people and treat them accordingly. If Negroes and any other students engage in this kind of behavior, something must be done to prevent it.

And I think the college administration needs to stop playing young Negroes cheap. Now everybody knows that the ghetto schools and high schools are basically inferior. Efforts to get more youngsters into college and through college is a good idea, but it must not be done in a cheap way. . . .

Let me put it another way. There is no Italian history of the United States. There's no Jewish history, there's no black history, there is American history and whatever role Jews, Italians and blacks have played in it ought to be written as it occurs and integrated into the whole picture. Therefore, you have American history. The problem is we have not yet had American history, because blacks have been excluded. You don't deal with that problem of American history by doing the opposite thing now.

Q. In summary, what's the root of the campus problems?

A. One of the problems is that young Negroes are facing the shock of integration. They have been partially integrated, but there is a distance in their minds between what they aspire to be and what the conditions they have lived under makes it now possible for them to be. The conflict between this aspiration and ability creates many internal confusions.

Therefore one is often tempted, instead of fighting that conflict through to revert to one's self, to look inward. . . . So that if I set up courses myself I'll set them up so I can pass them. And that, you see, is what I mean when I say there should be lots of money and energy spent in helping the young Negro over that psychological barrier. There's only one way to do that. That is to give him enough tutoring, enough remedial work so that when he does finish college, he will finish on a par with all other students.

CATHOLIC BISHOPS URGE EXTENSION OF NATIONAL LABOR RELATIONS ACT TO FARMWORKERS

Mr. WILLIAMS of New Jersey. Mr. President, as the chief sponsor of S. 8, a bill to extend the National Labor Relations Act to farmworkers, I was heartened to learn that the Catholic Bishops of the United States, at their recent meeting in Houston, had adopted a resolution urging enactment of such legislation.

I ask unanimous consent to have printed in the Record the text of a telegram received from Msgr. Francis T. Hurley, associate general secretary, U.S. Catholic Conference, advising of this resolution.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

Houston, Tex.,
April 18, 1969.

Hon. Harrison Williams,
Senate Office Building,
Washington, D.C.:

The following telegram was sent today to the Vice President of the United States and the Speaker of the House of representatives quote the farmworkers strike now enters its fourth year. Justice and promised legislation are delayed. Boycott not way for speedy solution but now considered by the workers as their only strategy to awaken conscience of the Nation. Catholic Bishops of the United States convene in Houston urge present Congress to extend NLRA to agricultural workers. Right to organize must be realistically vindicated. The end of current chaos requires action on your part. The restoration of good will and order will redound to the benefit of growers and the public at large unquote. I forward this to you because of your great concern over the farmworkers strike.

Msgr. Francis T. Hurley,
Associate General Secretary, U.S. Catholic Conference.

IMPROVED RESTRICTIONS NEEDED ON ARTIFICIAL SWEETENERS

Mr. NELSON. Mr. President, I am urging the Food and Drug Administration to restrict cyclamate-sweetened products on a prescription-only basis to the public.

The FDA recently proposed regulations on labeling and ingredient content for cyclamate, a widely used substitute for sugar. As they stand now, the proposed regulations fall short of providing full protection for the American public.

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Tens of millions of children and adults across the Nation are unwittingly being exposed to potentially serious health hazards by the unnecessary consumption of cyclamate-sweetened soft drinks, cereals, desserts and "sugar" coated pills.

Increasing scientific evidence indicates that cyclamates can cause chromosome breakdown, the birth of undersized offspring in animals, interference with effectiveness of certain antibiotics, persistent diarrhea, liver disease, skin irritation and eruption, difficulty with blood clotting and high blood pressure.

Despite these dangers, unknowing mothers are serving glass after glass of cyclamate-sweetened Kool-Aid and soft drinks to their children. Concerned mothers are finding it increasingly difficult to find flavored beverages without cyclamates.

According to the proposed FDA guidelines for cyclamate consumption, the cyclamate content of some soft drinks is so that a 50-pound child would exceed the recommended total daily limit of 1,150 milligrams by drinking a single bottle.

The Soviet Union has already banned the use of cyclamate-based foods and France has restricted its use to a prescription basis. Food processors in other countries have voluntarily eliminated the use of cyclamate in their products.

Cyclamate was originally developed as a sugar substitute for diabetics and others forced to restrict their intake of ordinary sweets, only about one person in 10 in the population.

But now cyclamates are being used by an estimated 125 million Americans who have no real need for a nonnutritive artificial sweetener and probably are unaware that they are consuming the chemical.

Although cyclamates are promoted as aids to weight reducing, at least one researcher has found that they actually stimulate the appetite and lead to weight gain and not loss.

The FDA's proposed regulations require that the amount of cyclamates in milligrams be printed on the product label along with a statement that adults should not ingest more than 3,500 milligrams per day and children not more than 1,200 milligrams per day. Bottled soft drinks can contain between 380 and 1,440 milligrams.

The agency also set a limit of 25 parts per million in cyclamates for cyclohexylamine.

From research thus completed, cyclohexylamine has been proven to be the most dangerous component of cyclamates. It has been linked to chromosome breakage and the disruption of bodily processes.

The agency's proposal to restrict cyclohexylamine to 25 parts per million in cyclamates is virtually meaningless. The amount of this toxic chemical in the original cyclamate has little relation to the quantity that finally ends up in the body.

For some time, researchers believed that cyclamates passed through the body unchanged. Now through studies done by the Wisconsin Alumni Research Foundation, it has been discovered that cyclohexylamine often turns up in the blood and urine of cyclamate users, proving that the sweetener breaks down during consumption.

Additional research has shown that cyclohexylamine is created when cyclomates are combined with other foods and chemicals and by the digestive action in many humans.

Due to both of these processes, the total amount of cyclohexylamine in the human body could be substantially more than the initial amount in the cyclamate.

The FDA should modify its proposed regulation concerning cyclohexylamine to take this situation into account.

I am also concerned about the FDA's proposal to eliminate the special dietary statement presently on the labels of cyclamate products. The current label bears the phrase that cyclamate products should be used "only by persons who must restrict the intake of ordinary sweets."

Even though this present statement leaves much to be desired in terms of an effective health warning, it would be a step backward to remove this advice to consumers at this time.

The FDA should launch comprehensive consumer research studies to find better means of educating and informing the public about recommendations for the use of certain drugs and food products. It is growing increasingly evident that simple labeling statements usually go unnoticed by most people and are not the answer to effective consumer information.

Additional research is also vitally needed to determine the effect of cyclamates on pregnant women, teenagers and the chronically ill.

I ask unanimous consent that the text and tables of a recent article on cyclamates and soft drinks which appeared in the Washington Post be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LABELING IS PROPOSED ON SOFT DRINK CONTENT

(By Morton Mintz)

The labeling requirements proposed recently by the Food and Drug Administration for soft drinks and other products artificially sweetened by a cyclamate are based on recommendations of the World Health Organization and the Food and Agricultural Organization.

The two United Nations organizations said the daily intakes should not exceed 23 milligrams per pound of body weight.

The FDA proposal would require manufacturers not only to list the cyclamate content in milligrams, but also to say that in a single day an adult should not ingest more than 35000 milligrams and a child not more than 1200. The level for an adult assumes a weight of 154 pounds and the level for a child 54 pounds (although an intake of more than 500 mg. is cautioned against regardless of body weight).

The first of the two accompanying tables relates the recommended maximum intake of 23 mgs. per pound of body weight to specific weights.

The second table lists figures released by the FDA on the cyclamate content of many popular soft drinks. According to the National Academy of Sciences-National Research Council—which deems totally unrestricted use of cyclamates "unwarranted" but a daily intake by an adult of up to 5000 mg. probably without hazard—soft drinks account for 70 per cent of the use of cyclamates.

TABLE II.—DRINK, SIZE, AND CONTENT

Trade name	Fluid ounces	Declared cyclamate content (milligrams)
COLA TYPES		
Tab	10	450
Diet Pepsi	10	600
Diet Rite	10	380
Grand Union	12	720
Trim	10	330
Dr. Pepper	12	260
CITRUS TYPES		
Fresca	10	600
Wink	10	380
Like	10	300
Cragmont Orange	10	300
Grand Union Orange	12	1,160
Grand Union Lemon	12	900
MISCELLANEOUS TYPES		
Cragmont Grape	12	1,160
Cragmont Root Beer	14	1,160
Cragmont Ginger Ale	12	860
Grand Union Grape	12	900
Trim Burgundy	32	1,440
Suburban Club Golden Ginger	16	1,220
Suburban Club Almont Smash	16	1,220

DRY BEVERAGE BASES

Trade name	Weight (grams)	Declared cyclamate content (milligrams)
Kool Aid Lemon Lime	4.8	1,690
Kool Aid Grape	4.8	1,620
Cragmont Grape	8.5	2,980
Cragmont Strawberry	8.5	2,980
Pillsbury Lime (Loud-Mouth Lime)	4.7	1,320
Pillsbury Grape (Goofy Grape)	5.7	1,830
Pillsbury Lemon (Baron von Lemon)	7.1	930

Body weight, recommended intake limit of cyclamate

[In milligrams]

Body weight in pounds:	
40	920
45	1,035
50	1,150
55	1,265
60	1,380
65	1,495
70	1,610
75	1,725
80	1,840
85	1,955
90	2,070
95	2,185
100	2,300
105	2,415
110	2,530
115	2,645
120	2,760
125	2,875
130	2,990
135	3,105
140	3,220
145	3,335
150	3,450
155	3,565
160	3,680
165	3,795
170	3,910
175	4,025
180	4,140
185	4,255
190	4,370

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Body weight, recommended intake limit of cyclamate—Continued

[In milligrams]

Body weight in pounds:	
195	4,485
200	4,600
205	4,715
210	4,830
215	4,945

CHARLES B. ELBRICK, AMBASSADOR TO BRAZIL

Mr. COOPER. Mr. President, I was pleased when the Senate, on May 1, confirmed President Nixon's appointment of a veteran diplomat from Kentucky to be Ambassador to Brazil. The new Ambassador is Mr. Charles B. Elbrick who has had a distinguished career of 38 years in the Foreign Service.

Mr. Elbrick is at present serving as our Ambassador to Yugoslavia, a post to which President Johnson appointed him in 1964. He also has served as Ambassador to Portugal.

During the administration of President Eisenhower, Mr. Elbrick was a deputy assistant and assistant Secretary of State for European affairs. He also has been assistant chief of the State Department's Eastern European Affairs Division, counselor of the Embassy at Panama, counselor to the North Atlantic Council delegation in London and counselor of the American Embassy in Paris.

A native of Louisville, Mr. Elbrick is a graduate of Male High School in that city, and of Williams College. The people of Kentucky are proud of Ambassador Elbrick, because he is a distinguished citizen of the State, but even more because his experience and wisdom, and dedication have enabled him to render outstanding service to our country.

TRIBUTE TO A. PHILIP RANDOLPH

Mr. WILLIAMS of New Jersey. Mr. President, on May 6, 1969, richly deserved tribute will be paid to A. Philip Randolph, who on April 15, 1969, celebrated his 80th birthday. In as full and active a life as he has led, it is impossible to recall all of his efforts for the betterment of man, particularly the workingman. He is remembered for his long and courageous fight to organize and then obtain recognition for the Brotherhood of Sleeping Car Porters. His call for a march on Washington in 1941 led to the issuance of the first Executive order prohibiting employment discrimination by Government contractors. He has been a most ardent supporter of the efforts to achieve the basic rights for migrant farmworkers. And, at the age of 80, he is still young enough to be fighting for the rights of unorganized hospital attendants in South Carolina.

An editorial published in the Trenton Times and an article by Whitney Young, published in the same newspaper, reflect the debt we owe to Mr. Randolph. Because of the importance of his life's work to all of us, I ask unanimous consent that the editorial and the article be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Trenton Times, Apr. 16, 1969]

RANDOLPH AT 80

A. Philip Randolph, 80 yesterday, is rounding out a courageous and constructive life.

Mr. Randolph, who retired last year as president of the Brotherhood of Sleeping Car Porters, was the chief founder of that organization in 1925. A Negro, he organized the Negro labor union at a time when the organization of a union even by white men was a dangerous and desperate business.

A civil rights activist whose primary aim was to unite all the scattered segments of the working class—the Negro included—he made tremendous contributions to the rights cause. For one thing, he organized Negroes for a March on Washington in the early days of World War II to protest discrimination in government and in the defense plants; the march was called off after the threat of it had literally forced President Roosevelt to sign an executive order banning discrimination in the war industries and setting up the Fair Employment Practices Committee.

A socialist and gadfly, Mr. Randolph produced radical writings and made soapbox speeches in an earlier era that prompted the Justice Department to call him "the most dangerous Negro in America."

Neither the Justice Department nor anyone else would call him that today. Most will join, at least in spirit, in the tribute planned for him on May 6, at which, it is hoped, $250,000 will be raised to carry out his life's work through the A. Philip Randolph Institute.

[From the Trenton Times, Apr. 14, 1969]

REVERED FIGURE—A TRIBUTE TO RANDOLPH

(By Whitney M. Young, Jr.)

It's hard to believe, but one of the most revered figures in the civil rights movement, A. Philip Randolph, will be 80 years old, tomorrow. Still vigorous, Phil Randolph has become a legend in his own time.

It's easy to be militant today—everyone is. But Phil Randolph was militant back in the early part of this century, when lynching was still a favorite Southern pastime, and Northern racism was rampant.

In those bitter days, Randolph edited a radical news magazine, The Messenger, and spoke at meetings all over the country. I remember, as a young man in Louisville, Kentucky, listening spellbound to Randolph's rolling tones and splendid oratory.

MANY HIGH POINTS

Eighty years fighting for the full rights of black people and the oppressed everywhere have left many memories, many high points. I recall marching with Phil Randolph in the 1963 March on Washington, and other events in which he took part or in which he was a guiding figure, but I think two of his greatest accomplishments were the organization of his union and his role in getting a fair employment practice proclamation in 1941.

A. Philip Randolph is probably best known as the longtime head of the Brotherhood of Sleeping Car Porters, organized in 1925. Have you any idea of what it meant to organize any workers, but especially black workers in those days?

It is easy now to forget that unions didn't get full bargaining rights until the 1930's and that people used to work six and even seven day-weeks for a dollar a day. Those were the days when goon squads roughed up and even killed union organizers. And if things were bad for white workers, you can imagine what they must have been for black workers who had the courage to stand up for their rights.

But the Brotherhood defied the opposition of management, and it negotiated wage increases and better working conditions even before it was formally recognized in 1937. The union also helped black workers in other fields, for here was a black-run labor organization that stood up for the rights of the Negro worker. Phil Randolph became the Negro's voice within the labor movement, constantly prodding it to support equality. He formed the American Negro Labor Council to eliminate discrimination from labor's ranks and he continues this fight to the present day.

Most people, though, will remember Phil Randolph for calling, in January, 1941, for a March on Washington. The nation was starting to come out of a Great Depression that lasted for a decade. Defense factories were booming, and workers in them were getting high wages. But blacks were left out. Out of 30,000 defense workers in the New York area, less than 200 were black.

Phil Randolph and other leaders tried to get the President to do something about this, but Jim Crow was still riding high in those days. The nation was preparing for a war to preserve democracy, but it denied the most elementary democratic rights to black citizens.

So Phil Randolph, in the days when "Black Power" had yet to captivate the press told black citizens, "you have power," but "our problem is to hitch it up for action on the broadest, most daring, and most gigantic scale."

Official Washington flew into a panic. Mrs. Roosevelt, Cabinet secretaries, and other top people put pressure on Randolph to call off the March. But civil rights agencies like the Urban League and the NAACP closed ranks behind him and the March was scheduled for July 1.

F. D. R. SIGNED

On June 25, President Roosevelt gave in and signed an executive order prohibiting discrimination in defense industries and setting up a fair employment practices commission that became the model for later federal job action.

It is all too easy to become swept up by the latest fashions and the latest angry voices, and to forget the accomplishments of brave men like A. Philip Randolph. It is fitting that on April 15, the whole nation should say "Thank you and Happy Birthday Phil Randolph."

WIDESPREAD PUBLIC INVESTMENT BUILDS A STRONG ECONOMY

Mr. RANDOLPH. Mr. President, one of the principal strengths of the American economic system is the broad base on which it is built. Ownership is not limited, and Americans have the opportunity to invest their money in enterprises that are helping to develop a stronger, more secure Nation.

The importance of individual investment as well as its benefits has been stressed in a national promotion known as "Invest in America Week," April 27 to May 3.

This observance pointed out what happens when citizens invest their money in real estate, savings institutions, insurance and securities. Not only does such investment benefit the individual, but it is a vital force in the national economy. It goes into business, industry and government to develop jobs, increase production and expand services. It is an affirmation of faith in the future of America.

In more than 800 American cities, old areas are being replaced by new construction of all types. Each new building is a dramatization of how investment capital can be put to work.

Yes, the ability for widespread citizen participation in the growth of America

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is essential to that growth. And this general participation is possible only in the United States.

PESTICIDE PERIL—IV

Mr. NELSON. Mr. President, in Sunday's Washington Post the pros and cons of the mounting pesticide issue were presented in articles by Dr. Thomas H. Jukes, a biochemist at the Space Sciences Laboratory of the University of California at Berkeley and Dr. Charles F. Wurster, an organic chemist at the State University of New York at Stony Brook.

The many points Dr. Jukes raises in his extensive article, "DDT: Boon to Man," are answered forcefully and directly by Dr. Wurster in his comprehensive report, "DDT: Bane to Our Environment."

Dr. Jukes says that the use of pesticides depends on the principle of selective toxicity. This is the main area of concern with regard to the use of DDT. Most pesticides, especially DDT and the chlorinated hydrocarbons, cannot distinguish between man's friends and man's enemies. They are almost as lethal to the beneficial insects and creatures as they are to destructive ones.

Dr. Jukes also cites "many" experiments carried out regarding the effects of DDT on human volunteers. From the information that has been available to my office, only a few studies—including one at a prison and another at a chemical plant—have been reported. One of the greatest difficulties in evaluating the effects of pesticides on human health has been the lack of any comprehensive research.

Another point raised by Dr. Jukes is the small quantity of DDT found in the fat of many fish and wildlife about which he says he is "not surprised or alarmed." As Dr. Wurster points out in his article, one of the most dangerous characteristics of DDT is biological concentration or magnification, which results in an increasing concentration of the pesticide progressively along the food chains until it reaches a serious and often lethal level.

A well-researched example of this dangerous phenomenon was documented in Clear Lake, Calif. In order to control a troublesome flying insect that hatches in the lake, the water was treated with the insecticide DDD—similar to DDT, yielding a concentration of 0.02 parts per million. Plankton, which include microscopic water-borne plants and animals, in the lake accumulated the DDD residues at five parts per million. Fish eating the plankton concentrated the pesticide in their fat to levels from several hundred to up to 2,000 parts per million. Grebes, diving birds similar to loons, fed on the fish and died. The highest concentration of DDD found in the tissues of the grebes was 1,600 parts per million.

Finally, Dr. Jukes raises the old claim that "the campaign against DDT is emotional and unscientific." I believe that this statement is completely refuted by the fact that distinguished scientists such as Dr. Wurster of the State University of New York, Dr. Robert Risebrough of the University of California and Dr. Joseph Hickey of the University of Wisconsin, among many other biochemists, biologists, zoologists, ecologists, and environmental scientists, are supporting efforts to bring toxic, persistent pesticides under reasonable sanctions in the United States.

It also should be remembered that two Presidential scientific advisory committees have urged improved controls of the uses of pesticides in the United States.

In my judgment, the most important recommendation of the Wiesner Committee in 1963 was the one urging cutbacks in the use of such persistent pesticides as DDT. The panel recommended:

> The accretion of residues in the environment (should) be controlled by orderely reduction in the use of persistent pesticides. As a first step, the various agencies of the Federal Government might restrict widescale use of persistent insecticides, except for necessary control of disease vectors. The Federal agencies should exert their leadership to induce the States to take similar actions. *Elimination* of the use of persistent toxic insecticides should be the goal. (*Emphasis added.*)

The report of the Environmental Pollution Panel of the President's Science Advisory Committee in 1965 also dealt with this subject. It recommended:

> Research should be encouraged toward the development of pesticides with greater specificity, additional modes of action, and more rapid degradability than many of those in current use.
>
> Pesticide effectiveness should be increased and total environmental contamination decreased by further research leading to the more efficient application of pesticides to the target organisms.

I ask unanimous consent that both the article by Dr. Jukes and the article by Dr. Wurster be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

PRO DDT: ITS USE SAVES UNTOLD LIVES

(By Thomas H. Jukes)

(NOTE.—A biochemist, Dr. Jukes is professor of medical physics and associate director of the Space Sciences Laboratory of the University of California at Berkeley. He points out that he does not have, and never has had, any financial interest in the manufacture of DDT and that he worked for more than 20 years for a firm (American Cyanamid Co.) that makes a competitive pesticide (malathion).)

The pesticide DDT is under vigorous attack. We are told that it is a "biocide," a poison that threatens many forms of life. A generation has grown up that knows little of what the world was like before DDT came into use, and of the changes made by DDT. This story must be told again, because disease and hunger always lurk in the shadows. There is not room here, however, for more than a brief mention of the conquest of major sicknesses by DDT.

DDT first became famous for its effect on a terrible disease, typhus fever, carried by body lice and spread by rats. In the book "Rats, Lice and History," typhus fever is given credit for being the deciding factor in all major wars before World War II. The Allied armies of liberation found that typhus was widespread among the survivors in the Nazi extermination camps. Dusting of prisoners with DDT promptly stopped the increase of typhus and undoubtedly stopped a catastrophic epidemic from spreading through postwar Europe.

Malaria is rightly called the "monarch of diseases." In tropical countries, it has been almost universal. Sir Macfarlane Burnet said that it is the main agent of infantile mortality there and that much of the backwardness of peasants in the tropics has been ascribed to malaria. For a large section of the world, malaria is the way of life—a short and sickly life.

During the liberation of Italy in 1944, the Allies applied DDT to buildings in the Tiber delta. As a result, primary malaria disappeared from the region, and in 1945 it was reported that the health of the population was better than it had been for 2000 years.

From these beginnings, the use of DDT was adopted in malarious regions throughout the world because it is a residual insecticide with effects on mosquitoes lasting for months. It breaks the life cycle of the malaria parasite, which alternates between warm-blooded animals and mosquitoes. Sickness has decreased and large, previously uninhabitable areas have been opened up to human habitation through the use of DDT.

In discussing a few of the many aspects of DDT, I shall not try to use technicalities, but some reference to chemical and biological topics is unavoidable.

The use of pesticides depends on the principle of *selective toxicity*. All chemicals, including DDT, are poisonous, depending on the dosage. DDT is far more poisonous to insects than to warm-blooded animals. Insects would eat up the food supply of mankind if they had the chance, and the only practical way to prevent this is to use chemicals that are poisonous to insects but relatively harmless to man.

As a safeguard, pesticides are required to pass toxicity tests, and the amounts permissible in foods are set far below the toxic levels. The Food and Drug Administration monitors the pesticide content of foods by taking samples for analysis. Sometimes a batch of food is condemned for being "over the line"; an example was the batch of Coho salmon from Lake Michigan that was recently seized.

These contained up to 19 parts per million of DDT. Ten grams of DDT, present in about half a ton of the salmon, would be an undesirable but not fatal single dose for one person. Men have had an intake of 18 mg of DDT per day for up to 19 years without detectable ill effects. This would correspond to eating two pounds of the salmon every day. Steps must be taken to stop the contamination, because it is undesirable and illegal. However, there is no immediate danger to public health.

DDT has been used to treat human beings far more than any other pesticide. It was applied as a dust to thousands of soldiers and civilians in the final year of World War II in typhus control. There was no injury to health, but it was obviously necessary to test the toxicology of DDT in controlled experiments.

Many such experiments were carried out with human volunteers who swallowed or exposed themselves to large doses, and information was also obtained from accidents. A single dose of about 700 milligrams for an adult is the borderline at which symptoms start to occur. About 20,000 milligrams (two-thirds of an ounce) has been eaten without a fatal result.

THE EFFECT ON INDIA

Of greater importance is the effect of prolonged daily dosage of small amounts. Here the information is far more extensive than for any other pesticide that is now widely used because, in several experiments, people were studied who had been exposed to DDT for up to 20 years.

The longest period of uninterrupted exposure was in the Montrose Chemical Co.'s plant in Los Angeles, where DDT has been produced exclusively and continuously since

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1947. The turnover of employees is below average. Sixty-three men had from five to 19 years of relatively heavy exposure to DDT and 35 of them were given intensive medical examinations by a team of researchers from the U.S. Public Health Service.

There were no cases of either cancer or blood abnormality among the 35 men who were examined or in the records of the other 28 men. The medical scientists concluded that heavy exposure of men to DDT for nine to 19 years produced no clinical findings that were significantly different from what might be expected from a similar unexposed group. In plain language, DDT had no effect, in spite of the fact that 20 of the men in the study were absorbing 17.5 to 18 milligrams per day, year after year, and had stored DDT in their body fat. The intake was more than 400 times that of the average person who gets traces of DDT in his food.

The greatest "experiment" of all with DDT took place in India. It started in 1953, with American cooperation, and was stepped up in 1958. It depended on the fact that DDT is a residual (or, as some say, "hard") insecticide, which stays on buildings after spraying.

At the start, there were 75 million cases of malaria in India, and life expectancy for Indians was 32 years. By 1962, 147,593,270 pounds of DDT had been used, and life expectancy had jumped to 47 years. The deputy director of the Malaria Institute of India commented that "a new era in economic development and social progress has been initiated with its beneficial transformation of the life of the people . . . In the Terai region, land under cultivation and food grain production has increased and this region, once abandoned by its inhabitants because of the high incidence of malaria, has become a beautiful and prosperous area."

By 1967, Prof. Garnham estimated that there were fewer than 100,000 cases of malaria in India. Sir Macfarlane Burnet, in 1953, predicted appalling consequences of such a sudden conversion to a more vigorous and rapidly increasing population, including famine, emigration and intense internal and social repercussions. Many of these predictions have been fulfilled, but who would wish to limit populations by stopping the control of disease?

BIOLOGICALLY MEANINGLESS

How much is "zero"? Scientists recognize that zero exists only in theory.

Ever since man first appeared, the bodies of human beings have contained most or all of the so-called poisonous elements, including some that are radioactive. Shrimps contain far more "natural" arsenic than would be permitted as a contaminant under pure food laws.

Judgments on how much DDT can be tolerated in foods are forced on us by the fantastically delicate testing methods that are now in use. One of these, vapor phase chromatography, can detect chlorinated hydrocarbons, including DDT, in fractions of a part per billion. Such minute traces are biologically meaningless.

One pound of DDT, if spread uniformly over the United States, would deposit one billion molecules on every square foot of surface. The best methods of analysis could detect the amount of DDT deposited on 1000 square feet by this tiny "fallout," and so I am not surprised or alarmed by claims that penguins in the Antarctic contain 1/20th part per million of DDT in their body fat. It just means that vapor phase chromatography is incredibly sensitive.

Incidentally, 38 penguin tissue samples gave a negative result in this investigation, and there are nonpesticide compounds, the chlorinated triphenyls, that test similarly to DDT and have been spread widely over the world. I am sure that the same penguins contained arsenic and gold from the sea water, molecules of sulphur compounds from New York City smog and radioactive carbon produced by cosmic rays. I am also sure that DDT is present in my fatty tissue, and I am not worried. I prefer this to malaria parasites or encephalitis viruses entering my blood from mosquito bites.

BIRDS AND ANIMALS

Public interest in wild birds and animals has grown widely in recent years, because we see the wilderness and its creatures vanishing as highways and subdivisions take over the landscape. We want to save our vanishing outdoor scene, and many conservation organizations have set up a great hue and cry against pesticides as a menace to wild life. I do not believe that the facts support such a concept.

Prof. R. L. Rudd said that the spread of suburbs, industrial pollution, the drainage of marshlands, the building of superhighways and the increase in numbers of people all have a disrupting effect on the wildlife population compared with which pestcides are of minor significance. Rachel Carson and her followers ignored this balanced viewpoint in favor of an emotional attack on pesticides, which are a convenient lightning rod to attract the indignation of many people who are alarmed by the onrush of technology.

Miss Carson attempted to discredit those who disagreed with her by saying that they were in the pay of the chemical industry. The same method of debate is used by some of her supporters. In January, 1969, a director of the Izaak Walton League was quoted on DDT as saying, "We are dealing with people concerned purely with the profit motive." One could point out that the publishers of "Silent Spring" made a handsome profit, but I prefer to discuss the effects of pesticides rather than to argue about the free enterprise system.

Many accounts of the effect of DDT on wild birds contain much "unfinished business" and indefinite findings. DDT undoubtedly has killed birds—for example, robins that got in the way of the nozzle when elm trees were being sprayed to control Dutch elm disease. Some bird-lovers stated their conviction that any robin that died for miles around was a victim of DDT.

It has become obvious that robins are not in danger as a species, despite the claim in "Silent Spring" that the robin seemed "on the verge of extinction." In 1963, the great bird expert Roger Tory Peterson said, "What is North America's No. 1 bird? Is it the house sparrow . . .? The starling . . . now outnumbers it. The American robin is a more likely candidate than either. Found from coast to coast, it inhabits cities and forests alike."

It is said that DDT has caused a decline in the numbers of eagles and hawks, and sensational terms such as "extirpation" and "population crash" have been used in this connection. The spread of towns and cities is hard on hawks, and especially on eagles. So are hunters. Alaska, a few years ago, paid a bounty of 50 cents per claw for killing bald eagles. In 1962, the Fish and Wildlife Service reported that 91 percent of eagles found dead were killed by violence, usually gunfire.

A survey of the numbers of migrating hawks has been carried on continuously at Hawk Mountain, Pa., since 1934, except for World War II. The count in 1968 was an all-time high of 29,765, 30 percent higher than the previous record year, 1939. Ospreys are on the increase. Peregrine falcons have decreased in recent years, but are by no means extinct. The bald eagle count in 1968, which, included 17 immature birds, was the same as the pre-World War II average, 55.

By far the commonest species (18,507) was the broad-winged hawk, which has a habit of eating catepillars on fruit and shade trees, and hence should accumulate some pesticide residues. Its numbers in 1968 (18,507) were more than three times as great as the average count in the period 1935–42.

Eagles and hawks seem to be holding their own better than one would expect in view of the number of hunters and the increase in the human population.

BIRDS HAVEN'T HEARD

It has been claimed that DDT reduces the hatchability of birds' eggs by disturbing calcium metabolism. One version is that the disturbance causes thin eggshells, so that the eggs break before they are ready to hatch. Another account, in the London Observer April 14, quoted an international conference in Stockholm as stating that DDT causes "thickening of the shells of birds' eggs. If the shells become too thick, the chicks are unable to hatch." Most of the stories, however, seem to come from the "thin-eggshell" school of thought.

Some birds haven't got either of the two messages. In one experiment, quail receiving 200 parts per million of DDT in their diet produced eggs that hatched at a normal rate, 80 percent, as compared with 84 per cent for those without DDT. However, the young quail were so severely poisoned by the mothers' diet that only 32 per cent survived for two weeks and only 13 per cent for six weeks. In contrast, 83 per cent of the control birds survived for six weeks. Similar results have been reported with chickens. Obviously, the toxic effect was on the young rather than on the formation of the eggshell by the mother. In both experiments, the amounts of DDT fed were far higher than would be encountered under field conditions.

It is interesting to compare the numbers of birds seen per observer in the Audubon Society Christmas bird counts for 1941 and 1960, before and after the widespread use of DDT. The greatest increases are in grackles, redwing blackbirds, cowbirds, starlings and robins—up 11-fold to 131-fold. This may be a result of beneficial effects of DDT on wild birds. Insecticides kill certain lice that infest birds, especially baby birds.

I think, however, that by far the greatest effect of DDT on birds is to kill mosquitoes that carry serious diseases of wild birds, including malaria, Newcastle disease, fowl pox and encephalitis. This may explain the population explosion of redwing blackbirds. They dwell in swamps that are sprayed to kill mosquitoes. Obviously, such an effect upsets the "balance of nature."

THE "THIRD WORLD"

Why am I really for DDT? Why do I argue with my bird-loving friends? I was brought up to watch birds. Certainly the chemical industry can make lots of pesticides that are less "residual" (and more profitable) than DDT. But I am for DDT.

First, DDT is safe, and has been studied more than any other pesticide for its effects on human beings. Without pesticides, there wouldn't be enough food to go around. Next, the campaign against DDT is emotional and unscientific, and I object to this. Most important of all, DDT is needed by the millions of "Third World" people because it is a cheap, safe residual pesticide.

Prof. George Nelson sent me a picture of an African with "river blindness," caused by onchocerciasis, which, he says, afflicts between 30 million and 40 million people in Africa. In some villages, the adults are all blind, and are led around by children who face the prospect of blindness.

The disease is caused by a microscopic parasitic worm carried by a black fly that breeds in swiftly flowing streams. It was accidentally found—when a donkey carrying DDT fell in a river—that the fly larvae in streams are readily killed by DDT, and, as a result of this discovery, the black fly was eliminated from a large area in Kenya. This should break the cycle of infection, which depends on the parasite shuttling between people and flies. Is there hope for the children of the victims of river blindness?

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An article published in 1967 predicted that the campaign against pesticides can cause deaths and sufferings greater than those of World War II. I agree with this prediction.

Con DDT: It's Polluting All the World

(By Charles F. Wurster)

(Note.—A Ph. D. in organic chemistry, Dr. Wurster is an assistant professor of biological sciences at the State University of New York at Stony Brook. As chairman of the scientists' advisory committee of the Environmental Defense Fund, he has played an active role in efforts to restrict the use of DDT.)

A quarter-century ago, man launched a biological experiment of truly colossal proportions, inadvertently using most of the world's animals as the experimental organisms. That experiment was the large-scale introduction of the insecticide DDT into the world environment.

Not much was known in those days about either insect control techniques or about DDT. But World War II was on, DDT killed bugs and didn't kill people, and so the great experiment was begun.

By saving millions of human lives in combatting typhus and malaria, DDT played a vital role in World War II. The experiment thus had a glamorous beginning, and after the war, use of DDT skyrocketed as it became the panacea for all insect problems.

During the past 20 years, however, we have learned much more about the control of insect populations, and also about the environmental effects of DDT. The great experiment no longer looks so clever. Clearly, some aspects of the experiment have gone sour and, in fact, are taking on the dimensions of a disaster.

The residues of DDT (which include DDT and some of its breakdown products, especially DDE) seem to be almost everywhere—in soils never treated with insecticides, in birds and seals that never leave the Antarctic (although DDT has never been used on that continent), in most other animals and probably all of the world's human beings, and in the air, even in remote parts of the world. DDT residues even come down in the rain and snow. Probably more widely distributed than any other manmade chemicals, they have become the world's most serious pollution problem.

The root of this problem lies with the DDT molecule itself, for it combines four properties that are responsible for its behavior in the environment:

1. Toxicity to almost all animal life rather than simply the insect pest.

2. Persistence, so that it remains in its original toxic form for at least a decade and perhaps much longer.

3. Mobility, so that it doesn't remain where applied, but is carried about the earth by currents of water and air.

4. Solubility properties that cause it to be accumulated by living organisms, instead of getting "lost" in the oceans, in soils or in other inorganic parts of the environment.

It is hardly surprising, then, that contamination of animal life with this material is so incredibly widespread and that harmful biological effects are occurring. DDT is an uncontrollable compound once released into the environment, and it is senseless to speak of "controlling" its use or using it "discriminately."

It is further misleading to draw analogies between DDT and such other materials as salt, which is a much less toxic and entirely normal component of our environment, or aspirin, which is also less toxic and is readily degradable. The DDT problem is unique; only compounds with its combination of properties, such as several other chlorinated hydrocarbon insecticides, can behave similarly, and none of these has been used (fortunately) as extensively as DDT.

Since the beginning of its use, DDT has repeatedly caused wildlife disasters. At first, only the most obvious were detected. Soon after the war, the use of DDT in an attempt to control the bark beetle that spreads Dutch elm disease (a fungus) was begun, and the practice has been widespread since then. In 1946, biologists warned that the indicated dosages would be lethal to birds. They were right. Soil organisms such as earthworms, as well as flying insects, become contaminated and are eaten by birds, which receive a lethal dose and die with tremors, the typical symptoms of DDT poisoning.

Up to 90 per cent of all the birds in a community have been killed this way; well over 100 species have been involved in these mortalities. The process has been so thoroughly studied and documented by so many scientists in so many parts of the country that it is no longer of scientific interest. Yet this dismal sequence has been repeated again and again during the past 20 years as hundreds, perhaps thousands, of municipalities in the Eastern United States have killed millions of birds.

The ironic part of the story is that DDT is relatively ineffective, when compared with the process of sanitation in preventing the spread of Dutch elm disease. The town that depends on DDT loses its elms as well as its birds.

Since the 1950s, large areas of North American forests have been sprayed with DDT for spruce budworm control. In New Brunswick, Canada, where excellent salmon streams include the Miramichi River, DDT applications caused severe and widespread losses of salmon, trout and other fish.

In 1954, ½ pound of DDT per acre was applied to the Miramichi watershed, and not a single salmon fry was seen that year. These extensive fish mortalities were followed in later years by fewer adults taken in fisheries and returning as spawners.

Large fish kills from DDT have also occurred in Maine, Delaware, New Jersey, California and many other areas too numerous to mention. Other aquatic life, including crabs, crayfish, shrimp, frogs, toads and reptiles, is also highly susceptible to the toxic action of DDT. They, too, sometimes become involved in mass mortalities, but more often they just quietly disappear from areas where they were once common, leaving only the inevitable debate over what happened to them.

BIOLOGICAL CONCENTRATION

During the last five years, however, scientists have become aware of much less obvious, more subtle and insidious and far more dangerous effects of DDT. Because of its solubility properties, DDT residues are absorbed by living organisms from their environment. The chemicals thereby enter food chains at various levels and are then passed up the food chain, becoming more concentrated each step of the way.

The carnivores at the top of this food pyramid therefore show the greatest degree of contamination, with lower members of the food chain containing less and the nonliving environment the least. This mechanism, called biological concentration, can cause carnivores, especially fish and birds, to carry residues of DDT at concentrations more than a million times greater than that of their environment.

The result of biological concentration is that large fish and birds can become heavily contaminated often from an environment that seems relatively clean. Some measurements of environmental quality, such as water, air and soil analyses, may therefore be very misleading. A water analysis that shows the minute concentration of 0.000003 part per million of DDT looks harmless indeed, but represents false security.

Large birds and fish feeding in such a system may accumulate enough DDT to diminish their reproductive capacities. One must analyze living organisms, rather than water, to monitor water quality. Yet the apologists for DDT quote such tiny numbers in their attempts to ridicule those who are concerned about the DDT problem.

Ornithologists have known for some time that the populations of certain birds of prey, including such well-known species as the bald eagle, osprey and peregrine falcon, have shown steep declines during the last 15 years. With some species, these declines appear worldwide in scope. The peregrine, for example, has become extinct as a nesting species east of the Rockies and has declined to a tiny fraction of its former numbers in the Western United States and Europe. Only very recently, however, have scientists learned the cause of these precipitous declines.

EFFECT ON LIVER

We now know that DDT is a hepatic enzyme inducer. This means that DDT causes the liver to increase greatly its concentration of certain enzymes. These induced enzymes modify steroid sex hormones, i.e., estrogen, progesterone and testosterone, thereby changing their biological action. In birds, estrogen influences calcium metabolism.

Since female birds of prey accumulate DDT residues from their contaminated food, induced liver enzymes destroy the birds' own estrogen supplies, thus causing them to lay inadequately calcified, thin-shelled eggs. Such eggs usually break in the nest or lose too much water through the thin shell, resulting in dehydration and death of the embryo.

Populations therefore collapse from low reproductive success. Extinction of a species can occur from such sublethal effects without the killing of a single individual.

Since the late 1940s when DDT was first introduced on a large scale into the world environment, carnivorous birds of many species on at least two continents (Europe and North America) have been laying thin-shelled eggs and population numbers have been collapsing. Included are not only hawks, eagles and other birds of prey, but many sea birds as well. There is no sanctuary from this insidious chain of events. Unless the use of DDT is stopped, we face the extinction of a long list of carnivorous birds over wide areas of the world.

Meanwhile, we are told of the good health of our avian populations, as indicated by increasing numbers of pheasants, quail, mourning doves, turkeys and other game species. But these are all herbivores. Short food chains are less subject to biological concentration; herbivores do not become heavily contaminated and their mention is irrelevant to the DDT problem.

Likewise, some birds of prey that feed on herbivores, i.e., red-tailed hawks, white-tailed kites and golden eagles, are also not involved for the same reason. Birds at the ends of long food chains are the ones in danger.

DDT residues can also cause the collapse of reproduction in fish. Residues are accumulated by adult fish from their environment and their food and are passed in increased concentration into the yolk of their eggs. The embryo develops, apparently normally, and the fry hatch. Final yolk absorption occurs after hatching, and at this point the fry are killed by poisoning with DDT.

Biological concentration results in higher DDT concentrations in the larger fish, which include most game and edible species. Thus when the watersheds of Lake George were treated with DDT, all lake trout fry were killed and there was no successful reproduction for several years. This effect has occurred in other lakes, and now the Coho salmon fishery in Lake Michigan is suffering a similar fate. Last year nearly a million salmon fry, representing 11 per cent of the entire crop, were killed by DDT in Michigan hatcheries.

ACCUMULATING IN OCEANS

Analysis of large carnivorous fish and birds of the oceans now tells us that residues of DDT are accumulating in the ocean basins and contaminating oceanic food chains. In many cases, the degree of contamination is already as high as it is in many waters draining heavily treated agricultural land. From its properties, we must expect DDT eventually to reach increasing levels of accumulation and food-chain contamination in the oceans, and apparently this is happening.

The implication is clear. The failure of trout and salmon to produce viable fry in Lake George and Lake Michigan may soon be repeated among some of the world's major marine fisheries, if it is not already occurring. Some commercial species have indeed shown sharp and unexplained declines during recent years. The prospect is hardly reassuring for those who look to the sea for the increased food supply required by an increasing number of human mouths.

There is also a bright side to the DDT story. We don't need it any more. Great progress has been made toward an understanding of insect populations and how to control them. Many biological control techniques are now known, and a long list of nonpersistent insecticides, such as sevin, malathion and abate, is available. Modern concepts or integrated control, i.e., the blending of both biological and chemical procedures to manipulate insect populations effectively and economically, have reduced DDT to a crude and disruptive ecological poison by comparison.

The propagandists with vested interests try to tell us that the food and fiber for a starving world depend on the continued use of DDT, but those days are far behind. Fortunately, we can choose effective and ecologically sane alternative methods of controlling insect pests. It is time to end the great experiment with DDT.

DECISION BY PRESIDENT JOHNSON TO END BOMBING IN NORTH VIETNAM

Mr. FULBRIGHT. Mr. President, a second article by Mr. Henry Brandon in the Sunday Times, of London, involves the development of the decision of President Johnson to end the bombing in North Vietnam.

The account would, I believe, be of interest to the Members of the Senate and to the public, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHEN THE BOMBING HAD TO STOP

All the world knew of the heavy American casualties in the Viet Cong's shock Tet offensive in February 1968. What nobody outside realised was the extent of the casualties suffered in Washington. Some of the most seasoned hawks were unnerved, and it fundamentally affected their view of the war.

Clark Clifford, Secretary of Defence; Dean Acheson, the perennial adviser to Presidents; and McGeorge Bundy, who still had the ear of President Johnson, all kept public silence, but all felt that no longer was the war worth the sacrifice it was demanding of the United States.

Dean Acheson, whom the President trusted as an old friend with a similar outlook on the war, had been given an optimistic briefing before leaving for a holiday in Antigua. Now after the offensive in which the Viet Cong reached the U.S. Embassy in Saigon, and all the major cities suffered heavily, he came to feel that the war was going to lose the election for Johnson and that the country was going to the dogs. Dean Acheson also became convinced that the President was getting one-sided information. On his return from holiday he went to see Johnson and told him so.

Johnson immediately suggested that he talk to his advisers himself. Acheson demurred that this would not do: he would only get the same stuff the President was getting. He asked for authority to talk to anyone in the Administration. The President readily agreed.

Acheson (who had been Truman's Secretary of State) found his suspicions confirmed. The President *was* getting a one-sided picture, and at lunch alone with him in the White House Acheson said so. He also implored him to believe that it did not make sense to go on doing stubbornly what he had been doing, especially in view of General Westmoreland's latest request for massive troop reinforcements.

Westmoreland reminded him, he said, of an obstinate Civil War general who went on and on hoping for victory, however long it might take; but for Mr. Johnson time was running out. The war was ruining him and ruining the country, and couldn't be won in the forseeable future. It seemed to Acheson that even a million men wouldn't make a difference. These were surprising views; Johnson confessed that he was deeply shaken.

Meanwhile, another old, reliable hawk flew off the perch. Clark Clifford, an intimate friend whom Johnson had just made Secretary of Defence to replace Mr. McNamara (who had become too dove-ish for him), had hardly been sworn in when he was asked by the President to preside over the examination of General Westmoreland's latest request.

All the principal Vietnam policymakers took part. Those supporting the request for further escalation, at least at first, were Secretary of State Dean Rusk, White House adviser Walt Rostow, and Generals Wheeler and Taylor. Those in opposition were Paul Nitze, Deputy Secretary of Defense, Paul Warnke, and Nick Katzenbach, who had succeeded George Ball as Under Secretary of State. This last little band had been in opposition for a long time, but lacked pulling power. In Clifford, however, they found a powerful and unexpected ally.

What made this policy review so important was that it became the education of Clark Clifford. It made him the most impassioned opponent of the war. Inevitably a war within a war developed, and personal bitterness grew. Clifford had reached very much the same conclusions as Acheson. Another massive reinforcement would only mean more fighting, more casualties, higher costs and a more deeply divided America.

President Johnson was even more upset by Clifford's defection than Acheson's. He personally shared the majority view, which he expressed in two emotional speeches delivered in mid-March, exhorting the nation to "win peace on the battlefield."

On March 25, with the hope of getting support for his viewpoint, Johnson summoned his "council of elder statesmen," men who had held high public office but were now outside the Government. They came to Washington once or twice a year, and up to then had given him solid support on the war. This time they stayed for two days of military, political and intelligence briefing.

On the second day they had lunch with the President. No members of the Government were present. Dean Acheson, who sat next to the President, offered to lead off, and Johnson agreed. Acheson warned that he might cause pandemonium with what he was going to say, but the President again encouraged him. Acheson then summed up his impressions of the discouraging briefings they had had, the heavy military losses, the damage to the Saigon Government's authority and the disarray in the pacification programme.

To his surprise his views were shared by more among those present than he had expected. The one who mattered most, because he too had been a strong supporter of the war; was McGeorge Bundy. He summed up for those supporting Acheson's view. (General Wheeler, the Chairman of the Joint Chiefs of Staff, later pointedly asked what sort of jerks had briefed the "wise men." Some of them thereafter worried about the briefers' future.)

At the lunch, Wheeler's presentation of his own views was unconvincing, as was his inability to define his objectives in the war. Later, when the President was asked what his objectives were, he was not very persuasive either. He simply repeated what he had enunciated in public speeches.

Acheson, who for some time had not believed in the efficacy of bombing, said it would serve neither to make the North Vietnamese give in, nor even to state what they would offer in exchange for a bombing halt; sooner or later, they would make their own concessions, without spelling them out in advance. He concluded that the American objective should be to maintain the government in Saigon at the lowest possible cost to the U.S., and that the U.S. should start withdrawing men, at least the "Coca-cola pushers." This would not weaken the front lines.

This lunch upset the President: "Who poisoned the well?" he asked complainingly. But the poison now began to circulate in his own bloodstream, too. The man who resented "bitchers and moaners," who always believed that serious emergencies had to be met by men of guts (his preeminent example was Churchill), and that "good men will be strong in the face of aggression," was in a deep quandary.

He believed in Dean Rusk and Walt Rostow, both men of absolute loyalty to him. Rostow had helped him greatly; he was not only a tireless adviser, but he showed a tender, human, supportive feeling for him that was of great comfort. He often reminded the President that Lincoln, too, had suffered gnawing agony. On the other side were Clifford, Acheson and Bundy, all formidable men and once formidable supporters of the war, and now their views were ranged against his.

There were also in the background the warnings from the Secretary of the Treasury, Henry Fowler, that another massive troop increase could seriously weaken the dollar in the world markets. There was the verbal fire from the New Hampshire ambush, where Senator McCarthy, fighting a Presidential primary, was attacking President Johnson's war—an attack with a second prong in the form of Senator Robert Kennedy, who by then had also jumped into the fray.

CLIFFORD GETS L. B. J.'S SPEECH CHANGED

Inside the administration Mr. Clifford continued to bear down on the President. He knew he was making the President's life miserable, but he stood his ground, firmly opposing both troop escalation and continuation of the bombing.

Anyone who has ever tried to argue with President Johnson knows what this entailed. It was like suddenly seeing a big bulldozer coming at you. One of his former senior advisers now says: "It was never a good idea to tell him directly what you thought. It was difficult to give him direct advice. You had to find methods of communicating with him. My preference was by memo." But Clifford held fast and withstood a lot of punishment, and an estrangement between him and Johnson set in.

The President was immovably opposed to a complete bombing halt, but when Clifford, as a halfway house, offered a partial bombing halt above the 20th Parallel, he seemed interested.

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At a drafting lunch at the State Department on March 28, 1968—to discuss the speech the President was to deliver on March 31—Clifford convinced his opponents that the President would take a new tack. He wanted him to come away from the edge of the precipice where he continually stood. He wanted him to make clear that he was no longer thinking of escalation but how to winch down the war. And he wanted him to hold out to Hanoi the strong prospect of a mutual troop withdrawal.

Rusk did not oppose the partial bombing halt; he had in fact proposed something along these lines earlier in March, but on the assumption that the enemy would not accept it. Not even Harriman, who was a strong believer in negotiations, thought they would: the same idea, after all, had been transmitted to Hanoi once before via the Henry Kissinger channel, and without result.

Harry McPherson, the President's speech writer and legal counsellor, worked through the night to redraft the speech. When, next morning, the President queried a passage on page three of the draft, McPherson found to his great relief that the President was referring to a page in the new text. His stubbornness had given way, and he had accepted Clifford's new approach.

On Sunday, March 31, the President made his historic "abdication" broadcast, offering the unconditional bombing halt north of the 20th parallel if Hanoi would come to the conference table.

There is some reason to assume that the Hanoi leadership had come to much the same conclusion as Washington and at the same time. They had realised that they could not win a military victory. The fact that they accepted President Johnson's offer with such alacrity also leads the experts to think that they themselves may have been ready to make an offer. The Tet offensive, after all, did not accomplish what Hanoi had hoped for—the fall of the Saigon Government—and that must have led to a revaluation in the Politburo.

After some acrimonious haggling over the conference site, Paris finally became the obvious compromise, but the talks throughout May and most of June only limped along. President Johnson became unhappy, and began to wonder whether he had made another mistake. Some of his aides suggested that he issue an ultimatum, and he came dangerously close to doing so. After several unproductive public sessions in Paris, Ambassador Averell Harriman and his deputy, Cyrus Vance, men endowed with great patience, finally decided that in order to find some common ground, they would have to go into private session.

Late in May and early in June approaches were made to initiate private meetings. The North Vietnamese in Paris neither accepted nor rejected the offer; they were clearly waiting for instructions from Hanoi. Finally, early in July, the yes was passed along. The first private meeting—they occurred at various levels between the two delegations—was between the two Press officers.

The North Vietnamese were cordial and correct, but it took time before actual negotiations developed. The central problem was to get them to agree to three basic conditions. President Johnson wanted specific assurances about a cessation of attacks against the cities, about a halt to infiltration across the Demilitarized Zone, and about productive talks which follow promptly and include the South Vietnamese Government.

Late in July Harriman and Vance proposed a complete bombing halt to President Johnson. Vance flew back to argue that the end of the shelling of the cities and a marked decrease in the fighting should be taken as an indication that the North Vietnamese were meeting the President's demands for reciprocal restraints. Vice-President Humphrey at that point was quite obviously anxious to get the bombing stopped, but some of President Johnson's advisers and one or two of his private friends argued against it. He turned it down.

Late in September the North Vietnamese began saying that if the Americans stopped all bombing they could talk about these points. The crux of the problem was how to avoid the word "conditions." They were referred to only as "circumstances which would permit serious talks to go on."

Progress was finally made when the Russians joined a strange triangular diplomatic minuet. Harriman had said for a long time that the key to negotiations was the Russians' co-operation. He knew them well and they trusted him, believing him when he said that his aim was to advance the cause of peace.

But the Russians clearly had also decided that the time had come to help on Vietnam. The Russian Ambassador in Paris, Mr. Zorin, had been instructed to keep in touch with Harriman and to facilitate negotiations. Theirs was a strange, highly sporadic aid. Sometimes they were unavailable for weeks, then suddenly they were available. Sometimes they even took the initiative.

The Russians wanted to avoid their own confrontation with the U.S., inevitable if the war simply continued, and to gain an important voice in South-East Asia.

Relations between Hanoi and Peking, meanwhile, had become strained. Soviet supplies were being delayed on the Chinese border and North Vietnamese delegations to Peking were not treated as friends and allies. However, when the North Vietnamese were asked about their relations with the Russians or the Chinese, they always replied that they were nationalists and the less they had to do with either of them the better. Once, during one of the private "tea breaks," Averell Harriman offered them caviar he had just received from Iran, but they refused. Kosygin, he was told, also brought some to Hanoi on a visit, but they didn't take it from him either.

By October 16, thanks to Harriman's skill in dealing with Communists and thanks to his shrewd way of being able to roll with the conversation, the curious diplomatic shadowboxing had reached a point where the North Vietnamese indicated, through the Russians, what amounted to acceptance of the American conditions.

A bombing halt now looked a real possibility, and at this stage could have had a major effect on the Presidential election campaign. But new pressure from the South Vietnamese began to be felt. The White House relayed to Harriman a demand from President Thieu that peace talks had to follow within 24 hours of the halt. Ambassador Bunker, who had the difficult task of maintaining the morale of the Saigon Government, transmitted the request as essential to get South Vietnamese co-operation at the conference table.

The North Vietnamese resisted; they wanted more time to elapse, to obscure the fact that they had now agreed to conditional negotiations after insisting for years that they would never do so. In addition, they were put out by rumours of a "breakthrough" in Paris that emanated from the presidential palace in Saigon. These rumours implied that Hanoi had agreed to the American conditions for a complete bombing halt.

In what looked like an angry countermove, they suddenly demanded a written agreement (which they said would not be for publication) that the bombing halt was "unconditional." But when Ambassador Harriman made it absolutely clear that President Johnson could not sign such a statement they withdrew the demand altogether.

There is little doubt that the North Vietnamese were in the end anxious to bring about an agreement, and that one of the main reasons for their hurry was to influence the American elections. They did not want Nixon to win. They had read reports of his implied threat, during the Republican Convention in Miami, to use nuclear weapons in Vietnam and they didn't like it. They were now even willing to sit down with those "imperialist puppets," the Saigon Government.

When word was flashed from Paris on October 27 that the deal was clinched, President Johnson called back to Washington General Creighton Abrams, who had replaced General Westmoreland in Saigon. After a long tiring flight he arrived in the Cabinet Room in the White House at 2:30 a.m. on October 29. Nobody asked him, as would normally have happened, what sort of a flight he had had. All those assembled somehow felt that everybody was in the front line, that the Cabinet Room too was part of it.

The President immediately explained to Abrams that the North Vietnamese had accepted all his conditions; he would have to order the end of the bombing, but he did not want to issue the order "before he had looked him into the eye." Then he added: "We got them to Paris not by the cleverness of diplomacy, but by your go-go."

Abrams looked solid, composed, a man of calibre. "I don't know all the pressures on the Presidency," Abrams began firmly, "and I cannot assess all the dimensions, but I know we have to make a contribution to the new environment. I know that you are plunged into a cesspool of different motives at different times, but I believe that it is right to go ahead because to stop the bombing would get the talks off dead centre and I believe the war ought to be ended at the conference table." He looked the President straight in the eye and suddenly as one participant put it, it became clear why the President had replaced General Westmoreland with General Abrams.

DID THE DELAY KILL HUMPHREY'S HOPES?

The Paris logjam seemed broken. But again South Vietnam interfered later that day to Ambassador Bunker's great embarrassment. President Thieu reneged on his acceptance of his Paris agreement. His reason at first was that he could not get his delegation to Paris by November 2. By Wednesday there were several more excuses.

This infuriated Washington. What was the President to do? Should he now delay a deal because his ally was trying to obstruct it, or should he proceed without him? He decided that a commitment was a commitment, whether with an ally or foe, and so told Thieu that he would announce the end of the bombing that night (October 31) and it would actually stop the next morning. The President kept open a sentence in his speech in the hope that Saigon's agreement would come in time. On November 6, the agreed date for the start of the peace talks proper, Thieu's answer was still no.

It brought to a head the disagreement between Clark Clifford, on the one hand, and Rusk, Rostow and Bunker on the other, and turned it into a fierce and fundamental conflict. Clifford doubted that the South Vietnamese had any desire to negotiate, or any real willingness to assume responsibility for their own defence. They neither wanted the U.S. to withdraw her troops, which represented their best police force, nor to see a reduction in the enormous financial injection from US aid.

Clifford feared that the Saigon Government was trying to torpedo the negotiations. Without the President's consent he began something of a personal "crusade" against President Thieu which was resented by many in the Administration; it also, in effect, silenced his private telephone line to the President. Johnson became cold and distant with the man who had been one of his closest friends.

Clifford's passionate impatience was countered by his opponents with the argu-

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ment that the Saigon Government had made great progress, elected its own constitutional assembly, and built up its army as a serious fighting force. To succumb to Clifford's arguments, they declared, could endanger all that the U.S. had achieved at such great cost.

The President could have had a bombing halt without Saigon's concurrence on about October 15, but Johnson was determined then to avoid any charge of "playing politics" with the halt. He had told Richard Nixon what his terms were, and he was going to stand by his words. On Wednesday, October 30, he informed Nixon and George Wallace (as a Presidential candidate), that the agreement to begin talks had run into a snag in Saigon.

Should the President have delayed the bombing halt until after the elections? He did not want to risk breaking a solid agreement that included firm dates, reached with Hanoi after such trying negotiations. Five days after the elections Clifford said publicly that "the President had the responsibility to proceed with the agreement, because getting on with the talks, which could end the war, far transcended in importance whatever political result might be."

Nobody will ever be able to prove that the delay cost Hubert Humphrey and the Democratic Party the elections. But if the Nixon men are correct in assuming that much of Humphrey's last-minute upsurge among voters was due to the announcement of the halt six days before election day, then it is possible to speculate that an earlier announcement might have lifted Humphrey to a narrow victory.

Lurking behind the delays by President Thieu, American intelligence sources established, was an attempt by some Nixon backers—worthy of the imagination of Ian Fleming—to get Thieu to stall so that the announcement of the bombing halt would be delayed until after the elections. Allegedly Mrs. Anna Chennault, the Chinese widow of the famous founder of the Flying Tigers—who is well connected in Formosa and in Saigon and is an ardent Republican—provided the "good offices." No evidence was found that Mr. Nixon himself had inkling of this bizarre conspiracy.

But just as Hanoi and Mrs. Chennault did not get their own way, nor entirely did Washington: it had been adamant that talks should follow the halt "promptly," but the eventual agreement with Hanoi allowed for a two-day delay.

President Thieu did not altogether give up. He next tried to delay the negotiations until President Nixon was installed in the White House. Finally he sent his envoy, General Ky, to Paris on December 2, but negotiations of substance began only on January 8. The fact that the Government of Saigon and the representatives of the National Liberation Front were now facing each other across the conference table was living proof that the conflict on the battlefield had been played to a bloody draw.

In a curious way ideology and rationalism, rare bedfellows, made common cause in dragging the U S into the morass of Vietnam. The ideology, born in the cold war, gave it the initial momentum. It led President Truman and President Eisenhower to provide aid and also the rhetoric needed to obtain Congressional and public support for it.

The rhetoric was primarily based on the fear that after having lost China to Communism the U S would lose the rest of Asia to Communism. Later the fears of another "Munich," another Korea, and the fear of the Democrats being accused of "softness" on Communism helped to reinforce the rhetoric and the reasoning.

The rationalism was added later, and was born of the Cuban missile crisis. The brilliant success in averting thermonuclear war by the application of the coolest of cool rationalism—the "graduated response"—became one of the new wisdoms of the nuclear age.

It was the product of calm, steady, almost nerveless thinking, and of the coolest possible assessment of the enemy's intentions. John F. Kennedy, his brother, Robert, McGeorge Bundy, Robert McNamara, were the architects of this flexible strategy, and the true believers in the intellectual process and its rational products. Robert Kennedy's history of the Cuban missile crisis is the textbook to the graduated response, and convincingly proves its validity.

It succeeded in Cuba against the Soviet Union. Logic suggested that it ought also to be effective—or more so, since it had to deal with actual conflict—against a small country such as Vietnam. The graduated response, therefore, became a major influence on American military strategy in the Johnson phase of the war.

For President Kennedy, Vietnam remained a sideshow. The risks of half-baked action were not high then; he was constantly buying more time, first with President Diem, then without him. Equally, the domestic political risks did not seem high at the time, and, therefore, he had no compelling need to disengage. Kennedy had mounted the tiger, but it was Johnson's lot to choose the difficult moment for jumping off.

When President Johnson took over he was at first trapped by his slogan "Let us continue"; it soon became "We are not going to be defeated." The theory of the need to "contain" Communism in Asia, as enunciated by President Truman, was basic to Johnson's thinking; and his determination "not to be the first American President who lost a war" was basic to his character.

President Eisenhower's theory of "massive retaliation" offered no solution in Vietnam. If North Vietnam were, as General Curtis LeMay, Chief of the Air Force, once suggested, "bombed into the stone age," China would move into Vietnam as she did into Korea. It was also morally an unacceptable strategy.

McNamara, therefore, in a dazzling intellectual display revamped the American military machine and provided it with the training, the equipment and the weapons to fight limited wars with the "graduated response."

The rationalists expected that they could frighten Hanoi to the conference table. The ideologists—of whom the principals were Dean Rusk and Walt Rostow—mistrusted the graduated response. They favoured quick escalation. They were committed to victory. They did not believe that a worthwhile settlement could be reached by talking.

Such true doves as George Ball, Paul Nitze, and perhaps also Llewellyn Thompson, the U.S. Ambassador to the Soviet Union, did not think that the American involvement in Vietnam made political or military sense. They favoured what amounted to unilateral withdrawal.

President Johnson for a long time was certain that bombing would bring results. He believed that by watching every target that the Air Force hit, he could make this a "sanitised" war. "If they hit people," he used to say, "I'll bust their asses." Limited war became his worst dilemma. It was against his nature against the nature of the military; in effect, it was against the nature of war itself. As one of Mr. Johnson's aides once put it: "It was like stimulating a woman close to ecstasy and then leaving her with only a chaste kiss on the cheek."

One of President Johnson's great handicaps was his own inability to rally the country, another that he had to conduct the first war that was being brought live and "in living colour" via television, into every American home. One of the President's great weaknesses was that he had in mind no clearly defined objectives. He thought he had, but, as one of his friends whom he often consulted, puts it, "They were all words. He is a man who verbalises everything and who thought that words which he changed from time to time amounted to clear objectives. He did not really understand the full impact of the war on America, he thought he could disregard it. Nor did he understand the danger any President is exposed to, of being isolated from a broad range of information.

Johnson firmly believed that in the end the military situation just had to improve; and he was, anyway, constantly told that the U.S. was doing better, always a little better.

What really changed his mind in the days preceding his "abdication" speech of March 31, 1968, is one of the most intriguing, most puzzling missing links. In that great inner drama, the Polonius, the Claudius, the Horatio, the Laertes, the others were all there, all played their parts, but the Prince of Denmark is still missing. And no one is certain who or where or what he was.

There is no doubt among his closest aides that if Johnson had made the March 31 speech eleven days earlier, it would have been a speech of Churchillian blood-and-thunder. Instead he reached out for peace. Was it because of his abdication decision? Was it because of Clark Clifford's argument that it would do him politically a power of good if he stepped back into history with the bells of peace ringing? Was it because of Mrs. Johnson's influence? His closest friends and advisers don't know. Does he? And will he ever reveal the truth?

Perhaps when he comes to write about those days, he will justify the change of heart by trying to prove that there was no change at all. Clark Clifford is honest enough to admit that if he had become Secretary of Defence earlier, he would probably have acted as all the others did, but in 1968 circumstances made it easier to reach the conclusions he did and to make the ship of state change course.

THE FAILURE THAT HAUNTS M'NAMARA

Robert McNamara forfeited the President's confidence and was eased out earlier than he expected because he had lost faith in the prosecution and the purpose of the war. He had always assumed that if you put your shoulder to the wheel you could accomplish almost anything. This was basic to his philosophy of life. But by the middle of 1966 he came to realise that the political and human costs were too high.

The failure of the graduated response came to haunt McNamara. He and others, like McGeorge Bundy, were convinced that if you approach people rationally, it will lead to a rational solution. But war has ceased to be a rational instrument. Once the enemy had proved not to be rational it became increasingly obvious that the U.S. did not know enough about his nature, about his inner strength and endurance. In addition, the rational expectations of air power were highly exaggerated.

There was another serious flaw in applying to Vietnam the theory that succeeded so well in Cuba. Not enough credit had been given to the distance between the Soviet Union and Cuba. It must have been evident to the Russians that they could not control the situation there—it may in fact have been one of the principal reasons for their decision to withdraw.

When the U.S. began to apply the graduated-response technique to Vietnam it did not pay enough attention to the distance of that Asian country from the American shores or to the fact that it was geographically so close to both Russia and China.

The war is still going on and men are being killed. It is still the enemy, not the Americans who control the level of American casualties. But peace talks are at last under way. The North Vietnamese have several advantages. They know that the United States is not willing to continue the war indefinitely. It is the cost, not so much the basic principle, that has come to disturb the American people.

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Hanoi has almost unlimited manpower and can assume that sooner rather than later it will be able to control or at least influence South Vietnam. But it has lost a whole generation of young men, the North is ravaged by the war and progress has been delayed for many years. No nation can afford such conditions indefinitely. Hanoi, the American negotiators believe, is willing to agree to a neutral, independent South Vietnam with a democratically elected government in which all parties are represented (and which, no doubt, they believe will soon come under their influence as U.S. troops leave).

As in all wars that end in a stalemate, neither side finds it easy to compromise; both sides want to make certain that their sacrifices were not in vain.

CAN AN "HONOURABLE" SETTLEMENT LAST?

Those who played an important role in U.S. policymaking divide into roughly four groups in assessing the war in retrospect. There are those like Rusk and Rostow who are unhappy about the U.S. having acceded to negotiations. They are convinced that the opposition at home is containable and that there is no alternative to victory. They maintain that the U.S. was on her way towards it, and that events will confirm their profound skepticism about negotiations.

There are those who favour negotiations and a de-escalation of the war but who also believe that, as McGeorge Bundy put it, "When the history of these years—of this whole generation—comes to be written, it will be clear that in these two years a hard corner was turned in a way which will have the same meaning in its fashion for the future of South Asia and the Western Pacific that the defence of Korea had farther north, the defence of Berlin had for Europe and the Cuban missile crisis for all. . . ."

There are those, and Robert McNamara is probably one of them, who have come to doubt the wisdom of this involvement because of the enormous disparity between the costs and the gains and because of what the war has done to the fabric of American society and to the American outlook on the world.

And there are those, such as George Ball and Paul Nitze, who continue to feel that the war was a big mistake.

But it was not until the rationalists recognised that the war was unwinnable and that the political and social costs were too high that they abandoned those ideologically committed to the war. That decisively altered the balance of advice President Johnson had been getting.

There are some, especially in Congress, who are worried that without final victory the Air Force and American military prestige generally will have suffered. But the American nuclear deterrent remains inviolate. And the military can claim either that the restraints imposed on them made victory impossible or that they were on the road to victory but deprived of it by the decision to go to the conference table.

The U.S., thanks to a fine fighting army and overwhelming resources, turned defeat into a draw and stayed off the takeover of South Vietnam by Hanoi. It has clothed the Saigon regime with legitimacy, as that Government's acceptance of North Vietnam and the N.L.F. at the Paris talks testifies. But America has been forced to put its hopes of peaceful political change in Saigon at the mercy of N.L.F. participation.

The final denouement is still to come. Will it take the form of an apparently "honourable" settlement, or plainly be a sell-out? And how long can an "honourable" settlement endure once the U.S. forces are withdrawn? On this American public reaction will ultimately depend.

With China now the real menace in Russian eyes, the Kremlin (though it wants the Vietnamese war to end) will also want to ensure that American power remains nearby as a counterpoise to Peking. But there is no doubt that one can say with Baudelaire that the war has brought home to Americans that the U.S. is no longer "consciente et reine d'elle-même"—she no longer is mistress of herself.

NUCLEAR DIPLOMACY

Mr. FULBRIGHT. Mr. President, I ask that an excellent editorial from the St. Louis Post-Dispatch, entitled "Mr. Nixon's Nuclear Diplomacy" be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Mr. Nixon's Nuclear Diplomacy

The official rationalization for deploying an antiballistic missile system has gone through so many twists and turns that deep skepticism is abroad in the land. Now President Nixon has introduced still another quick shift which increases the confusion and multiplies the doubts.

When he first propounded plans for the Safeguard system, Mr. Nixon said its primary purpose was to protect the credibility of our deterrent nuclear force, by setting up a complex electronic defense for some of our land-based missiles. At his latest press conference a week ago he went beyond that. He said the purpose is to protect the credibility, not of our deterrent, but of our diplomacy. That is quite a different kettle of fish.

The President made this point several times, and reinforced it by citing the Cuba missiles crisis of 1962. At that time, he said, the United States enjoyed a superiority in over-all nuclear capability of four or five to one over the Soviets; and only this superiority, he implied, induced Khrushchev to back down and remove his offensive missiles from Cuba. Without the ABM, Mr. Nixon argued, the United States will become a second-class nuclear power, and thus in any future diplomatic crisis would find itself in the position Russia occupied in Cuba. He wants the ABM because "I do not want to see an American president in the future, in the event of any crisis, have his diplomatic credibility be so impaired because the United States was in a second-class or inferior position."

This is dangerous doctrine which needs to be challenged on two counts.

There are strong reasons, first, for questioning the truth of Mr. Nixon's claim that the United States will fall behind the Soviets in over-all nuclear capability unless the ABM is deployed. Senator Gore has pointed out that when the Pentagon paints a picture of alarming American weakness it adds up the number of missiles each country is expected to possess in the mid-seventies. But with both countries developing multiple warheads the critical statistic is the number of deliverable *warheads,* not missiles. Drawing on the Pentagon's own information, Senator Gore argued (and he has not been refuted) that at present rates of development the United States by 1975 will have 8000 and the Soviet Union 5000 deliverable warheads. No more than 250 warheads would be required to destroy 50 large cities.

This does not look like nuclear inferiority to us. But whatever numbers game be played, the stronger reason for challenging the President's new thesis is that beyond a certain point nuclear "supremacy" and "inferiority" lose any meaning. Even if the Russians exceeded us in total warheads by a substantial margin, if our own nuclear capability were such as to enable us to deliver a devastating retaliatory blow after absorbing any attack, the Soviet arsenal of overkill would be irrelevant. Mr. Nixon himself has acknowledged this in the past by declaring that our strategic goal need not be superiority, but "sufficiency."

It is an illusion to suppose that nuclear power strengthens any nation's diplomacy; the decline in the diplomatic influence of both superpowers demonstrates that. It is a shallow misreading of history to contend that the Russians backed out of Cuba in 1962 only because they were outnumbered in nuclear missiles. Despite their inferiority, they still had the power to destroy us, as we had the power to destroy them. They backed down, not because their diplomacy lacked "credibility" owing to nuclear inferiority, but simply because their wiser leaders decided not to accept the risks of nuclear warfare in a situation where they were directly challenging American security 90 miles from American shores. And it must be added that they were given an extra motive to withdraw when Robert Kennedy secretly promised to remove the analogous American missiles from Turkey.

On the premise which Mr. Nixon propounds, that our diplomatic credibility can be sustained only by nuclear superiority, his logical course would be to propose a large increase in our total nuclear capability. But this is just what he is not doing. He carries no conviction, furthermore, when he contends that Safeguard is essential to "protect" a part of our land-based missiles, for it is simply impossible to believe that every one of our present 2400 strategic warheads, including those on mobile bases under the sea, could be knocked out in the absence of an ABM system.

Why this desperate push for an ABM which is challengeable on so many grounds? What is involved, in our view, is the first great struggle over the post-Vietnam budget. The ABM embodies the Pentagon's bid to soak up any funds that may become available when the Vietnam war ends. If this new weapons system can be kept in being, excuses can always be found to expand future expenditures for it to the exclusion of expenditures directed to the social crisis at home. And that is the strongest reason why Congress should reject funds for the ABM.

THE JOB CORPS

Mr. GRAVEL. Mr. President, the abrupt closure of Job Corps centers all around the country is an issue which has obviously elevated itself above and beyond partisanship, since it strikes at the heart of this Nation's commitments to the unemployed and underprivileged.

Although there are those who would suggest that Senate Resolution 183 is a partisan issue, I believe this cloud of rhetoric confuses the intention of the resolution with what is feared as the result of the resolution. The resolution calls for time to evaluate, nothing else. The resolution does not suggest or urge a reversal in policy. It is not a tendentious call to argument. It is a reasonable call to study, to evaluation.

I cosponsored the resolution in this light, and with a view toward reasonable evaluation. Surely we are not going to allow charges of partisanship to obscure the basic question which this resolution faces.

Mr. President, to suggest to the Senate the bipartisan support which the Job Corps is receiving from the State of Alaska, I ask unanimous consent that a letter I recently received from the Juneau League of Women Voters be printed in the Record. The letter adequately expresses a concern and interest in the loss of training opportunities among unemployed Americans.

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There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE LEAGUE OF WOMEN VOTERS OF
THE GREATER JUNEAU BOROUGH,
Juneau, Alaska, April 27, 1969.

Hon. MIKE GRAVEL,
U.S. Senate Building,
Washington, D.C.

MY DEAR SENATOR GRAVEL: The League of Woman Voters of the Greater Juneau Borough supports the present continuation of the Job Corps Centers.

We oppose the abrupt closure of the centers until adequate and expanded facilities are in operation to assure continuation of programs to train the hard core unemployed and under-employed of the United States.

We hope that you will do what ever you can to see that the centers continue until adequate measures can be taken to insure training. Since you are greatly concerned and interested in employment, we shall look forward to hearing from you on this matter.

Sincerely yours,

MRS. MAURI PEITO,
President.

UTILITY CONSUMERS COUNSEL ACT OF 1969

Mr. METCALF. Mr. President, the May 1 issue of the St. Louis Post-Dispatch contains a strong editorial in support of S. 607, the Utility Consumers' Counsel Act of 1969, on which hearings will resume next week before the Subcommittee on Intergovernmental Relations.

I ask unanimous consent that the editorial, entitled "Unprotected Consumers," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNPROTECTED CONSUMERS

Senator Metcalf may have the likeliest idea yet concerning what to do about the prevailing importance of state utility regulatory commissions. The Montanan wants to create a federal Office of Consumers' Counsel which would represent consumers before federal and state agencies and courts.

Commissioner Carl E. Bagge of the Federal Power Commission, dissenting from his agency's majority favoring the Metcalf legislation, proposes that instead that state regulatory commissions should be strengthened by being given federal matching grants and manpower assistance. There may have been something to say for this approach before the spate of mergers and poolings which is taking place. But these current phenomena, which are fast making the one-state utility as dead as the dodo, give Mr. Bagge's suggestion an aura of specially unreal unreality.

The Federal Power Commission can regulate rates for electricity sold wholesale to distribution systems, but a state regulatory commission is the only agency that can regulate retail rates to consumers. Over a long history and with a very few exceptions the commissions have demonstrated conclusively that they cannot do the job. They do not have the expertise and often they do not have the will, being subservient to the companies they are charged with regulating . . .

So when a utility wants a rate increase it comes to the state regulatory commission loaded with facts and arguments prepared by an expert staff. The commission has no such staff to consider it and the consumer has no one at all to represent him and her in the proceedings. Senator Metcalf thinks this is a pretty shabby state of affairs and we think so too. His legislative proposal, on which hearings are being held, is mild compared with what may be considered necessary if this gap in consumer protection continues to persist.

EFFECTS OF McCARTHYISM ON FOREIGN POLICY

Mr. FULBRIGHT. Mr. President, Prof. O. Edmund Clubb delivered a speech at a meeting of Asian scholars at Cambridge, Mass., on March 29 concerning the effects of McCarthyism on foreign policy, particularly our policy toward Asia. Professor Clubb, as a former State Department official concerned with Far East affairs, has an intimate knowledge of the present-day manifestations of the McCarthy era of fear and suspicion. I hope that his comments will be studied carefully by the policymakers in the new administration.

I ask unanimous consent that the text of his speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

McCARTHYISM AND OUR ASIA POLICY

(By O. Edmund Clubb)

Speaking in New York on March 20 of this year, Senator Jacob K. Javits referred to "the lingering pall of McCarthyism, which continues subtly to inhibit thought and debate in this country concerning China." [1] McCarthyism, by my thesis, played a significant role in molding both our China policy in particular and our Asia policy in general, and in keeping it in that form through the inhibition of the normal functioning of the government's policy-making apparatus. The term "McCarthyism" hardly needs extended definition,[2] but for the purposes of this discussion I would have you remember that it was characterized by demagogic attacks on personalities, with usually the insinuation that the target person was at least pro-Communist and at worst treasonable. The spirit of McCarthyism was evidenced when, in charging General of the Army George C. Marshall on June 14, 1951 with conspiracy, Senator Joseph R. McCarthy propounded the witchhunter's loaded question: "How can we account for our present situation unless we believe that men high in this government are concerted to deliver us to disaster?" [3]

McCarthyism was oriented naturally in large measure to the "China Question." After World War II ended, when civil war was beginning between the Nationalists and Communists in China, Patrick J. Hurley resigned as ambassador to China and advanced onto the American political stage with shotgun charges that "pro-Communists" and "pro-imperialists" in the State Department had undercut his policies, and after the termination of the Moscow Conference of Ministers in December 1945 he gave his charge global application:

"The weakness of the American foreign policy together with the Communist conspiracy within the State Department are responsible for the evils that are abroad in the world today." [4]

By equating differences of opinion and judgment wth "pro-Communism" (or "pro-imperialism"), General Hurley showed dragon's teeth for the McCarthyites' subsequent destructive crusade against the so-called "Communist conspiracy" in the State Department.

In 1947, as the Cold War between the United States and its wartime Soviet ally took form, and the year that the Truman Doctrine was proclaimed, President Truman inaugurated the government's loyalty program. Note here the observation contained in the 1949 report of the Hoover Commission on the organization of the Executive branch of the U.S. Government: as regards cooperation between the Executive and Legislative branches, "one particular obstacle which should be frankly faced is the traditionally suspicious attitude of the Congress toward foreign affairs and toward the segment of the executive branch concerned with it." [5]

That "traditionally suspicious attitude" had already been stirred up by events from 1945 onwards; the Administration's action in instituting new controls could only suggest that existing procedures had proved inadequate to meet some grave danger.

In 1949 the Chinese Communists overthrew the Nationalist regime. In January 1950 the Department of State issued a charge that the Soviet Union was establishing its domination over Manchuria, Outer Mongolia, Inner Mongolia, and Sinkiang. This naturally contributed to the popular malaise: "Shall a trumpet be blown in the city, and the people not be afraid?" On February 9, 1950, Senator McCarthy made his famous Wheeling speech in which, re-wording the Hurley allegations, he charged that 205 Communists were at work in the State Department "still working and shaping policy." In September 1950, Congress enacted, and promptly passed over President Truman's veto, the Internal Security Act (popularly known as the "McCarran Act").

The storm known as "McCarthyism" thereafter took on added force and assumed full shape. It was directed primarily at the State Department and Foreign Service personnel, but its scope duly widened, so that many other personalities and governmental organs became targets.[6] Other Americans joined the witchhunt, with Hurley playing a leading role. In 1951, testifying before a congressional hearing on the military situation in the Far East, Hurley made sweeping allegations:

"American diplomats surrendered the territorial integrity and political independence of China, surrendered the principles of the Atlantic Charter, and wrote the blueprint for Communist conquest of China in secret agreement at Yalta . . . Your diplomats and mine surrendered in secret every principle for which we said we were fighting.[7]

It was during this period that the State Department's loyalty-security program moved into high gear. A sampling of the lines of inquiry pursued in individual cases indicates the types of behavior, or attitudes, newly deemed reprehensible and sufficient to bring the officer under suspicion as disloyal or a security risk. One officer who had reported voluminously on Chinese Communism over the years, was charged with various pro-Communist attitudes. When he pointed out that no such bias was shown in his reports, the Loyalty-Security Board suggested that he might have *thought* one way, and reported another. An officer assigned to the U.S. military observer group at Yenan (the Chinese Communist headquarters) during wartime, when the Nationalists and Communists were allied in the war against Japan and the United States was allied with the Soviet Union, was charged with having consorted with Communists there, and with being pro-Communist. Another officer, however, encountered considerable difficulty in his hearing because he was deemed so uninformed about communism that he was not fully aware of its dangers and thus did not comprehend the socialist undertones of postwar economic reforms in Japan. One officer on the dock was held to be "one of the leading proponents in the Department . . . of the separability of the Chinese Communists from Moscow." Another got into trouble because he took the position that any American involvement in Vietnam would turn out to be a tragic mistake.

Attitudes with respect to Chiang Kai-shek were employed as one touchstone: criticism of the personality or capabilities of that Chinese leader called for explanations. And

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if developments in China turned out to the detriment of the Nationalists as predicted, it was upon occasion suggested that the officer who had foreseen the denouement might have had "a conditioning influence on the results."[8]

With such actions, attitudes and associations now deemed culpable, and with this circumstance shortly becoming known throughout the China Service, the new standard of acceptable behavior automatically becomes the opposite. In other words, the theses condemned as heterodox were replaced by antitheses now fixed as orthodox. Was it assumed in the hearings of Foreign Service Officers that to speak ill of Chiang Kai-shek, think that Chinese Communism was complex rather than simple, opine that the Sino-Soviet relationship was not monolithic, or estimate that picking up of the lost French anti-Vietminh cause in Indo-China would be a grave error, were all signs of moral deviation and to be condemned? Then the new orthodoxy demanded that American officialdom, for safety's sake, should be pro-Nationalist, believe that Chinese Communism was Moscow's Marxism-Leninism and that the two Communist states were inseparable, and hold that where the French might have failed the United States could and should have victory. Summed up, a new creed, best described as a simplistic anti-Communism aiming at the military containment of China, began to govern in the field of American foreign policy. Republicans in attack, but also Democrats in self-defense, were caused to adopt essentially the same political position, now defined as the only right and moral one. Our policy-makers, of both political persuasions, thus became trapped and locked into a rigid, emotional, unreasoning policy position determined by the political passions of the American domestic scene, including the operations of McCarthyism; they were kept there by reference to the alarms spread by defense specialists of hypothetically possible dire eventualities that threatened. The whole position was buttressed by the public-relations activities of various calculating Asian leaders who, learning quickly from the successful tactics employed by Chiang Kai-shek for the winning and maintenance of a profitable American support, became professional "anti-Communists." Here note the critical factor: the first premises on which the policy was based being faulty, the results of the proposition were also necessarily corrupt.

The policy-making function itself became corrupted. The officers of the Foreign Service had reported the facts of complex situations as they saw them, and had ventured to interpret the significance of events. They had never borne the responsibility of determining policy; that was the function of the State Department, the Secretary of State, ultimately of the President. Now Foreign Service Officers were being struck down for their reporting and estimates. The situation as it developed was described by President Truman:

"In such an atmosphere, key government employees tend to become mentally paralyzed. They are afraid to express honest judgments, as it is their duty to do, because later, *under a changed atmosphere and different circumstances,* they may be charged with disloyalty *by those who disagree with them*. Our nation cannot afford or permit such a mental blackout."[9] (emphasis supplied)

If dissenting opinions and judgments were to be adduced in support of charges of disloyalty or security risk, how was the government to obtain objective views from its officers regarding the Soviet Union, China, Southeast Asia—or any area where Communism might be present?

This situation was duly noted by five distinguished retired American diplomats, who in a letter of January 1954 to the *New York Times* expressed their distress:

". . . a Foreign Service Officer who reports on persons and events to the very best of his ability, and who makes recommedations which at the time he conscientiously believes to be in the interest of the United States, may subsequently find his loyalty and integrity challenged and may even be forced out of the service and discredited forever as a private citizen after many years of distinguished service. A premium therefore has been put upon reporting and upon recommendations which are ambiguously stated or so cautiously set forth as to be deceiving.

"When any such tendency begins its insidious work, it is not long before accuracy and initiative have been sacrificed to acceptability and conformity. The ultimate result is a threat to national security."[10]

This analysis was supported by The Secretary of State's Public Committee on Personnel, comprising eight outstanding personalities (most of whom had served in high positions in the Department of State). It found for one thing that "The morale of that Service today stands in need of repair." Why? The Committee referred briefly in passing to various pertinent factors and then came to the crux of the matter by observing that there was another factor which had been at work, "one that until the recent past has been generally unknown to the experience of Government servants, namely, the Government's security program."[11]

The Committee observed that:

"The task of reviewing all personnel under the new Executive order has inevitably occasioned uncertainties, doubts, and fears which will be fully dissipated only when the process is completed during the coming summer."[12]

Summing up, however, the Committee gave a basic warning:

"If the security program is to achieve its true purpose of protecting the Government and the American way of life, it must be so administered that it does not impair the things it is designed to preserve. And among the things that must be protected for the Foreign Service is the tradition of frank and objective reporting that long has constituted one of the State Department's most enduring sources of strength."[13]

The summer passed, the seasons rolled by, and so did the years. May one confidently assume that, with these findings, there was a fundamental correction of the indicated maladjustments of the loyalty-security program, and a restoration of Foreign Service morale and performance to the status quo ante? He may not. The loyalty-security program had become an integral part of the governmental structure. That there was persistence of the malady was disclosed five years later by a Senate Foreign Relations Committee study of U.S. foreign policy. The executive committee charged with the investigation invited a selected group of retired Foreign Service Officers, not identified, to submit their views on American foreign policy.

The answers were far-ranging. But one of the strongest criticisms had reference to the impact of the loyalty-security program on the Foreign Service:

"Until recent years diplomatic and consular officers of all ranks in the field were encouraged to report objectively and to make recommendations in accordance with their best judgment . . . Now all that is changed. It is common knowledge in the Department of State and in the Foreign Service that Foreign Service officers have been reprimanded and even heavily penalized for making reports or recommendations unpalatable to certain persons in the Department and that they have been ordered not to repeat the offense. Foreign Service officers have been known to state that under present conditions it is unwise to the point of foolishness to send in dispatches which, because of the inclusion of unwelcome facts or unwelcome recommendations, will be displeasing to officers of the Department."[14]

In the political hustings in the election years 1950 and 1952, one demagogic warcry was "Who lost China?", with the easy inference that China was "lost" to the United States by treason. As is well known, the Republicans won in 1952, and John Foster Dulles became the new Secretary of State.

Let us now look at the new Asia policy in the making. Even before the presidential election. Dulles had voiced three basic principles on which the policy of the United States and its allies should be founded, the first being:

"The dynamic prevails over the static; the active over the passive. We were from the beginning a vigorous confident people born with a sense of destiny and of mission . . ."[15]

In his first address to assembled State Department and Foreign Service personnel after his induction into his new post, Dulles demanded "positive loyalty" to the policies *of the Administration*. Not even a technical margin for dissent remained. Dulles made it entirely clear by his subsequent actions that he proposed to formulate the nation's foreign policy without reference to "area experts," who were placed in a state of what might be called psychic "preventive detention."

So it was Secretary of State John Foster Dulles who formulated in main the new foreign policy. It quickly became evident that he intended to build on the foundation of the Truman Doctrine of 1947. On January 27, in a broadcast statement, Dulles voiced peaceful intent:

"We will not try to meet the Soviet strategy of encirclement by ourselves starting a war. Take that for certain . . . We shall never choose a war as an instrument of our policy."

But he said something else at the same time which came closer to the national destiny-and-mission line:

"To all those suffering under Communist slavery, to the timid and intimidated peoples of the world, let us say this, you can count upon us."[16]

From this beginning, the Korean War was indeed brought to a close, but before the year 1953 had ended the United States had reached an agreement to extend additional aid to France for the "intensified prosecution" of the war against the Vietminh. When, contrary to the expectations of the American policy-makers, affairs began to go badly for the French in Indo-China, Dulles in early 1954 evolved his "massive retaliation" doctrine. In an address before the Overseas Press Club in New York, he gave his doctrine specific application:

"Under the conditions of today the imposition on Southeast Asia of the political system of Communist Russia and its Chinese Communist ally, by whatever means, would be a grave threat to the whole free community. The United States feels that that possibility should not be passively accepted, but should be met by united action. This might have serious risks, but these risks are far less than would face us a few years from now if we dare not to be resolute today."[17]

A Vietminh victory in Indo-China, Dulles said, would result in Communist domination of all Southeast Asia.[18] Thus, given the worsening situation on the battlefield, Washington proposed a "united" military intervention to save the French force at Dienbienphu. This would have been the first application of the "massive retaliation" concept; but the plan fell through when the British refused to be seduced by Dulles' overtures.[19]

The reorientation of the United States' Asia policy, centered on the concept of the

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military containment of China, was now pressed forward at a rapid pace by Dulles. In response to the French defeat in Indo-China, in September 1954 Dulles achieved the organization of SEATO.[20] General Douglas MacArthur in August 1950 had proposed that Formosa be converted into an American stronghold. On December 2, 1954, the United States entered upon a treaty of military alliance with the Nationalists on Formosa, and the United States thus became aligned in stance and policy with one Chinese faction against another in an unfinished civil war. It seemed to be the cream of the jest that, on that same December 2, Senator McCarthy was condemned by the U.S. Senate for conduct tending "to bring the Senate into dishonor and disrepute, to obstruct the constitutional processes of the Senate, and to impair its dignity.[21]

In March 1957, at a SEATO meeting in Canberra, Australia, Dulles informed those present that Communism was "a passing and not permanent phase" in Asia, and that either US recognition or UN membership for China would "encourage influences hostile to us and to our allies." In August 1958, doubtless by the authority of Dulles, the State Department made public a memorandum sent to its missions abroad setting forth the American stand on the Communist regime: Communism in China would pass, it said, and the United States, by withholding diplomatic recognition, sought to hasten that passing.[22] In September and October of that year, the United States Navy and Air Force once more stood by the side of Chiang Kai-shek's Nationalists to defend not only Formosa and the Pescadores but the offshore islands of Quemoy and Matsu from attack.

Senator Joseph R. McCarthy died in May 1957, Secretary of State John Foster Dulles in May 1959. By the latter date, our China policy had been fixed in an inflexible mold. It comprised (1) our alliance with the Nationalists; (2) non-recognition of the Peking regime; (3) an embargo on all trade with China; (4) narrow restrictions on the travel of Americans to China; and (5) adamant opposition to the seating of Peking's representatives in the United Nations. And our China policy had become the heart of our Asia policy, which consequently was found serving the general scheme for the "containment" of Chinese Communism.

By 1961, a Democratic Administration had succeeded the Eisenhower Administration in Washington. It inherited, and seemingly accepted without major reappraisal, the legacy of the Dulles era in the field of Asian relations. It was effectively in service of the Dullesian grand strategy that the United States intervened with military force in South Vietnam in 1961. In a speech on March 26, 1964, Secretary of Defense McNamara gave what was presumably the Administration's rationale for our growing involvement in Southeast Asia, a region which he said "has great strategic significance in the forward defense of the United States."[23] He found North Vietnam to be the "prime aggressor" against South Vietnam, but observed that Hanoi had been encouraged in its aggressive course by China. McNamara clearly regarded China as the greater enemy:

"For Peiping . . . Hanoi's victory would be only a first step toward eventual Chinese hegemony over the two Vietnams and Southeast Asia, and toward exploitation of the new strategy in other parts of the world . . . Success in Vietnam would be regarded by Peiping as vindication for China's views in the worldwide ideological struggle."

In February 1965, the United States carried the war into North Vietnam.

The official rationale continued after that date, as before, to point to China as the ultimate culprit. In October 1967, Vice President Humphrey said that the United States must contain China as it had contained the Soviet Union; and Secretary of State Rusk stated that the security issue for the United States in Southeast Asia was—China. And Rusk painted a terrifying picture of that China: in 1980, he said, it would have a billion people, and be fully armed with nuclear weapons.

The United States now stands trapped in certain positions of major political disadvantage. We still maintain two divisions numbering over 50,000 troops in—South Korea. As is notorious, the United States has been unable to extricate itself, even after eight years of warfare, from the "commitment" we unilaterally assumed in Vietnam. For a full eighteen years, there has been no fundamental change in a China policy which has us aligned with the Chinese Nationalists in hostility against the Chinese Communists—waiting for the latter to "pass" from history's stage.[24]

We thus find ourselves immobilized in the position which we began to construct, by bipartisan effort, under the whiplash of McCarthyism, in 1950. The United States had constructed a semi-circle of military bases, garrisoned by American troops, reaching from South Korea to Thailand, for the containment of China. We have warred in Korea, the Formosa Strait, and in Vietnam, avowedly to the same end. Let us grant that the cause of our predicament is not to be found simply and exclusively in McCarthyism or the thinking of John Foster Dulles and Dean Rusk; many factors, and many men, have been involved in this development. But I submit that McCarthyism and the emotional, messianic patterns of thought induced by that demagogic phenomenon were at least major factors in bringing about the results we see before us.[25] And the national cost of "containment" of China? Quite apart from 33,600 American dead in the Korean War and nearly that many now dead in the Vietnam War, and direct military expenditures in both wars of over a hundred billion dollars, in the 20 years from July 1945 to June 1965 the United States extended a total of $35,677 million in military and economic aid to countries surrounding China.[26] Now we contemplate construction of an ABM system—costing more billions. Have the results justified this cost? Was there no better policy possible?

Has there been opposition in government to the American China policy? Practically none has been visible. As regards the Vietnam War, avowedly fought to contain Chinese Communism, there has of course been evidence of rather more Congressional restlessness, but remarkably little of dissent within the Executive branch. There was interesting testimony to the existence of an intellectual malaise in a recent Reston column.[27]

He remarked that there were many high officials—and he named some of them—in the Administration who disagreed with President Johnson on the Vietnam policy, but that despite their opposition to the war they "didn't quite speak their minds to the President, but alone to the public . . ." They gave their loyalty to the President, said Reston, rather than to their country, and some "are now wondering in private life whether this was in the national interest," and are troubled. Well they might be. But note one aspect of the new situation now there are no charges by Congressional committees or by the press that the nation has been led into error by subordinate members of the Foreign Service.

The China policy of today, the Asia policy of today, are not by any stretch of the imagination to be viewed as the handiwork of career Asian experts; our China and Asia policies are the creation of men at the top of government alone. McNamara, in his aforementioned speech of March 1964, observed obliquely that "five United States Presidents have acted to preserve free world strategic interests in the area." Now a sixth has fallen heir to Dulles' divine mission, based as it is on faulty first premises, incorporating vast fantasy. He has also inherited a State Department and Foreign Service apparatus which has had its true functions gravely weakened. As the anonymous retired Foreign Service Officers warned a decade ago, in the quest for a total security with respect to individuals, the national security has been endangered.

For the introduction of McCarthyism into our foreign policy making processes meant in essence the supplanting of realism in the realm of foreign affairs by policies based upon ideology—based uppon quasi-religious concepts of Good and Evil, with the fervent conviction that Good and Evil must war to the death. This situation was described recently by historian Henry Steele Commanger:

"The three great powers that glare ceaselessly upon each other now, and whose conflicts shake the globe, are all committed to ideological positions which they find difficult to compromise. The leaders of all three nations know—as religious fanatics of the seventeenth century knew—that they are the pure of heart, that their cause is just, that they stand at Armageddon and battle for the cause."[28]

Dr. Commanger turned his attention to the United States in particular, saying:

"It embraced an ideological approach to the great problems of international politics and sought to imprison in ideological straitjacket the turbulent tides of history."

We have failed to imprison history. But the effects of McCarthyism remain embodied in our Asia policy. It is essential that there be a fundamental, if agonizing, re-appraisal.

FOOTNOTES

[1] *New York Times*, Mar. 21, 1969.

[2] For an analysis of the working of McCarthyism in detail, see the 45th Anniversary number of *The Progressive*, Apr. 1954, devoted to "McCarthy: A Documented Record."

[3] For the McCarthy charge in extenso, see Joseph R. McCarthy, *America's Retreat from Victory, The Story of George Catlett Marshall*, N.Y. 1951.

[4] Quoted by Don Lohbeck, *Patrick J. Hurley*, Chicago 1956, 447.

[5] The Commission on Organization of the Executive Branch of the Government, *Foreign Affairs, A Report to the Congress*, (Washington) February 1949, 6. See the parallel account in the Ninth American Assembly's report on the subject of American representation abroad:

"Mention must . . . be made of the chronic susceptibility of the Department of State to a degree of public and Congressional mistrust. This may be partly a result of purely epheremal factors, but it is to some extent inherent in the position of an agency lacking any organized domestic constituency or corresponding strong Congressional interest and often thought of as 'representing foreigners.'"

The American Assembly, Graduate School of Business, Columbia University, *The Representation of the United States Abroad*, N.Y. 1956, 202.

[6] See, for description of targets, Chapter 2, "Senator McCarthy at Work"; and for a treatment of methods, Chapter 3, "The Methods," in James Rorty & Moshe Decter, *McCarthy and the Communists*, Boston 1954, and Bert Andrews, *Washington Witch Hunt*, N.Y. 1948, particularly Part I, "The Hunters and the Hunted."

[7] Russell D. Buhite, "Patrick J. Hurley and the Yalta Far Eastern Agreement," *Pacific Historical Review*, Aug. 1968, 350. See this piece for a broad consideration of the motivations for Hurley's attacks.

[8] See *State Department Employee Loyalty Investigation, Hearings before a subcommittee of the Committee on Foreign Relations*, United States Senate (81st Congr. 2nd Sess.), Washington 1950, 2 Parts, Part I, 1280.

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[9] *Memoirs by Harry S. Truman*, N.Y. 1956, 2 vols., Vol. II, *Years of Trial and Hope 1946–1952*, 258. See in support of this estimate Eleanor Bontecou, *The Federal Loyalty-Security Program*, Ithaca 1953, 151. For the President's condemnation of the demagogic exploitation of the security program "in an attempt to frighten and mislead the American people," see *op. cit.*, 284–85.

[10] Letter to the editor from Ambassadors Norman Armour, Robert Woods Bliss, Joseph C. Grew and William Phillips, and sometime Chief of the Division of Foreign Service Personnel and Assistant Secretary of State G. Howland Shaw, *New York Times*, Jan. 17, 1954 as quoted in Rorty & Decter, *op. cit.*, 95. See also O. Edmund Clubb, "National Security and Our Foreign Service," *The Nation*, Dec. 25, 1954, 544–47.

[11] *Toward a Stronger Foreign Service, Report of the Secretary of State's Public Committee on Personnel June 1954*, Dept. of State Publication 5458, Department and Foreign Service Series 36, released June 1954, Division of Publications, Dept. of State, 3.

[12] *Ibid.*, 4.

[13] *Ibid.*, 5.

[14] *Study of United States Foreign Policy, Summary of Views of Retired Foreign Service Officers Prepared for the Committee on Foreign Relations, United States Senate, Pursuant to the provisions of S. Res. 31, 86th Congress, 1st Session*, June 15, 1959, Washington 1959, 41. A quotation from another correspondent gives a picture of the day-by-day operation of the Department's security system:

"The exaggeration beyond all reasonable limits of the attempt to achieve security in Government personnel is one of the greatest misfortunes of our times. The Department of State and the Foreign Service of the United States have been among the principal victims. . . . It must not be forgotten that the security program has become institutionalized. There is a large organized body of men in the Department of State—I have no knowledge of their present number but they were several hundreds a few years ago—whose sole business is to spy upon and report upon their colleagues and associates. It can hardly be supposed that these men, many of whom have little capacity for anything else, have ceased the practices which they were originally organized to perform. I know that desks were periodically searched, that private correspondence, even while going through the mails, was opened and read, that telephones were tapped, that servants were asked to spy upon their employers, that secretaries were asked to report on the men for whom they worked, and that Foreign Service Officers were asked to make a practice of spying upon and reporting anonymously upon their colleagues. I do not know whether it is true or not but it is very generally supposed that listening devices were installed far and wide in offices and presumably also in private homes. It must be emphasized that these activities were directed not against persons individually suspected of disloyalty but were directed at the generality of officers and employees in the Foreign Service and in the Department of State. It was widely believed, and I think correctly, that much of the information collected by these nefarious means was used for purposes that had no relation to the loyalty and security programs . . . That such a system is susceptible of abuse and that outrageous abuses have actually occurred cannot be denied."—*Ibid.*, 51.

See also for a more general assessment of the loyalty-security program Truman, *op. cit.*, Chap. 19, 268–93.

[15] *Manchester Guardian Weekly*, Oct. 22. 1952.

[16] *New York Times*, Jan. 28, 1953.

[17] *Ibid.*, Mar. 30, 1954.

[18] President Eisenhower, in his press conference of April 7, re-worded the Dullesian thought in the form of the "domino" principle, and warned of the "incalculable" consequences to the "free world" that would follow the "loss" of Indo-China.

[19] See in this general connection Melvin Gurtov, *The First Vietnam Crisis*, N.Y./London 1967, especially Chaps. 5, 6.

[20] He had endeavored to create such an organization earlier in the year, so that it would serve for the effort at "saving" Indo-China, but had been blocked by the reluctance of other states to participate while the Indo-China war was in course.

[21] Congressional Quarterly Service, *China and U.S. Far East Policy 1945–1966*, Washington 1967, 71.

[22] Cf. the contemporary comment of a retired Foreign Service Officer, "We cannot afford to continue to play the ostrich in dealing with China. We cannot afford the pretense that Formosa is China and that the Chinese Government with full control over 600 million people is a negligible quantity . . . We should begin by recognizing that the Chinese regimes of the past are dead and gone as the Czarist regime in Russia, and having recognized that fact, we should act accordingly. Let us remember that for many years our relations with Soviet Russia were dominated by wishful thinking that the Communist regime would soon collapse and that even during the last few years that type of wishful thinking has colored public statements by the Secretary of State. How foolish that all seems now."—*Study of United States Foreign Policy. Summary of Views of Retired Foreign Service Officers, cit.*, 76.

[23] For text, see *New York Times*, Mar. 27, 1964.

[24] It is useful to note the psychological importance of the meanings given to terms used by Dulles and some officials of the successor Democratic Administrations in connection with their implementation of the "New Look" Asia policy. The "free world" signified those elements who accepted the American doctrine of "anti-Communism?" "united action" required the wedding of those elements together by military pacts, and by the time Dulles was done the United States had committed itself to its political purpose through 42 such pacts. Nor were "commitments" viewed as limited solely to those duly negotiated in treaty form and approved by the U.S. Senate; the executive interpreted as a "commitment" whatever of its own actions it might choose, for *tactical* reasons, to follow up. Phraseology itself, incorporating elements of the orthodox ideology, thus acted to limit rigidly the strategic options open to the thinking of the policymakers.

[25] *See Study of United States Foreign Policy, Summary of Views of Retired Foreign Service Officers, cit.*, 11 for the comment of one anonymous critic:

"It seems to me that a serious illusion which has beclouded our appraisal of the Russian, Chinese and other developments has been in persuading ourselves that because democratic institutions, as we have conceived and developed them, are suited to our way of life they must be equally advantageous to peoples of an entirely different background. As a result we have been as insistent on democratizing the world or, in other words of making it over in our own image, as the Russians have in making it over in conformity with their own. This is a parochial view which fails to take into account the great diversity of mores and cultures in the world . . ."

[26] Congressional Quarterly Service. *China and the U.S. Far East Policy, 1945–1966, cit.*, 106.

[27] James Reston. "The Doubts and Regrets of the Johnson Dissenters," *New York Times*, Mar. 9, 1969.

[28] Henry Steele Commager, "1918–1968: Is the World Safer for Anything?" *Saturday Review*, Nov. 9, 1968, 23–24 ff.

THE SENATOR FROM OHIO IS 80 YEARS YOUNG

Mr. PROXMIRE. Mr. President, Sunday marked the 80th birthday of the remarkable senior Senator from Ohio (Mr. YOUNG).

Since the retirement of the Senator from Arizona, Mr. Hayden, STEVE YOUNG has had the distinction of being the oldest Member of the Senate. Most men, when they reach their 80th birthday, begin to show signs of going downhill. But in STEVE YOUNG's case, age has increased his wisdom and it seems to have actually added zip to his physical vitality.

If anything, Senator YOUNG has the vigor and the drive of a man half his age. He plays tennis regularly, jogs—a pet interest of this Senator—works out regularly in the Senate gymnasium, and all the while manages to devote himself fully to his duties in the Senate. His constituents are fortunate, indeed, to have such a dynamo going to bat for them.

For the Senator from Ohio, "Young" is more than a name; it is a way of life.

Mr. President, I ask unanimous consent that an article from the Pittsburgh Press of May 4, 1969, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OLD SENATOR YOUNG IS GOING STRONG

WASHINGTON (UPI)—Stephen M. Young turned 80 today, the oldest and perhaps the angriest man in the Senate.

"It's hard for me to believe that I'm the oldest man in the Senate," Sen. Young, a Democrat, observed in a recent interview.

"I flew back from three days in Las Vegas, played three sets of tennis and I came to work on time the next day. I feel fine," he said.

EXPECTS TO RUN

So fine, in fact, that he expects to ask Ohio to return him for a third term in the Senate in 1970, although he said he won't make his final decision until late next fall. If elected he will be 87 when his term expires.

Meanwhile, he continues to "give 'em hell"—both constituents and anyone else with whom he disagrees.

His favorite targets are the military—("those feather brains in the Pentagon"), the American Legion—("puffed up patriots"), special interest groups and voters who insult him.

He replies to the insulters in a newsletter under the title "Orchid From a Constituent."

To a Cleveland resident who wrote that he looks in the obituary page every day hoping to find the senator's name, Sen. Young wrote: "I am feeling better than you would look if you were to take me on."

When an angry constituent wrote Sen. Young that the first lady's horse had been transported at public expense and wanted the same thing for himself, the senator replied "am wondering why you need a horse when there is already one jackass at your address."

He called another voter "lower than a snake's tail in a wagon rut."

TEMPER TEMPERED

Actually, his staff said his sharp answers are the exception rather than the rule.

"He is very concerned because his mail is running so heavy this year on Vietnam, inflation and ABM," said Herbert Jolovitz, the senator's administrative assistant.

"He tries to answer the letters in the same serious vein in which they are written."

Although Sen. Young classifies himself as "a party man who disagrees occasionally," he

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feels it is important to support President Nixon during these early months of his Administration.

"President Nixon is my president," Sen. Young said. "I want him to succeed. But he must end this blood-letting in Vietnam this year or he's going to be in deep trouble."

A member of the important Armed Services and Space committees, Sen. Young was first a hawk on the Vietnam war, but later switched to the dove postiion.

SOLUTION URGED

"Vietnam is of no importance to the defense of the United States," he said.

"This little agrarian country 10,000 miles distant from our nation is not worth the life of one American youngster," he added.

Sen. Young also opposes the Administration's "safeguard" antiballistic missile system proposal. "It's not a good idea," he said dismissing the subject.

A short, thin man who is proud that he still has a full head of hair ("it's thinning, but it's all mine"), Sen. Young works out regularly in the Senate gym to stay in shape.

His major infirmity is a circulatory problem in the legs which frequently makes walking difficult.

His age is likely to be a significant factor next year when his opponents may be former astronaut John Glenn or Rep. Robert Taft, Jr.

GRATEFUL TO TAFT

Both opposed him in 1964, but Mr. Glenn had to withdraw from the race for the Democratic nomination because of an injury.

"I owe my present weight—155 pounds—to Taft Junior," Sen. Young said.

"When he ran against me in the general election, I lost a lot of weight and I have tried to maintain it." He always refers to the younger Taft, member of an old and prestigious Republican family, as "Taft Junior," without using his first name.

Unexpectedly, Sen. Young defeated Rep. Taft by 17,000 votes in the Johnson landslide of 1964. Sen. Young, then a House member, surprised the experts when he defeated Sen. John W. Bricker, a Republican, in 1958 to move into the Senate.

It has been rumored that Gov. James A. Rhodes of Ohio will opposed him next year, "but I am assured that he isn't going to run," Sen. Young said.

FINANCES AIRED

He is proud that he was the first member of Congress to make full disclosure of his financial holdings.

"You will note that I am a stockholder in oil production corporations," he once wrote the Senate secretary.

"I am frequently recipient of letters, accompanying dividends, from the presidents of these companies asking me to write my congressman expressing opposition to any legislation to reduce the oil depletion allowance of 27½ per cent.

"I have not disposed of these holdings and shall not do so as it is well known I have voted at every opportunity offered me against the depletion allowance of 27½ per cent given to oil and gas production corporations.

"I consider such depletion allowances unfair to citizens generally and I will oppose it until it is either eliminated or greatly reduced."

With a grin, he adds "they've never had to hold a benefit fund-raiser to take care of Steve Young."

NATIONWIDE PROTEST ON JOB CORPS CAMPS CLOSINGS

Mr. NELSON. Mr. President, the decision to close 59 Job Corps camps without public discussion and without full hearings by Congress has provoked a tremendous amount of protest from all across the country.

On Wednesday of this week, the Senate will have an opportunity to express itself on a Senate resolution which would express the sense of the Senate that the closing should be deferred until Congress has an opportunity to consider the legislation which authorizes the Job Corps and which expires on June 30 this year.

I have received several hundred letters and telegrams protesting the summary manner in which Job Corps camps were ordered closed—some camps received only about 3 weeks notice.

The letters come from Governors and from Job Corps graduates, from police chiefs and business executives, union officials and women volunteers.

One was a five-page handwritten letter from a young girl who attended the Clinton, Iowa, Job Corps Center. Miss Dena Louise Chastain wrote:

> The Clinton Job Corps Center, where I was, helped me in so many ways, and I want to go back so badly. At Clinton, they have rules just like a girl would have living at home—very strict rules which will help her to have a feeling of responsibility. At a center, a girl is able to meet different people—people of all races and of all characters—which help her to get along in society.

Gov. William L. Guy, of North Dakota, in a specific reference to the Dickinson, N. Dak., Job Corps Conservation Center, wrote:

> It seems ill-advised to shut down physical facilities that contain vocational training equipment that has cost the taxpayers millions of dollars in order to open up new facilities near urban centers that will again cost millions of dollars . . . This wholesale abandonment of existing facilities and equipment in favor of buying new facilities and equipment closer to urban areas is contrary to the Administration's professed desire to hold down government construction in the fight against inflation.
>
> Somewhere along the line, our nation has become confused in its priorities and its sense of values. The secure seem to be most successful in obtaining the services of education, health, transportation, job opportunities, and all the blessings of a good life. The insecure and the disadvantaged seem to find little in our economic, social and political system that can cause them to be proud of being an American.

Thad B. Gaillard, president of the Great Lakes Mutual Life Insurance Co., Detroit, wrote:

> Any action that would cripple these programs tends to be an invitation to disaster, particularly in our urban areas . . . We urge you and your committee to give every support to contribution of the Job Corps program under full budget, secure in the knowledge that you have encouragement and support from thinking Americans.

Congresswoman PATSY T. MINK, of Honolulu, raised a point in her letter that warrants consideration. Hawaii's Koko Head Job Corps Center was ordered closed by the Labor Department. She wrote:

> I believe that a terrible mistake has been made and that the Labor Department did not know our center was located in the city of Honolulu. Thus, the concomitant announcement mollifying the closure that we would get a mini-center for 300 boys made no sense at all. Why close a successful center in Honolulu and lose its million dollar capital improvements, and at the same breath open another center several minutes away which will cost another million dollars to open?

The announced closures particularly distressed Police Chief Thomas J. Cahill, of San Francisco, whose department, he said, has worked "very closely with the Parks Job Corps Center. I feel that the elimination of some of these major centers will merely throw that number of young men back into the environment from which they have been lifted."

Another California official also expressed dismay with the decision.

Ted L. Smith, president, of the California Chief Probation Officers Association, said:

> The impending closing of the Job Corps Centers threatens the criminal justice system throughout the United States with curtailment of an effective training program for deprived and delinquent children.

One of the great losses in the Job Corps shutdowns is the loss of an excellent working relationship recently developed with the apprenticeship programs of organized labor.

The Brotherhood of Painters, Decorators and Paperhangers of America has been working with the Job Corps in preparing disadvantaged youth for gainful employment in the painting and decorating industry.

S. Frank Raftery, president of the union, said in a letter:

> It saddens and alarms me to see that we are again turning our backs on a major segment of our population. . . . We must not stand idly by and see our most precious resource, the youth of this country, wasted from lack of opportunity.

M. A. Hutcheson, president of the United Brotherhood of Carpenters and Joiners of America, wrote that the closing of Job Corps conservation centers would curtail the union's training program with corpsmen. He said:

> Although none of our programs have run the full cycle, we have already placed 52 young men that we were able to qualify into our apprenticeship programs throughout the country and we expect to place all of the young men now in our programs. . . . If curtailment is essential for some of the conservation centers, it should be done on a selected basis after full investigation of the quality of training and job placement that has been accomplished at each center.

The hasty action by the administration put the International Union of Operating Engineers in a similar position. Hunter P. Wharton, union president, wrote:

> Not only have we supported the Job Corps in principle, we have supported it in action. Since 1966, our International Union has provided training as heavy equipment operators for 65 to 70 corpsmen annually at Jacobs Creek, Tenn. In July of 1968, we extended this program to the Conservation Center at Anaconda, Mont., where we have a trainee census of about 50. We have placed almost all of the Jacobs Creek graduates in union jobs across the country, and anticipate placing some 100 more graduates from Jacobs Creek and Anaconda this summer . . . I earnestly solicit your assistance in maintaining the conservation centers so that we, along with others, may continue to help these youngsters who want to help themselves.

Another union president, I. W. Abel of the United Steelworkers, pointed out in a telegram to Secretary of Labor George

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Shultz the lack of foresight in closing the girls center at Northern Michigan University. Abel said:

> The closing of the Job Corps Centers without proper hearings by the Congress is a needless rebuke to the national commitment to combat poverty . . . Certainly the immediacy of the order should be delayed until the present group of 100 girls can be graduated in June.

Sheriff Carter R. McCall, of Brevard, N.C., supported continuance of the Job Corps program and said:

> I think if we can reach one out of every three of these young people, that they may have a productive life, as self-sustaining taxpaying citizens.

Mr. President, I ask unanimous consent that a representative sample of my mail on this subject be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

COMMUNITY ACTION LEXINGTON-
FAYETTE COUNTY, INC.,
Lexington, Ky., April 11, 1969.

Hon. GAYLORD NELSON,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, U.S. Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: I am writing to express my vigorous protest at not only the proposed closing of sixty-five Job Corps Centers, but also at the manner in which the Nixon Administration has handled the matter.

Having worked with the original Job Corps Task Force, and as an Assistant Director of the Lincoln Urban Job Corps Center for Men, I can speak from some experience. The young men who will be forced to leave on July 1 will NOT again respond to any kind of training program, any kind of promises or exhortations about "bold, new innovative programs" because this current action is ample evidence to them that this Administration does not intend to practice today what it preached yesterday.

Secondly, to close down centers suddenly will put a frightening number of young people between 16 and 21 literally on the streets of our major cities at the worst possible time of year—the long, hot summer. The appropriations for summer programs such as Neighborhood Youth Corps have been so emasculated by cutbacks that what little we are able to get is almost a farce in face of the needs. It need not be said that the addition of thousands of displaced Job Corpsmen to the ranks of the waiting lists for summer jobs will find us in a disastrous situation this summer.

The fact that neither Congress nor the Job Corps Administration was consulted or involved in reaching this decision is indicative of an attitude that is perhaps even more alarming than the direct action. I urge you and every member of your subcommittee to act as forcefully and swiftly as possible to negate the closing of the Job Corps Centers.

With every wish for success in your efforts.

Sincerely,

MARGARET SHANNON,
Director, Manpower and Education Office.

WASHINGTON, D.C., *April 26, 1969.*

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SIR: My name is Rosetta Stokes, a former Job Corpswoman. I graduated from the Huntington Job Corps Center for Women in Huntington, West Virginia in June of 1967.

I'm writing you and hoping that this letter might give you a better understanding of Job Corps. I would like to give you a summary of my life before and after entering the Job Corps program.

I was born in York, Pennsylvania and raised in a family of 11 children. I attended Jackson Elementary School, Hannah Penn Junior High School. While attending Hannah Penn in my 8th year my mother died. I then lost the initiative which my mother gave me and got a part time job and started neglecting my studies. I then attended William Penn Senior High School. Because of lack of credits I did not graduate. I'm not going to give a lot of excuses for not graduating. I then came to Washington, D.C. trying to find employment and believe it or not I couldn't get a job doing anything but babysitting. I then heard about the Job Corps on T.V. and they gave a number to call. I was screened by WICS (Women In Community Service) and then accepted to go to Huntington. While at Huntington I studied Typing, Filing, Record Keeping, Business Machines, LSD (Learning Skills & Development), Charm (grooming & homemaking) and Business Math. I found that it was easier to study and since I have been out of the Job Corps I realized why; because there were people who cared and saw that we ate the proper foods, had clean linens on our beds, decent clothing and we had individual attention in class (I was able to work at my own speed).

I also found that there were people who cared about my free time. They organized cultural trips and all around recreation programs for us.

After graduation I returned to Washington, D.C. and received a phone call from my WICS volunteer (my screener). She helped me find employment, which I still have. And she has helped me in adjusting to a better life.

You probably have received letters from people who are dissatisfied with Job Corps, but I want to say that you get from Job Corps what you put into it and I feel that my life has benefited from the program. I'll always be grateful for the training I received there. And I know it has helped me in the work I do today, and been the means to a better life for me and my future family.

I know I represent many others who don't have time or don't know how to write their Senators so I am writing for all of us when I ask you to fight for retention of Job Corps as it is today and other poverty programs.

I have also sent this letter to my Congressman, Senators and President. And I would like to thank you on behalf of the Job Corpsmen and former Job Corpsmen for the support you are giving the program.

Sincerely,

ROSETTA STOKES,
Job Corps Graduate, June '67.

POLICE DEPARTMENT, CITY AND
COUNTY OF SAN FRANCISCO, HALL
OF JUSTICE,
San Francisco, Calif. April 18, 1969.

Senator GAYLORD NELSON,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR SENATOR NELSON: It has come to my attention that there is a strong proposal to cut the Job Corps budget and to close a number of the Job Corps Centers.

We have worked very closely with the Parks Job Corps Center, and I feel many of the young men who have been trained at the Center have had the opportunity to develop skills which enable them to engage in useful pursuits as meaningful citizens. I feel that the elimination of some of these major Centers will merely throw that number of young men back into the environment from which they have been lifted.

It is my sincere hope that very serious and full consideration will be given to this important program before it is curtailed or before any Centers are closed.

Sincerely yours,

THOMAS J. CAHILL,
Chief of Police.

THE GREAT LAKES MUTUAL LIFE
INSURANCE CO.
April 16,1969.

Hon. GAYLORD NELSON,
Chairman, Senate Subcommittee on Employment, Manpower and Poverty, Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: We were both interested in and greatly concerned with your letter of April 9th relative to the proposed cut-back in the Job Corps Conservation and Urban Job Corps Centers program and we thank you for bringing this to our attention.

We are in total agreement with your observation that any action that would cripple these programs tends to be an invitation to disaster, particularly in our urban areas. Although we do not necessarily see these programs as continuing into infinity, certainly they should have wholehearted support for continuation during this period in history. We urge you and your Committee to give every support to continuation of the Job Corps program under full budget, secure in the knowledge that you have encouragement and support from thinking Americans.

With kindest regards,

Sincerely,

THAD B. GAILLARD,
CLU, President.

STATE OF MAINE,
OFFICE OF THE GOVERNOR,
Augusta, Maine, April 13, 1969.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: Enclosed is a copy of a wire sent Friday, April 11, to President Nixon.

Sincerely,

KENNETH M. CURTIS,
Governor.

COPY OF WIRE SENT FRIDAY, APRIL 11, 1969

President RICHARD M. NIXON,
The White House,
Washington, D.C.

The decision of your Administration to close down 59 Job Corps Centers and conservation camps in the Nation constitutes a breach of faith with the poor people of this Nation who for a brief period were beginning to feel that someone did care.

We all recognize the controversial aspects of this short lived program which is not being given adequate time for adjustment or evaluation.

I am stunned by the reckless abandon used by your office to cut the heart out of what had become a bold instrument in reducing the grinding poverty of our ghettos and our rural slums.

The Acadia Conservation Center in Maine was one of the most successful in the Nation and reported that eighty percent of its enrollees were placed in jobs because they had the experience of a six months program in Maine.

In the Poland Spring Job Corps Center for women more than six thousands girls from economically and culturally deprived surroundings were given a new grip on life and eighty percent of these girls have been placed in meaningful jobs within their communities.

I urge you to reconsider this decision which has been made in such an abrupt and arbitrary manner without consultation with the State and municipal leaders who are directly concerned.

Kenneth M. Curtis, Governor of Maine, Augusta, Maine.

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Congress of the United States,
House of Representatives,
Washington, D.C., April 19, 1969.
Hon. Gaylord Nelson,
U.S. Senate, Washington, D.C.

Dear Senator Nelson: Hawaii's Koko Head Job Corps Center was ordered closed by President Nixon's administration. I am doing all I can to prevent its closing. I believe that a terrible mistake has been made and that the Labor Department did not know our Center was located in the City of Honolulu. Thus the concomitant announcement mollifying the closure that we would get a mini Center for 300 boys made no sense at all. Why close a successful Center in Honolulu and lose its million dollar capital improvements, and at the same breath *open another Center several minutes away* which will cost another million dollars to open? And while the new Center is being planned, what is to happen to the 250 boys who are presently at our Koko Head Center? The fact that Honolulu is scheduled to have a mini Center for 300 boys admits our need and therefore makes this decision to close Koko Head even more difficult to accept.

I am confident that your great influence and leadership in this matter will save our program.

Very truly yours,
Patsy T. Mink,
Member of Congress.

State of North Dakota,
Executive Office,
Bismarck, April 16, 1969.
Hon. Gaylord Nelson,
Chairman, Subcommittee on Employment, Manpower and Poverty, Senate Office Building, Washington, D.C.

Dear Senator Nelson: The officials in charge of the Dickinson Job Corps Conservation Center at Dickinson, North Dakota, were informed without warning that it was one of nearly 60 Job Corps Centers that would be closed. The stated reason in newspaper stories for the wholesale closing of these Job Corps Centers was to save money. A rather vague compensatory program was suggested for sometime in the future that would open new centers for vocational training in urban areas.

It seems ill-advised to shut down physical facilities that contain vocational training equipment that has cost the taxpayers millions of dollars in order to open up new facilities near urban centers that will again cost millions of dollars for facilities and equipment to provide a program that the Job Corps is doing at the present time.

This wholesale abandonment of existing facilities and equipment in favor of buying new facilities and equipment closer to urban areas is contrary to the administration's professed desire to hold down government construction in the fight against inflation.

It is also a serious matter that trained administrators, counselors, and vocational educators are precipitously forced to leave their Job Corps work for different employment. I would think that some day, when the vaguely described new centers are constructed, there would be problems in staffing with qualified personnel. Laying off Job Corps personnel now and expecting them to be available at some future date for vague new centers is too much to expect.

I think it is a tragedy that we are forcing the disadvantaged youth of the nation to provide the tax savings to help conduct a costly war on one hand and control inflation through reduced government expenditures on the other hand.

I think it is unwise that this country should retreat from the Job Corps program without a better alternative immediately available to help solve the problems of disadvantaged youth.

I want to point out, too, that this movement of government facilities to the urban centers is a part of the tragic lack of national planning which has so badly dislocated our population in recent years. If the federal government continues to ignore the needs of underpopulated states for federal facilities and grants, the federal government will continue to be the prime factor in forcing people to leave under-populated areas to go to already overpopulated areas and thus continue to add to the grave social problems of crime, poverty, pollution, and congestion that plague the overpopulated states. Moving facilities back to urban areas is brush fire crisis planning which has plagued our nation for decades.

Last year, Congress, in an economy binge, forced the closing of the Lewis and Clark Job Corps Center at Bismarck, North Dakota. This Job Corps Center was doing an exceptionally fine piece of work and was an excellent center in any way you wanted to measure it. This center used existing facilities owned by the federal government, just as the Dickinson Job Corps Conservation Center, which is now being closed, is using existing facilities owned by the federal government. Up to one-third of the young men who were served at the Bismarck center were North Dakota youth.

It is now apparent that another federal facility has been taken from an under-populated state and moved to an over-populated state in order to continue to add to the unplanned, inadvertent federal programs that have been a prime factor in the disastrous shift of population to the urban centers.

I believe the closing of the Dickinson Job Corps Conservation Center, which occupied an abandoned federal radar site, and the closing of the Lewis and Clark Job Corps Center at Bismarck, which occupied an abandoned federal fort, are not justified in terms of tax savings when judged in the context of priority needs for the country.

I am appalled that the Job Corps program is not strengthened and improved instead of being weakened and gutted in order to practice false economy.

There are those who complain of the cost of training a Job Corpsman. *And if we are to judge the success of the program on the cost of training a Job Corpsman, we must also judge the program on the basis of the staggering economic and social costs of not training that Job Corpsman.*

An untrained youth that looks forward to a life of non-productive welfare or poverty or crime will cost the taxpayers many times over the price that they would pay to bring that youth out of poverty into a productive and useful life.

Somewhere along the line, our nation has become confused in its priorities and its sense of values. The secure seem to be most successful in obtaining the services of education, health, transportation, job opportunities, and all the blessings of a good life. The insecure and the disadvantaged seem to find little in our economic, social and political system that can cause them to be proud of being an American.

I hope your Congressional committee will bring about the economies in government in such questionable fields as execessive military expenditures, supersonic transports, and space exploration before you force disadvantaged youth to finance these questionable federal programs.

Sincerely yours,
William L. Guy,
Governor.

Los Angeles, Calif.,
April 15, 1969.
President Richard M. Nixon,
The White House
Washington, D.C.

Dear President Nixon: I am writing to you on behalf of the 3000 members of the Los Angeles Section, National Council of Jewish Women to protest the closing of 65 Job Corps Centers. The Centers have been meeting a great need and closing them without offering a positive alternative program can only add to the disillusionment of the poor.

Since the Senate sub-committee chaired by Senator Gaylord Nelson will begin its hearings on the poverty program in May, it would seem to us that the decision to close the Job Corps Centers should be withheld until the sub-committee has held its hearings and made its evaluation and its recommendations for alternatives to the Job Corps to combat poverty.

Yours truly,
Mrs. Howard Olansky,
Vice-President Public Affairs and Education.

Sheriff of Lawrence County,
S. Dak.,
Deadwood, S. Dak., April 16, 1969.
Mr. Gaylord Nelson,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, U.S. Senate, Washington, D.C.

Dear Mr. Nelson: I would like to take this means to state that we have had excellent cooperation from Mr. Lawrence Amacarillo and Mr. Harvey Gibson at the Box Elder Job Corps Camp at Nemo, South Dakota.

As far as we are concerned, they have given us their fullest cooperation and we have not had any trouble.

Sincerely,
Richard T. McGrath,
Sheriff, Lawrence County.

City of Burns,
Burns, Oreg., April 15, 1969.
Hon. Gaylord Nelson,
Washington, D.C.

Dear Senator Nelson: I feel that I am in a position to render a more qualified opinion of our Job Corps, than most people, because this is my home community and I am quite familiar with its problems and also because I worked for the Job Corps four months in the year of 1966 and for four months in 1967. I became quite familiar with it's functions.

First, so many of these boys, when they arrive, don't know anything about anything. They are completely helpless as future citizens. I believe that this is not only the fault of society but is also partly their fault. But at any rate, this gives them another chance and many of them take advantage of it. There is no question that they come out of the Job Corps with far greater potential for good citizenship than when they went in. They are on the proper road and have some semblance of ideals as well as some ability to earn a living.

I realize that there are a number of criticisms in order, and time and space will not allow me to elaborate on them, but I would say that the main fault is not with the Corpsmen, but with the government, with it's limited administration of this project. There simply has to be more definite discipline, so that they must comply with orders when they sign up and must be required to serve a minimum of three months. By that time they have overcome their homesickness and become adapted to their new surroundings and routine. There has to be more teeth in this project to make it more successful.

Secondly, the Job Corps is working in close cooperation with another government agency, which is the Wildlife or Bird Refuge, located near here. They have done an immense amount of work for the government, in building fences, bridges, roads, etc. They have projects now on schedule such as rebuilding the road loop over the Steens Mountains and up to Fish Lake, over to Hart Mountain and others, which would be tragic to abandon at this time. These projects are

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a part of our community which give hundreds of tourists an opportunity to see a part of the United States that they did not dream existed. I have only mentioned a few projects.

They have agreed at my request to come into Burns and help us build two small dams to control flood waters. This was to be done next February, when they are not so rushed with demands of other work. We need these dams very much. A small group of the boys has assisted a couple of days in cleaning up our cemetery, which we greatly appreciate.

As a general rule, the boy's conduct is very good when they come to town. There has been very little trouble.

This is a small community. If every member of our population was placed an equal distance apart, there would be over a mile separating each one in this county. It is a wholesome place for these boys to live.

Economically, we have become used to it, so to speak. A good deal of their business is done in our town of Burns, which has a population of less than five thousand. This closing would be a disaster to our local business people and would put quite a number of local people out of jobs, who own their own homes here and would be unable to move.

I think that this matter should be reconsidered for the reasons stated above.

Yours very truly,

RAYMOND VOEGTLY,
Mayor.

MILWAUKEE BOYS' CLUB,
Milwaukee, Wis., April 18, 1969.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR MR. NELSON: Congratulations on the strong stand you have taken in opposition to the mass closing of the Job Corps Centers on July 1, 1969. Since the Milwaukee Boys' Club was involved in a joint summer program in 1968 with the Eastern Region U.S. Forest Service, we are very much aware of the value which these centers have to our inner city youth.

In this program approximately 40 of our boys participated in the Clam Lake and Blackwell Conservation Center training. It was obvious that the majority of these boys benefited substantially from the excellent exposure which they received. They participated in the educational, vocational and social aspects of the program and received the excellent guidance of the trained professional staff of the Camps.

In addition and probably the greatest advantage of these Camps is the opportunity for these troubled teenagers to get out of their urban pressure cooker environment to the quiet relaxed setting of our beautiful National Forests. We have found, beyond any doubt, that this alone promotes a positive stimulus, improves group relationships and encourages a desire to learn.

The Milwaukee Boys' Club can wholeheartedly endorse the work which the Job Corps is doing and deeply regrets the decision to shut down 57 of the Units effective 7-1-69. We certainly hope that through your Senate Employment, Manpower and Poverty Subcommittee that you may be able to minimize the effect of this very cold and harsh decision. Our professional staff is willing to lend its aid toward your cause in any way possible.

Cordially,

WILLIAM R. BRICKER,
Executive Director.

POPLAR BLUFF, MO.,
April 25, 1969.

Hon. GAYLORD NELSON,
Chairman, Senate Subcommittee On Employment, Manpower, and Poverty, Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: The Poplar Bluff Job Corps Center is reputed to be one of the most outstanding. Are the Centers remaining open even more outstanding?

I am avidly in favor of trying for a balanced federal budget and curbing inflation. I realize if these things are accomplished, spending must be cut somewhere. If the local center is not fulfilling its purpose—close it. However, I want reassurance that some other center with a worse record, but perhaps a "louder voice" is not being retained.

Sincerely,

P. DAVID HARUTUN.

LIVERMORE, CALIF.,
April 23, 1969.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.:

We want to express our strong opposition to the closing of the Job Corps camps! Our tax money is much better spent there than on the inevitable welfare if there is no Job Corps.

Mr. & Mrs. JAMES A. RINDE.

HARNEY COUNTY, BURNS, OREG.,
April 15, 1969.

Mr. GAYLORD NELSON,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, U.S. Senate, Committee on Labor and Public Welfare, Washington, D.C.

DEAR SIR: The recent announcement by the administration to close the Job Corp Conservation Center at Malheur disturbs this educator very much and I will state my reasons very clearly, right or wrong this is the way I feel.

Provisions have been made for a beginning for some of our youth from the poverty areas of our nation and to close centers around the nation appears to be a step backward in this writers eyes. Immediate costs appear to be high per student enrollee, but to look at the long range effect on students it would be most logical to see a gain if we take our youth who have for one reason or another dropped out of a training program, not realizing the effect he or she would be faced with in attempting to make a living for himself without some type of training, and make them providers rather than create a cycle of welfare cases, compounded over the years through their lack of foresight in getting a background to hold a job or secure a new job through re-training.

In my experience in talking to many of these students, they realize their mistake, and have cooperated with our educators in re-evaluating the mistakes of our school systems.

We realize the remoteness of the Malheur CCC near Burns, Oregon. However we are dealing with youth and should centers be placed back near the population centers of our nation I would guess the turnover would be just as great, away from home is away from home and to get these youth out of the trap of society in which they are locked in is a major objective of a program, just as our military program takes our youth away from home so should the Conservation Centers take them away in part.

Construction, light and heavy equipment training is most certainly going to be needed. As I observe these boys, talk with them, they are very proud of the work they are doing, and as they adjust to the location, make new friends and are recognized as doing something right, they take pride in doing better. To many this is the first time they have been given a word of encouragement or a set of individual standards they can see as accomplishments.

Thank you for taking the time to listen to one corncerned citizen.

Respectfully,

A. E. STARNS,
County School Superintendent.

HOLIDAY INN OF POPLAR BLUFF,
Poplar Bluff, Mo.

Hon. RICHARD M. NIXON,
President of the United States,
The White House,
Washington, D.C.

MR. PRESIDENT: Butler County citizens have been led to believe by federal officials that the Poplar Bluff Job Corps Camp was a model for the entire nation. I personally would like to see such an outstanding establishment remain open, so we may still be a model for the nation, in our area.

Respectfully,

H. R. ARNAC.

IMPERSONAL PERSONNEL POLICY

Secretary of Labor Shultz assured Congress this week that the Administration can cut the Job Corps by half and yet keep the present manpower gainfully employed full-time. Explaining this remarkable personnel policy, he maintained that no one would really be fired but that thousands would be rehired.

The Secretary undertook to refute the protest of Rep. Ford (D-Mich.) that 16,500 Corpsmen will be "dumped on the streets" as the result of the Administration's decision to close 59 of 106 Job Corps camps—at a budget savings of $100 million. Some, Shultz said, will be offered openings in Labor Dept. training programs.: Others will be taken in at the 30 projected new "mini-centers" near cities.

But the first 10 centers are not scheduled to open until fall and they will have room for only 2000 youths. The 20 others, to be ready more than a year from now, will accommodate only 2600 more. That leaves many thousands unaccounted for.

So labored was the Secretary's "explanation," yet so high is his professional reputation, that Ford credited Shultz with making a loyal effort to defend an indefensible policy devised by the White House. Perhaps the credit is due; the fact remains that many Job Corpsmen—and potential recruits—are now jobless when they need work desperately.

[From the Astoria (Oreg.) Daily Astorian, Apr. 8, 1969]

FOOLISH MISTAKE

The $100 million cut which the White House reportedly wants to make in the Job Corps budget would be a foolish, stupid mistake.

At a time when private and government efforts are being made nationally to train and uplift minority group members and others who are out of the economic and social mainstream, it's utterly foolish to cripple this program which is such a microscopic part of the budget.

The proposed 1969-70 budget is nearly $200 billion (not million but billion), the largest single portion taken up by the Vietnam war, the man-to-the-moon program and other military and space-exploration spending. The $100 million which the White House has told the Labor Department it wants to cut is about what it takes to develop a new bomber for the Air Force or to build some rocketry to be launched from Cape Kennedy.

What it comes down to is the nation's set of priorities. What is more important to the United States: trying to get all of its people in step with the modern, technological society or building missiles, guns and rockets?

If the Job Corps budget—for the current year, it's $280 million—were a major chunk of the national budget, Mr. Nixon and his associates might have more justification for their wanting a substantial reduction. But to take a program that is one-one thousandth of the budget and to propose cutting it by 36 per cent shows a strong belief that the Job Corps is either a failure or an undesirable program.

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Much criticism has been made of the cost of the Job Corps operation—about $5,000 per girl per year at the Tongue Point center—a not unexpected reaction in a country where private enterprise and making one's own way are old and dear values.

What the white and solvent part of the American population does not generally realize, though, is how difficult it is for a young person who is a part of a big-city ghetto or of the rural Southeast, for example, to get out of those environments and become self-sufficient.

Another point usually overlooked is that the cost for a girl or boy at a Job Corps center is figured on the basis of the entire cost of operating a center 24 hours a day, seven days a week. It includes not just instructional expenses but such things as transportation, medical and dental care, heating and all the other utilities costs of a center. Just the cost of running the Tongue Point facility, formerly a Naval base, is quite an expenditure.

President Nixon said when campaigning for office that he would eliminate, or try to eliminate, the Job Corps. It appears now that he had decided to do it in steps. The Congress still has a strong voice in the decision and it appears that its members are the ones to whom supporters of the Job Corps should address their messages.

The Job Corps is attacking problems that affect a minority of Americans, but it is necessary for them and for the country to continue with the program.

Village of Cass Lake,
Cass Lake, Minn., April 22, 1969.
Subject: Lydick Lake Job Corp.
Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Mr. Nelson: I wish to use this means to relate to you reasons favorable for retaining the Lydick Lake Job Corp, which is located near our village of Cass Lake.

This camp has been developed into one of the finest quarters imaginable. The boys who have entered this camp became familiar with a more rural mode of living and so many of the Corpsmen I have spoken to express their feeling of gratefulness to learn of the opportunities of life.

The physical accomplishment developed in the area is amazing to anyone who has had the opportunity to see this first hand.

The economic value to our several surrounding communities have gained tremendously. We are a village with a population of 1600, and was designated at one time of being a distress area with all the non-taxable lands and also non-taxpayers. The non-taxpayers create a tremendous burden to our village. The closing of Lydick Lake Job Corp will again place us in the same distressed area.

In behalf of the people of Cass Lake and this surrounding area, please reconsider retaining Lydick Lake Job Corp.

Sincerely,
Axel Erickson,
Mayor.

El Dorado County, Calif.,
April 18, 1969.
Senator Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator: I wish to urge you to oppose the executive order that would close many of the Job Corps Centers through out the country. The immediate dollar saving may cost more in the long run than we can afford to pay.

I feel that our local center here in El Dorado County, California has produced excellent results and I would hate to see this opportunity denied the youth of our country. The background of these young people we are training in the Job Corps seems to indicate there may be no other place they can work their way out of the ghetto and welfare to become productive citizens of our country.

The youth of our country is our most important commodity, we owe him every opportunity to prepare himself to live in our world of the future.

It costs $5,500.00 to train a young man in the Job Corps, it costs $5,000.00 to maintain one in the California Youth Authority Institution. If we close Job Corps Centers, most of these young people will wind up in these institutions or on welfare which will cost the taxpayer more in the long run.

There are many advantages in having Job Corps Centers to the local communities.

I again urge your careful consideration, before allowing the Job Corps Centers to close. I doubt that we can afford the small immediate saving we would realize.

Respectfully,
John T. "Ted" Larson,
Member County Board of Education.

Walker County, Huntsville, Tex.,
April 23, 1969.
Senator Gaylord Nelson,
Chairman, Manpower Subcommittee, Labor and Public Welfare, Senate Office Building, Washington, D.C.

Dear Senator Nelson: The New Waverly Civilian Conservation Center is one of the centers listed for closure in the near future. This center has been reasonably successful in the past. Operating costs have been low, needed projects of great benefit to the public have been done, community problems have been minimal and local support has been good. More importantly, the trainees are being taught job skills that are slanted heavily toward construction and which are now in such great demand. At the same time intensive attention is directed toward improving attitudes and developing social skills and citizenship.

I support the New Waverly Civilian Conservation Center and I request that you do everything that you can to insure the continuance of the Center.

Sincerely,
Amos A. Gates,
County Judge.

Pollock Pines, Calif.,
April 18, 1969.
Gaylord Nelson,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, U.S. Senate, Washington, D.C.

Honorable Sir: As the closest neighbor to the Sly Park Job Corps, I feel that my views may have some merit. We are adjacent to that installation.

My position as Resident Manager of Sly Park Hills, a recreation subdivision, dating from before the inception of the Job Corps, kept me on the alert as to possible deleterious influences in our area. I can honestly state that the Sly Park Job Corps has proven itself to be a good neighbor. Many of our property owners have visited this Job Corps on occasions when they have held "Open House", and have been impressed not only with the degree of organization present, but, more important, with the obvious help that all of the corpsmen were being given to enable them to make a living in a competitive world.

It must be obvious to anyone that has looked beneath the surface, that, from the economic standpoint alone, it is wiser to train a person to be self-supporting, than it is to support them for a lifetime on the welfare rolls, or in institutions.

I can only hope that the Sly Park Job Corps will be retained, and that the people there will be allowed to continue in the fine job they are doing.

Very truly yours,
Wally Behrens,
Realtor.

Merced, Calif., *April 18, 1969.*
Senator Gaylord Nelson,
U.S. Senate Office Building,
Washington, D.C.:

Impending closing of Job Corps centers threatens the criminal justice system throughout the United States with curtailment of an effective training program for deprived and delinquent children. Returning 200,000 hard core teen agers to local jurisdictions, already unable to provide the training they need and desire, is risking possible civil disturbance. During the coming summer months, California's Chief Probations Officers Association supports the Job Corps programs and strongly urges reconsideration towards retention of the center.

Ted L. Smith,
President, California Chief Probation Officers Association.

Department of Social Justice,
National Council of the
Churches of Christ in the
U.S.A.,
New York, N.Y., April 25, 1969.
Hon. Gaylord Nelson,
Senate Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

Dear Senator Nelson: The "control of crime" is enunciated as a matter high on the list of priorities of the present Administration. When speaking of developing programs to control crime, as the Administration shall ask you to do, I respectfully request that you speak to control—indeed. to stop—the crime of closing down Job Corps Centers in various parts of the nation.

These Centers are helpful. Not only are they offering job-training opportunities to thousands of the hard-core unemployed and unemployable, they are also providing positive activities for numbers of persons who are adjudicated delinquents and/or near delinquents. The decision to close the Centers provides these youth with idleness. This is morally culpable behaviour because, of necessity, the action militates toward revisiting the youth with frustrations and disillusionments. It invites a re-activation of whatever social hostilities to which some of them may have been victim. Justice weeps at the feet of this action.

The present Administration has repeatedly proclaimed that it will not make grandiose promises to the black, the poor, and the otherwise disadvantaged, lest it raise hopes which cannot be fulfilled. This has the ring of sobriety. If, however (as is the case now), the Administration concurrently and voluntarily engages in action which dashes hopes already moving toward fulfillment, the picture presented is at once pathetic and ludicrous.

Cut the war expenditures. Yea, cease the war entirely.

It is impossible to believe that our governmental authorities are either as naive or as calculatingly indifferent as this injudidicious action implies. Yet, one or the other must surely be true.

Please use your good offices, and the influence and authority vested in you to speak to the rescinding of this macabre decision.

Sincerely,
Rev. Robert C. Chapman.

State of Washington,
Office of Economic Opportunity,
Olympia, Wash., April 22, 1969.
Hon. Gaylord Nelson,
U.S. Senator, Senate Office Building,
Washington, D.C.

Dear Senator Nelson: While there is still time, we urge Congress to renew its support for the Job Corps concept and the 113 centers now in operation. Specifically, we believe the Moses Lake Women's Center, operated by AVCO and the Cispus Men's Conservation Center, operated by the U.S. Forest Service, both in Washington State, should be retained. The facts of national need and the

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performance of these two centers do not warrant their closure.

The Moses Lake Center is operating under the excellent direction of a private corporation, with 35 enrollees more than their contract requires at a cost 6 per cent below the contract figure. AVCO has three years' experience in Job Corps operation and many of the outstanding staff of the Center moved to remote Moses Lake out of deep commitment to the purposes of the program. This center has a low drop-out rate for women's centers and though the placement rate is not impressive, it should be pointed out that the responsibility for placement lies with the state employment services. Job Corps has no field placement staff.

In Washington State we are seeking to improve Job Corps placement by action at the local level. The Seattle YWCA has been working in this area and the state is currently giving serious consideration to funding a Job Corps "half way house" in the Seattle area. The expanding economy of Washington State is conducive to the continued placement of Job Corps graduates.

The director of the Moses Lake Center has informed us that not all of the enrollees will respond to a transfer to another center, and further, that many of them have no homes to go to. It should be remembered that their presence in the center is voluntary and that the individual enrollees have assumed the responsibility to improve themselves. The closure of 59 centers will have a dramatically negative effect on poverty area youth throughout the nation as it signifies a depreciation of national commitment. The absence of any visible and immediate alternative to Job Corps will verify these negative reactions.

The Moses Lake Center operates at a cost of $5,000 per enrollee/year. This is significantly less than care in Washington's institutions for delinquent youth.

The Cispus Center for men has made a lasting contribution to the care of this State's natural resources. For nearly four years it has received the high praises of nearly every segment of Washington's community leadership. It operates with a fantastically low (11 per cent) drop-out rate and has a 66 per cent placement record. Judged by five basic Job Corps performance criteria, it ranks 15th among the 82 conservation centers in the nation and operates at a cost of $4,800 per enrollee/year. $1,000,000 was invested in opening the Center. The Center Director has informed us that one-half of the men will not transfer to a new center, but will elect to return home.

The Cispus Center has had outstanding community relations. The Moses Lake Center, though experiencing serious problems initially, has had consistently improving citizen support. We know of no serious criticism of any Washington State Job Corps Center at this time. Corpsmen have had excellent recreational experiences in this State. On one occasion, 60 Corpsmen worked all night in cooperation with the State Civil Defense Department with sand bags to divert flood waters approaching the business district of a small rural community. The City of Spokane has operated a staffed Job Corps recreational program.

The concept of remoteness from the Corpsmen's home community is supported by our experiences in Washington State. The one center at Neah Bay, which enrolled a substantial number of local residents, was not successful in its efforts and was closed two years ago.

Our experience indicates that Job Corps is making a significant contribution to individual motivation and ability in balance with, if not exceeding, expected relationship to costs per enrollee. The program is an investment in youth we cannot afford to be without.

Sincerely,

Byron E. Brady,
Director.

El Dorado High School,
Placerville, Calif., April 22, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Mr. Nelson: I am writing this to express my concern over the phasing out of the Sly Park Job Corps Center in El Dorado County.

I am concerned about the return of these boys to an environment from which I believe they should be removed.

I am concerned about the future education and job placement of these boys. Sly Park has an excellent record in both instances.

I am concerned about the effect on the economy of this area which is already in some degree of difficulty.

I am concerned with the fact that the government has an established facility in which several hundreds of thousands of dollars have been spent and which they want to abandon, to build another facility in a metropolitan area.

I am concerned that this could well be the last chance for some of these boys and that they will eventually become wards of the state from which they came.

We can spend millions of dollars to maintain our position in Asia to promote good will amongst underprivileged nations of the world and neglect the very people who are most in need right here in our own nation.

I do hope that you will do everything in your power to see that this facility and all facilities like it are maintained for the underprivileged youth of this nation.

Sincerely yours,

Steve O'Meara,
Vice Principal.

League of Women Voters,
River Falls Wis., April 22, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Mr. Nelson: The members of the River Falls (Prescott and Hudson) League of Women Voters oppose the closing of any Job Corps centers until adequate and expanded facilities are in operation. We favor "saving" the future of the young people involved rather than a few tax dollars.

The trial period for the centers located away from environments of little hope deserves further consideration, especially when they are to be replaced by urban centers, which seem unrealistic.

We thank you again for your interest and concern for human problems and wish you well in conducting hearings regarding the Job Corps centers.

With best wishes,

Mrs. W. G. Heiting,
Chairman, Human Resource Committee.

Silver Spring, Md., *April 17, 1969.*

Dear Senator Nelson: You and other members of our Senate subcommittee on employment, manpower, and poverty are urged to consider my desire that Job Corps not be changed to other agencies nor drastically cut. As a volunteer worker in the antipoverty program, I have seen numerous young women change through their Job Corps experience. With such educators as Dr. Bunetta Washington, I do believe in training the whole person, which is the emphasis at Job Corps Centers.

Your attention is appreciated.

Sincerely yours,

Mrs. Aurelia H. Baratta.

[From the Boston (Mass.) Globe, Apr. 12, 1969]

CUTTING BACK THE JOB CORPS

When President Nixon transferred the Job Corps from the Office of Economic Opportunity to the Department of Labor a few weeks ago, the move was regarded as a logical development. Certainly jobs appear to be a Labor Department function. The shift, moreover, freed OEO for the innovative work which Mr. Nixon envisioned as its prime function.

Now, however, the shift begins to take on an entirely different coloration. The Labor Department, by announcing its plan to shut down 59 job centers and create 27 new and relatively small ones for a net loss of 32, appears to have begun the dismantling process which many feared in the first place.

If this is so, the administration not only would be erring but it also would be ignoring Mr. Nixon's campaign pledge "to get the unemployed off the welfare rolls and on the payrolls."

True, some industries (notably the Ford Motor Co.) have contributed much to the employment of hardcore jobless by relaxing their recruitment policies and paying going wages to trainees. But just as surely, there is a role which government must play.

The proposed cutback of Job Corps centers more than likely would have the immediate effect of returning to welfare about half of the 35,000 now enrolled in training centers. These would have good reason to wonder what payroll Mr. Nixon had in mind for them.

There are few who will argue that the administration of the Job Corps has been perfect. But it was a magnificent concept, and the intelligent answer to its deficiencies is improved administration—not obliteration.

[From the Baltimore (Md.) Evening Sun, Apr. 17, 1969]

POOR SUBSTITUTE

The Job Corps removes youth temporarily from the urban ghettos. It takes them off somewhere and provides them with academic and vocational instruction within a loosely controlled environment. Like most federal anti-poverty programs, its success has been limited. But those who made it through the Job Corps centers are better off for it. Many are working, using the skills acquired at the centers. Others are continuing their education along academic lines. "The Job Corps," proclaimed the sign of a White House picket yesterday, "Makes Taxpayers."

So why are so many Job Corps centers about to be closed down? The Nixon Administration has decided they are too inefficient. This is true enough. The Job Corps does not transform every slum youth into a productive citizen. But was it expected to? Not really. By the time they reach high school many slum youths have already been saddled with distorted ideas of life and society. Often they are older than their years and not easily straightened out. Even a record of limited success with these kind of youths should be cause for optimism.

There is small comfort to be found in the fact that the Nixon Administration will not abandon the Job Corps altogether. Not all the centers will be closed. And to replace some of those that will be, the Administration will set up a number of "skill centers." These will be day school training centers, located within the city slums.

This seems like a weak substitute. The ghetto environment is one of the major obstacles to learning and vocational advancement. Squalor is not a stimulus but a drag. None understands this better than the graduates of the Job Corps centers.

Poland Spring Job Corps
Center for Women,
Poland Spring, Maine.

My Dear Senator Nelson: The Corpswomen of the Poland Spring Job Corps Center want you to have these copies of our weekly newspaper. All of our students are understandably disappointed by the sudden decision to close so many centers and in an effort to have this action reversed, the girls have united in a constructive protest sup-

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ported by innumerable friends of Job Corps throughout the country.

Thank you very much for all you are doing.

Sincerely,

KATHRYN LOWE,
President, Executive Council, Poland Spring Student Government.

ALBANY, WIS.,
April 21, 1969.

Senator GAYLORD NELSON,
Washington, D.C.

DEAR SENATOR NELSON: I am strongly opposed to closing the Job Corps Centers. I believe in reducing the expense, but not to the degree of closing these Centers.

These young people need to make adjustments in home and social life as well as learning how to fill jobs and make a living.

Many of these youth do not come from the ghetto areas.

I hope this need is met with the very best consideration for these young people.

Sincerely yours,

MRS. GENEVIEVE REINITZ.

BALTIMORE, MD.

DEAR SIR: My name is Darlene Giles. I was schedule to be sent to the Job Corp Center in Charlestown W. Virginia, But due to unfortunate circumstances, I was very disappointed and stuned. I would like to express my opinion, about the closing up of the Job Corp Center, and why I think it should be re-opened. I feel as though with this project the young people would have time to realize what life is all about. It gives us a chance to open our eyes and to re-live all over again. Cutting out this project has just made us become weaker and we want to fight to keep up this program. I see an urgent need that this center be left to re-open again. I know that you can help us and with out you we have'nt got a prayer so please help us. We need you. Hope you will let us here from you soon.

Yours truly,

DARLENE GILES.

COCKEYSVILLE, MD.,
April 23, 1969.

DEAR SENATOR NELSON: As a volunteer worker for Women in Community Service, I have worked closely with the Job Corps program for the past year. I am deeply distressed at the prospect of this program being curtailed, because I have seen what it has done for many girls in the Baltimore area.

I hope you will be successful in your efforts to halt the plans to close resident centers in favor of local "skill centers". One of the unique contributions of the Job Corps is in providing these young people a chance to get out of the horrible environment in which they must live and prepare themselves vocationally, socially, mentally and emotionally for a better life. Even if a Corpsman does not stay long enough to complete a prescribed course, the influence of his experiences cannot be measured.

Sincerely,

ELIZABETH CORKINS.

SHEFFIELD, PENNA.,
April 22, 1969.

Mr. GAYLORD NELSON,
Washington, D.C.

HONORED SIR: May I put in a good word for the continuance of Camp Blue Jay, only such training camp in Pennsylvania.

This is a beautiful spot largely due to efforts of men at Blue Jay over 3 years. Is well equipped with lathe and all kinds of tools. Ninety-one men have completed training. There is a capacity of 120. Gains in reading 2 yrs.-6 mos. gains in Math.-3 yrs.

Cost per man about 5000-yr. Reduced to about $3500 due to splendid work in parks, improvements on road & many projects in neighborhood. It will be good business to continue this camp.

Sincerely,

RETTA PINNEY.

KANSAS CITY, MO.,
April 22, 1969.

Hon. GAYLORD NELSON,
Chairman, Senate Subcommittee on Poverty, Washington, D.C.

DEAR MR. SENATOR: As a volunteer in Women in Community Service, I am deeply distressed about the President's order to close some of the Job Corps Centers so quickly without adequate provision being made for the enrollees to complete their training, since all the Centers are over capacity now. Also there seems to be no provision for training rural poverty stricken youth in the plan for technical centers in city ghettos. Can Congress stop the closings?

Below is the text of a night letter I sent to The President concerning the loss of some of the Centers which may be of interest to you. To date I have had no reply to my request.

"WICS Volunteers of Greater Kansas City and Northern Missouri have witnessed the rehabilitation of hundreds of young women from extreme poverty and city ghettos through the Job Corps Centers.

"Our experience clearly indicates only residential Centers away from ghetto environment can fulfill their needs. A background in living helps make acquired skills marketable.

"We feel those who influenced your decision to close Centers may be familiar with figures but not with human needs.

"Whom could you trust better than Mrs. Nixon to convey these facts? We beg you to send her to visit a Center in this region—Clinton, Iowa; Omaha, St. Louis or Excelsior Springs, then permit us to accompany her to homes from which city and rural girls were sent.

"(Signed) MRS. I. H. WAGNER,
"Coordinator for North Missouri for Women In Community Services, Inc."

I am grateful for your concern for America's disadvantaged youth and pray that your committee can help change the attitude toward the Centers.

In faithful service,

MRS. I. H. WAGNER,
WICS Coordinator for North Missouri.

SAN AUGUSTINE, TEX.,
April 24, 1969.

Senator GAYLORD NELSON,
Chairman, Manpower Subcommittee, Labor and Public Welfare, Washington, D.C.:

A resolution: Be it resolved that we the undersigned members of the Board of Directors of the San Augustine, Tex., Chamber of Commerce do, by our signatures, urge the Manpower Subcommittee, Labor and Public Welfare, under Senator Gaylord Nelson, Chairman, to reconsider the closing of the New Waverly Civilian Conservation Center of New Waverly, Texas, in lieu of the following reasons.

1. A national closing of all such centers is not under proposal, only the closing of selected centers including New Waverly;

2. New Waverly is the only civilian conservation center within the State of Texas, one of the most populous States in the Nation.

3. And further New Waverly is the only civilian conservation center within the deep South.

4. There is a large volume of work projects on the national forest which makes ideal corpsman projects and the climate permits year round outside work on projects.

5. The center enjoys a very favorable logistical location being very close to a large segment of its target population—under privileged youth.

6. The operating cost of the New Waverly center has consistently been well below the national average to the extent that it can train a corpsman for approximately $540 less than the nationally averaged centers per year (taken from last fiscal yearly figures).

7. The center operates at a high level of efficiently maintaining its corpsmen strength at near maximum level example during the second quarter of the current fiscal year (October, November, December 1968). All other 224-man centers maintained an average strength of 186 corpsmen compared to 220 in New Waverly (latest statistical figures available).

Joe Di Maggio, President; Sam Malone, Charles L. Samford, Wyatt C. Teel, Leroy Sparks, Ray N. McEacher, Glen Purdy, James D. Deselle, Henry E. McLemore, E. C. Moon, Matthew J. Duchele, E. E. Benefield, J. T. Mathews, Directors.

LOS ANGELES, CALIF.,
April 22, 1969.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: I am writing to urge your strong support in favor of the retention of the Job Corps Training Centers. I am disturbed by the news reports that deep cuts in Job Corps funds are contemplated.

As one who has helped select the girls for their Job Corps Training Center, I know what this opportunity has meant to many young girls caught in the desperation of ghetto poverty. This was one of the most imaginative of the poverty programs. Although costs are high, I feel that any girl rehabilitated and provided with independence financially and emotionally is worth every penny spent.

I want to urge retention of the Job Corps Centers as constituted until the sub-committee on poverty has had a chance to complete its study and to design alternative programs.

Sincerely yours,

MIRIAM FRANKEL.

LIVERMORE, CALIF.,
April 22, 1969.

MR. NELSON: My husband and I urge you to keep all Job Corps Centers open, especially Camp Parks in Pleasanton, California, or we will share the despair of our rejected youth this long, hot summer.

How can our government justify spending $5 billion on the ABM system and not $100 million for acute human needs?

MRS. HANLOY QUOCK.

IRONWOOD, MICH.,
April 24, 1969.

Senator GAYLORD NELSON,
U.S. Senate Office Building,
Washington, D.C.

Senator NELSON: Save Ojibway Committee represents concerned citizens of Ironwood, Bessemer, Wakefield, and Marenisco, Mich., and Boulder Jct., Wisc., who support Job Corps in general and Ojibway Center specifically. Please do all you can to hold back closing of centers until Congress has studied issue. Accept our support in your hearings and effort to retain full corps strength. William Johnson, Ironwood, will call on you soon with facts on our behalf. Please hear him and accept our support. We believe Job Corps important to progress in national poverty fight. Ojibway contribution to local economy as well.

THOMAS BEAVEN.

MILWAUKEE, WIS.,
April 23, 1969.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

MR. SENATOR: We appreciate your effort in trying to save our youth by saving Job Corps training centers.

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I have been directly involved with the program through the Women in Community Services organization in Milwaukee and see the results of education and vocational training for young men and women from 16–21, usually high school drop-outs from deprived homes. To help these people become wage earners is worth the price of $4,500 per year for two years if you consider what a lifetime of welfare payments costs taxpayers.

Please continue to stress the necessity of Job Corp and keep the present centers in operation until the Urban Centers are a working organization.

Let's not worry about an astronaut walking on the moon this July—let's concern ourselves with youths walking the streets continuously.

Sincerely,

Mrs. John Jaroch.

Angelina County, Lufkin, Tex.,
April 23, 1969.

Senator Gaylord Nelson,
Chairman, Manpower Subcommittee, Labor and Public Welfare, Senate Office Building, Washington, D.C.

Dear Senator Nelson: I am deeply concerned about the possibility of the New Waverly Civilian Conservation Center being closed.

The New Waverly Conservation Center is the only civilian conservation center in the State of Texas and the only such center in the entire deep South.

As County Judge of Angelina County I counsel and supervise the juvenile delinquents of this county and in my work with them I have come to realize just how essential the New Waverly Center is to this area. Many of these unfortunate children are juvenile delinquents, not because of some basic lack or fault of character, but because of a lack of opportunity and because of their environment. A number of the juvenile delinquents from this county, upon becoming old enough, have been accepted for training at the New Waverly Civilian Conservation Center and should the center remain open, many of our future juveniles will be accepted there. To a great many of these young people the Conservation Center is their only hope, their only chance to prepare themselves for a useful, dignified life and place in the community.

Please don't rob these unfortunate young people of their only hope of a better future by closing the New Waverly Center.

Yours very truly,

O. L. Hubbard,
County Judge.

Wausau, Wis.,
April 20, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Sir: It distressed me greatly to read in the paper that the Job Corps Centers would start closing. I firmly believe that President Nixon is making a big mistake in ordering this done.

The Centers are a positive way of changing high school dropouts to responsible citizens with jobs. Now that the Centers are closing these students, many of which are Negroes, will be forced back out on the streets in their same old environment again. The long hot summer may be a very *long hot* one indeed for all of us unless something can be done to prevent the closing of these Centers.

Sincerely,

Mrs. Thomas Jablonski.

Huntsville, Tex.,
April 23, 1969.

Senator Gaylord Nelson,
Chairman, Manpower Subcommittee, Labor and Public Welfare, Senate Building, Washington, D.C.

Dear Sir: In view of the fact that we have received communication concerning the closing of the New Waverly Job Corps Center and in view of community interest in the continued operation of the Center, we the members of the John B. Shields American Legion Post No. 920, Huntsville, Texas, urge that you do everything within your power to keep the Center in operation.

One member of this organization has served on the planning committee since the early days of its organization and has worked to bring better community relations between the Center and various community institutions.

Now that we have established good relations between the many organizations of the community, we hereby feel it would be unwise and unjust to close the Center.

The New Waverly Center is in a strategic location. It is about 40 miles from a large urban area where recreation as well as occupation can be sought, and is surrounded by several small communities. The climate is reasonably adapted for year round projects from which these young men can have experience both related to urban areas and rural development programs.

Thanking you in advance, we urge you to do everything in line of duty to keep the New Waverly Job Corps open.

Sincerely,

Percy Howard.

Toellner Baking Co.,
Poplar Bluff, Mo., April 21, 1969.

Hon. Gaylord Nelson,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Senate Office Building, Washington, D.C.

Dear Senator Nelson: Enclosed are copies of letters sent to our Senators and House members asking their support for re-consideration of the decisions to include Poplar Bluff Job Corps Center among those reported listed for closing.

We sincerely believe that Job Corp Centers that have been as outstanding in their training programs, capital improvements to our National Forests, the Clark and Mark Twain, and to our community developments, cannot be ignored. The Corpsmen, in the training programs offered here at the Poplar Bluff Job Corps Center, are truly learning trades that will equip them to become self-sustaining tax-paying citizens.

We urge all the support you and your committe can give to keep Poplar Bluff Job Corps center open.

Very truly yours,

W. H. Toellner,
President.

[From the Cape Codder, Apr. 17, 1969]

Political Callousness

It was our intention, when we began to prepare this comment, to make a few satirical remarks about the decision to abolish the Job Corps, while maintaining, for instance, the subsidies to the poor down-trodden tobacco growers.

But the matter is too serious, and too close to us on the Lower Cape, to take a chance on satire. Someone always seems to misunderstand.

The fact is that each young man or woman who is given a chance to break out of the vicious circle of poverty, illiteracy and unemployability becomes an asset to his nation, instead of a liability.

Someone has worked it out that each local Job Corpsman graduate at Wellfleet has cost the tax payers $5,032. Presumably this has been calculated by dividing the total amount spent by the total number of job corpsmen.

But that's not the whole story.

What does it cost the nation for those who do no get a chance to break out of the circle? What is the cost of a generation of welfare payments to an unemployable? What is the cost, in dollars and cents, of a crime, arrest for the crime, trial for the crime, and maintenance in prison for the crime?

Does someone in the Nixon administration want to reduce to a dollar amount the cost in suffering and despair to persons born into an economic situation out of which there is, now, virtually no escape?

What of the young men and women who have managed to be nominated to a Job Corps somewhere, only to be told that the program has been abolished before they could ever get there?

We could, we believe, take an objective look at a program offered to replace the Job Corps, a project established to broaden the base, involve more young people, attack on all fronts the handicap of birth into an environment of ghetto or slum. If the Nixon administration had announced a better program, into which the Job Corps effort was to be channeled, we would gladly have possessed our souls in patience, while the new plan worked itself out.

But we feel that merely to abolish the Job Corps because "it costs too much" is simple political callousness.

Once, in another time and another place, we saw an eight block city area evacuated of its life-long residents to make room for a bridge. The community announced that new housing would be built for everyone evicted. Plans were already on the drawing board.

It takes a lot less time to evict a few hundred families than it takes to build a few hundred homes, so the people were removed from their homes a good two years even before the money was voted to build the replacement dwellings.

We think the abolition of the Job Corps falls into this category, and we hope more sensible counsel will prevail.

Bayfield County, Wis.,
Office of County Clerk,
Washburn, Wis., April 18, 1969.

Hon. Gaylord Nelson,
Madison, Wis.

My Dear Senator: Enclosed please find a certified copy of Resolution No. 4 adopted by the Bayfield County Board of Supervisors at their meeting held April 15th, 1969.

We sincerely hope that you will make every effort as our Senator to do everything in your power to continue the Clam Lake Job Corps Camp in operation.

The education and benefits derived by our youth due to the operation of the camps cannot be measured in dollars. According to information available, it appears that at least two-thirds of the enrollees who enter the camp stay for a period of over ninety days. It is surely difficult for anyone to determine what the additional cost will be in support to our institutions were it not for the fact that so many of the youth have learned to become self-supporting and therefore probably have not become involved in criminal activities.

Your support in this matter will be sincerely appreciated.

Very truly yours,

Edward A. Pajala,
County Clerk.

Resolution

Whereas, A Federal Job Corps facility has been in operation in Bayfield County for a period of years, known as the Clam Lake Job Corps Camp, and

Whereas, The Federal Government has taken steps to close said facility, and

Whereas, It is considered in the interest of the disadvantaged youth of our nation to continue operation of the Clam Lake Job Corps,

Now, therefore be it resolved, That the Board of Supervisors of Bayfield County go on record objecting to the closing of said Job Corps facility on the grounds that such closing would not be in the public interest and would constitute a disservice to the underprivileged youth of our nation, and

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Be it further resolved, That a certified copy of this Resolution be forwarded to our Congressional representation accompanied by a letter signed by the County Clerk urging said Congressional representatives to take such action as may be necessary to effect the retention and continued operation of the Clam Lake Job Corps facility.

SERGE MONIZA.
BENNIE RUDE.
WALTER WASMUTH.
WILLIAM A. STUART.
GEORGE SAMPSON.

LIVERMORE, CALIF,
April 21, 1969.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: Enclosed is the expression of opinion endorsed by 277 persons which I promised you April 10.

I am also enclosing a copy of a letter to President Nixon. Copies were also sent to Senators George Murphy, and Alan Cranston, and to Representatives Carl Perkins, George Miller, Don Edwards, Phillip Burton, Alphonzo Bell, and Augustus Hawkins. I hope these thoughts will help Congress with its decision.

Sincerely,

ROBERT M. WRIGHT.

LIVERMORE, CALIF.
April 19, 1969.

President RICHARD NIXON,
The White House
Washington, D.C.

DEAR MR. PRESIDENT: I am enclosing the expression of opinion signed by 277 persons to which I referred in my night letter of April 10. It is not intended as a defense of the contractor, nor to deny that significant improvement may be possible in the concept or execution of the Job Corps.

I do believe that the present structure with several large centers buffered by many small "induction" centers has highly desirable features which must not be overlooked. I understand that many Job Corps recruits require testing and remedial education, as well as adjustment to a new social situation, before they can benefit from the vocational training offered in the large centers. I believe this function can be effectively discharged by the small "conservation" centers. If this preparation is eliminated, will not the benefits of Job Corps training be denied to many of the young people who most need them?

Further, I believe it is desirable, even necessary, that the young people be temporarily removed from their usually debilitating surroundings to achieve the best results in improved attitude, as well as broader offerings in vocational training. Isn't this benefit verified by the experience of the military services? For the same reason, it is generally considered desirable I believe that college students receive at least part of their education away from home.

In judging the cost-effectiveness of the present Jobs Corps structure, I believe several factors should be considered, besides the future repayment by rehabilitated Corpsmen who become productive members of society. What are the welfare and law-enforcement costs for these young men if they are left in their home communities, even if they are provided with some modest vocational training? I suggest that it is a sizable fraction of the cost of supporting young men in the Jobs Corps training centers. Is it not preferable to take them off the streets and away from continual lawless influence; to break the cycle of delinquency; even if the expense attributable to that function is somewhat greater? It seems to me clearly preferable, especially when many of these young people can at the same time be rehabilitated to society. It must be economically sound to maintain the Jobs Corps program, with its rather good success rate, if we can avoid the costly, long-term imprisonment of even a small fraction of these young people.

Another benefit of the Jobs Corps program is being increasingly exploited. It has much greater potential than so far realized, I believe. This is the support of agencies of local government which can be provided in the process of vocational training, and which benefits that process as well. Our local Camp Parks Job Corps center is developing an expanding program of such support, to the mutual advantage of the Corpsmen and local agencies, notably local school districts. One such activity already underway is the maintenance and repair of school vehicles, including school buses.

The Corpsmen learn while working on these vehicles, and the school districts have much better operating experience than could be obtained without this program. Other such support activities are being developed, of advantage to the vocational training of the Corpsmen. For example, there are programs at Camp Parks in repair and maintenance of office machines, and of electronic equipment, and building maintenance and custodial work, and landscaping and gardening. These activities do not replace, but rather supplement, the normal work of the school staffs, which are invariably below desirable levels, if not inadequate, because of financial limitations. I understand that proposals for expanding these and other support activities are being presented to the national Job Corps administration by the staff of the Camp Parks center. Surely such an ingenious, productive staff should be supported.

In considering the cost-effectiveness of the Camp Parks Job Corps center, and the Job Corps program nationally, I hope that the many subtle, but supremely important factors, will not be overlooked. The difficulty of accurately assessing the value of these factors does not diminish their importance. It is the sense of the accompanying opinion that their value must not be underestimated.

Sincerely,

ROBERT M. WRIGHT.

P.S.—I suggest that $100,000 can be saved by deducting $5 per year per Corpsman from Federal aid to local law enforcement, and that local law enforcement will still be gaining an advantage, compared to its situation if the Job Corps is reduced.

We support Parks Job Corps Training Center. We object to careless, hasty action threatening to close it. False economy is no economy at all. For $5300 per man, corpsmen become taxpayers, kept out of jail, off welfare. Parks should be expanded, not eliminated. Community mobilizing for action. More letters, telegrams will follow. Please respond.

Mrs. Kris Aaland, Harry Ben Aikin, Jessie J. Anckner, E. V. Andersen, Kay Anderson, Calvin G. Andre, Sister M. Antonini, Mr. and Mrs. Alan G. Arneson, Mrs. Susan R. Aslin, Clarence S. Badger, Mr. and Mrs. John Baker, Lee Ballinger, Keith Banko, James Barbieri, Mr. and Mrs. Robert Barlett.

Harold Barnett, Joane Bascomb, Ken Becker, Mrs. Judith Beery, Mr. and Mrs. Ervin Behrin, Robert B. Bell. Mr. and Mrs. Carlos U. Benedetti, Mr. and Mrs. A. W. Bishop, Mr. and Mrs. C. F. Bishop, Elsie Bjorklund, Mr. and Mrs. Norman Bonner, Mr. and Mrs. G. S. Badbufy, Manuel J. Braz, Mr. and Mrs. Bob Bronzan, Lucille Bruskin.

Mr. and Mrs. John Burk, Sally M. Burnett, Edwin W. Butts, Richard N. Byrne, Edna M. Carpenter, William P. Chandler, Julius S. Chang, Mr. and Mrs. Clair E. Chapin, Mr. and Mrs. Robert Chapman, Rev. William T. Charlton, Mr. and Mrs. Keith Christian, Mrs. Glenn Cofer, Joan Conn.

Gilbert E. Cooper, Betty J. Costley, R. K. Cralle, Mr. and Mrs. Jim Crockett, Edward Croke, Mike Crook, Barbara K. Crowley, Michael M. Curry, Tom Davis, Phillip F. Dean, Eugene DeLorenzo, Richard A. DeFeo, James L. Eagan, Douglas M. Eardley, Barbara A. Edwards, Peter G. Eltgroth.

Mr. and Mrs. Abe Feinberg, Mr. and Mrs. Wesley J. Felton, Mr. and Mrs. Harold Finn, John G. Fletcher, Susan Flynn, John Fonesco, Eva P. Foushee, Dorthy J. Freeman, Mr. and Mrs. Robert Freis, Mr. and Mrs. Michael Gahar, Helen Gamage, Burt R. Gasten, Robert J. Gelinas, Jr., Carol Gerich, Ken Giallanza

Mr. and Mrs. Jay D. Gilson, Wataru Goishi, Theodore F. Gold, Mr. and Mrs. Abraham Goldberg, Edmund J. Goodwin, Leo vonGottfried, Douglas J. Gotthoffer, Patrick H. Gray, Gigi Greenhouse, R. Greenman, John D. Grove, Opal Gulley, Laurence S. Hall, Shizuko Hara, Tom Harmon

Mr. and Mrs. J. P. Harris, Lynne Harrower, Mr. and Mrs. Mark Hartzman, Mr. and Mrs. Harry Hawkins, Mrs. Joan Hays, Christopher P. Hendrickson, Paul T. Herman, H. Heron, Mr. and Mrs. James V. Hodgins, George Holmes, Larry D. Howard, H. Wayne Hudson, R. Iscoff

Ruth E. Jones, Mr. and Mrs. Michael D. Kenny, Ted Knell, Marilyn M. Kolar, Ginger Krug, Charles Leonard, Jr., Mr. and Mrs. William A. Lokke, Betty Louis, Tom Luce, Jim Lyons, Michael C. MacCracken, Malcolm H. MacGregor, John J. Mackey, George Maenchen, Mary Anne Mark, Mr. and Mrs. Gale Marshall

Jeanne T. Martin, Virginia Martinez, John J. Mathi, Sheril Mattson, M. Stephan Maxon, John McClure, Mr. and Mrs. William McGuire, Mr. and Mrs. Frederick E. McMurphy, Sabra S. McNamara, Mr. and Mrs. Sam F. Mendicino, Mr. and Mrs. Donald Miller, Sheila Mueller, Marjorie A. Muentz, Mr. and Mrs. Roland A. Myers, Tom Nash.

Mr. and Mrs. Harold P. Nelson, Violetta E. Nelson, Keiichi Nishimura, Mr. and Mrs. Manuel Ochoa, Jr., Jane M. Oliver, Frank Olken, Randy Olsen, Bill Owens, Linda L. Parker, Dan W. Patterson, Rae Pearce, William G. Penson, Ernest F. Plechaty, Andrew Porter, Richard E. Potter, Avis Purcell.

Dot Quock, Mr. and Mrs. H. R. Ralston, Robert Randall, Mrs. Jacques Reed, Joe Requa, Margaret E. Riley, Marilyn River, Rev. and Mrs. Denton Roberts, Mr. and Mrs. Abraham Robinson, Mr. and Mrs. Ernest Robinson, Paul A. Robinson, Jr., Marvin Ross.

Sheila Rychnovsky, Harry G. Sahlin, James Sanborn, Jack Scarlett, T. J. Schoenbeck, J. Edward Schoonover, Terry Schullerts, Virginia R. Schwartz, Mr. and Mrs. Ken Scribner, Mr. and Mrs. R. J. Servas, Robert Several, William M. Shaw, Mr. and Mrs. Jack N. Shearer, Mr. and Mrs. Nevin Sherman, Sergy Shewchuck, Renee Smith.

Eugene J. Snyder, Dr. and Mrs. George Stahl, Mr. and Mrs. Roger Stringham, Ray Tarp, Mrs. Robert Taylor, Don Thurner, Mr. and Mrs. Hal Vyverberg, Mr. and Mrs. Richard H. White, Gertrude Williams, Alan M. Winslow, Paul R. Woodward, David A. Young, Mr. and Mrs. Oved Zucker.

Stanley Solbeck, Mr. and Mrs. Daniel Sternberg, William P. Sutcliffe, C. Bruce Tarter, Mrs. Robert C. Taylor, Marie T. Timmer, Mr. and Mrs. Bruce Watson, Juanita Whitten, James E. Williams, Mr. and Mrs. Frank Wittmayer, Mr. and Mrs. Robert M.

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Wright, William E. Zagotta, Mr. and Mrs. Stan Zwick.

Richard Spitzer, A. H. Streicher, George G. Sutherland, Mary J. Tasto, Mr. and Mrs. Bernard B. Thornquist, Dieter R. Tuerpe, Mr. and Mrs. Elmer White, Mr. and Mrs. Gayle Wilcox, Mr. and Mrs. William G. Wilson, Dixie B. Wood, Jo Ann Yates, Mrs. Otto G. Ziegler.

Iron River, Wis.,
April 19, 1969.

Hon. Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: After having heard that the President has ordered the Job Corps camps closed I hope you will do everything in your power to keep these camps operating.

Having visited the Clam Lake Job Corps Camp I see the need for this teaching and training program for these unfortunates. Let's help make a place in society for these people.

Yours sincerely,

Urho Pyykola.

April 21, 1969.

Dear Senator Gaylord Nelson: Last Sunday we had open house at our Job Corp outside Marionville which we understand is being closed as of now, to us this is the biggest mistake that ever could happen. Never have we seen such a well organized and cooperative place. The boys are a credit to the surrounding communities, no trouble or racial disturbance since it has been here and we only live 12 miles from it.

It would be disastrous to put these places in a urban district. Have you seen what happened to the one outside of Baltimore? That gives you an idea what would happen to place them near a city. I do hope you can do something about this.

Many towns around this area are just as concerned about this as we in this town.

And please read this article I am sending.

Sincerely yours,

Mrs. Floyd Rought.

Sheffield, Pa.

[From the Warren (Pa.) Times-Mirror and Observer, Apr. 21, 1969]

JOB CORPS PAYS OFF

In case you were not aware of it, the Blue Jay Job Corps boys have contributed over $1,000,000 in work to the Warren-Forest county area, including the $300,000 plus camping and picnicking area at Beaver Meadows, the $50,000 Tidioute Overlook and other, smaller projects too numerous to mention. The Corpsmen have become familiar figures any place there is community work to be done.

At the same time, they have improved themselves substantially. According to the people who manage Blue Jay, the average Corpsman has advanced his reading skills by 2½ years and his math by 3½ years while at the camp.

Far more important, over half of the boys who have passed through Blue Jay in its four years are either holding down a job, back in school or in the military. By far the largest number of these (70 percent) are on a paying job right now. This is an important achievement, considering that all of them were unemployed dropouts when they enlisted in the Job Corps. This means that Blue Jay alone has taken over 400 people off the welfare and unemployment rolls, probably permanently. The savings in welfare costs alone, not to mention the income taxes these boys will pay for the rest of their lives, more than offset the cost of operating Blue Jay.

Yet the Federal Government proposes to close Blue Jay, along with 24 other small Job Corps camps. Labor Department spokesmen say these camps are inefficient, yet they propose to go to the additional expense of acquiring, constructing, staffing and opening new camps nearer the urban ghettos. This is a false economy, if, in fact, the new camps are anything more than an empty promise.

Marienville is within 4½ hours, by bus, of the ghettos of Pittsburgh, Youngstown, Akron, Cleveland, Erie, Buffalo and Rochester. Boys could leave home Sunday night and return Friday evening, with ease.

There are enough interested boys in those communities to fill Blue Jay five times over, if the Nixon administration and the Department of Labor were being honest.

Livermore, Calif.,
April 23, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.:

City Council of City of Livemore, Calif., at their meeting April 21, 1969, strongly urged that the retention of the Parks Jobs Corps Center be reconsidered by the President and Congress. Certified copies of resolution to follow.

Dorothy Hock,
City Clerk.

State of Utah, Department of Health and Wedfare, Carbon County Office,
Price, Utah, April 17, 1969.

Gaylord Nelson,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Washington, D.C.

Dear Chairman Nelson: Through the news media we have learned that the Castle Valley Job Corps at Price, Utah is to be closed down in the very near future, along with other camps. While the Job Corps has been here, I have had the opportunity to personally observe many of the Corpsmen.

The general pubic does not understand that these young men come from very deprived situations. When they arrive, the majority are unable to read, but if they can, they read on a second or third grade level. They have already miserably failed in the regular schools. They have a low self-image and have had very few satisfying experiences in life. These Corpsmen come from homes with all kinds of social problems; parents with emotional problems or mental illness, parents who are mentally retarded, parents with alcoholic problems, parents with inadequate personalities, or parents who are living in extreme poverty. These parents have been unable to raise their children, unable to provide a healthy, normal life so that they can become contributing members of society.

Because of these problems, it is necessary to place these youth in a special program where they can be taught personal cleanliness, how to dress appropriately, how to get along with their peers, how to accept responsibility, how to work, etc.

I realize that it is expensive to operate the Job Corps, but it is always costly to educate, train, and rehabilitate underprivileged, deprived individuals. It takes employees who have patience, understanding, who can demand respect, but are able to establish a relationship with these youth who may have never found it possible to feel close to or trust anyone. It requires personnel who recognize human dignity and the ultimate potential of the deprived individual.

Will you please do what you can to keep the Job Corps from being eliminated as the Program has been proven in helping many young people from deprived minority groups, as well as those who come from economically and emotionally impoverished homes. I would suggest an evaluation to see if elimination of waste or better methods of management might reduce expenses, yet still provide the Corpsmen the necessities and allowing them to live as other young people in the community.

Respectfully submitted.

Evelyn Roberts.

Pikesville, Md.,
April 20, 1969.

Hon. Joseph D. Tydings,
Senate Office Building,
Washington, D.C.

Dear Joe: I have been reading with great distress the news articles about the Administration's proposed drastic curtailment of the Job Corps Training Program.

It seems to me that the minor inefficiencies in handling this excellent program are far outweighed by the present and future value to our nation of transforming so many uneducated, unemployable dropouts into productive, self-sustaining tax-paying citizens.

I urge your support of the Job Corps program as presently constituted.

Sincerely,

Ann Greif.

Baltimore, Md.,
April 21, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator Nelson: I urge you as chairman of the Senate Subcommittee on Employment, Manpower, and Poverty to work for the reinstatement of the one million dollar budget cut for Job Corps.

The closing of centers at this time would cripple our efforts to help hopeless young people reach their potential as responsible citizens.

Sincerely,

Mary S. Krebs.

Willows, Calif.,
April 19, 1969.

Hon. Gaylord Nelson,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Washington, D.C.

Dear Sir: I consider it a very unwise move to cut the Job Corps budget. The Job Corps near Willows at Alder Springs is doing a wonderful work in the training of a number of unfortunate young people, including many "dropouts". They can be productive citizens everywhere in our great society.

I believe in the keeping of this great program and wish to keep Alder Springs Job Center open.

Very truly,

Ivadel Eaton.
Geneva Martin.
Mrs. Ollie Stanton.
——— ———.

Midland, Mich.,
April 18, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: I am greatly concerned about the closings of numerous Job Corps Centers, as well as the Head Start programs, which are considered a failure, according to government studies and mass communication.

I am project director of the Midland WICS (Women in Community Service). WICS is sponsored by the Church Women United, the National Council of Catholic Women, the National Council of Jewish Women and the National Council of Negro Women, with national headquarters in Washington. WICS recruits and screens women, 16–21 years of age, for the Job Corps Training Centers in cooperation with the Office of Economic Opportunity.

Senator Nelson, I can well understand some of the protests that these programs have been a waste of the taxpayers' money to some extent, unproductive in some cases and problems have occurred. But, where in our society and American history, have not such circumstances arisen? I am convinced that we expected a miracle instantly, without knowing and understanding the backgrounds of these poor, uneducated young people. I firmly believe that the Job Corps and Head Start programs are wonderful and excellent in that they have given opportunity, an education and training and moral philosophy to the many youth who are deprived of a favorable home environment and background, resources and are severely underprivileged in many areas. Too many of us have taken for granted our democratic society—life, freedom and happiness—and have become apathetic to our poorer classes.

Thank you for listening to my problems and questions. I, certainly, would appreciate information on the Job Corps and Head Start programs at your convenience.

Sincerely,

ELSIE DURIS.

RESOLUTION

Whereas, The Federal Government has announced that it is going to phase out the Clam Lake Job Corps camp at Clam Lake, in Bayfield County, Wisconsin, and

Whereas, it is the opinion of the Ashland County Board of Supervisors that said Job Corps Center has been, and is now, a benefit to Ashland County and surrounding areas,

Now therefore, be it resolved by the Ashland County Board of Supervisors, duly assembled this 15th day of April, 1969, that it goes on record as not favoring the phasing out of the Clam Lake Job Corps Center.

Dated this 15th day of April, 1969.

CLAYTON H. LANDRY.
FREDERICK W. CLARK.
ROGER W. HANSEN.

PULLMAN, WASH., *April 21, 1969.*

Hon. GEORGE P. SCHULTZ,
Secretary of Labor,
Washington, D.C.

DEAR SECRETARY SCHULTZ, I would like to protest the closure of the Moses Lake Job Corps Center for Women on the arbitrarily chosen date of May 1st, without considering the effect this would have on the young women caught in the middle of their programs.

I am a Republican and voted for Republicans in November 1968 partly because I did feel that the O.E.O. programs should be reviewed. Too many were put together hastily and could have benefited from such a review and suggestions for changes. The Moses Lake Centers did have growing pains! However, through our acquaintance and friendship with several girls from that center who have stayed in our home, I could see evidence of an improvement in the counselling, an improvement in the planning for recreation, improvement in the overall administration. Most of our girls really had hopes of passing their G.E.D. exams, completing their training programs and going on from there. I understand that with the news of the closure, some girls are leaving already because they have lost that hope. It's another in a long series of broken promises in the lives of these young women.

Why has their center been closed before the urban job skills programs were able to handle them? Will these skills programs also include work toward the G.E.D. requirements? Almost all of them need intensive work in basic subjects, not just job skills.

The closure is sending them back to the deadend situations they came from, back to the cotton fields, back to the illegitimate child with no one to support the two of them.

One last question . . . Why is the Job Corps advertising for new enrollees a *half dozen times* a day on our TV set when there are no longer places for all those currently enrolled?

I feel the decision to close Moses Lake should *Not* be implemented until all those enrolled have finished their courses, and until there has been further time to study the Harris report which did show many positive benefits from the Job Corps program.

Sincerely,

CLAIRE STRICKLER.

INTER-FAITH SOCIAL ACTION COUNCIL,
Piscataway, N.J., April 21, 1969.

Hon. HARRISON WILLIAMS,
U.S. Senate,
Washington, D.C.

SIR: The following has been sent to the President of the United States:

"Our Piscataway group, inter-racial as well as inter-faith in character, has great anxiety over the proposed closing of the Kilmer Job Corps center.

"We feel we are well acquainted with both the successes and the problems involved in this particular center, as most of our members have either toured the Kilmer facilities and talked with the Corpsmen there, or had some of these young men in our homes. We also know of criticisms from our own and surrounding communities. Problems do exist, but these age groups of young men, whether in the streets or in college, are hardly problem-free.

"On these bases, we wish to express our belief that a decision to allow continuance of the Kilmer Center is essential to our country for the following reasons:

"1. Social skills learned in inter-personal relationships possible only in a fully residential program are as important in developing responsible wage earners as are the specific vocational skills.

"2. The young men at the center are highly motivated toward self-help and educating themselves upward. Removal from their home environment (which usually is a strong factor in discouraging self-motivation) is essential in building new values.

"3 The cost of training these young men by giving double benefits of identity and skills is far less than the cost of confining them as anti-social outcasts.

"4. The young men in the Job Corps program represent the largest group of formerly unemployables.

"5. The human aspect of the program that tells these young men that their country does care about them as individuals cannot be understated."

Very truly yours,

ALBERT P. BROWN,
President.

PRESQUE ISLE
CHAMBER OF COMMERCE, INC.,
Presque Isle, Wis., April 17, 1969.

Senator GAYLORD NELSON,
Washington, D.C.

DEAR SENATOR: The Presque Isle Chamber of Commerce, at their meeting of April 16th, passed by a unanimous vote, a resolution in favor of the continuance of the Ojibway Job Corps Center located 4½ miles north of Persque Isle, Wis., in the Ottawa National Forest.

It was noted that this center was placed here because of the depressed economy of our area and that it truly had increased the dollar flow into our business community by as much as fifty percent.

It was also noted that our area derives its livelihood almost entirely from the tourist trade and that 80% of our yearly income must be made in three to four months.

By the locating of the Ojibway Job Corps in our area, our local business establishments have been able to financially survive the long winters and give to their local people a much larger and fresher variety of foods and services.

The Presque Isle Chamber of Commerce therefore asks that you give serious consideration to retaining this Job Corps.

We realize that economy moves are necessary at this time in our history, but also realize that all job corps are not being phased out.

Anything you can do on our behalf will be greatly appreciated.

Sincerely,

Mrs. KATHLEEN RUFF,
Secretary.

NORTHERN GREAT LAKES RESOURCE
DEVELOPMENT COMMITTEE,
April 21, 1969.

Hon. GAYLORD NELSON,
Chairman, Subcommittee on Employment, Manpower, and Poverty, Washington, D.C.

DEAR SENATOR NELSON: At the May, 1968 meeting of the Northern Great Lakes Resource Development Committee, we unanimously passed the following resolution.

"Because the Job Corps Centers are important to the Northern Great Lakes Region, to the Nation, and to the young men and women who are being trained there, the Northern Great Lakes Resource Development Committee goes on record opposing the closing of Job Corps Centers in the Region and further we urge that the closed centers in the three states be maintained and reopened as soon as funds become available."

At the time, it specifically referred to the closing of several centers, including the Isabella Center in Minnesota. The resolution has added importance in view of more recent developments.

As Chairman of the Northern Great Lakes Resource Development Committee, I appreciate any help your Committee can give in support of this resolution.

Sincerely,

M. J. BRUNNER,
Chairman.

THE SUPERIOR COURT,
Sondra, Calif., April 21, 1969.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: I know that your committee is concerned with the proposed changes in the Office of Economic Opportunity and particularly in the closing down of the Job Corps Centers. We in Tuolumne County have had a very successful Job Corps Center located here within the confines of the Stanislaus National Forest in Tuolumne County, California. The initial investment for capital expenditures was Five Hundred Thousand Dollars with an increase of an additional Three Hundred Thousand Dollars. With equipment and all the capital investment is no less than One Million Dollars. To close this down after four years of operation seem to me to be poor economy in the use of a One Million Dollar investment.

I am more concerned, however, about the elimination of this splendid opportunity that has been given to the unfortunate dropouts who have taken advantage of it. You will note the high rate of return here in the Five Mile Job Corps where 1000 youths have gone through the training program and 800 of them now hold regular jobs.

Respectfully yours,

ROSS A. CARKEET.

ORLANDO, FLA.,
April 15, 1969.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

HONORABLE SIR: I am one of the many women volunteers who are helping with the screening of girls qualifying for Job Corps training. I do a great deal of the home visitation for our screening center in Winter Park, Fla. The conditions under which our girls live and from which they are removed when they are sent to the Centers, staggers the imagination of affluent middle class people. One, perhaps the greatest, value of the Job Corps Center is the residency away from home, away from the cockroaches, the rats, the depressing, unwholesome surroundings. The vocational training provided the excuse to remove these girls and the hope for the future for them for something better. But the need to remove these girls from the way of life immediately which only continues the poverty cycle cannot be substituted by Cen-

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ters where they stay in their own homes and learn during the day.

I have many girls calling every week, pleading to hurry their application so they can get away. Too often I have a girl run away from home before all the formalities of application and acceptance can be completed. Living in clean rooms, with plentiful food and warm enough clothes broadens these girls horizons so that they are different people when they return from their training.

Keep fighting for us and these girls. We appreciate your efforts and I'm sorry that I don't have Senators to whom I can write to for constructive action on this issue.

Sincerely yours,

Dorris Kovalick,
Job Corps Screener Volunteer.

Baltimore, Md.,
April 22, 1969.

Hon. Gaylord Nelson,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Senate Office Building, Washington, D.C.

Honorable Nelson: In my experience, I as a Parole and Probation Agent have found that Job Corps offers troubled urban youth the best chance to get the attitudes needed to become law-abiding citizens.

The new surroundings and the opportunities for self-development offered at Job Corps Centers are not available elsewhere in our society.

Alternative costs in the form of welfare and correctional institutions are much greater in terms of dollars and dignity.

I strongly oppose the administration plan to cut-back the Job Corps Program.

Very truly yours,

Samuel Teitelman,
Marjorie T. Jennings,
Haven H. Kodeck,
Parole and Probation Agents.

Garden City, Mich.,
April 16, 1969.

Dear Senator Nelson: Fight to save the Job Corps Centers. Fight to save Headstart. These are vital programs.

Emilie M. Norris.
Henry C. Norris.

Coordinating Committee To Overcome Racial Division, Inc.,
Pleasanton, Calif., April 17, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Sir: The members of the Pleasanton/Dublin A.C.C.O.R.D. organization wish to express their support of the Job Corps Program and to object to the contemplated cutbacks, including the closing of the Parks Job Corps Center near Pleasanton, California.

It is abundantly clear that the time has come to fulfill our nation's promise of equal opportunity for all of our people. The Job Corps Program may or may not be the most effective and/or the most efficient way of meeting this pressing need of our society. However, the program does exist and it is making significant progress toward keeping that promise. In our own area the existence of the Parks Job Corps Center has helped not only the trainees but has prompted a lot of local apathetic people to become aware of the crisis we are now facing.

It does not make sense to send 10,000 young people back to their urban or rural ghettoes without offering them a realistic alternative. opportunity that exists now. Doing so can only destroy what ever faith in our society that the Job Corps has been able to rekindle. This is a non-partisan issue which will take a massive effort to solve. We support the expansion of the Job Corps Program and the addition of programs to induce private enterprise to involve itself in the solution of this, our most urgent national crisis.

Respectfully yours,

William J. Hogan,
Chairman, Pleasanton/Dublin.

Stevens Point, Wis.,
April 16, 1969.

Hon. Gaylord Nelson,

Dear Senator: I a writing to you in an effort to urge you to support the continuance of Job Corps. This is a most vital field. These people need help to learn themselves. Please support its continuance. .

Sincerely yours,

Francis A. Gross,
Gretchen M. Gross.

Anaconda, Mont.,
April 15, 1969.

Hon. Mike Mansfield,
Office of the Majority Leader,
U.S. Senate, Washington, D.C.

Dear Mr. Mansfield: Strongly urge your firm opposition to any cutback in Job Corps program. Government investment in nation's youth should supersede all foreign expenditures.

Gene Marcille.

Roth's Department Store,
Poplar Bluff, Mo., April 20, 1969.

Hon. Stuart Symington,
Senate Office Building,
Washington, D.C.

Dear Senator: I am writing to you in regard to the proposed closing of the Poplar Bluff Job Corps Camp.

It is my understanding that the Poplar Bluff camp is one of the finest in the nation, and operates at the lowest cost per boy of those operated by the Forest Service.

If any Job Corps camps remain open, we in Poplar Bluff believe that consideration should be given to the best ones.

We will appreciate any help that you can give us in bringing to the attention of the administration, the Senate Committee on Labor and Public Welfare, and the House Committee on Education and Labor, the above comments.

Sincerely yours,

Ed. Cannon, Jr.

Norway, Mich.,
April 19, 1969.

Senator Gaylord Nelson,
Washington, D.C.

Dear Senator Nelson: The decision to close some 59 or so Job Corps Centers has disturbed me greatly. In particular, I feel it would be a mistake to close the Center operated by the Public Services Division of Northern Michigan University at Marquette, Michigan—I am familiar with the accomplishments of this center.

Establishing vocational training centers near large cities certainly will not do for these young people what the Job Corps does. It is an established fact that generation after generation remains on the welfare rolls and taking these young people out of that environment and giving them an opportunity to learn to live in a different environment while they are also learning trades and skills with which to support themselves, should break that chain.

The situation we are facing at this time with our young people certainly indicates the need to start this generation on the right road.

Closing these centers will certainly save "War On Poverty" funds but what does it do for the problems the "war on poverty" was established to alleviate?

It isn't necessary for me to list some very excellent means of cutting the Federal budget—cuts which will not cut off help for the poor and needy but which will neither "hurt" those affected. It is rather disillusioning to know where and how so much money is spent and then have funds cut where a start had been made to help those who need it badly.

Very truly yours,

Serena Bohn.

Globe, Ariz.,
April 18, 1969.

Hon. Gaylord Nelson,
Washington, D.C.

Dear Senator Nelson: Attached is a copy of a letter I wrote to the editor of the Phoenix Gazette and Arizona Republic papers protesting an article on the Job Corps cut back.

It deals with the cut back in general, but I wish also to protest the closing of the San Carlos Job Corps Civilian Conservation Center in particular. I will pose my protest in the form of questions

1. Why is San Carlos being closed when it ranks 9th in the nation in the overall statistics?

2. Why is San Carlos being closed when 19 Centers ranking below it are being kept open?

3. Why are we depriving the Spanish-American community of the only Center available to them in the Southwest which has the capability to handle them? Who will the other Centers send their Spanish speaking Corpsmen to now?

4. Why are we closing a successful Center which has a year-around working climate?

5. Why are we tossing the investment in this fine facility away?

6. Why don't we have an honest comparison of total cost to the taxpayer between the Conservation Center and Skills Center which includes tax deductibles as well as expenditures?

7. Don't you think the voter and taxpayer is entitled to some answers before the action rather than excuses afterwards?

Emmett P. Cameron.

Globe, Ariz.,
April 18, 1969.

The Editor,
Phoenix Gazette,
Phoenix, Ariz.

Dear Sir: Normally, I read the editorials with the feeling that it is written by a thoughtful and well informed person. There was one in Sunday's paper under the title "A Shutdown Worth Cheering" that is so poorly informed and so misleading to the reading public that I am nearly ashamed to have ever entertained such feelings.

The cost per enrollee man year of $39,000 and $22,000 are ridiculous. I note that the editorial indicates they are for two specified Centers. Must we all live or die by the experience of one or two? Does one editor in prison make all editors criminals? Hardly!

Let's tell it like it is. The Department of Labor quoted a cost per Corpsman man year closer to $8,000. If they could have used figures like you quote to balloon the estimated $100 million savings, they certainly would have done it. I see that you are quoting figures from the House Committee on Education hearings in 1966. The Economic Opportunity Act was enacted in 1964. Most of the Job Corps Centers were activated during the last quarter of calendar year 1964 and during 1965. The figures that the Committee was working with and that which you quote are obviously activation costs, and not operational costs. Operational costs are limited by Congress, but these limits were not applied during the activation year of each Center.

So let's use your lowest figure of $22,000 for cost during the activation year and subtract from it the Labor Department's $8,000 operational figure. The cost attributable to activation is $14,000 per man year. Do you think the promised skills centers will cost any less to activate? They will be constructed in urban areas and not rural areas. Urban property and improvement is much more costly. Let's assume that the capacity for these 30 Skills Centers will be 15,000 enrollees. That is an activation cost to the taxpayer of $210,000,000. That is Mr. Taxpayer's cost of saving $100,000,000. I am sure that several Congressmen are pointing this out in hearings right now.

Approach it from another angle. The Labor Department's Mr. Schultz said in his announcement of Job Corps closings that the Department's manpower program was operating at half the Corpsman-man-year cost experienced by Job Corps. He is talking about Government expenditures. He has conveniently forgotten to mention the cost to you and I in the form of tax deductibles granted private industry operator's of the program. We are wandering in a political smoke screen and cannot see our true cost. I am sure of this much, if we could couple the lost revenue to the Government expenditure, the cost of activating 30 Skills Centers will be greater than the "savings" by the so called shutdown. So in response to your title line, I would ask "What Shutdown?" The proposed "savings" gets me right in my 10% tax surcharge.

Here is yet another thought. Closing Job Corps Conservation Centers in favor of urban Skills Center returns thousands of youths to the street in time for the summer season. It returns thousands of youths to the welfare society they have come to accept as a way of life. It returns thousands of school dropouts to the environment that made them dropouts only to permit them to drop out of one more program.

When we look at it realistically, it is a pretty costly savings.

So, let's tell it like it is. Politics and good management are not synonymous. I, for one, will be voting for a little more of the latter and a little less of the former at the next election.

MARQUETTE, MICH.,
April 17, 1969.

Hon. GAYLORD NELSON,
Chairman, Senate Antipoverty Subcommittee, Washington, D.C.

DEAR SIR: The Northern Michigan University Job Corps Center, along with 58 other centers, is going to be eliminated. This removal is rejecting the very purpose for which the Job Corps is intended: To help other people help themselves. The girls in the Job Corps are learning to be independent from future assistance, to be self supporting. Better yet, to become a taxpayer.

The government is not only giving aid for an education to a girl who seeks and qualifies for it, but more desirable, the government is making an investment. Who is the government? It is the American people; so in reality, we are making an investment for ourselves in ourselves. I cannot believe an investment in the American people is a bad option.

This Job Corps is located on the campus of Northern Michigan University which is a great advantage for both institutions. While living on a university campus, people of different environments intermingle, white with the black, and rich with the poor.

Personally, I know the girls at the Job Corps Center want to stay. Some of these may even want to go on to college. This would probably be most unlikely if they would not have had the understanding of college life by their association with it. I, also, know of two girls who are going on to nurses training, as Northern Michigan University has such a program with St. Lukes hospital, in Marquette.

I visited the local Job Corps Center and saw what was being accomplished. I talked with some of the instructors and felt their desire and willingness to work with the girls. I talked with some of the Job Corps girls, black and white, and heard their interest as a student. What I heard and saw was not superficial; they were not trying to make a big show.

I am a freshman at Northern Michigan University. Unlike most other freshmen, I am forty years old and the father of four children. I am a believer in education, it is something which cannot be taken away mentally, and should not be tried physically.

With these thoughts and comments, I would very much like to see a reversal in the decision of removing the Job Corps from Northern Michigan University. Let us continue to help other people help themselves.

Very truly yours,
GLENN D. BRUNNER.

POLLOCK PINES ELEMENTARY
SCHOOL DISTRICT,
Pollock Pines, Calif., April 17, 1969.

Hon. GAYLORD NELSON,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Washington, D.C.

MEMBERS OF THE COMMITTEE: As one who resides less than five miles from the Sly Park Job Corps in El Dorado County, California, and one who has had the opportunity to visit the center many times and see the positive work being done to rehabilitate many unfortunate young men, I was shocked at the recent news about closing this center. I have been in the business of public education for twenty four years and I believe I am qualified to evaluate both personnel and the program of this particular center. This center is one of the more successful ones and is particularly well suited because of its geographic location. It removes boys from the environment which produced them.

About $900,000 has been expended for this facility and to abandon it for this purpose would be wasteful indeed. True, it is an expensive program, about $5,550 per man per year. Of this about $868,100 has been returned in value to the National Forest. Also, the community outside the forest has been increased by about $29,700 and 1,794 man hours.

Please compare the $5,500 per man per year to the California Youth Authority for discipline as follows:

Cost per person per year, $4,500 to $5,000.

Cost per person per year, parole supervision, $350,000.

Cost per each new bed, $20,000.

Foster home care, food and clothing (welfare), $1,140.

I believe the record of the Sly Park Center will show success in excess of 75% of the corpsmen being placed July 1, 1967 to July 1, 1968. Said placement included gainful employment, school, military and transfers.

The Sly Park Center has been fully accepted by our county and especially our immediate local community. Both personnel and corpsmen have volunteered repeatedly on their own time, Saturdays and Sundays, for various cooperative community activities such as: clean up days, school ground preparation, school arboretum development for conservation and environment education, so important to the national interests, park development, blood bank donations, art and music camp development, Kiwanis summer camp chaperones and many other projects too numerous to mention.

This Center employs a working staff of 38 and average 2 children per family. Closing the Center would greatly affect the economy of our area. An annual operating budget of over $500,000 is largely spent locally with about $45,000 additional spent locally.

I, along with many others, sincerely hope that you will give careful consideration before closing the Sly Park Job Corps Center in our county because of the reasons mentioned.

Sincerely,
LOWELL R. GRAY,
District Superintendent.

FIRST PRESBYTERIAN CHURCH,
Huntington, W. Va., April 17, 1969.

Senator GAYLORD NELSON,
U.S. Senate, Committee on Labor and Public Welfare, Washington, D.C.

DEAR MR. NELSON: It is my understanding that the present administration is recommending a severe cutback in the Job Corps program, and this move will eliminate most of the Job Corps training in West Virginia area. I would like for you and others in places of responsibility to be aware of the viewpoint that some of us have who have been in position to observe the Job Corps operation in Huntington, West Virginia.

Some months ago when I was president of the Huntington Ministers Association, we made a careful study of the program and the results of this local Job Corps installation. On the strength of our study and observation, we passed a resolution which we sent on to Sargent Shriver indicating our appreciation of what was happening to human personalities.

I am in the business of helping people to become their best selves. When I look at the sort of persons enlisted in the Job Corps training program, I realize that here are persons who desperately need the greatest encouragement the society can give them. It is obvious that even the most optimistic believers in the possibilities of human nature would not be so rash as to anticipate one hundred percent results, or even seventy-five percent. It is my feeling that even a modest percentage of what we might term success is worth a great deal in terms of money and skills. I wish it been possible for you to hear some of the statements made by the young women who closed their course here and moved on into employment.

I believe in this program as one way of meeting human problems, and it is my hope that the Huntington operation can continue.

Sincerely yours,
LYNN T. JONES.

SOUTH POINT, OHIO,
April 14, 1969.

Senator GAYLORD NELSON,
Senate Building,
Washington, D.C.

DEAR SENATOR NELSON: This is just a short note to express my solid support for your stand on the projected closing of some Job Corps Centers. As a VISTA volunteer stationed in Ohio, and as a registered voter of Wisconsin, I strongly endorse your resistance to the projected closings. I have written the President and have made my feelings known to him.

Very truly yours,
ROBERT W. DAVENPORT.

THE SACRAMENTO BEE,
Sacramento, Calif., April 17, 1969.

Hon. GAYLORD NELSON,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: This is to advise you that I fully share your deep concern over the proposed cut in the Job Corps budget which you conveyed to me in a recent letter. The cutback will force the closure of the Alder Springs Conservation Centre on the Mendocino National Forest, with which I am most familiar, along with others, I understand.

As a newspaper reporter in this community, I have watched the establishment and operation of this camp very closely since its inception over four years ago and written many news articles on it. I have marveled at the degree of success which has been achieved over tremendous difficulties and odds against it and must deplore the idea of its abandonment. I am appalled—in view of the record I see—at the false economy of such a move as the proposed camp closure. I only recently responded to an inquiry from W. P. Kelly, Job Corps Director, offering my candid appraisal and wholehearted support for the continuation of this training program.

I would pray that there will be a careful Congressional review of this proposed measure, with possibly a tour of some of the camps by Congressional representatives. I can only hope that our United States Senators from California share your broad under-

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standing and deep concern of this program's true worth.

While I am in no position to dictate editorial policy of the newspaper by which I am employed, I feel confident that the Job Corps program will be fully supported editorially by the McClatchy Newspapers. You may certainly be assured of my personal support as an individual.

Sincerely,

Cecile B. Cramer,
Staff Reporter, Willows Bureau.

Mosley's Family Shoe Store,
Hines, Oreg., April 15, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Sir: I am writing to you regarding the closure of Malhuer Conservation Center that is located some 35 miles southwest of Burns. I feel that the closing of this center would be a mistake in numerous ways. Although I am not too familiar with the operation there, I do know that the boys are well mannered when they come to town, and this supports the claim of the center that they have a good success ratio among their students.

The loss of the center will hurt the economy of our Burns business community, which is small to begin with; but even worse than the loss to the community, in my opinion would be the loss to all taxpayers because of the large capital investment that will be lost to the government. Due to the remote location, it would be impossible to put this complex to any other use. . . . The only way to ever hope to get any of the capital investment back would be to keep the center open for at least another 4 years or so. In 1965 when the center was built here, I was against it because of the remote area in which is was built. Now, I am against it for the very same reason; in addition to the fact that they are helping some boys become useful, lawabiding citizens.

Sincerely yours,

Calvin H. Mosley.

Mellen, Wis.,
April 17, 1969.

Hon. Gaylord Nelson,
U.S. Senator,
Washington, D.C.

Dear Senator: The Common Council of the City of Mellen is concerned about the news that the Clam Lake Job Corps will be closed.

You are familiar with the economy of Ashland County and loosing this facility would be another blow to this area. We feel that the Job Corps is an asset to this area, we therefore ask that you take whatever steps are necessary to help keep the Job Corps Camp open.

Very truly yours,

Keith Morkee,
City Clerk-Treasurer.

Mellen, Wis.,
April 17, 1969.

Dear Senator Nelson: We are writing to protest the closing of the Clam Lake Job Corps Center and all other Job Corps Centers.

We would much rather see our tax money spent to rehabilitate our own boys and girls than to send men to the moon and to keep sending money to help all the other countries of the world.

Charity begins at home.

Sincerely,

Mr. and Mrs. Louie Degiovanni.

Willows, Calif.,
April 15, 1969.

Mr. Gaylord Nelson,
Chairman, Senate Subcommittee on Employment Manpower and Poverty, U.S. Senate, Washington, D.C.

Dear Sir: I have heard the news of the possible shut-down of most of the job corps centers. This would effect the one near us at Aldersprings. This is no financial boon to our area. We do not think only of our town and our country. We have rather sought to include the men of the Corps in the community. There has been a little expense of time and perhaps pin money. We are glad to help.

We see this Corps as a real *asset* to the persons involved. What helps our brother helps us. Thus we believe to cut this program will be penny-wise and pound foolish.

Please send me a mailing roster of both houses. Mine seems to have vanished. I'll do my best.

Yours sincerely,

Raymond P. Squire,
Pastor.

Livermore, Calif.,
April 17, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator Nelson: I am writing you concerning the recent Labor Department announcement that 59 of the 113 Job Corps Centers would be closed and partially replaced by about 30 "neighborhood centers" at an estimated savings of 100 million dollars.

There is a real need for fiscal responsibility in our federal programs, but I am deeply concerned that the Job Corps cutbacks will have adverse consequences that far outweigh the temporary savings. I believe that the Labor Department proposal for cutbacks in the Job Corps program, if enacted, will cause widespread anger and frustration among our impoverished youth with grave implications for us all.

The Job Corps is more than job training. It is a chance to have the medical and dental care so important for feeling up to working and learning. It is a chance to get away from poverty and despair, to eat adequately, to have adequate shelter. Important too is the acquaintance with other youth from all over the country and the sharing of experiences and hopes. The idea to have neighborhood centers with trainees living at home ignores these factors. It would put young people back into the same stifling environment they are trying to escape.

There have been mistakes in the Job Corps program as there inevitably are in any new program. It has, however, been a beginning. Rather than cut back we should build on the experience that has been gained. If the program is to be stopped, it should be replaced with something better. What does it say for our commitment to impoverished youth when such a program is cut by one half and inadequate programs hastily put in its place? How willing will these young people be to trust the "system" again? What will we say to the thousands of corpsmen who will return home without training if their Job Corps closes on July 1st?

Finally, I wonder what it is worth to enable rejected youth to become proud contributing members of our society. 14,000 young men have entered the Camp Parks Job Corps Center near my home and 9,000 are now employed. 1,900 have earned the equivalent of a high school diploma, 671 have returned to school and 1,300 have enlisted in the armed forces. George Foreman, the Olympic champion boxer, recently said that without the Job Corps he would be just another boy on the street. Can we afford such a waste of human resources in the name of government economy?

I think the Labor Department proposal for closing of the Job Corps centers is ill conceived and unjustified. It will have serious adverse effects for the country. I enthusiastically support your opposition to it. Please advise me concerning assistance I can give to help defeat the proposal.

Very truly yours,

Clair E. Chapin,
*Chairman, Livermore **ACCORD**.*

Dublin, Calif.,
April 17, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Mr. Nelson: I strongly endorse the Job Corps concept and encourage expansion of such programs in the future. Hasty action now will result in costly mistakes in the future of our nation.

Yours truly,

Charles Johnson.

Pollock Pines, Calif.,
April 16, 1969.

Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Mr. Nelson: After reading about the possibility of closing some of the Job Corps Centers, I decided to write you about our Job Corps here in Pollock Pines. We are a small mountain community and are proud of our Job Corp's record. The boys themselves have become a real working part of the community, participating in all community projects. The community in return welcomes the boys as an important part of it, and supports them in their activities.

Most of these boys are from big city ghetto areas, and we all know what the probability of their being in a California Youth Authority institution would be if they were at home. If cost means so much, surely it doesn't cost any more to keep them at the Job Corps than it would to keep them in a penal institution. And, at least, in the Job Corps, they are making a substantial return to the country, especially in our National Forest, which surrounds us here.

I don't know a thing about Job Corps Centers at other locations, but I do know that ours here has been very successful. The boys are not only trained for several technical type jobs, but are also taught reading and mathematics. And for the most of them, it is the first time in their lives that they have lived in a beautiful natural forest area.

Our local Job Corps Center has proved that it can save boys. Certainly these boys are worth something to us as future citizens.

Sincerely yours,

Luella Heney,
Housewife.

Marquette, Mich.,
April 16, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator: This letter is an appeal to you to use your powers as Chairman of the Senate Antipoverty Subcommittee to provide for the continuation of the Job Corps at its present strength. I am against the closing of some sixty centers and replacing them with day-school vocational training in big city classrooms.

One of the most important concepts in the Job Corps program is getting underprivileged young men and women away from their former environments into a new atmosphere which fosters acceptable social and personal values as well as giving a basic education and vocational training. Only in a residential program can these goals be accomplished. To replace existing centers with day-school training is to destroy the program totally.

These are arguments that can be read in any newspaper. However, my feelings are backed by a year's work experience as a Resident Leader with the Job Corps. I am 23 years old, and I work as a residential counselor within the dormitory which houses the enrollees. Each day I have the opportunity to see these young women achieve various kinds of success. Each day I can see signs that a young woman has been learning and growing into a fine citizen with a useful vocation to contribute to society. Each graduation warms my heart when I consider what these girls were when they first came to the Job Corps Center and what they are as graduates.

The closing of Job Corps Centers will save tax money, but what about the problems of poverty and lack of education that this money was being used to alleviate. These problems are still here, and they cannot be ignored. If the centers are closed, then a better solution must be offered. No one has proposed such a solution.

Today's youth are this country's hope for the future. We must equip them, all of them, to meet this challenge. Believe me, the Job Corps enrollees deeply appreciate perhaps their only chance.

Sincerely yours,

(Miss) Susan Bohn.

Appleton, Wis.,
April 16, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: I am very concerned about the recent decision to close a large number of Job Corps Centers in the United States. Of particular concern is the decision to close the Center at Clam Lake, Wisconsin.

I work for the Wisconsin Department of Industry, Labor and Human Relations. My specific job assignment is with the Work Incentive Program under the direction of the Wisconsin State Employment Service. My position is that of job and training developer for AFDC clients referred to our program by the local county departments of social services.

I have found the Job Corps Centers in Wisconsin a valuable resource as far as training of disadvantaged youth. The ideal settings of the Centers, away from unfavorable home environments, has proved to be of great value. The individual emphasis of training of these youth has provided a situation which conventional schools (high schools and vocational schools) have failed to do.

I would appreciate any effort on your part to oppose the plan to close productive Job Corps Centers.

Thank you very much for your consideration of this matter.

Sincerely,

Dale W. Hopkins,
Area Services Specialist, Minority Group Specialist, Wisconsin Department of Industry, Labor and Human Relations.

Iron River, Wis.,
April 17, 1969.

Hon. Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: The board of directors management and members of Bayfield Electric Cooperative are appalled at the irresponsible action of the government in the decision to close Job Corps Camps, specifically the Clam Lake Job Corps Center in northern Wisconsin.

One of the considerations is the fact that the operation of this center has been a financial boost to the economy of the area which we need very much. The closing of the center will further add to the total economic problems of the area.

Of course, the fact that the Job Corps Centers were taking young people with first grade level education and teaching them to acceptable levels of learning for our society is the important fact. If the costs were out of line we think that an effort should be made to correct this.

Is there any possibility of reconsidering the Clam Lake Job Corps Center's closing?

Board President Emery Koval and I will be in Washington on May 1st and would appreciate an opportunity to meet with you to discuss this and other matters. Will you please let me know what time would be convenient?

Yours truly,

Bayfield Electric Cooperative, Inc.
Oscar Lahti, *General Manager.*

Globe, Ariz.,
April 16, 1969.

I'm joining the millions of Americans who have written to you concerning the closing of Job Corps Centers.

My husband was hired as Resident Youth Resident at the San Carlos Job Corps Center of Arizona just one month ago. During this short time. I have witnessed the dedication, interest and concern of the employees here at this center. It is my observation that these people are deeply interested in helping these young men in becoming respectable citizens of our society, and also skilled in learning how to make a living for themselves. It takes patience, understanding, and brotherly love to work with these young men. What's to become of them if they have to leave?

Let us consider the problems that are taking place in our institutions of higher learning at the present time. Perhaps Job Corps is fortunate in not being confronted with protestors and rioters. Law and order have been strictly enforced, which is of prime importance in shaping characters and future of these young men. It is my honest opinion that it is an injustice to our fellow young citizens if Job Corps Centers are closed down, and the unselfish efforts of the dedicated people who work to help our Corpsmen is thrown down the drain.

Mrs. Celia Sanchez.

Globe, Ariz.,
April 17, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.
Subject: Closing of San Carlos Job Corps Center, San Carlos, Ariz.

Sir: For years since the end of World War II, we the citizens of the United States, through our central Government, have funneled monies to Europe and Asia to rehabilitate and reconstruct those countries devastated by war and under-developed; these monies bore fruit as is selfevident.

Of recent origin is a like project directed to the rehabilitation and education of the under-privileged of our own nation, namely, the Job Corps.

The difference between said two (2) projects is that the former ran for over fifteen (15) years and the latter for less than five (5) years.

Granted, economy is a must in these days of inflation, but I believe that the cuts in federal spending should be first, on our non-military overseas commitments, and second, on domestic non-military projects of a non-education nature.

Projects like the Job Corps, which educate and train, are invaluable in that they improve over all employment and up-grade income; the latter increases the gross national income of the nation and cause a corresponding increase in income tax paid.

If a cut is absolutely necessary in the number of Job Corps Centers, then cut those with the lowest efficiency rating. The Center in question is one of those on the list to be closed and yet is 9th low out of 82 Centers in cost per man, 14th in length of stay per man, 8th in educational reading gains and 9th in % of Corpsman graduating. There appears to be no norm or formula guiding those responsible for cutting centers.

I urge your support in the retention of the San Carlos Job Corps Center.

Sincerely yours,

Donald C. Premeau,
Attorney at Law.

Baltimore, Md.,
April 25, 1969.

Hon. Joseph D. Tydings,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator Tydings: As a Baltimore-based employer of approximately 1,000 persons, we are shocked and chagrined to learn of the proposed budgetary cuts in Job Corps appropriations.

We speak from first hand knowledge gained through providing work-experience programs in cooperation with a Skills Center at 103 East Mt. Royal Avenue, less than a block from our printing facilities in the center of the City. Even though this center is thought not to be among the 59 earmarked for phasing out, we believe firmly that eliminating *any* Job Corps residential training for the youth is a false economy.

In a matter of a few years one out of every three in the nation's population is expected to be under 25 years of age. Business and industry is not only able and willing, but eager also, to provide for the disadvantaged among the youth on-the-job career training; essential to the task is advance guidance and preparation in the areas of attitudes, motivation and basic-life skills. Therefore, we oppose any curtailment of the Job Corps program whose primary goal is the development of work-oriented employees.

Sincerely yours,

(Mrs.) Myrtle M. Nichols.

Sheboygan, Wis.,
April 22, 1969.

Re: Closing of Job Corps Centers.
Hon. Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: This letter is to inform you of our local league's opposition to the *abrupt* closing of Job Corps Centers, until adequate and expanded facilities are available and functioning.

To set up replacement facilities in 30 urban centers by July 1 seems unrealistic. Therefore the League opposes the abrupt closing of more than one half of the Job Corps Centers. Continued withdrawal of promised assistance and opportunity cannot help but make the disadvantaged cynical and disillusioned about the depth of commitment the nation has to overcome poverty and discrimination, and would destroy the continuity of the program for many enrollees.

We oppose the abrupt closing for the following reasons:

1. The proposed "mini" centers would have a capacity for only 4,625 enrollees (in January, 1969, there were 14,669, leaving over 10,000 more young people than could be accommodated in the new centers).
2. We would like to point out that the "saving" anticipated comes about in part from serving smaller numbers and that the constructive conservation work done by many of these young people has been appraised at $56 million by the end of 1968.
3. We would like to close by saying that if the proposed "mini" skill centers prove better able to fill the needs of the severely disadvantaged, League would not then oppose but may support phasing out the Job Corps Centers.

Yours Sincerely,

Maureen Hansell,
Chairman, Human Resources.
Mary Wallers,
President, League of Women Voters of Sheboygan.

April 26, 1969.

Re: Job Corps Hearings.
Senator Gaylord Nelson,
U.S. Senate,
Senate Office Building.
Washington, D.C.

Dear Senator Nelson: I wish to testify at your hearings on the Job Corps. I have worked with the Job Corps program for three years as a *volunteer* Project Director for Women in Community Service in Winter Park and Orlando, Florida.

Although you know it, I wish to remind you that Women in Community Service is a

National Organization made up of four parent organizations which are The National Council of Catholic Women, The National Council of Jewish Women, The National Council of Negro Women and Church Women United. As volunteers, we do recruiting and screening for the Women's Job Corps.

I have personally screened over 125 girls for the Job Corps, and have sent 75 to Job Corps Centers, had receptions for the girls and their mothers, have accompanied the girls to the airport or bus station, have kept in contact with many of them and have several girls to obtain employment. I have also visited two of the Job Corps Centers that are to be closed, St. Louis, Mo. and Clinton, Iowa.

I have also served for a year and a half on the Board of the Orange County Economic Opportunty Community Action Program and on the Head Start Advisory Committee.

As a volunteer in recruiting and screening Job Corps girls, I have become very familar with many of the problems of these people in poverty and feel I have something to say to your committee.

There are many aspects of this program that I have observed that make me feel I would like to be heard.

The poor do not always give the whole picture because they have no measure of comparison. I have observed improvement in the family home surroundings. I have observed their increased desire for betterment. I have observed their gain in self-confidence and their success on the job. But also I have observed the hardships they experience in obtaining a job and also on the job once they have been hired. I will not speak on theory but will speak from the experience of knowing these people and visiting in their homes. I feel too that they wish to be tax paying citizens no longer dependent on their government for subsistance.

My husband and I are owners of a small business in Orlando. We live at 834 Palmer Ave. Winter Park near Senator Gurney and are members of the same church as Senator Gurney. I am past president of the Women's Fellowship of the Winter Park Congregational Church and presently District Director of the State Women's Fellowship of the United Church of Christ. I am past president of the Church Women United of Winter Park and am now Project Director of Women in Community Service of Winter Park and Orlando.

If it is possible for me to be heard, I will be bringing one of my Job Corps graduates with me. She would be happy to be questioned if your committee so desired. She is black. Her name is Bernice Hillsman. She was president of the student council at Poland Spring Job Corps Center for Women. She resides in Sanford, Florida.

I am also writing Senator Spessard Holland and Senator Edward Gurney of Florida requesting this hearing. Please wire me immediately in order that I may make plans. My home telephone is area code (305) 647-2276.

Sincerely,

MRS. FRED R. PROUSE,
Project Director, W.I.C.S.

PRICE, UTAH,
April 27, 1969.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: Thank you for your protests of the closing of 59 Job Corps Centers.

I have firsthand knowledge of the Castle Valley Center here in Price, and have been most impressed with the results of the work performed. I have always felt that if only 25% of the young men were taken from the welfare rolls, the program would pay for itself many times over. A great percentage of the enrollees who come to Castle Valley are colored boys. They appear to be apprehensive at coming to a primarily white community. They are treated with respect and they have returned that respect. We have all learned something from this experience.

I feel that the recruiting and screening could be performed more efficiently. I believe many boys come who cannot benefit from the training because of their inability to learn. This is determined early and they are sent home. I believe these are the boys who contribute to the large percentage of those considered as dropouts from the program. Actually, it is not true, and I believe the statistics are incorrect.

Some one must speak for these people. Legislators who seem willing to do so sincerely seem far and few between. I am glad to know there are some who really care. I appreciate your work. Please continue.

Sincerely,

MRS. HOWARD HANKS.

WASHINGTON, D.C.,
April 28, 1969.

Hon. GAYLORD NELSON,
Chairman, Manpower and Poverty Subcommittee, Senate Labor and Public Welfare Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am enclosing the April 22 letter I have received from the President of the Bismarck League of Women Voters regarding the closing of the Job Corps centers.

I respectfully request that these comments be considered by your Subcommittee during its deliberations on this very important matter.

With kind regards, I am

Sincerely,

QUENTIN N. BURDICK.

BISMARCK LEAGUE OF WOMEN VOTERS,
April 22, 1969.

Hon. QUENTIN BURDICK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BURDICK: The Bismarck League of Women Voters favors the review of the present poverty programs, however, we would like to urge that the Job Corps centers not be closed until adequate facilities are in operation to continue this much needed training and job placement for this particular segment of our population.

We realize that the yearly cost per enrollee in the Job Corps is relatively high, that there is some difficulty in placing trainees, and that the drop-out rate is high. We feel that these problems should have immediate attention and that all savings in funds and improvements in effectiveness of the program be made at the earliest possible date. It does not seem realistic that 30 urban centers can be set up by July 1, and these centers will not serve as many young people as can be served by the present centers.

We respectfully request your careful consideration of this request.

Very truly yours,

MRS. RICHARD FULTON,
President.

KAUKAUNA, WIS.,
April 16, 1969.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: In such a prosperous nation as we are privileged to live in, it is extremely disheartening to see and know who are living in total poverty—living in substandard housing, existing on substandard diets and receiving inadequate education for today's labor market.

What is even more disheartening is to see our government hack away at anti-poverty programs, such as the Job Corps which has done an outstanding job in combating poverty, under the pre-text of fighting inflation and saving the taxpayers dollar. If our present system of government cannot control the value of the dollar any other way and continues to allow people to live in conditions such as the poor in this country live in, then I say let's re-evaluate the system. Under our present economic structure, is it necessary to have poor people before there can be rich people? Apparently some people think it is.

I work for the Work Incentive Training Program in the Fox River Valley and even in the Fox River Valley poverty exists. The WIN Program has sent young men and women to Job Corps and would like to be able to continue to use this valuable resource. I strongly urge you to do whatever is humanly possible to prevent the closing of any Job Corps Center or any other cutback in the anti-poverty program at a time when we should be pushing forward with these programs.

Sincerely,

JAMES J. GILLITZER,
Fox River Valley WIN Program, Project Director.

BALTIMORE, MD.,
April 18, 1969.

Hon. GAYLORD NELSON,
Chairman, Senate Subcommittee on Employment, Manpower and Poverty, Senate Office Building, Washington, D.C.

DEAR SIR: I am writing to voice my deep concern regarding curtailment of the Job Corps Program.

During virtually the entire period in which the Program has functioned, my wife has served as a volunteer of the Baltimore Office of the Men's Job Corps. I therefore write with the advantage of more than the average citizen knowledge.

As one would expect in the instance of a service designed for the rehabilitation of the most desperate factor of our youth, there are many young men for whom the training has been less than 100% effective, but for an amazing portion of the participants, the opportunity has meant the difference between a life wasted in crime and despair, and as a useful life as productive members of society. The typical recipient of the program's benefits is a youth frustrated by normal educational opportunities, who reaches high school age without having learned the rudiments of reading and writing. He comes from a family in which there is no father image; the family living in overcrowded squalor. The vast majority of these young people have dropped out of school, and, lacking the skills for any gainful employment, they have roamed the streets until, eventually, they turn to crime as the only logical route of escape from their total frustration. The Job Corps finds them in institutions. To these boys the Job Corps is a ray of hope, the gateway to a life of self-respect. It offers the only chance to break away from the futility and hopelessness of their ghetto homes into an environment of health and opportunity. They find, in the Job Corps personnel, people concerned with their well-being, and, for the first time, they feel friendship. Many of these boys have graduated from their training corps and have returned to the local Job Corps Office to seek the same friendly help in finding employment.

It is difficult to measure the value of human lives, particularly in the case of youngsters who have virtually their whole lives ahead of them.

It is true that a dollar figure can be ascertained as the difference between the drain that these youngsters would represent on our institutional and welfare resources, as against their productivity and contribution to society, following rehabilitation, but, certainly, the entire program cannot be put on the scales in terms of dollar economy.

I think we all agree that, in the long run, helping others to help themselves is preferable to support through welfare programs, and that we will suffer if a large

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segment of our population lacks the basic education to achieve self-support standards of minimum decency.

The new administration has infinite opportunities to embark on new ideas. We need more programs to provide educational opportunities to the underprivileged. Let's not retreat from the few existing programs which offer hope for a better future.

Very truly yours,

Robert M. Goldman.

Price, Utah,
April 15, 1969.

Gaylord Nelson,
Chairman, Senate Subcommittee on Employment, Manpower, Poverty, Washington, D.C.

Dear Mr. Nelson: The removal of the Castlevalley Job Corps from this area has met with much personal concern. We wish to ask your support in keeping this camp here and in reviewing the decision which included this particular camp in the overall knife-slashing of this program.

In order for a small community such as ours to survive we must have the economic benefit of many agencies. This is particularly true of the development of the tourist industry. We are greatly concerned with the lack of development of the federal lands surrounding this area and of the great potential there is to be found here with the help of such agencies as the Castlevalley Job Corps its outstanding memorial day "Coffee-Break" programs, its interest and development of the Prehistoric Museum and its building of the famous Cleveland-Lloyd Dinosaur Quarry which has become a National Landmark.

In addition to the vital work the Castlevalley Job Corps has done to assist the visitors coming through this area they have done much for the development of the federal lands in reseeding, water preservation, community work projects, etc. which have benefited us all and been accepted by us all as a good investment in our taxes.

We do not understand why a Job Corps with the outstanding record such as this one must dissolve because it is classed as rural and why it cannot be judged on its own merits and on the record it has achieved with its boys.

Very truly yours,

Bette C. Hansen,
Manager, Prehistoric Museum.

Price, Utah,
April 15, 1969.

Mr. Gaylord Nelson,
Chairman, Senate Subcommittee on Employment, Manpower, Poverty, Washington, D.C.

Dear Mr. Nelson: The Board of Governors of the Carbon County Chamber of Commerce wish to protest the removal of the Castlevalley Job Corps from this area.

Since its beginning the Castlevalley Job Corps has designed its programs to fit into the needs and responsibilities of the community. This cannot be done successfully in an urban center.

The economic effect the removal of this camp would have on the people of this area would at this time be disastrous. There is not industry here that would be able to handle the thirty or more families this would directly affect. The absorption of the rest of the governmental staff would create a problem in itself. Where would these boys find a camp with the proper American ideals taught and displayed here? We feel that this camp has been a valuable example of the personal growth and development of the young men whom a tired society has almost forgotten.

We cannot believe that the removal of camps such as the Castlevalley Job Corps is the solution to a hundred million dollar problem. We feel that a more detailed study of the different camp situations would alleviate much of the expensive mistakes now being made and that a more realistic viewpoint on the wages paid in accordance to the surrounding areas would make a smaller financial cost to each camp-program.

Yours very truly,

Mack A. Johnson,
President, Carbon County Chamber of Commerce.

Clinton, Iowa,
April 15, 1969.

Dear Mr. Gaylord Nelson: I'm writing to ask about closing the job corps. I'm from the State of Wisconsin and from Madison. I've been here at the Clinton Iowa Job Corps for about six months. I signed up for job corps in Madison at the unemployment office. I have finished high school in 1968, and couldn't find a job. So I signed up to get a better education. Job Corps is very good and I like it. I feel there isn't any reason for closing it.

I know that a lot of people think Job Corps should be closed. I also know Mr. Nixon wants to cut the cost of taxes. But closing Job Corps will make it even higher. The welfare will just become greater.

Mr. Nelson, I know you can't change the ways of Congress. But I would like very much to know what you think of Job Corps.

Job Corps helps many girls, and myself am working hard. The classes are interesting and you can go at your speed. At school you learn only really two things, reading and writing. The Job Corps train girls to read and write, but also to have a future. I think Job Corps should stay open.

I'm a white girl, and have never been around so many different colors or races. But I'd never change the experience I've had for anything. I think if people were like this the race problems wouldn't be, and the so-called generation gap.

I like very much to see Clinton Iowa Job Corps stay open.

Please help us keep it open. I have one last thing to say. I wonder what the future will be like! Another Depression! That's how things look towards me and my future. My generation will be the next leaders and without education, it's going to be some place!

Please write and tell me how you feel? I understand that we have problems. But these problems aren't that big, really!

Here's my address: Miss Lorna Watson, 2602 N. 4th St., Clinton, Iowa. 53932.

Truly yours,

Lorna Watson.

Milwaukee, Wis.,
April 11, 1969.

Hon. Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: I would like to take this time to tell you that I support your protest against the job corps cuts. I believe that the job corps training centers are necessary for the well being of many of America's citizens.

Sincerely,

Dace Incis.

Burns, Oreg., *April 15, 1969.*

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

I understand from the news report, that the Malheur Job Corps Center will be closed by the 1st. of July 1969.

As a citizen of Harney County, which is one of the largest Counties in the United States, and the Federal Government owns 80-percent of the land in the county, which makes it difficult to maintain a good economy. As I remember, the citizens of this county did not ask to have the Job Corps brought in, but since it is here, and the government has spent a large sum of money for buildings, water systems, sewage and maintains a good payroll, new homes have been built in Burns and Hines, Oregon to accommodate the personnel, and a part of the personel are citizens of the county. It just doesn't make sense to close this Malheur Job Corps Center and take these boys to Portland, Oregon. A good many of these boys have never been able to enjoy the Out-Doors before in their lives. It appears to me, that this set-up has every advantage of placing these boys in or near a large city. If the Job Corps is closed, there is nothing to go into its place. This Job Corps Center is set up to give these boys an education in handling Heavy Equipment and working with their hands, the thing that our Education System is falling down on.

Very truly yours,

Eban Ray.

Burns, Oreg., *April 15, 1969.*

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator: I am protesting the closure of the Malheur Job Corps Center here in Burns, Oregon.

I have visited this center several times and I am sure it is accomplishing a lot of good for these boys that have come from the Slums and poverty stricken areas of our country. Some of these boys could not read or write and did not know how to work with their hands. Here they have had the opportunity to accomplish many things they could not acquire near or in a large city.

Sincerely yours,

William E. Ray.

Salem, Oreg., *April 18, 1969.*

Hon. Gaylord Nelson,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Nelson: President Nixon budget message proposes the removal of a Job Corps Center from the city of Burns, Oregon. We do not protest this attempt to cut back the budget of the Federal level. If it is the intention to move this center out of the State of Oregon, we would have to agree that this program is very expensive. However, if it is to be moved to another city in Oregon, here is the matter of $3 million in facilities which would be abandoned. Thus, a move from Burns to another city in Oregon would not seem to be in the interest of greater economy in government. There has been a concentrated attempt to solve the problems in our ghetto urban centers. In this respect, I must point out that the community of Burns has warmly accepted the Job Corps Center, and if this center is to be retained in Oregon, this is the most likely and receptive community. Thank you for your consideration. Respectfully.

Robert F. Smith,
Speaker of the House.

Lancaster, Wis.,
April 14, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator Nelson: Just a note to commend you again—this time for your stand against the recently announced closing of Job Corps Centers!

Last week I was up north with a group of teens from our congregation. We had just visited the Clam Lake Job Corps Center the day before the news came out in the paper that the center would be closed. While at the center, I visited with several members of the staff and with some of the Corpsmen.

Let it be said that I am not naive enough to believe that the Job Corps is going to make either angels or 100% perfect citizens out of the youth who participate! It does seem to me, however, that the Job Corps is a constructive attempt to meet some very real

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needs of some very real individuals in our society.

I therefor urge you to continue your efforts to keep the Centers open—yes, to expand them for they are a front-line defense against poverty, against inner decay, and against (ultimately) revolution.

To me, Job Corps, VISTA, and the Peace Corps are all an investment in people—and I'd rather pay taxes for that than for the new buildings, roads, etc., etc., which so often seem to receive the first funding and the last cut-back!

I have written to the President, and would be pleased to do anything else which might be helpful to keep the Job Corps going.

Sincerely,

KEN GELHAUS, *Pastor.*

MARQUETTE, MICH.,
April 16, 1969.

Hon. GAYLORD NELSON,
Chairman, Senate Antipoverty Subcommittee, U.S. Senate, Washington, D.C.

DEAR SENATOR NELSON: As a priest in the Hurley, Ironwood, area at a time when you served as governor of the State of Wisconsin, I had the pleasure of meeting with you during negotiations that resulted in the establishment of a natural gas pipeline that services the northern parts of our two states.

Now, as chairman of the Community Affairs Committee of the Marquette Catholic Diocese, I am seeking your assistance in championing a cause for which I have deep convictions—retention of the Women's Job Corps Center at Northern Michigan University.

The Community Affairs Committee was formed by the Diocese to become an influence in alleviating and eliminating causes and instances of poverty in the Upper Peninsula and to cooperate with other agencies charged with the same responsibility. Because of its commitment, the committee instructed its executive director to work with the Clergy Council of the area in its investigation into the significance and desirability of the university's Job Corps Center. Such an investigation was based on persistent rumors that the center was to be closed. Last week the mass media announced that, indeed, the center would be closed.

Based on recommendations of the council, the Community Affairs Committee has asked me in its name to seek your support for the continuation of the center and to ask that our endorsement for continuation be recorded in any hearings that might determine the future of the Women's Job Corps at Marquette.

Most respectfully yours.

Rev. LOUIS C. CAPPO,
Chairman, Community Affairs of the Marquette Catholic Diocese.

PLACERVILLE, CALIF.,
April 16, 1969.

Hon. GAYLORD NELSON,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: I am deeply disturbed at the closure of Sly Park Job Corps. Is there anything that can be done to stop this from happening?

The job being done at Sly Park is excellent. Sure, educating and training unemployable youth is costly, but there is no cheap way to break the welfare cycle. It would be far more costly in the long run to send them back to the ghettoes. The boys at Sly park are mostly from California.

Ostensibly the newspaper said the shutdown is to save money. This is poor economy, to stop a running program in order to experiment and spend quantities of money to start another. There is $800,000 invested in a permanent installation which will be just shut down. This is waste, not saving money.

This particular Job Corps has been excellently run; if all facilities had been operated as well, I am sure there would have been nothing but praise. An across the board cut, without separating the good from the bad operation, seems stupid.

Again, there will be an adverse effect on forest conservation; with the loss of trained fire fighters, as well as the work they contribute to fire prevention and conservation.

Western El Dorado County is a poverty area, "Appalachia West", and there will be an adverse effect on the local economy. Sly Park has had an annual budget of over $600,000 and supports 35 families; the loss of this operation will be a real blow to the county.

Is there anything that we can do to keep the Sly Park Job Corps open?

Respectfully,

BRUCE CRAWFORD,
Pastor.

MARENISCO, MICH.,
April 16, 1969.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: I urge you to use your influence to oppose the closing of the Ojibway Civilian Conservation Center which is located in this township.

As an educator I have been particularly interested in this program, as they have been using the latest in educational techniques and we have studied them for possible use in our own program and have adopted those adaptable to our situation. I feel that the Center has done an outstanding job and its closing would be a great loss.

I had often used the word illiterate but until I came in contact with some of these boys at the Center, it was quite remote because in our district the dropout rate is negligible and even those few who have dropped out can read and write. So the people teaching at the Center have a start at the lowest level.

I see that to replace these centers "Skill Centers" are being proposed in or near the so called ghetto areas. Since many of the problems of these boys are caused by their environment and as they have failed in this enivronment, I seriously question if they will do any better in a "Skill Center" in the same environment, and these kids really need help.

The cost of these conservation centers is high but measured against a possible life time of welfare support, the cost is small indeed.

It seems a little bit foolish after the huge capital investment the government has made to close these camps on what seems to me to be political grounds.

The closing of this Center would also adversely affect this area which is still trying to recover from the closing of the iron mines on the Gogebic Range.

Again I urge you to use your influence to oppose the closing of these centers.

Yours truly,

TOMAS M. WALIN,
Superintendent.

BURNS, OREG.,
April 15, 1969.

Mr. GAYLORD NELSON,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty.

DEAR MR. NELSON: The recent news items and official notification that the Malheur Conservation Center is to be abandoned this fiscal year seems rather hasty and without good judgment or planning. I cannot believe the people who are responsible for this move understand just what they are doing to the welfare of the enrollees which are over 200 at present.

The Center was put in under political pressure and was handled in the most inefficient way in the beginning. Those in charge were political appointees and had very little idea what they were doing and cared less for expense, etc.

I would estimate the site cost over one million dollars and they probably have from one half to three quarters million dollars in heavy equipment. A great deal of the equipment was purchased from Army Surplus and re-conditioned by the boys. The present administrator is the first one the camp has had that has been qualified to run such a camp, and if given a chance will prove to the Government that what they started to accomplish can be achieved. Their Educational program is one of the best in the Corps. They have Government Projects on Bureau of Land Management and Fish and Wildlife land to run them from three to five years. These are planned projects and if not done by the Job Corps will be done with appropriated funds direct to the departments.

I make three trips a week to the camp and see what is being accomplished with the boys. This is the first job most of them ever had. Many of them could neither read or write when enrolled. When new enrollees come to the camp there is such a contrast between the boys who have been in the camp three or four months than the new ones. Sending the boys to Urban Centers is not what they need. They need to be out where they can learn how to work with their hands and away from the populas areas.

To deny the enrollee the use of this camp at a time when it is being conducted as a camp should is an injustice to the boys and would be a tremendous waste of Government funds to the taxpayers.

Hoping your committee can do something to prevent this waste of funds in abandoning the camp when it has the prospects of being handled in a business like way and accomplishing so much for society in helping these boys.

Very truly yours,

MORGAN TIMMS.

LIVERMORE, CALIF.,
April 9, 1969.

Hon. GAYLORD NELSON,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SIR: We, the undersigned, are strongly opposed to the abandonment of the Job Corps program. This program is one of the few avenues of hope and escape available to the unfortunates in the slums. How can one say that it is cheaper to support people forever in prisons and on welfare checks all their lives than to rehabilitate them over a period of about four years. These people have no skills to market, yet they still have to eat. Begging, welfare, or crime is their only recourse. We cannot throw these fellow citizens to the wolves and maintain much self respect as individuals and as a nation:

Mr. & Mrs. Leslie Edwards, 510 Ruth Way, Livermore, Calif.; Mr. & Mrs. William Vetanen, 1389 Sunset Dr., Livermore, Calif.; Mrs. Gail Zwakenberg, 715 Canterbury, Livermore, Calif.; Mrs. Geald A. Nevis, 580 Ruth Way, Livermore, Calif.; Mrs. C. J. Huffman, 225 Wall St., Livermore, Calif.; Mrs. G. F. Robinson, 316 Colein St., Livermore, Calif.; Mrs. Donna Cairo, 510 Sonoma Ave., Livermore, Calif., and Mr. & Mrs. I. E. House, 1343 El Dorado Dr., Livermore, Calif.

In response to a more recent proposal to set up small training centers in the slums I ask what the purpose is. This is to take care of about 15% of those abandoned. What about the others? Are we to keep the centers in the slums to keep the people in the slums, or is our goal to create useful productive citizens?

Burns, Oreg.,
April 18, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.:

We would like the Malheur Job Corps left in Harney Co. feel it is atmosphere better than big city gives these boys a chance to learn we have worked with these boys and feel they are getting a second chance.

Mr. and Mrs. Richard C. Bigelow,
Mr. and Mrs. Ray Garboden.

Pollock Pines, Calif.,
April 18, 1969.

Gaylord Nelson,
U.S. Senate,
Senate Office Building,
Washington, D.C.:

Expecting you vigorously to oppose closing Sly Park Job Corps. They are well accepted here.

Faculty and Staff of Pollock Pines
School District.

Oakland, Calif.,
April 15, 1969.

Hon. Gaylord Nelson,
Chairman, Subcommittee on Employment, Manpower and Poverty, New Senate Office Building, Washington, D.C.

Dear Senator Nelson: Your part in opposing the closing of Job Corps Centers is appreciated. For many it would be disastrous. I have written to Senator Murphy, who I am told is a member of your subcommittee and enclose a copy for the Subcommittee. I do not have an extra copy of the clipping referred to in my letter.

With best wishes for success, I am

Sincerely yours,

Helen MacGregor.

Sunol, Calif.,
April 12, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: We strongly endorse the Job Corps concept and encourage expansion of such programs in the future.

Hasty action now will result in costly mistakes in the future of our nation.

We entertain these boys in our home from time to time and they need what the Job Corps provides. Our society needs them to be productive citizens.

Thank you.

Mr. and Mrs. Charles E. Beazley.

Milwaukee, Wis.,
April 15, 1969.

Hon. Gaylord Nelson,
Senate Office Building,
Washington, D.C.:

We view with real concern the possibility that the Job Corps will be drastically reduced. As a sub-contractor of the YWCA National Board's JC-Y W project, our experience with the effectiveness of residential programs to train young women for employment prompts us to urge substantial retention of centers.

Job Corps training for women has demonstrated that employability of the disadvantaged requires more than the teaching of skills. They are also in need of personal and social counseling.

Our particular experience has been at the point of on-the-job-try in cooperation with local businesses. In general these businesses are outside the deprived neighborhoods and a sustained contact between counselors and employers has been necessary. A long range view which encompasses the salvaging of individuals with respect to their growth, development, motivation, satisfaction, citizenship responsibility as well as their economic productivity seems to us to justify the cost of these programs.

Mrs. John W. Maxwell,
President, YWCA of Greater Milwaukee.

Where Do We Begin?

Which is more critically needed by the U.S. economy—jobs for slum youths or another defense job for the Northrop aircraft corporation?

Some answers may be forthcoming before long from the Senate; they may indicate whether the nation's economic priorities will be revised or remain grotesquely maladjusted.

The Nixon Administration is expected to make public today a list of Job Corps centers around the nation which are to be closed down, saving an estimated $100 million for the budget surplus decreed by the White House. Later, up to $30 million may be allocated to about 30 new centers in urban ghettos.

That is less than half the sum which Chairman Rivers (D-S.C.) of the House Armed Services Committee has insisted that the Air Force hand over to Northrop for the manufacture of a jet fighter to be sold abroad. The Pentagon evidently never asked for the money, but a $14 million down payment has already been authorized by the House.

Senators who have been battling against the Administration's plans to deploy a $6 billion missile defense system—how much job training might be financed with that kind of money?—intend to oppose the fighter deal vigorously.

And Sen. Nelson (D-Wis.) has appealed to the Administration to hold off on the Job Corps demobilization until Congress can review the program thoroughly. His request is both urgent and timely. Despite some much-heralded "economies" in defense spending, the White House is apparently attempting to create a budget surplus primarily at the expense of the poor. It is argued that the fighter sales would improve the nation's balance of payments position. But in elementary human terms, the priorities are tortuously unbalanced at home.

Price, Utah,
April 14, 1969.

Dear Senator Nelson: We sincerely hope you will be able to do something about taking the Job Corps from our area. We, here in the little town of Price took the Job Corps when other cities refused it. We are in a depressed area where this has meant a great deal to our economy since coal mining is the only industry. The loss would be felt greatly.

Don't let them take it away.

Sincerely,

Afton Ruggeri.

National Council of Jewish Women,
Seattle, April 14, 1969.

Hon. Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: On behalf of the *Seattle Section,* National Council of Jewish Women, which represents over 975 members, we strongly urge you to vote against the proposed cut in the War on Poverty Program Funds.

In view of the successful and necessary achievements of the Job Corps Centers, this would indeed be a false economy.

Sincerely,

(Mrs. L. A.) Ann L. Nieder,
President, Seattle Section, National Council of Jewish Women.

Women in Community Service,
St. Louis, Mo., April 13, 1969.

Senator Gaylord Nelson,
Senate Antipoverty Subcommittee,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: As Project Director of Women *In* Community *S*ervice, St. Louis, Mo., I know first hand that Job Corps Centers take youth out of the environment that stifles and gives the young people an opportunity to break with the past and start anew. No other program fits this need for poverty youth. The "Skill Centers" leave the youth where he is in his environment. There is no opportunity for a complete break away and a new start. The youth who would use the "Skill Centers" have already rejected schools.

In the Job Corps Centers where the youth live there is an opportunity to orient youth away from an attitude of hopelessness. Of course it is costly. It is working with the beginning of "hard core" unemployment. It is working with the renewal of a neglected person.

Without Job Corps Centers these young people are going to be back to the streets. With these disadvantaged youth crowded in their substandard environment this summer, our country may pay a much higher price than we can begin to save by scraping Job Corps Centers.

It is not only out of fear for the future of the United States that I plead, but it is for an opportunity for poverty youth to get out of their stifling environment and start anew.

This letter is written to support you and to bring out some more important things the Job Corps does for youth besides basic education and training in skills.

Sincerely,

Mrs. Walter G. Canham,
Project Director of WICS in St. Louis, Mo.

Bowdoin College,
Brunswick, Maine, April 14, 1969.

Senator Gaylord Nelson,
Washington, D.C.

Dear Senator Nelson: I would like to comment that the recent decision to close (among others) the Poland Spring Job Corps Center appears remarkably short-sighted. I trust that you will use your influence to try to reverse this ill-considered course of action.

Yours sincerely,

Prof. John L. Howland.

Haverhill, Mass.,
April 14, 1969.

Dear Senator Nelson: I would like to voice my protest against the closing of the Job Corps Centers in New England.

These centers are doing wonders with needy youngsters and I feel they should be supported by us all.

Thank you—

Mrs. R. Rosengard.

Kingman, Ariz.,
April 15, 1969.

Gaylord Nelson,
U.S. Senator,
Washington, D.C.:

We believe without reservation that the Kingman Job Corps have contributed much to illiterate and poverty sticken youth that have been trained here. The expense is not excessive when the product is considered. We sincerely urge your support in keeping the Kingman Job Corps intact. I have worked with the Corps and know of its accomplishments.

E. J. McCarthy,
President, Mohave County Chamber of Commerce.

Carleton College,
Northfield, Minn., April 12, 1969.

Hon. Gaylord Nelson,
Congress of the United States
Senator.

Dear Senator Nelson: It has come to my attention that President Nixon is very seriously contemplating a cut in funds and the disbanding of close to half the Job Corps camps.

I have visited the Blackwell Camp near my home town of Rhinelander and observed the tremendous good accomplished by these young men from impoverished areas. As your constitutent, therefore, I would like to strongly urge you to do your utmost to combat this rash move.

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The influx of some 32,000 disillusioned young men into the ghetto early in the summer will, no doubt, stimulate riots and general unrest such as our country has yet to experience. We cannot afford it! You will have done a great service for the country if you can curtail this madness of the Nixon Administration.

Peace now.

J. Thomas Welch.

April 14, 1969.

To: Richard M. Nixon,
President of the United States
To: George Shultz,
Secretary of Labor:

Urgently request your re-consideration of closing Clinton Job Corps. Administration of facility outstanding and facilities are absolutely unique and well suited for Job Corps training. Not another one like it in the country.

Bernard M. Jacobsen,
President,
Clinton Broadcasting Corporation.

Wilson & Johnston Builders Supply Co.,
Heavener, Okla., April 4, 1969.

Hon. Fred R. Harris,
U.S. Senate,
Washington, D.C.

Dear Senator Harris: After hearing the new administration's comments about Job Corps and reading GAO reports specifically about the Civilian Conservation Centers, I want to tell you about the positive aspects of Hodgens Civilian Conservation Center, located 12 miles south of Heavener in the Ouachita National Forest.

Hodgens Center was opened in the spring of 1965. It now has a capacity of 168 Corpsmen. It remains at about 90% of capacity, with about 70% negros. The Center requires 46 permanent staff with occasional temporary staff helping out with the Work, Education and Resident Living programs. The six vocational curriculums taught are masonry, cooking, welding, mechanics, heavy equipment and carpentry.

The primary purpose of the Center is to make Corpsmen employable. This is done by a programed educational system and work projects—such as dwellings, roads, recreation areas on Talimena Drive and many others. These projects are helpful in the development of our area.

Yes, the Center is expensive to operate, but the initial high cost of getting operational is over.

Corpsmen take liberty in Heavener, Poteau and Fort Smith and are well accepted. The anxiety of the beginning days of the Center is over. The Center is well kept and Corpsmen are well disciplined.

Most people realize the economic value of the Center to our area, the good project work the Corpsmen are doing and the training opportunities offered to the Corpsmen at Hodgens. I think the Center is an effective way to fight poverty and develop our area.

Hope you can support Hodgens in future legislation.

Sincerely,

Charles D. Wilson.

The First Presbyterian Church,
Wilkes-Barre, Pa., April 14, 1969.

Dear Mr. Nelson: I don't know a lot about all of the Job Corps program in the U.S., but the Keystone Job Corps Center for women in Drums, Pa. I know well. This is a splendid use and investment of public funds in rehabilitation and job training. The results secured are outstanding. This center is a great community asset and a life-saver for some young women who deserve a chance to make their place in a society, with jobs, where they are welcome and needed.

Cordially,

Jule Ayers.

Bowdoin College,
Brunswick, Maine, April 15, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Sir: I am writing to indicate my distress at the news of the closing of the Job Corps Center at Poland Spring, Maine. I have at least some slight idea of the hope it represented to a few of the young women who went there. Because a Northeast Airlines flight from New York to Boston to Portland was unable to go beyond Boston, two other middle-aged men and I made the Boston-Portland part of our trip on a bus otherwise filled with girls on their way to Poland Spring. It was a wild and sad and funny and wonderfully heartening experience. It seemed to me that I was seeing young people in a nearly allegorical transition from hopelessness to hope. It is unbearable to think that those who set our national priorities are willing casually but certainly to kill hope at home in the interest of dubious battles abroad.

Respectfully,

C. Douglas McGee,
Professor of Philosophy.

WICS, Inc.,
Women in Community Service,
Madison, Wis., April 14, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: As Project Director of the Women's Job Corps since its inception and as a volunteer "WICS", I implore you to keep on fighting to maintain the Job Corps.

Perhaps if the Administration were advised of the numerous and fruitful experiences we have had in giving these young people their first chance it might reconsider and reverse its present decision to make Job Corps cutbacks. The rewards in salvaged and reclaimed human resources will more than repay the costs.

Mrs. Laurence Toban, the office manager here at the Madison WICS Office, joins with me in begging you to keep fighting to preserve this worthy cause.

I close with kindest personal regards and remain,

Sincerely yours,

Elsie Kravat,
Project Director, Women's Job Corps.

Orleans, Mass.,
April 14, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: Because I have been connected with the Wellfleet Job Corps Center since its inception and am now chairman of the Community Relations Committee of this Center, I am well acquainted with the work of this organization and the fine results produced. I am told it is one of the best of its kind in the country.

I am sure that on-the-job training by industry is adequate for some young men. However, the corpsmen who come to this Center have grown up in circumstances of dire poverty and have met so many failure experiences that they need a residential program and the individual encouragement offered by over 60 volunteer tutors with whom they can work on an individual basis.

If you could see, as I have, the change which takes place in a corpsman in a few brief months, I know you also would also believe, as I do, in the efficacy of this program.

I urge you will try to do all in your power to keep this Center open and continuing to rehabilitate these young men who have been handicapped through no fault of their own. I know all the members of my committee would agree with me in this stand.

Most sincerely,

Miriam Faries,
Chairman, Community Relations Committee Civilian Conservation Wellfleet Jobs Corps Center, South Wellfleet, Mass.

Superior, Wis.,
April 15, 1969.

Dear Senator Nelson: I am writing on behalf of the Job Corps. I want my tax dollars to go to rebuild lives and help these underprivileged young people to have happy, productive lives in our society. Too much of our tax dollar is being used for destructive purposes.

I am a teacher at the Superior Technical Institute and am a member of the Douglas County Republican Organization.

Sincerely,

Gratie Steen.

Madison, Wis.,
April 12, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: I have been immensely impressed by the achievements of the job corps program and its potential for correcting some of the sorriest aspects of American life. I am deeply distressed by the administration's decision to cut these efforts to an ineffective level.

I have first hand knowledge of the good which can result from such activities. Where I work we have a boy who was converted from a social liability to an asset.

Over 30 years ago I spent some months in a CCC camp, an earlier equivalent of the job corps. That brief exposure gave me a life-long respect for the people who managed that program, and the good which resulted.

I like to see my taxes spent in reducing misery, poverty and despair.

Sincerely yours,

Jerome F. Saeman.

Clinton, Iowa,
April 14, 1969.

Senator Gaylord Nelson,
Senate Committee on Labor,
New Senate Office Building,
Washington, D.C.

Honorable Sir: Knowing that you have invited the Nixon administration to send representatives to a hearing on Friday regarding the closing of Job Corps Centers, I am writing to you to attempt to muster reconsideration to retain the women's Centers. Whereas many opportunities are available for men and boys to receive training, we have few opportunities for girls to get job training. Until a substitute for Job Corps for women is found, or until public education is willing and ready, I feel we need to keep all the Job Corps centers for women.

I have helped interview girls from this small Midwest town who have gone to Job Corps centers. I am convinced, after visiting in the homes, that these girls could never achieve, except by being displaced to a center away from their home and home-town. With urban training centers as a possible substitute for Job Corps, what would be available to help rural and small town girls?

In addition to learning a job skill, the girls in the centers have learned something about social and civic responsibilities. These values cannot be measured.

I know the operation of the centers has been costly. Operating costs could be cut, but

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welfare and support payments for drop-outs are poor substitutes for Job Corps. Phasing out programs is an expensive procedure, too. How can we justify space programs and war, and give up our investment in rehabilitating human beings? If my arithmetic is correct, and I divide the cost of the "mini-center", as proposed in a nearby town, by the number of young people it will serve, I find the dividend is much greater than what it costs for the girls at the Clinton Job Corps Center.

Until a better substitute program is ready and available, I hope Congress and the Administration will reconsider and keep the women's centers in operation.

Thank you kindly.

Sincerely yours,

(Miss) LEONA H. EBEL.

CITY OF CHADRON,
Chadron, Nebr., April 14, 1969.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: We here in Chadron appreciate your efforts to keep Job Corps Centers such as the one here open. The Pine Ridge Job Corps Center here is operated by the United States Forest Service, and has an outstanding record of placement and low cost per student.

I personally believe that the transfer of the Job Corps Centers to the Labor Department is a mistake, along with the efforts of the present Administration to replace this type of program with a program to subsidize industry. As you know, industry will never teach these people to read or write. They are only interested in what these people can do with their hands, and that is not a full education. I realize that private business has made a flop of the operation of some centers; and part of the success of the one here could be attributed to the fact that it is run by the Forest Service.

Sincerely yours,

EDWIN F. WEIS,
City Manager, City of Chadron.

KINGMAN, ARIZ.,
April 14, 1969.

GAYLORD NELSON, *Chairman,*
Senate Subcommittee on Employment, Manpower, and Poverty, Washington, D.C.

DEAR SENATOR: Even though it is right now Tax Paying time and all of us are thinking of government saving I know of no one in favor of stopping as worthy a cause as Job Corps—we live in a town in which a Job Corps center is located and see the good job that is being done.

We hope that what the people of this community are doing will be heard in Washington and that a program that is doing as much good as Job Corps will be continued.

I personally want to thank you for the help that you are giving this worthy cause.

Sincerely yours,

ALEX. THOMSON.

BURNS, OREG.,
April 16, 1969.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.:

The management and staff of KRNS radio in Burns, Oregon urge the government to reconsider the closure of Malheur civilian conservation center. We believe that the center has been very beneficial to Harney County and to the students that have received training at the center. Your help in this matter is essential.

Respectfully,

JIM WARD,
Coowner.
HOWARD MCDONALD,
Coowner.
RICH WATKINS,
BOB ZANE.

[From the Willows (Calif.) Daily Journal, Apr. 15, 1969]

THE JOB CORPS MUST NOT END

In a speech to the 15 foreign ministers of NATO last Thursday, President Nixon proposed formation of a committee to improve "the quality of life of our peoples."

The next day his administration announced plans to close more than half the nation's 106 Job Corps centers, including the Alder Springs center some 40 miles west of Willows.

No committee has been needed to improve "the quality of life" of 1,200 young men from poor families who have successfully completed the Alder Springs training program—a phenomenal 70 per cent of the 1,700 young men who have arrived at the center since it was formed four years ago.

They themselves, mostly Negroes, have improved their own quality of life, assisted by sympathetic, skilled staff members and a program of learning by doing.

Ten per cent of the graduates returned to school, 13 per cent joined the armed services (they had been unqualified previously due to educational, health or other deficiencies), and 77 per cent were placed in jobs—a wide variety of skilled jobs ranging from operating bulldozers to carpentering.

Operating under a million-dollar annual budget, the cost averaged about $5,000 for each youth successfully completing the program.

Is that cost too high? Apparently to President Nixon, who proposes appointing an international committee to improve "the quality of life of our peoples," it is.

Yet consider the far greater cost of maintaining each of these young men for the remainder of their lives on welfare. Or in prison. As many of them have freely admitted, the Job Corps was their "last chance" to lead dignified, constructive lives. It was their last chance to improve the quality of their lives. Now this last chance will be closed to countless other young men from poverty-stricken homes.

Consider, too, the work programs accomplished by the corpsmen as they have learned by doing. Located in the Mendocino National Forest they have built fire trails and lookout stations; last year alone spent 3,233 man-hours fighting fire. At the current rate of $2.10 per hour for inexperienced firefighters this alone represents $6,789 which the taxpayers otherwise would have had to pay.

The Corpsmen have built complete campgrounds, including, last year alone, more than 75 camping tables and more than 30 stoves.

They have built checkdams to stem erosion, and last year converted 200 acres of brushland into pasture for livestock and deer.

These and other programs to conserve and enhance the publicly owned national forest have greatly offset the reasonable $5,000 cost of training a youth for a useful instead of a useless life—of making him self-supporting rather than tax supported; of preserving his dignity as a man.

No better program has been proposed for improving "the quality of life" of deprived American youths. How can President Nixon possibly be justified in reducing and eventually eliminating the Job Corps?—E.F.D.

LUCY LEE HOSPITAL,
Poplar Bluff, Mo., April 22, 1969.

Hon. GAYLORD NELSON,
Chairman, Senate Subcommittee on Employment, Manpower and Poverty, Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: The majority of Butler County citizens want the Poplar Bluff Job Corps to remain an active camp.

The record proves this camp has been outstanding in its training program, with a high percentage of the corpsmen being acceptable in the labor forces following release from this unit. The local Job Corps has placed great emphasis on discipline, good citizenship and participation in community activities, along with superb scholastic training. Corpsmen have cooperated willingly in disaster work throughout this area, along with their other duties.

In making a choice for any constructive project, which concerns expenditure of tax money, the belief of all serious-minded citizens is that the choice should favor those which have proven to be outstanding. By the stipulated rules, the Poplar Bluff Job Corps was acclaimed the finest in the Nation.

Please use your influence to keep the Poplar Bluff Job Corps an active camp.

Respectfully yours,

JERRY F. MCLANE, M.D.

THE COMMUNITY CHURCH,
Manitowish Waters, Wis., April 22, 1969.

Senator GAYLORD NELSON,
Washington, D.C.

DEAR SIR: Yesterday along with other members of the Lakeland Ministerial Association I had the privilege of visiting the Ojibway Civilian Conservation Center at Marenisco, Michigan. As you may know this is one of the Job Corps Centers which is scheduled to be closed.

Let me state very frankly that it is my opinion that one has to visit one of these Centers to see the good which is being accomplished. Entirely apart from the good work of rehabilitation done for the young men involved are the constructive side effects for the communities served and our country as a whole.

My wife and I are bearing the grief of having a son missing in Viet Nam. It came as a shock to me to learn that the cost of two days's war in Viet Nam will support the Job Corps Program in our entire country for a year. I am concerned about our sense of values, and wonder about our willingness to use our resources for constructive purposes.

Love of our Country is the great theme of all of us. How are we going to express that love in such a practical way as to raise the hopes of humanity at home and abroad? Dying for our Country is an act of great dedication, but I cannot help but feel that living for one's Country in the most constructive sense is the most difficult of all.

Let us hope and pray that we find these constructive answers while we have the strength and the time left to put them into helpful action.

Cordially,

(Rev.) GARTH G. GEE.

THE SISTERS OF ST. PAUL DE CHARTRES,
Marquette, Mich., April 20, 1969.

U.S. Senate,
Washington, D.C.

DEAR MR. NELSON: I am writing in protest of the decision to close the Job Corps Center on the campus of Northern Michigan University at this time. There are over two hundred girls here who will be affected by this decision.

The proposed plan of the President to build larger, more centralized training centers for the same type of persons may be more economically feasible, but I think that some provision must be made for the disadvantaged who do not live in the immediate areas that the centers will serve. In many areas, as in the Upper Peninsula of Michigan, there are many underprivileged persons, but not enough in any one place to make a large daytime center practical. Also, I feel that more attention must be given to the plight of the present trainees in the Job Corps program. There should be a provision for a gradual transition from the present set-up to the proposed new program. Unless this is done, the future of many girls

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who will be sent home (that is, to what may be called "home") will be tragic.

Although I do not think that a college campus is an ideal place for these young underprivileged girls, I think that the present facilities and personnel should be used until all girls at present in the program have graduated. And I urge you to work for the retention of the Job Corps Center—on this campus and elsewhere—at least until the new centers are built and ready to use.

Sincerely yours,

Sister MICHAEL PAUL.

BROTHERHOOD OF PAINTERS, DECORATORS, AND PAPERHANGERS OF AMERICA, AFL–CIO,
Washington, D.C., April 15, 1969.

To: All Cabinet Members, All Members of the Congress.

I previously wrote to many of you in a much happier vein, informing you of our joint participation with the Job Corps in preparing disadvantaged youth for gainful employment in the Painting and Decorating Industry, with the ultimate goal of fitting this group into the mainstream of our society as employed taxpayers rather than having them face a future as recipients of welfare doles or prison rehabilitation. This appears to no longer be the goal of this Administration.

It saddens and alarms me to see that we are again turning our backs on a major segment of our population; for while we do not like to believe it , we still must recognize that this hardcore, disadvantaged youth group does exist.

We must not stand idly by and see our most precious resource, the youth of this country, wasted from lack of opportunity. It is my studied opinion that one of the very best and most practical ways to refine this flow of undereducated, disadvantaged, raw youth into our machine of progress is through the Job Corps Civilian Conservation Centers Program. This is practical on the job training for a practical job and no substitute has ever been found for this method by any administration since the dawn of the world.

Now is the time to search our conscience as representatives of our people and ask ourselves some basic questions. Is it really more costly to prepare a youth for employment than to keep him in prison, or on the public welfare rolls along with his future family and their future families ad infinitum? I know what my answer and the answer of the membership I am privileged to represent is to this, and hope that you are of the same mind.

Therefore, on behalf of the 210,000 members which I have the honor of representing, I ask that you exercise your influence to have this most critical decision on the part of the Administration either rescinded or modified. I would indeed hate to see the Great American Dream be turned into a nightmare for these now forgotten and disillusioned youth.

With best personal regards, I remain,

Sincerely,

S. FRANK RAFTERY,
General President.

RONAN, MONT.,
April 15, 1969.

Senator GAYLORD NELSON,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty.

DEAR SENATOR: I am writing to you in regard to the proposed closing of the Kicking Horse Job Corps Center.

You have all the percentages and costs before you so I won't repeat them again. Instead I want to bring to your attention those elusive qualities involved that are unmeasurable by a computer or a chart.

Ronan is the center of the Flathead Indian reservation. Our area is fairly remote and quiet. We have no black community. Most of us are farmers, well used to government programs.

Yet, these strange faces, black and brown and white have jolted this community into a new reality. The boys from the deep south suffered out the cold winter and dreadful homesickness, because they had a chance, a grip on a future, that only the conservation center as their stepping stone could offer. The boys from the heavily populated cities found the wilderness sometimes terrifying in its loneliness, and yet they stayed because they had a grip on a chance. We admired their determination.

The reality we of the town learned was that a great need does exist, and that an answer to that need is being offered.

Our Indian community, also used to government programs, was passive to begin with, and then it began to stir with the signs of life—an interest in a self help program—through Job Corps—to shed the stigma of Wards of the Government—that equates a man with a thing—into Job Corps where there is a chance to become a someone.

With the gradual change over to an all Indian Center, the spirit of the possibility to become a useful citizen—the need to become a useful citizen, has increased. I know that the closure of the Kicking Horse Center would be a severe blow to all the progress we feel has been made.

Where is the economy that you seek, if you take away the chance and the will to become a wage earner, and return a man and his family to the relief rolls?

I strongly protest the proposed closure of the Kicking Horse Job Corps Center.

Mrs. KEN SAGMILLER,
Citizens Council Member, Chairman, Social Concerns, Lay Conference Member, Methodist Church, Ronan Republican.

WOMEN IN COMMUNITY SERVICE,
Detroit, Mich., April 17, 1969.

Hon. GAYLORD NELSON,
Senate Labor and Public Welfare Committee,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: We are greatly alarmed at the sudden announcement of the closing of the seven Women's Job Corps Centers by the order of the President of the United States. We, who have been working with the girls, are disturbed by this ruthless decision and believe that the Congress which represents the people should be helping to make these decisions which have frightening implications and will affect thousands of human beings. Is money or people most important to our government? Does it really save dollars by closing existing centers if this is replaced by tax cuts to business and the opening of new mini-centers?

We must be sure that our girls are not summarily dismissed from their training center, but are transferred automatically to another center, even if that means keeping the centers open longer so that a systematic phasing-out process can take place. Our girl comes from the ghetto and considers herself a failure. If she is terminated without completion of her training, she may never again try to achieve a better life. Her government has broken a promise to her, which we consider a dishonest act, and as a result she may despair, lose faith in her government, and no longer respect any authority.

This period of crisis is a good time for reassessment of Job Corps. Residential Centers *are* the answer for the girls from the inner-city who need to be removed from a crippling environment in order to be able to achieve their training. The proposed mini-center can be the answer for the girl whose home conditions are fair or who does not want to leave her child or her home. We urge that the proposed Detroit mini-center be planned for *Women*. Detroit is a heavily industrialized city, and the automobile companies and other private enterprises offer training programs and jobs for men. However, there are only limited and scattered opportunities for women (we presently have 300 names in our files to fill a center today.)

We urge that the mini-centers open as soon as possible, but that the program be most carefully planned to meet the needs of the total person. We offer the following suggestions:

1. Use the trained personnel from the closing centers. They already have the experience in working with the hard-core girl. It will not be necessary then to spend additional funds for recruitment of personnel.
2. Along with skill and basic education training, there should be included group counseling, home and family guidance, grooming techniques, on-the-job training, and recreation.
3. Tie-in with big business in the city for training possibilities.
4. Have carefully thought-out screening procedures for both residential and mini-centers. Increase the age limit to 25 for mini-centers.
5. Use existing centers and equipment. (If Chicago is closed as a residential center, it can be used as a mini-center with existing facilities and staff.)

We urgently request the Congress to support effective training programs for our inner-city youth and to keep these in the hands of creative persons. Congress holds the keys for responsive government.

We in Detroit WICS are ready to continue screening and to assist in the mini-center in any way possible on a volunteer basis. The girl is our main concern. She needs to be assured a *hope* that it is possible for her to control her own life and a faith that people in government and in the community are working for her welfare and will sustain her until she can assume her rightful place in society.

Sincerely yours,

Mrs. DONALD TRACY,
Project Director (for all Detroit WICS).

BALTIMORE, MD.,
April 21, 1969.

Senator JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: As a business executive employing young people who have received Job Corps training, I would like to urge that this program be continued and that you oppose the drastic cutback in the residential training program as has been proposed.

It just is impossible today to do enough to motivate the underprivileged youth to become skillful employees, and the Job Corps has helped on this.

Please do everything you can to see that the program is continued.

Sincerely,

——— ———.

UNITED STEELWORKERS OF AMERICA,
Washington, D.C., April 24, 1969.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: Attached is a copy of Mr. Abel's telegram which he sent to Secretary of Labor Shultz opposing the precipitous shutdown of the Job Corps center for girls at the Northern Michigan University at Marquette.

Sincerely,

JOHN J. SHEEHAN,
Legislative Director.

UNITED STEELWORKERS OF AMERICA,
April 22, 1969.

Hon. GEORGE P. SHULTZ,
Secretary of Labor,
U.S. Department of Labor,
Washington, D.C.:

The closing of the Job Corps centers without proper hearings by the Congress is a needless rebuke to the national commitment

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to combat poverty. But the request for the immediate shutdown of the Girl Center at Northern Michigan University is unwarranted and precipitous. Certainly the immediacy of the order should be delayed until the present group of 100 girls can be graduated in June. Another group of approximately 100 girls will have to be returned home since there is no room at other centers. This adjustment takes time—not two weeks.

I. W. Abel, *President.*

Greater Redding
Chamber of Commerce,
April 15, 1969.

President Richard M. Nixon,
Washington, D.C.

Dear Mr. President: The Board of Directors of the Greater Redding Chamber of Commerce with over 500 businesses in membership strongly opposes the closing of the Toyon Job Corps at Project City, California. The hundreds of boys passing through this camp have been accepted by this community and marvelled at for the changes brought about in their demeanor while here. Boys who could not read or write have been enabled to learn these basic rudiments of living and have gone out to secure jobs in private industry.

We have been deeply appreciative, in this tourist economy, of the fine camps for tourists that these boys have constructed for us. They are now involved in the largest project ever attempted by the Job Corps—the construction of 416 new camp sites for the coming season. Our county has an unemployment rate of 14.2%, so you can get some idea of what these new camping spaces mean to our economy. The construction work of all kinds that the Job Corps has completed here must run into the millions.

The budget of the Toyon Job Corps has brought $750,000 into this community annually since its inception and we have been deeply appreciative of this.

We respectfully submit that this is no time to cut back projects of this kind. It would be far better to cut back severely the $80 billion military budget.

Respectfully,

Frank B. Plummer,
President.

Hemphill, Tex.,
April 24, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.:

Dear Senator Nelson: We the Commissioners Court of Hemphill, Tex., wish to express our concern over the possible closure of the New Waverly Civilian Conservation Center for the following reasons:

1. New Waverly is the only center in the Deep South. If it is closed and the adequate facilities dismanned the State of Texas and many of our underprivileged young men will suffer both financially and morally.

2. The center affiliation with the United Brotherhood of Carpenters and Joiners apprenticeship training program will be halted and thus a tangible benefit to the Nation and her citizens will not be realized in the production of useful, contributing citizens.

3. The large volumes of work projects plan to provide facilities on Sam Rayburn and Toledo Bend Lakes for public use will contribute greatly to the economy of east Texas.

4. The civilian conservation center is meeting a need for a hard core poor. If the New Waverly Center is abandoned the segment of our youth will be abandoned. This is the only program designed for the many who cannot qualify for the various dropout programs.

We implore you to carefully consider the worth of a trained corpsman to our society.

Waive this value against the cost of maintaining the center and rule accordingly.

Sincerely,

O. A. Beauchant,
County Judge, Sabine County, Tex.

Warren, Pa.,
April 22, 1969.

Hon. Gaylord Nelson,
Chairman, Senate Subcommittee on Employment, Manpower and Poverty, Washington, D.C.

Dear Mr. Nelson: May I register my deep regret at the closing of the Job Corps camp at Manenville, Pa.

More than 1,000 young men have received excellent training in learning and in living habits. They have contributed labor worth half a million dollars to this area both in federal forests and in community projects. Their loss will be a severe blow to our area. Could there be a careful reevaluation of this camp and a change in present plans?

Sincerely,

Emma E. Christian.

[From the Mohave County Miner,
Apr. 17, 1969]

The Job Corps

The closing of the Kingman Job Corps Camp saddens many people here for several reasons. First, there are many people including ourselves, who believe that the Job Corps was serving a worthwhile purpose in providing a last chance to many unfortunate youngsters who had not as yet been able to find a place for themselves in our society.

Secondly, the Job Corps performed many, many community service acts here and had won a place in the hearts of many of our citizens. The Job Corps, despite what was reported happening in some parts of the land, was respected here and was a good neighbor. And finally, the installation was a solid economic asset to the community, pumping a large amount of money into local trade channels.

During the last campaign President Nixon promised to do something about the Job Corps and he has kept his promise. The economy argument, which was put forth in the press by Congressman Steiger and Senator Fannin, is a hollow one indeed. It is strange that the first evidence of economy by a new administration had to come at the expense of the people who are lowest on the totem pole of American economics. We can only wonder what this action must mean to those people who were counting on the Corps to help them find a new life.

They say it costs $8,000 a year to keep a boy in camp. But if you divide that amount by the 100 years of neglect since the Emancipation Proclamation, the cost becomes insignificant.

We can only hope this act is no indication of the new administration's lack of orientation to the needs of the underprivileged.

Chamber of Commerce,
Huntsville, Tex., April 22, 1969.

Senator Gaylord Nelson,
Chairman, Manpower Sub-Committee, Labor and Public Welfare, Senate Office Building, Washington, D.C.

Dear Senator Nelson: Enclosed herewith is a copy of a resolution adopted by the Huntsville-Walker County Chamber of Commerce on April 14, 1969.

We respectfully request your favorable consideration in reference to this resolution.

Sincerely,

Harry Howard,
Executive Vice President.

Resolution

Whereas: The New Waverly Civilian Conservation Center is the only Conservation Center in the State of Texas; and

Whereas: The operating cost of the New Waverly Center has consistently been well below the national average; and

Whereas: The Center has operated efficiently and effectively as substantiated by its high on-board Corpsman strength ranking and by its high ranking in appraised value of completed work projects; and

Whereas: The New Waverly Center has enjoyed good community relations and received strong local support;

Now therefore be it resolved: That the Board of Directors of the Huntsville-Walker County Chamber of Commerce, assembled in regular session this 14 day of April, 1969, hereby supports the continuance of the New Waverly Civilian Conservation Center so long as the Job Corps program exists.

Foley O. Gannon,
President.

Attest:

Harry Howard.

Doctors Hospital, Inc.,
April 22, 1969.

Hon. Stuart Symington,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator Symington: Many Butler County citizens are stunned and are at a loss to understand the closing of the Popular Bluff Job Corps Camp since federal officials have constantly pointed to our camp as one of the finest in the nation.

Our camp's record proves that it has been outstanding in its training program and civic activities and the corpsmen's disaster work throughout the area has been exceptional.

We understand that many of the Job Corps Camps will remain open. If this is the case, then why not keep the one that has been considered outstanding?

We will appreciate anything you can do.

Respectfully submitted.

F. L. Kneibert, M.D.,
Chief of Staff, Medical Director.

April 23, 1969.

Dear Senator Nelson: I protest the closing of Job Corps Centers *until* and *unless* responsible provision is made for all those now in Centers *and* for the other *rural poor* and displaced youth who need a residence while getting training and rehabilitation.

Thank you,

Mrs. Andrews.

Wichita, Kans.,
April 24, 1969.

We, the undersigned, wish to protest the proposed closing of three of the four Job Corps Centers for Women in the North Central region, and the petition that the Center at Clinton, Iowa, be allowed to continue in operation, along with the Center at Excelsior Springs, Missouri, thereby providing at last two centers in this region.

Some of the reasons for this protest and petition are:

1. The four centers in the region—Omaha, St. Louis, Clinton and Excelsior Springs—are at present filled to capacity and have a backlog of applicants waiting to be admitted.

2. The 2,742 young women now in these centers cannot be accommodated at the center in Excelsior Springs—the only center in the region to be left open—since its capacity is only 385.

3. The records of the four centers give evidence that the program has been successful; their job placement records are high—in one instance, 98%.

4. The proposed mini-centers will not accommodate or even be desirable for all girls who need this help. Many of the applicants will not profit from training while living under undesirable home conditions. These proposed centers, too, will not accommodate disadvantaged rural girls or Indian girls.

5. The proposed mini-centers cannot begin to function effectively for many months. What is to take the place of the training centers now—and during the interim period?

As citizens of the United States, as concerned women, and as members of one of the four sponsoring groups of Women in Community Service—volunteer workers in the Job Corps program—we protest this action which we feel is being carried out with undue haste, with insufficient evaluation and without the benefit of congressional consultation, and we urge that further consideration be given to the effect this decision will have on the lives of hundreds of young women.

Respectfully submitted by The North Sedgwick Deanery Council of Catholic Women.

> Mrs. H. P. Dyer; Mrs. O. L. Sanders; Sister M. Loyola Pfannenstiel; Theresa Sanders; Gertrude Clupny; Sylvia Seder; Mary Tomlinson; Maxine Hilger; Ann Ethrich; Mary Frances Wisely; Louise Richel; Mrs. Leo Barbeau; Rev. Philip J. Allen, Moderator; Margaret Ann Senvert; Mrs. Don Brittain; Elizabeth James; Virginia Mies; Mrs. Rudy A. Beuke; Philomena Scheez; Mrs. Al M. Bessing; Mrs. J. C. Scheah; Mrs. D. G. Burnett.

CENTER, TEX.,
April 24, 1969.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SIR: I am writing you in regards to the New Waverly Conservation Center in Texas. Senator this is the only Civilian Conservation Center in the Deep South. We need this Center here for the purpose of maintaining and training people for jobs that needs to be done. I am asking you to help us to keep and maintain this Center. Here in the deep East Texas Area there is a great demand for trained Carpenters and skilled workers. We need this Center to help us.

Yours truly,

V. V. PATE,
County Judge of Shelby County.

To: The President, the White House, Washington, D.C.

Crises created in lives of our young Job Corpsmen by closing of their centers calls for immediate remedy. Have suggested WICS contact Foundation to Back Formation of Refugee Camps for these American displaced persons to supplement present administration plans. Dissillusionment rampant. Corpsmen bewildered as to next step now that "last chance" removed. Confidence in Government further diminished by this breach of contract.

SIGNERS

Mrs. Harry Olden, Kansas State coordinator, Wichita, Kans.

Mrs. J. W. Haupt, coordinating council, Wichita, Kans.

Mrs. Herbert Van Gieson, support service chairman, Wichita, Kans.

Mrs. Frank Schloegel, project director and president, DCCW, Kansas City, Mo.

Mrs. I. H. Wagner, State coordinator, Northern Missouri, Kansas City Mo.

Mrs. John H. Caldwell, president, Churchwomen United, Kansas City, Mo.

Mrs. Sidney Ginsburg, president, CJW, Kansas City, Mo.

Mrs. Hans Archenhold, assistant project director, Kansas City, Mo.

Mrs. A. L. Weiser, project director, Springfield, Mo.

Mrs. Walter Niles, State president, CWU, Lees Summit, Mo.

Mrs. Ralph Rhea, project director, Billings, Mont.

Mrs. Edwin Stickney, assistant project director, Miles City, Mont.

Mrs. Mike Geiger, project director, Glendive, Mont.

Mrs. George Lindgren, project director, Billings, Mont.

Mrs. J. Dewitt Safford, president CWU, Great Falls, Mont.

Mrs. Kenneth Martinez, home visitor and recruiting, Billings, Mont.

Mrs. Robert Abel, project director, Helena, Mont.

Mrs. Donald Alweis, CJW, Billings, Mont.

Mrs. W. W. Clannin, coordinating council, Denver, Colo.

Mrs. J. Russell Andrews, assistant project director, Denver, Colo.

Mrs. Fred Schwartz, project director, Denver, Colo.

Mrs. W. Everett Sullivan, assistant project director, Denver, Colo.

Mrs. Harold Leight, convener, Denver, Colo.

Helen Marie Black, public relations director, Denver, Colo.

Mrs. Velma Moore, president NCNW, Denver, Colo.

Mrs. Lucy Nevels, WICS coordinator, Lincolon, Nebr.

Mrs. Marie Folda, WICS volunteer, Omaha, Nebr.

Mrs. Zoe Numbers, State Coordinator, Boise, Idaho.

Mrs. R. A. McGuire, Project Director, Idaho Falls, Idaho.

Mrs. John Ricks, Project Director, Twin Falls, Idaho.

Mrs. R. C. Biggs, Project Director, Pocatello, Idaho.

Mrs. W. L. Huffhines, WICS Office, Springfield, Mo.

Mrs. R. E. Swenson, Convener, Springfield, Mo.

Mrs. Joe Gailey, President, CWU, Springfield, Mo.

Mrs. Isadore Lotpen, NCJW, Springfield, Mo.

Mrs. H. L. Woldridge, NCCW, Springfield, Mo.

Mrs. Herbert Smith, NENW, Springfield, Mo.

Mrs. Charles Van Alstine, Project Director, Casper, Wyo.

Mrs. L. J. Schroeder, Project Director, Thermopolis, Wyo.

Mrs. Zane Brown, Project Director, Laramie, Wyo.

Mrs. Albert Brown, Project Director, Lincoln, Nebr.

Miss Florence Brugger, Counselor, Lincoln, Nebr.

Mrs. L. J. Messer, Convener, Lincoln, Nebr.

Mrs. L. N. Bower, President, Catholic Deanery, Lincoln, Nebr.

Mrs. G. L. Collins, Representative, Negro Women, Lincoln, Nebr.

Mrs. Elmer Barnhill, President, CWU, Lincoln, Nebr.

Mrs. Opal Palmer, Interviewer, Lincoln, Nebr.

Mrs. Albert Hamersky, Public Relations, Lincoln, Nebr.

Mrs. Robert Sittig, Liaison, Deanery, Council Catholic Women, Lincoln, Nebr.

Mrs. Richard Johnston, Cochairman, Deanery, Council Catholic Women, Lincoln, Nebr.

Mrs. Roy Cameron, Volunteer, Lincoln, Nebr.

Mrs. Lucille Armstrong, Support Service, Lincoln, Nebr.

Mrs. Ralph Cuga, Dist. Chairman Coordinating Council, Lincoln, Nebr.

Mrs. Edward Pratt, Community Affairs, DCCW, Lincoln, Nebr.

Mrs. E. Ward Sims, Director, Home Visitor, Lincoln, Nebr.

Mrs. N. Bruce Hazen, President CWU, State of Nebraska, Lincoln, Nebr.

Mrs. Wayne Bunch, CWU, Hastings, Nebr.

Mrs. C. O. Michaels, Chairman, Screeners, Hastings, Nebr.

Mrs. L. A. Enersen, NCCW, Lincoln, Nebr.

Mrs. Larry Goracke, Lincoln Deanery, NCCW, Lincoln, Nebr.

Mrs. Sidney Katz, Volunteer, Lincoln, Nebr.

Mrs. Oscar Mallory, Volunteer, Lincoln, Nebr.

Miss Marilyn Maney, Volunteer, Lincoln, Nebr.

Mrs. Harry Miller, Volunteer, Lincoln, Nebr.

Mrs. Glen Peterson, WICS Director of Finance, Lincoln, Nebr.

Mrs. Bridget Phillips, Director of Volunteers, Lincoln, Nebr.

Mrs. Jerry Robinson, Volunteer, Lincoln, Nebr.

Mrs. Frank Ullman, Volunteer, Lincoln, Nebr.

Mrs. Erdice Yearly, Volunteer, Fairbury, Nebr.

Mrs. James Roberts, Volunteer, Hastings, Nebr.

Mrs. Frank Vapp, volunteer, Hastings, Nebraska.

Mrs. Wilbur Johnson, volunteer, Columbus, Nebraska.

Sister Maurine Merrigan, volunteer, Lincoln, Nebraska.

Mrs. Monette O'Brien, volunteer, Lincoln, Nebraska.

Mrs. Loyal Payne, volunteer, Lincoln, Nebraska.

Mrs. Albert Schretinger, volunteer, Lincoln, Nebraska.

Mrs. Perry Denna, volunteer, Lincoln, Nebraska.

Mrs. John Krin, screener, Beatrice, Nebraska.

Mrs. Mable Olson, screener, Beatrice, Nebraska.

Mrs. Don Brittain, coordinating council, Wichita, Kansas.

Mrs. George Hariman, convener, Grand Forks, North Dakota.

Mrs. Robert Rosenwald, volunteer, Kansas City, Missouri.

Mrs. Louis Vaughan, assistant project director, Kansas City, Missouri.

Mrs. Dorothy Gill, volunteer, Sisseton, South Dakota.

Mrs. Laverna Ostroot, State coordinator, Sisseton, South Dakota.

Mrs. Howard M. Mason, project director, Vernal, Utah.

Mrs. Frances Camizzi, volunteer, Cedar Rapids, Iowa.

Mrs. Ruth Snyder, volunteer, Perry, Iowa.

Mrs. Jack Watson, State coordinator, Des Moines, Iowa.

Mrs. W. T. Johnson, project director, Des Moines, Iowa.

Mrs. Betty Berrie, project director, Dubuque, Iowa.

Mrs. Jean Gillespey, volunteer, Des Moines, Iowa.

Mrs. Darlene Blunk, volunteer, Des Moines, Iowa.

Mrs. Kay Bly, volunteer, Des Moines, Iowa.

Mrs. Kenneth Roberts, volunteer, Des Moines, Iowa.

Mrs. Rosemary Drey, volunteer, Des Moines, Iowa.

Mrs. Genevieve Dutt, volunteer, Des Moines, Iowa.

Mrs. Loris Thomason, volunteer, Des Moines, Iowa.

Mrs. Phoebe O'Reilley, volunteer, Des Moines, Iowa.

CARBONDALE, ILL.,
April 26, 1969.

Senator GAYLORD NELSON,
Washington, D.C.:

Your support in prevent closing of Crab Orchard Job Corps project would be appreciated.

JENNIE JONES.

DENVER, COLO.,
April 23, 1969.

Senator GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: I have been greatly distressed to learn of the proposed closing of Job Corps Centers. I have personally been working with Job Corps women through WCCS, and with JCYA girls through the Denver YWCA, and have seen school dropouts who were unemployable become competent, self reliant, self supporting young women with a purpose in life. Without Job Corps training, these girls would be on the relief rolls, probably for most of their lives, so the budget savings resulting from closing the

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centers would only bring additional welfare costs.

I understand that there is a plan to establish new urban "mini" centers. However, for rural girls from areas where education is poor or non existent and job opportunities nil, residential centers are the only hope. I strongly urge that women's residential centers be continued for the vast rural area of the north central region. The location of the Clinton Center is ideal.

I also protest the closing of any Job Corps Centers before the present residents have had an opportunity to complete their training. These people have been offered a program, and it would be disastrous to give them hope and then withdraw it. This is the kind of thing which results in civil disorders.

Sincerely yours,

MRS. HELEN H. STOKES.

HORSE SHOE, N.C.,
April 24, 1969.

Senator GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: As a volunteer who has has been giving sometimes as many as forty-five hours a week to work in the poverty program with disadvantaged girls, not only in my local town but throughout the state, I have had close contact during the last three years with the benefits that have been derived from the Job Corps.

I have had the privilege of seeing girls desolate with despair, bowed by defeat, leaving for the Job Corps frightened, unsure, sometimes sullen, to come back to graduate with their heads high, full of ambition, well-groomed, well-poised, well-motivated. The transition in some girls has been so great they have been hard to recognize as being the same girls.

It is, therefore, distressing to me to know that centers, that have worked with many problems and are just beginning to function most effectively, are being closed. Two-thirds of our North Carolina girls have gone to the Huntington, West Virginia, and Poland Spring, Maine, Centers. In just the last three months, 245 girls have entered the Job Corps. Last year, 1,275 went so that you can see by this what the closing of these centers means to us because our girls are primarily rural. True, they will have opportunities to go to other centers, and I understand that Charlotte is scheduled for a mini-center, but a mini-center in Charlotte can only serve a very small portion of the girls who need help.

It seems very poor economy to me to close centers that have proven effective and open new centers that have proven ineffective as the pilot program in Baltimore, Maryland. Cheap education has always proven to be the most costly and the most detrimental to the student. It has been my observation as a volunteer, who has worked very closely with the girls and am aware of their problems and have talked with hundreds of them, that the value of the Job Corps is not the skilled training program but the residential aspect where they have to learn to live with other people, where group therapy teaches how to solve problems, without fighting, through discussion, where spare time is channeled into wholesome activities, where a whole new concept of living is developed, where for the first time girls are able to sleep between clean sheets, to have a bedspread, to have curtains at the window, to learn to keep a room tidy, to develop a sense of pride in the way their room looks, and how they look themselves. No mini-centers can give this.

It has been my experience that most girls need an opportunity to get completely away from the environment that has caused their despair and their malajustment. The residential Job Corps program gave them this opportunity to get out to develop strengths that they could not have developed in an atmosphere where defeat has always been present. These girls are victims of cheap local education—an education system geared for the college-bound, the middle-class. Are they to be victims again of another cheap education which is less expensive—a residential Job Corps program that helps to rehabilitate the total girl, or a training school for girls, or a chronic welfare recipient?

Do we put a price tag on human dignity, on the development of a productive taxpaying citizen? If you had had the privilege of visiting in homes of Job Corps girls as I have had, you could understand the problems which seem to be unsurmountable and the need for a girl to get away from local pressures which prevented her from being productive.

Today, for instance, a letter came from a girl living in extreme poverty, no way of breaking the cycle except through a residential Job Corps program. In her letter she says, "I sure appreciate your help in getting me in the Job Corps. I will never be able to thank you enough for it. I am doing OK in my work so far, and I am studying very hard so I can make something out of myself." This is the typical attitude of girls who have been given a chance to get away from conditions that have trapped them into poverty.

May I urge you, sir, to carefully weigh the savings in dollars and cents that the mini-centers may realize—to weigh against a high cost in failure and the prevention of thousands of girls being rehabilitated through the residential-type Job Corps program?

Sincerely yours,

JEAN LOUISE KEMPTON.

JOINT ACTION IN COMMUNITY SERVICES,
Akron, Ohio, April 22, 1969.

Hon. Senator G. NELSON,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: Our Board of Directors is seriously disturbed by last week's news report that the Administration intends to slash Job Jorps by $100 million (from the $280 million requested), and to shut down 58 of the 112 training centers.

Members of our Board believe that this is an unwise action to take at this time for several reasons. First, Job Corps, though undoubtedly possessing some faults, has succeeded in providing job training for 230,000 youth—youths who are now able to work at jobs providing a good income, thus furnishing them with a financial incentive to become good citizens.

Second, Job Corps has given new hope to an alienated, unmotivated and hostile segment of this nation's youth, many of whom have known nothing but the poverty, the corruption and the hopelessness of the urban ghetto.

Third, our communities are ill prepared to receive such a sudden influx of disadvantaged and disillusioned youth. Our own local JACS committee, for example, is just now getting organized and underway, aiming to deal with eight or ten Job Corps returnees per *month*. With such a drastic step as your Administration intends to take, we will probably have several hundred that need assistance all at once!

And finally, Mr. Senator, it does not seem wise to turn all these angry and disappointed young men loose on the streets of our cities (17,500 according to Newsweek Magazine) just as summer begins to swell even further the ranks of our out-of-school youth who are unemployed as well as untrained. Surely this would become another aggravation for those who are already angry with the deplorable conditions in which they live in our central cities.

So we are appealing to you, Mr. Senator, please reconsider this drastic action! Don't shut down the Job Corps centers; investigate them, upgrade them, even close those which seem irrelevent or inefficient. But please don't eliminate half of them and cripple the other half!

Try to give civic-minded rehabilitation volunteer groups such as ours a chance to function and show what we can do to help the returning Job Corpsmen find jobs and become self-respecting, job-holding, taxpaying citizens with a real stake in American Society. Please give these disadvantaged youth some hope and give groups like ours a chance to help them help themselves. This is all we ask. Please give this matter your prayerful consideration.

Sincerely and hopefully yours,

Mrs. Ann L. Gates, Chairman, Mr. David Nelson, Mr. Eugene Banks, Dr. Gerald Goldstein, Mrs. Elizabeth Wettach, Mr. Albert Cox, Mr. Bud Goldberg, Rev. Earl Mohler, Mrs. Elaine Gulley.

EL DORADO COUNTY OFFICE OF EDUCATION,
Placerville, Calif., April 25, 1969.

Senator GAYLORD NELSON,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: Enclosed is a copy of a letter that I recently sent to President Nixon relative to the possible closing of the Sly Park Job Corps Center in our area.

We very much appreciate the strong opposition you have taken to the closing of the Job Corps Centers, and earnestly hope that you will continue your fight.

Sincerely,

HANS A. MAYR,
County Superintendent.

EL DORADO COUNTY OFFICE OF EDUCATION,
Placerville, Calif., April 24, 1969.

President RICHARD M. NIXON,
White House,
Washington, D.C.

DEAR PRESIDENT NIXON: I am writing this letter as chairman of the El Dorado County Community Relations Council for the Sly Park Job Corps Center in Pollock Pines, California. I am also the County Superintendent of Schools for El Dorado County.

May I first say that I am truly appalled at your decision to close one of the finest programs for the rehabilitation of many young people in our Nation, namely our Job Corps Centers. I am confident that numerous letters have come to your attention recently supporting this position. As one who has worked very closely for over two years with the corpsmen and staff, I have been able to see firsthand the remarkable adjustment, productivity, and change in the entire mental structure of these people. When you realize that these young men have all come from extreme poverty, with very little hope for the future, and suddenly such changes are wrought in their lives, it is difficult to conceive that because of a change in administration, such outstanding work shall come to a sudden end.

It is the opinion and judgment of many citizens that the rehabilitation possibilities for these and thousands of others should not be decided at the whim of any particular administration. Give these young men a chance!

The alternate plans that we are reading about that are being suggested by your administration will in no manner correct the disillusionment and disgust that these young men now feel. Within the past few days, I have met with several of these people, and I have never before seen such disappointment in the eyes of youth. These human beings deserve better treatment.

I should also like to point out that they will be returning to the ghetto areas in their various communities at the beginning of a long, hot summer—ready for anything. I appeal to you to at least delay any action as to the closing of any of the Job Corps Centers, especially our Sly Park facility. I am enclos-

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ing some factual background material for your information, and would be most willing to offer any other substantiating statistics if requested.

I have followed your career since your first successful campaign against Representative Jerry Voorhees, and was privileged to hear one of your earliest political speeches before a joint luncheon meeting of all the service clubs in El Monte, California. I have supported you completely throughout these years; I have admired your courage and your philosophy. I hope that you will speak for these young people who, because of lack of economic and social status, cannot speak for themselves. Please reconsider your action.

Sincerely.

Hans A. Mayr,
County Superintendent.

Pennsburg, Pa.,
April 25, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator: I am writing to let you know of my support and others too, who believe that the Job Corps centers should not be closed down. Our rural areas too need training and it is not fair to put all the emphasis on inner city work. I wish your friends of Job Corps group the best of success.

Sincerely yours,
H. George Bonekemper.

Holy Family Hospital,
Manitowoc, Wis., April 24, 1969.

Hon. Gaylord A. Nelson,
Senate Office Building,
Washington, D.C.

Dear Mr. Nelson: This letter is to inform you of our opposition to abrupt closing of Job Corps Centers. We feel that Job Corps Centers should not be closed until adequate and expanded facilities are in operation to guarantee the continuation of programs to train the hard core unemployed and underemployed. To set up replacement facilities in 30 urban centers by July 1 seems unrealistic. Continued withdrawal of promised assistance and opportunity cannot help but make the disadvantaged cynical and disillusioned about the depth of commitment the nation has to overcoming poverty and discrimination.

We urge your opposition to this measure. Thank you for your consideration.

Sincerely,

Sister M. Karen Anne,
Instructor in Medical Surgery Nursing.

League of Women Voters
of Elm Grove,
Elm Grove, Wis., April 24, 1969.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: Recently, the Secretary of Labor George P. Shultz announced the closing by July 1 of 59 Job Corps centers and the plans for establishing 30 urban "mini" skill centers to substitute training in urban centers for the Job Corps.

On behalf of the League of Women Voters of Elm Grove, I would bring to your attention our belief that Job Corps centers should not be closed until adequate facilities are in operation to guarantee continuation of programs for training these unskilled and unemployed young people. The League has supported the Job Corps in the past. However, it seems unrealistic to expect replacement facilities in 30 urban centers to be ready by July 1. Therefore, we oppose the abrupt closing of the present centers. As urban centers are developed, they may prove better able to fill the needs of the disadvantaged. The League would not then oppose and perhaps would support the phasing out of the Job Corps.

We feel that the relatively small saving anticipated through the closing of these centers would probably result in the permanent "loss" of most of these young people now in training who would perhaps become disillusioned about the depth and commitment the nation and the government have to overcome poverty and unemployment.

I respectfully ask that you give this matter your attention and perhaps join with others in helping to have this order rescinded.

Yours very truly,

Mrs. Rufus Stacy,
President.

Kingman Jaycees,
Kingman, Ariz., April 24, 1969.

Hon. Gaylord Nelson,
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, U.S. Senate, Committee on Interior and Insular Affairs, Washington, D.C.

Dear Mr. Nelson: It is the feeling of the Kingman Jaycees that the decision to close the Kingman Civilian Conservation Center is an arbitrary one in the light of the response and cooperation which this community has received from our center.

The community has continually received assistance from the staff and corpsmen of this center at a moments notice. There has been a minimum of unpleasant occurrences related to this center and in most cases the corpsmen were not at fault.

If the records of the Kingman Center and those of the Winslow Center were compared, we are certain that they would show that Kingman is far superior in community involvement and acceptance.

We the Kingman Jaycees strongly urge you and the members of your committee to investigate thoroughly the merits of the Kingman Center and make your recommendation to the administrator in an effort to keep the Kingman Conservation Center alive.

We have operated many projects with the aid of our corpsmen and have reached goals far beyond our expectations due to their enthusiasm along with their newly learned skills and knowledge. Naturally this can be attributed mainly to the outstanding staff of this center.

The Kingman Jaycees as a whole and many, many citizens of our community are strongly opposed to the closing of this center.

Very truly yours,

James R. Westfall,
President.

Carbondale, Ill.,
April 25, 1699.

Senator Gaylord Nelson,
Washington, D.C.

Your support in prevention closing of Crab Orchard Job Corp project would be appreciated.

Mayor David Keene.

Waldport High School,
Waldport, Oreg., April 22, 1969.

Gaylord Nelson,
Chairman, Senate Subcommittee, on Employment, Manpower, and Poverty.

Dear Sir: As Principal of Waldport High School, I have had numerous opportunities to oberve the Angell Job Corps Program in action. I know many of the corpsmen, personnally, having met them when they first arrived and followed them through their tenure in the Job Corps. I have seen the tremendous changes in these young men. The development of confidence and their acquisition of educational and work skills. I believe it is a grave mistake to cut back this program.

I hope you will use my name as one who supports the program 100%.

Sincerely,

Eugene Barbier,
Principal.

Soroptimist Federation of the
Americas, Inc.,
Placerville, Calif., April 24, 1969.

Senator Gaylord Nelson,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Nelson: During our regular weekly luncheon meeting, the members of Soroptimist Club of Placerville voted against the closing of the Sly Park Job Corps Center.

We feel it is of economic value, that it provides advantages from the standpoint of conservation of human and natural resources.

We believe that the Job Corps is making a contribution to the improvement of our American society.

Yours truly,

Lydia Rohrke,
Acting Corresponding Secretary.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. MAGNUSON. Mr. President, as in executive session, from the Committee on Commerce, I report favorably sundry nominations in the U.S. Coast Guard. Since these names have previously appeared in the Congressional Record, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Robert C. Herold, and sundry other officers, for promotion in the U.S. Coast Guard; and

Walter R. Wilkinson, and sundry other Reserve officers, to be permanent commissioned officers of the U.S. Coast Guard.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Proposed Amendment of the So-Called "Import-Export Overtime Law"

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act of August 28, 1950, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work (with an accompanying paper); to the Committee on Agriculture and Forestry.

Report of Department of Defense

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report of Department of Defense contracts negotiated under the provisions of title 10, United States Code, sections 2304(a)11 and 2304(a)11, for the period July-December 1968 (with an accompanying report); to the Committee on Armed Services.

Report of Number of Officers on Duty With Headquarters, Department of the Army, Detailed to the Army General Staff

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of the number of officers on duty with Headquarters, Department of the Army and detailed to the Army General Staff on March 31, 1969 (with an accompanying report); to the Committee on Armed Services.

Report of Office of Civil Defense

A letter from the Director of Civil Defense, reporting, pursuant to law, on the Federal

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contributions program equipment and facilities for the quarter ended March 31, 1969; to the Committee on Armed Services.

Report of Export-Import Bank of the United States

A letter from the Secretary, Export-Import Bank of the United States, reporting, pursuant to law, the amount of Export-Import Bank insurance and guarantees issued in March 1969 in connection with U.S. exports to Yugoslavia; to the Committee on Banking and Currency.

Report on Department of Defense Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms for the period July 1968 to January 1969 (with an accompanying report); to the Committee on Banking and Currency.

Proposed Repeal of Section 201 of the Revenue and Expenditure Act of 1968

A letter from the Director, Bureau of the Budget, Executive Office of the President, to eliminate the limitation on the number of civilian officers and employees in the executive branch (with accompanying papers); to the Committee on Finance.

Report of Semiannual Consolidated Balances of Foreign Currencies Acquired Without Payment of Dollars

A letter from the Secretary of the Treasury transmitting, pursuant to law, a semiannual consolidated report of balances of foreign currencies acquired without payment of dollars, as of December 31, 1968 (with an accompanying report); to the Committee on Foreign Relations.

Proposed Grant Consolidation Act of 1969

A letter from the Director of the Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation, to amend title 5, United States Code, to authorize consolidation of Federal assistance programs, and for other purposes (with accompanying papers); to the Committee on Government Operations.

Third- and Sixth-Preference Classification for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third- and sixth-preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

Suspension of Deportation of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

Report of the Immigration and Naturalization Service, for Year Ended June 30, 1968

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting the 1968 annual report of the Immigration and Naturalization Service (with an accompanying report); to the Committee on the Judiciary.

Report on the Administration of the Allied Health Professions Personnel Training Act of 1966

A letter from the Secretary of Health, Education, and Welfare, transmitting, pusuant to law, a report on the administration of the Allied Health Professions Personnel Training Act of 1966 (Public Law 89–751) (with an accompanying report); to the Committee on Labor and Public Welfare.

Report of the Advisory Council on State Departments of Education

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of the Advisory Council on State Departments of Education, March 1969 (with an accompanying report); to the Committee on Labor and Public Welfare.

Proposed Legislation To Adjust the Postal Revenues and to Afford Protection to the Public From Sexually Oriented Mail Matter

A letter from the Postmaster General, transmitting a draft of proposed legislation to adjust the postal revenues and to afford protection to the public from intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the **PRESIDING OFFICER**:

Two concurrent resolutions of the Legislature of the States of Oklahoma; to the Committee on Labor and Public Welfare:

"Enrolled Senate Concurrent Resolution
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"A concurrent resolution pointing out some accomplishments of the Hodgens Job Corps Center; memorializing President Nixon to order that the Hodgens center be kept in full operation; and directing distribution

"Whereas, pursuant to recommendations by the President of the United States, certain job corps training centers have been ordered to close; and

"Whereas, among those to be closed is the Hodgens Job Corps Center at Hodgen, near Heavener, Oklahoma; and

"Whereas, operation of the Hodgens Center has resulted in tremendous strides of progress in the surrounding area; and

"Whereas, part of the regular work program at the Hodgens Center has consisted of developing picnic and camping areas and laying roads in the Kiamichi Mountains, the Ouachita National Forest and carrying out various conservation programs such as planting thousands of trees in the Talimena Drive and instruction to the trainees in various vocational and technical fields; and

"Whereas, in today's troubled times when America's youth is rebelling at every turn and the welfare programs are meeting with ever-increasing demands from their recipients, the Hodgens Center offers numerous opportunities for young men who want to learn how to get and hold a job, presenting work projects in welding, masonry, building construction, heavy equipment operation, carpentry, sign building, cooking, equipment maintenance and other areas, with prevocational training to aid the youth in selection of an appropriate field to match his aptitudes or interests; and

"Whereas, the corpsmen have become valuable assets to the surrounding communities and have demonstrated their inclination to become worthwhile citizens by participating in city clean-up campaigns; mowing the municipal airport grounds each year; hosting Christmas parties for needy children and giving toys they have collected and repaired, using their own money for expenses; assisting in fighting range fires; planting trees along the street leading to the center; cleaning the roadway of debris at regular intervals; and

"Whereas, the cost of operation of the center is small when compared to the value of the work done for the State of Oklahoma by the corpsmen and is even smaller when considered as the cost of saving a boy and making a man.

"Now, therefore, be it resolved by the Senate of the first session of the Thirty-Second Oklahoma Legislature, the House of Representatives concurring therein:

"Section 1. The President of the United States, Richard M. Nixon, is hereby respectfully requested to reconsider his decision to close certain job corps centers, and particularly the Hodgens Center at Hodgen, Oklahoma, and to order that the Hodgens Center be kept in full operation to continue the good it has been doing for the community, Le Flore County, the State of Oklahoma, the nation, and, most of all, the corpsmen.

"Section 2. That duly authenticated copies of this Resolution be distributed to the President of the United States, Richard M. Nixon, the United States Senate, The United States House of Representatives, and each member of the Oklahoma Congressional Delegation.

"Adopted by the Senate the 28th day of April, 1969.

"John R. ———,
"Acting President of the Senate.

"Adopted by the House of Representatives the 28th day of April, 1969.

"Donald W. Beauchamp,
"Acting Speaker of the House of Representatives.

"Enrolled House Concurrent Resolution
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"A concurrent resolution pointing out some accomplishments of the Arbuckle Job Corps Center; memorializing President Nixon to order that the Arbuckle center be kept in full operation; and directing distribution

"Whereas, pursuant to recommendations by the President of the United States, certain job corps training centers have been ordered to close; and

"Whereas, among those to be closed is the Arbuckle Job Corps Center at Sulphur, Oklahoma; and

"Whereas, operation of the Sulphur Center has resulted in tremendous strides of progress in the surrounding area; and

"Whereas, part of the regular work program at the Arbuckle center has consisted of developing picnic and camping areas and laying roads in the Lake of the Arbuckles Recreation Area, carrying out various conservation programs such as planting 10,000 trees in Platt National Park, and laying water lines to the new Travertine Nature Center in the National Park; and

"Whereas, in today's troubled times and when America's youth is rebelling at every turn and the welfare programs are meeting with ever increasing demands from their recipients, the Arbuckle Center offers numerous opportunities for young men who want to learn how to get and hold a job, presenting work projects in welding, masonry, building construction, heavy equipment operation, carpentry, sign building, cooking, equipment maintenance and other areas, with prevocational training to aid the youth in selection of an appropriate field to match his aptitudes or interests; and

"Whereas, the corpsmen have become valuable assets to the surrounding communities and have demonstrated their inclination to become worthwhile citizens by partici-

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pating in city clean-up campaigns, mowing the municipal airport grounds each year; hosting Christmas parties for needy children and giving toys they have collected and repaired using their own money for expenses; turning out in large groups to donate blood to the Murray County Blood Bank each time it comes to town; clearing an area in Sulphur to be used as a playground; assisting in fighting range fires; planting trees along the street leading to the center; cleaning the roadway of debris at regular intervals; and by volunteering for the heartbreaking task of searching for the bodies of drowning victims in the Lake of the Arbuckles; and

"Whereas, the cost of operation of the center is small when compared to the value of the work done for the community by the corpsmen and is even smaller when considered as the cost of saving a boy and making a man.

"Now, therefore, be it resolved by the House of Representatives of the first session of the thirty-second Oklahoma Legislature, the senate concurring therein:

"Section 1. The President of the United States, Richard M. Nixon, is hereby respectfully requested to reconsider his decision to close certain job corps centers, and particularly the Arbuckle Center at Sulphur, Oklahoma, and to order that the Arbuckle Center be kept in full operation to continue the good it has been doing for the community, the Platt National Park, and most of all, the corpsmen.

"Section 2. That duly authenticated copies of this Resolution be distributed to the President of the United States, Richard M. Nixon, the United States Senate, the United States House of Representatives, and each member of the Oklahoma Congressional Delegation.

"Adopted by the House of Representatives the 22nd day of April, 1969.

"REX PRIVETT,
"Speaker of the House of Representatives.

"Adopted by the Senate the 24th day of April, 1969.

"FINIS SMITH,
"President of the Senate."

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Finance:

"HOUSE CONCURRENT RESOLUTION 1051

"A concurrent resolution memorializing the Congress relating to taxation of state and local government bonds,

"Whereas, Equity among taxpayers is essential to popular confidence in the Federal revenue system; and

"Whereas, The Ways and Means Committee of the United States House of Representatives has conducted extensive hearing on proposals for equitable reform of the Federal personal income tax; and

"Whereas, Spokesmen for the National Governors' Conference, the National Legislative Conference, the National Association of Attorneys General and the National Association of State Treasurers, Auditors and Comptrollers have endorsed the objective of tax reform while urging the committee to refrain from changes which would weaken the capacity of the states to meet the needs for state services: Now, therefore,

"Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That this legislature commends the Ways and Means Committee of the United States House of Representatives for its efforts to improve the equity of the Federal personal income tax.

"Be it further resolved: That the legislature of the state of Kansas records its concurrence with the testimony on behalf of other state officials, to wit:

"(*a*) That no change be made which would deprive state and local government obligations, other than Industrial Revenue Bonds of their traditional immunity from Federal taxation;

"(*b*) that no change be made which would result in constriction of the market for bonds issued by the states or local governments;

"(*c*) that no change be made which would interpose Federal judgments relating to the policies of the states or local governments; and

"(*d*) that no change is acceptable which would subject borrowing by the states and local governments to the uncertainties of the appropriation processes of the Congress.

"Be it further resolved: That a duly attested copy of this resolution be immediately transmitted by the secretary of state to the Speaker of the United States House of Representatives, President of the United States Senate, and to each member of Congress from this state.

"CALVIN A. STROWIG,
"Speaker of the House.
"L. O. HAZEN,
"Chief Clerk of the House.
"JAMES H. DECOURSEY, Jr.,
"President of the Senate.
"RALPH E. ZARKER,
"Secretary of the Senate."

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Public Works:

"HOUSE CONCURRENT RESOLUTION 1057

"A concurrent resolution memorializing Congress to designate Interstate Highway No. 70 as the Dwight D. Eisenhower Interstate Highway

"Whereas, President Eisenhower was the father of the interstate highway system and lists its creation among the great achievements of his administration; and

"Whereas, Interstate Highway No. 70 which reaches from coast to coast passes just outside of Abilene, Kansas, the hometown and final resting place of Dwight D. Eisenhower; and

"Whereas, Interstate Highway No. 70 is also the interstate route from Washington toward Camp David, the presidential retreat which the President named: Now, therefore,

"Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature of the state of Kansas respectfully requests that Congress initiate and adopt legislation designating Interstate Highway No. 70 as Dwight D. Eisenhower Interstate Highway.

"Be it further resolved: That a duly attested copy of this resolution be immediately transmitted by the secretary of state to the secretary of the senate of the United States, the clerk of the house of representatives of the United States and to each member of the congress from this state.

"CALVIN A. STROWIG,
"Speaker of the House.
"L. O. HAZEN,
"Chief Clerk of the House.
"JAMES H. DECOURSEY, Jr.,
"President of the Senate.
"RALPH E. ZARKER,
"Secretary of the Senate."

A resolution adopted by the Kochinda Municipal Council, Okinawa, concerning request for return of Okinawa to Japan; to the Committee on Foreign Relations.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

S. 1177. A bill to authorize the documentation of the vessel *West Wind* as a vessel of the United States with coastwise privileges (Rept. No. 91–164); and

S. 1590. A bill to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned tasks (Rept. No. 91–165).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FANNIN:

S. 2049. A bill to require the withholding of Federal assistance to colleges and universities that refuse to cooperate in the defense effort; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. FANNIN when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 2050. A bill to provide for increased and improved air navigation facilities to increase the safety of the Nation's Airways; to the Committee on Commerce.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLINGS:

S. 2051. A bill for the relief of Chan Sui Sin and Yam Tung Kung;

S. 2052. A bill for the relief of Dr. Hari Singh; and

S. 2053. A bill for the relief of Joyce Shiela John; to the Committee on the Judiciary.

By Mr. TOWER (for himself and Mr. HATFIELD):

S. 2054. A bill to establish the National Oceanographic Agency; to the Committee on Commerce.

(See the remarks of Mr. TOWER when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON:

S. 2055. A bill to provide that institutions of higher education that have failed to take necessary steps to maintain a reasonable degree of discipline upon their campuses shall be ineligible to receive Federal contracts; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. COTTON when he introduced the above bill, which appear earlier under a separate heading.)

By Mr. BIBLE:

S. 2056. A bill to amend title 11 of the District of Columbia Code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund of amounts paid for such annuity; to the Committee on the District of Columbia.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH:

S. 2057. A bill to prohibit the use of the mails to send material harmful to minors and to regulate the use of the mails to send material which is sexually provocative; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. BAYH when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 2058. A bill for the relief of Michele Dell'oso; to the Committee on the Judiciary.

By Mr. BROOKE:

S. 2059. A bill to extend the United States Fishing Fleet Improvement Act and to increase the annual authorization for such act; to the Committee on Commerce.

(See remarks of Mr. BROOKE when he introduced the above bill, which appears under a separate heading.)

By Mr. MONDALE (for himself, Mr. Cranston, Mr. Dodd, Mr. Eagleton, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hollings, Mr. Hughes, Mr. Inouye, Mr. Kennedy, Mr. Magnuson, Mr. Mansfield, Mr. McGee, Mr. McGovern, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Randolph, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of Ohio):

S. 2060. A bill to provide for an expanded Head Start child development program within the Office of Economic Opportunity; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear earlier under a separate heading.

By Mr. MONDALE:

S. 2061. A bill for the relief of Mrs. Nancy Yuan; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 2062. A bill to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON (by request):

S. 2063. A bill to amend the act entitled "An act to authorize the partition or sale of inherited interests in allotted lands in the Tulalip Reservation, Wash., and for other purposes," approved June 18, 1956 (70 Stat. 290); to the Committee on Interior and Insular Affairs.

By Mr. CANNON (for himself and Mr. Bible):

S. 2064. A bill to provide for the establishment of a national cemetery in the State of Nevada; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Cannon when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 2065. A bill to clarify the liability of national banks for certain taxes; to the Committee on Banking and Currency.

By Mr. FANNIN:

S. 2066. A bill to provide for the transfer of lands to the Navajo Tribe of Indians and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAVEL:

S. 2067. A bill to authorize the conveyance of certain property to the city of Nome, Alaska; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS of New Jersey (for himself, Mr. Case, Mr. Cranston, Mr. Eagleton, Mr. Hughes, Mr. Javits, Mr. Kennedy, Mr. Mondale, Mr. Nelson, Mr. Pell, Mr. Randolph, and Mr. Yarborough):

S. 2068. A bill to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 2069. A bill for the relief of Mr. Jean Idriss; to the Committee on the Judiciary.

By Mr. BENNETT:

S.J. Res. 106. A joint resolution proclaiming the week of May 24 through 30 as National Memorial Week; to the Committee on the Judiciary.

(See the remarks of Mr. Bennett when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. McCARTHY (for himself, Mr. Brooke, Mr. Javits, and Mr. Tydings):

S.J. Res. 107. A joint resolution to authorize and direct the Franklin Delano Roosevelt Commission to raise funds for the construction of a memorial; to the Committee on Rules and Administration.

S. 2049—INTRODUCTION OF A BILL TO REQUIRE THE WITHHOLDING OF FEDERAL ASSISTANCE TO COLLEGES AND UNIVERSITIES THAT REFUSE TO COOPERATE IN THE DEFENSE EFFORT

Mr. FANNIN. Mr. President, I introduce, for appropriate reference, a bill which would require the withholding of Federal assistance to colleges and universities that refuse to cooperate in the defense effort by extending to the Armed Forces, defense contractors, and Government agencies a reasonable opportunity to recruit on campus or which terminate ROTC programs or the giving of credit for such programs without the express approval of the military department concerned.

In recent weeks it has become increasingly apparent that school administrators and faculties are unable or unwilling to protect the rights of the majority of American students who desire an opportunity to be interviewed by these prospective employers or who welcome an opportunity to participate in a voluntary Reserve Officers Training Corps program.

It is in America's interest that this bill become law. Because of our unique constitutional safeguards for the rights of the individual, it may be necessary for America to tolerate certain abuses by a small minority of students and school administrators. But it is not necessary for the vast majority of Americans, who work hard and pay their taxes, to continue to finance institutions which are guilty of these abuses and which refuse to assist in the defense of freedom.

Recently, it has become fashionable to defend inaction or appeasement by college and university administrators as "institutional autonomy" or "academic freedom." I believe it is time for the intellectual and the academician to concern himself with the preservation of the Nation that guarantees him these freedoms.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2049) to require the withholding of Federal assistance to colleges and universities that refuse to cooperate in the defense effort, introduced by Mr. Fannin, was received, read twice by its title, and referred to Committee on Labor and Public Welfare.

S. 2050—INTRODUCTION OF THE AIRWAYS SAFETY DEVELOPMENT ACT OF 1969

Mr. SCOTT. Mr. President, last Christmas Eve, a commercial propjet aircraft with 47 persons aboard crashed while trying to land in a snowstorm at Bradford Regional Airport in the hilly region of northwestern Pennsylvania. Twenty of those aboard were killed.

Unbelievably and tragically, the accident was repeated only 13 days later—same type of aircraft, same airport, same weather conditions and same nature of crash on approach. In the second crash, 11 people were killed. The fact that this airport operated for nineteen and a half years without an accident suddenly meant nothing in the face of a double catastrophe that took 31 lives.

There is no final determination yet as to what caused these crashes, but there is nearly universal agreement that Bradford Airport should have had equipment which it lacked, known to flyers as an instrument landing system—ILS. And there is widespread belief that at least one of the crashes could have been prevented with such a system installed and operating. Thus, a sad tragedy becomes an object lesson in outrage and frustration: Why was there no ILS equipment at Bradford? How many more Bradfords and how many more deaths are required before every airport and every runway that should have ILS gets it?

Mr. President, the two Bradford crashes, and the loss of 31 lives has led me to restudy the problem of air safety and air navigation equipment. I have concluded that we are outrageously underequipped to have as many airplanes flying into as many airports as we have today. It is one of the shames of our Nation that we are years behind in safety requirements, not only in terms of ILS, but in terms of control towers, radar, lighting systems, and a host of aids which could have prevented deaths at Bradford and elsewhere.

With that conclusion in mind, Mr. President, I introduce today, for appropriate reference, the Airways Safety Development Act of 1969. It is a bill designed to insure that America catches up on her air navigation equipment needs with utmost haste, and then keeps up with her needs and anticipates them without requiring tragic air crashes to move future administrations and Congresses to act. I propose that Congress this year establish a trust fund, solely to provide increased and improved air navigation facilities.

My bill concentrates on improvement of the airways of the Nation, with full knowledge that there are many who have proposed and will propose legislation to enlarge the airport system of the country. I may even join in one of these bills, but I feel that our first duty is to insure safety on the existing airways, those invisible paths in the sky, artificially created by beacons, radio beams, and other devices, which are crowded and all too frequently ill defined for the bad-weather conditions and other handicaps which flyers encounter. Safe airways depend on the system which keeps aircraft apart as they each travel from origin to destination, and which guides aircraft on takeoff and landing, and during that crucial time as they circle over airports waiting to land. It is largely electric and electronic in nature, it ranges from inexpensive tiny beacons and lights to complex and costly computers and radar.

Indispensable to the system are the air traffic controllers, men who watch radars, radio to aircraft and whose heavy responsibility matches and frequently exceeds that of the pilot himself. I have joined my able and distinguished colleague from Massachusetts, Senator BROOKE, in his bill to create a Commission on Air Traffic Control. We must be certain that the manpower needs for our airways system is met. But we also desperately need equipment.

Mr. President, I think you will see why I believe action is needed—indeed, tragically overdue—to create an air safety trust fund, if we examine but one component of the airways, the instrument landing system.

Let us begin with Bradford, where I began. The Federal Aviation Administration, which has the responsibility for maintaining the airways of the Nation, and which allocates funds for ILS systems and other air navigation equipment, had determined that Bradford should have an ILS installed by mid-1970. Bradford had been asking for such a system for some 10 years, when the first of the two tragedies occurred on December 24, 1968. But the FAA, pleading poverty and a need to assign priorities, decreed through the years that Bradford was not as needy as many other airports where more instrument approaches were made per year. It is painfully clear now that priorities were badly askew. Much money which was going into airports or other FAA programs, should have been going into instrument landing systems to install them at every—or nearly every—already existing airport in the Nation. Instead, after 15 years of acknowledged need and capacity to install such systems, some 300 of the 550 airports served by commercial aircraft in the United States still do not have an instrument landing system. Ideally, of course, every runway would have ILS.

ILS does not, as one Pennsylvania writer points out, stand for infallible landing security. It is not the cure-all for air crashes and air deaths. But an instrument landing system does raise the odds against a landing tragedy by several hundred to one, according to some experts.

An ILS is an aid to finding the end of the runway in bad weather when visibility is obscured. The system will guide a pilot down a predetermined path to meet the centerline of the runway, with the help of several devices on the ground, called localizers and markers, and a scope set in the cockpit of the plane, on which the pilot can adjust crosshairs to maintain a safe glide to the runway.

It is circumstantial evidence, of course, which points the tragic finger at missing ILS installations in a series of recent fatal accidents, but it is evidence of a sort nevertheless: Of eight landing crashes nationwide since last summer in which dozens of persons were killed, there were no operating ILS installations at the sites of seven. That should be enough to move Congress to get instrument landing systems built and installed across this Nation.

Depending on their complexity, instrument landing systems can cost less than $70,000, or more than $150,000. Compared to multimillion-dollar airplanes and the incalculable cost of human lives threatened every time a pilot lands in bad weather at an unequipped runway, that cost pales. Yet, the money must be put aside, to insure that it will be spent for an instrument landing system, and not for a host of other needs, obviously real, but also diversionary of money that should go into ILS equipment.

But of course the problem does not stop with landing systems. The FAA for 2 years now has stopped building control towers at airports, because there are more urgent needs for the funds. And yet, control towers are undeniably needed at many of our smaller, but extremely busy airports from Pennsylvania to California.

There are radars in use which were built for military needs, but are doubling in a civilian air control role for which they were not designed and do not serve well. There are systems and equipment which use computers and are still in the development or prototype stage which could be used to excellent advantage as our skies become increasingly crowded.

Mr. President, I do not exaggerate when I say that our airways are unguarded and threatened today, and will become tragically cluttered and perilous tomorrow. Airline traffic in 1968 increased more than 15 percent over the 1967 level. It is plain that we are not keeping up with that kind of growth in our air traffic, as we budget funds for air navigation systems. Indeed, FAA figures show that expenditures for facilities and equipment, as they term navigational aids, has lagged distressingly behind operations at controlled airports except for a period containing two peaks between 1957 and 1962. The two peaks of expenditure represented the Grand Canyon and Maryland midair collisions which shocked all of America. I hope to eliminate the need for such monstrous tragedies to spur a proper level of spending for safety.

The trust fund approach to financing should only be used in very special cases, I feel, situations in which a clear relationship between revenue production and revenue use can be established, and where past experience has shown that inadequate resources for public health or safety are provided from General Treasury revenues.

I believe these conditions are met, to justify and even compel a trust fund approach in this instance.

The bill as drafted is very specifically aimed at increasing necessary equipment installations.

I realize there is, and will be, much discussion and debate over the question of user charges, whether and in what amount to approve them. But I most vehemently do not believe that prolonged debate should hold up equipment which could and would prevent death in the Nation's airways.

With that in mind, I have singled out what I feel to be the most intense need, and have proposed a modest user charge, only enough to cover the necessary installations, plus research and development. Also, I attempt to enact a charge which is easily visible as the same charge to all airway users.

The result is a proposed charge of 2 cents per gallon of aviation fuel, whether gasoline or jet fuel, whether purchased by commercial or general aviation.

The current 2-cent-per-gallon tax on gasoline used in aircraft is transferred now to the highway trust fund from the Treasury. This revenue would, under this bill, be placed in the new airway safety trust fund. There is absolutely no logic nor justification for any aviation fuel tax to be used for any other purpose when the revenues could be, and should be used to reduce death in the air.

Estimates of the revenues to be gained from a 2-cent-per-gallon tax on all aviation fuels, including the shift of gasoline aviation tax from the highway trust fund and the imposition of new taxes on jet fuels, vary somewhat, according to the estimator. But the range is between $185 million and $200 million in fiscal year 1970, to an approximate total of $250 million in 1974.

Again, this figure is for acquisition or production, and installation of new equipment, and for research and development of future equipment. It does not purport to cover operation and maintenance of the equipment. There is provision for annual reports to the Congress by the Secretary of the Treasury, after consultation with the Secretary of Transportation, with the thought that Congress could make whatever adjustments to the legislation which practical experience in the operation and use of the fund dictated.

My bill, if enacted, leaves much room for further debate on the subject of user charges and how far they should extend into the transportation field, including more employment of such charges in the airport/airways field.

But the very minimum use of such charges should cover the protection of lives borne aloft into our Nation's airways.

And that is the minimum—a lifesaving and very necessary minimum—that I ask before extended debate submerges the need for navigation aids.

I ask unanimous consent that certain pertinent news articles and correspondence, and the text of my bill, be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, articles and correspondence will be printed in the RECORD.

The bill (S. 2050) to provide for increased and improved air navigation facilities to increase the safety of the Nation's airways, introduced by Mr. SCOTT, was received, read twice by its title and referred to the Committee on Commerce, as follows:

S. 2050

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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SHORT TITLE

SECTION 1. This Act may be cited as the "Airways Safety Development Act of 1969".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby finds—

(1) that the Nation's system of air navigation facilities fails to provide adequate safety for the public throughout the United States;

(2) that the primary hindrance to overcoming the unsafe condition and inadequate facilities is lack of funds;

(3) that a trust fund is the most certain continuing source of funds; and

(4) that the users of the airways are capable of increasing their contribution to meeting air safety needs.

(b) It is therefore the purpose of this Act to establish a trust fund solely to provide increased and improved air navigation facilities.

AIR NAVIGATION FACILITIES AUTHORIZATION

SEC. 3. (a) The Secretary of Transportation is authorized to use amounts in the Airways Safety Trust Fund, established pursuant to section 4, for acquiring, establishing, and improving air navigation facilities pursuant to section 307(b) of the Federal Aviation Act of 1958 and for research and development for the purpose of improving such facilities pursuant to section 312(c) of such Act.

(b) The Secretary of Transportation shall include in his annual report to the Congress a complete report of his activities pursuant to this Act.

AIRWAYS SAFETY TRUST FUND

SEC. 4. (a) There is hereby established in the Treasury of the United States a trust fund to be known as the Airways Safety Trust Fund, hereinafter in this section called the trust fund. The trust fund shall consist of such amounts as are appropriated to the fund pursuant to this section.

(b) There is hereby appropriated to the trust fund out of any money in the Treasury not otherwise appropriated amounts equivalent to—

(1) 100 per centum of the taxes received in the Treasury after June 30, 1969, under the provisions of section 4042 of the Internal Revenue Code of 1954; and

(2) 2 cents a gallon for each gallon of gasoline taxable under section 4081 of the Internal Revenue Code of 1954 which is used after June 30, 1969, as fuel in an airplane.

The amounts appropriated pursuant to this subsection shall be transferred at least monthly from the general fund of the Treasury to the trust fund on the basis of estimates by the Secretary of the Treasury of the amounts received in the Treasury under the provisions of such section of the Internal Revenue Code of 1954. Proper adjustments shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(c) It shall be the duty of the Secretary of the Treasury to hold the trust fund, and (after consultation with the Secretary of Transportation) to report to the Congress not later than the first day of March of each year on the financial condition and the results of the operations of the trust fund during the preceding fiscal year and on its expected condition and operations during each fiscal year thereafter. Such report shall be printed as a House document of the session of the Congress to which the report is made. It shall be the duty of the Secretary of the Treasury to invest such portion of the trust fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (A) on original issue at par, or (B) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the trust fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. Such special obligations shall be issued only if the Secretary of the Treasury determine that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest. Any obligation acquired by the trust fund (except special obligations issued exclusively to the trust fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest. The interest on, and the proceeds from the sale or redemption of, any obligations held in the trust fund shall be credited to and form a part of the trust fund.

(d) Amounts in the trust fund shall be available, without further appropriation for making expenditures after June 30, 1969, pursuant to section 3 of this Act.

IMPOSITION OF TAXES ON AVIATION FUEL

SEC. 5. (a) Subchapter E of chapter 31 of the Internal Revenue Code of 1954 (relating to special fuels) is amended by renumbering section 4042 as 4043, and by inserting after section 4041 the following new section:

"SEC. 4042. AVIATION FUEL.

"There is hereby imposed a tax of 2 cents a gallon upon any liquid (other than any product taxable under section 4081)—

"(1) sold by any person to an owner, lessee, or operator of an airplane, for use as a fuel in such airplane; or

"(2) used by any person as a fuel in an airplane unless there was a taxable sale of such liquid under paragraph (1)."

(b)(1) Section 4041(b) of the Internal Revenue Code of 1954 (relating to tax on special motor fuels) is amended by striking out "motor vehicle, motorboat, or airplane" each place it appears therein and inserting in lieu thereof "motor vehicle or motorboat".

(2) The heading of section 4041 of such Code is amended by striking out "IMPOSITION OF TAX" and inserting in lieu thereof "DIESEL FUEL; SPECIAL MOTOR FUELS".

(3) The table of sections for subchapter E of chapter 31 of such Code is amended to read as follows:

"Sec. 4041. Diesel fuel; special motor fuels.
"Sec. 4042. Aviation fuel.
"Sec. 4043. Cross reference."

(c)(1) Section 6416(a)(2)(A) of the Internal Revenue Code of 1954 is amended by inserting after "special motor fuels)" the following: "or the tax imposed by section 4042 (2) (use of aviation fuel)".

(2) Section 6416(b)(2) of such Code is amended—

(A) by striking out the period at the end of subparagraph (R) and inserting in lieu thereof a semicolon, and

(B) by adding after subparagraph (R) the following new subparagraph:

"(S) in the case of a liquid taxable under section 4042, sold for use as fuel in an airplone, if the vendee used such liquid otherwise than as a fuel in an airplane."

(d) The amendments made by subsections (a), (b), and (c) shall apply with respect to fuels sold or used after June 30, 1969.

AMENDMENT TO HIGHWAY TRUST FUND

SEC. 6. Section 209(f) of the Highway Revenue Act of 1956 (relating to expenditures from the Highway Trust Fund) is amended by adding at the end thereof the following new paragraph:

"(7) Transfers from trust fund for gasoline used in airplanes.—The Secretary of the Treasury shall pay from time to time from the Trust Fund to the Airways Safety Trust Fund the amounts appropriated to the Airways Safety Trust Fund under section 4(b) of the Airways Safety Development Act of 1969 with respect to gasoline used as fuel in airplanes."

The material, furnished by Mr. SCOTT, follows:

U.S. SENATE,
Washington, D.C., February 3, 1969.

Hon. JOHN A. VOLPE,
Secretary of Transportation,
Washington, D.C.

DEAR MR. SECRETARY: First, let me tell you how pleased I was at your presentation on Meet the Press yesterday. I thought all three of you put the new cabinet's best possible foot forward, and I was especially gratified to note the priority you place on air transportation problem-solving.

As you may recall, at our meeting in my office on January 15 we discussed the urgent need for cooperative action to prevent the sort of aircraft accidents that claimed 31 lives in two recent and nearly identical crashes near the Bradford Regional Airport in Northwest Pennsylvania. At the time, I indicated that we would be in touch again on that subject.

It is my intention to pursue legislative action in the coming weeks and months to help correct apparent navigational safety shortcomings at airports, especially at airports in such harsh weather and terrain locations as that of Bradford. In addition, I think the Commerce Committee should investigate the entire subject of air safety, in hopes that we can fashion bills, and/or authorize the necessary funds to meet our mutual concern for safe air travel. I would welcome your suggestions in this pursuit.

Since our last discussion, Federal Aviation Administrator Thomas has informed me that his administration requested bids on January 28 to purchase 10 commercial instrument landing systems in an effort to expedite delivery and installation of these vital safety devices at Bradford and nine other locations. I applaud the responsiveness and flexibility reflected in this move by the F.A.A. I would hope that the request for bids and the actual delivery do proceed as indicated in Mr. Thomas' letter, so that Bradford, a location of harsh weather and terrain, will not have to go through another winter of peril and sharply reduced air traffic.

At the same time, however, I feel it would be most helpful if you could initiate a request for additional funds for instrument landing systems, to be included in the new Administration's budget amendments for fiscal year 1970. I was shocked to see that, coming on the heels of the recent air tragedies involving landings at runways without instrument landing systems, the budget message of former President Johnson requested a decreased appropriation of $4,900,000 in fiscal 1970 for instrument landing systems, compared with the estimated $7,392,000 to be spent for these systems in fiscal 1969. Any additional 1970 funds for these and certain other navigational aids were said to depend on enactment of legislation authorizing user charges as a fund-raising device to meet many Federal Aviation Administration needs.

I do not believe we can wait for the user-charge issue to be settled before we provide money to install systems which could

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save lives—or which might have saved lives at Bradford and elsewhere.

It is not a mere matter of economics, though economics enter into the problem; since the Bradford crashes, nearly all of the commercial aircraft serving airports without I.L.S. equipment in Pennsylvania have curtailed drastically their service to these airports because of new—and quite proper—restrictions against landing during bad weather. With I.L.S. equipment, landings and takeoffs in widely varied weather conditions could be restored, and so could much vital transportation.

But it is the lives of future passengers and the confidence of the public as a whole in aviation safety which is at stake.

I urge you to consider seriously a funding request, not only to permit acquisition of the desperately needed systems, but to permit a dramatically shorter span of time between the date of ordering an I.L.S. package, and the date of its installation at the designated airport.

While I am not in a position to specify the amount of money needed to accomplish that task, I am convinced the amount must be more, not less than the 1969 level, when we consider the tragedies of recent weeks.

I have taken the liberty of enclosing an article from the January 13, 1969, Aviation Week & Space Technology issue, which underscores my personal appeal for a renewed and massive effort to install adequate navigational aids at our Nation's airports as swiftly as possible.

I am certain we can work in close harmony to ascertain, then act on, the current and future requirements of air safety. I suggest that a higher budget request for navigational aids than submitted by President Johnson—backed in Congress by those of us vitally interested in air safety—should be a good beginning.

Where appropriate, I would appreciate being the one to introduce air safety proposals that your Department and I can agree are in the national interest.

It was a real pleasure to talk to you in the office last month. I look forward to our next meeting.

With best wishes and high personal regard,

Sincerely,

HUGH SCOTT.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., February 26, 1969.

Hon. HUGH SCOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SCOTT: Thank you for your thoughtful letter of February 5. I appreciate your kind remarks.

Your interest and comments on Airport/Airways legislation are very timely. At this time the Department is reviewing the entire subject and is planning to submit legislation to the Congress in the near future. We will be glad to work with you on this legislative proposal and your views will receive every consideration.

In regard to the Instrument Landing Systems, the FAA has now received responses to its request for bids for 10 commercial ILS's. The bids are now being evaluated and the contract will be awarded in the immediate future. According to present schedule, an ILS will be installed at Bradford this fall.

Your suggestion about further requests for ILS's, as well as many other equipment needs in the current budget, has been reviewed. At this time, it is our judgment that these total needs can only be effectively met by the enactment of user charge legislation. As you know, the current budget does include $116 million for Facilities & Equipment which is contingent upon the enactment of user charges. This figure includes a number of ILS's. In addition, I think it should be pointed out that FAA currently has a request for bids out for procurement of 115 additional ILS's from funds already appropriated by the Congress. An award for this procurement will be made late this spring.

I look forward to our next meeting and hope we may discuss this matter in the near future.

Sincerely,

JOHN A. VOLPE.

[From Aviation Week & Space Technology, Jan. 13, 1969]

FAA FACES INCREASING ILS CRISIS

(By Philip J. Klass)

WASHINGTON.—Federal Aviation Administration is facing a rising crisis in the field of bad weather landings. In the past 13 months, there have been six major airline accidents during instrument approaches, with 168 fatalities.

The total could have been much higher except for the fact that a Japan Air Lines McDonnell Douglas DC–8–62 landed in shallow water near the San Francisco airport on Nov. 22 without loss of life.

The current problems and fatality figures are almost certain to escalate as the airlines introduce larger aircraft and as they attempt more landings under the lower Category 2 minimums, with a 1,200-ft. runway visual range.

The present situation results in part from the FAA's past practice of buying ILS landing equipment on a piecemeal basis in an effort to save money. Another factor is that top agency officials have been so preoccupied with air traffic problems and the supersonic transport that they have largely ignored the instrument landing problem.

Two of the instrument landing accidents that produced nearly 100 of the fatalities, at Cincinnati and Charleston, W. Va., occurred while the glide path portion of the ILS system was inoperative. Only last month, the glide path facilities at 13 midwest airports became inoperative as a snowstorm swept across the area—a time when ILS may be sorely needed. (Snow in the air and on the ground can cause spurious activation of ILS monitors to shut down the facility even when it may be usable).

Two of the six airline instrument approach accidents were being made at airports which did not even have ILS, forcing the pilot to use VOR for an instrument approach. Another one of the six, at Chicago O'Hare airport, occurred during a missed approach and is not directly traceable to the ILS system, so far as is now known.

The eight Category 2 ILS facilities now commissioned and the 15 other sites currently planned, use vacuum-tube type equipment, most of it built a decade or longer ago. Despite the fact that newer, more reliable solid-state ILS hardware is now available from U.S. and foreign manufacturers, the FAA has none on order for primary instrument runways at major U.S. airports.

The FAA has ordered 20 of the Mark–1 ILS systems, using solid-state construction from Wilcox Electric, but these are not designed to meet Category 2 requirements.

For four months, the new glide slope facility at Atlanta Airport was inoperative because the FAA's flight inspection personnel said it did not meet specifications. When the FAA called in an outside consultant, Dr. Richard McFarland of Ohio University, he found that inspection personnel had not allowed for unusual terrain features at Atlanta in setting up their equipment. The glide slope did in fact meet specifications and has recently been commissioned.

The ILS system was developed in the U.S., and many of the ILS facilities installed around the world were built by U.S. companies. But past FAA procurement practices have so fragmented ILS expertise within the U.S. avionics industry that there is a good possibility future ILS systems installed in this country may be purchased from British or French manufacturers.

The construction of large hangars, to accommodate the McDonnell Douglass DC–10, the Lockheed L–1011 and the Boeing 747, is already threatening to introduce errors in the ILS localizer beam at Los Angeles, San Francisco and Chicago O'Hare airports. The problem, which arises because of radio energy reflected off the large structures will be encountered at other airports.

The FAA's "solution" has been to warn the airlines and the airports that it will hold them responsible for correcting any problems caused by new buildings. But the agency is not able to provide specific technical guidance to building contractors on how to design or locate the structures to avoid such problems. After United Air Lines had spent several million dollars in building a new hangar at O'Hare, it decided to hire a private consultant, Scanwell Laboratories, which also helped American Airlines with its construction problems at the San Francisco airport.

There is also growing concern about the adverse effect on ILS beams from the presence of T-tailed aircraft and the new giant jets on the runways and taxi-ways. But so far as is known, the FAA has not yet conducted quantitative tests to enable it to realistically define critical areas where such aircraft can not be permitted during ILS approaches.

The FAA plans to award a contract to International Business Machines Corp. to develop a computer-based technique to forecast the effect of new airport structures on the ILS beams. This would enable the topographical and electromagnetic profiles for any airport to be fed into the computer to predict the consequences of new structures. But the award currently is bogged down in the labyrinth of FAA procurement channels.

One observer familiar with the laborious FAA process of getting approval for any procurement, even for low-cost studies, jokingly suggests that if the agency's headquarters building were burning down "it would take the lawyers at least three months to approve the expenditure of 10 cents to call the fire department."

The technique that IBM is to develop is an outgrowth of one devised by Scanwell Laboratories with company funds and used in its American and United studies. A Scanwell spokesman says that while the use of a computer will speed up the analysis, it will still require considerable human judgment and expertise to apply.

Many of today's problems can be traced to the FAA's past policy of buying "bits and pieces" of all the ILS equipment from individual suppliers on a low-bid basis. The winning bidder would merely build a component, such as a modulator or transmitter, to the FAA design. In most cases, there was no incentive for the company to develop an in-house competence in over-all ILS technology because it probably would not be the low-bidder on the next procurement.

This is in sharp contrast to the situation in Britain and France where each government has a single source for the entire ILS system. In Britain, it is Standard Telephones and Cables, an ITT affiliate and in France it is CSF. Both are large companies with considerable resources.

In the U.S., most large avionics companies do not even seek FAA business because they find it so unprofitable.

Airborne Instruments Laboratory (AIL) has long been active in the field of instrument landing systems. But it lost so much money in competing for the Mark–1 ILS procurement, which finally went to Wilcox Electric as the lowest bidder, that AIL officials are considering withdrawing from the field. Another of the U.S. pioneers in the ILS field,

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ITT, was the highest bidder in the Mark-1 competition. The company seldom competes for FAA business because of its low profitability.

Scanwell Laboratories, which also lost out because of price in the Mark-1 competition, specializes in ILS antennas and systems. The company has two Category 2 solid-state systems installed at Tromso, Norway, and at Freeport, Grand Bahama. But the company is a small one, with fewer than a hundred employes. For this reason, it cannot afford to maintain a sizable company-funded research and development program, especially since there is little hope of recouping its investment in the highly competitive ILS hardware procurements.

One airline pilot, commenting on the FAA's emphasis on price in selecting its hardware suppliers, says: "It is hardly reassuring to be making an instrument approach in a $10 million airplane with 150 passengers aboard and know that everything depends upon the quality built into the ILS by a manufacturer who is trying to squeeze a few pennies profit out of his low bid."

The FAA says it is required to accept the lowest bid from a "qualified supplier." But an agency spokesman concedes that "procurement policies set up to protect the taxpayer when buying typewriters and carbon paper may not be valid for ILS systems where so much depends on quality and reliability."

In contrast to the military services, which have been able to establish and support areas of technical competence in industry, partly through award of research and development contracts, FAA today finds itself sorely in need of such industrial competence in the ILS field.

FAA spokesmen admit that the agency should have more in-house technical competence in ILS, especially at its National Aviation Facilities Experimental Center (NAFEC). But it simply has not been able to attract and hold such people with civil service salaries and the uncertainties that have beset the FAA budget for the last few years.

During the past three years, the FAA has had an average of only $150,000 per year to award for outside research and development aimed at ILS improvements. For Fiscal 1969, the Transportation Dept. has resorted to reprograming to put together a $330,000 budget for outside research and development in ILS technology. While this is considerably more than the funds available for the previous several years, it is a tiny fraction of the $40 million that the airlines have already invested in improving the bad-weather landing capability of their aircraft. The figure is expected to reach $65 million by January, 1970.

URGENCY SEEN

"If and when a $25-million Boeing 747 crashes during an ILS approach, killing several hundred people, the FAA will suddenly discover that it can afford to spend millions of dollars per year on ILS improvement and implementation," one airline pilot says. "It is a pity that they cannot make this discovery now." The total FAA investment in about 280 systems now installed is approximately $60 million.

Some observers speculate that the increased Fiscal 1969 budget for ILS research and development is a direct result of recent landing accidents at Charleston and Cincinnati, and the agency's fear that it might be charged with contributory negligence.

One area to which the FAA is giving increased emphasis is the development of improved monitors. These, it is hoped, will be able to detect a short-circuit or open-circuit in any one of the radiating elements in a glide slope or localizer antenna array.

The technical problems which must be solved to make the ILS system suitable for Category 2 and eventually for Category 3 operators are not of gigantic proportions, according to those familiar with the situation. But the solutions require persons skilled in ILS technology, capable of giving special attention to antenna and radiation problems.

For example, a solution to the problem of stray reflection from large airport buildings is to use very large, aperture-antenna arrays which produce a narrower localizer beam. But if the localizer beam width is squeezed down too much, then it cannot provide the "clearance" function, i.e., guidance to direct the aircraft toward the beam.

Standard Telephone and Cables (STC) has developed a technique for transmitting a clearance signal in quadrature phase with the main beam, without the need for using a separate clearance signal antenna array. The technique currently is in use at an STC system installed at Heathrow airport in Britain, and the FAA plans to evaluate the British system at NAFEC early next year.

For several years the FAA has supported a modest program at Ohio University to investigate the effects of weather conditions and snow on the accuracy of a glide-slope beam and VOR navigation signals. The funding has averaged about $80,000–100,000 per year. One result of this work has been in analytical technique, to predict site effects on the quality of a glideslope beam, prior to actual construction.

But a university spokesman says that "when we find things that ought to be done, but which we cannot do under the limited funds in our FAA contract, we often dip into university funds." Last year, for example, Ohio University supplied about $30,000 of its own money in the FAA program, he says.

The Northeast Airlines accident during an instrument approach to Lebanon, N.H., on Oct. 25, in which the pilot began his let-down after receiving a spurious indication that he was over a VOR station, has been tentatively attributed to signal reflections from the nearby mountains and a VOR receiver design which was susceptible to such reflected signals. The reflection of VOR signals may also pose problems for area navigation service.

Ohio University scientists have devised techniques which they believe can reduce this unwanted effect, but so far the FAA has not been able to find funds to support the effort.

Ohio University would like to expand its activities in ILS research and development to fill the present void. A new airport is being built at Athens, where the university is located, and the university would like to have it equipped with a full ILS system. The present general aviation airport has only a glide slope installed for its present FAA work.

McFarland, who directs the Ohio University project, suggests that several universities and industry might participate in an arrangement patterned after the Atomic Energy Commission's Argonne Laboratory in Chicago. He stresses that he does not propose that Ohio should try to duplicate the extensive instrumented facilities already installed at FAA's NAFEC facility.

One FAA spokesman says that the proposal to make Ohio University into a "sort of National Instrument Landing Laboratory is a bit pretentious." But he admits that the agency is not likely to find a bigger institution with qualified people which is willing to undertake the job at a price the FAA can afford.

FUNDS NEEDED

McFarland, a veteran pilot as well as an electrical engineer, says he has additional ILS-experienced and qualified persons in the Electrical Engineering Dept. who could go to work on ILS problems if more funds were available.

The FAA hopes to find funds to support a continuing, modest-level program at Ohio University, although it is not accustomed to committing itself to a five-year program, such as the university has proposed. But the FAA is not enthusiastic about making Ohio a national laboratory for ILS technology.

This has prompted Ohio University to discuss its ideas with several airlines and with avionics manufacturers in an effort to find financial support. Although everyone agrees that something needs to be done, they also believe that FAA should provide the funds, not private industry. As a last resort, the university is now seeking funds from the Ohio State Aviation Div. to outfit its new airport with a full ILS system.

[From Aviation Week & Space Technology, Jan. 13, 1969]

GEM NAVAID

LONDON—New navigation system for ground effect machines (GEM) will be designed and built by Elliott-Automation under a $480,000 contract from the British Ministry of Technology. Delivery of the new system is scheduled for 1970.

The system will comprise a navigator, digital computer, radar, Doppler and compass. Supplies include Decca Navigator Co., Decca Radar, Ltd., and S. G. Brown, Ltd.

In addition, Decca Systems is studying a high-speed navigation and collision-avoidance system for ground effect machines under a U.S. Commerce Dept. contract.

[From the McKean County (Pa.) Democrat, Feb. 6, 1969]

ILS: WHAT DOES IT MEAN AND HOW DOES IT WORK FOR AIR SAFETY?

The initials ILS have dominated headlines here since two crashes at Bradford Regional Airport claimed 31 lives in late December and early January.

ILS will be operational here in late fall, the Federal Aviation Administration has promised Sen. Hugh Scott (R-Pa.), if all goes well with bidding from manufacturers.

But what is ILS? What do the initials mean and how does it operate?

ILS does not stand for "infallible Landing Security," as some people think. It does stand for Instrument Landing System—and while it does not guarantee there will never be another crash, it does raise the odds against such a tragedy by several hundred to one, experts in the field say.

Mainly, ILS is a pilot's "helper" in finding a runway with accuracy in heavy weather. It tells him direction and whether or not his plane is "lined up" with the sides of the runway, and it confirms his height above the ground, as he comes down the "glide slope."

An ILS system is expensive, just how expensive it is not presently known, for there are ILS systems and there are ILS systems. A complete ILS system can run in excess of $150,000, including a high intensity approach lighting system. A partial ILS system can be considerably less expensive, officials noted.

In 1964 an experimental type of ILS was installed at the Bradford Regional Airport by the FAA on a test basis. While the system worked, various technical troubles led to its being removed. A similar system at Jamestown Municipal Airport, N.Y., worked out better and has been retained.

Briefly, an ILS system will guide an airplane down a predetermined glide path that will meet the centerline of the runway. One cockpit instrument that looks something like the scope sight on a rifle with its cross hairs, will tell the pilot whether he is high or low or to either side of the set glide path. By keeping the cross lines centered, the pilot can maintain a safe glide down to the runway.

Ground equipment for an ILS system would consist of a localizer, a glide path marker, and an outer and a middle marker.

Let's try an ILS approach and landing at Bradford Regional Airport. According to the Airman's Information Manual published by the Department of Transportation, FAA, the following procedures (in layman's language) would apply:

Assume you are the pilot of an airliner approaching Bradford Regional Airport. You have notified the field of your whereabouts and you have completed your pre-landing cockpit checks. As you leave your final turn and head toward the runway, you would hear a certain tone in your earphones and a purple light would flash on the panel in front of you. You have just passed through the outer marker field and you would fix your attention to the ILS instrument. If you wandered to the left side of the glide path, the vertical line would move to the right and you would turn toward the wayward line and bring it back to the center. If you got too high or low above the glide path, the horizontal line on the instrument would show your error and you would correct.

The point where you intercepted the outer marker tone would have been about five miles beyond the end of the runway. Now you are on the correct glide path. Continuing, you pass through the 3,500 foot mark from the end of the runway, hear a higher pitched tone and see an amber light flash on the panel. You then would know that you had just flown through the middle marker. Now you are about 200 feet in the air and still following the cross lines on the instrument. You know the glide path will carry you over the end of the runway, and when you can see the concrete, you will land your plane.

Put very simply, that is an ILS approach. There are, of course, many ramifications to the described procedure. It is a very precise business, for the limits of movements above, below, and to each side of the glide path are only one degree total movement up and down and five degrees from one edge to the other, says the manual. It takes a skilled pilot to make a good ILS approach. All airline pilots are schooled in the procedure and all airliners carry the necessary instruments.

But not all airports have the ground equipment.

According to Robert L. Zande, FAA equipment maintenance specialist at Bradford Regional Airport, it is possible to install and use only the localizer which will give a pilot the correct heading to the centerline of the runway.

It is not, however, possible to operate the glide path equipment alone because it must be combined with the localizer to insure a safe approach over suitable terrain. It is possible to fly the glide path indicated to a runway from any direction, but if the glide path intersects say, a mountain, then the plane will intersect the same mountain. The two units must either be operated together, or the localizer alone.

In other words, said Mr. Zande, if the localizer unit is out of commission, the airport's entire ILS system must shut down.

An ILS system, he pointed out, is good for only one runway at an airport and for only one direction on the runway. And pilots are not required by law to use the ILS system, if they do not desire to do so, Mr. Zande said. It is there for their use, and it is a valuable safety aid to the final stages of a flight, but it does not guarantee anything.

The installation of an ILS system at Bradford Regional Airport would greatly enhance the operations of the field. Such a system would insure that many "over-flights" now made here would become landings, and passengers and cargo would be discharged and picked up. An ILS at the local airport would be an undoubted benefit not only to the aircrews but to the passengers, the community, and the entire region that depends on the airport.

An ILS system is entirely automatic in operation. It needs no people to watch over it, except for periodic checks. It is expensive, it is a precision system, it is necessary, and it is perhaps the finest system for getting aircraft safely down to the point where the pilot can land them that has been devised.

But it is not infallible.

S. 2054—INTRODUCTION OF A BILL ESTABLISHING A NATIONAL OCEANOGRAPHIC AGENCY

Mr. TOWER. Mr. President, I introduce today, for appropriate reference, a measure which is designed to establish an independent agency to be known as the National Oceanographic Agency charged with the responsibilities of coordinating the Nation's programs of research in this area. Currently, there are a vast number of agencies conducting projects, but there is absolutely no overall coordination among them. Likewise, when new projects are considered, it is almost impossible to say who should carry them out, and they often die for want of a home.

This new National Oceanographic Agency—NOA—would be to the field of ocean research what the National Aeronautics and Space Administration—NASA—is to the exploration of outer space. Such a proposal was made by the President's Commission on Marine Science, Engineering, and Resources late last year. In the United States and the world the need for progress in this most vital area is becoming ever more evident. Our Nation's coastal areas and our great inland oceans, the Great Lakes, are becoming ever more polluted. Our Nation's fisheries potential is on the decrease: we were once an exporter of fish but we now import nearly 60 percent of the fish that are consumed in the United States. Although many of our coastal areas are affected by the condition and actions of the oceans, we know so little about these oceans that we are not only unable to do much about the current situation, but we are unable to plan for our future use of this great resource.

I do not intend to sound alarmist but time for reacting to these problems is running out. Breeding grounds in the ocean are being destroyed every day, and they may never be reestablished. Tides are eroding vast areas of our beaches that could and should be used for the pleasure and relaxation of the future generations. Likewise, thousands upon thousands of acres of fertile land are being left untilled or are being tilled at an extremely high risk because they are not protected from the ravages that can come quickly from the seas.

I am pleased to join with my colleague in the House of Representatives, Congressman Bob Wilson, in calling for the establishment of the National Oceanographic Agency. A strong, united, revitalized program of oceanographic research is vital to our effort for progress in this area. I ask the support of my colleagues to achieve this end.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2054) to establish the National Oceanographic Agency, introduced by Mr. TOWER (for himself and Mr. HATFIELD), was received, read twice by its title, and referred to the Committee on Commerce.

S. 2056—INTRODUCTION OF A BILL TO AMEND THE DISTRICT OF COLUMBIA JUDICIAL RETIREMENT ACT OF 1964

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to amend title 11 of the District of Columbia Code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund of amounts paid for such annuity.

This bill is designed to remedy an inequitable situation that exists under survivorship annuity provisions of the District of Columbia Judges Retirement Act of 1964.

The retirement act in question provides an elective system of contributory survivorship annuities. If a judge elects this coverage, he contributes 3 percent of his salary—through payroll deductions—to a District of Columbia judicial retirement and survivors annuity fund, and upon his death in service or after retirement the judge's widow and dependent children become entitled to an annuity.

For purposes of this survivor's annuity, the statute defines the term "widow" as a surviving wife who was married to the judge for at least 2 years immediately preceding his death, or who is the mother of issue born of her marriage to the judge and who has not remarried. A "dependent child" means an unmarried child who is under 18 years of age or one who because of disability is incapable of self-support.

These are the only categories of persons eligible to receive a survivors annuity.

A problem exists, because under the present law the election to provide a survivors annuity is irrevocable. Notwithstanding the fact that the judge's wife may have predeceased him and all his children may have grown up, married, and gone their own ways there is no provision in the law permitting the judge to terminate this coverage. He must continue his contributions to the survivors annuity fund even though no one remains who would be eligible to receive the annuity.

In such a case, present law provides that on the death of the judge such contributions, plus interest at stated rates compounded annually, must be paid—in the following order of priority—to a beneficiary designated by the judge, to his adult children or their heirs, to the judge's parents if living, or to the judge's estate.

It seems to me highly inequitable to require one to make continued payments toward a survivor's annuity when no eligible survivors exist. Also, it makes little sense to require the accumulation of such payments only to have them paid out with interest to nondependents following the judge's death.

Once there has been a failure of beneficiaries, I think the judge should be permitted to terminate his survivorship coverage. This would be compatible with the Federal civil service retirement system, which permits a Federal employee to elect not to provide for a survivors annuity at the time he retires from the

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service, which he or she may do even though there may be eligible survivors.

These judges should also be able to withdraw their contributions to the survivorship fund. It makes no sense at all to authorize a refund of these payments to others after the judge's death, and not make them available to the judge himself during his lifetime.

Mr. President, the bill I am proposing today will cure this inequity. It would permit any judge who has elected to bring himself within the survivorship coverage of the District of Columbia Judges Retirement Act, and who is unmarried and without dependents to terminate such coverage, and to have his contributions toward a survivors annuity refunded to him, with interest.

I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of these remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2056) to amend title 11 of the District of Columbbia Code to permit unmarried judges of the courts of the District of Columba who have no dependent children to terminate their payments for survivors annuity and to receive a refund of amounts paid for such annuity, introduced by Mr. BIBLE, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD as follows:

S. 2056

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (4) of subsecion (b) of section 11-1701 of title 11 of the District of Columbia Code is amended by adding at the end thereof the following: "Any judge who elected to bring himself within the purview of this subsection and who after making such election is unmarried and has no dependent child may elect—

"(A) to terminate the deductions and withholdings from his salary under paragraph (2) of this subsection and any installment payments elected to be made under paragraph (3) of this subsection, and

"(B) to have any amounts credited to his individual account under this subsection, together with interest at 4 per centum per annum to December 3, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of his election under this sentence, returned to him.

Any election under the preceding sentence shall be made in writing and filed with the Commissioner in such manner and at such time as he shall prescribe."

S. 2057—INTRODUCTION OF A BILL TO CURB MAIL-ORDER PORNOGRAPHY

Mr. BAYH. Mr. President, the growing permissiveness in our society has caused increasing concern among the citizenry regarding just how far the exploitation of sex will be permitted to go. The biggest box office successes in our cities today are films which expose in graphic detail all phases of normal and abnormal sexual relationships. On television, advertisements for numerous products employ provocative statements and gestures designed to sell the merchandise. Sex and nudity are being blatantly displayed, openly in the theater regardless of whether or not they contribute anything to the plot. Recently, young people in a major southern city were exposed to a display of male nudity and an act of homosexuality by members of a singing group who were paid to entertain these teenagers.

I do not believe that there are any parents in America who are not concerned about the influence this pervasiveness and permissiveness could have on his child. While parents can exercise some control over the movies their children see, TV programs they watch, magazines they read, and records they listen to, there is one area widely used for the distribution of pornographic literature which the Federal Government, in my estimation, has a special obligation to regulate.

Today I am introducing, for appropriate reference, a bill to curb the abuse of the mails to disseminate obscene materials. In recent months, I have received dozens of letters from irate mothers and fathers who have received into their homes pornographic advertisements for pictures, manuals, movies, records, and devices which have been addressed to them or to their children. No doubt many of my colleagues have received similar communications from disturbed parents in their States. Admittedly, there is a difference between literature and movies which are voluntarily purchased or attended by an adult, in contrast to these materials which are sent unsolicited through the mails to individual homes. I firmly believe that no one should be forced against his will to receive hardcore pornography into his home.

Several of my colleagues and the administration have recognized this problem and numerous bills have been introduced in an attempt to halt this abuse of the mails. Unfortunately, because of first amendment safeguards and the guidelines established by the Supreme Court, there is serious question about the effectiveness or constitutionality of some of these measures. After studying this problem in depth, I have arrived at what I believe is a constitutional and most feasible legislative means of stopping this traffic in smut.

Briefly, my bill would do three things: First, prohibit the use of the mails to send any sexually provocative material to a minor if the State in which he resides has a law prohibiting its sale to minors; second, require dealers in mail-order pornography first to inform the addressee that his name is on their mailing list and to give him the opportunity to decline such material before it is sent; and, third, provide for the removal of names already on the mailing list.

In several cases, the Supreme Court has considered the question of the Federal power to define the term "minor" and establishing guidelines on what is fit for the consumption of minors. The court has adhered to the view that the States, not the Federal Government, has the authority to define this term. My bill would prohibit the mailing of obscene materials to persons who are minors as defined by State law, in States which have statutes prohibiting the sale of such material to minors. Under present Federal law, a minor residing in New York, a State which now forbids the sale of pornography to minors, can still receive this material through the Federal mails. My bill would help reinforce the police power of the States, and hopefully encourage those States without such statutes to adopt them.

Congress by law in 1967 provided for the removal of an individual's name from an objectionable mailing list upon that individual's request, but this does not stop the initial mailing of obscene material. The bill I am introducing would require dealers in mail-order pornography to first inform the addressee that his name is on their mailing list. Notification would be made by a card or letter which contained the following:

First. State whether you desire to receive advertisements, material or devices pertaining to nudity, sexual conduct, sexual excitement, or sadistic sexual abuse.

Second. Give your name, address and the month, day, and year in which you were born.

Third. Sign your name.

The letter, notice, or card mailed by a sender of such material must contain no literature, graphic illustrations or device or other language except as the Postmaster General may otherwise deem necessary. Failure to return the card automatically removes the addressee's name from the mailing list. No ads or materials may be sent without the permission of the addressee.

A third provision of the bill would provide for the removal of one's name from a mailing list much in the same way as now provided by the pandering act. This would permit an individual who is receiving material and who decides later that he no longer wants it, to remove his name from the company's mailing list.

I believe that this bill is a reasonable and workable approach to protecting the American public from being exposed to unsolicited smut. Other procedures which have been suggested are unwieldly, ineffective, or unconstitutional. It seems to me that Congress has a responsibility to see that the Federal mails are not used for the peddling of smut. Too long have the dealers in pornography hidden behind the protection of the first amendment. It now is time to protect the right to privacy.

Mr. President, I ask unanimous consent that the full text of the bill be printed at this point in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2057) to prohibit the use of the mails to send material harmful to minors and to regulate the use of the mails to send material which is sexually provocative, introduced by Mr. BAYH, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

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S. 2057

A bill to prohibit the use of the mails to send material harmful to minors and to regulate the use of the mails to send material which is sexually provocative

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, **That (a) chapter 51 of title 39, United States Code, is amended by adding at the end thereof the following new section:**

"§ 4011. Mailing sexually provocative material

"(a) A sender shall not deposit in the mails, or have deposited in the mails, any sexually provocative material—

"(1) if such material is addressed to a minor in a State which has a law prohibiting the dissemination of such material to minors; or

"(2) unless such material is addressed to a person to whom a letter, notice, or card has been sent in accordance with subsection (b) of this section, and who has requested such material and has furnished the information specified by such subsection; or

"(3) if information or notice of the type referred to in subsection (c) of this section has been received.

"(b)(1) Prior to sending any sexually provocative material to an addressee, a sender shall send or have sent to such addressee a letter, notice, or card containing the following:

" '1. State whether you desire to receive advertisements, material, or devices pertaining to nudity, sexual conduct, sexual excitement, or sado-masochistic abuse.

" '2. Give your name and address, and the month, day, and year in which you were born. (If you are acting as an officer, agent, or employee of a corporation, company, partnership, firm, joint venture, society, association, or other organization, give your own name and address and the name and address of your organization and the month, day and year of your birth.)

" '3. Sign your name.'

"(2) A letter, notice, or card mailed by a sender shall be sent to an addressee only in the name of an individual or in the name of an organization. Such letter, notice, or card shall contain no other language, literature, graphic illustration, or device, except as the Postmaster General may otherwise deem necessary.

"(3) For the purposes of subsection (a)(1) of this section, the sender is entitled to rely upon information furnished by the addressee concerning the age of the addressee unless the sender has in his possession information which conflicts with the information furnished by the addressee.

"(c) If a sender of sexually provocative material—

"(1) receives information that an addressee is a minor and ineligible to receive such material because the State in which he lives has a law prohibiting dissemination of such material to minors; or

"(2) receives notice from an addressee that he no longer desires any such material; such sender shall immediately remove the name of any such addressee from his mailing list, and cease distribution of such material to the addressee.

"(d) The Postmaster General shall have authority to promulgate rules and regulations to carry out the provisions of this section.

"(e) As used in this section—

"(1) 'nudity' means the showing of the human male or female genitals, pubic area, or buttocks with less than a full opaque covering, the female breast with less than a fully opaque covering of any portion below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state;

"(2) 'sexual conduct' means acts of masturbation, homosexuality, sexual intercourse, physical contact with a person's clothed or unclothed genital, pubic area, or buttocks, or, in the case of a female, physical contact with her breast;

"(3) 'sexual excitement' means the condition of human male or female genitals in a state of sexual stimulation or arousal;

"(4) 'sado-masochistic abuse' means flagellation or torture by or upon a person clad in undergarments, a mask, or bizarre costume, or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed; and

"(5) 'sender' means a person who mails for himself, or on whose behalf there is a mailing; and

"(6) 'sexually provocative material' means any material which—

"(A) is tangible, including any device, and used or adapted, or capable of being used or adapted, to depict or arouse (through readings, sound, touch, or observation) interest in nudity, sexual conduct, sexual excitement, or sado-masochistic abuse; or

"(B) solicits or offers to send matter of the type described in subparagraph (A) of this paragraph."

(b) The analysis of chapter 5 of title 39, United States Code, immediately preceding section 4001, is amended by adding at the end thereof the following new item:

"4011. Mailing sexually provocative material.".

SEC. 2. (a) Chapter 71 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 1466. Mailing sexually provocative material

"(a) A sender who deposits in, or causes to be deposited in, the mails any sexually provocative material in violation of section 4011 of title 39, or knowingly takes the same from the mails for the purpose of circulating or disposing of or aiding in the circulation or disposition of the same, shall be fined not more than $50,000 or imprisoned not more than five years, or both.

"(b) The terms 'sender' and 'sexually provocative material' shall have the same meaning given them in section 4011 of title 39."

(b) The analysis of chapter 71 of title 18, United States Code, immediately preceding section 1461, is amended by adding at the end thereof the following new item:

"1466: Mailing sexually provocative material.".

S. 2059—INTRODUCTION OF A BILL TO IMPROVE AND EXTEND THE FISHING FLEET IMPROVEMENT ACT

Mr. BROOKE. Mr. President, I introduce today a bill to improve and extend the Fishing Fleet Improvement Act of 1964 and to increase its annual authorization.

The fishing industry in this Nation is in a state of desperate decline. This country has fallen from second place among the fishing nations of the world to sixth place in a little over one decade. The number of fishing vessels in operation is decreasing while their average age is increasing. In New England alone, for example, nearly one-third of the boats presently in operation were built before World War II, while another 43 percent of the vessels were constructed during the decade of the 1940's.

The age and inefficiency of our fishing fleet, combined with lack of sufficient research and incentives to improve the quality and efficiency of fishing operations, have allowed foreign imports to take over an increasing share of the American market. Imports now account for 71 percent of the total domestic market, as compared with only 33 percent in 1957.

Mr. President, throughout its history the United States has been a maritime nation. We are bounded by the sea on three sides, and enjoy the benefits of extensive lake and river facilities as well. The United States provides the world's largest market for fish and fish products. It is inexcusable, therefore, that the present decline in the fishing industry should be allowed to continue. Yet the fishermen of this country are not in a position to overcome the problems themselves. Fishing is very often a family enterprise, and in most fishing families the supply of capital is limited. The average age of the fishermen—57 years—also militates against modernization. And in some areas, particularly New England, large, modern, foreign fishing operations are depleting the supply of traditional species of fish, thereby reducing the catch and income of the local American fishermen.

Even if a fisherman is willing to learn new techniques and invest all of his resources in the construction of a new and more modern vessel, he is still faced by a myriad of complicating factors. First of all is the relatively higher cost of vessel construction in American shipyards. If a fisherman, in the interests of economy, wanted to purchase a less expensive vessel in Canada or Great Britain, United States law would prohibit him from landing his catch in any American ports; therefore, this alternative is closed to him.

There is a fishing vessel construction subsidy program presently in operation, but the procedure requires a complex determination of reasonable cost based upon costs of construction in both domestic and foreign shipyards, and the percentage of Federal participation is often so low as to make it uneconomical to apply for the program. For those who do apply, an expensive public hearing is required by law before the subsidy can be granted. And delays in processing and implementation often drive the estimated cost of construction even higher. As a result, only 19 vessels have actually been constructed under the vessel subsidy program, with 11 more in process of construction. Nearly 60 applications have been approved, however, out of a total of 99 requests.

One major factor holding back further construction at this point is a simple lack of funds in the vessel construction budget. Out of $6-million appropriated last year for the program, nearly all went into subsidies for the construction of two badly needed factory ships, the *Atlantic Seafreeze* and the *Pacific Seafreeze.* Given the large share of the appropriation which these two vessels required, present estimates that the $6-million requested for fiscal 1970 will cover the cost of subsidizing 42 new vessels seem optimistic in the extreme.

For these reasons, I am introducing today a bill which, if enacted, would not

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only make more funds available for fishing vessel construction, but would also make it easier for fishermen to participate in the vessel construction subsidy program.

First of all, this bill would double the authorization for fishing vessel construction from $10 to $20 million. This would permit subsidies to be granted for construction of long-range trawlers and factory ships, of which this country has none in operation with the exception of the two recently launched *Seafreeze* sister ships. At the same time, under this bill, sufficient funds would be available to meet the requests to subsidize the construction of smaller vessels as well.

The proposed legislation would also abolish the complicated formula for determining the share of Federal Government subsidy, based upon construction costs in foreign as well as domestic ports. Since American fishermen cannot purchase foreign-constructed vessels if they intend to land their catch in American ports, the cost of vessel construction in other countries seems irrelevant. Under the formula suggested in this legislation, construction costs would be studied by the Maritime Administrator and a national cost average determined. The Secretary of the Interior would then be authorized to grant subsidies ranging from a minimum of 40 percent to a maximum of 50 percent of the actual construction cost proposed by the lowest bidder in a geographically convenient shipyard.

The third point which this proposed legislation would cover is to make public hearings optional rather than mandatory. In 85 percent of the cases in which hearings have been held, no opposition to the construction of a new vessel has been raised. Nevertheless, it has cost the Government roughly $20,000 per year to hold these hearings, not to mention the costs both in time and money, to the interested parties. I believe that, except in cases where the construction proposal is challenged, the costly hearing process should be abolished.

Finally, this legislation would extend the Fishing Fleet Improvement Act until 1974. The present legislation expires on June 30, 1969. Mr. President, I believe that this proposed legislation is in the best interests of the Nation as well as of the fishing industry. It does not purport to solve all of the problems of the fishing industry. But it is a step, and a badly needed one, in the direction of encouraging our fishermen to modernize their fleet to meet the Nation's needs.

I ask unanimous consent that this measure be printed at this point in the RECORD, and I urge its prompt and favorable consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2059) to extend the United States Fishing Fleet Improvement Act and to increase the annual authorization for such Act, introduced by Mr. BROOKE, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2059

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United States Fishing Fleet Improvement Act Amendments of 1969."

SEC. 2. Section 3 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1403), is amended by changing the words "after notice and hearing," to "after notice and opportunity for public hearing, ".

SEC. 3. Section 5 of the United States Fishing Fleet Improvement Act" (46 U.S.C. 1405) is amended to read as follows:

"SEC. 5. Beginning after the date of enactment of the United States Fishing Fleet Improvement Act Amendments of 1969, the amount of the construction subsidy which the Secretary may pay with respect to any fishing vessel for which an application is approved under section 3 of this Act shall not be less than 40 percent nor more than 50 percent of the lowest responsible bid for the construction of such vessel in a geographically convenient shipyard of the United States, as determined and certified to the Secretary by the Maritime Administrator, excluding the cost of any feature incorporated in the vessel for national defense uses which costs shall be paid by the Department of Defense in addition to such subsidy."

SEC. 4. (a) Section 12 of the United States Fishing Fleet Improvement Act (46 U.S.C. 1412) is amended by striking out "$10,000,000" and inserting in lieu thereof "$20,000,000".

(b) The amendment made by subsection (a) of this section shall apply to fiscal years beginning after June 30, 1969.

SEC. 5. Section 13 of the United States Fishing Fleet Improvement Act (46 U.S.C. 1413) is amended by striking out "1969" and inserting in lieu thereof "1974".

S. 2062—INTRODUCTION OF A BILL TO PROVIDE FOR THE DIFFERENTIATION BETWEEN PRIVATE AND PUBLIC OWNERSHIP OF LANDS IN THE ADMINISTRATION OF THE ACREAGE LIMITATION PROVISIONS OF FEDERAL RECLAMATION LAW

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill which would clarify in the body of Federal reclamation law the intent of the Congress concerning the applicability of the acreage limitation provisions to lands in public ownership.

The acreage limitation provision limits the amount of land for which a single owner may receive irrigation water from a Federal reclamation project. The Department of the Interior, in administering the reclamation program, has interpreted the limitation to be applicable to lands which are owned by States or subdivisions of States. The body of law is complex, and the legality of the Department's position has been challenged. In fact the Department is not entirely consistant in its interpretation of the limitation and has exempted State-owned lands from the limitation when they are acquired and operated for wildlife conservation purposes in connection with a water resource project. In all other situations, however, the lands owned by any State which are included within reclamation developments may receive water only to the extent that the lands owned by any single private individual might.

The limitation conflicts with the objectives of the States in furthering public purposes. In some cases, the States wish to receive water for the direct use of the State lands for nonprofit, institutional purposes such as hospital and prison farms or agricultural research stations. In other cases, the States wish to sell or lease the lands to prospective irrigators to obtain revenues for public purposes.

The bill which I am introducing would define the applicability of the acreage limitation to State-owned lands to permit water service through reclamation projects to assist such public purposes. It would in no way amend or impair the applicability of the acreage limitation to private owners.

The excess land provision of reclamation law originates in the provision of the Reclamation Act of 1902 that "No right to the use of water for land in private ownership shall be sold for a tract exceeding 160 acres to any one landowner." The present statutory form of the excess land law is contained in the Omnibus Adjustment Act of 1926 (44 Stat. 479, as amended) which provides the following:

First. All land in private ownership in excess of 160 irrigable acres—excess land—must be appraised in a manner to be prescribed by the Secretary.

Second. The appraisal shall determine the land's value without reference to the reclamation project—in essence its value as dry land rather than as irrigated or potentially irrigated land.

Third. No excess land may receive project water unless its owners execute a valid recordable contract agreeing to sell the land at a price not to exceed the appraisal price.

Fourth. Until half the construction charges are paid, no sale of excess lands carries the right to receive water unless the price is approved by the Secretary.

Fifth. Upon proof of fraudulent representation as to the true consideration involved in such a sale the Secretary is authorized to cancel the water right attaching to the land involved.

The Department of the Interior has held that the expression "in private ownership" as used in the statute provisions concerning excess lands is properly read to mean any non-Federal ownership. As a result, lands on reclamation projects which are in State, municipal, or similar non-Federal ownership are held to be in excess except for 160 acres for each State or other entity.

My bill has three sections which provide as follows:

Section 1 would exempt from the limitation those State-owned lands which are farmed for primarily nonprofit, public functions such as agricultural research.

Section 2 would permit the State to sign recordable contracts to sell excess lands within 10 years, but at appreciated values—such as by auction—and to receive project water in the interim.

Section 3 would permit the State to retain ownership over excess lands and lease them to farmers for revenue purposes. If this were done, however, each lessee would then be subject to the same

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acreage limitation as would a private owner.

I wish to point out that there are other measures pending which propose to amend the basic provision of the acreage limitation. This bill does not have that objective. It is concerned only with clarification of the existing legislation to remove a number of instances in which the limitation is hampering the administration of State lands for public purposes.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 2062), to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes, introduced by Mr. Jackson, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 2064—INTRODUCTION OF A BILL TO PROVIDE FOR THE ESTABLISHMENT OF A NATIONAL CEMETERY IN THE STATE OF NEVADA

Mr. CANNON. Mr. President, on behalf of myself and Senator Bible, I introduce, for appropriate reference, a bill to establish a national cemetery in the State of Nevada. At present there is no national cemetery in Nevada to provide for the burial of deceased veterans. Although national cemeteries came into being during the Civil War to provide for the burial of soldiers who had died in service, most of them are situated where battles occurred and therefore are not evenly distributed in the various States. For this reason the western part of the United States has few national cemeteries, and the many veterans who served during World War II have no place within reasonable proximity to their domicile for burial. During the last world war we had approximately 16 million men under arms, and when you consider their dependents we have a total of about 50 million people who are eligible for burial. Due to the inexorable march of time, the need for this legislation is increasing in urgency. I therefore urge that this bill be given serious consideration.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 2064) to provide for the establishment of a national cemetery in the State of Nevada, introduced by Mr. Cannon (for himself and Mr. Bible), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 2068—INTRODUCTION OF A BILL TO AMEND THE LABOR RELATIONS ACT OF 1947

Mr. WILLIAMS of New Jersey. Mr. President, today we face a problem which has critical and far-reaching implications; that is, the need to provide adequate care for children of working mothers.

Industry, more than ever before, is opening its doors to women, enabling many more of them to become responsible members of America's labor force. The Federal Government, in an effort to reduce its welfare rolls, is putting more emphasis on work-training programs for women, as well as for men. In short, industry and government are working together to meet the needs of America's labor force by encouraging women to enter the labor market.

Unfortunately, as more women leave home in order to work, more children are left without adequate supervision. There were 14 million working women in the United States last year with school age or preschool age children. As juvenile delinquency rates increase, we begin to realize the effects on a generation growing up without minimal parental supervision. While other countries recognize the necessity of providing day care for children of working parents, we stumble along year after year spending excessive time, money and effort on the problems of juvenile delinquency and crime. For once, we should treat the cause instead of the effect.

Last year 32 million women were responsible for 37 percent of all goods and services produced in the United States. Our working mothers are needed in the jobs they fill and we can no longer expect these women to seek shelter for their children among friends, relatives and strangers. The bill which I am proposing would amend section 302(c) of the Labor Management Act of 1947 to permit employers, through the collective bargaining process, to contribute to trust funds for the establishment of day care centers for children of employees.

As day care centers are established, several immediate benefits will accrue to the business community through reduced absenteeism, reduced personnel turnover and reduced tardiness. Women who previously quit their jobs after the arrival of children or who remained at home because of inadequate day care facilities in their area, will have the alternative of working, with the knowledge that their youngsters are being provided for.

The second portion of my bill provides for employer contributions to jointly administered trust funds to finance scholarships for employees and their dependents. Trust funds which provide a financial pool through which workers and their families have access to higher education make advanced schooling a real possibility for many young people.

Let me stress that this proposed amendment does not authorize Federal funds, nor does it affect existing statutory obligations of labor and management under the act. The amendment seeks only to remove legal impediments which prevent collective bargaining for the establishment of trust funds for the care and schooling of children.

A fact sheet prepared in the Department of Labor provides significant background data on the child day care problem, indicating both the types of programs presently in operation and the need for further efforts—including joint efforts by unions and management which the bill would permit. In view of its relevance to this problem, I ask unanimous consent to have this fact sheet printed in the Record at this point.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the fact sheet will be printed in the Record.

The bill (S. 2068) to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees, introduced by Mr. Williams of New Jersey (for himself and others), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The material, presented by Mr. Williams of New Jersey, follows:

Day Care Fact Sheet

A growing trend toward the employment of women with children has focused attention on a rising need for day care services. The number of working mothers has increased more than sevenfold since 1940 and has more than doubled since 1950. Greater growth is expected in the future.

DAY CARE NEED

Working mothers and their children

Projections for 1980 indicate that 5.3 million mothers aged 20 to 44 with children under age 5 will be in the labor force. This will represent a 43 percent increase between 1970 and 1980. However, the increase may be considerably larger in light of such recent developments as the Work Incentive Program (WIN) provided by the 1967 amendments to the Social Security Act and the Concentrated Employment Program (CEP). These programs will enable many low-income women not now in the labor force to seek training and employment.

About 10.6 million mothers with children under 18 years of age were workers in March 1967. Almost 2 out of 5 of these mothers had children under age 6, totaling 4.5 million youngsters of this age.

While employment of the mothers is the main reason many children need day care services, these services also are needed for such imperative reasons as illness or death of the mother, mental or physical handicaps, emotional disturbances, poor family relationships, and slum living conditions with no place to play.

Capacity of facilities ("Spaces")

According to the latest estimates, day care in licensed centers and family homes is available for only 531,000 children.[1] It is estimated that several million children need this service.

Child care arrangements made by working mothers

To determine the extent of the need for day care, the Women's Bureau of the Department of Labor and the Children's Bureau of the Department of Health, Education, and Welfare in 1965 cosponsored a national survey of child care arrangements made by mothers who worked 27 weeks or more, either part time or full time, in 1964 and who had at least one child under 14 years of age living at home. These 6.3 million mothers had a total of 12.3 million children under 14 years; of these, 3.8 million children were under 6 years.

Less than one-half of the preschool children were cared for in their homes; not quite a third, in someone else's home; a little more than 5 percent, in group care centers; and the rest, under other arrangements. Some were cared for by their mother while she

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[1] March 1968 data.

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worked and others, "latch-key children," cared for themselves.

The proportion of children who looked after themselves were considerably larger among those of school age than among preschoolers, while among those cared for in group care centers, the larger proportion was made up of preschool youngsters. In addition, almost all of the children whose mothers worked only during school hours were of school age.

GOVERNMENT PROGRAMS

Legislation [2]

A major advance in Federal child welfare legislation was made by the enactment of the 1962 amendments to the Social Security Act which authorized Federal grants-in-aid to State public welfare agencies for day care services. This stimulated the States to improve standards for day care facilities and to develop broader day care plans.

The 1967 amendments to the Social Security Act authorized the Work Incentive Program (WIN), a manpower development program to train persons on welfare rolls for permanent jobs at decent pay. The law specifies that child care services must be furnished the trainee. Regulations issued by the Social and Rehabilitation Service, Department of Health, Education, and Welfare provide further that day care services must be maintained until the trainee is reasonably able to make other satisfactory child care arrangements.[3]

Other provisions in the act include grants for special projects to train personnel for work in the field of child welfare, including day care.

Under the Economic Opportunity Act (EOA), grants are available for the development, conduct, and administration of day care projects within community action programs (CAP). The largest single program developed under the EOA is Head Start, which provides day care for numerous disadvantaged children. In addition, funds may be used for day care of children of migratory and seasonal farm workers, for work training and employment programs relating to day care in highly concentrated low-income urban areas, and for work training programs which include day care as a supportive service. Grants may be used to train young men and women as day care workers or aides. Economic opportunity loans to establish a day care center are available to eligible persons or to small business concerns in areas where there are many unemployed or low-income persons. Administration of the manpower programs is under the Department of Labor, and that of the loan program is under the Small Business Administration.

Under the Elementary and Secondary Education Act of 1965, funds are available for day care programs for preschool children, including children of migrant farm workers. Funds may be used for research, surveys, and demonstrations relating to day care centers.

Under the Vocational Education Act of 1963, funds may be used to provide training in occupations involving knowledge and skills in home economics subjects. This may include training of aides and assistants to directors of day care centers.

Several other acts provide Federal aid for various programs relating to day care. These include nursing services and other health services for migrant children in day care centers; research and training programs for persons whose roles or functions may be related to mental health; continuing education in mental health for child care workers; and grants for construction, renovation, or acquisition of community mental health center facilities (a child care center may be part of a mental health center) and for staffing these centers. Also included are programs that provide for the development of centers (for low- and moderate-income persons) to house health, recreation, social, and other community services, including day care centers; loans for construction or acquisition of low-rent housing in which space is provided for a day care center; and day care projects within a model cities program. In addition, there are lunch, breakfast, and milk programs designed to safeguard the health and well-being of children, including those in day care centers.

It is estimated that the present Federal annual outlay is about $150 million.

Federal panel on early childhood

The Federal Panel on Early Childhood was established in 1968 by the Secretary of Health, Education, and Welfare, at the request of the White House, as a first step to improve and expand all early childhood programs financed by Federal funds. The Panel includes representatives from agencies that have a primary concern for services to families and children—the Departments of Labor; Agriculture; Commerce; Interior; Housing and Urban Development; and Health, Education, and Welfare; the Office of Economic Opportunity; and the Bureau of the Budget.

The primary function of the Panel is to develop plans for the most effective use of operating, research, training, and technical assistance funds available to each of the Departments and agencies, in ways which will strengthen every program.

One of the Panel's first priorities was the development of Federal Interagency Day Care Requirements. These standards apply to all major federally assisted day care programs and establish minimum requirements for facilities, education, social, health, and nutrition services; staff training; parent involvement; administration; coordination; and evaluation.

The Panel has been charged with drawing up a plan to coordinate all programs that provide services to children and their families at all levels of operation. A plan of this type, called the Community Coordinated Child Care (4-C) Program, has been developed recently by the Panel. The 4-C program is an effort to coordinate all organizations within a local community in order to provide better child care services by combining available resources and establishing a suitable coordinating mechanism such as a council, agency, or committee. Guidelines have been prepared, Federal Regional 4-C Committees (FRC) have been formed, and several States and communities are moving ahead in creating 4-C working units.

INCOME TAX DEDUCTION FOR CHILD CARE EXPENSES

The Revenue Act of 1954, as amended (title 26, sec. 214 of the Internal Revenue Code—Expenses for Certain Dependents), permits a deduction of up to $600 for the care of one child and up to $900 for two or more children under 13 years of age provided the child care enables a working woman and other specified persons to be gainfully employed. Widows, widowers, and separated and divorced persons may deduct up to these amounts regardless of income. However, a married woman or a husband whose wife is incapacitated, in order to claim the deduction, must file a joint return with the spouse; if the combined adjusted gross income exceeds $6,000, the deduction is reduced $1.00 for each dollar of income above that amount. A deserted wife who cannot locate her husband may take the deduction for child care expenses. Other exceptions are also possible.

INNOVATIONS IN THE PUBLIC AND PRIVATE SECTORS

A few Federal agencies are exploring the possibility of providing day care services for the children of their employees. Following are two agency programs currently in operation.

U.S. Department of Labor Day Care Center

In October 1968 the Department of Labor opened an experimental day care center for 30 preschool children of its employees. Half of the children were selected from new employees who could not accept employment unless low-cost child care was available, and half were selected from other Department employees in all grade levels.

The project is operated by a nonprofit private organization and funded in part by the Department. Parents pay on a sliding scale basis.

The purpose of the program is to show both public and private employers the usefulness and feasibility of such centers. An evaluation study will be made at the end of a year's operation.

U.S. Department of Agriculture Day Care Center

In May 1968 a day care center with a capacity for 19 children was opened at the Plant Industry Station, Agriculture Research Center, Beltsville, Maryland. It is operated by the employees' welfare and recreation association. Parents pay the operating costs.

Unions and management

The Baltimore Regional Joint Board of the Amalgamated Clothing Workers of America opened its Child Health Care Center on September 28, 1968, in Verona, Virginia (near Staunton). In mid-January 1969, construction was started on a center in Baltimore. Two others are planned for Hanover and Chambersburg, Pennsylvania. The centers are financed through the jointly administered union and men's clothing industry Health and Welfare Fund. Parents pay a small fee.

The Midwest Regional Joint Board of the Amalgamated Clothing Workers of America is also planning two day care centers.

At least one other union is exploring the feasibility of providing day care for the children of its members.

Private industry

KLH Research and Development Corporation, a manufacturer of hi-fi equipment in Cambridge, Massachusetts, operates a day care program for the children of its employees. The program is partially funded by the Children's Bureau of the Department of Health, Education, and Welfare.

Various other companies have set up or are planning to set up day care programs for the children of their employees. Parents pay all or part of the operating costs of these programs.

Hospitals [4]

Approximately 100 hospitals operate day care centers for the children of their health personnel. Fifty-one percent of them are in the South, 28 percent in the North Central States, more than 11 percent in the Northeast, and more than 9 percent in the West. About 57 percent of these centers were established within the past 5 years, and 9 percent have been in oepration for 15 years or longer.

About 2,550 parents use these services for their more than 2,800 children. More than 60 percent of the parents are nurses. Other health personnel using the services include doctors, dentists, anesthetists, nurses' aides, orderlies, and laboratory technicians. Sixty-seven percent of the centers are in operation 6 or 7 days a week.

More than 90 percent of all the day care programs are subsidized by the hospitals, although the centers charge fees.

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[2] These programs, as well as others, are described in *Federal Funds for Day Care Projects*, a Women's Bureau publication.

[3] Chapter II of title 45 of the Code of Federal Regulations.

[4] From a mail survey conducted in April 1968 by the Women's Bureau. Final report will be available later this year.

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Shopping centers[5]

There are day care centers in shopping centers in the Los Angeles area and in Westchester County, New York (close to the New York City line). These are designed for children of employees at the shopping centers, but neighborhood mothers also may enroll their children.

In February 1969 several religious and social groups, known as the Market Place Ministries, opened a day care center at the Landmark Shopping Center in Alexandria, Virginia (near Washington, D.C.). The center is called "The School in the Market Place." Although it is essentially for preschool children (ages 3–5) of working mothers, nonworking mothers also may use the service.

NEXT STEPS

All this is just a beginning in fulfilling the vast need for day care services for all children who can benefit. To meet the need would require larger amounts of Federal funds as well as greater financial participation from the States. More action and money would have to come from unions, industry, and other public and private organizations at the national, State, and local levels. There must be concentrated effort by all to provide more and better facilities and to provide training for additional personnel skilled in childhood development.

SENATE JOINT RESOLUTION 106—INTRODUCTION OF A JOINT RESOLUTION PROCLAIMING NATIONAL MEMORIAL WEEK

Mr. BENNETT. Mr. President, it is a privilege to introduce a joint resolution to proclaim the week of May 24–30 as National Memorial Week. This will be a fitting tribute to the Americans, both living and dead, who have given of themselves to defend the freedom and liberty which we now enjoy. It was originally advocated by Mr. George L. Carey, national service officer for DAV in Salt Lake City. The joint resolution is strongly supported by the Disabled American Veterans, and I consider it an honor to introduce it.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 106) proclaiming the week of May 24 through 30 as National Memorial Week, introduced by Mr. BENNETT, was received, read twice by its title, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Oklahoma (Mr. HARRIS) be added as a cosponsor of the bill (S. 1997) to provide for the more effective prevention and treatment of alcoholism.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, at the request of the Senator from Oregon (Mr. HATFIELD), I ask unanimous consent that, at its next printing, the names of the Senator from West Virginia (Mr. RANDOLPH), the Senator from Utah (Mr. MOSS), the Senator from Ohio (Mr. YOUNG), and the Senator from Oregon (Mr. PACKWOOD) be added as cosponsors of the bill (S. 1937) to supplement and strengthen voluntary youth service and learning opportunities supported or offered by the Federal Government by establishing a National Youth Service Council and a National Youth Service Foundation, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, on behalf of the Senator from Texas (Mr. TOWER), I ask unanimous consent that, at its next printing, the names of the Senator from Florida (Mr. GURNEY), the Senator from Wyoming (Mr. HANSEN), and the Senator from Massachusetts (Mr. KENNEDY) be added as cosponsors of the bill (S. 364), to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes.

Mr. SCOTT. Mr. President, at the request of the Senator from Oregon (Mr. HATFIELD), I ask unanimous consent that, at its next printing, the names of the Senator from Texas (Mr. TOWER) and the Senator from Connecticut (Mr. DODD) be added as cosponsors of the bill (S. 1801) to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California (Mr. MURPHY) be added as a cosponsor of the bill (S. 1478) for the establishment of a Commission on Revision of the Antitrust Laws of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California (Mr. CRANSTON) be added as a cosponsor of the bill (S. 1466) to amend the Communications Act of 1934 to provide that certain aliens admitted to the United States for permanent residence shall be eligible to operate amateur radio stations in the United States and to hold licenses for their stations.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, at the request of the Senator from Texas (Mr. TOWER), I ask unanimous consent that, at its next printing, the name of the Senator from Oklahoma (Mr. BELLMON) be added as a cosponsor of the bill (S. 1380) to redesignate the position of hearing examiner as administrative trial judge.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, at the request of the Senator from Massachusetts (Mr. BROOKE), I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey (Mr. CASE), the senior Senator from Oregon (Mr. HATFIELD), the junior Senator from Oregon (Mr. PACKWOOD), the junior Senator from New Hampshire (Mr. McINTYRE), and the Senator from West Virginia (Mr. RANDOLPH) be added as cosponsors of the bill (S. 1721), to promote the orderly adjustment of tobacco production and marketing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, at the request of the Senator from Massachusetts (Mr. BROOKE), I ask unanimous consent that, at its next printing, the name of the Senator from Kansas (Mr. DOLE) be added as a cosponsor of the joint resolution (S.J. Res. 14) designating January 15 of each year as "Martin Luther King Day."

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, at the request of the Senator from Minnesota (Mr. McCARTHY), I ask unanimous consent that, at its next printing, the names of the Senator from Alabama (Mr. ALLEN), the Senator from Virginia (Mr. BYRD), the Senator from Nebraska (Mr. CURTIS), the Senator from Connecticut (Mr. DODD), the Senator from Hawaii (Mr. FONG), the Senator from Oklahoma (Mr. HARRIS), the Senator from Arkansas (Mr. McCLELLAN), and the Senator from Pennsylvania (Mr. SCOTT) be added as cosponsors of the joint resolution (S.J. Res. 61) proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 22—SUBMISSION OF CONCURRENT RESOLUTION ENCOURAGING SCIENTIFIC RESEARCH AND TRAINING IN AGING

Mr. PACKWOOD submitted the following concurrent resolution (S. Con. Res. 22); which was referred to the Committee on Labor and Public Welfare:

S. CON. RES. 22

Resolved by the Senate (the House of Representatives concurring), That

Whereas there are over 19 million older Americans 65 and over, and

Whereas the number of older Americans increases by over three hundred thousand per year, and

Whereas by the year 2000, 35 per centum of our population will be 65 and older, and

Whereas the average life span of an American child born today is 70 years as compared with 47 years in 1900, and

Whereas gerontology is a relatively new science, and

Whereas Congress is continually concerned with the well-being of older Americans, said concern having been demonstrated by the establishment of the Administration on Aging (P.L. 89–73), therefore,

It is the sense of Congress that programs of scientific research and training in aging, such as the Ethel Percy Andrus Gerontology Center located at the University of Southern California, be encouraged and supported.

SENATE RESOLUTION 194—SENSE OF THE SENATE RESOLUTION IN REGARD TO CHANGES IN THE JOB CORPS PROGRAM

Mr. CRANSTON, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 194) to express the sense of the Senate in regard

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[5] These are the only day care centers in shopping areas which have come to the attention of the Women's Bureau.

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to changes in the Job Corps program, which was placed on the calendar.

(See the remarks of Mr. CRANSTON, previously, when he reported the above resolution, which appear under a separate heading.)

ADDITIONAL COSPONSORS OF RESOLUTIONS

Mr. SCOTT. Mr. President, at the request of the Senator from Vermont (Mr. PROUTY), I ask unanimous consent that, at its next printing, the name of the Senator from Connecticut (Mr. DODD) be added as a cosponsor of the resolution (S. Res. 30) to amend the Standing Rules of the Senate relative to the Select Committee on Small Business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, at the request of the Senator from Oklahoma (Mr. HARRIS), I ask unanimous consent that, at its next printing, the name of the Senator from New Jersey (Mr. WILLIAMS) be added as a cosponsor of the resolution (S. Res. 180) designating May 6, 1969, as "A. Philip Randolph Day."

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Ira De Ment, of Alabama, to be U.S. attorney for the middle district of Alabama for the term of 4 years, vice Ben Hardeman, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Monday, May 12, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARINGS ON FEDERAL TAX LITIGATION SYSTEM

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce hearings for the consideration of reform of the Federal tax litigation system.

The hearings will be held at 10 a.m. on Monday, May 12, 1969, and Tuesday, May 13, in the District of Columbia Committee hearing room 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the RECORD should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

NOTICE OF HEARINGS ON MAY 14 ON THE "FEDERAL LANDS FOR PARKS AND RECREATION ACT OF 1969"

Mr. JACKSON. Mr. President, for the information of Senators and the general public, I wish to announce that hearings on S. 1708, the Federal Lands for Parks and Recreation Act of 1969, will be held before the Interior and Insular Affairs Committee, at 10 a.m. on May 14, in room 3110 of the new Senate Office Building.

The purpose of this measure is to make surplus Federal property available to State and local governments for park and recreational purposes at prices which reflect the important role recreation and open spaces play in our contemporary life. The bill would amend the Land and Water Conservation Fund Act by providing that for a period of 5 years after the date of enactment, surplus Federal property could be conveyed to State and local government for park and recreational use at less than the 50 percent of fair market value required under present law.

This bill is of special importance to many of our major metropolitan areas where the need for parks and open spaces is greatly increasing while at the same time the limited land available is being dedicated to other, often incompatible, purposes. If we are to improve the quality of life and surroundings for the residents of our major cities, we will have to take advantage of every future opportunity to acquire land adjacent to where people live for recreational and park purposes.

The bill is of importance for still another reason. The fiscal year 1970 budget proposes a reduction in the revenues available through the land and water conservation fund. This reduction means that little more than one-half of the $200 million authorized for recreational and park land acquisition will be available. In view of these budget restrictions, I believe it is essential to provide alternative means by which the State and local governments can acquire property to meet burgeoning recreational demands.

If enacted, this bill would assist every State in the Nation which has, or soon may have, surplus Federal property available. Mr. President, I have before me a list of the surplus real property, custodial reserve real property, and related personal property classified for disposal under provisions of the Federal Property and Administrative Services Act of 1949.

This summary was prepared by the General Services Administration and includes all property on hand as of December 31, 1968. It should be noted that 48 States as well as the District of Columbia, Puerto Rico, and the Virgin Islands contain at least one parcel of surplus Federal property.

Mr. President, I ask unanimous consent that this GSA report be included in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT BY GENERAL SERVICES ADMINISTRATION, PROPERTY MANAGEMENT AND DISPOSAL SERVICE

Surplus real property, custodial (NIR) reserve real property, and related personal property for disposal under provisions of the Federal Property and Administrative Services Act of 1949, as amended:

Properties on hand as of Dec. 31, 1968, listed by GSA control number

[In millions of dollars]

	Reported cost
REGION 1—BOSTON	
U–Conn–483: Coast Guard Light Attendant Sta., Portland (.6 acre, includes .02 acre easement, 2 bldgs.)	37
T–Me–448: Whitehead Lifeboat Sta., Whitehead Island (2.8 acres, 6 bldgs.)	31
D–Me–526C: Dow AFB, Bangor (366.654 acres, 351 bldgs.)	13, 508
D–Me–526D: Ammunition Storage Annex, Dow AFB, Hampden (.23 acre)	1
G–Me–549: Post Office & Customhouse, Machias (.183 acre, 1 bldg.)	27
D–Me–551: NIKE Hercules Site L–13, Caswell (85.54 acres, 24 bldgs.)	1, 618
G–Me–553: U.S. Post Office & Customhouse, Rockland (.62 acre, 1 bldg.)	248
U–Me–555: SRA Fac., Bangor (4 steel towers)	20
U–Me–557: FAA Fac., Hallowell/Manchester (2 bldgs.)	22
H–Me–560: Lot 249, Admiralty Village, Kittery (.206 acre)	(1)
D–Me–562: Nike Hercules Site, Caribou (44.48 acres, includes 23.73 acres easements, 14 bldgs)	1, 021
N–Me–563: Naval Res. Training Center, South Portland (13.9 acres, 5 bldgs.)	343
N–Mass–592: Naval Shipyard, DoD–169, Quincy (38.67 acres, 52 bldgs.) (industrial)	17, 595
U–Mass–646A: Fort Heath, Winthrop (.327 acre, utility lines)	11
N–Mass–654: NIR Gear Plant, Lynn (69.06 acres, 36 bldgs.) (industrial)	15, 704
D–Mass–655: Springfield Armory, Springfield (218.977 acres)	616
D–Mass–665: Nike Ajax Site B–85, Bedford (2.53 acres easements)	5
D–Mass–666: AF Plant #63, North Grafton (231.63 acres, 21 bldgs.) (industrial)	23, 732
G–NH–434: Old Post Office & Courthouse, Concord (1.3 acres, 1 bldg.)	523
D–NH–436: Pease AFB, Portsmouth (8.1 acres)	18
D–NH–439: Massabesic Nat'l Guard, Target Range, Auburn (138.62 acres, 4 bldgs.)	56
U–NH–440: Hampton Beach Coast Gd., Sta., Hampton Beach (1 bldg.)	42
Region 1—22 cases	75, 178
REGION 2—NEW YORK	
T–Del–415: Fenwick Island Electronic Test & Lifeboat Sta., Selbyville (12.88 acres)	(2)
D–NJ–440C: Raritan Arsenal, Township of Edison (.054 acre, plus easement) (industrial)	(1)

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Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

	Reported cost
REGION 2—continued	
D-NJ-463B: Camp Kilmer Mil. Res. Middlesex Co. (14.111 acres, includes 10.02 acres easements)	6
D-NJ-484A: Nike Battery NY-88 Wayne TWP (68.95 acres, includes 34.96 acres easements, 12 bldgs.)	992
I-NJ-488A: Killcohook Nat's Wildlife Refuge, Salem Co. (9.6 acres)	1
D-NJ-497: Philadelphia Defense Area, Nike Battery PH-49, Pitman (40 acres easements)	20
T-NJ-499: Bonds Lifeboat Sta., Beach Haven Heights (1.08 acres, 2 bldgs.)	25
N-NJ-505: Todd Shipyard, Hoboken (18.6 acres, 9 bldgs.) (industrial)	4,385
T-NJ-508: Little Egg Lifeboat Sta., Tuckerton (6.55 acres, 3 bldgs.)	116
T-NJ-509: Corsons Inlet Lifeboat Sta., Strathmere (.4 acre, 4 bldgs.)	35
X-NJ-510: Wayne Radio Plant, Passaic Co. (22.35 acres)	16
D-NJ-511: NY Defense Area, Nike Battery 54, Inst. #4264, Monmouth Co. (3.64 acres)	(2)
U-NJ-513: Hereford Inlet Lifeboat Sta., North Wildwood (1.2 acres, 5 bldgs.)	88
G-NJ-515: Post Office, Rahway (.72 acre, 1 bldg.)	147
W-NY-1A: Lake Ontario Ord. Works, Niagara Falls (79.6 acres, easements)	37
R-NY-137: National Lead, Tahawus (2 bldgs.) (industrial)	3,969
B-NY-466J: Lake Ontario Storage Area, Lewiston (9.92 acres, easements and concrete water line)	160
T-NY-538A: Tarrytown Light Sta., Westchester Co. (.72 acre, 1 bldg.)	7
T-NY-557A: Rockaway Lifeboat Sta., Ft. Tilden (2.78 acres)	(1)
GD-NY-567: Mitchell AFB, Hempstead (390.765 acres, includes 181.2 acres easements, 125 bldgs)	8,267
D-NY-572B: Schenectady Army Depot (Voorheesville Area), Guilderland (561.47 acres, includes 1.72 acres easements and 10 acres licenses, 40 bldgs.)	21,221
D-NY-572C: Schenectady Army Depot, Inst. #601, Rotterdam (285.99 acres, includes 6.53 acres leased, 65 bldgs.)	14,022
U-NY-590C: Int's Flight Svs. Transmitter Sta., Islip (1 bldg.)	16
D-NY-594A: N.Y. Defense Area, Nike Battery, Harrison (34.34 acres, includes .18 acre easement, 18 bldgs.)	782
D-NY-600A: Nike Battery NY-30, Lido Beach (58.24 acres, 23 bldgs.)	1,819
D-NY-612: Plattsburg AFB, AF Facility S-9, Inst. #74.75, Dannemora (260.96 acres, includes 252.01 acres easements, 3 bldgs.)	4,999
N-NY-627: New York Vanal Shipyard, Brooklyn (226.231 acres, 163 bldgs.) (industrial)	161,080
F-NY-633: Marine Hospital #70, Outpatient Clinic, New York (.13 acre, 2 Bldgs.)	306
G-NY-636: Post Office, Kingston (.5 acre, 1 bldg.)	309
G-NY-637: 35 Ryerson St., Brooklyn (Portion of bldg.)	(2)
D-NY-638: U.S. Army Res. Center, Shawangunk (6.95 acres)	1
U-NY-641: Peconic N.Y. MHW Fac., Brookhaven (15.1 acres, includes 6.63 acres easements, tower)	27
G-NY-642: Post Office, Oneonta (.47 acre, 1 bldg.)	103
D-NY-643: Ft. Totten, Queens Co. (56.4 acres, 37 bldgs.)	2,334
G-NY-645: U.S. Custom House, Niagara Falls (.16 acre, 1 bldg.)	73
U-NY-647: Rock Island Light Sta., Jefferson Co. (4 acres, 5 bldgs.)	9
D-NY-648: Nike Batteries, Orangeburg (33.29 acres, includes 18.22 acres easements)	294
N-NY-650: Twin Industries Corp. Buffalo (Equipment and Related personal property) (industrial)	2,853
J-Pa-402B: Fed. Prison Camp (Former Susquehanna Sub-Depot of Letterkenny Ord. Depot), Allenwood (169.53 acres)	18
V-Pa-440G: VA Hospital Res., Butler (16 acres)	4
GD-Pa-521: Philadelphia Army Supply Base, Philadelphia (31.64 acres, 37 bldgs.)	13,317
D-Pa-526C: Olmsted AFB, Middletown (1.82 acres)	8,439
N-Pa-541A: Callery Chemical Co., Callery (1.085 acres—leased, 2 bldgs. (industrial)	474
D-Pa-579: Letterkenny Army Depot, Chambersburg (34 acres) (industrial)	6
D-Pa-596A: Nike Battery, McCandless (20.27 acres, Restrictive easements)	21
N-Pa-604: Philadelphia Naval Shipyard, Philadelphia (.49 acre, submerged land)	(2)
U-Pa-615: Greater Pittsburgh Airport (1 bldg.)	12
N-Pa-616: Allis-Chalmers Mfg. Co. York (40 foot vertical boring mill)	324
D-PR-431A: Ft. Amezquita Mil. Res., Cabras Island, San Juan Harbor (42.3 acres, includes 2.41 acres easements, 5 bldgs.)	765
D-PR-436D: Fort Brooks Mil. res., San Juan (6.00 acres, 10 bldgs.)	1,137
N-PR-438B: Naval Sta., Roosevelt Roads, Puerto Rico (4.73 acres)	2
N-PR-438C: U.S. Naval Sta., (12.81 acres, includes 6.32 acres easements (1 bldg.)	12
D-PR-441B: Ft. Buchanan Mil. Res., San Juan (350.80 acres, 82 bldgs.)	5,088
N-PR-453A: Santa Maria Grazing & Martineau Tracts, Vieques (1,829 acres)	109
N-PR-453B: Santa Maria & Montesanto Resettlement Tracts, Vieques (797.9 acres)	40
D-PR-457: Henry Barracks Mil. Res., Cayey (255.63 acres, includes .31 acre easement, 160 bldgs.)	3,028
D-PR-461: Ft. Mascaro Mil. Res., Punta Salinas (165.04 acres, includes 1.79 acres easements, 10 bldgs.)	1,265
N-PR-462: Naval Fuel Storage Fac., Catano (185.835 acres, 7 bldgs.) (industrial)	2,123
D-PR-463: Ramey Petroleum Products Storage Annex, San Patricio (48.32 acres, includes 1.73 acres easements, 1 bldg.) (industrial)	476
N-VI-420B: UDT Training Fac., St. Thomas (33.32 acres, 3 bldgs.)	819
Y-VI-425A: Golden Grove, St. Croix (97.87 acres)	4
Y-VI-426: Upper Bethlehem, St. Croix (247.077 acres, 2 bldgs.)	11
Y-VI-427: Upper Love Parcel #7, St. Croix (.292 acre)	1
D-Vt-420: Plattsburgh AFB, AF Facility S-3, Inst. #7460, Swanton (263.08 acres, includes 254.13 acres easements, 3 bldgs.)	4,964
Region 2—64 cases	270,978
REGION 3—WASHINGTON	
J-DC-440: Nat'l Training School for Boys, Washington (1.33 acres)	(1)
N-Md-445P: U.S. Naval Air Test Center, Patuxent River (327.11 acres, 5 bldgs.)	2,309
D-Va-505C: Langley AFB, Hampton (.95 acre easements, 2 bridges)	46
G-Va-510A: Kings Warehouse, Alexandria (1.15 acres, 1 bldg.)	nc
N-Va-579A: Naval Weapons Sta., Yorktown (10.09 acres)	8
D-Va-582: Community Center Site, Deep Creek (1.2 acres)	(2)
U-Va-583: 904 & 908 South Quinn St., Arlington (.23 acre, 2 bldgs.)	46
D-WVa-470: Guthrie Air Force Sta., Charleston (56.73 acres, 50 bldgs.)	2,444
Region 3—8 cases	4,853
REGION 4—ATLANTA	
D-Ala-495A: Brookley AFB, Mobile (3,041.81 acres, includes 7.32 acres leased, and 1,012.44 acres easements and licenses, 616 bldgs.) (industrial)	63,215
U-Ala-527: Compass Locator at Outer Marker, Huntsville, (1 bldg.)	7
U-Ala-528: Compass Locator at Middle Market, Huntsville (1 bldg.)	7
D-Fla-529A: Avon Park AF Range (581.6 acres, 104 bldgs.)	1,733
N-Fla-656: U.S. Naval Air Sta., Sanford (1,648.21 acres, includes 165.43 acres easements, 173 bldgs.)	16,074
J-Fla-660: Fed. Correctional Institution, Tallahassee (471.94 acres)	(2)
N-Fla-635A: U.S. Naval Sta., Dredggers Key, Key West (1.99 acres)	28
D-Ga-542: Gold Course and Rec. Area, Hunter AFB, Savannah (221.62 acres)	82
D-Ga-543: Andersonville Nat'l Cemetery, Andersonville (43.11 acres)	1
D-Ga-557: Dobbins AFB, Marietta (110.86 acres)	13
D-Ga-567: U.S. Army Res. Center, Hartwell (2.25 acres, 1 bldg.)	91
V-Miss-445B: VA Gulfport Hospital Div., Biloxi (30 acres)	26
V-Miss-445C: VA Hospital Res., Biloxi (52 acres)	(2)
C-Miss-470A: Hawkins Field, Jackson (1 bldg.)	8
V-Miss-479: VA Center Res., Jackson (104.533 acres, includes 9.043 acres easements, 143 bldgs)	2,831
T-NC-528: Light Attendant Sta., Washington (.5 acre, 4 bldgs.)	52
U-NC-533B: Elizabeth City Air Sta., North Carolina (4 acres easements, water lines)	5
G-UC-535: Post Office, Henderson (.5 acre, 1 bldg.)	213
N-NC-540: Stumpy Point Barracks Complex, Dare Co. (1.99 acres, 5 bldgs.)	97
D-SC-451C: Myrtle Beach AFB, (4.7 acres)	(2)
G-Tenn-563: U.S. Public Health Service Hospital, Memphis (3.212 acres, 4 bldgs.)	590
U-Tenn-577: Graham RCAG, Centerville (0.83 acre leased land, 1 bldg.)	13
Region 4—22 cases	85,086
REGION 5—CHICAGO	
D-Ill-460Y: Scott VOR Annex, Inst. #1291, Scott AFB, Belleville (3.1806 acres, includes 316.71 acres easements)	7

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

	Reported cost
REGION 5—continued	
D-Ill-473: Green River Ord. Plt., Dixon (90.7 acres)	10
D-Ill-496A: O'Hare Int'l Airport, Ill. (26.04 acres, 11 bldgs.)	1,236
D-Ill-536: Sangamon Ord. Plant, Illipolis (54.09 acres, 2 bldgs.)	215
D-Ill-566: Kropp Forge Company, Chicago (Related personal property) (industrial)	6,400
D-Ind-422: Vigo Ordnance Plant, Terre Haute (50.8 acres)	24
D-Ind-430B: Kingsbury Ord. Plant, La Porte (69.719 acres, 17 bldgs.) (industrial)	78
V-Ind-459B: VA Hospital Res., Marion (20.14 acres)	3
D-Ind-472C: Bunker Hill AFB, Peru (73.97 acres)	187
G-Ind-510: Post Office, Huntington (.385 acre, 1 bldg.)	99
D-Ky-432B: Camp Breckinridge, Morganfield (1,109.83 acres, 180 bldgs.)	9,910
D-Ky-520: Lock and Dam No. 33, Ohio River, Mason Co. (18.29 acres, 16 bldgs.)	64
D-Ky-525: Old Lock and Dam No. 32, Ohio River, Vanceburg (23.9 acres, 11 bldgs.)	99
J-Ky-529: Fed. Res., Fed. Youth Center, Ashland (104.12 acres, 3 bldgs.)	35
D-Mich-418B: Ft. Custer Mil. Res., Battle Creek (1,334 acres, 542 bldgs.)	8,110
V-Mich-451A: VA Hospital Res., Battle Creek (358.7 acres, 12 bldgs.)	37
D-Mich-559: Ft. Wayne Mil. Res., Detroit (96.87 acres, 60 bldgs.)	3,718
D-Mich-569: Detroit Def. Area, Nike Site D-54-55 C&L, Riverview (15.867 acres easements)	29
T-Mich-581: Copper Harbor Range Light Sta., Keweenaw Co. (9.05 acres, 2 bldgs.)	4
T-Mich-585: South Fox Island Light Sta., Leelanau Co. (115.04 acres, 7 bldgs.)	38
T-Mich-597: Menominee Sta. Site, Menominee (.166 acre)	1
D-Mich-603: Selfridge Housing Annex No. 1, Inst. No. 1479, Macomb Co. (29.1 acres, 53 bldgs.)	850
D-Mich-603C: Selfridge AFB, Inst. No. 1480, Macomb Co. (27.68 acres)	3
U-Mich-609: Mackinac Island Sta., Mackinac Island (2 bldgs.)	22
D-Ohio-539: AF Plant 41, Cleveland (Related personal prop.) (industrial)	1,301
D-Ohio-550A: Cleveland Support Fac., Parma (185.03 acres, includes .23 acre easement, 25 bldgs.)	2,257
D-Ohio-580B: Ravenna Army Ammunition Plant, Ravenna (283.73 acres)	33
D-Ohio-583: Ft. Hayes Mil. Res., Columbus (66.11 acres, 102 bldgs.)	2,131
D-Ohio-644: AF Plant No. 27, Toledo (79.4 acres, 11 bldgs.) (industrial)	20,316
G-Ohio-649: Post Office, Wooster (.5 acre, 1 bldg.)	49
G-Ohio-651: Post Office Ashland (.73 acre, 1 bldg.)	126
D-Ohio-652: TRW Inc. Cleveland (Property consists of machinery and equipment)	52,611
D-Wis-431B: U.S. Disciplinary Barracks, Milwaukee (46.65 acres, 2 bldgs.)	1,063
D-Wis-458A: Williams Bay Gap Filler Annex (Z-31F), Wisconsin (.79 acre, 1 bldg.)	17
D-Wis-486: Ladish Company, Cudahy (Related personal prop.) (industrial)	9,877
N-Wis-494: Naval Reserve Training Fac., Marshfield (1.25 acres, 1 bldg.)	9
Region 5—36 cases	121,069
REGION 6—KANSAS CITY	
D-Iowa-448: Offutt AFB, Nike Battery OF-10, Treynor (94.03 acres easements, 1 bldg)	4
D-Iowa-452: Washington Gap Filler Annex, Washington (.49 acre, 2 bldgs.)	46
D-Iowa-453: LaMotte Gap Filler Annex, LaMotte (.67 acre, 2 bldgs.)	46
D-Iowa-455: AF Facilities Alcoa Plant, Davenport	11,331
D-Kan-4204: Schilling AFB, Salina (763.131 acres easements, 28 bldgs.)	248
D-Kan-420-00: Schilling AFB (Cast iron water mains and sewer pipe, 7 acres easements)	28
D-Kan-422-II: Forbes AFB, S-2, Topeka (232.45 acres easements)	5
I-Kan-458E: Otis Helium Plant Kansas (106.2 acres, 45 bldgs.)	2,182
V-Minn-402L: Ft. Snelling Hospital Res., Minnesota (162.64 acres, 74 bldgs.)	971
V-Minn-422B: VA Hospital Res., St. Cloud (8.52 acres)	(1)
V-Mo-421-I: VA Hospital Res., Jefferson Barracks, St. Louis (40 acres, 1 bldg.)	2
D-Mo-427C: Ft. Crowder, Missouri (Telephone cable) (industrial)	(2)
D-Mo-427E: Air Force Plant #65, Neosho (39.55 acres, 6 bldgs.)	2,919
G-Mo-449A: Fed. Bldg, Kansas City (Portion of bldg.)	(2)
G-Mo-460C: 4300 Goodfellow Blvd., St. Louis (Portion of bldg.)	(2)
B-Mo-463C: AEC Airport Storage Site, St. Louis, Mo. (21.74 acres, 4 bldgs.)	144
G-Mo-497: Post Office & Courthouse, Hannibal (.6406 acre, 1 bldg.)	265
G-Mo-506: 9405 Holmes, Kansas City (2 bldgs.)	(2)
D-Neb-442EE: Lincoln Ammunition Storage Annex, Lincoln AFB, Nebraska (692.31 acres, includes 691.27 acres easements & 1.04 acres license)	16
D-Neb-442-II: Lincoln AFB, Nebraska (752.24 acres, includes 1.88 acres easements & 398.64 acres leased, 348 bldgs.)	24,655
D-Neb-442R: Lincoln AF Missile Site No. 3, Nebraska (243.16 acres easements)	2,444
D-Neb-447G: Sioux Army Depot, Sidney (Elect., gas, sewer, and water systems)	97
D-Neb-470B: Offutt AF Facility Site 1, Mead (350.44 acres, 22 bldgs.)	1,734
D-Neb-486: Offut AFB, Nike Battery OF-60, Louisville (119.02 acres easements)	7
D-Neb-487: Offut AF Fac. S-2, Arlington (456.54 acres, includes 182.71 acres easements, 15 bldgs.)	8,258
D-SD-426WW: Ellsworth AF Missile Site #1, S. Dakota (118.31 acres, includes 57.45 acres easements, 2 bldgs.)	21,149
D-SD-426XX: Ellsworth AF Missile Site #2, South Dakota (333.52 acres, includes 275.12 acres easements, 2 bldgs.)	18,785
D-SD-426YY: Ellsworth AF Missile Site #3, South Dakota (277.76 acres, includes 220.02 acres easements, 2 bldgs.)	23,874
D-SD-427P: Oahe Subdivision, Pierre (12.764 acres)	129
F-SD-454E: Black Hills Ord. Depot, Igloo (1 bldg.)	151
Region 6—30 cases	119,490
REGION 7—FORT WORTH	
V-Ark-445D: VA Hospital, North Little Rock (135.47 acres)	34
G-Ark-497: Koser Bldg., Marion (Portion of bldg.)	(2)
G-Ark-498: Social Security Dist. Office Bldg. Site, Hot Springs (3 bldgs.)	(1)
A-Ark-499: Crossett Experimental Forest, Ark. (1 bldg.)	9
GD-La-430Q: Chennault AFB. Lake Charles (551.578 acres easements)	275
GD-La-438AA: Barksdale Air Def. Site, Nike Battery BD-50 (94.07 acres easements)	2
GD-La-438Z: Barksdale Air Def. Site, Nike Battery BD-10 (69.54 acres easements)	4
N-La-453D: Naval Headquarters, New Orleans (20.325 acres, 31 bldgs.)	2,208
GN-La-453-I: Old Post Office, Naval Support Activity, New Orleans (1 bldg.)	(2)
N-La-466C: Former Naval Ammunition Depot, Belle Chasse (Minerals)	(2)
N-La-467B: U.S. Naval Aux. Air Sta., New Iberia (2,511.260 acres, 21 bldgs.)	8,428
D-La-488C: Houma Air Force Sta., Houma (6.67 acres, 2 bldgs.)	69
G-La-498: Old Post Office, Opelousas (.33 acre, 1 bldg.)	131
U-La-501: Alexandria "H" Fac.,-Louisiana (4.702 acres)	3
U-La-505: Overseas Residual Sta., LaCombe (156.1 acres—leasehold, 6 bldgs.)	56
G-La-506: New PO & FOB Site, Ville Platte (2 bldgs.)	61
GD-Okla-431F: Atlas "F" Missile Site #7, Altus AFB (244.7 acres easement)	7
G-Okla-504: 412 West First St., Claremore, 520 sq. ft. leased space)	(2)
D-Tex-449: Duncanville Army Air Def. Site, Duncanville (.179 acres)	(2)
D-Tex-474AR: Ft. Sam Houston, Tex. (54.50 acres)	2
D-Tex-476CL: Carswell AFB, Tex. (26.08 acres easements)	(2)
GD-Tex-477AF: Bergstrom Air Def. Site (Nike-Hercules Site BG-80) (200.84 acres easements)	32
D-Tex-604G: Atlas "F" Missile Site #4, Dyess AFB, Tex (242.13 acres easements)	1,316
GD-Tex-604R: Nike Battery DY-10, Dyess AFB, Abilene (99.69 acres easements)	8
GD-Tex-604S: Nike Battery DY-50, Dyess AFB, Abilene (118.93 acres easements)	1
D-Tex-605-O: Weather Visibility Annex #1, James Connally AFB, Texas (Related personalty)	1

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

REGION 2—continued	*Reported cost*
D-NJ-463B: Camp Kilmer Mil. Res. Middlesex Co. (14.111 acres, includes 10.02 acres easements)	6
D-NJ-484A: Nike Battery NY-88 Wayne TWP (68.95 acres, includes 34.96 acres easements, 12 bldgs.)	992
I-NJ-488A: Killcohook Nat's Wildlife Refuge, Salem Co. (9.6 acres)	1
D-NJ-497: Philadelphia Defense Area, Nike Battery PH-49, Pitman (40 acres easements)	20
T-NJ-499: Bonds Lifeboat Sta., Beach Haven Heights (1.08 acres, 2 bldgs.)	25
N-NJ-505: Todd Shipyard, Hoboken (18.6 acres, 9 bldgs.) (industrial)	4, 385
T-NJ-508: Little Egg Lifeboat Sta., Tuckerton (6.55 acres, 3 bldgs.)	116
T-NJ-509: Corsons Inlet Lifeboat Sta., Strathmere (.4 acre, 4 bldgs.)	35
X-NJ-510: Wayne Radio Plant, Passaic Co. (22.35 acres)	16
D-NJ-511: NY Defense Area, Nike Battery 54, Inst. #4264, Monmouth Co. (3.64 acres)	(2)
U-NJ-513: Hereford Inlet Lifeboat Sta., North Wildwood (1.2 acres, 5 bldgs.)	88
G-NJ-515: Post Office, Rahway (.72 acre, 1 bldg.)	147
W-NY-1A: Lake Ontario Ord. Works, Niagara Falls (79.6 acres, easements)	37
R-NY-137: National Lead, Tahawus (2 bldgs.) (industrial)	3, 969
B-NY-466J: Lake Ontario Storage Area, Lewiston (9.92 acres, easements and concrete water line)	160
T-NY-538A: Tarrytown Light Sta., Westchester Co. (.72 acre, 1 bldg.)	7
T-NY-557A: Rockaway Lifeboat Sta., Ft. Tilden (2.78 acres)	(1)
GD-NY-567: Mitchell AFB, Hempstead (390.765 acres, includes 181.2 acres easements, 125 bldgs)	8, 267
D-NY-572B: Schenectady Army Depot (Voorheesville Area), Guilderland (561.47 acres, includes 1.72 acres easements and 10 acres licenses, 40 bldgs.)	21, 221
D-NY-572C: Schenectady Army Depot, Inst. #601, Rotterdam (285.99 acres, includes 6.53 acres leased, 65 bldgs.)	14, 022
U-NY-590C: Int's Flight Svs. Transmitter Sta., Islip (1 bldg.)	16
D-NY-594A: N.Y. Defense Area, Nike Battery, Harrison (34.34 acres, includes .18 acre easement, 18 bldgs.)	782
D-NY-600A: Nike Battery NY-30, Lido Beach (58.24 acres, 23 bldgs.)	1, 819
D-NY-612: Plattsburg AFB, AF Facility S-9, Inst. #74.75, Dannemora (260.96 acres, includes 252.01 acres easements, 3 bldgs.)	4, 999
N-NY-627: New York Vanal Shipyard, Brooklyn (226.231 acres, 163 bldgs.) (industrial)	161, 080
F-NY-633: Marine Hospital #70, Outpatient Clinic, New York (.13 acre, 2 Bldgs.)	306
G-NY-636: Post Office, Kingston (.5 acre, 1 bldg.)	309
G-NY-637: 35 Ryerson St., Brooklyn (Portion of bldg.)	(2)
D-NY-638: U.S. Army Res. Center, Shawangunk (6.95 acres)	1
U-NY-641: Peconic N.Y. MHW Fac., Brookhaven (15.1 acres, includes 6.63 acres easements, tower)	27
G-NY-642: Post Office, Oneonta (.47 acre, 1 bldg.)	103
D-NY-643: Ft. Totten, Queens Co. (56.4 acres, 37 bldgs.)	2, 234

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

REGION 2—continued	*Reported cost*
G-NY-645: U.S. Custom House, Niagara Falls (.16 acre, 1 bldg.)	73
U-NY-647: Rock Island Light Sta., Jefferson Co. (4 acres, 5 bldgs.)	9
D-NY-648: Nike Batteries, Orangeburg (33.29 acres, includes 18.22 acres easements)	294
N-NY-650: Twin Industries Corp. Buffalo (Equipment and Related personal property) (industrial)	2, 853
J-Pa-402B: Fed. Prison Camp (Former Susquehanna Sub-Depot of Letterkenny Ord. Depot), Allenwood (169.53 acres)	18
V-Pa-440G: VA Hospital Res., Butler (16 acres)	4
GD-Pa-521: Philadelphia Army Supply Base, Philadelphia (31.64 acres, 37 bldgs.)	13, 317
D-Pa-526C: Olmsted AFB, Middletown (1.82 acres)	8, 439
N-Pa-541A: Callery Chemical Co., Callery (1.085 acres—leased, 2 bldgs. (industrial)	474
D-Pa-579: Letterkenny Army Depot, Chambersburg (34 acres) (industrial)	6
D-Pa-596A: Nike Battery, McCandless (20.27 acres, Restrictive easements)	21
N-Pa-604: Philadelphia Naval Shipyard, Philadelphia (.49 acre, submerged land)	(2)
U-Pa-615: Greater Pittsburgh Airport (1 bldg.)	12
N-Pa-616: Allis-Chalmers Mfg. Co. York (40 foot vertical boring mill)	324
D-PR-431A: Ft. Amezquita Mil. Res., Cabras Island, San Juan Harbor (42.3 acres, includes 2.41 acres easements, 5 bldgs.)	765
D-PR-436D: Fort Brooks Mil. res., San Juan (6.00 acres, 10 bldgs.)	1, 137
N-PR-438B: Naval Sta., Roosevelt Roads, Puerto Rico (4.73 acres)	2
N-PR-438C: U.S. Naval Sta., (12.81 acres, includes 6.32 acres easements (1 bldg.)	12
D-PR-441B: Ft. Buchanan Mil. Res., San Juan (350.80 acres, 82 bldgs.)	5, 088
N-PR-453A: Santa Maria Grazing & Martineau Tracts, Vieques (1,829 acres)	109
N-PR-453B: Santa Maria & Montesanto Resettlement Tracts, Vieques (797.9 acres)	40
D-PR-457: Henry Barracks Mil. Res., Cayey (255.63 acres, includes .31 acre easement, 160 bldgs.)	3, 028
D-PR-461: Ft. Mascaro Mil. Res., Punta Salinas (165.04 acres, includes 1.79 acres easements, 10 bldgs.)	1, 265
N-PR-462: Naval Fuel Storage Fac., Catano (185.835 acres, 7 bldgs.) (industrial)	2, 123
D-PR-463: Ramey Petroleum Products Storage Annex, San Patricio (48.32 acres, includes 1.73 acres easements, 1 bldg.) (industrial)	476
N-VI-420B: UDT Training Fac., St. Thomas (33.32 acres, 3 bldgs.)	819
Y-VI-425A: Golden Grove, St. Croix (97.87 acres)	4
Y-VI-426: Upper Bethlehem, St. Croix (247.077 acres, 2 bldgs.)	11
Y-VI-427: Upper Love Parcel #7, St. Croix (.292 acre)	1
D-Vt-420: Plattsburgh AFB, AF Facility S-3, Inst. #7469, Swanton (263.08 acres, includes 254.13 acres easements, 3 bldgs.)	4, 964
Region 2—64 cases	270, 878

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

REGION 3—WASHINGTON

	Reported cost
J-DC-440: Nat'l Training School for Boys, Washington (1.33 acres)	(1)
N-Md-445P: U.S. Naval Air Test Center, Patuxent River (327.11 acres, 5 bldgs.)	2, 309
D-Va-505C: Langley AFB, Hampton (.95 acre easements, 2 bridges)	46
G-Va-510A: Kings Warehouse, Alexandria (1.15 acres, 1 bldg.)	nc
N-Va-579A: Naval Weapons Sta., Yorktown (10.09 acres)	8
D-Va-582: Community Center Site, Deep Creek (1.2 acres)	(2)
U-Va-583: 904 & 908 South Quinn St., Arlington (.23 acre, 2 bldgs.)	46
D-WVa-470: Guthrie Air Force Sta., Charleston (56.73 acres, 50 bldgs.)	2, 444
Region 3—8 cases	4, 853

REGION 4—ATLANTA

D-Ala-495A: Brookley AFB, Mobile (3,041.81 acres, includes 7.32 acres leased, and 1,012.44 acres easements and licenses, 616 bldgs.) (industrial)	63, 215
U-Ala-527: Compass Locator at Outer Marker, Huntsville, (1 bldg.)	7
U-Ala-528: Compass Locator at Middle Market, Huntsville (1 bldg.)	7
D-Fla-529A: Avon Park AF Range (581.6 acres, 104 bldgs.)	1, 733
N-Fla-656: U.S. Naval Air Sta., Sanford (1,648.21 acres, includes 165.43 acres easements, 173 bldgs.)	16, 074
J-Fla-660: Fed. Correctional Institution, Tallahassee (471.94 acres)	(2)
N-Fla-635A: U.S. Naval Sta., Dredggers Key, Key West (1.99 acres)	28
D-Ga-542: Gold Course and Rec. Area, Hunter AFB, Savannah (221.62 acres)	82
D-Ga-543: Andersonville Nat'l Cemetery, Andersonville (43.11 acres)	1
D-Ga-557: Dobbins AFB, Marietta (110.86 acres)	13
D-Ga-567: U.S. Army Res. Center, Hartwell (2.25 acres, 1 bldg.)	91
V-Miss-445B: VA Gulfport Hospital Div., Biloxi (30 acres)	26
V-Miss-445C: VA Hospital Res., Biloxi (52 acres)	(2)
C-Miss-470A: Hawkins Field, Jackson (1 bldg.)	8
V-Miss-479: VA Center Res., Jackson (104.533 acres, includes 9.043 acres easements, 143 bldgs)	2, 831
T-NC-528: Light Attendant Sta., Washington (.5 acre, 4 bldgs.)	52
U-NC-533B: Elizabeth City Air Sta., North Carolina (4 acres easements, water lines)	5
G-UC-535: Post Office, Henderson (.5 acre, 1 bldg.)	213
N-NC-540: Stumpy Point Barracks Complex, Dare Co. (1.99 acres, 5 bldgs.)	97
D-SC-451C: Myrtle Beach AFB, (4.7 acres)	(2)
G-Tenn-563: U.S. Public Health Service Hospital, Memphis (3.212 acres, 4 bldgs.)	590
U-Tenn-577: Graham RCAG, Centerville (0.83 acre leased land, 1 bldg.)	13
Region 4—22 cases	85, 086

REGION 5—CHICAGO

D-Ill-460Y: Scott VOR Annex, Inst. #1291, Scott AFB, Belleville (3.1806 acres, includes 316.71 acres easements)	7

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

	Reported cost
REGION 5—continued	
D–Ill–473: Green River Ord. Plt., Dixon (90.7 acres)	10
D–Ill–496A: O'Hare Int'l Airport, Ill. (26.04 acres, 11 bldgs.)	1, 236
D–Ill–536: Sangamon Ord. Plant, Iliopolis (54.09 acres, 2 bldgs.)	215
D–Ill–566: Kropp Forge Company, Chicago (Related personal property) (industrial)	6, 400
D–Ind–422: Vigo Ordnance Plant, Terre Haute (50.8 acres)	24
D–Ind–430B: Kingsbury Ord. Plant, La Porte (69.719 acres, 17 bldgs.) (industrial)	78
V–Ind–459B: VA Hospital Res., Marion (20.14 acres)	3
D–Ind–472C: Bunker Hill AFB, Peru (73.97 acres)	187
G–Ind–510: Post Office, Huntington (.385 acre, 1 bldg.)	99
D–Ky–432B: Camp Breckinridge, Morganfield (1,109.83 acres, 180 bldgs.)	9, 910
D–Ky–520: Lock and Dam No. 33, Ohio River, Mason Co. (18.29 acres, 16 bldgs.)	64
D–Ky–525: Old Lock and Dam No. 32, Ohio River, Vanceburg (23.9 acres, 11 bldgs.)	99
J–Ky–529: Fed. Res., Fed. Youth Center, Ashland (104.12 acres, 3 bldgs.)	35
D–Mich–418B: Ft. Custer Mil. Res., Battle Creek (1,334 acres, 542 bldgs.)	8, 110
V–Mich–451A: VA Hospital Res., Battle Creek (358.7 acres, 12 bldgs.)	37
D–Mich–559: Ft. Wayne Mil. Res., Detroit (96.87 acres, 60 bldgs.)	3, 718
D–Mich–569: Detroit Def. Area, Nike Site D–54–55 C&L, Riverview (15.867 acres easements)	29
T–Mich–581: Copper Harbor Range Light Sta., Keweenaw Co. (9.05 acres, 2 bldgs.)	4
T–Mich–585: South Fox Island Light Sta., Leelanau Co. (115.04 acres, 7 bldgs.)	38
T–Mich–597: Menominee Sta. Site, Menominee (.166 acre)	1
D–Mich–603: Selfridge Housing Annex No. 1, Inst. No. 1479, Macomb Co. (29.1 acres, 53 bldgs.)	850
D–Mich–603C: Selfridge AFB, Inst. No. 1480, Macomb Co. (27.68 acres)	3
U–Mich–609: Mackinac Island Sta., Mackinac Island (2 bldgs.)	22
D–Ohio–539: AF Plant 41, Cleveland (Related personal prop.) (industrial)	1, 301
D–Ohio–550A: Cleveland Support Fac., Parma (185.03 acres, includes .23 acre easement, 25 bldgs.)	2, 257
D–Ohio–580B: Ravenna Army Ammunition Plant, Ravenna (283.73 acres)	33
D–Ohio–583: Ft. Hayes Mil. Res., Columbus (66.11 acres, 102 bldgs.)	2, 131
D–Ohio–644: AF Plant No. 27, Toledo (79.4 acres, 11 bldgs.) (industrial)	20, 316
G–Ohio–649: Post Office, Wooster (.5 acre, 1 bldg.)	49
G–Ohio–651: Post Office Ashland (.73 acre, 1 bldg.)	126
D–Ohio–652: TRW Inc. Cleveland (Property consists of machinery and equipment)	52, 611
D–Wis–431B: U.S. Disciplinary Barracks, Milwaukee (46.65 acres, 2 bldgs.)	1, 068
D–Wis–458A: Williams Bay Gap Filler Annex (Z–31F), Wisconsin (.79 acre, 1 bldg.)	17
D–Wis–486: Ladish Company, Cudahy (Related personal prop.) (industrial)	9, 877
N–Wis–494: Naval Reserve Training Fac., Marshfield (1.25 acres, 1 bldg.)	9
Region 5—36 cases	121, 069
REGION 6—KANSAS CITY	
D–Iowa–448: Offutt AFB, Nike Battery OF–10, Treynor (94.03 acres easements, 1 bldg)	4
D–Iowa–452: Washington Gap Filler Annex, Washington (.49 acre, 2 bldgs.)	46
D–Iowa–453: LaMotte Gap Filler Annex, LaMotte (.67 acre, 2 bldgs.)	46
D–Iowa–455: AF Facilities Alcoa Plant, Davenport	11, 331
D–Kan–4204: Schilling AFB, Salina (763.131 acres easements, 28 bldgs.)	248
D–Kan–420–00: Schilling AFB (Cast iron water mains and sewer pipe, 7 acres easements)	28
D–Kan–422–II: Forbes AFB. S–2, Topeka (232.45 acres easements)	5
I–Kan–458E: Otis Helium Plant Kansas (106.2 acres, 45 bldgs.)	2, 182
V–Minn–402L: Ft. Snelling Hospital Res., Minnesota (162.64 acres, 74 bldgs.)	971
V–Minn–422B: VA Hospital Res., St. Cloud (8.52 acres)	(1)
V–Mo–421–I: VA Hospital Res., Jefferson Barracks, St. Louis (40 acres, 1 bldg.)	2
D–Mo–427C: Ft. Crowder, Missouri (Telephone cable) (industrial)	(2)
D–Mo–427E: Air Force Plant #65, Neosho (39.55 acres, 6 bldgs.)	2, 919
G–Mo–449A: Fed. Bldg, Kansas City (Portion of bldg.)	(2)
G–Mo–460C: 4300 Goodfellow Blvd., St. Louis (Portion of bldg.)	(2)
B–Mo–463C: AEC Airport Storage Site, St. Louis, Mo. (21.74 acres, 4 bldgs.)	144
G–Mo–497: Post Office & Courthouse, Hannibal (.6406 acre, 1 bldg.)	265
G–Mo–506: 9405 Holmes, Kansas City (2 bldgs.)	(2)
D–Neb–442EE: Lincoln Ammunition Storage Annex, Lincoln AFB, Nebraska (692.31 acres, includes 691.27 acres easements & 1.04 acres license)	16
D–Neb–442–II: Lincoln AFB, Nebraska (752.24 acres, includes 1.88 acres easements & 398.64 acres leased, 348 bldgs.)	24, 655
D–Neb–442R: Lincoln AF Missile Site No. 3, Nebraska (243.16 acres easements)	2, 444
D–Neb–447G: Sioux Army Depot, Sidney (Elect., gas, sewer, and water systems)	97
D–Neb–470B: Offutt AF Facility Site 1, Mead (350.44 acres, 22 bldgs.)	1, 734
D–Neb–486: Offut AFB, Nike Battery OF–60, Louisville (119.02 acres easements)	7
D–Neb–487: Offut AF Fac. S–2, Arlington (456.54 acres, includes 182.71 acres easements, 15 bldgs.)	8, 258
D–SD–426WW: Ellsworth AF Missile Site #1, S. Dakota (118.31 acres, includes 57.45 acres easements, 2 bldgs.)	21, 149
REGION 6—continued	
D–SD–426XX: Ellsworth AF Missile Site #2, South Dakota (333.52 acres, includes 275.12 acres easements, 2 bldgs.)	18, 785
D–SD–426YY: Ellsworth AF Missile Site #3, South Dakota (277.76 acres, includes 220.02 acres easements, 2 bldgs.)	23, 874
D–SD–427P: Oahe Subdivision, Pierre (12.764 acres)	129
F–SD–454E: Black Hills Ord. Depot, Igloo (1 bldg.)	151
Region 6—30 cases	119, 490
REGION 7—FORT WORTH	
V–Ark–445D: VA Hospital, North Little Rock (135.47 acres)	34
G–Ark–497: Koser Bldg., Marion (Portion of bldg.)	(2)
G–Ark–498: Social Security Dist. Office Bldg. Site, Hot Springs (3 bldgs.)	(1)
A–Ark–499: Crossett Experimental Forest, Ark. (1 bldg.)	9
GD–La–430Q: Chennault AFB. Lake Charles (551.578 acres easements)	275
GD–La–438AA: Barksdale Air Def. Site, Nike Battery BD–50 (94.07 acres easements)	2
GD–La–438Z: Barksdale Air Def. Site, Nike Battery BD–10 (69.54 acres easements)	4
N–La–453D: Naval Headquarters, New Orleans (20.325 acres, 31 bldgs.)	2, 208
GN–La–453–I: Old Post Office, Naval Support Activity, New Orleans (1 bldg.)	(2)
N–La–466C: Former Naval Ammunition Depot, Belle Chasse (Minerals)	(2)
N–La–467B: U.S. Naval Aux. Air Sta., New Iberia (2,511.260 acres, 21 bldgs.)	8, 428
D–La–488C: Houma Air Force Sta., Houma (6.67 acres, 2 bldgs.)	69
G–La–498: Old Post Office, Opelousas (.33 acre, 1 bldg.)	131
U–La–501: Alexandria "H" Fac.,-Louisiana (4.702 acres)	3
U–La–505: Overseas Residual Sta., LaCombe (156.1 acres—leasehold, 6 bldgs.)	56
G–La–506: New PO & FOB Site, Ville Platte (2 bldgs.)	61
GD–Okla–431F: Atlas "F" Missile Site #7, Altus AFB (244.7 acres easement)	7
G–Okla–504: 412 West First St., Claremore, 520 sq. ft. leased space)	(2)
D–Tex–449: Duncanville Army Air Def. Site, Duncanville (.179 acres)	(2)
D–Tex–474AR: Ft. Sam Houston, Tex. (54.50 acres)	2
D–Tex–476CL: Carswell AFB, Tex. (26.08 acres easements)	(2)
GD–Tex–477AF: Bergstrom Air Def. Site (Nike-Hercules Site BG–80) (200.84 acres easements)	32
D–Tex–604G: Atlas "F" Missile Site #4, Dyess AFB, Tex (242.13 acres easements)	1, 316
GD–Tex–604R: Nike Battery DY–10, Dyess AFB, Abilene (99.69 acres easements)	8
GD–Tex–604S: Nike Battery DY–50, Dyess AFB, Abilene (118.93 acres easements)	1
D–Tex–606–O: Weather Visibility Annex #1, James Connally AFB, Texas (Related personalty)	1

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

REGION 7—continued	*Reported cost*
D-Tex-605Q: Weather Visibility Annex #3, James Connally AFB, Texas (Related personalty)	1
D-Tex-605R: Weather Visibility Annex #4, James Connally AFB, Texas (Related personalty)	1
D-Tex-605S: Weather Visibility Annex #5 James Connally AFB, Texas, (0.1 acre—leased, related personalty)	1
D-Tex-605T: Weather Visibility Annex #6, James Connally AFB, Texas (.01 acre—leased, related personalty)	1
D-Tex-605U: Weather Visibility Annex #7, James Connally AFB, Texas (Related personalty)	1
D-Tex-605V: Weather Visibility Annex #8, James Connally AFB, Texas (Related personalty)	1
D-Tex-605W: Weather Visibility Annex #9, James Connally AFB, Texas (Related personalty)	1
D-Tex-605X: Weather Visibility Annex #10, James Connally AFB, Texas (Related personalty)	1
D-Tex-605Y: Weather Visibility Annex #11, James Connally AFB, Texas (Related personalty)	1
N-Tex-608F: U.S. Naval Aux. Air Sta., Outlying Field #55, Kingsville (Mineral estate)	(2)
GD-Tex-637A: Midland Bombing Range #21, Midland (13.5 acres easements)	
I-Tex-701R: Exell Helium Plant, Masterson (2 bldgs) (industrial)	15
I-Tex-701S: Exell Helium Plant, Masterson (1 bldg.) (industrial)	3
W-Tex-761: FAA Air Route Traffic Control Center, San Antonio (5.6 acres—leased, 2 bldgs.)	8
D-Tex-787: Eagle Mountain Army Air Field, Eagle Mountain Lake, Texas (415.85 acres—leased, 11 bldgs.)	166
D-Tex-815 Clear Springs Army Airfield, New Braunfels (1,028.9 acres, includes 110.19 acres easements, 3 bldgs.)	1,212
I-Tex-820: Ysla Ditchrider's Quarters, El Paso (1.36 acres, 1 bldg.)	1
U-Tex-825: "H" Marker Facility, Amarillo (4.48 acres—leased land, 2 bldgs.)	15
Region 7—44 cases	14,081
REGION 8—DENVER	
D-Ariz-437Y: Davis-Monthan AFB, Tucson (50 acres)	5
G-Ariz-477: Estate of Gilbert E. Alvord, Phoenix (394.25 acres, 1 bldg.)	(2)
J-Ariz-505: Fed. Youth Camp, Tucson (25 bldgs.)	275
S-Ariz-514: U.S. Bureau of Reclamation Yard, Yuma (1 bldg.)	30
S-Ariz-514A: Office Building, Yuma (1 bldg.)	19
I-Ariz-514B: Int'l Boundary & Water Comm. Property, Yuma (.77 acre)	nc
T-Ariz-520: Colonial Espanola Subdiv., Nogales (30 acres)	(1)
A-Ariz-521: SW Poultry Experiment Sta., Glendale (20 acres, 51 bldgs.)	74
D-Colo-441H: Outdoor Firing Range, Denver (559 acres)	1
D-Colo-460PP: Loawry Comm. Fac. Annex, Lowry AFB, Denver (27.16 acres, 2 bldgs.)	36
J-Colo-475A: Fed. Corr. Inst. Lands Arapahoe & Jefferson Co. (240 acres)	28

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

REGION 8—continued	*Reported cost*
A-Colo-520: Colo. Potato Field Sta., Greeley (5 acres, 7 bldgs.)	65
D-NM-430JJ: Walker AFB, Roswell (319 acres, 802 bldgs.)	8,894
I-NM-479: Santa Rosa Fish Hatchery (10.61 acres)	(2)
I-NM-480: Picacho Ditchrider's Quarters, Las Cruces (1.38 acres)	(1)
I-NM-481: Mesquite Camp Site, New Mexico (2 acres)	(1)
I-NM-482: Ditchrider's Quarters, San Miguel (.91 acre, 2 bldgs.)	4
U-NM-483: Milan Flight Service Sta., Grants (2 bldgs.)	22
U-Utah-456: Unimproved land, Moab (357.88 acres)	54
V-Wyo-420:VA Çenter Res., Cheyenne (30 acres)	(2)
N-Wyo-443A: Volt Transmission Line, Natrona Co. (Easements, Trans. Line)	11
Region 8—21 cases	9,518
REGION 9—SAN FRANCISCO	
D-Cal-437C: Air Force Plant #14, Burbank (502.88 acres, includes 284.53 acres easements, licenses and permits, 80 bldgs.) (industrial)	41,349
V-Cal-514H: VA Center Reservation, Los Angeles (21.8 acres, 6 bldgs.)	374
V-Cal-531B: VA Res., San Fernando (13.6 acres)	2
D-Cal-557A: Isabella Reservoir, Kern Co. (.306 acre)	(1)
D-Cal-574B: Camp Parks, Alameda Co. (943.983 acres, 176 bldgs.)	8,408
N-Cal-579B: U.S. Naval Net Depot, Tiburon (23.8 acres, 2 bldgs.)	63
N-Cal-592B: Naval Air Sta., Miramar (8.89 acres)	(1)
N-Cal-694A: U.S. Naval Retraining Command, Camp Elliott, San Diego (3,326.61 acres)	40
G-Cal-698B: Fed. Service Center, Bell (9 bldgs.)	23
D-Cal-742A: AF Plant #10, Hawthorne (Related personalty) (industrial)	16,669
D-Cal-747: Benicia Arsenal Mil. Res., Benicia (34.25 acres, plus railroad trackage)	1,018
GJ-Cal-786: U.S. Penitentiary, Alcatraz Island, San Francisco (22.5 acres, 25 bldgs.)	1,675
N-Cal-789: Preble-Sachem Housing Project, San Diego (33.11 acres)	85
D-Cal-834: Camp San Luis Obispo, San Luis Obispo Co. (1,914.18 acres, 1 bldg.)	144
W-Cal-872: Donner Summit Homing (H) Fac., Placer Co. (1 bldg.)	1
G-Cal-878A: Old Mint Bldg., San Francisco (1.09 acres, 1 bldg.)	2,431
D-Cal-893: Missile Intersite Comm. Cable, AF Fac. C, Butte, Sutter, Placer, and Yuba Counties (74.274 acres easements)	691
I-Cal-896: Tule Lake National Wildlife Refuge, Siskiyou Co. (1 bldg.)	6
W-Cal-899: Beacon Fac., Los Alamos (0.115 acre—leased)	2
W-Cal-901: Beacon Fac., Los Pinos (0.115 acre—permit, related personalty)	3
T-Cal-917: Telephone line #12033, Point Arena, Mendocino Co	6
G-Cal-919: Post Office, Vacaville (0.3 acre, 1 bldg.)	91
D-Cal-927: Harvey Aluminum Inc., Torrance, (Related personalty) (Industrial)	38,435

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

REGION 9—continued	*Reported cost*
D-Cal-933: AF Plant No. 71, Sacramento Co. (5.961 acres, 4 bldgs.) (Industrial)	665
U-Cal-935: San Francisco Int. Airport, San Mateo Co. (.23 acre—license, 1 bldg.)	74
U-Cal-939: Pescadero IFSR Facility, San Mateo Co. (332.4 acres, leased land, 2 bldgs.)	167
P-Cal-945: Post Office, Beverly Hills (Mineral Rights—oil and gas deposits)	(2)
N-Hawaii-745: Manana Veterans Housing Area, Manana, Ewa, Oahu (20.349 acres, 31 bldgs.)	880
N-Hawaii-482: John Rogers Veterans Housing Area, Moanalua, Honolulu, Oahu (16.561 acres, 50 bldgs.)	764
D-Hawaii-498A: Waiawa Nat'l Guard Storage Area, Honolulu (14.62 acres)	1
D-Nev-402B: Stead AFB, Washoe Co. (415.54 acres, includes .1 acre leased, 13.07 acres easements, 1.47 acres license, 1.38 acres permit, 931 bldgs.)	10,338
W-Nev-448: "H" Fac., Tonopah (Power line)	4
U-Nev-455: Mina Vortac Fac., Mineral Co. (1 bldg.)	6
Region 9—33 cases	124,415
REGION 10—AUBURN	
U-Alas-419C: FAA Sta., Cape Yakataga (158.13 acres, 4 bldgs.)	345
N-Alas-433A: Amaknak Island, Unalaska Island and Hog Island, Alaska (5,143.1 acres, 286 bldgs.)	5,847
D-Alas-464S: Elmendorf AFB, Alaska (40 acres)	1
A-Alas-495: 1550 Gillam Way, Fairbanks (.432 acre, 1 bldg.)	53
I-Alas-497D: Port of Whittier, Alaska (141.05 acres, 77 bldgs.)	23,679
D-Alas-542A: Pump Sta. "K", Canol No. 4 Pipeline, Tok Junction (60 acres)	37
A-Alas-588A: Residences, Palmer (.22 acre—leased, 2 bldgs.)	17
G-Alas-598A: Fed. Bldg., Ketchikan (Related personalty)	1
A-Alas-588B: Alaska Agricultural Experiment Sta., Palmer (4 bldgs.)	29
G-Alas-596: Post Office, Courthouse & Jail, Cordova (1 bldg.—portion)	(2)
G-Alas-597: Post Office & Courthouse, Wrangell (1 bldg.—portion)	(2)
G-Alas-598: Post Office, Courthouse & Jail, Ketchikan (1 bldg.—portion)	(2)
G-Alas-599: Post Office & Courthouse, Nome (1 bldg.—portion)	(2)
G-Alas-599A: U.S. Post Office, Nome (Related personal)	3
G-Alas-600: Post Office, Courthouse & Jail, Fairbanks (1 bldg.—portion)	(2)
D-Alas-603A: Seward Army Recreational Site, Seward (.66 acre)	5
I-Alas-605: Cordova Admin. Site, Alaska (.38 acre)	(1)
I-Alas-610: Terminal Reserve, Seward Waterfront, Seward (37.9 acres, includes .25 acre easement)	(1)
G-Alas-611: Post Office & Courthouse, Juneau (.046 acre, 1 bldg.)	14
D-Alas-612: Chena Annex Mil. Res., Alaska (12.5 acres, 2 bldgs.)	920

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

REGION 10—continued	*Reported cost*
U-Alas-613: Original Townsite, Anchorage (.77 acre)	5
I-Alas-615: False Pass Airport, Unimak Island, Aleutian Islands (205 acres)	(2)
I-Alas-616: Homer Fire Control Sta., Alaska (20 acres, 3 bldgs.)	39
U-Alas-617: ARR Lots, Anchorage (.69 acre, 4 bldgs.)	45
F-Alas-618: PHS, Alaska Native Med. Center & Area Office, Anchorage (Telephone system)	23
U-Alas-620: Coal Washing Plant at Eska, Sutton (4 bldgs.) (Industrial)	166
A-Idaho-448: Transmission Line, Cottonwood AFB, Idaho (42.14 acres easements)	52
D-Idaho-456: Fairchild AFB Fac. S-3, & Radio Relay Annex 5, Worley (224.97 acres easements)	4
D-Idaho-457: Mountain Home AFB, AF Fac. S-3, Mountain Home (310.08 acres, includes 255.03 acres easements)	18, 849
D-Idaho-461‹ Mountain Home AFB AF Fac. S-1, Bruneau (82.79 acres, includes .29 acre permit, 3 bldgs.)	21, 164
D-Idaho-468: Mountain Home AFB, AF Fac. S-2, Grandview (121.62 acres, includes 1.62 acres easements, 3 bldgs.)	20, 787
U-Idaho-469: Garage, Salmon (1 bldg.)	2
I-Mont-510: 14.4-kv Trans. line between Fairfield & Augusta Tap, & Greenfields Irrigation Dist. Distribution System, Montana	13
A-Mont-513: Telephone line from Deadman Gulch to Lolo Hot Springs, Montana	6
D-Mont-515: Glasgow Water System, Glasgow (1040.3 acres, 1 bldg.)	511
A-Ore-535: Spruce Production Corp., Railroad Right-of-way, South of Waldport (3.575 acres)	(1)
D-Ore-561: Port Orford Gap Filler Annex (PIN 4432), Oregon (12.86 acres, includes 12.36 acres easements, 2 bldgs.)	61
I-Ore-572: Ankeny National Wildlife Refuge, Salem (3.3 acres)	(1)
T-Ore-575: Desdemona Sands Light Res., Clatsop Co. (10 acres)	(2)
T-Ore-576: Willamette River Lighthouse Res., Multonomah Co. (.52 acre)	(2)
I-Ore-583: Pendleton Substa. Site, Oregon (.64 acre)	1
I-Ore-585: 57KV Salem-McMinnville Transmission line, Oregon City-Salem (.005 acre, transmission line)	198
D-Ore-586: Baker AF Sta., Oregon (151.60 acres, 59 bldgs.)	5, 442
I-Wash-401H: Ephrata Army Air Base Ephrata (8.49 acres, 2 bldgs.)	16
D-Wash-513H: Larson AFB, supporting TVOR Annex & Outer Marker Annex, Moses Lake (3,947.56 acres, 980 acres)	39, 015
C-Wash-522C: Auburn Depot Mil. Res., Auburn (8.76 acres)	143
C-Wash-527B: Weather Bureau Sta., Tatoosh Island, Neah Bay, Washington (5 bldgs.)	115
I-Wash-658C: Columbia Basin Project Eltopia (12 bldgs.)	47
GS-Wash-662: Mud Mountain Dam Project, Washington (638.1 acres)	4
N-Wash-665E: Bremerton Annex Spru, Shelton-Bangor-Bremerton Naval Railroad, Bremerton (2.928 acres, includes .37 acre easements, 2 bldgs.)	74
N-Wash-666C: Navy Eastpark Def. Housing Project, Bremerton (17.6 acres)	135
N-Wash-673: Manchester Annex, Naval Supply Depot, Seattle (111.17 acres, 27 bldgs.)	451
C-Wash-685: U.S. Science Exhibit, Seattle (6.5 acres, 7 bldgs.)	6, 569
D-Wash-701: Army NIKE-AJAX Site 43, Seattle De. Area (124.22 acres easements)	41
D-Wash-701A: Army NIKE-AJAX Site, Seattle (.43 acre)	1
D-Wash-704: NIKE-AJAX Site, Seattle (61.12 acres easements)	30
D-Wash-712A: John Day Lock & Dam Project, Paterson (1 acre, 3 bldgs.)	72
D-Wash-713: Army NIKE-AJAX Site 82, Seattle Def. Area (199.04 acres easements)	23
D-Wash-716: Army NIKE-AJAX Site 62, Seattle Def. Area, Kitsap Co. (99.85 acres easements)	14
D-Wash-722: Army NIKE-AJAX Site 81, Seattle Def. Area (85.84 acres eastments, 1 bldg.)	41
D-Wash-723: Army NIKE-AJAX Site 32-33, Seattle Def. Area (102.11 acres easements)	17
D-Wash-724: Army NIKE-AJAX Site 20, Seattle Def. Area (110.98 acres easements & .36 acre leased)	16
D-Wash: Northwest Relay & (22.55 acres)	7
B-Wash-754G: Horn Rapids Triangle, Richland (4,020 acres)	40
D-Wash-75: Fairchild AF Fac., S-4 & Radio Relay Annex No. 4, Sprague (239.5 acres easements)	48
D-Wash-760: Fairchild AFB Fac., No. 5 & Radio Relay Annex No. 9, Lamona & Harrington (231.96 acres easements)	204
D-Wash-761: Fairchild AFB Fac. S-6 & Radio Relay Annex #2, Davenport & Waukon (241.66 acres easements)	83
D-Wash-762: Fairchild AFB Fac. S-7 & Radio Relay Annex #8, Wilbur & Creston (2.6 acres leased and 243.9 acres easements, 1 bldg.)	252
D-Wash-763: Fairchild AFB Fac. S-8 & Radio Relay Annex #7, Egypt and Davenport (230.04 acres easements, 1 bldg.)	42
D-Wash-764: Fairchild AFB Fac. #9 with Radio Relay Annex #1, Reardon (104.62 acres easements and 138.49 acres leased)	49
W-Wash-765: Intersite Cable Line for Larson AF Fac. S-1 & S-3, Moses Lake & Othello (42.72 acres easements)	11
D-Wash-766: Larson AFB, Fac. S-1, Moses Lake (251.92 acres easements)	5
D-Wash-767: Larson AFB AF Fac. S-2, Moses Lake (241.83 acres easements)	5
D-Wash-770: Larson AFB, AF Fac. S-3, Othello (258.16 acres easements)	12
D-Wash-771: Fairchild Def. Area NIKE Battery 45, Washington (48.03 acres easements)	2
D-Wash-772: Fairchild Def. Area NIKE Battery 87, Spokane (67.54 acres easements)	4
P-Wash-781: Post Office-Fed Bldg., Port Townsend (1 bldg.)	1
U-Wash-784: Point No Point Light Sta., Hansville (12.55 acres)	1
I-Wash-788: Portion of Covington Tap to Chief Joseph-Snohomish #1 line (4.1 acres—right-of-way)	4
I-Wash-791: Columbia Basin Project, Westlake (2 bldgs.)	19
I-Wash-792: Columbia Basin Project, Mesa (2 bldgs.)	17
Region 10—81 cases	145, 949
Total all regions—361 cases	970, 517
Industrial (28)	437, 005
Nonindustrial (333)	533, 512

Source: Operational records.

[1] Entry carried reference a for which no explanation was supplied.

[2] Entry carried designation "nc," possibly denoting "no cost."

GENERAL SERVICES ADMINISTRATION, PROPERTY MANAGEMENT AND DISPOSAL SERVICE, HOLDING AGENCY CODES

A GSA control number is assigned to each report of excess real property. The control number in each case shows the holding agency code letter, the State, Territory or Insular Possession in which the property is located, and the serial number. (e.g. I-Okla-405) Holding agency codes are as follows:

DEPARTMENTS AND AGENCIES

Code:

A—Agriculture, Department of
B—Atomic Energy Commission
C—Commerce, Department of
D—Defense, Department of (except Navy)
E—Executive Office of the President (including emergency agencies)
F—Health, Education, and Welfare, Department of
G—General Services Administration
H—Housing and Urban Development, Department of
I—Interior, Department of
J—Justice, Department of
K—Civil Service Commission
L—Labor, Department of
M—Federal Maritime Commission
N—Navy, Department of (including Marine Corps)
O—Selective Service System
P—Post Office Department
S—State, Department of
T—Treasury Department
U—Transportation, Department of
V—Veterans Administration
W—Federal Aviation Agency
(Control Nos. 401 and above for properties reported excess prior to 7/1/67).
Z—All other agencies

WHOLLY OWNED CORPORATIONS

R—Reconstruction Finance Corporation
Y—All other Wholly owned Corporations

EXECUTIVE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate go into executive session.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. KENNEDY. Mr. President, I ask that the Senate turn to the consideration of the nomination of James E. Allen, Jr. of New York, to be Commissioner of Education.

The PRESIDING OFFICER. The nomination will be stated.

The bill clerk read the nomination of James E. Allen, Jr., to be Commissioner of Education.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

Mr. HOLLAND. Mr. President, I was asked last Thursday by several Senators to request that this matter be put over until today. For that reason I shall insist that the quorum call be a live quorum. I have no other means of communicating with the several Senators who approached me. I have no objection to the matter being called up at this time and finally passed on by the Senate. However, I ask that the quorum call be a live quorum call.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll, and the following Senators answered to their names:

[No. 27 Ex.]

Aiken
Allen
Allott
Anderson
Baker
Bellmon
Boggs
Byrd, Va.
Case
Church
Cook
Cotton
Cranston
Curtis
Dominick
Eastland
Gurney
Harris
Hart
Holland
Jackson
Javits
Kennedy
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Mondale
Murphy
Nelson
Pell
Prouty
Russell
Saxbe
Schweiker
Scott
Stennis
Stevens
Symington
Talmadge
Thurmond
Tydings
Young, N. Dak.
Young, Ohio

Mr. KENNEDY. I announce that the Senator from Missouri (Mr. EAGLETON), and the Senator from New Mexico (Mr. MONTOYA) are absent on official business.

I also announce that the Senator from West Virginia (Mr. BYRD), the Senator from Indiana (Mr. HARTKE), the Senator from Iowa (Mr. HUGHES), The Senator from Hawaii (Mr. INOUYE), the Senator from Utah (Mr. MOSS), the Senator from Maine (Mr. MUSKIE), the Senator from Rhode Island (Mr. PASTORE), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Alabama (Mr. SPARKMAN), the Senator from Virginia (Mr. SPONG), the Senator from Texas (Mr. YARBOROUGH), the Senator from North Dakota (Mr. BURDICK), and the Senator from Tennessee (Mr. GORE) are necessarily absent.

Mr. SCOTT. I announce that the Senator from Kansas (Mr. DOLE), the Senator from Hawaii (Mr. FONG), the Senator from New York (Mr. GOODELL), the Senator from Michigan (Mr. GRIFFIN), the Senator from Oregon (Mr. HATFIELD), the Senator from Nebraska (Mr. HRUSKA), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. KENNEDY. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms is instructed to execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Bayh
Bennett
Bible
Brooke
Cannon
Cooper
Dirksen
Dodd
Ellender
Ervin
Fannin
Fulbright
Goldwater
Gravel
Hansen
Hollings
Jordan, N.C.
Jordan, Idaho
Long
Magnuson
McClellan
Miller
Mundt
Packwood
Pearson
Percy
Proxmire
Randolph
Smith
Tower
Williams, N.J.
Williams, Del.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). A quorum is present.

The question is, Will the Senate advise and consent to the nomination of James E. Allen, Jr., of New York, to be Commissioner of Education?

Mr. HOLLAND. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. JAVITS. Mr. President, will the Senator yield to me momentarily?

Mr. DOMINICK. I yield.

Mr. JAVITS. Mr. President, I greatly appreciate the willingness of the Senator from Colorado to open the debate, as I was momentarily off the floor, but he has been kind enough to yield to me because Dr. James E. Allen, Jr., is, as everyone knows, the New York State Commissioner of Education, and a man in whom we take very great pride, not simply because he served thus in New York, but also and primarily because he is really an outstanding and distinguished educator. Our experience with him has been specially satisfactory.

Mr. President, I have no idea what the opponents of this nomination will argue.

I believe very deeply in emphasizing the positive. And the record of Dr. Allen in terms of higher education goes back for well over 20 years. During World War II when he served as education consultant to the War Department; and since then he has served in New York and in other States, including his birth State of West Virginia. He has had a most extraordinary career as a leading administrator of education.

It is very interesting that he comes with very high credentials in terms of a very extended list of honorary degrees, to which I invite the attention of the Senate on page 3 of the hearing record. These degrees are from a whole host of most distinguished educational institutions in the country.

These take him from the middle of 1955 down to the last degree received from Manhattan College in 1968.

Mr. President, Dr. Allen also has had an extraordinary education. He has a degree of doctor of education which he earned over 20 years ago from Harvard. He is also very well studied in economics and public finances.

It is very rare to get a man of such distinction and such quality in the educational community of the country to give up a position in which he has had full play for his powers and facilities in a rare, agreeable atmosphere, and ask him to assay the tremendously thorny path which represents higher office in this field, especially at this time in the United States.

Mr. President, there are two points I would like to emphasize aside from inviting Members to read, as I said from page 3 of the record and a few pages thereafter, the extraordinary stature which Dr. Allen has attained.

I should like very much to ask the Senators to consider two points which are of critical importance to me. One is Dr. Allen's position in respect of the teachers' strike in New York in which he proved to be the key, central figure in a situation of the utmost tension and difficulty in which passions were most violent. Dr. Allen is especially noteworthy for his handling of the problems in the New York teachers' strike in which he inspired extraordinary confidence from all parties to the dispute, a dispute involving the highest tensions and deepest emotions among all parties.

Indeed, it is charged that the teachers' strike in New York was responsible for a wave of racial tension which was very dangerous. I know it was true because I encountered it last year in my campaign for reelection. It was a threat to the security and tranquillity of the whole city. Dr. Allen was the one personality in the field who commanded the respect of all parties and was ultimately the critically important factor in bringing the matter to a conclusion.

Second, in respect of the most vexing problems involving school decentralization and the handling of school systems on the lower level, Dr. Allen has been an extraordinarily gifted leader. He is very highly regarded, not only in the State of New York, but also throughout the country.

These are critical problems which will vex the whole national educational system in this very vexing problem of university education as it deals with campus disruption about which we spoke earlier today.

Mr. President, in Dr. Allen we have an extraordinarily gifted leader with a sure hand and with great objectivity and skill.

The one thing that has been thrown at him in respect of his ability to serve, as I understand it—but we will hear about that more, I am sure, from those who oppose his confirmation—is the most vexing question of busing. However, that question must be considered in two lights. It must be considered in the light of the law of New York State, and it must be considered in the light that he has never sought to justify anything that he has done on that subject on grounds other than the highest demands of education itself. Pedagogy is all that he has ever advocated.

His opponents in the State of New York and elsewhere have sought to make it appear that the busing he was responsible for was done to create racial balance. However, Dr. Allen has proven on a thousand battlefronts, including those in the State of New York, his ability to sustain his position on the ground of the best education of our children, and in the fact that there is a great deal of busing in New York without regard to any other factor because we have central school systems in our rural areas and in our city areas. Educational centers are established there to encourage the best form of education under the surrounding circumstances for the children of the State.

Mr. President, I reserve the right to comment later on in the debate upon such points as are made by the opponents to the confirmation.

I did, however, wish to open the debate. The Senator from Colorado (Mr. DOMINICK) was very kind in yielding to me in my capacity both as the ranking minority member of the Committee on Labor and Public Welfare and as the senior Senator from New York, so that I might speak of the tremendous attributes which make this nomination a very strong nomination for the Senate to consider.

If Dr. Allen is confirmed today, or on whatever day the vote occurs, in my judgment we will have a historically effective and capable Commissioner as well as Assistant Secretary.

I hope very much that the Senate will most carefully at this time examine his background as it is spelled out in full and get some concept of the grasp and the achievement and the distinction possessed by Dr. Allen.

Mr. President, I thank the Senator for yielding.

Mr. DOMINICK. Mr. President, I was very happy to yield to my distinguished colleague, the ranking minority member of the Committee on Labor and Public Welfare, who is also the distinguished senior Senator from New York and a very great exponent and advocate of Mr. Allen.

It is only proper that the senior Senator from New York should open the debate. I was somewhat concerned that he might make an error of judgment as a lawyer. However, I was happy that he did not. I should have known the Senator from New York never would avoid a mistake of that kind, that is, the effort to anticipate an opponent's arguments and argue them for him.

I shall support the nomination of Mr. Allen to be Commissioner of Education and an Assistant Secretary of Health, Education, and Welfare.

When Mr. Allen appeared before the Senate Committee on Labor and Public Welfare, the members of that committee, including myself, discussed a number of issues. I commend the hearing record to all Senators.

There are two principal areas which we discussed which I think are particularly timely and will be of interest to the Senate. I might say they were conclusive in my decision to support Mr. Allen.

First is the issue of Headstart. Last year the Senate voted overwhelming approval of my amendment to move the Headstart program, together with increased funding, over to the Department of Health, Education, and Welfare.

The amendment was added to the 1968 Vocational Education Bill by a rollcall vote in the Senate with the aid and assistance of many Senators who are present on the floor today. It was then killed in a conference committee. I thought the chairman of the House committee acted in a most unfair manner. Holding a pocket full of proxies from absent Democrats, he took the position that either we would eliminate the Headstart provision or get no vocational education bill at all.

This year the President announced his intention to delegate Headstart, under authority now existing in the OEO Act, to HEW.

I understand legislation to make Headstart a permanent legislative program at HEW may come to the Hill from the President in the coming months. This is something which I feel will be very helpful.

I was therefore very pleased when, in response to my question, Mr. Allen stated, at page 32 of the hearing record:

> I am glad to see that the program is in the Department of Health, Education, and Welfare. I had hoped eventually it might be more closely integrated into the programs of the Office of Education. But I think the important thing here is to see that the values that exist in Headstart are continued, because it is more than an education program, it also involves health, welfare and nutrition and other activities and programs.

With this observation of Mr. Allen on the Headstart program, I fully concur; and I might say that this is in contradistinction to the statements which had been made by the previous Commissioner of Education and by the previous Secretary of Health, Education, and Welfare.

On the subject of the busing of students, I feel that the Commissioner and I probably are not completely in accord. Prior to the hearing, I had asked to have a position statement from the Department of Health, Education, and Welfare on the law regarding the busing of students either to overcome racial imbalance or to achieve a balance. The letter and enclosure which I received from the Secretary's office appear in the hearing record at page 30. Because I am sure that busing will be one of the subjects brought up, and because I am not as skilled a legal expert as my distinguished colleague, the Senator from New York, I am going to anticipate some of these questions, and I am going to make some reference to them.

The first is a letter to me, dated March 25, 1969, signed by Leon E. Panetta, then Assistant to the Secretary. It appears at page 30 of the hearing record and reads as follows:

> DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF THE UNDER SECRETARY,
> *Washington, D.C., March 25, 1969.*
>
> Hon. PETER H. DOMINICK,
> *U.S. Senate,*
> *Washington, D.C.*
>
> DEAR SENATOR DOMINICK: Thank you for your inquiry regarding the Federal City College as well as the law on busing.
>
> The office for Civil Rights has not received any complaints from the students or faculty alleging possible violation of Title VI of the Civil Rights Act, 1964, and have at the present time no knowledge of any such violation. It is the policy of this department to investigate all alleged violations of Title VI and to require corrective action where appropriate. Please be assured that we are following the situation at Federal City College closely and will keep you informed should administrative action be required.
>
> On the question of busing, the law is quite specific in forbidding the Federal Government from requiring busing to achieve racial balance. The Secretary recently directed a letter to Mr. Neal Sullivan, Commission of Education in Massachusetts, regarding this subject and enclosed is a copy of that letter.
>
> If there is any additional information you may require in either of these areas, we will be most pleased to provide such assistance.
>
> Sincerely yours,
> LEON E. PANETTA,
> *Assistant to the Secretary.*

The letter to Mr. Sullivan is found on pages 30 and 31. The important comments, it seems to me, are those in reference to sections 409 and 410 of the Department of Health, Education, and Welfare Appropriations Act for 1969. On these, Secretary Finch says:

> Finally, in Sections *489 and 410 of the HEW Appropriation Act for 1969, the* following language appears:
>
> "Sec. 409. *No part of the funds* contained in this Act *may be used to force busing* of students . . . in order to overcome racial imbalance.
>
> "Sec. 410. *No part of the funds* contained in this Act *shall be used to force busing* of students . . . in order to overcome racial imbalance *as a condition precedent to obtaining Federal funds* otherwise available to any State, school district or school . . ."
>
> Thus, as I stated in my interview, *the law clearly forbids the Federal Government from requiring busing to achieve racial balance.*

He goes on then with some caveats, saying that he was not entirely sure that local officials might not do something along these lines in any event.

I asked Mr. Allen these specific questions on page 29 of the hearing record:

> Senator DOMINICK. And you understand, do you not, that the Federal Law is quite specific in forbidding the Federal Government from requiring busing to achieve racial balance?
>
> Mr. ALLEN. I do understand that.
>
> Senator DOMINICK. Is this Federal Law going to create any problems in your philosophy and in your administration of education?
>
> Mr. ALLEN. Not at all. I think these responsibilities rest largely with the States in the first instance. The question of how you do this ought to be left to the States and the localities, wherever possible. I would hope that I can give my attention here to the more positive side of this, that is, to seeking ways in which we can use the title IV provisions and funds to assist the States and localities in our country in dealing with this very difficult problem.

Mr. President, we have a very explosive problem right now in my own State on this particular question. In the State of Colorado we probably had the No. 1 or No. 2 fair housing law in the entire country. I participated actively in the passage of the Colorado law when I was in the State legislature, and more recently, supported the Federal fair housing law we passed last year. I was criticized by some for doing this, congratulated by others.

Among other reasons why I supported fair housing, and will continue to support it, is that it should lay the basic legislative groundwork so that busing for racial purposes is no longer necessary. Once you have an opportunity for a person to live wherever he feels he can within his economic means, then you have totally undermined the basis of the argument that you have to bus in order to get equal educational opportunity.

I could give a concrete example in my State, and will do so. When Colorado passed this fair housing law—and I worked for its initial passage in 1959—many of our black people, very fine people, moved into a highly distinguished and highly qualified educational area inside Denver. The area is maintained beautifully. But, unfortunately, so many black people moved into the same area that many of the whites moved out, and they are just beginning to return.

So now we have a school system which has the same school facilities we had before, and in many cases the same teachers. Negro leaders have come to my office and said to me, "We must bus children into these schools to maintain a racial balance, or we must bus black students out of these schools to others, to maintain racial balance."

I asked, "Why?"

They replied, "Because we are not getting the education we deserve."

My answer to that is that if we have the same schools, the same teachers, the same facilities, and just as good a tax base as before, then if they take that position they are saying a Negro child cannot be as well educated as a white child, and I do not agree with that. I think that is just wrong.

It is perfectly possible to maintain a neighborhood school system with a Fair Housing Act and have integrated schooling as required by law by the Supreme Court. This would avoid the entire issue of busing, where children are suddenly dislocated from their homes and neighborhoods by the action of a school authority and sent away only to satisfy somebody's sense of sociological justice.

The Fair Housing Act, it seems to me, totally negates that position.

I also think there are questions of constitutionality involved, so I wrote to the Department of Justice and asked if it were in any way possible for Federal funds to be used for the purpose of busing in order to overcome racial balance. I have received a letter from the Department of Justice under date of May 3, 1969. The letter is signed by Mr. Leonard, who is the Assistant Attorney General in the Civil Rights Division. I ask unanimous consent that the letter may be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOMINICK. Mr. President, this is an interesting letter. In effect, it says that by law the Supreme Court has required integration of schools. By statute Congress has prevented the use of Federal funds for the purpose of overcoming racial imbalance. But where there is de facto racial imbalance the local authorities, in general, have a right to decide what should be done and then, of course, the question comes in, How do you trace the funds? This is what it really comes down to.

In my own judgment, if local authorities use Federal funds for the purpose of busing, it would be illegal under the law.

I am authorized to say on behalf of my colleague from Colorado (Mr. Allott), who serves on the Appropriations Committee which approved sections 409 and 410 that he concurs in the viewpoint I have expressed today.

However, if Federal funds are used to help out in the general administration of the school and the school uses its local funds for the purpose of busing the children, then the question is, Has the law been violated when local funds are used for the purpose of busing and Federal funds are used for general administrative purposes?

Mr. President, I get no satisfaction on either side of this question from the letter I have received from the Department of Justice. For purposes of the debate I think it is well to have the letter printed in the Record.

On pages 4 and 5 of the hearing record there is a listing of various organizations and associations to which he belonged. If he went to even one of these organizations per hour he would never have time to do anything else over a 24-hour period. There are about 60 of these organizations listed. I asked him what he was going to do about that. He stated that he was already in the process of resigning from most of them, and that most of them are honorary appointments from State organizations he belongs to. He recognized that this is a difficult job and one to which he will have to devote full time.

I am satisfied from having listened to Mr. Allen, having reviewed his qualifications, being certain he is interested in the best possible schooling for children, and knowing that we have a Federal fair housing law, that at this point this man should be and probably will be confirmed in the nomination.

Mr. President, I ask unanimous consent to have printed in the Record questions which I asked of the nominee and his replies, beginning on page 29 of the hearing record through the sixth paragraph on page 33.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

DEPARTMENT OF JUSTICE,
Washington, May 3, 1969.

Hon. PETER H. DOMINICK,
Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR SENATOR DOMINICK: Deputy Attorney General Kleindienst has asked me to reply to your letter to him of March 25 wherein you asked for comments on the constitutional and other legal implications of busing school children as a means of achieving school desegregation.

Since your question was not directed at any particular fact situation I can give you only some fairly general comments. Moreover, this should not be regarded as a formal opinion of the Department. You will recall that under the governing statutes of the Attorney General and his assistants are limited to furnishing opinions to the President and to the heads of the Executive departments on questions of law arising in the administration of their departments. 28 U.S.C. (Supp. III) 511–512.

As you know, in 1954 the Supreme Court held in *Brown* v. *Board of Education*, 347 U.S. 483, that the Constitution forbids state and local authorities to maintain school systems segregated on the basis of race. Since that decision there has been much dispute and litigation over the implementation of the requirement that schools previously segregated by law be desegregated. How that requirement shall be implemented depends to a considerable extent on the facts of each case, but the Supreme Court has stated that where state-enforced segregation has existed, the local authorities are "charged with the affirmative duty to take whatever steps might be necessary to convert to a unitary system in which racial discrimination would be eliminated root and branch." *Green* v. *County School Board*, 391 U.S. 430, 437–38 (1968). This is true whether the segregated system was maintained by outright assignment of pupils on the basis of race or by more subtle means. See *United States* v. *School District 151*, 404 F. 2d 1125, 1135 (C.A. 7, 1968). This Department has, as you know, broad litigating responsibilities under the Civil Rights Act of 1964, § 407, 42 U.S.C. 2000c–6, to seek, where appropriate, court action to compel adherence to this constitutional requirement. The Department of Health, Education, and Welfare also has the responsibility, under Title VI of the Civil Rights Act, 42 U.S.C. 2000d *et seq.*, of enforcing adherence to this requirement by schools which receive Federal financial assistance.

Distinct from the problem of elimination of *de jure* segregation, as required by the *Brown* decision, is the problem of dealing with *de facto* segregation or racial imbalance, the situation in which schools in a given school system have become nearly entirely Negro or nearly entirely white, not through any deliberate policy of local authorities, but because of residential patterns and other factors over which such authorities have no control. Congress has made it clear in the Civil Rights Act, §§ 401(b), 407(a), 42 U.S.C. 2000c(b), 2000c-6(a), and elsewhere, that it does not desire the Federal Government to compel, whether by litigation or administrative action, local authorities to act to eliminate or to minimize racial imbalance as distinguished from *de jure* segregation, in the schools. On the other hand, I do not know of any provision of Federal law which prohibits local authorities from exercising their discretion to devise school attendance plans which operate to lessen rather than to increase racial imbalance in the schools. As the Court of Appeals for the Second Circuit recently stated, "That there may be no constitutional duty to act to undo *de facto* segregation, however, does not mean that such action is unconstitutional. * * * What is prohibited is use of race as a basis for unequal treatment." *Offermann* v. *Nitkowski*, 378 F.2d 22, 24 (1967).

It is in this context that the question of busing must be considered. Busing is, in itself, constitutionally neutral. Most school systems use buses to some extent to transport children to and from school. Greater use of buses permits school authorities more flexibility in drawing attendance zones, but such flexibility might be used to achieve a greater or a lesser degree of racial integration in the schools.

As I have stated, the Supreme Court has held that local authorities must take whatever steps are necessary to eliminate *de jure* segregation "root and branch." This does not seem to me to imply any requirement that the concept of neighborhood schools be abandoned. However, application of this principle may in some circumstances require more busing, while in others it may require less. Similarly, where local authorities seek to eliminate racial imbalance, the resulting attendance plan is perhaps likely to involve more busing than the plan previously in effect, but in some cases it may involve less. Because of the many variables, therefore, it is extremely difficult to express any judgment with respect to the legal implications of busing apart from a particular factual context.

Mr. Spelts of your staff has called our attention to sections 409 and 410 of the

Departments of Labor, and Health, Education and Welfare Appropriation Act, 1969, P.L. 90-577. These sections provide as follows:

"Sec. 409. No part of the funds contained in this Act may be used to force housing of students, abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance.

"Sec. 410. No part of the funds contained in this Act shall be used to force busing of students, the abolishment of any school or the attendance of students at a particular school in order to overcome racial imbalance as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school: * * *."

The general thrust of these provisions is that the funds appropriated in the Act shall not be used, whether through threats to withhold assistance or otherwise, to compel local school authorities to adopt certain means of overcoming racial imbalance in the schools. It is clear that those sections impose no limitation on administrative efforts pursuant to Title VI of the Civil Rights Act to require local school boards to adhere to constitutional standards, whatever affirmative steps such adherence might entail. This distinction between requiring school boards to comply with the constitutional requirements and requiring them to overcome racial imbalance was well understood by Congress at the time those sections were enacted. See Congressional Record, volume 114, part 22, pages 29442–29451.

It has been further suggested that section 409 may have the effect of preventing a local school board, acting entirely on its own initiative, from using Federal funds "to force busing of students * * * in order to overcome racial imbalance." The language of the section appears to us somewhat ambiguous on this point. We might note that Congressman Whitten, the author of sections 409 and 410, stated that they were directed at compulsion by the Federal Government and did not restrict the actions of local school officials. See Congressional Record, volume, 114, part 22, page 29447, and part 14, page 18928. On the other hand, both sections were revised in the Senate Appropriations Committee, where the words "in order to overcome racial imbalance" were added, and the Committee report appears to indicate that the restriction on the use of funds would apply to the local authorities, as well as to the Federal Government, S. Rept. No. 1484, 90th Cong., 2d Sess. 89. However, the Senate amendments were aimed primarily at easing the restrictions voted by the House on the Department of HEW's activities in enforcing Title VI of the Civil Rights Act, and it might be anomalous to interpret the Senate's amendment of section 409 as imposing additional restrictions on the use of funds by local school authorities. We find no indication in the subsequent Congressional debates that this was the anticipated effect of the Senate amendment. I note that Secretary Finch has taken the position that sections 409 and 410 do not inhibit local authorities from using Federal grant funds for busing.

I hope that these comments have been responsive to your question. If I can be of any further assistance, please do not hesitate to call upon me.

Sincerely,

Jerris Leonard,
Assistant Attorney General, Civil Rights Division.

Exhibit 2

Senator Dominick. Dr. Allen, just to follow up on what Senator Javits mentioned regarding the neighborhood school problem, there have been instances in various States and localities where busing has been used to create racial balance or to overcome an imbalance which is inherent in a particular neighborhood school.

It is my understanding that you have supported busing to overcome racial imbalance.

Mr. Allen. Let me say this: In New York State I have a judicial function to perform and anyone who feels himself aggrieved may appeal to the Commissioner of Education for adjudication of that grievance. Under this authority I have had over the last 10 years a number of cases brought by parents and others against local school boards that, in the opinion of these parents, were not dealing adequately with segregated schools. And in a few cases I have supported these parents and directed that the local school authorities eliminate or correct the inequities.

I have never actually per se, directed them to bus children.

The results of some of the directions which have been given do require some degree of busing, but I would emphasize again when I said a while ago that if it is a choice between poor education, if it is a choice between segregated schools and busing, and there was no other way in which this could be corrected, then I would not deny to a local school system the right to bus.

Senator Dominick. And you understand, do you not, that the Federal Law is quite specific in forbidding the Federal Government from requiring busing to achieve racial balance?

Mr. Allen. I do understand that.

Senator Dominick. Is this Federal Law going to create any problems in your philosophy and in your administration of education?

Mr. Allen. Not at all. I think these responsibilities rest largely with the States in the first instance. The question of how you do this ought to be left to the States and the localities, wherever possible. I would hope that I can give my attention here to the more positive side of this, that is, to seeking ways in which we can use the title IV provisions and funds to assist the States and localities in our country in dealing with this very difficult problem.

Senator Dominick. Mr. Chairman, I have a letter received March 25th in my office, from an assistant to Secretary Finch of HEW, together with enclosure, in response to my inquiry which I would like included at this point in the record.

The Chairman. It will be ordered printed. For identification, you gave the date but what is the name?

Senator Dominick. It is from Leon E. Panetta, Assistant to the Secretary.

The Chairman. The document is ordered printed, as requested by the Senator from Colorado.

(The document referred to follows:)

Department of Health, Education, and Welfare,
Office of the Under Secretary,
Washington, D.C., March 25, 1969.

Hon. Peter H. Dominick,
U.S. Senate,
Washington, D.C.

Dear Senator Dominick: Thank you for your inquiry regarding the Federal City College as well as the law on busing.

The office for Civil Rights has not received any complaints from the students or faculty alleging possible violation of Title VI of the Civil Rights Act, 1964, and have at the present time no knowledge of any such violation. It is the policy of this department to investigate all alleged violations of Title VI and to require corrective action where appropriate. Please be assured that we are following the situation at Federal City College closely and will keep you informed should administrative action be required.

On the question of busing, the law is quite specific in forbidding the Federal Government from requiring busing to achieve racial balance. The Secretary recently directed a letter to Mr. Neal Sullivan, Commission of Education in Massachusetts, regarding this subject and enclosed is a copy of that letter.

If there is any additional information you may require in either of these areas, we will be most pleased to provide such assistance.

Sincerely yours,

Leon E. Panetta,
Assistant to the Secretary.

Department of Health, Education, and Welfare,
Washington, D.C., March 18, 1969.

Mr. Neil V. Sullivan,
Commissioner of Education, the Commonwealth of Massachusetts, Boston, Mass.

Dear Commissioner Sullivan: I am greatly concerned over the apparent misunderstanding that has developed from your letter to me regarding my remarks in the March 10 interview in U.S. News & World Report. I fear that recent press reports of this communication have served to undermine the efforts of dedicated school officials throughout this Nation and further confuse the already complex and delicate issue of school busing. I am most hopeful that the response will rectify this situation and help resolve whatever misunderstandings you may have regarding the law and the position of the Department of Health, Education, and Welfare on this matter.

First of all, let me make clear what the federal law is with regards to busing to achieve racial balance. Section 401(b) of the Civil Rights Act of 1964, 42 U.S.C. 2000c (1964) defines "desegregation" for purposes of Office of Education Programs aiding desegregation authorized by Title IV of the Act:

> Desegregation means the assignment of students to public schools and within such schools without regard to their race, color, religion or national origin, but desegregation shall not mean the assignment of students to public schools in order to achieve racial balance.

In addition, Section 704 of the Elementary and Secondary Education Act of 1965, 20 U.S.C. 584, states the following:

> Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States . . . to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

Finally, in Sections *409 and 410 of the HEW Appropriation Act for 1969*, the following language appears:

> Sec. 409. *No part of the funds* contained in this Act *may be used to force busing* of students . . . in order to overcome racial imbalance.
>
> Sec. 410. *No part of the funds* contained in this Act *shall be used to force busing* of students . . . in order to overcome racial imbalance *as a condition precedent to obtaining Federal funds* otherwise available to any State, school district or school . . .

Thus, as I stated in my interview, *the law clearly forbids the Federal Government from requiring busing to achieve racial balance.*

At the same time, *however, the law in no way limits or forbids State or local school officials from deciding that busing may be necessary to the educational needs of their students.* Surely, any local decision involving a sincere determination that busing is essential to the achievement of equal and improved educational opportunities for all cannot be quarreled with. *Indeed, federal funds may be used for this purpose where communities have made this decision.* This is why my concern regarding the use of busing has pertinence only in those instances where *". . . it may be detrimental to the level of education."*

I am keenly aware of your courageous efforts in Berkeley to provide quality education for all students and commend you for your work in this area. Your commitment to equal educational opportunities must be shared by all Americans . . . I can assure you that it is shared by this public servant.

Sincerely,

Robert H. Finch, *Secretary*.

Senator Dominick. And accompanying that is a letter from the Secretary to Commissioner Sullivan, which I think should also be a part of the Record.

The Chairman. It is ordered printed as part of the Record.

Senator Dominick. I ask this question for this reason: I have supported every civil rights bill since I have held public office, both in my State and here, and I feel very strongly about legislative equality of opportunity that is needed.

We enacted in the State of Colorado probably the number one or number two fair housing bill. I was then a member of the State legislature and participated in its preparation.

Shortly afterwards many of our very fine colored people moved into a magnificent area, which was toward the airport. It was one of our very good school areas. Unfortunately, when this happened, they moved in such large numbers that many of the whites moved out. I think this was a bad mistake, but they did. The school system thereby became predominantly Negro. I have had delegations now saying that although they have the same schools and they have the same teachers that they had before, they are not getting an adequate education. I have great difficulty in understanding this type of approach. And many of the school people in my State are now saying that in order to overcome the Negro majority in this particular area that we should bus other children in to create a racial balance.

What they are saying, in effect, is that even with equal school facilities and the teachers they had before, which was an area of very fine educational opportunity, they can't get an equal education when the students are all black. I don't believe that.

Do you find this a problem in other areas as well?

Mr. Allen. Well, certainly you can provide quality education in a school that is all black, just as you can provide quality education in a school that is all white. But if our goal in this country is to remove the attitudes that have brought about some of the discriminatory practices we have, it seems to me we have to go beyond this as a goal toward finding ways in which children can learn to live together very early and respect each other without regard to race, color, or creed.

Senator Dominick. With a fair housing law they can move anywhere they want.

Mr. Allen. I am saying that is an educacation problem. On the education issue, I believe that separate but equal is not equal. The Supreme Court has enunciated and I feel very strongly that as a part of good education in the long run we must work toward an integrated school program.

Senator Dominick. I don't want the record to reflect I favor separate but equal facilities, because I am very much against that idea. But what I am talking about is a neighborhood school system where the people themselves, by virtue of their own motion, created this problem. They are still free to move to other areas if they don't like it.

Mr. Allen. Well, I think you have to examine each of these cases in terms of its own merits and the conditions that are there. I would say with respect to the neighborhood school that it is one of the great traditions in this country and has great value. The relations between school and the community and the parts is very important for good education. But when the neighborhood school becomes exclusive and when good education cannot take place in a neighborhood school, or when children feel that they are being treated as inferior individuals because they are required to go to a school that is all of one race, then I think we have to reexamine the neighborhood school policy in that particular case.

In other words, it seems to me the overriding consideration here is how do you provide a good education for every boy and girl? And I believe that this can be best provided in terms of the principles for which we stand in this country, in an integrated setting, and we ought to work a little toward that goal.

Senator Dominick. This is exactly the point that I was trying to bring up before. Does your philosophy encompass the idea that we should have forced transportation systems from one area to another in order to get a racial balance in all the schools?

Mr. Allen. Well, I hope we do not have to do it that way. I hope, through getting an understanding here we do not have to force, because I have learned in New York that forced direction has not always achieved the goal that you are after. The important thing is to get understanding of this in terms of how it affects boys and girls. This is the direction which I would like to give my attention.

Senator Dominick. I started several years ago and last year the Senate approved my bill to transfer the Headstart program from OEO to the Office of Education in HEW. The President has now indicated that he would like Headstart to be under a newly created Office of Child Development at HEW. I understand coordination of Headstart with the school systems will depend to some extent on the so-called 4–C program.

Do you have any feeling that there is going to be difficulty in this coordination?

Mr. Allen. Well, I have not been close to the change that has taken place here. I am glad to see that the program is in the Department of Health, Education, and Welfare. I had hoped eventually it might be more closely integrated into the programs of the Office of Education. But I think the important thing here is to see that the values that exist in Headstart are continued, because it is more than an education program, it also involves health, welfare and nutrition and other activities and programs.

I will be, I am sure, very closely associated with this program even though it may not be directed in the Office of Education. I will be brought in to be given, I am sure, an opportunity to evaluate it and discuss how best it should be eventually located or assigned.

Senator Dominick. The Westinghouse Corp. has finished a rather controversial study of the value of Headstart for OEO.

They concluded in summary that it was insignificant to date. Do you have any comment on that?

Mr. Allen. I have not read the Westinghouse report yet. I think the problem here is to look at the ways in which we can improve Headstart. Improve the planning for it and improve the involvement of parents and others in it.

I would hope at the moment we don't take that report and the announcement of its findings as meaning that we must throw out the Headstart program at this stage.

Mr. HOLLAND. Mr. President, there is no question at all about the fact that this nominee has had a distinguished career as an educator, and I do not question that fact. The hearing record abundantly shows that to be the fact.

The thing that bothers me about the nominee has to do with the explosive issue mentioned by both Senators who have preceded me, the explosive issue of his official acts in disturbing the integrity of the neighborhood school and his assault on the principle of freedom of choice.

I have followed closely the argument of my distinguished friends from New York and Colorado. I certainly am not going to differ in great measure with either of them.

I do think, however, that the distinguished Senator from Colorado (Mr. Dominick) has left out of his emphasis in his exchange with Mr. Allen when he was being interrogated in the confirmation hearing those portions of his questions and Mr. Allen's answers which reflect the clearest showing as to how he feels about busing to overcome segregation in the schools. Beginning with the third paragraph on page 32, I shall read two questions asked by the Senator from Colorado and two answers thereto by Mr. Allen which I think reflect most clearly upon his attitude in this particular matter.

We all know that his career in New York has included the matter of busing of students who, I think, were bused clearly for the purpose of creating a better balance racially in the schools.

The first question asked by the Senator from Colorado was:

> Senator Dominick. I don't want the record to reflect I favor separate but equal facilities, because I am very much against that idea. But what I am talking about is a neighborhood school system where the people themselves, by virtue of their own motion, created this problem. They are still free to move to other areas if they don't like it.
>
> Mr. Allen. Well, I think you have to examine each of these cases in terms of its own merits and the conditions that are there. I would say with respect to the neighborhood school that it is one of the great traditions in this country and has great value. The relations between school and the community and the parents is very important for good education. But when the neighborhood school becomes exclusive and when good education cannot take place in a neighborhood school, or when children feel that they are being treated as inferior individuals because they are required to go to a school that is all of one race, then I think we have to reexamine the neighborhood school policy in that particular case.
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> In other words, it seems to me the overriding consideration here is how do you provide a good education for every boy and girl? And I believe that this can be best provided in terms of the principles for which we stand in this country, in an integrated setting, and we ought to work a little toward that goal.
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> Senator Dominick. This is exactly the point that I was trying to bring up before. Does your philosophy encompass the idea that we should have forced transportation systems from one area to another in order to get a racial balance in all the schools?
>
> Mr. Allen. Well, I hope we do not have to do it that way. I hope, through getting an understanding here we do not have to force, because I have learned in New York State that forced direction has not always achieved the goal that you are after. The important thing is to get understanding of this in terms of how it affects boys and girls. This is the direction which I would like to give my attention.

Mr. President, it is clear from those two exchanges that Mr. Allen does not rule out entirely the busing of pupils. He makes it very clear that he hopes he does not have to use forced busing in order to bring about integration, but that he does not rule that out, and he also makes it clear that in his opinion the important thing is to get the best educational results for the boys and girls, this notwithstanding the fact that in some cases, he says "when the neighborhood school becomes exclusive and when good education cannot take place in a neighborhood school, or when children feel that they are being treated as inferior individuals because they are required to go to a school that is all of one race, then I think we have to reexamine the neighborhood school policy in that particular case."

Mr. President, I ask unanimous consent to have that quotation printed in the Record again.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

> When the neighborhood school becomes exclusive and when good education cannot take place in a neighborhood school, or when children feel that they are being treated as inferior individuals because they are required to go to a school that is all of one race, then I think we have to reexamine the neighborhood school policy in that particular case.

Mr. DOMINICK. Mr. President, will the Senator from Florida yield at that point?

Mr. HOLLAND. I yield.

Mr. DOMINICK. I wish to say to the Senator that that is why I said I did not feel, necessarily, that Dr. Allen's feelings on busing on a racial basis were compatible with mine. I do not believe that we should bus on a racial basis on anything, whether it is to school or anything else. I think that is the wrong way to go about it. But I do feel that he is well aware of the fact that in the Federal law there is a prohibition against the use of Federal funds for that purpose. I think he did demonstrate that, which answers my question.

Thus I believe that the Senator is to the point when he talks about the neighborhood school system.

Mr. HOLLAND. I thank the Senator. I noted the words in his former statement. I put them down here, and I think they are the words he used, that his philosophy and that of Mr. Allen's were "probably not in accord."

If I may say so, with all respect, I think that the use of those words was an understatement of the situation, because I think that the positions of the two distinguished gentleman, the Senator from Colorado and the nominee from New York, are not at all in accord on that one question.

Now I do not believe I have ever quoted in any debate, heretofore, the words of any witness of the Liberty Lobby. It happens in this case that they are words used by a witness of that organization which so clearly state the situation which exists in my State and even in the county in which I live, that I must quote briefly from the statement of Mr. Michael D. Jaffe, general counsel, Liberty Lobby, which is as follows:

> American parents and taxpayers are up in arms over the Federal assault on freedom of choice, the neighborhood school, and the right of our children to secure the best possible education free from the blighting influence of the social planners.
>
> Dr. James Allen believes, as his record makes clear, that the purpose of education is total racial integration. But the average American, in all sections of the Republic, believes that the purpose of education is to educate children. And this can best be done by local people, familiar with local conditions. The Office of Education was never meant to be a "national school board." By rejecting the nomination of Dr. Allen, this committee can perform an extremely valuable service to all Americans, who want superior education for their children and who do not confuse learning with busing.

Mr. COTTON. Mr. President, will the Senator from Florida give me the page number on which he is reading?

Mr. HOLLAND. It is on page 38, near the bottom of the page. I will wait a moment for the Senator to find that quotation.

Mr. COTTON. I have found it. I thank the Senator.

Mr. HOLLAND. Mr. President, I read that excerpt again for emphasis:

> American parents and taxpayers are up in arms over the Federal assault on freedom of choice, the neighborhood school, and the right of our children to secure the best possible education free from the blighting influence of the social planners.

Mr. President, that does happen to be the situation in my own county which has been practicing reasonable integration, for a good long time and which has noted a situation under which the colored children prefer to go, in most instances, to their colored schools and particularly, if I may say so, for objectives which they hold dear, one of them being the maintenance of continued excellence in athletics.

In my own hometown, the Negro high school, Union Academy, has frequently won the championship of the schools in that class all over the State. They like to continue in that course of dealing. They have now, I believe, four of their alumni serving as professional football players in either the American or the National Football League. Another reason why they like to preserve their unity and their existence as a colored school is that when some of their better students have moved over to the previously all-white schools, they have noted that the level of education in their school necessarily suffers. They think that under the freedom-of-choice plan, some of their best students have moved over to schools which were previously all white. I think it is sound to say that in my own hometown that paragraph just quoted from Dr. Jaffe would apply with great force.

Likewise, in other cities in our county, and in other counties in the State of Florida, not all of them by any means, but not only in the Old South counties, the same feeling applies on the part of the parents and the taxpayers—and, I might say, on the part of the children themselves. I am speaking now of children of both races.

So, Mr. President, in spite of the excellent record in the educational profession made by this nominee, on all other points, so far as I am concerned, I could not possibly vote to confirm him for this important position without going against the very determined opposition of large numbers of my own people, and without going against a policy which is bringing confusion and disruption into long peaceful relations in the school system of my county and other areas in my State.

Mr. President, without reflecting in the slightest upon this nominee, because no doubt he was carrying out what he regarded as the philosophy of the great majority of the people in the State which he was serving, so far as I am concerned, in my State, that philosophy is not the philosophy of our people. It is not helpful to the people in many areas where it has been adopted. It has been adopted through the efforts of the prior commissioner of education under the guidelines laid down by him and under the rulings of at least one of our district judges in the Federal district courts.

Mr. President, I yield the floor.

Mr. THURMOND. Mr. President, it is with great reluctance that I announce my intention to vote against the confirmation of Dr. James E. Allen to be Commissioner of Education. While I have many times in the past opposed many individuals for various Federal posts, I am generally of the opinion that a new administration should be given wide latitude in its choice of personnel. In this particular case, however, I feel compelled to take exception to Dr. Allen primarily because I believe his views and his record on the use of busing schoolchildren to achieve a racial balance are not in the best interest of this Nation. I also believe that his views conflict with those of President Nixon as enunciated during the campaign. Mr. Nixon said:

> I think that busing the child—a child that is two or three grades behind another child and into a strange community . . . I think that you destroy that child. The purpose of a school is to educate. That is what we have to do.

At another point in the campaign he said:

> The purpose is education. I oppose busing because I'm for education. When you pick up children and cart them across town, you don't help their education. You hurt them.

Dr. Allen's record on this important issue is well known, particularly in the city of Mount Vernon, N.Y. His activities in this regard were so unpopular in New York State that on March 26 the New York Assembly voted 104 to 41 to ban busing of students to correct racial imbalance in schools. This bill was subsequently passed by the New York Senate and signed by the Governor. I should like to quote a paragraph from the New York Times of March 27, 1969:

> The two leading Republican spokesmen for the bill, George Van Cott of Mount Vernon and George Farrell of Floral Park, L.I., represent areas where busing has been ordered by the State Commissioner of Education, Dr. James E. Allen, Jr. They made clear their resentment of these orders from outside officials. . . .

Mr. President, I think this makes it clear that the act of the New York Legislature was a direct result of popular opposition to Dr. Allen's activities. If his policies have created such opposition in New York State, which is probably the most liberal State in the Nation, I believe it would be most unwise for him to make policy for the entire Nation.

I wish to make it clear that I do not know Dr. Allen personally and I have no reason to believe that he is anything other than a man of integrity. It is his policies, not his person, that I oppose. I cannot in good conscience support his confirmation, and I ask that I be recorded against it.

Mr. PROUTY. Mr. President, I hope very much that the Senate will confirm the nominations of Dr. James E. Allen, Jr., as U.S. Commissioner of Education and as an Assistant Secretary of Health, Education, and Welfare.

The positions to which the President has nominated Dr. Allen do involve areas of controversy, and I feel certain that some Members of this body, including myself, are not in complete accord with all of Dr. Allen's views. But I suggest that if we required that these important positions be occupied by a person with whom each Senator found himself in 100 percent agreement, the positions would remain vacant.

I commend the nominations of Dr. Allen with a keen appreciation of his distinguished record in education. As a member of the Subcommittee on Education of the Committee on Labor and Public Welfare, I am particularly concerned with the Nation's educational challenges. As we meet these challenges, there will probably be disagreements, but I feel that Dr. Allen's fairness, reasonableness, and expertise will contribute much to meeting such challenges.

Again, I urge Senators to join me in voting for the confirmation of Dr. Allen's nominations.

Mr. ALLEN. Mr. President, I speak in opposition to the confirmation of the nominations of Dr. James E. Allen, Jr., to be U.S. Commissioner of Education and Assistant Secretary of Health, Education, and Welfare.

Although our names are quite similar, since mine is James B. Allen and his is James E. Allen, we are not related. I am sure he would hasten also to assure the Senate of the same thing.

We come from different areas of the country, he from West Virginia by way of New York, and I from Alabama, so it is not surprising that our ways of life and our outlooks and viewpoints are different.

The office of U.S. Commissioner of Education and the office of Assistant Secretary of Health, Education, and Welfare are important positions, important to the people of Alabama and of the Nation. The holder of this office will help to formulate and put into practice the Nixon administration's policies concerning our schools.

A man who has the views that Dr. Allen has is not the man to whom should be entrusted the welfare of the schoolchildren of the Nation. In my judgment, his goals are social goals more than educational goals. He is more interested in conducting social experiments with schoolchildren than in seeing them get quality educations. He would lower the levels of education to the lowest common denominator rather than to raise levels.

More than any other person, Dr. Allen is responsible for the concept of busing students from one section of a town or county to another for the purpose of achieving racial balance in a given school system.

He has been nicknamed "Mr. Busing"—and with adequate reason. The busing of students to achieve a racial balance is completely contrary to the principle of freedom of choice for students. It is forced integration instead of the absence of discrimination, which court rulings require.

Just recently the New York Legislature passed a bill providing that no State funds shall be used to bus students for the purpose of achieving a racial balance. So Dr. Allen's policies have been repudiated by the very State which he has been serving and where he put into practice his busing ideas.

We do not need to have Dr. Allen continuing the policy of forced integration of our schools through the busing of students, through court orders, through the withholding of Federal financial support from our school children. Are we not having enough troubles with our educational institutions already because of riots, rebellions, and lack of adequate funds? I believe we are.

I know that our State government and school systems in Alabama want to make available a quality education to every boy and girl in Alabama. Without Federal intrusion and a takeover of our schools, that is just what will be done in Alabama.

Earlier in this session of Congress, I placed in the Congressional Record an editorial published in the Dothan, Ala., Eagle. The editorial quoted in full an article published in Human Events, from which I shall read, specifically incorporating these words and phrases as my own. The article is entitled:

"Mr. Busing" Comes to Washington

> Republican politicos were intensely unhappy last week with the naming of the controversial Dr. James E. Allen—a zealous school integrationist—to two powerful positions in the Department of Health, Education, and Welfare. The startling selection of New York state's commissioner of education, who will assume both the jobs of assistant secretary of HEW and U.S. Commissioner of Education in the Nixon Administration, is considered a stunning setback by GOP strategists who realize the party must move southward to forge a permanent Republican majority. Yet the strange choice of Allen—made by Nixon's supposedly good friend Robert Finch—promises to wreak havoc with that plan.
>
> "If anything can regalvanize the Wallace movement," noted one Southern Republican last week, "it is the appointment of such persons as Allen." But Allen's policies—if implemented on a national level—are bound to trigger an adverse reaction to the Nixon Administration not only in the South but in almost all other sections of the country as well.
>
> The czar of New York's primary and secondary education system for 14 years, Allen has become the champion in inflexible and irresponsible integrationist policies, policies which Nixon repeatedly—and vigorously—opposed during the campaign. He is, in fact, "Mr. Busing" himself. Moreover, in New York's decentralization struggle, Allen allied himself with the racial militants, both black and white.
>
> What Allen will probably choose to accomplish in his new post can be gauged from his New York performance in the past six years. On June 14, 1963, he issued a directive to every school district in New York demanding the elimination of "racially imbalanced" school which he defined as "one having 50 percent or more Negroes enrolled." Since this incredible edict, Allen has been disrupting the state's local system by energetically trying to end de facto segregation, closing down perfectly good schools if they are "racially imbalanced" and instituting a massive busing program . . .

I interpolate that in the State of Alabama, we have had more than $15 million worth of schools closed—perfectly good schools, some brand new—in order to implement a program of this sort.

> Upon being formally nominated to his new position last week, Allen did nothing to suggest a softening of his previous positions. He even went so far as to stress that he was "fundamentally" in agreement with the past Commissioner of Education, Harold Howe II, whose plans to achieve compulsory racial and economic integration in the nation's schools included massive busing, educational parks and the virtual elimination of neighborhood schools.
>
> Allen's love for Howe was not exactly a surprise, however. Indeed, Allen's chief aide in implementing his own compulsory integrationist policies was one Theron Johnson, who became a special assistant to Howe in 1966. Also an advocate of busing and educational parks, Johnson plans to stay in his $25,000-a-year job to serve Allen once again.
>
> Yet Allen's attitude on integration is not all that is disturbing. In the late 1950s, Allen put pressure on the city board of education to help eliminate an investigation into Communist teachers headed by assistant corporation counsel Saul Moskoff. Allen, further, is considered almost as responsible as John Lindsay for permitting racial militants to take over the schools in the Ocean Hill-Brownsville area.
>
> The Allen selection, then, bodes ill for the Nixon Administration. Unless Allen can be hamstrung, HEW will be a far more activist department than Nixon—or its new secretary Robert Finch—had led many to believe.

Then, as shown in the Congressional Record of April 23, 1969, this matter received attention in the House of Representatives, when Representative James M. Collins of Texas stated:

> There is pressure to bus children from 6 to 13 miles away from home. If an elementary schoolchild is 10 miles away from home, he cannot go home if he gets sick during the day. A girl cannot stay after school to rehearse school plays; a teenager cannot take part in athletic events; a weak student cannot have special tutoring in weak subjects because all would miss the bus. Parents' attendance at PTA meetings would be difficult in the evenings. The long bus ride would immeasurably lengthen the day for the student. In addition to that the cost of busing could become astronomical.
>
> Mr. Chairman, many statistics show the unpopularity of this subject of busing. Nation School magazine, May 1968, reported a poll that showed that 74 percent of the Nation's school superintendents did not support busing as a desegregation measure. This same survey showed that the members of the school boards, by 88 percent, would not personally support a busing program. And, this is interesting: in Today's Education, March 1969, an NEA research division survey showed that 78 percent of the teachers oppose busing students from one district to another.

Everyone is against busing, but yet busing continues.

I read next an excerpt from an editorial published in the New York Daily News on March 28, 1969, entitled "Let's Drop Forced Busing":

> After a hot debate, the Assembly day before yesterday passed by a 104–41 vote the bill to end compulsory busing of school children in the interest of integration.
>
> Any school district whose citizens wanted such busing could go ahead and have it, under this proposed law.
>
> But State Education Commissioner James E. Allen Jr.'s notion that black children should be shipped into white-majority schools and vice versa by order of Doc Allen would be junked.
>
> The Allen idea sounds good at first hearing—mix the races early in life, get 'em to know one another, and so on.
>
> It hasn't worked out that way in practice, and we doubt that it ever will or can.
>
> Let's drop it, via State Senate passage and signature by Gov. Rockefeller of the no-compulsory-busing bill, and soon.

That is the reaction of at least some of the press in the State of New York.

Mr. President, the schools of Alabama are institutions near and dear to the hearts of our people, ranking just behind our churches. We resent very much the prospect of having a man with the political views, the political philosophy, and the sociological thinking of Dr. James E. Allen, Jr., confirmed as U.S. Commissioner of Education and Assistant Secretary of the Department of Health, Education, and Welfare, and put in charge of enforcing the educational policies of this Nation. As the junior Senator from Alabama, speaking for the people of Alabama, I strongly oppose the confirmation of Dr. Allen for this position.

Mr. EASTLAND. Mr. President, I strongly oppose the nomination of James E. Allen, Jr., of New York to be Commissioner of Education and Assistant Secretary for Health, Education, and Welfare.

I do not oppose this nomination on the basis of Mr. Allen's personal qualifications, abilities, and talents, or the lack thereof. So far as I am able to determine, Mr. Allen is a capable and competent educator.

Rather, I oppose this nomination because I am completely convinced that the educational philosophy of the nominee as exemplified by his actions as commissioner of education for the State of New York since 1955 and his public statements is detrimental to the best interests of the schoolchildren and the school systems of America. I will discuss in some detail the general educational philosophy of Mr. Allen.

It would be a national calamity if a person with his ideas and theories of education were placed by this Senate in a position to enforce his ideas on the schoolchildren and the school systems of this country. First, it is significant to know that Mr. Allen has publicly stated that he has no differences of view with the former Commissioner of Education, Mr. Harold Howe II, and that he plans to vigorously enforce the school integration guidelines promulgated by the Department of Health, Education, and Welfare. These statements are contained in a news story in the Washington Star of February 4, 1969.

I say with the greatest earnestness and sincerity to my friends and colleagues in the Senate that if Mr. Allen is confirmed and if he keeps his promise to carry out the policies of Mr. Harold Howe and to rigorously enforce the HEW guidelines that there will be a crisis in the public education system of the State of Mississippi and many other States this September.

I do not know how many Senators appreciate the gravity of this situation. Delegations of educators and interested citizens from my State have visited and contacted me and have told me graphically about the serious situation that presently exists in Mississippi.

Mr. President, if these so-called guidelines, which in my judgment are illegal and without the force of law, and which provide for a race quota in the public schools, continue to be harshly and rigorously enforced, there will be terrible dislocations and disruptions in many parts of the public school system of my State.

Mr. Allen has made it clear that he intends to follow the disastrous policy of Mr. Howe and force racial integration on unwilling parents and students.

I call upon every Senator to help save the public school systems in Mississippi and many other States by voting to defeat this nomination.

I believe that this nomination is opposed by the great majority of the American people. Shortly after his appointment by the President was announced an article concerning Mr. Allen appeared in the Christian Science Monitor of February 5, 1969. The headlines of this article stated, "New U.S. School Head Favors Radical Change." The article began as follows:

> In a speech at Columbia University last summer, the new United States Commissioner of Education, Dr. James E. Allen, Jr., said, "facing urban problems, and the many others no less serious and pressing, it is no longer possible, in the exercise of responsible leadership, to consider solutions in terms of patching up, reshuffling, or superficially modernizing traditional approaches."
>
> He went on to urge "really new and radical changes" in education, a not too infrequent cry of educators who have grappled with the complex problems of urban education.
>
> Dr. Allen—New York State Education Commissioner for 13 years—will include among his top priorities in his new post, a study of the entire U.S. educational system from primary grades through college.
>
> In announcing Dr. Allen's appointment, President Nixon said, "As the highest educational officer in the government Dr. Allen will play a leading part in shaping the policies and plans of this administration for the support and improvement of education in the nation."

I do not believe that the people of America last November voted for the kind of radical change in our public school system endorsed by this nominee. To the contrary, I believe that the vote last November was a clear repudiation of the theory that our public school systems should be used for the purposes of social planning and conducting social experiments. In my judgment, the American people voted for a return to sanity in our public school systems. Two of the candidates who between them received some 57 percent of the popular vote hit hard on the theme that the function of public education is to instruct and educate our children, not to conduct sociological experiments.

With all due respect I feel that the appointment and confirmation of this nominee is and would be a clear renunciation and repudiation of this expression of the popular will.

We know that Mr. Allen believes that the public school systems should be used to promote integration and intergroup experiences. He has given these theories of education the force of law in the State of New York by his rulings as commissioner of education of that State.

I want to emphasize strongly that this nomination should be opposed not only by those who are interested in saving public education in the Southern States but those who are interested in saving public education in every State in the Union. Do not deceive yourselves that Mr. Allen will use his vast powers as U.S. Commissioner of Education to compel integration only in the Southern States. He has made it plain that he will do this to the school systems of every State.

On June 14, 1963, Mr. Allen, acting as commissioner of education of New York, promulgated a directive to all local school authorities in that State concerning "racial imbalance in schools." This directive and the guidelines which accompanied it were placed in the CONGRESSIONAL RECORD, volume 110, part 6, pages 7098–7099. I urge each and every Senator to carefully read this radical edict in order to see what Mr. Allen has in mind for public education.

I read now from the pertinent language of the directive signed by Mr. Allen on June 14, 1963:

> The State education department is constantly seeking to improve policies and practices which will bring about the full operation of the principle of equality of educational opportunity for persons of all social, economic, and cultural backgrounds. In line with this effort and after studying the implications of the 1954 decision of the U.S. Supreme Court, the board of regents adopted and announced in January 1961 a statement of policy which contained the following paragraph:
>
> "The State of New York has long held the principle that equal opportunity for all children, without regard to differences in economic, national, religious, or racial background, is a manifestation of the vitality of our American democratic society and is essential to its continuation. This fundamental educational principle has long since been written into education law and policy. Subsequent events have repeatedly given it moral reaffirmation. Nevertheless, all citizens have the responsibility to reexamine the schools within their local systems in order to determine whether they conform to this standard so clearly seen to be the right of every child."
>
> The regents' statement goes on to point out that modern psychological and sociological knowledge seems to indicate that in schools in which the enrollment is largely from a minority group of homogeneous, ethnic origin, the personality of these minority group children may be damaged. There is a decrease in motivation and thus an impairment of ability to learn. Public education in such a situation is socially unrealistic, blocking the attainment of the goals of democratic education, and wasteful of manpower and talent, whether the situation occurs by law or by fact.
>
> To implement the regents' policy, the department has carried on through its division of intercultural relations, a continuing pro-

> gram of education and assistance aimed toward securing greater understanding and constructive action throughout the schools and colleges of the State. Important progress has been made, especially in higher education.
>
> To assemble additional information on the problem, the department conducted in November 1961, a racial census the elementary schools of the State. The findings of that study were reported in July 1962. The report identified a number of districts in which the ratio of Negro to white pupils was relatively high and suggested that these districts should give added attention to this situation.
>
> In June 1962, I appointed a three-member Advisory Committee on Human Relations and Community Tensions to advise and assist the department and the local school districts. From its studies, the committee has developed a statement of principles for dealing with racial imbalance in the schools. A copy of this statement is enclosed.
>
> The position of the department, based on the policy of the regents, and the principles of the Commissioner's Advisory Committee, is that the racial imbalance existing in a school in which the enrollment is wholly or predominantly Negro interferes with the achievement of equality of educational opportunity and must therefore be eliminated from the schools of New York State.
>
> If this is to be accomplished, there must be corrective action in each community where such imbalance exists. In keeping with the principle of local control, it is the responsibility of the local school authorities in such communities to develop and implement the necessary plans.
>
> It is recognized that in some communities residential patterns and other factors may present serious obstacles to the attainment of racially balanced schools. This does not, however, relieve the school authorities of their responsibility for doing everything within their power, consistent with the principles of sound education, to achieve an equitable balance.
>
> In order that the department may know what your plans are for carrying out this responsibility, I request that you submit to me by September 1, 1963, the following information:
>
> 1. A statement indicating the situation in your district with regard to any problem of racial imbalance, regardless of the number of Negro children enrolled, or to the actual existence of or trend toward racial imbalance. At this time and for the purpose of this report, a racially imbalanced school is defined as one having 50% or more Negro pupils enrolled.
>
> 2. A statement of policy by your board of education with respect to the maintenance of racial balance in your schools.
>
> 3. In districts where racial imbalance exists, or is a problem, a report of progress made toward eliminating it.
>
> 4. In such districts, your plan for further action, including estimates of the additional cost, if any, and of the time required for carrying out your plan.

I also read excerpts of the "guidelines" accompanying this directive drafted by Mr. Allen's Advisory Committee on Human Relations and Community Tensions. Parenthetically, I think it is safe to assume that Mr. Allen approved and endorsed all of the statements made by his handpicked committee. Here is what this committee said, in part:

> A cardinal principle, therefore, in the effective desegregation of a public school system is that all of the schools which comprise that system should have an equitable distribution of the various ethnic and cultural groups in the municipality or the school district. Where serious imbalance exists the school with the highest proportion of minority group and lower status children tends to receive more such children as parents who are able to do so move to neighborhoods and schools of higher status.
>
> A program which seeks an equitable distribution of majority and minority group children in all of the schools of a district offers several advantages. It will enable all children to profit from acquaintance with others of different backgrounds than their own, it will reduce distinctions among schools based on noneducational factors, and will probably stabilize the shifts of enrollment which often follow the arrival of minority group children in disproportionate numbers in a particular school.
>
> The committee recognizes that long established patterns and community customs are not easily or quickly changed and that psychological and social factors operate on all sides of such a situation as the one now before you. We therefore suggest six principles which seem to us relevant to the whole question of racial balance in the schools.
>
> 1. The common school has long been viewed as a basic social instrument in attaining our traditional American goals of equal opportunity and personal fulfillment. The presence in a single school of children from varied racial, cultural, socioeconomic, and religious bakgrounds is an important element in the preparation of young people for active participation in the social and political affairs of our democracy.
>
> 2. In forming school policies, every educationally sound action should be taken to assure not only passive tolerance but active acceptance of and genuine respect for children from every segment of the community, with particular attention given to those from minority groups that may have been the objects of discriminatory mistreatment.
>
> 3. No action, direct or indirect, overt or covert, to exclude any child or group of children from a public school because of ethnic, racial, religious, or other educationally irrelevant reasons should be taken by any public agency. Wherever such action has occurred it is the obligation of the school authorities to correct it as quickly as possible.
>
> 4. No action should be taken which implies that any school or any group of pupils is socially inferior or superior to another, or which suggests that schoolmates of one group are to be preferred to schoolmates of another. In establishing school attendance areas one of the objectives should be to create in each school, a student body that will represent as nearly as possible a crosssection of the population of the entire school district, but with due consideration also for other important educational criteria including such practical matters as the distance children must travel from home to school.
>
> 5. A neighborhood school offers important educational values which should not be overlooked. The relation between a school and a definable community with which it is identified can, in many cases, lead to more effective participation by parents and other citizens in the support and guidance of the school. It can stimulate sound concern for the welfare of the school and its pupils and can lead to beneficial communication between the school staff and the community that staff serves.
>
> 6. When a neighborhood school becomes improperly exclusive in fact or in spirit, when it is viewed as being reserved for certain community groups, or when its effect is to create or continue a ghetto-type situation it does not serve the purposes of democratic education.

After reading these statements, one can easily understand what is meant when it is stated that Mr. Allen favors "radical change" in the educational system.

The most unreasonable and radical provision of this edict was the one which defined a racially imbalanced school as one attended by more than 50 percent colored students. When this directive was enforced in the school systems of New York, it meant that not only were colored children forced to be bused outside their neighborhoods to attend predominantly white schools, but that white children were forced to be bused outside their neighborhoods to attend schools that had been predominently Negro, so as to get the percentages in proper balance.

This unwise and undemocratic decision, which struck at the very heart of the concept of neighborhood schools, caused deep resentment and indignation among many parents and students in the State of New York. White parents especially objected to their children being bused from their neighborhoods to attend school.

This resentment and indignation has built up to a point that the Legislature of New York in its recent session passed a law which would prohibit this practice of forced busing.

Thus, the people most affected by Mr. Allen's motions of the goals of education have soundly repudiated them.

Not only have Mr. Allen's theories on education been outlawed by the State of New York, but the Congress of the United States has made clear that these radical notions are contrary to Federal policy.

For instance, section 401 of the Civil Rights Act of 1964, which deals with public education, gives the following definition of "desegregation":

> "Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

And sections 409 and 410 of the Health, Education, and Welfare Appropriation Act for 1969, passed on October 11, 1968, read, in part, as follows:

> No part of the funds contained in this act may be used to force busing of students, abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance * * *. No part of the funds contained in this act shall be used to force busing of students, the abolishment of any school or the attendance of students at a particular school in order to overcome racial imbalance as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school.

Also, section 704 of the Elementary and Secondary Education Act of 1965 states the following:

> Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States . . . to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

During the course of the hearings on Mr. Allen's nomination held by the Committee on Labor and Public Welfare on April 15, 1969, Senator DOMINICK questioned the nominee about these differences in his educational philosophy and the requirements of Federal law. It is very revealing to read from the testimony on this subject:

> Senator Dominick. Dr. Allen, just to follow up on what Senator Javits mentioned regarding the neighborhood school problem, there have been instances in various States and localities where busing has been used to create racial balance or to overcome an imbalance which is inherent in a particular neighborhood school.
>
> It is my understanding that you have supported busing to overcome racial imbalance.
>
> Mr. Allen. Let me say this: In New York State I have a judicial function to perform and anyone who feels himself aggrieved may appeal to the Commissioner of Education for adjudication of that grievance. Under this authority I have had over the last 10 years a number of cases brought by parents and others against local school boards that, in the opinion of these parents, were not dealing adequately with segregated schools. And in a few cases I have supported these parents and directed that the local school authorities eliminate or correct the inequities.
>
> I have never actually per se, directed them to bus children.
>
> The results of some of the directions which have been given do require some degree of busing, but I would emphasize again when I said a while ago that if it is a choice between poor education, if it is a choice between segregated schools and busing, and there was no other way in which this could be corrected, then I would not deny to a local school system the right to bus.
>
> Senator Dominick. And you understand, do you not, that the Federal Law is quite specific in forbidding the Federal Government from requiring busing to achieve racial balance?
>
> Mr. Allen. I do understand that.
>
> Senator Dominick. Is this Federal Law going to create any problems in your philosophy and in your administration of education?
>
> Mr. Allen. Not at all. I think these responsibilities rest largely with the States *in the first instance*. The question of how you do this ought to be left to the States and the localities, *wherever possible*. I would hope that I can give my attention here to the more positive side of this, that is, to seeking ways in which we can use the title IV provisions and funds to assist the States and localities in our country in dealing with this very difficult problem. * * *
>
> Senator Dominick. . . . We enacted in the State of Colorado probably the number one or number two fair housing bill. I was then a member of the State legislature and participated in its preparation.
>
> Shortly afterwards many of our very fine colored people moved into a magnificent area, which was toward the airport. It was one of our very good school areas. Unfortunately, when this happened, they moved in such large numbers that many of the whites moved out. I think this was a bad mistake, but they did. The school system thereby became predominately Negro. I have had delegations now saying that although they have the same schools and they have the same teachers that they had before, they are not getting an adequate education. I have great difficulty in understanding this type of approach. And many of the school people in my State are now saying that in order to overcome the Negro majority in this particular area that we should bus other children in to create a racial balance.
>
> What they are saying, in effect, is that even with equal school facilities and the teachers they had before, which was an area of very fine educational opportunity, they can't get an equal education when the students are all black. I don't believe that.
>
> Do you find this a problem in other areas as well?
>
> Mr. Allen. Well, certainly you can provide quality education in a school that is all black, just as you can provide quality education in a school that is all white. But if our goal in this country is to remove the attitudes that have brought about some of the discriminatory practices we have, it seems to me we have to go beyond this as a goal toward finding ways in which children can learn to live together very early and respect each other without regard to race, color, or creed.
>
> Senator Dominick. With a fair housing law they can move anywhere they want.
>
> Mr. Allen. I am saying that is an education problem. On the education issue, I believe that separate but equal is not equal. The Supreme Court has enunciated and I feel very strongly that as a part of good education in the long run we must work toward an integrated school program.
>
> Senator Dominick. I don't want the record to reflect I favor separate but equal facilities, because I am very much against that idea. But what I am talking about is a neighborhood school system where the people themselves, by virtue of their own motion created this problem. They are still free to move to other areas if they don't like it.
>
> Mr. Allen. Well, I think you have to examine each of these cases in terms of its own merits and the conditions that are there. I would say with respect to the neighborhood school that it is one of the great traditions in this country and has great value. The relations between school and the community and the parents is very important for good education. But when the neighborhood school becomes exclusive and when good education cannot take place in a neighborhood school, or when children feel that they are being treated as inferior individuals because they are required to go to a school that is all of one race, then I think we have to reexamine the neighborhood school policy in that particular case.
>
> In other words, it seems to me the overriding consideration here is how do you provide a good education for every boy and girl? And I believe that this can be best provided in terms of the principles for which we stand in this country, in an integrated setting, and we ought to work a little toward that goal.
>
> Senator Dominick. This is exactly the point that I was trying to bring up before. Does your philosophy encompass the idea that we should have forced transportation systems from one area to another in order to get a racial balance in all the schools?
>
> Mr. Allen. Well, I hope we do not have to do it that way. I hope, through getting an understanding here we do not have to force, because I have learned in New York State that forced direction has not always achieved the goal that you are after. The important thing is to get understanding of this in terms of how it affects boys and girls. This is the direction which I would like to give my attention. (emphasis added).

This testimony is found on page 29, and pages 31–32, of the printed testimony.

I would call your particular attention to the testimony given by Mr. Allen in response to the direct question asked by Senator Dominick as to whether there were any problems between his educational philosophy and administration and the requirements of Federal law. I believe that this was a straight question which called for a straight answer. The nominee failed or refused to give a straight answer to that all important question but rather gave a vague and evasive answer which leaves in doubt the extent to which he intends to give effect to his personal notions of education which are in conflict with Federal law.

Mr. Allen said, and I wish to repeat: "I think these responsibilities rest largely with the States in the first instance. The question of how you do this ought to be left to the States and the localities wherever possible"—page 29 of testimony.

The most significant thing about this testimony is that Mr. Allen declined unequivocably to say that he would not attempt to force local and State school authorities to achieve a racial balance in school systems.

In my judgment, this statement means that if the States and localities achieve the kind of racial balance in the school systems that the U.S. Commissioner of Education thinks is desirable, then the Federal Government should keep "hands off" and let the States and localities do it. This is the clear inference to be drawn from the statement that busing to achieve racial balance should be left to the States in the first instance. Suppose that in the opinion of the U.S. Commissioner of Education the States failed to discharge these responsibilities? Suppose that the means selected by the States and localities to carry out these objectives are determined to be unsatisfactory by the U.S. Commissioner of Education? Obviously, at that point, the nominee feels that the U.S. Commissioner of Education would have a right to step in and order that these things be done in a manner acceptable to him, just as he did when he was commissioner of education in New York.

Mr. President, I regret to say that it is apparent that the Nixon administration, and in particular the Department of Health, Education, and Welfare, is much harsher and more unreasonable in its application of the so-called guidelines than even the preceding Johnson administration.

The confirmation of Mr. Allen would make this unfortunate trend a certainty.

On March 4, 1969, officials of HEW made certain written demands on the authorities in charge of the institutions of higher learning in the State of Mississippi. Similar demands were made upon the authorities of other States, including Maryland and Pennsylvania.

The demands made on those in charge of the Mississippi system of higher education are completely unreasonable, unworkable, and unjust.

For instance HEW states that Delta State College, located in Cleveland, Miss., and Mississippi Valley State College, located at Itta Bena, Miss., about 40 miles from Cleveland, should be consolidated. This demand is arbitrary and absurd. If a State cannot even decide the location of its colleges and universities, then education in America has come to a sorry pass. The decision involving the location of colleges is strictly within the power and competence of State and local authorities. Those authorities, not Federal authorities, are able to take into account such factors as convenience of location to students, allocation of resources, and so forth.

The Federal Government has no business intervening in these matters, but under the Nixon administration it is doing so.

HEW demands that the authorities at the University of Mississippi take steps to affirmatively assign members of different racial groups as roommates in the dormitories. This is just an acceleration of the Federal attack on the concept of "freedom of choice." One is not to have anything to say about the choice of his roommate.

The officials of HEW obviously dislike the concepts of freedom of choice and freedom of association.

Also, the authorities at the University of Mississippi and other institutions were instructed by HEW to take affirmative steps to include all racial groups on athletic teams. They were instructed to recruit members of all racial groups from high schools to play on athletic teams.

Athletic abilities and merit must yield to the goals of integration as far as HEW is concerned.

This arbitrary and tyrannous rule of our institutions of higher learning must be broken.

If this nominee is confirmed, we can be certain that he will make this situation worse.

I say to my colleagues that if you value tranquillity, peace, and harmony in the public school systems in this Nation then you should vote to reject the nomination of James E. Allen, Jr., to be Commissioner of Education and Assistant Secretary for Heath, Education, and Welfare.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record a statement of my colleague, the junior Senator from New York (Mr. Goodell), with respect to this nomination.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Goodell

Mr. President, I am extremely pleased by the nomination of Dr. James E. Allen, Jr. to be Assistant Secretary of Health, Education, and Welfare and U.S. Commissioner of Education. For the past 15 years, New York State has been the beneficiary of Dr. Allen's outstanding leadership as Commissioner of Education and President of the University of the State of New York. He will bring to this national post a wealth of experience and knowledge. There is no question as to his eminent qualifications.

James Allen will also bring to this important position a deep commitment to providing an equal educational opportunity to every child in this country. He is resolved to working for the improvement of our educational system so that we are offering our children the best education possible. These commitments are essential for the betterment of our educational system and, indeed, for society at large. James Allen has shown us his fortitude and resolve in working for the implementation of these goals.

Accordingly, Mr. President, I urge my colleagues in the Senate swiftly to confirm Dr. Allen's nomination.

Mr. JAVITS. Mr. President, so that the Record may be complete, I ask unanimous consent that the questions asked by me and the answers given by Dr. Allen, contained in the record under the heading "Busing of School Children," on pages 26 to 28, be printed at this point in the Record.

There being no objection, the questions and answers were ordered to be printed in the Record, as follows:

Busing of School Children

Senator Javits. Thank you, Doctor.

Now, Dr. Allen, in the State of New York you did your utmost, I am satisfied—and I am testifying now, not you—to bring to the benefit of every child, where it was feasible, without force, the diversity of our society, including its black people.

Now, in the Federal law we have embedded the principle that Federal money should not be used for busing to compel racial integration.

We have also embodied the principle that it is not in violation of the laws against discrimination and educational opportunity to refrain, if you will, from trying to establish racial balance, provided that it does not represent discrimination, like the so-called pupil placement programs, et cetera.

Now, generally speaking, because I realize you must be general, do you feel that you can move forward as an honest educator with your educational idea, and that you can operate within this Federal framework and it will not inhibit you?

Mr. Allen. Yes, I think so, Senator. I have been asked many times about busing. Busing is not an end of itself. It is a means to eliminate any inequities and inequality of opportunity. We bus one out of every three children in this country.

Senator Javits. Anyhow.

Mr. Allen. And I recall, Senator, as you do, 35 or 40 years ago when the neighborhood school in America, and in my State of West Virginia, as well as New York, was the one-room school up the hollow. We found out before long this school could not provide equality of education for all and we sent buses up these hollows to bring the children out into consolidated schools, or larger schools where they could have equality of opportunity. We had objections to the busing in those days. I can recall a great many people objecting to the fact a child was going to have to ride for what they considered excessive amounts of time on the bus. Once the people saw that this resulted in a better educational opportunity then they were doing just the opposite, seeking to have the bus come right to the home and bring the child in.

Now, as I said a little while ago, my commitment is to see to it that there is equal education opportunity for every boy and girl in America. I would use busing here again only to equalize opportunity. If busing is the only way to remove inequities, to see to it that every child has a good education; then rather than to forego these opportunities, I would propose that he be bused. And I would urge and recommend to the local school system they do so as I have in New York.

I think there are more important things here than busing. What we are concerned about is a better education. I think in many cases it is going to be impossible for some time to come to remove all of the disadvantages of racial imbalance or segregated schools. In the meantime we must see to it that the education of children where they are now is as good as we can make it, and the quicker we do that the easier it will be to bring about the kind of integrated setup that we all are seeking in the long run.

But I think the thing to bear in mind is that the purpose of busing is for one thing only and that is to get the young child to a better school, to a better educational program, than the one he now is in and getting him there safely. It is the only real justification you can provide. I happen to believe that the integrated setting is better, and offers, everything else being equal, better educational opportunity for all boys and girls.

Senator Javits. The dominant consideration that you will have as Commissioner of Education will be equality in opportunity and best education for the child?

Mr. Allen. Right.

CAMPUS DISRUPTION

Senator Javits. Now, the last question I have relates to this so-called violence on college campuses.

Do you feel that as commissioner you have a role to play in that?

Mr. Allen. I feel I have a very definite role to play here. I think this is a most difficult and very sensitive issue at this time. I think we have to move with great care.

The basic responsibility rests and must continue to rest, in my judgment, with colleges and universities. Nevertheless, I would hope that we might in the days ahead, concern ourselves more with the positive things that Government can do at all levels to assist the colleges and universities to provide the kinds of services and programs that are needed, and which many of these young people are saying are inadequately provided at the present time.

I have opposed in New York State, at least, punitive types of legislation here. I hope in my capacity here I may play some role in trying to work with the colleges and university people in helping them meet this very difficult problem constructively.

We need to be sensitive to the universities and colleges, their freedom, their flexibility, their independence, their right to seek the truth at all times, on the one hand, and be sensitive, on the other hand, to the concerns of our young people who have to live in the future and who, in many cases, feel that the present college and university programs are not relevant to their concerns. We have to listen to them.

I do not in saying this, by any means condone the kind of violence and destructive actions that have taken place on many campuses. I think this must be dealt with quickly and I believe personally that there are laws on the books now in the States and localities that are adequate for dealing with this kind of disruption and disruptive activity. However, I hope that I may be able to provide help to the colleges and communities in the States and, with the advice and assistance from Members of the Congress and others, play some role in this very difficult and very sensitive area.

Senator Javits. Do I gather that there is implicit in what you say the feeling, and I agree with that feeling, that the ultimate sanction is expulsion, that expulsion is the toughest sanction of all?

Mr. Allen. Right.

Senator Javits. And that is in the hands of the college administrators themselves.

Mr. Allen. Right.

Senator Javits. Now also, I heard the words—you correct me if I am wrong—that we have to give the student a chance to be heard. We give many things to higher education. I am not going to ask you to answer this now, but would you study whether we should make, as a condition of Federal aid to higher education, the fact that the student is being given a chance to be heard, just as we should crack down inexorably upon any efforts to coerce us once he does have a chance to be heard. In other words, I say give him the chance to persuade but do not give him the right to coerce us, if he can't persuade us.

Would you think that philosophy is generally correct?

Mr. Allen. I certainly would and I would like to give consideration to that.

Senator Javits. I thank the Chair and thank the witness. Thank you, Dr. Allen.

Mr. JAVITS. Mr. President, I have consulted with my minority colleague on the Subcommittee on Education, the Senator from Colorado (Mr. Dominick). We are prepared to vote, unless other Senators wish to be heard.

Mr. PELL. Mr. President, I rise to support the nomination of Dr. Allen. I have listened to the debate, and I realize, as is often the case, that there are varying viewpoints represented, and that is as it should be. However, having listened to the Commissioner-designate, the Assistant Secretary-designate, when he was before the Committee on Labor and Public Welfare, and having studied his biography, I believe that he will do the job in an excellent manner; and I look forward to supporting the nomination when it comes to a vote.

Mr. KENNEDY. Mr. President, Mr. Allen has been nominated to be Assistant Secretary of Health, Education, and Welfare as well as the U.S. Commissioner of Education. At the suggestion of the distinguished senior Senator from Florida (Mr. HOLLAND), I ask unanimous consent that the nominations of Mr. Allen for both positions be considered en bloc and that the rollcall vote previously ordered be taken on the two nominations en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. KENNEDY. Mr. President, I wish to express my firm and full support for Dr. James Allen to be Commissioner of Education and Assistant Secretary for Education in the Department of Health, Education, and Welfare.

This afternoon, we have heard much discussion, debate, and dispute with regard to Federal education matters. But we must be perfectly clear what issue is before us today. We are not setting policy or passing legislation on desegregation guidelines, busing, or any other specific education measure.

Rather, we are asking the question: Is Dr. Allen—nominated and endorsed by the President of the United States—qualified and able to do the job for which he has been selected? His background and experience and demonstrated ability show unequivocally that he is.

There is no need to list in detail Dr. Allen's impressive accomplishments and contributions in the field of education. For the RECORD, however, I ask unanimous consent that a short biographical sketch appear at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KENNEDY. For the last 15 years, Dr. Allen has been New York State Commissioner of Education and president of the University of the State of New York. Prior to that time, he held a number of positions—both teaching and administrative—directly concerning education. He has earned both a master's degree and a doctorate in the field.

During his tenure as New York Commissioner of Education, and in his related activities on scores of advisory groups and boards, Dr. Allen has exercised responsibility for the whole range of education issues—preschool through elementary and secondary education, college and graduate school, adult education, special education for the handicapped, and so forth.

As an administrator, he has been on the firing line and has handled tough problems with imagination, with dignity, and with results. He is familiar with the operations of the Office of Education. He is experienced in the many education issues which are so critical at this time.

Without doubt, Dr. Allen is one of the most respected and able educators in the United States today.

Dr. Allen's unique talents and experience can make a great contribution, and his qualifications are 100 percent solid. They fully justify approval of his appointment by the Senate.

However, Mr. President, a number of other issues have been raised this afternoon. To keep these in perspective—recognizing that our focus today is the particular nomination of Dr. Allen—I would like to emphasize several brief points.

First, contrary to the impression which several of my colleagues may have, Dr. Allen in his new position will not have authority or responsibility over desegregation and busing. The Civil Rights Office for the Office of Education reports directly to the Secretary of Health, Education, and Welfare. Therefore, it is unfair and incorrect to make Dr. Allen a whipping boy for those who oppose Federal policies on these issues.

Second, we have heard criticism of Dr. Allen's actions on busing while commissioner of education in New York. In fact, Dr. Allen simply was carrying out the mandate—indeed the requirement—of desegregation for which he had responsibility under law. The fact that he performed his duty efficiently and effectively should elicit praise, not concern, from the Members of this body. His record indicates that we can be confident that Dr. Allen will carry out with vigor our legislative wishes and congressional intent.

Third, neither Dr. Allen nor myself or any of my colleagues today has claimed that the Federal Government ought to require busing in local school districts. As Senators well know, such a requirement is explicitly prohibited by law.

I do feel, however, that the Federal Government should not handicap local school districts which may choose on their own to adopt busing or any other programs, on a voluntary basis, to assure equality of educational opportunity. We should encourage and support local responsibility.

Indeed, I should think that my colleagues who so strongly advocate local control would join me on this point—that the Federal Government should not tell local districts what to do on busing and should not restrain local determination.

Fourth, Dr. Allen has clearly said that he intends to be guided by congressional mandate on busing, as well as in other areas. In confirmation hearings on April 15, the following exchange occurred, on page 29:

> Senator DOMINICK. And you understand, do you not, that the Federal law is quite specific in forbidding the Federal Government from requiring busing to achieve racial balance?
>
> Mr. ALLEN. I do understand that.
>
> Senator DOMINICK. Is this Federal law going to create any problem in your philosophy and in your administration of education?
>
> Mr. ALLEN. Not at all. I think these responsibilities rest largely with the States in the first instance. The question of how you do this ought to be left to the States and the localities, wherever possible. I would hope that I can give my attention here to the more positive side of this, that is, to seeking ways in which we can use the title IV provisions and funds to assist the States and localities in dealing with this very difficult problem.

Fifth, Dr. Allen has made it clear that he does not favor busing for busing's sake, or integration for integration's sake. Rather, his commitment is to achieving the highest possible quality of education, with a fair opportunity for all young people to benefit. As he said in the confirmation hearings:

> The purpose of busing is for one thing only and that is to get the young child to a better school, to a better educational program, than the one he is now in, and getting him there safety. It is the only real justification you can provide.

I cannot believe that any reasonable man would oppose this commitment to the best education for the greatest number of people. We must follow through on this commitment, or fail as a Nation.

Sixth, desegregation of schools often leads to less busing, not more. In many school districts even today, dual bus systems carry white children out of their neighborhood to attend all-white schools and black children out of their neighborhood to assure all-black schools. I hope that antibusing advocates will be consistent, and vigorously oppose such dual busing systems.

Finally, Mr. President, I want to stress again that the substantive issue before us is not busing or desegregation, but the ability of Dr. Allen to carry out the functions of Commissioner and Assistant Secretary for Education.

It would be unfortunate, unfair, and unreasonable for those who may be piqued at administration policies to take it out on an eminent educator who in his new position would not even be charged with responsibility for those policies.

Mr. President, Dr. James Allen is a man of great courage and integrity. He has demonstrated imagination and ability in a lifetime devoted to improve quality of education at every level, and equality of educational opportunity for all Americans.

I have the highest admiration and esteem for Dr. Allen, as a person and as a professional educator. I am convinced that he will do a superb job as Commissioner of Education and Assistant Secretary of Health, Education, and Welfare. I look forward to his confirmation today by the U.S. Senate.

EXHIBIT 1

BIOGRAPHICAL SKETCH OF JAMES E. ALLEN, JR., NOMINATED TO BE COMMISSIONER OF EDUCATION AND AN ASSISTANT SECRETARY OF HEALTH, EDUCATION, AND WELFARE

James E. Allen, Jr., New York State Commissioner of Education, was born in Elkins, West Virginia, April 25, 1911. His elementary and secondary education took place in that city and in 1932 he received his A.B. Degree from Davis and Elkins College.

He studied economics and public finance in the Graduate School of Princeton University, and in 1942 received the Degree of Master of Education from Harvard University. In 1945 he earned the degree of Doctor of Education from the same institution.

Dr. Allen holds the honorary degrees of Doctor of Letters from Syracuse University (1955); Doctor of Pedagogy (Pd. D.) from Niagara University (1956); Doctor of Laws from Davis and Elkins College (1956); Doctor or Laws from Union University (1956); Doctor of Humane Letters from Hobart and William Smith Colleges (1956); Doctor of Humane Letters from Alfred University (1956); Doctor of Letters from Hofstra College (1957); Doctor of Laws from Yeshiva University (1957); Doctor of Letters from Marshall College (1958); Doctor of Laws from Adelphi College (1959); Doctor of Laws from Middlebury College (1959); Doctor of Laws from Fordham University (1960); Doctor of Laws from Harvard University (1960); Doctor of Letters from Ithaca College (1962); Doctor of Humane Letters from Columbia University (1964); Doctor of Laws from New York University (1966); Doctor of Humanities, West Virginia University (1966); Doctor of Humane Letters, Pace College (1966); Doctor of Laws, Yale University (1966); Doctor of Laws from Manhattan College (1968).

Dr. Allen held positions in the West Virginia State Education Department from 1934 to 1939. While at Princeton he was employed as a Research Associate in the Princeton Surveys, and was responsible for the direction of the Surveys' studies in educational finance. From 1941 to 1943 he was associated in a research capacity with the Center for Research in Educational Administration at Harvard University. In 1943 he was named Secretary to the Faculty and Director of Placement in the Harvard Graduate School of Education.

From 1944 to 1945 Dr. Allen served as an education consultant to the War Department attached to the staff of the Commanding General of the Third Air Force. In 1945 he became Assistant Professor of Education and Director of the Bureau of School Services at Syracuse University. He was appointed Executive Assistant to the New York State Commissioner of Education in 1947, and in 1950 he was appointed Deputy Commissioner of Education. In 1955, the Board of Regents elected him to the dual titled position of Commissioner of Education and President of the University of the State of New York (not a university in the usual sense, but a corporation encompassing all schools and colleges in New York State chartered by the State and subject to the visitation of the State Board of Regents). He assumed this office on September 1, 1955.

In 1946–47 Dr. Allen served as a consultant to the President's Commission on Higher Education and prepared the Commission's volume on the "Financing of Higher Education." He is author of "State School Fiscal Policy for New Jersey," co-author of several monographs and reports in educational administration and a contributor to numerous magazines.

Commissioner Allen also received the Medal for Distinguished Service from Columbia University Teachers College in June 1968.

Dr. Allen's local memberships are:

Albany International Center, Member, Advisory Committee.

City and County Savings Bank of Albany, Board of Trustees, Member.

Dudley Observatory, Board of Trustees, Member.

First Presbyterian Church, Elder.

Fort Orange Club, Member.

National Council, Boy Scouts of America, Member of Local Chapter.

Rotary Club, Honorary Member.

Salvation Army, Advisory Board, Member.

Schuyler Meadows Country Club, Member.

Dr. Allen's In-State memberships are:

Advisory Council for the Advancement of Industrial Research and Development, Member.

Citizens for Transportation Progress, Member.

Council for the New York State School of Industrial and Labor Relations, Member.

Dormitory Authority of the State of New York Member.

Education Commission of the States, Steering Committee Member and Commissioner and Vice-Chairman.

Governor's Advisory Committee on Youth & Work, Member.

Governor's Cabinet Member.

Governor's Committee on Increased Use of Milk, Member.

Interdepartmental Committee on Farm & Food Processing Labor, Member.

Interdepartmental Committee on Manpower, Member.

Interdepartmental Committee on Problems of the Aging, Member.

Interdepartmental Committee on Traffic Safety, Member.

Interdepartmental Committee on Youth, Member.

Joint Legislative Committee to Revise and Simplify the Education Law, Member.

New York Higher Education Assistance Corporation, ex officio Member.

New York State Apprenticeship Council, Member.

New York State Civil Defense Commission, Member.

New York State Council of School Superintendents, Member.

New York State Council on Drug Addiction, Member.

New York State Health Planning Commission, Member.

New York State Health Resources Commission, Member.

New York State Historic Trust, Director.

New York State Science and Technology Foundation, Director.

New York State Teachers Association, Member.

New York State Teachers Association Advisory Committee for Equal Educational Opportunity, Honorary Chairman.

New York State Technical Services Program, Advisory Council Member.

Northeastern Commissioners, Member.

Northeastern New York Student Orchestra, Honorary Patron.

Pesticide Control Board Member.

Post Vietnam Planning Committee, Member.

State Recreation Council Member.

Temporary State Commission to Commemorate the War of 1812 and The Composition of the Star Spangled Banner, Member.

Dr. Allen's Federal memberships are:

USOE Advisory Council on State Departments of Education, Member.

USOE Advisory Group, School for the Year 2000; Education for Living in the 21st Century, Member.

Other memberships of Dr. Allen are:

American Association of School Administrators, Member.

American Council on Education, Commission on Plans and Objectives for Higher Education, Member.

Bell Educational Services, Inc., Trustee Advisory Board, Member.

Century Club, Member.

Committee on Assessing the Progress of Education, Member.

Cornell University Board of Trustees, ex offico member.

Council of Chief State School Officers, Member.

Danforth Foundation, Board of Trustees, Member.

Davis & Elkins Long-Range Planning Committee, Member.

Educational Development Center, Member.

ERIC/CEA National Advisory Board, Member.

George Junior Republic, National Committee, Member.

Harvard University Program on Technology and Society, Advisory Committee, Member.

Harvard Graduate School of Education, Visiting Committee Member.

Hudson-Mohawk Council on World Affairs, Board of Trustees, Member.

Institute for American Strategy, Board of Directors, Member.

Metropolitan Area Council for International Recreation, Culture and Life-Long Education, Member of Board.

Metropolitan School Study Council, ex officio member.

National Academy of Public Administration, Member.

National Center for School and College Television, Advisory Board Member, Research and Dissemination Committee.

National Citizens Committee for NDEA.

Saratoga Performing Arts Center, Board of Directors, Member.

Second Regional Plan, NYC, Member of Committee.

Stanford Center for Research and Development, Stanford University, Calif., Advisory Panel.

Syracuse University, Honorary Trustee.

Vocational Advisory Service (New York City), Board of Advisors, Member.

Dr. Allen married Florence Miller of Grantsville, West Virginia on April 23, 1938, and they have two children (twins), James E., III, and Mrs. John Dolven.

Mr. BYRD of Virginia. Mr. President, I do not support confirmation of the nomination of Mr. Allen as Commissioner of Education. In reading the testimony before the Committee on Labor and Public Welfare, I am not impressed with Mr. Allen's candor.

Also, in reading this testimony, I have become convinced that Mr. Allen would not hesitate to go counter to legislation enacted by Congress if in his judgment he feels that it is wise and just to do so. I have particular reference to his attitude toward neighborhood schools, and I have particular reference to his reply to a question put to him by the Senator from Colorado (Mr. DOMINICK).

I shall read part of the questions of the Senator from Colorado. All of his questions have been placed in the RECORD, and all of this appears at another place in the RECORD. I do wish to read this question:

> Does your philosophy encompass the idea that we should have forced transportation systems from one area to another in order to get a racial balance in all the schools?
>
> Mr. ALLEN. Well, I hope we do not have to do it that way.

Mr. President, to me, at least, it is clear that Mr. Allen would do it that way if he should regard it as necessary to do so. It disturbs me that many Federal administrators are determined not just to administer the laws but are determined to administer the laws in the way they want them administered, without regard to the directions and legislation passed by Congress.

I think it is of great significance that Mr. Allen was commissioner of education in the State of New York. As a result of one of the basic policies of his administration, that is, breaking up of the neighborhood schools for the particular reason of attempting to correct what he regarded as racial imbalance, the New York State Legislature enacted legislation preventing the New York Commissioner of Education from taking such action.

Mr. President, New York is not a Southern State. New York is not a conservative State. New York is not a State which has a record of practicing segregation. New York is a State with a long record of integrated schools. Therefore, this matter goes far beyond the question of segregation and integration. It goes to whether or not the commissioner of education may impose his philosophy on the people of his State or, if he comes to Washington, on the people of the United States.

I think it is very significant that the Assembly of New York, by a vote of 104 to 41, enacted legislation to prevent Mr. Allen from carrying out his program in this particular field. On April 18, the Senate of the State of New York, by a vote of 36 to 16, enacted similar legislation. The way I look at it, this action of the New York State Legislature was a complete repudiation of a basic program of the Commissioner of Education of the State of New York, who now is coming to Washington to become Commissioner of Education for the National Government.

Mr. President, I have read carefully the hearings and each time I read the hearings I become more concerned that Mr. Allen should be confirmed for the post to which he has been nominated.

In addition to the matter I have just mentioned, a burning question today throughout our Nation is the question of disorders on the college campuses. I find that Mr. Allen has a very permissive attitude in this regard. If his policies are carried out, I think we will have more and more campus riots. I think it is unfortunate that a man of his philosophy should be considered for the post that the Senate is considering him for today.

On the matter of campus disorders his attitudes go completely contrary to the thoughts enunciated in recent weeks by the distinguished President of the United States, and completely contrary to the statements made over the weekend by the distinguished Vice President of the United States. I support the position on campus disorders enunciated by President Nixon and Vice President Agnew.

Mr. President, when the roll is called this afternoon on the confirmation of James E. Allen, Jr., of New York, to be Commissioner of Education, I shall cast my vote in opposition.

Mr. STENNIS. Mr. President, in the course of the debates about the application of the Civil Rights Act of 1964, when the major act was passed, we were given certain good faith assurances here by those who were handling the bill as to the meaning of certain language and the purpose for carrying them out. I emphasize that those promises were made in good faith.

I remember that the then Senator from Minnesota was one of those who made promises. Those promises were later repudiated by the Department of Health, Education, and Welfare when they made the school guidelines. I do not think there is any dispute about that fact.

Several years ago when the application of these guidelines was confined solely to the South, certain conferences were held with the Department of Health, Education, and Welfare. I remember that the then Senator from Alabama, Mr. Hill, the Senator from Georgia (Mr. Russell) and I were at one of those conferences with Mr. Gardner and Mr. Cohen. We were given guarantees that these guidelines would be applied equally in the East and North.

I was not going to get in the business of East and North, and West, too, as far as that is concerned. I knew if these guidelines were to be applied as they were being applied in our area of the country, they were going to hear from mama and papa.

Those promises were not kept. I do not accuse those men of willfully lying, but someone overruled them. Something happened. Another year came and went and the same promises were made and were not kept. I know the Senator from Oregon, Mr. Morse, in a very spirited way joined in and demanded that something be done about these guidelines in other areas of the country, when he learned about them. I am bringing up these matters not by way of just complaining but to bring before the Senate the history of this matter.

But nothing was done and another year passed. Now, last year, we finally got a limitation on the appropriation bill. In the HEW school appropriation bill it was required that for that fiscal year, at least, as many investigators would have to be used in other areas of the country as in the South. That was the first time any substantial move had been made that counted with respect to these guidelines anywhere except in the South. There has been a little movement but nothing that amounted to anything. Now, under that limitation on the appropriation bill they have moved a little and I think some funds have been cut off in one district somewhere.

So, here again, I am not accusing Mr. Finch of any bad faith. In some of his published statements, he has talked as a man should talk, as I see it, about education being put first and being put in the hands of educators. Education for all the people was the purpose for which this money was appropriated. Later that was given to be the substance of what he said in an interview published in the U.S. News & World Report. I am not making any attack on him as a man, but something happened somewhere. He also said in that interview that they were going to reconsider the guidelines, to make it national in its application.

I quote from page 39 of the U.S. News & World Report under date of March 10, 1969. I shall not read the long question but he makes the flat statement:

> We have to redraw the guidelines so that they are nationally applicable.

Nationally applicable, he says. He did not like the idea of just employing them in our area of the country. I know that he did not. He said so in the article and he said so to others. He said that we must redraw the guidelines to make them nationally applicable. Now, as has happened before, we find that the statement is not going to be carried out, because neither Mr. Finch has said—and I do not know who made this decision, I cannot believe that he repudiated his words and I certainly do not charge that—but now Mr. Finch says the guidelines will stay as they are.

So, if the application now of the guidelines is just as they have been, we will continue to have serious trouble.

I refer to a Wall Street Journal item by Neill Maxwell dated April 25, 1969, entitled "Irony in the South," which gives a review of what is happening at the ground level in a lot of these districts where the funds are cut off. The substance of the article is that the colored children suffer more than the white children.

Mr. President, as a southerner, I can say from my own personal observation that that is substantially correct. This thing is being pushed so far and so fast, it is literally being rammed down the throats of the people as well as the educators—colored teachers and colored administrators, as well as white. It is literally running over them. It is literally being jammed down their throats, this overdose.

What we are doing is to wreck the public school system in the area. I have been pleading before for a public school system. That is one thing we cannot afford to lose even for any appreciable length of time. But that is exactly what is happening. Senators know that it is partly happening now in the District of Columbia, that this rapid, enforced, mixing of the races all of a sudden, when it gets as high as 30 percent in the white schools, with all deference to the colored children, and I have an interest in them and have shown it, if I may say so, during the years of my life, the whites who have not already left, rapidly leave.

That has been happening right here in the District of Columbia. It is back to virtually all colored schools. That is the pattern evolving from one of the large cities in this country. That is going to happen more down home, which will tend to create more private schools. I think that private schools are all right. It is a matter of choice. It is the right of parents who can afford to send their children there. We all know that the average fellow who works in a garage and may have four or five or six children, cannot afford to send his children to a private school.

Because of political decisions, not made from the standpoint of the educator or from the standpoint of the parents or the pupil, but just pure, crass, political decisions because of being afraid of the political consequences of making any other decision, time after time after time what has been said here on the floor and promised, or elsewhere, is, in the final analysis, repudiated or abandoned for political reasons.

But, it is confined solely to our area of the country.

I have found out something else, that as long as the law is not going to apply to the three, four, or five Southern States, it is virtually impossible to generate enough national interest in it.

If I may suggest to my friends here who are so interested in integration in the South, just test your own mettle and get up here and advocate the full application of all these guidelines in your home States. And, stay with it. Stand the gaff of the backfire which will occur. You will have a hard time destroying community schools throughout America, because the parents have a vested interest in this matter, and they have the right to have that vested interest on behalf of their children. It is a part of their thinking where their children are concerned. It is part of their life plan. They are not going to surrender or give it up. There you will feel the political backfire. But that is the test. That is the test, actively to advocate and ask for more appropriations to employ more people, and then go in there and ram it down their throats, anyway. That will be a test of whether you are really standing for it and fighting for a principle.

Except for the Senator from Oregon, although there might be others, I have not heard from anyone except him, making a real fight to carry this thing out.

I know nothing about Mr. Allen except his general record and what he advocates. I am sure that on a personal basis he is a fine man. I do not want to create any doubts about that, or that I think anything to the contrary about him. But I have read enough of his record that I already know he has tremendous zeal. If we really want him to carry out the busing which he advocated in New York, and the guidelines to cover the whole country, we should stand up here and advocate it and say that we will back responsible appropriations to carry out the program.

I believe that it will cause the people of this Nation to awaken and realize just what they are up against.

I also want our educators, when any kind of change is being brought about, to be given a better opportunity to come to respectful hearings and in deference to their professional opinions listen to them. When we go into the offices here—and I go a lot—I get all kinds of fine responses to that request, but when the order comes and the edict is made, those people are repudiated and kicked in the face.

They are the ones who are trying to do something about the requirements and the demands of these extreme guidelines. I hope that, if nothing else can help them, we can have a surge of support in the areas outside of our part of the country, and see just how the people do feel about the actual enforcement of those guidelines.

I yield the floor.

Mr. MANSFIELD. Mr. President, I ask for a vote.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of James E. Allen, Jr., to be an Assistant Secretary of Health, Education, and Welfare and Commissioner of Education? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOLLINGS (when his name was called). On this vote I have a live pair with the Senator from Maryland (Mr. TYDINGS). If he were present and voting, he would support the confirmation. If I were permitted to vote, I would oppose it. I therefore withhold my vote.

The rollcall was resumed and concluded.

Mr. KENNEDY. I announce that the Senator from Indiana (Mr. BAYH), the Senator from West Virginia (Mr. BYRD), the Senator from Tennessee (Mr. GORE), the Senator from Indiana (Mr. HARTKE), the Senator from Iowa (Mr. HUGHES), the Senator from Hawaii (Mr. INOUYE), the Senator from Louisiana (Mr. LONG), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. McCARTHY), the Senator from Utah (Mr. MOSS), the Senator from Maine (Mr. MUSKIE), the Senator from Rhode Island (Mr. PASTORE), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Alabama (Mr. SPARKMAN), the Senator from Virginia (Mr. SPONG), the Senator from Maryland (Mr. TYDINGS), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

I also announce that the Senator from Missouri (Mr. EAGLETON), and the Senator from New Mexico (Mr. MONTOYA) are absent on official business.

I further announce that, if present and voting, the Senator from Indiana (Mr. BAYH), the Senator from Utah (Mr. MOSS), the Senator from Rhode Island (Mr. PASTORE), and the Senator from Connecticut (Mr. RIBICOFF) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Kansas (Mr. DOLE), the Senator from Hawaii (Mr. FONG), the Senator from New York (Mr. GOODELL), the Senator from Wyoming (Mr. HANSEN), the Senator from Michigan (Mr. GRIFFITH), the Senator from Oregon (Mr. HATFIELD), the Senator from Nebraska (Mr. HRUSKA), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

The Senator from Kansas (Mr. PEARSON), and the Senator from Iowa (Mr. MILLER) are detained on official business.

If present and voting, the Senator from Hawaii (Mr. FONG), the Senator from Oregon (Mr. HATFIELD), the Senator from New York (Mr. GOODELL), the Senator from Nebraska (Mr. HRUSKA), and the Senator from Iowa (Mr. MILLER), and the Senator from Maryland (Mr. MATHIAS) would each vote "yea."

The yeas and nays resulted—yeas 55, nays 15, as follows:

[No. 28 Ex.]

YEAS—55

Aiken
Allott
Anderson
Baker
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Cannon
Case
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dirksen
Dodd
Dominick
Ellender
Fulbright
Gravel
Harris
Hart
Jackson
Javits
Jordan, Idaho
Kennedy
Mansfield
McGee
McGovern
McIntyre
Metcalf
Mondale
Mundt
Murphy
Nelson
Packwood
Pell
Percy
Prouty
Proxmire
Randolph
Saxbe
Schweiker
Scott
Smith
Stevens
Symington
Tower
Williams, N.J.
Young, N. Dak.
Young, Ohio

NAYS—15

Allen
Byrd, Va.
Eastland
Ervin
Fannin
Goldwater
Gurney
Holland
Jordan, N.C.
McClellan
Russell
Stennis
Talmadge
Thurmond
Williams, Del.

PRESENT AND ANNOUNCING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Hollings, against.

NOT VOTING—29

Bayh
Byrd, W. Va.
Dole
Eagleton
Fong
Goodell
Gore
Griffin
Hansen
Hartke
Hatfield
Hruska
Hughes
Inouye
Long
Magnuson
Mathias
McCarthy
Miller
Montoya
Moss
Muskie
Pastore
Pearson
Ribicoff
Sparkman
Spong
Tydings
Yarborough

The PRESIDING OFFICER. Fifty-five Senators having voted in the affirmative and 15 in the negative, the nominations of Dr. James E. Allen, Jr., as Commissioner of Education and Assistant Secretary of the Department of Health, Education, and Welfare are confirmed.

Mr. KENNEDY. Mr. President, I move that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

SENATE ACTS CONSTRUCTIVELY IN CONFIRMING DR. JAMES E. ALLEN, JR.

Mr. RANDOLPH. Mr. President, the Senate has acted, in my judgment in an affirmative and constructive manner by confirming Dr. James E. Allen, Jr., to be Commissioner of Education and Assistant Secretary of Health, Education, and Welfare.

I say this, not because I have known him since his boyhood, but because his service to education will be furthered in the important new duties he now undertakes for the Federal Government.

It was my privilege on April 15 to introduce Dr. Allen to the Senate Committee on Labor and Public Welfare when it considered his nomination. I made a statement of my feelings for and confidence in Dr. Allen as a man admirably suited for his new duties.

James Allen is well known to me, and to thousands of West Virginians.

Not only was he born in my hometown, but our associations in educational matters go back many years. Dr. Allen was an undergradaute student at Davis and Elkins College when his father, my beloved friend, was president of that institution and I was a member of the faculty. In fact, he was a student in a public speaking class I taught. I have watched with interest and pride the progress of Jim's career since that time.

That career has encompassed the full range of educational enterprises. Shortly after his college days he worked with the public schools of West Virginia in the State department of Education. Following World War II he completed his graduate education and then turned to the problems of our colleges and universities.

In recent years he has been Commissioner of Education for the State of New York, and as such has been responsible for one of the most diverse educational establishments in the Nation. In this challenging position he had jurisdiction over not only the public schools, but the State university system and a number of libraries and museums.

In all of these undertakings, Dr. Allen has discharged his responsibilities with distinction. He has been a vigorous administrator but one who does not feel that any element of the educational structure is sancrosanct or immune from change, if change is dictated to make the system more responsive to the needs of the students and the people themselves.

Dr. Allen has been faced, as we know, with many problems in recent months, especially, and certain challenges about which we read, that causes us to realize that education is a somewhat taxing profession on certain leaders today.

Finally, his professional experience and personal character make him well qualified for service in the highest educational policymaking position in our Federal Government.

LEGISLATIVE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT OF POSITION ON MOTION TO RECOMMIT H.R. 7206

Mr. THURMOND. Mr. President, on April 29, 1969, I was detained on official business and could not be present in the Senate. There was a motion made to recommit H.R. 7206, to adjust the salaries of the Vice President and certain officers of the Congress.

I wish to announce that had I been present, I would have voted to recommit the bill.

JUSTICE FORTAS AND THE WOLFSON FAMILY FOUNDATION

Mr. THURMOND. Mr. President, members of the Supreme Court should be, like Caesar's wife, above suspicion. Based on the information in this morning's press, I believe Justice Fortas acted most unwisely in accepting a $20,000 fee from the Wolfson Family Foundation in the first place, even though he returned it 11 months later. It brings to mind the questionable arrangement which Justice Fortas had with the American University Law School and certainly raises questions about proper conduct for a member of the Nation's highest court. I certainly hope this publicity will result in a complete halt to such activities involving outside sources of income by any Justice of the Supreme Court.

I do not know all of the facts in this matter, but Justice Fortas does. I hope he will search his conscience to determine if the faith of the people in the integrity of the Supreme Court would be better served by his resignation.

EFFORTS TOWARD PEACE IN THE MIDDLE EAST

Mr. KENNEDY. Mr. President, 47 Senators have joined with the Senator from Connecticut (Mr. RIBICOFF) and the Senator from Pennsylvania (Mr. SCOTT) in signing a statement expressing strong support for meaningful efforts toward peace in the Middle East.

At the request of the Senator from Connecticut (Mr. RIBICOFF), I ask unanimous consent that the names of the two Senators from Alabama (Mr. SPARKMAN and Mr. ALLEN) and the Senator from Alaska (Mr. GRAVEL) be added to the list of singers.

The PRESIDING OFFICER. Without objection, its is so ordered.

ORDER FOR ADJOURNMENT UNTIL 12 NOON ON THURSDAY, MAY 8, 1969

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until noon on Thursday next.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AUTHORITY TO RECEIVE MESSAGES, FILE REPORTS, AND SIGN DULY ENROLLED BILLS

Mr. KENNEDY. Mr. President, I ask unanimous consent that during the adjournment of the Senate from the close of business today until noon on Thursday next, the Secretary of the Senate be authorized to receive messages from the President of the United States and from the House of Representatives, and that it be in order that they be appropriately referred; that all committees be authorized to file reports, together with minority, individual, and supplemental views, if desired; and that the Vice President or the President pro tempore be authorized to sign duly enrolled bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MIDDLE EAST SITUATION

Mr. BYRD of Virginia. Mr. President, last week marked the 21st anniversary of Israel. It is not too much to say, I think, that Israel is a miracle in the modern world. I take this occasion to express by admiration for the people of that small nation.

I associate myself with the remarks made on Friday, April 25, 1969, by the distinguished Senator from Connecticut (Mr. RIBICOFF); and I also express the view that in the turbulent Middle East situation, it is important that there be face-to-face negotiations between the Arab States and the Israelis.

Last week, the Senator from Connecticut (Mr. RIBICOFF) and the Senator from Pennsylvania (Mr. SCOTT) inserted in the RECORD a statement concerning this matter, in which they were joined by other Senators, calling for direct face-to-face negotiations between the Israelis and the Arab nations, and at this time I associate myself with that statement, and ask unanimous consent that the RECORD so indicate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL THURSDAY, MAY 8, 1969

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 5 o'clock and 4 minutes p.m.) the Senate adjourned until Thursday, May 8, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate May 2, 1969, under authority of the order of May 1, 1969:

BOARD OF PAROLE

William F. Howland, Jr., of Virginia, to be a Member of the Board of Parole for the term expiring September 30, 1972. (Reappointment)

AGENCY FOR INTERNATIONAL DEVELOPMENT

Bert M. Tollefson, Jr., of South Dakota, to be an Assistant Administrator of the Agency for International Development.

COURT OF APPEALS

Frank Q. Nebeker, of Virginia, to be an associate judge of the District of Columbia Court of Appeals for the term of 10 years, vice Frank H. Myers, retired.

Executive nominations received by the Senate May 5, 1969.

DIPLOMATIC AND FOREIGN SERVICE

Jack Hood Vaughn, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Colombia.

James F. Leonard, Jr., of Maryland, a Foreign Service officer of class 1, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

TREASURY DEPARTMENT

Murray L. Weidenbaum, of Missouri, to be an Assistant Secretary of the Treasury.

IN THE ARMY

Lt. Gen. John Joseph Davis, O18530, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general under the provisions of title 10, United States Code, section 3962.

U.S. MINT

Nicholas G. Theodore, of Pennsylvania, to be Superintendent of the Mint of the United States at Philadelphia.

EXPORT-IMPORT BANK

R. Alex McCullough, of South Carolina, to be a Member of the Board of Directors of the Export-Import Bank of the United States.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 5, 1969:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

William Hill Brown III, of Pennsylvania, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1973.

DEPARTMENT OF DEFENSE

Philip N. Whittaker, of Maryland, to be an Assistant Secretary of the Air Force.

U.S. DISTRICT COURT

John B. Hannum, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania.

DEPARTMENT OF JUSTICE

Louis C. Bechtle, of Pennsylvania, to be U.S. attorney for the eastern district of Pennsylvania for the term of 4 years.

Daniel Bartlett, Jr., of Missouri, to be U.S. attorney for the eastern district of Missouri for the term of 4 years.

Richard Van Thomas, of Wyoming, to be U.S. attorney for the district of Wyoming for the term of 4 years.

Herbert F. Travers, Jr., of Massachusetts, to be U.S. attorney for the district of Massachusetts for the term of 4 years.

John W. Stokes, Jr., of Georgia, to be U.S. attorney for the northern district of Georgia for the term of 4 years.

Brian P. Gettings, of Virginia, to be U.S. attorney for the eastern district of Virginia for the term of 4 years.

F. L. Peter Stone, of Delaware, to be U.S. attorney for the district of Delaware for the term of 4 years.

Bill Carnes Murray, of Georgia, to be U.S marshal for the northern district of Georgia for the term of 4 years.

Harold M. Grindle, of Iowa, to be U.S. marshal for the southern district of Iowa for the term of 4 years.

BOARD OF PAROLE

George J. Reed, of Oregon, to be a member of the Board of Parole for the term expiring September 30, 1974.

U.S. CIRCUIT COURT

George E. MacKinnon, of Minnesota, to be U.S. circuit judge for the District of Columbia circuit.

Roger Robb, of the District of Columbia, to be U.S. circuit judge for the District of Columbia circuit.

DEPARTMENT OF JUSTICE

Shiro Kashiwa, of Hawaii, to be an Assistant Attorney General.

Victor R. Ortega, of New Mexico, to be U.S. attorney for the district of New Mexico for the term of 4 years.

Thomas A. Flannery, of Maryland, to be U.S. attorney for the District of Columbia for the term of 4 years.

Robert K. Fukuda, of Hawaii, to be U.S. attorney for the district of Hawaii for the term of 4 years.

U.S. PATENT OFFICE

William E. Schuyler, Jr., of Maryland, to be Commissioner of Patents.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

James E. Allen, Jr., of New York, to be an Assistant Secretary of Health, Education, and Welfare.

James E. Allen, Jr., of New York, to be Commissioner of Education.

WITHDRAWAL

Executive nomination withdrawn from the Senate May 5, 1969:

GOVERNOR OF VIRGIN ISLANDS

Peter A. Bove, of Vermont, to be Governor of the Virgin Islands, which was sent to the Senate on March 7, 1969.

EXTENSIONS OF REMARKS

POLICE NEED UNDERSTANDING, HELP

HON. EDWARD HUTCHINSON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. HUTCHINSON. Mr. Speaker, under leave to extend my remarks, I include an editorial from the Niles (Mich.) Daily Star on April 10, describing an informative meeting between law enforcement officials and news media representatives held in my congressional district recently. The editorial confesses that most people do not know enough about police problems and then outlines those that were discussed. Certainly such meetings as this are being held all over the country, and they should be encouraged. Law officers will find as citizens' interest is aroused, that the great majority of the people will support them in their essential function of criminal law enforcement.

The editorial follows:

[From the Niles (Mich.) Daily Star, Apr. 10, 1969]

POLICE NEED UNDERSTANDING, HELP

A meeting with area law enforcement officers Tuesday to discuss media-police relations emphasized a significant point—most citizens don't know enough about police problems.

It was pointed out that less than 10 per cent of the American people have observed or participated in court trials beyond the municipal level. This lack of background in the actual workings of the judicial process has led to some misunderstanding of the policeman's role in society and of his problems.

The judicial process is in constant flux and the policeman often is frustrated by these changes. The pendulum of justice has moved, in recent years, nearer to the side of the individual. Many believe that it has moved too far from center. Others contend that it had to move because the individual was being sacrificed under the guise of serving society.

The apparent conflict between individual and societal rights, emphasized by court decisions, has created many problems, some real and some imagined, for law enforcement people.

Most evident of these problems is the difficulty in convicting individuals who have been arrested for transgressing against the laws of society. Many police officers can cite instances where individuals charged with crimes were released on technicalities of wording or procedures that, according to recent judicial ruling, violated the individual's rights. The issue in many such cases isn't guilt or innocent, but how information was obtained, whether the individual was appraised of his rights, or whether certain technical procedures had been followed.

The individual must be protected, but so must society. At this point, many policemen believe society is suffering because the individual is being over protected.

The policeman's frustrations and problems are heightened by the increased confrontation between various groups and officials of institutions and government. These situations dramatize the gray area where the rights of individuals and the rights of society appear to clash.

The policeman frequently is thrust into the role of the bad man when these confrontations occur. Like a disciplined football player, the policeman's job is to carry out advance game plans, with possible alternatives, and operate according to existing rules (laws).

But, just as well disciplined football players sometimes lose their cool, so do policemen.

Imagine this scene, somewhat typical these days: a group of 30 to 100 individuals congregate to protest a situation, idea or ruling. The police are called to preserve the peace and to protect individuals and property.

However, unless the individuals violate a law, the police must simply stand by. If a violation occurs, the police are obligated to exercise their responsibilities as officers of the law. This sometimes is difficult to do.

The protesting individuals often look on the policeman as bad men—obstructions to achieving their wants or desires. Frequently the police are taunted and subjected to foul language. Sometimes missiles of paper, rocks, cartons, etc. are thrown from the middle of the crowd.

How much can or should a policeman take? How much can or should a football player take? In either case that depends on the individual and the training he has had.

Police have other problems. These include lack of cooperation from citizens in filing complaints, lack of adequate training, hoaxes, patrolling, spending time in court testifying, low pay, and attempting to prove that they are working in the best interests of individuals and society.

The media, of course, should do a better job of explaining these problems to the public. The public should consider the problems a policeman has to face and be more understanding. Policemen won't always be right, but they are doing what they believe is right and best. They need help in preserving and fortifying the social order, the democratic life.

NATIONAL MINERALS POLICY

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Monday, May 5, 1969

Mr. ALLOTT. Mr. President, on April 18, J. Allen Overton, Jr., of the American Mining Congress, delivered a most informative statement before the Mining Environmental Conference at Rolla, Mo.

Because Mr. Overton's address points up once again the essential responsibility that this Government has for the development of a healthy and growing minerals industry, I ask unanimous consent that his remarks be printed in the RECORD.

I have been advocating for a long time that Congress must begin to assert its responsibility in this field, and to this end I have once again introduced proposed legislation in the 91st Congress to establish and develop a national minerals policy. It is my firm belief that legislation such as I have proposed, and which Mr. Overton and other leaders of the mineral industry support, will assure a healthy domestic mining industry which will continue to contribute to the development of our great country.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

MINING ENVIRONMENTAL CONFERENCE, ROLLA, MO., APRIL 16–18, 1969; THE MINERAL INDUSTRY AND THE GENERAL PUBLIC, APRIL 18, 1969; J. ALLEN OVERTON, JR., CHAIRMAN

The sessions thus far at this impressive conference have covered with marked effectiveness the environmental aspects of mining and the mineral industry as they relate to land, water, and air, and to matters of safety.

From what has been said thus far, all of us have been given much to think about as we ponder the quality of the environment in which we live, the quality of the environment in which we work, and the quality of the environment we leave to succeeding generations.

But for mining there is more to the total environmental picture than land, air, and water quality. More too than safety. Perhaps the most significant element of all in this is what I would call the environment of government policy.

Why do I say this? I say it because of the extent to which our whole national existence literally depends on a healthy, growing minerals industry.

The minerals industry, more than any other, underpins our entire economy. From this industry comes all of our raw materials and fuel, the foundation stones of every other industry which exists today to support not only the defenses of the free world, but also the very standard of living we in America have come so much to enjoy, and indeed to take so much for granted.

This Nation has been well blessed by a Gracious Providence in the quantity and diversity of our minerals, our coal, our petroleum; and the rest. Yet, our resources are not without limit—and our capacity to produce them can easily be jeopardized. This very week, in testimony before the House Committee on Interior and Insular Affairs, the Assistant Secretary of Interior for Mineral Resources—The Honorable Hollis M. Dole—had this to say. While we are not running out of mineral resources, "there is every indication that we are short-changing the science and mineral technology needed for their discovery and profitable production and processing at a time of widening world competition and increasing demand."

We cannot afford to "short-change" (if I may borrow an expression from Secretary Dole) *any part of our total responsibility as a Nation* for the development of a healthy, growing minerals industry. This industry must grow and flourish in such a manner that it truly continues to serve the whole National interest. And that goes beyond the business of locating, extracing and processing our mineral resources. It includes a responsible concern for the quality of our environment. It includes a realistic look at the competitive posture of this industry vis-a-vis the rest of the world. It includes a dispassionate look at our military defense needs and their dependence on a strong domestic minerals industry. It includes that added and essential environmental quality I referred to earlier—a Governmental Policy Environment which assures a delicate balancing of many interests—all in the National interest.

Many and varied concerns command the attention of many people, many groups, as they view the mining industry's role in 20th Century America. But no one of these concerns can be viewed in a vacuum. No one can be permitted to run at its own speed on a track which is parallel to the others', and oblivious to the others.

We need, as I said a moment ago, a delicate balancing of many interests—all in the National interest.

In short, we need a comprehensive National minerals policy.

Efforts to develop a National minerals policy date back to the Paley Commission in 1952 and to 1954 when President Eisenhower established the Cabinet Committee on Minerals Policy. Legislation seeking to develop a National minerals policy has been introduced in the 91st Congress by Senator Gordon Allott of Colorado. We in the mining industry hope for early hearings on this bill. Action in this respect is long overdue.

Perhaps now our speakers can give us some insight into how each of them views the minerals industry and its relationship to the general public within the context of the theme of this conference.

POLISH CONSTITUTION DAY

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. NEDZI. Mr. Speaker, I consider it an honor to have this opportunity to pay tribute to the Polish people on this 178th anniversary of Polish Constitution Day.

As an American of Polish extraction, I am proud that the thing most honored by the Polish national day of observance is a political document which stood for law, order, and freedom of conscience. This testament to man's love of freedom came in 1791 during one of those brief periods in recent history when the Polish people were free of foreign domination.

Poland, a victim of its geography, seems destined in this century to be associated with great events. Thirty years ago, in 1939, Poland was attacked first by Nazi Germany and then by Soviet Russia. The attack by Germany signaled the beginning of World War II and the entrance of Britain and France into the hostilities. The attack by Russia revealed a cynical Stalinist tyranny which disarmed and dismayed, at least for a time, many thousands of Soviet apologists in the Western World.

Twenty-five years ago, the world looked with admiring eyes, and then with disbelief as the courageous Warsaw uprising burst forth only to fail when the Russian Army sat across the Vistula River and refused to join in the desperate struggle. This brutal and cynical act shall forever scar the character of the Soviet Union.

In October 1956, the "October revolution" took place, leading in large measure to the Hungarian revolution. It gave brief hope that the people of Eastern Europe might be allowed to determine their own destinies.

Perhaps the most prominent figure of this period was Wladyslaw Gomulka. When he stood up to Nikita Khrushchev in their confrontation at Warsaw Airport that cold day in late 1956, he became the first charismatic Communist leader in Eastern Europe. When Gomulka, in answer to Khrushchev's question, "Who are you?" answered "When I was jailed by Stalin against all laws, you faithfully collaborated with Stalin. That's why you don't know me." And the world took notice.

Once in office, however, Gomulka first disappointed, then ignored, and then purged those very liberals who had made possible his rise to power. There are no longer any liberals in the Polish Government. Hopes for greater freedom receive no official encouragement from the dull and plodding Communist hierarchy.

Thoughtful Polish citizens are ashamed to know that Polish troops joined the Soviet Army in the recent occupation of freedom-seeking Czechoslovakia. While Polish troops have now been withdrawn, the embarrassment will linger. Moreover, the bitter humor of the Hungarian joke, "This is the first time in history that one occupied country has occupied another occupied country," will remain.

In the last years Gomulka has outlasted apparent challenges to his rule by Mr. Gierek and Mr. Moczar. He did it by increasing his subservience to the Soviet Union, receiving as a reward a strong endorsement in his behalf delivered by Russia's Brezhnev.

In any event, neither Gomulka, Gierek, or Moczar give any hope of undertaking those dramatic new departures which Poland needs to lift the heavy burden of gloom for the spirit of the Polish people and to stir the sluggish economy into meaningful improvement.

The history of civilization is filled with periodic regressions. So, too, is the postwar history of Eastern Europe. There have been moments of hope and moments of advance as in Yugoslavia in in 1948, Poland and Hungary in 1956, and Czechoslovakia in 1968. There have also been long nights of darkness and despair. Nevertheless, the fate of Poland has not been determined with finality. The overwhelming majority of the Polish people are Christian, freedom-loving, and Western in orientation.

They also nurse a deep sense of grievance against the rulers imposed upon them. When all these facts are considered it must be reckoned that the ingredients for change remain alive.

The action of the U.S. Congress, by several of its Members, in observing Polish Constitution Day and its meaning, contributes, I believe, to the ultimate salvation of the Polish people. The candle lit by the Polish constitution of 1791 has not been extinguished. The people do not scorn their land or their traditions. The dream of Polish freedom will yet be realized.

NATIONAL HEALTH FORUM

HON. CHARLES H. PERCY

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Monday, May 5, 1969

Mr. PERCY. Mr. President, recently a national health forum was held in New York City to discuss the problems involved in the delivery of health services to our citizens, as well as proposed solutions to those problems. A group of representatives from various health centers in Chicago attended the meeting, and presented a resolution to the forum. I ask unanimous consent that the text of the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTIONS FOR THE NATIONAL HEALTH FORUM, 1969: FROM MEMBERS OF ADVISORY COMMUNITY BOARDS AND COUNCILS, CHICAGO, ILL.

(Central Mental Health Center, Englewood Community Mental Health Center, Garfield Park Mental Health Center, Greater Lawn Community Mental Health Center, Lawndale Community Mental Health Center, Roseland

Community Mental Health Center, Woodlawn Mental Health Center, Mile Square Health Center.)

Martin Luther King Family Health Center, Near North Children's Center, Woodlawn Children's Health Center, Robert Taylor Clinics Facility, Garfield Public Aid Advisory Council, Western Public Aid Advisory Council, Woodlawn Public Aid Advisory Council. Endorsed by the Chicago Caucus-N.H.F. 1969.

Whereas the needs of the poor are the basic needs of all people: spiritual, mental, physical and economic.

Whereas poverty is not only one of the causes of ill health but, also stands in the way of adequate treatment.

Whereas the poor are forced into substandard areas, professionals move out, as a result, the poor are left without doctors and dentists to care for their needs. Public Health facilities in the inner core are inadequate and only temporary solutions.

Whereas inadequate housing, substandard housing, insufficient financial assistance, unethical standards of local businessmen in regard to the sale of drugs, food and clothing, unavailability of doctors and dentists, discriminatory practices by private hospitals, failure of city and state governments to enforce laws applicable to medical services and to assume responsibility for maintaining minimal standards of medical health and for providing adequate medical facilities and services are some of the manifestations of some of the ways in which poverty contributes to illness.

Whereas we too are wholesome concerned Americans. From what we know and from what we have experienced we know what must be done to secure proper medical programs to meet the mental and physical needs of our communities. And we shall do everything that is necessary to meet the related problems of housing, education and community control.

Now therefore be it resolved that the National Health Forum strive to do the following:

Bring pressure to bear on proper public officials to:

A. Provide adequate housing and space throughout the city for the poor so that the poor cannot be identified by address and area; in this way medical services might be more available throughout the entire city. No more instant ghettoes. Open occupancy must become a reality.

B. Legislate adequate financial assistance for the poor not only in the areas of drug, food and housing, but also in the areas of medicine, physical and mental care, dental care and health education.

C. Persuade local private hospitals to accept elected representatives of surrounding neighborhoods on their boards of directors, as private hospitals within the community they must assume responsibility for health services for the community.

D. See to it that the health facilities such as Cook County Hospital are completely modernized and services improved.

E. Compel Boards of Health to function properly. They should prevent spoiled meat, rotten vegetables and the like from being sold in ghetto stores. Boards of Health must exercise controls more vigorously until the day when the poor can be distributed more evenly throughout the community.

*F. Build at least ten more public hospitals to meet the needs of Metropolitan Chicago and other similarly situated cities.

G. To promote decentralized Board of Health so that the smaller community can have a voice in setting and enforcing standards of health.

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*The Chicago Caucus Group does not accept this paragraph.

THE FBI IS THE PINNACLE IN THE FIELD OF LAW ENFORCEMENT

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. DENNEY. Mr. Speaker, the question has been raised as to why the various Federal law-enforcement agencies should not use the new FBI training facilities to be constructed at Quantico, Va., rather than to build the proposed separate Federal Law Enforcement Training Center at Beltsville, Md.

I am opposed to attempting a combining of training in the manner suggested for a number of reasons, and I feel it is particularly vital at this time to permit the FBI to proceed with its endeavor in expanding its training program separate from the other Federal law enforcement agencies.

We are all aware of the tremendous job Director J. Edgar Hoover has done in leading the FBI to its pinnacle in the field of law enforcement. He recognized from the beginning that a fundamental need was to raise the standards of law enforcement to a professional level and to not only select the most qualified personnel possible, but also to give them the rigid training so absolutely necessary in meeting their sometimes dangerous, sometimes delicate, but always essential responsibilities to the American people. Mr. Hoover, of course, saw to it that his personnel received long and extensive training and that, furthermore, their educational process was continued throughout their careers in the FBI. Beyond that; he has also constantly stressed a similar need for all career law-enforcement people.

The Director of the FBI went beyond mere words and put this philosophy into action by making FBI experts in the field of law enforcement available to instruct local and State law-enforcement agencies in the most modern and scientific techniques and strategy in this increasingly complex field.

The FBI National Academy began its first class in July 1935, and since that date has graduated 5.435 police officers, including 161 from 38 foreign countries. Of those graduates remaining in law enforcement, 27.7 percent are now the executive heads of their respective agencies and others hold high executive positions in their departments or lead in the training of their own agencies' personnel. Thus, the results of the 12 weeks of intensified instruction in the latest developments in police science are passed on through the graduates to their fellow officers.

The FBI has never been willing to sacrifice quality for quantity. And, in spite of the acknowledged success of the FBI National Academy, physical limitations of training facilities have permitted only two classes of 100 officers each to be trained on an annual basis.

The National Academy, appropriately called the "West Point of Law Enforcement," has made a very significant impact in professionalizing the field of law enforcement. Nevertheless, there are now almost 400,000 police employees in the United States and the impact made on law enforcement was thus limited by the fact that only 200 of them could be trained per year.

The enlargement of the FBI's training facilities is based principally on the current need to offer more instruction and assistance to local law enforcement in the fight against crime. The new FBI Academy building will permit the FBI not only to train its own personnel but will allow it to accommodate 2,000 law-enforcement officers per year in the FBI National Academy—10 times the current number—and will allow the Bureau also to offer specialized training courses of 2 or 3 weeks' duration to an additional 1,000 police officers.

The Federal Bureau of Investigation is the Federal investigative agency with the broadest and most diversified jurisdiction. It, more than the other Federal law-enforcement agencies, has responsibilities similar in many respects to local and State law enforcement. On the other hand, the other Federal law-enforcement agencies are generally quite specialized in their respective jurisdictions and, thus, their training needs. Many of the programs and much of the curriculum used for training the special agents of the FBI can be adapted to the training of police officers. Many of these same techniques are not equally applicable to the training of the other Federal agencies. To combine the two facilities would require extensive additional building and training facilities at Quantico and would make it necessary to greatly diversify curricula planning and administrative procedures. In order for the FBI to continue its successful training programs on a greatly expanded basis, it is extremely important for it to maintain a centralized control which would necessarily be lost if all the agencies used this same facility.

Furthermore, the FBI's new facilities do not include expanding the ranges used for firearms training. The Bureau feels that it will be able to absorb the greatly increased number of trainees through careful planning and scheduling but this will tax these ranges to the absolute limit and any additional trainees could not be accommodated with those ranges presently available.

The overall FBI training facilities, as presently planned, will be utilized to the maximum. To bring in additional Federal law-enforcement agencies for training would require additional construction of all the facilities to accommodate this increase. I do not feel that the cost would be significantly different in combining the two facilities than it would be to leave them completely separate. Creating a multiversity could hamper the FBI's efforts to bring its service to local law enforcement in the field of training in which it has always proven its excellence.

With the crime rate soaring and with safety on the streets of paramount interest to every American, the Congress should take no steps which might hamper the very significant and valuable service the FBI can and will render to local law enforcement without charge to those agencies. I urge the Congress to take no steps which might prevent the rapid completion of the new FBI facilities at Quantico.

Mr. Speaker, I wish to include several letters pertaining to this important subject in the Record:

Treasury Department,
U.S. Secret Service,
Washington, D.C., May 14, 1966.
Mr. Lawson B. Knott, Jr.,
Administrator, General Services Administration, General Services Building, Washington, D.C.

Dear Mr. Knott: I have been advised that the Committee on Appropriations of the House of Representatives has recommended, in connection with the Independent Offices Appropriation Bill for 1967, that no funds be appropriated for construction of the Secret Service training center. I earnestly request that the question of funds for the training center be pursued in the Senate. As Director of the Service responsible for the protection of the President—and as one who has spent many years personally involved at the operating level in the day-to-day problems of protecting the President—I must say that failure to obtain a disposition of the matter which will permit the Secret Service to move forward with plans for the training center will have a grave impact on the training measures I consider essential to proper conditioning of our Special Agents and White House Police officers.

I know that your agency and the Appropriations Committees must deal with many hundreds of projects. I know too that presentations describing the purpose of the proposed Secret Service training center have been carefully prepared for submission to the Congress. Yet I must confess that I harbor a deep concern that the modest but urgently necessary request for funds for this project may be denied because its importance seems attenuated by the blandness of routinized request language. Accordingly, I would like to restate very briefly the compelling basis for the request.

Protecting any vigorous President in our open society is a difficult job; indeed, the Warren Commission, studying the assassination of President Kennedy, expressed the view that it was virtually an impossible one. Particularly difficult is the task of maintaining a force of men able to respond immediately and faultlessly to an enormously wide variety of possible aggressive behavior directed against the President. For hours, days, months, perhaps years, these men work without facing a protective challenge of the type which is of greatest concern. Yet every minute of those years these men must be ready. That state of readiness cannot be induced by normal on-the-job experience for the very reason that the tests which develop instantaneous, correct responses are infrequent. What we must develop in our Special Agents and White House policemen is a conditioned, flawless, and, if necessary, deadly response to crisis. We can do so only by training which provides a frequently repeated and realistic exposure to situations which may one day be acted out for high stakes.

The training center has been the focus of plans to provide this training. It would provide a variety of specially designed outdoor range facilities, including one suited for practice of motorcade operations, along with the necessary indoor classroom and administrative areas.

At present, we are using a small site at the National Arboretum. That site is inadequate, and is not capable of being made adequate. Moreover, its continued use presents a serious safety hazard because of its proximity to freely accessible areas of the Arboretum grounds. I believe that members of any Committee considering this request who visited the site would be shocked, as was a recent visitor from the Office of the Secretary of the Treasury, at the pitifully inadequate facilities available to train our men. In all candor, and with full realization how serious this matter is, I must say my men are not being trained as they should be, although we are exerting every effort to make maximum use of what training facilities are now available.

I do not believe the Committee on Appropriations of the House questioned the training needs which I have outlined above. Rather, their concern was understandably directed to the question whether the Secret Service facility represented a wasteful duplication of facilities to be constructed elsewhere, especially at the F.B.I. training facility on the U.S. Marine Corps Base, Quantico, Virginia.

The F.B.I. plans a greatly expanded program of law enforcement training at the Quantico Base, and is requesting over $13 million in 1967 to complete the program. The F.B.I. project does not contemplate the expansion of existing range facilities at Quantico; rather, it provides for new buildings for the F.B.I. National Academy as part of a greatly expanded program for training state and local police officers. The number currently trained annually is 200. When the new buildings are completed, the F.B.I. plans to give 1,200 (2,000) enrollees per year the full course now given only 200, and provide shorter courses not now given, to 1,000 enrollees per year. As a consequence, the existing range facilities, which will not be expanded, will be handling an elevenfold increase in students. The same ranges will continue to be used by Special Agents of the F.B.I., who total about 6,300, (7,000) in connection with their training and retraining. It is clear from studies by the F.B.I. that it simply will not be possible to schedule adequate periods of range time for Secret Service and White House Police use, and the F.B.I. has, I believe, so advised you.

Nor is it possible to add additional range facilities adjacent to those presently used by the F.B.I., because the present ranges are hemmed in by active Marine Corps ranges and by a reservoir. Additional ranges would necessarily have to be adjacent to the present ones to make use of the impact area to the rear of the targets.

Even if it were possible to accommodate the Service at Quantico, the somewhat different training needs and objectives of the Service could not be accommodated on the range facilities now there. In particular, we must train our Special Agent personnel to use firearms from moving vehicles, and to perform other acts in connection with motorcade procedures. This training equires a form of range facility entirely different from that used at Quantico.

The Secret Service shares the concern of the Committee on Appropriations of the House over unnecessary duplication of facilities. As you know, the Treasury Department has seven elements which investigate criminal offenses—with a total investigative agent strength of approximately 4,500. I believe it is important to emphasize that we have explicitly planned our proposed training center to provide outdoor range facilities adequate to meet the training needs of all of these Treasury organizations. Were the Secret Service training center plan to be abandoned, the other Treasury enforcement organizations would also be without an outdoor facility.

After the assassination of President Kennedy, as a result of a number of careful studies, it was determined that the Secret Service needed to be strengthened in several ways. Referring to the needs of the Service, the Warren Commission recommended that the Secret Service be provided with the personnel and resources which the Service and the Department of the Treasury may be able to demonstrate are needed to fulfill its important mission." A planning document (Warren Commission Exhibit 1053–A) upon which the Commission relied in assessing the needs of the Service explicitly noted the need for expanded and improved training facilities, and outlined plans for the training center for which the present appropriations' request was made.

Congress has been extremely helpful and understanding in providing the Service funds to make urgently needed increases in its personnel and to greatly improve its capability in the field of protective intelligence.

But that strengthening job cannot be completed without giving the Service the capability of providing the kind of training which only the proposed training center can provide.

I hope you will stress the importance of this project to the overall strengthening of the Service's capacity to perform its most important function with the level of competence which I am sure the Congress and the American people expect. A denial of funds for this project, in view of the unavailability of facilities at the F.B.I. National Academy, would be a determination that our protective personnel are to be denied the training they need. It would cause an irreparable tear in the fabric of our overall plan for strengthening the Service. I do not believe these results are ones the Congress, when fully informed of the circumstances, would find acceptable.

Sincerely yours,

James J. Rowley.

General Services Administration,
Washington, D.C.
Hon. Joe L. Evins,
Chairman, Subcommittee on Independent Offices, Committee on Appropriations, House of Representatives, Washington, D.C.

Dear Mr. Evins: During my testimony before your Subcommittee on February 28, a question was raised concerning the possibility that the Secret Service and the Federal Bureau of Investigation might share the range and other facilities planned for FBI use at Quantico, Virginia. At that time I told the Committee that I would look into this possibility.

This matter was discussed with both the Secret Service and the FBI, and consideration was given to the proposal to provide a sharing of the facilities. After due deliberation, it was determined that there is no advantage to be gained from combining the use of facilities. Contrariwise, it appears that serious disadvantages would accrue to both training programs.

Attached is a fact sheet which was developed to further explain the situation. It is our recommendation that the facilities be developed as separate entities at Beltsville for the Secret Service and at Quantico for the FBI.

Sincerely yours,

——— ———.

Fact Sheet, March 8, 1966

SECRET SERVICE TRAINING CENTER AND FBI ACADEMY

The prospectus for the Secret Service Training Center at Beltsville, Maryland, progressed as follows:

Developed by GSA—October 1964.
Approved by BOB—February 1965.
Submitted to PWC—March 1965.
Approved by House PWC—April 7, 1965.
Approved by Senate PWC—April 13, 1965.
S&E Funds—FY 1966—$117,000.
Improvement request—FY 1967—$1,232,000.

The prospectus for the FBI Academy at Quantico, Virginia, progressed as follows:

Developed by GSA—June 1965.
Approved by BOB—July 2, 1965.
Submitted to PWC—July 6, 1965.
Approved by House PWC—September 9, 1965.
Approved by Senate PWC—July 12, 1965.
S&E Funds—FY 1966—$901,000.
Improvement Funds (Partial)—FY 1966—$1,300,000.
Improvement Funds Balance—FY 1967—$13,463,000.

SECRET SERVICE TRAINING CENTER—BELTSVILLE, MD.

There will be provided at Beltsville a small building of approximately 12,000 net square feet to house an indoor firing range, lifesaving tank, a general purpose room of approximately 1,700 square feet (which may be used for a demonstration room and classrooms), approximately 3,130 square feet for a classroom (which may be subdivided by folding doors to permit flexibility in its use) and miscellaneous supporting rooms, e.g., locker room, ballistics room, maintenance shop room and vending area. Unlike FBI at Quantico, no living quarters are required at Beltsville.

The outdoor ranges to be provided at Beltsville consist of a practical combat range, high power rifle range and a vehicular practical training course. The course will be unique to this location and is a special requirement of the Secret Service for training related to the Presidential motorcade movements and other specialized protective techniques. While the FBI facility does have firing ranges similar to the practical combat and high power rifle range, it does not have the vehicular course nor has the FBI considered the installation of a track of this type. The FBI ranges are bounded on the one side by U.S. Marine ranges and a water reservoir on the other, so it would not be physically possible to install the vehicular course contiguous to the other ranges at Quantico.

In addition, the Secret Service prefers to maintain a degree of security surrounding their motorcade training operations which would not be possible at Quantico since the FBI proposes to conduct training for a substantial number of nonfederal students, and visitor traffic would also be substantial.

The range facilities planned for the Secret Service Center at Beltsville will replace those now in use at the National Arboretum. These facilities at the Arboretum, because of safety and other considerations, will not continue to be available for Secret Service use. The Arboretum facilities, although maintained by the Secret Service, serve other activities. The total group which is served includes Secret Service Special Agents assigned to protective details and the 213 members of the White House Police Force, members of the Treasury Guard Force, all Secret Service Special Agents attending the Secret Service Special Agent School conducted in the facilities of Treasury Law Enforcement School in downtown Washington, and investigators from all the Treasury enforcement agencies across the country during the time they are in attendance at the Treasury Basic School in Criminal Investigation, also conducted in the Treasury Law Enforcement School in downtown Washington.

The proposed Secret Service site, is therefore, concerned with providing outdoor firearms and other training to a police, guard, and criminal investigator population which totals approximately 4,500.

The training of Secret Service agents on the White House Detail and members of the White House Police Force must be scheduled in a manner which will not conflict with their important daily mission of physical protection. The facilities to be provided at Beltsville will therefore be scheduled nearly full time and use of the facilities at Quantico could only be made if the FBI could completely release ranges for Secret Service use.

Therefore, it is not physically possible to provide for all of the requirements at Quantico to meet the Secret Service and Treasury needs. There would be no significant savings and a serious disadvantage would accrue because of the additional travel time involved and the inadequate protection against disclosure of protective techniques.

FBI ACADEMY, QUANTICO, VA.

The FBI Academy is currently located on the United States Marine Corps Base at Quantico, Virginia. The present building was built in 1940 and extended in 1953. Firing ranges were also added in 1953. The firing ranges are located in the Guadalcanal Training Area of the Quantico reservation which is approximately ten miles from the Academy building.

The existing Academy building provides 37,346 square feet of space for classrooms, dormitories, and dining facilities for personnel in training. When the Academy was constructed in 1940 there were slightly over 900 special agents in the FBI, as contrasted with 6,300 today. Additionally about one-half as many police officers were being accepted annually for attendance at the National Academy as today. The existing facilities have become inadequate and only through improvisation and overcrowding has the program been able to continue to handle its task.

The proposed project will provide for the construction of a new facility to accommodate both the FBI Academy for the training of FBI agents and the FBI National Academy for the training of police officers. The proposed facility will provide 366,800 net assignable square feet of space which will allow the release of the existing facility. It is proposed to reassign that facility to the Marine Corps upon completion of this project.

The proposed new academy will provide facilities which include classrooms, conference rooms, auditorium, specialized training rooms, library, gymnasium, training pool, locker rooms, office space for academy administration and staff, dormitory for 700 students including dining and living areas in addition to two-man study and sleeping rooms, equipment shops and storage areas, laundry room, indoor ranges, meditation chapel and necessary maintenance and utility areas.

The new facility will be located on a site of approximately 50 acres which the Department of the Navy will make available for the purpose. The proposed location is adjacent to the outdoor firing range used by the FBI and will consolidate the FBI training facility into one contiguous area.

The site will provide sufficient space to provide a campus type setting for the Academy building in addition to providing space for athletic and drill fields, garage and shop building for academy vehicles, power plant for heating, airconditioning, and emergency power units, and roadways. To provide the necessary security to the area the facility will be bounded with a perimeter fence. A paved parking area will be provided for approximately 500 vehicles for instructors, students, and visitors.

An impressive record has been achieved by the graduates of the FBI National Academy. They represent the nucleus of strength among law enforcement agencies in every State of the Union; and year by year, the importance of their role in protecting the lives, welfare and rights of all citizens has continued to grow. Since 1935, a total of 4,740 officers have completed the tuition-free course offered by the FBI. Of those graduates still active in law enforcement, one out of every three occupy executive positions in their departments.

The National Academy utilizes the same facilities as those used in the training and retraining programs which the FBI affords its own investigative staff. The focal point for the instruction, including firearms, roadblocks, arrest problems and other matters involving practical application of special law enforcement skills is the FBI Academy.

There are 378,000 police employees in the United States and the impact made by graduating 200 men from the FBI National Academy each year is extremely limited. It is proposed to increase tenfold (from 200 to 2,000) the number of qualified officers who can attend the FBI National Academy each year. The expanded facilities required to do so would also enable the FBI to provide specialized training courses of two or three weeks duration to as many as 1,000 other police officers. This substantial expansion in the police training program cannot be handled by the FBI with the existing facilities at Quantico. Further expansion of the present FBI Academy building at Quantico to accommodate more trainees is both impractical and infeasible.

It is apparent, therefore, that the proposed facilities at Quantico for FBI were contemplated to accommodate only the requirements of the FBI, and when in use will be fully utilized. Although the number of persons to be trained will be substantially increased the number of ranges will not. It was determined that through proper scheduling the ranges could serve the FBI training needs. However, this will require the full time use of the ranges by the FBI.

In addition, the other facilities are similarly arranged so that it would be necessary to provide additional facilities to serve the Secret Service and Treasury. As was indicated before there would be no significant savings to be derived from combining the Secret Service and FBI training facilities, and serious disadvantages would accrue to both training programs.

It would be in the best interests of the Government to continue with development of separate projects and to provide for the Secret Service at Beltsville and the FBI at Quantico.

May 12, 1966.

Hon. Lawson B. Knott, Jr.,
Administrator, General Services Administration, Washington, D.C.

Dear Mr. Knott: The following information is submitted in accordance with the request of Mr. William A. Schmidt, Deputy Commissioner, Public Buildings Service, regarding the proposed training facility to be constructed for this Bureau at Quantico, Virginia.

The enlargement of the FBI training facilities, in the form of a new academy building, is based principally on the President's desire and instructions that more assistance be extended local law enforcement in the fight against crime. This new facility is planned to accommodate the training of at least 2,200 local law enforcement personnel annually, in addition to FBI personnel. The utilization of this new academy for training operations by other Federal investigative agencies is impractical for several reasons. The training given local law enforcement officers necessarily covers a wide range of subject matter in order to assist them in meeting their numerous responsibilities. On the other hand, training curricula for the various Federal investigative agencies other than the FBI are, of necessity, highly specialized because of varying jurisdictional interest, responsibilities, and authority. Such training is not compatible with the various courses given local law enforcement officers and FBI Special Agents. Accordingly, each Federal agency must design specialized training programs equip its personnel to function effectively on matters under the investigative jursdiction of the agency. While the training of FBI agents, local law enforcement officers and Secret Service agents is compatible in a limited number of areas, there are many fields in which the wide responsibilties and jurisdiction of the FBI and local police agencies would be of little interest to the Secret Service.

The proposed new FBI Academy is being designed to operate at full capacity training police officers and FBI personnel. In order to handle additional training for the Secret Service or any other agency, the facilities would require enlargement, including bedroom space, recreation areas, dining facilities, study areas, library facilities and the like. The present FBI firearms ranges at Quantico, which will be utilized in the new academy training program, cannot be expanded since the Marine Corps has permanent installations on either side of the existing facilities. Under our expanded training program these ranges will be used to capacity. It will, therefore, not be possible to provide added firearms training unless additional ranges are constructed. This, of course, would require a significant expenditure of funds.

A training academy, to be effective, must be controlled administratively as a single entity. This includes all facets of its operations, including planning of curricula, scheduling of classes, control of personnel, assignment of instructors, and the like. This centralized control cannot exist if a number of agencies, each having varied investigative interests and specially planned training curricula attempt to use the same training facility. The combining of training programs for the FBI and Secret Service would present obvious administrative difficulties. Law enforcement today, whether it be Federal or state, is a professional service and training must be given to each based on its particular needs and demands. The FBI's wide range of jurisdiction over the enforcement of Federal laws is similar in many respects to that of local police agencies.

In view of the difference in jurisdictional authority, the fact that the planned facility is large enough to accommodate only local law enforcement and FBI personnel, the limited capacity of our present range facilities and the need to exercise administrative control of the proposed academy by a single agency, it is not felt that it would be practical to try to include the training of Secret Service personnel in the new FBI training academy to be constructed at Quantico, Virginia.

Sincerely yours,

——— ———.

NICHOLAS S. MASTERS: UNIQUE SPEAKER WITH A MESSAGE

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, May 5, 1969

Mr. RANDOLPH. Mr. President, it recently was my privilege to address a forum in Jacksonville, Fla., on lowering the voting age, sponsored by the Duval County Young Democrats.

Appearing on the same program was Nicholas S. Masters, an attorney from Daytona Beach, Fla. Mr. Masters is a unique and forceful speaker, and he had an important message.

I ask unanimous consent that Mr. Masters' remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Robert King High was the Democratic Nominee for Governor in 1966. He coined the phrase "new politics." He knew it was the tide of the future and that young people must be the builders of it. He made lowering the voting age to 18, a campaign issue. It was the most applauded item in his speeches. And after there was no political capital to make of it, he still kept the faith. When he conceded election night—he said: "Prominent in my thoughts tonight are the young people for whom we were trying to build a "new politics" in Florida."

He would be pleased to see us this night and know that we—too—are keeping the faith. The Bill of Rights was an overture to a symphony. It is still an unfinished symphony, although we Americans have been writing on it nearly 200 years.

Beethoven's Ninth Symphony—is called a Hymn to Brotherhood. Our unfinished American symphony—finished—will be a Hymn to Freedom. That is why we came tonight—to be collaborators with our forefathers who wrote the great passages and movements that have gone before.

For instance, when this country was founded, all 13 states denied the right to vote to all except property owners. A great debate ensued. The Liberals said the right to vote is a birthright. The Conservatives said virtue follows property and only the virtuous should vote. The Liberals won.

Universal manhood suffrage was adopted. Then came the debate over public education. The Liberals said all children should be educated. The Conservatives said—only an elite few. The Liberals won.

The free public school system was created. Next was the struggle over free enterprise. The Liberals said all men should have equal business opportunity. That our economic system should be founded on competition—the corporations should be formed, at will, by an easy simple method. The Conservatives said corporations should be created by special legislative acts only.

That corporate charters should confer monopolies on the incorporators. During the Jacksonian period, the Liberals won. The free enterprise system came into being. The contest swirled then around slavery. The Liberals said slavery should be abolished. That all men were created free and equal—and that slavery was a moral abomination. The Conservatives said that slaves are property—that property could not be taken from them by the Government—that blacks were made inferior by God Almighty. The Liberals won. Slavery was abolished.

Next there came suffrage for women. The Liberals said—and this is still controversial—that women were sensible enough to vote.

The Conservatives said—perhaps rightfully this time—the suffrage for women would undermine the hallowed doctrine of masculine supremacy and it has.

The Liberals won—women's suffrage was granted. Now the great debate rages over the right to vote for 18 year olds. The Liberals say young men who are old enough to fight and die for this country are old enough to participate in the decisions that produce the wars in which they fight and die.

It is as certain as morning and as inevitable as noon that this view will prevail. When it does, you will be able to say that you worked in the vineyard. But even then the symphony will not be finished. There will be new freedoms always ahead. There will never be a millennium, but there will be—and must be social justice.

TENTH ANNIVERSARY OF ALASKA STATEHOOD

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. POLLOCK. Mr. Speaker, I was recently privileged to receive from the Holy Family Civics Club in Bronx, N.Y., a series of poems which were created and sent to me by eighth-grade students to commemorate the 10th anniversary of Alaska statehood.

I would like to share these poems with my colleagues as I believe many of them will enjoy these poems as much as I have:

COLD TO GOLD

(By Ronald Ciaffaglione)

Thought cold and barren and full of snow
The Last Frontier they called you so.
When disaster hit in memorable 1964
All the people their great brief bore.

The Kodiak bear so huge and strong
When we bought Alaska we weren't wrong
So productive and mighty great
Happy Anniversary, sister state!

THE LAST FRONTIER

(By Cornelius Griffin)

The sun, the moon, the stars up there
Seem always to shine on the last frontier
The place of places, oh what a view
And let's not forget the Caribou.
Oh how I wish that I were there
To get a glimpse of the Kodiak Bear.

Alaska was tortured by an earthquake
That land sure took a monstrous shake
The walls fell and so did the floor
In that destructive year of 1964.

FROM RUSSIA WITH LOVE

(By Matthew Morra)

From Russia many acres were bought
An Arctic climate, it's useless, they thought
When Gold was discovered in '99
Its population started in climb
When Fairbanks produced it in 1903
The natives became as busy as bees
Today the forty-ninth star in Old Glory
Ask Mr. Seward, he'll tell you the story
Alaska, Alaska, how lovely and grand
The biggest and nicest in U.S. land.

ALASKA, CONGRATULATIONS

(By Teresa Fiorentino)

Who can boast of a mighty peak
That in American cannot be beat
Mount McKinley's 20,320 feet
Is a mountain climber's treat.
Frolicking in the Land of Midnight Sun
Lads grow up brave Alaskan sons
Alaska, surely put us in a whirl
Because you're as precious as a pearl
Congratulations, Sister state
From New York Empire State.

ALASKA

(By Debra Robinson)

A is for appreciation for Russia's mistake
L is for the land of the great Midnight Sun
A is for Anchorage its largest modern city
S is for salmon its greatest industry
K is for Kuskokwim its second largest stream
A all things found in our Alaskan dream.

KODIAK

(By Joanne Coco)

On Friday, March 27th in the year 1964
A terrible earthquake shook Alaska's floor
Caught Kodiak Island with never a warning
And brought destruction with some mourning.
Brought the Alaskan fishery a loss
Of a $750 million cost
Its pride, joy and wealth
Had to be brought back to healtn.

KODIAK OF ALASKA

(By Dominic Adinolfi)

The people of Kodiak one morning did wake
To the roar of a Seismic Wave Earthquake;
Some people died, others were saved
But the flag of America still waved
The City of Kodiak contributes to America;
A city, state that will always be great
Kodiak, Alaska, a great city in a great state.

SEISMIC WAVE STATE

(By Kevin Kennedy)

The peace of Kodiak saw its grave
When the Seismic Wave ushered the quake;
Brave Kodians rebuilt it, says the report
It's become United States' top fishing port.

KODIAK TRADEGY

(By Thomas Mangan)

Once New York had a Black Tuesday
You had your Black Friday;
Your Black Friday was worse than ours
Because your homes were destroyed, not ours.

Brave Alaskans rebuilt it since 1964
A better Kodiak than ever before;
Congratulations on all your efforts
But especially your tenth birthday.

ADM. JOHN F. HINES

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. BOLAND. Mr. Speaker, Adm. John F. Hines, president of American International College in Springfield, Mass., is retiring next year. Admiral Hines, named president in 1954, has led AIC through a remarkable period of growth over the past 15 years. Under his leadership the college has made striking progress—in the size and scholastic ability of its student body, in its physical plant, in its contributions to the community. AIC is now one of the finest small colleges in the Northeast. Just one index of the affection and admiration AIC's students hold for Admiral Hines is the surprise "appreciation dinner" they held for him last week in the school's dining commons. It is refreshing—indeed, almost unique—to find a contemporary college president who is praised by his students rather than pilloried.

With permission, Mr. Speaker, I put in the RECORD at this point a Springfield Union article describing the "Appreciation dinner" and an excerpt from an AIC brochure outlining the school's growth over the past 15 years:

WELL DONE, ADMIRAL HINES

Adm. John F. Hines, president of American International College who is retiring Aug. 15, was saluted Thursday by the student body. Over 500 undergraduates of AIC surprised Adm. Hines at an appreciation dinner in his honor in the Dining Commons.

He was showered with gifts including a ruund-trip ticket for two to any place he and Mrs. Hines would care to visit, presented by the student body; a portable color television set from AIC Evening College students; an honorary pass to all events sponsored by AIC fraternities and sororities; and a large card, three by four feet signed by the entire student body.

Adm. and Mrs. Hines were detained in the president's office by a group of students. At 5 p.m. they walked out of the building with him where he was welcomed by an honor guard of two Marines and two from the Navy and two long lines of students. AIC's first couple marched between the two rows of students to the Dining Commons. At the Commons the retired admiral was "piped aboard" by a boatswain's mate.

The bon voyage card stated, "The works of a great man are many times as unknown as the vein of water flowing hidden underground; secretly making the ground green."

This is the story of American International College, and the people who have made it one of the fastest growing independent institutions of higher learning in New England.

This is also the story of one man, a man who has devoted 15 years of his life to the presidency of American International College. Many of today's realities are the result of Adm. John F. Hines' progressive approach to not only the role of higher education in the changing world, but also the contributions made to this community by AIC undergraduates, alumni, faculty, and administrative staff.

A comment by Adm. Hines in his inaugural address—"We must be certain of where we are going"—is basically his philosophy and that of the college.

In 1953–54, when Adm. Hines became the tenth president of AIC, he set goals for himself and this college. During the past 15 years—"The Growing Years"—many of these goals have been attained and others are on the drawing board.

Here are some of the academic highlights of "The Growing Years":

1953–54: Plans were made for a 38% increase in student enrollment by 1965. The post of academic dean was created. AIC and Springfield Hospital affiliated for a senior course in biology. Several conferences were held on campus. Tuition was increased $30 to $480.

1954–55: Adm. Hines' first full year as president saw the opening of the fifth year of the Bermuda Division at Kindley Air Force Base to accommodate military personnel who desired a college education. Two programs were offered: Operation Bootstrap and Operation Midnight Oil. Construction was started on a new science building.

1955–56: A Ford Foundation grant was received to subsidize faculty salaries. Richard Ullery was appointed Dean of Administration. On Oct. 20, at a special convocation marking 70 years of education, AIC awarded honorary degrees to Danny Kaye and Sir Percy Spender of Australia. AIC and Springfield College combined for a capital gift campaign.

1956–57: AIC was successfully evaluated by the New England Association of Colleges and Secondary Schools. Tuition was raised $90 to meet demands for quality education. Adm. Hines noted the growing role being played by the Federal Government in education and urged financial aid for students and income tax relief for parents. The Bermuda Branch was closed. Three new positions were created: Director of the Evening and Summer Divisions, Comptroller, and Plant Supervisor. The science building was completed and planning began for a men's dorm on the Edgewood Gardens' campus.

1957–58: An educational television series started on WHYN-TV. AIC held a community neighborhood night for families which included outdoor movies and a campus tour.

1958–59: Overseas branches of AIC were discontinued. Presidents of AIC, Springfield and Western New England started to hold monthly luncheons to discuss mutual plans and problems.

1959–60: The 75th Anniversary Year began with the announcement of future plans for the construction of a Campus Center, classroom building, two men's dormitories, gymnasium and fieldhouse. The liberal arts and business administration divisions were elevated to the School of Arts and Sciences and the School of Business Administration. A "brainstorming" session was held with 16 civic leaders suggested ways in which AIC might better serve the community.

1960–61: Harry J. Courniotes and Dr. John F. Mitchell were appointed deans of the School of Business Administration and School of Arts and Sciences, respectively. A series of forums sponsored jointly with the city's Citizens' Action Commission was held on campus. The Housing and Home Finance Agency loaned AIC $443,000 for a men's dormitory.

1961–62: Ground was broken for a men's dormitory (Broadhurst). Helena Pouch Hall (a women's dorm) and Amaron Hall (classroom building) were in the planning stage.

1962–63: Ground was broken for Pouch Hall. The increase in female applications prompted the college to plan a second women's dormitory. Owen Street Hall was demolished to make room for Amaron Hall.

1963–64: Ground was broken for a new men's dormitory, Owen Street Hall. An improved group insurance and pension plan was introduced. The Faculty Lecture Committee was formed. A Conference on Desegregation was held in May. Amaron Hall was completed in June.

1964–65: Harry J. Courniotes was appointed vice president and Dr. John F. Mitchell academic dean of AIC. Prof. Robert Hemond helped to organize the Western Mass. Economic Education Council with headquarters at AIC. Physical education joined the curriculum. The Joint Civic Agencies of Springfield held a January breakfast in the Campus Center. AIC hosted the National Joint Council on Economic Education. Ground was broken for the gym, Magna Hall (a women's worm) and the Dining Commons. A mall was designed to connect Edgewood Gardens with State St.

1965–66: Three new buildings became a reality—the Butova Gym, Magna Hall, and the Dining Commons. The JCA held its April breakfast in the new Commons honoring several AIC students A Faculty Lecture Series brought many notables to the campus. The AIC Journal made its debut. President Hines was the keynote speaker at the National Security Seminar.

1966–67: AIC, Springfield and Western New England Colleges embarked on a course-sharing program. New courses were added in the Humanities and Dr. Arthur Bertrand's resource-aides program attracted national attention. Dr. Charles W. Cole, former president of Amherst College, became a consultant to the AIC Board of Trustees. Commencement—on campus for the first time—was held in the Butova Gymnasium.

1967–68: The 15th year of Adm. Hines' administration began with ground breaking for the Breck Hall of Science. A teacher-certification program, to help relieve a teacher shortage, was started with the Springfield School System. On Oct. 31, AIC flew the UNICEF Flag designed by the late Walt Disney to officially open the 1967 Trick-or-Treat drive. In April, the Governor's Council held its first meeting in history on the campus of a private college—in our Campus Center Auditorium.

COLD-WEATHER HARDSHIPS

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. POLLOCK. Mr. Speaker, today I have introduced a bill which would authorize the Secretary of Labor to assist individuals with the purchase of homes which are substantially completed during the 5-month period between the fiscal year on the 1st of November and in that geographical area of the United States which the Secretary shall deem to be a winter hardship area or in any area that the Secretary determines a handicap exists because of cold weather during a construction season.

Mr. Speaker, what this will would do for the State of Alaska is that it would give us year-round construction rather than season which is now the problem. It would authorize the Government to

XUM

help offset the increased cost of building during the winter. The Secretary of Labor would be authorized to assist by direct aid in an amount which construction costs are increased because of cold weather hardships.

The second major provision of this bill, Mr. Speaker, is that the Federal Government would assist local governments in construction of public works programs during the winter months in hardship areas.

Mr. Speaker, this bill will assist the State of Alaska in becoming a year-round construction State.

TAX REFORM BILL PROPOSES EXEMPTION INCREASE FROM $600 TO $1,200

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. EVINS of Tennessee. Mr. Speaker, after careful study and consideration, I am introducing a bill which would increase income tax exemptions from $600 to $1,200 and close certain loopholes in the tax structure.

Because of the interest of my colleagues and the American people in the matter of tax reform, I am placing in the RECORD herewith a copy of my newsletter, Capitol Comments, which discusses the matter in more detail.

The newsletter follows:

INCOME TAX EXEMPTIONS SHOULD BE INCREASED FROM $600 TO $1,200—TAX LOOPHOLES SHOULD BE PLUGGED

As the Committee on Ways and Means continues its studies and deliberations on tax reform, your Representative is introducing a bill to increase individual income tax exemptions from $600 to $1,200 to provide some tax relief for lower and middle income taxpayers, particularly those with children in college. The present $600 exemption is clearly outmoded and outdated.

My bill also will close a number of tax loopholes including the elimination of tax avoidance practices of certain foundations which have used the charitable and educational provisions of tax laws to avoid billions in taxes. These foundations at the same time have been used for the benefit of individuals and families who have transferred business assets to foundations to avoid taxes. Other provisions of this bill include:

CLOSING THE HOBBY FARMING LOOPHOLE

"Hobby farming" refers to the practice of writing off profits incurred in a regular business or profession by accepting "paper losses" on a farm to avoid taxes that should be paid on profits earned in a regular line of work. A $15,000 limit would be placed on this type of tax write-off. This will increase revenues by an estimated $145 million annually and make up in part for the loss of revenues caused by increased tax exemptions for individuals.

ELIMINATION OF INVESTMENT TAX CREDIT EXCEPT FOR SMALL BUSINESS

Under this provision the seven percent investment tax credit would be eliminated except for small business and family farmers. This tax credit was enacted in 1962 to encourage expansion of business and industry and is estimated to have reduced Federal revenues by $14 billion in eight years. My bill would eliminate this credit in this business boom period except up to $30,000 limit for small businessmen and family farmers on investment in machinery and equipment. Small businessmen and farmers do not have the capital or resources of big business and need assistance to compete in today's markets.

CLOSING OF LOOPHOLES IN CHARITABLE DEDUCTIONS

This bill also would eliminate a loophole in the present tax laws which permits wealthy individuals to manipulate certain exceptions in charitable deductions to escape millions in taxes.

The bill which I am introducing this week is designed to establish equity and justice in important areas of the tax laws for the great middle range of taxpayers who bear the brunt of the tax load while many wealthy individuals with skilled tax attorneys avoid, escape and evade their tax obligations.

There is nothing as powerful as an idea whose time has come—and the momentum for tax reform calls for action now by the Congress.

HOUSE JOINT RESOLUTION 486

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. ANDERSON of California. Mr. Speaker, I would like to bring to the attention of my colleagues a resolution by the city of Torrance urging the creation of a Presidential Commission between the United States and Mexico to help control the flow of narcotics and dangerous drugs between our two countries.

This resolution asks the Presidents of the two nations to set up a joint Presidential Commission as Congressman DICK HANNA and I proposed in House Joint Resolution 486.

Mr. Speaker, it is my hope and that of many people in California that President Nixon will take the necessary steps to set up such a Commission to stop the rising and alarming incidence in the use of these dangerous drugs and narcotics in our State and especially in southern California.

I am including in the RECORD a copy of the resolution by the city of Torrance and a copy of the bill which we have introduced:

RESOLUTION 69–86

A resolution of the city council of the city of Torrance recommending and urging the creation of a Commission To Control the Flow of Narcotics and Dangerous Drugs Between the United States and Mexico.

Whereas, the most effective way to stop the illicit traffic in narcotics and dangerous drugs into our community is to cut off the supply at its source, there should be established a joint presidential commission between the United States and Mexico to undertake an action program to control the flow of narcotics between the two countries; and

Whereas, in 1959, the Board of Supervisors of the County of Los Angeles requested President Eisenhower to establish a control commission to which he responded by sending a fact-finding team to Los Angeles and other cities to investigate the drug traffic problem; and

Whereas, in 1962 President John F. Kennedy called the first White House Conference on Narcotics and Drug Abuse, and, while there was much discussion and debate, little action resulted; and

Whereas, in March, 1968, Supervisor Kenneth Hahn urged President Lyndon B. Johnson to continue to seek at the presidential level the establishment of a joint commission with, but he could not include it in his program at that time; and

Whereas, in 1947, a joint presidential commission was established to set up controls for hoof and mouth disease which was plaguing cattle on both sides of the border, such a commission is even more needed for the health of our young people whose lives are daily influenced by the ready supply of marijuana, barbiturates and other dangerous drugs which must be cut off by striking at the steady stream of illicit traffic across the border with Mexico.

Now, therefore, be it resolved that the City Council of the City of Torrance respectfully requests the President of the United States, the Honorable Richard M. Nixon, to establish with the President of Mexico, the Honorable Gustave Diaz Ordaz, to halt the illicit flow of narcotics and dangerous drugs between our two countries, and

Be it further resolved that copies of this resolution be forwarded to Secretary of State William P. Rogers, Attorney General John N. Mitchell, Secretary of Health, Education and Welfare Robert H. Finch and to all U.S. Senators and Representatives in the Congress.

Introduced, approved and adopted this 29th day of April, 1969.

ALBERT ISEN,
Mayor of the City of Torrance.

Attest:

VERNON W. COIL,
City Clerk of the City of Torrance.

H.J. RES 486

Joint resolution to request the President to negotiate with the Mexican Government for the purpose of setting up a joint United States-Mexican commission to investigate the flow of marihuana, narcotic drugs, and dangerous drugs between the United States and Mexico

Whereas Mexico is the primary source of supply for narcotic drugs and dangerous drugs brought into the southwestern part of the United States; and

Whereas these narcotic drugs and dangerous drugs are subsequently distributed throughout the United States; and

Whereas 100 per centum of the marihuana seized by the enforcement officials in the southwestern part of the United States comes from Mexico; and

Whereas the smuggling of narcotic drugs and dangerous drugs into the United States poses the largest single problem for collectors of the customs and for the Federal courts in the southwestern part of the United States; and

Whereas the use of narcotic drugs and dangerous drugs by juveniles has greatly increased due to the easy accessibility of such drugs from Mexico: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is requested to initiate negotiations with the Government of Mexico for the purpose of settting up a joint United States-Mexican commission to investigate and to recommend appropriate solutions concerning the flow of marihuana, narcotic drugs, and dangerous drugs between said countries.

EULOGY TO THE LATE REPRESENTATIVE ROBERT A. EVERETT, OF TENNESSEE

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. GIAIMO. Mr. Speaker, Will Rogers once said, "I never met a man I

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didn't like." When speaking of our beloved and departed colleague Robert A. Everett of Tennessee. I can truly say, "I never met a man he didn't like or who didn't like him."

He was a dedicated man, Mr. Speaker, one who spent his life serving his people, often at the expense of glory and headlines for himself.

He was a concerned man, concerned about projects for his home State and concerned about all veterans of this Nation's wars.

He was a jovial man, with a wonderful sense of humor and a vast storehouse of stories designed to bring laughter to all who heard them.

He was, most of all, a man of warmth and compassion. While burdened with the affairs of State and with his own failing health, he always managed the warm greeting, the sunny smile, and the firm handshake. He was called Fats Everett not out of scorn but out of friendship.

He was a big man, Mr. Speaker, big in size but bigger in heart. He left us richer for the privilege of having known him. We still miss him and always will.

POLISH CONSTITUTION DAY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. STOKES. Mr. Speaker, on May 3, the day which commemorates the spirit of independence of the Polish people, it would be well to pause and pay tribute to one of the many ethnic cultures which combine to breathe vitality into the sinews of our great country. The greatest contribution of the Polish people to history, and particularly to America, is a moral commitment to the concept of freedom, a commitment which was being redeemed by the sacrifice of Polish blood for centuries prior to our own Revolution.

While modern history leaves us with the impression that the Polish people have been the subject of brutal conquest and oppressions, this was not always so. In 1683 a massive Turkish Army was moving into Eastern Europe with a design to subjugate all of Europe. They chose to bypass Poland whose military might they feared. They laid siege to the city of Vienna which had been abandoned by Leopold who was then Emperor. King Jan Sobieski, of Poland, who on many occasions had been slighted and insulted by Emperor Leopold, assembled the Polish Army. Sobieski had the choice of their remaining secure in Poland or setting forth to attempt to rescue of Vienna which meant engaging an enemy army that far outnumbered the one he commanded.

Manifesting the Polish commitment to freedom, he chose the latter course, and led his army to Vienna where he routed the Turkish Army in one of the most decisive battles of European history.

Upon his return to Poland after freeing Vienna, Jan Sobieski was recognized as perhaps the greatest King of Poland, and it was suggested that the kingship of Poland—which was then filled by election—should be made hereditary. The Polish commitment to freedom was again manifested, and a hereditary monarchy was denied Jan Sobieski though he was their greatest leader.

The foregoing is illustrative of how deeply the Polish people have been committed to freedom. For the true test of such commitment occurs not when people are themselves oppressed and thirst for their own freedom, but whether they are prepared, when in a position of power, to lay down their lives to secure freedom for others. This is the true heritage of the Polish people, and I pray not only for them but for all Americans that this heritage be not sacrificed on the alter of present-day indifference.

AN OPEN LETTER ON OIL TAXES

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. SHRIVER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following open letter published by the Oil and Gas Journal which is a reasonable and understandable presentation on the subject of oil taxes, particularly the depletion allowance. I am pleased to bring it to the attention of my colleagues in the House. The open letter follows:

To: The U.S. voter.
Subject: Oil taxes.

Percentage depletion has been on the federal law books for 43 years. And for 36 of these years, it has been vociferously attacked as an unfair "loophole" for avoiding taxes. It's happening again.

The attackers have been highly placed: Former presidents, cabinet members, lawmakers, college professors. As well as unwashed radicals, uninformed housewives, and entertainers who make poor jokes.

Congress through it all has refused to junk the provision or even modify it.

Why have attacks by so-called tax reformers failed?

Several reasons.

Opponents haven't advanced a single new argument that wasn't thoroughly considered prior to passage of the 1926 measure. Congress consistently has decided benefits outweigh costs.

Depletion also is tied closely to the basic concepts of our constitution. These are: Never tax capital. Tax only the income from capital. Taxing away capital is likened to killing the goose that lays the golden eggs.

Why then do the attacks persist?

Taxes are pinching everyone. They always go up. Never down. The bureaucratic taxspenders as well as tax-burdened companies and individuals are eager to shut off tax avoidance to ease the pinch. It's easy to level an emotional diatribe against depletion and then hoot down any reasoned explanation of the complex issue.

That's why we must examine the issue constantly.

Percentage depletion has two objects: Recover the producer's capital. And give him an incentive to drill more wells, find more oil.

How does it work?

Stripped of its emotional setting, percentage depletion is simply a deduction available to oil and gas producers—and producers of more than 100 other minerals—in figuring their taxes on income from wells.

The producer may deduct 27½% from the gross annual income of a lease or property. This is tax free. The figure, however, may not exceed 50% of the net income of the lease. This limitation actually prevents most producers from taking the full deduction. In practice, it averages only 23% and in many cases is much less than that.

This policy recognizes that oil in the ground is part of the producer's capital. It is like real estate. But this capital is used up—or depleted—by operation of an oil or gas well. The rate of deduction, when determined 43 years ago, was estimated as equal the capital value of oil in the ground. It's now probably less, and a higher rate would be more equitable.

Opponents, however, favor stripping depletion back until it assures the producer he will recover his actual investment or costs in a lease. After this amount is recovered over a period of time, deductions would end. The producer's income taxes would increase. Thus cost depletion would serve a function similar to depreciation.

This overlooks the unique position of oil as capital in the ground. It also ignores the unusual risks involved in finding replacement petroleum. Depletion encourages the producer to hunt new reserves—depreciation doesn't.

Say, for an example, an oil man recovered only his lease costs by deductions. He has no assurance he can take this fund, drill a single well and come up with any oil or gas. The odds are he will drill nine dry holes for every producing well. And what's more, he'll drill 46 marginal wells to every 1 that nets out a profit. Depreciation funds would melt quickly under these odds. But depletion funds from one good well give a producer the financial staying power to keep drilling.

What would happen if percentage depletion were ended?

It would drastically curtail the hunt for oil and gas. Our reserves would dwindle even more. Why? Because operators would become more selective and cautious in their drilling plans. They'd drill only the better prospects, shun the costly and high-risk ones.

Many producers would sell out and take advantage of the more favorable tax rates on capital gains from oil in the ground. They would thus escape the high regular rates on production. The buyer, in turn, would set up to deplete at 100% of his cost. So, it's difficult to see how the government could reap a tax bonanza from this change.

Consumers of petroleum products would suffer, too. The cost of crude oil and natural gas would rise. This inevitably would be translated into higher product prices.

Why then disturb a policy that promises to cause such an upheaval when the benefits are so uncertain?

But the critics cry: "Some companies pay no income tax at all. That's unfair."

Let's examine this one carefully. It comes up every time taxes are mentioned. It's becoming cause celebre among oil-industry critics.

In the first place, any producer who completely escapes income taxes doesn't do so with percentage depletion alone. The 50%-of-net-income" limitation prevents that. So, he must use the benefits of other deductions—most likely the expensing of intangible drilling costs and write-offs for dry holes.

By way of explanation, drilling costs come in two kinds. Tangible drilling costs, such as cost of tanks, equipment, and structures, are depreciated over the years. No argument here. Intangible costs, such as expense for wages, fuel, repairs, and all services, may be recovered the same way or as an operating expense in the year incurred. Most oil men elect to expense the intangibles. This allows them to get their money back more quickly to use in further operations. Expensing of intangibles does reduce the net income of

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the lease, even may create a loss. All this reduces the total subject to income tax.

There are a few facts, however, to keep in mind. The producer can deduct intangible expenses only once. They tend to reduce benefits of percentage depletion. And the producer, in order to have intangible deductions, must keep on drilling. This is exactly what the tax policies are designed to do—keep oil men drilling.

What else do critics find wrong about percentage depletion? What do they suggest?

Here are a few, and the answers to them.

Depletion allows companies to offset income from other sources, escape more taxes.

Percentage depletion cannot reduce taxable income from any source except the one lease or property on which it is computed. Oil companies aren't escaping taxes even if the bite of the income tax is lighter on them. It may surprise many to know that the total tax burden on the petroleum industry actually is heavier than average. In 1966, oil paid $2.5 billion in direct taxes. This $2.5 billion amounted to 5.1% of gross revenue from all operations. The direct tax burden for all U.S. business corporations was only about 4.5% of gross revenue. This is about 10% less than the tax burden of petroleum. That plays hob with the contention that oil companies don't pay taxes.

Oil profits are exorbitant. Too many oil millionaires are created by percentage depletion.

The average profit of 99 oil companies in 1968 was equal to a 12.9% return on net worth. This is below the 13.1% return on net worth earned by 2,250 manufacturing companies. There's certainly nothing exorbitant about this. Percentage depletion hasn't made oil millionaires. Oil fortunes rise from the combination in an individual of ability, stubbornness, and luck in finding oil. Success in finding oil is the key—not percentage depletion.

Oil producers don't use tax savings to look for more oil and gas.

The figures show differently. Statistics indicate oil producers would pay $1.3 billion more annually in taxes if present policies were ended. In the last 10 years, they have spent this—plus an average $3.1 billion more on exploration and development.

The depletion rate of 27% is too high. Cut it to 20, 15, or 10%.

This is begging the question. A lower rate won't satisfy the critics. They'd be back at the next session to whittle away at the lower rate. As we've noted, the present rate probably already is too low to achieve an adequate return of capital. If it were lower, percentage depletion also would lose effectiveness as an exploration incentive. It would give oil men too little money to finance new drilling. Outside investors would fear other cuts. Uncertainty of their return piled on the normal risk of exploration would cool them on oil ventures. Exploration needs to be made more attractive to risk capital—not less.

Eliminate all deductions and grant an outright federal subsidy to encourage exploration.

Can you imagine what kind of drilling program would emerge if it depended on annual appropriations from Congress? What a boondoggle this opens up! The drilling decision-makers would be bureaucrats who are subject to political pressure and not fitted by training or position to take risks involved. Where would the savings be in this approach?

There are other arguments. None really new. All have been refuted time and time again. The fact they are being taken seriously is the big surprise.

It is especially surprising in view of the present low state of petroleum exploration. That's the new circumstance in the whole fight.

Our reserves of oil and gas are dwindling at a time they should be rising twice as fast. Spending on exploration should be doubled. Oil and gas now furnish 75% of our nation's energy. We're using petroleum at such a clip that consumption is expected to double by 1980.

Tampering with any policy that encourages exporation for petroleum is courting disaster. The facts speak just as clearly and loudly as ever against changing either the rate or principle of percentage depletion. Congress will serve the nation best by again refusing to change this policy.

HON. GEORGE H. MAHON SIGNALLY HONORED

HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. COLMER. Mr. Speaker, on the evening of April 30 at the Sheraton-Park Hotel here in the city of Washington, D.C., our highly respected and beloved colleague of Texas, the Honorable George H. Mahon, was signally honored. The occasion was the annual recognition of two outstanding Americans by the American Good Government Society. On that occasion our honored colleague, chairman of the powerful House Appropriations Committee, together with another distinguished Member of the Congress, U.S. Senator Wallace F. Bennett, of Utah, was the recipient of the George Washington award.

This highly coveted award is made to outstanding Americans, who, in the judgment of the trustees of the society, have made substantial contributions to this cherished young Republic. To be thus placed in this Congressional Hall of Fame in accordance with the ideals and goals of this nonpartisan, patriotic organization is truly a highly regarded and respected recognition. I am sure that this occasion is appreciated by George's friends at home and his colleagues in the Congress.

Mr. Speaker, on this occasion the Honorable Frank T. Bow, a Representative from the great State of Ohio and the ranking minority member of the Appropriations Committee, a highly respected Member in his own right, made the presentation of the award. Congressman Bow said:

George Mahon and the 19th Congressional District of Texas are one and the same to the plainsmen of West Texas. He has represented the good people of the 19th District since it was created back in 1934. They know a good thing when they see it.

George Mahon and the House Appropriations Committee are one and the same here in the Nation's Capital. A member of the Committee since 1939 and its Chairman since 1964, a position from which I had hoped to dislodge him last fall, the House of Represenatatives also knows a good thing when it sees it. George is a product of the oft-criticized seniority system. But someone once observed that all men must tarry at Jericho until their beards are grown. It is unfortunate that the critics of our seniority system do not take into account the abilities and shining qualities of men like George Mahon.

George is a great fiscal conservative, but I would suggest to you that he is no piker when it comes to the safety of the country. He is unwavering in his belief that self-preservation is the nation's number one priority. More monies have been appropriated out of the Treasury of the United States during his Chairmanship than in any other comparable period in history. Under his leadership of our Defense Subcommittee more than $827 billion has been appropriated for National security alone.

My own feeling is that there is only one thing which he shaves more than appropriations, and that is his golf score at the Burning Tree Country Club.

With respect to his golf game, and he is a golfer of some repute, I have it on good authority that his golf scores have been classified with the military stamp "top secret".

Now, in a more serious vein, may I say that George Mahon truly is a guardian of the federal purse. Even though he is personally conservative and economy-minded, not once has he ever been penurious where the true welfare of the nation is concerned.

While he has opposed many of the federal encroachments in areas of state and local responsibility, he has insisted that the majority ought to be willing to impose the necessary taxes to support the spending programs that are enacted.

This mild-mannered, hard-working, studious, farm boy from West Texas is a source of great pride to all who know him. He is a devoted husband to his lovely wife, Helen, who is a native Texan and who has actively assisted him in his achievements. He is a loving father and doting grandfather who takes the time to pass on his golfing skills to a favorite grandson. He is a man of impeccable integrity, widely respected, a lover of good music, a Christian gentleman, unfailingly fair in all his dealings with his fellow man, and a lover of the truth. He is my good friend. I might add also that although he and I disagree on occasion, not once in our long association has he ever been disagreeable with me.

I am reminded that when the going gets rough in our Committee and we find ourselves divided, George typically gets us back together with the heart-warming statement: "This is the day which the Lord hath made. Let us rejoice and be glad in it."

Today surely is a day which the Lord hath made for George Mahon. Let us rejoice and be glad in it.

I take great pleasure in presenting on behalf of the American Good Government Society, one of its two 1969 George Washington Awards to the distinguished Chairman of the Committee on Appropriations of the House of Representatives, the Honorable George H. Mahon of Texas.

Mr. Speaker, the citation on the plaque reads:

Resolution of Tribute and Honor: George H. Mahon

Farmer, Lawyer and Statesman, has served the People of Texas and the United States more than forty years; as County Attorney and District Attorney for seven years, and now is in his thirty-fifth year in the United States House of Representatives, the last five as Chairman of the Committee on Appropriations, the largest in Congress.

He has championed a strong Army and Navy since before World War II. Under his guidance Congress has provided more than Eight Hundred Billions of Dollars for the Common Defense, to make the United States impregnable to any foe. An outspoken Advocate of Economy in Government and pay as you go policies, he is also Chairman of the Joint Committee on Reduction of Federal Expenditures.

Representative Mahon stands with Washington: "To be Prepared for War is one of the most effectual means of Preserving Peace." The People of the United States must warmly commend his efforts for their safety.

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Mr. Speaker, Congressman MAHON's timely and well-received remarks together with a list of those who have previously been so honored follow:

This is a great moment for my wife Helen and me. I wish to express my deepest thanks to the American Good Government Society for the award which you have presented me. It is a great honor and I shall never cease to appreciate it.

I wish to express my special thanks to my Texas friends who have come from afar to be here this evening.

I have been to these dinners before but this one seems better than any of the rest. Of course, it could be that the honor which is being bestowed upon the Mahons could have something to do with it!

I am honored to be on the plaftorm with my friend Senator Bennett, and to hear former Governor Cecil Underwood, of West Virginia, make the most interesting remarks about the Electoral College I have ever been privileged to hear. Despite the turbulent history of the Electoral College, I am not so sure but that it is about the most stable college we have these days!

I have looked over this list of the past 32 recipients of the award. Many have been members of the House or Senate. It is a very distinguished company.

However, I tend to look with some condescension upon prior Congressional recipients of the award! And let me explain. In view of the recent pay raise, Senator Wallace Bennett and I are the highest priced members ever to receive the award! We are in a class by ourselves. But, what with all the problems which confront us, it looks like we are going to begin to earn the pay raise.

A recent calculation shows that the average American taxpayer in order to pay his local, state and Federal taxes, in effect, works from January 1 through April 27 for the government. This is April 30. My work to pay taxes has been concluded and I'm now speaking on my own time, not the government's, and I shall not be hampered by bureaucratic limitations!

I think I'm going to feel at home with the George Washington Good Government Award. After all, my first name is George, and I was also born on the 22nd. It makes little difference that it was September 22 and not February 22! Of course, one other George received the award, George Humphrey, former Secretary of the Treasury, who spoke of budgets that would curl the hair! Regretfully, we have continued to have "hair curling" deficits.

The remarks of the distinguished gentleman from Ohio, my warm friend, Mr. Bow, were most complimentary and generous. Never have I seen Frank Bow more extravagant. He usually leans to the conservative and often deals in understatement. Maybe this is explained by the fact that his generous encomiums didn't cost any money!

Frank Bow is a big man. His booming and resonant voice can fill any hall. But Frank Bow's true bigness is his heart. It has been a great experience for me to work with him through the years in matters that involve deeply the destiny of our country.

In spending matters we have long been aware that heads of government agencies insist upon ever-increasing expenditures. They love spending. . . . But Frank and I feel—and upon good authority—that the love of money is the root of all evil and we try to hold them down. We believe—as I think you do—in the principle of pay-as-you-go in government spending.

Now that we have a budget surplus of sorts in prospect, I am thinking of switching to a pay-less-as-you-go philosophy!

But even though Frank is my good and always helpful friend, I have a lurking suspicion that he wants the House to go Republican so that he can take over my job as Chairman! As I see it—from my standpoint—this would be a major disaster. But I will say this: If I have to bow to anyone, I'd rather bow to Bow than any Member I know.

One further serious word about economy. It is a far cry from the days of Calvin Coolidge, but I would like to quote with approval one statement of his. He said he favored economy not because he wished to save money but because he wished to save people.

Our major problem is saving people, our country, and promoting its continued growth. In this context, the much used word "militancy" forcefully comes to mind. I am not thinking in terms of militancy by dope addicts, demonstrators, riot instigators, or small, disruptive, undisciplined groups in the colleges. I am thinking in terms of militancy by the majority.

I just cannot believe that the great majority of our people will indefinitely stand idly by and see the greatest citadel of liberty and freedom and abundance on earth go down the drain. Sometimes we seem to be hobbled by timidity and a spirit of appeasement. It is time for the great majority to call a halt. It is time to see to it that the destructive elements are denied full leeway in their efforts to erode and destroy the very foundation of our institutions.

I want to see more militancy on the part of the great rank and file of college students who are rapidly losing an opportunity to live in an atmosphere where education and growth are possible. I applaud President Nixon's statement of yesterday in which he urged college administrators to take firmer action to maintain stability.

I want to see more militancy on the part of people who believe in the old-fashioned virtues.

I want to see more militancy on the part of office holders and community leaders. Too often as candidates we are "bloody, bold, and resolute" but as officials we tend to overrationalize every situation which arises and take on the image of appeasement and timidity.

No, I am not advocating rashness or violence; I am advocating that we take steps to curb anarchy which is eating ravenously at the very heart of this great country.

A few days ago I had a letter from a minister from my home country. I want to quote a couple of sentences:

"It looks like too many of our men in high places . . . are gutless. And for that reason, small groups all over the great United States are being permitted to *destroy* the great principles for which we have stood so long."

Gutless may not be a very nice word, but anarchy is not a nice word either. I think it is time, high time, for law-abiding citizens—that great majority—to rise up in their might and insist upon the preservation of the best qualities in American life. That is the issue before the American people. Perhaps never before in our history have a so-called free people been so badgered and beleagured by small groups of outlaws and exhibitionists.

Thomas Paine said, those who expect to reap the blessings of freedom must undergo the fatigue of supporting it.

There are no pat answers to the problems but there are reasonably adequate answers. They relate to such fundamental virtues as restraint, discipline, morality, constitutional government, and patriotism.

Americans never mount a major effort until they become deeply concerned and aroused. That point has been reached and I believe we are at the beginning of the turning of the tide.

I conclude in a spirit of high hopes and optimism. I do not have to tell this audience of people who believe in constitutional government that our country, our cherished institutions, our governments at all levels will be as good, as free, and as great as a militant majority of our people are determined they shall be!

Again, let me express my deepest thanks to the American Good Government Society and wish you much success in your efforts to promote the welfare of our great country.

Thank you very much.

PREVIOUS RECIPIENTS OF THE GEORGE WASHINGTON AWARDS

1953.—U.S. Senator Harry Flood Byrd, of Virginia; U.S. Senator Robert A. Taft, of Ohio.

1954.—Former President Herbert Hoover; Governor Allan Shivers, of Texas.

1955.—Representative Howard W. Smith, of Virginia; General Robert E. Wood, of Illinois.

1956.—U.S. Senator Walter F. George, of Georgia; Secretary of the Treasury George M. Humphrey.

1957.—Representative William M. Colmer, of Mississippi; U.S. Senator Karl E. Mundt, of South Dakota.

1958.—U.S. Senator William F. Knowland, of California; U.S. Senator Richard B. Russell, of Georgia.

1959.—U.S. Senator John L. McClellan, of Arkansas; Secretary of Commerce Lewis L. Strauss.

1960.—Representative Graham A. Barden, of North Carolina; U.S. Senator Barry Goldwater, of Arizona.

1961.—Representative Charles A. Halleck, of Indiana; U.S. Senator Spessard L. Holland, of Florida.

1962.—Representative John W. Byrnes, of Wisconsin; Representative Wilbur D. Mills, of Arkansas.

1963.—U.S. Senator A. Willis Robertson, of Virginia; U.S. Senator John J. Williams, of Delaware.

1964.—U.S. Senator Frank J. Lausche, of Ohio; U.S. Senator Everett McKinley Dirksen, of Illinois.

1965.—Representative Oren Harris, of Arkansas; U.S. Senator Roman L. Hruska, of Nebraska.

1966.—U.S. Senator Sam J. Ervin, Jr., of North Carolina; Representative Gerald R. Ford, of Michigan.

1967.—Representative Melvin R. Laird, of Wisconsin; Speaker Jesse M. Unruh, of the California Assembly.

1968.—U.S. Senator Thruston B. Morton, of Kentucky; U.S. Senator John C. Stennis, of Mississippi.

DON'T YOU BURN MY FLAG

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. DEVINE. Mr. Speaker, last Friday I was the speaker at Courtright Elementary School in Columbus, Ohio. This fine school had a program in honor of the servicemen in Vietnam and the American way of life.

During the proceedings, the youngsters ranging from kindergarten through the sixth grade sang a wonderful song entitled "Don't You Burn My Flag." This was new to me and I inquired of the principal, Joseph W. Dupuis, as to the source. He told me it was written there at the school and was put to music there.

Mr. Speaker, although I am unable to provide the tune, I am delighted to share with my colleagues, this outstanding contribution of pure patriotism:

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Don't you burn my flag
Don't you burn it, don't you burn it,
Don't you burn my flag. Don't you burn it, burn it, burn it,
Don't you burn my flag.

You can talk with me, I'll listen to your plan. You can disagree with the War in Vietnam. You can get real mad. If you don't understand. You can even laugh at me. But don't you burn my flag.

You can live with me, Freedom to enjoy. You can have a share in safety, peace, and joy. My daddy's in the war. Our freedom to insure. You can even laugh at me. But don't you burn our flag.

You can burn your card. And protest in a line. You can have your say. And take up all my time. You can stand around while daddy's in the war. You can even laugh at me. But don't you burn my flag.

I might add, Mr. Speaker, the following youngsters performed in an outstanding manner:

Carol Boiman, council president.
Tim Hampton, council vice president.
Patti Ray, Pledge of Allegiance.
Toni Todd, poem, "My Flag."
Melissa Thompson, poem, "I Give You America."

IKE'S SILENT PARTNER

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. BELCHER. Mr. Speaker, under leave granted, I wish to insert in the Record the following article, which appeared in the June 1948 issue of American magazine, written by two Oklahomans, Malvine Stephenson and Ruth Robinson Greenup.

Miss Stephenson, now a Washington correspondent for Swanco Broadcasting, Inc., and the Tulsa World, covered Mrs. Eisenhower for the Kansas City Star, during the trying days of World War II when her husband was the Supreme Commander of the Allied Forces, and later when the general was torn between private life and responding to a draft for President. Mrs. Greenup, a former Oklahoma newspaperwoman who later wrote in South America, is the coauthor with her husband of "Revolution Before Breakfast."

This is the first magazine article, and probably the most comprehensive closeup, done on Mamie Eisenhower and her earlier life with the general. Mrs. Eisenhower talked freely before she became First Lady and was restricted by life in the White House.

Ike's Silent Partner

(By Malvina Stephenson and Ruth Robinson Greenup)

(Note.—Her name is Mamie. And she's been the woman behind Dwight D. Eisenhower's happy grin for 31 years. Here's an intimate glimpse of Mr. and Mrs. Ike at home.)

There's a woman behind the happy grin that Dwight D. Eisenhower wears as he puts on civilian clothes and begins work as president of Columbia University. Her name is Mamie and he married her 31 years ago.

Ike had to teach his bride how to cook. Since then, Mamie has been trying to do everything else to his taste. That is the secret of the grin and her success in running the homefront.

Today, Mamie Doud Eisenhower is a bright, cheerful person who often says "My Godfrey!" when she is excited. This expression must have been almost indispensable during the hectic weeks while the unsolicited Eisenhower-for-President boom was driving the General to his final, dramatic "No."

The outcome was no surprise to Mamie. She knew all the time Ike would have nothing to do with politics, but the decision for the climatic statement, "cleared the air" and was a relief to both of them. It permitted the Eisenhowers to relax. Mamie enjoys life and makes no secret of it. Her gay, intense reactions amuse Ike. Mamie is his favorite entertainer, and home with her around is never dull, for she believes it a fine thing for people to laugh and have a good time.

She has a smile which is not so well known as her husband's, but which is just as natural and full of the same warmth. Everybody calls her Mamie. When she smiles—as she frequently does—people have a habit of smiling back. Her blue eyes sparkle when she talks, which she enjoys doing. She doesn't hesitate to tell a story at her own expense.

Mamie is quick-witted, easily a match for the General. Yet she delights in quoting the bright sayings of Ike, and it is no wonder to her that the public appreciates him, too. But she is not awed by the fact her husband is the most popular man in the United States, as shown by public-opinion polls early this year.

"I always knew Ike was wonderful," Mamie exclaims. "I married him, didn't I?"

Over the years, Mamie has developed a philosophy to guide her in this marriage. She believes that the place of most women is in the home. She knows that is where she belongs and where Ike is happy to find her. There isn't a bit of pretense about Iowa-born Mamie. She hasn't changed her hair style radically in 30 years, because she likes bangs and knows they are becoming to her. And she insists Ike is still the best cook in the family. Around home there's often a ribbon in her hair, and the Eisenhower bedroom shows her weakness for pink and green—also ruffles.

Out in public, however, she is smart and poised. Even the Queen of England openly admired one of her dinner dresses when the Eisenhowers visited the Royal Family some time ago. But it is characteristic of Mamie that she did not curtsy in the presence of the Queen. Mrs. Eisenhower recalls that she was sounded out delicately in advance as to whether she would want to bend her knee to their Royal Majesties. "I said I didn't think that was necessary," she says matter-of-factly. She was delighted to discover that the Royal Family were "just like any normal family. They have little jokes among themselves. They were gay and friendly."

One of the reasons both the General and Mrs. Eisenhower are pleased with his appointment as president of Columbia University is that this will enable them to have a home of their own—for the first time in their married life. They plan eventually to buy a little country place somewhere around New York where they can retreat and Ike can work in the garden. It will be a farm in the Middle-Western style rather than an estate.

For formal entertaining they have the official residence of the university president, into which they moved in May. It was redecorated according to Mamie's taste and the top-floor rooms enlarged by the removal of partitions. Their personal furniture has gone into storage until they select their own home. Only their most treasured possessions, such as Ike's trophies, family portraits, china, and silver have been installed in the Columbia residence.

If the General wants to work on a speech—and not all of them are extemporaneous, Mamie says—he can retreat to his combined den and trophy-room. There he is surrounded by his mementos of the war: decorations and medals of all kinds, expensive gifts, and signed photographs of many of the world's political and military notables.

Mamie's headquarters are in the Eisenhower bedroom. Many mornings find her propped up in the dusty-rose quilted satin bed. She wears a frilly bed jacket, and the pink ribbon in her dark brown hair matches the satin cover on the bed. Mrs. Eisenhower sensibly believes that if she needs extra rest, bed is the place to get it, and she directs housekeeping operations from there. "In any event, I keep things boiling in the mornings," Mamie explains. She is already planning for Ike's home-coming that night.

"Our household revolves around Ike; the whole scheme of arrangements puts him first. I may be funny," she admits, "but I like it that way. The place comes to life the minute they call to say Ike has started home. Everybody is on his toes. Me, too."

It is obvious that Mrs. Eisenhower is accustomed to being on her toes. Her 5-foot-3 figure is trim and she looks years younger than the calendar says she must be, taking into consideration she married Ike in 1916 at the age of 19. Her vivid face makes it easy to believe her when she says she has been "supremely happy."

"I am perfectly satisfied to be known as a housewife," she says. "I take a great deal of pride in my role. The home is my bailiwick. I wouldn't think of interfering with Ike's office routine, and he leaves the homefront to me. We run our life on that pattern. Ike says, 'The office is mine, the house is yours.' "

Mamie's outlook explains why she has been quite content to be one of the most successful silent partners in history. At the time when her husband became a leading world figure—his beaming smile familiar to nearly every American—Mrs. Eisenhower made no attempt to share in the spotlight. She worked quietly in two service canteens in Washington: the Soldiers, Sailors, and Marines, and the American Women's Voluntary Services. At the SSM, she set the table and brought the food for hundreds of hungry GI Joes who never once realized that their "waitress" was the wife of the man who was commanding the invasion of Europe.

On at least one occasion her anonymity had amusing complications. She likes to tell of the time that she was visiting in Hollywood, Fla., and decided impulsively to visit the U.S. air station at near-by Fort Lauderdale. She and her friend were wearing sun suits. When they drove up to the gate of the base, the young marine on guard eyed them skeptically. He listened politely while Mamie explained they were just passing the base when they decided it would be nice to drop in and get a close look at the planes which were always passing overhead. He plainly was not convinced it was a harmless sightseeing trip, and showed no inclination to let them in.

Finally Mamie said, "I'm Mrs. Eisenhower." The youngster on guard glanced once again at the sun suits the ladies were wearing. An "Oh yeah!" glint came into his eyes and he asked for identification.

Mamie fished desperately into her purse, and came up with the best credential she had with her—a little 10-cent picture of Ike covered with cellophane. "That's my husband!" she declared proudly, pointing to the dimestore memento. It was a delicate situation. The marine, less than half convinced by Mamie's evidence, consulted the officer of the day, who in turn summoned the commanding officer of the garrison out of his shower.

By that time it was too late for Mrs. Eisenhower to retreat. The commanding officer, she recalls with admiration, "was just shining, so clean and starched, the flashiest thing you ever saw, and there was I in my sun suit, big red and yellow flowers, a red

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ribbon on my hair, play shoes, and bare legs. All of the time I could see him looking at my regalia."

Being both human and a woman, Mrs. Eisenhower later took the opportunity to redeem herself. She and her friend dressed up in their best black dresses, put on their white hats and gloves, and went to tea at the invitation of the commanding officer's wife. "I was acting the part that time," Mrs. Eisenhower says merrily.

Since General Eisenhower returned from the wars, Mamie has been at his side at most public functions. And thousands of Americans have become familiar with the trademark of the General's wife—her bangs. The bangs suit Mamie Eisenhower perfectly. They go well with her piquant face.

This was the face that brought the young Ike courting in 1915. He was a lieutenant just out of West Point, and was stationed at Fort Sam Houston, Texas. The Doud family were spending the winter in near-by San Antonio, and one Sunday afternoon went with friends to visit the fort. They were all invited to stay for dinner. But 18-year-old Mamie protested. She wanted to leave immediately, for she already had a date.

"Finally, Mamma put her foot down and said I could just call my young man and have him to pick me up at the post," Mrs. Eisenhower recalls. "That settled it, and later I was to thank my lucky stars that Mamma won out. For that night, at dinner, I met Ike. We clicked from the start."

However, attractive Mamie already had a waiting list of beaux. Ike got on it in October. By Christmas he was at the head of the list, and on Valentine's Day Mamie accepted a miniature of his class ring, which she wears today.

"You know, Ike is as persistent as the dickens, once he makes up his mind," Mrs. Eisenhower says with obvious satisfaction.

The wedding was at high noon on the following July 1 in Denver in the Doud family home (the Douds moved to Denver when Mamie was 7). It was a conventional ceremony with only the family present. Mamie Doud wore an ankle-length dress of white chantilly lace and carried a bouquet of pink sweetheart roses. But she remembers more about Ike's appearance, and smiles in telling the story:

"He looked stunning when he arrived in his white dress uniform—two hours early. Ike is very punctual, you know. I still chuckle when I think about it. His trousers were starched beautifully, so stiff that he had to stand up those whole two hours. He refused to sit down even once, because he wouldn't run the risk of a wrinkle."

Ike had only ten days' leave, and Mamie soon found herself in the Army. Their first home was in tiny, two-room quarters at Fort Sam Houston. There was no kitchen until Ike improvised one. Then he had to teach Mamie how to cook.

Those carefree months came to a close when Ike began moving around on a series of wartime assignments. Mamie had to stay behind, for they were expecting their first child. Doud Dwight Eisenhower, affectionately known as little Icky, was born in September, 1917, four days after Ike had been ordered to Fort Oglethorpe, Ga.

"I went through the first experience of motherhood without my husband at my side, but I didn't grieve too much at the time. Youngsters can take things, somehow. When you get older it's not so easy," Mrs. Eisenhower observes.

The family moved later to Fort Meade. Little Icky was 3 then and became the darling of the post. But tragedy struck the Eisenhowers after Christmas of 1920. The baby fell ill of scarlet fever. Mrs. Eisenhower was quarantined. Ike, however, was immune and remained at the baby's side at the hospital. The memory still saddens Mrs. Eisenhower as she tells of Icky's death:

"I was denied those last precious hours with my baby. He died in Ike's arms. It was ironic, I have thought many times, how I faced it alone at his birth, and, again, at his death. Fortunately, we had many understanding friends to help us through this ordeal. We took our baby to Denver, where my parents lived, and there we buried him. In our absence, loving hands removed the silent reminders. They dismantled the wilted Christmas tree and they quietly took his toys away. I don't think I could have stood the sight of his idle little tricycle. His clothes were packed in a wooden chest which the enlisted men had made as their tribute. Icky's death seemed a personal loss to everyone. Giving up a baby is the hardest trial a young couple may have to face."

Grievous as their loss was, Mrs. Eisenhower says, "We tried not to let it embitter us. We tried to look to the future and thank God we were young enough to have another child. In this spirit, we welcomed Johnny into our lives in the summer of 1922. We were stationed in Panama at the time, and I went home to Denver to have the baby. In the fall, I returned by army transport, and in my arms I brought John Sheldon Doud Eisenhower, named for my father. I wish you could have seen the expression on Ike's face, the glow of pride and joy over his new son," says Mrs. Eisenhower, whose own face lights up with pride whenever she mentions their "Johnny."

The little family was frequently on the move after that, as the young army officer advanced in his profession. At the same time, Mamie was mastering the technique of being a successful army wife.

"I learned the hard way," Mrs. Eisenhower says. She made one mistake early. The first time they moved, another army wife told inexperienced Mamie, "Sell everything you have."

"Well, I was gullible," Mrs. Eisenhower admits. "For a wedding present I had received a beautiful walnut bedroom suite, and in my trousseau were rugs and curtains. I sold everything at give-away prices. I didn't have any bedroom furniture of my own for years. We slept on government cots. I wish youngsters could realize that the heartaches and hardships of wartime are not new to this generation. We brides of thirty years ago struggled with shortages, high prices, and limited government allowances.

"At one post," says Mrs. Eisenhower, "we cooked on a little oil stove in a former shower-room. The spray nozzle was still in evidence, and the drain showed up plainly in the middle of the floor. But I managed, and Ike never went hungry. I used my wits, and very little money, to furnish the rest of the quarters. Several pieces were salvaged from the post dump. I made a dressing table out of a packing case and skirted it with cretonne. The same material was used to cover the quartermaster beds. A desk from the office was converted into a buffet."

Mamie found herself improvising home after home for Ike. About the time she would get things under control in one place, Ike would be ordered to another. They lived in numerous army posts in the United States and in others scattered halfway across the world. Ike's duties took them to Panama, to the Philippines, and to France. One result of nomadic army life is that today the Eisenhowers are still looking forward to owning a home of their own—something they have never been able to do.

The Eisenhowers are especially fond of Texas—because the folks there understand army people—and the Pacific Northwest, where Ike and Mamie became enthusiastic gardeners.

The Eisenhowers lived in and near Washington, D.C., longer than anywhere else, and this is Mrs. Eisenhower's favorite spot, in spite of the fact that she spent the most exacting years of her life there. Ike was directing the invasion of Europe, her only son, Johnny, was preparing to go overseas, and she was alone.

It was necessary, she says, to "build up a philosophy. I was sure that the Lord would protect Ike as long as he had something to do and wouldn't let anything happen to him until it was completed." However, this conviction was not sufficient to avert a considerable nervous strain, part of which was caused by unthinking people.

"Two or three times people called me. They had heard rumors and they really scared me half to pieces. Once a certain newspaper was calling me long distance, but I didn't answer. And it was a good thing, because I found out a couple of days later that this newspaper had heard a rumor that Ike had been killed, and they were going to ask me about it. I was stunned just to hear about it afterwards. Just think, if that newspaperman had reached me! Telling me that could have been a terrific blow! Ike had already been gone for two and a half years. It was in the midst of the Battle of the Bulge, when everything looked bad. Johnny was leaving for overseas the next day. I think it would have been too much for me."

Mamie never had inside information on how the war was going. The supreme commander's wife didn't know any more about developments than any other civilian. She recalls that "Ike wrote little personal things, which, of course, I wanted to hear. When he was in the underground fortress at Malta, he wrote me that everything he had was full of dust, and that's all he could say. He said, 'Yours and Johnny's pictures are beside me and I bet you never knew your picture would be down this deep.'"

Mrs. Eisenhower waited as anxiously as any GI's wife for V-E Day. It came while she was visiting in Hollywood, Fla. First, there were the rumors. She listened to the radio all that day and night. The news was finally confirmed two days later. She says, "By that time, I was a nervous wreck. I took three bromides when I got the news. I was suffering from shock. I was so weak I couldn't walk."

Mrs. Eisenhower had lost 15 pounds during the war and was down to 110. Her run-down condition made her an easy victim of pneumonia shortly after Ike came home from Europe. The supreme commander who had become a world hero found that a part of his new duties was to cook and wash dishes during her convalescence.

Cooking really was no hardship for Ike. He likes to, considering it a form of relaxation. Even after becoming chief of staff he often slipped down to the kitchen. Vegetable soup continued to be one of his specialties. Mrs. Eisenhower says it takes him about three days to complete a batch:

"The first day, he makes the stock, lets it settle and the grease come to the top. He skims off the grease the next day and puts in vegetables. All of the strength is cooked out of the first vegetables and they are removed. The next day he puts in another batch of vegetables and cooks them until they are tender, and then the soup is ready to serve."

As Mrs. Eisenhower was talking, Ike was in the kitchen cooking sauerkraut.

"How he does it, I don't know," she confessed. "He doesn't hang over cookbooks. He likes to go in and stir up something good out of the icebox. Ike would rather serve fried eggs at home than go out for a six-course dinner. We never were night-club people. No matter the size or the place of our quarters, our friends have always been welcome. Informal Sunday-evening supper parties are still our favorite."

The Eisenhowers are in constant demand, but have made it a rule not to try to do "too much" socially.

"When we do go out," Mamie says, "we try to get home by 11 or 11:30, so Ike can get the proper amount of sleep."

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They always manage to spend several evenings a week at home.

"Ike has seen hundreds of people during the day. Home is an escape from all that. Unless there are people here, he sits down in his big papa chair and reads the newspaper. When he gets rested from so much talking, then we have dinner. We talk through dinner about various personal things—the home, our plans, and friends.

"After dinner, we both like to read. I read for entertainment, mostly fiction. Ike likes heavier things. He reads these sitting up, but he climbs into bed with a Western story. He just loves Westerns, but they have to have plenty of action and a lot of shooting. He doesn't care a thing about detective stories. The reason Ike likes Westerns so well is that they are pure relaxation—he doesn't have to think. He doesn't have to put his mind on the plot. It's just like a sedative."

So Ike goes to sleep easily. "I've asked Ike how he can put his head right down on a pillow and drift off," Mrs. Eisenhower says enviously. "He teases me and tells me it's because he has a clear conscience. But, if he is wakeful, he starts to play baseball in his mind. And, you know, he doesn't get over three plays before he's out—asleep that is. You know, he used to play baseball."

The Eisenhower household comes to life at 7 or 7:30 a.m., when Ike wakes up singing and whistling—Mamie says. He breakfasts alone on tea and fruit and reads the morning paper, while Mamie tries to get a few extra winks.

Ike never comes home to lunch, and this gives Mrs. Eisenhower an opportunity to meet women friends. Often she steers the talk to scenery and travel, which she openly admits are both interesting and safe topics of conversation. Occasionally lunch is extended into an afternoon of mah-jongg, which she enjoys immensely.

There is always a stream of visitors to the Eisenhower home, which leads Mamie to remark brightly, "The bed in our guestroom is never cold."

This room is most often occupied by old army friends. The Eisenhowers have also had to lay places at their dining table for new friends from all over the world. When they lived in Washington, the most famous man who came to dinner was Winston Churchill. Mamie, who appreciates a good story, was fascinated by his play on words, especially his adjectives.

Hostess Mamie says admiringly of Field Marshal Montgomery: "No one could have been a nicer house guest." Montgomery was their guest when the General's mother died and the Eisenhowers were summoned to Abilene, Kansas. The Marshal obligingly carried on and acted as host in their home.

The home has changed radically in appearance since the days when Mamie tried to disguise government cots with cretonne. It is filled with beautiful art objects which the Eisenhowers were able to purchase over the years by careful saving. Fine Persian rugs are on the floors. Life-size oil paintings of General and Mrs. Eisenhower hang in the living-room, and other large paintings are elsewhere.

The Eisenhowers are proud of their heirlooms they have acquired from both their families. The most unusual piece is a desk. The lid of the desk conceals a mattress and springs which open up into a bed. The Eisenhowers don't need this novel bed any more but it still works. Ike treasures a spool bed which his grandfather, Jacob Eisenhower, brought by oxcart across the country from Pennsylvania to Kansas.

Whenever Mrs. Eisenhower makes a tour of inspection of her home today, she has to pinch herself to make sure it is not a dream. In the dining-room alone there is silver worth a king's ransom. There is a sterling tea service which the Eisenhowers bought piece by piece. It was Mamie's pride and joy. Now, however, it looks rather modest alongside the massive pieces of silver which have been given to Ike by grateful countries and public leaders. From throughout the world have come all kinds of trays, pitchers, goblets, plates, and other fine service pieces.

This deluge of expensive gifts somewhat dazzles Mrs. Eisenhower, but she finds it also gratifying. It only confirms what she has always known—that Ike is a great soldier. She enjoys recalling the time that the Secretary of War visited Fort Meade for some official function many years ago. The Secretary, making polite conversation, asked young Mrs. Eisenhower, "Just what does your husband do best?"

Mamie drew up proudly and without hesitation replied, "He plays an awfully good game of poker." The Secretary laughed and laughted. Mrs. Eisenhower that night told Ike what she had said. "He nearly fainted," she remembers with amusement. "But, I thought the Secretary wanted to know about Ike's side lines. I took for granted everybody knew he was a wonderful soldier."

In recent years, Mrs. Eisenhower notes almost regretfully, Ike hasn't had much time for his most famous side line. He plays a little bridge and golf, which often net him a few extra cents, but he has retired from serious poker. Ike likes to go fishing and hunting, but won't kill a deer.

In spite of Ike's fondness for fishing, he recently gave his favorite rod to a friend. "He wanted to do something nice," Mrs. Eisenhower explained. "You know, Ike is so generous, he would give the shirt off his back if he thought somebody wanted it."

Mamie thinks Ike is an easy person to live with. She especially likes his sense of fairness. "He never berates me about anything," she says thankfully. "He's very companionable. We don't have the same likes and dislikes about a lot of things, but what does that matter? Often I lie in bed at night reading and turn on the radio, while he does what he wants to. We are perfectly contented. We don't have to sit and talk all the time."

Even after 31 years of married life, Ike doesn't take Mamie for granted. He still calls her "Darling" and she addresses him as "Baby." Sometimes this even slips out when she is speaking to the General in public, Mamie admits, but "Ike doesn't bat an eye."

Ike faithfully remembers birthdays and anniversaries, and sometimes brings Mamie presents for no special reason at all. She was getting dressed for dinner recently when Ike came home carrying a big, long box and wearing a big grin. "He had two dozen salmon-colored gladioli, my favorite flowers. I thought it was such a darn' sweet thing to do. If men just realized what things like that meant to women. My Godfrey! Women would do anything in the world for them," Mamie exclaims.

Mrs. Eisenhower believes it is a mistake for a woman to interfere in her husband's career. She wants Ike to be his own boss. This was her attitude when General Eisenhower was forced either to kill or to encourage his Presidential boom.

"I felt it was entirely his business," Mamie explains. "He had to do what he thought was right as he saw the picture. But, actually, he made the decision right from the beginning. He never wavered from the fact that he never wanted to have anything to do with politics, and he told everyone that. It was exactly what I knew he would do."

Mrs. Eisenhower said it was a great relief to her when the decision was finally announced, for she did not like to see her husband so "pressed and worried."

Again, it was Ike's decision when he accepted the Columbia University presidency. She explains the General took this step because he "thinks education and a broader knowledge of the world and its people is the road to peace. Ike has dealt so closely with so many different countries that he believes there is a basis for understanding among the peoples of the world. He wants to have a part in building toward that peace which the victory he fought for offers."

Mrs. Eisenhower has nothing but optimism for the part of her husband's career now beginning at Columbia. "I have always had great respect for Ike. I had confidence that he could do anything he put his hands to. I am sure he will make a similar success in his new assignment."

However, there was a twinkle in Mamie's eye as she told of one of the General's first experiences in converting to civilian life. While the Eisenhowers still lived in Washington, the General got into newly tailored civilian clothes for the benefit of photographers. As soon as the cameramen left, he scrambled hastily back into uniform, remarking, Mamie says, "that he had felt just like he was posing in pajamas."

Mamie, herself, leaves the Army with mixed feelings. But she is sure of one thing: "I have been following Ike from place to place for 31 years, and I've been supremely happy. I want whatever Ike wants."

REPORT ON APPALACHIAN HIGHWAY PROGRAM

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. EVINS of Tennessee. Mr. Speaker, the new Federal Cochairman of the Appalachian Regional Commission, Mr. John D. Waters, Jr., and other officials and members of the staff of the Commission recently appeared before our Subcommittee on Independent Offices Appropriations and reported at length on the progress of the various Appalachian programs.

Because of the interest of my colleagues and the American people in this program—especially the highway construction program—I am placing in the RECORD herewith a copy of my newsletter, Capitol Comments, which discusses the matter in more detail.

The newsletter follows:

CAPITOL COMMENTS—APPALACHIAN HIGHWAY PROGRAM LAGS BEHIND SCHEDULE

(By JOE L. EVINS)

The Appalachian highway construction continues to move ahead at a slow pace. As outlined by officials of the Appalachian Regional Commission in budget hearings before our Subcommittee on Independent Offices Appropriations, only 167 miles of Appalachian roadways have been completed.

As I reported at this time a year ago, only 85 miles had been completed and opened to traffic. In other words within the past year less than 100 miles of new roads have been completed in the 13 Appalachian states. A total of 383 miles are under construction.

In Tennessee 12.6 miles have been completed with 42 miles under construction.

I strongly urged Appalachian officials to move the program ahead and cut through the red tape. John B. Waters, Jr., of Sevierville, the new Appalachian Federal Co-Chairman, indicated he hopes to accelerate construction as much as possible. Appalachian officials explain the delay and slow progress by saying that the program is new and that the shakedown period has required time. These officials further explain that the shift from the original concept of basic access to

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Appalachian areas to four-lane roadways in many areas has delayed construction and increased costs.

In addition the Bureau of Public Roads has issued new road safety standards requiring more expensive construction—wider road shoulders, removal of obstructions along the roadway, reduction of grades, and other basic changes for highway safety.

This program was passed by Congress more than four years ago, and the time has long since passed when greater progress should have been demonstrated in the road program. A total of some 3,000 miles of main roads and 1,000 miles of access roads has been approved by Congress. For next year the Commission is requesting $175 million for highway construction and a total of $462,500,000 for all programs.

Our Appalachian counties have benefited substantially from these other Appalachian programs through supplemental grants for public facilities including—hospitals, health centers, nursing homes, university buildings, vocational education facilities, public libraries, airports, among other projects assisted. It is the hope of our Committee that the coming year will see much greater progress made under the Appalachian program.

CONGRESS SHOULD SET A WISER COURSE

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. DENNEY. Mr. Speaker, it is with extreme reluctance that I rise today to take issue with a recent decision by the Nixon administration. My attitude toward Mr. Nixon's approach in these first months has been one of patience in those areas where decisions have yet to be made. And where decisions have been made, they have generally enjoyed my enthusiastic support, as well as the support of many of my colleagues.

But today, I take exception to the request by the Executive that the present $200 million agricultural conservative program appropriation be reduced to 50 percent, or to $100 million for the 1969 fiscal year.

The whole concept of a reduced budget is to combat inflation. It has finally been determined by a courageous administration that the present inflationary trend, which is far above that justifiable as contributing to sound growth, must be stifled by a reduction in Federal expenditures. This has meant budgetary reductions in every departmental area with the exception of Justice.

But there are some programs that have not felt the pruning shears of the Budget Bureau. These programs have demonstrated a considerable contribution to our Nation in past and hold in store the promise of valuable contribution in the future. Such a program, in my estimation, is the ACP.

It is trite to say that a strong agricultural economy has been one of the primary factors in the building of our great Nation. Without the wherewithal to feed our people and provide many raw materials for our industrialized Nation, we could not have advanced to our present affluent position.

It is just as elementary a proposition that without conscientious husbandry of our natural resources, and development of new methodology of their conservation, our present agricultural sufficiency will prove insufficient for the demands of the future.

My question today must be "why jeopardize the firm foundation stone of agriculture?"

The effect of the proposed reduction in ACP funds, and the elimination of funds in fiscal year 1970, necessarily is based upon whether farmers will continue the conservation practices without Governmental assistance that they had practiced with assistance.

The Agriculture Subcommittee of the House Appropriations Committee has conducted hearings recently that no doubt went to this very issue: Will farmers who have received cost-sharing support in the past, and who have expressly stated they would not have done those good practices without such assistance, continue to restore and reclaim the land to the extent needed for a sound agricultural economy.

I think that they will not, and I sincerely hope that the Appropriations Committee and the entire House concur in that view, and will therefore restore the ACP to its present $200 million level.

Nebraska farmers have participated in this program with farsightedness and accomplishment. For the 5-year period of 1962–67, approximately 63,000 farmers took part in ACP. The amount of cost-sharing participation by the Federal Government has been approximately $6 million per year. Because the Federal contribution is no more than 50 percent of the actual work done, and is sometimes less, the $6 million figure must be doubled to arrive at the minimum of actual conservation work done: that is, $12 million.

Nebraska farmers have put these funds toward such uses as vegetative cover, constructing reservoirs, terracing, and many others contributing to wise conservation of our land and water.

The priorities that President Nixon has set for the Nation have in general been wisely chosen. But in this case where the potential for good of the ACP has been so strongly demonstrated, and the potential harm from failure to adequately conserve is so great, I feel that the Congress should set a wiser course.

INEQUITABLE MILITARY PAY BILL

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. POLLOCK. Mr. Speaker, under 37 U.S.C., 305 members of American military service are eligible for special pay provided under certain circumstances while stationed outside of the 48 contiguous States.

Under this section special pay is given to those persons serving in the State of Alaska. However, as the law now reads, an Alaskan who is assigned to Alaska though he be serving thousands of miles from his hometown is denied this special pay. This is inequitable. The bill I have introduced today would simply remove the exclusion of an Alaskan serving in Alaska or a Hawaiian serving in Hawaii and allow all our military personnel to be treated equal.

CONSTITUTION DAY CELEBRATION ADDRESS BY SECRETARY VOLPE

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. KLUCZYNSKI. Mr. Speaker, the May 3 Constitution Day observance is one of the most revered occasions in the lives of Polish people everywhere, and particularly for my fellow Polish Americans, who here enjoy the freedoms so tirelessly sought for the homeland over the centuries.

The annual celebration of this anniversary held in Chicago each spring is perhaps the most outstanding event among Polish Americans throughout the country.

This year, yesterday afternoon, we were honored to have with us for the principal address the Honorable John Volpe, the Secretary of Transportation. He is an old friend, a gentleman, and a superb public servant. His address to us highlighted all those qualities. He is also a man of heart, for he brought with him his new Assistant Secretary for Public Affairs, Mr. Walter Mazan, who is himself of Polish descent.

By unanimous consent, I include here Secretary Volpe's address on Sunday afternoon in Chicago:

ADDRESS BY JOHN A. VOLPE, SECRETARY OF TRANSPORTATION, AT 3D OF MAY CONSTITUTION DAY CELEBRATION, CHICAGO, ILL., MAY 4, 1969

I am honored by your invitation to be here. This is a momentous occasion for Polish-Americans. I consider it a great privilege to join with you in observing it.

President Nixon has asked me to extend to you his greetings on this your native holiday. He is mindful of the many and the rich contributions Polish Americans have made to our culture. He is appreciative of the sacrifices of Polish Americans in our wars.

And I want to tell you I have brought with me today my Assistant Secretary for Public Affairs, Mr. Walter Mazan, who is himself of Polish descent. Every morning Walter says "Dobrii Dyen" and I say "Dyen Dobrii" and after that everything seems to go pretty well. It must be psychological.

Mr. Mazan has just joined me in the Department after a period of outstanding service with the President's Office of Emergency Preparedness from 1957 through 1969. As Acting Director of Liaison with the Office of Emergency Preparedness he was given a special citation in July 1968 by the National Governors' Conference. The Governors said that Walter had created "the best working partnership in modern history . . . between the Governors and the Executive Branch of the Federal Government."

As a former chairman of the Governor's Conference I can tell you that those words of praise for Walter are well earned. In fact, it was on the strength of his performance there that I offered him a high level position on my staff.

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We meet to commemorate a great declaration of freedom—the Polish Constitution. To some Americans, democracy and individual liberty are long established facts and we occasionally tend to forget that these rights have a most sacred meaning. We sometimes forget that our human heritage of freedom had its beginning long before our American revolution and our own Constitutional convention. The struggle for freedom from tyranny—the battle for the rights of man begun many hundreds of years before.

Our own Constitution was the culmination of the best efforts of many great men. We need only mention the names of Kosciuszko—Pulaski—Lafayette—Von Steuben—and the significance is apparent.

(And let me add to that list, on behalf of my own heritage, the names of two great Italians who assisted in the American war for independence: Cosima Medici, and Colonel Francesco Vigo.)

But the real point—is that if we think of these men solely in terms of their military contribution to our freedoms, we miss a far greater truth.

Kosciuszko and Pulaski: came to the United States some fifteen years before the establishment of their own constitution. They came not as free men but as men seeking freedom. They brought with them from their native Poland the spirit of liberty.

In fact, as this group certainly knows, Kosciuszko made Thomas Jefferson the executor of his will and directed that all funds from his estates be used to purchase freedom for individual American Negro slaves.

Yes, my friends, the same great dreams and hopes—the same firm faith in the worth of the common man that later brought forth the Polish Constitution earlier inspired our own struggle for freedom. The common effort of American and Polish patriots is evident in both documents. Listen to these excerpts from the stirring preamble of the Polish Constitution:

> "Prizing more than life, and every personal consideration, the political existence, external independence, and internal liberty of the nation. . . .
>
> "We do solemnly establish the present Constitution which we declare wholly inviolable in every part . . ."

It is evident that Polish and American patriots were of a common heart. They contributed spirit and thought to each other. Our American freedom owes a debt to these Polish revolutionaries who established their own national Constitution. This is the meaning of the third of May to all Americans.

But to you Americans of Polish origin, the Polish Constitution cannot but call forth other emotions. The Constitution was but barely new when Poland was crushed and destroyed by invading armies. And the long night of Poland began, and the great Polish Constitution was forgotten. Or was it?

I say it was not. I say it will one day again become the great document of human rights, the governing document of the Polish Nation.

My friends, I have a deep conviction that no noble effort by any man ever dies but that, no matter how small it is, it becomes part of the rich human inheritance that increases through the centuries and ever adds to the improvement and glory of the state of man.

So it is with the Polish Constitution. It exists and is remembered and revered. Witness our meeting here today. And I have no doubt but that in the cities and villages of Poland, May Third does not pass but what teachers and leaders and rational men pause to reflect on their memory of a former and better way of arranging the affairs of men. I maintain that the Polish Constitution—a great statement of human hopes—still lives in the hearts and minds of Polish people everywhere.

I maintain that freedom will be restored to the land of your fathers, and that tyranny will not survive.

I submit that Poland's war for liberation is far from over, and that the people of Poland will—again—join the proud ranks of free men.

But while we are concerned with the prospects of freedom abroad, we must be no less attentive to the protection of our liberty at home. There is still much for us to do here on these shores.

Freedom in America is still unfinished business and it is our job to take this generation one step closer to our goal. Freedom has many enemies.

This opposition takes many forms. It can be the white man who hates the black man. It can be the black militant who cries out for race war and separatism. It can be the superpatriot who cries out for preventive war. It can be the isolationist who demands that we withdraw from world affairs and pretends that we have no responsibility to maintain the peace.

Your fathers—as did mine—came here to find opportunity. They didn't want to leave their homes, but they did so for the sake of the higher good, for the benefit of their families. They found what they were looking for and the Polish contribution is now one of the glorious chapters in American history. Polish Americans have helped build America from the forges and factories to the pinnacle of professional and cultural achievement. They have enriched the whole range of American life.

However, the Poles who came to this country did not turn their backs on their homeland. The work of the Polish National Alliance is proof of that. This persistent endeavor between the people of Poland and the people of the United States, carried on against considerable obstacles, will continue to pay great dividends for both countries.

You may also be proud of the American Research Hospital for Children in Krakow, for it is preparing a better life for those who will succeed us, regardless of nationality.

In these and many ways, Polish Americans are building bridges of understanding between people who want to live in peace with one another.

While the Polish Constitution was a landmark of democracy in its own time and remains so today, in the years in between we have learned how fragile liberty is unless there is equality as well. In fact, we are learning that without equality, freedom cannot survive.

Today, we are trying to extend equal opportunity to all who are willing to help themselves. The future of freedom today is being moulded by decisions we take on the neighborhood level—in the communities where we live, work and go to school. I'm not talking about theories; I'm talking about whether a man can get a good job and find a decent home for his family and a good school for his kids regardless of his accent, his color, or his religion.

When this Nation was being born it was helped into existence by the great heroes Kosciusko and Pulaski. It needs such generous and dedicated men today, for we are fighting another war for justice and opportunity. Many Americans, white and black, still do not have an equal chance at the good things of life. Americans who have benefitted from opportunity—such as you and me—will be the last to deny opportunity to any man, because we of all people know what it really means.

The fight for freedom continues on all fronts. We must not retreat if America is to be the world's greatest democracy. What Polish Americans have done for themselves can give all Americans a lesson. They have fought and died for freedom in four of our wars. Their sacrifices have made this country more credible in the world at large—for the world knows that we mean what we say about defending freedom at home and abroad.

We are the strongest power in the world. We did not actively seek such power, but we have it and we have to use it responsibly. We must courageously do what needs to be done for the cause of peace. We cannot win the peace by being weak. And that is why the President has decided to deploy a limited A-B-M System to defend our deterrent power. The Safeguard will not only protect us but will indicate our resolve to resist tryanny from any quarter. The President's decision on the A-B-M is a perfect example of the cautious but tough-minded attitude of this Administration.

Indeed, in the short period of three months President Nixon has reoriented the Federal Government apparatus. He has inspired a new confidence in the people of this country. He is fighting inflation so your dollar will still be able to buy your groceries and other needs. He has launched an anti-crime program in Washington, D.C., that could become a model for other cities. He has proposed new ways to fight the hideous power of criminal syndicates. He is taking the Post Office out of politics. He is doing his best behind the scenes to prevent an explosion in the Middle East. And he is seeking an honorable peace in Vietnam.

Here is a real chief executive, then, who knows that performance is more impressive and longer lasting than public relations. Here is a man who can really lead the free world, who can negotiate from strength, and who is above all confident in the eventual victory of freedom over totalitarianism. He needs your support, your confidence, your prayers, and your heart—and together we shall prevail.

Again, my friends, I thank you for giving me the opportunity to be here with you today to celebrate this most significant occasion. God bless you all.

A. PHILIP RANDOLPH CELEBRATES 80TH BIRTHDAY

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mrs. CHISHOLM. Mr. Speaker, tomorrow night at the Waldorf-Astoria Hotel in New York City there will be a testimonial dinner to mark the 80th birthday of one of the greatest living Americans, A. Philip Randolph. When the history books are rewritten to give black citizens their due share of the credit for building our Nation, Mr. Randolph's stature will become more widely known.

Even now it is impossible for the most biased historian to deny him his page in the history of the labor movement, for his monumental achievement in creating and winning recognition for his union in the face of unwavering, bitter opposition from the railroads and from the railroad brotherhoods.

But how many high school history students realize that when President Harry Truman is given credit for ordering desegregation of the armed services, or Franklin D. Roosevelt for setting up the Fair Employment Practices Commission during World War II, that these are really A. Philip Randolph's achievements? Without the moral pressure that A. Philip Randolph exerted by warning Truman that black Americans would not

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register to be drafted into a Jim Crow army, and by threatening Roosevelt with a march on Washington to secure a fair share of wartime employment for blacks, it is not likely that either of these milestones in the civil rights struggle would have been reached.

Future historians will, I am sure, Mr. Speaker, insure that A. Philip Randolph will be remembered as one of the great men of his time, and pay him his just tribute for the role he has played in trying to make this Nation become, someday, truly the land of the free.

PANAMA CANAL: OKLAHOMA LEGISLATURE OPPOSES SURRENDER

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. FLOOD. Mr. Speaker, the passage on April 14, 1969, by the Oklahoma Legislature of Senate Concurrent Resolution No. 21 opposing relinquishment by the United States of its control over the Panama Canal brings the total of such State legislative actions to seven: Alabama, California, Louisiana, Oklahoma, South Carolina, Tennessee, and Virginia.

In order that the Congress and the Nation may be informed about the action of the Oklahoma Legislature in connection with the current Panama treaty situation, I quote the indicated resolution as part of my remarks:

CONCURRENT RESOLUTION No. 21

Resolution expressing the feeling of the Oklahoma Legislature that the United States should not relinquish its control over the Panama Canal; and directing distribution

Whereas, under the Hay-Pauncefote Treaty of 1901 between Great Britain and the United States, the United States adopted the principles of the Convention of Constantinople of 1888 as the rules for the operation, regulation, and management of the Panama Canal; and

Whereas, by the terms of the Hay-Bunau-Varilla Treaty of 1903, between the Republic of Panama and the United States, the perpetuity of use, occupation, control, construction, maintenance, operation, sanitation, and protection for said canal was granted to the United States; and

Whereas, the United States had paid the Republic of Panama almost $50,000,000.00 in the form of a gratuity; and

Whereas, the United States has made an aggregate investment in said canal in an amount of over $4,889,000,000.00 and

Whereas, said investment of any part there of could never be recovered in the event of Panamanian seizure or United States abandonment; and

Whereas, seventy per cent (70%) of the Canal Zone traffic either originates or terminates in United States ports; and

Whereas, said canal is of vital strategic importance and imperative to the hemispheric defense and to the security of the United States; and

Whereas, a treaty has been proposed between the United States and the Republic of Panama which in effect would greatly impair if not all but eliminate the known and admitted sovereign rights of the United States in said canal; and

Whereas, under said proposed treaty, the Panama Canal would become the property of a non-American governmental authority; and

Whereas, the Suez Canal has been closed twice in the past ten years, subject to the discretion of the Egyptian Government, and the most recent closing, in June of 1967, resulted in a very substantial increase in United States shipping costs:

Now, therefore, be it resolved by the Senate of the first session of the thirty-second Oklahoma Legislature, the House of Representatives concurring therein:

Section 1. The Government of the United States should maintain and protect its sovereign rights and jurisdiction over the Panama Canal, and the United States Government should in no way forfeit, cede, negotiate, or transfer any of these sovereign rights or jurisdiction to any other sovereign nation or international organization.

Section 2. That duly authenticated copies of this resolution, after consideration and enrollment, be prepared and sent to the President; Secretary of State; Honorable Daniel J. Flood of Pennsylvania; and all members of the Oklahoma Congressional Delegation.

SOLUTION TO OUR PROBLEMS

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. HATHAWAY. Mr. Speaker, recently the Mutual Broadcasting System sponsored a "Solution to Our Problems" contest. Twenty-five of the over 3,500 submissions were selected as winning essays.

I am proud to state that a constituent of mine, Mrs. Rita W. Clifford of South Paris, Maine, wrote one of the prize-winning essays.

I was extremely impressed with Mrs. Clifford's proposed solutions to our national and world problems, and I am pleased to commend them to the attention of my colleagues in the House. Mrs. Clifford's essay follows:

Most problems challenging our nation today are products of a much more fundamental problem, a basic lack of trust, understanding and communication among people of the United States and of the world. Not only do nationalities throughout the world misunderstand and distrust those of different backgrounds (thus the Cold War, Vietnam, the H-bomb threat) but even we Americans lack insight into the motivations of our own countrymen of different races and socio-economic classes.

As President I would foster understanding among Americans by supporting increased educational appropriations to improve the quality of teachers and of the curriculum, especially in social studies and English. I would encourage the development of experimental programs designed to reach the child of the ghetto, now being missed by traditional approaches. The mass media, especially television, could be instrumental in influencing adults by placing increased emphasis on materials and programs that promote understanding among races, classes and ethnic groups.

I would further international understanding by supporting the Peace Corps, increasing the number of educational and cultural exchanges, urging an expansion of nonmilitary foreign aid and attempting to clarify American objectives to other nations.

As a private citizen I should learn more about our racial and ethnic groups, our urban and rural poor and people of other nations. Then I could engage in intelligent, constructive discussion as well as accept and attempt to understand people different from myself. I can become actively involved in the political processes by voting, serving on committees and, if I am so inclined, participating in the legislative or executive branches of government at the local, state or even national level.

However, I must realize that changing people's attitudes toward each other is an evolutionary, time-consuming process requiring both persistence and patience.

DR. CLIFFORD C. FURNAS DIES—SCIENTIST AND EDUCATOR

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. DULSKI. Mr. Speaker, my home city of Buffalo, N.Y., and the Nation have lost a distinguished citizen, scientist, and educator, in the sudden passing of Dr. Clifford C. Furnas, president emeritus of State University of Buffalo and former Assistant Secretary of Defense for Research Engineering.

Dr. Furnas collapsed and died in Amsterdam, Holland, while on a trip with Mrs. Furnas and a group of Buffalonians.

Besides his role at the Pentagon during the Eisenhower administration, Dr. Furnas held a long series of advisory and other roles with the Federal Government, including the Congress, and spanning several administrations.

He was a dedicated public servant who devoted great effort and talent to the best interests of his country, his community, his educational activities and to his fellow man. In the true tradition of the "busy man," he was never too busy to be helpful with counsel or otherwise in matters of both public and private concern.

It was a great privilege to have had the opportunity to know Dr. Furnas. He left his mark wherever he went, as a friend and as a technician.

Dr. Furnas had great vision. He wrote in 1935 that man would one day fly to the moon. Although at the time he doubted he would live to see the day, the prospect lies now in the very near future not only for flight to the moon, but for man to land on the moon.

The esteem in which he was held in his home city is well expressed in an editorial in the April 29 edition of the Buffalo Evening News, as follows:

CLIFFORD C. FURNAS

Dr. Clifford C. Furnas pursued a great variety of careers during a lifetime of extraordinary breadth and accomplishment, and excelled in each of them.

Olympic runner, teacher, scientist, author, assistant secretary of defense, administrator, university president—he was indeed a man of parts, a Renaissance man in the wide thrust of a fertile mind to which no human interest or activity was deemed alien.

He was a prophet with honor in his own community. Such was his vision that he lived to see the realization of many of the things he had boldly predicted in a book written while he was still a young man. Even in retirement, his hunger for knowledge and experience did not diminish. He was traveling

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in Missouri when felled by a stroke in 1968. When death came Sunday, he was touring Holland with a Buffalo Area Chamber of Commerce group.

As head of Cornell Aeronautical Laboratory, he displayed uncommon gifts of scientific insight and administrative competence, contributing greatly to its luster among the nation's leading research resources. He applied these same talents to the public service as a member of the Eisenhower sub-cabinet, in charge of the Defense Department's research and development program.

From the viewpoint of the Niagara Frontier, the high point of his career was his distinguished and richly productive association with the State University of Buffalo, starting in 1954.

It was not merely that he presided over an impressive expansion of UB and helped to make it a center of nuclear research. It was not merely that he maintained the university in the liberal tradition of his predecessors.

Of even greater importance, he guided UB's crucial transition from a relatively small, underfinanced private school—committed basically to community service as an urban university—to its present status as the foremost campus in a rapidly expanding State University system promising far greater benefits than were dreamed of in the old UB days.

Thus Dr. Furnas has truly been characterized as the architect of today's UB. It is in that role that this versatile community leader will be chiefly remembered.

The many facets of the life of Dr. Furnas are well detailed in the following obituary from the same April 29 edition of the Buffalo Evening News:

DR. FURNAS IS DEAD—EX-CHANCELLOR OF UB HELD MANY U.S. POSTS

Dr. Clifford C. Furnas, 68, president emeritus of the State University of Buffalo and a nationally recognized leader in the field of defense planning, died Sunday (April 27, 1969) in Amsterdam, Holland.

The ninth chancellor of the 121-year-old university and its first president following UB's affiliation with the State University, Dr. Furnas collapsed while going to dinner and was pronounced dead on arrival at a hospital.

Dr. Furnas and his wife, the former Sparkle Moore, were in Holland on the final day of a three-week Buffalo Area Chamber of Commerce tour. The body was cremated.

Dr. Furnas retired Aug. 31, 1966, after 12 years as the chief administrator at UB, but maintained his close contact with the university as head of its Nuclear Research Center.

ENVISIONED GREAT SCHOOL

UB's highest honor, the Chancellor's Medal, was bestowed on Dr. Furnas in February 1968, by his successor at UB, President Martin Meyerson, who described his as "architect of today's university," and "the first to speak and dream of . . . the great university which has been developed."

Shortly after his appointment as chancellor in 1954, Dr. Furnas took a leave of absence to become assistant secretary of defense for research and development. He resigned that position two years later after differences of opinion with Defense Secretary Charles E. Wilson.

Later he occupied a series of other government posts under Presidents Eisenhower and Kennedy. He was cited many times for his contributions to national defense, engineering and brotherhood.

IN COLLEGE TRACK

Born Oct. 24, 1900, in Sheridan, Ind., Dr. Furnas received a bachelor of science degree with honors from Purdue in 1922. He earned a PhD from the University of Michigan in 1926.

A long-distance runner in college, Dr. Furnas competed in the 5000-meter at the 1922 Olympics in Antwerp. An often-told story in the later years was how he watched Jean Guillemot out-run Paavo Nurmi in that event—"I trailed them right down to the wire."

Two years later, he won the Big Ten medal for the best combined scholastic and athletic record.

Before coming to Buffalo as director of the Curtiss-Wright research laboratory in 1943, Dr. Furnas had served as coach and teacher in Faribault, Minn., taught chemical engineering at Yale, and worked as co-ordinator of a large research and development program for the National Defense Research Committee.

CHEMICAL RESEARCH

When Curtiss-Wright closed after the war, Dr. Furnas was instrumental in having the lab donated to Cornell University. He was made executive vice president and director of the converted lab, now Cornell Aeronautical Laboratory.

In earlier years, he did a great deal of research in process metallurgy chemistry, specializing in and writing on fluid flow, heat transfer, combustion and aviation research.

In 1935, he wrote that man would fly to the moon—"I hardly expect it in my day"—and that air transports would some day travel 350 mph. Thirty years later, this amiable man laughed at some of his "horse-and-buggy predictions."

OUTSTANDING CITIZEN

In 1965, on receiving the National Brotherhood Citation from the National Conference of Christians & Jews, Dr. Furnas told 800 friends:

"Brotherhood in Western New York—worthy as it is—will be shallow and fleeting until there is a reasonable pattern of international collaboration and good will."

He also was cited in 1952 by the Buffalo Evening News as one of Buffalo's outstanding citizens.

Among his many books and articles are: "The Next Hundred Years," published in 1932; "Man, Bread and Destiny," written with his wife in 1937, and "The Storehouse of Civilization," published in 1939. He also edited a number of scientific manuals and journals.

In recent years, there was little time for writing and personal research. Demands of the university, plus active service of various government technical boards and panels, were too demanding.

The enrollment at UB was 6800 when Dr. Furnas became chancellor in 1955. By the time he retired, it had nearly doubled.

Under Dr. Furnas, UB's School of Engineering received its accreditation and many of the buildings on the present Main-Bailey campus, including the $8 million health science complex, were constructed.

GOVERNMENTAL ADVISOR

At the time of his appointment to UB, Dr. Furnas was a member of the Committee on Aircraft Construction of the National Advisory Committee for Aeronautics; the Army Ordnance Advisory Committee and chairman of the Technical Advisory Panel of Aeronautics for the assistant secretary of defense.

He was instrumental in organizing the Defense Science Board formed in 1956, was a member of the board and its former chairman. He also was chairman of the Army Scientific Advisory Panel, and a trustee of the Naval Research Advisory Commission of the Aerospace Corp.

In all his activities, Dr. Furnas stressed the importance of basic as well as developmental research.

He was a member of the State's General Advisory Committee on Atomic Energy and a past chairman of the State Advisory Council for the Advancement of Industrial Research & Development.

Dr. Furnas held honorary doctorate of engineering from Purdue and the University of Michigan. Among his many citations was the Golden Cross of the Order of Phoenix, conferred on behalf of the king of Greece in 1963.

UNIVERSITY CITATIONS

Among his other awards were a UB public service citation in 1961; a University of Michigan Alumni citation in 1963; a citation for studies in blast furnace reactions, Chicago District and Eastern States Blast Furnace & Coke Oven Associations, 1957.

Also, the Frank J. Tone Award for outstanding achievements in metallurgy, 1957; the American Institute of Chemical Engineers Local Professional Achievement Award, 1968; the J. Fred Schoellkopf Medal of the Western New York Section, American Chemical Society, 1962; and the Exchange Club's Golden Deeds Award for community service, 1960.

In 1964, Dr. Furnas received the title of fellow in the American Society of Mechanical Engineers.

He was a member of Theta Chi, a social fraternity, and these honorary fraternities: Tau Beta Pi, engineering; Phi Lambda Upsilon, chemistry, and Sigma Xi, research.

Dr. Furnas was a member of the Saturn Club, the Cosmos Club, of Washington, the Thursday Club, the Chemists Club and the Statler Club of Ithaca.

PROFESSIONAL ENGINEER

His professional societies included: The American Chemical Society, American Institute of Chemical Engineers, American Society of Mechanical Engineers the institute of Aeronautical Sciences, the American Rocket Society, the American Association for the Advancement of Science, and the Newcomen Society.

Dr. Furnas was a professional engineer, licensed in the states of New York and Connecticut.

He was a director of the Manufacturers & Traders Trust Co., and a former director of the Irving Air Chute Co., Inc.

Dr. Furnas and his wife lived at 651 LeBrun Rd., Eggersville. There is one daughter, Mrs. Carl Pollock, Denver, Colo., and four grandchildren, all of whom survive.

His wife has requested that any memorial contributions be made to the C. C. Furnas Scholarship of the University of Buffalo Foundation. This scholarship fund was started in 1966 with $90,000, contributed by 2500 friends from all over the country.

A memorial service for Dr. Furnas will be held on Saturday at 11 a.m. in Clark Gymnasium on the UB Campus. Members of the Community and the University administration will speak.

THE 178TH ANNIVERSARY OF THE POLISH CONSTITUTION

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. ADDABBO. Mr. Speaker, May 3 marks the 178th anniversary of the Polish Constitution of 1791. On this day we in the Congress join with people throughout the United States in paying tribute to our Polish friends and to the spirit of the people of Poland who live under Communist oppression.

We remember the spirit of democracy embodied in the words of the Constitution of 1791:

> All power in a civil society should be derived from the will of the people.

We also remember the third partition of Poland in 1795—just 4 years later—by Russia, Prussia, and Austria. Since that time Poland has never been free, but has lived with tyranny.

Despite the history of oppression, the will and courage of the Polish people has remained intact. This year's May 3 observance is marked by the simultaneous observances of the 30th anniversary of the German-Soviet attack on Poland; the 25th anniversary of the Warsaw uprising and the bloody victory at Monte Cassino and the 25th anniversary of the founding of the Polish American Congress.

The spirit of the Polish people has kept alive the hope for freedom. While communism has crushed liberty in Poland, it can never crush the spirit of the people.

That is why we observe this anniversary of the Polish Constitution of 1791 and pay tribute to the Polish struggle against tyranny.

NAZI WAR CRIMINALS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. ANDERSON of California. Mr. Speaker, I wish to bring to the attention of my colleagues a letter written by Mr. H. Westwalewicz of the California branch of the Polish American Congress. This letter, which I learned of from Dr. Alfred J. Wrobel, a professor of history at El Camino College in Torrance, Calif., details the facts of a long fight that Dr. George C. Fuz of Los Angeles has been waging with German authorities to bring to justice certain Nazi war criminals in Germany.

This case takes on special significance and urgency because of the fact that the German statute of limitations on Nazi war criminals is due to expire at the end of the year. While I have no knowledge of the facts related in this case, I believe it important that any remaining Nazi war criminals be prosecuted before this statute expires.

The letter follows:

POLISH AMERICAN CONGRESS, INC.,
Los Angeles, March 7, 1969.

HERR VORSITZENDE DER FDP FRAKTION,
Deutscher Bundestag,
Bonn, Germany.

DEAR SIR: The Polish American Congress wishes to bring to your attention the following grave matter: On September 1, 1939 at 4:30 AM, *thus during the peace time,* the Polish Post Office Am Heveliusplatz in Danzig was attacked without any provocation by Sturmbann E (Hilfspolizei under command of police lieutenant Kurt Eimann). The Reichschancellor officially declared in the Reichstag on September 1, 1939 that hostilities against Poland began at 4.45 AM. At that time, the only official unit of the German Armed Forces in Danzig was the naval ship "Schleswig-Holstein" which commenced hostilities at 4.45 AM.

The defenders of this public institution, protected by law and by international agreements (international status of the Free City of Danzig), were later in 1939 executed as "Franc tireurs"(1) by a military court of the former Freikorps Eberhardt. The presiding judge was Dr. Kurt Bode, now retired Generalstaatsanwalt Schleswig-Holstein, the prosecutor was Dr. Ludwig Giesecke, and the executor was the later SS Sturmbannfuehrer Kurt Eimann.

In 1965, a US citizen, Dr. George C. Fuz of Los Angeles, Calif., whose father was murdered as the defender of the Post Office in Danzig in 1939, requested the Zentrale Stelle in Ludwigsburg to identify, to locate, and to prosecute all persons responsible for the judicial murder of the postal employees in Danzig. In 1964, the persons responsible for this crime were located in the Federal Republic of Germany, and the Zentrale Stelle indicated that they would be prosecuted through the Staatsanwaltschaft Luebeck.

In 1966, the Staatsanwaldtschaft Luebeck abandoned the criminal proceedings stating that the defenders of the Post Office were "Franc tireurs"(1). A complaint to the Generalstaatsanwalt Schleswig-Holstein brought the same answer that the law was not broken by the members of the Eberhardt court. Subsequent Klageerzwingungverfahren to the Oberlandesgericht Schleswig Strafsenat brought a decision in early 1968 that the members of the court "das damals geltende Recht nicht vorsaetzlich gebeught haben"(1), however, the court indicated that *if new evidence is found the case may be reopened.*

In June 1968, the Katholis ches Buero Bonn approached the Bundesminister der Justiz with a Vorlage indicating its concern with the treatment of this case by the prosecuting authorities in Schleswig and the court. The subject of their particular concern was why the court did not answer the vital questions whether or not the Post Office was attacked during the peace time by group of Nazi law-breakers, and why the court maintained that the law was not deliberately broken by the murderous court in 1939.

In late 1968, two new documents were found in Bundesmilitaerarchiv indicating beyond any doubt that the criminal attackers were not members of the German Armed Forces and that the prosecutor himself of the murderous court had most serious doubts whether or not the postal employees could be tried as "Franc Tireurs" *in view of the "besondere Lage von Danzig."*

Following our letter, in August 1968, to the President of the Bundestag, we were informed in November 1968 by the Zentrale Stelle that the Staatsanwaltschaft Luebeck reopened the criminal proceedings against Bode.

On February 14, 1969, the Staatsanwaltschaft Luebeck indicated that it abandoned further proceedings against the murderers of the postal employees as there *was no new evidence* in this case; it referred in its decision to *only one document* (Acta of the Wehkrels Danzig) and no reference *at all* was made to the supplied acta of the 3rd German Army (the record of the fateful telephone conversation between the prosecutor and the IIIQ(Gericht)).

Since this case contains, according to the doctrine of Res Ipsa Loquitur, and the most elementary principles of international law, and the German criminal law, no mysteries at all for a mandatory prosecution of murder, the Polish American Congress cannot escape the unfortunate conclusion that the prosecuting authorities are deliberately avoiding prosecution of their former high ranking colleague in violation of the existing German law, the international law, the Human Rights Conventions and their own oath of office.

We are further gravely concerned that such a perversion of a legal process is possible in a Reichtsstaat and *that a United States citizen is deliberately deprived of a fair and impartial judicial hearing in a friendly state.*

In view of the fundamental character of this case, and the deliberate five years delay in justice, the Polish American Congress in the name of fifteen million Americans of Polish ancestry is respectfully requesting your speedy intervention so that justice may be restored prior to the expiration of the statute of limitations on Nazi crimes.

We already requested the Minister of Justice to remove this case from Schleswig Holstein jurisdiction and that a proper disciplinary action be taken against the prosecuting authorities of Schleswig-Holstein for their dereliction of duty and condoning of a Nazi crime.

We are respectfully requesting you and your Party to:

1. Institute a formal judicial and Bundestag inquiry into the past handling of this case of deliberate shielding of former high judicial official from murder charges and of deliberate delaying tactics in the process of justice for five years.

2. Initiate a Bundestag inquiry as to the reasons why the Auswaertiges Amt maintained complete silence and totally ignored our repeated requests, in the interest of justice, for amicus curiae in this case, although fully knowing the deliberate violation of the elementary standards of the international law and its responsibilities under the present treaty with the United States of America concerning a fair and impartial judicial hearing before German judiciary for United States citizens.

3. Initiate legislation for prompt and effective compensation by the Government of the Federal Republic of Germany to the families of the victims of this crime committed by agents of the Reichsregierung on internationally protected and guaranteed territory of Danzig.

Please accept our assurances of our highest consideration,

Respectfully yours,
H. WESTWALEWICZ,
President.

LAW DAY, U.S.A., 1969

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. ALBERT. Mr. Speaker, on this, the first day of May, the Communist-dominated world celebrates the establishment of regimes which destroy the liberty, the democracy, and the freedom which the rest of the world so highly esteems. In order to demonstrate our love of the blessings which a free people enjoy, our country recognizes May 1 as Law Day.

For us, this day gives Americans the opportunity to express their gratitude not only for the free democratic Government which our forefathers have passed on to us, but it gives us an appropriate time when we may recognize the importance of law in building and maintaining the structure of our society. We are indeed fortunate to enjoy the fruits of a thousand years of the evolution of the Anglo-Saxon common law—a system of law which is so much a part of our history and civilization that many now term it the Anglo-American legal system. Needless to say, before the time of our Federal Constitution it brought to us a determination to preserve the rights which had been won for Englishmen over hundreds of years by both revolution and evolution. And, we were so determined to preserve these rights that our forefathers incorporated them within our written Federal Constitution. Americans today in observing Law Day will, therefore, thank those who have preceded us

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for preserving for their posterity the rights of free speech, free choice of religion, freedom of the press, freedom from unlawful search and seizure, and the right of trial by jury. For these precious rights Americans stand ready to fight, and even to die that they shall not perish.

CINCO DE MAYO

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. ANDERSON of California. Mr. Speaker, today is an important day in the history of our Mexican neighbors to the south of us. It is "Cinco de Mayo," the 107th anniversary of the Battle of Puebla, in which a small, courageous band of Mexican patriots victoriously repelled a superior, well-prepared force of French troops led by their leader, Napoleon III, who had greedy designs on the homeland of the Mexican people.

To the 2 million Mexican Americans in California and some 20,000 in the 17th Congressional District, this is a day of special significance. It recalls the courage and spirit of that brave group of defenders and symbolizes a victory of the human spirit over all military odds.

Let us, then, look briefly at Mexican history in order to more fully understand the significance of the Battle of Puebla and "Cinco de Mayo":

After emancipation from Spanish control in 1822, Mexico experienced many difficulties. Changes of government were often accompanied by bloodshed and violence. Several European nations continued to cast greedy glances upon the struggling young nation.

In the early 1860's Benito Juarez was able to establish a liberal government. Yet domestic turmoil accentuated the financial difficulties of his government, which, along with other confiscatory measures at home, refused to acknowledge the foreign debts contracted by its predecessors. This, plus claims for compensation of damage incurred during the Mexican civil strife, gave an easy pretext for intervention.

Three powers were interested in Mexico—Great Britain, Spain, and France, but the operation which finally developed was mainly a project of Napoleon III of France. His motives were complex and somewhat confused, but basically he wanted to create a zone of French influence in Mexico and to placate Catholic opinion in France by favoring clerical interests in Mexico.

In October 1861, Britain, France, and Spain agreed to joint action which took the form of occupation of Vera Cruz. Spain and Britain, however, had no such far-reaching designs as France, and, in 1862, they withdrew, leaving the French to pursue their grandiose schemes alone.

About 6,000 French soldiers set out from Vera Cruz to Mexico City to the victory they were sure would be theirs. Yet their confidence was unwarranted, for on May 5, 1862, they encountered a courageous band of Mexican patriots at Puebla, a strategic city halfway between Vera Cruz and Mexico City. When the French general reached Puebla, he chose to send his men into the center of Mexican fortifications, over a ditch and a brick wall and up the steep slopes of the Cerro de Guadalupe. Led by the great leader, Ignacio Zaragosa, the Mexicans flung the French back to Orizaba and the coast. Their valor in the face of superior odds and their heroism led to the creation of Cinco de Mayo as a national holiday for Mexico.

Although halted momentarily by the courageous Mexicans at Puebla, the French ultimately were able to capture Mexico City and to install Archduke Maximilian of Austria upon the throne. Yet, as we know, Maximilian never commanded the allegiance of the Mexican people. What control he did have was limited and totally dependent upon the French troops in Mexico. I am glad to say that with the conclusion of the Civil War, the United States was able to come to the rescue of its southern neighbor. Our nation refused recognition of Maximilian and demanded that the French recall their expeditionary force. Left to rule on his own, Maximilian was captured by the Mexicans in June 1867, and soon executed.

The 5th of May thus commemorates a day upon which courage and love for their homeland enabled Mexicans to triumph over troops of a foreign power. It is with real pleasure that I join with our Mexican friends in paying tribute to the strength, valor, and patriotism of those men who fought so bravely and so well on that day in Puebla more than 100 years ago. In so doing we also pay tribute to all the citizens of Mexico in whose hearts burn the self-same love of country. In memory of that great day, we extend greetings and warmest best wishes to the great neighbor to the south of us—Mexico.

DWIGHT DAVID EISENHOWER

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. HALL. Mr. Speaker, the "American War Dads" were formed in Kansas City, Mo., during World War II. Their program consists very simply of how they can best help the men and women in service. The qualification for membership is that the member have a son or daughter in the service.

Mr. Elwyn S. Woods, the Americanism and patriotism chairman of the Missouri State Association of American War Dads has written this tribute to Dwight D. Eisenhower. Under unanimous consent I insert this article at this point in the RECORD:

DWIGHT DAVID EISENHOWER

(By Elwyn S. Woods)

Unworthy as our effort may be, we must pay our tribute to one who lived so generously for others.

His first altar at his mother's knee, and her great faith when his childish tantrums obsessed him must have tempered his life and laid the foundation for the altar of devotion to his country upon which he placed his life and his fortune, in later years.

The titles of Soldier, Statesman, General and President do not truly indicate his greatness. They but epitomize the inner qualities and talents which made their attainment inevitable. So many aspire to greatness but fall short of the goal; he never was ambitious for honors but acquired them all.

Abilene, Kansas, can rightfully claim the distinction of his boyhood days, but his death, as was said of Mr. Lincoln, "makes him belong to the whole world."

We know not how historians will record him—nor do we care. One thing we know for sure—this great American Patriot was loved by all. He will be long remembered when others are thought of no more. Let us think of him often that we may be reinspired by the rare characteristics he possessed so abundantly.

How better could we close than by quoting from the old-fashioned motto that hung in his bedroom at Abilene, "Thy Will Be Done."

NATIONWIDE SUPPORT BACKS RETENTION OF OFFICE OF SMALLTOWN SERVICES OF DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. EVINS of Tennessee. Mr. Speaker, there is great interest in continuing and retaining the Office of Smalltown Services in the Department of Housing and Urban Development which is providing a vital and essential service to smalltown America.

In this connection, I place in the RECORD herewith a number of communications which I have received recently expressing interest in the continuation and expansion of this Office, including a letter from my colleague, Congressman GRAHAM PURCELL.

The communications in support of Office of Smalltown Services in the Department of Housing and Urban Development follow:

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 28, 1969.

Hon. JOE L. EVINS,
U.S. House of Representatives,
Washington, D.C.

DEAR JOE: I have just heard of your efforts to attempt to save the Office of Small Town Services in the Department of Housing and Urban Development.

I just wanted to let you know that I am behind you 100%. If the small, common dying towns in my District did not obtain aid in solving their problems in creating a more attractive environment for individuals, then I think we can expect them to continue to wither away until there is nothing left of rural America.

The Office of Small Town Services represents a ray of hope in an otherwise gloomy picture. I hope you are successful in convincing the Department that abolishment of this office would not be in the best interests of anyone.

Warmest regards,

GRAHAM PURCELL.

WASHINGTON, D.C.,
April 29, 1969.

Representative JOE L. EVINS,
Chairman, Subcommittee on Independent Offices and Department of Housing and Urban Development, House Office Building, Washington, D.C.:

In the National Rural Electric Cooperative Association's position paper on rural development of January, 1969, we strongly recommend that the Department of Housing and Urban Affairs give high priority to helping small communities. Moreover, we recommend that the office of small town services be expanded as one step in insuring that small towns are not bypassed by HUD's programs. We are disturbed to learn that this office may be curtailed. In which event, the prospects of rural areas receiving HUD assistance could be substantially lessened.

ROBERT D. PARTRIDGE,
General Manager, Rural Electric Cooperative Association.

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WASHINGTON, D.C.,
May 2, 1969.

Hon. JOE L. EVINS,
Chairman, Subcommittee on Independent Offices and Housing and Urban Development, Rayburn House Office Building, Washington, D.C.

MR. CHAIRMAN: The National Federation of Independent Business, with more than a quarter of a million members, has been intensely interested in your bill H.R. 709, for development of rural America. We have polled our members twice on your bill and found that a very large majority of our members supported it. Recommendation No. 51 of the final report of the Select Committee on Small Business (H. Rept. 1985) urges that the Office of Small Town America in HUD be enlarged and that it act as coordinating and liaison agency for all Federal programs and agencies on behalf of smaller cities and towns. We fervently hope that your appropriations subcommittee will take the small business committee recommendation into account when considering appropriations for HUD.

GEORGE S. BULLEN,
Legislative Director, National Federation of Independent Business.

AMERICAN PUBLIC POWER ASSOCIATION,
Washington, D.C., April 25, 1969.

Hon. JOE L. EVINS,
Chairman, Subcommittee on Independent Offices and the Department of Housing and Urban Development, U.S. House of Representatives, Washington, D.C.

DEAR CHAIRMAN EVINS: As you know, the American Public Power Association represents more than 1,400 local publicly-owned electric utilities in 48 States. Most of these systems are municipally-owned and serve small communities throughout the Nation.

These small urban areas have unique problems. They are neither problems of rural, agricultural areas nor problems of large urban complexes.

Because of the fact that most of our members are located in small towns and consequently face these unique problems, we were encouraged by the establishment in the Department of Housing and Urban Development of an Office of Small Communities.

Attention to the possibility of enhancing the viability of the small town has a dual beneficial effect of retaining the small community structure within the country and preventing additional outflow of people from small towns to already overcrowded large cities.

A survey conducted by International Research Associates for the National Rural Electric Cooperative Association showed that 53% of the people would prefer living in small communities but only 29% feel that small communities offer the best opportunity for "building a good life" for oneself.

The Office of Small Communities concentrates on "building a good life" in these small towns which are preferred by a majority of the American people, and hence fills a vital role in our governmental structure. This Office has done a fine job in its short existence, and has been extremely valuable to our Association and our members. We hope that it will be retained and expanded in the Department of Housing and Urban Development, where such an office properly belongs.

Sincerely,

ALEX RADIN.

NATIONAL GRANGE,
Washington, D.C., May 1, 1969.

Hon. JOE L. EVINS,
Chairman, Subcommittee on Independent Offices and Housing and Urban Development, Committee on Appropriations, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN EVINS: The National Grange has a vital interest in the development of rural America and does support any reasonable effort to increase the economic opportunities of rural residents so that the trend of migration to urban areas may be slowed or, in fact, reversed.

Therefore, we feel that it is of vital importance that the special office in H.U.D. entitled "Office of Small Town Services" not only be retained but expanded to meet the needs of rural communities.

"RURAL AREA DEVELOPMENT

"The basic cause of the crisis in our cities today is the flocking of our people from the rural areas in search of a better way of life. This migration from rural areas, which no longer requires the labor of a large number of people in its agricultural pursuits, has been recognized by the President and the Congress.

"The Grange recommends that public policy goals should include:

"1. Adequate assistance to help rural people adjust to changes within agriculture or to obtain the means to enable them to make rewarding contributions in non-farm employment;

"2. Adequate assistance to help them adjust their community institutions such as health, education and welfare, to a changed environment.

"Further, the National Grange will support all legitimate efforts to improve opportunities and economic income-producing potential for small farmers to reduce migration to cities and aggravation of tensions."

The above policy statement was adopted by the delegate body of the National Grange, at its 102nd Annual Session, in November, 1968.

The necessary funding of H.U.D. to retain and expand the "Office of Small Town Services" is of primary importance in meeting the needs of our rural-urban residents.

Mr. Chairman, we would be pleased to have this letter made a part of the hearing record.

Sincerely,

JOHN W. SCOTT,
Master.

WASHINGTON, D.C.,
May 2, 1969.

JOE L. EVINS,
Chairman, Subcommittee on Independent Offices and Department of Housing and Urban Development Appropriations, U.S. House of Representatives, Washington, D.C.:

Proposed action to close the Office of Small Town Services in HUD would be a tragic blow to small towns and cities that are eligible for many HUD programs. We urge that congressional mandate that HUD serve both small cities and large cities be followed so all can get equitable treatment.

TONY T. DECHANT,
President, National Farmers Union.

COOKEVILLE, TENN.,
May 1, 1969.

Congressman JOE L. EVINS,
Washington, D.C.:

As mayor of Cookeville I urge you to do all in your power to support the Office of Small Town Services in the Department of Housing and Urban Affairs. This office has rendered invaluable services to Cookeville. We look forward to continued benefits from these services this office renders. We urge you to support this office in the Department of Housing and Urban Affairs.

ROBERT C. DAVIS,
Mayor.

SPARTA, TENN.,
May 1, 1969.

Hon. JOE L. EVINS,
U.S. House of Representatives,
Washington, D.C.:

I strongly urge your continued support for the Office of Small Town Services in the Department of Housing and Urban Affairs. This office has been very useful and beneficial to our city in the upgrading of many of our public services.

We rely heavily on its advice and assistance and our community would be deeply disappointed and affected if the services of this Department are discontinued or even diminished.

Best regards.

BOB BREEDING,
Mayor, City of Sparta, Tenn.

KENAI, ALASKA,
May 1, 1969.

Representative JOE EVINS,
Washington, D.C.:

Urge your support NRECA position to retain HUD Small Town Office.

JESS H. NICHOLAS.

HOMER, ALASKA,
May 1, 1969.

Hon. JOE EVINS,
U.S. House of Representatives,
Washington, D.C.:

We strongly support and urge consideration of continuance of the office of Small Town Services within the office of Housing and Urban Development. The problems with the cities are developing because of inadequate opportunities and facilities of small towns. Surely by now this should be apparent to all concerned with the problem.

EDWARD REHDER,
President, Homer Electric Association.

KENAI, ALASKA.

Representative JOSEPH EVINS,
Washington, D.C.:

City of Kenai urgently urges strengthening office of Small Town Services HUD vital to Alaska development.

JAMES W. HARRISON,
City Manager.

WASHINGTON, D.C.,
May 2, 1969.

Congressman JOE L. EVINS,
House of Representatives,
Washington, D.C.:

Rural areas and small towns are victims of unorganized points of persuasion. They do not riot and demonstrate. They feel that the office of Small Towns Services is their only link with HUD. A cooperative league is distressed that our rural and small towns communities are being by-passed instead of encouraged to stay in the rural areas. Your support for maintenance and expansion of the office of Small Town Services will be appreciated.

DWIGHT D. TOWNSEND,
Vice President, Cooperative League of U.S.A.

MADISON, WIS.,
May 2, 1969.

Hon. JOE L. EVINS,
House Office Building,
Washington, D.C.:

We urge that you do everything possible to preserve the office of Small Town Services in the Department of Housing and Urban Development. Rural America seriously needs supporting agencies such as this in its present effort to improve its job and income potential and general quality of life. Losing this helpful facility or even a part of its effectiveness will impair other vigorous attempts at substantial rural development. In this event solutions surely will be delayed also for many urban troubles clearly rooted in rural problems.

W. V. THOMAS,
General Manager, Wisconsin Electric Cooperative.

COLUMBUS, OHIO.

Congressman JOE EVINS,
House Office Building,
Washington, D.C.:

Would like to recommend expansion of Small Town Services in HUD's program. Our

State Association of Rural Electric Cooperative representing 15,000 members supports this program.

Howard A. Cummins,
Ohio Rural Electric Cooperative.

Montpelier, Vt.,
May 2, 1969.

Representative Joseph Evins,
Chairman, HUD Appropriations Committee,
House of Representatives,
Washington, D.C.:

We are informed that the Office of Small Town Services in the Department of Housing and Urban Development is in danger of being eliminated or financially curtailed. It is one of the few rural helps in HUD. NRECA in its programs for rural development has recommended that this Office of Small Town Services be expanded and stepped up in priority for rural area in the HUD multibillion program. The loss of benefits from this program would be felt by the 12,000 plus people this cooperative serves. We wish to urge you to express your support for much needed Office of Small Town Services.

John H. Larkin,
President, Washington Electric Cooperative.

Richmond, Va.,
May 2, 1969.

Congressman Joe Evins,
House of Representatives,
Washington, D.C.:

The Rural Electric Cooperatives of Virginia are greatly concerned about the development of the rural areas Office of Small Town Services HUD can provide services to enhance our efforts as we work through free enterprise to develop rural areas urge that this office be kept and adequately funded.

Earl J. Shifflet,
Executive Manager, Virginia
Association of Cooperatives.

Indianapolis, Ind.,
May 2, 1969.

Hon. Joe L. Evins,
U.S. House of Representatives,
Rayburn Office Building, Washington, D.C.:

On behalf of Indiana's Rural Electric Cooperatives and their 190 thousand member consumers we urge that adequate funds be provided for the Office of Small Town Services in the Department of Housing and Urban Development. Such funds are essential to guarantee the use of bold, imaginative and large scale corrective measure to help reverse the social and economic detioration of rural areas and arrest the migration of displaced rural people to urban centers. Our leadership is ready, willing and able to assist in the vital path of revitalizing rural areas we further urge that Congress put high priority to the solution of this problem with the objective of making rural America a full partner in the Nations life and prosperity.

A. D. Mueller,
Executive Vice President.

POLISH CONSTITUTION DAY

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. KARTH. Mr. Speaker, on the 3d of May, the U.S. Congress traditionally joins with citizens of Polish origin in commemorating one of the outstanding events of Polish history—the 3d of May Constitution Day.

On this day in 1789, Poland pioneered freedom and liberalism in Europe by adopting a constitution of its own. It is appropriate that we recall in America that this early European assertion of democracy was made in Poland and that self-government was achieved without bloody revolution.

This year, several other significant dates in Polish history also coincide with Constitution Day. We are sobered in recalling that this is the 30th anniversary of the German-Soviet attack on Poland; this date also marks the epic victory of Polish troops at Monte Cassino during World War II, as well as the heroic Warsaw Uprising; it also coincides with the 25th anniversary of the founding of the Polish-American Congress.

Taken together these historic events serve as a solemn reminder of the price that has been paid by the Polish people for an elusive freedom. Mr. Speaker, it is fitting that we join today with people of Polish origin in America and throughout the world in a persistent hope that one day a free Poland may emerge. The deep faith and courage of every Pole is a source of inspiration to us all and reaffirms our belief that international justice must at last prevail.

WE NEED MORE DOCTORS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. DERWINSKI. Mr. Speaker, Lt. Gov. Paul Simon, of Illinois, in a column distributed to newspapers throughout the State touched upon the need for more doctors to service the populace.

His comments were inspired by the emphasis which has been placed on the subject by Dr. Philip G. Thomsen, president of the Illinois Medical Society. The article tells its story in a very effective fashion drawing upon an extremely knowledgeable source.

The article follows:

We Need More Doctors

(By Lt. Gov. Paul Simon)

The president of the Illinois Medical Society recently issued a strong statement calling for a dramatically stepped up program to have more doctors in the state.

Dr. Philip G. Thomsen's unusual statement squarely faces the realities in Illinois. He notes, among other things, that Illinois medical schools graduated 40 fewer last year than in 1934, when he got his diploma.

"We cannot afford the luxury of time," he stated. "America had a crash program in World War II which doubled the annual output of doctors. We need the same thing now."

Not only are there fewer physicians and dentists, as he points out, but because of the increasing specialization there are fewer and fewer in the areas of greatest need.

Here are some examples which I have seen:

1. A teacher in an inner-city situation said none of her second grade students had been to a dentist until she took them to a dental school. Some of their teeth were in unbelievably bad shape. There are no dentists in the area of the school.

2. A few weeks ago I visited the community of Robbins, population 9,500. They have no physician and very limited transportation facilities. The death rate at birth in Robbins is double that for the rest of the county where it is located.

3. Pembroke Township in Kankakee County has 12,000 citizens and a physician only two days a week.

At least once a month some community calls to tell me its desperate plight. O'Dell, Illinois—along Highway 66—has had a sign up for months that it needs a doctor.

Dr. Thomsen suggests that the medical school must be used better—that they are producing fine research people, but not nearly enough family doctors.

He also feels that the medical schools should have more programs to help keep the physician in the small community abreast of the latest developments.

What the outspoken doctor says makes a great deal of sense. He calls the recent report to the Illinois Board of Higher Education to gradually increase the number of doctors as excellent but "too gentle with time".

The Illinois Medical Society's President makes sense in what he says.

MEDICARE'S CHALLENGES

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. GROSS. Mr. Speaker, it is a pleasure for me to insert into the Record at this time, the courageous address of my colleague, the Honorable Durward G. Hall, of Missouri. The address was delivered last Wednesday, April 30, before the 170 members of the American College of Hospital Administrators attending the District 2 Education Assembly on Hospital Administration, in Pittsburgh, Pa.

Congressman Hall's remarks were delivered not only as a Member of Congress, but as a former physician and surgeon, and specialist in general surgery with the Smith-Glynn-Callaway Clinic, in Springfield, Mo. The address follows:

Recently I sought permission and by unanimous consent was given the opportunity to insert in the Congressional Record, a sixty page report published by the Washington office of AMA, entitled, "Federal Medical Health Appropriations for Fiscal 1969." Similar annual reports prepared by the Washington office of AMA have been made available since the early 1960's. Like all growing things, Federal health appropriations have blossomed. Listen to these figures for the fiscal year ending June 30, 1954—Federal expenditures were one billion dollars. Six years later and in fiscal year 1960 the total was 3 billion 160 million dollars. Six years later, for the fiscal year 1966 (and by now medicare was on the books) the total reached $15 billion, 517 million. In the current fiscal year, which will end on June 30, 1969, the expected total will be $16 billion, 771 million. More than 100 health programs are found throughout the National Government in 21 separate Departments and Agencies. The Department with the lion's share of appropriations is the Department of HEW which in this current year will have available more than 11.8 billion dollars. The dollar-growth experienced in Federal programs has been kept pace with—by the increase in the number of legislative proposals. Twenty years ago, for the full two year 81st Congress, only 251 bills could be identified as dealing with medical matters. In the 90th Congress (which closed last October), the total number of bills attributed to medicine or health totaled 1453. There

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can be no doubt that the Federal Government's interest in medicine is in an inflationary spiral.

I am sad to report that many of my colleagues in the Congress, fine fellows, but lacking in real training or insight into medicine's problems have become authors of "proposed health legislation"—legislation which would be deleterious in many cases to the quality of medicine. Let me give you such an example in this 91st Congress, i.e., 26 bills have been introduced to permit chiropractors to furnish their services to the public in all federally assisted health programs. Still others demagogue about what they consider the unreasonably high costs of delivering health services, by providers of such health services.

The knowledge about health matters possessed by these "critics" regarding the factors involved is no more adequate, than it was when the same congressmen voted to enact the programs without sufficient understanding and information—and now they complain that their programs are costing the Federal Government too much money! Prior to the enactment of the medicare program, hospital administrators were telling Congress for years that the passage of fair labor standards with higher minimum wages had to result in higher per diem rates. Physicians were telling Congress that over-utilization would occur. They warned of a physician-shortage because physicians were being drawn away from private practice by easy Federal research grant money, thus causing a more unfavorable doctor-patient ratio. They warned this would cause index-changes in the cost of delivering service, higher costs than those predicted by eager HEW actuarial predictions of costs. They also were telling Congress that this would be especially compounded by heavy Government spending resulting in inflation which would raise the cost of providing services in its fallout on office rents, salaries of technicians, assistants, and even the cost of malpractice insurance rates (now practically unobtainable for class V risks).

In my opinion and recollection your national association and a good portion of your membership failed to join in warning the Congress, that the cost estimates were unrealistically low.

Liberal Members of Congress now don't like to be told that their liberal (and unthinking) votes, thrust many of these programs into the statute books during the Great Society administration.

Their angry attitude is illustrated by such inquisition type hearings, as the current "cost of care" hearings being scheduled before the Senate Finance Committee, the Senate Labor and Welfare Committee, and the House Interstate and Foreign Affairs Committee. There are also the Nelson drug hearings, and the Hart hearings, etc., which are advertised as a "breach" between the druggists and physicians; but actually are meant to keep the entire free enterprise practice system in bad repute with the public. There are still other dangerous hearings being held based on such legislative proposals as those which would restrict the physicians from using any but generic drugs in all the Government-financed (or partially financed) health programs, including medicare, medicaid, and the military dependents programs, to mention but a few.

There are a goodly and adequate number of worthwhile Federal programs advocated by the more thoughtful and studious Members of Congress. I, being a physician, attempt to give support, guidance, and advice on these, e.g., eldercare, needy, etc. The House Interstate and Foreign Commerce Committee has been holding hearings to effectuate a three-year extension of the Hill-Burton construction program. Surely I expect to give my best efforts to assure a continuance of the fine program so long as its administration remains in the States, to pick and choose the objects of Federal financing for not only new, but old facilities which need refurbishing and modernizing.

I certainly would oppose replacing State administration of grants, and instead substitute putting administrative authority for this program in a Federal arbiter.

Another proposal before the same House committee will broaden and enlarge programs in the area of encouraging the production of all types of health personnel, doctors, nurses, technicians, etc.—proposals of this type will also receive my support.

As you know, I am one of only three physicians members of Congress. One Congressman is a former druggist, none now are trained in dentistry, none have been a hospital administrator. You folks have a real chore to fill this vacuum by becoming acquainted with, and giving advice to your elected congressional representatives in a field in which you are knowledgeable. If you don't run for, and fill this void, education of Congressmen in medical matters must, in my opinion, be accomplished using hometown props. For instance, if your town or your State has a medical personnel shortage and you believe Federal funds are needed to aid in producing more such graduates, let your Congressman know your views! Employ the expertise of your school officials, have your hospital administrators and trustees give their valuable advice, and don't fail to use local and State officials who are aware of the need. If there are Federal programs which have been proposed erroneously, demonstrate the reasons why such a program should be laid aside, or the effort transferred to more meaningful areas—and again with hometown props, prove to your Congressman that there is no unmet need. In any event, you must ever remain the professional experts.

You must offset advice provided Congressmen by "know-nothing" social planners who are without credentials, training, or meaningful medical knowledge. How about a "healing arts committee?"

The two recently enacted programs, Medicare and Medicaid, are having a revolutionary effect on the health care industry! They have caused the average annual rate of hospital cost, which was calculated at seven percent for the twenty years from 1945 to 1965, to soar to almost double that, following 1965.

Now that all of the members of the "health team" are being criticized by the news media and the Congress, there are some admissions that all concerned should be prepared to make. There are solid reasons for the health-team to get together and suggest solutions:

1. Let the Congress admit that its "Medicare" Act (passed versus professional advice), turned an expected ceiling on fees, into a floor.

2. Let the AMA admit that there is a doctor shortage of about 50,000. Action should have been taken to alleviate this years ago.

3. Medical school deans should admit, that all along they could have taken a few more students. The graduating classes were doubled during World War II and should be doing the same thing now. (An Illinois doctor has told me that 13 Illinois county-seat towns are without an M.D.).

4. Let the medical teachers admit that they have been lured by easy federal research money, instead of performing their prime function, teaching! (Grantsmanship!)

5. Let the welfare departments admit, that for too long, they have been getting by with paying less than actual cost for welfare patients. (Failure by definition!) Social security up and welfare up!

6. The hospital association should admit that it erred in not warning the Congress of the high cost that would be incurred with the passage of medicare. I did! What about selling out "training" for cheap-help, and full coverage with elimination of your annual twenty percent "charitable" accounts-receivable?

7. We should all speak out against the liberalization of the eligibility test in medicaid: that is, the $5,600 program in New York and others (needy not greedy).

8. The annual increment rate of physicians fees has gone from three percent, perhaps due to a combined fear of schedules, the "floor", and in many cases—pure gluttony, have bungled the relationship with American nurses.

The "league" could do some admittin' re: Patient care! Having confessed, and hopefully purged and redirected—what then is the RX?—

1. All members of the health-team, must face up to the need of an orderly development of priorities to assure maximum effect in use of federal funds, and all must have the courage to say, let's go easy on research money until we can get some of our prime needs cared for, such as the needed rehabilitation of physical facilities, a balanced budget, payment on the national debt, etc. Mundane and square perhaps, but most timely and essential—it's your money!

2. Let us have the courage to say to Congress, that many Hill-Burton hospitals in rural areas, with only fifty percent occupancy, are wastful! Let's try to locate needed facilities without regard to political considerations, expediency, or crass provincialism! The old bromide of a "work-shop" plea, begets no more old fashioned general practitioner.

3. As a "health-team" we have a lot of "image" building to accomplish, before we can restore the proper image to the American people. We must do it together! We must not fight among ourselves, instead we must gird ourselves for the greater battle of overcoming the health care needs for generations to come with increased demands and quality! We must not again sell each other (one or the other) down the river for unit gain or the will of the wisp!

In closing, I would like to urge, that everyone of you present, if not as an organization, by a response as an individual citizen—do your part to preserve our way of life—form your own medical committee; call on your congressman; write letters to your congressman. This is the essence of good participation in the mechanics of a representative government in the republic whose constitution can be changed from within. The effort is worth it.

It's not two minutes' till midnight. This is not the time for harbingers of doom or "nervous Nellies." We have no time for the kind of attitude; "it's our money—I'll get mine before they get theirs." It is the time to stand up and be counted for what is right.

"Not gold, but only men can make,
  A nation great and strong
Men who for truth and honors sake
  Stand fast and labor long.
Brave men, who work while others sleep,
  Who dare while others shy
They build a nation's pillars deep
  And lift them to the sky."

HON. HARRY SHEPPARD

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, it was my privilege to serve in this distinguished body with our late friend and colleague, Harry Sheppard. His long tenure in the Congress will distinguish him forever as a great American and an invaluable credit to the State of California. He was a remarkably able and energetic man who brought a great

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deal more than simply adequacy to his duties, both in the House of Representatives and as the extremely able dean of the California delegation. We have missed him a great deal since his retirement and his passing comes as a saddening piece of news in these troubled times.

In his work on the Appropriations Committee, Harry Sheppard was a stanch and responsible guardian of our national security and a true patriot as well. I remember him for these qualities and, above all, his characteristic and unwaivering honesty. He was a rare and special Congressman who brought the best qualities to the job.

He and his lovely wife Kay were always a gracious and generous host and hostess to all of us; we will deeply miss Harry's good humor and companionship. To Kay Sheppard, Mrs. Wilson and I extend our deepest sympathies at this difficult time.

We in the House of Representatives are fortunate to have had Harry Sheppard's friendship and guidance for so many years. He was an exceptional Member of this body and an outstanding American. He will occupy a distinguished and honored place in State and congressional history.

LAW DAY, 1969, ESSAY

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. BRINKLEY. Mr. Speaker, as part of the recent observance of Law Day, the Columbus, Ga., Lawyers Club sponsored an essay contest for local high school students. The winning essay, entitled "Justice and Equality Depend Upon Law—And You," was submitted by Miss Rebecca Burt, of Baker High School, daughter of Mrs. M. W. Burt, 2444 Pye Avenue, Columbus, Ga. It is pleasing to see young people participate in worthwhile projects such as this, and I believe Rebecca's words have particular significance for the time in which we live. I would like to include her essay in the RECORD at this point in the belief that Members will find it to be refreshing and reassuring.

JUSTICE AND EQUALITY DEPEND UPON LAW—AND YOU

Lev Tolstoi once said in *War and Peace*, "Where there's law there's injustice." Inequities do exist in a society ruled by laws, and as a result many men have been deprived of their freedom. The Black man was bound in slavery for two hundred years and exiled by segregation for another two hundred—the Jew was ostracized by many of the Christian communities—the woman was denied the right to vote—and the American Indian was declared not a citizen. All these injustices existed under the law—the law created by man, fallible man. Yes, "Where there's law there's injustice," but where there's no law there's no justice. After the American Revolution when the Articles of Confederation were ratified, there was much confusion concerning the powers of this new government. Under this weak government, the law did not provide for justice. There was corruption in the state legislatures, rebellion in the states to resist by force actions to collect debts, and riots in New England in response to foreclosures for taxes and debts. Only upon the ratification of the Constitution in 1788 did the government begin on its way to attaining justice and equality for all men.

One can easily see that the law has not always been fair or good. Many times it has become the tool of those few who merely seek control over others. This is where "you" enter. This is where the individual must resolve himself to do what is right by creating the just law that is fair to all men. However, there are those who think that society can never be exonerated of all its sins against mankind. They call for the complete destruction of society and all its laws, whether good or bad, in hopes of creating a new world of justice and equality. Such was the mistake of the French Revolution of 1789. There were many voices who realized the force of tradition in human affairs and tried to holdfast to what was good and useful in the older order. However, their voices were silenced by the roar of the Paris mob. And so the older order was swept away before a new one was ready to take its place. As a result, the French Revolution became nothing but successive attempts to build up an ideal order on ruins. Only by working with what man has so painstakingly learned through many centuries of war and peace, slavery and freedom, and tyranny and democracy can one ever hope to make the world more just—more free.

Others, who believe that society has had its chance to right all the wrongs but has not succeeded, have resigned themselves from organized society, away from the evil man inflicts upon man. Although they leave behind many injustices, they also leave behind a world that is in need of their help, a world that cannot escape itself. Of course, there are unjust laws, but they were created by man and they can be changed by man.

One cannot change the unjust laws by loud protestations calling for the destruction of society and all its laws. Equality cannot be guaranteed by the "withdrawal" of those who proclam that they will have nothing to do with an unjust, an evil society. Justice can only be attained by the involvement of the people working for the "right" within the framework of the law.

TRIBUTE TO THE MEMORY OF THE LATE HARRY R. SHEPPARD

SPEECH OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. EVINS of Tennessee. Mr. Speaker, I want to join with my colleagues from California and others in paying a brief but sincere tribute to the memory of our late friend and colleague, Harry R. Sheppard, of California.

Certainly, I was saddened to learn of his recent passing, as I recall his warm personality and his humane philosophy. Harry Sheppard was a dedicated American and he served his district, State, and Nation with distinction and effectiveness.

It was my pleasure to serve with Harry Sheppard when he was chairman of the Speaker's Committee on Personnel. As a fellow member of this committee, I found this to be a most rewarding relationship. Harry Sheppard was always fair and genial and considerate—our association was memorable. He carefully considered each request and his recommendations and decisions were appropriate and judicious.

He also served ably as dean and leader of the California House delegation, and as a member of the Committee on Appropriations. Harry Sheppard was our good friend and he will be greatly missed. I take this means of extending to Mrs. Sheppard and other members of the family this expression of my deepest and most sincere sympathy in their loss and bereavement.

PENNSYLVANIA—FIRST IN THE NATION TO ESTABLISH AIR AND WATER POLLUTION MONITORING NETWORKS

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. JOHNSON of Pennsylvania. Mr. Speaker, Gov. Raymond P. Shafer of Pennsylvania in his April 28, 1969, information newssheet titled "A View From the Governor's Office" discussed his administration's 10-year Project Environment featuring the use of the computer in monitoring air and water pollution on a statewide basis as well as the State's comprehensive waste management system. Governor Shafer's statement follows:

A VIEW FROM THE GOVERNOR'S OFFICE

(By Gov. Raymond P. Shafer)

Pennsylvania—first in the nation to create a statewide computerized water pollution monitoring network, first in the nation to establish an automatic air monitoring network on a statewide basis, first in the nation in legislation for a comprehensive solid waste management system.

As part of this Administration's 10-year "Project Environment," these trend-setting accomplishments have placed the Commonwealth in the forefront of states which acknowledged that protection of man's environment is an essential guardianship, more than a refereeing job.

Deputy Secretary for Environmental Protection Wesley E. Gilbertson of the Department of Health puts the problem this way:

"Once we could run away from the problems that threatened life and the quality of living in places where people congregated. Now there is no place to hide. If we want our environment fit to live in, we must fight for it."

FIRST IN COMPUTERIZED WATER CONTROL

A federal grant of more than a quarter of a million dollars was awarded to the Bureau of Sanitary Engineering in January to assist in developing a comprehensive water quality management information system for the more than 50,000 miles of Pennsylvania waterways.

Designed to tighten enforcement of Pennsylvania's model Clean Streams Law, the statewide water pollution monitoring network began with a complete water quality inventory of all of Pennsylvania's streams to pinpoint known sources of pollution and provide detailed information on existing and needed waste treatment facilities.

Hundreds of man-hours were involved in taking individual samples from waterways

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under varying conditions. This project has now progressed to the point where Pennsylvania has detailed information on water pollution never before available.

When fully operational within the next two or three years, a central computer bank will store this and related information and make it instantly available to locate sources of sudden slugs of pollution, to investigate known polluters and to record enforcement actions taken by the State Sanitary Water Board.

AUTOMATIC AIR MONITORING

Major legislation designed to make Pennsylvania the leading State in the Union in controlling air pollution was passed in July, 1968.

This forward-looking legislation resulted in an award in late 1968 of $699,222 in Federal funds to Pennsylvania to establish the first State-wide air pollution monitoring network in the Nation.

In addition, Pennsylvania is one of only three States whose present air control program has been awarded Federal funds for continuation of its pioneering efforts.

Two experimental mobile field stations are already in operation, one near Norristown, Plymouth Township, Montgomery County; another near Chester, Delaware County. It is expected the automatic network will include at least 25 different sampling sites in the State.

The 1968 legislation makes it possible for the Commonwealth to plan and develop its Clean Air Program in cooperation with local jurisdictions and the State's industries. Under the new amendments, regional air pollution control associations are given a more limited time period to resolve air pollution problems, and the public's right to take legal action is clarified.

A comprehensive list of criteria already developed by the State Air Pollution Commission for such pollutants as sulfur dioxide and other gases, and smoke, soot and dust will greatly facilitate the task of establishing standards.

Within the next few months, standards for the control of air pollution in the recently designated "Federal Metropolitan Interstate Air Quality Control Region" will be completed. This region includes Bucks, Chester, Delaware, Montgomery and Philadelphia Counties in Pennsylvania plus Burlington, Camden, Gloucester, Mercer and Salem Counties in New Jersey and New Castle County in Delaware.

Last month Federal hearings were held on a plan to designate the Western Pennsylvania Counties of Allegheny, Armstrong, Beaver, Butler, Lawrence, Washington and Westmoreland as a Federal air quality control region.

Since complete guidelines for developing implementation plans have not yet been issued by the Federal Government, Pennsylvania will continue enforcing its own State regulations until all Federal requirements are determined.

FIRST IN SOLID WASTE MANAGEMENT

On July 31, 1968, Governor Shafer signed into law Pennsylvania's pioneering Solid Waste Management Act.

Intent of the Act is to provide urbanized areas of the Commonwealth with protection from public health hazards emanating from improper handling of solid waste. This Act also makes Pennsylvania the first State to establish a cooperative effort with local governments to develop a comprehensive, State-wide solid waste management program.

Basically, it provides for the planning and regulation of all types of solid waste matter including domestic, agricultural and industrial wastes, their storage, collection, transportation, processing and disposal.

Pennsylvania's program requires municipalities to submit to the Department of Health plans for solid waste management systems in their jurisdictions and authorizes grants to municipalities to help them prepare plans for submission by the end of 1970.

Effective January 1, 1970, permits will be required for the disposal of solid wastes. The Act prohibits the construction, alteration or operation of solid waste disposal or processing facilities without a permit from the Pennsylvania Department of Health. A 22-member Solid Waste Management Advisory Committee is already working on policy and formulating guidelines.

In 1966, Pennsylvania became one of the first states to apply for and receive a Federal grant to conduct a three-year study on which to develop a State-wide solid waste management plan. The inventory of solid waste storage, collection and disposal practices of 2,559 municipalities (100 percent) has been completed, and an inventory of the practices of Pennsylvania's industrial and agricultural establishments is on its way to completion.

Pennsylvania was a member of the National Task Force Committee which developed data inventory forms for solid waste studies. It was one of five states which tested the forms and was the first State to adopt and use them. It was also the first State to use the U.S. Public Health Service's data processing facilities to compile information from these forms.

In all three areas, Pennsylvania has again shown its determination to move forward in environmental protection. With continued public support, I am certain that it will.

"DOC" ABERNATHY'S CONTRIBUTION TO THE POOR

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. RARICK. Mr. Speaker, Ralph Abernathy and his tent city fiasco in Washington, D.C., last year has cost the U.S. taxpayers $275,600.

Perhaps the Justice Department will recover our costs from Abernathy and SCLC's tax-free receipts from contributions.

I ask that clippings from the local papers be printed in the RECORD:

[From the Evening Star, Washington, D.C., May 2, 1969]

TENT CITY COSTS PUT AT $275,600

Resurrection City cost the federal and District governments $275,600, most of which has never been repaid, a House subcommittee revealed today.

Nash Castro, regional director of the National Capital Region, told a House Interior Appropriations subcommittee in testimony made public today that efforts failed to recover the money from the sponsor of the Poor People's Campaign, the Southern Christian Leadership Conference.

He said the collection issue now is before the Justice Department.

He said police costs totaled $144,989; engineering costs to lay out the site, $178; additional police cost for the Solidarity Day march, 9,027, and $5,580 to clean up the area after the march. Castro said it cost $35,000 to resod the 12 acres of grass which was destroyed in the area. The department has only recovered $10,000.

Castro, asked what guideline would be followed for future marches, said:

"Madam chairman, I like to think that we are not going to involve ourselves in another demonstration such as that on the basis of our past experience and because of the many, many implications of demonstrations such as that," Castro said. "From the safety point of view, I don't think it is in the public interest to permit demonstrations such as that."

[From the Washington Post, Washington, D.C., May 3, 1969]

SCLC OWES $265,000

Nash Castro, regional director for the National Park Service, has told a House subcommittee that the 1968 encampment of poor people near the Lincoln Memorial cost the Federal and D.C. Governments $275,600, most of which is still owed by the Southern Christian Leadership Conference, sponsors of the Ressurection City project.

In testimony released yesterday, Castro said $5000 had been realized from the sale of lumber from the encampment and the Government retains the $5000 bond posted by SCLS. Collection of the rest, Castro said, has been left up to the Justice Department.

In response to a question, Castro said, "I like to think that we are not going to involve ourselves in another demonstration such as that . . . from the safety point of view, I don't think it is in the public interest to permit demonstrations such as that."

POLISH CONSTITUTION OF 1791

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. MINISH. Mr. Speaker, I am proud to pay tribute today to the people of Poland and to Americans of Polish descent on the occasion of the 178th anniversary of the adoption of that inspiring document modeled after our own Constitution—the Polish Constitution of 1791.

Without a bloody revolution or disorder of any type, the noble Polish people, through the constitution of 1791, transformed their homeland into a modern state by effectively correcting the most basic shortcomings of both their parliamentary and social systems.

That Constitution reads in part:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

Today, although the fulfillment of these high ideals has been tragically thwarted by Communist domination, this expression of national commitment to free and democratic institutions lives on in the hearts of Polish people both in the mother country and in nations throughout the world.

Poland's history since the proclamation of May 3, 1791, has been marked by frustration and external domination. Within 5 short years, the Polish Republic was partitioned for a third time as Russian and Prussian troops invaded and divided the nation among themselves and the Austrians. Later Polish history has been scarred by the invasion and domination by the totalitarian forces of nazism and communism. At the conclusion of World War I the forces of democracy and freedom again saw hope for the permanent liberation of the Polish people. This rebirth, however, was cruelly

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crushed and engulfed first by the nazis in 1939 and later by the Soviet Union.

Today we who are fortunate enough to still enjoy the blessings of our Constitution, extend our sincere prayers to the people of Poland that their indomitable spirit will continue to sustain them until they too achieve liberation into a free and democratic nation.

I should also like to express genuine appreciation today to all Americans of Polish ancestry. Our Nation owes them an immense debt for their unfailing dedication to liberty and justice for all peoples of the world.

BISHOP HALLOCK OF MILWAUKEE CALLS ON PRESIDENT NIXON TO STOP ARMS RACE AND WAR IN VIETNAM

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. REUSS. Mr. Speaker, the Right Reverend Donald H. V. Hallock, bishop of the diocese of Milwaukee, recently wrote President Nixon, urging that he act quickly to bring the war in Vietnam to a close and to curb the influence of the military-industrial complex. The letter is included in the Bishop's column in the April 1969 Milwaukee Churchman. I commend the column to my colleagues for its thoughts on war and peace and student unrest in our age.

FROM THE BISHOP'S DESK

"Dear Mr. President. . . ."

I had never written to a president before, but the other day it happened. I could contain myself no longer and I wrote President Nixon the following letter:

"THE PRESIDENT OF THE UNITED STATES,
"The White House,
"Washington, D.C.

"DEAR MR. PRESIDENT: Please get us out of Viet Nam—as quickly as possible! This is a miserable war nobody can win. Let us stop this useless and senseless killing!

"Please break the vicious grip of the military-industrial complex upon our nation's resources, human and material. There can be no peace in the world as long as this combination of generals and weapons manufacturers wields such influence in our decisions of national policy and budget. Our great President Eisenhower gave us fair warning!

"Accomplish these two things, Mr. President, and the whole world will rise up and call you blessed.

"I pray God will give you courage and strength to do His will as you face such difficult tasks in these terrible and terrifying days.

"Sincerely and prayerfully,
"DONALD H. V. HALLOCK,
"The Bishop of Milwaukee."

I am not a pacifist and I served twenty three very active years in our country's reserve forces including over five years in WWII. But now our country, and the whole world, is in very deep trouble because we have come to accept war, not peace, as the normal state of affairs. How many years has it been since there was any peace anywhere to be found? I can hardly remember and the NOW-generation under thirty years of age never has known anything else but war and nations on a war-footing.

Two years ago, in an address to the United Nations shortly before his death, Adlai Stevenson stated that the fate of the world will be decided before the year 2000 and that we may be the last generation on earth. The last! When the nuclear weapons are unleashed, and each escalation increases that danger, it may well be the end of the world. Faced with such a grim specter it is no wonder that students riot against a system that accepts war and the nuclear threat in such "business-as-usual" complacency. We saw this student unrest in India, where the huge Hindu University at Berares had been shut down for weeks and the army was occupying the campus. When we reached Tokyo we found all of the Japanese universities were on strike, including our own St. Paul's, one of the largest. A student riot took place the day we left, aimed at getting U.S. air bases out of Japan.

The New Yorker for March 22d quotes from an address by a Harvard biologist, George Wald, a Nobel laureatet, its title most significant: "A Generation in Search of a Future". With the world in the shape it is how much assurance is there that there will be any future? One specialist in government that Professor Wald quotes estimates the chances of full-scale nuclear war as increasing by two per cent per year, in other words by 1990 the chances being one in three, by the year 2000 fifty-fifty. Anything less than a full scale nuclear attack is unthinkable. When one goes they all will go.

And what will that be like, presuming the world isn't smashed to smithereens? It is frightening to contemplate Professor Wald's description, "The Most conservative estimates of the number of Americans who would be killed in a major nuclear attack, with everything working as well as can be hoped and all foreseeable precautions taken, run to about fifty million. We have become callous to gruesome statistics, and this seems at first to be only another gruesome statistic. You think, Bang!—and next morning, if you are still there, you read in the newspapers that fifty million people were killed.

"But that isn't the way it happens. When we killed close to two hundred thousand people with those first, little, old-fashioned uranium bombs that we dropped on Hiroshima and Nagasaki, about the same number of persons were maimed, blinded, burned, poisoned, and otherwise doomed. A lot of them took a long time to die.

"That's the way it would be. Not a bang and a certain number of corpses to bury but a nation filled with millions of helpless, maimed, tortured, and doomed persons and the survivors huddled with their families in shelters, with guns ready to fight off their neighbors trying to get some uncontaminated food and water."

A frightening and a harrowing picture, but that is the way it could be unless the insane madness of the war psychology is reversed, and soon! I just have an idea that the will of God is that we should use our abundant resources to wipe out hunger and poverty, not the human race.

SPEECH BY CONGRESSMAN CORNELIUS E. GALLAGHER COMMEMORATING THE LOSS OF A YOUNG VIETNAM VETERAN

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. GALLAGHER. Mr. Speaker, perhaps too much of the news about the youth of today centers around the actions of a small group of violent campus radicals. Today I would like to praise a young unheralded hero. Chester Jarmolinski was killed in Vietnam but the principles he stood for will not die. These are the principles which the majority of the youth of today stand for. They are the principles which unfortunately like Chester's action and life do not get the same coverage as those who would destroy the values that have made America the greatest human experiment.

I feel there is hope for our country in this its time of trouble because we still find modest men of great courage and great character like Chester Jarmolinski.

I would like to enter into the RECORD an article from the April 19 edition of the Jersey Journal. It tells the story of Chester Jarmolinski:

CHESTER JARMOLINSKI GAVE HIS LIFE FOR A CAUSE—WORKED FOR THE JERSEY JOURNAL

(By Phil Voza)

A smiling, diffident, bespectacled young fellow with grateful, vibrantly blue eyes looked around at his colleagues in The Jersey Journal composing room one afternoon several months ago. He had been exhorted: "Make a speech, Chester! Make a speech!"

But Chester Jarmolinski could not comply. He was just a little overwhelmed at the surprise party arranged by Edward Goldsmith, former president of Local 94, International Typographical Union, of which the youth was an apprentice member. All Chet, as he was affectionately known, could say, was:

"I'm no hero. All I've done is enlist in the Marine Corps. Gosh, a lot of you fellows were in World War II, and you got no parties."

But Chester Jarmolinski was a hero to his colleagues in the composing room, and to his family, including his uncle, William Jarmolinski, an aerial gunner in World War II and a union official. He was a hero then because of his bubbling patriotism and anxiety to help his country press an unpopular war. And he remains a hero in memory.

For Lance Cpl. Chester Jarmolinski, while on a routine patrol several miles from Da Nang was felled by small arms and mortar fire a few days ago, far from his native Jersey City and the country he loved so much. The Defense Department has confirmed he was killed by enemy action.

Fellow workers recalled today the last moments of Chester's farewell party. Two seasoned Marine Corps sergeants from the familiar recruitment booth at Journal Square attended as invited guests. One was black, the other white. They were both Marines and representatives of the United States Armed Forces. And as such they expressed their pride in the recruit and told him he would find a new life, now, fast friends united in a common cause.

Six months ago Chester paid a visit to his colleagues at the Journal. The presses were rolling off their final editions as former fellow workers gathered around him.

"It's nice to be back," he said, above the roar of the giant presses and the clattering linotypes. "Those Marines were right . . . I've made many, many friends, of all nationalities and of all races—all Americans. The morale is great—and the goal of liberty is greater. I'm glad I'm part of a team like that."

In those words Chester unwittingly weaved a tribute Journal workers will never forget. They offer words of comfort to his parents, Chester and Marie Jarmolinski, to his brothers, Charles and Robert, and sisters, Marie, Carol Ann, and Jean, and to his uncle and fellow worker, Bill.

But in their memory always will be a smiling, blue-eyed young fellow who gave his life for his country—and a cause.

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DISTRICT OF COLUMBIA SELF-GOVERNMENT

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. JACOBS. Mr. Speaker, self-government and congressional representation should be given to the District of Columbia in order that democracy and normal community life might be restored to the Nation's Capital. I believe this matter is of vital concern to all my colleagues and would therefore like to bring to their attention the following statement prepared by the League of Women Voters:

The beautiful capital of the world's greatest democracy is still an American colony. Washington, D.C. elects neither its local government nor any member of the Congress which levies its taxes, spends its money, drafts its sons.

Visit the Archives Building at 7th and Constitution Avenue, N.W. See the Declaration of Independence. "We hold these truths to be self-evident," it says, that "governments derive their just powers from the consent of the governed." Step outside to see 800,000 of your fellow Americans governed without any opportunity to express or deny their consent, taxed without any representation. The documents are lowered into a bomb-proof vault each night. The rights they guarantee are violated every day in the capital district itself.

The more than 800,000 people living in Washington ranks the city ahead of Montana, or New Hampshire, or Alaska, or Delaware, or seven other states in population. Each of these states has two Senators and one or two Representatives. But the District of Columbia has only old and revered documents and no congressional representation.

IT'S A WONDERFUL PLACE TO VISIT

Walk down the Mall. Enjoy the broad avenues and impressive Federal buildings. The Federal Government owns or exempts from taxes 55 percent of the land in the District of Columbia. In 1968 Congress appropriated $70 million as due compensation to the District. In that same year the remaining 45 percent of the land brought in $98.8 million in real estate taxes.

Washington raises 85 percent of its own revenues. Some states receive a higher proportion of their budget from the Federal government. The Federal payment barely covers costs of public services performed by the District for the Federal government and tax-exempt embassies and national organizations. District residents have the highest per capita income of any state; hence pay high Federal income taxes. They also pay a full range of other local taxes.

CONGRESS MUST EXERCISE ULTIMATE AUTHORITY

The Constitution decrees that the District shall not have sovereignty such as a state is guaranteed. Washington is proud of its unique role as the Federal district. But the citizens, conscious of the needs of the Federal government, see no reason why they can't conduct their own local affairs. No state denies to the citizens of its capital the right to participate in their own local and state governments.

It is uneconomical, inefficient and undemocratic for 535 members of Congress to have the degree of control they now practice. We'd rather do it ourselves, acting compatibly with the Federal interest which is our best interest also.

Visit your Senator or Representative in his office on Capitol Hill. Ask him to arrange a special tour of the White House for you—give you a pass to the Senate or House gallery—obtain for you those pamphlets that interest you from among the hundreds printed at government expense. Ask him if he has tried to give representation to the voteless residents of the District of Columbia.

BUT WOULD YOU LIKE TO LIVE HERE?

Ride the subway from your Senator's or Representative's office to the Capitol. It is the only rapid transit in Washington. Don't blame us for traffic or parking problems. We are completely powerless to remedy them and must endure them every day. There's lots of parking weekdays at the great Smithsonian National Zoo, maintained in Rock Creek Park by the citizens of the District.

Presidents Nixon, Johnson, Kennedy, Eisenhower and others have all advocated local self-government and Congressional representation for the District. Both party platforms have endorsed it.

Do you agree with our desire to vote for officials who govern us? Then please tell your Senator and Representative to give full voting citizenship to your Nation's Capital, both self-government and congressional representation. He will appreciate a visit while you are in Washington.

Most Congressmen agree that Washington should be a "showcase for Democracy." But they need to know that you care, that the denial of the basic right to vote is a national concern. Your support is vital to us—you already have a vote!

WIDER ROLE FOR PEACE CORPS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, last week the Senate confirmed the appointment of Joseph Blatchford as the new Director of the Peace Corps. I wish to commend President Nixon on this outstanding appointment. Mr. Blatchford not only brings youth to this youthful agency—he is 34—but he also brings eminent qualifications. Mr. Blatchford started his own private peace corps in South America back in 1960 and it has been a highly successful attempt at spurring individuals to organize self-improvement on their own behalf. His volunteer organization, called Accion, organized 400 separate improvement projects last year and operated on a budget of $1.5 million, most of it coming from South American sources.

Speaking with reporters recently, Blatchford indicated that Peace Corps is a waning program and needs rejuvenating. He said Peace Corps cannot be judged only in terms of good will, but must also be judged in terms of how much it helps other nations to help themselves. He criticized the corps for not properly channeling volunteer talent and for failing to provide other nations with adequate technical expertise.

I think Mr. Blatchford has an acute understanding of the problems of developing nations derived from his prior experience and will bring a badly needed fresh approach to our voluntary efforts overseas. Many former Peace Corps volunteers have criticized the agency for substituting quantity for quality at the expense of development and self-help. I am confident that Mr. Blatchford will reappraise the real value of this "numbers game" and seek ways to make the Peace Corps a greater "agent of change" in the third world.

At this point in the RECORD I insert an article from the May 2 Washington Post on the Blatchford appointment:

WIDER PEACE CORPS ROLE SET

The Nixon Administration's youngest agency head, 34-year-old Joseph H. Blatchford, who was confirmed by the Senate yesterday, wants to "rejuvenate" the Peace Corps.

He sizes up his eight-year-old agency as "the most flexible and innovative arm of the U.S. Government, very well accepted" both here and overseas. But he also finds it "a waning program" that no longer is "exciting" young Americans.

SET UP OWN CORPS

Blatchford's ideas for remodeling the Peace Corps, which he sketched out recently over dinner with a group of reporters, are drawn largely from his own experience with ACCION, a four-nation "private peace corps" that he founded in 1960.

Blatchford feels the program must be judged not only in terms of current good will but also by whether it leaves behind a "multiplier effect" of local self-help to carry on and expand the U.S.-exported beginnings.

He wants the nations receiving Peace Corpsmen to play a bigger role in directing the local programs and in selecting the volunteers. He wants them to organize national agencies that will utilize and direct the Corpsmen, and he pledges that the Corps will strive to find and train qualified nationals as country directors.

"The shortcoming of the Peace Corps," Blatchford says, "has been that it is essentially a people provider: It finds them, trains them and puts them at the disposal of the local governments." Most of these governments, he suggests, have done little to direct the incoming volunteers into areas where their talents are most urgently needed; as a result, they tend to "spin off alone" into noncontroversial tasks in isolated rural areas.

WORKED IN SLUMS

Blatchford's ACCION, on the other hand, was focused entirely on the growing urban slums of South America, sending in trained community organizers to help set up local self-help groups. Starting with American and European volunteers, technical experts, and American business contributions, it has established locally run nonprofit corporations in Venezuela, Peru, Rio de Janeiro, Sao Paulo and Buenos Aires.

Blatchford's plans for the Peace Corps call for more technical expertise to back up the volunteers. "We need more 'Ugly Americans,' " he says.

One possibility under consideration, to avoid the big budget costs of swapping $75-a-month volunteers for high-salaried experts, would involve some form of cooperation between the Peace Corps and groups that send retired business executives overseas as short-term volunteers.

Blatchford also is thinking about ties between the Peace Corps and similar domestic volunteer programs, such as VISTA, to help make use of returning Corpsmen.

DISTRICT OPINION SHIFTS ON VIETNAM

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. RUMSFELD. Mr. Speaker, the results of the 1969 national issues poll con-

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ducted in the 13th District of Illinois show a substantial shift in the opinion of its residents on the war in Vietnam.

During the last month, I have received more than 23,000 answers to the poll questionnaire, an unusually heavy response.

On the question of Vietnam, approximately half—49.6 percent—of the 13th District residents who answered the poll now favor a gradual withdrawal of U.S. troops, regardless of the outcome of the Paris peace talks. About one-third—35.4 percent—favor stepping up the war if the talks fail, while 5.2 percent support continuation of the war at the present level in the event of failure.

This breakdown of opinion represents a sharp contrast to a similar question in the 1967 national issues poll when six of 10 13th District residents favored continued escalation of the U.S. military effort in Vietnam.

On the issue of U.S. election laws, residents of the district who responded to the poll expressed a clear preference for changes in the existing system of electing the President and Vice President. In fact, only 6.6 percent favored retaining the present electoral college system.

Drawing the most support was the proposal for a direct popular vote, favored by 62.1 percent of the residents. About a fifth—22 percent—of the respondents supported revisions in the electoral college system to reflect a majority in each congressional district.

The highest percentage of opinion registered on any of the 10 questions on this year's poll was in support of income tax revisions, which were favored by four of five residents—81.1 percent.

The full tabulation of 13th District opinion recorded from the poll responses follows:

TABULATED RESULTS OF 1969 NATIONAL ISSUES POLL

[Results in percent]

1. With respect to the Mid-East, do you favor:

A formal alliance with Israel to insure U.S. intervention in the case of an Arab attack	12.4
A joint diplomatic effort with the U.S.S.R. to work for a settlement	27.2
Continued efforts by the U.N. and/or a multination group to secure peace	50.6
No response	9.8

2. With respect to Vietnam, do you favor:

Stepping up the war if the Paris talks fail	35.4
Gradual withdrawal of U.S. troops regardless of the outcome of the Paris talks	49.6
Continuation of the war at the present level if Paris produces no changes	5.2
No response	9.8

3. Do you believe that present income tax laws need revision?

Yes	81.1
No	5.0
Undecided	5.1
No response	8.8

4. Do you feel wage and price controls are desirable if the inflationary spiral worsens?

Yes	51.8
No	29.8
Undecided	9.1
No response	9.3

5. Do you favor stricter penalties and enforcement for laws relating to the illegal sale of drugs?

Yes	77.0
No	10.0
Undecided	3.9
No response	9.0

6. Regarding the draft, do you favor:

Continuation of the present selective service system	24.2
A lottery system for inductions	23.0
An all-volunteer military	42.8
No response	10.0

7. Do you favor greater use of tax credits and incentives for private enterprise to meet the problems of:

Air and water pollution:	
Yes	69.4
No	16.8
Undecided	3.7
No response	10.1
Job training for the unskilled:	
Yes	64.9
No	17.9
Undecided	6.8
No response	10.4
Development of business in low income, high unemployment areas:	
Yes	57.9
No	19.7
Undecided	11.6
No response	10.8

8. Regarding military spending, do you favor:

Superiority	27.3
Parity with the U.S.S.R.	20.1
Sufficiency	42.2
No response	10.4

9. Do you favor returning a percentage of the tax money collected by the Federal Government to State and local Governments to use as they see fit?

Yes	53.5
No	27.2
Undecided	10.3
No response	9.0

10. With respect to the presidential elections, do you favor:

Retaining the electoral college as it is	6.6
Electing the President and Vice President by direct popular vote	62.1
Revising the electoral college voting to reflect the majority in each Congressional District	22.1
No response	9.2

THE ANNIVERSARY OF POLAND'S CONSTITUTION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. DERWINSKI. Mr. Speaker, I am pleased to insert in the RECORD the remarks of Aloysius A. Mazewski, president of the Polish National Alliance and the Polish-American Congress, delivered yesterday afternoon at the constitution of May 3 observance in Humboldt Park, Chicago, Ill.

These remarks merit consideration as an expression of feeling from a leading spokesman of a people who have made a sound and lasting contribution to the building of America and who recognize also the complications in foreign affairs and the need for U.S. leadership in developing a world of true freedom and lasting peace.

The address referred to follows:

REMARKS OF ALOYSIUS A. MAZEWSKI, PRESIDENT OF THE POLISH NATIONAL ALLIANCE AND POLISH-AMERICAN CONGRESS, DELIVERED AT THE CONSTITUTION OF MAY 3 OBSERVANCE, IN HUMBOLDT PARK, CHICAGO

One hundred and seventy eight years ago, our ancestors gave the Polish nation a new lease on life by adopting and proclaiming the Constitution of May 3rd of 1791. It belongs to the most significant and unique documents in the history of Europe.

While this constitution of May 3rd has been the culmination of centuries-long parliamentary traditions that flourished in the Royal Republic of Poland, it departed from the precepts of exaggerated freedom of the individual and declared that freedom and authority are joined. For it was through the misuse of freedom, or, more precisely, through arrogating the benefits of freedom to personal whims, that Poland, once the most powerful state on the continent of Europe, found herself on the brink of anarchy, chaos and disaster.

The Constitution of May 3d, put a stop to this freedom grown wild and established the rule of Law and Order for the land.

It came too late to save Poland from partitions. However, it remained a potent force of spiritual and moral renewal for the Polish nation, and became the wellspring of inspiration and patriotic discipline for whole generations of Poles.

It taught the Polish and other European generations at the closing years of the 18th Century, that responsiveness to the needs of a nation, to the security of the state, to the laws of the land is inherent in freedom.

This lesson stands in bold relief for us in America today. Our true freedom and its corollary—civic responsibility, are endangered by wild misbehavior of a comparatively small but articulate minority of college and university students. They seem to think that freedom equates with a free hand at disorders and disruption of education for the majority of students.

They need to be convinced that freedom and order are not incompatible. Neither are freedom and authority. Moreover, the exercise of freedom requires the protection of authority.

Thus, complacency and acquiescence by college and university administrators who fail to act effectively against campus demonstrators are completely unfounded. Equally irrelevant are those who advocate new laws to cope with this disturbing situation. Our existing laws of the land are sufficiently strong and clear to establish and keep peace and order on our campuses.

President Nixon, addressing the United States Chamber of Commerce last Tuesday in Washington, stated:—

"There can be no compromise with lawlessness and no surrender to force if free education is to survive in the United States."

This statement deserves the wholehearted support of us whose ethnic heritage is steeped in the precept of the May 3rd Constitution.

We also express the confidence that President Nixon's foreign policy of calm judgment and foresight, steeped in the awareness of American power and responsibility will eventually bring about meaningful negotiations in place of dead-centered confrontations with our ideological and political adversaries abroad.

And we respectfully submit that in any, even initial settlement with the communist block, the case of Poland be considered in the light of history, demography and geography, so that the tragedy of diplomatic misconception of the closing days of World War Two be avoided.

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We further submit that the peace and stability in Europe, and, consequently, a major part of American security, are linked with the fate of Poland. Due to her geographic position and historic development, Poland occupies the key position on the eastern ramparts of Western civilization and the western periphery of the Soviet empire. For this reason, Poland could be a bridge between the West and the East, but she cannot, she must not be a mere pawn in power politics.

Geography, history and destiny combined to make Poland the pivotal state in East Central Europe. She cannot fulfill her mission, if subjected to outside dominance.

We, Americans of Polish ancestry firmly believe that by supporting Poland's claims to full freedom and independence, we are acting for the best, enlightened interests of the United States.

ROBERT S. McNAMARA ADDRESSES NOTRE DAME

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. REID of New York. Mr. Speaker, the recent speech of Robert McNamara given at the University of Notre Dame is a pertinent expression by a foremost authority indicating the vital need for immediate action in the field of population control.

The facts of the ever-rising population of the world indeed merit our closest attention, for when, as Mr. McNamara states, one-half of humanity is presently hungering, imagine us by 2000 when the population may well have doubled; and when 300 million children under the age of 4 are presently subsisting in hunger that risks permanent brain damage, imagine the numbers by 2000.

The blatant facts demand that the United States and other developed nations deal immediately with this crisis that threatens to overcome us all. Perhaps we can begin by reversing our strange priority which allocates to population control and planning less than 1 percent of that which we allocate to military hardware and research. If we wish to avoid famine, we have no choice.

Mr. Speaker, I insert Mr. McNamara's speech in the RECORD:

ADDRESS TO THE UNIVERSITY OF NOTRE DAME BY ROBERT S. MCNAMARA, PRESIDENT, WORLD BANK GROUP, NOTRE DAME, IND., MAY 1, 1969

I

I am grateful for this award, and pleased to become an honorary alumnus of Notre Dame.

This university, over the years, has become a catalytic center of creative thought. It does what universities do best: it probes. It probes the past for what is most relevant to the present. It probes the present for what is most formative of the future. And it probes the future for what will most enlarge man's freedom and fulfillment.

I want to discuss with you this afternoon a problem that arose out of that recent past; that already plagues man in the present; and that will diminish, if not destroy, much of his future—should he fail to face up to it, and solve it.

It is, by half a dozen criteria, the most delicate and difficult issue of our era—perhaps of any era in history. It is overlaid with emotion. It is controversial. It is subtle. Above all, it is immeasurably complex.

It is the tangled problem of excessive population growth.

It is not merely a problem, it is a paradox.

It is at one and the same time an issue that is intimately private—and yet inescapably public.

It is an issue characterized by reticence and circumspection—and yet in desperate need of realism and candor.

It is an issue intolerant of government pressure—and yet endangered by government procrastination.

It is an issue, finally, that is so hypersensitive—giving rise to such diverse opinion—that there is an understandable tendency simply to avoid argument, turn one's attention to less complicated matters, and hope that the problem will somehow disappear.

But the problem will not disappear.

What may disappear is the opportunity to find a solution that is rational and humane.

If we wait too long, that option will be overtaken by events.

We cannot afford that. For if there is anything certain about the population explosion, it is that if it is not dealt with reasonably, it will in fact explode: explode in suffering, explode in violence, explode in inhumanity.

All of us are, of course, concerned about this.

You, here at Notre Dame, have been giving constructive attention to this concern for several years. And yet it may seem strange that I should speak at a center of Catholic thought on this awkward issue which might so conveniently be ignored, or left to demographers to argue.

I have chosen to discuss the problem because my responsibilities as President of the World Bank compel me to be candid about the blunt facts affecting the prospects for global development.

The bluntest fact of all is that the need for development is desperate.

One-third of mankind today lives in an environment of relative abundance.

But two-thirds of mankind—more than two billion individuals—remain entrapped in a cruel web of circumstances that severely limits their right to the necessities of life. They have not yet been able to achieve the transition to self-sustaining economic growth. They are caught in the grip of hunger and malnutrition; high illiteracy; inadequate education; shrinking opportunity; and corrosive poverty.

The gap between the rich and poor nations is no longer merely a gap. It is a chasm. On one side are nations of the West that enjoy per capita incomes in the $3,000 range. On the other are nations in Asia and Africa that struggle to survive on per capita incomes of less than $100.

What is important to understand is that this is not a static situation. The misery of the underdeveloped world is today a dynamic misery, continuously broadened and deepened by a population growth that is totally unprecedented in history.

This is why the problem of population is an inseparable part of the larger, overall problem of development.

There are some who speak as if simply having fewer people in the world is some sort of intrinsic value in and of itself. Clearly, it is not.

But when human life is degraded by the plague of poverty, and that poverty is transmitted to future generations by too rapid a growth in population, then one with responsibilities in the field of development has no alternative but to deal with that issue.

To put it simply: the greatest single obstacle to the economic and social advancement of the majority of the peoples in the underdeveloped world is rampant population growth.

Having said that, let me make one point unmistakably clear: the solution of the population problem is in no way a substitute for the more traditional forms of developmental assistance: aid for economic infrastructure; aid for agriculture; aid for industrialization; aid for education; aid for technological advance.

The underdeveloped world needs investment capital for a whole gamut of productive projects. But nothing would be more unwise than to allow these projects to fail because they are finally overwhelmed by a tidal wave of population.

Surely, then, it is appropriate that we should attempt to unravel the complexities that so confuse this critical issue.

II

One can begin with the stark demographic dimensions. The dynamics are deceivingly simple. Population increase is simply the excess of births over deaths. For most of man's history the two have been in relative equilibrium. Only in the last century have they become seriously unbalanced.

Though the figures are well known, they are worth repeating—if for no other reason than to forestall the familiarity with unpleasant facts from cloaking itself with complacency. It required sixteen hundred years to double the world population of 250 million, as it stood in the first century A.D. Today, the more than three billion on earth will double in 35 years time, and the world's population will then be increasing at the rate of an additional billion every eight years.

To project the totals beyond the year 2000 becomes so demanding on the imagination as to make the statistics almost incomprehensible.

A child born today, living on into his seventies, would know a world of 15 billion. His grandson would share the planet with 60 billion.

In six and a half centuries from now—the same insignificant period of time separating us from the poet Dante—there would be one human being standing on every square foot of land on earth: a fantasy of horror that even the *Inferno* could not match.

Such projections are, of course, unreal. They will not come to pass because events will not permit them to come to pass.

Of that we can be certain.

What is not so certain is precisely what those events will be. They can only be: mass starvation; political chaos; or population planning.

What ever may happen after the year 2000, what is occurring right now is enough to jolt one into action.

India, for example, is adding a million people a month to its population—and this in spite of the oldest family-planning program in Southeast Asia.

The Philippines currently has a population of 37 million. There is no authorized government family-planning program. At the present rate of growth, these limited islands—in a brief 35 years—would have to support over one hundred million human beings.

The average population growth of the world at large is 2%. Many underdeveloped countries are burdened with a rate of 3½% or more. A population growing at 1% doubles itself in 70 years; at 2% it doubles in 35 years; at 3½% it doubles in only 20 years.

Now, if we are to reject mass starvation and political chaos as solutions to this explosive situation, then there are clearly only three conceivable ways in which a nation can deliberately *plan* to diminish its rate of population growth: to increase the death rate; to step up the migration rate; or to reduce the birth rate.

No one is in favor of the first choice. On the contrary, under the impact of public health programs, death rates are falling throughout the underdeveloped areas. Even simple medical improvements—better sanitation, malaria suppression, widespread vaccination—bring on a rapid and welcome decline in mortality. The low-level death rates which Europe required a century and a half to achieve are now being accomplished in the emerging areas in a fifth of that time.

The second choice is wholly inadequate. Increased migration, on any scale significant enough to be decisive, is simply not practical. Countries concerned about their own future crowding are understandably disinclined to add to it by accepting more than a limited number of foreigners. But the more important point is that the continually expanding increment, on a global basis, is already so massive that migration as a solution to population pressure is manifestly unrealistic. We can put a man on the moon. But we cannot migrate by the millions off our own planet.

That leaves the third choice: a humane and rational reduction of the birth rate.

Is it feasible? It is.

Is it simple? It is not.

Is it necessary? Without question.

It is necessary because the consequences of continuing the present population growth rates are unacceptable.

III

Let us examine those consequences.

One cannot sense the inner significance of the cold, remote, impersonal demographic data by merely tracing a line upward on a graph, or by scanning the print-out from a computer.

The consequences of rapid population growth—piled on top of an already oppressive poverty—must be grasped in all their concrete, painful reality.

The first consequence can be seen in the gaunt faces of hungry men.

One half of humanity is hungering at this very moment. There is less food per person on the planet today than there was 30 years ago in the midst of a worldwide depression.

Thousands of human beings will die today—as they die every day—of that hunger. They will either simply starve to death, or they will die because their diet is so inadequate that it cannot protect them from some easily preventable disease.

Most of those thousands of individuals—individuals whose intrinsic right to a decent life is as great as yours or mine—are children. They are not mere statistics. They are human beings. And they are dying; now; at this very moment; while we are speaking.

They are not your children. Or my children. But they are someone's children. And they are dying needlessly.

And yet the thousands who die are perhaps the more fortunate ones. For millions of other children, suffering the same malnutrition, do not die. They live languidly on—stunted in their bodies, and crippled in their minds.

The human brain reaches 90% of its normal structural development in the first four years of life. We now know that during that critical period of growth, the brain is highly vulnerable to nutritional deficiencies: deficiencies that can cause as much as 25% impairment of normal mental ability. Even a deterioration of 10% is sufficient to cause a serious handicap to productive life.

This is irreversible brain damage.

What is particularly tragic in all of this is that when such mentally deprived children reach adulthood, they are likely to repeat the whole depressing sequence in their own families. They perpetuate mental deficiency, not through genetic inheritance; but simply because as parents they are ill-equipped mentally to understand, and hence to avoid the very nutritional deprivations in their own children that they themselves suffered.

Thus hunger and malnutrition forge a chain of conditions that only spiral the total human performance dismally downward. Alertness, vitality, energy, the ability to learn, the desire to succeed, the will to exert an effort—all these inestimable human qualities drain away.

How many children today are caught up in this crisis? How many of them subsist at levels of hunger and malnutrition that risk their being irreversibly mentally retarded for the rest of their lives? Some three hundred million.

But the population explosion's corrosive effects on the quality of life do not end with hunger. They range through the whole spectrum of human deprivation. With entire national populations, already caught up in the dilemmas of development, now doubling in as short a time as 20 years, there is a chronic insufficiency of virtually every necessity.

Current birth rates throughout the emerging world are seriously crippling developmental efforts. It is imperative to understand why. The intractable reason is that these governments must divert an inordinately high proportion of their limited national savings away from productive investment simply in order to maintain the current low level of existence.

Each additional child brought into the world must not only be fed, but clothed, housed, medically cared for, and supported by at least minimal educational services. All of this requires new capital—new capital that cannot be invested in other desperately needed sectors of the economy. For approximately the first 15 years of their lives, children cannot contribute economically to the nation: simply because they are young they are consumers rather than producers.

If the number of children in the total population—as a result of high birth rates—is very large, a nation is under the compelling necessity to expend ever greater resources simply to keep its people from slipping beneath minimum subsistence levels. A treadmill economy tends to emerge in which the total national effort will exhaust itself in running faster and faster merely to stand still.

More and more classrooms must be built; more and more teachers must be provided; more and more vocational training facilities must be established. But despite all this effort both the quantity and quality of education will inevitably decline. It simply cannot keep pace with the mounting waves of children. Thus, one of the prime movers of all human development—education—is sacrificed.

Further, as ill-educated, perhaps wholly illiterate, children reach the age when they ought to become producers in the economy, they are engulfed by the hopelessness of underemployment. In many of the world's shanty towns 50 to 60% of the adolescents are out of work.

Not only are these youngsters unequipped for the jobs that might have been available, but the total number of meaningful jobs itself tends to decline in proportion to the population simply because the government has been unable to invest adequately in job-producing enterprises. The capital that ought to have been invested was simply not available. It was dissipated by the ever rising tide of additional children.

This, then, is the cruel and self-perpetuating dilemma that governments face in underdeveloped countries overburdened for long periods with high birth rates.

Their plans for progress evaporate into massive efforts merely to maintain the status quo.

But what is true at the national level is repeated with even greater poignancy on the personal family level. Millions of individual families wish to avoid unwanted pregnancies.

And when these families cannot find legal and compassionate assistance in this matter, they often turn to desperate and illegal measures.

Statistics suggest that abortion is one of the world's most commonly chosen methods to limit fertility—despite the fact that in most societies it is ethically offensive, illegal, expensive, and medically hazardous.

In five countries of western Europe, it is estimated that there are as many illegal abortions as live births.

In India, the estimate is that each month a quarter of a million women undergo illegal abortion.

In Latin America, illegal abortion rates are among the highest in the world. In one country, they are said to total three times the live birth rate; in another, to be the cause of two out of every five deaths of pregnant women. Further, there are indications that the illegal abortion rate in Latin America is increasing, and that multiple illegal abortions among mothers are becoming common.

The tragic truth is that illegal abortion is endemic in many parts of the world. And it is particularly prevalent in those areas where there is no adequate, organized family-planning assistance.

The conclusion is clear: where the public authorities will not assist parents to avoid unwanted births, the parents will often take matters into their own hands—at whatever cost to conscience or health.

IV

Now I have noted that this entire question of population planning is incredibly complex. There are, of course, certain precise and painful moral dilemmas. But quite apart from these, there is a vague and murky mythology that befogs the issue. Not only does this collection of myths obscure the essentials of the problem, but worse still, it builds barriers to constructive action.

I should like to turn now to that mythology, and examine some of its more irrational premises.

There is, to begin with, the generalized assumption that somehow "more people means more wealth." As with all fallacies, there is a deceptive substratum of plausibility to the thesis. With the earlier rise of nationalism in the West—and the more recent emergence of newly independent countries in Asia and Africa—rapid population growth has often been regarded as a symbol of national vigor. It provided, so it was believed, the foundations of a more powerful military establishment; an economically advantageous internal market; a pool of cheap labor; and, in general, a prestigious political place in the sun.

But in the underdeveloped world, nearly every one of these assumptions is false. Because rapid population growth tends seriously to retard growth in per capita income, the developing nation soon discovers that its economic vigor is diminished rather than enhanced by the phenomenon of high fertility. The hoped-for internal market becomes a mere mass of discontented indigents, without purchasing power but with all the frustrations of potential consumers whose expectations cannot be met.

"Cheap labor" in such countries turns out not to be cheap at all. For sound economic growth requires technological improvements, and these in turn demand higher levels of training than the strained government resources can supply. Though individual workers may be paid lower salaries than their counterparts abroad, their efficiency and productiveness are so low that the nation's goods are often priced out of the competitive export market. The "cheap" labor turns out to be excessively expensive labor.

Even the argument of expanding the population in order to provide a powerful military force is suspect—not merely because the expansion of one nation's forces will, in time, lead to a reactive expansion of its neighbor's forces, but also because modern defense

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forces require an increasing ratio of educated recruits rather than mere masses of illiterate troops.

As for political prestige, nations caught in the catastrophe of an uncontrolled population growth do not enhance their position in the family of nations. On the contrary, they find it slipping away as their once optimistic plans for progress turn inevitably to the politics of confrontation and extremism.

Akin to the myth that "more people means more wealth" is the notion that countries with large tracts of uninhabited open land have no need to worry about birth rates, since there is ample room for expansion.

The argument is as shallow as it is misleading. For the patent fact is that mere open land does not, in and of itself, support a high rate of population growth. Such open land—if it is to become the home of large numbers of people—must be provided with a whole panoply of heavy government investments: investments in roads, housing, sanitation, agricultural and industrial development.

The sound economic argument is quite the other way round. What such raw space requires first is not surplus people, but surplus funds for investment. And it is precisely surplus people in a developing economy that make the accumulation of surplus funds so incredibly difficult.

What is equally overlooked is that a rational restraint on fertility rates in an emerging country never implies an absolute reduction of the total population. It simply hopes for a more reasonable balance between birth and death rates. And since death rates in the future are certain to drop with continued advances in medicine—and in highly underdeveloped countries the drop in the death rate is characteristically precipitous—there are no grounds whatever for fearing that a nation's population, under the influence of family planning, will dangerously ebb away. The danger is quite the opposite: that even with family planning—should it be inadequately utilized—the population will proliferate in the future to self-defeating levels.

A still more prevalent myth is the misapprehension that official programs of family planning in a developing country are wholly unnecessary since the very process of development itself automatically leads to lowered birth rates. The experience of Europe is cited as persuasive proof of this theory.

But the proof is no proof at all, for the theory is hopelessly irrevelant to today's conditions in the underdeveloped world. There are no comparable circumstances between what happened in Europe's early period of modernization, and what is happening in the emerging world today.

Aside from a lapse of logic which fails to grasp that the current population growth in these areas inhibits the very economic development which is supposed to curb that growth, the historical fact is that conditions in Europe during its initial developmental period were far more favorable to lower rates of population growth. The birth rates were much lower than they are in the underdeveloped world today, the death rates had not yet drastically fallen, and by the time public health measures had accomplished that, the infrastructure of industrialization was already in place.

Further, in nineteenth century Europe, unlike in the developing countries today, marriages were entered into later, and the level of literacy—always an important factor affecting population growth—was considerably higher.

Even in spite of all these advantages, it required some 70 years for Europe to reduce its birth rates to present levels. Today the average birth rate for developing countries is 40 to 45 per 1000 of population. To get this rate down to the 17 to 20 per 1000 that is common in contemporary Europe would require a reduction in the developing world of some 50 million births a year. To suppose that economic advancement by itself—without the assistance of well organized family planning—could accomplish this in any feasible time-frame of the future is wholly naive.

Indeed, even with family planning, no such promising results are feasible in less than two or three decades. What is feasible—indeed what is imperative—is the establishment of family planning on a scale that will stave off total economic and political disintegration in those countries where social progress is being seriously limited by the glut of unwanted births.

No government can, of course, ultimately succeed in convincing its own population to undertake family planning, if parents themselves do not really want it.

But the almost universal fact is that parents do want it. They often want it far more than their own political leaders comprehend.

People—particularly poor, ill-educated people—may not understand the techniques of family planning. Most of them have only the most tenuous understanding of human biology. Often their limited comprehension is tragically confused by gross misinformation.

But the notion that family-planning programs are sinister, coercive plots to force poor people into something they really do not want, is absurd.

The pervasive prevalence of voluntary illegal abortion should be enough to dispel that fiction.

The poor do not always know how to limit their families in less drastic and dangerous ways, but there is overwhelming evidence that they would like to know how.

Another serious misunderstanding is the fear that family planning in the developing world would inevitably lead to a breakdown of familiar moral fiber—and that it would encourage parents to limit the number of their children for essentially frivolous and selfish reasons: that it would trade the responsibility of having a large number of children for the opportunity of acquiring the needless gadgetry of an advancing consumer economy.

But one stroll through the slums of any major city in the developing world is enough to dispel that concept. If anything is threatening the fiber of family life it is the degrading conditions of subsistence survival that one finds in these sprawling camps of packing crates and scrap metal. Children on the streets instead of in non-existent classrooms. Broken men—their pride shattered—without work. Despondent mothers—often unmarried—unable to cope with exhaustion because of annual pregnancies. And all of this in a frustrating environment of misery and hunger and hopelessness. These are not the conditions that promote an ethically fibered family life.

Family planning is not designed to destroy families. On the contrary, it is designed to save them.

All of us accept the principle that in a free society, the parents themselves must ultimately decide the size of their own family. We would regard it as an intolerable invasion of the family's rights for the State to use coercive measures to implement population policy. We can preserve that right best by assisting families to understand how they can make that decision for themselves.

The fact is that millions of children are born without their parents desiring that it happen. Hence, a free, rational choice for an additional child is not made in these cases. If we are to keep the right of decision in the hands of the family—where it clearly belongs—then we must give the family the knowledge and assistance it requires to exercise that right.

Nor need anyone be deterred from appropriate action by the pernicious, if pervasive, myth that the white western world's assistance in family planning efforts among the non-white nations of the developing areas is a surreptitious plot to keep the whites in a racial ascendancy. The myth is absurd on purely demographic grounds, as well as on many others. Non-white peoples on the planet massively outnumber whites. They always have and always will. No conceivable degree of family planning could possibly alter that mathematical fact.

But a more relevant answer is that if the white world actually did desire to plot against the non-white nations, one of the most effective ways possible to do so would be for the whites to deny these nations any assistance whatever in family planning. For the progressive future of the non-white world is directly related to their indigenous economic development—and that, in turn, as we have seen, is dependent upon their being able to bring birth rates down to a level that will allow a significant increase in per capita income.

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There is one more myth that obstructs the road to action. It is the belief that the time for decisive action is past, and that sweeping famine is inevitable.

The distinguished British scientist and novelist, C. P. Snow, has recently noted that it the view of men of sober judgment that "many millions of people in the poor countries are going to starve to death before our eyes."

"We shall see them doing so," he adds, "upon our television sets."

He stresses that when the collision between food and population takes place, "at best, this will mean local famines to begin with. At worst, the local famines will spread into a sea of hunger. The usual date predicted for the beginning of the local famines is 1975–80."

In summing up his own view, he suggests that "The major catastrophe will happen before the end of the century. We shall, in the rich countries, be surrounded by a sea of famine, involving hundreds of millions of human beings."

"The increase of population," he predicts, "all over the rich world may get a little less. In the poor world it won't except in one or two pockets. Despite local successes, as in India, the food-population collision will duly occur. The attempts to prevent it, or meliorate it, will be too feeble. Famine will take charge in many countries. It may become, by the end of the period, endemic famine. There will be suffering and desperation on a scale as yet unknown."

Now, though Lord Snow is a brilliant and perceptive man of good will, I simply do not believe that one need feel quite so near despair—even in the face of a situation as ominous as this one.

Wholesale famine is not inevitable. I am convinced that there is time to reverse the situation, if we will but use it. Only barely sufficient time. But time nevertheless.

It is the time which has been given us by those who have created the revolution in agricultural technology; a revolution based on new seeds, hybrid strains, fertilizers, and the intensified use of natural resources.

It is a revolution which already has increased the yields of food gains by more than 100% in parts of Southeast Asia, and which promises to boost yields by one-half ton per acre throughout Asia. It is a revolution which has expanded the number of acres sown with the new seeds from 200 in 1965 to 20,000,000 in 1968—and an estimated 34,000,000 in 1969—but which has yet to touch more than a small percentage of the rice and wheat-producing acreage of the world.

If we will but speed the spread of this agricultural revolution—by adequate and properly administered technical and financial assistance to the developing countries—we can expect that for the next two decades the world's food supply will grow at a faster rate than its population.

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The predicted spectre of famine can be averted.

It will take immense energy and organizing skill, and significant infusions of new capital investment—but it is possible to stave off disaster.

What is required to accomplish this is not so much a psychologically comforting optimism, as an energetic, creative realism.

I believe enough of that realism exists among men of good will—both in the developed and in the emerging world—to do the job.

This is the fundamental reason I do not share Lord Snow's degree of discouragement.

There is no point whatever in being naively over-optimistic about a situation as full of peril as the population problem.

But I am confident that application of the new technology will dramatically expand the rate of agricultural growth and will buy two decades of time—admittedly the barest minimum of time—required to cope with the population explosion, and reduce it to manageable proportions.

VI

How can this best be done?

To begin with, the developed nations must give every measure of support they possibly can to those countries which have already established family-planning programs. Many have. The governments of India, Pakistan, Korea, Taiwan, Hong Kong, and Singapore have established both policies and specific targets for reducing population growth rates and have shown some measurable progress.

Ceylon, Malaysia, Turkey, Tunisia, the United Arab Republic, Morocco, Kenya, Mauritius, Chile, Honduras, Barbados, and Jamaica are giving government support to family-planning programs, but need substantial technical or financial assistance before any significant reduction in birth rates can occur.

Some 20 other governments are considering family-planning programs.

In other countries, where governments are only dimly aware of the dangers of the population problem—but would like, nevertheless, to ponder the matter—the developed nations can quietly assist by helping with the demographic and social studies that will reveal the facts and thus point up the urgency of the issue, and the disadvantages of delay.

It is essential, of course, to recognize the right of a given country to handle its population problem in its own way. But handle it, it must.

The developed nations can point out the demographic facts; can explain the economic realities; can warn of the consequences of procrastination. They can—and should—inform. They should not—and cannot—pressure.

Technologically advanced countries can make one of their greatest contributions by initiating a new order of intensity in research into reproductive biology. They have starved their research facilities of funds in this field. The result is that we are still only on the threshold of understanding the complexities of conception, and therefore only at the outer edge of the necessary knowledge to help make family planning in the developing countries beneficial on a meaningful scale.

Annual worldwide expenditures for research in reproductive biology now total roughly 50 million dollars. The hardheaded estimate is that the sum should treble to 150 million dollars annually—for the next ten years—if we are to develop the knowledge necessary for the most effective and acceptable kinds of family planning.

Our parsimony in this matter in the United States is illustrated by the discouraging fact that out of a total budget of nearly one billion dollars, the National Institutes of Health this year are spending less than ten million dollars for research in population-related phenomena.. Hundreds of millions of dollars for death control. Scarcely 1% of that amount for fertility control.

And research efforts should range far beyond biology.

Demography, as a fully developed science, remains in its infancy. It is likely that fewer than half the world's births are even registered. And while the crude estimates of birth rates almost inevitably turn out to be too low, it is essential that more precise data be developed in those areas where the population problem is the most acute.

Similarly, there is a pressing need for far more research in the socio-cultural aspects of family planning. There is manifestly a great deal more to population planning than merely birth control. Attitudes, motivation, preferences differ from country to country, and this essential research can clearly best be conducted locally. The developed nations should be generous in their financial support for such studies and surveys.

Above all else, there is a need to develop a realistic sense of urgency in all countries over the population problem.

Programs are beginning to show progress in limited areas. But no reduction in birth rates has yet been achieved anywhere in the underdeveloped areas which can significantly affect overall world population totals.

This means that family planning is going to have to be undertaken on a humane but massive scale. Other massive efforts in our century—for example, in the field of public health—have been mounted and have been successful. And granted all the difficulties, there is no insuperable reason this one cannot be.

The threat of unmanageable population pressures is very much like the threat of nuclear war.

Both threats are undervalued. Both threats are misunderstood.

Both threats can—and will—has catastrophic consequences unless they are dealt with rapidly and rationally.

The threat of violence is intertwined with the threat of undue population growth. It is clear that population pressures in the underdeveloped societies can lead to economic tensions, and political turbulence: stresses in the body politic which in the end can bring on conflicts among nations.

Such violence must not be allowed to happen.

You and I—and all of us—share the responsibility of taking those actions necessary to assure that it will not happen.

There is no point in despair.

There is every point simply in getting busy with the job. That is surely what God gave us our reason and our will for: to get on with the tasks which must be done.

I do not have to convince you of that here at Notre Dame.

You, and the Roman Catholic Church at large, are completely dedicated to the goal of development. One has only to read the Second Vatican Council's *Pastoral Constitution on the Church in the Modern World*, and Pope Paul's *Populorum Progressio* to understand that. Both these impressive documents call for a solution to the population problem as it relates to development. Such controversy as remains in this matter is merely about the means, not at all about the end.

I am confident that you in this university, and those in the Catholic community that reaches out around the globe, and the fatherly and compassionate Pontiff who stands at your helm—as well as men everywhere of whatever religious allegiance—I am confident that all of us are dedicated to that end however much we may disagree on the specifics of the means.

The end desired by the Church—and by all men of good will—is the enhancement of human dignity. That, after all, is what development is all about.

And human dignity is severely threatened by the population explosion—more severely, more completely, more certainly threatened than it has been by any catastrophe the world has yet endured.

There is time—just barely time—to escape that threat.

We can, and we must, act.

What we must comprehend is this: the population problem will be solved one way or the other. Our only fundamental option is whether it is to be solved rationally and humanely—or irrationally and inhumanely. Are we to solve it by famine? Are we to solve it by riot, by insurrection, by the violence that desperately starving men can be driven to? Are we to solve it by wars of expansion and aggression? Or are we to solve it rationally, humanely—in accord with man's dignity?

There is so little time left to make the decision. To make no decision would be to make the worst decision of all. For to ignore this problem is only to make certain that nature will take catastrophic revenge on our indecisiveness.

Providence has placed you and me—and all of us—at that fulcrum-point in history where a rational, responsible, moral solution to the population problem must be found.

You and I—and all of us—share the responsibility, to find and apply that solution.

If we shirk that responsibility, we will have committed the crime.

But it will be those who come after us who will pay the undeserved—and the unspeakable—penalties.

CONGRESSMAN EILBERG INTRODUCES THE DOOR-TO-DOOR SALES ACT OF 1969

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. EILBERG. Mr. Speaker, today I have introduced the Door-to-Door Sales Act of 1969. This bill is designed to provide the consumer with some meaningful and readily available relief once he has succumbed to the high pressure sales pitch of a door-to-door salesman but has subsequently had time to mull over the transaction and realize that he has made an unwise and unwanted purchase, paid and unconscionable price, or unnecessarily burdened his family with a major long-term expenditure.

My bill would permit a consumer, who has entered into a contract for goods or services in excess of $25 at a place other than the seller's place of business, to rescind that sale or contract if he mails—by certified mail—or delivers in person to the seller at his place of business a notice of his intent to rescind the contract of sale within 3 business days after the contract or sale was made. It also requires that the seller deliver to the buyer, at the time of the sale, or at the time that the buyer signs a contract, a receipt which contains the seller's name and address, the details of the transaction, and a prominent notice advising the buyer of his right to rescind the contract.

My bill is patterned after a steadily increasing number of State cooling-off laws. My home State of Pennsylvania has such a law. I believe that Federal legislation in this area is important because the matters covered by my bill affect all the States. My bill will establish clear and consistent requirements

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for transactions in all the States and it will enable law-enforcement officers to deal with those fraudulent operators who move from State to State, successfully fleecing each jurisdiction one jump ahead of local officials.

The problem which the Door-to-Door Sales Act of 1969 deals with is so universally recognized that the Uniform Consumer Credit Code Drafting Committee of the National Conference of Commissioners on Uniform State Laws included provisions for a cooling-off period in door-to-door sales in the proposed uniform State consumer credit code.

England pioneered this kind of legislation and I believe the time is now for the Congress to adopt the legislation I have introduced today.

It should be noted that the actual dollar losses to consumers through deception, fraud, and misleading practices in door-to-door sales run into millions annually. Consumers also have the additional expense of litigation, loss through overpriced and shoddy merchandise, loss through garnishment, and even the possible loss of job.

The door-to-door sales industry is sizable, and growing rapidly. Something of the magnitude of the business was indicated in a January 1967, New York Times article whose very title—"Door-to-Door Sellers Move to Costlier Products"—is indicative of the trend. The article quoted the executive director of the National Association of House-to-House Installment Companies as reporting that "sales of the house-to-house credit selling industry last year were estimated at $1 billion." He predicted an annual increase of 6 percent. Others have predicted that overall sales of this industry, both credit and noncredit, may exceed $4 billion annually. Since President Nixon has now proposed another increase in the postal rates—one which incidently I believe is not needed for first-class mail—industry members have predicted that even more rapid growth will occur in the field as more and more firms turn from direct mail to the door-to-door approach.

The vast majority of door-to-door sellers honestly perform a constructive and useful function to conveniently bringing their products to the doors of millions of housewives. But, a brief examination of the selling techniques employed indicates how urgently some regulation is required. No individual preys upon the elderly, the poor, the ignorant, the gullible, or the softhearted as much as the unscrupulous door-to-door salesman of products ranging from encyclopedias, magazines, and kitchenware to sewing machines, vacuum cleaners, furniture, and siding.

Typically before making a purchase, the American consumer engages in a period of deliberation and consultation. The purchase itself is liable to be the outcome of a more or less rational assessment of needs and resources. Door-to-door sales reduces this deliberate process to a minimum at the same time that it maximizes what has been called "impulse buying." It is quite one thing to buy an expensive trinket on impulse, but quite another to assume a debt of several hundred dollars in this way.

In most instances the door-to-door salesman shows up unannounced. The housewife has no idea when she goes to the door that a fast-talking salesman awaits her. One of the tragedies associated with this mode of selling is that it frequently leads to tension between the spouses when the husband or wife later discovers that the other, in a moment of weakness, has committed family income to an unneeded purchase.

In some jurisdictions such as in my State of Pennsylvania, legal remedies exist to provide some assistance to consumers. But frequently the buyer is unaware of their availability. Recently, I received a letter from a constituent who was pressured by a door-to-door salesman into buying an overpriced and unwanted cemetery lot. A recently enacted Pennsylvania State law defining unfair and deceptive practices, and giving a person the right to revoke contracts if he changes his mind, providing he does so in writing within 2 days after he signs the contract as a result of a door-to-door sales pitch, was unheard of by my constituent. My bill will correct this by providing that any door-to-door sales contract include a notice to the buyer in 10-point bold type which will state:

> Notice to the buyer: You may cancel this sale provided you notify the seller of your intent to do so either by certified mail, mailed prior to midnight of the third business day following the sale, or in writing delivered to the place of business set forth on this receipt not later than 6 p.m. of the third business day following the sale. Failure to exercise this option shall not interfere with any other remedies against the seller which you may possess.

While the Pennsylvania State law does provide the right to rescind a contract, it does not require that the seller include notice of this right on the contract or receipt.

Some of the other major provisions of the Door-to-Door Sales Act of 1969 are: First, Saturdays, Sundays, and holidays are not included as business days; second, the bill protects the consumer from the difficulty which he experiences when he trys to rescind a contract only to find that the seller has discounted, negotiated, assigned or conveyed to any person his note or evidence of indebtedness by providing that the seller relieves the buyer of any and all liability to such persons if the seller has received the notice of recission from the buyer in accord with the provisions of the bill; third, violations of the provisions of the bill by sellers who fail to pick up the goods on time after being notified of the buyer's intent to rescind the contract, fail to deliver a receipt to the buyer at the time the contract was entered into as provided in the bill, do not state the proper information on the buyer's receipt, attempt to secure the buyer's waiver of coverage under the bill, or fail to relieve the buyer of liability as provided in the bill shall be subject to a civil penalty not to exceed $2,500 per violation.

My bill also provides for the courts to enjoin sellers from continuing deceptive door-to-door sales practices in violation of the bill and further provides that, if any seller willfully destroys or mutilates within 18 months after receipt, a record of the buyer's notice to rescind, he shall be subject to a fine of $10,000 or 6 months in jail or both.

Mr. Speaker, passage of the Door-to-Door Sales Act of 1969 as an amendment to the Consumer Credit Protection Act will help both the consumer and the door-to-door sales companies who engage in good business practices. National companies will only need to comply with a single set of uniform regulations in all their sales transactions since the provisions of my bill will supercede any State law on the subject. Second, my bill will enable law enforcement officials to deal effectively with fradulent operators who have in the past operated successfully for long periods of time by fleeing each State's jurisdiction just before local officials catch up with them, by eliminating the necessity for serving process on that person in the same State where he violated the law.

I believe that my bill will provide an effective instrument with which to combat the unscrupulous salesman, while at the same time not unduly hampering ethical direct sellers. Field Enterprises, the only major encyclopedia company which has no serious complaints about unethical selling filed against it, has voluntarily offered its customers the right of cancellation comparable to that included in my bill. It has also prominently informed its buyers of this right to cancel. Nevertheless, today it is the leading company in encyclopedia sales. Based on that experience, I believe that my bill will provide one more effective tool in the arsenal of consumer protection by allowing the buyer to make up his own mind based on the facts and the knowledge that the direct seller thinks enough of the product being sold to be confident that the consumer will want that product even after there has been 3 days to think over his decision to purchase from a door-to-door seller.

POLISH CONSTITUTION DAY

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. FEIGHAN. Mr. Speaker, on May 3, freedom-loving people throughout the world paid tribute to the God-fearing people of Poland, who, 178 years ago, established their diet—a constitution guaranteeing the same righteous principles of liberty, justice, and freedom to their citizens as our Founding Fathers proclaimed for us.

The Polish people recognized the highest law—the moral law of God and the principles which that law embodies. They have been steadfast in their adherence to those principles. They would not com-

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promise with the law of the jungle, the law that might makes right. Because of their unwavering devotion to their principles, the scourge of war which later engulfed the whole world, came to them in 1939.

Only people imbued with the highest ideals of morality and justice, would have resisted the onslaught of the greatest military machine that the world had ever known up to that time. What courage it took to stand for principle when compromise with the ideology of the aggressors would have been so materially expedient.

What irony of fate, that Poland, which presented to the free world an example of steadfastness to the cause of freedom by resisting Nazi aggression, should now suffer oppression by an equally brutal, conscienceless regime—the Soviets.

The free world must not, and cannot with honor, fail to make every effort to restore freedom to Poland. Poland's courage and sufferings have made her an immortal symbol of resistance to tyranny.

CORPORATION CHAIRMAN SOUNDS WARNING: "WANTED: MANPOWER FOR UTOPIA"

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. WOLFF. Mr. Speaker, a financial leader who has a broad vision of national needs in other areas recently stated in clear, forceful terms the need of this country for skilled technicians to fill a critical shortage created by the mushrooming technological developments of our time.

Mr. Charles S. Jensen, chairman of the board of the CIT Corp., and one of my distinguished constituents residing at Manhasset, Long Island, points out in his speech—"Wanted: Manpower for Utopia"—that technology is being developed to the extent that our lives may, in time, actually become utopian.

But he warns that—

> We are undergoing a decline in the relative number of people employed in the mechanical and technical arts—as auto mechanics, plumbers, radio and television repairman, medical technicians, carpenters, all the other vocations below the professional level in our society.

In fact, Mr. Jensen says:

> We are in the midst of the most critical shortage of technical manpower ever known in this country because of the increasing impact of technology on our lives.

Then, he makes some interesting and practical suggestions for meeting this problem, that will, I am sure, Mr. Speaker, be of interest to you and our colleagues. Under unanimous consent I include Mr. Jensen's speech in the RECORD, as follows:

WANTED: MANPOWER FOR UTOPIA

(By Charles S. Jensen before the 1969 Convention of the Associated Equipment Distributors, Chicago, Jan. 20, 1969)

Thank you, Mr. Chairman.

It is a very great pleasure for me to be here today to talk with a group of men who have done so much to spur industrial progress in America. Our firm's association with your membership has provided us with a great sense of pride—pride in what you are doing and pride in the fact that we are able at times to be of help to you in your work.

It is a very great honor and privilege to speak before this Golden Anniversary Meeting of the Associated Equipment Distributors. A very great industrial institution, one of the most important and vital trade associations in our modern business world, has come into being since that day in 1919 when five pioneer equipment distributors stood on a suburban railroad platform in Western Pennsylvania and decided there ought to be a common meeting ground for all those who were engaged in marketing equipment to the construction industry. Over the years, the A.E.D. and the great series of Road Shows have made incalculable contributions to the economic strength and material progress of this nation and have earned for the construction equipment industry a reputation and acceptance by business and government that makes your calling one of the most respected in the American business world. I congratulate you on this most significant and happy anniversary.

Revolutions . . . the real revolutions of life . . . are created by rather quiet people intent on doing their work. James Watt, Robert Fulton, Henry Ford, Guglielmo Marconi—these were true revolutionaries. They contributed to an industrial revolution that rolls on to new inventive and scientific achievements. With the help of you men who distribute essential equipment, we have reached a point in our development where it can be said that we are living in Yesterday's Dream of Utopia—at least in the technological sense.

The crowning technological success of this decade undoubtedly will be putting a man on the moon. It is difficult for us over fifty to believe it. I can still remember the day when an airplane flew over my school and the teacher suspended the class in order that we might look out the window at that amazing sight. It seems as if it were only yesterday that Charles Lindbergh flew the Atlantic alone. What has happened, of course, is an amazing speed-up in our rate of technological development.

Palmer Hoyt, editor and publisher of the Denver Post, has graphically illustrated this speeding up of man's progress. To show how this change has accelerated, he supposed the past 50,000 years were compressed into the lifetime of a 50-year-old man. Just 10 years ago, this 50-year-old man would have crawled out of a cave. Two years ago he would have heard of Christianity. Twenty days ago he would have first learned of electricity. Ten days ago he would have listened to a radio for the first time. And he would now be getting ready to ride in a jet airplane, invented a few minutes ago.

We are rapidly approaching the end of the twentieth century—surely the most amazingly progressive 100 years, from the technical standpoint, in the history of man. Our minds are filled with guesses of what will be happening by the time we enter the new century. Let us remember that the people who will be here in the year 2,000 are already in our schools, and by the turn of the century they will be only 35 to 50 years old—in their prime.

What will life be like?

I recently saw a forecast, published in England by the Advisory Center for Education, that offered these probabilities: robots will do domestic household chores; cripples will move on automatically controlled limbs that will move like human legs; most people will have their own personal computers, just as most now have wrist watches; a turn of the knob at home will bring a complete facsimile of a newspaper; computers will automatically diagnose disease for doctors; shopping lists will be placed in consoles at home, transmitted to a warehouse, and the goods will be delivered to the door with the cost automatically deducted from banking accounts; and intercity travel will be on trains moving on air.

Yet all these summaries of technological and scientific brillance of both the present and the future must sometimes leave you, as they do me, with a feeling that all is not as wonderful as our scientists say it is. As an inhabitant of Long Island, I am certainly as pleased as anyone that man has circled the moon, but I would be even more pleased if the commuter trains could get me to New York City on time. As an owner of an automobile, I am impressed with its beauty and its power, but I wish I did not have to wait a week before my dealer would look at the car to see if he could eliminate a problem. As the possessor of a television set, I am awed by this demonstration of man's mastery of electronics, but I wish I could find someone to remedy a condition where I get channel four when I tune into channel two and never get channel two at all. It's confusing.

I could go on like this, but I think you will understand my point. As much as I praise our Utopia, I recognize that it has its frustrations. I not only recognize them, I live with them—day in and day out. So do you. You as equipment distributors and I as a finance man can leave the advancement of solutions to our sociological economic and political problems to others. But I think we can legitimately claim to know something about technical deficiencies in our Utopia, and to make suggestions as to how they may at least be reduced.

Obviously, the big problem is the ratio of adequately trained manpower to machines. Two examples will explain what I mean: Ten years ago, there was one trained mechanic for every 109 cars on the road. Today, the ratio is one mechanic for every 125 cars. And, of course, cars are much more complicated today than they were 10 years ago. The same sort of deteriorating ratio can be found in medicine. In 1900 there was one health assistant for every doctor. Today there is one for every 13 doctors. By 1975, it is expected there will be one for every 25 doctors. Similar comparisons could be made for many another field of endeavor.

Clearly, we are undergoing a decline in the relative number of people employed in the mechanical and technical arts—as auto mechanics, plumbers, radio and television repairmen, medical technicians, carpenters, all the other vocations below the professional level in our society. We have the most critical shortage of technical manpower ever known in this country because of the increasing impact of technology on our lives.

As you have recognized, we must place the responsibility for our relative lack of technicians upon our educational system and the social status atmosphere of the society in which we live. To put it bluntly, middle-class America overemphasizes the four-year college education leading to the baccalaureate degree.

It is certainly a very good thing that we Americans want to educate our children—preferably to educate them just a little better than we ourselves were educated. Nevertheless, there is a good deal of snob appeal, of striving for status, in giving to some children the type of education for which they are not suited.

I think a quotation from Dr. Felix Robb, director of the Southern Association of Colleges and Schools, is apropos at this point: "The education profession has been practicing a form of snob appeal that has oversold the value of college enrollment for some individuals to the point where millions of youngsters who cannot or should not go to college view themselves at age 16 or 17 as failures." A group of University of California

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and Stanford University psychiatrists and psychologists recently reported that: "For most students the academic offerings of college do not connect adequately with their own personal motivations." The researchers lamented society's emphasis on achievement at the expense of individual needs, including happiness. And Dr. Matthew Ross, Harvard University psychiatrist, adds an especially dour note by reporting that the suicide rate for college students is half again as high as for non-students in the same age bracket.

One problem of education that has evoked much comment is the high school dropout. More than one million youngsters drop out of school each year. The unemployment rate of young people under 20 years of age is more than 13 per cent. Among youths in disadvantaged and minority groups, in rural areas and the urban ghetto, the rate may be as high as 35 per cent.

Again and again the high school dropout is urged to return to his schooling. But what for? To study modern literature? Or perhaps algebra? Or maybe a foreign language? We must remember that a dropout is simply an early leaver of the educational environment as he has found it. In most cases, it is a waste of time to ask him to return to that environment. It is the environment itself that needs to be changed. Instead of modern literature, algebra and French, let us offer him distributive education, carpentry, electronics, medical technology or automobile mechanics. I believe that our educational system should give as much encouragement and status to a boy who can adjust a carburetor as to one who can conjugate a Latin verb.

Each of us here today—concerned as we are with the industrial and technological progress of this nation—should give some thought as to how our educational system can raise the status of vocational work and the self-esteem of those employed in it.

Because all but a few of the teachers a boy or girl encounters in his early learning years have no knowledge of and little interest in vocational work, there is a tendency to relegate such courses to the "shop" down in the basement. Often equipment is out-dated and damaged. A dreary atmosphere of non-success pervades the room. The child gets the point that this is the kind of endeavor one undertakes if one isn't smart enough to become a lawyer, a doctor, a teacher, a business executive, a writer. We need to correct this image of vocational work.

Not so long ago, I visited a two-year technical institute, open to high school graduates. It was one of six agricultural and technical institutes established by New York State within the past decade.[*] The institutes award associate degrees in such essential endeavors as biological technology, hospital management technology, dental hygience, food processing technology, X-ray technology, industrial instrumentation technology, measurement science, construction technology—and I have by no means exhausted the list. I was impressed by the beauty of the campus, but also by the newness, the quality and the volume of the equipment, particularly by equipment used in the construction industry. The "shop," if we can call it that, was a vast room, almost as big as a football field, five stories high with a glass-enclosed balcony where visitors could watch the students and their instructors. But the thing that impressed me most at the institution was a simple little sign I saw in one of the medical laboratories. It read: "There is nothing second class about a first rate technician."

This is the idea I think we in business should strive to get across to our young people and to our educational establishment.

We need a better fusion between our academic and vocational curriculums at the high school level. Many members of our educational community—I do not say this to disparage educators, but simply to state the facts—many members of our educational community clearly view vocational training as a catchall for would-be dropouts.

I do want to make it clear that I am not downgrading intellectuality. It is certainly the duty of our educational system to develop and encourage the youngsters who will go into the professions and the "mental" occupations. Our country needs them. But I do not think we should attempt to point a boy toward a Harvard or a state university if he would be much happier at an East Side Vocational—and in the long run would contribute more to society, and earn more of its rewards, as an expert mechanic than he would in some so-called "higher" calling for which he never fully qualified.

Another problem we have today is finding employment for persons who are members of minority races. Toward meeting this problem, business has displayed commendable initiative. Across the nation, thousands of business organizations . . . including my own . . . have sought out and hired what are called "the hard core unemployed."

And there's the rub. While business is seeking—and failing to locate—tens of thousands of vocationally skilled employees, there are equal or greater numbers of vocationally unskilled people in our society who either can't get a job at all or can be hired only for some menial service occupation. What's the answer to bringing the needs of these two groups together and fulfilling both? Obviously, it is the subject we are discussing—the need for more vocational education both quantitatively and qualitataively and making the opportunities for this training available under properly encouraging conditions to young people everywhere—particularly those in our ghettos.

One encouraging fact is that the deficiencies of education in the vocational area are now being perceived as never before. John E. Harmon, executive vice president of the National Employment Association of Washington, recently noted, "It is a fact that our modern society does not place proper emphasis on and, in too many cases, does not even recognize the important part craftsmen and technicians play in this technological age. . . . Many educators, parents and businessmen have been blind to their responsibility of preparing youth for a living. . . . Many young people desire to attend vocational schools and technical institutions but are discouraged from doing so by their parents, advisors and others."

Fortunately, a move toward more vocational education is under way. This past October, the Vocational Education Amendments of 1968 were signed into law. These totally revise and consolidate our existing vocational education laws. The Office of Education hopes to have the new regulations entered into the Federal Register by the end of March, giving them the effect of law.

New guidelines for the complete rewriting of all state vocational plans will need to be drawn. New national and state advisory councils will have to be formed. Local and state program projections and plans will have to be drawn up and submitted before the states can get Federal grant funds. These time-consuming preparations must be made before new programs can actually get underway.

Business participation probably will be the most important factor in the Vocational Education Program.

Sure, you will agree with me and accept that statement. But the message and the challenge I want to leave with you today is to ask: "What are you—as a successful business leader and a man with a heavy stake in the good health of our economy—what are *you* willing to do about it?" There's no sense or security in sitting back and saying, "Let George do it." We all know from hardbitten experience that George is the biggest flop in the world. He just *won't* do it. So it's up to us.

I can suggest some down-to-earth grassroots, practical things that each of us in this room can do to help repair the technical training gap, to help plug the great big leak that is threatening our modern industrial Utopia. Let me list a few:

(1) When we get back home, we can take a good hard look at the vocational training programs and opportunities that are offered to young people—or older people—in our communities. If these are out-of-date, half-hearted or deficient, we can bring this to the attention of the members of our school board, the trustees of the local junior college or community college and to their administrators as well, and ask for action. We can needle and encourage them to get a real program going. For example, maybe the skilled journeyman teacher of a critically-needed vocational skill should be the highest paid member of the faculty—he can command such money outside.

(2) If we don't get results in this way, we can encourage candidates for school board positions to take a positive, affirmative stand on the need for modernized technical education and if we don't have much success with this—why maybe some of us ought to run for these jobs ourselves.

(3) We certainly should provide our local schools with current information and forecasts on the skills and types of employees we and other businessmen in the community require.

(4) We should be willing to cooperate fully in offering support to the on-the-job phases of our local vocational educational programs.

(5) We should talk about this problem to other businessmen and civic leaders—as I am talking to you today. We should get our chamber of commerce, local service clubs and parents' organizations interested, get the responsible leadership of the Negro community involved, go after all the local politicians and officialdom and get them aroused. Groups like these are the ones who can help raise the dignity and acceptance of vocational training and competent blue-collar work among the younger generation.

(6) We should line up the editorial support of the local newspapers. If you want a copy or two of this talk to give to your local editors, I'll be glad to send them to you.

(7) I could suggest many other activities, but it isn't necessary. If you as an individual are inclined to get involved, you'll find your own best avenues to get results. I do urge you, however, to become familiar with, and support, the new advisory council and program that will be set up in your state under the 1968 Federal Vocational Education Amendments. In addition, if you want more information and guidance, you can make contact with the 1,600-member National Employment Association, which is the national coordinator for private industry in this whole field. They are located at 2000 K Street, N.W., Washington, D.C., and the Executive Vice President is John E. Harmon whom I have previously quoted.

In closing, let me say that I have made these suggestions before this gathering because, as I said earlier, I believe you have contributed mightily to the revolutionary technological progress we have so far achieved in this country. And I believe, too, that you are conscious of the fact that our Utopia needs some repairing. To achieve the greatness we all desire for our country, let us begin to make those repairs by attacking the shocking waste of the potentialities of many young people that is being fostered by an educational system that too often is failing to deal with the realities of today and tomorrow.

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[*] Delhi Agricultural & Technological Institute, Delhi, N.Y.

MR. A. PHILIP RANDOLPH

HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. MURPHY of Illinois. Mr. Speaker, I would like to join with my distinguished colleague, the gentleman from Michigan (Mr. DIGGS), in extending congratulations to Mr. A. Philip Randolph on the occasion of his 80th birthday.

Mr. Randolph, the head of the Brotherhood of Sleeping Car Porters until his retirement last year, long has been one of this country's leaders in promoting human rights. His career as a labor and civil rights spokesman has been characterized by both dedicated work and commitment to social equality in the United States.

It is my pleasure to join in the expression of gratitude to Mr. Randolph and to extend to him my warmest regards.

A FUNDRAISING DINNER FOR NEEDY OIL EXECUTIVES

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. PODELL. Mr. Speaker, I have been much moved by plaints of our oil industry in recent weeks, as they claim persecution by those demanding tax reform at expense of their plushly profitable tax privileges.

After all, Marathon Oil did not pay out a single penny in Federal taxes in 1963, 1964, and 1965. They earned $138,520,000 in net income before tax in 1967, and paid out 2.7 percent of it in Federal tax. Now this is what I really call acute suffering. Tears course down my face as I read of their plight. Nor is this all.

One sobs with grief when discovering that Sinclair Oil earned $130,017,000 in 1967 in net income, paying but a 8.1 percent of it in Federal taxes. Tidewater Oil, before being absorbed by poverty-stricken Getty Oil, earned $42,762,000 in net income before taxes in 1968. A pitiless Federal Government heartlessly extorted 4.1 percent of that in Federal income taxes. How unconscionable. I have heard a nasty rumor to the effect that they have even begun to serve domestic champagne in homes and country clubs frequented by oil people as a result of such staggering taxation. How sad that special privilege has fallen to such low estate.

After a long night devoted to agonized soul-searching and prayerful contemplation, I resolved to do something to alleviate sufferings of our oil industry. My guilt is almost too much to bear. I must cleanse my conscience.

After unending hours of meditation, I have a perfect solution. We throw benefit dinners for the needy—among them politicians. Why not have a national fund-raising dinner for our oil industry? A gargantuan Lucullan feast, at which all America could gather to do homage to them, showing our appreciation for unceasing efforts. The thought sets me atwitch with glee. At last we would be able to show our oil industry what we really think of it. Perhaps President Nixon would even consent to call the cards on pledges.

A menu for such a banquet would feature special exotic dishes the oil industry has long favored as daily fare. My suggested menu is as follows:

Appetizers: Marinated household budget, minced oil bills—choice of one.

Soup: Cream of mortgage-payer soup, consomme of repair bills.

Entrees: Haunch of householder, filet of taxpayer, taxpayer under glass, taxpayer sauteed in heavy oil—domestic—brisket of breadwinner, prime rib of wage earner, crown roast of housewife, seabird soaked in crude oil.

Vegetables: Fried agony of taxpayer, mashed matron, hashed householder, braised pocketbooks, stewed treasury form filler-outer, creamed misery at tax time.

Desserts: Whipped wallets, chocolate mousee of employee, iced commuter, baked payer of expenses, brandied part-time worker.

Liqueurs: Courvoisier al la oversea depletion allowance, benedictine de la drilling expenses, schnapps aged in 27½ percent domestic oil depletion allowance.

Nuts: Mixed Treasury style, pecans a la Louisiana.

Digestive aids: Bromo and Alka Seltzer for those taxpayers who will provide the banquet, have only a right to watch it consumed and suffer digestive pains without benefit of enjoyment of the dishes.

After observing our oil industry serve America up for so long, it behooves us to return the favor. After such a meal and accompanying gestures, the assembled oil barons will show gratitude by their glad cries of significant volume. Running to embrace us, unashamed of their ragged appearance, they will be properly appreciative. Then off to their humble little weatherbeaten 40-room shacks in creaky, battered old chauffeured Rolls Royces. Sobbing with thankfulness over our gesture, they will clasp the precious memory of such an occasion to their bosoms as they gaily count billions robbed from us through foreign and domestic oil depletion allowances. Tax privileges, I might add, which the President has somehow forgotten to include in this tax reform program. A temporary oversight, I am sure.

They will speak in hushed tones for decades to come of our virtues as they gather in the Caribbean and along the Riviera to count dividends, clip coupons, and exercise stock options. As they squeeze retail dealers ever tighter and extort still more from the American public through fraudulent gambling games, they will fondly remember our noble act of noblesse oblige.

It will comfort us to know this as we pay higher fuel bills, gas prices, and oil costs. As we stagger along under an ever-mounting load of taxes, we shall be comforted knowing our labor and unclosed income tax loopholes have made it possible for these beloved brethren to thrive in unprecedented luxury.

Perhaps the oil barons will even brush away a tear when they next testify before a congressional committee on how poor they are and why they should be allowed to continue to enjoy privileges for a few at expense of the many.

POLAND'S CONSTITUTION DAY

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. BROOMFIELD. Mr. Speaker, May 3, 1791, was a very eventful day in the history of Poland, for it was on that day the Polish Constitution was drafted. This outstanding document even today stands as one of the guiding lights of European democracy. Many of the principles of a free democratic government that we cherish so much in the West today can be found embodied in this great proclamation. This declaration by the freedom-loving people of Poland stands as a milestone in the struggle of mankind for the establishment of representative and democratic governments.

The new Constitution of Poland was short lived. The authoritarian rulers in the countries surrounding Poland would not permit a democracy in their midst. The Russians were the first to move against Poland, followed by the Prussians and the Austrians who divided the country of Poland among themselves.

The Constitution disappeared but the thoughts of freedom can never be erased from the hearts and minds of the Polish people. Poland and the free world are anxiously waiting, hoping and praying for the day to arrive when once again the Constitution will once more be restored and the Polish nation will take its rightful place in the family of free nations.

This year's May 3 observance coincided with significant dates in Polish history. It was the 30th anniversary of German-Soviet attack on Poland; 25th anniversaries of the Battle of Monte-Casino; Warsaw uprising, and of the founding of the Polish American Congress.

So on the anniversary of Polish Constitution Day, I extend my good wishes to the friends of free Poland throughout the world. It is my solemn wish that Poland may once again in the very near future enjoy the fruits of a democracy.

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HOUSE OF REPRESENTATIVES—*Tuesday, May 6, 1969*

The House met at 12 o'clock noon.

Rev. Carl Peacock, Edgewood Baptist Church, Columbus, Ga., offered the following prayer:

Eternal God and Father of all mankind, we approach Thy throne with hearts filled with gratitude.

We bring to Thee, for Thy consideration, our Nation, yes our world. Wilt Thou guide the destiny of all men.

Bless all in the service of our Government, in assuming their responsibilities in our national affairs.

Grant us peace in accordance with divine wisdom.

Help us to be a people who love Thee and who walk according to Thy precepts. May we seek Thy face and turn from our wicked way, that You will hear from heaven, forgive our sins and heal our lands.

Help these Congressmen to lead us in righteousness for righteousness exalteth a nation. In Jesus' name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 3548. An act for the relief of Dr. Roberto de la Caridad Miquel;

H.R. 4064. An act for the relief of Ana Mae Yap-Diangco; and

H. Con. Res. 165. Concurrent resolution designating the year 1969 as the "Diamond Jubilee Year of the American Motion Picture."

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 150. An act for the relief of Dr. Orlando Fajardo Vargas;

S. 244. An act for the relief of Cristina Bangcawayan;

S. 245. An act for the relief of Blandina Salvador;

S. 278. An act to consent to the New Hampshire-Vermont interstate school compact;

S. 330. An act for the relief of Dr. Konstantinos Nicholas Babaliaros;

S. 354. An act for the relief of Foo Ying Yee;

S. 464. An act for the relief of Dr. Jaime E. Lazaro;

S. 465. An act for the relief of Dr. Lydia L. Lazaro;

S. 684. An act for the relief of Hon Chun Eng;

S. 738. An act for the relief of Hector Enrique Gonzales;

S. 882. An act for the relief of Capt. William O. Hanle;

S. 1104. An act for the relief of Thi Huong Nguyen and her minor child, Minh Linh Nguyen;

S. 1438. An act for the relief of Yau Ming Chinn (Gon Ming Loo);

S. 1655. An act to change the limitation on the number of apprentices authorized to be employed by the Government Printing Office;

S.J. Res. 13. Joint resolution to provide for the reappointment of Dr. John Nicholas Brown as Citizen Regent of the Board of Regents of the Smithsonian Institution;

S.J. Res. 35. Joint resolution to provide for the appointment of Thomas J. Watson, Jr., as Citizen Regent of the Board of Regents of the Smithsonian Institution;

S.J. Res. 45. Joint resolution to authorize the President to issue a proclamation designating the period beginning September 1, 1969, and ending September 7, 1969, as "Adult Education Week";

S.J. Res. 46. Joint resolution to authorize the President to designate the period beginning November 16, 1969, and ending November 22, 1969, as "National Family Health Week";

S.J. Res. 77. Joint resolution to authorize the President to designate the period beginning June 8, 1969, and ending June 14, 1969, as "Professional Photography Week in America";

S.J. Res. 81. Joint resolution in honor of Amelia Earhart and Joan Merriam Smith;

S.J. Res. 99. Joint resolution to authorize the President to issue annually a proclamation designating the first week in June of each year as "Helen Keller Memorial Week";

S.J. Res. 100. Joint resolution to proclaim the week beginning May 1 as "Youth Week"; and

S.J. Res. 104. Joint resolution to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969.

FAREWELL TO THE FRIEND OF A LIFETIME, GENE KINNALY

(Mr. McCORMACK asked and was given permission to address the House for 1 minute.)

GENERAL LEAVE TO EXTEND

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may extend their remarks at this point in the RECORD for a period of 5 legislative days in relation to the passing of our dear friend Eugene T. Kinnaly.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I profoundly regret that I must announce to the Members of the House, to its officers, and to its employees, the death of Eugene Kinnaly, my administrative assistant for 41 years, and the friend of a lifetime.

Advancing years have many bitter penalties and pains to inflict upon us all, but if there is a deeper grief than the loss of a friend with whom one has made the long march through life together, I have not experienced it. And yet, I can take as my model, in this moment of unutterable sadness, the example of the man whom I mourn, a man whose composure, in times of crisis and tragedy, was unshakeable, a man whose courage in adversity was infinite, a man whose loyalty and steadfastness under stress were ever strong as New England granite.

Fifty-one years ago, Eugene T. Kinnaly came to our Nations' Capital to serve as assistant to the Member from the then 12th Massachusetts District, the late James A. Gallivan. During the many, many years since then, Gene Kinnaly won the liking, admiration, and respect of friends and associates on the Hill and throughout the executive departments. His intelligence, his tact, warmth, poise, and dedication, all endeared him to those who carried the heavy responsibilities of transacting the public's business.

He was not merely Mr. Gallivan's or my assistant; he was every Member's assistant. For over half a century, Members of this House knew that he could be helpful because he had demonstrated so often that he not only knew the House and its ways but that he had an ingrained respect for each and every Member, a respect that shone through, brightly and clearly, everything he did. In the administration of my own office as a Member, and in the performance of my duties as Speaker, he was that priceless asset of the legislative process, the omnicompetent assistant who was completely loyal and thoroughly dedicated to the well-being of his Member's district and to the country that he loved so well.

He brought to everything he undertook a breadth of experience and a depth of understanding of the needs of colleagues and constituents, of his city of Boston, of the Commonwealth of Massachusetts, and of the U.S. Government, that were both remarkable and unique. I always knew that whoever came to my office as a Member or as Speaker would be greeted with a friendly smile and a warm welcome, probably friendlier and warmer than any I could muster myself. I never knew him to turn away anyone who had a problem. He listened to those who sought his help with patience and full attention. He well realized that, to those afflicted by a seemingly irremediable combination of circumstances, nothing on earth was of greater importance than what they wished to tell him. Therefore, he treated such matters with the gravity attached to them by those who bore their burden, and, in so doing, he instantly offered the kind of surcease from care and travail that was needed.

My revered former colleague, the Honorable Barratt O'Hara, of Illinois, said of Gene in 1964:

> The wealth that man accumulates is not in the gold that is mined from the earth, but in the gold that is in the friendships engendered by his words of gentleness and sympathetic understanding, his deeds of helpfulness, his spirit of humility and humanness. By this measure, Gene Kinnaly is one of the richest men on Capitol Hill.

On this occasion, I wish that it were possible to make "full disclosure" of Gene Kinnaly's kind of wealth of which O'Hara spoke. But you must take my word for it that Gene Kinnaly was held in the fondest regard by tens of thousands in and out of Boston. He had the universally respected qualities that made for genuine human greatness. He was a man of deep faith. To me, Gene was more than a friend; he was like a brother.

As the dean of congressional employees, his presence among us was an asset and a pleasure of incalculable value. Incontestably, his absence will be difficult

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to remedy. The House of Representatives of the United States has suffered the loss of a loyal and faithful servant to whom it now accords the Scriptural praise "well done."

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, over the years we have a great many times saluted Eugene T. Kinnaly, one of the most respected senior staff members on Capitol Hill. I am grieved to salute him today for the last time. The Speaker has lost the chief lieutenant of his long years of service in this House, his steadfast right arm whom he has generously shared with us throughout many years. Gene was the most loyal, competent, and kindly aide a Member could hope to have. There is no reliable measure of his contributions to the office of the Speaker, the State of Massachusetts, or this body. On July 18 Gene would have completed 52 years of service. His knowledge and experience acquired over five decades were unrivaled. He not only knew how to get things done, he knew how they used to be done, and by whom. His knowledge of the processes of the House, their history and evolvement, were invaluable to the Speaker and to us all. There are only a handful of employees of this rank in the entire Congress.

Exceptional capability, rare and important as it is, can be replaced but there is no replacement for the quality of a man's character or the goodness of his heart. Gene's uncritical attitude toward his fellow man, his quiet and friendly compassion and understanding, are irreplaceable. I am grateful to have had Genes help and friendship. He had tremendous demands and pressures to meet, occupying as he did for many years the principal post in the office of the Speaker. Yet he always stretched himself to handle every request I ever made of him. I am certain that Gene rests now in the mansion of his Father, where the faith and goodness of his temporal life have earned him life everlasting.

I extend to his sister-in-law, his nieces and nephews, the Speaker, and his coworkers, my deepest sympathy.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, all of us deeply, and I mean most deeply, regret the passing of your dear friend Gene Kinnaly. I did not know him too well until the last few years. But in the last 4 years, plus, I have had many occasions to have contact with him in one way or the other. He was always most helpful and certainly most considerate. He was a real gentleman.

Let me reemphasize, he was a gentleman if there ever was one. I believe his impact among all other employees of the House was tremendous. He was a shining light for them to follow. Those of us on both sides of the aisle who have been the beneficiaries of his kindness, his help and his assistance, will miss him very greatly. There is no way that we can in any way whatsoever find a replacement for Gene **Kinnaly. We simply say to our beloved Speaker that we will miss Gene Kinnaly, but we cannot miss him nearly as much as the Speaker because, as he has said, he was his dearest friend.**

We extend to his family and to his friends our deepest condolences.

Mr. McCORMACK. Mr. Speaker, I appreciate very much the touching remarks of my dear friend, the distinguished gentleman from Michigan (Mr. GERALD R. FORD).

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the distinguished gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I appreciate our distinguished Speaker yielding to me, and I join with the distinguished gentleman from Michigan and our distinguished Speaker in expressing admiration for the Speaker's late administrative assistant, Gene Kinnaly.

Mr. Speaker, I first came to know Gene Kinnaly when I came to this body 29 years ago. As the Speaker so beautifully pointed out, Gene Kinnaly not only served our distinguished Speaker as a Member, as majority leader, and as Speaker of the House of Representatives, but he also served each Member of this body, regardless of which side of the aisle he may have sat on. Mr. Speaker, he was indeed the very epitomization of a dedicated public official who worked for his fellow man, for his Member, for his State and for his Nation. He was devoted to you as you were to him.

I subscribe wholeheartedly to the beautiful tribute paid to Gene Kinnaly when he was alive by our former Member, the Honorable Barratt O'Hara.

Even after Gene Kinnaly had suffered a very severe heart attack he never complained, and one never knew that he had been ill because he never discussed it.

We shall all miss Gene Kinnaly very, very much.

Mr. McCORMACK. Mr. Speaker, I deeply appreciate the very touching remarks of my friend, the distinguished majority whip, the gentleman from Louisiana (Mr. BOGGS).

Mr. Speaker, I will now yield to the distinguished gentleman from South Carolina (Mr. RIVERS).

Mr. RIVERS. Mr. Speaker, I want to extend my sympathy to our distinguished Speaker, and to associate myself with the remarks made by the Speaker and others who have lamented the untimely passing of Gene Kinnaly.

As the Speaker knows, I have had a lot of dealings with Gene Kinnaly as the representative of the Speaker. He has taken from the broad shoulders of our beloved Speaker many burdens about which we rank-and-file Members of the House will never know.

I know how heavily the Speaker depended on Gene Kinnaly because of his being such a dedicated man. His passing will leave a void in the life of our great Speaker that will be indescribable, and about which he will have to suffer long. But I want our Speaker to know that those of us who knew Gene Kinnaly loved him, even as our Speaker loved him, because he was selected by the Speaker and he fulfilled that confidence of the **Speaker with a distinction seldom equaled and which he never failed.**

I extend the sympathies of Mrs. Rivers and myself to the family of Gene Kinnaly, and also to our beloved Speaker.

Mr. McCORMACK. Mr. Speaker, I value very much the thoughtful remarks of my distinguished friend from South Carolina.

Mr. Speaker, I now yield to the gentleman from Georgia, (Mr. FLYNT).

Mr. FLYNT. Mr. Speaker, I would like to associate myself with the remarks that have been made on the occasion of the death of the administrative assistant to the Speaker of the House of Representatives, Mr. Eugene T. Kinnaly.

Gene Kinnaly served the gentleman from Massachusetts as a Member and in the capacity as administrative assistant to the majority leader, and as administrative assistant to the Speaker of the House of Representatives, long and well. Through serving the Speaker he also served all the Members of this body and the House of Representatives.

Mr. Speaker, I share the grief and sense of sadness expressed by the gentleman from Massachusetts, our beloved Speaker, (Mr. McCORMACK).

Mr. McCORMACK. Mr. Speaker, I value very much the very thoughtful remarks of my distinguished friend from Georgia.

I now yield to the gentleman from Oklahoma (Mr. EDMONDSON).

Mr. EDMONDSON. Mr. Speaker, I join my colleagues in extending our deep sympathy to you and to your family and to the many friends and loved ones of Gene Kinnaly.

From my first visit in your office, Mr. Speaker, and my first experience with his kindness and with his consideration, I have treasured the relationship that I had with this fine man. I know he was a man of great heart and a man of compassion and of great understanding—a man who accepted responsibility and met his responsibilities bravely and tirelessly. I know how much of a role he played in the important business of the office of the Speaker of the House of Representatives, and I join my colleagues in extending our deepest sympathy to all who loved him.

Mr. McCORMACK. Mr. Speaker, I appreciate very much the thoughtful remarks of my distinguished friend, the gentleman from Oklahoma.

I yield to the gentleman from Texas (Mr. ROBERTS).

Mr. ROBERTS. Mr. Speaker, I appreciate the distinguished Speaker of the House yielding.

Mr. Speaker, I first met Gene Kinnaly when I came here in 1940 with Speaker Rayburn and my first instructions were to see Gene Kinnaly and let him tell me what I ought to be doing for Speaker Rayburn.

He was my friend and close associate during all these years. I deeply appreciate the contributions he made to this country, and particularly to the Speaker of the House of Representatives.

Mr. McCORMACK. Mr. Speaker, I appreciate the very thoughtful remarks of my distinguished friend, the gentleman from Texas.

XUM

Mr. BOLAND. Mr. Speaker, it was very sad to hear this morning of the death of your dear friend and long-time administrative assistant, Eugene Kinnaly, who so competently served his congressional district, the Commonwealth of Massachusetts and the Nation for more than a half century on Capitol Hill.

I know what a tremendous loss this is for you, Mr. Speaker, and for your beloved wife; because Gene Kinnaly was not only your loyal and efficient assistant, but a warm and constant companion to you and Mrs. McCormack.

Gene Kinnaly loved the House of Representatives and Capitol Hill where he had labored for 51 years. He first came here in 1918 as secretary to the then Congressman James A. Gallivan, and remained here with you after Mr. Gallivan's death in 1928.

Over this long period of years, Gene Kinnaly earned the liking, respect, and the admiration of his friends and associates on Capitol Hill and in the executive departments downtown. His loyalty, tact, warmth, poise and dedication will long be remembered.

A brilliant man, Gene was remarkably well versed in all matters touching on Government and politics. He was a member of the Massachusetts bar, and was admitted to practice before the Federal courts and the U.S. Supreme Court.

Gene Kinnaly had a breadth of experience and depth of understanding of the problems of constituents and colleagues, of his beloved city of Boston, and of the Commonwealth of Massachusetts. At his fingertips was a wealth of knowledge about what makes Washington run and the intricacies of dealing with Federal agencies. He had a genius for getting things done which endeared him to everyone beset by the complexities of Government.

Every visitor to the Speaker's office was greeted by Gene with the same friendly smile and warm welcome. I never knew him to turn away anybody who had a problem. He listened patiently and his very manner gave quiet assurance that every effort was being made to answer each request, resolve each issue, or solve each problem.

Through the years Gene Kinnaly was dependable, trustworthy, sincere, always willing to lend a hand to the new Members of the Congress, and always quick to offer his time, talents and encouragement in behalf of others.

Mr. Speaker, it was a great privilege and a pleasure to have known and worked with Gene Kinnaly. He was a devoutly religious man, who attended daily morning Mass and strolled away from the busy clamor of the Speaker's office each noontime for private prayer in nearby Saint Peter's Church on Capitol Hill.

Although we shall miss him and we mourn his death, Gene has gone to join his beloved wife, Alice Louise—Mulholland—Kinnaly, who was separated from him by death in 1948.

Mr. DONOHUE. Mr. Speaker, like all of my colleagues here, I was deeply grieved to learn of the sudden passing of that great, good, and kind gentleman, Eugene T. Kinnaly, who spent some 50 years in dedicated service to his country and to the U.S. House of Representatives.

For some 40 of these 50 years, he was the chief assistant to our beloved Speaker, and if ever there was a supremely capable, intensely loyal, and devotedly patriotic congressional assistant, it was Eugene Kinnaly.

To the great majority of us, he was affectionately known as "Gene." He personified the highest traditions and ideals of patriotic service; his superior talents, his modest personality, his kindly nature and cooperative disposition have become a legend on Capitol Hill.

He has left, for all of us to follow, an inspiring example of honor and excellence in memorable service to his country and his fellow man. No man can do more and each of us should strive to do as much. We pray that the Lord will grant him eternal peace.

Mr. MONAGAN. Mr. Speaker, I was shocked to learn of the death of Gene Kinnaly and I am proud to join with my colleagues in paying tribute to this outstanding public servant.

I have known Gene since coming to the Congress and I always found him to be knowledgeable, resourceful, and above all cooperative. He was not only a strong right arm to our Speaker in his congressional career of 41 years, having also served Mr. McCormack's predecessor for 11 years, but he also rose to the rank of personal and affectionate friendship and I commiserate with the Speaker in the knowledge that Gene's passing is a personal loss to him much more than a professional one.

There is one other facet of Gene's character which bears reference. In a world which is increasingly dominated by material considerations and regard for wealth and temporary things, Gene retained the religious devotion unfortunately more characteristic of another day. I have often seen him at noontime making his way from the Capitol to nearby St. Peter's church where he paused each day in the midst of his busy load to attend a service of divine worship.

This then was the friendly, devoted, and saintly man whom we all remember with such affection. His passing is a loss not only to the Speaker and his family, but to the House of Representatives itself.

REV. CARL PEACOCK, TH. M.

(Mr. BRINKLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRINKLEY. Mr. Speaker, may I express the appreciation of the House to our visiting Chaplain, Rev. Carl Peacock, Th. M. He serves at Edgewood Baptist Church in Columbus, Ga., and is my friend, as well as my pastor, there.

His love for people dominates his life and is the pilot for his ministry. When I think of him, the picture which comes to my mind most clearly is of him standing in front of the Sunday school building and leaning over to shake hands with my 8-year-old perpetual motion machine, Freddie, and saying on a man-to-man basis, "How are you today, Freddie?" And to Fred's standard response of "All right, sir," Brother Peacock would always have a rejoinder, "My, what a handsome jacket you have on," and the like, and so it always went on each Sunday morning.

You can see why it is that we love Carl Peacock. To know him is to trust him and respect him—as a man, as a teacher, and as a minister.

He demonstrates by Biblical example, the ministry he teaches and preaches.

Henry Adams once said:

> A teacher affects eternity. He can never tell where his influence stops.

Certainly this is true of the Great Teacher. It is also true of those who follow in His footsteps.

THE NEED FOR AN INCREASE IN SOCIAL SECURITY THIS YEAR

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, as a Member of the 91st Congress, as a member of the Ways and Means Committee, and as a member of the Democratic caucus, I expect to use every strength I can muster to insure action this year on an adequate increase in social security benefits.

The critical inflation-created needs of our elderly retired must be considered in this session of Congress. The will of the majority of Congress to meet these critical needs must not be suppressed.

Our elderly retired should not be allowed to become the scapegoat for an inflationary condition which engulfs all segments of our economy. They must not be left out.

Next year is too late to prevent millions of our elderly retired to fall from levels of self-sufficiency to despair and poverty. The inflationary impact of the last 2 years has driven several millions of our senior citizens below poverty levels of subsistence.

MR. EUGENE T. KINNALY—A GRACIOUS MAN, A KNOWLEDGEABLE ADMINISTRATOR

(Mr. PEPPER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PEPPER. Mr. Speaker, it is a sad occasion today in which I join with my colleagues in expressing my sincere sense of sorrow for your loss of an able assistant and a devoted friend, Mr. Eugene T. Kinnaly. The only solace to come from the passing of a trusted and loyal adviser is through the remembrance of association. I am mindful that the 41 years in which Gene Kinnaly served yourself and this House faithfully will remain with us forever. He was a gracious man and a knowledgeable administrator. More qualities than these you cannot ask. I share your loss.

XUM

A COMPARISON OF MODERNIZATION OF RAILROAD SYSTEMS

(Mr. WEICKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEICKER. Mr. Speaker, it was interesting to see a recent news release from the World Bank and the International Development Association announcing a $17 million loan for the modernization of the Tunisian railroad system. Since our total share of World Bank-IDA funds is about 33.8 percent, it would seem that our contribution toward improvement of Tunisia's railroads is on the order of $5,670,000.

Of course I am delighted to hear that this fine north African country will soon have the most modern of transportation facilities, but it does seem ironic that while the desert will flower, commuters in Connecticut and New York are but crushed petals doing battle to gain Federal assistance for modernization of rail facilities.

Mass transit in the Northeast is a national disgrace. I wonder if Connecticut could apply to the World Bank for a railroad modernization grant.

THE SUPREME COURT QUESTION

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, the shocking disclosures this week regarding a member of the U.S. Supreme Court have already stimulated great public controversy. I certainly have no desire to use this incident as a weapon with which to bludgeon the entire Court for its actions of the past, present, or future.

It seems to me that the really fundamental question is whether we will take any action or attempt any action to prevent a recurrence of such incidents. What is truly sad in the aftermath of the Fortas affair is that doubts inevitably have crept in and been created in the mind of the public as to the integrity of the judicial process itself. This is something that far transcends partisanship or even the reputation of any single member of that Court. It is doubly tragic because it must be viewed in the context of the crisis of our times, which is the growing disrespect for law and contempt on the part of some for our basic institutions. Therefore I am today introducing legislation which would have the effect of repealing the tax-exempt status of any foundation which makes or offers to make a payment of any kind or description either under the guise of honorariums, grants, payment of trips, retainers, fees, and so forth, to any public official either at the Federal or at the State level or to any member of the courts, either Federal or State courts, while such public official is in office, or which makes any such payments to a Federal or State official during the 2-year period following his retirement from such public office or position on our courts.

It seems to me that the public expects some affirmative action from the Congress and that this is one direction in which we can and should move.

SECRETARY OF NAVY DECISION ON "PUEBLO" AFFAIR

(Mr. MAYNE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MAYNE. Mr. Speaker, as a Navy veteran of World War II, I have followed the *Pueblo* affair very closely and read this morning's statement by Secretary of the Navy Chafee with great interest.

I concur with the Secretary's conclusion that no useful purpose would be served by further legal proceedings against the personnel of the *Pueblo*, either individually or collectively. The facts surrounding the loss of the *Pueblo* have been fully aired, and our principal concern should be to make sure that such a tragedy is not repeated. The court of inquiry was properly convened, and should be commended for proceeding in a thoroughgoing yet dignified manner, leaving no stone unturned to insure a complete historical record. However, I agree with the Secretary of the Navy that to carry out the court's recommendations as to punishment would merely protract and inflame this unfortunate chapter in our otherwise proud naval history.

JUSTICE SHOULD ACT NOW

(Mr. GROSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GROSS. Mr. Speaker, according to the newspapers, Louis Wolfson, whose family foundation gave Associate Supreme Court Justice Abe Fortas $20,000, which Fortas nursed for 11 months before returning, has made some statements which ought to be of prime concern to the U.S. Department of Justice.

According to the Washington Post, Wolfson, only days before beginning a 1-year Federal prison sentence for his financial manipulations, alleged that his Federal prosecution had been full of "shocking double standards and injustices," and that he had turned down high-level offers of political assistance.

The Wall Street Journal says:

> If Louis Wolfson is to be believed, he could have obtained a Presidential pardon last December, sparing him the anguish of a one-year jail sentence . . . for the illegal sale of stock.

According to the Journal:

> Through political connections, the millionaire industrialist says he could have secured a pardon from President Johnson if he had asked for it. Wolfson says he received this assurance "from somebody who is as close as anybody could be" to Mr. Johnson.

I trust, Mr. Speaker, that the Justice Department will move immediately to answer the charge that it is guilty of "shocking double standards and injustices," and Wolfson's highly interesting and reported claim that he turned down high-level offers of political assistance that would have kept him out of a Federal prison.

PRESIDENT NIXON'S MESSAGE ON THE GROWING PROBLEM OF OBSCENITY THROUGH THE MAIL

(Mr. RAILSBACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAILSBACK. Mr. Speaker, yesterday President Nixon, in a message to Congress, proposed a three-pronged attack to alleviate a growing problem of major national concern. The problem is obscenity and the mail and its deleterious effect upon the youth of America. J. Edgar Hoover has commented:

> It is impossible to estimate the amount of harm to impressionable teenagers and to assess the volume of sex crimes attributable to pornography, but its influence is extensive.

It has, of late, grown to such proportions that it can no longer be ignored and in this regard President Nixon's proposals are extremely timely.

The major problem concerning obscene matter and the mail is the fact that almost all of the pornographic mail traffic is unsolicited, unwanted and offensive to those who receive it. Furthermore, it is almost impossible for a citizen to stem this unwarranted invasion and prevent the repeated intrusion into his home of this obscene objectionable matter. Existing legislative provisions provide no effective method for a concerned parent to protect his home from being continuously bombarded with sex-oriented material.

By such an intrusion into the home, the purveyors of obscenity create an effective opportunity for minors to come in contact with this objectionable matter. Minors, who but for this unwarranted intrusion, would not have come in contact with this material, are, in effect, pandered in their own homes.

Mr. Speaker, no person or organization should be so allowed to impose this corrupting influence upon an objecting household and family.

The legislative proposals contained in the President's message to Congress represent a major initial step toward the protection of our youth from obscene materials coming through the mail by reinforcing a man's right to privacy in his own home. The problem is real and Congress must accept its responsibility to enact legislation designed to alleviate it.

REREFERENCE OF H.R. 393 AND H.R. 3682 TO COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. POAGE. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be discharged from the further consideration of the bills (H.R. 393 and H.R. 3682) to authorize and direct the Secretary of Agriculture to classify as wilderness the national forest lands known as the Lincoln Back Country, and parts of the Lewis and Clark and Lolo National Forests, in Montana, and for other purposes, and that those bills be rereferred to the Committee on Interior and Insular Affairs.

XUM

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

JOHN FISCHETTI AWARDED PULITZER PRIZE FOR 1969

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, the very welcome news reached us late today that John Fischetti, editorial cartoonist of the Chicago Daily News, has been awarded the Pulitzer Prize for 1969 for excellence in editorial cartoons.

This is a richly deserved honor which has been bestowed on Mr. Fischetti, for he has brought to the world of editorial cartooning a new style and technique.

While the Pulitzer Prize Committee awarded this highly coveted honor on Mr. Fischetti for the "body of his work," with no particular cartoon selected, I would have singled out Mr. Fischetti's excellent portrayal of the military-industrial complex in a cartoon on April 7 which showed retired military brass on the payrolls of defense contractors. The caption on this timely cartoon was: "Old soldiers never die; they just fade into defense plants."

The ability of a great cartoonist to pierce the balloons of pretense and make us laugh in common understanding at human failings and at our imperfect institutions is one of the most redeeming features of our civilization. With a few artful strokes of his pen and a succinct caption, the editorial cartoonist makes all our lives richer and more rewarding. John Fischetti is one of the great cartoonists and he well deserves this outstanding distinction.

I believe the Chicago Daily News, one of America's foremost newspapers, should also be commended for its historic excellence in recruiting an editorial staff which has consistently won Pulitzer Prizes and the tributes of the journalism profession. The Chicago Daily News has encouraged men like John Fischetti to develop to their fullest potential. I congratulate Mr. Fischetti and the Daily News for this Pulitzer Prize and wish them continued partnership for the future.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

MUTUAL BENEFIT FOUNDATION

The Clerk called the bill (H.R. 2214) for the relief of the Mutual Benefit Foundation.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

FRANK KLEINERMAN

The Clerk called the bill (H.R. 3377) for the relief of Frank Kleinerman.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PEDRO IRIZARRY GUIDO

The Clerk called the bill (H.R. 5000) for the relief of Pedro Irizarry Guido.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

REDDICK B. STILL, JR., AND RICHARD CARPENTER

The Clerk called the bill (H.R. 6400) for the relief of Reddick B. Still, Jr., and Richard Carpenter.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

NOEL S. MARSTON

The Clerk called the bill (H.R. 6378) for the relief of Noel S. Marston.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

JOHN VINCENT AMIRAULT

The Clerk called the bill (H.R. 2552) for the relief of John Vincent Amirault.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PAGONA ANOMERIANAKI

The Clerk called the bill (H.R. 5133) for the relief of Pagona Anomerianaki.

There being no objection, the Clerk read the bill, as follows:

H.R. 5133

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Pagona Anomerianaki may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon the approval of a petition filed in her behalf by Olga and George Staats, citizens of the United States, pursuant to section 204 of the Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act, Pagona Anomerianaki shall be held and considered to be the natural-born alien daughter of Olga and George Staats, citizens of the United States: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MISS ELIZABETH SCHOFIELD

The Clerk called the bill (H.R. 5134) for the relief of Miss Elizabeth Schofield.

There being no objection, the Clerk read the bill, as follows:

H.R. 5134

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Elizabeth Schofield, the fiancée of Bradley Curry, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months: *Provided*, That the administrative authorities find that the said Elizabeth Schofield is coming to the United States with a bona fide intention of being married to the said Bradley Curry and is found otherwise admissible under the immigration laws. In the event the marriage between the above named persons does not occur within three months after the entry of the said Elizabeth Schofield, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above named persons shall occur within three months after the entry of the said Elizabeth Schofield, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Elizabeth Schofield as of the date of the payment of the required visa fee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA CAMILLA GIULIANI NIRO

The Clerk called the bill (H.R. 5615) for the relief of Maria Camilla Giuliani Niro.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. That concludes the call of the Private Calendar.

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

XUM

The SPEAKER. The gentleman from Washington makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. SISK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 54]

Abernethy
Alexander
Anderson, Tenn.
Ashley
Baring
Bates
Bell, Calif.
Blackburn
Blatnik
Boland
Bow
Burleson, Tex.
Button
Cahill
Carey
Celler
Chisholm
Clark
Clay
Conte
Conyers
Dawson
Dent
Diggs
Dingell
Eckhardt
Edwards, Calif.
Foley
Ford, William D.
Fulton, Pa.
Fulton, Tenn.
Gallagher
Giaimo
Gray
Grover
Hansen, Idaho
Harvey
Hébert
Helstoski
Kirwan
Landgrebe
Leggett
Long, La.
Lowenstein
Lujan
McClure
McFall
McMillan
Mathias
Minshall
Mollohan
Morgan
Morton
Murphy, N.Y.
O'Hara
Ottinger
Passman
Pepper
Pettis
Podell
Pollock
Powell
Ronan
Rumsfeld
Ruppe
Sandman
Saylor
Scheuer
Smith, N.Y.
Steiger, Ariz.
Stuckey
Sullivan
Ullman
Widnall
Wilson, Bob
Wolff
Wright

The SPEAKER. On this rollcall 356 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF CHILD NUTRITION ACT OF 1966

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, and on behalf of my colleague the gentleman from Tennessee (Mr. ANDERSON), I call up House Resolution 379 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 379

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5554) to provide a special milk program for children. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Ohio (Mr. LATTA), and pending that I yield myself such time as I may consume.

Mr. SISK. Mr. Speaker, as evidenced by the reading of the resolution, House Resolution 379 provides an open rule with 1 hour of general debate for consideration of H.R. 5554 to provide a special milk program for children.

In many instances, the only whole fluid milk which many of our school-age children receive is through the special milk program.

The program has had the dual effect of encouraging increased consumption of milk by 17 million children as a nutritional measure and reducing purchases of dairy products by the Commodity Credit Corporation. Historically, dairy commodity programs under CCC have diverted between 4 and 5 percent of the Nation's milk production, and it therefore follows that eliminating the appropriation necessary for continuation of the special milk program in the interest of economy is a specious contention.

No imported milk or milk products are utilized in this program.

The volume of milk consumed under the program in 1968 amounted to more than 3 percent of the total nonfarm consumption of fluid milk. This was in addition to more than 3.1 billion half pints used in national school lunch program type A lunches; that is, lunches which include a serving of milk and which meet certain other nutritional requirements.

Each of the 50 States and the District of Columbia are currently participating in the program.

H.R. 5554 would extend indefinitely the special milk program authorization contained in section 3 of the Child Nutrition Act. Additionally, it would increase the appropriation authorization for the fiscal year 1970 and ensuing years by $5 million—from $120 to $125 million.

Mr. Speaker, I urge the adoption of House Resolution 379 in order that H.R. 5554 may be considered.

Mr. LATTA. Mr. Speaker, I agree with the remarks just made by my friend, the gentleman from California (Mr. SISK). I would like to further point out that this bill does make the act permanent. It was instituted in 1955 under the Commodity Credit Corporation. In 1961 the Agricultural Act authorized appropriations for the program, and this procedure was continued until 1966, when the present act was passed.

The current authorization for fiscal 1970 is $120 million. The bill will increase this fund by $5 million for 1970 and for all succeeding fiscal years.

In fiscal 1969 an estimated 17 million children in all 50 States and the District of Columbia will participate in the school milk program. The estimated cost for this fiscal year is $103,314,000.

Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Speaker, this program is a very popular one, popular with the general public as well as with the milk industry.

My purpose in taking a few minutes of time is to point out that even though it is a popular program it does not seem to be exactly what the last administration or the new administration had in mind, and apparently both of them had in mind a better use of the resources provided by this program for nutritional aids, especially to needy children.

To support that contention I would direct the attention of the Members to page 226 of the Budget of the United States presented by the Johnson administration. On that page it is clearly indicated that the special milk program is stricken completely from the budget. The Johnson administration did not ask for one dime to extend into the 1970 budget the special milk program.

It is also a fact that the Nixon administration has not requested the reinstatement of this program or any part thereof.

I made inquiry of the Bureau of the Budget yesterday to find out the attitude of that agency, and was told that the Bureau of the Budget opposes this program for two reasons: One is that the money provided in it is not sufficiently directed toward the needs of needy children. They stated to me that last year only $7 million of the $104 million spent under this program provided special benefits to children of the poor—and they define poor as families with an annual income under $3,000.

They also said that they oppose the program because the U.S. Department of Agriculture had not asked for it. The Department of Agriculture is the agency that has carried forward the administration of this special milk program.

From this, it is very apparent to me that at the administration level at least, there is a desire to see a redirection—and with that in mind, at the appropriate time I plan to offer an amendment to the bill that will come on page 2 which will strike out the language which has the effect of tying down the administration of this program to the same rules and procedures that were followed in the past years and gives the Secretary of Agriculture the flexibility to direct as nearly as practicable this program as a nutritional aid to needy children.

Now just how much change in the program this language would effect, I do not know. But I think whatever change it does effect, it would be to the good.

I would point out further to this body that my amendment would leave intact the program at the amount specified and it is not a cut in funds.

Nor does it impair its permanency.

Mr. FARBSTEIN. Mr. Speaker, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman.

Mr. FARBSTEIN. Is there any sense of priority in the gentleman's amendment—because evidently there is not any in the bill. Although you are talking about the poorer children not being given prior consideration, is it your intention that those children who under title I of the education law will get priority, and even those schools that get priority, that the impoverished children in these schools get priority? And from then on that all of the children shall be given the benefit of the program. Is that the purpose of your amendment?

Mr. FINDLEY. It is indeed to give the Secretary of Agriculture first of all greater flexibility. Second, to direct him to redirect this program as much as possible as nutritional aid to needy children.

This would mean needy children whether they live in a wealthy school district or in a poor school district. Presently, there are some school districts where needy children can get milk under this program without cost, but this is not true uniformly throughout the United States. It would be my expectation, if this amendment does get into the bill, that the Secretary of Agriculture would indeed redirect it more to the needs of the needy children.

Mr. FARBSTEIN. If the gentleman will yield further, to me the word "expectation" is not strong enough. I would like a stronger word than the word "expectation"—that the Secretary of Agriculture will direct these priorities.

Mr. FINDLEY. The door is still open.

The SPEAKER. The time of the gentleman from Illinois (Mr. FINDLEY) has expired.

Mr. LATTA. Mr. Speaker, I yield 3 additional minutes to the gentleman from Illinois.

Mr. FINDLEY. Mr. Speaker, I would draw the attention of the gentleman to the language of the bill as revised by my proposed amendment and it would read this way:

> The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable as a nutritional aid to needy children.

So the needs of needy children would come first and the needs of others would be met only after the needs of the needy children had been satisfied. That is how I would interpret this.

If the gentleman from New York has a better amendment to accomplish more directly and more completely the nutritional needs of the needy children under this program, I would be glad to hear it.

Mr. FARBSTEIN. I thank my colleague very much.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman.

Mr. RYAN. How does the gentleman define the word "needy"?

Mr. FINDLEY. The amendment does not define it, but it is a well understood word. I think it is also a term of legal art—meaning those families with annual incomes under $3,000 a year.

Mr. RYAN. In other words, is it the gentleman's intent to apply his amendment to children from families having an income of less than $3,000 a year?

Mr. FINDLEY. It would be directed toward meeting their needs first before the needs of others would be met under this program. It would not, however, mean that these other children would be without milk because the testimony in the hearings showed very clearly that even if this program were abolished, the Department of Agriculture would not expect the consumption of milk in these schools to go down at all.

Mr. RYAN. Mr. Speaker, if the gentleman will yield further, I am deeply concerned about any provision which would establish any kind of means test, which would differentiate the children in the schools and label one child as needy and another as not.

Mr. FINDLEY. I share the gentleman's concern on that point, and while I am not an expert in this field myself, I have been told that school leadership has found means, to use that same expression, of dealing with this problem without casting any onus upon those who are classified as qualified for the help.

Mr. SISK. Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Mrs. GRIFFITHS).

Mrs. GRIFFITHS. Mr. Speaker, I intend to support Mr. FINDLEY's amendment. If that amendment should fail, I intend to vote against this bill. This bill is not necessary at this time. Most other authorizations on other subjects that have come from the Agriculture Committee have been 1-year authorizations. This is a permanent authorization, unlike most others.

The Johnson adminstration did not intend to have this bill at all. I think that Mr. Nixon has every right to look over this bill and his welfare plans and make his determination of whether or not he wants this bill or whether or not he wants the money put into the school lunch program.

As you are aware, today milk is supplied in the school lunch program. This milk program is in addition to that. It is not directed toward needy children. The Johnson administration wanted the milk program directed toward needy children. In my opinion, while all children who want the milk should have it, certainly the needy should get it.

There is no rush whatsoever for this bill. There is an authorization extending now through 1970, so that you do not need to vote for this bill. No child is going to be hurt.

Give the administration, which is already having a difficult enough time, an opportunity to set up its own school lunch program and its own welfare program. Let them come in here and say what they like. I think they are owed that right and that respect.

I am going to vote with the gentleman from Illinois (Mr. FINDLEY) and if he does not prevail, I am going to vote against this bill, and I would certainly urge anyone else who is for giving the administration a chance to make its recommendation to oppose this bill.

(Mrs. SULLIVAN (at the request of Mrs. GRIFFITHS) was granted permission to extend her remarks at this point in the RECORD.)

Mrs. SULLIVAN. Mr. Speaker, I am not against giving needy children in this country enough milk to drink. I think everyone here knows that my record reflects a strong desire to assure adequate nutrition for every child, and for every American. The reason I am appearing here this morning is to make some comments which I think deserve to be made about this legislation—what it reflects and represents on the part of the Committee on Agriculture.

Ever since the start of the 90th Congress, the Committee on Agriculture has taken the position that programs of Government which it authorizes should be extended for only 1 year at a time, and thus be made subject to mandatory review every year to see if they should be continued, expanded, reduced, or eliminated. Both in 1967 and in 1968, the House Committee on Agriculture adamantly insisted on this policy as it affects the food stamp program, which is not one of its favorite Government programs. Whenever the House has overturned the recommendations of the House Committee on Agriculture on the food stamp program, as we did in 1964, 1967, and 1968, the conferees from the House put up such a strong fight in conference for the House position that for some strange reason we always lost or had to suffer a severe setback from what the House had actually passed.

But when the peanut industry or the dairy industry or any other commodity group comes to the House Committee on Agriculture to ask for legislation, it seems to have very little difficulty in getting what it wants, even if it runs counter to the policy of the committee itself, as this bill, H.R. 5554, appears to do. This is not a 1-year extension of the milk program—it is an indefinite permanent extension of the special milk program.

We asked for the same thing for the food stamp program in 1964 and in 1967 and in 1968 but we were turned down by the Committee on Agriculture. So perhaps one might say that I am appearing this morning in order to cry over spilled food stamps. That is not exactly it.

Time after time, the Members of Congress who do not have any farms in their districts have voted—as I always have—for legislation to aid the farmer. In recent years, however, we have had to withhold our votes from time to time in order to impress upon the House Committee on Agriculture that there was some legislation we were interested in that also deserved their support or at least their permission to let us vote on it. It is no secret that food stamp bills were enacted in recent years only because the House Committee on Agriculture let them out of committee in the hope that advocates of the food stamp program would then vote for some pending farm bill; it is also no secret that farm bills in recent years have been enacted only because those of us who were strong for the food stamp program voted for both pieces of legislation. Every time I mention that connection, however, some people express great shock over this kind of legislative logrolling and dealmaking. Nevertheless it has been a fact of life about the food stamp legislation and about farm legislation for the last 5 years.

I think the Committee on Rules should be aware of the fact that there is no urgency whatsoever about the enactment of H.R. 5554. The Johnson administration did not ask for this legislation—President Johnson's budget for the 1970 fiscal year shows that he wanted the special milk program ended on June 30 of this year and the money which now goes into the special milk program be added to the school lunch program so that every school could have hot lunches.

The new administration has not made up its mind yet whether it wants the special milk program continued, as this bill proposes into the indefinite future, or eliminated, as President Johnson's budget recommends. I understand that the spokesman for the Department of Agriculture who appeared before the Committee on Agriculture said they would need about 3 weeks in which to make up their mind about their policy position on this matter. So why the rush on this bill?

Apparently it is being pushed through only in order to give the House some legislation on which to act. But this bill, as of right now, is completely unnecessary. The special milk program authorization enacted in 1966 continues through the 1970 fiscal year for the amount of $120 million. This bill would raise that authorization for fiscal year 1970 and all succeeding fiscal years to $125 million. But the special milk program has never spent more than about $100 million. So I think we can wait at least for 3 weeks or so for the new administration to make up its mind whether it wants to adopt the Johnson position on this matter or the one put forward by the House Committee on Agriculture and the dairy industry or some new position of its own.

And if the House has no legislation on which to act because this bill is held up, it is not the fault of the House. The new administration has been in office for 2 months and had 2 months before that to make up its mind about any of the basic and fundamental issues on which Congress will have to legislate, but there have been virtually no recommendations as yet for legislation from the White House. The fact that there is little legislation on the floor should not embarrass us as long as the committees are holding hearings and working on legislation as they are doing.

I do not remember any Congress in which I have served which made much of a record during the first 3 months of the first session. But some of them made excellent records before they were finished. And I think that is the test.

But to get back to H.R. 5554, I think it should cool off a few weeks until we know what the new administration wants to do about this $100 million special milk program, and perhaps by then we might have some indication out of the administration whether it is going to send up a supplemental budget request for the $40 million authorized but not yet appropriated for the expansion of the food stamp program for the remainder of this fiscal year and whether it is going to ask for changes in the food stamp act to remove the extremely restrictive ceilings agreed upon in conference last year for the food stamp program for the 1969 and 1970 fiscal years after the House had voted overwhelmingly to remove any ceilings on appropriations under the program.

So, to repeat, H.R. 5554 is not necessary at the present time because funds have already been authorized for the 1970 fiscal year for the special milk program, and the figure is higher than the Department of Agriculture has ever spent for this program in the past. Furthermore, the new administration has not had a chance to decide whether it wants to continue this program at all. I might add that the dairy industry, which is so anxious to push through this legislation to assure a $100 or $125 million market in the schools for milk, over and above the large amounts spent for milk in the school lunch program, has a history of opposing the food stamp program because the spokesmen for this industry were afraid if people had food stamps which enabled them to buy any kind of food they wanted to—domestically raised food—in the grocery stores—the market for surplus butter and cheese would be reduced and the Government would have difficulty in getting rid of all of its surplus dairy products which are purchased under price support. Also, they were afraid that people in the food stamp program would buy margarine instead of butter, and therefore they should not be permitted to have a food stamp program unless they were required to buy butter with their food stamps.

I do not think this is the kind of attitude that should be rewarded with the hasty enactment of a special interest bill.

Mr. SISK. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Speaker, I hope the House will look very carefully at the Findley amendment and realize what he proposes to do. I hope it will be defeated. I hope the committee's recommendations will prevail. I think we should look at the genesis of this bill. Originally the milk program was passed to provide enriched nutrition or improved nutrition for all youngsters in America. This bill is one of the few instances in which the middle-income American, who today is having a really rough time trying to make ends meet, gets some assistance from his Government. In Chicago we serve 150,000 half pints of milk every day in our elementary schools. Some of this milk is served in schools where they do not have a lunchroom, where they give the youngsters a milk supplement during the midmorning. Underprivileged children get the milk for nothing. Those children from families who are not indigent, pay 4 cents. These children would be paying 15 cents for a half pint of milk without the benefit of this program.

The Bureau of Labor Statistics recently reported $9,700 a year to keep a family of four in Chicago, and the figure is comparable in other cities of the country. Who is going to speak for the middle-income American who is paying for all these programs?

There is much discussion around here about all these programs going to the needy. I yield to no one in my support of programs for the needy. My record of concern for the needy is deep rooted. The White House has just issued a report that it will issue an additional $600 million in food stamps for the needy of this country. This is great, fine, wonderful. However, I do not think we ought to take milk away from the little child whose father happens to make $6,000 or $7,000 a year and who already has a tough enough time providing for his family. I think it would be a great retrenchment if this Congress would go along with the gentleman from Illinois (Mr. FINDLEY). I join in his concern for the poor and for the undernourished and for the needy, but I think somewhere along the line we ought to give all American kids a break.

This bill was originally passed to help all the children in public and private schools to get a midmorning lift from fresh milk. Children all over the country are benefiting from this. I say it would be a great disservice to them to kill this program.

It is bad enough that both the Johnson administration and Nixon administration have cut the funds for this program drastically. If this authorization is approved today, we hope we can persuade the Appropriations Committee of the need for full funding.

I must point out to the gentleman from Illinois that the middle-class American is in revolt. He is watching all these programs going one way and he gets nothing. I say this milk program is one little enclave where he does get a little help for his own children. Do not take this away from his kids.

Mr. SISK. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MOSS).

(By unanimous consent, Mr. Moss was allowed to proceed out of order.)

Mr. MOSS. Mr. Speaker, I read in the newspaper yesterday the following article:

UNITED STATES EASES FAT LIMIT IN SAUSAGES

> The Agriculture Department has backed down on its proposed 30 percent fat limit for hot dogs, vienna sausages and bologna, and now is thinking of allowing up to 35-percent fat. But it hopes to force manufacturers to say on the label what percentage of the product is fat.
>
> The Department announced yesterday that a proposed regulation with the 30-percent fat limit, issued in the waning days of the previous Administration, was being rescinded and hearings on the issue scheduled for June 18 to 20.
>
> The meat packing industry has strongly opposed the 30 percent limit. The fat content of hot dogs has been oozing steadily upward over the past generation—partly because fat is cheaper than meat for the packers, partly because, the packers claim, the public likes its hot dogs not so dry. In the 1930s, the average fat content was 18.6 percent; today it is about 31.2 percent.

Mr. Speaker, if that recession from the order of the previous administration was for the purpose of lowering the fat content, I would be most enthusiastic, because I think 30 percent approved by the previous administration was a shocking imposition on the consumers of this Nation, and I think it has an adverse effect upon the health of the people who buy these products.

We all know there is a certain amount of controversy in the medical profession over the country over the question of cholesterol, but no doctor recommends we eat fat to the extent of more than one-third of the meat we consume. I strongly urge the Department of Agriculture to reconsider and look toward a revision of the fat tolerance in these products to be more closely in line with that of the 1930's than the outrageous figure of 30 percent and what would become a shockingly outrageous figure of 35 percent.

Mr. SISK. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I simply want to say that this special milk program has done an outstanding job over the years. There is no question that tens of thousands of children who have had a glass of milk to

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drink every day in our private and nonprofit schools and many other areas particularly outside the public school area have benefited greatly in those areas where they have not had the school lunch programs. As far as I am concerned, I hope this resolution will be adopted and this bill will be passed.

To me, to oppose this bill or to vote against it, would simply be to oppose tens of thousands of youngsters having a glass of milk.

The SPEAKER. The time yielded by the gentleman from California has expired.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. POAGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5554) to provide a special milk program for children.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5554, with Mr. Olsen in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas, (Mr. Poage), will be recognized for 30 minutes, and the gentleman from Oklahoma (Mr. Belcher), will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield to me?

Mr. POAGE. Mr. Chairman, I yield such time as he may consume to the distinguished Speaker.

Mr. McCORMACK. Mr. Chairman, I listened with interest to the remarks of the gentleman from Illinois (Mr. Findley) on the motion he proposes to offer, and on his talk with the Bureau of the Budget—whomever he talked with—where they set a figure of $3,000 as determining a "needy" family.

As I listened to the gentleman, the thought entered my mind, is $3,000 a correct figure for a family of four, or five, or six? What about some concern for a family of one child?

I make this brief observation for the benefit of my colleagues. What is "needy" in the case of one family might be one thing, and what is "needy" in the case of another family might be another thing.

Some families have six or eight or 10 children. Picking out the arbitrary figure of $3,000, as to where the need would be, I would think could be particularly depressive upon large families.

I make that observation for the benefit of my colleagues.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. FINDLEY. I thank the Speaker for yielding. I am glad to have this opportunity for clarification.

First, I should say that the definition of "needy" in terms of $3,000 a year was my own. I believe my assumption is correct. The term "needy" was the one expressed in my conversation with the Bureau of the Budget.

I do believe that this is accepted as meaning $3,000 a year for a family of four. Naturally, the money level would go up or down depending upon how many people were in the family.

I do thank the Speaker for this opportunity for clarification.

Mr. McCORMACK. I wanted to call the attention of my colleagues to the fact that the question of need is a very flexible one in accordance with the size of the family. What might not be a needy family in one case would certainly be an extremely needy family in another case. I wanted to make these remarks so that my colleagues would have them in mind.

Mr. POAGE. Mr. Chairman, I appreciate the contribution by the Speaker.

I yield myself 5 minutes.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. POAGE. Mr. Chairman, H.R. 5554, a bill to extend and to expand the special milk program for schoolchildren does two things. It increases by $5 million the amount authorized to be appropriated each year from the present $120 to $125 million. It makes the program a permanent one, thus continuing indefinitely beyond its present expiration date, June 30, 1970.

No changes are made in the handling of this program. The administration of the program remains exactly the same under this bill as it is at present.

With the growing interest and research in nutrition and the increasing concern over the role poverty plays in malnutrition, this House might consider for a moment the development of the special milk program in the overall framework of the Federal public feeding programs.

Food aid as a Government function grew out of the depression period of the 1930's when, through such agricultural "adjustment" agencies as the Federal Farm Board, and later the Surplus Relief Corporation, surplus farm commodities were donated for relief purposes. One of the earliest measures designed to aid agricultural adjustment and simultaneously to distribute food was a 1935 amendment to the Agricultural Adjustment Act of 1933. That amendment—section 32 of the act of August 24, 1935—has become a landmark in the Federal food-aid programs. The special milk program originated under section 32 as did the school lunch and the early food stamp program.

Under section 32 the Secretary of Agriculture was given authority by the Congress to encourage the domestic consumption of major agricultural commodities through diversion, by payment of benefits or otherwise, from the normal channels of trade and commerce. The financing of this and the other provisions of section 32 was provided by appropriation of an amount equal to 30 percent of gross receipts from customs during the period January 1 to December 31, preceding each fiscal year.

Through the years specific and more detailed legislative authority was given for the donation by the Secretary of Agriculture of foods for school lunch programs by the act of June 4, 1946, Public Law 346 and succeeding agricultural measures. This act, and Public Law 78–129, the Department of Agriculture Appropriations Act of 1944, which for the first time authorized a specific amount of funds for the operation of school lunch and school milk programs, followed by several years' actual delivery of fluid milk to the schools purchased under section 32.

Beginning in 1954—Public Law 83–690—funds of the Commodity Credit Corporation were authorized to be used to provide fluid milk for children in nonprofit schools of high school grade and under. The program was extended and enlarged in subsequent years. By Public Law 84–465 in 1956 the milk program was extended to nonprofit nursery schools, child care centers, settlement houses, and similar nonprofit institutions devoted to the care and training of underprivileged children on a public welfare or charitable basis. By Public Law 85–478 in 1958 summer camps were added to the list of eligible child care institutions, the program was extended for 3 more years, and the authorization was increased to $75 million per annum. The Agricultural Act of 1961—Public Law 87–128—extended the milk program through June 30, 1967.

Through enactment of the Child Nutrition Act in 1966—Public Law 89–642—the Congress incorporated in one measure the special milk program, a pilot school breakfast program, authority to aid in the purchase by public and nonprofit schools in low income areas of equipment necessary to initiate school lunch and school breakfast programs, and extension of school food assistance to preschool groups where operated as a part of a school system. All of these programs by that act were to be administered by the Secretary of Agriculture and remain so now. H.R. 5554 would affect only section 3 of the Child Nutrition Act of 1966, the special milk provisions.

Since this section of Public Law 89–642 expires next year, on June 30, 1970, it is understandable that the persons responsible for programing the expenditures of educational institutions now participating in the milk program have requested early action on this measure to assure adequate budgetary consideration.

This special milk program is one of a very few Federal food aids which is able to reach such a wide segment of our population—nearly 10 percent of our entire population and one-third of our schoolchildren. It provides incentives in the form of reimbursement payments for schools and other nonprofit child care institutions to supply their pupils with fluid milk. The payments are made by the Consumer and Marketing Service either to inaugurate school milk services or to expand it by offering milk at lower prices or at additional times. These milk

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payments apply only to the second and third half pints and do not include the initial half pints served as a part of the school lunch program. Any public school or any child educational institution which has been declared tax exempt is eligible.

Needy schools may, upon application, receive special assistance under this program so that they may serve milk without charge to needy children. In this case the reimbursement payments cover the total cost of the milk. Under the regular phase of the program the maximum Federal reimbursement payment is 3 cents per half pint of milk.

Within the States, the State educational agencies administered the special milk program in all public schools. In many States, this same agency also administers the program in nonprofit private schools and child-care institutions. A number of States are prohibited by State statutes from administering the program in eligible nonprofit private schools and institutions. In such States the Consumer and Marketing Service administers the program directly through agreements with these schools and institutions. The Consumer and Marketing Service also administers the program in outlets for which no State agency has assumed administrative responsibility.

Beginning in fiscal year 1968, available funds were apportioned among the States on the basis of payments made to schools and child-care institutions for program reimbursement during the preceding year. Each State agency is advised of the amount of funds available to it for program reimbursement during the preceding year. Each State agency is advised of the amount of funds available to it for program reimbursement during the entire fiscal year.

A letter-of-credit procedure permits State agencies to obtain funds to pay claims on hand by filing appropriate documents, through normal banking channels, with the Federal Reserve banks. Funds are available to the States for prompt payment of claims. Federal funds are withdrawn from the Treasury only as needed by the States for payment of claims. No Federal funds are used by the State agencies for administering this program in the States.

From fiscal years 1955 to 1968, the number of outlets participating in the program has more than doubled, and the number of half pints served has increased more than six times.

In fiscal 1968, 94,422 schools and child-care institutions served an estimated 2,987.5 million half pints of milk. Of these, 88,042 were schools and 6,380 child-care institutions.

Nutritionists have long contended that children of school age need a minimum of one quart of milk per day to insure sufficient calcium intake. The special milk program has made good inroads toward correcting this deficiency.

Progress continues to be made under the special milk program—since 1960 the number of students served has increased by one-third, from 13 to 17 million, and the number of participating outlets has been increased by nearly 15 percent.

The above is further strengthened by the fact that, in many instances, the only whole fluid milk which many of our school-age children received is through the special milk program.

With 17 million schoolchildren participating, the current annual program consumption is approximately 3 million half pints in 94,500 institutions. These are spread over the 50 States and the District of Columbia. The volume of milk consumed by this program represented more than 3 percent of the total nonfarm consumption of fluid milk in 1968. Certainly, this program, in addition to encouraging increased consumption of milk as a nutritional measure has also had the effect of reducing purchases of dairy products by the Commodity Credit Corporation. It is suggested that passage of this measure, making the program permanent and increasing the maximum authorization from $120 to $125 million, is in the interest not only of child nutrition but of the dairy industry.

As I have pointed out, this bill proposes to do just two things: First, it extends the existing special school milk program for schoolchildren. The second thing is, it raises the authorization by $5 million a year. The present authorization is $120 million, and this bill would fix it at $125 million. This is just a little leeway to take care of new institutions, new demands, and new requirements on the program.

The other part of the bill simply makes a permanent program out of this bill. This program has not been a 1-year program as I understood was suggested a while ago by one of the speakers although possibly I was incorrect in my understanding. This has most recently been a 4-year program. This present program does not expire until next June 30, 1970.

The reason for extending it now is that both producers and students may make their plans with some degree of certainty for some time in advance. If they are not given this opportunity, there is a great deal of wasted motion and wasted money both from the standpoint of the milk producers and the standpoint of the schools themselves. We can have a better program if we can rely on this program existing for some time to come.

Mr. Chairman, we have used a temporary program for a number of years and we have used it for what seems to the Committee on Agriculture to be a good, sound reason; namely, because we wanted to know that the program was working well and that we had any correctable defects taken out of the program before we made it permanent. I think that it is a rather sound system to let any of these new programs work for a few years on a temporary basis and then possibly extending them from 1 year to 3 or 4 years, and then, after a number of years' experience with the programs, before making them permanent programs. That is exactly what we have done in this case. We have had the school milk program functioning for many years. It actually started back with the Agricultural Adjustment Act of 1933. The amendment of 1935 authorized that section 32 funds be available for this and for other uses. We have found this program works well. Frankly, it is one of the most popular programs we have ever had in the way of providing nutrition for the people of the country and not just simply for needy children. It is for needy children, of course, but it is also for other children.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. Yes. I yield to the gentleman.

Mr. FARBSTEIN. I go along with the position taken by the gentleman that this has benefited all of the children and not only the needy children. However, does the gentleman see any possible objection to priorities in this situation, that is, first of all, that the needy children who are unable to obtain the nutrition or the milk necessary for them practically to survive should be given the milk first? Then, if there is any milk left over or any money left over, it should be distributed to those families and those children who can pretty well afford to purchase it for themselves. Can the gentleman see any objection to this priority?

Mr. POAGE. Yes, I do.

Mr. FARBSTEIN. I would like to know what it is.

Mr. POAGE. Because this milk is not distributed, as the gentleman seems to indicate, to families. The distribution is made in the lunchroom and at the schoolhouse. The distribution is not made on the basis of poverty and it does not single somebody out as being a mendicant at the bar of the U.S. Congress.

Mr. FARBSTEIN. Will the gentleman yield further?

Mr. POAGE. If the gentleman will let me answer his question, I will yield to him.

It is a program that is available to all children. It is available whether their families are worth $1 million or whether they have absolutely nothing. It helps everybody. And, if we have learned one thing as a result of the recent discussions on nutrition which have been so widespread—and a good discussion all over the country—I hope that we have learned that malnutrition is not a phenomenon confined to any one wage or property level. It it is a phenomenon——

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POAGE. Mr. Chairman, I yield myself 3 additional minutes.

The CHAIRMAN. The gentleman from Texas is recognized for 3 additional minutes.

Mr. POAGE. Mr. Chairman, we are seeking here today to deal not simply with hunger. We have gone through this on this floor several times and this committee has been upbraided for talking about hunger but, yet, when someone else talks about hunger that is something else. However, we are talking about nutrition. A child from the wealthiest home is just as subject to malnutrition as is a child from some other home, and we are seeking to deal with all of them. I want to answer the gentleman's question, but I wonder if the gentleman would answer a question of mine?

Does the gentleman from New York (Mr. FARBSTEIN) believe in providing free textbooks for all children or for only the needy?

Mr. FARBSTEIN. Mr. Chairman, if the gentleman will yield further, insofar as I am concerned I would supply text-

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books to all the children. However, I would give priority to those schools that have the most needy children attending those schools.

Mr. POAGE. No. I decline to yield further to the gentleman. This is surely a similar situation to that of textbooks. The gentleman states that certain children should be given priority in the distribution of milk. However, he has not offered to give any such priority in regard to textbooks. He recognizes that all children need textbooks and I think they need textbooks. However, it is my opinion that all children need proper nutrition while they are going to school. If they are going to get the benefit of an education, they need to have the benefit of a strong and well-nurtured body, children from the most prosperous families as well as those from the most poverty stricken families.

Mr. Chairman, we are simply asking that we continue a program that has worked well for a good many years.

Now, no one found this fault until they found that the Washington Post was interested in publishing anything that anyone wanted to say about nutrition.

Mr. Chairman, the Committee on Agriculture, by a unanimous vote of all of us on both sides of the aisle reported this bill. So, we were not working to get in the headlines in the Washington Post or the Chicago papers because we are not running against Senator DIRKSEN, you understand, but we were interested in all the children and we are still interested in all the children. We have got a good program that we believe is good for all the children and we believe that it should be extended. That is what this bill does, if passed. It does provide a opportunity for nutrition to every child that goes to school in America, if they want to take advantage of it.

Mr. BELCHER. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Iowa (Mr. MAYNE).

Mr. MAYNE. Mr. Chairman, I wholeheartedly support H.R. 5554 which is designed to encourage the consumption of fluid milk by children throughout the United States through the setting up and continuation of a special milk program for children.

This legislation will materially improve the likelihood that our Nation's schoolchildren will be provided with an adequate supply of fresh, wholesome milk.

Last year through this program, 17 million children in 94,422 schools and institutions consumed 1.6 million pounds of milk provided by the people of the United States under a similar special milk program. Relying upon this program which is already underway, many schools and institutions which have been participating in the program have gone to the expense of providing the necessary equipment and personnel to provide and serve this milk.

In many instances they have changed and adapted class schedules to accomodate milk breaks for children at appropriate periods in their schedules.

Recent testimony before the House Committee on Agriculture, and surveys which have been done for the Office of Economic Opportunity, establish without question that proper nutrition is an absolute prerequisite to the educational process. It is imperative that children receive adequate nourishment while they are still in their most formative years, and that includes the early school years.

It has been demonstrated without any doubt that children who are gnawed by the pangs of hunger are frightfully handicapped in school, and that this is a very major reason for the retardation of the educative process among the poor.

The special milk program is a direct attack on this problem of malnutrition in our country. In view of recent studies which have so vividly illustrated the problem of hunger and malnutrition in so many areas of our country, it would be a very great mistake to eliminate or to weaken this program. While we of course want to continue to place principal emphasis on adequate milk for needy children, it is important that the bill be broad enough to improve the nutrition of all school children. It would be a great tragedy to weaken and undermine a successful ongoing program which has proved its worth so thoroughly. The scope of the bill should not be limited as proposed by the gentleman from Illinois (Mr. FINDLEY).

Mr. Chairman, I yield back the balance of my time.

Mr. BELCHER. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, I rise in support of H.R. 5554. This is a program that has operated well for a number of years and, as the previous speakers have indicated, a program that has been beneficial to all children.

Mr. Chairman, I very strongly favor improving programs which assist the poor or needy individuals of this country, and especially with respect to their nutrition, but here is a program that was intended to help provide adequate nutrition for all children in order that not only would they drink the necessary amount of milk, but also learn to consume what we consider as nature's most perfect food.

The problem of poor nutrition is not limited to the poor people of the country. There are a number of individuals—and we have seen articles concerning this, especially concerning young girls who, because of their diet, do not have the nutrition to become good mothers. And while 2 years ago there was testimony indicating that the nutrition of a mother did not affect the mental capability of a child, and the nutrition of the child in those early years did not affect the later mental development of the child, this year in the testimony before the other body on malnutrition and hunger, it was indicated in a number of studies that malnutrition does have a bad impact, and that poor diet or inadequate food does have an impact upon the mental development of the child, both prenatal and in the early years of the child.

Now, it is true that it is not as important after they get to school age as it is in those early, formative years, but it is still of tremendous importance.

We have had this special school milk program that has been operating a number of years, not only in conjunction with the school lunch program but for the children who do take part in the school lunch program, and bring their own lunches, and receive the added glass of milk. The milk is available to those who not only bring their own lunches but those who participate in the school lunch program. All students receive milk at a lower cost than commercial costs, but poor children may receive it free.

I share the feeling of the gentleman from Illinois (Mr. FINDLEY). There ought to be special emphasis on needy children and we must continue to do this. I think this country should never permit a situation to occur where some people lack an adequate diet because of poverty or ignorance. This is a problem I hope we will continue to address ourselves to, to make certain that, first, there are adequate programs to feed the needy, and, second, that there is enough money for it. Later this Congress will consider such legislation.

But I do not think it is wise to limit this program for only the poor. One hundred and twenty-five million dollars is authorized here. Do not say, "Well, we will not make this program available to all children in the schools any more." We should not limit milk to any one group of children.

We have the financial means to give special emphasis for any program for the needy without taking it away from an ongoing program that is important to our schools.

At one time schools felt their only responsibility was to teach the three R's and that they did not have any other responsibility for the children to develop fully to assimilate their education.

There are other responsibilities that have been accepted by some of the schools, and one of them has been in nutrition.

So the expansion of the Child Nutrition Act, with its special milk program should now be made permanent rather than bring this up from year to year for an extension. I believe it was a wise move that the Committee on Agriculture took to make this program permanent. It is no longer on a trial basis, it is one that is proven worthy and ought to be continued into the future for as long as we can imagine. This is an ongoing program and someday I would like to see the authorization increased over $125 million when the need is there.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. SMITH of Iowa. Is the $125 million inadequate? Or is it enough to meet the needs of all the underprivileged children we are talking about and also provide enough for the other children?

Mr. QUIE. I think it is adequate for now, so far as the amount the Federal Government would expend in this program. But I think we will soon be back here again for an expansion of this authorization because as we learned through the Child Nutrition Act, the special needs of children in some communities, especially in some cities, I think is going to require some additional amount of money in the special milk program.

The CHAIRMAN. The time of the gentleman has expired.

Mr. POAGE. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, I think it would be important for us to just remind ourselves very briefly and quickly of the original purposes of this act.

When it was enacted, it stated:

> SEC. 2. In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national school lunch program with its significant contributions in the field of applied nutrition research, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened under the authority of the Secretary of Agriculture as a measure to safeguard the health and well-being of the Nation's children, and to encourage the domestic consumption of agricultural and other foods, by assisting States, through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.

Mr. Chairman, this is a good bill.

The only problem with this bill is that it does not have enough money. The $125 million that the committee is recommending will take care of all the needy children and then take care of additional children.

The gentleman from Illinois has spoken about and is concerned about the needy children. I do not question at all his motives. I am sure he is moved by the highest ideals. But I do question his judgment because if we were to have this program operated in the manner in which he proposes, he would provide milk only for the needy children and each little youngster walking into a school would be a walking personal advertisement that he is poor and so he is getting free milk—when all the other children are not getting milk.

The only other condition under which the other children can get milk, if the gentleman's amendment were to prevail, would be if a father or mother gave each of their children 15 cents a day and said, "Buy a half pint of milk during the milk break."

As chairman of the Subcommittee on Education, I have heard ample evidence and testimony before our subcommittee about the value of the morning milk break. That is what we are talking about here—a milk break in the morning when they give these youngsters a half pint of milk. This milk break is a great aid to education. It gives these youngsters a boost. For all sorts of reasons, poor children, rich children, and children of middle income frequently come to school after having a very meager breakfast or no breakfast at all. I think I know something about the subject. Most of the Members of the House know something about it if they have children. Very often it is difficult to get a child to eat his breakfast even if it is placed before him. So teachers in both private and public schools have welcomed this milk program, because the milk program does give them an opportunity to nourish the youngsters, provide a little more energy, and then they spend the rest of the morning in learning.

We have the hot luncheon program also. There again we provide aid for needy children except that many of our schools do have facilities for a hot lunch. The gentleman intends to disrupt the morning milk break with his amendment. It occurs to me we are doing a great injustice to the needy by stigmatizing them as needy, by identifying them, by saying, "We have a milk program only for the very poor children." We also hurt the youngsters who are not benefiting from it since they would have to pay for it under the amendment.

In Chicago we serve 150,000 half pints of milk every morning. All the needy children get it free. Those who can afford it pay 4 cents a half pint. The City of Chicago School Board subsidizes part of the cost of that milk and the Federal Government subsidizes the other part of that cost. But we do not distinguish those who receive the milk. The tray of milk is brought to the classroom and all the children get the milk. There is no distinction between rich and poor, the middle income or the needy.

I might tell my colleagues that the needy are everywhere. I have in my district Taft High School which is generally considered to be a school of middle-income people. Yet we found there were 87 children in that school that desperately needed financial assistance and got it under the Neighborhood Youth Corps. They were children whose own parents were dead and they were living with their grandparents who were on social security, or children whose parents were separated, with only the mother providing for the family's needs. One does not always easily identify existing need. That is why I suggest that this program has been a real bulwark, a real strength, a tremendously popular program because it has never publicly separated the rich from the poor.

This is not a partisan issue. Mr. Johnson recommended that this program be cut down to $20 million. The present administration, I believe, has not yet taken a position. So no one can say here that it is a partisan issue. I think Mr. Johnson was wrong. He was badly misadvised, and those who advised him said, "We will cut this program out because we are going to supplement it with the hot lunch program. We are going to supplement this program and give these youngsters the additional nutrition they need during the lunch hour."

What Mr. Johnson's advisers completely ignored was that all over America there are thousands of elementary schools that do not have facilities for hot lunches, do not have a cafeteria, do not serve a hot luncheon in school, and the morning milk break is really one of the great programs for bringing extra nutrition to youngsters. I would hope that we would make it a permanent program.

As we said when we originally passed this bill, there is a correlation between nutrition and the ability of a child to retain his interest in his studies and absorb his studies.

I certainly commend my colleague from southern Illinois for his concern about the poor, and I think that anybody who examines my record around here will see my support and deep concern for the poor. As the gentleman from Minnesota just said, however, I do not think we ought to set up this program only for the needy, because I think to do so would defeat its purpose. My judgment is that if you were to make this program only for the needy, the needy children would be too embarrassed to benefit from it, and we could forget the whole program.

So in all good conscience, and with all sincerity, I hope my colleague will not offer the amendment, and if he does, I hope it will be defeated, simply because, in my judgment, the present program is working well. It is one of the most popular programs in America. Talk to any father or mother and you will find that he or she is grateful that his youngster gets a half pint of fresh milk during the morning break. I say to you it would be an act of cruelty to take this help away from the people who are today struggling all over this country. As I said earlier, the man who is trying to bring up a family of six or seven children is having a rough time and needs this little help.

Mr. BELCHER. Mr. Chairman, I yield 2 minutes to the gentleman from Vermont (Mr. STAFFORD).

Mr. STAFFORD. Mr. Chairman, I rise in support of H.R. 5554, a bill to provide a special milk program for children.

During the previous 8 years that I have served the people of Vermont in the House of Representatives, I have supported the special milk program for children and have taken the floor of the House to speak in favor of this very important and meritorious program. On occasions I have also appeared before the Committee on Agriculture to indicate my support for the school milk program and to urge expansion of the program to include nonprofit institutional use of milk in such places as summer camps, nursery schools, child care centers and so on.

This additional step was taken under the provisions of the Child Nutrition Act of 1966.

I wish to commend the chairman of the committee, Mr. POAGE, and his colleagues on the committee for bringing out the bill in its present form which increases the authorization for the program for the next fiscal year to $125 million and more importantly puts the program on a permanent basis with a similar authorization for each succeeding year.

I urge the adoption of the bill.

Mr. POAGE. Mr. Chairman, I yield the gentleman from Ohio (Mr. FEIGHAN) such time as he may consume.

Mr. FEIGHAN. Mr. Chairman, I rise in support of the legislation sponsored by the distinguished gentleman from Texas (Mr. POAGE) to provide a special milk program for children.

H.R. 5554 would amend section 3 of the Child Nutrition Act of 1966 by establishing a permanent milk program for our school cihldren and by authorizing an

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expenditure of $125 million for fiscal year 1970 and each succeeding fiscal year.

The advantages of the school milk program are obvious to all of us who are concerned with the intense problems caused from malnutrition and lack of a proper diet. It is a known fact that a child's diet has everything to do with his progress, development and future performance in society. Since its inception in 1954, the school milk program has expanded to serve 94,422 schools and child care institutions and 17 million youngsters in all 50 States and the District of Columbia. In my city of Cleveland, approximately 20,000 children in 30 schools and three child day-care centers enjoy the benefits of the school milk program. Over 5,000 schools in the State of Ohio participate in the program.

Nutritionists contend that children need a minimum of one quart of milk a day to insure sufficient calcium intake. Youngsters in low income areas are particularly in need of the nutrients contained in milk and although much progress has been made in expanding the program, there continues to be a real need in many areas throughout the country for increased services and school participation.

Not only must we approve an additional authorization today, but we must work for the full appropriation adequately to fund the program. The future of our society is at stake and we have an opportunity to fulfill the need that exists here. I urge my colleagues to join in supporting this most worthy legislation.

Mr. POAGE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. DE LA GARZA).

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman from Texas, the chairman of the committee, for yielding me this time.

Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, I am opposed to the amendment which will be offered by the gentleman from Illinois (Mr. FINDLEY).

Mr. Chairman, I would like to clarify one thing said earlier, that out of respect for the present administration we should not proceed with this legislation. It is well known that the committee cooperated fully with the administration and we proceeded only after the administration agreed we should continue even though they had not as yet formulated their plans along this line. They offered no objection to it and offer no objection to our continuing with the legislation. They offer no objection now. I sincerely believe, because this legislation will fall into the sphere of their planned programs in this field.

Also, I would like to bring up the fact that for too long too many people have tried to make everything that comes before this House into a welfare program. We hear too much of the poor and hear too much of the disadvantaged from those who speak of it on the floor of this House or in front of television cameras or newspaper reporters, but whose actions are vastly different. The actions of those individuals are sometimes vastly different from actions that will provide for those in need.

I believe we should keep this as a program of health and not welfare. This is not a welfare program. This is a technical aid in nutrition for particular schools which like to avail themselves of it.

It is very difficult—possibly in my area more difficult than in many others, because we have so many poor people and many who try to take advantage of this legislation—but we cannot physically and technically say in the school, "You get this milk and you do not." We cannot do that when we go into the classrooms. It cannot be done. This is an aid to the schools which avail themselves of it.

So that the Members may be apprised of how the program is administered I would like to inform you that it is done by the School Lunch Division, Consumer and Marketing Service, of the U.S. Department of Agriculture under provisions of section 3 of the Child Nutrition Act of 1966. Locally, the program is administered in all public schools within a State by the State educational agency. In many States, this same agency also administers the program in nonprofit private schools and child-care institutions. A number of States are prohibited by State statutes from administering the program in eligible nonprofit private schools and institutions. In such States the Consumer and Marketing Service administers the program directly through agreements with these schools and institutions. The Consumer and Marketing Service also administers the program in outlets for which no State agency has assumed administrative responsibility.

And as to the success of said program, I would like to inform the Members that the effect of the special milk program on consumption was especially pronounced in low-income areas. In these low-income areas per capita intake of whole milk during the survey period averaged nearly 4 ounces more for children attending special milk program schools than for those attending other schools. The 4-ounce average represented rural and urban areas combined; the difference between low-income urban schools under the special milk program and those not under the program was even larger. The impact of the special milk program was smaller in schools serving medium-income areas. Children in high-income areas drank milk at about the same rate whether or not their schools participated in the special milk program. Also, children from high-income areas attending special milk program schools drank nearly one-fifth again as much milk, and those attending other schools drank almost half again as much as children from low-income areas.

Progress continues to be made under the special milk program—since 1960 the number of students served has increased by one-third, from 13 to 17 million, and the number of participating outlets has been increased by nearly 15 percent.

The above conclusions are further strengthened by the fact that, in many instances, the only whole fluid milk which many of our school-age children receive is through the special milk program.

I therefore, respectfully implore the Members of the House who agree with me to support this legislation and not to support the amendments that will try to do away with these programs that have worked so well in all the schools for all the children, wherever they want to avail themselves of it and where they need this program.

Mr. BELCHER. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Chairman, my good friend from Illinois is leaning on some pretty thin reeds in his argument.

For example, the gentleman asserted that the genesis of this program was the nutritional needs of children. Nothing could be further from the truth. As the hearings of the Congress testify, this program began because the milk industry at that time had heavy surpluses and it was recognized as an industry program, not as a program to help the children.

Frankly, it has been of great help to the children, but if the gentleman is leaning on that reed, it is a pretty thin one.

Mr. POAGE. Mr. Chairman, will the gentlemen yield?

Mr. FINDLEY. I will yield, if the gentleman will yield me some time if I need it.

Mr. POAGE. I yield the gentleman another minute.

Mr. FINDLEY. I yield to the gentleman.

Mr. POAGE. I just wanted to know if the gentleman felt the program was to be condemned because possibly it had helped children in the country. Is that something with which we should condemn the program?

Mr. FINDLEY. No, but I should like to see us be a little more precise and accurate in the labeling we put on our proposals and in our reciting of history, because this clearly began as a surplus dumping program.

The gentleman from Illinois (Mr. PUCINSKI) also placed special emphasis on the danger, if my amendment should take effect, that this would be a program just for the needy. Well, how about that?

One would have to assume from that that a lot of needy children, therefore, are not getting the benefit of this program today. And that of course is true.

There is nothing in this program which assures that a poverty-stricken child is going to get some milk at school. There are a few exceptions. There are some schools which have a program under which the poor children get their milk free, but not all schools, by a long shot. A lot of needy children are simply foreclosed because they do not have the money.

So that is a pretty thin reed to lean on, too.

If the argument really means there is so much unmet need among the schoolchildren of the United States that this amendment would sop up the $130 million or whatever is provided annually by this program, with nothing left for the people who have money, then we do indeed have a serious problem, and this makes all the more important the amendment I expect to offer.

Furthermore, there is no need for any

stigma whatever to be attached to a child who gets milk free under this program. In carrying out the free programs in some of our schools today there has been no stigma; at least, I have not heard of any at all. There is a provision of tickets for milk. Of course they use tickets instead of cash, and free distribution can be handled in such a way that there is no stigma whatever.

I hope we will consider this on the merits. This is not a program to take milk away from wealthy children. They will continue to get but conceivably will have to pay a little more for it. It is to redirect the resources as far as practicable to the nutritional needs of the poor children.

What could be more perfectly in harmony with the objectives of our Government today?

Mr. POAGE. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, my colleague from Illinois obviously did not hear me read to the House the preamble to the law approved by Congress when we started this milk program. I do not know how the gentleman draws his conclusion from the hearings about a surplus of milk and an effort to help the milk industry. I presume that when this great body, this deliberative body, incorporates a preamble in a bill, it means something.

Is the gentleman prepared now to suggest that the House did not mean what it said, that somehow or other it was engaged in some sort of hypocrisy and sweet and clever words to obscure or conceal the fact that we wanted to help the milk industry? Or were the Members of Congress who voted for this bill honestly and sincerely interested in helping provide better nutrition for the children in this country?

I yield to the gentleman.

Mr. FINDLEY. I am sure the gentleman will agree there are many instances in which this Congress has put excessively attractive labels on legislation intending to make it look really better than the content would justify.

Mr. PUCINSKI. I hope the gentleman is speaking only for himself, because he is certainly not speaking for me in that conclusion.

So far as the need is concerned, obviously the amendment the gentleman would offer would limit this milk program only to the needy. Nothing in what I said would mean there are a lot of needy now not getting this help. Does the gentleman know of any child in the State of Illinois who is needy, where there is a milk program in the school, who is not getting free milk?

Does the gentleman know of any such child? I yield to the gentleman.

Mr. FINDLEY. Frankly, I do not have the details, but I have been informed by the Department of Agriculture that there are select schools through which children without money can receive milk under this program, but the Bureau of the Budget has stated only $7 million of the $104 million provided last year went to the benefit of these children. I think that is answer enough.

The **CHAIRMAN.** The time of the gentleman has expired.

Mr. POAGE. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. PUCINSKI. Resuming what I said before, our colleague from southern Illinois has gone all around, but the fact of the matter is if his amendment were to prevail, only poor children would be able to participate. That means every child having a carton of milk in a classroom during a morning break would automatically be identified and labeled as a member of the poor. I submit to you even at that tender age children have pride and honor. I submit to you that many children would pass up the milk simply because they would not want to be stigmatized the way my colleague proposes to do. Right here in the Washington, D.C., area I studied public schools and we found that they had a program where children had to get a special ticket for free lunch. We saw that children were not accepting the free lunch because they were embarrassed and ashamed that they were on relief and needed public aid. Do you think that there is no pride among young people? There is. I suggest that the bill we have is a good one. I respect my colleague for offering his amendment but certainly question his judgment in offering it.

Mr. BELCHER. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky (Mr. CARTER).

Mr. CARTER. Mr. Chairman, what is milk? Why, it is a lacteal fluid extracted from the udder of the female of the bovine species and highly prolific to the *n*th degree. Milk contains approximately 4.5 percent butterfat, which may or may not be healthful because of its content of cholesterol. On the whole, however, I think it is extremely healthful and in fact the most complete food we have. It lacks only one element, and that is iron.

The mewling and puking infant comes into the world completely sustained by nourishment provided by his mother's breasts or by the overflowing generosity of the udder of the contented Jersey, Guernsey, or Holstein.

When a man's days become few and his eyes dim, sans eyes, sans teeth, sans everything, the most easily assimilated and digested food is milk. It is a boon to the ill and fortifies the elderly.

In our school systems throughout our land the milk program has proven helpful and healthful. As an observer of the school lunch and milk programs, it has been my experience at the beginning of school in poor areas that youngsters can be seen coming in with skinny forms, scaling skin, sore lips—which are called rhagades—if you please. After a few weeks one sees the forms fill out, the skin grow pink, and the eyes grow brighter.

I strongly support this legislation and would not limit its scope.

One nuclear submarine costs more than the entire program. Which will help our country more, our $125 million milk program or one $125 million nuclear submarine? Personally, I should like to see the program doubled. Suffer little children to have all the milk they want and deny them not.

Mr. Chairman, I strongly urge the adoption of this legislation.

Mr. POAGE. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. BURLISON).

Mr. BURLISON of Missouri. Mr. Chairman, I appreciate very much the distinguished chairman of the Committee on Agriculture yielding this time to me.

I would like to observe that it seems there are two areas of contention in this debate. One seems to me to be whether or no the bill should be made permanent or whether it should be temporary. There has not been a single statement or allegation here that the program has not worked in the past. Therefore, I think we all should be able to agree, at least on the basis of the debate here this afternoon, that the program should be permanent.

The second issue is whether we should provide the milk to all the people in our schools or whether it should be merely to the needy.

We have already run into a lot of difficulty as to what "needy" constitutes. The distinguished gentleman from southern Illinois said he believes that a $3,000 income or anything below that is "needy." I would question whether "needy" means the same to a rural family in Missouri as to a family in an urban area in Illinois or any other State.

Mr. Chairman, I further question whether we need to draw the line on the recipients of this program as having to come under the definition of "needy." Is there something inherently wrong about a middle-class American, for instance, receiving some benefit from his Government? He is the one paying for it. If there is something inherently wrong about it, it has not been disclosed on the floor of this House today. For these reasons, Mr. Chairman, I speak in support of the bill.

Mr. BELCHER. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. TEAGUE).

Mr. TEAGUE of California. Mr. Chairman, I shall offer a motion to recommit this bill primarily for one reason. In my district there are eight or 10 nonprofit private schools entirely aside from the Catholic and parochial schools. The parents of the children attending these schools are wealthy people—some of them very wealthy. I see no reason in the world why the small taxpayers should be asked to subsidize a milk program for the children of these private schools which obtain students from very wealthy families.

Mr. Chairman, I shall offer a motion to recommit the bill.

Let us not deceive ourselves. This is another farm subsidy program—not a welfare program for the needy and undernourished.

Mr. BELCHER. Mr. Chairman, I yield 1 minute to the gentleman from North Dakota (Mr. KLEPPE).

Mr. KLEPPE. Mr. Chairman, I rise in support of this legislation. I think we have heard this afternoon some very excellent remarks from various Members as to the real good aspects of this pro-

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gram and I wish to join in those remarks and those observations. Particularly, I think the explanation given by the gentleman from Illinois (Mr. Pucinski) was very timely and very much in order and very explanatory regarding this bill.

In my opinion it is a terrible mistake to think about doing anything that would jeopardize this program. The ongoing part of it, Mr. Chairman, has been such a wonderful program for so many.

I am very strongly in support of this legislation, and urge that the Members who are present will see to it that this bill passes, and passes with an overwhelming majority.

Mr. BELCHER. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota (Mr. Zwach).

Mr. ZWACH. Mr. Chairman, I rise in support of H.R. 5554 to make the child nutrition program permanent and to increase the authorization by $5 million. Since its inception in 1954, this program has made noteworthy progress on the twin goals of providing a highly essential and nutritious source of nature's most nearly perfect food, and also providing a new outlet for a nutritious product which has been in surplus.

Under this program, the total consumption of milk during this past year was nearly 3 billion half-pints, or about 2 percent of the total milk production in the United States. This is one of the very best methods of making the greatest use of a product that might otherwise find itself in Government storehouses.

In my home State of Minnesota, we have accomplished a great deal under this program, not only because this is a food which we produce in abundance, but also because the program allows a high degree of participation by State and local people.

This year in Minnesota, we have 1,968 public and private schools participating in this program. Last year there were 428 private schools on the special milk program and they consumed 10,425,082 half-pints of milk. In the public schools, it is estimated over 5 million half-pints per month are used by 798,961 students in 1,553 schools. This means that 99.8 percent of the public school enrollment is getting milk daily through either the special milk or school lunch program.

I strongly recommend that until all schools are able to participate in the school lunch program, this program should be extended by passing H.R. 5554.

Mr. BELCHER. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. Steiger).

Mr. STEIGER of Wisconsin. Mr. Chairman, I rise in support of this legislation. There are some aspects of it that concern me about some of what has been said.

First of all, this does not relate solely to the schools, and the Committee on Agriculture I believe, has done an exceptionally fine job in bringing this bill to the floor. I am sure that the Members have received letters and messages from such groups as the YMCA. For instance, the director of community affairs for the National YMCA in New York wrote as follows:

> This is to express my deep concern for the current legislation now in committee regarding reimbursement of non-profit organizations for additional milk to be served children and youth in summer camp.
>
> Over 500,000 boys and girls participate in the 1620 day camp and 400 resident camp operations of the Young Men's Christian Association annually. The extra quantities of milk made available by the federal government in recent years has been a real boon to the food nutrition for these children and youth campers. The current major thrust of the YMCA to meet the needs of children in low income families within our large urban areas has been visibly supported by the healthy inclusion of added quantities of milk on camp menus. Many of our children from inner city areas just do not have access to an essential milk supply. This legislation would insure continuance of this vital milk source.

It seems to me that this is one of the points which deserves to be considered as the Committee today wrestles with the question as to the portion available to those in low-income families. We would actually reduce the amount of milk consumed by approximately 2 billion half pints annually if we don't pass this legislation.

It has been estimated that some 66 percent of the 51 million schoolchildren have benefited from the milk program. Only 44 percent will benefit from the school lunch, special assistance, and breakfast programs, even after they are expanded. Approximately 94,500 schools and institutions have participated in the milk program. Under the proposed expanded nutrition programs only 82,000 schools will be included.

It seems to me that we should remember "Their Daily Bread," a study that was conducted by a number of women's organizations in which they stated the following:

> The federal government reimburses more than half the cost of the first pint of milk served with lunch and slightly more on every half pint served after that. This means that out of what the children pay on the balance, plus special reimbursement based on the number of half pints served free, there is enough money to serve milk free to needy children—a far higher percentage than receive a free lunch.

This study goes on to say:

> It is easy to see that the milk program is working well.

I trust the action today on the floor will give some support to the Committee on Appropriations as they consider the budget submitted both by the Johnson administration and by the Nixon administration.

Mr. Chairman, at a time when we are accumulating an ever-increasing body of knowledge indicating severe problems of hunger and malnutrition, I believe it is vital to continue the special milk program.

This body recently passed a measure which will do a great deal to improve the school lunch program. I was an active supporter of that measure, and I will continue to work for substantial improvements in all of our nutrition efforts.

One of the problems we face with the school lunch and breakfast programs, however, is that even under an expanded program such as anticipated in the 1970 budget, many of the children, who so desperately need to participate, attend schools which lack the financial resources and food service equipment necessary for them to take advantage of school lunch and breakfast. These same children are frequently able, however, to take part in the milk program. Given this situation, it would indeed be unwise to eliminate one of our most effective and nutritious programs. Our aim should be to insure that all of the Nation's schoolchildren, and particularly those living in poverty, will receive nutritionally adequate and nourishing diets. The special milk program plays a vital part in this effort.

Mr. Chairman, this program has my complete support and I urge its continuation by Congress.

I heartily urge this bill be supported as being a program which has worked successfully for the benefit of the American dairy farmer and for the school and camp children in the United States.

Mr. BELCHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am wholeheartedly in support of this program. I think it is a program that has served many purposes.

I think it has helped to promote the sale of milk and which has helped one of the segments of agriculture that has been hard hit during the past number of years because of inflation and the high cost of everything that the farmer has to buy.

In addition to that, I think it has had a tremendous nutritional value for school children. It has been very popular among the schools. It has been very popular among the dairy interests.

I have heard very little criticism of this program, which is not true of many of the farm programs that we have.

Mr. Chairman, I am in complete support of the bill.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman.

Mr. EDMONDSON. I want to commend the gentleman for his statement, Mr. Chairman, and also for his recognition of the distress that affects large elements of our milk producing industry in the country today. I support this bill.

Unlike my good friend, the gentleman from Illinois (Mr. Findley), I do not see any great harm in benefiting an industry as important to our country as the milk producing industry.

It seems to me that the gentleman from Oklahoma (Mr. Belcher) has made a fine statement in pointing out the problems that confront this industry today and in urging that this bill be advanced not only because of its benefit to children, but because it aids a major American industry as well.

I agree with the gentleman from Kentucky (Mr. Carter) that we ought to double the program as soon as we can afford to do it because the children need it.

I thank the gentleman from Oklahoma for yielding to me.

Mr. BELCHER. I appreciate the remarks of my colleague, the gentleman from Oklahoma.

Mrs. MAY. Mr. Chairman, will the gentleman yield?

Mr. BELCHER. I yield to the gentlewoman from Washington (Mrs. MAY).

Mrs. MAY. Mr. Chairman, I rise in support of H.R. 5554, to extend indefinitely the special milk program authorization contained in section 3 of the Child Nutrition Act of 1966.

The Special milk program has been a highly successful and effective supplement to the diets of young Americans since 1954. When first started, the program reached only nonprofit schools of highschool grade and under, but now, children in other nonprofit child-care institutions such as nursery schools, summer camps, and settlement houses are also eligible for the benefits of the program.

Over the years, the program has been expanded to reach more and more children, and the amount of milk served has increased significantly. As our committee report points out, during the first year of program operation, 41,094 schools participated. Since then, the number of outlets has more than doubled, and the number of half pints served has increased more than six times.

The results of this program, Mr. Chairman, provide more than ample justification for extending it permanently and increasing its appropriation authorization to $125 million. The program has made, and is continuing to make, a significant contribution to the health and nutrition of our young people. What better inheritance can this Nation give its children than strong and healthy bodies and minds?

Mr. Chairman, I urge my colleagues to approve this legislation.

Mr. BELCHER. Mr. Chairman, I have no further requests for time, and reserve the balance of my time.

Mr. POAGE. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Chairman, I do not oppose this legislation, but I think the legislation can be improved and made better.

We have heard that there is opposition to the bill because those who are wealthy are being benefited by it. We have heard on the other hand that the bill should not be restricted to the poor.

Well, I offer you a middle road. I am going to offer an amendment to the effect that there will be priorities in the distribution of milk—first, the milk shall be given to schools participating in the expenditure of funds under title I of the Elementary and Secondary Education Act of 1969.

Under that act there is a provision that requires funding for schools attended by poor children to enable them to obtain education equal to wealthier children.

These children, in my opinion, should come first. Even ahead of them, when the milk gets to these schools, are to be the children whose households have incomes below the poverty index as established by the Social Security Administration.

After this priority has been taken care of, then I am satisfied that milk be given to everybody. It is a good food. It is a wonderful food. It is a blessing for all children, but I believe this situation calls for priorities and I shall offer an amendment to the bill at the proper time which shall provide for this priority.

Mr. POAGE. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we have just been advised that we are going to have a second Findley amendment—to do the same thing. Both amendments would achieve the same result.

I do not know why we cannot have just one vote and determine which way the House wants to go—whether we want to make a relief program out of this or whether we want to maintain a nutrition program for all the people of the country. I think that is really going to be the only question involved here—that is whether we are going to try to maintain a nutrition program that will help every schoolchild in this country or whether we want to channel this off into another program or numerous other relief programs, by destroying the kind of program that has worked so well for everybody else for years.

If you feel that the program has been a failure and that you ought to have a new relief program, then you want to vote for one or both amendments because they do exactly the same thing. But if you do not feel that way, then you want to vote against these amendments and pass the bill.

Mr. ANNUNZIO. Mr. Chairman, I rise in support of H.R. 5554, a bill which would make the special milk program for children a permanent part of the Child Nutrition Act.

From the testimony of witnesses before the Agriculture Committee, and from the various statistics released by the Department of Agriculture, I believe that the special milk program has been nothing less than an overwhelming success. Special milk for children is one program of substantial magnitude directed toward the prevention of malnutrition. The Department of Agriculture released a report in 1967 on American diet deficiencies, and concluded that the major problem was not actual starvation among our people but a considerable amount of malnutrition throughout the entire United States.

During hearings before the House Committee on Agriculture, Mr. Glen Lake, president of the National Milk Producers Federation, testified as to the increased benefits of the milk program over generalized feeding programs. He stated that more nutrition was provided through the special milk program than by any other single program. Though the school lunch and child nutrition programs, in general, strike at hunger, they do not provide in a single form the best weapon against malnutrition. When milk is available to children in the schools, a total cross-section of youngsters has the opportunity to receive such important and vital nutrients as calcium, vitamin A, thiamine, vitamin B_{12}, proteins, carbohydrates, and other dietary essentials. Many children, not only those from the more economically disadvantaged sectors, do not have the opportunity to decide at home whether or not they have good nutrition. The milk program improves the diet of every child.

If the special milk program were eliminated, thus raising the cost of each pint of milk sold through the schools, it seems inevitable that the consumption of milk by the needy, who most benefit from the additional nutrition provided by the program, would significantly drop. According to Edwin Christianson, vice president of the National Farmers Union, studies by the University of Illinois substantiate the fact that the price of milk has a very direct bearing upon participation in the milk program.

The Department of Agricultural Economics at the University of Illinois reported that—

> A 40% drop in milk consumption occurred in Chicago public schools as a result of an increase from 2 to 3 cents in the cost of a half-pint of milk to the children. But while milk consumption dropped sharply in Chicago, which raised the prices, consumption gained in the remainder of Illinois where the price had not changed.

Today we are more aware than ever of the hidden poverty existing in America. Poverty seems to have a predilection for families with four or more children and, according to Mr. Charles Lowe, chairman of the Committee on Nutrition of the American Academy of Pediatrics, "one-third of all families in the United States with four or more children live in poverty." This is indeed a frightening figure. Not only for present humanitarian concerns but for the future of the American people. Evidence is constantly being brought to our attention linking malnutrition in children to mental retardation.

> It is well known that people who lack sufficient food cannot learn well, work well, or endure as well as people adequately nourished—

States Aaron Altschul, Special Assistant for International Nutrition Improvement in the Department of Agriculture—

> No program of economic development which depends so heavily on learning and performance can succeed in the face of such handicaps.

Poor nutrition is the primary cause of a number of medically serious conditions. One to which children are particularly vulnerable is anemia, and according to health specialists, anemia or iron deficiency results in fatigue, listlessness, and inability to perform optimally in physical and mental activities. The added nutrition whole milk provides to the sometimes inadequate diet of schoolchildren can reduce the extent of anemia.

Studies show that in many cases the only milk school age children receive is through the special milk program. Many farm children leave early in the morning for school, without adequate breakfasts. Many urban youngsters come from families with working parents who have no time to prepare a nourishing meal in the mornings. The special milk program is of significant value to both rural and urban children for it makes up for a skimpy breakfast and supplies needed vitamins and protein.

The school milk program has unquestionably been successful in improving

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the health of American children. It has developed dietary habits for citizens of the future and has been economically beneficial to the dairy industry. Since 1955 the number of children participating in the program has jumped from 2½ million to 17 million in 1968. This program reaches children not only in elementary school, but in secondary schools, nonprofit schools, child-care centers, settlement houses, and summer camps.

Many valid objections have been voiced to the proposal which would combine the special milk program with the national school lunch plan. It is my understanding that many schools and institutions have gone to some expense for equipment and personnel, and that they have adapted their schedules to accommodate the milk break for students. A large number of school administrators, principals, and parents throughout the country believe that the program should not only be retained but made permanent with sufficient funds appropriated to carry out its important goals.

The National Milk Producers Federation claims that by combining the milk program into an enlarged school lunch plan, the net result will be less milk per child. They reason that even with an increase in the number of type A lunches served, the distribution of milk would be limited to a half pint per child as provided by the school lunch formula. Many children eligible for both programs today are receiving midmorning milk as well as the half pint with lunch; to eliminate the special milk program would be to reduce by half the amount of milk available to hungry children.

Another valid objection to ending the milk program comes from the dairy farmers. Mr. John C. York, general manager of the Eastern Milk Producers Cooperative Association, testified before the committee that the termination of the milk program would result in an annual loss of $45 million to dairy farmers. Last year the program, according to the National Milk Producers Federation, provided a market for 1.6 billion pounds of milk. The representatives from the federation testified before the House Agriculture Committee that the milk supplied to the program provided a return to farmers substantially higher than would have resulted had that milk been made into manufactured dairy products.

Certainly we are all aware of the need to improve the nutrition of our young people and we should be very proud of the efforts made in this direction by Congress. The special milk program reaches a wider segment of undernourished children than any other nutrition program. By approving the extension of this program as proposed by H.R. 5554, we will be assuring better health and added learning ability to every schoolchild in the years to come.

Mr. RYAN. Mr. Chairman, last January I expressed my dismay at the recommendation in President Johnson's proposed budget for fiscal year 1970 which requested only $14.7 million for the special milk program. In fiscal year 1969 the appropriation was $104 million. I said on January 23 that, instead of phasing out this program, the Congress should insist that it be funded at a level commensurate with the need. Therefore, I support H.R. 5554 which increases the authorization from $120 to $125 million for fiscal year 1970 and each succeeding fiscal year.

The special milk program is now being utilized in some 95,000 schools throughout the Nation and in 1968 served over 3.1 billion half-pints of milk to an estimated 17 million children. It is presently available to nonprofit institutions, including child-care centers, nurseries, summer camps, and settlement houses. In New York State alone, 6,369 schools and other nonprofit institutions distributed 269 million half-pints of milk during the fiscal year 1968.

This is one of the few Government programs which reaches a sizable portion of the population, and its nutritional value should be available for all schoolchildren.

Because the amendment to be offered by the gentleman from Illinois (Mr. FINDLEY) would draw a distinction between needy children and nonneedy, it would have the effect of imposing a means test, which is a potentially harmful way of stigmatizing those children whose families have incomes below $3,000. There will be needy youngsters and nonneedy youngsters in the same class, and the needy should not be singled out.

Regrettably, the nutritional benefits of the special milk program as well as the school lunch program have been denied to some schoolchildren because of racial consideration made on the part of the distributing agency. I have repeatedly urged the Department of Agriculture to enforce title VI of the 1964 Civil Rights Act with respect to the school milk and lunch programs.

The extension of the special milk program and the increased authorization for funds for its implementation contained in this bill would assure the continuation of this vital program and make clear to the administration that Congress does not intend to see it phased out.

Mr. DONOHUE. Mr. Chairman, I most earnestly urge and hope that the House will speedily and overwhelmingly adopt this bill before us, H.R. 5554, fundamentally designed for the health and well-being of the schoolchildren of this country.

The purpose of this bill is to enable the various States, with Federal assistance, to more effectively meet the basic nutritional needs of our schoolchildren. It is axiomatic that a healthy child is a happy child and that a happy, well-nourished child tends to exercise his learning capacity to the maximum, with good will.

The record shows that since the start of the original special milk program it has, by legislative encouragement, been expanded so that there are now, throughout the Nation, more than 94,000 participating outlets projecting this special milk program for the benefit of more than 17 million schoolchildren, with a great number of these children coming from impoverished or low-income families.

In summary, this measure simply extends indefinitely, with an annual appropriation authorization increase from $120 to $125 million, the special milk program for children contained in the Child Nutrition Act resoundingly adopted here in 1966, less than 3 years ago.

Mr. Chairman, at a time when this country and this Congress is vitally concerned about the challenging problems of hunger and malnutrition; when we are planning to greatly enlarge the food stamp program and are spending untold millions to rehabilitate school dropouts, it certainly seems prudent to approve this comparatively small appropriation authorization which will unquestionably go a long way toward eventually and entirely overcoming our hunger and malnutrition problems close to their source.

Undoubtedly, this bill represents a wise investment in the future of America through the encouragement of a well-nourished, wholesome American youth. Let us wholeheartedly approve it without extended delay.

The CHAIRMAN. Are there any further requests for time? If not, the Clerk will

The Clerk read as follows:

read.

H.R. 5554

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Child Nutrition Act of 1966 is amended to read as follows:

"SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1970, and for each succeeding fiscal year, not to exceed $125,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this section 'United States' means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided by for this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 89–642, as amended, during the fiscal year ending June 30, 1969."

Mr. POAGE (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. MATSUNAGA

Mr. MATSUNAGA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MATSUNAGA: On page 2, line 4, immediately after "fifty States" insert the following: ", Guam,"

The CHAIRMAN. The gentleman from Hawaii is recognized in support of his amendment.

Mr. MATSUNAGA. Mr. Chairman, I

offer this amendment upon the request of the ever-alert delegate to the Congress from Guam, the Honorable Antonio Won Pat. Although he is without official recognition, Mr. Won Pat has certainly been an effective ex-officio member of this House. My offering this amendment is a case in point.

Mr. Chairman, all that my amendment intends to do is to include the Territory of Guam in the well-accepted school milk program. By adopting the amendment, we will be extending the proven nutrition program to deserving American children living on American soil. I cannot foresee anyone objecting justifiably to this amendment, so I urge its adoption by a unanimous vote.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. MATSUNAGA. I yield to the distinguished chairman of the committee.

Mr. POAGE. As far as I am concerned, we accept that amendment.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentleman from Oklahoma.

Mr. BELCHER. We will accept it also.

Mr. CHAIRMAN. The question is on the amendment offered by the gentleman from Hawaii.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. FINDLEY: On page 2, on line 7, strike all after the word "practicable" and strike all of lines 8, 9, and 10 and insert in lieu thereof the following: "as a nutritional aid to needy children."

Mr. FINDLEY. Mr. Chairman, it has been a little bit hard for me to believe my ears here today when I reflect upon the language in my amendment and the disastrous consequences that some of my colleagues say it would bring about. I just have trouble believing my ears, because my amendment does nothing more than to direct the Secretary of Agriculture, to the extent practicable, to use the resources of this program as a nutritional aid to needy children.

Well, there has been a lot of talk that this program ought to make milk available to all children who want it. Those who really believe in that gospel ought to support my amendment, because my amendment would bring this a lot closer to reality than it is today.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Is the $125 million provided in the bill not meant for the needy? Why should not the opponents increase the amount instead of trying to limit the bill to this way.

Mr. FINDLEY. I will have to answer the question in this way. I do not know. This represents a substantial increase, and it is 100 percent more than the Johnson administration wanted or that the Nixon administration has requested. I think it is also important for us to reflect on this fact, that this program does not give the assurance of benefit to poor children. It simply does not. It provides the assurance of benefit to children if they have the money. It does not provide benefit to children who may not be able to afford even the subsidized price. So those who really believe in this idea, which I certainly share, that every school child who wants it should be able to have a half pint of milk during the morning break, should certainly support my amendment, because it is going to bring that ideal condition a lot closer to reality than it is today.

I do not want to rehash the arguments we have gone through here, but I just hope that those who are sincerely interested in the nutritional needs of young people will support the amendment.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Chairman, if the gentleman's amendment were adopted, it would mean, of course, that the milk under this program would not be available to the institutions I referred to a few moments ago—in other words, the private schools, and we are not talking about the parochial schools, but the schools where parents pay tuition fees of $1,500 to $2,500 a year for their children to attend. I assume the gentleman would agree they are not needy children.

Why should a taxpayer, who has an income of, let us say, $3,000 or $4,000 a year, paying $200 or $300 a year in income taxes, have part of his taxes go to pay for subsidized milk for children in this category, those attending private schools whose parents are wealthy? Would the amendment offered by the gentleman eliminate that?

Mr. FINDLEY. I will say it will not necessarily eliminate that, but it will require the Secretary of Agriculture to give priority to the needy children first, and then if there is any money left over in this fund through which milk to wealthy children could be subsidized, that would be permissible and, no doubt, would occur.

Mr. POAGE. Mr. Chairman, it seems to me this item was discussed by the gentleman in general debate. I wonder, if there is no one who feels he just has to make another speech, if I might move that all debate close.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. POAGE. Mr. Chairman, I will withdraw that and I yield to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, my colleague from Illinois would have the House believe his amendment is a very innocent little thing and is just intended to make some minor changes in the program. I think the House should know what the amendment does. The language in H.R. 5554, as reported by the committee, reads—and if the Members have a copy of the bill, I refer them to line 5 on page 2, which says:

> The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 89–642, as amended, during the fiscal year ending June 30, 1969.

What the committee is doing now is continuing the program as it has been practiced, providing milk to needy children and providing milk to those who are not needy at reduced rates.

What does our colleague propose to do? He proposes that we strike the words "in the same manner as he administered the special milk program provided for by public law" and so on, and it would read, if his amendment were adopted:

> The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable as a nutritional aid to needy children.

What the gentleman's amendment would do—and let there be no question about this, even though I saw him stand in the well and say he did not see what we were all getting excited about because the amendment does not do anything, but the fact is the amendment offered by the gentleman cuts the guts out of this program and makes this a welfare program for supplemental milk to needy children only.

Mrs. GRIFFITHS. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentlewoman from Michigan.

Mrs. GRIFFITHS. Mr. Chairman, again the gentleman has said, as others have said, that this program reaches all poor children. No, it does not. It reaches all children who can pay or for whom their own districts provide the payment.

I would like to point out to the gentleman from Chicago that not all of us are from Chicago and not every child in America is getting this milk, contrary to the opinion that is being expressed here.

Mr. PUCINSKI. Mr. Chairman, I respectfully regret I cannot yield any further for I want to have a moment to say that if all children are not getting milk, then the gentleman from Iowa gave her the answer. If the gentlewoman from Michigan and the gentleman from Illinois are interested in assuring that every single youngster in this country will get fresh milk if he is in need, then the answer, as the gentleman from Iowa said, is to increase the authorization, but do not cut it out.

Mrs. GRIFFITHS. Mr. Chairman, that is not true. They already have more authorization than has ever been used.

Mr. PUCINSKI. Mr. Chairman, I cannot yield any further.

Mr. Chairman, the language the gentleman is substituting in his amendment simply reads, "as a nutritional aid to needy children." That is all. Let there be no question about what the gentleman is proposing here. Adoption of this amendment will mean that millions of children would be denied fresh milk at reduced rates in their classroom.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois, Mr. FINDLEY.

The question was taken; and on a division (demanded by Mr. FINDLEY) there were—ayes 8, noes 85.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FARBSTEIN

Mr. FARBSTEIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. FARBSTEIN: On page 2, line 5, after the period, insert the following new sentence: "Funds appropriated pursuant to this section shall be made available on a priority basis to schools participating in the expenditure of funds under title I of the Elementary and Secondary Education Act of 1969; and within those schools shall first be made available to children from households which have no income or have incomes below the poverty index as established by the Social Security Administration."

Mr. FARBSTEIN. Mr. Chairman, I am not angry with anybody. I want to help everybody.

I want to help the poor kids, and if there is something left over let it go to the rich ones. I think everybody should have milk.

But I say that the poor kids should get it first. If, after they have had it, there is some left over, let it go to the YMCA. The poor kids are the ones whose families are unable to afford the milk; the nutrition that is necessary.

This is fine. We have $125 million in the budget. I do not know what the population explosion is going to do. I do not know what the Appropriations Committee will do. Suppose that is cut down to about $75 million. I think the milk should not be divided equally under those circumstances. I think there should be priorities, and the priorities would be those which were read in the amendment.

First the milk would go to those schools under title I of the Elementary and Secondary Education Amendments of 1969. That provides funding for the schools attended by poor children to enable them to attain education equal to that of the wealthy children.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. As I understand the amendment, it would eliminate the YMCA, because the YMCA is not a school, from the program. It would eliminate those 5,000 very poor children sent to summer camp by the YMCA in New York City; is that correct?

Mr. FARBSTEIN. Under the terms of this amendment of mine the schools would get it first, and particularly those schools that are preferred because of the education law. We presume that these kids will go to school, and go to school in the areas that are depressed. Hence they would be primarily entitled to milk.

Mr. SMITH of Iowa. But the YMCA is not a school, so it would not be included in the priorities.

Mr. FARBSTEIN. They would get the milk when they went to the school.

They would have their milk in the morning and then if there was some left over and they wanted some in the afternoon, they could get it by going to the Y. They would not be deprived. However, we come back to the original premise.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. Yes.

Mr. STEIGER of Wisconsin. The gentleman from Iowa asked a question which is a fair question. Under the language of your amendment you are in fact saying that the funds shall be allocated to schools which receive title I money and in those schools to those who are eligible under the poverty line established by the Social Security Administration. For all practical purposes you are then eliminating those participating in other programs other than a school from receiving the benefits of the special milk program. That includes those in the YMCA and it includes those in such programs as——

Mr. FARBSTEIN. Just a moment. I understand what you say.

Mr. STEIGER of Wisconsin. And others now enjoying the benefits.

Mr. FARBSTEIN. Please. I refuse to yield. Let me answer you.

Under the terms of the amendment it says "shall remain available on a priority basis." All I do now is repeat what I said earlier. After the poor school kid and the poor kids in the poor schools get their milk, if there is any left over, it will go to the others. The way you cure that is by appropriating sufficient funds to see that everybody is taken care of, but so long as you restrict the amount of funds insofar as the purchase of milk is concerned, I say that these priorities do not prevail.

Mr. POAGE. Mr. Chairman, I rise in opposition to the amendment.

Of course, the gentleman from Texas was recognized on this amendment a while ago when it was under the name of the Findley amendment. I hardly think it is proper to speak on the same amendment twice, and I do not believe there is any real occasion for any of us speaking on it twice.

Therefore, Mr. Chairman, I move that all debate on this amendment now close.

The CHAIRMAN. The question is on the motion of the gentleman from Texas.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. FARBSTEIN).

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. OLSEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5554) to provide a special milk program for children, pursuant to House Resolution 379, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. TEAGUE of California. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. TEAGUE of California. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. TEAGUE of California moves to recommit the bill H.R. 5554 to the Committee on Agriculture.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 384, nays 2, not voting 48, as follows:

[Roll No. 55]

YEAS—384

Abbitt
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Ayres
Barrett
Beall, Md.
Belcher
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Bingham
Blanton
Boggs
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Camp
Carter
Casey
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cohelan
Collier
Collins
Colmer
Conte
Conyers
Corbett
Corman
Coughlin
Cowger
Cramer
Culver
Cunningham
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fish
Fisher
Flood
Flowers
Flynt
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Fraser
Frelinghuysen
Frey
Friedel
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Goldwater
Gonzalez
Goodling
Green, Oreg.
Green, Pa.
Griffin
Gross
Gubser
Gude
Hagan
Haley

Hall
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Hogan
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Matsunaga
May

Mayne
Meeds
Meskill
Michel
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Monagan
Montgomery
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Ruth
Ryan
St Germain

St. Onge
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Symington
Taft
Talcott
Taylor
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Weicker
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wold
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—2

Griffiths
Teague, Calif.

NOT VOTING—48

Abernethy
Anderson, Tenn.
Baring
Bates
Bell, Calif.
Blackburn
Blatnik
Bow
Burleson, Tex.
Burton, Utah
Button
Cahill
Carey
Celler
Conable
Dawson

Diggs
Edwards, La.
Foley
Fulton, Pa.
Fulton, Tenn.
Gray
Grover
Hammerschmidt
Hébert
Helstoski
Holifield
Kirwan
Lowenstein
Lujan
McClure
Mathias

Mollohan
Morton
Murphy, N.Y.
Passman
Pettis
Podell
Powell
Ronan
Rumsfeld
Ruppe
Saylor
Scheuer
Smith, N.Y.
Steiger, Ariz.
Sullivan

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bates.

Mr. Abernethy with Mr. Blackburn.

Mr. Kirwan with Mr. Cahill.

Mr. Celler with Mr. Bow.

Mr. Blatnik with Mr. Fulton of Pennsylvania.

Mr. Carey with Mr. Grover.

Mr. Podell with Mr. Bell of California.

Mrs. Sullivan with Mr. Saylor.

Mr. Holifield with Mr. Pettis.

Mr. Burleson of Texas with Mr. Burton of Utah.

Mr. Gray with Mr. Button.

Mr. Anderson of Tennessee with Mr. Hammerschmidt.

Mr. Edwards of Louisiana with Mr. Lujan.

Mr. Fulton of Tennessee with Mr. Morton.

Mr. Foley with Mr. Conable.

Mr. Passman with Mr. Ruppe.

Mr. Murphy of New York with Mr. Smith of New York.

Mr. Ronan with Mr. Steiger of Wisconsin.

Mr. Lowenstein wth Mr. Rumsfeld.

Mr. Mollohan with Mr. Mathias.

Mr. Helstoski with Mr. McClure.

Mr. Baring with Mr. Scheuer.

Mr. Dawson with Mr. Diggs.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RESIGNATION FROM UNITED STATES-CANADIAN INTERPARLIAMENTARY CONFERENCE

The SPEAKER laid before the House the following communication:

MAY 5,1969.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
House of Representatives,
Washington. D.C.

DEAR MR. SPEAKER: It is with deep regret that I find I must resign my position on the United States-Canadian Interparliamentary Conference.

I want to thank you for your kindness in appointing me to this conference. My participation on it during the last ten years has been a most enriching experience. The United States and Canada have many common interests and goals. It was my privilege to have had the opportunity to work closely with this Conference which aims at fostering trust and cooperation between our two countries.

With best regards, I remain

Sincerely,

WILLIAM T. MURPHY,
Member of Congress.

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86–42, the Chair appoints as a member of the U.S. delegation of the Canada-United States Interparliamentary Group the gentleman from Pennsylvania, Mr. MORGAN, to fill the existing vacancy thereon.

AMENDMENT OF THE FAIR LABOR STANDARDS ACT

(Mr. DENT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. DENT. Mr. Speaker, today I will introduce a new Fair Labor Standards Act.

This is necessary because Congress has failed to follow suggestions, made by some of us, to put the fair labor standards on an escalating rate of increase tied to Federal pay raises and cost-of-living index.

This morning's paper carried a story out of the White House entitled "$4½ Billion Pay Increase for the Jobless." It does seem reasonable, Mr. Speaker, if we recognize the need to raise the income for the jobless, then workers that have to work for the minimum wage must be given consideration, by this Congress, for increased income.

The White House, in April, announced that the living cost increase was the highest in 18 years. The last cost-of-living increase since the Korean war in 1951 took place in March of this year. It cost $12.56 in March to buy what $10 bought in the 1957–59 period. The substantial rise in cost of living was for food, clothing, and gas, three of the daily consumer items necessary for the people's health and welfare.

During the first 3 months of this year the consumer prices rose 1.5 percent, the sharpest rate of advance for any 3-month period since May–July of 1966. The index now stands 5.1 percent above a year ago. In the face of this, as well as, the President's message to Congress calling for a $3,500 tax exemption for a family of four, it makes a new Fair Labor Standards Act, by this Congress, essential and compelling.

In order that there be no question in the minds of any Members, as to the extent of these changes, I present to you the background on fair labor standards, and a summary of the bill being introduced.

Senator HARRISON WILLIAMS, Democrat of New Jersey, who heads up the counterpart committee in the Senate will be introducing this bill at the same time.

I want to add the contents of a release issued yesterday by AFL–CIO in a conference held in the Capitol by leaders of labor, Senator WILLIAMS, and myself.

The Gallup poll for April 17 made the following revelation on weekly living cost:

> By personal assessment of living costs, the typical American figures it now costs $72 more per week to get along that it did 32 years ago.
>
> The median average amount that the non-farm public believes is the minimum that a family of four needs to get along today is $102.
>
> In 1937, when this index was first started, $30 was the median average amount specified.
>
> Non-farm persons whose family income is more than $10,000 per year say that $126 weekly is the minimum amount needed. Those whose incomes are $3000 per year or less cite $99 as the minimum figure, which when projected to one year, exceeds their present earnings by at least $2000 per year.
>
> A national sample of 1510 Americans representing all income levels in the proper proportion, was asked this question: "What is the smallest amount of money a family of four (husband, wife, and two children) need each week to get along in this community?"
>
> Following are the highlights of the 32-year trend on this question:

	Amount per week
1937	$30
1947	43
1957	72
1967	101
Today	102

XUM

Mr. Speaker, even a $2 an hour minimum wage, as proposed, will not give the family of four the amount that the public feels it should have to satisfy its needs, but it will help. It will give the head of the family, regardless of the size, some justice. For these reasons I believe the Congress should act on the new proposed amendments as expeditiously as possible.

The release referred to follows:

Background Paper on Fair Labor Standards, 1969

The major purpose of the Fair Labor Standards Act as outlined in its Declaration of Policy is to "correct and as rapidly as practicable to eliminate the conditions," "detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers."

To fulfill the intent of FLSA it has been necessary to increase the floor under wages as the costs of "living necessary for health, efficiency and general well-being of workers" increases over time. Such an increase is necessary today—for all workers.

For too long the Minimum Wage and Hour law excluded millions of working men and women. There are today, over 13 million workers denied the protection of minimum wage coverage—the law must be extended to as many of these possible to afford workers protection from poverty wages.

This bill would add to the law's protection nearly 13 million additional workers, employed as household domestics, or in establishments now exempt because of dollar sales volume restrictions, or other special exemptions, or because of employment by state or local governments. Many of these workers are among the poorest paid and most exploited in our society.

The "working poor" in our country number 2 million. These are the working fathers and mothers of millions of children who are either denied coverage under FLSA or are making the present below-poverty minimum wage of $1.60 an hour. The working poor need help two ways.

First, they need to be covered and secondly, they need a statutory wage rate that will provide their families and their working efforts with something more than poverty.

The responsibility of providing a "living wage" to workers lies not with the taxpayers but with the employers who benefit from the productivity of their employees. The "working poor" are not the old, lame, and unmarried mothers who require public assistance, but the able-bodied working men and women who contribute to the profits of many companies.

What do the working poor need?

Updating the 1966 poverty line figure for price increases and the increased tax burden shows that a family of four needs almost $4,000 a year. Thus, workers need $2 an hour immediately.

This bill would provide for an immediate increase to $2 an hour for all workers currently at a $1.60 minumum wage. For workers covered initially by the 1966 amendments, the step-ups in the minimum to $1.60 are maintained with their minimum going to $2 in 1972. Newly covered workers would be on the same step-ups as those intially covered in 1966.

In addition to the increase in coverage and the increased statutory rate necessary to protect "the well-being of workers," it also becomes necessary to ensure that workers not be exploited by long working hours on a daily basis. Presently, most workers are guaranteed time and a half for weekly hours over 40. But the hardships of working over 8 hours in a single day are such that employees also need protection from those employers who would demand long working hours out of convenience to themselves. This bill provides a premium rate of time and a half for all hours worked over 8 in a single day.

Summary of Fair Labor Standards, 1969

Following are major provisions in the 1969 amendments to the Fair Labor Standards Act:

The bill would raise the minimum wage to $2 per hour and broaden coverage to 13 million workers now excluded from protection:

MINIMUM WAGE

1.—Increase the minimum wage from $1.60 an hour to $2 an hour immediately for those covered before 1966.

2.—Raise the minimum wage in steps to $2 an hour effective February 1, 1972, for those newly covered in 1966.

3.—Make farm workers equal to all other workers newly covered in 1966.

4.—Cover domestic, federal, state and local government workers and employees of small retail and service businesses on the same step-ups as those newly covered in 1966.

5.—Increase Puerto Rican and Virgin Islands workers' wages by a sum equal to those of other workers.

6.—Raise those covered by wage boards and non-appropriated funds to $2 an hour immediately.

7.—Eliminate clauses excluding employees of linen supply houses from full coverage.

MAXIMUM HOURS

1.—Pay overtime after 8 hours in a day as well as 40 hours in a week.

2.—Bring all workers under the overtime provisions.

3.—Eliminate special maximum hour exemptions for agricultural processing workers and hospital workers.

EXEMPTIONS

Eliminate all special minimum wage, maximum hours exemptions which exclude any or all of the following groups of workers from protection: retail and service; seasonal amusement and recreational; motion picture, logging, farm, railroad, pipeline and air carrier workers, fish processors, transit workers, hotel, motel, restaurant and nursing home workers; motor vehicle partsmen, cotton ginning workers; taxi drivers, catering employees and bowling establishment workers.

CHILD LABOR

Increase the age limit for children employed in hazardous farm work to 18, the present age limit for other hazardous work. Restrict the employment of children on farms outside school hours.

ADDITIONAL PROVISIONS

1.—Penalize cheating employers by permitting the Secretary of Labor to sue for unpaid minimum wages or overtime compensation and to collect liquidated damages, as well as such unpaid minimum wages as overtime compensation, in such suits.

2.—Repeal the provisions which permit tips to be offset against the minimum wage.

Statement by Andrew J. Biemiller—AFL–CIO

AFL–CIO Legislative Director Andrew J. Biemiller today issued the following statement as a top AFL–CIO delegation met with Senator Harrison Williams (D.-N.J.) and Congressman John Dent (D.-Pa.), authors of bills to be introduced in both Houses to amend the Fair Labor Standards Act:

The AFL–CIO, which has declared its determination to wage a major drive to improve the Fair Labor Standards Act, is delighted today to publicly salute Senator Williams and Congressman Dent.

The measures which they will sponsor in their respective Houses fully meet the test of our time. They are well-constructed legislative vehicles designed to fulfill the humanitarian goal of the Fair Labor Standards Act by bringing it up to date and making it all-inclusive. Equally important, these are achievable bills, carefully drafted to do precisely what should be done in America—eliminate the economic problem symbolized by "the working poor".

Time and again we in the AFL–CIO have called the Fair Labor Standards Act the nation's best weapon against poverty. A decent job at a decent wage level is the answer to poverty and that we intend to achieve in America.

To Senator Williams and Congressman Dent, I extend the AFL–CIO's heartiest thanks for sponsoring these measures and our pledge to wage a successful fight for their adoption.

CONGRESSMAN ANNUNZIO LAUDS FRANK N. CATRAMBONE ON REACHING HIS 75TH BIRTHDAY

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, on April 27, 1969, my very dear and old friend, Frank N. Catrambone, of Chicago, Ill., celebrated his 75th birthday.

Frank is a lifelong resident of Chicago, having migrated to the United States at the age of 18, and has worked hard in his adopted country, so that today he has become one of our community's most successful businessmen and civic leaders.

He has served as president of the Central Civic Club of Chicago, as president of the North-Austin Chamber of Commerce, as director of the Joint Civic Committee of Italian Americans, as vice president of the Citizen's Traffic Safety Committee, as a member of Chicago's Senior Citizens Hall of Fame, as Man of the Year for the 1967 Columbus Day parade, as charter member of the West Area Council of Chicago Motor Club, and as a member of the Legion of Mary—St. Giles Church.

Mr. Speaker, I would like to include at this point in the Congressional Record the program outlining the events of Frank Catrambone's 75th birthday celebration. The program follows:

Frank N. Catrambone: April 27, 1969

One of the most important events in our history took place in 1491, when an obscure Italian sailor . . . Christopher Columbus set forth to discover a route to the Far East. After months of journeying on the high seas, while he failed to discover a new route, he discovered something far more important to all of us—the country we now know as the United States.

An equally important event, in our lives, took place in Calabria, Italy on April 26, 1894 . . . when Dominick and Marianne Catrambone were blessed with the birth of a son, Frank. Although a member of a large family, it became evident early in his life that he was indeed destined for greatness. His interest in music and the lively arts as well as his concern for his fellow-man became apparent to his parents early in his childhood and this indeed was the "mark" that was to follow him the rest of his life.

Not content to remain in Italy, where his opportunity for advancement was limited, he emigrated to the United States at the young age of 18. Realizing that the most important thing for him would be to learn the language of his newly adopted country, he immediately attended night school, which was just the beginning of his pursuit of knowledge—which has never ceased. His first employment in his new country was that of a section quality tailor with Hart, Schaffner & Marx. His ability, knowledge, and hard work enabled him to begin the climb on the ladder of success, at an early age.

He also went into business with his brother, George, and opened a tailor shop, which he continued after their partnership was dissolved after several years of being in business together.

After being in this country several years, an event occurred in his life that was to shape his future destiny more than any other single event in his life. What started out as an introduction from his niece, Theresa, to a beautiful young girl, Helen Cosentino; blossomed into love and courtship . . . which climaxed in their becoming husband and wife on April 25, 1920. Their love and understanding for one another flourished, and enabled them to rear six children (Dominick, Marianne, Eleanor, Frank, Annette, and Elaine), during the difficult depression and war years. During World War II, he accepted a position with the Quartermaster Corps of the U.S. Army and was responsible for quality control of the uniforms worn by our servicemen. He maintained the Tailor Shop and, working many long hours, provided for their family, and the education of their children.

In 1947, the business was moved to its present location at 5850 West North Avenue, where he was one of the first far-sighted businessmen to realize the great opportunity that existed in the rental of formal wear. Though he encountered many problems in life that could be solved, his biggest setback in life occured in 1964, upon the death of his beloved wife Helen, after a prolonged illness. Her contributions to the lives and accomplishments of her husband and children can only be measured by their devotion to her memory.

Though now retired from his business in order to devote time to his civic and charitable activities, he remains one of the most dynamic and respected businessmen in the city of Chicago. Some of the honor and recognition that he has received includes:

President: Central Civic Club of Chicago.

President: North-Austin Chamber Of Commerce.

Director: Joint Civic Committee Of Italian-Americans.

Vice President: Citizen's Traffic Safety Committee.

Member: Chicago's Senior Citizen Hall Of Fame.

Man Of the Year: 1967 Columbus Day Parade.

Charter Member: West Area Council of Chicago Motor Club.

Member: Legion Of Mary—St. Giles Church.

Frank N. Catrambone remains one of the most loveable and well-liked men that any of us have had the privilege to know. His manner, bearing, and stature is that of a giant among men. In spite of his busy schedule he finds time to enjoy his family, relatives, and twenty grandchildren. He also enjoys his music and his greatest relaxation is that of playing the mandolin.

We, his Sons and Daughters, take this occasion of his seventy-fifth birthday to express our love and devotion to our Father.

STATEMENT OF SUMNER G. WHITTIER ON VETERANS' HOSPITALS

(Mr. ROBERTS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. ROBERTS. Mr. Speaker, Veterans' Administrator William J. Driver has submitted his resignation. He will be most difficult to replace. The Nation can ill afford to lose the excellence in public service represented by Bill Driver. A great Veterans' Administrator, it is most unfortunate that he should become a victim of the vagaries of partisan politics.

The White House is presently reviewing a long list of names to be the new Administrator. One of the names, which it is stated is receiving strong consideration, is a former Veterans' Administrator who served 1958 to 1960 during the last years of the Eisenhower administration, Sumner G. Whittier.

Many may recall that back in 1965 the President announced the closing of 32 VA facilities, one of which was McKinney Hospital, which is located in my district. Despite an allout protest, McKinney was one of the VA facilities that was permanently closed, although I still do not believe there was sufficient justification to take away this hospital which has served veterans in my area so successfully for a long period of time.

Since the name of Sumner G. Whittier has been mentioned as a possible successor to Administrator Driver, I am bringing to the attention of my colleagues his statement which he voluntarily made before the House Committee on Veterans' Affairs on March 29, 1965, at which time he strongly supported the hospital closings. As he stated at that time:

> I support strongly the closing of the Veterans Administration hospitals announced earlier this year.

The text of his complete statement follows:

STATEMENT OF SUMNER G. WHITTIER (ADMINISTRATOR OF VETERANS' AFFAIRS 1958–1960) BEFORE THE SUBCOMMITTEE ON HOSPITALS OF THE COMMITTEE ON VETERANS' AFFAIRS

For four years I worked for the Veterans Administration—one year as Director of Insurance and three years as Administrator of Veterans Affairs—during the administration of President Dwight D. Eisenhower.

Although still in the health field, I am now in no way associated with the Veterans Administration or government. I appear here at the request of this committee only as an interested citizen and veteran.

VA NONPARTISAN AND NONPOLITICAL

It has been the policy of all administrations and this committee to keep partisanship and politics out of VA. This policy was followed under President Eisenhower, and it was my experience working with this committee to find that all the members of this committee of both parties maintained that nonpartisan approach. Many times since I have left government, I have complimented this committee and its Chairman, Congressman Olin Teague, for whose integrity and dedication I have high regard.

I have observed with interest and pleasure that my successors as Administrator under two other Presidents have also followed such a policy of non-partisanship. John Gleason was an able Administrator, and I am pleased to make this public acknowledgment of my regard for him. I was especially pleased and so wrote President Lyndon Johnson concerning his appointment of William Driver, the present Administrator. I knew Mr. Driver well and favorably when I worked at VA.

If anything has impressed me about present policy in VA, it has been the continuing appointment and promotion in VA of career people of recognized competence.

SUPPORT HOSPITAL CLOSINGS

I support strongly the closing of the Veterans Administration hospitals announced earlier this year.

VA's long-range policy and plan as enunciated by Congress and by all Presidents is to provide every eligible veteran the best possible care this government can provide.

To carry out that commendable policy several Presidents and this Congress have supported the regular annual construction of new VA hospitals. All familiar with the VA hospital system recognized that it is not a declining system but a dynamic and expanding one—that it will not meet its maximum growth of patient load until nearly the year 2000. Basically this is because the veterans are aging and persons over 60 require far more bed time than those who are younger.

MUST CLOSE OLD IF NEW ARE TO BE BUILT

Such a system must be kept dynamic if the policy of first-class care for the nation's deserving veterans is to be implemented. This Committee and the Subcommittee on Appropriations under the chairmanship of Congressman Albert Thomas, a great and able member of this Congress, worked out and have consistently supported an orderly and businesslike 15-year plan calling for 90 million dollars worth of new hospital construction every year. This plan has been in effect for several years and should and will continue into the future. New, fine hospitals are being constructed for veterans, as they should be, but they are being built in locations selected according to standards that will provide first-class medical care.

MUST BE BUILT WHERE PATIENT LOAD IS

They are built, first, where the veterans are and will be . . . where the patient load is now and where it will be. It is apparent to all that there is strong population movement from country to city, and from some areas of the nation to other areas, that veterans—especially older ones—are moving to California and Florida. It is not enough to consider only today's situation; it is essential to make projections as to the patient load tomorrow.

It makes no sense not to move forward with the construction of hospitals where the greatest number of veterans are today and where an even greater concentration of veteran patients will be tomorrow. It makes less sense to attempt to maintain obsolete hospitals that have declining patient loads.

BUILT WHERE MEDICAL STAFF IS AVAILABLE

The second standard for a hospital location should be availability of medical staff, of top medical staff. Where can that staff be found? It will be found near medical schools and medical centers. This is a period of medical revolution. It is a time of fabulous and swift change, of amazing new medical discovery and miraculous new life-saving and life-prolonging equipment. This march of medicine is fueled by research, both government and private, in the amount of billions of dollars.

America's veterans should have the best equipment and the newest. Such equipment is very expensive, and it simply cannot be provided everywhere—nor can it be adequately provided in obsolete hospital settings.

America's veterans should have the finest available medical skills—diagnostic and therapeutic—medical teams, and a wide array of specialists.

Such provision may mean the difference of life or death. Correct diagnosis is extraordinarily important.

America's veterans must be treated by the doctor who knows and is familiar with the latest techniques and the newest research.

XUM

These men are not found in great numbers in antique hospitals with old equipment in remote areas.

MEDICAL CENTERS ATTRACT EXCITING DOCTORS

VA must attract and keep the excited and exciting young doctors. It is in the neighborhood of the medical center, of the medical school, of the research programs that such doctors are most readily available. It is just obvious that in an age of specialization, and increasing specialization, that there is a wider choice of specialists at hand in the medical center—and any veteran ought not only to have the best specialist available but to have him promptly if the need be immediate.

This is what dictates the building of the VA hospitals near medical schools and hospital complexes. I approved the moving of a VA hospital in Nashville, Tennessee, from the outskirts of the community to the medical school grounds at Vanderbilt at the cost of an additional million dollars because it was and is VA policy to give the veteran the best possible care.

SPECIALISTS TEND TO BE NEAR MEDICAL CENTERS

You need only look at a map showing the doctors of America by quantity and by specialty, and you can see at once that they are in the main in the metropolitan areas where centers are located although a few such centers are not in urban areas. In short, hospitals should be built where there is patient load and where there is staff . . . and where, projected into the future, patient and staff will be concentrated tomorrow and tomorrow.

GOVERNMENT MUST BE ABLE TO CLOSE HOSPITALS

It makes absolutely no sense to permit VA to build 90 million dollars worth of new hospitals a year in areas that follow the trend of patient load and available medical doctors and staff, and then say that no VA installation can ever close. It is only common sense to build the new hospitals where and how they ought to be built and to phase out the old that can no longer fill their beds or provide first-class care.

Is the policy to be: build, build, build the new, but never, never, never close one that is old—however antique or ancient it may be?

MOST OF THESE HOSPITALS ARE OLD

It is interesting to observe that over 30 of the buildings at hospitals the VA is trying to terminate go back to the period of William McKinley.

But, speaking directly of the hospitals, one of those structures in Illinois was built in the time of President Theodore Roosevelt.

Over 17% of the hospital space was built in the time of President Wilson or before, nearly a third during or before President Harding's time, and another third about the period of Calvin Coolidge.

In other words, 85% of the hospital space here recommended for closure goes back over 40 to 60 years. Is that really adequate for America's veterans in the space age? How adequate a service can such structures provide?

Of the 19 services considered essential to a fully serviced hospital, only one of the closing hospitals has as many as half of the services, and several have only three or four.

Five of the hospitals are old TB hospitals, built for a special purpose when the theory and practice of treating this disease were far different from today's methods.

And one of those is only a small TB division of a large VA psychiatric hospital four miles from a VA medical hospital.

Another is a large cantonment type hastily built to meet immediate post World War II needs and intended for use for only 15 years. Many similar hospitals have long since been abandoned or fallen into disrepair. This hospital is built of non-fire resistant material.

Another is near a large old-age home that is being closed and that has provided half of the hospital's patient load.

Another is near an Air Force base which provided part of its patient load and which is being closed.

FIVE WERE BUILT AS TB HOSPITALS

Consider TB-Sunmount was built in a remote upstate area, and a lovely one, because Dr. Edward Livingston Trudeau believed that outdoor living in such country areas helped cure TB. Many such hospitals were so built. But that theory is no longer followed. The nation has made tremendous strides in conquering the white plague, miraculously reducing the time for cure or arrest of the disease, and cities and states all over the nation have been closing TB hospitals. Must VA keep it open?

VA attempted at the urgent request of the communities involved to convert Sunmount and other such hospitals to other uses when the TB patient load drastically declined. Such a program may have helped in phasing them out, but such hospitals were built for one purpose and are simply not suitable for modern day medicine. It would cost a fortune to make them comparable with a new hospital. At what point do we face the issue?

To provide maximum utilization, a hospital should maintain a waiting list, not a long one, but a waiting list. Most of these hospitals have a growing number of vacant beds, and disappearing waiting lists. In most cases there is no waiting list, and in some instances there has been none for some years.

EMPTY BEDS LEAD TO OVER-USE AND LONG STAYS

In public and private hospitals the most serious question raised today is over-use of beds—prolonged or unnecessary stay. The biggest factor in lengthening stay is the number of empty beds in any hospital. In order to determine if there is a sound reason for existence of a hospital, one need only examine length of stay in these hospitals, or look at a telltale figure—how many of those who apply are admitted? In some instances, nine out of every ten who apply to these hospitals are admitted. Compare that with a busy area such as New York City or Florida or with private hospitals, and the test of proper use and length of stay will begin to show up.

But more serious than overstay in such a situation is that aged veterans begin to fill the beds, veterans who do not need medical care in the hospital sense but need only custodial care and minimal medical attention. What happens to the doctor who desires challenging patients, who desires to attend sick people, not be an attendant in a custodial ward? He soon leaves for a more demanding post in another hospital where he can practice medicine in the manner for which his training fitted him.

The net effect in the long run is to condemn the truly sick patients who remain in such a hospital to less than the best care. This is exactly the end result of efforts to force the VA to keep open old hospitals with a declining patient load.

I believe all VA hospitals are accredited by the American Hospital Association and other major accrediting groups so that I think it can be said that in all hospitals care is good and is adequate, even in those hospitals that are here recommended for closing. But certainly in the larger hospitals near medical centers the care is better, superlative, is first class. The VA hospital system is run by doctors today with the advice of splendid medical advisory groups made up of the best medical men in this nation.

KEEPING OLD OR LIMITED HOSPITALS CONDEMNS VETERANS TO SECOND-CLASS CARE

The Senate Committee on Labor and Public Welfare said of VA medical practice in 1951, and this is a strong statement from Congress—(It is an) "indisputable fact that first-class medical care is possible only in those medical institutions and programs which engage in teaching and research."

To insist then upon a policy of maintaining obsolete hospitals with limited medical specialities is to condemn some veterans to less than first-class care, and no American veteran should be given less than the best this government and VA can offer.

DOCTORS FAVOR CLOSINGS

Doctors recommend the closing of these hospitals because such closing is in the interest of providing better medical care and treatment for veteran patients. And I have never known VA's medical department or the advisory board to stint on recommending increased expenditures where better care was essential.

RESISTANCE RISES TO ANY CLOSINGS

Unfortunately, whatever policy the government intends, the real policy in practice becomes one of approving expansions and openings of new installations—with much local cheering of such openings—and of being stopped from any closings with vehement objection and outcry from local sources. The government is permitted to open and to expand. It is never permitted to close or to contract—at least not comfortably or easily.

OBJECTIONS SINCERE ENOUGH

Any installation automatically sets up vested interests—and perfectly proper ones, obviously: employees, businessmen serving the installation, patients served by it, and others. Their strong protests sometimes stop government completely from closing installations, however obsolete or unnecessary, or at best slow down the process to a lag of years and decades.

Almost every Administrator of VA has tried to close hospitals and has met with extremely strong resistance. Protests sometimes arise in clamorous and mountainous proportions if you even attempt to close a clinic or a two-man office.

OBJECTIONS CAUSE LAG IN ALL GOVERNMENT

Unfortunately, this situation in VA is in microcosm the very illustration of what is wrong with government control of any activity. Government can open a new installation, but it can never close the old without a huge wall of delaying actions from vested interests, however sincere.

We are talking here about some millions of dollars of the VA budget, but it is my belief that this pattern so evident in VA exists throughout all government and that this nation could save in its budget eight billion dollars—eight billion dollars—by cutting unnecessary plants, buildings, people, and not lose a thing—indeed, improve and make more efficient the service to the public. Such a course, if followed in private industry, would bankrupt any company before long. The U.S. Federal installation is filled with programs and buildings it cannot stop though the real need for them has long since ended.

I cannot compliment the President of the United States too highly for his willingness to support the program of obvious common sense that is here represented.

MONEY SHOULD NOT BE PRIMARY FACTOR

But money is not primary in dealing with veterans, or should not be . . . care is what is important, and money should follow to support final care.

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POLITICAL CLIMATE FACTOR IN CLOSINGS

I think all of us who have been elected or appointed officials—and I was over 20 times on a ballot, usually successfully—know that it is axiomatic that you cannot close out any activity, however tiny, during an election year. Indeed, the closer the election comes, the more quo must the status be. If ever the VA has a chance to approach correcting its monumental lag, it has to be in a political climate such as the present, immediately following an election with an administration elected by a huge margin and therefore secure enough to take such corrective action even though some individuals and groups will be irritated. I believe also that, if any of these actions could be put to a referendum in the states involved, the margin of voter approval would be astounding.

Why should there be resistance? Who are the vested interests?

First, are the employees of the hospital. VA employees are outstanding and dedicated. These are as fine a group of employees as can be found in public or private activities, and I have had a rather broad experience in both sectors.

No one of us would like to move his home, especially if he is middle-aged or beyond. An employee may have to sell his home, uproot his family, move the children from school. Such a personal upheaval is not easy or pleasant. It is not difficult to understand the vocal resistance of those who will be so personally inconvenienced and have their lives changed so markedly by such a move.

These employees who have given years of dedicated service deserve every consideration and thoughtful understanding of the serious problem that hospital closings impinge upon them. But they cannot be the judge of overall VA policy as to what brings about the finest care for veterans. They simply do not have the background or knowledge to make such a judgment.

The primary question should be how to obtain the best possible care for veterans, not maintaining expensive and inadequate hospitals to accommodate employees' convenience.

Of course, individuals or groups of such employees will protest. I'm sure they can present reasons that seem to them perfectly good. If you suggested that these were rationalizations to preserve their personal status, they would be offended. Nonetheless, such factors must be weighed—reasons or rationalizations.

EMPLOYEES MUST GET EVERY CONSIDERATION

The pain and problems for displaced employees are real. A company cannot employ people for years and suddenly discharge them without every possible consideration being given to human dignity.

Government has the resources to do that. It can give employees adequate notice so they can have time to change their lives, find new homes or new positions.

VA's practice has been: to freeze all new employment throughout the system; to offer to the displaced employees from closed installations; first choice of any other openings, and to pay cost of moving.

More, if I remember the agency's practices, VA's personnel department went far beyond that. VA personnel took a personal interest in each individual, not only agreed to transport the man and his family to a new city for a new position but sought, if he chose to remain in his old homestead, to find a new position for him with other government agencies or some private company. If he moved, VA's personnel department provided him assistance in finding new housing, school information, and even sought job opportunities for his wife if she had been working in the first community.

I do not believe VA has changed. Its personnel department was as interested in its employees as any in government, and more than many private industries.

The second vested interest is the local Chamber of Commerce. The smaller the town, the more acute the problem, for VA's hospital payroll is often the largest in the community. It is apparent that the withdrawal of a hospital is going to hurt many of the small businessmen in town—merchants, theater owners, hotel keepers, and others.

LOCAL BUSINESSMEN AFFECTED

It is obvious that the protest is going to be strong from the local Chamber of Commerce. This really raises a serious schizophrenic attitude on the part of the poor Chambers of Commerce. Nationally, the Chamber insists upon reduced federal budgets, and National Chamber presidents use strong words demanding that Congress and VA cut expenses while local Chambers are just as strong in wanting the VA hospital kept open in their town. In most of the communities involved in these closings, however, the damages to the community will not be severe for the VA closing will represent only a small fraction of community resources.

KEEPING OBSOLETE HOSPITALS OPEN NOT BEST ANSWER

Some towns will have a problem, and government has some resources that can be helpful in trying to assist in the economy of the community. But it is an expensive procedure to keep open a costly and unneeded VA hospital. To hold back progress is not really to assist the economy but only to preserve obsolescence, and the local Chamber of Commerce and merchants should join in trying to find a true and dynamic answer to the economic problems such closings may bring about.

VETERANS ORGANIZATIONS DEMAND GOOD VETERANS' CARE

Then there are the veterans' organizations. As Administrator, I found the veterans' organizations supportive. They insist wisely that veteran care be primary. Once convinced, they support right courses of action. I am aware that in this instance they are deeply concerned and in opposition to these closings, at least to some of them. Of all the protests you will receive, I think these deserve the most detailed review for their protest is based on the fundamental issue involved—are these closings right and in the interest of the veterans?

That is the real question that has to be answered, and I think can be with careful detailed reassurance, not only of the national officials of the veterans' organizations, but of their local posts.

The problem is that we must answer the main question—what course will permit the best possible care for the veterans, not only immediately but in the days ahead? I think the closings of outmoded hospitals and the openings of carefully planned new ones will do that.

Will individual veterans be inconveniently affected? Some, perhaps, but all of these hospitals are immediately or relatively close to other VA installations, and closeness in this day of ready transport and air ambulance is a lesser requirement that it might have been in an older age.

But if not as close as desired, VA can contract beds for service-connected veterans in convenient first-class hospitals.

It is true that in carrying out the VA primary mission properly there will be some dislocation and some protest, but is any course going to please everyone? Each person involved in dealing with this problem must attempt to find the larger answer, the most statesmanlike position, must do all he can to alleviate the problems that change brings about for all concerned. But, when every consideration has been finally given, when every voice has been finally heard, every suggestion finally weighed, then the issue must be faced and the proper course followed.

Knowing as I do the officials in the executive branch of this government, VA and its dedicated leadership, the members of Congress and this Committee, the veterans' organizations and their leadership, I am sure such a proper course will be found and followed.

POLITICAL IMAGE IS DECEIVING WHEN IT COMES TO ACHIEVEMENTS

(Mr. HUNGATE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HUNGATE. Mr. Speaker, members of the Judiciary Committee regularly observe the legislative skill and dedication of the committee chairman, EMANUEL CELLER, and the ranking minority member, WILLIAM M. MCCULLOCH.

Their ability to harmonize conflicting views and to achieve conciliation without compromise is outstanding.

Electoral college reform is simply the latest chapter in a long and continuous story. It is good to find someone else who appreciates their work and their ability to be effective without affectation, as David Broder recognized in his article of Tuesday, May 6, 1969, the Washington Post, copy of which follows:

[From the Washington Post, May 6, 1969]

POLITICAL IMAGE IS DECEIVING WHEN IT COMES TO ACHIEVEMENTS

(By David S. Broder)

The gap between appearance and reality in politics was nicely illustrated last week by the contrasting performances of the Republican Governors and the leaders of the House Judiciary Committee.

To all outward appearances, the Republican Governors are the kind of men who should be managing the affairs of the country—young, vigorous and tuned in to the contemporary problems of the kind they find in running 30 states with three-fourths of the American people. Or so it would seem.

To all outward appearances, 80-year-old Rep. Emanuel Celler of Brooklyn and 67-year-old Rep. William McCulloch of Ohio, respectively, the Democratic chairman and the ranking Republican member of the House Judiciary Committee, are a pair of fusty fuddy-duddies, symbols of the well-known decadence of the Congressional seniority system. Where the Governors stride, Celler and McCulloch shuffle. Where the Governors speak in well-modulated television tones, Celler and McCulloch tend to mumble.

And yet last week it was the old men who furnished an outstanding example of political leadership in bringing the constitutional amendment for direct, popular election of the President out of committee with a bipartisan 4-to-1 majority, while the Governors were again making a spectacle of themselves.

Their three-day session in Lexington and Louisville, designed to bring the GOP Governors to Kentucky at the height of the Derby social season, was a pinnacle of political irrelevance. As usual, the Governors' meetings produced not one statement of substance on any significant issue before the country.

These semi-annual junkets by the Repub-

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lican Governors have become something of a political scandal. As they have frolicked their way through the country's plushest resorts, from Palm Beach to Palm Springs, smiling their satisfied smiles and graciously allowing themselves to be entertained at the homes and clubs of the local white business aristocracy, the Governors have systematically undercut any claim to serious consideration as officials concerned with or capable of handling the problems of this country.

When these men come out of the country club just long enough to assert—as they did again last week—that the Federal Government deal with the cities, city dwellers and city problems only through the Governors themselves, it is hard to believe that they are not knowingly inviting ridicule.

So one turns with relief from them to Celler and McCulloch, the two old men devoid of the stuttings of ambition, who showed last week what a splendid thing the committee system of Congress can be when it is employed to encourage the play of argument and the clash of ideas on a fundamental issue of public policy.

At a time when the Governors were golfing and the campus radicals were playing the politics of confrontation, Celler and McCulloch and their Judiciary colleagues showed the vitality of the tradition of non-violent political discourse.

Expert testimony, reasoned argument and careful weighing of evidence changed men's minds, as the Judiciary Committee considered what to do about the way the President is elected. The result was, as Celler said, "the first bold step" in many long years toward a fundamental reform of our system—a reform which now stands a far better chance of final passage because of its conspicuous quality of procedure that produced it.

The Republican Governors showed that some politicians can frolick while their country is being torn apart. Celler and McCulloch showed there are politicans who know how to act when the situation cries out for action. One can hope the voters will treat them with the contempt or the respect their conduct deserves.

QUALIFICATION OF MEMBERS OF SUPREME COURT

(Mr. ICHORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ICHORD. Mr. Speaker, democracy is the most cumbersome and most inefficient form of government there is but still it is the most desirable form of government ever devised by the human mind. It requires not only an intelligent and active body of the governed, but also requires the governing to be men of unimpeachable integrity, high competence, and great dedication.

It is my hope that the Committee on the Judiciary will not take lightly its responsibilities to initiate reform legislation affecting the U.S. Supreme Court in view of the recent exposures of Life magazine concerning the legal fees received by one member of the Court. Without discussing the facts of the exposure as my only source of information is what I have read in newspapers and magazines, I do feel the responsibility of admonishing the Congress not to give forth with a crescendo of condemnation and then proceed to wink its eye at the incident, forgetting its own responsibilities.

The conduct and behavior of the members of the highest body of one of our three branches of Government is of vital concern to the American people. This is particularly true at a time when the Supreme Court has assumed an activist role in bringing about broad social, political, and economic changes in our society. No student of the law today can seriously deny that the Supreme Court has little reluctance to intrude into the field of legislative responsibility. Rather than interpret the law and the Constitution, they have chosen in several cases to amend the law by judicial decree. With the Court assuming these powers, we are justified in demanding higher standards of conduct than may have been required in the past. The power of five appointees on the Supreme Court to overrule the unanimous decision of 535 elected officials is great indeed, and when the people of the United States acquiesce in the Court's assumption of legislative responsibilities, however limited the acquiescence may be, we need to take all necessary steps to make certain that the appointees are men of the highest qualifications. I do not feel that the power of confirmation exercised by the Senate over Presidential appointments to the Court is sufficient to assure the Nation of the best qualified justices. History has shown the Senate to be reluctant to veto the Presidential selection. The politics of the situation ordinarily inhibit the Senate from exercising the kind of close and diligent scrutiny required.

It has long been my belief that members of the Supreme Court should have prior judicial experience. I have long advocated this in the Congress. In one of my first speeches in the Congress a number of years ago, I pointed out that there was only a total of 13 years prior judicial experience on the U.S. Supreme Court if one includes service of 1 year as a police judge. Seven of the 13 years were lodged in one man, Justice Brennan. Today the situation has improved to a small degree with the addition of Justice Marshall who has 4 years' prior experience on the U.S. Court of Appeals. Four of the present members have no prior experience at all, including the Chief Justice. I believe that the members of the Supreme Court should be the most learned lawyers in the land and they should not only be learned in the law, they should have some prior judicial experience. We should remove the pressure from our Presidents to make political appointments rather than judicial appointments. A review of the qualifications of the members of the Court reveals that our Presidents have considered prior judicial experience of little import. For these reasons I am today introducing legislation that will require all appointees to the Supreme Court to have prior judicial experience in our Federal court system or the highest appellate State courts. This legislation, I believe, will be very helpful in avoiding a recurrence of the incident recently related by Life, as well as assuring the American people that the members of its highest judicial tribunal will be among the best qualified in the land.

I am not here to criticize the Committee on the Judiciary. I am here to petition it. Our highly respected and distinguished chairman of the Judiciary Committee in closing his remarks said this of the former House Committee on Un-American Activities on February 18, 1969:

> It is what the committee has done that has caused all the contention and difficulty.

Without arguing that point, I would paraphrase the remarks of the distinguished gentleman and state, in regard to the responsibilities of the Committee on Judiciary to give this body the necessary reform legislation, let it not be said that "it is what the committee has not done that caused the difficulty. Errors of omission can be just as serious as errors of commission."

ROGERS QUESTIONS MIT'S RESPONSIBILITY TO NATION

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, many college presidents, under threat from militant minorities, have indicated they will review and perhaps eliminate certain Federal research projects from their institutions, and other activity such as the Reserve officer training program and military recruiting on campus.

It is interesting to note that the No. 1 beneficiary of Federal college assistance, Massachusetts Institute of Technology, is one of those considering such cutoff of help to the Nation which has poured its tax dollars into its educational program.

MIT received $70,585,000 in direct funds to operate programs for the Atomic Energy Commission and the Department of Defense, and an additional share in some $85 million which went to various associations of universities in which MIT participates.

Apparently MIT, bowing to pressures from a militant few, is suspending consideration of any additional contracts for research and development, and may seek to discontinue those already in progress.

Yet, MIT also receives $96,047,000 in direct assistance from the American taxpayers aside from the $70 million direct R. & D. programs. This $96 million represents almost 3 percent of all Federal higher education assistance, and places MIT at the top of the list of 2,100 colleges and universities which receive Federal aid. This included $11 million from the National Science Foundation, $8 million from the Department of Health, Education, and Welfare, $24 million from the National Aeronautics and Space Administration, as well as $46 million from the Department of Defense.

MIT may no longer wish to participate in the Nation's defense effort, and as a private institution, it has the right to make such a determination. If so, the $166 million plus per year the American taxpayers have spent at MIT can be allocated elsewhere. And, perhaps, some

of the excellent staff that MIT has attracted with this large Federal appropriation will move also.

But what of the remaining tens of millions of tax dollars going to this private institution?

MIT has the right to establish its own policy regarding Federal aid. But do not the American taxpayers have an equal or greater right? I believe they do.

I believe that any university or college which cancels a commitment to the Federal Government should be required to reimburse the Government for the costs of any buildings or equipment paid for from Federal funds for those projects, and further, that they should lose all other funds, from whatever source, that they may still be receiving.

On new contracts or agreements, the refusal to bid or accept a project should not subject an institution to loss of existing Federal grants-in-aid, but it should certainly be taken into consideration prior to any new grants from the Federal Government.

The American people are entitled to a return on their investment. They are entitled to expect that those who receive their tax dollars are just as willing to help develop defense systems as they are willing to spend tax dollars on ground transportation or education systems. Those colleges and universities which are willing to look at the total needs of a Nation of 200 million people should receive priority consideration when Federal aid funds are given out. Those who refuse to consider the needs of the Nation, and insist on limiting their interest are certainly free to do so with their own funds, not those of the taxpayers of the Nation.

On a Federal budget of over $170 million a year, it is not difficult to see how MIT became No. 1 in the Nation. I can think of many others which could do equally well with that kind of Federal aid, and which could then perhaps attract some of the MIT faculty as well.

THIRTY-SIX THOUSAND PERCENT IS A NICE PROFIT

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous mattter.)

Mr. GONZALEZ. Mr. Speaker, the Boston Globe consistently lives up to one of the highest responsibilities of a free press in a democratic society—to scrutinize the performance of public institutions. I commend to my colleogues the latest editorial in the Boston Globe, for May 2, about deficiencies in our military procurement system:

[From the Boston Globe, May 2, 1969]

THIRTY-SIX THOUSAND PERCENT IS A NICE PROFIT

To the argument that the proposed Sentinel anti-missile system would be useless as well as provocative, there must now be added some breath-taking profit figures which accrue to the contractors who build such systems. The Washington Post has dug them out of a document buried for five years in the Old Senate Office Building, entitled "Profits and costs in the missile procurement industry."

The report deals with the $7 billion Sentinel's predecessor, the Nike. It reveals that, on one contract for the production of a launcher-loader device, Western Electric, the prime contractor, made a profit of 6684 percent. Another, the Douglas Corp, did even better. It earned $1.2 million on costs of $3000, which is approximately 36,000 percent. A total of $23 billion in such projects, offensive and defensive, has been junked.

Rep. Henry B. Gonzalez (D-Tex.) repeatedly has warned that he has found nowhere either the desire to hold down defense costs or an effective means to check on them. Now comes a government auditor to verify this shocking charge. He has testified that when he expressed concern at what he found, he was told that "it was not the auditor's responsibility to comment on profit rates."

It had better be somebody's responsibility—and soon.

ANNOUNCEMENT OF FACTFINDING INVESTIGATION IN CHARLESTON, S.C.

(Mr. CONYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, I have talked recently with the president of the Southern Christian Leadership Conference, the Reverend Ralph Abernathy, and he has asked that I and several other Members of Congress join him for a factfinding investigation of his crusade now going on in Charleston, S.C. I have notified the chairman of the Armed Services Committee of our intentions and I would invite any of the Members who are concerned about this matter to contact my office.

I would like to insert the following article from the Sunday, May 4, New York Times, which gives a brief summary of the situation in Charleston:

CHARLESTON'S STRIKE: NEW TESTING GROUND IN THE RIGHTS STRUGGLE

(By James T. Wooten)

CHARLESTON, S.C.—In this city of cool, graying courtyards and ornate balconies overlooking narrow, cobbled streets, dreamy preoccupation with yesterday is a way of life.

But now Charleston is caught up in a struggle of today—and tomorrow. Two of the nation's most dynamic forces for change—labor and civil rights—are challenging this seaport's hallowed status quo.

The drama began in two hospitals, Negro women workers there thought they saw racism in their meager pay stubs. They decided that, if they could do nothing else, they could at least get together occasionally and listen to each other gripe.

STUBBORN STRIKE

Today the women are banded together in a full-fledged union, staging a stubborn strike with national and international support. Their cause is championed by the Southern Christian Leadership Conference, the organization of the late Dr. Martin Luther King; the National Association for the Advancement of Colored People, the Retail, Wholesale and Department Store Union, the A.F.L.-C.I.O., and several other groups.

The strikers want recognition, higher pay and new fringe benefits—demands unacceptable to the South Carolina Medical College Hospital, the Charleston County Hospital, Gov. Robert E. McNair, the State Attorney General and the State Legislature. In six weeks, the strike has produced 500 arrests, a $10-million law suit by the strikers against the two hospitals, a court order limiting picketing, a state of emergency, a curfew, firebombings, looting, a few stray shots and a horde of newsmen from all around the country.

The word has spread quickly. Ralph David Abernathy, Dr. King's successor, went to jail; the Negroes are holding meetings and staging marches; the National Guard is in the streets with tear gas and bayonets and loaded rifles—and Charleston will never again be the same.

Dr. William M. McCord, president of the medical college hospital, dismissed the first confrontation between him and union representatives with a few jokes and a memo to the staff which included anti-union cartoons.

ILLEGAL UNION

The recognition of the union is regarded as illegal by the hospital officials, who in turn base their view on an opinion drafted by the State Attorney General. Since there is no specific, enabling legislation allowing state agencies, such as the hospitals, to negotiate contracts with unions, it cannot be allowed, the Attorney General said. Governor McNair agrees with this opinion.

The involvement of the S.C.L.C. in the strike followed what has now become a typical pattern. In the last year, the organization has taken part in several labor disputes in which Negroes were involved in struggles with private and governmental employers.

Dr. King was murdered in Memphis last April while mobilizing support for striking city sanitation workers.

When the strike began, prompted by the firing of the union president and 11 other members from Dr. McCord's hospital, a lawyer convinced a local judge that an injunction against picketing would serve the best interests of the state and the city. A subsequent court order limited the number of pickets at both hospitals to 10, spaced 20 yards apart. The union's pickets were ineffective as a defense against their arch enemies, the scabs.

The strikers' jobs were filled within two weeks and the hospitals went about their business as usual. Then began the arrests of those union members who defied the antipicketing injunction.

THEY WILL RETURN

Mr. Abernathy was followed by Mrs. Coretta Scott King, who led the 10th march in six days last Wednesday, and promised to return this week.

The impact of the strike and its proliferating base of public support has altered the face of Charleston. It is not only the sight of National Guardsmen patrolling the streets and scores of grays, state patrol cars wheeling about with their riot-helmeted passengers—it is also the overpowering atmosphere of tension threatening to get out of hand.

There is little doubt that the city could explode. Many in Charleston, black and white, have purchased pistols. There is the sound of sirens, an air of commotion. Some merchants are guarding their stores at night with shotguns and rifles. The Negro slums remain awake through the night. Few people in this tense city would be surprised if it erupts.

So starkly have the lines been drawn that there is little hope that the old city can, by itself, resolve its dilemma. And no help from the outside is being volunteered.

SHORTAGE OF TIMBER

(Mr. HAGAN asked and was given permission to address the House for 1 min-

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ute, to revise and extend his remarks and include extraneous matter.)

Mr. HAGAN. Mr. Speaker, I am very much concerned about the growing shortage of timber and the corresponding higher prices of lumber. This, of course, has the direct result of increasing the cost of home and building construction. I know that many of my colleagues are also concerned about this situation and have seen the problems being created for the construction industry and for those of our citizens who wish to buy new homes or build new business plants.

In this regard, I am introducing today, a bill entitled "The National Timber Supply Act of 1969" which calls for a larger role for the Nation's Federal forest lands in supplying commercial lumber. Almost two-thirds of the Nation's softwood timber is on Federal public lands. Industrial and other private timber holdings are already being harvested at close to maximum justifiable rates compatible with sound forest management.

This is not true of national forest commercial timberlands, principally because the Federal appropriation process does not provide a system for assured investment of funds for the purpose of improving timber growth and yield, and partly because timber management policies are not firmly and permanently oriented to improvement of timber growth and yield.

It is the purpose of this bill to create a responsible and continuing method for the Federal Government to provide the competence necessary to increase timber growth so that forest products can be harvested at rates that will meet public requirements for building and other needs.

This act would establish a special fund to assure long-term financing of the management and development measures essential for maximum timber productivity in the national forests. The fund would be called the high timber yield fund and would be financed from national forest timber sale receipts.

I would like to add that the enactment of this proposal will in no way decrease the recreational value of our forests. Our outdoor enthusiasts will find that many areas of our national forests will open up, for under this act new roads will be built and formerly impenetrable wilderness will become a source of interest and pleasure.

These roads will also make it possible to reach timber stands that need care, forest fires can be prevented or stopped more easily, insect control would be possible throughout the commercial lands and the dead and dying trees could be removed before they block and spoil the streams.

Mr. Speaker, I believe this bill will provide benefits to our country that are not only needed but desirable and I strongly urge my colleagues to give their support to this important legislation.

FEDERAL PROGRAM TO REDUCE PORNOGRAPHY

(Mr. HUTCHINSON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HUTCHINSON. Mr. Speaker, the President of the United States is to be commended for his recent message which outlines the Federal program to reduce the widespread distribution of pornography in our country.

I personally take strong objection to one aspect of the obscenity problem—the practice of inducing minors to purchase lascivious materials. The distribution of this offensive material to young people must be curbed.

Equally objectionable is the practice of mailing unsolicited, unsavory advertisements to the homes of decent Americans. I am sure every Member of this Chamber has received complaints about this material from his constituents.

The President has proposed a plan of legislative action. We will soon have the opportunity to act on these proposals and I urge every Member of Congress to afford President Nixon his complete cooperation. Hopefully, this outrage we call obscenity can be removed from the American scene.

GRANT CONSOLIDATION ACT

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BROWN of Ohio. Mr. Speaker, today I am pleased to cosponsor a piece of legislation requested by President Nixon in a special message to Congress last week, the Grant Consolidation Act of 1969.

This legislation would give the President the authority to consolidate Federal assistance programs to improve the delivery of the hundreds of Federal programs whose numbers—not to mention conflicting and confusing requirements—presently baffle local government.

I enthusiastically endorse the concept of grant consolidation. We are surely all aware of the disturbing consistency in the reports from local government leaders who complain about the difficulty of matching Federal Government programs to peculiar local needs. There are estimated to be over 1,200 Federal grant-in-aid programs, but they are often too specialized to be of any real help. While intentions and aims in passing many programs has been commendable, our enthusiasm has led us into passing so many programs that successfully making use of this assistance has been difficult. And all too often, the program has been designed to accomplish some Federal purpose and not to meet a real local need. In spite of good intentions, the ironical result has all too often been paralysis rather than performance.

This proposal would allow the President to recommend, within certain limits, consolidation of assistance programs. No consolidation proposal would thwart the purpose of the program or offer assistance Congress did not authorize originally, however.

I do see some technical problems in this legislation, but am confident that we can solve these difficulties through hearings in the Government Operations Committee, on which I am proud to serve.

Because of the relationship between the purpose of this bill and another piece of legislation which I have cosponsored, the Program Information Act, which would create a catalog of Federal assistance programs, I am recommending to the chairman of my committee that we consider the Program Information Act at the same time. At the present time there is no single comprehensive and up-to-date catalog of the more than 1,200 Federal assistance programs.

I feel that enactment of both these programs, grant consolidation and a program catalog, would do a great deal to accomplish not only Government efficiency, but program effectiveness while saving the taxpayers dollars at both Federal and local levels of government. The multitude of programs we presently have available is obviously of little use if the people who are to benefit from them cannot take advantage of them.

FORTAS AFFAIR EMPHASIZES NEED FOR CONTROL AND SCRUTINY OF FAMILY TAX-FREE FOUNDATIONS

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, any explanation Justice Abe Fortas now offers can only aggravate the mistrust through lack of public confidence he has inflicted upon the Supreme Court of the United States.

For certain, without even considering the question of judicial ethics, his tender of a self-serving defense amounts to a personal recusation from fair and impartial justice. By his clandestinely wedding himself to an activist group promoting race relations, who could now have confidence in Justice Fortas sitting on a case relating to race? How can a full-time judge separate such controversial activity from his "official, judicial and legal functions"?

The Fortas affair, coming at a time when tax reforms are under consideration, emphasizes the need for effective control and public scrutiny of family tax-free foundations heretofore tolerated because they claim humanitarian advances in education, health and welfare.

But certainly no tax-free foundation was ever intended to be tolerated as a source of tax-free gifts to win favoritism from judges. Justice Fortas' only conscionable action in the interest of good government can be but to resign.

In addition to inflicting irreparable damage on the already tattered solemnity of the U.S. Supreme Court, his actions have tarnished the image of American justice in the eyes of the world.

I include a summary of the Wolfson Family Foundation, Inc., from the foundation directory and the text of House Resolution 39:

SUMMARY OF THE WOLFSON FAMILY FOUNDATION, INC.

Address: 1500 Universal Marion Building, Jacksonville, Florida 32202.

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Incorporated in 1951 in Florida.

Donors: Louis E. Wolfson, Sam W. Wolfson, Saul Wolfson, and Cecil Wolfson.

Purpose and Activities: Broad purposes; grants, primarily local, for higher education and hospitals, including buildings and equipment, Jewish welfare funds, community funds, and temple support.

Financial Data (year ended 30 September 1964): Assets, $1,814,422 (L); gifts received, $26,825; expenditures, $174,587, including $169,607 in grants.

Officers and Trustees: Louis E. Wolfson, Chairman; Saul Wolfson, Vice-Chairman; E. B. Gerbert, Joseph M. Glickstein, Rabbi Sidney M. Lefkowitz, Cecil Wolfson.

H. RES. 39

Resolved, That there is hereby created a select committee to be composed of nine Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation and study of organizations which have been granted exemptions from Federal income taxes under section 501(c) of the Internal Revenue Code of 1954, for the purpose of determining whether such organizations comply with the provisions of such section, and whether modification of such provisions would be in the public interest by restoring to taxable revenue the incomes presently declared tax free.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

ON THE NEED FOR MASS TRANSIT

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. KOCH. Mr. Speaker, I would like again to bring to the attention of this House the critical subject of mass transit and to give a small example of how the lack of it can affect the public as it did affect me last week.

Last week I took the 3 o'clock shuttle at National Airport here in Washington to New York. There was, as is so often the case, a half-hour delay, 15 minutes on this end and 15 minutes in New York. Considering the much longer delays that often ensue, I could hardly quarrel with a delay of a half hour. After landing, I took a taxi from LaGuardia to my congressional office in Lower Manhattan. That trip turned into a combined taxi and subway ride and took 1½ hours—imagine, 1½ hours to go about 10 miles from LaGuardia to Lower Manhattan. The first hour and 20 minutes was spent in a taxi; the cost of the taxi ride was $7, more than one-third of the entire cost of the plane fare. The taxi only took me to 68th Street and Lexington Avenue, when, because the traffic at that time was still bumper to bumper, I left the cab and took the subway for the balance of the trip. The subway trip was only an additional 10 minutes. The reason I raised this subject in the House is not to call attention to a personal inconvenience, but rather to point up the problem which besets, not only the Members of this House, but more important, the millions of people in this country who use the airports and who, when they do arrive safely at the airport find, there is no mass transit facility to take them to the heart of the city, whatever the city may be. In major cities, bumper to bumper traffic has become the rule rather than the exception.

Most cities have not planned direct mass transit facilities to the airports. One brilliant exception is Cleveland where people are carried to the Hopkins Airport by an efficient rapid rail system.

Lack of planning is not limited to the local jurisdiction, we are guilty of that same failure here in Washington. Consequently, we have National Airport overworked and overloaded while Dulles Airport, which cost millions of dollars, lies practically empty and unused because there are no mass transit facilities to hasten the trip to that airport from Washington, and the public simply refuses to spend close to an hour on the road to get there. So that great unused Dulles Airport sits there like a great retired white elephant. That situation could be corrected if this Congress were to use the opportunity to experiment with the several new forms of mass transit now available, such as the pneumatic tube or the monorail, which cannot be employed by the metropolitan areas because they simply do not have the moneys necessary to experiment with.

Mass transit and the availability of it has an impact far greater than that of merely serving one's conveniences. It opens job opportunities; it makes the cities more habitable; it makes industry thrive; and yes, it does indeed make it easier to get from one place to another. This Congress should consider, as one of its priorities, the need to provide a mass transportation trust fund to do for mass transit what the highway trust fund has done for the highways of this country. A bill which I have introduced to provide such a mass transportation trust fund, to be financed by the automobile excise tax and to provide $10 billion for mass transit over the next 4 years, now has 60 sponsors. I invite my colleagues to join as cosponsors of this legislation.

AN ANSWER TO OUR TIMBER SHORTAGE: THE TIMBER SUPPLY ACT OF 1969

The SPEAKER pro tempore (Mr. OLSEN). Under a previous order of the House the gentleman from California (Mr. HANNA) is recognized for 10 minutes.

Mr. HANNA. Mr. Speaker, it is my privilege to represent a constituency of metropolitan dwellers. These American citizens are highly productive contributors to our national economy, participating in the various manufacturing enterprises in Orange County. They represent another important segment of our economy as well—they are American consumers. It is significant that I hear from them more frequently in their roles as consumers than I do in their part as producers. One topic they are concerned about is the price of homes. Many of my constituents have indicated to me that they feel that they, the average American homebuyers, are being priced out of the new housing market. Due to inflationary pressures, their purchasing power is being diminished to such an extent that the purchase of a new home becomes a luxury. This situation is unfortunate. I think the Congress of the United States should take steps to correct it.

Today I am introducing a bill to deal with the situation. It is the direct product of consumer interest hearings which were conducted by the Banking Committee under the able leadership of the distinguished gentleman from Texas (Mr. PATMAN). Oddly enough, the bill concerns itself with products which many of us would not normally consider consumer goods—softwood lumber and plywood. Because these products are basic to the production of houses, their increase in price is a major concern to consumers. There is no question that the largest single purchase any consumer will ever make is the structure in which he lives with his family.

Numerous factors contribute to the present high cost of new and rehabilitated housing. A major one is the increase in the cost of building materials. Lumber and plywood are singled out for consideration because the rise in price of these two materials was infinitely more dramatic in 1968 than that of other building materials. During 1 year, the cost of plywood increased by 100 percent and the cost of softwood lumber products increased by 50 to 80 percent.

This dramatic rise is caused principally by two factors. One factor is the way the price of logs is determined. They are sold by auction, but at prices sometimes much higher than the true market value of the logs. The Government contributes to the problem by refusing to accept a bid which is below the appraised value, but it readily accepts bids well above the appraised value base. In some cases the Government sells timber at prices 2½ times higher than its true value. Because the Federal Government is the largest single seller of logs, the prices it gets establishes a trend for other sellers. Thus, most logs are sold for inflated prices.

A second factor causing the rapid increase in lumber prices is the extreme shortage. Persons involved in the homebuilding industries tell us that the current annual shortage amounts to between 2 and 3 billion board feet.

Steps must be taken to increase the

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supply of lumber and bring the prices down. Such action is necessary if we are to build houses at the rate necessary to achieve the goals established under the National Housing Act of 1968 and at reasonable prices. That act set a national aim of building an annual average of 2.6 million homes in each of the next 10 years. To reach the objective, we must increase housing starts by 1 million over the 1968 figure. Frankly, in view of present construction cutbacks we will probably need to increase our efforts by much more than that amount.

To build these homes we will need to increase the present production by 15 billion board feet of softwood lumber and plywood by 1978. In order to increase the production of these end products, it is necessary that trees be harvested, replanted, cultivated, fertilized, thinned, protected, improved as species, and thus become established in the endless chain of superior crop management.

I was optimistic during the Banking and Currency Committee hearings because forestry authorities from all interests—public, private, and academic—and representing all sections of the country, believe we can achieve this remarkable increase in productivity if we practice scientific modern forest management.

As the largest single manager of softwood timber in the United States, the Federal Government holds the key to increased productivity and improved management. The Forest Service of the U.S. Department of Agriculture is responsible for 54 percent of the standing softwood sawlog inventory. This inventory is not being harvested to capacity; even though more than half the national supply of softwood and plywood is located on Federal lands, only one of three logs harvested for plywood comes from our national forests. Meanwhile, industrial and other private timber holdings are already being harvested at capacity or a little over capacity. Such a practice of overharvesting can be extremely harmful to our natural resources in the long run.

The Forest Service has not utilized its timber supply to the fullest extent. Principally because it cannot be sure Congress will appropriate enough money to finance replanting. Our national forests are also underutilized because our management practices and policies are not as sound and modern as they should be. If we can increase the harvesting of timber from Federal lands and improve forest management by supplying a steady source of funds for these purposes, I believe Congress should find a way of accomplishing this.

The National Timber Supply Act which I introduce today specifically provides that 65 percent of all Federal timber sale receipts shall be put into a high-yield forestry fund. From it appropriations shall be made, upon proper justification by the Forest Service, to improve the management of Federal commercial timber lands.

It has been predicted by the Chief of the Forest Service that the proper application of funds in the management of Federal producing timber lands—and let me remind you that this does not in any way involve harvesting of timber on parks, wilderness or primitive areas—will return an estimated $215,000 annually for every $1 million invested. That means that the original investment will be returned within the span of 5 years and will continue to pay dividends of that order forever. As a private investor, I would welcome the opportunity to put my money in such a venture and the U.S. Government should not hesitate to do so, particularly when the people of the Nation will benefit not only as owners of the timber but as beneficiaries of better and less costly housing.

I firmly believe that since the Congress has established a 26-million-unit goal for housing within the next decade, it must assume responsibility for making available the materials needed to do the job. The National Timber Supply Act affords logical and effective ways to achieve better housing, increased volume of timber-based materials, greater returns to the taxpayers on their timber investment, and direct dollar savings to the American homebuyer. Everyone gains and nobody loses through legislation such as this. I strongly urge expeditious action to make this bill into law.

FEDERAL FUNDS MUST NOT SUBSIDIZE COLLEGES THAT TOLERATE CAMPUS DISORDERS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Ohio (Mr. MINSHALL) is recognized for 15 minutes.

Mr. MINSHALL. Mr. Speaker, the old school tie is bloodied and torn at some of our Nation's oldest, most respected universities. A handful of militants, composed of 3 or 4 percent of the student body aided and abetted by off-campus rabble-rousers, are trying to topple the ivy towers American tax money helped build. But the real guilt must be borne by those college administrators who wring their hands, gulp out cliche-ridden excuses for their own permissiveness and who surrender, sometimes at gunpoint, to irrational demands from punks who have no concept of academic freedom nor any desire to get down to the serious business of learning.

We have heard every alibi in the book from cloistered educators for the savagery which is turning our campuses into jungles. I have heard the riots dismissed, by people who should know better, as a phenomena comparable to the goldfish swallowing fad of a generation ago.

Anyone is a fool who thinks these are "campus capers" we are witnessing. They are at best, attempts to diminish academic standards of conduct and curriculum. At worst, they are attempts to wipe out our institutions of higher learning comparable only to Communist-Fascist college takeovers in this century and attacks on universities in earlier history which signaled attempts at a complete overthrow of government.

We are fools if we sacrifice the best interests of the overwhelming majority of college students who seriously want a higher education.

It is past time we gave those students a break. We may applaud their efforts to restore order to their campuses, but vigilante law-and-order is not the answer. Maturity and judgment and maintenance of an orderly academic community is the responsibility of the college administrators and too many of them are failing to meet those standards.

The situation is intolerable. In March alone there was strife at 38 colleges. The arrogance of the so-called Students for a Democratic Society, identified by the Federal Bureau of Investigation and by its own membership as Marxist, is intolerable. The victimization of thousands and thousands of decent students is intolerable.

But most intolerable of all is the cringing negativism of college administrators who fail to enforce high standards of conduct or to maintain excellence in curriculum.

In the recent words of Bayard Rustin, who has never been described as an ultraconservative:

> A multiple society cannot exist where an element in that society, out of its own sense of guilt and masochism, permits another segment of that society to hold guns at their heads in the name of justice.

We must call a halt. America has too great a stake in the future of its young people. It is impossible to estimate how much time already has been lost to decent, academically minded students because of campus turmoil which has shut down classes or interrupted serious study.

Whether or not they are parents of college students, all taxpayers have a vested interest in the kind of higher education, the quality of higher education and the conditions under which American youth receives that education. American taxpayers have a multibillion-dollar investment in tax money.

Since coming to Congress in 1955 I have consistently voted funds for assistance to higher education. Federal support for colleges and universities reached a peak of $4.6 billion in 1969. Requests for fiscal 1970 are slightly more than $5 billion. These funds will be used for student assistance, building construction, operational support, research grants, and a wide range of other programs.

Those funds should not go to institutions whose administrators melt under the fiery demands of a tiny percentage of the student body, who lower educational standards, who refuse to call for proper law enforcement when property and personal safety are jeopardized.

Federal controls are an intrinsic part of Federal assistance. That determination was made long ago by the U.S. Supreme Court. It is only commonsense. It is time to exercise that control.

Dr. Dwight L. Dumond, professor emeritus of history at the University of Michigan, presently professor of American Institutions at Colgate University and a longtime liberal, has this to say:

> University administrators, totally unprepared and uninformed, were paralyzed into inactivity when the riotings began. Students

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> who seize university officials and buildings, disrupt faculty meetings and conferences, resort to arson and bombings, and make it impossible for law-abiding students to go about the business of getting an education for which they paid, are guilty of crimes sufficient to send them to prison for life. Every one of them who attacked police, security officers and National Guardsmen with weapons could have been killed in the melee and it would have been due process of law.

And the New York Times of April 22, 1969, states:

> Now arms have been introduced into the campus controversy at Cornell, and only blindness to the lessons of history can shut out the fundamental nature of the threat the development poses. The threat is doubly frightening because it arose on a campus whose liberal administration has carefully listened to, and even anticipated, legitimate demands for student and faculty participation in campus administration. If agreements extorted under duress are to be honored by campus authorities, the American university is embarked on a course of self-destruction, not self-government.

Boards of trustees, contributors to endowment funds and the Federal Government are going to have to make themselves heard loudly and clearly. The administrators of too many colleges have been unresponsive to all the arguments reason and sanity can produce. It is not an easy decision to make, it is not a pleasant action to take, but I am convinced that a cutoff of financial support from colleges and universities which do not take reasonable steps to assure an orderly academic climate is perhaps the only means by which we can assure college students of their rights and the universities themselves of their preservation as genuine institutions of learning.

In introducing my legislation today, which would suspend Federal aid to colleges and to faculty members who violate laws in connection with such disorders, and universities which fail to take appropriate corrective measures I do so in the spirit of academic freedom. I wish to point out that my legislation calls upon the Secretary of Health, Education, and Welfare to immediately draw up guidelines for suspending such funds and that such guidelines be immediately applied. It is no secret that guidelines have not been drawn up, either by the former or present Secretary, for application to legislation enacted by the 90th Congress to suspend Federal funds to students participating in riots. I want there to be no question as to the serious intent of the legislation I am introducing as a mandate to the Executive to take action forthwith.

COMPARABLE PAY FOR POSTAL WORKERS

The **SPEAKER** pro tempore. Under a previous order of the House the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. **HALPERN.** Mr. Speaker, there has been a lot said in the past year or so about what is wrong with our Nation's postal service: It is too slow; it is inefficient; it loses money; it costs too much. No doubt some of these things are true, and for a variety of reasons, some of which probably can be ascribed to the structure of the Post Office Department. However, it seems to me that there is a much more basic cause for certain deficiencies in the U.S. postal operation; very simply, because of poor pay, inadequate promotion opportunities, and unpleasant working conditions, the Post Office can neither retain the good employees it has nor recruit competent new workers to take their places. Frankly, the postal service, to many jobseekers, just does not represent a very favorable employment opportunity.

An efficient and rapid postal service is vital both to our economy and to our Government. Although perhaps other steps can also be taken to improve the structure of the postal service and to speed up its operations, I think we should start by improving the status of the very foundations on which the postal service rests—the letter carrier and the postal worker.

For these reasons I intend to support a bill designed to meet the Nation's commitment to the U.S. postal employee.

In 1962 we in the Congress approved legislation endorsing the principle of achieving comparability between the salaries of Federal Government employees and those earned by workers in private industry. In 1967 we adopted another law, whose purpose was to reach that magic goal of comparability in July 1969, by means of a three-stage increment in wages. Yet here we are in April 1969, and despite all of our fine intentions, it appears that comparability, at least as far as postal workers are concerned, has escaped us once again.

A preliminary schedule of pay increases to take effect this July was released in February. It recommends raises averaging 4.1 percent for postal employees, a percentage that James Rademacher, president of the National Association of Letter Carriers, says, "does not even offset taxes and the cost of living" and "cannot be tolerated." I am inclined to agree that a 4.1-percent increase does not mean much when the cost of living has gone up 4.7 percent in the past year alone.

Certainly the postal employee, whose starting salary even with the 4.1-percent increase is still substantially less than that earned by busdrivers, policemen, and sanitation workers in our Nation's largest cities, deserves better.

This bill is designed to give him something better. Under this proposal no employee in the postal service will receive less than $5,000 per year; at present the minimum for PFS–1, step 1, is $4,324. The lowest six levels of the postal field service will be upgraded by one level, and the starting salary for level 5, at which 80 percent of the postal work force is employed, will be increased to $7,500. In addition, annual step increases of $500 will be provided for level 5, so that a postal worker may reach the top salary of $10,000 in 5 years instead of the 20 to 25 years it sometimes takes under the current structure.

Longevity pay increases are also provided by this legislation, after 8, 11, and 14 years. These will help to retain the more experienced workers who otherwise will leave the postal service because they can see it is a dead end road.

Three other important provisions of this proposed legislation should be mentioned: First, it rectifies the provision of the 1962 law, inadvertently included, that caused many postal employees to lose time they had earned toward their next step increase; it would place these employees in a pay step commensurate with their services; second, it includes increases in pay for rural letter carriers; and, third, it would raise the present 10-percent pay differential for nightwork, which is necessary but unpleasant, to 20 percent.

This bill is not a wholesale restructuring of the postal pay system, nor is it intended to be. Rather, it provides to the long-suffering postal employees a modest increase in salary to help bring him back into the mainstream of Government—and private—employment. It represents a realistic wage raise which should help to improve incentive and morale in the postal service. It is a small step to take when one considers that the future of our postal system may depend on it. Those who are calling for strikes to enforce their demands for improved wages and working conditions will not be held off forever by their leaders if some action is not taken soon. And the idea of our postal communications network completely broken down as a result of an illegal strike is not an appealing one to contemplate.

I would hope that Congress in its wisdom will see fit to act on this legislation with alacrity, so that its benefits will soon be felt by the thousands of postal workers and their families who depend on the Post Office Department for their livelihood. It is the least we can do.

JUSTICE HAS BEEN SERVED

The **SPEAKER** pro tempore. Under a previous order of the House the gentleman from Nebraska (Mr. CUNNINGHAM) is recognized for 30 minutes.

Mr. CUNNINGHAM. Mr. Speaker, I was terribly thrilled to be present on April 24 of this year at a "welcome home" ceremony at Boys Town, Nebr., for Comdr. Lloyd M. Bucher, U.S. Navy captain of the U.S.S. *Pueblo*, and his lovely wife. As I have said before, Commander Bucher, an orphan, attended and received his schooling at this world-famous "city of little men" known as Boys Town, Nebr. Following his graduation from Boys Town High School, Commander Bucher enlisted in the U.S. Navy and after serving his tour of duty returned to Nebraska where he graduated from our State university. It was in Omaha, Nebr., our Commander Bucher met his charming wife.

A copy of the program which was held in his honor on April 24 follows:

Invocation, Archbishop Gerald T. Bergan.
National Anthem, Boys Town Band.
Welcome Home, Father Wegner.
Greetings from Boys Town Citizens, Victor Steele, Mayor of Boys Town.
Message from his Class Mates, Harlan Vogt.
Presentation of Gift, Dave Davis, President, Omaha Chapter, Boys Town Alumni Association.
Address, Senator Roman Hruska.
Reminiscences and Report, U.S.S. *Pueblo*, Commander Lloyd M. Bucher, USN.
Blessing, Rev. Carl Goldenstein.
Master of Ceremonies, Harold Crawford.

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Also, a statement by the Right Reverend Monsignor Nicholas H. Wegner entitled "Welcome Aboard, Commander" appeared in the program. His statement follows:

We at Boys Town, twelve thousand fellow alumni, and friends in all parts of the Country have been awaiting this day for many months. Thank God it has finally arrived. All of us share our joy with you, "Pete", as you were fondly called at Boys Town, your courageous hearted wife, Rose, and your two sons, Mark and Michael. Long may you live. May your name go down in the history of our County as one of our outstanding Naval Officers and brave patriots who conscientiously performed his duties on the U.S.S. *Pueblo* which was sequestered on the high seas by the North Korean Red Government on January 23, 1968. We salute you as a true, high-minded and spirited citizen of the United States and a top flight Naval Officer.

I am extremely happy and pleased that I have just been notified today by the Honorable John H. Chafee, Secretary of the Navy, that Commander Bucher and his crew will be relieved of any further torture, and that Mr. Chafee has decided that no disciplinary action will be taken against any of the personnel involved in the *Pueblo* incident. Mr. Chafee's statement follows:

Statement of John H. Chafee, Secretary of the Navy

The Court of Inquiry convened by the United States Navy to inquire into the seizure of U.S.S. *Pueblo* by North Korean forces on 23 January 1968 has completed its proceedings. It has carried out this complex and difficult assignment with commendable thoroughness, objectivity, and professional skill. Its report has been submitted to higher naval authorities for review.

The record of the Court of Inquiry will be of continuing value in the Navy's reexamination of concepts, policies, regulations, and procedures which had a bearing on the *Pueblo* incident. A variety of corrective actions have flowed and will flow from it.

Higher naval authorities have completed their review of the disciplinary aspects of the record, as I personally have also done. My review was of course limited to the evidence and to the findings, opinions, and recommendations of this Court of Inquiry and the recommendations of the subsequent reviewing authorities.

As a result of my review, I have decided that no disciplinary action will be taken against any of the personnel involved in the *Pueblo* incident. I will first give you the conclusions of the Court of Inquiry, the Convening Authority, and the Chief of Naval Operations, then explain the basis for my decision.

Based upon its findings of fact and the formal opinions which it derived from those findings, the Court of Inquiry recommended that Commander Lloyd M. Bucher, U.S. Navy, the Commanding Officer of U.S.S. *Pueblo*, be brought to trial by General Court-Martial for the following five alleged offenses: permitting his ship to be searched while he had the power to resist; failing to take immediate and aggressive protective measures when his ship was attacked by North Korean forces; complying with the orders of the North Korean forces to follow them into port; negligently failing to complete destruction of classified material aboard U.S.S. *Pueblo* and permitting such material to fall into the hands of the North Koreans; and negligently failing to ensure, before departure for sea, that his officers and crew were properly organized, stationed, and trained in preparation for emergency destruction of classified material.

The Court of Inquiry also recommended that Lieutenant Stephen R. Harris, U.S. Naval Reserve, the Officer-in-Charge of the Research Detachment aboard U.S.S. *Pueblo*, be brought to trial by General Court-Martial for three alleged offenses of dereliction in the performance of his duties, in that he failed to inform the Commanding Officer of *Pueblo* of a certain deficiency in the classified support capabilities of the Research Detachment; failed to train and drill the Research Detachment properly in emergency destruction procedures; and failed to take effective action to complete emergency destruction after having been ordered by the Commanding Officer to dispose of all remaining classified materials.

It was recommended by the Court of Inquiry that Lieutenant Edward R. Murphy, Jr., U.S. Navy, the Executive Officer of U.S.S. *Pueblo*, be given nonjudicial punishment in the form of a letter of admonition for alleged dereliction in the performance of his duties as Executive Officer, in that he negligently failed to organize and lead the crew on the day of seizure, especially in the ship's major internal task of emergency destruction of classified material.

The Court of Inquiry recommended that Rear Admiral Frank L. Johnson, U.S. Navy, and Captain Everett B. Gladding, U.S. Navy (Retired), each receive nonjudicial punishment in the form of a letter of reprimand. The Court alleged that Rear Admiral Johnson, then Commander Naval Forces Japan, was derelict in the performance of duty in negligently failing to plan properly for effective emergency support forces for contingencies such as occurred during the execution of *Pueblo*'s mission, and negligently failing to verify effectively the feasibility of rapid emergency destruction of classified equipment and documents carried by the *Pueblo* Research Detachment. In the case of Captain Gladding, then Director Naval Security Group Pacific, it was alleged that he was derelict in the performance of duty in negligently failing to develop procedures to ensure the readiness of *Pueblo*'s Research Detachment for the mission assigned, and to coordinate other services and agencies to provide intelligence support to *Pueblo* during the mission.

The completely objective approach of the Court of Inquiry to its duties was clearly reflected in its full presentation of factors which would have mitigating effect with respect to the offenses alleged. Note was taken of such matters as the recent change in policy which resulted in the last-minute installation of armament aboard *Pueblo;* the limitations and deficiencies of that armament installation and of *Pueblo*'s other defensive capabilities; the emphasis placed by superior commanders upon the importance of restraint and nonprovocation under harassment; the limitations and deficiencies of *Pueblo*'s facilities for emergency destruction of classified materials, and of the Navy's planning therefor; the absence of centralized control of the amount of classified materials required to be carried by intelligence-collection ships; the failure of other responsible authorities to provide proper support; and the 160 years of precedent which was shattered when *Pueblo* was seized by an act of piracy on the high seas in clear violation of international law.

The Commander-in-Chief of the U.S. Pacific Fleet, as Convening Authority, declined to accept the recommendations of the Court of Inquiry that Commander Bucher and Lieutenant Harris be brought to trial by General Court-Martial. He recommended instead a proceeding of lesser measure—namely, the institution of formal procedures with a view to the nonjudicial punishment of each of those officers through issuance of a letter of reprimand for his alleged derelictions of duty. The Convening Authority concurred in the recommendation of the Court of Inqury that Lieutenant Murphy be processed with a view to nonjudicial punishment in the form of a letter of admonition. He likewise concurred in the recommendation of the Court of Inqury that procedures be instituted with a view to the issuance of a letter of reprimand to Rear Admiral Johnson—but only for the alleged dereliction of failing to verify *Pueblo*'s capability for rapid emergency destruction of classified materials. The Convening Authority recommended against the institution of procedures with a view to the issuance of a letter of reprimand to Captain Gladding.

The Chief of Naval Operations concurred in the recommendations of the Commander-in-Chief of the Pacific Fleet.

I have reviewed the record of the Court of Inquiry and the recommendations of the Convening Authority and the Chief of Naval Operations. I make no judgment regarding the guilt or innocence of any of the officers of the offenses alleged against them. Such judgment could legitimately be reached by duly constituted authority only after further legal proceedings, such as trial by court-martial or the hearing required prior to issuance of a letter of reprimand or admonition.

I am convinced, however, that neither individual discipline, nor the state of discipline or morale in the Navy, nor any other interest requires further legal proceedings with respect to any personnel involved in the *Pueblo* incident.

In review of the Court's recommendations with respect to Commander Bucher, Lieutenant Murphy, and Lieutenant Harris, it is my opinion that—even assuming that further proceedings were had, and even going so far as to assume that a judgment of guilt were to be reached—they have suffered enough, and further punishment would not be justified. These officers were illegally imprisoned by the North Koreans for eleven months. During that time, their food and living conditions were marginal. They suffered extensively from physical abuse and torturous treatment. Their captors refused to accord them even the minimal humane treatment required under international law. When they were released from their captive status, each showed great loss of weight and other marks of cruel treatment.

The Court was of the opinion that, during his internment, Commander Bucher upheld morale in a superior manner; that he provided leadership by insisting that command structure be maintained and providing guidance for conduct; and that he contributed to the ability of the crew to hold together and withstand the trials of detention until repatriation could be effected.

The charges againt Rear Admiral Johnson and Captain Gladding relate to the failure to anticipate the emergency that subsequently developed. This basic, general accusation, however, could be leveled in various degrees at responsible superior authorities in the chain of command and control and in the collateral support structure.

The major factor which led to the *Pueblo*'s lonely confrontation by unanticipatedly bold and hostile forces was the sudden collapse of a premise which had been assumed at every level of responsibility and upon which every other aspect of the mission had been based—freedom of the high seas. At that particular point in history, the common confidence in the historic inviolability of a sovereign ship on the high seas in peacetime was shown to have been misplaced. The consequences must in fairness be borne by all, rather than by one or two individuals whom

> circumstances had placed closer to the crucial event.
>
> In light of the considerations set out above, I have determined that the charges against all of the officers concerned will be dismissed, and I have directed the Chief of Naval Operations to take appropriate action to that end.
>
> Every feasible effort is being made to correct any Navy deficiencies which may have contributed to *Pueblo*'s seizure. The Navy's leaders are determined that the lessons learned from this tragedy shall be translated into effective action.

Justice has been served as there was no neglect on the part of Commander Bucher and his crew, even though the court of inquiry would have preferred to place the blame upon him and his crew for this sorry incident.

ISTHMIAN CANAL POLICY QUESTIONS: LIST OF REPRESENTATIVE DANIEL J. FLOOD'S CONTRIBUTIONS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, since publication in 1966 of a volume of my selected addresses on "Isthmian Canal Policy Questions"—House Document No. 474, 89th Congress—there have been requests for a complete roll of my addresses, remarks, and statements dealing with the interoceanic canal problem. In response to this need, I have compiled a list of all such matters of mine in the CONGRESSIONAL RECORD from 1955 through the early part of 1969, which will be later quoted. They deal with our Isthmian Canal and Caribbean policies; the interoceanic canal problem, including the basic question of type of canal, the major increase of capacity and operational improvement of the existing Panama Canal, and the question of sovereignty over the Canal Zone; the Communist takeover of Cuba and the Monroe Doctrine; the Soviet design for gaining control over strategic marine transportation routes, including the sea approaches to the Panama Canal; and the Communist revolutionary subversion of Latin America.

For convenience of researchers, the list is arranged chronologically starting with the 84th Congress and continuing through the early months of the 91st Congress. For the 84th through the first session of the 90th Congress, page numbers of matter in the main body of the CONGRESSIONAL RECORD are from the permanently bound editions; for the second session of the 90th Congress and early part of the 91st page numbers are from the temporary editions of the RECORD. Matter in the Appendices of the 84th Congress through the first session of the 90th Congress, indicated by the letter "A," are from the bound Appendix copies in the Library of Congress; that in the Extensions of Remarks of the 90th Congress, second session, and the first session of the 91st Congress, shown by the letter "E," are from the temporary editions of the CONGRESSIONAL RECORD.

The contributions of other Members of the Congress since 1946 are impressive, notably Representatives Schuyler Otis Bland, Willis W. Bradley, Thomas E. Martin, and Clark W. Thompson; and Senators Thomas E. Martin, STROM THURMOND, and JOHN G. TOWER.

Special attention is invited to two excellent bibliographies on "Isthmian Canal Policy of the United States," prepared by Representative Clark W. Thompson in the CONGRESSIONAL RECORDS of March 23, 1955, pages 3610 to 3616, and volume 110, part 16, pages 21467 to 21475; also the comprehensive "Bibliography of Panama Canal Issues" in the CONGRESSIONAL RECORD, volume 113, part 14, pages 18114 to 18119, and a "Hand List of Panama Canal Treaty Statements" in the RECORD, volume 113, part 17, page 22622, both prepared by Senator STROM THURMOND.

The indicated listings are indispensable for anyone seeking full information on the complicated canal question. Special attention is invited to the writings of E. Sydney Randolph—CONGRESSIONAL RECORD, volume 109, part 6, pages 8109 to 8112; and in the House Document No. 474, 89th Congress; also of George M. Wells—CONGRESSIONAL RECORD, volume 103, part 6, page 7932. Both of these engineers spoke from a vast experience in the canal organization and could not be misled by self-serving propaganda, however plausible. The list of my own addresses, remarks, and statements in the CONGRESSIONAL RECORD since 1955, previously mentioned, give important information not included in those published in House Document No. 474, 89th Congress.

The indicated list follows:

84TH CONG., 1ST SESS., APPENDIX (1955)

Date	Page	Subject
June 1, 1955	A3800	Letter from Employee in Panama Canal Zone.
June 7, 1955	A3982	Panama Railroad.
Do	A4056	Watch Your Dollars at Panama.
June 9, 1955	A4126	Hold the Line (Against Liquidation of Panama Railroad).
June 15, 1955	A4268	Panama—United States Treaty—A Giveaway.
June 30, 1955	A4788	Letter From Resident of Panama Canal Zone.
July 12, 1955	A5064	The Wrecking of the Panama Canal.
Do	A5077	Thank You, Mr. Congressman (for defending the Panama Canal).
July 19, 1955	A5296	Taxes for Americans Living in Panama.
Do	A5306	Panama-United States Treaty of Understanding and Cooperation.
Aug. 1, 1955	A5866	Panama Canal.

84TH CONG., 2D SESS., VOL. 102 (1956)

Date	Page	Subject
May 29, 1956	9285–89	John F. Stevens: Basic Architect of the Panama Canal.

85TH CONG., 1ST SESS., VOL. 103 AND APPENDIX (1957)

Date	Page	Subject
Jan. 31, 1957	A654	Interesting Discussion of Panama Canal Problem.
Feb. 5, 1957	A775	The Panama Railroad.
Feb. 26, 1957	A1517	Panama Railroad: Revitalization Program Started.
Apr. 8, 1957	A2767	Interoceanic Canals Commission Resolutions.
Do	A2770	Star & Herald Newspaper of Panama Celebrates 108th Anniversary.
Apr. 17, 1957	5927	Panama Canal Situation Demands Independent Inquiry.
May 14, 1957	A3664	The Panama Canal Situation.
May 23, 1957	A3964	Resolutions on the Panama Canal Situation.
Do	A3977	Movement Against Internationalization of Panama Canal.
May 24, 1957	A3999	Sea-Level Canal?
May 27, 1957	A4048	Relations Between the United States and Panama.
May 29, 1957	8103–08	Panama Canal: United States Ownership and Control.
July 1, 1957	A5224	Panama Canal: Policy Should be Reiterated.
July 25, 1957	A6008	Malaria Comes Back in Canal Zone.
July 31, 1957	A6213	Panama Demonstration Emphasizes Wisdom of 1903 Canal Treaty.
Aug. 2, 1957	13525–27	Panama Canal Problem: Must Be Evaluated From All Angles.
Aug. 5, 1957	13656	Remarks on Attempted Liquidation of Panama Railroad.

85TH CONG., 2D SESS., VOL. 104 AND APPENDIX (1958)

Date	Page	Subject
Jan. 28, 1958	A742	The Panama Railroad: Congress Justified in Preventing Liquidation.
Feb. 6, 1958	A1155	Thailand Canal Proposal.
Mar. 14, 1958	A2387	James Gordon Streese: Distinguished Son of Pennsylvania.
Mar. 26, 1958	5498–5505	Panama Canal Zone: Constitutional Domain of the United States
Mar. 28, 1958	A2988	Reds Threaten United States Hold on Panama Canal.
Apr. 2, 1958	6152–57	Panama Canal Zone: Constitutional Domain of the United States—Further Supplementary.
Apr. 17, 1958	A3486	DAR Resolution on the Panama Canal.
May 26, 1958	A4821	The Explosive Situation at Panama.
May 27, 1958	9636	Panama-United States Relations: Canal Zone Residents Speak.
June 9, 1958	10581–90	Panama Canal—Latest Developments.
June 17, 1958	11526–32	Panama Canal: Disorders in Adjacent Areas Documented and Interpreted.
June 24, 1958	12126–28	DAR Panama Canal Resolution: Attacked and Defended.
July 8, 1958	A6141	Panama Canal Department of the American Legion Endorses H. Con. Res. 205.
July 15, 1958	13865–67	Panama: Storm Center of Hostile Preparations Against the United States.
July 18, 1958	14317–20	Visit of Dr. Milton Eisenhower to Central American Countries.
July 23, 1958	14838–45	Panama Canal: Object of Irresponsible Political Extortion.
July 30, 1958	15653	Unseat Panama President
Aug. 13, 1958	A7289	Large-scale Propaganda Drive in Latin America Agreed upon at Soviet-Red China Conference.
Do	A7290	Records Are Set by Panama Canal.
Aug. 15, 1958	A7339	Great Future for Panama Railroad.
Aug. 19, 1958	18594	Panama Railroad—Latest Developments.
Do	18595	Panama Railroad: Indispensable Facility for Panama and Canal Zone.
Do	18595	Panama: University Students Condemned by Rector.
Aug. 25, 1958	A7717	Panama Canal: Object of Hostile Propaganda.

86TH CONG., 1ST SESS., VOL. 105 AND APPENDIX (1959)

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Jan. 9, 1959	367–69	Panama Canal: Free and Open Waterway or Another Berlin?
Do	A33	Panama Canal Zone: Constitutional Domain of the United States.
Jan. 29, 1959	A634	Another Berlin at Panama?
Do	A641	Address by Hon. George H. Roderick, Assistant Secretary of the Army.
Feb. 16, 1959	A1094	Communism on the March in the Caribbean.
Feb. 25, 1959	2924–40	Isthmian Canal Policies—A Challenge to the Congress.
Mar. 5, 1959	A1810	Red Conspiracy in Latin America.

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86TH CONG., 1ST SESS. VOL. 105 AND APPENDIX (1959)—Continued

Date	Page	Subject
Mar. 11, 1959	A2066	Widespread Caribbean War Is Seen up to Castro.
Mar. 13, 1959	4158-61	Geopolitics and National Power.
Mar. 24, 1959	A2595	Panama Canal: Communists Entrenched on Southern Flank.
Apr. 23, 1959	A3343	Panama Canal: Part of Communist Drive for Latin America.
Apr. 27, 1959	A3436	Untold Story of Panama: Radio Review by Maj. Gen. James E. Edmonds.
May 14, 1959	8201	Republic of Panama: Symbol of Freedom.
Do	8201-03	Panama Invasion Obscure Real Hazards to Canal.
May 20, 1959	8706-08	Panama Invasion Significance.
May 28, 1959	9341	Remark to House of Representatives on U.S. Isthmian Responsibilities.
Do	A4554	Panama Canal Society, Washington, D.C.: Historic Meeting.
June 2, 1959	A4666	Panama Canal Alternative.
June 11, 1959	10578	Panama: Background and Foreground.
June 19, 1959	A5310	Panama Students Defy Communist-Oriented Leadership.
June 23, 1959	11675-78	Panama Canal Zone Sovereignty.
Do	A5399	Red Menace in the Americas.
June 29, 1959	12159-62	Panama Canal Zone: Territorial Sea Limits.
Do	A5597	Panama Canal Traffic Peak.
June 30, 1959	12348	Caribbean Sea: Mediterranean of the Americas.
July 1, 1959	A5690	Red Subversion in Our Back Yard.
July 7, 1959	12896	Caribbean Sea, Panama Canal, and the Monroe Doctrine.
July 15, 1959	A6101	Hungary, Tibet and the Caribbean.
July 16, 1959	A6153	Caribbean Situation: Cuba and Guatemala.
Do	A6155	Distress in the Caribbean.
July 20, 1959	A6212	America's Territorial Sea.
July 23, 1959	A6408	Cuba and Communism.
July 28, 1959	A6509	Panama Economy Is Held Declining.
July 29, 1959	14647	Canal Zone Protection.
Do	A6560	Cuba: Bastion of Infiltration?
Aug. 4, 1959	A6709	Panama Canal· Red Target.
Do	A6724	Untold Story of Panama.
Do	A6726	U.S. Position of Sovereign Rights in Perpetuity in Panama Canal Zone Supported by Queens County, N.Y. Chapter of Catholic War Veterans.
Aug. 12, 1959	15733	Central American Union· Movement Revived.
Do	A6968	Caribbean Tensions.
Aug. 13, 1959	A6999	Forewarned is Forearmed.
Do	A7015	Red Gains in the Americas.
Aug. 14, 1959	A7028	Panama Canal Control Plotted by Reds.
Do	A7043	Panamanian Politicians Exploit Anti-U.S. Surge.
Aug. 20, 1959	16612	Discontinuance of the Panama Line of Steamships.
Do	A7192	Panama Canal and the Monroe Doctrine.
Do	A7213	Latin American Events.
Aug. 26, 1959	17062	Storm Clouds Over the Caribbean.
Aug. 27, 1959	A7470	Declaration of Santiago.
Do	A7479	Panama Canal Zone: "Peaceful Occupation" Proposed for Nov. 3, 1959.
Sept. 1, 1959	17631	Panama Canal: Thatcher Ferry Site Bridge.
Do	A7594	Dangerous Situation Developing in the Caribbean.
Sept. 7, 1959	A8815	Sovereign Rights of United States in Panama Canal Zone.
Sept. 9, 1959	18860-63	Communist Triple Threat: CIA Findings.
Do	18863	Central American Union.
Do	A7874	Invasion of Canal Zone Planned for Nov. 3, 1959.
Sept. 10, 1959	A7941	Panama Canal and Caribbean Situation: Views of General Wedemeyer.
Sept. 14, 1959	18018	Panama Crisis Pending: Views in Spanish Language Press.

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Jan. 7, 1960	A49	Panama Minimum Wage Crisis.
Do	A63	Panamanian Anti-U.S. Campaign.
Jan. 11, 1960	284	Red Tide in Latin America and the Remedy.
Jan. 12, 1960	315	House Concurrent Resolution 450.
Do	A209	Red Strategy in South America.
Jan. 13, 1960	416-32	Panama Canal: Symbol of a Fourth Front.
Jan. 27, 1960	A712	Panama Canal Zone: "Yankee, Go Home."
Jan. 28, 1960	1563-70	Panama Canal Zone, Nov. 3, 1959, Mob Violence—Supression of News in the United States.
Feb. 1, 1960	A808	Cuba: Bolder U.S. Action Required.
Feb. 4, 1960	A963	U.S. Flag in the Panama Canal Zone.
Do	A968	Adm. Husband E. Kimmel States His Position Regarding Relations, Between the United States and Panama.
Feb. 8, 1960	A1030	This Is No Time To Give Away Our Rights in the Canal Zone.
Feb. 15, 1960	2540	Monroe Doctrine: Reassertion Imperative.
Do	2540	Canal Zone Sovereignty: Views of Balboa Teachers Association.
Do	2540	Cuba: A Communist Beachhead.
Do	2540	Mikoyan's Cuban Visit: Significance.
Feb. 25, 1960	3502-04	Control of Canal Zone—Panama Canal and Connally Reservation—Cuba and Monroe Doctrine.
Mar. 2, 1960	A1813	Red Missiles in Cuba.
Do	A1824	James Zetek: Entomologist and Scientist.
Mar. 3, 1960	A1851	Canal Zone Sovereignty: New York Panama Canal Society Resolution.
Mar. 7, 1960	4810	Panama Canal Security: Connally Reservation Must Not Be Rescinded.
Do	4811	Hemispheric Security Demands Congressional Reaffirmation of Monroe Doctrine.
Mar. 14, 1960	A2247	Mock War in Panama.
Mar. 21, 1960	A2502	Soviet Is Backing Cuba Against United States.
Mar. 29, 1960	6899-902	Godin de Lepinay: Forgotten Precursor of the Panama Canal.
Mar. 30, 1960	A2846	Hemispheric Security—Congress Must Reaffirm our Historic Policies.
Apr. 4, 1960	A2935	U.S. Prestige in Latin America Revived.
Apr. 11, 1960	A3170-73	Panama Canal Zone Sovereignty: Views of American Legion.
Apr. 19, 1960	8241-47	Panama Canal: Key Target of Fourth Front.
May 2, 1960	A3702	Panama Canal: 1960 DAR Resolution.
May 2, 1960	A3716	Panamanian Election Issues.
May 4, 1960	9473	Hemispheric Security: Congress Must Reaffirm Our Historic Policies.
May 6, 1960	A3910	Panama Canal: Daughters of 1812 Resolution, 1060.
May 19, 1960	10731	Canal Zone Security: Significance of Panama Flag.
June 2, 1960	11770	U.S. Concessons Decried in Panama.
Do	11771	U.S. Responsibility in the Caribbean.

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Do	A5280-82	Shadowy Power Behind Castro.
Do	A5289	Department of State: Hidden Policymakers.
June 22, 1960	A5382	Explosion in Caribbean Could Take Place Soon.
June 23, 1960	13085-89	Our Isthmian Policies Must Be Defended Against Bolshevist Attack.
Do	A5428	U.S. Faltering in Caribbean Invites Disaster.
June 24, 1960	A5439	Panamanian Tribute to Governor Potter.
Do	A5477	Extending Monroe Doctrine.
June 25, 1960	14124	Remarks Predicting That the Secretary of State Would Recommend the Formal Display of the Panama Flag in the Canal Zone Soon After Adjournment of the Congress.
June 27, 1960	14635	No More Cushions for Castro's Cuba.
June 28, 1960	14826-28	Seapower: Bulwark Against Chinese Imperialism.
June 30, 1960	15257	Nicaragua Canal.
July 1, 1960	15522	Panama Intrigue.
Do	15522-27	Communism and the Caribbean.
July 2, 1960	A5741	Panamanian Protest Plans for July 4 Celebration.
July 15, 1960	A5849	Panama Canal Zone Citizens Express Concern for U.S. Government.
July 5, 1960	A5858	Break Diplomatic Relations With Castro's Government.
Aug 22, 1960	A6168	More Panama Intrigue.
Do	A6177	Hemispheric Security: Congress Must Act.
Do	A6184	Monroe Doctrine and Cuba.
Do	A6186	Montroe Doctrine at Full Cycle.
Do	A6196	Monroe Doctrine Remains Basic.
Do	A6202	Military Action in Cuba—When?
Aug. 24, 1960	A6285	Carribbean Crisis Widens.
Do	A6290	Panama Canal: State and Defense Departments at Loggerheads.
Aug. 26, 1960	17926	Haiti.
Aug. 29, 1960	A6506	Reds in Caribbean and Africa.
Aug. 31, 1960	18712-13	Remarks to House of Representatives Predicting That After Adjournment of the Congress the President of the United States Would Authorize the Display of the Panama Flag in the Canal Zone.
Do	18871	Panama Warns the United States.
Do	18871-73	Panama Intrigue: Congress Must Investigate.
Sept. 2, 1960	A6745	Calling the Turn in Latin America.
Do	A6748	Panama Honors Two Americans.
Do	A6751	U.S. Diplomacy Marches On.
Sept. 8, 1960	A6872	Latin American Failure.
Do	A6873	Victory for Kremlin at San Jose.

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Do	304	Panama Intrigue: Congress Must Investigate—Sequel.
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Jan. 16, 1961	813	Communist Strategy and the High Seas.
Jan. 25, 1961	A477	Grim 1961 in Latin America.
Jan. 26, 1961	A532	Mexico Sees Red Hand.
Do	A534	United States Must Be Firm (With Panama).
Do	A535	And They Call Him "Faithful" (With Regard to Fidel Castro).
Jan. 30, 1961	1451	President Kennedy's Inaugural Address—Statement of Policy.
Do	1452	U.S. Currency Used for Anti-U.S. Propaganda in Panama.
Do	A590	Panama Revolt Urged (by Communist Revolutionists).
Feb. 6, 1961	A761	Castro's Bid to Kennedy.
Feb. 13, 1961	2132	There is a Defense.
Do	2134	Panama Intrigue: State Department Misuse of Appropriations.
Mar. 1, 1961	A1411	Communist Strategy and the High Seas—Sequel.
Do	A1414	Embargo on Cuba?
Do	A1417	Caribbean Security and Cuba.
Mar. 6, 1961	A1501	Diplomatic Pusillanimity at Panama.
Do	A1521	Our Crumbling Military Position in the Caribbean.
Do	A1517	Panama Line Must Be Preserved.
Mar. 13, 1961	3823	Red Hemispheric Drive.
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Do	A1733	Miquel Ydigoras Fuentos: President of Guatemala.
Mar. 23, 1961	A2062	Situation in the Caribbean.
Apr. 11, 1961	A2400	Communist Hemispheric Conquest Via Cuba.
Apr. 24, 1961	A2743	Cuba: Fidelismo Without Fidel.
Apr. 26, 1961	A2845	Miguel Ydigoroas Fuentes: President of Guatemala.
Do	A2848	Soviet Naval Goal: Satellite Seas.
May 2, 1961	7014	Sea Level Ghost Revived.
May 25, 1961	A3763	A Message From Garcia.
June 1, 1961	A3911	South Africa I: Strategic Sentinel Against Red Attack.
Do	A3896	South Africa II—A Vital Sea Frontier.
June 5, 1961	A3990	Communistic Demonstration—Effective Treatment Imperative.
Do	A4015	NBC White Paper on Panama: Subversive Propaganda.
June 14, 1961	A4354	Foreign Policy Research Institute of South Carolina.
July 12, 1961	A5213	Panama Canal Company: Under Secretary of the Army Stephen Ailes New Board Chairman.
July 25, 1961	A5701	Needed: A Nicaragua Canal.
Aug. 28, 1961	A6720	Time for United States To Rouse Itself (With Regard to Caribbean Policies).
Aug. 29, 1961	A6794	The Will To Win (With Regard to Foreign Policy).
Sept. 19, 1961	A7422	Seapower in the Sixties: Deterrent and Determinant.
Do	A7438	Guantanamo Naval Base in Danger.
Sept. 20, 1961	A7460	Adm. D. C. Ramsey: Naval Officer, Aviation Pioneer, Industrialist, and Statesman.
Do	A7469	Edward C. Sherman, 1877-1961 (Builder of Gatun Spillway).
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Feb. 20, 1962	A1275	United States and the Monroe Doctrine.

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May 3, 1962	A3268	Needed for Panama Canal: Water, Water, Water.
June 7, 1962	9980–84	Isthmian Canal Policy—An Evaluation.
June 13, 1962	10422	President Taft: Statement on Canal Zone Sovereignty and Jurisdiction.
June 21, 1962	A4721	Panama Castroites Seek Canal Takeover.
June 27, 1962	A4880	Panama Canal and Oceanography.
June 29, 1962	A4939	Communist Military Design on Spain.
July 19, 1962	A5548	Panama-United States Parleys.
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Do	20223	Caribbean and Isthmian Policies—Sequel.
Oct. 6, 1962	A7385	A Policy for the Canal.
Do	A7410	John F. Stevens Honoring in Canal Zone: Oct. 13, 1962.

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Do	A105	Freedom of the Seas.
Jan. 28, 1963	1153–55	John F. Stevens: "The Panama Canal Is His Greatest Monument."
Do	A329	Reds Active in Central America.
Do	A330	Panama Canal: President Theodore Roosevelt's Decision on Type.
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Do	A460	Thelma King Wants Republic of Panama Opening of Bridge.
Feb. 4, 1963	1667	Central American Common Market.
Do	A481	Castro's Red Wings Over Latin America.
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Feb. 18, 1963	2477–79	Panama Canal Procrastination Perilous.
Do	A743	Student Leftism Stirs Panamanians.
Do	A777	Panama Requested Canal Annuities 50 Years in Advance.
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Mar. 28, 1963	A1790	Panama Canal: Republic of Panama Could Oppose A-Blasts for Sea-Level Canal.
Do	A1798	Panama Canal: Republic of Panama Should Ask United States To Pay for Charges River Water.
Do	A1852	Panama Bridge Ceremonies Marred by Mob Tactics.
Apr. 1	A1852	Enforcing the Monroe Doctrine.
Do	A1858	Panama Canal: Republic of Panama To Press Sovereignty in Canal Zone.
Apr. 4, 1963	A2001	Canal Zone Flag Suit: Report of Progress.
Apr. 9, 1963	6088–97	Congress Must Save the Panama Canal.
Do	A2155	British Paper Criticizes United States-Panama Policy Rapped.
Do	A2167	Early Showdown in Cuba.
Apr. 10, 1963	A2222	Canal Zone Sovereignty Suit.
Apr. 22, 1963	A2325	Panama Revolutionists.
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Do	A1145	Panama Canal: Red Shadows Evident.
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July 29, 1964	16732	Panama Canal Policy: The Congress Must Investigate Its Conduct.
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January 20, 1966	A245	Latin Reds to Hike Guerrilla Warfare.
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Oct. 11, 1967	28696–99	Interoceanic Canal Problem Requires Independent Inquiry.
Oct. 31, 1967	30600	Proposed Panama Canal Treaties and Garbage Collection.
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Do	E684 (temp.)	Reserve Officers Association of America, Department of Pennsylvania, Panama Canal Resolution.
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Do	E5304 (temp.)	Electoral Crisis Lingers in Panama.
June 26, 1968	S7777 (temp.)	"Canals and Channels: A Look Ahead"—Discussion.
July 16, 1968	E6526 (temp.)	Hearings on Proposed Panama Canal Treaties Should Not Be Concealed.
Oct. 11, 1968	H9934–37 (temp.)	Atlantic-Pacific Interoceanic Canal Study Commission Fourth Annual Report Commentary.
Oct. 14, 1968	E9087 (temp.)	Panama Canal Sovereignty and Jurisdiction: 1968 American Legion Resolution.
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Do	H1076 (temp.)	New Canal: What About Bioenvironmental Research?
Mar. 24, 1969	E2278 (temp.)	Capt. A. T. Luther: Able Panama Canal Pilot Honored in Canal Zone.
May 5, 1969	E3617 (temp.)	Panama Canal: Oklahoma Legislature Opposes Surrender.

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THE WAR IN VIETNAM REMAINS AS INTENSE AND INTRACTABLE AS EVER

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Massachusetts (Mr. BOLAND) is recognized for 10 minutes.

Mr. BOLAND. Mr. Speaker, the war in Vietnam remains as intense and intractable as ever. More than 34,000 American troops have died on that country's battlefields, a toll that surpasses the U.S. record of human sacrifice in the Korean war. The many thousands more that have been wounded—221,012 to date—are taxing the resources of our Armed Forces hospitals.

South Vietnam itself has been almost literally devastated by the war—many of its cities ruined, its croplands wasted, its people impoverished and terrorized. The sight of smoking rubble and stacked corpses has become a routine nightly horror on our television newscasts. Draining U.S. resources both in manpower and materiel, the war is making it virtually impossible for us to confront the host of pressing social problems here at home.

Our ghettos remain breeding grounds for crime and rebellion. The grim spectacle of poverty remains commonplace in most of our cities and over most of our countryside. Our pledge of equal opportunity for all—made earnestly and honestly—remains a mockery to many of our citizens. Clearly, Mr. Speaker, the impact of this war cannot be measured only in lives and capital. It is eroding the very fabric of our society.

The peace negotiations in Paris have given all sides to the Vietnam dispute an opportunity to sit down and discuss the issues and the conflict at great length. Nevertheless, the apparent deadlock at the peace table and the shooting in South Vietnam continues.

Mr. Speaker, after years of war, after years of new "military solutions," we have learned that the kind of conflict the United States is engaged in at present in Southeast Asia cannot end in military victory.

What can we do to achieve peace?

One proposed solution—further military escalation—is senseless. A new buildup in our military strength would only plunge us deeper into the military morass in Vietnam and might even push us to the brink of a nuclear war.

The record of the past 6 years shows—plainly and indisputably—that military escalation has not worked. The bombing of North Vietnam, for example, was trumpeted as the final step toward peace. It was supposed to bring North Vietnam to its knees, convincing Hanoi that its war effort was futile. The bombing, instead, merely steeled North Vietnam's resolve to continue pressing for victory. A small agrarian nation with few cities and little industry, North Vietnam weathered the most intense bombing raids since World War II. Renewed bombing—or renewed military strikes of any kind—would be equally fruitless.

The only way to extricate ourselves from this war—short of a sudden meeting of the minds in Paris—is to begin an orderly withdrawing of our troops from South Vietnam.

Senator EDWARD KENNEDY, in a major foreign policy speech delivered last August, in Worcester, Mass., suggested troop withdrawal. He pointed out—rightly, I think—that a significant decrease in our military activity and military personnel would make clear to Saigon that a negotiated peace is the only tenable solution. He emphasized, too, that such a withdrawal would help convince North Vietnam of our genuine desire for peace.

Senator AIKEN last week also made this proposal, calling for what he termed an "orderly withdrawal." His proposal, I think, is sound. I am not talking here about a sudden overnight flight from South Vietnam, leaving the country in chaos and its leaders stranded naked before their enemies.

Mr. Speaker, I am talking about a steady and measured withdrawal of American forces—a withdrawal that would increase commensurately, step by step, with South Vietnam's growing ability to defend itself.

The briskly disciplined new Army that South Vietnam is developing should take over the bulk of the war effort. We must convince the Government of South Vietnam that we will not remain there forever.

The prospects for a negotiated settlement in Paris should be hopefully brighter once Saigon and Hanoi are convinced that the United States is not prepared to fight an interminable guerrilla war in Asia.

I am introducing today a "sense of the Congress" resolution calling for an orderly withdrawal of American troops.

Last year, I introduced a resolution calling on the administration not to increase troop strength in Vietnam without the clear and explicit consent of the Congress.

It is time now, I think, to speak in terms of decreases instead of increases.

GENERAL EDUCATION ASSISTANCE ACT OF 1969

(Mr. OLSEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OLSEN. Mr. Speaker, I am introducing a bill which has the short title of the "General Education Assistance Act of 1969." This bill is identical to that introduced May 1, 1969, by the Honorable CARL D. PERKINS, of Kentucky, distinguished chairman of the House Education and Labor Committee, and by the Honorable EDITH GREEN, second ranking majority member of that committee.

This bill provides that, beginning in fiscal year 1971, and extending through fiscal 1975, there will be two types of Federal grants to the States. The first of these will be computed on the simple formula of $100 per school-age child, ages 5 through 17, based on the latest data, and distributed to the States on the basis of relative school population. If fully funded, grants under this section will total somewhat more than $5.25 billion during the first year. The second grant, a flat $2.5 billion per year, will be distributed to the States on the basis of per capita personal income factor. I shall include a table listing the allocations to each State be inserted in the RECORD at the conclusion of these remarks.

The bill provides that at least 50 percent of the basic allocation to a State be used for improving teachers' salaries. The other 50 percent, plus the State's share of the $2.5 billion equalizing funds may be used by the State to meet other urgent needs, such as employing additional teachers and teacher aides for summer school and preschool programs, and programs and activities in which children in attendance at private nonprofit schools may participate on a shared-time basis.

Mr. Speaker, this bill was drafted by the National Education Association, 7,160 members of which organization teach in my State of Montana, will achieve the objective of strengthening American education by increasing the Federal share of school funding, without control from Washington.

I have been proud and happy to support, during the previous three Congresses, and now, in the 91st, great programs to improve the schooling of our Nation's children. We have made a great beginning in the categorical, or special-purpose, legislation to help the poor, the handicapped, and the undereducated. We have provided money for vocational and adult education, funds to build college facilities, scholarships, fellowships, and teacher inservice training programs. But we have not provided for a general uplift of the Nation's schools, nor have we helped the overburdened States and localities to attract and hold good teachers.

The bill I am introducing today will help relieve the critical shortage of qualified educational personnel.

Montana, like virtually every other State, simply does not have the financial resources from local property taxes or State taxes to compete effectively for the teachers it will need in the future. I have watched many fine young men who were truly great teachers be forced out of this profession simply because they could not support their families on a teacher's salary. We are told by the U.S. Department of Commerce that the average American marketbasket costs about $9,200 per year. The average teacher's salary in the school year 1968–69 is $7,908. Making up the difference will depend upon what we do in Congress.

Mr. Speaker, I am well aware of the fiscal situation now facing this Nation. We in Congress are faced with some hard choices. But this bill will not require an appropriation for this fiscal year. It is my purpose at this time to present the bill, hoping that hearings can be held, so that the legislation can be enacted when the fiscal climate becomes more favorable.

The table referred to follows:

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GENERAL EDUCATION ASSISTANCE ACT OF 1969

	Number of poor 5 to 17, 1968-69 (1)	Percent of poor in each State (2)	Equalization grant (thousands) (3)	Basic grant (thousands) (4)	Total amount (thousands) (5)	Total amount per child (6)
Alabama	351, 430	3. 9	$96, 825	$96, 200	$193, 025	$200. 65
Alaska	9, 270	. 1	2, 550	9, 000	11, 550	128. 33
Arizona	66, 536	. 7	18, 325	48, 200	66, 525	138. 02
Arkansas	217, 890	2. 4	60, 025	51, 000	111, 025	217. 70
California	549, 753	6. 1	151, 475	493, 000	644, 475	130. 73
Colorado	67, 222	. 7	18, 500	55, 400	73, 900	133. 39
Connecticut	58, 311	. 6	16, 050	74, 800	90, 850	121. 46
Delaware	13, 706	. 2	3, 775	14, 900	18, 675	125. 34
District of Columbia	32, 782	. 4	9, 025	18, 700	27, 725	148. 26
Florida	257, 846	2. 8	71, 050	155, 000	226, 050	145. 84
Georgia	382, 068	4. 2	105, 275	124, 200	229, 475	184. 76
Hawaii	20, 302	. 2	5, 575	21, 100	26, 675	126. 42
Idaho	26, 176	. 3	7, 200	20, 200	27, 400	135. 64
Illinois	333, 125	3. 7	91, 800	280, 000	371, 800	132. 79
Indiana	143, 502	1. 6	39, 525	136, 700	176, 225	128. 91
Iowa	133, 861	1. 5	36, 875	73, 900	110, 775	149. 90
Kansas	82, 590	. 9	22, 750	60, 400	83, 150	137. 67
Kentucky	285, 909	3. 2	78, 775	85, 600	164, 375	192. 03
Louisiana	313, 896	3. 5	86, 500	108, 500	195, 000	179. 72
Maine	39, 236	. 4	10, 800	26, 100	36, 900	141. 38
Maryland	117, 588	1. 3	32, 400	102, 000	134, 400	131. 76
Massachusetts	128, 132	1. 4	35, 300	137, 600	172, 900	125. 65
Michigan	265, 053	2. 9	73, 025	245, 400	318, 425	129. 76
Minnesota	155, 441	1. 7	42, 825	103, 000	145, 825	141. 58
Mississippi	338, 596	3. 7	93, 300	67, 400	160, 700	238. 43
Missouri	211, 779	2. 3	58, 350	120, 000	178, 350	148. 62
Montana	26, 886	. 3	7, 400	20, 300	27, 700	136. 45
Nebraska	67, 258	. 7	18, 525	37, 700	56, 225	149. 14
Nevada	6, 620	. 1	1, 800	12, 000	13, 800	115. 00
New Hampshire	14, 531	. 2	4, 000	18, 000	22, 000	122. 22
New Jersey	157, 058	1. 7	43, 275	177, 400	220, 675	124. 39
New Mexico	64, 178	. 7	17, 675	31, 400	49, 075	156. 29
New York	653, 622	7. 2	180, 100	436, 800	616, 900	141. 23
North Carolina	492, 087	5. 4	135, 600	134, 600	270, 200	200. 74
North Dakota	43, 037	. 5	11, 850	18, 500	30, 350	164. 05
Ohio	295, 569	3. 3	81, 450	283, 400	364, 850	128. 74
Oklahoma	148, 811	1. 6	41, 000	61, 100	102, 100	167. 10
Oregon	51, 336	. 6	14, 125	52, 100	66, 225	127. 11
Pennsylvania	384, 566	4. 2	105, 975	293, 500	399, 475	136. 11
Rhode Island	27, 540	. 3	7, 575	22, 600	30, 175	133. 52
South Carolina	298, 168	3. 3	82, 150	74, 500	156, 650	210. 27
South Dakota	52, 139	. 6	14, 350	18, 800	33, 150	176. 33
Tennessee	337, 556	3. 7	93, 000	100, 000	193, 000	193. 00
Texas	653, 171	7. 2	179, 975	289, 000	468, 975	162. 28
Utah	24, 457	. 3	6, 725	31, 700	38, 425	121. 21
Vermont	17, 770	. 2	4, 875	11, 900	16, 775	140. 97
Virginia	276, 216	3. 1	76, 100	119, 500	195, 600	163. 68
Washington	80, 828	. 9	22, 250	84, 500	106, 750	126. 33
West Virginia	155, 659	1. 7	42, 875	45, 900	88, 775	193. 41
Wisconsin	130, 937	1. 4	36, 075	117, 500	153, 575	130. 70
Wyoming	9, 907	. 1	2, 725	9, 000	11, 725	130. 28
U.S. total	9, 071, 907	100. 0	2, 500, 000	5, 230, 000	7, 730, 000	147. 80
Added total			2, 499, 325		7, 729, 325	147. 79

PRESIDENT OF FERRUM JUNIOR COLLEGE TAKES FIRM STAND BEFORE STUDENTS

(Mr. DANIEL of Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DANIEL of Virginia. Mr. Speaker, we can no longer afford to temporize or compromise with the apostles of destruction whose purpose it is to deny educational opportunities to the American student. Rather, we must demonstrate a manifestation of unyielding firmness toward these campus gangsters.

We must not permit the transition from card-burning leftists to gun-carrying anarchists to go unchallenged. These gangsters and subversives on American campuses must be dealt with for what they are—lawbreakers.

The majority of students realize—and appreciate—the value of a college education. We cannot allow these hard-working students to be harassed and intimidated by a bunch of misfits who lack the moral courage to face the hard challenge of life.

It is past time when those in authority on the college campuses exercised that authority, recognizing that to give in to demands of such groups as the Students for a Democratic Society will only lead to the destruction of our educational system.

In my district of Virginia there is an institution of higher learning—Ferrum Junior College—which has one of the finest academic standings as you will find anywhere. A small group of Ferrum students recently attempted a protest demonstration to present demands for certain changes, no doubt influenced in part by the publicity given upheavals at larger schools.

Dr. Ralph Arthur, president of the school, met these protesters with a firm reminder that normal channels of communications were available for any student or group of students to discuss grievances. He was equally as firm in his stand that no action by anyone that infringed upon the rights of other students would be tolerated and he pointedly reminded those dissident students that no one forced them to come to Ferrum.

Dr. Arthur's actions in this situation could well be emulated on other campuses by other administrators. I am inserting a copy of his statement to the Ferrum students in the RECORD and commend it to my colleagues and to presidents of colleges throughout our country:

COMPLETE TEXT OF A STATEMENT BY DR. C. RALPH ARTHUR, PRESIDENT OF FERRUM JUNIOR COLLEGE, TO STUDENTS OF THE COLLEGE, MONDAY, APRIL 28, 1968

Ferrum Junior College is a special kind of school. It was conceived to be that way. It was created to serve a special need and to open up the door of opportunity for many who otherwise might be denied the chance of college. This school has a very special philosophy which is carried forward in a special type of program to carry out its mission and purpose.

The college has drawn a special kind of student to these portals. Through the years these students have demonstrated a special sense of responsibility and maturity which has carried them on to highest levels of achievement in all areas of college life. Ferrum students today are of that same special mold. Despite the experiences of the past few days I would still put our student body way above the average in all respects.

Though there may be some who disagree, I believe that you, for the most part, love your college and support its special philosophy and program. I believe that, when all the facts are in and the smoke has cleared away from this present flame, the majority of you will take your stand on the side that is right, reasonable and respectful.

This inflamatory situation which has been brought on by a large but minority group of dissidents is hurting this institution bodily and at several points. The special nature of our school has drawn large numbers of supporters who have through gifts, grants, and loans contributed over $12,000,000 in the last twelve years. These monies have made it possible for us to build these buildings for your benefit. And these buildings have enabled us to enlarge our enrollment so that most of you could be here.

Our school is dependent on these funds and must continue to obtain them to stay in business. These people give because they believe in our school and you. Whenever they come to believe that you are not a special breed of folk and thus not worth the investment they make in you the funds will cease.

The present situation is hurting you even more than the College. Look at the monies just mentioned. If gift income ceases to come we will be forced to raise fees $200 to $400 next year and as much as $1,000 in the immediate years to come.

Many of you are hurting yourselves academically. With a "big" weekend coming up and all the other activities of the Spring do you have so much time before exams to squander it on the activities in which many are now engaged? You are hurting yourselves also in that you are forcing the administration to take a hard stand—just as you have—at one which minimizes the chances you have of getting constructive change.

From the beginning I have tried to say to you that there is a right and wrong way to try for change. I have told you of the channels that are open to you and that if used could get the needed legislation before our Board of Trustees. I have told you that I would work with and through these channels to expedite a legitimate hearing of any grievances you have. Rather than listen to my explanation and advice—as well as my offer to help you—some of you have come back with threats, demands, insults and all manner of disrespect.

These leave me only one recourse—to break off all communication. It is and has always been my goal to work with students who show good will and mutual respect. I have taken the stand and will stand, that whenever students come to this administration on these terms we will work day and night to accommodate them insofar as we can. Countless members of your student government can attest to this fact.

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On the other hand, let it be known that I do not believe in and cannot deal with unruly, disrespectful crowds that use the technique of threat, insult, and intimidation. It is my own conviction that I can take no other stand and it is the advice of the chairman of the board of trustees, Dr. James G. Snead. Dr. Snead has called me to say that our board would not consider any grievance that came in this manner.

For these reasons I say you leave me no choice when you attempt change in this manner. I am legally authorized to deal with only two groups on this campus. One is the faculty which has its own constitution. The other is the student government—and then only according to its approved constitution.

I want to go on record that I want to deal with your grievances in a reasonable and responsible way and will so do if you come in the right manner. Let me outline that again for you. Any requests for legislation or grievances should come through your student congress. You can get these to a duly elected member of the congress or to an officer of the Student Government Association. The Congress must pass on these in formal legislation and bring said approved legislation to the faculty. The faculty has its final meeting before the trustees meet on Wednesday at 4 p.m.

Mr. Chappell, your S.G.A. president, is ready to do all in his power to expedite legislation before congress to meet this deadline. I am ready to do all I can to help him by way of advice and assistance. I cannot legally come to grips with any legislation that ferments change until it has passed the congress and the faculty.

We want to work with you and strengthen the ties as well as the channels of communication between us. It is the only way to make Ferrum Junior College the college it should be.

To attest to that let me tell you about our efforts in your behalf. Last spring I was instructed to prepare a statement concerning our plan to meet student protest, unrest, and violence. I was told to make it a no nonsense plan. I talked to your student leaders about it last summer. They asked if they could help draft this document and turned it over to Ed Chappell and me.

Ed and I have collected materials from all over. We want a document that students could live with and one that would meet the requirements of the trustees—as well as a plan that would handle any potential violence swiftly and effectively. Ed wrote the first draft of the document. I wrote the second. They are similar except that mine is longer.

I wanted it that way for three reasons. First, I wanted to spell out the college's philosophy concerning the students' role. Let me read some statements from it.

"Ferrum Junior College proudly affirms its belief in and support of the philosophy of individual freedom and responsibility. Academic freedom, however, is not academic license, and the right to criticize and protest is not the right to disrupt or to interfere with the freedom of others. Students enter Ferrum Junior College voluntarily. Students come to take advantage of the opportunities Ferrum Junior College offers for an education. Ferrum Junior College takes the position that inasmuch as we live in a day of change, it is necessary for the renewal of the institution to examine change in the college apparatus and the college curriculum from time to time. On the other hand, the trustees and administration think it should come about in an orderly manner, and that change should be brought about through the joint consultation of all college groups; the student body, the faculty, the administration, and the board of trustees.

The College believes that there should be adequate channels of communication to and with the student body. The voice of the student body should be heard. It is the policy of the college to seek at all times to establish new channels and to use existing channels in an effort to listen to the students, their criticisms and recommendations. Ferrum Junior College believes in and respects the right of the individual student and the students collectively. The student has the right to become involved constructively in the total life of the college and in organizations and efforts to improve living conditions of the campus and the processes of learning, as well as the enhancement "of the image of the college itself." The student has the right to participate in and assume self-government. Use of this student government apparatus is strongly encouraged by the college. Administrative officials work with student government regularly and are much better prepared to react through these channels. These channels of communication should always be used before any other techniques of protest are considered.

"The faculty, administration, and the board of trustees recognize, however, that there may arise occasions in which a group of students may legitimately want to protest a student government, faculty, or administrative decision through public demonstration. This right to demonstrate in support of or against a policy or ruling is protected at Ferrum Junior College with the provision that said demonstration does not limit the rights of others in following their normal activities or confer on the demonstrators any special privileges or considerations before, during, or after any protest demonstration." These things were pondered and written well before last Thursday evening attesting to this administrator's belief in the role of the student. These quotations also spell out my second reason for adding to it, our determination not only to grant but to protect your right to legal, peaceful dissent, and protest, even to the point of demonstration.

The third reason I elaborated on Ed's statement was to make sure that this document states clearly that this administration will not permit any protest or demonstration that is not legal, peaceful, non-disruptive of any college program, or that interferes with the rights of others. The statement is clear that any demonstration that does not follow these guidelines will be ordered to disband. For any who refuse, it authorizes members of the administration to take disciplinary action on the spot—even to permanent dismissal. It also allows for punishment of any who willfully destroy property or incite others to riot and for any non-students who come here for that purpose. The guidelines laid down in this statement are and will be the stance of this administration in this present situation.

I have labored today at length to tell you that you can find no administration anywhere more willing to work with you more conscientiously than we are at Ferrum Junior College—provided you will work with it in the proper attitude and through the proper channels. If any of you is still in doubt about these, I am sure that Ed Chappell and I can explain them to you if you will ask us personally.

Also, I have laid before you my resolute stand so that there can be no doubt about the consequences you can bring upon yourselves if you persist in the techniques of these last few days, or if you should consider escalating them. This I believe is my duty regardless of how unpopular it may make me. I urge you to choose this day the right way because it would grieve me greatly to be forced into repressive measures. But let there be no doubt about it—I would not wait five minutes to call on our distinguished Governor for the use of the state's riot control force if I even thought that students would attempt to bring to Ferrum the chaos and disruption that has plagued so many schools recently.

I hope that we can preserve these special qualities that make Ferrum Junior College the greatest junior college in the world. And I call on all students of good will to stand with me on that platform.

GOV. FORREST H. ANDERSON SPEAKS ON ANTI-BALLISTIC-MISSILE QUESTION

(Mr. OLSEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OLSEN. Mr. Speaker, I want to call the attention of all of my distinguished colleagues in the House to an excellent statement of position on the anti-ballistic-missile question issued recently by Montana Gov. Forrest H. Anderson. I include Governor Anderson's statement at this point in the RECORD:

STATEMENT OF GOV. FORREST H. ANDERSON REGARDING THE PROPOSED SAFEGUARD ANTI-BALLISTIC-MISSILE SYSTEM, MAY 1, 1969

After reviewing the facts which have been related in Congressional hearings and elsewhere, I have concluded that the proposed anti-ballistic missile system—called "Safeguard"—would not be in the best interests of Montana and I seriously question whether the system would enhance our national defense posture.

Clearly, deployment of the ABM in Montana would elevate the area from a secondary to a primary target. The plains of central Montana already harbor one of the largest Minuteman missile complexes in the United States. The Minuteman is a deterrent—a retaliatory weapon—in the event of nuclear attack. Deployment of the ABM—which is described as a weapon to prevent enemy missiles from reaching our land—means the enemy would attempt to knock out ABM sites first.

Furthermore, I have yet to find any scientific authority outside the industrial-military complex which can offer assurance the system will operate at all.

The almost immediate obsolesence of the ABM is generally recognized. All too often, we have witnessed expensive military projects abandoned in a very short time because of advanced technology or a change in policy. Glasgow Air Force Base in Montana stands as a monument to military obsolescence.

I do not wish to see Montana become the nuclear ammunition dump—and later junkyard—of the United States.

The tremendous expense of the proposed ABM system would seriously impair the Nation's ability to meet major domestic challenges. I find it difficult to reconcile the proposed expenditure of billions of dollars on the ABM system while at the same time the Administration is attempting to close the only Indian Job Corps training center in the United States, located near Ronan, Montana.

The short-term economic boost to the State's economy from the construction of the proposed ABM system is overshadowed by the considerations I have previously outlined. We seek to build a stable and progressive economy.

Furthermore, the economic gains from short-term military construction programs frequently bring long-term financial headaches. Communities are required to provide additional services and facilities for the families employed on the projects. When the projects are completed, the families often move away and the recently-constructed real property is not taxable. The community facilities remain, and must be paid for.

Finally, we must begin to determine whether we are being led into a state of affairs wherein the military-industrial com-

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plex is dictating our priorties. We must make every effort to maintain the delicate balance between an adequate national defense and the urgent need for more attention to our problems at home.

JOHN BELINDO OPPOSES ELIMINATION OF CERTAIN JOB CORPS CENTERS

(**Mr. OLSEN** asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. OLSEN. Mr. Speaker, Mr. John Belindo, executive director, National Congress of American Indians, appeared last week before the House Education and Labor Committee to express his opposition to the closing of several Job Corps centers which have been so successful in training Indian young people for a variety of occupational opportunities.

I have read Mr. Belindo's statement. It is a thorough review of the situation at these Indian centers including the need, the success already achieved and the harmful repercussions that could follow their closing.

I include Mr. Belindo's statement in the Record at this time, and I recommend it to all of our colleagues here in the House:

Statement of John Belindo, Executive Director, National Congress of American Indians, in Opposition to the Proposed Elimination of Certain Job Corps Centers, Before the House Committee on Education and Labor, April 30, 1969

Mr. Chairman, members of the Committee, I am John Belindo, Kiowa-Navajo, and Executive Director of the National Congress of American Indians. The National Congress of American Indians is the only private national organization of the Indian people themselves where the voting and programming is limited to legally recognized Indians and Indian tribes. We are responsible for speaking up for the Indian people on a national scale. We represent 105 Indian tribes including Alaska Native villages and over 350,000 American Indians.

I appreciate the opportunity to testify today in strong opposition to the announced emasculation of the Job Corps program and in particular the elimination of nine centers which were serving to offer some hope to American Indian youth.

Let me say at the outset that the average annual income for Indians is $1,500, 75% below the national average. The unemployment rate for Indians hovers around 50%—which is ten times the national average.

Even more startling conditions than these were observed among Indian Americans by Stan Steiner, author of the recently published book, *The New Indians*. Steiner related some statistics from a 1962–63 government survey of employment among tribal Indians which reported that: "on the plains of the Dakotas, the Pine Ridge Sioux had 2,175 of 3,400 tribal adults unemployed (yearly family income was $105), the Rosebud Sioux had 1,720 of 2,996 unemployed (yearly family income, $1,000—though the tribe, four years later, estimated $600 was more accurate); the Standing Rock Sioux had 500 of 880 heads of households unemployed (yearly family income, $190).

"To the north, on the Blackfeet Reservation of Montana, the 'permanent unemployment' rate was 72.5 per cent. The yearly tribal income was 'less than $500 per family.'

"Down in Mississippi, on the Choctaw Reservation, of 1,225 adults there were 1,055 jobless. Unemployment rate: 86.1 per cent.

"Where the tranquil and ancient Pueblos of New Mexico stood, seemingly impervious to the economic winds, there were 10,699 jobless out of 13,711. Unemployment among these, perhaps the oldest of the Country's inhabitants, was 77 per cent. The Hopis, too, those idyllic 'peaceful people', had a less than idyllic unemployment rate of 71.7 per cent.

"In the Pueblo de Acoma, the 'City in the Sky' unemployment stood at 89.6 per cent.

"In the mythology of the oil-rich Indians so creduIously huzzahed by television comedians and popular legends, none are supposedly wealthier than the Oklahoma tribes. And yet the Five Civilized Tribes reported an unemployment rate of 55 per cent, and an annual income per family, including the fabled oil-lease payments, that came to little more than $1,200.

"So it went from tribe to tribe. Unemployment rates from 40 to 80 per cent; incomes from $105 to $1,200.

"These statistics are neither new nor surprising. However, the mixture of the old poverty and the new Indians who have seen the material riches of the outside world, and who are angered and impatient, has created an explosive situation.

"If something isn't done the young men may go to violence."

At its 1968 25th Annual Convention, the National Congress of American Indians made it clear that:

"The social and economic conditions of many Indian people, when compared to that of the general population, almost defy comprehension. Adult Indians living on reservations are, as a group, only half as well educated as other citizens, their life expectancy is one third less and their average annual income, ⅔ less. Nine out of ten of their homes are comparatively unfit for human habitation and their unemployment rate is several times above the national average.

"The evidence is conclusive that these Indian people do not share equitably in the bounty of their homeland—the world's richest nation."

The statement goes on to recite a number of reasons for the slow progress in spite of prolonged Federal effort. I call to your attention the first two of those reasons, and offer the entire resolution for the record:

1. Federal Indian policy has suffered extreme pendulum swings from over paternalism to threatened termination of Federal protection of Indian lands and resources and vital community services. The Indian people have never had an opportunity to key their own efforts to stable, secure, and predictable programs.

2. Indian people have been falsely encouraged by attractive federal programs only to find them fade or disappear because of lack of appropriations. Programs without funding or with inadequate funding have constantly confused and disappointed the Indian tribes.

The words "defy comprehension" may seem exaggerated. But I ask you members of Congress to attempt to conceive of providing for your own or anyone else's family on an annual family income of $105 to $500 or $1,200 or even $1,500.

President John F. Kennedy said in his inaugural address, "If a free society cannot help the many who are poor, it cannot save the few who are rich."

It seems to me that if we can afford billions upon billions of dollars in defense spending we can appropriate the 285.1 million dollars needed to meet the desperate needs of our young people who are served by the Job Corps Centers. Compare this figure with the analysis of defense spending printed in *U.S. News and World Report* on November 25, 1968:

$2 billion for MBT–70 tanks.

$8 billion for the F–111 (TFX) swing-wing airplanes and its VFX counterpart.

$12 billion for Nuclear attack submarines.

$7 billion for the Minuteman III missiles and Poseidon missiles.

$4.5 billion for military cargo planes.

$5–40 billion for the "thin" Sentinel ABM system.

The list goes on and on. We continue to ignore the needs of our poor in the name of defense. And, keep in mind that most of the above weapons of war are replacements for previous weapons now obsolete, which were the old excuses for not doing the things that need to be done to eliminate poverty.

I *am* concerned with the inflationary spiral. When the price of food goes up at the grocery store, it seriously affects people who live on $1,500 per year. But to curb it, the answer does not lie in eliminating from the Federal budget those programs which are designed to help in providing long range methods for people to escape from this kind of poverty. A nation which can afford a $6,687,500 raise for its legislators cannot justify penalizing its poor on account of a fear of inflation. Where are our priorities, when the increase in the pay of any one member of Congress is almost ten times as great as the average annual income of any one Indian.

In a speech delivered for Richard M. Nixon, then a candidate, on September 27, 1968 the assembled convention of the National Congress of American Indians, at Omaha, Nebraska, was told:

"The Indian people have been continuous victims of unwise and vacillating federal policies and serious, if unintentional, mistakes. Their plight is a bitter example of what's wrong with the bankrupt old approach to the problems of minorities. They have been treated as a colony within a nation—to be taken care of. They should—and they must—be made part of the mainstream of American life. . . .

"My administration will be pledged to the following policies:

"The right of self-determination of the Indian people will be respected and their participation in planning their own destiny will be encouraged. . . .

"The economic development of Indian reservations will be encouraged and *the training of the Indian people for meaningful employment on and off the reservation will have high priority.*

"To date, the basic error of attempting to train the Indian work force only for off-reservation jobs has been the major cause of the lack of normal progress on the reservation (emphasis added).

"My administration will promote the economic development of the reservation by offering economic incentives to private industry to locate there and provide opportunities for Indian employment and training. . . .

"Job training for Indian people must be accelerated on and off the reservation. I have promised my full backing to the Vocational Education Act and will see to it that the Indian people enjoy the full benefits of its provisions.

"The administration of Federal programs affecting Indians will be carefully studied to provide maximum efficiency consistent with program continuity."

The Indians had plans for their own destiny. At the same convention in Omaha, NCAI, speaking for its membership, sought to exercise the right of self-determination of the Indian people and expressed an emphatic endorsement of the Kicking Horse Job Corps Center, located on the Flathead Indian Reservation in Montana, which had been designated as the only predominantly Indian Conservation Center by the Job Corps:

"Whereas, this Job Corps Center was established as a pilot program in compliance with the recommendation of Indians in assembly at the National Congress of American Indians convention in 1967, at Portland, Oregon; and

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"Whereas, the success of the program is evidenced by the participation of 52 Indian youths from various sections of the conutry; and

"Whereas, this Job Corps program has the full-fledged support of the Inter-Tribal Policy Board of Montana.

"Now, therefore, be it resolved, that the National Congress of American Indians in convention of September 24–27, 1968, hereby endorse and give allegiance to this program urging OEO Job Corps to continue this pilot program as a permanent program involving all American Indians."

I offer that resolution in its entirety for the record. There could be no doubt of the continuity of support of the Indian People for the Job Corps program in general, and the Kicking Horse Center in particular. At the meeting of the Executive Council of the National Congess of American Indians in January, 1969, at Washington, D.C., and *after* the inauguration of President Nixon, our membership reaffirmed its position:

"Whereas the National Congress of American Indians is aware of continued benefits realized by Indian youth in the areas of vocational and remedial education because of their involvement in the Job Corps program.

"Now, therefore, be it resolved, that the National Congress of American Indians reaffirm its position expressed by Resolution No. 24 and requests the support of all agencies concerned for continuation of this valuable program, and

"Be it further resolved, that this resolution be sent to the President of the United States . . . this 23rd day of January 1969."

I offer the resolution in its entirety for the record. Ignoring this, the administration proposes to close four out of five BIA-operated male Job Corps Centers, and the Clinton, Iowa Women's Center, where most Indian women were located. What are the implications of discontinuing Job Corps Centers such as the Kicking Horse Center with regard to Federal responsibility for young American Indians? Where was the respect for Indian self-determination? The Kicking Horse Job Corps Center was among those ordered closed in spite of the resolutions, and, in spite of the fact that the Kicking Horse Center has a lower cost per man-year than 25 centers that will remain open, its percentage of Category I graduates exceeds that of 22 Centers that will remain open, the average length of stay of its Corpsmen exceeds that of 17 Centers that will remain open, and it is the *only* center earmarked predominantly for Indians.

Additionally, the Camp has brought in an annual payroll of $432,340 and has helped 298 Indian boys obtain an equal share of opportunity. The Kicking Horse Center has done a magnificent job with its boys in recreation, conservation and community development projects totaling some $1,469,587. When the closing order was announced, the Kicking Horse Center, which has a capacity of 200 young men, had 197 in attendance with four additional Indian corpsmen on the way. There were already 121 Indians in attendance, in addition to 76 non-Indians.

Unlike some of the urban centers, the Kicking Horse Center has, from the outset, enjoyed excellent community relations. The view of the "community", which consists of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, is well represented by their reaction to the closing order:

"The Confederated Salish and Kootenai Tribes are shocked by the arbitrary closure of the Kicking Horse Job Corps Conservation Center, Ronan, Montana. This is the only predominantly Indian Center in the United States. Its loss would be another example of the disregard by the Federal government of the needs of the first Americans. We strongly urge reconsideration of this decision and request you keep Kicking Horse open. It has an outstanding record and the impact of its training of Indian youth is just beginning to be felt."

In December, 1967, the Kicking Horse Center received a Citation of Merit signed by the Secretary of the Interior Stewart Udall for "outstanding achievement in all phases of operation and is meeting the needs of the young corpsmen." The Citation read:

"The progress made by the corpsmen reflect the dedication and interest of a highly qualified and trained staff who superbly execute a well-planned education program. The credit for the success of the vocational-educational program is directly related to the well-prepared plans and the exceptional ability of the staff to co-ordinate the vocational, educational, and work program. Accomplishments in these fields of endeavor instill pride in the corpsmen.

"The members of the staff have maintained excellent public relations with the Indian tribe, reservation communities, neighboring communities, and other Government agencies. Through the cooperation of the entire staff and the corpsmen, the Center received commendation for their outstanding safety record in fiscal year 1967. Maintenance of the Center was continually and progressively improved. For outstanding achievements in the overall operations of the Civilian Conservation Center, the Kicking Horse Job Corps Center of the Bureau of Indian Affairs is granted the Department of Interior Unit Award for Excellence of Service."

How fleeting is the glory from an award of merit when decisions of the government are dictated by politics rather than merit. How devastating to the hopes of our people! How decidedly cruel to raise such hopes, and then smash them!

Secretary of Labor Schultz expects to save $100,000,000 by the order. How much money will we spend when the 17,000 corpsmen affected by the closing order, angry and frustrated, will be sent back to their urban ghettos and impoverished reservations, on July 1, 1969, in the heat of the summer? And who will bear the blame for what follows?

Given the words of the President, the economic condition of the reservations, and the gradual but apparent successes of the program, it is incredible that the administration would precipitously order closing of four out of the five BIA-operated Job Corps Conservation Centers, the sole exception being the Fort Simcoe Center, on the Yakima Reservation in Washington.

Let me turn specifically to the shutdown of other Job Corps Centers situated on reservations in the Southwestern United States—the closing of the (1) Eight Canyon Conservation Center on the Mescalero Apache Reservation in New Mexico, and (2) San Carlos Conservation Center on the San Carlos Apache Reservation in Arizona, (3) and the Winslow Conservation Center just off the Navajo Reservation at Winslow, Arizona. We protest the entire concept of closing 50 of the 82 conservation centers 'generally in rural areas' so that industrial training in urban mini-centers can substitute. Such a plan, it seems to me, was conceived in total disregard for the desires of the Indian people. It certainly does not point up the awareness with which President Nixon spoke when he said:

"Off the reservation, many Indians, some of them unwisely relocated by the Federal government, have not been successfully assimilated and find themselves confined to hopeless city reservations of despair because of lack of education and skills . . .

"We must recognize that American society can allow many different cultures to flourish in harmony, and we must provide an opportunity for those Indians wishing to do so to lead a useful and prosperous life in an Indian environment."

I cannot think of anything that would be more mutually deleterious to both the urban ghettos and to the Indians than the transfer any substantial number of untrained, under-educated and unacclaimed young Indians to the inner cities.

Certainly the problem of the "urban Indian" in Minneapolis, San Francisco, Los Angeles, and other cities is severe enough, without multiplying this problem.

The less expensive "mini center" program is designed, as we understand it, to provide a dormitory room and board, and on-the-job training, in urban centers. What it clearly fails to take into account is the fact that students were assigned under the existing system into either Conservation or "Swing", or Urban Centers, based on their level of preparedness measured by a number of factors.

For example, those with a reading level below Grade 4 were all assigned to conservation centers, while those having reached Grade 7 reading level were assigned to urban centers. Below Grade 4 an individual is considered "illiterate" (unable to read), while those at the "Swing" Centers, with reading level between Grades 4 and 7, for the most part are "functionally illiterate", that is, capable of only the simplest kind of reading. Taking such an individual into the city and teaching him a single job, usually unskilled or semi-skilled, is condemning him to a life of permanent poverty. In other words, for those who have been receiving training at the Conservation Centers, remedial education is a necessary adjunct of any job training program. The mini-center offers no such opportunities.

Unfortunately, as a result of childhood in a home where no English is spoken, inadequacies of present programs of Indian education, high Indian dropout rates, and other factors, many Indians fall into the category of functional illiteracy or below. In addition, because of cultural and/or psychological reasons, most Indians do not desire to become permanent urbanites. The conservation centers were providing training, in addition to basic remedial education, in such areas as forest management, heavy equipment operation, and construction, which enabled Indians to acquire work skills while maintaining their relationship with the land, The Administration proposal is not only not sympathetic to this need, but it seems unaware that it exists.

The San Carlos Conservation Center, with a $3,933 cost per man year, was more economical to run than 26 conservation centers slated to remain open; it surpassed 23 surviving centers in Category I graduates, and rated better than 17 of the surviving conservation centers in length of stay. Of the seven categories of criteria allegedly used by the Department of Labor in determining closures, San Carlos bettered 19 of the Centers remaining open in a majority of the criteria. It is clear that the judgments that have been made were made politically and arbitrarily. There were 189 corpsmen on board at San Carlos.

The San Carlos Center is located in a county which has a population of 41,000, and a median family income of $1,280 annually, with an average unemployment rate of 74%. The annual Job Corps expenditure in the area is $1,724,442. For the people of this region, the closing of the Job Corps Center is an economic disaster.

The Eight Canyon Center in New Mexico had an on-board strength of 193 corpsmen at the time of the closing order. It is located in a county where the situation is only slightly better than that at San Carlos. Located in Otero County, New Mexico, the County has a population of 14,000 people, having a median family income of $2,160 and an average unemployment rate of 59 per cent. The annual Job Corps expenditure in the area annually has been $1,023,804. Calculate the impact of removing this expenditure from the area.

Eight Canyon had conservation work program accomplishments totalling $502,998 with 193 students on board at the time of

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the closing order. The Center bettered five of those centers which survive in a majority of the categories allegedly used as criteria.

Winslow Center, the smallest of the BIA-operated Conservation Centers, with 173 corpsmen in attendance, also had by far the lowest cost per man-year identifiable, with a reported $1,581, far less than the $8,000 per year per enrollee figure reported to the press as the cost of operating such centers. As a matter of fact, none of the BIA operated centers remotely approached such a figure, the highest being Eight Canyon's $4,940. Winslow bettered nine of the surviving centers in a majority of criteria.

In addition to the four BIA-operated centers for men closed by the order, there were five centers for women of particular concern to the National Congress of American Indians.

Many, but not all, of the reasons for saving the male conservation centers, apply to the women's centers. These centers are ungraded, and operated in urban areas for the most part. But, for many Indian women, the Corps represents, as the Indian Corps of Women at the Clinton, Iowa, Center wired soon after getting the closing order. "Our only chance for a better life.: What can be added to that?

In addition to the Center at Clinton, Iowa, we especially regret the ordered closing of the Poland Springs, Maine; the St. Louis Urban Center; the Omaha Urban Center; and the center at Moses Lake, Washington, all of which serve some Indian women, although the major contingent is at Clinton.

I can speak with some pride and knowledge about at least one product of the Women's Job Corps, for NCAI employs as a secretary in our Industrial Development Section here in Washington, a girl who was the first graduate of the Los Angeles Urban Center. She has had several jobs in Washington, and is capable of working as a secretary for anyone. She is a staunch supporter of the program. But even she is on her second try in Washington because, after a period of time, the call of the reservation became too strong for her. We must not force the Indian population to make a choice between urban employment and reservation unemployment.

The Administration proposes to solve the reservation problem by increasing the industrial development on Indian reservations, and encouraging private industry to locate there.

We have had, of course, considerable activity in economic development of reservations by private industry in the past—white men come to the reservation, negotiate a long term, low-priced lease through the Bureau of Indian affairs, and carefully remove the bounty of the reservation, be it oil, gold, copper bauxite, or timber, while the Indians remain, for the most part impoverished.

But, as I said early in this statement, there has been some economic development since the War on Poverty began. As of December 31, 1968, there were 150 Industrial and commercial enterprises established on or near reservations as a result of Indian Industrial Development programs; of these, 140 or 93% had been established since the beginning of 1962.

At the present time, these enterprises have created approximately 10,000 new jobs, of which 4,700 are held by Indians. If industrial development seems like a panacea to the problems of the reservation Indians, I ask you to recall the statistics I recited at the beginning of this talk. In 1962 there were 10,699 unemployed Pueblos alone; in 1968 there were approximately 45,000 Indians in the 14–21 age bracket.

For the industrial enterprises now in existence, it is projected that eventually these will provide a total of 15,000 jobs, of which, it is hoped, 65% will be held by Indians. Twice, or even three times this number of jobs, will not solve the problem—and how long will it take to create these jobs, while poverty and hunger abound on the reservation? In addition to merely providing jobs, serious improvement in the process of Indian education is necessary, and it requires the vocational and especially remedial education that the Job Corps has been affording to a limited number of Indian corpsmen. Instead of cutting back on the Job Corps program on Indian reservations, it should be expanded but, it is typical of the programs of the federal government that, as they win the confidence of the Indian, they are eliminated.

But, more than any other single factor, the Indian people of this country require a chance for self-determination. The tribes are prepared to negotiate with industry for development, particularly when the government can make loans available. But, as the success of the Rough Rock School has demonstrated, programs run by the tribe have a better chance of success than programs imposed from the outside.

Neither Secretary Schultz nor President Nixon nor the U.S. Congress should have the right to tell American Indians that if they want to have a future, they must go to "urban centers". That program failed before. It will fail again.

For the record, I submit copies of several telegrams and other communications received by the NCAI, protesting the closing of the Job Corps Centers I have mentioned in my talk.

I thank you for your attention.

Resolution 1: 1968 Policy Statement of the National Congress of American Indians

The American Indian is unique both as to opportunities and as to problems. No other group of citizens stand in precisely the same relation to the Federal Government. This relationship is deeply rooted in treaties and laws which gives the United States responsibility for the protection of Indians and their resources. In addition to these special rights and protections he is entitled to enjoy the same rights, privileges and services as do other citizens.

Despite the treaties, the special Indian Rights and this exercise of responsibility by the Federal Government our Indian people have never attained true parity as American citizens. The social and economic conditions of many Indian people when compared to that of the general population, almost defy comprehensions. Adult Indians living on reservations are, as a group, only half as well educated as other citizens, their life expectancy is one third less and their average annual income ⅔ less. Nine out of ten of their homes are comparatively unfit for human habitation and their unemployment rate is several times above the national average.

The evidence is conclusive that these Indian people do not share equitably in the bounty of their homeland—the world's richest nation.

Despite a prolonged Federal effort to improve Indian well being, progress has been slow. Some of the major causes for this slowness has been:

1. Federal Indian policy has suffered extreme pendulum swings from over paternalism to threatened termination of Federal protection of Indian lands and resources and vital community services. The Indian people have never had an opportunity to key their own efforts to stable, secure and predictable Federal programs.

2. Indian people have been falsely encouraged by attractive federal programs only to find them fade and disappear because of lack of appropriations. Programs without funding or with inadequate funding have constantly confused and disappointed the Indian tribes.

3. Long range tribal planning has been discouraged by the hovering spectre of termination. On the one hand the Federal Government has talked of itself as a "partner" available to work with the Indians in their expanding the developing future. On the other hand, the Congressional Policy for termination has lingered like a death sentence under constant appeal by the Indians for commutation.

4. The social, political, economic, cultural, and geographical isolation of many tribal groups have mitigated against their effective utilization of available government programs and services from agencies other than the Bureau of Indian Affairs and the Division of Indian Health.

5. Much of the energy of our tribes has been expended, not in creative long range planning, not in projects and activities to uplift their people but in a "back to the wall fight" to preserve and protect their special rights as Indians, such as treaty rights, against the never ending assaults that would wipe them out should the Indians' vigilance ever be relaxed.

Until positive and dynamic action is undertaken by the legislative and executive branches of government to correct these major conditions, a large percentage of Indian people will never achieve the full economic and social parity to which they are entitled.

The National Congress of American Indians, speaking for almost 400,000 American Indians who continue to maintain their special relationship with the Federal Government, has consistently advocated the adoption of a long range Indian policy by our government that would permit the following:

1. Self determination by the Indian people in their quest for social and economic equality.

2. Protection of Indian lands and resources and maintenance of tax-exempt status for income derived from such lands.

3. Maximum development of the human and natural resources of Indians with the assistance or the Bureau of Indian Affairs and all other federal agencies offering programs and services designed to relieve conditions of poverty among all Americans.

4. Maximum participation of Indian tribal governing units and rank and file tribal members in all programs directed to Indian reservations and Indian communities.

5. The right of Indian people to enjoy the same rights, privileges, and immunities accorded to all citizens of the nation.

May we conclude by saying a word about Indian participation in the Poor People's March and other public demonstrations.

We, as individuals, as a race and as a social and economic minority may have suffered more than others and our problems, as we said in the beginning, are uniquely Indian. Therefore, our solutions must be uniquely Indian. We can achieve more by our own methods. As a relatively small segment of poor society, our special needs can be lost in the welter of the disorganized millions of poor people the leaders of whom have little knowledge of the special problems and circumstances of the Indian people.

We Indians and our chosen spokesmen can best speak for themselves.

May we at this Convention express our sympathy for the poor people of America and encourage our Indian people to work as they wish in their behalf. But may we Indians and Indian organizations in working for our Indian poor, particularly those on our reservations, avoid the use of public demonstrations and seek to accomplish our ends through our regular organizations and governmental channels.

The following resolutions will deal with many of these "special needs" and "special rights". (1968 Convention, 25th Annual Convention, Omaha, Nebraska.)

Resolution 24: Flathead Reservation Job Corps Center

Whereas, the President's message to the United States Congress on goals and programs for American Indians closed March 6th, 1968, emphasing the need for education at all levels; and

Whereas, the kicking horse Job Corps Center located on the Flathead Indian Reservation, Montana, is designated as predominately an Indian Conservation Center by the Job Corps; and

Whereas, this Job Corps Center was established as a pilot program in compliance with the recommendation of Indians in assembly at the National Convention of American Indians convention in 1967, at Portland, Oregon; and

Whereas, the success of the program is evidenced by the participation of 52 Indian youth from various sections of the country; and

Whereas, this Job Corps program has the full-fledged support of the Inter-Tribal Policy Board of Montana.

Now, therefore, be it resolved, that the National Congress of American Indians in Convention of September 24–27, 1968, hereby endorse and give allegiance to this program urging OEO Job Corps to continue this pilot program as a permanent program involving all American Indians. (1968 Convention, 25th Annual Convention, Omaha, Nebraska.)

Resolution 7

Whereas, the National Congress of American Indians during its Convention at Omaha, Nebraska, on September 27, 1968, adopted Resolution No. 24, supporting Job Corps Centers administered as part of Office of Economic Opportunity programs; and

Whereas, the National Congress of American Indians is aware of continued benefits realized by Indian youth in the areas of vocational and remedial education because of their involvement in the Job Corps program.

Now, therefore, be it resolved, that the National Congress of American Indians reaffirm its position expressed by Resolution No. 24 and requests the support of all agencies concerned for continuation of this valuable program, and

Be it further resolved, that this Resolution be sent to the President of the United States, Vice-President of the United States, Director, Office of Economic Opportunity and to Members of the Congress concerned, this 23rd day of January, 1969.

Adopted by Executive Council of the National Congress of American Indians, assembled in Session at Washington, D.C., on January 21–23, 1969.

WENDELL CHINO,
President, National Congress of American Indians.

ROBERT JIM,
Chairman, Resolutions Committee, NCAI.

Dated: January 21–23, 1969.
Place: Washington, D.C.
Attest:

BENNY ATENCIO,
Recording Secretary, National Congress of American Indians.

CLINTON, IOWA,
April 11, 1969.

President RICHARD M. NIXON,
Washington, D.C.

DEAR PRESIDENT NIXON: America's future depends on Job Corps and related programs for deprived citizens. The girls at the Clinton Job Corps Center need your support to become useful, successful, contributing citizens. Knocking down a person halfway up brings only a deeper sense of defeat & hopelessness than before.

These girls have come here with one goal—to receive the education and training they need to become successful, efficient and effective employees and homemakers.

I note that "urban training centers" are planned. This is just going to be additional cost—the existing Centers are equipped and running efficiently. The many favorable stories are seldom heard—we all know that the stories in all areas of life that make front pages are those filled with sensationalism. You never read a newspaper or hear a TV or radio news story of a girl from nowheresville working hard & getting college scholarships; of the girl from the poverty-stricken South who goes to Job Corps, graduates, works & supports herself, then marries and takes foster children thereby helping others as she was helped.

What of the rural poor and unskilled? It looks as though nothing is planned for them—besides that, 30 small city training centers can't even begin to touch the numbers of people needing training within cities. In many cases, too, these rural people have needs greater than those who live in the urban areas. You are going to find more really hungry, uneducated people in the obscure rural areas off the highways than in the city ghettoes, if you will only look!

My greatest personal concern is for those poorest of the poor, and most wronged of all the wronged of this nation, the American Indian. Would you believe—that the average Indian family lives on $30.00 a week, while average white and black families earn at least $130 a week? That about 90% of Indians live in tin-roofed shacks, leaky adobe huts, loghouses, brush shelters and abandoned automobiles—That we have a Job Corps graduate now in college who spent her winter before Job Corps actually living out of an abandoned car?? That we have now a most promising Indian student who spent the long winter in Wyoming in a tent?

Would you believe that the average age of death for an Indian today is 43 years? That the infant mortality rate for Indians is 50% before 1 year of age? That the average Indian's education is five years? That the reservation unemployment rate ranges between 40–75% compared to about 4% for the nation as a whole?

Have you ever really looked at a reservation and its inhabitants, back off the highways, away from the tourist attractions of fake color and facade, out in the tiny poor little villages consisting of a little general store/postoffices and loghouses and shacks? Have you seen children in our country with symptoms of protein deficiency, where milk and meat are luxuries? Have you seen the total defeat, the hopelessness and futility in the eyes of fathers and mothers who can not see a better life for their children than the hard life they've had? You go to a reservation, Pine Ridge, Rosebud, Sisseton, Ft. Peck, in the North Central States, or to any of the Southwestern Navajo, Apache, or Pima reservations—you'll see all this there, and more.

Are you telling me these people don't need Job Corps and its hope, and the hope other OEO programs have brought to such citizens! Yes, citizens, these—the great white middle class are not the only citizens of the United States of America. Never have these people, here long before the grasping white man, been treated as equal citizens. Well, it's about time they were! Is this opportunity, too, to be taken from them, as were their lands, their oil, their fish, their whole way of life.

Aren't human lives in this country more important than wars in other countries, more important than going to the barren moon!? Why bother to put a few men on the moon when we aren't taking care of our own people, helping them reach their utmost capabilities & success on this earth? Why fight wars for people in other countries, when we're neglecting people with the same needs in this, our own country.

In Buffy St. Marie's words, I beg of you—"Won't you consider these ones?" Please reconsider this decision to abolish the heart & soul of hope for many of today's youth—Job Corps—their only chance to better themselves!! To allow the poor youth of America to remain without opportunity to better themselves is to sound the death knell of the ideals America was built on—equality and opportunity for all. The Statue of Liberty invites—"Give me your poor . . ." Is this, too mockery? Doesn't this include our own citizens?

Sincerely,
Mr. and Mrs. TERRY HERMANN.

WASHINGTON, D.C.,
April 17, 1969.

President RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am sure that the decision to close a great number of Job Corps Conservation Centers was a most difficult one for you to make. I know that with only limited resources you must decide how these can best be used to benefit our Nation's youth—All it's youth, white, black and red who are mired in poverty and who look to you for an opportunity to escape into a better America. I am not sure that you are aware that one of the Centers scheduled to be closed, Kicking Horse in Montana, is a Center designed to serve Indian Youth. It is the only one of its kind in the Nation. As such it serves not only its primary purpose of helping young Indian men to take their rightful place in society, but also serves the Indian community through the work that is done to improve Indian lands. If this Center is closed, there will be only one Job Corps Conservation Center remaining which serves Indian People.

The Kicking Horse Center, although selected for closure, has a lower cost per man-year than 25 Centers that will remain open. Its percentage of Category I graduates exceed those of 22 Centers that will remain open. The average length of stay of its Corpsmen exceeds that of 17 Centers that will remain open. Surely Mr. President something can be done to preserve this Center.

As a recipient of the Congressional Medal of Honor and an American Indian, I have seen much of war and poverty. The face of each is ugly to look upon. I urge you to do what you can to keep the ugly face of poverty from the Indian Youth and the Indian People served by the Kicking Horse Job Corps Conservation Center in Montana.

Sincerely yours,
Col. ERNEST CHILDERS, *Retired.*

CLINTON, IOWA.

PRESIDENT NIXON: I doubt if you will ever see my letter, since it is one of many to be placed in a category. But I have something to say and I hope I say it for a lot of people.

Job Corps and other organizations have furnished us with another chance. I shudder to think where I would have been if it hadn't been for Job Corps. I have discovered talents in myself I didn't know I had. I've learned to understand and get along with people of other races, something I had never done before. I've learned to appreciate the modern conveniences of life and I now have the desire to work for them instead of waiting for them. I've learned that there are people in this world that can be trusted, something I think more people should have the chance to learn. Then perhaps the world would be a better place to live. I don't claim to be a saint now, nor do I claim that everybody that comes to Job Corps learns these things. Some just aren't willing to learn. They have been hurt too bad to change. But there are those of us who are very much willing to learn. Not just to better ourselves, but to give what knowledge we've acquired to our parents and others who are connected with us.

I really dread the day when the Job Corps will close. Because if it closes before I have the chance to get what I came here for, I know I will be a disgrace to my family when I go back to the way I was living before.

Well there have been good times and bad times in our center. But the good is never publicized. Perhaps it should be. Well our futures are in your hands and at your disposal. If your mind is already made up, I suppose no amount of talking will change your mind. But I just had to say what I felt.

Sincerely yours,

JOEY WHITE CALF.

CRASH LOCATOR BEACON NEEDED FOR ALL CIVILIAN AIRCRAFT

(Mr. OLSEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OLSEN. Mr. Speaker, today I have joined with the gentleman from Vermont (Mr. STAFFORD) in the introduction of a bill to amend the Federal Aviation Act to require the installation of crash locator beacons in all civilian aircraft.

Other bills have been introduced covering this subject, but they are not totally inclusive requiring all civilian aircraft to use a crash locator device. Furthermore, the Federal Aviation Administration has proposed a rule, docket No. 8744, notice 69–11, which would require crash locator beacons to be carried aboard aircraft utilized in air taxi and commercial operations. Once again this does not include all civilian aircraft.

This bill is supported by the National Association of State Aviation Officials. Many NASAO members have had years of experience in aerial search and rescue operations, and it is their opinion that this bill would accomplish the desired installation of rescue radio transmitters within a reasonable period of time and with due consideration to aircraft owner cost.

Following is a cursory review of the need for equipping all civilian aircraft with downed-aircraft rescue transmitters. I would like to take this opportunity to thank Mr. A. B. McMullen, executive vice president of the National Association of State Aviation Officials for assisting me in the preparation of this statement, and I include it in the RECORD:

THE NEED FOR EQUIPPING ALL CIVIL AIRCRAFT WITH DOWNED-AIRCRAFT RESCUE TRANSMITTERS

THE PROBLEM

There are now approximately 125,000 civil aircraft in operation within the United States. The Federal Aviation Administration estimates this number will increase to approximately 217,000 by 1980. As the number of aircraft increases, so will the number that become lost and land or crash in unknown locations.

The present visual method of searching for missing aircraft involves both land and air operations, primarily the latter. Aerial search involves, first, a "guesstimate" as to where the missing aircraft may have gone down, and this may involve an area covering several states; second, a fleet of aircraft (most of which are privately owned and operated by volunteers) are assembled, organized and dispatched to visually search specifically assigned locations or areas. This is a time-consuming, costly, relatively ineffective, and hazardous method of search and rescue.

Very often, downed aircraft are covered by snow or are not visible from the air due to having crashed in heavy timber or underbrush which completely obscures them. There are many records of search aircraft flying directly over downed aircraft, sometimes as often as 10 to 20 times, without sighting them. In some cases, persons surviving the crash attempted, without success, to attract the attention of search aircraft.

Because weather is often the cause of pilots becoming lost, or unknowingly flying off course and crashing, and because survivors of crashes often succumb to exposure or injuries, it is essential that search operations begin as soon as possible after it has been determined an aircraft is down. This results in many searches being initiated before the weather clears, which increases the hazard to which all search crews are exposed. These crews, who are normally persons serving voluntarily and often without compensation, risk their lives while trying to help others in distress. Everything within reason should be done to reduce the risk, and the time and money expended in aerial search and rescue operations.

CASE HISTORIES

Following are case histories of several searches for downed and crashed aircraft, utilizing existing visual methods, which illustrate the risks involved, the time and money expended, the frequent suffering and subsequent death of crash survivors due to failure to promptly locate downed aircraft.

(a) On February 21, 1959, two doctors departed Berlin, New Hampshire for Lebanon, New Hampshire, a distance of 75 miles. Apparently they encountered mountain snow squalls which resulted in a crash landing of the airplane. This aircraft was located on May 5, about 2½ months later. Search for the aircraft was conducted over a 7,000 square mile area for approximately two weeks by a large number of aircraft. A diary found in the aircraft indicated the doctors had lived about four days before succumbing to below-zero temperatures. They had listened to search planes flying overhead before they died.

(b) During a late-afternoon snow storm, a pilot hopelessly lost and out of fuel, but with communications established, crashed approximately seven miles south of Des Moines, Iowa. The aircraft was not located until morning. Indications were that one of the three persons aboard succumbed to exposure after sustaining only minor injuries in the accident.

(c) Another case in Iowa involved four fatalities, presumably all killed on impact. During a thunderstorm, the airplane had passed under a power line, then apparently skimmed over a corn field, coming to rest in a secluded thicket within four miles of a rather large Iowa city. The thicket concealed the fate of these four people for nearly four weeks. The foliage was so thick that nothing could be seen from the air, and the wreckage had penetrated in such a way that nothing could readily be seen from the ground. A day-to-day air and ground search in the general area yielded no clues, even in an open state such as Iowa.

(d) In July 1963, a Cessna 310 departed St. Petersburg for Tallahassee, Florida on a flight plan. Five persons were aboard. An extensive search for several days failed to locate the aircraft and it has not yet been found.

(e) In 1949, a Luscombe aircraft with one person aboard left Chicago enroute to Miami and disappeared after a fuel stop in Atlanta. There was no flight plan and search was not started until one week later when the pilot's wife called Miami because she had not heard from him. The wreckage was found south of Atlanta, and evidence indicated the pilot had survived and kept a diary for three or four days before he died of exposure. Had a downed aircraft radio transmitter been installed in this plane, and commenced broadcasting distinctive signals upon crash impact, the plane could have been located and the pilot rescued within a matter of hours.

During the past eight years, there have been 83 organized searches for overdue and missing aircraft in Oregon alone. Five of these aircraft and their occupants have never been found. The Oregon Director of Aeronautics reports that approximately 50% of the lost aircraft were from out of state, and 50% were 50 miles or more off their planned route when found.

The Idaho Director of Aeronautics states the problem as follows: An Idaho search usually involves 50 to 60 search aircraft which fly, whether permitting, 9 to 10 hours a day per aircraft, continuing day after day in search of the proverbial "needle in a hay stack."

Visual search can be conducted only during daylight hours and when weather permits sight of the terrain and objects thereon; however, if the downed aircraft is equipped with an operating rescue or radio transmitter, search can be conducted and the exact location determined in any type of weather, and any time of day or night.

SUITABLE RADIO TRANSMITTERS OR BEACONS ARE AVAILABLE

In 1964, the Radio Technical Commission for Aeronautics assembled a committee of 45 well qualified members and advisors from both government and industry to study the search and rescue problem, the methods utilized, specifications for new equipment, and radio frequencies that would be most practical for search and rescue purposes. This committee was designated "RTCA Special Committee 107", rith A. B. McMullen, Executive Vice President of the National Association of State Aviation Officials, serving as chairman. The findings and recommendations of this committee were published in a report dated January 14, 1965, issued by RTCA as "Document No. DO–126", and titled: "System for Downed Aircraft Location."

The RTCA Committee strongly recommended that civil aircraft, particularly general aviation aircraft, be equipped with a downed aircraft locator beacon which would be actuated automatically upon impact, and specified the standards it should meet.

Subsequent to publication of this report, the recommendations contained therein have received both national and international approval.

Largely as a result of the above actions, more than 20 manufacturers have developed and placed on the market radio transmitters of the type required for effective and relatively rapid search and rescue. Ten manufacturers produce rescue type transmitters ranging in cost from $79.95 to approximately $150.

Many FAA, military, state aviation agency and other aircraft have been equipped, or are being equipped with direction finding receivers which will permit search aircraft to quickly determine the location of, and proceed directly to an operating rescue beacon or transmitter. Experienced aviation officials in the State of Washington are confident they can locate a downed aircraft equipped with an operating radio beacon, anywhere in the state, within two or three hours of the time the aircraft is reported down. Any aircraft radio receiver that will operate on frequencies 121.5 or 243.0 MHz can receive a downed aircraft distress signal, which can be reported promptly to ground stations. Any aircraft receiving the distress signals can proceed to the location of the downed aircraft but not as directly as one equipped with a direction finder.

The need for the development of improved methods for locating downed aircraft and for the prompt relief of injured and exposed survivors is urgent. If every aircraft were required to be equipped with a radio transmitter designed to automatically broadcast distinct distress signals which would make rapid location and rescue possible, large amounts of money and many hours and days

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of time would be saved each year. Of utmost importance, however, are the lives that might be saved.

The proposed bill would require civil aircraft to be equipped with downed aircraft radio transmitters which meet minimum standards governing service and operating characteristics established by the Federal Aviation Administration.

A proposed schedule for the installation of these devices would require manufacturers or persons importing new civil aircraft for sale to equip these aircraft with downed aircraft rescue transmitters (DART), if the manufacture is completed, or the date of import, is twelve months or more following the date of enactment of the bill.

Aircraft utilized for the transportation of passengers, mail, or cargo for compensation would be required to install a transmitter within 18 months.

A year and a half appears to be a reasonable time to allow aircraft owners carrying persons and cargo for hire to equip their aircraft with rescue and life saving devices.

Recognizing that owners may be reluctant to install additional equipment in aircraft which are near the end of their useful life, and that some aircraft may be operated exclusively within a limited area, the bill would not require installation of a downed aircraft rescue transmitter provided operation and flight was confined to a radius of 25 nautical miles of the airport on which the aircraft is permanently based. However, all other noncommercial aircraft in operation at the time of enactment of the bill would be required to be equipped with the transmitter within 30 months, or 2½ years.

RESPONSIBLE STUDENT ACTIVITY

(Mr. CEDERBERG asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. CEDERBERG. Mr. Speaker, last week I placed a number of articles regarding the radical "Students for a Democratic Society" in the Congressional Record. The response to this exposure of the organization which should properly be called the "Students for the Destruction of a Democratic Society" was overwhelming.

First of all it indicated the real awareness of many of our people to the dangers presented by the group. Second, and most gratifying, was the response from students who took a stand for positive values and for the upholding of those institutions which have made our society great.

Many of these young people admit that they are not completely happy with the status quo, but they categorically deny that the method to be used in changing the situation is the destruction of the present system and its institutions. These are young, dedicated, hard-working youths. Young men and women who will lead our country in the future—and will lead it well.

Because it is often said that all that is ever printed about youths is bad, that no one recognizes the good that is done; and because it is important that we realize that the SDSers are really only the smallest minority on our campuses, I would like to insert at this point in the Record a number of newspaper articles regarding some of the more positive actions of our college students. I can assure you that these stories are duplicated daily across the country. The tragedy, of course, is that because of the actions of a destructive few the good done by young adults such as those described in the following articles is ignored. I commend these news articles to my colleagues as an example of real student leadership:

[From the Saginaw (Mich.) News, Feb. 27, 1969]

"Other Side" Speaks

Every so often in the heat of campus rebellion somebody mans a fire extinguisher. And that's a restorer of our faith in the younger generation.

Such is the case at Michigan State which has been having its share of problems lately with the unstrung behavior of a tight-bound minority within its academic community.

It is nice, therefore, to salute the efforts put forth by three undergraduates. Most everybody will be happy that what they have done demonstrates there is another side to this whole business.

Peter W. Hens of Greenwich, Conn., Richard G. Moore of Birmingham and Charles W. Sickles of Pontiac—members of the junior class—have produced petitions bearing signatures of 10,000 students and faculty members opposed to violence and disruption on the East Lansing campus.

There is no way to calculate the reassurance something like this gives to the university administration or how much it means to state government which has vowed that MSU's normal educational processes are going to be preserved no matter what it takes.

The MSU petition drive is not going to solve any of the problems that genuinely disturb young people preparing to enter a world saddled with fear, hate and double-standard values. Perhaps on that basis it may seem meaningless. But what we like about it is that it is indicative that the "other side" is being heard from at least.

And what these 10,000 signatures say plainly enough is that the great majority is fed up with the incessant cacophony of dissent that finds its outlet in repetitive disruption, destruction and denial of the rights of others.

If those who have insisted on the kind of action that forces the campus into a dichotomy existence now find themselves looking at the odds as they really are, it is only because they have pushed too long and too hard. The impatient ones are now beginning to discover—even at MSU—that there is a limit to every man's patience.

If MSU, indeed any university, is to be preserved as the incubator of rational inquiry, dialogue and diverse opinion within the democratic framework and not surrender to anarchy it must function in an atmosphere of order.

It is highly unlikely that the 10,000 who have put their names to the petitions of students Hens, Moore and Sickles are motivated entirely. by snapped-shut minds on vital issues of our times. Much more likely is that within that number are individuals engaged in a wide range of academic disciplines representing philosophies from ultra left to far right.

What they are saying in unison is that they are sick to their stomachs of the actions of those who would make over the whole world in their own image without regard to the niceties of process.

Students on campuses elsewhere would do well to follow the lead of the East Lansing threesome. Beleaguered administrators would appreciate such a simple show of hands on this entire matter.

[From the Niles (Mich.) Daily Star, Feb. 26, 1969]

MSU Students Want World To Know They Disagree

East Lansing.—Nearly 10,000 Michigan State University students want the world to know they disagree with violent tactics of demonstrators who disrupt campus activities.

They've signed petitions condemning "intimidation, violence and disruption" and presented their signatures Tuesday to the university's president, John A. Hannah.

"He seemed extremely appreciative of the petitions," said Peter Hens, a Greenwich, Conn., senior in physical education and one of seven students coordinating the petition drive, Hens' group calls itself Concerned Students of Michigan State.

"We just wanted to have people know that whoever signed the petitions is against the tactics of 50 or 60 people who claim they represent the student interest which they don't," Hens said.

"We wanted to have the majority of students stand up and be counted," he said. "The average student wants to get his education over and get out of here."

Hens said petition signatures now total some 9,850 and only about half the petitions circulated have yet been returned. There are more than 38,000 students enrolled at MSU.

Demonstrators for the past three weeks have staged sit-ins and protest rallies to show their opposition to the firing of Bertram Graskof, a psychology professor.

A window-breaking melee broke out earlier this month outside the building where Hannah was giving his annual "state of the university" address.

"It is the aim of the undersigned students and faculty of MSU to seek the welfare of all the students while preserving the dignity of the university," the petitions * * *.

"This can never be accomplished in an atmosphere of intimidation, violence and disruption which is being fostered by irresponsible people.

"Dissent is a vital part of the university community, but the disruption of President Hannah's state of the university address went beyond the limits of dissent that an organized society should tolerate."

[From the Lansing (Mich.) State Journal, Feb. 28, 1969]

MSU Petition Drive Should Be Emulated

College youths across the nation would do well to take a look at a current Michigan State University campaign if they want to find out what student responsibility is all about.

Students at MSU reported Wednesday they now have more than 10,000 signatures on petitions which are aimed at demonstrating to legislators and university officials that the majority of students oppose violence and disruption on the campus as a means of settling grievances.

Two MSU student leaders in the petition drive said they have had tremendous success so far with students as well as faculty and they are elevating their goal to 15,000 signatures.

One student stressed that they are also trying to show Michigan legislators the university can handle its own problems without legislative interference.

Petitions alone will not stop irresponsible campus militants who thrive on disruptive tactics to keep attention focused upon themselves—much like a small child might do by throwing a temper tantrum.

Another example of this came last week when a small group of youths entered a meeting of the MSU Board of Trustees and attempted to disrupt the session.

But overt acts and attempts at intimidation can easily fog up the reality of a situation when such methods are carried out by small factions on a big campus and activities such as the petition drive go a long way toward putting things back in perspective.

Those pushing the petition drive are clearly doing a service to the student body and the university by showing that the ma-

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jority stands behind a responsible approach in the handling of student problems.

Other MSU student organizations as well as independent groups on campus have joined the effort with recent statements denouncing violence and disorder in the university community.

The groundswell of majority opinion is beginning to take shape at MSU and we hope student leaders at other state universities will follow the example rather than the more comfortable alternative of remaining silent.

In connection with the issue, Gov. Milliken said earlier this week he would not seek new legislation, at least for the present, to combat student disorders on campuses.

The governor said he feels school administrators are handling the situation adequately. This is a reasonable approach.

There are plenty of laws on the books at present dealing with violence, trespassing and property destruction.

The need of additional legislation is doubtful unless officials in charge can clearly show that they are unable to control the situation with existing statutes.

[From the Lansing (Mich.) State Journal, Mar. 14, 1969]

They Walked Away: Inner City Teens Reached by "Y"

(By Judith Brown)

Thomas R. Helma remembers well that summer day two years ago when he walked onto a basketball court on Lansing's West Side, wearing a rumpled MSU tee-shirt and sporting the beginning stubble of a beard.

As he began shooting baskets, the black teen-agers at the other end of the court responded:

"They all walked off the court the first time I showed up," he recalls, "I felt just like Charlie Brown."

That initial relationship between Tom Helma and those teens soon changed. Within a few weeks, Helma was organizing neighborhood basketball and pool tournaments and setting up weekend camping trips for the West Side youths.

During the summer of 1967, five other field workers like Helma were organizing similar activities for Lansing's underprivileged young people. It was all part of Operation COOL, initiated by a group of civic leaders in response to a series of racial disturbances the previous summer.

FUNDS PROGRAM

The United Community Chest funded the program with a $25,505 grant.

Administered by the YMCA, the purpose of Operation COOL was to keep inner city youths off the streets and out of trouble and to get them involved in organized recreation programs.

For the most part, the experimental project worked out well—well enough that Helma and one of his coworkers proposed a year-round program to the Community Chest board.

The board agreed and provided $35,000 in new funds.

In June 1968 the expanded program started operating under the YMCA's newly formed Department of Urban Programs (formerly the Urban Action Committee), with Helma as its associate director.

The name Operation COOL was dropped, and director Herbert Kennedy now refers to it as the department's outreach worker or inner city program.

NO REAL IMAGE

Asked to describe the new project, Kennedy replied that the "program doesn't really have an image. We're trying to zero in on the potential dropouts and give them some kind of motivation to stay in school."

Using a "team kind of approach," Kennedy has employed six part-time outreach workers and 55 volunteers to provide organized recreation, tutoring and counseling for the 300 participating teen-agers.

The outreach workers are stationed in Lansing's three high schools and some of the junior highs. School officials supply them with lists of students who are making poor grades, and the workers contact these individuals and try to interest them in the "Y's" program.

When they're not in their school stations, the staff members may be on the streets recruiting more teens by visiting the neighborhood hangouts, such as pool halls and the Drop in Centers on Lansing's east, north and west sides.

Once initial contact has been made, the workers involve their youths in basketball, swimming, pool and other recreational activities at the YMCA. Teen-agers with academic problems are encouraged to attend the tutoring sessions held three nights each week at the "Y" and East Side Action Center.

MSU VOLUNTEERS

The volunteer tutors, most of whom are MSU students, assist the teen-agers in subject areas where they are having difficulties, as well as providing them with a degree of motivational counseling, Kennedy explained.

In an attempt to expand the program's base beyond the "Y," Kennedy has secured the twice-a-week use of the recreational facilities at Westminister Presbyterian Church. While outreach worker Jimmie James is supervising a boys' basketball game, Kennedy said, Diane Lawson may be upstairs giving tips on cooking, sewing and grooming to the girls.

On Thursday evenings, visitors to the "Y's" youth department gym can hear the monotonous pounding of basketballs on the hardwood court while watching about 30 members of the Junior Optimist Club energetically engaged in their weekly games. Supervised by Helma and Ron Ansley, the junior high youths polish off their evening's activity with a swim in the "Y" pool.

Ansley, a junior at MSU, has been working up to 20 hours per week in the program since last July. In his spare time, he works with a group of about 30 students at Eastern High School.

SIMILAR BACKGROUND

The students seem to respect him, which Ansley attributes to the fact that they know he progressed from the streets of the West Side to being a full-fledged college student. "It gives them a status symbol," he explained, "and something to strive for."

The soft-spoken MSU junior, like his other coworkers, is totally committed to the Y's inner city program—something which Kennedy requires in all his staff members.

"I got involved in the program," Ansley commented, "because I felt I owed something to the "Y." When I was growing up, guys like Kennedy helped me and now I feel obligated to give these kids the same type of guidance."

Although the main thrust of the department's program has been recreation, both Kennedy and Helma would like to expand the tutorial and counseling aspects by bringing in more outreach workers and volunteers.

"The basic objective is to keep the kids in school and to broaden their experiences," Helma remarked. "The recreational activity is sort of like putting a carrot in front of a horse."

Both Kennedy and Helma are attempting to start a series of regular discussion groups with the participating teen-agers and other students from varying economic backgrounds. Kennedy pointed out that David Hollister, an Eastern High teacher, brought together a group of black and white teens during the Christmas holidays and got them involved in serious discussions about racial attitudes and other related problems.

ATTACK "HANGUPS"

Helma feels that similar sessions will go a long way toward solving some of "the kids' psychological hangups" and will give them an opportunity to "test their own values against those of others."

In evaluating his nine months with the YMCA program, Helma commented that he had seen a gradual change in attitudes as the teen-agers became more involved.

"One of the most irritating kids we had has gone from being a court jester to one of the real leaders in this group," he observed. "He completely reversed his behavior in five weeks, and it usually takes six months or more for any significant change to occur."

Another teen-ager formerly a C and D student, improved his grades enough to make the honor roll last fall, Helma said.

As the former youth director for the YMCA, Kennedy has spent much of his career working with young people and he sees real merit in this current program.

"We're going out where the kids are and attempting to do something that few other agencies have tried or been able to accomplish," he said, adding, though, that more needs to be done.

In order to run the type of professional program he dreams of, Kennedy says he will need larger financial resources, more staff members and additional community facilities outside of the YMCA. But, for the time being, he has to be content with $37,000 budget provided for 1969 by the Community Chest.

SIGNIFICANT START

Kennedy and his staff members are not miracle workers, nor do they claim to be.

But they do seem to be making a significant start toward solving some of Lansing's inner city problems by channeling the energies of some 300 underprivileged teen-agers—black, white and Mexican-American—into educational and recreational activities that are motivating them to become more positive contributors to the Lansing community.

[From the Meridian Township (Mich.) Towne Courier, Feb. 6, 1969]

MSU Students Run Volunteer Programs

More than 8,600 Michigan State University students are expected to work in volunteer service programs this year, said Jim Tanck, director of volunteer programs and vice-president of student affairs at MSU.

The students, he said, will work in a variety of programs functioning largely in the inner-city area of Lansing.

One of the programs, the Student Education Corps, operates in 72 schools in Lansing and other cities providing industrial tutoring and adult education.

The Campus Community Commission, operating on the north side of Lansing, offers activities for more than 400 children. The activities include tutoring, arts and crafts, camp trips and educational games.

Other programs include job training centers, preschool play groups, open housing projects, group counseling, and providing facilities for the blind or disabled.

The most important aspect of the volunteer program at MSU, Mr. Tanck said, is that it is run by the students themselves. "The students are involved in decision making, recruiting, fund raising, evaluation and other aspects which affect programming."

The Office of Volunteer Programs, established in 1967, serves as a co-ordinating body for the projects, Mr. Tanck said. "It also serves as a liaison between the community and the university."

MSU also provides a Volunteer Bureau which serves as a control information and recruitment center for the various programs as well as many community agencies, he said.

The office of Volunteer Programs is the only venture of its kind at a college or university, Mr. Tanck said, and it supplies technical assistance to programs on other campuses and communities.

[From the Grand Rapids (Mich.) Press, Feb. 19, 1969]

Students "Sell" MSU to Pupils

East Lansing.—A group of Michigan State University students hopes to inspire 100 sixth graders to stay in school by taking them to college for a weekend.

The Lansing grade schoolers are to spend this weekend at MSU as guests of students in one of the residence halls.

Each suite or two rooms has adopted a child for the informal weekend.

"We hope to give them some reason to stay in school," explained Margery Crisp, a Detroit freshman who planned the activities. "Perhaps we can even encourage some to aspire to college."

The youngsters are to visit the MSU museum, listen to "soul music," play ping pong and hear a talk by Gene Washington, a former Spartan football great who now is assistant director of the Michigan State Placement Bureau.

"We want to stress the personal relationship between the students and their adopted friend," Miss Crisp said. "We hope the kids will continue to visit us and write letters," she added.

[From the Observer Newspapers, Mar. 26, 1969]

Plan Tour To Change "Bad" Student Views

Two college coeds from Livonia are planning to spend this summer visiting towns and cities throughout the nation in an effort to counteract impressions that all college students are demonstrators or radicals.

Debby Youhass, of 29424 Minton, a junior at Michigan State, and Ann Friedrichs, a junior at the University of Michigan, will join 23 other college students in the goodwill tour. Except for Miss Friedrichs, all of the students are from MSU.

Miss Youhass, who was in Livonia this week during her spring vacation, said that the students would visit many different communities, between Michigan and the west coast, and would try to talk with as many people as possible, particularly in smaller towns.

"We are sending out letters to Chambers of Commerce and also to state and county fairs. We'll know better where we will actually be going after the replies come in," she said.

Although the central purpose of the project simply is to build goodwill for college students, each member of the group plans "to do his own thing" on the trip, Miss Youhass said.

Demonstrations and displays in art, drama and music definitely are planned, Miss Youhass said. She has been an art student for two years and will work on several art projects during the tour.

The students are asking support from Michigan business companies to help pay some of their expenses when they return to school in the fall, since the tour will take the place of summer work.

Miss Youhass said that students planned to pay for the trip itself through individual contributions and articles sold during the trip. They also are asking Chambers of Commerce in the communities to act as hosts.

Three MSU faculty members will accompany the students. Faculty coordinator is Dr. Clyde D. Morris, of the MSU Department of Communications. Persons who would like to act as sponsors for the trip should contact Dr. Morris, Miss Youhass said.

[From the Lansing (Mich.) State Journal, Jan. 11, 1969]

MSU Coeds Assist Family of Hospitalized Father

(By Helen Clegg)

People caring enough to help other people have eased a father's heart while he is hospitalized.

When his doctor told Don Tuttle, 318 Jones, that he wanted him to enter the hospital Tuesday, Tuttle said he couldn't "because I had nobody to take care of the kids."

Tuttle, who has been unable to work since a heavy attack last September, has three boys, Don, Jr., 14; Danny, 14; and David, 10.

"They are good boys; I'm real proud of them," Tuttle said in Sparrow Hospital Friday afternoon.

He smiled as he told about how much his sons enjoy the MSU coeds who came two at a time, to babysit and cook the evening meal Wednesday and Thursday. The boys will be with relatives in Coldwater over the weekend, but the girls will return Sunday night—and every night until Tuttle gets out of the hospital in a week or so.

The coeds—who were found when the social services department of Sparrow called the Volunteer Bureau of MSU—cannot say enough how much they have enjoyed the Tuttle boys.

"After we first got there, we fixed supper and they helped us," said one of the four coeds who have helped out thus far. "They washed the dishes and said they didn't want us to do all the work, so we would come back again."

The girls—all residents of W. Holmes Hall—asked that their names not be used.

"Besides," said another, "It was so much fun; they were so sweet, and they really appreciate it."

A third coed, whose eyes were nearly wet with tears, said: "They are independent and mature, very aware. They adore their father, and he loves them. They are just fabulous!"

A dough mixer at Schafer Bakeries, Inc., for 14 years, the senior Tuttle tried to return to work a week before Thanksgiving, "but it was too fast. The guys there took up a collection and gave me $47 for groceries at Christmas."

Proud of his sons, he says they look after each other and that Don, Jr., who can cook, and wash and sew, placed sixth in a city diving tournament last month.

Tuttle's mother drove up from Coldwater Friday night to take the boys to their farm for the weekend. Her husband is ill and the boys were looking forward to helping with the farm chores. A younger brother of Tuttle's also lives at the family home.

There are plenty of coeds to babysit until the father leaves Sparrow. Shelly Ives, a resident assistant at W. Holmes, said that when she received the call from the Volunteer Bureau, she passed the word along, "and we had a whole flock."

The girls—a few among the 5,000 MSU students doing volunteer work—say they are getting more out of their babysitting than they're giving. They love cooking and being around kids. Everyone in the residence halls are about the same age.

PROF. ALAN K. CAMPBELL, FIFTH DEAN OF MAXWELL GRADUATE SCHOOL OF CITIZENSHIP AND PUBLIC AFFAIRS AT SYRACUSE UNIVERSITY

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, last Friday evening, one of the most distinguished scholars in our Nation was installed as the fifth dean of the Maxwell Graduate School of Citizenship and Public Affairs at Syracuse University—Prof. Alan K. "Scotty" Campbell. Dr. Campbell now joins an illustrious group of men including State regent and internationally known author, Stephen Kent Bailey, and NATO Ambassador Harlan Cleveland, both of whom are former Maxwell deans.

I have known "Scotty" Campbell for many years and consider him a warm friend. I am proud that his career of dedicated public and academic service has included a lengthy tenure in my home town for, like his predecessors, he has brought a measure of greatness to our area.

Dr. Campbell has established himself as one of the preeminent scholars in the field of urban studies. Planners, developers, urban administrators, renewal experts, and dedicated students from throughout the world have come to Syracuse to study under him. He has developed one of the finest metropolitan studies schools in the Nation, and has earned the respect and esteem of both his peers and his students.

Mr. Speaker, given this background, it is little wonder that the main address for the evening was delivered by our colleague from the other body, Senator Edmund S. Muskie. Senator Muskie has established himself as an expert in the field of metropolitan studies, and as chairman of the Senate Subcommittee on Intergovernmental Relations, has worked ceaselessly to promote the welfare of our urban centers. His appearance Friday evening was a tribute both to himself and to Dean Campbell.

Mr. Speaker, Senator Muskie had a strong message in that speech, one which I believe every Member of this body would do well to read and ponder. I include it at this point:

Excerpts From Remarks by Senator Edmund S. Muskie at the Maxwell School of Citizenship and Public Affairs, Syracuse University, May 2, 1969

Nowhere was it more apparent than on college campuses that something new and very necessary was being added to the American political scene last year.

That something was a renewed sense of involvement, born of student unrest with the world of the adult.

The spirited "give and take" sessions that took place between candidate and student did as much, if not more, to focus our attention on the Nation's goals and objectives, and force us all to confront our list of national priorities than any other series of events of the 1968 campaign.

It produced a needed "shot in the arm" for our political system, and has since helped move it along toward needed reform and change. When our Constitution is amended—to provide for more democratic election procedures—we should call it—the Students' amendment—for they, more than any other active group, will have brought it about.

The theme you have selected—The University and its Communities—is timely.

One of the more striking aspects of the contemporary student movement is that it is worldwide. This movement, as all such movements before it, is challenging all the traditional community forms as well as social structure. It is an international "happening."

It is a process as old as time, but it is just as thrilling and significant as it was the first time it happened. And, in their quest for certainty and predictability, the young have forced all manner of convention and complacency to undergo careful examination and scrutiny.

One of the most significant advantages to come from this has been an eventual realization that as a people we are not all that we profess to be—either to ourselves, or to others. We have been held up to light—"candled" as it were—and we have been found to be wanting in character. We have learned that substance is more than rhetoric.

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This process has given the realization that not all of us, when challenged to become tolerant, do, in fact, become tolerant. In fact, some of us have proven to be less than tolerant, flexible, or willing to rely on reason. Not enough have responded to the urgings to build and dedicate a better world. This troubles the young. It should trouble all of us.

Despite the deepening character of this dilemma, many Americans do recognize the need to step back from the pace of their own lives, and take another look at the injustices of society, the inadequacies of effort and the incompleteness of life for far too many.

Nowhere are our sensitivities to crisis touched more than by our cities.

Tension, conflict, militancy and dissent threaten to replace commerce, industry, culture and creativity.

Ghettos have become a common device for stifling the flow of humanity into the mainstream of America. All too often blight, deterioration, and rejection have followed.

We have become far too accustomed to the face of America's urban crisis. It is mainly black. It is without resources. It is despair. It is imprisonment.

In 1968, another half million white Americans fled the cities of this country. They left behind a city with a shaky and shrinking tax base, a school system badly in need of uplift, and few industrial or job-producing opportunities for those forced to remain behind.

Is it any wonder that today's youth questions our system of values, and challenges our apparent order of priorities? We should all understand youth's anger and frustration. . . .

Anger because too much of the "Other America" remains disinherited from the benefits and advantages of an affluent economic system;

Frustration because there is no logic, sense, or reason to what we continue to do to our air, our land, our water—knowing the calamitous results that lie ahead;

Anger because we boast 100 months of unprecedented economic growth and expansion, but we seem powerless to provide more than promises for the 22 million Americans still existing in poverty;

Frustration because we produced 8.5 million new jobs over the past five years, but we have 8.4 million Americans still on welfare.

Our anger and our frustrations reflect the fact that we have made big promises to ourselves—but too many have not been kept.

The Nation's general prosperity and economic growth have not reached the needs of the hard-core poor and unemployed.

Job discrimination remains a serious problem and minority employment is still concentrated in low-income, low-status jobs.

Business opportunities for minority entrepreneurs are too few and too slow in coming.

The nation's housing needs have been documented.

Hostile attitudes toward the city verifies the assertion that we are an urban nation with a rural bias.

We are, as John Gardner aptly stated: "A massively impersonal society" through our growing isolation from one another—between black and white, rich and poor, city and country. It is an isolation that exists because we built "dams" when we should have been building "bridges." It is an isolation that continues to grow greater each day.

It is more important to understand that the crisis we face is not one of public policy or the lack of it. We are already clearly on record as favoring full employment, equal opportunity, adequate housing, the elimination of poverty.

The problem is not therefore one of public policy; rather, one of national priorities.

It is a problem we will solve only when we commit ourselves and our resources to its solution.

If we are to stay abreast of our needs, and meet our responsibilities to one another, we must be honest enough to see things as they really are.

The crisis we face is one of our own making, and its solution requires the complete involvement and cooperation of all of our social forces.

We have to be honest enough to realize that we inhibit human spirit and the incentive to work by not accommodating those who are the disadvantaged.

We have to be honest enough to admit that ghetto housing, complete with crumbling plaster and the smell of garbage and human waste, mocks our guarantee of "decent housing and a suitable environment" for every American.

We have to do these things, because national priorities are not self-fulfilling. They do not respond to a policy of drift nor to an attitude of indifference.

For the last several years, we have reassured ourselves that once the Vietnam War ended, new programs for our neglected cities, and new funds for the needs of our people, would be available.

Now we know that this assumption is unjustified. Pressure from the military to commit our resources to new weapons systems is beginning to be felt. The President has recommended deployment of a modified Sentinel system. Should the Vietnam War end—we know that defense spending is not going to tail off automatically.

National priorities, if they are to be changed, must submit to thoughtful study and sound judgment from many sides. They will not shift automatically.

Domestic needs, if they are to receive the massive commitment of funds that they require, must be given the sense of priority they deserve.

Within the next few months, decisions will be made by the Administration, the Congress, and by the people that will have consequences to be felt long after the 1970's.

The ABM is only one of many, but it is the first. And in this world, we now know we cannot have both guns and butter in the manner which we have thought possible. We cannot afford it.

Thus we will be making decisions about the kind of society we desire.

We will be making decisions that will either reflect our commitment to peace, to a sane defense policy and a just life for all Americans, or to a policy of continued international tension, escalation of defense systems, and mutual distrust and suspicion.

We will be making decisions that will determine whether we continue to drive the young generation out of the democratic process, or whether that process will again be made responsive to all Americans.

One point should be stressed—even to the point of overstatement.

None of these choices can be made effectively unless approached and resolved through reasoned argument, no matter how emotionally charged they may appear to be, or how impassioned the plea on their behalf.

Today's college student represents the "honest generation," and if it is at war—it is at war with hypocrisy and inertia. I would plead with that "honest generation."

My offer is simple. Be as concerned with the issues of peace as with the issue of war.

Be as concerned about the ABC's of urban life as with the ABM's of weaponry.

Be as concerned about hunger and poverty as with the draft and the Institute of Defense Analysis.

Be as concerned about political solutions as political problems.

CULTURAL MAJOR ACHIEVEMENT EMBODIED IN ESTABLISHMENT OF NEW ART MUSEUM

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, in the cultural development of any community, one of the major achievements of the citizenry is the establishment of a new art museum. It is a greater achievement, of course, if once established, the art museum continues to benefit from enthusiastic public support. I have the privilege of representing in the Congress such a community—Syracuse, N.Y.—and the type of public-spirited citizens referred to above.

After 8 long years of planning and fundraising, the citizens of Syracuse last fall opened the Everson Museum of Art. The museum itself is not new. Its modern I. M. Pei-inspired facility is, however, and it has attracted hundreds of thousands of visitors since the doors first opened.

Mr. Speaker, this colorful addition to the landscape of Syracuse now houses collections of traditional American painting, contemporary American painting, Chinese art, contemporary American graphics, contemporary American ceramics, English pottery and porcelain of the 18th and 19th centuries and numerous works by artists of New York State. Under the dynamic leadership of industrialist John D. Williams and his dedicated board of directors, the museum now boasts of a distinguished lecture series, a guided-tour program, traveling educational exhibitions, art classes for the children of Syracuse, slide lecture programs for the schools of Syracuse, changing exhibitions and a permanent collection of paintings, ceramics and sculpture—and no admission fee.

Mr. Speaker, we hear much today of our quantitative value system in the United States. I suggest that perhaps we all too often tend to overlook the qualitative values. Cultural development is not and need not be stiff necked; nor should the manifestations of that development; for example, painting, sculpture, ceramics, be considered merely ancilliary appendages to the society. Both the cultural development of a community and its manifestations thereof are as much a part of society as are its political, social, and economic considerations.

The impact of the Everson Museum on the cultural development of Syracuse, and its potential influence on the establishment of museums across the Nation can readily be seen from an article by noted architectural columnist Ada Louise Huxtable in the New York Times. I submit it herewith for the observation of my colleagues:

[From the New York Times, Oct. 29, 1968]

ARCHITECTURE: OBJECT LESSON IN ART AND MUSEOLOGY

(By Ada Louise Huxtable)

Syracuse.—Anyone who wants to know what the 20th century is about esthetically will be well rewarded by a trip to the Everson Museum of Art, a small, superb structure that opened here last weekend to serve this community of 300,000. After eight long years of planning and fund raising for a total of slightly less than $3.5-million, Syracuse has built an object lesson in art and museology.

The Everson Museum sets a standard that other cities, embarked on a wave of museum

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and cultural center building of epic proportions and some historical significance, will now be called on to match.

Everson's building has been designed by I. M. Pei and Partners, with the sensitive collaboration of the museum's director, Max Sullivan, and the sensible backing of an obviously nonmeddling board of trustees whose faith in professionalism has been justified by the results. They must be doing something right, because Mr. Pei has received the commission for the extension of the National Gallery in Washington on the strength of the Syracuse job.

This is the architecture of today as art history will eventually record it. It does not try to be pretty, or classical, or decorative, or evocative, or palatable to the cautious. It does its own thing.

Most important of all, it is a clear demonstration of the dramatic oneness of contemporary art and architecture.

This is a fact of art that has escaped those constantly calling for "integration of the art." It has eluded the critics who deal in increasingly complicated treatises on increasingly minimal aspects of modern painting and sculpture without recognition of their relationship to the contemporary environment.

It has been ignored by most museum directors who treat art of any kind as something to be maintained and displayed in a vacuum. No greater disservice or distortion would be inflicted on the art of this century.

Not since the age of fresco, to which the current phenomenon bears tenuous resemblances, have art and architecture provided such an esthetic and environmental whole. If the specialists would stop looking at their specialties long enough, they could see the shape and meaning of art in our time. Everson is a good place to see it.

ON THE HIGHEST PLANE

The visitor will not find a notable permanent collection. There are other cities to go for that. But he will have what the contemporary art museum can, and should, uniquely provide: a fully dimensional esthetic experience in which the building and its contents interact on the highest plane.

Whether Everson has succeeded by design or accident or both, this esthetic totality is undoubtedly a more important and valuable objective for the small museum in the small city than the costly and competitive building of a large collection.

It gives that old chestnut, "art appreciation," new meaning. It should be the primary aim of any arts building program. If the point is missed, as it is being missed or muffed in so many of the new centers, the result is second-rate art and compromise culture.

The form of the Syracuse building is a squared pin-wheel consisting of four gallery blocks around a sculpture court. Placed in the desolate limbo of center city urban renewal, opposite an older sports and convention hall, next to a steam plant and with future neighbors amorphous, the museum gives style where none exists. It also connects with an underground parking garage, a planning plus.

The material is the same inside and out—reinforced concrete faced with a diagonally striated, bush hammered aggregate that warms the gray with crushed rose granite. Exposed, natural concrete borders the panels and is used for stairs, balconies and bridges inside.

The identical exterior and interior finishes can be seen simultaneously through glass panels set in channels in the walls between the gallery blocks. The only additional material is oak, beautifully used for gallery floors, stair rails and display cabinets.

Outside, the small, but massive blocks hover over a large, paved plaza. Above ground, the whole structure is only 130 feet by 140 feet. Underground, it broadens to a 260-foot length to accommodate administrative and members' quarters and an elegant 320-seat auditorium.

Inside, the gallery blocks have controlled artificial light. They are bridged continuously around the two-story, 50-foot square interior court, where natural light pours down from rimming skylights of clear glass, always visible from the galleries. Passing clouds and outdoor planting become part of the building through these and the glazing that joins them, running from ground to roof, at two corners.

TIMELESS AND CLASSICAL

The carefully arranged and detailed sequences and play of space and light, the changing views of art form and color, the way the pedestrian moves and experiences and enjoys all this, is architecture. The way in which abstract painting—such as the huge Morris Louis and Helen Frankenthaler canvasses hung on the court wall—is enriched and completed by the setting is art. And the reverse, of course, is true also.

At its small scale, the building is comfortably monumental. It is timeless and classical without caricaturing classicism or compromising its contemporaneity. As art and culture Everson is now—and it is going to last a good long time.

A BILL DIRECTED AT MEETING THE CRISIS IN OUR PUBLIC SCHOOL SYSTEM INTRODUCED

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, the very distinguished chairman of the Committee on Education and I are cosponsoring a bill directed at meeting the crisis in our public school system. This was introduced last week.

Mr. Speaker, it has been my very real honor for many years to serve with Chairman PERKINS. Although on occasion we may have differences on procedures, our goals are the same. I respect and admire our able chairman both for his deep concern for the welfare of our Nation and educational system, and for the extraordinary dedication with which he presses his committee responsibilities. Under his guidance, the committee has held hearings almost every weekday since mid-January. The chairman is a hard taskmaster, but we appreciate the urgency of his concern about our Nation's problems.

These problems are very real. The situation is almost unbelievably bad. Violence, classroom disruption, destruction of property, the use of drugs by students, teacher's strikes, the organized fomenting of revolution and anarchy—the list of woes afflicting our schools is long and frightening.

Within the last few months in Washington, D.C., an assistant high school principal tried to stop three teenagers from robbing the school bank; they shot him dead. In New York City, a high school teacher stepped into the hall to investigate a disturbance; three youths squirted lighter fluid on his clothing and set him aflame.

Elsewhere the violence took the form of riots, many of them with bitter racial overtones. School principals at their annual convention in March indicated that 67 percent of the city schools are experiencing protests. The percentage of suburban schools is the same. In rural areas it is 53 percent. The protest is almost as likely to occur in junior high schools as in senior high schools: 56 percent as compared to 59 percent.

The High School Principals Association of New York City in an appeal for help in January to Mayor Lindsay and the Board of Education declared that "disorders and fears of new and frightening dimensions stalk the corridors of many of our schools."

Much of this disorder and violence is formless, the expression of hates and frustrations which seem to embitter the lives of so many of our young people. Much of it increasingly is the result of agitation on high school and junior high school campuses by radical and revolutionary organizations. National headquarters of Students for a Democratic Society estimates that the formation of high school chapters is up about 80 percent over last year. SDS has hired a national coordinator to oversee high school organizational work.

More than 500 underground high school newspapers have sprung up. This free press is invariably obscene as well as revolutionary and reflects a deterioration in taste and manners that is most depressing.

The 1968 FBI uniform crime report indicates that arrests of juveniles for serious crimes increased 59 percent from 1960 to 1967 while the number of juveniles—aged 10–17—increased only 22 percent. Serious crimes are enumerated as murder, rape, robbery, aggravated assault, burglary, larceny—$50 and over—and auto theft.

The use of illegal drugs, particularly marihuana, has soared among students in the public and private high schools of our cities. Use of marihuana has in some schools become almost casual. Everywhere it seems to be accepted in the sense that well over half of the typical high school student body has tried it.

The use of marihuana tends to lead to the use of heroin, addictive, and physically damaging. In at least one New York high school the social workers estimate that 40 to 50 percent of the students are "on" heroin. In another school the estimate was 30 percent. These figures may not be accurate. This is an area in which it is understandably difficult to get information. But the impression of those involved with the problem is that drug use is without any question rising rapidly among young people.

The director of the Bureau of Narcotics and Dangerous Drugs has pointed out the FBI's uniform crime reports indicate that drug arrest of persons under 18 rose 778.3 percent during the period 1960–67. During 1968, 20 percent of the new addicts reported to the bureau were under 21. In the District of Columbia this far exceeds the national average with 29 percent of the new addicts reported being under 21.

Violence, revolution, riots, drug abuse, all hammer at our beleagured schools. These problems are not local. They are national problems and they must be met nationally. Our local teachers and school

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administrators need massive Federal assistance.

In the face of these difficulties, inevitably our schools face a major problem in recruiting teachers. According to a U.S. Department of Health, Education, and Welfare bulletin—

> The Nation's most critical education problem is the recruitment. preparation, retraining, and retention of quality personnel to staff its schools and colleges.

This is the conclusion drawn after a reading of the U.S. Education Commissioner's report, the "State of the Education Professions."

The report points out that we may expect vast increases in the number of children attending preschool. The report also points out that "70 percent of our secondary school pupils—never receive a baccalaureate degree" and if we are to meet the needs of this—the "neglected majority"—then we must consider a vast expansion of vocational education programs. There are also needs for teachers with special skills in teaching the handicapped, the mentally retarded, the emotionally disturbed.

The supply of teachers is not equal to the demand. The National Education Association asked the State departments of education in 1967 for their assessment of "how the total number of qualified teacher applicants compares with the number of teaching position vacancies." Only one State reported sufficient applicants to fill positions. The NEA also reported the expectation that demand would exceed the expected supply of new teachers in 1967–68 by 145,700.

The fact that many more students are now going to college and choosing the teaching profession will help. The fact that there has been a declining birthrate will also help—temporarily. But the Bureau of the Census tells us that a birth boom is coming. The all time high was 4,308,000 babies born in 1957, and, the census reports:

> Chances are it won't be long, perhaps as early as 1975, until the total creeps up over 4 million again . . .

What all of this means is that we can expect a continuing shortage of qualified teaching personnel. And yet, if we are serious about implementing quality education, this cannot be permitted to happen. Without teaching personnel, there can be no education at all. Without sufficient personnel, there can be no quality education. And if we are satisfied with putting limits on opportunity for education, we must also face the fact that we have failed to implement our national goal of equal opportunity for all.

FACILITIES

The inadequacy of school facilities presents still another problem. In a study of school facilities conducted in 1962, it was found that over 25,000 classrooms are still in use which were built before 1920. In the public schools of the 52 largest cities in the United States an additional 156,704 classrooms were needed to achieve optimal operation. Assuming 20 children per classroom, over 3 million children are adversely affected. Apart from the problem of providing the bare space for classrooms, the educational needs of our industrial technological society multiply in bewildering fashion. In a computer age, the cost of training equipment is high. Updating equipment is constantly and absolutely necessary if students are to be trained to handle jobs in the outside world.

The vocational education needs of our young people are not now being met. The Manpower Report of the President for 1968 points out that the United States keeps a larger proportion of its children in school longer than does any other nation to insure their preparation for lifetime activity. Yet the unemployment rate among youth is higher here than in any other industrial nation and had been rising sharply until the introduction of Government youth programs over the last 4-year period.

Vocational education has too often been treated like a stepchild in the educational process. Enrollment in vocational programs at the secondary level constitutes only a quarter of the total high school enrollment throughout the Nation, even though five out of six youths never achieve a college education. Less than one-half of the non-college-trained labor force was found by a 1964 labor department survey to have had any formal training for current jobs.

Our schools should be able to offer better preparation to our youth. James Conant in his book, Slums and Suburbs, states:

> Educational experience of youth should fit their subsequent employment. There should be a smooth transition from full time school to full time job whether the transition be after grade ten, or after graduation from high school, college, or university.

Unfortunately, this smooth transition is many times not possible because of the lack of vocational education programs. Often rural high schools tend to be too small to offer more than agriculture, home economics, and office education in the way of vocational training. Most of their students will ultimately seek urban jobs but have no preparation for urban life. This has been a particular problem in the south. In many other schools vocational education suffers because administrators still assume that all students will pursue a 4-year college degree or because of inadequate budgets.

For too long many have labored under the misapprehension that vocational education was in some way inferior. I was particularly appalled recently, to learn that there is apparently even discrimination shown among different types of vocational education programs. A news article in the National Observer recently made the observation that in Barnwell, S.C., the major distinction between the Negro secondary school and the white secondary school in the Barnwell school district was the vocational education offering in each. The Negro students could choose between vocational agriculture or brick masonry; the white students could choose between auto repair and industrial arts. In each case the programs were designed to teach students to perform different roles in different worlds.

But it is time for us to wake up to the value and necessity of vocational education. Dr. Bruno Bettleheim in testifying before the Special Subcommittee on Education recently pointed out that most young people feel the need to relate their learning experience to life; to see that they will somehow be equipped to enter society. Vocational education fills that need. More than 90 percent of students who completed vocational education programs in 1966 and sought employment were employed full time by October, 1966. Eighty percent were working in the field in which they were trained. By 1970 there will be 5.2 million jobs open for people with skills—it is imperative that we provide the training necessary to fill those positions.

SCHOOL DROPOUT PROBLEM

In the decade that is coming to a close, it has been estimated that 26 million young people will enter America's labor market. Unless some revolutionary improvement occurs, 7.5 million of this number will be school dropouts with 2.5 million having had less than 8 years of formal education.

This is not what should be happening in a society which is inextricably meshed in a technological spiral. At this time, there is one program that is directed to the school dropout—ESEA, title VIII. With an adequate budget of $5.0 million, it has been given the awesome responsibility for developing models which will prevent school dropout.

As our society becomes more technologically oriented, more books, library and texts, are needed. At present, we have not even come close to the recommended national standard set by the American Association of School Librarians in 1960. Of the $13 recommended as the amount to be provided for each pupil for library books, we have been able, using State and local funds and Federal funds from ESEA, title II, to provide only $5.31—a figure which is 59.2 percent short. If we include textbooks and expand our funding sources to include all available, we are still 54 percent below this minimum.

In 1969, new standards were adopted by NEA's Department of Audio-Visual Instruction and the American Association of School Librarians. These put the desired expenditure for library books per pupil at $38.04. Adding $14 per pupil at the elementary level and $21 at the secondary for textbooks, and assuming the Federal share of the total cost is 25 percent, the budget for EDEA, title II provided 20 percent of this amount. The new budget allows no Federal money for this critical area.

The situation confronting our private schools is acute, and it is a problem of importance to all our citizens through the implications of additional stress on our public school system.

For example, Catholic education's net loss for 1968 was 218 schools, and the decline seems to be increasing. Since 1966 a total of 430 elementary and secondary schools have been lost to the system. Figures released by the National Catholic Educational Association show that since 1966, 207 new schools opened or are scheduled to open and 637 schools closed or are scheduled to close.

The closure of private schools will bring an additional tax burden to the public. The closing of any 350 pupil private school would increase State and lo-

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cal taxes by a quarter of a million dollars a year.

It has been estimated that, if the parochial schools in Michigan were closed, it would cost the Michigan taxpayers $205 million to educate the 330,000 students presently enrolled in parochial school in that State.

In my own State of Oregon, it was necessary recently to close two Catholic secondary schools and elementary schools. The result was a rise of 25 percent in enrollment for the public school district at the secondary level.

The bill that I have the honor of cosponsoring with the distinguished chairman of the Committee on Education is a major step toward recognition of the crisis in our schools. It provides Federal support to State educational agencies, both in meeting the need to increase salaries for teachers and also to meet the urgent needs of schools for current expenditures.

We must recognize the necessity of increased Federal participation in the financing of public education. Everywhere throughout the country the burden of supporting our public school system at the elementary and secondary level is passing beyond the tax support ability of our local citizenry. In this bill the Federal Government assumes a substantial role in supporting our public schools.

LADY OF HONOR: "BARBARA FRIETCHIE" McCONNELL SHOWS THE COLORS, HAULS DOWN BLACK FLAG OF REVOLUTION

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, I rise today to tell the story of a valiant lady—the wife of the president of the University of New Hampshire. She has set an example for college administrators to follow. When the squealers and the yappers dared to run up the black flag of revolution at the university, this valiant lady marched out of her house to the flagpole and ordered down the black flag and ordered up the Nation's colors.

What a thrill it was to read of that act. What a proud moment in a dark time it was. We bow to that valiant lady and salute her courage and her brave instincts. Many hundreds of thousands of men—and women, too—have died in the service of that flag. Millions have grown up in freedom under that flag. It chills us to think of desecrating hands profaning that flag, which has been kept floating free by the blood, tears, and sacrifices of so many millions. It thrills the heart to read what Mrs. McConnell did.

At this point in the RECORD, I insert an editorial saluting this great lady. It appeared in the Manchester Union-Leader and was written by Publisher William Loeb:

[From the Manchester (N.H.) Union Leader, May 1, 1969]

"BARBARA FRIETCHIE" McCONNELL

(Editorial by William Loeb, publisher)

Hats off to the wife of the President of the University of New Hampshire, who should henceforth be known as "Barbara Frietchie" McConnell. When the student barbarians raised the black flag of revolution and anarchy over the campus at Durham, it was Mrs. McConnell who produced the Stars and Stripes, marched over from her house and saw to it that the black flag was hauled down and our Nation's flag hauled up.

This was probably an instinctive act of patriotism on the part of Mrs. McConnell. She probably never thought of the poet, John Greenleaf Whittier, who was born just a few miles away and who wrote the famous poem, "Barbara Frietchie," which is quoted in this editorial.

You will remember the story. The Confederate forces had invaded Maryland and entered the town of Frederick:

"Up the street came the rebel tread
Stonewall Jackson riding ahead.
Under his slouched hat left and right
He glanced; the old flag met his sight.
Halt!—the dust-brown ranks stood fast.
Fire!—out blazed the rifle-blast.

"It shivered the window, pane and sash;
It rent the banner with seam and gash.
Quick, as it fell, from broken staff,
Dame Barbara snatched the silken scarf.
She leaned far out on the window-sill,
And shook it forth with a royal will.
'Shoot, if you must, this old gray head
But spare your country's flag,' she said."

Mrs. McConnell isn't old and doesn't have a gray head—but the spirit of her act was the same.

The last lines of the poem, of course, do not apply to the unruly mob who hoisted the black flag, which was of a color that certainly reflects the state of their souls:

"A shade of sadness, a blush of shame,
Over the face of the leader came;"

These revolutionaries from Boston and from the Durham campus don't even know the meaning of the word "shame."

"The nobler nature within him stirred
To life at that woman's deed and word;"

There isn't a nobler nature to these self-opinionated, spoiled brats who think they have discovered life and that they are a law unto themselves and above all man-made law.

"'Who touches a hair of yon gray head
Dies like a dog! March on!' he said.
All day long through Frederick Street
Sounded the tread of marching feet:
All day long that free flag tost
Over the heads of the rebel host:
Ever its torn folds rose and fell
On the loyal winds that loved it well;"

The poem continues:

"Peace and order and beauty draw
Round thy symbol of light and law."

At a time when college administrators all over the United States are like so many cowards, giving in to the thugs who, like Adolf Hitler's brown shirt youth gangs, are seizing university halls, at last comes the wife of a university president who has the courage to defy the mob and stand up for the integrity of the campus and of our country.

Mrs. McConnell, faced with an emergency, didn't call a committee meeting to decide what not to do. She acted instinctively and correctly.

This newspaper salutes her and we believe that most of New Hampshire does the same.

Long live "Barbara Frietchie" McConnell!

SERGEANT HAMMOND, CREWMAN ON "PUEBLO," ADDRESSES NEW HAMPSHIRE GENERAL COURT—TELLS WHY HE WANTS TO TEACH HISTORY

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, today's decision concerning the disposition of the investigation of the *Pueblo* incident is an appropriate moment to place in the RECORD of our proceedings the comments of Marine Sgt. Robert Hammond, of Cornish, N.H., a few weeks ago to the New Hampshire General Court. The sergeant was a member of the *Pueblo's* crew.

The valor and patriotism of this man shines through his statement. They appear to have been honed and hardened by his long confinement and the cruelties and personal suffering he endured. I am proud of this brave New Hampshireman. I am proud to bring his moving remarks to our State legislature to the attention of my colleagues in the National Legislature, as follows:

REMARKS BY SERGEANT HAMMOND

Ladies and Gentlemen: It is a great honor and pleasure to be here today. It was probably one thing I wanted all my life to visit my State Legislature and it is my first time here. I really am quite thrilled about it. As for my being back here in the United States, I think it means quite a bit more to me to understand what freedom really means after living almost an entire year under communism and its lies and some of its tyranny. I really appreciate what it means to be back in a free country here in the United States, especially a place like New Hampshire. I have lived in New Hampshire all my life and I plan on coming back to New Hampshire when I get out of the Marine Corps and take up residency here.

While I was over in North Korea I made one decision and that is quite important to me and that is that after getting out of the Marine Corps., I plan on going to Plymouth State College here in New Hampshire and become a history teacher, more specifically U.S. history, and my main reason for deciding this was, while in Korea I gave quite a bit of thought towards the unrest among the youth in the United States, and my last several years in the service I have been overseas, but I read in newspapers that I did receive over there, one of the main headlines being about the unrest with the youth especially on the college campus. They seem to be very dissatisfied with the government that we have today. By myself teaching United States History, I hope that I will be able to bring out in my own way to the students that I come in contact with and make them understand better how our government runs and how its organization is set up. I believe that is quite important. I know that when I was in high school and when I graduated from high school, I was eighteen. I wanted to vote, but as you know the voting age is twenty-one and then again I didn't know that much about my own state government and actually I probably would not have been qualified to vote. If I can help these younger people to better understand how the government runs they would be better qualified to vote and may eventually take more of an interest in their own government and participate in it more.

This is one thing that seems to be lacking today. There is unrest in the youth toward the government and they don't seem to be that interested in it. They only want to speak out against it when they really don't know what they are speaking out against. It was actually quite hard coming back to the United States and finding out all this. I think if I can just do something about it, then I will be most happy.

Also I would like to thank the House of Representatives for my birthday congratulations. I received an official document with a state seal sending me birthday congratulations and commendations which was on Jan-

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uary 9th, and at that time I was in the hospital in San Diego and that was quite a morale builder to know that I was remembered by my own state and by all the people here. Thank you very much.

THE ROTC

(Mr. HALL asked and was given permission to extend his remarks at this point in the Record and to include an editorial.)

Mr. HALL. Mr. Speaker, recently the Reserve Officers' Training Corps, the ROTC has come under severe attack on some of our college campuses. This seriously concerns me as a member of the Committee on Armed Services, and as an educator.

This fine program, operating on 350 campuses—268 of them for the Army—is responsible for nearly 60 percent of the officers for the Armed Forces. It is the largest single producer of junior officers for the Army. The U.S. Marine Corps is dependent on these graduates.

We certainly do not want an all U.S. Military Academy-oriented corps of officers in the services. Those who believe in the civilian control of the Armed Forces, would certainly be doing a paradoxical disservice by their attempts to do away with the ROTC program.

ROTC scholarships help play an important part in the education of our youth. If a youngster can qualify for the advanced course, he can receive or be paid tuition, fees, laboratory expenses, and textbooks plus a subsistence allowance of $50 per month. This is money well spent. The Seventh Missouri District's armed services appointment advisory committee learned at an early date the inherent advantage of junior ROTC graduates in the competition for congressional appointments.

An interesting editorial explaining the many advantages of the ROTC has appeared in the New York Sunday News. I include it in the Record and commend its reading to all who are interested in or versus this fine program:

Gunning for the ROTC

ROTC stands for Reserve Officers Training Corps.

The ROTC has 268 units in as many U.S. colleges and universities. It is a prime target of the kooks, Communists and born suckers who have been trying to wreck U.S. high education for the last four or five years and are still trying.

What do these persons have against the ROTC?

The campus wreckers' ultimate objective in most cases is the overthrow of the U.S. government by force and violence. The colleges—far too many of them cursed with spineless executives and high percentages of radicals in their faculties—look like a good takeoff point for this hoped-for revolution.

Chief bulwarks of the government, of course, are the armed forces. If our Communist enemies in Moscow and Peking, and their conscious or unknowing agents in the U.S.A., ever can undermine and demoralize the armed forces, the downfall of the government will be in sight.

The ROTC is a prime supplier of officers to the Army, Navy and Air Force. The Army Digest calls it "the largest and least expensive" officer education system.

It was created by the 1916 National Defense Act during President Woodrow Wilson's administration.

The idea of military training in colleges and universities, however, dates back to 1819, in President James Monroe's time. In that year, former West Point Superintendent Alden Partridge established Norwich University in Vermont as a military college.

Since 1916, the ROTC has expanded and improved its training activities greatly. Nowadays, it is divided into two categories.

IMPORTANT OFFICER SUPPLY SOURCE

The Basic ROTC coursé, normally taken in a man's freshman and sophomore years at college or university, calls for about three hours' study per week.

This course includes training in essential military subjects, leadership techniques, military history and use of weapons and military equipment.

If you make good in the Basic Course and show definite leadership qualities, you can expect to be selected for the Advanced Course in your junior and senior years.

Taking about five hours a week, the Advanced Course covers military tactics, logistics, leadership techniques, exercise of command, and kindred subjects.

About 25,000 young men who have passed the Advanced Course are expected to become commissioned officers this year from the ranks of the ROTC. Some will make their careers in the armed forces. Others will serve their minimum required time as military men, then go into civilian activities as members of the Reserve Forces.

In many colleges and universities—academic credit—is given for ROTC work, as in any other courses of study. It is for each institution to decide, however, whether to grant academic credit or not.

This is one point at which the campus rebels habitually attack the ROTC. Obviously, if they can force a college to refuse or cease to grant academic credit for military studies, fewer students will be attracted to the ROTC.

WHY REDS ET AL FIGHT THE ROTC

That explains the fierce attacks on the ROTC at Harvard and other institutions of higher learning. These attacks, whether the attackers know it or not, are one element in the plans of the Communist enemies of the United States to rot and wreck this country's government.

It is only wise and foresighted, therefore, for the great majority of moderate students in all the colleges and universities having ROTC units to defend those units.

It is equally wise and foresighted for alumni of these institutions to combat anti-ROTC activities and faculty members in any way they can.

The ROTC is of vital importance to the military, which is of vital importance to the American people. Let's back the defense department solidly in its promise to permit the ROTC to be degraded in no way whatever.

CONSUMER PROTECTION RECOMMENDATIONS

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the Committee on Legislation of the Federal Bar Council, a group of prominent lawyers concerned with the development of Federal jurisprudence, has recently made far-reaching recommendations concerning our efforts in the field of consumer protection in a unanimous report. I believe that these thoughtful comments provide the basis for further consideration of national needs in this area and merit the attention of my colleagues.

I include the report in the Record at this point:

Extracts From Report on Consumer Protection

(By the Committee on Legislation, Federal Bar Council)

We believe that further legislation is needed in a number of areas to protect the consumer. Several concern new remedies.

There are many situations in which large numbers of consumers are victimized by illegal conduct but cannot afford to sue individually. Compare the facts in *United States v. Zovluck,* 274 F. Supp. 385 (S.D.N.Y. 1967), *conviction affirmed from the bench after trial,* Dkt. No. 32652–58 (2d Cir. 4/7/69).

The Committee on Legal Assistance of The Association of the Bar of the City of New York has unanimously recommended authority for class suits on behalf of all similarly situated persons without regard to amount in controversy or the citizenship of the parties where laws or decisions protecting consumers are violated. 24 record of the Association of the Bar of the City of New York (May 1969). We approve this recommendation.

In addition, we believe that such suits should be authorized to be brought by a Consumer Counsel whenever consumers are injured by a pattern or practice in violation of federal law. This authority could appropriately include suits for injunctive relief as well as damages, regardless of whether the conduct also constitutes a crime. This is particularly important where as in *Zovluck* it is charged that the illegal conduct continued after indictment for criminal violations.

Apart from suits, which would ordinarily be necessary only where voluntary compliance could not be obtained, a Counsel having such authority could undoubtedly effect adjustment of many complaints.

This would be particularly true if local offices, especially in areas of greatest consumer protection needs, were able to handle complaints. We note in this connection that the Committee on Federal Legislation of the New York State Bar Association has unanimously recommended the establishment of pilot projects for generalized local information services for citizens under federal sponsorship. (See also Kahn, "Neighborhood Information Centers" (1966); Ogg, "Tell Me Where to Turn: The Growth of Information and Referral Services" (Public Affairs Pamphlet No. 428, 1969)).

These measures concern strengthened remedies for consumers generally. New legislation is also needed in our view in a number of specific areas.

1. Door-to-door sales legislation.—Many instances have come to our attention where consumers are induced to buy merchandise by door-to-door solicitors using high-pressure or deceptive tactics. Other door-to-door solicitors are, of course, highly ethical. The chief area of concern is door-to-door solicitation of credit or installment sales. The Committee on Federal Legislation of the New York State Bar Association, the parallel Committee of the New York County Lawyers Association and the Committee on Legal Assistance of The Association of the Bar of the City of New York have all unanimously approved legislation to provide a cooling off period during which the consumer may rescind, including appropriate injunctive relief as well as other remedies for violations. Only injunctive relief is likely to be effective in halting a course of conduct in violation of such a law if enacted. See New York Law Journal, 8/19/68, p. 1; Bulletin of the Committee on Federal Legislation, New York State Bar Association 21 (January 1969), 115 Cong. Rec. No. 33, p. S2015, S2019 (daily ed. 2/25/69) approving S. 1599, 90th Cong., 1st Sess. (1967) as amended and favorably reported in S. Rep. No. 1417, 90th Cong., 2d Sess. (1968).

2. Chain referral sales.—A number of criminal convictions for mail fraud have been ob-

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tained for sales in which customers are told that they can obtain the items at no cost or make money by referring the names of other prospective purchasers. E.g., *Blachly* v. *United States*, 380 F.2d 655 (5th Cir. 1967); *Nickles* v. *United States*, 381 F.2d 258 (10th Cir. 1967); *Fabian* v. *United States*, 358 F.2d 187 (8th Cir.), *cert. denied*, 385 U.S. 821 (1966); *United States* v. *Sterngass*, Dkt. No. 32704 (2d Cir., conviction aff'd in open Court from the bench, 12/18/68). A bill in the Arizona state legislature would make all sales accompanied by such representations voidable at the option of the consumer regardless of proof of intent to defraud beyond a reasonable doubt as required in a criminal prosecution. Ariz. H.B. 139, 29th Leg., 1st Sess. (1969). We recommend such legislation on the federal level to apply wherever interstate commerce is affected. See *Polish National Alliance* v. *NLRB*, 322 U.S. 643, 648 (1944); *Wickard* v. *Filburn*, 317 U.S. 111 (1942), unanimously followed in *United States* v. *Haley*, 358 U.S. 644 (1959); *United States* v. *Women's Sportswear Mfrs. Ass'n*, 336 U.S. 460, 464 (1949); *United States* v. *Ricciardi*, 357 F.2d 91 (2d Cir.), *cert. denied*, 385 U.S. 814 (1966).

3. *Contracts for future services.*—Numerous instances have also been called to our attention where consumers are induced to sign up for lengthy series of future self-defense lessons, dance lessons and the like and told that they must pay for the entire series should they seek to cancel. This is unfair in our view because the seller of such services on credit shifts the entire risk of dissatisfaction with the services to the customer. Federal legislation should permit consumers to cancel any outstanding *credit* portion of a contract for future services wherever interstate commerce is affected.

4. *Financing abuses.*—We agree with the recent recommendation, of the Committee on Legal Assistance of The Association of the Bar of the City of New York (Harold Baer, Jr., Chairman) that:

"Federal legislation should assure a consumer the right to defend against a collection claim by a financing agency which has purchased a consumer contract affecting interstate commerce on grounds available against the seller, such as fraud or misrepresentation in the original contract.

"This would modify the doctrine that such an agency as a 'holder in due course' [might be able to] cut off [some] such defenses. It would cause financing agencies to investigate the character of the seller as well as the credit of the customer before buying the contract. The 'holder in due course' doctrine is valid for checks and other negotiable instruments but is out of place in the context of consumer installment contracts.

"The approach we suggest would also prevent a situation where a fraudulent seller can promise services (such as repair services, etc.) which he does not intend to provide, or make false representations to get a consumer to sign a contract, and then sell the contract to a finance company so that if the consumer he can be told by the finance company 'We have nothing to do with the seller, we have just purchased your contract and you will have to pay regardless of any dispute you might have with the seller.'"

5. *FTC immunity.*—We likewise agree with the recommendation of the Committee on Legal Assistance that persons subpoenaed before the Federal Trade Commission should no longer receive automatic immunity from prosecution as presently provided by 15 U.S.C. § 49, but should obtain immunity only if compelled to testify after asserting their privilege against self-incrimination.

MEMBER OF COMMITTEE ON LEGISLATION, FEDERAL BAR COUNCIL

Richard A. Givens, chairman; Peter K. Leisure, secretary; Harold Baer, Jr., Vincent L. Broderick, Thomas Cahill, Sol Neil Corbin, Clarence Dunaville, Thomas R. Farrell, Mahlon M. Frankhauser, Victor Friedman, William J. Gilbreth, Frederick Greenman, Arthur M. Handler, Robert L. King, Moses L. Kove, Pierre N. Leval, Anthony P. Marshall, J. Edward Meyer III, Edith Miller, Gary Naftalis, Paul Perito, John Robinson, Mortimer Todel, Nancy F. Wechsler, Gerald Walpin, James D. Zirin.

HIGH INTEREST RATES CRIPPLE RURAL HOUSING PROGRAM

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, continued high interest rates have helped to cripple the insured home loan program of the Farmers Home Administration, one of the more effective efforts to provide housing for low- and moderate-income families in rural America.

For more than 3 weeks Farmers Home has been able to sell only a fraction of the more than $150 million in housing mortgages that it now has on hand. This in turn has meant that its insured home loan program for this quarter has been reduced to little more than half the volume the agency is authorized to handle. If things remain unchanged, Farmers Home expects to end this fiscal year with $172 million in unsold housing paper on hand, nearly 2½ times more than the total at the end of the last fiscal year, and it faces the prospect of entering the new fiscal year with its insured home loan program running at half speed against a record high backlog of more than 70 thousand applications for insured home loans, nearly half again as many as there were at the close of fiscal 1968.

CRITICAL SITUATION

Farmers Home officials use the word "critical" to describe the situation because they say their home loan insurance program is the only vehicle which is providing new and improved housing "of any consequence" for low- and moderate-income families in rural communities of 55 hundred population or less—in other words, most of rural America. This should be viewed against the fact that the housing needs of rural America are greater than those of urban America. Rural area have 4.8 million substandard dwellings, more than half the Nation's total. The lack of plumbing alone among substandard rural houses is nine times greater than is the case in urban centers. These things are all part of the picture which continues to show that the problem of poverty in rural America is greater than that of the cities.

Mr. Speaker, in a sense, the problem of rural poverty has diminished during the past several years, but it nevertheless cannot be anything but severe. The latest estimates disclose that the rural poor now total 11.1 million, as compared to the 15 million that was first calculated following completion of the 1960 census. The situation has improved very little in terms of population ratios. Rural America still has more than one-third of the country's poverty stricken residents despite the fact that only 30 percent of the Nation's population resides in rural America. The migration of rural poor to the cities, although it has lessened, still constitutes a flood of displaced people. About 750,000 rural poor continue to flow to our cities each year.

Not only is the problem of rural poverty greater than that of urban America, but far less is being done about it than in urban areas. In this context the Farmers Home Administration housing program—although grossly inadequate—is nevertheless one of the most dynamic efforts to improve living conditions in rural areas. If allowed to operate at currently authorized levels, it can provide loans for 50,000 new and improved homes benefiting about 250,000 people a year. Nearly 85 percent of the agency's insured housing loans are utilized by families in an income range of less than $3,000 to $8,000. It should also be pointed out that only 5.3 percent of all insured loans are utilized by families with incomes of less than $3,000 and that, at its current volume, it would take Farmers Home 96 years to provide housing equal to the number of substandard dwellings in rural America.

BURDEN OF HIGH INTEREST RATES

Rising interest rates have created the second of two major problems confronting the Farmers Home insured housing loan program, increasing its burden to the point where the agency is unable to sell on the open market most of the mortgages it is budgeted to underwrite for the entire fiscal year.

Its insured housing loan program became stalled when the effect of high interest rates on the open market was coupled with what is an even greater problem for it—the nonstandard character of the housing paper. Farmers Home notes are delivered to investors on an individual basis, require a great deal of burdensome clerical work and are subject to return to the Farmers Home financing office for periodic servicing as well as liquidation. These things make the paper irritatingly burdensome for investors to handle and consequently its market is limited and relatively difficult and expensive.

Mr. Speaker, the pileup of mortgage paper is viewed by the White House with what apparently is alarmed concern for a balanced budget. Not long ago, I am informed, Farmers Home received a call from the Executive Office telling it in effect to tidy up its books by selling off its paper or shutting down its insured loan program. Yet it is the Executive Office itself which could solve this problem by activating the newly formed Government National Mortgage Association and designating Farmers Home to be among the agencies for which it will market obligations through the sale of participation certificates. GNMA could hold Farmers Home paper and investors, through the purchase of certificates, would be relieved of everything but collecting a return on their participations. In this way Farmers Home would not only have a renewed flow of capital, it would also be able to save nearly $2.5 million in interest costs because GNMA would eliminate the problem of having to sell nonstandard paper at premium rates.

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IMMEDIATE ACTION NEEDED

The urgent need to continue the Farmers Home insured home loan program, to say nothing about realizing its vast potential to expand its benefits for rural people, should persuade the President to immediately activate GNMA and have it serve Farmers Home.

In lieu of any help from the Executive Office, Farmers Home officials went up to New York early this month to confer with the investment community there in an effort to find a way of breaking its housing paper logjam. Among those meetings, one was held with the New York Federal Reserve Bank. It was asked to act as a custodian for Farmers Home notes and issue custodian receipts which would be marketed along with a covering instrument of sale. The New York Federal Reserve offered no encouragement.

Taken collectively, the meetings in New York produced the conclusion that Farmers Home can reach only a limited segment of the national money market and that it must pay an interest premium ranging from one-quarter to three-quarters percent for its money as compared with the rates applying to other Government agencies.

Farmers Home is now trying to develop a short-term sales instrument that will allow for elimination of the large bookkeeping chores that its paper now requires of those who purchase it. The chances are it will still be stuck with a limited market and premium interest rates.

CLASSIC OPPORTUNITY

All of this adds up to a classic opportunity for the Federal Reserve's Open Market Committee to step into the picture and quickly eliminate this critical financing problem for Farmers Home while GNMA is being activated. William McChesney Martin, Jr., Chairman of the Federal Reserve Board, reluctantly, but repeatedly, has admitted that the Federal Reserve Open Market Committee has authority to purchase the obligations of Federal housing programs when necessary so that these programs can continue to function at the highest level and lowest possible cost. This admission of authority on the part of Mr. Martin has existed for a number of years, but he has yet to effectively utilize it. Hopefully, he would view the stalled housing program at Farmers Home as sufficiently serious to warrant a maiden voyage in this area of the Federal Reserve's responsibility.

To make it easier for Mr. Martin to venture forth, Farmers Home could wrap its housing paper in a repurchase agreement with the Federal Reserve. The housing notes could be returned to Farmers Home as soon as GNMA is activated as a marketing agent for it and other Federal agencies.

Mr. Speaker, the need for action is immediate, both on the part of Mr. Martin in terms of taking up Farmers Home housing paper, and President Nixon regarding GNMA and Farmers Home. Both could quickly demonstrate a conviction that the national goal of providing decent housing for all Americans is not merely a meaningless statement.

FORT KNOX BEGINS STUDENT CREDIT UNION PROGRAM, ECONOMIC EDUCATION TAUGHT

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, for a number of years I have been vitally concerned that our students at all grade levels are not receiving enough training in the areas of finance and handling their own funds. In far too many cases, students graduate from college without even knowing how to properly fill out a check. This lack of fundamental consumer education is one of the reasons that I believe that personal bankruptcies are increasing. In addition, I feel that lack of financial information is one of the reasons that many young families can be induced to borrow funds at huge rates of interest.

One of the best ways to educate our schoolchildren in the important area of personal finances is through the help of the more than 23,000 credit unions throughout the country. The credit union can provide the educational assistance that the students need and also help them save money, and when necessary, provide them with small loans.

It has always been stated by leading educators that the best way to learn something is by actually doing it. Thus, the best way students can learn how to handle finances is for them to actually engage in financial transactions. In order to take advantage of the "do-it-yourself" principle, I have initiated a pilot program of student credit unions at military installations throughout the country designed to smooth the way for other credit unions that will want to establish their own student credit union. The first of the pilot credit unions has been opened at Fort Knox, Ky., and is operating in the dependent high school at that military installation.

Through the efforts of Maj. Gen. James W. Sutherland, Jr., Commanding General of the Armor Center, Mr. Herschel Roberts, superintendent of Fort Knox Dependent Schools, and Mr. Robert Schaffner, manager of the Fort Knox Federal Credit Union, the credit union shows signs of fulfilling every goal that has been set for it. On the first day that the credit union was open, more than one-third of the students of the high school joined and in a little more than a week that figure had been increased to 60 percent of the eligible student members.

It is anticipated that several more student credit unions at military installations will open in the near future and once we have accumulated the necessary experience factor to judge the student credit union operation, we hope to then obtain credit unions in every school in the United States, hopefully working through the teachers' and school employees' credit unions in the various school districts of our Nation.

In these times of student unrest, with rioting and building seizures commonplace on campuses throughout the country, it is gratifying to know that there are students that are vitally interested in their future and are wanting to invest their time so that they will be better prepared to handle their financial future.

Mr. Speaker, I am including in my remarks the correspondence and information that led up to the establishment of the Fort Knox student credit union, as well as the outline of the operations of the credit union. It is hoped that by making this information available, teacher and school employee credit unions throughout the country will begin their own student credit union facility as quickly as possible.

The material referred to follows:

FORT KNOX FEDERAL CREDIT UNION,
Fort Knox, Ky., April 23, 1969.

Hon. WRIGHT PATMAN,
Chairman, Committee on Banking and Currency, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The following report is submitted for your information reference the High School Credit Union Program, Fort Knox, Kentucky. To say that I am delighted with the interest and participation of the students at Fort Knox in your proposed school credit union program would be the understatement of the year.

On Monday, 24 March, the first meeting of all students in the High School was conducted to orient them with respect to the proposed school credit union program. On Monday, 14 April, a meeting of interested students was called for the purpose of signing membership cards and conducting the initial organization of the credit union, to include election of officials. This meeting was attended by 133 students. Because of limited time, we were unable to complete the total organization process during this meeting. The final organizational meeting was conducted on Wednesday, April 16, to complete the election of the official family. This meeting was attended by 206 interested persons.

The 206 students attending the final organization meeting constituted 37% of the entire student body of the Fort Knox High School. In my opinion, this is a fabulous response from freshmen through senior students to an entirely new program.

On the evening of 22 April, the first official Board of Directors, Credit Committee and Supervisory Committee meetings were conducted in order to establish policy. At the outset of this meeting, the High School Credit Union Coordinator, Mr. William Raker, reported that 156 of the 206 students, requesting membership applications, had completed and returned these applications to his office.

The following actions were taken by the newly elected Board and Credit Committee:

A. Established policy of once a member always a member, as long as member retains an open account with the credit union.

B. Set minimum deposit requirement for opening new accounts at $1.00 and minimum deposit amount, after opening accounts, at .25¢.

C. Established the third Wednesday of each month as the day of the regular board meeting for the credit union—voted to conduct the annual meeting of their credit union during the month of August each year.

D. Established a deadline date of 15 May for acceptance of Charter members.

E. Approved the conducting of a contest to name their credit union as follows:

1. All current members are permitted to submit proposed names for the new High School credit union, with the Board of Directors selecting, what they consider, the most appropriate name.

2. The winner and runners up will receive the following prizes:

a. Winner—$10.00 in credit union shares.

b. The three runners up—$5.00 each in shares in the credit union.

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The Board appointed a five-member Educational Committee. This committee will design and write promotional material to be used by the Credit Union in promoting membership, savings and loans. The actual preparation of all advertising materials will be handled by the Fort Knox Federal Credit Union.

The Board established the following loan policies:

1. Signature loan limts—$30.00 with a maximum term of six months.
2. Secured loan limits—$500..00 with a maximum term of eighteen months.

The Credit Committee appointed a Loan Officer, granting him permission to approve signature loan requests up to $10.00.

Mr. Chairman, as indicated above, I am tremendously impressed with the deep degree of dedication and concern of this very wonderful group of young people here at Fort Knox. In all of the deliberations, their primary concern was to establish policies that would permit total participation by all students. Questions such as: "How much do students earn in part time jobs?" and "What is the least allowance received by students from lower income families?", were discussed.

It was evident throughout the entire meeting of last evening, that these young people desire to see service rendered to all levels of the student body. Frankly, I was impressed by their concern for their fellow man.

It may appear to be presumptous on my part to assume that this will be a tremendously successful project, but I am convinced that the young people involved in your pilot program will force its success.

Major General Sutherland, Commanding General of the Armor Center, Mr. Roberts, Superintendent of Dependent Schools and all concerned with this program are enthused and lending their total support to the objective set forth in your proposal.

Periodically, reports will be submitted to you in order that you may be constantly informed of the activities of the Fort Knox School Credit Union Program.

Sincerely,

Robert E. Schaffner,
Manager.

Fort Knox High School Student Credit Union Officials

Board of directors: Ron Karpinsky, president; Dave Dayton, vice president; John Marchese, treasurer; Jo Kelly, secretary; Laura Rawlings, membership officer; Jennie Kimball and Reed Kimbrough, members.

Credit committee: Russ Pendergrass, chairman; Tomi Singer, secretary; John Shearer, Bobby Brown, and Larry DeLeon, member.

Supervisory committee: Lon Durbin, chairman; Elaine King and Steve Gosling, member.

Educational committee: Jennie Kimball, Pete Houck, Charlene Benge, Linda Matheney, and Chuck Hoyt.

Department of Health, Education, and Welfare, Social Security Administration,
Washington, D.C., March 11, 1969.

Hon. Wright Patman,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.

Dear Mr. Chairman: Two members of the staff of the Bureau of Federal Credit Unions—Stephen Pirk and John Rippey—met last Tuesday with the board of directors of the Fort Knox Federal Credit Union, with the credit union's staff including the manager, Robert H. Schaffner, and with representatives of the Fort Knox command and schools. The purpose of the visit was to review the credit union's plans to initiate a student credit union program, to offer several suggestions regarding its administration, and to express our wholehearted support of the undertaking.

I am pleased to report that our staff found all parties well briefed on the plan and ready for its implementation—a tribute to the diligent of Mr. Schaffner and to the credit union's board of directors.

Mr. Chairman, this student credit union project is an exciting experiment which, if successful, will open up a great field for further expansion of the credit union movement. You are to be congratulated for having initiated and pursued this idea. I believe your long-standing interest in this matter will ultimately be rewarded. I know that your staff, particularly Curtis A. Prins, is as optimistic about the program as you are.

The Bureau of Federal Credit Unions stands firmly behind this project and is ready to make available its resources to assist the credit union in its pioneering role.

Sincerely yours,

J. Deane Gannon,
Director.

House of Representatives, Committee on Banking and Currency,
Washington, D.C., December 6, 1968.

Maj. Gen. James W. Sutherland, Jr.,
Commanding General, The Armor Center, Fort Knox, Ky.

Dear General Sutherland: As I am sure you are aware, consumer education, particularly in the area of handling money, has always been one of the overlooked subjects of our school systems. Because of this, students, even on the college level, know little about handling money and are financially naive.

This lack of financial understanding crops up every day throughout our country and it costs our consumers millions of dollars a year because they do not have enough financial understanding to deal effectively in the marketplace.

To overcome this problem, I have proposed a system of financial-consumer education in the school systems of our country that can be carried out in an extremely easy yet effective manner and without any cost to the taxpayers. It is my fond hope that the program will eventually be adopted by every school in the country.

Basically, the program involves the establishment of "credit clubs" in schools which would be sponsored by the credit union serving the school personnel at the particular institution or some other credit union in the area. The "credit club" would operate like a miniature credit union although the students would be responsible for all the affairs of the "credit club". They would be assisted by officials of the sponsoring credit union who would lend advice and guidance wherever needed. Although the individual members of the "credit club" would not be members of the parent credit union, the "credit club" would be a member of the credit union so that it could deposit its funds with the parent credit union and thus receive all the benefits of that organization. Of course, every student in the school would be eligible for membership in the "credit club" and it is hoped that most of the students would not only become members but also take an active role in the management of the club. By exposing these youngsters to the financial world at a very early age, I believe we can avoid many of the financial problems that have bothered those without adequate financial training.

Rather than launch this program throughout the country on an across-the-board basis, I feel it is better to build up a background of experience through a test program.

Because of the outstanding credit union at Fort Knox and its extremely capable manager, Mr. Robert Schaffner, the Fort Knox Credit Union and the Fort Knox Dependent School System were selected to participate in the pilot program. Preliminary discussions have already been held by members of my staff and the Fort Knox Credit Union and that organization wholeheartedly endorsed the program. It is hoped that with your help and endorsement the program can begin at Fort Knox immediately so that we can begin to gather data that will eventually lead to the establishmen of these "credit clubs" in schools throughout the country.

The Fort Knox Credit Union was a pioneer in a program several years ago to make loans available to enlisted men of the lowest four ranks. Prior to this time, many lenders had felt that the lowest four enlisted grades were bad credit risks. However, the Fort Knox program proved that this was not the case and I am happy to say that because of the actions of your credit union the lowest four enlisted grades are now receiving the same financial considerations that the other military grades receive. Because of the progressive nature of the Fort Knox Credit Union, it was one of those selected to participate in the new pilot program.

If I can be of further assistance or provide additional information, please let me know.

With kindest personal regards,

Wright Patman,
Chairman.

December 14, 1968.

Hon. Wright Patman,
Chairman, Committee on Banking and Currency, House of Representatives, Rayburn House Office Building, Washington, D.C.

Dear Mr. Chairman: This is in response of your letter of 6 December 1968 concerning the establishment of a "credit club" in the Fort Knox Dependent School.

I wholeheartedly support this worthwhile project and am most pleased that the Fort Knox Credit Union has been selected to participate in the pilot program. Mr. Robert Schaffner was informed just recently of the project and is currently developing a proposed program. He and Mr. Herschel Roberts, Superintendent of the Fort Knox Dependent School, will work together in finalizing the plans and the implementation of the program.

I cannot give you a target date or any specific details, but please be assured that we will develop an interesting and stimulating program for our students. I presume that your office will establish reporting procedures to permit your evaluation of this test program.

Sincerely yours,

James W. Sutherland, Jr.
Major General, U.S. Army, Commanding.

Proposed Student Credit Union for Fort Knox High School

It is the opinion of Congressman Wright Patman, Chairman of the Committee on Banking and Currency, United States House of Representatives, that young people in our nation are reaching physical maturity ill-equipped to cope with the credit oriented society which they must become a part of if they are to survive.

The total economy of our country is dependent upon the "buy now pay later" concept.

Consumer credit today is at the highest dollar point in our history. We Americans owe our creditors over $95 billion in consumer debt. This figure does not include money owing on real estate nor does it include money owing banks and factoring agencies by corporations. The working man is the one owing this large debt.

Twenty years ago, consumer credit debt stood at about $18 billion. During these past twenty years, the amount we owe has increased nearly five times. During this same period, the income of the average family has increased by slightly over three times.

In addition to the above facts, so many different types of credit charges are in use in our economy that it is next to impossible for the layman to determine the true cost of a loan.

Congressman Patman, in a letter to the Commanding General, dated 6 December 1968, requested the assistance of the Fort Knox Dependent School system and the Fort

Knox Federal Credit Union in establishing a Pilot Program Credit Union in the Fort Knox School system. Because of Congressman Patman's extensive efforts to establish a better climate for the consumer, he has concluded that proper training in the area of money management is essential if young people are to enjoy the fruits of their labors.

As a result of Congressman Patman's request, the following proposal is submitted for the establishment of a Student Credit Union.

Organize a student controlled, student operated credit union as a branch of the Fort Knox Federal Credit Union. Part of the process involved in establishing a Student Credit Union will be conducting an orientation session for all senior high school students. They will be informed of the benefits of credit union membership and their responsibilities with respect to establishing policy, control, and most important, the election of their own officials.

During the organizational meeting of interested students, applications for membership will be accepted. Those students who join will then conduct a business session and elect their officials. Only members will be eligible for election.

Basic organizational structure will be as follows: Board of Directors, seven members; Credit Committee, five members; Supervisory Committee, three members. The Executive Committee shall consist of the President, Vice-President and the Treasurer. An Education Committee, appointed by the Board from the general membership, should consist of at least three members.

The active management of the Student Credit Union will involve at least eighteen persons. These elected and appointed officials will be invited to meet with the Board and various committees of the Fort Knox Federal Credit Union. During these meetings, complete freedom to ask questions and offer suggestions or recommendations will be afforded all student members in attendance.

The treasurer of the Student Credit Union shall be in charge of the day to day operations of the credit union. The treasurer of the Student Credit Union will be trained to fulfill his responsibilities within the framework of Federal law and regulations, by the staff of the Fort Knox Federal Credit Union.

Because the treasurer will have far more responsibilities than any other official, the Fort Knox Federal Credit Union will pay the treasurer a part-time salary for services rendered the Student Credit Union.

In order to permit uninterrupted service to student members during the summer vacation period, the parent credit union will offer full-time summer employment to the Student Credit Union treasurer, elected to serve during the next school year.

It is suggested that the Student Credit Union have a competent assistant treasurer as a backup in the event the treasurer leaves, due to transfer of parents.

Student members will be encouraged to save on a systematic basis. The benefits of creating a savings nest egg will be pointed out in conjunction with facts relating to dividends.

Student members will be permitted to borrow in accordance with loan limits and policies established by the elected student officials. All loans will require parental consent. The student officials will be encouraged to create realistic loan policies and may set maximum signature loan limits, as well as maximum secured loan limits. Within established signature loan limits, absolutely no parental responsibility or liability will be involved.

One of the educational processes involved in this program will be to teach student officials how to evaluate credit requests and credit risks.

As is the case in all Federal credit unions, the Student Credit Union will charge no more than one penny per dollar per month in interest charges.

All activities of the Student Credit Union will be conducted on school premises after normal school hours. Records of the Student Credit Union will be maintained in the office of the parent credit union. All student accounts will be designated with an S prefix.

Some students may be reluctant to join their credit union and commence saving for fear of being transferred and losing the dividend on their savings. This will not be the case. The student saver will be permitted to retain his credit union account for as long as he desires. This will permit the student to earn his dividends as of the close of a given dividend period, then if he wishes, he may withdraw all or any portion of his savings to include earned dividends.

A Student Credit Union, organized separate and apart from a supporting entity such as the Fort Knox Federal Credit Union, could develop problems which might bring about failure. As examples: (1) A student might borrow, repay a portion of his debt, then be transferred and fail to repay his balance owing. In such a case, an independent student credit union would probably find it difficult to follow up and collect. Under the proposed structure, the parent credit union would assist in this matter. (2) A new, totally independent credit union will find it extremely difficult to generate appreciable earnings during the first two years of operation. As a result of this potential problem, student members would receive little or no dividends during this period of infancy. This situation could generate unrest and in time defeat the program.

The Fort Knox Federal Credit Union is committed to support a Student Credit Union. The chances of failure, because of this support, are nil and the ability of the Student Credit Union to become operational is improved.

In order to make this proposed program successful, an open line of communication must exist between school officials and credit union officials. In addition to the above, a teacher coordinator will be of inestimable value in assisting Student Credit Union officials in their activities.

SUMMARY

The objective of this program is educational in nature, with students serving as officials and hundreds of other students as member owners, this project should prove to be a challenge to all concerned.

Through the democratic processes of open and free election of officers by the members; the right of free expression during annual meetings; generating income which will be returned to the student owners, all involved will reap the benefits of a deeper insight into a portion of the economic and monetary system of our nation.

DEAR PARENT: This letter deals with a new program that we propose to implement in the High School.

Before describing the new program, let me pass along a few thoughts for your consideration. First, most of us who are parents today grew up in a "cash on the barrel head" economy and participated in the sweeping, dramatic change to a "credit" economy, following World War II. I think all of you will agree that today's economy is predominantly a credit-based economy. Many of us learned, through the harsh school of experience, the tremendous benefits and the extremely dangerous pitfalls that are inherent in credit buying; but how many of us have made a truly honest effort to teach our children the mechanics of purchasing on credit together with proper money management. In effect we are letting our personal experience go to waste and our children, who will reach maturity in a credit age, will be forced to re-learn our experiences the hard way. This is tantamount to hitting yourself in the head because it feels so good when you stop.

The Honorable Wright Patman, Chairman of the House of Representatives Banking and Currency Committee, shares our concern. Congressman Patman has written the Commanding General of Fort Knox and proposed that, in cooperation with the dependent school system and the Fort Knox Federal Credit Union, a "student credit union" be formed within the High School to assist in teaching young people the value of a planned savings program and the ramification of installment buying. This concept has received the wholehearted endorsement of Major General James W. Sutherland, Jr., Commanding General, U.S. Army Armor Center and the Fort Knox Dependent School Board.

Fort Knox was selected by Mr. Patman as the site of the pilot program for two important reasons: the enviable reputation enjoyed by both the dependent school system and the Fort Knox Federal Credit Union, in both local and national circles, and the positive approach to new challenges demonstrated by the Armor Center.

The Student Credit Union of Fort Knox High School will be structured identically to the parent organization, the Fort Knox Federal Credit Union. The proposed credit union will function as a branch of the Fort Knox Credit Union, with the Credit Union acting in an advisory capacity. The Student Credit Union will be organized to include its own board of directors, credit and supervisory committees and staff, as elected and appointed from the student body. The credit union will receive savings deposits, pay a savings dividend and make low cost small loans to be repaid in regular installments. Students will be encouraged to save for future needs. The creation of a savings "nest egg" is a must in today's society. Emphasis will be placed on the "save now buy later" concept versus the "buy now pay later" concept.

The objective of this program will be to educate young people, not only with respect to procedure and cost, but also in the very important area of moral responsibility. Because young people should learn to transact business on their own, there will be no parental liability when a student borrows on a small signature basis, however, parents must give their approval in order for a student member to borrow. Even though parents must consent to a student member borrowing, parents will not be contacted in the event a student defaults on his obligation.

When a student borrows, he will be required to pay interest on the money owing at the rate of one penny per dollar per month. As an example: if a student borrows $5.00 and agrees to repay the loan in four months, he would pay a total of $0.13 in interest cost. This will be a non-profit organization, with earnings returned to the student members.

Audits of the Credit Union will be conducted on the same schedule as the parent credit union. Initially, the Credit Union will function one day a week as an after school activity for the students.

Our desire is to start this program by mid-March 1969. We are grateful to have this opportunity to widen our education services here at Fort Knox. If you have further questions concerning this project, please feel free to contact my office.

Sincerely,

HERSCHEL J. ROBERTS,
Superintendent, Dependent School.

PROPOSED STUDENT PRESENTATION OUTLINE, FORT KNOX HIGH SCHOOL STUDENT CREDIT UNION

I. Introduction.

II. Our Economy Today—Outlook for the Future:

1. Position of Student in This Economy.

III. Announcement of Fort Knox High School Student Credit Union:

1. History of Credit Unions.
2. Definition of a Credit Union.

IV. Techniques of Organization:

1. Election of Board of Directors.

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2. Responsibilities and Privileges of the Student Treasurer-Manager
V. Services to be Offered:
1. Loans:
a. Signature.
b. Secured.
2. Savings:
a. 5% Per Year Dividend.
VI. Conclusion.

May I say, it is a great pleasure to have the opportunity to meet with you, today. It has been enjoyable to visit the halls of this school. I've noticed that both students and teachers have not changed since I was in high school. Just now, as I was walking down the hall, a teacher stepped out of the room with a young man twice her size; she grabbed him and shook him hard saying, "Johnny, I believe the devil has a hold of you," and as he was being shook he said, "I think so, too!"

We are living in a fast moving age. Men are going to the moon and our economy seems headed that way. Credit cards are moving in rapidly. Soon we will see our society turn to a checkless, cashless system. That one plastic card, you carry, will represent your money and get you into all the trouble you can handle. How do we know? Plastic credit cards are getting scores of people hopelessly in debt right here at Fort Knox, yearly. That's learning the hard way.

We would rather not see you learn from this harsh rule of experience. Within just a brief few years, for some of you less than one year, you will be placed in a position requiring you to borrow money for an automobile and possibly a home and furniture. In just months, your signature will become extremely valuable and lending institutions will be glad to see you sign it on the dotted line. Now is the time to fit into this economy. Now, not when you are forced into it, is the time to learn how to cope with this valuable tool called installment credit. Used wisely, it will provide you many wonderful possessions long before you could have saved for them. Used unwisely, it can work financial destruction for you. The big hangup is too many people have cadillac appetites and bicycle pocketbooks.

How can you learn about installment credit and benefits of a savings program? It gives me great pleasure to announce that the Chairman of the House Banking and Currency Committee, the Honorable Wright Patman, has selected your school, the Fort Knox High School, to initiate an organization that will allow you to actually participate in installment credit and planned savings. The name of your own financial organization will be the Fort Knox High School Student Credit Union. Acting as an advisor will be the Fort Knox Federal Credit Union, located here on post. This Credit Union was also selected by Mr. Patman to act in this capacity.

Briefly, let me explain the history of the credit union movement. It was born in poverty, tears and prayers more than 100 years ago in Western Germany. Depression, starvation and draught swept the country. The mayor of one town, Flammersfeld, encouraged the people of the town to help themselves by getting together, placing their money in one place and then loaning it to each other as they needed it. The idea was an immediate success, opening up a new life for the people of Flammersfeld and their mayor. The movement grew throughout Europe and spread to the United States. Today, there are over *28,000* credit unions throughout North America. A credit union is a group of people who save their money together and make loans to each other for good purposes, at low interest. The people of each credit union all have something in common; they work at the same plant, or they belong to the same church or they are stationed on the same military reservation or they are students in the same high school.

Well, how is it going to work. On ------------ an election of your Board of Directors will be held right here in this auditorium. The Board of Directors is the governing body of your credit union. Seven students will be elected to the Board. Also, you will elect a five member Credit Committee, the committee that makes the decision on loan applications, and in some instances, savings withdrawals. These are important groups of students and serving on them will be quite an honor as well as a responsibility. The Board of Directors that you elect will then meet. From their own ranks, they will elect a President, Vice-President, Secretary and Treasurer-Manager. The Treasurer-Manager will be the manager of the Fort Knox High School Student Credit Union. During the summer months, while school is out, he or she will be offered full-time employment at the Fort Knox Federal Credit Union, here on post. Besides gaining income and experience in the prestige in industry of America, he or she will maintain the Fort Knox High School Student Credit Union accounts. He or she will take care of all transactions on your account year-round, in school and at the main Credit Union during the summer.

The student Board of Directors will also select a three member Education Committee to publicize the benefits of membership in the Fort Knox High School Student Credit Union. From the student body, the Board will pick an additional three persons for the Supervisory Committee. This committee has the responsibility to be the "watch dog" on the financial stability of the Credit Union. They will arrange for quarterly audits and annual examinations of the credit union operations. Overall, eighteen students will be responsible for the organization and operation of the credit union. A faculty coordinator, ------------, and the Fort Knox Federal Credit Union, the parent organization will provide any assistance necessary.

What can you expect from your organization, the Fort Knox High School Student Credit Union? You will be organizing it with service to you in mind. On the backswing, you will be gaining knowledge in the workings of the free enterprise and the financial systems. Your student Board of Directors will, with the assistance of the Board of Directors of the Fort Knox Federal Credit Union, determine maximum loan limits. Yes, you will actually be able to borrow money for worthwhile purposes from your credit union. There will be signature loans, using only your good name as proof that you will repay the Credit Union. And, there will be loans for larger amounts requiring additional security such as the item you are purchasing and/or the signature of your parent. The cost for these loans will be only one penny per month on each dollar you still owe.

Also you can expect a very sound organization that will pay you a handsome 5% per year dividend on your savings. Every member of your credit union will be a saver. You will be able to start your account with only $1.00 in savings. Before you may be eligible for borrowing, you must have placed at least $5.00 in savings at the Fort Knox High School Student Credit Union. Dividends will be paid on your savings on June 30 and December 31 of each year.

Every person needs a savings account of some sort. You have heard the old saying, "it takes money to make money." This is true. You, as young people, should learn today, that even if you buy on time, some down payment is generally required. If you do not save first, then where will all the down payments come from which many of you will need in the near future?

In April of each school year, an annual meeting of all student members of the Fort Knox High School Student Credit Union will be held. New officials will be elected and door prizes will be given away. This meeting is always the high point of the credit union year.

CONCLUSION

You have much to be proud of, being a student of Fort Knox High School. It is not often that a high school and a school system gets recognition from the Congress of the United States. This is a new bag—it's never been tried in any other high school. And its all yours—you organize it; you plan it; you sustain it and you maintain it. Support your credit union. It belongs to you. Watch and listen for announcements about the organizational meeting coming ---------.

THE LATE HONORABLE HARRY SHEPPARD

(Mr. HOLIFIELD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HOLIFIELD. Mr. Speaker, I submit for the RECORD the funeral service given by Dr. Henry B. Luffberry, pastor of St. Paul's Lutheran Church, for our late colleague, Harry Sheppard. Those of us who attended the services last Thursday were moved by the eloquent and dignified service given by the Reverend Doctor Luffberry.

Summary of the Sermon by Dr. Henry B. Luffberry, Pastor, St. Paul's Lutheran Church, Washington, D.C., at Funeral Services for the Honorable Harry R. Sheppard, Former Congressman of the 27th District of California

Those who live and work in the chambers of legislature know that progress can come only through debate, argument and the necessary contradictions between men's views. The 14th Chapter of St. John is one of the most comforting passages in the New Testament, but it also includes the record of the most famous and bold contradiction the world has ever known. (John 14:4–6)

Jesus sets forth a positive premise: "Whither I go ye know, and the way ye know." He is expressing his confidence in men. Jesus had a deep understanding of human personality. He was able to see in fishermen and tax collectors the potential for religious leadership. Christ's confidence in us is reflected in our own confidence in ourselves, in human courage and ambition and the quest for adventure. The life of our friend Harry Sheppard is part of a familiar American saga, another Horatio Alger story: this time the story of the orphan boy from Mobile who came to be known to his colleagues and countrymen as "the gentleman from California." Somehow his destiny must have been in his heart at the very beginning, expressed in his spirit, determination and faith.

In answer to Christ's positive premise, Thomas responds with a bold affrontive contradiction: "We know not whither thou goest, and how can we know the way?" I guess we all have a secret love for doubting Thomas—he always manages to say what the rest of us were thinking, but wouldn't have had the courage to say. And here his disclaimer reflects our groping, our quest to find our place in life. I do not know whether in Congressman Sheppard's days at Georgia Tech they were singing the song now so familiar: "I'm a Rambling Wreck from Georgia Tech and a Hell of an Engineer!" Far more eloquently than today's student unrest that song expresses youth's struggle to discover its goals and to overcome its inadequacies. Harry Sheppard knew that struggle—working in a livery stable, demonstrating threshing machines to midwestern farmers, searching for gold in Alaska, finding a place in the maze of Hollywood during the early days of the movie industry, and ultimately seeking a role as a captain of industry.

As Jesus answered Thomas, so God answers

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our groping. It was at the age of 51 that our friend discovered a new "way", a new road in life. He found it in the service of his fellowmen. It was in 1936 that the people of the 27th District of California elected him their Congressman. For fourteen terms he served them and his country. Twenty-eight years is more than "a generation". For more than a generation Congressman Sheppard was a leader, a builder, a counselor to others. He found his greatness in serving! And that was Jesus' answer to Thomas' quest for the way! Jesus, whose life was lived and sacrificed in service, who gave that life for all of us—Jesus said, "I am the way, the truth and the life. No man cometh unto the Father but by me."

And so to our hearts today comes rich assurance amid our grief: The life of service has eternal destiny. The search for truth finds its reward. And all life from these narrow mortal corridors opens upon new adventures, new tasks to be shared with those we love.

This is another House. Jesus called it *my Father's House*. There God is the Speaker. No aisle divides men, no issues separate their convictions. And every roll call proclaims our unity in the way, the truth, and the life which we have found in Jesus Christ. Amen.

SCANDAL AT SBA—IV

(Mr. GONZALEZ asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, I have repeatedly called the attention of the House to serious evidence that the special assistant to the Administrator of the Small Business Administration has involved himself in scandalous conduct and should be relieved of his duties forthwith, pending a full investigation. The Administrator has yet to act. Accordingly, I have today sent the following letter to the Administrator:

Congress of the United States,
House of Representatives,
Washington, D.C., May 6, 1969.

Mr. Hilary Sandoval,
Administrator, Small Business Administration, Washington, D.C.

Dear Mr. Sandoval: I have been gravely concerned by evidence that your special assistant, Albert Fuentes, has abused his position; moreover it appears that he intended to do so from the very beginning of his employment. The facts in my possession warrant your immediately relieving Mr. Fuentes from his duties pending a full investigation. Delay will in my opinion only further cloud your office and your agency. The following facts appear to be uncontradicted:

1. On February 28, 1969, Fuentes registered two assumed names with the Bexar County Clerk: "Area Research and Planning Services" and "Governmental Affairs and Management Consultants"; both firms were listed as being at 303 International Building, San Antonio, Texas.

This was only three days before Fuentes entered his duties with you. There is every reason to believe that both firms were designed to enable Fuentes to reap personal financial benefit from his connections in the government; a conflict of interest is the least that could be inferred from this action.

2. Early in February, a loan was approved to E&S Sales Company. The loan has never been disbursed. The owner of the company says that Fuentes told him not to collect the loan, as he believed the firm needed and could get more money.

Early in March, Fuentes made inquiries of SBA personnel as to how to increase a loan commitment to a company which he did not name, but which was similar in description to E&S Sales. At about this time, Fuentes asked Mr. W. J. Garvin to make a study of the E&S Sales Company's prospects and its requirements.

3. On March 20, 1969, Garvin reported his findings to Fuentes.

4. On March 30, 1969, Fuentes met with the owner of E&S Sales Company and several other men. This meeting took place at 303 International Building, San Antonio, Texas—the same address of Fuentes' new consulting firms. During the meeting the loan applicant received a copy of Garvin's study and was told to incorporate his company, pledging 49 percent of its stock to Fuentes and his associates.

5. On April 18, the applicant met with Mr. Rudy Esquivel, chairman of the San Antonio Advisory Council to SBA. Esquival advised him of his rights. On April 22 the applicant complained to the FBI.

6. On April 24, the applicant gave a second sworn statement describing the history of his application.

7. On April 26, Mr. Eddie Montez, who participated in the meeting, said that the applicant was in fact asked to incorporate, and was in fact asked to hand over 49 percent of his stock. Montez claimed that while Fuentes was present, he had no part in the demand—a statement hard to believe because of Montez' close association with Fuentes and the fact that the meeting took place in offices used by Fuentes for business purposes.

Albert Fuentes has for many years operated through consulting firms; it is a pattern familiar to him and one that he would be likely to repeat. There is no reason for me to believe that the shakedown attempt described above is not true, for it fits a pattern known to me. I do not believe that this man has acted in good faith, and indeed believe that he intended to use his office from the very beginning as a lever to enhance his own personal power and financial position. I submit that the facts offered above substantiate my belief, and warrant your immediate action to suspend Mr. Fuentes.

Sincerely,

Henry B. Gonzalez,
Member of Congress.

NATIONAL ARENA IN MEMORY OF DWIGHT DAVID EISENHOWER

(Mr. BROYHILL of Virginia asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BROYHILL of Virginia. Mr. Speaker, I rise today, along with 15 of my colleagues, all former athletes, to introduce a bill in the Congress to authorize the construction of a national arena in the Capital of our Nation in memory of the 34th President of the United States, Dwight David Eisenhower.

The Eisenhower National Memorial Arena, proposed in this bill will compare with and rival in architecture and function the ancient Roman colosseum and the modern Madison Square Garden arena. Its purpose will be not only to honor a great American, but it will act as a symbol to all the people of the United States of America of their continuing dedication to peaceful pursuits and fair play. The bill requires that the arena be located at such a site that will be a distinct functional part of the Federal City, a place where every American will want to visit, as he now does the other great memorials, Federal buildings and museums located in the Nation's Capital. Moreover, adoption of this legislation by the Congress will provide a living memorial to this great American, of a nature closest to his inclination; a useful tribute and dedicated to improving the physical fitness of our citizenry, especially our youth in which former President Eisenhower had an unrivaled faith.

The bill would authorize the District of Columbia Armory Board, enlarged to include the President's Special Consultant on Physical Fitness and Sports, the Secretary of the Interior, and a fifth member, to be selected by the District of Columbia Committees of the Senate and House, not a resident of the city of Washington, Virginia, or Maryland, to design, construct, maintain, and operate the Eisenhower National Memorial Arena; with a seating capacity not exceeding 20,000 persons and a parking capacity for 7,000 vehicles; and on a site selected by the Board from real property owned by the United States in the vicinity of the Mall and/or Hains Point. The Congress would authorize an amount of $500,000 to prepare a complete design for the arena, the final plan approved by the President. An additional amount of $500,000 effective upon completion of the Memorial, would be authorized to establish a permanent revolving fund to provide for annual operations of the arena. Funds to construct the arena will come from subscriptions and grants from individuals and private institutions, as authorized for the Kennedy Cultural Center.

In preparing this bill, I have consulted with many sports writers, college and high school coaches, the Department of Defense Sports Director, officials from various sporting clubs, former Olympic stars, the President's adviser on Physical Fitness and Sports, all of whom support and attest to the need for such a national indoor sports facility to further the national physical fitness program, amateur and professional athletics, expositions and conventions, and entertainment of every type imaginable. The National Capital Planning Commission supports the basic concept of this legislation and favors the construction of such an arena in the Federal City.

Last Friday, the new Ambassador to Belgium, John Eisenhower, son of the former President, in a letter to me lent his encouragement to this proposal. The text of the letter is quoted below:

Valley Forge, Pa.,
April 28, 1969.

Hon. Joel T. Broyhill,
House of Representatives,
Washington, D.C.

Dear Mr. Broyhill: I was honored to receive your letter of April 15 containing your proposal for a national monument to my father in the form of an arena to be located somewhere in the vicinity of the Mall or on Hains Point.

If such a memorial is contemplated, I know that this would be the type of thing that would be closest to his inclinations. First of all he would like the fact that it is to be useful—as indeed this would be—and second, it would be open to groups dedicated to improving the physical fitness of our citizenry. Incidentally, a sentimental sidelight is the fact that Hains Point was the place in Washington where my parents used to take me as a child for evening outings during the summer.

I realize that approval and implementation of such a project would take a good deal of time, but I would like to lend such encouragement as I can, as a member of the family.

I am sure that my mother will feel the same way, and I am taking the liberty of sending her a copy of this letter and yours.

With highest regards.

Sincerely yours,

JOHN EISENHOWER.

Mr. Speaker, I urge early consideration and speedy adoption of this legislation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. FOLEY (at the request of Mr. MEEDS), for May 6, through May 8.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PERKINS, for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. HANNA, for 10 minutes, today; to revise and extend his remarks and include extraneous material.

Mr. MINSHALL (at the request of Mr. WHITEHURST), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. HALPERN (at the request of Mr. WHITEHURST), for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. CUNNINGHAM (at the request of Mr. WHITEHURST), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. FLOOD (at the request of Mr. CAFFERY), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. BOLAND (at the request of Mr. CAFFERY), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. PERKINS (at the request of Mr. CAFFERY), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. MADDEN and to include extraneous matter.

Mr. JOELSON and to include extraneous matter.

(The following Members (at the request of Mr. WHITEHURST) and to include extraneous matter:)

Mr. HORTON in five instances.
Mr. BROOMFIELD.
Mr. PETTIS in two instances.
Mr. FINDLEY.
Mr. DERWINSKI in two instances.
Mr. MCCLOSKEY.
Mr. ZWACH in two instances.
Mr. SCHERLE.
Mr. UTT.
Mr. ASHBROOK in two instances.
Mr. BERRY.
Mr. VANDER JAGT.
Mr. THOMPSON of Georgia.
Mr. MCCLORY.
Mr. ANDERSON of Illinois.
Mr. SCHNEEBELI.
Mr. WYMAN in two instances.
Mr. SCHWENGEL in two instances.
Mr. KUYKENDALL.
Mr. DON H. CLAUSEN.
Mrs. MAY.
Mr. MORSE in two instances.
Mr. JOHNSON of Pennsylvania.
Mr. GROSS.
Mr. MIZELL in three instances.
Mr. MCCLURE.
Mr. BROWN of Michigan.
Mrs. DWYER in three instances.

(The following Members (at the request of Mr. CAFFERY) and to include extraneous matter:)

Mr. DENT in two instances.
Mr. MOORHEAD in four instances.
Mr. NIX in two instances.
Mr. MATSUNAGA in two instances.
Mr. CHARLES H. WILSON in two instances.
Mr. SLACK.
Mr. RIVERS.
Mr. ANDERSON of California in four instances.
Mr. RARICK in seven instances.
Mr. HÉBERT.
Mr. HENDERSON in three instances.
Mr. PICKLE.
Mr. MIKVA in two instances.
Mr. DINGELL.
Mr. REUSS in six instances.
Mr. BROWN of California in three instances.
Mr. COHELAN in four instances.
Mr. CLAY in six instances.
Mr. BINGHAM in three instances.
Mr. BIAGGI in two instances.
Mr. TIERNAN.
Mr. HOLIFIELD.
Mr. ABBITT in two instances.
Mr. EDMONDSON in two instances.
Mr. GONZALEZ in three instances.
Mr. HAGAN of Georgia in two instances.
Mr. ST. ONGE in two instances.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 150. An act for the relief of Dr. Orlando Fajardo Vargas; to the Committee on the Judiciary.

S. 244. An act for the relief of Cristina Bangcawayan; to the Committee on the Judiciary.

S. 245. An act for the relief of Blandina Salvador; to the Committee on the Judiciary.

S. 330. An act for the relief of Dr. Konstantinos Nicholaos Babaliaros; to the Committee on the Judiciary.

S. 354. An act for the relief of Foo Ying Yee; to the Committee on the Judiciary.

S. 464. An act for the relief of Dr. Jaime E. Lazaro; to the Committee on the Judiciary.

S. 465. An act for the relief of Dr. Lydia L. Lazaro; to the Committee on the Judiciary.

S. 684. An act for the relief of Hon. Chun Eng; to the Committee on the Judiciary.

S. 738. An act for the relief of Hector Enrique Gonzales; to the Committee on the Judiciary.

S. 882. An act for the relief of Capt. William O. Hanle; to the Committee on the Judiciary.

S. 1104. An act for the relief of Thi Huong Nguyen and her minor child, Minh Linh Nguyen; to the Committee on the Judiciary.

S. 1438. An act for the relief of Yau Ming Chinn (Gon Ming Loo); to the Committee on the Judiciary.

S. 1655. An act to change the limitation on the number of apprentices authorized to be employed by the Government Printing Office; to the Committee on House Administration.

S.J. Res. 13. Joint resolution to provide for the reappointment of Dr. John Nicholas Brown as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 35. Joint resolution to provide for the appointment of Thomas J. Watson, Jr., as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 45. Joint resolution to authorize the President to issue a proclamation designating the period beginning September 1, 1969, and ending September 7, 1969, as "Adult Education Week"; to the Committee on the Judiciary.

S.J. Res. 46. Joint resolution to authorize the President to designate the period beginning November 16, 1969, and ending November 22, 1969, as "National Family Health Week"; to the Committee on the Judiciary.

S.J. Res. 77. Joint resolution to authorize the President to designate the period beginning June 8, 1969, and ending June 14, 1969, as "Professional Photography Week in America"; to the Committee on the Judiciary.

S.J. Res. 81. Joint resolution in honor of Amelia Earhart and Joan Merriam Smith; to the Committee on the Judiciary.

S.J. Res. 99. Joint resolution to authorize the president to issue annually a proclamation designating the first week in June of each year as "Helen Keller Memorial Week"; to the Committee on the Judiciary.

S.J. Res. 100. Joint resolution to proclaim the week beginning May 1 as "Youth Week"; to the Committee on the Judiciary.

S.J. Res. 104. Joint resolution to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969; to the Committee on Armed Services.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1081. An act to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library; and

S. 1130. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3548. An act for the relief of Dr. Roberto de la Caridad Miquel; and

H.R. 4064. An act for the relief of Ana Mae Yap-Diangeo.

ADJOURNMENT

Mr. CAFFERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 41 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 7, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

741. A letter from the Deputy Secretary of Defense, transmitting notification of deficiencies authorized to be incurred for the necessities of various appropriations, pursuant to the provisions of 41 U.S.C. 11(a); to the Committee on Appropriations.

742. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Older Americans Act of 1965 to extend its duration, to authorize assistance for projects for foster grandparents and senior companions, to provide assistance to strengthen State agencies on aging, and to otherwise strengthen and improve that act; to the Committee on Education and Labor.

743. A letter from the Comptroller General of the United States, transmitting a report on savings available by using space on military aircraft to transport baggage between the United States and points in the Pacific and Southeast Asia, Department of Defense; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 10929. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures forthwith, and to require the suspension of Federal financial assistance to teachers participating in such disorders; to the Committee on Education and Labor.

By Mr. ANDERSON of Illinois:

H.R. 10930. A bill to amend the Internal Revenue Code of 1954 to provide that any foundation which makes, or offers to make, a payment of any kind to a Federal or State official shall lose its tax-exempt status; to the Committee on Ways and Means.

By Mr. ANDREWS of Alabama (for himself, Mr. Jones of Alabama, Mr. Buchanan, Mr. Dickinson, Mr. Edwards of Alabama, Mr. Bevill, Mr. Nichols, and Mr. Flowers):

H.R. 10931. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Alabama; to the Committee on Banking and Currency.

By Mr. ASPINALL (for himself, Mr. Rogers of Colorado, Mr. Evans of Colorado, and Mr. Brotzman):

H.R. 10932. A bill to authorize the construction, operation, and maintenance of the Closed Basin division, San Luis Valley project, Colorado, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BELCHER:

H.R. 10933. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. BIAGGI:

H.R. 10934. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROWN of Michigan:

H.R. 10935. A bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of Michigan (by request):

H.R. 10936. A bill to amend the Internal Revenue Code to designate the home of a State legislator for income tax purposes; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia (for himself, Mr. Mathias, Mr. Mizell, Mr. Nichols, Mr. Widnall, Mr. Poff, Mr. Belcher, Mr. Yatron, Mr. Thomson of Wisconsin, Mr. Duncan, Mr. Cleveland, Mr. Staggers, Mr. Cowger, Mr. Hicks, and Mr. MacDonald of Massachusetts):

H.R. 10937. A bill to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of the Eisenhower National Memorial Arena in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CHAMBERLAIN:

H.R. 10938. A bill to amend section 204(a) of the Coinage Act of 1965 in order to authorize minting of all new quarter dollar pieces with a likeness of the late Prsident Dwight David Eisenhower on one side; to the Committee on Banking and Currency.

By Mr. CLEVELAND:

H.R. 10939. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. COLLINS:

H.R. 10940. A bill to amend title 18, United States Code, to prohibit the disruption of the administration or operations of federally assisted educational institutions, and for other purposes; to the Committee on the Judiciary.

H.R. 10941. A bill to amend titles 18 and 39, United States Code, to make a certain category of material, designed to appeal primarily to the prurient interests of the viewer, reader, or listener, nonmailable to minors, and nonmailable as second-, third-, or fourth-class matter to any person; to the Committee on the Judiciary.

H.R. 10942. A bill to amend title 39, United States Code, to make a certain category of material, designed to appeal primarily to the prurient interests of the viewer, reader, or listener, nonmailable to minors, and nonmailable as second-, third-, or fourth-class matter to any person, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CORBETT:

H.R. 10943. A bill to aid the U.S. postal establishment in providing for the accumulation, analysis, and dissemination of reliable and meaningful financial, statistical, and accounting information in regard to all third-class mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRAMER:

H.R. 10944. A bill to permit the Federal Government to further assist the States in the control of illegal gambling, and for other purposes; to the Committee on the Judiciary.

H.R. 10945. A bill to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DANIELS of New Jersey (for himself, Mr. Perkins, Mr. Ayres, Mr. O'Hara, Mr. Hathaway, Mr. William D. Ford, Mr. Meeds, Mr. Burton of California, Mrs. Green of Oregon, Mr. Hawkins, Mr. Gaydos, Mr. Scherle, Mr. Quie, Mr. Esch, Mr. Steiger of Wisconsin, Mr. Erlenborn, Mr. Eshleman, Mr. Thompson of New Jersey, Mr. Dent, Mr. Pucinski, Mr. Brademas, Mr. Carey, Mrs. Mink, Mr. Scheuer, and Mr. Reid of New York):

H.R. 10946. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects; to the Committee on Education and Labor.

By Mr. DANIELS of New Jersey (for himself, Mr. Stokes, Mr. Clay, Mr. Powell, Mr. Bell of California, Mr. Dellenback, and Mr. Hansen of Idaho):

H.R. 10947. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects; to the Committee on Education and Labor.

By Mr. DENT:

H.R. 10948. A bill to amend the Fair Labor Standards Act of 1938, as amended, to extend its protection to additional employees, to raise the minimum wage to $2 per hour, to provide for an 8-hour workday, and for other purposes; to the Committee on Education and Labor.

By Mr. DICKINSON:

H.R. 10949. A bill to amend the Appalachian Regional Development Act of 1965 to extend its coverage to certain additional counties; to the Committee on Public Works.

By Mr. DONOHUE:

H.R. 10950. A bill to amend title II of the Social Security Act to permit a married couple to earn jointly, in any proportion, the amount of outside earnings now allowable separately, without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 10951. A bill to amend title II of the Social Security Act to increase from $1,200 to $2,400 (or $3,600 in the case of a widow with minor children) the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 10952. A bill to amend title II of the Social Security Act to provide a 20-percent, across-the-board increase in benefits thereunder (with a minimum primary benefit of $80 a month), to provide for subsequent automatic increases in such benefits based on rises in the cost of living, and to finance the cost of these changes out of the general revenues; to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 10953. A bill to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FOUNTAIN (for himself, Mrs. Dwyer, Mr. Gerald R. Ford, Mr. Horton, Mr. Erlenborn, Mr. Brown of Ohio, Mr. Vander Jagt, Mr. McCloskey, Mr. Widnall, Mr. Cramer, Mr. Halpern, and Mr. Roth):

H.R. 10954. A bill to amend title 5, United States Code, to authorize consolidation of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

Mr. GIBBONS:

H.R. 10955. A bill to amend title II of the Social Security Act to provide a 10-percent, across-the-board increase in the monthly benefits payable thereunder; to the Committee on Ways and Means.

By Mr. HAGAN:

H.R. 10956. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

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By Mr. HAGAN (for himself, Mr. O'Neal of Georgia, Mr. Brinkley, Mr. Flynt, Mr. Davis of Georgia, Mr. Stuckey, Mr. Landrum, and Mr. Stephens):

H.R. 10957. A bill to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965, as amended, and for other purposes; to the Committee on Public Works.

By Mr. HALPERN:

H.R. 10958. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10959. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 10960. A bill to protect citizens' rights to privacy from offensive unsolicited matter and fraudulent matter sent through the mails, and for other purposes; to the Committee on the Judiciary.

By Mr. HANNA (for himself, Mr. Brock, Mr. Blackburn, and Mr. Stanton):

H.R. 10961. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. HASTINGS:

H.R. 10962. A bill to amend title 28, United States Code, to limit the appellate jurisdiction of the Supreme Court in certain cases relating to the apportionment of population among districts from which Members of Congress are elected; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 10963. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. ICHORD:

H.R. 10964. A bill to amend title 28, United States Code, to provide certain qualifications for Supreme Court Justices; to the Committee on the Judiciary.

By Mr. KLEPPE:

H.R. 10965. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLORY:

H.R. 10966. A bill to amend section 1869 of title 28, United States Code, with respect to the information required by a jury qualification form; to the Committee on the Judiciary.

By Mrs. MAY:

H.R. 10967. A bill to amend the Food Stamp Act of 1964, as amended; to the Committee on Agriculture.

By Mr. MILLER of Ohio:

H.R. 10968. A bill to provide for the withdrawal of section- and third-class mailing permits of mail users who have used these permits in the mailing of obscene, sadistic, lewd, or pandering mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MILLER of Ohio (for himself and Mr. Kuykendall):

H.R. 10969. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 10970. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures within a reasonable time and to require the termination of Federal financial assistance to teachers, instructors, and lecturers guilty of violation of any law in connection with such disorders; to the Committee on Education and Labor.

By Mr. MORSE:

H.R. 10971. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Ways and Means.

H.R. 10972. A bill to provide social security coverage as self-employed individuals for State and local public officers, not otherwise covered under Federal-State agreement, who are paid on a fee basis by persons other than the State or local government; to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 10973. A bill to provide Federal assistance to States for improving elementary and secondary teachers' salaries, for meeting the urgent needs of elementary and secondary education, and for other purposes; to the Committee on Education and Labor.

By Mr. OLSEN (for himself and Mr. Stafford):

H.R. 10974. A bill to amend the Federal Aviation Act of 1958 to provide for certain requirements with respect to the installation and maintenance of devices for locating down civil aircraft; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL of Massachusetts:

H.R. 10975. A bill to amend the Internal Revenue Code of 1954 to increase the present dollar limits on the amount allowable as a child-care deduction, and to increase the income limits which are applicable in certain cases in determining eligibility for such deduction; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 10976. A bill to establish an advisory commission to make a study and report with respect to freight rates for farm products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER:

H.R. 10977. A bill authorizing the President of the United States to present a gold medal to the widow of Robert F. Kennedy; to the Committee on Banking and Currency.

H.R. 10978. A bill to provide additional protection for the rights of participants in private pension plans, to establish minimum standards for vesting and funding of private pension plans, to provide an insurance program guaranteeing plan termination protection, and for other purposes; to the Committee on Education and Labor.

By Mr. ROBERTS:

H.R. 10979. A bill to amend title 11 of the District of Columbia Code with respect to the prosecution and sentencing of any person over 17 charged with, or convicted of, carrying or using a firearm or other deadly or dangerous weapon in the commission of a felony; to the Committee on the District of Columbia.

By Mr. ROBISON:

H.R. 10980. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to unremarried widows and widowers, and individuals who have attained age 30 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 10981. A bill to provide for improvements in the administration of the courts of the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 10982. A bill to amend the Tariff Schedules of the United States to provide that turtle meat, offal, and substances may be imported free of duty; to the Committee on Ways and Means.

By Mr. ROUDEBUSH:

H.R. 10983. A bill to incorporate the Gold Star Wives of America; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 10984. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 10985. A bill to amend title 28, United States Code, to limit the appellate jurisdiction of the Supreme Court in certain cases relating to the apportionment of population among districts from which Members of Congress are elected; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 10986. A bill to amend the Interstate Commerce Act to enable the Interstate Commerce Commission to utilize its employees more effectively, and to improve administrative efficiency; to the Committee on Interstate and Foreign Commerce.

H.R. 10987. A bill to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned tasks; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMPSON of New Jersey:

H.R. 10988. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 10989. A bill to amend section 2204 of the Internal Revenue Code of 1954 to provide a method for the discharge of fiduciaries from personal liability for the estate tax; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 10990. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 11000. A bill to reclassify certain key positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BELL of California:

H.J. Res. 698. Joint resolution authorizing the President to proclaim annually the week including May 9 as "National Community College Week"; to the Committee on the Judiciary.

By Mr. COLLINS:

H.J. Res. 699. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

By Mr. DEVINE:

H.J. Res. 700. Joint resolution proposing an amendment to the Constitution of the United States relating to the power of the Supreme Court to declare any provision of law unconstitutional; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.J. Res. 701. Joint resolution authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week"; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey (for himself, Mr. Fish, and Mr. Halpern):

H.J. Res. 702. Joint resolution to authorize and direct the Franklin Delano Roosevelt Commission to raise funds for the construction of a memorial; to the Committee on House Administration.

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By Mr. WIGGINS:

H.J. Res. 703. Joint resolution authorizing the President to proclaim the period April 20 through April 25, 1970, as "Schoolbus Safety Week"; to the Committee on the Judiciary.

By Mr. BOLAND:

H. Con. Res. 241. Concurrent resolution relative to the orderly withdrawal of troops from South Vietnam; to the Committee on Foreign Affairs.

By Mr. POWELL:

H. Con. Res. 242. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. HAWKINS:

H. Res. 393. Resolution providing a quarterly printing allowance for Members of the House of Representatives and the Resident Commissioner from Puerto Rico; to the Committee on House Administration.

By Mr. PERKINS (for himself and Mr. AYRES):

H. Res. 394. Resolution authorizing the Speaker to appoint delegates and alternates to attend the International Labor Organization Conference in Geneva; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

156. The SPEAKER presented a memorial of the Legislature of the State of Colorado, relative to commending the Apollo 8 astronauts for their public profession of faith, which was referred to the Committee on Science and Astronautics.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE of Massachusetts:

H.R. 10991. A bill for the relief of Hiristo Naci; to the Committee on the Judiciary.

H.R. 10992. A bill for the relief of Libertino Sutti; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 10993. A bill for the relief of Robert D. Money; to the Committee on the Judiciary.

By Mr. HOWARD:

H.R. 10994. A bill for the relief of Joanne Marie Evans; to the Committee on the Judiciary.

By Mr. MIKVA:

H.R. 10995. A bill for the relief of Khazan Chand Agrawal; to the Committee on the Judiciary.

By Mr. MIZELL:

H.R. 10996. A bill for the relief of the Pine Hall Brick & Pipe Co.; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 10997. A bill for the relief of Alfio Grasso; to the Committee on the Judiciary.

By Mr. ROGERS of Florida (by request):

H.R. 10998. A bill for the relief of Maj. Henry C. Mitchell (retired)· to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 10999. A bill for the relief of Soo Pu Hwang; to the Committee on the Judiciary.

By Mr. TAFT:

H.R. 11001. A bill for the relief of Hubert E. Huckel; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 11002. A bill for the relief of Trenton Textile Engineering & Manufacturing Co.; to the Committee on the Judiciary.

By Mr. WIGGINS:

H.R. 11003. A bill for the relief of Ashutosh Roy; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII;

103. Mr. GRIFFIN presented a petition of Mr. James W. Darling of Selma, Calif., and 1,528 other citizens calling for the repeal of Public Law 90–618, or the so-called gun control law of 1968, and supporting H.R. 4156, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

UTAH CIVIC BALLET EMERGING AS MAJOR AMERICAN BALLET COMPANY

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. BURTON of Utah. Mr. Speaker, the Christian Science Monitor, on May 2, carried an interesting story by Clifford Barnes of Salt Lake City entitled "Utah Says, 'Go West, Ballet'." It tells about the exciting work that is being done by William F. Christensen, director and choreographer of the Utah Civic Ballet, in bringing performances of this outstanding classical ballet company to the entire Rocky Mountain region and, hopefully, in time, to audiences from Canada to Mexico, and California to Nebraska.

The article follows:

[From the Christian Science Monitor, May 2, 1969]

UTAH SAYS, "GO WEST, BALLET"

(By Clifford Barnes)

SALT LAKE CITY.—Go West, Ballet! That's where the action is these days.

William F. Christensen, founder of the San Francisco Ballet and more recently of the Utah Civic Ballet, has now seen Ballet West come through its genesis with colors flying. The idea for this new company came from the Federation of Rocky Mountain States. Aware of the highly professional performances of the Utah Civic Ballet, and its growing popularity, the federation asked "Mr. C." (Mr. Christensen) to bring ballet to the entire Rocky Mountain region.

Working with headquarters in Salt Lake City, Ballet West serves Boise, Denver, Albuquerque, Phoenix, Tucson, Reno, and other important centers in the West. The goal is to bring classical ballet to audiences from Canada to Mexico, and California to Nebraska. The initial tour during January and February was a great artistic, as well as a box-office success. A letter to both Salt Lake newspapers from the local sponsor in San Antonio, Texas, exclaimed: "y' all come back! And back "

YEAR-ROUND CONTRACTS

A major American ballet company is emerging, offering year-round contracts to dancers—a rarity these days. Plans are under way to use the symphony orchestras in the large cities, just as Ballet West does with the Utah Symphony for its Salt Lake appearances. Return visits to the same states are scheduled for the '69–'70 season, with invitations already in from Washington, Oregon, Montana, Kansas, and Louisiana.

The enthusiasm and know-how of company manager Alan Behunin can't help but produce exciting results. Artistic director-choreographer William Christensen has the invaluable aid of Bene Arnold, ballet mistress. Already she has established an unusual precision in the corps de ballet.

For the first Salt Lake season under the new name, Ballet West presented Melissa Hayden and Jacques d'Amboise—guest artists from the New York City Ballet Company—in six performances of "Giselle." These two stars were thrilled with the opportunity to dance their first Giselle and Albrecht with this company two years ago. And there had been no further occasion until now.

CHABRIER CHARMER

Miss Hayden has all of the requisites for Giselle: guileless charm, dramatic skill, and superb technique. She created a mad scene that moved to its climax in a completely believable development. As Count Albrecht, Mr. d'Amboise has found his greatest role. This gifted dancer, known for his versatility, makes more of this part than most of his peers have done. Both stars reveal insights of the characters they portray that make their performances fascinating to watch. Balletomanes on the East Coast should have the opportunity to see this "Giselle."

To fill out the evening's program, Mr. Christensen devised a charmer to three works by Chabrier and put it under the collective title "Bravura." This ballet showed off the virtuosity of five couples in the first movement, joined by three couples in the second, and one in the final movement. Carolyn Anderson, Ben Lokey, Mary Lynne Shupe, and Bart Cook sparkled most effectively. But all of the soloists could hold their own in a major ballet company anywhere.

The youthful exuberance of the company comes naturally. They are between the ages of 16 and 23. And they are learning about performing at the grass-roots level. Response from small-town audiences has been unusual. Twelve-hundred out of the total population of 1,500 attended two performances in Delta, Utah. Two thousand of Vernal, Utah's 5,000 inhabitants paid to see one performance.

There is still gold to be found in the small cultural mines out West. A company of 50 took seven ballets on tour, via Continental Trailways, and made fans at every stop. Critical acclaim was of the highest order in every big city. Ballet West is filling a need, and is carving out an exciting future for itself and ballet fans everywhere.

MASSACHUSETTS LEGISLATORS ASSOCIATION HONORS CONGRESSMAN JAMES A. BURKE AND HON. FREDERICK B. WILLIS

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. BOLAND. Mr. Speaker, I take this opportunity to bring to the attention of the Members of the U.S. Congress action taken by the Massachusetts Legislators Association last Tuesday evening, April 29, 1969, at their annual get-together at the Parker House Hotel in Boston. This great organization made up of present and past members of the Massachusetts Legislature initiated the custom 2 years ago of honoring two of its outstanding members, one a Democrat

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and the other a Republican in recognition of their great contribution to public service.

The first year the awards were made to two nationally known Americans, the Honorable John W. McCormack, Speaker of the U.S. House of Representatives, and the Honorable Leverett Saltonstall, former U.S. Senator and former Governor of the Commonwealth of Massachusetts.

Last year two of our esteemed Members of Congress were the recipients, Congressman Thomas P. O'Neil, Jr. and Congressman Silvio O. Conte.

This year, the Massachusetts Legislators Association again selected two men who are deserving of the great honor conferred upon them, our beloved and respected colleague, Congressman James A. Burke, and the Honorable Frederick B. Willis of Saugus, Mass.

All of these men have served with distinction in the great and general court of Massachusetts. They have outstanding records in bringing about the enactment of meaningful legislation beneficial to all the people.

With reference to this year's awards, I know I express the pleasure of all of his Massachusetts colleagues in Congress in learning that Congressman Jim Burke was selected. Our Massachusetts congressional delegation has always worked together in harmony, not only in the best interest of our beloved Nation, but also for the common good of all of the people of Massachusetts. Congressman Burke has certainly helped to establish this good feeling and relationship.

We who served with the Honorable Frederick B. Willis are also happy to know that he was recognized for his dedication and devotion to public service. Frederick B. Willis served in the Massachusetts house of representatives from 1937 to 1948 and was speaker of the Massachusetts house for 4 years. His service also includes membership on the Saugus School Committee from 1930 to 1936 and on the town council and as secretary to the board of assessors in 1937. He is presently serving as counsel to the Massachusetts house of representatives.

So our hats are off to the recipients of the 1969 award of the Massachusetts Legislators Association—we salute Congressman James A. Burke and the Honorable Frederick B. Willis.

Mr. Speaker, I ask unanimous consent to include the list of officers for the organization for the year 1969 with its preamble to the constitution:

Massachusetts Legislators Association: Incorporated by Chapter 18—Act of 1946

Be it known to all that we who have been fortunate enough to have had the distinctive privilege of being members of the greatest deliberative body in this Nation, the Massachusetts Legislature, cherish dearly the friendships we have made while in that service, and, for the purpose of perpetuating these friendships and the spirit of fraternalism with which all of us have been endowed, we hereby associate ourselves into a group, the aims of which shall be social, fraternal, and benevolent. Realizing the frailties of human nature and that the permanence of this organization depends upon the strict confining of our activities to the above-mentioned aims, let this admonition be heeded by all: *That no member shall attempt to use this association for any political gain or advantage either of himself or of anyone else, so that the spirit which prompted its creation shall never be abused.* [Preamble to Constitution.]

OFFICERS

President: Joseph F. Leahy, Somerville.

First Vice President: Harold E. Rosen, Dedham.

Second Vice-President: George V. Kenneally, Jr., Boston.

Secretary: Mary B. Newman, Cambridge.

Assistant Secretary: Mary L. Fonesca, Fall River.

Treasurer: Edward J. Kelley, Wocester.

Assistant Treasurer: Walter R. Baylies, Taunton.

Auditors: James C. Bayley, Boston, Chairman; John J. Toomey, Cambridge; John J. Beades, Boston; Freyda P. Koplow, Brookline; and Jeremiah D. Crowley, Boston.

Executive Committee, term expires 1969: John A. Armstrong, Plymouth; Sidney Q. Curtiss, Sheffield; Edward J. Gurry, Boston; William L. Saltonstall, Manchester; and Anthony M. Scibelli, Springfield.

Term expires 1970: Harry Coltun, Chelsea; Charles F. Holman, Norwood; William W. Jenness, Quincy; Raymond J. Lord, Lowell; and Roger A. Sala, North Adams.

Term expires 1971: Samuel Harmon, Boston; Robert H. Quinn, Boston; Cornelius J. Murray, Beverly; John T. Tynan, Boston; and William D. Weeks. Cohasset.

And all Past Presidents: Thomas J. Hannon, Jr., Boston; Frederick B. Willis, Saugus; Raymond F. O'Connell, Springfield; *Ernest H. Sparrell, Norwell; Bernard P. Casey, Boston; *Martin Hays, Boston; *Anthony R. Doyle, Worcester; Charles W. Hedges, Quincy; *John F. Gilmore, Boston; *Albert L. Bourgeois, Lowell; Edward J. Kelley, Worcester; Henry P. McLaren, Westwood; Thomas E. Barry, Boston; *William F. Dwyer, Boston; Philip A. Quinn, Spencer; Ralph Lerche, Northampton; Enrico Cappucci, Boston; Theodore J. Vaitses, Melrose; George P. Hassett, Medford; Ralph H. Hill, Andover; John E. Hurley, Boston; Otis M. Whitney, Concord; *Robert L. Lee, Boston; Herbert B. Hollis, Braintree; Thomas F. Farrell, Worcester; and Joseph D. Saulnier, New Bedford.

NEIGHBORHOOD SCHOOL RESOLUTION

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. UTT. Mr. Speaker, I would like to include in the Extensions of Remarks in the Record a resolution on neighborhood schools that was adopted by the San Diego County Federation of Republican Women's Clubs. I believe that a majority of American citizens agree with the substance of this resolution:

Neighborhood School Resolution

Whereas the neighborhood school concept has been a traditional part of the American school system; and

Whereas the deterioration of the neighborhood school concept would bring about injustices for the rights and interests of all children, as follows:

1. An increased distance between parents and school would place a financial burden on parents who can ill afford it when parent-teacher conferences are advisable, and sometimes urgently necessary.

2. Increased distance and inflexible transportation would prevent many students from engaging in extra-curricular activities and prevent after-school teacher assistance needed by many students.

3. If paid by public funds, education's primary purpose would suffer since money spent on transportation cannot also be spent on educational needs.

4. Increased distance seriously inconveniences parent in bringing home children who become ill at school, and presents the impossibility of parents rescuing their children in event of a major disaster.

Therefore resolved that the San Diego County Federation of Republican Women's Clubs emphatically endorses the neighborhood school concept and opposes any plan which denies any child the privileges afforded by the neighborhood school and the security of his neighborhood friends and home.

Adopted at the regular monthly meeting on April 11, 1966, reaffirmed at the regular monthly meeting on February 10, 1969 of the San Diego County Federation of Republican Women's Clubs.

SOVIET WAR MACHINE IN VIETNAM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. RARICK. Mr. Speaker, any suggestion that the Russians are mellowing or that they are helping us achieve peace at the Paris talks is an exercise in self-deception.

Americans should judge by actions—and as usual the Soviets are doing just what their past leaders had decreed.

The Communists in Vietnam are better equipped to kill Americans, by use of the world's largest helicopters—Soviet built. The only aid Russia is giving at the peace table is to encourage other Communists to prolong the war.

Yet our leaders talk of additional Soviet consulates in the United States—more cultural exchange and expanded trade.

Mr. Speaker, I include an AP release from Saigon of May 1, and several other clippings:

Soviet-Built Copters Usid by North Viets

Saigon.—The North Vietnamese are now using a small but significant force of Soviet-built helicopters in Laos and Cambodia, U.S. officers reported Wednesday.

Some of the helicopters are the world's largest, capable of speeding troops and cargo from North Vietnam to bases in those two countries adjacent to South Vietnam.

The choppers operate at night at near tree-top level along the route of the Ho Chi Minh trail stretching down from Vietnam, through Laos and into Cambodia.

Officially, the U.S. Command has no comment on the reports. A ranking officer admitted, however, that such reports had been cropping up and that it was known the North Vietnamese had a force of Sovietbuilt helicopters available.

There has been no visual sighting of the helicopters from the Vietnamese side of the frontier. The reports have come from agents, from radar sightings and at least one prisoner of war, who reported being brought from North Vietnam to Cambodia in a troop-carrying helicopter.

Most of the helicopter sightings have been by radar. So far as is known, none has been shot down.

"They operate almost every night," one U.S. officer reported. "They prefer to operate when there is no moon or when the weather

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*Deceased.

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is overcast. On moonless nights we get 20 to 30 reports."

BIGGEST IN WORLD

They are put down in American intelligence reports the same way that flying saucers are listed, as "unidentified flying objects."

One type in operation is the M16, code named "Hook" in American military parlance, U.S. officers say. The biggest helicopter in the world, it can carry up to 120 people or around 2.2 tons of cargo.

It gets its name "Hook" because a hook often is suspended from the helicopter to carry additional cargo.

Another type believed in operation is a "Flying Crane" helicopter capable of transporting tanks such as the Soviet-built PT76 models that hit a U.S. Special Forces Camp at Ben Het recently.

Ben Het is in the central highland just across from a densely jungled area of northern Cambodia largely controlled by the North Vietnamese. This is the farthest south that enemy armored vehicles have entered into combat.

In addition to the giant choppers, the Russians are believed to have furnished liaison and light observation helicopters.

Military officers do not expect the enemy to move troops by helicopters to the Vietnamese side of the border. With American control of the air, anything more than a hit-and-run mission would be suicidal.

[From the Washington (D.C.) Daily News, Apr. 21, 1969]

WILSON GOT RED HOT ON THE HOT LINE

LONDON, April 21.—Prime Minister Harold Wilson tried in 1967 to arrange a permanent halt in the U.S. bombing of North Vietnam and got himself embroiled in angry exchanges with the White House.

At one point in the "hotline" discussions with President Johnson, the Prime Minister suggested that somebody in Washington "didn't know their ——— from their elbows," according to the Sunday Times.

The newspaper printed an account of Mr. Wilson's effort through Soviet Premier Alexei Kosygin.

TIMES ACCOUNT

The Times gave this account:

In February of 1967, President Johnson had ordered a temporary halt in the bombing during the Tet New Year. Mr. Kosygin was in London for discussions with Mr. Wilson.

The British Prime Minister hoped to get the bomb halt extended. He told Mr. Kosygin what he thought the U.S. conditions were.

He said the U.S. would stop the bombing if North Vietnam would agree to stop its infiltration of troops and supplies. The bombing would stop first, then the infiltration.

Mr. Wilson hoped Mr. Kosygin could sell the idea to North Vietnam.

Later the White House called Mr. Wilson and told him the conditions were no longer on in effect because of stepped-up infiltration.

The new condition was that the infiltration must stop first.

Mr. Wilson had to send his private secretary that night to catch Mr. Kosygin before his train left.

Then Mr. Wilson called President Johnson and complained bitterly.

The only explanation Wilson could see for this reversal was that either he had not been kept properly informed or the hawks had won the upper hand or somebody on the 'American side didn't know their ——— from their elbows.' "

[From the Washington (D.C.) Evening Star, Apr. 21, 1969]

UNITED STATES AND RUSSIA AGREE TO RADIOS FOR EMBASSIES

President Nixon has agreed to let the Soviet Embassy in Washington set up a two-way radio in return for similar rights for the American Embassy in Moscow, administration officials have disclosed.

The Russians will be allowed to link their embassy in Washington and their Foreign Ministry in Moscow in return for permitting a radio hookup between the State Department here and the U.S. Embassy in Moscow.

The step was described yesterday as another in the recent series of actions showing working relationships between the two superpowers, the latest being Soviet naval cooperation last week in the search for the U.S. plane shot down by North Korea.

PART OF THREE-PIECE PACKAGE

The shortwave radio deal was listed as part of a three-part package concluded last month for improved communications between the embassies of the two nations and their home governments.

Another part of the package, announced March 17, provided for private line teletype circuits connecting the embassies with their capitals along the same Moscow-Washington route as the White House-Kremlin "hotline" standby emergency wire.

The third arrangement—sought by the Russians—concerns handling of diplomatic pouches going by commercial airliners between the respective embassies and their home stations.

It provides that envoys of the two countries may meet Pan American and Aeroflot flights directly upon their landings in Moscow and New York to carry away the pouches without customs inspection.

OTHER AGREEMENTS

The United States already has reciprocal agreements with a number of countries around the world for embassy operation of radio transmitters.

American diplomats have found embassy-controlled radio stations a useful supplement to other communications facilities, particularly in areas where commercial facilities are poor or political conditions unstable.

For the U.S.-Soviet deal to be worked out under U.S. law, the President had to make a finding that it was in the national interest to allow the Russians to broadcast from their embassy here.

NATIONAL GOODWILL WEEK

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. SCHNEEBELI. Mr. Speaker, I should like to take this opportunity to join in paying tribute to the Goodwill Industries, in conjunction with National Goodwill Week now being observed.

The Goodwill Industries of Central Pennsylvania have played an important role in helping the handicapped become useful citizens. In pursuing employment, limitations can result from physical disability, mental deficiency, emotional disturbance, or sociocultural disadvantages. Anyone 16 years of age or older who has had difficulty in finding employment because of these reasons will be considered for services offered by the Goodwill Industries through evaluation, counseling, training, special educational instruction, and placement services.

A total of 557 handicapped persons received direct benefits from the Goodwill Industries of Central Pennsylvania last year. There was $217,856 in wages to handicapped workers in the Goodwill program. For one organization to train so many handicapped people to perform satisfactorily in competitive employment is an outstanding achievement. We are fortunate, indeed, to have the dedicated staff members of Goodwill Industries perform such an important service for those of our fellow citizens who are handicapped.

We owe the Goodwill Industries a debt of gratitude and I should like to commend them on a job well done.

OVERHAUL LONG NEEDED

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. ASHBROOK. Mr. Speaker, in the few short years of its existence, the Agency for International Development—AID—has managed to get its share of headlines for abuses of its intended functions. Under the Foreign Assistance Act of 1961 authority was granted for the establishment of AID, and in November of that year is was made an Agency within the Department of State. From a financial standpoint AID packs a big wallop for it has the responsibility for carrying out nonmilitary U.S. foreign assistance programs and for continuous supervision and general direction of all assistance programs under the Foreign Assistance Act of 1961 and acts making appropriations thereunder. The Agency dispenses its assistance through development loans, development grants, investment guarantees, investment surveys, and so forth.

The recent AID scandals which caused a number of its officials to resign is another strong argument in favor of serious and comprehensive overhaul of the whole State Department apparatus. Until this task is undertaken, all the abuses of a self-perpetuating bureaucracy will make an efficient operation of its functions impossible.

The Government Employees Exchange of April 16 carried an article, "AID Manipulated Job Records and Ratings," which asserts that the familiar game of manipulating personnel records of employees has been going on at the Agency.

In the last Congress I introduced legislation which would provide an appeals procedure for foreign service personnel who now can be selected out without a redress of grievances. Unlike the civil service employee, who can appeal an unfavorable action against himself Foreign Service personnel are at the mercy of the clique in power, which as we have seen in the Otepka, Koczak and other cases can be vicious in eliminating employees they judge to be undesirable. In the final analysis though, nothing less than a complete overhaul of the Department will be an exercise in futility.

Under unanimous consent I submit the above-mentioned article from the Government Employees Exchange of April 16 for inclusion in the RECORD at this point:

AID MANIPULATED JOB RECORDS AND RATINGS

Following the revelations in this newspaper on February 21, 1968 about the "Antwerp sex and kickback scandal" and the resignation of five officials of the Agency for International Development, this newspaper received documentary evidence on April 11 of this year that three senior A.I.D. officials have since then been engaged in selectively manipulating the personnel records of foreign service employees of that Agency. The records involved affect the promotion and "selection out" of foreign service personnel.

As readers will recall, the revelations about the "Antwerp sex and kickback scandal" were widely publicized a year ago by Senators John Williams (Delaware) and Ernest Gruening (Alaska) and by Congressmen John Moss and John S. Monagan. According to the accounts, a top A.I.D. official, having a "sexual affair" with a "seductive secretary" of the Belgium firm of J & M Andrianessens, allowed the foreign company to overcharge the U.S. government by more than $250,000 for repairs on excess property.

Subsequently, this top official and a top A.I.D. inspector became involved in "rivalry for the sexual lures of the secretary", the press reported. Trips were taken by the young lady, with other beauties, and the A.I.D. staff to Rome, Paris, Nice, where the "sweet life" of France and Italy was fully enjoyed. The case, uncovered in the end by Congressional staff investigators, finally involved the Belgian police and prosecutor's office.

The five A.I.D. officials who resigned because of the embarassment of the scandal included Herbert J. Waters, who prior to his employment at A.I.D. had served as the Senatorial election campaign manager in 1954 and 1960 of Hubert H. Humphrey. Others who resigned included Paul H. Scordas, a career Army Colonel hired after retirement as a Foreign Service Reserve Officer, Class 2; and Jack K. Wall, who was the Director of the Excess Property program for A.I.D. in Europe. Mr. Wall was indicted on December 9, 1968 and is awaiting trial.

The three A.I.D. officers now revealed by documentary evidence as having carried out a selective alteration of the restricted files and folders of foreign service personnel are H. Rex Lee, formerly the Governor of American Samoa and currently a Commissioner of the Federal Communications Commission, who was the Assistant Administrator for Administration of A.I.D. during the "Antwerp sex and kickback scandal"; Edward F. Tennant, currently the Acting Assistant Administrator for Administration and Governor Lee's successor at A.I.D.; and Joseph S. Toner, who was the Director of Personnel Administration for A.I.D. when the "Antwerp sex and kickback scandal" developed. Mr. Toner is still in the same job.

According to information received by this newspaper, one of the persons rated by Paul Scordas wrote to Governor Lee personally complaining about the rating he had received. The complaining employee, James A. Gibson, was on very good personal terms with persons associated with supporters of Hubert H. Humphrey, especially Herbert J. Waters, this newspaper was informed.

At the end of this article there is published the complete text of a memorandum, dated November 12, 1968, from Mr. Toner to Mr. Tennant concerning the disposition of the Performance Evaluation Report and the Development Appraisal Report written by Paul Scordas on James Gibson. Information available to this newspaper indicates that no other employee rated by Paul Scordas had his reports reviewed by Governor Lee.

In his memorandum of November 12 to Mr. Tennant, Mr. Toner refers to a letter of October 12, 1968 written by Governor Lee. Readers of *The Exchange* will be interested to note that the Congressional Record reveals that fully one month earlier, on September 13, Governor Lee had already been confirmed by the Senate for his new post as a Commissioner of the Federal Communications Commission. Governor Lee took the oath of his new office on October 24, 1968.

In addition to receiving documentary evidence of selective treatment given to certain A.I.D. persons with good connections, this newspaper was further informed that James M. Kearns, a Schedule C political appointee and currently the Deputy Assistant Admin- criticized by A.I.D. personnel allegedly for permitting the re-writing and re-defining of job descriptions and titles to permit the istrator for Administration, is being sharply "mass hiring" of retired military personnel who will be employed in the near future as "Foreign Service Reserve Officers", displacing the career civil service and career foreign service personnel entitled to first consideration under a Reduction in Force program.

According to the reports, Mr. Kearns is being assisted in this project by Lester T. David, a Colonel on active duty with the Air Force who is nominally a consultant with A.I.D. but is actually in charge of the Agency's Government Property Resources Office. Retired military personnel already promised positions by Colonel David and Mr. Kearns include former A.I.D. personnel recently dismissed in the Reduction in Force program because they did not have sufficient seniority. They return to these positions as new employees following "re-organization" of the Government Property Resources Office, this newspaper was informed.

Included among those for whom positions will be created in the "re-organization" are persons who were returned from Frankfurt and Antwerp after being "relieved" of duty in connection with the "sex and kickback" scandals there.

There follows below the full, verbatim text of the memorandum of November 12, from Mr. Toner to Mr. Tennant:

"12 Nov. 1968.

"To: AA/A, Mr. Edward F. Tennant
"From: A/PM, Joseph S. Toner
"Subject: Performance Evaluation Report—James A. Gibson

"Pursuant to instructions in Mr. Lee's memorandum of October 12, 1968, we are taking the following action:

"1. The Performance Evaluation Report prepared by Mr. Scordas will be removed from Mr. Gibson's restricted file and will be placed in a newly created folder which will not be for release under any circumstances.

"2. The memorandum from Mr. Lee to me dated October 12, 1968, will be placed in Mr. Gibson's restricted file as it spells out the circumstances surrounding the preparation of the Scordas Performance Evaluation Report.

"3. The Development Appraisal Report prepared by Mr. Scordas has been reviewed also and found to be equally damaging and thus has been removed from Mr. Gibson's restricted file.

"cc: Mr. J. A. Gibson, Transportation Officer, Antwerp, Belg., Mr. J. J. Jacobson, OIC, AID/EPRO-4 Frankfurt.

"Restricted file of Mr. J. A. Gibson."

MRS. RHEABLE M. EDWARDS—"HEADSTART—NOT AN ANTIDOTE TO RACISM"

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. CLAY. Mr. Speaker, today, the Ad Hoc Task Force on Poverty, of which I am a member, heard the presentation of a remarkable statement from a remarkable woman, Mrs. Rheable M. Edwards of Boston. Mrs. Edwards tells us in clear terms what programs for the poor are all about—and she is ably qualified to do so having both the academic background and the experience on which to draw. For many years, she has been involved in the effort to free black people from the chains of our white-oriented system. She has been involved in "poverty" programs at operational and policymaking levels and most recently served as a member of the Headstart Advisory Committee which reported its recommendations to the Secretary of Health, Education, and Welfare, Robert Finch.

I am impressed by the light she sheds on so-called evaluations of programs like Headstart and I commend her for pointing out the futility of comparing the Headstart program or any other program which serves so many black youth—with the expectations of a racist society. She says, and I quote:

> Expecting Head Start to be an antidote to racism is simply one more way of evading the real issue. . . . Revolutionary changes have to be made in the systems beyond Head Start unless there is a desire to continue to stunt the physical, cognitive and emotional growth of children.

Those of my colleagues who are concerned with present evaluations of the Headstart program and the implications they may hold for the future of the program—and those who want a better understanding of the nature and the realm of Headstart will benefit from a reading of the following statement by Mrs. Edwards. Having the benefit of her testimony will certainly aid our task force as it contemplates action on all poverty programs. I commend the following testimony to the attention of my colleagues:

PRESENTATION OF MRS. RHEABLE M. EDWARDS, DIRECTOR, HEADSTART ACTION FOR BOSTON COMMUNITY DEVELOPMENT, INC., BOSTON, MASS., TO THE COMMITTEE ON EDUCATION AND LABOR OF THE U.S. HOUSE OF REPRESENTATIVES, THE HONORABLE CARL B. PERKINS, CHAIRMAN, MAY 5, 1969

HIGHLIGHTS OF HEADSTART

There is considerable evidence that the cumulative effects of poverty and racism upon the child during his most crucial years of growth and development deprive him of self-confidence and impair motivation for learning. In recognition of this fact, Head Start provides for the pre-school child of poverty a comprehensive program including meaningful daily classroom activities, medical and dental care, good nutrition, social and psychological services for the child and his family, and a self-help approach of parent and community involvement.

The unique feature of Head Start is its comprehensive service to the family, with focus on the child. Therefore, Head Start includes the involvement of parents as employees in the program, in the planning and implementation of the program, and in career development opportunities. Its comprehensive, interdisciplinary approach and its community action concept are geared toward effecting social change and providing broad family benefits which will help to break the poverty cycle. Also, the program content, methodology, and training techniques of Head Start serve as a catalyst to upgrade the existing school system—as well as day care.

THE EFFECTIVENESS OF HEADSTART

Head Start is more than a classroom-centered program; therefore, any evaluation of it necessarily includes more than its effect upon the children. Because the program features the involvement of parents in program planning and implementation, decentralized program operation, and the inclusion of per-

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sonnel with qualifications other than traditional academic training, the program's effectiveness is difficult to measure. Has the parent's feeling of self-worth and self-respect been increased, which in turn leads to greater confidence in one's ability to effect social change? The Westinghouse Head Start report has attempted to deal with the research issue.

According to news reports, there appears to be considerable controversy concerning the experimental design, conclusions, and intent of the Westinghouse Report. Since I have been unable to obtain the report, I am unable to comment upon it specifically. However, because of the controversy surrounding the report, I will comment upon the entire issue of research with respect to the population served by Head Start and upon the specific issue of criteria for judging the effectiveness of a comprehensive program which deals with human development.

In my opinion, most research concerning the poor and the Black in general has been oriented to the needs of those doing the research rather than to the needs of those being researched. It is interesting that very few studies concern themselves with a comparative analysis of different methods to remedy the problems of the poor and Black while a great number of studies have concerned themselves with the focusing on how the poor and Black differ from the white middle class norm. In addition, the validity of their identifications is an issue.

Many of the conclusions drawn from such research suggest that the onus of poverty and racism is to be placed on the poor and the Black themselves. My opinion, as supported by the Kerner Report, Kenneth Clark studies, and others, is that the causes of such problems are due to the pervasive influence of racism, class prejudice and lack of money. Head Start attempts to deal with these problems by providing the children, even for just a short period of time, with respect and service. However, one cannot then send the child out into a system whose attitudes and services remain unchanged and expect the child not to be adversely affected. Head Start, as the name implies, is only a start; revolutionary changes have to be made in the systems beyond Head Start unless there is a desire to continue to stunt the physical, cognitive, and emotional growth of children.

After separating out the elements of racism and poverty, the educational benefits of Head Start can be dealt with: the total gamut of psychological, economic, social, historical and educational problems must be considered in preparing Head Start children to overcome class and race barriers. These barriers have resulted in denial of educational opportunity to the families of Head Start children.

According to statistics presented March 7, 1969 to an Advisory Committee to Secretary Finch on the placement of Head Start in Health, Education, and Welfare, the majority of the children served in Full-Year Head Start are non-white, with the largest single group being black. For example, in 1966 Full-Year, 42.2% of the children were Black and 25.2% were white; in 1967 Full-Year, the number of Black children served increased to 51.2%, while the number of whites decreased to 23.8%.[1] Clearly, Black children are the largest group served by Head Start.

Therefore, it is extremely important that the distinction between poverty and racism be clearly understood.

POVERTY AND RACISM

Poverty is an economic condition. Racism was legitimized by the Kerner Report in 1968 as the central domestic problem of this country. The insidious tendency to make "poor" synonymous with Black and the use of such terms as "culturally deprived," "disadvantaged," and "under-privileged" imply that the entire culture of the people so categorized has nothing of worth and needs to be replaced by something "better" or "right." In other words, emphasis has always been on making non-white people fit the dictates of the white middle-class America. Reaction to this practice is manifested today through efforts towards change by many Blacks in various settings around the country—on college campuses, in the churches, in the community, in the streets, in the organization of all-Black professional groups (e.g. social workers, educators, and pychiatrists), in high school student demonstrations, and in other ways.

The Black child's pre-school handicap is not related primarily to education, but to how Black people are treated in this country. The problem is presently defined by whites, and in the opinion of many Black people, this definition accommodates subverting the real issue, racism, to a more palatable one, poverty. Expecting Head Start to be an antidote to racism is simply one more way of evading the real issue.

The damaging effects of racism on the child cannot be dealt with effectively by surrounding Head Start with some science, or by making it available to children at an earlier age, or by more research as to how to improve their lives and their minds. *Nothing short of a national commitment to an all-out effort to creating new resources and utilizing existing ones in ways that will allow Black people to define their own problems and have the power to implement solutions will make a dent in reducing racism.* This kind of institutional reform will facilitate change in the white institutionalized conceptions of Blacks. Remedial education for the larger white society, rather than for Blacks and for the poor, is the overriding need for this country.

Poverty requires its own special attention. First, it must be recognized that racism is a cause of poverty and that as long as there is racism, there will be poverty. Over and above this, *nothing short of a guaranteed annual income with a built-in escalated cost-of-living adjustment will make a meaningful impact upon poverty in this country.*

NEW AGENCY REQUIRED FOR EARLY CHILDHOOD DEVELOPMENT PROGRAMS

It has been established that the need now, as in 1965, for the successful operation of Head Start is for a new concept, which will include an unbiased attitude toward minority groups, an understanding of the nature of poverty and an unbiased attitude toward the poor. Early childhood development for the poor and minority group children throughout the nation is a distinct problem and issue warranting the kind of special attention that only a separate and newly-designed governmental agency could adequately tackle. Only a new agency can generate the enthusiasm, imagination and drive needed to develop the seed which can lead to a renaissance in public school education. A new agency would not be limited by the rigidity, resistance, and lack of innovation of an agency oriented toward either social work or education. A multi-disciplinary approach is needed.

The local educational institutions have become monopolies on public education, often resulting in present day opponents of change, isolated from the community and rigidly controlled by exclusive interest groups. A new agency would provide an alternative structure, not to compete with local school systems, but to do some of the things that the existing educational agencies are structurally unable to do because their concept of education is too narrowly defined and because of traditional commitments, established policies and procedure. Dr. Kenneth Clark talks of the problems of the educational monopoly and suggests: "The rigidity of present patterns of public school organization and the concomitant stagnation in quality of education and academic performance of children may not be amenable to any attempts at change working through and within the present system."[2]

Persons who would be involved in the creation and staffing of such an agency must also be persons with direct experience and/or comprehensive knowledge about the way of life and history of the poor and non-white minorities in this country—persons with innovative ideas and demonstrated success in working with communities of this nature.

Any agency that is to deal with a substantial number of non-white people must have as its primary focus reversing the effects of racism in this society. The success of a new agency is dependent upon how well the head of the agency understands and can relate to both white culture and non-white cultures. Since non-whites must live and work in a white society, many have come to understand white culture; however, the reverse is not true. Therefore, if the conditions described above as fundamental to the success of Head Start are to be met, this new agency must be headed by a Black man. Moreover, he must have the commitment and creativity demanded by such a position.

BASIC CONCERNS RE CONTINUATION AND ADMINISTRATION OF HEAD START

The wide enthusiasm for Head Start by the children in the program, by their parents, by sponsors of and workers in the program, and by the general public attests to the worth of Head Start. This point of view was strongly held also by the Advisory Committee to Secretary Finch and reported to him as follows:

"The Committee believes that the accomplishments of Head Start to date have been substantial and, while recognizing the need for further improvement in the program, it strongly urges that it be continued, strengthened, and expanded."

I strongly recommend that the societal conditions described above be taken into account in considering the needs of minority groups and of the poor in this coutry. Particularly: *Creation of new resources and the use of existing ones in ways which will allow Black people to define their own problems and have the power to implement solutions.*

A guaranteed annual income with a built-in escalated cost-of-living adjustment.

In this connection also, I cite the following recommendation of the Head Start Advisory Committee to Secretary Finch:

"The Committee also believes that problems of parent and child development, especially among the poor and minority groups, encompass many other areas than that dealt with by Head Start. They should receive increased attention and resources by Federal, State and local governments. In particular the Committee urges that the Federal Government increase sharply the proportions of its resources which are devoted to parent and child development."

On April 9th, Secretary of Health, Education and Welfare, Robert H. Finch, announced that "he will operate Project Head Start through a new Office of Child Development which will be located in his immediate office and report directly to him."

Secretary Finch is to be commended for his appointment of an Advisory Committee, including parents and minority group representation, on the placement of Head Start in HEW. He is to be commended further for his sensitivity to and acceptance of this Committee's recommendations. However, I have grave concern that no action has yet been reported on the following two recommendations:

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[1] *Basic Program Facts—By Fiscal Year,* HEW, March 7, 1969.

[2] Kenneth B. Clark, "Alternative Public School Systems: A Response to America's Educational Emergency." National Conference on Equal Educational Opportunity in America's Cities, Washington, D.C., Nov. 16-18, 1967, p. 14.

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A new position of Assistant Secretary be created to head up the new Office of Child Development.

In line with the thesis set forth in this paper, I strongly urge that this new position be established.

Establishment of an on-going Advisory Committee with substantial representation of Head Start parents to assist the Secretary in organizing and staffing the new Office; reviewing other programs to determine if transfer is advisable; specifying the responsibilities of the new Ass't Secretary, and advising on the procedures whereby Head Start will be delegated from OEO to HEW.

As the delegation process is already under way and the other tasks should be, I recommend that this Advisory Committee be formed immediately.

I recommend legislative action to assure:

That the Office of Child Development will always report directly to the Secretary of Health, Education and Welfare;

A new Assistant Secretary position to head up the Office of Child Development;

A Head Start Advisory Committee with at least one-third of its membership parents of children in the program, officials responsible for operation of programs at the local level, and persons experienced in child development.

The comprehensive, interdisciplinary approach and other unique features of Head Start should be maintained: parents should be involved in a policy advisory role and as employees. Training and career development aspects of Head Start should receive increased attention as a highly effective and economical means of simultaneously helping people and reaching several public objectives. *It is recommended that parent involvement be a condition to any federal grant for child development and education programs.*

All research on Head Start to date has emphasized the failure of Head Start children to retain whatever gains made. It is vital, therefore, that public school education be strengthened. The Elementary and Secondary Education Act, Titles I and III in particular, should be fully utilized to provide parent involvement, innovative materials, new techniques, a strong Follow-Through program and various other improvements.

Flexibility and variety in operations must be maintained if we are to improve services in the field of child development. This includes: (1) freedom of local sponsors to contract with various local institutions for Head Start services; (2) local options in the selection and structure of program components; and (3) development of a wide variety of different approaches.

Many families are denied the benefits of Head Start because their income slightly exceeds that necessary for program eligibility. Because of the wide variance in the cost of living throughout the country, and because the poverty line established is inconsistent with the affluence of this country, it is strongly recommended that family income requirements for eligibility be extended to include more of the poor.

There are very serious implications involved in the suggestion that school systems collaborate with community groups using Head Start funds in order to provide a more comprehensive Child Development program. It appears quite impractical to consider that school systems, many of which are filled with racist elements and riddled with political factionism and issues of community control, will suddenly accept with open arms a cooperative set of arrangements with community people. *Leverage granted a coordinating force is a minimum requirement for tackling this problem.*

While I personally feel that in-depth research is unnecessary and implies an inherent inferiority of the children served, I strongly concur that good evaluation is needed in order to improve the program. For good evaluation, appropriate and relevant standards of measurement must be developed and conducted, with a heavy input by representatives of the groups evaluated. Review teams must be composed of persons long experienced with Head Start programs and knowledgeable about a variety of circumstances in different communities. In many cases we know more about programs than the review teams sent to assist and evaluate us; there is no credibility in such procedures.

Increasing experimental programs for children from 0–3 years of age raises serious questions as to the direction in which we are moving. Head Start should be supportive of family structure, *not a substitute*. Emphasis should be placed on improving the environment so that families can be strengthened.

The inclusion of Day Care in the Office of Child Development is a logical and necessary step in creating a vehicle for strengthening family life. It is expected that Head Start will continue to be a spur to the public school system and to social agencies in hastening the development of new techniques and demonstrating the importance of community involvement. It is hoped also that Head Start will be an example to other public and private resources in its unprecedented involvement of Black people at all levels of planning and operation.

I wish to express my appreciation for the opportunity to appear before this Committee and share my opinion on these crucial issues about which I am deeply concerned. I humbly implore that you use your good office to insure that the above recommendations are expedited in the interest of the population affected, and in the best interest of this country.

YONKERS LAUNCHES CONSUMER EDUCATION BIBLIOGRAPHY

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. OTTINGER. Mr. Speaker, the city of Yonkers, N.Y., in the 25th Congressional District, which I represent, has been responsible for many innovations and advances in the consumer protection field. The most recent was publication of the new "Consumer Education Bibliography" prepared for the President's Committee on Consumer Interests by the Yonkers Public Library.

The importance of this bibliography cannot be underestimated. I am confident it will be a vital reference work for public officials at all levels, to civic and service organizations, and to concerned consumers everywhere.

Full credit for this important work must go to the Yonkers Public Library, to Miss Betty Furness, former special assistant to the President for consumer interests, and to David Schoenfeld, a teacher at Lincoln High School in Yonkers and former consultant to the office headed by Miss Furness.

Publication of the new consumer bibliography was formally launched by Mrs. Virginia Knauer, recently appointed special assistant to the President for consumer interests. I wish Mrs. Knauer well in her new and important responsibilities, and present for inclusion in the RECORD the text of her address in Yonkers on April 23.

ADDRESS BY MRS. VIRGINIA KNAUER, SPECIAL ASSISTANT TO THE PRESIDENT FOR CONSUMER AFFAIRS, AT A MEETING AT THE YONKERS PUBLIC LIBRARY, IN OBSERVANCE OF NATIONAL LIBRARY WEEK, YONKERS, N.Y., APRIL 23, 1969

I am delighted to meet with so many advocates of consumer education on this auspicious occasion to celebrate the publication of the new "Consumer Education Bibliography."

I, too, am a strong supporter of consumer education so I feel right at home here in Yonkers, where so many innovative programs have been launched. Your work in consumer education is not new to me. I followed your activities very closely while serving as Director of the Bureau of Consumer Protection in Pennsylvania, and I am well aware of your achievements. When I first met David Schoenfeld, he was pointed out to me as one of the leaders in the "Lincoln High revolution."

I am happy to be making my first official appearance in a community that has led the Nation in developing separate consumer education courses in the schools. My congratulations to Lincoln High School for getting it started, and to the entire State of New York for being the first state to offer elective consumer courses. The need is great and the demand is growing, because I understand that over 400 secondary schools are already teaching it in New York State.

Thank you for setting such an excellent example for the rest of the Nation. I hope it won't be too long before every school in the country offers training in this important area. Illinois has mandated consumer courses in its public schools, and Pennsylvania's Department of Public Instruction is finally providing funds for the development of an experimental consumer education program.

You might like to know about Pennsylvania's unique plan. We believe it is a "first" in the field of consumer education and it was conceived by the Bureau of Consumer Protection, which is a part of the Pennsylvania Department of Justice. This one is at the college level. It is being conducted jointly by our Bureau and Pennsylvania State University. It is an intern program for future teachers of consumer education.

Pennsylvania State University established a major in "allied consumer affairs" in its School of Human Development last fall. I felt that the students they planned to train to teach consumer education would have no experience in the nitty-gritty of fraud and swindles, or the problems of the inner city, or the face-to-face confrontation with deceptive practices that plague the low-income areas, where so many people are victimized. And so I proposed that these students spend a semester with the Consumer Protection Bureau at the end of their junior year.

We suggested that they work at every level of the Bureau's activities (law enforcement, consumer education and investigation of actual cases) to get the kind of experience they could not find in the textbooks. Our first "joint intern" was a smashing success and the next group will be joining the Bureau in a few weeks.

This is a bright new program with great possibilities, and both Penn State University and the Bureau look forward to jointly preparing the best trained consumer teachers in the country.

But the best place to start, of course, is in the grade schools.

There you have a very young and ready audience—a captive one, perhaps, but a receptive one. If we can teach children in their early years, if we can start them off on the right track on how to use money wisely, we will be doing them as great a service as in any other branch of their education. After all, teaching someone how to earn money, but failing to teach him how to spend it to his best advantage, is really only giving half a lesson. And I think it's time we went the whole way.

We are never going to strike at the roots of fraud in the marketplace unless we educate the younger generation on how to bypass the pitfalls that may have trapped their parents.

We all know them—over-extension of credit, lack of information about products, failure to understand warranties or guarantees, and not knowing how or where to obtain redress on a bad purchase, among many others. We must endeavor to develop, through specialized education, a more sophisticated consumer in the future.

But we can't concentrate only on the young. There are many people beyond school age who are in great need of consumer education *now*, whether they get it in community colleges, extension courses, adult schools or via T.V. specials or consumer seminars matters little—they need it now.

I am speaking primarily of the poor, the under-educated and the elderly. They are the ones who are the most frequent victims of dishonesty in the marketplace—and the honest businessman suffers as well. In Pennsylvania, we estimated that about a half billion dollars a year is taken out of the consumers' pockets and also out of the pockets of the ethical businessmen who lose sales as a result of fraud and deceptive practices.

Only about one percent of the business community is guilty of unethical practices in Pennsylvania or elsewhere. So I think the poor and the elderly should have special attention in the field of consumer education—and I will do everything possible to help them get it.

Progress has been made. More and more, we hear of consumer education courses being started by business, labor and private organizations. And more and more, the President's Committee on Consumer Interests gets requests for materials that will be helpful to these courses. We plan vigorous action in this area—to produce bright, eye-catching informational material geared to the 20th Century consumer problems.

Tonight we celebrate the publication of the new Consumer Education Bibliography prepared for the President's Committee on Consumer Interests by the Yonkers Public Library. The pages, coming off the press, were the nicest greeting I could have when I walked into my new office the day I was appointed. With this bibliography, I understand, Yonkers scores another "first." It will fill a great void and was desperately needed by all persons interested in consumer education.

David Schoenfeld and the Library can well be proud of their work in developing the idea for this publication and for buckling down to the hard task of producing it. I also want to thank Grinton Will, Director of the Library and Miss Irene Rogers and her staff for giving of their time and talents to produce this excellent book. And even though Betty Furness is not with us tonight, I want to give her my warmest thanks for getting the Bibliography started.

And isn't it appropriate that it should be off the press just in time for National Library Week? Thank you for inviting me to this fine occasion, and I pledge my cooperation in encouraging all consumer education programs in all parts of the United States. I'm learning daily of exciting new programs being initiated from one end of the country to the other. What we really need now is for the President's Committee on Consumer Interests to establish a clearinghouse to exchange information about these programs. A newsletter might do for a start.

You have heard that President Nixon has given me a directive to undertake a re-evaluation of all existing consumer programs in all Federal Departments, Bureaus and Agencies. Before we can initiate new programs, we must weigh the present programs to test for possible duplication, overlap and obsolescence—so that these current Federal programs will be more responsive to the needs and desires of the consumer.

The President is giving top priority to all the work of the President's Committee on Consumer Interests—and consumer education is high on that list. President Nixon expects our office to see that the consumer's voice is heard—and heeded—at the top levels of Government. I expect to be that direct pipeline to him. Let me hear from you.

I have enjoyed meeting you tonight and look forward to working together with you in the future.

IT IS NOT MEXICAN INDEPENDENCE DAY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. BROWN of California. Mr. Speaker, a special newsletter sent out by my dear friend Jerry Torres, proprietor of the El Poche Cafe in San Gabriel, Calif., speaks more eloquently to the significance of today's date than I could. I recommend that my colleagues study his words so that they can be better informed and, hopefully, avoid making the mistakes that Jerry spotlights:

IT'S NOT MEXICAN INDEPENDENCE DAY

Estimados Amigos: We're deliberately early this year with the annual informational warning by "El Poche Conjunto Against the Misconcepcion That Cinco de Mayo is Mexico's Independence Day."

We hope you were one of those who got it right last year. After all, we live in the world's "second largest Mexican community."

Our history-conscious (if not history-making) movement stems from 1962 when Writer John Cornell suggested a frontal attack on the "Mexican 4th of July" myth. He had written articles and editorial-page material trying to set the record straight for almost a quarter-century while on the staffs of the L.A. Times and L.A. Mirror.

So . . . be forewarned:

Cinco de Mayo (5th of May) is a Mexican patriotic observance recalling the doughty defense put up against the invading *French* forces at Puebla, May 5, 1862. It is *not*—repeat not—Mexican Independence Day, which each September 15–16 recalls the fight for independence from the *Spanish*, starting in 1810.

While the poorly armed little group, under General Ignacio Zaragoza, *repulsed* this last European invasion of the Western Hemisphere at Puebla, it certainly didn't prevent the ultimate take-over by Napoleon III's emissaries. Emperor Maximilian and Empress Carlotta were around quite a while—with Max's execution by Mexicans not occurring until 1867.

One of the boo-boos, or related Cinco Clinkers last year, in our book, was a major food company's nationally used color ads which suggested a Maximilian Salad as a dandy *Mexican* dish. From the vantage point of history, Mexicans today don't mind showing tourists where Maximilian and Carlotta lived, etc. But naming a "Mexican dish" for them is like suggesting to Gen. De Gaulle that *Sauerbraten* is the typical delicacy of Paris—because of the German occupation in World War II.

We're sure you won't make the mistakes, but here are some inevitable butches which will be printed or aired by those who don't heed this annual Torres-Cornell manifesto:

1. Cinco de Mayo will be called Mexican 4th of July or "Mexican Independence Day" dozens of times.

2. So-called "Mexican" restaurants will put out publicity mixing the role of Spain and France—or perhaps get the wrong Mexican national hero into the act.

3. At least three restaurant writers will say that *Spanish* restaurants are celebrating the day. (There are very few Spanish restaurants hereabouts.) It's even worse when they say "Spanish" restaurants will celebrate September 15–16.

Sinceramente de Vd.,

JEROME A. TORRES.

P.S.: This is not a commercial plug. We won't even be open May 5 because it falls on Monday, our closed day. We'll be out helping our Poche compadres celebrate. Also our many Mexican-national friends and colleagues.

El Poche (el POACH-ay) means a native Californian of Mexican descent.

IN THE NATION: POPULATION, HUNGER, AND OBLIVION

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. REID of New York. Mr. Speaker, Tom Wicker of the New York Times has written a most thoughtful piece entitled "Population, Hunger and Oblivion" in which he points out the frightening escalation in world population at the rate of an increase of 70 million persons per year. Surely when the leading nations of the world are spending for population control less than 1 percent of that which they are spending on military research and hardware, their priorities are amiss. Should this strange system of priorities continue, we will, the noted Soviet scientist Andrei Sakharov predicts, find ourselves in the midst of famine by 1975 or 1980. These statistics reveal that we have precious little time to act; clearly, what is needed is a major national commitment to deal with these vastly human problems of population and hunger, and to deal with them rapidly before they overcome us.

Mr. Speaker, under unanimous consent, I insert Mr. Wicker's pertinent and expressive column in the RECORD:

[From the New York Times, May 4, 1969]

IN THE NATION: POPULATION, HUNGER AND OBLIVION

(By Tom Wicker)

WASHINGTON, May 3.—Rather like a voice from the past, the earnest words of Robert S. McNamara at Notre Dame this week served with startling suddenness to restore some long-range perspective to the affairs of the world. While men still creep cautiously in reluctant pursuit of what seems an ever-receding peace in Vietnam, while politicians in this country bicker over ABM and a few millions for the hungry, while commissars in the Soviet Union fuss over Czechoslovakia dissent, while young people everywhere rail at the vast conspiracy of oppression and manipulation they seem to see overhanging all—while all this is taking the place of useful social and economic action, the human race proceeds apace toward breeding and starving itself into oblivion.

McNamara, returning to a theme he has sounded before, echoed some of the recent words of Lord Snow in Britain and Andrei D. Sakharov in the Soviet Union in insisting on a "humane but massive" population reduction.

So fast is the rate of population growth in most of the underdeveloped world, McNamara explained—from his vantage point as president of the World Bank—that even the most energetic and resourceful governments

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can do no more than stand still, maintaining an uneasy *status quo* in their totally inadequate standards of living. Most are actually slipping backward.

With his curiously American insistence that man's ingenuity and dedication can make things come right—seen before in his Montreal speech of a few years ago—McNamara suggested that agricultural technology was being advanced swiftly and dramatically enough to "buy two decades of time—admittedly the barest minimum of time" during which man might reduce the population explosion to manageable proportions.

A WISER GENERATION

This corresponds to Lord Snow's "Model B" for the future—the proposition that one of three possible outcomes of the population crisis would be just enough reduction of hunger to gain time for a wiser generation to come into power and confront the population problem in earnest.

In his Westminster College speech, Snow made it clear he considered Model B unrealistic, and had even less hope for Model C—the idea that *this* generation might steel itself to the task and that the wealthy nations might make the enormous sacrifices needed to avert disaster. Hence, the British author and scientist thought Model A most likely—that the wealthy nations in their preoccupation with nuclear weapons and themselves would do little or nothing, so that in perhaps no more than thirty years millions upon millions of people would be starving, with some of the hungry, of course, turning upon the fat.

Here are some of the facts of the situation. Worldwide births and deaths are now in the ratio of two to one, with a net gain in world population of about seventy million a year. Nearly 58 million of this increase—according to the authoritative Population Bulletin—occurs in the poor nations.

"To bring births into balance with low and still declining death rates," the Bulletin states, "would necessitate a cutback of some fifty million births a year." For this enormous and complex and delicate task, contorted by incredible problems of religion and ignorance and custom, there is no "framework remotely adequate to put the necessary billions of dollars and the essential brains and skills to work either to slow down human reproduction or to speed up agricultural productivity."

ALL WOULD GO HUNGRY

And Dr. Georg Borgstrom has pointed out that if all of the food in today's world were distributed evenly among its 3.5 billion human inhabitants, every one of them would go hungry.

Sakharov, putting the "expected date of tragedy" even nearer than did McNamara or Snow—at 1975 to 1980—believes the task of coping with the danger is so Gargantuan that the developed nations could only do it by quantum changes in their foreign policies, permitting them the closest cooperation; and even then, in his opinion, these nations would have to impose on themselves a "fifteen-year tax equal to 20 percent of the national income."

That, he quite correctly points out, would in itself insure a significant reduction in expenditures for weapons.

McNamara, whose warning was more restrained but no less pointed, stated his belief in a "rational, responsible, moral solution to the population problem"—a solution that he said all shared in the responsibility of finding.

Well, everyone shares the responsibility, all right, but not much else. The Population Bulletin states that the total outlay devoted annually to the population crisis outside the United States is about $80 million. Yet, all the world's nations spend $154.3 billion annually for military purposes (or did in 1966; the bill probably has gone up). That means that the world spends $2,000 for military purposes for every $1 it spends to control population.

Naturally, the Soviet Union and the United States, the only two nations that could do much about population or hunger, contribute more than two-thirds of the world military budget. That is madness, suggesting nothing like a "rational, responsible, moral" solution. And that kind of madness, if we keep on the way we have in this country and this world, is what we will continue to have right down to the last bitter dying gasp.

POLLING THE PEOPLE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. EILBERG. Mr. Speaker, my district, the northeast section of the city of Philadelphia, is about 160 miles from the Capitol. I return as often as I can to speak to the people but I am continually frustrated by how quickly the hours pass and how few people I can really see.

How can a Congressman really learn how the people are thinking?

One way is to poll the people. The questionnaire approach is, of course, no substitute for face-to-face basic conversation. Nuance and subtlety are lost.

However, being a big-city Congressman in a growing district now at about 500,000, I find that a questionnaire is one way of reaching the broadest segment of my constituency.

I am mailing the following questionnaire to more than 140,000 households in my district:

CONGRESSMAN JOSHUA EILBERG WANTS YOUR OPINION

MAY 1969.

DEAR FRIEND: You and your neighbors have re-elected me to represent you in the 91st Congress. If I am to do a truly effective job, I need to know how you stand on the problems and issues facing America. This questionnaire is one way I can find out how you are thinking. So, please answer the questionnaire—it should only take about five minutes—and return it to me. I hope to see you in the Northeast or, if you visit Washington, stop in at my office. If you have any additional comments, please let me know.

JOSHUA EILBERG.

THE 1969 CONGRESSIONAL QUESTIONNAIRE

	Yes	No	Undecided
1. (a) Do you favor the Nixon administration's proposal to retain the 10-percent surtax through 1969 to curb inflation?	☐	☐	☐
(b) If you answered "Yes," would you at the same time insist upon closing tax loopholes?	☐	☐	☐
(c) If you answered the first question "Yes," would you also insist on substantial cuts in military spending?	☐	☐	☐
(d) Do you favor my bill to raise the standard tax exemption from $600 to $1,000?	☐	☐	☐
2. President Nixon has said he will deploy "Safeguard," a limited antiballistic missile system. Which of these options do you support?			
(a) President's proposal ☐ (c) Thin system ☐			
(b) No ABM system ☐ (d) Thick system ☐			
3. Most people believe that nonessential Government spending must be cut. In which of these areas would you cut spending? (Check up to 3)			
(a) Defense budget ☐ (e) Health ☐			
(b) Aid to education ☐ (f) Welfare ☐			
(c) Aid to cities ☐ (g) Foreign aid ☐			
(d) Space program ☐ (h) Poverty programs like Get Set, Job Corps ☐			
4. Would you increase or cut Federal aid to—			
Increase Cut			
(a) Private and parochial schools? ☐ ☐			
(b) Elementary and secondary public schools? ☐ ☐			
(c) Colleges and universities? ☐ ☐			
5. When the Federal Government assists in building low- and middle-income housing, should the community involved be consulted about location, need, and type of structure?	☐	☐	☐
6. (a) In view of the closeness of November's presidential election, do you think we should change the way we elect our Presidents?	☐	☐	☐
(b) Are you in favor of my proposal to abolish the electoral college and substitute direct popular election of the President?	☐	☐	☐
(c) If you favor some other system of electoral reform, please indicate which one Answer:			
7. Are you in favor of reducing the voting age?	☐	☐	☐
8. (a) Do you think the present draft system is fair?	☐	☐	☐
(b) Do you think the draft system should be changed or reformed?	☐	☐	☐
(c) Do you think the draft should be abolished in favor of an all-volunteer Army?	☐	☐	☐
9. We all want the war in Vietnam to end. Which of these possible courses of U.S. Action in Vietnam do you now most support? (Check 1):			
(a) Immediate withdrawal of U.S. forces ☐			
(b) Gradual withdrawal of U.S. forces ☐			
(c) Immediate cease-fire as the basis for talks ☐			
(d) Continue present levels of military action ☐			
(e) Step up military activity ☐			
(f) Resume bombing of North Vietnam ☐			
(g) Invade North Vietnam ☐			
(h) Use nuclear weapons against North Vietnam ☐			
(i) Do you think the Paris talks will lead to peace?	☐	☐	☐
(j) Do you think the Nixon administration is doing enough to end the Vietnam war?	☐	☐	☐
10. (a) Which do you think possess a greater threat to world peace? The war in Vietnam ☐ Tension in the Middle East ☐			
(b) Who do you think is wrong in the Middle East? Israelis ☐ Arabs ☐ Both of them ☐			
(c) Do you think the United States should help in imposing a Big Power settlement on the Middle East?	☐	☐	☐
11. Do you believe additional Federal laws are needed to protect the consumer?	☐	☐	☐
12. Do you think the Constitution should be amended to permit prayer in the schools?	☐	☐	☐
13. Campus disorders have spread across the country. If you were a college president and 100 students sat in your office would you— (a) Try to talk to them? ☐ (b) Kick them out immediately? ☐ (c) Call police? ☐			
14. What kind of job do you think President Nixon is doing? (a) Fine ☐ (b) All right ☐ (c) Poor ☐			
15. What do you think are the 3 most important issues facing America today? Please list below in order of urgency (a) ________ (b) ________ (c) ________			

A. PHILIP RANDOLPH

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, I commend my colleague, the Honorable CHARLES C. DIGGS, JR., from Michigan, for taking time to pay tribute to one of the greatest Americans of this century, A. Philip Randolph. Every gain made by the workingman in our Nation can be attributed to his dedicated and enlightened leadership in labor-management. Every gain made by the Negro in the United States can be attributed to his brilliance, determination, and sincere desire to help create the best society possible. A. Philip Randolph has marched in the streets, bargained across the table, conferred at the White House, and talked at universities. He is at home with every man and is a brother to all mankind. His deep philosophical belief in equal justice and equal opportunity is matched only by his great love for the downtrodden of the world.

Since the second decade of this century, A. Philip Randolph has been one of the greatest, most outspoken, forceful, and effective leaders of both the labor and civil rights movements. He understands our society as few men do and knows better than most how to change it. He understands men as few men can and knows better than most how to organize them. Some of his accomplishments were those that were considered impossible not only by the majority of Americans, but by those people who were fighting alongside of him.

A. Philip Randolph founded the Brotherhood of Sleeping Car Porters in 1925 at a time when the intimidation of Negro porters was considered an impossible hurdle to overcome. He forced the American Federation of Labor and the Congress of Industrial Organizations to outlaw discrimination in 1955 when they merged. At that time, it was not considered a popular enough issue to be carried. It was A. Philip Randolph that was responsible for President Roosevelt's Executive order establishing the Fair Employment Practices Commission. It was A. Philip Randolph who convinced President Truman to integrate the armed services, and it was A. Philip Randolph who conceived the idea of the civil rights march in Washington in 1963.

A. Philip Randolph has been among the leaders of every great fight that has brought benefits and protection to the workingman and every great fight that has brought equality of opportunity to the Negro. He has never separated these two causes or these two goals. He believes that each disadvantaged group in our Nation only gains when all gain, and he believes that no freedom nor liberty is complete unless all share it.

A. Philip Randolph's 80th birthday was April 15 of this year. I hope he will be with us for many, many more years to lead us, guide us, and inspire us for the work that is yet to be done. I extend to him my heartiest congratulations on his birthday and my wishes for many more full, active years. There is still much to be done and we need him to help us do it.

SUBSIDIZE WAR: "BUY BRITISH"

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. RARICK. Mr. Speaker, the announcement by a local liquor distributor of a "buy British" campaign to celebrate Gordon's Gin strains the qualities of mercy.

Why should any American "buy British" when British-flag vessels continue to carry cargo to Haiphong to supply the Communist war machine of North Vietnam?

Why "buy British" when it is the British who supply the Nigerian genocide of Biafrans?

Any thinking American would not "buy British"—but would boycott British products and their promoters.

If Americans buy anything—they should buy American and help fight poverty at home.

I include a newsclipping from the local Post of May 3:

"BUY BRITISH" PROMOTION STARTS HERE

Wholesale liquor distributor Milton S. Kronheim kicked off this year's "Buy British" campaign yesterday with a small luncheon to celebrate the 200th anniversary of Gordon's Gin. The luncheon was attended by members of the British embassy.

On Monday, Mrs. John Freeman, wife of the British ambassador will visit the Safeway International, 1110 F st. nw., to signal the start of that store's two week promotion of British foods and beverages. According to embassy spokesman, emphasis will be placed on teas, cookies, biscuits, preserves and cheeses. The embassy is providing material to help decorate the store for the occasion. It will be the first major British promotion at the Safeway store.

Biggest promotion of English consumer goods in Washington will take place at Woodward & Lothrop's this Fall. It will be a through-the-store campaign and will feature displays especially built for the promotion by English craftsmen.

Although British exports to the United States rose 23 per cent in 1968, the Embassy reported that consumer goods did not make up the lion's share of the increase. Britain devotes most of its energy toward pushing its capital goods and is supporting a program to have British firms participate more in U.S. trade shows.

HORTON CITES MINORITY ENTERPRISE AS CONSTRUCTIVE CHANNELING OF GHETTO ENERGIES AND FRUSTRATIONS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. HORTON. Mr. Speaker, on April 28, our colleague from the State of Louisiana (Mr. RARICK) inserted in the RECORD, a Washington Post article describing the efforts of industrial and minority organizations in my congressional district to launch a minority owned and operated manufacturing enterprise.

The well-written article, by William Tammeus, describes the organization and operations of Fighton, a manufacturing plant established through the direct cooperation of the FIGHT organization, the Xerox Corp., the Rochester Business Opportunities Council, and the public sector.

This plant, assisted in its development and capitalization by the Department of Labor and the Small Business Administration, is but one example of the successful nurturing of minority-owned businesses in my home community. The cooperation between Rochester industry, the Federal Government, and inner-city residents stands as an example of how the energies and frustrations of inner-city life can be constructively directed toward self-betterment for the poor. There can be no more important nor more American goal than providing opportunities for all Americans to participate in our vibrant private enterprise economy.

I commend my colleague from Louisiana for calling attention to Fighton, and the efforts of its founders to provide a route into the mainstream of American life for a significant number of my constituents, but this article was inserted in a context very different from that in which it belongs.

The thrust of Mr. RARICK's speech in the April 28 CONGRESSIONAL RECORD was that the Federal Government must not allow its tax dollars to be spent in support of those who would ravage our country through violence and destruction. His speech, entitled "Murder at New Bethel Baptist Church" rightfully deplores the killing of law-enforcement officers in the city of Detroit and in the city of Cleveland, and warns against any appeasement or support of armed militants who would participate in such disdainful acts.

Then, at the end of his address, he inserted the article about the progress of Fighton, Inc., and the prospects for this black-owned business.

Far from any thoughts of killing or destruction, the managers, workers, and backers of Fighton are hoping to breathe new life into the economy and spirit of Rochester's inner city. This is among the most constructive examples of black-white and private-public cooperation that can be found in America.

Fighton is one battle in the fight for better opportunity for our citizens within and through our wonderful system of government. It is a battle being fought with dollars, with tools, and with the hands, and minds of those who are producing and marketing its products.

So that our colleagues can benefit from knowledge of this enterprise in its proper context, Mr. Speaker, in a context of hope and cooperation, I am taking the liberty of inserting Mr. Tammeus' excellent article at this point in the RECORD:

[From the Washington (D.C.) Post, Apr. 26, 1969]

FIGHT IN ROCHESTER: BLACK OWNERS OF FACTORY PLAN TO PUT PROFITS INTO HOUSING, EDUCATION, JOBS, DAY CARE

(By William D. Tammeus)

ROCHESTER, N.Y.—Just a few blocks from the site of Rochester's 1964 riots, a factory described as "more militant and more radical than all the riots put together" has begun operations in an abandoned clothing plant.

It's called Fighton, Inc., and it is black-owned and operated. Fighton, which turned out its first product early this year (an industrial vacuum cleaner for the Xerox Corp., assembled from pre-made parts) is a child of the FIGHT organization, a broad-based community group which has been getting under white Rochester's skin since Saul Alinsky's Industrial Areas Foundation helped organize it after the 1964 riots. FIGHT stands for "Freedom, Independence, God, Honor, Today."

HELPED BY XEROX

Fighton was the product of months of discussion between FIGHT and the Xerox Corp., which agreed to purchase $500,000 worth of products from the plant over its first two years, as well as lend its technical assistance. In addition, Fighton received a $444,677 U.S. Department of Labor training grant.

A new local group of businessmen known as the Rochester Business Opportunities Corp. (RBOC) bought the 32,000-square-foot plant, which formerly housed Timely Clothes Inc., for $35,000, remodeled it for $240,000 and leased it to Fighton. FIGHT owns Fighton.

One of the sidelights to the founding of Fighton is that RBOC grew out of a lengthy dispute between FIGHT and the Rochester-based Eastman Kodak Co.

Besides talking about hiring Negroes, Kodak and FIGHT had discussed the establishment of an inner-city business. But they reached no agreement. However, in January 1968, Kodak announced a plan by which major Rochester industry could provide markets, financing and technical help to foster inner-city business run by minority-group members.

That proposal led to the formation of RBOC, which has helped provide seed money and negotiate bank and Small Business Administration loans for some 40 businesses, of which Fighton is by far the largest.

Fighton employs 32 persons and plans to have at least 100 on the payroll by this time next year. Fighton general manager DeLeon McEwen, former president of FIGHT and a one-time barber, says most of those working for the firm did not have jobs when hired and would not have been employable by traditional industrial standards.

McEwen says his workers make between $80 and $100 a week, with an hourly minimum of $2.05. He'd like to raise that to be more competitive, but thinks that will come in time.

PROBLEMS, SUCCESSES

He's working with "ex-convicts and reform-schoolers," he says, and admits to both problems and successes in getting people to work on time and conforming to the routine of a regular job.

Fighton, in addition to assembling the vacuum cleaners, will produce electrical transformers and metal stampings as its first products. It also will have the capacity to do some welding and light assembly work.

For the Rev. Franklin D. R. Florence, president of both FIGHT and Fighton, the new factory means that "we're nearing our goal of community control" a drum FIGHT has been beating hard this year.

Florence says Fighton profits will be turned over to FIGHT and the "black community for housing programs, education, rehabilitation, jobs, day care, and all the things the black community needs."

It will mean, the black-power advocate says, that FIGHT will help provide "economic strength and stability in the black community."

The agreement between Xerox and FIGHT did not come suddenly. "Nobody approached us with open arms" a FIGHT officer says. But both Xerox and FIGHT acknowledge a willingness to deal and learn and work together.

A Xerox spokesman puts it this way: "The proposal from FIGHT to establish a black business was something that immediately made sense." But FIGHT was talking about a business which would employ 400 to 500 people, the same figure it had discussed with Kodak. Xerox says it pointed out that businesses do not grow that way, and so negotiations got under way. Some day, Fighton does hope to have as many as 500 on the payroll.

Eventually FIGHT and Xerox decided they needed a factory that would produce something Xerox could purchase a product which required a minimum of capital to start and which could provide plenty of jobs to persons without many skills.

Now FIGHT is branching out. It recently proposed that it develop $15.8 million worth of housing, commercial and recreation centers in the city's predominantly black Third Ward Urban Renewal project. The plan, with full architectural models, was a "complete bombshell" to the city's Urban Renewal director, but neither he nor anyone else ruled out the possibility that FIGHT actually could be named developer.

So, despite the achievement of the new factory, FIGHT is not about to let this city of 300,000 (about 45,000 of whom are Negroes) rest easily.

REPORTING THE CORNELL STORY

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. KUYKENDALL. Mr. Speaker, the Nation's press has been filled in the past weeks with many perceptive comments and observations on what is happening on our college campuses. As the author of a bill aimed directly at this problem, I have read these comments and reports avidly.

Nowhere, Mr. Speaker, have I read anything more lucid than the article I have here by Mr. Gary Goodman, of Memphis, from the pages of the Commercial Appeal of that city.

Mr. Goodman is a newspaper reporter of my acquaintance. He is also a senior at Cornell University. To all of my colleagues who would like an on-the-spot insight into the troubles of that sad campus, I strongly recommend Mr. Goodman's story in the Commercial Appeal of Sunday, April 27.

I think that one of the comments that impressed me the most was about the plans of Cornell's faculty members to find positions on more tranquil campuses. The sound of suitcases being slammed shut could be heard all across the town, Mr. Goodman said.

He reported a confrontation between Prof. Allen Sindler and a militant student, in which the angry professor reported his resignation:

> This place is a pushover for you guys. There isn't enough room for both of us at this university. Well, your group has won. So I'm leaving.

Since Mr. Goodman's article was not carried by the Nation's wire services, I wish to insert it in the CONGRESSIONAL RECORD for those of my colleagues who may wish to read it:

CORNELL COUNTERREVOLT STIRS AMONG FACULTY

(By Gary Goodman)

ITHACA, N.Y., April 26.—Cornell Prof. Gordon Streib was working in his office late one day last week when he suddenly noticed streams of students walking past his window.

His interest aroused, Mr. Streib went out into the chilly night air to follow the eerie procession.

The sociology professor soon found himself in the university gymnasium, where a meeting of 8,000 students was calling for the university to capitulate to a series of demands made by militant black students.

As black militant leader Tom Jones mounted the platform to address the crowd, many of the students leaped to their feet, shaking their fists at the air in a gesture of defiance.

A student turned to Mr. Streib and asked what he thought about the demonstration. "Heil Hitler," was the professor's sarcastic reply.

"The Hitler movement is the only thing I have ever seen that resembled that meeting," Mr. Streib recalled. "I was terrified."

A very significant minority of the Cornell faculty is beginning to agree with Mr. Streib's analysis of the crisis at Cornell.

The defiant demonstrations by gun-toting students have ended at least temporarily, but the disruption of Cornell has only started.

A quiet revolt among faculty members who voted against capitulating to black demands is threatening to tear the campus apart. "The sound of suitcases slamming shut can be heard across town," Prof. Andrew J. Milnor told his government class recently.

Several senior faculty members have resigned. Other professors, who have said they will stay at Cornell, are refusing to teach until the university disarms all students. The traditional student-professor relationship is being destroyed. Dazed students gather in little knots around their professors to argue about the crisis.

Prof. Allen P. Sindler was discussing his decision to resign with two of his students the other day when a member of the militant Students for a Democratic Society approached the group.

"The place is a pushover for you guys," Mr. Sindler snapped, angrily shaking his finger at the radical students. "There isn't enough room for both of us at this university. Well, your group has won. So I'm leaving."

Someone in the small crowd that had quickly gathered vaguely mentioned something about Mr. Sindler's "acting like a racist."

Professor Allen Bloom leaped to Mr. Sindler's defense. "Don't you tell me about racism," he screamed. "Before you were ever born Allen Sindler was fighting racism. I don't have to stand for that kind of talk."

Such exchanges between students and professors are becoming more common as the air of tension mounts.

The new crisis at Cornell demonstrates one of the most important aspects of campus demonstrations—the demoralization that they cause when they occur.

Cornell President James A. Perkins has been successful, so far, in avoiding a confrontation between radical students and the university, but he is going to have much more difficulty in satisfying faculty members whose faith in the integrity of Cornell has been destroyed.

In the long run the loss of confidence in the administration by the faculty could destroy Cornell and other universities that have experienced similar disruptions.

"The academic freedom of this university is dead," said history Prof. Fred Somkin.

"I came to Cornell because I wanted to wear no man's collar. Now I have to take orders from my students. I can discuss only what they want me to discuss."

Prof. Walter LaFeber, the chairman of the department of history, is even more blunt about his reasons for resigning. "I don't want to associate myself with a bunch of cowards."

Several faculty members have asked President Perkins to resign because of his soft stand on campus disruptions. Most dissident

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professors, however, are quietly making plans to leave rather than working to change university policy.

"I didn't become a professor to play academic politics," Prof. Richard Polenberg told an emotional meeting of students. "I want to spend my life teaching, researching and writing. There are some radical professors here who would rather play politics than teach. Well, I have no intention of playing their game."

Several professors have been threatened as a result of their stand.

Prof. Walter Berns, an expert on the American Constitution, spent a night at local motel recently after a black militant leader said in a radio interview that Mr. Berns was one of the professors "who needs to be dealt with."

At a faculty meeting later Prof. Richard Hofferbert asked what the administration was going to do to protect prefessors who had been threatened. Provost Dale R. Corson ignored the question.

"Cornell is going to become just like a Latin American university," said Mr. Somkin. "The students can march, demonstrate and tear the place down. But there hasn't been one decent scholar from Latin America since they gave the universities to the student thugs."

The reaction of the faculty minority is forcing many students to re-evaluate their attitudes about the university's capitulation.

The majority of students still feel that the decisions to revoke the reprimands given three Negro students was correct. But even the most radical students have asked their professors to stay.

There is little chance the professors will change their minds. "I would have no respect for a man who stayed under these conditions," said Prof. Polenberg. "If the students want to keep their professors then they had better give up the idea of starting a revolution at the university.

"If you want to start a revolution, start it some place where you aren't protected from the rest of the world. That's a real test of a revolution."

It is too early to determine how the university will handle this latest crisis.

No matter what happens, it will be many years before Cornell overcomes the effects of last week's events, when 80 of the 14,000 students seized the student union building and set in motion the forces which could destroy Cornell.

Mr. Speaker, another chapter of the Cornell story is found in the nationally syndicated column of Mr. Rowland Evans and Mr. Robert Novak, specifically their columns of Thursday and Friday, May 1 and May 2. They trace the record of anarchy at Ithaca from the time an economics professor was held hostage a year ago, and significantly, they place the cause at the door of President James A. Perkins, labeling it "Perkins' permissiveness."

They conclude.

When the Perkins administration did not press charges against the students (in the 1968 hostage incident) it flashed the green light for anarchy.

The two articles follow:

Anarchy at Cornell and How It Grew From Militant Moves of December

(By Rowland Evans and Robert Novak)

Ithaca, N.Y., May 1.—The surrender last week of Cornell University's Administration to rifle-toting black militants, a new precedent in the national campus civil war, was no isolated incident but rather the climax of deepening anarchy here.

Despite the official Cornell line congratulating itself on a peaceful escape from bloodshed, there is no doubt that President James A. Perkins accepted the black demands in an atmosphere of coercion. While armed Negroes were occupying a university building, lesser publicized events had so terrorized a majority of the faculty and student body that they were eager for appeasement.

Responding to threats broadcast over the radio, faculty members branded as "racists" were forced to evacuate their homes for the night. One black student who openly opposed the resort to force was spirited across the border into Canada for safekeeping by friends. Unidentified rifle shots fired at a classroom building aggravated the tension. Moreover, the burning cross which supposedly forced black militants into armed insurrection is widely believed here to have been set by Negroes themselves.

That this lovely upstate New York campus could be so deformed by strife is in part attributable, ironically, to Perkins' well-meaning liberalism in recruiting black students, many of whom were ill-equipped for Cornell's academic demands. This inadequacy led some young Negroes into increasingly more belligerent postures here. Cornell's administration, faculty, and students, bearing an immense guilt complex toward Negroes (freely admitted by Perkins), could not bring themselves to impose discipline.

The watershed event came in the spring of 1968 when three Negro students, infuriated by an economics professor's classroom contentions about the superiority of a Western civilization, seized the offices of the economics department and held the department's chairman prisoner. When the Perkins administration did not press charges against the students, it flashed the green light for anarchy.

Pushing an action campaign for an autonomous black studies program, the militants moved on many fronts last December: The takeover of a university building (actually promised them for a later date) with professors and their belongings dispossessed into the street, the theft of furniture to furnish the building, dancing on dining hall tables, disruption of library stacks.

Perkins' permissiveness and the black militants' contempt were graphically exhibited during these December demonstrations when black militants staged a sit-in outside Perkins' office. Trying to make friends, Perkins sent out doughnuts and milk. The militants responded by smashing the refreshments against the wall.

Even more bizarre was an incident two months later when the Afro-American Society demanded $2000 from the administration to buy bongo drums to celebrate Malcolm X day. Within two days, the administration scraped together $1700 and dispatched two black student leaders down to New York City in the university plane to purchase the drums.

But pressed by a few faculty members, the administration did reluctantly bring charges against six of the more flagrant December demonstrators. Consequently, once the blacks won their demand for an autonomous black studies program early this year, radicals stepped up direct action around a general theme of amnesty for the six demonstrators.

To the accompaniment of the university-purchased bongo drums, Perkins on Feb. 28 was physically pulled down from a speaker's platform at a conference on South Africa. A few days later, job recruiters from the Chase Manhattan Bank were physically assaulted. In mid-March, three white students were beaten at night on campus—one to the point of death; two of the victims identified their assailants as Negroes while the third was in no condition to identify anybody.

Thus, as spring came to Cornell, wholly non-political students decided it would be prudent not to stroll the quadrangle at night. Simultaneously, Perkins became the open target of derision by the black militants, who wore sheathed knives in their boots during conferences with him. In one such meeting, a leader of the Afro-American Society described Perkins to his own face with an obscenity widely used in the black ghetto.

Behind the scenes, Perkins' lieutenants were quietly prodding the faculty to quash the charges against the six December demonstrators—a surrender the faculty finally agreed to last week in the atmosphere of armed insurrection.

In an interview, Perkins told us he intends to stay on as president of Cornell and feels he has full confidence from the board of trustees. If he is correct, his method of buying peace on the campus may well become the pattern for college administrators around the country. The implications for Cornell as an educational institution and for liberal education in America generally, will be discussed in another column.

Nature of New Order at Cornell Clear Before Perkins Capitulated

(By Rowland Evans and Robert Novak)

Ithaca, N.Y., May 2.—Well before Cornell University's administration bowed to armed black militants, the shape of the coming New Order here had become frighteningly clear.

Militant black students were showing up for classes they had not registered in, taking seats in the rear, and carefully jotting down the professor's words. The message to the faculty members: Any remark that might in the slightest way offend Negro sensibilities could only invite trouble.

Furthermore, such intrusions on academic freedom have been tolerated by President James A. Perkins. In an interview here. Perkins described to us a conflict between "social justice" and "academic freedom," adding that he was "a mugwump" straddling the two positions. However, Perkins continued, he had told faculty members they "could not use the cloak of academic freedom" to cover up statements which might anger black students.

Thus, when the Perkins administration last week capitulated to black demands at gunpoint, the minority of professors dedicated to academic freedom—most of them in the government and history departments—determined they had no place in Cornell's New Order. They reasoned that the black militants always could force the administration to surrender when classroom content was at issue.

Even more disturbing to them is the feeling that Cornell is no isolated catastrophe. The professors fleeing from here are haunted by the fear that the tradition of academic freedom may be dying in America and that Cornell is but the outrider of that calamity.

Certainly, Cornell is about to undergo drastic change. The professors who have resigned or are likely to resign are among the University's most respected scholars and teachers (such as government Professor Walter Berns, winner of this year's teaching award). Those students on both graduate and undergraduate levels who were attracted here by such teachers are seeking to transfer for the next term. Moreover, with the notoriety it has now achieved, Cornell will henceforth be vastly more attractive to the student agitator than to the serious student.

Nor does this seem repugnant to either the administration or a majority of the faculty. Perkins is actively supporting the self-proclaimed "constitutional convention" of faculty and students which began meeting in Barton Hall after the bloodless black insurrection. This effort to "restructure" the University is aimed at a New Order where students help decide what is taught and how it is taught.

It is no wonder, then, that an estimated 90 per cent of the student body, long ago freed from non-academic discipline, rejoices in the disintegration of established authority. More surprising is the corresponding euphoria within a majority of the faculty. Catching the spirit of the times, English and anthropology professors have transformed themselves from "departments" to "communes."

But the radicalization of Cornell was underway at least a year ago when the University administration implicitly supported the right of students to censor classroom teachings. When black militants resorted to force over the lectures of an economics professor, Dean Stuart M. Brown Jr., condoned their protests and condemned the professor's claims of superiority for Western civilizations as "a special and specially obvious case of the racism which black people find throughout the entire white community."

Simultaneous with this limitation on academic freedom, the Perkins administration relaxed traditional standards in accreditation of radical-oriented courses—promoting a course now being taught for credit in black ideology.

In so doing, it conveniently disregarded its content, largely Student Nonviolent Coordinating Committee (SNCC) and Black Panther propaganda, and its instructor, SNCC militant Cleveland Sellers who has no college degree or other academic qualifications.

Indeed, the Afro-American Center to begin classes here next term will play a major role in the New Order at Cornell with black students helping to decide which instructors and courses meet the standard of "relevance." Cornell's white and black radicals envision this center as a radical academy, drawing slum children from the ghetto and sending back trained agitators.

Beyond this, the Students for a Democratic Society here now demands that half of Cornell's freshman admissions go to white and black "working class" children—a plan that looks so ludicrous that even the Barton Hall Assembly and President Perkins deride it. But it is not that far from today's reality. Concerned faculty members told us that the over eager recruitment of unqualified black students already has forced down Cornell's general academic level.

Among that splinter of faculty members heartsick over the revolution here, there are three groups: The pessimists believe the tragic events foretell the death of liberal education nationally; the centrists feel Cornell is dead but hope persists elsewhere; the optimists—a very few of them—are staying in hopes that Cornell will yet come to its senses. But even those optimists are certain that Cornell's resurrection depends upon the fall of Perkins, an event which now seems most unlikely.

THE MENACE OF DANGEROUS PLAYTHINGS

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. JOELSON. Mr. Speaker, having introduced H.R. 7731, which would meet the problem of dangerous toys, I was especially impressed by a series of articles in the Morning Call, which circulates in the congressional district which I represent. They were written by a very capable newspaperman, Murray Zuckoff, and contain information which should concern all parents.

I deem it a service to submit these articles for the RECORD:

CONSUMER CHIEF SEES PERIL INSIDE A RATTLE

(By Murray Zuckoff)

A baby rattle, capable of puncturing a child's eyes or mouth, was ordered off the market yesterday.

Mrs. Bess Myerson Grant, New York City consumer affairs commissioner, issued a subpoena against the Stahlwood Toy Manufacturing Co. Inc. of 601 West 50th St. That is the metropolitan area distributor of the toy, which is made in Japan.

The subpoena ordered the firm to produce all its records. The department will inspect them to determine where the rattle has been distributed, and use them as legal action for recalling the product and stopping further sales.

Store operators in Passaic and Bergen counties began an immediate check of their stock to see if they sell or have ordered the toy.

Some stores removed it from their shelves and issued stop-orders on incoming shipments. Others awaiting shipment plan to return the merchandise as soon as it arrives.

The crackdown came hours after The Morning Call presented the rattle to consumer affairs inspectors, who examined it with horror and disbelief.

"I'm amazed—no, appalled—that anyone would sell this kind of toy to an unsuspecting public," said Martin Curtin, an inspector.

Other inspectors who looked at the rattle said they had seen other dangerous toys, but nothing quite like this one.

The rattle has eight sharp-pointed inflexible metal prongs protruding from a disc inside the handle. The prongs are surrounded by a thin cardboard and plastic cylinder which has pictures of animals, flowers, grass, and a rainbow.

The handle can be easily detached from the cylinder by a child banging it against its crib or carriage. There is no way for the consumer to tell what is inside the cylinder. Shaken, the rattle produces what seems to be a tuning fork or musical sound.

Early yesterday, the Morning Call took the toy to the distributor to find out where it is being sold in North Jersey, what jobbers handle it, and whether it could be recalled from the market.

The firm has been in business for at least 20 years. It is headquartered in a mahogany paneled office on the third floor of an old building on New York's West Side industrial center near the Hudson River.

A man who identified himself as Irving Tucker first said he was "just a worker here." He ushered a Call reporter into a large office containing a showcase display of toys made and distributed by the firm.

A similar rattle, with prongs visible in a semiclear plastic cylinder and with a price tag of 59 cents, lay on a desk. Tucker sat down in front of the desk and finally identified himself as the plant manager. He was polite but firm and curt.

"I can't tell you who the jobbers are, where we sell this item, or which firm in Japan manufactures the rattle for us," he said. "This item is produced exclusively for us."

He added: "We've been selling this item for a long time and don't intend to stop now. Recalling it is impossible. There are thousands sold throughout the country.

"We've never had any problems with it and there are probably other distributors who sell similar rattles."

But back at the consumer bureau, Sol Renik, assistant commissioner, touched the prong ends with his fingers and winced.

"Imagine some hood using this as a weapon," he said. "I've never seen anything like this before."

One inspector called his daughter's home to find out if a rattle his grandchild had was similar to the one he was looking at. He hung up the phone, visibly shaken.

"My God, it's the same one," he said. "I told my daughter to take it away from the child. Here, feel this, he said giving the rattle to another staff member and pointing to the prongs.

"A baby could take its eyes out with it or puncture its mouth," the inspector added. "What would happen if a baby fell on it with the prongs sticking out toward its body?"

Edward Trinka, seasonal manager for Two Guys in Hackensack, checked his stock and found eight rattles fitting the description of this one and distributed by the same firm.

"It's a very dangerous toy," he said. "I've ordered it removed from the shelves and returned to the distributor. We are discontinuing the item."

Miss Mindy Recanvome, in charge of the baby department at Great Eastern Mills in Little Falls, said she remembered the toy in the store but hasn't had any since last year.

"We have nothing like it now," she said. "If anything comes in on a current order I'll notify the store manager immediately."

Sam Levine of Paterson, manager for the large discount center, expressed horror.

"Fantastic!" he said. "It could be a lethal weapon. Thank goodness we have none of this in stock. I intend to take every precaution to see to it that it isn't sold here."

Other merchants in North Jersey said they didn't carry this particular item, but would notify trade associations to be on the lookout.

The co-owner of one well-known toy supply firm in Paterson, which formerly did business with Stahlwood, sharply criticized the toy's distribution.

"This toy can blind or maim a child," he said. "It doesn't have to have prongs in the rattle. There are thousands of safe rattles without metal or prongs in them."

Frank Gavitt, public relations director for the Toy Manufacturers of America Inc., said he will ask the association to investigate.

"I've never seen or heard of this toy before," he said. "This is an unusual case. Distributors are not usually manufacturers of toys. Our association establishes safety guidelines for its members as manufacturers. We have no authority in the area of imported toys."

Mrs. Grant praised The Morning Call for bringing the toy to her department's attention, and said:

"Parents will be warned against the potential hazard of this toy and I promise to use every legal means to halt its sale. The subpoena is the first step. An item like this can poke out an infant's eyes."

The Food and Drug Administration also may be asked to enter the case, a consumer affairs official said.

The Call was given the rattle by one of its employes who said he and his wife received it at a shower about six months ago.

"My wife was wheeling the baby carriage several days ago and saw the rattle pried apart lying next to our son," he said. "My God, I shudder to think what would have happened if she hadn't noticed it."

UNITED STATES MAY JOIN FIGHT ON PERILOUS BABY RATTLE

(By Murray Zuckoff)

A Federal Trade Commission official said yesterday the agency is willing to investigate the danger of a Japanese manufactured baby rattle which has eight concealed pointed metal prongs in its handle.

Edward Combs, an attorney for the department, said an investigation may be warranted under the deceptive practices act and promised to conduct a full field investigation if necessary.

At the same time, Alexander's Department Store in Paramus, which had been selling the rattle, will discontinue its sale and return it to the supplier. Safer-Simon of Newark, the New Jersey distributor for the toy, also agreed to ship it back to the national distributing firm for whom it is manufactured.

Meanwhile, concerned parents and store owners in Passaic and Bergen counties have begun an extensive drive to remove the toy from homes and sales counters.

Paul J. Krebs, executive director of the

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New Jersey Office of Consumer Protection, said he will give U.S. Attorney David Satz in Newark a sample of the rattle and a toothbrush which also has concealed prongs in its handle in an effort to halt the sale and distribution of the items.

These developments followed articles in The Morning Call Thursday and yesterday disclosing the existence of the rattle and its widespread sale and distribution in this area.

Neither the public nor store owners were aware of the prongs in the rattle before. The toy, given to an employe of this newspaper at a shower, was subsequently pried open by his son who was playing with it in his baby carriage.

A halt in the sale of the rattle by its national distributor, Stahlwood Toy Manufacturing Co. Inc. of 601 W. 50th St., New York, was ordered by Mrs. Bess Meyerson Grant, the city's consumer affairs commissioner, several hours after a reporter brought it into her office.

She issued a subpoena against the firm's sales manager which is answerable to the New York Department of Consumer Affairs April 21.

Following her action, Krebs asked the secretary of health, education and welfare to take steps under the Federal Hazardous Substances Act to have the toy removed from stores and banned from import into the country.

A spokesman for the toy firm, who would not identify himself, said yesterday that a revised model of the rattle, one he termed safe, was being distributed in place of the earlier model.

Philip Ruffo of 238 N. 7th St., Prospect Park, a member of the North Haledon Volunteer Ambulance Squad and a greeting card salesman, said he found four metal-pronged rattles in one store in Clifton and 12 in another store a block away.

"I referred the owners to the article in your paper and they immediately removed it from the shelves," he said. "They were quite shocked to learn what was in the rattle and promised to return it to the jobbers."

Meyer Tulkoff, assistant attorney in charge of the FTC's field office in New York, said failure to disclose a dangerous element in a toy is deception. He said this is a basis for a federal order to the distributor to cease distributing the toy without fully disclosing its inherent danger.

Krebs said he will issue an immediate statewide report to alert all communities in New Jersey to the danger of the rattle.

Senators Brand Baby Rattle a Top Target

(By Murray Zuckoff)

WASHINGTON.—Congress is going after dangerous children's toys—including a baby's rattle that barely sheathes sharp metal prongs.

Several senators were aghast yesterday as they viewed hazardous toys at a Senate consumer subcommittee hearing headed by Sen. Frank E. Moss, D-Utah.

The baby rattle contains inflexible pointed metal prongs in its handle concealed inside a thin cardboard and plastic cylinder.

Dale Zabriskie, Moss' assistant, told The Morning Call last night: "It was an awful thing. Of the 10 dangerous toys demonstrated during the day's hearing, this was the scariest toy I saw."

The Call last week reported widespread distribution of the rattle in the Passaic-Bergen area. The Japanese-manufactured toy is distributed by the Stahlwood Toy Manufacturing Co. Inc. of 601 50th St. in New York.

Mrs. Bess Myerson Grant, New York's consumer affairs commissioner, subpoenaed the firm's sales manager several hours after a Call reporter brought the rattle into her office. The subpoena is answerable Monday.

Paul J. Krebs, executive director of the New Jersey Office of Consumer Protection, yesterday gave U.S. Attorney David Satz of Newark one of the pronged rattles to assist in a federal investigation.

"I've been successful in alerting stores to the danger of this toy," Krebs said. "Several that were selling it have promised to take them off the shelves."

Krebs, a former New Jersey congressman, said his department also will begin a statewide consumer educational campaign through the news media to warn parents of the hazard.

Satz said he has asked for an investigation into the rattle. He added: "We also want to see if there is any violation of the Federal Hazardous Substances Act, whether it is a criminal matter or whether it is under the jurisdiction of the Federal Trade Commission.

"My office can't halt its distribution. This can be done by Krebs' office and its sale can be curtailed by continuing exposure by the press."

Yesterday's Senate subcommitte hearings heard Dr. Arnold B. Elkind, chairman of the National Commission on Product Safety, describe a variety of dangerous toys. They included, besides the rattle:

A stuffed rabbit whose ears were fitted on sharp spikes, a doll whose ribbon hair was fastened with a straight pin, a stove with an oven that can be heated to 600 degrees, party baloons with whistles which could be ejected into windpipes of children when the balloons were inflated, and magic candles which relighted with a strong blaze after they were blown out.

"One of the failings of all these toys is that their hazards are not shown or disclosed either on the toy itself or in the packaging," Zabriskie said.

Neither the public nor store owners were aware of the prong in the baby rattle before The Call's disclosure. Concerned parents and store owners in Passaic-Bergen counties promptly began an extensive drive to remove the rattle from homes and sales counters.

Zabriskie said the Senate hearing was called to dramatize the need for a Toy Safety Act. It would compel toy manufacturers and distributors to label hazardous substances and elements in a toy. It also would give the secretary of health, education and welfare power to ban the sale of dangerous toys.

This act would amend the Federal Hazardous Substances Act of June 1967. It was limited primarily to toxic, extremely flammable and corrosive substances. It provided fines and jail sentences for failure to properly identify the dangerous elements.

"The ultimate end of the subcommittee's action and the objective of the act is to better protect children," Zabriskie said.

Toy manufacturing association representatives present at yesterday's hearing agreed with this objective. They urged that any legislation adopted include specific standards against misuse.

Jerome M. Fryer, representing the Toy Manufacturers of America Inc., said: "A misused jump rope can cause strangulation by virtue of its mechanical property as a rope."

He said his group would be willing to work with the Senate subcommittee.

Supplier Admits Rattle's Hazardous

(By Murray Zuckoff)

A baby rattle distributor said yesterday his toy has been redesigned to make it safer, but conceded it is still a potential hazard to infants.

The admission was made by a representative of the firm which distributes the Japanese manufactured toy throughout the country during a hearing conducted by the New York Department of Consumer Affairs.

The Stahlwood Toy Manufacturing Co., which imported some 364,000 rattles between 1968 and last month, was ordered by the department to disclose all firms in the country to whom it sold the toy. A list of New York firms was given to the department by the firm's representative.

"If the department finds it necessary, it will ask for all the firms throughout the world you sold this rattle to," said Bernard Saks, the department's assistant commissioner who conducted the hearing.

"What is dangerous to a child in New York is dangerous to children everywhere," he said.

Paul J. Krebs, executive director of the New Jersey Office of Consumer Protection, said he would ask for a list of distributors in this state in an effort to curb sales here.

Krebs said he has already been assured by Saffer-Simon, a large distributing firm in Newark, that it would discontinue sale of the toy and that several stores in the Passaic-Bergen area have removed it from their counters.

The hearing in New York took place as a result of a subpoena which had been issued against the firm by Mrs. Bess Meyerson Grant, consumer affairs commissioner. She issued the subpoena hours after a Morning Call reporter brought the rattle into her office.

Mrs. Grant, who was present at the hearing but did not participate, told The Call yesterday:

"You are to be congratulated for your effort in bringing this to our attention. It is with the aid of newspapers such as yours that we can help the public."

Irving Tucker, who described himself as a troubleshooter for Stahlwood, said the toy had been redesigned about a year ago. "We have sold this toy for many years and never had a complaint from anyone about it," he said, "Every item imported is inspected and reinspected."

Saks asked Tucker if this rattle had been inspected and the kind of controls used by the firm to assure its safety.

"I don't know if this rattle was inspected," Tucker said. "I'm not in that end of the business. The man who did the purchasing would know that but he died last August."

Tucker said the buyer who replaced the previous one resigned about 10 days ago. "His resignation was not connected with the subpoena," he said.

Saks asked what changes were made to make the rattle safer. Tucker said a heavier piece of cardboard had been placed inside the top of the cylinder to prevent the cylinder from coming apart and exposing the prongs if it was dropped or stepped on.

"The sample you have in your hand," Tucker told Saks, "was probably one in a thousand that was defective. It's just like a car or a suit that comes off the line and is defective."

Saks examined the toy, then asked: "If you never had a complaint about and felt it was safe, why was it redesigned?"

Tucker said his firm had been notified of complaints about similar rattles distributed by other firms. "We redesigned ours to protect ourselves," he said.

Charles H. Tally, attorney for the firm and brother of Jerome S. Tally, the firm's vice president, presented Saks with a number of rattles distributed by other firms.

"This is a widely distributed toy," he noted. "I think it can be inferred from this that the item cannot be considered unsafe. However, if the department finds that it is unsafe we will be glad to cooperate and remove it from the market in New York."

Tally, who said Stahlwood has an estimated 15 to 20 per cent of the national market in the sale of this rattle and total sales of all its products in excess of $1½ million a year, balked at providing the department with its world wide list of buyers.

"It would take weeks of paper work to provide all the names," he said. "We have agreed to stop the sale of this item in New York. Shouldn't that be satisfactory?"

Victor Tairabasso, consumer affairs deputy commissioner and hearing officer in the case, said this was not sufficient.

"There is nothing to stop the sale in New Jersey or anywhere else to persons who would then sell it in New York," he said. "There is no official from the company to tell us what quality control has been taken to make sure the toy is safe."

Tucker contended that the cardboard inside the top of the cylinder in the redesigned toy makes it almost impossible for the rattle to be broken.

"But you did say earlier that it could still be broken," Saks said. "Do you agree that a baby can throw this from its crib or play pen? Do you agree that someone can step on it and break it open? Do you agree that a baby, crawling on the floor can hurt himself?"

Tucker answered yes to all the questions but conceded he was not an expert in toy safety structures.

Saks said the hearing would continue after the department had more time to study what effect the new design has on the safety of the toy and will decide then if the firm will have to disclose all its accounts. No date was set.

A DECLARATION OF RESPONSIBLE INDEPENDENCE FOR AMERICAN BROADCASTERS

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BROWN of Michigan. Mr. Speaker, as I have indicated in remarks previously made relative to receipt by Mr. John E. Fetzer of the 1969 Distinguished Service Award of the National Association of Broadcasters—Congressional Record, March 25, 1969, page 7597—I am extremely proud that one of my constituents would be so honored by his peers and friends.

Although I was unable to be present when Mr. Fetzer accepted the award and, therefore, did not hear his remarks on that occasion, the plaudits he received from all those who heard his talk prompted me to request a copy of his text. I have had an opportunity to read his "acceptance speech" and believe it to be one of the most searching and meaningful self-analyses ever made by an industry spokesman.

In view of the controversy which surrounds this industry at the present time, especially when that industry is sometimes considered to be somewhat less than sincerely concerned about its posture as viewed by the community at large, I felt it highly advisable to make Mr. Fetzer's fine presentation available to all Members of the House of Representatives.

Congressman Guy Vander Jagt, in whose district another of Mr. Fetzer's stations is located, joins me in making available, and urging every Member to read, Mr. Fetzer's provocative discussion of the status of American Broadcasting—its past, present, and future—which we think could be appropriately titled "A Declaration of Responsible Independence for American Broadcasters." Following is the text of Mr. Fetzer's remarks:

It is with a deep sense of appreciation that I accept this award. Believe me, I am grateful for this recognition from my peers and friends. There are times when one finds it difficult to say "thank you," because of the sheer inadequacy of expressing his innermost feelings. To me, to be acknowledged by your fellow broadcasters is the culmination of all honors, an experience never to be forgotten.

Coincidentally, shortly after NAB made its announcement of my selection for this high honor, I reported to my physician for my annual checkup. After looking me over, he said, "You know, John, you are disgustingly healthy, but I see by the papers you have just received another of a long string of awards. If you don't slow down, you are going to have six of the most important pallbearers in America." Whereupon, I said, "I'm way ahead of you, because I have already selected them. They not only have agreed to serve as my escorts at the award ceremony but, doubting that I shall be among the living after my remarks, they have graciously consented to act as pallbearers on the way out."

In this great assembly, there are many men of quality, including several Distinguished Service Award Recipients, who have made important contributions to the art of American Broadcasting—the greatest system in the world today. It is great because you, as free men, enjoyed the democratic right to experiment, to build, to achieve, to innovate, to pioneer, if you please, on an uncharted course that has helped to fulfill the great American dream.

Let me hasten to tell you, however, that I am not here to extol the virtues of earlier times. I am sure if I attempted to dust off the manuscripts of the past, recording broadcasting history before many of you were around, I would widen the generation gap beyond reclamation. So let's get within range of the last two or three decades.

I have witnessed the years of crisis in the broadcasting industry. It has been a time of struggle, a time of survival against contending forces every step of the way. For years I participated in every contest. Much of the time it meant joining my brothers to put out another fire. All of my professional career has been devoted to the art of broadcasting, with added responsibilities in the talent field, which included the development of the World Champion Detroit Tigers.

In my baseball experience, I have never learned to throw curves, sliders, spitters or the bean ball. As I look about our broadcasting environment these days, I must admit that on occasion I have been tempted to suit up and ask Johnny Sain to teach me how to throw the bean ball. That is just about the only defense we have against some of the power hitters here in official Washington.

In my mind, that which concerns us the most is the kind of world in which we live. There can be no doubt that we are living in a new age, amid altered world conditions. It seems only yesterday that Jack DeWitt bounced a radar beam off the moon. Man's attention for the first time was directed to outer space. Then the comfort of millions of American homes was shattered by the news that a Soviet satellite was orbiting the earth. It was startling evidence of an awesome fact. In the meantime, America's contributions to the space program have been so many that millions take it for granted, while watching three astronauts fly away on a half-million mile journey, circle the moon and return to earth with almost mechanical precision.

However, in my view, this new age is much more than that. Something has happened to the thought processes representing the cross section of society. Suddenly the peoples of the world have translated space action into psychological drives that not only portend of change, but a complete impatience with the tempo of our times. This social revolution is visible in every aspect of life. The complexities of today are considerably beyond the range of earlier society. As we crash through one frontier after another, our scientific friends call it the quantum jump—an enormous leap ahead. This revolution has come on with such herculean strides that many of us are not yet aware of exactly what happened.

I am sure, however, most of us recognize that discordant voices have become commonplace in this year of 1969. Our denunciatory friends speak with deep and tinkling sounds, frosted over with an eloquence that is completely authoritarian. Some members of the public have become restive, heaping in multitude of invectives that defy rationality. In short, it seems that everyone is concerned with broadcasting's alleged failures, limitations and possibly excesses. We find ourselves in an atmosphere of highly volatile and opinionated criticism. In this explosion of words, one must search for moderation.

Had I not been to the wars during these many years, I could say this may be broadcasting's darkest hour. Believe me, I do not say this, although I must admit that these "purveyors of calamity" have goaded members of the public into a frame of mind that is a lesson in frustration. These self-appointed contestants are engaged in tearing down our broadcasting structure, piece by piece, through invented issues, contrived complaints and aimless exercises. Those who have inspired this state of affairs have been altogether too successful. There can be no doubt that broadcasting is more harassed today than any time in its eventful history by well-meaning but misinformed people.

I think I know you well enough that I can speak frankly. First, I feel constrained to tell you that we are not altogether blameless for the state of affairs in which we find ourselves. There is a decided danger that our skin is worn so thin that we dismiss all criticism with a Pavlovian reaction. Two wrongs don't make a right. Even though our position is distorted by the irresponsible advocate, we cannot afford the luxury of turning a deaf ear to all criticism. We simply have to be responsive as a matter of enlightened self-interest. Examination alone will prove to be the stimulus to impartial appraisal. Then, too, we need to systematically criticize ourselves in the program of self-regulation. The codes need dispassionate and affirmative application without temperizing. Since the beginning of the television and radio codes, there has been a persistent advocacy to lower standards. If the pendulum has swung too far, let's get on with the job of instituting corrective measures, post haste.

Secondly, since broadcasting helps to reflect the very essence of our contemporary society, its interests, its aspirations, its values and its ugliness, we ought to perform with well-defined objectivity. We all have a responsibility for the well-being of America. In my view, we must have the courage and competence to focus an outpouring of light in the dark closets of society, wherever they exist. We must delineate new goals to match the frontiers that lie ahead in these perilous times.

My third premise is that far too many of us have been guilty of the conservative cry "Don't rock the boat." There has been a persistent relaxed attitude that all our problems somehow would find solution by the other fellow. We must understand the difference between caution and timidity, between indifference and moderation, when we fail to defend our constitutional freedoms.

As we put our house in order, the crying need of the hour is a massive frontal counter-attack by broadcasting and for broadcasting. We need to throw the full weight of our skills, experience and resources behind a new Declaration of Independence. We have sold everybody's ideas, except that we have tenaciously avoided a declaration of our own efficacy. The ultimate source of authority in America lies in the thousands of communities throughout the land. Democracy moves in response to the people. We must see that anti-broadcasting inertia is overcome through a continuous flow of evidence. If the truth is bodly stated, you can be sure of feedback, because the American people have illustrated, time and again, when honestly informed, they will rally to our defense.

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This Declaration of Independence should enunciate the simple principles upon which all our free institutions exist. If, under our Constitution, it is an acceptable right for our critics to yell fire, then it is equally our constitutional right to bring in the firemen. If we extend the use of our facilities to this infusion of words before our microphones and cameras, then we should wend our way to our own studios in order to talk back. When the First Amendment to our Constitution gave Congress a mandate to make no law abridging the freedom of speech or of the press, it must be understood that the same criteria apply at both ends of the spectrum.

More and more, it is becoming apparent that we must deal with the articulate, self-styled crusader who imagines himself to be a man of destiny. His blindness shields him from all pictures of dispassionate motivation. Often he is importunate with broadcasters, as well as the average American, whose tastes and views are at odds with his own. Our goal must be to bridge that brand of incompatibility with all due candor, come what may.

When the founders established our freedoms, I am sure it was not their desire to put the press on a pedestal without responsibility, but within those bounds the intent seems relatively simple. Not so, say many in high places, who are trying to read into the First Amendment one set of rules for the printed press and another set of rules for the electronic press. No amount of double-talk can alter the fact that it means *one* set of rules, without restrictions, without censorship, without government interference. From the earliest times, journalism has had the right to be antagonistic or a kindred spirit. A free press was provided in order to furnish a check on government, which other provisions of the Constitution attempt, but can not always accomplish.

However, electronic journalism is being bombarded at an alarming pace because it, too, operates in the same frame of reference. If the lawmakers and the regulators under pressure precipitate an overt action or cow in fear at the extension of the democratic process through our medium, the end result will surely place democracy, itself, on trial. There can be no doubt that our affirmation will reject such permissiveness and that we will fight to the quick to preserve our hard-won freedom.

Our good chairman of the FCC Rosel Hyde has repeatedly said through the years that his thesis is that the public interest requires that regulatory judgments be made through the democratic process rather than through the application of authoritarian procedures. I vigorously applaud the Chairman's thesis. However, there are multitudinous voices ready and willing to cut through the democratic process with reckless abandon.

To touch one part of the premise, let me indicate that one of the most vocal indictments against our industry is the fact that we produce programs designed for popular appeal. By the very nature of space transmission, it dictates that a program service furnish a diversity of entertainment and material. This is axiomatic in order to become an accepted part of the every-day lives of our populous millions.

I don't know any alternative to letting the people set the standards by the simple democratic act of accepting or rejecting that which is offered. Such programming, in the American tradition, is specifically designed to reach the majority of the people.

Just about every shade of our society has been regulated by majorities. In today's world, I know of no Congressman or Senator but that owes his very existence to a majority and, believe me, he legitimately spends night and day to cultivate that segment of mankind. I know of no chairman, president, vice-president or other officer of any governmental, social, or business group that does not spring from a majority. In my humble view, any program of popular appeal that earns the plaudits of most of the people is going to stay around until such time as it loses favor. When that day comes, it simply fades away.

How many times have you heard it said that the sole purpose in our structure is to drug the masses, and that greedy men will foist anything on the public in order to sell products that nobody wants. In my view, far too many persons are misled by such advocacy. I would say that our commercial materialism in this country coincides with the modern development of our democracy—not because it was essentially philosophical, but because it works, in spite of its imperfections.

Any drive to curtail the commercial health of our broadcasting system can be a fatal blow to the economic stability of our nation. Our medium has proved that it can move goods on a mass basis, which is the very foundation of our economic well-being and, as a result, has shown an unprecedented capacity to elevate our standard of living.

Moreover, our democratic institutions literally demand the fruits of our materialism. In the end, social consciousness and private business enterprise are inseparable. One cannot exist without the other. The economic well-being of our industry and, in turn, of this nation is a condition precedent to the development of a progressive society. In my view, our Declaration of Independence should pound this home as a fact of life.

Finally, as someone has so searchingly said. "Broadcasting partakes of the newspaper, the magazine, the stage, the movies, the concert hall, the lecture platform, the medical center, the university and the battlefield, to say nothing of the town meeting, the senate committee room, and the whistle stops of political campaigns. Indeed, I think we can say, name it, and we are of it."

In spite of our participation in the totality of the social spectrum, our critics must understand that there are intrinsic limitations.

I repeat that which has been said many times. We can help to educate, but we cannot be education, We can give the pulpit an extended coverage, but we cannot be religion. We can help the average American home, but we cannot be parents. Even though we try, we can never fulfill the total hunger for selective viewing in a mass-oriented service. We can only hope the patrons of the specialized arts, and I consider myself one among them, will satisfy this urge for greater fulfillment in many other services including the educational stations and the Corporation for Public Broadcasting.

To this great association, which has so graciously honored me here today, let me say, in this hour of our restless torment, we should strive to soften some of the strident discords of mankind. To the younger generation, which has inherited the broadcasting mantle, I would say that in the spring of your discontent you are going to have to fight the battle for freedom over and over again.

According to historians, the average age of the world's great civilizations has been 200 years. These great nations have progressed through the following sequence:

From bondage to spiritual faith; from spiritual faith to great courage; from courage to liberty; from liberty to abundance; from abundance to selfishness; from selfishness to complacency; from complacency to apathy; from apathy to dependency; and from dependency back again into bondage.

In seven years our United States of American will be 200 years old. This 200-year cycle of the rise and fall of great nations need not be fully descriptive of our country. It's not how a story begins, but how it ends that counts—as custodians of the most potent voice in the history of mankind, the finale depends on you!

SUPPORT OF THE STRIKING OF MEDALS IN COMMEMORATION OF THE 100TH ANNIVERSARY OF THE FOUNDING OF THE AMERICAN FISHERIES ASSOCIATION

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, I rise today in appreciation of the action taken by the Congress and the Committee of the Whole House on H.R. 8648 to provide for the striking of appropriate medals commemorating the 100th anniversary of the founding of the American Fisheries Association.

It was my privilege to have my distinguished colleague from Pennsylvania (Mr. SAYLOR) join me in introducing this enabling legislation and I commend the able Senator from Washington (Mr. MAGNUSON) for his introduction of identical legislation on the Senate side which was approved by that body on March 17, 1969.

This legislation is intended to pay honor and recognition to the founding of this Nation's oldest natural resources conservation organization—the American Fisheries Society. This society, founded in 1870, has, since its inception, played a key and leading role in the enhancement and propagation of America's fishery resources. Today, it is an international association with more than 5,000 memberships in the United States and some 60 other foreign countries.

Over the years, the society has been instrumental in the formulation of policy in the fields of fisheries including fish sciences; stocking of our streams, rivers and lakes, fish foods, private and commercial fishing, and the promotion of conservation and wise utilization of our fisheries.

As early as 1872, the Congress recognized and honored a petition by the society which resulted in an appropriation of $15,000 for assistance in stocking the great rivers and lakes of our land with useful food fishes.

The society maintains a national office in Washington, D.C., which serves as a clearinghouse for all matters pertaining to fisheries that has proven to be extremely helpful to the lay public, as well as to scientists, Government agencies, and the Congress.

As one who was born, raised, and spent my entire life on the north coast of California, I am intimately familiar with the effective and meaningful contribution that has been and continues to be made by the American Fisheries Society.

As an affiliate of the American Association for the Advancement of Science, the society is an adherent member of the American Institute of Biological Sciences, and holds membership in the Natural Resources Council of America, the Watershed Congress, and assists the Boy Scouts of America and other organizations in conservation of fisheries matters.

One of the society's most memorable accomplishments to date was its urging of the Congress to establish the first Federal fish hatcheries in the United States and the society was the first such orga-

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nization to do so. The tremendous contribution made by the society in this regard will long stand as a monument to fish conservation and utilization in America.

The American Fisheries Society is the first organization in the field of natural resources in North America to celebrate a centennial.

On September 13, 1970, the society will return to New York City to mark its 100 years of service to America and the American people. This celebration will be held in conjunction with the 60th annual conference of the International Association of Game, Fish, and Conservation Commissioners.

Therefore, I am extremely pleased and deeply grateful that authorization has been granted for the striking of medals commemorating this centennial and the highly valuable service and contributions of the American Fisheries Society over the past 100 years in the field of natural sciences.

THE QUIET EXPLOSION

HON. DAVID N. HENDERSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. HENDERSON. Mr. Speaker, Dr. L. Quincy Mumford, the Librarian of Congress, delivered the dedicatory speech on May 1, 1969, dedicating the library at Mount Olive College located in Mount Olive, N.C., and in the Third Congressional District which I have the honor to represent.

Dr. Mumford is a native of North Carolina and is a distinguished public servant. His speech entitled "The Quiet Explosion" delivered near his birthplace, was so well received by those in attendance that I would like to share it with all of the Members of the Congress who Dr. Mumford serves so well in his present position:

THE QUIET EXPLOSION

(By L. Quincy Mumford)

It is always pleasant to return to the scenes of one's boyhood and when that scene is North Carolina the pleasure is doubled. Mr. Barefoot asked me if I had any recollections of Ayden Seminary or Eureka College of Ayden. Unfortunately, I do not have an address for either institution in my memory bank, as the computer types would say. On the other hand, I have many memories, bright ones, associated with this area. I was born and grew up on a farm in eastern North Carolina, three miles from Grifton, although our address was Hanrahan, a crossroads that boasted two stores. One of these contained a small Post Office run by my sister and brother-in-law. One of the things I used to do as a boy was to climb a ladder near the tracks and hang a bag full of mail on a rack so that the train could pick it up without stopping. The incoming mail was thrown on the ground from the moving train.

I attended a one-room schoolhouse for three years where, among other excitements, the roof periodically caught fire from the sparks from the wood-burning stove, and the older boys would climb on the roof and douse the fire with buckets of water. At the end of three years, a new school was built consisting of two rooms, and a second teacher was obtained.

The school had no books, and the only books that I can readily remember as being available to me in my very early years were the graded readers in the Heart of Oaks series. After school we could not head for the children's room of a branch library as so many youngsters do today because, in those days, public libraries were unknown in our area of the country. The nearest one was nearly 75 miles away in Raleigh, the capital of the State.

I attended high school in Grifton where there were a few books, but very few; so for all practical purposes my reading was limited to the texts which we were using in school classes.

It was not until I enrolled in Trinity College, now Duke University, at Durham, North Carolina, that a library of any consequence was available to me. I began to work as a page in the college library in my sophomore year, and from that time on I was surrounded by books.

One other memory of Mount Olive is closely associated with my days at Duke University—one of a blonde coed. I met her when she and her sister lived in Mount Olive, it was, perhaps, inevitable that before long I hitchhiked to Mount Olive to pay a visit. I was fortunate enough to make the trip down with one driver, covering the hundred miles in about three hours. As I remember, we proceeded at the headlong speed of 30 miles an hour. But she later moved to New Jersey, and I come to Mount Olive today on quite a different mission.

Reference librarians week after week answer a fair number of requests for speeches of dedication—for models to follow, for great sayings to quote, even for help in composing a special kind of dedicatory address. It would be quite understandable, therefore, if a librarian were to be reluctant to participate in a dedication ceremony with the excuse: There is nothing new to say. Understandable, perhaps, for everyone except someone from the Library of Congress. In its halls, he has before him every day the refutation of the claim that there is nothing new to say, the original draft of a dedication speech that will always be a challenge to every succeeding speaker, a speech that had its beginnings on November 2, 1863. On that day David Wills, a respected citizen of Gettysburg, wrote to the President of the United States to invite him to a ceremony dedicating a burial ground for soldiers who had fallen at the battle of Gettysburg.

"It is the desire," wrote Mr. Wills, "that, after the oration, you, as Chief Executive of the nation, formally set apart these grounds . . . by a few appropriate remarks."

Those "few appropriate remarks" became one of the great classics of the English language and will always present an unattainable standard for those of us who attempt to deliver a "few appropriate" words of our own.

I can well repeat, however, Lincoln's modest statement that the world will little note or long remember what I say here—but that is as it should be. What we dedicate today is not a place for the dead, but rather one for the living, not an end but a beginning.

One does not necessarily need a building to begin a library, but one must admit that housing of some sort is an important consideration. Those of you who have shared my enjoyment of Lucretia Hale's account of the Peterkin family may recall that a library played no small part in their attempt to gather greater knowledge.

They were gathered around the breakfast table when Mrs. Peterkin exclaimed: "If we could only be more wise as a family!" How could they manage it? Agamemnon had been to college, and the children all went to school; but still as a family they were not wise. "It comes from books," said one of the family. "People who have a great many books are very wise." Then they counted up that there were very few books in the house—a few schoolbooks and Mrs. Peterkin's cookbook were all.

"That's the thing!" said Agamemnon. "We want a library."

"We want a library!" said Solomon John. And all of them exclaimed, "We want a library!"

"Let us think how we shall get one," said Mrs. Peterkin. "I have observed that other people think a great deal of thinking."

So they all sat and thought a great while.

Then said Agamemnon, "I will make a library. There are some boards in the woodshed, and I have a hammer and some nails, and perhaps we can borrow some hinges, and there we have our library!"

The idea delighted the Peterkins until Elizabeth Eliza raised the inevitable question: "But where are the books?"

After another period of sitting and thinking Solomon John solved the problem by declaring that he would make a book.

The Peterkins' approach to any situation was always unorthodox, but their view of a library was basically sound: a library was made up of books brought together in one place to be used in attaining wisdom. Fortunately, we are not forced, like Solomon John, to write the contents of the library ourselves. But the gathering of a library's collection that today must include, in addition to books, films, periodicals, maps, prints—any form that packages ideas—is an even greater challenge if that collection is to meet the present and future needs of the library's users.

Mount Olive's approach to the problem of acquiring wisdom has been far more productive than that of the Peterkins. That is obvious in the slogan: "The College That Cares." It is obvious in its aims and in its services, in its policies and in its programs. It is obvious in the growing complex of buildings and—particularly so—if you will not accuse me of partiality—in the library that we have gathered here to dedicate.

Today the library's place in a college is evident. It is the core around which the institution develops. Frequently students as well as faculty are attracted to a university or college by the excellence of its library.

Because learning is associated with books, it is not surprising that the founding of a college during the colonial period was often accompanied by a gift of books. Benefactors were frequently as notable as they were generous. Louis XVI, for instance, gave about 200 beautiful editions to the library of William and Mary College in 1784 and presented a similar gift to the University of Pennsylvania. Notwithstanding the zeal of their benefactors, college libraries did not grow rapidly. One attempt to increase a library's collection, devised no doubt by Benjamin Franklin's practical mind, was a resolution passed by the trustees of the "College, Academy, and Charitable Schools" of Philadelphia on April 21, 1752:

"Agreed unanimously that no Holiday be granted to the Scholars at the Request of any Person, unless at the same time he make a Present to the Academy of a Book of ten Shillings value; the Masters to be made acquainted with this Rule."

The colleges of the late 18th and the early 19th century were like barracks with few comforts. There were no lounges, study halls or even reading rooms. It is not surprising, then, that students gravitated to the more inviting rooms of their literary or debating societies. These groups built up libraries of their own that were often used much more heavily than the college library. The rivalry between the societies extended to their book collections. Graduates as well as student members at Princeton, to cite one example, helped to build impressive libraries through subscriptions.

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Today, as the national library of the United States, the Library of Congress supplements the resources available to the scholar and research worker at institutions throughout the Nation. It might interest you to know that we made several hundred loans to libraries in North Carolina last year. In addition, through its expanded program of acquisitions, the Library of Congress is enabling libraries in this country to acquire materials of value to research published around the world and—through the program of shared cataloging—to make those materials available to the user in a matter of weeks. The development of the MARC distribution service, which supplies machine readable cataloging on tape on a subscription basis, increases the capability of libraries to utilize computers.

The quality of the colonial college libraries, according to some accounts, was not generally high. President Thomas Clap of Yale wrote in 1776 that the library of about 4,000 volumes was good, "well furnished with ancient authors, but not many authors who wrote within these thirty years." And James Manning of Brown told a correspondent in 1783 that "Our library consists of about 500 volumes most of which are very ancient and very useless."

Thomas Jefferson, who founded the University of Virginia, introduced many features that were new to the universities of his day. He put far more emphasis on the library than was customary and intended to donate his excellent private collection of 6500 volumes to the University of Virginia. When the British invaders in 1814 fired the Capitol, however, destroying the collection of the Library of Congress, he felt impelled to offer to sell his books to the Government. Thus the Library of Congress acquired the Jefferson library as the basis for its collection and the University of Virginia received, instead, a classified buying list of desirable volumes compiled by Jefferson. Though he readily admitted the inadequacy of his selections in some fields because of his "want of a more familiar knowledge of their subject," it is noteworthy that this remarkable list enabled the University of Virginia library, at its establishment, to cover all fields of learning.

Not only did Jefferson, in this way, select the first collection of books for the University of Virginia library, but he also chose its first two librarians and formulated the rules enforced by them. These regulations, adopted by the University's Board of Visitors in 1825, provided for unrestricted use of books by the faculty, but only limited service to students. No student was allowed to have more than three volumes on loan to him at one time and not even a single volume, unless he could show authorization for it by one of the professors. Fines for overdue books were graduated in accordance with the size of the book detained. If a student lost a book he was required to pay to the library three times its value. The librarian was to open the library to receive and discharge books only one hour a week.

Nor were these rules unduly restrictive for that day. Libraries were sometimes locked away and opened an hour or so a week for students to borrow and return books. In some colleges only juniors and seniors were allowed to borrow books. In addition to the restricted hours, some libraries announces that the librarian could "permit the Scholars to enter the Library, only one at a Time, and in their Order; If any Others at such Times shall attempt to intrude [the regulation continued] the Librarian or his substitute shall make complaint to the Pres."

Much has changed since those days. We have but to look at the library that is dedicated here today to see that its planners have built it for use. The open spaces, the lounge areas, the study carrels, the allowance for growth, the endowment for books—all these indicate that this library is built for service to students as well as to faculty members. It is obvious that Mount Olive shares Jefferson's belief in the importance and value of books but underscores that belief by making the books readily available.

No visiting speaker needs to tell you that the scholastic campus today is a place of action, turmoil, and revolution. This is hardly news nor is it new. Riots and revolts, breaking of furniture, firing of buildings, rolling cannonballs down the corridors (a post-Revolution development at Harvard that was copied by other colleges) were common enough in this country in the 18th and 19th centuries. But the real revolution—the eternal impact of mind against mind, the quiet explosion of ideas—takes place within the walls of the library. Here the wonderful mind of youth, still free of experience, of caution, and of conservatism, the wonderful mind that questions, that seeks answers for itself, that ponders and value—here, I say, that mind can meet the minds of other men of every age. Here, in the library, you can carry on our own conversation with the philosophers, the scientists, the economists, the historians, the artists, the writers—the dreamers and thinkers of many ages and many nations. And from these conversations evolves your own philosophy, your own wisdom. In brief, you begin the never-ending process of education.

And so today we dedicate not a building but the ideas that it will contain, the ideas that will develop under its sheltering roof, the ideas that its users will bring to bettering our world.

A NEW DAY IN THE POSTAL SERVICE

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. NIX. Mr. Speaker, I was not able to attend the legislative rally of the National Postal Union, because the Crime Committee of the House of Representatives had its first organization meeting at the time I was due to speak. If I had been there I would have made the following remarks:

A NEW DAY IN THE POSTAL SERVICE

Ladies and gentlemen of the National Postal Union, I am happy to be here with you at the Washington Monument this afternoon and commend both your officers and yourselves for this fine turnout today. Dave Silvergleid, Bob Kephart and John Morgan and I work together every day. They are fine union officers, among the best, and they represent some of the finest people in the American labor movement. I am proud of both you and your officers and you should be proud of each other.

As you know, the Postal Operations Subcommittee of which I am chairman is holding hearings on various bills that would bring labor relations by law to the postal service. Someday labor relations by law will be a must for the Federal Government as a whole. But we must do something immediately in this regard for postal employees and we will continue to hold hearings in May and possibly June on this subject. The Civil Service Commission is opposed to legislation and would like to continue the Executive order approach.

As a result of their testimony, on the 29th of April I sent a telegram to the President of the United States, in which I pointed out to him that an administration witness had stated before our subcommittee that the administration did not favor postal labor relations by law, but were in favor instead of a new executive order. I reminded the President of his campaign statements of 1968, in which he took the position that the Federal Government labor relations had to be conducted under a new law, that an Executive Order was not sufficient. I believe that the President should intervene personally and see to it that the Civil Service Commission is aware of his prior statement and the record he made in 1968. A column appeared in the public press, the Washington Daily News, of April 26 by John Cramer, entitled "Nixon Seen Reneging on Promise." This news story was based on our hearings before my Subcommittee on Postal Operations. I thought the President should be aware of the hearings and the interpretation placed on those hearings by well informed newspeople.

I can tell you this. We will have postal labor relations by law. My Subcommittee is going to forge ahead and with your help and dedication I think we can win a new day in the postal service for working men and women.

I would like to point out to you that during a time of stress in this country your organization among others stands out as a center of responsibility. The hard work and effort you devote to postal workers is of great help to the development of a truly responsive postal service. The American people owe you a debt of gratitude because without your organization, grievances would go unresolved. When that happens, disorders is the result. You help society by helping yourself. America needs you. Keep up the good work.

NEW IDEAS AT PEACE CORPS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, yesterday President Nixon swore in Mr. Joseph Blatchford as the new Peace Corps director. In yesterday's RECORD, page 11446, I discussed the eminent qualifications Mr. Blatchford brings to this job as a founder and director of his own private peace corps in Latin America. I also discussed Mr. Blatchford's observation that Peace Corps is a "waning" organization in need of rejuvenation.

At yesterday's ceremony in the White House Rose Garden, Mr. Blatchford disclosed some of the new ideas under consideration to rejuvenate the agency. He is most concerned about making the Peace Corps more relevant to the changing conditions both in the world and in America in 1969.

Some of the new ideas under consideration include making the corps a 3-year program for service both at home and abroad as a substitute for military service; recruiting more skilled people into Peace Corps; bringing over foreign volunteers to work in American slums; and increasing efforts to recruit American volunteers from racial minorities.

These topics will be explored by a 40-member task force that will begin its work tomorrow and make its recommendations to the President by the end of the month. The proposals will have to be studied in the context of the revised Peace Corps budget which is being trimmed from $109 million to $101 million. The cut will mean a reduction in the number of volunteers to be trained in the coming fiscal year from 8,500 to 7,500. But the Peace Corps has learned that success does not necessarily lie in numbers. The new approach will be placing more emphasis on quality than quantity.

I again wish to commend the administration on this outstanding appointment and to commend Mr. Blatchford on this early indication that he intends to breathe new life into an organization that has served America so well in the past. I am confident that the fresh perspective and approach Mr. Blatchford brings to the Peace Corps will assure its continued success.

At this point in the RECORD I introduce articles from yesterday's Evening Star and today's Washington Post and the New York Times on the Blatchford appointment:

[From the Evening Star, May 5, 1969]

NIXON HAILS NEW PEACE CORPS IDEAS—U.S. WEIGHING ROLE FOR FOREIGN YOUTH

(By Richard Critchfield)

President Nixon has asked new Peace Corps director Joseph H. Blatchford to study proposals for widening the spectrum of recruiting, bring foreign youth to work in American slums in the "reverse Peace Corps" and creating a 3-year program for service at home and abroad to serve as a substitute for military service.

Blatchford was sworn in today in the White House Rose Garden.

At the ceremony, Nixon said Blatchford's new ideas would receive the highest priority in his administration.

Blatchford said his chief new policy will be to make the Peace Corps relevant to the changed conditions in the world and America in 1969. He said he sought to do this by lengthening the program to 3 years, in some cases, so a volunteer would serve both in this country and abroad.

RELEVANCY STRESSED

He said he would also seek to bring foreign nationals here as instructors and teachers in the war against poverty—what he called a new approach to voluntary action to open the doors to both Americans and foreigners to participate.

Blatchford said he hopes to lift restrictions and raise allowances to allow more mid-career professionals, blue-collar workers and trade union men into the Peace Corps. This is in line with a growing administration feeling that skills and experience are needed more than simply youthful enthusiasm.

Blatchford said that although the Peace Corps budget request for fiscal 1970 is $101.1 million, just under the $102 million this year, it would be possible to launch a number of pilot projects to test out the "reverse Peace Corps" and 3-year plans.

Blatchford said that "a 3-year commitment at home and abroad could be an alternative to military service some time in the future. That is our eventual goal."

At present, participation in the Peace Corps allows for a military deferment but is not a substitute for the draft.

Blatchford said there would also be a special new effort to recruit more volunteers from racial minorities.

He said he had discussed his new ideas with Nixon this morning before the swearing-in and the President had asked him to further investigate them and come up with plans for testing them. Blatchford said a task force for this purpose will be set up Wednesday.

Blatchford himself has been a pioneer in new approaches to slum development in Latin America.

At today's ceremony, Nixon noted that Blatchford was the founder in 1960 and director until two months ago of Accion, a private program largely endowed by rich Latin Americans for development projects in the slums of such major cities as Rio de Janeiro, São Paulo and Lima.

Nixon also observed that Blatchford and his wife were fellow natives of California, which has provided more Peace Corps volunteers than any other state. Blatchford's wife, Winnifred, a former Accion volunteer in Venezuela, held the Bible in the ceremony.

Accion's programs are largely staffed by locally recruited Latin Americans. Most of its $4 million budget in recent years has come in contributions from wealthy Latin Americans and its American-financed budget is only $200,000.

[From the Washington Post, May 6, 1969]

NEW DIRECTOR ASKS CHANGES IN PEACE CORPS

President Nixon presided at the swearing-in ceremony yesterday for his Peace Corps Director, Joseph H. Blatchford—who promptly suggested three changes to "make the Peace Corps relevant to 1969."

The proposals will be topics of study by a 40-member task force that is to begin work at the Peace Corps Wednesday and complete its job by the end of the month, when recommendations are to be forwarded to the President.

While Mr. Nixon did not commit himself yesterday to Blatchford's new ideas, he said they will receive attention of "the highest priority."

One Blatchford proposal would establish a combined foreign-domestic service for Peace Corps volunteers, possibly in collaboration with VISTA (which is often known as the domestic Peace Corps).

Another proposal is the "reverse Peace Corps," under which foreign nationals with skills would work to help solve American domestic ills. The State Department now operates a small "Volunteers to America" program along this line, and is reported to be urging that the Peace Corps take it over. At present, about 60 foreign volunteers are involved.

Finally, Blatchford suggested that Peace Corps regulations be changed to permit middle-career professionals, blue-color workers, trade union men and other volunteers with families to participate overseas.

The Peace Corps budget proposals were recently reduced to about $101 million, slightly less than the sum allotted in the current fiscal year. Blatchford said yesterday that his new proposals would probably be tested on a relatively inexpensive "pilot basis" at first.

Blatchford, 34, has been executive director of ACCION International, which is a business-supported unofficial Peace Corps in Latin America. He is the youngest agency head appointed by Mr. Nixon.

[From the New York Times, May 6, 1969]

NEW PEACE CORPS HEAD: JOSEPH H. BLATCHFORD

WASHINGTON, May 5—In 1968, as Vice President Richard M. Nixon was being charged by a mob in Venezuela, a law student at the University of California, Berkeley, started thinking about what could be done to restore the traditional friendship of the hemisphere. An informal good-will tour of his own followed, then a more ambitious idea of forming his own version of what President John F. Kennedy later started as the Peace Corps.

The law student, Joseph H. Blatchford, called his organization ACCION, and started rounding up money and volunteers for South American duty in the fall of 1959.

Today, Mr. Blatchford stood in the Rose Garden of the White House to be sworn in as President Nixon's director of the Peace Corps, pledging to make the idealistic project of the New Frontier "more relevant to 1969."

Introducing the Republican head of the agency, Mr. Nixon called on him to develop new ideas and new programs. The 34-year-old former championship tennis player wasted no time in complying.

He wants a "wider spectrum" of Peace Corps volunteers, he told newsmen—trade union members and blue collar workers, mature persons in mid-career, not just fresh college graduates.

And he suggested a "reverse Peace Corps" to bring foreigners to the United States to help in domestic antipoverty programs.

"The Peace Corps is the idealistic arm of the American people abroad," Mr. Blatchford said. Once unchallenged, this description of the eight-year-old program now seems open for questioning among many young people and the public at large.

RESTORING ENTHUSIASM

The new director sees his role as trying to restore some of the luster that Peace Corps officials acknowledge has faded since the early burst of enthusiasm.

Mr. Blatchford is clearly no novice in volunteer programs of overseas development. He headed ACCION as a privately supported community development program in Latin America for eight years prior to his appointment.

The organization was a direct outgrowth of Mr. Blatchford's musings after the Caracas riots in 1958.

He had competed in the British tennis championships at Wimbledon in 1956. Several of his law school friends were jazz musicians. They banded together for a four-month student good-will tour in 1959, using tennis exhibition matches and jam sessions as entree into student communities in 30 cities.

Returning to law school, Mr. Blatchford started canvassing private corporations to contribute toward the founding of ACCION. The first volunteers started work in Venezuela in September, 1961. In the next eight years, more than 1,000 field workers and staff members were sent out for work projects in four countries.

With these credentials, Mr. Blatchford has sought energetically to dispel some of the resentment still lingering among Peace Corps veterans and officials over the circumstances of his appointment last month.

The former director, Jack Hood Vaughn, was reportedly asked by Secretary of State William P. Rogers to stay on in his post shortly before President Nixon's inauguration. Mr. Vaughn had worked with the first director, Sargent Shriver, from the formation of the Peace Corps. As a registered Republican, who served in Democratic administrations, his continuity in office would have emphasized the nonpolitical nature of the agency.

Instead, early in March, Mr. Vaughn was abruptly informed that he would be replaced after all.

As his successor, Mr. Blatchford was known as an unsuccessful Republican candidate for the House of Representatives from the Los Angeles harbor district.

He was born June 7, 1934, in Milwaukee and moved to California when he was 10 years old.

QUESTIONED ON AMBITIONS

At his confirmation hearing before the Senate Foreign Relations Committee last month, Mr. Blatchford was questioned closely on his partisan political ambitions; there was no challenge to his qualifications for the Peace Corps post.

Under new leadership, the Peace Corps will inevitably change in character—but it probably would have anyway, even if Mr. Vaughn had remained.

Within the Administration there are moves to try integrating the Peace Corps more closely with other foreign operations of the Government.

Three days ago the Under Secretary of State, Elliott L. Richardson, asked all the heads of bureau in the State Department to look into ways of expanding interchange of personnel among the foreign affairs agencies, including the Peace Corps, the Agency for International Development, the United States Information Agency, the Arms Control and Disarmament Agency and the State Department itself.

XUM

Hanging over the agency that Mr. Blatchford now controls is the old question of what the Peace Corps role should be—an enthusiastic body of young people spreading goodwill by their mere presence in developing countries, or, alternatively, a corps of trained specialists taking expert and active part in specific development projects.

Recognizing that it is now a "new world and a different America from 1961," when the Peace Corps was founded, Mr. Blatchford seems to favor the latter—hence, the need for the closer integration of personnel with other Government agencies involved in overseas development.

LOWER VOTING AGE IS REASONABLE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. ZWACH. Mr. Speaker, for the past 2 years I have been receiving letters, telephone calls, and personal visits, as have all of my colleagues, I am sure, urging Federal action to lower the voting age to 18.

This is an issue, too, about which many newspapers have written editorials. One such editorial, a particularly good one, I thought, appeared in the Morris Tribune in the Minnesota Sixth Congressional District last week.

I recommend its reading to my colleagues.

Lower Voting Age Is Reasonable

Young Americans on and off college campuses have demonstrated an interest in all kinds of causes in recent times. One of the most important of these is the effort to lower the voting age, presently set at 21 in Minnesota.

Bills are now before the state legislature proposing the necessary constitutional amendment to accomplish the change.

The standard arguments in favor of the change are well known by people of all ages. There is no exemption from heavy social security taxes, income taxes and all other forms of taxation for people just because they are under 21 years of age. Far from being any exemption from military service, just the reverse is true. The 18- to 21-year-olds are the group most heavily tapped for service in the armed forces.

It is reasonable that people who are being forced, not just asked, to shoulder these obligations of society deserve the same voice which every voter has in the decisions of such a society. Moreover, the history of this country reveals repeated easing of the requirements for the right and privilege of voting coupled with growing governmental demands on the people.

Naturally, there is some sense to the argument that people can be expected to achieve greater maturity and a better sense of judgment at the age of 21. However, there is really nothing magical about this figure. People with a genuine interest in government attain a remarkable understanding of of it at an amazing early age. People with little or no abiding interest in government may never make an effort to understand it. They may or may not, just as they choose, exercise their right to vote. The same option is not presently available to those under 21.

Finally, there are some potentially sticky situations involving purely local issues in which the presence of a major concentration of essentially transient 18- to 21-year-old college students could substantially affect the outcome of an election and thwart the will of the relatively permanent electorate. Such could be the case in Morris and a few other communities across the nation which are fortunate enough to have a large college population relative to the general population of the community.

This really should present no major problem. State law could either spell out more rigid residency requirements for voting in local municipal, school and township elections or could provide for local option within reasonable state guidelines. It is helpful too that local elections are normally held at different times than national and state elections so there would be no problem of giving some ballots to one voter and withholding them from another at the same election.

All in all, the case for lowering the voting age is a substantial one.

BRUSQUE RETORT FROM THE POST OFFICE DEPARTMENT

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. TIERNAN. Mr. Speaker, I recently received from one of our colleagues, copies of correspondence with the Post Office Department regarding a suggestion for a commemorative stamp to recognize the landing of America's first astronaut on the moon this summer.

In the correspondence with the Postmaster General, our colleague, the distinguished Member from Pennsylvania, John Saylor, stated that such a stamp was in order because of this unique event that is scheduled to take place in July. In addition to the recommendation of a commemorative stamp, Congressman Saylor also suggested that the first-day sale along with a dedication ceremony be held at Apollo, Pa. This town is located in the Armstrong County section of Pennsylvania. Because of the name of the present series in our space program and because the first astronaut scheduled to land on the moon is Colonel Armstrong, I, and many of our other colleagues, agree that Congressman Saylor's suggestion for the first-day sale in Apollo, Pa., is an appropriate and unique proposal.

As a member of the House Committee on Post Office and Civil Service, I wholeheartedly support our colleague's recommendation. Unfortunately, one of the new corporate-oriented executive types in the Post Office Department saw fit to answer Congressman Saylor's original communication to the Postmaster General with a brusque retort that no such stamp is being planned. I do not know whether or not the answer given to Congressman Saylor is a standard form letter kept on file to be used in replying to letters considered to be only of a petty or pesky nature. However, it seems to me that not only was this letter curt and callous, but it was unresponsive as well.

I am hopeful, Mr. Speaker, that the Postmaster General will make an effort to see that this kind of treatment does not become a permanent part of his operation.

Because I feel very strongly about the manner in which Congressman Saylor was treated, I would like to share with all our colleagues the correspondence involved in this matter. Without objection, I include a copy of Congressman Saylor's letter to the Postmaster General dated April 22, a copy of the letter from the Postmaster General's Special Assistant dated April 29 and a copy of a letter addressed to Bryce Harlow, Special Assistant to the President for Congressional Relations, from Congressman Saylor dated April 30:

Congress of the United States,
House of Representatives,
Washington, D.C., April 22, 1969.

Hon. Winton M. Blount,
Postmaster General of the United States,
Post Office Department, Washington, D.C.

Dear Mr. Blount: A great event will take place in July, 1969—the landing of America's first astronaut on the moon—and I believe there is no better way to give this historic event the special recognition it rightly deserves than with the issuance of an appropriate commemorative stamp.

I recommend that the Post Office Department and its Stamp Advisory Committee proceed with the consideration of a timely designed stamp, but, most important, I specifically request that you designate the second-class postal facility at *Apollo, Armstrong* County, Pennsylvania, as the site for the first-day dedication ceremony and sale of the stamp.

Because of the uniqueness of the occasion and the unusual juxtaposition of names which are involved, I request that you give this proposal your serious consideration and approval. *Apollo*, the name of the N.A.S.A. flight series, is the only such post office named in the United States and it lies within *Armstrong* County, the name of the astronaut scheduled to take the first steps on the moon.

I am familiar with the fact that other places in the United States have been signally honored with first-day sales connected with the naiton's space efforts, but rarely will you find a more auspicious location as *Apollo, Armstrong* County, Pennsylvania, to record perhaps the greatest feat in the annals of time.

With every good wish,
Sincerely,
John P. Saylor,
Member of Congress.

Office of the Postmaster General,
Washington, D.C., April 29, 1969.

Hon. John P. Saylor,
House of Representatives,
Washington, D.C.

Dear Congressman: Thank you for your letter of April 22 suggesting the issuance of a commemorative stamp for the landing of America's first astronaut on the moon.

There are no plans to issue a stamp for this event at this time. However should the Postmaster General approve such a stamp, Apollo, Pennsylvania will be given consideration as the firstday sale city along with other suggested sites.

We appreciate your interest in this particular stamp.

Sincerely,
James M. Henderson,
Special Assistant to the Postmaster General.

Congress of the United States,
House of Representatives,
Washington, D.C., April 30, 1969.

Mr. Bryce Harlow,
Assistant to the President for Congressional Relations, The White House, Washington, D.C.

Dear Mr. Harlow: I attach a copy of a "reply" I received from one of the non-political professional functionaries of the "new" Post Office Department. The letter I received was in response to mine of April 22 directed personally to the Postmaster General of the United States, the Honorable Winton Blount, on a subject which I considered

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to be of great importance to the people in my district.

The curt, uninformative brush-off from one of the Postmaster General's underlings was disrespectful of the office of the Postmaster General and offensive to the people of the 22nd District of Pennsylvania and me. It was not the kind of response one should expect from a Cabinet officer of the Government to a Member of Congress.

I find it hard to believe that such an officer would allow the author of such a letter to be a member of his official family, and I find it incredible that a Cabinet-level officer would knowingly tolerate an obviously insensitive person to exercise authority in his name in contact with the public or with Members of Congress.

During my tenure as a Congressman, I have had occasion to make many requests in writing to the six predecessors of the incumbent, and my requests have always been received with respect. Many times they have been denied, but always, there was a full and courteous explanation stating the reasons for the denial of my request. In most cases during past Administrations, the Postmaster General replied personally, or when a sub-level officer wrote he was careful to state that he spoke for or with the authority of the Postmaster General. I always felt assured that my requests had received the attention of the Postmaster General. Such practices in the past were based on simple and reciprocal courtesy expected and accepted by Postmaster Generals and Members of Congress of both parties.

I did not expect simple courtesy to change with Administrations. I did not expect to be summarily dealt with by a sub-level employee with the change to a Republican Administration. I did not expect rudeness to become the tone of this Administration's "efficient" postal operation. It has, in short, been a shock to a Republican Member of Congress to watch with horror the heavy-handed antics of the minions of the "new" Post Office Department.

In my letter of April 22, I did not ask the Postmaster General to appoint a qualified Republican to a vacant postal position. I did not ask the Postmaster General to improve mail service before he came to Congress for more money and another postal rate increase. I did not ask the Postmaster General to do anything out of perspective than "seriously consider" my suggestion relative to the creation of a commemorative stamp.

The background of my proposal was this: The only Post Office facility in the United States with the name of "*Apollo*" is located in my district. The *Apollo* facility lies in *Armstrong* County, Pennsylvania. We are familiar with the fact that NASA has an historic mission scheduled for July in the *Apollo* series during which the landing of the first man on the Moon will be made by Astronaut *Armstrong*. Because of the uniqueness of the occasion and the unusual juxtaposition of names which are involved, I requested that the Postmaster General give consideration to the creation of a commemorative "landing on the moon" stamp, with first-day sales to take place in *Apollo, Armstrong, Pennsylvania*.

The special assistant that responded to my request had the audacity to tell me that "there were no plans" for such a stamp. Of course not, I made the suggestion. Perhaps he should have pointed out that the "efficient" Post Office Department has not yet appointed the statutorily required Stamp Advisory Committee after over one hundred days in office.

This same new bureaucrat apparently lacked the imagination to see the significance of the NASA flight and the juxtaposition of the names. He apparently decided to overlook the fact that the Department has issued three other commemorative stamps honoring the progress of our nation's space program. He obviously does not know that such an event as the first landing of man on the Moon will surely demand the issuance of a commemorative stamp. He lacks the sensivity to know that a great many people in the country and in the world will expect such a stamp from our nation. He totally lacks the human awareness that the issuance of such a stamp would mean a great deal to many people around the world, our own U.S. citizens and those who are fortunate to be living in Apollo, Pennsylvania.

This same individual did not even have the courtesy to acknowledge that other Members of the Pennsylvania's Congressional delegation have supported my suggestion with personal letters of support addressed to the Postmaster General. I hope, sir, that this same misguided individual does not have the effrontery to deal with other Congressmen and their requests in the same disgraceful manner with which mine has been accorded.

There is no excuse, Mr. Harlow, for the content of that letter, for its lack of sensitivity, for its lack of understanding and for its unaccommodating tone!

Sincerely,

JOHN P. SAYLOR,
Member of Congress.

NATIONAL TIMBER SUPPLY ACT

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mrs. MAY. Mr. Speaker, one of the most urgent matters facing the United States is realization of the national housing goals established by the Congress in 1968 legislation. We are committed as a people to the production of 26 million housing units in the next decade. President Johnson in transmitting last January the first annual report required by the Housing and Urban Development Act of 1968 flatly stated:

> The housing goals of the 1968 act are firm national commitments.

We now have a new national administration with my party leadership in the executive branch. I am pleased that President Nixon and Secretary of Housing and Urban Development George Romney are firm in their determination to do their very best to execute this congressional mandate. The Nixon administration has made it clear that action to achieve housing expeditiously is one of its basic principles. They have already cut through redtape here in the District of Columbia to produce results instead of studies and shelter rather than endless planning sessions.

One of the long-term restraints imposed upon housing activity, however, as I pointed out in introducing H.R. 10688, the National Timber Supply Act of 1969, last week is the unavailability of sufficient volumes of softwood lumber and plywood. I emphasized that the President of the National Association of Home Builders, Mr. Eugene A. Gulledge, has flatly declared that without lumber and plywood it will be impossible to build the housing America needs. I also stressed that the greatest single potential resource for the necessary timber to produce that lumber and plywood is the Federal Government itself. My bill is directed toward enabling the Forest Service of the U.S. Department of Agriculture to manage the commercial timber lands in its charge so that there will be no shortage of logs for manufacture of these essential wood building materials.

While there has been no official report from the Department of Agriculture or the Bureau of the Budget on the National Timber Supply Act, I am heartened by the forthright response of the Secretary of Agriculture, Clifford Hardin, to an inquiry I directed to him as to steps he contemplated in relieving present building materials pressures and prices.

He wrote to me at length under date of April 25 and established in one sentence of that letter a premise which, I trust, bodes well for the future management of Federal commercial timber lands. Secretary Hardin clearly stated:

> Long term solutions lie in our being able to produce more timber from all of the Nation's commercial forest lands without deviating from sound conservation principles.

This is precisely the intention of the Members of the House and the Senate who have sought to provide the means through introducing the National Timber Supply Act. It is obvious that since the Federal Government controls 60 percent of the standing softwood sawtimber in the entire United States and yields less than one-third of the volume of logs necessary to meet even our present softwood lumber and plywood production levels that primary emphasis in producing more timber must be on the national forests. Lands under industrial management are already producing 3.5 percent of their total sawtimber inventory annually under sound conservation principles while the national forests yield less than nine-tenths of 1 percent of their available inventory each year. During the next decade increased production obviously must come from the Federal commercial timberlands if we are to approach the material requirements dictated by the 2.6 million average annual housing starts to which we have committed the Nation.

While there is no question that private industrial lands and lands in other miscellaneous private and public ownerships can be utilized more effectively over the long run, the Federal commercial softwood sawtimber forests are not being operated under sound conservation principles if you consider a high level of tree growth as conservation. Keep in mind that only about half of the national forest area is considered commercial forest.

The Congress will surely join with Secretary Hardin in seeking long-term solutions to the Nation's wood needs by more effective use of all commercial timberlands capable of producing a steady supply of sawtimber into the infinite future. The National Timber Supply Act will enable this kind of intensive management on the national forests and should be fully supported by both the Department of Agriculture and the Bureau of the Budget.

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The administration is steadfast in its determination to make it possible for all our people to secure adequate housing. I have faith that it will utilize every sound and practical method available and that the Congress or industry can make available to fulfill the obligations recognized by the Housing and Urban Development Act of 1968. But, if it is to expedite programs which have been long delayed, it is absolutely necessary that departments responsible for the forest management and fiscal integrity of the Nation act promptly to report favorably to the Agriculture Committee on the National Timber Supply Act.

I am today asking both Secretary Hardin and Mr. Mayo to act with all deliberate speed to report positively on H.R. 10688 and its companion bills so that the Congress can undertake to make the National Timber Supply Act the law of the land and we can begin to see its effective results promptly. I hope the Congress and the administration can cooperate to make this law by July 1, 1969.

CHILDREN'S VERSION OF PEACE: A LESSON FOR US ALL

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. HORTON. Mr. Speaker, the mind of a child is a wondrous thing. It is uncluttered with problems and prejudices. It is quick and it is perceptive. If we could only listen to the thoughts of the young and then put them into practice, the unsolvable of today might be resolved.

I would like to share with my colleagues just a few thoughts on peace expressed by a group of sixth graders at the North Rose School of the North Rose-Wolcott Central School District in my 36th District of New York:

WHAT IS PEACE?

(EDITOR'S NOTE.—The following are some of the definitions written by Donald Maurer's sixth grade English I class at the North Rose Building.)

Peace is understanding in the world and love for each other.

Peace is happiness among all nations.

Peace means no war, no riots, no strikes, no college sit-ins.

Peace is where countries are friends.

Peace is a word everyone should learn.

Peace is to stop wars and killing.

A word with much meaning but no power.

It is something this generation has never known.

Peace is a quiet world.

Peace is having your family home.

Peace is freedom for all the world.

Peace is having a heart full of cheer, not hunger.

Peace is friendliness between countries, laughing, working, and playing no matter what race they are.

God made this world for human beings, not haters.

Peace is knowing your father will come home alive.

Peace is helping everyone without Communism and war.

Peace is love, joy, kindness, and friendship between neighbors and nations.

Only God can give true peace.

Peace is where everyone likes each other.

Peace is wonderful!

SEX AND POSTAL RATES

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. NIX. Mr. Speaker, on Friday, May 2, at 3 o'clock in the afternoon the Post Office Department through the good graces of the White House released an administration request for an over $500 million increase in postal rates. This is, in effect, a tax bill because the increased cost of stamps to the public does not go to the Post Office Department. Such funds are placed in the General Treasury of the United States. This is a serious matter because the postal rate bill passed by the 90th Congress killed the Saturday Evening Post which was published in my city, Philadelphia. In addition, the three steps in postal rate increases passed by the 90th Congress have not been completed yet.

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THE DEFEAT OF PRESIDENT CHARLES DE GAULLE

HON. DAVID N. HENDERSON

OF NORTH CAROLINA

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Mr. HENDERSON. Mr. Speaker, somehow I cannot agree with President Nixon and others who expressed regret when the French people recently rejected Charles de Gaulle at the polls.

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I respect De Gaulle for his contributions during and after World II, but I cannot conscientiously now express regret at his defeat. In my opinion, America has lost no friend by this action.

GAMBLING WITH THE SECURITY OF THE AMERICAN PEOPLE

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BERRY. Mr. Speaker, at this time when there appear to be persons who are influenced by outside forces or otherwise opposing this Nation defending itself and assisting in the defense of the free world through military preparation, the editorial of David Lawrence in the May 12 issue of U.S. News & World Report is most pertinent, and I am inserting it in the RECORD.

At the same time, Mr. Speaker, I insert a recent column of James Kilpatrick. These two fine articles certainly provide food for thought.

They are as follows:

[From U.S. News & World Report, May 12, 1969]

GAMBLING WITH THE SECURITY OF THE AMERICAN PEOPLE

(By David Lawrence)

One of the most discouraging developments observed in current history is the opposition being manifested today against the President's plan to strengthen our anti-ballistic-missile system and protect the United States against nuclear attack.

Individual members of the Senate—a few in each party—have been making speeches denouncing the project and giving the impression that the money would be wasted. To support their arguments, they have lined up a number of scientists. But such dialogues occurred when the hydrogen bomb was first under consideration and, despite differences of opinion at that time, the United States has since achieved a superiority in atomic power.

Why do politicians gamble with the security of their country? Do they think that criticism of the military establishment somehow classifies them as champions of peace and thereby wins votes?

It is time to present the case for safety—for the protection of our people, so many millions of whom could be wiped out by a single nuclear blast.

Who for a moment believes that any President of the United States or his Cabinet would venture to come forth with a defense program that was not intended to be in the best interest of the entire nation? How do the critics justify their theories that Russia will not take adavntage of America's delays and procrastination and outdo us in the field of weaponry?

In forming a judgment on the problem of how to meet attempts of the Soviets to build up not only their nuclear force but the potentiality of "nuclear blackmail," a member of Congress who speaks out on the subject should realize that a vast amount of inside information is collected by our Government concerning the secret activities of the Moscow regime. If the President of the United States says an anti-ballistic-missile system is necessary as a "safeguard," the critics in Congress should take his word for it.

Looking at the world situation today, it is not possible to brush aside Soviet military power as no real menace. Nor is it sensible to dismiss Soviet intrigue and subversion as a "myth."

We are at this very moment faced with hostile attitudes in both hemispheres. The Soviets have virtually taken possession of Cuba and have bases there to which missiles can be shipped secretly in violation of the agreement reached in 1962 to remove such equipment. Throughout Latin America, moreover, as well as in Africa, the Soviet apparatus of infiltration is at work.

What is the purpose of all this? The answer is that the Communists are ambitious to acquire control of many small countries as a means of harassing the United States and its allies.

Both the Soviet Union and Red China have spent billions aiding the North Vietnamese.

We helped to create the Southeast Asia Treaty Organization, but the Communists have persisted in their acts of aggression, so that today Australia, the Philippines and other smaller countries cannot by themselves assure their own security.

We have in Europe an even greater menace. The Soviet Union has shown clearly that it regards the countries of Eastern Europe as an integral part of the Communist empire. Their sovereignty has been violated.

The safety of the nations of Western Europe is being threatened. What more natural piece of strategy for the Soviet Government to adopt than to bring on critical situations in Europe so as to keep America's military strength dispersed?

The critics may be sincere, but they have over-simplified world problems and mistakenly assumed that the militaristic regimes of our Communist adversaries soon will make agreements for arms limitation. The truth is that there will be no peace in the world until such autocratic governments as exist today in Moscow and Peking are overthrown by their peoples. We could trust the Russian people. We could trust the Chinese people. But they themselves are at present prisoners of totalitarian rulers.

The Defense Department is confronted with a grave obligation—to assure the nation's ability to deter or intercept an enemy attack.

Out of a budget of $193 billion for the next fiscal year, we certainly can afford to spend for the anti-ballistic-missile program proposed by the President the sum of $800 million, approximately $450 million of which would go for research and development. This is a relatively small amount to appropriate in order to help avoid the risk of a holocaust in which millions of our people are destroyed in a few minutes.

The United States should take no chances and must protect itself against potential aggressors. Members of Congress have a duty and a responsibility not to gamble with the security of the American people.

THE ANTI-BALLISTIC-MISSILE ARGUMENT

(By James J. Kilpatrick)

In the unfolding debate over proceeding with an anti-ballistic missile system, the arguments against President Nixon's proposal fall into four main groups.

Some of the objections are scientific: The things won't work when the button is pressed. Other objections are financial: In terms of cost-effectiveness, even the modified plan is too costly. Still other arguments arise from political considerations: An American ABM system will escalate the arms race and present a new threat to the Soviet Union. Finally, one hears a tactical-strategic case: By the time our ABM's could be made operational, even if they worked to perfection, changes in the technology of weaponry, will have made the missiles obsolete.

On careful examination, each of these arguments falls apart. The scientific objections, for example, are essentially an echo of the old argument against a hydrogen bomb; but the bomb worked. The problems of mounting an ABM system are fearfully complex, to be sure, but so were the problems of developing a moon-shot. If there can be no iron-clad guarantee of successful design, in the absence of an actual test, the guarantees are reasonably solid.

The financial arguments are the least impressive. President Nixon's recommendation is for an $800 million investment, but more than half of this—roughly $450 million—is for research and development. Virtually all the opponents have conceded the necessity for continuing research. The fight on budgetary grounds thus boils down to $350 million only. In terms of national security, this is peanuts.

Perhaps the loudest complaint is that by going ahead with an anti-ballistic missile system, the United States in some fashion will escalate the arms race with the Soviet Union. This is nonsense. In its "Washington Report" for April 21, the prestigious American Security Council provides stunning documentation—from Soviet sources themselves—of the Soviet Union's own anti-missile defenses. It is not necessary, in this regard, to make guesses of future strength. "The fact remains," says the council, "they have ABM forces in being and we do not."

The tactical-strategic arguments are highly speculative. So far as the Soviet Union is concerned, the President and his advisers have had to act upon the intelligence available now. By every indication, the Kremlin is proceeding steadily with deployment of its fantastic SS–9 missiles. These terrifying weapons, carrying 20 to 25-megaton warheads, are much larger than our own intercontinental ballistic missiles. They represent the threat that must be countered now—and by "now," we are talking of 1973, when the first minimal phase of the proposed Safeguard system is complete.

In the end, or so it seems to me, none of the familiar, rational arguments can prevail. What the opponents really are saying, out of their hearts and not their heads, is simply that war is hell. The disenchantment with Vietnam, the horrors of atomic conflict, the awful imaginings of whole continents aflame—these essentially emotional reactions have clouded the reasoning mind. It is Hamlet's pale cast of thought. Some of the Senate's ablest men are suffering from the hang-up.

Of course war is hell. If we lived in a perfect world, all nations would beat their swords into plowshares. We would defuse our missiles, scrap our bombers, and dump every weapon in the depths of the seas. But Presidents—and Senators—have an obligation to deal with hell as it is, and not with heaven as it might be.

The President's recommendations for an anti-ballistic missile system are the very least that he could make, in good conscience, as commander-in-chief, charged with keeping our nation secure. The most telling criticism, in truth, is not that Mr. Nixon is proposing too much, but that he is proposing too little. In any event, the President has looked at realities; he has not closed his eyes. No one can ask more than this of a troubled Congress; but the country cannot settle for less than this, either.

FIRST AMERICAN COLLEGE THEATER FESTIVAL BEING HELD IN WASHINGTON, D.C., MAY 10 AND 11, 1969

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. JOHNSON of Pennsylvania. Mr. Speaker, it gives me great pleasure to congratulate the Pennsylvania State University, Department of Theater Arts.

The department will present "The Miser," by Moliere, on May 10 and 11, 1969, during the first American College Theater Festival, which is being held in Washington, D.C.

One hundred and seventy-six colleges across the Nation entered the competition and from these, 32 were recommended for performances in Washington. Penn State was chosen as representative of one of the 10 of the Nation's finest selected to perform in Washington.

The Smithsonian Institution is managing the Washington productions and providing the two theaters for the festival's use. The Penn State group will perform at the Mall Theater across from the Smithsonian.

This difficult and technically challeng-

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The administration is steadfast in its determination to make it possible for all our people to secure adequate housing. I have faith that it will utilize every sound and practical method available and that the Congress or industry can make available to fulfill the obligations recognized by the Housing and Urban Development Act of 1968. But, if it is to expedite programs which have been long delayed, it is absolutely necessary that departments responsible for the forest management and fiscal integrity of the Nation act promptly to report favorably to the Agriculture Committee on the National Timber Supply Act.

I am today asking both Secretary Hardin and Mr. Mayo to act with all deliberate speed to report positively on H.R. 10688 and its companion bills so that the Congress can undertake to make the National Timber Supply Act the law of the land and we can begin to see its effective results promptly. I hope the Congress and the administration can cooperate to make this law by July 1, 1969.

CHILDREN'S VERSION OF PEACE: A LESSON FOR US ALL

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. HORTON. Mr. Speaker, the mind of a child is a wondrous thing. It is uncluttered with problems and prejudices. It is quick and it is perceptive. If we could only listen to the thoughts of the young and then put them into practice, the unsolvable of today might be resolved.

I would like to share with my colleagues just a few thoughts on peace expressed by a group of sixth graders at the North Rose School of the North Rose-Wolcott Central School District in my 36th District of New York:

WHAT IS PEACE?

(EDITOR'S NOTE.—The following are some of the definitions written by Donald Maurer's sixth grade English I class at the North Rose Building.)

Peace is understanding in the world and love for each other.

Peace is happiness among all nations.

Peace means no war, no riots, no strikes, no college sit-ins.

Peace is where countries are friends.

Peace is a word everyone should learn.

Peace is to stop wars and killing.

A word with much meaning but no power.

It is something this generation has never known.

Peace is a quiet world.

Peace is having your family home.

Peace is freedom for all the world.

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This difficult and technically challeng-

XUM

ing comedy is a hilarious farce of 17th century France, which tells the story of a miser and how his stinginess brought great sorrow to his daughter and son and their lovers, but how they were able to reverse the situation and have his stinginess working for them, due to a surprising turn of events. The play is filled with both humor and satire which was typical of plays of this period and the plot is exciting and fast moving.

I would like to commend Richard Edelman, director and his fine cast and assistants on this outstanding achievement.

His cast and assistants are as follows:

Elise, Carolyn Porter Beck; Valere, Herbert H. O'Dell; Cleante, Robin Hirsch; Harpagon, Paul Villani; La Fleche, Gary Perdue; Master Simon, Alan Lindgren; Frosine, Karen Shallo; Master Jacques, Christopher Murney; Dame Claude, Gail L. Kellstrom; La Merluche, G. C. Hines; Brindavoine, John Prettyman; Mariane, Mary Ann Lippay; Claudette, Sharon Lee Bergeron; Officer, Richard J. Sacks; Officer's Clerk, Robin Breon; Anselme, Alan Lindgren; setting by Anne Gibson; costumes by A. E. Kohout; lighting by Charles Firmin; technical direction by Terry Wells; and music by Lewis Spratlan.

Three members of the cast participated in the Theater Communications Group annual audition, wherein participants, selected by their universities, auditioned for producers of major theatrical companies throughout the Nation. Christopher Murney, who plays Master Jacques, won first place, and Paul Villani, who plays Harpagon, won second place. Both have received over 15 offers from different companies, including the Stratford Shakespearean Theater in Canada and the Tyrone Guthrie Theater. Also placing was Gail Kellstrom, who plays Dame Claude, who came in fifth. This is an exceptional achievement.

The Pennsylvania State University has been for many years one of the finest institutions of higher learning in the Nation. Graduates of this school have risen to great heights in almost every walk of life.

I am joined by Senators SCHWEIKER and SCOTT and all Pennsylvanians in applauding an excellent performance produced by a fine university.

AFRO-AMERICANS ARE NOT UNIQUE

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

OF LOUISIANA

Tuesday, May 6, 1969

Mr. HÉBERT. Mr. Speaker, the Fazzio family is one of the oldest and most respected Italian-American families in the city of New Orleans.

Its members have been leaders in the community and only recently the citizens of the area paid tribute to Mr. Dom Fazzio for his contributions over a period of 30 years in providing recreational and physical fitness facilities to the youth of the area.

I have received a letter from Mr. Fazzio's son which speaks for itself and expresses so poignantly the feelings and intermost thoughts, not only of himself, but of those who would say the same thing if they were as articulate as Mr. John Fazzio so obviously is.

In this day and age when the plight of ethnic and minority groups are brought to our attention, we have overemphasized that of the Afro-Americans who find themselves in equally dire or worse circumstances.

The problems of an ethnic or minority group is not individual to one offspring of a mother country. However, let Mr. John Fazzio, an Italian-American, loyal to America, tell hows he feels in his own words, and I must say it is with his permission I share his thoughts with you:

NEW ORLEANS, LA., *April 30, 1969.*

Hon. F. EDWARD HÉBERT,
Congressman, from Louisiana,
New Orleans, La.

DEAR CONGRESSMAN HÉBERT: I urgently request your aid and assistance toward obtaining a partial Federal grant so that my daughter might attend and complete her college education. My request is based on need and discrimination.

Although I am a small businessman, the Internal Revenue Service could easily furnish you with records of my income tax returns and these will certainly bear out my financial need. So, I need only explain the discrimination part of my petition to you.

I am of pure Italian descent. I believe that Italians were one of the first invaders of this great country via Columbus, so certainly my race has been in the United States longer than any other race. I know not about the treatment of Italians in the early 1500s since Italian history is not taught in the school system, nor am I advocating that it be taught. But, I do know from personal experience of the discrimination that I and many other Italians have endured for the 40 short years of my life. In fact, I can truthfully say that I have been called a "Dago Bast . . ." more often than the average negro is called a "Nigger". I also remember hearing people refer to my father and others as a "Dago" and that "he belongs in the French Market with the rest of the rats". Of course, you are familiar with the French Market area which, before the recent hippie invasion was more famous as an "Italian ghetto".

And, via radio, newspaper, TV and movies, my race has become famous as the originators of "crime". I still am referred to as a member of the "family", "Mafia", "Black Hand", etc.

Now, as to basic facts: As an Italian I could not belong to some of our exclusive carnival clubs (not that I want to), and I remember that my sister was refused entry into a sorority because of her race. I believe that there are many instances where the Italian people have been discriminated against but it would take too long to list them all.

I ask you, are there any Italians on the Supreme Court? How many? How many high public office holders are Italian? Yet, the Italians comprise a great segment of our population. Of course, things are better today than they were 30 years ago and it took no laws, no Federal judges, no troops, no subversive organizations to accomplish this. We Italians simply try, and are succeeding, to show the rest of the population that we are as good as anyone else.

But, to be honest, there is a negative side to my discrimination petition. Unfortunately, I still carry my draft card . . . I have not organized any protest. In 1945, I did organize the first "St. Joseph Day" parade and celebration at Loyola University, but it was dignified and peaceful. I have never collected unemployment insurance or welfare and I do pay city, state and national taxes. In fact, my taxes support three school systems in New Orleans, while I strain to also pay tuition for my children at Catholic schools.

I am writing you because I have seen how easy it is for my Negro brothers to receive help from the Federal government as a minority race, I want the same treatment. My daughter is willing to work at college for her education, and the school itself is willing to give her a partial grant, but I need your help, the Federal government's help, to complete the cycle. So far all I have gone through is six months of red tape.

Can you help me?

Sincerely,

JOHN EDW. FAZZIO.

P.S.—My daughter's name is Janice E. Fazzio. She is applying for college at Our Lady of the Lake in San Antonio, Texas

THE PEACE CORPS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. ANDERSON of California. Mr. Speaker, I am very disturbed by President Nixon's recent decision to cut the Peace Corps budget by $8.7 million. I believe this is a foolish mistake.

The Peace Corps is probably one of the most successful programs we have developed to give our young people hope for the future and a constructive means of helping to solve some of the world's age-old problems of hunger, ignorance, sickness, and poverty. At the same time, the Peace Corps has contributed significantly to the efforts of countries around the world to raise their living standards and join the community of nations in entering the 21st century.

It is a shame to exclude these idealistic, committed, and concerned young people who want very much to work within our system of government and laws. This is one program which has proven so successful around the world and in which young people have done much to change the image of our country abroad.

I strongly urge President Nixon to reconsider this ill-timed and ill-advised decision which will save less than $9 million in a $193 billion budget but which could increase the frustration of these young people who want so desperately to contribute to society in a meaningful and significant way. If the President is really serious about trimming the budget, I suggest he take another look at our military and defense spending, which accounts for nearly half of the budget, and not the Peace Corps, which accounts for less than one-tenth of one-tenth of 1 percent of our budget.

IMPLEMENTATION OF ARTICLE V OF THE NONPROLIFERATION TREATY

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. HOLIFIELD. Mr. Speaker, on April 30 the Washington Evening Star

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published an editorial drawing attention to the provisions of the Nuclear Nonproliferation Treaty which require that the nuclear "haves" insure to the "have nots" the opportunity to share the benefits of peaceful uses of nuclear explosions. The editorial is a timely reminder that the obligations of the Congress and the executive branch did not cease when the Senate advised and consented to the treaty; there are certain obligations which devolve upon this country by virtue of our position as a "have" nation relative to atomic energy, and additional legislative action will be necessary to render the assistance to "have not" nations required by the treaty. The editorial also notes that the Limited Nuclear Test Ban Treaty may have an inhibiting effect on the carrying out of the NPT's full atoms-for-peace potential.

I enter this editorial into the RECORD, and wish to add that the Joint Committee on Atomic Energy will commence hearings on May 8 on proposed legislation designed to establish a legal framework for implementation of the provisions of article V of the Nonproliferation Treaty. The Joint Committee plans 2 days of hearings at this time to receive testimony and statements of interested Government agencies. It is anticipated that further hearings will be held in the near future to receive the comments of industry and the general public. I enter into the RECORD at this point the press release of the Joint Committee of April 30 announcing hearings on this legislation:

[From the Washington (D.C.) Evening Star, Apr. 30, 1969]

Test Ban Versus NPT

The recent Soviet-American technical talks in Vienna involved an encouraging exchange of views bearing upon ways and means of providing non-nuclear nations with nuclear aid for peaceful enterprises.

This is in keeping with one of the key provisions of the non-proliferation treaty. The provision (Article V) obligates the nuclear signatories to give such aid to insure that the non-nuclear powers will not be left behind in the atoms-for-peace field, economically or otherwise, if they become parties to the treaty. The possible projects in the field are many and varied. They include the use of atomic explosions for getting at natural resources now out of man's reach, creating great new harbors around the world and blasting out of land and sea another Panama Canal, but bigger and better.

Both the Russians and Americans at Vienna took a generally optimistic view of the outlook for progress along these lines. Thus, in their joint statement concluding the talks, they declared that "underground nuclear explosions may be successfully used in the not so far off future to stimulate oil and gas production and to create underground cavities." Further, "It may be technically feasible to use them in earth-moving work for the construction of water reservoirs in arid areas, to dig canals and in removing the upper earth layer in surface mining, etc."

But a reservation is in order. Ironically, while the non-proliferation treaty specifically encourages such projects, the nuclear test-ban treaty prohibits any atomic explosion that would release any degree of radioactivity—no matter how minor or harmless—into the international atmosphere. Hence, although our country has developed many explosive designs and emplacement techniques that can make fallout relatively inconsequential, the test ban, unless amended, may have an inhibiting effect on the NPT's atoms-for-peace potential.

This is a matter that should be weighed very carefully at the additional technical discussions expected to be held in Vienna. The test ban's restriction on nonmilitary explosions seems shortsighted on its face, and in need of modification.

[From the Office of the Joint Committee on Atomic Energy, Apr. 30, 1969]

Tentative Dates Announced for Joint Committee Hearings on Plowshare Services Legislation (H.R. 477 and S. 1885)

The Joint Committee on Atomic Energy announced today that it has tentatively scheduled May 8–9, 1969 as the dates for public hearings on identical bills (H.R. 477 and S. 1885) now pending before the Committee which would amend the Atomic Energy Act of 1954 to authorize the Atomic Energy Commission to make peaceful nuclear explosion services available to domestic and foreign users for practical applications. The hearings will be held in the Joint Committee's public hearing room (H–403) in the U.S. Capitol.

Tentative plans call for morning and afternoon sessions on May 8 at 10:00 a.m. and 2:00 p.m., and a morning session beginning at 10:00 a.m. on May 9. Among the Federal agencies and departments expected to be represented at these hearings or to file reports for the hearing record are the Atomic Energy Commission, the Department of the Interior (Bureau of Mines), the Department of Health, Education, and Welfare (Public Health Service), the Department of the Army (Corps of Engineers), the Department of State, and the Federal Power Commission. A list of the dates and approximate times of appearance of representatives of these agencies will be released in the near future.

In announcing these hearings the Joint Committee released the text of a letter to the Atomic Energy Commission dated January 6, 1969 in which the Committee listed a number of questions and topics on which the AEC was requested to be prepared to testify when additional hearings on H.R. 477 and S. 1885 were scheduled. The letter is attached.

Representative Chet Holifield, Chairman of the Joint Committee, said that the first set of hearings on these bills will be limited to representatives of the various Federal agencies and departments interested in or affected by the proposed legislation. Chairman Holifield said that the Committee would consider the scheduling of addition hearings at a later date if representatives of the general public or of interested private industry desire to testify on the proposed legislation. In this connection, Representative Holifield said that persons desiring to present oral testimony on these measures in any subsequent hearings should submit their request to do so not later than May 16, 1969. In order to be considered by the Committee, each request to testify must be accompanied by a summary outline of the prepared statement proposed for oral presentation before the Committee. After due consideration of any such requests, those selected to present oral testimony will be notified in advance of their scheduled appearances. In any event, written statements proposed for inclusion in the record of the hearings in lieu of oral presentation will be accepted by the Committee for a period of three weeks after the close of the May 8–9 hearings.

H.R. 477 was introduced on January 3, 1969 by Representative Craig Hosmer, for himself and Representatives Holifield, Price of Illinois, Aspinall, Young, Bates, Anderson of Illinois, and McCulloch. On April 21, 1969 Representative Edmondson also announced his sponsorship of this bill (see H.R. 10288). A companion measure, S. 1885, was introduced in the Senate on April 18, 1969, by Senator Pastore, for himself and Senators Anderson and Bennett. Both bills are identical to measures introduced in the second session of the 90th Congress on which hearings were held on July 19, 1968 but on which no final action was taken in the 90th Congress. The record of these earlier hearings was released during the 90th Congress under the title "Commercial Plowshare Services."

For further information in connection with these hearings interested persons should contact William T. England, Staff Counsel, or John B. Radcliffe, Technical Advisor, of the staff of the Joint Committee on Atomic Energy, U.S. Capital, Washington, D.C. 20510.

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON ATOMIC ENERGY,
Washington, D.C., January 6, 1969.

Hon. GLENN T. SEABORG,
Chairman, U.S. Atomic Energy Commission,
Washington, D.C.

DEAR DR. SEABORG: The Joint Committee will probably wish to hold additional hearings in the next Congress on proposed legislation to authorize the Commission to provide commercial peaceful nuclear explosion services. When these hearings are convened, it would be appreciated if the Commission would be prepared to provide additional information concerning the questions and topics set forth in the attachment hereto.

Thank you for your cooperation.

Sincerely yours,

EDWARD J. BAUSER,
Executive Director.

Attachment: List of questions:

1. The Committee recognizes that whatever framework and procedures are established by the Commission to review and approve or deny applications for commercial Plowshare services must be sufficiently flexible and efficient as to avoid unnecessary procedural delays and governmental redtape in this new field. At the same time, as this program emerges from the research and development phase to a commercial phase it may well be that a more formalized procedure for the review of such applications from the standpoint of public health and safety and common defense and security will be necessary if public confidence in the Commission is to be maintained at its present high level.

With this in mind, the Committee would appreciate learning in general terms what procedures the Commission plans to establish and follow for the review and approval or denial of applications for commercial Plowshare services. More particularly, the Committee would appreciate receiving the Commission's views on the following questions: With respect to applications for domestic nuclear explosion services, will official public notice of the filing of such applications and the salient facts involved be given by the Commission prior to Commission action thereon? Will an opportunity for a public hearing concerning any such proposal be provided for persons whose interests may be affected by the application? If so, would such hearing be held before or after the Commission has taken initial action in granting or denying the application? In connection with each application, will the Commission require that a safety analysis report somewhat akin to that whihc accompanies reactor license applications be prepared and made available to the public?

2. Can the Commission provide some general insight respecting its views as to the proper relationship between those wthin the Commission with responsibility for reviewing and approving or denying, from a public health and safety standpoint, applications for commercial Plowshare services, and those responsible for the development and management of the Plowshare program? What technical disciplines are required for each

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such role? Which group would have responsibility for passing upon non-safety related matters—for example, the technical feasibility of a proposed project?

3. With respect to Price-Anderson indemnification coverage of domestic commercial Plowshare explosions, will such protection be extended directly to users of these services or will the Commission rely on the "umbrella" feature of the indemnity coverage accorded to AEC cost contractors employed in connection with the rendition of such services to indirectly protect users against public liability? In any event, assuming the availability of private insurance at reasonable rates to cover potential liability for damages caused by a domestic peaceful nuclear explosion, will users be required to either obtain such insurance as underlying financial protection or to themselves furnish self-insurance in an equivalent amount? Has the insurance industry completed its review of whether, and, if so, to what extent, private insurance companies will be able to provide liability insurance coverage for peaceful nuclear explosions?

4. The Commission has testified that under existing legislative authority it could enter into indemnity agreements with contractors performing peaceful nuclear explosion services abroad on behalf of the AEC, whereby indemnification for public liability arising from nuclear incidents occurring in foreign countries could be made available up to $100 million. Please describe in general terms the policy to be followed by the Commission with respect to including in its charges for commercial peaceful nuclear explosive services conducted abroad a fee reflecting the fair value of any indemnification protection against public liability afforded by the Commission. Has the Commission given any consideration to the feasibility and desirability of formulating an international convention or comparable multilateral arrangements which might establish standards of liability and protection on an international basis?

5. Please be prepared to summarize for the Committee on the record the Commission's latest findings relative to the AEC's continuing studies of the safety aspects of peaceful underground nuclear explosions. The Committee would also appreciate receiving a report on the possible influence, if any, of contemplated peaceful underground nuclear explosions on natural seismicity.

6. It would appear that the present methods of operation used in connection with the planning, approval, emplacement, actual conduct, etc. of Plowshare experiments were largely developed for and borrowed from the weapons program. What steps are being or will be taken to assure that these operational procedures are appropriately modified and simplified to meet the needs of a commercial Plowshare program? Please include in this discussion a description of the measures the Commission is taking or plans to take to achieve an appropriate division of responsibility between Government and industry in this area.

7. What steps does the Commission believe can be taken to eliminate or reduce any existing barriers to communication between the respective parties involved in or affected by Plowshare activities? More specifically, what measures can be taken (a) to obtain earlier declassification and dissemination of pertinent information and reports needed by industry, and (b) to assure better public understanding of the nature of Plowshare activities, especially in the area of public safety?

8. What are the plans for establishing regulatory levels for radioactivities in products to be entered into commerce? For example, what are the plans for establishing allowable levels of Kr-85 and Tritium introduced in natural gas either by nuclear explosive stimulation or by storage of such gas in nuclear produced chambers? When would the Commission expect such regulatory guides to be promulgated? Similarly, we understand that recovery of copper from certain low grade deposits may be a promising application, but that Ru-106 may be a problem. Has consideration been given to establishing a guideline for this isotope in copper?

9. The establishment of regulatory levels of radioactive isotopes in commercial products may be necessary if industry is to make detailed economic assessment of any application. What plans have been made for the release of information on the content of radioisotopes in products produced under the Plowshare program?

10. What plans are being made to provide a schedule of charges for each class of explosion services?

11. Congressman Hosmer's letter to the President of December 27, 1968 discusses the desirability and feasibility of cooperation between the U.S. and Australia on a project to construct a harbor with nuclear explosives. Would the Commission attempt to accomplish such a project under the terms of the existing Limited Test Ban Treaty, or by seeking an amendment to the treaty? Please explain the considerations involved.

THE POLISH CONSTITUTION OF 1791—A HUMANE AND HISTORIC DOCUMENT

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. PEPPER. Mr. Speaker, I am very pleased to have this opportunity to take a few moments to mark the anniversary of the Polish Constitution of 1791.

This historic event in the life of a great people marked the transformation of Poland into a modern state. Unlike so many constitutions which have been imposed by autocratic authority, the Constitution of 1791 was the glorious fruit of 3 years of diligent work by a group of patriotic and able members of the Polish Diet. This group drafted a liberal and progressive instrument which was adopted by the Diet on May 3, 1791, transforming Poland into a constitutional monarchy at a time when much of Europe and the world bowed to political absolutism.

Unfortunately, the freedom promised by this remarkable Constitution was lost to the Polish people as geography and history have combined many times to take away the freedom of this valiant people. The hand of tyranny is once again upon Poland but the spirit of freedom which inspired the Constitution of 1791 is very much alive among the Polish people.

The May 3 observance reminds us of the plight of the Polish nation while, at the same time, emphasizing the undying spirit of freedom which, I am confident, will once again bring the rebirth of the true national spirit—the spirit of freedom—of the Polish people. I am pleased to join in this observance and in the deep-felt wish of all freedom-loving peoples that the day of deliverance for Poland may soon come.

WE ARE ASKING FOR MEDIOCRITY AND TYRANNY

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. ZWACH. Mr. Speaker, our country practically is being torn asunder by racial disorders, student revolts, and other manifestations of discord. This situation troubles me deeply. It also concerns most of the people of our country.

One of those concerned people is Don Olson, editor of the Marshall Messenger in my Minnesota Sixth Congressional District.

I commend to my colleagues, for their serious consideration, the following editorial written and published by Mr. Olson in his first place for editorial excellence award winning Marshall Messenger:

WE ARE ASKING FOR MEDIOCRITY AND TYRANNY

(By Don Olson)

If real progress had been made in the field of human relations during the past decade we would, right now, be caring less what color a man's skin is and from what area his ancestors came. But instead of that attitude, we are developing in this country an almost consuming preoccupation with ethnic considerations.

Last week black leaders in the Twin Cities suggested that blacks and Indians be included on the University of Minnesota Board of Regents solely because of ethnic representation on the board. Perhaps a Negro should be on the board. Perhaps the regents should have an Indian serving with them.

But this would be only because they are qualified for the position, not because of the color of their skin.

In a society that claims to have representative government, people should be represented, but not necessarily along ethnic lines. A good many blacks and Mexican-Americans feel that had Robert Kennedy lived, he would have been the greatest representative they could have had. And they probably are correct.

The danger in weighting representation on boards and councils and government agencies along ethnic lines is that it can create a terrible mediocrity. We doubt that the United States would be poised right now, ready to land men on the moon if somebody had said 10 years ago:

"Every third man on the space program must be black, every 10th person must be Indian, every 23rd person must be Jewish."

If numbers of blacks were limited in the field of sports according to their percentage of population in the country, the quality of American athletics would drop drastically. If Jews were limited in the entertainment industry according to percentages of population, the quality of American entertainment would drop likewise.

The field of education is the same. The faculty at Southwest State College obviously is not representative of this community and neither is the State College Board. And we should be grateful rather than bothered that this is true.

But in addition to encouraging a system of entrenched mediocrity, weighting representation according to ethnic considerations would do something even worse. It would create a situation in which progress in human relations would be almost impossible.

The person who gains a position for ethnic reasons automatically is told that he repre-

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sents his people against the rest. The result would be majority rule, but it would be a most tyrannical form of rule.

The test in choosing leaders must be, "Who can do the job best?" If the result of this is good representation along ethnic lines, wonderful. Better still would be a situation where such concerns didn't even exist.

NEWSLETTER AND QUESTIONNAIRE

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. THOMPSON of Georgia. Mr. Speaker, because of the many requests I receive from other Members and interested citizens concerning my report to the people of the Fifth District of Georgia, I insert in the RECORD the full text of my newsletter and questionnaire so that those interested in seeing it may have the opportunity to do so:

FROM U.S. CONGRESS: FLETCHER THOMPSON REPORTS TO YOU

DEAR FRIEND: *No politics involved:* Selecting nominees for our nation's service academies strictly on a competitive basis is again paying off . . . five of our 1969 nominees have already been accepted by the academies: *James L. Ewing IV*, North Springs, by Annapolis; *Michael B. Gaines* of Marist, first Negro nominated and accepted by West Point from Georgia in the 20th Century; *Fred Pruitt, Jr.*, North Fulton, by the Air Force; *Stephen L. Maddox* of Walter F. George, by West Point; and *Jeferey Ben Kohler* of Dykes, by the Air Force. Two others were rated qualified and we're searching for vacancies for them. If your son's interested in the next class (1970), have him contact us . . . he can earn an appointment based on his ability and not on political pull.

Safeguarding America: Safeguard, our counterpart to the Russian ABM, is designed to protect America from Russian and Chinese nuclear missiles. Opposed to Safeguard, *Ted Kennedy is leading a bipartisan group in the Senate trying to prevent our installing this protection against nuclear missiles.*

Why are they opposed to protecting America with Safeguard? Some reasons given are:

1. *If we build the Safeguard system to protect America, it will make Russia mad and she will not talk to us about disarmament*—yet, Russia has already installed 67 ABM's to protect Moscow against our missiles and we are willing to talk on disarmament. *The truth is we should not care if Russia gets mad because we're protecting ourselves.* If a realistic disarmament treaty is to be negotiated, we can only negotiate from strength and not weakness.

2. *The Safeguard system will cost too much money and we should not spend so much money on the defense of America—to this I can only say, "Baloney!" The annual cost is less than what we are giving away in foreign aid each year.* We owe a duty to you to spend your tax dollars to protect you and your country more than a duty to give your tax dollars away in foreign aid . . . yet many Senators opposed to Safeguard regularly insist we increase foreign aid spending.

3. We don't know if Safeguard will work and we have not tested the type nuclear explosion needed in space—*the fact is, only Russia has. In 1961, Russia broke the informal test ban and exploded nuclear weapons in space which gave her test information we do not have about the ABM.* Following this, Russia asked us to enter into a formal treaty not to test. We agreed and signed a formal treaty not to test in the air as the Russians have done. She then proceeded to build her ABM system. *Russia must know ABMs will work or she would not be building ABMs as fast as she can.* Should we do any less to protect America?

4. If we install Safeguard to protect us, Russia will only build more missiles to take the place of those Safeguard would intercept and destroy. This means an escalation in the arms race—*maybe we will have an escalation, but if Russia and China are willing to spend the money to destroy America, we should be willing to spend money to protect America even if it is called escalation.*

Very interesting: One of the strongest foes to the Safeguard system is the Communist newspaper, the "Daily World" (formerly the "Daily Worker"). *In its March 18th editorial, this directive was given to all party members:* "It is urgent that every union and other people's organization renew its demand on Congress and the White House" that the Safeguard system "be abandoned."

Helping you get help: When you need emergency help, you should be able to get it by dialing a single number anywhere in the nation. *That will be possible if a bill I've introduced with more than 50 co-sponsors is passed to establish "911" as the national emergency telephone number.*

Don't mention God: In December of 1968 after objections from the American Civil Liberties Union to the Johnson Administration, the Army ordered its chaplains not to use the word God in lectures on moral values because it offended some people. When Nixon's Secretary of Defense, Mel Laird, learned the order had been issued during Johnson's term, he refused to bow to ACLU pressure, rescinded the order and told chaplains to make reference to God whenever and as often as they wanted to.

Keeping me informed: As your Congressman, I need to know your views on vital issues. Just as your support helps me to continue these reports, your opinions help me to continue to represent your views in Congress. Please fill out the questionnaire below (if you need more space, use the margins or an extra sheet of paper) and mail it to me at 514 Cannon Building, Washington, D.C. 20515.

It is a high honor for me to serve you in Congress.

Yours very truly,
FLETCHER THOMPSON,
Member of Congress.

(Printing and paper paid for by myself and with the help of your donations sent in.)

Do you favor:

1. Establishing "911" as a uniform national emergency telephone number?

Yes ☐
No ☐
Undecided ☐

2. Abolishing the electoral college and electing the President by a direct vote of the people?

Yes ☐
No ☐
Undecided ☐

3. Nationwide application of Federal school guidelines, both North and South?

Yes ☐
No ☐
Undecided ☐

4. The neighborhood school concept whereby children attend the school closest to their homes?

Yes ☐
No ☐
Undecided ☐

5. President Nixon's proposal to reduce the surtax from 10 to 5 percent and eliminate it entirely 6 months later and to eliminate the 7-percent investment tax credit?

Yes ☐
No ☐
Undecided ☐

6. Cutting off all Federal aid to colleges that fail to act to end student disorders and riots?

Yes ☐
No ☐
Undecided ☐

7. Installing Safeguard missiles to protect America from foreign nuclear missile attack?

Yes ☐
No ☐
Undecided ☐

List the law you would most like to see passed by the Congress.

Name
Street
City Zip

FED UP

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. SCHERLE. Mr. Speaker, Mr. C. W. McManamy, executive secretary of the Omaha (Nebr.) Livestock Exchange and an editorial writer for the Council Bluffs Nonpareil, has summarized the feelings of many Americans in his timely article which appeared in the April 28, 1969, issue of the Council Bluffs Nonpareil.

I would encourage my colleagues to read this perceptive editorial which concludes:

> Let us put ourselves squarely on the side of those charged with enforcing our laws. Let us demand from every administrator, policymaker, and leader a fair but uncompromisingly stern, discipline, and enforcement.

Of course, it takes guts.

The editorial follows:

[From the Council Bluffs Nonpareil, Apr. 28, 1969]

THIS HAS GONE FAR ENOUGH: FED UP—READY TO STAND UP

(By C. W. McManamy)

I guess I'm getting old and cranky. I know for sure, that I'm getting fed up.

Fed up with swaggering, insolent, unkempt groups which violate every right of law abiding students by moving in to take over some part or all of the school they happen to be attending.

Fed up with pictures of bushy headed individuals carrying firearms and wearing guerrilla equipment as they emerge after relinquishing their occupation of school buildings.

Fed up with protest groups which have, up until this moment, made not one single constructive contribution to the society which nourishes them, but still proclaim their right to dictate to that society.

Fed up with groups which by their very demands on the school administrations illustrates their monstrous ignorance of real education needs but which would perpetuate that ignorance were their demands to be met.

I am at the same time fed up with flabby school administrations. Administrations which all too often, have nurtured and provided a fertile environment for socialistic beliefs and teachings. Administrations which

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having permitted these seeds to be sown, find themselves unable, or unwilling, to cope with their "birds" as they come home to roost.

Fed up with school administrations, at all levels, which have long since forgotten the word discipline and refuse utterly to recognize its paramount importance in the proper conduct of any school.

I am fed up with a society so steeped in apathy that it stands willingly by and watches its foundations kicked to pieces by a minority of malcontents.

Fed up with a society which when it raises even a feeble voice, raises it to apologize for the antics of the anti-social clowns who cavort on the stage, provided by media adulation.

Fed up with a society which would seek flutteringly for ways to appease rather than aggressively for means to abrogate the Huns who would, had they their way, devastate every institution and ideal on which this nation has been built.

I am fed up with those who would make "rights" a trinket to be passed out indiscriminately regardless of the willingness of the recipient to accept the responsibilities which must be so much a part of any true right.

I am fed up with those who would achieve equality by lowering the standards of all to the lowest common denominator rather than undertake the arduous chore of raising the standards of some to a qualifying level.

Fed up with those who would, with lavish hand dispense to one and all, with reckless abandon, the cherished beliefs and possessions earned and won by many through hard work, sacrifice, and even their lives—once again this largess without thought to any worthiness on the part of the recipient.

I am fed up with those who equate compromise with appeasement. Compromise we must have. Appeasement leads but to further encroachment.

Compromise requires that both parties must have something of value to offer and at the same time must exercise a willingness for objectivity. Both are conspicuously absent among the so-called revolutionary elements today.

So I am fed up. So I suspect, are a great many of you.

I am so fed up I am ready to stand up. So, I would hope, are many of you.

Stand up and say "this has gone far enough."

Let us put ourselves squarely on the side of those charged with enforcing our laws. Let us demand from every administrator, policy maker and leader a fair but uncompromisingly stern discipline and enforcement.

SENATOR RANDOLPH SPEAKS AT OPENING OF SCHEDULED JET AIRLINE SERVICE

HON. JOHN M. SLACK

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. **SLACK**. Mr. Speaker, a few days ago scheduled jet airline service was inaugurated between West Virginia's two largest cities and Washington and other major air terminals. This was a landmark event which came about only after numerous major difficulties were overcome. The new service will place both communities directly in the mainstream of future national air traffic patterns and economic development.

It was most fitting indeed that the keynote speaker on the occasion of inaugurating the new service was our distinguished senior West Virginia Senator, Jennings Randolph. No other American has contributed more to the phenomenal growth of civil aviation than Senator Randolph. For over 30 years he has provided vision supported by definite goals and practical programs to an industry which could not have grown without Government assistance. His views expressed on this special occasion merit attention as always, and with permission I will include the following text of his address, which I recommend to your attention:

Excerpts From Remarks by Senator Jennings Randolph at Inauguration of Jet Service by Eastern Airlines, Tri-State Airport, Huntington, W. Va., April 27, 1969

As I relaxed in my seat aboard the plane this morning, I was able to look down and enjoy the beauty of our West Virginia hills, which are now taking on the colors of another lovely spring.

As I gazed downward, I could also reflect on the ease of the jet trip from Washington to Huntington. Making this flight was not always so easy. In fact, until this morning it was never so easy.

Our mountains must have seemed an impenetrable barrier to the first men who faced them from the gentle slopes of the Piedmont area along the Atlantic seaboard. They had only their own legs and their horses to take them across hundreds of miles of rugged, uncharted lands.

Fortunately for all of us, transportation has changed immensely since those early days, and a journey to the banks of the Ohio River that once took weeks is now measured in minutes. When viewed in this total context, the improvements made in transportation in the past 200 years are truly miraculous. I never cease to marvel at, to be thankful for, and to enjoy the speed and efficiency with which we can move about the earth today.

Along the journey over the years from footpower to jet power there have been many milestones. We are observing another transportation milestone today, one that is of enormous importance to the Tri-State area.

The inauguration of jet service to Tri-State Airport by Eastern Airlines is the latest in a continuing series of milestones that began late in 1952. It was my privilege then to speak at the dedication of this fine airport and to have participated in other notable events in its history over the years which have intervened.

Until very recently we could not have predicted the nature of the extraordinary events that have taken place in aviation.

I have always been optimistic about the future of aviation. Even as far back as 1938, when I was one of the sponsors of the original Civil Aviation Act, I was confident that the future of commercial aviation was bright with promise of better things for all Americans.

But it has turned out, I, like so many other aviation optimists, underestimated in my predictions. Aviation in this country has outstripped anything foreseen for it in the past. And there is no indication that aviation won't continue to bedazzle us with its advances and growth.

Tri-State Airport has shared in aviation's growth and has provided airline service to increasing numbers of persons. In 1953, Tri-State's first full year of operation, 32,240 passengers were accommodated here. By last year, this number had grown to 163,126 people, either arriving or boarding planes.

There are other indicators of the value of this airport, too. The volume of air freight handled here is now nearly 15 times what it was that first year and amounts to almost 1.5 million pounds a year.

And I can see no reason why this increased usage of the airport won't continue as the services offered keep abreast of the demands of the traveling public and the air freight forwarders. That this will take place is evident today as we see and participate in the beginning of the jet age at Tri-State Airport.

While use of the airport has grown in the 16 years it has been in operation, the community has continued to invest in this valuable facility to keep it up to date. This investment now totals five and a half million dollars, making the airport area a much different looking and vastly more useful facility than it was in 1952. Now, for instance, you have a splendid terminal building capable of accommodating many passengers with comfort and efficiency.

And it was only six months ago that I participated in the dedication of new service and safety facilities here.

The entire community can be justifiably proud of Tri-State Airport, but I would caution you not to rest on your laurels.

The very event we observe today can also act as a warning that the development of this airport is not completed. The fact that jet aircraft will operate here under moderate restrictions should be encouragement for further upgrading of Tri-State Airport, whether permanently or on an interim basis.

Planning already is underway to lengthen the runway, an action that would reduce or eliminate these restrictions, thus resulting in even better and more reliable airline service. I urge you to proceed, turning planning into action as soon as local and Federal financing will permit.

We have to be realistic about the airport situation in our nation today. The need for new facilities is far greater than the resources for providing them. I have said before that no significant progress can be made to alleviate the national airport crisis until a totally new approach to Federal participation in airport construction is adopted. Only when means and methods are found and authorized to generate the massive amounts of money needed can we begin to meet effectively the accumulating needs.

This holds as true for West Virginia as for the country as a whole, even though airport requirements may vary from city to city and state to state. Therefore, it makes good sense for the Tri-State areas to continue developing its airport. This is the only airport you will have for several years regardless of what may happen in the future when, hopefully, we will have resolved the questions and uncertainties that now surround the financing of construction of new airports.

The inauguration of Eastern Airlines' new service at Tri-State means not only that this important part of the region now has access to commercial jets. It also means that within the past six months airports serving West Virginia's two largest cities have entered the jet age. And these two airports handle a large majority of the state's airline passengers.

I am pleased to see the arrival of the world's fastest mode of public transportation in the Tri-State area. It is at the same time a tribute to the citizens who provide and benefit from the facilities and the beginning of a new era of travel for this region.

CONGRESSMAN BRADEMAS DEFENDS THE DUNES NATIONAL LAKESHORE

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. MIKVA. Mr. Speaker, in 1965 Congress wisely determined that a priceless natural resource at the south end of Lake Michigan should be preserved for the en-

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joyment of future generations. The establishment of the Indiana Dunes National Lakeshore was the result of that determination. Recently there has been talk of attempting to undermine Congress' earlier decision on the Indiana Dunes by reducing the area within which the National Park Service would be authorized to acquire land for the future park. Thankfully there are Members of this body who are alert to repulse such attempts. In a recent editorial the South Bend Tribune took note of Congressman JOHN BRADEMAS' efforts in this regard. It is my pleasure to insert the editorial which describes those efforts at this point in the RECORD. Congressman BRADEMAS obviously realizes that it will take constant vigilance and effort to finally implement the decision for the Indiana Dunes National Lakeshore that Congress intended—a park for all the people.

The editorial referred to follows:

TO THE BARRICADES

It is a pity that the Indiana Dunes National Lakeshore project should be swept up again in the waves of controversy.

But it has. Rep. Earl F. Landgrebe, R-Valparaiso, would drastically reduce the size authorized by Congress when it passed the compromise Dunes park bill. Unless his move to sabotage the project is beaten back, the eventual development of the park along the lines heretofore agreed upon will be in grave trouble if not laid to rest permanently.

Rep. John Brademas, D-South Bend, has rushed to the barricades in defense of the project.

Developments of a wide variety, he notes, ranging from a discussed new highway and airport, industrial expansion and rising costs of land loom as suffocating threats to the project.

Mr. Brademas gave his views in urging the House Interior Appropriations subcommittee to approve a National Park Service request for $10 million to get on with land acquisition and development of the property.

The request is relatively modest, considering the fact that the total budget for the park was set at $27 million, only $8.5 million has been appropriated and the $10 million sought would be spread over fiscal 1970 and 1971, half each year.

Mr. Brademas came directly to the point of the need for the park on the scale envisioned by Congress when he said that the urban complex stretching along Lake Michigan "is a perfect example of a megalopolis in desperate need of recreational facilities."

There has been one bright development. The Chicago South Shore and South Bend Railroad has withdrawn its request to the Park Service for 26 acres included in the lakeshore. The carrier will build its marshalling yards outside of land intended for the park.

The South Shore is to be complimented for its co-operation.

Meanwhile, we hope that Mr. Brademas will find allies in the Indiana delegation and elsewhere in his battle to see that park development is carried out in conformity to the lines spelled out by Congress when it authorized the project.

WORLD SYMPOSIUM HONORING DR. WALTER PRESCOTT WEBB

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. PICKLE. Mr. Speaker, next year a World Symposium on the Great Frontier will be held in Texas to commemorate the works and dreams of the late Dr. Walter Prescott Webb.

The University of Texas was the academic and geographical hub for Dr. Webb. He came to Austin as a freshman and began teaching there in 1918—but his world was larger than the 40 acres he loved. Actually, Dr. Webb belonged to the West and to all that this last frontier has meant to the United States. Even this broad expanse is too confining for a man of his stature. Dr. Webb's teachings and writings carried him throughout the world.

In recognition of his work and the impact it will have on our future, the Friends of Walter Prescott Webb has been formed. Meeting at Friday Mountain Ranch earlier this year, the Friends set forth some creditable priorities: to sponsor and establish a professorship or chair honoring Dr. Webb at the University of Texas; strengthening and expanding the Hinds-Webb student loan fund at the University of Texas; encouraging and emphasizing an intense development of the Walter Prescott Webb Memorial Lectures at the University of Texas at Arlington, particularly relating to Webb's personal contribution to the field of western history, economics, philosophy, sociology, and geography; and sponsoring the world symposium.

The Texas Senate took note of the Friend's pursuits and passed the following resolution:

WALTER PRESCOTT WEBB MEMORIAL FUND COMMITTEE

Whereas, Walter Prescott Webb, through forty-five years of brilliant and inspired teaching at The University of Texas at Austin and other institutions; through his books and articles, particularly those pertaining to the influence of the American and world frontiers on history, won him international acclaim both as historian and man of letters; through his conduct as a citizen deeply concerned not only with the welfare present and future of his state and nation but of all mankind; through his integrity of character, his honesty and his courage to state the truth as he found it, brought prestige and honor to his native state of Texas; and

Whereas, to the average Texas citizen Webb epitomizes the ideal of what a Texan should be; and

Whereas, Walter Prescott Webb's death six years ago removed from our presence one of the strongest intellectual figures in the whole history of Texas; and

Whereas, this Legislative body is deeply humble before the magnitude of his accomplishment. Our founding fathers charged us with creating a university of the first class, but this one man probably has done more than we can do to achieve this ideal; and

Whereas, on the sixth anniversary of his death, friends of Walter Prescott Webb assembled March 8, 1969, at Friday Mountain Ranch, near Austin, Texas, to honor his memory; and

Whereas, this delegation of friends, in a formal business session that followed essays on the contribution and greatness of Professor-Author Webb by colleagues and friends formally approved programs designed to provide a continuing tribute to Walter Prescott Webb and to assure financial and other assistance to students and scholars in the humanities and teaching profession, especially for those interested in the areas of History, Economics, Philosophy, Sociology, and Geography;

Therefore, be it resolved that the Senate of the State of Texas tender its encouragement and support of the Walter Prescott Webb Memorial Fund Committee for undertaking a program to:

(1) Underwrite the Hinds-Webb High School Scholarship Fund making means available to deserving high school graduates who otherwise might not have funds to attend college;

(2) Provide continuing financial assistance for the support of the annual Walter Prescott Webb Memorial Lectures at The University of Texas at Arlington;

(3) Encourage historical research and publication by promising young scholars and mature scholars through:

(a) the establishment of research grants for young scholars in The University of Texas System;

(b) the establishment of endowed professorships and endowed chairs of history at The University of Texas System;

(4) Sponsor a world symposium on the ideas and concepts of Walter Prescott Webb.

Be it further resolved that The University of Texas System and the Texas Library and Historical Commission, as appropriate agencies of State Government, give encouragement and assistance to the aims and objectives of this program, and to the ideals and work of Walter Prescott Webb.

Mr. Speaker, it is obvious the reverence this man generated among his friends, students, and readers. It is just and fitting that these efforts to honor Dr. Webb should begin now, 6 years after his death. Webb, himself, once said that his work might not be appreciated until 1990. He would not mind these efforts to rush things up a bit, however.

Dr. Webb, although well-loved, is often described as a controversial historian. I join the legions who are thankful that he was such an unorthodox chronicleer. Webb's special remarks pulled no punches, enhancing greatly his rustic reputation.

Webb refused to write for other historians, professors, and intellectuals. Instead, he put everything on paper for the express benefit of an imaginary man from Boston—this style made his works so readable.

Webb wooed his mythical Bostonian with sporadic bursts of writing best described as white heat. His output was sparse in terms of page numbers; but, in themes, his output will prove to be immortal.

His most noted and most controversial books are "The Great Plains" and "The Great Frontier." He also wrote "Divided We Stand," "The Texas Rangers," "Washington Wife," "Handbook of Texas," and many others. Additionally, he published many papers about the West—not all of them in the scholarly journals of his era, much to the consternation of the more disciplined historians. More often than not, Webb's writing would be found in a well-thumbed issue of Harper's magazine.

One of the ill-kept secrets of Webb's life was that he wanted to be a writer, a novelist. By now, it is no secret that Webb was indeed the writer he dreamed of being.

The dreams of the man were the mysterious inner stuff his writings were made of. He would bounce between heaven and earth and beyond as he pounded an old typewriter in Austin. Often, Webb was criticized for letting his imagination outrun his documentation. But it did not cause him to falter. John Fischer, editor of Harper's once said in this regard:

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> Dr. Webb thought of himself as a kind of scout on the frontiers of history. His job was to explore the terrain, to spot the big ideas, to discover new watersheds of the mind. More pedestrian characters could follow later, to document his findings and stake out the section lines with surveyors' accuracy.

Webb cannot be faulted, and should be congratulated, for practicing history as a branch of literature. Although he once challenged this by saying that "literature is a branch of history, as is all knowledge."

Webb never let a historian's objectivity shackle his opinions. If he believed something, Webb would express strong opinions about leadership, economics, politics, and Republicans—and the consequences be hanged.

However, Webb was not all brimstone; in fact, he was far from it. He was influenced by an act of kindness before his career was ever expressed in thought. As a poor farm youth, he wrote to a magazine saying he was uneducated and broke, but he wanted to write. A reader responded. William E. Hinds, of Brooklyn sent back books. Later he sent money. Webb would go to school a year and work a year to repay the loan.

Mr. Hinds died in 1916. The two never met, but Dr. Webb repayed his debt in a moving article, "The Search of William E. Hinds," Harpers, 1961. The bond is perpetuated in the Webb-Hinds scholarship which Dr. Webb created at the University of Texas.

This initial kindness was repaid by other acts of kindness. Countless times, Dr. Webb cosigned a student loan, hired them to work at Friday Mountain, and encouraged them all to work and study.

And he had his fun doing it. After lending a man $100, Webb learned the recipient was a habitual drifter and con man. With righteous indignation, Webb chased the man down aboard a train leaving town. When asked the results of the confrontation, Webb answered:

> You know, that fellow was so open and above board about the whole matter, I let him have another $100.

Dr. Webb found an art in everything, even in a crook and a scoundrel.

Dr. Webb's sense of humor permeated his writing. Talking about the Plains Indians who ate their horses if they had to, he wrote:

> The Indian rode his commissary into battle.

As we remember this great man, we must honor him for his incisive writing. Walter Prescott Webb wrote and preached about the land he loved—the West, the Great Plains, the last frontier. And he did it in such a style that it will live long after the plains and the West are forgotten:

> A thousand farms in the East will each have six or seven cows, with as many more calves and yearlings—ten thousand head. But they attract no attention. They are incidents of agriculture. In the West a ranch will cover the same area as the thousand farms, and will have perhaps ten thousand head, roundups, rodeos, men on horseback, and all that goes with ranching. Hot days in the branding pen with bawling calves and the smell of burned hair and flesh on the wind! Men in boots and big hats with the accompaniment of jangling spurs and frisky horses. Camp cooks and horse wrangler! Profanity and huge appetities! . . . The East did a large business on a small scale; the West did a small business magnificently.

Webb did more than just write about the West—he understood it. He equated the horse to the rivers and canoes on the other side of the 98th meridian. He admired the ingenuity of the repeating Colt revolver as compared with the cumbersome long rifle of the East. He knew the way the differing physical conditions affected the psychology of the West.

There is something infectious about the magic of the Southwest—

Webb wrote—

> Some are immune to it, but others must spend the rest of their lives dreaming of the incredible sweep of the desert, of great golden mesas with purple shadows, and tremendous stars appearing at dusk in a turquoise sky. And I am one of these.

Mr. Speaker, books have been written about this thunderous man; books that I cannot compete with. But I want to call the attention of my colleagues to this man, his works and the heritage he pointed out for all of us.

I heartily endorse the activities of the Friends of Walter Prescott Webb. Hopefully, many of you can attend the world symposium in 1970.

PERSONAL ANNOUNCEMENT

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. McCLURE. Mr. Speaker, I regret that I was unable to be present today when the vote on H.R. 5554, was taken. However, I have always supported the milk-for-children programs in the past, and if I had been present and voting this afternoon, I would have supported this bill as well.

ELECTORAL COLLEGE REFORM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. DERWINSKI. Mr. Speaker, with the debate over improvements of the electoral college soon to reach the floor, I believe a column by Mr. Stanton Evans in the Tuesday, April 29, National Review Bulletin is worth pondering.

Personally, I am a supporter of the district vote concept. I am hopeful that the debate on the floor will be thorough and objective and will result in practical improvement in our method of electing a President.

The column referred to follows:

AT HOME

(By M. Stanton Evans)

Continuing debate on the electoral college suggests there may be, after all, no "best" approach to electing a President. In a world of imperfections we are given a choice of evils and required to decide which among them is least-worst.

This was the mood, of course, which produced the electoral college in the first place—a compromise of principles and politics made necessary by the clash of interests in the constitutional convention. And although the system has not worked out as the founders envisioned, it has served the nation fairly well and provided us with a certain degree of stability. The question before us is whether suggested improvements will in fact improve anything.

All the proposals for change have defects which would either trade existing problems for new ones or intensify some we already have. Still, among the imperfections, there are choices to be made. The available evidence suggests the so-called "district plan" would help more than it would hurt, and thus qualifies as least-worst of the pending proposals. The "most-worst" accolade goes to the highly-publicized suggestion for a straight-out popular referendum.

The present system has a number of evils which stand in need of changing. Foremost among these, perhaps, is the possibility that no candidate at all will receive a clear majority of the electoral vote, thus throwing the election into the House of Representatives. Another is the likelihood that fraudulent votes in Chicago or other major cities can have a decisive effect on the outcome. Suggested changes should at a minimum remedy rather than aggravate these problems.

On both counts, the popular vote fails to get the job done. Not only would it strike a blow at the federal character of our system, it would also increase the chance that no clear winner would emerge from the balloting. The negative influence of third-party candidates would be enormously heightened, since every increment in their vote could have potentially greater impact on the national outcome. And if such parties became more numerous and more powerful, the likelihood that no single candidate could get a majority or a stipulated 40% plurality would be correspondingly enlarged.

Advocates of the popular vote talk of "making sure that the man who gets the most votes sits in the White House"—ignoring the question of whether the votes received are real or imaginary. Under this proposal, a candidate who wins by the margin of a half-dozen stolen votes in Chicago could become President as a direct result of fraud. The popular vote system would put an even greater premium on big-city bosses and stolen ballots than the present "winner-take-all" approach in the major urban states.

More appealing on a number of counts is the district vote idea. Under this proposal, electors would run in constituencies similar to congressional districts (they can in fact be identical) with two additional electors chosen at large by the statewide vote. This would keep the electoral totals as they are now, since electors correspond to the number of congressional representatives in a state plus the two senators. Such a plan would help correct the evils which the popular vote would intensify.

The district vote would minimize the impact of fraud in a single area and prevent distortion of the national outcome by a few big cities where corruption is notorious. Chicago, for example, would no longer be able to dominate all of Illinois or, as under the popular-vote approach, the nation. The effect of questionable voting would be confined to the district or districts where it occurs. For those who favor an honest rather than a rigged election, this would seem a good change.

Depending on the desire of the states, an absolute majority could be required to win the electoral vote of a given district, thus heading off the splinter effect of the minor parties. Even without this requirement, however, the minor-party impact would be limited. Third parties might take root in a few districts where unusual conditions prevail, but experience suggests such development would be relatively rare.

This plan would also serve to strengthen rather than weaken American federalism. It would maintain the authority of the states as basic electoral units, while providing a further extension of the federal principle within the states. It would join the popular aspect of the House with the state prerogatives of the Senate. Instead of moving us toward greater centralization—the radical evil of our times—it would be a step toward decentralization.

It is interesting to note in this respect that James Madison said election by districts was the approach "mostly, if not exclusively, in view when the Constitution was framed and adopted." Efforts to establish a uniform district system were favored by Jefferson, Hamilton, John Quincy Adams, Jackson, Van Buren and Webster, among others. The district approach was in fact used in a number of states up through the election of 1832—after which, by a political Gresham's law, it was driven out by today's "general ticket" system.

On the whole, the district idea would correct deficiencies in the electoral college, but avoid the popular vote solution of throwing out the baby with the bath water. It would go far to correct what is wrong with existing practice while preserving those elements that are right. It isn't perfect—no political system is—but it seems less imperfect than any other arrangement being discussed.

THE 200TH ANNIVERSARY OF DARTMOUTH COLLEGE

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. SMITH of New York. Mr. Speaker, we who have been privileged to share the Dartmouth tradition greet Dartmouth College at this exciting time of her 200th birthday.

Beginning as a small Indian school before this country was a nation, Dartmouth has survived the vicissitudes of 200 years, including wars and rumors of wars, depressions, droughts, floods, and eight or 10 generations of undergraduates. She has remained flexible, concerned, progressive, and has grown in strength as she pursues her function of expounding the liberalizing arts to succeeding generations and producing concerned and thinking and doing citizens of this great country. May her next 200 years be even more productive for this country and for the world.

A NEW ROLE FOR THE MATERIALS TESTING REACTOR

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. HANSEN of Idaho. Mr. Speaker, the materials testing reactor—MTR—at the National Reactor Testing Station in Idaho was completed in 1952. Since that time, it has played a key role in the Nation's developing nuclear industry as a major testing and research facility for the U.S. Atomic Energy Commission.

The MTR is one of the most versatile research reactors in the world. It is the only high-flux beam reactor west of the Mississippi River. It was the first test reactor designed primarily to supply neutrons for the widest possible variety of experiments.

The MTR has a highly trained and skilled technical, operating and maintenance staff which includes a concentration of highly talented scientific personnel. Because of the knowledge and experience of the technical staff, research programs by educational institutions and others outside the NRTS can be initiated and completed at a fraction of the cost in time and money that it would cost without such help.

During the past 17 years, the MTR has written an important chapter in the Nation's nuclear energy story. Work at the reactor has contributed significantly to the storehouse of nuclear knowledge that others can now draw upon. The MTR has compiled an enviable record of firsts which have been of great value to research and development programs of the Atomic Energy Commission and to nuclear energy projects sponsored by private industry.

Mr. Speaker, with the testing role of the MTR now nearly completed, increasing attention has been centered on its promising potential as a research facility. A proposal to redesignate the facility as the Western Beam Research Reactor—WBRR—has gained widespread support throughout the West, particularly among colleges and universities that are anxious to take advantage of the unique research capability which the reactor and its highly qualified staff can provide.

The past role of the MTR in university-sponsored research and other educational programs has clearly demonstrated the much greater potential of the Western Beam Research Reactor to serve the academic and research needs of educational institutions, particularly those in the West. Enthusiastic expressions of support for the new role of the proposed WBRR have come from the Western Governors' Conference, the Rocky Mountain Science Council, the Western Conference of the Council of State Governments, the board of directors of the Federation of Rocky Mountain States and many individual colleges and universities throughout the West.

The State of Idaho has indicated its willingness to assume a share of the responsibility for future financial support of the reactor facility. The Idaho Legislature recently appropriated $200,000 for the support of nuclear-oriented research to be conducted at the proposed WBRR, together with another $200,000 for short-term applied research projects which will include nuclear research. A previous session of the Idaho Legislature created the five-member Idaho Nuclear Energy Commission to stimulate further development and diversification of Idaho's nuclear energy industry. Last year, business, labor and other community leaders took a major step forward by organizing the Eastern Idaho Nuclear Industrial Council to bring to other industries in the States the benefits flowing from nuclear energy research and development activities at the National Reactor Testing Station.

Idaho Nuclear Corp., the principal operating contractor at the NRTS, contributes over a $100,000 each year to support educational programs at the NRTS.

Mr. Speaker, on February 21, 1969, President Nixon made an important statement outlining the basic policy relating to the use by university scientists of the equipment of Federal laboratories. He said:

> The equipment of many Federal laboratories is superb and often unique. This investment should be viewed as a national resource and not one for the exclusive use of the laboratory staff members. While many scientists and engineers from universities now frequently use Federal research facilities, an even closer and more extensive cooperative relation will be productive. I am therefore approving a policy designed to bring this about. Dr. DuBridge will be able to implement the policy with the help of the Federal Council for Science and Technology, which has recommended its adoption.

On the same date the Federal Council for Science and Technology issued a policy statement which I include as a part of my remarks:

> POLICY ON EXPANDED USE OF FEDERAL RESEARCH FACILITIES BY UNIVERSITY INVESTIGATORS
>
> Unique, unusual, and expensive-to-duplicate facilities at Federal laboratories and federally-supported research centers should be made available to the national scientific community to the maximum extent practical without serious detriment to laboratory missions, especially to qualified academic scientists and engineers. Criteria for such use should be the scientific merit of the proposed experiment, its relation to the agency research mission, and its contribution to national research and research training.
>
> When such facilities are used by academic scientists and engineers, the costs incurred by the laboratory or center for the operation of its unique or unusual research facilities should be funded by the agency responsible for the operation of that facility, except for any significant incremental costs incurred in support of research not directly related to the agency's mission. The research costs incurred at the experimenter's home institution and significant costs for specialized equipment fabricated at the center primarily for use by the particular experimenter should normally be borne by the granting agency, the home institution, and/or other sponsoring organization. However, when the research is sufficiently related or useful to the host agency's responsibility, these costs may be borne by the agency responsible for operation of the center.

Continued Federal support of the proposed WBRR is in keeping with the objective announced by the President and with the criteria outlined in the policy statement of the Federal Council for Science and Technology.

To assist in the implementation of the proposed version of the MTR, a group of educators, scientists, and other nuclear energy industry leaders in Idaho have prepared an outline describing the unique capability of its staff and facilities to play an exciting new role as a Western Beam Research Reactor:

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> The Indian rode his commissary into battle.

As we remember this great man, we must honor him for his incisive writing. Walter Prescott Webb wrote and preached about the land he loved—the West, the Great Plains, the last frontier. And he did it in such a style that it will live long after the plains and the West are forgotten:

> A thousand farms in the East will each have six or seven cows, with as many more calves and yearlings—ten thousand head. But they attract no attention. They are incidents of agriculture. In the West a ranch will cover the same area as the thousand farms, and will have perhaps ten thousand head, roundups, rodeos, men on horseback, and all that goes with ranching. Hot days in the branding pen with bawling calves and the smell of burned hair and flesh on the wind! Men in boots and big hats with the accompaniment of jangling spurs and frisky horses. Camp cooks and horse wrangler! Profanity and huge appetities! . . . The East did a large business on a small scale; the West did a small business magnificently.

Webb did more than just write about the West—he understood it. He equated the horse to the rivers and canoes on the other side of the 98th meridian. He admired the ingenuity of the repeating Colt revolver as compared with the cumbersome long rifle of the East. He knew the way the differing physical conditions affected the psychology of the West.

> There is something infectious about the magic of the Southwest—

Webb wrote—

> Some are immune to it, but others must spend the rest of their lives dreaming of the incredible sweep of the desert, of great golden mesas with purple shadows, and tremendous stars appearing at dusk in a turquoise sky. And I am one of these.

Mr. Speaker, books have been written about this thunderous man; books that I cannot compete with. But I want to call the attention of my colleagues to this man, his works and the heritage he pointed out for all of us.

I heartily endorse the activities of the Friends of Walter Prescott Webb. Hopefully, many of you can attend the world symposium in 1970.

PERSONAL ANNOUNCEMENT

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. McCLURE. Mr. Speaker, I regret that I was unable to be present today when the vote on H.R. 5554, was taken. However, I have always supported the milk-for-children programs in the past, and if I had been present and voting this afternoon, I would have supported this bill as well.

ELECTORAL COLLEGE REFORM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. DERWINSKI. Mr. Speaker, with the debate over improvements of the electoral college soon to reach the floor, I believe a column by Mr. Stanton Evans in the Tuesday, April 29, National Review Bulletin is worth pondering.

Personally, I am a supporter of the district vote concept. I am hopeful that the debate on the floor will be thorough and objective and will result in practical improvement in our method of electing a President.

The column referred to follows:

AT HOME

(By M. Stanton Evans)

Continuing debate on the electoral college suggests there may be, after all, no "best" approach to electing a President. In a world of imperfections we are given a choice of evils and required to decide which among them is least-worst.

This was the mood, of course, which produced the electoral college in the first place—a compromise of principles and politics made necessary by the clash of interests in the constitutional convention. And although the system has not worked out as the founders envisioned, it has served the nation fairly well and provided us with a certain degree of stability. The question before us is whether suggested improvements will in fact improve anything.

All the proposals for change have defects which would either trade existing problems for new ones or intensify some we already have. Still, among the imperfections, there are choices to be made. The available evidence suggests the so-called "district plan" would help more than it would hurt, and thus qualifies as least-worst of the pending proposals. The "most-worst" accolade goes to the highly-publicized suggestion for a straight-out popular referendum.

The present system has a number of evils which stand in need of changing. Foremost among these, perhaps, is the possibility that no candidate at all will receive a clear majority of the electoral vote, thus throwing the election into the House of Representatives. Another is the likelihood that fraudulent votes in Chicago or other major cities can have a decisive effect on the outcome. Suggested changes should at a minimum remedy rather than aggravate these problems.

On both counts, the popular vote fails to get the job done. Not only would it strike a blow at the federal character of our system, it would also increase the chance that no clear winner would emerge from the balloting. The negative influence of third-party candidates would be enormously heightened, since every increment in their vote could have potentially greater impact on the national outcome. And if such parties became more numerous and more powerful, the likelihood that no single candidate could get a majority or a stipulated 40% plurality would be correspondingly enlarged.

Advocates of the popular vote talk of "making sure that the man who gets the most votes sits in the White House"—ignoring the question of whether the votes received are real or imaginary. Under this proposal, a candidate who wins by the margin of a half-dozen stolen votes in Chicago could become President as a direct result of fraud. The popular vote system would put an even greater premium on big-city bosses and stolen ballots than the present "winner-take-all" approach in the major urban states.

More appealing on a number of counts is the district vote idea. Under this proposal, electors would run in constituencies similar to congressional districts (they can in fact be identical) with two additional electors chosen at large by the statewide vote. This would keep the electoral totals as they are now, since electors correspond to the number of congressional representatives in a state plus the two senators. Such a plan would help correct the evils which the popular vote would intensify.

The district vote would minimize the impact of fraud in a single area and prevent distortion of the national outcome by a few big cities where corruption is notorious. Chicago, for example, would no longer be able to dominate all of Illinois or, as under the popular-vote approach, the nation. The effect of questionable voting would be confined to the district or districts where it occurs. For those who favor an honest rather than a rigged election, this would seem a good change.

Depending on the desire of the states, an absolute majority could be required to win the electoral vote of a given district, thus

heading off the splinter effect of the minor parties. Even without this requirement, however, the minor-party impact would be limited. Third parties might take root in a few districts where unusual conditions prevail, but experience suggests such development would be relatively rare.

This plan would also serve to strengthen rather than weaken American federalism. It would maintain the authority of the states as basic electoral units, while providing a further extension of the federal principle within the states. It would join the popular aspect of the House with the state prerogatives of the Senate. Instead of moving us toward greater centralization—the radical evil of our times—it would be a step toward decentralization.

It is interesting to note in this respect that James Madison said election by districts was the approach "mostly, if not exclusively, in view when the Constitution was framed and adopted." Efforts to establish a uniform district system were favored by Jefferson, Hamilton, John Quincy Adams, Jackson, Van Buren and Webster, among others. The district approach was in fact used in a number of states up through the election of 1832—after which, by a political Gresham's law, it was driven out by today's "general ticket" system.

On the whole, the district idea would correct deficiencies in the electoral college, but avoid the popular vote solution of throwing out the baby with the bath water. It would go far to correct what is wrong with existing practice while preserving those elements that are right. It isn't perfect—no political system is—but it seems less imperfect than any other arrangement being discussed.

THE 200TH ANNIVERSARY OF DARTMOUTH COLLEGE

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. SMITH of New York. Mr. Speaker, we who have been privileged to share the Dartmouth tradition greet Dartmouth College at this exciting time of her 200th birthday.

Beginning as a small Indian school before this country was a nation, Dartmouth has survived the vicissitudes of 200 years, including wars and rumors of wars, depressions, droughts, floods, and eight or 10 generations of undergraduates. She has remained flexible, concerned, progressive, and has grown in strength as she pursues her function of expounding the liberalizing arts to succeeding generations and producing concerned and thinking and doing citizens of this great country. May her next 200 years be even more productive for this country and for the world.

A NEW ROLE FOR THE MATERIALS TESTING REACTOR

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. HANSEN of Idaho. Mr. Speaker, the materials testing reactor—MTR—at the National Reactor Testing Station in Idaho was completed in 1952. Since that time, it has played a key role in the Nation's developing nuclear industry as a major testing and research facility for the U.S. Atomic Energy Commission.

The MTR is one of the most versatile research reactors in the world. It is the only high-flux beam reactor west of the Mississippi River. It was the first test reactor designed primarily to supply neutrons for the widest possible variety of experiments.

The MTR has a highly trained and skilled technical, operating and maintenance staff which includes a concentration of highly talented scientific personnel. Because of the knowledge and experience of the technical staff, research programs by educational institutions and others outside the NRTS can be initiated and completed at a fraction of the cost in time and money that it would cost without such help.

During the past 17 years, the MTR has written an important chapter in the Nation's nuclear energy story. Work at the reactor has contributed significantly to the storehouse of nuclear knowledge that others can now draw upon. The MTR has compiled an enviable record of firsts which have been of great value to research and development programs of the Atomic Energy Commission and to nuclear energy projects sponsored by private industry.

Mr. Speaker, with the testing role of the MTR now nearly completed, increasing attention has been centered on its promising potential as a research facility. A proposal to redesignate the facility as the Western Beam Research Reactor—WBRR—has gained widespread support throughout the West, particularly among colleges and universities that are anxious to take advantage of the unique research capability which the reactor and its highly qualified staff can provide.

The past role of the MTR in university-sponsored research and other educational programs has clearly demonstrated the much greater potential of the Western Beam Research Reactor to serve the academic and research needs of educational institutions, particularly those in the West. Enthusiastic expressions of support for the new role of the proposed WBRR have come from the Western Governors' Conference, the Rocky Mountain Science Council, the Western Conference of the Council of State Governments, the board of directors of the Federation of Rocky Mountain States and many individual colleges and universities throughout the West.

The State of Idaho has indicated its willingness to assume a share of the responsibility for future financial support of the reactor facility. The Idaho Legislature recently appropriated $200,000 for the support of nuclear-oriented research to be conducted at the proposed WBRR, together with another $200,000 for short-term applied research projects which will include nuclear research. A previous session of the Idaho Legislature created the five-member Idaho Nuclear Energy Commission to stimulate further development and diversification of Idaho's nuclear energy industry. Last year, business, labor and other community leaders took a major step forward by organizing the Eastern Idaho Nuclear Industrial Council to bring to other industries in the States the benefits flowing from nuclear energy research and development activities at the National Reactor Testing Station.

Idaho Nuclear Corp., the principal operating contractor at the NRTS, contributes over a $100,000 each year to support educational programs at the NRTS.

Mr. Speaker, on February 21, 1969, President Nixon made an important statement outlining the basic policy relating to the use by university scientists of the equipment of Federal laboratories. He said:

> The equipment of many Federal laboratories is superb and often unique. This investment should be viewed as a national resource and not one for the exclusive use of the laboratory staff members. While many scientists and engineers from universities now frequently use Federal research facilities, an even closer and more extensive cooperative relation will be productive. I am therefore approving a policy designed to bring this about. Dr. DuBridge will be able to implement the policy with the help of the Federal Council for Science and Technology, which has recommended its adoption.

On the same date the Federal Council for Science and Technology issued a policy statement which I include as a part of my remarks:

> Policy on Expanded Use of Federal Research Facilities by University Investigators
>
> Unique, unusual, and expensive-to-duplicate facilities at Federal laboratories and federally-supported research centers should be made available to the national scientific community to the maximum extent practical without serious detriment to laboratory missions, especially to qualified academic scientists and engineers. Criteria for such use should be the scientific merit of the proposed experiment, its relation to the agency research mission, and its contribution to national research and research training.
>
> When such facilities are used by academic scientists and engineers, the costs incurred by the laboratory or center for the operation of its unique or unusual research facilities should be funded by the agency responsible for the operation of that facility, except for any significant incremental costs incurred in support of research not directly related to the agency's mission. The research costs incurred at the experimenter's home institution and significant costs for specialized equipment fabricated at the center primarily for use by the particular experimenter should normally be borne by the granting agency, the home institution, and/or other sponsoring organization. However, when the research is sufficiently related or useful to the host agency's responsibility, these costs may be borne by the agency responsible for operation of the center.

Continued Federal support of the proposed WBRR is in keeping with the objective announced by the President and with the criteria outlined in the policy statement of the Federal Council for Science and Technology.

To assist in the implementation of the proposed version of the MTR, a group of educators, scientists, and other nuclear energy industry leaders in Idaho have prepared an outline describing the unique capability of its staff and facilities to play an exciting new role as a Western Beam Research Reactor:

The Role of the Western Beam Research Reactor

I. INTRODUCTION

The Materials Testing Reactors (MTR) at the National Reactor Testing Station in Idaho has been a major testing and research facility of the United States Atomic Energy Commission for the past 17 years. Within a few months its testing role will be largely completed, but its research role can carry on as the Western Beam Research Reactor (WBRR); the research will be more vigorous. An integral part of the reactor and its programs is the staff of the Nuclear Technology Branch. The reactor provides the major stimulus for this staff and conversely the capabilities of the staff provide the dynamics and quality of the reactor research.

The capabilities and contributions of the reactor-staff combination can be grouped into three general areas. First, the unique technical capabilities that reside at the WBRR, unique in the sense that no other group can or has performed similar experiments. The uniqueness of these capabilities range from regional to world wide. Second, the reactor-staff combination, because of their competence, perform many tasks that meet needs of the AEC. Some of these are in support of AEC efforts of nation-wide scope and some are support of NRTS efforts. Third, the reactor-staff stimulate and support university programs, mainly in the Intermountain West but occasionally nation wide. There are some research ventures that are too extensive to be conducted on campus so these are conducted by university personnel at AEC labs. Very high flux reactor research is one such venture and the WBRR fills this need in the West. It is the only very high flux reactor available to the Western United States and the third most intense beam reactor in the world. In addition, the mere presence of a world renowned scientific community associated with WBRR provides a lift to the cooperating university departments.

II. UNIQUE CAPABILITIES

The reactor-staff combination possesses unique capabilities in areas of basic research and applied technology vital to the United States. These capabilities include:

A. *Filtered Beams* (world wide): Development work initiated less than two years ago has culminated in our ability to extract several very high-flux, monoenergetic beams from the reactor. No other reactor has such beams—the starred one listed below. Already the importance of such beams has been demonstrated. These unique beams and other filtered beams available at the WBRR and their uses are:

Beams	*To measure*
*Scandium Filtered (2 KeV)	$(n\gamma)$ Reactions
*Iron Filtered (24 KeV)	Fission Distributions
*Silicon Filtered (150 KeV)	Activations
*Oxygen Filtered (2.35 MeV)	Counter Calibrations
Thermal	Biological Damage and Neutron Radiography
Epithermal	Precise Cross Sections

In addition to their many other uses, these beams supply valuable information for the Liquid Metal Fast Breeder Reactor Program. This project is the major thrust toward advanced power reactors of the Reactor Division of the AEC at this time.

B. *Isotopic Analysis by Cross Sections* (world wide): Within the last six months an analytical method has been developed at the WBRR to determine the isotopic constituents of samples by measuring the neutron resonance cross sections. This is a nondestructive method. Initial results throw doubt on the accuracy of some aspects of presently accepted mass spectrometry methods. This method also provides vital support to the LMFBR program.

C. *High Resolution Neutron Radiography* (world wide except France): Within the last year a capability of neutron radiography has been developed at the reactor. The very intense fluxes of this reactor are needed to obtain high resolution pictures. Radiographs have been obtained here that were not successful at lower flux reactors. This work, too, supports LMFBR and many other programs.

D. *Neutron Cross Sections of Radioactive Samples* (world wide): The MTR fast chopper, assisted by the radiochemists, has the unique capability to measure neutron cross sections of highly radioactive samples. This information is needed in basic science and in AEC programs.

E. *Alpha Measurements with Manganese Bath* (world wide): The reactor-staff have the capability and equipment to make very precise measurements of alpha (the capture to fission ratio).

F. *High Pressure Neutron Diffraction* (world wide): Three years ago this program was initiated at the MTR. Now others in the U.S., France and elsewhere are copying us. None can yet equal our 100 Kbars (million and half lbs./in.^{2}) of pressure.

G. *Liquid Dynamic Studies* (Western U.S.): The capabilities to study the dynamics of liquids on a microscopic scale using neutrons reside in the WBRR and staff.

H. *Neutron Molecular Spectroscopy* (world wide): Ten years of effort have culminated within the last two years in our capability to make precise molecular spectra measurements using neutrons.

I. *Beam Activations* (Western U.S.): The WBRR has the most intense neutron beams in the Western U.S. and these can serve the many needs of activation. Such beams are needed for activations of large objects. Beam activations and in-core activations (see II–M) are non-destructive and show promise in helping to solve the nuclear materials surveillance problem.

J. *Shielding Studies* (world wide): A spin-off of the filtered beam development is that the WBRR can be used to study the deep penetration of 1–500 KeV neutrons in shielding. Such data are needed for the LMFBR and weapons programs.

K. *Nuclear Correlation Chopper* (world wide): A nuclear correlation chopper is being designed which, coupled to the WBRR, will allow measurements of partial cross sections of radioactive samples that cannot now be done. These are needed particularly by the AEC Production Division.

L. *On-Line Mass Separator* (Western U.S.): Plans are being made to have a mass separator intimately connected to the reactor. This will supply radioactive sources that cannot now be obtained.

M. *Activations* (Western U.S.): The high fluxes and rabbits allow special activations to be made.

N. *Neutron Capture Gamma Analysis*: Using the intense beams (see II–A) trace and greater quantities of elements can be detected in samples. This method detects different and additional elements than indicated in II–I and M. The method is attracting particular interest in biology and medicine.

Besides the unique capabilities that are directly associated with the WBRR, the staff has other unique capabilities. These capabilities exist at the site because the WBRR exists; it is a vital enough research facility to hold the highly qualified staff. These capabilities include:

O. *Hot Sample Preparation* (world wide): Radioactive samples have been made that have not been duplicated elsewhere.

P. *Computer Graphics and Data Evaluation* (world wide): The staff is now recognized as exhibiting the state-of-the-art in data accumulation and evaluation by computer graphics and man-machine interfacing.

Q. *Cross Sections from Nuclear Explosions* (world wide except LASL and Livermore): The Nuclear Technology Branch staff with the staff of the other two labs represent the state-of-the-art in obtaining neutron cross sections using nuclear explosions as the source.

R. *β-Ray Spectrometer* (Western U.S.): The staff has recently put into operation a high precision β-ray spectrometer. This machine represents the only such machine in the Western United States.

S. *NaI, Ge(Li) and Si(Li) Gamma-Ray Detectors* (world wide): The staff is recognized as leaders in the use of these detectors. The cataloging of the gamma-ray spectra (6,000 copies have been distributed) is one facet of this work which has found world wide recognition and acceptance in many highly varied areas of scientific research.

T. *CFRMF* (U.S.): This device, the Coupled Fast Reactivity Measurement Facility, is providing important integral cross section data for the LMFBR program.

U. *Proton Recoil Counter* (U.S.): Our proton recoil counter development, particularly calibrations, have revealed critical discrepancies in currently accepted techniques of neutron flux measurements.

V. *Alpha Spectrum Catalogue* (U.S.): As with the gamma spectra, (section S) a catalogue of alpha particle spectra has been produced by the staff.

W. *Elemental Analysis Using X-ray Fluorescence*: Developments in the techniques of high-resolution gamma-ray spectroscopy pioneered by members of the Nuclear Technology Branch have now led to the development of techniques of quantitative X-ray spectral analysis. This effort, utilizing X-ray spectrometers having energy resolutions as good as comparable devices anywhere in the world, has as one emphasis the development of non-destructive elemental assay techniques. These techniques have wide applicability in many areas of both pure and applied science.

III. AEC TASKS

The major thrust of the WBRR–staff combination is to perform tasks needed in the AEC's varied program. Some of these are mentioned in the previous section under Unique Capabilities. Some of these tasks are nation wide while others are centered on the NRTS. Nation wide, some of these are:

A. *Cross Section Measurements Near Thermal* (see II–A, B, D, E, I, K, L, M, O, P, S): These are to meet the needs of the thermal reactor development program (such as Molten Salt Breeder Reactor) and the AEC Production Division.

B. *KeV Cross Sections* (see II–A, D, E, I, J, P, Q, S, T, U): Neutron cross section data in this energy region, in which it is difficult to obtain intense neutron beams, are needed by the fast reactor development programs and the weapons programs.

C. *Data Evaluation* (see II–P): An important task of the AEC is to evaluate the many sets of data and arrive at a best set for reactor designers.

D. *Data Compilation* (see II–H, S, V): An urgent task of the AEC is to analyze and compile existing data so that they can be accurately and efficiently retrieved and used. Data from these tasks are being filed in ENDF/B file.

E. *Method Development*: Development of basic and analytical methods is an important part of the staffs efforts. Such development has come in the following fields: computer hardware and software, gamma detection, NASA support, proton recoil counters, neutron radiography, correlation choppers, conventional choppers, neutron-beam filters, radioactive samples, isotopic analysis, high pressure neutron diffraction, neutron molecular spectroscopy, CFRMP and many others.

On-site the reactor and staff supply support to the following tasks in which the starred tasks require the WBRR:

A. **Neutron Radiography* (see II–C): Radiographs of cold and radioactive specimens, such as fuel pins, are taken for about a dozen different programs. Many are samples irradiated in the test reactors and EBR–II.

B. **Activation Analysis* (see II–I, M): Many activations are made in the WBRR because of its high fluxes, fast rabbits and convenience.

C. **Isotopic Analysis* (see II–B): This technique is being used to complement mass analysis, burnup and alpha measurements of samples from the test reactors.

D. *Computer Capabilities—Software and Hardware* (see II–P): These are being put to use in on-line data acquisition and anlysis.

E. *r Detection Development* (see II–E): These capabilities serve many needs, particularly the routine surveillance of radioactivity.

F. *Hot Cell Development* (see II–O): New methods of handling radioactivities are developed.

G. *Hot Chemistry Capabality* (see II–O): Besides handling radio-active samples, much chemical development must be pursued to put the samples in the best form.

H. *Flux Measurements and Standardization* (see II–E, I, M, S, T, U, V): Much effort is directed toward accurate measurements of neutron and gamma fluxes.

I. *Alpha Particle Detection* (see II–V): Our alpha detection capabilities allow application in radioactivity detection during fission breaks, etc.

J. *Beryllium Surveillance*: The branch provides help in surveillance of radiation damage in the beryllium of the test reactor.

K. **Fission Capability*: Many fission detectors have been made and fission cross sections measured; these provide a basis of knowledge upon which others call.

L. *Electronic Development*: The branch contains staff that are experts in advanced electronics development.

IV. UNIVERSITY SUPPORT

President Nixon has stated, "The equipment of many federal laboratories is superb and often unique. This investment should be viewed as a national resource and not one for the exclusive use of the laboratory staff members. While many scientists and engineers from outside now frequently use federal research facilities, an even closer and more extensive cooperative relation will be productive. I am therefore approving a policy designed to bring this about. Dr. DuBridge will be able to implement the policy with the help of the Federal Council for Science and Technology, which has recommended its adoption." Part of the INC charter is to foster universities in the area. Since the WBRR is the major research facility in the area, it is the backbone for such support. The NRTS, where possible, should supply those research facilities that universities cannot maintain on campus. An example of such activities, the efforts of the Nuclear Technology Branch staff in cooperation with universities, is outlined below. These activities are for the year July 1, 1967 to June 30, 1968.

A. *INC Educational Fund*: The Idaho Nuclear Corporation contributes $100,000/year to educational activities, and part of these contributions are connected with the Nuclear Technology Branch. Such connected funding during FY 1968 for faculty to visit or work at the NRTS is as follows:

Faculty member, university, and project area

D. R. Winder, Colorado State University, Neutron Molecular Spectroscopy.

R. J. Pugmire, University of Utah, Solid State Physics.

L. X. Finegold, University of Colorado, Solid State Physics.

B. *Associated Western Universities Program*: Under the auspices of the Associated Western Universities, scientists are able to use the facilities of the National Reactor Testing Station to conduct research projects, participate in existing programs or carry out independent research leading to advanced degrees. During the 1968 fiscal year ten faculty members from eight different colleges and universities worked in the Nuclear Technology Branch under the AWU program. They were:

Faculty member, university, and project area

J. K. Wood, Utah State University, β-Ray Spectrometer.

S. K. Vegors, Idaho State University, Radioactive Decay.

J. E. Price, Idaho State University, Radioactive Decay.

J. J. H. Berlijn, Valdosta State College, Radioactive Decay.

D. A. Tripp, Weber State College, Radioactive Decay.

D. M. Grant, University of Utah, Neutron Molecular Spectroscopy.

J. P. Plummer, State University of New York, Theoretical Physics.

G. C. Summerfield, University of Michigan, Theoretical Physics.

A. E. Wilson, Idaho State University, Nuclear Engineering.

R. J. Kearney, University of Idaho, Solid State Physics.

During this period seven graduate students also carried out research projects under the joint direction of their on-campus major professor and under a Nuclear Technology Branch staff member. They were:

Student, university, staff director, and project area

Earl Mark, University of Idaho, R. P. Schuman, Surface Absorption.

Ted Rupp, Idaho State University, J. E. Cline, C. W. Reich, Radioactive Decay.

Gordon Prather, Utah State University, J. E. Cline, Nuclear Level Structure.

Hugo Bezdek, University of Colorado, R. E. Schmunk, Solid State Physics.

Tom Worlton, Brigham Young University, R. M. Brugger, High Pressure Neutron Diffraction.

Robert Harrison, Idaho State University, R. G. Helmer, Nuclear Level Structure.

Gary Ostheller, University of Idaho, R. E. Schmunk, Solid State Physics.

C. *Summer Employees:* In addition to the AWU-supported program, faculty members and graduate students are brought into the company as regular employees for short periods during academic vacations. This allows the university people to become acquainted with facilities and programs at the NRTS site. During fiscal year 1968 those employed under this program included two graduate students, Mathew Petrin of the University of Montana and Kelby Anderson of the University of Colorado. They were employed in the Chemistry Section and the Reactor Experiments Section, respectively.

D. *Faculty and Staff Exchange Program*: During this report period, Idaho Nuclear Corporation established a program by which staff members of the company could be assigned to teach at a university. There are basically two kinds of arrangements that can be made:

1. For a period of a semester or a year, a staff member and a faculty member can exchange positions.
2. Where the school is within commuting distance of the NRTS, a staff member may be assigned to teach on a half-time basis, i.e. either two or three days a week, while continuing to work the balance of his time on his regular job.

Under the first program, an exchange was arranged between INC and the University of Idaho for the fall semester of 1967–1968. H. L. McMurry taught at the University while R. J. Kearney of the University Physics Department spent the semester working in the Solid State Physics Section of this branch.

K. T. Faler, a participant in the second program, was assigned to teach half time in the Chemistry Department of Idaho State University. He taught both semesters of the academic year.

E. *Adjoint Professorships*: In several of the situations where a graduate student at a regional university has completed his course work toward an advanced degree and plans to carry out thesis research at the NRTS, arrangements are made whereby the staff member of the Nuclear Technology Branch responsible for supervising the on-site research is appointed to the university staff as an Adjoint Professor. This arrangement has in the past proved to be a highly beneficial one, greatly improving the communication between the university and the NRTS. During this fiscal year, four members of the branch have served in this capacity with Utah State University. They are J. E. Cline, R. L. Heath, R. G. Helmer and C. W. Reich.

F. *NRTS Education Program*: Idaho Nuclear Corporation, in cooperation with the University of Idaho, administers a continuing educational program at the NRTS which leads to the degree of Master of Science in various technical fields. Members of the Nuclear Technology Branch have been active in all phases of this program since its inception. At the present time, approximately fifteen staff members of the branch are affiliated with this program, holding the rank of instructor. During the current academic year, four of these people are actively engaged in teaching courses in the program. They are: O. D. Simpson, teaching Calculus; T. G. Worlton, teaching Selected Topics in Advanced Physics; J. J. Scoville, teaching Advanced Engineering Math; and E. Fast, teaching Remedial Math.

G. *University Seminars and Colloquium Presentation*: The staff of the Nuclear Technology Branch is frequently called upon to provide seminars and colloquia at universities. In FY 1968 these were:

Staff, university, and topic

R. M. Brugger, University of Colorado, "Neutron Molecular Spectroscopy."

R. E. Schmunk, Case Institute of Technology, "Neutron Inelastic Scattering and Lattice Dynamics."

R. E. Schmunk, Utah State University, "Neutron Inelastic Scattering and Lattice Dynamics."

R. E. Schmunk, University of Colorado, "Neutron Inelastic Scattering and Lattice Dynamics."

P. D. Randolph, Utah State University, "Slow Neutron Scattering From Liquid Metals."

J. J. Scoville, Texas A. & M., "Resonance Integral Measurements."

R. G. Fluharty, Texas A. & M., "Pulsed Neutron Experiments."

G. W. Griffing, University of Washington, "Slow Neutron Scattering by Molecular Gases."

H. L. McMurry, University of Colorado, "Calculations of Crystal Vibrations."

J. R. Smith, University of Washington, "Manganese Bath Measurements of Eta."

G. E. Stokes, University of Idaho, "Cross-section Measurements of Radioactive Samples."

C. W. Reich, University of Idaho, "Current Models of Nuclear Structure."

R. L. Heath, University of Idaho, "Experimental Techniques in Gamma-Ray Spectrometry."

K. T. Faler, Idaho State University, "Nuclear Structure for Capture Gamma-Rays."

R. G. Helmer, Idaho State University, "Measurement of Gamma-Ray Energies."

R. M. Brugger, Idaho State University, "High Pressure Neutron Diffraction."

R. M. Brugger, University of Idaho, "Neutron Scattering in Solid State Physics."

W. W. Black, Brigham Young University, "Applications of Computers to Nuclear Spectroscopy."

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W. W. Black, Utah State University, "Application of Computers to Nuclear Spectroscopy."

R. C. Greenwood, Utah State University, "Neutron Capture Gamma-Ray Measurements."

H. Support of Secondary Schools: The staff of the Nuclear Technology Branch has been engaged in a number of cooperative programs with the local school districts. During the reporting period members of the staff were instrumental in encouraging and assisting in the acquisition of a small computer for Idaho School District #91. They are assisting the school in implementing the machine into programs for computer assisted instruction (CAI) and computer techniques in problem solving.

Mr. Speaker, the staff and facilities of the proposed Western Beam Research Reactor are truly a national asset. Judged on the basis of their past performance and future potential service to the Nation, they are deserving of continued Federal financial support.

U.N. PEACEKEEPING: TIME FOR ACTION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. MOORHEAD. Mr. Speaker, in the 89th and 90th Congresses, I was proud to be part of a bipartisan drive to establish a permanent United Nations Peacekeeping Force. Indicative of the support for this idea was the fact that House Concurrent Resolution 130 had 66 cosponsors last year, from both sides of the aisle.

Peacekeeping forces have done much to maintain peace over the last two decades, and in my view, an effective permanent peacekeeping force under the supervision of the United Nations is one of the great hopes for world peace and law for the future.

The advantages of such a peacekeeping force, and U.S. leadership in this effort are aptly described in the May 2 editorial in the Pittsburgh Press, which I include herewith for the attention of my colleagues:

U.N. Peace Force

In thinking about the national security interests of the U.S. in the rest of the century, two aims stand out:

To avoid a catastrophic nuclear war with the Soviet Union (or any other nuclear power).

To find a way to lighten the heavy burdens the U.S. carries in trying to build a system of peace around the world.

The first goal will be met if we maintain the strategic balance with the Soviets. Not necessarily at higher and costlier levels, but if arms control agreements can be struck, at lower, cheaper and safer levels.

And the second aim can be achieved only if more countries than at present share the global peacekeeping responsibility.

It is with this latter objective in mind that a group of 26 American leaders has proposed the U.S. Government work for establishment of a 40,000-man United Nations military force for peacekeeping operations under the U.N. banner.

Assembled by the U.N. Assn. of the U.S.A., this is no group of visionaries but an experienced panel including retired Gen. Matthew B. Ridgway, Cyrus R. Vance, former deputy secretary of Defense; Najeeb E. Halaby, Pan American World Airways president, and Joseph L. Block, Inland Steel Co. chairman, among others.

There has been many a previous U.N. peacekeeping operation: Korea, Kashmir, the Middle East, Congo, Cyprus and others. But there was usually a damaging flaw.

They were organized after, not before, the violence broke out. Command was often a matter of dispute. Financing was shaky at best.

Often the U.N. force was undermanned and underequipped. In one memorable instance, the U.N. emergency force in the Middle East was a success until the secretary-general ordered its withdrawal.

The U.N. Assn. panel proposes these errors be avoided by making a U.N. peace force permanent, controlled by a special peacekeeping section in the U.N. secretariat and financed by a special fund.

Article 43 of the U.N. Charter provides for such a standing military force, but it never has been established because of great power disagreement and small power fears.

Now, both the U.S. and Soviet Union have hinted at new interest. And 56 U.N. member-nations have provided military personnel for one or more U.N. field operations, while 10 currently earmark some 11,000 men for future U.N. service. Surely that is something to build on.

A real U.N. peace force was a good idea a quarter century ago. But the times were not right for it. It seems time to study the idea again.

CHAIRMAN EMANUEL CELLER: OUR DEAN

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. FEIGHAN. Mr. Speaker, today marks the birthday of a great distinguished American—our esteemed dean, the Honorable Emanuel Celler.

Mr. Celler has long and studiously served his constituency in Congress. He has made most profound and significant contributions to the general welfare of our country during his years as a Member of Congress.

His long service in Congress is replete with occasions wherein he fought vigorously for the cause of the common good.

Chairman Celler has been an effective leader in the enactment of many constitutional amendments which were adopted. His skillful work in framing the new civil rights legislation has indelibly marked his name in the history of our country. He has exhibited grave concern for immigrants and refugees and I have had the privilege to work with him for these humanitarian causes.

As ranking member of the Committee on the Judiciary, I feel I express a unanimous feeling of the members of the Judiciary Committee, present and past, that no chairman has conducted hearings with more concern and consideration of all members.

Best wishes for continued good health.

AN APPRAISAL OF COMMUNITY PROGRESS

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. DENT. Mr. Speaker, I periodically review the progress of the many communities in my district to determine for myself how we stack up with the Nation, State, and our neighboring area. Generally speaking, I say without hesitation that the 21st Congressional District of Pennsylvania—which includes all of Westmoreland County and two townships in Fayette County—is one of the most progressive and prosperous areas we have.

There are several reasons for this, but first among them is the unity and cohesiveness found within each community. This association between people has spread throughout the area and the ideal of working together has become our way of life. This is true in all matters, not only social.

We work together as an area to welcome a major manufacturing facility—like our new Chrysler plant—which will ultimately employ 5,000 of our workers. We also work together within our communities to bring needed improvements. In this regard, we have been especially fortunate.

Most of my communities, in my opinion, have been successful in getting State and Federal assistance for local projects. This is obvious when one visits them. There is one, however, which seems to stand out; and that is the city of Monessen.

Monessen has been the recipient of large sums of Federal and State money. That is a fact. It is also a fact, however, that the only reason Monessen has done so well is because the citizens of that community, through their public officials and other leaders, long ago recognized the need for urban renewal, housing, educational and cultural refinements, increased recreation and health facilities, and a modernization program in general, and had the initiative and perseverance to do something about it. Too many community leaders sit around and talk of urban renewal and other improvements in vague terms and never take any specific action. They are the ones who bemoan their lack of outside assistance. They apparently feel the Federal and State governments should come to them.

Monessen, on the other hand, developed specific proposals and made application in Harrisburg and Washington for financial assistance. This began in 1954, before either the Federal or State governments even had money available in significant amounts for local projects. But the city fathers saw the writing on the wall; and when I say "city fathers" I mean it in the broadest possible sense. I am speaking of a city government led with incredible foresight and confidence in the community, and public officials with the courage to take up the challenge

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of that leadership. I am speaking of the city's leaders of commerce, labor, and industry, who made their community's needs at least equal in importance to their own individual business concerns. I am speaking of the local newspaper publisher who hammered hard and long to arouse his community to the fact of the future. And most importantly, I am speaking of the good citizens of Monessen who did become aroused and who united in a massive effort to make their city responsive to the changing world we live in.

The results of this foresight took a while to develop but when they came, it was fast and furious—and Monessen was ready. For instance, since 1960, the city of Monessen has received over $33 million in Federal and State money for a multitude of projects. Keeping in mind the fact that this community has a total population of about 18,000, this is an incredible amount. It figures out to over $6,000 of Federal and State money received for each of the city's taxpayers. All the while, the total cost to the city was slightly more than $1 million. I am willing to bet that no other community in the United States—regardless of size—can boast of receiving that much outside assistance per citizen.

For their million dollars, the people of Monessen did pretty well. They got the go-ahead on Westgate, a huge urban renewal project. New roads and sewage outlets crisscrossed the city. Recreation and play areas appeared along with educational and cultural improvements. Homes for the elderly were dedicated, and the best community library in the entire area was given a needed expansion. A health and welfare building was approved and bids for construction will soon be submitted. There were many other advances. Eastgate, another major urban renewal project, was developed and it was fitting that the first tenant was the local newspaper, still published by the same man who years earlier had helped inspire his community to take on its new facade.

The cost to the city in terms of money was small. But the endless hours of talent and dedication that went into planning and development represents an enormous contribution by the community and its leaders. It is this quality which distinguishes Monessen from communities that complain they have been overlooked. It is this type of devotion to a city and its people that makes the difference between leadership excellence and mediocrity; and, incidentally, the difference between a vibrant, progressive community, and one which is no more than a place to live.

I salute the people of Monessen and their outstanding leaders and promise them I will continue to work with them as they prepare even more adventurous plans for their community. I am also giving this same support to the other communities in my district who are moving in the right direction, and to all those whose need is demonstrated and whose desire is sincere. But ultimate success can only be inspired at the local level, with the full cooperation of all the community's elements. This is the true catalyst so necessary to progress and prosperity.

VIETNAM, 1969

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BROWN of California. Mr. Speaker, over 13 months have passed since President Johnson called for a beginning of peace talks for Vietnam. The killing goes on, the stockpiling continues, the generals still back up their tenuous hold by claiming victory after victory.

The tragedy of Vietnam is real. It is unneeded death for thousands of Americans, thousands of Vietnamese. It is the tragedy of a corrupt and authoritarian puppet government imposing conditions which always hinder chances of real settlement. It is the tragedy of misallocation of resources both here in America and all throughout Southeast Asia, resources which should be used for building, but instead go toward destruction and dislocation.

As an indication of reaction to the Vietnam muddle, I would now like to insert in the RECORD an analysis of the situation today as given in a white paper by the American Friends Service Committee; along with the white paper, I would like to include resolutions on ending the war as adopted by two major national labor organizations over the past months—one by the American Federation of State, County, and Municipal Employees, the other by the International Longshoremen's and Warehousemen's Union:

VIETNAM 1969: AN AMERICAN FRIENDS SERVICE COMMITTEE WHITE PAPER ON ENDING THE WAR, MAY 5, 1969

The last year: It has been more than a year since the rhetoric of peace began in Vietnam. During this time scores of thousands of men and women and children have died in the fighting. They continue to die today, and every evidence in Vietnam is that they will continue to die tomorrow unless there is an unparalleled demand from the American people that the slaughter be halted. The American Friends Service Committee calls for a halt—now.

Like millions of others the world over, we felt a sense of relief a year ago that our country was at last moving toward a Vietnam settlement. We welcomed the initiation of the Paris talks, the halting of the bombing of North Vietnam, and, more recently, the reports of an Administration decision to undertake some form of U.S. military disengagement. We have hoped these steps would lead to a cease-fire and our country would begin to right its distorted priorities that require spending billions on destruction while our cities decay and our poor people despair. But hope has not been enough. Little has really changed in the year that has passed.

Present illusions: We believe U.S. military and government leaders are fostering illusions in regard to Vietnam. Our own experience in Vietnam is so at variance with official interpretations that we cannot reconcile what we have seen with what is officially reported. Americans are under the impression that the war is all but over; it is not. They are being told that the U.S. military policy is one of restraint in the interest of progress in Paris; it is not. They are encouraged to think that the Thieu-Ky government is becoming more acceptable to the Vietnamese, that it is politically more secure, more resolute in carrying on the war, more ready to institute reforms, more competent to carry on with diminishing U.S. help. We find no evidence that these things are so.

In our judgment, the human situation in Vietnam today is worse than it has ever been; the cumulative result of U.S. involvement (on top of 25 years of warfare) borders not on Vietnam's salvation, but on its death. An entire nation is being physically, morally, and spiritually destroyed—and the tempo of destruction has increased, not decreased, since the beginning of the Paris talks and the bombing halt.

AFSC qualifications to comment: Our judgment on these matters is based on 15 years of relationship with Vietnam, the last four with fulltime staff stationed variously in Saigon, Vung Tau, My Tho, Danang, An Khe, Pleiku, Hue, and, for the last two years, Quang Ngai. As far back as June 1954, we urged the U.S. not to follow the French example of trying to deal with Indo-China's problems in military terms, insisting that "nothing but disaster lies down that road."[1] Since the U.S. military involvement escalated in 1965, our field staff, speaking Vietnamese and living as closely as possible among the people, have regularly reported to us on the conditions around them. These reports make hard reading, chronicling as they do a tide of destruction that has gradually engulfed a people and torn apart the fabric of their lives. Here is what these reports have recorded:

Refugees: Four million people—one-third of the rural population of this rural nation—have fled their homes and become refugees in a country where land and village roots have an importance unknown in western culture.[2] Most have fled to the cities, which are quite unprepared to cope with the influx. Saigon's population has swelled to 2,800,000, making it the world's most crowded city, with more than twice the population concentration of Tokyo.[3]

Destruction: Physical destruction is enormous. Hundreds of thousands of acres have been defoliated, countless villages have been razed, and bomb craters pockmark the countryside. B–52 raids alone have torn 2½ million holes 45 feet in diameter and 30 feet deep[4]—holes that are now filled with water and serve as breeding grounds for malarial mosquitoes and other insects. More tons of explosives have been dropped on this tiny country than were dropped on all the Axis powers in all of World War II, and with every month that passes the loads are bigger and the bombs heavier.[5] In December 1968, the U.S. for the first time began using in Vietnam 10,000-pound bombs that had been stored in military depots for 15 years.[6]

Economic impact of war: The basic economy of the country has been destroyed, and only heavy imports of consumer goods from the U.S. and Japan keep inflation from assuming explosive dimensions. Corruption is epidemic. Vietnam's ancient Buddhist culture, with its village roots, its veneration of ancestors, its reliance on the extended family, has been torn apart by the impact of having quartered in its midst a half million foreign troops who know nothing of its ways or sensibilities. Prostitution and black marketing are rampant.

Suffering: In all of this the suffering of the Vietnamese has reached levels that would appall the American people if they could see it. Many thousands have been forced from their homes on short notice, incarcerated in tent cities and then after weeks or months been permitted to return to their villages—their homes destroyed, their animals dead, and their fields mined.[7] More thousands are caught under the bombs or between the contending forces, and the result is carnage.[8] Even before the 1968 Tet offensive it was estimated that there were from 150,000 to 200,000 civilian casualties annually.[9] Provision for caring for the victims is hopelessly inade-

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Footnotes at end of article.

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quate. Provincial hospitals today have few doctors, poor facilities, and often a shortage of medical supplies and even pain killers.[10] The American Friends Service Committee, which has been involved in the relief of war suffering for more than half a century, has rarely encountered such misery as is found in Vietnam today.[11]

U.S. escalation since November 1, 1968: The United States, while it is publicly committed to a search for peace, has in fact stepped up its military activity since the bombing of the North was halted on November 1, 1968. Consider the following:

1. There are more U.S. troops in Vietnam today than there have ever been since the war began. On March 15 this figure was 540,500, in addition to 45,000 in Thailand and 35,000 in the Navy offshore.[12]

2. The number of battalion-sized operations initiated by the Allies and in progress during each month has grown steadily since the bombing halt. In November the figure was 800; in December, 956; in January, 1077.[13] The actual figures for less-than-battalion-sized operations in this same period are still classified, but it is known that they, too, reflect a steady increase. Enemy-initiated actions in both of these categories are substantially lower than allied actions during these months, which indicates that it is the allies who have been pressing the fighting.[14] Indeed, the North Vietnamese withdrew 30,000 to 40,000 troops from South Vietnam after the bombing halt.[15] The inclusion of small scale terrorist activity by the NLF forces does not significantly alter the picture. These actions remained relatively constant through December at a level of approximately 100 a month, involving the deaths of from 350 to 450 civilians monthly.[16]

3. Despite the cessation of missions over the North on November 1, the total tonnage of bombs dropped on Vietnam has increased every month since then, except for a slight decrease in the shorter month of February. In November 115,000 tons were dropped; in December, 127,700; in January, 129,700; in February, 115,800.[17] The January figure represents the highest monthly tonnage dropped since the war began.[18]

4. Since October the war has been carried into ostensibly neutral Laos with greatly increased intensity. Before November 1 there was an average of 150 bombing strikes daily over Laos in 1968.[19] By the end of January the U.S. had 300 to 400 planes a day over Laos, or more than double the number being used before the November 1 bombing halt.[20] U.S. commanders have also been permitted to cross the border and carry ground fighting into Laos when they have felt the military situation required it.

5. U.S. battle deaths—always the inexorable barometer of the level of military action—offer final confirmation of the validity of the preceding statistics. These show a rise every month since the bombing halt: 600 American men lost their lives in October; 703 in November; 749 in December; 795 in January; 1073 in February; 1265 in March.[21] Renewed military initiatives by the NLF and DRV forces did not begin until the last week of February.

Where is there evidence in these statistics of a scaling down of allied operations?

U.S. Aims in Vietnam: Americans are assured that U.S. goals in Vietnam are limited ones. Earlier talk of victory has ceased as the death toll has risen and as the decimation of Vietnam has become apparent. Today the apologists for continued U.S. military action argue that our commitment will be fulfilled if our forces can achieve a reasonably pacified countryside, a reasonably stable government, and a reasonably effective Vietnamese army, capable of defending itself against its opponents. The American people are being assured that progress toward these goals is being made.[22] On the basis of our experience, however, and without considering whether these are appropriate goals for the U.S. to be seeking, we do not believe they are in fact attainable:

1. Pacification efforts have repeatedly failed over a ten-year period, and they will continue to fail. The Hamlet Evaluation System, a U.S. introduced, computerized measurement of territorial security, may show the country to be 75% secure, but all who know the Vietnamese countryside dismiss such figures out of hand. They are worthless because the sources of data are biased, and the definition of "security" is elusive. As the recent Tet offensive has shown once again, the NLF can still move with impunity into any part of Vietnam, even into the very centers of U.S. military power. Despite the contrived reports of the computers and despite the billions of dollars spent on pacification, there is today no part of Vietnam that is truly secure. Neither the U.S. nor Saigon is "winning the minds and hearts" of the Vietnamese. The countryside has not been pacified; it is less secure in 1969 than it was in 1965. Even the major cities, though ringed with fortifications, are vulnerable to attack and infiltration.[23] Quaker workers and Vietnamese sources report to us that anti-American feeling has never before been so intense as it is now.

2. The Thieu-Ky government does not offer any promise of future stability. The government in Saigon is a military dictatorship propped up by U.S. power, despised by most Vietnamese and notoriously corrupt. Freedom of speech is suppressed. No one knows exactly how many Vietnamese political prisoners languish in Vietnam's prisons, but the figure is certainly in the thousands, and includes many of the country's leading intellectuals: university professors, religious leaders, lawyers, students, newspaper editors, politicians—anyone who has dared to advocate political initiatives to end the war. Many of the leading figures in the present Saigon government fought for the French against their own countrymen. They represent an old and vanished order. Whatever the outcome in Vietnam, they will be swept away the moment the Vietnamese regain control of their own affairs. They are too weak a reed on which to pin any U.S. hope for future political stability.[24]

3. The South Vietnamese armed forces will never successfully take over the military burden now carried by the United States. It is not hardware or training that is lacking in Saigon's armies. It is will, the one ingredient the United States will never be able to provide. Thieu's soldiers have no heart for this struggle and have not had any for years. Indeed, one of the most striking phenomena of the war is the contrast between the contending forces; a Vietnamese dressed in the peasant garb of the NLF is one of the world's most formidable fighting men; the same man in the uniform of Saigon is one of the world's poorest. Why? Because one believes he fights to drive the foreigner from his soil while the other fights only to sustain the power of a corrupt military clique.

Why the U.S. should withdraw: If, therefore, as the American Friends Service Committee believes, a continuing U.S. military presence in Vietnam will not result in any genuine pacification of a war-weary and embittered countryside, and will not make palatable a government that is not palatable, nor an army fight that has no will to fight, it becomes useless to pursue further a course that is leading nowhere. It is useless to stay on even for the purpose of a bargaining position in Paris, because we find no reason to think that time will serve to strengthen the U.S. position. This is why we believe that the only viable option left for the U.S. in Vietnam is to withdraw from the whole tragically misconceived adventure.

This is something the U.S. can do. Our military can cease all offensive action, all search-and-destroy missions, all air and sea attacks, and withdraw U.S. troops to port areas for repatriation. This action would have the paramount advantage of returning the future of Vietnam to the Vietnamese, where it belongs. Questions of reunification and political settlement are questions for the Vietnamese to answer, because the Vietnamese, whether they live in Hanoi or in Saigon, are still a single people. They were divided by foreign fiat at Geneva; they have been kept divided by U.S. preoccupation with anti-communism; but fiat and power do not undo the history of a thousand years. The Vietnamese remain one people and not two. They are presently torn by strife between North and South, and between contending forces within South Vietnam, but these struggles can only be resolved by the Vietnamese themselves.

As the only foreigners in South Vietnam, the U.S. and its allies have nothing to negotiate but the rate and manner of their withdrawal. If our leaders were to acknowledge this and move to act on it, it would at once open up a whole new range of possibilities for the good offices of other nations to be used in mediation and in arranging for sanctuary or amnesty for those open to reprisal. This in itself would be a hopeful development.

There will be suffering and turmoil if the U.S. leaves. There may be a government in Saigon led by Ho Chi Minh; there may not be. Withdrawal does not mean that justice will be done. It does not insure fair elections or well-protected freedoms. It does not even insure that urgently needed resources will at last be released for use in America's cities, since the Pentagon has plans to use any savings for its own new weapons projects. But whatever happens, or fails to happen, will, in our judgment, be preferable to going on with the present agony of death and destruction that is literally destroying Vietnam, undermining our own domestic social fabric, and damaging our country's name in the world community.

The real problem for the United States in unilateral withdrawal is not in the military consequences in Vietnam, but the political consequenecs at home. We do not underestimate their magnitude, or the courage that would be required to face them. The President is under great pressure, and it may seem safer and wiser for him to pursue a less drastic course. But we believe that both the American people and the world at large would respond to forthright leadership to withdraw our country from this war, especially if it were made clear simultaneously that the U.S. stood ready to assist generously in the task of economic reconstruction. We are not calling for the United States to abandon Vietnam, but only to replace a destructive American presence with a constructive one that will act in concert with an international effort to provide such economic help as may be requested by the Vietnamese.

This approach would give us a whole new position in Southeast Asia. At the very least, it would change the present tragic image of the United States. Every day sees the armed forces of the world's most powerful nation raining bombs and chemicals and napalm on the rice fields and bamboo huts of one of the poorest and most defenseless countries. As long as this continues, millions must wonder whether the Americans have indeed become the New Barbarians.

Let us therefore order a cease-fire and withdrawal from Vietnam, unilaterally and immediately. Let us get on with what is really important: the rebuilding of their country—and ours—and the lifting of the burden of poverty from the backs of Vietnamese and Americans alike. These are tasks in which Americans can join with enthusiasm.

Gilbert F. White,
Chairman.
Bronson P. Clark,
Executive Secretary.

Footnotes at end of article.

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FOOTNOTES

[1] June 8, 1954, Public Statement issued by the Board of Directors of the American Friends Service Committee.

[2] Report of the Subcommittee to Investigate Problems Connected with Refugees and Escapees, Senator Edward Kennedy, chairman. May 9, 1968. The same report indicates that 80% of these refugees fled because of U.S. bombing. In our Quaker experience, this percentage is a conservative estimate.

[3] The Vietnam Guardian, March 22, 1969: "Saigon: The World's Most Crowded City." Average density of Saigon is reported as 148 persons per acre; Tokyo, the second most densely populated city in the world, averages 63. Densities in Saigon are up to 830 persons per acre.

[4] The Nation, April, 21, 1969. Report from Professors E. W. Pfeiffer and G. N. Orians of the Society for Social Responsibility in Science, as quoted in editorial, "Ravaging Vietnam."

[5] November, 6.94 tons per sortie; December, 7:00 tons per sortie; January, 7.55 tons per sortie; February, 7.55 tons per sortie. These estimates were computed on the basis of figures on total tonnage and total number of sorties provided by the Southeast Asian News Desk, Directorate for Defense Information of the Office of the Assistant Secretary of Defense (Public Affairs), March 26, 1969.

[6] Washington Post, December 27, 1968: "10,000-Pound Bombs Used to Clear Viet Landing Zone." These bombs, too big for conventional fighter-bombers, are reported as being dropped from C-130 cargo planes or flying crane helicopters.

[7] In one such removal, during Operation Bold Mariner in January 1969, 12,000 peasants from the Batangan Peninsula were taken to a waterless camp near Quang Ngai over whose guarded gate floated a banner saying, "We thank you for liberating us from communist terror." These people had been given an hour to get out before the USS New Jersey began to shell their homes. After 8 weeks of imprisonment they were ferried back to what was left of their villages, given a few sheets of corrugated metal and told to fend for themselves. When asked what they would live on until new crops could be raised, the Vietnamese camp commander said, "Maybe they can fish."

[8] A Quaker worker, writing from Quang Ngai late in February 1969, describes the situation as follows:

"Several of us went to the roof about 3 a.m. The Americans unleashed the terrifying 'Puff the Magic Dragon,' a DC3 that spews forth 5000 machine gun bullets per minute. As I watched it circle overhead last night, silhouetted against the low clouds in the light of the flares, flinging indiscriminate bolts of death earthward, I could vividly visualize the scene below. Men, women, children and animals, caught like rats in a flood. No place to hide, no way to plead their case of innocence to the machine in the sky, no time to prepare for death. The beating the civilians are taking in this war is beyond adequate description.

"Sitting behind the others on the roof I felt tears welling up and was shocked as I became aware of feelings foreign to my conscious self, which surfaced under the indescribable strain of watching man slaughter man en masse. The cold, mechanical, compassionless way that monster circled around and around and around, ruthlessly pursuing an unseen 'enemy,' stabbing viciously earthward again and again, probing, searching, killing and maiming all in its path . . . We have survived, but a lot of Quang Ngai people didn't make it. And a lot more who are now clinging to life over at the hospital will not make it until morning. If only we could bring this horrifying scene of human devastation in its true dimensions home to the people who must know what it's like. The ones who are pulling the strings on this deadly puppet show. Man's inhumanity to man has reached its climax in Vietnam."

[9] Report of the Kennedy Subcommittee, cited above. These figures, the report notes, are prior to the 1968 Tet offensive, which greatly increased the rate of civilian casualties.

[10] In Quang Ngai's 500-bed provincial hospital, for example, there were in late February over 600 patients, the great majority war-related. At one point, our Quaker physician was the only non-Vietnamese medical personnel available to care for this overflow load, with the exception of a single Vietnamese doctor.

[11] Consider the following, taken from one of many recent reports from Quaker workers in Quang Ngai:

"How can I tell you what it was like! These people coming in filthy, with glazed looks, numb. Nobody talking, nobody crying and the sounds of furious battle not yet ended pursuing them in the door. The emergency room floor still covered with blood from yesterday's casualties, smelled in the heat of the day and was oppressive . . .

"One little fella of ten or so, shot in the face. Three bullet or fragment holes in the back and buttocks, one of which had exited through his abdomen, the others lodged somewhere. He, like most of the others, came in lying in a pool of blood. Feces and ground up bits of bone were flowing out of the buttocks wound. Vomitus ran from his mouth and mixed with the blood pouring from the face wound. We worked with him for a long time but his chances are slim. He was in shock (most of them were) and struggling to get up from time to time, at times opening his eyes wide to beg for water or complain of the pain in his belly and then lapsing into unconsciousness. His father stood by silently, grief written all over his face. A girl, maybe seven years old, with a head wound and skull fracture. Also major portions of one foot missing. Mother and grandmother crying quietly while trying to help us dress the wounds. A mother lying on a stretcher on the floor smeared with blood and with her infant lying silently on her chest. The baby also was covered with blood and I never saw it move.

"I've seen all this before! Why can't I get used to it?! Each lifeless form, every scream of anguish, each blank stare of those who have suffered too much strikes pain in the pit of my stomach. Are there really those who can look at a scene like this and not suffer with the people?"

[12] Figures provided by the Pentagon's Southeast Asian News Desk, March 26, 1969.

[13] Ibid.

[14] This is confirmed by the New York Times, April 18, 1969 ("U.S. Battle Let-Up Denied in Saigon") which reports that "American troops are continuing to follow a policy of maximum pressure against the enemy. Allied units are continuing to patrol and pursue the enemy aggressively." Later in the story an unidentified colonel is quoted as follows: "All our battalions and brigades are out and operating from one end of the country to the other, just as they've been doing for months. If the casualty figures are down, it's because the Vietcong didn't want to fight—not the United States."

[15] Figures provided by the Pentagon's Southeast Asian News Desk, March 26, 1969. Senator George McGovern, speaking on the Senate floor March 17, 1969, reports this withdrawal was of "22 full regiments." Sources differed as to the reason for the withdrawal. The military attributed it to the need of North Vietnam to rest its battered forces; Senator McGovern suggests it was in response to the bombing halt.

[16] South Vietnamese government figures, as reported by the Pentagon's Southeast Asian News Desk, March 26, 1969. Data available only through December 1968. These show 443 killed in October, 440 killed in November, 355 killed in December.

[17] Figures provided by the Pentagon's Southeast Asian News Desk, March 26, 1969.

[18] Representative Don Edwards (Dem., Calif.) in a speech on the floor of the House, March 26, 1969.

[19] New York Times, November 1, 1968. William Beecher, "Laos Route to Be Pounded."

[20] U.P.I., January 29, 1969.

[21] Pentagon figures, updated from those quoted by W. F. Ryan (Dem., N.Y.) in the Congressional Record, March 26, 1969.

[22] New York Times, January 3, 1969. Charles Mohr, "Major Gains Made by Vietnam Allies, Even Critics Assert." Reader's Digest, February 1969, an interview with Admiral John S. McCain, Jr., "In Vietnam the Enemy Is Beaten." When the NLF stepped up the fighting late in February 1969, the military made efforts to keep the vision of U.S. progress alive by downgrading these actions. See New York Times, March 11, 1969, Charles Mohr, "Field Checks in Vietnam Show Allies Understated Foe's Gains." The American Friends Service Committee can document this charge from its own experience as far as Quang Ngai is concerned, since the city has more than once since February 23 have been subject to night ground attacks that have resulted in an occupation of at least 25% over a period of several hours. Yet, as far as we know, these actions have not been reported by the military briefers.

[23] Quang Ngai, as one provincial capital, for example, has over the past year been regularly infiltrated at night. In the weeks following Tet 1969, heavy street fighting erupted twice around our unarmed and unprotected Quaker compound, which is well within the city limits. Every house in Quang Ngai city has its sandbagged shelter to protect the occupants. This is the situation in a provincial city garrisoned by allied troops. Is this security?

[24] Estimates from our AFSC contacts in Vietnam suggest 20% as the maximum support that Thieu-Ky could claim, with 80% in opposition. Some U.S. government estimates use these same figures but in reverse. We find it difficult to understand the basis for the official U.S. optimism on this point.

Resolution of International Longshoremen's & Warehousemen's Union 18th Biennial Convention Los Angeles, Calif., April 1969: End the Vietnam War

Whereas: It appears that a majority of our fellow Americans now agree that intervention in Vietnam was a disastrous mistake, harmful to our nation's welfare; and

Whereas: ILWU members can take patriotic pride in the fact that their union spoke out against this mistaken policy from the beginning. They can be proud that ILWU, along with leaders of a number of AFL unions, gave support to the courageous and farsighted early minority which strove to arouse the American people to the ways in which the war was damaging and endangering our nation; and

Whereas: The 1967 ILWU Convention called for our union to persuade the rest of the labor movement to get into the fight for peace. We took part in a noteworthy effort by many leading AFL–CIO and independent union officials to establish a Labor Leadership Assembly for Peace to show that the war program did not have solid labor support; and

Whereas: Worthwhile as these efforts were, it is only fair to say that the leadership in the peace movement has not come from labor. It has come primarily from the young people whose lives and values are directly threatened by war and militarism, and from their natural friends and sympathizers—women, teachers and clergymen. The peace movement has been powerfully assisted too by the upsurge of Black resentment against the waste of national treasure and energy on foreign war to the neglect of poverty and injustice in our own backyard; and

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Whereas Labor has every reason to take a leading, active part in the peace movement. American workers pay for the immense cost of the war. Their paychecks are cut by inflation, taxes and surtaxes. At the same time the conditions of life deteriorate because the war prevents government attention to the problems of transportation, pollution, crime, inadequate schools and community facilities and

Whereas: Our union must help reinforce the peace movement. A year ago LBJ's dramatic announcement of a halt in the bombing of the North diffused that movement—and thereby made it possible to continue a war which had become politically unacceptable—by deluding the American people that the war was being ended; and

Whereas: Far from scaling down the fighting, the aggressive search-and-destroy actions and the instant-pacification program ordered in the last months of LBJ's term escalated the level of combat and produced more American casualties; and

Whereas: The atrociousness of the war was escalated for civilians as well. Our bombers were shifted away from their wasteful and ineffective missions in the North to the "protective" destruction of the southern countryside; and

Whereas: Then, as so often before, Americans were asked by Dean Rusk to be patient and support one more effort which would bring the "honorable" settlement we had been fighting for all along: a permanently divided Vietnam with an anti-communist government in the South. This is the unrealistic objective for which the Eisenhower administration and Secretary of State John Foster Dulles first started American interference in Vietnam affairs; and

Whereas: Up to now the Nixon administration has gone along with this program, while the military commanders repeat the same old bunk which has kept casualties mounting for the last six futile years: "We are winning, give us a little more time and we can bring the boys home and let the Saigon troops take over"; and

Whereas: The war will continue indefinitely—both the killing and draining of money we urgently need at home—unless a national decision is made to abandon the foolhardy objectives set by Dulles, Rusk and the military hawks, and negotiate a political settlement; and

Whereas: To bring about such a decision will apparently require a massive new popular anti-war protest, of which Labor must be a part. Our union must take a leading role in such a drive, doing all it can to encourage new allies from other unions, but moving ahead nevertheless. We must seek out and develop every natural alliance with other elements—youth, Blacks, and other minorities, the poor and exploited, and the growing number of clergymen, scientists and intellectuals who are concerned for peace and social progress. We need them and they need us to win our common objectives;

Therefore be it resolved: We want and will work for these objectives:

1. Stop the killing—ceasefire.
2. Negotiate a political settlement with the people who are doing the fighting.
3. Withdraw all support from the present Saigon government if it does not cooperate in the peace negotiations.
4. Cut back on military spending and use the money for urgent domestic needs.
5. Eliminate the 10% surtax.
6. No more Vietnams! Stop pouring money down the drain all over the world. Stop trying to be a world cop. Let us straighten out our own house and show how democracy can be made to work at home before we try to tell the rest of the world how to live.
7. Reassert Congressional control over the military-industrial complex. Investigate the extent to which unwarranted military secrecy has been used to hide the squandering of public funds and manipulation of public opinion for the advantage of private profits and personal careers.
8. Strengthen the United Nations.
9. End the Cold War. Seek peaceful coexistence between nations with different social systems; and

Be it further resolved: That we demand that the Nixon Administration begin the withdrawal of U.S. troops from Vietnam and that the negotiators in Paris be given instructions to move the peace talks ahead with the proposal for the withdrawal of all and any foreign troops and to leave the Vietnamese to decide their own affairs;

And be it further resolved: That we make this resolution public by sending it to all news media, our Congressmen, Senators, Secretary of State Rogers and President Nixon.

Be it finally resolved: That we urge the officers and members of this union to take all appropriate action to these ends and to develop understanding and support for these policies in our communities and among our elected representatives.

Resoution 89: Peace and Vietnam

(Note.—Adopted by the International Executive Board to whom the resolution was referred by the delegates to the AFSCME 17th International Convention.)

Whereas, It is now generally agreed that the most pressing immediate problem is for our country to get into a condition of peace, as distinguished from a condition of war—undeclared or otherwise, and

Whereas, The cost of war is borne primarily by working people through higher prices, higher taxes, and reduced services, while the profits of large corporations have increased astronomically, and

Whereas, Only in a condition of peace will it be possible to bring to actuality the necessary public services, educational programs, and social welfare programs which are presently bottled up in Congress due to priority conflicts over where to allocate funds, and

Whereas, It has become increasingly obvious that the needs of the majority of people in our country can best be met by a country at peace,

Therefore be it resolved: That this International Convention expresses its sincere desire for an immediate and rapid de-escalation of the war in Viet Nam.

HOUSE JUDICIARY COMMITTEE SHOWS THE WAY

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. ST. ONGE. Mr. Speaker, an article that deserves more than passing attention at this time is David S. Broder's article "Political Image Is Deceiving When It Comes to Achievements," published in this morning's the Washington Post. While the article speaks for itself, I am proud of our House Judiciary Committee and its very able chairman, the Honorable Emanuel Celler, for his leadership.

Under leave to extend my remarks, I wish to insert the article into the Record and commend it to the attention of all our colleagues. It reads as follows:

[From the Washington Post, May 6, 1969]

Political Image Is Deceiving When It Comes to Achievements

(By David S. Broder)

The gap between appearance and reality in politics was nicely illustrated last week by the contrasting performances of the Republican Governors and the leaders of the House Judiciary Committee.

To all outward appearances, the Republican Governors are the kind of men who should be managing the affairs of the country—young, vigorous and tuned in to the contemporary problems of the kind they find in running 30 states with three-fourths of the American people. Or so it would seem.

To all outward appearances, 80-year-old Rep. Emanuel Celler of Brooklyn and 67-year-old Rep. William McCulloch of Ohio, respectively the Democratic chairman and the ranking Republican member of the House Judiciary Committee, are a pair of fusty fuddy-duddies, symbols of the well-known decadence of the Congressional seniority system. Where the Governors stride, Celler and McCulloch shuffle. Where the Governors speak in well-modulated television tones, Celler and McCulloch tend to mumble.

And yet last week it was the old men who furnished an outstanding example of political leadership in bringing the constitutional amendment for direct, popular election of the President out of committee with a bipartisan 4-to-1 majority, while the Governors were again making a spectacle of themselves.

Their three-day session in Lexington and Louisville, designed to bring the GOP Governors to Kentucky at the height of the Derby social season, was a pinnacle of political irrelevance. As usual, the Governors' meetings produced not one statement of substance on any significant issue before the country.

These semi-annual junkets by the Republican Governors have become something of a political scandal. As they have frolicked their way through the country's plushest resorts, from Palm Beach to Palm Springs, smiling their satisfied smiles and garciously allowing themselves to be entertained at the homes and clubs of the local white business aristocracy, the Governors have systematically undercut any claim to serious consideration as officials concerned with or capable of handling the problems of this country.

When these men come out of the country club just long enough to assert—as they did again last week—that the Federal Government must deal with the cities, city dwellers and city problems only through the Governors themselves, it is hard to believe that they are not knowingly inviting ridicule.

So one turns with relief from them to Celler and McCulloch, the two old men devoid of the stuttings of ambition, who showed last week what a splendid thing the committee system of Congress can be when it is employed to encourage the play of argument and the clash of ideas on a fundamental issue of public policy.

At a time when the Governors were golfing and the campus radicals were playing the politics of confrontation, Celler and McCulloch and their Judiciary colleagues showed the vitality of the tradition of non-violent political discourse.

Expert testimony, reasoned argument and careful weighing of evidence changed men's minds, as the Judiciary Committee considered what to do about the way the President is elected. The result was, as Celler said, "the first bold step" in many long years toward a fundamental reform of our system—a reform which now stands a far better chance of final passage because of its conspicuous quality of procedure that produced it.

The Republican Governors showed that some politicians can frolick while their country is being torn apart. Celler and McCulloch showed there are politicians who know how to act when the situation cries out for action. One can hope the voters will treat them with the contempt or the respect their conduct deserves.

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BEST RESPONSE EVER TO 1969 QUESTIONNAIRE

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BROOMFIELD. Mr. Speaker, nearly 25,000 residents of the 18th Congressional District of Michigan took the time and trouble to answer my 1969 questionnaire last month. It was easily the most enthusiastic response ever to this annual program.

For the first time this year I invited senior classes in most of the high schools in the 18th District to participate. In a small way, I thought it would provide them a means for making their views known at a time when so many young people urgently need a sense of participation. More than 1,500 seniors replied. Their views are summarized below and provide an interesting comparison with the replies of the adults.

Adults and teenagers agreed by an identical 2-to-1 margin that the surtax should be extended until inflation is under control. By the same 2-to-1 ratio adults said they would oppose a "thin" anti-ballistic-missile system if the installations were located away from major population centers. The senior split on the ABM issue.

Predictably, the young people heavily supported lowering of the voting age to 18 while the adults opposed such a change 2-to-1. Both adults and students favor establishment of a volunteer army to replace the draft after Vietnam.

More than half of the adults and students replying said they favor both stricter law enforcement and more programs for the cities and slum areas in dealing with civil disorder. But the remaining 35 to 40 percent split dramatically. Of this group the adults overwhelmingly supported stricter law enforcement measures while the students favored more social programs.

Nearly 80 percent of the adults who replied favored conversion of the Post Office to a Government-owned corporation to operate on a self-supporting basis, but nearly 60 percent of the young people opposed the idea.

A majority of adults and teenagers agreed on the need for electoral college reform, Federal firearms licensing and registration, Federal tax rebates to the States, and social security payments tied to the cost of living.

A tabulation of the replies to each question follows: The percentage of blank or undecided replies to each question is omitted:

[In percent]

	Adults	Students
Regarding the 10-percent surtax, do you believe it should be:		
(a) continued until inflation is under control?	60.90	61.0
(b) removed this year under any circumstances?	33.07	33.0
In dealing with civil disorder, do you favor:		
(a) stricter handling of riots and demonstrators by police and courts?	30.30	9.6
(b) more programs for improvement of the cities and slum areas?	3.06	34.0
(c) Both?	65.58	58.0

	Adults		Students	
	Yes	No	Yes	No
Do you favor lowering the voting age to 18?	32.28	66.34	72	29
Do you believe a volunteer army should be established to replace the draft after Vietnam?	63.10	32.88	70	29
Should the Federal Government develop laws to help prevent strikes by public employees?	80.25	17.29	49	50
Do you favor tying social security payments to the cost-of-living index?	83.26	14.14	67	25
Do you favor Federal registration and licensing of firearms?	70.00	28.54	80	20
Would you oppose investment in a "thin" antiballistic missile system, if the installation were located away from metropolitan areas?	61.03	32.54	47	48
Do you favor legislation which would return to the States and local governments for use as they see fit, a percentage of the money now collected in Federal income taxes?	79.02	17.49	69	25
Would you favor replacing the electoral college placing greater emphasis on the direct popular vote in electing the President?	90.65	7.51	87	14
Do you support the proposal to convert the Post Office into Government-owned corporation to operate on a self-supporting basis?	77.37	17.04	38	56

URBAN DYNAMICS

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. MORSE. Mr. Speaker, the annual Bourgeois lecture at Merrimack College featured a lecture this year by the former mayor of Boston, John F. Collins, who in his speech on Urban Dynamics gave his view that a continued reliance on the present programs to revitalize core cities will only result in failure. The lecture series, made possible by a grant from a prominent trustee of the college, Homer W. Bourgeois, was, in his words, "timely," and useful in involving Merrimack College and the community in its problems.

Mayor Collins, who has been researching the problems of urban affairs as a visiting professor at MIT, told his audience that a new approach is needed to save the cities. He cited the lack of understanding of the complexities of the urban life cycle which he has been studying through the use of systems management techniques.

The systematic study that Mr. Collins has undertaken of the manifold and complex factors involved in the growth or decline of a city has produced some controversial suggestions and an attack on several long held assumptions. I commend the report on the lecture published in the Lowell Sun to those interested in the problems of our cities and in the use of systems techniques as an important research tool which can be utilized to provide an understanding of what the problems really are, and I submit this article for inclusion at this point in the RECORD:

BOURGEOIS LECTURE—FORMER HUB MAYOR SAYS SIMPLE SYSTEMS CAN'T SOLVE URBAN ILLS

(By Frank Phillips)

ANDOVER.—Former Boston Mayor John F. Collins said last night that the multiplicity of program which have been instituted to help cities may be doing significant and lasting harm.

Speaking to a group of area business men at Merrimack College, Collins said he came to this conclusion as a result of research of Massachusetts Institute of Technology. He is presently a visiting professor of urban affairs at MIT.

Collins was invited to address the group as part of the college's Bourgeois Lecture series, made possible by a grant from Homer W. Bourgeois, a Lowell resident and business man. Included in the audience were some dozen Greater-Lowell business executives and civic leaders.

Collins said the results of the research will be published in a book to appear May 8. He attributed the major responsibility of the work to MIT professor Jay Forrester. Collins aided Forrester in the research and has written the introduction to the book, which is authored by the MIT professor.

According to Collins, the research involved a thorough analysis of a model urban area which included all the variables and dynamics that make up the modern city. The basic assumption of the study was that urban area has a life cycle of growth, maturity, and degeneration. The study also was based on the theory that rules which govern simple systems cannot be applied to those rules of management of far more complex systems.

Collins claimed that the failure of many of the existing programs to improve the cities is a result of people's not understanding the complexities of the urban life cycle and the reliance on the assumption that the rules for simple systems cannot be applied to a complex social system. He laid part of the blame on the immediate pressures, both political and social, on the government leaders to relieve the immediate situation.

Collins cited low-cost housing as a prime example of a program which actually cause degeneration of the urban area rather than the intended regeneration.

Low-cost housing, he said, does relieve the immediate problems of over crowded housing conditions, but at the same time deprives the area of valuable land use. According to Collins a more valuable use of the land would involve the construction of job-creating industry. The residents in the area could then obtain the financial means to move out of the area and into areas of more "relative attractiveness."

The results of low-cost housing also increase the number of under-employed in the area by creating the availability of new housing for underemployed people, who would migrate to such an area, according to Collins.

The increase of pressure on available land area exerted by the low-cost housing program has a large negative effect on the creation of the rate of new enterprises and the rate of creation of class and labor-class housing. Thus, the number of business units in the area declines along with the pool of available jobs, with the resulting economic pressures creating an outward migration of all classes of population.

Collins claimed that similar results were found concerning job training programs and generalized financial aid programs.

He urged that the federal government commit itself to exploring new research and evaluation methods which should be built into each existing program designed to improve the complex situation of urban area.

Responding to a question of whether he would have acted differently as mayor of Boston had he been aware of the analysis he had just described, Collins said that he would have proposed a different alternative to the controversial Washington Park Project. He claimed the Project is a typical low-cost housing program which has done considerably more harm than good. He said the housing has locked the residents in the area in decent housing but has not given them the opportunity of jobs and financial ability to move to more attractive areas.

Collins was also asked about the immediate problems of the cities in light of his suggestion that the country must commit itself to long-term analysis of the problems and their solutions. He responded that a blend must be found between the short and long term programs, with eventual weeding out of the ineffectual and harmful projects. He said proper analysis would provide the answers of which programs are good and which are bad.

After the lecture, the guests adjourned to the Andover Country Club where the members were able to discuss informally with Collins the substance of his speech.

The guests from the Greater Lowell area were very much impressed by Collins' provocative talk.

Bourgeois, sponsor of the lecture series at Merrimack College, called the address "timely", particularly in his view as a supporter of urban redevelopment. He added that he was pleased to sponsor such a lecture which can involve Merrimack College and the community and its problems.

Joseph P. Donahue, president of the Greater Lowell Chamber of Commerce, said that Collins' point of more emphasis on the evaluation of existing programs was excellent. He said he felt that federal efforts should be concentrated on gathering data and evaluation of the urban situation and the effects of the present programs.

HE SPOKE FOR AMERICA

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. McCLOSKEY. Mr. Speaker, I am pleased to include in the RECORD an article written by Stephen N. Sestanovich in the April issue of the Foreign Service Journal. His account of his father's deep love for his adopted country is a superb testament to the privileges and responsibilities of U.S. citizenship. Roy Sestanovich has assisted countless foreign-born to become citizens. His example is an inspiration to all of us and represents an inherent strength in this country which we sometimes forget. I am proud to join in this tribute to a great American. The article follows:

HE SPOKE FOR AMERICA

(By Stephen N. Sestanovich)

(NOTE.—To my father, naturalization was a sacrament, like baptism, confirmation or matrimony.)

Throughout his life my father has carried on his shoulders the burden of his immense debt to the United States of America. He was still a young man when he decided to do something about liquidating it. How he inspired and helped hundreds of immigrants from other lands to pay their own debt to Uncle Sam is one of those unique achievements which constantly nourish the American dream. I remember well what he did, for it touched my life as well.

I was seven years old in 1920, and only recently arrived in the United States, when I fell under the spell of my father's fierce patriotism. My mother and I had been stranded on a small island off the Dalmatian coast where we sat out World War I. Father left us there in 1914 to go to California to set up a home for us, intending to have us join him in a few months. But in a few months the conflagration was upon us and six years were to pass before our reunion in Oakland, California.

On our arrival I sensed immediately my father's alarm over my lack of physical and educational development, Here was his sickly American son who spoke no English and was a stranger in America. He set upon the task of building me up physically, teaching me English, and instilling in me knowledge and appreciation of the customs and institutions of the wondrous land to which I had just come.

Father was 35 then, of medium height and weight, fair hair and complexion, and very strong. For a skinny seven-year-old my work-study schedule was rigorous. Calisthenics morning, noon and night at the local Sokol gymnaisum were followed by huge glasses of milk, lots of hot bread and honey and great quantities of fresh fruit. There were language lessons, and what Father considered most important of all—committing to memory the Declaration of Independence, the Gettysburg Address, names of the states, names of the Presidents, the pledge to the Flag and the Lord's Prayer.

In a month I was ready to enter school. I was more than ready, for no other first-grader at St. Joseph's elementary school had heard of Bunker Hill, Gettysburg, or Chester A. Arthur, or government of the people, for the people, by the people. I felt out of place. But that was Father's way. Nothing pleased him more than to direct my Americanization and to see me excel over other kids.

My father looked on America as a personal property which he possessed, which he cared about, and whose virtues he intoned to all who would listen. Indeed, he was impatient with immigrants who didn't immediately catch the fire of his zeal, or who delayed even for a few days after stepping off the boat taking the first steps leading to their naturalization.

To my father naturalization was a sacrament, like baptism, confirmation, or matrimony. He disapproved strongly of those who let their citizenship lapse, didn't take an active part in civic affairs, or who didn't take the trouble to vote.

The wave of immigration to the United States after World War I created the usual problems of displacement and relocation. And in those days there were no government or private programs to assist the newcomer. Immigrants gathered in ghettos. On their own the men looked for work in railroad yards, the women in the canneries, and the children helped farmers bring in their crops. All of them worked long hours for little pay. Precious little could be spared for education or recreation. The average immigrant had two aims: to stay off relief and to build the family's savings for a better life later on.

To my father the failure of immigrants to invest in education signaled a wavering of faith in democracy. He went to the ghettos, reasoned with their dwellers, some of whom were relatives and fellow-townsmen from the old country.

"Look," he pleaded with them, "you *must* send your children to school and you've got to study and become American citizens. America will reward your unskilled work and be grateful for it, but the big rewards for you and your children will come only with education, lots of it."

Some of the men snickered bitterly. In the old country only the children of the rich could hope for education and advancement. "It will be the same here." "Let's be grateful we have work," they argued.

The women were more astute. At work they had heard of someone's cousin or a nephew who had finished high school and rose to become a clerk at the Southern Pacific round house. They wanted their kids to do the same.

My father decided on an independent course of action. He bought a dozen language books, readers, a quantity of arithmetic books, and a few copies of the famous old green book so familiar to every candidate for US citizenship, "Questions and Answers for American Citizenship." He made a deal with the Sokol club to use their hall and several rooms for his classes. He talked to the principal of Prescott Junior High School, Mr. George E. Mortensen, and arranged to have Mrs. Gladys Webb teach citizenship.

By this time I was 12 years old, filled with knowledge of American history and institutions, and thus pressed into service at Father's school as a teacher of citizenship.

All classes were at night. Little by little the immigrants came—first the women, then the children, finally the men. In no time at all the classes became overcrowded.

The students learned English, Serbo-Croatian, and American government. Instruction was free. The Sokol organization charged nothing for the hall. Mrs. Webb's services were donated by the Oakland Board of Education. My father naturally applied his services and mine to pay off the patriotic debt. Students paid only one dollar a month, which was supposed to cover the cost of the books and classroom supplies, but often didn't.

Between his own classes my father would visit each of the other classes nightly. "Learn learn, learn, you blockheads. You must learn," he shouted at the dullards and backsliders over and over again.

What always pleased Father immensely was any opportunity to exhibit his great knowledge of American institutions. He took advantage of any occasion to pound home lessons on the Constitution, the Bill of Rights, our system of checks and balances, or to describe how a bill becomes a law in the Congress.

Father swore at the Eighteenth Amendment. To him this "dry law" was "a devilish limitation of personal freedom." "But just because I don't like it doesn't mean I don't have to obey it," he used to say. "It is the law of the land and obey it we must until men of reason prevail and change it." My country right or wrong was an aphorism he often used.

My father loved the heroes of America. "Tell me who your heroes are and I'll tell you a great deal about yourself," was one of his favorite sayings. He never stopped exhorting his students to emulate America's heroes, quoting from the poets, statesmen and scholars who have recorded the nation's history.

"Where but in America will you find a man like Abraham Lincoln?" he would ask his classes.

"Let his life be an example to you. Work as he worked in the midst of poverty, remembering how he found dignity in splitting rails, blacksmithing, clerking, and how the same dignity was still there when he became President.

"Be his kind of do-it-yourself student—the penniless Lincoln hankering to be a lawyer, borrowing books from a neighbor miles away, reading them lying stretched out on a store counter with his head resting on a parcel of calico.

"Let me teach you his prayers: 'If God has a place and work for me, and I think he has, I believe I am ready.'

"Learn something of Lincoln's sense of fair-play, and his stick-to-it-iveness: 'With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow, and his orphan

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—to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations.'

"And Jefferson," he would say, "a different kind of man. A democrat, but an intellectual aristocrat. Think of all the things this man taught himself to do. To write eloquently. To grow grapes. To practice law. To speak in six languages. To design furniture. To play the violin. To be an architect. To invent useful tools. To build a great university. To make bricks. To make nails. To make democracy work."

Slowly Father's and my pupils were ready for their examination. Each week one day was set aside in the superior court of Lincoln S. Church to hear applicants for US citizenship. For a number of years my father and I provided candidates for these sessions. Each sitting of this court was a solemn occasion, especially for my father, more like a service in a great cathedral a court of law.

Judge Church's court was large, majestic with its walnut paneling, heavy drapes, a brilliant chandelier. High up on the bench sat Judge Church, in silk robe, himself a revered figure with a stentorian voice, good looks and a huge body adding to the awe.

My father and I were there always, it seems. We sat in the audience. "Wonderful, wonderful," Judge Church said to me once. "Steve, you're only 12 years old, only five years in the United States, and already you are making American citizens. How wonderful."

The judge called the first applicant. The first was always one of our pupils. Father knew what the first question would be. There was an unrehearsed plan between him and Judge Church, a design of two patriotic wills to select a candidate who could set the stage, instill pride in country, as if to light the candles on the altar.

"Mike Lipan, you want to be an American citizen. Good. Then tell us if you will whom you admire most in America, and tell us why," Judge Church would ask.

Mike was just 21 years of age. He was a big, chubby fellow, round-faced and eager. In the old country he received a sixth-grade education. He was able to read the newspapers, and when something complicated was said on the radio he was able to interpret it to the ghetto folks. I worked with him for weeks. We went over and over the green book questions and answers. He recited, repeated and memorized. Mike was better able to face that court than most American high school graduates.

"I think Michael Pupin is best American," he said.

Father and I were stunned for a moment. Hadn't we drilled Mike on Benjamin Franklin? We had, but apparently Mike's love of science outpaced our tutoring program.

"I know Michael Pupin." Mike continued. "He was born poor in small Serbian village of Idvor, not far from where I was born. He came to America. He studied. He became American citizen. He saved his money. He go to night school, later to Columbia University, and to Cambridge University in England. He became great inventor. He now is professor of electromechanics in Columbia University. Few months ago he was invited by University of California in Berkeley as Charter Day speaker. More than 50,000 big-shots went to Greek Theater to listen to Dr. Pupin. In New York, Columbia University built big engineering building that they call Michael Pupin building. Michael Pupin is great American citizen. I want to be American citizen like Michael Pupin," concluded Mike Lipan.

Judge Church's courtroom was silent. Indeed, the altar candles had been lighted. Mike's simple sincerity was magnificent.

As often happens history was to drag its feet. Mike didn't become a Michael Pupin. He became a chef instead, but his son is now a nuclear physicist at the big research center in Livermore, California, working on some of the most important projects in that field.

Mike became a citizen that day. And week after week Father's other pupils would do the same. More than 200 humble peasants, fishermen, dishwashers, cooks and bakers, delivery boys, waiters were ushered through the rite of American naturalization, their first step toward a new and cherished way of life. They brought little from the old country, but what they brought was truly valuable—integrity, devotion, perseverance. And from Father they learned the meaning of patriotism in a land of opportunity. Today, their sons and daughters occupy professorial chairs at universities across the land, practice medicine and law, sit in the councils of government. Many have fought and some have died for the nation's honor in three wars.

By the 1930s Father felt that he had made at least a sizable payment on his debt to Uncle Sam. The classes which he started were absorbed by the Oakland public school system and Father and I retired from this engaging hobby to do other things—he to pay more attention to his business and I to go off to college.

For a long time people said good and kind things about Father's contribution to America's heritage. None was so appreciative as a young district attorney of Alameda County whose name was Earl Warren, now Chief Justice of the United States. On one occasion the young district attorney stopped by the old Sokol club to pay his respects to Father. He told a group gathered there:

"It is always a pleasure to be in this hall over which Roy Sestanovich presides. Judge Lincoln (S.) Church has told me some interesting things about Roy which I want to pass on to you.

"Judge Church, as many of you know, grants more US naturalization certificates than any judge in this county. And every time his court meets, says Judge Church, there is Roy Sestanovich—beaming, and presenting another group of immigrants for naturalization.

"These are extraordinary candidates, says Judge Church. They are people whom Roy has taught, coached and imbued with the spirit of America. Judge Church has told me that Roy has taught the principles of American government to hundreds of immigrants and brought them to his court personally to be sworn in to the dignity of American citizenship. I know that in Roy's book American citizenship is the highest honor to which a man can aspire. He prizes his citizenship, and he has imbued his students with great respect for it.

"I can tell you as District Attorney that there are no delinquents in Roy's group, no vagrants, no drunkards. They are ideal Americans. They love their country. They take care of themselves."

And so it was. One man's simple effort elevated a generation of men to full participation in the wider life of the nation. I know it was a worthy effort for I was its principal beneficiary.

A TRIBUTE TO HENRY McDONOUGH

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BIAGGI. Mr. Speaker, I want to pay tribute to a fine and decent American who passed from our midst Monday night after a lifetime of devotion to public service. I am speaking about Henry McDonough, a close and cherished friend and a dedicated lawyer and public servant who served as executive chairman of the Bronx County Democratic Committee since February of 1967.

His leadership was an inspiration to so many of us. His contributions to Bronx County, the city of New York, our Nation, and the Democratic Party were both genuine and outstanding. He had the courage of his convictions, possessed tremendous ability, and was always implicitly fair to his fellowman.

Among his many duties, he served as counsel to the Bronx County Public Administrator since 1965 and was a partner in the law firm of McDonough, Schneider, and Marcus in the Bronx. Before becoming executive chairman of the Bronx County Democratic Committee, he served as its secretary and treasurer.

Henry McDonough was born on March 30, 1904, in the South Bronx where he attended PS 9. He went on to Stuyvesant High School, Dartmouth College, and Fordham Law School. He was admitted to the bar in 1930.

He could never tolerate bigotry of any kind and was a champion of civil rights back in the 1930's when it was hardly a popular cause. His crusades for equal rights for our Jewish brethren, Negroes, and all mankind are legend.

I remember Henry McDonough telling me how he became a lifelong Democrat. His father, who owned a laundry in the Bronx and was a district captain, was responsible for that. Henry recalled:

> My father took me to vote for the first time. In those days, paper ballots were used and my father showed me how to put an "X" at the top of the Democratic line to vote the straight party ticket. He told me to make sure I put that "X" in the same spot every year.

Since then, no one could ever question Henry McDonough's loyalty to the Democratic Party. And we, of course, owe a debt of gratitude to the senior Mr. McDonough for introducing his boy to the Democratic Party. It was one of the finest and worthiest unions I have seen in American politics.

But now Henry McDonough is gone and we have lost a great son. I know, however, that his work and his deeds will live on and many of us will look back on occasion to draw inspiration and strength from all that he has done.

HONOR STUDENTS

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, with all that we hear and read every day concerning student demonstrations, uprisings, occupations, and so forth, it is heartening to find that many college students, indeed the vast majority, are still pursuing with outstanding scholarship the quality of education which our excellent universities have to offer. Two such outstanding students are

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cited in a current issue of the Trojan Family, the newspaper of the University of Southern California. They are Roland Trope and Mrs. Phyllis Moore Sanders, both seniors of USC. I would like to include the article in the RECORD and to commend both of these fine students on their outstanding achievements:

PRIZED HONORS FOR TWO STUDENTS—WILSON, MARSHALL, DANFORTH AWARDS TO TROPE

Two young USC seniors—Roland Trope and Mrs. Phyllis Moore Sanders—have been announced as multiple winners of several of the nation's most prestigious academic awards.

Young Trope, a straight-A student in the College of Letters, Arts and Sciences, is one of but 24 American college and university students to receive a Marshall Scholarship for two years of graduate study at Oxford University in England; he is one of 113 students in the nation to win a Danforth Graduate Fellowship for an additional four years of graduate study leading to a Ph. D. degree; and he has been designated a Woodrow Wilson Fellow.

Another straight-A student, Mrs. Sanders, has been given a Danforth Fellowship; the University has provided her with a National Defense Education Act Fellowship; and UCLA recently gave her a Chancellor's Teaching Fellowship.

In addition to the honors he has received already, Trope has been nominated for the Dart Award for innovate teaching and curricula. The brilliant student is the first undergraduate in USC's history to teach his own class under the formal auspices of the College of Letters, Arts and Sciences. The course, which he helped to conceive, is called "Community Encounter."

The Marshall Scholarship program was established in 1953 as an expression of Great Britain's gratitude for the European Recovery Program (the Marshall Plan). The scholarship provides Trope with tuition, living and travel expenses at Brasenose College, Oxford, where he will work for the equivalent of a master's degree in philosophy, political science and economics.

The Danforth Fellowships, provided by the Danforth Foundation of St. Louis, are designed to encourage outstanding college graduates to prepare for careers in college-level teaching. The Woodrow Wilson Fellowships are also aimed at the same purpose.

His studies at USC in his undergraduate years have prepared him well for his coming graduate work, Trope said. These includes his senior year of independent study in political philosophy, ethics and religion, and Urban Semester. The latter is an innovative program of education in urban life that gives its students extensive autonomy. Trope has served as a teaching assistant in the Urban Semester Summer Session.

He is a member of Phi Beta Kappa and of Phi Kappa Phi.

Mrs. Sanders, a history major, is the wife of J. Stanley Sanders, an attorney in Los Angeles. She said she will use her fellowships to earn master's and doctor's degrees in the intellectual, social and cultural history of the United States.

She attended USC from 1964 to 1966 and then interrupted her education to be with her husband while he studied for his degree at the Yale University Law School. She resumed at the University last September and will graduate in June.

Her husband, prior to his law studies, spent two years at Oxford University as a Rhodes Scholar.

Mrs. Sanders began her undergraduate work at USC as a music major, specializing in piano. She changed her major to History, however, because, she said: "As a history major I had room to explore ideas and concerns of many academic fields."

She has participated in many extracurricular activities, including writing for the Daily Trojan, and working in the Tutorial Project for community children.

WE, THE PEOPLE

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. VANDER JAGT. Mr. Speaker, on March 22, 1969, I had the privilege of addressing the Edwin H. Ewing Post No. 74, Ludington, Mich., on the occasion of the 50th anniversary of the American Legion.

At the time Miss Jennie McDonald, a high school student of Ravenna, Mich., presented her oratorical essay that won first place in the Ninth District competition, and the runner-up position in the zone competition before the Merritt Lamb American Legion Post of Muskegon, Mich.

Jennie McDonald is proud of her country, and I am proud of the fact that she is so dedicated in her love and respect for her heritage.

Her essay follows:

WE, THE PEOPLE

Before I started school, my mother used to spend an hour of every afternoon reading stories to me. There were many of the typical fairy tales: Cinderella and Snow White, each with the typical fairy tale meanings, "anybody can be a princess, or, beware of shady looking characters." But there was one story which really didn't fall into any of these categories. It was the story of a small boy who, by some miraculous feat, pulled a sword from a stone and became a king. I think what amazed me most was the land of which he was king. It was a place where perfect delightment and contentment were enjoyed all year round. A place where snow had a definite depth and March second marked the end of winter. Perhaps you, too, have heard the story. I'm sure you have, for you see, it's the land of Camelot.

Arthur, the small boy's name, had a vision of a union of men who would help to keep his country united. From this came the Round Table, composed of the strongest and most honorable knights of the world.

Perhaps you may find it hard to believe, but we, America that is, are very similar to a Camelot. I guess you could even call us a Camelot. We stand for peace, unity and prosperity. And we have a hope for this. And in an odd sense, we too, have a Round Table. The *Constitution!*

The Round Table was the real backbone of Camelot. Likewise, it's our Constitution that gives us the strength and courage to go on when there seems to be no hope. But Arthur had his knights to fight for his Round Table; What does our Constitution have? Let's take a look at the first few words of the preamble, maybe it can tell us. "We, the people." Do you suppose that it's we, the people, who are the knights of our Constitution? But the knights were also the destruction of the Round Table. Do you suppose that it's we, the people, who will be the destruction of our Constitution? This may seem harsh, even cruel. But how many times have you picked up a newspaper, turned on the television or radio, and been so disgusted by the riots and draft card burners that you have said, "This makes me sick." To you, Mr. American, I say congratulations. To those of you that gave a nonchalant shrug of the shoulders and sighingly said, "This is too bad," I say welcome to the crowd, Mr. Average. This, too, may seem harsh to you, yes, even cruel, but that's just what you are; Mr. Average American. Most of us work an eight hour day for an average five day week. What little variation we do get in our lives is a Saturday afternoon golf game or a Sunday afternoon trip to our mothers-in-law, and after a month or two, this too becomes routine and mundane. And then, when we, the people, are called up to serve, we the people, cannot, because we, the people, have resigned ourselves to the fact that it's easier to let someone else be responsible. Then if something should go wrong, we, the people, won't have to worry about being called failures.

Think back; if George Washington and Thomas Jefferson hadn't had a definite desire or longing for freedom, if Patrick Henry or John Adams hadn't minded being embarred or having fun poked at them, where would we be? I'm not saying that there weren't Mr. Averages in their day. Please don't get me wrong, but what I am saying is that now, in 1969, there are four to five times as many. Carl Sandburg put it aptly when he said that the people will live on, the learning and blundering people will live on.

America is one of the most prosperous nations in the world. Her income is changing and so are we, the people. It must be expected, I guess, yet my mind can't help wandering back to Camelot. You see, it too changed. The knights could no longer get along, and within six months, there was no longer a Round Table. Greed was the real and pure cause for this destruction. It can do nothing but destruct and we, the people, must see, must know this. How can anything get anywhere if there is a constant battle of one against another. Imagine in your mind how far the Constitutional Congress would have gotten if they couldn't decide where each representative was going to sit. And imagine what would happen if we, the people, didn't have our Constitution.

Our Camelot will be 200 years old in seven years. It was then that we, the people, and our Round Table began. I can only hope and pray that we, the people, and our Round Table are still standing strong and defensive in the fight for democracy.

There is a segment from Camelot I'll always remember. King Arthur felt Camelot doomed and so forced to war. On the morning before an important battle, he was sitting in the woods when a small boy came upon him. Arthur, naturally, being human and therefore curious, asked the small boy what he was doing there. A large smile came across the lad's face as he replied, "I'm going to Camelot, because I'm going to be a knight of the Round Table." Smiling, a distraught man replied, "Go home, my son, but as you grow older, please always remember my final wish. Don't let it be forgotten that once there was a spot, for one brief shining moment, that was known as Camelot."

For the last few minutes, I have been standing here comparing for you, our country to a Camelot. I can almost see the wheels of your minds turning. Many of you may think it utterly ridiculous, while others in some way have been emotionally or patriotically stirred. I can only once again say that to me, an American youth, the dreams and hopes which I hold for my country are very similar to the dreams and hopes which were the foundations of King Arthur's Camelot. I, a small and unimportant member of the mighty we, the people, am ready to fight in any way I can to keep fast my Constitution and to protect America, my home. There is a song which was written about my country which says more than I ever could:

"The land I love is America,
Land where men are free.
Free to work, and love, and pray,
As God wills men should be.

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"The land I love is a mighty land,
It sweeps from sea to sea.
With mountains high and rivers broad,
It re-echoes liberty.

"The land I love is a happy land,
It sings a fine free song.
A song which all mankind may join,
In voices full and strong.

"The land I love is America,
Happy, strong and free.
May God's firm hand upon our land,
Guide us eternally."

God forgive us, my friend if we, the people, ever forget that we, the people, are the real backbone and strength of our Camelot and our Constitution. God forgive us if our children ever have less than total love and respect through eyes undimmed by years of disappointment and despair. May we pass on a heritage of patriotism unknown in years gone by capable of causing them to dream only of greatness for themselves and their Constitution.

I recently read a prayer written by Abe Lincoln, a man we all respect for his courage and strength to face great problems. He prayed for courage and strength in a time when his nation faced war. May each of us have this courage and concern today. Enough that we, the people, may protect our Camelot and our Constitution. It is indeed a very fitting and proper prayer and it is for this reason that I now repeat it:

"Our heavenly father, we pray that we may hold our liberty in high esteem. We thank Thee for this wonderful country in which we are privileged to live. Inspire each one of us to hold sacred this glorious heritage. We pray that the horrors of war will soon pass from this earth and peace will reign. We ask this in Thy name. Amen."

Thank-you.

NEW YORK STUDENTS EXTEND THROUGH POETRY THEIR CONGRATULATIONS ON 10TH ANNIVERSARY OF HAWAII STATEHOOD

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. MATSUNAGA. Mr. Speaker, the 10th anniversary of Hawaii statehood was commemorated by a series of delightful poems written by members of the Eighth grade class of the Holy Family Civics Club in New York City. These creative works reflect a grasp of Hawaii's role in our national life that is nothing short of remarkable when one considers the youth of the authors and the distance that separates them from the subject of their poetic inspiration.

I am sure that my colleagues and others will enjoy reading these poems, which express so well the spirit of Aloha, and I am pleased to insert them in the CONGRESSIONAL RECORD at this point:

Fiftieth State

(By Linda Romano)

Hawaii, out "Showcase of Democracy"
Home of our Pacific Naval Fleet
People's symbol of friendship—the lei
Welcomes tourists there every day.

Although she is still in her prime
Her population doubled since '59
Incorporated as a territory in '98
This "Gem of the Ocean" now our fiftieth state.

Island of Paradise

(By Ronald Ciaffaglione)

Ten short years as a state
Very small, but O so great!
Flowers everywhere smell so sweet
Home of Pacific Naval Fleet

Island of Paradise all say
The Showcase of Democracy.
Half million tourists come and go
Oh! Hawaii, we love you so.

Hawaii, Hawaii a great state by far
We are glad you became our 50th Star.
So Congratulations from New York in the East
To a great Island State in the far far East.

Hawaii

(By Assunta Galasso)

Hawaii, Island of Paradise
A land of friendship
Its beautiful symbol, a lei
Tourists who go for many a day
To become Hawaiians, many stay.
The Nene, Red Hibiscus, and Palm tree
Are all part of Hawaii.
To this "Showcase of Democracy"
We send greetings aplenty
Happy Birthday, Sister State
From us in New York State.

Hawaii: The Gem

(By Cornelius Griffin)

Land of true democracy
Gem in a deep blue sea
Land where man is truly free
Where all creeds do live in harmony.

Isle of beauty and serenity
Land gloried infinitely
Here friendly people greet you
And make you feel like royalty.

Congratulations on your tenth birthday
From New York City in the Empire State.

The Aloha State

(By Barbara Parziale)

Hawaii, the Aloha State
And Asia's friendly Gate
Throbbing Heart of the Pacific.
Melting pot is its magic.

Once a nation with king and queen
Hawaii, our best American scene
Home of U.S. Pacific Naval Fleet
Hawaii, Hawaii, you can't be beat.

Your symbol of friendship, the lei
Makes all visitors wish to stay.
Your beaches are best by far
So you became our fiftieth star.

I say congratulations
On this happy occasion.

The Island State

(By Michael Michalski)

It's not too soon and not too late
It's just the time to celebrate
Hawaii's birthday as a State.

Land of Perpetual summer
Tourists about in this new comer
Congratulations from us, New Yorkers.

Hawaii, The Gateway

(By Sam Spata)

Hawaii, Hawaii, the world's Pacific Pearl
More beautiful than any native girl,
The Paradise of the Pacific as friendly as the lei
That its people offer in their peaceful island way.
The gateway to the Orient, a Pacific melting pot.
And there aren't many things we have that Hawaii hasn't got.
Surfers tumble o'er wave in go-go Waikiki,
No place for oldsters but for kids like me.
Oh Aloha state this day all honor goes to you.
Beautiful Pacific Isle on a sea of blue.

Greetings, Hawaii

(By Joann Quail)

Hawaii, Hawaii, the Island Heart-beat
With your Great Naval Pacific Fleet
Hawaii, Hawaii, you are out far
We're glad we gave you our fiftieth star
Congratulations ten times over we say
Happy Birthday from New York way.

VALLEY OF DISSENT HAS TWO PASSAGES

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. DERWINSKI. Mr. Speaker, I was pleased to note the proper credit which our colleague, the Honorable HAROLD R. COLLIER, Republican, of the 10th Congressional District of Illinois, received in an article in Suburban Life, Thursday, May 1, for the initiative he took in calling the attention of the Justice Department to the history of leadership in student anarchist activities of a Danny Cohn-Bendit, an avowed Communist agitator among student groups.

The article which follows tells the story:

Valley of Dissent Has Two Passages

(By Patrick O'Sullivan)

A tip of my fedora goes to Cong. Harold R. Collier (R-10th), of Western Springs, who was instrumental in denying entry to the United States to Daniel "Danny the Red" Cohn-Bendit.

Cohn-Bendit, a known communist, was invited by student groups to speak at Georgetown University, Washington, and the University of California at Berkeley.

The German-born troublemaker was one of the foremost leaders in the French rioting last year. There's little doubt in my mind that had he been granted entry into this country he would have done all in his valedictory power to stir up the students at Georgetown and at Berkeley.

Fortunately, Cong. Collier saw through the ruse and took his insistent petition to John N. Mitchell, the U.S. attorney general, after attacking the issuance of the visa on the floor of the House of Representatives.

Cohn-Bendit, according to the State Department, was ineligible for a visa but the law permits the attorney general to waive the grounds for denial and issue a visa. Collier's wire to the attorney general stopped that move short.

Collier's action should point out the necessity of stopping the riots and disturbances on the campuses of universities throughout the nation.

Don't get me wrong, I have no objections to students voicing their rights to dissent or to bring their protests to the proper, authorities. Protest and peaceful assembly to air the protests are guaranteed under our Constitution.

What I do object to is the storming and taking over of administrative buildings, student centers, etc., and the breaking of windows, defacing of walls, destruction of furniture and rifling and destroying of confidential files.

At this point, as I see it, the rampaging students have forfeited their rights and have become no better than hooligans.

Furthermore, they have the unmitigated gall to demand of school officials that they be granted amnesty or immunity from arrest as conditions of surrendering the buildings.

They will harass and do battle with police

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who may be summoned to quell the disturbances or remove the dissidents from the buildings and then turn around and blame the "fuzz" for the disturbances.

There's a gag making the rounds concerning a college student who called his father and said he was bringing the college dean home. When the father asked how long the dean would stay the son answered," Until the college pays the ransom." It's a joke, but the point is there.

Many of the demands the dissident students are making have merit and the problems deserve attention. Many of the other protests are nothing but smoke screens put down by student leaders as an excuse for throwing the campus up for grabs.

And how about those "student leaders" who are highly placed in national student organizations and who are conspicuous by their presence at college uprisings all over the country? In my opinion, they're professional rabble rousers and not representative of the students in general.

There are peaceful routes open for protest; they should be followed. When they're not the laws should be enforced.

UNITED STATES-SOVIET TALKS

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BINGHAM. Mr. Speaker, the article which appeared in today's Washington Post by Henry Owen, director of the foreign policies study program of the Brookings Institution, provides what I regard as a particularly balanced and realistic assessment of the value of possible United States-Soviet talks on various international problems. Mr. Owen makes the important but frequently overlooked point that such talks may well be highly useful even if they fail to produce formal agreements. His observations provide both an excellent set of expectations with which to approach possible United States-Soviet talks and additional reasons why this country should proceed with utmost urgency to commence such talks, particularly on nuclear arms control. I highly recommend Mr. Owen's article to my colleagues and other readers of the RECORD:

CONSIDERING GOALS OF UNITED STATES-SOVIET TALKS

(By Henry Owen)

As the United States enters a period of negotiations with the U.S.S.R. on both the Middle East and arms control, the general public view of these negotiations is clear and simple: Either they produce agreement—in which case they're a success, or they don't—in which case they're a failure. This view reflects the traditional American desire for tangible results. But it also reflects a dangerously over-simplified view of both prospect and policy.

It would be good if specific explicit U.S.-Soviet agreements could soon be achieved, and this should be our goal. But such agreements could prove as short-lived as the Washington Naval Treaty of 1922, a great success in its day, if there were no provision for continuous dialogue and adjustment to changing conditions. Conversely, even if explicit agreements were not achieved, continuing dialogue could yield large benefits. Which is simply to say that in this, as in other areas, Marshall MacLuhan's dictum that "the medium is the message" has a good deal to commend it. The process of negotiation, especially if it leads to creation of machinery for prolonged dialogue, can be beneficial and important—whether or not concrete agreements result.

U.S.-Soviet agreement on a Middle Eastern settlement, reached in four-power discussions and followed by Arab-Israeli consensus would be a tremendous accomplishment. But the odds of this coming about are not great. The greater likelihood is that the Middle East will remain in turmoil and tension.

This is a human tragedy. But that tragedy would be multiplied a millionfold if it led to wider war, involving the superpowers. If this happens, it is more likely to come about through miscalculation than design. When Germany and Russia were drawn into war in 1914 by the dispute between their smaller allies—Serbia and Austria-Hungary—it was partly because they had misread each other's intentions: The Kaiser thought that Russia would not defend Serbia; the Czar under-estimated the vigor of Germany's last-minute effort to rein in Austria. An able historian has noted that those who made the final decisions for war "were acting under the influence of . . . misconceptions which would not have existed if the European diplomats had done their work somewhat more intelligently."

Continuing U.S.-Soviet discussions of the Middle East could help to avert this kind of misconception. It would enable each power to understand better what the other considered to be its vital interests in the area, and what it was prepared to do in defense of these interests. This sort of basic understanding cannot be ensured by last-minute messages on the hot line, useful though these are, any more than it was achieved by the "Willy-Nicky" telegrams which passed between Czar and Kaiser on July 29 and 30, 1914. Day in, day out, face-to-face dialogue about underlying sources of dispute and changing circumstances is required. The great advantage of four power discussions is that they provide a mechanism for just this kind of discussion.

The same may be true of U.S.-Soviet discussions on arms control. A formal agreement limiting strategic arms would be by far the best outcome of these discussions, and should be sought. But even if it is achieved, some mechanism for continuing discussion will be required to avert post-agreement misunderstandings. And if a formal agreement is *not* achieved, such a mechanism will be even more useful in abating the arms race.

Expensive steps in that race have some times reflected uncertainty or misunderstanding about what the other side was up to. Our 1961 decisions to expand United States strategic forces may have owed something to that uncertainty, and to resulting exaggerated fears of a "missile gap." As George Rathjens has pointed out, "if doubt exists about adversary capabilities, or intentions, prudence requires that one respond, not on the basis of what one expects but on a considerably more pessimistic projection . . . The degree of over-reaction is directly dependent on the degree of uncertainty about adversary intentions and capabilities."

This sort of escalating misunderstanding can be mitigated, if not avoided, by continuing U.S.-Soviet discussion of strategic programs. But this will only happen if the upcoming negotiations are used not merely to exchange formal proposals, but also to explain what each side is up to and why: Each side could describe the degree of restraint that it was prepared to observe under stated assumptions about the other side's programs, and the kind of expanded programs that it would be compelled to carry out if these assumptions proved unfounded. Mutual restraint—verified by unilateral inspection capabilities—might usefully result.

But this approach will require public willingness to see the negotiations about arms control, as well as the Middle East, continued over an extended period, even if they do not lead to early agreement. It will also require a willingness to judge the administration by the patience and sophistication with which it conducts these negotiations, rather than merely by whether early diplomatic triumphs are achieved. To say that this is not the way most of the press and public now see the matter is to indulge in considerable understatement.

The President has said that the United States and U.S.S.R. are moving from confrontation to negotiation. The period of confrontation began in the late 1940's with a widespread public expectation that it would eventually be resolved by a dramatic slowdown. Only gradually did we come to recognize that its resolution would more probably be a slow historic process—made up of many barely discernible happenings. The same understanding will be needed in the era of negotiation that lies ahead.

ASPEN SYSTEMS CORPORATION OF PITTSBURGH WORLD LEADER IN COMPUTER STORAGE AND RETRIEVAL

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. MOORHEAD. Mr Speaker, as one who has been very much involved in the movement to modernize the legislative process—particularly in awakening an interest in "computers for the Congress," it gives me great pleasure to salute a Pittsburgh corporation for their remarkable achievements in legal information retrieval.

The story of Aspen systems, and its new "System 50," under the capable and innovative leadership of President John Horty, is narrated in an excellent article from the Washington Post of April 28, which I include herewith for the attention of my colleagues:

NEW SYSTEM OF LEGAL RESEARCH BY COMPUTER TAPES DEVELOPED

(By Claude Koprowski)

A system which may revolutionize the whole concept of legal information retrieval has been developed by the Aspen Systems Corp. of Pittsburgh.

Demonstrated to government officials here this week, the Aspen system showed that it could search the codes of the 50 states and the U.S. Code for any legal concept. According to John F. Horty, 40, Aspen president, the system is a radical departure from traditional searching methods in that it does not rely on indexing. It searches complete legal texts.

Here is how it works: Law codes are retyped from legal tomes on to computer tapes exactly in the way the books are written. There is no particular indexing. Coders start at the beginning of the texts and work their way through. The computer then numbers each word by its location on the tape.

When a word or phrase is being searched the computer equates it with words and phrases on the tape by the numbers and prints out all relevant material on the subject. On occasion, it also prints out texts which have no bearing on the subject being searched.

But in most instances, according to Horty, the tape reveals many things that a human search can not. As an example, he said that

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a search through New York State codes revealed 1600 statutes relating to banking which were not in the banking sections of the State Code. In Pennsylvania one search revealed 11 sections which still provided for fines to be paid in shillings and pence.

The cost for a search ranges from $300 to $6000 respectively for a review of one state's laws or a review of all the codes on tape.

Another service the Aspen System offers is the publication of codes. Horty hopes to take advantage of this market. Two states, Hawaii and Missouri, have already used Aspen by putting raw code data on tape and having it printed by Aspens photocomposing subsidiary, Aspen Computype, Inc.

According to Horty, production costs run a shade less than normal printing costs, but the method has the advantage of putting all codes on computer tape, for easier subsequent retrieval. Horty predicts that this method will eventualy revolutionize the way laws are written and probably do the same for information gathering and retrieving in the future. He insists that his is an information retrieval firm, not a legal house or a software company.

In concept Ashen began nine years ago when Horty received a grant to try a computerized retrieval system. At that time he was an instructor at the University of Pittsburgh Law School.

Horty and his associates continued developing the system—named whimsically for Horty's favorite city—until 1968 when they formed the company. Then they had the statutes of 11 states on their tapes.

They received $1.9 million in backing when they became a public corporation last year and completed the tapes for all 50 states. Horty estimates that the finished product represents 30 man-years and an estimated cost of $5 million.

Today the company has a staff of 150 including 14 lawyers. Horty says the firm conducts searches, develops special files for companies, and offers consulting services. He notes the company can easily record the materials generated at Congressional hearings and by and large unread or unremembered. He says eventually the system will be adapted to other fields, possibly intelligence information, patents and other areas.

POLISH CONSTITUTION DAY

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. MADDEN. Mr. Speaker, May 3 was the 178th anniversary of the adoption of the May Constitution by the Polish Diet. In the spring of 1791 this now revered document held forth the promise of new liberties and justice for all the Polish people. In the Polish Constitution we find these words.

> All power in civil society is derived from the will of the people.

This shattered many of the old class barriers to social justice. Commoners gained the right to own land, to become commissioned by army officers, and to be employed in the formerly aristocrat-dominated civil service. No longer was it true that being a peasant meant being denied the full protection of the law. Moreover, religious freedom was guaranteed to all Polish citizens. But the Constitution went even beyond extending these rights and privileges to the Polish people. It sought to guarantee their future protection by providing for the separation of powers between the legislative, executive, and judicial branches.

The Constitution of 1791 is remembered not only because it marked such a high point in the struggle for personal liberty in Poland, but it is remembered also because it provides an inspiration to the Polish people today who live under a foreign dominated Communist government.

Soon after the adoption of the May Constitution, Poland was conquered by the armies of three great powers—Russia, Prussia, and Austria. This began the long night of foreign domination from which Poland did not emerge as an independent state until the end of World War I. This new-found Polish independence was short lived.

On the first of September, 1939, the armies of Nazi Germany marched into Poland and thus began a new night of foreign domination. This is not yet over, for Soviet Russia still tyrannizes the Polish nation.

Freedom is an essential basic to the progress and spiritual well-being of mankind. The Polish people have long realized the value of freedom and boldly demonstrated their belief throughout a turbulent history.

We in America have read many times of the special contribution to our fight for freedom in the Revolutionary War by Gen. Casimir Pulaski and Gen. Thaddeus Kosciusko. Adopted in 1791, the Polish Constitution was inspired by the American Declaration of Independence. Both of these historic declarations represent great historical instruments in the march of freedom. Both of them are based upon the recognition that man is endowed with certain inalienable rights and that for the protection of these rights government is created from among those and by those who are going to be governed.

During the last 178 years, Poland has faced many a crisis. This courageous nation has suffered many reversals. The Polish people has suffered severely from tyranny and cruel dictatorship. In these recent years, Poland suffered from the shackles of cruel and godless Russian communism. In the not too far distant future, I believe a virile, courageous, powerful Poland, under the direction of God, will once again be a bulwark of freedom in Eastern Europe.

TITLE I GRANTS PROMOTE BETTER SCHOOLS

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. EDMONDSON. Mr. Speaker, I am sure all of us are aware of the dramatic change in education which has been brought about by funds made available under title I of the Elementary and Secondary Education Act. This change has been particularly impressive in some of the smaller school districts in low income areas where local fund sources are limited.

In its edition of May 1, the Pryor Jeffersonian reported on the assistance title I funds have been to four dependent schools districts in Mayes County, Okla. When I read this article, I was impressed by the imaginative and progressive ways the title I funds have been put to use to meet specific pressing needs in each district.

Mr. Speaker, I would like to have this article, entitled "Title I Funds Help Mayes County Schools," appear in the RECORD:

TITLE I FUNDS HELP MAYES COUNTY SCHOOLS

Federal grants, known as Title I of the Elementary and Secondary Education Act, are giving students in Mayes county dependent schools the opportunity for a better education.

The help came three years ago in the form of financial assistance from the federal government, designed specifically for "educationally deprived children."

This means children who have the greatest need for special educational assistance in order that their level of attainment may be raised to that appropriate for children of their age.

The term includes children who are handicapped or whose need for special education assistance is a result of poverty, neglect, delinquency or cultural or linguistic isolation from the community at large.

The amount received by each school district is determined on the basis of the number of AFDC children and those in foster homes, ages 5 to 17. However, all children of the community profit directly, or indirectly, from the program.

Mayes county Title I Cooperative organization is composed of four dependent schools, Langley, Mazie, Wickliffe and Osage.

The cooperative is administered by Robert O. Williams, county superintendent, who is responsible for making applications, revisions, quarterly reports and annual reports and evaluation of the program.

The secretary and coordinator for the cooperative is Mrs. Sammy Howard.

Title for the project this year is "Upgrading General Education and Attitudes of Pupils" and the instructional activity is "English—Other Language Arts."

For the fiscal year 1968–69, Langley school district was allocated $1,938, most of which was used for the employment of a teacher's aide.

This service has been one of the most successful and profitable programs under Title I because it frees a teacher from routine duties and allows him more time to spend with individuals.

The aides assume clerical duties, record grades, check tests and summarize results. They have monitorial duties in the cafeteria, playground, study hall and classroom and can assist in extra-curricular programs.

Polly Pore and Marie Midgett have been employed as teacher aides in the Langley school.

Mazie school district was allocated $3,876 which has been used to upgrade general education and attitudes of pupils by employing Mrs. Penny Martin as a teacher's aide, purchasing textbooks, workbooks and other instructional material.

Several children from low income families have been provided with free lunches and a movie projector was purchased.

The teacher's aide is especially effective at Mazie because some of the children just starting to school do not speak English well enough to remain on the same educational level as other children of the same age.

The movie projector, plus other equip-

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ment purchased in earlier years, broadens the educational opportunities and benefits comparable to those received in cities and towns.

An allocation of $10,853 was given to Wickliffe school district which was used mainly for the employment of a teacher and for food services.

The food program is probably the most outstanding activity at Wickliffe as all the children are provided with free lunches. The Title I program with assistance from the state lunch division and the Indian division, provides well-balanced, nourishing meals for the children.

As in Mazie school, the language barrier is a concern at Wickliffe and the use of a Title I teacher, Mrs. Lena Haddan, allows a reduction in class size to the extent that the teacher can give individualized attention to the students who have to learn to speak English.

A part of the money is used for maintenance and operation and the purchase of instructional material.

Osage school district used their Title I grant of $1,172 for library books, instructional material and some lunch room assistance. Children in the district have demonstrated a sincere interest in learning through the process of reading and the library books have been an asset to the school.

Each district shares in the cost of administration of the program and also participates in a testing program. A standardized test is given yearly to help evaluate the benefit of the Title I program.

Test results are compared with the results of the preceding year and this, with other means of evaluation, is reported to the State Department of Education.

Patrons in the districts where Title I funds are used are invited to make suggestions as to specific needs in the schools.

ILLINOIS NATIONAL GUARD IN VIETNAM

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. FINDLEY. Mr. Speaker, one of the key units of the National Guard to serve in Vietnam is the 126th Supply and Service Company, Illinois Army National Guard, headquarters at Quincy, Ill. The callup of this unit occurred shortly after the *Pueblo* incident and the sacrifices this entailed for the men in the unit—many of them heads of families, operators of farms and other small businesses—were of course substantial. The May issue of the national magazine entitled "The National Guardsman," pays appropriate tribute to the contribution this company has made to our military position in Vietnam. Below is the text of the article and with it I express my appreciation for the services and sacrifices of these men:

ILLINOIS UNITS SUPPORT "AMERICAL"

CHU LAI.—When you get to Chu Lai, a seaside location in the Southern I Corps Tactical Zone—smile, buddy, you're in Americal country. For this is the location of the Command Post of the Americal Div which is notable for several things besides the fact that the Americal insigne is likely to be stamped on anything that doesn't move as well as on many things that do!

For one thing, the Americal is the only U.S. Division with a name instead of a number (it originated in WW II out of various National Guard units); for another, it has a huge area of operations and has accumulated attachments far in excess of those normally augmenting an Infantry Division.

As a consequence, the Americal has an enormous logistical task and an enormous logistical responsibility. One of the outfits which makes a big difference to the Americal's Support Command is the 126th Supply & Service Co, composed of Army Guardsmen from Quincy, Ill., under Capt Donald L. Keil.

For reporting purposes, the 126th comes under the Army's 57th Transportation Bn—but its job is to support the Americal. Its men work in the rations breakdown section of the Americal's 23d S&T Bn; others run the vast Class II and IV yards which are also Americal responsibilities. Still others operate miniport refueling facilities which service Americal choppers and which pump POL into the huge 500-gallon blivets which then are "hooked out" to combat bases and landing zones by chopper. On one typical day a typical two-man miniport operation had pumped 11,380 gallons of fuel—and it was only 2:30 in the afternoon at the time of our visit.

The Co is the descendant of a Medical Co in an Infantry Regt of the old 33d Div. It became first an Ordnance Field Supply Co and then, in the Feb. 1968 reorganization, a QM Supply & Service Co. This was but a few scant weeks before it was alerted (in April) that it would report for active duty in May.

Part of the newly-organized Co, at this point, included members of a former Rifle Plat in an Infantry outfit. This became an interesting point of contention since they were quickly retrained to perform Co duty but they nevertheless were pulled out and processed as Infantry replacements upon mobliization, thereby leaving the Co short-handed!

The Co's outmoded equipment was replaced at Ft Carson and an intensive training program was undertaken. It was at this time, says Capt. Keil, that most of the men began to appreciate just how valuable their two-week training at Tooele Army Depot (Utah) in 1967 had been. "This was where most of them really gained important knowledge in working in stock control and handling of supplies." Even 'though the Co's Stock Control Specialists and Supply Handlers previously had been in the Ordnance field, they experienced little difficulty in translating this knowledge to their new areas of responsibility.

The 126th today has the job of providing Class I (rations), Class II and IV, and some Class III support to approximately 25,000 troops along a 90-mile Main Supply Route. Their tanker fleet with an attached Platoon from the USAR 842d POL Co supplies approximately 75% of the bulk POL in the Americal area of operations. They are responsible for 50% of the Class II and IV yard operation which carries a 75-day stockage and for 50% of the Class I operation in the area.

Capt Keil formerly commanded the 128th Field Supply Co, a sister outfit in the Illinois ARNG which was called up in the Berlin Crisis. The Co's 1st Plat Leader (Petroleum Plat) is 2d Lt James C. Jones, a Guardsman from Quincy. The 2d Plat Leader (Supply Plat) and tacit XO is 1st Lt James R. Roberts from Pickneyville, an Active Army OCS graduate who *sounds* like a Guardsman because of his pride in the 126th.

Stationed at Ft Carson when the 126th arrived there, Lt Roberts considers himself fortunate to have joined the Guardsmen. "I just had the right MOS," he says. Recently, when Capt Keil went on leave, Lt Roberts found himself running the Co. "But actually," he says, "it sort of runs itself." The unit, he says, tends to police itself. "I think the many family relationships—cousins, in-laws, brothers, etc.—all help to account for this."

The Co area is well-protected. A huge underground bunker has been completed and every night the Co provides men for perimeter guard posts. The Chu Lai area has been hit by rockets and mortars a number of times—just enough to keep everyone alert.

But the greatest day-to-day chances of enemy contact are with the members of the Petroleum Plat, plying the famed 18-mile stretch of Ambush Alley down to Duc Pho. On one occasion, three of the big tankers ran down a road—and right over a mine—which was detonated by an empty lowboy from a following unit!

The 126th S&S is just one small Co—but one with a mighty big job, and its work has been hailed by a number of pleased senior Commanders including Lt Col Bill Bishop, CO of the Americal's 23d S&T Bn. "They do a man-size job," he says.

LEAGUE OF WOMEN VOTERS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. SCHWENGEL. Mr. Speaker, one of the most effective civic organizations involved in public issues is the League of Women Voters. The Iowa City, Iowa, chapter is currently conducting a campaign to raise additional funds with which to pursue their work. The campaign is more fully described in a recent editorial in the Iowa City Press-Citizen:

[From the Iowa City Press-Citizen, Apr. 16, 1969]

LEAGUE CAMPAIGN

The Iowa City League of Women Voters, an organization of more than 300 women who take their obligations of citizenship more seriously than most, wants to do a better job. It's asking the community to help it do so in a $10,000 fund drive.

The Iowa City league's campaign is part of the national organization's effort to raise $11 million. Both campaigns mark the 50th anniversary of the national league which grew out of the organizations seeking votes for women, an objective achieved in 1919. The Iowa City is almost 50 years old, having been founded early in 1920. It's been an active group ever since.

In its letter to prospective contributors, the Iowa City league describes some, but only some, of its activities in the last year and what it hopes to do with the money sought as follows:

"During the past year our members wrote, published and distributed three pamphlets supporting the low cost housing referendum, the bond issue for the county maintenance building and improved mental health services. In addition we worked for passage of all five constitutional amendments . . .

"The league is a reliable source of nonpartisan voter information. The league sponsors candidates' meetings, writes questions for candidates for all elected offices, which with the candidate's answers are published with the cooperation of the Iowa City Press-Citizen. The league also provides other information to encourage citizens to vote.

"The funds you contribute will be used to support more voter service (on a nonpartisan basis), more educational activities and services for the community, more publications, more professional resources for research and counsel in attacking government problems and more opportunities for interchange of ideas."

The Iowa City League of Women Voters has made a difference in this community, county as well as city. With support in the current fund drive, it can make more of a difference in the years ahead.

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SUSPENSION OF FEDERAL AID TO COLLEGES AND UNIVERSITIES WHICH FAIL TO TAKE APPROPRIATE CORRECTIVE MEASURES IN CAMPUS DISORDERS

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. ABBITT. Mr. Speaker, like many Americans I have been shocked and perplexed in recent weeks by the widespread disturbances that have erupted on college and university campuses all over America. Many of us never expected to witness in our country the outrageous conduct which has occurred on the grounds of institutions which predate the founding of our Republic. We have seen brazen bands of militants take over the offices of school administration officials and in some instances forcibly eject presidents of colleges. At one major university militants armed with guns and knives have taken over the administrative offices of the school and brought to a halt the process of formal education. In other instances college officials have been forced to accede to student demands which have been mixed with obscenities and shouted by ignoramuses.

Many of the things which have occurred in the United States in the past several months are unbelievable but even more difficult to believe is the passiveness with which certain college administrations have dealt with the problem. They have coddled, placated, and pussyfooted to such an extent that most right-thinking Americans have completely lost patience with their inactivity.

I have today introduced a bill similar to that offered by a number of other Members of the House which would suspend Federal financial assistance to colleges and universities which fail to take corrective measures to deal with disorders on their campuses. The bill would require that the Commissioner of Education suspend financial assistance "by way of grant, loan or contract, to any institution of higher education at which by reason of violent demonstrations, riots, seizure of institution property, or other disorders, there is a substantial disruption of the institution, or students, teachers, or officals are prevented from pursuing their studies or duties and the administration officials of such institutions fail to take appropriate corrective measures forthwith."

We are today spending literally millions of Federal dollars to provide all kinds of financial assistance to institutions of higher learning and to students who attend these schools. It is only right and proper that the Federal Government see that its investment in the program of education is protected. I do not believe that we should use Federal law enforcement agencies to put an end to the chaos as the responsibility for maintaining law and order is up to the school administrations or with such local police systems as the institutions may request. We do not want to get into the business of having the Federal Government move in with force and therefore suspension of Federal funds in those cases where the schools will not act, is the only remedy which we have. Enactment of such legislation should put some backbone in certain college officials who have let things get out of hand. Unless something is done—and done quickly—we may well be seeing the beginning of revolution in this country.

As it is now, millions of dollars in Federal money is being spent, not for the benefit of the student bodies as a whole, but to pacify and placate minority elements with little regard for the public good or education in general. The conduct of certain student groups has been deplorable but the response or lack of response by certain college officials has in itself been disgraceful. If we allow this passive attitude to establish a pattern whereby militant groups can demand change and coerce college officials into bringing about change with little or no objection it will only be an encouragement for other students and revolutionaries to do the same—or worse. In my opinion much of the trouble in many parts of the country has clearly been fomented and organized by outside elements. This Congress has a duty to investigate such incidents and to bring to the bar of justice those who would wreck our institutions, undermine our Government and destroy all that we have built up in the past 200 years without regard to the ultimate effect. The organizers of these disorders are known by agencies of the Government and frankly I feel that we have been remiss in not taking forceful action under laws which are already on the book. Much of this trouble can be placed squarely on the pussyfooting on the part of some college administrators who have attempted to sacrifice the very foundations of their schools for ridiculous laboratory experiments in catering to certain minority elements. Under these experiments certain low-standard students from minority groups have been brought into colleges in order to create a modernistic environment and now the experiments have backfired in revolutionary disorders. The school officials in many instances are too embarrassed or too stubborn to admit their mistake.

Militants who have used guns and knives to force their demands are a disgrace to America and the cause of education. Long ago society is supposed to have progressed from the point where victories were won by the sword and the gun and education has paved the way to our newly found sense of democracy. Now the officials of the very schools which have aided in instilling these principles are sitting idly by and kowtowing to and placating people who act like savages. It is high time that we call a halt to this before all that we hold dear is wiped away and we sit on the destruction and wish that we had seen the folly of our ways.

Certain groups have already refused to testify before committees of the Congress because they say they do not want to recognize Congress as a duly constituted instrument of Government. This is anarchy any way that you advocate it—and it should be treated as such. It is inconsistent with our national purposes to be sending one group of our young men to fight for freedom in Vietnam, where many are dying, and then have another group go wild at home and allowed to move at will to destroy the institutions of authority. What will our boys have to come back to if this is carried to its logical conclusion.

It is only fair to say that practically all of the disorders which have occurred in recent months have been caused by a minority of the students at the schools involved. Most of the students at our institutions of higher learning are trying to get an education and adhere to the time-tested principles on which our system of education is based in America. Frankly they are being cheated in their quest of an education by those who would disrupt campus life and by school administration officials who let them down. More attention has been paid to militant minority pressure groups than is paid to the vast majority of those who seek a good education. The disorders have been caused by a minority element which, in many cases, has been coddled and placated from the beginning. It would be interesting indeed to have information on what kind of grades these militants make, who is paying their way and how many of them were actually lured on to the college campuses just to prove a point. If the Federal Government is going to be spending millions of dollars in the furtherance of higher education, we have a right to know.

Those who have advocated Federal aid to education have said from the beginning that the Federal Government has a responsibility to see that our people are properly educated. If this is true, it also follows that the Government has a right to see that its funds are properly spent and that militant minorities do not thwart the will of the majority. I am always amazed at those liberal elements in our society which speak loud and clear in order to involve the Federal Government in providing funds for all kinds of activities but who suddenly disappear when something like this occurs.

Fortunately we have not had in Virginia so far the kind of disorders which have occurred in other States. We have had some difficulties and we may as well let our people know now that we mean business and that we will not tolerate the kind of disorders which have wrecked other campuses. We would be remiss in our duty if we did not do that which is right and I for one propose to see that right is done.

This philosophy of allowing people to do what they feel in their own mind is right has got to stop somewhere and the sooner we come to our senses and call a halt to the ridiculous actions which have been perpetrated in recent months the better off we all are going to be.

Sometimes I feel that many of us expect that when communism comes to take over our country it will be shouted from the lips of those who are leading the disruption and will be identified by signs on those who lead the parade. The student disorders are clearly organized and inspired by some unseen force. They

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follow a pattern which is not coincidental and the leaders of this movement spout the phrases of Marx and Lenin. We may as well recognize the truth of the problem which faces us and confront it forcefully and without reservation.

WAR ON CRIME

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. GROSS. Mr. Speaker, as Congress and the executive branch of Government girds for war on crime in the streets, the Mafia and Cosa Nostra, an article in the May 5, 1969, issue of the Des Moines Register by Mr Clark Mollenhoff, provides an excellent background.

In the light of recent developments, to this may well be added the need for stern measures to be taken against those in high places who, under the cloak of responsible jobs and respectability, play fast and loose with the public trust and thereby make a devastating contribution to the breakdown of morality and law and order.

The article follows:

WAR ON CRIME

(By Clark Mollenhoff)

WASHINGTON, D.C.—President Richard M. Nixon now has committed himself to tough new laws, tough enforcement, and appointment of tough-minded judges in the war on crime that hits out at everything from the Students for a Democratic Society (S.D.S.) to the Cosa Nostra.

And, it appeared that congressional committees, headed by Democrats, were willing to assist Republicans in pushing through the kind of legislation that the President wants to deal with the militant left as well as the top figures in organized crime.

Even as the network of evil of the Cosa Nostra was exposed through testimony before the McClellan rackets committee in recent years, the leaders of Cosa Nostra have continued to operate in such a quiet manner that the public could hardly view the activities of this underworld society as a threat to them.

IMPETUS FOR LAWS

Ironically, the impetus for passage of major tough crime legislation to deal with the Mafia-type organizations will come as a result of the noisy activities of the New Left.

Congressional investigators commented privately last week that the law-breaking activities of the S.D.S., and the brutality of the militant black nationalists, will probably create the conditions that will cause Congress to pass crime legislation that may be even tougher than the crime package asked by President Nixon.

The President, an experienced lawyer and former congressional investigator, laid down a crime message to Congress that indicated he knew the difficult problems of obtaining evidence, of protecting witnesses from intimidation, and of winning and sustaining convictions through the courts.

WIRETAPPING DEVICES

His first message on crime exhibited no uneasiness about lawful use of eavesdropping and wiretapping devices against either the subversives or the top leaders of the Mafia mobsters.

Atty. Gen. John Mitchell was authorized to use the wiretapping authority against the organized criminals in an effort to break the corrupting influence they hold over local, state, and federal politicians in some areas.

The President's message spoke of the $20 billion to $50 billion take on illegal gambling profits alone, and he traced how these underworld profits are used to crush competition and to grab monopolistic control of a wide range of otherwise legitimate business activities in such large cities as New York, Chicago, Philadelphia, and Boston.

The facts the President reeled out in his first major crime message read like a speech by Senator John J. McClellan (Dem., Ark.), the leading racket buster of the Senate, who for a dozen years has been trying to warn the public of the enormous hold that organized crime has on society.

It was all reminiscent of the warnings of the late Senator Estes Kefauver (Dem., Tenn.) who conducted the first major national crime hearings in 1950 and 1951.

Senator Kefauver spelled out facts and accurately predicted the rise of power of the criminal underworld, and he sought in vain to obtain passage of much of the same legislation that President Nixon and Senator McClellan now seek.

Kefauver wanted legalized wiretapping for use against subversives or organized crime, and he wanted more and better trained police, action to strengthen the weak and corrupt courts, and the tools to protect witnesses from intimidation, and to force other witnesses to testify against the underworld chiefs through the granting of immunity from prosecution.

KEFAUVER HEARINGS

The Kefauver crime hearings had tremendous national political impact, and made Kefauver a front runner for the Democratic presidential nomination.

But leaders in Congress—House Speaker Sam Rayburn (Dem., Tex.), Senator Lyndon B. Johnson (Dem., Tex.) and Senate Majority Leader Scott Lucas (Dem., Ill.)—rejected Kefauver's demands and little of the Kefauver program was enacted into law.

McClellan conducted labor racket probes in the late 1950s, bringing out new evidence of the growth of crime and its links with dozens of major labor leaders, including Teamsters Union presidents James R. Hoffa and Dave Beck and Laundry Workers Union treasurer Eugene C. (Jimmy) James.

The McClellan hearings forced passage of the Landrum-Griffin labor reform legislation in 1959, but there was little progress in obtaining the public climate necessary to force action on the broader crime bills including legalized wiretapping.

Even the personal attention of the late Robert F. Kennedy as attorney general in a Kennedy administration could not bring about the public interest in legislation believed desirable by Kefauver, McClellan and Kennedy.

The climate of the country is vastly different now, especially because of reaction to college unrest. The current series of S.D.S.-led disturbances on more than a dozen university campuses has outraged many members of the college faculties.

The apparent popularity that has greeted the tough position taken by President S. I. Hayakawa of San Francisco State College has not been overlooked by members of the Senate and the House.

For several months, chairman McClellan and Senator Karl Mundt (Rep., S.D.), ranking Republican on the Senate permanent investigating subcommittee, have been directing an in-depth study of the financing and operations of the leaders of a dozen militant groups, including the S.D.S. and the Black Panthers.

Some executive sessions will be conducted within the next two weeks, and these will be followed by public hearings that will put the focus on what some feel are similarities in the operations of the militant organizations of the left and organized crime.

USE OF TELEPHONE

There will be stress laid upon the need for wiretapping in establishing how the real leaders of the Cosa Nostra or the S.D.S. are able to finance and control their subordinates through use of the telephone.

It will be contended that wiretapping is essential to establish the identity of the real leaders, and to develop evidence of the financing of left-wing rioting or Cosa Nostra corruption of public officials.

While McClellan and his Senate subcommittee are dramatizing the importance of tougher laws, and tougher courts, there will be hearings in the House education and labor subcommittee that will be hammering out a similar theme relative to the S.D.S. and the college disturbances.

On the House side it will be a liberal congresswoman, Mrs. Edith Green (Dem., Ore.), who will chair the investigation into unrest on the college campuses.

Mrs. Green, a former school teachers, is a champion of the right to dissent and she was one of the original sponsors of the War on Poverty.

However, her experience with the radical left in her home town of Portland, Ore., has soured her on the management of the poverty war by the Office of Economic Opportunity (OEO) and has brought to her attention the role of the OEO in financing some disruptive militant elements at educational institutions in Oregon.

DESTROY SOCIETY

"I don't understand what these people are saying," Mrs. Green commented last week relative to the S.D.S. members who are engaged in college rioting. "About all I can see is they want to tear down society—destroy it. I want to know what they plan after they've done that, if we ever let them.

"Our institutions of higher education are far too important to society for society to stand by idly while they fall victim to the disruptive tactics of a minority of students and faculty," Mrs. Green said.

Her view was echoed by a large number of the most liberal members of the House and Senate, and by virtually all of the conservative and middle-of-the-road legislators.

It can be anticipated that the more hearings Congresswoman Green and Senator McClellan conduct, the more public demand there will be for the total crime package that President Nixon is seeking.

In 1950 and 1951, the televised Kefauver crime hearings startled most viewers and caused at least momentary alarm over crime. But, that crime picture was of some place that was far away, and was from the world of television.

The hearings of McClellan and Mrs. Green will be against a background of a soaring crime rate, and in a national atmosphere where the fear of crime has become very real. In virtually every state, and in nearly every large community, there have been instances of crime that have startled the average citizen.

Although the Cosa Nostra seeks to operate quietly with pay-offs to officials and quiet intimidation of witnesses, the noisy antics of such organizations as the S.D.S. and the Black Panthers may be setting the stage for its downfall.

APPEALS COURT

President Nixon, who has frequently noted the importance of the courts in his criticism of crime, has made two nomination to the United States Court of Appeals in the District of Columbia that some applauded as bringing "balance" to that much-criticized appeals court which is regarded as the most liberal on law enforcement of all of the appeals courts.

Its pattern under the leadership of Chief Judge David Bazelon has been far beyond even the most criticized opinions of the United States Supreme Court.

In his first appointment to remake that appeals court, Mr. Nixon named two experienced trial lawyers who are considered to be conservative and "tough" in the sense that they believe the decisions have been unbalanced to protect criminals with too little attention to the rights of the victims of crime.

The nominees are Roger Robb, of Washington, D.C., and George MacKinnon of Minnesota.

Robb is regarded as one of the most competent trial lawyers in this area.

He was hired by the Atomic Energy Commission to handle the hearings that resulted in a finding that the late Dr. J. Robert Oppenheimer had lied to security officers about his associations with Communists. It resulted in the lifting of the security clearance of Oppenheimer.

MacKinnon was a United States attorney in Minnesota in the 1950s, and handled the investigation and prosecution of a half dozen or more Teamsters officials ad associates on charges of violation of the Taft-Hartley labor law.

In convicting the Minnesota labor racket figures, MacKinnon bested a number of the top criminal lawyers of the area as well as Edward Bennett Williams, the nationally publicized criminal lawyer from Washington, D.C.

Both nominations were warmly applauded last week by Senator McClellan and by a majority of the members of the Senate Judiciary Committee.

One Justice Department lawyer commented that the Robb and MacKinnon appointments "will go a long way toward bringing some balance into the court."

A United States district judge commented that "if Nixon can remake enough of the courts with such appointments, there will be less need for drastic revision of the laws to cope with crime."

The Washington Star applauded the nominations of Robb and MacKinnon as helping to "restore to that tribunal a long-overdue judicial balance."

The tone of his words and his actions to date indicate that Richard M. Nixon means business about cracking down on criminals—militant leftists as well as the underworld.

WASHINGTON STAR HITS THE NAIL ON THE HEAD

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. EDMONDSON. Mr. Speaker, I would like to call the attention of my colleagues to a fine editorial which appeared in the Washington Evening Star on Monday, May 5.

This editorial, entitled "Preserving Newspaper Competition," sets forth clearly and concisely the reasons 98 of us in the House and 33 Members of the Senate are sponsoring the Newspaper Preservation Act.

This legislation is essential if we are to preserve active competition between newspapers in 22 cities. The economics of the publishing business are such that many more cities may be faced with the loss of an editorial voice in the future unless this bill is passed.

Mr. Speaker, I would like to have this editorial appear in the RECORD, and I hope all Members of the House have a chance to read this fine explanation of this vital legislation:

PRESERVING NEWSPAPER COMPETITION

It is no accident that an ever-smaller number of cities is served by two or more daily newspapers. Rather, it is a simple matter of economics. The costs of producing newspapers are skyrocketing. Yet the newsstand price needs to be kept within reach of the ordinary man's budget. Moreover, there is increasing competition from television and other media for the advertising dollar.

This is the context in which a bipartisan group of lawmakers have introduced the Newspaper Preservation Bill. The bill is designed to prevent a sudden, further decrease in competing newspaper voices by exempting newspapers from the broad sweep of a recent Supreme Court decision involving two Tucson, Arizona, dailies.

Tucson's Star and Citizen had cut costs by a joint operating arrangement, entered into 29 years ago, whereby they pooled production, advertising and circulation facilities, but maintained separate news and editorial departments, thus offering the community separate and competing newspaper voices.

The Supreme Court by a seven-to-one vote held this arrangement to be in violation of anti-trust laws. There are 21 other cities where two or more newspapers are maintained by virtue of joint operating arrangements. Each such arrangement would be affected unless the newspapers involved can prove that, at the time of their commercial merger, one paper was on the verge of bankruptcy and could not find another purchaser. The catch, of course, is that a newspaper once on its deathbed hardly ever recovers its readership and advertisers.

As a Justice Department lawyer told the Supreme Court, "if an exception (to existing anti-trust laws) is to be made, legislation is the proper course."

At this point, there is substantial bipartisan support for the Newspaper Preservation Act in the House and the Senate. Extensive hearings on this general subject have already been told. The time to act is at hand. Congress should pass this bill in the current session.

RABBI PHILIP S. BERNSTEIN

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. HORTON. Mr. Speaker, a week ago, Israel celebrated her 21st anniversary as a nation. The American Israel Public Affairs Committee sponsored a 2-day program on Middle East policy in honor of this joyful occasion.

As many of my colleagues know who attended these meetings, including the distinguished Speaker, we were extremely privileged to hear an address by Rabbi Philip S. Bernstein of Temple B'rith Kodesh, in Rochester.

Rabbi Bernstein, who is honorary chairman of the committee and a noted expert on Israel, has made many pilgrimages to Israel. He spoke from firsthand experience when he said:

A great, strong, progressive, viable democracy has risen to confront destiny in the ancient Holy Land. This is not only a reaffirmation of the Jewish spirit but of the human spirit, that a people so decimated and destroyed could so swiftly resurrect itself through its own blood, sweat and tears, the true self redeemers.

My dear and good friend spoke about life in Israel and its relevance to American society. He spoke of the will and determination of the people, of their gaiety, of their inner and outer strengths.

I am proud to share with my colleagues the inspiring remarks of Rabbi Bernstein:

ADDRESS BY RABBI PHILIP S. BERNSTEIN

Having just recently returned from a visit to Israel, I will briefly present a report on those aspects of its life which are relevant to our concern here today.

The mood throughout the land is one of confidence and assurance. There is a pervading sense of inner and outer strength. Let me illustrate.

I participated in the Seder with a large Air Corps group. These are, as they say, "the cream of the cream." They carry out the most dangerous missions with precision, with competence and with courage. But never have I seen such gaiety as on this Seder night. This was the spontaneous joy of young men who were sure of themselves and of the future of their land.

I visited Hamadiyah in the Bet Shean area and spent some time with the family of Moshe Sharrett's youngest son, who are members of the Kibbutz. They are never for a single moment free of danger. The Hamadiyah area was shelled by terrorists several times in the past week. The children sleep in shelters and some of the younger ones have never known any other way of life. But what a happy bunch of kids. They are already involved in the nation's dangers and determination and they would have it no other way. In fact when they were invited to spend Chanukah with the children in another kibbutz far away from the frontier, they politely declined saying that they would be glad to accept the invitation when the danger was over. There are thirty-three settlements in the Jordan valley and along the borders of Jordan which are constantly exposed to attack. Thirty thousand people live in shelters but not a single member of a kibbutz or moshav has left. Instead, people came from elsewhere to join them and to help.

As a Reform Jew I was particularly impressed with the determination of young Orthodox Jews to repay their debt to their fathers in the Hebron hills. Twice were Jews slaughtered in that place. First in the 1929 pogrom when saintly teachers and pious students were cut to pieces by Arabs who claimed the Jews were about to take over the Dome of the Rock, the Moslem shrine. Then again in the War of Independence in 1948 when this area was cut off from reinforcement and hundreds were put to death by the Arabs while those who were imprisoned were treated with incredible brutality. Some of the children of these martyrs are rebuilding in this particular area. They are working very hard, in fact they were practically working around the clock to get one of the places ready for the Passover, and they live in the midst of hostile Arabs who would attack them in a moment if it were possible. But they are keeping the faith. There is a zeal and a dedication and a pious resolve before which I bow in utmost respect.

We picked up a young man on the Golan Heights. He was probably under twenty but was already sporting a handlebar moustache. And also a Sten gun. He had a day off and was going to spend it with friends in Kiriat Hashmoneh. He was from London and we offered to telephone his parents when we would be there in a few days. He gave us their phone number but only on the condition that we would not tell his mother where he was. She thought he was in a safe kibbutz in the valley. Nobody can be certain of tomorrow with the trigger happy Syrians

XUM

nearby. They have proved in the past to be maniacal and irresponsible. But a dozen or more settlements have been established on the Golan Heights to make certain that the people in the northern Galilee will be able to sleep at night.

I report then no heroic posturing, no braggadocio, no false heroics, no militarism in this peoples' army and in this peoples' mood, but assurance and quiet confidence and a sense of strength. Any government, any power, any leader that underestimates this will be making a grave mistake.

I would not in this report minimize the problems created by the terrorists, but I would make clear what everyone knows who goes to Israel, that these are exaggerated and distorted by the American press. The terror is peripheral to the life of Israel, not primary.

The Hebrew University is an example. A bomb was placed in the cafeteria and some Israeli students were hurt. The perpetrators were apprehended and proved to be two Arab students who had misused the opportunities given them by the University, and the daughter of a prominent East Jerusalem attorney. So now, reluctantly, a fence has been erected around the University grounds with controlled entrances. And when you go to a building your briefcase is inspected. But these are just minor nuisances. The University, quo university, moves forward on every front. I was particularly impressed by their school to provide educators for the Diaspora. And we in America have much to learn from their crash program of several months special preparation for disadvantaged but bright students with potential, chiefly from Arab and eastern lands. The University is not lowering its standards. It is not surrendering to demands of inferiority, but has a special program to prepare the potentially capable for the University's higher standards.

I was in the first class at the Hebrew University on Mount Scopus forty-three years ago. You can imagine how I felt to return to the University buildings abandoned and neglected for two decades and now renovated and restored to a high usefulness. How thrilled one is to see the picture of Harry S. Truman where the Peace Center dedicated to this great American and friend of Israel will be erected.

As to the terrorists themselves, the Israelis say that if in six days they could defeat the combined armies of the United Arab Republic, Jordan, Syria, and Iraq, they don't need to worry too much about the dangers from a few thousand terrorists who have already learned that they dare not invade Israel and are now content with nighttime shelling of Israel villages and towns.

It is also clear that the terrorists function with the knowledge, consent and support of the Arab governments. If and when the Arab governments are interested in peace they can and will control the terrorists themselves. In the meantime Israel may be annoyed by them but not in the slightest deterred.

There are of course many grave problems confronting Israel and much internal dissension. Political differences are tough, raucous and potentially explosive. But on the basic questions of Israel's defense and security and future there are no substantial differences. There is a remarkable sense of national unity and purpose and a completely dedicated youth. The survival and strength of Israel is their accepted national goal. They all realize there is no alternative and all are ready to work and fight and if necessary die, so that the people of Israel may live.

Consequently any nation, any group of powers, any leaders, who think that Israel will sacrifice its security for anything less than a dependable peace will again be making a grave miscalculation. The Israelis remember too clearly the Bermuda and Evian conferences on refugees which only highlighted the unwillingness of Western powers to admit Jews. They recall only too painfully the indifference of the world to the slaughter of the six million. They remember how they had to stand alone in 1948 with almost bare hands against the invading armies of six Arab nations. They will not forget the daily and nightly Fedayeen attacks which led to the war of 1956. Nor will they ignore the withdrawal of U.N. peace keeping forces at Nasser's demand in May, 1967. Nor the pathetic futility of the western powers to keep the Straits of Tiran open, as they were equally helpless in the Suez situation after 1957. So, though needing friends and needing arms, they will in the final analysis depend upon their own determination and their own strength with the help of their one sure ally, the Jewish people of the world. There will be no weakening, no compromise, no surrender on basic objectives. They will not accept another Munich, another illusory "peace in our time." They haven't the slightest faith in the good intentions of the Soviet Union which with one hand arms the Arabs for aggression and with the other pleads for peace lest there be another world explosion. Too clearly they see what is happening to the Jews in the Soviet Union, and also to Czecho-Slovakia.

Therefore, they will not surrender their present strategic advantages short of a true peace settlement. And that peace settlement can only be achieved through direct participation by the Arabs. In this sense the Four Power Conference is rendering a disservice for it is taking Nasser off the hook. It is in effect saying you may go ahead with attacks on Israel, and if and when you get beaten we will bail you out. This is a very shortsighted approach to the problem. The solution, a just and lasting peace, can only come when the Arabs recognize that Israel is here to stay and they must come to terms with it. Therefore, Israel has no alternative but to stand firm and the friends of peace in the Middle East should do the same.

I should like to conclude this report with a spiritual note. The Haftorah portion of the past Sabbath tells the story of Naaman and the Prophet Elisha. Naaman was a captain in the Syrian guard and was stricken with what was then known as leprosy. He had heard that there was a wonder working prophet in Israel who could cure the lepers and went to him. Elisha, the gentle, kindly humanitarian, was no miracle worker but dare we say, he practiced psychosomatic medicine for his time. He said to the Syrian, "Go bathe in the waters of the Jordan and they will wash you clean." "But," angrily responded the Syrian officer, "Are not the rivers of Damascus bigger and better than the waters of Israel? May I not wash in them and be clean?" His servants urged him to do what the prophet had said and he did and was healed. He learned that it wasn't size, nor physical might, but the spirit that was decisive.

In my opinion the spirit of Israel will be decisive now. Can we forget that it was just at this time in the year 1943 that our brethren were making their last ditch stand in the Warsaw ghetto? When the smoke had cleared six million Jews had been slaughtered. A million babies, potential Einsteins and Heifitzes and Weitzmanns, had been done to death. The great centers of Jewish life had been obliterated forever.

And now only a quarter of a century later a great, strong, progressive, viable democracy has risen to confront destiny in the ancient Holy Land. This is not only a reaffirmation of the Jewish spirit but of the human spirit, that a people so decimated and destroyed could so swiftly resurrect itself through its own blood, sweat and tears, the true self redeemers. This is what you sense wherever you go in Israel today.

And it is also sensed by the most idealistic young people who find themselves now in Israel. More young American Jews are coming to Israel and finding fulfillment there. More idealistic young non-Jews are finding the answers to needs which elsewhere erupt in riots and dissension.

I met a young Swede driving a tractor in Hamadiah. The combination of danger and social idealism and hopefulness for the future and purpose was the answer to his own inner need. There were the young Germans who were trying to make some moral restitution for the crimes of their fathers. There was the beautiful young Gay Symington, the niece of Senator Symington, who has found undreamed of fulfillment in Kfar Blum.

From Israel is coming light and healing and hope for humanity. That too one learns is at stake in Israel's survival.

If I have a prayer for Israel as it celebrates its 21st anniversary, it is for the fulfillment of the promise in the Haftorah portion for the Sabbath from the prophet Amos.

"Behold, the days come, saith the Lord,
That the plowman shall overtake the reaper,
And the treader of grapes him that soweth
    seed;
And the mountains shall drop sweet wine,
And all the hills shall melt.

And I will turn the captivity of My people
    Israel,
And they shall build the waste cities, and
    inhabit them;
And they shall plant vineyards, and drink
    the wine thereof;
They shall also make gardens, and eat the
    fruit of them.

And I will plant them upon their land,
And they shall no more be plucked up
Out of their land which I have given them,
Saith the Lord thy God."

VITAL INFORMATION NEEDED TO MAKE JURY SELECTION ACT EFFECTIVE

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. McCLORY. Mr. Speaker, when the House of Representatives passed the Federal Jury Selection Act of 1968—Public Law 90-274—it was the primary intention of those who supported the measure that the new law would mean the end to prejudice and discrimination in the selection of juries in our Federal courts. However, one provision of the new law which I opposed at the time of its passage permits those who receive questionnaires for jury service to decline to answer questions relating to his or her race or color and certain other subjects considered sensitive to the person involved.

It was my position then and now that such questions regarding race and color required direct answers in order for the new jury selection system to work in favor of those whom it is intended to benefit.

A most important study of this aspect of the new Federal jury selection law was made recently under the auspices of American University. The study touches on the critical need for full information regarding race and color in jury cases tried in Federal courts. In addition, the unique approach employed by Dr. Alan E. Morris, of American University, director of the project resulting in this study, represents an innovation in the analysis of a critical legislative problem.

The study supplies the kind of vital

information upon which the Congress may intelligently decide such a controversial and sensitive legislative issue as that involving the answers to questions concerning one's race or color. Indeed, the study leave no real doubt as to the answer. Dr. Morris and his associates make it crystal clear that to leave the answer of such questions to the discretion of the person to whom a questionnaire is directed is virtually to thwart any real opportunity for a person to establish that he or she has been the victim of prejudice based upon race or color.

The American University study and report has employed a systems analysis approach to this problem. After carefully programing the problem as to the questions touching upon race, color, or other sensitive subjects the American University team made generous use of sophisticated automatic data processing equipment in projecting results which would inevitably flow from provisions permitting the voluntary withholding of critical information to which the entire jury selection measure was directed.

Mr. Speaker, I am including at this point the full text of the report as follows:

FEDERAL JURY SELECTION ACT OF 1968—THE EFFECTS OF OPTIONAL INFORMATION ON JUROR SELECTION, JUNE 1968, SEMINAR IN OPERATIONS RESEARCH, THE AMERICAN UNIVERSITY, WASHINGTON, D.C.

(NOTE.—This study was undertaken at the request of Representative ROBERT MCCLORY and was directed by Dr. Alan D. Morris, Director for Operations Research at the American University and by Dr. Ellis A. Johnson, Adjunct Professor at the American University. The study was performed by three graduate students in the Operations Research Program: Mr. Joseph A. Bizup, Mr. Robert J. Lange, and Mr. Robert A. Hallex.

(ACKNOWLEDGMENTS: The study group would like to express appreciation to the following people for their comments, suggestions, and critical reviews offered during the course of preparation of this paper: Mr. William E. Casselman, Legislative Assistant to Representative MCCLORY; Dr. Samuel G. Kneale, Principal Scientist, Operations Research Incorporated; Dr. Vincent V. McRae, Technical Assistant, Office of Science and Technology; Mr. Robert L. Chartrand, Legislative Reference Service, The Library of Congress; Dr. W. Edward Cushen, Chief, Technical Analysis Division, National Bureau of Standards; Dr. George Suzuki, Deputy Division Chief, Technical Analysis Division, National Bureau of Standards; and Mr. Thomas A. Goodman, Analyst, U.S. Naval Weapons Systems Analysis Office.)

SUMMARY

Background

Some civil rights' proponents have objected strenuously to the inclusion of racial designation as required information on forms and questionnaires of all kinds. As a result of this movement, the removal of possible discriminatory information from documents has become quite widely accepted, particularly in programs directly or indirectly supported by the Federal Government. For the most part, the removal of this information has been directed through either legislation or executive order. The main rationale behind this effort has been that such identification facilitates discrimination and therefore should be removed. Now, however, second thoughts are being given to this rationale within the Federal Government and professional circles.

These removal actions, brought about to enforce non-discrimination, are now causing serious frustrations. Federal laws, if they are to be strong, must be monitored and enforced. But how can there be effective monitoring and enforcement in the absence of the necessary information? This is a fundamental issue now before the Federal Government. The success achieved by the movement to remove information about race from forms in order to reduce discrimination now appears to be a major stumbling block in the enforcement of powerful policies aimed at removing discrimination.

This present study is applicable to the above problem, although it specifically concerns itself with the ability of the federal courts to monitor and enforce the Jury Selection Act of 1968, and the ability of anyone concerned to prove that discrimination exists in the selection of federal jurors.

During the consideration of the Federal Jury Selection Act by the House of Representatives, Representative Robert McClory of Illinois objected to a committee amendment which allowed potential jurors the option of omitting certain information, such as race, color, religion, national origin, economic status or occupation; information he considered necessary for the effective enforcement of the legislation. This study was undertaken at the request of Representative McClory to test the hypothesis. That deletion of this necessary information would render the aims of the act unattainable.

Problem

The study established a methodology for determining the value of having only partial information concerning race, color, religion, national origin, economic status, etc., as opposed to having complete information, available to a litigant or court or law enforcement official in proving that discrimination exists or does not exist in the selection of federal jurors.

Methodology

A statistical model has been developed to evaluate the criticality of information, at various levels of completeness, to indicate the significance a court could attach to pleadings of discrimination by a litigant. Assuming it had complete information about the characteristics of the members of a jury wheel, a court could declare that discrimination existed when some significant deviation in the composition of the qualified jury wheel and the community is shown. When the court has less than complete information, how great must the deviation be for the court to declare discrimination? The model chosen to evaluate this question is a sampling model employing confidence intervals based on the binomial distribution.

Findings

1. The ability of a litigant or any official to prove discrimination when discrimination actually exists, rapidly declines as the percentage of complete information regarding race, color, religion, etc., at the qualified jury wheel level departs from 100 percent. If less than 80 percent of the prospective jurors fail to provide complete information, a litigant has almost no chance statistically to prove that discrimination exists, even though, in fact, it does exist.

2. A very high percentage (95 precent) of information regarding race, color, religion, etc., of the prospective jurors on the qualified jury wheel and on the venire, must be available to the courts in order to ensure compliance with a law that states that selection lists must represent a fair cross-section of the community and that juror names be drawn by random selection.

3. As minority groups become smaller relative to the percentage of the population or community, it becomes more difficult for their members to prove discrimination with less than 100 percent complete information.

4. Confidence intervals can be used to isolate areas of discrepancies if bias does exist as being a result of either a nonrandom selection technique or a non-representative selection list.

Recommendations

1. That, to render the Jury Selection Act effective, complete information on the juror qualification form be required.

2. That, to establish areas and causes of bias and to pinpoint areas where corrective action must be taken, the methodology developed in this paper be applied.

I. INTRODUCTION

Purpose of the law

The purpose of the Jury Selection Act of 1968 is to provide improved judicial machinery for the selection, without discrimination, of Federal grand and petit juries. Its aim is to assure all litigants that potential jurors will be selected at random from a representative cross section of the community and that all qualified citizens will have the opportunity to be considered for jury service.

History of the law

The Jury Selection Act of 1968 was originally drafted as proposed legislation by the Committee on the Operation of the Jury System of the Judicial Conference of the United States. It was approved by the conference in March 1967. The Judicial Conference bill had the support of the American Bar Association and the Department of Justice. Hearings were held in the Senate on federal jury selection in the first session of the 90th Congress. The measure passed the Senate in December 1967, passed by the House of Representatives and was signed by the President in March, 1968.

Views of Hon. Robert McClory and Hon. Charles E. Wiggins

The following is a direct statement from the Report of the Committee on the Judiciary[1] reflecting the views of Congressmen McClory and Wiggins on the bill (S. 989) on Federal Jury Selection before it was sent to the floor of the House.

"The purpose of S. 989 is to eliminate discrimination in the selection and service of jurors in Federal courts. However, it is because we agree with the principle that we are constrained to state these additional views.

"This legislation was not needed to guide those people who embrace the principle of nondiscrimination. Rather, this legislation is directed at those of a different persuasion.

"Thus this legislation must be judged by the efficacy of its enforcement procedure. When a litigant claims that discrimination has been practiced, what is his remedy? Unless the discriminators openly admit their wrong, the litigant must compare the characteristics of the community. And apparently as when similar constitutional claims are made, the litigant must prove that there is an appreciable discrepancy between the makeup of the jury pool and that of the community. See Whitus V. Georgia, 385 U.S. 545 (1967).

"At this critical stage when the challenger needs proof of just who is in the jury pool, this legislation refuses to insure its availability. For every person who is instructed to complete a juror qualification form is also instructed that he need not answer the essential questions concerning race, color, religion, national origin, economic status, or occupation.

"Thus the challenger may be denied the very information he needs to make the bill work. If a significant number of people fail to supply the necessary data in completing the juror qualification form so that the character of the jury pool cannot be gleaned from the forms, the challenger will then be compelled to undertake his own survey. We fear that the burden of that task will retard the enforcement of this legislation.

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[1] Federal Jury Selection Act, Report from the Committee on the Judiciary, House of Representatives, Report No. 1076, February 6, 1968.

"It is particularly with regard to discrimination on the basis of race that we find the right not to cooperate most perplexing. Indeed, racial discrimination is the primary evil we seek to eliminate. The color of a man's skin is hardly a private matter. It is evident to the eye. If the bigoted note the color of a man's skin to harm him, cannot the law do the same in order to protect him?

"The argument is made that it may offend a person's sensibilities to ask him his race. Even if that is true, we would think discrimination the greater evil. Sometimes one must bear such an effront to one's sensibilities as a fact of life.

"We would prefer to believe that all would take pride in their citizenship, pride in their race, pride in their color, even pride in their ethnic and religious backgrounds—whatever they might be. In order to make this legislation effective and to make it most useful and most readily available to the racial and religious minorities it is intended to benefit, questions which we deem essential to be asked would seem to be sufficiently important to require answers."

Purpose of the study

In January 1968, Congressman McClory asked Dr. Alan D. Morris and Dr. Ellis A. Johnson of American University to study the then proposed Federal Jury Selection Act, giving particular attention to the optional information requested on the juror qualification form concerning race, color, religion, national origin, economic status, or occupation. Mr. McClory's primary concern was that by making information that is necessary to the effectiveness of the legislation optional, rather than mandatory, the machinery for enforcing the law would be impaired. His intuitive concern over the effects on the law of having this information versus the possibility of not having the information is the primary focus of the study.

Problem definition

The specific problem addressed by the study group is to determine what is lost, as far as proving or disproving discrimination, if vital information is not filled in or only partially filled in on the juror qualification forms. This problem is pertinent to the Federal Courts inasmuch as these courts, with no information or partial information, must determine whether the Selection Lists within their districts represent cross sections of the respective communities.

II. DISCUSSION OF THE ACT

Summary of the act

The Federal Jury Selection Act defines the right of litigants and citizens "to a jury venire selected at random from a cross section of the community" and seeks to protect this right by establishing certain uniform selection procedures.

Each Federal District Court is directed to establish a plan of compliance which must meet the approval of the judicial council of the circuit. The plan must, however, meet certain minimum requirements. It must use as the source of names of prospective jurors either voter registration lists or actual lists of voters. Other sources in addition to the above mentioned voter lists may be used when necessary to ensure that the lists adequately reflect a cross section of the community. The plan must also: comply with any rules the Judicial Conference may prescribe; include provisions for statistical reports; and insure that discrimination along urban-rural lines is avoided. The plan also requires the use of a master jury wheel containing either one-half of one percent of the names from the source list or, if that would be cumbersome, no less than 1000 names. Each plan shall establish when the master jury wheel must be refilled. It must also specify the number of names to be publicly drawn at random and specify occupational classes or other groups that may request excuses from service on the ground of hardship. Local exemptions must also be stated. In no event may classes of excuses or exemptions be established that would undermine the basic purposes of the act.

The bill also provides for a juror qualification form prepared by the Administrative Office and approved by the Judicial Council. Every person whose name is drawn from the master jury wheel for the purpose of filling the qualified jury wheel must fill out and return a juror qualification form.

Juror qualification form

The juror qualification form requests two types of information—mandatory and optional. The mandatory information includes name, address, age, education, length of residence within the judicial district, distance from residence to place of holding court, prior jury service, citizenship, and whether the prospective juror: should be excused or exempted from jury service; has any physical or mental infirmity impairing his ability to serve as a juror; is able to read, write, speak and understand the English language; has been convicted or has pending any charge for a criminal offense punishable by imprisonment for more than one year and has not had his civil rights restored by pardon or amnesty. The optional information includes sex, race, occupation, and any other information required by the district court plan, which is in the interests of the sound administration of justice, and is not inconsistent with the provisions of the law. The juror qualification form must contain words clearly informing the prospective juror that the furnishing of information with respect to his race, color, religion, national origin, economic status or occupation is not a prerequisite to the qualification for jury service, and that the information need not be furnished if the prospective juror finds it objectionable to do so.

The law specifies that instances of disqualification, exemption, and excuse must be determined exclusively by reference to the information on the juror qualification form. Only a judge has the power to make these determinations.

Challenging compliance

The law establishes the procedures for challenging compliance with the act in the selection of both grand and petit juries. The Attorney General and the defendant in criminal cases, and both parties in civil cases are allowed to challenge the selection procedures. The provisions of the bill are designed to reduce the possibility that such challenge will be used for dilatory purposes. The bill sets strict time limitations upon when challenges will be allowed. Challenges must be made before the voir dire examination begins, or within seven days after the defendant discovers or could have discovered the grounds for the challenge, whichever is earlier.

Random selection versus key man

The new law forces a complete replacement of the "key man" jury selection system by a random selection system for selecting federal jurors. Most jurisdictions used the so-called "key man" system of selection whereby "key men", thought to have extensive contacts throughout the community, supply the names of prospective jurors. On its face, the "key man" system seems susceptible to intentional discrimination inasmuch as it allows for individual choice of names. In fact, the "key man" system in many cases produced "blue ribbon" juries composed largely of professional and managerial men, who were usually well educated and in the higher income brackets. Not only was the "key man" system susceptible to discrimination based on race, color, religion, sex, etc., it often caused underrepresentation of craftsmen, service workers, and laborers.

Random selection from voter lists is not a new method for selecting federal jurors. It had been used by a number of federal district courts for many years, partly because it can easily be used to produce a large number of juror names.

In other federal districts, citizens have complained about the frequency with which they are called for jury service while others, equally qualified, are not called at all. A random selection system would go far toward eliminating these complaints, both because anyone whose name appears on the voter lists has a chance of being selected equal to that of any other listed person, and because voter lists contain a sufficiently large number of names to insure that no one need be called for more than his fair share of jury duty. However, more important, a truly random jury selection system prevents discrimination of all types.

Procedure for selecting juries

The law states that voter registration lists or actual voter lists shall be used as a basic source of juror names. During the Senate hearings on the bill, testimony was given that these lists provide the widest community cross section of any list readily available, yet statistics show that in some areas as little as about 40 percent of the eligible community is represented on voter lists. The bill uses the term "fair cross section of the community" in order to permit minor deviations from a fully accurate cross section. During the Senate hearings on the bill it was stated that the voters lists need not perfectly mirror the percentage structure of the community, but that any substantial deviations must be corrected by the use of supplemental sources. The definition of "substantial" would be left to the process of judicial decision. The law does not suggest how the district courts can determine whether the voters lists for the district need supplementation, and if so, how supplemental lists might be obtained. Answers to these questions would be possible only if the necessary information relating to sex, race, etc., were available on either the voters' list, the master jury wheel or the qualified jury wheel.

The law requires each plan to include a master jury wheel composed of more than 1000 names which must be refilled periodically. An investigation of the proposed plan of the U.S. District Court for the Eastern District of Virginia shows that the Norfolk, Richmond, and Alexander Divisions require approximately 10,000 names each, but never less than one-half of one percent of the total registered voters in each Division. This plan specifies that the master jury wheel will be emptied and refilled every 8 years to coincide with the presidential election. As a candid criticism of this newly established plan, it would appear that within 8 years these master jury wheels could become almost completely out-of-date, particularly in highly transient areas such as Alexandria and Norfolk. Out-of-date master jury wheels will introduce a selection bias since people who relocate every few years may never have an opportunity to be selected. One suggestion to help eliminate this bias might be to reduce the size of the master jury wheel to about 2500 names and to refill it every 2 years, thereby keeping the wheel up-to-date without placing undue hardship upon the clerk of the court or jury commission.

The law provides that the selection procedure between the voters' list and the master jury wheel must be random. The random procedure designated by the Eastern district of Virginia plan is to draw 2 numbers at random, the first determines the starting name on the voters' list, the second prescribes the interval between names. For example, if the first number drawn is 21, and the second number is 30, the 21st, 51st, and 81st names,

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etc., would be put into the master jury wheel.

The law also requires that from time to time, as directed by the court, a public random selection from the master wheel will be made to select sufficient prospective jurors for a certain period of time. Each person whose name is drawn will be sent a juror qualification form to determine whether a person is qualified for, exempt from, or excused from jury duty. A complete record of all names drawn will be maintained showing whether each person selected was exempted, excused, or disqualified for jury service and the reasons therefor. It is at this level that the district courts will possess the most information, therefore it should be at this level where all challenges concerning discrimination should be made.

Those names selected for jury service from the juror qualification forms are placed on the qualified jury wheel. From time to time, the jury commission or the clerk shall publicly draw at random from the qualified jury wheel the number of names required to fill jury assignments over a relatively short period of time. These persons are then summoned (venire) to appear at the court to commence jury service at a particular date. The Eastern District of Virginia has specified in its proposed plan that the number of names on the qualified jury wheel shall never be less than 300 at the time of each drawing, and that the qualified jury wheel shall be emptied and refilled between October 1 and November 30 of each year.

From the venire, specific jury panels are selected and sent to the various courtrooms. Each panelist is then subject to voir dire examinations by the trial attorneys before he can take his place as a member of a jury. The Federal Jury Selection Act has not changed any of the preemptory challenge procedures at the voir dire examinations.

III. METHODOLOGY

Challenges

The principal question investigated by this study may be stated as follows:

What is the value of requiring certain information, such as sex, race, occupation, economic status, etc., to be furnished by prospective federal jurors?

Since the law is designed to prevent discrimination upon the basis of race, sex, occupation, economic status, etc.; how can the law be challenged or enforced if the data upon which such a challenge must be based is voluntary and therefore may be unavailable? The two criteria upon which a litigant has to base such a challenge is to show that the selection source list was not a representative cross-section of the community, and was not supplemented to make it so, or that the selection process was, in fact, not random. Either of these conditions are sufficient to show that the law has not been complied with, and a new jury panel must be drawn in the case of petit juries, or the indictment must be dismissed in the case of grand juries. It is assumed in this paper that the composition of the community is known and provides a valid basis for comparisons.

Enforcement

In addition to the problems of challenging the law, the alternative methods of enforcing the legislation were investigated. The most obvious aspect of enforcement is the determination of how a litigant could prove that discrimination existed when, in fact, it did exist. As stated previously, the only realistic method to show that discrimination exists is to show a substantial deviation in the composition of the list selected at the qualified jury wheel level (including those excused, exempted, and disqualified) and the community. Such a substantial difference would show that either or both of the following events have occurred:

A. The selection source was not a representative cross-section of the community and it was not supplemented to make it representative as required by Section 1863 of the Jury Selection Act, or,

B. The selection process itself was not random as required by the law.

However, the litigant is effectively denied the information required to show A or B above if a significant number of the prospective jurors refuse to complete the voluntary section of the jury qualification form. This refusal by prospective jurors to provide the voluntary information, may prevent the litigant from proving discrimination when it actually exists.

Value of information

The following analysis investigates the value of requiring all prospective jurors to complete the voluntary portion of the jury qualification form. The value of this information has two major aspects:

A. Value to the litigant attempting to prove to a court that discrimination actually exists and,

B. Value to the chief judge, clerk of the court, or jury commission when attempting to comply with the law.

It should be noted that the same information is required in either of the above cases and neither effective challenges nor effective enforcement are possible without sufficient information. The following analysis is confined to the determination of the amount of information that is necessary for effective challenge or effective enforcement of the legislation.

Approach to the problem

The approach used to evaluate the criticality of information required the development of a statistical model which would indicate, at alternative levels of known information, the significance a court could attach to pleadings of discrimination by a litigant. If, with complete information, a court would declare that discrimination existed when some significant deviation in the composition of the jury wheel and the community is shown, how much greater must the deviation be when less than complete information exists?

Secondly, a measure of the relative value of alternative levels of information was developed. This measure may be simply stated as "What is the value of less than complete information?" Is 90% complete information 90% as effective as 100% complete information when attempting to prove that discrimination exists? Or is it worth some value less than 90% (for example only 50%)?

The model

The model chosen to evaluate the above question is a sampling model. From such a sampling model certain characteristics of a population or universe may be determined with any specified degree of confidence from the characteristics of a sample drawn from the population or universe. As an example, suppose a sample of 100 balls was randomly selected from a population which is known to consist entirely of blue and gold balls. Suppose that this randomly selected sample contained 60 blue balls and 40 gold balls. A statement could be made, then, with 80% confidence of being correct, that the percentage of gold balls in the population would be between 33.5% and 46.9%. Alternatively, from the same sample, a statement could be made with 98% confidence of being correct that the number of gold balls in the population would be between 28.8% and 52.0%. A much larger or much smaller sample may be drawn (assuming a very large population) which would also change the percentage of gold balls we believe to be in the population at both the 80% and the 98% confidence level. If the percentage of gold balls were significantly different from the 40 observed in the first sample, the confidence bounds would also shift significantly. It is seen then that such a sampling procedure depends upon the size of the sample, the composition of the sample (outcome) and the level of confidence desired. It should be noted that the jury selection process is analogous to the gold and blue ball sampling process described since the law specifies that the selection of prospective jurors must be both random and drawn from a source list (population) which is a representative cross-section of the community. The jury selection process then is identical to a random sample of names selected directly from the community. Statements that can be made about the number of gold and blue balls in the population or universe of balls may also be made about the number of males or females, Negroes or non-Negroes, etc., in the community by observing the composition of jurors which are in the sample of jurors; given, of course, that the process was in fact random and taken from the community as a whole. Since the makeup of the community as a whole is known, and since the random sampling procedure allows very positive statements with high levels of confidence to be made about the population from which names of prospective jurors were drawn, then, if no discrimination existed, the population from which the sample was taken and the community would be identical. However, if the two are substantially different, it can be shown with a high degree of confidence that bias or discrimination exists since sampling theory indicates that the population from which the sample was drawn does not include the entire population of the community but is some sub-set of the community.

It must be assumed that at some confidence level (possibly a very high confidence level) a court would be willing to rule that discrimination existed. As an example of this procedure, suppose that a court would accept evidence offered at the 98% confidence level as proof of discrimination. Then, with complete information concerning the prospective jurors selected, the level would be in a range between X% as a lower bound and Y% as an upper bound if the process for selecting the jurors was random. The court also would be 98% certain that discrimination did, in fact, exist if it is known that there are less than X% or more than Y% of this group in the community. However, if less than 100% of the jurors fill out the voluntary information on the juror qualification form, the changes in the values of X and Y such as that shown on Figure 2 would result. If information is available from all 100 jury qualification forms in the sample, the court can say with 98% confidence that the percent of minority in the population from which the prospective jurors were selected was between 28.8% and 52.0%. If the court knew that the actual percentage of minority in the population is either less than 28.8% or more than 52.0% it could be 98% certain that bias existed in the selection process. However, if only 80% of the prospective jurors filled out the jury qualification form, the court could say, with 98% certainty, that the population from which the jury was selected contained between 11.6% and 71.2% minority. Note that this is the same sample as in the previous case, that is, it actually contains 40% minority or 40 minority members and the sample size is 100. Yet the 20% not filling out the voluntary portion may have been distributed a number of ways between minority and majority since some number of minority group members between 0 and 20 may not have completed the form. The distribution of jurors is called the adverse case distribution since it makes two assumptions in respect to the jurors who failed to complete the forms. In the case of the lower confidence limit, it is assumed that within the sample, the smallest number of minority members possible filled out the form, and that the unfilled forms relate to members of the majority group. That is, of the 80 people filling out the form, only 20 were minority

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group members and the unknown 20 were assumed to be majority group members. For the upper confidence limit the opposite assumption is made, that is, the most minority members possible fill out the forms and the unfilled forms relate to members of the minority group. In this case, 40 minority members filled out the form and the unknown 20 were also assumed to be members of the minority group. It should be noted that this adverse case distribution completely bounds the problem since the best and worst possible assumptions in respect to the minority group are made.

A second distribution which is called a favorable distribution is evaluated. This distribution assumes that the jurors filling out the form will be distributed in the same manner as the minority and majority jurors are distributed in the samples. That is, if 80% of the forms were completed, then 80% of the majority and 80% of the minority in the sample completed the forms. The assumptions concerning the unfilled forms are the same as above. It is noted that the assumptions used are the best and worst assumptions that can be made since the confidence limits encompass all possible degrees of uncertainty, while, some of the uncertainty is removed by assuming that some information concerning minority group jurors is available at all levels of complete information. It is seen that a large amount of discrimination could exist before being detected if a significant portion of the forms are not completed. Very little proof of discrimination would be possible if, for example, 40% of the prospective jurors did not complete the forms, since all that could be said of the population from which the sample was drawn is that it contained between 0% and 88.4% minority members.

The effects of a change in the distribution of the majority and minority members are most interesting. In cases where 90% is composed of majority and only 10% minority, the shift in confidence bounds due to this composition is readily apparent. There appears to be a reasonable chance of proving that discrimination exists if 100% information is available since all that is required is to show that the community actually contains either less than 4.4% or more than 19.2% minority. However, if only 80% information is available, the litigant must show that the community actually contains 42% minority before the court would rule that discrimination exists. Note that it would be impossible to show minority discrimination with 60% or less information since the litigant must show that the population consists of more than 50% minority.

In fact, provided that 100% information were available a litigant would have an excellent chance of proving discrimination if it exists. However, as the information available to the litigant decreases, the probability of proving discrimination rapidly decreases. A sample consisting of 60% majority and 40% minority, reveals that, in each case, the lower confidence limits approach 0% at the same point (60% complete information) and the upper confidence limits approach 100% at the same point (40% complete information). This comparison shows that as sample size increases the probability of proving discrimination greatly increases, but *only if high levels of information are available.*

Also, it can be seen that it is easier to prove discrimination when it exists if the court will accept proof of discrimination offered at a lower confidence level, however, similar to the case of larger sample size, this is true only at the higher known information levels.

Relative value

The illustrations in the previous section have shown the rapid decline in the ability of the litigant in proving discrimination when it may actually exist because of a lack of information. A measure of relative value of this information may be shown as follows:

If, 100% information has a known value in determining discrimination (shown to depend upon sample size and a confidence level established by the court).

And, less information allows more discrimination to exist before being detected.

Then, the value of any percent of complete information may be related to the value of 100% complete information.

Where the relative value of information is plotted versus the percentage of information received, the relative value of information may be plotted. Where an upper line is drawn to represent samples consisting of 50% "majority" and 50% "minority" group members with varying levels of response one may measure the theoretical best relative value that could be expected from a sample of 100. A lower line may be drawn to represent samples in which the percentage of minority approaches zero and is the worst case that could be encountered. All possible values of majority-minority distributions and all assumptions as to distribution of jurors completing these forms must lie between these two bounds. It is seen that the relative value of information necessary to prove discrimination decreases much more rapidly as amount of received information decreases from 100% information received, and that an extremely high level of complete information is necessary in order to prove discrimination. As an example, assume 80% information is received. That is, 20% of the jurors did not complete the voluntary portion of the forms. In the worst case, 80% information is only about 20% as useful as 100% complete information when attempting to prove discrimination. In the best case 80% information is only about 60% as useful as 100% complete information. Because the relative value of information declines very rapidly, a very high level of information, (95% complete information and greater), is necessary before a litigant can expect to have much success in proving discrimination when it actually exists. Therefore, unless a very high percentage of prospective jurors will voluntary provide the information relating to race, sex, economic status, etc., the primary aim of the Jury Selection Act to eliminate discrimination in the selection and service of jurors will be unenforceable unless the courts choose to apply very lenient statistical standards. Also, depending upon the characteristics of the population, a very high percentage of response will be necessary for the legislation to be enforced or tested as it will be extremely difficult to detect discrimination when it actually exists. It also will be extremely difficult for the chief judge of the Federal District Court to ensure compliance with the law. With only partial information available, he is no more able to detect discrimination than is the litigant.

IV. OTHER PROBLEM AREAS

Introduction

While studying the problem of proving or disproving discrimination in light of incomplete information as discussed earlier in this report, many other related problem areas were discovered. This section discusses these problems and shows how they relate to the jury selection procedure. Also the discussion of these other problem areas can be used as a basis for future studies in jury selection.

It was felt that although these problems are important and would make worthy subjects of study relating to jury selection, it must be kept in mind that to analyze these areas properly the need for complete (or nearly complete) information is essential. The value of acquiring this information is the most basic problem to evaluating jury selection procedures.

Source lists

The Jury Selection Act specifies that the lists from which prospective jurors are selected must be a fair representation of the community. The act further specifies that the source must be a list of registered voters or an actual voters' list and that it shall be supplemented if it does not adequately represent the community.

The Justice Department has studied the question of source lists and during Senate hearings on the Act has stated that voter registration lists are the best available source. However during the same hearings, it was admitted that up to 60% of the population are not on such lists. Because of this, and because voter lists become outdated quickly, since few states attempt to keep them current, the selection source has been a recurring area of discussion within the study group.

The Justice Department studies were not available to the study group, but it is believed that this problem should be studied in depth to arrive at a list, or a combination of lists that would be more representative of the current community.

The reason that the selection list is so important to the Jury Selection Act is that if the list does not fairly represent the community, the entire selection process will be open to challenge. Since information concerning the population characteristics of the list is unavailable in most states, a comparison of the qualified jury wheel and the community is the only possible comparison. If the list is not representative of the community, a random selection from such a list will show a bias as compared to the community, and the entire jury selection procedure will be opened to challenge.

Random selection versus fair representation

During a meeting with Dr. Vincent MacRae the merits of a random selection process as opposed to fair representation on juries was discussed. Because, in most communities, the percentage of Negroes is quite small, a random selection procedure may never produce a jury that would contain a majority of Negro members. It is also possible, through the use of preemptory challenges, legally to exclude Negroes from most of those juries since the number of Negroes appearing on the jury panels would almost always be less than the number of preemptory challenges. This problem would not arise in communities in which the minority group is 40% or even 30% of the community.

The problem of random selection versus fair representation is subjective in nature. The significance of this discussion is that even though there is some question raised as to the applicability of random procedures to jury selection, the need for information is obvious in either selection procedure. If a fair representation criterion were instituted, information would still be needed to police, implement, and enforce the proposed selection procedure.

Determination of a random selection process

There are many available processes for randomly selecting jurors. Random number generators can be used, or less sophisticated processes can be used, such as randomly selecting a starting point on the list and picking a name from that list at regular intervals.

The problem is not so much the designing of a particular process, but that the process itself be random in nature. If it is not random, the law will be open to challenge, and new juries will have to be selected, or verdicts may be overturned.

Filling of jury wheels

The law specifies that the jury wheel must be filled at regular intervals. The length of this interval is not specified, and may be as long as eight years, as in the Eastern District of Virginia. It is felt that in highly mobile areas the master jury wheel will become out of date during a time span of this length. The master jury wheel should be refilled at intervals that will keep it up to date so as to remain representative of the community. If this is not accomplished and the wheel becomes nonrepresentative, the selection procedure may be challenged on the basis that the list, and therefore the jury wheels, do not reflect the population composition of the community.

Responses to optional questions

The requirement to supply most of the information necessary to deal with the problem of discrimination is to be made optional. The need for this requirement to combat discrimination is shown clearly in the previous sections of this paper. Without relatively complete information it is very difficult to make statistically meaningful comparisons between the jury lists and the community. The question obviously arises as to the percentage of the population which will fill out the optional questions. If it is found that a high percentage, perhaps 95% or 99%, will fill out all the questions, no further steps need to be taken. However, if it is found that less than 95% of the prospective jurors will complete the form in its entirety, several alternative methods of obtaining the information may be necessary. The design of the form may be changed in such a way as to encourage the completion of the forms, or minority group members may be informed that it is to their benefit to complete all the questions, or completion of forms may be made mandatory.

Applications to other areas

The same basic problems addressed in the paper concerning the Jury Selection process are equally evident in any area where discrimination may exist, such as employment, housing, and education. Their solutions also involve the need for information, enforcement of laws, and implementation of policies.

Discrimination versus right of privacy

It has been pointed out to the study group that a demand for information such as race, creed, etc., may be an invasion of an individual's right of privacy. Be that as it may, it is conclusively shown in this paper that without such information, discrimination is almost impossible to prove. Therefore without information, discrimination can exist without discovery. A subjective analysis must therefore be made weighing the invasion of an individual's right to privacy against the possibility of discrimination.

Information and discrimination

During the House Committee hearings, it was inferred that the information on the juror qualification form regarding sex, race, color, religion, etc., should be optional rather than mandatory since a clerk of the court or a Jury Commission could use this information to discriminate in the selection of juries. If such an inference is based on fact, why should a Jury Commission request the information? Since the same information that permits a clerk of the court or Jury Commission to discriminate in the selection of jurors is also needed by a litigant to prove that he has been discriminated against, the question of which is more important must be explored. If the clerk of the court wants to discriminate in the selection process, he can do so with only partial information; however, except in extreme cases, a litigant requires virtually complete information in order to prove statistically that he has been discriminated against. The study group submits that a clever clerk of the court, intent upon discrimination, can do so by using only the required information (such as address which may imply race or economic condition); yet this same information cannot be used to prove discrimination because it is not perfect information. The Jury Selection Act, at present, tends to aid a court intent upon discrimination, since sufficient information will be available for discrimination to be practiced, yet the Act denies to anyone else the ability to prove that discrimination exists, since any amount less than 100% information severely degrades the capability to furnish statistical proof of discrimination.

Multiple minority groups

In developing the methodology used in this paper it was assumed that the community being analyzed contained only one minority group. In reality a community can, and often does, contain a number of minority groups. The methodology however, can be applied to a multi-minority situation. In this case, each minority group must be analyzed separately to determine whether or not the proper percentage of that minority group was included in the jury selection process. If a community does contain more than one minority group, it is likely that these groups, taken independently, are quite small in relation to the community. The discussion earlier on the value of information showed that the need for information is most critical for a minority group that is a small percentage of a community. Therefore when dealing with a community that does contain a number of small minority groups the need for complete information is underscored.

A litigant, when challenging the selection procedure may choose to combine several criteria, such as race and religion, to prove discrimination. If this is done, the effect is to make smaller the percentage of that combined group in the community than either of the separate groups taken independently. Because the need for information becomes greater when the percentage becomes smaller, the litigant thus adversely affects his chances for proving discrimination. For this reason it was not felt necessary to analyze the situation of combined criteria as it would be to the litigant's benefit to make separate and independent challenges based on each criterion with which he has an interest. That is, he should make separate challenges for *each* of race, religion, etc., without overlap.

Conclusion

The discussion above points out serious problem areas concerning the Jury Selection Act. Some of the problems are analytic in nature, some subjective, and some psychological. Each of these areas is worthy of more extensive analysis than that given here, and each could be made a study in itself.

The study group considered all these areas but concluded that the problem of showing the need and value of information was a prerequisite to the analytical solution of the other problems. The need for information is basic to addressing any of the above problem areas. This paper provides a basis from which other areas of interest may be studied and contributions may be made to questions concerning discrimination, freedom of individuals, and the right of privacy.

V. CONCLUSIONS

Findings

The major findings of this study are:

1. A high percentage of complete information on prospective jurors concerning race, sex, religion, etc., is necessary at the qualified jury wheel level in order to permit:

a. Compliance with the law by the Federal District Courts.

b. Enforcement of the law by the Executive Department.

c. Challenge of the law by litigants who suspect discrimination.

2. As minority groups become smaller relative to the percentage of the population or community, it becomes more difficult for their members to prove discrimination with less than 100 percent complete information.

3. Confidence intervals can be used to isolate areas of discrepancies, if bias does exist, as being a fault of:

a. Nonrandom selection techniques.

b. Nonrepresentative selection list.

Discussion

The measure of the relative value of incomplete information developed by the study shows conclusively that a high percentage of complete information is necessary before any meaningful statements can be made concerning the composition of the population or community from which a list of prospective jurors, such as a qualified jury wheel, is selected.

Information concerning prospective jurors is need at the qualified jury wheel level to aid the clerk of the court to comply with the law. If the source list from which the jury wheels are selected is not a fair representation of the community, the clerk of the court is required by law to supplement the source list to make it so. Information concerning the characteristics of the prospective jurors constituting the qualified jury wheel would provide the clerk of the court a tool which he could use to make meaningful and valid estimates concerning the composition of the source list. These estimates could then be compared to the composition of the community (it is assumed that the composition of the community is known), and the source list could then be supplemented if a substantial discrepancy between the juror list and the community became evident. Without information at the qualified jury wheel, such comparisons would be impossible. Therefore, the clerk of the court would be unable to ascertain the composition of the source list and unable to comply with the law.

For the same reasons as stated above, without complete information, it would be difficult if not impossible to enforce the law. The composition of the source list, the master jury wheel, and the qualified jury wheel would be in doubt. Since the lack of information at these levels negates the enforcement of the law, discrimination may be encouraged rather than discouraged. Persons could be striken from the jury wheels on the basis of address or name. Without the information necessary to uncover such procedures, a valid statistical proof of discrimination would be difficult.

Challenging the selection procedure and proving discrimination would be extremely difficult without complete information. With only partial information concerning the composition of the qualified jury wheel, only the most general statements can be made concerning the population from which the names on the wheel are selected. Since the proof of discrimination rests on the litigant, he must have at least all the *available* information to aid in the challenge. Also because of the severe time constraint on the litigant to initiate a challenge, a maximum of seven days, it would be impossible to conduct a personal survey to determine the composition of the qualified jury wheel without great expense and effort.

Once the need for information of the qualified jury wheel was established, a procedure was developed in this study to isolate the cause of bias (if it exists) in the jury selection procedure. The qualified jury wheel level is a sample from various other larger population levels, namely the master jury wheel, the voter registration list or selection list, and eventually the community. The qualified jury wheel is the first level in the jury selection process where complete information can be made available, and therefore inferences in this study concerning the composition of previous levels in the selection process had to be made back from the composition of the qualified jury wheel. To make these inferences, use was made of confidence intervals. The selection of a confidence level (C) will yield a probability of C that the constructed confidence interval will contain the true percentage of the minority group in the population from which the qualified jury wheel was chosen. If the percentage of the minority group does not fall within that interval, it can be stated that there is a probability of C that bias exists.

Once an occurrence of bias is observed, the confidence intervals can then aid in isolating the causes of the bias.

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A discrepancy between the community and the source list would indicate that the list is not representative of the community, that the selection list would need to be supplemented, and that a new selection of jury wheels should be initiated.

If no discrepancy is found between the community and the source list, however, and yet if a bias is observed, the random selection technique is in question. In this event, the area where this nonrandom selection occurred can also be isolated as being between the selection list and the master jury wheel and/or between the master jury wheel and the qualified jury wheel.

Once the cause and the area of bias are discovered, proper corrective actions can be taken. Because it is at the qualified jury wheel where the most valid data can be made available, all comparisons should be made at this level in the jury selection procedure.

VI. RECOMMENDATIONS

The evidence presented in this paper indicates that a high level of complete information concerning the composition of the qualified jury wheel is imperative before the legislation in the Jury Selection Act can become effective. The exact methodology of obtaining this information has not been studied in depth, but the least expensive, most easily implemented, and the most consistent method for obtaining complete information is to require that all items of information on the juror qualification form be completed. Therefore, to protect the public, it is recommended that all information on the juror qualification form be made mandatory.

Furthermore it is recommended that the confidence interval approach for establishing areas and causes of bias be used to determine if bias exists, and if it does, to be used to pinpoint areas where corrective action must be taken. No particular level of confidence is recommended, but it is felt that a 98% level is a reasonable value.

Mr. Speaker, in view of the foregoing report, I have prepared and am introducing today corrective legislation which will permit the objectives of the Federal jury selection system to be fulfilled. In other words, requiring the disclosure of information regarding race or color will make the system foolproof and establish beyond doubt that Federal juries in the future will be selected without regard to race or color.

As the report of the American University indicates, without this amendment, the utility of the Federal Jury Selection Act—Public Law 90–274—is greatly diminished to the point where its purposes could be completely frustrated by voluntarily withholding vital information touching upon the race, color, and other sensitive subjects of persons considered for jury service.

The graphs which appeared in the original report, are omitted from the above reproduction as required by the Rules of the House. The graphs may be examined by contacting me.

THE CHILD MILK PROGRAM IS A VERY WORTHY ONE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BIAGGI. Mr. Speaker, few things in life, if any, are as depressing as the knowledge that a child was deprived of something so basic as proper nutrition.

For that reason, it has given me great satisfaction and pleasure to support amendments set forth in H.R. 5554 which preserve the Federal milk program for children and increase the appropriation from $120 to $125 million. I am particularly heartened by the fact that H.R. 5554 permits this program to function indefinitely.

Nutritionists have long noted that children of school age need a minimum of 1 quart of milk per day to insure sufficient calcium intake. Available statistics show that this need is not always fulfilled—especially with respect to children from low-income families. The Federal milk program has made good progress toward correcting this deficiency.

A Department of Agriculture survey shows that in low-income areas the per capita intake of milk averaged nearly 4 ounces more for children attending special milk program schools than for those attending other schools. The 4-ounce average represented rural and urban areas combined. The difference between low-income schools under the special milk program and those not under the program was even greater.

But we are moving ahead. Since 1960, the number of children served has increased from 13 to 17 million. Each of the 50 States and the District of Columbia are participating in the program. Last year, this represented 88,042 schools and 6,380 child care institutions.

The special milk program is one of but a few governmental programs currently in existence which are able to reach a wide segment of our population. It is a very worthy and effective program and I hope that we continue to fund it in the future to whatever degree is necessary.

Our children are the men and women of tomorrow. When we take care of them, we are securing America's future.

MRS. KING AND THE HOSPITAL WORKERS OF CHARLESTON, S.C., DESERVE SUPPORT AND A JUST SETTLEMENT

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, the recent events in the streets of Charleston, S.C., serve to further underscore the need for continued progress in securing equal rights for all citizens of this country. The courage of the hospital workers and their supporters, under the courageous leadership of Mrs. Coretta Scott King, is inspiring because it shows us that the spirit of nonviolence and dedication to justice, which Dr. Martin Luther King stood for, can still be a viable and relevant force for social change, even in the violence-tinged times through which we are passing.

As a member of the California State Legislature, I worked with my colleagues in that body to establish fair labor practices for hospital workers who were in a predicament similar to that of the workers in Charleston. It is deeply disturbing to see that these conditions continue to exist in South Carolina. Governments and businesses which persist in holding an intransigent attitude toward legitimate demands by members of the labor force—whose working conditions and compensation are archaic and outdated—are likely to encounter increasing turmoil and disruption if there is no progress toward reform.

I support the efforts of the workers in Charleston to bring their labor conditions into the 20th century. I admire their restraint and courage in pursuing nonviolent and peaceful tactics to achieve their goals. These are the tactics which Dr. King and others used to bring about the greatest advances in civil rights history—progress made not at the expense of others' rights, damaged property, or the shedding of blood. Instead, this is the progress of public opinion, right against wrong and a public sense of justice. It is my hope that those involved on both sides of the confrontation in Charleston will continue to show not only restraint, but also a willingness to move forward to a fair and just settlement of the sensitive issues involved.

The days of management's exploitation of minorities in this country must be brought to a swift and final close. The rights of workers to bargain for fair and decent compensation and conditions have long since been established. For a State or institution to deny those rights to a small segment of the work force is no longer acceptible or justifiable. Let us hope that those with the authority and responsibility to correct the injustices in South Carolina will exercise that responsibility with an urgent sense of justice and fair play. The times we live in do not permit anything less.

THOSE INDOMITABLE POLES

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. PUCINSKI. Mr. Speaker, the other day we observed the 168th Polish Constitution Day, and we all paid tribute to the people of Poland and their strong defense of freedom.

Every so often we come across a historical vignette which shows that the Poles have not only fought for their own country's freedom, but have also fought bravely for the freedom of others.

I should like to call my colleagues' attention to one such vignette.

We all know that Generals Kosciuszko and Pulaski came to fight for freedom in the American Revolution.

Today, I should like to call my colleagues' attention to another son of Polish ancestry who was born in Greece and who made a great contribution toward that country's great struggle for freedom.

He was Constantine Smolenski—Smolenitz—Greek general, born in Athens, in **1842**, the son of **Leonidas** Smolenski, high Government official. Graduated from artillery school in Brussels, in 1869 completed military studies in France. As an officer he took part in the Franco-German War of 1870–71.

With the outbreak of the war in Turkey in 1896, he was given command of a brigade and proved himself a most worthy Greek general of leadership and skills in strategy. He gained widespread popularity and was promoted to the rank of a full general. In 1897 he was appointed Minister of War.

In 1898 he resigned from that office to seek election to the Parliament. Having lost this bid he retired to private life.

GRANT CONSOLIDATION

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mrs. DWYER. Mr. Speaker, I have today joined with the distinguished chairman of the Subcommittee on Intergovernmental Relations (Mr. FOUNTAIN) in introducing the administration's proposed Grant Consolidation Act of 1969.

I am pleased to announce that we have been joined as cosponsors of this important legislation by the distinguished minority leader (Mr. GERALD R. FORD), the gentleman from New York (Mr. HORTON), the gentleman from Illinois (Mr. ERLENBORN), the gentleman from Ohio (Mr. BROWN), the gentleman from Michigan (Mr. VANDER JAGT), the gentleman from California (Mr. MCCLOSKEY), the gentleman from New Jersey (Mr. WIDNALL), the gentleman from Florida (Mr. CRAMER), the gentleman from New York (Mr. HALPERN), and the gentleman from Delaware (Mr. ROTH).

This bill, Mr. Speaker, is designed to implement the recommendations of the President contained in his message to Congress last week. It would authorize the President to submit to Congress plans for the consolidation of certain Federal assistance programs under conditions similar to those governing the submission of plans for the reorganization of Federal departments and agencies.

The grant consolidation authority, therefore, would be closely complementary to the reorganization authority both in a procedural sense and in terms of their mutual objectives, the increased efficiency, effectiveness, and economy of Government operations. Similarly, grant consolidation is closely related to the Intergovernmental Cooperation Act of 1968 in that both are aimed at improving Federal-State-local relations by rationalizing the administration of Federal grant-in-aid-programs, simplifying procedures, eliminating redtape, and otherwise making it possible for State and local governments to make better use of Federal assistance, especially in hard-pressed urban areas.

The need for grant consolidation has become increasingly apparent in recent years with the vast proliferation of assistance programs. Variously estimated at from more than 400 to approximately 1,200 in number, these programs are marked by a host of different, and often conflicting, procedures, requirements, standards, and regulations. In addition, there is considerable duplication and overlapping of programs especially in such areas as education, job training, and sewage treatment.

As a consequence, Mr. Speaker, the whole system of Federal aid has become excessively confusing, time consuming, and costly, for all concerned. For States and localities in particular, it has become a jungle in which, ironically, the richest are best able to survive and succeed. Reform is overdue, and the Grant Consolidation Act can be a most useful vehicle for reform.

On the personal level, Mr. Speaker, I am especially pleased that President Nixon has given such a strong and persuasive endorsement to the idea of grant consolidation. First recommended as a result of extensive studies by the Advisory Commission on Intergovernmental Relations, on which I have the privilege of serving alongside our distinguished colleagues from North Carolina (Mr. FOUNTAIN) and Oregon (Mr. ULLMAN), a grant consolidation title was first introduced in the 90th Congress as a part of the Intergovernmental Cooperation Act. A revised version of this title was incorporated in the Intergovernmental Cooperation Act Amendments of 1969, which I cosponsored earlier this year, and the administration bill reflects further improvements.

I am confident that early enactment of the Grant Consolidation Act will equip the President and the Congress with a most valuable tool for shaping Federal assistance into a more useful and effective means of solving many of most urgent national problems.

As such, it will become, I hope, a key part of the achievement of what posterity will know as the "More for Your Money" Congress.

KATHLEEN KUBA WINS HAWAII'S LAW DAY ESSAY CONTEST

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. MATSUNAGA. Mr. Speaker, I would like to share with my colleagues the text of a winning essay written by a Castle High School senior, Kathleen Kuba. Miss Kuba's contribution, entitled "Involvement in Law: Your Responsibility to a Free Society," was adjudged the best in the 1969 Law Day essay contest held in Hawaii.

Commenting on this year's topic, Miss Kuba noted that "society must begin to listen to the criticism of youth seriously and then reevaluate its basic attitudes and assumptions." She also stated that if the indifference of the majority of apathetic students can be "stimulated to creative activism, and if this creative force, along with the fringe extremism, can be directed to function within the limits of the law, perhaps problems such as racial injustice can begin to be solved."

As a means of congratulating and commending Miss Kula, and in recognition of the constructive suggestions which our youth can offer in meeting present day adult problems if only we of the so-called establishment would pause in our predetermined activities to listen, I am pleased to submit for inclusion in the CONGRESSIONAL RECORD the text of Miss Kuba's thought-provoking essay which appeared in the Honolulu Star-Bulletin of May 1, 1969:

[From the Honolulu Star-Bulletin, May 1, 1969]

WINNING LAW DAY ESSAY NOTES STUDENT POWER DRIVE

(By Kathleen Kuba)[1]

In their quest for justice and equality, America's youth are questioning the causes of the ills and evils prevalent in society's attitudes, values, and goals. In their attempt to remedy these evils, the student activists have prompted the changing role of the university.

Until recently, this institution was considered an intellectual refuge from the conformity and ills of society.

Today, however, because the campus demonstrations exhibit more than the age-old rebelliousness of youth, and because the involved youths are greater in number and more vocal than ever before in American history, the university has become the primary impetus for social change.

In response to this changing role of the university, three courses of action have been presented.

For society, the Establishment, to accept change that might threaten its rigid security is extremely difficult. Thus, one of the responses society has displayed is repression of this dissension.

Through this action, however, society will be complying with the goals of those extremists who seek to destroy it. With backlash, a vicious cycle involving increasing animosities will be created.

Another response would be to ignore or resentfully tolerate student activism.

People with this attitude cynically believe that the years extinguish a person's fervor in righteousness and that when these students become middle-age citizens, they will be required to conform to and uphold society's values and goals.

By suppression or apathy, America will be losing the potential for building a freer stronger nation.

John D. Rockefeller III says, "There's a unique opportunity before us to bring together our age, experience, money, and organization with energy, idealism, and social consciousness of the young . . . We badly need their ability and fervor."

Thus expressed the third alternative is to simply become responsive to the energy of our youth.

They must be trusted and given the confidence to pursue their idealism even as the impediments of realism oppose them. Intellectual vitality is imperative in avoiding the perils of stagnation.

Students, then, must be insured civil liberties. But in exercising these rights, what are the limitations?

Henry David Thoreau, a 19th century essayist, has questioned the lawful extent of civil liberties.

If it is maintained that unjust laws do exist, shall we be content to obey them? Or, shall we endeavor to amend them and obey they until we have succeeded in changing them? Or, finally, shall we transgress them at once?

The majority of the youth today adhere to

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[1] Kathleen Kuba, a Castle High School senior, won the 1969 Law Day essay contest with her following contribution on "Involvement In Law: Your Responsibility to a Free Society."

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the first query. This apathetic or non-committal attitude stifles the potential enthusiasm, that, if positively channelled and directed, could begin to reform society's injustices.

The extremist fringes in the youth revolution are endeavoring to rectify society's imperfections by supporting the third alternative. But, disobeying laws, however unjust, is committing a greater evil, for it involves transgressing the general structure of law.

Civil disobedience, then, is not a civil liberty and thus carries with it an obligation to submit to the processes of law when it is invoked against one.

However, the majority of involved youths are attempting to channel their efforts through the legal framework of society. They are exercising their civil liberties by petitioning, picketing, and forming organizations to promote justice in our society.

But, this movement is sustained by only a minority of our youth, and a smaller percentage of our adults.

If the indifference of the apathetic students can be stimulated to creative activism, and if this constructive force, along with the fringe extremism, can be directed to function within the limits of the law, perhaps problems such as racial injustice can begin to be solved.

And, more importantly, society must begin to listen to the criticism of youth seriously and then re-evaluate its basic attitudes and assumptions.

Only in this way can our existing institutions of law be continually revitalized, and when this occurs, our values and goals will become more relevant to today's problems.

You can contribute to finding the solutions, or remain part of the problem. What is your decision?

MODEL CITIES: WITH BUILT-IN BROTHELS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. RARICK. Mr. Speaker, Mr. Romney, present Secretary of Housing and Urban Development, not only entertains revolutionary ideas for wasting taxpayers' money he has an interesting past which qualifies him most eminently for the Who's Who of Untouchables in the unelected leadership of our Government.

One wonders what President Nixon must tell his church friends about using tax dollars to rebuild model cities which includes planning for houses of prostitution.

But then, poverty excuses all.

Mr. Speaker, I submit Frank Capell's Herald of Freedom for April 18, "Don't Let George Do It," and Mr. Romney's autobiography from the "Congressional Directory" for inclusion in the RECORD, as follows:

[From the Herald of Freedom, Apr. 18, 1969]

DON'T LET GEORGE DO IT

George Romney, who rides to power on plans and organizations "for the good of the people" which turn out to be "for the good of George," has developed a new vehicle—the model cities program. As with the "compact car," the idea was originally someone else's but George plans to take advantage of it and reap the potential personal and political power it can produce.

On Saturday, April 5, 1969 "informed sources" leaked the fact that "Secretary of Housing George Romney is advocating expansion of the Model Cities program to include entire cities." An Associated Press dispatch from Washington, D.C. stated:

"Romney's proposals . . . could in time establish the program administered by his Department of Housing and Urban Development as the government's chief mechanism for the coordination and delivery of social services to all the nation's cities." On Monday, April 7th, the "Romney plan" was presented to President Nixon at a meeting of the Council on Urban Affairs at the White House. The N.Y. Times of April 8, 1968 stated:

"George Romney, Secretary of Housing and Urban Development, proposed today that the Nixon Administration make basic alterations in the Model Cities program. . . .

"Under the proposed plan, the states would be brought more into the planning and operation of Model Cities and the White House would see that departments and agencies other than housing would allocate more of their resources to Model Cities.

"The changes, which would require approval of the President and *considerable changes* (Emphasis ours—Ed.) in the laws by Congress, would have a far-reaching effect both on the Model Cities program and on the administration of domestic programs in towns and cities."

George Romney, the first Republican (?) to win the office of Governor of Michigan after long years of Democratic control, succeeded in his few short years in that office in nearly bankrupting the state. The N.Y. Times article concerning the "Model Cities" states that "some large city Mayors believe that already insufficient funds will only be dissipated if applied over broader areas" so we can see what an opportunity this gives George to help bankrupt the United States. Romney was reported by the "sources" as believing that the changes can be made without boosting anticipated spending for the program for which he anticipates seeking $1.3 billion for fiscal 1971. It would be interesting to see how he plans to expand a program without expanding expenses for it . . . someone is going to have to finance it. Romney, Nixon's rival for the Republican presidential nomination in 1968, has a record of disassociating himself with the Republican label in his home state where he turned the Republican Party into the Romney Party. He is another in the long list of unfortunate Nixon appointments which have dismayed conservative Americans.

George Wilcken Romney was born in Chihuahua, Mexico, on July 8, 1907, the son of Gaskell Romney and the former Anna Pratt. His family lived in a Mormon colony established by Mormons who fled from the United States when Congress outlawed polygamy in 1885. His grandfather had thirty children by four (some sources say five) wives. When George was five years old his family was driven from Mexico with other Americans by the revolutionary, Pancho Villa. When safely over the border in Texas, they were forced to live on government relief before moving to Los Angeles where George's father went in the contracting business. In 1921 a business recession brought financial reverses and the Romney family moved again—this time to Idaho—and finally settled in Utah.

George worked his way through the Latter Day Saints University High School from 1922 to 1926 and after graduation spent the next two years as a Mormon missionary in England and Scotland (1927 and 1928). In 1929 he returned to school briefly at the University of Utah and then went to Washington, D.C. (reportedly to be near his high school sweetheart and future wife, Lenore LaFount) where he worked as a typist in the office of Senator David I. Walsh, a Democrat from Massachusetts. (By the time his biography appeared in the 1966–67 edition of Who's Who the position had been upgraded to "tariff specialist.") During this period (1929–30) he also attended George Washington University.

In 1930 he became associated with the aluminum industry, going to work as an apprentice for the Aluminum Corporation of America in Pittsburgh, Pa. In 1931 they sent him to their Los Angeles office as a salesman and in 1932 Romney returned to Washington, D.C. as a lobbyist for ALCOA and the Aluminum Wares Association. He remained in this position until he left to work for the Automobile Manufacturers Association in 1939. While still the aluminum lobbyist, Romney was president of the Washington Trades Association Executives in 1937 and 1938.

Romney took up residence in Michigan when he became manager of the Detroit office of the Automobile Manufacturers Association in 1939. He was promoted and became general manager of the Automobile Manufacturers Association in 1942, remaining until 1948 when he accepted a position as special assistant to George Mason, chairman of Nash-Kelvinator. During the war years he was considered the chief spokesman for the automobile industry. Current Biography 1958 states: "He often appeared before Congressional committees to testify on war production methods, labor, and management in the auto industry. He helped to organize and became managing director of the Automotive Council for War Production in 1941 and helped to create the Automotive Committee for Air Defense. He was one of the organizers of the Detroit Victory Council and served as explorer-member of the labor-management committee of the War Manpower Commission for Detroit."

Romney joined Nash-Kelvinator in 1948 and became a vice president of the company in 1950, and executive vice president and director in 1953. In 1954 American Motors was formed from the merger of Nash-Kelvinator and Hudson. When George Mason died a few months later Romney succeeded him as chairman of the board and president in October, 1954, becoming general manager as well. He acquired fame and fortune through the success of the American Motors compact car, the Rambler. As of January 11, 1958 Business Week stated: "To auto industry observers too often tempted to believe that GM, Ford and Chrysler have a monopoly on brains, George Romney looks like the smartest or luckiest man in Detroit."

Another version appears in the book: "The Romney Riddle" by Gerald O. Plas:

"One of the most popular Romney myths is that he saved American Motors from certain destruction by first inventing the idea of a 'compact car' and then single-handedly changed the entire structure of automobile demand in America so that customers flocked to buy Ramblers. . . . It was George Mason who conceived the idea of the Rambler and put Nash-Kelvinator into the compact field."

The compact car boom lasted from 1958 to 1963, by which time Romney was out of the auto manufacturing business and into the Michigan governor's mansion. By 1966 American Motors was in trouble again and its problems were blamed by top executives on "bad judgment" on the part of "previous management." At the height of his success as a businessman, Romney trod the volunteer citizen route to a political future.

He began in 1959 by joining and eventually heading the Citizens Advisory Committee on School Needs in Detroit (where he did not live) after not having shown any interest in school needs in Bloomfield Hills (where he did live). After a successful stint with this group, Romney started his own "citizens group," called Citizens for Michigan whose purpose, according to Romney, was "to enable individuals to become better informed and to discuss and formulate recommendations on the State's needs." This group worked for the calling of a constitutional convention to rewrite Michigan's "outdated" constitution.

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In spite of much public protestation that he would not think of using his Citizens for Michigan as a springboard for public office, Romney considered running for U.S. Senate in 1960. He reconsidered, however, when members accused him of using the group merely to further his political ambitions . . . they could wait at least a little while longer. He was able to get more publicity as delegate to the Constitution Convention. He reluctantly had to identify himself as a Republican to run for the delegate position and fully expected to be elected president of the Convention. He settled for the position of one of the two vice presidents, however, at the urging of his sympathizers.

Before his election as a delegate, Romney was quoted as stating piously, "It would be reprehensible for a candidate to use the constitution convention as a base to further his political or personal ambitions." Four months later, with the work of the convention only half finished, Romney announced his candidacy for Governor of Michigan. "The Romney Riddle" states:

"During the course of the convention Romney's activities received as much publicity as the work of the whole convention itself, and both were usually mentioned together as if Romney was single-handedly writing the new basic document. As it appears from his statements, this is how Romney felt about it, too. . . . Throughout the Con-Con, Romney was continuously in the headlines as the self-appointed spokesman for the delegates."

The Richmond News Leader of October 25, 1962 commented on Romney's race for governor:

"Of the handful of gubernatorial campaigns attracting national attention, the strangest of all is the sick race being run in Michigan. If George Romney were not being boomed as an understudy for Nelson Rockefeller in the 1964 elections, the whole story could be written off as another chapter in the political and economic collapse of Michigan. But the Romney campaign is a good example of the so-called 'citizens' groups whose influence suggest a serious breakdown in the American system of opposing political parties . . . groups of 'citizens' began to call for Romney, who had rescued American Motors by introducing the compact car, to take over the GOP and lead it to victory. There was only one catch: No one knew whether Romney was a Republican or not. Romney refused to comment.

"There was little clue in Romney's record . . . His only political appointment had been as Truman's official delegate to the Stockholm and Geneva meetings of the International Labor Organization's Metal Trades Conference. As President of American Motors he attacked right-to-work laws and set up a controversial profit-sharing plan hailed by Walter Reuther . . .

"As a Republican candidate, Romney has published some highly unusual campaign literature: The word Republican cannot be found on it, nor are any other Republican candidates mentioned . . . He operates not from the Republican Party Headquarters, but from the Romney-for-Governor Headquarters."

Romney's close friend and fund raiser is Max M. Fisher, considered by many to be the most influential man in the United States. The April 12, 1962 issue of the Birmingham (Mich.) Eccentric stated:

"Max M. Fisher, who was the 1961 general chairman of the United Foundation Torch Drive in Metropolitan Detroit, will be the finance chairman of George Romney's campaign for Governor of Michigan.

"In announcing the appointment, Romney said, 'I am delighted that we will have the benefit of Mr. Fisher's skill and experience in our state-wide effort to develop broad citizen financial support as well as participation . . .'

"Fisher, 53, of 27751 Fairway Hills Drive, Farmington Township, is chairman of the board and president of Aurora Gasoline Co. with which he has been associated since its inception in 1933. He is also board chairman of Speedway Petroleum Corp. . . .

"Fisher has been president of the Jewish Welfare Federation in Detroit for the past four years . . . He also serves as a national chairman of the United Jewish Appeal."

In describing "The Men Around Romney," Detroit Free Press writer, Saul Friedman, states (April 27, 1967):

"As important to the Romney operation as any man in his employ is one who is not—Max Martin Fisher of Detroit, financier, oilman, philanthopist, and money raiser. One of Romney's closest friends, and finance chairman in his first campaign, Fisher heads the United Jewish Appeal, the nation's largest fund-raising organization, among many civic roles."

Fisher was also the subject of an article in The Detroit News Magazine of Feb. 23 by Avrum Schulzinger who states that Fisher first made his millions by taking control of the oil industry in Michigan:

"Now, when you count the pies into which this man's fingers probe, you can list blue chip stocks, real estate holdings, sports and theatrical adventures, excursions into insurance, politics and manufacturing—and your hands come up dripping oil. He sits on the boards of the Michigan Consolidated Gas Co. and Michigan Bell Telephone. He is Chairman of Fisher-New Center Co., a director of Safran Printing Co., Fruehauf Trucking Co. and Allen Industries. His real estate holdings include a partnership in the huge $150,000,000 Somerset Park apartment complex in Troy, Mich., as well as the Fisher theater chain."

The article describes Fisher as a fund-raiser and consultant to President Nixon as well as a supporter of the Negro revolution. He is quoted as stating: "The growth of the Black Power concept is healthy because there was no leadership for the Negro before." The Detroit Free Press of April 4, 1969 published Fisher's sentiments concerning the incident in which a policeman was killed and a skirmish between police and black militants ensued. After all but two of those arrested had been quickly released by Negro Judge George W. Crockett, Jr., who has a long Communist-front record, there was much criticism of the judge's action. The article in the Free Press states:

"Crockett Says He Acted Properly—Fisher Agrees . . . Recorder's Court Judge George W. Crockett Jr., angered over widespread criticism, Thursday defended his conduct in the Linwood incident as 'legal, proper and moral.'

"Only an hour earlier, New Detroit chairman Max M. Fisher spoke out in Judge Crockett's defense, praising his 'very good judgment' in freeing persons arrested in the Linwood incident."

The purpose of New Detroit, Inc., of which Fisher is chairman, is purportedly to get employment for the "inner-city" unemployed. However, Fisher is reportedly making money out of the situation by getting Detroit-based industries to move out from the core city into the suburbs and onto property owned by a company in which he is heavily interested.

Another pro-revolutionary friend of Romney is Saul Alinsky, if Alinsky's literature can be believed. A handbill announcing a lecture by Alinsky in Wisconsin in October, 1966 carries the following line at the bottom: "Saul Alinsky is a friend and informal consultant to Michigan's Governor George Romney."

Romney himself has been involved in an organization which might be considered revolutionary on a high level. This is the Council on World Tensions which carried Romney's name on its Board of Directors. The group was spawned at the UNESCO House in Paris in 1950 under the name of "World Brotherhood." It carries on "educational" activities with and for other left wing organizations such as the National Education Association and the Council on Foreign Relations. Among its financial supporters is the Ford Foundation; and among the others listed with Romney on its letterhead are Adlai Stevenson, Andrew Cordier, Paul Hoffman, Charles Percy and Ann Rosenberg Hoffman.

Romney is also a member of the Council on Foreign Relations (Detroit Committee), a life member of the NAACP and a past member of the Board of Directors of the National Conference of Christians and Jews. He was Chairman of the Detroit Round Table of Catholics, Jews and Protestants. He is a Mormon and president of the Detroit Stake of the Church of Jesus Christ of Latter-Day Saints. He was married on July 2, 1931 to Lenore LaFount, former stage and screen actress and they have four children: Lynn (now Mrs. Loren G. Keenan), Jane (now Mrs. Bruce H. Robinson), Scott and Willard Mitt.

Even before he entered the governor's mansion in Lansing after his 1962 election, Romney had his eye on the White House. Readers Digest published an article condensed from Newsweek of February 19, 1962 (Romney had only just announced his candidacy for governor Feb. 9th) under the heading "George Romney: Dark Horse, Off and Running," which stated:

"At rare intervals, there appears on the American political scene a figure who through indefinable alchemy becomes overnight a contender for the U.S. Presidency. In 1959 Romney was elected chairman of the Citizens for Michigan, whose members included Robert S. McNamara, then a vice president of Ford Motor Co. In the light of this experience in citizens' groups, it was hardly surprising that Romney's name should be brought into the 1962 gubernatorial race. Richard Nixon and Dwight Eisenhower encouraged him to run. Romney, said Eisenhower, would 'make an attractive candidate' in 1964. In 1964 the Republican Party might find it hard to resist Romney."

However, in 1964 the Republican Party resisted Romney quite well and chose as its candidate, Barry Goldwater. Romney ran for re-election as governor and completely disassociated himself with the other Republican candidates, especially Goldwater, whose views were never "clarified" sufficiently for Romney. Romney started early preparing for the 1968 Republican presidential nomination even quietly seeking the support of H. L. Hunt, a patriotic American, vilified as a "right-wing extremist." Mr. Hunt wrote: (Manchester Union Leader of February 15, 1968):

"The office staff of Governor Romney publicized about January 11 its burning of 400 of my books which I had donated to Governor Romney, suggesting the use of them in his state's rehabilitation movement as recommended by Rev. Earl Grandstaff, D.D., past president of the National Society of Prison Chaplains.

"About June 6, 1967, Governor Romney reached me long distance and outlined his philosophies to which I took no exception. He solicited my assistance in his campaign for the presidential nomination . . ."

Romney is not only a book-burner but a hater of "extremists" (of the right, that is). In November 1965 he was sued for $1 million by a member of the John Birch Society for making "slanderous" statements about the Society. A statement which caused the complaint allegedly was: "I have found that the John Birch Society, as an organization, uses methods of infiltration and subversion and tactics that we associate with other secret organizations, like the Communist Party." Romney continued with the suggestion that the Republican Party "repudiate" the John Birch Society. In 1959 Romney, speaking to an audience of 30,000 people, stated: "The word 'capitalism' should be even more repugnant to Americans than to Communists."

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On March 9, 1965 Romney led an illegal march of 10,000 in Detroit protesting "police brutality" in Selma, Ala.

After being re-elected governor in 1966, by a "landslide," Romney really thought he had it made as far as the presidency was concerned. Even Rockefeller was supposedly supporting a Romney-Javits ticket. But a funny thing happened—an off-the-cuff statement about having been "brainwashed" concerning Vietnam upset all the well-laid plans and Romney took himself out of the presidential race in February 1968. As it turned out, however, Rockefeller really wanted the nomination himself.

Personally Romney has been described as "a No. 1 egotist who runs roughshod over everyone," "a first-rate opportunist who talks out of all sides of his mouth," "extremely shallow . . . I think he would be dangerous in Washington because he can rationalize that an end justifies any means." Romney had been known for having a vicious temper but is reportedly "controlling it better but he has a hard time admitting he's wrong."

Romney is now in Washington where even an avowed liberal has said he would be "dangerous." President Nixon is handing him power and funds. Work is to start instantly on rebuilding riot-torn areas such as Detroit which need not have been "riot-torn" if Governor Romney had been able to keep law and order. Detroit's "Model City" program calls for legal houses of prostitution. We wonder what the "pious" Romney thinks of this! Will George be allowed to spend billions of dollars for model ghettoes with built-in brothels and wall-to-wall open housing? We say: Don't Let George Do It.

[From the "Congressional Directory"]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

George Wilcken Romney, Secretary of Housing and Urban Development, took office January 22, 1969; born July 8, 1907, in a Mormon colony in Chihuahua, Mexico, of American parents; while still a child, the family returned to the United States settling in California, later in Idaho and Utah; attended Roosevelt Junior High School, Latter-Day Saints High School, and Latter-Day Saints Junior College (1 year), Salt Lake City; became a Mormon missionary, served 2 years in England and Scotland; studied at University of Utah, 1929; worked in office of Senator David I. Walsh of Massachusetts, 1929–30; employed by Aluminum Company of America, 1930–36; while Alcoa's representative in Washington served for 2 years as president of Washington Trade Association Executives; director, Detroit office of the Automobile Manufacturers Association, 1939; managing director, Automotive Council for War Production, 1942; general manager, Automobile Manufacturers Association; member, United States employer delegation to the International Labor Organization, 1946–49; in 1948, joined Nash-Kelvinator Corp. as assistant to the president, became vice president, 1950, executive vice president, 1953; in 1954, with merger of Nash-Kelvinator Corp. and Hudson Motor Car Co. to form American Motors, became assistant to the president and executive vice president; on October 12, 1954, became president, general manager, and chairman of the board of American Motors; his involvement in public affairs began in Detroit over 20 years ago; member, Citizens Housing Planning Council, Detroit Victory Council; chairman, Detroit Citizens Advisory Committee on School Needs, 1956; spearheaded founding of Citizens of Michigan, 1959; Republican constitutional convention delegate, 1961; Governor of Michigan, January 1, 1963, until he became Secretary of Housing and Urban Development; over the years, active in many organizations, including: Detroit Tomorrow Committee, Detroit Trade Association, United Foundation, United Negro College Fund, Detroit Round Table of Christians and Jews, Boy Scouts, and Project Hope; received many awards and citations, including: Man of the Year in Industry Award from the Associated Press for 4 consecutive years, 1958–61; Man of the Year Award from the National Management Association; American Democratic Living Award from B'nai B'rith; Edward Lamb Management Award from Columbia University, and Charles Evans Hughes Award for Courageous Leadership in Governmental Service from National Conference of Christians and Jews; honorary degrees from a score of universities; honorary fellow of Israel's Bar-Ilan University, 1965; married Lenore LaFount, July 2, 1931; four children: Scott, Willard M., Lynn (Mrs. Loren Keenan), and Jane (Mrs. Bruce Robinson); the Romneys have 12 grandchildren.

TRIBUTE TO ASA PHILIP RANDOLPH

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. SCHEUER. Mr. Speaker, among the men who have most influenced the course of U.S. social and political history is Asa Philip Randolph, who celebrates his 80th birthday this month. As president of the International Brotherhood of Sleeping Car Porters, vice president of the AFL–CIO, and leader of the black people, he has gained for his race substantial victories in their struggle for political and economic freedom.

A champion of the cause of civil rights, a leader of organized labor, an advisor to Presidents, and a dedicated, self-sacrificing man, A. Philip Randolph has been the recipient of many honors and awards, including the highest civilian honor the President of the United States can bestow, the Presidential Medal of Freedom. A White House statement issued at the time of that award noted that Mr. Randolph "for many years has been in the vanguard of his people's fight against discrimination in industry, in organized labor, and in the Armed Forces."

On this 80th anniversary of his birth, I should like to join in honoring a great man, whose selfless motives, noble actions, and dedicated leadership have contributed so much to his country and to his people.

MISSION TO THE MIDDLE EAST

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. KING. Mr. Speaker, our Nation has traditionally responded to emergencies and has provided disaster relief abroad without political concession or excess involvement in the internal affairs of the recipient nations. Disaster relief, essentially, is humanitarian and should remain so.

With this tradition in mind, it is always encouraging to learn of organizations who are likewise concerned with starvation throughout the world and who are doing everything humanly possible to provide whatever assistance is necessary to stem the tide of famine and promote the survival of our fellowman.

An article which appeared in the April 26 issue of the magazine America entitled "Mission to the Middle East," by Vincent S. Kearney, has been called to my attention and I wish to share it with my colleagues. The Pontifical Mission for Palestine under the capable direction of Msgr. John G. Nolan of the Albany, N.Y., diocese, has devoted more than 19 years to the cause of human betterment in the Middle East. In terms of the spectacular, the work of the Pontifical Mission for Palestine cannot match the Biafra relief effort. Since its existence, however, the Mission has funneled more than $100 million in relief to the Middle East.

I am pleased to call Mr. Kearney's article to the attention of my colleagues.

MISSION TO THE MIDDLE EAST

(By Vincent S. Kearney, associate editor of America)

Meeting Constantin C. Vlachopoulos has been one of those unforgettable experiences. As executive director of the Pontifical Mission for Palestine, he was on hand to greet my Ahtalia jet as it touched down at Beirut International Airport during the late evening of last February 13. Just two weeks previously that same airstrip had been turned into a flaming beacon visible for miles around as a result of the Israeli reprisal raid that had made burned-out wreckage of 13 Arab airliners. The people of Beirut had not yet quite recovered from the shock of being so suddenly and realistically plunged into the midst of the Arab-Israel quarrel.

The weary American traveler who arrived in the Middle East at that particular point of heightened tensions and aroused anti-U.S. feelings could be pardoned a few apprehensions. What sort of welcome was in store? I soon discovered however, that fears were groundless. For Constantin C. Vlachopoulos, who creates the immediate impression that he knows everyone in the Middle East worth knowing, steered me through immigration and customs not only without unsavory incident, but with a bit of fanfare to boot.

In the ensuing five weeks, wonder at the executive director of the Pontifical Mission was to grow. A former UN employee, he had worked for 14 years as public information officer of the UN Relief and Works Agency (UNRWA), the arms of the world organization that has sought since 1948 to cushion the impact of war, of displacement and, in many instances, of economic ruin on one and a half million people in the Middle East the refugee victims of two decades of Arab-Israeli conflict. The humanitarian objectives of UNRWA had become so much a part of his life that on his retirement from UNRWA he was easy prey for Msgr. John G. Nolan, of the Albany (N.Y.) Diocese, the dynamic director of the Pontifical Mission for Palestine, who directs its relief work from the New York office of the Catholic Near East Welfare Association (CNEWA) at 330 Madison Ave.

The Pontifical Mission was to earn several extra, not insignificant, dividends from the hiring of Constantin C. Vlachopoulos. As the name suggests, he is a Greek Orthodox, who has received the highest honors his Church can confer on a layman. His presence on the staff of the mission has made of its work a genuinely ecumenical venture. Born in the Middle East, moreover, he knows the area, its peoples, its way of life and the inner workings of its politics, an important qualification even for such an apolitical organization as a Catholic voluntary relief agency.

Beirut and my meeting Constantin C. Vlachopoulos, was the first stop on a five-week reporting assignment to cover the work of the Pontifical Mission in the Middle East. In terms of the glamorous and the spectacular, I was to discover, the mission's various programs are no match for the efforts of similar relief agencies that have been engaged for months in the crash program to cut down deaths from starvation in beleaguered Biafra. There is no comparison between landing at Beirut in a posh Alitalia-Caravelle and hitching a risky night flight into Biafra on a chartered cargo plane.

On the other hand, though the Pontifical Mission has settled down to a certain permanence in the Middle East and become part of the scenery. Its work is no less dramatic than the frantic efforts to snatch the children of Biafra from the edge of starvation. Its achievements in alleviating some of the misery that mark 54 Arab refugee camps throughout the Middle East is a response to the same human need.

To comprehend fully the circumstances in which the Pontifical Mission goes about its work, one might best review the refugee situation in the broader context of UNRWA. For the mission—and the other voluntary agencies that co-operate with the UN—supplements the work of the world organizations by providing what UNRWA, in a given instance, may lack the means to provide. In the disruption and chaos that followed on the war of June, 1967, for example (an occasion on which Msgr. Nolan also experienced the perils of chartered cargo flights into a war zone), the Pontifical Mission was able to lift some of the burden off an already groaning UN budget by channeling $4.25 million worth of emergency relief supplies to newly stricken refugees. Sent by Catholic relief sources around the world, tons of food, clothing, blankets, tents, mess kits, cooking stoves, medical supplies, antibiotics and vitamins were pouring in even before the hostilities had ceased.

Besides being on hand for such emergencies, the mission has for two decades been probing into the hidden, and very often just as critical needs of a people made destitute by war, occupation and economic collapse. Perhaps its greatest asset in responding to human need is the flexibility of its approach to the problem.

As defined by the United Nations, a Palestinian refugee is technically one "whose normal residence was Palestine for a minimum period of two years immediately preceding the outbreak of the [Arab-Israeli] conflict of 1948 and who, as a result of that conflict, has lost both his home and his means of livelihood." He has settled in one of four "host" countries—Lebanon, Syria, Jordan, and that portion of Palestine known as the Gaza Strip which, until the June, 1967, war, had been under Egyptian administration.

According to U.N. reckoning, there are 1.5 million such persons registered on the U.N.'s rolls. (This figure includes the additional refugees who fled Palestine in June, 1967.) Contrary to popular assumption, less than half have remained so totally dependent on international charity since 1948 that they actually dwell today in UNRWA camps. Contrary to another popular assumption, only a little more than half actually depend on UNRWA's bread line, the supplementary food rations, the UN agency doles out once a month.

Indeed, so much mythology has grown up around, and beclouded judgment of, the refugee situation that it is difficult to decide where to begin the demythologizing process. At its worst, 20 years of propaganda have pictured the Arab refugee as a ne'er-do-well, unwilling to help himself and passively content to exist on a dole. As a matter of fact, if the average refugee had to subsist on the dollar per man per month the UN contributes to his daily diet the refugee problem would have resolved itself in drastic fashion long ago. The 1,500 calories a day (1,600 in the winter months) UNRWA provides might constitute an excellent reducing diet for overweight American matrons. It will not do a permanent fare. Distributed once a month, the rations consist of 22 pounds of flour, 1.3 pounds of sugar and pulses (dried beans, peas, lentils, etc.), 1.1 pounds of rice and 13 ounces of edible oils and fats—hardly a balanced diet, even if it were adequate.

More than is generally recognized, the refugee has over the years manifested a determination to help himself. While traveling through southern Lebanon, for example, I passed mile after mile of orange groves along each side of the picturesque coastal road from Saida (the Sidon of Scripture) down to the Palestinian frontier. These groves were nonexistent before 1948. The region blooms today under the expert hands of Palestinian Arab citrus cultivators from the UNRWA camps at Rashidich, Burjel-Shamati, el Buss, etc.

Unfortunately, like so many of the jobs the refugee is likely to find outside the camps, agriculture in one of the host countries, for reasons I shall discuss later, provides at the most seasonal, temporary employment. It normally does not give the refugee the opportunity to cut himself loose from at least partial dependence on UNRWA. Refugees, it is true, have over the years been able to strike out on their own and move into the towns. But those so fortunate have been mainly of the middle class, who already possessed the professional and occupational skills that enabled them to fit into an urban environment and adjust to a new life.

UNRWA's ultimate objective, as I soon came to realize is not to apply Band aids. It is to create a new generation with new skills. The UN agency has deliberately refused to be tied to a soup-kitchen mentality. The three big items on its budget are education, health and the basic staff costs required to keep the agency functioning. While a ceiling on the amount of money expended on food rations has remained fairly constant over the years—with the result that one-third of the refugee children in Jordan who qualify for the UN's supplementary rations do not get them—the cost of UNRWA's various educational programs has skyrocketed. All refugee children receive an elementary education. Those who satisfactorily complete the elementary course move on to three years of preparatory training. A limited number, selected on the basis of need and merit, are given the opportunity to advance further through grants to government and private schools in the host countries. UNRWA also offers university scholarships to the more gifted.

But it is in the area of vocational training that UNRWA is convinced it has discovered the key to unlock the door to a new life for the average Arab refugee youth. The UN staffs ten vocational-training institutions in the host countries. To cite the statistics for one year alone, 1966 saw 1,650 vocational-training graduates. 275 of whom continued for another year of on-the-job industrial training in foreign countries—Sweden, Switzerland, West Germany, France and the United Arab Republic.

Thus, over the past 15 years (the technical-training program got out of the planning stage in 1953) UNRWA has been turning out young men and women in impressive numbers who are equipped with the skills that will help them to fit into a still developing technological society. Young men are trained in the building, electrical and mechanical trades and for such semi-professional and commercial occupations as architectural and engineering draftsman, assistant pharmacist, laboratory technician, land surveyor, etc. Girls are trained in the secretarial and clerical fields, dressmaking, home and institutional management and home economics teaching. Graduates of these vocational training institutions can now be found throughout the Arab world, especially in the oil-producing Persian Gulf states, where there is always a need for craftsmen.

The success of this program of UNRWA logically suggests the question that goes to the core of the political problem in the Middle East. If progress toward self-sufficiency has been so promising, is not the problem itself of the Arab refugee capable of self-resolution? Why has it persisted for two decades?

According to Dr. John H. Davis, who, as former commissioner general of UNRWA, has lived with the problem as few others have, it always has been, and remains today, capable of gradual solution. But how gradual? For every two thousand or so young men and women who are acquiring the skills to enable them to cut themselves loose from the degrading conditions of the camps, another 35,000 to 40,000 yearly swell the UNRWA rolls. This is the rate of natural increase each year among the Palestinian refugees.

(In an ironic sense, UNRWA has been its own and the refugees' worst enemy. The excellent health service that UNRWA provides, which constitutes the second most important feature of its program, has maintained the infant mortality rate in the camps at a level comparable to that of any underdeveloped country. For 20 years, moreover, despite every reasonable expectation to the contrary, despite the crowded and very often miserable conditions in the camps and despite the problem of providing adequate drinking water and sanitation facilities, UNRWA has never had an epidemic on its hands. By keeping the refugees alive and in relatively good health, UNRWA has also kept the problem alive.)

This natural increase of the refugee population by a half million since 1948 is perhaps the most frustrating aspect of the problem of the Palestinian Arab. For it has rendered almost impossible his total absorption into the economies of neighboring Arab countries. Roughly 70 per cent of the original refugees were agricultural workers with no other means of livelihood. Their misfortune befell them in an era when most under-industrialized countries suffer from a glut of farm workers. The Middle East where cultivable land is at a premium and where young people generally come of age three times faster than they are needed to replace their parents on the farm—is no exception. The farm itself is usually too small to support a family of eight or ten, or to employ modern agricultural equipment effectively.

The misfortune of the father—his inability to find work suitable to his occupational background—has been visited on the son. In a culture in which 95 per cent of the youth has traditionally learned its work habits by toiling alongside their parents, many of the young men in the UNRWA camps have been condemned to idleness. Few, moreover, are able to compete with the youth of the host country, who themselves are moving cityward in increasing numbers because of the lack of opportunity in rural areas.

The situation in the Gaza Strip is an extreme example of the plight of the Palestinian refugee. The Strip is a narrow finger of land, 25 miles long and between four and six miles wide. Located on the Mediterranean coast, it is bounded on the north and east by Israel and on the south by the now occupied area of Sinai. Of the Strip's 87,000 acres, only 42,500 are cultivable. About half its land area is either desert or sand dunes.

Previous to 1948, Gaza, with its population of 80,000 people, was economically integrated with the rest of Palestine. Its people made a respectable living from agriculture, weaving, pottery and other handicrafts. Many worked outside the Strip. Near Beersheba, which is now in Israel, they grew wheat and barley, which was then loaded onto ships off Gaza or delivered by rail to Haifa and Jaffa. The town of Gaza itself was a key administrative and marketing center.

Today Gaza is for all practical purposes isolated from the rest of the world. It has seen its original population swell to 430,000, of whom 70 per cent are refugees. Of these, only 20,000 are classified by UNRWA as self-supporting.

In another sense, practically everyone living in the Strip is a refugee. The surplus labor supply and the lack of opportunity for work have had devastating economic consequences even for the original 80,000 inhabitants of this tiny spit of sand. With wages at a fraction of their previous level, many have become "economic refugees," people whose sources of income have all but vanished. Ineligible for UNRWA assistance, they are in many instances worse off than the actual refugee.

UNRWA, it may be concluded, is not yet in a position to write a happy ending to its mandate, despite the encouraging results of many of its programs. It is even possible that in the coming months the UN agency may be forced to cut back certain of those programs. Its budget has been laboring under a $4-million deficit, only half of which it has been able to make up from one source or another. Faced with a crucial financial problem and fully conscious that its potential is limited, UNRWA has come to a new realization of the value of such voluntary agencies as the Pontifical Mission for Palestine, which has worked for 19 years in the Middle East in close co-operation with the UN.

The Pontifical Mission for Palestine is perhaps best described as the Palestine-refugee arm of that older organization known as the Catholic Near East Welfare Association. CNEWA grew out of the concern of the Church for the Armenian refugees, who poured into Greece during the years immediately following World War I and for the Russian Catholic exiles who experienced a similar fate during the same era. The association was founded to coordinate the fund-raising activites of the Church on behalf of both these groups of displaced persons.

The first president of CNEWA was the late Edmund A. Walsh, S.J., who had headed the papal relief mission to Russia in 1922–23. By 1931, the organization had become the official fund-raising organ for the Sacred Congregation for the Oriental Churches. In that capacity, its influence stretches today as far east as India, where it finances seminary training and the construction of churches and village chapels.

The outbreak of hostilities in Palestine in 1948 and the subsequent displacement of some 800,000 Palestinians put new demands on CNEWA. Through the efforts of Msgr. Thomas J. McMahon, then national secretary of CNEWA, relief work for the Palestinian refugees was co-ordinated in the following year under the Pontifical Mission for Palestine.

The creation of the Pontifical Mission has had several far-reaching effects. The fact that it works in close co-operation with other voluntary agencies, as well as with UNRWA, has removed much of the sectarian competitiveness out of relief work in the Middle East. With its stress on field work and the need for field-work personnel, the mission has put a new complexion on CNEWA, which up to 1949 had been strictly a fund-raising instrument. Lastly, with the creation of the Pontifical Mission, Catholic relief in the Middle East was responding for the first time to the needs of a people who were for the most part non-Christian. (In fact, in his lighter moments, the Christian Arab has been heard to refer to the organization as the "Pontifical Mission for Muslims.")

In the 19 years of its existence, the mission has funneled more than $100 million in relief to the Middle East. Except for rare instances, when a crash program to provide the bare necessities of life may be indicated by circumstances, it, like UNRWA, shuns the bread-line approach to human need.

The mission was on hand to carry out a house-repair project in the Bab Hutta district of Old Jerusalem in order to insure that the homes damaged during the June, 1967, war would be able to withstand the winter. During the winter of 1967–68 personnel of the mission prepared and served more than 5,000 hot meals a day for needy Arab children in and around Jerusalem. It is frequently called upon, besides, to act as a social service agency investigating appeals for aid and distributing funds on behalf of other organizations or of donors who wish to remain anonymous.

The personnel of the mission, however, would insist that this type of aid does not really represent the basic philosophy behind the approach of the Pontifical Mission to social welfare in the disturbed conditions that prevail in today's Middle East. That philosophy was perhaps best expressed by Carol Hunneybun, who, with Helen Breen (both members of the Grail) works out of the Pontifical Mission office in Jerusalem under the youthful-looking, energetic Msgr. Edward C. Foster, of the Burlington (Vt.) Diocese, resident assistant in Beirut of Msgr. Nolan. "It is better to plant an apple tree, than to distribute apples," she remarked to me one day. Giving a child an education, in other words, is a far better gift than handing him a dole.

Hence, like UNRWA, the Pontifical Mission early recognized the importance of education in its approach to the problem of the Arab refugee. It has constructed two elementary schools in two of the largest camps in Jordan—Baqa'a and Jerash—where children, predominantly Muslims, are being given a head start toward a new life. In two Christian camps outside Beirut—Jisr el Bacha and Dbayhc—the Pontifical Mission administers two elementary schools and a secondary institution.

The Pontifical Mission also recognizes the value of vocational training. It provides scholarships for needy boys at the Salesian Technical School in Bethlehem, an institution that compares favorably with any one of UNRWA's technical-training centers. It operates a school for the blind in the Gaza Strip, whose personnel, both teachers and students, are Muslim. Despite the high incidence in the Middle East of trachoma, a disease that often ends up in loss of sight, no such school had existed, until, in 1962, UNRWA turned to the Pontifical Mission for help. The mission responded, provided the buildings and continues to contribute financially on a yearly basis, while UNRWA has assumed the administrative responsibility.

Similar financial assistance made possible the new school for deaf-mute boys of Fr. Ronald Roberts, which nestles alongside a Lebanese mountain village a half hour's drive from Beirut. Outside Bethlehem, an orphanage for 54 girls owes its continued existence to the financial aid of the Pontifical Mission.

The tradition of Christian service in the Holy Land and the surrounding countries is well established. Hospitals and clinics, usually among the first concerns of welfare organizations, have long been in existence. The institutions are run by religions who are themselves Arabs and who are therefore accepted as part of the landscape. Their presence cuts down on the construction and administrative costs the Pontifical Mission would doubtless have been called upon to share.

The mission contribution to the health needs of the poor consists, therefore, mainly in such projects as the endowment of beds in an already existing hospital. The mission, moreover, is constantly looking for new ways to provide additional health care. The feasibility of financing a mobile clinic, staffed by a volunteer doctor and nurse, either from the United States or from the area of the Middle East itself, is now under consideration.

In the long-range view, it is not easy to pinpoint the most meaningful contribution made by UNRWA and such voluntary agencies as the Pontifical Mission is the cause of human betterment in the Middle East. The fact is unchallengable, however, that they have made life a little easier and brought some hope of a better future for a people whose lives might overwise have been made intolerable by war and the inequities that often trail in the wake of international politics. Doing that, they may well have made a greater contribution to an eventual peace—perhaps even a reconciliation—in the Middle East than they themselves would dare dream.

A. PHILIP RANDOLPH

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mrs. DWYER. Mr. Speaker, it is a special pleasure to join with many of our colleagues in extending congratulations to Mr. A. Philip Randolph, the distinguished president emeritus of the Brotherhood of Sleeping Car Porters, on the occasion of his 80th birthday, an occasion which will be marked tonight at a testimonial dinner at the Waldorf Astoria Hotel in New York City.

In extending congratulations, we also have a valuable opportunity to honor Mr. Randolph for his many and vital contributions to the well-being of our country. This great American has labored long and fruitfully, tirelessly and selflessly, for what is good for America. His achievements in extending and strengthening democracy in the labor movement, especially his successful fight to win recognition for his union; his role in desegregating the armed services; his influence in the establishment of the World War II Fair Employment Practices Commission; and his leadership of the 1963 March on Washington for jobs and freedom—all have been major milestones in the history of a Nation learning to live in freedom and brotherhood.

A. Philip Randolph deserves our tribute. But, more, he deserves our unremitting support of a lifetime of dedication to the ideals of equal rights and equal opportunity. He has shown the way to all of us, black and white alike, the way of commitment, of responsibility, of determination to make right prevail.

WORLD POPULATION GROWTH PROBLEMS: ANALYSIS AND RECOMMENDATIONS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BROWN of California. Mr. Speaker, at the beginning of the 19th century, the English philosopher-economist Thomas Malthus published his classic "Essay on the Principle of Population" which said that unchecked breeding of

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man causes population to grow by geometrical progression whereas the food supply only increases by an arithmetrical progression.

Malthus' theory noted that real wages could not go much above subsistence levels because any rise in well-being would lead to growth in the supply of workers; whenever wages fell below subsistence, the surplus supply of workers would be reduced through death. Malthus was an undue pessimist, and his theories led economics to be termed "the dismal science."

Although most of Malthus' more negative theories have been disproved over time, his observations regarding population and wage levels do hold relevance for the many millions of persons who live in poverty throughout the world.

One result of economic development is better health services for low-income families. And, as health conditions improve, death rates drop, and there is the tendency for population growth rates to shoot up very quickly. Any increase in population causes new demands to be made of whatever resources are available, and since the most dramatic health benefits usually come in the lowest age brackets, new demands are not offset by increases in the labor supply.

All nations—rich and poor—pay the price of rapid population growth. Poorer countries find themselves more strapped to allocate their sparse and expensive resources, while richer nations tend to aim development assistance more at immediate problems rather than dealing with investments for longer term growth.

The population bulge already ranks as perhaps the most important long-run problem now faced by man. Action should be undertaken at once to establish programs to cut into the high population growth rates found in so many poor nations.

Early this year, the report of the President's Committee on Population and Family Planning outlined a number of steps which this country should take over the next few years. The President's Committee proposed, and I strongly endorse these recommendations:

First. That the United States continue to expand its programs of international assistance in population and family planning as rapidly as funds can be properly allocated by the United States and effectively utilized by recipient countries and agencies;

Second. That in establishing priorities for its international assistance programs in population, the United States should relate family planning to maternal and child health programs wherever appropriate but also recognize that family planning efforts can be successfully conducted in their own right;

Third. That consideration be given to appropriate communications techniques, including television and other mass media, as possible methods for breaking through the barriers of illiteracy and misinformation;

Fourth. That special attention be given to research, development, and operational projects on the administrative aspects of family planning programs;

Fifth. That where appropriate, U.S. assistance in population matters continue to be channeled through qualified nongovernmental organizations and multilateral agencies;

Sixth. That international assistance programs should be funded for periods of at least 2 years and projected for at least 5 years;

Seventh. That an advisory committee of experts from outside the Government should be appointed to meet at regular intervals with governmental officials concerned with population programs to review and advise on major policies and programs; and

Eighth. That experienced specialists from other countries be invited to serve on advisory groups for both our domestic and international programs.

I believe that special emphasis must be placed on the multilateral international agency as the key action agency for family planning programs. Last week, Robert S. McNamara, President of the World Bank, delivered a perceptive and provoking address on the worldwide population problem to the students and faculty at the University of Notre Dame. I urge each Member to give careful attention to the points that Mr. McNamara makes in his speech, which I now place in the RECORD at this point:

ADDRESS TO THE UNIVERSITY OF NOTRE DAME

(By Robert S. McNamara, President, World Bank Group)

I am grateful for this award, and pleased to become an honorary alumnus of Notre Dame.

This university, over the years has become a catalytic center of creative thought. It does what universities do best: it probes. It probes the past for what is most relevant to the present. It probes the present for what is most formative of the future. And it probes the future for what will most enlarge man's freedom and fulfillment.

I want to discuss with you this afternoon a problem that arose out of that recent past; that already plagues man in the present; and that will diminsh, if not destroy, much of his future—should he fail to face up to it, and solve it.

It is, by half a dozen criteria, the most delicate and difficult issue of our era—perhaps of any era in history. It is overlaid with emotion. It is controversial. It is subtle. Above all, it is immeasurably complex.

It is the tangled problem of excessive population growth.

It is not merely a problem, it is a paradox.

It is at one and the same time an issue that is intimately private—and yet inescapably public.

It is an issue characterized by reticence and circumspection—and yet in desperate need of realism and candor.

It is an issue intolerant of government pressure—and yet endangered by government procrastination.

It is an issue, finally, that is so hypersensitive—giving rise to such diverse opinion—that there is an understandable tendency simply to avoid argument, turn one's attention to less complicated matters, and hope that the problem will somehow disappear.

But the problem will not disappear.

What may disappear is the opportunity to find a solution that is rational and humane.

If we wait too long, that option will be overtaken by events.

We cannot afford that. For if there is anything certain about the population explosion, it is that if it is not dealt with reasonably, it will in fact explode: explode in suffering, explode in violence, explode in inhumanity.

All of us are, of course, concerned about this.

You, here at Notre Dame, have been giving constructive attention to this concern for several years. And yet it may seem strange that I should speak at a center of Catholic thought on this awkward issue which might so conveniently be ignored, or left to demographers to argue.

I have chosen to discuss the problem because my responsibilities as President of the World Bank compel me to be candid about the blunt facts affecting the prospects for global development.

The bluntest fact of all is that the need for development is desperate.

One-third of mankind today lives in an environment of relative abundance.

But two-thirds of mankind—more than two billion individuals—remain entrapped in a cruel web of circumstances that severely limits their right to the necessities of life. They have not yet been able to achieve the transition to self-sustaining economic growth. They are caught in the grip of hunger and malnutrition; high illiteracy; inadequate education; shrinking opportunity; and corrosive poverty.

The gap between the rich and poor nations is no longer merely a gap. It is a chasm. On one side are nations of the West that enjoy per capita incomes in the $3,000 range. On the other are nations in Asia and Africa that struggle to surivve on per capita incomes of less than $100.

What is important to understand is that this is not a static situation. The misery of the underdeveloped world is today a dynamic misery, continuously broadened and deepened by a population growth that is totally unprecedented in history.

This is why the problem of population is an inseparable part of the larger, overall problem of development.

There are some who speak as if simply having fewer people in the world is some sort of intrinsic value in and of itself. Clearly, it is not.

But when human life is degraded by the plague of poverty, and that poverty is transmitted to future generations by too rapid a growth in population, then one with responsibilities in the field of development has no alternative but to deal with that issue.

To put it simply: the greatest single obstacle to the economic and social advancement of the majority of the peoples in the underdeveloped world is rampant population growth.

Having said that, let me make one point unmistakably clear: the solution of the population problem is in no way a substitute for the more traditional forms of developmental assistance: aid for economic infrastructure; aid for agriculture; aid for industrialization; aid for education; aid for technological advance.

The underdeveloped world needs investment capital for a whole gamut of productive projects. But nothing would be more unwise than to allow these projects to fail because they are finally overwhelmed by a tidal wave of population.

Surely, then, it is appropriate that we should attempt to unravel the complexities that so confuse this critical issue.

II

One can begin with the stark demographic dimensions. The dynamics are deceivingly simple. Population increase is simply the excess of births over deaths. For most of man's history the two have been in relative equilibrium. Only in the last century have they become seriously unbalanced.

Though the figures are well known, they are worth repeating—if for no other reason than to forestall the familiarity with unpleasant facts from cloaking itself with complacency. It required sixteen hundred years to double the world population of 250 million, as it stood in the first century A.D. Today, the more than three billion on earth will double in 35 years time, and the world's population will then be increasing at the rate of an additional billion every eight years.

To project the totals beyond the year 2000 becomes so demanding on the imagination as to make the statistics almost incomprehensible.

A child born today, living on into his seventies, would know a world of 15 billion. His grandson would share the planet with 60 billion.

In six and a half centuries from now—the same insignificant period of time separating us from the poet Dante—there would be one human being standing on every square foot of land on earth: a fantasy of horror that even the *Inferno* could not match.

Such projections are, of course, unreal. They will not come to pass because events will not permit them to come to pass.

Of that we can be certain.

What is not so certain is precisely what those events will be. They can only be: mass starvation; political chaos; or population planning.

Whatever may happen after the year 2000, what is occurring right now is enough to jolt one into action.

India, for example, is adding a million people a month to its population—and this in spite of the oldest family-planning program in Southeast Asia.

The Philippines currently has a population of 37 million. There is no authorized government family-planning program. At the present rate of growth, these limited islands—in a brief 35 years—would have to support over one hundred million human beings.

The average population growth of the world at large is 2%. Many underdeveloped countries are burdened with a rate of 3½% or more. A population growing at 1% doubles itself in 70 years; at 2% it doubles in 35 years; at 3½% it doubles in only 20 years.

Now, if we are to reject mass starvation and political chaos as solutions to this explosive situation, then there are clearly only three conceivable ways in which a nation can deliberately *plan* to diminish its rate of population growth: to increase the death rate; to step up the migration rate; or to reduce the birth rate.

No one is in favor of the first choice. On the contrary, under the impact of public health programs, death rates are falling throughout the underdeveloped areas. Even simple medical improvements—better sanitation, malaria suppression, widespread vaccination—bring on a rapid and welcome decline in mortality. The low-level death rates which Europe required a century and a half to achieve are now being accomplished in the emerging areas in a fifth of that time.

The second choice is wholly inadequate. Increased migration, on any scale significant enough to be decisive, is simply not practical. Countries concerned about their own future crowding are understandably disinclined to add to it by accepting more than a limited number of foreigners. But the more important point is that the continually expanding increment, on a global basis, is already so massive that migration as a solution to population pressure is manifestly unrealistic. We can put a man on the moon. But we cannot migrate by the millions off our own planet.

That leaves the third choice: a humane and rational reduction of the birth rate.

Is it feasible? It is.

Is it simple? It is not.

Is it necessary? Without question.

It is necessary because the consequences of continuing the present population growth rates are unacceptable.

III

Let us examine those consequences.

One cannot sense the inner significance of the cold, remote, impersonal demographic data by merely tracing a line upward on a graph, or by scanning the print-out from a computer.

The consequences of rapid population growth—piled on top of an already oppressive poverty—must be grasped in all their concrete, painful reality.

The first consequence can be seen in the gaunt faces of hungry men.

One half of humanity is hungering at this very moment. There is less food per person on the planet today than there was 30 years ago in the midst of worldwide depression.

Thousands of human beings will die today—as they die every day—of that hunger. They will either simply starve to death, or they will die because their diet is so inadequate that it cannot protect them from some easily preventable disease.

Most of those thousands of individuals—individuals whose intrinsic right to a decent life is as great as yours or mine—are children. They are not mere statistics. They are human beings. And they are dying; now, at this very moment; while we are speaking.

They are not your children. Or my children. But they are someone's children. And they are dying needlessly.

And yet the thousands who die are perhaps the more fortunate ones. For millions of other children, suffering the same malnutrition, do not die. They live languidly on—stunted in their bodies, and crippled in their minds.

The human brain reaches 90% of its normal structural development in the first four years of life. We now know that during that critical period of growth, the brain is highly vulnerable to nutritional deficiencies: deficiencies that can cause as much as 25% impairment of normal mental ability. Even a deterioration of 10% is sufficient to cause a serious handicap to productive life.

This is irreversible brain damage.

What is particularly tragic in all of this is that when such mentally deprived children reach adulthood, they are likely to repeat the whole depressing sequence in their own families. They perpetuate mental deficiency, not through genetic inheritance; but simply because as parents they are ill-equipped mentally to understand, and hence to avoid the very nutritional deprivations in their own children that they themselves suffered.

Thus hunger and malnutrition forge a chain of conditions that only spiral the total human performance dismally downward. Alertness, vitality, energy, the ability to learn, the desire to succeed, the will to exert an effort—all these inestimable human qualities drain away.

How many children today are caught up in this crisis? How many of them subsist at levels of hunger and malnutrition that risk their being irreversibly mentally retarded for the rest of their lives? Some three hundred million.

But the population explosion's corrosive effects on the quality of life do not end with hunger. They range through the whole spectrum of human deprivation. With entire national populations, already caught up in the dilemmas of development, now doubling in as short a time as 20 years, there is a chronic insufficiency of virtually every necessity.

Current birth rates throughout the emerging world are seriously crippling developmental efforts. It is imperative to understand why. The intractable reason is that these governments must divert an inordinately high proportion of their limited national savings away from productive investment simply in order to maintain the current low level of existence.

Each additional child brought into the world must not only be fed, but clothed, housed, medically cared for, and supported by at least minimal educational services. All of this requires new capital—new capital that cannot be invested in other desperately needed sectors of the economy. For approximately the first 15 years of their lives, children cannot contribute economically to the nation: simply because they are young they are consumers rather than producers.

If the number of children in the total population—as a result of high birth rates—is very large, a nation is under the compelling necessity to expend ever greater resources simply to keep its people from slipping beneath minimum subsistence levels. A treadmill economy tends to emerge in which the total national effort will exhaust itself in running faster and faster merely to stand still.

More and more classrooms must be built; more and more teachers must be provided; more and more vocational training facilities must be established. But despite all this effort both the quantity and quality of education will inevitably decline. It simply cannot keep pace with the mounting waves of children. Thus, one of the prime movers of all human development—education—is sacrificed.

Further, as ill-educated, perhaps wholly illiterate, children reach the age when they ought to become producers in the economy, they are engulfed by the hopelessness of underemployment. In many of the world's shanty towns 50 to 60% of the adolescents are out of work.

Not only are these youngsters unequipped for the jobs that might have been available, but the total number of meaningful jobs itself tends to decline in proportion to the population simply because the government has been unable to invest adequately in job-producing enterprises. The capital that ought to have been invested was simply not available. It was dissipated by the ever rising tide of additional children.

This, then, is the cruel and self-perpetuating dilemma that governments face in underdeveloped countries overburdened for long periods with high birth rates.

Their plans for progress evaporate into massive efforts merely to maintain the status quo.

But what is true at the national level is repeated with even greater poignancy on the personal family level. Millions of individual families wish to avoid unwanted pregnancies.

And when these families cannot find legal and compassionate assistance in this matter, they often turn to desperate and illegal measures.

Statistics suggest that abortion is one of the world's most commonly chosen methods to limit fertility—despite the fact that in most societies it is ethically offensive, illegal, expensive, and medically hazardous.

In five countries of western Europe, it is estimated that there are as many illegal abortions as live births.

In India, the estimate is that each month a quarter of a million women undergo illegal abortion.

In Latin America, illegal abortion rates are among the highest in the world. In one country, they are said to total three times the live birth rate; in another, to be the cause of two out of every five deaths of pregnant women. Further, there are indications that the illegal abortion rate in Latin America is increasing, and that multiple illegal abortions among mothers are becoming common.

The tragic truth is that illegal abortion is endemic in many parts of the world. And it is particularly prevalent in those areas where there is no adequate, organized family-planning assistance.

The conclusion is clear: where the public authorities will not assist parents to avoid unwanted births, the parents will often take matters into their own hands—at whatever cost to conscience or health.

IV

Now I have noted that this entire question of population planning is incredibly complex. There are, of course, certain precise and painful moral dilemmas. But quite apart from these, there is a vague and murky mythology that befogs the issue. Not only does this collection of myths obscure the essentials of the problem, but worse still, it builds barriers to constructive action.

I should like to turn now to that mythology, and examine some of its more irrational premises.

There is, to begin with, the generalized assumption that somehow "more people means more wealth." As with all fallacies, there is a deceptive substratum of plausibility to the thesis. With the earlier rise of nationalism in the West—and the more recent emergence of newly independent countries in Asia and Africa—rapid population growth has often been regarded as a symbol of national vigor. It provided, so it was believed, the foundations of a more powerful military establishment; an economically advantageous internal market; a pool of cheap labor; and, in general, a prestigious political place in the sun.

But in the underdeveloped world, nearly every one of these assumptions is false. Because rapid population growth tends seriously to retard growth in per capita income, the developing nation soon discovers that its economic vigor is diminished rather than enhanced by the phenomenon of high fertility. The hoped-for internal market becomes a mere mass of discontented indigents, without purchasing power but with all the frustrations of potential consumers whose expectations cannot be met.

"Cheap labor" in such countries turns out not to be cheap at all. For sound economic growth requires technological improvements, and these in turn demand higher levels of training than the strained government resources can supply. Though individual workers may be paid lower salaries than their counterparts abroad, their efficiency and productiveness are so low that the nation's goods are often priced out of the competitive export market. The "cheap" labor turns out to be excessively expensive labor.

Even the argument of expanding the population in order to provide a powerful military force is suspect—not merely because the expansion of one nation's forces will, in time, lead to a reactive expansion of its neighbors' forces, but also because modern defense forces require an increasing ratio of educated recruits rather than mere masses of illiterate troops.

As for political prestige, nations caught in the catastrophe of an uncontrolled population growth do not enhance their position in the family of nations. On the contrary, they find it slipping away as their once optimistic plans for progress turn inevitably to the politics of confrontation and extremism.

Akin to the myth that "more people means more wealth" is the notion that countries with large tracts of uninhabited open land have no need to worry about birth rates, since there is ample room for expansion.

The argument is as shallow as it is misleading. For the patent fact is that mere open land does not, in and of itself, support a high rate of population growth. Such open land—if it is to become the home of large numbers of people—must be provided with a whole panoply of heavy government investments: investments in roads, housing, sanitation, agricultural and industrial development.

The sound economic argument is quite the other way round. What such raw space requires first is not surplus people, but surplus funds for investment. And it is precisely surplus people in a developing economy that make the accumulation of surplus funds so incredibly difficult.

What is equally overlooked is that a rational restraint on fertility rates in an emerging country never implies an absolute reduction of the total population. It simply hopes for a more reasonable balance between birth and death rates. And since death rates in the future are certain to drop with continued advances in medicine—and in highly underdeveloped countries the drop in the death rate is characteristically precipitous—there are no grounds whatever for fearing that a nation's population, under the influence of family planning, will dangerously ebb away. The danger is quite the opposite: that even with family planning—should it be inadequately utilized—the population will proliferate in the future to self-defeating levels.

A still more prevalent myth is the misapprehension that official programs of family planning in a developing country are wholly unnecessary since the very process of development itself automatically leads to lowered birth rates. The experience of Europe is cited as persuasive proof of this theory.

But the proof is no proof at all, for the theory is hopelessly irrevelant to today's conditions in the underdeveloped world. There are no comparable circumstances between what happened in Europe's early period of modernization, and what is happening in the emerging world today.

Aside from a lapse of logic which fails to grasp that the current population growth in these areas inhibits the very economic development which is supposed to curb that growth, the historical fact is that conditions in Europe during its initial developmental period were far more favorable to lower rates of population growth. The birth rates were much lower than they are in the underdeveloped world today, the death rates had not yet drastically fallen, and by the time public health measures had accomplished that, the infrastructure of industralization was already in place.

Further, in nineteenth century Europe, unlike in the developing countries today, marriages were entered into later, and the level of literacy—always an important factor affecting population growth—was considerably higher.

Even in spite of all these advantages, it required some 70 years for Europe to reduce its birth rates to present levels. Today the average birth rate for developing countries is 40 to 45 per 1000 of population. To get this rate down to the 17 to 20 per 1000 that is common in contemporary Europe would require a reduction in the developing world of some 50 million births a year. To suppose that economic advancement by itself—without the assistance of well organized family planning—could accomplish this in any feasible time-frame of the future is wholly naive.

Indeed, even with family planning, no such promising results are feasible in less than two or three decades. What is feasible—indeed what is imperative—is the establishment of family planning on a scale that will stave off total economic and political disintegration in those countries where social progress is being seriously limited by the glut of unwanted births.

No government can, of course, ultimately succeed in convincing its own population to undertake family planning, if parents themselves do not really want it.

But the almost universal fact is that parents do want it. They often want it far more then their own political leaders comprehend.

People—particularly poor, ill-educated people—may not understand the techniques of family planning. Most of them have only the most tenuous understanding of human biology. Often their limited comprehension is tragically confused by gross misinformation.

But the notion that family-planning programs are sinister, coercive plots to force poor people into something they really do not want, is absurd.

The pervasive prevalence of voluntary illegal abortion should be enough to dispel that fiction.

The poor do not always know how to limit their families in less drastic and dangerous ways, but there is overwhelming evidence that they would like to know how.

Another serious misunderstanding is the fear that family planning in the developing world would inevitably lead to a breakdown of familial moral fiber—and that it would encourage parents to limit the number of their children for essentially frivolous and selfish reasons: that it would trade the responsibility of having a large number of children for the opportunity of acquiring the needless gadgetry of an advancing consumer economy.

But one stroll through the slums of any major city in the developing world is enough to dispel that concept. If anything is threatening the fiber of family life it is the degrading conditions of subsistence survival that one finds in the sprawling camps of packing crates and scrap metal. Children on the streets instead of in non-existent classrooms. Broken men—their pride shattered—without work. Despondent mothers—often unmarried—unable to cope with exhaustion because of annual pregnancies. And all of this in a frustrating environment of misery and hunger and hopelessness. These are not the conditions that promote an ethically fibered family life.

Family planning is not designed to destroy families. On the contrary, it is designed to save them.

All of us accept the principle that in a free society, the parents themselves must ultimately decide the size of their own family. We would regard it as an intolerable invasion of the family's rights for the State to use coercive measures to implement population policy. We can preserve that right best by assisting families to understand how they can best make that decision for themselves.

The fact is that millions of children are born without their parents desiring that it happen. Hence, a free, rational choice for an additional child is not made in these cases. If we are to keep the right of decision in the hands of the family—where it clearly belongs—then we must give the family the knowledge and assistance it requires to exercise that right.

Nor need anyone be deterred from appropriate action by the pernicious, if pervasive, myth that the white western world's assistance in family planning efforts among the non-white nations of the developing areas is a surreptitious plot to keep the whites in a racial ascendancy. The myth is absurd on purely demographic grounds, as well as on many others. Non-white peoples on the planet massively outnumber whites. They always have and always will. No conceivable degree of family planning could possibly alter that mathematical fact.

But a more relevant answer is that if the white world actually did desire to plot against the non-white nations, one of the most effective ways possible to do so would be for the whites to deny these nations any assistance whatever in family planning. For the progressive future of the non-white world is directly related to their indigenous economic development—and that, in turn, as we have seen, is dependent upon their being able to bring birth rates down to a level that will allow a significant increase in per capita income.

V

There is one more myth that obstructs the road to action. It is the belief that the time for decisive action is past, and that sweeping famine is inevitable.

The distinguished British scientist and novelist, C. P. Snow, has recently noted that it is the view of men of sober judgment that "many millions of people in the poor countries are going to starve to death before our eyes."

"We shall see them doing so," he adds, "upon our television sets."

He stresses that when the collision between food and population takes place, "at best, this will mean local famines to begin with. At worst, the local famines will spread into a sea of hunger. The usual date predicted for the beginning of the local famines is 1975–80."

In summing up his own view, he suggests that "The major catastrophe will happen before the end of the century. We shall, in the rich countries, be surrounded by a sea of famine, involving hundreds of millions of human beings."

"The increase of population," he predicts, "all over the rich world may get a little less. In the poor world it won't, except in one or two pockets. Despite local successes, as in India, the food-population collision will duly occur. The attempts to prevent it, or meliorate it, will be too feeble. Famine will take charge in many countries. It may become, by the end of the period, endemic famine. There will be suffering and desperation on a scale as yet unknown."

Now, though Lord Snow is a brilliant and perceptive man of good will, I simply do not believe that one need feel quite so near despair—even in the face of a situation as ominous as this one.

Wholesale famine is not inevitable. I am convinced that there is time to reverse the situation, if we will but use it. Only barely sufficient time. But time nevertheless.

It is the time which has been given us by those who have created the revolution in agricultural technology: a revolution based on new seeds, hybrid strains, fertilizers, and the intensified use of natural resources.

It is a revolution which already has increased the yields of food grains by more than 100% in parts of Southeast Asia, and which promises to boost yields by one-half ton per acre throughout Asia. It is a revolution which has expanded the number of acres sown with the new seeds from 200 in 1965 to 20,000,000 in 1968—and an estimated 34,000,000 in 1969—but which has yet to touch more than a small percentage of the rice and wheat-producing acreage of the world.

If we will but speed the spread of this agricultural revolution—by adequate and properly administered technical and financial assistance to the developing countries—we can expect that for the next two decades the world's food supply will grow at a faster rate than its population.

The predicted spectre of famine can be averted.

It will take immense energy and organizing skill, and significant infusions of new capital investment—but it is possible to stave off disaster.

What is required to accomplish this is not so much a psychologically comforting optimism, as an energetic, creative realism.

I believe enough of that realism exists among men of good will—both in the developed and in the emerging world—to do the job.

This is the fundamental reason I do not share Lord Snow's degree of discouragement.

There is no point whatever in being naively over-optimistic about a situation as full of peril as the population problem.

But I am confident that application of the new technology will dramatically expand the rate of agricultural growth and will buy two decades of time—admittedly the barest minimum of time—required to cope with the population explosion, and reduce it to manageable proportions.

VI

How can this best be done?

To begin with, the developed nations must give every measure of support they possibly can to those countries which have already established family-planning programs. Many have. The governments of India, Pakistan, Korea, Taiwan, Hong Kong, and Singapore have established both policies and specific targets for reducing population growth rates and have shown some measurable progress.

Ceylon, Malaysia, Turkey, Tunisia, the United Arab Republic, Morocco, Kenya, Mauritius, Chile, Honduras, Barbados, and Jamaica are giving government support to family-planning programs, but need substantial technical or financial assistance before any significant reduction in birth rates can occur.

Some 20 other governments are considering family-planning programs.

In other countries, where governments are only dimly aware of the dangers of the population problem—but would like, nevertheless, to ponder the matter—the developed nations can quietly assist by helping with the demographic and social studies that will reveal the facts and thus point up the urgency of the issue, and the disadvantages of delay.

It is essential, of course, to recognise the right of a given country to handle its population problem in its own way. But handle it, it must.

The developed nations can point out the demographic facts; can explain the economic realities; can warn of the consequences of procrastination. They can—and should—inform. They should not—and cannot—pressure.

Technologically advanced countries can make one of their greatest contributions by initiating a new order of intensity in research into reproductive biology. They have starved their research facilities of funds in this field. The result is that we are still only on the threshold of understanding the complexities of conception, and therefore only at the outer edge of the necessary knowledge to help make family planning in the developing countries beneficial on a meaningful scale.

Annual worldwide expenditures for research in reproductive biology now total roughly 50 million dollars. The hardheaded estimate is that the sum should treble to 150 million dollars annually—for the next ten years—if we are to develop the knowledge necessary for the most effective and acceptable kinds of family planning.

Our parsimony in this matter in the United States is illustrated by the discouraging fact that out of a total budget of nearly one billion dollars, the National Institutes of Health this year are spending less than ten million dollars for research in population-related phenomena. Hundreds of millions of dollars for death control. Scarcely 1% of that amount for fertility control.

And research efforts should range far beyond biology.

Demography, as a fully developed science, remains in its infancy. It is likely that fewer than half the world's births are even registered. And while the crude estimates of birth rates almost inevitably turn out to be too low, it is essential that more precise data be developed in those areas where the population problem is the most acute.

Similarly, there is a pressing need for far more research in the socio-cultural aspects of family planning. There is manifestly a great deal more to population planning than merely birth control. Attitudes, motivation, preferences differ from country to country, and this essential research can clearly best be conducted locally. The developed nations should be generous in their financial support for such studies and surveys.

Above all else, there is a need to develop a realistic sense of urgency in all countries over the population problem.

Programs are beginning to show progress in limited areas. But no reduction in birth rates has yet been achieved anywhere in the underdeveloped areas which can significantly affect overall world population totals.

This means that family planning is going to have to be undertaken on a humane but massive scale. Other massive efforts in our century—for example, in the field of public health—have been mounted and have been successful. And granted all the difficulties, there is no insuperable reason this one cannot be.

The threat of unmanageable population pressures is very much like the threat of nuclear war.

Both threats are undervalued. Both threats are misunderstood.

Both threats can—and will—have catastrophic consequences unless they are dealt with rapidly and rationally.

The threat of violence is intertwined with the threat of undue population growth. It is clear that population pressures in the underdeveloped societies can lead to economic tensions, and political turbulence: stresses in the body politic which in the end can bring on conflicts among nations.

Such violence must not be allowed to happen.

You and I—and all of us—share the responsibility of taking those actions necessary to assure that it will not happen.

There is no point in despair.

There is every point simply in getting busy with the job. That is surely what God gave us our reason and our will for: to get on with the tasks which must be done.

I do not have to convince you of that here at Notre Dame.

You, and the Roman Catholic Church at large, are completely dedicated to the goal of development. One has only to read the Second Vatican Council's *Pastoral Constitution on the Church in the Modern World*, and Pope Paul's *Populorum Progressio* to understand that. Both these impressive documents call for a solution to the population problem as it relates to development. Such controversy as remains in this matter is merely about the means, not at all about the end.

I am confident that you in this university, and those in the Catholic community that reaches out around the globe, and the fatherly and compassionate Pontiff who stands at your helm—as well as men everywhere of whatever religious allegiance—I am confident that all of us are dedicated to that end however much we may disagree on the specifics of the means.

The end desired by the Church—and by all men of good will—is the enhancement of human dignity. That, after all, is what development is all about.

And human dignity is severely threatened by the population explosion—more severely, more completely, more certainly threatened than it has been by any catastrophe the world has yet endured.

There is time—just barely time—to escape that threat.

We can, and we must, act.

What we must comprehend is this: the population problem *will* be solved one way or the other. Our only fundamental option is whether it is to be solved rationally and humanely—or irrationally and inhumanely. Are we to solve it by famine? Are we to solve it by riot, by insurrection, by the violence that desperately starving men can be driven to? Are we to solve it by wars of expansion and aggression? Or are we to solve it rationally, humanely—in accord with man's dignity?

There is so little time left to make the decision. To make no decision would be to make the worst decision of all. For to ignore this problem is only to make certain that nature will take catastrophic revenge on our indecisiveness.

Providence has placed you and me—and all of us—at that fulcrum-point in history where a rational, responsible, moral solution to the population problem must be found.

You and I—and all of us—share the responsibility, to find and apply that solution.

If we shirk that responsibility, we will have committed the crime.

But it will be those who come after us who will pay the undeserved . . . and the unspeakable . . . penalties.

XUM

MISSOURI, CENTER OF AMERICA'S TRANSPORTATION SYSTEM, OBSERVES NATIONAL TRANSPORTATION WEEK

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mrs. SULLIVAN. Mr. Speaker, National Transportation Week, May 11 to 17, 1969, provides an appropriate opportunity for us to look back on the vital role of the transportation industry in enabling this country to expand, to consolidate its expansion within our present borders, and to defend this country in time of national emergency or all-out war. It is also an appropriate time to look forward to the new challenges this industry will face. As a member of the Joint Committee on Defense Production, I am deeply aware of the importance of our transportation industry—land, sea, and air—in moving the hundreds of billions of dollars worth of goods which Americans produce, sell, consume, export, and import. Unfortunately, we usually wait for some periodic interruption of service in some branch of our transportation system before becoming conscious of our grave dependence upon it.

National Transportation Week is being observed initially in St. Louis at a luncheon meeting Monday, May 12, of the Traffic Club of St. Louis, Inc., of which Mr. Frank Kintz of the Famous Barr Co., is president. The chairman of the St. Louis National Transportation Week observance is Mr. Donald Eloff of the Santa Fe Railway Co.

Mr. Ben Pucci, of the St. Louis office of the Lee Way Motor Freight Co., of Oklahoma City, Missouri State chairman of National Transportation Week, points out that no industry is more vital to the economic welfare of the people of Missouri than transportation. He declared:

> Missouri has prospered largely because of its superior network of highway, rail, air, pipeline and waterway transportation facilities. All communities in Missouri, from metropolitan areas to the smallest farm centers, share equally in the good things of life because of the unparalleled transportation system serving people everywhere.

ST. LOUIS—GATEWAY TO THE WEST

Mr. Speaker, as a representative of the city of St. Louis in the Congress of the United States, I am deeply proud of the role of my city as gateway to the West and also, I think we can say, as portal to the East, to the North, and to the South. Through St. Louis flows a steady movement of goods of all kinds, to destinations throughout the country and the world. Here are joined the eastern and western railway systems, the Missouri and Mississippi waterway traffic, our vast system of pipelines, one of the greatest accumulations of motor carriers in the world, as well as one of the busiest airports.

I am pleased to note the pledge of our Missouri transportation industry, as expressed by its leaders, that Missouri, which has a proud record in the development of all forms of transportation "will expand its transportation leadership as the economy of the State and of the Nation continues to grow."

Mr. Speaker, I am happy to salute the men and women who make up our vast transportation system on the occasion of National Transportation Week, May 11 to 17, and National Defense Transportation Day, Friday, May 16.

THE SELECT COMMITTEE TO STUDY CRIME IN THE UNITED STATES

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BIAGGI. Mr. Speaker, aware, as we all are, of the continuing responsibility of Congress to enact legislation which protects society from criminal conduct, the Congress still lacks a regular and independent source of information on criminal matters. For this reason, I was extremely gratified when on Thursday, May 1, my colleagues recognized an urgent need, under these circumstances, and voted, overwhelmingly, to create a select committee to study crime in the United States.

This committee has been charged with the task of investigating and studying the broad range of criminal activity in the United States. It will focus on the causes, extent, detection, and prevention of crime. It will also collect, prepare, and disseminate statistics on crime, so that we may all be aware of the actual impact of crime on the country.

The passage of House Resolution 17 has particular significance to me as a cosponsor of the bill. My own experience as a law enforcement officer has impressed upon me the need for concerted action on the part of individual citizens as well as the U.S. Congress to aid the police in their effort to combat crime.

Divided as this Nation may be on many of the important issues of the day, there is one subject which we are all of the same mind—one subject upon which we all agree, rich and poor, black and white. This is the necessity of finding immediate solutions to the tragic problem of crime which is destroying the very fabric of our American society.

The American public is plagued by the fear of crime and by a crime rate that is increasing almost nine times more rapidly than our population. Evidence of a fear that is paralyzing the Nation is clearly demonstrated in the findings of a recent survey. This survey in high-crime areas of two major cities showed that 43 percent of those interviewed stayed off the streets at night; 35 percent did not speak to strangers; 21 percent used only cabs and cars at night, and 20 percent wanted to move to another neighborhood because of fear.

Why so much fear? Here is why: Serious crime in the United States increased 17 percent in 1968 when compared with 1967 according to the most recent FBI statistics. FBI Director J. Edgar Hoover said that all serious crimes increased substantially in volume. Crimes of violence were up 19 percent, led by robbery up 29 percent, murder and forcible rape up 14 percent each, and aggravated assault up 12 percent. The crimes against property rose by 17 percent as a group. Individually, larceny $50 and over in value rose 21 percent, auto theft up 18 percent, and burglary was up 13 percent.

Hand in hand with these figures goes the increasingly threatening problem of drug addiction. The consequences of drug addiction for a city like Washington, D.C., are alarming. Dr. Murray Grant, District Health Director, estimates that the average addict has a $50-a-day habit. To maintain it he must steal $200 to $500 a day in merchandise and sell it to a "fence" to obtain his $50.

Using the lower figure of $200 worth of merchandise a day and a figure of 5,000 users in the District of Columbia, that puts the cost to this city alone at $1 million daily. It is, then, no wonder to any of us, why we are constantly faced with armed robberies in our large cities.

It is my hope that in carrying out the purpose of the resolution, the select committee on crime will discover new measures and programs for increased respect for the law and for our law enforcement officers, new measures for the reduction, prevention, and control of crime, and new ways of treating and rehabilitating persons convicted of crimes so that we can reduce the number of criminal recidivists—or repeaters—in crime.

I was proud to cosponsor this resolution in the House and I hope that it will meet with the same degree of approval by the Members of the Senate.

UNITING TO COMBAT SOVIET EXPANSION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. ASHBROOK. Mr. Speaker, from time to time I have inserted in the RECORD material on the Soviet naval buildup in the Mediterranean, a subject which is extremely important to those who are concerned with the national security of the United States and the preservation of freedom throughout the nations of the free world.

In January of this year Mr. Frans Goedhart, a member of the Dutch Parliament and vice chairman of the Defense Committee of the Western European Union, submitted to that organization recommendations on the security in the Mediterranean and the Middle East which were adopted without change. As a matter of information, the WEU was established in 1954 and actually was a modification of the Brussels Treaty of 1948 which included as signatories Britain, Belgium, France, Luxembourg, and the Netherlands. It is significant to note that this treaty resulted from the realization that the Soviet Union, under Joe Stalin, had no intention of cooperating with its wartime allies in making the United Nations an

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the beginning of the local famines is 1975-80."

In summing up his own view, he suggests that "The major catastrophe will happen before the end of the century. We shall, in the rich countries, be surrounded by a sea of famine, involving hundreds of millions of human beings."

"The increase of population," he predicts, "all over the rich world may get a little less. In the poor world it won't, except in one or two pockets. Despite local successes, as in India, the food-population collision will duly occur. The attempts to prevent it, or meliorate it, will be too feeble. Famine will take charge in many countries. It may become, by the end of the period, endemic famine. There will be suffering and desperation on a scale as yet unknown."

Now, though Lord Snow is a brilliant and perceptive man of good will, I simply do not believe that one need feel quite so near despair—even in the face of a situation as ominous as this one.

Wholesale famine is not inevitable. I am convinced that there is time to reverse the situation, if we will but use it. Only barely sufficient time. But time nevertheless.

It is the time which has been given us by those who have created the revolution in agricultural technology: a revolution based on new seeds, hybrid strains, fertilizers, and the intensified use of natural resources.

It is a revolution which already has increased the yields of food grains by more than 100% in parts of Southeast Asia, and which promises to boost yields by one-half ton per acre throughout Asia. It is a revolution which has expanded the number of acres sown with the new seeds from 200 in 1965 to 20,000,000 in 1968—and an estimated 34,000,000 in 1969—but which has yet to touch more than a small percentage of the rice and wheat-producing acreage of the world.

If we will but speed the spread of this agricultural revolution—by adequate and properly administered technical and financial assistance to the developing countries—we can expect that for the next two decades the world's food supply will grow at a faster rate than its population.

The predicted spectre of famine can be averted.

It will take immense energy and organizing skill, and significant infusions of new capital investment—but it is possible to stave off disaster.

What is required to accomplish this is not so much a psychologically comforting optimism, as an energetic, creative realism.

I believe enough of that realism exists among men of good will—both in the developed and in the emerging world—to do the job.

This is the fundamental reason I do not share Lord Snow's degree of discouragement.

There is no point whatever in being naively over-optimistic about a situation as full of peril as the population problem.

But I am confident that application of the new technology will dramatically expand the rate of agricultural growth and will buy two decades of time—admittedly the barest minimum of time—required to cope with the population explosion, and reduce it to manageable proportions.

VI

How can this best be done?

To begin with, the developed nations must give every measure of support they possibly can to those countries which have already established family-planning programs. Many have. The governments of India, Pakistan, Korea, Taiwan, Hong Kong, and Singapore have established both policies and specific targets for reducing population growth rates and have shown some measurable progress.

Ceylon, Malaysia, Turkey, Tunisia, the United Arab Republic, Morocco, Kenya, Mauritius, Chile, Honduras, Barbados, and Jamaica are giving government support to family-planning programs, but need substantial technical or financial assistance before any significant reduction in birth rates can occur.

Some 20 other governments are considering family-planning programs.

In other countries, where governments are only dimly aware of the dangers of the population problem—but would like, nevertheless, to ponder the matter—the developed nations can quietly assist by helping with the demographic and social studies that will reveal the facts and thus point up the urgency of the issue, and the disadvantages of delay.

It is essential, of course, to recognize the right of a given country to handle its population problem in its own way. But handle it, it must.

The developed nations can point out the demographic facts; can explain the economic realities; can warn of the consequences of procrastination. They can—and should—inform. They should not—and cannot—pressure.

Technologically advanced countries can make one of their greatest contributions by initiating a new order of intensity in research into reproductive biology. They have starved their research facilities of funds in this field. The result is that we are still only on the threshold of understanding the complexities of conception, and therefore only at the outer edge of the necessary knowledge to help make family planning in the developing countries beneficial on a meaningful scale.

Annual worldwide expenditures for research in reproductive biology now total roughly 50 million dollars. The hardheaded estimate is that the sum should treble to 150 million dollars annually—for the next ten years—if we are to develop the knowledge necessary for the most effective and acceptable kinds of family planning.

Our parsimony in this matter in the United States is illustrated by the discouraging fact that out of a total budget of nearly one billion dollars, the National Institutes of Health this year are spending less than ten million dollars for research in population-related phenomena. Hundreds of millions of dollars for death control. Scarcely 1% of that amount for fertility control.

And research efforts should range far beyond biology.

Demography, as a fully developed science, remains in its infancy. It is likely that fewer than half the world's births are even registered. And while the crude estimates of birth rates almost inevitably turn out to be too low, it is essential that more precise data be developed in those areas where the population problem is the most acute.

Similarly, there is a pressing need for far more research in the socio-cultural aspects of family planning. There is manifestly a great deal more to population planning than merely birth control. Attitudes, motivation, preferences differ from country to country, and this essential research can clearly best be conducted locally. The developed nations should be generous in their financial support for such studies and surveys.

Above all else, there is a need to develop a realistic sense of urgency in all countries over the population problem.

Programs are beginning to show progress in limited areas. But no reduction in birth rates has yet been achieved anywhere in the underdeveloped areas which can significantly affect overall world population totals.

This means that family planning is going to have to be undertaken on a humane but massive scale. Other massive efforts in our century—for example, in the field of public health—have been mounted and have been successful. And granted all the difficulties, there is no insuperable reason this one cannot be.

The threat of unmanageable population pressures is very much like the threat of nuclear war.

Both threats are undervalued. Both threats are misunderstood.

Both threats can—and will—have catastrophic consequences unless they are dealt with rapidly and rationally.

The threat of violence is intertwined with the threat of undue population growth. It is clear that population pressures in the underdeveloped societies can lead to economic tensions, and political turbulence: stresses in the body politic which in the end can bring on conflicts among nations.

Such violence must not be allowed to happen.

You and I—and all of us—share the responsibility of taking those actions necessary to assure that it will not happen.

There is no point in despair.

There is every point simply in getting busy with the job. That is surely what God gave us our reason and our will for: to get on with the tasks which must be done.

I do not have to convince you of that here at Notre Dame.

You, and the Roman Catholic Church at large, are completely dedicated to the goal of development. One has only to read the Second Vatican Council's *Pastoral Constitution on the Church in the Modern World*, and Pope Paul's *Populorum Progressio* to understand that. Both these impressive documents call for a solution to the population problem as it relates to development. Such controversy as remains in this matter is merely about the means, not at all about the end.

I am confident that you in this university, and those in the Catholic community that reaches out around the globe, and the fatherly and compassionate Pontiff who stands at your helm—as well as men everywhere of whatever religious allegiance—I am confident that all of us are dedicated to that end however much we may disagree on the specifics of the means.

The end desired by the Church—and by all men of good will—is the enhancement of human dignity. That, after all, is what development is all about.

And human dignity is severely threatened by the population explosion—more severely, more completely, more certainly threatened than it has been by any catastrophe the world has yet endured.

There is time—just barely time—to escape that threat.

We can, and we must, act.

What we must comprehend is this: the population problem *will* be solved one way or the other. Our only fundamental option is whether it is to be solved rationally and humanely—or irrationally and inhumanely. Are we to solve it by famine? Are we to solve it by riot, by insurrection, by the violence that desperately starving men can be driven to? Are we to solve it by wars of expansion and aggression? Or are we to solve it rationally, humanely—in accord with man's dignity?

There is so little time left to make the decision. To make no decision would be to make the worst decision of all. For to ignore this problem is only to make certain that nature will take catastrophic revenge on our indecisiveness.

Providence has placed you and me—and all of us—at that fulcrum-point in history where a rational, responsible, moral solution to the population problem must be found.

You and I—and all of us—share the responsibility, to find and apply that solution.

If we shirk that responsibility, we will have committed the crime.

But it will be those who come after us who will pay the undeserved . . . and the unspeakable . . . penalties.

MISSOURI, CENTER OF AMERICA'S TRANSPORTATION SYSTEM, OBSERVES NATIONAL TRANSPORTATION WEEK

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mrs. SULLIVAN. Mr. Speaker, National Transportation Week, May 11 to 17, 1969, provides an appropriate opportunity for us to look back on the vital role of the transportation industry in enabling this country to expand, to consolidate its expansion within our present borders, and to defend this country in time of national emergency or all-out war. It is also an appropriate time to look forward to the new challenges this industry will face. As a member of the Joint Committee on Defense Production, I am deeply aware of the importance of our transportation industry—land, sea, and air—in moving the hundreds of billions of dollars worth of goods which Americans produce, sell, consume, export, and import. Unfortunately, we usually wait for some periodic interruption of service in some branch of our transportation system before becoming conscious of our grave dependence upon it.

National Transportation Week is being observed initially in St. Louis at a luncheon meeting Monday, May 12, of the Traffic Club of St. Louis, Inc., of which Mr. Frank Kintz of the Famous Barr Co., is president. The chairman of the St. Louis National Transportation Week observance is Mr. Donald Eloff of the Santa Fe Railway Co.

Mr. Ben Pucci, of the St. Louis office of the Lee Way Motor Freight Co., of Oklahoma City, Missouri State chairman of National Transportation Week, points out that no industry is more vital to the economic welfare of the people of Missouri than transportation. He declared:

> Missouri has prospered largely because of its superior network of highway, rail, air, pipeline and waterway transportation facilities. All communities in Missouri, from metropolitan areas to the smallest farm centers, share equally in the good things of life because of the unparalleled transportation system serving people everywhere.

ST. LOUIS—GATEWAY TO THE WEST

Mr. Speaker, as a representative of the city of St. Louis in the Congress of the United States, I am deeply proud of the role of my city as gateway to the West and also, I think we can say, as portal to the East, to the North, and to the South. Through St. Louis flows a steady movement of goods of all kinds, to destinations throughout the country and the world. Here are joined the eastern and western railway systems, the Missouri and Mississippi waterway traffic, our vast system of pipelines, one of the greatest accumulations of motor carriers in the world, as well as one of the busiest airports.

I am pleased to note the pledge of our Missouri transportation industry, as expressed by its leaders, that Missouri, which has a proud record in the development of all forms of transportation "will expand its transportation leadership as the economy of the State and of the Nation continues to grow."

Mr. Speaker, I am happy to salute the men and women who make up our vast transportation system on the occasion of National Transportation Week, May 11 to 17, and National Defense Transportation Day, Friday, May 16.

THE SELECT COMMITTEE TO STUDY CRIME IN THE UNITED STATES

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BIAGGI. Mr. Speaker, aware, as we all are, of the continuing responsibility of Congress to enact legislation which protects society from criminal conduct, the Congress still lacks a regular and independent source of information on criminal matters. For this reason, I was extremely gratified when on Thursday, May 1, my colleagues recognized an urgent need, under these circumstances, and voted, overwhelmingly, to create a select committee to study crime in the United States.

This committee has been charged with the task of investigating and studying the broad range of criminal activity in the United States. It will focus on the causes, extent, detection, and prevention of crime. It will also collect, prepare, and disseminate statistics on crime, so that we may all be aware of the actual impact of crime on the country.

The passage of House Resolution 17 has particular significance to me as a cosponsor of the bill. My own experience as a law enforcement officer has impressed upon me the need for concerted action on the part of individual citizens as well as the U.S. Congress to aid the police in their effort to combat crime.

Divided as this Nation may be on many of the important issues of the day, there is one subject which we are all of the same mind—one subject upon which we all agree, rich and poor, black and white. This is the necessity of finding immediate solutions to the tragic problem of crime which is destroying the very fabric of our American society.

The American public is plagued by the fear of crime and by a crime rate that is increasing almost nine times more rapidly than our population. Evidence of a fear that is paralyzing the Nation is clearly demonstrated in the findings of a recent survey. This survey in high-crime areas of two major cities showed that 43 percent of those interviewed stayed off the streets at night; 35 percent did not speak to strangers; 21 percent used only cabs and cars at night, and 20 percent wanted to move to another neighborhood because of fear.

Why so much fear? Here is why: Serious crime in the United States increased 17 percent in 1968 when compared with 1967 according to the most recent FBI statistics. FBI Director J. Edgar Hoover said that all serious crimes increased substantially in volume. Crimes of violence were up 19 percent, led by robbery up 29 percent, murder and forcible rape up 14 percent each, and aggravated assault up 12 percent. The crimes against property rose by 17 percent as a group. Individually, larceny $50 and over in value rose 21 percent, auto theft up 18 percent, and burglary was up 13 percent.

Hand in hand with these figures goes the increasingly threatening problem of drug addiction. The consequences of drug addiction for a city like Washington, D.C., are alarming. Dr. Murray Grant, District Health Director, estimates that the average addict has a $50-a-day habit. To maintain it he must steal $200 to $500 a day in merchandise and sell it to a "fence" to obtain his $50.

Using the lower figure of $200 worth of merchandise a day and a figure of 5,000 users in the District of Columbia, that puts the cost to this city alone at $1 million daily. It is, then, no wonder to any of us, why we are constantly faced with armed robberies in our large cities.

It is my hope that in carrying out the purpose of the resolution, the select committee on crime will discover new measures and programs for increased respect for the law and for our law enforcement officers, new measures for the reduction, prevention, and control of crime, and new ways of treating and rehabilitating persons convicted of crimes so that we can reduce the number of criminal recidivists—or repeaters—in crime.

I was proud to cosponsor this resolution in the House and I hope that it will meet with the same degree of approval by the Members of the Senate.

UNITING TO COMBAT SOVIET EXPANSION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. ASHBROOK. Mr. Speaker, from time to time I have inserted in the RECORD material on the Soviet naval buildup in the Mediterranean, a subject which is extremely important to those who are concerned with the national security of the United States and the preservation of freedom throughout the nations of the free world.

In January of this year Mr. Frans Goedhart, a member of the Dutch Parliament and vice chairman of the Defense Committee of the Western European Union, submitted to that organization recommendations on the security in the Mediterranean and the Middle East which were adopted without change. As a matter of information, the WEU was established in 1954 and actually was a modification of the Brussels Treaty of 1948 which included as signatories Britain, Belgium, France, Luxembourg, and the Netherlands. It is significant to note that this treaty resulted from the realization that the Soviet Union, under Joe Stalin, had no intention of cooperating with its wartime allies in making the United Nations an

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effective peacekeeping organization. On the contrary, it soon became evident that Communist aims included the takeover of other European nations wherever and whenever possible.

In 1954, West Germany and Italy were invited to join this union which was renamed the Western European Union. Members of WEU, all of whom are members of NATO, agree that if any member nation is under armed attack in Europe, that the other members will lend military and other aid and assistance for its defense.

The concern expressed in many circles about the Soviet naval buildup is evident in the WEU report. If the Mediterranean is not to become a Soviet mare nostrum, free world alliances such as the Western European Union will have to work in concert to block further efforts by the U.S.S.R. to expand its military influence.

I request that excerpts from the above-mentioned document, "Recommendations on Security in the Mediterranean and the Middle East," submitted to the Western European Union by Mr. Frans Goedhart be inserted in the RECORD at this point:

RECOMMENDATIONS ON SECURITY IN THE MEDITERRANEAN AND THE MIDDLE EAST

The Assembly,

Recalling its Recommendation 160 adopted on 5th December 1967, and mindful of the Council's largely negative reply thereto;

Regretting the absence of constructive alternative proposals from the Council;

Noting that the occupation of Czechoslovakia by the Soviet Union and four other communist countries has modified the political and strategic situation in the Mediterranean region;

Deploring the continuance in power of a non-parliamentary regime in Greece, which could have the effect of promoting communism in that country;

Noting the continued presence of the Soviet fleet in the Mediterranean on a permanent basis and expressing concern at the growing submarine threat and at the numbers of Soviet military personnel reported in Algeria, Egypt and other Arab countries;

Welcoming the establishment of a new NATO maritime surveillance command, MARAIRMED,

Recommends to the council:

1. That it urge on appropriate member governments the advantages of friendly visits by their national fleets to non-aligned Mediterranean countries, who should be encouraged to demonstrate their non-aligned status by equal treatment of prospective visitors;

2. That, as a precautionary measure, member governments be urged to participate fully in NATO arrangements to provide ceaseless air surveillance of the Soviet fleet in the Mediterranean, particularly of its submarines, and that, to this end, the member countries participating in the NATO Maritime Air Forces Mediterranean Command should increase the numbers of patrol aircraft available to the Command and assign to it the greater part of their flying time;

3. That in view of the strategic situation Greece should be helped to acquire maritime patrol aircraft to be assigned to the NATO Maritime Air Forces Mediterranean Command;

4. That it request member governments to urge the establishment by NATO of a special Mediterranean Committee which should inform and advise the North Atlantic Council on the evolution of political and military events in the Mediterranean area;

5. That it request member governments to urge the strengthening of the ACE Mobile Force;

6. (a) That it urge member governments, in consultation with all other governments concerned, to strive to regulate all supplies of armaments to the Middle East, through agreements between the major supplying countries;

(b) If it proves impossible to control the total arms supply to the Middle East, because the co-operation of all supplying countries cannot be secured, that it urge western countries to continue sufficient arms supplies to Israel to counteract any attempt by the Soviet Union to upset the balance of forces;

(c) That it seek to have the Secretary General of the United Nations instructed to publish a periodical register of all transfers of armaments between States, based on reports of supplying and receiving countries and on any other information.

EXPLANATORY MEMORANDUM

(Submitted by Mr. Frans Goedhart, Rapporteur)

I. INTRODUCTION

1. This is the third report your Rapporteur has had the honuor to present, on behalf of the Committee on Defence Questions and Armaments, on the security of the Mediterranean area. The first report, in April 1961, emphasised that the defence of the NATO southern flank depended on the Mediterranean It pointed out that "the key to any Mediterranean strategy is to be found in denying the enemy access to the sea". The second report, of December 1967, showed how the Soviet Union had succeeded both politically and militarily in penetrating the Mediterranean area and building up a substantial naval force there on a permanent basis.

2. The Assembly has referred to the Committee on Defence Questions and Armaments a motion for a recommendation on the "Adoption by the AEU Council of common policies on the Mediterranean and Middle East areas" (Document 444). Consequently the present report has been produced. It is aimed at bringing the 1967 document up to date, in particular by outlining the most significant developments concerning the military security of the region.

3. The Presidential Committee has also on this occasion placed on the agenda of the Assembly a report from the General Affairs Committee on "The political implications of the Soviet penetration of the Mediterranean" (Rapporteur Mr. Eldon Griffiths) which will concentrate on political aspects.

4. The Presidential Committee discussed the desirability of co-ordinating the two reports, and the possibility of submitting a single substantive text to the Assembly.

II. RECOMMENDATION 160

5. On 5th December 1967 the Assembly adopted Recommendation 160, which accompanied the report that your Rapporteur presented on behalf of the Defence Committee (Document 431). On 15th May 1968, the Council replied to this recommendation. Before passing on to recent developments and the present situation in the Mediterranean, your Rapporteur first wishes to comment on the Council's reply. Although, judging by the experience of the Assembly, it would perhaps be over-optimistic to have expected a definite and positive reply from the Council on this matter, your Rapporteur and members of the Assembly had wished in view of the urgency and importance of the situation in the Mediterranean, that the Council would have at least avoided a completely negative attitude. The Assembly's proposals might well have been inadequate: if so, alternative policy suggestions from the Council would have been welcomed by the Assembly. In the event the Council neither agreed to the Assembly's recommendations nor proposed any alternative policy of their own. The security of the Mediterranean area, in view of the Soviet naval build-up there, is a question of crucial importance to NATO, WEU and the West. The Council, by the terms of its reply to Recommendation 160, has given the impression that this question is one of little significance or urgency, and by its negative attitude even gives the impression that it is indifferent to the whole problem.

6. More than once in its reply the Council states that proposals of the Assembly that are of interest to other countries besides the seven WEU members should be studied by all the interested States. To thus evade the need to take a definite stand, is merely to take the line of least resistance. If the Council of WEU is prepared to recommend its member governments to take action only on matters that affect the seven countries alone, it is, in the view of your Rapporteur, abdicating the political rôle given to it by the modified Brussels Treaty and is showing itself to be politically neuter.

III. CZECHOSLOVAKIA

7. In December 1967, your Rapporteur concluded that: "the problem of Mediterranean security is not so much a military one but a political one. Soviet penetration cannot be resolved by a shooting match. What is needed is for the countries of WEU and of the Alliance to demonstrate to friendly countries in the area that they will be protected and supported against overt political and military pressures and against subversion. . . ." Your Rapporteur made specific proposals concerning action that NATO and its southern flank countries should take to counter the build-up of the Soviet fleet in the Mediterranean, but the military significance of Soviet policy in this area was judged to be of secondary importance compared to its political implications.

8. The Soviet intervention in Czechoslovakia has radically changed this judgment. As Mr. Manlio Brosio, Secretary General of NATO stated when he addressed the North Atlantic Assembly on 11th November 1968:

"The Soviet presence in the sea, which has now become permanent, albeit fluctuating in size, has now acquired a new significance in the light of the events of Czechoslovakia and of possible dangers for Yugoslavia, Albania or Rumania. Before those events, it was maintained by the more optimistic, that the presence of the Soviet navy was mainly a consequence of the Middle East conflict, and was dictated more by political reasons of prestige and influence with the bordering countries, than by military reasons."

He continued by saying that the Soviet Mediterranean deployment deserved new consideration and created new uneasiness, viewed in connection with possible pressures on the communist States of South-Eastern Europe.

"On the other hand, the persistent risk of a new conflict between Israel and the Arab States may acquire new gravity if linked with the possibility of a new crisis in the communist community. In the light of both chains of possible events, the action of the Soviet fleet may become a source of further complications of a real military significance. . . . We are told that the policy of Moscow remains purely defensive, limited to protect and consolidate her communist empire. But we are not sure at all that a repressive action would not be extended to Yugoslavia or Albania, if Moscow judged that their degree of evolution or of autonomy had become intolerable. The Soviets would then be beyond the limits of the Warsaw Pact, and right to the shores of the Mediterranean."

9. The Soviet military action in Czechoslovakia has not only provoked a feeling of nervousness and insecurity on the part of Yugoslavia and Albania but has also underlined the isolated and difficult strategic position of the NATO southern flank countries:

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Italy, Greece and Turkey. At least, in compensation, since the publication of the WEU Assembly report of December 1967, western opinion has focused with much greater awareness on the problem of Mediterranean security, and the interest of the governments of the Alliance and the Council and the Military Committee of NATO in this problem has quickened.

10. It is now clearly recognised within NATO that the Soviet penetration of the Mediterranean is a military problem as much as a political one.

IV. SOVIET PRESENCE IN THE MEDITERRANEAN

11. Your Rapporteur will not recapitulate the information set out in his previous report (Document 431) but will merely comment on new developments that have occurred during 1968.

12. Press reports have given the public a somewhat confused picture of the Soviet naval strength in the Mediterranean. Widely differing estimates of the level of the Soviet fleet in the Mediterranean have appeared in different magazines and newspapers. There are two reasons for this. First, the number of Soviet naval vessels to be found in the Mediterranean varies from day to day with the passage of vessels in and out of the Mediterranean into the Black Sea and the Atlantic. The Soviet desire to maintain a larger fleet in all areas of the world, thus completing Soviet evolution to the status of a "global" as well as a "super" power, endowed with a world-wide, or at least ocean-wide capability for military intervention, has led to a considerable increase in the number of ships in transit from the Soviet Black Sea ports. Second, estimates of Soviet naval strength in the Mediterranean have also varied on account of the differing definitions of "warships"—some estimates including and others excluding auxiliary vessels, oceanographic research vessels and spy "trawlers."

13. Your Rapporteur wishes to clarify this situation as far as possible. Here, first, is a list of the fifty odd Soviet naval vessels present in the Mediterranean on one day in October 1967:

One helicopter carrier, the *Moskva*.

Two cruisers (one equipped with guided missiles).

Seven destroyers (six equipped with guided missiles).

Five destroyer escorts.

Three mine-sweepers.

Four amphibious craft including one *Alligator* (NATO code name) capable of landing 500 men or between six to eight light tanks.

Twenty auxiliary craft including tankers and supply vessels and also including ten intelligence trawlers.

Ten to twelve submarines including one with a nuclear missile launching capability.

14. In view of the fluctuations already referred to, it is misleading to consider this a "typical" day. What is more important than a day to day assessment of the number of Soviet vessels in the Mediterranean, is the general pattern of Soviet naval presence in the Mediterranean that emerges over a period of several months. Looking at the naval situation at the end of 1968, it is clear that the increase in the Soviet fleet in the Mediterranean was considerably greater in 1967 than in 1968. During 1968 the number of Soviet naval vessels in the Mediterranean has varied between 30 and 60, and in general it has remained at a level comparable to or slightly below the 1967 peak.

15. The most interesting addition to the Soviet fleet in the Mediterranean during 1968 was that of the *Moskva*. The *Moskva* is a helicopter-carrier but is at the same time equipped with guided missiles, also possessing a cruiser-type capability. It has four pads for launching helicopters from its top deck and is thought to be capable of carrying from between 20 and 30 helicopters depending on their size. It is probable that the main role of the *Moskva* will be an anti-submarine one, and it is probable that the helicopters are mainly intended for anti-submarine work. In view of the size of the vessel (which is estimated to be between 15 to 20,000 tons displacement), it is possible that it could carry marines or other troops.

16. The *Moskva* (and its sister ship *Leningrad* yet to be seen in the Mediterranean) are an innovation, in that the Soviet Union has not previously built vessels to carry substantial numbers of helicopters. If it has dual amphibious assault or anti-submarine capability the *Moskva* may be compared with the two British commando carriers or with the eight United States amphibious assault ships (LPH). Although the Soviet Union does not possess any aircraft carriers such as the 15 attack carriers of the United States navy, it is now demonstrating its ability to build sophisticated types of vessels geared to modern naval strategy.

17. Although the presence of a large number of auxiliary craft is less dramatic than that of a helicopter-carrier and submarines, it is this factor which is strategically perhaps of greater interest. The naval auxiliary building programme in the Soviet Union is now second only in size to that for submarines. This implies a new strategic concept. The Russians seem to have followed the United States technique, first developed during the second world war and since refined in the practice of the Sixth Fleet, of self-supporting fleets which are not dependent on shore bases for supplies and equipment but which carry their own floating bases with them in the form of auxiliary and supply vessels. The use of this technique means that a fleet can operate at great distances from the ports of its home country and without regard to the friendliness of neighbouring countries. The application of this technique by the Soviet navy also offers the possibility of a more aggressive naval strategy than in the past, particularly in view of the greater emphasis on long range submarines, landing-craft and new types of vessel such as helicopter-carriers.

18. During 1968 the Soviet fleet extended its area of operations in the Mediterranean Whereas in 1967 Soviet vessels relied mostly on port facilities in Port Said and Alexandria in Egypt, and Latakia in Syria, in 1968 use was also made of Torphus in Syria and Algiers in Algeria. During 1968 Soviet vessels anchored and refuelled in shallow waters, outside territorial limits, at such places as: the Isle of Alboram, north of Morocco; the Galite Islands, off the north Tunisian Coast; the Gulf of Hammamet, to the east of Tunisia; the Balearic Islands; east of Gibraltar; off Rota, in Spain; at Kithira, south of Greece; at the Hurd Bank to the east of Malta; and off the Levantine Coast, to the east of Cyprus.

19. Following up Mr. Brezhnev's declaration at Karlovy Vary in April 1967, there have been further Soviet declarations in 1968 emphasising the Russian intention to play a prominent rôle as a Mediterranean power. Continuing attacks have also been made concerning the presence of the Sixth Fleet in the Mediterranean. On 11th November, 1968, *Izvestia* demanded that the United States call its ships home and allow the Russian navy to "keep peace in the Mediterranean." On 12th November 1968, Vice-Admiral Nikolai Smirnov of the Soviet Navy accused the Sixth Fleet of trying to dominate the Mediterranean "in order to be prepared to strike blows from the sea and air against enemy targets using nuclear and conventional weapons." He explained that "the Soviet Union and other socialist countries are named as the principal enemy."

20. Following the NATO Ministerial meeting in Brussels in November 1968, the Soviet News Agency Tass stated on 23rd November:

'Those taking part in the (North Atlantic Council) session showed increased interest in the Mediterranean region. It goes without saying that if they were able to act as masters and according to their own pleasures in the various European regions, the Mediterranean and the Near East, it would suit them very well. They said the presence of the Sixth American Fleet in the Mediterranean was entirely natural, but, the United States are thousands of miles away from this area and have no direct interest in it. But the presence of the Soviet fleet seems to annoy them for it curbs their aggressive interest. As a power of the Black Sea, and therefore a Mediterranean power, the Soviet Union is exercising her undisputable right to be present in this area. The Soviet warships are not there to threaten any nation or State. Their duty is to contribute to stability and peace in the Mediterranean.

V. OTHER SOVIET ACTIVITIES

21. Although the dramatic build-up of the Soviet naval force in the Mediterranean has been the main centre of interest, there have been other significant moves by the Soviet Union which have increased tension and insecurity in the Mediterranean region. Your Rapporteur's 1967 report described the way in which Soviet technicians and military advisers had been placed in the United Arab Republic, Syria and Algeria before, and in greater quantity following, the Arab-Israel war of June 1967.

22. 1968 saw an intensification of this process. The Soviet Union has continued the rearmament (described in Document 431) of those Arab States engaged in the June war. It is estimated that the air forces of Egypt, Syria, and probably Iraq are now back at their pre-war levels: 500 planes in the case of Egypt, 120 in that of Syria and 200 in that of Iraq. These totals include a high proportion of modern planes such as Mig-21, and SU-7, as well as the older Mig-17 fighters and Ilyushin-28 and Tupolev-16 bombers. It is now estimated that Egypt, Jordan, Syria, and Iraq presently have a superiority of more than 2 to 1 in tanks and combat aircraft over Israel. Israel now has about 800 tanks and about 270 combat aircraft. Egypt alone now has some 700 tanks and 500 combat aircraft. The *Luna* rocket with a 40 mile range and conventional warhead and tank-landing craft have also been delivered to the Egyptian army. The Egyptian navy has more than replaced the losses it suffered in the June war. It has been equipped with new submarines and destroyers and is building up its fleet of *Komar* motor launches which are equipped with the *Styx* missile.

It was a missile of this type that sank the *Eilat* in 1967. With the rearmament of the Arab States there has been a considerable influx of military advisers, and it would seem that Egypt and Syria overtly, and Algeria implicitly, are now so dependent on the Soviet Union for military aid and equipment that they would find it very hard to resist any Soviet requests for port or other military facilities from them. It is not clear whether the recipient countries had to pay financially as well as politically for this military aid.[1] Besides the massive presence of Soviet military advisers and technicians in Russia's client Arab countries, there has been no relaxation in Russia's intensification of political and military relations with these countries. A visit by Marshal Grechko, the Soviet Chief of Staff, to Mers-el-Kébir in Algeria was only cut by the development of the Czechoslovak crisis in August, and, as is demonstrated later in the report, the Soviet grip on Algeria has tightened. After a detailed and thorough investigation of the situation in Algeria your Rapporteur is now convinced despite official Algerian, Soviet and French statements to the contrary, that the Soviet

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[1] In an interview with *Look* on 19th March 1968 President Nasser said: "They sell us things—their military equipment is not a gift, you know—and they buy from us."

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Union intends to station naval personnel permanently in the key naval base of Mers-el-Kébir. Besides this, the Soviet Union has apparently taken over three military air bases in the Algerian Sahara.

23. A final development that further complicates the Mediterranean military balance and adds to tension in the area is the alleged agreement (reported in the press and on the radio on 8th December 1968) between the Albanian and Chinese communist governments by which Albania is said to have agreed to allow China to station military forces in Albania.

24. Looking back over the events of 1968, it is clear that communist military activity in the Mediterranean area has increased. The tension between Israel and its Arab neighbours, marked by limited but provocative acts of war by Isratel's Arab foes, the continuation of the Middle East arms race and the strengthening of Soviet influence in the Arab States to which Russia has provided military aid and advisers, and the continued presence of the Soviet fleet in the Mediterranean on a permanent basis have all contributed towards heightened tension in the area. The military agreement between Albania and communist China has added a dangerous new factor and, above all, the Soviet occupation of Czechoslovakia has presented a potential threat that the Soviet "socialist commonwealth" might be extended, if necessary, through Yugoslavia and Albania down to the shores of the Mediterranean.

VI. NATO AND THE MEDITERRANEAN

25. NATO was slow to react to the growing presence of the Soviet navy in the Mediterranean, which both threatened the supply routes of the NATO southern flank countries and altered the political and military balance of the area. However, growing public concern and belated alarm in governmental circles led to the North Atlantic Council eventually requesting the Permanent Representatives to draw up a report on the security of the Mediterranean. With the assistance of NATO's Military Committee the Permanent Representatives submitted a report which was considered at the Ministerial meeting at Reykjavik in June 1968.

26. Paragraphs eight and nine of the final *communiqué* of the Ministerial meeting stated:

"8. Ministers examined and approved a report from the Permanent Council which dealt with the situation in the Mediterranean and related defence problems. They directed their Permanent Representatives to consult fully on this situation and to extend their consultations in range and depth if circumstances required. To this end, the Secretary General was requested to co-ordinate the exchange of information among members of the Council and to keep the Council closely advised on the situation in the Mediterranean. It is, of course, understood that member countries, or the Secretary General, may put forward matters to be considered by the Council in accordance with their rights and responsibilities.

"9. The Ministers of the countries taking part in the Defence Planning Committee, concerned at the recent expansion of Soviet activities in the Mediterranean, decided that their Permanent Representatives, with the assistance of the NATO military authorities, would take into early consideration measures designed to safeguard the security interests of NATO members in the Mediterranean area and to improve the effectiveness of allied forces in that area. The Permanent Representatives will also consider other measures or organizational changes that may be needed to enhance the effectiveness and coordination of allied surveillance activities in the Mediterranean and that may require further authorisation."

27. France did not associate itself with the decisions referred to in paragraph 9 of the communiqué. At this point your Rapporteur wishes to take the opportunity of expressing his regret that France continues to choose to conduct a separate policy outside the integrated military structure of NATO. In this way French policy continues to pose, despite the excellent co-operation between the French navy and the fleets of its allies, difficult political and strategic problems for the other members of the Alliance. Fortunately, there have recently been signs that French public opinion and political circles have become alarmed by the increasingly grave military and political situation in the Mediterranean, especially in view of Soviet activities in Algeria, which lies across from France on the southern shore of the Mediterranean. Whilst it is, perhaps, too much to expect that a Gaullist government will ever bring France back inside the integrated military structure of NATO, it is to be hoped that the first French government of another political complexion will rapidly bring France back to its rightful place in NATO. France is too important to its allies for its government's policies and intentions to be uncertain in time of danger.

In view of the continuing unpredictability of President de Gaulle's foreign and military policies, it is particularly gratifying to be able to note that French maritime reconnaissance squadrons are co-operating with MARAIRMED.[1] The extensive French participation in NATO's "Eden-Apple" naval exercise in the autumn is also a welcome and noteworthy development. The aircraft carrier *Foch* was transferred from the French Atlantic fleet to the Mediterranean especially for this exercise which was commanded, at one point, by Vice Admiral de Scitivaux-Degreische, Commander in Chief of French naval forces in the Mediterranean. Another pointer to increase French co-operation in the Mediterranean was the recent renting by France of 2,000 kilograms of enriched uranium to Italy as fuel for the Italian nuclear powered naval vessel, *Enrico Fermi*. This followed an Italian decision to buy 18 Breguet-Atlantique reconnaissance aircraft from France.

29. The general mood of the Reykjavik meeting was one of guarded optimism. There seemed to be no cloud on the clear blue sky of détente and Ministers were largely concerned with the possibility of arriving at an agreement with the Soviet Union on the balanced mutual reduction of force levels. This dream was rudely shattered in August when Soviet forces invaded Czechoslovakia. The Soviet naval presence in the Mediterranean took on a new and more dangerous meaning in the context of the events of August. When the next meeting of the Ministerial Council of NATO was held in Brussels, between 14th and 16th November 1968, all thoughts of mutual force reductions had vanished. A tough communiqué was adopted and the Ministers stated in paragraphs 5 and 6 that:

"5. The new uncertainties resulting from recent Soviet action also extended to the Mediterranean basin. This situation requires that the allies continue by every available means their efforts to promote stability and a just and equitable peace, as well as mutual co-operation and understanding, in the area. The expansion of Soviet activity in the Mediterranean, including the increased activity of Soviet naval units, requires vigilance to safeguard allied security.

"6. The members of the Alliance urge the Soviet Union, in the interests of world peace, to refrain from using force and interfering in the affairs of other States. Determined to safeguard the freedom and independence of their countries, they could not remain indifferent to any development which endangers their security. Clearly any Soviet intervention directly or indirectly affecting the situation in Europe or other Mediterranean areas would create an international crisis with grave consequences."

29. France went along with its 14 allies in accepting these two paragraphs. The Ministerial communiqué was regarded by the majority of members of the Alliance as being the "unmistakeable signal" to the Soviet Union that had been called for before the meeting by the British Foreign Secretary, Mr. Michael Stewart.

30. The NATO communiqué has been thought, by some commentators, to mean that NATO had decided to extend its protection to countries or areas outside the treaty area. This is not so. Mr. Dean Rusk, United States Secretary of State, has clarified this situation as follows:

"Certain things could occur outside the geographical region covered by the treaty and that could give rise to problems. When the Soviet forces went westward in Central Europe it created problems for the Alliance. The Soviet activities in the Mediterranean also present problems for NATO."

31. The United States Secretary of Defense, Mr. Clark Clifford, also rejected as false any interpretation of the communiqué that implied that NATO was extending its treaty guaranteed defence area. Speaking on television, he said:

"Now NATO was not, repeat not, expanding its area of either surveillance or of control. What they were saying to the Soviet Union, was any additional incursions on your part into an independent nation will be looked upon with most extreme seriousness by NATO because we think it increased danger, and that was their point. What they would like to do would be to issue this warning so the Soviets might take that into consideration before they embarked on any other adventure."

32. At the Ministerial meeting of the Defence Planning Committee at Brussels on 14th November 1968, member countries generally decided to check the slide toward defence reductions and in some cases committed themselves to strengthening their forces.

33. Of the representatives of southern flank countries, the Greek Minister stressed the measures his government was taking to strengthen its defences and to increase its defence budget. But, he pointed out that the Greek economy could not bear its defence burden alone, and he welcomed the reference that had been made in the discussions to the continuing validity of previous Council decisions regarding defence aid to both Greece and Turkey. The representative of the Italian Government said that the Italian national defence budget for 1969 was to be increased by 7% over that for 1968. Numerous measures are being taken to improve the effectiveness of the Italian forces, including placing of an order for modern anti-submarine craft, the army, navy and air forces would be transformed according to a continuing programme, one to increase their efficiency. As already mentioned Italy has also ordered eighteen Bréguet Atlantique maritime patrol aircraft. The Turkish Minister pointed out that his country's defence effort continued to require help in the form of military aid from some of its partners.

34. The British Government also announced, in July 1968, its intention to increase its commitment to the defence of the Mediterranean. In particular, it decided to transfer a squadron of Shackleton long-range maritime reconnaissance aircraft to Malta for MARAIRMED. They will eventually be replaced with the more modern Nimrods. It also decided to add, in 1970, a guided missile destroyer to the British frigate force in the Mediterranean and to station there for part of that year a commando ship, accompanied by a Royal Marine commando group. At the Brussels Ministerial meeting in November, the British Government announced that it would maintain either an

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[1] See paragraphs 34 *et seq.* below.

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aircraft carrier, a commando ship or an assault ship "almost continually" in the Mediterranean as from January 1969.

35. France's 14 allies had gone further at Reykjavik than appeared in the ministerial communiqué. In fact the representatives of the 14 reached, at that meeting, a decision to establish a new NATO subordinate command, Maritime Air Forces, Mediterranean (MARAIRMED), which was officially activated on 21st November 1968. It is a subordinate command of AFSOUTH and thus comes under CINCSOUTH, Admiral Horacio Rivero, of the United States Navy. MARAIRMED, whose headquarters are at Naples, is commanded by Rear-Admiral E. C. Outlaw of the United States Navy. It is concerned with co-ordinating air surveillance throughout the Mediterranean to keep track of Soviet naval units, both surface and submarine.

36. Italy, Britain, and the United States participate in this new command. Although France does not formally take part in MARAIRMED, it is co-operating actively in its work. It is possible that Greece may take part later if it acquires any suitable aircraft.

37. Admiral Outlaw has power to coordinate the maritime surveillance flight plans proposed by the participating countries, and to request additional flights to cover specific areas. The aircraft concerned are "earmarked" by the participating countries to be made available in war or for exercises. It is not yet clear from the limited experience of this command that existing co-ordination plans are adequate to cover unpredictable movements of Soviet vessels at short notice. In any event the new command represents a determined step by the Alliance to increase its vigilance concerning Soviet naval activities in the Mediterranean and as such is to be welcomed. As well as collecting information, MARAIRMED is also responsible for disseminating it to the interested NATO countries.

38. It is interesting to note that the establishment of the new MARAIRMED command was preceded, over a period of some time, by a series of allied naval exercises in the Mediterranean aimed at improving NATO surveillance of Soviet naval activities. These highly successful "Eagle Eye" exercises involved full co-operation from French naval units.

39. Suggestions have been made that an integrated NATO naval force should be established in the Mediterranean to counter the presence of the Soviet fleet.

At first sight this idea, which has been sponsored by Senator Jacob J. Javits of the United States, amongst others, seems an attractive one, particularly when viewed in a purely military context. However, when the complex political situation in the Mediterranean is examined, it becomes clear that a joint NATO naval force, such as the one that now operates in the Atlantic, would be ill-placed, for political reasons, to carry out friendly visits to the Mediterranean ports of non-aligned countries. On the other hand, your Rapporteur feels that individual NATO countries should be urged to derive the maximum political benefit from their navies by carrying out, on a purely national basis, friendly visits to the ports of the Mediterranean countries.

40. Co-operation between the fleets of the NATO countries in the Mediterranean is excellent though the Greek and Turkish fleets need strengthening and, in practice, much the same results that could be obtained from the creation of a joint NATO Mediterranean fleet are already obtained from the holding of regular joint naval exercises under integrated command. The most recent exercise of this kind, "Eden-Apple", combined British, French, Greek, Italian and United States naval units.

41. In conclusion it should be remembered, as your Rapporteur emphasised in December 1967, that even though Soviet naval forces in the Mediterranean have been greatly augmented, they do not compare in quality or fighting power with the United States Sixth Fleet, and are not superior to the Mediterranean naval forces of the European NATO members.

VII. THE BLACK SEA

42. Two United States destroyers, the *Turner* and the *Dyess*, entered the Black Sea through the Turkish Straits on 9th December 1968. These two vessels cruised in the Black Sea for four days before returning through the Turkish Straits into the Mediterranean.

43. The American Government's action in sending these two warships into the Black Sea aroused strong reactions from the Soviet Union which denounced this policy as "provocation". The Soviet Government also claimed that these vessels did not have the right to pass through the Turkish Straits under the terms of the Convention of Montreux of 1936. On 10th December the Bulgarian Government made representations to Turkey about the passage of these vessels through the Bosphorus. The Turkish Government, which in practice is responsible for applying the Montreux Convention, has ruled that no breach of the Convention was involved—the Convention in fact permits any country to send certain types of warships into the Black Sea for a limited period in peace. Your Rapporteur also finds that this action did not contravene the terms of the Convention. The Turkish Foreign Minister, Mr. Caglayangil commented on 9th December: "Turkey interprets the Montreux Convention; what she says goes".

44. It should be emphasized that the visit made by the two American destroyers into the Black Sea was not a new initiative on the part of the American Government. This was the fourth time during the past two years that a pair of American destroyers had passed through the Turkish Straits to visit the Black Sea. These routine visits have been made with the clear political intention of demonstrating that the Black Sea waters, like those of the Mediterranean, are international. The Soviet navy has made it clear that it does not regard the Mediterranean as a "western lake". The American navy, on its side, has a perfect right to demonstrate that the Black Sea is not a "Russian lake". This is a welcome move on the part of the American Government—a sign of the Administration's refusal to display any weakness or hesitancy during the last weeks of President Johnson's Administration.

THE NONPROLIFERATION TREATY: HEADS THEY WIN—TAILS WE LOSE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. RARICK. Mr. Speaker, a succinct and provocative paper on the merits of the Nonproliferation Treaty has been prepared by Mr. Z. A. Rust, a foreign diplomat in exile, who writes under a pen name for fear of Communist retaliation.

Mr. Rust's evaluation of our foreign policy has been proven true time and time again.

No one could make so many mistakes unintentionally.

Mr. Rust's paper, "Nonproliferation Treaty and the Presidential Trips" follows:

NONPROLIFERATION TREATY AND THE PRESIDENTIAL TRIPS

(By Z. A. Rust)

There is a certain mystery left unsolved around President Nixon's visits to the Western capitals. This mystery of course is not to be found in the fact, well known by everybody, that this tour was only the prelude to a meeting between the President and the Soviet leaders and that its purpose was to assure the alarmed Western European statesmen that the result of the coming United States-Soviet negotiations will not be exactly another Yalta.

The mystery is that Moscow and Pankow's threats, concerning the reception of President Nixon in Berlin and the election of the West German president in that city did not materialize. Both Mr. Nixon's visit and West Germany's presidential elections went on without any complications. The President's reception was enthusiastic and the more than 1000 electors who made the flight from Bonn to Berlin could climb from their plane already assured that there was no risk in what they were doing.

The mystery clears up somehow, when one learns that Mr. Johnson's "sudden" decision to stop any bombardment of North Vietnam proclaimed in the right psychological electoral moment, was the result of four weeks of secret negotiations, ignored by the United States public, between Mr. Harriman and his staff with the North Vietnam and Vietcong delegations. There is no reason to believe that the methods of the Nixon-Kissinger-Rogers team are much different of those of the Johnson-Rostow-Rusk era: secret negotiations prepared the presidential visit to the Berlin Wall of Lamentations, his vibrant promise to defend West Berlin if ever it was attacked, and the election of the first German social-democrat president since the forgotten times of Mr. Ebert the socialist shoemaker.

In the exchange of secret commitments, which very likely took place with this opportunity between Mr. Anatolie Dobrinin and Mr. Henry Kissinger, the Soviets did not contribute with much: If Berlin is ever attacked by them this will not be in an isolated, hare-brained foray but only as a sectional part of a broad, deliberate and at length prepared military and political operation, in a moment in which the United States for domestic and external reasons, would be still less prepared than in the present circumstances to accept a "confrontation." As for the election of a West German President in Berlin, it was the fourth time that a similar event occurred with no more than academic remonstrances from the Moscow-Pankow side. The question is: what did the United States new Administration offer in exchange?

We know today, thanks to the disclosures of the present Administration that what Mr. Harriman offered to President Johnson in exchange of the promise to let North Vietnam bring as much reinforcement in men and material south of the demilitarized zone as permitted by the total stopping of the roads and pathways bombing, was the shifty promise of some limitation in the number and size of the South Vietnam cities which would be attacked by mortar and artillery fire, and in the size of shells used in these operations, together with a promise not to further escalate military operations in general. The craziness of an arrangement by which the enemy is allowed to kill your soldiers and the civilian population only in certain places, only in certain circumstances and only with shell of a certain bore, was all the more fantastic as this enemy was the North Vietnam, whose perfidy and atrocious behavior with prisoners and civil population exceeded all the sinister experiences of wars with Communist Asiatics.

If, as one has reasons to believe, what the new United States Administration offered to the Soviet Union in exchange for those "concessions" in the Berlin affair and of some delusive hopes concerning the Vietnam war and the Middle-East, has been the promise to obtain by every means the ratification of the Anti-Proliferation Treaty (NPT) by the United States Senate and the adhesion to it by the Bonn Government, then, to our mind this exchange is in what concerns the interests and the security of the United States, still more senseless and more dangerous on the long range than the foolish arrangement between the Johnson Administration and Ho-Chi-Minh's emissaries.

In its present wording the NPT agreement stipulates that both the United States and Soviet Russia "would not transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons and explosives devices directly or indirectly". With or without this stipulation Soviet Russia has never had the faintest intention to trust the Satellite Governments of the rebellious subjugated countries with such formidable weaponry. So that on her part there is in this stipulation no concession at all. On the United States part, however, the concession is of tremendous importance and of far reaching unpredictable consequences, militarily and politically.

The friendly and reliable European countries to which Washington could have granted the help and the security of a nuclear arsenal form the first line of defense of the United States. To deprive them definitively of the nuclear weapons in front of an adversary which possesses them in abundance, or letting them try to acquire them toilfully by themselves during years of ceaseless menace and uncertainty, could easily bring them, under the pressure of a nuclear blackmail, from a total neutrality to a hostile allegiance. This is all the more possible as the United States refused to back their insistence, concerning the adhesion of the European non-Communist countries to the NPT, by a categoric assurance that they will take upon themselves the nuclear defense of Europe in case of a nuclear or a non-nuclear aggression. Characteristic of this negative attitude is the fact that the Senate Committee on Foreign Relations voted on February 24th, by a unanimity of 14 to 0, together with the Treaty of Non-Proliferation, a resolution purported to curb also the proliferation of the United States military commitments.

Special attention should be paid in this matter to the position of West Germany where many personalities and groups of all political shades are slowly reaching the conclusion that a third "tour de valse" with the Soviet Bear is necessary in the history of Germany in order to reach the re-aggregation of what is still available of the former Fatherland. Moscow has hastened to speculate this situation with the note of February 7th, remitted by the Soviet Ambassador to Mr. Willy Brandt, the West German socialist minister of foreign affairs, permitting a sudden and favorable change of climate in Germano-Soviet relations if Bonn consented to sign and ratify the Treaty to Ban the Spread of Nuclear Weapons.

What does the Soviet Union expect from the NPT, for the achievement of which it has fought and fights so desperately? It is preventing definitively the appearance of two new nuclear powers, a united and nuclearly armed Western Europe including Germany, and an Australian-New Zealand nuclear association which would put an end to the present bipolar political and military stalemate that since 20 years has paralyzed everybody except the Soviets. Indeed two new nuclear powers on both flanks of the Communist Empire are likely to be a powerful obstacle or even to put an end to its dreams of global extension.

Would the discussions about Armament Control, obligatorily connected with the NPT, permit the United States to retrieve a part of the prejudices implicit to the ratification of the Treaty of non-proliferation? Hardly so, and this for several reasons.

Under article 6th of the Treaty the United States would be committed to start immediately arms control negotiations with the Soviet Union, dealing not only with offensive weapons but also with a defensive missile system, which the Soviets have already substantially deployed while in the United States no decision has yet been taken concerning the Sentinel project, strongly opposed by powerful liberal circles.

Whatever the nature of the decision taken concerning the limitation of armament—limitation to the present level or proportional reduction—it is the country actually preponderant in conventional and nuclear armament which will be the only beneficiary. Accordingly to realistic estimation this country is presently the Soviet Union. Both solutions will bring us far from the "clear cut military superiority" promised by Mr. Nixon during his electoral campaign and much nearer the concept of "sufficiency" as interpreted by Harvard professors. And in whatever case, even in the hypothetical one of a total reciprocal "disarmament" Soviet Russia has brutally declared in advance that she will never accept any system of inspection on her territory in order to control the honest fulfillment of the agreed stipulations.

If, besides this bizarre situation, we take also into account that the only countries which have ratified the NPT are Denmark, Norway, Luxembourg and Nigeria, and that France, West Germany, Red-China, Israel, Japan, South Africa and India are among the countries which have refused to adhere to it, we have the right to ask the promoters of a prompt ratification by the American Senate: what benefit do they expect of it for their own country, and why this haste to take such a hazardous step?

President Nixon has expressed the intention of linking political issues to the "disarmament" talks. What could be the most important of those issues for both interested parties? From the United States side of course, the Middle East and Vietnam questions. From the Soviets side: the recognition of the Breznief doctrine, which means the recognition for Soviet Russia of the right of protectorate over all Communist countries, and the injection in the Russian economic establishment of a new and powerful dose of American know-how and of American procured facilities, which will permit the Soviets to reinforce their Communist system without abandoning anything of their political and military objectives, all of them directed, in every continent, against the United States influence and security.

Contrarily to the United States, Soviet Russia has in the Middle-East no military commitment and holds in this region the Key to limited hostility or to open war. What benefits could she expect from the end of this situation of permanent tension which has brought her, with the fulfilment of a three hundred years old dream—her Navy roaming freely around in the Mediterranean—the allegiance of 90 million Arabians and an overpowering strategic position on the southern borders of Europe. Any promise that Moscow is likely to give the United States, regarding the Middle-East, would hide no doubt, the possibility of a free interpretation at any critical moment.

By the same token, logic forces us to ask ourselves what interest could the Kremlin have in helping the United States pull out honorably, without further losses, of the Vietnam no-win mess, where they have deeply engaged their manpower, their military, financial and economic potential, their domestic tranquillity and their prestige. How can one forget that it is the Kremlin which stands behind Ho-Chi-Minh, who without Moscow's instigation and backing would never have started his attack against Saigon and dared to provoke the United States intervention?

Concerning the Breznief doctrine; does President Nixon—the man who showed so much solicitude for the Hungarian patriots—realize what the recognition of this doctrine would eventually mean for the security of Western Europe and, therefore, for that of the United States? A quotation from the well known speech of General Eisenhower, his patron and protector, before Radio Europe in 1955, could help him perhaps:

"While we maintain our vigilance at home and abroad, we must help intensify the will for freedom behind the Iron Curtain. Those countries are in the Soviet back yard; and only as long as their people are reminded that the outside world has not forgotten them—only that long do they remain as a powerful deterrent to Soviet aggressiveness."

President Eisenhower did not exaggerate. His statement is more valid today than then, now that the Soviets and their nuclear weapons are in Cuba, their divisions at the Bavarian frontiers, their Navy at Mers-el-Kebir, and the Communist commandos' infiltration in the State apparatus, the Universities, the Churches and in important groups of the United States population is so much deeper than at the time when Joe McCarthy was still alive.

No other argument is invoked by the eager advocates of the ratification of the Anti-Proliferation Treaty than that of the "rapprochement", the necessity of winning Soviet Russia on the side of non-Communist thinking, purpose and civilization, to keep on acting upon the deadly day-dream of Roosevelt and Hopkins, for which it is supposed that not enough sacrifices have been made. Another formula has been found to revive the credulity and hollow hopes of the United States public opinion: "No confrontations but negotiations". This slogan comes directly from the mature reflections of a Harvard analyst, who pretends to forget that negotiating with Moscow is all what the Western World has made since Teheran and Yalta, and that any negotiations with such an interlocutor have to be a confrontation if they are not meant to let the adversary get away, once more, with all the loot.

There are only eleven articles in the Pact of Nonproliferation of Nuclear Weapons; it would be easy, therefore, for the United States Senators to read it attentively and to take their position according to their own conclusions, with the conscience of the enormous responsibility the question of the ratification puts over their shoulders, and without bothering about the mental diarrhea of former Harvard or Yale alumni.

There are two major errors which could be committed in matters of foreign policy: To insist upon the impossible and to sacrifice actual and possible allies in order to win the goodwill of an irreductible enemy.

By ratifying the Anti-Proliferation Treaty the United States has committed them both.

PROBLEMS OF MUNICIPALITIES

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. SCHWENGEL. Mr. Speaker, cities and towns throughout our country face almost insurmountable problems. It is a problem which we here in the 91st Congress must deal with, and soon. Mayor Loren Hickerson, of Iowa City, Iowa, recently dealt with the specific problems faced by Iowa cities and towns. His address shows a good deal of insight into the general problems faced by all municipalities. I commend his remarks to all my colleagues:

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THE PROBLEMS BEHIND THE PROBLEMS OF IOWA'S CITIES AND TOWNS

(By Loren Hickerson, Director, Community Relations, the University of Iowa; Mayor of Iowa City)

I'm delighted to be here today—the more delighted because of my high regard for the Waterloo people I work with in matters of mutual concern to our two cities: Mayor Lloyd Turner, George Griebenow, Louis Beecher and others. If, through some hectic years of local government, I've managed to retain a basic optimism about Iowa's ability to solve its modern-day problems, it is because of the talents, the enthusiasm and the dedication to the good of Iowa, reflected by such men as these.

I do suggest, however, that Kiwanis strike a couple of medals—one for the Club itself for listening to five mayors, more or less in a row; and the other for Mayor Turner, for even permitting five mayors to enter the Waterloo city limits for the purpose of making speeches. He has enough troubles without having to listen to the problems of imported mayors, or even to read about them in the *Courier*.

You've heard about the concerned citizen who gets himself involved. You're looking at Exhibit "A." I used to wonder, sometimes in amazement, at some of the processes of city government as I followed them in the mass media. Then I was elected to the city council, and for the past 3¼ years I've watched city government from the other side of that table in the council chamber.

My sense of wonder has been transformed. The remarkable thing about local government in Iowa is not that it is often difficult for people to fathom; it is that somehow it continues to function reasonably well, in spite of the stumbling blocks which have been piled into it and around it through the long history of government in Iowa.

I have seen enough of governmental structures and systems to scare me half to death over the future of society, in Iowa and elsewhere, unless we can move deliberately and consistently to govern our modern society under principles and rules which make sense for today, and which are more easily and quickly adjusted to changing conditions. In expressing this concern, I don't think I'm just whistling "Dixie." If I am whistling, it is because I don't really want to think that's a graveyard up ahead, filled with the tombs of human institutions we have cherished, slowly strangled by our failures to adapt them *in time* to life in the later 20th century.

I don't want to be misunderstood. A great many Iowans share this kind of concern today. They reflected it last fall in approving five amendments to the Iowa constitution. Many of our senators and representatives had reflected it earlier in proposing those same amendments, just as they have reflected it in other kinds of innovative and far-reaching legislation which has come from the General Assembly in recent years. But I'm not sure that the process of renewing state government has become a conscious habit in Iowa, and for the good of the state, I think it must become so. It will require the strong and sustained efforts of citizens throughout the state, electing and supporting legislators of the highest order, to make these successful new ventures in state improvement habit-forming.

There is a lot of discussion these days about the problems of Iowa's cities and towns. The problems are many, and some of them are serious. But my principal concern today is with the problems *behind* the problems—the root causes. Until these are faced squarely, help for cities and towns in Iowa will tend only to shore up some crumbling walls, when the real trouble is in the foundations of our governmental structure. I'll mention two particular problems, as I see them.

The first problem springs from the growing need to define the Iowa public interest not just in old time-worn patterns, but in the light of public needs as they exist today. In fundamental ways, we are paying only lip service to the good of the community of Iowa; and we will continue to do so, so long as we fashion public policy in ways best calculated not to do too much harm to traditional and well-established private interests, nor to the deeply-vested interests of the governmental structure itself. We're still strongly inclined in Iowa to define the public's interests as though the times really hadn't changed much at all.

I cite as an example the celebrated road-use tax formula—a formula which year-in and year-out receives, I swear, a great deal more pointed attention than roads and road-use.

The second problem is to be found in a sprawling jungle of accumulated Iowa law and precedent, which stretches all the way back to the Constitution of 1857. The average city and town council in Iowa doesn't spend as much time as people may think, discussing what they should do about their local problems. Much of that time is spent in asking their attorney what the council's limited alternatives are, in the light of the limitations imposed upon them by state law—including the 30-mill limit on financing their principal departmental services.

The Code of Iowa—the basis for law and order in this state—has been built up, layer upon layer, through 112 years. The body of our law grows rapidly, but it changes only nominally, and painfully. Inconsistency and conflict thus get built into the law itself.

Now some people may see no relationship between this simple fact and our growing concern over the contemporary breakdown of law and order. I think I do see a relationship. Respect for law begins with the reasonableness of law, and with the consistency of law. That is true, whether you are aged fifty or fifteen. To put one's faith in law without a continuing and sensitive reappraisal of the validity of law under changed conditions is to invite wholesale blinking at the law. No orderly society can afford that indefinitely; and we are seeing a lot of it these days.

Before you assume that I sound like a radical reformer, let me assure you that I am speaking to you specifically as a concerned taxpayer. I think both public officials and taxpayers ought to be consistent in their approach to government. I did not become, overnight, an enemy of the people through the simple act of being elected to a city council. From what I have seen of government from the inside, I grow more tired than ever these days of pious declarations about holding taxes down, when private interests from A to Z spend considerable amounts of their time and money lobbying for special "breaks" through this or that gnarled old limb of an incredibly complex tax tree, and when there is so little inclination to build a sensible basis for modern economy into the structure of Iowa government itself. Moreover, I get more than a little concerned about unrealistic or conflicting statutes which tend to thwart the very objectives they are intended to achieve, including the objective of a solid respect for law itself.

It will not surprise you that I can cite an example which combines both these root problems: defining the present-day public interest on the one hand, and implementing it through a dysfunctional tangle of law on the other. The Iowa City urban renewal case is both current and classic.

Urban renewal came into federal and state statutes as a new dimension in the public interest—a modern-day means to encourage and expedite the redevolepment of deteriorating urban areas, both to re-stimulate their economic potential and to forestall the social problems they breed. Both of these are dollars-and-cents objectives to 20th century taxpayers.

I'm sure you are familiar with the remarkable record of the Iowa City project. After 3½ years of planning, plus 1½ years of litigation in the courts, the project now has reached a highly-developed state of non-existence. Meantime, an additional five years of deterioration has occurred in the area considered for renewal in Iowa City. As a by-product, doubts have been cast on the legality of urban renewal programs in many other cities and towns in Iowa, not to mention low-rent housing projects, on which conflict-of-interest statutes are comparable to those involved in urban renewal.

Is all of this a service to the public interest in a changing Iowa?

Three succeeding Iowa City councils have been involved in urban renewal planning since 1964—all of them illegally, it turns out. Two councilmen were replaced by the voters in 1966. The other three councilmen were replaced by the voters in 1968. At no time since the beginning of the Iowa City renewal concept five years ago have a majority of the city council, duly elected by the people they serve, been free of conflict in that program under the Iowa law, as interpreted by the Supreme Court.

I have no quarrel with realistic conflict-of-interest laws. I have no quarrel with the Court's interpretation of this law as it is written. My quarrel is with the law itself—this or any other law—which defeats its own purpose by blindly tying new conditions to old precedents.

I'm sure the modern public interest assumes that an urban renewal project ought to involve an area in which the need for physical renewal is clear-cut. Iowa City's experience suggests that the primary consideration is not an obvious renewal area, but any area in which there is no possibility of council conflict. And how could you even be sure of that, without somehow controlling who runs for the council every two years, and who gets elected?

It has been suggested that in the light of these protracted difficulties, the council ought to kill the Iowa City project, once and for all. But how do you kill a dead horse? If a resolution were presented to the Council at its next meeting to abandon Iowa City's urban renewal project, a majority of the councilmen couldn't vote on the resolution. Our horse ought to be three or four years old this summer. Now it turns out it wasn't even born.

The future of a project of this kind in Iowa City now hinges on legislative action which would permit a new start—with a new law, or a new plan, or a new council, or a combination of these. But Iowa as a whole is luckier. The court ruling came while the legislature is in session. Assuming early legislative action (which now is in process), all other cities and towns in Iowa will be spared at least a full year of delay and doubt about these programs.

This is hardly a time in history to be wasting years in the advancement of any community in Iowa, large or small. That is why I think it ought to be a prime function of law to facilitate the achievement of new public interests, not to impede them through deference to earlier precedents.

With all that water over the dam, let me get more positive and hopeful.

I think we have it within the range of possibility in Iowa to develop modern-day governmental strengths superior to those in most other states. In fact, Iowa has taken some outstanding steps in recent years, precisely in this direction.

The home rule concept, as approved by the voters of Iowa last November, is the key to that potential superiority. If the concept is fully implemented by the General Assembly, Iowa will achieve a balance between sound state regulation and responsive local authority which could be the envy of the nation, and which would serve as a prototype for realistic state-renewal everywhere.

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There are several additional steps which are of vital importance in implementing the concept, both in its letter and in its spirit.

One step is to eliminate from existing Iowa law the thickets of restrictive legislation which have accumulated in the Iowa Code, generation after generation, during the century and more when cities and towns could do nothing without the express permission of the legislature. Home rule cannot become truly meaningful in Iowa until this step is taken. The process can begin soon, hopefully with passage by the present General Assembly of legislation already on file, calling for a thorough review of existing laws throughout the Iowa Code which now limit the authority of city and town officials. The review would lead to specific legislation in the 1970 and later sessions of the legislature, repealing those sections of law which no longer are necessary or desirable under home rule, and amending sections of the law which are desirable, but outdated.

(An important corollary of this step, at the same time, is firm legislative resistance to any inclination to pass new and additional legislation which is contrary to the home rule concept.)

A second important step is to encourage, in broader ways, effective inter-governmental agreements among cities, towns and counties, and to stimulate and facilitate the voluntary merger of local governments to form larger political units. Here, too, Iowa has taken splendid steps in recent years, of which the regional airport bill, already passed by the Senate in this session and now before the House, represents Iowa legislative leadership at its finest—(and a tribute, incidentally, to the all-state leadership of Waterloo.)

Consolidation of local governments, particularly counties, has yet to become a popular goal of state government in Iowa. There are those who actively oppose it, and others who don't think it will ever happen. Not only do I think it will happen, but I think the day is close when the people themselves will demand it; if not because it's better government for the modern day, then because it is coming to represent a tax advantage so clearcut that county consolidation will sell itself.

The interim step to wholesale consolidations of local governmental units by legislative action is too obvious, too logical and too practical to overlook. It is to encourage consolidation from the grass roots upward—a highly consistent extension of the home rule concept.

A third vital step to make home rule successful involves a great deal more than home rule itself. It is the methodical and wholesale revision of traditional taxing patterns and programs in Iowa. The revision would have to combine a maximum of fearlessness with a minimum of doubletalk. Its goal would be the finance of state and local public services in Iowa through tax types and tax systems which fit the economic styles of the times.

In this department, I think the legislature's actions will have to be pretty thorough and pretty ruthless with the good old days. But the blood-letting may become easier than some legislators think. I have a hunch that one of these days Iowans are going to wake up to the realization that property tax relief really is a myth, and always has been, in the absence of a sweeping tax reorganization which includes major increases in nonproperty taxes. They are going to discover that what the people have been talking about and what their more powerful lobbies have been talking about all these years have not always been the same things. At that point we'll begin to get some real property tax relief.

I'd even venture a fourth step in implementing the home rule concept, although I'm dubious of its success. It is to assume, at least for a period of years, that these goals and objectives of the state of Iowa are more important than politics. At the least, the major political parties ought to vie with one another, not over what is good or what is bad for Iowa in the vital process of moving our governmental patterns toward the 21st century, but over which party can accomplish the greater progress in an all-Iowa program, in consistent and orderly ways, during years when it holds the state's top offices and/or majorities in the General Assembly. When it comes to the organization of government, I think there's too much politics in Iowa politics. Which only shows that I'm not much of a politician.

In their newest book, *The Lessons of History*, the Will Durants put the individual citizen in clear perspective with the society in which he lives. "Our states," wrote the Durants, "being ourselves multiplied, are what we are. They write our nature in bolder type, and do our good and evil on an elephantine scale."

I'd like to wrap all this up with a comment about the young people of Iowa. I'm surrounded by a splendid segment of them at The University of Iowa.

On the campus in Iowa City, as in many high schools and institutions of higher learning in these times, the antics of a few manage all too easily to distort the image of the many. Those many are the source of our pride and our hope as a state.

I am not among those who resist or who resent the idealism reflected by today's younger generation—Iowa's younger generation—or who write off its penchants for high purpose as simply a painful part of growing up in a hard-headed, hard-hearted, practical world. Throughout the state, there are a great many of us, living on the shady side of thirty, who have been trying to modernize many an Iowa institution for a long time. We need help, and today's generation of young Iowans represents potentially the greatest reservoir of hope in the history of the state.

We need these Iowa young people, and we need them here in Iowa. In an ageless pattern, they'll soon be moving into and upward in the worlds of Iowa business, industry, and agriculture, and staffing our professions. They'll be managing the governments of our local communities and seeking seats in the General Assembly. In a very real sense, they are what Iowa is to become.

We need in Iowa a solid partnership with our own youth—its talents, its enthusiasm, its idealism. That is not the least of the reasons for the reform of our governmental institutions, that they may fit the age of tomorrow. Give us that partnership among the Iowa generations, and the incredible age ahead will be richer and more wonderful in Iowa than anywhere else in the world. Give us that partnership and it will be a superlative nature that Iowans will write in bold type, across the generations to come.

IMPORT QUOTAS HELP FEED INFLATION

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. REUSS. Mr. Speaker, if the administration and Congress yield to pressures to impose quotas on a wide range of imported goods, we will not only roll back the beneficial effects of the Kennedy round of tariff negotiations and invite retaliation in kind from abroad, but also feed inflation through higher prices for the consumer. An excellent article on the harmful effects of import quotas recently appeared in Consumer Reports. I commend this article to my colleagues:

HOW IMPORT QUOTAS RAISE CONSUMER PRICES

President Nixon brought home from Europe last winter some news that may hit consumers squarely in the wallet. The President's news, couched as it was in dry-as-dust references to tariffs, import quotas and other intricacies of international trade, was scarcely meant to arouse public concern; it was, rather, intended to reassure American manufacturers who have been crying for protection against foreign competition. What Mr. Nixon said he had done was to urge European governments, in no uncertain terms, to cut back on the volume of certain goods their industries are selling in this country.

The political pressures that have been building up in recent years in behalf of protectionism could bring seemingly remote matters, such as import quotas and trade balances, close to home in the form of higher prices and fewer choices in a large array of consumer goods. As the President himself pointed out during a televised news conference in March, 93 bills in the last session of the Senate proposed quotas on various goods imported into this country at the rate of $7.7 billion worth a year—more than 40 per cent of America's dutiable imports—and additional goods would have been affected by omnibus quotas schemes. The list of products involved ranges from clothing to typewriters, from glassware to radios, from sewing machines to costume jewelry to meat and dairy products.

The protectionist assault, launched by dozens of industries and supported by dozens of unions and scores of Congressmen, caused Mr. Nixon to point out to foreign leaders "that unless some voluntary restrictions or restraints were worked out . . . the pressure for legislative quotas would be immense." Indeed, not since the eve of the Great Depression has protectionism been so strongly on the offensive as it is today. In 1930, it may be recalled, Congress passed the Smoot-Hawley Act, raising tariffs to the highest level in the nation's history. Unable to compete any longer in U.S. markets, other nations raised trade barriers of their own. As the worldwide depression deepened from 1930 to 1934, the value of American exports took a 70 per cent drop; world trade fell by two-thirds. Instead of alleviating the economic slump, protectionist policies of the U.S. and other countries only aggravated it.

THE LESSON OF SMOOT-HAWLEY

A hard but valuable lesson was learned, and in 1934 Congress reversed the protectionist trend by passing a reciprocal trade program based on lower tariffs. In the post-World War II years the shortage of consumer goods and the disarray of foreign industry encouraged further tariff lowerings, as did American policies to foster economic recovery in Europe and Asia. While an economic decline in 1957 brought an upsurge of protectionist demands, the Eisenhower Administration did not entirely succumb. It held to the view that the Government could not go on "building competition shelters for every segment of the economy."

The spirit of trade liberalization was forwarded by the Trade Expansion Act of 1962, and reached its culmination at the Kennedy Round of tariff negotiations completed in Geneva in 1967. There, 50 nations agreed to cut tariffs an average of 35 per cent in five annual stages on an exceedingly wide range of goods. For the American consumer, the Kennedy Round held out the prospect of significantly lower prices on such imported items as cars, cameras, chocolate, chinaware, bicycles, TV sets and perfumes.

Hardly had the Kennedy-Round rejoicing commenced, however, than it was dam-

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pened by a large-scale counterattack. Industrial lobbyists in many of the participating countries swiftly began putting on pressure for nontariff import barriers. "Nature abhors a vacuum and manufacturers abhor free trade," observed an international-trade official. The result has been a crazy quilt of border taxes, "sanitary regulations," quotas and artificial pricing.

ENTER THE QUOTA SYSTEM

In the U.S., for instance, the legislatures of industrial states and municipal governments increasingly have adopted "Buy American" policies under which, at extra cost to the taxpayers, domestic suppliers of equipment and materials get preference over the potentially lower foreign bidders on public works contracts. Then, too, existing quotas limit imports of crude oil, boosting prices on gasoline and home-heating oil.

With tariff protection politically unpalatable and foreign industry bidding keenly for American business, many protectionists are turning to quotas, which set an absolute limit on the amount of a given product that can be shipped to these shores in any given year. As an official of the beleaguered steel industry put it, quotas are the most "effective and prompt" means of limiting imports. Or, as a Washington trade expert put it, "For protectionists there is nothing more delicious than a quota."

The Johnson Administration yielded in some degree to pressures in favor of weakening the Kennedy-Round agreements, and today the protectionists are filled with great expectations. For one thing, they have a powerful argument in the drastic shift of America's foreign-trade balance that has become unhappily apparent during the past two years. This country has long been accustomed to selling more merchandise abroad than it buys, thereby bringing in several billions of dollars annually to help make up for the dollars that keep flowing out in the form of military expenditures, foreign aid, the openhandedness of U.S. tourists and so forth. In 1967 our trade surplus reached $4 billion.

That surplus, however, can no longer be taken for granted; it can come and go, and it appears to be going. Last year it fell to only $726 million, the lowest figure since 1937. Whereas exports rose by about 9 per cent in 1968, imports went up 23 per cent. According to a Federal Reserve Board analysis, "A considerable range of U.S. goods may have become somewhat less competitive since 1965. . . . To some extent this may be a matter of price. . . . But for some products—automobiles, for example—the problem may involve not only prices but also design."

Shoppers with no mind for big numbers can see the evidence of the import boom in their favorite department stores: shoes from Italy, bicycles from Britain, all manner of radios, TV sets, tape recorders and electronic gadgetry from Japan—the list is a long and attractive one. Never have our retail counters showed such tempting variety. But, argue the protectionists, as long as the dollar drain continues, Americans cannot afford to treat themselves to so many foreign-made things.

The protectionists pin their hopes now on the new Republican Administration and the G.O.P.'s strong old-line protectionist elements. One must not make too much of party platforms, but the 1968 Republican platform with its emphasis on "fair trade" rather than "free trade" contained a somewhat ambiguous paragraph that injected new spirit into the old protectionist veins: "Imports should not be permitted to capture excessive portions of the American market but should, through international agreements, be able to participate in the growth of consumption. Should such efforts fail, specific countermeasures will have to be applied. . . ."

TURNING OFF TEXTILES

Philosophically, President Nixon and his new administration have identified themselves as unequivocally favoring unhindered trade relations. For example, the President told one of his first press conferences, "I believe that the interest of the United States and the interest of the whole world will best be served by moving toward freer trade rather than toward protectionism. I take a dim view of this tendency to move toward quotas . . ." Nevertheless, Mr. Nixon in the next breath went to bat for the textile industry. In its behalf, at least, he seems inclined to use the protectionist tendencies in Congress to help persuade textile-exporting countries to negotiate "voluntary" quotas on their shipments to the U.S.

Free-trade advocates were particularly dismayed at the expanded role being given to Commerce Secretary Stans as the chief international trade negotiator in the Nixon Administration. Under the previous two administrations, the President's Special Representative for Trade Negotiations handled the job and brought to it the single-minded objective of dismantling trade barriers. The Commerce Department, on the other hand, has been traditionally sympathetic to domestic industry in its conflicting pleas for protection from imports and Federal assistance in the promotion of exports.

The President specifically designated Secretary Stans as his trade envoy to discuss import quotas on a trip to Europe in April. Mr. Stans took the occasion to affirm the Administration position. "At heart, we are free traders," he said, and proceeded to the necessity, in his view, of some quotas on imports of synthetic textiles, not only from Europe but also from Japan, Hong Kong, Korea and Taiwan. U.S. textile firms, he said, are faced with an "unbelievable" increase in imports, which could do "great harm" to the industry.

Legislation put forward in 1967 and 1968 would have kept textile imports down to the 1961–1966 level. When Chairman Wilbur Mills kept it bottled up in the House Ways and Means Committee, it was attached as a rider to the Senate bill for an income-tax surcharge and thereby passed overwhelmingly. Mr. Mills finally killed it for that session of Congress in the Senate-House conference on the tax bill.

In view of the fact that textile imports rose an additional 27 per cent in the first nine months of 1968, there is some risk that the last has not been heard of textile-quota legislation. At the least, the nation seems stuck with Mr. Nixon's campaign promise to negotiate textile-quota agreements. If he is successful, he may possibly stave off even more restrictive quotas by act of Congress on a broader assortment of goods. But protectionists aren't so easy to placate. Nor are their arguments entirely foolproof—at least not in the view of persons who refuse to fool themselves about the give and take of international trade. Former Ambassador William M. Roth, who was President Johnson's Special Representative for Trade Negotiations is one such person. He described those who advocate import-quota bills as a means of stopping the outflow of dollars as "dressing up self-service legislation in the gleaming garments of serving the national interest."

CASHMERE AND HAMBURGER

It takes no gift of prophesy to grasp what even "voluntary" restraints by foreign producers could mean for the American consumer. At present, to take a simple example, a man's cashmere sweater made in England costs an American sweater fancier about $25. The retail price of a comparable sweater manufactured in this country is about $35. If the number of cashmere sweaters that the British may send us is limited at a point where the demand for them is not yet satisfied—which, of course, is the very essence of a quota—then some U.S. customers will find themselves with the choice of paying at least $10 more for a sweater or going without. Moreover, the protected American firms would have no incentive to lower their price and, indeed, might be tempted to raise it, since they would no longer have to worry about price competition from overseas. Would du Pont, for example, have reduced the price of its *Corfam* leather substitute by 20 per cent in 1967 if the Japanese had not been marketing a similar product?

Although connoisseur items and gourmet treats are among the most delightful of our imports, the import of a quota would by no means be limited to luxury-priced merchandise. Especially affected would be low-income shoppers who have welcomed bargains from abroad in clothing, sporting equipment, toys, chinaware and other goods. The equivalent of a pair of U.S.-made women's sandals that retails for $14 can be had for $10 from a foreign maker. Since our meat imports consist almost entirely of the lower-priced grades of meat used in hamburger, sausage and frankfurters, import quotas in that area would raise the price of the processed meats that occupy a large place in the menus of families that cannot afford more costly cuts. Hamburger and frankfurters would go up an estimated 2¢ to 3¢ a pound. John McEwen, trade minister of Australia, from where half of our meat imports come, may have had in mind Mr. Nixon's campaign pledge to cattlemen to act against "cheap foreign beef," when he remarked dryly: "It is difficult to understand why the U.S. should be taking steps to curtail imports at a time when domestic meat prices are at or above record levels."

Any trend toward quotas would predictably spur the present inflation, which is a major factor in our balance-of-payments difficulties. Prices are already too high on some U.S.-made goods to interest foreign markets. As *The Wall Street Journal* has pointed out: "In these inflationary times, import competition is among the few factors working toward holding prices down."

It is not conceivable that our customers overseas will sit still while we block the entry of their goods and hurt their industries without reciprocating. The many U.S. businesses and workers in both agriculture and manufacturing whose livelihoods depend on exports would be hurt in retaliation, and the repercussions would be felt throughout the economy. The Department of Labor estimates that every billion dollars of exports supports nearly 100,000 jobs. When the Belgians were annoyed by an increase in the U.S. tariffs on carpets, they cracked down on our exports of plastics, which deprived a U.S. industry of millions of dollars in sales to an expanding market. (The U.S., for its part, has engaged in much the same tactics. When the Common Market countries put up barriers against our chicken exports, American tariffs were raised on German trucks and French cognac.) As Austria has warned, protectionist measures by the United States will "probably provoke similar measures . . . [which] will eventually affect the interest of American exporters to a much greater degree than those of the foreign importers." Ambassador Roth had such dim prospects in mind when he observed that once the game of retaliation and counter-retaliation gets under way, "the effects on our balance of payments would be incalculable."

DISTASTE FOR COMPETITION

No one, not even the most fervent free trader, denies that some Americans will be hurt by increased imports. The Government can hardly overlook the industries, groups of workers and even sections of the country that could be severely injured if they were not protected to some degree from outside competition, and everyone is in favor of granting them assistance. Such assistance was in fact written into the Johnson Administration's Trade Expansion Act of 1968, which did not make its way through Congress. But most of the *efficient* firms in industries calling for protection are not in truth

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suffering from anything more painful than a distaste for competition. In the long run, the most economical way to help those truly in need of help is to tailor assistance to specific needs—loans for plant modernization, job retraining and so forth—rather than to slap down across-the-board quotas, which would be a windfall for the prosperous as well as a benefit for the ailing.

The national interest would be far better served by a campaign to get Japan and the European trading countries to relax their nontariff trade restrictions, which are in some cases more severe than American ones. As its quid pro quo, the U.S. might relax its own barriers, such as the American Selling Price system, under which certain imported chemicals are valued for tariff purposes not on the basis of their actual foreign price, but on the higher price of the equivalent domestically produced products. The lamented 1968 Trade Expansion Act would have abolished the American Selling Price system in return for an agreement by other countries to reduce their duties on chemicals even below the Kennedy-Round levels.

President Nixon appears to have abandoned the effort. "I think we have to realize," he said after returning from Europe, "that we cannot anticipate in the near future another big round of reductions of tariff barriers. We're going to do well if we can digest what we have on the plate."

Another focus of ostensible protectionist concern is for the group of industries that have to be subsidized because they would be irreplaceable in case of national emergency. Such industries doubtless exist, but a certain skepticism is in order regarding the discovery by every sort of businessman that he is indispensable to the national security and that patriotism therefore demands that he be coddled. It is on such grounds that the petroleum industry, for example, has convinced the Government to make consumers subsidize it through—among other things—an import quota on crude oil.

Beyond a very few legitimate considerations of national security and individual hardship, the protectionist argument is not powerful. Retailer groups, which in this fight stand with the consumer ("The consumer wants—and we want to give her—the widest selection and the broadest assortment of merchandise at the lowest possible price," says the president of the Hecht Company), point out that far more jobs would be lost and far more industries hurt by raising world trade barriers than by expanding world trade. Good times abroad mean more purchases of U.S. merchandise. The prosperity enjoyed by Europe and Japan in 1964 was reflected in this country in the form of a profitable year for our exporters, and a healthy $6.6 billion export surplus for the country.

The decline in the U.S. export surplus is in significant part attributable to the reluctance of American industry, grown fat and comfortable, to compete with less comfortable and more energetic foreign firms. The outstanding example of this phenomenon is the passengar car. Imported cars have won more than 10 per cent of the U.S. market—one million of them entered the country last year—and their sales are increasing at an embarrassing rate. Volkswagen sells twice as many cars in this country as does American Motors. The implications have not been altogether lost on Detroit; Ford is currently introducing its "smaller-than-compact" *Maverick* in the foreign-dominated $2000 class. Corresponding General Motors and American Motors small cars are due within a year or so.

SOFT AS STEEL

America's formidable steel industry, which for years relied on "administered prices" to keep up its profits, has also been behaving like an aging champion who is reluctant to enter the ring again, and has been asking for quotas to keep down foreign imports. As a writer in *Fortune* summed up that situation last year:

"The steel industry has been a desultory competitor in the international arena. It has until recently been raising prices and has refused to use pricing as a competitive weapon, while foreign steel companies have been cutting export prices—accepting lower profit margins to get added volume. Now U.S. Steel has broken out of the pattern: almost furtively, the company has cut prices sharply on a variety of products to meet foreign quotations. Much of the industry is distressed about this untraditional behavior, but it may be the best thing that's happened in steel for years."

Yet steel interests continue to clamor for protection that will relieve them of the challenge of foreign price competition; in January, in an effort to head off Congressional imposition of quotas on steel imports, the State Department helped negotiate "voluntary" quotas by the major steel producers of Western Europe and Japan—somewhat like an old-fashioned cartel agreement, if you please. (Indeed, the steel agreements were the immediate precedent for Mr. Nixon's present textile negotiations.) Richard S. Thorn, an economics professor at the University of Pittsburgh, commented: "Quota restrictions are simply an unimaginative effort to preserve profit margins in a manner which will take away most of the incentives from the steel industry to deal with the underlying factors which have prevented it from participating fully in the unprecedented growth in the American and world economies."

Where U.S. companies have exerted themselves and tried to compete, the results have sometimes been rewarding for them and of benefit to the consumer. A good example comes from a vice president of General Electric: "In early 1960, General Electric chose to make a determined competitive effort in the six-transistor shirt-pocket radio. At that time, our retail price had been in the general range of $36. We were finding that Japanese-made sets were selling for $19 and we projected their price to drop to about $12 by 1970. Accordingly, we had to aim at the same retail price. This represented a formidable task—a reduction of two-thirds of the cost. We not only made the target, but last year we got our price down to about $7. . . . We are now selling our transistors in Japan.

BETTER SEWING MACHINES

The invigorating effects of competition have been demonstrated in other industries, too. We owe most of the improvements in sewing machines since the war to foreign makers. The domestic watch industry, hard hit by foreign competition, was virtually forced to exploit the pin lever watch and the electric watch, both of which have won a sizable market. Surely, that was a healthier response to competition than the tariff boost on watches put through in 1954 by the Eisenhower Administration on the ground that the watch industry was being injured by foreign competition. (Price of those tariff boosts to the U.S. consumer: $7 per wristwatch.)

Not all industries, to be sure, can hope for such technological breakthroughs; those, such as textiles, where labor constitutes a high proportion of costs, are at a considerable disadvantage in world markets. Still, there is room for greater ingenuity. And for all its moaning, the textile industry is doing nicely, thank you. In many industries, furthermore, profits are more to blame for high prices than wages are. The record indicates that though businessmen continue, on public occasions, to pay homage to Free Enterprise, when things threaten to get uncomfortable they are quick to turn to the Federal Government with demands for controls.

The assault of the protectionist forces goes beyond such homely matters as the prices we must pay for goods and the kinds of goods that are permitted to find their way into our stores. Any movement back to the "beggar-thy-neighbor" philosophy of the early 1930's threatens to slam shut doors which, over long and arduous months, have been opened among nations. The hopes of free and fruitful international commerce, raised high by the tariff cuts agreed on at the Kennedy Round, will suffer a thumping rebuff if the U.S. protectionists have their way.

RULES OF WAR

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. FISHER. Mr. Speaker, reams have been written about the war in Vietnam. There have been good faith questions raised about the wisdom of our involvement. In addition the Communist influence has undoubtedly been very active in promoting disunity, designed to give aid and comfort to the enemy. Antiwar and peacenik demonstrations, far out of the bounds of normal, sensible dissent, have braced the enemy's infamous designs. There have been many who have very properly questioned the propriety of nonmilitary strategy imposed by political considerations.

Unfortunately, because of these many conflicts of views, a lack of national unity has been indicated—probably far more so than the facts justify. Indeed, had there been solid unity, which is normally the case when a nation's flag and fighting men are committed in armed conflict with a foreign enemy, it is likely that war would have been won long ago.

In fighting a war the sole objective is and should be to achieve victory—prompt victory, with the minimum of losses. In order to accomplish this it is generally agreed that the military should have all necessary flexibility in choosing targets and planning strategy.

In a recent column by Don MacLean some of the mistakes that have been made in the Vietnam fighting were clearly set forth. He lays it on the line in a very understandable manner. Under leave to extend my remarks, I include the column in its entirely. It follows:

RULES OF WAR

(By Don MacLean)

WASHINGTON.—If Vietnam has taught us nothing else, it has taught us that never again should we enter into an armed conflict with anyone so long as there are ground rules designed to overcome our admitted superiority in men, weapons and supply.

Anyone is going to hesitate to provoke a giant, but nobody is going to respect one that agrees to fight blindfolded, standing on one leg and with one hand tied behind its back. And that is how the U.S. has been fighting its wars lately and perhaps that's one reason it's having so many of them.

In Vietnam we've failed to blockade the port into which come most of North Vietnam's supplies. We've failed to bomb certain "off-limits" military targets, such as dams and airfields. We even let it be known that we have no intention of invading enemy territory. Now, I ask you, is that any way to fight a war? Even a non-nuclear one?

Gen. William C. Westmoreland's recent

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report on the struggle is almost unbelievable. To this day, apparently, he believes that through "attrition" the enemy can be forced to surrender. He has never realized that, thanks to the birthrate in the Orient, and thanks to being able to operate from bomb-free sanctuaries and bomb-free ports, Hanoi can continue sending troops south forever.

In short, the way the war has been fought up to now by the U.S., it can never end with a North Vietnamese capitulation; only with a U.S. one. When we put an army in the field to fight, handicapped with the restrictions we've given this one, it really isn't fair to ask men to serve in that army.

How wild it is for us to toss napalm, bombs and howitzer shells all over the place and, at the same time, worry about world opinion going against us if we simply flooded North Vietnam by knocking out its dams! This is the kind of hesitancy which produced the Bay of Pigs, the Pueblo affair and similar embarrassments.

One can only guess how many lives would have been saved—on both sides—had we won this war in short order. The real tragedy of Vietnam is that we could have, but didn't. Hopefully, we'll never make this mistake again. Otherwise, small, aggressive countries will continue to harass us until the American eagle is picked to death by sparrows.

ROY GIBSON'S TRUE STORY OF ONE DRAFT PROTESTER

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BURTON of Utah. Mr. Speaker, I would like to pay tribute to a Utahan who is helping his community and State by action, not just words. I refer to Roy Gibson, of Salt Lake City. Roy Gibson is president of the Salt Lake Exchange Club, a past president of the Journalism Society, Sigma Delta Chi, a professor of journalism at the University of Utah in Salt Lake City, and for the last 10 years, news director of one of the leading television stations in the West, KCPX. In addition, Roy Gibson has the tough job of sitting on the State Selective Service Board.

Recently Mr. Gibson was asked to speak to the student body of Viewmont High School in Murray, Utah. He chose as his subject the selective service board's discussion with a young man we will all recognize—self-centered, confused, disinterested in his obligations as a citizen. I believe my colleagues will find this true story of more than passing interest:

TRUE STORY

(By Roy Gibson)

This is a true story . . .

A young man came into his local draft board in Salt Lake City this week. He said he was a conscientious objector.

He objected to war . . . he objected to military service . . . he objected to his draft board. He objected to its member's questions. He objected when his train of thought and conversation was interrupted.

He objected to communism . . . he objected to democracy . . . he objected to monarchy, totalitarianism, socialism, anarchy . . .

He objected to government. He objected to his nation, his state and his community. He objected to the school he once attended. He objected to his religion. He objected to his parents and his brothers and sisters. He objected to law and the absence of law. He objected to police.

He objected to authority . . .

He objected to riches and he objected to poverty . . . He objected to knowledge and the lack of knowledge . . . He objected to education and the lack of education . . . He objected to the "system.". . .

He objected. . . .

And he talked . . . almost continuously . . . for two hours . . . he talked about "people," . . . and "people," he said, "are the center of the universe." Yet he qualified that . . . "People," he said, "must not interfere with my way of life."

And he went on—"I love life. I know what it is to live. I do not want to give up my life. I do not want to jeopardize my life in defense of what someone else believes. The beliefs of people are important. What *I* believe is important. And I believe I must be left alone to live my own life and think my own thoughts. I do not want people telling me how to live, how to worship, how to think, how to talk. I want to make my own decisions. No one has a right to tell me how I must behave."

He was almost angry . . . and he stopped for a moment . . . and his voice dropped, almost to a whisper. . . .

"You see, people are important . . . I am important . . . and what I tell you is important. . . ."

He stopped again, staring at the chairman of the Draft Board. He looked exhausted . . . spent. . . ."

The three men on the Draft Board had been listening patiently . . . and carefully . . . for almost two hours . . . and then one of them asked: "What specific people are important to you?"

"My wife," he said, "and my child."

"Anyone else—your parents?"

"No."

"Your neighbors?"

"No."

"Your employer?"

"No."

"Your bishop? Your minister?"

"I have none."

"Your God?"

"I don't know if there is one."

"But your wife and your daughter?"

"Yes, they are important to me."

"Tell me, the Draft Board member asked, "If your daughter's life was threatened, would you defend her?"

"Yes, of course, I would."

"And your wife?"

"Certainly. Certainly, I would!"

"And if your mother's life was threatened, would you defend her."

"I don't know."

"Your father?"

"No."

"Your neighbor?"

"No. No. Certainly not!"

"But you said people are important. Wouldn't you go out of your way to defend their rights?"

The young man paused for quite a long time, and finally he said, "Not if it meant hurting them or killing them."

"Yet you would not hesitate to hurt—or kill—if someone threatened the life of your wife or daughter?"

"No, I wouldn't hesitate!"

"And what if they threatened you personally . . . threatened your life?"

"I would fight!"

"And what if you lost the fight . . . and lay dying . . . would you ask someone for help?"

"Yes, of course," he said vehemently, "I would *expect* someone to help me!"

"Who?" asked the Draft Board member. "Your neighbor?"

The young man's face was suddenly blank. His eyes seemed empty. His mouth lay open and wordless. He looked as if time had suddenly stopped.

There was a long moment of silence . . . and finally the Draft Board chairman broke the pause. . . .

"What people—other than your wife and daughter—are important to you?"

The young man's eyes looked startled. He shot a glance at the chairman, then dropped his eyes to his hands. His cheeks flushed. His right hand darted up to brush a swatch of hair away from his eyes. His lips tightened, then opened. . . .

"I've thought about that for a long time," he said. "I've driven through the ghettos and seen people in misery, I think they're hungry. I think they need help. I think somebody must do something for these poor people. They're in misery. They're in poverty. They suffer. They have no friends. They have no place to go, nothing to look forward to. I've thought about them for almost two years now, and I can see that welfare doesn't help. The war on poverty doesn't help. The rich people don't help. Nobody helps them. These colored people have been shoved into the ghetto and they can't get out. The Negroes have no one who will help them. . . ."

He stopped abruptly. And for the first time, he looked to the right side of the table where the Negro member of the Draft Board had sat silently listening for two hours.

A puzzled expression creased the young man's forehead. He stopped talking again and looked back down at his hands.

The Negro Draft Board member finally spoke. Quietly, he asked, "What have you done—done yourself—to help these people?

The expression on the young man's face turned to petulance: "I've thought about it a lot," he said. "I've thought about it for two years."

"What have you done?" the Negro asked again.

There was anger in the young man's voice this time: "I don't know what you *want*," he insisted.

"Have you asked?" said the Negro.

"I've *thought* about it a lot," the young man said.

"Have you asked?" the Negro asked again.

"No, I haven't asked, the young man shouted. "You'll have to *tell* me what you want!"

And, again, his voice stopped. His voice fell silent. His face became impassive. His eyes went back to his hands and his feet shuffled impatiently over the carpet.

"Will you *listen* if I tell you what I want?" the Negro asked.

The young man's head snapped upward—"It all depends on *what* you want," he said through his teeth.

And then, everything was quiet again. The young man squirmed in his chair. He rubbed the palms of his hands on his trouser legs. He looked deliberately at the chairman of the Draft Board, and then at the white man on the left side of the table. No one spoke.

Finally, the young man broke the silence—"I thought you wanted to question me about my conscientious objection," he said.

"We have," the chairman said.

"Is there anything else you want to know?"

"No," said the chairman, "nothing."

"Well, what's your decision?"

"We'll let you know," the chairman said.

"I'll be back, if you don't give me my deferment."

"We know," answered the chairman.

The Draft Board members had seen this young man before. The first time, he asked for a student deferment. It was denied, because his grades were not passing grades. The second time, he asked for a hardship deferment, because he had a wife and child to support. It was denied, because his military allotment checks would have supported them better than his salary. This time he had asked for deferment for conscientious objection, because he was opposed to war and thought

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people should be placed before governments. It was denied, because conscientious objection requires a *religious* belief which is opposed to war and he had no obvious religious belief.

The Draft Board chairman changed the subject—"You know it's Washington's Birthday this week," he said.

No one answered.

"Now, *there* was a man who believed in miracles," he went on. "And he knew that a miracle is no more than a man's wishes fulfilled."

The other Draft Board members looked at him.

And the chairman went on—"Old George thought people were important, too. *He* was important. His *family* was important. His *neighbors* were important. His *people*—his *country*—were important. And George spent one long, lousy, sweaty summer in Independence Hall in Philadelphia in 1787 with three dozen other men hammering out a constitution which became the foundation of law in this country."

"You know," the chairman went on, "George Washington didn't say much during the Constitutional Convention, but I remember one thing he said—it was in a letter he wrote to Lafayette, I think—it went something like this:

"Democratical states must always *feel* before they can see; . . . it is that makes their governments slow, but the *people* will be right at last."

The chairman paused to let that sink in . . . and then he repeated the last part: "But the *people* will be right at last."

"You see," he said, "George Washington did *think* a lot of his people. And he suffered a lot during that summer in Philadelphia. He listened to North fight with South, East fight with West, planters debate merchants, state's rightists argue with nationalists. And he listened. And he watched as all these diverse factions gave a little here, gained a little there, and pounded his gavel for order when things got too noisy. . . ."

By this time, the chairman seemed to be talking to himself. His eyes were thoughtful. His chin was resting on his hands. His eyes seemed to see the convention hall and all the delegates. And finally, he spoke again:

"You know, nobody really got sore and walked out of that convention. They all stayed there and talked and listened . . ." The chairman's head raised out of his hands . . . "And do you know how they finally hammered out the final draft of the constitution? They compromised. Everybody gave a little and everybody lost a little. And when it was over, nobody was really satisfied with what he had . . . but, you know, almost everyone of them thought it would work."

And then the chairman dropped his hand to the table with a bang . . . "And I think it has."

By now, the chairman was wound up in his trend of thought.

"Old George was a dissenter . . . you know that, don't you?"

He didn't expect anyone to answer.

"He was. He was a dissenter. He disagreed with the colonial government of the British . . . and he didn't like war, either . . . or killing, or violence.

"But there a difference between Washington's kind of dissent and the dissent I see nowadays. Washington didn't just sit back and complain. He got up on his two feet and went into action . . . and he knew that if you don't like one rule of law you have to set up another rule of law to replace it."

By now, the chairman was loaded with philosophy.

"The law is the rule, and out of rules come order, and out of order—the antithesis of chaos—peace and tranquility."

The chairman stared at the door the young man had slammed.

"Somehow, we've got to persuade people to listen to Washington's kind of logic, too."

It was quiet in the board room for a long time after that. The group of men sat motionless.

And finally, the chairman broke the trance.

"Well, I've done all the talking. Anybody else got anything to say."

No one did.

The chairman shuffled the pile of papers in front of him.

"What's the next case?" he asked.

* * * * *

The story I've told you was true. I know it was, because I watched it happen.

MONROE COUNTY, N.Y., HONORS LATE PRESIDENT BY DEDICATING "DWIGHT DAVID EISENHOWER" LILAC AT WHITE HOUSE CEREMONY

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. HORTON. Mr. Speaker, in each of our districts we have things in which we can express great pride. It has been my particular pleasure today to share with each of my colleagues in the House of Representatives a memento from my 36th congressional district—a small sampling of the beautiful lilac fragrance which has made Rochester, N.Y., famous the world over.

The Monroe County's Highland Park in Rochester has developed one of the finest collection of lilacs in the world. These lilacs—which will be blooming in the very near future—present a beautiful rainbow spectrum when in full bloom. The scent is as delicate as the breeze.

Springtime and lilac time are synonymous in Monroe County. The gentle slopes of scenic Highland Park, planted with more than 1,600 lilac bushes of 552 varieties, are ablaze with color ranging from white and the most delicate shades of lilac to the deepest purple.

Mr. Speaker, well over a half a million persons from virtually every State in the Nation and many sections of Canada visit the "Lilac Capital of the World" each spring to enjoy the park's multicolored vistas.

Lilac Sunday, the day blooms are at their height, is the highlight of the week when an afternoon-long program of music and entertainment is featured. Evenings during the week-long festival the colorful beauty can be enjoyed to music under brilliant illumination.

The lilac has been cherished by every generation of Americans. In Mount Vernon, both the Custis and the George Washington families were among its fanciers; Thomas Jefferson recorded the planting of lilacs in his personal garden.

Many of our poets and writers have had a fondness for the fragrant native of the Balkan mountains. Thoreau noted its traditional popularity in New England, where the lovely blooms have beautified homesites ever since Governor Wentworth planted our country's first bushes on his colonial estate at Portsmouth, N.H.:

> Still grows the vivacious lilac a generation after the door and lintel and sill are gone.

Fortunately, lilac varieties have not been lost to us over the generations, as have so many varieties of roses, peonies, and other plants of colonial times.

The world-famous collection which today covers 22 acres of Highland Park includes many of the varieties dating back to colonial origins. Although the Rochester collection was not started until the 1890's the pioneer varieties provide a striking contrast to some of the most recent introductions.

Among the most interesting of the historical varieties in Highland Park's display is the Azurea Plena, the first double-flowering form known, originated in 1843. Most of the modern double-flowering varieties are descendants of Azurea Plena, having resulted from the breeding experiments of the Lemoines, of Nancy, France after 1876. The double lilacs developed by the Lemoine nursery were the sensation of expositions all over Europe in the late 19th century, and their importation by fanciers in the United States began at the turn of the century.

Lilacs have never required promotion by an organized group of fanciers. The tradition of their popularity has grown spontaneously and is demonstrated vividly each year at lilac time in Rochester, when thousands of visitors from all sections of the United States and Canada come to view the 552 varieties—from pure white to deep purple—in the world's largest display of more than 1,600 shrubs.

These lilacs have won many awards but I sincerely feel their greatest honor took place today when a new lilac—the "Dwight David Eisenhower"—was presented to Mrs. Richard Nixon and to Ambassador John Eisenhower for planting in the White House gardens.

I was privileged to take part in this presentation along with Mrs. Horton, and two representatives of Monroe County, Kermit Hill, assistant county manager, and Alvan R. Grant, parks director.

It was Mr. Grant who had suggested the tribute to the late Dwight David Eisenhower. The new lilac—a unique blue with individual florets with four, five, or up to 17 petals on each cluster—was developed, under his direction, by Richard A. Fenicchia, superintendent of horticulture at the parks department. It was Mr. Grant who remembered the fondness for lilacs expressed by Mrs. Mamie Eisenhower a dozen or so years ago when she lived at the White House.

Because as a child she loved a lilac bush in the backyard of her Denver home, Mrs. Eisenhower wished she had some on the White House lawns, especially white ones.

To make that wish come true representatives of the park system arranged to transplant seven varieties at the White House and three varieties at the Eisenhower farm in Gettysburg. These plants were arranged so Mrs. Eisenhower could see them from her bedroom window at the White House and the farm.

The President's lady said:

> I have a special feeling in my heart for them when they bloom, it is to me the beginning of spring.

I was very pleased when Mrs. Nixon agreed to accept the gift from the people of my district who over the years have held deep affection and admiration for General Eisenhower. The presentation ceremony was a double pleasure in that the late President's son was able to break into an extremely tight schedule of briefings for his new assignment as Ambassador to Belgium in order to participate.

This presentation is the second honor in a week for the Monroe County Parks Department. Just a week ago they provided plants, on special request, to the National Arboretum here in Washington, D.C.

The famous "Rochester Lilac"—a pure white flower—was added to the National Arboretum collection.

Mr. Speaker, the "Dwight David Eisenhower" lilac is the result of many years work. It is a cross between the white "Rochester" lilac and the blue "Madame Charles Souchet."

The deep feeling behind the decision to name the newest lilac in memory of our late President demonstrates the love and affection held for him not only by the people of my district but by people across the world. I am sure all of my colleagues join with me in commending Mr. Grant and his staff for their dedication today of the "Dwight David Eisenhower" lilac.

OPPOSITION MOUNTS TO ABM

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BROWN of California. Mr. Speaker, some observers thought that the Nixon administration would gain by bringing the ABM system before the country which would gradually—if not begrudgingly—learn to accept the proposal. But, ever since March 14 when the President unveiled his Safeguard, the trend of opinion seems to be going the other way: most people do not have a real idea of what ABM actually is, but when they find out its many implications, they rapidly swing over to oppose the system.

Recently, two large and important organizations came out with strong criticisms of the ABM system. One of the groups is the Federation of American Scientists, a nationwide organization of approximately 2,500 scientists and engineers concerned with impact of science on national and international affairs. The other group is the International Longshoremen's & Warehousemen's Union which adopted a resolution at its 18th biennial convention held last month in Los Angeles asking for a halt in the ABM deployment.

I insert the statements of these two groups in the RECORD at this point:

F.A.S. CALLS FOR STRATEGIC WEAPONS FREEZE AND DEFERRAL OF U.S. ABM AND MIRV TESTING

The Federation of American Scientists calls upon the administration to put mutual halt on the deployment of offensive and defensive strategic weapons first on the agenda of the forthcoming U.S.-Soviet missile talks. The administration should, through its own actions, give the talks a chance to succeed. The deployment of ABM by this country should be deferred while these talks get underway. Flight testing and deployment of U.S. multiple independently targetable reentry vehicles MIRV should be halted and agreement sought on a bilateral moratorium on MIRV testing. If MIRV were to be completed, it would be most difficult to design an agreement prohibiting the installation of MIRV on each side's missile force. And if the installation of MIRV were to be completed another spiral in weapons deployment would become inevitable.

At this time both we and the Soviet Union have acknowledged "sufficiency" in nuclear-armed missiles and each is confident of its own strength, only a few times in the past have there been even remotely comparable possibilities for a strategic weapons freeze. As former Secretary of Defense Clark Clifford has warned, agreement may be made much more difficult in just six or twelve months by technical developments, the fears raised by the administration of future Soviet SS-9 with MIRV and of future Soviet ABM can best be handled by negotiating bilateral prohibitions on both of these weapons systems, with the missile talks imminent this country should not move ahead with the very two weapons systems we want to prohibit.

INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION, RESOLUTION 10-A: STOPPING THE ABM

ILWU opposes any deployment—whether thick or thin—of anti-ballistic missiles. The ABM plan is a fraud. It claims to be a defense, but actually it will only create new dangers for the families it pretends to defend.

It will make its area a target for enemy nuclear missiles, and the experts say some are bound to get through. It only takes one to destroy a city.

There is also the danger that fall-out from the so-called defensive missiles themselves would poison our air and water.

Every ABM is an atom bomb attached to a missile. Exploding atom bombs in our skies in the hope of destroying other atomic bombs makes about as much sense as running into a gas chamber to get away from a fire.

PATH TO DESTRUCTION

The third danger is that to begin installing these fraudulent defenses means we are continuing to walk down a path which ends in nuclear war. Our nation and our families will be in growing peril until we get off that path, and this can only be done when we face up to the fact in this nuclear age we cannot find safety in building weapons. We can only find it in building peace, and we'd better start concentrating on that before it's too late.

President Johnson proposed a so-called "thin" ABM system with a $6 billion price tag.

President Nixon proposes a modified thin system costing $7 to $10 billion.

We believe a "thin" system is really only the thin edge of a wedge, and that once started we'll be in a new arms race which will cost 10 times or even 50 times that amount.

Since World War II this country has been wasting its money and best energies in an arms race. The average worker gives up 30% of his income for direct and indirect taxes, about two-thirds of which are spent on things related to war. The trouble we are having now in our cities and our schools is largely the result of 20 years of government neglect of the real needs of our people for a healthier, more satisfying and human environment; these things have been neglected because our energies have been drained off in the Cold War.

After all this sacrifice for so-called defense, instead of being safer than we were in 1946, we are in a thousand times greater danger, and so are the Russians, because for the first time in history we each have the power to wipe out the human race, and neither of us has the power to stop it if some person in a key position on the other side makes a foolish move.

ABM won't change this; it will only make it harder to talk sense to each other because it will have us racing again for positions of advantage. We believe that we as unionists have a responsibility to our families and to our country to do whatever we can to stop this madness.

We urge President Nixon and our Congressmen to stop the ABM development.

We urge the Mayors of our cities and the members of our State Legislatures and our City Councils to add their voices to the protest against any ABM deployment—(The Hawaii State Legislature and the Honolulu City Council have both taken such action.)

Stopping the ABM can be a first stop on the only path that leads to safety for our loved ones—world peace and disarament.

UNO CONDONES SEGREGATION IN INDIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. RARICK. Mr. Speaker, the latest report from New Delhi, India, reveals that hereditary segregation continues; their society being separated into caste and noncaste.

According to the Indian report, one-sixth of India's population, an estimated 75 million, remain in the lowest class or noncaste called "untouchables." Under Hindu law, custom, and tradition the "untouchables" are employed only at "dirty" jobs, are denied use of village wells, may not eat in public restaurants or walk the same streets with the caste, are refused shaves by barbers, denied laundry services, and denied attendance at village governing councils.

In one province, "untouchables" are forbidden to turn up their moustaches and any noncaste teachers are boycotted.

A report to Parliament calling for civil rights—equal employment law for "untouchables"—to permit guaranteed government jobs, encouraging intercaste marriages, and a welfare program was tabled by the governing body.

Segregation and apartheid are found the world over in varying degrees and styles. And the Jagadguru Shankaracharya, one of the holiest men of India, the great and learned teacher of Puri in East India, believes "People are born unequal."

At the UNO India has voted consistently to condemn segregation in the United States of America and apartheid in South Africa, Rhodesia, and the Portuguese provinces, while the United Nations Organization continues to condone discrimination fixed by birth in India.

I include a report from India as follows:

[From the Washington (D.C.) Evening Star, May 5, 1969]

UNTOUCHABLES IN INDIA ARE OUTCASTS STILL

(By David Van Praagh)

NEW DELHI.—Untouchability is still "virulent" all over India, a parliamentary com-

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mittee has found after a four-year nationwide inquiry.

"Whatever effort has been made during the last 20 years of independence has not ended the Harijans' suffering," the committee said in a 1,000-page report on untouchability.

Harijans or children of God was Mohandas K. Gandhi's name for the untouchables or non-caste Hindus of India now numbering more than 75 million, one-sixth of the population. They traditionally are placed outside the four major Hindu castes because of their usually inherited occupations, including "dirty" jobs that other Indians will not do.

While the practice of untouchability was legally banned in 1955, one of the committee's findings is that police and even higher officials are unaware of the law.

REPORT TABLED

The committee, headed by an untouchable member of Parliament, L. Elayaparumal, tabled its report after an uproar in the lower house earlier this month over a defense of untouchability by one of the holiest men of India, the Jagadguru Shankaracharya or great and learned teacher of Puri in East India.

The Shankaracharya, expressing the orthodox Hindu view of untouchability, criticized the legal ban on it and declared that people are born unequal, justifying the caste system and placing some outside it.

Prime Minister Indira Gandhi said in an obvious reference to the Shankaracharya that a strong movement should be launched against those who preach casteism and do not understand Hinduism.

But the parliamentary committee charged the government's social welfare department with hindering its work. It accused state governments of not bothering to implement the ban on untouchability.

BIAS IS CITED

The report gave numerous instances of discrimination against Harijans. It told of refusal by caste Hindus to let them use village wells or eat in the same places or even walk on the same street; refusal by barbers to shave untouchables and by laundrymen to wash their clothes, and refusal by panchayats or village governing councils to let them attend meetings.

In one area of Madhya Pradesh, untouchables are not allowed to turn up their moustaches. In Bikaner in Rajasthan, students successfully boycotted their new Harijan teacher. Last year in Andhra Pradesh, several untouchables were burned to death.

Ironically, the committee found that Gujarat is among three states where the practice of untouchability is most widespread. India is celebrating this year the centennial of Mahatma Gandhi's birth in Gujarat. Vinoba Bhave, the foremost disciple of Gandhi, was quoted by the committee as saying: "We have not done much for the untouchables."

The committee calls for increasing the number of reserved government jobs for untouchables, ending the hereditary Hindu priesthood, encouraging intercaste marriages and providing a jail sentence for violation of the ban on untouchability. Financial and educational benefits also are urged.

HOUSE OF REPRESENTATIVES—*Wednesday, May 7, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Watch ye, stand fast in the faith, quit you like men, be strong.—I Corinthians 16:13.

All praise, honor and glory be unto Thee, O Father Almighty, for Thy loving kindness and Thy tender mercies which have been ours all the days of our lives. Protect us in our freedom and preserve us in our faith by Thy spirit of truth made known to us as we pray.

Cleanse the strivings of our hearts and clear our minds of stress and strain that inner peace may be ours and enduring peace may come to our world.

In this dark day may we as a nation not curse the darkness but keep the candles of faith and hope and love alight that all may see the way to life with liberty and justice and peace for all.

"Dear Lord and Father of mankind,
  Forgive our foolish ways;
 Reclothe us in our rightful minds,
 In purer lives Thy service find,
  In deeper reverence, praise."

Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

CHAIRMAN PATMAN TO DISCLOSE SECRETARY KENNEDY'S FINANCIAL ARRANGEMENTS

(Mr. PATMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PATMAN. Mr. Speaker, as the Members of the House know, Secretary of the Treasury David Kennedy has repeatedly refused to testify before the Banking and Currency Committee about his financial ties with the Continental-Illinois National Bank of Chicago.

The only comment has been in the form of a misleading news release issued by the general counsel of the Treasury Department, Mr. Paul W. Eggers. Mr. Eggers refused an invitation to appear before the Banking and Currency Committee last Saturday morning to explain his release and to give the committee additional information concerning his knowledge of the Secretary's financial arrangements with the bank.

Mr. Speaker, I have tried since the time of Mr. Kennedy's confirmation to get these facts and to determine fully the extent of the conflict of interest that existed. All of these attempts to obtain this information on a voluntary basis have been answered in a highly arrogant fashion by the Treasury Department.

There comes a time, Mr. Speaker, when any further delay in the resolution of such vital public issues is not in the public interest. I feel that Secretary Kennedy has had sufficient warning and ample opportunity to place the facts and conclusions, as he saw them, on the record.

Therefore, Mr. Speaker, I have obtained a special order for the purpose of making a 1-hour speech tomorrow afternoon—Thursday—on the subject of Secretary Kennedy's financial arrangements with the Continental-Illinois National Bank. The integrity of the Federal Government is at stake and this issue must be resolved quickly and firmly and openly.

THE SOVIET ABM SYSTEM

(Mr. YATES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YATES. Mr. Speaker, last night it was my pleasure to see the distinguished minority leader, the gentleman from Michigan (Mr. Gerald R. Ford), on television as he discussed among other things the Safeguard ABM. I would recommend to my friend, Mr. Ford, that he obtain a different expert to brief him for it was obvious that he is still as misinformed as he was the last time he took to the airwaves to discuss the ABM.

He said, and I wrote his words down as he said them:

> The Soviet ABM system today has provided an effective defense against missiles for Moscow itself.

If Mr. Ford's statement is true, then the statement of the Department of Defense's expert is false, for in the Department of Defense appropriations hearings for 1969 on page 454 of part 2, the following appears:

> Mr. Mahon. What kind of attrition could the Soviet ABM system, which is based on the so-called Galosh missile and is deployed around Moscow, place on our ICBM's? Could we, for the most part, negate this system today without neglecting other important targets?
>
> Mr. Foster. Mr. Chairman, to answer the latter part of the question, we can negate the Moscow system without neglecting important targets. The U.S. inventory, both current and planned for the future, is adequate to insure penetration of the Moscow area defense system by sheer exhaustion of the defenses.

Second, in his posture statement for fiscal year 1970, former Secretary of Defense Clark Clifford stated in reference to the Soviet ABM that causes such trepidation for the minority leader:

> Their Galosh ABM system resembles in certain important respects the NIKE-Zeus system which we abandoned years ago because of its limited effectiveness.

Third, my good friend, the gentleman from Michigan (Mr. Gerald R. Ford), forgets what President Nixon himself has stated, the defense of a major city against missile attack is simply not possible at the present state of the art. That is why the President said that he was abandoning the Sentinel system of the Johnson administration which allegedly was designed to protect our Nation's major cities.

Mr. Speaker, if the Soviet Union wants to squander its rubles on defensive ABM systems that do not increase its security, then let the Soviet Union do it. But we are certainly under no obligation to match those mistakes or to match the money it spends for that purpose.

Mr. Speaker, we still have a chance to avoid making such a mistake. I have been informed that the decision by the

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President to terminate the deployment of the Sentinel ABM system and undertake the construction of the Safeguard ABM system requires new authorization from the Congress before additional funds for deployment can be appropriated. I hope our decision will be not to make that mistake. Certainly, if we were to decide to build an ABM because of the existence of the Russian Galosh system about which the minority leader has expressed such concern it would be comparable to a decision by General Motors to build a car to match the Edsel.

CONTROL OF OBSCENE MATERIAL

(Mr. McCULLOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCULLOCH. Mr. Speaker, I am today introducing legislation proposed by the President to control the traffic in obscene material. The distinguished minority leader, 12 Republican members of the House Judiciary Committee and 10 other Members of this body have joined with me in cosponsoring this most important legislation.

Today we are confronted with a domestic crisis of gigantic proportions. The spiritual vitality of this country is being eroded and destroyed by the permissive attitude of a small minority bent on self-pleasure. That compelling problem requires our immediate attention and action. For far too long the decent citizens of this Nation have had disgusting and unwanted obscenity and pornographic advertisements foisted upon them and their children. The consequences of exposing impressionable young people to salacious, suggestive, and filthy literature and photographs are tragic. Whether through the mails or at the corner newsstand, it is impossible to calculate the devastating damage done by this material to the impressionable minds of our young people, who have not the emotional maturity of adults. I am pleased that we have an administration which recognizes how serious this situation really is. I commend the President for his forthright denunciation of these purveyors of filth and smut.

The first amendment to the bill of rights states:

> Congress shall make no law abridging freedom of speech or of the press.

This right of the people has been a long cherished cornerstone of American liberty and democracy.

Throughout our history, freedom of expression has served to stimulate new ideas and give our society the inner strength to be the spiritual and moral leader of the world. Accordingly, we must carefully and deliberately weigh our efforts lest this most fundamental right be lost.

However, obscene material of whatever form is not now and never has been protected by the first amendment. In *Roth* v. *United States*, 354 U.S. 476 (1956), the Supreme Court noted that from this Nation's inception—

> The protection given speech and press was fashioned to assure unfettered interchange of ideas for the bringing about of political and social changes desired by the people. This objective was made explicit as early as 1774 in a letter of the Continental Congress to the inhabitants of Quebec:
>
> "The last right we shall mention, regards the freedom of the press. The importance of this consists, besides the advancement of truth, science, morality, and arts in general, in its diffusion of liberal sentiments on the administration of Government, its ready communication of thoughts between subjects, and its consequential promotion of union among them, whereby oppressive officers are shamed or intimidated, into more honourable and just modes of conducting affairs." 1 Journals of the Continental Congress 180 (1774).
>
> All ideas having even the slightest redeeming social importance—unorthodox ideas, controversial ideas, even ideas hateful to the prevailing climate of opinion—have the full protection of the guaranties, unless excludable because they encroach upon the limited area of more important interests. But implicit in the history of the First Amendment is the rejection of obscenity as utterly without redeeming social importance.

After Roth, the Supreme Court in *Ginsburg* v. *United States*, 383 U.S. 463 (1966), *Memoirs* v. *Massachusetts*, 383 U.S. 413 (1966), and *Mishkin* v. *New York*, 383 U.S. 502 (1936), made it clear that material: First, whose dominant theme appeals to prurient interest; second, which is patently offensive because it affronts community standards; and third, which is utterly without redeeming social value cannot receive first amendment protection.

Moreover, the Court last year recognized in *Ginsburg* v. *New York*, 390 U.S. 629 (1968), that minors may validly be given special protection from exposure to obscenity. Consistent with the first amendment, Congress can enact a stronger law for children than it can for adults. Thus the Court said:

> While the supervision of children's reading may best be left to their parents, the knowledge that parental control or guidance cannot always be provided and society's transcendent interest in protecting the welfare of children justify reasonable regulation of the sale of material to them. It is, therefore, altogether fitting and proper for a state to include in a statute designed to regulate the sale of pornography to children special standards, broader than those embodied in legislation aimed at controlling dissemination of such material to adults.

In light of the constitutional structure established by the Court in these various decisions, the President has moved with great care not only to preserve unsullied the right to free speech but also to control effectively the traffic in obscenity.

The President has suggested three proposals for our consideration. I am pleased to have the honor to introduce two of these. One bill would make it a crime to knowingly mail or transport in interstate commerce matter to minors—defined as persons under 18 years of age—which describes or represents, in actual or simulated form, nudity, sexual conduct or sado-masochistic behavior which is offensive to prevailing community standards concerning suitable material for minors and which is substantially without redeeming social value for minors. This bill would also make it illegal to knowingly mail or transport in interstate commerce to minors matter containing advertisements for such material or information as to where it may be obtained. The other bill would prohibit knowingly transporting in interstate commerce or mailing any advertisement or solicitation designed to or intended to appeal to a prurient interest in sex. I consider passage of these bills to be mandatory.

The President's third proposal was introduced on Monday as title II of the Postal Revenue and Offensive Intrusion of Sexually Oriented Mail Act of 1969. This bill would allow any person, for himself or on behalf of his minor children under 19 years of age, to file with the Postmaster General a statement that he desires to receive no sexually oriented advertisements through the mails. The names of all persons filing such statements would be placed on a central list by the Postmaster General and it would be illegal to mail any sexually oriented advertisement to any person whose name had been on such list for 30 days.

Mr. Speaker, the moral strength and maturity of our young people is one of this Nation's greatest and most precious resources. This vitality today is threatened by the lascivious material which floods the mails and invades the privacy of American homes.

While the vendors of objectional literature smugly insist that their merchandise is aimed exclusively at adult markets, it is axiomatic that the caveat "adults only" serves merely to increase the material's allure for the adolescent. His curiosity is stimulated and the "forbidden" becomes all the more attractive by the very fact that it purports to be unavailable to him.

Parents should not have to worry that their children may be exposed to undesirable materials through the mails or that smut peddlers will give their children information on how they can obtain material which will be harmful to them. We should support parents in their efforts to build their children's characters by enacting legislation barring smut peddlers from sending harmful material to children.

But parents determined to make sure that their children are brought up decently have been virtually powerless to prevent the unsolicited pandering advertisements from penetrating the home. While Congress has acted in the past to permit parents to engage the Post Office's cooperation in removing the names of their children from mailing lists, it has yet to adopt a means whereby the initial enticing solicitation can be excluded. The administration's bills would do so.

Congress must heed the President's clear warning and must join with him and parents throughout the country to halt the traffic in this damaging and worthless material. It is about time that we stand up for decency in America.

WARNINGS FROM NORTH KOREA

(Mr. WALDIE asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

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Mr. WALDIE. Mr. Speaker, on April 18, President Nixon spoke to the Nation by medium of a press conference and discussed the latest atrocity by North Korea in shooting down an unarmed American plane over international waters.

Apparently seeking to differentiate that provocation from the *Pueblo* case of his predecessor, President Nixon stated that in the case of the *Pueblo*, warnings specifically directed at the *Pueblo's* activities for a 2-week period prior to its seizure had been given by North Korea. The President implied that in face of these warnings, the fact that the *Pueblo* was undefended was an error of policy that was not present when the plane was shot down. In fact, the President said, there were no warnings given in this latest incident:

> Under these circumstances, it was a completely surprise attack in every sense of the word, and, therefore, did not give us the opportunity for protective action that I would have taken had it been threatened.

The precise words of the President relative to the alleged warnings and threats to the *Pueblo* were:

> Also with regard to the *Pueblo*, in the case of the *Pueblo* the North Koreans had warned and threatened the *Pueblo* for a period of several weeks before they seized it. In the case of these flights, they have been going on as I have indicated, for years and during this administration without incident 190 of them have occurred this year.

Mr. Speaker, I did not recall mention of such prior threats and warnings concerning the *Pueblo* prior to President Nixon's comments.

I thought that such information was vital in our judging the nature of that act and the response dictated. I thought also that the failure to reveal these "threats and warnings" constituted a serious breach of responsibility on the part of President Johnson's administration. The credibility of that administration was called directly into question by President Nixon's comments.

Accordingly, Mr. Speaker, I wrote the Secretary of State that very day, April 18, seeking to learn "when, by whom, and to whom those protests were made and in what manner they were given." I will include a copy of that letter as part of my remarks.

Yesterday, Mr. Speaker, May 6, I received a reply from William B. Macomber, Jr., of the State Department, stating:

> In his comments at a news conference on April 18th, the President was referring to generalized warnings about "spy boats" and not to any specific warnings directed at the *Pueblo* or *Pueblo* type operations.

I will also enclose the entire text of that letter, Mr. Speaker.

Clearly, Mr. Speaker, the actual facts concerning this controversy in no way match the language President Nixon used in describing it. "Generalized warnings about South Korean spy boats" hardly equates with President Nixon's contention that "the North Koreans had warned and threatened the *Pueblo* for a period of several weeks before they seized it."

Mr. Speaker, at the best, this incident illustrates the danger of a President announcing national policy in the give-and-take nature of a press conference. Imprecise language on important matters at least confuses and at most creates a dangerous misunderstanding.

At worst, this incident brings to mind charges that were too freely thrown about concerning a "credibility gap" in the prior administration. I am afraid, Mr. Speaker, ample grounds here exist for a "credibility gap" charge against the present administration.

Finally, Mr. Speaker, the failure of this administration to provide protection to this surveillance plane, given the knowledge it possessed of the *Pueblo* incident, is really quite inexcusable.

The attempt to suggest that its failure to provide that protection is somehow more excusable than was the same failure in connection with the *Pueblo* falls flat given the knowledge we now have of President Nixon's mistaken recounting of that incident.

The above-mentioned letters and an article follow:

APRIL 18, 1969.

Hon. WILLIAM ROGERS,
Secretary of State, Department of State,
Washington, D.C.

DEAR MR. SECRETARY: In the recent press conference held by President Nixon wherein he discussed the subject of the unwarranted act of aggression by North Korea in shooting down an unarmed American plane that was not in violation of its air space, he also mentioned that the incident differed from the Pueblo incident in that the North Koreans had, to this Nation, protested several times for a period of several weeks about the Pueblo's activities and that therefore we had been forewarned that such action could be expected, as did, in fact, occur.

I recall no such statement being made prior to President Nixon's comments and desire to learn precisely when, by whom, and to whom, these protests were made, and in what manner they were given.

Please provide me with this information at your very earliest convenience as I desire to make a statement on the Floor of the House discussing this subject.

Sincerely yours,
JEROME R. WALDIE,
Member of Congress.

DEPARTMENT OF STATE,
Washington, D.C., May 6, 1969.

Hon. JEROME H. WALDIE,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WALDIE: The Secretary has asked me to reply to your letters dated April 18 and April 28 concerning references by President Nixon to North Korean warnings prior to the seizure of the USS *Pueblo*.

In his comments at a news conference on April 18, the President was referring to generalized warnings about "spy boats" and not to any specific warnings directed at the *Pueblo* or *Pueblo*-type operations. Frequent warnings were made in association with charges of alleged activities of fishing ships and naval craft of the Republic of Korea, but none of them gave any indication that the North Koreans had our electronic ships in mind.

Of course, as you know, there were no warnings of any kind with respect to our airborne electronic operations.

I hope this information will be useful to you.

Sincerely yours,
WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

[From the Los Angeles (Calif.) Times, Apr. 26, 1969]

WHEELER IMPLIES NIXON "PUEBLO" COMMENT ERRED—JOINT CHIEFS CHAIRMAN SIDESTEPS QUERIES ABOUT REPORTED WARNINGS BEFORE SEIZURE

(By Ted Sell)

WASHINGTON.—Gen. Earle G. Wheeler, chairman of the Joint Chiefs of Staff, strongly implied Friday that President Nixon was wrong in saying the United States had warnings that the U.S. intelligence ship *Pueblo* would be seized.

But Wheeler, asked at a congressional hearing if the President erred when he told an April 18 press conference there had been such warnings, sidestepped, saying that his commander-in-chief was wrong.

"I must ask the indulgence of the committee in this matter," Wheeler said.

The exchange took place during an open portion of hearings by a special House armed services subcommittee investigating the 1968 loss of the Pueblo and the April 14 destruction of a Navy EC–121 reconnaissance plane. The ship was seized at sea by North Korea and the plane was shot down by North Korean fighters.

DENIES ANY WARNING

Wheeler said that in neither the *Pueblo* nor the EC–121 incidents was there any warning of North Korea's intentions.

Rep. Alton Lennon (D-N.C.) noted that at his April 18 press conference, Mr. Nixon said:

". . . In the case of the *Pueblo*, the North Koreans had warned and threatened the *Pueblo* for a period of several weeks before they seized it."

Lennon asked if that was an accurate statement.

"To the best of my knowledge," Wheeler said, "It is a true quote from the President's press conference."

Lennon persisted.

It was then that Wheeler, indicating he could not contradict his superior, the President, sought the subcommittee's indulgence.

"It is an unfortunate statement," Lennon said, "and I don't think the President meant to make it."

He further characterized the Presidential utterance as an unfortunate slip of the tongue.

In other testimony before the subcommittee headed by Rep. Otis G. Pike (D.-N.Y.). Wheeler and other senior military officers reported that:

1—For a "considerable length of time" after the Pueblo was captured, U.S. reconnaissance flights in the area were escorted by fighter planes. Spy ship operations were canceled, but reconnaissance flights continued. The fighter cover was dropped when the intelligence flights were told to stay farther from the North Korean coast. No date for this was given.

2—Since the Pueblo incident, U.S. fighter planes in South Korea have been maintained on alert while reconnaissance flights were operating in the area. Fighters were scrambled 14 minutes after the lost EC–121 disappeared from radar screens. They arrived too late to do anything but help in the search for survivors or wreckage. There were no survivors among the 31 crewmen.

3—In Wheeler's words, "The intelligence we gain from such missions (the Pueblo and the EC–121) is absolutely essential to the security of our forces in South Korea."

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> The response came after Pike asked whether the information was worth the loss of 32 Americans (the EC–121 crew and one Pueblo crewman), the imprisonment for nearly a year of 82 Pueblo crewmen and the humiliation suffered by America in the two incidents.

THE ABM CRITICS

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, as a steadfast opponent of the ABM system, I am devoting my best efforts toward preventing any further waste of funds on this new escalation of the arms race. At the same time, I realize that others hold different views on the desirability of the system, and I honor their right to express their opinion.

It is with considerable dismay, therefore, that I hear charges that those of us who oppose the ABM do not have a right to express this view—that such opposition is treasonous, or disloyal at best. Such an attempt to label ABM foes as unpatriotic should be denounced in a land where freedom of speech is a fundamental right. Our Government is based on the principle of democracy, with each citizen guaranteed the right to express his opinion in open debate.

The Honolulu Advertiser on May 1 published an editorial response to charges that ABM critics are somehow involved in a conspiracy to weaken the Nation. Because of its clear thinking on this matter, I insert the editorial at this point in the RECORD:

> THE ABM CRITICS
>
> It's doubtful if either the cause of the anti-ballistic missile or rational debate will be furthered by charges that imply ABM critics are somehow involved in a conspiracy to weaken the nation.
>
> Yet House Republican Leader Gerald Ford seemed to be doing this when he emerged from a White House meeting this week and demanded heatedly whether ABM critics "want to unilaterally disarm America in the face of a serious threat from the Soviet Union?"
>
> He talked about "a certain concert" of opposition to the ABM, chemical and biological warfare research, and development of a manned bomber.
>
> Ford is right that there is a growing opposition, but it is wrong to suggest that it is motivated by any desire to cripple the nation's defense posture.
>
> Those opposing the ABM and questioning in Congress, a large number of scientists and biological warfare include a bipartisan group many distinguished former Federal officials.
>
> What many may oppose most, in fact, is the kind of thinking that equates disloyalty with opposition to proposed military programs.
>
> The post-World War II growth of what's called the military-chemical complex has a basis in Cold War needs, but its growth and momentum to what some feel dangerous proportions stem in part from just such a scare atmosphere.
>
> Fortunately, there are a growing number of Americans who feel that our many national requirements must be kept in balance and that security is not served by constantly escalated overkill.
>
> Labor Leader Walter Reuther made the point here the other day when he said the ABM should be held up because of questions about its workability, the fear that it will just add to the nuclear arms race more than increase security, and because funds are more needed for social problems.
>
> We are among those who oppose the ABM on such grounds. We also recognize there can be legitimate debate on the question. But there cannot be such debate if the atmosphere is clouded with charges that critics want to hurt the nation.

EXTENSION OF CHILD NUTRITION ACT OF 1966

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD.)

Mrs. MINK. Mr. Speaker, I am sure that all Members of this body are in favor of more milk for our schoolchildren. Prompt action by the House Committee on Agriculture in reporting out a permanent extension of the special milk program attests to our general agreement of this goal.

The Johnson and new Nixon administration both have recommended a budget which eliminates the special milk program altogether as a separate program. Instead of providing $104 million for milk as in the current year, or $125 million as proposed in H.R. 5554, the budget offered by President Nixon only allows $20 million fiscal 1970 for milk for summer camp and similar programs, and for schools without lunch programs.

These proposed cutbacks made House action on this legislation all the more necessary in order to offer stability to this program. The trend in the new administration seems to be juggling the budget around instead of providing for the additional funds needed to take care of the poor.

Another example of this administration's approach is the order to close 59 Job Corps centers and use these so-called savings to 30 miniskill centers located in urban areas.

Currently we are spending $10 million on special assistance to needy schoolchildren; President Johnson asked that this be raised to $90 million in fiscal 1970, but the new administration cut this in half to $44,800,000. If the new administration really wanted to do more for the poor, I submit they should have proposed at least the $90 million for this program which is so clearly underfunded. The special milk program has been criticized as a subsidy for the dairy industry yet the new administration asks that the current $44 million budget for school lunches under the commodity donation program be raised to $89 million.

The administration tells us that the new emphasis is on full lunch programs, rather than milk, and a shift in aid more toward the needy. This may be a fine goal, but Congress should insure that programs now benefiting all of our children are not curtailed in the process.

The special milk program is not the milk served with school lunches. Rather the bulk of the program is for milk for those children who have no lunch program, who bring lunch from home, and for milk sold after school, for summer programs, and so forth. The Government pays part of the cost of this milk, and the student pays a reduced price. The new administration would eliminate this assistance to millions of children. I would hope that our Nation is rich enough to continue what we have been doing for the health and nutrition of all of our children, and at the same time commit additional funds for the special needs of our poor children so that they can have free milk by providing an adequate budget for this program under the other provisions of the Child Nutrition Act.

H.R. 5554, which passed the House yesterday, would make the special milk program permanent and increase the authorization by $5 million a year to $125 million.

It is poor policy to amend H.R. 5554 to limit the program only to needy children and cut off a national effort to provide milk to the benefit of 17 million of our children. I am pleased that the House defeated this amendment.

I believe that we should adequately provide for the needs of the poor in America without cutting out funds already being spent.

I supported H.R. 5554 and hope that it will be enacted into law very soon.

ABM EFFECTS ON WILDLIFE

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, the President's unwise decision to proceed with an ABM system will affect many people in many ways. The American taxpayers will be a little poorer because of the huge expense this decision will cause. The wealthy corporations of the military-industrial complex will be considerably richer. And all of us will lead more frightened lives, since the cause of world peace will be set back by this new escalation of the arms race.

All of this is well known. Not so publicized, however, is another effect of the ABM decision—the possible destruction of irreplaceable wildlife in the underground nuclear blasts which will start in October to test the ABM.

One conservation loss due to the ABM is discussed in an article by Philip D. Carter, Washington Post service, which was published in the April 13, 1969, Honolulu Star-Bulletin. As the article points out:

> The remote and windswept island of Amchitka, proposed site of the largest underground nuclear blasts in history, is a critical link in the vast Aleutian Islands National Wildlife Refuge and a precarious haven for some of nature's most severely endangered species.

The article goes on to describe the struggles of the rare bald eagles, sea otters, and other wildlife to survive against the onslaught of man. For them, the detonation of test ABM's may be the last chapter.

Some of the island wildlife deserves special consideration, such as the protection to be given under the endangered species bill now pending before Congress. The objectives of this legislation, H.R. 248 and H.R. 4812, have my strong support.

For the benefit of my colleagues, I insert the article at this point in the RECORD:

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ALEUTIAN WILDLIFE PRESERVE NEW NUCLEAR TEST SITE

(By Philip D. Carter)

WASHINGTON.—The remote and windswept island of Amchitka, proposed site of the largest underground nuclear blasts in history, is a critical link in the vast Aleutian Islands National Wildlife Refuge and a precarious haven for some of nature's most severely endangered species.

When the Atomic Energy Commission (AEC) begins the three H-Bomb tests planned for the island next fall, probably no one will squawk louder than the rare bald eagles, sea otters and dwindling subspecies of Canada geese which live there.

Across the nation, concerned conservationists already are objecting loudly.

The controversy swirling around the choice of a wildlife refuge for testing the ultimate in nuclear weaponry—giant warheads for antiballastic missiles—is as thick as the fog and mist that enshroud the vital little island most of the year.

The implications posed by what the island's friends call "the rape of Amchitka" reach far beyond the immediate fate of a few rare creatures. History, technology, and cold war politics have transformed the distant animal refuge into a laboratory of the larger ecology of man.

Amchitka was born eons ago in a fiery cataract of lava through a fissure in the earth's convulsive crust. Today the island, with others in the 1,200-mile-long Aleutian chain marks the geologically unstable northern perimeter of the Pacific Ocean where it blends into the Bering Sea.

UNLOVELY ISLANDS

Amchitka and the rest of the Aleutians have never been very hospitable to man. The foggy islands, some still actively volcanic, are surrounded by treacherous shoal waters and fierce tidal currents. Earthquakes are frequent.

Long ago the region's wet and relatively temperate oceanic climate made it a haven for northern birds of all descriptions and hardy sea otters and seals.

Eventually, men came, too.

The first were the Aleuts, or their precursors, aboriginal flotsam of the great prehistoric migrations from Asia to North America.

They lived in quiet harmony with the islands and the sea, in balance with wildlife and weather. With no weapons more potent than fish hooks and harpoons, they couldn't have destroyed their environment if they had tried.

They were followed by men who almost succeeded. In the summer of 1741, two ships of the great Russian-backed Danish explorer, Vitus Bering, reached the archipelago, and the rape of the islands began.

Throughout the islands and along the coast of the Alaskan mainland, white men from Russia and North America were soon engaged in wholesale economic warfare for domination of the vast region's fur trade.

PILLAGERS ARRIVE

The Russians came first, slaughtering the native Aleuts, pillaging the waters of sea otters and seals. Even decades after the Aleutians and the rest of Alaska had passed from Russian to American hands in 1867, the carnage of wildlife continued.

By the early 20th century, the sea otters had been all but exterminated. Finally, in 1913, President William Howard Taft proclaimed Amchitka—and all but seven of the other islands in the Aleutian chain—a national wildlife refuge.

The Aleuts by now had been decimated. Scarcely a single full-blooded native survived, and the mixed breeds who did were riddled with the Western diseases of alcoholism, tuberculosis and syphilis.

With the belated help of a nation slowly awakening to the destruction of its wildlife and natural resources, the sea otters and other endangered island species started coming back.

Basic ecological problems lingered. The blue fox, introduced to many of the islands as a cash fur crop, was devastating wildfowl nesting grounds. The Norway rat, western man's close companion, infested islands the trappers and traders had long abandoned.

Before those problems could be solved, the islands were overrun again—this time by the contending armies of the United States and Japan. Nature suffered major reversals.

By war's end, Amchitka and other island outposts were littered with all the junk and detritus of modern warfare: rusting quonset huts, miles of coiling barbed wire, heaps of empty cans of Spam and smashed bottles of Japanese sake.

UNDOING THE PAST

But other men came, dedicated men from the Department of Interior's Fish and Wildlife Service, who somehow saw in the 40-mile-long waste of Amchitka a chance to undo the past.

Slowly, patiently, a handful of biologists and other wildlife experts went to work. Within 20 years atfer the war, Amchitka was emerging as a classic example of what can happen when a major ecological interruption is repaired and the native ecology restored.

The island's sea otter population increased by the scores to its normal optimum. The Aleutian Canada goose—which previously survived solely on one small island in the chain—came back after the alien blue foxes had been destroyed.

And bald eagles—the living symbols of America—once again coursed the island unthreatened by the idle poaching of bored GIs. Amchitka was on its way back.

Early in this critical process, there were alarming danger signs. In the spring and summer of 1950, strangers from the Mainland landed on Amchitka and began probing its ancient geological heart.

The strangers, it developed, had been sent from Washington. They wanted to bury an atomic bomb on the island and explode it.

Then they left, and for 14 years they stayed away.

MEN AND MACHINES

In March of 1964, alert residents of the populated islands far to the east learned of a major, highly classified project soon to begin on Amchitka. During the spring, heavily loaded military aircraft started landing on the island. Technicians and roustabouts began erecting a giant drilling rig about a mile southwest of lonely Cyril Cove.

Immediately, not-so-subtle pressures started disrupting the island's ecology once again. "Mud" used in the drilling process seeped from its holding pits into the salmon spawning beds of Amchitka's streams. The clayey gunk filled the interstices in the gravel and smothered eggs deposited there.

A great deal of the island was soon sacrificed by heavy machinery and laced with ditches. Earth was scraped away for campsites. That was just the beginning.

On March 18, 1964, the Defense Department's Atomic Support Agency announced that Amchitka would be the site of a deep underground, low-yield atomic blast. The explosion, it developed was designed to test methods of detecting underground nuclear tests in the Soviet Union, just 600 miles across the Pacific from Amchitka.

In the Department of the Interior, high officials—including Secretary Stewart Udall—were secretely, but strenuously, objecting.

The Defense Department assured Udall and the others that the atomic shot—called "Long Shot"—would be the island's last. Besides, they insisted, the blast itself would not harm the island's wildlife.

In its announcement of the test, the department mentioned only the probable effects on sea otters and commercial fishing. "None of these interests will be jeopardized by the experiment," the statement declared. DOD ignored the other effects of the bombtesters' presence on the island.

BOMB WAS "TINY"

Compared to the two megaton-range devices the AEC now plans to test on Amchitka, the bomb finally exploded in October, 1965, was miniscule. Shock effects were negligible. The bald eagles scarcely ruffled their feathers.

Ironically, Senate ratification in 1965 of the nuclear test ban treaty intensified the pressures on Amchitka. The treaty did not cover underground tests, and both the United States and Russia—the major signatories of the treaty—accelerated their underground testing programs.

The weapons tested grew in size even as the pressures to test more weapons intensified. In Nevada, the tremors triggered by blasts at the Hot Creek site eventually grew strong enough to startle gamblers in Las Vegas, 180 miles away.

By 1966, it was apparent to the decisionmakers at the AEC and Defense Department that new test sites were needed. Amchitka was an obvious choice.

In March, 1967, the AEC awarded contracts for new holes on Amchitka, and by the end of the year the drill rigs were in operation.

Finally, after the new drilling had already begun, the AEC let a contract for the island's first full-scale ecological survey. And the Interior Department arranged the transfer of a few token sea otters and geese to safer havens.

Throughout, both agencies earnestly insisted that nothing harmful would happen to the island. Sea otters, it seemed, would learn to love the bomb.

The fate of Amchitka, it soon became obvious, was directly connected to the fate of the nation's controversial program to develop an anti-ballistics missile, or ABM. The imperilled little island became a microcosmic mirror on an imperiled world.

For a time there was hope for Amchitka. Test blasts originally planned for last fall were postponed as opposition to the ABM mounted in the United Statees.

For a time at least, the new Nixon Administration deferred its decision. It even appeared to some hopeful friends of Amchitka that the Soviet-American arms race, like the 19th century fur trade, might simply die away.

It didn't. On March 14, President Nixon announced the "compromise" safeguard ABM system. The first tests are planned for October, far away and out of sight, beneath a scarred little, sad little island.

MERCHANT MARINE TRADE BILL

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, today I am introducing legislation designed to remedy an unintentional hindrance to Hawaii's economic development.

I refer to section 27 of the Merchant Marine Act of 1920, more commonly known as the Jones Act. This law prohibits the transportation of merchandise between American ports on foreign vessels.

The law is aimed at protecting American shipping and American seamen from competition they cannot possibly meet. Our high standard of living inevitably brings higher costs of operation, and without special protection or subsidy, our shipping industry would not survive. This law is necessary, therefore, to maintain our domestic waterborne trade.

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American carriers with American ships are now serving the contiguous United States because of the Jones Act. Unfortunately, the act also blankets trade between Alaska and Hawaii—two States which are isolated from the other 48 States and depend heavily on water transportation to meet many of their needs.

No purpose is served by the application of the Jones Act to trade between Alaska and Hawaii, because there is no such trade. Indeed, under the present laws, there is no prospect of any trade in the foreseeable future. The cost of constructing vessels in American shipyards makes any such trade uneconomical. Thus, the operation of section 27 does not in this instance promote American shipping, but rather prohibits American trade. In effect, it has become an obstacle to economic growth in Hawaii and Alaska.

There is, however, great opportunity for trade if the Jones Act application can be removed. The discovery of huge fields of natural gas in Alaska has opened the way for far-away cities to obtain a cheap, clean heating fuel. The Honolulu Gas Co., after study, concluded that if the gas had to be transported in American-built ships the price of gas would be raised to a prohibitive point where the service would not be economically feasible. Thus, the Jones Act is stifling potentially beneficial trade between two States.

The bill I am introducing today is similar to legislation introduced in the 90th Congress. It would exempt Alaska-Hawaii trade from section 27 of the Jones Act, thereby allowing low-cost fuel to be brought to Hawaii with a resulting drop in the cost of living there.

Recently the American Gas Association, through the Gas Men's Roundtable, of Washington, D.C., sponsored a seminar on the present and potential impact of liquefied natural gas on the natural gas industry. One of the major topics discussed was the Jones Act, and in an address to the seminar, Mr. Carl E. Bagge, Commissioner of the Federal Power Commission, endorsed the easing of the Jones Act to allow the transport of liquid natural gas between Alaska and Hawaii.

Because of the importance of Mr. Bagge's statement, I am inserting that portion of it relating to this matter in the Record:

Benefits to Hawaii and Alaska

A national policy for Liquefied Natural Gas (LNG) does not end with sorting regulatory matters into place. There are still other considerations. A significant one is to assure that all areas of the Nation and all segments of the populace share the fruits of the new technology. And, of course, this includes the non-contiguous states—Hawaii and Alaska.

At present, the prices of gas in Hawaii are the highest of any state in the Nation. It is not the fault of Hawaii's suppliers. It is the result of the unavailability of natural gas and the need to distribute higher-cost LPG and manufactured gas. What the gas consumers and suppliers of Hawaii need is a meaningful choice—the logical one now is LNG.

Alaskan natural gas is at the heart of this. The technology exists for the exportation of LNG by tanker from Alaska to Pacific ports. In a matter of months, LNG will be exported in tankers by Phillips and Marathon from Alaska to Japan. There is no technological reason why LNG could not be transported to Hawaii also, either as part of the Alaska-Japan shipments or independently.

The economics of such a venture are favorable—but the law, that is the Jones Act, is not. I am convinced that the new LNG technology and the benefits it could bring to consumers in Hawaii and the natural gas suppliers in Alaska require an amendment to the Jones Act—one which would permit LNG trade between these states in foreign vessels. This would not be without precedent. In the past, Congress has exempted specific ventures from the strictures of the Jones Act. The rationale is equally persuasive here.

The primary purpose of the Jones Act was to develop a permanent American Merchant Marine—built in American shipyards by American labor, manned by American seamen, flying the American flag, carrying American products, owned by American citizens. Designed to enhance the commercial growth of the United States, it was intended to protect the stability of domestic industry in times of peace and to provide for the Nation's defense in times of national emergency.

The Act became law in 1920, when a large tonnage of government-owned ships was available for sale. Congress anticipated that the Act would encourage the development of a merchant fleet capable of carrying a major part of the United States' foreign trade and a fair portion of the world's carrying trade. Contrary to expectations, however, this did not follow. And recent figures show that while in 1947 United States flag ships carried over 57% of the Nation's commercial waterborne export-import trade, they carried only 7% of that total in 1966.

Efforts to implement a more productive maritime policy have been notably unsuccessful. In 1968, former Secretary of Transportation Boyd offered remedial legislation to the Senate Subcommittee on Merchant Marine and Fisheries. Among the items he proposed was a provision to amend section 27 of the Jones Act. The purpose of this amendment was to authorize the transportation of goods in domestic trade on foreign-built vessels—so long as an administrative determination could be made that there would be no serious effect on other vessels in the trade. No bill embodying this proposal, however, was introduced in Congress.

In 1967, Senators Fong, Inouye, and Gruening introduced S. 2454 to amend section 27 of the Jones Act. Their bill proposed the exemption of "the transporation of merchandise between points in the State of Alaska and points in the State of Hawaii." Senator Gruening's statement described the complementary relationship of Alaska-Hawaii trade, the planned export of Alaskan LNG to Japan in Swedish-built ships, and the proscription of section 27 which prohibits these ships from delivering Alaskan LNG to Hawaii—a detriment to both states. The bill was referred to Committee but no hearings were held.

But section 27 has not been sacred. Congress has granted a limited number of statutory exemptions to the requirements of that section. Section 27 does not apply to the coastwise transportation of empty containers under certain conditions. It does not apply to the coastwise transportation of passengers and merchandise on Canadian vessels under conditions. It does not apply to certain foreign-built vessels which were engaged in United States coastwise trade during the First World War. It does not apply to merchandise carried in part over Canadian rail lines under certain conditions. In addition, section 27 has been suspended for temporary periods to permit the transportation of merchandise or passengers in certain foreign vessels over specified routes.

Indeed, section 27 could also be amended to accommodate Alaska-Hawaii LNG trade. An amendment exempting Alaska-Hawaii LNG trade from the proscription of section 27 could take a variety of forms—from a broad exemption in the image of S. 2454 to a narrow exemption for a single ship. Possibilities include the type of amendment proposed by Secretary Boyd, or that relating to water transportation between specific points or that providing a temporary exemption. Whatever the form of the amendment, I believe that it is a necessary means of extending the benefits of LNG technology to the citizens of Hawaii and Alaska—and an indispensable element of national LNG policy.

Transporting the untapped reserves of Alaskan gas to the contiguous states in the form of LNG is still another exciting possibility. Its potential value as a competitive source of supply to the West Coast market should not be overlooked by industry and government policy-makers. The Jones Act, however, also operates to deter this development. While I believe that an Alaska-Hawaii LNG exemption can now be achieved, an Alaska-West Coast exemption appears to be more difficult because of the size of the market and the potential volumes involved. In the absence of legislation making such movements economically feasible, technology appears to afford the only means of surmounting this artificial barrier by achieving a breakthrough in costs.

THE DARTMOUTH SERIES

(Mr. RARICK asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, almost daily the communications media fans the fires of prejudice, violence, and hate by giving front-page publicity to loud-mouthed students, agitators, and distorters of American culture.

Yet somehow overlooked by the news media people was a meeting at the Westchester Country Club, Rye, N.Y., in January of this year which brought two Soviet officials together with several American citizens who are conspicuous because of their enormous wealth, political prestige, and their announced goal of reducing the American people to a "one world" conglomerate ruled by an "elite" clique.

Susbsequent rationalizations for not reporting the Dartmouth series meeting is that it was "private and unofficial."

It must be remembered that it is a crime for any American citizen, not authorized by the U.S. Government, to negotiate domestic and foreign problems directly with agents of a foreign government—which even includes Soviet Russia—and makes no exception for talks held under the pretext of negotiating world peace.

I ask, How can we expect the American people to be intelligently self-governed unless news such as this meeting between private Americans and Russian officials is openly reported to the citizens by a responsible communications media?

I take this means of reporting this incident to the Justice Department and urge appropriate criminal action by the U.S. Attorney General.

I am further requesting the Secretary of State to advise the nature of the visas made available to Georgi Zhukov and Yuri Arbatov.

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I am including with my remarks a letter from UPI addressed to Mr. J. C. Phillips, editor of the Borger News-Herald, of Borger, Tex., which Mr. Phillips has sent to me along with his inquiry as to the names of those who attended and whether the meeting was financed by the Ford or Rockefeller Foundation, or Carnegie Endowment for Peace.

The letter referred to follows:

UNITED PRESS INTERNATIONAL,
New York, N.Y., April 21, 1969.

Mr. J. C. PHILLIPS,
Editor, Borger News-Herald, Borger, Tex.

DEAR J. C.: It took me a little time to dig into the "Dartmouth Series" meeting in Westchester last January, and this was compounded by some internal problems here to cause some delay in replying to you.

The meetings you referred to took place at the Westchester County Club, Rye, New York, in January. They were attended by Georgi Zhukov, a prominent Russian journalist and commentator for Pravda, and Yuri Arbatov, Director of the Institute of U.S. problems in the Soviet Academy of Sciences. These men acted as co-chairmen of the Soviet delegation which included other individuals from the arts, government and science.

These UN official talks were part of a series which originated at Dartmouth College—hence their name, although they have no official connection with the college. They began in 1959 and meetings have been held in the Crimea, at Andover, Mass., Leningrad and at Rye, New York.

U.S. co-sponsors attending the Rye meeting included David Rockefeller, Norman Cousins and Arthur Miller. Zhukov and his group also met with Arthur Larsen, Merrill Staines, James Gavin, Patricia Harris and James Linen.

The complete list of people who attended the series is not immediately available.

Whether we carried a story on the Rye meetings, I do not know. I doubt very much that we would have carried a piece on national circuits, although we might have done so locally, since the talks were completely private and unofficial.

Again, apologies for my delay in replying.
With best wishes,
Sincerely,
JACK FALLON.

THIS IS YOUR LIFE, ABE FORTAS

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RARICK. Mr. Speaker, Life magazine should be commended for the great service it has done our country in breaking the Abe Fortas affair which took place during late 1965 and in 1966. The Life magazine article was released in May 1969.

In September of 1968, Justice Fortas was under consideration for elevation to the position of Chief Justice of the Supreme Court of the United States. The question arising in the minds of many is, did Life magazine know in mid-1968 of this latest indiscretion of Mr. Fortas? If so, why did Life magazine wait until 1969 to tell the American people about Mr. Wolfson's tender of a $20,000 fee to Justice Fortas? Would Life magazine having known of the "deal," deliberately remain silent and permit Justice Abe Fortas to become Chief Justice?

If so, many people wonder why. Then too, why did Life magazine wait to break the story until this particular time? Was it solely to wait and see if Justice Fortas recused himself on the Wolfson case? Could he not also have recused himself if he were Chief Justice?

Howbeit, the public service that Life magazine has rendered could but leave to any man of honor and conviction in high position in Government but one decision—resign from public office.

"JUSTICE" (?) ABE FORTAS

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD).

Mr. HALL. Mr. Speaker, the recent acknowledgement by Supreme Court Justice Abe Fortas that he was "tendered" a $20,000 fee and kept it 11 months before returning same, if not unethical, is at least highly questionable.

Although there is no law or regulation prohibiting a member of the Court from receiving outside income, the propriety of the action leaves much to be desired.

In February of this year, Congressman H. R. GROSS, of Iowa, and I jointly sponsored a bill to require Federal judges and Justices of the Supreme Court to file financial statements with the Comptroller General, a requirement of all Members of the House and U.S. Senate. Failure to file such a report would subject the judge to impeachment by Congress. Even the members of my staff, earning far less than a third of Judge Fortas' salary, are required to make such a report.

I opposed the nomination of Fortas to the Court in the first place, and again when he was so unfortunately nominated to become Chief Justice.

The controversial Justice Fortas, most certainly has involved himself in dealings that do not reflect favorably on the highest court in the land. The Members of Congress should not permit this incident to fade away and be forgotten.

In Bacon's essay of judicature is written:

> The place of justice is a hallowed place; and therefore not only the bench, but the foot-pace and precincts and purpose thereof, ought to be preserved without scandal and corruption.

DARTMOUTH'S OBLIGATION TO EXPEL

(Mr. WYMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYMAN. Mr. Speaker, I am glad to be able to report to the House that when a few students at Dartmouth College yesterday willfully violated college regulations and criminally trespassed upon a college building by taking it over and refusing a lawful request to release it to college authorities, that they have been promptly removed. The Governor of New Hampshire, the court, and the college administration have acted commendably and promptly to meet this challenge to the very structure of this proud and distinguished institution.

Shortly after the takeover college authorities asked for and obtained from the New Hampshire Superior Court a court order restraining the illegal activity. The students when advised of this refused to get out. Thereupon the college requested the assistance of enforcement authorities through the Governor of New Hampshire, himself a Dartmouth alumnus. Within a few hours this request was granted and the offending students were removed before dawn this morning.

The use of unlawful means to express protest or dissent is foreign to our system of government whether by students or anyone else. The law is the protector of the family, home, property, and the very lives of every man, woman, and child in America. Those who deliberately break it—who flout it—must face the consequences of their acts.

Mr. Speaker, this should not be the end of the chapter for those students who have in fact mutinied against their college. They should promptly be expelled without equivocation. Students who engage in this type of criminal conduct should not be allowed to remain in the college no matter whose son they are or the color of their skin. If they are now expelled, once and for all, Dartmouth will have provided a constructive example to a nation in which unlawful student activity has become an urgently serious problem.

CONGRESSMAN SHRIVER INTRODUCES SOCIAL SECURITY LEGISLATION

(Mr. SHRIVER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SHRIVER. Mr. Speaker, today I am introducing the following package of legislative proposals relating to the social security program:

First. A bill to provide for automatic adjustment of social security benefits to corresponding changes in the cost of living.

Second. A bill to provide full benefits for widows.

Third. A bill to increase the earnings limitation from $1,680 a year to $3,600 a year.

There are more than 18 million Americans over the age of 65. When we talk of "forgotten Americans" we should include our senior citizens who often are overlooked and forgotten.

Today's inflation places a heavy burden upon all Americans, but it is especially cruel to the elderly and retired who must live on fixed incomes.

Each day my mail and the mail of other Members of Congress reflects the difficulties which many people living on social security are having in making ends meet.

The Nixon administration and the Congress are committed to waging war on inflation. However, we also must review the adequacy of present social security benefits and make necessary changes.

Mr. Speaker, during the 90th Congress I sponsored legislation to provide for the automatic adjustment of social security benefits corresponding to changes in the cost of living. Today I have introduced a similar bill which will increase social

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security benefits whenever the consumer price index rises by 3 percent or more.

At the present time, a beneficiary who earns more than $1,680 a year receives a reduced social security benefit. There is no more basic a right than the right to work. It is, therefore, wrong to penalize people who want to work and to keep them from social security benefits toward which they have contributed for years. To correct this situation, I have introduced a bill to increase the earnings limitation from $1,680 a year to $3,600 a year.

Finally, the Social Security Act at present discriminates against widows and widowers of primary beneficiaries. Under existing law, a man can draw 150 percent of his monthly benefits if he is married. If he is a widower, he receives his full benefits—100 percent. However, if he leaves a widow, she can receive only 82½ percent of his total allotment. This situation creates a serious injustice. A widow's expenses are hardly less costly than a man's.

My bill will permit the surviving spouse of a primary beneficiary to receive 100 percent of the social security benefits.

Mr. Speaker, we should not wait until 1970, an election year, to act on social security legislation. The need is now, the time is now. Senior citizens should no longer be "forgotten Americans."

PRESIDENT'S WAR ON OBSCENITY

(Mr. FISH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FISH. Mr. Speaker, President Nixon's program to combat obscenity and pornography offers real hope to Americans who have long thought that traffic in smut should be curbed.

This is an area that has disturbed me greatly. My office is receiving an increasing amount of complaints about pornography. There is no question that it is on the rise.

We have a duty to protect our children from this filth. Censorship and obscenity are very delicate constitutional areas and we must be careful that no one's rights are transgressed. But, at the same time, we must perform our duty to protect our children. The task should not be beyond our capacities. I think I know the feelings of any responsible parent. The American people want to see public officials stand up and put a stop to the filth that is being mailed and otherwise distributed to our children.

Mr. Speaker, I applaud President Nixon's message to Congress on this subject. I am pleased to see that he has suggested legislation very similar to H.R. 6755 which I introduced earlier in the session. My bill is an almost exact copy of a New York statute. Recognizing the unique status of minors, the New York law has been judged constitutional by the Supreme Court. Implementation will not impose restrictions beyond those absolutely necessary. My bill, like the President's proposal, will make it a crime to sell or distribute pornography to children under 18 through interstate commerce and the mail.

This legislation is vitally necessary. We have been lax long enough. The time for action is now. I hope that this legislation, along with the President's other proposals in this area, will be given top priority status by the leadership of both parties.

ACTION AGAINST THE GLUT OF SMUT

(Mr. COUGHLIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. COUGHLIN. Mr. Speaker, along with millions of responsible and concerned Americans, I am pleased that the President is exerting positive moral leadership in acting to stem a bombardment of obscenity and perversion unparalleled in our history. The President's recent message and proposed package of bills recognizes that we have reached a new low in filth and that there is a distinction between freedom of expression and pandering for profit.

In a time that cries for moral leadership, the Nixon administration has demonstrated that it has the courage and capacity to act positively for the majority of Americans. I am old-fashioned enough to believe that most Americans object to the nauseating wave of filth that engulfs us, especially when it comes through the mails into their homes and directly to their families.

The truth, and it is time that pseudo-sophisticates recognize the truth, is that the pornography that pours from printing presses and photographic laboratories has nothing to do with freedom of expression. It is merely a cold, calculating, and unprincipled rush to reap profit from perversion.

The President correctly observes that the ultimate answer lies with the people and, perhaps, it is also time that some of our so-called moral leaders turn some attention to demonstrating against this erosion of the very character of our society.

I hope the Congress will act quickly and affirmatively to pass this needed legislation to take the profit out of pornography, and halt the revolting glut of smut that is a blight upon our society.

LOYALTY DAY HAS SPECIAL MEANING IN 1969

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, last Thursday, May 1, 1969, millions of Americans observed Loyalty Day. The event is sponsored each year in thousands of communities by the Veterans of Foreign Wars of the United States.

Loyalty Day has special meaning and great significance in 1969. Its celebration, quite simply, is a dignified response to the anarchy and anti-Americanism which has erupted with violence and invective on dozens of campuses and in many communities.

Patriotic parades, special flag ceremonies, school essay contests, patriotic meetings and banquets commemorated the sacrifices which millions have made and are today making to insure the survival of liberty in a dangerous world.

LOYALTY DAY SIGNALS RENEWED DEDICATION

But the events which call for a Loyalty Day are more than a tribute to the veterans of our Nation's wars. They are more than a recital of patriotic commitment. These events—this year perhaps more than ever before—signal a renewed dedication to protect the American way of life.

Our way of life is challenged at home by disillusion and dissension and, in small isolated instances, by anarchy.

Our way of life is challenged abroad by outlaw states, such as the regimes of Cuba, North Vietnam, and North Korea. Americans are felled in battle by the North Vietnamese and in murderous ambush by the North Koreans. Cuban outlaws have allied themselves with our adversaries only 90 miles from our shores.

The anarchists in America, a small and wretched collection of social misfits, do not by themselves represent a serious threat to the Government. The outlaws abroad, by themselves, do not possess the capacity to dominate America from without.

But these enemies have succeeded in disrupting all too many colleges and have succeeded in murdering and incarcerating thousands of Americans abroad. Thus, while they cannot overwhelm us as a people, they can and do endanger and disrupt our lives as individuals, in or out of uniform.

The response provided by Loyalty Day is a proper response. It is positive, proud, patriotic, and prudent. Observance of Loyalty Day unites untold millions of Americans under one banner—for one common purpose.

That purpose is to speak out for what is right about America.

Mr. Speaker, even as Loyalty Day is celebrated and our tributes are paid to the VFW for an excellent contribution to our patriotic heritage, we cannot forget that the essence of Americanism is to right the wrongs which beset us as a people.

AMERICAN SYSTEM PROVIDES FOR REFORM

There are, without question, conditions in American life which demand improvement. Farmers do not get a proper return for their produce, our welfare system is a national disgrace and embarrassment, our servicemen in the lower pay grades receive insufficient compensation for their contributions to the national defense.

Our center cities and rural areas are suffering from widespread depression and inadequate opportunity. Our small colleges are being crushed in a cost-price squeeze. There are many other problems which citizens, local communities, the States, and the Federal Government must overcome.

But we rejoice in our American heritage for we can freely criticize and reform the inequities which we recognize in our society.

Self-criticism and popular reform are the characteristics of a free people. In observing Loyalty Day, we should be es-

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pecially proud that, through nearly 200 years, our people have retained the capacity to effect change and improvement through orderly procedures set down by the Constitution.

The bravery of our soldiers demands our loyalty. The religious faith of our people demands our respect and loyalty. The maintenance of a republican form of government by all the States under the Constitution demands our loyalty. The fair dealing and open competition of our businessmen deserve our loyalty.

But most of all, the opportunity each of us has to influence the destiny of his government and thus his own destiny through orderly procedures set down by the Founding Fathers deserves our special loyalty.

The anarchists would subvert this opportunity, for they know their program for change cannot survive analysis by a free people.

This year is truly an appropriate year for a fully national involvement in Loyalty Day principles. I know each American who loves his country joins in supporting these principles.

MIZE URGES DESIGNATION OF EISENHOWER INTERSTATE HIGHWAY SYSTEM

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, on March 10 I introduced legislation which would designate the Interstate Highway System of America as the Eisenhower Interstate Highway System. Since that day, General Eisenhower has passed from this life, leaving behind a legacy of public service and dedication to principle unparalleled in this century.

I take this opportunity to again urge my colleagues to favorably consider this proposal in honor of the memory of our 34th President. Of all the suggested tributes, this perhaps would be most fitting. President Eisenhower's leadership caused the Interstate System to be built.

The bold adventure that became our highway system involved delicate negotiation, good-faith compromise, and a vision of an America fully united and interconnected. Geographic isolation and natural barriers were overcome to promote the accessibility of all America and all Americans.

The precedent of the Interstate Highway System cannot be forgotten during the coming decades when the United States comes to deal with the crisis in urban transportation and the impending crisis in airport congestion. President Eisenhower, and the Congress of that time, provided us with a blueprint for productive Federal-State cooperation for mutual benefit and advancement.

Abilene, Kans.—the general's boyhood home, and now his final resting place—is served by Interstate 70, a major artery of the system. As millions of Americans travel the interstate during coming years, many will pause at Abilene to pay their respects and pray for peace and for their country in the chapel where he is buried.

I think it would be appropriate for those millions, as they continue their travels, to reflect from time to time on the contributions this great American made in war and peace.

The Eisenhower Interstate Highway System, if it is so designated by the Congress, would serve as a lasting reminder of the national scope and permanence of those contributions.

Mr. Speaker, I urge the Congress to take appropriate action to designate our highway system as the Eisenhower Interstate Highway System.

PROPOSAL TO EXEMPT "ONLY SONS" FROM INVOLUNTARY SERVICE IN A COMBAT ZONE

(Mr. DICKINSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DICKINSON. Mr. Speaker, I frequently receive letters from distraught parents—as I am sure other Members of the House do—who request my help in keeping their only son—recently drafted or facing induction—from being sent into a combat zone. Their requests do not stem from a lack of a sense of duty. Rather, they desperately want to try to preserve the life of the only male heir so that the family name can be carried forth to a new generation.

Unfortunately, I can offer these parents no hope of relief from their dilemma unless the son can qualify under the Defense Department's "sole surviving son" policy—that policy wherein the only remaining son in a family in which the father, another son, or a daughter has been killed or has died as the result of injuries sustained while in the military service.

Mr. Speaker, to remedy this situation I am today introducing legislation to exempt "only sons" from involuntary service in a combat zone. I emphasize that this legislation, if enacted into law, will not exempt persons from military service—only service in a combat area if he so desires. An "only son" could still volunteer to serve in these areas.

Such a restriction should neither pose an undue burden on the Department of Defense, nor should it impair our defense posture. To the contrary, it would make more uniform the application of existing defense regulations.

I believe that this measure will serve to alleviate an undue burden which is placed on the parents of "only sons."

THE PRESIDENT'S PROPOSALS TO MEET HUNGER AND NUTRITIONAL DEFICIENCIES

(Mr. FINDLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FINDLEY. Mr. Speaker, the President's proposals announced yesterday to meet hunger and nutritional deficiencies in the United States are timely and reassuring.

He was right when he described the existence of hunger in the United States as both embarrassing and intolerable. What makes it especially embarrassing and intolerable is that it exists at a time when the Government is spending about $3 billion a year in payments to farmers for not growing food.

How can the Government of a civilized society permit children to go hungry when food abundance is so great farmers get from the Government individual payments ranging into the hundreds of thousands of dollars annually to curb production?

President Nixon is on sound ground in proposing the reform and expansion of the food stamp program.

The initial steps he proposes will cost $270 million in the 1970 budget. It is interesting to note that Dr. John A. Schnittker, former Under Secretary of Agriculture, recently estimated that a ceiling on farm payments which would not seriously impair the functioning of the commodity programs would result in budget savings as high as $300 million annually.

Therefore at least the initial cost of the President's nutrition improvement program can be fully offset by establishing a realistic ceiling on payments to individual farmers. I will offer an amendment establishing such a ceiling, mine will specify a limitation of $20,000, when the agriculture appropriation bill reaches the House floor.

THE PRESIDENT'S FOOD STAMP PROPOSAL

(Mr. SAYLOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAYLOR. Mr. Speaker, I want to congratulate the administration on its proposal to combat hunger in the United States as outlined in the statement made yesterday by President Nixon and his assistant for urban affairs, Dr. Moynihan.

The plan to broaden the food stamp plan will, for the first time since the inception of food stamps, provide an adequate diet to poor families. More important, at this time of increasing concern over the effects of inflationary pressures, the President's proposal is not expected to increase the budget. It calls for a reprograming of funds to implement this needed upgrading and expansion of the food stamp program.

The Presidential message stated:

> The moment is at hand to put an end to hunger in America itself for all time. It is a moment to act with vigor; it is a moment to be recalled with pride.

I heartily concur with these sentiments, and add that it is also a moment to pay tribute to the Member from the State of Missouri, Mrs. LEONOR SULLIVAN. Without her diligent perseverence over the years, this program might not be where it is today.

Back in February of 1954, Mrs. SULLIVAN offered the first amendment to create the food stamp program. On that day, after listening to her presentation and having been aroused by the misuse and waste in the handling of surplus foods in my own district, I supported and voted for the amendment. We have

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come a long way since then—the battle to keep the food stamp program alive has been a never-ending struggle. Less than a year ago, we extended the plan after a long and intensive debate. The persistence and foresight of Mrs. SULLIVAN and many of our colleagues has made the food stamp program one of the achievements of a commitment to bring to an end the cruel hunger which besets many of our fellow citizens.

In my opinion, the best way to end poverty in America is to make sure that every citizen, regardless of race, color, or creed, has an adequate and sufficient diet. The food stamp program presently in force, combined with the President's new proposals, should take a giant and necessary step toward eventual eradication of hunger in America. I heartily endorse the President's plan and comment it to our colleagues for implementation at the earliest possible moment.

ESCALATING MEDICAL CARE COSTS ARE SHOCKING

(Mr. SISK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SISK. Mr. Speaker, all of us are conscious of the revised budget sent up by the new administration, which provides among other things for a cut of approximately a half billion dollars in Federal grants under the medicare program.

As we nod our heads in agreement over the need to reduce spending wherever we can, I hope we will not lose sight of the human factors with which we must also deal.

This past week, I was shocked to learn just what the rising costs of medical care amount to. A friend of mine brought me the hospital bills covering a portion of the period of his wife's terminal illness. On November 21 last year she was admitted to one of the better known hospitals in California for open heart surgery and she remained there until January 4 of this year. The hospital bill for this 44-day period was $25,930. The doctor bills were something on the order of $1,300 more. A time spent in another hospital nearer home, plus ambulance costs, and so forth, brought the total bill to $29,036.50.

Without presuming to pass judgment on the charges levied by the hospital for the services it rendered, I intend to ask the Department of Health, Education, and Welfare to review them to see whether they are in line with customary charges.

Irrespective of that, however, the important point is that an illness of this magnitude can reduce a man to a state of poverty. In the case of my friend, he is like millions of other Americans in that he is neither rich nor poor, but when he is confronted with a bill of this kind he is, or will be, poor.

The final irony, I believe, is the notation at the bottom of the hospital bill which says that if the balance is not paid within 30 days, interest on the unpaid balance will be charged at the rate of 1½ percent per month. On a bill of this size, that amounts to almost $300 a month for interest alone.

I hope that in its deliberations on the costs of medical care and the costs of our medical care programs, the Congress will not lose sight of the fact we simply must find some way to take care of the major medical catastrophes which befall all too many Americans at one time or another.

BILL FOR EQUITABLE RECLASSIFICATION AND SALARY FOR POSTAL EMPLOYEES

(Mr. OLSEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. OLSEN. Mr. Speaker, yesterday I introduced a bill for an equitable reclassification and salary for all postal employees. I have already introduced a bill, H.R. 10000, to bring about a fair salary schedule for craft employees. My new bill will extend this same equitable salary to all levels in the postal field service.

This bill is appropriately numbered H.R. 11000 since its passage will result in a salary of approximately $11,000 per year for the majority of the postal supervisors just as H.R. 10000 would mean a salary of $10,000 per year for the majority of the postal clerks and carriers when they reach the top step. The introduction of the new bill is based on the fact that certain salaries cannot be upgraded without distorting the salary schedule. My bill, H.R. 11000, will keep a proper differential among all levels in the postal field service.

The present Reclassification Act, Public Law 86–68, was enacted in 1955. Since that time, there have been major changes in positions in the postal field service. There was no mechanization and automation in 1955. There was need for key positions in the railway mail service at that time. This has changed considerably in the intervening years due in some cases, to rather precipitious actions by the Post Office transportation officials.

Section 1 of my bill updates and upgrades the various positions by establishing 53 key positions instead of the present 49 and basing the salary levels on present-day duties and responsibilities. This section also provides that those employees placed in a higher step will not lose the credit already earned for automatic step advancement.

Section 2 amends the definition of "Revenue Units" and includes the postage and fee values of any mail deposited without postage affixed, as, for example, by Federal agencies.

Section 3 gives credit to the local postmaster for mail deposited without postage and fee affixed in determining the number of revenue units to be credited to the originating post office.

Section 4 provides that if an employee is assigned to higher level duties, he shall receive the higher level pay immediately. At the present time such determination is optional with the Postmaster General and in many cases employees work long periods of time at higher level duties without receiving the higher level pay.

Section 5 provides that when the majority of the factors used in ranking positions would place such a position at the midpoint or higher between two key or standard positions, the position be ranked in the higher level. This section also provides that any assistant to the principal, such as Assistant Postmaster, and so forth, be ranked only one level below the principal. This is necessary since these assistants often perform the work of the principal without any increase in pay.

Section 6 provides that all step increases be automatic after 52 calendar weeks of satisfactory service.

Section 7 provides that if changes in the numerical steps or levels would otherwise occur on the effective date of the act, such changes shall be deemed to have occurred prior to conversion.

This section also contains some necessary technical amendments in the present law regarding overtime payments and compensatory time.

Section 8 contains the new salary schedules and also establishes longevity grades A, B, and C of $500 each after the completion of 8, 11, and 14 years of service, respectively.

Section 9 increases night differential from the present 10 percent to 20 percent.

Section 10 gives full credit for prior satisfactory service in establishing longevity grades and in placing the employee in the proper step of the salary schedule.

Section 11 makes the bill effective on the first day of the first pay period beginning on or after the date of enactment.

It is very important that any legislation passed contain an incentive to make employees desire promotion. By establishing substantial salary differentials and desirable salaries, it is my opinion that we can recruit and retain better people and also provide an incentive so that more of the capable employees seek promotion to supervisory and postmaster positions. Under the present postal field service salary schedule, it takes 21 years for a craft employee to reach the top step of his level and many supervisors never reach the top step since it is necessary to remain in each step above step 7 for 3 years before advancing to the next step. My bill cuts down the number of steps and provides 1-year step increases in order that most postal employees, regardless of their position and salary level, can reach the top step which is so important not only concerning their earnings, but also concerning their retirement annuity.

INFLATION IN THE GRADE STRUCTURE OF THE CLASSIFICATION ACT

(Mr. HENDERSON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HENDERSON. Mr. Speaker, there appears to be an inflationary trend in the pay structure of our Classification

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Act employees. More and more of our 1.3 million Federal employees in the general schedule appear to be moving upward in pay grades.

Over a 10-year span—1958 to 1968—the number of personnel working under the Classification Act increased by 35 percent, but the number in the top six pay grades—GS–13 through GS–18—increased by 156 percent. In 1958, there were some 56,000 employees in the top management jobs in the departments and agencies or 6 percent of the total so-called white collar employment. Today, there are 143,000 in these top jobs, paying from $14,400 to $30,000, representing 11 percent of the total.

There are undoubtedly several reasons for this rapid expansion in the number of high level jobs in the Federal Government. I realize the growing complexity of Government. As compared to 1958, we now make greater use of automation; we use more sophisticated hardware in our defense effort and our space exploration; and we probably have more complicated social and economic problems to be solved. However, I doubt very seriously that the sum total of these several factors justify the magnitude of increases. The Subcommittee on Manpower and Civil Service, House Committee on Post Office and Civil Service, in studying this personnel item over the years, has noted the upward revision of position descriptions and reorganizations to create higher grades without any real changes in work or responsibilities.

In 1959, the Chairman of the Civil Service Commission, testifying before our subcommittee, indicated that so long as the Congress was slow in granting pay raises there was a strong tendency on the part of management in the executive branch to rewrite jobs into higher pay grades. It appears to me, Mr. Speaker, that this particular inflationary trend should no longer be permitted. Since 1958, Congress has provided eight pay raises of Classification Act employees. For example, a GS–14 employee today is making 68 percent more than in 1958.

Mr. Speaker, I have requested the Chairman of the U.S. Civil Service Commission to look into this inflationary spiral and report back to the subcommittee as to causes and suggested changes in this personnel administrative area.

REPORT ON THE SAFEGUARD SYSTEM

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute.)

Mr. PUCINSKI. Mr. Speaker, yesterday a group of distinguished scientists and scholars, headed by Dr. Jerome Wiesner, issued a 344-page report on President Nixon's Safeguard proposal and concluded that among other things, it probably would not work and that it will appear to the Soviet Union to be an escalation of our arms race.

They further concluded that there is no need nor reason to deploy an ABM system now even if the technical problems could be resolved.

Mr. Speaker, I intend to read this 344-page document very carefully and I am sure we will all find it helpful.

I believe it is very important to continue the dialog on the ABM since it involves a major decision affecting the very survival of our country. But I must say, Mr. Speaker, that insofar as I can ascertain from official quarters, both from the Atomic Energy Commission and the Department of Defense, none of the authors of this report has been given a security briefing on the ABM Safeguard and consequently are not at all versed either on the latest intelligence of Soviet and Red Chinese capabilities nor on the latest research in the ABM Safeguard system itself.

I do not question the motives of anyone, but it appears to me that the report would have a great deal more validity and we could certainly ascribe to it a great deal more credence if, indeed, those who had prepared it had participated and had taken advantage of security briefings to ascertain and familiarize themselves with all of the latest information, both about the Soviet Union's expansion of their planned ABM system and similar progress being done now in Red China.

Mr. Speaker, only a few weeks ago, Dr. Weisner, who headed this task force, publicly stated here in Washington that he had purposely removed himself from security briefings some 6 months ago because he wanted to be free to criticize the ABM system.

I imagine Dr. Weisner believes there is some validity in his position, but I suggest that there is another side of the coin.

I do not see how one can participate in such an important subject as the very survival of this country without having all of the information possibly available to him before he makes his final conclusions.

Mr. Speaker, it would certainly seem to me that those who say they do not want to participate in security briefings because they want to be free to criticize the system are, in effect, saying, "We do not want to be confused by the facts." I do not believe the best interests of America will be served under such one-sided procedures.

I could give a great deal more validity to this 344-page report and its conclusions if I were satisfied in my own mind that the author of this report did indeed have the same latest security information that is available to us who strongly believe that the country ought to proceed with the President's safeguard system as quickly as possible.

PERMISSION FCR SUBCOMMITTEE ON FISHERIES AND WILDLIFE, COMMITTEE ON MERCHANT MARINE AND FISHERIES, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Fisheries and Wildlife of the Committee on Merchant Marine and Fisheries may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COST OF THE SAFEGUARD ABM

(Mr. RYAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, according to an article by John W. Finney in yesterday's New York Times, the Department of Defense now acknowledges that the $6.6 billion it has repeatedly cited as the cost of the administration's proposed Safeguard anti-ballistic-missile system does not include the cost of equipping the system with nuclear warheads. According to figures supplied by the Atomic Energy Commission, the cost of developing and producing the hundreds of nuclear warheads required to equip the Safeguard will run at least an additional $1.2 billion.

In view of the controversy that the development and deployment of the Safeguard has provoked in Congress, it seems incredible that the cost of such a basic component of the system as warheads could be deleted from the projected cost to the American taxpayer.

According to the Defense Department, the failure to include the cost of warheads in its cost estimates for the Safeguard was occasioned by the fact that the nuclear warheads are provided for by the budget of the Atomic Energy Commission and, hence, apparently of no concern to the Department of Defense.

Are we to believe that neither Deputy Secretary of Defense David Packard nor Secretary of Defense Melvin Laird regarded the development and production of warheads as a part of the overall cost of the Safeguard proposal when they cited $6.6 billion as the total projected cost of the system? Or is it simply the case that they thought the system would look more attractive to Congress if the little matter of the cost of warhead acquisition were omitted? One wonders how many other parts of the Safeguard have been farmed out to other Government agencies—like NASA—in order to conceal the true cost of the program.

A few weeks ago during the course of the Senate Foreign Relations Committee hearings on the ABM system, there was the extraordinary phenomena of the Deputy Secretary of Defense invoking the name of a famous scientist with whom he said he had "consulted," and who he claimed had concurred in the decision to proceed with the development of the Safeguard system. A few days later, when that scientist himself appeared before the committee, it was learned that he had never consulted with Mr. Packard and that he had serious reservations about the development of any ABM system. Now the actual cost of the Safeguard has been underestimated through the exclusion of an integral facet of the system; namely, the warheads which are to be used to equip the Spartan and Sprint missiles.

In light of the enormous cost of the ABM and the concerns many Congressmen and Senators have expressed that its deployment may further aggravate the arms race, it does not seem too much to ask that Congress receive accurate information on the exact and total cost of the Safeguard system from the Depart-

ment of Defense. Recent behavior on the part of the Department of Defense amounts to more than a credibility gap; it constitutes a veracity gap of serious proportions. Congress should make it clear to the Department of Defense that its prerogatives do not include the twisting and concealing of vital information from Congress.

COMPEL FORTAS, OTHERS TO FILE

(Mr. GROSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. GROSS. Mr. Speaker, I should like to remind Members of the bill, H.R. 7211, which I introduced on February 19 of this year, which would require Mr. Fortas, as well as all Justices of the Supreme Court and Federal judges, to file annual financial statements with the Comptroller General of the United States.

Included in the formation required to be filed would be the name and address, and type of practice of any business or professional organization, corporation, firm, or enterprise in which the judge reporting, or his spouse, was an officer, director, partner, or employee, or served in an advisory capacity, from which income was derived during the preceding calendar year, and the amount of such income.

A judge would, in addition, have to list any gifts in the aggregate amount of $50 or more and he would be required to provide the Comptroller General with a copy of his income tax return each year.

This information would be retained in a sealed file until such time as either House of the Congress, by resolution, requested it.

I submit, Mr. Speaker, that my bill would go a long way toward putting the brakes on activities such as those of Mr. Fortas.

I note with satisfaction that our distinguished minority leader has now expressed his support for legislation in this area.

I would merely remind him, and the chairman of the Judiciary Committee, that my bill was introduced almost 3 months ago, and I would hope that now we can see some action on it.

LET'S NAME INTERSTATE SYSTEM AFTER GENERAL EISENHOWER

(Mr. CUNNINGHAM asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. CUNNINGHAM. Mr. Speaker, on March 28, 1969, I lost a close and personal friend, but more important, the world lost a great leader and soldier who dedicated his life to peace—Dwight David Eisenhower.

As a memorial to this magnificent man, I am today introducing a bill to name the Nation's Interstate Highway **System after General Eisenhower, whom** history will record as one of our finest **Presidents.**

Under this legislation, the program which was set into motion during Gen. Eisenhower's second term would be designated as the "Eisenhower Interstate Highway System." It is now known as the National System of Interstate and Defense Highways.

The Interstate Highway System as we know it today was chiefly the work of General Eisenhower. It was from his notes that the then Vice President Nixon presented this concept to the National Governor's Conference in 1954.

It was from this presentation that the Federal Highway Act of 1956 evolved. This was the key that unlocked the problem of overlapping jurisdictions and has provided the United States, in General Eisenhower's words, "a properly articulated highway system that solves the problems of speedy, safe, transcontinental travel."

Before the Interstate System came into being, we had Federal, State, county, township, and other governmental systems participating in roadbuilding in the United States. Crossing State lines or even from county to county within a single State brought changes in the quality and type of highway. There was little, if any, coordination nationally.

The Federal Highway Act of 1956 brought the whole program together and recognized interstate highways as Federal rather than State responsibilities. It also placed them on a pay-as-you-go basis with the cost paid by the highway users. No revenues from general taxes, such as the income tax, are used to finance Federal aid for highways.

Mr. Speaker, we shall remember General Eisenhower for many things—as a great leader, a soldier dedicated to peace, and the architect of the world's finest highways. I feel, therefore, that the Interstate Highway System should bear his name.

PRESIDENT'S PROPOSAL TO EXPAND THE NATION'S EFFORTS TO PROVIDE HUNGRY AND MALNOURISHED CITIZENS WITH OPPORTUNITY TO OBTAIN AN ADEQUATE DIET

(Mrs. MAY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MAY. Mr. Speaker, yesterday the President of the United States unveiled a proposal to significantly expand this Nation's efforts to provide our hungry and malnourished citizens with the opportunity to obtain an adequate diet.

Mr. Speaker, I applaud and commend the President and his administration for this bold and imaginative attack on one of our most critical domestic problems. "Embarrassing" and "intolerable" are two adjectives President Nixon chose to describe the anomaly of hunger in this food-rich country, and to that I could add "completely unnecessary."

But the President was also especially accurate in his statement that hunger "is an exceedingly complex problem, not at all susceptible to fast or easy solutions." There are, in fact, no easy or simple solutions. This is a challenge most **difficult to meet, but meet it we must, and President Nixon's recommendation for a responsible and achievable Federal food aid effort represents a major step forward.**

The issue of malnutrition and hunger in the United States has reached deeply into the social consciousness of the more fortunate and affluent of the American people. Weekly, or monthly, food expenditures are a matter of no small concern to the great majority of our families. But authenticated stories of real hunger in this land of plenty have carried real shock value. It is less important in the national scale of values that food, for the average family, costs less than 1 day of work from a 5-day workweek; that no other similar-size population group in all history has obtained their food with so small a fraction of their total production effort; or even that our overall national affluence has reached the present high level. More important, to most of us, is that hunger—and hidden hunger—should exist among our fellow citizens, and show in the faces and bodies especially of children.

Furthermore, I commend President Nixon for his announcement that he will hold a White House Conference on Food and Nutrition, involving executives from the Nation's leading food processing and food distribution companies and trade unions. I am particularly gratified that the President has included as a key portion of his program the necessity of private sector involvement. This program is particularly well suited to a creative Government-industry partnership of the kind the President has advocated in other important areas of national concern.

Decades ago, when this country was faced with a severe hunger and malnutrition problems associated with the depression, the food marketing industry responded with great enthusiasm and effectiveness in adding extra nutritional benefits to traditional foods and literally selling the American people on the idea of better diets. The leadership of the food industry at this time can again provide a significant contribution to our efforts to come to grips with this similar national need.

Agriculture Secretary Hardin and Secretary of Health, Education, and Welfare Finch are both to be highly commended for the significant part they played as architects of the President's food assistance proposal. They will have the difficult and important job of working out the legislative details to implement this plan, and the momentous responsibility of administering it so that its objectives can be achieved.

To the cadence of the cries that will rise from one group saying "not enough," and from another group saying "too much," I hope that the majority of my colleagues and the American public will join together and carry this program through to success, and that they will do this because they recognize that it is a balanced, responsible, and responsive approach to this critical national problem.

POPULATION CONTROL

(Mr. BUSH asked and was given permission to address the House for 1 min-

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ute, to revise and extend his remarks and to include an editorial.)

Mr. BUSH. Mr. Speaker, I am quite honored to have been appointed chairman of the task force on earth resources and population control for the House Republican conference research committee.

One of the objectives of the task force will be to help educate the American people, as well as Members of Congress, on the need to prepare for population increases and for the reclamation and recycling of our resources. Along with the other members of the task force, I will, from time to time, be putting remarks in the RECORD that are educational and informative.

Such an article is "Malthus Revisited," an editorial in yesterday's New York Times. The writer makes a most important point. Reduction of birth rates must be the policy of the developed as well as the underdeveloped nations. We must tend to our own affairs before we dictate to others. We must show by example that people in a free society can accept the duty and responsibility of managing their population without the need for coercion. We must exert forthright leadership to confront the cold fact of life that the underlying cause of future crises will be the ever expanding population.

We live in one world and we must do so responsibly if we are to avoid the future famines which the demographic and ecological prophets foretell. I include this noteworthy editorial in the RECORD at this point:

MALTHUS REVISITED

Were he alive now, Parson Malthus would have found much that was familiar in Robert S. McNamara's eloquent plea at Notre Dame for a sharp cutback in birth rates in the underdeveloped countries. Many of those nations are "treadmill economies" forced to divert already inadequate capital resources to the care of "mounting waves" of children whose immediate needs leave little left over for raising abysmally low standards of consumption and health. The choice, as Mr. McNamara correctly stated it, is between reducing birth rates humanely or letting the cruel forces of famine and war or other violence solve the population problem in their usual grim fashion.

The bleak statistics of the population crisis ahead are simple enough. If recent trends continue, humanity's numbers will double in the next thirty years—from about 3.5 billion now to 7 billion at the turn of the century—and reach 14 billion by 2035. Of the prospective increase between now and the year 2000, 85 per cent or more could be accounted for by larger numbers in the underdeveloped nations. If this arithmetic is the pattern of the future, then chaos and suffering on an almost unimaginable scale are certain.

Mr. McNamara may be too optimistic, if anything. He sees the current rapid advance of agricultural productivity as sufficient to buy two decades during which the world will have time to take measures needed to prevent catastrophe. But the increasing hundreds of millions in the underdeveloped areas want more than merely enough food to fill their bellies. Understandably they want a standard of living that will approach more closely the standard taken for granted in the developed countries. But this requires precisely the capital that is being eaten up by the ceaseless flood of new-born life.

Strong as the case is for a systematic effort to reduce birth rates, the difficulties are formidable. There are great shortages of the funds and manpower needed to mount the required educational campaigns and to provide mechanical, pharmaceutical and other means of birth control. Even more fundamental is the resistance in many areas to the idea of reducing births. That resistance arises partly from religious taboos, partly from deeply grained cultural patterns grounded in the now obsolete wisdom of a past age, and partly from fears spread by demagogues that Western talk of birth control is really inspired by the desire to commit genocide and "demographic imperialism."

Mr. McNamara's campaign for population control should apply to all nations, the developed as well as the underdeveloped. Food is not the limiting factor in the former; but already important questions are being raised about how much this small planet's air, water and land can absorb in the way of automobile fumes, insecticides and other poisons, radioactive wastes and the other effluvia given off massively in modern industrial societies. The more people and the higher the standard of living they enjoy, the greater the volume of damage to the world environment as a whole. More, and more effective, measures of birth control are as essential in the have as in the have-not nations, and only their broad acceptance throughout the world during the next generation will prevent a convulsion that will make all questions of population control academic because then there won't be enough population left to control.

At this time I would also like to call the attention of my colleagues to the profound statement made by the Honorable JOHN B. ANDERSON of Illinois before the Merchant Marine and Fisheries Subcommittee on Oceanography.

In discussing the report of the Commission on Marine Science, Engineering, and Resources, Mr. ANDERSON pointed out:

> As people become more and more numerous and as land and resources become more and more scarce, we must seek new ways to cope with this imminent crisis. In the upcoming decade the ocean holds great promise and high adventure in man's quest to meet his growing needs on this last great frontier on earth—a frontier spanning over two-thirds of the earth's surface yet one which we have barely skimmed.

I commend my colleague from the landlocked district of Illinois for his farsighted conclusions and include his full statement at this point in the RECORD:

STATEMENT BEFORE THE SUBCOMMITTEE ON OCEANOGRAPHY, MERCHANT MARINE AND FISHERIES COMMITTEE BY HON. JOHN B. ANDERSON, OF ILLINOIS, MAY 7, 1969

Mr. Chairman and Members of the Oceanography Subcommittee of the Merchant Marine and Fisheries Committee:

I am most grateful for this opportunity to appear before you today and discuss with you the report of the Commission on Marine Science, Engineering and Resources, "Our Nation and the Sea."

When I first indicated an interest in the Stratton Commission report earlier this year, someone expressed to me his surprise that a congressman from land-locked Rockford, Illinois should be excited about oceanography. But it's really not so unusual when you consider that my district borders on the Mississippi River and my State on Lake Michigan, both of which received some attention from the Commission. But moreover, I am deeply concerned about the problems and needs of our nation, and indeed, all mankind. We are all linked by our land-air-sea environment and we are all linked by the shrinking nature of our planet and the problems this portends.

As people become more and more numerous and as land and resources become more and more scarce, we must seek new ways to cope with this imminent crisis. The upcoming decade of the oceans holds great promise and high adventure in man's quest to meet his growing needs on this last great frontier on earth—a frontier spanning over two-thirds of the earth's surface yet one which we have barely skimmed.

The Congress recognized this potential back in 1966 with the passage of the Marine Resources and Engineering Development Act calling for a national ocean program. This committee is to be commended for the excellent leadership it has exerted and continues to exert in this area, and the Marine Resources Council and Marine Science Commission deserve our highest praise for the fine work they have done to date.

But the Commission has expired and left us with an impressive report and set of recommendations and the life of the Council has been extended for only one year. We must now decide what to do about the Stratton Commission report and what direction our national ocean program will take when the Council is disbanded.

It is obvious that if we are to proceed with a national marine policy in an orderly and unified fashion, we must seek new organizational means to bring such order and unity to our efforts; we need both a national and a rational approach. For this reason, I fully endorse the recommendation of the Stratton Commission to create a new, strong and independent National Oceanic and Atmospheric Agency to coordinate and direct our national marine policy in the years ahead.

I refrain from the temptation to call this a "wet NASA" as some have done since the analogy just doesn't hold water. As Dr. Wenk has pointed out, this is not a crash program, nor is it an exclusively Federal program. Industry, Academia and State and local bodies all play key roles in ocean-related research and development, and this is as it should be.

At the same time, there is a definite need for Federal leadership in this area, for a national plan of action based on a coherent and unified national policy. There is a need to draw together for proliferation of marine missions scattered throughout our sprawling Federal bureaucracy. There is a need to give some central direction and support to marine missions being conducted in industry, by universities and by State and local groupings. In short, there is a need to provide for a means for undertaking a full range of marine-related activities geared to broad human needs; or, as the 1966 Act put it, "to develop, encourage and maintain a coordinated, comprehensive, and long-range national program in marine science for the benefit of mankind."

I really don't see how these needs could possibly be met without a strong, independent agency like NOAA. NOAA is central to the success of a large number of the Commission's recommendations and the Commission has therefore urged its "immediate adoption" if we are to "mobilize the resources of our Government in the most effective manner to lend strength and power to the Nation's marine commitment."

I concur with this assessment and respectfully urge this distinguished Committee to give priority attention to this proposal of the NOAA.

I think it is significant to note that the Commission has chosen not to adopt the wholesale consolidation of all marine activities within a single structure. It has recognized that some of these programs provide close operational support to the departments and agencies in which they are presently located and should therefore not be moved. These include the National Science Foundation's marine and atmospheric science programs, the Interior Department's fresh water, seashore and mineral resource programs, the Army Corps of Engineers' coastal and

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waterways programs, the Smithsonian Institution's biological and geological oceanography studies, the activities of the Office of Naval Research and the Naval Oceanographer, and the marine-related nuclear energy programs of the Atomic Energy Commission.

I think the decision to keep these out of NOAA is realistic, at least for the time being, since they are major components of their parent bodies. At the same time it is most vital that NOAA exert some type of coordination and planning role over these as the Commission has recommended.

For example, the Navy is way out in front as a leader in oceanographic research and development work, especially with the "Man in the Sea" program begun last year. Much of this work has spin-off civilian benefits of great value to our civil marine program. I am most concerned that NOAA has some built-in mechanism to catch such spin-off benefits and to avoid duplication. I think any legislation to create NOAA should clearly define its role with relation to civil marine programs outside the agency and provide an effective means for their coordination.

Hopefully, this will be one of the primary responsibilities of the National Advisory Committee for the Oceans under NOAA, as was proposed by the Stratton Commission. I question whether the head of NOAA could directly assume the sole responsibility for interagency planning and coordination as the Commission report has suggested.

However, there are marine programs within various Federal departments and agencies which are peripheral to the primary missions of their parent bodies and in their present form are too small to have visibility and impact. Instead, they breed insularity, overlap and competition and are obstacles to an integrated national approach. These are the components which must be brought together in a strong independent agency of our government, an agency like NOAA.

The Stratton Commission recommends that NOAA should be comprised of the U.S. Coast Guard, the Environmental Science Services Administration, the Bureau of Commercial Fisheries, the U.S. Lake Survey, the National Sea Grant Program, the National Oceanographic Data Center, certain programs of the Bureau of Sport Fisheries and possibly the National Center for Atmospheric Research and support for the United States Antarctic Research Program.

This reorganization would shift some 55,000 employees under the roof of NOAA as well as 320 seagoing ships. The Commission is also recommending several new programs under NOAA as well as the development of an undersea capability.

The proposed bureaucratic shifts are bound to raise some controversy, especially among those who tend to jealously guard their bureaucratic preserves. This is understandable and the full implications of such shifts should receive a thorough airing by this committee. But, as Dr. Stratton so ably pointed out in his testimony last week, we must look beyond mere bureaucratic interests; in his words, "The real issue here is the national interest." We must think in terms of the human problems and needs such an approach addresses itself to.

In the words of the Commission report: "How fully and wisely the United States uses the sea in the decades ahead will affect profoundly its security, its economy, its ability to meet increasing demands for food and raw materials, its position and influence in the world community, and the quality of the environment in which its people live.

The time for decision has arrived. Will we turn to the sea and work together to meet its challenges and realize its potential; or will we turn our backs on the sea and reject the opportunity to improve our environment and constructively utilize its resources?

The Commission has stated: "The Nation's stake can only be realized by a determined national effort great enough for the vast and rewarding task ahead."

Mr. Chairman, in conclusion I urge this Committee to spur the great national effort that is needed by establishing an agency capable of carrying out the mandate of the Stratton Commission.

PRESIDENT NIXON HAS OFFERED A COMMENDABLE PROGRAM TO REDUCE THE INTERSTATE TRAFFIC IN OBSCENITY

(Mr. McCLORY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLORY. Mr. Speaker, one of the most welcome messages which the Congress has received from President Nixon was the message of Friday, May 2, on the subject of obscenity.

The great public need for legislation and citizen action to reduce the interstate traffic in salacious materials to our children is timely as well as basic to our democratic society.

The President's message, coupled with legislation of which I am today becoming a cosponsor, is both restrained and thoughtful.

There is no effort at thought control. On the other hand, there is a frank recognition of the Nation's obligation to prevent interstate channels from being used to peddle pornography among the youth of our Nation.

In addition, the President has urged legislation to prohibit the use of the mails for advertising of sex-oriented materials. Finally, the President has urged enactment of legislation which would enable citizens to enlist the cooperation of postal authorities in keeping such offensive advertising materials from their homes.

Quite obviously, the task is not simply one for Federal legislation. It is one in which the States, the municipalities and the individual citizens must join.

I hope that all will join in a great national effort to "turn back the tide of obscenity in this country," as President Nixon has urged. As a part of this joint effort, in invite the earnest support of my colleagues for the legislation which the President has called for and which is being introduced today. Enactment of these measures can go a long way toward the task of stopping the traffic in pornography.

LEGISLATIVE PROGRAM FOR WEEK OF MAY 12

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, I take this time in order to ask the majority leader if he can advise us of the program for the balance of this week and next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished Republican whip, we have finished the legislative business for this week.

The business for next week is as follow:

Monday is District day, but there are no District bills.

On Tuesday there are five bills which will be called up under unanimous consent from the Committee on Armed Services. They are as follows:

House Joint Resolution 677, to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, the officer serving in that position on April 1, 1969;

House Concurrent Resolution 207, relating to Gen. Omar N. Bradley;

H.R. 8020, providing round trip transportation to home port for a member of the naval service on permanent duty aboard a ship overhauling away from home port;

H.R. 6790, authorizing an increase in the number of Marine Corps Reserve officers who may serve in active status in combined grades of brigadier and major general; and

H.R. 8018, amending title 10, United States Code, to include a foster child within the definition of "dependent."

For Wednesday and the balance of the week:

S. 1011, authorizing appropriations for the saline water conversion program for fiscal year 1970, subject to a rule being granted; and

H.R. 4152, to authorize appropriations for certain maritime programs of the Department of Commerce, subject to a rule being granted.

In addition, the gentleman from Arkansas (Mr. MILLS) has advised that bills unanimously reported by the Committee on Ways and Means previously announced for this week will be put over, and that he will call them up next week by unanimous consent. A list of the bills follows:

BILLS REPORTED UNANIMOUSLY BY THE COMMITTEE ON WAYS AND MEANS

H.R. 9951, to provide for the collection of the Federal unemployment tax in quarterly installments, etc.

H.R. 2718, extending for additional temporary period suspension of duties on certain classifications of silk yarn.

H.R. 4229, continuing for temporary period suspension of duty on heptanoic acid.

H.R. 4239, amending Tariff Schedules of the United States so as to prevent payment of multiple customs duties by U.S. owners of racehorses purchased outside the United States.

H.R. 5833, continuing to June 30, 1972, the existing suspension of duty on certain copying shoe lathes.

H.R. 7311, amending Tariff Schedules of the United States to provide that the rate of duty on parts of stethoscopes shall be the same as the rate on stethoscopes.

H.R. 8644, making permanent the existing temporary suspension of duty on crude chicory roots.

H.R. 10015, extending to July 15, 1971, the suspension of duty on electrodes for use in producing aluminum.

H.R. 10016, continuing until the close of June 30, 1971, the existing suspension of duties for metal scrap.

H.R. 10017, continuing for a temporary period the existing suspension of duty on certain istle.

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H.R. 8654, to provide combat pay income tax treatment for the crew of the U.S.S. *Pueblo*.

Mr. Speaker, this announcement is made subject to the usual reservation that conference reports may be brought up at any time, and any further program will be announced later.

Mr. ARENDS. I thank the gentleman.

ADJOURNMENT FROM TOMORROW TO MONDAY, MAY 12, 1969

Mr. ALBERT. Mr. Speaker, in view of the fact that we have finished the legislative program for this week, and have announced the legislative program for next week, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

MAY 7, 1969.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 5:57 p.m., on Tuesday, May 6, 1969, and said to contain a message from the President concerning hunger and malnutrition in America.

With kind regards, I am
Sincerely,
W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

HUNGER AND MALNUTRITION IN AMERICA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–115)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union, and ordered to be printed:

To the Congress of the United States:

We have long thought of America as the most bounteous of nations. In our conquest of the most elemental of human needs, we have set a standard that is a wonder and aspiration for the rest of the world. Our agricultural system produces more food than we can consume, and our private food market is the most effective food distribution system ever developed. So accustomed are most of us to a full and balanced diet that, until recently, we have thought of hunger and malnutrition as problems only in far less fortunate countries.

But in the past few years we have awakened to the distressing fact that despite our material abundance and agricultural wealth, many Americans suffer from malnutrition. Precise factual descriptions of its extent are not presently available, but there can be no doubt that hunger and malnutrition exist in America, and that some millions may be affected.

That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable. But it is an exceedingly complex problem, not at all susceptible to fast or easy solutions. Millions of Americans are simply too poor to feed their families properly. For them, there must be first sufficient food income. But this alone would only begin to address the problem, for what matters finally is what people buy with the money they have. People must be educated in the choosing of proper foods. All of us, poor and non-poor alike, must be reminded that a proper diet is a basic determinant of good health. Our private food industry has made great advances in food processing and packaging, and has served the great majority of us very well. But these advances have placed great burdens on those who are less well off and less sophisticated in the ways of the modern marketplace. We must therefore work to make the private food market serve these citizens as well, by making nutritious foods widely available in popular forms. And for those caught in the most abject poverty, special efforts must be made to see that the benefits of proper foods are not lost amidst poor health and sanitary conditions.

The Council for Urban Affairs has for the past three months been studying the problem of malnutrition in America, and has assessed the capacities of our present food and nutrition programs. As a result of the Council's deliberations, I am today prepared to take the following actions:

1. FAMILY FOOD ASSISTANCE PROGRAMS

The Federal government presently provides food assistance to nearly seven million needy Americans through the Food Stamp and Direct Distribution programs. Though these programs have provided welcome and needed assistance to these persons, both are clearly in need of revision.

The present Food Stamp program also can be greatly improved. I shall in a short period of time submit to the Congress legislation which will revise the Food Stamp program to:

— provide poor families enough food stamps to purchase a nutritionally complete diet. The Department of Agriculture estimates this to be $100 per month for a typical family of four.

— provide food stamps at no cost to those in the very lowest income brackets.

— provide food stamps to others at a cost of no greater than 30% of income.

—ensure that the Food Stamp program is complementary to a revised welfare program, which I shall propose to the Congress this year.

—give the Secretary of Agriculture the authority to operate both the Food Stamp and Direct Distribution programs concurrently in individual counties, at the request and expense of local officials. This will permit the Secretary to assist counties wishing to change from Direct Distribution to Food Stamps, and to meet extraordinary or emergency situations.

It will not be possible for the revised program to go into effect until sometime after the beginning of the calendar year 1970, that is to say after the necessary legislative approval and administrative arrangements have been made. The requested appropriations will then permit the establishment of the revised program in all current Food Stamp counties before the end of the fiscal year, as well as a modest expansion into Direct Distribution counties, and some counties with no current programs.

This program, on a full year basis, will cost something in excess of $1 billion per year. (Precise estimates will only become available over time.) This will be in addition to the $1.5 billion for food for the hungry which I have requested for the forthcoming fiscal year, making a total program of $2.5 billion. In the meantime, $270 million is being reprogrammed within the forthcoming budget to permit the program to begin as soon as legislative and administrative arrangements can be made and other necessary measures taken.

While our long-range goal should be to replace direct food distribution with the revised Food Stamp program, the Direct Distribution program can fill many short-range needs. Today there are still over 440 counties without any Family Food Assistance program, and this Administration shall establish programs in each of these counties before July 1970. The Direct Distribution program will be used in most of these counties. In these and other Direct Distribution counties, the most serious criticism of the program will be met by ensuring that all counties offer the full range of available foods.

To strengthen both current Family Food Assistance programs, efforts will proceed on a high priority basis to establish more distribution points, prompter and simpler certification, financing arrangements, mailing of food stamps, and appeal mechanisms.

2. SPECIAL SUPPLEMENTAL FOOD PROGRAM

Serious malnutrition during pregnancy and infancy can impair normal physical and mental development in children. Special effort must be made to protect this vulnerable group from malnutrition.

The Special Package program, which provides needy women and mothers with packages of especially nutritious foods, was designed to meet this need. But the program has encountered logistical problems which have severely limited its success. I am therefore directing that a substantial portion of the Fiscal Year 1970 budget for this program be used to establish pilot programs that make use

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of the private food market. Under these programs, needy pregnant women and mothers of infants will be issued vouchers, redeemable at food and drug stores for infant formulas and other highly nutritious special foods. If such a program seems workable, and the administrative problems are resolved, the program will be expanded later on the basis of that experience.

3. ADMINISTRATION OF FOOD PROGRAMS

I am directing the Urban Affairs Council to consider the establishment of a new agency, the Food and Nutrition Service, whose exclusive concern will be the administration of the Federal Food programs. Presently the food programs are operated in conjunction with numerous other unrelated programs. The creation of a new agency will permit greater specialization and concentration on the effective administration of the food programs.

4. PRIVATE SECTOR INVOLVEMENT

I shall shortly announce a White House Conference on Food and Nutrition, involving executives from the nation's leading food processing and food distribution companies and trade unions. I shall ask these men to advise me on how the private food market might be used to improve the nutritional status of all Americans, and how the government food programs could be improved. I shall also call on these men to work with the advertising industry and the Advertising Council, to develop an educational advertising and packaging campaign to publicize the importance of good food habits.

5. INTER-AGENCY EFFORTS

Although most of the current food and nutrition programs are administered by the Department of Agriculture, other agencies are critically involved. I am therefore establishing a sub-Cabinet working committee of the Urban Affairs Council to promote coordination between the food and nutrition programs and other health, educational, and antipoverty programs.

At the present time, I am directing the Secretary of Health, Education, and Welfare and the Director of the Office of Economic Opportunity to take a number of immediate steps.

I am asking the Secretary of HEW to:

—work with state agencies to ensure that the Medicaid program is fully coordinated with the Special Package and pilot voucher programs for pregnant women and infants, so that vitamin and mineral products can be made available to those diagnosed as suffering from nutrient deficiencies.

—expand the National Nutrition Survey, presently being conducted by the Public Health Service, to provide us with our first detailed description of the extent of hunger and malnutrition in our country.

—initiate detailed research into the relationship between malnutrition and mental retardation.

—encourage emphasis by medical schools on training for diagnosis and treatment of malnutrition and malnutrition-related diseases.

The Office of Economic Opportunity, with its exclusive commitment to the problems of poverty and its unique "outreach" among the poor themselves, has an especial role to play. I am asking the Director of OEO to:

—work with the Secretaries of Agriculture and HEW to establish a greatly expanded role for the Community Action Agencies in delivering food stamps and commodity packages. Volunteers working in the VISTA program will also aid in the delivery and outreach process, supplementing the efforts of the Agricultural Extension Service.

—redirect OEO funds into the Emergency Food and Health Service program to increase its food, health, and sanitation services for our most depressed areas. Presently, health and sanitary conditions in many of our most depressed counties are so poor that improved food services alone would have little impact on the nutritional health of the population. The Emergency Food and Health Service has provided invaluable services in aiding these areas, and its good work should be substantially expanded.

More is at stake here than the health and well-being of 16 million American citizens who will be aided by these programs and the current Child Food Assistance programs. Something very like the honor of American democracy is at issue. It was half a century ago that the "fruitful plains" of this bounteous land were first called on to a great work of humanity, that of feeding a Europe exhausted and bleeding from the First World War. Since then on one occasion after another, in a succession of acts of true generosity—let those who doubt that find their counterpart in history—America has come to the aid of one starving people after another. But the moment is at hand to put an end to hunger in America itself. For all time. I ask this of a Congress that has already splendidly demonstrated its own disposition to act. It is a moment to act with vigor; it is a moment to be recalled with pride.

RICHARD NIXON.

THE WHITE HOUSE, *May 6, 1969.*

PRESIDENT'S MESSAGE ON HUNGER

(Mr. MACGREGOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MACGREGOR. Mr. Speaker, President Nixon in his inaugural address said:

> No people has ever been so close to the achievement of a just and abundant society, or possessed of the will to achieve it. Because our strengths are so great, we can afford to appraise our weaknesses with candor and to approach them with hope.

The Presidential message on hunger in America contains a full measure of both candor and hope. There is candor in the recognition that hunger and malnutrition are facts of life for millions of Americans. The tougher test of candor is the President's understanding that there is no cheap or easy solution to this extremely complex problem. Our best estimate at the moment is that it will take more than $2.5 billion annually to put an end to hunger in America for all time.

Fundamentally however, the President's hunger message is one of hope for the 16 million Americans who will benefit from the programs which are being proposed to eliminate hunger. The President has seized the initiative in formulating a massive frontal attack on hunger in America. That these conditions should be permitted to exist amidst unprecedented material abundance and agricultural wealth is both embarrassing and intolerable.

Indeed as the President stated, "the honor of American democracy is at issue." I feel confident that the Congress will accept this challenge and vigorously support President Nixon's program to eliminate hunger and malnutrition in America.

Mr. GERALD R. FORD. Mr. Speaker, it is time for the Congress to go on record in support of a new national goal—an end to both hunger and malnutrition in America.

Hunger is directly related to poverty. Malnutrition may be present even when sufficient funds are available to maintain a proper diet.

The hunger and malnutrition problems therefore are twofold, and the malnutrition problem is especially complex.

The answers are adequate funding, the most efficient possible channeling of nutritious food to low-income Americans, and the educating of insufficiently informed Americans regarding proper diet and its relationship to good health.

The program proposed by President Nixon in his message to the Congress on hunger and malnutrition seeks to resolve many of the complexities involved in feeding the poor and feeding them properly.

No program coming before the Congress in this or any other year can be more important than this Nixon administration proposal for properly meeting the food needs of low-income Americans.

The President has said the expanded program will go into effect sometime after next January 1. I would urge that it be implemented as soon as possible. The task of providing the administration with the necessary legislative authority, the reprograming of funds and the other administrative arrangements necessary to carry the expanded program forward should be attended to in a spirit of the greatest urgency.

I applaud the decision to double the food stamp program. I applaud the decision to establish a family food assistance program before July 1970 in the more than 440 counties now lacking it.

These decisions in themselves deserve the highest praise, but I would point out also that President Nixon will go far beyond these actions to seek additional improvements in Government food programs—by calling a White House Conference on Food and Nutrition aimed at promoting good food habits, by redirecting Office of Economic Opportunity funds to increase food, health, and sanitation services in our most depressed areas

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where improved food services alone are not the answer, and by issuing various other White House directives to Government departments.

Mr. Speaker, the Nixon administration has been praised as a pragmatic administration which is bringing careful thought and keen analysis to the great problems this country faces as we approach the decade of the seventies.

I submit, Mr. Speaker, that with this message on hunger and malnutrition President Nixon has clearly demonstrated that his administration has not only a head but a heart.

Mr. BROCK. Mr. Speaker, I think that Members on both sides of the aisle will agree that President Nixon's announcement of a new offensive against hunger in America is a welcome development. By laying the groundwork for an expanded food stamp program, and maintaining sufficient direct distribution of food to communities not participating in the food stamp program, the administration has moved forcefully and effectively to combat hunger and insure adequate nutritional standards for all Americans.

Special attention has been paid to the needs of expectant mothers and mothers of infants unable to provide themselves with a wholesome diet.

Greater efforts at interagency and Federal-State cooperation will help to speed relief to many who were denied help in the past because of intergovernmental squabbles and delays. Costs and overall efficiency can be maintained at the most acceptable level, and new research into long-range solutions to malnutrition, volunteer action through cooperation with the VISTA program, and stepped-up health services all round out this well-planned Government assault on hunger and malnutrition.

With the help of the Congress, President Nixon can inaugurate this drive to end hunger in America, not with political oratory and fanfare, but with sound, reasoned solutions to the problem.

Mr. RHODES. Mr. Speaker, an article in last Sunday's New York Times pointed out that if all the food in today's world were distributed evenly among its 3.5 billion human inhabitants, every one of them would go hungry.

Sometimes we in America forget how truly fortunate we are. With only 6 percent of the world's population this country has set a standard of agricultural production and distribution without equal anywhere on the globe.

Nevertheless, Mr. Speaker, many Americans today remain the victims of hunger and malnutrition. While the solution to this problem is not to be found in any instant program expected to eradicate overnight the blight of malnutrition and insufficient diet, it is clear that we must pursue an effective and well thought out course of action to remedy this unsatisfactory situation.

In this regard, I believe that the President's food assistance proposals merit serious consideration. The President has recognized that while many Americans are simply too poor to feed their families properly, the providing of sufficient food income alone is not a panacea for the problem. What matters finally, in the President's words, is what people buy with the money they have.

Mr. Speaker, poverty has teamed up with a stronger ally in the form of ignorance to oppose the fight against hunger and malnutrition. Too often, people have the resources which could conceivably provide them with a satisfactory diet if allocated wisely, but continue to suffer malnutrition due to the fact that they are not sufficiently equipped to understand and, hence, to avoid the causes and consequences of nutritional deficiencies. In the President's words, people "must be educated in the choosing of proper foods."

In this connection, volunteers experienced in matters of health and nutrition could perform a real service, as they have in my own State of Arizona, by helping to eradicate ignorance in whatever form it may assume; whether this be in matters of nutrition, or the closely related areas of health and disease, conditions of sanitation, or of family limitation.

Hunger is our present adversary, but ignorance is our real enemy. I believe the President's proposal is an important one in this regard.

GENERAL LEAVE TO EXTEND

Mr. ESCH. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks immediately following the President's message on hunger and malnutrition.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LURLEEN B. WALLACE MEMORIAL HOSPITAL AND TUMOR INSTITUTE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. BUCHANAN) is recognized for 60 minutes.

Mr. BUCHANAN. Mr. Speaker, a year ago today a courageous lady, Alabama's only woman Governor, Lurleen Burns Wallace, died of cancer.

And today in Alabama the fight is on, led on by Gov. Albert Brewer, to defeat the disease which last year robbed not only Mrs. Wallace, but thousands of others in the State, of life.

A $15 million cancer hospital, to be built in Birmingham as a part of the medical center complex, is in the planning stages and a fund drive is underway to raise $5 million of this sum from public contributions.

It is fitting that this facility will be named the Lurleen B. Wallace Memorial Hospital and Tumor Institute, for, during her short 41-year lifetime, Alabama's late Governor continuously sought to aid the physically and mentally ill.

Upon graduation from high school, she attempted to enter nurses' training, but was too young and turned instead to business school. Still shy of the age minimum to go into nursing following the completion of her business training, young Lurleen Burns went to work in a Tuscaloosa dime store where she met George C. Wallace, whom she later married.

Her compassion for the ill did not end, however, because her ambition to become a nurse was thwarted.

During her year-and-a-half term as Governor, Mrs. Wallace visited many hospitals in the State and was instrumental in improving conditions for the patients.

While waging this public crusade, she carried out a private battle of her own—a war which began in 1961 against cancer.

Through several early operations, she continued to believe she would be cured of the disease. In 1966, several months after one of these operations, Mrs. Wallace and her doctors both felt optimistic enough about her chances to believe her health would permit her to become a candidate for the governorship of our State.

On November 8, 1966, Lurleen Burns Wallace became the first woman in Alabama history to become Governor.

During the early months of her administration, Mrs. Wallace was an active Governor, giving much emphasis to the need for improvement in hospital facilities.

But her hoped-for cure of her own illness was not to be.

Not one to shirk her duties, Mrs. Wallace remained at the State capital whenever possible, making frequent visits to Houston where she underwent operations and received treatment at the M. D. Anderson Cancer and Tumor Institute.

On May 7, 1968, Lurleen Burns Wallace lost her last great battle, but her courageous fight will long remain in the hearts and minds of Alabamians.

It is not only Mrs. Wallace who fought courageously against this most dreaded of diseases. And an estimated 9,000 other Alabamians will begin this year their battle against cancer—a fight which will end in death for some 4,800 in 1969 alone.

The State has the highest death rate from cancer of the cervix in the Nation and also ranks high in deaths from lung and breast cancer. A nearby hospital can provide early diagnosis and treatment and possibly save more lives.

And so, it is for these cancer victims and the estimated one-quarter of the State's population, young and elderly, poor and wealthy, who will eventually fall victim to some form of the disease, that the hospital is dedicated.

The cancer and tumor institute will not only treat cancer victims, but will undertake research to find out what causes the disease and what can be done to cure it more rapidly and in more cases. Currently about two-thirds of the State's cancer victims die from the disease.

Many could be saved by treatment.

The hospital will serve all people in Alabama, as well as those in neighboring States, with a 200-bed facility, possibly to be expanded to 500 beds in the future. An additional 150,000 persons can be treated on an outpatient basis.

That there is a need for such a hospital is unquestionable.

Currently there is no hospital in Alabama or neighboring States which can administer totally to the needs of cancer patients. There are facilities which have limited cancer programs, but none to provide the full facilities for surgery, X-ray, and other treatments, diagnosis and

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outpatient care which the cancer and tumor institute will supply.

The new hospital will serve other purposes outside of administering to several hundred bed patients and additional thousands of outpatients.

It, as part of the medical center complex, will be a learning institution where doctors, nurses, and paramedical staff will be trained to care for cancer patients.

Equally important are the research facilities which the hospital will provide. For, if cancer is to be conquered, like other once-dreaded diseases such as infantile paralysis, research must be carried out to determine the causes and cures.

Treatment for some types of cancer have been discovered and are effective if the disease is diagnosed in time. There are many others for which there is no cure and for which doctors do not even know the cause.

A center of this size and with this potential could be expected to draw some of the Nation's foremost physicians, technologists, and researchers—quality professionals who are needed if persons in the State are to benefit from the hospital.

Under the chairmanship of Governor Brewer, a fund drive is currently underway to convert this dream into a reality. Five million dollars is needed from the public and an additional $10 million will come from private and Federal sources.

To date, about a third of this sum has been raised since the drive began in January. Although at least five counties—Tuscaloosa, Cullman, Barbour, Chambers, and Pickens—have passed their goals, the remaining 62 have not and more money is needed.

Governor Brewer, in his talks across the State in support of the Lurleen Wallace Cancer Crusade has often said, "Wouldn't it be wonderful if a cure for cancer could be found here in Alabama."

The answer is a resounding "yes." But the new facility will also give many people in Alabama something they have never had, the opportunity to receive early and complete treatment for cancer.

Mr. Speaker, I yield at this time to the distinguished dean of the Alabama delegation (Mr. Andrews).

(Mr. ANDREWS of Alabama asked and was given permission to extend his remarks at this point in the Record and to include extraneous material.)

Mr. ANDREWS of Alabama. Mr. Speaker, when Alabama's late beloved Gov. Lurleen Burns Wallace lost her battle with cancer exactly 1 year ago today, a movement was started in her memory that may one day save thousands of lives.

Amid the grief of a saddened people, the Courage Crusade was born. It was the beginning of a drive to build a great hospital in which the dreaded disease that claimed the life of our Governor will be attacked through treatment and research.

Because of our late Governor's deep feeling for people and the generous and warm response that she received in return from all touched by her exemplary life, it is fitting that the hospital will be named the "Lurleen B. Wallace Memorial Cancer Hospital and Tumor Institute."

The need for this hospital, to be located in Birmingham, Ala., is clearly established. Nothing like it exists in the entire Southeast, a problem which necessitated many long and tiring trips to M. D. Anderson Hospital in Houston, Tex., for Governor Wallace during her ordeal.

The alarming pervasiveness of cancer is evident in estimates that one in four persons will have some form of cancer during their lifetime.

The real "builders" of this citadel of hope for cancer victims will be the great and the small who knew and loved Alabama's great and courageous first lady.

Gov. Lurleen Wallace had compassion for others who suffered, especially the mentally ill in my State, although she refused to shroud herself in a cloak of self-pity during her own suffering. She would have been greatly honored to have her name permanently enshrined in the hospital that Alabamians and people all over the country are seeking to build.

Within its walls may come survival for many through the discovery of a cure for this great killer—a cure that Lurleen Burns Wallace hoped for but did not live to see.

Mr. Speaker, I include at this point House Joint Resolution 5 adopted by the House of Representatives of the State of Alabama:

House Joint Resolution 5

Whereas Almighty God in His infinite wisdom did call unto Himself our beloved Governor, Lurleen Burns Wallace on May 7, 1968, the Tuesday before Mothers Day. It was especially fitting that many memorial services were held for her in churches throughout Alabama on Mothers Day. Her love for others, her devotion to her family, her compassion at the suffering of others, her willingness to give of herself even to the point of giving her very life for her State and its people, her endurance of suffering, her gallant courage, and her willingness to stand up for the children of Alabama exemplify motherhood at its highest pinnacle:

Now, therefore, we do mourn the death of our beloved gallant Lurleen Burns Wallace, and we do designate and set aside Mothers Day as a memorial day for Lurleen Burns Wallace, and we do request and entreat men of good will everywhere to observe and hold memorial services and pay respects on Mothers Day to Governor Lurleen Burns Wallace.

Resolved further, That copies of this resolution be sent to the Congressional Delegation from Alabama, to the Governor of each sovereign state of these United States, and to the Chief Executive Officer of each County and Municipal Governing Body in the State of Alabama, and to the family of Governor Lurleen Burns Wallace.

Adopted by the House of Representatives April 1, 1969.

Concurred in and adopted by the Senate April 1, 1969.

Approved by the Governor May 2, 1969.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. BUCHANAN. Mr. Speaker, I yield to my distinguished colleague, the gentleman from Alabama (Mr. Dickinson).

Mr. DICKINSON. Mr. Speaker, I am pleased to join with my colleagues today to honor the memory of our late beloved Governor, Lurleen Wallace, whose death from cancer a year ago today saddened all Americans.

Although her term of office lasted just 14 months, she found a permanent place in the hearts of people everywhere.

The people of Alabama will not soon forget how much she cared for them. They will not easily forget her graciousness, her gentleness, her humility, or her heartfelt interest in the welfare of each and every one of them. And, they will never forget her courage—for it is the memory of her courage which has inspired the Lurleen Wallace Courage Crusade.

The Courage Crusade is a dedicated effort on the part of the citizens of Alabama to create a living memorial as the most fitting tribute they could pay to this gallant lady who fought so bravely for her life against overwhelming odds.

The crusade is a drive to raise $15,000,000, with which to build, equip, and staff the most modern facility for cancer care and research in the Nation, the Lurleen B. Wallace Memorial Hospital and Tumor Institute.

A challenging goal. To offer the best care for patients with cancer; to serve as the finest training center for all types of health personnel relating to the care, research, education, and control of this dread disease; to offer the most modern research facilities; to put into practice new methods of surgery and different approaches to radiation and other forms of therapy.

As Alabamians, we are determined to participate fully in the founding and completion of this institute. Because cancer is the common enemy of all of us and because we as a nation have never failed to join together in any effort to overcome a common enemy, we invite all citizens everywhere to join us in accomplishing our goal—to the memory of one, for the benefit of all.

Mr. BUCHANAN. I thank my colleague, Mr. Speaker, and gladly yield to my colleague from Alabama (Mr. Bevill).

Mr. BEVILL. I thank the gentleman for yielding.

Mr. Speaker, just 1 year ago today a gracious, gallant lady, the late Honorable Lurleen B. Wallace, lost a courageous battle against cancer.

I rise now, Mr. Speaker, to add my support for, and to ask for, financial assistance for the Lurleen B. Wallace Memorial Hospital and Tumor Institute. Presently a group of dedicated Alabamians are leading a drive to raise $5 million to help build and equip this hospital.

No one has to point out the need for such a hospital. The statistics speak only too well. In my State of Alabama, more than 900,000 people now living will eventually have cancer; that is 1 in 4 according to present rates. Cancer will strike approximately two of three Alabama families over the years. This year it is estimated that 4,800 Alabamians will die of cancer; that is 13 Alabamians a day, more than one death every 2 hours.

This proposed project has been strongly endorsed by Gov. Albert Brewer, the Alabama Medical Association, the dean of the University of Alabama Medical School, The National Cancer Institute, and the State of Alabama Department of Health.

The Lurleen B. Wallace Memorial Hospital and Tumor Institute would result in better care for patients with cancer. It would also:

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Serve as a training center for all types of health personnel related to the management of cancer.

Provide a consultation center available not only to all the people of the State of Alabama, but to the entire Southeast.

Make available a research facility to further the understanding of the cause, treatment, and cure of cancer.

The ultimate goal, of course, is to arrest the spreading growth of this malignant disease.

Today there is no method for curing all cancers. There are treatments, surgical procedures, radiation techniques that can cure some cancers when detected and treated in their early stages. Similar techniques provide additional years of pain-free survival to those with widely disseminated disease.

Gov. Lurleen Wallace was an outstanding individual, unique in her courageous devotion to her family, her State, and her country. She possessed a quality of character that strengthened her in the face of overwhelming adversity. From that quality of character has come an outpouring of public response to build this hospital and institute. No more fitting tribute could be paid this gracious lady.

The challenge is formidable. But the need is urgent. We must do all that is within our power; we must fight back with everything at our command. Completion of this project will mean much in the continuing battle against cancer.

But in order to succeed, we need help. The people of Alabama are asking the people of every State in the Union to join them in this effort. Contributions can be made to the Lurleen B. Wallace Memorial Cancer Hospital Fund, Inc., 185 Lee Street, Montgomery, Ala. 36104. Detailed information with respect to the current status of the project and specific information concerning its goals can be obtained from the same address.

As we remember Lurleen Wallace on this significant day, may we all make a generous financial response to this most worthwhile cause.

Mr. BUCHANAN. I thank the gentleman.

Mr. Speaker, like the gentleman who has just spoken in the well, the distinguished gentleman from Alabama (Mr. Nichols) is a close friend of the Wallace family and a former floor leader in the State legislature for Governor Wallace.

I am glad to yield to the gentleman from Alabama.

Mr. NICHOLS. Mr. Speaker, I thank the distinguished gentleman and my esteemed colleague from Birmingham for yielding. I wish to commend him at this time for setting aside this special hour to honor a very great lady.

Mr. Speaker, a year ago today the people of Alabama lost our beloved Governor, Lurleen Burns Wallace. Although she served only 16 months as our chief executive, she was admired and respected by all Alabamians and, indeed, by all Americans.

Governor Wallace was a dedicated public servant, but above all she was a devoted wife and loving mother who loved people and had a particular feeling for the less fortunate of our State. It was through her efforts that legislation was passed providing better care for the mentally retarded people in Alabama.

During the later months of her life she fought a constant battle with cancer. As she did, the people of Alabama fought with her. When she finally lost the battle a part of Alabama died with her. A few hours after her death I visited with her grief-stricken husband, Gov. George Wallace in our Governor's mansion along with hundreds of other close family friends. I was reminded of the words of the Apostle Paul in his Epistle to Timothy, and thought how appropriate Paul's words were in Governor Wallace's case:

> She has fought a good fight, she has finished her course and she has kept the faith.

Hundreds of thousands of Alabamians and many others throughout the Nation loved and respected Gov. Lurleen Wallace for her courage and devotion and for her belief in the moral and spiritual qualities which have made our's a great Nation.

But today it is not our purpose to mourn the death of this great lady, but rather the people of Alabama are today dedicated to perpetuating her memory through the Lurleen B. Wallace Courage Crusade. The purpose of this crusade is to construct the Lurleen B. Wallace Memorial Cancer Hospital. When completed, the hospital will serve not only the people of Alabama but people throughout the Southeast.

Through this crusade the people of Alabama will be continuing Governor Wallace's efforts on behalf of the less fortunate and those who are affected by the disease which took her life. I know that no other memorial would have pleased her as much as this one.

This undertaking will not be a simple one. A minimum of $15 million will be required for construction of the facilities of the hospital. This facility will be operated in connection with the University of Alabama Medical Center in Birmingham.

The Courage Crusade is going well. The people of Alabama can and will raise the necessary funds to build this hospital, but we also invite others who believe in this effort to join us in furthering the battle against cancer. Although construction of this hospital will be a lasting memorial to Gov. Lurleen Wallace, there could be no greater tribute to her then to have a cure for cancer discovered through research at this hospital.

The entire Alabama congressional delegation takes great pride in inviting other Members of the Congress and Americans throughout this country to join in the Lurleen Wallace Courage Crusade.

Mr. BUCHANAN. I thank the gentleman.

I am glad to yield now to my distinguished colleague from Alabama (Mr. Edwards).

Mr. EDWARDS of Alabama. I thank the distinguished gentleman for yielding to me at this time and for taking this special order to allow those of us who had such great respect for our late Governor, Lurleen B. Wallace, to speak out in behalf of this crusade that is going on in our State.

Mr. Speaker, out of pain, misery, and suffering there is some good that can come. Certainly our late Governor did suffer grievously. A year ago today she died. As a result of that suffering and of that death, our State has now embarked upon a project that might well be one of the greatest memorials that we have ever seen in our State. If ever there was disunity, there is unity in this project. There is unity in the fact that people in all walks of life all over our State are pulling together to see that this project is carried out to completion.

If ever there was a nonpartisan project, it is the project to develop the hospital and the institute.

Therefore, Mr. Speaker, I am very happy to stand with my colleagues today and not only pay tribute to this wonderful lady, but to the work that is being done by those she left behind in the State of Alabama.

The Lurleen B. Wallace Memorial Hospital will result in better care for patients with cancer. It will serve as a training center for all types of health personnel relating to the management and the proper treatment of cancer. It will provide a consultation center available not only to all the people of the State of Alabama but to the entire Southeast. It will make available a research facility to further understand the causes and treatment and the care of cancer. The ultimate value of the cancer institute and hospital is that the benefits developed at the center will filter out not only in Alabama, but to all parts of this country. Therefore, it is important in my opinion that the country realize the benefits that can be obtained from the development of this project.

Mr. Speaker, I join with my colleagues in not only urging all Alabama citizens to participate in this great project, but I also urge the people of this great Nation to pay their respects to our former Governor and to show their desire to find the answer to this problem of cancer.

Mr. Speaker, a dollar, $5, $10—yes, whatever amount—will be put to good use as we build this addition to the great medical center in Birmingham to the memory of our former Governor.

Mr. Speaker, I thank the gentleman from Alabama for yielding.

Mr. BUCHANAN. I thank the gentleman from Alabama (Mr. Edwards) for his contribution.

Mr. FLOWERS. Mr. Speaker, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Alabama.

Mr. FLOWERS. I thank my distinguished colleague from Birmingham for yielding to me at this time.

Mr. Speaker, today is the first anniversary of the death of Lurleen Burns Wallace, 47th Governor of Alabama. Her life was untimely short, yet her courage and dedication to duty provides an inspiration for countless millions through-

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out the world. Governor Wallace, the only native-born Tuscaloosa Countian to achieve that high office, and only the third member of her sex so elected in the history of all the States of this Nation, was a great lady of ability and compassion. She conducted the affairs of State with regal grace and in so doing, indelibly impressed the stamp of her administration on the pages of history.

Perhaps her greatest accomplishment was the heritage of courage and determination that she left with us. Her gallant fight for life against the ravages of one of our most dreaded diseases, cancer, provides an example for all mankind. The people of Alabama who loved and revered her with the devotion given only to a select few are, even now, engaged in a massive fundraising campaign appropriately entitled "Lurleen Wallace Cancer Crusade."

The proceeds from this drive will build and equip a 200-bed cancer institution—later to be expanded to 500 beds—dedicated to the treatment and eradication of this disease. This facility, in addition to providing better care for patients with cancer, will serve as a training center for all types of health personnel in this field and provide a consultation center available, not only to the people of the State of Alabama, but to the entire Southeast.

The Lurleen B. Wallace Memorial Cancer Hospital, costing some $15 million, will be a research facility dedicated to the further understanding of the cause, treatment, and cure of cancer. Its construction will pay fitting tribute to this great Alabamian and her devotion to her State and its people.

(**Mr. JONES** of Alabama (at the request of Mr. BUCHANAN) was granted permission to extend his remarks at this point in the RECORD.)

Mr. JONES of Alabama. Mr. Speaker, I wish to pay tribute to the memory of the late Gov. Lurleen Burns Wallace, of Alabama, and to the great and noble effort of the people of the State to raise a worthy memorial in her name.

Gov. Lurleen Wallace, the 47th Governor of Alabama and one of the few women elected to that high office in any State of the Union, died a year ago today after serving less than half of her term.

She had been elected to Alabama's highest office at the age of 40 by the largest majority ever received by an Alabama Governor. To the Governor's chair she brought the dignity of a gracious, noble woman and the understanding and compassion for others of a loving mother. She was especially concerned with the mentally ill and the mentally retarded and did much to focus public attention on the great needs in this area.

Concern for the needs of others had been a hallmark of her life. She had ambitions of becoming a nurse after she completed high school at the age of 15. Marriage and a successful career as a wife and mother intervened.

During the last couple of years she faced the personal challenge of cancer, a dread disease too prevalent today. Her obvious courage in this long, sad struggle was an inspiration to all Alabama citizens.

It is fitting and proper that the people of Alabama are today engaged in an effort to raise $5 million in donations for a memorial to our late beloved Governor Wallace. This will be used to match Federal programs for construction of a $15 million Lurleen Burns Wallace Memorial Cancer Hospital in the outstanding medical complex in Birmingham.

I wish to commend this statewide endeavor to provide a memorial which will have such great meaning and usefulness to others whose suffering may be eased or corrected through the talents which this facility can bring together.

Her own life was a testimony of service to others. I believe it would be her wish that any memorial reflect that noble ideal.

Mr. BUCHANAN. Mr. Speaker, I first came to know Lurleen B. Wallace as a quiet and gentle wife and mother who tended to stand well out of the limelight, and simply be a source of strength and inspiration to her illustrious husband. I watched with growing wonder, therefore, on her inauguration day, as from early morning and well into the evening she conducted herself with poise and dignity which would be a credit to any public official. I saw her stand for many hours in the Montgomery sun reviewing the bands of high schools and colleges of our State passing in review to honor her, and then deliver with considerable force a very fine inauguration address late that afternoon. And as she began her work it became apparent that Alabama had elected a true leader, the only woman Governor of her time.

Her death came as a tragic loss to every citizen of Alabama, and yet in the providence of God it is sometimes possible that even the greatest tragedy can be turned somehow toward human betterment.

And so the people of Alabama in this Courage Crusade, as they join hands and hearts with each other and with concerned friends around the country, are working to make the courageous life of this great Governor of our State, and her tragic death as well, work toward bringing to reality our dream of a healing, teaching, and research institution of the first order to deal with the dread disease of cancer, and hopefully to contribute to its permanent eradication. Out of her life and death therefore shall come new life and new health for thousands of her fellow citizens whom she so greatly loved, and so wonderfully served as their Governor.

Mr. GRIFFIN. Mr. Speaker, I commend my Alabama colleagues for bringing to the attention of the House the humanitarian efforts of the people of their State to establish a teaching and healing facility for cancer patients dedicated to the memory of former Gov. Lurleen Wallace.

Additionally, I want to add my endorsement of this undertaking and wish it every measure of success. Certainly, it is incumbent upon all Americans to join in a collective effort to find a cure for the dreadful disease of cancer. If this goal is accomplished, it will require participation by all levels of government, the medical profession, the scientific community, and individual citizens.

Mrs. Wallace was a gracious, courageous, and able leader. So I think it is most fitting that this worthy project is being conducted in her honor and memory; and more so because she suffered and died from cancer.

The late Mrs. Wallace and her husband, who preceded her as Governor of the great State of Alabama, have made extraordinary contributions to the economic, social, and cultural development of their State and Nation. Therefore, I enthusiastically support the Lurleen Wallace Cancer Crusade and, again, commend the gentleman from Alabama (Mr. BUCHANAN) and members of his delegation for taking this time to acquaint other Members of this noble endeavor.

GENERAL LEAVE

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

CRUEL DECISION ON JOB CORPS WRECKS YOUNG LIVES

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. PERKINS) is recognized for 30 minutes.

Mr. PERKINS. Mr. Speaker, on February 19, the President sent to the Congress a message on the Economic Opportunity Act. That message was a lofty, reasoned and thoughtful document, designed to inspire confidence in the future of this country's war on poverty. We were assured of this administration's continuing concern for the poor, of their intention to maintain an agency in the executive branch whose specific concern was the poor. It talked also about the efficiencies, the economies and the better program management that was to be expected from a projected delegation of the Job Corps to the Labor Department. Implicit in that message, moreover, was an indication that, with respect to that delegation, and other changes, time would be afforded the Congress to study and debate fully the future of the Nation's war on poverty.

Hard on the heels of that message, however, came the announcement that the administration was cutting back drastically on the Job Corps. The Job Corps funds, in fact, were to be reduced by about 45 percent. The number of conservation centers were reduced by two-thirds, from 82 to 32. The men's and women's urban centers were reduced by

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one-third. Seven women's and two men's centers, the administration announced, would be closed forthwith. All attempts to slow down, or indeed to discuss this arbitrary and unilateral decision met with indications from the administration that this matter was not open for discussion. The Labor Department was quite explicit in its testimony before the Senate Committee on Labor and Public Welfare that they simply would not wait to give the Congress a chance to act on matters of this kind. "The oars are in the water," Secretary Shultz said before our committee.

At the same time the administration was promising to consult the Congress, it absolutely refused to do so.

Our committee has, for some weeks now, been examining this Job Corps decision. It is fair to say that the results of that examination are not encouraging, nor are they designed to inspire confidence in the future program judgment of this administration.

Implicit in their decision to continue a substantial number of Job Corps centers is the determination that the Job Corps program works. The administration is, in fact, quite explicit in their statements that a Job Corps program is needed and that it functions well for the youngsters in need of its specialized kind of service and assistance. But they say to increase its effectiveness, we will cut out the least efficient.

What they do not say is that they are abandoning almost $80 million of capital assets in those closures and incurring termination costs of another $27 million. Some of these capital assets, to be sure, are on Federal lands. Even in those instances, however, it is open to serious question whether American taxpayers will ever get use and value of the money invested. Not a small amount of this capital investment, however, was in private property. When such a center is abandoned, that investment is irretrievably lost. If it is true, as they say, that the operation of these centers was not all that it might have been, it would seem to make a good deal more sense not to abandon the capital investment, but to work especially hard to improve the operation of those camps. If the Job Corps works well in most centers and most camps, obviously it can be made to work elsewhere. Rather than throw away $80 million it seems that we might be better advised to have tried to find means of using that capital investment. This administration does not inspire the American taxpayer by abandoning $80 million worth of investment, simply because it was the last administration that invested it and they are now ready to fly off on a different tack.

This administration intends to reduce by some 36 thousand the annual opportunities for young men and young women to benefit from the Job Corps program. They intend to program one-eighth of this number of enrollees—only 4,600 in 30 urban-located minicenters. They claim to have based their decision on experimental centers which had been in business for some time. They mention the center run by Hull House in Chicago. This camp, located outside Chicago, enrolls neighborhood youth corps boys with a need for residential support. It is, in fact, a prevocational training operation which, while it has placed a few youngsters in jobs, basically was designed to prepare them for placement in other manpower training programs. Mr. Homer Bishop, acting director of the Hull House Association, said before our committee that their program was in no sense a substitute for the Job Corps.

The Administration cited the New Haven Boys' Center as another prototype upon which they intended to build. But here again, Dr. Ira Goldenberg, Director of the Training and Research Institute for Residential Youth Centers and founder of the center, said quite explicitly that his type of operation could not conceivably be expanded and still be effective beyond the number of boys he is presently operating with, which is only 25.

The Labor Department presented some comparative costs between the Job Corps urban centers and those of their E. & D. operation in New Haven. The annual per capita cost of the urban mens' center, they say, is $7,241. The New Haven boys' center, by contrast, they proudly point out, costs only $5,784. I submit for the record the comparative chart which the Department provided the committee. The cost differential is very impressive. It is, however, as impressive for what it does not say as for what it does say. It does not point out, for instance, that while the men's urban center is self-contained, providing both residential, supportive, educational, and vocational services to the youngsters, the benefits of the New Haven operation are only of a supportive nature. It is a bunkhouse operation. This is made clear in their presentation. Their new minicenters were designed, in fact, in each case to be "linked to such existing programs as CEP, NAB, JOBS, MDTA skill centers, and so forth." That word "linked" is a very interesting one. What it means is that the $5,784 of cost must be added to by the factor necessary to provide the actual vocational training and education. On the average, this will be at least $900 a year. For the youngster in an MDTA institutional training operation, we have to add $1,451. For the youngster residing in a minicenter but participating in an on-the-job training program, we have to add $660. For those involved in CEP—the concentrated employment program—$1,220. The costs of education and training are not contained in the costs of the centers.

There are other costs that also must be added. We have not had the opportunity to explore these in detail, but the $5,700 figure for New Haven does not include medical or dental fees, which in the Job Corps experience was about $336 per youngster. It does not contain any number of other things which the kids needed and which the Job Corps provided. At this point, Mr. Speaker, I submit a comparison of man-year costs for Job Corps and Inner City Centers prepared by the U.S. Department of Labor:

COMPARISON OF MAN-YEAR COSTS—JOB CORPS AND INNER CITY CENTER

	Job Corps "Urban" Center	Labor E. & D (New Haven)[1]
Center operating expenses	$2,429	$1,864
Enrollee expenses	1,176	[2] 124
Operations and maintenance		740
Other operative expenses (including rent)	1,253	1,000
Center staff expenses	3,114	3,320
Staff salaried and benefits		2,880
Travel		240
Contracted services		200
Enrollee direct cost	1,447	40
Allowances		[3] 0
Travel		0
Insurance		40
Total Center and enrollee direct cost	6,990	5,224
Capital investment	251	560
Rehabilitation		240
Equipment		320
Grant total, Center cost	7,241	5,784

[1] Includes staff cost of services to families of the Center residents and followup of graduates.

[2] Residents are required to contribute one-third of earnings as rent for room and board. Amounts vary accourding to hours worked (out-of-school youngsters earn more than in-school). Rent receipts are used to pay food costs, which explains why this figure is so low.

[3] Residents are not paid allowances because they are expected to hold jobs which can be either public- or private-sector jobs.

It is easy to see that the savings contemplated by this new decision are more apparent than real. The total cost of the minicenters will certainly exceed the average Job Corps cost.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Pennsylvania.

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SAYLOR. Mr. Speaker, I support the position the gentleman from Kentucky has taken.

Mr. PERKINS. Mr. Speaker, I thank the distinguished gentleman from Pennsylvania for his comments.

Mr. Speaker, the gentleman from Pennsylvania has been a leader in this House interested in conservation of our natural resources and in the conservation of our human resources. I believe no one has made a greater contribution in these respects than the gentleman from Pennsylvania, and I have known him for many years.

Mr. SAYLOR. Mr. Speaker, I thank the gentleman from Kentucky.

Mr. PERKINS. It is clear, in spite of the claims made, that a reduction of $100 million in Job Corps is not going to provide more training. We are not getting "more bang for a buck" this year either.

Nor is this new direction going to reduce the cost per trained youngster. Neither can we anticipate that the new minicenter will have substantially greater success with the youngsters than the Job Corps. The Hull House Center in Chicago placed less than 25 percent of its youngsters in jobs. The rest of those that were placed went into other training programs—MDTA, NYC, back-to-school. Indeed, it is interesting to note that some of their youngsters went into the Job Corps.

They also had their problems with dropouts. The Hull House dropout rate, in percentage terms, was not substantially less than Job Corps. And like the Job Corps, some of their youngsters ended up, unfortunately, in jail.

I submit for the record a review of their results with 94 trainees over a 12-month period, based on their presentation to the Committee. We have no reason to believe that the minicenters will have as much success as the Job Corps has had in retaining and placing the hard-core youth.

The Hull House experience with 94 trainees handled in a 12-month period:

To employment	25
To Jobs Now (manpower training)	10
To Neighborhood Youth Corps in city	9
To school	5
To armed services	4
To Job Corps	2
To Division of Vocational Rehabilitation	1
Total	56
Left camp (no contact)	11
Left camp (unemployed)	9
To jail	4
Family moved from city	2
Underage	1
Deceased	1
Total	28
Remained in camp	10
Total	94

I say these things not to depreciate the efforts of the Hull House operation or the New Haven minicenter, or any others, but simply to point out that these are difficult youngsters to deal with. There are no simple solutions, and the administration's determination to start off in a new direction is, I think, misplaced.

One of the real costs of this change, which the administration likes to minimize, is the cost to the youngster who was in the program at the time the announcement was made. The administration committed itself to transfer any enrollee who desired it to another Job Corps center or, in the alternative, to afford them another training opportunity in their home community. Even while that promise was being made to the committees of the Congress, at some centers as many as half of the youngsters had abandoned hope and abandoned the Job Corps. Of about 170 youngsters at Clam Lake in Wisconsin, approximately 70, I am told, had left the camp by the time the Secretary was testifying before the Senate Committee on Labor and Public Welfare.

As to them, that promise was easy to make. It is also easy to make the promises that those who remain in closed centers will be given an opportunity for training at home. Unfortunately, training opportunities do not exist in most of the rural and smalltown areas of this country. Most Job Corps enrollees came from such areas. It is inconceivable that training opportunities will be available to them, a fact which the Secretary must have or should have known at the time he made the commitment. Even in the urban areas, availability of such training programs to the type of youngster who is in the Job Corps is extremely limited.

In a great show of concern, teams of employment service people have visited most of the centers. My information is, however, that, as often as not, they have not talked to a significant number of the kids and to those whom they have spoken, they have said, "See your local employment service." This, to young men and women, in communities where there is no employment service or for whom the employment service has represented something less than a sympathetic institution. I predict that, before this transition is completed, less than 10 percent of the kids in the Job Corps centers that are closed will have been transferred to other centers or would have participated in any other training program. That was a cynical promise, cynically made.

The unseemly haste with which the administration has insisted on closing centers, months before even the planned-for miniurban centers will be open, means that hundreds of youngsters will have passed the time when they might have gone into the Job Corps. Job Corps recruitment has stopped and will be stopped for some time to come. For many kids the curtailed recruitment now and later will be an opportunity missed.

The real waste and the high cost to this Nation for abandoning Job Corps centers lies in the reduced productivity of those youngsters who will not have the benefits of the Job Corps. This can be demonstrated in real measurable cash terms. Evidence before our committee indicates that for Job Corps enrollees who completed their course of training, their earning capacity increased by 30 percent and unemployment among Job Corps graduates dropped 21 percent.

The unseemly haste of the Administration to close down Job Corps centers has been costly in other ways, too. Some of the closed camps have arrangements with labor unions which helped with the training programs and took Job Corps graduates into apprenticeship programs—a guaranteed way out of poverty. It is likely to be some time before such relationships are reinstalled. Some of the programs like the police training unit at Camp Kilmer, having been terminated, are unlikely to be reestablished at all. Many cities have Kilmer graduates on their police forces now.

The reduction in conservation centers means a substantial reduction in conservation work and natural resource creation that the corpsmen were contributing to our national wealth. The National Education Association and numerous educators have testified to the contribution of Job Corps to the teaching profession through the development of techniques and the exchange of personnel between Job Corps and numerous school systems. That contribution will be diminished with the curtailment of the Job Corps.

A couple of other points are, I think, useful to make in connection with the change in direction which this administration has planned in connection with residential training programs. The substantial reduction in conservation centers and the movement toward the urban residential center implies and promises a reduction in training opportunities for the youngest of the needy youths and a reduction of opportunities for the youngster from rural and smalltown communities.

In spite of the myth that the Job Corps was filled with kids from urban ghettos, the majority of the youngsters have been from rural and smalltown areas. Since, by definition, the new urban minicenters will not cater to youngsters from more than a few miles away, these centers will not be available to youngsters from outside the urban and metropolitan areas in which they are located.

Finally, Mr. Speaker, I would like to call attention to the most cynical defense that has been made of this unilateral, arbitrary, unfortunate, and ill-advised decision. I refer, Mr. Speaker, to the newspaper leaks to the effect that the administration has "confidential reports" which indicate that there has been narcotics used at one center, homosexuality at another, rapes at some, and racial incidents at still others. It is hard to conceive just what exactly the administration hoped to achieve by these "back door revelations." Did they really believe that those of us who understood the problems of America's youth would be shocked or blackmailed into reducing our efforts in their behalf by the revelation of such information?

Did they hope to convince the American public that these kids were unworthy of assistance? Did they really mean to indict the 200,000 or more youngsters that have been through Job Corps? Or did they really mean that this Nation should close down institutions where such things occur?

I can hardly believe that is their intention.

I did not hear any calls to close down the University of Texas when a demented sniper shot some 22 people there. I have heard no calls to close down the public secondary school systems of Montgomery and Fairfax Counties because there is some traffic in narcotics out there. Rumors and myths of homosexuality and lesbianism periodically spring up around every girls' school and every university in the country. Are we in the Congress expected to react hysterically to such rumors? I cannot believe it.

No, Mr. Speaker, the world we live in is a harsh place and the kids that the Job Corps deals with are unfortunate youngsters. They suffer from most of the ills, indeed, it is fair to say they suffer in greater degree from all the ills which afflict our society as a whole. We will not shrink from that fact. Nor is it a reason to abandon these kids.

Mr. Speaker, I am appalled at the cynicism of those who would use means such as this to attempt to defend or excuse the decision to close down the Job Corps camps. It is, however, an indication of the kind of decision this was. It was a cynical decision, cynically presented to the Congress, and now cynically defended.

Mr. Speaker at this point I would like to submit for the RECORD excerpts from the Appropriations Committee hearings on the Interior and related agencies appropriations for 1970. I am grateful to the

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distinguished lady from Washington, Julia Butler Hansen, for bringing this information to my attention. But for a pressing engagement she would be here today to present it.

The material referred to and a newspaper article follow:

HEARINGS EXCERPTS

JOB CORPS

The Job Corps has been in the news and, of course, we are deeply involved in Job Corps work. We manage over 45 of the civilian conservation centers and we think it has been a successful program.

Contributions of Job Corps

Mrs. Hansen. What contributions do you feel the Job Corps has made to forest management?

Mr. Cliff. These Job Corps enrollees, of course, spend half of their time in education in the classroom and training in the vocational shops and half of their time on work programs. They do many kinds of work which contribute to the development and management of the national forest. They plant trees, they thin timber stands, they develop campgrounds, and they build ranger station buildings. They are used on certain types of road work and on other jobs. Of course they are learning when they are on the job.

I don't have a summary figure on the total investment in various categories of work, but I would be glad to supply it for the record.

The following is the total investment in the various categories of work Corpsmen have accomplished from the inception of the program to December 31, 1968:

National forest activities

Recreation—camping and picnic site and development and improvement	$6, 263, 395
Roads and trails—construction and reconstruction	6, 076, 290
Buildings and bridges—construction and reconstruction	7, 535, 080
Forage—range improvements	1, 690, 576
Timber—tree planting, cultural improvements (thinning release, etc.)	610, 379
Wildlife—fish and game habitat developments and improvements	905, 232
Watershed—stream bank-gulley, erosion control	443, 715
Protection:	
Fire suppression	743, 928
Insect and disease control	94, 000
Fire hazard reduction	51, 995
Subtotal	24, 414, 690
Civilian conservation center activities	10, 137, 700
Community service activities	796, 610
Grand total	35, 349, 000

Mrs. Hansen. Isn't this true that these people are not included in the personnel ceiling?

Mr. Cliff. The overhead, the people who are on payrolls——

Mrs. Hansen. The supervisors. But the work of the boys themselves?

Mr. Cliff. The instructors are charged against our personnel ceilings. The work of the boys themselves is not.

Mrs. Hansen. Under the present personnel limitations, would it have been possible for the Department to have hired the same number of people to do the work that the boys have done?

Mr. Cliff. Not with the personnel ceilings that we have, no.

Mrs. Hansen. That is my point.

Mr. Cliff. Our 45 centers that we manage can accommodate a little over 8,000 young men at one time. The population now is almost at capacity, right around 7,600. During fiscal year 1968, 5,558 men from Forest Service-operated centers were placed in jobs, schools, or the military. Of this number, 4,467 were placed in jobs, 626 returned to school for further education, and 465 were accepted for military duty. A total of 4,010 youth completed the defined program of education, social adjustment, and vocational training at our centers last fiscal year.

We think these data are a measurable, tangible benefit gained by the male youth under our direction. You can't get involved with this class of youth and see what is happening to them without being deeply touched and enthusiastic about what's being accomplished.

It is expensive, it has been criticized because of the cost, but when you compare what it would cost to support these kinds of people either in a correctional institution or on relief for a substantial part of their life, the cost seems quite justified.

These men, some of them never worked a day in their lives, they don't know how to work. We have to start teaching them the ABC's. Nearly 30 percent of them are illiterate, can't read or write when we get them. They are almost all dropouts. And the average reading level is third grade. It is just about the most poorly trained level of material, raw material, that you can imagine to start with. And they are deprived kids and most of them want to get a new start.

Mr. McDade. How many of them are volunteers?

Mr. Cliff. It is all voluntary. They are recruited, however, by the Labor Department, the State employment services. They have to be volunteers.

Mr. McDade. None of them are there under gentle persuasion from juvenile courts or anything like that, are they?

Mr. Cliff. Occasionally, perhaps. Some of them have had——

Mr. McDade. They might have had a previous record of some kind?

Mr. Cliff. Yes, but they are not hardened criminals although we have had a few. About a third of them have had some brush with the law. Most of them are just deprived kids. They have had no chance and this is the first opportunity that many of them have had to make something of themselves.

And some of them don't make it. But we had 5,558 enrollees who did make it this last year out of a camp population of around 7,500. Some of them are really making good citizens.

Mrs. Hansen. In other words, you have put those people into the economy so they are able to earn a living?

Mr. Cliff. Yes. Now I appreciate that this committee does not handle the Job Corps items—

Mrs. Hansen. No, but we do handle the appropriations that may have to be provided in lieu of the Job Corps if they are abolished, to do the work in the forests that is necessary.

Mr. Cliff. I just wanted to express a hope that this work can be continued, because personally, from deep personal involvement, I am convinced it is very worthwhile. About the only other public institutions that are available for them are the reform schools or penal institutions. And if you compare the cost of supporting them there with the cost of putting them through this program, the value of these centers is clear.

Mr. McDade. You are going to give us those figures, aren't you?

Mr. Cliff. Yes.

Staff enrollee ratio

Mr. McDade. One other matter I always talk to you about in this connection is staffing, the ratio of your staff to the number of Job Corps personnel that you have. What does that look like this year?

Mr. Cliff. Well, the staffing is heavy, and we discussed that last year.

Mr. McDade. And the year before.

Mr. Cliff. And the year before. For a 200-man camp, the overhead, which includes the schoolteachers, the educators, the counselors, work project foreman, clerical personnel, and the supervisory people that live in the dormitories with them amounts to around 50 people per camp. This is heavy staffing. You have to have people on duty 24 hours a day, 7 days a week at these camps. It is almost a tutorial system. The staffing—this is one reason for the costs. These costs also included the cost of materials for their work projects and equipment.

Mrs. Hansen. Isn't part of the necessity to have this staffing as great as it is because you are trying, within the year, to bring them up to the equivalent of fifth, sixth, seventh grade students?

Mr. Cliff. That is correct.

Mr. Reifel. Might I ask a question, Madam Chairman?

Mrs. Hansen. Yes.

AVERAGE COST PER ENROLLEE

Mr. Reifel. What is the average cost for an enrollee for 1 year when you include the personnel as well as the installation costs that might be expressed out over a period of years?

Mr. Cliff. The cost, if you include everything that is involved in operating the centers, such as education, feeding, medical care, clothing, the work project materials and equipment, personnel and housing, is running about $6,000 per enrollee per year. This is the cost that has been criticized. The amortization of facilities is about $575 per man-year.

Mrs. Hansen. Will you place in the record a typical example of the salary they accept or are offered when they leave?

"Program completers from Federal Civilian Conservation Centers were placed at an average of $2.12 per hour in fiscal year 1968. The following are the average wages paid, based on a nationwide survey, to corpsmen apprentices and workers for some of the work skills obtained at our training centers:

"Job:	*"Dollar rate per hour*
Carpenter	$3. 50
Heavy equipment operator	3. 75
Masonry	3. 15
Painter	2. 60"

Mr. Cliff. We have some rather dramatic examples of that. We have entered into agreements now with three labor unions, the Carpenters and Joiners Union, the Painters Union, and the International Union of Operating Engineers. The unions are conducting courses in selected camps. The boys that complete the operating engineers courses, learn to run heavy equipment; it is a very popular program. We have this in two camps—Jacobs Creek in Tennessee and Anaconda in Montana. These heavy equipment trainees are able to get jobs running heavy equipment with a starting wage of $3.50 an hour, $4 and up an hour; $3.75 an hour is average.

The carpenter graduates set out as apprentice carpenters and draw apprentice carpenter wages. This program, too, is popular. We have this in six camps.

We are just starting the painters union projects. Boys that don't have the capacity to be carpenters or operating engineers can learn professional painting. House painting pays good wages. We are placing our cooks fairly well, too, and skills of this kind——

Mr. Reifel. May I pursue this, Madam Chairman? The reason I want to pursue it further and I hope you would agree with me, if we can develop this so that we can lift it out of the record and get it to the other agencies of Government that are concerned with this, because there is a great deal of displeasure with the Job Corps and

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I think it comes from the places where they have tried to implement them and here you have in the Forest Service, and in the Park Service and Bureau of Land Management and other places, an environment in which this can be pursued with the greatest kind of benefit to the individual.

Now in your general statement what you say here is very meaningful, when you have this many placements out of the numbers that have gone through the training, and in addition to that, you have pointed out that several of your center directors who opened the centers in 1965 are now supervisors of national forests.

Mr. CLIFF. This has proved to be one of the best places for training our professional people that we have ever had.

Nationality mixtures

Mr. REIFEL. What is the nationality mixtures in the centers? Negroes, Indians, and Spanish-Americans, whites and so on?

Mr. CLIFF. We have all races. We have Spanish-Americans, both out of the metropolitan areas and the Southwest. We started with a fairly well-balanced center population as between whites and blacks. Right now the population is running about 70 percent Negro. The other races, we have some Indians as well, are running about 30 percent now.

Mr. REIFEL. If we are going to reach the hard core, and we have been talking about this, the inner city people, it isn't going to be cheap.

I grew up in an area where I know what it means, people who are a part of the hard core, and I think people who are going to be developing programs with respect to reaching the hard core and they must be reached, or we are going to be in greater difficulty than we are now, I think here is an example of where the Forest Service is making a tremendous contribution, but at the same time the American public must realize that it can't be done with a pittance of money.

And yet at the same time as the program has evolved, it is demonstrable here that the American community is going to get its money back. And if we haven't developed that sufficiently at this point, Madam Chairman, I would like to suggest the Chief rework his testimony or his answers in such a way that this really is clearly set out.

I think you suggested he do this.

Necessity for Job Corps program

Mrs. HANSEN. As you are well aware there has been a great deal of criticism of the Job Corps. Quite to my surprise I noticed in this morning's paper that the Job Corps conservation camps are to be eliminated. This rather surprised me, in view of the fact that if you want to manage the national forests, it is necessary to do one of three things, contract for personnel, hire additional personnel if you can get around personnel ceilings, or forget about managing our national forests, which I don't believe the American public will endure.

I think the record should be made plain that the committee is very interested in the continuation of the policies that have been a component part of allowing the Forest Service to use these people for forest management. This is one way of educating young people for production jobs in categories of labor that are in rather short supply.

Isn't that true, Mr. Cliff?

Mr. CLIFF. Yes.

Mrs. HANSEN. You have added to the income of the United States through this $6,000 investment. You have added immeasurably to the tax revenue that is going to be returned from these people who are not in a reform school, but are working. Is this not correct?

Mr. CLIFF. Yes, Madam Chairman; I think that is very correct.

The cost-avoidance features of this are that you can make productive citizens, so they are not on the relief rolls, or are not public wards of some kind in institutions. Over the lifetime of these men, they are going to save the American public money.

Mr. MARSH. At that point could you insert in the record some statement that you might get from the Federal Bureau of Prisons as to how much it costs to maintain an inmate in a U.S. Federal institution?

Mr. CLIFF. Yes, I would be glad to do that.

Mr. MARSH. U.S. Federal penal institution.

Mr. CLIFF. Yes.

(The information follows:)

The U.S. Department of Justice, Bureau of Prisons, 1967 Basic Data Book reveals an operating cost per inmate day of $8.223—annual cost about $3,000.

Mrs. HANSEN. Would you also place in the record, the amount that would annually be spent per person for an unemployed person on general welfare assistance?

Mr. CLIFF. I would be glad to do that.

(The information follows:)

"The nationwide average for aid to families with dependent children is $2,292 annually. It represents and is based on the monthly cost standard for basic needs of a family consisting of four recipients and amount paid to such family by State. The data was obtained from the U.S. Department of Health, Education, and Welfare, NCSS Report D–2(4/68).

"Based on a straight projection, if a family receives $2,292 annually, the cost for 30 years will be $68,760 and the cost for 40 years will be $91,680.

"Sixty-three percent of entering Corpsmen come from a home where the head of the household was unemployed. Twenty-seven percent of the parents of Corpsmen enrollees were on relief at time of enrollment."

Mr. CLIFF. In relation to Congressman Marsh's question, I was told, I can't verify this or vouch for it, but I was told it costs the State of Georgia about $6,000 to maintain an inmate in their penitentiary system.

Mr. MARSH. For 1 year.

Mr. CLIFF. Yes.

Mr. MARSH. What is the average length of stay of an inmate in an institution? Because you would have to take the $6,000 and multiply it by 5 or 10 years.

Mr. CLIFF. I have no idea.

Mr. MARSH. Maybe even 20 years.

Mr. REIFEL. I think that would be very helpful information.

Mrs. HANSEN. Also provide for the record the number of returnees to the prison once they have been released. The prison doesn't offer the training to put them into a job for life, it only offers them a record that will keep them out of military service and keep them out of jobs. Isn't this correct?

Mr. CLIFF. That's generally right.

The information follows:

" 'The Cost of Correcting Youthful Offenders,' a research report prepared September 1968 by the District of Columbia Department of Correction provides the following data:

"Criminal records of youth studied reveals an average of four juvenile arrests and six adult arrests, extending over an average period of 9 years.

"The median cost per youth was about $31,000.

"The average age of the subjects was 23 years."

Cost of program

Mr. WYATT. The chief has referred to the program completers in fiscal year 1968. I think it would be germane to put the total cost of the program, including supervisors and all costs in connection with the program for fiscal year 1968.

Mr. CLIFF. We can do that for the part of the program we manage.

Mr. WYATT. Well, you say that during fiscal 1968 "Our Centers produced 5,558 program completers."

Mr. CLIFF. That is essentially right.

Mr. WYATT. Those are your centers.

Mr. CLIFF. Our 45 centers.

Mr. WYATT. Forest Service centers?

Mr. CLIFF. Yes.

Mr. WYATT. So you would be able to give us a total figure that relates to these 5,000-some odd program completers?

Mr. CLIFF. Yes.

Mrs. HANSEN. And list the 45 centers.

Mr. CLIFF. Yes.

The information follows:

"The total cost of the Job Corps program operated by the Forest Service for fiscal year 1968 was $45,979,495.

"The average civilian conservation center program completer stays in the program 9.6 months. The total of all costs incurred by the Forest Service and the Office of Economic Opportunity for a program completer is $6,743 according to a recent study (A&R Report No. 11, Job Corps, Office of Economic Opportunity). Table A–3 from that study gives pertinent benefit/cost information."

TABLE A-3.—JOB CORPS BENEFIT/COST RATIO: FEDERAL CIVILIAN CONSERVATION CENTERS, FISCAL YEAR 1968

Months in Job Corps	Average Corps member costs		Job Corps earnings	Control group earnings	Net Job Corps gain	Net lifetime [1] benefit	Benefit ratio B/C
Categories: 4.9	Net	$3,187	$1.86	$1.44	$0.42	$19,225	6.03
	Total	3,915					
	Less transfer	[2] 1,332					
	Plus lost earnings	[3] 604					
Category I: 9.6	Net	5,193	2.12	1.45	.67	30.650	5.90
	Total	6,743					
	Less transfer	[2] 2,734					
	Plus lost earnings	[3] 1,184					
Category II: 6.1	Net	3,675	1.73	1.44	.29	13,275	3.61
	Total	4,571					
	Less transfer	[2] 1,648					
	Plus lost earnings	[3] 752					
Category III: 2.1	Net	2,046	1.71	1.39	.32	14,650	7.16
	Total	2,364					
	Less transfer	[2] 577					
	Plus lost earnings	[2] 259					

[1] Estimated lifetime earnings computed on the basis of 88 percent working for 47 years with a 6.5 discount rate offset by a 3.5 percent wage compensation gain.

[2] Food, clothing, pay, and allowances and appraised work value.

[3] Estimated average yearly earnings of all entrants, 53 percent working at an average of $1.34 throughout year.

Forest Service Job Corps Civilian Conservation Centers:

Alder Springs, Elk Creek, California.
Alpine, Alpine, Arizona.
Anaconda, Anaconda, Montana.
Angell, Yachats, Oregon.
Anthony, Neola, West Virginia.
Arrowood, Franklin, North Carolina.
Blackwell, Laona, Wisconsin.
Blue Jay, Marienville, Pennsylvania.
Boxelder, Nemo, South Dakota.
Branchville, Branchville, Indiana.
Cass, Ozark, Arkansas.
Cedar Flats, Kooskia, Idaho.
Cispus, Randle, Washington.
Clam Lake. Clam Lake. Wisconsin.

Clear Creek, Carson City, Nevada.
Cottonwood, Cottonwood, Idaho.
Curlew, Curlew, Washington.
Dickinson, Dickinson, North Dakota.
Fenner Canyon, Valyermo, California.
Five Mile, Sonora, California.
Flatwoods, Coeburn, Virginia.
Frenchburg, Frenchburg, Kentucky.
Golconda, Golconda, Illinois.
Grants, Grants, New Mexico.
Heber, Heber, Arizona.
Hodgens, Hodgens, Oklahoma.
Hoxey, Cadillac, Michigan.
Jacobs Creek, Bristol, Tennessee.
Los Pinos, Elsinore, California.
Luna, Las Vegas, New Mexico.
Lydick Lake, Cass Lake, Minnesota.
Mountainair, Mountainair, New Mexico.
New Waverly, New Waverly, Texas.
Ojibway, Marenisco, Michigan.
Ouachita, Royal, Arkansas.
Pagosa Springs, Pagosa Springs, Colorado.
Pine Knot, Pine Knot, Kentucky.
Pine Ridge, Chadron, Nebraska.
Poplar Bluff, Poplar Bluff, Missouri.
Schenck, Pisgah Forest, North Carolina.
Sly Park, Pollack Pines, California.
Timberlake, Estacada, Oregon.
Trapper Creek, Conner, Montana.
Vesuvius, Pedro, Ohio.
Wolf Creek, Glide, Oregon.

Proposed budget amendments

Mr. CLIFF. That completes my summary, Madam Chairman. Before we proceed with the questions, I would like to call attention to one more thing that is of great interest, I am sure, to this committee.

About 10 days to 2 weeks ago, the President appointed a cabinet-level task force to look into the problems of lumber prices and timber supplies and to make recommendations to him on short-range and long-range actions that could be taken to alleviate this problem. This task force has been at work and has made some recommendations to the President on short-range actions and I was informed just before coming over here that the President will be sending promptly to the Congress both a supplemental and a budget amendment for increasing the sale of national forest timber and for timber access roads.

Mrs. HANSEN. Approved by the Bureau of the Budget or yourselves.

Mr. CLIFF. It has Bureau of the Budget approval for around a half million dollars for fiscal 1969 to get moving on a program to provide in the neighborhood of an additional two to three hundred million board feet of timber sold.

Also, there will be a budget amendment for increased timber and road financing for fiscal 1970. This may be for about $10 to $15 million for roads and in the range of $3 to $4 million for additional timber sales.

The action has not been completed on these requests, but it has been announced that they would be forthcoming shortly.

Mrs. HANSEN. Mr. Cliff, the committee welcomes this.

Mr. CLIFF. And the task force is looking further into long-range needs. But they gave priority to the short-range items.

Mrs. HANSEN. The committee has been most interested in the past of having recommendations from the Bureau of the Budget on items that would increase this short term as well as the long-term programs. But our difficulty has been compounded by budget limitations.

Thank you very much, Mr. Cliff, for an excellent statement.

[From the Washington (D.C.) Post, May 7, 1969]

TREAD SOFTLY ON THE JOB CORPS

The basic mistake the Nixon Administration may be making about the Job Corps, as it seeks to close 59 of 109 centers and to shift the rest from OEO to the Labor Department, is in assuming that it is only a job-training program. Anyone who has ever been at a Job Corps center the day a batch of recruits piled off the bus will know it isn't. Unkempt, unsociable, unwell, unlearned, their condition adds up to a frozen unfitness for anything, not to mention job-training.

Officials dealing with the poor are fond of the term *the disadvantaged* in describing Job Corps youth. Disadvantaged? They read and add at fifth grade level. Fifty per cent have never seen a doctor or dentist. Sixty-four per cent have been either thrown out or pushed out of school. Sixty per cent lived in substandard housing. Sixty per cent are from broken homes. Add to all this the fears, neuroses and suffering that statistics can't get to, and the term *disadvantaged* becomes a put-on. At best, the average Job Corps youth is seriously sub-disadvantaged, so far at the bottom of society's barrel that until Job Corps, no scraping was thought possible.

The Administration, sensitive to charges that some 13,000 trainees will be thrown to the wolves when the 59 centers are closed, has busily given assurances to everyone that those trainees unable to be placed in jobs or other centers will be absorbed into existing manpower programs. But this is unrealistic. One reason Job Corps was created in the first place is that it is a human renewal program, a last-stand try at reclaiming the broke and broken youths when other programs can't or won't. Programs in the Manpower Development and Training Act and Concentrated Employment Program are meant for the pleasantly "disadvantaged," not the unpleasant kind in Job Corps.

Sides have been forming in recent weeks on the fate of Job Corps. Last week the Senate Labor and Public Welfare Committee cleared a resolution calling on the President to hold up the shutdown.

It is scheduled for the Senate floor Monday. Meanwhile, Nixon aides are now holding confidential files alleging a high incidence of gang rapes, homosexuality and drug use at the Job Corps centers. Presumably, the Administration may use this information, if things get tight, as a trump card to persuade Congress that it's better to let Job Corps die.

Aside from the cheapness, the tactic would be based on a distortion. The headlines describing the files may say, for example, that the Kilmer Job Corps Center in New Jersey had 22 cases of narcotics in the first six months of 1968. Yet Kilmer's 22 narcotics users represent a relatively small proportion of the 1700 total in the center, whose officials should be congratulated if that's actually the full dimension of their drug problem.

The genesis of all this is President Nixon's trimming of the $280 million budget currently set for Job Corps by the House and Senate to $180 million. This cut allows him to tell taxpayers of another $100 million saved. But next to defense and space money, the saving is ridiculously small. Job Corps never had the funds it needed in the first place. Economy driving now only adds fiscal insult to social injury.

As for the injured, a few showed up here last week. A busload of students, faculty and Job Corps trainees on a 25-hour ride from northern Michigan testified before the House Education and Labor Committee. They said simply that the Job Centers are worth preserving.

Reports from individual centers around the country reveal that trainees at the axed centers are shocked and depressed at the Administration's action. Others, too beaten by the odds to react, have slipped off quietly. They may have misinterpreted the signal from on high as an invitation to get lost. But that is how they read it, nevertheless. And the message the Job Corps centers are sending back to the Administration in return is in the words of Yeats: "Tread softly, because you tread on my dreams."

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from California (Mr. BURTON).

Mr. BURTON of California. Mr. Speaker, I should like to commend our distinguished chairman, the gentleman from Kentucky (Mr. PERKINS), for his leadership and his dogged determination to see to it that these young men and women, who were beginning to have some hope that perhaps theirs could be a happier and more productive life, did not have that hope taken away, to see to it that we do not permit this Republican administration to snuff out that very frail hope.

The gentleman from Kentucky and a number of the rest of us went to a Job Corps center in Kentucky just a year or so ago. It was almost enough to make one cry, to talk to the young men at that camp. They were young men who had two strikes on them the minute they were born, young men who really had given up on the notion that there could be a better life for them, but young men who felt as a result of this opportunity that perhaps they could make something of themselves.

Their words were very much more articulate than any I have heard on this floor or elsewhere. They conveyed with their eyes and their emotions and their feelings, which they transmitted to us, that it was so very important this program be continued, so very vital not only to them but also to people like them who were waiting their turn to go to the Job Corps centers. They literally beseeched us to use whatever influence we had to see to it that these programs were maintained.

I regret to say that I believe this administration has not moved so quickly before they had an opportunity to gain some first-hand experience. I regret to say that it was rooted in inexperience more than in callousness, I think. However, the result is the same. This administration has taken a very tragic step backward.

I have been inundated by requests that our own Job Corps centers in the Bay area, which was formerly the Parks Air Force Base, be kept open. The job placement ratio there is most favorable.

Mr. Speaker, I think it is an unthinkable tragedy that these young men and women are confronted with the disaster which is about ready to be visited upon them. I cannot commend too highly our own dogged chairman who day after day, hour after hour, week after week since the administration's announcement was made public has rendered such an important effort in this direction. We all hope that a successful effort to see that the Job Corps program is not gutted will come to fruition.

Mr. PERKINS. I want to thank my distinguished friend and agree with him it is a tragic mistake which was not thought through and they did not realize the consequences of the actions.

Now, Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PATTEN).

Mr. PATTEN. Mr. Speaker, I want to thank the chairman of the committee for his efforts in my behalf. I am under the impression that you have a majority of the Members of the House who agree with you. At least I hope so. I am very patient. I want to be flexible with respect to the Job Corps. I have been to our own Job Corps group at Kilmer on several different occasions in connection with studies. I want to tell you that in that Job Corps training center the best minds in our county are at work. Our newspapers, our League of Women Voters, and other concerned citizens agree with you 100 percent that they have not come up with a good substitute for it. Keep up your good work, and you will find many of your colleagues in the House are with you 100 percent.

Mr. PERKINS. I thank the gentleman from New Jersey.

I now yield to the distinguished gentleman from Missouri (Mr. BURLISON).

Mr. BURLISON of Missouri. Mr. Speaker, I wish to thank the distinguished chairman for yielding to me at this moment.

Some weeks ago I inserted in the RECORD, on page 10146 a rather detailed statement with respect to the projected closing of the Job Corps center at Poplar Bluff, Mo. At this point I want once again to emphasize that I am not going to quarrel too much with the administration's desire to save $100 million. They claim that they will save that much. Of course, I realize the distinguished chairman of the committee has made a good record to show that they cannot and will not actually do that. The point I want to make is if there is to be a cutback in the Job Corps, it ought to be made on the basis of efficiency and effectiveness. Those who are the least effective and least efficient should be those dropped from the program if any are to be dropped.

I wish to point out further that the Job Corps center at Poplar Bluff, Mo., has been considered to be a model program throughout the months and years it has been in operation.

Mr. PERKINS. I want to agree with the distinguished gentleman from Missouri that the Poplar Bluff operation in Missouri has been outstanding. There was no earthly excuse for them closing it down under the criteria they use, and if we are able to bring the director of that conservation center in here under a subpena, we are going to show that the cost is not what the Department of Labor states it is for the operation. That is the reason why we are trying to get at the facts and the criteria used.

So, they just wholesale started to cut all the conservation centers out, when the majority of those replacements indicate the fact that they are just as good as the urban centers and this proposition in my opinion proves to me that someone made a decision without regard to the facts or the consequences of their actions. We are going to get the facts, and within a year from today it is going to turn out that if they are spending any money for this type of enrollee, it is going to cost at least 30 percent more than it is now presently costing; that is, if these enrollees are the type that the Job Corps now serves.

Mr. HAWKINS. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from California.

Mr. HAWKINS. I thank the distinguished chairman of the Committee on Education and Labor, the gentleman from Kentucky (Mr. PERKINS) for yielding to me at this time. I realize that the time of the chairman who is now in the well is limited, but I would simply like to associate myself with his statement and to agree with the views that the gentleman has expressed.

I would like to commend the distinguished chairman of the Committee on Education and Labor for the job he is doing as chairman of that committee and particularly in connection with this issue.

Mr. PERKINS. I thank my good friend, the gentleman from California (Mr. HAWKINS) for his contribution.

Mrs. GREEN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentlewoman.

(Mrs. GREEN of Oregon asked and was given permission to revise and extend her remarks and include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, regardless of his chosen occupation, his background, his environment, his personal interests, there is not an American anywhere who can escape from that noisy and vivid display which we call "campus unrest." Like a "bad trip," it has penetrated the inner psyche of the Nation—threatening to unhinge the delicate nervous balance which the American people have sustained through nearly a decade of domestic crisis.

Many campuses have been reduced to a carnival for a brassy minority at play. But it is dangerous play: buildings seized, property destroyed, files rifled, people injured, paramilitary battalions of dissent forming and marching and chanting.

The volume of mail which pours onto the Hill, the reports from the national pollsters, the preoccupation of the media in their coverage of every collegiate fray, the evidence is clear: campus disorders are the No. 1 national concern.

The hearings which the Special Subcommittee on Education is now conducting reinforce my conviction that there are no simple analyses and no quick solutions for the "confrontation on the campus." Testimony of the highest quality from educators around the country has been offered for the members of the subcommittee. I hope that all Members of the House will have an opportunity to review portions of this testimony when the hearings are completed and the transcript is printed and made available.

In the meantime, I submit for the consideration of my colleagues two very provocative statements delivered to the subcommittee by Mrs. Sylvia A. Davidson, and Dr. John Bunzel. I feel sure that you will concur that these remarks will be part of a collection of outstanding comment on campus violence—when the dust has settled. And "settle" it must.

STATEMENT BY SYLVIA—MRS. C. GIRARD—DAVIDSON OF PORTLAND, OREG., BEFORE THE HOUSE SPECIAL SUBCOMMITTEE ON EDUCATION, MAY 7, 1969

Almost everytime I watch television, I hate kids.

So do you. Except the few lucky ones who possess a 100% old fashioned American teenaged boy with a haircut, who is serious about his education, intends to serve his hitch in the service, and marry—not shack up with—the girl next door.

If he just gets a haircut, you are pretty lucky.

But I suspect many of us think we have such a paragon of the virtues—give or take a few points—and that "other people's" kids are raising hell in colleges, defying The Establishment, smoking pot, and living outside campus in some relaxed arrangement with a member of the opposite sex.

We are shook up. Never before ours, has a parental generation tried so hard to be all things to all offspring; and, certainly, none before has played the Good Fairy so lavishly. Contrary to current folklore, I do not believe the magic wand was wafted only over blazers from Brooks Brothers and Schwinn bikes. In an historically unprecedented way, families today have expressed togetherness in all activities, including mealtimes and recreation. While some have lapsed from instilling moral values in the antique sense of church-preachiness, most even minimally educated families have been concerned with planting the seeds of social consciousness, both by imitation of life—through their own concerns and activities, and/or presenting the festering problems of our day to the young through the omnipresent media.

Obviously, a little bit of knowledge was a dangerous thing.

A smattering of soul searching over dinner on our failure to end poverty in Appalachia; years of sitting stupefied before the television set inhaling the "demands" of every hung-up person in the world; the appealing idea of being a pilgrim and a revolutionary without having to be a student or worker—and, above, having a jolly, exciting band of Robin Hood's merry men to join with in a psychedelic sensitivity session—all these "medium is the message" stimuli—have, indeed, produced a generation with instant vision, which can bypass all conventionalities, most particularly history.

The medium is so exciting it could almost replace sex. We watch SDS, all 2% of a student body, paralyzing the other 98% of students in a college, locking out the President, defecating in his office, burning his papers, halting classes. Then the yippies, more—or is it less—involved with international revolutionary movements, come along with a few refinements for chaos—but all, eventually overshadowed by the Black Student Union, which is more visible, more specific, and has more authenticity to its claims—enough to engage the silence, if not the help, of the passive masses.

Never before ours has a generation so wallowed in collective guilt. The Nuremberg trials, I'm sure, didn't stir up a quantum as much the conscience of Neo-Nazis, as the manning of the academic barricades has imposed on us the silence of conscience.

The world may long remember (in the approaching New World of the new Left) our generation as the last of the educated mind and the educated heart—so sensitive in understanding, so wretched over failures, so modest about our triumphs, so permissive with everyone who wanted to do his own thing, that we let civilization go to hell without any curiosity about what would replace it.

There are harsh words, and, obviously, I don't mean them literally and specifically; but I do mean that the tyranny of the mini-minority raises questions about students and teachers in the world-wide revolution, and what we can do or should do to stand for meaningful change in a way that does not invite the more violence and retaliation.

As a Time editorial pointed out recently, a little revolution is a dangerous thing. And even though the revolution by terror will fail because it is being held at the wrong

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time by the wrong people, it will also cause the stagnation or retardation of movements that should succeed—and that is bad.

Most of us have lived through a nightmare period in history where the big lie seemed so ridiculous it didn't deserve attack. Because so many "good" people were so quiet—there are millions and millions buried in Spain, Auschwitz, Leningrad, Omaha Beach and Okinawa, millions who thought that Hitler and Mussolini were Charley Chaplin until the movie didn't end.

S. I. Hayakawa says the lesson of Hitler's Germany caused him to study semantics so he could cope with the big lie when it arose again—he likens the tactics of the far left to Hitler youth who disrupted meetings, spread confusion, and used violence.

We have been told so often that we are the establishment, that our cause (military-economic imperialism) is being served by administrators or trustees of universities—that we have begun to believe that our system was designed by Satan instead of growing like Topsy.

We are a decent generation, and a listening generation. We believe that almost anything can be changed for the better. Change is inevitable in a ballooning world, and we are not fighting it; we are fighting blackmail.

The danger of turning the delicate process of change over to arrested adolescents is that, in either their innocence or purpose, the baby Trotskys, Kerenskys, and Gueveras, howling for their father image, Ho Chi Minh, are really howling for a goose stepping, authoritarian government that will make the military industrial establishment look like paradise lost.

I do not belittle the idealism of today's youth that cries out against social injustice, and which is impatient and intolerant of bureaucratic quagmires and boondocks. But the more perceptive, patient young, who will work to equip themselves to invent a more viable society, are already weary of the infighting fractured left. What they must not do is let their general concern for their beleaguered colleagues interfere with the serious business of their own education.

To help us distinguish "heat" from "light" in the rhetoric of the young, we must realize that the leaders want to politicize education. Instead of revolutioning education, which they should do. They are trying to use education as an instrument of revolution. We must recall that the hardware of battle gets worn-out or discarded; and I don't think many of us really want education to become obsolete before it becomes improved.

Educational drop-outs in the fray of battle are unable or unwilling to communicate in intelligible terms. If, in addition to locking out the opposition, they continue to speak in jabberwocky, nothing good can ever be accomplished. As at other schools, Reed experienced the belligerant students who wanted to negotiate their "non-negotiable demands." Obviously, the words don't mean the same to us, and confusion compounds frustration.

I have the good fortune to be on a goals commission at Portland State University. I say good fortune because I have learned a lot, and I know the students and facility members, too, have simmered down considerably as they came to see that members of the decadent establishment were often more practical and purposeful about making changes than they were. I would say a rough classification in the attitudes of citizens vs faculty-students is that citizens understand the democratic process better. Those who don't understand the process or the people, assume that no one who has "made it" in our freaky society, is open-minded or fair.

I don't mean this is a battle of semantics, but I do think language will eventually help separate the minority of committed revolutionaries from the majority of students who want to serve a just and democratic society.

The act of communication is most central to the issue, because the student, *led by the young faculty zealot*, synthesizes the fearful, alienated individual in an increasingly automated and impersonal world. And the student's link with reality at this stage of life would formerly have been with adult faculty members.

But faculty and student radicals alike are going to have to develop more substantial and worthwhile forms of group therapy than throwing molotov cocktail parties.

Nothing is more repudiated today than the liberal of my generation, and it is true that many of our causes were incomplete, or the nature of the world has changed their direction. The solid achievement, fought against great odds, at a time when it was very un-chic and sometimes downright dangerous to fight the cause, have long been forgotten. For some reason, we are the scapegoats, not the heroes of the past, as if, perversely, those who staved off enlightenment and justice, did better than those who worked to effect it.

The trouble with writing off history before one has read it, is that endless repetition is inevitable. Life can't be one perpetual bastille day—thank God—but the psyche of the revolution demands that one be "high" all the time. There are some drills and discipline in learning that the most advanced and innovative educator will admit are less than exciting no matter how nobly rendered. I am all for making the learning of the multiplication tables all fun and games, but life will not be a constant "happening". To use the word of the moment, I don't see how any kind of education can be "relevant" unless the student gets the idea that lots of the days of one's life will be tedious, and that work, friendship, and marriage are not leaping from the peak of one Mt. Hood of desire to another.

As if we lived in a banana republic, strikes and destruction in colleges, junior colleges, and now high schools, have become the disorder of the day, and no one knows what to do about it.

Who is to blame? The laundry list is endless. Dr. Spock, Vietnam, our materialistic society, Martin Luther King's murder, American imperialism, the pentagon, television, McNamara (Johnson's McNamara, not Kennedy's McNamara), the bomb, the pill, lack of communication between generations, too much parental hovering between generations. If a family prayed together, they should have played together, and vice versa. It's like calling out the police. We engage them to protect society from violence, but they are no damned good if they stop people from being violent.

Like most members of the middle class, middle aged liberal establishment, I have a visceral reaction against police on campus. But reason, ascending over gut cowardice, tells us that students are not beyond the law if they break the law. And to carry the concept of student immunity from police to its logical conclusion, why not eliminate police from all society and return to the do-it-yourself law of the frontier—A shoot-out in the town hall at high noon; an oxbow incident every twilight in times square, and any other such cowboy-Indian fracas as we see on a tour of a Universal studio set.

The groups that generate ferment range from the far left to the far right, and it is another cliche of the day to say this whole mess polarizes the extremes. It does, indeed, because it is hard for people to retreat from public positions and statements, no matter how carelessly uttered or under what provocation. And once you are against the sin of law-breaking or the sin of "doing business as usual"—*you are committed*.

We *must* take cognizance of the fact that faculty leadership, in its several components, is central to the revolution. None other than Saul Alinsky, the renowned labor revolutionary, told one of the members of the board of higher education in Oregon that he would never see a student protest that wasn't led by a faculty member.

Jacques Barzun's latest book, "The American University" does a good job of explaining the changing school. He asks, "what is being fought against on our campus?" The answer, apart from the explicit opposition to the war is: The whole of modern life. Not all agitators are against all of life, but some are, and the rest single out detested parts. The cause is simply to ruin the going scheme—the U is the best place because that is where the students are. "The U. being an establishment, acts like that great bugbear, the establishment—wealthy friends there, pull with government, secret links and secret funds. It is the only corporation left that spells power."

Granted that the academic system could use an overhauling, most of us aren't prepared to indict society for first degree murder. After all, Professor Marcuse, Jerry Rubin, and all—is the world worse than it was five years ago—or ten?

Acute sympathizers feel this generation is uniquely aware of experiences from other cultures than the white, middle class milieu. They seek honest symbols, which, quote, "Might illuminate the searing, unprecedented experiences of their youth. Their seeming nihilism is often weariness, from having confronted since their memory first awoke, crises too vast for them or anyone."

Much worse, of course, than victims of the Spanish inquisition, the crusader's sword, the black plague, the civil war, or Auschwitz.

Barzun recognizes that the young feel they have no models. But he points out that, "in this apocalyptic feeling that the end is near, students are abetted by many of their religious counsellors. Hatred of the world, certainly, is an emotion that religious prophets thrill to find, and it is but a step from hating to destroying, still in the name of Revelation. Other familiar sides of this spontaneous movement akin to early Christian behavior are: the abandonment of ego (facade manners) in contacts with others; an indifference to clothes and cleanliness; a distrust and neglect of reasoning (drugs help here), a freedom in sexuality, which is really a lowering of its intensity and value—and—most symptomatic—a free field given to the growth of hair."

The student's lack of constructive criticism, and his inability to become a model of anything himself, imposes certain hardships on the older generation which is trying so desperately to learn.

Barzun also speaks of the "morality gap," wherein students expect honesty and truthfulness from teachers and administrators, but not from themselves, as evidenced by the prevalence of cheating and plagiarism. Likewise in the matter of unpaid loans to the University, and stealing of books from libraries—the idea seems to be that sabotage is a medium of communication and free from boomerang effects.

A certain selfishness also characterizes the demands of students today to make all administrative decisions. At a recent Reed Alumni meeting, a young professor said he really shook up some protesting students when he pointed out that their "confrontation" should be with the alumni of 1945–1950. In reply to a howling, *why* he quite properly pointed out that if *those* alums had asked for and got authority to hire and fire teachers, that today's faculty would have been selected by *their* own parents, God forbid!

One of our natural revulsions to the holier than thou attitudes of those whose love-ins are more like hate-ins, is their unwillingness to take the consequences for their actions. Time was that revolutionaries understood they could get shot for shooting. But today's young heroes don't understand cause and effect, and act like that most immature of

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all little goodniks, he who runs away from home if he can't get his goodies.

As the cost of education mounts, and the difficulties and competition to get into top schools becomes more severe, parents all over are asking why and how there seem to be so many students who aren't studying. Not imagination, but hard core evidence with disciplinary cases after riots, is that most often rebels and propagandists have given up all pretense of attending or passing courses.

Is education a *right* to be administered to the passive beneficiary like vaccination?

Barzun is horrified by demands from earnest students that the U teach them "values." "The wish," he says, "is not as laudable as it sounds, being only the wish to have one's perplexities removed by someone else. Even if this were feasible or good, the practical question of what brand of values should prevail would be insoluble. It is a sufficient miracle if a college education removes a little ignorance. Values are not taught—they are breathed in—or imitated.

Now is the time that all the naysayers pity the poor kid who has no one to imitate because his parents are money grubbing—only interested in buying new color television sets and sending him off to war in Vietnam. The cop-out of blaming everything and everybody for his own unwillingness to make himself is pretty bad. The identity crisis, the whole bit of "finding himself" is ignorant. Life is not a game of hide and go seek where the Easter bunny hides a true *you* in your innards and school gives you radar to detect it. We *make* not *find* a self.

It is also worth noting, that while this generation theoretically rejects the vulgarity of parent and teacher alike, it is a generation with unprecedented dependence upon society for all manner of protection and guidance in and out of school, and is big on seeking psychiatric help. Educators who are being summoned constantly to provide more bounty, underwriting of projects, assistance in extracurricular projects that were formerly self starting and self supporting, are therefore puzzled at the attack on the University for acting in loco parentis, although the U will gladly subtract that chore from its obligations.

But parietals continue to be a smoke screen, and I, for one, would like to see them out of the way so we can get to the guts of the matter. I'm sure perpetual intervisitation and communal living will get to be a nuisance and invasion of privacy (after all, a girl does want to put her hair up in rollers). I don't really think there will be much of a demand for Swahili in years to come. But that doesn't make any difference. It is a smallish investment of time and money to heal deep, psychological wounds, and I believe we should be prepared to pay the costs of many a noble experiment. I don't see how students can run colleges, but almost no one objects to their participation in a share of the decision-making process, a share that will bore and irritate them in time as does all the deadly dull work of governing any society.

What then, if we have Black Studies programs, eliminate grades, bless cohabitation, behead publish or perish professors, permit entry of any moron or non-student into college, glamorize undergraduate teaching, and blockade the University to spys from the CIA and Dow Chemical—what then is all the fuss about?

For most of the students, not much. What we must do is reorder our priorities. If we want to preserve this civilization until we develop something better, then let us concentrate on that issue and give up on fighting the new immorality and tastelessness that sprang from new inventions and freedoms of our time.

In other words, I will trade intervisitation and the study of the sex life of Cuban refugees for a society under law. A society under law must not be confused with "law and order". There should be law and there should be order, but not with the tragic connotations the far right has extracted from that now so ugly phrase. It must not be a mask for privilege.

We must be willing to experiment and make some mistakes. We once faced the fact that the world wasn't flat, and now we may have to learn it isn't round. But an open mind and an open heart doesn't mean we cave in to unreasonable demands at gunpoint because we feel guilty about wrongs we didn't commit. Most of us have always worked for the poor, the black, the underprivileged, and we will continue our efforts, even if young enthusiasts are undermining them tragically by so flagrantly inviting extreme opposition to progress.

We must not delude ourselves into thinking the end of the Vietnamese war will end campus violence. The war was a catalyst, but the need for a constantly renewed society will not disappear with the peace we desire so passionately. Our several misultaneous revolutions will stand naked, true to themselves, once the most emotional bête noir of our time has been removed.

Automation-alienation have indeed raised lots of why's with the mobility of people and communications, the flashing screens for instant learning, it is quite possible that English grammar is obsolete, and we should all learn an international phonetic . . . get paid in beads for services rendered, and halt scientific research in case we really do find a man on the moon.

But none of these accommodations to a new world answer the hard core activists of the international Far Left, and lest we have any illusions about its existence, let me quote from "Obsolete Communism—The Left Wing Alternative" by the brothers Cohn-Bendit, who say as a preface that publishers have commissioned their book without being bothered by the fact that their cash will be used for the next round of Molotov cocktails.

We cannot pat ourselves on the back like palsy old liberals, and say, "I'm with you."

The Messrs. Cohn-Bendit, along with thousands around the world, including the USA, reject liberals of our ilk as their worst impediment.

In fact, Mr. Cohn-Bendit, says of the Dean of the Sorbonne at Manterre whom he "did in"—"He was not what the Nazi people made him out to be, but a good man of the Left. Our struggle was no one against Fascism as such, but against bourgeouis authoritarianism."

To Cohn-Bendit, the unshakeable resistance of the North Vietnamese and the Cubans alike has proved that a super-organized and super-armed capitalist society were not invincible. He is happy to report that in Madrid the students made common cause with the workers committee in the fight for a social revolution: the Italian students demonstrated against a university that does not challenge capitalist society: and at Berkeley and Columbia, the students "sickened by the imperialist policies of their country made known their refusal to become privileged members of the American bourgeoisie."

Cohn-Bendit may be big on Madrid and Italy, but he needs a guided tour of America where his dream of world revolution led by a coalition of students (intellectuals) and worker-peasants is rather quaint.

I can't think of anything more ridiculous than the idea of the American blue collar worker joining up with the intellectuals to burn up the schools. Our workingmen have three kids in college; and everytime they see a riot they see their tax dollars go up in smoke. "Danny the Red" sure doesn't know his American "peasants." Someone should tell him the Park Avenue penthouse liberals are more likely to be soul brothers (until they find out too late they can't buy back their comfortable world).

He is slightly more on target with his analysis of discontent.

"We have said a University is supposed to be a seat of learning and rational inquiry. How can an economist talk seriously about the rational distribution of goods in view of the glaring contradiction between the affluence of the highly industrialized countries and the misery of the Third World? How can a young industrialist psychologist help self questioning when he sees that the object of his discipline is to fit the man to the job, and that the job itself is deadly and quite futile? How can a young physicist ignore the theoretical crises that is shaking the very foundations of contemporary physics, and tell himself that his research is of benefit to humanity, in an age which has produced the H-Bomb?"

Some of these biting statements hit home, but the author falls far wider of the mark when he claims the universities only recruit the poor because the market demands them. The present bid for students among the lower classes, according to Cohn-Bendit, only means there are more automaton like jobs to fill in the new world. The truth is—the population is greater, the education explosion is enormous, financial help is widely available, and that is why more poor are going to school in this country.

Articulate and charismatic as he may be, Cohn Bendit's utopia is even more vague than that of other visionaries whose utopian reflections were doomed to failure. We know what he doesn't want, but no one seems at all sure what he does want; and I can assure him there is a great interest in the future among all potential revolutionaries out of swaddling clothes.

I say that in no snide spirit, because every parent feels aching empathy for the bright and yearning young who want a better world to live in, as believe it or not, do we. But we do not think this can be achieved by a return to the days of chivalry when moral issues were resolved by trial and combat.

The suffering, martyred American today is not the protester with his placards or guns. That guy is having a ball, a catharsis, acting out his fantasies at the expense of the education of many.

We parents are the misunderstood, and the agonized. We know that the real test of the integrity of one's beliefs is to enforce them against people with whom we sympathize; and we are now at the point of no return in this confrontation.

Since I cannot speak for anyone but myself, I plead for the leadership, strong leadership of reason. I plead for freedom of expression for everyone, even the moderate, the so-called "Uncle Tom" or the dull. And I plead for civility and compassion for those who do not believe a mushrooming cloud will blow us all away the day after tomorrow if a young man down the hall wishes to be interviewed by IBM.

If rational discussion is out and violence is in, then I see no reason why the violators should not be expelled. If some of the faculty believe that roughing people up, or intimidating them into silence is a preferable way of life, then they are surely free to depart also.

It is beyond the pale in my circles to say the ultimate, but I think this attitude is like the story of the Emperor's clothes. The ultimate, obviously, is that private schools, at least, cannot maintain their costly presence as a battlefield for totalitarian dissent. If it continues, they will die of poverty and exhaustion, if nothing else.

In the days when I went to school, students subscribed to a reasonable contract, upon acceptance and admittance, indicating the limits of behavior expected by the institution. The limits are almost limitless now, so there is no reason why any well motivated individual should hesitate to agree to abide

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by the laws of the school, or go elsewhere, or stay home.

One can only ask, emotionally, where will this end. . . . All this fanaticism, unreality, and rigidity on all sides? If violence and destruction continue, then, of course, private schools will be forced to close. Public universities will be denied funds by frustrated legislators and taxpayers. And, in the end, the State will maintain some institutions of higher learning. . . . A fascistic dead end one cannot bear to contemplate. "Those were the days, my love". . . the days of Mussolini and Hitler.

I do not really think the revolutionaries of other lands can truly know what a great equalizer education has been in America.

Separated once by the social and economic distance from Groton to Gresham, USA, the American dream of education encompassed longshoreman and corporation executive; held captive in its same golden thrall the swingers of the 1900's whose Magic Carpet was steerage, and the WASP's whose ancestors wore the Good Housekeeping Seal of Approval from the Mayflower.

Indeed, only the American Indian and Eskimo, indiginous to North American soil, escaped the chicken-soup love which exacted from every newborn infant the expectation of college degrees from State universities if they were stupid or poor, and accolades from more venerable Ivy League institutions if they were smart enough or swank enough.

If our rejected generation of middle class liberals had one genuine hang-up, it was the Great Depression. No son or daughter of this affluent society can know what it cost in toil by oneself or family to attend college, or how many bright and hungry-to-learn young men and women never could afford the coveted tuition, which government not so long ago never dreamed of making available to so many or all.

We are the generation which remembers breadlines, the NRA eagle, the Okies and Grapes of Wrath. We are told patronizingly that the agonizing abstract art of today preceded this revolution because art is more perceptive than life. The revolutionaries must remember that ours were the novels of social protest, and the paintings of Ben Shahn, and photographs of hungry people with swollen stomachs, and the barren earth.

A modicum of common sense should tell the impatient young that it was our anxiety for another Third—the third of America that was "ill housed, ill clothed, and ill fed," that exposed and improved the human condition in this country to the point where reforms on a more relevant human scale could be recognized and realized.

And so I abjure collective guilt, and the silence of guilt, and say—while we give our children a still hungry America, a world in turmoil, polluted cities—we also give them unprecedented facilities for health and education—unheard of and even un-yearned for opportunities to create a world of beauty, and even one of peace.

Our parents gave *us* less, and their parents before them less yet—but we didn't despise them for not furnishing the world with wall to wall perfection.

Like every woman here, I resent the implication that every woman over 40 who has a charge account at Magnins is Mrs. Robinson. In fact I despise "The Graduate" and all so-called art of its ilk, because it is the easiest and cheapest kind of satire.

One thing we all agree—the godawful parents, the swinish police, the filthy administrators, and the adorable and idealistic young—that satire on the early show and the late, late show, that shoddy imitation of life with the Mace and the Molotov cocktails. That show must go—it is a "bad trip" and takes us nowhere on the journey of making a heaven on earth, the "good trip" we all want in our most splendid moments.

Statement by Dr. John H. Bunzel, Chairman, Department of Political Science, San Francisco State College Before the Special Subcommittee on Education, House Committee on Education and Labor, March 25, 1969

I wish to express my appreciation to the Members of the Committee for their generous invitation to appear here today.

I would like to address myself to some of the problems which have emerged on our campus (but not ours alone) as a consequence of certain developments which in my judgment need serious attention. Put briefly, I am deeply concerned about the intrusion of politics onto the campus and the enormous strains and tensions which an increasingly wide range of political activities are creating for our academic communities. This issue, it need hardly be said, transcends one's political allegiances and party loyalties. Nor is what I am talking about a liberal issue or conservative problem. I have in mind, rather, the delicate and complex idea of academic freedom in the most profound sense of that term and, more specifically, the political pressures and passions which are now being generated at such a fever pitch on our campuses that the climate conducive to orderly procedures and rational inquiry is now in jeopardy.

The situation at San Francisco State, if one can step back from the immediacy of day-to-day events and their attendant difficulties, is a clear case in point. We have had to pay a terrible price for the mindlessness that has run rampant on our campus, to the point where threats, intimidation and violent behavior have become part of our way of life. The consequences of disruptive demonstrations, bomb scares (as well as real bombs), arson, roving bands of vandals, breaking into classes that are in progress—these are only the most dramatic but nonetheless real occurrences which have worked to politicize our campus, to polarize the faculty, and to charge the atmosphere with passion, bitterness and enmity. The tragic irony, of course, is that San Francisco State, once so open and free to everyone, is now exposed like a raw nerve—exposed to anyone who wants to tear it apart. What must be understood is that the academic community rests and depends on very fragile understandings. It has no elaborate mechanisms of self-protection, which is simply to say it is all too vulnerable to those who would use power, pressure and the muscle.

Let me turn now to certain dimensions of our general malaise and try, at the risk of great oversimplification, to illuminate what to me at least are some of their major implications for both the short and the long run. If nothing else emerges, I hope it will become clear that I have a tender regard for what a university community is and the special values it represents. At the very least my idea of an academic community is very different from those who want to turn it into a political staging area or who insist that it become exclusively an instrument of social reconstruction.

Consider the recent teachers' strike at San Francisco State. I opposed the strike, although I have been a strong trade union supporter most of my life. For one thing, I have felt that a strike, if it is to be effective, should have solid backing—and that is precisely what the striking teachers did not have and have never had. A year or so ago the AFT union was specifically rejected in a democratic written secret ballot at the faculty's bargaining agent, and during the strike about two-thirds of the faculty voted against it. Besides, I have some reservations about a teachers' union treating a college in the same way an industrial trade union might treat a reactionary employer. The use of confrontation, the weapon of the strike by a minority against the majority of its faculty colleagues, the withholding of students' grades at the end of the semester as if students were an economic commodity—these tactics could do serious damage to an academic community if they became a permanent way of life.

But there were even more serious reasons why I felt this was the wrong strike at the wrong time—and led by the wrong people. A single incident will serve to make the point, especially since it outraged the great majority of the faculty and also resulted in many resignations from the union. The president of the teachers' union, in a letter sent to all of the members of the faculty, arbitrarily divided them into (his words) "friend versus enemy." Arrogantly and belligerently he pronounced the union's attitude: "You will not have the luxury of nice distinctions or Byzantine excuse," he told us, overlooking the fact that a community of scholars has a specific responsibility to make distinctions, nice, Byzantine or otherwise. "He who observes our picket line is a friend—anyone who plans to cross will be subject to moral force." I for one was subject to more than moral force, unknown in origin but revealing the conditions which, unhappily, have become all too familiar. One night after my wife and I had gone to bed someone slashed the tires of both cars and painted all over them "facist scab."

My argument should not be misunderstood. Some of the demands of the union were and are shared by many members of the faculty, but that is not the point. As one of the oldest members of the union put it himself, "I think it is not intellectually honest for us to argue that the Trustees should negotiate with us. How righteously would we scream if the Trustees sat down and negotiated with AAUP, for example? Our right to negotiate for the faculty is no better founded than theirs. I am sorry that this is true. But it is true. And, as long as it is true I cannot honestly argue that we have a right to expect the Trustees to bargain with us . . ." For me and most of the faculty a significant and overriding question has been clear from the beginning of the strike: by what right did a small minority feel it could try to impose its ideology on the rest of us? These were the political moralists who, with little support from their colleagues, regarded every rejection of their demands as further confirmation of their right to call a halt to all teaching and to suspend the academic program. The real danger lay in their wish and determination to politicize the College or, failing that, to shut it down.

Or take the student strike which began last November when the Black Students Union and the Third World Liberation Front presented fifteen "non-negotiable" demands. Apart from the demands themselves, some of which are reasonable and others of which are not, the key term is "non-negotiable." No one on this Committee needs to be told that there is no such thing as a non-negotiable demand if one is seriously interested in realistic, achievable goals. Reasonable men who have differences and disagreements have a better chance of accommodating each other if they can discuss concrete issues which can lead to concrete results.

I think it has to be made clear that San Francisco State has been a victim of exploitation by intransigent radicals. When I say this I have some specific thoughts in mind about the tactics that have been used on our campus. Many student groups on other campuses around the country have used a variety of tactics designed to bring about reforms in the educational system at their college. They wanted to make changes, and they wanted to be a part of those changes. But on our campus the militant student leaders from the beginning have used tactics which were intended not to bring about changes but to shut the place down. The dis-

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tinction is important, and it has to be understood if one wants to understand what has taken place here.

Whatever the faults of our College—and we have plenty of them, from the typical administrative lethargy that is slow to change to a lack of urgent attention to many legitimate student grievances about the curriculum—we are not a reactionary place. It is, on the contrary, very liberal. The faculty is liberal, the student body is liberal; in fact, I have never seen a place with so much permissiveness and so few rules. But for the hard core revolutionaries on this campus that is not enough. To put it simply, they have to use confrontation tactics on the College so that they can confront its power. More than that, they must force the power of the College to show its ugly face. They know, of course, that the College, because it is liberal, wants to show a friendly and moderate face; it wants to discuss, to hold meetings, and to have forums and convocations. But the radicals also know that this whole method of convocations and discussions will help to maintain the evil system. Thus what they have to do is make the College show that it is an ugly fascist beast. How do they do this? By forcing the College to call the police, and then by forcing the police to use clubs and violence. Stokely Carmichael once said that any demonstration in which police are not involved is a failure for demonstrators.

One expects this kind of exploitation and tactics from such groups as the Students for a Democratic Society (SDS). What has been more perplexing is the militant black leadership on our campus: it does not precisely fit the pattern of behavior of black militants on every other campus around the country. What has been missing among the hard core black leadership here is an operating principle of reality—a clear, realistic sense of what is possible and achievable. This is what I mean when I say that no one with any real political sense would insist that their demands were "non-negotiable." As a matter of fact, there are already some signs that, finally, the militant student leaders have discovered that "non-negotiable" demands are, in fact, quite negotiable. If and when this happens, it will be a big step forward from the tiresome intransigence of "Either we get all our non-negotiable demands met or we will shut you down."

In a small way my own case may be illustrative here. For many years I have been committed to the development of a sound program of ethnic studies at San Francisco State. However, the problem this year has been that my concern for some measure of academic substance and integrity in a program of Black Studies has gotten lost in the fierce level of rhetoric in which the bullhorn replaced conversation and listening gave way to diatribe. At the beginning of the fall semester I was informed by the Vice President for Academic Affairs that I might become a "target" in the months to come. As it turned out he was right. My troubles started with an article I had written on Black Studies at San Francisco State in which I was critical not of the idea of Black Studies but of the *particular* perspective of Nathan Hare who put together the proposal for Black Studies. Mr. Hare has been very clear about the kind of program he wants—this was long before he was suspended for jumping up on the stage and interrupting President Hayakawa's address to the faculty. He has said he wants teachers in his model of a Black Studies Department who will work solely within a "black revolutionary nationalist framework" (his words). "I don't want any assimilationists," he says, by which he means "Negroes." My article simply raised questions about his approach because I do not agree with it. In a public speech a few months ago Mr. Hare said, "I think this is a time for hate." I do not agree with that, and I am not persuaded that that sentiment has any place in a college program. But in the kind of polarized, combustible environment we have had on the campus, one either supported Mr. Hare's program in its entirety or he was tagged an enemy.

One morning in October around 8:30 a bomb was found leaning against my office door by one of my colleagues who happened to pass by and heard it ticking. The building was immediately evacuated and the demolition crew from the nearby Army post was called. Fortunately, no one was hurt. I have no idea who put the bomb there, nor have the police ever found out. But the important point is this: in an academic community it is ideas that should triumph, not power, or some group's interests or demands, or the tactic of physical pressure or emotional duress.

My most recent experience demonstrates, I think, the extent to which this delicate and complex notion of academic freedom can be endangered in the classroom itself by those who have no understanding of or commitment to the right to free intellectual inquiry in the pursuit of knowledge. During the preregistration period at the opening of this semester about fifty students, including many of the leaders of the Black Students Union, the Third World Liberation Front and other student radicals and known supporters of the four month old strike, enrolled in my upper division course on "Community Power and the Politics of Leadership." The next day majors in political science and others who wished to take the course were admitted into the class, bringing the final enrollment to one hundred.

At the first meeting it immediately became obvious that about half of those present had no legitimate interest in the course and were there for other reasons. I attempted to begin the course and explain what it would be about but never got beyond the first sentence when the room erupted into shouts and other forms of verbal abuse from twenty-five or so militant students. One student jumped to his feet time after time and shouted quotations from Chairman Mao. Others were more shrill and personal in their denunciations. For some twenty minutes I tried to make myself heard over their torrent of invective. Unsuccessful, I finally had to dismiss the class.

On Wednesday I tried again, this time to begin the first lecture. I indicated that I would remain at the end of the hour to answer any and all questions. But the barrage of invective commenced once more, and after a half hour of asking the disrupters to permit me to speak I had to dismiss the class for the second time. On Friday the disruptive tactics started again. The students this time were warned that if they did not stop their continuous and purposive interruptions disciplinary action would be taken. They did not, at which point two students were suspended. Another was suspended in my class the next day for similar behavior.

Mr. Ernest Besig, Executive Director of the American Civil Liberties Union of Northern California, was an invited guest in the class on Friday, February 21, and observed what took place. He was a witness to the disturbances in the classroom and has told me he was amazed that only two students were suspended. It is his belief that eight or ten others could have been suspended for disrupting the class and for interfering with the academic freedom of the professor and the other students. He has informed me that the American Civil Liberties Union will not intervene in behalf of those who have been charged with disruptive behavior in my class.

The paramount issue is unequivocally clear and of fundamental importance to the academic community, which includes faculty and students alike. The inviolability of the classroom is a principle which cannot be compromised. It involves nothing less than the integrity of the academic process and, in the most profound sense, is at the heart of academic freedom.

What is particularly distressing to me and, I am sure, the great majority of the faculty is that this view and commitment is not unanimously shared by our colleagues. I find this personally very disturbing. During the week of my difficulties a resolution was introduced in the Academic Senate reaffirming the right of the student to learn and the teacher to teach in the classroom. It further asserted that any denial of such rights is not acceptable to the college community and that the Senate will support the obligation of the college administration to protect these rights. Nineteen members of the Senate voted to support the resolution; four voted against; eight abstained. No phraseology of a resolution is ever completely satisfactory. But surely the principle at issue here far transcends in importance any other divisions among us and is an irreducible minimum deserving support of every member of the faculty. I find it hard to believe, but, regretfully, not surprising, that twelve members of the Academic Senate could not support the resolution. If the faculty cannot agree that the classroom is inviolate, then I think we have moved a step closer to turning the academic community into a cockpit of ideologues.

I come, then, at this precise juncture, to the nub of the issue of academic freedom. When freedom to teach and freedom to learn are imperiled; when libraries are ransacked; when professors are harassed by anonymous phone calls; when ungovernable passions are deliberately inflamed; it is not for us, in the words of my colleague, Professor Philip Siegelman, "to inquire too much whether such extraordinary attacks come from the far left or the far right. They become facts of our existence and we would be criminally negligent to condone or approve them because of their particular source." On this particular point it should be noted that while the militants of the left have always jealously guarded against any incursions from the far right, they have not shown an equal determination or readiness to react to the more novel threats in this area coming from within their own ranks. In my own view this moral duplicity and double-standard has the suggestion of fanaticism at its worst.

I take it as an article of faith that has its roots in the long history of the liberal tradition that when freedom is attacked or suppressed, liberals must take their stand in opposition. It used to be that the severest threats to academic freedom came from above and outside—in a word, from the avenging furies of the far right, with the result that the faculty was almost instantly united. But now, when the assaults come from the inside and from the new brand of left-wing political moralists, the faculty is just as instantly divided. In the blunt words of a perceptive associate, if the threat were white and right instead of black and left, we on the faculty would always be close to unanimous. The attack on academic freedom from the left, of course, is by no means always tied to black militancy and extremism. But the basic question remains: when principles which are fundamental to the academic community are cynically exploited by the extremists of the left, why do the liberal and moderate members of the faculty not stand firm in their opposition to those who would impose their will by threats or coercion? It is a phenomenon which deserves more than passing notice.

For one thing, there is a failure of nerve, a lack of moral courage, on the part of many members of the faculty who become, consciously or unconsciously, victims of a form of psychological and moral intimidation exercised by the left-wing radicals. It has the immediate and practical result of silencing the middle, or, to put it another way, of

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engendering the feeling on the part of a great number of the faculty that there is something shameful about speaking out or being in opposition. This has nothing to do with physical coercion. It is a subtle but powerful control over people who might normally speak out but who, in an increasingly politicized and polarized arena, impose their own self-restraints and remain silent or otherwise preoccupied. Some resolve whatever personal dilemma they may feel by simply withdrawing altogether—"the problems are too massive."

There is, however, another consideration which must also be noted. Traditionally, college faculties have never been organized for internal self-defense. Thus when an academic community is faced with student demands that are accompanied by the "body on the line" tactic, it responds, not surprisingly, in the only way it knows how—by concessions, by pleading for time, by setting up committees, by trying to persuade the radicals of its good faith and intentions. But what we have all discovered is that the university is simply not equipped to deal with the well-organized groups of political students, encouraged by their faculty supporters, who know that the vaccilating and clumsy responses of the administration are no match for their politics of confrontation.

Let me return to the minority of striking professors at San Francisco State to make a point. Those members of the faculty who went out on strike will now carry on their union activities *inside* the campus, welded together, as it were, by the high-intensity heat of the strike. The tactic will be to operate as an organized political party—to run committees, to organize politically within departments, to try to take over the Academic Senate, to call faculty meetings where they will turn out their troops and try to make college-wide policy decisions; in short, to bend the College to their own political purposes.

The cost to the college community will be heavy, essentially because such concerted tactical behavior can only increase the politicization and polarization of the campus. Instead of being concerned with educational programs and problems, we will constantly be involved in political activities that will divide the faculty into ideological groups which in turn will deepen the hostilities and divisions. In order to oppose the faculty minority on even remotely equal terms, the rest of the faculty will have to organize, in effect, a political party of its own, something most faculty members are reluctant to consider because they feel strongly that the amount of time, energy and commitment it would take to organize politically runs counter to the very reasons they are there, on the faculty. That is not why they went into teaching, which is to say they regard political activism and ideological factions as contrary to the purposes of a university.

One additional observation should be made, particularly in relation to the feelings and predispositions of those on the faculty who are committed to the liberal persuasion and outlook. There is today a complicating matter which most faculty members simply would prefer not to have to deal with and over which they certainly do not want to feel in any way compromised; namely, any organized opposition might immediately be manipulated in such a way that it would be tagged as racist and regarded as further evidence of the establishment's antagonism to the needs and aspirations of black students on campus.

It cannot be emphasized too much—and this goes to the heart of my principal concern—that faculties around the country are for the most part liberal in their basic orientation. With this in mind, the point I am trying to make is that the assaults on academic freedom today are likely to come not only from within the Academy but, more important, from individuals and groups with which most members of the faculty have some overlapping sympathies. To use a term that has some currency among social scientists, faculty members with liberal values become extremely cross-pressured. There are other values with which they are in general sympathy, e.g. an academically defensible program of ethnic studies, the equalitarian ethic, social justice, and so on. In other words, they share these same values with many of their colleagues on the faculty who, however, at this point in time make up a well-organized political minority that insists on the moral superiority of its goals and seems bent on the total politicization of the university. It is the kind of cross-pressure which elicits in many members of the faculty the desire to remain "uninvolved."

I have been talking, rather randomly I am afraid, of the consequences which accrue to an academic community when its members are increasingly forced to make decisions and choices in the heightened political atmosphere that characterizes my own campus today. The fundamental proposition I have been advancing is that academic freedom is seriously and directly threatened in a highly politicized environment. Reasoned inquiry gives way to passion and partisanship, and the end result is polarization and confrontation. The signs are everywhere. At San Francisco State the college community is being torn apart from the inside by the militants of the left, while off campus, watching and waiting, are the forces of the right. The striking teachers and student radicals keep saying that what they have been doing all year is "saving" higher education in California. The political truth of the matter is that they have helped galvanize all of the conservative and reactionary forces in the state into a kind of mass public that is motivated to act with interest, patience and constructive concern but out of fear, anxiety and anger. When the student militants on campus keep shouting "Power to the people", I get depressed when I think of the people who really have the power.

GENERAL LEAVE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may be permitted to extend their remarks on the subject of my special order.

The **SPEAKER** pro tempore (Mr. ANDERSON of California). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

PROPOSED TRANSFER OF JOB CORPS CENTERS TO STATE VOCATIONAL EDUCATION ADMINISTRATORS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 60 minutes.

Mr. PUCINSKI. Mr. Speaker, I have today proposed that all Job Corps centers be transferred to State vocational education administrators, and continued as part of their State plan for development of residential skill centers.

The administration's proposal to shut down 58 Job Corps centers and have the Labor Department replace them with near-city and in-city residential manpower centers is a case of robbing Peter to pay Paul. I find nothing in the proposal by the Labor Department to reconstruct the Job Corps centers which would indicate to me any meaningful improvement. The only criticism I might have with the present Job Corps operation is that it transports youngsters too far from home for Job Corps assignments.

The Federal Government already has a multimillion-dollar investment in the existing Job Corps centers. It would be in my judgment the height of folly to junk these centers when Congress has urged the individual States to develop their own residential centers.

Congress unanimously passed the Vocational Education Act of 1968, which if fully funded could provide the States with meaningful tools for residential skill centers, and all of the other programs intended to help young people obtain meaningful training for employment.

Under the 1968 Vocational Education Act, State vocational education agencies could, and most probably would, take over existing Job Corps centers in their respective States and develop them into successful skill centers not only for indigent youngsters, but for all youngsters desiring such training within the States.

The Labor Department is proposing to set up new urban residential manpower centers in or near 30 cities during the coming year.

The Labor Department admits that its proposal is essentially a pilot venture seeking experience with various types of centers in a variety of settings to help gage whether and what further development is feasible and desirable.

The three types of centers to be developed, according to the Labor Department plan, to serve the urban area near or in which they are to be located would include 10 centers providing work training in a residential setting close enough to the city to permit weekend commuting home.

The plan also calls for establishing five such centers to provide training for both residents and nonresidents and residential support for some youth enrolled in other local training programs.

Finally, the proposal calls for establishing 15 in-city small residential support centers to provide round-the-clock residential and other supportive services for selected youth enrolled in local training programs.

All told, the 30 new centers would have a capacity of about 4,625 youth. It is estimated the average enrollment will be less than 6 months, which is roughly the present Job Corps experience, and it is estimated the 30 centers could handle approximately 10,000 enrollees a year. The proposal calls for establishing 18 of the 30 centers for men, eight for women, and four will be tried on a coeducational basis with separate residential quarters for men and women administered centrally.

The Labor Department estimates the average annual operating expense per student at $5,250 a year which, if these figures stand up, would be slightly below the Job Corps cost.

It is anticipated these new centers will recruit, train, support, and place youth in their home area as against the away-from-home community assignment customary in present Job Corps practice.

The program content would be similar to that of current Job Corps centers. There will be variations by centers but each center would provide a strong program of work experience and/or vocational training, education, counseling, planning recreation and cultural activity, and physical rehabilitation and development.

It is anticipated that enrollees would be in residence only 5 days a week and then commute home by special bus on weekends. I might point out, Mr. Speaker, that the $5,250 annual cost per student is based on a 5-day week while the present Job Corps houses and feeds youngsters 7 days a week.

It would appear, Mr. Speaker, that there is great merit in the Labor Department's program but I submit that they are robbing Peter to pay Paul and there is nothing here to assure us any more success with this new restructuring of the Job Corps than we have had heretofore.

On the contrary, we now have ample evidence that many of the conservation Job Corps centers scheduled to be shut down have done a tremendously impressive job in not only restructing the young people they housed, but provided essential conservation services to the areas where such centers are located.

I believe that State vocational education agencies would want to retain most of the conservation centers now scheduled for shut down and probably would want to develop them into agricultural-technical training centers.

May I remind this House that agriculture is still the biggest single industry in America, and provides most of the jobs in the American labor market.

I respect the efforts of Secretary Shultz but I submit that he is being very badly misled in his current proposal to restructure the Job Corps.

Mr. Speaker, last year both the House and the Senate unanimously passed the Vocational Education Amendments Act of 1968.

After a great deal of careful deliberation and study, the Congress restructured the whole concept of vocational education in this country and provided the tools under which every single young American can develop a marketable skill during his learning years in school.

We provided 10 basic programs, including State grants for on-going programs which date back some 50 years, and have had a long history of success in this country.

We also set up State advisory councils to help develop more meaningful programs.

We earmarked 15 percent of State grants specifically for disadvantaged youngsters, another 15 percent for post-secondary education and finally 10 percent for handicapped youngsters. This 40 percent set-aside categorically earmarked for special needs gives assurance that State vocational programs will start reaching the youngsters of greatest need.

Mr. Speaker, every single Member of this House and every single Member of the Senate—on both sides of the aisle—realized the tremendous need for vocational education in this country and so we doubled the previous authorizations for State grant programs and provided $508.5 million for State grant programs alone.

The Congress was well aware of the huge problem which we find in career training among the disadvantaged and so in addition to the 15-percent set-aside in the State grant programs, Congress authorized an additional $40 million expressly for vocational education programs among the disadvantaged.

We also recognized the need for developing better programs of career training and so we authorized $57.5 million for exemplary programs.

I might point out, Mr. Speaker, to hear some of the people in the Labor Department talk these days, you would think they discovered the concept of residential skill centers.

Actually we included skill centers as early as 1963 in the vocational education act amendments of that year. Then we reemphasized the need for residential skill centers in the amendments of 1968.

So I hope no one is foolish enough to think that the so-called new look that the Labor Department wants to give to the Job Corps by referring to these things as residential skill centers is some new concept. About the only new thing in their concept is now they are calling them mini-skill centers and maxi-skill centers.

Apparently some girl watchers in the Labor Department have come up with some Madison Avenue slogan for the new Job Corps.

This Congress was well aware of the need for residential skill centers and recognized the role they could play in helping young people who do not have access to vocational education in their immediate community, or to any other youngster in a State and so we authorized $55 million for residential schools.

The Congress realized the value of cooperative education where a youngster can learn and earn. Under this program young people can attend school for their classroom instruction and then get a part-time job relevant to their classroom instruction with the employer joining in a training program. We authorized $35 million for cooperative education and another $35 million in fiscal year 1970 for work-study programs which help create jobs for young people within the school and commmunity environment to help keep them in school.

Congress also realized that there has to be forward movement in curriculum development and so we authorized $5 million for this project and another $50 million for research in order to bring to vocational education the most modern techniques. Finally, we realize the huge shortage of teachers in vocational education and so we created a special program for teacher fellowships and training institutions and authorized $35 million for this express purpose alone.

All told, Mr. Speaker, Congress last year authorized $821 million for a new thrust in vocational education and I underscore that this whole program was approved without a single dissenting vote.

I submit it is the tragedy of our time that the Johnson administration could not see the great strength and promise of vocational education and recommended in its budget message for 1970, a total of only $266 million for all the programs I have described in my remarks today. It is an even greater tragedy that the new administration under Mr. Nixon has likewise failed to see the great promise and has not in any way as of now increased its budget request to carry out this program of vocational education.

I submit it would be a great mistake for the Secretary of Labor to proceed with his program of urban skill centers and in effect set up a competitive educational system in our large cities.

If this administration really wants to do something to help the young people of America and to restore relevancy to American education, it will transfer whatever savings are made in the phase-out of Job Corps centers to the U.S. Office of Education and specifically allocate their funds to the authorizations incorporated in the 1968 Vocational Education Act.

There is a very deep-rooted principle involved here which I believe the House should understand. The establishment of these urban centers by the Department of Labor is not a simple continuation of the Job Corps program. It is an actual intrusion of the Federal Government into educational processes of the individual States.

We here in Congress have always fought a takeover by the Federal Government of our local school institutions and as chairman of the Subcommittee on General Education here in the House, I intend to continue that fight.

One thing is certain, the U.S. Office of Education has never tried to usurp the prerogative of local school systems. That is why I believe we should keep these educational programs in USOE.

I do not intend to see the Federal Government usurp the prerogatives and privileges of local school administrators in the establishment of education programs in these communities. The very strength of America's system lies in its pluralism, and I have no intention to sit by idly and watch the monolith of the Federal Government in Washington start dictating to every school board and every school district in this country what kind of schools we are going to have and how they will be run.

I say to Members of the House and the Congress, what we are seeing here in this seemingly innocent proposal to transfer the Job Corps to urban school centers is the beginning of Federal involvement in the operation of local schools throughout America. I think the Members of this House on both sides of the aisle ought to be apprised of the full consequences of the proposal now being carried out by people in the Labor Department, when they know full well the job of education clearly belongs to USOE.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Speaker, I just want to compliment the distinguished gentleman from Illinois for the statement he is making.

Mr. Speaker, the administration has never told us who would do this training. I take it, there may be at this time many agencies competing for mini-center training contracts, in the various cities of the country. The administration has only the vaguest plan presently, or at least the committee has never been told if there are any specifics. The fate of thousands of boys and girls who had hope for the first time is up in the air.

Moreover, there are not the training facilities available in the Nation to call for this reckless abandonment of our investment in Job Corps facilities.

Before the committee today we had a representative of the Lincoln Job Corps Center, where a few years ago the center was closed down and facilities were brought into the District of Columbia and a contract was entered into with the Washington Board of Trade and a subcontract with the Department of Labor. It is costing those people, with one of the so-called skill centers—and it is not a residential center—on an average approximately $4,000, they said.

In these so-called mini-centers there will not be the other necessary facilities—medical and dental—and no beds for enrollees. In short, we have yet to see an effective substitute for the Job Corps in this country. That we can effectively prepare so called "hard core" young people through the Job Corps program have been demonstrated and documented by evidence before the House Education and Labor Committee this session.

We have all kinds of problems. We have transportation problems with the so-called mini-centers. It has never been thought through. I am hopeful that somewhere along the line the administration will change its course of direction and not turn its back on these youngsters they are now throwing back on the streets.

Mr. Speaker, let me again thank the gentleman for his statement.

Mr. PUCINSKI. Mr. Speaker, I thank the gentleman from Kentucky for his comments.

The gentleman from Kentucky is the father of vocational education legislation in Congress. He was the initiator or innovator of the 1963 amendments, which gave the main thrust to vocational education in this country, and the 1968 amendments were amendments to his basic legislation of 1963. The gentleman from Kentucky properly points out, as was pointed out in the Washington Post this morning, that the Job Corps center is something more than just a home for youngsters out of work.

In these Job Corps centers they give youngsters medical help and dental help and a lot of other assistance they have never had. They have to literally start restructuring a human being who has lived in an environment all his life which has made it difficult for him to adapt to society.

There is nothing in what we have seen in any discussion of the Labor Department that they plan to carry on as an adjunct to skilled training this restructuring of human individuals to make them members gainfully employed in organized society.

Mr. PERKINS. There is no doubt in my mind that the administration will be able to fill some of these so-called minicenters, but they will fill them with a different type of individual from those the Job Corps now serves. They will never fill them with the hard-core youngsters who really deserve priority.

The reason I state that is because we are short of training facilities everywhere. The MDTA program is only taking care of about 20 percent of the applicants. It is that way in the vocational schools, with only 20 percent of the applicants. These students usually are those most motivated and trainable.

The vocational educators will tell anyone that one of their chief problems has been trying to discover ways and means to deal with the hard-core youth. Through our experience with the Job Corps, we are gaining the techniques and the knowledge to do an even more effective job. Now it is proposed to abandon this successful approach and in its place embark on a much smaller program which cannot reach or properly serve those youngsters who are now being served by the Job Corps.

I find it hard to believe the administration has carefully thought through the effect of its proposal.

Mr. PUCINSKI. That is why I said here today, if they are going to shut these Job Corps centers down, rather than shutting them down and rather than losing these millions of dollars we now have invested in these Job Corps centers, I would recommend that we fully fund the 1968 Vocational Education Act and turn these centers over to State vocational administrators to continue operating them as State residential skill centers under the Vocational Education Amendment of 1968.

One reason why I make this proposal is, if there is a shortcoming in the present structure of the Job Corps it is only that it brings to a Job Corps center 200 or 300 or 400 or 500 children who have one thing in common; they all come from very poor families and disadvantaged communities culturally depressed. Therefore, the youngsters are not helping each other any.

I submit it would be much wiser to have a State residential skill center to which children from all walks of life could come, to help each other in the learning process, with the integration of cultural values, of ethnic values and of economic values, to help uplift the disadvantaged faster and more successfully than anything else we can do. That is why I think it would be a tragedy to close these Job Corps centers now.

Mr. PERKINS. It would, indeed, be a tragedy.

A few days ago, in the congressional district at Ashland, Ky., we dedicated a $1.5 million vocational education facility, one of the best in the Nation for its size. The problem there is the fact that it can only enroll about 15 percent of its applicants, or less. For instance, in the graduating class there this year at Paul Blazer High School we had 50-some-odd who wanted to take welding and 50-some-odd who wanted to take machine shop.

But this new school that has just been completed and dedicated is not able to enroll more than 10 out of that great school system. With the shortage of facilities in this Nation today, vocational education facilities and other skill centers, it is a tragic waste to close down these Job Corps centers, because we do not have any other centers that can take care of this type of enrollee that the Job Corps is serving. We first ought at least to see these mini-centers in operation. Let us see how they are going to take care of this type of enrollee. When we have proof of the enrollment capacity and the program to take care of the very special needs of hard-core youngsters, then I think we could give the proposal our legislative blessing. However, until that time comes I do not feel, as responsible legislators, that we should go along with the proposal and say to these youngsters in the country who need top priority that "We do not intend to give it to you and we have no place for you in our Nation."

I do not think that Congress should countenance this waste of needed facilities and the abandonment of this effective approach to the needs of our hardest-to-reach youth.

Mr. PUCINSKI. I thank the distinguished gentleman from Kentucky, the chairman of the committee, for his contribution. It is important for us to remind this Congress and this Nation that we have a commitment which was unanimously adopted by both Houses of the Congress on both sides of the aisle. We have a national commitment to vocational education. To hear these people in the Department of Labor talk today, you would think that the existing Job Corps centers can be phased out because there is no further need for them. The fact of the matter is that there is not only a need for the existing centers and also a need for the proposed skill centers, but there is a need for full funding of the 1968 act, because of the needs of vocational education are so overwhelming.

Mr. Speaker, if there is unrest in the schools of America today and if parents are voting down bond issue after bond issue with reference to education, it is because the American parent has become disenchanted with the kind of education his youngster is getting in most communities in this country. That is why I said when I pleaded for the 1968 act and why I say again today that if we are to restore some meaningful balance to American education, we have to move forward with vocational education. That is why it is my hope that the Secretary will not think of shutting down the Job Corps centers. They talk about having secret reports about all of the horrible things that have happened in the Job Corps centers. If there are indeed these kinds of disorders there, the thing to do is to get rid of the administrators and bring in a new team that can manage the centers in a responsible manner. It is the height of folly to suggest that because you have problems there you are going to shut down the centers. This is like surrendering to anarchy. What kind of responsible government is that? Does that mean every time there is a problem somewhere we shut down the institution? I have not heard anybody suggest yet that we shut down Harvard University or any of the other big colleges that have been having

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upheavals. That is the logic the administration will follow if we shut down the 58 centers because they are having some problems or not all doing a good job. I wish that the President would read the testimony of the distinguished majority leader of this House, the gentleman from Oklahoma, CARL ALBERT, when he testified before my committee and told of the great work that is being done by the two centers in his State of Oklahoma.

For the first time in several decades meaningful work is being done in the forests of that State and on the roads of that State and in various other conservation projects that has never been done before simply because they did not have the manpower.

Certainly, Mr. Speaker, there have been shortcomings in the Job Corps. It is a new program. The Job Corps was never intended as a finishing school for fine young ladies or fine young men. The Job Corps is a repository for individuals who have some of the most deep-rooted social problems in this country, young people addicted to dope, young people who participate in the use of narcotics, young people who have never had a decent upbringing in their homes, young people who have no sense of value or judgment.

Mr. Speaker, this is why this Congress of the United States passed the Job Corps Act in the first instance. I remember well the reasons voiced and raised in this Congress who said we have got to do something, we have got to find a sanctuary or haven for these young Americans who are aimlessly walking the streets with no training or supervision.

Mr. Speaker, all of us remember the success of the CCC—the Civilian Conservation Corps—during the depression years and all over America people said that we ought to have these Job Corps camps.

I remember well the Gallup poll and the other public opinion polls in which the American people spoke out and said, "Yes, this is the kind of program we need in order to get these youngsters off the streets."

We have people in these Job Corps centers who for the first time in their lives know what it means to sleep on a bedsheet, young people who come from an environment where four, five, six, or eight people sleep in one bed, and then they slept in shifts. That is the kind of people with whom we are dealing. We are trying to restructure these individuals so that they may take their place in our American society. And I wish I had the means to tell the American people what is happening here, because it is their money that is being squandered in shutting down these centers; it is their money that built them, it is their money that equipped them, and it is their money that built the classrooms. Now someone in the Department of Labor has decided that there is another way of doing it. So they are going to shut down the 58 centers and try another experiment—minicenters and maxi-centers. Yet they are not even able to tell us what these are going to do.

So I say, Mr. Speaker, we have a national commitment voted by the Congress of the United States to the young people of America. Last year every one of us answered the rollcall on both sides of the aisle when we said that we stand four square behind the Vocational Education Act of 1968. And we knew what we were doing. This was one of the best discussed bills that has ever been under consideration in this Congress. I remember very well the discussions and the debate on that bill. Then it passed unanimously, without a single dissenting vote.

Mr. Speaker, what a tragedy of our time when young people walk into my office and say, "Congressman, can you help me get a job? I need a job to help pay my way through college." Here are young adults, young people who have just graduated from high school, or in their early years in college seeking this type of assistance.

And you say "Of course, young man, I would like to help you. What can you do?"

And he looks at you with a blank look, and shrugs his shoulders and says, "Nothing."

What a tragedy of our times when young people are not given any idea of a marketable skill in 12 years of education.

I have the highest respect for our Secretary of Labor. He is a fellow Chicagoan and a man who brings to Washington a brilliant record of achievement. It is for this reason that I hope he will consult with Secretary Finch and Commissioner Allen in the Office of Education and then agree that if we are to address ourselves to the totality of the problem facing America's young people, we will fully fund the Vocational Education Act of 1968 and then let the people who have had the most experience in this field—the State vocational educational directors—carry out the work of establishing residential skill centers and all the other programs necessary to give every young American a marketable skill.

There are those who continue to fight vocational education, unmindful of the fact that while 50 percent of the children of this country go on to college, only 10 percent actually graduate.

More than 80 percent of the young people of America never complete college or even get a chance to get near a college.

For that reason, Mr. Speaker, it occurs to me that if Mr. Nixon really wants to make a contribution to American education he will closely associate himself with the great promise that vocational and technical education offers America—this, the greatest industrial empire in the whole world, this Nation is reaching for a trillion-dollar economy. By early 1970 or 1971 the gross national product of America is going to exceed $1 trillion. We are going to have a labor force of 100 million people. Our only problem is having enough skilled people to keep the wheels of industry moving to sustain this trillion-dollar economy. Even today we are suffering serious labor shortages.

So, Mr. Speaker, it seems to me somewhat academic to be involved in a huge struggle with the Labor Department as to whether or not we should close 58 Job Corps centers on the one hand, and create 30 mini- or maxi-residential urban skill centers on the other hand. In either event, we are dealing with only a fraction of the problem.

I say to the President, to the Congress, to the Committee on Appropriations, the Secretary of Labor, and the Secretary of Health, Education, and Welfare, and to our Education Commissioner, if you seriously want to make a contribution to the young people of America, take a look at the 1968 vocational authorization, and then in a supplemental appropriation fund the 1968 act. Give the teachers of this country the tools they need to develop meaningful vocational educational programs.

Mr. Speaker, following is a table which shows what money Congress appropriated for the Vocational Act for fiscal 1970 and what the Johnson administration recommended. I hope President Nixon will join in the needed supplemental to get this program going.

VOCATIONAL EDUCATION ACT OF 1968

	Fiscal year 1970 authorization	President's budget	Needed increase to meet minimum levels
1. State grant programs	$508,500,000	[2] $234,216,000	$75,020,000
2. State advisory councils	(1)	1,680,000	2,000,000
3. Programs for disadvantaged	40,000,000	None	40,000,000
4. Exemplary programs	57,500,000	13,000,000	17,000,000
5. Residential schools	30,000,000 15,000,000 15,000,000	None	30,000,000 15,000,000 10,000,000
6. Cooperative education	35,000,000	14,000,000	21,000,000
7. Work-study	35,000,000	None	35,000,000
8. Curriculum development	5,000,000	2,000,000	3,000,000
9. Research	50,580,000	1,100,000	13,900,000
10. Teacher fellowships and training institutes	35,000,000	None	35,000,000
Total	821,580,000	265,996,000	296,920,000

[1] Such sums as may be necessary.

[2] Same as fiscal year 1969, but 40 percent of State grants fund for 3 special purposes: (a) 15 percent for disadvantaged, now about 1 percent; (b) 15 percent for post secondary, now about 3 percent; (c) 10 percent for handicapped. We have only 60 percent for funding present program. We will need at least $75,000,000 to maintain present level of State grant programs.

IMPROVING THE OLDER AMERICANS' ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER) is recognized for 15 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, I am pleased to introduce legislation embodying the administration's recommendations for extending and improving programs to meet the needs of older people under the Older Americans Act. Joining me in sponsoring this legislation are Congressmen **Ayres**, **Quie**, **Bell** of California, **Erlenborn**, **Scherle**, **Dellenback**, **Esch**, **Eshleman**, **Collins**, and **Hansen** of Idaho. This is a most urgent piece of legislation, since several authorizations under the present act expire on June 30 of this year.

This bill not only renews the national commitment to a better life for our senior citizens, but proposes positive measures to improve upon the present efforts. The central provisions of the bill would strengthen the State agencies on aging, provide greater flexibility for the States to support community projects, establish the foster grandparent and senior companion programs on a permanent basis.

State agencies would be strengthened by requirements for statewide planning, coordination, and evaluation, and by providing additional resources to carry out these activities. A separate authorization of appropriations for planning, coordination, and evaluation and grant program administration emphasizes the importance of these activities. A shift from a 50–50 sharing basis to a 75 Federal-25 State sharing formula would put the aging program on the same matching basis as the rehabilitation program and the social services component of the public assistance program. These amendments should enable the State agency on aging to provide leadership in the analysis of existing programs serving older persons; the identification of gaps and weaknesses in services; the development of plans to achieve more coordinated comprehensive services, and the persuasion of public and private agencies to cooperate in the implementation of the plans.

Greater flexibility would be provided by dropping the specific time limit on Federal support of title III projects, and permitting the States to make the determination as to the length of time for which funding is appropriate after careful periodic evaluation. This will guarantee continuation of the best projects.

A new title VI establishes the foster grandparent and senior companions programs on a permanent basis. The President, in his economic opportunity message to Congress, indicated that the Department of Health, Education, and Welfare would take over the foster grandparent program. Since the program is already administered by the Department, this means placing the funding and the responsibility for it in one agency. Through the establishment of the senior companions program, opportunities would be extended for older persons to provide personalized care and services for other older persons in need of assistance, as well as for children in hospitals or homes. The Secretary would give preference to projects in which priority is given to older people of low income who are no longer in the regular work force. Older people other than those of low income can be enrolled as voluntary participants in these activities.

These amendments will enable State agencies to better direct and coordinate programs of services to older people in the communities and to give the leadership which is essential to achieve maximum effect with limited funds.

At this point in my remarks I would like to include a copy of the bill.

H.R. 11048

A bill to amend the Older Americans Act of 1965 to extend its duration, to authorize assistance for projects for foster grandparents and senior companions, to provide assistance to strengthen State agencies on aging, and to otherwise strengthen and improve that Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Older Americans Act Amendments of 1969".

EXTENSION OF AUTHORIZATIONS

Sec. 2. (a) The second sentence of section 301 of the Older Americans Act of 1965 (42 U.S.C. 3021) is amended by striking out "for the fiscal year ending June 30, 1970, and the two succeeding fiscal years, such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "such sums as may be necessary for each of the next 3 fiscal years".

(b) The second sentence of section 603 of such Act (42 U.S.C. 3053) is amended by striking out "for the fiscal year ending June 30, 1970, and the two succeeding fiscal years, such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "such sums as may be necessary for each of the next three fiscal years".

EXTENSION OF DURATION OF PROJECT SUPPORT

Sec. 3. (a) Effective with respect to appropriations for fiscal years beginning after June 30, 1969, the last sentence of section 302(c) of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended:

(1) by inserting "such percentage of the cost of any project as the State agency (designated or established pursuant to section 303(a)(1) may provide but not in excess of" before "75 per centum";

(2) by striking out "the third year of such project" and all that follows down to but excluding the period and inserting in lieu thereof "the third and any subsequent year of such project."

(b) Effective with respect to appropriations for fiscal years beginning after June 30, 1969, section 303(a)(2) (42 U.S.C. 3023) of such Act is amended by striking out "after termination of Federal financial support under this title".

STATE PLAN REQUIREMENTS FOR PLANNING, COORDINATION, AND EVALUATION

Sec. 4. Effective with respect to appropriations for fiscal years beginning after June 30, 1969, section 303(a) of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended by striking out ", and for coordinating the activities of such agencies and organizations to the extent feasible" in clause (3); by redesignating clauses (4) through (8) as clauses (5) through (9), respectively; and by adding the following new clause after clause (3):

"(4) provide for statewide planning, coordination, and evaluation of programs and activities related to the purposes of this Act in accordance with criteria established by the Secretary after consultation with representatives of the State agencies established or designated as provided in clause (1);".

GRANTS FOR STATE PLANNING, COORDINATION, AND EVALUATION AND ADMINISTRATION OF STATE PLANS

Sec. 5.(a) Effective for fiscal years beginning after June 30, 1969, section 304 of the Older Americans Act of 1965 (42 U.S.C. 3024) is amended to read as follows:)

"PLANNING, COORDINATION, AND EVALUATION AND ADMINISTRATION OF STATE PLANS

"Sec. 304(a) There are authorized to be appropriated for the fiscal year ending June 30, 1970, and each of the next 2 fiscal years such sums as may be necessary for making grants to each State, which has a State plan approved under this title, to pay such percentage, not in excess of 75 per centum, as the State agency (established or designated as provided in section 303(a)(1)) may provide, of the costs of planning, coordinating, and evaluating programs and activities related to the purposes of this Act and of administering the State plan approved under this title.

"(b)(1) From the sum appropriated for a fiscal year under subsection (a), the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa shall each be allotted an amount equal to one-half of 1 per centum of such sum or $25,000, whichever is greater, and each other State shall be allotted an amount equal to 1 per centum of such sum.

"(2) From the remainder of the sum so appropriated for a fiscal year each State shall be allotted an additional amount which bears the same ratio to such remainder as the population aged sixty-five or over in such State bears to the population aged sixty-five or over in all of the States, as determined by the Secretary on the basis of the most recent information available to him, including any relevant data furnished to him by the Department of Commerce.

"(3) A State's allotment for a fiscal year under this section shall be equal to the sum of the amounts allotted to it under paragraphs (1) and (2); except that if such sum is for any State, other than the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa, less than $75,000 it shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing such sum for each of the remaining States (except the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa), but with such adjustments as may be necessary to prevent such sum for any of such remaining States from being reduced to less than $75,000.

"(c) The amount of any allotment to a State under subsection (b) for any fiscal year which the Secretary determines will not be required for meeting the costs in such State referred to in subsection (a) shall be reallotted from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines (1) have need in meeting the costs referred to in subsection (a) for sums in excess of those previously allotted to them under subsection (b) and (2) will be able to use such excess amounts for meeting such costs during the period for which the original allotment was available. Such reallotments shall be made on the basis of such need and ability, after taking into consideration the population aged sixty-five or over. Any amount so reallotted to a State shall be deemed part of its allotment under subsection (b).

"(d) The allotment of any State under subsection (b) for any fiscal year shall be available for payments pursuant to this section to State agencies which have provided reasonable assurance that there will be expended for the purposes for which such payments are made, for the year for which such payments are made and from funds from State sources, not less than the amount expended for such purposes from such funds for the fiscal year ending June 30, 1969."

(b) Subsection (a)(3) of section 302 of such Act (42 U.S.C. 3022) is amended by striking out "title" and inserting in lieu thereof "section". Subsection (b) of such section is amended by striking out "for carrying out the State plan (if any) approved under this title" and inserting in lieu there-

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of "for grants with respect to projects in the State under this title".

REALLOTMENT

Sec. 6. The first sentence of section 302(b) of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended by striking out "the State notifies the Secretary will" and inserting in lieu thereof "the Secretary determines will".

EXTENSION OF CONTRACT AUTHORITY FOR RESEARCH AND DEVELOPMENT PROJECTS AND TRAINING PROJECTS

Sec. 7. (a) Section 401 of the Older Americans Act of 1965 (42 U.S.C. 3031) is amended by striking out "any such agency" and inserting in lieu thereof "any agency".

(b) Section 501 of such Act (42 U.S.C. 3041) is amended to read as follows: "The Secretary is authorized to make grants to any public or nonprofit private agency, organization, or institution, and contracts with any agency, organization, or institution, for the specialized training of persons employed or preparing for employment in carrying out programs related to the purposes of this Act."

FOSTER GRANDPARENT AND SENIOR COMPANION PROGRAM

Sec. 8. The Older Americans Act of 1965 is further amended by redesignating title VI as title VII, by redesignating sections 601 through 603, and references thereto, as sections 701 through 703, respectively, and by inserting after title V the following new title:

"TITLE VI—FOSTER GRANDPARENT AND SENIOR COMPANION PROGRAM

"AUTHORIZATION OF APPROPRIATIONS FOR GRANTS AND CONTRACTS FOR PERSON-TO-PERSON SERVICE PROJECTS

"Sec. 601. (a) The Secretary shall carry out a program of grants and contracts in accordance with this title. There are authorized to be appropriated for the fiscal year ending June 30, 1970, and each of the next two fiscal years such sums as may be necessary for grants to or contracts with public or nonprofit private agencies and organizations to pay not to exceed 90 per centum of the cost of the development and operation of projects designed to provide opportunities for persons aged sixty or over (to be known as 'Foster Grandparents' in the case of services described in clause (1) and 'Senior Companions' in the case of services described in clause (2) or (3)) to render personal services on an individual relationship basis—

"(1) to children receiving care in hospitals, homes for dependent or neglected children, or other establishments providing care for children with special needs;

"(2) to older persons receiving institutional care in hospitals, nursing homes, intermediate care facilities, or homes for the aged; and

"(3) to persons in need of special personalized assistance because of physical infirmities or other special circumstances.

"(b) Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, in such installments and on such conditions, as the Secretary may determine.

"CONDITIONS OF GRANTS AND CONTRACTS

"Sec. 602. (a) The Secretary shall not award any grant or contract under this title for a project in any State to any agency or organization unless, if such State has a State agency established or designated pursuant to section 303(a)(1) such agency is the recipient of the award or the project application has been submitted to such agency for review and recommendations.

"(b) In administering this title the Secretary shall—

"(1) give preference to projects in which priority will be given in the enrollment of participants to older persons of low income who are no longer in the regular work force;

"(2) award a grant or contract for a project only if he detemines that the project will not result in the displacement of employed workers or impair existing contracts for services;

"(3) award a grant or contract for a project proposed to be undertaken in (and to be limited to) a single community served by a community action agency only if—

"(A) such agency is the recipient of such award or has been afforded a reasonable opportunity to apply for and receive such award; and

"(B) in cases in which such agency does not receive such award, the application contains or is supported by satisfactory assurance that the project has been developed, and will to the extent appropriate be conducted, in consultation with, or with the participation of, such agency;

"(4) award a grant or contract to any agency or organization for a project in which older persons other than those of low income (as determined in accordance with criteria prescribed by the Secretary) are to be enrolled as participants only upon reasonable assurance that such enrollees will not receive reimbursement or compensation from such agency or organization with respect to such participation except for incidental expenses such as transportation and meals.

"(c) The term 'community action agency', as used in this section, means a community action agency established under title II of the Economic Opportunity Act of 1964.

"INTERAGENCY COOPERATION

"Sec. 603. In administering this title, the Secretary shall consult with the Office of Economic Opportunity, the Department of Labor, and any other Federal agency administering programs related to the program under this title with a view to achieving optimal coordination of the program under this title with such other programs and shall promote the coordination of projects under this title with other public or private programs or projects carried out at State or local levels. Such Federal agencies shall cooperate with the Secretary in disseminating information about the availability of assistance under this title and in promoting the identification and interest of older persons whose services may be utilized in projects under this title."

PUBLIC ASSISTANCE

Sec. 9. For the purposes of section 701 of the Economic Opportunity Act of 1964, payments made to or on behalf of any person under a project (of the kind formerly carried on under the Economic Opportunity Act of 1964) assisted under the title VI of the Older Americans Act of 1965 added thereto by this Act shall be deemed to be payments made to or on behalf of such person under title I of the Economic Opportunity Act of 1964.

EVALUATION

Sec. 10. The title of the Older Americans Act of 1965 herein redesignated as title VII is amended by adding at the end thereof the following new section:

"EVALUATION OF PROGRAMS

"Sec. 704. Such portion of any appropriation under title III or VI or section 703 for any fiscal year ending after June 30, 1969, as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the programs authorized by this Act and, in the case of allotments from such an appropriation, the amount available for such allotments (and the amount deemed appropriated therefor) shall be reduced accordingly."

TRUST TERRITORY OF THE PACIFIC ISLANDS

Sec. 11. (a) Sections 102(3) and 302(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3002, 3022) are each amended by inserting "the Trust Territory of the Pacific Islands," after "Guam,".

JOINT FUNDING PROJECTS

Sec. 12. The Older Americans Act is further amended by adding at the end thereof (after section 704, added by section 10 of this Act) the following new section:

"JOINT FUNDING OF PROJECTS

"Sec. 705. Pursuant to regulations prescribed by the President, where funds are advanced for a single project by more than one Federal agency to an agency, organization, institution, or person assisted under this Act, any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each Federal agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose."

CREDIT INSURANCE ABUSES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, merchants who require customers to pay for credit life, health, and accident insurance when they buy products on time are picking their customers' pockets to the tune of $220 million each year.

Customers are not only forced to pay more for the merchandise, but they end up paying two to three times as much for the credit insurance as well.

In my own district in Queens Village, Long Island, a constituent who shopped carefully for a new car found himself in the end paying $90 for credit insurance that should have only cost $30.

In order to deal with these and other such deceptive practices, I am introducing legislation today that would give the Federal Reserve Board the power to set maximum premium rates for life, health, and accident insurance purchased as part of credit transactions.

This legislation is vital if we are to adequately protect our consumers. A purchaser has no bargaining power when he buys insurance and he can easily be deceived into paying more because the insurance cost is small in relation to the primary cost of the transaction.

But make no mistake—repeated purchases on credit multiply the total cost to the customer, to the extent that customers are duped into paying some $200 million a year in excessive charges.

The statistics are staggering. It has been estimated that nearly 35 percent of all credit income to finance companies comes from these charges. Not only is insurance a major source of finance income, but it touches almost all credit purchases—and that means that most of us are being bilked.

Consumer credit insurance arose as a means of protecting the creditor by guaranteeing recovery of the amount owed him in the event of death or disability of his debtor.

In the past years, self-interest motivated most lenders to pay the premiums

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themselves, because they believed it was good business to do so.

But today not only do businessmen require that the customer purchase the insurance, but they encourage insurance companies to set the highest possible rates on premiums, because they receive a kickback in one form or another of all premiums remaining after payment of claims and expenses.

What this means is that many finance companies have found a way to circumvent the usury laws and truth-in-lending legislation.

Mr. Speaker, I feel that the Congress must act with a sense of urgency; $18 million a month is a lot to pay for nothing.

CHILD NUTRITION ACT OF 1966

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. Farbstein) is recognized for 5 minutes.

Mr. FARBSTEIN. Mr. Speaker, yesterday I voted in favor of H.R. 5554, the extension of the special milk program for children because I believe it has an excellent potential for providing needed supplemental nutritional aid to low-income children.

Unfortunately, the program as it has been operated does not benefit those who need its assistance most—the poor child who does not get enough milk at home.

Because the program lays down no standards for eligibility, it is estimated by the Bureau of the Budget that only $7 million of the almost $104 million being spent for the program this fiscal year will go to poor children, those whose families earn less than $3,000 per year. Instead, the program has been operated to extend benefits across the board to rich and poor alike, to those who need it and those who do not.

The Department of Agriculture has the administrative discretion to direct the benefits of this program to those who need it most. With the American people so concerned with the problem of hunger and malnutrition, I am surprised that the administration has not moved in this direction on its own.

To remedy this, I introduced an amendment during debate on H.R. 5554 to provide funds on a priority basis to schools participating in title I of the Elementary and Secondary Education Act of 1965, and within those schools to provide benefits first to children from households which have no income or have income below the poverty index as established by the Social Security Administration. The establishment of such criteria would have insured that the benefits of this program will go to those who need them most. Although this amendment was defeated, I hope the Secretary of Agriculture will, nevertheless, undertake to redirect the program so that it may become one aspect of the war against hunger in the United States.

I realize that both the Johnson and Nixon administrations, because of the current budget squeeze, advocated the elimination of this program with $80 million of the current $103 million going for free and reduced school lunches for fiscal 1970.

I hope the Appropriations Committee will not construe the extension of this program as a mandate to cut the $80 million in new funding for the school lunch program in order to restore it to the special milk program.

When the budget loosens up, I think appropriations should be provided for the milk program, but in the meantime, I think that far greatér benefits can be gained by spending that $80 million for free and reduced cost lunches for poor children. If that is done, lunches can be provided to 1.45 million poor children

HOUSE RESOLUTION REQUESTING THE PRESIDENT TO URGE THE SOVIET UNION TO PROCESS REQUESTS OF SOVIET CITIZENS FOR REUNIONS WITH THEIR FAMILIES WHO ARE OUTSIDE THE U.S.S.R.

(Mr. BRASCO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BRASCO. Mr. Speaker, today 61 Members of the House have introduced a resolution requesting the President to urge the Soviet Union to process the requests of more than 50,000 Soviet citizens for reunions with their families who are outside the U.S.S.R.

This resolution was initiated at the request of the American League for Russian Jews, Inc., a branch of the International League for the Repatriation of Russian Jews, Inc. It is the hope of the league that the President will be able to use his good offices to prevail on the Soviet Government to proceed with the processing of the past and current requests for family reunions with their brethren outside the U.S.S.R. It has been the stated policy of the Soviet Union to permit Russian Jews to be reunited with their families abroad, but approximately 50,000 requests remain unprocessed.

The list of cosponsors follows:

Frank J. Brasco (New York).
Brock Adams (Washington).
Joseph P. Addabbo (New York).
Frank Annunzio (Illinois).
Mario Biaggi (New York).
Jonathan B. Bingham (New York).
John Brademas (Indiana).
Phillip Burton (California).
James A. Byrne (Pennsylvania).
Emanuel Celler (New York).
Shirley Chisholm (New York).
John Conyers, Jr. (Michigan).
Emilio Q. Daddario (Connecticut).
Dominick V. Daniels (New Jersey).
James J. Delaney (New York).
John H. Dent (Pennsylvania).
Edward J. Derwinski (Illinois).
Thaddeus J. Dulski (New York).
Don Edwards (California).
Joshua Eilberg (Pennsylvania).
Dante Fascell (Florida).
Michael A. Feighan (Ohio).
Hamilton Fish, Jr. (New York).
Donald M. Fraser (Minnesota).
Robert N. Giaimo (Connecticut).
Jacob H. Gilbert (New York).
William J. Green (Pennsylvania).
Seymour Halpern (New York).
James M. Hanley (New York).
Richard T. Hanna (California).
Augustus F. Hawkins (California).
Henry Helstoski (New Jersey).
Frank Horton (New York).
James J. Howard (New Jersey).
Edward I. Koch (New York).
Peter N. Kyros (Maine).
Allard K. Lowenstein (New York).
Richard D. McCarthy (New York).
Spark M. Matsunaga (Hawaii).
Abner J. Mikva (Illinois).
Joseph G. Minish (New Jersey).
John M. Murphy (New York).
Robert N. C. Nix (Pennsylvania).
Richard L. Ottinger (New York).
Claude Pepper (Florida).
Otis G. Pike (New York).
Bertrám L. Podell (New York).
Melvin Price (Illinois).
Roman C. Pucinski (Illinois).
Ogden R. Reid (New York).
Henry S. Reuss (Wisconsin).
Howard W. Robison (New York).
Peter W. Rodino, Jr. (New Jersey).
Benjamin S. Rosenthal (New York).
William F. Ryan (New York).
Fernand J. St Germain (Rhode Island).
Frank Thompson, Jr. (New Jersey).
Jerome R. Waldie (California).
Lester L. Wolff (New York).
John W. Wydler (New York).
Gus Yatron (Pennsylvania).

POLISH CONSTITUTION DAY

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, within the span of 3 short days, May 1 to May 3, we commemorated two occasions which typify man's endless quest for a just and humane society. On May 1, we observed Law Day; on May 3 we celebrated the 178th anniversary of the adoption of the Polish Constitution. It is of the latter I speak today.

That expression of liberalism, the Polish Constitution of 1791, has stood the test of time despite the physical oppression of the Polish state. The concept of national sovereignty firmly embedded in that document also clearly reflected the Polish people's embracement of human rights. Their constitution has served as a beacon for all freedom loving people.

Americans in particular have a special feeling about Polish Constitution Day—not only Polish Americans, but Americans of all backgrounds. For it was only 2 years after our Nation adopted its Constitution that Poland began her venture as a free nation swathed in a constitutional framework, much like the United States, dedicated to the principles of equality and justice for the individual.

We have been more fortunate in that our Nation has not been subjected to foreign rule. But the fate of Poland has not denied her lasting impact on the Western World, or the heroic and monumental contributions of her people. The fields of art, literature, music, drama, science and medicine, public service, and sports are but a few where the sons and daughters of Poland have bequeathed lasting contributions to the rest of the world.

Many Polish Americans have retained the charms and customs of their homeland—adding greatly to our Nation's rich cultural heritage. We are a people rich in diversity of thought, expression, and feeling. Our pluralism has been a source of strength in our national fabric, not a weakness as some contend. It is true that today we are faced with rapid social change which is straining the threads of our diverse unity. But, as in the past, I am confident that the forces of change will be directed realistically, the emerg-

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ing social groups assimilated into the mainstream of American life, and the Nation's business conducted purposefully.

The Polish American has demonstrated this process, yet retaining his pride, his identity, and his self-concept. We can all take lessons from him and I am certain that those who are now seeking their rightful place in society will profit from the experience of many Polish Americans who have bridged the gap and have become citizens of full standing. And I am certain our Polish Americans will help these people.

GENERAL LEAVE

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill H.R. 5554, to provide a special milk program for children, which passed yesterday, May 6, 1969.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Pucinski, for 1 hour, today.

(The following Members (at the request of Mr. Esch) to address the House and to include extraneous matter:)

Mr. Steiger of Wisconsin, for 15 minutes, today.

Mr. Halpern, for 5 minutes, today.

Mr. Farbstein (at the request of Mr. Kluczynski), for 20 minutes today; to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Gross in two instances and to include extraneous matter.

(The following Members (at the request of Mr. Esch) and to include extraneous matter:)

Mr. Pettis in three instances.
Mr. Horton.
Mr. Findley.
Mr. Hansen of Idaho.
Mr. Weicker.
Mr. Schwengel in two instances.
Mr. Martin.
Mr. Coughlin.
Mr. Schneebeli.
Mr. Ashbrook in two instances.
Mr. Saylor.
Mr. Minshall in two instances.
Mr. Bray in three instances.
Mr. Derwinski in two instances.
Mr. Conte.
Mr. Berry.

(The following Members (at the request of Mr. Kluczynski) and to include extraneous material:)

Mr. Matsunaga in two instances.
Mr. Hamilton in 10 instances.
Mr. Ottinger in two instances.
Mr. Gonzalez in three instances.
Mr. Celler.
Mr. Murphy of New York.
Mr. Byrne of Pennsylvania.
Mr. Boland in three instances.
Mr. Rarick in three instances.
Mr. Roybal in six instances.
Mr. Donohue.
Mr. Johnson of California.
Mr. Griffin.
Mr. Annunzio in five instances.
Mr. Dent.
Mr. Rivers.
Mr. Ryan in four instances.
Mr. Vigorito.
Mr. Galifianakis in two instances.
Mr. Dulski in three instances.
Mr. Vanik in two instances.
Mr. Fascell in two instances.
Mr. Hawkins.
Mr. Carey.
Mr. Feighan in five instances.
Mr. Edwards of California in two instances.

ADJOURNMENT

Mr. KLUCZYNSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Thursday, May 8, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

744. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes for the quarter ended March 31, 1969, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

745. A letter from the Comptroller General of the United States, transmitting a report on the use of missile procurement funds to finance research and development efforts, Department of the Air Force; to the Committee on Government Operations.

746. A letter from the Archivist of the United States, transmitting a report of records proposed for disposal under the law; to the Committee on House Administration.

747. A letter from the Attorney General, transmitting a draft of proposed legislation to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

748. A letter from the Attorney General, transmitting a draft of proposed legislation to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENDERSON: Committee on Post Office and Civil Service. H.R. 9233. A bill to amend title 5, United States Code, to promote the efficient and effective use of the revolving fund of the Civil Service Commission in connection with certain functions of the Commission, and for other purposes (Rept. No. 91–188). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. House Joint Resolution 677. Joint resolution to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969 (Rept. No. 91–189). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. House Concurrent Resolution 207. Concurrent resolution, Gen. Omar N. Bradley; with amendment (Rept. No. 91–190). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 11004. A bill to amend title 28, United States Code, to limit the appellate jurisdiction of the Supreme Court in certain cases relating to the apportionment of population among districts from which Members of Congress are elected; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 11005. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 11006. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 11007. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

H.R. 11008. A bill to amend title 28, United States Code, to limit the appellate jurisdiction of the Supreme Court in certain cases relating to the apportionment of population among districts from which Members of Congress are elected; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 11009. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 11010. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures forthwith, and to require the suspension of Federal financial assistance to teachers participating in such disorders; to the Committee on Education and Labor.

By Mr. COUGHLIN:

H.R. 11011. A bill to amend the Internal Revenue Code of 1954 to provide the same benefits for employees of public hospitals with respect to certain pensions and profit-sharing plans as those presently provided for employees of private nonprofit hospitals, other charitable organizations, and public and private schools; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 11012. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. CUNNINGHAM:

H.R. 11013. A bill to designate the Interstate System as the "Eisenhower Interstate Highway System"; to the Committee on Public Works.

By Mr. DADDARIO:

H.R. 11014. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DICKINSON (for himself, Mr. Beall of Maryland, Mr. Brock, Mr. Buchanan, Mr. Duncan, Mr. Edwards of Louisiana, Mr. Evans of Colorado, Mr. Hicks, Mr. King, Mr. Lukens, Mr. Mikva, Mr. Pike, Mr. Robison, Mr. Whitehurst, and Mr. Williams):

H.R. 11015. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the only son of a family, and for other purposes; to the Committee on Armed Services.

By Mr. ECKHARDT (for himself, Mr. Button, Mr. Dingell, Mr. Edwards, of California, Mr. Halpern, Mr. Mann, Mr. Mikva, Mr. Podell, and Mr. Udall):

H.R. 11016. A bill declaring public interest in the open beaches of the Nation, providing for the protection of such interest, for the acquisition of easements pertaining to such seaward beaches, and for the orderly management and control thereof; to the Committee on Interior and Insular Affairs.

By Mr. EVINS of Tennessee:

H.R. 11017. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. FLOWERS:

H.R. 11018. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures forthwith, and to require the suspension of Federal financial assistance to teachers participating in such disorders; to the Committee on Education and Labor.

By Mr. FREY:

H.R. 11019. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. FUQUA:

H.R. 11020. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 11021. A bill to amend title 28, United States Code, to limit the appellate jurisdiction of the Supreme Court in certain cases relating to the apportionment of population among districts from which Members of Congress are elected; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 11022. A bill to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone; to the Committee on Ways and Means.

By Mr. GRIFFIN (for himself and Mr. Flowers).

H.R. 11023. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. HALPERN:

H.R. 11024. A bill to protect consumers from abuses relative to excessive charges for life, health, and accident insurance pursuant to consumer credit transactions; to the Committee on Banking and Currency.

H.R. 11025. A bill to establish a National Commission on Libraries and Information Science, and for other purposes; to the Committee on Education and Labor.

H.R. 11026. A bill to permit the Federal Government to further assist the States in the control of illegal gambling, and for other purposes; to the Committee on the Judiciary.

By Mr. HUNT:

H.R. 11027. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deduction from benefits thereunder; to the Committee on Ways and Means.

By Mr. KING:

H.R. 11028. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. KLUCZYNSKI:

H.R. 11029. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures forthwith, and to require the suspension of Federal financial assistance to teachers participating in such disorders; to the Committee on Education and Labor.

By Mr. LOWENSTEIN:

H.R. 11030. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McCULLOCH (for himself, Mr. Gerald R. Ford, Mr. Poff, Mr. Cahill, Mr. MacGregor, Mr. Hutchinson, Mr. McClory, Mr. Smith of New York, Mr. Meskill, Mr. Sandman, Mr. Railsback, Mr. Dennis, Mr. Fish, Mr. Coughlin, Mr. Feighan, Mr. Bow, Mr. Minshall, Mr. Latta, Mr. Devine. Mr. Ashbrook, Mr. Clancy, Mr. Harsha, Mr. Taft, Mr. Wylie, and Mr. Cunningham):

H.R. 11031. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

By Mr. McCULLOCH (for himself, Mr. Gerald R. Ford, Mr. Poff, Mr. Cahill, Mr. MacGregor, Mr. Hutchinson, Mr. McClory, Mr. Smith of New York, Mr. Meskill, Mr. Sandman, Mr. Railsback, Mr. Dennis, Mr. Coughlin, Mr. Feighan, Mr. Bow, Mr. Minshall, Mr. Latta, Mr. Devine, Mr. Ashbrook, Mr. Clancy, Mr. Harsha, Mr. Taft, Mr. Wylie, Mr. Cunningham, and Mr. Wyman):

H.R. 11032. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

By McFALL:

H.R. 11033. A bill to amend section 228 of the Social Security Act to provide that every uninsured individual who is otherwise qualified shall be eligible at age 72, without regard to when such age is attained, for the special monthly benefits payable thereunder; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 11034. A bill to amend title 28, United States Code, to limit the appellate jurisdiction of the Supreme Court in certain cases relating to the apportionment of population among districts from which Members of Congress are elected; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 11035. A bill to authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs, and for other related educational purposes; to the Committee on Education and Labor.

By Mr. MIKVA:

H.R. 11036. A bill to abolish the death penalty under all laws of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 11037. A bill to provide equitable access to the U.S. market for imported textiles; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 11038. A bill to amend section 27 of the Merchant Marine Act, 1920, in order to exempt from the provisions of such section the transportation of merchandise between points in the State of Alaska and points in the State of Hawaii; to the Committee on Merchant Marine and Fisheries.

By Mr. MORGAN:

H.R. 11039. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York:

H.R. 11040. A bill to improve and increase postsecondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges; to the Committee on Education and Labor.

By Mr. NIX:

H.R. 11041. A bill to provide for nationally uniform minimum standards and eligibility requirements for public assistance, to provide for a supplemental family allowance program, and to provide that the cost of public assistance under the Social Security Act shall be fully borne by the Federal Government; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 11042. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RARICK:

H.R. 11043. A bill to require the suspension of Federal financial assistance to colleges and universities failing to take appropriate corrective measures forthwith when experiencing campus disorders, and to require the suspension of Federal financial assistance to teachers participating in such disorders; to the Committee on Education and Labor.

By Mr. ROYBAL:

H.R. 11044. A bill to amend the public assistance provisions of the Social Security Act to increase the Federal share of a State's expenditures under the public assistance programs (including administrative expenses) to 90 percent, to provide for the establishment of nationally uniform minimum standards for aid or assistance thereunder, and to repeal the freeze on the number of children with respect to whom Federal payments may be made under the AFDC program; to the Committee on Ways and Means.

By Mr. SHRIVER:

H.R. 11045. A bill to amend title II of the Social Security Act to increase the amount of the widow's and widower's insurance benefits payable thereunder to individuals who have attained age 65; to the Committee on Ways and Means.

H.R. 11046. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,600 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

H.R. 11047. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Ways and Means.

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By Mr. STEIGER of Wisconsin (for himself, Mr. Ayres, Mr. Quie, Mr. Bell of California, Mr. Erlenborn, Mr. Scherle, Mr. Dellenback, Mr. Esch, Mr. Eshleman, Mr. Collins, and Mr. Hansen of Idaho):

H.R. 11048. A bill to amend the Older Americans Act of 1965 to extend its duration, to authorize assistance for projects for foster grandparents and senior companions, to provide assistance to strengthen State agencies on aging, and to otherwise strengthen and improve that act; to the Committee on Education and Labor.

By Mr. TEAGUE of California:

H.R. 11049. A bill to enable honey producers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for honey; to the Committee on Agriculture.

H.R. 11050. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.R. 11051. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $2,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 11052. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. WATSON:

H.R. 11053. A bill to amend title 28, United States Code, section 753(e), to eliminate the maximum and minimum limitations upon the annual salary of reporters; to the Committee on the Judiciary.

My Mr. WOLFF:

H.R. 11054. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 704. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.J. Res. 705. Joint resolution proposing amendment to the Constitution of the United States relating to the eligibility of certain persons to vote for any candidate for elector of President and Vice President or for a candidate for election as a Senator or Representative in Congress; to the Committee on the Judiciary.

By Mr. WOLD:

H.J. Res. 706. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GALIFIANAKIS:

H. Con. Res. 243. Concurrent resolution, International Conference for Territorial Seas; to the Committee on Foreign Affairs.

By Mr. PODELL:

H. Con. Res. 244. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. BRASCO (for himself, Mr. Adams, Mr. Addabbo, Mr. Annunzio, Mr. Biaggi, Mr. Bingham, Mr. Brademas, Mr. Burton of California, Mr. Byrne of Pennsylvania, Mr. Celler, Mrs. Chisholm, Mr. Daddario, Mr. Daniels of New Jersey, Mr. Delaney, Mr. Dent, Mr. Derwinski, Mr. Dulski, Mr. Edwards of California, Mr. Eilberg, Mr. Feighan, Mr. Fish, Mr. Fraser, Mr. Giaimo, Mr. Gilbert, and Mr. Green of Pennsylvania):

H. Res. 395. Resolution requesting the President to urge the Soviet Union to process the requests of 50,000 Soviet citizens for reunions with their families who are outside the U.S.S.R.; to the Committee on Foreign Affairs.

By Mr. BRASCO (for himself, Mr. Halpern, Mr. Hanley, Mr. Hanna, Mr. Hawkins, Mr. Helstoski, Mr. Horton, Mr. Howard, Mr. Koch, Mr. Kyros, Mr. Lowenstein, Mr. McCarthy, Mr. Matsunaga, Mr. Mikva, Mr. Minish, Mr. Murphy of New York, Mr. Nix, Mr. Ottinger, Mr. Pepper, Mr. Pike, Mr. Podell, Mr. Price of Illinois, Mr. Pucinski, Mr. Reid of New York, and Mr. Robison):

H. Res. 396. Resolution requesting the President to urge the Soviet Union to process the requests of 50,000 Soviet citizens for reunions with their families who are outside the U.S.S.R.; to the Committee on Foreign Affairs.

By Mr. BRASCO (for himself, Mr. Rodino, Mr. Rosenthal, Mr. Ryan, Mr. St Germain, Mr. Thompson of New Jersey, Mr. Tiernan, Mr. Waldie, Mr. Wolff, Mr. Wydler, and Mr. Yatron):

H. Res. 397. Resolution requesting the President to urge the Soviet Union to process the requests of 50,000 Soviet citizens for reunions with their families who are outside the U.S.S.R.; to the Committee on Foreign Affairs.

By Mr. MORSE:

H. Res. 398. Resolution authorizing a Representative in Congress who is a member of a certain committee to designate one of his employees to be cleared for access to classified information available to the the Representatives in his capacity as a member of such committee; to the Committee on Rules.

By Mr. PEPPER:

H. Res. 399. Resolution to provide funds for the study and investigation authorized by House Resolution 17; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

157. The SPEAKER presented a memorial of the Legislature of the Commonwealth of Massachusetts, relative to a uniform welfare system, which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BIAGGI:

H.R. 11055. A bill for the relief of Vincenzo Armetta; to the Committee on the Judiciary.

H.R. 11056. A bill for the relief of Despina Legakis; to the Committee on the Judiciary.

H.R. 11057. A bill for the relief of Vincenzo and Agatha Sgroi; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 11058. A bill for the relief of Suriya Sompunth; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 11059. A bill for the relief of Chan Cheuk Kuen; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 11060. A bill for the relief of Victor L. Ashley; to the Committee on the Judiciary.

By Mr. HUNT:

H.R. 11061. A bill to provide private relief for certain members of the U.S. Navy recalled to active duty from the Fleet Reserve after September 27, 1965; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 11062. A bill for the relief of Gonzalo Pino and his wife, Anna Maria Pino; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 11063. A bill for the relief of Zofia Chajduk; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

104. The SPEAKER presented a petition of Jay Creswell, Orlando, Fla., relative to redress of grievances, which was referred to the Committee on Banking and Currency.

EXTENSIONS OF REMARKS

JAPANESE AMERICAN CITIZENS LEAGUE CELEBRATES CENTENNIAL OF WAKAMATSU TEA AND SILK COLONY AT GOLD HILL, CALIF.

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. JOHNSON of California. Mr. Speaker, 1 month from today, on June 7, to be exact, a California historical landmark will be dedicated at Gold Hill, in El Dorado County, to mark the site of the Wakamatsu Tea and Silk Colony, the first recognized settlement of Japanese immigrants to the continental United States.

This observance will also officially inaugurate the Japanese immigration centennial commemorating the 100th anniversary of the arrival of the first Japanese for permanent residence in this country.

Gov. Ronald Reagan, Japanese Consul General Seiichi Shima, and national president of the Japanese American Citizens League—JACL—Jerry Enomoto will be among the featured participants in the dedication ceremonies.

A bronze plaque, to be fitted into a 17-ton granite boulder, will carry the inscription:

> Wakamatsu Tea and Silk Colony. Site of the only tea and silk farm established in California. First agricultural settlement of pioneer Japanese immigrants who arrived at Gold Hill on June 8, 1869. Despite the intial success, it failed to prosper. It marked the beginning of Japanese influence on the agricultural economy of California. California Registered Historical Landmark No. 815. Plaque placed by the State Department of Parks and Recreation in cooperation with the Japanese American Citizens League and the El Dorado County Historical Society. June 7, 1969.

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That same evening the Japanese immigration centennial commemorative banquet will be held in Sacramento, with William Hosokawa, associate editor of the Denver Post, as the guest speaker. Mr. Hosokawa has just completed the manuscript of a book entitled "Nisei: The Quiet Americans: The Story of a People," a popular history of the Japanese in the United States during the past 100 years that is to be published early this winter by William Morrow & Co.

Perhaps the concluding paragraph of the successful application for the historical landmark recognition sums up the reason for this commemorative occasion:

> Although the Wakamatsu Tea and Silk Farm Colony was short-lived and suffered its tragic ending, it signaled the coming of Japanese pioneers to America and the beginning of their notable contribution of the agricultural industry of California. During the past three-quarters of the century, they have left their marks in the teeming valleys throughout the length and breadth of this great State. Many descendants are carrying on the work of their pioneer forebears with the same devotion, determination and skill which helped to make California the most productive farming State in the United States and the greatest agricultural region in the world. Thus, it is befitting that the land which was once the Wakamatsu Tea and Silk Farm Colony be historically recognized as the site of (a) the only silk and tea farm in this State and (b) the first venture into agriculture by Japanese immigrants in the United States and (c) where the important participation of the pioneers from Japan to California's agriculture had its beginning.

SUMMARY HISTORY

Henry Taweta, a native Californian and an attorney practicing in Sacramento, wrote about the so-called Wakamatsu story in the winter 1969 issue of the Pacific Historian in a feature article entitled "1969—The Centennial Year."

After describing the research that established the existence of the Wakamatsu Colony, Taketa described the short-lived saga of the Japanese colonists:

> The most notable contribution of the pioneer immigrants from Japan to the economy and industry of the State of California and the United States has been in the field of agriculture. With utmost patience, perserverance and industry, they cleaned, leveled and irrigated land and brought crops to bear in soil which had previously remained idle or had been put to limited use for pasturage and grazing.
>
> Japanese immigration of any consequence to the United States was in the late 1890s and early 1900s, and their influence upon California's farming industry was in direct ratio to the number of new arrivals. However, it is most significant that its humble beginning was with the coming of a small but proud and determined group from Aizu Wakamatsu in Japan to Gold Hill, El Dorado County, on or about June 8, 1869, to establish a farm settlement, although this venture lasted less than two years and ended in tragedy.
>
> Aizu Wakamatsu, led by its last feudal lord, Katamori Matsudaira, and a number of other ruling clans had the misfortune of supporting Tokugawa Shogunate in its conflict against the followers of Emporer Meiji who favored centralized imperial power and had suffered a crushing defeat. Chaos reigned for a time in Japan, and there was genuine fear for life and property among the losers. Either at the suggestion of Eduard Schnell, a trader of Dutch or German descent and a long-time confidant of the lord of the Aizu Wakamatsu, or to prepare for a possible sanctuary of refuge if it became necessary to flee the homeland, Lord Matsudaira made plans for the first organized emigration to the United States and brought into existence the ill-fated and short-lived Wakamatsu Tea and Silk Farm Colony of Gold Hill.
>
> Between nine to ten persons under the leadership of Eduard (John Henry) Schnell constituted the first vanguard of several groups of contingents. Sixteen more were soon to follow, and others (including Okei, nursemaid to the Schnell household, Matsu and Kuni) were to arrive at the Colony later. Gold Hill of El Dorado County may have been selected for this colonization for its scenic and topographical similarity to their Japanese homeland or because many early settlers were from Holland or Germany as was Schnell. Many of the colonists were farmers and those in the trades, but several were samurai followers of Lord Matsudaira. Six Japanese women, including Mrs. Schnell and four young children, were with the pioneer colony. Two of the children were the daughters of Mr. and Mrs. Schnell, and the remaining two were daughters of Japanese families. The original party arrived at San Francisco aboard the sidewheeler China, of the Pacific Mail Steamship Company, on May 27, 1869, proceeded to Sacramento by riverboat, and thence wagoned to Placerville and Gold Hill where Eduard Schnell had arranged to purchase 160 acres for the farm colony. With them came 50,000 three-year-old mulberry trees for silk farming, a large quantity of bamboo roots for food and craft industry, tea seeds, wax tree stocks, grape seedlings and other varieties of plants and seeds of their native land. Also, sizeable shipments of cuttings and plants were to be received at Gold Hill after initial preparations had been completed. However restrictive or limited, the Japanese people were now traveling between California and their homeland of Japan in the interest of their agricultural undertaking at Gold Hill, El Dorado County.
>
> Immediately upon their arrival, the settlers set out to build their homes and clear and plant their crops on the land purchased from Charles M. Graner, and for over a year it appeared that they would be rewarded for their determination and many sacrifices. However, combination of dry climate of the area, scarcity of irrigation water, lack of funds and failure of financial assistance to come from Japan as promised doomed the pioneer project in less than two years. Beset with money problems and other problems, Eduard Schnell left the colony with his Japanese wife and two minor daughters with assurance to the colonists that he would return with much needed funds, but he failed to do this and thus abandoned his Japanese followers to their own fate in a strange and often hostile land.
>
> As dictated by necessity and self-preservation, the settlers sold most of their valuables and belongings to ward off hunger while patiently waiting for their leader who never returned, and ultimately each was compelled to go his own way. Some were able to return to Japan and others moved elsewhere where employment was more promising. From every indication, only Matsunosuke Sakurai, a samurai, and Okei Ito, nursemaid to the Schnell household, remained behind at Gold Hill where they were befriended and employed by the early pioneer family of Francis Veerkamp. His descendants are to be found in the Gold Hill-Coloma area where they are engaged in farming and business. Okei is said to have died of fever at the age of 19 in the spring of 1871, and was buried at the knoll of a hill which she frequently climbed to watch the setting sun and gaze in the direction of her homeland. Her headstone reads both in English and Japanese, "In Memory of Okei, died 1871, Age 19 years, a Japanese Girl". Matsunosuke Sakurai faithfully served the Veerkamp family until his death on February 25, 1901, and he now lies at rest in the Vineyard Cemetery at Coloma, the historical site of Marshall's gold discovery and a few miles from Gold Hill.
>
> With its tragic ending, the colony soon passed into oblivion, and its very existence was lost and forgotten until after World War I. Unquieted rumor persisted that a Japanese girl, who died in the gold-rush period, was buried at Gold Hill near Coloma. A search was undertaken by several Sacramentans, and the first person they interviewed was the 75 year old Henry Veerkamp, son of the pioneer settlers who befriended and gave shelter and employment to Okei Ito and Matsunosuke Sakurai, the last of the colonists to remain at Gold Hill. He was a year older than the Japanese girl he knew as "Okei San" and, in vividly recalling the past, he told the story of the tea and silk farm, its Japanese pioneers and their hopes, industry, disappointments, suffering, hardships and ultimate abandonment of the colony. He pointed out the site of the settlement and the location of Okei's grave, and thus the Wakamatsu Tea and Silk Farm Colony was rediscovered.

OFFICIAL PROCLAMATIONS

Assembly Concurrent Resolution 10, coauthored by Assemblyman Eugene A. "Gene" Chappie of El Dorado County and Senator Stephen P. Teale of Sacramento, was passed by the Assembly on January 20, 1969, and by the Senate on January 21, 1969.

It resolved:

> That the Members of the Legislature join in commemorating the centennial celebration of Japanese immigration to the United States and express the deep appreciation of all citizens of California for the immense and invaluable contributions made by Japanese Americans to the rich cultural heritage of this state and of America.

In February, the legislature approved Assembly Joint Resolution 10, which was also coauthored by Assemblyman Chappie and Senator Teale:

> That the Legislature of the State of California recommend that the Post Office Department of the United States of America print a commemorative stamp honoring the centennial of Japanese immigration to the United States of America . . . (and) That Richard M. Nixon, President of the United States of America, be requested to proclaim the year 1969, the centennial year for the people of Japanese descent in the United States. . . .

And, on February 3, 1969, Gov. Ronald Reagan issued an official proclamation, noting—

> With patience, perseverance and industry, the Japanese have contributed much to California, particularly in agriculture, for the past decades since their arrival in the Golden State, adding to our heritage and history" and and designating "the year 1969 as Japanese Centennal Year, (and) urging all Californians to study the contributions of the Japanese to our California way of life.

WAKAMATSU CENTENNIAL COMMITTEE

The members of the Wakamatsu Centennial Committee are James Murakami, Northern California-Western Nevada JACL District Council Project coordinator and chairman; George Oki, finance chairman; Henry Taketa and Akiji Yoshimura, program cochairmen; Hike Yego, Coloma celebration chairman;

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Tom Fujimoto, monument design chairman; John H. Michael, State of California department of parks and recreation; William Matsumoto, public relations officer; George Baba, budget chairman; John Hassler, El Dorado County historical society; S. Nakatani, sponsor, Wakamatsu State Registration; M. Yamasaki, monument placement and landmark chairman and sponsor; Mrs. E. Sayre, sponsor, Wakamatsu State Registration; Mrs. Mary Tsukamoto, Momento booklet chairman; Dr. Kengo Terashita, Northern California-Western Nevada JACL District Council governor; Mas Sataow, National JACL director; and Jerry Enomoto, National JACL president.

NATIONAL JACL JAPANESE IMMIGRATION CENTENNIAL COMMITTEE

The National JACL Japanese Immigration Centennial Committee includes Haruo Ishimaru of Cupertino, chairman; Dr. Roy Nishikawa of Los Angeles, centennial banquet chairman; James Murakami of Santa Rosa, Wakamatsu centennial committee chairman; Akiji Yoshimura of Colusa, chapter liaison chairman; Masao Satow of San Francisco; National JACL director; and Jerry Enomoto of Sacramento, National JACL president, all of California, and Mike Masaoka of Washington, D.C., Washington JACL representative.

The National JACL Committee will soon announce additional plans for a year-long commemorative celebration which will involve both the United States and Japan, the land of the citizenship and the country of the ancestry of most of its members, including a search for the oldest living Japanese immigrant and the oldest living Japanese American born on the continental mainland, Washington and Tokyo observances, and a climatic banquet in Los Angeles, where the greatest number of those of Japanese ancestry on the mainland United States currently reside.

Mr. Speaker, I ask unanimous consent that California Assembly Concurrent Resolution 10, California Assembly Joint Resolution 10, and Governor Reagan's proclamation be printed in the RECORD following my remarks:

ASSEMBLY JOINT RESOLUTION 10

Joint resolution relative to the issuing of a commemorative stamp and a Presidential proclamation upon the centennial of Japanese immigration to the United States of America

Whereas, the first group of Japanese immigrants arrived from Aizu Wakamatsu, Japan, aboard the sidewheeler "China" of The Pacific Mail Steamship Company and entered the United States on May 27, 1869, at San Francisco; and

Whereas, this valiant and brave band of colonists proceeded to Sacramento by riverboat, traveled overland by wagon to Placerville and Gold Hill, and established the Wakamatsu Tea and Silk Farm Colony of Gold Hill by clearing the land, building their homes, and cultivating plants and seeds, including 50,000 three-year-old mulberry trees for silk farming, which they had brought with them from their native land; and

Whereas, although this pioneer project was doomed in less than two years by a combination of dry climate and a scarcity of irrigation water, it nevertheless heralded a period during which the Japanese people immigrated to California to participate in the beginnings of the Golden State's agricultural industry; and

Whereas, on December 16, 1966, the Historical Landmarks Advisory Committee of the Division of Beaches and Parks unanimously approved the Wakamatsu Tea and Silk Farm Colony of Gold Hill as a historical landmark and stated that "Although the Wakamatsu Tea and Silk Farm Colony was short lived and suffered its tragic ending, it signaled the coming of Japanese pioneers to America and the beginning of their notable contribution to the agricultural history of California. During the past three-quarters of a century, they have left their marks in the teeming valleys throughout the length and breadth of this great state. Many descendants are carrying on the work of their pioneer forebears with the same devotion, determination and skill which helped to make California the most productive farming state in the United States and the greatest agricultural region in the world . . ."; and

Whereas, on June 7, 1969, a monument bearing the state historical plaque will be dedicated in appropriate ceremonies at Good Hill, and the ceremonies will be attended by persons from many parts of our nation who are of Japanese descent as well as visitors from Japan; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California recommend that the Post Office Department of the United States of America print a commemorative stamp honoring the centennial of Japanese immigration to the United States of America; and be it further

Resolved, That Richard M. Nixon, President of the United States of America, be requested to proclaim the *year 1969, the centennial year for the people of Japanese descent in the United States;* and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States and the Postmaster General of the United States.

ASSEMBLY CONCURRENT RESOLUTION 10

Concurrent resolution relative to commemorating the centennial of Japanese immigration to the United States

Whereas, the first group of Japanese immigrants arrived from Aizu Wakamatsu, Japan, aboard the sidewheeler "China" of The Pacific Mail Steamship Company and entered the United States on May 27, 1869, at San Francisco; and

Whereas, this valiant and brave band of colonists proceeded to Sacramento by riverboat, traveled overland by wagon to Placerville and Gold Hill, and established the Wakamatsu Tea and Silk Farm Colony of Gold Hill by clearing the land, building their homes, and cultivating plants and seeds, including 50,000 three-year-old mulberry trees for silk farming, which they had brought with them from their native land; and

Whereas, although this pioneer project was doomed in less than two years by a combination of dry climate and a scarcity of irrigation water, it nevertheless heralded a period during which the Japanese people immigrated to California to participate in the beginnings of the Golden State's agricultural industry; and

Whereas, on December 16, 1966, the Historical Landmarks Advisory Committee of the Division of Beaches and Parks unanimously approved the Wakamatsu Tea and Silk Farm Colony of Gold Hill as a historical landmark and stated that "Although the Wakamatsu Tea and Silk Farm Colony was short-lived and suffered its tragic ending, it signaled the coming of Japanese pioneers to America and the beginning of their notable contribution to the agricultural industry of California. During the past three-quarters of the century, they have left their marks in the teeming valleys throughout the length and breadth of this great State. Many descendants are carrying on the work of their pioneer forebearers with the same devotion, determination and skill which helped to make California the most productive farming state in the United States and the greatest agricultural region in the world . . ."; and

Whereas, marking the first centennial of Japanese immigration to America, the year 1969 bears witness to a century in which Japanese-Americans have made immense contributions to the culture and heritage of their adopted land and have overcome times of trial by perseverance and boundless faith in the United States, which faith is best personified by the Japanese American Creed, which states:

"I am proud that I am an American citizen of Japanese ancestry, for my very background makes me appreciate more fully the wonderful advantages of this nation. I believe in her institutions, ideals, and traditions; I glory in her heritage; I boast of her history; I trust in her future. She has granted me liberties and opportunities such as no individual enjoys in the world today. She has given me an education befitting kings. She has entrusted me with the responsibilities of the franchise. She has permitted me to build a home, to earn a livelihood, to worship, think, speak, and act as I please—as a free man equal to every other man.

"Although some individuals may discriminate against me, I shall never become bitter or lose faith, for I know that such persons are not representative of the majority of the American people. True, I shall do all in my power to discourage such practices, but I shall do it in the American way: above-board, in the open, through courts of law, by education, by proving myself to be worthy of equal treatment and consideration. I am firm in my belief that American sportsmanship and attitude of fair play will judge citizenship and patriotism on the basis of action and achievement, and not on the basis of physical characteristics.

"Because I believe in America, and I trust she believes in me, and because I have received innumerable benefits from her, I pledge myself to do honor to her at all times and in all places; to support her constitution; to obey her laws; to respect her flag; to defend her against all enemies, foreign or domestic; to actively assume my duties and obligations as a citizen, cheerfully and without any reservations whatsoever, in the hope that I may become a better American in a greater America."; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature join in commemorating the centennial celebration of Japanese immigration to the United States and express the deep appreciation of all the citizens of California for the immense and invaluable contributions made by Japanese-Americans to the rich cultural heritage of this state and of America; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitable prepared copy of this resolution to the Japanese-American Citizens League.

PROCLAMATION

Whereas, in May, 1869, the first Japanese in California arrived in San Francisco aboard the sidewheeler "China" and proceeded to Sacramento by riverboat, thence to Placerville by wagon and on to Gold Hill, El Dorado County, a few miles from the site of Coloma, where gold was discovered in 1848; and

Whereas, these early Japanese pioneers set up a colony to grow silk and tea as the Wakamatsu Tea and Silk Farm, which through a series of tragedies, lasted less than two years; and

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Whereas, on December 16, 1966, California's Historical Landmarks Advisory Committee, Division of Beaches and Parks, did recognize the Watamatsu Tea and Silk Farm colony of Gold Hill as an episode of historical significance in the history of early California, and will dedicate the historical landmark plaque at the site of the farm colony on June 7, 1969; and

Whereas, the Coloma Gold Discovery Day on January 26, 1969, celebrated the arrival of these first Japanese pioneers by focusing on Japanese arts and crafts; and

Whereas, May, 1969, is the centennial of the first arrival of Japanese in California; and

Whereas, with patience, perseverence and industry, the Japanese have contributed much to California, particularly in agriculture, for the past decades since their arrival in the Golden State, adding to our heritage and history,

Now therefore, I, Ronald Reagan, Governor of California, do hereby proclaim the year 1969 as Japanese Centennial Year, urging all Californians to study the contributions of the Japanese to our California way of life.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed here this 3rd day of February, One Thousand Nine Hundred Sixty Nine.

RONALD REAGAN,
Governor.
FRANK M. JORDAN,
Secretary of State.
By H. P. SULLIVAN,
Deputy Secretary of State.

ABOLITION OF THE ELECTORAL COLLEGE AND THE ESTABLISHMENT OF DIRECT POPULAR ELECTIONS

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. BOLAND. Mr. Speaker, the need for abolition of the Electoral College is clear and pressing. Every 4 years we are flirting with the possibility of a constitutional crisis and the equally alarming possibility of denying the voters' will. The House Judiciary Committee, after months of private study and public hearings, last week reported out legislation calling for outright abolition of the electoral college and the establishment of direct popular elections. This proposed constitutional amendment—virtually identical to one I introduced the first day of the 1969 session—has a good chance of winning passage in the Congress and ratification in the State legislatures by the next presidential election in 1972.

George Wallace may again run for the Nation's highest office in 1972—and, again, just as he did in 1968, he may threaten to barter away his electoral votes for political concessions. This threat makes the need for swift electoral reform even more urgent.

With permission, Mr. Speaker, I put in the RECORD at this point David Broder's May 6 column and a May 5 Washington Post editorial outlining the need for popular presidential elections:

[From the Washington Post, May 6, 1969]

POLITICAL IMAGE IS DECEIVING WHEN IT COMES TO ACHIEVEMENTS

(By David S. Broder)

The gap between appearance and reality in politics was nicely illustrated last week by the contrasting performances of the Republican Governors and the leaders of the House Judiciary Committee.

To all outward appearances, the Republican Governors are the kind of men who should be managing the affairs of the country—young, vigorous and tuned in to the contemporary problems of the kind they find in running 30 states with three-fourths of the American people. Or so it would seem.

To all outward appearances, 80-year-old Rep. Emanuel Celler of Brooklyn and 67-year-old Rep. William McCulloch of Ohio, respectively the Democratic chairman and the ránking Republican member of the House Judiciary Committee, are a pair of fusty fuddy-duddies, symbols of the well-known decadence of the Congressional seniority system. Where the Governors stride, Celler and McCulloch shuffle. Where the Governors speak in well-modulated television tones, Celler and McCulloch tend to mumble.

And yet last week it was the old men who furnished an outstanding example of political leadership in bringing the constitutional amendment for direct, popular election of the President out of committee with a bipartisan 4-to-1 majority, while the Governors were again making a spectacle of themselves.

Their three-day session in Lexington and Louisville, designed to bring the GOP Governors to Kentucky at the height of the Derby social season, was a pinnacle of political irrelevance. As usual, the Governors' meetings produced not one statement of substance on any significant issue before the country.

These semi-annual junkets by the Republican Governors have become something of a political scandal. As they have frolicked their way through the country's plushest resorts, from Palm Beach to Palm Springs, smiling their satisfied smiles and graciously allowing themselves to be entertained at the homes and clubs of the local white business aristocracy, the Governors have systematically undercut any claim to serious consideration as officials concerned with or capable of handling the problems of this country.

When these men come out of the country club just long enough to assert—as they did again last week—that the Federal Government must deal with the cities, city dwellers and city problems only through the Governors themselves, it is hard to believe that they are not knowingly inviting ridicule.

So one turns with relief from them to Celler and McCulloch, the two old men devoid of the stutting of ambition, who showed last week what a splendid thing the committee system of Congress can be when it is employed to encourage the play of argument and the clash of ideas on a fundamental issue of public policy.

At a time when the Governors were golfing and the campus radicals were playing the politics of confrontation, Celler and McCulloch and their Judiciary colleagues showed the vitality of the tradition of non-violent political discourse.

Expert testimony, reasoned argument and careful weighing of evidence changed men's minds, as the Judiciary Committee considered what to do about the way the President is elected. The result was, as Ceiller said, "the first bold step" in many long years toward a fundamental reform of our system—a reform which now stands a far better chance of final passage because of its conspicuous quality of procedure that produced it.

The Republican Governors showed that some politicians can frolick while their country is being torn apart. Celler and McCullouch showed there are politicians who know how to act when the situation cries out for action. One can hope the voters will treat them with the contempt or the respect their conduct deserves.

[From the Washington Post, May 5, 1969]

REFORM OF ELECTORAL PROCESS

The House Judiciary Committee has put Congress and the state legislatures on notice that they will have to move swiftly if they want to avoid the risk of letting George Wallace choose the next President. In 1968 Mr. Wallace let it be known that, if no candidate received a majority of the electoral votes, he would decide between the front-runners by shifting to one of them the electoral votes pledged to him. It is widely assumed that he will make a similar effort in 1972 to hold the balance of power under our grotesquely obsolete electoral system. The Judiciary Committee voted to take that kind of power out of his hands, but its proposed amendment to the Constitution will have to be ratified within the next 21 months if it is to be effective in the next election.

In making the proposed direct-election amendment effective "one year after the 21st day of January following ratification," the Committee was seeking to allow time for the enactment of implementing state and national legislation. The country cannot modify its extremely complex electoral system over night. Possibly the rigid time-table which the Committee has prescribed could be modified somewhat. But it is unmistakably clear that, if the next President is to be elected under the proposed new system, both the House and Senate will have to approve the amendment within the next few months and the states will have to act with great dispatch, by means of special legislative sessions in many instances.

We think the effort is worth making. A nightmare could result from another election in which the winner of the popular vote might be defeated, in which individual electors might repudiate the mandate given them at the polls or a close contest might be thrown into the House of Representatives. The country has been extremely fortunate that only three of its Presidents have been carried to victory by electoral votes after losing the popular vote. That risk should not be run again if it is at all possible to avoid it.

The Judiciary Committee's 28-to-6 vote for the direct election plan, with a run-off if the leading presidential team should have less than 40 per cent of the popular vote, is an impressive showing. It seems to reflect a growing demand for direct selection of the President by the people, without having their voice diluted by electoral votes awarded to the states (one for each Senator and Congressman) or frustrated by electors who may or may not be faithful to their trust. With 12 Republicans joining 16 Democrats to make up the huge majority, the proposed 26th Amendment carries a significant bipartisan stamp.

If the House as a whole can do as well as its Judiciary Committee has done, the movement will be off to a good start. More difficulty will be encountered in the Senate, and a somewhat modified amendment may emerge. The Senate has a tradition for responding to strong demands from the country, however, and a tidal wave of public sentiment for laying the discredited electoral college system to rest could prove decisive. Certainly now is the time for every citizen interested in this vital reform to come forward with all the persuasiveness at his command.

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JUDGE FORTAS SHOULD RESIGN

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. BERRY. Mr. Speaker, under leave to extend my remarks, I wish to insert in the RECORD an editorial from the May 6, 1969, edition of the Sioux Falls, S. Dak., Argus-Leader, calling for the immediate resignation of Supreme Court Justice Abe Fortas. The editorial is direct and timely, and I commend it to my colleagues for careful consideration:

JUDGE FORTAS SHOULD RESIGN

Judge Abe Fortas should resign immediately as a member of the U.S. Supreme Court. If he does not do so voluntarily, he should be removed promptly by such processes as are available to Congress.

The revelation in Life Magazine this week is an indictment of both his ethical values and his common sense.

The record, as printed in the magazine, reveals that Fortas accepted a fee of $20,000 from the Wolfson Family Foundation to do some research work. This was after Fortas had been made a member of the Supreme Court and while the activities of Louis E. Wolfson were under scrutiny by a federal agency.

In an effort to defend himself, Fortas says that he returned the $20,000. But he did not say in his explanation that the return was made 11 months after he had received the money and three months after Wolfson had been indicted for a federal offense.

This disclosure of a payment to Fortas follows another one made earlier about his acceptance of a fee of $15,000 for limited appearances at a summer seminar. The $15,000 was not paid by the college conducting the seminar but by a group of industrialists.

A member of the U.S. Supreme Court must conduct himself so that he is above suspicion. Most certainly Fortas has not done so.

CONGRESS SHOULD INCREASE FUNDS FOR EDUCATIONAL OPPORTUNITY PROGRAMS

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. HAWKINS. Mr. Speaker, college campus disorders have obscured some of the basic issues involved in education, as well as the role of the colleges in recruiting thousands of needy disadvantaged youth and helping to lead them out of poverty into meaningful lives.

Among these efforts are several highly successful programs: the educational opportunity grants—EOG—to pay basic college costs, the national defense student loans which provide low-interest, long-term loans to students from the less affluent families, and the college work-study program which provides paying jobs for those who seek to work their way through.

Unfortunately, however, while Congress has authorized fairly respectable funds for these programs, less than half of the funds have been appropriated.

These cuts bear more heavily on the poor students, the very ones which the colleges and community people have been encouraging to continue "in school," to make something of themselves, and to believe in our way of life.

Mr. Speaker, it makes no sense for us to squabble over who is to blame for these cuts. Whether the Johnson budget proposals were inadequate or the Nixon budget merely implements cuts proposed in the previous session of Congress, the hard, cold facts are that thousands of our neediest youths will continue to be condemned to poverty, degradation, and bitter disappointment in the slum ghettos unless we act to restore sanity and financial support in these educational programs.

It must be obvious, too, that in meeting the crises on our college campuses we must do more than talk big and pass punitive laws. If worthy students seeking our help are turned back, we help to ignite the flames of discontent which are kept burning by those who seek to destroy the institutions we cherish.

Representative of the groups providing leadership and technical expertise in recruiting and inspiring minority and low-income youths for higher education is the California Council for Educational Opportunity, Inc. I submit the following letter which I received from them for inclusion in the RECORD:

APRIL 22, 1969.

Congressman AUGUSTUS F. HAWKINS,
Representative, 21st Congressional District,
Longworth Building, Washington, D.C.

DEAR CONGRESSMAN HAWKINS: The California Council for Educational Opportunity is an independent corporation which was established statewide two and one-half years ago to facilitate the transition of minority and low-income students into higher education. We have been successful in receiving two talent search grants from the Federal government and have an operation in both Los Angeles and Fresno under our supervision. In addition we received a $100,000 Ford Foundation Grant to provide an administrative base for the Council. Our efforts, along with the efforts of both public and private colleges, primarily in the State of California, have permitted hundreds of students to attend college who otherwise would be unable to attend.

The colleges, both public and private, have been encouraged to develop programs of support for minority students generally referred to as Educational Opportunity Programs. These programs have two financial aspects, one is the administrative cost the other is the student support costs. We are managing to arrange administrative costs through the regular or separate funding from traditional sources. The student support costs, however, depend almost entirely on Federal student support funds.

The reduction in Educational Opportunity Grants that is anticipated for the academic year 1969–70 not only requires that the existing rate of program development decrease but threatens the continuation of programs where the commitment, the facilities, and the operation are already well underway. Here in California we are pleased to report that the recruitment, the admissions practices, the student support programs and the student successes are at an admirable productive level and are developing in a socially positive direction. These efforts must continue.

We therefore ask that you lend your influence to the congressional efforts necessary to fund these programs at a level necessary to continue the admirable efforts that are being made nationwide.

Thank you for your consideration.

Sincerely,
KENNETH S. WASHINGTON,
President, CCEO.

POLISH CONSTITUTION DAY

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. TAFT. Mr. Speaker, May 3 marked the 178th anniversary of the adoption of the 1791 Constitution in Poland. This action, a pioneer effort in East European liberalism, followed by only 2 years adoption of our own Constitution here in the United States.

While we have had to fight wars and put down internal rebellion, our people have lived a relatively secure existence compared to the turbulent times experienced by the Poles. Since the adoption of their Constitution in 1791, they have experienced for only a small portion of that time the civil liberties and governmental guarantees of that document. Instead, Poland has lived many years under the domination of foreign powers. Most recently she has suffered under the harsh rule of Nazi and Communist regime.

While we take our constitutional freedoms for granted, the captive Poles remember their Constitution in terms of a national holiday. They and the many Poles who have migrated to other lands long for the day when the homeland once again will enjoy the basis constitutional rights where "All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation."

PRINCE HALL: A GREAT NEGRO AMERICAN

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. PHILBIN. Mr. Speaker, I wish unanimous consent to revise and extend my remarks in the RECORD about America's first Negro Mason and outstanding, loyal citizen and patriot, Prince Hall, of colonial Boston.

Thanks to the alertness and kindness of our very dear friend and great Negro leader, Mr. Ernest Petinaud, whom we of the House so highly esteem for his peerless character, dedicated service, and inspiring loyalty, not to speak of his outstanding contributions to our activities, my attention has been drawn to the most extraordinary historic part played by the illustrious Prince Hall, outstanding Boston leader of the colonial period, who

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served with the advice and assistance of the famous John Hancock, and with great distinction, under the then Gen. George Washington in the Revolutionary War.

It should be noted that this able, farsighted, distinguished Negro leader, a Boston landowner and voter, most vigorously demanded that his State free its slaves, and his city educate its Negro children. He established a school in his own home to educate the people.

He was a man of ability, forthrightness, patriotism, and courage, endowed with commonsense, balance, and good judgment, determined to do his part to end the loathesome discrimination which Negroes faced. He furnished the sagacious leadership by which the laws against his people were changed and their cause was meaningfully advanced.

His eloquent voice spoke out boldly and loudly for justice, and for righting the cruel wrongs from which his people suffered.

His wise, gallant leadership had broad ramifications and produced enduring, effective results.

The deep, sweeping influence of the words and deeds of Prince Hall, which gave his people the courage to cry out boldly against discrimination and prejudice, and strive for recognition as free men and women, was a clear, stirring, clarion call that has come down through the years, and still animates people of every race, class, and creed to persist indomitably in the struggle, not yet won, to liberate the spirit, the body, and the mind of man from discrimination, persecution, and injustice.

Prince Hall was, in truth, an apostle of enlightenment and tolerance for the whole human race of his time, and a fearless leader who inspired his people to achieve ever higher levels of acceptance, dignity, and justice in the American society. His battle was historic and heaven sent. His cause must continue today until every vestige of racialism, hatred, prejudice, and discrimination has been driven from our beloved land—until the majesty of the rule of law is assured for all and true human brotherhood is enthroned in our Nation and the world.

While Prince Hall made lasting patriotic contributions to the Nation, to the Negro Masons he served so well, and to the country he loved with all his heart and soul, like a great symphony of constitutional justice, his words, noble deeds, and his holy cause are indelibly and ineradicably woven into the fabric of our American system of freedom, justice, and equality under law for all.

Prince Hall stood in his great day and spoke out militantly for truth, humanity, and freedom. Let this Nation continue his fight for tolerance and equal treatment under the law for everyone, regardless of race, creed, or class, in our society, so that the full glory and completeness of our marvelous American dream of liberty and justice for all will be totally realized, and everyone in America can be placed, as true justice demands, on a "footing with kings."

CAMPUS DISORDERS: "PROFESSORS MISS THE POINT," CLEVELAND PRESS DECLARES

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. MINSHALL. Mr. Speaker, the Cleveland Press in its Monday, May 5 edition, carried an excellent editorial dealing with the campus disorders tormenting our colleges and universities. It underscores, in my belief, the urgent need for immediate action on my bill H.R. 10970, to require suspension of Federal aid to colleges and universities which are experiencing such disorders but failing to take appropriate corrective measures. My bill would, in such instances, require termination of Federal help to those faculty members who are guilty of violating any law in connection with such disorders.

The editorial follows:

PROFESSORS MISS THE POINT

At their annual convention in Minneapolis, the American Association of University Professors adopted a resolution expressing grave concern over campus violence and condemning such interference with teaching, learning and research.

The resolution said, quite appropriately, that if this college turmoil persists unchecked it could destroy higher education in this country.

Having properly appraised the campus troubles, the professors then proceeded in the same resolution to flout their own appraisal.

They denounced Attorney General John N. Mitchell's threat to prosecute the campus rioters. They said such action would be "a direct threat to academic freedom and autonomy."

Any efforts to curb these disorders, they said, should be left up to the college administrations themselves.

But in many cases, so far, the college administrations have been unable or unwilling to maintain control.

College officials can deal with grievances, they can listen to student ideas, they can try to update their curriculums; they can do a lot to prevent legitimate discontent.

But they can't deal with bricks and bottles, smoke bombs, arson and forcible seizure of offices and buildings. That's a police job. They can't prosecute the lawbreakers. That's a job for law enforcement officers.

It is not enforcement of the law which is a threat to academic freedom and autonomy—it is the hoodlums who instigate the campus disorders.

LESSON IN U.S. FOLLY

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. GROSS. Mr. Speaker, columnist James J. Kilpatrick has written a concise and lucid account of one result of former President Johnson's infamous Executive order, which clamped a boycott on trade with little Rhodesia.

As Mr. Kilpatrick points out, President Nixon has ordered a review of our so-called foreign policy in Africa, but I urge him to rescind this Executive order immediately.

It is past time when we should stop kowtowing to the political manipulations of British Prime Minister Wilson and put this country's own interests in first place.

I include Mr. Kilpatrick's article for insertion in the RECORD at this point:

RHODESIAN CHROME A LESSON IN U.S. FOLLY

The chrome ore deposits of Rhodesia surely rank low on a list of the sexiest subjects a columnist might find to write about, yet the dismal story of U.S. policy toward Rhodesia—and the effect of that policy on a vital industry—offers an instructive theme.

Almost no one has much to say any more about Rhodesia. Not in this country, at least; and even in the British press, the volume of comment dwindles. Plainly, Rhodesian independence has become a fact of political life. Just as plainly, the punitive economic sanctions imposed by the United Nations have failed in their purpose.

The White House disclosed last week that the President has ordered a full-scale review of U.S. policy toward all of southern Africa. Presumably, this study will embrace the whole series of bad judgments, blunders, and political follies in which Great Britain, the United Nations, and the United States have shared. If the President obtains some outside advice—outside Joe Palmer's office in the State Department, that is to say—perhaps the study will lead to a wiser course. And if Nixon wants an expert consultant for the task, he could not do better than to ask Dean Acheson to draft the report.

The immediate problem as to chromium may not wait upon a leisurely policy study. Chrome is a vital element in the production of stainless steel and other high-strength steels used in American defense. We have to have it.

In years gone by, when American policy toward Africa made more sense than it has seemed to make lately, our steel industry obtained chrome ore from Rhodesia. The finest chrome deposits in the world lie at Selukwe, about 140 miles south of Salisbury, and in the North Great Dyke 40 to 50 miles west of the capital city. Two American companies, Union Carbide and the Foote Mineral Company, own the mines.

Prior to December of 1966, when the U.N. embarked upon its vain and wrongful intervention in Rhodesia's domestic affairs, the Foote and Union Carbide mines provided a steady source of ore for the free world. The mines are not of overwhelming significance to the Rhodesian economy; they provide jobs for several hundred native workers and bring in some useful income, but the ore exports never approached tobacco as a factor in Rhodesia's trade.

As the U.N.'s sanctions progressively were tightened in 1967, the two American companies were compelled to cease operations. They could not even import some 200,000 tons of ore that already had been mined and put in stockpiles—ore that already had been paid for. It is their property. Present U.S. policy prevents them from putting it to use.

Meanwhile, the American steel industry had to have chrome. The only alternative source—and what an irony it is!—lay in the Soviet Union. The Communists were happy to make a fat profit off the Rhodesian situation. So for the past two years, American steelmakers have had to depend upon Communist suppliers of chrome ore, while two American-owned companies in anti-Commu-

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nist Rhodesia have been frozen out of the picture.

This lunacy has other aspects. The peculiar geological nature of Foote's serpentine mine demands continued operation. The hard-pressed government of Ian Smith has been providing some maintenance, but it is sheer folly—dangerous folly—to risk the loss of this important source of chromium.

For roughly $1,000,000 a year, a sum too small to matter to anyone, the Foote mine could be saved. All that is required is a commonsense decision on the part of our government to let Foote spend it in Rhodesia. A second commonsense decision would permit the companies to import the ore they already have stockpiled.

These actions ought to be taken at once, without waiting upon the policy review. Great Britain could hardly object, for Great Britain herself has allowed for hardship cases in the Rhodesian mess. The African bloc in the U.N. doubtless would howl, but so what? Nixon came into office pledging a fresh approach in foreign affairs. One such fresh approach would lie in candidly placing our own national interests in first place, ahead of the political concerns of Prime Minister Wilson and a few black despots in central and northern Africa. Such a course would be sound in principle, and sound business practice, too.

SEARS AIDE DENIES HIGH THEFT LOSSES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. ASHBROOK. Mr. Speaker, on May 1, I inserted in the RECORD an article from the New York Times entitled "Fight Against Crime Costly to Business." Sears, Roebuck & Co., which had been mentioned in the article, later disputed loss figures attributed to itself by virtue of theft. On May 3, the Times published the correction which I insert at this point:

SEARS AIDE DENIES HIGH THEFT LOSSES

A spokesman for Sears, Roebuck & Co. yesterday denied statements by the leader of a citizens' anticrime committee about the company's losses from theft.

The committee head, H. Bruce Palmer, president of the National Industrial Conference Board, said in a speech here Wednesday that 1½ per cent of the Sears price structure—or $120-million—had been established to offset the value of stolen merchandise, and that the Chicago-based company had a security force larger than the 14,000-man Chicago Police Department.

Mr. Palmer is chairman of the organizing committee of Citizens for Justice with Order.

According to the Sears spokesman, the company's losses from theft last year were under $12-million, or less than one-tenth of Mr. Palmer's estimate. The spokesman also said that the company's security force was "nowhere near the number indicated."

INDIANA GREEN THUMB WORKERS RECEIVE NATIONAL RECOGNITION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following articles from the North Vernon (Ind.) Plain Dealer and Sun and the Seymour (Ind.) Tribune on the work of Indiana Green Thumb employees.

[From the North Vernon (Ind.) Sun]

PRAISE FOR GREEN THUMBERS

We were most pleased at the ceremonies held Monday morning at the North Vernon city park when the local Green Thumb crew was formally designated as the "crew of the month" for the entire nation.

The honor was pleasure enough, but we were more pleased to have it dramatically pointed out as was done at the park Monday that no matter how old we are, there is still a lot of good work in any of us. Only some way has to be found to tap it, and to give our older citizens an opportunity to show what they can do. We all like to contribute what we can. It's a human need.

That is just exactly what the Green Thumb program has done, with very significant success. They have taken older men from predominantly rural areas. These are men normally not considered employable, even in this day and age of shortages of workers.

Under the joint sponsorship of the federal government and the Farmer's Union, these men have been put to work. They don't make an outstanding salary and they are limited in the number of days that they can work. But what was wanted was a chance—this was provided.

Here in Jennings, we have seen, thanks to these Green Thumbers in part, great changes at the city park. They helped construct a number of the new buildings on the park grounds as a story on the front page details. They also have and are going to work at the Community Building Center and the Muscatatuck State Park, now under county control.

Maybe you can't teach an old dog new tricks, but that old saying doesn't mean that he's still not as capable of doing the old tricks he knows as well and in some cases better than a young dog.

That's the valuable lesson the Green Thumb program has taught us here in Jennings.

[From the Seymour (Ind.) Tribune, Apr. 7, 1969]

GREEN THUMB PROJECT WORKERS ARE HONORED

An Indiana Green Thumb Project crew working in North Vernon has been selected by the National Green Thumb Program as the outstanding crew of the month for its efforts in the development of the North Vernon city park.

The award was presented this morning in ceremonies at the park by Dr. Blue Carstenson, national director of Green Thumb, Inc.

Also present at the ceremony was Congressman Lee H. Hamilton, ninth district representative, and Harold Wright, president of the Indiana Farmers Union, sponsor of the Green Thumb project.

"I am pleased that the ninth district Green Thumb workers have received national recognition for the outstanding work they are doing in North Vernon," Hamilton said.

"I extend my personal congratulations to Wayne Vance, the state director of Green Thumb in Indiana, and to each of his men who have performed with special distinction to win this recognition."

During the past year, the crew has constructed two shelter houses, two dugouts for little league baseball, 50 new picnic tables, a utility garage and concession stand and has helped paint the swimming pool and assisted in several other projects at the park.

Members have also painted the Senior Citizens Center and have worked at the Jennings County fairgrounds. They also are helping to develop the Muscatatuck County Park recently taken over by Jennings County.

Crew members include Orville Bradshaw, Carl Deputy, Robert Forrester, Harvey Growe, George Marable, Howard Peterson, Asbury Sandlin, Robert Shepperd and Orvil Yates.

Most of the men in the work crew are low-income retired farmers who work three days per week on Green Thumb projects. The oldest is 85.

The Indiana Green Thumb Project operates in 20 southwestern counties, including Brown, Bartholomew, Clark, Jackson, Jefferson, Jennings, Lawrence, Orange, Scott, Washington, Daviess, Dubois, Gibson, Green, Knox, Martin, Pike, Posey, Sullivan and Warrick counties.

Fourteen states now participate in the national program.

GENE KINNALY

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. KLUCZYNSKI. Mr. Speaker, it was a great privilege and pleasure to have known Gene Kinnaly. Gene probably knew more about how to get things done properly through Federal departments and agencies because he had more friends in the departments than any congressional staff member.

Everyone, from the most humble to the most prominent, was immediately struck with the sincerity of Gene Kinnaly, his desire to help everyone, and the easy, quiet, and efficient manner in which he accomplished every responsibility.

Gene Kinnaly probably completed more service to his country, to the Speaker of the House, than any individual it was my privilege to know. His record will long be remembered by the Members of Congress and the staff members he knew so well.

I wish to extend my heartfelt sympathy and condolence to the members of his family and his relatives. He will be remembered daily by myself and staff in our daily prayers.

NIXON WILL HOLD FOUR ACES IN COMING SUMMIT TALKS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. DERWINSKI. Mr. Speaker, as we look ahead to the new developments in foreign affairs, it is natural that prospects or possibilities of a summit meeting come to our attention. A very interesting and pertinent commentary on the position President Nixon will be in when and if he meets with Soviet dictators is contained in a column by the distinguished international correspondent of the Copley Press in the May 2 San Diego Union:

[From the San Diego Union, May 2, 1969]

DUMITRU DANIELOPOL SAYS: NIXON WILL HOLD FOUR ACES IN COMING SUMMIT TALKS

With a summit meeting still expected this summer or fall, it is interesting to examine President Nixon's hand when he faces the Kremlin leaders.

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In poker terms, it appears very strong. One can count at least four aces:

1. American strength.

We may have lost some of our nuclear advantage but our strength is real and in depth.

Americans can not only send a man to the moon, they can manufacture a ball point pen, or TV sets for every home, or more cars than our roads can handle.

This is not the case with the Russians. They may be good in some selected fields, such as space and nuclear arms, but there is an abyss between these and the other industries.

Free world technology is a giant and it covers every field. Millions of people have been able to afford modern mechanical equipment and they know how to use it. In any confrontation this mechanical ability cannot be minimized.

2. The weakness of the Soviet economic system.

Marxist ideology superseded the requirements of modern science and has caused stagnation behind the Iron Curtain. In agriculture, in particular, Marxism has brought disaster. The once fertile "bread basket" of Europe is now an importer of vast quantities of food and often goes hungry.

In the United States the opposite is true. America can not only feed herself but she has vast quantities of food for export.

3. Red China.

It is not easy to predict how and when a serious clash between China and the Soviet Union will occur, but it seems that the two countries have reached a point of no return.

Expansionist and imperialist China no longer feels an ideological kinship with Russia. Marxism, the one link between the two, has withered and is possibly dead.

This makes the Kremlin shiver. Asiatic Russia, which is a huge source of raw materials and energy, is vital to Moscow. Too far from the industrial centers, with weak lines of communication, it is very difficult to defend.

4. Russia's trouble with her own satellites and with non-Russian nationalities within the U.S.S.R.

East Germany and Poland have seen anti-Russian demonstrations. The Hungarian uprising, the Czechoslovak bid for freedom, the Romanian recalcitrance all loom ominously on the Kremlin's mind.

Nationalism is not a joke in those countries. It is a mighty force that has to be considered.

The Kremlin has failed to make itself popular. On the contrary, the show of force in Czechoslovakia has made it more hated than ever. It might speed, rather than delay, a brush fire that could no longer be extinguished.

Another ace—if there were five in a pack—is the trouble the Kremlin has with its own intellectuals who are screaming and scheming to get more freedom.

With such a strong hand President Nixon should do well if he recognizes and calls the bluff the Soviet Union pulls every time it has a weak hand.

Mr. Nixon must develop credibility with the opponent.

All signs indicate he is a good poker player.

FARM LABOR STRIKE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. EDWARDS of California. Mr. Speaker, the farm labor strike in California is entering its fourth year without any sign of a conclusion meaningful to worker or farmer. The battleground is the rich farmland of California, a land made rich by the farmworkers while they have been denied just rewards for their toil. These workers are now striking. They ask for the protection of a union, a protection granted millions of other Americans, but refused farmworkers, denied under Federal law. The strike, unregulated by the laws which govern other labor-management disputes, has been hard too on the growers of grapes in California, and they have made known their hurt through high-powered public relations firms.

Recently Look magazine published an article on the strike, an article which drew objections from the growers. As a result a statement from Mr. E. L. "Ted" Barr, Jr., of Sanger, Calif., president of the California Grape & Tree Fruit League was inserted into this RECORD. In that statement Mr. Barr made certain unsubstantiated statements about the strike. In reply Mr. Cesar E. Chavez, of the United Farm Workers Organizing Committee, AFL–CIO, wrote the following letter. I believe Mr. Chavez' letter reveals much about the strike, its aims and its conduct. I insert Mr. Chavez' comments into the RECORD at this point:

LETTER FROM DELANO

GOOD FRIDAY 1969.

E. L. BARR, Jr.,
President, California Grape & Tree Fruit League, San Francisco, Calif.

DEAR MR. BARR: I am sad to hear about your accusations in the Press that our union movement and table grape boycott have been successful because we have used violence and terror tactics. If what you say is true, I have been a failure and should withdraw from the struggle; but you are left with the awesome moral responsibility, before God and man, to come forward with whatever information you have so that corrective action can begin at once. If for any reason you fail to come forth to substantiate your charges, then you must be held responsible for committing violence against us, albeit violence of the tongue. I am convinced that you as a human being did not mean what you said but rather, acted hastily under pressure from the public relations firm that has been hired to try to counteract the tremendous moral force of our movement. How many times we ourselves have felt the need to lash out in anger and bitterness.

Today on Good Friday, 1969, we remember the life and the sacrifice of Martin Luther King, Jr., who gave himself totally to the non-violent struggle for peace and justice. In his *Letter from Birmingham Jail,* Dr. King describes better than I could our hopes for the strike and boycott: "Injustice must be exposed, with all the tension its exposure creates, to the light of human conscience and the air of national opinion before it can be cured." For our part, I admit that we have seized upon every tactic and strategy consistent with the morality of our cause to expose that injustice and thus, to heighten the sensitivity of the American conscience so that farm workers will have, without bloodshed, their own union and the dignity of bargaining with their agribusiness employers. By lying about the nature of our movement, Mr. Barr, you are working against non-violent social change. Unwittingly perhaps, you may unleash that other force that our union, by discipline and deed, censure and education, has sought to avoid; that panacean short cut; that senseless violence that honors no color, class, or neighborhood.

You must understand—I must make you understand—that our membership and the hopes and aspirations of the hundreds of thousands of the poor and dispossessed that have been raised on our account are, above all, human beings, no better, no worse than any other cross section of human society; we are not saints because we are poor but, by the same measure, neither are we immoral. We are men and women who have suffered and endured much and not only because of our abject poverty but because we have been kept poor. The colors of our skins, the languages of our cultural and native origins, the lack of formal education, the exclusion from the democratic process, the numbers of our slain in recent wars—all these burdens generation after generation have sought to demoralize us, to break our human spirit. But God knows that we are not beasts of burden, we are not agricultural implements or rented slaves, we are men. And mark this well, Mr. Barr, we are men locked in a death struggle against man's inhumanity to man in the industry that you represent. And this struggle itself gives meaning to our life and ennobles our dying.

As your industry has experienced, our strikers here in Delano and those who represent us throughout the world are well trained for this struggle. They have been under the gun, they have been kicked and beaten and herded by dogs, they have been cursed and ridiculed, they have been stripped and chained and jailed, they have been sprayed with the poisons used in the vineyards; but they have been taught not to lie down and die or to flee in shame, but to resist with every ounce of human endurance and spirit. To resist not with retaliation in kind but to overcome with love and compassion, with ingenuity and creativity, with hard work and longer hours, with stamina and patient tenacity, with truth and public appeal, with friends and allies, with mobility and discipline, with politics and law, and with prayer and fasting. They were not trained in a month or even a year; after all, this new harvest season will mark our fourth full year of strike and even now we continue to plan and prepare for the years to come. Time accomplishes for the poor what money does for the rich.

This is not to pretend that we have everywhere been successful enough or that we have not made mistakes. And while we do not belittle or underestimate our adversaries, for they are the rich and the powerful and possess the land, we are not afraid or cringe from the confrontation. We welcome it! We have planned for it. We know that our cause is just, that history is a story of social revolution, and that the poor shall inherit the land.

Once again, I appeal to you as the representative of your industry and as a man. I ask you to recognize and bargain with our union before the economic pressure of the boycott and strike takes an irrevocable toll; but if not, I ask you to at least sit down with us to discuss the safeguards necessary to keep our historical struggle free of violence. I make this appeal because as one of the leaders of our non-violent movement, I know and accept my responsibility for preventing, if possible, the destruction of human life and property. For these reasons and knowing of Gandhi's admonition that fasting is the last resort in place of the sword, during a most critical time in our movement last February, 1968, I undertook a twenty-five day fast. I repeat to you the principle enunciated to the membership at the start of the fast: If to build our union required the deliberate taking of life, either the life of a grower or his child, or the life of a farm worker or his child, then I choose not to see the union built.

Mr. Barr, let me be painfully honest with you. You must understand these things. We

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advocate militant non-violence as our means for social revolution and to achieve justice for our people, but we are not blind or deaf to the desperate and moody winds of human frustration, impatience and rage that blow among us. Gandhi himself admitted that if his only choices were cowardice or violence, he would choose violence. Men are not angels and the time and tides wait for no man. Precisely because of these powerful human emotions, we have tried to involve masses of people in their own struggle. Participation and self-determination remain the best experience of freedom; and free men instinctively prefer democratic change and even protect the rights guaranteed to seek it. Only the enslaved in despair have need of violent overthrow.

This letter does not express all that is in my heart, Mr. Barr. But, if it says nothing else, it says that we do not hate you or rejoice to see your industry destroyed; we hate the agribusiness system that seeks to keep us enslaved and we shall overcome and change it not by retaliation or bloodshed but by a determined non-violent struggle carried on by those masses of farm workers who intend to be free and human.

Sincerely yours,

CESAR E. CHAVEZ.

DWIGHT DAVID EISENHOWER: 1890–1969

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. CONTE. Mr. Speaker, the death of our beloved former President Dwight D. Eisenhower occasioned many moving tributes to his greatness and humanity.

None, I feel, excel the following lines by Gordon Hawkins, formerly of Westfield, Mass., for their eloquent simplicity and sincerity. I would like to insert his poem, eulogizing President Eisenhower, into the CONGRESSIONAL RECORD:

DWIGHT DAVID EISENHOWER: 1890–1969

(By Gordon Hawkins)

Delayed by his tenacious grip on life
 He now rejoins his comrades of the past—
Those valiant ones who sought to quell world-strife
 In hope that freedom for mankind might last!
In their long bivouac in foreign lands
 And in America, he joins the hosts
Of World War dead, in comradeship joins hands
 With those immortals that our nation boasts;
Our hallowed dead and those of our allies—
 The titan Churchill, others fine and great,
All those whose fame and honor never dies
 Who curbed the Nazi menace and its hate!
His epitaph—"He had his country's love, deserving it all other things above."

EUGENE C. PULLIAM RECEIVES TRIBUTE FROM PROMINENT AMERICANS ON 80TH BIRTHDAY

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. BRAY. Mr. Speaker, prominent Publisher Eugene C. Pulliam recently celebrated his 80th birthday, and the birthday dinner in Phoenix, Ariz., attended by over 800 people, was highlighted by a phone call from President Richard M. Nixon. The following story from the May 3, 1969, Indianapolis News, one of Mr. Pulliam's newspapers, describes the occasion:

NOTABLES PAY TRIBUTE TO PULLIAM AT 80

PHOENIX.—Newspaper publisher Eugene C. Pulliam was honored on the eve of his 80th birthday last night by some friends—Richard M. Nixon, Lyndon B. Johnson and Hubert H. Humphrey, to name a few.

Pulliam, publisher of The Indianapolis News, The Indianapolis Star, the Arizona Republic, Phoenix Gazette, Muncie Star, Muncie Press and the Vincennes Sun-Commercial, received birthday greetings from the President, former president and former vice-president while attending a birthday dinner here attended by some 800 friends and business associates.

The event was sponsored by the Valley of the Sun Chapter of Sigma Delta Chi, national professional journalism society, for its scholarship fund and Theta Sigma Phi, professional fraternity for women in journalism.

Also celebrated last night were the 60th anniversary of Sigma Delta Chi and the 10th anniversary of the Valley of the Sun chapter.

PRESIDENT OF AP AMONG SPEAKERS

Among the speakers at the event were Paul Miller of Rochester, N.Y., president of the Associated Press and Gannett Newspapers, and William Arthur, national president of Sigma Delta Chi, which Pulliam helped found in 1909 at DePauw University.

Pulliam told the group he had received many offers for The News and The Star, as well as the Arizona newspapers, but he said they are not for sale.

He announced he had set up a trust providing that "neither can be sold for 108 years after I die."

The trust provides that the trustees will be the three top executives of the Indianapolis and Arizona newspapers.

A telephone call from President Nixon interrupted the cutting of a six-tier birthday cake. The President wished Pulliam many more birthdays, saying "the country needs your strong editorial voice."

"Hello, Dick," Pulliam said. "I'm glad you couldn't be here. If you had come, they wouldn't be at my party; they would have come to see you."

Nixon's rival in the 1968 presidential race, former Vice-President Hubert Humphrey earlier told the publisher in filmed tribute: "Our politics have not always been the same, but you've always given me a fair hearing."

Former President Johnson said, in a letter, that in addition to being "a great publisher, patriot and friend," Pulliam was also "a trusted counselor whose judgment was a priceless asset."

Former Prime Minister Harold Macmillan of England telegraphed his greetings.

Dr. Frank Stanton, president of the Columbia Broadcasting System, said Pulliam's "pen has never faltered no matter how hot the controversy or how unpopular the issues."

The program opened with the pledge of allegiance by Roger Jenkins, 1968 Arizona Republic carrier of the year, followed by the saying of grace by Nina Pulliam, wife of the publisher, and greetings by Mayor Milton Graham of Phoenix.

TOM CHAUNCEY IS CHAIRMAN OF DINNER

Tom Chauncey, president of radio and television station KOOL at Phoenix, was chairman of the dinner and extended a personal tribute to the publisher. Chris Schenkel, radio and television personality and a native Hoosier, was master of ceremonies.

The former chairman of the Federal Communications Commission, Paul Porter, now a Washington attorney, recalled that Pulliam gave up his radio interests, saying "no bureaucrats in Washington are going to tell me how to run my business."

Eugene S. Pulliam, the publisher's son and assistant publisher of The News and The Star, spoke briefly.

The elder Pulliam became the nation's youngest publisher at 23 in 1912. He has owned or operated nearly 50 newspapers, ranging from small dailies to ranking papers in metropolitan centers.

Pulliam's first newspaper job was as a 6-year-old carrier for the Register in his home town of Iola, Kan. He joined the Kansas City Star as a reporter after graduating from DePauw in 1910 and two years later became publisher of the Daily Champion at Atchison, Kan.

MAY 10TH OBSERVANCE BY THE RUMANIAN NATIONAL COMMITTEE

HON. JOSEPH P. VIGORITO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. VIGORITO. Mr. Speaker, I wish to speak briefly today to observe the commemoration of the 10th of May, the traditional national holiday of the Rumanian people. This day, which honors the achievement of Rumania's independence and the founding of its kingdom on May 10, 1866, is all the more eloquent since no longer can the Rumanian people celebrate this great day within their own country.

It should remind all of us in this land of freedom, that there are others throughout the world who long for freedom. We should, all of us, work to bring about the day when Rumania will again be free and take its rightful place among the peace-loving nations of the world.

We should note today the heritage which the Rumanian people who have come to the United States have so willingly shared with us. We are all richer because of the contributions Rumanian Americans have made to this country.

DARTMOUTH COLLEGE'S 200TH ANNIVERSARY

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 1969

Mr. MARTIN. Mr. Speaker—

An Institution—

Wrote Emerson—

is the lengthened shadow of one man.

Of no place may this be said with greater truth than of Dartmouth and Eleazer Wheelock. Alone among the pre-Revolutionary colleges in America, Dartmouth owes its existence to the vision, the energy, and the tireless effort of one man who, in the finest American tradition, journeyed to the frontier, to what was then truly a wilderness, and brought into being a college whose name has entered significantly into the pages of our national history.

Born of the enthusiasm generated by the great awakening, the first truly American major religious movement, Dartmouth's origin as an Indian charity school reflects the lifelong zeal of its founder for the upraising of the American Indian. Indeed, the special association of Dartmouth with the North American Indian lasted more than 15 decades until well into the 20th century.

Perhaps the most notable feature of Dartmouth's beginning is the absence from Governor Wentworth's charter in 1769 of any kind of religious test for student, teacher, president, or trustee, a truly remarkable provision for the age and wholly in tune with Dartmouth's long championship of freedom of speech and inquiry.

The Dartmouth College case of 1819, argued by Dartmouth's greatest son, Daniel Webster, before the Supreme Court of the United States, "did more than any other single act," wrote Chancellor Kent, "proceeding from the authority of the United States to throw an impregnable barrier around all rights and franchises derived from the grant of government, and to give solidity and inviolability to the literary, charitable, religious, and commercial institutions of our country." Little wonder the inscription over the entry to Webster Hall today reads:

> Founded by Eleazer Wheelock, Refounded by Daniel Webster.

The story of Dartmouth over the past two centuries is at once a vital part of American history and a significant challenge to the present. At a time when universities and colleges across the land are in turmoil, crucial elements in Dartmouth's past appear strikingly relevant, from the peaceful action of the undergraduate body, which, in 1824, persuaded the trustees to admit Edward Mitchell, a Negro from Martinique, to the firm stand taken in 1830 by President Lord against student rioting—

> Go, young gentlemen, if you wish; we can bear to see our seats vacated but not our laws violated.

Not without reason has one observer of Dartmouth through many decades—Prof. James Linn of Chicago University—speaking metaphorically of universities and small colleges as the department stores and gift shops respectively of American culture, described Dartmouth as "the great American college; vivid; the one Rubens in our collection."

While few today might share the belief of Eleazer Wheelock that Dartmouth's location "was not determined by any private interest or party on earth, but the Redeemer's," none could deny the beauty of her physical setting in the New Hampshire hills, nor the extraordinary aptness in context of her venerable motto, Vox clamantis in deserto: "A voice crying in the wilderness." In a day when the humane and civilizing functions of our colleges and universities seem threatened, these words, spoken by President Hopkins some 3 decades ago have special pertinence:

> Ill nature, intellectual arrogance, and churlish intolerance are but sorry concomitants of any movement, but they are singularly out of place and tragically harmful in association with any movement which desires to be recognized as liberal.

For two centuries, Dartmouth has served this Nation and the larger human community as a voice in the wilderness, calling men to heed those counsels of reason, tolerance, and understanding without which civilization itself will surely perish. Never was her mission more needed nor her message more timely.

LAW AND ORDER: A MORAL RESPONSIBILITY

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. SCHNEEBELI. Mr. Speaker, it gives me great pleasure to announce that the winner of the Pennsylvania American Legion's annual essay contest is Miss Debbie Skiba of 4859 Londonderry Road, Harrisburg, who wrote on "Law and Order: A Moral Responsibility."

Debbie is a member of the National Honor Society and editor of her school paper. She will be awarded a $250 scholarship and a trophy at the American Legion's State convention on July 17. Although she is quite talented in the literary field, Debbie is planning her future career in medicine. Her achievements to date point to a promising future.

It is gratifying to know that young people of Debbie's caliber actually make up the majority of our youth and if this were not so we would be living in a state of anarchy with no hope for the future. The leaders of tomorrow will come from today's youth and I strongly feel they should be given every encouragement possible, rather than relegate their accomplishments to the back pages of the newspapers.

In her essay, Debbie has projected some very astute observations about the turmoil and dissension, given so much attention these days. She has expressed wisdom beyond her years and her admonitions are thought provoking.

Congratulations, Debbie, on a job well done.

THE DECISION OF THE SECRETARY OF THE NAVY REGARDING THE "PUEBLO" INCIDENT

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. GALIFIANAKIS. Mr. Speaker, I rise to comment on the announcement made yesterday by the Secretary of the Navy, the Honorable John H. Chafee. I am referring to the Secretary's decision not to try or otherwise punish anyone involved in the seizure last year by North Korea of the U.S.S. *Pueblo*.

The Secretary carefully reviewed the findings and recommendations of the court of inquiry, of the Commander in Chief of the Pacific Fleet, and of the Chief of Naval Operations. He then reached his own decision that all had suffered enough, that there will be neither trial nor punishment for the *Pueblo* crew, their commanding officer, Comdr. Lloyd Bucher, nor any of his superiors in the chain of command.

The Secretary made this decision even though it amounted to overruling some of the recommendations made by each of the lower reviewing authorities. But, Mr. Speaker, the basis for Secretary Chafee's decision is probably of greater significance than the decision itself. I should like to quote from his statement of yesterday:

> The major factor which led to the *Pueblo*'s lonely confrontation by unanticipatedly bold and hostile forces was the sudden collapse of a premise which had been assumed at every level of responsibility and upon which every other aspect of the mission had been based—freedom of the high seas. At that particular point in history, the common confidence in the historic inviolability of a sovereign ship on the high seas in peacetime was shown to have been misplaced. The consequences must in fairness be borne by all, rather than by one or two individuals whom circumstances had placed closer to the crucial event.

Mr. Speaker, I believe Secretary Chafee's decision was eminently correct. I also believe that his reasoning is sound and well founded.

But, certainly, Mr. Speaker, we must be able to derive some indirect benefit from his shattering and tragic incident. The disregard of some and the lack of other international treaties has led virtually every coastal nation to the point of unilaterally establishing its own boundaries for territorial waters. As is well known to all Members of Congress, the *Pueblo* has not been the only American ship recently involved in seizures by foreign nations well beyond the territorial limits recognized by this country.

As an essential concomitant to world peace is certainly mutually established and uniformly recognized international maritime boundaries. And I submit that the longer the family of nations waits to address this growing problem, the more difficult it will be to resolve.

Therefore, Mr. Speaker, I am today introducing a resolution expressing the sense of this Congress that the President of the United States consider appropriate steps leading to the convening of an international conference for the purpose of establishing a uniformly recognized boundary for the territorial seas of all coastal nations.

I sincerely hope that all of my colleagues who agree that this step is seriously needed without delay will join me by introducing similar resolutions and by supporting an effort to obtain early adoption of this resolution by the Congress.

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REMARKS OF DEPUTY DIRECTOR HARTHON L. BILL, NATIONAL PARK SERVICE, AT DEDICATION OF RESTORED SUPREME COURT ROOM, INDEPENDENCE HALL, PHILADELPHIA, PA., APRIL 28, 1969

HON. JAMES A. BYRNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. BYRNE of Pennsylvania. Mr. Speaker, on April 28, as a member of the National Historical Park Advisory Commission, I had the honor of attending an impressive ceremony in Philadelphia when the restored Supreme Court room was dedicated at Independence Hall in Independence National Historical Park. On this important occasion the deputy director of the National Park Service, the Honorable Harthon L. Bill, gave the following eloquent address, which I would like to bring to the attention of my colleagues:

REMARKS OF DEPUTY DIRECTOR HARTHON L. BILL, NATIONAL PARK SERVICE AT DEDICATION OF RESTORED SUPREME COURT ROOM, INDEPENDENCE HALL, INDEPENDENCE NATIONAL HISTORICAL PARK, PHILADELPHIA, PA., APRIL 28, 1969

In his epitaph which Ben Franklin composed—at a relative early age—he referred to himself as "Benjamin Franklin, Printer." One of the greatest men this nation has produced, Franklin's list of achievements in so many diverse fields reflects the scope and depth of his mind.

And yet, throughout his long and distinguished career, he retained his interest in the craft of printing, installing a private press in his Paris residence and reporting back to America on new printing methods which he encountered in Europe.

For a number of reasons, the career of Franklin seems to me to epitomize our purposes in gathering here today.

Franklin was first a craftsman, who never lost his love for the work of his skilled hands. And part of our appreciation today should go to the many skilled craftsmen whose combined talents have set a stage in this room which will help us recall, vividly, the events of a dramatic era of our history. Through them, we see this courtroom today much as it looked when the Supreme Court of the United States came here to meet in 1791.

Whether as scientist, philosopher, diplomat, or printer, Franklin pursued excellence. Much is being written these days about the quest for excellence, and sometimes you get the idea that if one were to put his mind to it, he too could achieve excellence.

Unfortunately, to pursue excellence calls for a degree of devotion and patience which Franklin had, but which is seldom encountered.

John Gardner, you will recall, turned a memorable phrase a few years ago when he declared that we must recognize there can be excellence or shoddiness in every line of human endeavor, and that we must honor excellence, however humble the activity, and scorn shoddiness, however exalted the activity. Or, Gardner wryly observed, we could end up as a society with neither plumbing nor theories holding water.

Franklin has a relevance, also, because he was a consequential participant in many of the events which took place in Independence Hall.

The National Park Service has, as you know, uncovered portions of the foundation of Franklin's home, and I have appointed a special committee to recommend how best the Franklin Court remains can convey to park visitors the contribution of Franklin. Before we can decide, for example, whether or not to reconstruct Franklin's home, we must answer the question, "why"?

Why, indeed, do we painstakingly restore historic buildings such as Independence Hall, or entire districts such as Society Hill?

The Colonists, who declared their independence here, fought the Revolutionary War in pursuit of an idea, a concept best expressed by Christopher Gadsden, that "There ought to be no more New England men, no New Yorkers . . . but all of us Americans."

We have been engaged in a search for national identity ever since the arrival of the first settlers, by which time Shakespeare had already portrayed the British character. Franklin himself had begun to note "American Traits," during the Revolution.

It is in the preservation of the important sites of our cultural heritage that we help our children to appreciate their identity as Americans.

But there is, perhaps, an even more critical reason for the saving of historic buildings and urban districts. The preservation of a great historic monument is one thing. The integration of such a project into a major effort to improve the quality of the urban environment and to enhance the life of each citizen is quite another. This, perhaps, is one of the greatest contributions of Independence National Historical Park.

Not too long ago, when most Americans lived in rural areas, conservation was concerned almost completely with preserving natural resources and landscapes.

Today, when nearly three out of four Americans live in cities, the most effective conservation work is being done in urban areas, by organizations such as the Old Philadelphia Corporation, the Philadelphia Redevelopment Authority, and your City Planning Commission.

Arnold Toynbee reduced his whole theory of history to a basic equation: How has this come out of that?

The answer to this question should determine what this nation will do to celebrate the 200th anniversary of its founding here in Philadelphia in 1976. What has truly been the flowering of the spirit of the American Revolution?

A few years from now, in 1972, the National Park Service will celebrate the 100th anniversary of the establishment of Yellowstone as the world's first national park. We, too, must answer the question: How has a National Park System of 275 separate areas come out of the Yellowstone idea?

It has evolved in response to the needs of people. It is a long way from busy Chestnut Street in Philadelphia to the wilderness back country of Yellowstone, but both are part of the single fabric of our natural and cultural inheritance. And in a world of change, national parks must maintain their relevancy to the needs of the nation.

The completion of this Supreme Court Chamber of Independence Hall is another milestone in fulfilling the dream of men such as Judge Lewis for the Independence Square group of buildings which served as the seat of the Legislative and Executive Branches of our Federal Government. As funds become available, we hope to complete the second floor of Independence Hall so that concerts and other social activities, once a part of the life of the city, can be resumed.

I am delighted that the Chairman of the Independence National Historical Park Advisory Commission, Arthur Kauffman, is providing the leadership for a fund raising drive to reconstruct the Graff House, where Thomas Jefferson wrote the draft of the Declaration of Independence. As you know, the Federal Government has agreed to provide matching funds.

We live in a highly technical age which threatens to submerge the individual, and to root out or cover over the elements of beauty and tradition in our lives.

The face of America, the nature of the environment in which we live, these are the standards by which historians at the 300th anniversary of the Declaration of Independence will rightly judge us.

Changes in our lives and in the face of our cities and our countryside are inevitable. But, let such change reflect the consensus of a deeply concerned and widely informed nation.

GENE KINNALY

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, it is with great sorrow that I learned of the passing of Eugene T. Kinnaly, administrative assistant to the Speaker of the House, and one of the finest men who has ever served the Congress of the United States.

A kindly and modest man who was as completely loyal to Speaker MCCORMACK as it is possible for any man to be, "Gene" Kinnaly was the very model of a congressional assistant.

Like Speaker MCCORMACK, he was a native of South Boston, a peninsula which juts out into Boston Harbor and is one of this Nation's greatest incubators for public servants.

Fifty years ago last summer, he came to Washington to serve as the right hand of the late Congressman James Ambrose Gallivan who then represented the Ninth Massachusetts District.

He served with Mr. Gallivan until the latter's death in 1928 and such was his own popularity that there were many in South Boston and Dorchester who urged him to seek election to Congress in his own right.

It is a matter of history that instead of seeking elected public office, he offered his support to a young attorney and former minority leader of the State Senate named JOHN W. MCCORMACK.

The association between these two men continued unabated for more than 40 years until Gene's passing this week. It has been a happy relationship full of mutual respect and confidence.

Despite his familiarity with generations of this Nation's most important public figures dating back to the Coolidge administration, Gene remained the same kindly, thoughtful human being who came here more than a half century ago.

A daily attender of mass at St. Peter's Church here on Capitol Hill, Gene was widely respected by men of all faiths for his simple piety and devotion to his faith. His faith was not showy or ostentatious, rather it manifested itself in the simple acts of Christian charity that he performed daily. Gene Kinnaly's life was

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one of doing things for other people. If ever there was a man whose life was dedicated to the Judeo-Christian concept of the fatherhood of God and the brotherhood of man, that man was Eugene T. Kinnaly.

Mrs. Daniels joins with me in expressing our deepest sympathy to Gene's family and to our beloved Speaker on the loss of this fine spirited, public servant.

HORTON URGES INCENTIVES FOR MILITARY LAWYERS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. HORTON. Mr. Speaker, the Armed Forces are having a very difficult time in retaining lawyers in their career ranks. The problem is not one of obtaining lawyers, but of keeping them.

This is a crucial situation and one that demands our immediate attention. The quality of legal advice and military justice must be maintained in the services.

Yesterday, I introduced legislation to help alleviate this situation by providing incentives for legal officers to stay in the service. This is similar to incentives currently received by doctors, dentists, and veterinarians in the Armed Forces.

That the retention rate of JAG officers is indeed critical is illustrated by the following statistics:

The Army has only a 12½ percent retention rate;

As of last October, the Navy retained an average of 12 lawyers a year in each year group.

Since 1956, the Air Force has been able to retain only 19 percent of its judge advocates.

In addition, approximately 700 more military lawyers will be needed this year to meet the requirements of the Military Justice Act of 1968, which Congress passed during the last session. The legislation safeguards the right-to-counsel of military personnel and also requires the Armed Forces to provide qualified and experienced lawyers as military judges in trials by special and general court-martial.

Thus, to achieve justice, I feel this bill is extremely necessary. It will provide a monthly pay allowance based on rank and a bonus which the officer could earn by continuing in the service past his initial obligation and after he becomes eligible for voluntary retirement with pay.

The retention incentives are as follows: $50 per month for captains; $150 per month for majors and lieutenant colonels; $200 per month for full colonels and above.

Secondly, the continuation bonus would be payable at the rate of 2 months' basic pay for each year the judge advocate remains in active service beyond his initial active duty. The contract would be for a minimum of 3 years and a maximum of 6 years. Judge advocates would be eligible for this bonus, either at the completion of 4 years active service or at the time when they become eligible for voluntary retirement with pay.

I urge my colleagues to support this measure.

SPEECH OF PROF. S. J. TONSOR ON ALIENATION AND RELEVANCE IN HIGHER EDUCATION

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. HANSEN of Idaho. Mr. Speaker, increasing attention is being centered on the campuses of the Nation's colleges and universities. Acts of violence and other evidence of student unrest are the subject of concern by the administration and Members of Congress.

S. J. Tonsor, professor of history at the University of Michigan, outlined his views on higher education and dealt with some of the issues underlying the current difficulties on the Nation's campuses in a speech entitled "Alienation and Relevance in Higher Education" presented at a meeting of the Education Committee of the National Association of Manufacturers held in Washington, D.C., on April 1, 1969.

President Nixon described Professor Tonsor's speech as "the most significant and, I think, perceptive analysis of what is wrong with our approach to higher education," and said that it expressed his own views on the subject. Secretary Robert H. Finch of Health, Education, and Welfare quoted from Professor Tonsor's speech in testimony at hearings on the subject of student unrest being conducted by the House Special Subcommittee on Education.

Professor Tonsor's speech is one of the most thoughtful analyses of problems that confront higher education in America. Because of the attention it has received in official circles, it deserves to be widely read and carefully studied. Therefore, I am including a copy of Professor Tonsor's speech at this point in the Record as a part of my remarks:

ALIENATION AND RELEVANCE IN HIGHER EDUCATION

(By Prof. S. J. Tonsor, University of Michigan)

There is a striking parallel between the crisis in government at the national level in America and the crisis in the universities. In both cases the institutional structure has recently increased gigantically in size and in the scale of operation. Along with this increase in size has gone a tremendous augmentation of power both real and potential. However, it is a characteristic of this power that it is diffuse and focused only with difficulty: that it is all but impossible to bring this power to bear effectively on the problems of the state and the university. The problems which bedevil both the state and the university are frequently not problems which can be solved by the application of power. Along with the augmentation of size and power has gone a singular inability to match commitments with resources so that the state and the universities in spite of mega-dollar budgets find themselves perennially impoverished. Finally, and most importantly, each finds itself alienated from its constituency. Each has discovered that it is increasingly difficult for it to project an objective which will move men to its single-minded pursuit. It is not that men no longer believe in government and education. Indeed, they believe passionately in both. It is rather that they no longer understand either the purposes or the designs of big government or big education. Even those who conform do so without enthusiasm and are reluctant to defend the institution from its enemies. While the power of both institutions has steadily increased their authority has declined. Ultimately authority is far more important to education than power and power without authority in the state soon gives way to tyranny.

The parallel between the state and the university is instructive. Both big government and big education face a crisis of confidence and they face this crisis for basically the same reason; they have done a good many of the right things in the wrong way and they have been doing a good many things they should never have attempted, things for which they were totally unequipped. What is necessary in order to restore the institutional authority of higher education? How can higher education regain the confidence of those over thirty and command the respect of those under thirty who listen with reluctance and dissent without debate?

It would be false to assume that all our difficulties are institutional in origin, that they arise from the fact that the university has either done too much or done too little. It must be said at the outset and the fact faced with candor and resolution, that the most important problem which higher education faces today is the growing wave of irrationality and anti-intellectualism which has caught up large numbers of both students and professors. Student and professor activists inside the university and certain ideological groups outside the university no longer believe that truth must be the essential consideration in the academy. Both the extreme right and the extreme left hold the same destructive view. Both Mark Rudd of Columbia and Governor Wallace of Alabama stand in the schoolroom door, and seen from the vantage point of the academy they both hold the same low view of reasoned discourse. They believe that force ought to be substituted for sweet reason, that power ought to replace persuasion and that only "socially approved" voices and views should be heard. They believe that toleration is a weakness rather than a strength in intellectual enquiry and they are in the deepest sense of the word anti-intellectual. They aim at nothing less than the destruction of the life of reason. The university and the parent society have no alternative to repression. These groups cannot be permitted to disrupt and destroy the institutions they so obviously do not understand. They constitute a small minority and it is possible that had university administrations not been long accustomed by their faculties to bearing fools gladly these groups would already have disappeared from the campus scene. Their disappearance, however, will not restore the authority of the university.

If the institutional aspirations of education are once more to become credible, universities must regain a sense of modesty and a selectivity in the formulation of their objectives. They cannot be all things to all men. The notion of the multiversity is rejected with justice by students and by perceptive faculty. They reject it not simply because it is impossible to administer but because it is an institution without goals. It does not know its own mind. The able administrator in the setting of the multiversity is not a man characterized by unusual educational vision but someone whose social

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acoustical equipment is highly refined and who acutely senses all the many needs of his society. He is committed to servicing those needs and adjusting and compromising between these many conflicting interests. Modesty is unknown or is swept aside by megalomania and mediocrity. Little wonder that in such circumstances the teacher feels he is an unwanted encumbrance and the student senses that he is a forgotten man. To compound the problem now by expecting the university to become a court of last resort for the solution of the major social problems of our time will only deepen the crisis which the university faces.

Until there is a restoration of genuine educational purpose there will be no restoration of confidence by society in its institutions of higher education. That educational purpose does not lie in the first place in pure or applied research, in problem solving or in providing revolutionary change or defending traditional values in the society, though all of these may result from the legitimate endeavors of higher education. Higher education has as its chief goals the education of young men and women in such a way as to make them capable participants in our complicated technological civilization, sophisticated and creative members of our common culture and active and concerned citizens.

In order to ensure circumstances in which teaching rather than research or community service are the primary objectives of the university, government at all levels must forgo the temptation of easy recourse to the enormous resources of the university. Recently there has been a great deal of debate concerning the use of the talent and facilities available in the university for defense research. It is not inconsistent to argue that under very exceptional circumstances the university ought freely to use its talent in the defense of society, and still maintain that both the government and the university would be better served under most circumstances were both basic and applied research in the national defense area done in autonomous research institutes. The same case can be made against the use of the facilities of the university for the solution of social problems. Social tasks are better performed by institutions and facilities outside the university. Finally business and industry should increasingly look to sources than the university for their pure and applied research.

Much of the debate concerning university research at the present time misses the point. War research is no more illicit or licit than peace research. Nor is the test of the validity of research within the university context whether or not it has direct relevance to the social and political problems or the technical needs of the moment. The only sound test is whether or not research enhances or diminishes the primary teaching function of the university. And it must be confessed that in spite of the brave talk to the contrary and considerable administrative legerdemain, research has become the tail which in many instances wags the dog. Faculty members on fractional appointments who spend the greater part of their time in other than teaching activities distort and confuse the educational purposes of the university. Foundation grants for centers and programs which are often inconsistent with the needs and basic educational directions of the insitution are as dangerous to the university as government, civic and business research for which there is no clear-cut teaching mandate.

The university cannot be all things to all men. There is a difference between being alma mater to generation after generation of students and being the not so well paid kept woman who does the bidding of the most recent and persuasive suitor.

"Where there is no vision the people perish," is an observation which is as true of institutions as it is of nations. In education, however, our pressing need is not for a single and unitary vision but rather for visions as different and as diverse as the pluralism of our society. Education cannot be genuinely relevant to our society and to its needs unless it is diverse both in objective and technique. The possibility for educational diversity in America is immense; but in reality American education is homogenous and uniform. The privately endowed colleges do poorly what the state universities do only a little better, and a handful of determinative major universities, as alike as peas in a pod, set the tone and direction for the whole educational enterprise. American education has become a single mechanism; its professors and students interchangable parts. Under these circumstances, even student riots are monotonously, repellently, alike. Among the most important functions of education is that of widening the options available to men in the solution of their problems and in the improvement of the quality of their lives, yet our universities steadily diminish and dilute the differences between themselves. Students are still able to choose the quality of their educations; they are unable, however, to do much through their own choices about the kind of education they receive. It is important that we reestablish a free market in education. It is important that the church-related school survive, not as a secularized ghost of its former self but as a school with a genuinely religious vision of the world, a school in which men learn to serve God and their fellow men rather than themselves. It is important that private humanistic colleges with their commitment to civilization and decorum and their quiet emphasis on freedom remain an important constituent of our educational system. It is essential that we have genuine experimentation in curriculum and method and not the psuedo experiments hatched by administrators and departmental chairmen who need an excuse for hitting the foundations or the legislators once again for funds.

We cannot have this diversity, however, until the federal and the state governments drastically alter the role they play in financing higher education. American education will become diverse and relevant to the needs of both the student and the nation when and only when the student is forced to pay a very substantial portion of the total costs of his education. Privilege without responsibility is a very dangerous condition; privilege without either responsibility or choice generates unbearable tensions in the society which makes such privilege possible. State schools which compete unfairly with private schools through discriminatory tuition rates have been the chief force in leveling and homogenizing American education. Indiscriminate federal grants on the basis of administrative judgment rather than student choice have only reinforced this movement toward uniformity. If we genuinely desire diversity we will do all in our power to encourage students to pay for their educations through a tax on future earnings. If we genuinely wish diversity we will insist that such educational grants as are made by the federal government will be made directly to the student rather than to institutions of higher education.

Only there is a free market in education with the student and his parents able to choose from among schools diverse in kind and quality will we be able to say honestly to students; "We do not pretend to supply the sort of education you wish or need. If you really want a totally unstructured, ungraded course of study, segregated, revolutionary and socially relevant, you can get it at, let us say, Columbia, or Brandeis, or Rutgers, but you can't get it here." The growing sense of alienation among students arises in substantial measure from their inability to choose the quality and kind of education they believe relevant to their lives.

Not only should there be a diversification in the kind of college and university training available, but diversification should bring into existence a wide range of educational alternatives. Apprenticeship programs, proprietary schools, technical institutes operated by industry for the training of specific needed talents, a strengthening and broadening of the junior and community college programs are all of considerable importance in the problem of making education relevant to the needs of the student and the needs of society. The American public must be disabused of the notion that the AB degree holds some sort of magic. For some time it has not been a mark of status and certainly it is not a guaranteed pass to higher income. The right of entry into a craft union is often more difficult to achieve than entry into the most exclusive college. It strikes me as odd that the New Left which has been so concerned with the indiscriminate admission of all minority group students into our colleges irrespective of their qualifications has had little or nothing to say of the restrictive practices which deny the right of entry of many of these same minority groups into those favored unions which possess monopoly advantages in our economy and society. Someone should say clearly that the way to status and achievement in our society is not through learning Swahili but through learning English. Someone needs to say clearly that the way to affluence does not lie through an AB degree granted by yesterday's second rate normal college, but a marketable skill which will secure for its holder and his family the dignity of achievement.

Nearly every professor has in the past several years encountered, in what he thought a rather sober discussion of an academic question a sudden denunciation by a student member of his audience. The student does not challenge the professor's method or even question his data but simply rejects his position as immoral, as fascist or racist or as simply irrelevant. There is no debate or discussion, no attempt to identify the question or purposefully expose the issue. It is assumed that absolute right prevails on one side and that moral obtuseness, Marxian false consciousness, or plain wrong-doing characterizes the other side. The issue is not joined; it is not even discussed. Question periods at lectures are not occasions for refining the position of the lecturer but are seen as opportunities to present long, rambling denunciations and counter lectures. The student usually ends his harangue with a plea for relevance and the lecturer, if he is smart enough, gathers that the young man or young lady, (it is sometimes difficult to tell just which it is), is alienated.

Last fall the London Times reported an international meeting of philosophers in Vienna in the following words: "While their elders and betters solemnly discuss the epistemological significance of the phrases 'Johnny has lost his pen. I have found a pen. I know Johnny lost it,' the students are racing through the corridors, shouting 'What about the Soviet invasion of (Czechoslovakia), Russian and American flags, and wrestling with their professors for microphones during debates.

"It is disgusting, say the students, that 3,000 of the wisest men from every country of the world should have gathered together in the largest philosophical talk-in in history and have nothing forceful to say about the Russian tanks on the Czech border less

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than 50 miles away. If philosophy has any real function it should be performing it now."

Clearly, what the student seeks is a relevant orthodoxy rather than an agonizing enquiry. Faced with some of the toughest choices in history and living in a period when traditional certainties and traditional values have been challenged and opposed by alternatives the student is really calling upon his professor for a clear and definitive answer and one preferably couched in a currently fashionable vocabulary and bearing the marks of current social concerns. To the student education is irrelevant if it cannot provide a sodlution; preferably of course, a solution which costs the student nothing and whose weight is born by the non-student sectors of society. The student wants to know what to think rather than how to think.

And the student has far too many professors who are willing to tell him what to think rather than attempt to teach him how to hink for himself. The student has learned his lessons only two well. His professors, especially in the humanities and the social sciences have all too often been exponents of an established orthodoxy rather than masters in the art of-reasoned enquiry.

The situation is not to be mended by diversifying orthodoxies. This is the student's solution. He wishes to replace the Liberal orthodoxy with a New Left orthodoxy, a WASP orthodoxy with a Black orthodoxy, a permissive and tolerant orthodoxy with a repressive orthodoxy. What the student wishes is a substitution of orthodoxies rather than an end to all closed systems. His efforts will only compound the problem, for the Liberal ascendency in today's colleges and universities is like the pre-1918 Austrian Empire; "an autocracy ameliorated by inefficiency," while the student's Maoist dictatorships would end altogether the life of reason.

The professor, if he is to reestablish the authority of reason must not only admit of the possibility of his being wrong but must have the openness of mind necessary to, as Lord Acton said, "make out the best possible case for error." He must actively court diversity and contradiction rather than seek the world of like-minded men. He must continuously engage in a great debate not only with his students and his colleagues but above all with himself, and as President Truman said, "if he can't stand the heat he should get out of the kitchen."

The ideological and cultural uniformity of higher education in America is a disgrace. Why is it that our colleges and universities have conformed themselves over the past two decades to the orthodoxy of secular liberalism? Why has the atmosphere been so increasingly hostile to open debate? Why does it take the crisis of the exclusion of the Negro from the university to make us see that not only people but ideas have been excluded by higher education?

The authority and the relevance of the university lies in its ability as an institution to explore systematically and rationally the problems men face. Its success is not dependent upon current fashions in ideas or current solutions to particular problems. Its success derives from its ability to take the long view and ask the hard questions, and the hardest of these is the question the professor asks of himself, of his colleagues and his society about the possibility of being wrong.

DEMOCRACY ON THE OFFENSIVE

HON. LOWELL P. WEICKER, JR.

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. WEICKER. Mr. Speaker, standing toe to toe in angry confrontation, one could hardly believe that the bearded young militant, the campus radical in the dirty military uniform could have anything in common with the "super patriot" who wants to beat him to a pulp and drop the bomb on all his Communist friends.

Yet they are alike for they represent the extremes of our political spectrum and as such are irresponsible advocates of simplistic solutions to the world's problems.

The hairy, militant radical is impressed by his intellect. He prides in the notoriety of being way out and considers it intellectual to spout the stock phrases of the far left.

"The Establishment is a fascist swamp. The imperialist United States makes wars on babies. Capitalistic racists make slums," he shouts.

His answers to the problems—communism and violence.

He advocates total change, now.

What change?

"Well let us start with closing down the university and burning the library," he proposes.

His counterpart on the far right, dresses better. He is a true patriot and will tell you so. He is for law and order and against communism. Anyone who disagrees with him is soft on communism, a Communist dupe or a fuzzy thinker who really does not understand the international conspiracy.

His solution to today's problems are also simplistic. He advocates cracking a few heads, "ship them back to Russia," "throw the rascals out" and drop the bomb.

The middle-of-the-road American, the individual who faces today's problems with sincere concern and a desire for moderate solutions has had to tolerate a great deal from the extremists on the left and right.

Because of the loudness of these extremists the world has been left with the impression that our democracy is in danger and that, in our Nation, irresponsibility has replaced reason and tolerance.

On the one hand they see radical young people leaning toward communistic philosophy. On the right they see others, while professing to preserve and protect democracy, responding with simplistic solutions that in the end would destroy our freedom and our society.

I feel it is about time that we as a nation get on the right track and show the world that democracy is the best system under which to live.

It is about time that we start developing an attitude and a national policy that is "prodemocracy." And that, my friends, means taking the offensive for democracy rather than accepting the status of 20 years of only reacting to communism.

For the past 6 years the United States has spent an average of 12 percent of its national budget on what I call positive programs. These are the programs of education, research, medicine, housing, transportation, et cetera. At the same time 44 percent of our budget is for military expenditures.

I think it is about time that we start to beef up the positive side of democracy and control our reliance on the militaristic side.

There are those who think that we should strip down and stand naked with an olive branch in hopes that such a position would bring about world peace. There are others who want total reliance on weaponry and advocate more atomic arms.

I think that an arms philosophy based on rational thinking, not fear, is in our best interest.

Should we be strong militarily? I believe we must.

But at the same time I believe that there can be a better ratio than 12-percent expenditure for programs of peace and 44 percent for arms.

I cannot remember a one-handed fighter who became champion. Nor can I think of a baseball team with one star pitcher and no fielders or hitters that made the World Series.

It is the same way in world politics. If democracy is to be a champion we have to have more than superiority of arms. We have to have superiority of morals. We must have a humanitarian concern and we must show the world that our hearts are as big as our fists.

The world is going to judge the political systems and we are going to be judged on our ability to eliminate crime, conquer narcotics addiction, cure the ill, and feed the hungry. We are going to be judged on what we do to educate people and clean up our atmosphere.

We are not going to be judged on our ability to eliminate civilization.

THE LATE HONORABLE HARRY SHEPPARD

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. EDWARDS of California. Mr. Speaker, when I came to Congress in January of 1963, I was greeted and welcomed by the then dean of the California delegation, the Honorable Harry R. Sheppard. His warmth and his kindness guided me during those first confusing days, and since.

Harry Sheppard served in the House of Representatives for 14 terms, 28 years, spanning the generations, as he represented California's 27th Congressional District. He was well equipped for the representation of the people of his district, equipped by his youth as an orphan in Mobile, by his labors in a livery stable and with threshing machines in the Midwest, in the hunt for gold in Alaska, and as a businessman in southern California.

He served and served well, using his depth of experience as a bridge to understanding the needs of a changing congressional district, a changing State, a changing Nation, and a changing world.

His passing after a long and fruitful life takes from all of us a wise and kind friend. I and all of the Members of this House join in mourning our former colleague Harry R. Sheppard and in offering our condolences to his family.

A TOTAL OF 294 MEMBERS OF CONGRESS SUPPORT DECLARATION FOR PEACE IN THE MIDDLE EAST

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. CELLER. Mr. Speaker, on April 28, 1969, on page 10592 of the CONGRESSIONAL RECORD there was set forth a declaration for peace in the Middle East with the names of Members of the House of Representatives and the Senate, who at that time had lent their support to such declaration. Since that time a number of others have joined in that support so that there are now a total of 59 Senators and 235 Members of the House of Representatives, making the majority of the Senate and the majority of the House in agreement with that declaration. The additional names are as follows:

MEMBERS OF THE SENATE

JAMES B. ALLEN, of Alabama.
CLINTON P. ANDERSON, of New Mexico.
HARRY F. BYRD, JR., of Virginia.
HOWARD W. CANNON, of Nevada.
FRANK CHURCH, of Idaho.
THOMAS J. DODD, of Connecticut.
MIKE GRAVEL, of Alaska.
CLIFFORD P. HANSEN, of Wyoming.
WINSTON L. PROUTY, of Vermont.
JOHN J. SPARKMAN, of Alabama.
WILLIAM B. SPONG, JR., of Virginia.

MEMBERS OF THE HOUSE

JOHN B. ANDERSON, of Illinois.
WALTER S. BARING, of Nevada.
WILLIAM H. BATES, of Massachusetts.
PAGE BELCHER, of Oklahoma.
ALPHONZO BELL, of California.
RICHARD BOLLING, of Missouri.
FRANK T. BOW, of Ohio.
WILLIAM G. BRAY, of Indiana.
J. HERBERT BURKE, of Florida.
LAWRENCE J. BURTON, of Utah.
DANIEL E. BUTTON, of New York.
WILLIAM T. CAHILL, of New Jersey.
JOHN N. CAMP, of Oklahoma.
JAMES C. CLEVELAND, of New Hampshire.
WILLIAM O. COWGER, of Kentucky.
WILLIAM L. DICKINSON, of Alabama.
HAROLD D. DONOHUE, of Massachusetts.
THOMAS N. DOWNING, of Virginia.
JACK EDWARDS, of Alabama.
DON FUQUA, of Florida.
NICK GALIFIANAKIS, of North Carolina.
EDITH GREEN, of Oregon.
CHARLES S. GUBSER, of California.
G. ELLIOTT HAGAN, of Georgia.
JOHN P. HAMMERSCHMIDT, of Arkansas.
AUGUSTUS F. HAWKINS, of California.
KEN HECHLER, of West Virginia.
LAWRENCE J. HOGAN, of Maryland.
W. R. HULL, Jr., of Missouri.
JOSEPH E. KARTH, of Minnesota.
HASTINGS KEITH, of Massachusetts.
PAUL N. MCCLOSKEY, Jr., of California.
WILLIAM M. MCCULLOCH, of Ohio.
RAY J. MADDEN, of Indiana.
CATHERINE MAY, of Washington.
LLOYD MEEDS, of Washington.
THOMAS E. MORGAN, of Pennsylvania.
CHARLES A. MOSHER, of Ohio.
JOHN M. MURPHY, of New York.
ANCHER NELSEN, of Minnesota.
CARL D. PERKINS, of Kentucky.
PHILIP J. PHILBIN, of Massachusetts.
OTIS G. PIKE, of New York.
HOWARD W. POLLOCK, of Alaska.
GRAHAM PURCELL, of Texas.
RAY ROBERTS, of Texas.
WILLIAM V. ROTH, Jr., of Delaware.
DONALD RUMSFELD, of Illinois.
DAVID E. SATTERFIELD III, of Virginia.
GEORGE E. SHIPLEY, of Illinois.
JOHN M. SLACK, of West Virginia.
WILLIAM L. SPRINGER, of Illinois.
JAMES W. SYMINGTON, of Missouri.
FRANK THOMPSON, Jr., of New Jersey.
ROBERT O. TIERNAN, of Rhode Island.
G. WILLIAM WHITEHURST, of Virginia.
JAMES C. WRIGHT, Jr., of Texas.
LOUIS C. WYMAN, of New Hampshire.

The list will be kept open for additional supporters.

JUDGE GERALD R. CORBETT, FOUNDER OF HONOLULU'S FAMILY COURT, RETIRES AFTER NEARLY 23 YEARS ON THE BENCH

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. MATSUNAGA. Mr. Speaker, when Gerald R. Corbett, 65, senior judge of Honolulu's family court, retired on May 1, 1969, after nearly 23 years of service, he commented to Drew McKillips, legal affairs writer for the Honolulu Advertiser, that the most pressing need of today's courts is people:

> We need more personnel. We need more social workers, more referees, more court clerks, more support personnel all the way down the line. You can't run a ship without a crew. We could do a better job with at least 25 per cent increase in help.

Always unpretentious, Judge Corbett was forced to quit the job he loved, one which he could have worked at for another 4 years before mandatory retirement, because of a troublesome back. But Judge Corbett has accomplished one of his major goals: the establishment and operation of a family court. In his own words, Judge Corbett believes that he has organized a "team of skilled workers who have helped thousands of young people to make a better adjustment to the community—Honolulu. I feel we have one of the best statutes in the country in our Family Court Act. It brings together for analysis and treatment virtually all legal problems affecting family life."

We in Hawaii are grateful for the solid foundation Judge Corbett has laid for our State in his search for "alternatives to incarceration" for young violators. Our best wishes and aloha go with him as he enters upon his well-earned retirement after an outstanding career on the bench.

As one who was privileged to appear before Judge Corbett in innumerable cases while engaged in the private practice of law, I take considerable pride in submitting for inclusion in the CONGRESSIONAL RECORD the story of a judge who was repeatedly reappointed because his capabilities were found to transcend the political appointive nature of his post. That story first appeared in the Honolulu Advertiser on May 1, 1969:

A JUDGE LOOKS AT THE JOB

(By Drew McKillips)

This is the story of the man who served 22 years and nine months as judge of the Juvenile Court in Hawaii.

He held a political appointive job, but his capabilities enabled him to transcend politics.

Two presidents—one Republican and one Democrat—appointed him to terms as judge. Two governors of Hawaii—one Republican and one Democrat—named him to the bench.

Down through the years he had his share of critics. Some said he was too soft on juvenile law violators. Even after he announced his retirement, a State senator unleashed a verbal attack on him. He said the judge had done more to contribute to the increase of crime in Hawaii than any other man.

But the judge had heard it all before. Five years ago. Ten years ago. Twenty years ago.

The judge stayed on the job and did his job the best way he knew how.

He was always unpretentious. Other judges continually remodeled their chambers. Put in new drapes, new wall-to-wall carpets, wrap-around desks, oil paintings on the walls, insulated water jugs on the desks.

Some of the chambers looked very nice.

The Juvenile Court Judge had the smallest chamber in the courthouse. It was half the size of anyone else's. The drapes were faded. The carpet was faded. There was nothing ornate there. No abstract art on the walls. No hand-carved heads on the desk. Only government-issue bookcases filled with well-worn law books. A desk piled high with files that should have been disposed of weeks before if he had been supplied with the personnel he needed. (What good does it do when a probation officer has so many cases that he can talk with a kid only a few minutes once a month?)

ILLNESS TAKES TOLL

In the end it was an ailment that forced him to quit the job he loved. He could have worked another four years before mandatory retirement.

But in the last few years the climb to the second floor of the Judiciary Building has been taking a little longer each day. He has a bad back. He has to use heating pads in his office chair. Sometimes he walks with a shuffle.

He stayed on long enough to accomplish his goal: The establishment and operation of a Family Court.

Gerald R. Corbett, 65, senior judge of the Family Court, today will begin a long deserved retirement. Tomorrow night, 300 friends will honor him at a luau. On Sunday, he and his wife, Nancy, will fly to Europe for a month's vacation. It will be his first trip there.

A reporter who has known him for ten years interviewed him Tuesday.

The judge sat behind his file-strewn desk.

What did he think was his most noteworthy accomplishment?

He leaned back, lit a cigaret, and reflected.

GOOD TEAM, LAW

"I feel I have organized a team of skilled workers who have helped thousands of young people to make a better adjustment to the community," Corbett said. "I feel we have one of the best statutes in the country in our Family Court Act. It brings together for analysis and treatment virtually all legal problems affecting family life."

Did he have anything to say to his critics who charge him with being too lenient?

"Everyone is entitled to his own opinions," Corbett replied. "Some mistakes have been made in dealing with individual cases. But anyone who is in the business of trying to

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forecast the future of any other human being is bound to be wrong sometimes.

"I still think that with regard to young law violators an effort must be made to search for alternatives to incarceration. I don't think that anyone learns to adjust to the community, to get along with his neighbors and fellow citizens, by being removed from the community, and locked up.

"Youngsters in institutions are more likely to learn to adjust to the institution than they are likely to learn to adjust to the community that they must eventually return to."

NEED FACILITIES

Did he favor the establishment of different facilities than are now offered to youthful law breakers? What about putting young men in their late teens and early 20s together with hardened inmates?

"I believe we need a variety of facilities," Corbett said. "We need more facilities and resources to house and train youngsters who are homeless or who have to be removed from their homes. We need better segregation for different types of people. This would apply to both young people and adults.

"Human beings who are kept in confinement should not be lumped together. They should be divided by age groups, by degrees of sophistication, by degrees of intellectual ability. We badly need these facilities. We don't have them now."

What about the credo reputedly attributed to the late Father Flanagan, of Boys Town, Neb., that "there is no such thing as a bad boy." Does Corbett believe this?

"No, I don't believe that," he said. "I have encountered some pretty tough youngsters. But if you mean that no boy is born bad, I would be inclined to agree with that.

"Some youngsters are so badly damaged by mishandling—usually by their parents—that it will be extremely difficult, if not impossible, to get them to reform."

Did he believe that fear of incarceration deterred youths from crime?

"I don't believe that severe punishment acts as a deterrent to the general public," Corbett said. "We'd have a pretty sick community if the majority of citizens were law abiding merely because they were afraid."

What about youths who are rioting and protesting and refusing to be inducted into the armed services? What does he read into this?

THEY'D COME FORWARD

"As I observe these youngsters, they seem to conform generally," Corbett said. "They don't commit burglaries, rapes or robberies.

"One of their main thrusts seems to be in resisting the draft and protesting the war. I think the large number of youngsters who argue against the draft are sincerely opposed to war as a means of settling international problems. I tend to doubt that, in general, their protesting is based on personal fear or cowardice. I think if our country were attacked, as it was in the Pearl Harbor situation, the majority of these youngsters would come forward."

What about the growing use of marijuana among youngsters? Does he see any kind of a moral breakdown in our country?

"I think the penalty for smoking marijuana is completely unreasonable and unrealistic," Corbett said. "The handling of the marijuana situation is comparable to the handling of the liquor situation in prohibition days."

As he leaves the Family Court, what does he think is the court's most pressing need?

"People," Corbett said. "We need more personnel. We need more social workers, more referees, more court clerks, more support personnel all the way down the line. You can't run a ship without a crew. We could do a vastly better job with at least a 25 per cent increase in help."

IS THE WAR LOST?

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. FASCELL. Mr. Speaker, all of us hope that the current Vietnam peace talks in Paris meet with success. The American people are tired of this prolonged, seemingly endless conflict, and would like to see an honorable withdrawal of our forces begin as soon as possible.

Nonetheless, it appears that the new administration is finding it just as hard as the previous administration to achieve peace in Vietnam. While there have been reports of secret sessions, it is unclear to the public whether any real progress has been made. Consequently, many are now questioning the advisability of continued exclusive reliance on the peace talks, which were started by the previous administration, as our best hope for an honorable solution. They may remain as one potential remedy, and I feel that they should continue as long as there is any hope at all for a negotiated settlement, but the time is approaching when our Government must also explore new approaches to getting us out of Vietnam.

Implicit in the campaign pledges of our President was a promise to bring new thinking and new proposals for a Vietnam settlement. We have been patiently waiting for these new concepts, and it would be tragic if we continued to be bogged down in the patterns of the past.

A recent article on this subject comments on the lack of progress, or hope for progress, at the Paris peace talks. Published in Newsweek, it was written by Mr. Stewart Alsop. Because of the interest of my colleagues in achieving an end to the Vietnam fighting, I am inserting the article at this point in the RECORD:

IS THE WAR LOST?

(By Stewart Alsop)

PARIS.—It is glaringly obvious in Paris, though for mysterious reasons it does not seem to be so obvious in Washington, that Cabot Lodge, the chief American negotiator here, is in a virtually hopeless bargaining position. He is like a man trying to sell a house for $50,000 to another man who knows he would be glad to take $15,000 for the place—and might even be willing to give it away.

Lodge's mission is to attempt to negotiate with Hanoi and the NLF an "honorable" political settlement in Vietnam, based on mutual withdrawal of North Vietnamese and American troops. But the Communist side knows—or thinks it knows, which amounts to the same thing—that the Nixon Administration is so anxious to "de-Americanize" the war that a unilateral American withdrawal is inevitable anyway. Under the circumstances, why in the name of Marx and Lenin should the Communists agree to a mutual withdrawal?

The answer is that they presently have no intention whatever of doing so, as they make clear at great and tedious length every week. Moreover, as long as Cabot Lodge's bargaining position remains so feeble, no agreement of any sort is at all likely to emerge from the negotiations here—not, that is, unless the Nixon Administration is ready to accept a lightly camouflaged defeat.

There never was much hope among the American negotiators here that a formal, written agreement to end the war, all spelled out with semicolons and subsidiary clauses, would emerge from the talks. "We'll never get a piece of paper," one American negotiator said to this reporter here six weeks ago. But at that time, the Americans were hoping for a tacit agreement, a sort of peace-by-conspiracy.

MURKY AGREEMENT

As this agreement was rather murkily envisaged, the war would first be mutually scaled down. "We'll still be shooting at each other, but less and less," one negotiator explained. Then there would be a deal that would give the Communist minority representation in the Saigon government, followed by general elections overseen by "mixed commissions." Meanwhile, North Vietnamese and U.S. and allied forces would be withdrawn on a tacitly agreed schedule.

Even six weeks ago, this scenario sounded pretty dubious. When Cabot Lodge was ambassador in Saigon, he tried to persuade Saigon's then President Ky to adopt a generous program of reconciliation. "Mr. Ambassador," Ky replied, "you do not understand. I regard the Communists as traitors and they regard me as a traitor. If I catch them I'll shoot them, and if they catch me they'll shoot me." It has always been a bit difficult to imagine people who would very much like to shoot each other forming a workable coalition government.

Again, any agreement on mutual withdrawal would be only a camouflaged defeat unless the North Vietnamese agreed to withdraw from their Cambodian and Laotian sanctuaries as well as from South Vietnam. The North Vietnamese have yet to admit that they have any troops in any of these three places.

For such reasons, even six weeks ago, it was difficult to believe that a compromise settlement was possible. By now, to believe that the Communists have any interest in a reasonable settlement it is necessary, like the Red Queen, to "believe six impossible things before breakfast."

SECRET TALKS

It is necessary to believe, for example, that when the Communists demand—as they have at every formal meeting, week after weary week—the immediate, total, and unilateral withdrawal of the "American imperialist aggressors," they are subtly hinting that they really want to talk about mutual withdrawal. It is necessary to believe that, when they demand a "peace government" excluding all "lackeys"—meaning all members of the present government—they are really hinting that they want to talk about forming a coalition with the present government.

The hopes of six weeks ago were largely based on the assumption that when secret talks began the Communists would show some give. Secret talks have begun, and although in private the Communists are a bit more polite than in the formal meetings, in matters of substance they have not budged a millimeter. So hopes for a compromise settlement are certainly moribund here, if not entirely dead.

The French have from the first considered American hopes for a compromise settlement naive. During President Nixon's visit to Paris, one of the President's chief policy advisers had a last-minute talk with a high official of the French Government. The talk, as rather gloatingly repeated by the French official, went about like this:

AMERICAN ADVISER: "As you know, the President very much wants peace in Vietnam. But we feel that General de Gaulle ought to understand two things. First, we

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cannot withdraw American forces without any withdrawal by the other side. Second, we cannot sacrifice the Saigon government."

French Official: "Then the President cannot have peace."

The French, in short, believe that the Communists came to Paris to accept a camouflaged American capitulation, and that eventually the Communists will get what they came for. The French would not be at all displeased if the United States were humiliated in Vietnam as France was humiliated in 1954. But they could be right, all the same, unless Cabot Lodge's bargaining position is somehow improved.

It would be improved by a marked deterioration of the Communist military position in Vietnam or by sharply increased military pressure by our side, or by both. But neither seems at all likely. And it is an insult to the intelligence to argue, as some Washington casuists argue, that the Communists will be more willing to compromise if American forces in Vietnam—and therefore the military pressure on the Communists—are reduced. Communists are serious people—something we Americans should have learned by this time. They are deadly serious about achieving the goal—Communist rule over all Vietnam and in time all Southeast Asia—for which they have fought and bled for more than a generation. It is just plain silly to suppose that if we are nice enough to reduce the military pressure on them, they will be nice enough to abandon that goal.

BASIC WEAKNESS

President Nixon may, even so, have no choice but to begin withdrawing American troops. For the basic weakness in Cabot Lodge's bargaining position here lies in the simple fact that the American people have lost stomach for the war in Vietnam, and the Communists know it. People who have lost stomach for a war in the end generally lose the war. If that happens, it will be interesting, if perhaps a bit frightening, to see how the American people react to their first lost war.

SPECIAL MILK PROGRAM

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. PETTIS. Mr. Speaker, since I was in California yesterday representing my committee, I was not able to give my support to H.R. 5554, which extends the Child Nutrition Act of 1966. I wholeheartedly support this legislation and had I been here, I would have cast my vote for it. This special milk program has been very successful. It enabled 17 million children last year to receive a half pint of milk each day during the school years—and in many instances, the only whole fluid milk which children received was through this program.

Nutritionists say that children of school age need a minimum of 1 quart of milk a day. Statistics show that these needs are not fulfilled, especially with respect to children of low-income areas. The special milk program has made good progress toward correcting this deficiency.

The value of this program is clear, Mr. Speaker, and I am happy that my colleagues gave such overwhelming approval to making it a permanent one. It is a sound investment in the health of our younger generations.

A MAGNIFICENT TRIBUTE

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. RIVERS. Mr. Speaker, prior to being appointed Assistant Secretary of the Navy, for Manpower and Reserve Affairs, Brig. Gen. J. D. "Don" Hittle, U.S. Marine Corps, retired, wrote a multitude of outstanding and penetrating articles concerning our national security.

There is no doubt in anyone's mind who knows Don Hittle that he is a recognized military expert, so far as national or international strategy and military requirements are concerned.

But the wisdom of appointing him as Assistant Secretary of the Navy for Manpower and Reserve Affairs has been clearly and quickly demonstrated when one reads General Hittle's last article, a tribute to a marine, entitled "If a Rose Blooms Where Elmer Fell."

This is a beautifully written tribute, not only to Sgt. Elmer Montgomery, but to thousands of other young men in our Nation. I think it is most significant that the last column General Hittle wrote for publication by the Copley News Service prior to his appointment should deal, not with national strategy, not with hardware, but with that indispensable commodity so well understood by our new Assistant Secretary of the Navy, Don Hittle—people.

The article follows:

[From the San Diego (Calif.) Union, Mar. 9, 1969]

TRIBUTE TO A MARINE: IF A ROSE BLOOMS WHERE ELMER FELL

(NOTE.—The following tribute to a fellow Marine was written shortly before the author became Assistant Secretary of the Navy for Manpower and Reserves. The sentiment expressed by the writer should assure readers that the right man for the task has been appointed to the secretariat of the Navy.)

(By Brig. Gen. J. D. Hittle, U.S. Marine Corps, retired)

In late February in each of the last 24 years my mind reaches back to a little island in the far Pacific called Iwo Jima and a man named Elmer Montgomery.

After all those years, I'd like to write about Elmer.

We first met on Guam in late 1944 during the final phases of that campaign. I had been ordered to take over the G-4 logistics job for the 3rd Marine Division. We needed a clerk-typist. Sgt. Elmer Montgomery reported.

Elmer looked like the vindication of the whole Marine Corps personnel system. He wore the stripes of a buck sergeant, but there was nothing tough or fierce about this young man from Montana. His sensitive face, deep-set eyes, thin, almost frail figure hardly matched the gung-ho Marine prototype.

As we began to work together, I became more and more convinced that Elmer was the right man in the right job. He typed well, took shorthand, understood administration, kept things moving. He was a perfect man behind the man behind the gun.

After Guam was secured, attention shifted to the invasion of Iwo Jima. Work piled high and the hours were long in that little quonset hut office, but when Elmer did have a moment, I noticed he would lean his chair against the wall and pull a small, white leather-covered Bible from the hip pocket of his fatigues. It had a zipper around the edge that he would carefully loosen.

Wherever the Bible fell open in his hand, he would begin to read—and find serenity.

The other NCOs had trouble "figuring" Elmer, but they liked him. He was quiet and a bit withdrawn, but he was no "loner." He could chuckle at a bawdy joke and join in the bull sessions, though he winced at some of the more earthy profanity.

I remember one evening when we were working late. He went to the NCO Club and returned with a couple of cokes. They were a tonic on a steamy tropical night and we sat and chatted at my desk.

Elmer's glance fell on a stack of books.

"I see you have a copy of Omar Khayyam's Rubaiyat," he said. "It's one of my favorites."

The book was a gift from my wife. I explained that it offered a mental change of pace.

"What's your favorite verse?" I asked.

"I sometimes think that never blows so red,

"The rose as where some buried Caesar bled."

He had it perfect.

In February we sailed for Iwo Jima.

After several days of fierce fighting, division staff sections were ordered to provide replacements for badly mauled front-line units. I had to provide two.

It's not a pleasant job to pick men trained in support tasks for the "meat grinder." I selected the two I thought could best be spared from my supply operation.

I was just about to send the names to the division adjutant when my executive officer, Maj. Malcolm Beyer (later a brigadier general) popped into my dugout.

Sgt. Montgomery wanted to see me.

The sergeant saluted and informed me he had heard about the call for reinforcements.

"You're not one of them," I told him, thinking it would put his mind at ease.

"That's what I want to talk to you about, Colonel," he said. "I want to go forward."

I explained that I considered him essential to our supply mission and for the first time he argued. He wasn't loud, but he was firm.

"I'll never feel right if I don't go up when I'm needed," he said. "I'm needed now.

"I'm older than most of these kids. I've had a lot of experience looking after myself while hunting back home in Montana. I can look after them up forward."

I realized he wouldn't take "No" for an answer.

"Alright, I'll grant your request, but only because you're old enough to know what you're doing and because it means so much to you."

I never saw Elmer again.

A Marine from his front-line unit told me the story.

The platoon commander had been killed and Elmer was assigned, under a staff sergeant, as assistant platoon commander.

The order came to attack.

The patched-up platoon moved across a slight rise and into a small saucer-shaped area where it was pinned down by a carefully camouflaged Japanese machinegun. If the men tried to move back across the rise, the gun would get them. If they stayed, they would soon be blasted apart by mortars.

Elmer crawled and rolled within yelling distance of the staff sergeant.

The Marine who told me the story paused, pulled on his cigarette and pressed a bandage on his arm tighter against his own wound.

"Sgt. Montgomery yelled, 'When I draw the fire, roll the platoon back over the rise'," he said.

"And while the platoon commander was saying "no", Sgt. Montgomery stood up and,

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firing his rifle from his hip, walked into the machinegun.

"We're here because he drew the fire long enough for us to slide back over that rise."

They never found Elmer. A few minutes after his platoon reached safety our artillery laid down a barrage on the machinegun emplacement. The big shells churned the ground and everything on it mercilessly.

He and his little white, leather-covered Bible became, forever, part of the hallowed ground of Iwo Jima.

I suppose memories fade and maybe Sgt. Montgomery's Navy Cross is almost forgotten. But whenever I think back to all the brave men I have been privileged to know, Elmer heads the list.

And whenever my eye falls on a copy of the Rubaiyat, I can't help but believe that if a rose were ever to bloom where Elmer fell, it would be more red than any "Where some buried Caesar bled."

POLISH CONSTITUTION DAY

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. PHILBIN. Mr. Speaker, I am greatly honored and privileged again this year to join my colleagues in the participation of the commemorative program marking Poland's May 3 Constitution of 1791.

The observance of this May 3 anniversary deepens the faith and heightens the courage of every Pole and of every American of Polish origin. It reminds all Americans of Poland's destiny in the history of mankind and prophesies the ultimate triumph of justice, even though Poland once more has been deprived of her independence, sovereignty, and her territory.

Wherever Americans of Polish descent live throughout our country, this holiday is observed with appropriate exercises during the month of May to pay tribute to the Polish nation and remind fellow Americans that Poland was one of the first pioneers of free, representative government in Europe.

Throughout history, the mettle of the Polish people has been tested in many crucibles of death, destruction, and fire, yet their faith has never been shattered, their courage has never been dimmed, and their high purpose to fight for liberty, freedom, and justice has become stronger through the years.

Although they are bound by the chains of tyranny, they will never give in. They will continue to fight for their birthright as free men and women until they have achieved their goals.

It is up to us, and other freedom-loving nations, who admire their struggles and honor them for their priceless sacrifices for freedom, to hold out the hand of friendship toward them, and render them every encouragement and assistance.

Let us resolve on this occasion that the fight for Polish liberty and freedom will continue until it is won and, pray God, may that day be soon.

POLISH CONSTITUTION DAY

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. HELSTOSKI. Mr. Speaker, this is the fifth time that I have the privilege to stand up in the House of Representatives and freely and under no restrictions, address this august body in commemoration of the Constitution of Poland which was adopted on May 3, 1791.

On this 178th anniversary of the adoption of the Polish Constitution, I wish to join my colleagues in paying tribute to the nation which was capable of such a great document of human rights and social justice.

Poland was the first country in Europe to have a written constitution. It came into being after the second partition of Poland and was the fruit of the famous 4 years' Diet, assembled in Warsaw to draw up a new constitution. The nation was in a feverish state, and Europe at large was shaken with political disturbances. The leaders of Poland perceived that social and economic reforms were needed if the country was to survive.

Throughout the course of her history the people of Poland have always desired to live peacefully with their neighbors. Her Constitution was adopted not many years after the Constitution of the United States had been adopted and was an outstanding milestone in the evolution of democracy in Europe.

With over 1,000 years of national existence, Poland ranks among the oldest of European nations. Varied was her fortune through the centuries. There was a time when she constituted one of the major powers of Europe, when princes and monarchs sought her favor and aid; but at no time has she sought her neighbors' possessions, or sinned by invading and terrorizing their lands. If she grew territorially, it was not through conquest, but as a result of concord with the adjoining countries who freely desired a permanent union with her. For through alliance with Poland they found a realization of the freedom and personal liberties which no other country offered.

Poland and her people have been partitioned four times, ravaged, despoiled, murdered, and enslaved by greedy and imperialistic nations. No nation, no people have suffered so much in the last two centuries. National honor, national integrity, the nation's boundaries, after two centuries of suffering, are sacred things to every Pole—young and old, rich and poor. Two long centuries of Polish tears, prayers, songs of sorrow, have made it so. For two long centuries their women and children were starved and slaughtered; husbands, fathers, brothers shot and sabered or condemned to prison for life. Two long centuries of the most cruel and inhuman practices upon a peaceful and agricultural people, of persecution, brutal barbarism and savagery have instilled in every Polish heart a deep consciousness of national honor, national integrity, and that the nation's boundaries be respected.

Today, the people of Poland are not even permitted to celebrate publicly this great national holiday, the anniversary of their Constitution. The alien government leaders fear that the shining light which such celebration would cast upon the bright history of Poland, upon the gallant efforts of its people to free themselves from the yoke of containment, would dim and blot out the false promises and the changes brought into the life of Poland by the puppet government supported by Soviet Russia. They fear that the brightness of that great Constitution would bring to light the utter emptiness, filth, and wickedness of their orders, by which there is thrust upon the Polish people the project of the Communist constitution, intended to completely enslave the Polish nation. I feel confident, however, that the Polish nation, strengthened by the ideals of freedom and social justice contained in the May Constitution will never give up their rich heritage.

Mr. Speaker, as we join in this tribute to Poland on this anniversary, the United States of America is deeply indebted to Poland for its many contributions to our progress and well-being. It is also indebted to Poland for the millions of its citizens who came to this country to help build it to the greatest nation of all times. That same zeal and warm desire for freedom, that same resistance to persecution, and the same determination to develop, which characterized the Poles through the ages, has been a dominant factor in the growth and development of our great Nation.

Let us give Poland, equivalent in size to the State of New Mexico, and its over 32 million people, our most sincere assurance of our moral support, encourage them in their continued fight for freedom in the full sense of the word.

Poland must be free, since without a free Poland, there can be no true peace.

On this May 3, Americans of Polish origin will join with others of Polish origin, whether they be in Canada, Europe, the South American countries; yes, even in Poland itself, to pray for Poland's freedom and hope that Poland will soon again take her place in the society of free nations and that her future will be guaranteed from further domination by governments alien to her spirit of democracy.

THE HONORABLE HARRY R. SHEPPARD

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. ROONEY of New York. Mr. Speaker, I, too, was deeply saddened to learn of the death of Hon. Harry R. Sheppard who for 28 years so ably served the people of California's 27th Congressional District. I knew and admired Harry for many years and had the privilege of serving with him on the House

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Committee on Appropriations for almost two decades. With the rest of my colleagues I was quite unhappy to see him retire in 1964 because of ill health. His presence was greatly missed as was his expertise on defense matters within the Appropriations Committee. But more than that it was his warmth and kindness and genuine good humor that we missed so much. Harry Sheppard, Mr. Speaker, was one of the great ones—gentleman, statesman, and patriot. To his charming wife, Kay, Mrs. Rooney and I extend our sincerest sympathy in this time of grief.

ABOLISH IT

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. GROSS. Mr. Speaker, I have often expressed the opinion that this Government is—to put it mildly—overstuffed with commissions, committees, councils, and boards which have little or nothing to do.

I am interested, therefore, to see that the Wall Street Journal today points out that the Lewis and Clark Trail Commission, in the true tradition of empire building, wants a new, 5-year lease on life.

I am pleased that the newspaper takes note of the opposition to this extension of my good friend, the gentleman from Iowa (Mr. KYL), and if legislation to pump new life into this Commission ever gets to the floor of the House I shall be happy to join him in voting against it.

I include the newspaper article for insertion in the RECORD at this point.

LEWIS AND CLARK TRAIL COMMISSION CAN'T BRING ITSELF TO QUIT

(By Arlen J. Large)

On Aug. 12, 1805, deep in the mountains of southwestern Montana, Capt. Meriwether Lewis drank from a small stream and watched as a comrade "exultingly stood with a foot on each side of this little rivulet and thanked his god that he had lived to bestride the mighty & heretofore deemed endless Missouri."

It was a thrilling moment in one of history's great adventures. The 7,500-mile round trip bewteen St. Louis and the Oregon coast led by Mr. Lewis and his co-captain, William Clark, has inspired succeeding generations as a saga of man's persistence.

That spirit of persistence still lives.

Five years ago Congress established the Lewis and Clark Trail Commission to promote popular interest in the expedition's route up the Missouri, over the mountains of Montana and Idaho and down the Columbia to the Pacific. One of the commission's chief tasks was to post distinctive markers on highways adjacent to the explorers' route through 11 states. That chore is largely completed now, and by law the commission is to write its final report and expire next October.

But the ghosts of Lewis and Clark seem to be whispering "forward, against all hazard" to Sherry Fisher, the Des Moines banker who heads the 27-member commission. The affable and enthusiastic Mr. Fisher contends the group's work isn't done, and he wants Congress to extend its life for another five years.

Mr. Fisher feels that the unpaid commission, which gets along on an annual $25,000 dab from Congress for expenses, ultimately can turn its duties over to a permanent private association. "But we haven't got this thing quite cranked up," he says, "and that's why we need an extension."

The Federal commission's duties haven't included any actual search for the Lewis and Clark trail; the route has been known rather exactly since the 30-man military expedition—given up for dead—returned to St. Louis with its maps and journals in September 1806. Probably the greatest uncertainty involves the difficult Lolo Trail across the mountains of northern Idaho, where the supposed route and campsites may be in error by one or two miles. In Missouri, a state committee instigated by the Federal commission has precisely located 44 of the 52 riverside campsites of the Corps of Discovery. Many of the campsites in North Dakota and Montana are under the waters of the Garrison and Fort Peck reservoirs.

SCHOLARSHIP AND SHOWBOATING

The Commission's Congressional mandate is to "advance public awareness" of the explorers' feats. The job is being done with a curious blend of historical scholarship and promotional showboating. The group decided Capt. Clark's talent for getting along with Indian tribes had been unappreciated; to redress the oversight, it ceremoniously presented a plaque honoring Clark to tribes at the Fort Berthold Indian Reservation in North Dakota last year. Chairman Fisher rightfully is indignant about an old Fred MacMurray movie portraying pitched battles between the expedition and the redskins. A small party led by Lewis got into a scrape with some Blackfeet in the Montana grasslands and one brave was stabbed to death, but Indians elsewhere along the route provided food and horses. The corps lost only one man, who died of appendicitis. The only serious casualty was Lewis himself, shot accidentally in the rump by a hunting companion.

The trail commission is composed of governors or their aides, Members of Congress, officials of Federal agencies and representatives of a private conservation foundation. Chairman Fisher says the group acts as a "catalyst" to get recreational areas built along the trail, for example, and to persuade state highway departments to cooperate in route-marking.

Despite the commission's clout not all of its projects succeed. It wanted to change the name of Lemhi Pass, on the Montana-Idaho border not far from the spot where Capt. Lewis watched Hugh McNeal straddle the Missouri. The new name, logically enough, would be Lewis and Clark Pass. A complication: There already is a Lewis and Clark Pass in Montana. The commission proposed condensing this name to Lewis Pass and renaming Gibbons Pass in Montana as Clark Pass, thus honoring the captains both together and individually. The Federal Board on Geographic Names, which is in charge of such things, rejected the idea.

HIGH PRAISE AND CRITICISM

This commission has received high praise for coordinating more park-building along the trail and stirring historical interest in the expedition. But it also has been criticized for trying to expand into the roadbuilding business, and for succumbing to crassly commercial tourist promotion. Chairman Fisher wants Congress to authorize a Transportation Department study of building a "continuous Lewis and Clark Trail Highway" because existing roads in several places are distant from the trail. "How the hell is anybody going to enjoy these wilderness areas if you can't get people there so they can look?" he asks.

Roadside businesses have a legitimate interest in luring tourists to Lewis and Clark landmarks, but commercial pressures on the commission and on state highway officials can produce sloppy history and outright confusion for travelers. In Montana, business groups along U.S. Route 2 and State Route 200 succeeded in getting the official trail markers installed on *both* highways—each on its own side of the Missouri and, in places, as much as 50 miles from the water.

So commerce joins history in generating strong local pressures along the trail route for extension of the commission's life. In Clatsop County, Ore., on the Pacific Coast, where the expedition spent the winter of 1805–1806, appeals have been voiced by the Astoria Chamber of Commerce, the county commissioners and the county historical society. Idaho's Republican Sen. Len Jordan has expressed reluctance to extend the commission's life, but he's getting heat from home.

Chairman Fisher has a strong ally in Democratic Sen. Quentin Burdick of North Dakota, who is sponsoring a bill to keep the commission in business. But its prospects have been jolted by the defection of GOP Rep. John Kyl of Iowa, member of the commission and an original sponsor of the 1964 bill that created it. Mr. Kyl, who suspects the commission's roadbuilding ambitions were getting it off the track anyway, wants the Lewis and Clark promotion job handed over this year to a private association. In a letter to Interior Secretary Walter Hickel, Mr. Kyl said the Washington habit of extending "temporary" commissions forever makes them the target of jokes and brings "disfavor to worthy enterprises."

His recommendation to let the commission die on schedule in October is expected to carry heavy weight with the Nixon Administration, which thinks there's already a surplus of such commissions. A final decision hasn't been made, but "there'll be a great deal of reluctance to continue a project such as this," says a White House staffer.

The original attempt by Congress to preserve the spirit of a great adventure was a legitimate national enterprise. And in the main, the Lewis and Clark Trail Commission is credited with doing a good job, at little cost. In trying to decide whether to write its final report and quit, the commission could well fellow the example of Lewis and Clark themselves—who knew when to stop. "A fine morning," noted Capt. Clark at journey's end in St. Louis. "We commenced wrighting &c."

CONGRESSMAN PETTIS' SPEECH IN SAN FRANCISCO

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. MILLER of California. Mr. Speaker, in this highly technological age, I am pleased that a man of the caliber of the Honorable JERRY L. PETTIS represented the Science and Astronautics Committee at the 28th annual conference of the Society of Aeronautical Weight Engineers in San Francisco yesterday. Mr. Pettis was the keynote speaker for that conference with the topic, "Program Initiation Philosophy." We are fortunate that a man of his broad experience in scientifically oriented business, and one who has become well acquainted with the scientific and technological programs which have come before our committee, was available to represent the committee and this body at that important gathering.

I commend my colleague and fellow Californian for taking the time to make this appearance in San Francisco on our behalf.

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RESULTS OF THE MINSHALL OPINION POLL

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. MINSHALL. Mr. Speaker, under leave to extend my remarks I wish to insert in the Record a copy of my May Washington Report in which are given the results of my recent opinion poll, a copy of which was sent to every home in the 23d Congressional District.

WASHINGTON REPORT: MAY, 1969

Results of the 1969 Minshall opinion poll reveal that the more than 25,000 people who returned their questionnaires were almost evenly divided over the controversial ABM . . . overwhelmingly in favor of a national popular vote and suspending federal funds to colleges which tolerate continued flagrant disorders . . . strongly opposed to the SST, 10% surtax and guaranteed annual incomes . . . *Law and order*—in all phases including civil strife—head the list of problems facing the nation, according to nearly a third of those polled. Taxes and inflation rank second, the war in Vietnam third . . . Percentage of returns this year reached an all-time high: I welcome this enthusiastic response and only regret that time and staff limitations prevent my personally answering each of you who added comments to your return. All were read with great interest. Results of the poll follow:

[In percent]

	Yes	No	No opinion
1. Do you favor 1 year of compulsory training for all young men?	67.7	30.4	1.9
2. Do you approve of the proposed limited antiballistic missile system?	45.4	45.2	9.4
3. Does the U.S. space program justify its cost?	43.9	50.8	5.3
4. Should the voting age be lowered to 19?	43.7	54.6	1.7
5. In cases of continued flagrant campus disorder, should Federal funds for the college involved be suspended until order is restored?	78.6	18.8	2.6
6. Should the electoral college be replaced by a national popular vote for the Presidency?	86.0	11.9	2.1
7. Do you favor financing the research and development of a supersonic transport aircraft at an estimated Government cost of approximately $1,500,000,000?	20.6	76.5	2.9
8. Are you in favor of continuing the 10 percent income surtax?	20.3	77.4	2.3
9. Should the Government subsidize a guaranteed annual income?	15.5	81.1	3.4
10. Do you think the Nixon administration has made a good start?	63.0	26.5	10.5

11. If the Paris peace talks do not succeed in ending the war in Vietnam, what alternative would you suggest?

	Percent
Escalate the war and win	30.0
Get U.S. troops out of Vietnam now	27.6
Phase out, turn war over to the South Vietnamese	14.4
"Win or get out"	8.6
Negotiate elsewhere or call in U.N.	3.9
Miscellaneous suggestions	4.3
No opinion	11.2

12. What do you think is the principal problem facing the Nation today?

	Percent
Law and order	30.9
Taxes and inflation	23.1
Vietnam	13.7
Race relations	9.4
Big Government/excessive Federal spending	6.1
Poverty	3.2
Communism in the United States	2.2
U.S. Supreme Court decisions	1.0
Miscellaneous	5.3
No opinion	5.1

THE NAVY WAY

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. BOLAND. Mr. Speaker, the Secretary of the Navy, John H. Chafee, yesterday announced that he has overruled a board of inquiry recommendation seeking a court martial for Comdr. Lloyd M. Bucher, captain of the *Pueblo*. The Secretary's decision, I think, is eminently just.

Secretary Chafee pointed out that the entire Navy—the chain of command stretching all the way from the Pacific to Washington—shares responsibility for this incident. Circumstances that the Navy's high command did not anticipate thrust Commander Bucher into this cruel dilemma: surrender his ship, or sacrifice the lives of his men. Commander Bucher, I feel, made the wise and humane choice. Armed with only a few small machineguns, surrounded by a veritable flotilla of North Korean speedboats bristling with armament, Commander Bucher realized that to resist would be to invite certain disaster. It seems plain, too, that armed resistance would have given the *Pueblo's* crew even less time to destroy classified documents and devices.

The officers chiefly responsible for this task—Lt. Stephen R. Harris and Lt. Edward R. Murphy, Jr.—have also been exonerated from the board of inquiry's allegations. Caught up in the chaos of a sudden armed attack, lacking adequate equipment for the destruction of secret material, unaware whether the North Koreans meant to seize their ship or merely harass it, these two men reacted predictably under the circumstances. It is easy—after months of pondering their plight and analyzing their options—to second guess Harris and Murphy. It is far less easy to carry out, in the midst of battle, a mission made virtually impossible by the Navy's lack of foresight.

If anyone is responsible for the *Pueblo's* seizure, it is the Navy's high command itself. The Navy failed to equip the *Pueblo* adequately, failed to brief her officers on the latest relevant intelligence reports, failed to prepare defense plans in the event of an enemy attack.

Yet the board of inquiry placed little emphasis on the Navy's failures, preferring to level charges at the victims of these failures. I am delighted that Secretary Chafee has ruled against the board's recommendations. I am delighted, too, that Defense Secretary Melvin Laird has made assurances that the records of the *Pueblo's* officers will not be blemished by this incident.

With permission, Mr. Speaker, I put in the Record at this point a Washington Post editorial dealing with the *Pueblo* incident:

[From the Washington Post, May 7, 1969]

THE NAVY WAY

It figured that the Naval Court of Inquiry into the Pueblo case would render a stern and starchy judgment, recommending court-martials for the two principal officers-in-charge on the ship, and reprimands or admonitions for failures of one sort or another on the part of three other officers intimately involved in the affair. Orders must be obeyed and ancient traditions served for the sake of military discipline. And it also figured as the case moved up for review, first by the Commander in Chief, Pacific, and then the Chief of Naval Operations, and finally the Secretary of the Navy, that justice would be tempered by compassion and a keen awareness that there was blame enough to spread rather liberally up through the higher echelons to the top men of the service.

This is the Navy way, or more correctly the military way, and it is understandable, as far as it goes. Down the line there is morale to think about; and at the top there is an instinct for self-preservation that is by no means unique among military men.

So there would be much to be said for forgetting this whole unhappy affair were it not for the fact that its ending somehow doesn't satisfy. "I make no judgment regarding the guilt or innocence of any of the officers of the offenses alleged against them," Secretary Chafee was careful to say, in setting aside the court's recommendations—and there is something to his argument that, if punishment were indicated, the three who were actually captured by the North Koreans have suffered punishment enough. The fact remains, however, that a cloud of sorts has been cast over them and not dispelled; the real test of the Navy's compassion will therefore come in the effect this cloud will have on their careers.

Secretary Chafee is a good deal less persuasive in his argument that the two other officers—and by implication, even more senior officers who had a hand in this the Pueblo mission—should not be punished because their "failure to anticipate the emergency that subsequently developed" resulted from the "sudden collapse of a premise which had been assumed at every level of responsibility and upon which every other aspect of the mission had been based—freedom of the seas."

If this was in fact the premise upon which the whole project was based, it is hard to see how the Court of Inquiry could then have found any grounds for recommending a letter of reprimand against Rear Admiral Johnson, for "failing to plan properly for effective emergency support forces for contingencies . . . and negligently failing to verify effectively the feasibility of rapid emergency destruction of classified equipment and documents . . ." Apparently there was some planning for the worst, some consideration that "freedom of the seas" was not protection enough; it just wasn't done properly.

Secretary Chafee put it rather well. The charge of failure to anticipate the emergency, he said, "could be levelled in various degrees at responsible superior authorities in the chain of command and control and in the collateral support structure." And he added: "The consequences must in fairness be borne by all, rather than by one or two individuals whom circumstances had placed closer to the crucial event."

Amen, Mr. Secretary. But is that an argument for letting the matter drop? There obviously is more here than has met the public eye—more about how these missions are cooked up, how they are reviewed by higher authority, how the risks are weighed, and what has been done to improve the odds that this sort of thing doesn't happen again. We are told by Mr. Chafee that "a variety of corrective actions have flowed and will flow" from the Pueblo incident. But we aren't told what they are and it is not all that easy, any more, to take these things on faith. Perhaps Congress can elicit more light. Perhaps the Defense Department will, on its own accord. The one interest that hasn't yet been adequately served in the Pueblo affair is the right of an uneasy public, long since grown skeptical, to know.

SMOTHERED BROTHERS

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. KOCH. Mr. Speaker, on April 8 I placed in the CONGRESSIONAL RECORD a letter which I sent to Dr. Frank Stanton of the CBS network registering my objections to the dismissal of the Smothers Brothers by CBS. I should like at this point to place in the RECORD his reply:

COLUMBIA BROADCASTING SYSTEM, INC.,
New York, N.Y., April 16, 1969.

Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KOCH: By your letter of April 8 concerning the cancellation of the "Smothers Brothers Comedy Hour": you accuse CBS Television Network "censors" of having "little respect for the intelligence of the 33 million Americans who regularly enjoy these talented and irreverent entertainers" and you charge "that a few cautious and humorless men can decide what political or religious satire can be televised on air waves that belong to the American people in the first place."

The action of the CBS Television Network was taken precisely because of its obligation to the public—not despite that obligation. The central issue involved here is whether a broadcast organization has a responsibility to the public with respect to questions of taste and, if so, whether it is entitled to establish reasonable procedures in order to exercise that responsibility. The Smothers Brothers made it abundantly clear that they were unwilling to accept the criteria established by the Network. Moreover, they failed to observe their contractual obligation to deliver tapes of their programs in time for review by the Network and for preview by closed cicuit to stations affiliated with the Network.

In the larger question of taste, we recognize that there are no simple, across-the-board standards that will be appropriate to all audiences or all times. What is in good taste for one individual may offend another. And certainly of all art forms, topical satire and parody are the most difficult to assess. At the same time there is also the problem of reconciling two distinct responsibilities. On the one hand, we have an obligation to the ideals and purposes of creative art, and we try to do everything we can to expand creative freedom and encourage artistic expression. On the other, we have an obligation to the audience—and to its sense of decency, propriety and morality.

In your letter you seem to suggest that we should eliminate all standards of taste, and let the viewers fend for themselves. As a mass medium that seeks to inform and entertain, television must maintain standards, as must other mass media. Standards of taste are basic to any civilized society, and it is the main function of the mass media to reflect those standards. If television were to eliminate such standards, I suspect that you—as a public official and a concerned citizen—would be among the first to deplore broadcasts you found offensive.

An editorial in the current *TV Guide* (copy enclosed) puts it this way—"The issue is: Shall entertainers using a mass medium for *all* the people be allowed to amuse a few by satirizing religion while offending the substantial majority? The issue is: Shall a network be required to provide time for a Joan Baez to pay tribute to her draft-evading husband while hundreds of thousands of viewers in the households of men fighting and dying in Viet Nam look on in shocked resentment? . . . For all the Smothers Brothers' pseudo-intellectualism, it seems doubtful that they have encountered George Bernard Shaw's statement that 'Liberty means responsibility.' "

At CBS we try to be constantly aware of that responsibility. And the vast majority of the public, I am certain, would have it no other way. The CBS Television Network affiliates—who, under the law, must bear the ultimate responsibility for what they broadcast in their communities and surrounding areas—have endorsed the Network's cancellation of the "Smothers Brothers Comedy Hour."

In light of these considerations, I trust you will understand my dismay at your letter.

Sincerely,

DR. FRANK STANTON.

EUGENE TIMOTHY KINNALY

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, it was less than 10 months ago that we gathered in the House on a very happy occasion. We were honoring a great and noble American and a very dear friend on his 50th anniversary as a congressional aide in the House of Representatives. We were joyous in our tributes to Eugene Kinnaly and were happy to have the opportunity to honor him.

Today we join once again to pay tribute to Eugene Kinnaly, but this time in great sorrow for he has left us. I am doubly glad today that we did pay tribute to Eugene Kinnaly on July 18 of last year, for all too often it is only after death that appropriate tribute is made to great men and great friends. We were fortunate to have known Eugene Kinnaly and it was our fortune to be able to honor him while he lived.

For more than 50 years this exceptionally good and kind man served as the confidant of legislators and administrators. For 50 years he was a behind-the-scenes technician of legislation. For 50 years he was a dedicated public servant. But more than that, Mr. Speaker, he was a loyal, able, and devoted friend. He was a man of great responsibilities who never tired. He was a man of tremendous tasks whose energy never diminished. He never sought the fame and praise that was due him. His only goal was to serve the Speaker, the Commonwealth, and the Nation. This he always did, and he did it with such great knowledge and ability that all who came near him benefited from his assistance, his intelligent advice, and his great kindness.

He had a multitude of duties that covered the entire range of our beloved Speaker's endeavors, but throughout his hectic day he was never too busy to take time to give someone a reassuring smile or a kind, encouraging word. He was a patient listener who always gave sound and thoughtful counsel to those who sought it. He was loved on Capitol Hill as he was loved in his home city of Boston. He was respected not only for his great ability but also for his magnificent virtue, for he was one of the most charitable and religious men I have ever encountered. He was considered a living saint by his friends and relatives and this was entirely justified for he had none of the vices and all of the virtues.

Ralph Waldo Emerson said that virtue was its own reward. This must be true, for Eugene Kinnaly sought no other and his goodness was increased by the good he did for others. Emerson also said that the only way to have a friend is to be one, and Eugene Kinnaly had so many friends because he had befriended all he encountered.

I mourn his passing and I grieve at our loss. I will miss his great warmth and understanding, his sincere friendship, and his kind and noble character. I extend my heartfelt sympathy to his family and to our beloved Speaker and also to us, for we have all lost a dear and trusted friend. May God be with his family in their time of sorrow.

LEGISLATION TO PROVIDE TAX AID TO SERVICEMEN IN KOREA

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. FEIGHAN. Mr. Speaker, I am proud today to join my distinguished colleague from New York (Mr. WOLFF) in sponsoring legislation to provide American servicemen in Korea with the same tax benefits enjoyed by servicemen in Vietnam.

Our enlisted men in Vietnam are currently entitled to exclude all income received for services performed in and around that country in computing their taxes. Officers are permitted to exclude up to $500 per month from their gross income when tabulating their tax returns. This exemption also applies to income received by a serviceman while hospitalized as a result of injuries received in a combat zone. As my colleagues are aware, the Vietnam area is presently the only area designated as a combat zone.

Our American soldiers serving in Southeast Asia are highly deserving of these tax benefits for their hazardous duty but the distressing fact is that such severe hostilities are no longer confined to Vietnam. The capture of the U.S.S. *Pueblo* and the recent fatal attack on an American EC-121 by the North Koreans are strong indications of the growing perils faced by our servicemen stationed in and around Korea.

Here in the House we will shortly be considering legislation that exempts from taxable income, the salaries received by the *Pueblo* crew during their

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imprisonment. Hazardous duty should be appropriately recognized by us here at home. It is only fitting that we acknowledge our soldiers in Korea by according them the same tax benefits as their compatriots in Vietnam.

MR. WALTER J. SCHUCHMANN TELLS STORY OF FORT BEN HARRISON, IND.: "HOME OF THE ARMY DOLLAR"

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. BRAY. Mr. Speaker, the May 1969 issue of Army Digest contains an interesting and informative article on the U.S. Army's Finance Center, at Fort Benjamin Harrison, in Indianapolis, by one who certainly knows what he is writing about: Mr. Walter Schuchmann, one of the finance center's top civilian officials.

The article follows:

HOME OF THE ARMY DOLLAR

(By Walter Schuchmann, Finance Center, U.S. Army)

Imagine all the privates and generals and noncommissioned officers of the Army—about 1½ million men and women—crammed into a room the size of a football stadium.

Officers, recruits, nurses, WACs, career men and "short-timers"—all are represented in row after row of file cabinets of pay and allotment records in the Division of Military Pay Operations at the Finance Center, U.S. Army (FCUSA), Fort Benjamin Harrison, Indiana. In the computer tape library of the Data Processing Operations vault, additional records of all ranks, from Private to general, are stored compactly on magnetic tape.

An organization unique among the varied units that comprise the modern U.S. Army, the Center regularly touches every man and every woman in uniform—and most families too—in a very personal way. Its operation is virtually taken for granted by everyone—so long as pay and allotments show no mistake.

Now in its 16th year of service, the Finance Center is the Army's largest building. Three stories high, and measuring 996 by 612 feet, the FCUSA is not as big as The Pentagon, of course—but that structure gave up its Army identity over two decades ago to accommodate the senior staffs of the Defense and Military Departments.

The Hoosier "Pentagon of the Prairies" cost $19 million to build, but paid for itself through economies realized in centralizing financial operations under one roof. Back in 1953–54, there were nearly 6,000 on the staffs in St. Louis, Washington, Chicago and elsewhere. Today, commanded by BG Ralph J. Richards, Jr., the FCUSA staff is somewhat under 4,000.

The FCUSA workforce is mainly Civil Service; only 70 military personnel are on duty. Employees—80 percent of them women—operate business machines, or work as allotment clerks, military pay clerks, and claims and voucher examiners. Others are file clerks, typists, computer programmers, management analysts, personnel technicians, secretaries.

Staff members recognize the importance of timeliness and accuracy of pay as a factor affecting morale. Every effort is made to provide allotment and pay checks "right on schedule."

ALLOTMENTS

The FCUSA Allotments, Deposits and Centralized Pay Operations administers over 2.5 million allotments. Included are 225,000 class O allotments to dependents. More than a million are class E allotments for family support or payable to financial institutions and commercial insurance companies.

Indicative of the importance of promptly reporting address changes, an average of 25,000 checks and U.S. Savings Bonds are returned monthly to FCUSA because of delayed notification of changes of address.

Savings administration includes recordkeeping, interest computation and repayment of savings deposits. Under a law applicable to military personnel only, members stationed outside the United States are eligible for 10 per cent interest compounded quarterly on money set aside from their pay. Deposits may be made monthly by class S allotment, or in cash. And for members buying savings bonds by allotment, FCUSA will provide "safekeeping" upon request; the bonds are held in secure vaults until the member wishes to receive them.

"Miles of files" contain financial histories of active Army members and those separated in recent years. Frequent searches are made in these records to answer inquiries from members, dependents and field offices; to validate pay adjustments; and settle claims.

After members are paid, original pay vouchers are forwarded to the Center from field Finance and Accounting Offices (F&AOs). Data from these vouchers are then reported to Social Security Administration on a quarterly basis, and to the Department of the Army budget staff. The Center double-checks by comparing voucher allotment deduction data with allotments that the Center has paid.

Punch card accounting machines and automatic data processing systems facilitate processing this tremendous quantity of information. The pay vouchers are filed in the "pay jacket" maintained for each person in active service. Experienced examiners review these files for propriety and accuracy of recorded payments.

AUTOMATED PROCEDURES

Since 1965 the Army has employed centralized automated pay procedures at selected stations, initially on a test basis, and currently for regular service to over 100,000 members.

Members alerted for the 1st Cavalry Division (Airmobile) in Vietnam or assigned to one of nine stations within Continental U.S. and Europe can anticipate a change in their monthly pay procedures. It is possible for these members to receive pay twice monthly under this system, a forerunner to JUMPS (Joint Uniform Military Pay System) prescribed for all services. A master pay file is maintained in the FCUSA Data Processing Operations on computer tape; field stations submit notices of pay changes; and calculations are made with electronic speed and precision. The computers cause pay vouchers and checks to be printed; and checks are mailed to the soldier directly or to a person or financial institution designated by him.

Work is now underway to provide additional space for new computers needed for record-keeping and reporting when the entire U.S. Army is paid under JUMPS.

Many Army members continue receiving service from FCUSA after they retire. Over 260,000 pay checks are dispatched with clock-like regularity to Army retirees each month.

ASN TO SSAN

Soon to affect every Army person and family is the conversion from the Army Service Number to the Social Security Account Number (SSAN) as the numerical identifier in Army records. FCUSA for more than a year has associated SSANs with individual financial records at the Center. Every financial form, letter of inquiry and reference in correspondence to an Army member should include this vital nine-digit number. Requested actions on allotments, pay claims and records may be delayed for lack of SSAN identification.

FCUSA Settlements Operations processes claims for pay and allowances that separated members did not receive while on active duty. Payments due on deceased members' accounts also are given priority attention. Travel allowances upon retirement and other reimbursements are processed. Amounts due the United States, not liquidated during active service, are collected from former members.

Among other functions, FCUSA pays common carriers' bill for transportation of materiel and military passengers. The Center settles obligations for transportation by the Office of the Secretary of Defense and the entire Air Force and Army. Expenditures in this area alone average more than $4.5 million each work day.

Last year the "Home of the Army Dollar" disbursed a total of $4.6 billion in checks for allotments, transportation, pay, claims, withheld tax and other items. That's about $145 every second, 24 hours a day, 365 days of the year. Placed end to end, one month's checks and bonds would reach from Fort Benjamin Harrison to Fort Knox, Kentucky, and fifty miles beyond.

But while activities of the Center are Big Business, it's still a *personal* business. The entire staff senses the importance of each soldier's allotments, to him and those depending on him. All are keenly aware that Army Finance Center stands for service that is Accurate—Fast—Courteous.

TRIBUTE TO THE LATE HARRY SHEPPARD

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. HANNA. Mr. Speaker, I join with my colleagues from California in expressing sentiments appropriate to the sad occasion of the passing of Harry Sheppard. All of us feel a sense of void when there is taken from life's scene one who has shared our work and joined us in fellowship. When such a one is taken it turns us with nostalgia to the past and with sobriety to our own future.

Harry had a colorful, a productive, and a full life. Little did I personally realize when in the 1940's I was privileged to be one of Congressman Sheppard's admiring constituents that I would one day be privileged to serve in the Congress from a new district created out of a part of his original territory. I appreciated Harry for his no-nonsense, pragmatic approach to his job. He had little patience with undue ceremony and he even invented language on occasion to be more direct and descriptive.

His State and his district have ample testimony of his ability to deliver what he considered their rightful share of the country's facilities and activities. Installations are in evidence in substantial numbers to demonstrate Harry Sheppard recognized and served the interests of his State and his constituency. This is not to say, however, that his service in any way neglected concern for his

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country. Members from every section of our great Nation found in his office an understanding and a cooperation well remembered and fondly recalled.

There have been many kinds of men called to the halls of Congress, most with qualities that set them apart in the eyes and in the judgment of their fellow citizens. None were more imbued with a uniqueness of character and an independence of spirit than was Harry Sheppard. We will miss him in this life as we have missed his passing from the service of this House. Our best wishes and kindest condolences go to his widow and to his family.

AN AMERICAN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. DERWINSKI. Mr. Speaker, the Calumet Index, a community publication serving the far South Side of Chicago and adjacent suburbs, carried an interesting editorial in its Wednesday, April 30 edition. There is quite a bit of homespun humor, truth, and facetiousness contained in the article which follows:

AN AMERICAN IS A MAN WHO—

Yells for the government to balance the budget and then takes the last dime to make the down payment on a car.

Whips the enemy nations and then gives 'em the shirt off his back.

Yells for speed laws that will stop fast driving and then won't buy a car if it can't make 100 miles per hour.

Knows the lineup of every baseball team in the American and National League . . . and doesn't know half the words in "The Star Spangled Banner."

An American will get mad at his wife for not running their home with the efficiency of a hotel, and he'll get mad at the hotel for not operating like a home.

He'll spend half a day looking for vitamin pills to make him live longer and then drive 90 miles an hour on slick pavement to make up the time he lost.

An American is a man who will fall out with his wife over cooking and then go on a fishing trip and swallow half-fried potatoes, burned fish, and gritty creek water coffee made in a rusty gallon bucket and think it's good.

An American will work hard on a farm so he can move into town where he can make money so he can move back to the farm.

When an American is at work, he talks about baseball, football, or fishing, but when he is out at the games or on the creek bank, he talks about his work.

He is the only fellow in the world who will pay 50 cents to park his car while he eats a 25 cent sandwich.

An American likes to cuss his Government but gets fighting mad if a foreigner does it.

He is never ready for war but he has never lost one.

We're the country that has more food to eat than any other country in the world and more diets to keep us from eating it.

But we're still pretty nice folks. Calling a person "a real American" is the best compliment you can pay him. Most of the world is itching for what we have, but they'll never have it until they start scratching for it the way we do.

FREEMAN'S LEGACY TO SOYBEAN FARMERS

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. FINDLEY. Mr. Speaker, the grim legacy left by former Secretary of Agriculture, Orville L. Freeman, in respect to soybean producers was graphically described in the May issue of Farm Journal in an editorial entitled "How Not To Help Farmers."

Here is the text of the editorial:

HOW NOT TO "HELP" FARMERS

For a short lesson on how a healthy farm commodity can get in trouble, there's nothing better than the modern saga of what's happening to soybeans. Other farm commodities can take heed.

For 30 years prior to 1961, soybeans went merrily along their way—building new markets at home and abroad while expanding acreage remarkably, not depending on price supports, and keeping out of trouble. A miracle crop, they called it. And it was.

For the 10 years between 1950 and 1960, farmers averaged $2.32 per bushel for their soybeans, and the price cleared supplies out of the market When Secretary of Agriculture Orville Freeman and his economist Willard Cochrane arrived in Washington in early 1961, the first thing they did was hike soybean supports from $1.85 to $2.30. They said there was a world shortage of oil and that we needed more soybeans.

Instead of U.S. and foreign demand deciding what soybeans we could use, thus guiding production, Messrs. Freeman and Cochrane would decide. Lesson No 1: It is a common failing of well-meaning bureaucratic planners that they think they are smarter than the judgment of millions of users and growers of a commodity.

Spurred by the increase in supports to $2.30, soybean plantings soared 3.3 million acres in 1961—but farm prices went below the support level. That year we "gave away" more soybean oil overseas than we could sell.

The next year, 1962, the Administration dropped soybean supports a nickel to $2.25. Plantings increased only 600,000 acres. Average farm prices once again climbed above supports. Fortunately, the expanding market for soybeans kept market prices above supports for the next four years. Supports were $2.25, and average farm prices ranged from $2.34 to $2.62. Lesson No. 2: Reasonable price supports at a stop-loss level can give protection and let markets operate.

Then came 1966, a Congressional election year. Since soybean prices had averaged $2.54 the year before, Freeman thought that he could make political points by raising supports to $2.50. Lesson No. 3: As so often happens, partisan politics get in the way of sound economics.

The response to the $2.50 supports in 1966 was quick: Acreage, production and the carry-over all climbed to record highs. Export growth slowed noticeably. The warning flags were up, but Freeman kept supports at $2.50 in 1967. The carry-over mounted nearly twice as high as before. The market used fewer soybeans than the previous year. Export gains slowed more. The Russians, no fools, began grabbing our export oil market with sunflower oil. At home, the use of urea feed mixtures rose dramatically, as the price spread favoring urea widened to the highest in history. Lesson No. 4: Supports can't make a market for a product, but they can certainly ruin it.

Meantime, the $2.50 guarantee brought in new crop land, particularly in the South where enterprising producers cleared forest land and drained swamps to get in on the $2.50 guaranteed price. Lesson No. 5: A guaranteed price, a sure thing, encourages more production than an open-market freely moving price—even if the free market price is higher.

Along with it all, the Government's cotton program had gotten into trouble much the same way. It was losing markets for export cotton—and losing sales to synthetics at home. The tight speeze on cotton allotments pushed Southern farmers into soybeans. In the last 10 years, 13 states doubled their soybean acreage—and 11 of them are in the South and Southwest. The other two are in states where wheat allotments were cut. Lesson No. 6: Government supply controls on one commodity force acreage into other commodities, bringing them trouble.

The facts fairly shouted at Freeman last year to drop supports before he ruined soybeans. But it was a Presidential election year. Lesson No. 7: It's always harder to undo a political action than it is to do it.

Now with soybean surpluses headed for 315 million bushels, the planners and controllers are beating the drums for acreage controls on soybeans. "It's the only way out," they say. Little do they see that it was their own medicine that brought on the sickness. Lesson No. 8: If soybeans have to swallow acreage controls as their next "treatment," this crop may soon find itself fighting for its life to remain a major American farm product.

NATIONAL SOCIALISM ADVANCES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. RARICK. Mr. Speaker, the U.S. Supreme Court by its anticonstitutional edict aborting all State residency requirements for welfare recipients has set the pattern for national socialism—a national welfare program with uniform welfare checks.

The Court's decision can be expected to swell indigent populations in Hawaii, California, and Florida, creating unprecedented problems. The uncalculated consequences of the Court's ruling can be but that in aggravating a problem it provides no dictum for State elected officials to solve the coming crisis; namely, where does the money come from? Which States and what taxpayers will bear the burden?

The only conceivable solution can be for centralized control and payment—direct Federal disbursements, which must have been considered as the goal in the Court's decision.

Once a Federal welfare program is foisted upon the people as a solution it is certain to be followed by a campaign for the abolition of any residence requirements by the States for voter eligibility.

The dangers of creating a "nationally registered voter"—one who can vote wherever he shows up—can be logically anticipated. National socialism could successfully shift to target areas hordes of indigents—voters registered at large

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and entitled to immediate welfare doles—to control elections.

In some States we already find laws which permit nonresident voters to vote in Presidential elections.

I include several news clippings in the Record at this point:

[From the Washington Post, Apr. 27, 1969]

Wealthier States Fear Welfare Influx

(By Jean M. White)

The big question left in the wake of the Supreme Court decision knocking down welfare residency requirements is just who will pay the extra $125 million to $175 million a year in relief costs around the Nation.

State and local officials in some northern and western states are complaining that they could go bankrupt if the decision spurs a migration of the poor in search of higher welfare benefits.

On the Hill one Senator quickly introduced a bill to require the Federal Government to pick up the tab for benefits paid to persons ineligible under a state's residency laws.

Recalling the slogan "go West, young man," a California Senator commented acidly: "The Supreme Court might as well hang that sign on the front of welfare offices of every state with benefits lower than the ones in mine."

The response was more temperate in other quarters. The U.S. Conference of Mayors said it agreed with HEW Secretary Robert H. Finch's observation that the ruling will lead to minimum Federal welfare standards.

The National League of Cities has called for abolition of the welfare residency requirements and tied this closely with the need for national welfare minimums.

One thing the Supreme Court's decision has done is focus attention again on the confusion and inequities of the Nation's patchwork welfare system.

Benefits for a dependent child now range from $8.50 a month in Mississippi to $67.85 in Massachusetts and $64.75 in New York State.

Without residency rules—in force in 40 states until the Supreme Court ruling—the higher-paying states have feared that poor migrants would shop around to seek out places with the best benefits. The Court said needy persons should have the right to move as freely as anyone else.

HEW estimates that somewhere between 100,000 and 200,000 persons across the country now will be eligible for relief payments denied them under residency requirements.

Cited figures show that 3000 to 4000 additional persons have been added to California's relief rolls each month since its residency rule was suspended by a Federal court order. The cost to the state, he said, comes to an extra $26 million this fiscal year.

And another Senator foresees a kind of poor jet set coming into resort states to escape the colder climate of the North.

A Federal floor on welfare payments would not wipe out inequities between states. The talk has been of a Federal minimum of $25 to $40 for a dependent child. States like New York and Massachusetts are well above that now.

But such a minimum would mean a greater Federal contribution for states with the higher benefits. The Federal share of Mississippi's $8.50 child payment is now 83 per cent. New York gets only $22 for the $64.75 that it pays.

[From the Washington Post, May 4, 1969]

The 1970's Wave of Negro Teenagers To Affect Policies

(By Jean M. White)

The prospect of a "demographic siege" of young Negroes in the troubled years of the teens is being studied by Nixon Administration advisers shaping social policies for the 1970s.

Population statistics show a striking bulge of Negro youngsters now in the 5-to-9 age group, up nearly 25 per cent over the last decade.

Over the next ten years, these youngsters will come into their teens—an age group with problems that can create social turbulence. It is the age now when young people begin to drop out of school, take drugs, have illegitimate children, raise crime rates, look for jobs, strike out in bitter alienation.

Figures on population and changing age structure can have far-reaching implications for public policy. Businessmen use marketing research to decide on future growth. Government social planners can use vital statistics to look for "markets" for the most effective use of social programs.

The statistics pointing to a new wave of Negro teen-agers in a few years are being considered by Nixon Administration advisers as they make decisions on such public policies as income maintenance, job training, education, and health and welfare services.

HOPEFUL NOTE

"It is not that many people if we do it right," says one White House adviser. "If we don't we could be in for troubled times in the seventies."

One hopeful note—but still too fragile to hang a trend on—is an indication of a leveling off of the number of Negroes in the under-5 age group.

By 1980, the worst could be over, and social programs geared up for an abnormal situation could taper off. This offers an argument for selling stepped-up programs on a one-shot basis—a much more palatable package to offer in a time when people talk about rising welfare rolls.

The population figures now being studied at the White House include these:

The number of non-white children (Negroes make up over 90 per cent of this category) in the ages between 5 and 9 will be 3,269,000 by 1970.

This compares with 2,625,000 in 1960, up 24.5 per cent—nearly four times the rate of increase for white children in this age bracket. Up until the mid-sixties, this age bracket for white children also rose, but not nearly as fast as that for non-whites. For whites, it peaked in 1966 and since has been tapering off.

In the under-5 age bracket, there were 3,222,000 nonwhite children in 1966 compared with 2,979,000 in 1960, an increase of 11.5 per cent.

Projections based on the present birth rate point to a leveling off or slight drop by 1970. White children in the under-5 bracket dropped from 17,385,000 in 1960 to 16,629,000 in 1966.

Although birth rates for both Negroes and whites have been dropping since 1957—and now stand at a record low of 17.4—Negro women still have almost half again as many children as white women.

One of six babies born now is black where a few decades ago it was one in ten.

"ECHO EFFECT"

The fertility rate (the number of births per 1,000 women 15 to 44) is a much more significant indicator than the raw birth rate. In 1967, it was about 120 babies for Negro women and around 83 for white women.

A new wave of Negro and white females—the "echo effect" of the post-World War II baby boom—is now entering the fruitful child-bearing years.

White girls in the 15–19 age group increased 38.8 per cent in the 1960–70 decade. For non-whites, the increase has been even more striking—60.3 per cent.

In the 20–24 age groups, the numbers of both whites and non-whites rose about 54 per cent from 1960 to 1970.

Such figures could have a significant influence on Nixon Administration thinking on social planning. The President already has put the Administration's emphasis on the early childhood development years because of findings showing life-molding experiences in these years.

One point Nixon advisers make is that such statistics are "neutral."

Therefore, social programs can be discussed more in terms of numbers rather than race, they say.

Statistics can highlight a situation in stark and startling terms.

For instance, Negroes have to support a fourth again as many dependents with 59 per cent of the income of whites.

This is the fact that emerges from the dependency rate—or the ratio of "mouths to hands." This compares the number of dependents (those under 21 and those 65 or over) to the number in the productive years of life (21–64). The dependency rate for Negroes is 1.02. For whites it is .8.

Demographic projections can be notoriously wrong at times. But the big bulge of Negroes in the 5-to-9 age bracket comes from children born and now here.

SLEEPING BEAR DUNES NATIONAL PARK

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. BRADEMAS. Mr. Speaker, 8 years ago legislation was first introduced to establish the Sleeping Bear Dunes National Lakeshore, a proposed 61,000-acre national park on the eastern shores of Lake Michigan.

Since that time, the Senate Interior Committee has worked extensively on the bill, and the Senate has twice passed such legislation—in 1963 and 1966. Similar legislation was studied and reported by the House Interior Committee in 1966, but did not reach the floor of the House for final vote that year.

I should like to extend my congratulations to my distinguished colleague, Congressman James O'Hara of Michigan, and to the distinguished senior Senator from Michigan, the Honorable Philip Hart, for their diligent efforts to conserve the acreage of this area through a proposed national park.

The Midwest has long been wanting for national park facilities. I believe this proposal, along with the successful completion of the Indiana Dunes National Lakeshore authorized by Congress in 1966, will fill the void of public recreation areas so desperately needed by the millions of people living in the urban-industrial complexes of the Great Lakes region of our country.

I insert at this point in the Record an editorial which appeared in the Elkhart Truth, a leading newspaper of my district, in support of the Sleeping Bear Dunes Park proposal:

[From the Elkhart Truth, Apr. 15, 1969]

Sleeping Bear Park Just Sleeps

Within easy driving distance of the Elkhart area is a Lake Michigan shoreline region of superb natural beauty.

A number of Elkhartans, we know, already enjoy the Sleeping Bear Dunes west of Traverse City.

The surrounding area there is rich in geological phenomena and in potential water-based recreation land.

But the question is how much longer this area can be preserved.

The Michigan Natural Resources Commission was told last week that continued bickering with Michigan's congressional delegation has resulted in an impasse over proposed creation of Sleeping Bear Dunes National Park.

Sen. Philip Hart (D.-Mich.) has been trying since 1961 to get this measure passed.

Involved in the dispute is a difference of opinion over how to protect private property in that area.

Certainly there should be reasonable protection of private property, such as the highly-developed resort areas on nearby inland lakes.

But that should not be allowed to delay indefinitely the acquisition of areas which properly should be designated for the general public.

Too often, procrastination has resulted in "missing the boat" in similar situations elsewhere. Either the land is used for other purposes or the cost becomes prohibitive.

In our own Indiana, the concern over preserving Lake Michigan shoreline was tardy. More of this area could have been saved for public use had the public demanded it before much of the area was developed and the land cost skyrocketed.

Along lengthy portions of this nation's Atlantic shoreline, one may drive many miles without being able to see anything but closely packed cottages and commercial development—nothing of the pristine beauty that greeted the explorers of yesteryear.

For the good not only of Michigan and Indiana, but of the entire Midwest as well. Sleeping Bear Dunes National Park should be established soon.

IMPORTATION AND EXPLOITATION

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. DENT. Mr. Speaker, years ago I used the phrase, "Importation and Exploitation are the main ingredients of our trade policy."

This day I received an open letter from President Paul Jennings of the International Union of Electrical, Radio, and Machine Workers. It contained the attached exposé of importation and exploitation by Jeff Miller. I present both the letter and the article for the information of the membership of Congress.

This union is prone to import damage because of the exploitation of foreign workers in many instances by runaway American corporations who are running away from U.S. wage levels and especially, the Fair Labor Standards Act.

As we enter this new session, a new FLSA is being studied by the committee I chair. It will pose new problems for the electrical workers as well as others whose jobs have been and are being taken by foreign low-waged workers producing for the U.S. market.

For over a decade, I have warned the Congress, the business community, and labor—both organized and unorganized—of the dangers present in our foreign trade policy.

President Jennings predecessor opposed my fight for reasonable job protection covenants in our trade policy. He was a doctrinaire freetrader and like most freetraders, believed that all trade was good regardless of the nature of the economy of the producing nation.

Long ago, I predicted the very situation covered in President Jennings letter and Jeff Miller's story on exploitation. I have learned a great deal more about this serious subject in my congressional studies in many of the competitive and exporting nations where wages were even lower than the examples given by Mr. Miller.

I have made personal investigations into the Mexican Pronef territory production. This area, set aside by Mexico along the Mexican bank of the Rio Grande and all of Baja California threatens the further growth of the electrical industry and the jobs of its workers.

I expect to go back with an official committee to investigate this serious challenge to U.S. jobs. This program is responsible for increasing electronic exports from Mexico to the United States from $350,000 in 1965 to $33 million in 1967. It is anybody's guess as to the volume in the next 5 years. It may then be too late to do anything about it. Let us do it now.

I find it hard to deny low-waged Americans reasonable and needed minimum wage increases just because our idiotic and self-defeating trade policies make it possible for U.S. industry to run away from our labor standards and still enjoy the privileges of our own domestic free marketplace.

Corporations are in existence to earn profits, but by the token, they have to have customers. Wages make customers. When a low-wage product is sold in a high-wage economy, the high-wage earner soon loses his job and another consumer is lost to both the high-wage economy and the low-wage economy of foreign workers.

The real problem, of course, stems from the fact that with our unemployment compensation, social security, direct relief, and dozens of other aid and grant programs, the market for low-waged imports can still prosper while more and more workers join the unemployed rolls.

Mr. Speaker, I fully intend to put new language into the Fair Labor Standards Act to try to cover runaway industries, and I intend to do it this year. It may not cure all our import problems, but if it saves one small plant that sustains even a small segment of our working people's jobs, it is worth the effort.

I pray every Member will take the time to read the attached letter and special report:

INTERNATIONAL UNION OF ELECTRICAL, RADIO, AND MACHINE WORKERS,
Washington, D.C., April 28, 1969.

To Members of Congress:

The accompanying article on the impact of imports in the electronics industry deals with a problem of serious concern to the American people.

The article is based on the findings of an inter-union mission to Asia which recently made an on-the-spot study of the imports situation at its source. The mission reported that electronics corporations are flocking across the Pacific at the cost of U.S. (and Canadian) jobs, and this trend will accelerate unless positive action is taken.

What is happening is harmful to this country and to our members.

Many of you have endorsed the Truth in Import Labeling bills now before you. We appreciate this support and urge you to press for enactment.

It is vital, however, that direct action be taken, preferably in the form of voluntary, negotiated limits on exports by the countries involved.

As a first step, we urge that the appropriate committees of Congress hold hearings to give the public the facts and afford those concerned, including ourselves, an opportunity to express their views. We believe that a reading of the article will convince you that such hearings are needed and that action must grow out of them.

We would be happy to provide additional information and to discuss the problem with you. We solicit your reaction, and your most valued support.

Sincerely,

PAUL JENNINGS,
President.

IMPACT OF IMPORTS ON THE ELECTRONIC INDUSTRY

(By Jeff Miller)

Eleven cents an hour—15 cents including fringe benefits: This is the wage a Taiwanese worker can expect to earn in an American-owned electronics plant. Averaging 12½ to 19 cents per hour, assemblers do little better in Hong Kong, where General Electric, Sprague, Sylvania, Ampex, Fairchild and other U.S. companies have recently begun manufacturing electronic appliances and components for the American market.

Similar wage structures in other Far Eastern countries, guarantees against strikes, tax breaks and other incentives make the Orient look like a western corporate executive's blueprint for Utopia.

American plants in Hong Kong, Taiwan and South Korea turn out a growing percentage of the electronic products imported and sold in this country and Canada. Sizeable American investments and license agreements with Japanese companies send additional boatloads of foreign-made appliances over here to be marketed with domestic labels. Other imports are sold under Japanese names.

The response by American businessmen to the charms of the Far East is becoming ever more passionate. Imports of television sets, including those sold under U.S. brand names, increased nearly 37 percent last year, capturing 20 percent of the total consumer market. A similar situation exists in Canada, where 25 percent of the television market has already been lost to imports.

Half the radios marketed under American brands in 1968 were actually manufactured abroad, yet only about a third were foreign-made the year before. Imports of U.S.-brand phonographs have almost doubled in the last year while foreign-name imports declined about 15 percent. Plans of American companies indicate that practically all domestically-labeled tape recorders will soon be produced in other countries.

The flesh-and-blood result of the corporate shift to foreign production has been tragic in terms of the numbers of American workers laid off. In the U.S. radio and television receiving industry, including the related components industry, there was a loss of 48,000 jobs between 1966 and 1968. This was accompanied by a workweek decline of one hour, an additional 2½-percent total job loss.

The situation was dramatized recently by heavy employment cutbacks at plants where workers are represented by IUE. Nearly 2,000 production and maintenance employees at Westinghouse, Edison, N.J., lost their jobs over the past two years as a result of foreign imports. Approximately 600 members of the unit, represented by Local 401, received layoff notices last December when the company decided to shift television production to the Far East. From a peak of 2,300 members, the unit has dropped to a level of about 400, and President James Aurelio expects additional layoffs in the future.

Hundreds of Local 101 members in Philadelphia lost their jobs last year when Philco-Ford began farming out component work to one of its subsidiaries in Taiwan and importing wholly Japanese-made color television sets under its own brand name. Local President Joe Burns blames foreign importation for gradually reducing the Philco-Ford work force from 9,000 to 2,100 during the past ten years.

IUEers at Singer Sewing Machine, General Instrument, Emerson Radio and Television, Warwick, Muntz, Honeywell, Globe Union and many other companies have also suffered because of foreign low-wage competition. The IUE Research Department is currently analyzing the results of a survey to determine the exact extent of the situation.

PRESENT AND POTENTIAL JOBS THREATENED

Increasing foreign manufacture not only threatens the employment security of those now working in the electronics industry, but can be expected to eliminate potential future jobs which will be needed to serve the mounting labor force in this country. Consumer electronic products should be one of the major growth segments of the industry, but despite a large and increasing market for color television, tape recorders, phonographs and other items, the growth largely has been transferred overseas.

Job needs are growing at an accelerated rate. The labor force is expected to top 94,000,000—an increase of 16 percent—by 1975. Such growth requires an expansion of domestic production.

Unemployment among members of racial minorities is currently running about 30 percent. Ironically, some of the very corporations which are beating the tub loudest over hiring hard-core ghetto residents are moving the needed jobs to foreign shores.

Concerned over the job loss, representatives of the IUE, and the Machinists recently visited four Asian countries to investigate trade problems in the electrical-electronics industry, and to seek possible solutions. The delegation included IUE Canadian President George Hutchens; George Collins and David Lasser, assistants to IUE President Paul Jennings, and IAM Research Director Vernon Jirikowic.

The IUE-IAM team visited Japan, Taiwan, Hong Kong and South Korea during the first phase of a joint trade study in conjunction with the All Japan Federation of Electric and Machine Unions (Denki Roren) and the International Metalworkers Federation's Japan Council. The study will be completed after Denki Roren and IMF–JC representatives visit the U.S. and Canada in June.

The IBEW, which was unable to join the fact-finding mission, is also participating in the joint study and has endorsed the preliminary report.

In each of the four countries, members of the delegation sought to meet with government, management and union officials and to collect information concerning:

Overall employment in key electronic products (radios, televisions, hi-fi phonographs, tape recorders, major components and subassemblies) since 1966.

Export of key electronic products for the same period.

Labor costs for the major exporters, itemized by product.

Productivity per hour on products of major exporters.

Export prices of key products.

Future plans involving major manufacturers and exporters.

The preliminary report notes close ties between American companies and the Japanese electronics producers. Westinghouse is associated with the Mitsubishi Electric Co., and GE was found to be the largest stockholder in the Tokyo Shibaura Electric Co. (Toshiba). RCA has patent and license agreements with several other Japanese companies.

The delegation discovered that low-wage conditions there are improving as the Japanese unions become stronger. Though the labor cost in Japan is currently about 30 percent of that in the U.S., Japanese wages have risen 15–20 percent annually for the past three years. The average wage for an electrical worker in Japan, including fringe benefits, is now about $1 per hour. Denki Roren's major objective is to double wages by 1972.

The chief problems with U.S.-Japan trade cited in the report center on inequities in restrictions on certain electrical products. The tariffs on electronic products imported by Japan range from 28 percent to 12 percent compared with a lower U.S. range of 24 percent to 8 percent for certain components and consumer appliances. In addition, the Japanese Government has lists of products on which quotas exist and others on which it requires import licenses.

SOUTH KOREAN EXPORTS SOAR

In South Korea the delegation found a booming electronics industry fueled by a $14.6 million American capital investment. Korean exports of electronic products zoomed from a value of .5 million dollars in 1964 to over $8 million in 1968, and the government's 5-year plan expects to reach $100 million in electronic exports by 1971.

Companies owned by Korean interests have depended on Japanese electronic companies for parts and technical assistance in the past, but the new emphasis is on encouraging greater U.S. participation.

The fact-finding team encountered very little union organization in South Korea. The average wage for assemblers in the electronics industry is $30 per month, with female employees grossing about $23 per month. The typical workweek is 48 hours.

Subsidiaries of Motorola, Fairchild Camera, Signetics Corp. and Control Data were among the American-owned operations found around Seoul, South Korea. Another U.S. company, Oak Electronetics, recently closed up shop to transfer production to Hong Kong, claiming that demands by the Korean Metalworkers Union made the operation "uneconomical".

Oak's wage-scale had been far lower than that of other U.S. companies in the area, which pay an everage of 12–15 cents an hour.

Accelerated growth is reported in Taiwan, which increased its export value in electronics, mainly to the U.S., from $36 million in 1966 to $60 million in 1968. Export value for 1969 is expected to be approximately $100 million, and the government plans to quintuple that figure by 1972. This sharp growth is accounted for largely by increased manufacture of solid state radios and monochrome television sets. Color television production is set for the near future.

LOWEST WAGES FOUND IN TAIWAN

A study of wage rates showed that 70 percent of the Taiwanese electrical workers make less than 10 cents per hour. Including fringe benefits, the average wage paid by an American employer was found to be 11–15 cents. The minimum work-week is 48 hours.

Major American electronics firms now in Taiwan include RCA, Admiral, Philco-Ford, General Instrument, Singer Industries, TRW Components Co., Sunetics, CTS Corp., Ampex and Cornell-Dubilier.

A look at Philco-Ford's Taiwan operation shows what brought the American invasion of this tiny island-country. Profits for the company in 1968 were $1,203,000. The company netted about $928 per employee and paid an average wage of $270 for the year. The company expects to make a $2.5 million profit this year—$2,000 per employee.

Chronic unemployment in Taiwan brings about this happy situation for the American businessman. And not only does the labor come cheap, but the government provides a guarantee against strikes plus a 5-year tax holiday (with a low, 18-percent corporate tax after the five years).

The delegation also found a number of major Japanese companies setting up plants in Taiwan to take advantage of the low wage rates and absence of effective unions.

In Hong Kong, the electronics industry is reported growing at a spectacular rate with the current American investment totaling $30 million. Hong Kong producers have the advantage of a wage rate one-sixteenth that of the U.S., plus a much lower profit tax.

Exports—again chiefly to this country—are pouring out of Hong Kong at an accelerated rate. The export volume in units of radios doubled last year over the previous year, and the dollar value increased 64 percent.

Television is rapidly becoming a major export item there. Sylvania's Hong Kong operation recently shipped 800 black and white sets to its Batavia, N.Y., plant to test the American market. If the sets "move," increased shipments will folow.

The delegation's preliminary report foresees an even greater shift of production abroad in the future due to the absence of agreements or laws limiting electronic exports to the U.S. and Canada. Just as the transistor radio has become almost exclusively identified with foreign manufacture, so might other consumer products as a result of competition.

The report warns of the growing dependency of the electronics industry in the U.S. on Federal contracts. Available statistics show that over half the U.S. electronics sales are to the Government—many of them contingent upon the Vietnam war. When that war is over, defense workers who are then dislocated will have difficulty finding new jobs since growth industry largely will have "run away."

The IUE–IAM delegation declined to issue firm proposals for action prior to the arrival of Denki Roren and IMF–JC representatives in June. The preliminary report concluded, however, that the best approach to solving the problem should be in seeking agreements with the major producing and exporting countries to voluntarily limit exports to the U.S.

The report calls attention to the need for a system of international fair labor standards to discourage the exploitation of foreign labor. It notes the importance of American labor's support of foreign trade unions such as Denki Roren as a means of eliminating the low-wage conditions which lure American companies from our shores.

The report also reinforces the necessity for the IUE-sponsored Truth-in-Import Labeling bills (S. 943 and H.R. 6518), introduced by Senator Case and Congressmen Minish, Green, Dent, Eilberg and St Germain. The identical bills would require foreign-made appliances and office machines imported and sold under American brand-names to be clearly marked as to the country of origin.

BUYER SHOULDN'T HAVE TO BEWARE

Knowledge as to country of origin may or may not affect the consumer's decision to buy an electronic product, but it is information he should reasonably expect to have. Obviously a worker who has lost his job or feels insecure in his employment due to foreign, low-wage competition might well have his own reason for preferring an American-made product.

Similar labeling laws for specific products, such as the Wool Products Labeling Act, the

Textile Fiber Products Identification Act and the Fur Products Labeling Act, have been in existence for a number of years. IUE's campaign for the labeling of products of the electronics industry received the full backing of the AFL-CIO at its last Executive Board meeting.

IUE will remain actively concerned over the various facets of the imports problem in the months ahead. President Paul Jennings has stated: "We are greatly concerned by the actions of many American companies which are now stampeding to the low-wage areas of the world in search of a buck. These companies are not only casting many thousands of workers from their jobs, they are negating any efforts to employ the hard-core jobless, and thereby sowing the seeds of future social unrest. They are interested in profits, not people. . . . We must bring to an end this struggle to find the lowest possible wage at which goods can be produced."

A COMPREHENSIVE APPROACH TO THE DRUG ABUSE PROBLEM

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. ROYBAL. Mr. Speaker, because drug abuse is considered to be the No. 1 public health problem in the United States today, I welcome the opportunity to include in the CONGRESSIONAL RECORD a most thoughtful and enlightening statement on this subject by Dr. Dale C. Garell, M.D., consultant to the Los Angeles County Commission on Narcotics and Dangerous Drugs, and chief of the division of adolescent medicine at Los Angeles' Children's Hospital.

Dr. Garell's statement, entitled, "Drug Abuse in Los Angeles County," was originally presented to the Senate Subcommittee on Health during its hearings at Fort Worth, Tex., on April 18, 1969.

The statement follows:

DRUG ABUSE IN LOS ANGELES COUNTY

(By Dale C. Garell, M.D.)

The use of marijuana, hallucinogens, barbiturates and amphetamines by persons in all economic and social classes, particularly by young people, has reached "epidemic" proportions in Los Angeles and in many areas throughout the United States. My purpose in testifying today is to describe the present situation in Los Angeles and to support the need for continued inpatient facilities such as those here in Dallas-Fort Worth. The latter is based on the fact that there exists almost no comparable facilities at present on the local level, including Los Angeles, and the continuing need for further research to understand the long-term effects of addicting agents as they relate to the increasing use of dangerous drugs.

Contrast these drug arrest figures in Los Angeles County. In 1960, there were 13,000 arrests for drug law violations; by 1967 the figure jumped to over 31,000. In juveniles (under 18), drug offenses of all kinds increased by nearly 500 percent in the same time period. While marijuana arrests have contributed the largest single increase, the number of arrests for hard core narcotics has continued to be high—over 5,500—with some recent evidence to suggest that heroin arrests are also increasing.

These arrest figures do not accurately reflect the incidence of drug usage at the present time. Estimates for dangerous drugs among high school, junior high schools (and even elementary schools) in Los Angeles range from 25 percent to 80 percent who have experimented with dangerous drugs. The best estimates in Los Angeles would indicate that 18 percent of the initial offenders—or roughly 1 of 6—will be arrested for hard core narcotic use in the future. The data also suggest that the scope of the problem extends far from the poverty and low-income areas of the county to middle and upper-income areas where drug use reaches its highest incidence.

Where can these people go for help? While mental health facilities, particularly outpatient care, are available in the county, they are overfilled with long waiting periods. For acute detoxification from heroin, barbiturates and amphetamines, or the hallucinogens, there are only 10 beds set aside for acute narcotics use at the present time in Los Angeles County. Inpatient psychiatric facilities are being used, but bed space is limited. A 30-bed facility is being planned for acute detoxification by the County and USC and will open soon. Long-term hospitalization is presently at the Narco Center in Corona, where beds are particularly scarce for women violators. Non-criminal cases are sent to Camarillo State Hospital.

To summarize these data, local facilities continue to operate at peak usage while drug abuse continues to rise. The greatest need would appear to be for acute care of the drug user, ambulatory services for ongoing treatment, long-term inpatient treatment and rehabilitative services at the local level. In addition to the lack of facilities despite the combined efforts of both public and private agencies in Los Angeles County, such programs that do exist are fragmented and largely uncoordinated.

For these reasons, there is a clear need for a comprehensive approach to drug abuse. This should not replace but supplement present law enforcement efforts. Such an approach has been outlined by Breslow at a hearing in California.[1] It could include the following:

(1) Studies are needed to determine the extent of the problem, to look at high-risk groups, to precipitating factors leading to drug abuse and to the short-term and long-term effects.

(2) Continuing development of effective health education materials and distribution. Progress is being made in this area.

(3) Professional education of health workers—medical students, physicians, hospital workers, social workers, social nurses.

(4) Development of treatment programs (including rehabilitation) at the local level; they should include emergency and acute care, information services, hospitalization and evaluation. These should be voluntary without stigma and without stipulations attached.

We have recently started an Emergency Telephone Service for adolescents. The Hotline, as it is called, has received over 6,500 calls in its first year of operation. Conceived as a crisis intervention service, interested, unbiased listeners are as close as the nearest telephone. To date over 500 calls have been received from individuals using drugs; another 100 have called requesting information about drugs. We see this as a valuable addition to the direct contact type of resources of the community. It offers initial supportive contact with no strings attached, is totally anonymous and is immediately available when needed. We hope to investigate the full effectiveness of the program during this year. (Information is available to committee.)

(5) Further studies are needed to investigate the biochemical, physical and psychological effects of drug abuses—particularly non-opiates such as marijuana.

(6) A review of existing legislation and enforcement policies to determine where the activities are supportive of rehabilitation as well as those which are incompatible with a sound comprehensive drug abuse program.

In conclusion, I would like to relate an incident that occurred recently: A 15-year-old boy called the Hotline. He had been taking marijuana and other drugs regularly and recently had shot heroin for the first time. For the last week, he had tried to get help. He had called a social agency and was given an appointment in six weeks; he had talked with his friends but couldn't confide in his parents or his doctor; he had even called the police anonymously, but was fearful of arrest. Perhaps the most important thing which he said was the following: "Is it a crime to want to stop?"

Fortunately, we were able to get him to talk with his parents and he is presently getting help. But his question continues to stick with me—Is it a crime to want to stop? If it is a crime, then we are equally guilty—guilty because there are few facilities to handle the increasing need in local communities, guilty because there is a need for rehabilitative services, guilty because there is a need for human beings to talk with one another in times of crisis, and guilty because there is no coordination of our efforts. Drug abuse is the No. 1 public health problem in the United States today. For these reasons, all of us—private citizen, agency, local, state and federal governments—must work together. The problem is getting worse, not better. We must act now.

CHRISTOPHER MEAGHER IS DEAD, BUT—

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. MURPHY of New York. Mr. Speaker, the following letter was written to me by a 22-year-old youth shortly after the death of his friend and neighbor in Vietnam. It is more than just a eulogy to a fallen war hero but an expression of faith in the youth of our Nation and the goals of America. As I humbly told the dead boy's mother: "Mere words can neither erase nor console painful grief. For the loss of a loved one, so young, is a deeply personal thing. But Mr. Muldoon's letter is more than mere words. It is a simple and beautiful tribute to your son, Christopher, by a friend and neighbor. And this heartfelt eulogy says the things, the unpublicized things, that are felt and shared by the vast majority of Americans." In these times of campus chaos, it is heartening to know there are exceptional young men like Laurence Muldoon. As he so poignantly phrased it, "Christopher Meagher is dead, but his name and what he died for will live on." Under the leave to extend my remarks in the RECORD, I include Mr. Muldoon's beautiful and touching letter:

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[1] Breslow, L. Statement for Assembly Committee on Criminal Procedures, State of California, Hearing on Drug Abuse, November 29, 1967.

XUM

MARCH 13, 1969.

DEAR MR. MURPHY: I'm writing to you today, for something I feel deep in my heart. Last Saturday I attended the funeral of Christopher Meagher, the fifty second Staten Islander killed in Viet Nam. At the moment all that could be done, has been done. But the fact is a boy twenty one years old lies in his grave as a result of being born an American, and living a good and decent life. He had so much more to give to his country, but he is dead. I sit here and ask myself, why him? Why the thirty two thousands others? We all know why, but it goes on and on, with no end in sight, the courage that was shown by his mother and family was enough to move the world. They were proud. They held their heads up high, and you could sense the feeling they were saying, "He was ours, but he died for all of us." Yes, he died just as fifty one others from the Borough of Richmond, and the countless others who have fallen in battle and sleep in Christ. But Mr. Murphy, isn't there something more that we can do? We who live on because of his death. Don't we owe them more because of their sacrifice? The trend today seems to learn the tactics of war on the campus and destroy the very thing they have died for.

Christopher came from a family poor in worldly goods, but were so rich with love of one another. Being the oldest of eleven children, he was graduated from Cardinal Hayes High School, and finished two years of New York City Community College. He had his whole life ahead of him. His brother told me that Chris wanted to go into the Army. Like everyone else to get it over with. But God spoke first. Now it is all a horrible nightmare.

Mr. Murphy I had to write this letter to you, to let you know that I care, and I know millions of Americans feel the same way. Unfortunately, the atmosphere of the society in which we live today, the mere fact that another soldier has died on the battlefield is accepted with a sad look, and "isn't that a shame", just as if it had to happen. They go on about their life complaining about the job, cursing because the bus was late, worring about the money they owe out. But do they stop and examine the hurt a mother feels when she is told, "I'm sorry Mrs. Meagher, but your son is dead" what is the matter with this country today?

Mr. Murphy I'm twenty two years old, and I've never seen the attitude of a country change so fast. These the people that raise children. Teach them to love God, and country. Be willing to die for it, and are cursed and spat upon because of what they believe. They give their sons, Husbands, and brothers, only to be told, "Oh, I'm so sorry, but better him than me." And don't do a blessed thing about it. Well I think it's high time this country woke up and let the true Americans, black and white, fight against this tyranny. Hold high the names of the martyrs up to the face of the world and show them what kind of people we really are.

And so Mr. Murphy, Christopher Meagher is dead, but his name and what he died for will live on. Just as the countless others who have given, and those yet to be called. I hope that I, and every American if called, can answer with the courage that was shown by the true heroes of our land. I know Mr. Murphy you are very busy these days, getting prepared to be the next mayor of our city, but I was wondering if it would be asking too much, if, in your spare time, you could drop a little note of appreciation to Mrs. Meagher and let her know how grateful and proud we of Staten Island are to say Chris was one of us. Thank you Mr. Murphy for taking time to read this letter, but I had to let you know how I felt, and I am proud of it.

Thank you.

LAURENCE MULDOON.

HOW GM HELPS ITSELF BY HELPING THE GI'S

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD an excellent article appearing in Business Week of April 26, 1969, telling how a great American corporation helps provide training in useful civilian skills for members of the armed services on their discharge.

This is a highly responsible example of industrial statesmanship and one which the Nation could hope will be followed by others in the American business community.

The article follows:

HOW GM HELPS ITSELF BY HELPING THE GI'S

(NOTE.—GM dealers need mechanics, men due to leave the services need job skills. Result is training program Pentagon hopes will become a model for more companies.)

A General Motors project to train servicemen in a civilian skill—and to help GM auto and appliance dealers get the mechanics they desperately want—is helping to provide a model for U.S. industry. The nation, says the Pentagon, must have a broad-gauge program of corporate-sponsored, preseparation training for the growing stream of Vietnam veterans heading for civilian jobs.

Project Transition, begun by the Defense Dept. in 1967 and conducted by a list of blue-chip companies that includes Ford, Sears, Montgomery Ward, Standard Oil of New Jersey, Mobil Oil, Dictaphone, and others, aims directly at the soon-to-be-released serviceman. Its primary target is the less skilled and less educated man who, unless he gets vocational training, runs a serious risk of joining the hard-core unemployed. Under Project Transition, the company trains him in a skill he can use in civilian life while the Defense Dept. is still paying his salary, board, and lodging.

As it works out for GM—which trained 1,000 servicemen last year and expects to train 1,200 this year—the program is a functional combination of patriotism and corporate self-help.

SHORTAGE

According to the National Automobile Dealers Assn., franchised dealers of all auto manufacturers now have 200,000 mechanics—and need just double that number to provide adequate service to car owners. Independent garages, used car dealers, and service stations need another 620,000 (again, the number they have now), NADA estimates. That adds up to 820,000 jobs that need filling.

Of the 1,000 servicemen trained by GM last year without charge, about half wound up actually working as mechanics, most of them at GM dealers—a good enough record to justify this year's increase in trainees, the company figures.

Nothing in the Project Transition contract requires GM to offer a trainee a job or requires the trainee to accept it. But, with mechanics as scarce as they are, GM is prepared to offer any successful graduate a job in just about any city he fancies.

"I've never seen a better group of students," says Paul E. McDonald, who manages GM's 30 training centers. "They are mature and know what they want to do. They are so highly disciplined in contrast to the 18-year-olds just out of school that it's unbelievable. They absorb everything quickly."

SIGNING UP

Three-quarters of the trainees are Army men, the rest Air Force, Navy, or Marines. All must be within six months of separation and have no plans to reenlist. The latter is a sticky point. Some base commanders reportedly offer less than wholehearted cooperation because they feel Project Transition cuts down reenlistments; a man may have no plans to reenlist, but change his mind if there's no job in sight.

Military staff personnel administer the required aptitude tests. The successful candidate, says GM's McDonald, usually has "good motivation and mechanical adaptability," although prior experience is not needed.

The serviceman's base also provides transportation to the nearby GM training center, where company personnel take over as instructors. The 240-hour course is usually sliced up into six weeks of eight-hour days and five-day weeks, or sometimes 12 weeks of half-days. The decision is the base commander's, and he may insist that the serviceman spend at least half his day on military duty. GM won't accept less than a half-day trainee. "There is too much inertia involved," McDonald says.

EAGER DEALERS

GM finds a potential employer in the trainee's area of choice right at the start, so that the serviceman knows the specific job that's waiting for him long before he's equipped to fill it. If the dealer is located near the training center, the trainee may meet him personally—a procedure GM regards as ideal, since it reduces the chance of a switch to a competing employer. Every such switch costs GM $1,000, the expense of training a serviceman.

Training consists mainly of "hands on practice" in work areas that resemble dealers' service areas; only 20% of the course is classwork.

The company prefers to recruit trainees as close to the end of their military duty as possible, to shrink the gap between the learning process and experience on the job. McDonald describes the typical graduate as an advanced trainee, although a few do well enough to qualify as auto mechanics. Generally, it takes a year longer to turn an advanced trainee into a full-fledged mechanic. During that time he will take additional classes at one of GM's 30 training centers; only 15 are used in Project Transition because the others are too far from military bases.

The dealer will be grateful even for an advanced trainee, McDonald says. "If he can do 25 or 30 relatively simple operations, he frees the dealer's regular mechanic for more serious tasks," he notes. Simple operations would include seeking out short circuits in a car's complex wiring system or repairing small motors such as the one that operates windshield wipers.

The graduate starts work at $1.75 to $2.25 an hour, with prospects of increases that may lift his income to as much as $15,000 a year.

RECRUITING

GM expects Project Transition plus other training programs to produce 3,700 new mechanics for its dealers this year. Ford also plans to expand its participation; in addition to training mechanics, it will also train potential auto salesmen and is considering training non-commissioned officers to become foremen at assembly plants.

McDonald—and others connected with the program—concede that there are problems. For one, the Army apparently has decided to restrict eligibility for duty-time training to the disabled and those with no civilian skills. This knocks out motor pools as sources of applicants. For another, some of the most populous bases are too far from GM centers to make training feasible.

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The Defense Dept., too, feels there is room for improvement. Project Transition trained 45,000 men last year, far less than the 150,000 originally envisioned. The department's own failure to reach potential trainees was a major reason; only 280,000 of the 800,000 released from service last year were told about the transition program. The Pentagon recently hired a consultant to improve the counseling situation, especially outside metropolitan areas. It also expects to increase the number of participating bases from the current total of 250.

HARD CORE

The Defense Dept. also worries that the program hasn't always reached its primary target, the uneducated, unskilled man. In the first Project Transition program at Fort Knox, where men were trained as service station dealers by Humble Oil & Refining Co., all of the trainees were high school graduates. This has been the pattern more often than the Pentagon likes.

Officials say that industry's natural desire to recruit the best-qualified trainee possible is only part of the reason. Industry is showing "an ever improving attitude" on the need to waive traditional requirements in order to attract uneducated recruits, but "some of these guys are leery," says a Pentagon man. "They don't believe that industry really wants to help them."

NATIONAL TIMBER SUPPLY ACT

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. GRIFFIN. Mr. Speaker, along with my able and distinguished colleague from Alabama, Hon. Walter Flowers, I am today introducing the National Timber Supply Act. We are pleased to join several other colleagues who have previously introduced this important legislation.

There are those in America who consider the Deep South the future "woodbasket" of America. I agree and applaud their perception for the rich lands of Mississippi and the moderate climate have combined to make it possible for southern pine to grow abundantly.

Some years ago when the International Forestry Congress was held here in the United States the Russian delegation insisted that they must have an opportunity to visit the South "where the trees grow like corn." They came and were satisfied that it was true.

There is no question that we can grow trees in abundance on the private lands of the South. Our southern forest industry and landowning organizations—including the Southern Pine Association, the American Plywood Association, Forest Farmers Association, and the Southern Hardwood Lumber Manufacturers Association—have underwritten a study telling us how to do it better. And we will—in the interest not only to our own people who derive their livelihoods from the forest bounty—but in the total interest of the Nation which demands the things the forest can provide in the form of lumber, plywood, paper, pulp, tissues, chemicals, and the 5,000 other products which emerge from the wonders of the forest.

This study, entitled "The South's Third Forest," a report of the Southern Forest Resource Analysis Committee has been included in the Record of recent hearings on lumber price and supply problems before the House Banking and Currency Committee on which I am honored to serve. I recommended its review by all in this body concerned with meeting our Nation's future wood needs.

The analysis shows what needs to be done on small, private, nonindustrial forest lands to stimulate production to meet wood demands by 1985 or thereabouts.

In the meantime, however, our Nation is faced with a current problem which will not wait for solution. The 1968 Housing Act set a national goal of 26 million units of housing to be built within the next decade—this is roughly 1 million units more than are presently being built by our homebuilding industry. The current lumber shortage and price situation and its effect on housing goals were the principal concerns of the recent hearings before the Banking and Currency Committees—both in the House and Senate.

At those hearings the Secretary of Commerce testified that the realization of this American dream will require that our American forests produce more than 15 billion additional feet of softwood timber by 1978—we now produce about 40 billion feet. Where, one might ask, will the additional volume come from? It is apparent that private lands are being harvested to the limit of their ability. It would be unthinkable to harvest young trees which have not yet fulfilled their growth. The answer of course lies with the Federal Government which owns 60 percent of our standing softwood sawtimber, but which, as was amply demonstrated during our recent hearings, is not supplying the timber necessary to meet the Nation's needs.

Today we have to house a rapidly multiplying population. Brick, stone, concrete, plastic, and aluminum cannot fulfill the housing needs of the people. People do not want to live in tin cans or plastic cups or steel drums. They want to live in houses like their parents lived in—and those houses are essentially made of lumber and plywood.

I think we owe it to the people to enlarge our timber resources so they can build homes in which they can live. The forests controlled by the Federal Government can do that job now—and with proper management and financial investment they can continue to do it indefinitely.

It is for that reason that I submit today the National Timber Supply Act which will enable the skilled professional of the U.S. Forest Service the chance to do on public lands what the private foresters have done on the lands owned by their companies. I urge every Member of this Congress to apply their best talents to the passage of this bill and to make it possible for all our people to be well-housed, rewarded by adequate return on our national forest investment, and satisfied that the forests of today will not be denuded for immediate necessity but will flourish forever.

FREEDOM OF SPEECH

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. ROYBAL. Mr. Speaker, the first amendment to the Constitution of the United States clearly states America's long-standing dedication to the hallowed principle of freedom of speech for all our citizens.

It is entirely appropriate that our Nation's commitment to the elemental right of free speech be contained in this first of the original 10 amendments to the Constitution—our country's "Bill of Rights"—because freedom of speech remains today, as it has been down through the years, among the basic foundations of our American democracy.

In order that a free people may continue to govern itself in freedom, it is not necessary that everyone agree with everyone else, but it is necessary that the right of all persons to express their opinions and to be heard on the vital issues of the day be respected—and that the full exercise of this right be vigorously protected.

For this reason, I was deeply concerned to receive a letter from Mrs. Hope Mendoza Schechter, president of the Democratic Women's Forum, one of the oldest and most active Democratic women's clubs in my home State of California, in which she enclosed material describing a most regrettable incident which occurred at a recent meeting in Sacramento involving a serious infringement of the right of free speech of California's Democratic National Committeewoman.

As Mrs. Schechter indicated in her enclosed open letter to fellow Democrats, it is important to us all that the "marketplace of ideas" be preserved as an arena in which differing views may be judged strictly on their merits.

Mr. Speaker, we can all join with Mrs. Schechter in her statement that "if our democracy is to mean anything, it means that persons of opposing points of view are extended the privilege to state those views."

Because of the timeliness and fundamental nature of this issue, I insert in the Congressional Record the full text of the open letter from the California Democratic Women's Forum:

Action Taken at the April 15 Board Meeting of the Democratic Women's Forum Resulted in the Following Letter

Democratic Women's Forum,
Los Angeles, Calif., April 21, 1969.

Dear Fellow Democrat: The Democratic Women's Forum, one of the oldest and most active Democratic women's clubs in California, wants to express outrage at the behavior of those in attendance at a meeting held in Sacramento on the weekend of April 11. Our sense of indignation is based on two facts:

a. The Democratic National Committeewoman was subjected to verbal abuse and shouts of derision from some in the audience who apparently have no regard for the provisions of the First Amendment to the Constitution of the United States. They had neither the courtesy nor the maturity to listen to that which our National Committeewoman had to say. No one asked that those

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in the audience agree with or support Carmen Warschaw's views, but if our Democracy is to mean anything, it means that persons of opposing points of view are extended the privilege to state those views. We are continuously puzzled by those who demand their right to free speech, but who are quick to interfere with the free speech rights of others.

This is all the more disturbing to us because the object of that harassment is a woman who led the liberal caucus at the Democratic National Convention in 1968 and who was appointed to help reform the Democratic Party throughout the nation to make it more responsive to and reflective of Democrats, young and old, rich and poor, and who come from all walks of life.

b. More distressing to us than the boos and catcalls which emanated from the throats of the disruptive ones was the silence of the Party leadership, who sat by and did nothing to restore order and to remind the delegates assembled that if the Party of Jefferson, Jackson, Roosevelt, Truman, Kennedy, and Johnson stands for anything, it stands for free speech and fair play.

This abdication of responsibility is not only shameful, but dangerous.

The issue is not Carmen Warschaw. Last year it was Hubert Humphrey. In December of 1968, James Reston, Executive Editor of the New York Times, was prevented from delivering a speech at New York University. In March of 1969, Wayne Morse was the target of a continuous barrage of heckling while he attempted to speak at Riverside Church in New York.

The pattern is clear—unless those who hold leadership positions speak out against these anti-democratic forces and take effective measures to stop this growing intrusion of hoodlumism into the marketplace of ideas where views should be judged on their merits, then no one is safe.

Last year, Hubert Humphrey and James Reston. . . . This year, Wayne Morse and Carmen Warschaw. Will you be next?

Sincerely,

HOPE MENDOZA SCHECHTER,
President.

VIETNAM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. RYAN. Mr. Speaker, last month the press noted that the war in Vietnam had become the fourth costliest war in the history of the United States, surpassed in deaths and casualties only by the two World Wars and the Civil War. Over 34,000 American servicemen have lost their lives in the course of our military entanglement in that unhappy country. No one knows how many Vietnamese have been killed, although the estimates run to hundreds of thousands.

Twelve months have passed since the beginning of the preliminary peace talks in Paris, and 5 months have receeded since the South Vietnamese Government joined the expanded negotiations. And what progress is there to report? The killing and destruction rage on unabated; millions of American dollars continue to be expended each week in support of the war; and the urgent domestic problems which have cried out for solutions continue to multiply and fester.

Rumors of impending troop withdrawals and a deescalation in our military commitment to South Vietnam reoccur with tantalizing regularity, only to be promptly denied by Secretary of Defense Laird or some other "high administration spokesmen."

One week ago, some 250 student leaders from across the Nation—leaders of the student government and student newspapers of many of our finest universities and colleges—sent a letter to President Nixon which stated their intention to choose jail over military service so long as the war in Vietnam continued. How long will it take the administration to understand the depth of opposition to a war which the majority of our young people, in their own words, regard as "immoral and illegal"?

Historians have told us that one of the most disastrous consequences of the slaughter of World War I was the loss of a whole generation of the future leadership of France and England, a generation whose youth and vigor was sorely needed to help give direction during the critical years when Hitler was preparing for war in Europe. Had the European democracies had the benefit of that generation's perspective while Hitler was arming, historians suggest, the policies of France and England which allowed the Nazis to consolidate their military strength might have been considerably different.

I wonder if there is not a similar risk to our own future. The college students who now say they are willing to go to jail rather than participate in a war they believe to be contrary to the best ideals of this country include many young men who would normally constitute the nucleus of our future political leadership—at local, State, and Federal levels. Will this generation of student leaders assume the burdens of adult leadership for a country that is willing to turn them into criminals because they were so bold as to suggest that America has no business in Vietnam?

During the course of the Democratic primaries last spring, and indeed in the general election last fall, all of the major candidates for the Presidency agreed that the war in Vietnam had to be terminated. President Nixon himself, as early as March of 1968, said:

> The next President of the United States must end the war in Vietnam.

It is time to make good on that promise. While the negotiations drag on in Paris, and the calls from the administration for "patience" reverberate, more American servicemen continue to die on the battlefields of Vietnam, and more Vietnamese civilians must bear the death and destruction that has been their lot for over 20 years. All in the name of a war which the overwhelming majority of Americans believe must be ended.

On March 26, a number of Members of Congress joined me in calling upon the Nixon administration promptly to end the war in Vietnam. During the course of that discussion on the floor of the House I outlined a three-point strategy for deescalating our military commitment in that country and for moving the Paris negotiations toward a diplomatic breakthrough. That strategy included: First, the immediate withdrawal of up to 100,000 U.S. troops and a concomitant decision not to replace those forces transferred out of Vietnam after their regular tour of duty; second, a public declaration by the President of the administration's willingness to accept the participation of the National Liberation Front in the future political life of Vietnam; and, third, the refusal by Congress to approve any additional requests for funds to support the war. That call was made over a month ago and has since been reinforced by similar statements from other Congressmen and Members of the Senate. Yet the Nixon administration persists in its refusal to take the kind of dramatic action that could lead to a prompt settlement of the war.

Other individuals and groups have also come forward with plans for ending the war. I call particular attention to the strategy outlined by Prof. Richard Falk, of Princeton University, which our colleague from California (Mr. EDWARDS), placed in the RECORD on Monday.

Today I am inserting in the RECORD a white paper on ending the war which has been prepared by the American Friends Service Committee. The strategy advocated by the Friends committee emphasizes the cessation of all offensive search and destroy military operations by the U.S. military, followed by the speedy withdrawal of our troops from Vietnam. As the white paper makes clear, a commitment to withdraw our forces from Vietnam would free the resources of this country for the truly important business before us; namely, "the rebuilding of their country—and ours—and the lifting of the burden of poverty from the backs of Vietnamese and Americans alike." The mobilization of our national resources and energies to that task is indeed an effort which all Americans can join with enthusiasm.

The above-mentioned follows:

VIETNAM, 1969: AN AMERICAN FRIENDS SERVICE COMMITTEE WHITE PAPER ON ENDING THE WAR, MAY 5, 1969

The last year. It has been more than a year since the rhetoric of peace began in Vietnam. During this time scores of thousands of men and women and children have died in the fighting. They continue to die today, and every evidence in Vietnam is that they will continue to die tomorrow unless there is an unparalleled demand from the American people that the slaughter be halted. The American Friends Service Committee calls for a halt—now.

Like millions of others the world over, we felt a sense of relief a year ago that our country was at last moving toward a Vietnam settlement. We welcomed the initiation of the Paris talks, the halting of the bombing of North Vietnam, and, more recently, the reports of an Administration decision to undertake some form of U.S. military disengagement. We have hoped these steps would lead to a cease-fire and our country would begin to right its distorted priorities that require spending billions on destruction while our cities decay and our poor despair. But hope has not been enough. Little has really changed in the year that has passed.

Present illusions: We believe U.S. military and government leaders are fostering illusions in regard to Vietnam. Our own experience in Vietnam is so at variance with official interpretations that we cannot reconcile what we have seen with what is officially re-

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ported. Americans are under the impression that the war is all but over; it is not. They are being told that the U.S. military policy is one of restraint in the interest of progress in Paris; it is not. They are encouraged to think that the Thieu-Ky government is becoming more acceptable to the Vietnamese, that it is politically more secure, more resolute in carrying on the war, more ready to institute reforms, more competent to carry on with diminishing U.S. help. We find no evidence that these things are so.

In our judgment, the human situation in Vietnam today is worse than it has ever been; the cumulative result of U.S. involvement (on top of 25 years of warfare) borders not on Vietnam's salvation, but on its death. An entire nation is being physically, morally, and spiritually destroyed—and the tempo of destruction has increased, not decreased, since the beginning of the Paris talks and the bombing halt.

AFSC qualifications to comment: Our judgment on these matters is based on 15 years of relationship with Vietnam, the last four with full-time staff stationed variously in Saigon, Vung Tau, My Tho, Danang, An Khe, Pleiku, Hue, and, for the last two years, Quang Ngai. As far back as June 1954, we urged the U.S. not to follow the French example of trying to deal with Indo-China's problems in military terms, insisting that "nothing but disaster lies down that road."[1] Since the U.S. military involvement escalated in 1965, our field staff, speaking Vietnamese and living as closely as possible among the people, have regularly reported to us on the conditions around them. These reports make hard reading, chronicling as they do a tide of destruction that has gradually engulfed a people and torn apart the fabric of their lives. Here is what these reports have recorded:

Refugees: Four million people—one-third of the rural population of this rural nation—have fled their homes and become refugees in a country where land and village roots have an importance unknown in western culture.[2] Most have fled to the cities, which are quite unprepared to cope with the influx. Saigon's population has swelled to 2,800,000, making it the world's most crowded city, with more than twice the population concentration of Tokyo.[3]

Destruction: Physical destruction is enormous. Hundreds of thousands of acres have been defoliated, countless villages have been rased, and bomb craters pockmark the countryside. B-52 raids alone have torn 2½ million holes 45 feet in diameter and 30 feet deep[4]—holes that are now filled with water and serve as breeding grounds for malarial mosquitoes and other insects. More tons of explosives have been dropped on this tiny country than were dropped on all the Axis powers in all of World War II, and with every month that passes the loads are bigger and the bombs heavier.[5] In December 1968, the U.S. for the first time began using in Vietnam 10,000-pound bombs that had been stored in military depots for 15 years.[6]

Economic impact of war: The basic economy of the country has been destroyed, and only heavy imports of consumer goods from the U.S. and Japan keep inflation from assuming explosive dimensions. Corruption is epidemic. Vietnam's ancient Buddhist culture, with its village roots, its veneration of ancestors, its reliance on the extended family, has been torn apart by the impact of having quartered in its midst a half million foreign troops who know nothing of its ways or sensibilities. Prostitution and black marketing are rampant.

Suffering: In all of this the suffering of the Vietnamese has reached levels that would appall the American people if they could see it. Many thousands have been forced from their homes on short notice, incarcerated in tent cities and then after weeks or months been permitted to return to their villages—their homes destroyed, their animals dead, and their fields mined.[7] More thousands are caught under the bombs or between the contending forces, and the result is carnage.[8] Even before the 1968 Tet offensive it was estimated that there were from 150,000 to 200,000 civilian casualties annually.[9] Provision for caring for the victims is hopelessly inadequate. Provincial hospitals today have few doctors, poor facilities, and often a shortage of medical supplies and even pain killers.[10] The American Friends Service Committee, which has been involved in the relief of war suffering for more than half a century, has rarely encountered such misery as is found in Vietnam today.[11]

U.S. escalation since Nov. 1, 1968: The United States, while it is publicly committed to a search for peace, has in fact stepped up its military activity since the bombing of the North was halted on November 1, 1968. Consider the following:

1. There are more U.S. troops in Vietnam today than there have ever been since the war began. On March 15 this figure was 540,500, in addition to 45,000 in Thailand and 35,000 in the Navy offshore.[12]

2. The number of battalion-sized operations initiated by the Allies and in progress during each month has grown steadily since the bombing halt. In November the figure was 800; in December, 956; in January, 1077.[13] The actual figures for less-than-battalion-sized operations in this same period are still classified, but it is known that they, too, reflect a steady increase. Enemy-initiated actions in both of these categories are substantially lower than allied actions during these months, which indicates that it is the allies who have been pressing the fighting.[14] Indeed, the North Vietnamese withdrew 30,000 to 40,000 troops from South Vietnam after the bombing halt.[15] The inclusion of small scale terrorist activity by the NLF forces does not significantly alter the picture. These actions remained relatively constant through December at a level of approximately 100 a month, involving the deaths of from 350 to 450 civilians monthly.[16]

3. Despite the cessation of missions over the North on November 1, the total tonnage of bombs dropped on Vietnam has increased every month since then, except for a slight decrease in the shorter month of February. In November 115,000 tons were dropped; in December, 127,700; in January, 129,700; in February, 115,800.[17] The January figure represents the highest monthly tonnage dropped since the war began.[18]

4. Since October the war has been carried into ostensibly neutral Laos with greatly increased intensity. Before November 1 there was an average of 150 bombing strikes daily over Laos in 1968.[19] By the end of January the U.S. had 300 to 400 planes a day over Laos, or more than double the number being used before the November 1 bombing halt.[20] U.S. commanders have also been permitted to cross the border and carry ground fighting into Laos when they have felt the military situation required it.

5. U.S. battle deaths—always the inexorable barometer of the level of military action—offer final confirmation of the validity of the preceding statistics. These show a rise every month since the bombing halt: 600 American men lost their lives in October; 703 in November; 749 in December; 795 in January; 1073 in February; 1265 in March.[21] Renewed military initiatives by the NLF and DRV forces did not begin until the last week of February.

Where is there evidence in these statistics of a scaling down of allied operations?

U.S. Aims in Vietnam: Americans are assured that U.S. goals in Vietnam are limited ones. Earlier talk of victory has ceased as the death toll has risen and as the decimation of Vietnam has become apparent. Today the apologists for continued U.S. military action argue that our commitment will be fulfilled if our forces can achieve a reasonably pacified countryside, a reasonably stable government, and a reasonably effective Vietnamese army, capable of defending itself against its opponents. The American people are being assured that progress toward these goals is being made.[22] On the basis of our experience, however, and without considering whether these are appropriate goals for the U.S. to be seeking, we do not believe they are in fact attainable:

1. *Pacification efforts have repeatedly failed over a ten-year period, and they will continue to fail.* The Hamlet Evaluation System, a U.S. introduced, computerized measurement of territorial security, may show the country to be 75% secure, but all who know the Vietnamese countryside dismiss such figures out of hand. They are worthless because the sources of data are biased, and the definition of "security" is elusive. As the recent Tet offensive has shown once again, the NLF can still move with impunity into any part of Vietnam, even into the very centers of U.S. military power. Despite the contrived reports of the computers and despite the billions of dollars spent on pacification, there is today no part of Vietnam that is truly secure. Neither the U.S. nor Saigon is "winning the minds and hearts" of the Vietnamese. The countryside has not been pacified; it is less secure in 1969 than it was in 1965. Even the major cities, though ringed with fortifications, are vulnerable to attack and infiltration.[23] Quaker workers and Vietnamese sources report to us that anti-American feeling has never before been so intense as it is now.

2. The Thieu-Ky government does not offer any promise of future stability. The government in Saigon is a military dictatorship propped up by U.S. power, despised by most Vietnamese and notoriously corrupt. Freedom of speech is suppressed. No one knows exactly how many Vietnamese political prisoners languish in Vietnam's prisons, but the figure is certainly in the thousands, and includes many of the country's leading intellectuals: university professors, religious leaders, lawyers, students, newspaper editors, politicians—anyone who has dared to advocate political initiatives to end the war. Many of the leading figures in the present Saigon government fought for the French against their own countrymen. They represent an old and vanished order. Whatever the outcome in Vietnam, they will be swept away the moment the Vietnamese regain control of their own affairs. They are too weak a reed on which to pin any U.S. hope for future political stability.[24]

3. The South Vietnamese armed forces will never successfully take over the military burden now carried by the United States. It is not hardware or training that is lacking in Saigon's armies. It is will, the one ingredient the United States will never be able to provide. Thieu's soldiers have no heart for this struggle and have not had any for years. Indeed, one of the most striking phenomena of the war is the contrast between the contending forces: a Vietnamese dressed in the peasant garb of the NLF is one of the world's most formidable fighting men; the same man in the uniform of Saigon is one of the world's poorest. Why? Because one believes he fights to drive the foreigner from his soil while the other fights only to sustain the power of a corrupt military clique.

Why the U.S. should withdraw: If, therefore, as the American Friends Service Committee believes, a continuing U.S. military presence in Vietnam will not result in any genuine pacification of a war-weary and embittered countryside, and will not make pal-

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Footnotes at end of article.

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atable a government that is not palatable, nor an army fight that has no will to fight, it becomes useless to pursue further a course that is leading nowhere. It is useless to stay on even for the purpose of a bargaining position in Paris, because we find no reason to think that time will serve to strengthen the U.S. position. This is why we believe that the only viable option left for the U.S. in Vietnam is to withdraw from the whole tragically misconceived adventure.

This is something the U.S. can do. Our military can cease all offensive action, all search-and-destroy missions, all air and sea attacks, and withdraw U.S. troops to port areas for repatriation. This action would have the paramount advantage of returning the future of Vietnam to the Vietnamese, where it belongs. Questions of reunification and political settlement are questions for the Vietnamese to answer, because the Vietnamese, whether they live in Hanoi or in Saigon, are still a single people. They were divided by foreign fiat at Geneva; they have been kept divided by U.S. preoccupation with anti-communism; but fiat and power do not undo the history of a thousand years. The Vietnamese remain one people and not two. They are presently torn by strife between North and South, and between contending forces within South Vietnam, but these struggles can only be resolved by the Vietnamese themselves.

As the only foreigners in South Vietnam, the U.S. and its allies have nothing to negotiate but the rate and manner of their withdrawal. If our leaders were to acknowledge this and move to act on it, it would at once open up a whole new range of possibilities for the good offices of other nations to be used in mediation and in arranging for sanctuary or amnesty for those open to reprisal. This in itself would be a hopeful development.

There will be suffering and turmoil if the U.S. leaves. There may be a government in Saigon led by Ho Chi Minh; there may not be. Withdrawal does not mean that justice will be done. It does not insure fair elections or well-protected freedoms. It does not even insure that urgently needed resources will at last be released for use in Americas cities, since the Pentagon has plans to use any savings for its own new weapons projects. But whatever happens, or fails to happen, will, in our judgment, be preferable to going on with the present agony of death and destruction that is literally destroying Vietnam, undermining our own domestic social fabric, and damaging our country's name in the world community.

The real problem for the United States in unilateral withdrawal is not in the military consequences in Vietnam, but the political consequences at home. We do not underestimate their magnitude, or the courage that would be required to face them. The President is under great pressure, and it may seem safer and wiser for him to pursue a less drastic course. But we believe that both the American people and the world at large would respond to forthright leadership to withdraw our country from this war, especially if it were made clear simultaneously that the U.S. stood ready to assist generously in the task of economic reconstruction. We are not calling for the United States to abandon Vietnam, but only to replace a destructive American presence with a constructive one that will act in concert with an international effort to provide such economic help as may be requested by the Vietnamese.

This approach would give us a whole new position in Southeast Asia. At the very least, it would change the present tragic image of the United States. Every day sees the armed forces of the world's most powerful nation raining bombs and chemicals and napalm on the rice fields and bamboo huts of one of the poorest and most defenseless countries. As long as this continues, millions must wonder whether the Americans have indeed become the New Barbarians.

Let us therefore order a cease-fire and withdrawal from Vietnam, unilaterally and immediately. Let us get on with what is really important: the rebuilding of their country—and ours—and the lifting of the burden of poverty from the backs of Vietnamese and Americans alike. These are tasks in which Americans can join with enthusiasm.

GILBERT F. WHITE,
Chairman.
BRONSON P. CLARK,
Executive Secretary.

FOOTNOTES

[1] June 8, 1954, Public Statement issued by the Board of Directors of the American Friends Service Committee.

[2] Report of the Subcommittee to Investigate Problems Connected with Refugees and Escapees, Senator Edward Kennedy, chairman. May 9, 1968. The same report indicates that 80% of these refugees fled because of U.S. bombing. In our Quaker experience, this percentage is a conservative estimate.

[3] The Vietnam Guardian, March 22, 1969: "Saigon: The World's Most Crowded City." Average density of Saigon is reported as 148 persons per acre; Tokyo, the second most densely populated city in the world, averages 63. Densities in Saigon are up to 830 persons per acre.

[4] The Nation, April 21, 1969. Report from Professors E. W. Pfeiffer and G. N. Orians of the Society for Social Responsibility in Science, as quoted in editorial, "Ravaging Vietnam."

[5] November, 6.94 tons per sortie; December, 7.00 tons per sortie; January, 7.55 tons per sortie; February, 7.55 tons per sortie. These estimates were computed on the basis of figures on total tonnage and total number of sorties provided by the Southeast Asian News Desk, Directorate for Defense Information of the Office of the Assistant Secretary of Defense (Public Affairs), March 26, 1969.

[6] Washington Post, December 27, 1968: "10,000-Pound Bombs Used to Clear Viet Landing Zone." These bombs, too big for conventional fighter-bombers, are reported as being dropped from C–130 cargo planes or flying crane helicopters.

[7] In one such removal, during Operation Bold Mariner in January 1969, 12,000 peasants from the Batangan Peninsula were taken to a waterless camp near Quang Ngai over whose guarded gate floated a banner saying, "We thank you for liberating us from communist terror." These people had been given an hour to get out before the USS New Jersey began to shell their homes. After 8 weeks of imprisonment they were ferried back to what was left of their villages given a few sheets of corrugated metal and told to fend for themselves. When asked what they would live on until new crops could be raised, the Vietnamese camp commander said, "Maybe they can fish."

[8] A Quaker worker, writing from Quang Ngai late in February 1969, describes the situation as follows:

"Several of us went to the roof about 3 a.m. The American unleashed the terrifying 'Puff the Magic Dragon,' a DC3 that spews forth 5000 machine gun bullets per minute. As I watched it circle overhead last night, silhouetted against the low clouds in the light of the flares, flinging indiscriminate bolts of death earthward, I could vividly visualize the scene below. Men, women, children and animals, caught like rats in a flood. No place to hide, no way to plead their case of innocence to the machine in the sky, no time to prepare for death. The beating the civilians are taking in this war is beyond adequate description.

"Sitting behind the others on the roof I felt tears welling up and was shocked as I became aware of feelings foreign to my conscious self, which surfaced under the indescribable strain of watching man slaughter man en masse. The cold, mechanical, compassionless way that monster circled around and around and around, ruthlessly pursuing an unseen 'enemy,' stabbing viciously earthward again and again, probing, searching, killing and maiming all in its path . . . We have survived, but a lot of Quang Ngai people didn't make it. And a lot more who are now clinging to life over at the hospital will not make it until morning. If only we could bring this horrifying scene of human devastation in its true dimensions home to the people who must know what it's like. The ones who are pulling the strings on this deadly puppet show. Man's inhumanity to man has reached its climax in Vietnam."

[9] Report of the Kennedy Subcommittee, cited above. These figures, the report notes, are prior to the 1968 Tet offensive, which greatly increased the rate of civilian casualties.

[10] In Quang Ngai's 500-bed provincial hospital, for example, there were in late February over 600 patients, the great majority war-related. At one point, our Quaker physician was the only non-Vietnamese medical personnel available to care for this overflow load, with the exception of a single Vietnamese doctor.

[11] Consider the following, taken from one of many recent reports from Quaker workers in Quang Ngai:

"How can I tell you what it was like! These people coming in filthy, with glazed looks, numb. Nobody talking, nobody crying and the sounds of furious battle not yet ended pursuing them in the door. The emergency room floor still covered with blood from yesterday's casualties, smelled in the heat of the day and was oppressive . . .

"One little fella of ten or so, shot in the face. Three bullet or fragment holes in the back and buttocks, one of which had exited through his abdomen, the others lodged somewhere. He, like most of the others, came in lying in a pool of blood. Feces and ground up bits of bone were flowing out of the buttocks wound. Vomitus ran from his mouth and mixed with the blood pouring from the face wound. We worked with him for a long time but his chances are slim. He was in shock (most of them were) and struggling to get up from time to time, at times opening his eyes wide to beg for water or complain of the pain in his belly and then lapsing into unconsciousness. His father stood by silently, grief written all over his face. A girl, maybe seven years old, with a head wound and skull fracture. Also major portions of one foot missing. Mother and grandmother crying quietly while trying to help us dress the wounds. A mother lying on a stretcher on the floor smeared with blood and with her infant lying silently on her chest. The baby also was covered with blood and I never saw it move.

"I've seen all this before! Why can't I get used to it?! Each lifeless form, every scream of anguish, each blank stare of those who have suffered too much strikes pain in the pit of my stomach. Are there really those who can look at a scene like this and not suffer with the people?"

[12] Figures provided by the Pentagon's Southeast Asian News Desk, March 26, 1969.

[13] Ibid.

[14] This is confirmed by the New York Times, April 18, 1969 ("U.S. Battle Let-Up Denied in Saigon") which reports that "American troops are continuing to follow a policy of maximum pressure against the enemy. Allied units are continuing to patrol and pursue the enemy aggressively." Later in the story an unidentified colonel is quoted as follows: "All our battalions and brigades are out and operating from one end of the country to the other, just as they've been doing for months. If the casualty figures are down, it's because the Vietcong didn't want to fight—not the United States."

[15] Figures provided by the Pentagon's

Southeast Asian News Desk. March 26, 1969. Senator George McGovern, speaking on the Senate floor March 17, 1969, reports this withdrawal was of "22 full regiments." Sources differed as to the reason for the withdrawal. The military attributed it to the need of North Vietnam to rest its battered forces; Senator McGovern suggests it was in response to the bombing halt.

[16] South Vietnamese government figures, as reported by the Pentagon's Southeast Asian News Desk, March 26, 1969. Data available only through December 1968. These show 443 killed in October, 440 killed in November, 355 killed in December.

[17] Figures provided by the Pentagon's Southeast Asian News Desk, March 26, 1969.

[18] Representative Don Edwards (Dem., Calif.) in a speech on the floor of the House, March 26, 1969.

[19] New York Times, November 1, 1968. William Beecher, "Laos Route to Be Pounded."

[20] U.P.I., January 29, 1969.

[21] Pentagon figures, updated from those quoted by W. F. Ryan (Dem., N.Y.) in the Congressional Record, March 26, 1969.

[22] New York Times, January 3, 1969. Charles Mohr, "Major Gains Made by Vietnam Allies, Even Critics Assert." Reader's Digest, February 1969, an interview with Admiral John S. McCain, Jr., "In Vietnam the Enemy Is Beaten." When the NLF stepped up the fighting late in February 1969, the military made efforts to keep the vision of U.S. progress alive by downgrading these actions. See New York Times, March 11, 1969, Charles Mohr, "Field Checks in Vietnam Show Allies Understated Foe's Gains." The American Friends Service Committee can document this charge from its own experience as far as Quang Ngai is concerned, since the city has more than once since February 23 been subject to night ground attacks that have resulted in an occupation of at least 25% over a period of several hours. Yet, as far as we know, these actions have not been reported by the military briefers.

[23] Quang Ngai, as one provincial capital, for example, has over the past year been regularly infiltrated at night. In the weeks following Tet 1969, heavy street fighting erupted twice around our unarmed and unprotected Quaker compound, which is well within the city limits. Every house in Quang Ngai city has its sandbagged shelter to protect the occupants. This is the situation in a provincial city garrisoned by allied troops. Is this security?

[24] Estimates from our AFSC contacts in Vietnam suggest 20% as the maximum support that Thieu-Ky could claim, with 80% in opposition. Some U.S. government estimates use these same figures but in reverse. We find it difficult to understand the basis for the official U.S. optimism on this point.

CONGRESSWOMAN SULLIVAN'S TESTIMONY ON DISTRICT OF COLUMBIA USURY CEILING ON DISCOUNT LOANS

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mrs. SULLIVAN. Mr. Speaker, a few days ago, Subcommittee No. 4 of the House Committee on the District of Columbia conducted a hearing on legislation to permit lenders in the District of Columbia to collect in advance the interest charged to consumers on certain types of installment loans. Many of the leading bankers in the District of Columbia appeared before the subcommittee to urge enactment of the legislation. Because of business that morning before the House Committee on Banking and Currency, I was not able to appear in person before the District of Columbia Subcommittee, but I did submit to the members of that subcommittee a statement I had prepared in opposition to the legislation.

Although the subcommittee subsequently approved the bill, H.R. 255, I know that many questions are being raised and objections voiced to the philosophy of this bill and that efforts are being made to obtain reconsideration and further study of the implications of the legislation.

Under the circumstances, I believe it might be useful for the Members to know the reasons for my objections to H.R. 255 as given to the members of the subcommittee during its initial hearing on this measure.

Therefore, Mr. Speaker, under unanimous consent, I submit herewith the statement which I prepared on this legislation for the hearing on Tuesday, April 29:

STATEMENT BY CONGRESSWOMAN LEONOR K. SULLIVAN, DEMOCRAT, OF MISSOURI, CHAIRMAN, SUBCOMMITTEE ON CONSUMER AFFAIRS, HOUSE COMMITTEE ON BANKING AND CURRENCY, BEFORE FUQUA SUBCOMMITTEE, HOUSE COMMITTEE ON THE DISTRICT OF COLUMBIA, ON H.R. 255, AUTHORIZING DEDUCTION IN ADVANCE OF INTEREST ON INSTALLMENT LOANS, APRIL 29, 1969

Chairman Fuqua and members of the subcommittee, as the principal sponsor of Public Law 90-321, the Consumer Credit Protection Act of 1968, Title I of which is the new Federal Truth in Lending Act, I feel that H.R. 255 is not needed and should not be approved. Legal experts furthermore advise me that, even for the purpose intended, it is "bad law."

First, as to why it is not needed:

The Truth in Lending Act, beginning on July 1, 1969, will require full disclosure to the consumer of all of the costs of credit, itemized in detail and also summarized in total as the amount of the *finance charge*, accompanied by a figure giving the "annual percentage rate of the finance charge." Thus, an 8% discount loan in the District of Columbia (or anywhere else) would be described to the prospective borrower in its true percentage, on an annual basis, of nearly 16%. If credit life insurance were required as a condition of the loan, and the rate were 1%, which is typical, the annual percentage rate of the finance charge would have to be given as nearly 17%. This would be the case whether or not H.R. 255 were enacted.

But it should be noted that under the terms of Public Law 90-321, in Section 111 (b):

"This title does not otherwise annul, alter or affect in any manner the meaning, scope or applicability of the laws of any State, including, but not limited to, laws relating to the types, amounts or rates of charges, or any element or elements of charges, permissible under such laws in connection with the extension or use of credit, nor does this title extend the applicability of those laws to any class of persons or transactions to which they would not otherwise apply."

TRUTH IN LAW DOES NOT ALTER LEGALITY OF PRACTICES UNDER DISTRICT OF COLUMBIA LAW

In other words, Mr. Chairman, if the deduction in advance of interest on installment loans in the District of Columbia has been legal and permissible, even when that results in a true annual interest rate exceeding the usury ceiling, there is nothing in the Federal Truth in Lending Act which would make such a practice suddenly illegal in this jurisdiction. The Federal Truth in Lending Act does not set ceilings on interest rates. Furthermore, the required disclosure of the annual percentage rate of the finance charge in a consumer credit transaction under Truth in Lending is a figure which may or may not be identical with the so-called true annual interest rate.

That is because the Truth in Lending Act includes in the finance charge such charges as the following: interest, time price differential, any amount payable under a point, discount, or other system of additional charges; service or carrying charge; loan fee, finder's fee, or similar charge; fee for an investigation or credit report; premium or other charge for any guarantee or insurance protecting the creditor against the obligor's default or other credit loss. In addition, as I said, under certain circmstances, credit life, accident or health insurance, and even, in some circumstances, property damage or liability insurance, may have to be included by the creditor in the itemization of charges which go into the determination of the annual percentage rate of the finance charge. Obviously, much more than just interest subject to the D.C. usury law goes into the determination of the annual rate of the finance charge under Federal Truth in Lending.

HAVE CUSTOMARY PRACTICES VIOLATED DISTRICT OF COLUMBIA LAW?

In writing Public Law 90-321, it was our intention that a creditor making charges for credit which are legal under the appropriate State law could not be held guilty of violating State usury laws merely by complying with the disclosure requirements of the Federal law. Therefore, no bank or other lender in the District disclosing the annual rate of his finance charge could be held in violation of District ceilings on interest rates, if his interest charges are legal under District law.

As I understand it, collection of interest in advance on an 8% discount loan in the District has been accepted practice under District law. Therefore, disclosing that the annual percentage rate of the finance charge on this loan is far more than 8% would not change in any way the applicability of the District law.

If, on the other hand, the District authorities have shut their eyes in the past to what may have been an outright violation of the District interest rate ceiling on discount loans, and now feel that because of Federal Truth in Lending disclosure requirements they can no longer ignore such violations, you have two choices, it seems to me:

1. Either call upon the local authorities to enforce the law; or
2. Pierce the present ceiling by *increasing the legal rate* so as to accommodate transactions in which the lender collects $8 for what amounts to a $92 loan, at an annual rate, on a 12-month loan, of nearly 16%. If you do that, of course, you are automatically increasing the interest rate ceiling for all consumer credit transactions in the District to the higher percentage, not just the discount loans.

COMPREHENSIVE REVIEW NEEDED OF DISTRICT CREDIT LAWS

After thorough study, this Committee and the officials in the District may decide that present D.C. ceilings on interest rates are too low. Undoubtedly, they are lower than in surrounding jurisdictions. But once you open this up, you should be prepared to see pressures mount for vastly higher rates which would increase the cost of borrowing, and hence the cost of living, for thousands upon thousands of low-income families living in the District.

I do not think you can resolve that problem without a comprehensive review of the present credit laws and intensive study by the District Government. I certainly do not think you should attempt to resolve it in a piecemeal fashion—in this bill intended to give the approval of Congress to a practice which may be in violation of existing District law, and relating to only one type of loan in the District. What about "add-on" loans? Mortgage loans? One-payment loans?

I said at the start that legal experts tell me the approach taken by H.R. 255 is "bad law." That is because, I am told, you would be separating in the D.C. Code the relevant section of law dealing with interest rate ceilings from an important modifying provision appearing elsewhere in the Code, legalizing at one place something which is illegal in another. I am not qualified to speak on that point with any legal authority; I merely pass the thought along.

To summarize, then, I want to express my firm opposition to H.R. 255 on the grounds that it uses the *excuse* of the existence of a Federal Truth in Lending Law, which has no direct bearing on the issue, in order to legalize a practice which may be in violation—and may always have been in violation—of District law.

You do not have to pass this law in order to protect District lenders from the operations of any provision of the Federal Truth in Lending Act. H. R. 255 would have no effect on that law, just as the new Federal law will have no effect on existing District law on interest rate ceilings.

If the fear is that the disclosures required under the Federal Truth in Lending Act will prompt consumers to question the legality under District law of charges on discount loans in the District, then wouldn't passage of H. R. 255 be an acknowledgement that such loans have not been legal right along? This bill pretends that an 8% discount loan is at the rate of 8%, and it is not. If the borrower receives $92 but pays back $100 in 12 monthly installments, his annual rate is 15.75%. That is the rate the bank or lender will have to disclose under Truth in Lending (higher, if added charges are made, such as for compulsory credit life insurance). Nothing in H. R. 255 could change that reality. I think this subject deserves far more study than the bill before you has received.

POLISH CONSTITUTION DAY

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. FRIEDEL. Mr. Speaker, as freedom-loving Americans we have a spiritual kinship with Poland as can be seen from a reading of that Nation's Constitution of May 3, 1791. In that great document it is written:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

That historic document symbolizes the spirit and hopes of the brave Polish people. It adopted the principle that all power in civil society is derived from the will of the people; the similarity to our own Constitution as the charter of our own Government is clear.

We in the United States also have strong and lasting ties with Poland. From our earliest colonial days the sons and daughters of Poland have been a strong force in the building of America and of the United States. Polish blood has drenched every American battlefield and we shall never forget what Pulaski and Kosciuszko did for us in 1776. In my own State of Maryland, one of our very important roads leading from the city of Baltimore northeastward crossing the historic Mason and Dixon line is appropriately called the Pulaski Highway which is part of U.S. 40.

We shall never forget that great hero Thaddeus Kosciuszko for his role in our young Republic's victory won by our Continental Army at Saratoga. No wonder his name is used for streets in some of America's greatest cities.

In the field of music the name of Paderewski, a son of Poland, will long be remembered. Not only was he one of the world's greatest pianists, but also a statesman of renown.

In science, Madam Curie is always associated with radium and her name is still a household word. Poles everywhere can be justly proud of this great woman.

In fact, in practically every field of human endeavor the lasting contribution of the genius of Polish people and their descendants can be seen and are freely acknowledged.

The United States became the great country it is in large measure because of the work of the various peoples who came to these shores. Polish immigration grew by leaps and bounds and today Polish American citizens can be counted in the millions. We are very proud of them as our fellow Americans.

At the beginning of my remarks I spoke about the Polish Constitution of 1791. Unfortunately that inspired document was in effect but a short time because an important concept in Russian foreign policy was to have a weak Poland on its western border.

Ostensibly to destroy the Polish Constitution of 1791, but in reality to annex part of Poland for herself, to present Prussia with another part, and to reduce the remainder to a vassal state, Catherine the Great, ruler of Imperial Russia, ordered her Russian armies to invade Poland on April 8, 1792. Finally on September 23, 1793, Poland was partitioned and thus came an end to the Polish Constitution of May 3, 1791.

Notwithstanding the demise of that great document, its spirit lived on and actuates the minds and hearts of all Poles to this very day. Polish people have sought to exercise their love of freedom and democracy but have been prevented from doing so by many unfortunate circumstances, particularly the actions of the U.S.S.R.

The flame that flickered in Poland in 1791 was an inspiration to people the world over. We take a dim view of the domination of that land by the Communists who are the largest colonial masters in the world enslaving millions of innocent people. The Reds stand indicted by the supreme court of world opinion.

We shall never recognize the Soviet domination of all of Eastern Europe. I am certain that Poland will someday be free for the spirit of the Polish national anthem will prevail in the end; it proclaims "as long as you live, Poland lives."

As long as we here in America live, Poland also lives. As long as we maintain our strength, as long as we identify ourselves with the cause of independence, with the cause of liberty and justice for ourselves and others, we can help do for Poland, in some measure, what Kosciuszko, Pulaski, and other great heroes of Poland did for us in 1776.

The spirit of the Polish Constitution of May 3, 1791, goes marching on until Poland will one day join the community of really free and independent nations and we support the aims of the people of Poland.

COMMUNIST MASS MURDERS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. RARICK. Mr. Speaker, more than 800 bodies of the victims of Communist aggressors have now been unearthed in Hue, South Vietnam. An estimated 2,000 people were savagely killed in the Hue offensive last year—one of the most brutal Communist atrocities of the war in Vietnam, thus far.

This type of terrorism is standard procedure for Communist troops, who are known to carry "blacklists" of assassination targets for executions during their infiltration phase of warfare. The "blacklist" usually contains selected names of teachers, ministers, civilian leaders, and others who do not cooperate with their subversion, and are, therefore, marked for liquidation.

It is truly unfortunate that greater exposure has not been given the American people of this unrelenting brutality, basic to all Communist tactics. It is as common an occurrence today as when performed by the Soviets in the Katyn Forest massacre at the start of World War II.

Perhaps this sordid truth about communism is suppressed from the American people because of the concern it might create should our people come to realize that systematic massacres will be the order of the day if free men permit Communists to emerge victorious.

I insert a May 5 report from Hue, Vietnam, and a column by Mrs. Edith Kermit Roosevelt following my remarks:

[From the Washington Post, May 6, 1969]

HUE VIETCONG VICTIMS NUMBERING 350 GIVEN MASS FUNERAL

(By Robert G. Kaiser)

HUE, May 5.—Three hundred fifty nameless citizens of Hue were buried here today in small red coffins. They were victims of the worst Communist atrocity of the war in Vietnam, but only about 30 mourners attended the funeral.

The mourners were joined by hundreds of others—soldiers, distinguished guests, old women selling soap, boys selling ice cream and important local officials. The funeral was planned by the local officials, who also organized two other mass burials in recent weeks.

Mass burials have become regular events in Hue. More than 800 bodies have been found so far in makeshift graves that are little more than a year old.

XUM

The graves, more accurately ditches, were dug by the Vietcong early last year during their occupation of Hue, which lasted nearly a month. Perhaps 2000 people were murdered in that month; at least that is the number of residents still unaccounted for since the 1968 Tet offensive.

The victims were murdered on the edges of the ditches that volunteers have been uncovering for the last six weeks. Many were shot in the back of the head. Others were beaten to death. Every principal bone of one skeleton found two weeks ago was broken. Some of the bodies showed no signs of any injury and presumably were buried alive.

Many were South Vietnamese soldiers and minor government officials. Officials here believe that the names of the dead appeared on Communist blacklists. But this cannot account for the women and children who were slain.

"Some may have just got caught up," Maj. William Johnson speculated today. Fewer than half the bodies recovered have been identified, so the precise pattern or terror remains a mystery.

TRUCKS BEAR COFFINS

Today's funeral began with a mass procession down Le-loi, a principal street of Hue that parallels the Perfume River. Policemen in jeeps led the procession. They were followed by 2½-ton U.S. Army trucks decorated with wreaths and flowers.

Each truck carried eight to 12 coffins made of American plywood painted red. Every coffin was numbered and on its top rested a small bouquet and sticks of burning incense.

It took nearly an hour for the procession to reach the burial ground several miles out of town. This was the second cemetery selected for the murder victims. The first chosen before officials realized how many bodies would be found, was in a rich rice paddy south of Hue. It has since been decided that this productive land should not be turned into a huge graveyard, so a more barren site was found.

The trucks arrived in a clamor of horns and clouds of dust. The teenage boys and girls riding on them—members of the Peoples' Self-Defense Forces—unloaded the red boxes. They set the coffins beside the graves, and the field looked like a table covered with hundreds of carefully spaced red dominoes.

Later, while the coffins were being lowered by hand into the graves, a religious ceremony began 20 yards away. The service and some speeches were broadcast over a tiny public address system which ran on current from a portable generator that hummed in the background.

The sun was bright and hot. People milled about; boys hawked popsicles to soldiers who had come as an honor guard. (Other soldiers in armored personnel carriers provided security for the ceremony from behind a ridge half a mile away.)

BETTER ORGANIZED

The ceremony ended quickly. ("The first funeral ran 5½ hours; I thought it would never end," an American official commented. "They've gotten better organized.")

The important guests, who had come with Gen. Hoang Xuan Lam, the South Vietnamese commander in the Hue area, started back for their helicopter. Most of the others also started to leave and the trucks began rumbling down the road.

But about 30 women remained, bowing, bending and wailing before the makeshift altar, mourning in the Buddhist fashion. They lingered, tossing handfuls of dirt onto many of the graves.

They had decided that their missing relatives must have been among this batch of bodies, though they could not identify them.

There will be more mass funerals if more bodies are found, but many American officials here want to stop looking. "We've made the point," said one adviser. "We need to spend more time on the problems of the living."

Katyn Forest Revisited

(By Edith Kermit Roosevelt)

WASHINGTON.—The recent discovery of mass graves showing Communist atrocities against South Vietnamese citizens near Hue, South Vietnam is a grim reminder that the same form of mass murder was committed by the Communists against our Polish allies in the Katyn Forest in the Soviet Union at the start of World War II.

An investigator of the House Select Committee on Communist Aggression which in 1952 investigated the Katyn Forest Massacre, said in a House speech that he is struck by "the tragic similarity between the methods used by the Communists in the Katyn Forest in 1940, and the methods and techniques used by the Communists against the South Vietnamese in Hue."

A reading of the committee's testimony showed that the victims at Katyn, as in Hue, were killed with a single shot in the back of their heads while their hands were tied behind their backs. They were pushed into mass graves, in some cases while they were still alive. Young American soldiers too were murdered in this way in North Korea during the Korean war.

In referring to the mass executions at Hue, what he called "the whole business of Katynism," he predicted ominously that these systematic massacres will be the order of the day in South Vietnam if the Communists should emerge victorious.

The bizarre discovery of the mass graves near Hue was made by two South Vietnamese Army noncoms who were captured by the Vietcong during the 1968 Tet offensive. The two noncoms, Sergeant Chau and Corporal Doi, managed to escape and thus were able to lead South Vietnamese authorities to the graves. Diggings are now underway and to date as many as 350 victims, men and women, have been dug up for identification and proper burial. Cpl. Doi said there are additional mass graves along the seashore. Local authorities are proceeding to investigate them.

The 15,000 Army Reserve officers who were massacred in the Katyn Forest were Polish lawyers, educators, doctors, ministers and businessmen. These were, for the most part, the intelligentsia, the people who would have led the resistance to Communist aggression. The Communist troops methodically picked Poland's intellectual leaders and imprisoned them when the USSR invaded Poland on Sept. 17, 1939, so they would not be around when the Reds overwhelmed Poland and destroyed her free institutions.

In South Vietnam too, leaders of the resistance are being singled out for murder. The discovery of the mass graves at Hue is dramatic evidence that the Communists have on their drawing boards the blueprint for another Communist cordon sanitaire of captive nations in Southeast Asia, identical to the cordon sanitaire of captive nations that now remain in Soviet bondage in East Central Europe.

Yet the past has failed to warn us. Government spokesmen have treated the Hue discoveries with meager attention. The New York intellectual community which plays such a dominant role in forming public opinion is curiously silent. We have the right to ask where are the voices of the great defenders of human dignity in denouncing these brutal mass atrocities?

The same conspiracy of silence took place in 1940, when the Polish government in exile tried to sound the alarm about Katyn. The Washington Administration and its collaborators outside government allowed the Soviets to win propaganda victories from their false charge that the Nazis were responsible for the horrible crime. In 1945 an American officer, Col. John H. Van Vliet Jr., who had visited the scene of the graves, submitted a documented report on the Katyn massacres to the head of Army Intelligence (G–2), Gen. Clayton Bissell. Concerning the fate of that report, the House Select Committee on Communist Aggression stated, "The Van Vliet report was either removed or purposely destroyed in Army Intelligence (G–2)."

The Office of War Information and the Federal Communications Commission even went so far as to silence foreign language broadcasters after these commentators reported facts that pointed to Communist guilt in the Katyn massacre. Stations broadcasting in Russian, Polish, Czech, Croat and other languages had to defer to the gag because of the FCC's control over renewal of radio licenses.

Had the American people known in time the full facts about the Katyn Forest massacre, the course of U.S. diplomacy in the postwar period might have been different. Today, the President has the opportunity to look at these mass graves in Hue, and marshal the forces of indignation against this form of genocide. The Hue massacre makes it clear that any settlement of the Vietnamese war should ensure that the South Vietnamese be unequivocably the masters of their own destiny as a free people.

VIETNAM: "CONTROLLABLE LEVELS" REACHED IN DIVERSION OF U.S. SUPPLIES

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article by Mr. J. W. Cohn which appeared in the March 5 edition of "Women's Wear Daily."

The article clearly details steps taken by the Agency for International Development to bring the diversion of U.S. supplies in Vietnam under "controllable levels."

Mr. Cohn is a veteran foreign correspondent for Fairchild Publications with over 30 years of service. As Far East director, he has been to Vietnam eight times in the past 2 years. He will accompany the Secretary of Commerce May 9 to 18 on the Secretary's trade swing in the Far East.

I commend the following article to my colleagues' attention:

In Vietnam

(By J. W. Cohn)

SAIGON.—The diversion of United States supplies and equipment in Vietnam—for headline purposes usually lumped under "corruption"—is at what Agency for Industrial Development officials refer to as "controllable levels."

There is no question that the situation has improved greatly from the worst days some three years ago when the truly shocking conditions were first revealed in these columns. Unfortunately, the curing of corruption is never as dramatic a story as the discovery of the evil, so that the progress made by United States officials with the cooperation of the present Government of Vietnam has not been well publicized.

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It should also be pointed out that this progress has been made in the area of United States aid to Vietnam. Frequently in the public's mind the diversion of United States supplies given under the AID program is confused with the black marketing of PX merchandise.

It can be reported that there has been little, if any, improvement in the black market situation in PX goods.

Basically, there never has been a solution to the impact of the PX system on a merchandise-deprived economy. The same situation prevailed at the end of World War II in Europe and Japan and in Korea during the Korean War.

The situation here has been further complicated by the opening of the PX to certain categories of civilians and to members of the Free World Forces stationed in Vietnam. The Korean troops here alone would create a PX scandal. The purchase of hard-to-get goods at the PX and their resale on the local market is a not inconsiderable part of the Korean soldiers' base pay.

The effect on the economy and morale of Vietnam is not good. People are spending money they cannot afford on goods they do not need.

However, AID supplies have been of a different category basically what is needed for the people of Vietnam to exist and to improve their capability for self-sufficiency such as foodstuffs, fuel, agricultural supplies and equipment, construction supplies, basic industrial machinery, etc.

The United States AID program in Vietnam reached its peak in fiscal 1967 at $730.4 million. In the current fiscal year, ended June 1969, it is expected to total $498 million. For the next fiscal year it is expected to rise to about $550 million and then settle down to a steady rate of about $500 million a year.

There have been all sorts of estimates of how much of this was diverted from its proper channels into illegal areas. Even AID officials here in 1966 and 1967 admitted it was running at 10 per cent, an estimate undoubtedly on the conservative side. At its worst, it probably topped $100 million a year.

AID officials now estimate it is down to 0.5 per cent, or about $2.5 million a year. There is no reason to doubt that this figure is fairly accurate.

There was a period of six to nine months during late 1966 and early 1967 when the distribution of AID supplies got completely out of hand, due largely to the congestion in the Port of Saigon. At one time there were 1,300 merchandise-laden barges tied up in Saigon harbor because of lack of warehousing.

At the same time inflation was threatening to disintegrate the Vietnam economy completely. AID officials believed it was imperative to bring in imports to block the inflation at any cost. The cost in diverted goods and supplies was high but inflation was kept under some sort of control.

"Today the loss rate at the Port of Saigon is comparable to that at the Port of New Orleans," a top AID official told this correspondent.

Principal reasons for the improved situation in the distribution of AID supplies in Vietnam are:

AID now has six commodity analysts who check all applications for import licenses. In addition, a computer operation has been installed which compares the details of all applications made to the Government of South Vietnam with similar applications made to AID to make certain that all details agree.

Six officers on loan from the U.S. Customs Service are working in the Port of Saigon spot checking incoming AID shipments. Another U.S. Customs team is working with the GVN customs, advising and training their personnel.

AID now has about 30 auditors checking the logistics of AID supplies between the initial and secondary receivers.

AID has helped GVN to set up an in-country auditing system to check on the distribution of AID supplies at the province and district.

A basic change in philosophy by the GVN. Previous Vietnam governments had followed the French colonial system which more or less regarded kickbacks, bribes and general corruption as a way of life that supplemented the new salaries of Government officials. Quietly, the present Government of Prime Minister Tran Van Huong has waged war on corruption, including the removal of between 40 and 50 province and district chiefs. AID officials say that when they now complain to the GVN about a corrupt official they get action. Nothing very formal happens but the official suddenly disappears.

One of the most invidious aspects of the large-scale diversion of AID supplies in 1966–1967 was the wealth of evidence showing that a considerable quantity of the diverted goods was going to Viet Cong sources. AID officials are considerably encouraged because the large caches of enemy stores recently turned up by Allied troops show a very small quantity of American-made equipment and supplies. The largest percentage of American supplies found in any cache has run between 8 and 10 per cent while the average rate has run from 2 to 3 per cent.

Of course, part of this is due to the fact that enemy forces are much better supplied today than they were three years ago. The North Vietnam Army, which has taken over a large share of the fighting in the South, including the operations of the VC, is completely self-sustaining with supplies from Russia, Communist China, Czechoslovakia, Bulgaria, East Germany and even France infiltrated South.

This is not to imply that all the leaks to the VC have been stopped. Only recently a woman in a sampan was apprehended on one of the local waterways and found to be transporting a fairly large supply of AID-financed drugs and medicines to the VC. It was said to be a large enough quantity to supply an enemy company for a month.

Upon questioning, the woman admitted she was a VC agent. She said she had been given a list of the required medicines and had simply gone into Saigon and picked up the supplies by shopping from drugstore to drugstore. It was a difficult operation to stop, except where it was stopped, by actual apprehension in transport.

There is also undoubtedly some black marketing being done in AID goods given to refugees from enemy-infiltrated country. This involves such items as cooking oil and flour. For example, country people in Vietnam do not use as much cooking oil as city people. So the evacuees take their surplus cooking oil to the black market and trade it either for other goods or money. The overall quantity involved is not large and the practice is almost impossible to stamp out.

THE 178TH ANNIVERSARY OF POLAND'S CONSTITUTION OF 1791

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1969

Mr. RYAN. Mr. Speaker, I am pleased to join with our distinguished colleague from Illinois (Mr. PUCINSKI) in observing the 178th anniversary of Poland's landmark Constitution of 1791.

It is fitting that we should mark the anniversary of this historic document because it embodies even today the traditions of liberty and liberalism which characterize the legacy of Americans of Polish ancestory.

Poland's first democratic constitution is as old as our own and was conceived by men who shared many of the same democratic ideas which motivated the authors of the U.S. Constitution.

The Constitution—which established a parliamentary and constitutional monarchy—was approved by the Polish Diet 178 years ago. It provided for a strengthened executive, a cabinet system similar to the American model, and a bicameral representative legislature. In addition, the Constitution broke down long-established economic barriers between the nobels and bourgeoisie, reestablished the political and judicial autonomy of townsmen, opened the Diet to representation from the cities, and extended the protection of the law to the peasants.

Unfortunately, the Polish experiment in democracy did not last long. Barely 2 years after the 1791 Constitution was adopted, Poland was partitioned, and in 1796 it was again partitioned by Austria, Prussia, and Russia. The country did not regain a democratic form of government until after World War I. That period of democratic institutions was also short lived, for with the close of World War II came the Communist regime, and democracy in Poland was again extinguished.

However, the present administration has been unable to squelch the determination of the freedom-loving people of Poland to regain a democratic form of government. Three groups in particular—the church, the intellectuals, and the students—have persisted in their demands for a relaxation in the repressive measures of the State and the reestablishment of representative forms of government. The persistence these and other groups have shown in the face of constant harassment and persecution attests to the strong democratic strain which to this day characterizes the Polish people.

The anniversary of the 1791 Constitution cannot be celebrated in Poland, for it is banned by the Polish Communist Party. However, we can pay tribute to the splendid concepts embodied in that document, and we can take this opportunity to salute Americans of Polish descent who have contributed so much to the building of our Nation. Although the Constitution which reflected democratic liberalism in Poland was soon overturned, its ideals ignited the fire of liberal European political thought which has burned bright throughout the years. We are indebted to the Polish people for their commitment to these principles and their enduring belief in human dignity and freedom and for the contributions made by our citizens of Polish origin to our own democratic experiment. Let us hope on this 178th commemoration of the Polish Constitution that those ideals will soon be a reality for all the people of Poland.

SENATE—*Thursday, May 8, 1969*

The Senate met at 12 o'clock noon, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal God, our Father, in whom we live and move and have our being, our strength is in Thee and in Thee alone. Remove from us all that obstructs Thy presence. Strip us of pride and greed, of envy and resentment, and of all the concealed sins of disposition and temperament which blight the spirit and drive Thee from our lives. Give us wisdom to lift the fallen, to strengthen the weak, to marshal the strong, to pursue peace and justice. Forge us into one mighty people "strong in the Lord and in the power of His might," that this land, cleansed and renewed by Thy grace, may advance Thy kingdom among all the nations of the earth.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, May 5, 1969, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of May 5, 1969, the Secretary of the Senate, on May 6 and 7, 1969, received messages in writing from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(For nominations received on May 6 and 7, 1969, see the end of the proceedings of today, May 8, 1969.)

PROPOSED ACTIONS TO COMBAT MALNUTRITION IN AMERICA—MESSAGE RECEIVED FROM THE PRESIDENT DURING ADJOURNMENT (H. DOC. NO. 91-115)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States received on May 7, 1969, under authority of the order of the Senate of May 5, 1969, which was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

We have long thought of America as the most bounteous of nations. In our conquest of the most elemental of human needs, we have set a standard that is a wonder and aspiration for the rest of the world. Our agricultural system produces more food than we can consume, and our private food market is the most effective food distribution system ever developed. So accustomed are most of us to a full and balanced diet that, until recently, we have thought of hunger and malnutrition as problems only in far less fortunate countries.

But in the past few years we have awakened to the distressing fact that despite our material abundance and agricultural wealth, many Americans suffer from malnutrition. Precise factual descriptions of its extent are not presently available, but there can be no doubt that hunger and malnutrition exist in America, and that some millions may be affected.

That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable. But it is an exceedingly complex problem, not at all susceptible to fast or easy solutions. Millions of Americans are simply too poor to feed their families properly. For them, there must be first sufficient food income. But this alone would only begin to address the problem, for what matters finally is what people buy with the money they have. People must be educated in the choosing of proper foods. All of us, poor and non-poor alike, must be reminded that a proper diet is a basic determinant of good health. Our private food industry has made great advances in food processing and packaging, and has served the great majority of us very well. But these advances have placed great burdens on those who are less well off and less sophisticated in the ways of the modern marketplace. We must therefore work to make the private food market serve these citizens as well, by making nutritious foods widely available in popular forms. And for those caught in the most abject poverty, special efforts must be made to see that the benefits of proper foods are not lost amidst poor health and sanitary conditions.

The Council for Urban Affairs has for the past three months been studying the problem of malnutrition in America, and has assessed the capacities of our present food and nutrition programs. As a result of the Council's deliberations, I am today prepared to take the following actions:

1. FAMILY FOOD ASSISTANCE PROGRAMS

The Federal Government presently provides food assistance to nearly seven million needy Americans through the Food Stamp and Direct Distribution programs. Though these programs have provided welcome and needed assistance to these persons, both are clearly in need of revision.

The present Food Stamp program also can be greatly improved. I shall in a short period of time submit to the Congress legislation which will revise the Food Stamp program to:

—provide poor families enough food stamps to purchase a nutritionally complete diet. The Department of Agriculture estimates this to be $100 per month for a typical family of four.

—provide food stamps at no cost to those in the very lowest income brackets.

—provide food stamps to others at a cost of no greater than 30% of income.

—ensure that the Food Stamp program is complementary to a revised welfare program, which I shall propose to the Congress this year.

—give the Secretary of Agriculture the authority to operate both the Food Stamp and Direct Distribution programs concurrently in individual counties, at the request and expense of local officials. This will permit the Secretary to assist counties wishing to change from Direct Distribution to Food Stamps, and to meet extraordinary or emergency situations.

It will not be possible for the revised program to go into effect until sometime after the beginning of the calendar year 1970, that is to say after the necessary legislative approval and administrative arrangements have been made. The requested appropriations will then permit the establishment of the revised program in all current Food Stamp counties before the end of the fiscal year, as well as a modest expansion into Direct Distribution counties, and some counties with no current programs.

This program, on a full year basis, will cost something in excess of $1 billion per year. (Precise estimates will only become available over time.) This will be in addition to the $1.5 billion for food for the hungry which I have requested for the forthcoming fiscal year, making a total program of $2.5 billion. In the meantime, $270 million is being reprogrammed within the forthcoming budget to permit the program to begin as soon as legislative and administrative arrangements can be made and other necessary measures taken.

While our long-range goal should be to replace direct food distribution with the revised Food Stamp program, the Direct Distribution program can fill many short-range needs. Today there are still over 440 counties without any Family Food Assistance program, and this Administration shall establish programs in each of these counties before July 1970. The Direct Distribution program will be used in most of these counties. In these and other Direct Distribution counties, the most serious criticism of the program will be met by ensuring that all counties offer the full range of available foods.

To strengthen both current Family Food Assistance programs, efforts will proceed on a high priority basis to establish more distribution points, prompter and simpler certification, financing arrangements, mailing of food stamps, and appeal mechanisms.

2. SPECIAL SUPPLEMENTAL FOOD PROGRAM

Serious malnutrition during pregnancy and infancy can impair normal physical and mental development in children. Special effort must be made to protect this vulnerable group from malnutrition.

The Special Package program, which provides needy women and mothers with packages of especially nutritious foods, was designed to meet this need. But the program has encountered logistical problems which have severely limited its success. I am therefore directing that a substantial portion of the Fiscal Year 1970 budget for this program be used to establish pilot programs that make use of the private food market. Under these

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programs, needy pregnant women and mothers of infants will be issued vouchers, redeemable at food and drug stores for infant formulas and other highly nutritious special foods. If such a program seems workable, and the administrative problems are resolved, the program will be expanded later on the basis of that experience.

3. ADMINISTRATION OF FOOD PROGRAMS

I am directing the Urban Affairs Council to consider the establishment of a new agency, the Food and Nutrition Service, whose exclusive concern will be the administration of the Federal Food programs. Presently the food programs are operated in conjunction with numerous other unrelated programs. The creation of a new agency will permit greater specialization and concentration on the effective administration of the food programs.

4. PRIVATE SECTOR INVOLVEMENT

I shall shortly announce a White House Conference on Food and Nutrition, involving executives from the nation's leading food processing and food distribution companies and trade unions. I shall ask these men to advise me on how the private food market might be used to improve the nutritional status of all Americans, and how the government food programs could be improved. I shall also call on these men to work with the advertising industry and the Advertising Council, to develop an educational advertising and packaging campaign to publicize the importance of good food habits.

5. INTER-AGENCY EFFORTS

Although most of the current food and nutrition programs are administered by the Department of Agriculture, other agencies are critically involved. I am therefore establishing a sub-Cabinet working committee of the Urban Affairs Council to promote coordination between the food and nutrition programs and other health, educational, and anti-poverty programs.

At the present time, I am directing the Secretary of Health, Education, and Welfare and the Director of the Office of Economic Opportunity to take a number of immediate steps.

I am asking the Secretary of HEW to:

—work with State agencies to ensure that the Medicaid program is fully coordinated with the Special Package and pilot voucher programs for pregnant women and infants, so that vitamin and mineral products can be made available to those diagnosed as suffering from nutrient deficiencies.

—expand the National Nutrition Survey, presently being conducted by the Public Health Service, to provide us with our first detailed description of the extent of hunger and malnutrition in our country.

—initiate detailed research into the relationship between malnutrition and mental retardation.

—encourage emphasis by medical schools on training for diagnosis and treatment of malnutrition and malnutrition-related diseases.

The Office of Economic Opportunity, with its exclusive commitment to the problems of poverty and its unique "outreach" among the poor themselves, has an especial role to play. I am asking the Director of OEO to:

—work with the Secretaries of Agriculture and HEW to establish a greatly expanded role for the Community Action Agencies in delivering food stamps and Commodity packages. Volunteers working in the VISTA program will also aid in the delivery and outreach process, supplementing the efforts of the Agricultural Extension Service.

—redirect OEO funds into the Emergency Food and Health Service program to increase its food, health, and sanitation services for our most depressed areas. Presently, health and sanitary conditions in many of our most depressed counties are so poor that improved food services alone would have little impact on the nutritional health of the population. The Emergency Food and Health Service has provided invaluable services in aiding these areas, and its good work should be substantially expanded.

More is at stake here than the health and well-being of 16 million American citizens who will be aided by these programs and the current Child Food Assistance programs. Something very like the honor of American democracy is at issue. It was half a century ago that the "fruitful plains" of this bounteous land were first called on to a great work of humanity, that of feeding a Europe exhausted and bleeding from the First World War. Since then on one occasion after another, in a succession of acts of true generosity—let those who doubt that find their counterpart in history—America has come to the aid of one starving people after another. But the moment is at hand to put an end to hunger in America itself. For all time. I ask this of a Congress that has already splendidly demonstrated its own disposition to act. It is a moment to act with vigor; it is a moment to be recalled with pride.

RICHARD NIXON.

THE WHITE HOUSE, *May 6, 1969.*

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of May 5, 1969:

The Secretary of the Senate received a message from the House of Representatives which announced that the House had passed, without amendment, the following bills of the Senate:

S. 1081. An act to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library; and

S. 1130. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1130. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society; and

S. 1081. An act to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library.

EXECUTIVE REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of May 5, 1969, the following favorable report of a nomination was submitted on May 7, 1969:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry;

Thomas K. Codwen, of Michigan, to be an Assistant Secretary of Agriculture.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on May 6, 1969, he presented to the President of the United States the following enrolled bills:

S. 1130. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society; and

S. 1081. An act to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on May 7, 1969, the President had approved and signed the act (S. 1081) to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate sundry messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1, Public Law 86-42, the Speaker had appointed Mr. MORGAN, of Pennsylvania, as a member of the U.S. delegation of the Canada-United States Interparliamentary Group, to fill the existing vacancy thereon.

The message announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5133. An act for the relief of Pagona Anomerianaki;

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H.R. 5134. An act for the relief of Miss Elizabeth Schofield;

H.R. 5554. An act to provide a special milk program for children;

H.R. 6269. An act to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina;

H.R. 7215. An act to provide for the striking of medals in commemoration of the 50th anniversary of the U.S. Diplomatic Courier Service; and

H.R. 8188. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H.R. 3548. An act for the relief of Dr. Roberto de la Caridad Miquel; and

H.R. 4064. An act for the relief of Ana Mae Yap-Diangeo.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 5133. An act for the relief of Pagona Anomerianaki; and

H.R. 5134. An act for the relief of Miss Elizabeth Schofield; to the Committee on the Judiciary.

H.R. 5554. An act to provide a special milk program for children; to the Committee on Agriculture and Forestry.

H.R. 6269. An act to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina.;

H.R. 7215. An act to provide for the striking of medals in commemoration of the 50th anniversary of the U.S. Diplomatic Courier Service; and

H.R. 8188. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans.; to the Committee on Banking and Currency.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. JACKSON, from the Committee on Armed Services:

Rear Adm. Arthur R. Gralla, U.S. Navy, having been designated for commands and other duties determined by the President for appointment to the grade of vice admiral while so serving.

By Mr. MAGNUSON, from the Committee on Commerce:

George Meany, of Maryland, to be a member of the Board of Directors of the Communications Satellite Corp.

By Mr. EASTLAND, from the Committee on the Judiciary:

William F. Clayton, of South Dakota, to be U.S. attorney for the district of South Dakota; and

Sherman F. Furey, Jr., of Idaho, to be U.S. attorney for the district of Idaho.

By Mr. FONG, from the Committee on the Judiciary:

Thomas K. Kaulukukui, of Hawaii, to be U.S. marshal for the district of Hawaii.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Shelby Davis, of New York, to be Ambassador Extraordinary and Plenipotentiary to Switzerland;

Guilford Dudley, Jr., of Tennessee, to be Ambassador Extraordinary and Plenipotentiary to Denmark;

Robert Ellsworth, of Kansas, to be the U.S. permanent representative on the Council of the North Atlantic Treaty Organization, with rank and status of Ambassador Extraordinary and Plenipotentiary;

Carl J. Gilbert, of Massachusetts, to be special representative for Trade Negotiations, with rank of Ambassador Extraordinary and Plenipotentiary;

Fred L. Hadsel, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Somali Republic; and

Malcolm Toon, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Czechoslovak Socialist Republic.

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without reservation:

Executive L, 90th Congress, second session, Convention on Offenses and Certain Other Acts Committed on Aircraft, signed at Tokyo on September 14, 1963 (Exec. Rept. No. 3); and

Executive C, 91st Congress, first session, agreement with Canada providing for additional temporary diversions from the Niagara River for power production purposes (Exec. Rept. No. 4).

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated.

DEPARTMENT OF AGRICULTURE

The legislative clerk read the nomination of Thomas K. Cowden, of Michigan, to be an Assistant Secretary of Agriculture.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—COAST GUARD

The legislative clerk proceeded to read sundry nominations in the Coast Guard which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of executive business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

VIENNA CONVENTION ON CONSULAR RELATIONS AND OPTIONAL PROTOCOL CONCERNING THE COMPULSORY SETTLEMENT OF DISPUTES—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive E, 91st Congress, first session, the Vienna Convention on Consular Relations and Optional Protocol Concerning the Compulsory Settlement of Disputes, signed at Vienna under date of April 24, 1963, transmitted to the Senate on May 6, 1969, by the President of the United States, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of the Vienna Convention on Consular Relations and a certified copy of the Optional Protocol Concerning the Compulsory Settlement of Disputes, signed at Vienna under date of April 24, 1963. The Convention and Protocol entered into force on March 19, 1967.

I transmit also, for the information of the Senate, the report which the Secretary of State has addressed to me in regard to the matter, together with the enclosures thereto.

The Convention is the first agreement envisaging the regulation of consular relations on a world-wide basis and represents the culmination of eight years of work. Based on a draft convention prevention prepared by the International Law Commission, it was concluded at a United Nations Conference of 92 States, one of a series of Conferences having the aim, in the words of the United Nations Charter, of "encouraging the progressive development of international law and its codification". A previous United Nations Conference in the series formulated the 1961 Vienna Convention

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on Diplomatic Relations, which was approved by the Senate on September 14, 1965.

Account has been taken of the interests and views of new and old nations and of nations with varied political and economic systems in the codification and development of consular law as contained in the present Convention, and the Convention is considered to be an important contribution to friendly relations between States. I recommend that the Senate give early and favorable consideration to the Convention and Protocol submitted herewith and give its advice and consent to their ratification.

RICHARD NIXON.

THE WHITE HOUSE, *May 5, 1969*.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 153 and 154.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COASTWISE PRIVILEGES

The bill (S. 1177) to authorize the documentation of the vessel *West Wind* as a vessel of the United States with coastwise privileges was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1177

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision of law to the contrary, the vessel West Wind (official number 514065), owned by George H. Staley, of Seattle, Washington, shall be documented as a vessel of the United States, upon compliance with the usual requirements, with the privilege of engaging in the coastwise trade so long as such vessel is owned by a citizen of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–164), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The bill directs the Secretary of Transportation to document as a vessel of the United States with coastwise privileges the oil screw *West Wind*.

REASON FOR THE BILL

The *West Wind* was built in Japan by a U.S. serviceman from materials purchased on a U.S. naval base. The vessel is therefore ineligible to be documented for operation in the coastwise trade under section 27 of the Merchant Marine Act, 1920, and under section 4132 of the Revised Statutes (46 U.S.C. 11). A bill identical to this measure was enacted by the Senate in the 90th Congress but was not acted upon by the House of Representatives.

The purpose of restricting documentation with coastwise privileges to vessels built in American shipyards is to encourage ship construction in the United States. It has been the policy of the United States since 1789 to reserve the coastwise trade to vessels constructed in U.S. shipyards. However, from time to time and under special circumstances, Congress has passed legislation authorizing the documentation of vessels for use in the domestic trades although the vessel was built in a foreign country or otherwise lost its documentation because of a transfer to foreign registry. The committee considers each proposal for such documentation on its own merits.

This vessel is owned by George H. Staley, of Seattle, Wash. Mr. Staley is a citizen of the United States and plans to use the vessel in the charter party fishing business.

In view of the hardship that would otherwise be imposed and because of the limited size and employment of the vessel, the committee recommends approval of the bill. The committee believes that this exception is of such a limited and restricted nature that it will pose no threat to the general goals of our coastwise restrictions or to the American shipbuilding industry.

AMENDMENT OF THE NATIONAL COMMISSION ON PRODUCT SAFETY ACT

The bill (S. 1590) to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned tasks was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1590

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(c) of the National Commission on Product Safety Act (Public Law 90–146; 81 Stat. 466) is amended by striking out "two years from the date of approval of this Joint Resolution" and inserting in lieu thereof the words "June 30, 1970".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–165), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 1590 is to extend the life of the National Commission on Product Safety from November 20, 1969, to no later than June 30, 1970, so that it may complete its assigned tasks.

BACKGROUND AND NEED

In 1967 Congress passed legislation creating the National Commission on Product Safety. The Commission was directed to study and investigate the identity of categories of household products which may present an unreasonable hazard to the health and safety of the consuming public, to evaluate the adequacy of industry self-regulation in these areas, and to analyze and investigate the effectiveness and coverage of existing State, local, and Federal laws for the protection of consumers against such hazards.

Congress intended that the Commission would have 2 years to complete its assigned tasks. Unfortunately, the 2-year period has been considerably shortened. Although Public Law 90–146 creating the Commission was approved on November 20, 1967, the seven Commissioners were not sworn in until May 15, 1968. The Commission was not funded until October 13, 1968, and staffing was not completed until shortly thereafter. Nevertheless, the existing law requires the Commission to finish its work by November 20, 1969, 2 years from the date of approval of the legislation but only 1 year after the Commission became fully operative.

The Commission is proceeding well toward completion of its work. It is conducting some 12 Commission surveys of retailers, manufacturers, physicians, hospitals, insurance companies and others who may be able to assist in evaluating the nature and existence of products hazards and the existing protection afforded the consumers. The Commission has held and will hold public hearings on problems and recommendations with respect to product safety. The visible accomplishments of the Commission are reflected in its interim report which recommends enactment of the Toy Safety Act which gives the Secretary of Health, Education, and Welfare the authority to remove from the marketplace hazardous toys currently not subject to regulation. In addition to this legislative proposal, the Commission has encouraged industry to voluntarily adopt changes which protect the consumer from dangerous household products.

Despite its present level of accomplishment, the Commission cannot competently complete its assigned tasks by November 20, 1969. It needs 2 full operating years as Congress intended to complete its investigations and make constructive recommendations which will insure product safety for the American consumer.

ANALYSIS

S. 1590 would extend the life of the National Commission on Product Safety from November 20, 1969, to no later than June 30, 1970. This extension will allow the Commission to fulfill its statutory mandate.

COST

The extension will not result in any additional cost.

THE ABM SYSTEM

Mr. MANSFIELD. Mr. President, I note that on May 7 our distinguished Vice President, the Presiding Officer of the Senate, said in an address before the Commonwealth Club of California in San Francisco that "a responsible majority in the scientific community" believes in the ABM system as recommended by President Nixon. He further predicted that the "weakness" of arguments presented by those who have questions about Safeguard "will be exposed." He stated as his personal conviction that "the system will work."

I have had the impression that the scientific community is at considerable odds as to whether Safeguard can be developed at this time into a workable system. It is interesting to learn from the Vice President, therefore, that a "responsible" majority now believes in it. Just lately, we have had reports issued by a group centered in the Massachusetts Institute of Technology which states that the ABM "even if upgraded and expanded" cannot perform effectively the missions suggested for it. Is that group by any chance to be considered an "irresponsible majority." On the other hand, a study has been made by the American Security Council, headed by the chief of the Institute of Geophysics and Interplanetary Physics of the University of California, at Los Angeles, which states, "Safeguard will work in the sense it is intended to work." Is that the "responsible majority" to which the Vice President referred? Some clarification of the term "responsible majority" as used by the Vice President would be helpful to the understanding of the Senate.

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In any event, these two reports seem to come from sources which are to the best of my knowledge both "responsible." They indicate to me that there is a considerable split within the scientific community. In short, there are those with impressive credentials in the scientific community who believe in the workability of Safeguard. There are those with equally impressive credentials who do not.

When informed opinion is sharply divided merely on the question of the scientific practicality of the concept, not to speak of other considerations, it would appear the better part of wisdom, in my opinion, to postpone a final decision until further research and development produces additional scientific evidence. In that fashion, scientists, both pro and con, will be in a better position to adjust their differences within the area of their specialization. And when there is a greater degree of agreement among them, perhaps there will be a greater degree of agreement among us. After all, popularity polls among the scientists are scarcely the way to arrive at a sound decision in a question as fundamental to the Nation as that of the ABM.

THE 85TH BIRTHDAY ANNIVERSARY OF FORMER PRESIDENT HARRY S. TRUMAN

Mr. SYMINGTON. Mr. President, in 1948, speaking in Philadelphia, an American patriot stated:

> Peace is the goal of my life. I'd rather have lasting peace in the world than be President. I wish for peace, I work for peace and I pray for peace continually.

Those were the words of Harry S. Truman. As President of the United States, he expressed the deepest hopes of all intelligent Americans, of all generations.

It is my great privilege today to pay tribute to President Truman on his 85th birthday, at a time when the world stands at another crossroads in its passionate desire for peace among nations.

Harry Truman, of Missouri, was a warrior who risked his life in battle for his country. Therefore his words today should have special meaning.

Because of his wise leadership, he has earned a secure place in our history, through his work in creating the United Nations, in assuring the security of his country during the bleakest years of the cold war, and in extending U.S. support to the peoples of the free world at a time when they really needed that support.

In the domestic area, it is a tribute to his foresight that he launched efforts to create many vitally important domestic programs which finally were enacted by Congress. I refer to such actions as extension of voting privileges to all Americans, a health-care program for the aged, and recognition of the vital necessity to support our elementary and secondary education.

One of his most rewarding characteristics was his unshakeable belief in the importance of recognizing the worth of all citizens.

In 1945, his first year as President, he stated:

> I have boundless faith in the common sense and ultimate fairness of the American people. Given unity of purpose and a determination to meet the challenge of the times, there is nothing too difficult for them to accomplish. They have performed miracles during the war. They can, and will, surmount the difficulties which face them now on their road to continued peace and well being.

This he believed then. This he believes now. No man has greater faith in the future of America.

It was my privilege to work with and for Mr. Truman on many matters after he brought me into Government. I know him as a man of great compassion and understanding, but one who was also strong and courageous. In the Senate and in the White House he never failed to face the issue.

So on this his 85th birthday, let us send to him and his gracious and much beloved wife assurance of our determination to carry on with the building of that peace for which he, in his quiet wisdom, laid the foundation.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my distinguished friend from Ohio.

Mr. YOUNG of Ohio. Mr. President, I wish to commend and congratulate the distinguished Senator from Missouri for his statement with regard to one of the greatest Presidents of the United States.

Mr. President, I ask unanimous consent to have printed in the Record a copy of a telegram I sent this morning to former President Truman.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

Hon. Harry S. Truman,
Independence, Mo.:

Except for the fact that you came into Ohio in Nineteen Hundred Fifty Eight and made magnificent speeches in my behalf and denunciatory of John Bricker I would never have been a Senator of the United States and you have my admiration and affection and fervent best wishes that you may have many more happy birthdays and Mr. President please extend my best wishes and express my admiration to your First Lady.

Stephen M. Young,
U.S. Senator.

BIRTHDAY GREETINGS TO PRESIDENT TRUMAN

Mr. DODD. Mr. President, I wish to commend the distinguished Senator from Missouri for his very appropriate remarks about former President Truman. I also wish to commend the Senator from Ohio for his remarks.

I join Senators today in paying tribute to a great President, a great American, and a great man, Harry S. Truman.

Among my most treasured memories of over 40 years in politics is the honor of seconding his nomination at the Democratic National Convention in 1948 in Philadelphia.

It is one of the highest privileges of my lifetime to be able to count President Truman among my friends.

Introducing him at a dinner in Hartford, Conn., I once said of him:

> Harry Truman has a lot of things in common with the Democratic Party. One of them is that, like the Party he personifies, he is durable; he wears well.
>
> In 1945, the people liked him.
> In 1948, the people trusted him.
> In 1952, the people respected him.
> In 1962, the people of America love Harry Truman.

On this, the occasion of President Truman's 85th birthday, I would add one thing: in 1969, the love and respect of the American people still belong to Harry Truman. The place he holds in the heart of our Nation is unsurpassed by that of any other American statesman, past or present.

As 33d President of the United States, Harry S. Truman's impact on the Nation and the world was great.

Thanks to his courageous stand, Greece was able to crush the threat of communism.

Western Europe was revitalized through his faithful execution of the Marshall plan.

Under his leadership, NATO was established to insure the collective security of the free nations within the Atlantic community.

At home, the Truman "Fair Deal" heralded a new day, speaking out for civil rights, an increased minimum wage, more Federal housing and health insurance.

His administration was characterized not by the lofty ideals of a philosopher-President, but by Mr. Truman's totally realistic grasp of the workings of power. Because of this insight, he was able, at the age of 80, to say:

> All my life, I've been relatively free from worry . . . Once I had made a decision, I didn't worry over it. If I made a wrong decision, I made another one to correct it.
>
> I have felt that a President who made decisions on what was popular rather than what was right, was heading for disaster.

As this realism and strength of conviction made a good President, they make a great man, a man who is known, above all, for his straightforward approach to difficulty, his unwaivering championship of right, and his unflinching loyalty.

I know I speak for President Truman's friends all over the world when I express my warm best wishes to him for a happy 85th birthday, and for many happy returns of the day.

STATEMENT BY SENATOR DOLE ON NOMINATION OF DONALD RUMSFELD AS DIRECTOR OF THE OFFICE OF ECONOMIC OPPORTUNITY

Mr. PEARSON. Mr. President, on behalf of my distinguished colleague from Kansas (Mr. Dole), who is necessarily absent on committee business, I ask unanimous consent to have printed in the Record a statement by him and an editorial from the Chicago Daily News entitled "Rumsfeld Can Handle It." I wish to state my concurrence with the statement.

There being no objection, the statement and editorial were ordered to be printed in the Record, as follows:

Statement by Senator Dole

Mr. Dole. Mr. President, the nomination of the Honorable Donald Rumsfeld to head the Office of Economic Opportunity has special meaning to me.

I have worked closely with Congressman Rumsfeld in the House of Representatives and am well acquainted with him.

The President has selected a young man of extreme ability. He is an energetic and tireless worker.

A May 5 Chicago Daily News editorial entitled "Rumsfeld Can Handle It" is certainly worthy of note. I request it be printed in the Record.

Rumsfeld Can Handle It

We believe Donald Rumsfeld will do an outstanding job as director of the Office of Economic Opportunity. His willingness to leave his "safe" seat as representative of the North Shore's 13th District is one token of his rightness for the post. His record provides many others.

Some disgruntled critics have tried to find in Rumsfeld's voting record evidence that he is "against" the poverty program. The evidence is overwhelmingly to the contrary.

When Rumsfeld voted against programs related to poverty and welfare, as he sometimes did, it was because he believed the legislation provided the wrong way to undertake the job. The record is studded with examples of his supporting measures in the areas of housing, welfare, poverty and civil rights, frequently against the explicit views of his party leadership and the majority of his Republican colleagues.

When President Nixon last February proposed continuing the OEO as an initiator of new programs to help the poor and as an "incubator" for such programs in their "experimental phase" he expressed Rumsfeld's convictions exactly.

"The commitment," Rumsfeld has said, "is to find out what works and what does not, and more, it is to put that knowledge to work—to implement it.

"The President has talked of the voices we have lost amid the shouting; the voices of quiet anguish, the voices that speak without words, the voices of the heart.

"We are all poor, regardless of where we live, or our circumstances in life, when we fail to heed these voices—where there are hungry children, men without jobs, families abandoned, all in this great land.

"We are all richer when we find ways of providing opportunity—and this is not a simple act."

A man with that reasoned grasp of the national problem has, we are certain, a major contribution to make toward its solution.

RURAL ELECTRIFICATION

Mr. COOK. Mr. President, I was honored to be invited to be one of the special guests at the 1969 congressional breakfast sponsored by the rural electric cooperatives of Kentucky. At this affair I heard two excellent speeches by Thomas Baker, president of the Kentucky rural electric cooperatives, and J. K. Smith, general manager of the Kentucky Rural Electric Cooperative Corp. These remarks outline the accomplishments and challenge to rural electrification as well as I have ever heard them expressed. I therefore ask unanimous consent that these speeches be printed in the Record.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

Rural Electric Objectives

(By Thomas Baker, president, Kentucky RECC, manager, Shelby RECC)

The winds of change which have been blowing across rural America have brought about evolutionary changes which have amazed the sociologist, startled the economist, and baffled the social planner. These changes have been so dramatic and so sudden that many of our most knowledgeable leaders have been caught unaware until a predicted change has become an instant reality.

DIVERSITY OF NEEDS

Rural America has taken on a new identity. No longer can one confine himself to thinking exclusively of agriculture when speaking of our rural area. The spill-over from our over-crowded urban areas with its resulting subdivisions and shopping centers . . . the sharp decline in farm population and the mushrooming of urban population . . . the trend of industrial development to seek the room for expansion in rural areas . . . these and many other changes have had a vital effect upon the rural electrification program. Today there is a new type of membership . . . a younger and more demanding generation . . . a wide diversity of needs and demands which must be met by our rural electric systems.

At the same time, the rural electrics are being called upon to play a more dynamic and positive role of leadership in rural America. A revitalization of our rural areas is looked upon as a means of relieving the social problems which beset our metropolitan centers. More cultural, economic, and social opportunities must be made available in the rural areas if they are to provide a relief valve for the mounting social pressures being placed upon our great population centers.

This has made it necessary for the rural electric systems to reexamine their basic program objectives in the light of today's requirements. In the mid-1930's, our objective was quite clear and simple . . . to bring lights and power to the vast majority of our farms and rural establishments which were without central station electricity. In 1944, with the passage of the Pace Act, the "area coverage" concept—the requirement of serving everybody within a service area with electric service if they wanted it—was added to this basic objective.

NEW CHALLENGES—NEW OBJECTIVES

Today, the rural electrics have largely achieved the objective of serving the unserved areas. Today we are facing new challenges—and new objectives—in the field of electric service and social responsibility. The original task of "lighting the 40-watt bulb" has been broadened as new and greater demands are being made and more obligations are being accepted. Yesterday's objectives are not adequate to meet today's requirements.

Therefore, the rural electrics have prepared and formalized a new set of objectives . . . more inclusive and far reaching . . . more attuned to the requirements and needs of today's society. As formally stated, program viewpoints are encompassed in the following statement of beliefs:

VIEWPOINTS

We believe: That the individual citizen, whether in rural or urban America, can and will achieve a sense of personal pride, self-accomplishment and family security if he is given a real opportunity to participate in social, economic, and political activities as a free and equal citizen.

We believe: That this nation's human and physical resources, under God, must be developed and utilized to the maximum extent possible and that this productive resource development should result in maximum public benefit, without regard to religion, race, creed, social or economic circumstance.

We believe: That the development of the potential of rural America and the utilization of its assets will make a major contribution to the welfare of the nation and the world.

We believe: That the principles of self-help cooperative enterprise embody the freedoms and inalienable rights granted by the Constitution of the United States, and are consistent with the highest ideals of the free enterprise system.

We believe: That rural electric cooperatives have major responsibilities for helping to raise the standard of living and for improving the productivity and the opportunity for economic prosperity in an ever-changing rural America.

These viewpoints are more than high-sounding phrases because within them lie the full intent and philosophy of today's rural electrification program. We believe that these viewpoints can best be expressed and made to come alive through the vigorous and dynamic pursuit of the following objectives:

OBJECTIVES

Electric service—Rural electric cooperatives must provide area coverage service at the lowest possible cost consistent with sound business principles. Rural electric cooperatives must anticipate the expanding energy requirements of their member-consumers in every respect and should achieve the highest standards of quality and continuity employing modern technology.

Power supply—Rural electric cooperatives must achieve effective influence, control or ownership of an assured and adequate source of wholesale power in order to provide low-cost total utility service in their areas.

Capital—Rural electric cooperatives must develop and maintain effective influence, control or ownership of assured and adequate sources of low-cost capital sufficient to enable them to assume full utility responsibility and to successfully fulfill their obligations as corporate citizens.

Territorial protection—Rural electric cooperatives must achieve and maintain territorial protection to assure the continued development of economically sound systems able to adequately serve all present and future electric power requirements in their service territory.

Electric power marketing—Rural electric cooperatives must actively promote electric service as the most desirable, beneficial and economical method of meeting the total energy requirements of their member-consumers.

Cooperative ownership and member relations—Rural electric cooperatives must strive to achieve and maintain widespread understanding, participation, and involvement of their member-owners in the affairs of their cooperatives and provide them a real sense of ownership through a true demonstration of cooperative principles and the democratic process.

Management and leadership—Rural electric cooperatives must encourage and support their already capable and dedicated directors and employees to improve and develop their capabilities and performance and must create the opportunity for individuals who understand and accept cooperative philosophy to achieve satisfying careers in their application of the principals, tools, and techniques of modern management, while providing the leadership for a continually vigorous and dynamic rural electric program.

Organization—Rural electric cooperatives must attain maximum beneficial use of available manpower, physical and financial resources through sound organizational structure, coordination and integration of activities and a continuous program of self-evaluation and improvement.

Corporate citizenship responsibility—Rural electric cooperatives must secure favorable public support for their activities and assume a position of leadership in improving the social, cultural and economic status of those living in the rural community.

Community development and other services—Rural electric cooperatives, as consumer-owned rural organizations, must identify and initiate or actively support programs which will contribute to the well-being of their member-owners and programs

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which will develop or improve community facilities and services.

Political activity—Rural electric cooperative members and their leaders must maintain active interest and participation in appropriate legislative and governmental activities, including political action programs on a non-partisan basis.

Natural resources—Rural electric cooperatives must promote development of the natural resources of the nation, including water, power and nuclear resources, for the benefit of all the people.

BLUEPRINT FOR THE FUTURE

These objectives point the general direction in which the rural electric program should and will move in the future. We feel that they place our program in its proper perspective with today's operating environment. We realize that we are making a commitment and that our future actions must be consistent with this commitment. But we feel that these objectives are absolutely essential if the rural electrification program is to be thrust into the mainstream of American life and attain new dimensions of service to our members and this nation.

It has been accurately stated that the future belongs to those who prepare for it. Certainly, those who are unwilling to plan for the future and to invest some efforts in a brighter tomorrow cannot hope to grow.

These objectives are our blueprint for the future. They have been accepted by the rural electric systems throughout the nation. They will chart a course that will, with your assistance and guidance, lead the way to an even greater and more productive rural electrification program.

SUPPLEMENTAL FINANCING

(By J. K. Smith, general manager, Kentucky Rural Electric Cooperative Corp.)

Thirty-four years ago, the need for central station electric service in our rural areas was recognized and the Rural Electrification Administration was created as a federal agency with the objective of helping to meet this need. The Rural Electrification Act was enacted and the stage was set for bringing a new era to rural America.

With the assistance of a concerned and responsive government, the rural electric cooperatives pushed their lines into the most remote areas and the rural resident began to enjoy some of the benefits which had become commonplace in urban areas.

BENEFITS THROUGH REA

Since the very beginning, the rural electrification program has been totally dependent upon the government for financing. Congressional appropriations made possible REA loans which enabled the rural electric systems to become established and to develop to meet growing demands.

During this thirty-four year period, the rural electric systems have developed a program that serves approximately 6-million meters and provides electric service to consumers in 46 states. This network of facilities provides the benefits of electric service to approximately 68 per cent of the total geographic area of this nation.

Our present total electric plant of about $5½-billion is the result of loans made by the Rural Electrification Administration. Annual Congressional appropriations for this purpose and the dedication and determination of program leaders have provided undreamed-of opportunities to countless numbers of our people.

In 1936 and 1937 when our program was just beginning, the areas served by rural electrics were rural in every respect. They were characterized by the kerosene lantern and woodstove. The intent of Congress to make electric service available to these unserved areas is made quite clear in the Rural Electrification Act, when it states in Section 13:

"As used in this Act the term "rural area" shall be deemed to mean any area of the United States not included within the boundaries of any city, village, or borough having a population in excess of fifteen hundred inhabitants, and such term shall be deemed to include both the farm and nonfarm population thereof; . . ."

A NEW DAY IN RURAL AMERICA

Dramatic things are occurring in our rural areas today. Electricity is no longer considered a luxury. It has become an absolute necessity . . . necessary for the social and economic well being of a very large segment of our population. The rural electrification program has moved far beyond anything envisioned by those early program pioneers. Its present status could not be visualized by even the most farsighted person.

The changes have been both startling and challenging. In the mid-1930's, only the wildest dreamer could have predicted the evolution that has occurred in our rural environment within the past ten years. This environmental change has also caused the rural electrification program to also undergo some dramatic changes.

In the beginning, it was felt that it would not be necessary for the rural electrics to generate and transmit their own wholesale power supply in order to maintain financial security and territorial protection for their systems. And yet, today our wholesale power program has become one of the most essential elements in rural electrification . . . a vital factor in our future existence. A step we have been forced to take to assure our future. Today we are producing about 25 per cent of the total power requirements of the rural electric systems throughout the nation. At the same time, we are purchasing 37 per cent of our requirements from Federal agencies and we are buying about 33 per cent from commercial power companies.

Although, the rural electrics serve a large portion of the geographic area of this country, they are providing a small percentage of the nation's total power requirements . . . about 5 per cent. Even though they are serving approximately 6-million meters, this represents only 8 per cent of the total number of electric consumers.

A NEW CHALLENGE FOR RURAL ELECTRIFICATION

As the availability of electric power has grown, so has the many uses to which it is put. As a result, our annual growth rate in terms of power used is about 12 per cent. This growth and the success of our program have introduced a new and difficult problem. We have come face-to-face with the question of how we are going to finance the heavy growth requirements we shall have to meet in the future. Our present projections indicate that within the next 15 years we shall need three times our present plant investment in facilities. This means that we are talking about requirements of from $12- to $15-billion by about 1985.

Congress has always been very kind to us. They have assisted us in sustaining our program throughout the years and, without this assistance, it is safe to assume that our rural areas might still be in the "dark." Our Congressmen have recognized the unique and difficult problems which we have experienced in our efforts to serve the rural areas. Such disadvantages as a low consumer density of about 3.6 consumers per mile of line and an average annual rate of return of $571 per mile of line have had to be overcome. In addition, the rural electric systems have consistently had the problem of a lack of diversity in power use. The power load on the rural systems is primarily a residential load or a type of load that makes it impossible for these systems to make full use of their facilities on a 24-hour basis. As a result, there are high peak demands for short periods of time each day; however, the full amount of power necessary to meet these peaks must be carried at all times. This results in a very unfavorable load factor throughout the system. This has been caused by the fact that very little industry has chosen to locate in rural areas. This situation is changing and we believe it will continue to change.

UTILITY RESPONSIBILITY

In spite of these difficulties, the rural electric systems recognize and accept their utility responsibilities to serve the areas in which they are located and which they have helped develop. To continue meeting these responsibilities and to provide effective leadership in the revitalization of rural America is the biggest challenge we face today. This is the challenge that makes the question of how we are going to obtain funds to meet these responsibilities so vital and so urgent.

As responsible people, we have tried to be realistic and practical in our approach. We have been studying and analyzing this question in an attempt to arrive at workable answers.

CONTINUING NEED FOR REA

It is our belief and our hope that Congress will continue to recognize the need for the continuation of our present REA program. We further believe that appropriations for this program must be kept at the highest possible level. There are many rural electric systems throughout the nation which have not reached sufficient financial development and strength to allow them to depend upon a program other than REA financing.

Our projections indicate that we are going to need in excess of $700-million in new funds for the next fiscal year if we are to make the necessary plant investments to meet our growth requirements. In view of the constantly increasing need for growth capital, we realize that we cannot expect Congress to continue meeting our total growth capital requirements indefinitely, especially in view of the many new and urgent demands being made upon our Federal budget.

SUPPLEMENTAL FINANCING THROUGH SELF-HELP

Therefore, we have studied and researched this matter within our own rural electrification family. We have sought the assistance and advice of others both from within and without our program. As a result, we have established a supplemental financing plan that was approved by the rural electric systems at their recent national meeting in Atlantic City in March.

We call this a plan for "supplemental" financing through the self-help route. Please note that we emphasize the word "supplemental." This program is not intended to replace the present REA program, but in a small way, to fill a portion of the gap between what Congress appropriates for REA and the actual program needs.

The plan on which we are working is not the total answer. It is only a very meager approach to meeting our needs through our own resources. It is a start . . . but only a start. We call this a "self-help" approach because we propose to establish a credit institution that will be owned and operated by the rural electrics. It represents an effort to provide some help to the more financially mature rural electric systems by using our own limited resources.

THE CREDIT INSTITUTION

Many of the rural electric systems have developed to a limited extent, reserve funds through depreciation and annual operations. These funds will help provide subordinate capital for establishing the credit institution. However, we wish to point out that this new credit institution will have to be carefully nourished and grealty assisted in its early phases of operations. We must have help from REA to accommodate arrangements on mortgaging facilities. We must also have administrative and technical help from REA.

I am sure that you realize that this type of plan will mean that those sytems which are in a position to do so will have to pay a higher interest rate for the use of this money. However, this subordinate capital will enable the institution to generate funds on the open money market. In view of today's high interest rate level, the rates paid for this money is going to be quite high. Therefore, this will eliminate the possibility of some systems being able to use these funds without being forced to increase their power rates to a level that will be out of proportion with their members' ability and willingness to pay. These systems will continue to require the conventional REA loans in order to meet their objectives. However, there will be other systems which will be able to use this method of financing.

THE JOB AHEAD

We believe we can establish such a supplemental financing program without asking Congress for any new legislation. However, we wish to emphasize that this does not, in any way, alter our dependence upon REA as our primary source of financing. It will take some time for us to become established and understood in the open money market and this recognition by investors is essential if we are to attract outside capital to our program.

At the same time, we shall require your guidance and leadership if this supplemental financing program is to function efficiently and effectively.

The rural electrification program has come a long way in the past 34 years, but the job ahead is greater than any we have ever faced. As long as we are given the tools we need, we do not doubt our ability to get the job done, to live up to the full expectations of our people, and to provide the leadership and the determination to build a stronger state and nation.

ARCHAIC COLLEGE POLICIES

Mr. YOUNG of Ohio. Mr. President, university trustees and students are becoming further apart. One reason becomes crystal clear when a thoughtful person searches for answers to the question, Why all this disorder at colleges? A majority of the trustees who direct policy and the subjects to be taught and who run our universities, selecting presidents and faculty members, are highly respected men, most of them millionaires who contribute financially to institutions they attended 20, 30, 40 or more years in the past.

They and their wealthy friends and business associates suffer no pain from these tax deductions. Trustees such as Senator John W. Bricker, John Galbreath, John Marshal Briley, millionaires all, who have been university trustees in Ohio are typical. Every trustee of a great eastern university is a millionaire. Three of five trustees in the Nation believe speakers should be screened before being allowed to address any group of students. Approximately half of our Nation's college trustees believe all faculty members must be required to swear to a loyalty oath as a condition for employment. Also, that all students engaging in civil disobedience demanding that college courses should be updated or demonstrating against any professor or university policy should be disciplined or expelled, even though the demonstration was nonviolent.

The typical or average trustee is a businessman or lawyer whose income exceeds $30,000 per year. One in five enjoys an annual income approximating $100,000 or higher. Only a very few, perhaps 2 percent, have read books or journals on higher education. There is as a rule no mutual discussion and determination between students, trustees, and faculty members on goals and purposes.

Obviously, in every college in our country some junior and senior students and faculty members should be selected to membership of boards to help govern their own universities. This would put an end to campus violence which all of us deplore. The old order, or establishment, should accept change voluntarily else it may be changed violently.

Very definitely I do not condone violence. I favor immediate expulsion and arrest of all campus demonstrators who resort to violence. Those belligerent guntoting Cornell "students" should have been expelled forthwith. Also, they should have been arrested for disorderly conduct and threatening violence. I agree with Father Hesburgh, president of Notre Dame University. He said:

> Any group that substitutes force for rational persuasion, be it violent or non-violent, will be given fifteen minutes of meditation to cease and desist . . . if there is not then within five minutes a movement to cease and desist, students will be notified of expulsion from this community and the law will deal with them as non-students.

There was no more student disorder at Notre Dame.

I have complete sympathy with the views of the majority of students that the establishment has not kept pace with the times in this fast-moving space age of change and challenge. I am on the side of the majority of the students. The old order—or establishment—should realize that as Washington Irving wrote:

> Change is inevitable and brings with it a surprising amount of relief.

HARRY S. TRUMAN'S 85TH BIRTHDAY ANNIVERSARY

Mr. DIRKSEN. Mr. President, yesterday I dispatched a telegram to the Honorable Harry S. Truman at Independence, Mo. I wished him well on his 85th birthday anniversary, which is today, and also expressed my good wishes to his beloved wife, Bess.

I have always felt that Mr. Truman was one of those incredibly colorful Americans who became something of an institution in public life.

When I decided to quit the House of Representatives because of eye difficulties, I determined that I was not going to leave Washington until I had gone to the White House and said good-bye to President Truman. The White House told me that he was busy. I said, "Yes, I know." His secretary, Matt Connelly, said, "I can only give you a minute or two to see him."

"Well," I said, "I'll wait, Matt. I'll stay a month, if necessary, to see him."

He said, "Could you come next Tuesday?"

I said, "Yes, I'll be there."

I went to the White House on Tuesday, and President Truman and I spent a most delightful hour. He was not too busy, and I was not too busy. Thus, we leisurely enjoyed ourselves.

He said, "You should not have quit. We need you around here."

"Well," I said, "Mr. President, I have got to do those things which are conducive to a recovery of my vision."

We left it at that. I went home to convalesce and see what the fates had in store for me.

At long last, as a result of a good deal of urging, I found myself in the middle of a senatorial race. Just before the campaign wound up, President Truman came to St. Louis, Mo. He had a network hookup to speak, and that night he paid his respects to me but not quite in the way I wanted it, because I was running against his majority leader. I think at one point he referred to me as "that thing over in Illinois."

I saw him about 3 weeks later in Chicago, Ill., because he had accepted Mayor Daley's invitation to come to a party at the Edgewater Beach Hotel. I must say for the distinguished mayor of Chicago that he always invites me, too, and I always go—although my opposite number in the Senate at that time did not show up. But, I went.

While we were making merry and having some fun, through the back door came President Truman. I was the first one he encountered. He said, "Well, DIRKSEN, how are you?" "Oh," I said, "Mr. Truman, I am fine." He said, "What have you got in your hand?" I said, "That's an old-fashioned." He said, "I'll have one." So, before he got through shaking hands with everyone else, we began to visit a little.

I said, "Mr. President, you not only interest me, you also intrigue me. You are a most colorful human being, the peppery way in which you always address yourself to the business in hand. Remember, I said goodbye to you at the White House a few years ago, and you said we need you around here and I should not quit, and now when I find myself confronting your own majority leader from my State, you put me in a slightly different cast."

He said to me, "Well now, DIRKSEN, what do you think I should have done under the circumstances?"

"Well," I said, "Mr. President, you should have done exactly what you did do, because I am in the enemy camp, so to speak, and you would have no business giving me any quarter."

As Shakespeare wrote in the tragedy of "Macbeth":

> Lay on, Macduff; And damn'd be him that first cries "Hold, enough!"

"Mr. President," I said further, "you are worthy of any foeman's steel. I salute you."

So, Mr. Truman, I wish you long years of health and of felicity, as well as your family, because you are, indeed, a colorful figure in the contemporary scene.

S. 2073 AND S. 2074—INTRODUCTION OF BILLS DEALING WITH THE INTERSTATE SHIPMENT OF PORNOGRAPHIC MATERIAL

Mr. DIRKSEN. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

Mr. **DIRKSEN**. Mr. President, I introduce two bills for appropriate reference, on behalf of myself and Mr. Allott, Mr. Anderson, Mr. Baker, Mr. Bennett, Mr. Bible, Mr. Cook, Mr. Cotton, Mr. Curtis, Mr. Dole, Mr. Dodd, Mr. Eastland, Mr. Ervin, Mr. Fannin, Mr. Fong, Mr. Griffin, Mr. Hruska, Mr. Jackson, Mr. Jordan of Idaho, Mr. Jordan of North Carolina, Mr. Miller, Mr. Mundt, Mr. Murphy, Mr. Pastore, Mr. Prouty, Mr. Schweiker, Mr. Scott, Mrs. Smith, Mr. Stevens, Mr. Talmadge, Mr. Tydings, Mr. Thurmond, Mr. Tower, and Mr. Young of North Dakota.

Mr. President, these are the administration bills which deal with obscenity and particularly the transportation through the mails, or any other way, of those things which are in violation of good taste and which can be deemed to be salacious.

There is a stiff penalty provided; that is, a fine of not more than $50,000 for the first offense and imprisonment for not more than 5 years; and if there is another offense, then the fine could be $100,000, and imprisonment for 10 years.

Mr. President, anyone who takes the trouble to cast an eye over the bookstalls today will regard most of the books and magazines on sale as being an unbelievable smirch upon good taste. I have a bill pending and I am going to push it, perhaps as an amendment to either one of these bills, that when such book or magazine is hard-core pornography and a jury, in a finding of fact, finds that to be so, that finding cannot be reviewed or reversed by a court. That is the only way we can deal with the Court, by way of their rather wide interpretation of the first amendment to the Constitution. I know of no other way and, besides, it makes good sense, in our free society, that a jury of our peers in a community should have something to say about the moral standards which shall prevail for the youngsters in that community. Certainly, that is not asking too much. It is American in every sense of the word.

The **ACTING PRESIDENT** pro tempore. The bills will be received and appropriately referred.

The bills (S. 2073) to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; and (S. 2074) to prohibit the use of interstate facilities including the mails for the transportation of salacious advertising, introduced by Mr. Dirksen (for himself and other Senators), were received, read twice by their titles, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSOR OF BILL

Mr. **MUNDT**. Mr. President, if the Senator will yield, I want to congratulate him on his strong and continuing fight in this field. I would be very happy to have him add my name as cosponsor of the two measures.

Mr. **DIRKSEN**. I shall be delighted.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

Mr. **HRUSKA**. Mr. President, I am to cosponsor the two bills introduced today by the distinguished minority leader (Mr. Dirksen) which deal with obscene materials. The first prohibits the use of the mails to transmit materials that are harmful to minors; the second prohibits the mailing of salacious advertising.

This society has been labeled a "permissive" society, and it has been criticized by many for being too permissive. In the minds of many; parents, schools, and churches have failed to exercise control over our children and the values they acquire. Undeniably, the society has allowed the vast commercial distribution of sexual materials to continue virtually unchecked.

But there is a line which can and must be drawn. People all over the Nation have appealed to the Federal Government to stop the flow of filthy, lurid mail that exploits sex, masochism, and nudity. This mail, carried by the Federal Government, and subsized by the taxpayer, intrudes in homes where it is not wanted. "Occupant"-addressed envelopes or envelopes addressed to children come into the hands of children.

One hundred and forty thousand protests concerning salacious mail have been filed with the Post Office in the past 9 months. Since 1964 the number of complaints has doubled.

In 1967, my distinguished Nebraska colleague in the other body (Mr. Cunningham) and I introduced bills to allow persons not wanting to receive salacious mail to force the removal of their names from the sender's mailing list. Those provisions became part of the postal laws in 1967. Since that time, more than 170,000 persons, who actually received erotic and sex-oriented materials, have taken advantage of this law.

Now President Nixon has recommended additional steps to protect Americans from this unwanted intrusion. The bills which are introduced today do not involve censorship of all our art forms; such censorship would be unconstitutional and abhorrent to our citizens. But, as the President has stated, the freedom of speech guaranteed by the first amendment has "not left society defenseless against the smut peddler." Congress can and should act to shield young people against receipt of materials which could be harmful to them.

I support the President's proposals to regulate the sending of sex-oriented advertisements through the mails or in interstate or foreign commerce, and I especially endorse his proposal to end the sending of harmful material to minors.

NEW SEMINAR PROGRAM ON PUBLIC ADMINISTRATION FOR NATO COUNTRY OFFICIALS

Mr. **MUNDT**. Mr. President, I have the distinct pleasure to announce today to the Congress and the country that for the first time in history a substantial section of the free world has joined together to sponsor and conduct an International Training Seminar on Public Administration which, in its initial year, will have participants from the 15 NATO countries.

In subsequent years it is planned to bring into these training programs representatives from the underdeveloped and developing countries of the world as well.

This seminar will be a sort of International Freedom Academy to provide information, training, and guidance on the optimum methods for making the machinery of freedom work in conducting the administrative affairs of democratic governments throughout the world. It will draw upon the experience and expertise of long established democratic governments in such a manner that participants from each can learn from those of other countries the optimum policies and programs which have operated with the maximum success and so that participants from the developing areas of the world can at long last come to a central training facility to learn to do from others and to help them avoid the mistakes, pitfalls, and errors which more mature countries in the free world have learned to avoid.

Mr. President, through the joint financing of the NATO Council in Brussels and the Ford Foundation of this country, this important new "first" in the never-ending effort to preserve peace and promote effective self-government will be held at the College of Europe in Bruges, Belgium, under NATO auspices, at a seminar starting on Sunday, the 24th of August, and continuing through Saturday, September 20, this year. The NATO Council has appropriated $21,000 for this seminar through its Science Committee and a further grant of $15,000 has been made available by the Ford Foundation to complete the $36,000 budget required by this seminar.

Rector Henry Brugmans of the College of Europe will be the director of the seminar. Professor Molitor, professor of administration at the University of Louvain and head of the Private Office of the King of Belgium, will serve as Consultant on Administrative Sciences at the seminar. Professor Chabert of the College of Europe staff has been appointed Secretary-General of the seminar. Other members of the staff and visitor lecturers from several countries are now in the process of being selected.

This new International Free World Seminar at the College of Europe has evolved from a series of resolutions developed and enacted by the Committee on Educational Information, and Cultural Affairs of the NATO Parliamentarians Conference, of which I am chairman. Over the past several annual meetings, starting 4 years ago, our committee has been moving toward this objective and each of our committee resolutions preparing the background for this seminar has been approved by the annual Plenary Sessions of the Parliamentarians Conference.

A year ago a subcommittee of our Committee on Educational, Information, and Cultural Affairs visited virtually all NATO countries, developing specific ideas for the academic content and programs of the seminar. Last month the final financial arrangements were completed and announcements sent to each NATO country inviting them to send participants to this summer's seminar. Approximately 35 participants are expected to attend this initial International Free World Seminar on Public Administration with perhaps some observers visiting some sections of the seminar.

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Each NATO country has been given a quota of participants corresponding to its size, with a reserve quota to be made available should any country not send its full entitlement of participants.

At the last two annual Plenary Sessions of the NATO Parliamentarians Conference in Brussels, Belgium, I have addressed the delegates on the plans, and purposes of this seminar, striving to make the following two points as an effective argument for NATO participation in the program evolved by our Committee on Education, Information, and Cultural Affairs:

First. In today's world, NATO must cease concentrating on its own problems without relating them to the world at large; in other words, a system of "collective isolationism" is inadequate to preserve for NATO countries the freedoms and benefits of a democratic society.

Second. Two decades after its creation, NATO must discontinue concentrating to the ~~extent~~ it has in the past, on its military mission to protect Western Europe against aggressions from Communist Eastern Europe. Without abandoning in any way its primary mission of self-protection, it must begin using other methods to a far larger degree to provide for greater NATO cooperation and mutual assistance in the educational, political, and economic areas of its responsibility.

One method of moving toward both of the foregoing objectives is through the type of International Free World Seminar which will begin this year at the College of Europe.

Additionally, I believe that for far too long, NATO has relied upon the top-level authorities of NATO in the NATO Council who are selected from the administrative offices of its respective countries whose governments in turn are subject to change from time to time as death, changes of political sentiment, or other causes resulting in new sets of top-level officials and upon the Parliamentary delegates to the annual Parliamentarians Conference or assembly whose political lives are also unpredictable and subject to constant changes. Up until now that great body of Government in each of our NATO countries represented by the career officials, professional civil servants, and the middle level administrators who serve in our various bureaus and agencies has been largely left untouched by NATO, and no efforts have been made to bring them into the NATO "family" of cooperating officials.

This seminar in Bruges will provide an annual meetingplace and opportunity to bring into cooperative service these middle-level administrators who in the long run have much to say about what NATO will be able and willing to do.

Thus, while learning to do their own administrative jobs better and helping developing nations to have a training place for their eager but largely untrained middle-level public servants, this seminar will also provide for an "in-house" opportunity for the career officials of NATO's countries to come to know each other better, to cooperate more fully together, and to have a better working understanding about both the purposes and the potentialities of NATO.

Mr. President, before concluding, I want to express my appreciation to both the NATO Council and to the Ford Foundation for their foresight and good judgment in making possible this first-in-history seminar for career officials who will attend this International Free World Seminar on Public Administration.

I also especially desire to thank and congratulate our former American Ambassador to NATO, Harlan Cleveland, for his steadfast support of our efforts to initiate this seminar, as well as Manlio Brosio, Secretary-General of the North Atlantic Council, and two of the splendid officials of our North American Parliamentarian Assembly, Mr. Phillipe Deshormes, Secretary-General, and Mr. Michael Palmer, Director of Committees and Studies.

Mr. President, I would also be remiss while making this happy announcement if I did not call attention to the consistent, persistent, and constructive services rendered by a subcommittee of our full committee on Educational, Informational, and Cultural Affairs headed by our Committee Rapporteur, Aano Jakob of Norway, and on which Heinz Pohler of Germany and our American staff adviser, Dr. William Farber of the University of South Dakota, also served. Members of this subcommittee visited virtually all of the NATO countries a year or so ago, exploring with appropriate officials the concepts involved in this International Free World Seminar of Public Administration, after which they made a full and encouraging report to our parent committee at its regular November meeting in Brussels last year. My appreciation also goes out to the members of our parent committee who through the past several years have enthusiastically and vigorously joined me in advocating this new activity under the sponsorship of NATO.

I have called a special mid-season meeting of our Committee on Educational Informational and Cultural Affairs to meet in Brussels on August 28, and we shall also spend all day of August 29 visiting and monitoring the seminar on Public Administration in Bruges.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon Monday next.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the morning business, the distinguished Senator from Tennessee (Mr. Gore) be recognized, to be followed by the distinguished Senator from Connecticut (Mr. Dodd) and the distinguished Senator from Alaska (Mr. Gravel).

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CAMBODIAN-UNITED STATES RELATIONS

Mr. MANSFIELD. Mr. President, as a result of the exchange of letters between President Richard M. Nixon and the Cambodian Chief of State, Prince Norodom Sihanouk, it appears that the path has been cleared for the resumption of amicable relations by Cambodia and the United States. The initial letters and replies of the President and Prince Sihanouk were understanding of the difficulties which exist between the two countries. They were sensitive attempts to bridge the difficulties.

Various interpretations have since been placed on the President's communication to the Prince and the subsequent official U.S. declaration on Cambodia's frontiers. They have come from outside the executive branch of the Government of the United States, even though some purport to have been based on "official" sources. These unofficial interpretations have often tended to be diversionary from the path so carefully entered upon by Prince Sihanouk and President Nixon in this delicate matter.

I hope that these unofficial statements will not be given credence in any quarter. The President's letter speaks for itself, as does the declaration on Cambodia's frontiers, which is entirely consonant with those made by other nations now in diplomatic relationship with Cambodia.

When officials of the State Department were questioned publicly on the possible resumption of relations between the two countries, the fact that the President's letter speaks for itself was made clear. I commend the Department of State for this official reply which it made in response to the questions concerning the significance of the President's communications, even as I commend the President for his initial communication with Prince Sihanouk. The White House and the State Department have been correct in stating officially that the President's letter spoke for itself, just as the executive branch has been correct in taking Prince Sihanouk's reply as speaking for itself.

In making this statement at this time my purpose is to endeavor to clear the air over this delicate matter and to state that the exchange of communications between the chiefs of state was made in good faith, that they meant what they said, and that they speak for themselves, without the need for any additional interpretation from any unofficial source.

PROTEST AGAINST PRESIDENT'S DECISION TO CLOSE JOB CORPS SITES

Mr. MAGNUSON. Mr. President, I ask unanimous consent that a few of the many letters from my constituents which protest the President's decision to close Job Corps sites all over our country be printed in the Congressional Record. Many of these Job Corps sites were just beginning to effectively function, and beginning to train thousands of our young people. I am distressed with the abruptness of this decision and the lack of an organized and planned phaseout. The included letters express the sentiment of a large number of the people in the State of Washington.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

ELLENSBURG, WASH.,
April 28, 1969.

Hon. WARREN MAGNUSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MAGNUSON: The closure of several Job Corps Centers throughout our country concerns me.

From January 4 to March 14 of this year, I was a student teacher at the Moses Lake Job Corps Center for Women. During this time, I lived in a dormitory on Center and had a close and fulfilling relationship with many of the Corpswomen. I am aware of the many adverse conditions that exist at this Center. I am in favor of the closure of such an inefficient, ineffective Center; however, I am opposed to the closure of this Center prior to opening of the new, smaller urban job-training centers into which these Corpswomen are to be transferred.

By the end of June, at which time the Moses Lake Center is to be closed, will there be adequate urban centers to accommodate these transferrees until they complete their training. Or, will these Corpswomen be temporarily transferred to an urban center to be discharged within a short time and turned back into the streets.

These young adults are now in our Job Corps Centers because our society has neglected them; our economy has no tolerance for the non-producer; our educational system has no tolerance for the disadvantaged, the slow learner; our religious morals have no tolerance for those who, by necessity and by honesty, are guided more by animal instinct and reality than by our white middle-class rules and values which are often artificial.

As one who is concerned with the welfare of our country, particularly the youth of our country, I ask you to do all in your power to insure that the Moses Lake Job Corps Center for Women—and all other Job Corps Centers in our country—will remain open until there are adequate urban centers available to facilitate the training of the Corpswomen and Corpsmen who are now in our Job Corps Centers.

Furthermore, I feel that these closures will only add volatility to an already explosive situation in the ghettos of our cities. Such action on the part of our government appears blind to the reality of this condition; we can, thus, only expect a blind reaction to such shortsighted action. I speak, of course, of riots. Must we have a nationwide riot on the scale of the French Revolution to awaken us to the reality of the condition. I certainly hope not.

Please give me some assurance that my government is looking at the state of these deprived peoples minds in the terms of twenty million people as a solitary mass, rather than a mass of uncollected individuals; one needs only to witness the effectiveness of the militant black power leaders in achieving a cohesiveness with their people to know that they will not remain long uncollected.

They are a mass whose potential for total revolution, which is simply a nationwide riot, is very real. The possibility of the army of the United States having to suppress a nationwide riot must be a spectre in the minds of my government. I want your assurance that you see it as a spectre, and that you recognize the critical danger in that spectre.

Respectfully yours,
Mrs. PAULINE E. BARNHART.

MOSES LAKE, WASH.,
April 13, 1969.

Hon. WARREN G. MAGNUSON,
Washington, D.C.

DEAR SENATOR MAGNUSON: How do you reason with a stone wall? How do you reason with an authority who like a baseball empire has made a decision and who is convinced that because of his esteem and position it can not be changed?

It is easy to make a decision when you are far removed from the situation but it is hard to accept an order to retreat when after a hard battle you are finally within sight of your goal. It is something like being tackled by your own team mate when in football you are just a few feet from a touchdown.

I have a feeling that at this time no amount of reason would change the status so I will just say that I oppose the closing of the Moses Lake Women's Job Corps. It has been one of those rare opportunities that allows our community to serve the needs of humanity. From this experience we have grown some, it has been necessary to evaluate our attitudes, it has caused controversy in certain churches but this has been good. We have been confronted with a real life problem and are rising above it. Now the center is scheduled to be closed and now those who were willing to stand up to their responsibility have been defeated by a piece of paper. It is a blow that will not soon be forgotten.

Respectively,
CHARLES E. CAMPBELL.

WASHINGTON DEMOCRATIC COUNCIL,
Naches, Wash., May 1, 1969.

Hon. GEORGE SHULTZ,
Secretary of Labor,
Department of Labor,
Washington, D.C.

DEAR SECRETARY SHULTZ: In view of the announcement by Secretary of Labor Shultz that the women's job corps center at Moses Lake, Washington will be closed on July 1, 1969, the Issues and Action club of the Washington Democratic Council has passed the following resolution:

The Moses Lake Center has an outstanding record in retaining young women in a training program in the skills of culinary arts, business and clerical operations, key-punch operation and retail sales work. Graduates of the program have entered colleges and universities and have been placed in jobs in many Washington communities—and the supply of positions exceeds the number of corpswomen who will graduate.

We believe it is false economy to cut out the Moses Lake Women's Job Corps Center, which will return far more in benefits to the society than the cost of the program. Out of humanitarian concern for the young women's hopes of developing their potential as contributing members of society, we urge Secretary of Labor Shultz not to discontinue the Moses Lake Job Corps Center.

Sincerely,
QUENTIN SEARLES,
Chairman, Issues and Action.

WASHINGTON STATE FEDERATION OF
CHAPTERS, NATIONAL ASSOCIATION
OF RETIRED CIVIL EMPLOYEES,

Re Moses Lake Job Corps Civilian Conservation Center.

Hon. WARREN G. MAGNUSON,
Congress of the United States,
Washington, D.C.

DEAR SIR: My attention has been directed to a proposal that Federal support for the above listed project might be suspended. I wish to favor the continuation of this valuable work.

As an aftermath of the untimely closing of Larson A.F.B., the Men's Job Corps has been a distinct asset to the economy of the community. However, there are other values more important and far-reaching than the economic advantages.

The Moses Lake Job Corps has a normal complement of 200 men, besides the administrative and teaching staff. These men have come from all parts of the United States; they have been unable to become self-supporting at home; they have come here with the hope of learning to do some worthwhile activities in society. Most were school dropouts, often because they could not read; this handicap often makes them incapable of acquiring the necessary skills for industrial employment.

During the past eighteen months thirty-five men have been accepted by Boeing in Seattle—twenty-five are still there in some work requiring special training. Some have found employment in other industries or businesses, such as: Penneys and Bon Marche. Some have returned to their homes where they are profitably employed.

During this time about sixty of these men have been accepted by the Armed Forces; they could not qualify before they came to the Center.

These statements are factual and I am hoping you may use them to impress your associates with the importance of this work being done here in rehabilitating these men who otherwise would have remained non-self-supporting and a liability to society.

Now these men and others who may enter the Center, are not only earning an honest living, but are adding to our national wealth. They are becoming proud American citizens; they are proud of their personal achievements; and of the country that made it possible for them to hold up their heads as members of modern society; they have been rescued from the poverty, ignorance, and filth of their former environment and placed in a new world of respect and confidence.

As we here in the homeland view our national expenses, they are enormous; we believe there are numerous ways for making economies of far more importance than what may be saved by eliminating something that is doing so much toward improving the welfare of our people—the work of the Job Corps. When we are rehabilitating men, we are saving souls from degradation and crime. Can we place a monetary value on this?

In your important place in our Congress, I am sure you can do much to further the valuable work being accomplished in this center. Will you please do this?

Sincerely yours,
A. K. MILLAY.

NORTHWEST PASSAGE—1970

Mr. MAGNUSON. Mr. President, the Pacific Northwest Trade Association chose "Oceanography" as the theme of its 61st general conference held this year on April 20, 21, and 22, at Seattle, Wash.

Dr. Edward Wenk, Jr., executive secretary of the National Council on Marine Resources and Engineering Development, delivered the keynote address at the conference banquet, which took place at Seattle's Olympic Hotel on April 21.

The Pacific Northwest Trade Association is an exceptional organization, comprised of business and industrial leaders of Washington, Oregon, Idaho, Montana, Alaska, the Canadian Provinces of British Columbia and Alberta, and the Yukon Territory.

The association has as its slogan, "Regional Progress Under Two Flags," and has long made significant contributions to Pacific Northwest development.

There have been many distinguished

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keynote speakers at previous conference banquets, among them while Cabinet members W. Averell Harriman, Dean Acheson, Douglas McKay, and Luther H. Hodges and, while Governors of Idaho and Oregon respectively, my Senate colleagues, the Honorable LEN B. JORDAN and the Honorable MARK O. HATFIELD.

Senator HENRY M. JACKSON, of Washington, also has been a conference keynoter.

Dr. Wenk was an appropriate selection as banquet speaker at this year's conference, devoted primarily to marine development of the Pacific Northwest quarter of our continent.

At the recent conference, Mr. Robert F. Buck, senior vice president of the National Bank of Commerce, Seattle, was elected president of the Pacific Northwest Trade Association, succeeding Mr. Lloyd K. Turner, of Vancouver, British Columbia, and Mr. E. Keith Cumming, of Edmonton, Alberta, was elected vice president.

Mr. Percy R. Larke, executive director of the association, arranged the recent conference program.

Mr. President, I ask unanimous consent that Dr. Wenk's address at the 61st general conference of the Pacific Northwest Trade Association, titled: "Northwest Passage—1970," be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NORTHWEST PASSAGE, 1970

(Address by Edward Wenk, Jr., executive secretary, National Council on Marine Resources and Engineering Development, before the Pacific Northwest Trade Association's 61st general conference, Seattle, Wash., April 21, 1969)

INTRODUCTION

Ladies and gentlemen, members of the Pacific Northwest Trade Association, Guests:

Your gracious invitation to be today's keynote speaker on "Northwest Passage—1970" at your 61st General Conference is indeed a very high compliment.

First, though I must tell you how impressed I am with the size and extent of the area encompassed by the Pacific Northwest Trade Association. East-westerly, I find it extends from the Rockies to the Pacific, reaching in the Bering Strait to little more than a mile from Asian territory; in the north-south direction, it extends from the northern border of California to beyond the Arctic Circle. When I totaled the area of Alaska, Alberta, British Columbia, Idaho, Montana, Oregon, Washington, and Yukon Territory, I found that it equaled, within a few percent, the area of all Europe, excluding the Soviet Union.

But it is not the vastness of the territory, nor its natural resources that impress me most; what is truly impressive is the kinds of activities that you—the PNTA—undertake.

By providing direct communication between the local and national business communities—to strengthen trade and investment relations—the PNTA supplements and stimulates a healthy environment for growth and development between people on both sides of the border: As stated in your Association's policies, ". . . the 49th parallel between Canada and the United States is a symbol of unity rather than a line of separation."

May I also commend the PNTA in having chosen "Oceanography" as the theme of this conference. It is indeed an appropriate theme for this region—considering the magnitude and significance of the Pacific Northwest ocean related statistics. Thus, for example:

Alaska has a general coastline longer than that of the 23 states, bordering the Atlantic, Pacific, and Gulf Coasts, combined.

70% of the U.S. Continental Shelf lies off the coasts of Oregon, Washington, and Alaska.

Puget Sound is the largest salt water harbor in the world.

It is also appropriate because of your maritime heritage and your frontier spirit. Let me recall one or two points.

HISTORY AND THE NORTHWEST

In times past, men dreamt of finding a Northwest Passage, a short cut from the Atlantic to the Pacific that would provide a quick maritime trade route to the East.

To promote this idea in 1776, the British Admiralty commissioned Captain James Cook to investigate the waters which surround the Pacific Northwest. Estimates at that time indicated that the Nootka Sound (Vancouver Island) marked the beginning of a vast channel which connected with Hudson Bay.

Though failing in his efforts to locate this Channel, Captain Cook's expedition explored the Bering Strait and came very close to Point Barrow, Alaska, the eastern terminus of our latter day Northwest Passage to Prudhoe Bay. Now in 1969, there is a multifold interest in obtaining quick and inexpensive trade routes for oil, minerals, and other riches from the Pacific Northwest to the vast markets on the eastern part of North America.

Since Cook's time, pioneers have also penetrated into this broad northwest from the south—across the land and up the Pacific coastline. We have had many reasons for directing our attention to this part of the continent—from the Gold Rush in the 1850's, to the growth of the crab industry in the 1950's, to the present day realization of the growing strategic and economic importance of a vital corner of North America. The private sector has led in developing an unrivaled sea maritime transport competence in this part of the world, and now we are embarking upon a new and exciting phase in America's future—an evaluation of the ocean for enhancing the future of America and the world.

Having said why I believe the theme of the oceans is appropriate to this region, let me devote the major part of this address to discussing why it is an appropriate time.

THE ISSUE

Today we are focusing new attention on the question of how much of our national wealth we should invest in the potential of the ocean in the light of other demands on our resources. Why should we move ahead in pursuit of ocean resources, at an accelerated pace, at this time? This question has been asked—and answered—in different ways at different times throughout history. But today, there are not only the traditional factors which have motivated us seaward but there are also advances in ocean technology which have led to world expectations of economic growth from ocean programs. We now recognize the potential of the seas to meet some of mankind's greatest problems—on matters of peace; of international understanding; world hunger; of a growing population that clusters around scarce stretches of coast and paradoxically clutters with pollutants the same waters that it wishes to use for relaxation and recreation.

MARITIME GEOGRAPHY

Our starting point to examine these issues is the sea itself. In recent photographs of the Earth from space, the predominant feature is the blue of the world's ocean. These views confirm what every geographer knows—that the Earth is a water planet; that its 330 million cubic miles of water cover 70.8 percent of the Earth's surface.

As the fortuitous result of sporadic observations over the past 100 years, we are beginning to know a great deal about these waters and their resources. We know about the energy generated by tides, waves and surges; the great horizontal surface and submarine currents; and powerful upthrusting vertical currents near the continents.

We have begun to chart the bottom topography of the seabed, with its shallow continental shelves, slopes, and submarine trenches that plunge abruptly to almost seven miles below sea level, much further below sea level than Mt. Everest is above. On the seabed, we have found sweeping abyssal plains, freckled with ridges, gorges and volcanic mountains called guyots (such as the Cobb Seamount, approximately 200 miles off your coast). We know that pockets of oil and gas are locked in the seabed, that mineral-rich, potato-shaped manganese nodules rest on the ocean floor. And we know that tens of thousands of different species of animal and plant life abound in the oceans, from microscopic bacteria and minuscule plankton to 100-ton whales.

THE SEA AND NATIONAL POWER

To these intrinsic characteristics of the ocean, another factor—which until recently seems to have been forgotten—must be added: the presence of Man. Man has had a long involvement with the sea. He has used it for transportation and trade, for food, for minerals (oil now, rather than salt), for military defense and attack.

The fifteenth century opened an age of maritime exploration and colonization. With intrepid leaders such as Cook, Magellan, and Columbus, the nations who matched new ship technology to their political objectives became rich and powerful. The oceans became the major pathways of commerce and culture.

Two world wars demonstrated to the U.S. and its allies that they must have both strong navies and merchant fleets. And since World War II, the U.S. has become increasingly aware of the geography of economic and strategic competition, in which the oceans play key roles. Today seapower—to serve a nation in war and in peace—has many dimensions.

THE CHALLENGE

Our rekindled impetus to explore and exploit marine resources can be attributed to two related factors:

The needs of our society for food, fuel, living space, and waste disposal have sharply increased, and

Unprecedented opportunities to meet these needs by maritime alternatives have resulted from new technologies to master that alien environment.

Put another way:

The sea is three times the area of all the continents combined. It washes over 17,000 miles of our coastline. Its potential sources of food, fuel, and minerals are incalculable. And with our contemporary scientific and technological muscle, we can assert confidently that things we have long wanted to do—in, on, or under the ocean—we now can do.

What are we going to do with these maritime things? Is our ability to harness the ocean matched with wisdom to utilize the sea more productively and intelligently?

FOOD FROM THE SEA

Consider the problem of imbalance between burgeoning population and food supply. Throughout human history to the time of Columbus, world population reached 500 million. It took only 425 years to reach 2 billion; 37 years—up until 1962—to reach 3 billion. It will take only 20 more years to reach 5 billion. It is thus no enigma why authorities on food concluded a year ago that the scale, severity, and duration of the world food problem are so great that a massive, long-range, innovative effort—unprecedented in human history—will be required.

Match this challenge with conservative estimates that, with adequate research, productivity of ocean fisheries, without depleting stocks, is five times larger than today's catch.

In the Pacific Northwest, fishing provides the livelihood for many of your coastal areas. You, better than I, appreciate the importance of a healthy fishing industry. Your catches of halibut, salmon, king crab, and many other species are familiar sights in our East Coast supermarkets. Also, we are now looking to the development of an economic technology for extracting fish protein concentrate—from species caught just off the coast—to provide a new tool in the nutrition crisis—at home and abroad.

THE COASTAL ZONE—WHERE MAN MEETS THE SEA

Consider the problems of urban growth. Today, 150 million Americans reside in coastal states. More than 45 percent of our urban population is concentrated along the coast itself. Because the bulk cargoes of ore, fuel, and chemicals, which underpin our technological society, are transported most economically by sea, a preponderance of the Nation's heavy industry clusters there. Five hundred million tons of cargo consequently pass through our ports annually. By the year 2,000, all our megalopoli—the super cities—will be packed along the coastal zone, and 75 percent of our population will be clustered within 50 miles of the coast. Not since the 18th Century will such a proportion of our population have lived near the sea, and sought to use it more intensively, and in more different ways.

Intensified use of the coastal zone already has generated conflict:

As population presses toward the sea, so do its demands for marine recreation. Already 20 million people go to the sea to swim; 8 million to fish; 20 million to sail. The 6 million registered pleasure boats in coastal and Great Lakes States, if laid end-to-end, would run around the U.S. shoreline two and one-half times.

But the coastal ecology is fragile. And it is perishable. The coastal zone's estuaries and lagoons, wetlands, and beaches are a sanctuary for waterfowl, a nursery for coastal fisheries, a habitat of a rich variety of flora and fauna. Some of the most fearsome ravages of nature visit the coastal zone. Over the past 15 years, hurricanes in the United States have wrought $5 billion damage to our coasts. Beaches erode, channels fill, Man dumps municipal and industrial waste into this convenient sink, now polluting the brackish waters as he earlier did the fresh water streams, filling swamplands, and inadvertently lighting the landscape.

A detailed case study has recently been completed for the National Council on Marine Resources and Engineering Development. This study covered shoreline utilization in the greater Seattle area and may be used as an approach for other maritime regions of the Nation. The results of this pioneering investigation provided: 1) an analysis of conflict in shoreline utilization; 2) a study of the types of government action necessary to resolve conflicts and encourage sensible development; 3) recommendations for federal, state, and local actions concerning urban waterfront, transportation congestion, high rise building, pollution control, public access, and management of future coastline development.

We are releasing this report within the next week and residents of the Seattle area and other coastal cities may find it of interest. (Its title is "Shoreline Utilization in the Greater Seattle Area." It is Publication Number PB 183–026, obtainable from Commerce Clearinghouse for Scientific and Technical Information, Springfield, Virginia).

In recent years, a new peril has emerged—the threat of massive oil pollution from wrecked tankers, as the "Torrey Canyon" grounding off England in 1967; the "Ocean Eagle" breakup off Puerto Rico in 1968; and run away underwater oil wells, as in the Santa Barbara Channel.

MARITIME TRADE—A GREAT COMMERCIAL HIGHWAY

Consider the economic value to each maritime nation of its ports and harbors—the commerce, jobs, and profits that result when the ocean leads to a city's doorstep. Or consider the inverse: How few cities have modern unloading facilities or a waterfront fit to walk along? U.S. ocean-bound commerce has doubled every 20 years. In 1968, it was 400 million tons. It will be well over a billion tons by the year 2,000. By then, worldwide shipping will have quadrupled to 8 billion tons.

ENERGY AND MINERALS FOR AN INDUSTRIALIZED SOCIETY

About 20 years ago, we began to turn to the sea for energy, principally from marine sources of petroluem and gas. Today, fuel is produced from some 6,000 offshore wells on the continental shelf of the United States and a number of other countries. Offshore petroleum production accounts for 16 percent of world output; it is expected to comprise 30 percent by 1985. Gas, too, is extracted from seabed reserves. The North Sea, for example, promises to supply 15 percent of Great Britain's fuel requirements within the near future.

In January 1968, one of the most exciting events in the history of oil in North America occurred with the discovery of oil deposits—conservatively estimated at 5–10 billion barrels near Prudhoe Bay, on the North Slope of Alaska. In Canada, the Alaskan strikes have set off a burst of exploratory activity beyond the Arctic Circle, some Canadian oilmen talk of reserves of 100 billion or more barrels there.

As one route for transporting this oil, a new Northwest Passage is being considered for use by commercial tankers. The 115,000 d.w.t. tanker *Manhattan*, after extensive extensive modification, will sail this summer for testing in Arctic waters. If these tests are successful, it is likely that the Northwest Passage—the fabled route that has fascinated explorers and traders since the discovery of America—can open the fabulous oil area of Alaska's North Slope to the East Coast of the United States.

All currently producing offshore wells lie on the continental shelf—the submerged coastal terrace adjacent to the Coast. The world's continental shelves comprise an area equal to one-quarter of the continents; in several countries, the contiguous shelf almost doubles the land area. Less than 10 percent of these expansive submarine extensions of the continents have been systematically surveyed but the increasing demands for shelf resources make such surveys imperative.

THE OCEAN, AS A CLOAK AND A SHIELD

Historically, the oceans have played a significant role in national security—as a moat for defense, a springboard for attack, and a lifeline to support ground forces abroad. While detection of conventional submarines has always been difficult, the almost unlimited range at high speed of the submerged nuclear submarine renders the ocean's cloak of concealment formidable indeed. Armed with solid propellant, nuclear tipped missiles, the submarine has become a sea-based deterrent vital to U.S. and world security. With the increased international bonds of mutual defense treaties, the naval role, in preserving world order, has increased. And to support diplomacy in crisis situations, the ocean provides a highway for the transport of influence that has repeatedly prevented the flare-up of minor actions into major conflagrations.

THE OCEAN AS A WEATHER MACHINE

Finally, the ocean is the primary influence on much of the world's weather and source of nearly all the moisture upon which life depends. With a better understanding of the relationship of the total land-air-sea environment, we will be better able to predict, influence, and perhaps control the weather. Such steps are a matter of major importance to farmers, construction teams, resort owners, sea captains, fishermen, and every citizen.

SCIENCE AND TECHNOLOGY TO REALIZE THESE BENEFITS

How do we realize these benefits?

With the aid of modern technology, man has learned more about the oceans in the past 30 years than he did in the preceding 2000. Unlocking the secrets of the ocean with conventional ships and instruments would be an overwhelming task—involving hundreds of ships for decades—were it not for the advances of contemporary ocean technology.

Scientists now have "leverage" of observations from spacecraft for sea temperatures, currents, wave conditions, even depths in clear, shallow water. Unmanned buoys—eventually in a worldwide network—can provide systematic data transmissions via satellite to central data banks about sea conditions, below the surface, and above. Underwater television makes possible reconnaissance in almost any depth. For example, the wreckage of the "Scorpion" was sighted in 14,000 feet of water. On August 19, 1968, the deepsea drilling vessel "Glomar Challenger" held station in 11,000 feet of water and drilled 422 feet into the bottom of the Gulf of Mexico, locating oil indications. Later, the vessel set a drilling record for a ship in 17,500 feet of water.

EXPANDED INTERNATIONAL INTEREST

Concurrent with these technological developments, there has been a sharply intensified global interest in the seas. More than 100 nations front on the sea. With increasing access to new technology for exploration and exploitation, these nations are projecting their national interests seaward, conducting activities further from their coasts. Some countries have already asserted claims of jurisdiction two hundred miles seaward, thus challenging the traditional freedom of the seas. Long-range fishing fleets threaten coastal fisheries historically essential to others. The possibility of stationing weapons of mass destruction on the sea floor raises the spectre of a new dimension to the arms race.

In 1966, the United Nations began to devote new attention to these issues. These discussions of the oceans have centered on questions of expanding international cooperation in research and exploration, reserving the deep ocean floor for peaceful purposes, and establishing guidelines for nations in the development of seabed resources. Ahead of us lie complex questions. What should be the seaward limit of national jurisdiction? What kind of an international regime should there be governing seabed activities beyond this limit? What practical steps can be taken to prevent the nuclear arms race from spreading to the ocean floor?

Awareness of the great economic potential and strategic importance of the Arctic is rapidly increasing in the United States and other countries bordering that region. The Arctic may be the "last frontier" in the northern hemisphere in terms of the world's limited natural resources.

Internationally, the Arctic Ocean makes neighbors of five nations—U.S.S.R., Norway, Denmark, Canada and the U.S. Although Finland, Sweden and Iceland do not abut the Arctic Ocean, they too share our concern over exploration, development, settlement, and exploitation of the Arctic region. The common environmental problems, high costs of Arctic research, and limited expertise of any one nation in operations make international cooperation in Arctic exploration very attractive.

As marine interests intensify and converge, and competition for resources increases, international cooperation becomes essential to prevent and mitigate conflicts and debilitating rivalries.

U.S. response to oceanic opportunities

Governments have historically been patrons of exploration—both broad geographic surveys and scientific investigations. This is as true today as it was in the times of Magellan and Columbus. While the Federal Government plays a key role in sponsoring the quest for scientific knowledge and mapping resources of the oceans, it turns to acedemic and private institutions to carry out research; it looks to industry to develop the resources of the ocean as it has on land; it expects State Governments to manage wisely and productively the coastal resources under their jurisdictions.

What have we done to mobilize ideas, capital, entrepreneurship, and science and technology—to respond to the challenges of the oceans?

Beginning about 1959, there was a reawakening as to these needs and opportunities, spurred mainly by an unlikely coalition: a few oceanographers and a few members of Congress. The Nation then fashioned tools for the task ahead—by building oceanographic ships and laboratories, and training manpower. Then in 1966, the Congress passed the Marine Resources and Engineering Development Act—a milestone in our maritime history. At this point, I mention that a key ingredient in the development and enactment of this landmark legislation was the personal leadership of Senator Warren G. Magnuson of Washington.

The Act declared it to be a policy of the United States "to develop, encourage, and maintain a coordinated, comprehensive, and long-range national program in marine science for the benefit of mankind," assigned responsibility to the President to give the field necessary leadership and direction; created an interim Cabinet-level, policy planning Council, chaired by the Vice President, to help set goals and strategies; established a public advisory Commission which has recently recommended the next steps for a national marine program with special attention to Federal organizational structure.

It is my understanding that Canada is assembling a similar advisory commission.

ACTIVITIES OF MARINE SCIENCES COUNCIL

The National Council has related the oceans to the full spectrum of national needs. It has established goals and priorities, identified unmet needs and opportunities, and eliminated marginal programs. It has guided a transition from scientific oceanography to a new policy level consideration of marine science affairs.

The public product of Council actions is largely reflected in Presidential policies set forth in speeches, messages, and executive actions.

For example: to insure the safety of life and property with increasing maritime activities and coastal congestion, a governmentwide National Contingency Plan was developed to handle coastal disasters resulting from spillage of oil or hazardous cargo; to strengthen multi-disciplinary research and sourecs of manpower, the Sea Grant legislation was implemented as a cornerstone to building capabilities for the seventies; to meet conflicts in use of the coastal zone, groundwork was laid for Federal/State cooperation in establishing quality standards in our bays and estuaries and for improved coastal management in the public interest; as a further step toward world order, proposals were offered in the councils of the United Nations in attempts to limit the arms race by prohibiting emplacement of nuclear weapons on he seabed of the deep ocean.

MARINE SCIENCE COMMISSION

The long look ahead was made the responsibility of the advisory Commission. The President appointed as Chairman, Dr. Julius Stratton, and one of its members was Professor James A. Crutchfield of the University of Washington. Few Commissions that I know have worked as conscientiously and fruitfully as this one. Its thought-provoking comprehensive report was submitted to the President and Congress in January 1969.

Among its broad-ranging recommendations it called for Federal Government reorganization in the marine sciences which would pull together many of the agencies, now organizationally separated, into a new National Oceanic and Atmospheric Agency.

The Commission also recommended support for coastal zone authorities, designation for national and coastal zone laboratories, development of a legal regime for the deep seabed, and establishment of national marine engineering projects, such as a continental shelf laboratory.

The Commission's Report has received wide accolades in the press, and promises to be a stimulus to United States marine science policy. Its findings and recommendations are controversial, and they are being very carefully considered by the Administration and the Congress.

THE OCEAN FRONTIER

These are some of the economic and national security considerations in re-evaluating your stake in the oceans. But there is one other.

Over the centuries, man has forced hostile environments to yield to his boldness and his skill—whether these environments be searing desert, tropical jungle, frigid Arctic, or empty space. The frontier that we approach today is the bountiful ocean. But the oceans are not just a geographical frontier. The oceans are also a frontier of the human mind and the human spirit. And we must approach them with a willingness to face the unknown without positive assurance of immediate return.

Few regions of our great nation are as well endowed as is the Pacific Northwest to deal with this challenge. Your coastline is one of your principal lifelines. Your ocean frontage can bring economic opportunity and social enjoyment to broad segments of your population. Your ocean scientists are internationally known. Your high technology, that contributed to our aerospace programs, affords a new cutting edge to study and utilize the sea. Your industry and your bankers have the vitality of responsive entrepreneurship that can extend past traditions of productive free enterprise to the future. And your people sustain the buoyant, energetic spirit of the frontier.

These ingredients of successful exploration—not only a favorable location but men, capital, talent, education, and experience—are found here in the Northwest.

A partnership of Government, industry, and the academic community built on such ingredients is certain to prosper.

THE OCEANS AND THE FEDERAL GOVERNMENT

In this connection, I do not know whether you regard your geographical remoteness from your respective national capitols as an asset or a penalty. To the Americans in this audience, I can say that in the field of marine affairs, you and in fact your colleagues in other states benefit from the leadership of your Congressional delegations.

Senator Warren Magnuson has introduced many critical pieces of legislation contributing to marine sciences, ranging from conservation programs to fishery resource surveys. Most recently he has submitted a bill to establish a National Institute of Marine Medicine and Pharmacology, subjects which are just beginning to gain proper recognition.

The late Senator "Bob" Bartlett provided marine affairs with excellent support during his tenure in the Congress. Certainly the present impetus of marine science is due in no small measure to the efforts of the late Senator from Alaska.

Congressman Pelly and Congresswoman Hansen have also been active in advancing maritime interests of the Nation.

Congressman Wendell Wyatt of Oregon has been active in attempting to conserve wildlife on the shoreline.

Collectively, the achievements in marine sciences of your Senators and Representatives represent for the Pacific Northwest—and the Nation as a whole—a step toward more effective use of the sea.

How is the climate in Washington itself?

One encouraging sign is that this field is bipartisan. From the very beginning of a new look at the sea ten years ago, advances have been free of partisan political overtones Support in the Congress comes from both parties. When I recently appeared at a Congressional hearing before the House Merchant Marine and Fisheries Committee, the Sub-Committee Chairman—a Democrat—Mr. Lennon, and the ranking minority member, Mr. Mosher, were allies in their advocacy of a vigorous marine science program. And I am pleased to report their mutual support for continuation of the Council and praise of its past performance.

Let me assure you that the Nixon Administration will continue its marine science activities in that same nonpartisan spirit.

I have to be candid in saying that this will not be another space program—neither in its deriving exclusive support from the Federal Government, nor as a crash program. The United States has many serious issues competing for limited resources, but I am confident that the growing interest in the seas, the national interest, and practical economics will continue to insure appropriate priorities for this field.

The United States is the first Nation in history to adopt a national policy to study and to use the seas for the benefit of all men. And the people of the territories and states of the Pacific Northwest, through their heritage and performance, represent a rare breed—whose personality profile includes the spirit of discovery and the spirit of exploration—all necessary when the next steps are taken to conquer man's last geographical frontier.

I look forward to joining with you in the great adventure ahead.

THE NATIONAL SAFETY COUNCIL SPEAKS OUT ON FLAMMABLE FABRICS SAFETY

Mr. MAGNUSON. Mr. President, I wish to commend the National Safety Council for its recent efforts to encourage implementation of the Flammable Fabrics Act amendments. In an open letter to editors, columnists, and writers, Jean Snyder, home safety specialist for the Council, urged people to express concern over the failure of Government to act.

The case for "concern" is very strong. In December of 1967 Congress passed the Flammable Fabrics Act amendments, designed to reduce the 1,500 yearly deaths and 100,000 disabling injuries resulting from burn accidents. The Secretary of Commerce was given authority to create flammability standards for clothing and household furnishings after accumulating data demonstrating the need for such standards. Unfortunately, to date no final flammability standards have been promulgated—although a carpet flammability standard should be finally adopted in the near future.

It has been reported that the textile industry is fighting very hard to prevent the passage of clothing flammability standards—the very standards that were uppermost in the minds of legislators who strongly supported the amending legislation. Clothing flammability standards—especially children's clothing standards—are desperately needed.

Hopefully, the National Safety Council's efforts on behalf of the consuming public will create a countervailing force to the intransigence of the textile industry and encourage action in the Department of Commerce. I would hope that this action presages increasing attention by the Council for adequate safety legislation, adequately funded and enforced.

I ask unanimous consent to have the open letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AN OPEN LETTER TO EDITORS, COLUMNISTS, AND WRITERS

NATIONAL SAFETY COUNCIL,
Chicago, Ill.

Each year as many as 1,500 people die and 100,000 suffer disabling injuries because their clothing catches fire. This, in spite of the fact that there has been a Federal Flammable Fabrics Act in existence since 1953. This Act unfortunately prevents only the most highly flammable fabrics from being marketed.

Recognizing the ineffectiveness of the 1953 Act in combating injuries from clothing fires, Congress enacted amendments to this Act in December, 1967, granting the National Bureau of Standards authority to promulgate broader and more restrictive fabric flammability standards.

Before such standards can be established, though, data must be gathered and methods of testing set up. Last year's appropriations for such activities fell far short of the amount requested by the Bureau, and Congress will be considering funding again early this spring. Whatever the reasons may be, no new standards have been developed to date, and the wasteful injuries and deaths caused by preventable clothing fires continue.

Your efforts in expressing your concern will be appreciated. A fact sheet is attached for your information and use.

Sincerely,

JEAN SNYDER,
Home Safety Specialist, Department of Public Information.

FACT SHEET ON FLAMMABLE FABRICS

All fabrics can burn. This means that the clothes you wear, and the furnishings in your home, will burn under the proper set of conditions.

Children and the elderly, who are less able to protect themselves, are most vulnerable to clothing fires. Mothers should keep this in mind when they purchase sleepwear for their children, clothes and blankets for the baby, or a bathrobe for grandmother.

The most common source of clothing ignition among adults is careless smoking. Following smoking, the cook stove, rubbish fire, and heating stove cause the most frequent accidents. Clothing fires also occur when flammable liquids such as gasoline or lighter fluid are spilled on clothes and accidentally ignited.

Children are burned when their clothing ignites while they are playing with matches, or when they get too close to heating and cooking stoves or to a trash fire.

WHAT FACTORS AFFECT FLAMMABILITY?

Fabrics vary greatly in their flammability. The degree of flammability depends on the fiber, weight and weave of the fabric, surface of the fabric, and design of the garment.

Fiber

Of the basic fibers, wool is comparatively flame resistant. It will ignite, but it burns slowly and the fire usually goes out once the source of ignition has been removed. If wool is combined with another fabric, however, it may not be flame resistant.

Glass fibers (Fiberglas, PPG Fiber Glass), modacrylics (Verel, Dynel), saran (Rovana, Velon), and some other man-made fibers are fire-resistant. Glass fabrics, though, sometimes are blended or treated with finishes that make them less flame resistant.

Synthetic fibers such as nylon, polyester, or acrylics are usually less flammable than the fibers of cotton, linen, and rayon. But synthetics can actually melt as they burn, and the sticky, syrupy substance that is formed produces deep, localized burns.

Cotton and rayon burn readily. They can be treated with chemicals to make them flame-retardant, but manufacturers have just recently begun to use this treatment on clothes sold in retail stores.

Weight and weave

Tightly woven, heavy fabrics burn more slowly than sheer, lightweight, loosely woven fabrics.

Surface of the fabric

A napped fabric with air space between loose, fine fibers will ignite much more readily than will a fabric with a smooth surface. In general, fabrics with a shorter pile and a greater density are less likely to burn than those with a high, fluffy pile.

Design of the garment

Close-fitting garments are less likely to go up in flames than are loose-fitting ones. Flowing robes, flared skirts, blousy sleeves, and ruffles and frills on garments are more likely to catch on fire and burn.

WHAT SHOULD BE DONE IF SOMEONE'S CLOTHES CATCH ON FIRE?

Force him to drop or lie down wherever he is. If a rug, coat, or wool blanket is available, roll the person into it to smother the fire. If no heavy article is handy, roll him over and over until the flames are put out.

The natural tendency when clothes catch fire is to run. But this only makes the fire burn faster and increases the danger of flames and smoke sweeping up toward the face.

WHAT CAN THE CONSUMER DO?

Consumers should shop for the types of clothes described that are relatively flame-resistant, especially when the clothes are apt to be worn around fire. Ask store clerks and managers if clothes are flame-retardant. If word gets back to manufacturers that customers care about the flammability of clothing, they will be encouraged to produce flame-retardant clothes. Many are now reluctant because they fear that consumers would not be willing to pay the slight increase in price caused by the cost of flame-retarding clothes.

Consumers should also make lawmakers aware that they care about the flammability of clothing. They should write to their congressmen or to the Secretary of Commerce.

WHAT IS THE CURRENT STATUS OF FEDERAL LEGISLATION?

The Flammable Fabrics Act of 1953 restricted the sale of the most highly flammable fabrics. The Act was amended in 1967 to broaden the category of wearing apparel to include hats, gloves, and footwear. The amendments also extended the scope of the Act to interior furnishings (bedding, baby blankets, carpets, drapes, upholstery, etc.).

Under these amendments, the Secretary of Commerce and the National Bureau of Standards are directed to gather data, determine test methods, and draw up regulations as needed.

The National Bureau of Standards is unable to predict how long it will be before the first standard is forthcoming. But until a new standard is established, the 1953 regulations limiting the flammability of clothing will remain in effect.

For the fiscal year ending in June of 1969, the NBS requested $490,000 but was granted only $250,000. NBS appropriations for implementing the standards for this year have not yet been established.

TRANSPACIFIC ROUTE CASE

Mr. MAGNUSON. Mr. President, three articles dealing with the transpacific route case have recently come to my attention, and I believe they are most worthy of note. The first two articles were written by well-known and respected air transport authorities, both of whom have reputations that are held in high esteem. The third article appeared in the London Economist and represents an objective viewpoint from abroad.

I ask unanimous consent to have these articles inserted in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Seattle (Wash.) Times, Apr. 15, 1969]

SEATTLE MUST MOVE TOWARD RIGHTFUL PLACE AS AIR GATEWAY

(By Robert L. Twiss)

The decision by former President Johnson in the complex transpacific air-route case was bad for the Pacific Northwest and the nation. The Nixon administration's decision is even worse.

It leaves Seattle with service by only one carrier over the shortest, most-direct route to the Far East. Under Mr. Nixon's awards, transpacific traffic will be concentrated on the circuitous, island-hopping Central Pacific route, denying to American and foreign travelers the opportunity to enjoy competitive service over the time-saving North Pacific route.

But the decision has been made, so the question that confronts this state now is what steps must be taken to assure Seattle of its rightful role, by geography, as one of the world's major overseas gateways.

The judgment here is that two obvious steps must be taken: Seek revision of the Federal Aviation Act to reduce the influence of the executive branch in international awards and plan a region-wide program to guard the Pacific Northwest's interests in route awards and similar matters.

The Nixon administration, in denying Seattle competitive service over the North Pacific to Japan and beyond, cited what it termed overly optimistic traffic forecasts by the previous administration. This would lead to overcompetition and, eventually, restrictive measures by foreign governments, the administration said.

The President, under existing legislation, reviews international awards on the basis of foreign-policy and national-security-policy implications only. The Nixon administration's decision, however, was based largely on economics, which is justified by attempting to link so-called overcompetition to the threat of restrictive measures by foreign governments.

A revision of the Federal Aviation Act of 1958 is badly needed to make certain that future international-route decisions are made by Presidents solely on the basis of foreign-policy and security considerations. The Civil Aeronautics Board, an arm of Congress, should decide economic matters rather than the executive.

Mr. Nixon's major adviser in the Pacific case was Paul Cherington, a former Harvard

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University professor now assistant secretary of transportation. Cherington's conclusions in some areas bordered on the ridiculous.

If, indeed, the North Pacific will not sustain American-flag competition, then why is Japan Air Lines expending such energy to win a Tokyo-Seattle-Chicago-New York route? The Japanese know geography, as Cherington apparently does not.

We suggest that Senator Warren G. Magnuson's Commerce Committee should promptly consider a revision of legislation to clarify the role the executive branch should play in future international-route decisions.

A second progressive step for this area would be to develop a region-wide committee to consider route awards. The Washington parties, the eight state and civic organizations that speak for this area in route matters, have done an outstanding job. But they have been virtually alone.

Civic and state interests in these days of a highly mobile society extend far beyond city boundaries or state lines. Where was Gov. Dan Evans when the transpacific fight was going on? If he interested himself in the case, there has been no evidence of it and yet the outcome of this proceeding is of great economic importance to the state he governs.

Seattle will not have hundreds and perhaps thousands of jobs it could have had with an effective transpacific decision. Surely this must be of interest to any governor.

What is needed is an organization of Pacific Northwest states and cities to consider this area's needs in air transportation. Interests of states and cities in this area do not always jibe, of course, but many times they do, and the transpacific case offers evidence of that.

Evans, who heads the Pacific Northwest state with the most to win or lose in most international-route cases, should take the initiative promptly to set up such a regional council.

The transpacific decision may be beyond recall. But there are other cases, either established or in the offing, in which decisions of vital importance to the Pacific Northwest will be at stake.

Seattle's emergence as a key international gateway can be delayed, but it cannot be stopped. Geography will see to that, and not all decisions will be as shortsighted as those of the Johnson and Nixon administrations in the Pacific case.

But it is time to take the offensive, rather than to continue to rely on what Washington's powerful Democratic senators can accomplish. The Pacific decision is indicative of what this area can expect in the future unless there are forceful attempts to make certain the interests of the Pacific Northwest are presented to the decisionmakers.

Air Transport: Nixon Move Clouds Pacific Case—White House Action Leaves International Route Structure Muddied, Snarls Awards in Domestic Phase and Tarnishes Prestige of Board

(By Laurence Doty)

Washington.—President Nixon's action in the Transpacific Route Investigation last week catapulted the case into court and plunged the airline industry into a new state of confusion.

In effect, the White House decision has left the Pacific international route structure unresolved, snarled the domestic phase of the case and tarnished the prestige of the Civil Aeronautics Board as an independent regulatory agency. The decision has accomplished all this without establishing a sound precedent for future route cases or the formation of a national aviation policy.

Here is a summary of the action behind the White House verdict and its effect on the airlines:

White House final judgment was not solely a presidential decision. Nixon did not review departmental recommendations which generally ran contrary to the final White House conclusions. For example, Defense Dept. urged the introduction of a maximum possible number of carriers and new routes in the Pacific basin. White House whittled down both the number of carriers and routes in its review. Interior Dept. supported the award of a South Pacific route to Continental Air Lines, which the White House implicitly cancelled, and asked for the addition of a Guam-Tokyo route, which was ignored. State Dept. opposed a third carrier into Tokyo on grounds that it would increase U.S. share of traffic, which is now about 62%, on the U.S.-Japan route. But the State Dept. posed no objection to point-to-point competition between U.S. carriers which the White House indicated it chose to avoid.

Revisions were based on surveys by Assistant Transportation Secretary Paul Cherington which found that CAB traffic forecasts ranged from 21–33% too high. This is the first time in airline history that a White House action on international air routes has been developed from economic factors. It also contradicts Nixon's initial statement that final determination of routes would rest on foreign policy and national security considerations. The Cherington findings also are difficult to reconcile with the continuing accusations that CAB forecasts historically are too low. The White House economic study is being kept secret, but it has been learned that Cherington's traffic projections for the Tokyo-West Coast route are surprisingly close to those developed by the Japanese government.

Continental brought suit against the Board last week contending that a chief executive can make a change in international air routes recommended by the Board in the interest of national defense and foreign policy prior to issuance of an award. But, the suit charges, once the award is published, it is no longer pending before the President. If the court sustains Continental, only the route award made to Flying Tiger Line will be unaffected. All other awards have been directly or indirectly changed by the Republican Administration.

Trans World Airlines' route as approved by President Johnson appears unchanged. But Nixon, in his letter to Board Chairman John H. Crooker, Jr., said the use of satellite airports should not be required. This would mean at least a minor revision in TWA's proposed route since it has not been authorized to serve traditional West Coast gateways on the Pacific segment.

Domestic phase of the Pacific case has been deferred pending the Nixon decision on international aspects. Changes by the White House in the case will directly affect the CAB's action on West Coast-Hawaii routes. The Board has consistently held that the two parts of the overall route pattern are interconnected operationally and economically. Thus, yet to be decided are routes between Hawaii and the mainland for Braniff International, Continental and American airlines. The route to Hawaii via Mexico, originally granted to Braniff, was canceled by Nixon. American was initially authorized to serve Hawaii, without turnaround rights at the islands, on a Tokyo route. President Johnson withdrew American from Tokyo and Nixon made no comment on this issue.

Bypass of the Board's findings in the economic area by Cherington suggests a disdain for CAB expertise. This could encourage applicants in future international route proceedings to direct their cases toward the will of the executive branch rather than the judgment of the Board. For all practical purposes, the White House, in this instance, has disregarded the volumes of testimony, statistics and staff work and studies accumulated during the coures of the investigation.

The White House also disapproved awards of great circle routes from California points to the Orient. This leaves Pan American World Airways with monopoly nonstop rights to Tokyo from the lower West Coast.

Pan American had asked for authorization to operate from the Pacific Northwest to the Orient over a great circle route. Northwest Airlines will have monopoly privileges on this route.

But both carriers will compete on the great circle route between the U.S. East Coast and Far East.

The White House chose to follow the basic recommendations of Board Examiner Robert L. Park by stating that the second carrier route through the South Pacific should bypass the California gateway. It tacitly eliminated Continental from the case by instructing the Board to recommend to the President a carrier to serve East Coast and Midwest co-terminal points on this route.

Continental currently does not operate east of Chicago. Feasibly, the carrier's routes could be extended to the East Coast in the case. The Board, in its opinion (AW&ST Dec. 23, 1968, p. 23), chose Continental over Eastern Airlines for the South Pacific operation because "it has shown itself an extremely vigorous competitor when placed in competition with carriers many times its size."

Continental was further hit by the White House directive in that the American Samoa-Okinawa route segment should be deferred and considered in the Pacific Islands Local Service Investigation. The Board opinion called for a Continental route from the U.S. to American Samoa, The Trust Territory and beyond to Guam and Okinawa.

Officials of both State and Interior Depts. are likely to recoil over the deferral of this award. Interior has been driving for an expansion of air services in the Trust Territory islands to accelerate tourist trade as a means of bolstering the economy of the area.

A group of Micronesians in the Marianas Island have informed the State Dept. that it would seek such aid from the Soviet Union if it is not forthcoming from the U.S. The threat is bare since this is U.S. territory, but State officials are concerned that such a move would help feed the Soviet propaganda machine directed against colonialism.

The U.S. Supreme Court has ruled that a presidential decision on matters concerning foreign policy and national defense cannot be challenged in court. But there is a growing question among airline attorneys here as to whether the President has legal authority to make a judgment on international issues on the basis of economic factors.

As one spokesman put it: "Nixon stretched beyond his jurisdictional area of foreign policy and national security and reached into the Board's economic realm and pulled out a tiger."

On the other hand, one lawyer suggested that foreign policy and even national defense were closey intertwined with economics. "The President's authority in foreign relations certainly extends to tariff and trade which are purely economic," he said.

Continental's case, stated simply, rests on the opinion that once the President—or more accurately the office of the President—makes a decision and approves and allows it to be published, it cannot be withdrawn for review.

Although the task of evolving the White House decision was first given to Presidential Assistant Robert F. Ellsworth, Cherington took over the case. He was assisted by Daniel Hofgren, a member of the White House staff. It is evident from the results that Cherington showed concern over a too-extensive expansion of operations in the Pacific.

Interestingly, this paring down of U.S. participation in the Pacific at least partially reflects the views of three Baord members. In dissents, Board Vice Chairman Robert T. Murphy expressed doubts over the multiplicity of awards in general.

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EXCESSIVE AWARDS

Member John G. Adams found that a third carrier to Japan was not warranted. Member Whitney Gilliland regarded the number and extent of awards as excessive.

But, here again, both the Board and Cherington worked out their final decisions on a regional basis rather than on a global basis.

In releasing Nixon's instructions to Crooker, the White House stated it found no evidence of impropriety with respect to the handling of the case by the Johnson Administration. After making his decision, Johnson was implicitly charged with being influenced by airline lobbies.

Nixon's advisers apparently are taking every precaution against a repetition of such accusations. Reportedly, the fact that Hofgren was a former employe of Pan American has been carefully deleted from his official White House biography.

[From the Economist, Apr. 19–25, 1969]

BUNGLE IN THE AIR

In reawarding the important and potentially very lucrative rights to provide additional air services across the Pacific Ocean President Nixon has shown a lack of administrative skill that borders on bungling. It is not so much in what he did with this long and tedious proceeding—it began in February, 1959—as in the manner in which he chose to do it. His first step, taken in January only a few days after he was sworn into office, was to recall the case from the Civil Aeronautics Board even though the board had made its decision and President Johnson had approved it just before he left Washington. In words that gave much comfort to critics who had complained—without any basis in fact, as the new inquiry has confirmed—that airlines whose executives were friends of President Johnson's had been favoured improperly, Mr. Nixon wrote to the CAB that it is both "appropriate and necessary for me . . . to recall the matter" for further review and decision.

This letter was followed by a White House memorandum to "interested parties in the trans-Pacific case," pointing out that the President's jurisdiction in this case was based on his constitutional responsibility for foreign policy and national security. It said that only these responsibilities would be considered in any revisions that the President might make in the awards. It is in this context that Mr. Nixon's latest letter to the CAB suggests that he is something less than a skilled chief executive.

Of the six changes that he has ordered the board to make in its original decision on the trans-Pacific services, only one—revoking the award of a route between Mexico and Hawaii to Braniff Airways—seems to have been dictated by considerations of foreign policy. Economic considerations were the basis of the first two of Mr. Nixon's changes, which took away from each of the two existing American trans-Pacific carriers—Pan American World Airways and Northwest Airlines—one of the two new routes that each of them had been awarded. Professor Paul Cherington, a Harvard expert who is now serving in the Nixon Administration, prepared a confidential critique of Mr. Johnson's trans-Pacific awards for the new President in which he said that the CAB's forecast for the growth of air traffic in the Pacific area was too high by one-third. At the press briefing held by the White House on April 11th to announce the latest decision, the official spokesman said that the original allocations made by the CAB and approved by President Johnson would have overburdened the Pacific area with what he called "inflated route awards lacking in economic viability."

But Pan American can still fly to Japan direct from New York and Northwest gets a new route across the Central Pacific, increasing competition between them; and Pan American will now have an American rival around the world for the first time, since Mr. Nixon has confirmed that Trans World Airlines may fly from Hongkong to California, completing its global circuit. But for the moment at least, Pan American has no American competitors at all on its Australian route. It would appear that the plum given to Continental Airlines by Mr. Johnson—a service to the South Pacific, via Hawaii, from various west coast and midwestern cities—has been snatched away by President Nixon's directive that "the second carrier route to the South Pacific should bypass the California gateway. On this aspect of the case I asked the board to recommend a carrier to serve the east coast and midwest coterminal points."

Some airlines interpret this statement as meaning that Eastern Air Lines—denied the route in January by the board itself—is back in the case in a big way. Other airlines say that this is not necessarily so; all that the board needs to do is give Continental an east coast city to serve on its South Pacific flights, and add a requirement that California be overflown, and the award to Continental can stand. But will the board do this? Or will there be further consideration of the issues, as well as of the possible applicants? Meanwhile, Continental is appealing against the President's decision on the ground that in making it the President exceeded his constitutional powers.

Moreover, just how Mr. Nixon's decision to drop Mr. Johnson's requirement that some of the new routes be served through satellite airports in California, instead of through such already overcrowded gateways as Los Angeles International Airport, will improve the economic viability of the awards is difficult to determine. Similarly, deferring to another proceeding the decision on a route from American Samoa to Okinawa which was originally allotted to Continental Airlines as part of its South Pacific route to Australia, does not seem to have much basis in considerations of either foreign policy or national security. Other parts of President Nixon's statement are so clumsily worded as to add whole new areas of confusion which will have to be sorted out, either by the CAB or before the courts. Mr. Nixon's concluding injunction to the board—that it "submit immediately for my approval an order effectuating these conclusions"—is much easier said than done. And there is also the question of new routes to Hawaii, a domestic matter to be settled by the CAB, but one that is closely related to the trans-Pacific case. One thing is clear, however. By his ineptly worded memorandum last week, President Nixon has set off a new round of polemics in what was already a "procedural nightmare."

DIRECT ARAB-ISRAEL NEGOTIATIONS

Mr. MAGNUSON. Mr. President, a few days ago a majority of the Members of the Senate were signatories to a declaration by the American Israel Public Affairs Committee, favoring direct Arab-Israel negotiations. This was done on the occasion of Israel's 21st birthday.

A letter which appeared in the March 6 edition of the New York Times brings out some points that I feel deserve more broad distribution. Mr. President, I ask unanimous consent to have that letter printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

New York, N.Y.,
February 27, 1969.

No Mideast Maquis

To the Editor:

As one of the principal members of the French resistance against the Nazis, I am shocked to hear the Arabs compare our movement to their terrorist acts against unarmed civilians—for example, the Feb. 28 letter of Jordan's Ambassador to the U.N.

First, France and the rest of the European countries invaded by Nazi Germany never intended to liquidate Germany as the Arabs intend to liquidate Israel. We fought like men against the German army. We never murdered children and women. We never attacked planes carrying innocent passengers. Theirs is not a resistance movement. It is cowardice.

The Arabs are always complaining about the refugees. During the last twenty years 4,500,000 European people were forced out of the Arab countries. Some 2,200,000 Italians left Libya and Egypt. And 1,700,000 French left Algeria, Tunisia and Morocco. Over 700,000 Jews left Iraq, Yemen, Egypt, Libya and the other Arab countries. Four and a half million Jews who had lived in these countries for countless generations left everything behind. The Arabs took everything. The people left only with the clothes on their backs.

The Arabs had an opportunity to place the 700,000 Arab refugees from Palestine in the homes of the European people who fled the Arab countries. Instead the refugees were put in camps that have cost millions of dollars contributed by the nations of the world. This was the most brutal thing the Arabs did against their own people.

Palestine was never an Arab country. It never had an Arab government. Palestine had been occupied, since the time of Caesar, by Greeks, Romans, English and other nations. The only legal government in Palestine was the Jewish government over 2,000 years ago.

The Western world has never understood how the Arab countries, with 85 per cent of their people illiterate, millions without jobs, disease and sickness rampant, could spend billions of dollars on ammunition to liquidate a little country like Israel, instead of using the money to build schools, hospitals, homes and industry for their own people.

Michel Pierre d'Orleans.

SENATE CONCURRENT RESOLUTION 23—SUBMISSION OF CONCURRENT RESOLUTION EXPRESSING THE SENSE OF CONGRESS THAT THE UNITED STATES PARTICIPATE IN AND GIVE FULL SUPPORT TO AN INTERNATIONAL DECADE OF OCEAN EXPLORATION

Mr. MAGNUSON. Mr. President, on behalf of Senator Hatfield, Senator Fong, the Senator from Rhode Island (Mr. Pell), and myself, I submit for appropriate reference, a Senate concurrent resolution expressing the sense of Congress that the United States participate in and give full support to an international decade of ocean exploration during the 1970's.

This concurrent resolution is identical to one I introduced in the 90th Congress, which was considered in executive session by the Senate Committee on Commerce where it was unanimously ordered reported favorably, and which passed the Senate by unanimous consent on July 29, 1968. The resolution was transmitted to the House of Representatives where a hearing was held but no action taken.

U.S. participation in the international decade of ocean exploration, as contem-

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plated in the concurrent resolution, would include first, an expanded national program of exploration activities in waters close to the shores of the United States; second, intensified exploration activities in waters more distant from the United States; and, third, accelerated development of the capabilities of the United States to explore the oceans and particularly the training and education of needed scientists, engineers, and technicians.

Mr. President, it should be made clear at this point that the resolution provides no new appropriation nor authority for added funding.

This question was raised last year in the House hearing and Mr. Philip S. Hughes, Deputy Director of the Bureau of the Budget, responded in writing. Mr. Hughes stated in part:

> It is our view that H. Con. Res. 803 (the House measure) and S. Con. Res. 72, 90th Congress, would not provide statutory authority for the conduct of the activities set forth in the resolutions. We also do not regard these resolutions as providing authorization for additional appropriations for these activities. We consider these measures to be expressions of the sense of the Congress with respect to the conduct of the activities described therein to the extent that these activities, and appropriations to finance them, are otherwise authorized by law.

The concurrent resolution also expresses, as did the resolutions introduced in the 90th Congress, the sense of Congress that the President cooperate with other nations in order to achieve broad participation in the program and development of extensive oceanographic information and data, and requires the President, in his annual report to the Congress on marine science affairs pursuant to Public Law 89–454, to transmit a plan setting forth the proposed participation of the United States in the international decade of ocean exploration for the following fiscal year.

The concurrent resolution represents a legislative expression quite in keeping with section 2(b)8 of the Marine Resources and Engineering Development Act of 1966, which, as a policy objective, states, and I quote:

> The cooperation by the United States with other nations and groups of nations and international organizations in marine science activities when such cooperation is in the national interest.

To assure that this participation of the United States in a decade of ocean exploration would truly be in the national interest, the National Council on Marine Resources and Engineering Development contracted with the National Academy of Sciences and National Academy of Engineering to conduct a study and prepare recommendations.

The two academies formed a joint steering committee to direct this study.

Dr. Warren S. Wooster, of the Scripps Institution of Oceanography and president of the Scientific Committee on Oceanic Research of the International Council of Scientific Unions, was designated as chairman of this committee.

Dr. William E. Shoup, of the National Academy of Engineering and vice president, Westinghouse Electric Co., was designated vice chairman.

In a preliminary report, the committee has identified four exploratory programs to provide valuable knowledge during the next 10 years. They are: Geology and nonliving resources, fisheries, biological studies, and physics and environmental forecasting.

Geology and nonliving resources: Geological-geophysical surveys of North American continental shelves and the eastern Atlantic continental margin.

Fisheries: Assessment of the fisheries production potential of the Gulf of Mexico, Gulf of Alaska, and eastern and central Pacific and ecological and related studies leading to improved management of fisheries of the northwestern Atlantic.

Biological studies: Application of recently developed techniques to studies of food chains in the sea and development of new techniques for measuring biological factors and modeling ecosystems using computers for areas such as Georges and Grand Banks, the Gulf of Alaska, the Gulf of Mexico, the eastern and central equatorial Pacific, the South Pacific gyre, the western Arabian Sea, and the Antarctic Ocean.

Physics and environmental forecasting: Investigation of 1,000- to 3,000-mile, cold and warm anomalies related to "centers of action" in the North Pacific, studies of large-scale, long-term air-sea interaction and meso-scale interaction in subtropical upwelling regions, and systematic ocean coverage of deep temperature, salinity, and oxygen measurements.

These programs are directly in the national interest.

The Commission on Marine Science, Engineering, and Resources, in its recent report, "Our Nation and the Sea," endorsed the proposal for an international decade of ocean exploration as an excellent vehicle to bring about international collaboration. The United States has taken the lead in encouraging this international effort, which has gained wide acceptance among the nations of the world.

A United Nations resolution cosponsored by 28 nations endorsing the international decade was adopted at a recent U.N. General Assembly.

The National Council on Marine Resources and Engineering Development, which was created by the Marine Resources Engineering and Development Act of 1966, described the aims of the international decade in its third and recent annual report transmitted to the Congress by the President pursuant to section 7 of the act. The report included these pertinent comments:

> The Decade is not merely a continuation of past efforts but has several unique aspects. The proposal anticipates a sustained, long-term exploration of the sea, planned and coordinated on a global basis, in contrast to the sporadic efforts of the past, developed project by project; is oriented as much toward delineation of marine resources as toward science, and is thus broader than past scientifically oriented oceanographic research programs; envisages more deliberate coordination of the many interested international organizations, such as the Intergovernmental Oceanographic Commission, Food and Agriculture Organization, and World Meteorological Organization so that planning and coordination of world-wide exploration will not be unnecessarily splintered among competing agencies; and foresees an intensified effort toward more systematic collection of data and prompt dissemination, with particular attention to adoption of internationally agreed-upon standards to maximize the value of the data as a commodity for exchange. As more sophisticated data processing equipment comes into use, particular attention should also be given to the compatibility of national data collection and processing techniques and to common procedures for calibrating oceanographic instruments.
>
> Finally, participation by a larger number of countries in ocean exploration is being encouraged especially those which have a maritime geography but which may have previously lacked interest, trained manpower, or capabilities to explore the oceans, even near their own shores. In this way, developing nations should be able to share the capabilities of the more developed countries, to acquire contemporary technology for their own use, and to increase opportunities to identify continuous marine resources.

The concurrent resolution which I am submitting today is more than a mere concurrence in the general plan for the decade. It states not only that it is the sense of Congress that the United States should participate in the decade, but spells out three major specifications which will guide this participation.

These are, as I have previously stated: An expanded national program of exploration in waters close to the shores of the United States, intensified exploration activities in waters more distant from the United States, and accelerated development of the capabilities of the United States to explore the oceans and particularly the training and education of needed scientists, engineers, and technicians.

These specifications, I submit, are in the national interest. They will enhance our national oceanographic program and inure to the benefit of the people of these United States. And they will further carry out the intent of the Congress of the United States when it enacted the Marine Resources and Engineering Development Act of 1966.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 23), which reads as follows, was referred to the Committee on Commerce:

S. CON. RES. 23

Whereas the Congress finds that an unprecedented scientific and technological readiness now exists for exploration of the oceans and their resources; and

Whereas accelerated exploration of the nature, extent, and distribution of ocean resources could significantly increase the food, mineral, and energy resources available for the benefit of mankind; and

Whereas improved understanding of ocean processes would enhance the protection of life and property against severe storms and other hazards, would further the safety of maritime commerce, would directly contribute to the development of coastal areas of the Nation, would benefit the Nation's fishing and mineral extractive industries, and would contribute to advancement of a broad range of scientific disciplines; and

Whereas realization of the full potential of the oceans will require a long-term program of exploration, observation, and study on a worldwide basis, utilizing ships, buoys,

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aircraft, satellites, undersea submersibles, and other platforms, advanced navigation systems, and expanded data processing and distribution facilities; and

Whereas the inherently international character of ocean phenomena has attracted the interest of many nations; and

Whereas excellence, experience, and capabilities in marine science and technology are shared by many nations and a broad program of ocean exploration can most effectively and economically be carried out through a cooperative effort by many nations of the world; and

Whereas the United States has begun to explore, through the United Nations and other forums, international interest in a long-term program of ocean exploration: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the United States should participate in and give full support to an International Decade of Ocean Exploration during the 1970's which would include (1) an expanded national program of exploration in waters close to the shores of the United States, (2) intensified exploration activities in waters more distant from the United States, and (3) accelerated development of the capabilities of the United States to explore the oceans and particularly the training and education of needed scientists, engineers, and technicians.

SEC. 2. It is further the sense of Congress that the President should cooperate with other nations in (1) encouraging broad international participation in an International Decade of Ocean Exploration, (2) sharing results and experiences from national ocean exploration programs, (3) planning and coordinating international cooperative projects within the framework of a sustained, long-range international effort to investigate the world's oceans, (4) strengthening and expanding international arrangements for the timely international exchange of oceanographic data, and (5) providing appropriate technical and training assistance and facilities to the developing countries and support to international organizations so they may effectively contribute their share to the International Decade of Ocean Exploration.

SEC. 3. It is further the sense of Congress that the President in his annual report to the Congress on marine science affairs pursuant to Public Law 89-454 should transmit to the Congress a plan setting forth the proposed participation of the United States for the next fiscal year in the International Decade of Ocean Exploration. The plan should contain a statement of the activities to be conducted and specify the department or agency of the Government which would conduct the activity and seek appropriations therefor.

S. 2081—INTRODUCTION OF A BILL TO ADJUST TERMS OF OFFICE OF THE MEMBERS OF THE CIVIL AERONAUTICS BOARD

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Aviation Act of 1958 in order to provide that terms of members of the Civil Aeronautics Board and the Chairman and Vice Chairman thereof shall begin on July 1.

Five principal regulatory agencies now have terms of office terminating in June and this bill would provide a similar situation with respect to the Civil Aeronautics Board. In recent weeks I have communicated with the Civil Aeronautics Board and the Executive Office of the President with respect to the merits of adjusting the terminal date of the terms of office of the members of the Civil Aeronautics Board, and I ask unanimous consent that the written responses of the CAB and the Executive Office of the President to my inquiry be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred, and, without objection, the letters will be printed in the RECORD.

The bill (S. 2081) to amend the Federal Aviation Act of 1958 in order to provide that terms of members of the Civil Aeronautics Board and the Chairman and Vice Chairman thereof shall begin on July 1, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

The letters presented by Mr. MAGNUSON, are as follows:

CIVIL AERONAUTICS BOARD,
Washington, D.C., January 23, 1969.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of January 13, regarding terms of office of Members of the Civil Aeronautics Board.

In view of the fact that the terms of the present Board Members might be affected by any such change, the Board is reluctant to suggest what the *policy* should be in this respect.

As a matter of information, however, the Board has found that the work load of the Board follows a pattern much more nearly related to the fiscal year than to the calendar year. Likewise, the administrative work done by the Chairman follows a fiscal year pattern; and if the terms of the Members be changed to a fiscal year basis, it would seem that clearly the annual designation of the Chairman and of the Vice Chairman should come as of July 1, rather than as of January 1, of each year.

Immediately after Labor Day, the Chairman and the other Board Members work with the bureaus and offices as the Board on the budget for the fiscal year which starts on July 1 of the following calendar year. Meetings with the Bureau of the Budget frequently occur in November. These matters are presented to the appropriations committees of the two Houses of the Congress during the spring of the following calendar year. The same thing is true of the Board's legislative program. Composed in the autumn, it is presented to the commerce committees of the Senate and of the House in the early months of the following calendar year (i.e., the late months of the fiscal year).

Moreover, while the Board does not have a "term of court" in regard to oral arguments, in the sense that the Supreme Court has such a "term of court," the only slack season in oral arguments comes in August when the attorneys who normally practice before the Board frequently suggest continuances until immediately after Labor Day. A new Member coming to the Board soon after July 1 might find this slack season a helpful one, in which he might acquaint himself with many of the Board's procedures before tackling the heavier schedule which commences immediately after September 1.

Respectfully,

JOHN H. CROOKER, Jr.,
Chairman.

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C., April 9, 1969.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter of March 6, 1969, requesting our views on the matter of changing the terminal date of the terms of office of Members of the Civil Aeronautics Board.

We believe that it would be appropriate to change the terminal date from December 31st to the last day of June in view of the cogent reasons outlined in your letter to Chairman Crooker and in his letter of reply. While there is no clear pattern with respect to expiration dates, five of the principal regulatory agencies have members' terms of office terminating during June—the Federal Communications Commission, Federal Maritime Commission, Federal Power Commission, Securities and Exchange Commission, and the U.S. Tariff Commission. We also concur in Chairman Crooker's suggestion that the annual designation by the President of the Chairman and Vice Chairman should come as of July 1st.

Sincerely,

PHILLIP S. HUGHES,
Deputy Director.

DEATH OF CARL DOWNING, AIDE TO SENATOR MAGNUSON

Mr. MAGNUSON. Mr. President, it is with heavy heart I come before my colleagues. My trusted and longtime aide, Carl Downing, as you know, has passed on. He died April 27 at NIH the result of a rare brain disease. Carl's passing is a great loss to us, especially to his wife, children, and loved ones.

Carl Downing was a tireless worker, who served me so very well for 15 years. His colleagues in my office, and those who knew him on Capitol Hill, will long remember him, not only for his tireless efforts, but also for his extra measure—the rare ability to find some humor in just about every situation, regardless of its gravity—but always with warmth and understanding.

Because the world could do with more Carl Downing's and that rare mixture of man that he was, Mr. President, I ask unanimous consent to have printed in the RECORD a tribute paid Carl Downing during his final days by the Washington State Legislature.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, His many friends in state government in Olympia, and particularly those serving in the Senate, have learned with sorrow of the serious illness of Carl Downing in Washington, D.C.; and

Whereas, The said Carl Downing, a native Washingtonian, began his news career with the Wenatchee Sun and Radio State KPQ, and then served successively as Wenatchee correspondent and Olympia bureau manager of the United Press, as well as representative, correspondent and manager of the Washington State Association of Broadcasters in Olympia; and

Whereas, In 1955 Carl Downing was selected by the Honorable Warren G. Magnuson of the United States Senate to serve as the latter's Press Secretary in Washington, D.C., which post he has held to the present time; and

Whereas, In his professional capacity, Carl Downing has earned statewide recognition for his outstanding knowledge of governmental and political affairs and for his distinguished journalistic service to the people of his state; and

Whereas, In his personal right, and because of his qualities as a man, Carl Downing has gained universal affection, respect and admiration; and

Whereas, It is deemed fitting by the Senate

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that a special concern for Carl Downing be presently noted and marked;

Now, therefore, be it resolved, By the Senate of the state of Washington in Extraordinary Session of the Forty-first Legislature assembled, that the best wishes of the membership be expressed to Carl Downing and his family for his speedy and happy recovery; and

Be it further resolved, That the Secretary of the Senate incorporate a copy of this resolution into the Journal of the Senate and transmit a suitably inscribed copy thereof to Mr. and Mrs. Carl Downing at their residence in Washington, D.C.

JOHN A. CHERBERG,
President of the Senate.

Attest:

WARD BOWDEN.

S. 2088 AND S. 2089—INTRODUCTION OF BILLS TO INCREASE SOCIAL SECURITY BENEFITS AND TO INCREASE THE EARNINGS LIMITATION IMPOSED ON RECIPIENTS OF SOCIAL SECURITY BENEFITS

Mr. PELL. Mr. President, the surge in the cost of living during the past 18 months has once again focused attention on the severe economic inequities produced by inflation.

For those riding the crest of the current economic expansion, those whose incomes have risen sharply, inflation is an annoyance but no hardship.

For the average working man, who has seen his hard-won wage increases completely nullified by rising prices, inflation is a crushing disappointment, that tends to deaden incentive for the future.

But for those living on fixed modest incomes, inflation is an unmitigated disaster. To those living on fixed pensions, those persons dependent on social security benefits for the necessities of life, inflation is literally a cutpurse, producing not annoyance, not disappointment but despair.

It is perhaps not very productive to talk about the causes of the current inflation. Certainly, however, the costs of the conflict in Vietnam, the billions of dollars in Federal expenditures to support that continuing conflict, are a major source of fuel for the fires of inflation.

If the severe penalties of inflation are added to the drain of our material resources, to the loss of human lives, and to the doubts about our goals in the Vietnam conflict, the need for the earliest possible settlement of the war becomes all the more compelling.

In the meantime, the American people have already felt and are continuing to feel the pinch of inflation. It is imperative that the inflation be brought under control, and as a matter of justice, it is important that we do what we can to redress the economic inequities inflation has produced. For, if in fact, the war is the prime cause of inflation, inflation is the most inequitable tax to support such a war.

I am pleased that President Nixon recently informed the Congress of his intention to seek an increase in social security benefits, although much disappointed that the increase falls below that recommended by the previous administration. Such an increase, I believe, is badly needed to restore the purchasing power of our senior citizens, to restore them to the standard of living they enjoyed before the recent upward surge in prices.

I do not believe, however, that our senior citizens should be required to absorb the penalties of inflation until the inequity becomes so obvious that an administration and a Congress act to redress the inequity.

In the last two Congresses, I have introduced legislation providing for an automatic adjustment in social security benefits whenever the cost-of-living index rises or drops significantly. The intent of the legislation is simply to keep faith with those who have been led to expect a level of real benefits from the social security system, not in terms of dollars, but in terms of food to eat, clothes to wear and a place to live.

I know that the Congress has made a conscientious effort to keep social security benefits abreast of increases in the cost of living. But inevitably, by the nature of the legislative process, a substantial delay ensues between the cost-of-living increase and the response by Congress, and in that interim, social security recipients pay an unnecessary penalty.

My bill is relatively uncomplicated. It provides that if the cost-of-living index compiled by the Bureau of Labor Statistics reflects a 3-percent rise in relation to a stated base period, then social security benefits would be adjusted upward by the same percentage. The legislation also provides that in the event such a cost-of-living increase should result in an actuarial deficiency in the trust fund, the Secretary of Health, Education, and Welfare shall report this fact to Congress, together with recommended changes for additional finances.

I would like to note that this measure provides as well for downward adjustments in benefits, in the event living costs decline significantly.

I am also introducing today a bill to increase the earnings limitations imposed on recipients of social security benefits.

Under existing law, an individual receiving benefits can earn only up to $1,680 a year before his additional earnings are offset, either in part or in whole, by deductions from his benefits. In the past two Congresses, I have introduced legislation to increase the limitation. I am again proposing an increase in the limitation to $2,400. In addition, I am cosponsoring a similar bill introduced by the junior Senator from Indiana.

A higher earnings limitation would have two beneficial effects. It would permit our senior citizens to supplement to a degree the modest benefits provided by social security, without returning to the work force as full-time employees. Many of our senior citizens would welcome such an opportunity.

In addition, the increase would permit the Nation to receive to a larger degree the benefit of the contributions these senior citizens can make to our society, and at the same time, permit the senior citizens to lead fuller lives by using their talents and abilities, if they wish, in part-time remunerative activities.

I believe the combination of these two measures would provide a significant measure of improvement in the status of our senior citizens. Adoption of the two proposals would guarantee that retired persons will not be caught by rising costs of living and would allow our senior citizens to make fuller productive use of the many skills they have to offer society.

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills (S. 2088) to amend title II of the Social Security Act to provide that benefits payable thereunder shall be periodically increased or decreased so as to correspond to increases or decreases in the cost of living; and (S. 2089) to amend title II of the Social Security Act to increase the annual amount that individuals are permitted to earn without suffering deductions in the monthly benefits payable to them thereunder, introduced by Mr. PELL, were received, read twice by their titles, and referred to the Committee on Finance.

FORMER ASSISTANT SECRETARY OF THE AIR FORCE ROBERT CHARLES

Mr. PELL. Mr. President, as a general rule, I am among those who are very concerned at the inordinate influence of the industrial-military complex upon our national decisionmaking processes and policies.

I am particularly concerned that more than 60 percent of our national budget is being spent on various aspects of wars. And we now recognize that defense is an euphemism for war, be it past, present, or in the possible future. Less than 40 percent of our national budget is being spent on all the nonwar expenditures of our Federal Government concerned with raising the level and improving the quality of the lives of our people. This allocation of our national priorities is, I believe, tragic.

However, I do not believe that the facts brought out in connection with the present controversy concerning former Assistant Secretary of the Air Force, Robert Charles, have been fair to him and that the following points have not received the public attention they should:

First, the performance of the C5A aircraft will exceed, although by a very small percentage, the contract specifications whereas the actual performances of other aircraft procured by the Department of Defense in recent years have, on the average, failed to meet specifications, the F–111 being perhaps the most dismal example.

Second, regardless of whose figures you use, the cost overrun percentage on the C5A is substantially less than the average cost overrun on overall Department of Defense procurement.

Third, I understand in connection with the disclosure of the facts, that Mr. Charles in June of 1968, reported immediately to his superiors the possibility that a Lockheed cost overrun existed. It was then decided to make a quick and thorough study in order to get hard facts, and when this study confirmed the cost overrun, it was immediately released within the Department of Defense and to the Congress. This was in October of 1968.

Fourth, it should be borne in mind that even if Lockheed did extraordinarily well on the second batch of aircraft, Mr. Charles' amendment to the C5A contract would probably operate only to reduce the overall loss and bring the firm closer to a break-even point.

Fifth, and this is natural and obvious to any man who knows Mr. Charles, neither he nor any member of his family have any stock in Lockheed.

I mention these facts, not to deter or deflect the general thrust toward reducing the inordinate share of our country's resources and policies devoted to the improvement of the interests of the military-industrial complex, but to be fair to a man whom I know to be of the highest personal integrity and honor.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session, for action on the nomination of William F. Clayton to be U.S. attorney for South Dakota, favorably reported earlier today by the Committee on the Judiciary. This nomination has been cleared on both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The nomination will be stated.

DEPARTMENT OF JUSTICE

The legislative clerk read the nomination of William F. Clayton, of South Dakota, to be U.S. attorney for the District of South Dakota.

The ACTING PRESIDENT pro tempore. Without objection, the Senate will proceed to consider the nomination. The Senator from South Dakota is recognized.

Mr. MUNDT. Mr. President, I express my appreciation to the majority leader for taking this action. It is in the public interest, because Mr. Clayton's name has been cleared unanimously. I would not ask that this be done by suspension of the rules, except that for the fact that a term of Federal court is opening out in South Dakota, and this young man has to put together his staff and get ready for it. I believe it is in the public interest to give him adequate time; and I believe that he, too, will appreciate the action of the majority leader.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

IMPROPER USE OF AIR POWER IN VIETNAM

Mr. BYRD of Virginia. Mr. President, Adm. U. S. Grant Sharp, U.S. Navy, retired, discusses Vietnam in the current issue of the Reader's Digest. Admiral Sharp's article is entitled "We Could Have Won in Vietnam Long Ago."

Admiral Sharp is in an unusually excellent position to discuss this subject. He served as commander in chief, Pacific, from June 30, 1964, to July 31, 1968. As such, he had charge of the largest American military command in the world, covering an area extending from the west coast of the United States to the Indian Ocean.

He was in overall charge of the operations in Vietnam. General Westmoreland reported to him.

So Admiral Sharp was the top military officer on the scene during the largest part of the Vietnam war.

Mr. President, Admiral Sharp's article in the Reader's Digest is a severe indictment of former Secretary of Defense Robert S. McNamara. The Senate is comprised of 100 Members. Senators who care to do so may come to the defense of former Secretary McNamara and his handling of the Vietnam war. The Senator from Virginia will not do so.

I believe that the account of the Vietnam war given by Admiral Sharp is factual.

My own view of the Vietnam war has been consistent from the beginning.

I have felt from the beginning that it was an error of judgment for the United States to become involved in a ground war in Asia. Having become involved, our Nation has compounded the error by the way in which the war has been conducted. The way this war has been conducted is almost unbelievable. I am convinced that the so-called limited war concept, the so-called gradualism approach has prolonged the war and has increased the casualties.

We have been fighting a major war with one hand tied behind our back. If anyone doubts that it is a major war, let me cite the casualties—255,000.

Let me set forth these facts: A greater tonnage of bombs has been dropped during the Vietnam war than was dropped on all of Europe during all of World War II plus all the bombs that were dropped during the Korean war.

Let us see where those bombs have been dropped. Eighty percent of all the bombs dropped during the Vietnam war have been dropped on South Vietnam.

Mr. President, South Vietnam has a land area of 65,000 square miles. It happens to be exactly the size of the States of Virginia and West Virginia combined. Virginia has 41,000 square miles; West Virginia, 24,000 square miles; a total of 65,000 square miles.

Conceive, if you can, Mr. President, of this vast tonnage of bombs being dropped on an area the size of the States of Virginia and West Virginia.

The enemy which the United States is fighting—we now have 550,000 men fighting in Vietnam—are the North Vietnamese and the Vietcong.

Of all the bombs that have been dropped, only 7 percent have been dropped on North Vietnam. This information was obtained by me in questioning General McConnell, Chief of Staff of the Air Force, before the Committee on Armed Services.

Let me restate. Eighty percent of the bombs have been dropped on the country we are supposed to be defending and only 7 percent on the enemy; the remaining 13 percent on Laos.

Admiral Sharp feels that the larger share of the responsibility for the difficulty in which we find ourselves militarily in Vietnam must be taken by the former Secretary of Defense.

The facts that Admiral Sharp has brought out coincide with facts that have been made available, and over a time have been known, to the Members of the Senate who have had an opportunity or have taken an interest in finding out how this war has been handled.

I have been deeply concerned for a long time that there is no sense of urgency in bringing the war to a conclusion.

I submit that the American people have been lulled into a false sense of security by the peace talks in Paris.

I think it is desirable to have those peace talks, but I think it is important that we not permit the peace talks to change our military strategy in such a way that the men we have in Vietnam are exposed to greater danger than they need be.

Let me cite these figures: During the year of the Paris peace talks, the United States has suffered 95,879 casualties. Included in this figure are the 12,866 Americans who have been killed in the 1-year period.

Putting those figures in perspective, during the 2 years of the Korean truce talks 12,700 Americans were killed.

So, to state it another way, during the past year more Americans have been killed in Vietnam than were killed in Korea during the 2 years of the Korean truce talks.

For the first 3 weeks of March of this year, more U.S. personnel were killed and more Americans were wounded in Vietnam than during any other 3-week period during the history of the war.

Now let us come to the past 2 weeks. During the past 2 weeks, more U.S. helicopters have been shot down and destroyed in Vietnam than during any other similar period in the long and tragic history of this war.

I, for one, am glad that Admiral Sharp has spoken out. He says in the course of his article:

> I feel obliged to speak out.

I feel that he should have spoken out. I am glad he did speak out. The only thing I would say in this regard is that he should have spoken out sooner. He says:

> There is no need for the United States to be bogged down as it is in a seemingly endless struggle in Vietnam. We could have won the war long ago—perhaps by the end of 1967.

I am not a military man. I do not pretend to be one. So I will let Admiral Sharp speak for himself.

I hope Senators will read carefully his penetrating analysis of why we are bogged down in Vietnam. In my judgment, it goes back to the civilian leadership, principally former Secretary of Defense McNamara and the way that he demanded that the war be fought.

Mr. President, as I have said, there are 100 Members of the Senate. Senators who wish to defend Mr. McNamara have a right to do so. The Senator from

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Virginia certainly will not be one of them.

I end by saying that, in my judgment, the United States—our country—has made two fundamental errors in regard to Vietnam: First, by becoming involved in a ground war in Asia; second, by the way the war has been conducted.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of the article entitled "We Could Have Won in Vietnam Long Ago," written by Adm. U. S. Grant Sharp, U.S. Navy, retired, and published in the Reader's Digest for May 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE COULD HAVE WON IN VIETNAM LONG AGO

(By Adm. U. S. Grant Sharp, USN (Ret.)[1]

During the four years I was deeply involved in the direction of the war in Vietnam, I faithfully carried out the orders of my superiors. Now that I am retired, I feel obliged to speak out, to warn the American people against the folly of conducting a major war on a piecemeal basis.

There is no need for the United States to be bogged down as it is in a seemingly endless struggle in Vietnam. We could have won the war long ago—perhaps by the end of 1967. We could have achieved victory with relative ease, and without using nuclear weapons or invading North Vietnam. All that we had to do to win was to use our existing air power—*properly*.

We had tremendous air power within easy striking range of North Vietnam—on aircraft carriers in the Gulf of Tonkin and at bases in Thailand and South Vietnam. Yet never in the entire course of the war have we used air power to its full advantage. This tragic failure to do so is, in my opinion, perhaps the most serious error we have made in all of American military history. It has resulted in needless casualties. It has added billions of dollars to the cost of the war, and each month that passes causes our worldwide prestige to sink lower and lower.

For this failure, Robert S. McNamara, former Secretary of Defense, must take a large share of responsibility.

DEAD WRONG

I strongly support our American concept of civilian control of the military; it is one of the vital bulwarks of our system of government, and I would oppose any effort to change it. At the same time, I believe wisdom dictates that the civilian authority should consider carefully the advice of his professional military advisers. In his handling of the air war, however, Secretary McNamara arbitrarily and consistently discarded the advice of his military advisers. His insistence that we pursue the campaign on a gradualistic basis gave the enemy plenty of time to cope with our every move. He was, I submit, dead wrong.

The primary purpose of the air campaign against North Vietnam should have been to disrupt the enemy's economy and thus destroy his ability to wage war. We could easily have done this. Instead, primary emphasis was put on seeking to cut down on the infiltration of men and matériel from North to South Vietnam. Now, you can slow infiltration with air power, and we did just that—but you can never stop it. To concentrate on infiltration and to refrain from hitting primary targets—as we were required to do—emasculated our war effort.

We were and are in this war for just one purpose—to convince the leaders of North Vietnam that they should cease their aggression, get out of South Vietnam and leave their neighbors alone. We said long ago that we would stop the bombing and withdraw our troops when their aggression ceased. Until North Vietnam does stop its aggression, I believe we should use the force necessary to win the war as rapidly as possible.

What my colleagues in the field and I wanted to do was to bring the economy of North Vietnam to a halt. That is one of the major functions of air power in warfare. Some argue that North Vietnam has an agrarian economy and that air power is thus less effective than it would be against an industrialized nation. North Vietnam's *is* an agrarian economy, but it functions around the hubs of Hanoi and Haiphong, and we could have brought that economy to a grinding halt. This would have deprived the enemy of his ability to support his forces in the south—and thus brought the war to a quick end.

Instead, what did we do? To take just one example: there are several railroad yards in the Hanoi area which are vitally important to the enemy's war effort. We should have hit them fast and hard, but we were never allowed at them. We were permitted to go in and peck at some less important yards on the fringes of the city. And then we were pulled off. This happened time and time again. We would get authority to go to Hanoi; the communists and their sympathizers would then push the propaganda buttons, and there would be a worldwide outcry. Washington would get nervous, and we would be pulled back.

Neither I nor my military colleagues ever favored hitting targets that would result in the deaths of large numbers of civilians. Indeed, we went to great lengths to avoid killing civilians, even though this often created extra risks for our pilots. Our air campaign was the most precise ever fought. It is worth noting that the communists observed no such restrictions; they have repeatedly lobbed rockets blindly into Saigon and other population centers. From 1957 through 1968, the communists killed more than 27,000 South Vietnamese civilians and kidnaped more than 52,000 others, most of whom have never been heard from again. There is no precise information on the number of civilians who may have been killed in our air raids over North Vietnam, but the North Vietnamese frequently published reports indicating the number of civilian casualties resulting from individual attacks. An analysis of these reports during a 7½-month period at the height of our air campaign in 1967 indicates that fewer than 400 civilians were killed.

When I was Commander in Chief Pacific, I submitted repeated requests to my superiors for permission to bomb additional military targets in order to make the air war really effective. I made these requests about once every two weeks. I have been given to understand that the Joint Chiefs of Staff supported my position 100 percent. But most of my requests were denied when they reached the office of the Secretary of Defense.

When McNamara visited Saigon in July 1967, he was briefed by Gen. William C. Westmoreland, the commander of U.S. forces in Vietnam, by Lt. Gen. William W. Momyer, commander of the Seventh Air Force, and by me. I emphasized what I thought ought to be done about the air war against the north. On several occasions I also talked with President Johnson about the problem. I thought he was receptive to the arguments of our military leadership, but the Secretary of Defense seems always to have prevailed.

It may well be that our civilian leadership believed that to use our military tools properly, to eliminate the enemy's ability to make war would have been to risk a nuclear confrontation with the Soviet Union. Personally, I believe the risk was minimal; in any case, a nation which is not willing to take calculated risks to achieve its objectives should never go to war in the first place. Further, I believe that once a political decision is made to commit American troops to battle, we are morally obligated to use our military power in such a way as to end the fighting as quickly as possible.

POWER ON A LEASH

Our first chance to win the war quickly came in February 1965, when we started bombing the north. At once, we should have launched a sustained, maximum-effort attack on all of the enemy's war-supporting industries, transportation facilities, military complexes, petroleum-storage depots. At that time, the enemy had no Soviet surface-to-air missiles (SAM) sites installed, and his anti-aircraft capability was practically nil. He could not have opposed us in any significant way, and we could have quickly broken North Vietnam's resistance.

If we had launched a maximum-effort air campaign—coupled with heavy pressure on the enemy's troops in South Vietnam—it would not have been long before he would have been forced to ask for negotiations. And it is important to note that these negotiations would have been conducted on terms favorable to us—instead of, as it turned out, our having to coax him to the negotiating table, more or less on his terms. It's also possible that under this extreme pressure the enemy's aggression in the south might just have faded away. Either way, it would have been a victory for us.

But what happened? From the start, our air power was kept on a tight leash. At first, when we sent even a reconnaissance plane over the north, Washington would tell us what route and altitude to fly. We started our operations close to the Demilitarized Zone and worked gradually northward about 30 miles at a time, always under Washington's close control. It was obvious to anybody plotting the course of events that the enemy could expect us eventually to move on up to the heartland of the country. Thus, the vital military elements of surprise and maximum impact were lost.

We also lost valuable time. Our policy of gradualism enabled North Vietnam to mount the most formidable air-defense system that has ever been used in combat history. The North Vietnamese began building SAM sites in 1965, and during that year were able to fire only 125 missiles. Eventually, the North Vietnamese had about 40 SAM battalions, and during 1967 they fired nearly 3500 missiles at our aircraft. The result is that we have lost nearly 1000 planes over North Vietnam. Many of the pilots were killed or captured. Not only did we suffer this needless loss of men and aircraft, but the North Vietnamese were given time to disperse their factories and military installations, This made it all the more difficult to go after them later, and hence prolonged the war.

HAVEN IN HAIPHONG

Of all the things we should have done but did not do, the most important was to neutralize the port of Haiphong. During 1967, some 80 percent of North Vietnam's imports came in by sea, mostly through Haiphong. This included arms, ammunition, oil, trucks, generators, machinery, spare parts, steel and cement—all vital to the

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[1] As Commander in Chief Pacific from June 30, 1964, to July 31, 1968, Adm. U.S. Grant Sharp had charge of the largest American military command in the world, covering an area extending from the West Coast of the United States to the Indian Ocean. During this period he personally directed the air war against North Vietnam. Though most of his 41-year career in the Navy was spent on surface ships—he was decorated for gallantry under enemy fire as the skipper of a destroyer in World War II—Sharp has long been a strong advocate of air power. Now 63 years old, he lives in San Diego, Calif.

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war. We should have blocked the approaches to the harbor with mines laid by aircraft. Closing an enemy harbor is customary and logical in warfare. This was the simplest and most effective measure we could have taken.

All along, our military leaders recommended that the port be neutralized. The recommendation was always vetoed. It was claimed that closing Haiphong would not affect the enemy's capability of waging the war in South Vietnam—that North Vietnam could sustain the war at the same level by means of rail, road and coastal shipments from China. But a reasonable evaluation of our intelligence convinced us that it was next to impossible to move that amount of materiel over North Vietnam's exceedingly limited transportation network. In my opinion closing Haiphong would have shortened the war by many months.

Along with mining the approaches to the harbor, we should have destroyed the enemy's stockpiles of matériel on the docks at Haiphong and in the centers of the cities of Haiphong and Hanoi. The stockpiles were easy targets there—but the Defense Department ruled that we had to wait until the enemy moved this matériel away from the cities and scattered it for 300 to 400 miles along the trails into South Vietnam. Then it was extremely difficult to find, and much of it, including vast amounts of ammunition, reached South Vietnam, where it was used to kill American and other Allied soldiers.

LOST TARGETS

Much earlier in the conflict we should have gone after North Vietnam's most important bridge, the Paul Doumer span in Hanoi, which handles all rail traffic between Hanoi and Red China and Hanoi and Haiphong. We hit a lot of minor bridges in North Vietnam before we finally were allowed to go after the Doumer. Even then, we were allowed to hit it only for limited periods of time. Then it would be taken off the list, and the North Vietnamese were given time to build it up again! Whenever we struck anywhere close to Hanoi, people in Washington would complain that we were causing too much disruption in the city—which was exactly what we were trying to do.

We were never permitted to hit the docks along the Red River in Hanoi. We should have kept the Hanoi power station out of commission. We hit it several times. Inexplicably, after each strike it was taken off the target list, and the enemy would put it back into commission. Eventually, we were prohibited from making any more attacks on it—and this was long before the Johnson Administration ended all bombing of the north.

We also should have hit the Hanoi waterworks, which was next door to the power station, but we were never allowed to do it. We hit the railroad yard close to the town of Hongai once; then we were pulled off that. This is another thing that is hard to understand: we were allowed to do something, then two months later it would be off limits—and it stayed off limits for the rest of the air war.

PRIVILEGED SANCTUARY

But even with the restrictions, the air campaign was effective as far as it went. By early 1967, we had destroyed or disrupted about 50 percent of North Vietnam's war-supporting industry. The North Vietnamese were hurting far more than most people realized. We had intelligence reports that their morale was suffering. Their whole effort was weakened by the fact that they had to have more than 500,000 people working to rebuild their transportation network—plus 125,000 to man their anti-aircraft defenses. Thus, despite all the restrictions, we really had the enemy on the ropes by late 1967. If we had hit his war-making resources harder all along, he would have been knocked out by then. In my judgment, the war would have been over.

Once North Vietnam gave up, the Vietcong in the south would have had no choice but to follow suit. The Vietcong are directed and supplied by Hanoi. Vietcong combat units are now two-thirds North Vietnamese; they cannot fight without North Vietnamese regular forces in close proximity, and could not have continued on their own.

If there is no progress in the negotiations with the communists in Paris, and if the communists continue to wage their aggression in South Vietnam at either present or increased intensity, then we should resume the air war. If they are going to continue to fight, I don't think they should be granted the luxury of being able to conduct their aggressions from a privileged sanctuary. We should resume the air war, moreover, on an all-out basis and not in piecemeal fashion. We should finish the whole Vietnam war quickly.

Vietnam is a classic example of how not to fight a war. The "gradual" approach requires the expenditure of much more of one's manpower, resources and prestige than is necessary. Our prestige is by no means as high now as it would have been if we had gone in, cleaned the thing up and made our exit.

If we had fought World War II as we have fought in Vietnam war, we would still be fighting it—if we hadn't lost it.

THE POST OFFICE DEFICIT AND THE POSTAL RATE INCREASE PROPOSAL

Mr. McGEE. Mr. President, I rise to address myself to a matter that has been kicked around a good bit in Washington in the last few months. It has to do with taking politics out of the Post Office.

I was in Wyoming during the past week, and it was with some surprise that I discovered, in regard to the Post Office Department, that the new administration was seeking to hang around the necks of its predecessors "a $1.2 billion deficit," which this administration described as an inheritance from the previous administration.

Apparently, somewhere downtown a conscious decision has been made to take this obviously partisan approach to the conditions in the Post Office Department, at the same time that we in Congress are being asked to take the politics out of the postal service.

Just by coincidence, Mr. President, one of our postmasters in Wyoming placed in my hands the mimeographed orders to every postmaster in Wyoming, and, I assume, in the land. Let me cite the instructions in these mimeographed orders from the Post Office Department of the United States.

This is to Postmaster "blank," and it says, "Fill in your name"; and then a blank, "the name of the town in which you are postmaster."

Then it says, with a special note to the postmaster—

> The attached "fill-in" release is designed for use in informing the public. Please fill in the blanks; then be sure that you retype it. Do not just send this off to the press, because you have obviously inserted your name and your local town in it. Make it look like you thought up this release.

Finally, they say:

> Don't give out carbon copies. Address an individual letter to each of the news media, so they won't think that somebody cranked it out for you, so that you will be suspected of having been a smart postmaster and send this great announcement as of your own doing.

Mr. President, I ask unanimous consent that the "fill-in" form sent to all postmasters, to be disguised as original thought from the local postmaster, be printed at this point in the RECORD.

There being no objection, the form was ordered to be printed in the RECORD, as follows:

NOTE TO POSTMASTERS: The attached "fill-in" release is designed for use in informing the public. Please fill in the blanks, retype and then reproduce on your own news release letterhead normally used for press information. Do *not* use this form itself, or give carbons to the press.

From (*Postmaster*).
For release (*Time*).

An "inherited" postal deficit of $1.2 billion is responsible for the proposals to raise the postage bill for residents of (*Name of City*), Postmaster ------------ said today.

Mr. ------------ said he had been advised by Postmaster General Winton M. Blount in Washington, D.C. that the record $1.2 billion 1970 deficit compelled President Nixon to seek postage rate increases. Without higher rates the Departmnt will be left with a staggering deficit that would become an added public tax burden.

In addition to increasing letter mail from 6 to 7 cents, as proposed by the Johnson Administration, President Nixon also asked that second and third-class mailers help reduce the large postal deficit which would otherwise be paid by taxpayers, the postmaster said.

For bulk third-class mail and most magazines and newspapers, the rates would be increased 16 percent to 20 percent above today's levels, he noted. These percentages include rate hikes already scheduled by previous action of Congress.

The President's recommended increases will reduce the 1970 postal deficit by more than $600 million.

The Postmaster listed these other details on the proposed increases:

First-class mail: Letters and post cards would be increased one cent, to 7 cents an ounce and 6 cents a piece, respectively, on July 1, 1969. Airmail postage would remain at 10 cents. This will yield $557.2 million in new revenues.

Second-class mail: A handling charge of 3/10ths of a cent per piece for circulation outside home counties would become effective July 1, 1969. This would yield $15.3 million annually and would represent a 12 percent increase in addition to the 8 percent rise scheduled to take effect January 1, 1970.

Third-class mail: For single pieces, rates would be increased one cent per piece. This would yield $12.4 million. For regular bulk third-class, the minimum would be increased to a uniform rate of 4.2 cents January 1, 1970, as contrasted with the present rate of 3.6 cents. The 1970 increase would lift revenues by $46.8 million annually.

Mr. McGEE. Mr. President, I ask unanimous consent that the attached notification to each postmaster also be printed in the RECORD.

There being no objection, the notification was ordered to be printed in the RECORD, as follows:

POST OFFICE DEPARTMENT,
DENVER, COLO.,
Date: *April 29, 1969*.

Reply to Attn of: 401–GSH:mo.
Subject: Fill-in Press Release
To: Postmaster.

Attached is a "fill-in" press release that should be disseminated to your news media. The release in its present form is not to be delivered to members of the press, radio or

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TV. Instead, the blanks should be filled in by you and the entire release retyped, double-spaced, and then distributed to each member of the news media in your area.

In no case should carbon copies be sent to the news media. Where you have more than one news outlet in your community, you should either retype original copies for each of the news media or, if zerox or similar reproduction equipment is available, you should reproduce the retyped release in sufficient quantities to distribute a good, legible copy to each news outlet.

Obviously, in some cases this will pose a problem. For example, you may have no news media. In this case, no effort should be made to distribute the release, but it should be retained by you for possible use in public speaking appearances. You should also use every means at your command to familiarize your own staff with the information, including posting on work area and public lobby bulletin boards.

In a good many cases, one daily or weekly newspaper or one broadcast station will serve several communities. Here, postmasters of these several communities should get together and draft a joint release in the name of the postmaster whose delivery area includes the newspaper or station.

G. B. HARTSOOK,
Chief, Organization & Standards Branch
Denver Region, POD, P.O. Box 1979.

Mr. McGEE. Mr. President, I wish to call attention to what it says. It says:

> You have to exercise extreme caution so that this does not look like a canned operation.

It says, moreover, that "you want to beware, because there may be a post office in your area that relies upon the same newspaper"; and, therefore, the warning is—

> Don't both of you postmasters get caught sending the same press release to the press, because it would be word for word, and somebody might think it's canned. Therefore, get together with your fellow postmasters who depend on the same newspaper, and agree on a joint release or just one of you send it out.

What kind of hamming up is this? If we are going to take politics out of the Post Office Department, let us take it out now. If we are not going to, let us at least be forthright about it. If we intend to try to hang around the neck of the preceding administration the numbers game that we have been playing downtown, then I should like to set the record straight.

I have, point by point, the Nixon administration request for postal rate increases, and where they are going to get their income, affecting first-class, second-class, and third-class mail. I have broken it down in each case, so that we can compare what the request and the results were from the Johnson administration and what the request is from the present administration. I believe that in doing this we will discover why the very careful instruction sheet was sent to each postmaster, because the average postmaster would know better than to buy this line. Therefore, they want to make sure that they are all toeing the line.

In the first place, the $1.2 billion deficit is grossly misleading. The new administration has acquired the habit of referring to the postal deficit as $1.2 billion when it is proposing rate increases, and as about $600 million when it is requesting appropriations from Congress—a sly old political trick that I would not expect from sound business management.

But whichever figure is used, the Postal Policy Act of 1958, which this Congress enacted and which the Department is constitutionally bound to support and defend, states unequivocally that certain enumerated costs incurred in the operation of the postal service shall not be taken into account as debt in determining rate increases.

The law says:

> The sum of such public service items as determined by the Congress should be assumed directly by the Federal Government and paid directly out of the general fund of the Treasury and should not constitute direct charges in the form of rates and fees upon any user or class of users of such public services, or of the mails generally. . . .

Now that means that when the Postmaster General or the President propose a rate increase to Congress, they shall not take those costs into account—some of the cost of small post offices, rural service, star route delivery, and an assortment of services and special subsidized rates which apply to religious, scientific, and charitable institutions which cannot, as every Member of this chamber remembers from our last effort to raise rates, afford to pay the full cost of postage, and whose activities are by law determined to be in the public interest.

Of the $1.2 billion deficit cited in the President's first message on postal matters, $735 million is the direct cost of public services required by law to be paid out of the general fund of the Treasury and not from postal rates. The actual postal deficit is less than $500 million.

What remains of that "inheritance" from the Johnson administration and Postmasters General Lawrence O'Brien and Marvin Watson? There is the cost of the recent three-step salary increases for postal employees. As part of the 1967 rate increase statute, Congress insured that postal employees would achieve salary comparability with their neighbors in private enterprise by July 1969. That final increase is now just 2 months away. When it comes, it will be the final phase of a 15.7 percent salary increase for postal employees in 18 months.

We cannot expect to recruit and retain good postal workers to deliver the ever-increasing volume of mail, now 85 billion letters, papers, and parcels every year, if we do not pay going wages. The salary increases will cost nearly $900 million annually, but the cost of denying pay increases, as was the semi-official policy of the Summerfield postal administration in the 1950's, is far greater. Allow me to quote just a brief passage from a letter sent me by a postal letter carrier last week:

> I have about 20 years of career Federal service, the last 14 years as a letter carrier. I love my work and would not do anything else with a similar pay scale. I have two girls in school, ages 10 and 13. My youngest child will need teeth braces this year which will cost between $900 and $1200. I wish I knew where the money will come from to pay this monthly expense. My present salary does not come anywhere near providing for these sudden economic emergencies. And we don't make ends meet now with my take-home pay of $238.00 every two weeks.

So, we have the "inheritance" of badly needed pay increases for postal workers from the Johnson administration.

Compare the specific proposals of the present administration with the recorded accomplishments of the Johnson administration.

Public Law 90–206, the postal rate increase act of December 14, 1967, increased first class postage rates by 1 cent per ounce, or 20 percent, and produced an additional $521 million in rates. In exchange for the favorable consideration and incredibly fast enactment of that postage rate increase, the Committee on Post Office and Civil Service was assured by Postmaster General O'Brien that every possible effort would be made to begin and accomplish an air mail service for all first class mail going more than 200 miles. "Air lift" as that program is called, is a fact, and overnight delivery of first class mail, without an air mail stamp, is virtually assured now, particularly on long distance mailings. The path was cleared for the elimination of air mail as a separate class at the higher rate of 10 cents an ounce—4 cents higher than first class. Postmaster General Watson, in his final request of the Congress, recommended that air mail as a separate class be abolished, and all letter mail go as first class with air service.

The new administration bought half of that suggestion, that postage be increased from 6 to 7 cents on letters, but abandoned the other half, which was to eliminate air mail as a separate, more expensive class of mail. The elimination of air mail would have taken $72 million in revenue from the new budget figures, and that was apparently unacceptable to the administration. So the inheritance was modified to recommend a rate increase of 16 percent on first class mail—another penny for letters—but no improvement in service.

The inheritance from the Johnson administration for the mailing of second class publications was that the 1967 rate increase imposed a 25 percent rate increase, adding $33.2 million to postal revenues.

The Nixon administration proposal is to tack a per-piece surcharge on second class mailings to become effective 14 months from now, do nothing whatsoever to reduce the postal deficit in fiscal year 1970, and eventually add $15 million to postal revenues—less than half of the Johnson rate increase enacted under the old rate and volume figures of 1967.

I hesitate to make a comment on the wisdom of such a proposal before the administration has an opportunity to be heard, Mr. President, but I would at least remind my colleagues that the surcharge on second class mailings has been proposed before, and has been found about as popular as the tea tax. Since it applies only to out-of-county mailings, thus placating the small newspapers in the country, it sounds politically feasible. But I might add it raises serious questions of constitutionality. In any case, it looks good in a budget message.

The Johnson "inheritance" on controlled circulation mail rate was a 300-percent increase in the minimum rate, so that this form of magazine advertising would pay the same minimum rate as third class mail. The rate produced an additional $6.4 million.

The Nixon proposal recommends no increase at all in the rate for controlled circulation.

The Johnson "inheritance" on third-class rates was a major achievement. Third-class rates, which went up only 15 percent in the 1962 rate bill, were increased 40 percent, producing a whopping $264 million additional revenue from this class of business and advertising mail. I do not intend to dwell on this subject; it falls upon the tender ears of its admirers as well as its detractors; but I think it is significant that the present administration proposes a 5-percent increase in third-class rates. They are quick to point out that the increase scheduled for this coming year is a total of 16 percent for third-class mail, thus claiming the Johnson "inheritance" of an 11-percent increase already written in law to take effect in July of this year. But the Nixon third-class-rate bill is only a 5-percent increase, producing $63 million.

The Johnson "inheritance" on mailing fourth-class books and records was a 20-percent increase on the postage for mail that is called "educational materials"—including library books, scientific treatises, Beatle record albums, and "Portnoy's Complaint," a current best seller with the book clubs. Since 1958, volume for this class of mail has grown from 85 million pieces to a staggering 243 million pieces in 1968—a 300-percent increase. The subsidy paid by the taxpayers has increased from $20 million to $91 million—nearly 500 percent.

The Nixon administration does not propose any increase in the rates for books and records.

In summary, Mr. President, here is the record of the Johnson "inheritance" and the Nixon remedy:

The Johnson rate increase in 1967 produced $518.4 million additional revenue from first-class mail; $49.7 million additional revenue from airmail; $33.2 million additional revenue from second-class mail; $6.4 million additional revenue from controlled circulation; $264.7 million additional revenue from third-class mail; $12.6 million additional revenue from fourth-class mail.

The proposal from the Nixon administration would produce, if enacted by July 1, just 56 days from now, $557.2 million additional revenue, or $39 million more from first class than the Johnson rate bill.

The Nixon proposal recommends a $15.8 million increase for second-class mail; $17.4 million less than the Johnson rate bill, and only $300,000 of which would be effective in fiscal year 1970.

The Nixon proposal recommends no increase in controlled circulation, $6.4 million less than the Johnson rate bill.

The Nixon proposal recommends a 5-percent increase in third-class mail, producing $63 million, $201.7 million less than the Johnson rate bill, and only $37.5 million of which would be effective in fiscal 1970.

The Nixon proposal recommends no increase in books and records, $12.6 million less than the Johnson rate bill.

In all, excluding non-first-class mail, the Johnson rate bill raised rates by $396.2 million; the Nixon proposal by $105.8 million, of which only $74.3 million would have any effect whatever on the postal deficit in fiscal year 1970.

Mr. President, I regret raising postal issues which might be viewed by some as partisan and political, but recent press releases from the Department require that those of us who worked hard in 1967 to enact into law President Johnson's and Postmaster General O'Brien's postal programs answer the strange arithmetic and innuendo which the nonpolitical Post Office Department has engaged in in the past few days. The American people are entitled to hear the other side of the story.

I ask unanimous consent to have printed in the RECORD at this point a copy of sections 2302 and 2303 of title 39, United States Code, relating to the Postal Policy Act of 1958, and its provisions concerning public services.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Sec. 2302. Declaration of Policy

(a) The Congress hereby emphasizes, reaffirms, and restates its function under the Constitution of the United States of forming postal policy.

(b) It is hereby declared to be the policy of the Congress, as set forth in sections 2301–2305 of this title—

(1) that the post office is a public service;

(2) to provide a more stable basis for the postal-rate structure through the establishment of general principles, standards, and related requirements with respect to the determination and allocation of postal revenues and expenses; and

(3) in accordance with these general principles, standards, and related requirements, to provide a means by which the postal-rate structure may be fixed and adjusted by action of the Congress, from time to time, as the public interest may require, in the light of periodic reviews of the postal-rate structure, periodic studies and surveys of expenses and revenues, and periodic reports, required to be made by the Postmaster General as provided by section 2304 of this title.

(c) The general principles, standards, and related requirements referred to in subsection (b) of this section are as follows:

(1) In the determination and adjustment of the postal-rate structure, due consideration should be given to—

(A) the preservation of the inherent advantages of the postal service in the promotion of social, cultural, intellectual, and commercial intercourse among the people of the United States;

(B) the development and maintenance of a postal service adapted to the present needs, and adaptable to the future needs, of the people of the United States;

(C) the promotion of adequate, economical, and efficient postal service at reasonable and equitable rates and fees;

(D) the effect of postal services and the impact of postal rates and fees on users of the mails;

(E) the requirements of the postal establishment with respect to the manner and form of preparation and presentation of mailings by the users of the various classes of mail service;

(F) the value of mail;

(G) the value of time of delivery of mail; and

(H) the quality and character of the service rendered in terms of priority, secrecy, security, speed of transmission, use of facilities and manpower, and other pertinent service factors.

(2) The acceptance, transportation, and delivery of first class mail constitutes a preferred service of the postal establishment and, therefore, the postage for first class mail should be sufficient to cover (A) the entire amount of the expenses allocated to first class mail in accordance with sections 2301–2305 of this title and (B) an additional amount representing the fair value of all extraordinary and preferential services, facilities, and factors relating thereto.

(3) Those services, elements of service, and facilities rendered and provided by the postal establishment in accordance with law, including services having public service aspects, which, in whole or in part, are held and considered by the Congress from time to time to be public services for the purposes of sections 2301–2305 of this title shall be administered on the following basis:

(A) the sum of such public service items as determined by the Congress should be assumed directly by the Federal Government and paid directly out of the general fund of the Treasury and should not constitute direct charges in the form of rates and fees upon any user or class of users of such public services, or of the mails generally; and

(B) nothing contained in any provision of section 2301–2305 of this title should be construed as indicating any intention on the part of the Congress (i) that such public services, or any of them should be limited or restricted or (ii) to derogate in any way from the need and desirability thereof in the public interest.

(4) Postal rates and fees shall be adjusted from time to time as may be required to produce the amount of revenue approximately equal to the total cost of operating the postal establishment less the amount determined under section 2303 of this title to be attributable to the performance of public services.

Sec. 2303. Identification of public services and costs thereof

(a) The following shall be considered to be public services for the purposes of sections 2301–2305 of this title—

(1) the total loss resulting from the transmission of matter in the mails free of postage or at reduced rates of postage as provided by statute, including the following:

(B) penalty mailings of the Pan American Union and the Pan American Sanitary Bureau as provided by section 4152(a) of this title;

(C) second class mailings at postage rates as provided by section 4358 of this title;

(D) free postage on reading matter and other articles for the blind and other handicapped persons as provided by sections 4653 and 4654 of this title;

(E) free mailing privileges for members of the diplomatic corps of the countries of the Postal Union of the Americas and Spain as provided by section 4168 of this title;

(F) free mailing privileges granted to individuals by the Act of May 7, 1945 (59 Stat. 707) and other provisions of law;

(G) reduce third-class postage rates to certain organizations as provided by section 4452 of this title;

(H) section 302 of The Federal Voting Assistance Act of 1955 (5 U.S.C. 2192), granting free postage, including free airmail postage, to post cards, ballots, voting instructions, and envelopes transmitted in the mails under authority of that Act; and

(I) reduce postage rates on books, films, and similar material as provided by section 4554 of this title.

(2) 10 per centum of the gross cost of the operation of third-class post offices and the star route system, and 20 per centum of the

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gross cost of the operation of fourth-class post offices and rural routes.

(3) the loss incurred in performing nonpostal services, such as the sale of documentary stamps for the Department of the Treasury;

(4) the loss incurred in performing special services such as cash on delivery, insured mail, special delivery, and money orders; and

(5) the additional cost of transporting United States mail by foreign air carriers at a Universal Postal Union rate in excess of the rate prescribed for United States carriers.

The terms "total loss" and "loss" as used in this section mean the amounts by which the total allocated costs incurred by the postal establishment in the performance of the public services enumerated in this subsection exceed the total revenues received by the postal establishment for the performance of such public services.

(b) The Postmaster General shall report to the Congress, on or before February 1 of each year beginning with the year 1963, the estimated amount of the losses or costs (or percentage of costs) specified in subsection (a) incurred by the postal establishment in the then current fiscal year in the performance of the public services enumerated in such subsection. The aggregate amount of the losses or costs (or percentage of costs) specified in subsection (a), incurred by the postal establishment in any fiscal year in the performance of such public services, shall be excluded from the total cost of operating the postal establishment for purposes of adjustment of postal rates and fees, including any adjustment pursuant to the provisions of section 207(b) of the Act of February 28, 1925, relating to reformation of classification (39 U.S.C., 1958 ed. 247).

CENTENNIAL OF THE GOLDEN SPIKE

Mr. McGEE. Mr. President, in May of this year, America will celebrate the 100th anniversary of an event which perhaps marked the real beginning of the United States as a united country. The event was the driving of the historic "golden spike" at Promontory, Utah, and the opening of the first transcontinental railroad system.

On the first day of January, this year, another event of importance took place. Four operating railroad unions gave up their individual identities and became the United Transportation Union.

Only men who do not know the history of the railroad industry and the history of the United States will fail to recognize the connection between those two events.

The four merging unions have histories dating all the way back to the first years of transcontinental rail travel. Their forebears built that first coast to coast railroad and, at the risk of life and limb, operated it until people and freight could travel in perfect safety from New York to San Francisco.

On the occasion of this centennial of the "golden spike," we would do well to recall that the celebrating will be done by all Americans, but the toasts on the anniversary date should be raised chiefly to the men who made it possible.

The country will never adequately reward these men who saw their fellow workers perish in the snows of winter and the fevers of summer; who felt the arrows of Indians incensed over the loss of their lands; who worked around the clock, hundreds and thousands of miles from home, urged on in some cases by whips in the hand of the straw bosses.

The job done, they found glory only among themselves. Nameless men, they shared not at all in the fantastic accumulations of wealth that followed their achievement. They saw their wages cut and their work hours increased, as they did jobs so dangerous that no insurance company would insure them. They passed the hat to give railroad widows burial money, and they went right on working.

More and more they turned to the unions, and the men who had given the Nation its great railroads laid the groundwork for the Nation's great union movement.

A lot of history will be recalled in 1969. Let us be thankful that it happened. Let us remember who made it happen.

ANARCHY IS ANARCHY

Mr. WILLIAMS of Delaware. Mr. President, at a time when our Supreme Court is under such heavy criticism it is refreshing to be able to pay a compliment to one of our Justices.

Justice Thurgood Marshall deserves a compliment on his recent address as delivered to an audience at Dillard University in New Orleans.

Justice Marshall has brought dignity to the Court at a time when it is most needed, and I am glad to join David Lawrence and the Washington Evening Star in paying a well-deserved tribute to his statesmanship.

I ask unanimous consent to have printed in the RECORD both the editorial as published in the Washington Evening Star of May 6, 1969, entitled "Anarchy Is Anarchy," and David Lawrence's article entitled "Justice Marshall's Public Service."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[The Evening Star, May 6, 1969]

ANARCHY IS ANARCHY

Supreme Court Justice Thurgood Marshall's remarks on black separatism were timely and very much to the point.

Justice Marshall told a predominantly Negro audience at Dillard University in New Orleans that it makes no difference who practices anarchy, "it is bad, it is punishable and it should be punished."

To frequent applause, he also said that "you can't use color as an excuse for not doing what you should be doing. Race is not an excuse for not keeping up your home properly, nor is race an excuse for not keeping your children in school, even though they may still be segregated."

Finally, this Negro justice who has risen to the top of the legal profession in this country bore down hard on the importance of education, not just studies in African culture. "You are not going to compete in the world," he warned, "until you have training exactly like everyone else, and hopefully, better. Because when you're a Negro you've got to be better."

Other Negro leaders, perhaps somewhat belatedly, have been saying much the same thing. Bayard Rustin is one of them. Roy Wilkins is another. Whether the young black militants will listen is an open question. But the things that are being said should be said. And if enough Negro leaders will speak out, there is good reason to believe that the great majority of young Negroes will come to understand that an adequate education is essential if they expect to make their way in this highly competitive world—and that they will get it.

JUSTICE MARSHALL'S PUBLIC SERVICE

(By David Lawrence)

For several years now, it has been evident that there would be no lessening of racial friction in America unless white people talked to whites and black people talked to blacks about the fundamental principles essential to good behavior, and members of the two races then worked together to maintain harmony.

Thurgood Marshall, who is the first Negro to become a member of the Supreme Court of the United States, has just made a speech to a Negro audience at the centennial celebration of Dillard University in New Orleans, in which he said some plain things that both whites and blacks need to take to heart if there is to be stability in the life of the nation.

Justice Marshall criticized black militants, as he declared that "nothing will be settled with guns, firebombs or rocks." He admitted, of course, that people were frustrated, but his advice was clearcut. He declared:

"You are not going to compete in the world until you have training exactly like everyone else, and hopefully better, because when you are a Negro, you have to be better."

Marshall graduated at the head of his class from Howard University law school, and, as chief legal officer of the National Association for the Advancement of Colored People, won the famous desegregation case in the Supreme Court in 1954. He was appointed by President Kennedy to the U.S. Circuit Court of Appeals and was later named by President Johnson to be solicitor general in the Department of Justice in Washington. In 1967, President Johnson appointed him to the highest court in the land. In the New Orleans speech, Justice Marshall said:

"Race is not an excuse for not keeping up your house properly, nor is race an excuse for not keeping your children in school, even though they may still be segregated."

While Justice Marshall agreed that he believes "black is beautiful," he doesn't think that it is the only color that is beautiful. He continued:

"I think we Negro Americans have just as many beautiful people in mind and body, as well as skin, as any other group—and that we have just as many stinkers as any other group. . . .

"Anarchy is anarchy, and it makes no difference who practices it—it is bad, it is punishable, and it should be punished."

This blunt way of talking will serve as an example for leaders of all races who have an influence in their communities. Not enough has been done to bring peoples of different races together informally to discuss what can be done to diminish the bitterness that exists.

There is, unfortunately, a lack of information about how Negroes and whites who do respect each other in the everyday life of the community. Many Negroes who live in the south, for instance, have long had a close friendship with white families. This happens in the North, too. This correspondent recalls that a Negro athlete was perhaps the most popular student in high school he attended in Buffalo, N.Y.—a quiet and unostentatious individual who treated others with respect and earned the respect of everybody.

Communities throughout America have been indifferent to the organizations which have publicized friction and stirred up emotions. Again and again some of the disturbances in American cities have started in Negro neighborhoods, primarily because militant leaders have emphasized race prejudice and told Negroes they must use any means, including violence, to attain their "rights" and settle alleged grievances against the whites. Something of the same kind has happened in white neighborhoods.

The disorders in America today are largely the result of emotions stirred up as the Negro population has grown in size and as schools have been desegregated. Artificial steps to bring about integration have produced uneasiness and hard feelings, mainly because the citizens, both white and black, have not tackled the problem with an understanding of what can be done when there are voices of reason and conciliation.

Justice Marshall has performed a public service in speaking out on the subject of how racial friction is intensified by militants and in pointing to the prerequisite of harmony in any community—the recognition of one's own responsibility, irrespective of race, to be a law-abiding citizen.

THE PROPOSED SAFEGUARD ABM SYSTEM

Mr. SAXBE. Mr. President, I have refrained from getting technical in my statements about the proposed Safeguard anti-ballistic-missile system. Statements larded with facts and figures seldom shed much light on subjects already complex. But recently I was impressed with a detailed technical response to arguments being offered by those in favor of the ABM.

I believe this response will be of interest not only to my colleagues, but to most Americans. They should have the benefit of both sides of this great and significant debate.

This response has been prepared by an independent group of men and women who harbor doubts about the feasibility, effectiveness, and desirability of deployment of the ABM. I have discussed the material in this response with some of my Senate colleagues. I commend its authors for an impressive job.

Mr. President, I recognize the prime responsibility of the President to defend our country. I commend his zeal in trying to perfect the best possible combined offense and defense. I am convinced that complete and full discussion of all aspects is the best way the Senate can assist the President and his advisers in this critical position.

Mr. President, I ask unanimous consent to have printed in the RECORD the detailed technical response to arguments being offered by those in favor of the ABM.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

(NOTE.—April 7, 1969, on White House stationery, a "Question & Answer" fact sheet on the Safeguard Anti-Ballistic Missile system was sent to newspaper editors across the nation. The following has been prepared as a means of presenting an alternate view.)

1. Question: Why do we need the Safeguard System?

White House answer: (A). "To protect our ability to strike back after a heavy attack. . . . If an enemy knows that his attack on us will result in his own destruction, he will not attack: that's the meaning of 'deterrent' . . ."

Response: The Administration's position rests on three premises of very questionable validity: first, that without our land-based missiles, we have no credible deterrence; second, that the Safeguard system will be technically effective; and third, that the Soviets have both the intention and the capability of launching a "first strike" attack so effective that we are unable to retaliate.

First, we do not, in fact, need Safeguard. Our nuclear forces consist of three separate weapons systems: land-based missiles, intercontinental bombers, and Polaris submarines. Even if the United States suffered a heavy attack and one system—the land-based Minutemen missiles—was destroyed, our "ability to strike back" would still be preserved through our Polaris submarine fleet and our bombers.

Polaris submarines are considered by many defense experts, including Senator Stuart Symington (D. Missouri), former Air Force Secretary and currently a member of the Armed Services and the Foreign Relations Committees, as our greatest strategic weapon because of their mobility and invulnerability to enemy attack. And Admiral Moorer, Chief of Naval Operations, has testified that he has "very high confidence" that the invulnerability of Polaris will be maintained. The 41 Polaris submarines carry a total of 656 missiles with an average of about 500 missiles on station at any given time. These missiles give the United States the capability to destroy, *ten times over*, the 50 largest Soviet cities and kill the 50 million people living in them. As Senator Albert Gore (D) of Tennessee has pointed out, destroying their 50 largest cities would "destroy" the Soviet Union as a "functioning society."

The United States also has 646 intercontinental bombers armed with nuclear weapons. As in the past, a substantial portion of this Strategic Air Command force could be kept in the air at all times during future periods of crisis.

In addition to the strategic nuclear capability of our submarines and bombers, the United States possesses thousands of tactical nuclear weapons—7,700 in Europe alone—and many of these can be delivered to targets in the Soviet Union.

In his final posture statement in 1968, former Secretary of Defense Robert McNamara estimated that 400 one-megaton warheads could kill 30 percent of the population of the Soviet Union—or 74 million people—and destroy 76 percent of its industrial capacity. McNamara explained that "beyond 400 . . . would not meaningfully change the amount of damage." So, even in the highly unlikely event that a Soviet first strike took out every single Minuteman, the U.S. would still have a potential second-strike force of 500 Polaris submarine missiles and 646 bombers—or nearly three times the maximum number of warheads McNamara estimated could "meaningfully" damage the Soviet Union. And once we complete the process of replacing the single warhead each missile now carries with multiple warheads which can be independently targeted (Multiple Individually Targetable Reentry Vehicle, MIRV), our Polaris fleet shall be armed with over 5,100 warheads. Dr. George Rathejens (until June 1968, Director of the Systems Evaluation Division of the Institute for Defense Analyses and former Special Assistant to the Director of the U.S. Arms Control and Disarmament Agency) has stated very simply and unequivocally that "Even if there were a pre-emptive attack by the Soviet Union weighted heavily toward attempting to destroy American strategic offensive capabilities [our Minutemen], the United States could with high confidence inflict over 50 percent fatalities [on the Soviet Union] in retaliation." Is this not "deterrence?"

Not only is the Safeguard system designed to protect our land-based missiles unnecessary because our deterrent is preserved in our two other strategic forces, this system is founded on a second premise of very questionable validity. The Administration assumes that Safeguard will be technically effective. (Although they do admit to the possibility that—even with Safeguard—70 percent of our Minutemen missiles may be destroyed.)

This assumption has been challenged by many of the nation's leading scientists. They have questioned the effectiveness of ABM on three grounds: Its questionable reliability; the vulnerability of its radar; and the relative ease with which the system can be penetrated and overwhelmed.

Reliability: The ABM would be the most complicated weapons system ever developed and its reliability could never truly be tested under attack conditions with many weapons exploding within a short time; with hundreds of incoming missiles to be tracked and their trajectories to be calculated; and with, perhaps, a break in communications due to radar "blackout." Dr. Jerome Wiesner, Provost of Massachusetts Institute of Technology, Science Advisor to President Kennedy, and a long-time radar expert, has predicted that there is small likelihood of the system performing properly the first time it is called upon. (See expanded discussion of Safeguard's reliability under Question 10.)

His judgment, and similar judgments by other scientists, are supported by our actual experience with less complex weapons. Several years ago, for instance, our early warning radar system mistook the rising moon for a massive Russian attack. More recently, the malfunctioning of our Intercontinental Ballistic Missiles (ICBM or Minutemen) prevented four scheduled practice launchings of Minutemen missiles to be carried off successfully. (The Air Force scheduled a test shot for October 12, 1966, "but four days before the test" according to the *New York Times* "a malfunction was discovered." Rescheduled for October 19, the launch failed because of a substandard resistor in the launching power supply. The demonstration was rescheduled, for a third time, on October 28, and again was unsuccessful because of a miniature capacitor in the guidance and control mechanism. Finally, on October 14, 1968, the Air Force tried again. This time, a faulty pin in one of the umbilical connectors prevented the launch.) If pre-arranged test launches of our ICBM's, which are considerably less complex than the Safeguard system, have this much technical difficulty, how reliably can we expect our IBM's to perform?

Vulnerability: The key component of the Safeguard system is the Missile Site Radar (MSR) which controls the firing of the ABM. While the Minutemen are in hardened silos that can withstand a megaton explosion less than a half mile away, the MSR installations is nowhere near as hard. It is therefore, very vulnerable to smaller offensive missiles with less than pin-point accuracy. (The Soviet Union has approximately 1,000 such missiles—the SS–11—which is relatively inaccurate and ill-suited for many other offensive purposes.) Large numbers of our ABM's will have to be deployed for the sole purpose of protecting this Achilles Heel of the Safeguard system. As Dr. Rathjens pointed out in his testimony before the Subcommittee on International Organization and Disarmament Affairs of the Senate Committee on Foreign Relations during its March 1969 hearings: "One must have the same kind of perfect defense of the radars that would normally be required for cities, for if the radars are destroyed the whole defense collapses and the missile sites are as vulnerable as if there had been no defense at all." It should be remembered that this "perfect defense" of the cities has been discounted by the Administration as "not possible."

Penetration aids: A study paper of the Members of Congress for Peace Through Law points out that to penetrate missile defenses—such as Safeguard—"It was necessary to improve only slightly on World War II antiaircraft penetration technology. Clouds of metallic 'chaff,' balloons, or other lightweight decoys . . . can be devised and deployed with relative ease. . . . By such tactics, defenses can be rapidly exhausted, the attacker can successfully penetrate them with enough surviving warheads to destroy the target." Even if we build into our missiles the capacity to distinguish decoys from real warheads, the enemy then only has to send in more warheads than we have ABM's and exhaust our defense in this way. (It is several times less expensive to produce an offensive missile than it is to produce a defensive one.)

In addition to penetration aids used to decoy ABM's, it is technically quite easy to "black out" our radar and blind Safeguard for several minutes. A nuclear explosion in the upper atmosphere produces a huge electron cloud that bends and absorbs radar waves to such an extent that an object behind it might not be seen by defensive radar. Black out can be easily produced by an enemy warhead designed to trigger in the upper atmosphere or by our defensive Spartan missiles which intercept offensive warheads by destroying them in a nuclear explosion.

The Administration's third assumption—that it is the Soviet intention and capability to develop a first-strike force to destroy our Minutemen—is also open to serious question.

Secretary of Defense Melvin Laird testified on March 21 before the Senate Foreign Relations subcommittee that the Soviets are building their huge SS–9 missile in order to make a pre-emptory, "first-strike" against the United States. "The Soviets are going for a first strike capability," he said, "and there is no question about it." This appears to be without foundation. Senator Symington has called the Foreign Relations subcommittee's attention to the fact that the Assistant Secretary of Defense for Systems Analysis had testified before the Senate Armed Services Committee only a few months earlier that "the SS–9 was built for a second strike purpose." Dr. Wolfgang Panofsky, director of the Stanford Linear Accelerator Center, former White House science advisor and one of the best briefed and most experienced defense planners in the country also contradicted Laird's analysis. In testimony before the Foreign Relations subcommittee he stated that there was "no basis" in available intelligence to indicate intent on the part of the Soviets to consider the SS–9 a first-strike weapon and he supplied three other plausible reasons for the deployment of the SS–9 as a retaliatory weapon.

Even if the Soviets intended to develop a "first-strike" capability—or the ability to hit us first and destroy our potential to retaliate—it is very questionable that they will be technically capable of launching a successful pre-emptory attack. A number of witnesses before the subcommittee considered it "almost unimaginable" that the Soviets would be able to destroy our deterrence for some time to come. They shared Dr. Panofsky's doubt that the Soviet's had the capacity to launch a first-strike so huge and "so highly synchronized that it would, *at the same time,* take our Polaris fleet, our strategic bombers, and our Minuteman force out of action" before any portion of these deterrent forces could strike back. It must be remembered that each of our 41 Polaris subs is equipped with 16 missiles—5,100 warheads when these missiles are equipped with MIRV's. If just one Polaris submarine survived a first strike, it would currently have the capacity to destroy 16 Soviet cities—ten times that many during the early 1970's. The potential damage of just one Polaris submarine would certainly produce unacceptable casualty levels.

While it is extremely unlikely that the Soviets shall be able to eliminate the entire Polaris fleet, it is also unlikely that they will even have a sophisticated enough missile to knock out our Minuteman force. The Administration predicts that they will have only 500 SS–9's by 1975 with which to destroy our 1000 minutemen. And, as Dr. Panofsky pointed out during the hearings "Even if the SS–9 warhead employed MIRV's the numbers of missiles required to target the entire Minuteman force with confidence exceeds reasonable projections of current intelligence to 1975."

In conclusion, the Administration's argument for Safeguard is based on three assumptions: that without our Minuteman missiles we have no credible deterrence: that the Safeguard system will be technically effective; and that the Soviets have the intention and capability of launching a successful first strike. If *any one* of these assumptions is judged to be invalid, then the Administration's basic argument that Safeguard is necessary to protect our deterrent is also invalid.

White House answer: (B). We need Safeguard ". . . to successfully intercept a light attack. . . ."

Response: It is extraordinarily difficult to conceive of the Soviet Union launching a light attack. Such an action would be about as logical as the deliberate wounding of a charging bull elephant. The Soviets are aware that we would retaliate and destroy them as a modern civilization and turn much of their territory into a radioactive wasteland.

In order to consider a "light" attack from China as a credible threat, we have to assume that the Chinese are totally irrational and suicidal and that the concept of "deterrence" has no meaning to them. While Chinese propaganda statements have often been belligerent, China scholars constantly point out that her foreign policy has been cautious. It appears highly unlikely that the Chinese would launch a handful of missiles against the U.S. knowing that we would retaliate and totally destroy their society and kill hundreds of millions of their people. It would only take ten percent of our SAC bomber force to kill 200 million Chinese.

Even if we consider that the possibility of the Chinese acting in a completely irrational manner is a credible threat, it is questionable that Safeguard can provide an effective defense. Nobel prize winner Dr. Hans Bethe, currently Professor of Physics at Cornell, testified in hearings before the Senate Foreign Relations subcommittee that Safeguard would only be capable of stopping a Chinese missile attack "for a short time after the first Chinese ICBM deployment." (Intelligence experts don't expect the Chinese to be able to launch an ICBM for another 18 months and China will have only 20–30 missiles by the mid–1970's) Dr. Bethe pointed out that the technology to develop chaff, balloons, decoys, electromagnetic pulses, blackut, clustered warheads and other devices to penetrate and confuse our Safeguard system is neither highly complex nor exceedingly costly and well within the resources and ability of the Chinese. In fact, according to Dr. Jack P. Ruina, Vice President of MIT and designer of Nike–X, there is "general agreement" that the Chinese could eventually penetrate our thin defense "with relative ease." Whether it would take a few years or more would depend, he said, on what efforts the Chinese wanted to make.

Also, a "light" attack of a couple dozen missiles with penetration aids, focused on one or two strategic areas such as two of our major cities, might easily overwhelm our defenses.

Our best protection against a nuclear attack from the Chinese is the same as it is from the Soviets—our *offensive* deterrent or ability to retaliate devastatingly.

White House answer: (C). We need Safeguard ". . . to protect the continental U.S. from accidental or irrational attacks."

Response: The White House asserts that the chance of accidental explosion for an ABM on the pad is "essentially nil" and notes that we have had, so far, no accidental explosions of "any nuclear weapon." There have never been any accidental missile firings either.

Additionally, the chance of self-inflicted damage during the interception of an accidentally launched missile seems about as likely as the prospect of avoiding damage from an accidental launch. One of the Safeguard antiballistic missiles, the Sprint, intercepts enemy missiles at relatively low altitudes and it was revealed in testimony during the Senate hearings that it is very possible that incoming nuclear warheads would be equipped with a "proximity fuse" set to trigger a nuclear explosion as the Sprint approached, thus "incinerating" everything below it.

There is also the possibility of self-inflicted damage with the other anti-ballistic missile of the Safeguard system, the Spartan. While testifying before the Senate Foreign Relations subcommittee, Dr. John Foster, the Defense Department's Director of Research and Engineering, denied that the explosion of a Spartan missile during an interception of an enemy missile in the upper atmosphere would cause eye damage. However, a Defense Department publication—*The Effects of Nuclear Weapons*—flatly contradicts Dr. Foster's statement. The publication refers to tests conducted in which retinal burns occurred "at slant distances up to about 345 miles." "In fact," the report stated, "it is possible that a high-altitude nuclear explosion in the megaton range could produce effects on the eye at all distances up to the line of sight permitted by the earth's curvature.'

While protection against accidental launches is a worthy goal, it is clear that the amount of damage caused by intercepting an accidentally fired missile may approach the damage it is capable of inflicting. Weighing the cost of the ABM system, in both dollars and its affect on the arms race, makes the protection against acidental launches a questionable justification for Safeguard. It would be much safer and less expensive to reach an arms agreement with the Soviet Union related to building into our ICBM's the capability to be de-fused in air as a safeguard against destruction due to accidental launches.

According to the Administration, Safeguard is also designed to protect against irrational attacks. If the "irrational" attacks are large, coming from the Soviet Union, then they would overwhelm Safeguard. If the "irrational" attack was small, coming from China, then easily developable penetration aids such as discussed earlier, could also render the Safeguard system useless:

2. Question: Does Safeguard protect our cities from nuclear attack?

White House answer: "It will protect us from the kind of attack Red China would be able to launch in the Seventies" and "accidental attacks."

Response: Safeguard would not protect the cities to any assured degree from Chinese missiles if easily developed pentration aids were used. As many scientists pointed out during the Senate hearings, it takes only one Chinese missile making it through our defenses and hitting its urban target to destroy that city. Additional warheads hitting the city are largely "overkill." If the Chinese concentrated their missiles on a limited number of cities, say New York and Chicago, they might be capable of overwhelming our missile defenses by sending in more warheads and decoys than we have ABM's available to protect these targets.

Also, if the Chinese were determined to commit national suicide by attacking us, our missile defenses would not be capable of preventing them from using any number of

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"suitcase-bombing" techniques. For instance, nuclear weapons could be smuggled onto neutral ships, dropped into the waters of our major ports, and set to explode after the ship was safely out of the harbor. As the Union of Concerned Scientists pointed out in their publication *ABM—ABC:* "It is almost impossible to protect oneself completely against a determined assassin. . . ."

The possible liabilities of relying on Safeguard to protect against "accidental" launchings are discussed above.

3. Question: Won't this be interpreted by the Soviets as a provocation and only continue the upward spiral of the arms race?

White House answer: "No, Soviet reaction to the President's decision indicates that they clearly understood that our deployment was defensive, not designed to provoke future increases in strategic arms."

Response: This is simply incorrect. True, the Soviet Union has not announced that its expressed willingness to start talks "as soon as the Nixon Government declares its readiness to do so" has been withdrawn. But there has been considerable comment in the Soviet press and it has been uniformly unfavorable. Safeguard has been called a sign that the Nixon Administration has decided to "launch another round of preparations for a bigger war". It has been called "a drive for arms with all the dangerous consequences that it spells . . ." and the beginning of a "new and expensive round of the arms race." Many Soviet spokesmen have warned of trying to negotiate from a position of strength through accelerating the arms race.

4. Question: Doesn't any spending on more missiles create a bad atmosphere for talks?

White House answer: "No, not unless it seems to create the need for a response . . . Our Safeguard approach makes clear that we are primarily defending our own retaliatory power. . . . This does not threaten the Soviet's own deterrent."

Response: In his testimony before the Senate Foreign Relations Subcommittee Secretary of Defense Laird repeatedly referred to the need to prepare for all possible Soviet capabilities and intentions. Likewise, the Soviets feel that they must be prepared for all possible U.S. contingencies. Therefore, it is highly likely that they will view Safeguard as possibly the first step in an ABM system that can be comparatively rapidly expanded into a full-blown missile defense system designed to protect our cities. (After all, it must be remembered that such an expansion would merely fulfill the long-stated, vigorous demands of Pentagon officials and prominent members of the House and Senate for a full ABM defense.) And if, as they probably fear, we developed an ABM system around our cities, coupled with our program to more than double our offensive warheads through MIRV, it would very definitely "threaten the Soviet's own deterrence." Conceivably, we could launch a first strike, destroy a significant portion of their ICBM's, and then defend ourselves against their stunted retaliatory strike. Since our expansion of the "thin" Safeguard system into a "thick" city defense system is very possible, this may, from the Soviet's view, "create the need for a response."

They will probably feel compelled to prepare for such a contingency by enlarging their offensive force in order to assure their ability to overwhelm and penetrate our defenses. If the Soviets added offensive missiles to their nuclear forces, the U.S. would undoubtedly match their increase and thus the arms race would be escalated.

It must also be recalled that one of the primary reasons the United States developed MIRV was in "response" to our estimate, now considered incorrect, that the Soviets were deploying an extensive ABM system. If our reaction to a feared Soviet defense system was to greatly expand the number of our deliverable warheads, can we expect the Soviet reaction to similar fears to be any different than ours? As Dr. Rathjens observed during the Senate hearings: "Thus we must expect the Soviet Union to react to even a 'light' or 'thin' deployment as we have to their Moscow defenses by very substantially improving offensive capabilities, not because an ABM system will be effective and not because it will be expanded, but simply as a conservative hedge against those possibilities. The result will almost certainly be an expensive expansion in the arms race with no increase in protection, and, indeed, possibly with a diminution in security for both sides."

Another factor which will accelerate the arms race is the Administration's ambition to protect against possible Chinese attack. As the number of Chinese ICBM's increase and as they develop sophisticated penetration aids, the U.S. will be forced to expand Safeguard to meet this evolving Chinese threat. As Dr. Bethe pointed out in his testimony, a race between our ABM's and Chinese penetration methods would produce a rapid and continuous upgrading of the U.S. ABM program on a nation-wide basis "that would appear threatening to the Soviet Union," forcing them to protect their deterrent by raising the nuclear ante and escalating the arms race.

5. Question. "Why don't we just wait and see if the arms talks succeed before going ahead?"

White House answer: "The risk would be too great to our national security. By beginning now, we should have some missile defense by 1973; if we were to shut down production facilities now and decide later to go ahead, the cost in time would not be months, but years—two or three years. Meanwhile, the Soviet system is operational. . . ."

Response: First, it is not necessary to "shut down production facilities" in order to give the arms control talks a chance to succeed. Research and development could proceed but deployment delayed so as not to further complicate the talks with uncertainty and the difficult problem of inspecting and limiting a brand new weapons system. It would be very difficult to dismantle already existent ABM facilities, so arms control agreements would probably establish limits on *further* development of ABM's. This would be a more unstable situation than if ABM systems did not exist in the first place because limitation agreements could be easily circumvented by up-grading existing ABM's. This, and the exploitation of other possible "loopholes" provided by an existing ABM technology and deployment, might create enough distrust and suspicion to undermine arms control arrangements.

Additionally, even if control arrangements could be worked out that would satisfy both sides that the other wasn't expanding its already deployed system, each side would not be certain as to the effectiveness of the other's existing system. Each might be reluctant to bargain away the possibility that it might later want to expand its offensive missile forces if it discovers that these are inadequate.

It is senseless to unnecessarily interject a new barrier, a new source of friction into delicate arms control talks. Those who suggest that by deploying Safeguard we are gaining a "bargaining card" do not present a convincing case. As Dr. Carl Kaysen, Director of the Institute for Advanced Study at Princeton, pointed out in the Senate hearings: "The future capacity to deploy, and perhaps to deploy a better conceived and designed system is all the bargaining card we need." If there is to be any chance for success in arms control talks, they must grow out of a sizable dose of mutual trust, a recognition of mutual self-interest, and confidence in the control arrangements. It is difficult to see how entering arms negotiations with the most militant stance possible, and attempting to sack the deck before the game gets underway, serves these goals.

Although the Soviet ABM systems (Galosh) may be partly completed, intelligence sources indicate that it is only deployed around Moscow, that construction has slowed down, and that the system is of even more dubious value than Safeguard. Dr. Foster of the Defense Department has testified that the Soviet system is "very similar" to the one we discarded in the period "1959–1961"—or a decade ago. The Galosh system contains only 67 missile interceptors that would be incapable of defending Moscow against thousands of U.S. warheads that could be directed at this city. Although intelligence estimates indicate that Soviet research is continuing in the anti-ballistic missile area, it is highly unlikely that the present Galosh system will be greatly extended because it is too ineffective.

6. Question: How can we be sure that Safeguard is indeed "adjustable"—that it can be changed if there is progress in arms talks?

White House answer: "In addition to the continuing review . . . the Foreign Intelligence Advisory Board [will make] an annual review."

Response: Suggesting that the Foreign Intelligence Advisory Board can be expected to produce an objective review of Safeguard is like expecting an author to write an objective review of his own book. This board represents precisely those elements in the country most enthusiastic about the ABM and with the greatest vested interest in its continued deployment. As columnist Joseph Kraft pointed out recently, membership of the Board, except for Governor Rockefeller and former UCLA President Franklin Murphy, "reads like a small roster of the military-industrial complex". Mr. Kraft noted "not a few Government officials think of the Board as a protective agency—a kind of public relations cover—for the intelligence community." He concluded that "Plainly, the Intelligence Advisory Board is in no position to do any serious independent review of how changing international conditions affect the priorities attached to deploying an anti-ballistic missile."

Dr. James Killian, Chairman of the Board at MIT and a former Chairman of the President's Science Advisory Committee, proposed the creation of an "ad hoc," "independent" task force of citizens "free of organizational loyalties" and free "from vested interests" to study the ABM issue. This is a much sounder proposal.

7. Question: What will the Safeguard system cost?

White House answer: ". . . between six and seven billion dollars if the system is completed."

Response: The Administration produced this figure by only including the funds necessary for procurement and construction. Not included in this $6–7 billion figure are research and development costs, costs for operating and maintaining the system, and the cost of the warheads for the Sprint and Spartan missiles. Safeguard will cost $11 billion—not $6–7 billion.

The price tag on Safeguard through 1975 will be (in millions):

Perimeter acquisition radar (PAR)	$560
Missile site radar (MSR)	1,500
Spartan missile	1,050
Sprint missile	560
Data processing subsystem	1,500
Command, control and communication subsystem	500
Warheads	210
Construction	2,100
Research and development	2,400
Operations and maintenance	700
Total	11,080

This $11 billion projection assumes that Safeguard will not be expanded or upgraded and that there will be no cost overruns. These assumptions are highly questionable and Safeguard will probably cost a great deal more.

First, since the system does not protect against decoys and the possibility of a sophisticated Chinese threat, it will require more counter-counter-measures as time goes on. Also, there will be continued pressure to expand Safeguard into a population defense system.

Second, the possibility of holding Safeguard to its originally planned costs is quite remote. A survey of 12 weapons systems—picked at random—gave a 220 percent average increase in costs over original estimates. The prestigious Brookings Institution completed a recent study which showed weapon systems cost increases from 300 to 700 per cent over original estimates. . . .

8. Question: How do we know this won't mushroom into a "thick" system costing much more?

White House answer: "This may have been a legitimate concern when the previous plan called for a 'thin' system of trying to defend the cities, which carried the possibility of adding to that defense. But the new strategy is to locate missile and radar sites away from our cities, and there is no longer an open-ended possibility of increasing the costs by adopting a 'thick' system."

Response: There still exists "the possibility of adding to that defense." A "thick" system defending urban areas is just a "thin" missile site system with some radars and interceptors added near cities. While the Joint Chiefs of Staff publicly reversed their position some weeks ago and settled for a "thin defense only" they could easily return to their long-standing, unanimous position. The thin system is a "viable base" for adding the Sprints and interceptors near cities if the Administration returned to the appropriate view. A candid and authoritative recent article in *Foreign Affairs* supporting missile defenses admitted that "much of the support (both inside and outside the Government)" for ABM came from those who believed it would "eventually have significant capability against large Soviet attacks."

Dr. George Kistiakowsky, a former Special Assistant to the President for Science and Technology and now a professor at Harvard University, believes that, contrary to the Administration's assertion, deployment of a "thin" system would, indeed, be "open-ended:" " . . . I cannot remain unaware of the very substantial momentum that a technological development of the magnitude of our ABM creates. I am therefore concerned that even a limited deployment would be open ended and, with assembly lines operating, ..."

9. **Question**: Wouldn't it be less costly and just as effective to defend our missile sites by "hardening" the sites in which they are hidden?

White House response: "Missile hardening would be at least as costly. Also, it would probably be more provocative, because the Russians would observe us digging new silos and might regard it as the beginning of a major offensive buildup. Hardening cannot defend our ICBM's against the increased accuracy of incoming missiles that is possible in the years ahead."

Response: The total cost of hardening each missile site very probably would be *less* costly than the ABM system. Dr. Rathjens pointed out in his testimony during the Senate hearings, that "conservative" estimate of the cost of saving one Minuteman would be between $28 and $40 million. This is a great deal more than it would cost to "harden" the missile sites.

The digging of new silos for our missiles need not be provocative if it were done within the conditions of an arms agreement. It should be much easier for negotiators to fashion control agreements for silo hardening than it would be for ABM deployment.

The Administration's assertion that hardening would be ineffective is contradicted by many knowledgeable men. In testimony before Congress last year, the Secretary of the Air Force—the service that "owns" the missiles and has a primary concern in their protection—argued that an ABM defense would be less effective than superhardening of the ICBM silos.

10. Question: How do we know it will work?

White House answer: "Both Spartan and Sprint have already been successfully flown. The prototype Missile Site Radar is in test operation now. Perimeter Acquisition Radar is a variant of a radar already in existence. Complex computer systems needed to operate these components together are feasible and have been demonstrated for example, in Apollo.

Response (see also Question 1, "Reliability") : Unfortunately, the fact that each component of the Safeguard system is individually workable is not particularly reassuring. If an attack should ever come, the fact that each part can operate independently will be irrelevant. The only thing that matters ultimately, is how well they work *together* in a crisis where there is no room for error. Unhappily, we will never know for sure in advance how well the total system will function because it is untestable. (The Nuclear Test-Ban Treaty precludes a test under actual conditions of nuclear attack and it would be virtually impossible for our strategists to anticipate and simulate every possible penetration device and strategy that an enemy might use in order to test the system against all contingencies.)

Dr. Rathjens made this point very well in the recent booklet published by the Carnegie Endowment *The Future of the Strategic Arms Race:* "It must be recognized that while component tests will be possible, it will never be feasible to test the full system against a satisfactory simulation of an operation environment. This fact, together with the history of initial failures of far less complicated systems, leads many experts to believe that the probability of a catastrophic failure of . . . any . . . ABM system, is high (and much higher than for strategic offensive systems which are, by comparison, simpler and more susceptible to adequate testing)."

Dr. Jerome Wiesner asserted in an article in *Look Magazine* that "few competent people expect the extremely complex ABM system to work the first time: yet it must to have any effect."

Dr. Kistiakowsky noted that the "performance of complex military systems is frequently lower than promised by the contractors, even after modifications have been made upon field trials." His judgment was documented by a recently prepared Government document which examined 13 major aircraft and missile programs, all with "sophisticated" electronic systems to determine their reliability. The study concluded: "Less than 40 percent of the effort produced systems with acceptable electronic performance—an uninspiring record. . . ." Indeed!

The Administration points out that computers needed to operate the system are feasible and have been demonstrated in Apollo. But the Union of Concerned Scientists very astutely points out that: "The Apollo program has required numerous tests, even though the moon's orbit cannot be modified by the tactics of a clever adversary. Remember also that Apollo flights have day-long countdowns with interruptions for unexpected adjustments."

11. Question: Can penetration aids such as chaff, balloons, nuclear explosions and depressed trajectories defeat Safeguard?

White House answer: ". . . we are familiar with the most advanced techniques of missile attack. We make no pretense of 100% effectiveness against a heavy, sophisticated attack on cities. But if even thirty percent of our missiles survive they will pose an unacceptable risk. The Safeguard system will assist this effort."

Response (see also Question 1, "Penetration aid") : The White House answer effectively admits that penetration aids *can* defeat Safeguard. As Dr. Rathjens pointed out in his Senate testimony, Safeguard must be able to guarantee "100% effectiveness" in defending our missile site radars or the entire ABM system is totally crippled. If Safeguard cannot assure protection of this component of the system—which, ironically, is the most vulnerable to attack—then we can have very little confidence in our ABM's.

Finally, if thirty percent—or 315—of our Minutemen would be effective deterrent, we have more than *twice* this number in our Polaris submarines, alone.

12. Question: How long will Safeguard system last before becoming obsolete?

White House answer: "We expect Safeguard to be effective well into the 1980's . . ."

Response: This statement is flatly contradicted by Dr. Foster, present Director of Defense Research and Engineering in the Defense Department who testified in 1967 Congressional hearings concerning the Sentinal system which had the same basic hardware, or components, as Safeguard. He said: "Because of . . . the very rapid rate at which the technology changes to maintain an effective system, one would essentially have to turn over the whole system . . . every few years." So, due to changes in technology, the system would be obsolete in a "few years."

Dr. Jeremy Stone made this same point in a recent monograph from the highly regarded London Institute of Strategic Studies. He observed that "1985" is as far in the future as 1952 is in the past and since the first Soviet hydrogen bomb was detonated in 1952, "it has become clear that an awful lot of technical advance is possible in time spans of this order."

Other experts familiar with weapons systems have made this same observation, including Senator Margaret Chase Smith (Maine), senior Republican member of the Armed Services Committee. She has stated that "There are strong possibilities, if not probabilities, that by the time this so-called 'thin' defense . . . is completed, it will have become obsolete because of the rapid rate of development and change in the state of the art."

During the early 1960's the Defense Department pushed for an ABM system called Nike-Zeus but the proposal was shelved by President Kennedy. Subsequently, former Secretary of Defense McNamara testified that this system "would have had to be torn out and replaced almost before it became operative. By the same token," he continued, "other technological developments in offensive weapons in the next seven years may make obsolete the system presently envisioned."

Finally, it seems hard to believe that U.S. defense planners will not find a way to defeat our own Safeguard defense of Minutemen in the next fifteen years; once they do find such a method, the Safeguard system will cease to be reliable out of fear that the Soviets have found the same soft spot.

12. Question: The decision to use Safeguard must be made in a matter of minutes; can we be sure this decision is made by the President and not by a computer?

White House response: "We cannot discuss publicly the specific details of how we make these decisions, but . . . in no case could the human factor be removed and a computer only involved."

Response: Dr. Herbert York, former Director of Defense Research and Engineering for the Defense Department and Vice-Chairman of the President's Scientific Advisory Committee stated during the Senate hearings: "Any active defense system such as the ABM must sit in readines for 2 or 4 or 8 years and then fire at the precisely correct second following a warning time of only a few minutes. This warning time is so short that systems designers usually attempt to eliminate human decisionmakers, even at low command levels, from the decisionmaking system." Dr. York noted that "the power to make certain life-and-death decisions is inexorably passing from statesmen and politicians to more narrowly focused technicians, and from human beings to machines." His testimony closed on the assertion: "an ABM deployment would speed up this process."

Mr. COOK. Mr. President, will the Senator yield?

Mr. SAXBE. I yield.

Mr. COOK. Mr. President, I wish to join the Senator in his remarks and to thank him for having this material printed in the RECORD. I think it is extremely important that these fine remarks be called to the attention of Senators.

J. EDGAR HOOVER

Mr. DODD. Mr. President, last Monday I attended the meeting of a Rotary Club in Connecticut. I was asked by someone in the audience whether or not I thought J. Edgar Hoover would retire. I responded by saying that I hoped he would not, and that he would serve as long as he felt well enough to do so.

Mr. President, I was heartened to see on the news ticker this morning the statement that J. Edgar Hoover will continue in the office in which he has served with distinction for so many years.

The Associated Press dispatch quotes Mr. Hoover as saying:

> I have many plans and aspirations for the future. None of them includes retirement.
>
> As long as God grants me the health and the stamina to continue, I have no ambition other than to remain in my post as Director of the FBI.

Mr. President, this statement is good news to the American people. J. Edgar Hoover has had a most distinguished career, and the announcement that he will continue to head the FBI is good news. It is bad news for hoodlums and criminals, and it is bad news for Communists, and those who are disturbing our society.

I am happy that J. Edgar Hoover has stated that he will continue to serve, because I believe him to be one of the truly great men of his generation. He is a man whose name has deservedly become synonymous with law enforcement in the eyes of the American people.

ORDER OF BUSINESS

Mr. ALLEN. Mr. President, I ask unanimous consent that I may be recognized for 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LURLEEN WALLACE COURAGE CRUSADE

Mr. ALLEN. Mr. President, yesterday, May 7, 1969, a day on which the Senate did not meet, was the first anniversary of the death of Lurleen Burns Wallace, late Governor of Alabama, who was one of our Nation's truly great personalities. She was projected into national prominence as the first woman to be elected Governor of Alabama and the third woman to be elected Governor of a State in the history of our Nation.

It is a measure of her greatness that even in a grim battle against cancer she inspired others to constructive actions, the good effects of which will live after her from generation to generation. A good example of such inspiration is illustrated by these facts. Shortly after the passing of Gov. Lurleen Wallace a number of prominent Alabamians expressed a desire to establish an appropriate memorial to perpetuate her memory. A multimillion-dollar cancer hospital and research center was suggested. The idea caught fire. A statewide organization was created and a host of top Alabama leadership was recruited to head the drive for funds. This drive is officially designated the "Lurleen Wallace Courage Crusade," and it is chairmaned by the present Governor of Alabama, the Honorable Albert P. Brewer.

Mr. President, my remarks on this occasion are prompted partially by a desire to call public attention to the crusade, but primarily by a desire to further acquaint the American people with the personality and extraordinary qualities of character of Lurleen Burns Wallace.

Mr. President, I shall pass lightly over the better known aspects of the life of Gov. Lurleen Wallace in order to call attention to less known aspects which may better reflect her character and explain her unprecedented popularity.

In this connection, Mr. President, it is useful to know that the lady whose memory we honor today was the wife of Gov. George C. Wallace—one initiated into Alabama politics as a page in the Alabama Senate. In the course of 20 years, following World War II, George C. Wallace rose in rapid succession to the office of assistant State attorney general, followed by election to two terms in the Alabama Legislature, after which he was elected the youngest circuit court judge in Alabama history—followed by election to the office of Governor of Alabama. Finally, he proved a formidable candidate for the office of President of the United States.

Throughout the 20 years of this remarkable political career, Lurleen Burns Wallace was a devoted wife and mother. She was active in church and civic affairs, a gracious hostess, but one who could still find time to enjoy her favorite hobbies of flying and fishing.

Mr. President, as admirable as her accomplishments were in the role of a wife and mother, they do not account for the outpouring of public admiration which swept Lurleen Wallace in a landslide victory into the office of Governor of Alabama. Neither does it account for the fact that public admiration and respect for candidate "Lurleen" quickly transformed itself into public affection for Gov. Lurleen Wallace.

Mr. President, with each passing day in office, Gov. Lurleen Wallace grew in stature. With each public appearance, in all of her official dealings with the Alabama Legislature, in all her actions and decisions, official and unofficial, and in all her contacts with the public and with the press, she demonstrated a poise and graciousness spiced on appropriate occasions with wit and humor. A quick and penetrating mind enabled her to hold her own in give-and-take repartee with political reporters and politicians alike.

In short, Mr. President, she fulfilled and exceeded the highest expectations of the people of Alabama.

Mr. President, even seasoned political reporters were compelled to yield respect which soon turned into unashamed admiration. For the press had quickly discovered, as had the people of Alabama, a warm, personable, and genuine person whose grace and charm and native intelligence and refreshing sincerity, admirably equipped her to deal with political realities of State government and to capture the spirit and highest aspirations of the people.

Mr. President, the depth of her character was reflected in absolute integrity of purpose. This quality was combined with qualities of humility, graciousness, and sincere compassion. The duties and responsibilities of the office of Governor provided an arena for the fullest development of these qualities.

Mr. President, the element of human compassion so prominent in the character of Lurleen Wallace was reflected by her deep concern for the welfare of children and for the plight of all who were helpless to help themselves. Among other things, as Governor of Alabama she spearheaded a drive for a $15 million bond issue earmarked for enlargement and improvement of facilities for the care of mentally retarded. Due to her commitment to this cause and by reason of the inspiration of her leadership, the people of Alabama voted overwhelming approval of the bond issue—not alone because of an admitted need, but also and principally by reason of a quickened sensitivity to need which Lurleen Wallace had awakened in the breasts of all Alabamians.

Mr. President, the career of Gov. Lurleen Burns Wallace was brought to a premature and tragic end. She lost a long and heroic struggle against the still unconquered scourge of cancer. Mr. President, she accepted fate's final judgment with stoic calm, befitting a noble character. She was undaunted, unawed, unafraid, and cheerful to the end. Her example of unbounded courage in the face of grim adversity kindled a spirit which lives today in the hearts of a bereaved people.

Mr. President, one result of that living spirit is manifested in the Lurleen Wallace Courage Crusade, the object of which is to forge a weapon for use in her behalf in the continuing battle to conquer cancer.

Mr. President, Lurleen Burns Wallace firmly established herself as one of the world's most admired women. It is not surprising that an overwhelming majority of the people of Alabama shared that admiration.

Mr. President, Lurleen Burns Wallace was awarded an honorary doctorate degree by Judson College in Marion, Ala., in recognition of her achievements as Governor. On this occasion she spoke to the graduating class of 1967. Among other things she discussed her hobbies of fishing and flying and related these experiences to the subject of perspective. Mr. President, I have excerpted from her speech a few thoughts which may provide an insight into the source of her strength of character and of her great popularity.

We believe that these remarks may be worthy of thoughtful consideration by all of us.

Mr. President, I ask unanimous consent to have printed in the RECORD the excerpts to which I have referred and a statement by my distinguished colleague from Alabama (Mr. SPARKMAN).

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM A SPEECH BY GOV. LURLEEN WALLACE DELIVERED AT JUDSON COLLEGE, MARION, ALA.

Most of you probably know that I enjoy flying and fishing as hobbies. I find both to be sources of many pleasures. As dissimilar as flying and fishing may be, they do have an element in common. Both are sources of fresh perspective.

For example, when one flys in an airplane and thereby breaks the barrier of gravity . . . it is possible to acquire a view of reality which can be acquired in no other way.

Picture yourself at a rural crossroads. Your vision is necessarily limited by the terrain. You see only a relatively short distance in any direction. What you do see is real and it is factual.

On the other hand, picture yourself flying at an elevation of 10,000 feet. Look at that same crossroads. You can see not only what is seen at ground level but also you can see what is approaching and what has passed the crossroads. Your picture is completely different from that of a ground view.

Yet, what is seen from different perspectives is both real and factual, but vastly different.

I sometimes wonder if prophecy may not be the gift of an elevated perspective of the mind which permits one to rise above the here and now, and to judge rather accurately what is around the bend in the road which may limit our view.

Of course, there is more to flying than perspective, as valuable as that is. There is an exhilarating sense of detachment from the laws of nature which otherwise bind plant life to a homestead . . . and animals by bounds of a physical domain.

Fishing does just the opposite. It confines us to a physical environment. With pole and line, or with rod and reel, one voluntarily and joyfully enters a union with nature and surrenders the choice of action to the dictates of nature's laws.

In such a surrender, our bodies are bound but our minds are released from petty distractions. The mind may soar free and unimpeded. This, too, is a source of fresh perspectives. A contented mind may produce perspectives as varied as those of Keats, when he captured the images which became "Ode on a Grecian Urn," or the visions of Milton, put to verse in "Paradise Lost." Or, one may gain the perspective of Sir Izaak Walton, or of Thoreau. All are points of view having an origin in perspective.

I know that none of you will misunderstand me by thinking that I advocate flying and fishing as a formula for acquiring a right perspective . . . perspective alone it not enough. What is right and what is wrong are judgments—judgments based not alone on perspective, facts, experience, or knowledge, but primarily on moral and ethical values.

It is this factor which I believe accounts for sound judgments which we call "wisdom."

But values are instilled—not inherited. Many of us acquired our values at our mothers' knees. These include the values of our religious heritage. For you, this training in values has been continued at Judson. For this you may count yourself fortunate, for many of your contemporaries have not received such training. Instead, you will find, that many have been exposed to diametrically opposite values of Atheistic Materialism.

One result of materialistic indoctrination is that some are led to believe implicitly that man can build a tower to Heaven and bring its benefits to earth by the mechanics of a managed economy and by returning mankind to a condition of a sort of serfdom, under lords and masters of a central government.

Is it possible that God, in this instance, has seen fit to inflict us not with another babel of tongues, but to teach us humility by permitting a babel of values?

STATEMENT BY SENATOR SPARKMAN

Mr. SPARKMAN. Mr. President, a year has passed since Governor Lurleen Burns Wallace passed away after her long and gallant fight with cancer.

I do not need to dwell on the character and achievements of Mrs. Wallace or on her courage and tenacity, or even on her contributions to the State during her tenure as Governor and during the four years in which she was First Lady of Alabama when her husband was the governor of our State. The facts of her life are well known.

While still a girl, Lurleen Burns became interested in health services and wanted to become a nurse. Although this ambition was not realized, her interest in the ill and her desire to assist them continued during her tenure as Governor of the State of Alabama. She visited hospitals throughout the State and worked for improved conditions in these hospitals. Fortunately for Alabama and for the nation, her fight for help for the sick did not end when her personal battle against disease was ended. Others picked up the fight and now a new hospital is to be created for the treatment of cancer. This new hospital results from the efforts of the Lurleen Wallace Courage Crusade, under the Chairmanship of Governor Albert Brewer of Alabama. Some 15 million dollars will be required to convert the plans for this hospital into reality. A third of this money is to come from the public and the remaining two-thirds is to come from private and federal sources.

The Lurleen B. Wallace Memorial Hospital and Tumor Institute will be located in Birmingham, Alabama, where it will become a key part of the medical center now developing there. Nothing of its kind exists today anywhere in the southeast. The need is great, and I am confident that the planning and construction of this institution will go forward.

Its realization will be a fitting tribute to a great lady.

CHURCHILL MEMORIAL DEDICATED AT FULTON, MO.

Mr. EAGLETON. Mr. President, on March 5, 1946, one of the towering figures of modern history, Sir Winston Churchill, traveled to Westminster College in Fulton, Mo., to deliver one of the most important speeches of this century.

Shortly before his death, Sir Winston recalled with a smile the invitation which brought him to this town of some 13,000 people.

In 1946, Dr. Franc L. McCluer, president of Westminster College at the time, forwarded a letter of invitation through President Harry S. Truman.

President Truman added this postscript:

> This is a wonderful school in my home state. Hope you can do it. I'll introduce you.
>
> Best regards,
>
> HARRY S. TRUMAN.

Sir Winston accepted, noting that with such an eloquent and persuasive recommendation, how could he refuse?

On that day, he delivered his famous "Sinews of Peace" speech in which he spoke these words:

> A shadow has fallen upon the scene so lately lighted by the Allied victory. From Stettin in the Baltic to Trieste in the Adriatic, an iron curtain has descended across the continent, and behind that line lie all the capitals of the ancient states of central and eastern Europe.

I was in attendance that day when Sir Winston so eloquently warned the students at Westminster, citizens of the United States, and free men throughout the world of the danger of an expansionist Russia.

It is an experience I will never forget, and although the experience cannot be shared, the stirring words of Sir Winston can be, and I therefore ask unanimous consent that the text of his "Sinews of Peace" speech be entered in the RECORD.

There being no objection, the text of the speech was ordered to be printed in the RECORD, as follows:

SINEWS OF PEACE

(Address of Sir Winston Churchill at Fulton, Mo., March 5, 1946)

I am glad to come to Westminster College this afternoon and am complimented that you should give me a degree. The name "Westminster" is somehow familiar to me. I seem to have heard of it before. Indeed it was at Westminster that I received a very large part of my education in politics, dialectic, rhetoric, and one or two other things.

It is also an honor, perhaps almost unique, for a private visitor to be introduced to an academic audience by the President of the United States. Amid his heavy burdens, duties, and responsibilities—unsought but not recoiled from—the President has traveled a thousand miles to dignify and magnify our meeting here today and give me an opportunity of addressing this kindred Nation, as well as my own countrymen across the ocean and perhaps some other countries too. The President has told you that it is his wish, as I am sure it is yours, that I should have full liberty to give my true and faithful counsel in these anxious and baffling times. I shall certainly avail myself of this freedom and feel the more right to do so because any private ambitions I may have cherished in my younger days have been satisfied beyond my wildest dreams.

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Let me, however, make it clear that I have no official mission or status of any kind and that I speak only for myself. I can, therefore, allow my mind, with the experience of a lifetime, to play over the problems which beset us on the morrow of our absolute victory in arms; and try to make sure that what has been gained with so much sacrifice and suffering shall be preserved for the future glory and safety of mankind.

The United States stands at this time at the pinnacle of world power. It is a solemn moment for the American democracy. With primacy in power is also joined an awe-inspiring accountability to the future. As you look around you, you feel not only the sense of duty done but also feel anxiety lest you fall below the level of achievement. Opportunity is here now, clear and shining, for both our countries. To reject it or ignore it or fritter it away will bring upon us all the long reproaches of the after-time. It is necessary that constancy of mind, persistency of purpose, and the grand simplicity of decision shall guide and rule the conduct of the English-speaking peoples in peace as they did in war. We must and I believe we shall prove ourselves equal to this severe requirement.

When American military men approach some serious situation they are wont to write at the head of their directive the words "Over-all strategic concept." There is wisdom in this as it leads to clarity of thought. What, then, is the over-all strategic concept which we should inscribe today? It is nothing less than the safety and welfare, the freedom and progress of all the homes and families of all the men and women in all the lands. And here I speak particularly of the myriad cottages or apartment homes where the wage earner strives amid the accidents and difficulties of life to guard his wife and children from privation and bring the family up in the fear of the Lord or upon ethical conceptions which often play their potent part.

MUST SHIELD HOMES

To give security to these countless homes they must be shielded from the two gaunt marauders—war and tyranny. We all know the frightful disturbance in which the ordinary family is plunged when the curse of war swoops down upon the breadwinner and those for whom he works and contrives. The awful ruin of Europe, with all its vanished glories, and of large parts of Asia, glares in our eyes. When the designs of wicked men or the aggressive urge of mighty states dissolve, over large areas, the frame of civilized society, humble folk are confronted with difficulties with which they cannot cope. For them all is distorted, broken, or even ground to pulp.

When I stand here this quiet afternoon I shudder to visualize what is actually happening to millions now and what is going to happen in this period when famine stalks the earth. None can compute what has been called "the unestimated sum of human pain." Our supreme task and duty is to guard the homes of the common people from the horrors and miseries of another war. We are all agreed on that.

Our American military colleagues, after having proclaimed the "over-all strategic concept" and computed all available resources, always proceed to the next stop, namely, the method. Here again there is widespread agreement. A world organization has already been erected for the prime purpose of preventing war. United Nations, the successor of the League of Nations, with the decisive addition of the United States and all that that means, is already at work. We must make sure that its work is fruitful, that it is a reality and not a sham, that it is a force for action and not merely a frothing of words, that it is a true temple of peace in which the shields of many nations can some day be hung and not merely a cockpit in a tower of Babel. Before we cast away the solid assurances of national armaments for self-preservation, we must be certain that our temple is built, not upon shifting sands or quagmires, but upon the rock. Anyone with his eyes open can see that our path will be difficult and also long, but if we persevere together as we did in the two World Wars—though not, alas, in the interval between them—I cannot doubt that we shall achieve our common purpose in the end.

I have, however, a definite and practical proposal to make for action. Courts and magistrates cannot function without sheriffs and constables. The United Nations Organization must immediately begin to be equipped with an international armed force. In such a matter we can only go step by step; but we must begin now. I propose that each of the powers and states should be invited to dedicate a certain number of air squadrons to the service of the world organization. These squadrons would be trained and prepared in their own countries but would move around in rotation from one country to another. They would wear the uniform of their own countries with different badges. They would not be required to act against their own nation but in other respects they would be directed by the world organization. This might be started on a modest scale and grow as confidence grew. I wished to see this done after the First World War and trust it may be done forthwith.

It would nevertheless be wrong and imprudent to entrust the secret knowledge or experience of the atomic bomb, which the United States, Great Britain, and Canada now share, to the world organization, while it is still in its infancy. It would be criminal madness to cast it adrift in this still agitated and ununited world. No one in any country has slept less well in their beds because this knowledge and the method and the raw materials to apply it are at present largely retained in American hands. I do not believe we should all have slept so soundly had the positions been reversed and some Communist or neo-Fascist state monopolized, for the time being, these dread agencies. The fear of them alone might easily have been used to enforce totalitarian systems upon the free democratic world, with consequences appalling to human imagination.

God has willed that this shall not be, and we have at least a breathing space before this peril has to be encountered, and even then, if no effort is spared, we should still possess so formidable a superiority as to impose effective deterrents upon its employment or threat of employment by others. Ultimately when the essential brother of man is truly embodied and expressed in a world organization, these powers may be confided to it.

I now come to the second danger which threatens the cottage home and ordinary people, namely tyranny. We cannot be blind to the fact that the liberties enjoyed by individual citizens throughout the United States and British Empire are not valid in a considerable number of countries, some of which are very powerful. In these states control is enforced upon the common people by various kinds of all-embracing police governments, to a degree which is overwhelming and contrary to every principle of democracy. The power of the state is exercised without restraint, either by dictators or by compact oligarchies operating through a privileged party and a political police. It is not our duty at this time, when difficulties are so numerous, to interfere forcibly in the internal affairs of countries whom we have not conquered in war, but we must never cease to proclaim in fearless tones the great principles of freedom and the rights of man, which are the joint inheritance of the English-speaking world and which, through Magna Carta, the Bill of Rights, the habeas corpus, trial by jury, and the English common law find their famous expression in the Declaration of Independence.

All this means that the people of any country have the right and should have the power, by constitutional action, by free, unfettered elections, with secret ballot, to choose or change the character or form of government under which they dwell, that freedom of speech and thought should reign, that courts of justice, independent of the executive, unbiased by any party, should administer laws which have received the broad assent of large majorities or are consecrated by time and custom. Here are the title deeds of freedom, which should lie in every cottage home. Here is the message of the British and American peoples to mankind. Let us preach what we practice and practice what we preach.

POVERTY IS AHEAD

I have now stated the two great dangers which menace the homes of the people. I have not yet spoken of poverty and privation, which are in many cases the prevailing anxiety, but if the dangers of war and tyranny are removed, there is no doubt that science and cooperation can bring, in the next few years, to the world, newly taught in the hard school of war, an expansion of material well-being beyond anything that has yet occurred in human experience.

Now, at this sad, breathless moment, we are plunged in the hunger and distress which are the aftermath of our stupendous struggle; but this will pass and may pass quickly, and there is no reason except human folly or subhuman crime which should deny to all the nations the inauguration and enjoyment of an age of plenty. I have often used words which I learned 50 years ago from a great Irish-American orator, Mr. Bourke Cockran: "There is enough for all. The earth is a generous mother; she will provide in plentiful abundance food for all her children if they will but cultivate her soil in justice and in peace."

So far we are evidently in full agreement. Now, while still pursuing the method of realizing our over-all strategic concept, I come to the crux of what I have traveled here to say. Neither the sure prevention of war nor the continuous rise of world organization will be gained without what I have called the fraternal association of the English-speaking peoples. This means a special relationship between the British Commonwealth and Empire and the United States. This is no time for generalities. I will venture to be precise.

Fraternal association requires not only the growing friendship and mutual understanding between our two vast but kindred systems of society but the continuance of the intimate relationships between our military advisers, leading to common study of potential dangers, similarity of weapons and manuals of instruction and interchange of officers and cadets at colleges. It should carry with it the continuance of the present facilities for mutual security by the joint use of all naval and Air Force bases in the possession of either country all over the world. This would perhaps double the mobility of the American Navy and Air Force. It would greatly expand that of the British Empire forces and it might well lead, if and as the world calms down, to important financial savings. Already we use together a large number of islands; more may well be entrusted to our joint care in the near future.

The United States already has a permanent defense agreement with the Dominion of Canada, which is so devotedly attached to the British Commonwealth and Empire. This agreement is more effective than many of those which have often been made under formal alliances. This principle should be extended to all the British Commonwealths

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with full reciprocity. Thus, whatever happens, and thus only, we shall be secure ourselves and able to work together for the high and simple causes that are dear to us and bode no ill to any. Eventually there may come the principle of common citizenship but that we may be content to leave to destiny, whose outstretched arm so many of us can clearly see.

There is, however, an important question we must ask ourselves. Would a special relationship between the United States and the British Commonwealth be inconsistent with our overriding loyalties to the world organization? I reply that on the contrary, it is probably the only means by which that organization will achieve its full stature and strength. There are already the special United States relations with Canada and between the United States and the South American republics. We also have our 20 years' treaty of collaboration and mutual assistance with Soviet Russia. I agree with Mr. Bevin that it might well be a 50-year treaty. We have an alliance with Portugal unbroken since 1884. None of these clash with the general interest of a world agreement. On the contrary they help it. "In my Father's house are many mansions." Special associations between members of the United Nations which have no aggressive point against any other country, which harbor no design incompatible with the Charter of the United Nations, far from being harmful, are beneficial and, as I believe, indispensable.

MUST BUILD TEMPLES

I spoke earlier of the temple of peace. Workmen from all countries must build that temple. If two of the workmen know each other particularly well and are old friends, if their families are intermingled and if they have faith in each other's purpose, hope in each other's future and charity toward each other's shortcomings, to quote some good words I read here the other day, why cannot they work together at the common task as friends and partners? Why cannot they share their tools and thus increase each others' working powers? Indeed they must do so or else the temple may not be built, or, being built, it may collapse, and we shall all be proved unteachable and have to go and try to learn again for a third time, in a school of war, incomparably more rigorous than that from which we have just been released.

The Dark Ages may return, the Stone Age may return on the gleaming wings of science, and what might now shower immeasurable material blessings upon mankind, may even bring about its total destruction. Beware, I say; time may be short. Do not let us take the course of letting events drift along till it is too late. If there is to be a fraternal association of the kind I have described, with all the extra strength and security which both our countries can derive from it, let us make sure that that great fact is known to the world, and that it plays its part in steadying and stabilizing the foundations of peace. Prevention is better than cure.

A shadow has fallen upon the scenes so lately lighted by the Allied victory. Nobody knows what Soviet Russia and its Communist international organization intends to do in the immediate future, or what are the limits, if any, to their expansive and proselytizing tendencies. I have a strong admiration and regard for the valiant Russian people and for my wartime comrade, Marshal Stalin. There is sympathy and good will in Britain—and I doubt not here also—toward the peoples of all the Russias and a resolve to persevere through many differences and rebuffs in establishing lasting friendships.

We understand the Russian need to be secure on her western frontiers from all renewal of German aggression. We welcome her to her rightful place among the leading nations of the world. Above all, we welcome constant, frequent, and growing contacts between the Russian people and our own people on both sides of the Atlantic. It is my duty, however, to place before you certain facts about the present position in Europe.

From Stettin in the Baltic to Trieste in the Adriatic, an iron curtain has descended across the continent. Behind that line lie all the capitals of the ancient states of central and eastern Europe. Warsaw, Berlin, Prague, Vienna, Budapest, Belgrade, Bucharest, and Sofia, all these famous cities and the populations around them lie in the Soviet sphere and all are subject, in one form or another, not only to Soviet influence but to a very high and increasing measure of control from Moscow. Athens alone, with its immortal glories, is free to decide its future at an election under British, American, and French observation.

NO DEMOCRACY EXISTS

The Russian-dominated Polish Government has been encouraged to make enormous and wrongful inroads upon Germany, and mass expulsions of millions of Germans on a scale grievous and undreamed of are now taking place. The Communist parties, which were very small in all these eastern states of Europe, have been raised to preeminence and power far beyond their numbers and are seeking everywhere to obtain totalitarian control. Police governments are prevailing in nearly every case, and so far, except in Czechoslovakia, there is no true democracy.

Turkey and Persia are both profoundly alarmed and disturbed at the claims which are made upon them and at the pressure being exerted by the Moscow government. An attempt is being made by the Russians in Berlin to build up a quasi-Communist party in their zone of occupied Germany by showing special favors to groups of left-wing German leaders. At the end of the fighting last June, the American and British Armies withdrew westward, in accordance with an earlier agreement, to a depth at some points of 150 miles on a front of nearly 400 miles, to allow the Russians to occupy this vast expanse of territory which the western democracies had conquered.

If now the Soviet Government tries, by separate action, to build up a pro-Communist Germany in their areas, this will cause new serious difficulties in the British and American zones, and will give the defeated Germans the power of putting themselves up to auction between the Soviets and the western democracies. Whatever conclusions may be drawn from these facts—and facts they are—this is certainly not the liberated Europe we fought to build up. Nor is it one which contains the essentials of permanent peace.

In front of the iron curtain which lies across Europe are other causes for anxiety. In Italy the Communist Party is seriously hampered by having to support the Communist-trained Marshal Tito's claims to former Italian territory at the head of the Adriatic. Nevertheless, the future of Italy hangs in the balance. Again, one cannot imagine a regenerated Europe without a strong France. All my public life I have worked for a strong France and I never lost faith in her destiny, even in the darkest hours. I will not lose faith now.

GROWING CHALLENGE

However, in a great number of countries, far from the Russian frontiers and throughout the world, Communist fifth columns are established and work in complete unity and absolute obedience to the directions they receive from the Communist center. Except in the British Commonwealth, and in the United States, where communism is in its infancy, the Communist parties or fifth columns constitute a growing challenge and peril to Christian civilization. These are somber facts for anyone to have to recite on the morrow of a victory gained by so much splendid comradeship in arms and in the cause of freedom and democracy, and we should be most unwise not to face them squarely while time remains.

The outlook is also anxious in the Far East and especially in Manchuria. The agreement which was made at Yalta, to which I was a party, was extremely favorable to Soviet Russia, but it was made at a time when no one could say that the German war might not extend all through the summer and autumn of 1945 and when the Japanese war was expected to last for a further 18 months from the end of the German war. In this country you are all so well informed about the Far East and such devoted friends of China that I do not need to expatiate on the situation there.

I have felt bound to portray the shadow which, alike in the West and in the East, falls upon the world. I was a minister at the time of Versailles Treaty and a close friend of Mr. Lloyd George. I did not myself agree with many things that were done, but I have a very strong impression in my mind of that situation, and I find it painful to contrast it with that which prevails now. In those days there were high hopes and unbounded confidence that the wars were over, and that the League of Nations would become all-powerful. I do not see or feel the same confidence or even the same hopes in the haggard world at this time.

On the other hand, I repulse the idea that a new war is inevitable, still more that it is imminent. It is because I am so sure that our fortunes are in our own hands and that we hold the power to save the future, that I feel the duty to speak out now that I have an occasion to do so. I do not believe that Soviet Russia desires war. What they desire is the fruits of war and the indefinite expansion of their power and doctrines. But what we have to consider here today while time remains, is the permanent prevention of war and the establishment of conditions of freedom and democracy as rapidly as possible in all countries.

Our difficulties and dangers will not be removed by closing our eyes to them; they will not be removed by mere waiting to see what happens; nor will they be relieved by a policy of appeasement. What is needed is a settlement, and the longer this is delayed, the more difficult it will be and the greater our dangers will become. From what I have seen of our Russian friends and allies during the war, I am convinced that there is nothing they admire so much as strength, and there is nothing for which they have less respect than for military weakness. For that reason the old doctrine of a balance of power is unsound. We cannot afford, if we can help it, to work on narrow margins, offering temptations to a trial of strength. If the western democracies stand together in strict adherence to the principles of the United Nations Charter, their influence for furthering these principles will be immense and no one is likely to molest them. If, however, they become divided or falter in their duty, and if these all-important years are allowed to slip away, then indeed catastrophe may overwhelm us all.

Last time I saw it all coming, and cried aloud to my own fellow countrymen and to the world, but no one paid any attention. Up till the year 1933 or even 1935, Germany might have been saved from the awful fate which has overtaken her and we might all have been spared the miseries Hitler let loose upon mankind.

There never was a war in all history easier to prevent by timely action than the one which has just desolated such great areas of

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the globe. It could have been prevented without the firing of a single shot, and Germany might be powerful, prosperous, and honored today, but no one would listen and one by one we were all sucked into the awful whirlpool.

We surely must not let that happen again. This can only be achieved by reaching now, in 1946, a good understanding on all points with Russia under the general authority of the United Nations and by the maintenance of that good understanding through many peaceful years, by the world instrument, supported by the whole strength of the English-speaking world and all its connections.

Let no man underrate the abiding power of the British Empire and Commonwealth. Because you see the 46,000,000 in our island harassed about their food supply, of which they only grow one-half, even in wartime, or because we have difficulty in restarting our industries and export trade after 6 years of passionate war effort, do not suppose that we shall not come through these dark years of privations as we have come through the glorious years of agony, or that half a century from now, you will not see seventy or eighty millions of Britons spread about the world and united in defense of our traditions, our way of life, and of the world causes we and you espouse. If the population of the English-speaking Commonwealth be added to that of the United States, with all that such cooperation implies in the air, on the sea, and in science and industry, there will be no quivering, precarious balance of power to offer its temptation to ambition or adventure. On the contrary there will be an overwhelming assurance of security. If you adhere faithfully to the Charter of the United Nations and walk forward in sedate and sober strength, seeking no one's land or treasure, or seeking to lay no arbitrary control on the thoughts of men, if all British moral and material forces and convictions are joined with your own in fraternal association, the high roads of the future will be clear, not only for us but for all, not only for our time but for a century to come.

Mr. EAGLETON. Mr. President, as Sir Winston warned the world that day he also honored Westminister College and Fulton, Mo. Yesterday, on May 7, Fulton returned that honor by dedicating a fitting memorial and museum to his memory.

To honor this great man and his words, officials of Westminster College have reconstructed a war-damaged Christopher Wren church from London on the campus. Through the efforts of Dr. Robert L. D. Davidson, president of Westminster College, over $1,300,000 has been raised to complete this imaginative and noble project.

Today, the U.S. Department of the Interior, recognizing the significance of Sir Winston's speech is designating the Westminster College Gymnasium, where it was delivered, a National Historic Landmark.

The Churchill Memorial at Westminster College and the designation of the Westminster College Gymnasium as a National Historic Monument are fitting tributes to the man whose words will be long noted and well remembered by free men everywhere.

I ask unanimous consent that the following article from the Kansas City Star describing the Winston Churchill Memorial in more detail be entered into the Record at this time.

There being no objection, the article was ordered to be printed in the Record, as follows:

Fulton's Echo of Historic Speech Apparent in Fine Church Structure

Fulton, Mo.—It was seven years ago that Dr. Robert L. D. Davidson, president of Westminster college, suggested that a war-damaged Wren church be brought from London and rebuilt here as a memorial to the famous "Iron Curtain" speech Sir Winston Churchill delivered on the campus March 5, 1946.

Since that time $1,300,000 has been contributed by friends of the British statesman and the college to help move the shell of the church that remained after the Nazi blitz from London to Fulton.

As the home of the Winston Churchill Memorial and Library in the United States, 300-year-old St. Mary the Virgin, Aldermanbury, promises to become one of the greatest travel attractions anywhere between Chicago and the Rockies.

The structure will be dedicated May 7. Lord Louis Mountbatten will head the British representatives at the ceremony and will deliver the dedication speech.

An already fascinating collection of Churchilliana is developing in the museum beneath the church—paintings, photographs including an original print of the famed Karsh portrait, letters from Queen Elizabeth, General Eisenhower, Presidents Truman and Johnson, and the signed John F. Kennedy proclamation declaring Churchill an honorary American citizen.

Entrance is free. The church and museum are open from 10 o'clock to noon and from 1 to 4 o'clock each afternoon when the college is in session, and from 9 to 4:15 o'clock during the summer.

Dr. Davidson has decreed that the chandelier over the circular stairway leading to the museum and library in the undercroft will remain lighted each night in memory of the world leader who helped keep the lights burning in the free world. This also will illuminate a bronze bust of Sir Winston, which has been mounted in a niche in the wall of the stairway.

The bust is by Bryant Baker of New York City, one of America's outstanding sculptors. It was given to the memorial by two anonymous donors.

The church has not led a charmed life, but it probably has the honor of having been restored more often than any other edifice. The restoration, here marks the third time St. Mary has been rebuilt after having perished by fire.

The first church St. Mary, erected in London between the 11th and 12th centuries, was a victim of the Great Fire of 1666. Rebuilding was completed in 1677 by Sir Christopher Wren and the church served its parish until the night of September 8, 1915, when a fire bomb dropped by a German Zeppelin scored a hit.

This was one of the few Zeppelin raids on London in World War I, but St. Mary was severely damaged by the fire bomb and the clear glass windows, which reflected Wren's scheme of window lighting, were shattered.

After the war, St. Mary was restored and redecorated, and celebrated its 250th anniversary in 1927, a memorial chapel having been erected to the memory of those from the united parishes of St. Mary and St. Alphage who fell in the war.

However, St. Mary felt the searing flames from a German incendiary bomb again on December 29, 1940. The church took a direct hit during one of the Luftwaffe's heaviest air blitzes of the war and only the bare stone walls and the 12 Corinthian columns inside remained standing.

A total of eight Wren churches was destroyed by fire that night, and the London Times said the next day:

"Waves of enemy aircraft attacked London for some hours last night, raining hundreds of incendiary bombs indiscriminately over a wide area of the capital and outskirts."

And then on the following day, the Times said:

"All eight of the city churches which were destroyed by fire or severely damaged in Sunday night's raid were the work of Sir Christopher Wren, and included examples of his finest architecture. They had many historical and beloved associations, and with one exception were built on the sites of ancient churches that perished in the Great Fire. By fire they have perished again."

In the same issue, the newspaper carried another report that the day after the bombing Mr. Churchill, accompanied by Mrs. Churchill, visited the area in which St. Mary's was located and made a 2-hour inspection tour. As they passed along, they were greeted with cheers and Churchill smiled and lifted his hat. He said:

"This monstrous product of former wrongs and shame has resolved to try to break our famous island by process of indiscriminate slaughter and destruction.

"What he has done is to kindle a fire in British hearts which will glow long after the traces of the conflagration he has caused in London have been removed."

Soon after V-E day Churchill was defeated for re-election to Parliament and when he was invited to speak at Westminster college, he accepted President Truman's offer to come to Fulton with him. Here he delivered his "Sinews of Peace" speech in which he said:

"A shadow has fallen upon the scene so lately lighted by the Allied victory. From Stettin in the Baltic to Trieste in the Adriatic, an iron curtain has descended across the continent, and behind that line lie all the capitals of the ancient states of Central and Eastern Europe."

Almost 10 years later, in a letter to a Westminster college official, Sir Winston wrote:

"It was within your hospitable walls, more than nine years ago, that I had the honour or speaking about the perils and opportunities of the world as I saw them. Since then we have experienced many of the dangers about which I spoke, and even now the benefits of lasting peace and freedom from tyranny are still denied to millions of people. There have been many changes in the world in the last nine years, but although in recent months some of the clouds seem to have rolled away, we still require that constancy of mind and persistency of purpose which I described when I spoke to you.

"The years which have passed since then have also seen continued co-operation between our two great English-speaking peoples. This close and fraternal relationship which I suggested was necessary for our mutual strength and security will, I know, be continued in the future."

And then, in 1962 when Westminster's President Davidson called on Sir Winston and told the latter of his plan to bring the church to the campus as a memorial to his famous speech, the aging statesman said:

"I am honoured that Westminster college should wish to commemorate the speech I made at Fulton. The removal of a Christopher Wren church, largely destroyed by enemy action in London, and its reconstruction and re-edification at Fulton, is an imaginative concept. It may symbolise in the eyes of the English-speaking peoples the ideas of Anglo-American association on which rest, now as before, so many of our hopes for peace and the future of mankind."

This message, along with the approval of the London Council for the Care of Churches to remove the church that was to be razed because it was in an industrialized section of London and no longer served a parish, set in motion the project that led to the moving of the shell of the church, stone by stone, from London to Fulton.

Actual construction on the modern undercroft was started in the fall of 1965, and the

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first stones arrived here in April, 1966, after having made the journey from London by steamship and rail.

PROGRAMS TO COMBAT ORGANIZED CRIME—ADDRESS BY RICHARD W. VELDE, ASSOCIATE ADMINISTRATOR, LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

Mr. DIRKSEN. Mr. President, organized crime is a monstrous enemy to American society. It is an enemy that is especially threatening because it has adopted many disguises. In some large cities it is cloaked in respectability and has allied itself with elected officials, while throughout the country it has taken over legitimate businesses. In its illegal and extra-legal operations, organized crime makes a mockery of our democracy.

We have ignored and tolerated organized crime for too many years. We have pretended it did not exist. We have deluded ourselves that petty gambling and the numbers game are not connected with the mob. We have put up with loan sharking and usury. This country has been napping while organized crime put its roots down, implanted itself in all forms of vice from drug traffic to prostitution, took over businesses and entire industries, and wormed its way into labor unions.

Although organized crime has now become a billion-dollar enterprise with great power, it is still vulnerable. Mafia hoodlums fear Federal laws, Federal agents, and Federal expertise. They fear the hard-hitting integrity of organizations like the Chicago Crime Commission which is making progress in Illinois. They may have laughed at State and local law enforcement and puny State laws, but they will not be laughing much longer.

The Federal Government is now going to help States launch battles—on every front—against organized crime. The Federal Government will share its expertise, help train and organize agents, and work with States to beef up their laws. It will help finance the war on organized crime at the State and local level.

Some of the efforts we are going to launch against the underworld will come from the Law Enforcement Assistance Administration, a grants program in the Justice Department that was established by the Omnibus Crime Control and Safe Streets Act. I am proud to say I was partly instrumental in passing this law. I cosponsored the section of the act—the Hruska amendment—that gives priority to fighting organized crime. This section of the law, section 301(b)(5), provides funds for special law enforcement units, organized crime prevention councils, recruiting and training of investigative and prosecuting personnel, and for collecting and disseminating information on organized crime control.

The Law Enforcement Assistance Administration has already laid the groundwork for a larger-scale effort against organized crime. This work was described last month in Chicago by the newly appointed LEAA Associate Administrator, Mr. Richard W. Velde. As Mr Velde described it, the LEAA is geared for the program President Nixon announced on April 23—a campaign against organized crime that gives hope to our Nation.

The LEAA has established an Organized Crime Programs Division. It will mastermind the training of law enforcement units that will fight organized crime at the State and local level. It will begin by holding training conferences throughout the Nation—conferences of key police officials and prosecutors. I am pleased that the first conference, in July, will be in Illinois and will be cosponsored by the LEAA, the State of Illinois, and the State of Michigan. There will be over a hundred police and prosecutors from 15 States—Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and Wyoming. In addition to these conferences, the LEAA will create training teams of organized crime specialists—police, prosecutors, and intelligence experts—who will go to States where the mobs are operating.

The LEAA will also help expose organized crime operations. It is funding the development of a prototype computerized crime intelligence system that will contain data on the activities and even the personalities of underworld figures. And the LEAA is already fostering an interstate exchange of information on organized crime and criminals.

Mr. President, these activities were described by Mr. Velde in an address before the Illinois Law Enforcement Commission on April 18. I ask unanimous consent that his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY RICHARD W. VELDE, ASSOCIATE ADMINISTRATOR, LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, BEFORE THE ILLINOIS LAW ENFORCEMENT COMMISSION, AT THE CIRCLE CENTER, UNIVERSITY OF ILLINOIS, CHICAGO

I would like to say, first of all, how personally pleased I am to have been invited to speak to this very important meeting of the Illinois Law Enforcement Commission. It is heartening to us in the Law Enforcement Assistance Administration to see the vigorous activities being carried on by Illinois for planning comprehensive law enforcement improvements under the Omnibus Crime Control and Safe Streets Act of 1968. Your work is of great importance both to the LEAA and to the entire country, for Illinois is a pivotal state in the program now getting underway to make a safer America. One of the obvious facts is the size of Illinois. Planning grants and the action grants to carry out those plans are allocated on a population basis, and your state has the fourth largest amount in both categories. The planning funds for Illinois this fiscal year total $833,050 and the action grants total $1,338,495. Our national hopes hinge in large measure on the success of the largest states in meeting their pressing crime problems. Top performances by those states are essential if the streets are to be made really safe again, if the country's entire criminal justice system is to be modernized and improved.

Illinois and the other large states also contain the reservoirs of ability so badly needed to make meaningful inroads on crime. You have, I am certain, more than your fair share of the experts in police, courts, and corrections. We need that knowledge. We need your advice and suggestions. We need your help. The LEAA program cannot be a full success if only a state here and a state there carries its share of the load. Several different, but equally important, levels of cooperation are required. Each state must work meaningfully with its own system of local governments. States must work with each other. And they must, of course, work with the federal government. This latter approach, I suggest to you, is certainly not a one-way street. We in LEAA want to do everything within our power to help Illinois. That is not an idle pledge.

ORGANIZED CRIME PROGRAMS

Though the LEAA program has many facets it is our work in organized crime that I would like to discuss now. It is not only an important area of concern by itself but I think our programs both existing and planned in this field will give you a good idea of our general approach in creating an effective meaningful partnership with the states. I want to begin this discussion of organized crime with an ending and would like to read this to you:

"In many ways organized crime is the most sinister kind of crime in America. The men who control it have become rich and powerful by encouraging the needy to gamble by luring the troubled to destroy themselves with drugs by extorting the profits of honest and hardworking businessmen by collecting usury from those in financial plight by maiming or murdering those who oppose them by bribing those who are sworn to destroy them. Organized crime is not merely a few preying upon a few. In a very real sense it is dedicated to subverting not only American institutions but the very decency and integrity that are the most cherished attributes of a free society. As the leaders of Cosa Nostra and their racketeering allies pursue their conspiracy unmolested in open and continuous defiance of the law they preach a sermon that all too many Americans heed: "The government is for sale; lawlessness is the road to wealth; honesty is a pitfall and morality a trap for suckers. The extraordinary thing about organized crime is that America has tolerated it for so long."

That is the concluding paragraph of the National Crime Commission's study on organized crime two years ago, and the question of why America has tolerated organized crime for so long is a haunting one. It prompts us, in turn, to ask other questions: Why is organized crime permitted to reap up to $50 billion a year from gambling, many billions a year from loan-sharking, more than $350 million a year from heroin sales alone, many millions more from prostitution? Why is organized crime permitted to use those fantastic revenues to put many policemen, judges, and elected officials in the mob's hip-pocket, corrupt our institutions, taint our system of justice? Why is organized crime permitted to take over large sections of legitimate business, control some labor unions, commit murder with the same impunity as it receives a $2 bet? Why have so many police and public officials, along with large sections of the public, taken an "I don't give a damn attitude?" One reason is a seeming contradiction. Much of organized crime's activities are very visible. But most of their effects on most Americans are invisible. The average American may say that organized crime does not affect him. He does not place bets with the mob's book, he does not go to a loan-shark, his business is run by honest men, his union is run by honest men, he does not consort with the mob's prostitutes, he does not buy the mob's heroin. But he is affected, nevertheless. His trash may be picked up by the mob's trash company, and he pays an extra $2 a month. The place where he buys his meat or other food may be operated by the Cosa Nostra, and he pays a dime more a pound for an inferior, mis-labeled product.

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EFFECTS ON LAW ENFORCEMENT

These sort of things may hurt a little, but only a little. But he may be damaged in more substantial ways. The business he works for may be manipulated or controlled by the mob. The huge pension funds of his union may be used to finance vast illegal enterprises. This average man ought to look at another aspect. He wants safe streets. But if the mob has bought the policeman on his beat, that policeman may well turn and look the other way whenever any kind of crime is committed—from a burglary to a mugging to a murder. For a bribed policeman never knows whether a crime is being committed by somebody on the mob's payroll or under the mob's protection. If he makes an arrest, he may get into trouble with the Mafia man from whom he receives payoffs. That policeman will be very wary of doing much of anything. Multiply that policeman by 100 or 500 or 1,000 in a large city, and the problem begins assuming enormous proportions. Add to that the corrupt police supervisors, who have control over hundreds of policemen and their investigations. Add to that corrupt judges who dismiss charges or go easy on those few Cosa Nostra hoodlums who are arrested by local authorities. Add to that corrupt state and city officials and legislators who refuse to pass effective laws or appropriate the proper funds for organized crime programs.

And all that, if I may borrow a line from The Music Man, means that we've got big trouble, and not only in River City. One indication of the dimensions of the problem is that some major cities in the United States have never brought an organized crime prosecution. There also are other aspects of the problem. We are all aware of the complexities of the problems facing Negroes in the ghetto in major cities today. One of the problems is whether the nation's law enforcement system is trusted by those Negroes, whether they have faith in it being fair and impartial, whether they have faith that it is efficient and will protect them. Look at the world for a moment through the eyes of a 12-year-old Negro youth in the slums. One of the things he may likely see is that the policeman looks the other way as the mob operates its books and numbers operations, as it sells it heroin. Can he respect that policeman of the Department the policeman represents? He also sees the numbers runner or the corner bookie wearing $300 suits and driving a $10,000 car. How is that going to shape his values?

I do not intend to suggest for a moment that most policemen, public officials, and judges are anything but honest. The fact is that most are. But it also is a fact that organized crime cannot exist without corrupting a certain number of public servants of one sort or another. It is a perplexing problem, and one that must be met squarely and honestly if organized crime's grip on this country is to be ended.

A MAJOR FEDERAL RESPONSE

My description of organized crime is by no means intended to be definitive, but rather merely an indication of the scope of what faces us. Fortnuately, since the National Crime Commission gave us its grim findings, attitudes have started to undergo a meaningful change. Many more people—both public officials and private citizens—are concerned, and want effective programs. A major response of Congress and the federal government is the establishment of the Law Enforcement Assistance Administration. We are not, it should be made clear, an operational agency. The LEAA does not go out and investigate and accumulate evidence and prosecute individual cases. That is the responsibility of other parts of the federal government, and, of course, state and local governments. But we do have a clear role assigned by the Omnibus Crime Control and Safe Streets Act, which created the LEAA.

In part, the Act says this:

"The Administration is authorized to make grants to States having comprehensive State plans approved by it under this part, for—

"The organization, education, and training of special law enforcement units to combat organized crime, including the establishment and development of State organized crime prevention councils, the recruiting and training of special investigative and prosecuting personnel, and the development of systems for collecting, storing, and disseminating information relating to the control of organized crime."

This provision, the Hruska amendment, is being translated into one of the major programs begun by the LEAA. We have established an Organized Crime Programs Division. Though it is just getting underway, we see these as some of its priority activities. Expert training, administered and supervised by experts, is essential if every state and every major city are to have the capabilities to substantially reduce organized crime. The LEAA has already scheduled its first training conference—and I would like to congratulate Illinois for taking a very major role in it. The five-day meeting, cosponsored by LEAA, the State of Illinois and the State of Michigan, is tentatively scheduled for June 16 to 20 at the Illinois Beach State Park. We expect more than 100 key police officials and prosecutors to attend from these 15 important states: Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and Wyoming.

A VARIETY OF EXPERTS

Similar meetings embracing the other regions of the country will be held later in the year. Though our own LEAA staff is small at this point, we will bring to these meetings organized crime experts from a number of state, local, and federal agencies. We also will bring experts from other than police disciplines—for instance, experts in statistics, computer programing, business, and economics. We want to discuss with the police and prosecutions officials the scope of organized crime, how we can deal with it, what will be effective, what should be planned. We want their views. We will give them our views. But we plan much more than that.

The LEAA will create teams of prosecutors, police, intelligence specialists, statisticians, and accountants who will travel to every major state where organized crime presents a significant problem for intensive training sessions with scores of law enforcement agencies. In cooperation with city and state agencies, we plan to assign similar specialists for fairly extended periods for on-the-spot, on-the-job training programs. One of the organized crime experts in the LEAA recently told me, for instance: "The temporary assignment of a policeman to an intelligence gathering unit, a prosecutor to a rackets bureau, or an accountant to an office that specializes in organized crime data analysis or tax fraud investigations would reap numerous benefits."

A continuing series of conferences is planned at our offices in Washington, D.C., with policemen and other officials attending from around the country. We also hope that part of the organized crime program can be aided by the LEAA academic assistance program, where funds are given to law enforcement personnel to pursue college degree studies. The curriculum should include courses directly related to strengthening organized crime activities by teaching such things as how to uncover infiltration of legitimate business, how to recognize false entries in corporate records, statistical analysis of intelligence information.

BROAD APPROACHES

Broader approaches also exist. For instance, it is our hope that states with organized crime problems will devise good programs to fight organized crime in their over-all plans for law enforcement improvements that are now being formulated. Organized Crime Prevention Councils also should be a reality in states with organized crime problems, and include a wide range of police, prosecutors, state and local officials, criminologists, accountants, and other experts. The members obviously must be of high caliber, carefully screened, and be representative of the many different state and local interests. Other projects should be even more comprehensive. Every state with an organized crime problem, or that finds it has Cosa Nostra leaders as residents, should think very seriously about the great advantages of creating a special law enforcement unit with state-wide powers of investigation, state-wide powers of arrest, and state-wide powers of prosecution.

I am confident that such an agency could make major inroads on organized crime. Since the Cosa Nostra does not recognize the city line, it makes sense that the mob be attacked on something more comprehensive than a city-by-city basis. Such a decision, of course, is for each state to make. But rest assured that the LEAA will be very candid in giving you its views on the worth of such an approach and on the possibility of our financial support.

One of the great problems in coping with organized crime is the lack of intelligence data. I don't mean, in this context, the lack of evidence to make a particular case, though that is always a pressing need. I mean the kind of data that will give us a thorough, comprehensive look at all elements of organized crime in a city or a state—and, hopefully, at some point, in the entire nation. At present, no state has anything that resembles even remotely an automated organized crime intelligence system. Every police department has rooms full of file cards that have to be examined manually, a time-consuming, often fruitless process. Within a state, cities have no way of quickly getting good information to each other. But consider this: What if we could devise a system where all of the information available within a state could be stored in a computer, to be retrieved and examined at a moment's notice. What interesting and valuable information might be learned. For instance: how many organized crime figures are in the liquor business, the meat business; how many members of the mob have government contracts; what banks do they do business with; what legitimate businesses do they own; what unions do they control; who holds the mortgages on their homes and who gives them loans.

LACK OF KNOWLEDGE

Again, this is not a definitive description of what such an automated intelligence center might come up with. I merely want to point out that at present no state has the capability to take an over-all, detailed look at anything in the structure of organized crime, at its every facet. We simply do not know very much about organized crime. An automated system can substantially help us to know. If we knew all those things, then we could act on them. Many more prosecutions would eventually result. Organized crime could be hit in its weak spots. As of now, nobody knows enough about the business and economic structure of organized crime to know what those weak spots may be. But what if we had satisticians and business experts examining all of this material? What if we broadened the base of sources of intelligence information? Not only receive information from police but such rich sources as, say, the country recorder's office, that could feed in all the data about business transactions, real estate sales, and other activities involving the mob. I think the automated data system would be an historic step.

I am happy to be able to tell you today that the possible creation of a prototype automated intelligence system is now being seriously discussed by the LEAA and several states, including Illinois. If the project can get underway, we would hope to give LEAA grants for extensive studies and testing—actually putting material into the computers and seeing what we can learn. If this prototype system should work out well, the LEAA then would make the plans available to the states. We also could give some additional grants for hiring the experts to help set it up. Most of the costs would be carried by the states. The states, for instance, would have to buy the hardware, the computers. They would have to hire the men to operate the system. LEAA would provide the plans and enough technical assistance to get it all started. It is an exciting prospect.

In this short time, I have tried to give you some idea of the programs the LEAA is beginning. We are deadly serious that effective programs become a reality. We need your help, for this great venture is, indeed, a partnership in the truest sense. We must not only work on specific programs. The public must be made fully aware that the stakes are great indeed, and that is something every state should do.

I cannot stress too strongly the need for another vital ingredient in the fight against organized crime. President Nixon, in a speech in Chicago last October, discussed a number of the priorities, and then said this: "Most of all, we need leadership which will pledge that organized crime is finished in this country—that the battle we are in will be won by the forces of order."

I hope our presence here today is one small indication that we are not going to tolerate organized crime any longer.

SPEECHES BY THE HONORABLE HUBERT H. HUMPHREY

Mr. CRANSTON. Mr. President, in two recent speeches before the League for Industrial Democracy and the Anti-Defamation League of B'nai B'rith, former Vice President Hubert H. Humphrey has focused on the policy decisions which will determine this Nation's future.

Too frequently, these choices are phrased and debated in the neutral terms of budgetary analysis. It is true that our resources are not unlimited, but so-called dispassionate analysis may be a rationalization for treading the worn paths of tradition. Too often, we blindly enlist behind the banner of national security only to find that we have been led to expensive military commitments which not only fail to increase our security but bring us to the verge of a ruined environment and nuclear suicide.

Clearly this is a time of choice. We can let our society drift on its path to polarization. The affluent can enjoy their material comfort oblivious to the suffering of the invisible poor—for a while. We can retreat to the grassy safety of the suburbs, isolated from the violence of our deteriorating cities—for a while. We can let our military decisions become mere reflexes in a self-perpetuating spiral—for a while. But our complacency will be short lived. The suburbs are nourished by the cities, and the arms race is not only insatiable but, unchecked, logically leads to nuclear disaster.

Now new directions are possible without the passionate conviction that human needs must take first priority. Few men are better able to translate political decisions into human terms than Hubert H. Humphrey. He knows that good things do not come without a fight and he has never backed off from battle. I ask unanimous consent that Mr. Humphrey's speeches be printed in the RECORD.

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

REMARKS OF THE HONORABLE HUBERT H. HUMPHREY, BEFORE THE LEAGUE FOR INDUSTRIAL DEMOCRACY, NEW YORK CITY, APRIL 19, 1969

We meet today at a time of great crisis and challenge in the affairs of this nation.

During the Presidential campaign Senator Muskie and I talked about two issues which, in our opinion, superseded all others in their long-range effect on the health, if not the survival, of our democracy: the issue of racial justice in America and the issue of controlling the nuclear arms race among the nations of the world.

Nothing has happened in the three months which have passed since January 20 to indicate that our evaluation of the critical nature of these two issues was erroneous.

To the contrary: we have been presented with compelling evidence that what we, as a nation, do about the twin imperatives of racial justice and nuclear arms control, *this year*, will likely commit America for the foreseeable future to either one of two paths:

Will we choose the admittedly difficult and often frustrating path leading to a deceleration of the strategic arms spiral with a corresponding acceleration of our efforts to attack the root causes of deprivation and unrest in this country?

Or will we follow the far easier path, at least in the short run, of acceding to the backlogged requests of the military for an entirely new generation of offensive and defensive strategic weapons and thereby mortgage our chances of mobilizing a far greater proportion of America's resources in the cause of humanity, both at home and abroad?

This is the fundamental decision now facing the Congress and the country.

This is the issue which should now be uppermost in the minds of those persons, like yourselves, who have sustained the struggle for social justice in America for the past three decades.

A little more than a year ago the National Advisory Commission on Civil Disorders—the Kerner Commission—released its historic report and recommendations. On the first anniversary of this report, Urban America and The Urban Coalition released a study, *One Year Later*, which evaluated our progress to date in meeting the goals of the Kerner Commission.

This appraisal stated that:

"Poverty remains a pervasive fact of life . . . and the continuing disparity between this poverty and the general affluence remains a source of alienation and discontent.

"Ghetto schools continue to fail. The small amount of progress that has been made has been counterbalanced by a growing atmosphere of hostility and conflict in many cities.

"At present, there are no programs that seriously threaten the continued existence of the slums."

And as the Kerner report had warned a year earlier, the study concluded: "For a year later, we are a year closer to being two societies, black and white, increasingly separate and scarcely more equal."

I was distressed at the meager attention given this important evaluation when it was released six weeks ago. For this report outlined, as did the Kerner Commission before it, the specific actions which must now be taken in America to reverse this alarming pattern of social disintegration.

We must understand the dimensions of our basic challenge: to achieve not only equity in *opportunity* but equity in *results*. And equity in results refers to very concrete goals—the right to a job at decent pay, the right to an adequate income if one cannot work, the right to an education which releases rather than destroys human creativity, the right to decent housing in safe neighborhoods, the right to good health care and sufficient nutrition.

Clearly, if America is going to remedy the inequality and injustice of our society, we must begin conducting our public business in a largely different manner than we have in the past.

Above all else, we are going to have to reorder our priorities and start putting first things first.

Yes, we stand at a critical moment in the history of the United States—a moment when the right decisions taken forcefully and courageously can dramatically alter the priorities of our national life.

Let us be absolutely clear about what is riding on these decisions: no less than whether America can ever remedy the deep-seated social ills diagnosed by the Kerner Commission over one year ago—and known to the distinguished members of this assemblage for many years.

The opening skirmish in this battle over national priorities will be fought over money for the initial deployment of the Safeguard anti-ballistic missile system. But this debate is only symptomatic of the more fundamental decisions that must be reached in the coming year over military spending.

This is why negotiations with the Soviet Union over the reduction of offensive and defensive strategic weapons are so critical.

If we can freeze this strategic weapons race at its present levels, and then begin the process of mutual phased reductions of the nuclear arsenals, there is a chance of winning the battle of priorities . . . there is a chance that we can indeed begin putting first things first.

I have no illusions about the difficult nature of these negotiations. When responsible leaders of great nations approach their vital security interests, they do so with great caution. I know our leaders will not agree to anything that endangers our national security. And I make the same assumption about the Soviet leaders.

But I also assume that the Soviet leaders would not lightly enter into these talks with us.

We must believe, until their actions demonstrate otherwise, that the Soviets understand the compelling reasons for ending the nuclear arms spiral—a process which is not only expensive and dangerous, but one which has become meaningless in terms of securing for either side a decisive military advantage.

It is especially important that prior to the negotiations we exercise great restraint in word and action on matters relating to strategic weapons.

My concern for restraint causes me to regret very much those statements of Secretary of Defense Melvin Laird imputing to the Soviets a commitment to achieve a first-strike capability in strategic nuclear weapons.

Less than four months ago, Secretary Clark Clifford reached quite different conclusions as to the Soviet strategic posture. And Secretary of State Rogers clearly contradicted these forecasts of a Soviet first-strike capability in his testimony before the Senate Foreign Relations Committee and at his first press conference in Washington two weeks ago.

If there is any substance to Secretary Laird's view, I believe President Nixon should lay these facts before the country with all the detail and gravity that a change of this magnitude in Soviet strategy commands.

If these forecasts are *not* accurate, then the Secretary of Defense should stop raising

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these specters before the American people just at the time when conditions appear ripe for productive Soviet-U.S. negotiations.

This is serious—yes, deadly—business. We cannot tolerate ill-considered expressions from highly-placed governmental officials which could trigger a new round in the strategic arms race.

Statements which depart markedly from earlier U.S. pronouncements can only raise doubts in the Soviet mind about *our* strategic objectives.

A far wiser course, in my opinion, would be one of watchful waiting, until we have determined through direct talks with the Soviets their actual willingness or unwillingness to decelerate the arms race. Then we will not have to speculate on such critical matters. We will know.

The process of shifting significant sums of Federal money from works of war to works of peace will not be easy.

Every positive advance in nuclear arms control has been opposed by powerful members of Congress and segments of the military and defense establishment. Any meaningful agreements reached with the Soviets concerning the freezing or reduction of our strategic weapons will almost certainly be fought once again.

In my view, a Presidential decision to postpone deployment of the A.B.M. system at this time would have been upheld in the Congress and supported by a significant majority of the American people. And this positive decision would have been a valuable prelude to the more difficult battles that will surely follow any major agreement with the Soviet Union over the mutual reduction of strategic forces.

This nation, however, cannot afford to postpone certain critical actions that are essential *now*—even though the outcome of arms control talks with the Soviets will, in the end, be a major factor in deciding the proportion of our gross national product that will be available for domestic needs.

In these areas—jobs, welfare and housing—the groundwork has been laid for meaningful progress *now*.

To date, the present Administration has given little evidence of its intention to seize the initiative in a decisive fashion. The issue, nevertheless, must be drawn. And if this is done in the Congress, I believe the people of America will understand and support our efforts.

The right to guaranteed employment is attainable. This means that some jobs that do not now exist must be created. And this largely means public service employment—the creation of health, police, housing, recreation, education, jobs—at the state and local levels and among non-profit private organizations.

We are also learning that for a portion of our population employment, in itself, is not a sufficient answer. For example, if a male head of a family with three or more children works 40 hours a week 52 weeks a year at the minimum wage, he will be beneath the poverty line. Fully one-third of the poor are already working poor. And employment is of little help to those persons who are too young, or too old, or too sick to hold a job.

As Ben W. Heineman, Chairman of the Commission on Income Maintenance Programs, recently stressed, a new income maintenance system must directly transfer incomes to all of the poor, but must also explicitly preserve incentives for the poor to augment their income through employment, where that is possible.

Indeed, direct income transfers can permit other mechanisms—education, training, health, and employment—to operate effectively.

Both candidates in the Presidential election pledged a total overhaul of our welfare system. The time for action has now arrived.

The third critical issue where movement can occur is the elimination of substandard housing and the building of livable communities.

In the next 10 years this will require subsidizing 6 million dwelling units for those who cannot afford the rent or mortgage payment for decent housing.

But this involves more than Congress appropriating funds. It requires a national land use policy that works to reduce land costs and makes land use conform to public needs rather than speculative ones. It requires a monetary policy that successfully competes for the housing investment dollar. It requires a commitment by the whole public sector and the relevant private sectors to work at assembling sufficiently large housing markets so that technological breakthroughs are made to reduce substantially our construction costs.

Let us be crystal clear. The labor movement must help also by continuing to organize its structure and practices to increase the availability of additional construction workers, on the site or in the factory.

The liberal coalition—all its parts—must begin talking and acting as a movement. This means talking about the politically unthinkable. It means making the politically risky politically proximate. And it means stretching the politically impossible and making it possible.

Today the issue of military spending—highlighted now by the question of deploying the Safeguard A.B.M. system but extending far beyond this immediate issue—has the potential for creating in America an organized force for social justice comparable to the coalition which carried on the civil rights battle for two decades.

Unless this battle is won, this year, the outcome of subsequent encounters over the allocation of resources for cities, for education, for health care, for jobs and housing, and for food will be largely decided even before the issues get to Congress.

Our military budgets will continue to expand; our domestic allocations will become proportionately smaller. This is precisely the outcome of President Nixon's recent cutbacks in the Federal budget.

We now have the chance to reverse this traditional pattern if we focus our efforts on ending the insanity of the strategic nuclear arms race, while we begin simultaneously the difficult job of securing these resources for urgent domestic needs.

This is our opportunity in this moment of crisis and challenge . . . Can we now summon the courage and faith so clearly demanded by the times?

Remarks of the Honorable Hubert H. Humphrey Before Anti-Defamation League of B'nai B'rith, Washington, D.C., April 21, 1969

Last September I addressed the Anti-Defamation League of B'nai B'rith in the opening speech of my campaign for the Presidency of the United States.

In this speech I discussed what I considered to be one of the two principal issues of the campaign—the issue of racial justice in America.

I asked this question: Shall we—as a nation—move forward toward one society of opportunity and justice . . . or shall we abandon this commitment out of fear and prejudice and move instead toward a fractured and separated society—black against white, rich against poor, comfortable against the left-out?

The campaign has ended. The Presidency has changed hands. But this question still prevails . . . with an intensity even greater than when I raised the issue last September.

A little more than a year ago, the National Advisory Commission on Civil Disorders—the Kerner Commission—released its historic report and recommendations. On the first anniversary of this report, Urban America and the Urban Coalition released a study, *One Year Later*, which evaluated our progress to date in meeting the goals of the Kerner Commission.

This appraisal stated that:

"—Poverty remains a pervasive fact of life . . . and the continuing disparity between this poverty and the general affluence remains a source of alienation and discontent.

"—Ghetto schools continue to fail. The small amount of progress that has been made has been counterbalanced by a growing atmosphere of hostility and conflict in many cities.

"—At present, there are no programs that seriously threaten the continued existence of the slums."

And as the Kerner report had warned a year earlier, the study concluded: "For a year later, we are a year closer to being two societies, black and white, increasingly separate and scarcely less equal."

I was distressed at the meager attention given this important evaluation when it was released six weeks ago. For this report outlined, as did the Kerner Commission before it, the specific actions which must now be taken in America to reverse this alarming pattern of social disintegration.

We must understand the dimensions of our basic challenge: to achieve not only equity in *opportunity* but equity in *results*. And equity in results refers to very concrete goals—the right to a job at decent pay, the right to an adequate income if one cannot work, the right to an education which releases rather than destroys human creativity, the right to decent housing in safe neighborhoods, the right to good health care and sufficient nutrition.

The accumulated wrongs and deprivations of generations cannot be swept away overnight. But this obvious fact must not become an excuse for making anything less than the maximum effort to do as much as we can—*now*.

We hear a lot these days about not promising more than we can deliver—about not raising peoples' expectations over society's capacity to remedy long-standing injustices. All of this is wise and prudent talk . . . up to a point.

Up to the point of permitting such sentiments to become rationalizations for doing less than the absolute maximum of what we are capable of doing.

Up to the point that this approach suggests to the American people that these terribly urgent and difficult problems can be solved without considerable sacrifice and commitment on their part.

And up to the point that we believe our basic error has been in saying to the American people that *all* should share equitably in the wealth and opportunity of this nation . . . and forgetting that, in fact, our basic error has been the protracted failure to mobilize the resources and energies of this country to reach this goal.

Let's face one fact squarely: television and advertising will do the job of raising peoples' expectations, regardless of what the government may do or what our political leaders may say. But it is the special responsibility of government and our political leadership to make the decisions and generate the support and confidence that will get this job done.

On the basis of the Administration's reductions of the federal budget in critical domestic areas—cities, education, health care, the Job Corps and the poverty program—I can only conclude that they fail to grasp the urgency of our present circumstances . . . and that they are profoundly mistaken in believing that gradualism and patience are sufficient in these days of crisis.

The Administration's confusing and often contradictory performance over the enforcement of existing civil rights statutes, moreover, can only create the most serious doubts about their basic commitment to healing the divisions and eradicating the inequities of this society.

To illustrate briefly:

The same day that the NAACP Legal Defense Fund went into Federal Court over the Pentagon's refusal to demand equal hiring and housing practices by three textile companies, the Justice Department sued a textile mill for precisely these violations of federal law.

And the Administration announced its intention to fire Clifford Alexander, the Chairman of the Equal Employment Opportunity Commission, the day after Minority Leader Dirksen threatened Alexander with replacement for allegedly "harassing" employers who are violating the Civil Rights Act of 1964.

As you know, Mr. Alexander has now resigned his position as Chairman, rather than submit to dismissal under these most unfortunate circumstances.

As one of the principal authors of this legislation. I want to commend Mr. Alexander for his faithful and fair conduct of his responsibilities. And I think the vocal advocates of law and order in this society should recognize the severe damage that is wrought by such efforts to intimidate public officials who are only exercising their statutory duties in a responsible and effective manner.

The inconsistency of this record—the marked disparity between words and deeds—will only encourage those elements in our society which seek to perpetuate racist policies in jobs, housing, education and public services generally.

The time has arrived for those groups like the Anti-Defamation League to demand publicly that our civil rights laws be enforced to the letter.

Any other course by the federal government can only deal a grievous blow to this nation's efforts to root out the bigotry and racism which increasingly threaten to divide this land and people.

* * *

In the course of the Presidential campaign another issue arose of overriding importance: the issue of controlling the strategic arms spiral which threatens the survival of all mankind.

Congress and the American people are now faced with a basic decision: Will we accede to the backlogged requests of the military for an entirely new generation of offensive and defensive strategic nuclear weapons . . . or will we attempt to negotiate with the Soviet Union an end to the nuclear arms race and thereby open the door for a far greater mobilization of America's resources in the cause of humanity, both at home and abroad?

The opening skirmish in this struggle over national priorities will be fought over money for the initial deployment of the Safeguard anti-ballistic missile system. But this debate is only indicative of the more fundamental decisions that must be reached in the coming year over military spending.

One thing is certain: the process of shifting significant sums of federal money from works of war to works of peace will not be easy.

Every positive advance in nuclear arms control has been opposed by powerful members of Congress and segments of the military and defense establishment. Any meaningful agreements reached with the Soviets concerning the freezing or reduction of our strategic weapons will almost certainly be fought once again.

But unless *this* battle is won, the outcome of subsequent encounters to secure additional resources for cities, for education, for health care, for jobs and housing, and related activities will be largely decided—in the negative—even before the issues get to Congress.

Our military budgets will continue to expand; our domestic allocations will become proportionately smaller. This is precisely the outcome of President Nixon's recent cutbacks in the federal budget.

We now have the chance to reverse this traditional pattern if we focus our efforts on ending the insanity of the strategic nuclear arms race, while we begin simultaneously the difficult job of securing these resources for urgent domestic needs.

This is our opportunity in this moment of crisis and challenge. . . . Can we now summon the courage and faith so clearly demanded by the times?

TV STATEMENT BY SENATOR BYRD OF WEST VIRGINIA, OPPOSING PAY RAISES FOR OFFICERS OF THE CONGRESS

Mr. BYRD of West Virginia. Mr. President, on May 2, 1969, I made a statement for television regarding pay raises for officers of the Congress.

I ask unanimous consent that the transcript of that statement be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

BYRD OPPOSES PAY INCREASES

A majority of the Senate has voted to send the proposal to increase the salaries of the Vice President, and certain officers of the Congress back to committee. I voted to recommit the proposal and I shall vote against the proposed salary increases if they come before the Senate again. I voted against the bill increasing the salary of the President of the United States. I voted against the bill increasing the salaries of Members of Congress, U.S. Supreme Court judges, and Cabinet officials. I do not believe that it is right to increase the salaries of Members of Congress at a time when inflation is a threat to the economy and at a time when many taxpayers have a greater load than they can carry.

TECHNOLOGY, MAN AND THE ENVIRONMENT—A SENATE STUDY UNIT IS CRITICAL

Mr. MUSKIE. Mr. President, yesterday the Subcommittee on Intergovernmental Relations held its final hearing on Senate Resolution 78, to establish a Select Committee on Technology and the Human Environment. During the past several months, we have heard from eminent scientists and representatives of professional organizations, including the National Academy of Science, the National Academy of Engineering, the National Association of Manufacturers, and the U.S. Chamber of Commerce.

The support for the proposed select committee has been most gratifying. There is a common theme running through all the testimony—that both the benefits and hazards of technology are escalating at such a pace that a central forum is necessary to assess technological impact on man and his environment. In particular, the witnesses have stressed that the Senate should have a mechanism for informing itself on an across-the-board basis, rather than the present fragmented approach.

Mr. President, in this connection, I should like to place in the RECORD at this point in my remarks an editorial by the New York Times, May 3, 1969, concerning hearings on Senate Resolution 78, which, I believe, will be of interest to the Members of the Senate and to the public.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BY LAND, SEA, AND AIR

By land, sea,and air, the enemies of man's survival relentlessly press their attack. The most dangerous of all these enemies is man's own undirected technology. The radioactive poisons from nuclear tests, the runoff into rivers of nitrogen fertilizers, the smog from automobiles, the pesticides in the food chain, and the destruction of topsoil by strip mining are examples of the failure to foresee and control the untoward consequences of modern technology.

"The new technological man carries strontium-90 in his bones, iodine-131 in his thyroid, DDT in his fat, and asbestos in his lungs." That was the graphic description offered by Dr. Barry Commoner of Washington University in his testimony the other day to the Senate subcommittee on Intergovernmental Relations. Under the leadership of Senator Muskie of Maine, this subcommittee is holding hearings on the multiple threats to the environment.

Dr. Commoner cited a wide range of evidence to demonstrate that the laboratory and the assembly line such as the internal combustion engine and the powerful chemical fertilizers have upset the sensitive balance of nature by which life renews itself. The economic benefits and the technical ingenuity are obvious to everyone but the hidden ecological costs are not.

The difficulty is that the environment is everybody's business but nobody's responsibility. Another subcommittee witness, W. H. Ferry, vice president of the Center for the Study of Democratic Institutions, suggests a National Ecological Authority with legal power to forbid any activity which seriously menaces the environment, Congress and the nation, however, are not ready to establish a superagency with such a sweeping grant of power. Two more modest proposals are immediately feasible and would do much to lay the basis for better public understanding and improved public policy.

The first is Senator Muskie's resolution to establish a Senate select committee to study the effects of technology on the environment. The second is a complementary proposal sponsored by Senator Jackson of Washington to create a council on environmental quality. Modeled on the existing Council of Economic Advisers, it would advise the President on environmental issues, provide an independent review of departmental programs, and issue an annual report on the state of the environment.

The Nixon Administration reportedly has under consideration an interdepartment Cabinet Committee on the Environment to be chaired by the President. This would be the wrong approach. The President is much too busy and many environmental issues are too technical for him to give the kind of personal direction which a chairman should provide. Moreover, Cabinet committees tend to dwindle into polite inconsequence because no member likes to attack a colleague's policy if he can avoid it. However, a council of experts with an independent staff of its own could give the President and Congress the necessary guidance on the environmental outlook. Such a council is an essential agency if this country is to develop what Senator Jackson has termed "a national strategy for the management of the human environment."

BIRTHDAY TRIBUTE TO FORMER PRESIDENT HARRY S. TRUMAN

Mr. EAGLETON. Mr. President, today marks the birthday of a great American, a great President and a great Missourian. On May 8, 1884, Harry S. Truman was born in Lamar, Mo. Harry S. Truman, farmer, Army officer, haberdasher, presiding judge, Senator, Vice President, and 33d President of the United States, is a man who believes in America and symbolizes that which is best in the American character and American Spirit.

Harry Truman possesses rare qualities of greatness—the greatness of leadership—the greatness which comes with the ability to exercise great power wisely in making difficult decisions. Perhaps, President Truman described it best:

> Decisions that the President has to make often affect the lives of tens of millions of people around the world . . . Some men can make decisions and some cannot. Some men fret and delay under criticism. I used to have a saying that applies here . . . "If you can't stand the heat, get out of the kitchen."

Harry S. Truman could stand the heat—and he got plenty. During his Presidency, he led the United States through a period of change seldom matched in the annuals of history. His Presidency spanned a period in which America emerged as the most powerful nation in a world just entering the atomic age. Through great decision and petty squabbles, Harry Truman maintained a perspective, a sense of humor, and humility seldom matched by other leaders.

As he himself said:

> The President hears a hundred voices telling him that he is the greatest man in the world. He must listen carefully indeed to hear the one voice that tells him he is not . . .

Harry Truman's own words honor him far more than could those of friends and admirers. They reflect the wisdom and understanding which he brought to bear on the problems of our times. They are still relevant today.

Mr. President, I ask unanimous consent that the following statements of Harry S. Truman be entered into the RECORD at this time.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

ON DEMOCRACY

> Democracy is based on the conviction that man has the moral and intellectual capacity, as well as the inalienable right, to govern himself with reason and justice . . .
>
> Democracy maintains that government is established for the benefit of the individual, and is charged with the responsibility of protecting the rights of the individual and his freedom in the exercise of his abilities . . .
>
> Democracy has proved that social justice can be achieved through peaceful change . . .
>
> Democracy holds that free nations can settle differences justly and maintain lasting peace.

ON THE MILITARY

> I have always believed that the civilian control of the military is one of the strongest foundations of our system of free government. Many of our people are descended from men and women who fled their native countries to escape the oppression of militarism . . .
>
> One reason that we have been so careful to keep the military within its own preserve is that the very nature of the service hierarchy gives military commanders little if any opportunity to learn the humility that is needed for public service.

ON DISCRIMINATION

> Those who sincerely desire to see the fullest expression of our democracy can never rest until the opportunity for an education, at all levels, has been given to all qualified Americans, regardless of race, creed, color, national origin, sex or economic status . . .
>
> We have only recently completed a long and bitter war against intolerance and hatred in other lands . . . Yet, in this country today there exists disturbing evidence of intolerance and prejudice similar in kind . . . Discrimination, like a disease, must be attacked wherever it appears.

ON GOVERMENT

> Government is an instrument of the people, and unless the people want to support measures, and controls necessary for effective and efficient government, representative government will not mean much. I don't believe in government for special privilege. Our resources should be used for the benefit of all the people.

Mr. EAGLETON. Mr. President, real security will be found only in law and justice. Throughout his political career, Harry S. Truman maintained high principles. As he stated in his memoirs:

ON SECURITY

> Any man who has come up through the process of political selection, as it functions in our country, knows that success is a mixture of principles steadfastly maintained and adjustments made at the proper time and place—adjustments to conditions, not adjustment of principles.

And throughout his steady rise in politics, he was always aware of his responsibility to history. Harry S. Truman once stated:

> It isn't polls or public opinion alone of the moment that counts. It is right and wrong, and leadership—men with fortitude, honesty and a belief in the right that make epochs in the history of the world.

By this or any other standard, Harry S. Truman is one of the great figures of our times. His fortitude, honesty, and belief in the right is a part of our history—a part of which we can all be proud.

VIETNAM—ARTICLE BY FORMER SENATOR GRUENING

Mr. McGOVERN. Mr. President, I am very much pleased to note that our former colleague from Alaska, Senator Ernest Gruening, is continuing to supply guidance on how we can extricate ourselves from the tragic conflict in Vietnam.

In the current issue of the Nation, he writes:

> The disaster there will only be magnified and intensified unless President Nixon reverses the policy that has brought our nation to unfathomable depths.

Like Senator Gruening, I am deeply concerned over the prospect that the new administration might, like its predecessor, become entrapped by the discredited advice which says we will prevail if we will only persevere in our military efforts. We share the conviction that the route out of Vietnam is through facing realities, admitting our mistakes, and shifting our direction.

The Senator's fight against our deep involvement in Vietnamese affairs was a long and lonely one, joined initially only by one other Member, Senator Morse of Oregon. Yet few would suggest today that we listened to the right advice 5 years ago, or that the architects of the Vietnam war can claim as much foresight as its critics.

Perhaps we will be more attentive now. In that hope, I ask unanimous consent that the article to which I have referred, "How President Nixon Can End Our War in Southeast Asia," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW PRESIDENT NIXON CAN END OUR WAR IN SOUTHEAST ASIA

(By Ernest Gruening)

It is, and for some time has been, obvious that the most important issue facing our nation is to get out of the war in Southeast Asia. All our other issues and problems are slighted, impaired and unresolved until we halt the fighting, stop the concomitant continuing drain of blood and treasure, and turn to the long-neglected and pressing needs at home.

During his election campaign Richard Nixon told the American people that he had a plan to end the war, but did not want to disclose it for fear of interfering with the negotiations in Paris. After three months in office President Nixon gives us no indication of any formula or proposal for achieving that widely desired objective.

On the contrary, draft calls are undiminished, casualties mount and we continue, as we have for the last five years, to be winning the war only in the optimistic pronouncements of our military leaders and their supporting newspaper columnists. The President has shown a commendable restraint in not re-escalating the battlefield activity, having no doubt learned that every time our military propose just one more upmanship we get in that much deeper. But the prospect is for continued warfare.

A new approach is desperately needed, and I offer it in the fervent hope that President Nixon who, I doubt not, would like to rid his Administration of the albatross bequeathed him by President Johnson, will lay aside his preconceptions and the assumptions that have underlain our policies to date. For that purpose a review of what has happened is appropriate.

Five years ago, on March 10, 1964, I delivered the first major opposition speech on this issue made in Congress. It was entitled, "The United States Should Get Out of Vietnam." With exhibits, it occupied 30 pages in the *Congressional Record*. It would have been easy for President Johnson to accept that counsel and to withdraw at that time, since no United States units had been committed to combat, and the casualties had been very few.

The opening sentence of that March 10 address was: "The mess in Vietnam was inherited by President Johnson." That holds true for President Nixon today; he is under no more obligation than was President Johnson to perpetuate his predecessor's policies.

That we have lost some 34,000 young Americans killed in action, several thousand more through other causes, more than a quarter of a million wounded, some horribly crippled for life, have killed tens of thousands of innocent noncombatants, created

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more than a million homeless refugees, sunk in excess of $125 billion unrecoverably in the Asian quagmire, and sacrificed our moral standards before the conscience of mankind, does not lessen but increases the need for an alternative course. To continue to permit our men to die in vain—as they all have died in this war—is not short of criminal.

The extent of our folly, despite official propaganda and the ever optimistic and misleading reports of military and diplomatic experts in the scene, has dawned increasingly on the American people. The desire and need to disentangle ourselves have been widely expressed, and as widely countered with the hopeless and unimaginative retort: "Well, maybe we shouldn't have gone in but we're *there* now," with the accent on the "there," implying that we have to keep on with what we have been doing.

More recently, this has been refined by acknowledgments that while we must find a way out, it must be an "honorable" way—which can be translated to mean victory for our position. The "unthinkable" proposal that we withdraw unilaterally (why not, since we barged in unilaterally and in violation of all our treaty commitments?) is met with the loaded cliché, "You wouldn't scuttle and run, would you?" I'll examine that in a moment.

Let me urge that *any* way out would be more honorable than to continue the needless slaughter, and the ever deepening submergence of our nation's interests and values. But actually the most honorable way out would be to repudiate the whole dishonorable episode (made even more demonstrably so, since the Fulbright committee hearings last year revealed that the Tonkin Gulf incident was spurious), to make an "agonizing reappraisal" and confess error.

Defense Secretary Laird has recently revived the shopworn proposal that we strengthen the South Vietnamese army and turn the war over to it—Congress to appropriate additional millions of dollars for that purpose. This would mean merely further subsidy to the corrupt and dictatorial Saigon regimes which have been successively self-imposed by military coups or by electoral fraud, thereby justifying the struggles of the anti-Communist opposition, as well as of the Vietcong against puppet regimes which have no popular support and are maintained solely by American armed might and financial aid.

On February 26 of last year, addressing the Senate shortly after the rigged South Vietnamese elections and the sentencing to years at hard labor of the defeated non-Communist opponents of the Thieu-Ky ticket (it was as if President Nixon after his victory had ordered Mr. Johnson and Mr. Humphrey to the chain gang!), I made a specific recommendation to the President. It appeared in the *Congressional Record* under the heading, "One Possible Solution to the Vietnam Dilemma," and follows:

"Recommendations for extrication of the United States from its Vietnamese folly are not the responsibility of those who for years have dissented from United States policy in Vietnam. It is the responsibility of those who got us into the Southeast Asia mess.

"However, if President Johnson really wants to get the United States out of the morass in Vietnam, and save us from ever-mounting and ever-deepening disaster and the increasing slaughter of the flower of our youth and of thousands of Vietnamese noncombatants, his opportunity is here and now.

"He could go on nationwide radio and television and, in effect, say to the American people:

"'MY FELLOW CITIZENS: I have tried for four years and my predecessors have tried for a decade previously to bring a semblance of self-government and democracy to the people of South Vietnam. It has become clear beyond peradventure that it is not their desire, and that the United States, despite its prodigious efforts in manpower and money, and the sacrifice of thousands of American lives, cannot achieve these desired results for them.

"'I have today ordered the unconditional cessation of all bombing of North Vietnam and of all offensive operations in South Vietnam. In addition, I have directed there be an immediate in-place cease-fire in South Vietnam on the part of the United States and I have requested the South Vietnamese Armed Forces to do likewise, with only defensive action authorized. I have called upon the forces of the National Liberation Front and of North Vietnam in South Vietnam to do the same. It is my purpose, which I now declare, to initiate a phased military withdrawal which should be completed within a year. In the meantime, behind the shield of American military forces with the leverage afforded by U.S. military and economic aid, U.S. representatives in South Vietnam will insist that the Thieu-Ky government broaden the base of its government to include their non-Communist opponents, represented in large measure by those whom they have now jailed and put in protective custody, and that this broadened South Vietnamese Government begin immediate negotiations with the National Liberation Front so that all these Vietnamese components can work out their own destinies.

"'In addition, I have directed our Ambassador to the United Nations to work with other nations there to find places of refuge in other lands for those who would not want to live in South Vietnam under the new regime which will be formed and I will ask the Congress for such additional authority as may be needed to admit such refugees to the United States and to assist in their resettlement elsewhere.

"'Further, I have instructed our Ambassadors to Great Britain, the Soviet Union, Canada, India and Poland to propose a greatly strengthened International Control Commission to supervise any elections to be held in South Vietnam to obtain an expression of the people's will.

"'The United States will assist in the reconstruction and rehabilitation of the burned villages, destroyed buildings and defoliated fields, and give suitable fiscal assistance to economic development. But our military efforts will cease. We will make every effort to assist the people of both North and South Vietnam to establish whatever form of government they can develop.'

"Here lies a solution which both Americans and Vietnamese, I am confident, will welcome."

This proposal in substance—with a few minor emendations because of changed conditions and its enunciation by a different President—is as valid for President Nixon today as when I proposed it to President Johnson fourteen months ago. President Johnson, of course, turned a deaf ear to it as to all other proposals for U.S. extrication. Instead, he extricated himself by announcing his withdrawal from office, a move which averted his certain defeat at the November elections.

This withdrawal was a confession of error even if he could not bring himself to admit such. He was lucky to have escaped impeachment proceedings which might have been his not undeserved fate, because of his betrayal of his campaign pledgees, but was never a possibility because a supine Congress with its Democratic majority was a *particeps criminis* in the whole Southeast Asia affair.

Johnson's withdrawal, however, diminished the tension at home and allayed the mounting opposition to the war based on the hope that the "peace talks" in Paris could bring peace. This is an utterly vain hope because the premises of the two adversaries are diametrically opposed and irreconcilable. We have proceeded on the premise that we are there to repel aggression. Our adversaries maintain that the United States is the aggressor—a view substantiated by an objective review of the facts, many of them kept from the American people. That being so, our adversaries will naturally insist that we withdraw from Asia and let Asians settle their own problems. I doubt whether this proposition is negotiable and that peace by negotiation will be achieved. We should ask ourselves by what right we are there; what we have to gain by maintaining that presence, and whether the price is worth the costs—human, material and spiritual—which will haunt us for generations.

As for the secondary justification for our military intrusion to Southeast Asia—we must halt communism—it should be clear by now that we are actualy aiding communism; that if the rulers of Communist Russia and Communist China desire our nation's debilitation and downfall, they could not devise a policy more likely to achieve that objective than the one our country is pursuing. To date, neither the Russians nor the Chinese have committed a single soldier to combat. And if our aim was to prevent the southward expansion of mainland China we have pursued the worst possible policy: we have weakened and sought to destroy Vietnam, which has been hostile to the Chinese for centuries and would fight their aggression as it has successively fought that of the French, the Japanese and the Americans.

What would be the consequences of a unilateral American withdrawal? It would not be "scuttle and run." A phased withdrawal would require months and could be replaced by a nation-wide coalition government more responsive to the Vietnamese National aspirations.

Would there be a blood bath? One is going on now and it will continue as long as the United States clings to its present policies. We can be confident that long before our withdrawal was far advanced the few hundred corrupt Vietnamese officials would have retired to Paris or the Riviera, to enjoy in luxury and ease the fortunes they have filched from our bounty. If some thousands of others would prefer to leave Vietnam, it would pay handsomely to arrange for their relocation and sustenance, if necessary for life, in other climes. It would be far less costly and more humane than the present $3 billion monthly military bill.

The others—the peasantry—would be absorbed and return to the life they had anticipated in the independent countries of Laos, Cambodia, and reunited Vietnam which the Geneva Agreement predicated and we had agreed to support.

President Nixon has the opportunity to end the war and end it honorably by readherence to principles upon which our nation was founded and through which it grew to greatness until a faulty leadership began to abandon them and got us into the present tragic disaster. That disaster—already great—will only be magnified and intensified unless President Nixon reverses the policy that has brought our nation to unfathomable depths. The Congress, too, has a responsibility to change its course and stop voting the military authorization and appropriations which have supported Presidential misleadership.

THE MACHIASPORT PROJECT

Mr. KENNEDY. Mr. President, on Monday there appeared in the National Observer an excellent article entitled "Very High Stakes Make Very Anxious Players." This article is, I think, a very fair, balanced, and objective report of the proposed Machiasport refinery and its relationship to the mandatory oil import program. This article asks many of the questions that the Antitrust Subcommittee and we New Englanders have asked and shall continue to ask about the wisdom and administration of that program. I request that it be made a part of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VERY HIGH STAKES MAKE VERY ANXIOUS PLAYERS—WHY THE MACHIASPORT DEAL AND TAXPAYERS SHAKE UP AN INDUSTRY

(About this article: The oil industry occupies a unique position in America—a position that is at once colorful, contradictory, and increasingly controversial. It's influence—political and social, as well as economic—is powerfully pervasive, as evidenced in recent public conflicts over production controls, import quotas, industry tax shelters, and bitter behind-the-scenes feuding over a startling new project proposed for Machiasport, Maine.

(This is the first of several articles that explore first-hand and in depth the industry's singular position and prerogatives. The material was prepared by staff writers August Gribbin, Michael Malloy, Patrick Young, and senior editor Edwin A. Roberts, Jr. The reporting and research was done in Washington, D.C.; New York City; Machiasport and Augusta, Maine; New Orleans and Baton Rouge, La.; and Dallas, Longview, Houston, and Austin, Texas.)

The American oil industry, which registered more than $60 billion in sales in 1968, is the giant of giants in the business community. But it is an anxious giant, clanking about in several suits of armor and thus conspicuously protected from many of the rigors that are the spice and spark of enterprise.

But it soon may be stripped of its mail and a gauntlet or two. There is mounting evidence that Congress, reacting to customer and taxpayer indignation, will divest the industry of some of its distinctive assortment of protections. These protections can be listed under three headings: the oil-import quota system, state regulation of domestic production, and an unequaled variety of tax advantages.

The challenge to the industry is advancing on two fronts. One is a congressional review of the import-quota system, a review given important impetus by the proposal of Occidental Petroleum Corp., Los Angeles, to erect a huge refinery, using foreign oil, at Machiasport near the northeast tip of Maine. The other is the Government effort to reduce the multiple tax loopholes that, in size and sum, have been the particular privilege of the oil industry.

THE MOST POWERFUL BUSINESS LOBBY

The industry, for its part, is fighting any trimming of its advantages. The oil and natural gas lobby is the most powerful business lobby in Washington, and the industry counts scores of congressmen and Federal officials as it surrogates in the halls of Government. The oil companies have traditionally based their case for preferential treatment on the proposition that the nation's security requires a prosperous domestic oil industry, and a prosperous oil industry—so it is argued—is dependent upon tax incentives for exploration and import controls to save the United States from becoming dependent upon oil from politically unstable countries.

Those are the issues in their most elemental form. But underlying the general arguments on both sides is the frenetic history of the oil business. And out of this history has grown a huge, contorted industrial mechanism, prodigiously complex in the working of its parts and complicated still further by its tight meshing with the gears of government. It is a Chinese puzzle whose pieces are strewn throughout a labyrinth of law.

And behind the forests of oil derricks, the pipelines and giant tankers, the vast refineries and tank farms, the corporate edifices and millions of gasoline pumps—behind all the familiar hardware of this basic industry—lies the biggest gambling game ever devised by man, a game in which $1,000,000 is a token wager, a game that can determine the health and wealth of many nations.

Very high stakes make very anxious players, so it's not surprising that the companies that take the risks look about for all the protection possible. One way of protecting the price of domestic oil is to keep all but a trickle of foreign oil out of the country. This the industry has successfully done since 1959 when mandatory oil import quotas went into effect. Today this protectionist program is endangered. President Nixon has promised to decide by autumn of this year whether the Administration will support the revolutionary proposal called "Machiasport."

FAVORED BY A FEW WEALTHY FAMILIES

Machiasport, the town, is typically Maine. With a population of 1,370, it consists of a couple of stores, a rayon mill, a lumber mill, some piers for lobster boats, a cluster of neat-but-weathered houses, and rocky fields that roll down to the sea. Although it is far to the northeast of Maine's principal seashore communities, Machiasport has long been known to and favored by a few wealthy families who maintain summer estates in the vicinity.

It is the kind of rural community that had been most notable for its remoteness and obscurity. But the politics of oil have suddenly thrust the village into the national spotlight, and the technology of oil may turn Machiasport into a hub of industry. Machiasport is blessed with a remarkable harbor; it is 140 feet deep at mean low tide, meaning it could accommodate the largest ships in the world, including the new 300,000-ton super tankers.

But why build an oil refinery in a piney little village so far from the buyers of oil products? Because the plan involves an ingenious way of blowing a hole in the import-quota dike.

Aided by Kenneth Curtis, the 39-year-old governor of Maine, and enthusiastically abetted by the entire New England congressional delegation, Occidental Petroleum is hoping to build at Machiasport the largest crude oil refinery of its kind. The plant capacity would be 300,000 barrels a day. Its daily production would include some 90,000 barrels of home-heating fuel; 10,000 barrels of gasoline; 75,000 barrels of residual fuel used by heavy industry, especially for the generation of electricity; 30,000 barrels of jet fuel for the military; and 10,000 barrels of special Navy fuel.

Occidental would bring in crude oil from its wells in Libya. Therein lies the heart of the Machiasport controversy, and it is a controversy in which not only Occidental, but Maine and the entire nation have an important stake.

Under present law, no U.S. company is permitted to ship into the United States any oil produced in a foreign country, even if the company pumped the oil out of the ground and owns every drop of it, unless the company has been granted a special quota by the U.S. Interior Department. This restriction is contained in what is commonly known as the U.S. oil import-quota system.

The system is now under wide attack, not only because it forces Americans to pay artificially high prices for oil products, but because it is wrenched by so many exceptions, special provisions, and amendments that it no longer can be viewed as a coherent program.

The Secretary of the Interior, using figures developed by the Oil Import Administration in his department, decides every six months how much foreign crude, refined, and partially refined oils can come into the United States. The total generally hovers around 761,000 barrels a day, and it represents 12.2 percent of the projected U.S. domestic production—excluding oil from Mexico, which is considered a special exception, and oil from Canada, which is also considered a special exception, and that oil from Venezuela entering the United States via Hawaiian refineries, which represents still another special exception.

DIVVYING UP THE QUOTA

The Secretary divides the 761,000 barrels a day among the 150 companies that now qualify for quotas. Some companies get bigger quotas than others. The amount of oil a company is permitted to import depends on a so-called historic quota, and also on the company's refinery production capacity as well as on a complicated "sliding scale" formula.

When a company that has not been on the import list is given a quota, every other company on the list must contribute a fraction of its share to help make up the newcomer's allotment. Since every barrel of foreign oil in a company's quota is worth $1.25 cash—the difference between the foreign and domestic price—companies already on the list are not anxious to share the largess with newcomers.

The "historic quota" criterion, like almost everything else about the oil business, merits explanation.

At the end of World War II, American industry returned to peacetime production of automobiles, and many new homes were equipped with oil instead of coal furnaces. The market for oil in the United States quickly expanded and the price of oil zoomed. With demand outrunning supply, the oil industry began vast exploration and development programs. By the early 1950s, the situation was reversed; the companies were producing more oil than they could sell.

While U.S. oilmen were moving from a position of shortage to surplus, oilmen in other countries—in South America and the Middle East—were doing the same thing. The international companies, realizing the United States presented the best market for oil, cut prices and began exporting their less-expensive oil into the United States on a large scale.

Domestic producers were furious. Responding to pressure from the oil lobby, President Eisenhower acted. He acted not only to mollify American oil interests but also to assure the nation the oil it might need in a military emergency. If the United States used so much cheap foreign oil that discovery and exploitation of U.S. oil fields dwindled, the country might become largely dependent of foreign sources for its military fuel. Given the political instability of most of the foreign nations that produce oil, reliance on foreign crude could endanger American security.

In 1955, a Cabinet-level committee much like the one recently established by President Nixon recommended that the President limit oil imports to about their 1954 level. For two years the Eisenhower Administration urged the seven major international companies to limit their imports. They didn't, and they didn't because it is not in the nature of businessmen to intentionally eschew easy and obvious profit opportunities.

So, in 1957, Mr. Eisenhower set up the Voluntary Import Control Program. He assumed the power to take this action from the National Security Amendment of the Trade Agreement Extension Act of 1955. This is one of the reasons import quotas are so often discussed in the context of national security.

The voluntary program provided for limiting imports of oil and refined oil products to 12 percent of domestic production. The 12 percent limit applied to the East and Midwest, known as U.S. Districts I–IV. There are five such districts in the nation, with District

V including Arizona, Nevada, California, Oregon, Washington, Alaska, and Hawaii.

CALCULATING DISTRICT V'S QUOTA

The District V states traditionally have been unable to get enough domestic oil for their needs, so in those states the quota restrictions were made more flexible than those applying to Eastern and Midwestern states. They were based on estimates of District V's demand in relation to available domestic supply. That's essentially the way the District V quota is calculated today.

The total amount of quota oil allowed into the United States was to be allocated to "established" importers, meaning the seven major oil importing companies, which, in order of size, are: Standard Oil (New Jersey), Royal Dutch Shell, Mobil Oil, Texaco, Gulf Oil, Standard Oil (California), and British Petroleum.

The program also provided for the addition of newcomers to the ranks and specified, just as the present mandatory program does, that the seven established companies' quotas would be reduced to accommodate allotments to newcomers.

The voluntary program had a fatal flaw. It was voluntary. While the established importers compiled with its provisions, smaller companies disregarded them. Imports continued to rise. In March 1959, the Mandatory Oil Import Quota Program was enacted.

In the past decade the quota program has worked. It has guaranteed domestic producers high prices for oil pumped from U.S. reserves; domestic crude oil prices, in fact, are the highest in the world—about 60 per cent higher than world prices. This arrangement has successfully protected domestic producers from foreign competition, but the cost to the American economy has been staggering. An economist with the Senate Antitrust and Monopoly subcommittee estimates that cost at $7.2 billion annually. Oil industry spokesmen say the cost is "only" $2.7 billion. Independent economists put the figure somewhere in between, but usually closer to the higher estimate.

The industry argument is that the extra billions American consumers and businesses pay for oil products represent part of the cost of national security. Where would the nation be, they ask, if domestic facilities were to lie idle because of a flood of cheap foreign oil? Where would the nation's oil come from in a crisis that cut off access to the fields of the Middle East?

Critics of the present system respond with their own rhetorical questions. Is it wise for the United States to use up its own reserves when it could save them while buying far cheaper oil from abroad? And if national security is indeed the issue the industry spokesmen say it is, is there not some more efficient way to guarantee the United States a ready supply of oil in an emergency?

Another element has recently been introduced into debate. There is evidence that the discovery of major oil fields in northern Alaska will expand U.S. reserves to the point where it is unlikely this country will run out of oil in this century—or the next century. Then, too, there is the new technology that could make economic the processing of huge, domestic oil shale deposits. And what of the likelihood that atomic energy will eventually replace oil as an industrial power source? And what of the current experimentation with automobiles powered by other than internal combustion engines?

These questions are part of the general argument. The particular argument hinges upon Occidental's attempt to obtain an import quota of 100,000 barrels of oil daily to feed its projected facility at Machiasport.

Companies already on the import list are naturally hostile to the idea. They note that 100,000 barrels is equal to almost 20 per cent of the quotas presently allocated to all other companies. They contend the Occidental plan would destroy the import quota system, ruin the domestic oil industry, and unfairly present Occidental with a windfall variously estimated at between $35,000,000 and $65,000,000.

When opponents speak of the "Occidental Deal" or the "Machiasport Deal," however, they are referring to much more than a big import-quota application. They are referring to a series of maneuvers that resemble a brilliant chess attack, the kind of master plan that has been associated.with the oil industry since the halcyon days of John D. Rockefeller.

Here is the grand strategy:

Maine's Governor Curtis has energetically sought new industry for his state, which badly needs an economic boost. Maine's roads are poor; its school system is inferior; its services minimal.

Governor Curtis says Maine has the highest incidence of poverty in New England. Per-capita income figures calculated for 1966 show that Maine residents earn an average of $2,438 annually, compared with the New England average of $3,223. The low-income cycle is particularly pernicious because the state lacks cheap electrical power. Residual oil, rather than water power, turns its electricity-producing turbines. Industry does not usually seek out new plant sites in areas where power costs are high.

A MASTERFUL PROMOTER

Governor Curtis called in John K. Evans to help find a way to get Maine moving. Mr. Evans, who was formerly an executive with Royal Dutch Shell, is an expert in international oil operations. And he is a masterful promoter. It was Mr. Evans who devised the imaginative Machiasport project, although it soon became too big for him to handle, and in July 1968 he turned the plan over to Occidental, no doubt for a satisfactory consideration.

The main purpose of the Machiasport deal is to reduce power costs in the state and thereby attract new industry. Since the state depends on oil for electrical power, it must get cheap oil to reduce power rates. Since oil itself is a basic industry and raw material, it seemed reasonable that if Maine could tap a big supply of cheap oil, it might signal the beginning of a state-wide boom.

The oil for the Machiasport refinery could not come from the United States because U.S. oil is the most expensive in the world. Maine, furthermore, is almost as far from domestic sources of supply as it is from foreign wells that produce cheaper oil and transport it less expensively in foreign ships.

By law, U.S. oil must be carried in American-flag tankers. Thus, the oil for Maine had to originate outside the United States if the grand strategy were to work.

The planners knew they could eventually get a quota for foreign oil; any petroleum company with a refinery can manage that. But the quota system is so designed that the large refineries get proportionately less oil than the smaller ones. The quota system serves as a special protective device for the smaller operators.

Maine—and Occidental—had to find a way around the import-quota system, because that system wouldn't allow nearly enough foreign oil to enter Machiasport to make the facility practicable. Occidental not only wants to bring in huge quantities of foreign oil; it wants to bring it to Machiasport in the holds of huge foreign tankers that are almost three times the size of the largest American tanker. Economies thus would be spread throughout the whole arrangement.

Even America's relatively small 100,000-ton tankers can't sail into most U.S. harbors because they draw nearly 90 feet of water. The bigger foreign tankers, in service and on the drawing boards, require still greater depths. The need for an extremely deep harbor was clear.

Files of the Army Corps of Engineers and the Coast Guard provided a likely answer: Machiasport. The water around the tiny spit of land on which the village stands, at more than 140 feet deep, is deep enough to handle anything afloat or on the drawing boards. What's more, Machiasport and a few other New England ports are the only ones in the nation offering at least two-mile turn-around room, which the super tankers need. Machiasport, in fact, has a four-mile turn-around area.

THE BIG PROBLEM

Machiasport's natural endowments solved one problem. But the greater problem was, and is, the import-quota system. How to get around that?

By setting up a free trade zone in the state of Maine.

A free trade zone is a technical term applied to a geographic area of the country that has been specifically exempted from certain import laws. Though physically a part of the United States, customs laws don't apply in these zones. Importers can bring in raw materials or other goods into a free trade zone, process them, store them, manipulate them, and export them without paying a nickel in import duty. Products shipped from the zone into the rest of the United States, however, are subject to regular customs charges.

Until 1965, oil could be shipped into a free trade zone in the manner of any other commodity. In that year, however, President Johnson issued a proclamation requiring petroleum importers to obtain a license from the Interior Secretary before importing foreign oil into a free trade zone.

It might be noted here that during the years the late Sam Rayburn was Speaker of the House, and when Lyndon B. Johnson, another Texan, was Majority Leader of the Senate and later President, the domestic oil industry had two of its most devoted friends in positions of surpassing power.

Maine's first move was to apply to have a section of the state declared a free trade zone. It then had to apply for a license to import foreign oil into the zone. This the state has done, requesting that the Portland area be designated a free trade zone with Machiasport declared a "subzone" having the same privileges.

The decision on the free-trade-zone application will be made officially by the Foreign-Trade Board, composed of the secretaries of Commerce, Treasury, and the Army. In fact, however, the final decision will be made by President Nixon.

Maine supports its case with several arguments.

The plan, it is argued, would enhance national security because the new refinery would add to the nation's oil-processing facilities; moreover, the refinery would be built in a part of the nation where no refineries now exist, thus dispersing the facilities of a vital industry.

The nation's balance-of-payments problems would not be aggravated because Occidental would build a refinery in the United States that it will build abroad if the trade-zone application is denied.

The Machiasport refinery would contribute to a lessening of air pollution in the Eastern United States. Libyan oil is lower in sulphur content than domestic crudes, and the emission of sulphur from burning residual oil is a major cause of air pollution.

Area consumers would save money on gasoline and heating fuel. Occidental has agreed to sell its gasoline in the "unbranded market" at approximately 2.5 cents per gallon below major company prices. Company officials say this will save gasoline customers $4,000,000 a year and heating-fuel customers $22,000,000 a year. This is an important aspect of the plan to New Englanders who pay high heating-fuel rates throughout their long, cold winters.

Occidental would also provide the military with lower-cost petroleum products.

The plan would provide the nation with a new deep-water port, which it may need for military and commercial purposes.

U.S. tanker trade would be stimulated because, though Occidental would haul its raw material in foreign ships, the company would export some of its products in American vessels.

If the plan is approved, Occidental has agreed to finance in New England a new, nonprofit oceanographic research and development foundation.

The project would provide 350 jobs immediately and would attract industry to a depressed area.

While the Machiasport deal would be good for New England better for Maine and entirely superb for Occidental the rest of the oil industry is dead set against it. Leading the way in a propaganda campaign to counter the Maine-Occidental propaganda campaign are three giant oil companies—Humble the marketing subsidiary of Jersey Standard Gulf and Shell. Too, if all the Democratic and Republican congressmen from New England are for Machiasport the Texas and Louisiana delegations are strongly opposed to it.

One of Machiasport's most avid supporters is Massachusetts Sen. Edward M. Kennedy perhaps the second most influential politician in the nation. Aligned with him and the rest of the New England delegation are the governors of the six New England states. Machiasport represents one of the few times since 1620 that practically everybody in New England is in agreement on an issue.

Squabbling between the New England and Texas-Louisiana factions began as soon as the proposal was announced and it's still raging. Last February President Nixon declared he was personally assuming responsibility for all decisions relating to oil. On March 26 he named a Cabinet-level committee to review the nation's oil-import policy. The committee, headed by Labor Secretary George Schultz, expects to finish its survey by October. Some time after that the President plans to make a decision about Machiasport.

What little opposition exists in New England has been localized and minute.

Bernard Cheney, an insurance adjuster, was asked what he thought of the Machiasport plan as he stepped from a bank on Center Street in the nearby village of Machias.

"I don't like it. I don't think it can solve the economic problems of Washington County (in which Machiasport is located). It won't create enough jobs. Even if it did we've got people around here who wouldn't work if you gave them $500 a week.

"But the biggest objection is that they want to build the refinery on the most beautiful section of the coast. Don't you realize that this country around here is one of the last places you can go to to get away from the pollution and gook of the cities. You look forward to your kids coming back to escape from the city and bringing the grandchildren to a place with some beauty. Why it's like getting $1,000,000 to get out in your car and drive around this county. Now they're going to bring pollution here."

Fear of pollution—of both air and water—is uppermost in the minds of all local opponents of the plan. Even many who favor it do so with mixed feelings. Says lawyer Wesley Vose: "I can see that the refinery and the other industries it will attract will be an excellent source of jobs and tax revenue. But it's bound to change the community and most of us like it the way it is. Still I'm for the proposal. We need it."

Charles Kilton, manager of the sardine cannery in Machiasport, remarks: "I've always thought it was a good idea. Sure the refinery will hurt our cannery. It will bring changes. But we've got to have help. We've got to have better roads. Where's the money going to come from? The people around here are afraid of strangers coming in. I say let 'em come."

The poverty, or near-poverty, of many Maine residents is not the apparent kind. It is not the poverty of filthy, crumbling city slums. Nor is it the wretched hopelessness of barefoot mountain folk. It is rather an absence of amenities in old, rickety—but clean—houses that have known too many Maine winters. Most important of all, most poor people in rural Maine do not consider themselves poor. And they possess the Yankee knack of making do. Poverty is not always a matter of money; sometimes it is a matter of attitude.

One opinion widely held throughout New England is that New Englanders are forced to pay too high a price for home heating fuel. Seventy per cent of the residents of the six states heat their homes with oil. They use more than 900,000 barrels of oil a day, 21 per cent of the heating oil used by the entire nation. Since 1964 the price of that fuel has risen an average of a half-cent a gallon a year—at a cost to New Englanders of an additional $20,000,000.

Heating oil costs more in Boston, some 50 to 80 cents more a barrel, than it does in Chicago, Milwaukee, or Detroit, which also have long, frigid winters.

The cost of heating their homes is a particular irritant to New Englanders, and it is a major reason why most people in the area favor the Machiasport plan. There are smaller irritants, too, that contribute to a general feeling of dissatisfaction with the curious workings of the oil industry.

Governor Curtis says that people living in Portland resent the fact that though a major oil pipe line runs through Portland carrying oil from that city to Montreal, the price of heating oil in Montreal is 3.59 cents a gallon less than it is in Portland. The harbor at Montreal is too shallow to accommodate ocean-going tankers, so oil bound for the Canadian city is brought into Portland, the second biggest (after Philadelphia) oil port on the East Coast, and immediately transshipped to Montreal. But it's foreign oil that pours through those pipes and Portlanders aren't allowed to tap any of it.

The Machiasport proposal raised so many questions about the import-quota system that the Senate Antitrust and Monopoly subcommittee began hearings on March 11 with a view to recommending changes in the present policy. The subcommittee, an offshoot of the Senate Judiciary Committee, is headed by Sen. Philip Hart, Michigan Democrat. Eighteen economists and educators appeared before the senators, and almost all of them were extremely critical of the quota system. In fact, Senator Hart observed during the hearings that his subcommittee had been unable to find any economist not connected with the oil industry who was willing to argue in favor of the present system.

The most telling points made by the expert witnesses were these:

The import-quota system is the "capstone" of a network of regulations that greatly benefit the oil industry and keep the price of U.S. petroleum products artificially high.

The cost of U.S. oil is so high that domestic prices could be reduced by more than 30 per cent and still permit 95 per cent of the oil produced in this country to be sold at a profit.

The import-quota system no longer makes a significant contribution to national security. It may, in fact, jeopardize national security because it forces the United States to drain its own reserves—reserves that might be more valuable as a wartime asset.

CREATING A CARTEL

The quota system preserves what Walter Adams, acting president of Michigan State University, calls a "Government-created, supported, and subsidized cartel." He said the Federal Government "does for the oil companies what they could not legally do for themselves." He means that Government policies have the effect of fixing prices, something the companies could not do on their own with impunity.

The present system keeps the most efficient wells from operating at capacity while encouraging the development and operation of the least efficient wells. If the restrictions on imports were moved, the per-barrel price of oil would drop from $3 to $2, and 5.4 per cent of domestic production would be lost. The most efficient companies would expand their production facilities and the marginal operators would be forced out of the market. The marginal operators contribute a small fraction to total production.

The witnesses before Senator Hart's subcommittee rarely equivocated; although their language was properly polite, the force of their arguments bespoke a barely muted anger.

At one point, Senator Hart asked Prof. Henry Steele of the University of Houston if he meant that the Government was subsidizing 95 per cent of domestic production just to safeguard 5 per cent of the oil operators. "Yes," said Professor Steele, "and it doesn't make sense."

Prof. Paul T. Homan, an economist with Resources for the Future, Inc., a non-profit research organization, declared:

"We are under the impression that those responsible for adopting the allocation system never regarded it as having any importance for meeting the national security objects of the import program. . . . We are not aware that those responsible for framing the allocation system engaged in a serious economic analysis of the effects of the alternatives open to them. . . . It might be thought rather remarkable that a program affecting such a wide range of economic interests should be developed in a sort of intellectual economic void."

Professor Adams of Michigan State University explained some of the effects of the quota system that keep domestic oil prices high. He noted that Japanese manufacturers can buy Iranian heavy crude (residual fuel) at $1.35 a barrel. The same oil could be shipped to the U.S. East Coast at a delivered price of $2.10 before tariffs. U.S. industrialists, however, must pay $3.42 per barrel. That's a difference of $1.32 before tariffs and $1.22 including tariffs.

PASSED ALONG TO CONSUMER

Professor Adams concludes: "Such a differential obviously could not exist except for the penalties imposed on U.S. manufacturers by the import quota program. Major American chemical companies—du Pont, Union Carbide, Dow, etc.—have estimated that domestic oil prices on the East Coast average $1.25 per barrel more than elsewhere in the world; this amounts to 3 cents a gallon, or 60 per cent above the world price."

The higher price U.S. chemical companies must pay for raw materials, of course, is passed along to the American consumer. And the American consumer buys all manner of products that are derived from petroleum.

Major petroleum derivatives include carbon black, synthesis gas, methane, propane, toluene, and benzene. And from those chemicals come tires, plastics, fertilizers, explosives, shower curtains, pharmaceuticals, rayon, nylon, fumigants, synthetic rubber, lacquer solvents, windows, paint resins, polyesters, and dyes, among other products.

There is general agreement by many in the economic community that prices on these consumer goods would be lower if the price of domestic crude oil were not pegged by the Federal Government at a relatively high level. The manufacturers' costs, in any case, would be importantly reduced.

One witness before the Senate subcommittee told a reporter after testifying: "I would prefer not to sound unscholarly in public, but it does not take much economic sophistication to come to the conclusion that the oil import-quota system is an exercise in insanity."

None of the witnesses urged that the system be scrapped at once; that would throw the domestic market into chaos. Critics urge instead that the quota program be eliminated gradually.

The oil industry is aware it has on its hands its toughest fight in years. Its old prerogatives are being called into question all at the same time, and there is some doubt that even the powerful oil lobby and its well-situated friends in Government can sweep back the tide of change.

The major oil companies have declined to be drawn out on their position in the import-quota controversy. This reluctance is due partly to the traditional secrecy that the companies attach to their operations and policies for fear of providing information that might be of use to competitors. Too, industry spokesmen in coming months will themselves be testifying before the Senate Antitrust and Monopoly subcommittee and they prefer not to tip their hand.

But the industry position can be summarized this way: The present quota system is imperfect, but a devil known is better than a devil unknown. Import quotas enhance national security by assuring the viability of the domestic industry in the event an international crisis should close off America's access to foreign sources. Elimination of the quota system would work an extreme hardship on the economies of oil-producing regions in the United States. And such elimination would adversely affect the nation's balance of payments.

Nowhere does the oil industry have more friends than in those agencies of the Interior Department that are charged with overseeing various aspects of industry operations. This is so whether the issue is oil spills off U.S. shores or the import-quota system.

Ralph W. Snyder, a key official of the Oil Import Administration, has reacted to the controversy over quotas with two suggestions. Mr. Snyder is unconcerned that the high cost of oil forces consumers to pay much more than necessary for oil products. He is concerned about national security, and he believes that even with the present quota system the nation is still too dependent upon foreign oil. And, even though the recent oil strike in Alaska promises to change the whole chart of world oil reserves, he is distressed at what he says is the low level of exploration in the United States.

Mr. Snyder would not only retain the import controls, we would supplement them. He would, for instance, offer U.S. offshore oil producers in the Gulf of Mexico the option of withholding up to 30 percent of their permitted production for a period of two years in exchange for a crude-oil import allocation exactly equaling the amount of oil they agree not to produce. At the end of two years, the offshore wells would be put back in production for one year to test and verify their production rates. After a year of normal operation, the producer would be free to reduce production and qualify for an increased import quota again.

Mr. Snyder's second suggestion is similar. To encourage domestic oil exploration and well development, he would give operators who find and develop new fields the alternative of withholding up to 50 percent of their domestic production for a period of one or two years in exchange for an import quota equal to the amount of domestic oil withheld.

Almost all independent economists, however, believe that national security would be better served by gradually abandoning the quota system. How likely is it, they ask, that all foreign oil would be denied the United States by a localized war in some part of the world. Western Europe would indeed suffer if war in the Middle East halted oil shipments from there. But the United States has at least a 12-year supply, and when the new Alaska fields are developed and when it becomes economic to extract oil from shale rock, the United States will have enough oil of its own to last for many generations.

And if the worst comes to the very worst, how much of an oil reserve will the United States require in a global, thermonuclear war? Such a war is not likely to last 12 days, much less 12 years.

A top executive, moreover, of one of the biggest international oil companies, who refuses to have the statement attributed to him or his company, says that the major oil companies are ambivalent in their attitude toward the import-quota system.

NATIONAL SECURITY

"Obviously we want to optimize the return to the shareholders," he says, implying that retention of the quota system would help assure that end. But he thinks the ostensible rationale for the system has eroded: "Since quotas were put on, changes in the program have made it bear less and less relation to national security. The world is different today than it was 10 years ago [when the quotas were made mandatory]."

The international companies are reluctant to discuss the controversy with the press. British Petroleum, for instance, which recently bought Sinclair's East Coast marketing operation, declined comment on the grounds that it might appear to be trying to influence the Senate hearings. Royal Dutch Shell also decided to withhold comment.

The international companies have good reason to straddle the fence about import quotas. The "foreign" oil barred from the United States is oil produced by U.S. companies on foreign soil. It's their oil that's being kept out of the nation, but, because they are domestic producers too, it's their oil that is being overpriced in the U.S. market. All the major international companies have recorded record profits in recent years. Standard Oil (New Jersey), the world's largest oil company, boosted earnings in 1968 to $1.3 billion, or $122,000,000 more than in 1967.

From an industry point of view, the present quota system is just fine, even for the international companies that have a big stake in foreign oil.

But the industry is well aware that in its current form the quota system is, in the opinion of many, an unfair and unnecessary burden on American consumers and businessmen. And nothing could revamp the system so simply and suddenly as approval of the Machiasport plan.

Maine's Governor Curtis is optimistic. "They've been delaying us to death down in Washington," he says. "But we're going to win something for sure, for the thing that gives our request and our argument credibility is merit."

Oil import quotas, however, are only one of the protections that have enveloped the industry in a cocoon of extraordinary privilege. The others are state-enforced controls on domestic production, which have the effect of further supporting high prices, and the many tax advantages, of which the 27.5 per cent of depletion allowance is only the best known.

Machiasport and the quota system represent but an introduction to the biggest and most complicated of all business stories.

HE SPOKE FOR AMERICA

Mr. MURPHY. Mr. President, in the April Foreign Service Journal, Mr. Stephen N. Sestanovich, who presently is in the Bureau of Inter-American Affairs, Department of State, writes an article describing his father's work in the State of California in the field of naturalization. Certainly we all know of many great stories where immigrants entered this great land of opportunity, penniless and unable to even speak the language of the country. Through hard work, study, and determination, they were able to lift themselves up and become productive and outstanding members of our country.

Mr. Stephen Sestanovich knows because he was also taught by his father the values of the American way.

Mr. Stephen Sestanovich's father helped many immigrants to become American citizens. To his father, "naturalization was a sacrament, like baptism, confirmation, or matrimony."

In an article entitled, "He Spoke for America," Stephen Sestanovich tells about his father's efforts. Because of the inspiring nature of the article, I ask unanimous consent that it be printed in the Record at this time.

There being no objection, the article was ordered to be printed in the Record, as follows:

He Spoke for America

(By Stephen N. Sestanovich)

(Note.—Stephen N. Sestanovich was born of US-citizen parents in the Dalmatian province of Dubrovnik, now part of Yugoslavia. Following a civilian career as student, teacher and journalist, he joined the Foreign Service in 1942 and has served as public affairs officer in North Africa, Austria, Korea, Italy, Thailand, Singapore, Finland, and Venezuela under the US Army, the Department of State and the USIA. He is currently in the Bureau of Inter-American Affairs, Department of State.)

Throughout his life my father has carried on his shoulders the burden of his immense debt to the United States of America. He was still a young man when he decided to do something about liquidating it. How he inspired and helped hundreds of immigrants from other lands to pay their own debt to Uncle Sam is one of those unique achievements which constantly nourish the American dream. I remember well what he did, for it touched my life as well.

I was seven years old in 1920, and only recently arrived in the United States, when I fell under the spell of my father's fierce patriotism. My mother and I had been stranded on a small island off the Dalmatian coast where we sat out World War I. Father left us there in 1914 to go to California to set up a home for us, intending to have us join him in a few months. But in a few months the conflagration was upon us and six years were to pass before our reunion in Oakland, California.

On our arrival I sensed immediately my father's alarm over my lack of physical and educational development. Here was his sickly American son who spoke no English and was a stranger in America. He set upon the task of building me up physically, teaching me English, and instilling in me knowledge and appreciation of the customs and institutions of the wondrous land to which I had just come.

Father was 35 then, of medium height and weight, fair hair and complexion, and very strong. For a skinny seven-year-old my work-study schedule was rigorous. Calisthenics morning, noon and night at the local Sokol gymnasium were followed by huge glasses of milk, lots of hot bread and honey and great quantities of fresh fruit. There were language lessons, and what Father considered most important of all—committing to memory the Declaration of Independence, the Gettysburg Address, names of the states, names of the Presidents, the pledge to the Flag and the Lord's Prayer.

In a month I was ready to enter school. I was more than ready, for no other first-grader

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at St. Joseph's elementary school had heard of Bunker Hill, Gettysburg, or Chester A. Arthur, or government of the people, for the people, by the people. I felt out of place. But that was Father's way. Nothing pleased him more than to direct my Americanization and to see me excel over other kids.

My father looked on America as a personal property which he possessed, which he cared about, and whose virtues he intoned to all who would listen. Indeed, he was impatient with immigrants who didn't immediately catch the fire of his zeal, or who delayed even for a few days after stepping off the boat taking the first steps leading to their naturalization.

To my father naturalization was a sacrament, like baptism, confirmation, or matrimony. He disapproved strongly of those who let their citizenship lapse, didn't take an active part in civic affairs, or who didn't take the trouble to vote.

The wave of immigration to the United States after World War I created the usual problems of displacement and relocation. And in those days there were no government or private programs to assist the newcomer. Immigrants gathered in ghettos. On their own the men looked for work in railroad yards, the women in the canneries, and the children helped farmers bring in their crops. All of them worked long hours for little pay. Precious little could be spared for education or recreation. The average immigrant had two aims: to stay off relief and to build the family's savings for a better life later on.

To my father the failure of immigrants to invest in education signaled a wavering of faith in democracy. He went to the ghettos, reasoned with their dwellers, some of whom were relatives and fellow-townsmen from the old country.

"Look," he pleaded with them, "you *must* send your children to school and you've got to study and become American citizens. America will reward your unskilled work and be grateful for it, but the big rewards for you and your children will come only with education, lots of it."

Some of the men snickered bitterly. In the old country only the children of the rich could hope for education and advancement. "It will be the same here." "Let's be grateful we have work," they argued.

The women were more astute. At work they had heard of someone's cousin or a nephew who had finished high school and rose to become a clerk at the Southern Pacific round house. They wanted their kids to do the same.

My father decided on an independent course of action. He bought a dozen language books, readers, a quantity of arithmetic books, and a few copies of the famous old green book so familiar to every candidate for U.S. citizenship. "Questions and Answers for American Citizenship." He made a deal with the Sokol club to use their hall and several rooms for his classes. He talked to the principal of Prescott Junior High School, Mr. George E. Mortensen, and arranged to have Mrs. Gladys Webb teach citizenship.

By this time I was 12 years old, filled with knowledge of American history and institutions, and thus pressed into service at Father's school as a teacher of citizenship.

All classes were at night. Little by little the immigrants came—first the women, then the children, finally the men. In no time at all the classes became overcrowded.

The students learned English, Serbo-Croatian, and American government. Instruction was free. The Sokol organization charged nothing for the hall. Mrs. Webb's services were donated by the Oakland Board of Education. My father naturally applied his services and mine to paying off the patriotic debt. Students paid only one dollar a month, which was supposed to cover the cost of the books and classroom supplies, but often didn't.

Between his own classes my father would visit each of the other classes nightly. "Learn, learn, learn, you blockheads. You must learn," he shouted at the dullards and back-sliders over and over again.

What always pleased Father immensely was any opportunity to exhibit his great knowledge of American institutions. He took advantage of any occasion to pound home lessons on the Constitution, the Bill of Rights, our system of checks and balances, or to describe how a bill becomes a law in the Congress.

Father swore at the Eighteenth Amendment. To him this "dry law" was "a devilish limitation of personal freedom." "But just because I don't like it doesn't mean I don't have to obey it," he used to say. "It is the law of the land and obey it we must until men of reason prevail and change it." My country right or wrong was an aphorism he often used.

My father loved the heroes of America. "Tell me who your heroes are and I'll tell you a great deal about yourself," was one of his favorite sayings. He never stopped exhorting his students to emulate America's heroes, quoting from the poets, statesmen and scholars who have recorded the nation's history.

"Where but in America will you find a man like Abraham Lincoln?" he would ask his classes.

"Let his life be an example to you. Work as he worked in the midst of poverty, remembering how he found dignity in splitting rails, blacksmithing, clerking, and how the same dignity was still there when he became President.

"Be his kind of do-it-yourself student—the penniless Lincoln hankering to be a lawyer, borrowing books from a neighbor miles away, reading them lying stretched out on a store counter with his head resting on a parcel of calico.

"Let me teach you his prayers: 'If God has a place and work for me, and I think he has, I believe I am ready.'

"Learn something of Lincoln's sense of fair-play, and his stick-to-it-iveness: 'With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations.'

"And Jefferson," he would say, "a different kind of man. A democrat, but an intellectual aristocrat. Think of all the things this man taught himself to do. To write eloquently. To grow grapes. To practice law. To speak in six languages. To design furniture. To play the violin. To be an architect. To invent useful tools. To build a great university. To make bricks. To make nails. To make democracy work."

Slowly Father's and my pupils were ready for their examination. Each week one day was set aside in the superior court of Lincoln S. Church to hear applicants for US citizenship. For a number of years my father and I provided candidates for these sessions. Each sitting of this court was a solemn occasion, especially for my father, more like a service in a great cathedral than a court of law.

Judge Church's court was large, majestic with its walnut paneling, heavy drapes, a brilliant chandelier. High up on the bench sat Judge Church, in silk robe, himself a revered figure with a stentorian voice, good looks and a huge body adding to the awe.

My father and I were there always, it seems. We sat in the audience. "Wonderful, wonderful," Judge Church said to me once. "Steve, you're only 12 years old, only five years in the United States, and already you are making American citizens. How wonderful."

The judge called the first applicant. The first was always one of our pupils. Father knew what the first question would be. There was an unrehearsed plan between him and Judge Church, a design of two patriotic wills to select a candidate who could set the stage, instill pride in country, as if to light the candles on the altar.

"Mike Lipan, you want to be an American citizen. Good. Then tell us if you will whom you admire most in America, and tell us why," Judge Church would ask.

Mike was just 21 years of age. He was a big, chubby fellow, round-faced and eager. In the old country he received a sixth-grade education. He was able to read the newspapers, and when something complicated was said on the radio he was able to interpret it to the ghetto folks. I worked with him for weeks. We went over and over the green book questions and answers. He recited, repeated and memorized. Mike was better able to face that court than most American high school graduates.

"I think Michael Pupin is best American," he said.

Father and I were stunned for a moment. Hadn't we drilled Mike on Benjamin Franklin? We had, but apparently Mike's love of scienced outpaced our tutoring program.

"I know Michael Pupin," Mike continued. "He was born poor in small Serbian village of Idvor, not far from where I was born. He came to America. He studied. He became American citizen. He saved his money. He go to night school, later to Columbia University, and to Cambridge University in England. He became great inventor. He now is professor of electromechanics in Columbia University. Few months ago he was invited by University of California in Berkeley as Charter Day speaker. More than 50,000 big-shots went to Greek Theater to listen to Dr. Pupin. In New York, Columbia University built big engineering building that they call Michael Pupin building. Michael Pupin is great American citizen. I want to be American citizen like Michael Pupin," concluded Mike Lipan.

Judge Church's courtroom was silent. Indeed, the alter candles had been lighted. Mike's simple sincerity was magnificent.

As often happens history was to drag its feet. Mike didn't become a Michael Pupin. He became a chef instead, but his son is now a nuclear physicist at the big research center in Livermore, California, working on some of the most important projects in that field.

Mike became a citizen that day. And week after week Father's other pupils would do the same. More than 200 humble peasants, fishermen, dishwashers, cooks and bakers, delivery boys, waiters were ushered through the rite of American naturalization, their first step toward a new and cherished way of life. They brought little from the old country, but what they brought was truly valuable—integrity, devotion, perseverance. And from Father they learned the meaning of patriotism in a land of opportunity. Today, their sons and daughters occupy professional chairs at universities across the land, practice medicine and law, sit in the councils of government. Many have fought and some have died for the nation's honor in three wars.

By the 1930s Father felt that he had made at least a sizable payment on his debt to Uncle Sam. The classes which he started were absorbed by the Oakland public school system and Father and I retired from this engaging hobby to do other things—he to pay more attention to his business and I to go off to college.

For a long time people said good and kind things about Father's contribution to America's heritage. None was so appreciative as a young district attorney of Alameda County whose name was Earl Warren, now Chief Justice of the United States. On one occasion the young district attorney stopped by the old Sokol club to pay his respects to Father. He told a group gathered there:

"It is always a pleasure to be in this hall over which Roy Sectanovich presides. Judge

Lincoln (S.) Church has told me some interesting things about Roy which I want to pass on to you.

"Judge Church, as many of you know, grants more US naturalization certificates than any judge in this country. And every time his court meets, says Judge Church, there is Roy Sestanovich—beaming, and presenting another group of immigrants for naturalization.

"These are extraordinary candidates, says Judge Church. They are people whom Roy has taught, coached and imbued with the spirit of America. Judge Church has told me that Roy has taught the principles of American government to hundreds of immigrants and brought them to his court personally to be sworn in to the dignity of American citizenship. I know that in Roy's book American citizenship is the highest honor to which a man can aspire. He prizes his citizenship, and he has imbued his students with great respect for it.

"I can tell you as District Attorney that there are no delinquents in Roy's group, no vagrants, no drunkards. They are ideal Americans. They love their country. They take care of themselves."

And so it was. One man's simple effort elevated a generation of men to full participation in the wider life of the nation. I know it was a worthy effort for I was its principal beneficiary.

THE POLISH NATIONAL HOLIDAY

Mr. DODD. Mr. President, around the world, wherever Poles and citizens of Polish descent can meet and mingle freely, an inspirational anniversary has just been commemorated.

It is the Polish 3d of May Constitution Day. For men and women who cherish human dignity and freedom, it is, indeed, a day to remember.

This was a real rebirth of the Polish nation, back in 1791. Only 2 years after our own Constitution was adopted, causing anger and fear among the despots then ruling most of Europe, a brave little nation in the heart of Europe reformed and revitalized her public life.

Then, as always in her thousand-year troubled history, Poland had the courage to defy the despots of the day. Only 2 years later, the great and tyrannical neighbors, among whom she had to live, partitioned the country among themselves.

But the Polish spirit of independence could not be quenched, even by powerful and rapacious neighbors that tore her apart. A Polish nation will persisted through the generations to follow. After the First World War, nearly 120 years later, a new Polish nation emerged.

Barely had the new nation and her people been rejoined, than they were threatened. Bolshevik armies, pouring out of revolution-ridden Russia, stormed to the gates of Poland's ancient and glittering capital, Warsaw. They were repelled. The West owed the Poles a mammoth debt.

Gratitude? In power affairs, exercised by tyrannies and totalitarianism, this is a trait regarded as weakness. It wasn't long before tyranny washed over Poland again.

In 1939, Nazi Germany and the Soviet Union made common compact. They stormed over Poland and divided her between them. Poles, by the tens of thousands, escaped to fight in World War II, and to die.

The performance of the Polish Army at Monte Cassino in Italy stands out spectacularly. So does the more tragic role of Poland's anti-Communist, anti-Nazi home army in Warsaw in 1944. Called upon in good faith to rise up and fight the Nazi invader, the Polish home army wrote in blood its contribution to the cause of Western civilization.

But Stalin ordered his onrushing armies to halt across the river from Warsaw. The Nazis, with overwhelming force, reduced Warsaw to near-rubble. It was a heroic and hopeless stand of the betrayed Poles.

Then the Russians, sweeping over central Europe, imposed a ruthless Communist regime on a great Christian nation. The Communists have bent, but by no means broken, the will of Poland.

The indomitable Polish spirit rebuilt ruined Warsaw from ashes. It is an unconquerable spirit the Soviet Union and her Communist proconsuls try repeatedly to break.

But Poland is in constant ferment that often explodes against the oppressor as it has from time immemorial.

It is steeped in the spirit of May 3, an anniversary free people the world over would do well to mark. Poland long ago paid her debt to the West—with something to spare. This we should remember and respect.

REFERENCE TO GOD IN LECTURES BY ARMY CHAPLAINS

Mr. BYRD of West Virginia. Mr. President, earlier this year, the Army ordered chaplains to eliminate all reference to God and religious philosophy in lectures aimed at instilling moral responsibility in its soldiers.

The new policy was prompted by a complaint from the American Civil Liberties Union.

I sent a telegram on April 2 to the Secretary of the Army expressing my concern at the order.

Press reports on April 4, 1969, stated that Defense Secretary Laird had overruled the Army and approved the continued use of religious terminology in the military services' mandatory character guidance programs.

I do not mean to imply that Secretary Laird's action was influenced by my telegram to the Secretary of the Army. However, I do ask unanimous consent to insert a copy of my telegram in the Record. I also ask unanimous consent to insert the newspaper report to which I have alluded.

There being no objection, the telegram and newspaper article were ordered to be printed in the Record, as follows:

April 2, 1969.

Hon. Stanley R. Resor,
Secretary of the Army,
The Pentagon,
Washington, D.C.:

I have been shocked to learn of action by Department of the Army, according to press reports, in ordering chaplains to eliminate all reference to God in lectures "intended to instill a sense of moral responsibility in soldiers." According to newspaper reports, the new policy was prompted by a complaint last year from the American Civil Liberties Union. Reportedly, the ACLU objected to references to God in "numerous passages in character guidance training manuals."

The First Amendment to the U.S. Constitution states "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof." In my judgment, any argument that a reference to God by Chaplains in lectures is unconstitutional is a tenuous argument. If they were required to do so by law, the situation might then at least present a constitutional question. How much further will our country go in its efforts to placate a small but noisy minority which appears determined to undermine the principles upon which this Republic was founded?

Belief in, and reliance upon, a Creator attended the very founding of this Nation. The seventh article of the U.S. Constitution makes reference to our Lord. Every President of our country has made reference to the Creator in his inauguration speech. These men were commanders-in-chief of our armed forces, although I recognize that they may not have had captive audiences in making such references to the Deity. Stonewall Jackson, one of the great military generals of all time, prayed before going into battle. The history of this Republic is replete with references to a Supreme Being, and it is impossible to avoid the feeling that a strong spiritual awareness has played a profound part in our Nation's development from colonial days. Belief in a Supreme Being, whether it be Allah, Jehovah, or God, is the most sure foundation for any moral code and the strongest and most lasting ingredient in character building.

Let us not make the United States another Soviet Union just to appease a few agnostics and atheists who, while questioning or denying the existence of a Supreme Being, may have no compunctions in using His name in vain. Presumably the Army order is based on the so-called right of the atheist to be always spared any mention of a Supreme Being, but what about the rights of the chaplain whose calling it is to serve God? Does the order not trample upon his rights and what he considers may be his responsibility and duty to a higher power than that of his Army superiors? If I were a chaplain, I would refer to God as I felt led to do so. The Army order is not based upon any law passed by the elected representatives of the people, and if it is based on an imagined point of constitutionality, I would challenge it were I an Army chaplain whose high station I would never presume to merit.

Mr. Secretary, I do not fear America's capitulation to a foreign enemy. I do fear the forces that are working within our country to destroy it, and fervently urge you to retract this order. Let the atheists carry their case to the U.S. Supreme Court. I hasten to say that they might win their case in the high tribunal as it is presently constituted, but I may be wrong. In any event, I do not think the Army should presume to make this decision which ought to be offensive to millions of Americans.

Robert C. Byrd,
U.S. Senator.

ARMY CHAPLAINS GET ORDERS TO MAKE NO MENTION OF GOD

Washington.—The Army has ordered chaplains to eliminate all reference to God and religious philosophy in lectures aimed at instilling moral responsibility in its soldiers.

An Army spokesman confirmed the new policy Thursday after word of it had reached some members of Congress, angering many of them.

The new policy was prompted by a complaint last year from the American Civil

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Liberties Union that the lectures—intended to instill a sense of moral responsibility in soldiers—were being used as religious indoctrination.

The ACLU now is asking the Air Force and Navy to take similar steps.

The ACLU objected to numerous passages in character-guidance training manuals, including one that told members of the Women's Army Corps they should do their jobs well "not for reward . . . but simply because it is obviously the will of God."

The foreword to character guidance manuals, in use by the Army for many years, states the program is based on the philosophy of American freedom which "regards man as a creature of God."

"As such, every soldier is responsible and accountable to his Creator for the way he performs his civic and military duty, for the maintaining of his own and his nation's honor, and for the quality of service he renders to his country as a soldier," the manual states.

"I cannot remotely understand what anyone finds offensive in this concept," said Rep. William G. Bray, R-Ind. "The term Creator means many things to many people, and all but a very tiny majority, no matter what their faith, do acknowledge a 'Creator' in some form."

Bray said he has asked the Army to explain the reasoning behind its decision.

An Army spokesman said the basic objectives of the program remain unchanged. He said the main consideration in ordering the change was a soldier's constitutional rights of freedom of religion.

"It was not believed proper to have soldiers attending mandatory classes with religious overtones," he said. "Soldiers, as always, are fully encouraged to attend religious services of their respective faiths."

The Army explained that while the character guidance courses are usually prepared and given by chaplains, the program is directed by the Army's personnel division.

Four hours of the subject are required during basic training and one hour is given each month to all soldiers.

"We are revising the literature now and it will come out over a period of time," the Army spokesman said. "Any thing that could be construed as teaching religion will be removed."

[From the Washington (D.C.) Post, Apr. 4, 1969]

Laird Allows Citing of God by Services

(By William R. MacKaye)

Defense Secretary Melvin R. Laird overruled the Army yesterday and approved the continued use of religious terminology in the military services' mandatory character guidance programs.

The issue of whether religious material in the lectures under the Army's auspices squared with constitutional principles initially was raised a year ago by the Washington office of the American Civil Liberties Union.

Robert E. Jordan III, the Army's general counsel, notified the ACLU in December that the lectures, which are conducted by chaplains, were being revised to eliminate the religious material and ensure that the program "is wholly secular in its approach to training our personnel."

At a press conference yesterday prior to Laird's announcement, Lawrence Speiser, director of the ACLU's Washington office, said he anticipated a court case might be filed if the program was not revised.

He made public, portions of the outlines he said were explicitly religious, and suggested that some of the protests over altering the program were being made by persons who had not read the outlines.

Speiser said the ACLU's constitutional objection to the program rested upon the fact soldiers were required to attend lectures at which religious principles were taught.

Among the objectional outlines he cited was one intended to exhort Army men to drive carefully.

"God has supreme and exclusive ownership over human lives, and so He is the only one who has the right to allow men to kill other men," the outline states.

"Granted that God may delegate that right to the State for the common good and to the individual to repel and unjust aggressor, it is obvious that He does not give that right to the motorist.

"If then, we recognize the moral imperative behind the Commandment, we will drive as responsible, decent human beings conscious of our obligations to our Creator."

Laird said, "With regard to the character guidance programs within the military departments, I want to state that there will be no prohibition against the use of 'God,' 'Supreme Being,' 'Creator,' 'Faith,' spiritual values,' or similar words."

He added, however, that "espousal of religious dogmas or particular sectarian beliefs is not the purpose of and has no place in the character guidance program."

Attendance at the Army's hour-long character guidance lectures is required twice a month during basic training and monthly thereafter for all soldiers below the rank of E–6 (staff sergeant). The lectures are presented on a three-year cycle.

RESIDENCE REQUIREMENTS IN PRESIDENTIAL ELECTIONS

Mr. GOLDWATER. Mr. President, it is with great interest that I have noted the decision this week by the Supreme Court in which it agreed to consider a challenge to the validity of State residence requirements as applied to elections for President and Vice President. The reports that I have read indicate that the Court will have under review the law of Colorado which required that a citizen be a resident of that State at least 6 months in order to vote in the 1968 presidential elections.

To my mind, this action by the Court confirms the rightness of the view held by myself and several of my colleagues that this subject is an important, relevant area that calls for our immediate attention. I have previously expressed my concern that pending efforts to change the method of electing the President would be incomplete unless we also entered into a thorough examination of the entire election machinery with a view to providing for the widest possible participation by our citizens in such elections. In light of the announcement by the Court, I believe it is especially timely and essential that we in Congress should focus our attention on those areas in which the election processes used in the States may have become encumbered by legal technicalities that no longer respond to the changing needs of modern-day life.

I would like to point out that the constitutional amendment which I submitted in February—and which 29 Senators have recently agreed to cosponsor with me—is directed at providing a reasonable, workable remedy for the very problem that the Court will be considering at its next term. In addition, our proposal covers the related subject of absentee voting and thereby will apply to a much larger body of citizens who would otherwise remain disfranchised.

I would hope that this news from the Court will provide the impetus which is needed to get activities moving in both Houses of Congress aimed at developing and approving a constitutional proposal designed to solve the voting problems of our citizens in a manner that will be practical and successful.

It is this route—within the Congress—that I believe will offer the best opportunity for arriving at a workable set of standards which will provide the maximum voting privileges for the greatest number of citizens while assuring that the legitimate interests of our States will be respected and protected. It is here in the Congress that the opinions and suggestions of all interested persons, organizations, and State and local officials can be sought out and heard. It is here that the practical considerations relating to the mechanics of administering the various alternatives under consideration can best be appreciated and understood.

I wish to remind my colleagues that the fact that the Supreme Court has undertaken to hear arguments in this case does not mean that it will settle the problem or provide any solution. The Court may well decide to reject the constitutional questions which are raised in this case. There are several factors that distinguish a review of residence requirements in this area from those applied in other fields. Also, it should be noted that it has been only 4 years since the Court has upheld a 1-year waiting period imposed by Maryland to vote for the President. Finally, it has come to my attention that the Court was not informed of a recent change in the Colorado law reducing the waiting period requirement from 6 to 2 months. Clearly, this development could have some effect on the Court's eventual ruling.

For these reasons, I ask that we do not concede our right and duty to pursue this matter merely because the judicial branch is also involved. I believe it remains appropriate and compelling for the Congress to carry on with its own complete review of the entire field of electoral reform, and I urge the support of all Members in this activity.

BRUTAL MURDER OF SENATE EMPLOYEE HARVEY D. McCLINTOCK

Mr. ERVIN. Mr. President, it is with a heavy heart that I face the Senate today to call attention to the murder of Harvey D. McClintock, one of my aides who worked in the Senate Post Office. Because the crimes of murder, rape, and robbery are numerous in our Nation's Capital, and the newspapers report them in somewhat inconspicuous places, I feel it incumbent upon me to single out this tragedy in order that it may not pass unnoticed.

"Mac," as he was affectionately known by his friends and fellow workers in the Senate, was brutally stabbed and robbed on Friday evening, May 3, 1969, as he was

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walking to his home in the Takoma Park section. It was some hours after the attack that his body was found on Fern Street NW., near Georgia Avenue in the District of Columbia.

While Mac had not worked on the Hill long, his quiet manner, consideration of others and dedication to his work won him many friends, especially among the employees in the Senate Post Office and the various offices where he delivered the mail. He formerly taught school in Maryland and at the time of his unfortunate death, was studying law at the Mount Vernon Law School in Baltimore.

The son of Mr. and Mrs. James Latimer McClintock, of Charlotte, N.C., he attended Charlotte city schools and graduated at Davidson College.

Even though I know it will not bring Mac back to his friends and loved ones, it is my sincere hope that the perpetrator of this foul deed will soon be apprehended and brought under the full sanction of our laws. Only in this manner can we be assured that he will not be left to roam the streets, free to repeat such vicious crimes on other innocent citizens who may happen to cross his path. Surely it is time for us to redouble our efforts to make the streets of our Capital safe.

I know that my colleagues in the Senate wish to join with me in expressing deepest sympathy to his parents and to his brothers, James L., and John B. McClintock, of Charlotte.

I ask unanimous consent that articles from the May 4, 1969, Charlotte Observer and the May 5, 1969, Charlotte News be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Charlotte (N.C.) Observer, May 4, 1969]

Downtown Washington: Ex-Charlottean Stabbed to Death

(By Betty Bushman)

Harvey Dunn McClintock, 40, a former Charlottean, was found stabbed to death in downtown Washington early Saturday.

Washington police said robbery appeared to be the motive.

McClintock, son of Mr. and Mrs. J. L. McClintock of 1518 Briarcreek Road, had been a mailroom aide in Sen. Sam Ervin's office the past few months while attending law school at night. A graduate of Davidson College, he had taught school in Maryland for a number of years until he resigned last year to study law. He was enrolled at Mount Vernon Law School in Baltimore.

McClintock had gotten the part-time job in Ervin's office through senior Ervin aide Jack Spain, a long-time friend of McClintock's father, a retired federal auditor. Although he only had been there a few months, the younger McClintock was a familiar figure to people who worked in Ervin's office.

He was remembered as "a quiet, well-mannered fellow" and the "real thoughtful type" who would occasionally bring flowers to the women in the office and frequently treated with "Cokes." One of his regular duties was delivering mail to one floor of the Senate.

He resided within two blocks of the Senate Office Building.

Washington police are continuing the murder investigation.

McClintock's body was found at 3:30 a.m. Saturday within eight blocks of his home by a government printing office employe returning from a late shift. McClintock, well dressed in sports coat, slacks and tie, had been stabbed in the back several times. His billfold, which led to his identification, contained no money.

McClintock was a graduate of Charlotte's old Central High School and was an Army veteran.

In addition to his pafents, survivors include two brothers, J. Latimore McClintock, Jr. of San Francisco and John Black McClintock of Charlotte.

Funeral arrangements are incomplete.

[From the Charlotte (N.C.) News, May 5, 1969]

Ex-Charlotte Man Slain

Harvey Dunn McClintock, 40, a former Charlotte resident, was found stabbed to death Saturday in Washington, D.C.

Born in Charlotte, McClintock had moved to Washington and was working as a mailroom aide in Sen. Sam J. Ervin's office while attending Mount Vernon Law School at night.

Police said robbery appeared to be the motive. No money was found in his wallet.

He was born Aug. 31, 1928, in Charlotte, son of Mr. and Mrs. James Latimer McClintock. His parents reside at 1518 Briarcreek Rd.

A veteran of the Army, he graduated from old Central High School in Charlotte and Davidson College.

The funeral is to be held at 11 a.m. Wednesday at Harry and Bryant Chapel in The Oaks. Burial is to be in Evergreen Cemetery.

Surviving are his parents, Mr. and Mrs. James Latimer McClintock of Charlotte, and two brothers, J. Latimer McClintock Jr. and John Blake McClintock, both of Charlotte.

BLACK ANTI-SEMITISM

Mr. DODD. Mr. President, the spectrum of our race problems has become increasingly entangled over the past several years by a growing tide of anti-Semitism among black Americans.

Because I am deeply disturbed at this trend, I was particularly interested in a statement recently issued by the national treasurer of the NAACP, Mr. Alfred Baker Lewis, of Greenwich, Conn.

Mr. Lewis, who has been a member of the NAACP for 44 years, is not himself Jewish. His statement is not prompted by petty motives, but by a sincere concern over the widening gulf of hatred which threatens our Nation.

Due to the serious implications of this trend in the spread of violence, it is important that every American be aware of the problem.

I therefore ask unanimous consent, Mr. President, that Mr. Lewis' remarks be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Black Anti-Semitism

"Anti-Semitism is always morally wrong, and it is also particularly stupid for Negroes to be anti-Semitic. The Jews know from nearly two thousand years of bitter persecution what racial discrimination means, and both prominent individual Jews and Jewish organizations have given substantial help, both financially and politically, to the cause of civil rights.

"Three civil rights workers were lynched in Phila, Mississippi, in 1964. Two of them, Andrew Goodman and Nicky Schwermer, were Jews. Jews were among the original founders of the N.A.A.C.P. And a Jew is now one of the two top officers of the N.A.A.C.P., and a very effective one, too.

"Doubtless there are bad Jews. There are bad Negroes too. A bad Negro assassinated Malcolm X. It is just as evil and foolish for Negroes to be anti-Semitic, opposed to all Jews, because a few Jews may be bad, as it is for white bigots to demand segregation and oppose civil rights because there are a few bad Negroes."

CLOSURE OF JOB CORPS CENTERS

Mr. MONTOYA. Mr. President, I am deeply disturbed to learn of the administration's decision to stand pat on its announced intention to shut down 59 Job Corps centers throughout the Nation.

In a detailed and urgent letter to the President, and in other public statements, I have pointed out the devastating effect closure of these vital centers would have upon the unskilled, deprived youth whom they are designed to serve. Thus far, I have had no response from the White House concerning my suggestions that the administration and the Labor Department rethink realistically its reorganization efforts in order to eliminate gaps in services to severely deprived youth.

Resolutions have been introduced in both Houses of Congress—one of which I cosponsored and is being reported out of committee to the full Senate today—asking that the administration suspend action on its cutback plans until Congress has had an opportunity to review the matter in depth during the course of its normal authorization and appropriations process. Certainly this is a most reasonable request, and I am at a loss to understand the administration's intransigence in ignoring it.

If we are to rely upon this kind of future action, the net impact—I am forced to conclude—is that we cannot determine the full magnitude of our critical poverty programs upon which millions of dollars and limitless hours of work have been expended. If the Nixon administration continues to go its separate way and deny itself access to official facts on the operations of programs such as the Job Corps, how can we determine whether these expenditures have been worth while, or how they may be enabled to become more effective?

Moreover, I feel that the bitterness which will evolve from this action will only serve to aggravate further tensions—not only among those youth suffering setbacks in their future potential, but among interested citizens as well who have seen firsthand the many outstanding accomplishments of the Job Corps.

Mr. President, I ask unanimous consent that a number of letters I have received from members of my constituency appear in the Record at this point, since they give a clear indication of the tremendous opposition which accompanies this action on the part of the Nixon administration.

There being no objection, the letters were ordered to be printed in the Record, as follows:

New Mexico Council of Churches,
April 22, 1969.

Senator Joseph M. Montoya,
U.S. Senate,
Washington, D.C.

Dear Senator Montoya: The Public Mass Media communication facilities have called the attention of the New Mexico Council of Churches to the fact that four Job Corps Centers in New Mexico are to be closed by executive order in the very near future.

The Executive Board of the New Mexico Council of Churches (representatives from ten different denominational groups in New Mexico serve on this Board) met in Santa Fe, New Mexico April 18–19, 1969.

It was the unanimous vote of this Executive Board that the following statement be sent to you, and to those listed at the foot of this letter:

"The Execuive Board of the New Mexico Council of Churches deplores cuts to the Job Corp. It recognizes the aid given by Job Corp to conservation projects in rural areas of New Mexico, and also recognizes the value to the persons who participate in Job Corp Centers in both rural and urban areas. We urge the full and expeditious funding of the Job Corp program."

Will you please do all possible in your power to activate the spirit of the above statement?

Cordially,

Harry Summers.

Valencia County Commissioners,
Los Lunas, N. Mex., April 10, 1969.

Hon. Joseph M. Montoya,
Senate Office Building,
Washington, D.C.

Dear Joe: I have read in today's Albuquerque Journal an article on the closing of various Job Corps in the United States at the end of this fiscal year. Included in the list was the Center here in Grants.

The Camp opened here in mid-April of 1965. It took a period of time to get the program underway, but it is now functioning very satisfactorily under management of the U.S. Forest Service.

It would be a great loss if the program is withdrawn. In training the boys to operate heavy equipment, a road project was constructed towards Mt. Taylor and there still remains an eight mile stretch to build. It was only through this program that we were able to get this work done. Also, the Corps has developed and improved other recreational areas, heretofore unaccessible.

Please do what you can to keep the Grants Job Corps in operation.

With best wishes, I am

Sincerely,

Clovis Baca,
Chairman, Valencia County Commissioners.

Ward E. Ballmer Associates,
Grants, N. Mex., April 18, 1969.

Hon. Joseph M. Montoya,
U.S. Senate,
Washington, D.C.

Dear Senator Montoya: The Community Development Committee would like to solicit your assistance in delaying the closing of the Grants Job Corps Conservation Center, if that is at all possible.

Present schedules for completion of the access road up Mt. Taylor for the ski and recreation area call for it to be ready by the end of calendar year 1970—about the same time our communities expect to be bypassed by Interstate 40. Much of the work, principally installation of culverts and the like, is programmed to be done by the Job Corps, with more difficult portions of the construction to be let to contract. A delay at this point could seriously hinder the economic development of this region and cost innumerable potential jobs for our citizens.

In addition to this one important project, the Job Corps is also working on picnic and camping locations at the base of the mountain and on water and soil conservation dams. All of these, like the road, are partially completed and a stopping of progress at this point would mean a tremendous waste of the monies already expended.

Perhaps there has been waste in the program on a nation-wide basis. This we do not know, but since the local Corps was taken over by the Forest Service it has become an important part of the entire area's activities and we would hate to see its gainful programs cut off mid-way to completion. It is difficult for us to understand why rural centers, such as at Grants, which are providing a service to the public as well as to the Corpsmen, should be stopped while urban centers which provide only classroom work and cost more to operate should be left untouched. It seems to us that a fair study should be made and that those Centers not providing what they were designed to provide should be phased out first. There should be an equitable manner of determining this in fairness to the young citizens in the Centers and to the communities they serve.

Anything you may be able to do to accomplish a delay in the closing of the Grants Job Corps Conservation Center will be most appreciated.

Sincerely yours,

Ward E. Ballmer,
Director, Community Development Committee.

Midwest New Mexico
Community Action Program,
Grants, N. Mex., April 22, 1969.

Senator Joseph Montoya,
Senate Building,
Washington, D.C.:

Is there any chance of retroactive consideration regarding the closing of the Grants Job Corps Center?

There is such a fine record of rehabilitation of destitute boys, of conservation of natural resources important to the nation, in addition to reversing the lifes of these young boys from a natural liability to a valuable asset to our future, the future of everyone of us.

The Grants Job Corps Conservation Center is outstanding in its achievement. It is a real asset to the local community as well as the nation and the great majority of local people have readily said as much.

It is strange that a good camp with an outstanding record of achievement for the good of the country is forfeit, a political pawn of high-handed disregard of human and national need.

If the military industrial complex can be reoriented into something productive rather than destructive if it can be changed from the law of the jungle to the human empathy of rehabilitating human lifes, it could win honors far more important than battlefield awards.

If the Grants Job Corps Conservation Center can be the beginning of a whole new order for the ages, let us begin.

H. F. Thatcher.

State of New Mexico,
House of Representatives,
Santa Fe, April 14, 1969.

Hon. Joseph M. Montoya,
Senate Office Building,
Washington D.C.

Dear Senator Montoya: Senator, I am real concerned about the possibility that the Job Corps Center at Camp Luna may be closed. I am sure you are aware of the amount of work the Job Corps has done in the surrounding area. For example, they have done a tremendous amount of work on Rowe Mesa with watering troughs for cattle; they have worked in the Tesuque Canyon cleaning out many of the ravines that run into the canyon to help some of the flooding problems in Tesuque Canyon; and they have done similar projects in the Nambe and Pojoaque areas, plus they have cleaned out many of the irrigation ditches for the little farmers up there.

Senator Montoya, I hope that with your influence you will be able to keep the Camp Luna Job Center open. I think it has been a very big asset for Northern New Mexico and I feel that this type of activity and expense is something that we should do.

Sincerely,

James H. Koch.

Chamber of Commerce,
Las Vegas, N. Mex., April 15, 1969.

Senator Joseph M. Montoya,
U.S. Senate,
Washington, D.C.

Dear Senator Montoya: On behalf of the Las Vegas Retail Merchants Association, I want to express our deep concern over the proposed closing of the Camp Luna Job Corps Center in Las Vegas.

We urge you to use your good offices to urge the President to reconsider his decision closing the center.

The closing of the Job Corps Center will have a great diverse impact upon the economic picture of Northern New Mexico.

We would appreciate anything you can do to help us in this matter.

Sincerely,

Calvin Baker,
President, Las Vegas Retail Merchants Association.

Resource Conservation and
Development Project,
April 11, 1969.

The President,
The White House,
Washington, D.C.

Dear Mr. President: On behalf of the Adelante Resource Conservation and Development Project Steering Committee, I want to express our deep concern over the proposed closing of the Camp Luna Job Corps Center here in Las Vegas, New Mexico.

Being a Resource Development group concerned with the long-range economy improvement in Northern New Mexico, we feel particularly well qualified in appraising the impact this will have on our local economy.

Our R C & D Steering Committee looks upon this action as a very serious setback and adverse effect on the noticeable progress which we have just begun to attain through our resource development efforts.

Our local citizens for several years now have praised the Job Corps program very highly and particularly the operation locally at Camp Luna. It has been our feeling based on accomplishments and results versus invested cost that this has been the very finest program in existence for the benefit of our under privileged youth. We have all had many opportunities to become acquainted with many of the corpsmen, watch their progress, and see them begin a new life.

In addition, the fine work program which has been carried out annually by the Center has been very beneficial to the entire area within our project. Their work has resulted in many thousands of dollars of benefits to local people throughout our project area and with a much smaller cost to the tax payers.

Forest Service personnel have been extremely cooperative in scheduling Job Corps assistance for several of our R C & D Project measures for which our Steering Committee is extremely grateful. This assistance has been considerable and has resulted in significant benefits particularly to low income groups throughout our area. Specifically, some of this assistance was road improvements to isolated areas, recreational developments, brush control work on Forest Service allotments which was extremely beneficial to grazing permittees, assistance on commu-

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nity irrigation ditches, sanitary land fills and etc.

Mr. President, we strongly urge that you reverse your decision on the closing of the Camp Luna Job Corps Center. First of all, so that these under privileged young boys will not be deprived of this worthwhile opportunity and secondly so that our efforts in the economic improvement of Northern New Mexico will not be jeopardized.

Respectfully,

GABRIEL ESTRADA,
Chairman.

MOUNTAINAIR PUBLIC SCHOOLS,
Mountainair, N. Mex., April 2, 1969.

Hon. JOSEPH M. MONTOYA,
U.S. Senate, Washington, D.C.

DEAR SENATOR MONTOYA: It has come to my attention through various sources that there are those individuals recommending the termination of the civilian Conservation Center, formerly known as Job Corps.

I wish to formally express to you my views concerning the program in this community.

I was employed as Superintendent of the Mountainair Public Schools the first of July 1968, and since have served on the Community Council of the Civilian Conservation Center, therefore, as an educator and being new to the community, I believe I am qualified to objectively evaluate the program in the community.

The educational program is of an excellent nature when we take into consideration the background and training of the individual corpsmen. I personally had the pleasure of awarding an individual corpsman the G.E.D. diploma for educational achievement. The young man would never have had the chance to continue any educational program if it were not for this program. There are many others who are learning skills through vocational opportunities offered in the program.

The success of the Mountainair program is due to the capable leadership and staff employed. Some of the instructors have taught in the Mountainair Public Schools, and could do so again if they so desire.

I observed the reading program in use in the educational program at the Job Center and have since been using the same program at our Elementary level; again the success of any program is dependent upon the qualifications of the staff.

It is very demoralizing to the staff and the corpsmen to continually hear reports that the program will be discontinued. This one factor has caused problems in planning for continuity and interest of the corpsmen.

I believe in the concept of the program, because it offers an opportunity for a small group of our society to reach a degree of achievement and to gain some self-respect which they have been denied. The individuals in the Job Center are the results of a society that has not met the challenge of change toward minority groups. They are entitled to the opportunity of becoming worthy and productive citizens, and this program is making advancements in that direction.

The program may need revision and evaluation, but each Center should be evaluated on the basis of merit and not judged as an entire program. The quality of the program may be due to the qualifications and dedication of the staff within the individual Center.

There are other factors involved which directly affect a community. One of which is economic. The termination of the Center would result in a serious economic loss to the community and to the public schools.

There are approximately 50 families whose income is dependent upon the continuation of the Center. There would be no other employment opportunities available here. These families would have to leave in order to find employment. As a result the school enrollment would decrease and further decrease in school revenues would occur.

I believe it would be most profitable for you to visit the Center if at all possible. If you desire further information concerning the local Civilian Conservation Center, I will be pleased to honor your request.

I sincerely hope you have sufficient time to review the program and to lend your support for improvement to the present program.

Thank you.

Sincerely yours,

JAMES R. BROWN,
Superintendent, Mountainair Public Schools.

MOUNTAINAIR, N. MEX., *April 12, 1969.*

Senator JOSPEH M. MONTOYA,
Washington, D.C.:

We as citizens and organizations of Mountainair, New Mexico vehemently oppose the decision to close the civilian conservation corps in this community. We believe the job corps is serving a vital and important concept toward the rehabilitation and education of deprived human beings and toward community service through the training of the individual corpsmen and the development of roads, parks, and conservation of natural resources within the area. The economic loss to the community due to payroll, revenues, and public schools will result in a serious economic reversion of the entire community. Therefore, we strongly urge you to reconsider the decision to close the center and to use neecssary measures to continue the training center in this area.

FAIN LAWSON,
President, Mountainar Chamber of Commerce.

D. H. DEAN,
Estancia Valley Resource Conservation and Development Project.

DELBERT G. REDFEARN,
Mayor, Town of Mountainair.

BERNIE L. WELLS,
President, Mountainair Board of Education.

ELENO CANDELARIA,
Chairman, Torrance County Commissioners.

CHAMBER OF COMMERCE, GRANTS AND WESTERN VALENCIA COUNTY,
Grants, N. Mex., April 11, 1969.

Hon. JOSEPH M. MONTOYA,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MONTOYA: We ask your assistance in keeping the Grants Job Corps in operation.

It has taken several years to get this program where it is paying dividends; the training the youths receive qualifies them for employment. Even though some other program is approved to replace the Job Corps, this too will require time.

Many of the youth arrive at the Center who can neither read nor write. Women of the community have volunteered their services in providing elementary education, at no cost to the government. There are thirty boys in this category at the present time. The training offered in the Center varies, such as operation of heavy equipment, welding, diesel maintenance, building fence, laying pipe lines, constructing corrals, cooking, baking and carpentry. The program has also involved construction of roads, scenic trails and development of recreation areas. Also, the community has received good support on civic projects.

Since the Job Corps has a dual aspect, first in training unemployed youths and second in making major contributions to the area in the development of natural resources and recreational facilities, which we would not otherwise have, we feel it is extremely important that the Job Corps be retained in Grants.

We will appreciate your favorable consideration on this request.

Sincerely,

A. R. CARD,
President.

LEAGUE OF WOMEN VOTERS,
Las Vegas, N. Mex., April 27, 1969.

Hon. JOSEPH M. MONTOYA,
New Senate Office Building,
Washington, D.C.

DEAR SIR: The Las Vegas League of Women Voters urges reconsideration of the closing of rural Job Corps Centers. We are particularly concerned over the projected closing of the Luna Civilian Conservation Center near Las Vegas, New Mexico. Since the League of Women Voters, both nationally and locally, has been concerned with education and with the development of human resources, the League considers it short-sighted to close existing Job Corps Centers before adequate substitutes have been put into operation.

From our study of the Luna Center it appears that this Center is fulfilling much needed services to the Corpsmen and to the area. We have been impressed with the amount of valuable work in our forests and rural area that the Corpsmen have accomplished. Considering the economic and social value of the work accomplished which greatly benefits our economically depressed area, it would seem that the relatively small amount of money to be saved by closing the Center would not be worth the loss of the conservation work nor the loss of benefits of the program to the individual corpsmen.

Even though the urban problems of our country are urgent, we feel strongly that it is important to implement programs in nonurban areas for young men from the smaller population areas of our country. It is obvious that the movement from rural and small town areas of untrained young people into the ghettos of metropolitan areas has been an important factor in increasing urban problems. The young men from Texas, Louisiana, Arkansas, and Oklahoma as well as those from New Mexico need the opportunities which Luna Center has been offering. After the expense of setting up the Center, it would seem poor economy to close it down when it is accomplishing the dual purpose of providing basic education and vocational training to the Corpsmen and of performing much needed conservation work in the area.

Yours very truly,

MRS. NICHOLAS BLESER,
Chairman, Human Resources Study Item.

THE 176TH ANNIVERSARY OF THE POLISH CONSTITUTION

Mr. RIBICOFF. Mr. President, I am proud to join my colleagues and the American people in commemorating the 176th anniversary of the adoption of the Polish Constitution.

On May 3, 1791, the Polish Diet with hardly a dozen dissenting voices and amid tumultuous enthusiasm set aside a medieval autocracy for a limited constitutional monarchy by adopting a new Constitution.

Unfortunately, the freedom promised by this first democratic Constitution of a European nation was short lived. But the spirit of that Constitution lives on. Its declaration that "All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation," has lived in the hearts of the Polish people throughout their tragic history of oppression and foreign domination.

We in this country, blessed as we are with freedom and independence, take special note of the Polish people and their long struggle to assert their own national identity. We in this country, pray for the ultimate triumph of justice—

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a free and independent Poland, able to assert its own will and chart its own destiny.

Our participation in the commemoration of Polish third of May Constitution Day serves as a reminder to the Polish people that our Nation has not forgotten their plight, and that we stand with them in their hope that the day will be soon when their nation will join the family of free nations.

INDIA: ASIA'S BRIGHT PEARL OF PROGRESS

Mr. McGOVERN. Mr. President, throughout the northern wheat country of the United States, Mr. Robert Handschin, director of research for the Farmers Union Grain Terminals Association and associate editor of their Farmers Union Herald, is known as a very discerning observer of agricultural developments.

Early this year Mr. Handschin spent a month in India, traveling extensively in that country and returning to write for the Herald's quarter million subscribers of what he saw.

Mr. Handschin was very encouraged by India's progress, and by the spirit of her people. He has written four excellent articles under the general caption: "India: Asia's Bright Pearl of Progress."

I am sure Members of Congress and others who read the Congressional Record will be interested in his observations, which deal with results of some of our AID efforts, the food outlook and other aspects of India's economic development efforts.

I ask unanimous consent, Mr. President, that the articles appear in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

India: Asia's Bright Pearl of Progress—Green Revolution Is Spreading Over India's Farmlands

(By Robert Handschin)

Judging from what I saw and heard on my recent visit to India, that nation's tradition-bound farmers are fast adopting new agricultural methods.

The "Green Revolution" is for real, and India's production breakthrough promises to feed its growing millions, providing the nation can also slow down its population explosion. For a few years India will need some food imports from America, but only a declining amount.

Such are my conclusions after an intensive 23-day study of the country as a guest of the Indian government, along with eight newsmen from leading American papers. Your Farmers Union Herald was invited because it is the newspaper of a quarter of a million cooperating farm families who long have been interested in Food For Peace and other forms of international exchange.

India has had a lot of help from us. They want Americans to know they appreciate it. They also want us to have a better understanding of what they have done with our wheat and other aid, and what they are trying to do to build a modern nation.

We were shown what they are doing in farming and agricultural research, in industry, business, power production, city building, education, medical care and family planning. We visited the major farming areas and the important cities. We met national and state officials and people in many walks of life. Everywhere we were given the "red carpet treatment." Everybody was friendly and hospitable.

We met with our Ambassador, Chester Bowles, and with quite a few other Americans. I personally visited with our American co-op representatives in India, and with Indian cooperators in several parts of the country. We were especially interested to know what good our American aid has done in this vast country with its ancient civilization and its many difficult problems.

We found that United States aid has given India time in which to find ways to meet its problems, and that the Indian people have been making slow but steady progress since they gained their independence in 1947. Our aid so far totals some $9 billion, of which over $5 billion has been for wheat and other foodstuffs, with the balance mostly for industrial goods, including some fertilizer, and for technicians and training.

This is the largest amount of aid we have given to any country, but on a per capita basis India has received less than any other developing country—only about $1 per year per person.

About $3 billion of this is repayable in dollars, another $4 billion is available only in rupees, and the balance is an outright gift. Of the rupees, some are used to meet all our government's expenses in India, and the balance is applied to various development projects.

Some rupees are used for research which may be valuable for us as well as for India, such as the investigation into mouth cancer now being undertaken with a nation-wide survey of 100,000 persons.

Our farm aid has helped not only with heavy food imports, but with improved seeds; eight new agricultural universities; an extension service bringing new methods to farmers; fertilizer and pesticides; rural electrification so more irrigation can be carried on; and equipment to process some farm products.

Our funds also have been used to train technical teachers and workers, build schools and colleges, prevent diseases, start family planning services, open up new mines, build several large factories, dams and power plants, and to help many smaller industries.

Many other countries have also been giving aid to India, including Great Britain, Germany and the Soviet Union. They each have built a big steel mill, with the USSR building a fourth which we refused to build. The largest machine tool plant in the world is now rising in the fields near these steel mills, also built by the Russians. India in its turn has been helping some countries less developed than she, with teachers and training. By now she has the basis for a modern industry, using her own vast deposits of coal and iron.

We saw some of these plants which now are striving to improve their efficiency so they can export more and help pay for needed imports. One couldn't help being impressed by the job being done to train young workers in highly-skilled modern trades. If India can solve her many other problems, she can certainly become a modern industrial giant in years to come, as she has the resources, and her people are demonstrating good abilities to learn modern technologies.

But first India must be able to feed herself. With a 365-day growing season in most of the country, India was in the forefront of agricultural progress for thousands of years. She has fallen behind in the last few centuries, but especially since World War II. This has been partly because we of the west introduced modern health measures which cut the death rate in half both for children and adults. While leaving the birth rate high. Before 1945, India's population grew slower than ours, but since then it has grown twice as fast. Wiping out malaria, reducing cholera, smallpox, typhoid and many other infectious diseases, has proven not an unmixed blessing.

Grain output increased by about 50 percent in the first 20 years of independence down to 1967, but population nearly doubled in that time, leaving India with no farm surpluses and with a deficit during each bad harvest, such as occurred in 1965 and 1966. To help out then, we shipped about 20 percent of each of our wheat crops to feed some 60 million people in the larger cities where grains were rationed. Rationing is still in effect for the largest cities, with our grain still moving to India but in smaller amounts.

However, a major breakthrough has now been achieved for the principal grains, wheat, rice, grain sorghums and corn. This "Green Revolution" is taking hold in the best farming areas and spreading throughout the country. It is based on the right combination of more water, more fertilizer and farm chemicals, and improved varieties which can make full use of these heavy applications of fertilizer. These new varieties were developed by our scientists in Mexico, first for wheat and then for rice in the Philippines. The wheats are dwarf and mature quicker, with yields of 50–60 bushels. The dwarf rice has correspondingly great yields. Hybrid corn and grain sorghums are also yielding much better with more water and fertilizer. Grain production the last two years shot up from 75 to 100 million tons or more each year, double the 1947 figure. That is about equal to twice our biggest wheat crop, or to our annual corn crop. It must feed a nation of 520 million, which is two-and-a-half times our population. This tonnage also includes barley, millet, beans and many peas, and other legumes which are an important part of the Indian diet. Fresh fruits and vegetables, milk, eggs and vegetable fats make up the rest of the vegetarian diet, with fish, poultry and red meat eaten by a sizable minority.

After years of intensive work to extend irrigation by building many dams and canals, sinking nearly one million tube wells, and importing fertilizer in large amounts, the dramatic increase in yields of the new varieties convinced farmers in the demonstration areas that they could risk planting them. They now are bidding up the price for seed, struggling to get fertilizer, and experimenting with three or even four crops per year, in place of the previous one or two. The myth that the Indian farmer would not change his ways has been destroyed. He has turned out to be just like farmers everywhere else. He has to be shown that a new practice is profitable and he has to be in a position where he can take the risk of failure.

Now the race is on to electrify more villages so more of the large supplies of ground water can be used, and to build yet more dams and canals for irrigation. The demand for fertilizer is so great that factories can't be built fast enough. New and more improved varieties of grains, legumes and oilseeds will get even quicker response.

But a lot of hard work must be done to accomplish all this. Crop drying, storage facilities, and marketing systems must be built up. Farmers want small machinery and tractors to replace their bullock workteams. Many areas do not have the possibility of adequate water and must develop slower. Modern livestock and poultry production is just getting started. Dairying needs further improvement.

With the nation gaining confidence in its ability to feed itself, President Husain, in his annual message to the nation January 25, still thought it necessary to strike a note of caution on the food front and to warn that "the formidable problem of agricultural organization has to be tackled in all its manifold aspects if we are to ensure continuing self-sufficiency."

One important way in which the advance in farming has to be tackled is to develop further India's many cooperatives, especially in their role of furnishing fertilizer and electric power for more farm production. I will explore that in our next issue.

India: Asia's Bright Pearl of Progress—Co-ops Flourish in India as Key to Rosier Future

(By Robert Handschin)

No one can visit India without being astonished at the number and variety of their cooperative societies. They are everywhere—in the country and in the cities, among farmers, fishermen, weavers and other skilled craftsmen, city workers and other consumers.

India has more than a third of a million cooperatives, with about half the population as members. Village credit societies, part of the rural cooperative bank system, are the most widespread and numerous, but there are many thousands of societies devoted to marketing, processing, manufacturing, farming, irrigating, housing, supplying farm or consumer needs, or yet other functions.

Equally impressive is the high priority given cooperation by the Indian national and state government. Cooperatives are rated a key element in their future economy, and a very important tool for strengthening their democracy by individual participation and self-help.

In each state and in the national government there is a department responsible for aiding cooperatives with both funds and services. The national goals call for a mixed economy, with co-ops as a "third sector" along with private investor businesses and government-owned enterprises. This is accepted by private industry whose national federation heads volunteered this information to our group, a far cry from the typical American businessman's attitude toward co-ops other than his own.

But is this great trust in cooperation well-placed? Can the multitude of Indian peoples, lacking many things we take for granted, find the resources and leadership needed to succeed at helping themselves by the cooperative method? Can cooperators really work together to build a modern democracy under the conditions India faces?

These questions I discussed at several places in India. They are of grave concern to many co-op leaders and government officials. Much of the future of India, and of Asia, rests upon whether or not answers can be found to the problems facing Indian cooperators.

This is why cooperators from many countries, East and West, are now helping with training and expert advice. I was especially interested, of course, in what Americans are doing, both through our foreign aid program and directly from our cooperatives. I found we are attempting to help on several very significant fronts, where success or failure may make a great deal of difference in years to come.

Perhaps the most important is the plan for a cooperative fertilizer plant, just announced by the Minister for Agriculture and Cooperation. It is to be one of the largest in Asia. It will be built at the port of Kandla in western India, to serve the western half of the country. Part of the know-how needed to build and operate this tremendous plant, and to distribute cooperatively its life-giving products is coming from our United States co-ops, among them Farmers Union Central Exchange. These United States co-ops have made our nationwide Central Farmers Fertilizer Company the world's largest producer and distributor of fertilizer.

They are giving Indian cooperators a helping hand through Cooperative Fertilizers International, set up in September of 1967. Enough funds have been pledged so this organization can help with the planning, construction, and initial operation of the plant, and of the distribution system. Indian co-ops now distribute nearly two-thirds of the fertilizer used in India, but manufacture none. This plant will make them basic for part of their requirements. It will make 800,000 tons per year, enough to yield scores of millions of extra bushels of wheat, rice and other foods.

Construction is expected to begin this year, and take three years to complete. Of the total cost of some $120 million, United States cooperatives are giving $1 million towards technical aid, about $50 million for imported equipment will come from a U.S.-guaranteed loan from the Bank of America, and the balance will come from the Indian government and the Indian co-ops themselves. They will own the plant and pay off the debt over a period of years.

Of special significance will be the use of natural gas, recently discovered in the area, for making nitrogen. This will be in welcome contrast to the vast waste of gas long going on in the nearby oil-rich Persian Gulf fields, where the gas burning day and night could meet the entire needs of Asia for nitrogen fertilizer. The Indian co-ops, by using their own natural gas, will save valuable foreign exchange. All the potash and most of the phosphates will have to be imported, but these are the cheaper ingredients.

Already on duty in New Delhi are Ernest C. Davis of Illinois, and Donald D. Hahn of Nebraska, co-op experts for production and distribution. They are working along with Wallace Maddock who is in charge of the U.S. Co-op League office there. Maddock, formerly of North Dakota, has spent many years helping cooperators in the Far East. His father, the late Walter Maddock of Plaza, North Dakota, was a prominent cooperator, a founder of Farmers Union Grain Terminal Association, a governor of his state and long-time administrator of the Farm Security Administration in North Dakota.

Another major field getting American attention is rural electrification. Teams from the National Rural Electric Cooperative Association have prepared the ground for five pilot co-ops to bring more power to farmers in five different sections of the country. A quarter of a million tube wells for more irrigation are to be added in each of the next five years. This will require better power distribution. Cooperative systems may be the only efficient answer, just as in the United States. Funds are budgeted by the government to begin this program this year.

United States oilseed co-ops are giving a helping hand with oilseed crushing, solvent extraction and refining. This means a lot in India, where about two-thirds of the people are vegetarians and where vegetable oils are basic to the diet. India leads the world in growing peanuts and has several other oilseeds. Four co-op processing plants are now operating, where there was only one two years ago. Many more are needed. A team now studying this need includes Joe C. Givens, manager of the outstanding Tri-County Co-op Soybean Association of Dawson, Minnesota.

United States aid for co-op training has come largely through the Co-op League and the International Cooperative Training Center at Madison, Wisconsin, which many midwest local and regional cooperatives have assisted.

India is still largely a rural country such as the United States was a century ago, with most cities dependent on farm trade except for a few industrial or metropolitan centers. Farm village co-ops are the backbone of the co-op movement. They date back to the early 1900s when credit societies were introduced by the British who recognized that village money-lenders kept farmers in perpetual debt and helplessness. With few educated persons available to keep records, government "registrars" were appointed and they have continued to be an important part of Indian co-ops to this day. While supervision and auditing is still a government function, training and education has been largely turned over to state cooperative unions, which do, however, get some government funds for this purpose.

I visited the officials of the Madras state union and discussed their work in training members, officers, and managers. Training institutes and classes are a principal work of this state unions. Study materials are especially prepared for those with limited education. I found an excellent job being done with the help of radio, films, publications, exhibits, co-op songs, posters and other teachings aids, a job that would do credit to any cooperative in the United Sates. However, Madras is one of the leading co-op states, and some others lag far behind it.

In the next few years farmers will need many more grain drying and grain storage facilities if their production is to increase as is hoped. Marketing must be greatly improved in the growing towns and cities. More processing will be needed. Consumers will want a better diet and better services than now. All of these are areas where cooperation can give the best answer if leadership can be found.

Even as agriculture grows, more jobs must be created to provide for the growing population. Rural industry, provided in part by cooperative, is expected to meet much of this need. This will help to make use of India's greatest resource, its many people.

To help bring new life to the countryside and to overcome poverty there, co-ops have much to offer if improvements can be made fast enough. Mergers are needed to do away with very small societies and to cover areas larger than one village, more opportunities are needed for initiative and responsibility of elected officers, better trained managers, and more cooperation between cooperatives. These were a few of the needs told me by officials, and set forth in various co-op reports. Many of these are the same as ours here, but the Indian cooperators have many fewer resources to use in meeting them.

What is needed is more self-confidence and a stronger sense of mission, if India is to grow into the cooperative society which Gandhi, Nehru and others believed should be a major road to a great reborn Indian nation, able to make its full contribution to the world. That is why I believe our efforts to help them can have a significance far beyond the limited dollars and small number of people involved.

In the next issue of the Herald I will tell you something about the many peoples and cultures of India, of how we might benefit by knowing them better, and some ideas on how this might be brought about.

India: Asia's Bright Pearl of Progress—Young India Seeks New Way of Life Amid Old Cultures

(By Robert Handschin)

Although the tropical scenery and the ancient temples of India are fascinating attractions, I found the extraordinary variety of its peoples the most interesting thing about that large country.

Mostly the people were dressed in traditional costumes, with a tremendous range of styles. To top it all, many were carrying bundles or water jugs on their heads, with the balanced grace and beautiful posture which this demands. Observing this great panorama of peoples led me to inquire about India's history and the reasons for such a manifold blossoming of human ways.

When Marco Polo returned from China and India 700 years ago, people in the west did not believe his stories of these two civilizations, so rich and advanced compared with theirs. But his tales were enough to start the search for a sea passage to India which ended with the discovery of America by Columbus and the eventual conquest of India by the British and other westerners.

Even in Marco Polo's time the people of India already had some 4,000 years of settled village and city life behind them, with many accomplishments in agriculture, manufacturing and the arts and the sciences such as the concept of the idea of zero, the key to modern mathematics. In their favorable location they built many outstanding civilizations, adding new skills to those of the past.

Despite many invasions by peoples from the north, no empire ever completely united the whole country, not even the British. India today is one nation but many peoples, with some 17 states, 14 main languages and hundreds of lesser ones, many religions, and a great variety of cultures, some quite primitive and some very sophisticated. Each of these cultures has something to teach us about human possibilities and perhaps nowhere on earth are so many to be found in an equal area. This wealth of peoples in a land which has more than 500 millions, even after the separation of Pakistan's 107 million Moslems, is both India's greatest asset and its greatest challenge. The slogan I heard everywhere, "Unity Amidst Diversity," expresses the hope of the new nation, rather than its final accomplishment.

The variety of culture is reflected in the multitude of colors and designs seen everywhere, the greatest use of color anywhere in the world. Women dress in many colored cottons or silks, with much elaborate jewelry even amongst the poor, and the men are not far behind in their costumes and headgear. Native musicians and folk dancers are equally striking, as I saw them in all their brilliance at the National Folk Dance Festival.

Handicraft workers, making textiles, jewelry, leather goods, furniture, pottery and brassware, and many other goods, still survive in large numbers and are encouraged by the government. These occupations were once part of the caste system which produced hereditary classes of highly-skilled artisans while at the same time consigning still larger classes permanently to unskilled occupations, regardless of their abilities. This system is passing away, along with the large "joint family" based upon one occupation, which formerly completely dominated village life. Production for national markets rather than for village self-sufficiency is now the growing trend everywhere.

The grand parade of Republic Day, the main national holiday, witnessed by a million-and-a-half people, was a sea of color, with wave after wave of bright uniforms of every color combination, plus horses, camels, and elephants. Folk dancers and elaborate floats displaying the work of each state made this festival completely eye-catching.

New ideas are spreading everywhere, overcoming village isolation and superstitions. This is helped by the national stress on education, and also by the widespread use of movies and the ever-present transistor radios which bring the outside world to even the most backward villagers. India is number two after Japan in making movies, and near the top in movie attendance and in the popularity of movie stars. Movie-goers get their money's worth as films often last four or five hours.

India has doubled the number of its schools and tripled school attendance since independence, with their universities expanded even more. Now more vocational and technical education is badly needed and this is being tackled with some foreign aid. Literacy is increasing, and Indians have many excellent newspapers to read, judging by what we read in those published in English. They are the equal or perhaps even better than the best western papers, serious rather than sensational. Books and magazines are widely available. Radio programs are given in many languages. Television is yet to come, except for the capital, New Delhi.

The younger generation of Indians is proud of their education and eager to build a new life in India, but some with advanced training have emigrated to the west because jobs are lacking at home. Much training is being given right in the new modern factories now going up in many parts of the country.

English remains the common language for communication between the different sections, since Hindi and the similar Urdu, the most common languages, are understood by only one-third of the people. Most Indian languages are related to English and the other Indo-European tongues, including French, German, Russian, Greek and Persian, so the use of English is not so completely far-fetched as it might seem. Its use does have big advantages for trade and study, and for visitors. We found it easy to converse in all parts of India. While some Indians object to using a foreign language, the practical impossibility of making Hindi the required national language is now almost generally recognized after considerable controversy over the question.

Life for many people in India is not easy by our standards but I was impressed by the friendliness of people and the warm welcome given to us by all, with the traditional pressing together of raised hands as they said "Nemastey," the word used both for greeting and saying good-bye. People had a dignity I had not expected. We saw very little begging anywhere. No one was obviously starving, although no doubt many could stand a better diet with more protein in it.

We found Indian food very interesting, with many tasty dishes, both vegetarian and meat, spiced in ways new to us and seldom too hot for comfort. I can also recommend Indian tea and Indian beer, and their coffee was often good. Breads were very good, with varieties different from ours.

Everywhere we noticed a love of children and a concern by both men and women for them, with no signs of mistreatment or rejection. We were told that children are not abandoned in India despite the extremely low incomes of many, and the misfortunes which most must still endure. Family ties are extremely strong, extending to all relations and not just to the immediate members.

In short, we found Indians hard-working even though they lack many modern tools, proud of their accomplishments and their great heritage, and hoping now for further progress. This being the centennial of the birth of their great leader Mahatma Gandhi, Indians are taking stock of their gains since independence. They are finding their achievements good even if not yet enough and they are gaining confidence that they will succeed in spite of all handicaps. A new optimism is in the air.

For myself, I must say that the sight of only a small part of India's many peoples greatly enlarged my ideas of the human race and its creative ability. Seeing them reminded me of Hamlet's words: "What a piece of work is a man! how noble in reason! how infinite in faculty! in form and moving how express and admirable!"

In my next and final article, I shall examine some questions of India's future, our stake in her success, and what we have to gain by working with her.

India: Asia's Bright Pearl of Progress—All Other Nations Stand To Benefit If India Succeeds

(By Robert Handschin)

India's progress on many fronts in the last two years has brought a new optimism to that vast country. In this series of articles I have reported some of these gains—the breakthrough in food production, the beginnings of industry, the increased attention to family planning, the encouragement to cooperatives, the rise in education, and the new confidence that has come to a citizenry through what they have been able to achieve.

What will the future hold for the Indian peoples? During our visit to India we had many conversations about this with leaders and rank-and-file citizens, as India prepared to announce its fourth Five-Year Plan. This plan is not a hard-and-fast blueprint, but rather an advisory guide in an economy which the government can influence only in limited ways. However, it does represent the hopes and the agreed-upon goals of the nation, arrived at through extensive consultations. The head of the planning commission is an economist, Professor D. R. Gadgil, whom I was pleased to find has had a lifetime of experience with co-ops in addition to his research work.

India will step up its spending for fertilizer, for irrigation, and for rural electrification, as the key to higher farm output in the next five years. Cooperatives will have an important part in this farm rise which it is hoped will be as much as 5 per cent per year. Spending on family planning will double, with hopes of reaching half of the nation's families in five years, an ambitious goal considering the progress made so far. Industrial output is projected at an 8 per cent gain per year, which with the farm gains will give national income a boost of 5.5 per cent annually. With population still growing at 2.5 per cent per year, the gain in income per person would be 3 per cent per year if all goes well, a decided improvement over the years 1960–67.

India will need considerable foreign aid for this next period. Loans are coming due which she will ask to be extended until her exports can earn enough to repay them. A big effort is now being made to export more industrial products. It is beginning to bear fruit despite difficulties of breaking into world markets.

United States aid is being reduced, including food shipments which are now going to build up needed reserves. This year 20 per cent of the PL 480 shipments must be paid for in dollars with the figure going higher each year. However, large amounts of Indian rupees owned by the United States remain unspent from earlier shipments under PL 480.

India's biggest challenge now is how to create enough jobs for the 12 million additional youngsters coming of age each year, as well as for the many million adults now unemployed or underemployed. Until there are more jobs and more steady work, scores of millions will be underfed, being especially short of proteins. Better farm output gives farmers better incomes and more to eat, and their spending helps business in rural towns, but not enough to take up the slack of the jobless. That is why new industry provided by cooperatives, by government or by private investors is the critical need now that minimum farm production is within reach.

When an American stops to think about this problem he can't help but be struck by its resemblance to what we have known at home and in other parts of the world. It's the old question of hunger in the midst of the kind of food surpluses that hurt farmers all over America and in most of the rest of the world. Isn't there some way that our good food supplies in the United States and other countries could be used to help countries like India get enough jobs so their people could be well-fed, or at least have two good meals a day instead of one poor one?

This is an old question to which our experience to date has not yet found the answer, but supporters of the Food for Peace program may have come closer with the new provision added to the PL 480 law last year when it was extended for two more years. That "Food-for-Work" plan allows foreign currencies earned by PL 480 shipments to be used as wages on new jobs to be created in countries like India—jobs either in manufacturing or on public works such as roads, utilities, or schools or other buildings. This method is easier to administer than the older program, tried in a few countries, of using our grain as wages on such work projects.

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With more employment, the demand for home-grown food woulld rise, giving farmers in the area the incentive to adopt new methods and grow more. In time, even countries like India might buy those American farm products we can raise more cheaply here, if she had enough productive employment and if United States markets were open to her industrial goods.

That is just exactly what has happened over the years to make Japan our best farm customer. It can happen with many other countries if we prime their industrial pump with PL 480 funds and some key U.S. foods. We may yet see the day when there will no longer be hungry, jobless people while our acres stand idle and farm surpluses depress prices here and in many other countries. So perhaps with courageous experimenting we can find the answer to this dilemma of hunger amid plenty by using this new "Food-for Work" authority Congress has given us. That is up to the American grain and oilseed producers, who are struggling with burdensome surpluses, and to our new Administration which professes a keen interest in the world campaign against hunger.

In addition to closer business and agricultural ties with India, I believe our peoples should get to know each other better. Many Indians have ideas about America which are not true or only partly true and, as I found out, we Americans have a good many stereotyped views of India which are at best half-truths.

India has a seventh of the world's population, more even than the whole of Europe. Her people live in the very center of Asia and are friendly with the peoples of the Middle East and Africa. She has pursued an active neutrality in the effort to promote peace throughout that whole area, and has been a leader in the so-called Third World Bloc of developing countries. We have much to gain from her insight into world problems.

But apart from business and peace, India can also offer Americans much that could enrich our lives in other ways, based on her ancient skills and multitude of cultures. This would be helped along if more Americans could visit India long enough to get a good look at things. A drive to attract the tourist has begun and if the airline rates can be lowered, as they have to Europe, no doubt more Americans will visit in years to come. Modern facilities are being built in most tourist centers, and rates are cheaper than in almost any other country.

But more important, I believe, is for Americans to live in India as students, teachers, or Peace Corps volunteers, just as Indians come here to do the same. One promising program has been our International Farm Youth Exchange (IFYE) which allows our farm young people to spend some months on Indian farms as theirs do on some of our farms. With about one thousand Peace Corps Volunteers now serving in India, plus a few hundred United States students, there is now at last some balance against the thousands of Indian students who are in the United States.

It should also be possible to have an accelerated and expanded cultural exchange between our countries, with a selection of color films, for example, giving the true story of each nation being specially circulated in India or shown on TV in the United States.

Above all, news reporting between the two countries should concentrate on the progress each nation is making and not just on sensational news.

India is a vast experiment in modernizing an ancient civilization which just a few centuries ago was ahead of our forefathers, and in trying to build a great nation from many different peoples. If she succeeds, the whole world stands to gain much, and if she fails the loss will be equally great.

I found the Indians perfect hosts, for which I am most grateful. I was impressed by much, but by nothing more than the sensitive woman who serves as Prime Minister of this great nation, and by the greeting extended to India's own citizens on their main national holiday in New Delhi. As I sat in a seat of honor among almost two million Indians awaiting the opening of the Republic Day parade, I was astonished to find that, instead of cannons firing or planes roaring or sirens blowing, their government chose to drop something from helicopters on the assembled multitude. It turned out to be tons of fresh rose petals!

To a government which can think of that kind of a greeting, I am indebted beyond words for the opportunity to know its people better.

Perhaps I can close this series best by quoting from Mahatma Gandhi, the great leader and founder of modern India. "I venture to suggest in all humility, that if India reaches her destiny through Truth and Non-Violence, she will have made no small contribution to the world peace for which all the nations of the earth are thirsting, and she would also have, in that case, made some slight return for the help that those nations have been freely giving to her."

AMENDMENT OF THE COPYRIGHT REVISION BILL

Mr. SCOTT. Mr. President, on April 3, I was pleased to join as a cosponsor of amendment No. 9 to S. 543, the copyright revision bill currently being considered by the Subcommittee on Patents, Trademarks, and Copyrights. Amendment No. 9 was submitted by the Senator from New Jersey (Mr. WILLIAMS) and is cosponsored by Mr. BROOKE, Mr. DODD, Mr. HARTKE, Mr. JAVITS, Mr. MURPHY, Mr. PELL, and Mr. YOUNG of Ohio, in addition to myself.

Among other things, amendment No. 9 proposes the recognition of a performance right in sound recordings. It would provide that performers, musicians, and record companies be compensated when their creative product is used by others for profit. This amendment would rectify a longstanding inadequacy in the law and would provide for equitable and just treatment for these members of the creative community.

A very significant step forward toward the recognition of performance rights for sound recordings has recently come to my attention. The Copyright Office has sent a letter to three interested groups supporting the Williams amendment. That letter states the endorsement of the Copyright Office for the principle of a performance copyright in sound recordings. I ask unanimous consent that a copy of that letter be printed in the RECORD.

The Register's letter notes that the Copyright Office is not taking a position on the royalty fees proposed in amendment No. 9. It encourages all concerned parties to attempt to reconcile their differences on this matter and attempt to arrive at license-fee arrangements which would be acceptable to all. I certainly hope that all interested parties will undertake discussions of this matter promptly and attempt to reach an agreement on an equitable level of royalty fees.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COPYRIGHT OFFICE,
THE LIBRARY OF CONGRESS,
Washington, D.C., April 21, 1969.
RECORD INDUSTRY ASSOCIATION OF AMERICA,
Care of ARNOLD & PORTER,
1229 Nineteenth Street, NW.,
Washington, D.C. 20036.
Attention: James F. Fitzpatrick, Esq.

GENTLEMEN: In response to your letter of March 25, 1969, the Copyright Office has reviewed the new proposal for a performance royalty in sound recordings. On April 3, 1969, this proposal was introduced in the Senate by Senator Williams of New Jersey as Amendment No. 9 to S. 543. You explain that this proposal is put forward with the hope that it will "provide the basis for a prompt settlement of this issue."

As you know, the Copyright Office has consistently expressed itself in favor of the principle of limited protection for performing rights in sound recordings. Our concern with past proposals on this subject has not been prompted by doubts as to their legal validity or as to the equitable arguments supporting them. We have also disagreed with the arguments put forward by some groups that, granting the justness of at least some of the claims put forward on behalf of performers and record producers, their protection should be provided outside the copyright law. Our basic position for several years has been that, as a matter of theory and principle, the law should accord protection to sound recordings and, since this type of protection is necessarily the same as copyright protection in form and content, it should be accorded straightforwardly as a part of the copyright statute.

Because the issue of protection of performing rights in sound recordings had not been as thoroughly considered as some of the other issues in copyright law revision, and because it had not theretofore been subject to the process of compromise and accommodation which had produced feasible provisions on some other controversial issues, we earlier expressed serious misgivings that the proposal might not only fail itself but might lead to defeat of the revision bill as a whole. Our concern, in other words, was that, in terms of timing in the over-all copyright legislative program, the proposal for performing rights in sound recordings might prove premature and could effectively destroy the very real progress that has been made in other areas over the past 14 years.

After having reviewed the draft of the Williams Amendment, we believe that in its general framework and approach it represents a substantial step in the right direction. A number of the technical problems we had with the earlier versions of the proposal have been eliminated, and, purely as a matter of draftmanship, the new amendment represents a coherent, consistent, and skillful piece of work. In both language and content, it should also provide a firmer and more realistic basis for future discussions of this problem. We commend the apparent effort to move toward meeting the needs and concerns of various user groups on this issue, and we hope that these efforts will continue with the goal of reaching a fair and workable compromise. It must be emphasized, however, that to achieve this goal the legitimate interests of broadcasting organizations and other large-scale and small-scale users of sound recordings, together with those of other copyright owners, must be effectively accommodated.

Before commenting on the specific provisions of the proposal, we emphasize that nothing in this letter should be considered as dealing with two of the three subjects covered by the amendment: the "mechanical" rate and the status of recordings already released. Our comments are directed solely to those parts of the amendment that deal with performance rights in sound recordings. At this time, also, we should like to reserve any comments on the mechanics of collection and distribution of the proceeds of a compulsory license to performers and to record companies. We take no position as to whether this function should be performed by the Copyright Office or some other government agency, or whether an alternative method would be preferable. The pattern adopted in section 117 of the amendment closely follows one of the alternatives being considered in connection with the cable television (CATV) issue and, although distinctions must necessarily be made between the methods for handling the two problems, there are also advantages in seeking as much consistency and simplicity as possible.

The effort to reconcile your proposal with the jukebox provision as passed by the House of Representatives in the 90th Congress is basically wise. With respect to the jukebox operators, it does no fundamental damage to the legislative compromise reflected in section 116 of the House-passed bill. Since the Copyright Office does not support any direct or indirect efforts to raise the basic $8 per jukebox royalty established in the House-passed bill, there will be questions raised as to the allocation of the royalty dollars under the Williams Amendment. The Copyright Office, consistent with its position on the level of royalty fees proposed in section 117, takes no position on the allocation percentage proposed in section 116 of the Amendment.

Subsections (a) and (b) of section 117 of Senator Williams' amendment seem satisfactory as offering a feasible compulsory licensing system. It would be premature for us to offer comments on the detailed royalty fees proposed in section 117(c). We do endorse the proposal to exempt small broadcasters from any liability, and to prorate license fees paid by broadcasters whose use of recorded music is less than average. On the other hand, we have reservations concerning the proposed 3.5 percent compulsory licensing fee for broadcasters which, on the basis of the data we possess, appears to represent a somewhat higher percentage of net receipts from sponsors than the total now paid to performing rights societies. To achieve your basic legislative goal of recognition of performing rights in sound recordings—a goal with which we agree in principle—it will, we believe, be essential for you to arrive at a compulsory licensing fee that not only represents reasonable compensation but is also one that broadcasters and other users can reasonably pay.

As we said at the outset, we believe that no statutory provision along the lines of the Williams Amendment will be possible without further accommodation and compromise. The interests of all concerned would be served if this process leads to a reasonable and fair solution to what must be recognized as a genuine problem. The Copyright Office will, of course, help in any way it can in achieving this solution.

Yours sincerely,

ABRAHAM L. KAMINSTEIN,
Register of Copyrights.

SMALL BUSINESS WEEK SHOULD BE CELEBRATED THROUGHOUT THE COUNTRY

Mr. BIBLE. Mr. President, in accordance with the custom of several years, the week of May 11, 1969, has been designated by President Nixon as "Small Business Week." As I recall, this observance was first declared by President Kennedy in 1962 to focus attention on the contributions made by small, independent, and family firms to our economic and political institutions.

President Nixon's recent proclamation recognizes these connections, in the following terms:

> The spirit which characterized (the efforts of the Founding Fathers) is still the essence of the American character. The small businessmen of America best manifest this tradition of individual enterprise . . .
>
> We should recognize, however, that the continued vitality of small business is a matter of political and social concern; a society which encourages free competition cannot easily be subjected to arbitrary control from the top. And a society which opens constructive business opportunities to all of its citizens can liberate and uplift the isolated minorities at the bottom.

In the Washington atmosphere of recurrent crisis, we too often lose sight of these truths, and it is fitting to be reminded of them annually.

As a long-time member, and now as chairman of the Select Committee on Small Business, I have been asked on occasion what the fuss over small business is all about.

Small Business Week is an appropriate time to point out that, according to the best information we have, more than 5 million small firms in this country furnish our population with approximately 50 percent of its jobs, 40 percent of its gross national product, and constitute the most dynamic element of innovation, change and progress. Small business provides an outlet for the energies of bright, ambitious, and creative young people who might otherwise become alienated from our system.

The term "small business" is very close to the definition of "the free enterprise system." The essence of both is that the labor and capital of a man is united with his pride in making a success of a business which he has built and which often carries his name.

It is thus our privilege to point out that small business represents values which are at the heart of the American way of life, and are essential to its preservation—individualism, hard work, enterprise and freedom.

To keep our economic and political systems functioning and to continue to enjoy their benefits requires that all concerned remain vigilant to correct abuses when they occur.

Too often governmental programs have a disproportionate impact on small firms. Taxes may weigh on them more heavily; controls and deadlines may cause emergencies to firms of limited means; complex regulations may be more burdensome; inflation, tight money, and crime hit the smallest firms first and hardest, and recessions may affect them longest.

The marketplace itself may get out of balance, with the growth of giant corporate business which is managed impersonally without ties of responsibility to either individual reputations or local communities. The extremes of these developments are exemplified by the wave of mergers we have seen in recent years and the conglomerate and monopolistic firms reaching out for unwarranted power and influence in our economy.

Small business is particularly important in certain less-populated sections of the country. About 42 percent of business activity is concentrated in a half-dozen States. On the other hand, 14 States have populations of less than 1 million and another seven have less than 2 million. In these places, the profile of the receipts and sizes of business firms tends to be overwhelmingly small.

In my own State of Nevada, for instance, there are about 11,400 industrial, retail, and service businesses. Of these, only 158 have more than 100 employees. Only 72 of these firms employ more than 250 and might thus conceivably be classified as large business, depending upon the line of commerce they are in. In addition, there are many farms and ranches, basically small, independent, and family businesses, which do not show up in the statistics.

So, in a very real sense, the well-being of small business determines the health of the economy in many areas of the United States.

It is therefore up to those in public life—in both the executive branch and the Congress—as well as those in private life who benefit from the American traditions of free enterprise and small business to respond affirmatively when these values are threatened. The complex challenges of today's world call for timely and effective action rather than lipservice.

I am proud of the role played by the membership of the Select Committee on Small Business over the years in these matters.

There are also small business organizations, such as the National Federation of Independent Business; the Smaller Business Association of New England; and the National Small Business Association, which have assisted our committee many times in the past by identifying and defining small business problems and suggesting practical solutions. By doing so, these groups render a worthwhile service not only for small firms but for the entire economy.

It is my hope that these and the many other major business organizations in Washington and across the country will make a special effort to celebrate Small Business Week this year. I hope they are able to do so in a meaningful way which reflects the splendid contributions which small business has made, is making, and can continue to make to the American story. I hope, too, that these observances will reflect the responsibilities which business and Government have in protecting this heritage and passing it on to future generations.

NIXON'S FIRST 100 DAYS DRAWS PLAUDITS

Mr. HRUSKA. Mr. President, the first 100 days of the Nixon administration have been noted and observed widely, especially in the press of the Nation. While the President himself has minimized the importance of that date as a meaningful milestone, still the press and the pundits have insisted on assessing the Nixon's style and the Nixon substance.

Their conclusions are that the President and his administration deserve high marks. This accords closely with the public opinion polls which show Mr. Nixon with a high rating of popular approval of the way he is doing his job. It accords with the mail that reaches my office and reflects a trust and a confidence in the new administration.

What seems to appeal most to Americans is that the focus has been shifted from crisis management to crisis prevention. Even the process of crisis management itself has been invested with a studied deliberation that serves the Nation well, as witness the White House handling of the downing of the U.S. reconnaissance plane by North Korea.

Mr. Nixon's early insistence on the reestablishment of policy machinery to handle such critical events was brilliantly justified by the calmness, efficiency and dispatch of this Nation's reaction. The response was firm, calm, measured, determined, without panic.

There are a dozen other fields of Government activity, ranging from the battle against inflation to the war on organized crime which show that this administration has a no-nonsense outlook toward meeting and overcoming these evils.

But with all this, the Nixon administration has demonstrated it has compassion. With a bold and imaginative, but completely practical, plan for the cities, the Government is determined to overcome the public sense of negativism and despair. The dispersal of gloom and the renewal of hope—that is the Nixon goal.

Mr. President, there are few things wrong with America which cannot be cured by able, honest, and compassionate leadership. It gives me great pride to be a part of a government and a people which today enjoys such leadership from President Nixon.

I ask unanimous consent to have printed in the RECORD at this point, a sampling of editorial comment from a number of American newspapers, together with the columns of some of several writers who have examined the first 100 days of the Nixon administration.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Miami Herald, Apr. 16, 1969]

PRESIDENT'S DOMESTIC AIMS . . .

Most Americans, we think, are pleased with President Nixon's brief, businesslike message to Congress and his careful surgery on the bloated federal budget.

He decided against giving Congress the usual wordy report on the State of the Union. In recent years, that document has been packed with high-flown phrases calling for new ways to spend the taxpayers' money.

"We are not," said Mr. Nixon, "beginning with 'massive' programs that risk tripping over their own unreadiness."

The wisdom of his approach can't be seen in the disclosure that Head Start classes have made little or no difference in the learning ability of young children. Nearly everyone, including Mr. Nixon, had considered Head Start the most promising of the countless federal efforts to combat poverty. Its failure is distressing.

Still, the facts are persuasive. Why continue pouring out the people's hard-earned money on ventures which don't get the desired results?

That is precisely what our new President is striving to avoid.

"The American people," as he says, "have seen too many promises, too many false hopes raised, too much substitution of the easy slogan for the hard performance."

So he has used his first 12 weeks in the White House doing first things first: seeking to end the war in Vietnam, cooling inflation, overhauling and retooling the creaky juggernaut known as the executive branch of the federal government.

At the same time, Mr. Nixon and his team have neatly carved $4 billion from next year's budget, taking more than half from defense and military aid, the rest from every agency but the Justice Department.

The cutback is a major weapon against inflation.

"Unless we save the dollar, we will have nothing left with which to save our cities—or anything else," said the President.

Even his abbreviated message asked for no immediate action by Congress. Instead, he promised specific recommendations later, adding: "In other areas, where more time is needed, we will take more time."

The measured approach should give the nation a sense of relief from the legislative frenzy of recent years.

Besides, Americans can take heart from Mr. Nixon's list of priorities. He has chosen well: peace, a stable cost of living, streamlining bureaucracy for effective action when the time comes.

[From the Pasadena Star-News, Apr. 23, 1969]

FIRST 100 DAYS MYTHOLOGY

As a measuring stick for performance, the "First Hundred Days" of a presidential administration is nothing more than a bit of political folklore. We'll be hearing lots about the myth in the next few days as President Nixon will have been in office 100 days next Tuesday. Take the whole thing with a ho-hum and a grain of salt.

A new administration can be considered making magnificent progress if it can get its planning well underway in three months plus 10 days. Real accomplishment and progress cannot emerge from anything completed that rapidly.

The origin of the phrase is a little grim. History's Hundred Days was the period between March 20 and June 28, 1815, the interval between Napoleon Bonaparte's entry into Paris (after his escape from Elba) and his abdication. The most momentous event of the period was the crucial defeat at Waterloo on June 18.

The American political application of the phrase goes back to the first 100 days of the Franklin D. Roosevelt administration. It was then that FDR began pushing his New Deal program by calling the 73rd Congress into a special session on March 9, 1933 to face a great economic emergency.

In the 100 days that followed, Congress armed Roosevelt with extraordinary powers for combatting depression and promoting recovery—even though the legislators had not even read some of the measures. Roosevelt's 100 days saw the passage of 15 major measures. The special session adjourned on June 16, 1933 and on that same day the President signed the most remarkable of all the measures to which the Congress had given almost blind approval—the National Industrial Recovery Act. It and most of the other measures were later either struck down by the Supreme Court or completely revamped when it became apparent, even to Roosevelt, that too much haste had yielded an unsavory stew.

Harry Truman saw a goodly amount of administration legislation pass during his first 100 days, but practically all of it had been conceived and presented while Roosevelt was still alive. Sweetness and light were the keynotes during Dwight D. Eisenhower's first 100 days. The only major legislation was that creating the Department of Health, Education and Welfare.

John F. Kennedy gave the impression of motion during his first 100 days, but that impression was mostly the result of publicity and glamor. In actuality, JFK was able to push through Congress only 6 of 16 measures he thought urgent. A major victory was the Fair Labor Standards Amendments of 1961. A major catastrophe was the Bay of Pigs invasion of Cuba.

Lyndon Johnson at the end of his first 100 days claimed the enactment of "10 of the 15 appropriations bills . . . that were carried over from last year . . . the new tax (reduction) bill . . . (and) men and women working together." Like Truman, however, LBJ spent his first days in office pushing the legislation of his predecessor. In both cases the congressional mood was one of funeral appeasement in respect for the unfilled mission of a president who had just died.

President Nixon believes his administration has been properly active since he was inaugurated on Jan. 20, but he is accelerating the introduction of proposals on a preconceived schedule. This has been apparent in the last week.

The United States is lucky to have a president with a deep disregard for precipitate action aimed merely at satisfying the public appetite or living up to a political myth. Mr. Nixon and his aides are pacing themselves for the long haul, rather than trying to achieve a quick record of questionable durability. That's good.

[From the Washington Evening Star, Apr. 30, 1969]

A MISLEADING YARDSTICK

President Nixon was correct in rejecting the thesis that his first hundred days should somehow be a magic moment crammed full of new legislative proposals and other activity.

For Franklin Delano Roosevelt, of course, things were vastly different. He inherited a nation brought to its very knees by the Great Crash. He had stayed his hand during Herbert Hoover's last months in office, refusing any cooperation, in order to retain maximum flexibility. Roosevelt needed to legislate radical departures from an earlier America, especially from the tradition of a national government with severely limited purposes. In the circumstances his best chance of winning congressional support for his program lay in ramming home bill after bill while his popular mandate was still fresh.

In point of fact, the thesis that a President's first hundred days should be a sort of mini-presidental term of their own is nothing more than bad history. For Roosevelt the first hundred days were of crucial importance—but for his successors they are at best a misleading yardstick.

President Nixon says that he will let history judge his first 1,461 days—that is, his presidential term of office. At this point, he has sent up enough bills to keep Congress busy. And he has promised new legislative proposals in the weeks and months ahead. Furthermore, the President has clearly defined his priorities: To end the war in Vietnam in such a way that the seeds of another war are not left behind, to halt inflation gradually so as not to send the economy into a tailspin, and to bring some sense of order to the domestic programs he has inherited whose promise of improvement very much exceeds their effectiveness.

In a word, the President is off to a good start to his full term of office, and that is what the first hundred days, however used, should be for.

[From the New York Daily News, Apr. 20, 1969]

NIXON'S FIRST 90 DAYS: HIS POLICY RISES FROM A CORNERSTONE OF CAUTION

There's nothing magic about the number. It's just that official Washington has a traditional obsession about the first 90 days of a new administration, and for Richard Milhous Nixon that number was reached today.

One conclusion also was reached: Nixon, an avowed practitioner of subdued statesmanship, has completed his third month in the world's toughest job in an atmosphere of

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thorough caution, despite the glare of international attention focused on him—first by the death of former President Eisenhower, and now by the loss of an American reconnaissance plane to North Korean jets.

The caution that first was evidenced in his selection of a cabinet has continued his attitude toward Vietnam, toward the Mideast, toward Peru, toward the Soviet Union. Caution has enveloped his domestic policy in launching attacks against inflation and crime, two of the most serious problems he sees facing the nation.

His treatment of the latest Korean challenge, the first major non-inherited crisis of his administration, is typical of the way he has reacted from the moment in which, after eight agonizing years, he finally inherited the oval office at 1600 Pennsylvania Avenue. He sat back quietly, let the heat cool, then acted. Calmly.

The Republican National Committee celebrated Nixon's three-month milestone with publication of a handsome 16-page illustrated pamphlet, "A New Republican Administration: A Change in Direction—A Change in Tone."

"In his first 90 days," it begins, "President Richard M. Nixon has made a dramatic impact on the national spirit. With quiet dignity, efficiency and purpose, he has visibly altered America's mood and has changed the direction of government for generations to come."

To such legislation as he has sent to Congress Senate Democratic Leader Mike Mansfield has, with a few exceptions, given good marks.

Budget changes and planned revisions of existing programs—generally a scaling down of grandiose Great Society programs of the Johnson administration—add up to a "cautious and careful" approach to domestic problems, Mansfield said.

He was approving about Nixon's plan to increase funds for crime fighting (a $16 million increase in the $714 million Justice Department budget, more than half of it aimed at strengthening the FBI, was the only major hike in a $192.9 billion Nixon budget for fiscal 1970 presented last week—a budget pared $4 billion below Johnson administration figures to allow a $5.8 billion surplus).

Nixon says the budget slash is necessary for the fight on inflation, one of three top-priority projects of his administration (the others: Vietnam and crime).

As in all other things, Nixon the President is not dashing headlong, as did his predecessor, into federal giveaways. In fact, he cut such spending by $390 million, to the consternation of many welfare-conscious congressmen.

Nixon did propose a 7% increase in Social Security benefits, but the hike is more modest than the 10% proposed by Johnson.

And as in his domestic program, Nixon has approached foreign policy matters cautiously.

When Peru failed to provide satisfactory payment for American-owned oil properly seized last year, Nixon could have punished the South American country by cutting off economic aid and trade concessions. Instead, his Secretary of State, William Rogers, announced that sanctions would be postponed indefinitely pending the outcome of negotiations.

And negotiate continued to be the word for Vietnam, as the Paris peace talks continued moving, many believe, to a plane of more successful secret working sessions.

By promising to respect its borders, Nixon achieved in return the promise of diplomatic relations with Cambodia. He quietly helped shove the Mideast crisis into Big Four, UN-directed negotiations.

On a highly successful good-will state visit to France, Britain, West Germany, Italy and Belgium, the President renewed frayed friendships with this country's European allies—particularly France, which, under its crusty old president, Charles de Gaulle, had become increasingly anti-American.

Playing the role of inquiring reporter and sympathetic statesman rather than that of Big Brother, Nixon, officially and personally, scored a big success during his eight days of jet-speed diplomacy. He promised commissioners of the European economic community that American authorities would keep in touch with it and he assured Nato that the U.S. would not abandon her commitment to the alliance in exchange for an agreement with the Russians.

Although he did nothing to heat up the cold war, or widen the U.S.-Soviet schism, Nixon nevertheless let Moscow know that "this nation is militarily strong and will remain so." And as one step in maintaining that military strength, he proposed a limited antiballistic missile system to protect the country.

Summing up his first three months, Nixon on Wednesday told 5,000 Republican women in Washington that solutions to America's problems are under way. "I can assure you," he said, "we have the program and the men who can bring success."

[From the Canton Repository, Apr. 22, 1969]

The First 100 Days

It is customary in American politics to give a new president a report card after his first 100 days in office.

As it is used in politics, the phrase "one hundred days" has nothing to do with its grim origin. History's Hundred Days was the period between March 20 and June 28, 1915, the interval between Napoleon Bonaparte's entry into Paris after his escape from Elba and his abdication. The most momentous event of the period was the crucial defeat at Waterloo on June 18.

For some reason, American political observers started the hundred-days assessment in the Franklin D. Roosevelt administration and the practice has become traditional.

Perhaps it was the whirlwind of legislation that President Roosevelt herded through the special session of the 73rd Congress that stirred up the political buffs.

Arthur M. Schlesinger Jr. describes the birth of the New Deal period in these words: "Congress and the country were subject to a presidential barrage of ideals and programs unlike anything known to American history."

In his first hundred days, President Roosevelt was given extraordinary powers for fighting the depression and promoting recovery through the passage of 15 major measures.

Almost blind approval was given to Mr. Roosevelt's programs, and the National Industrial Recovery Act which was signed on the day the congressional session adjourned, was later struck down by the U.S. Supreme Court.

Close cooperation marked the first hundred days of Harry K. Truman as Congress gave him a free hand to carry out foreign policies of the administration.

Only major legislation approved in the first hundred days of President Eisenhower's first term was that creating the Department of Health, Education, and Welfare.

John F. Kennedy's hundred days in 1961 saw six of 16 major measures requested by the administration clear Congress including the Fair Labor Standards Amendments.

President Johnson, at the end of his first hundred days, was able to assess the record by citing enactment of "10 of the 15 appropriation bills . . . that were carried over from last year . . . the greatest education Congress in the history of our land . . . the new tax (reduction) bill . . . (and) men and women working together."

President Nixon will pass the hundred-days in office marker next Tuesday.

And while he has not inundated Congress with proposed legislation, there are few who would fault him so far on his performance.

Mr. Nixon appears to be applying what he learned from President Eisenhower who stressed a more leisurely pace in the White House.

It seems, then, that a mile-long list of legislation is not necessary to a successful first hundred days.

Mr. Nixon is being careful in formulating his domestic program but he has been putting a lot of shoulder into the effort to promote understanding with our foreign friends and potential enemies.

In an age when foreign-policy decisions play such a prominent role in shaping the future of the world, ability in the international arena has to be considered in measuring the worth of a president.

A critic of the "old" Nixon, former Secretary of State Dean G. Acheson, has this to say about the President's foreign considerations: "I would give the President a hit for each time he has been at bat in the first hundred days."

It is to the benefit of the world if Mr. Nixon can continue to have a good day at bat in the unpredictable game of politics.

[From the Baltimore Sun, Apr. 29, 1969]

Counting the Days

One way to measure President Nixon's first hundred days in office is to count the number of articles written about the fact that today is his hundredth day. If there had been more news during this period—if he had tried, for example, to push through a major new legislative program while the bloom was still on his inauguration—the correspondents would have been busy dealing with the news.

Mr. Nixon was elected to a four-year term and, as he noted, it isn't what he has accomplished during the first hundred days that matters, but what he will accomplish in the long run. The President's immediate task was to consolidate, rather than to expand; to straighten out old programs and policies rather than to devise new ones. The way in which he has gone about this is important and of general interest, of course. But the hundred-day rule, if there is such a thing, has no more application to his case than it has had to most of our other Presidents. Let's be thankful we now are going past this milestone, or whatever it is.

[From the Washington Evening Star, Apr. 29, 1969]

Nixon's 100 Days: Lower Tone, No Camelots

(By James J. Kilpatrick)

In one degree or another, we are all of us captives of tradition; and one of the traditions of political comment, dating from that first frantic spring of Franklin Roosevelt, is that a presidential administration should be appraised after its first 100 days.

By this tradition, Richard Nixon's period of probation has expired. How is the gentleman doing?

Tolerably well, in this conservative view; tolerably well. If the image he has projected is less than we had hoped and dreamed for, it is exactly what we should have expected. In essence, as it is so often said, history is only biography. The character of this administration necessarily will be defined by the character of Nixon. This is what we have witnessed for the past 100 days; and it is what we will witness for the 1,361 days that remain in his term of office.

If Henry Clay were not so firmly entrenched in history as the Great Compromiser, Nixon might take the title from him. This is meant in no invidious sense. One falls back on another maxim: Prudent compromise is the essence of wise politics. The flamboyant role of the fearless leader, demanding and getting, is beyond the reach of Richard Nixon. He simply cannot play it. He is the quintessential lawyer, whose great-

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est skill is to reach the settlement out of court. There's nothing wrong with that.

"It will be the goal of this administration," the President said in his message of April 14, "to propose only legislation that we know we can execute, once it becomes law. We have deliberated long and hard on each of these measures in order to be sure we could make it work. Merely making proposals takes only a typewriter; making workable proposals takes time. We have taken this time."

That was the heart and soul of Nixon speaking. He would not abandon the Sentinel system of antiballistic missiles proposed by Lyndon Johnson; neither would he insist upon its adoption. He would rename it the "Safeguard" system, in a nice deodorant touch, and trim it back to more palatable size. He would not come out flatly against direct popular election of a President; neither would he support the proposal fully; he would find a middle course in line with "practical political realities." He would not exactly dismantle the Office of Economic Opportunity; but he would shift its pieces around.

So it was with the President's recommendation on the 10 percent surtax: It would not be wholly abolished; neither would it be fully preserved. He would keep it on for six months. So it was with Peru: The President would not impose sanctions now, as a consequence of the oil expropriation; he would postpone a decision for another few months.

"Temperance is the greatest of all the virtues," said Plutarch. Nixon is a temperate man. He has reacted temperately to the continued intransigence of the North Vietnamese delegation in Paris. At the cost of digesting four dishes of crow, he reacted temperately to the North Koreans' attack on the reconnaissance plane. His recommendations on tax reform, crime control, budget reductions, and postal increases are moderate recommendations.

Very well. In the euphoria that followed upon Nixon's election in November, some of us on the trogodyte Right fell into dreams we had no business dreaming. We imagined new brooms in the State Department, dramatic coups at Paris, the eloquent enunciation of sound conservative doctrine, the appointment of advisers who bore some modest resemblance to the Goldwater image. And when we got a Finch, an Allen, A Moynihan; when we retained the same old crew in State; when weeks passed with no more than the naming of ten thousand committees, we chafed in unwarranted disappointment.

Perhaps the spirit of moderation is contagious. These first hundred days have been days of constructive non-accomplishment. It isn't another Camelot this spring—it's more like Paducah in August—but one Camelot in a generation may suffice. As he promised on Inauguration Day, Nixon has invoked a lowering of voices. After eight years of uproar, it's a pleasant change of pace.

[From the Chicago Daily News, Apr. 19, 1969]

ASSESSING NIXON'S 100 DAYS

(By John S. Knight)

WASHINGTON.—The current Washington witticism that it may be some time until we discover if "we really have a President" is good for a passing grin but sadly underestimates Mr. Nixon's philosophy of problem-solving.

"Hasty action," the President has observed, "can only be self-defeating and aggravate the very ills we seek to remedy."

In assessing Mr. Nixon's first 100 days before the American Society of Newspaper Editors, chief North American correspondent Adelbert de Segonzac of France Soir mentioned Gen. de Gaulle's high opinion of Mr. Nixon, adding that the general is "not one to judge men lightly."

De Segonzac, or "Ziggy" as he is best known in Washington, said Europeans were impressed with Mr. Nixon's early journey to Europe. This gave them the assurance they needed that the new administration sought to repair the state of neglect into which Western relations had fallen in the Johnson years.

Ziggy said also that Europeans applaud Mr. Nixon's low key approach to world problems and believe he may be the President the United States needs at this particular juncture in history.

The French correspondent credits Nixon with "knowing his job, being relaxed and profiting from two defeats which taught his self-analysis and control."

Harry Truman's secretary of state, Dean Acheson, of impressive stature and guardsman's mustache, gave President Nixon "good marks" on his European conferences which Acheson had opposed. "I was wrong," said the former diplomat.

In defending Mr. Nixon's decision to proceed with a modified ABM, Acheson offered an interesting comparison with Mr. Truman's judgment in going ahead with the hydrogen bomb in 1949.

In that year, the Pentagon wanted a crash program. The scientists were divided. U.S. intelligence reported to President Truman that the Russians were building bombs and would proceed no matter what the United States did.

"Under these circumstances," said Acheson, "it required no special knowledge" to arrive at the right course of action.

Whether there is a valid comparison is a matter of opinion. Few people are convinced that the thin ABM system is feasible, either as to cost or effectiveness. No such reservation about the hydrogen bomb existed in Mr. Truman's mind.

Columnist Joseph Alsop, a confirmed hawk on Vietnam and introduced as "a vital, conscientious journalist," predicted dire consequences in event of a U.S. pullout from Vietnam.

He maintains that the North Vietnamese and Viet Cong have "killed out" 200,000 people and another 300,000 died in prison camps.

"If we withdraw, you can anticipate the massacre of 2,000,000 South Vietnamese who have placed their faith in the United States," he said.

Asked if President Nixon will take that risk, Alsop replied that he didn't know but thought Mr. Nixon would "hang in there" until a settlement on acceptable terms can be reached with Ho Chi Minh.

Alsop thought "ghetto disease" is the nation's greatest domestic problem. He expressed concern that the administration might not be able to do the "bold, expensive things needed to cure the disease." Alsop said he was not talking of "quickie cures."

He regards the drug traffic as the country's chief menace and said "it must be put down" regardless of cost.

The columnist thinks the President plans to make the GOP the majority party, based upon a coalition of the "unblack, unyoung and the unpoor." He doubts, however, whether such a coalition can "sustain the United States."

In discussing the school problems, and particularly in New York City, Alsop said that if the turmoil persists, "all kids will become hard-line addicts to the forces of revolution."

On the whole, the President fared very well indeed from the panel, including NAACP executive director Roy Wilkins.

I see this not as an endorsement but as a temprate, cautious appraisal of the man no one really knows.

What the President says is not always what Dick Nixon does. Franklin D. Roosevelt had the same trait and Lyndon Johnson enjoyed making surprise appointments to high offices, if only to confuse the Washington correspondents.

With Mr. Nixon, it is a case of keeping all options open. Thus Defense Sec. Laird and Sec. of State Rogers can express somewhat different views in public while the President evaluates the fallout of public opinion.

This is not to say that Dick Nixon lacks the power of decision. But he grasps that great game of politics as do few men in public life today.

He wants above all to be a two-term President. His calculations are being made on the basis of the America he sees in 1972 when in all probability either Teddy Kennedy or Ed Muskie will be the Democratic nominee.

NIXON STANDING TALLER AFTER HIS FIRST 100 DAYS

(By Walter Trohan)

[From the Chicago Tribune, Apr. 30, 1969]

WASHINGTON, April 29.—The first hundred days of Richard Milhous Nixon find him standing taller in the eyes of his countrymen and looming larger on the world horizon than most observers, and even many of his admirers, had expected.

It isn't so much that the days from the rainy inaugural of Jan. 20 have been marked by lighting flashes of dramatic accomplishment, as that the atmosphere has been eased of foreboding tension. There has been a return to cautious sanity as against wild experimentation and wind-blown promises.

This doesn't mean that there has been any great about-face or even that a new course has been charted. It does mean that the accent is on deliberation rather than drama. The national attitude is one of caution—caution by the President and caution by his knife-grinding political foes and caution on the part of a public weary over 36 years of more promise than performance.

Of course some say that after Lyndon Baines Johnson there was no way for Nixon to go but up. Such an explanation is too glib, and L. B. J. may yet loom larger in history than his most violent critics, largely in his own party, stand ready to concede.

Yet, the personalized approach of Johnson made him few friends and many enemies, especially in the press. The business-like Nixon approach and the evident attention he gives to his homework before meeting the press, have paid off in a cordiality between the chief executive and the news media that has been surprising.

It can be expected to remain for some time, because the new administration is scrupulous in observing the right to know. Cabinet members and top officials are readily accessible on the record and for background sessions. They may not make much news, but they are available and apparently frank.

FIRST 100 DAYS SILENCE CRITICS

The first hundred days have silenced more critics than they have satisfied supporters. Democrats generally have been pushed into grudging approval of appointments, approaches, and policies. Many Republicans, on the other hand, have patronage disappointments, are impatient for change, and complain that policy is too much like it was.

It must be remembered that Nixon's political ideal is Franklin D. Roosevelt rather than Herbert Hoover. He would like to be able to inspire the enthusiasm of F. D. R., but he knows he must hew to the sanity of the great humanitarian, whose political career was blighted by a world-wide depression.

It must be remembered, too, that Nixon never embraced the right, where activity against the communist conspiracy seemed to put him. He is a moderate Republican, if you please, or a middle of the roader, if the first description is a red flag.

NEVER PROMISED TO TURN BACK CLOCK

Nixon never has promised to turn back the clock, even when he called for cleaning house in the government and fiscal sanity. He has moved toward balancing the budget, but not at the expense of so-called welfare and social programs.

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And, it must be remembered, Nixon supports Atlantic Union, not as wildly as some, but certainly not as this commentator does. This commentator believes the machinery for Atlantic Union is in the Constitution and open for Scotland, England, and Wales to enter the union as states, not as a partner. Let them explore it.

In his inaugural Nixon urged his countrymen to lower their voices so that they might reason. There has been some lowering, but a great deal more is desirable. A bit later he expressed the fervent wish that he might gain the respect and friendship of all his countrymen. After 100 days, it must be conceded he is trying.

[From the Philadelphia Inquirer, Apr. 23, 1969]

THE MEASURED PACE IN NIXON'S PRIORITIES

(By Roscoe and Geoffrey Drummond)

WASHINGTON.—Because President Nixon did not put a crash program to Congress during his first 100 days, some suggest he is in for trouble by not doing enough fast enough. Maybe, but not for sure; it is a fast-on-the-draw judgment which could well be wrong.

President Kennedy crash-programmed Congress and public opinion didn't help him get much through.

President Johnson crash-programmed Congress, got a mountain of measures passed but public opinion didn't help him when he got in trouble over Vietnam.

Mr. Nixon is taking a view far longer than 100 days and it remains whether it will be rewarded or punished by the longer-term public response for his measured way of doing things.

If he begins to make headway on what he is undertaking, it is quite premature to assume that public support will desert him.

Because Mr. Nixon is not turning everything upside down—and that's not going to be done at any time—this doesn't mean that significant and substantial changes are not in the making. They are and they have nothing to do with ideology or liberal versus conservative policies.

It is now evident that there are distinctive Nixon approaches and they are beginning to mark out new directions—like these:

Mr. Nixon is putting first things first—even if it hurts.

Instead of trying to do everything at once, he is acting on an order of priorities which has been absent from Washington for far too long.

His priorities are—end the war in Vietnam, control inflation.

His reason for these priorities is that relatively little can be done to attack the most acute domestic problems until these two conditions are met and nearly anything can be done if and when they are met.

Mr. Nixon well knows that until the Vietnam war is behind him, he will not have the revenue resources to embark on larger spending which he is fully aware will be needed to deal with urgent domestic needs.

And he isn't cutting $4 billion from the budget in order to have a nice surplus rather than use it for human needs. This surplus and the continuing of the surtax are indispensable to getting inflation under control and an essential to securing the dollar. This will be a boon to everybody.

This is putting first things first and meaning it. The President is candidly telling the country that other things must wait upon these two essential priorities and that to talk about doing everything at once and then not being able to do it is worst of all.

Another major departure from the past is Mr. Nixon's initiative to cut back the overcentralization of power and authority in Washington, a goal which most Americans have been seeking and supporting for some time. He would accomplish this by beginning to share Federal revenue with the states so that state and local government would be able to do what the Federal Government isn't doing well.

This move comes at the right moment—when many big government liberal Democrats have come to see that the thicket of Federal aid programs is inefficient and when there will be a calamitous breakdown of state and city government if Federal funds aren't forthcoming.

On balance, it may well be that Mr. Nixon's measured pace, his putting first things first, his saying frankly that everything can't be done overnight and that trying to do it that way would mean failure—this approach may not only prove to be what the country needs but what it wants.

SECRETARY OF TRANSPORTATION VOLPE PLACES SUPERJET, AIRPORTS ABOVE MASS TRANSIT—A CASE OF MISTAKEN PRIORITIES

Mr. WILLIAMS of New Jersey. Mr. President, the Washington Evening Star of April 24, 1969, in an article entitled "Volpe Places Superjet, Airports Above Transit," stated:

> Transportation Secretary John Volpe has reshuffled his department's priorities, putting two controversial airways projects ahead of solving mass transit problems.
>
> The former Massachusetts governor reportedly has told President Nixon he wants administration approval for either the Supersonic Transport or an airways and airports bill before action on increasing other programs, including mass transit.

On April 29, just 5 days later, the New York Daily News reported that Secretary Volpe had warned the U.S. Chamber of Commerce:

> That private cars may be banned from major metropolitan areas in a few years unless urban mass transit programs "catch up with the highway program."

Apparently Secretary Volpe, while recognizing the critical need for improved mass transportation, still refuses to give that program top priority. He has, in fact, put it behind two projects which, worthwhile as they may be, are not nearly as crucial to our Nation's citizens as mass transportation.

The Washington Evening Star has concisely and correctly summarized Secretary Volpe's comments of April 24 in its April 30, 1969, editorial entitled "Volpe's Priorities." The Star stated:

> The good thing about this news (moving mass transit problems out of the number one priority spot in lieu of airway problems) is that it is unconfirmed and it may be incorrect.

The editorial then went on to add:

> There is a need for an airports and airways bill to relieve the dangerous overcrowding that exists today. It should stand high on the Transportation Department's list of priorities. But it can never, by any process that goes by the name of logic, be put ahead of the need for a solution to mass transit problems.

I strongly urge Secretary Volpe to take the advice of the Washington Star. Mass transportation should and must be given top priority. Additional money must be spent. Improved facilities must be made available. If this is not done, our Nation's urban centers will fast become one massive traffic jam.

In order to place our transit systems on a sound financial basis, on February 17, 1969, I introduced the Urban Mass Transportation Act of 1969. Congressmen PATMAN and BARRETT have introduced identical bills in the House of Representatives. This proposed legislation would establish a mass transportation trust fund financed out of a portion of the excise tax on automobiles from 1971 through 1974. Over this 4-year period an estimated $1.8 billion would be made available for loans and grants for mass transportation. This approach will take an established program of proven value, the mass transportation program, and wed it to a system of financing used successfully over the years to pay for our Nation's highways.

I hope that in the weeks ahead the Nixon administration and Secretary Volpe will endorse this proposed legislation and give it their full support. As the Star's editorial points out:

> It is, of course, quite true that if the transit problems are disregarded, the problem of airport and airways congestion will take care of themselves. No one will be able to get to and from the airports.

So that all Members of this body may have the benefit of Secretary Volpe's purported views on this subject along with the excellent editorial of the Washington Evening Star, I ask unanimous consent that all three articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD as follows:

[From the Washington (D.C.) Evening Star, Apr. 24, 1969]

VOLPE PLACES SUPERJET, AIRPORTS ABOVE TRANSIT

Transportation Secretary John Volpe has reshuffled his department's priorities, putting two controversial airways projects ahead of solving mass transit problems.

The former Massachusetts governor reportedly has told President Nixon he wants administration approval for either the Supersonic Transport or an airways and airports bill before action on increasing other programs, including mass transit.

The SST wasn't ranked at all in a list of priorities published by Volpe's Democratic predecessor, Alan S. Boyd, a year ago. Airport and airways inmprovement and construction was ranked fourth.

In the revised Nixon budget put out last week, a request for $25 million in new money for mass transit was cut out although Volpe had told an interviewer in March that trucks and autos were choking the cities and "we wouldn't be in the mess we're in" if studies had been started earlier.

Of the two projects, the SST proposal is on the President's desk. A month ago it appeared headed for limbo but its fate now is uncertain.

The airports and airways bill has been wrapped in secrecy by Volpe, but some details have leaked out.

The measure is now in the Budget Bureau where there are indications of strong opposition.

The airports bill reportedly would provide for the first time up to $2 billion in loan guarantees for construction of airports which in some cities are vastly profitable.

The bill also would provide some $150 million in outright grants for airport construction, including terminals. This practice was discontinued in the 1950s because of criticism that federal money was being used to build such things as cocktail lounges.

Critics in the administration say federal aid is not needed to build airports. They cite the example of the New York Port Authority, which is building two huge skyscrapers from the profits of the three airports it runs.

There also is opposition to the guaranteeing of loans. Some critics says the guarantees would put tax-free municipal bonds in direct competition with taxable Treasury bonds at a time when the Treasury needs all the cash it can get.

THE SST ISSUE

The Transportation Department is expected to argue that more and bigger airports are desperately needed to ease air congestion, the government could easily stand the competition from municipal bonds, and small and middlesize airports would benefit from the low interest of a government loan.

Nixon approval of the SST or even a delay order would be a major change of fortune for Volpe who was forced last month to back away from a highly favorable report on the project.

An 11-man committee of agency heads and Cabinet undersecretaries had drawn up recommendations for the report that contained some severe criticism.

When the report was prepared for the White House, however, the criticism was all deleted. The committee objected strongly and got it reversed.

REPORTED SHOCKED

One informed source said the first report was prepared by a Volpe aide and that the secretary had been shocked when he learned the depth of opposition.

Backers of the SST said some $200 million was needed to keep it going full blast in fiscal 1970 but conceded it could limp along on carryover funds while Boeing Corp., the prime contractor for the plane, tries to work out design bugs that have prompted much criticism of the superjet.

SST opponents argue that too much money—some $300 million—has been wasted already. They say the craft will be too noisy ever to fly over land routes or use most domestic airports and therefore would be economically unsound.

Backers of the plane say the United States must develop its own SST to remain competitive with Soviet and Anglo-French versions.

[From the Washington (D.C.) Daily News, Apr. 29, 1969]

VOLPE WARNS THAT CITIES MAY HAVE TO BAN AUTOS

(By Jeffrey Antevil)

WASHINGTON, April 28.—Transportation Secretary John A. Volpe warned today that private cars may be banned from major metropolitan areas in a few years unless urban mass transit programs "catch up with the highway program."

Volpe, a former contractor who once headed the U.S. Bureau of Public Roads, told the annual meeting of the U.S. Chamber of Commerce that the most pressing need is "to take care of those who need transportation the most, to get people from the ghettos to their jobs."

As one example of the transportation crisis, Volpe said that in Metropolitan New York, traffic moved at an average speed of 12 miles an hour in the horse and buggy age, while it averages only 7 miles an hour in the space age.

Appearing in a panel discussion with Volpe were four other cabinet officers—Robert H. Finch of health, education and welfare, Clifford M. Hardin of agriculture, George P. Schultz of labor, and Maurice H. Stans of commerce—and White House special assistant Stephen Hess.

CONCERNED OVER SCHOOLS

Finch disclosed that Attorney General John N. Mitchell will ask Congress to "refine" existing legislation on inciting riots so it can be used more effectively against student agitators who move from campus to campus. But he stressed that the problem of campus disturbances should be dealt with "at the local level" by college administrators.

Hardin and Shultz, both former college deans, said they were disturbed by the existence of "a hard-core group of professionals who are moving from campus to campus."

Hardin said the federal government's contradictory programs to discourage the use of cigarettes while subsidizing tobacco growers "could well be idiocy." But he noted that local, state and federal governments take in $4 billion a year in cigarette taxes.

[From the Washington (D.C.) Evening Star, Apr. 30, 1969]

VOLPE'S PRIORITIES

The way the Associated Press tells it, Transportation Secretary John Volpe has shaken up his department's priorities, moving mass transit problems out of the number one spot. Top priority, AP reports, now goes to airport and airways problems and to the swift completion of the supersonic transport.

The only good thing about this news is that it is unconfirmed and may be incorrect.

This government's preoccupation with the flying white elephant, also known as the SST, seems to be based on one overriding consideration: Someone else is working on it, therefore the United States must do the same. Never mind the cost. Forget the manifold unsolved problems of sonic boom and engine noise. The British, the French and the Russians are coming—so, all together now—panic!

Under this formula, presumably, if word of Dr. Frankenstein's experiments had leaked out, Uncle Sam would have felt compelled to get there first—or at least not far behind. And come to think of it, the analogy between Frankenstein's baby and the SST just possibly may not be too far off the mark.

There is a need for an airports and airways bill to relieve the dangerous overcrowding that exists today. It should stand high on the Transportation Department's list of priorities. But it can never, by any process that goes by the name of logic, be put ahead of the need for a solution to mass transit problems.

It would be possible, after all, to hold air travel to its present limits. It would even be possible to cut back temporarily on commercial operations if necessary to defuse the aerial bomb. It would be inconvenient for that minute fraction of the nation's population to whom air travel is a regular necessity. But that inconvenience cannot be compared to the universal agony already being produced by the mess in mass transit.

It is, of course, quite true that if the transit problems are disregarded, the problem of airport and airway congestion will take care of themselves. No one will be able to get to and from the airports.

But it seems doubtful that the secretary has that solution in mind.

ANNIVERSARY OF THE POLISH CONSTITUTION

Mr. GOODELL. Mr. President, May 3 marked the anniversary of the Polish Constitution of 1791, one of the greatest achievements in Polish history. The constitution was an instrument through which Poland hoped to achieve independence and security and form a new national identity; it attempted to establish a modern constitutional monarchy and parliamentary type of government and thus served as a model of democracy and liberalism throughout Europe.

The history of the Polish people is a chronicle of the struggle of a people to maintain independence against more powerful and aggressive neighbors. She was overrun by the Russians and Prussians in 1792 and lost her independence for over 123 years as a result of partition. The struggle was renewed when Poland was invaded and occupied by Germany and World War II began. Yet the Polish people did not give up their hopes of regaining their national independence and reviving the spirit of the Constituton of 1791.

This year's observance is of special significance in that it coincides with several other important dates of Polish history; namely, the 30th anniversary of the German-Soviet attack on Poland, and anniversaries of the Warsaw Uprising and the founding of the Polish-American Congress.

Poland is a nation which has been a source of inspiration in her fight for freedom and dignity. The contribution of the Poles and the Polish Americans in arts and humanities, and science and government, have been profound, indeed. It is an honor to join in the salute of the people of Poland and to express a hope for the day when the goals of an independent and free Poland will be realized.

THE MACHIASPORT SITUATION

Mr. HANSEN. Mr. President, during the last several months, there has been much debate regarding the proposal of the Occidental Petroleum Corp. to build a large refinery in a foreign-trade zone to be located at Machiasport, Maine.

As an opponent of the Occidental Petroleum Corp. proposal, I have emphasized the need to protect our national security by maintaining a strong and viable domestic petroleum industry. The windfall which one company would receive and the depressing effects which this refinery, operating on foreign crude oil, would have on the economics of our oil-producing States are also most significant.

But the citizens of the oil-producing States do not stand alone when they question the advisability of building a huge refinery in a foreign-trade zone on the coast of Maine.

The citizens of Maine themselves are questioning the wisdom of such an action.

Today, all of the citizens of this Nation are concerned with the protection of our natural environment. Congress has passed legislation to improve and protect our environment and to preserve for recreational purposes areas of our Nation which have not become overpopulated.

My own State of Wyoming and Maine have much in common. We are both States with small populations. Large areas of both States are not industrialized and remain prime areas for recreational use.

But Maine enjoys two advantages Wyoming does not. Maine has a seacoast as well as beautiful lakes, mountains, and forests. Maine also enjoys close proximity to areas which do have large populations. Many people from the East do not have either the time or the financial means to journey 2,000 miles to enjoy Wyoming's beauty and outdoor recreation. However,

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a trip to Maine is within their time and financial limits.

Men of vision in Maine have recognized the great recreational potential of their State.

On March 7, 1969, the Natural Resource Council of Maine published a brochure entitled "The Machiasport Situation: 20 Questions for the People of Maine." This brochure concludes that—

> Continued proliferation of inappropriate projects will indeed destroy Maine's unique environment. The people of Maine must insist that those developments that, in fact, are necessary and inevitable be fundamentally compatible with the national environment. If they default in that duty, gradual attrition will destroy it.

Mr. President, I ask unanimous consent that this brochure published by the Natural Resource Council of the State of Maine be printed in the RECORD.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

THE MACHIASPORT SITUATION: 20 QUESTIONS FOR THE PEOPLE OF MAINE

The Natural Resources Council firmly believes that the people of Maine have a unique and vital stake in maintaining the quality of their own natural environment. In a country that is rapidly becoming more crowded, more polluted, more industrialized and more dehumanized, Maine, to a large degree, still fosters a desirable and increasingly rare quality of life. That quality of life, primarily dependent upon the state's natural environment, is the principal reason that a large number of its people have chosen to live in Maine.

The proposed oil refinery at Machiasport, it is believed, could threaten Maine's quality of life. It is not at all clear that the proposal is in the best interests of the people of Maine. It is not at all clear that the project would be compatible with the best use of the coastal environment.

Long-standing questions have arisen in the minds of many people about the Machiasport project. These questions remain unanswered and perhaps even unconsidered:

1. What, in fact, will be the economic benefits to New England and, particularly, to Maine residents?

2. Can these benefits only be attained through the construction of a coastal oil refinery?

3. Are these benefits sufficient to warrant a major encroachment on the sea coast resource?

4. Have these hypothetical benefits been adequately weighed against the economic loss from the deterioration of the environment and the loss of recreational and other interests?

5. Have the probable and indeed inevitable growth and development of recreational demands in the future been adequately considered in balancing the gains and losses?

6. Will, in fact, a highly automatic refinery have a significant impact on employment in the Machias area?

7. How will surrounding communities finance the extra services that will be required by the refinery facility and its personnel?

8. Will the local residents have a real part in planning and regulating the operation of the facility in such a way as to insure their best interests?

9. In what ways are the legal, financial and personal interests of the land owners on the proposed site protected?

10. Have the necessary hydrographic engineering studies been conducted to insure that supertanker operations can be safely conducted in the area?

11. What specific guarantees can be offered to insure that the operation will not cause air and water pollution?

12. Is it clearly understood who and what will be indemnified against loss from probable oil spills or air pollution?

13. In what way will loss of non-commercial wildlife from possible oil spills be indemnified and how will that value be determined?

14. Have the relevant state and federal government agencies been consulted about the manifold effects of the project, for which they have legal responsibilities?

15. Are these agencies in a position to render professional judgments?

16. Are funds available to permit these agencies to carry out necessary studies?

17. What guarantees can be offered to provide for possible adverse effects from additional industries that may be attracted to the area?

18. Has it been determined in fact that additional industries would be beneficial to the area, or is it possible that they might impose demands that the area cannot meet?

19. Has real consideration been given to the possibility of locating the tank farm and refinery inland, away from the valuable sea coast?

20. How does the proposed refinery fit into a well conceived plan for proper development of the entire Maine sea coast?

In seeking answers to these questions, it must be understood that the people of Maine, consciously or unconsciously, have committed their lives to the state's special character and have adjusted their lives accordingly. They recognize and accept its material limitations but realize that its traditional environment is conducive to a superior way of life. Maine's people are confident that the intangible benefits of living in Maine surpass its material shortcomings. They have a basic interest in preserving that standard.

That this collective decision is sound is confirmed by the nearly three million visitors the state welcomes each year. In their escape from the crowded and often inhuman world that surrounds Maine, these visitors provide the state with a $300 million industry. As development trends beyond the state continue and accelerate, and as the natural environment Maine offers becomes increasingly scarce and ever more desired, that industry will become even more valuable to Maine.

To Maine residents and the entire nation, then, the state offers a uniquely valuable, fragile and irreplaceable resource—its natural environment.

From many sides, now, that resource is threatened. Particularly along Maine's incomparable sea coast, the trend is to alter the basic nature of an essentially immutable environment. Count the proposed and realized signs of change: an atomic power plant at Wiscasset, an ore loading facility at Rockport, an ore smelting complex at Union, greatly expanded liquid fertilizer and fuel tanks at Searsport, open pit mining at Harborside, an aluminum smelter at an uncertain coastal location, military facilities at Schoodic Point, Prospect Harbor and Cutler, and the oil refinery and industrial complex at Machiasport.

Some of these changes on the sea coast may be necessary, but the people of Maine are given to understand that these developments are, in fact, just a beginning if Maine is to "catch up" with the rest of the country.

Or, is it that the state will destroy its unique and immensely valuable and scarce resource in ill-considered pursuit of short-term profits?

Continued proliferation of inappropriate projects will indeed destroy Maine's unique environment. The people of Maine must insist that those developments that, in fact, are necessary and inevitable be fundamentally compatible with the natural environment. If they default in that duty, gradual attrition will destroy it. The state must recognize that if it abandons the defense and preservation of its natural environment, then it reduces itself to ruthless economic competition at the lowest level. It will be forced to compete disadvantageously with other areas on their terms, not its own. It will be condemned to an irrevocable course of diminishing returns.

The Machiasport issue concerns all the people of the state. The project brings into question the basic commitment of many Maine residents. The concept of an oil refinery in Maine may be entirely valid, but it has not been proven that the proposal for Machiasport has seriously considered all the consequences and all the alternatives. It has not been proven that the proposal will make the best possible use of the state's resources. Upon this central, basic, unanswered question must rest the final decision.

LAW DAY OBSERVANCE

Mr. TALMADGE. Mr. President, there has come to my attention an outstanding address by the Honorable Newell Edenfield, U.S. district judge, northern district of Georgia, on the national observance of Law Day.

Judge Edenfield, speaking to the Downtown Kiwanis Club in Atlanta, delivered a perceptive discussion of the present state of law and order in the United States, with particular reference to its decline in recent years.

I commend Judge Edenfield's timely and thoughtful remarks to the Senate, and ask unanimous consent that they be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LAW DAY

(Remarks to the Downtown Kiwanis Club of Atlanta, April 29, 1969, by Newell Edenfield, U.S. district judge, Northern District of Georgia)

If any nation at any time ever needed something said about law on Law Day, that nation is America and the time is 1969. With riots, looting and raping rampant in our streets, and armed insurrection and destruction occurring daily in our colleges, most thinking Americans are seriously wondering whether we haven't lost our national mind. Can it be that the most powerful nation in the world—which can launch a rocket to the moon—can't control a common riot or roving bands of muggers and purse snatchers? Are we to turn our colleges and universities over to an armed, insolent and obviously unreasonable rabble—buildings, curriculum, endowment and all?

Confronted with these events, people are asking: What's happened? What's wrong? What's caused all this? What can we do?

So, on this Law Day something needs to be done and something needs to be said; and while on this occasion you have chosen a very poorly tuned cymbal to sound the note, I did accept your invitation, and I will briefly do my best.

To begin with, what *are* our problems? I have mentioned two, but let's catalogue some others which imperil the welfare and security of this nation and, indeed, of the whole world. Among these I would list the following: (1) organized crime; (2) narcotic and dangerous drugs; (3) gambling; (4) poverty and, finally, insufficient and apparently ineffective education. There are others such as bank robbery, national fiscal policies, and the one that seems destined to be with us indefinitely, viz.: desegregation and civil rights. But these are enough.

Clearly, no one has found a complete answer as to the causes of, and the remedy for, these problems; otherwise I would move that we promptly adjourn and go listen to him. But while there are no *complete* answers as to causes and remedies, there are some *obvious* ones.

Take the case of violence in the streets—marches, sit-ins and riots—for example. The most common cause ascribed here is what has been generally described as "a breakdown in law enforcement." But this is no answer at all. *Why* has there been a breakdown in law enforcement? Looking back, I think the answers are fairly clear. It is obvious, for example, that most of these conditions during the last few years had their origin in protest movements of one kind or another, and since many of these movements involved either the right to freedom of speech or at least a claim of the right to freedom of speech, control of them by the police became enmeshed in constitutional problems, and as conviction after conviction was reversed, the end result was that the police became so frustrated and baffled that in many instances they simply did not know what was the law and what wasn't—what they could do and what they couldn't. The solution of this problem has not been a quick or an easy one.

Take, for example, such simple offenses as "riot" and "disorderly conduct", which have been punished by English and American courts since Magna Carta. At what point does a march or a meeting cease to be an exercise of freedom of speech or lawful assembly under the Constitution and become merely a riotous threat to law and order and an invasion of the property and rights of others? Sometimes I'm afraid the courts have been a little bit slow and indecisive in their answers. In fact, for years city ordinances, and hence the police, with the approval of the municipal courts, treated both of them just alike, and one as being the equivalent of the other. This, of course, is and always has been constitutionally impermissible. Another kindred problem was (and in some areas still is) the custom of arresting and trying an offender without ever defining his offense in any definite terms.

Not a man in this room, for example, can fail to remember when municipal and recorder's courts across this country arrested and fined people wholesale for the nebulous offense of "disorderly conduct" without ever defining what that term meant except that an officer found his conduct offensive. Moreover, where there *was* a definition in the statute, many times it was quoted from or adapted from old English statutes adopted long before we had a Constitution or a Bill of Rights, and many of such laws were still too vague and indefinite to conform to our constitutional requirements. The evil of this arrangement was that an innocent, law-abiding citizen could not reasonably inform himself as to what he was being charged with or what he could legally do or couldn't do. Usually the charge didn't specify what he did do.

Such vague laws have always been patently unconstitutional under our system, and this is nothing new. This, of course, may not be the complete answer, but I suggest that it was largely from this confused state of the law that many of the reversals came and the present problem arose. Fortunately, a solution now appears to be at hand. In recent Supreme Court decisions, for example, the line between First Amendment rights and such offenses as riot and disorderly conduct has now been defined, the very clear holding now being that the First Amendment protects only freedom of speech, not freedom of action or conduct. You may speak against the flag, but you may not burn it; you may urge support for your protest movement from a passing motorist, but you may not overturn his car. Armed with these distinctions what our cities and counties now need is to amend their laws to recognize the difference, as incidentally the City of Atlanta has already done; and then let's get on with routine law enforcement in this area.

A second frustration in this area which has encouraged crime in the streets has been delayed trial and punishment, and particularly the practical operation of statutes, state and federal, such as the federal Bail Reform Act, which give an offender an automatic right to bail after conviction and pending successive appeals. The spirit behind these laws is good, and in most instances they work; but in the case of the multiple offender or the professional troublemaker, they make it possible for him to walk the streets and carry on his activities for months, or even years, even after conviction.

I know of one defendant who, after conviction by a jury and while free on bail, was indicted for three other felonies in another state. He is *still* free on bail, and while awaiting a final appeal, he now teaches in one of our oldest and largest universities which has been much in the news in recent weeks.

I do not oppose these bail laws in principle. An American asserting his innocence should ordinarily be entitled to bail while he appeals, but in the case of the multiple offender or the proven professional it should be discretionary, and should be conditioned on his not repeating and continuing similar activities pending appeal and while his convicton stands. Moreover, where alleged mass offenses are involved, the appeals of those claiming automatic bail should be expedited, with special tribunals set up to hear them if necessary. The great deterrent to crime is not the severity of punishment, but its swiftness and its certainty.

A third cause of our general breakdown in law and order is, I would suggest, the disproportionate amount of publicity given to some offenders by the press. We must, of course, preserve freedom of speech and of the press inviolate, but to nationally publicize to the saturation point every alleged band of troublemakers, however preposterous their grievance, makes troublemaking profitable and hence attractive. It is as plain as the palm of your hand that, apparently trying to emulate others who have done so, any crackpot who can raise enough marchers or dissenters can become at least a national celebrity and in some areas a hero. Of course, every dissenter has a right to march and to speak, however misguided his notions may seem to me. But I don't believe my brothers of the Fourth Estate will be offended by the observation that, at times, they are being used and the national welfare is being abused by their willingness to publicize nonentities whose antics are no more news than dog biting man. With all power there goes the corresponding duty of responsibility.

As far as our present difficulties in the colleges are concerned, I can find no better answer than one announced 1400 years ago by St. Benedict, and recently reported in the press. The monasteries of that day contained all the seats of learning, and in some respects were very much like American universities. Many of these monasteries were founded by St. Benedict, and in the Sixth Century he said exactly how such institutions should be run. Let me quote:

"If any pilgrim monk come from distant parts, if with wish as a guest to dwell in the monastery, and will be content with the customs which he finds in the place, and do not perchance by his lavishness disturb the monastery, but is simply content with what he finds, he shall be received, for as long a time as he desires.

"If, indeed, he find fault with anything, or expose it, reasonably, and with the humility of charity, the abbott shall discuss it prudently, lest perchance God had sent him for this very thing.

"But, if he have been found gossipy and contumacious in the time of his sojourn as guest, not only ought he not to be joined to the body of the monastery, but also it shall be said to him, honestly, that he must depart. If he does not go, let two stout monks with staves, in the name of God, explain the matter to him."

Just one more word about the problem in the colleges. In too many instances, the disturbances are not *brought* there from outside; they are *taught* there on the inside. I make no wholesale accusations, but I have seen enough in my personal experience to convince me that in many instances college faculties have been infiltrated with radicals, communists, and others whose only desire is to teach and stir up trouble. It would seem that the time has come for all our colleges, within the bounds of academic freedom, to identify and purge this element. A professor, like everyone else, has a right to become addicted to any poison of his choice, but he has no right to retain his professorial chair for the obvious purpose of spreading it.

So much for the colleges.

The next four problems, organized crime, gambling, bootlegging and drug addiction, I wish to discuss together, and as to them, I wish to point out only one thing: The tragic fact that in our efforts to suppress these evils, we inadvertently make it possible for them to flourish by legislating scarcity. Take the case of organized crime. Gangsterism as we know it today first began in this country as a direct result of the legislative scarcity created by the prohibition laws. The nation was dry but a great part of the population was wet. In the face of a large and growing demand for liquor, we put the legitimate dealers out of business and thereby created a monopoly which we handed to the gangsters on a silver platter. What the legitimate businessman could not sell, the gangster would and did. The demand was staggering—the profits great. In short, we drove a large segment of the population to become the customer of the mobster and the bootlegger simply by legislative scarcity, and while we have now repealed prohibition, the prohibitory taxation on legal whiskey still permits the bootlegger to flourish for the same reason.

A gallon of whiskey costs 90¢ to make. It sells at retail for $30. The taxes on it alone are more than $15. Thus we have a 90¢ commodity being taxed at a rate of 1500%. At those prices, many of the poor cannot afford, or feel that they cannot afford, government whiskey, but instead of drying up the liquor traffic, this only drives them to the bootlegger, who can cut the government price by 50% and still make a profit of 1200%. Nature abhors a vacuum, and both gangsterism and bootlegging have been able to continue and flourish almost solely by virtue of these policies of legislated scarcity. The only possible way, as I see it, to permanently stop organized crime in this country is to eliminate those things which make its profits possible.

We make the same mistake, unfortunately, in the field of narcotics, gambling, and gambling information. Those wanting such commodities go to the gangster because they can't get them elsewhere. When a pusher can hook a juvenile on drugs, he has a customer for life—a monopoly handed to him by legislative scarcity or prohibition; and worse—much worse—is the fact that the cost of a 5¢ pill when bought from a gangster is so high that almost invariably the victim has to rob, steal or murder on a daily basis to supply his habit.

I have not read the English laws on the subject, but my understanding is that they handle the drug traffic differently. A drug addict in England doesn't have to go to a gangster; he simply registers with the government, confesses his plight, and receives either a daily shot from the government or a permit to buy through a doctor's prescription at commercial prices, but with a condi-

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tion annexed that in either case he submit to a gradual and periodic reduction in dosage until he is cured. I don't know how well the English system works, but how could organized crime long compete with that nonprofit arrangement?

I realize that our prohibitory laws in these areas represent a moral judgment. And if they really worked to accomplish what they were intended to accomplish, we would have no problem. But they don't work; and by a policy of outright prohibition rather than regulation, I sometimes timidly wonder if we don't defy the universal experience of mankind and create more problems than we solve.

In approaching the end of these remarks, we come to the two great problems which breed more crime than all others combined; and again they go hand in hand: poverty and either insufficient or inadequate education. Forty years ago, Franklin D. Roosevelt shocked the nation by saying that one-third of the population was ill housed, ill fed and ill clothed. It still is; and from this group comes the great bulk of our prison population. Ask any judge. Neither time nor the occasion nor my ability permits more than a reference to these problems, but it is interesting to note in passing that in discussing our problems and those of the world, Secretary of Defense McNamara was quoted a few years ago as saying that of all the internal conflicts in the world, more of them arise, basically, out of the bitter frustrations of poverty than out of communist aggressions and subversions—as real as they are.

In discussing problems, I cannot close without at least a passing reference to civil rights and desegregation. In this area the basic law is now clear, but the ever-recurring problem is how to make it effective and keep it effective without making of America a police state with a Gaulitier in every district. Desegregation is followed by resegregation in a never-ending succession of plans. To the courts, if I may be pardoned a personal reference, the problem is like the tar-baby—you can't ever finish a case and turn it loose. I know of no desegregation case ever filed that has ever been closed. And the resistance is not always confined to one race. The practice of minorities boycotting schools because of desegregation of schools and faculties is no longer a novelty. In metropolitan areas they are insisting on their own school boards. And so the problem goes on.

But let us not end on a pessimistic note. Despite our problems, let us on this Law Day be grateful for law. And let us remember that its *our* law. It isn't something imposed on us by a tyrant, we made it ourselves. If we don't like it, we can change it. Even if not perfect, it represents our finest dreams and aspirations. Let us dedicate ourselves to their fulfilment. And let us be aware of the progress we have made.

Nineteen hundred years ago Jesus of Nazareth first proposed the Golden Rule and the brotherhood of man. Surveying the social legislation of the last generation in the fields of discrimination, welfare and poverty, one might almost say we had decided to enact them into law.

To those who say we can't make it work, I reply let's look at history. Between the years 1600 and 1900, it took 300 years for the sum total of man's knowledge to double; between 1900 and 1950, it took 50 years for that total to double again; finally, between 1950 and 1960, for it to double a third time, it took only ten.

If our aspirations suggest a long journey, look how far we've come. No one expects or promises miracles, or to change the hearts of men overnight, but at least let it be said that America tried; that, like Cervantes, we dared—

"To dream the impossible dream,
To beat the unbeatable foe,
To bear with unbearable sorrow,
To run where the brave dare not go,
"To right the unrightable wrong,
To love pure and chaste from afar,
"To try though our arms are too weary
To reach the unreachable star."

THE PULITZERS

Mr. MURPHY. Mr. President, I rise today to warmly congratulate the Los Angeles Times which won two Pulitzer Prizes last Monday. A gold medal for meritorious public service was awarded to the Times in recognition of more than 2 years of investigations into various city commissions. Several members of the Times' metropolitan staff participated in these articles which were initiated in 1966 by the newspaper's chief investigative reporter, George Reasons. Staff writer Art Berman later joined in the investigations which led to the resignations and transfer of city commissioners and the cancellation of questionable contracts and the launching of steps toward municipal reform. The Times' articles resulted in the indictment of five city commissioners.

Mr. President, the Times' achievement is particularly noteworthy in that it was awarded not one of these rare awards, but two. The other Pulitzer Prize went to William Tuohy for his dispatches on the Marine battle to liberate Hue from the North Vietnamese during the Tet offensive, on the surrounded American garrison at Khe Sanh, and on the court-martial of Marine Pvt. Robert Vickers. Vickers was the only one of seven marines who pleaded innocent to a murder charge and received a life sentence at hard labor while his codefendants received light sentences. Following Mr. Tuohy's article, Vickers was freed. Mr. Tuohy served as the Times' Saigon bureau chief from July 1966 to last October when he was assigned to the Times' Beirut bureau. The two Pulitzer Prizes awarded the Times brings to seven the number won by this newspaper or members of its staff since 1942. This is certainly a commendable record. I ask unanimous consent that an editorial from the Washington Post of May 7 be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Pulitzers

It is rare enough for one newspaper to win two Pulitzer Prizes in a single year, but the Los Angeles *Times* accomplished it with the prize for public service for its disclosures of wrongdoing within the Los Angeles government commissions and the dispatches of William Tuohy from South Vietnam.

No Vietnam war correspondent has won the Pulitzer since Peter Arnett of the Associated Press turned the trick in 1966. Since then, there have been prizes for coverage of the Indonesian revolution and the Arab-Israeli war, but nothing from Vietnam. Tuohy's award is well deserved. He worked at covering the war for four years, from January of 1965 to late last year, twice declining the usual 18-month tour of Vietnam war correspondents. His dispatches were consistently lucid and well-written, no small achievement in a war as confusing and contradictory as the one in Vietnam.

There is a message elsewhere in the prizes. Two major awards, the prize for public service and the prize for special local reporting, were won by articles of a muckraking nature. Besides the public service prize of the *Times*, two reporters for the St. Louis *Globe Democrat* were honored for a series exposing fraud and abusive power in Local 562 of the St. Louis Steamfitters Union. For national reporting, Robert Cahn of the *Christian Science Monitor* won the prize for an article on national parks and how to preserve them, also an admirable cause.

DISCONTINUANCE OF THE MAINSTREETER PASSENGER TRAIN

Mr. METCALF. Mr. President, the Interstate Commerce Commission will soon consider the proposal of the Northern Pacific Railroad for discontinuance of the Mainstreeter passenger trains.

This is the second consideration of this matter—the ICC denied Northern Pacific's request a year ago.

There is reason to believe that considerable freight and mail traffic has been diverted from the Mainstreeter to freight trains and that the losses to be claimed by the Northern Pacific for the operation of the Mainstreeter will be increased thereby.

In 1966, in a case involving a question as to whether the Southern Pacific should operate two trains, the Interstate Commerce Commission issued an order which held:

> The Commission will not find burdens on interstate commerce within the meaning of section 13a of the act to be "undue" if those burdens are voluntarily created by carriers for the purpose of obtaining a favorable decision from the Commission.

The National Association of Railroad Passengers has made two proposals which merit careful study. The first is that part of the Commission's inquiry be into the nonpassenger revenues of the Northern Pacific passenger trains for the past 10 years.

The other suggestion was that there be a prime train combining both freight and passenger service in place of the Mainstreeter.

I suggest that the ICC will seriously investigate the proposals of the association and if it finds that the claimed losses were "voluntarily created," deny the discontinuance of the Mainstreeter.

Mr. President, I ask unanimous consent that Mr. Haswell's letter to the Interstate Commerce Commission be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

National Association of Railroad Passengers,
Washington, D.C., May 1, 1969.

Re Northern Pacific Railway, proposed discontinuance of "Mainstreeter" trains—St. Paul and Seattle.

Hon. H. Neil Garson,
Secretary, Interstate Commerce Commission, Washington, D.C.

Dear Sir: The National Association of Railroad Passengers hereby requests that the above proposed passenger train discontinuance be suspended for the statutory period

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of four months, and that the Commission conduct an investigation into all the relevant circumstances surrounding this service and the proposal to discontinue it.

At the present time, we lack sufficient information to determine our position. However, within the past year we have received several reports that the railroad has deliberately removed mail and express formerly handled on the trains and placed such traffic on freight trains. The Commission should thoroughly explore this matter, and if it finds that such action was taken to prepare a foundation for the present discontinuance proposal, it should require continued operation if the record shows any significant public demand for the service.

While the Post Office policy of substituting sectional centers of en-route sorting is now well established, putting an end to RPO revenues, the mail to and from the communities served by these trains must move one way or another. We believe that it could be economically and expeditiously handled on these trains in containers or in bags. Furthermore, there is obviously a substantial movement of express and small package freight along this route, much of which could be attracted to the trains were the proper service provided. The Commission should make a thorough study of the possibilities for a premium "mixed" train operation, which should include an analysis of all non-passenger revenues generated by all passenger trains operated over this route over the past ten years, an analysis of all the current routings of such traffic, including the cost and service factors of the other modes now participating in it. We stand ready to assist in obtaining the cooperation of the Post Office department in such a study.

It will not be possible for the Association to participate in this case with its own counsel. Hence we are depending on the Commission to make sure that all pertinent issues are adequately developed for the record. In this connection, we call attention to the following statement of former Commissioner Aitchison, cited in *Isbrandtsen Co., Inc.*, v. *U.S.*, 96 F. S. 883 at 892 (S. D. N.Y. 1951): "(administrative agencies) are not expected merely to call balls and strikes, or to weigh the evidence submitted by the parties and let the scales tip as they will. The agency does not do its duty when it merely decides upon a poor or nonrepresentative record. As the sole representative of the public, which is a third party in these proceedings, the agency owes the duty to investigate all the pertinent facts, and to see that they are adduced when the parties have not put them in . . . The agency must always act upon the record made, and if that is not sufficient, it should see the record is supplemented before it acts. It must always preserve the elements of fair play, but it is not fair play for it to create an injustice, instead of remedying one, by omitting to inform itself and by acting ignorantly when intelligent action is possible."

Within the past year, the Commission has recognized these principles by asking its examiners in Section 13a cases to explore the possibilities of partial, alternate day, weekend, seasonal, and/or mixed train service as an alternative to total discontinuance. We now ask that it extend this initiative to include the matters discussed above and anything else that may be brought to its attention hereafter that is relevant. Proceedings under Section 13a are not judicial trials; in the language of the statute they are *investigations*. The role of the hearing officer should be that of a vigorous investigator on behalf of the public.

Very truly yours,

ANTHONY HASWELL,
Chairman.

THE ROLE OF GENERAL AVIATION IN OUR NATIONAL TRANSPORTATION SYSTEM

Mr. PEARSON. Mr. President, I wish to report today that the Aviation Subcommittee of the Senate Commerce Committee held hearings in Wichita, Kans., May 2, for the purpose of examining the role of general aviation in our national transportation system and that these hearings were most successful. One objective of these hearings was to provide an open forum for those who speak for general aviation to present general aviation's case. It was also an opportunity to create a sound public record of general aviation's achievements and contributions to our national social and economic system. Senator CANNON, vice chairman of the subcommittee, and Senator BAKER joined me in traveling to Wichita to hear 18 witnesses representing users, manufacturers, public agencies, and other individuals concerned with general aviation. And I think a number of significant accomplishments were made.

Let me first say that I am proud that Wichita and the State of Kansas could host these discussions for in our State, two-thirds of all general aviation aircraft flown in the Nation are produced. It was appropriate that the hearings were held in the center of general aviation production.

Through the gathering of information and the recording of testimony, we were able to document the scope, the dimensions and the magnitude of general aviation. And these statistics are striking. For instance, the number of general aviation aircraft currently active is approximately 122,000, and this number is projected to double in the next decade. The number of active pilots operating general aviation aircraft is nearing 700,000 and is expanding at an accelerated rate. About 50 general aviation aircraft are placed into operation daily. By way of summary, general aviation makes up 98 percent of all aircraft; 96 percent of all licensed pilots; 79 percent of all airplane hours; 71 percent of all air miles; and 50 percent of all passengers. And it appears that general aviation's share in each of these categories is growing, and the potentials for the future are even greater.

One facet of general aviation's contribution to our national well-being which was thoroughly discussed is its major role in our economic system. We have always known that a community's economic health depends on adequate transportation links. Historically, those cities with seaports, rivers, and rail or surface connections have thrived economically. But today and I think increasingly in the future, the airport provides that access to our airways and to our national economic system. Moreover, it is general aviation and the general aviation airports which link over 10,000 of our 15,000 incorporated communities to the mainstream of national commerce. As is well known, our scheduled air carrier service provides transportation to only a small percentage of these 10,000 communities. Our Nation's economic vitality both now and in the future is dependent upon general aviation and its contributions.

We have many case studies which show the direct community benefits which derive from general aviation airport development, and there is growing evidence of this relationship between general aviation and economic development. However, it should be emphasized that these economic benefits accrue not only to the local community but to our total economic welfare. And I feel public officials should have a greater recognition of this relationship and these benefits.

Another important aspect of the hearings focused on what general aviation needs if it is to continue its accelerated growth trends and to fulfill its potentials. Through the testimonies of numerous witnesses, it was documented that general aviation utilizes all parts of our national airport/airways system and needs access to all elements of this system. There was also general agreement that if the various segments of the aviation community are to continue their development, there must be an expanded modernized airport/airways program enacted in the Congress.

Because of the dramatic growth and success of the aviation industry, certain areas of our national air transportation system are reaching capacity limits, and this congested situation demands immediate attention. The Federal Government cannot issue stopgap measures and hope to solve the problem. I feel that Congress must look to the future and respond in a positive way to meet the public demands of a safe and efficient air transportation system. The result of inaction will be the placing of restraints upon the individual citizen, and his mobility, the air transportation industry, and its future growth prospects, and the future development of a sound national air transportation system.

During the questioning of witnesses, legislative proposals to create trust fund financing of an airport/airways program based on users fees were discussed. These proposals would establish a trust fund similar to that which finances our Federal Interstate Highway System. It was surprising to some that of the 18 witnesses testifying before the committee, 16 expressed the need of and support for such legislation. Although there are differences still existing within the aviation community on these proposals, I feel there is a greater sense of urgency regarding the need for such legislation. The broad support shown on these questions I think will be extremely helpful to the Aviation Subcommittee when this legislation is considered.

Most significant in these hearings was the deep concern expressed by public aviation officials toward general aviation. Never before, to my knowledge has general aviation received top billing within the aviation community. As one knowledgeable aviation editor stated:

> General aviation has traditionally been in a Tail-End Charlie spot at Congressional hearings and then more often than not treated as an unwanted child.

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These hearings, I think, are symbolic that a new Federal perspective will be taken toward general aviation and its role in our air transportation system; and in this way, they signal a turning point in Federal aviation policy.

I think it bears repeating that the Aviation Subcommittee and the officials representing the new administration expressed a new concern for general aviation—its problems and its potentials. John Shaffer, newly appointed Federal Aviation Administrator, in fact, began his testimony by saying that "any previous bias by the FAA regarding air carriers is to be purged from the record." The simple fact that numerous public officials concerned with Federal aviation policy took the time and the effort to participate in these hearings which focused on general aviation is an indication that in the future general aviation will be judged on its merits and will not be prejudged.

The public record created by these hearings will be a new starting point for a dialog on general aviation and its participation in and contributions to our national transportation system. I have always felt that general aviation plays a most vital role in our social and economic system; is a national resource of major importance; and is a full partner in our air transportation system. It is from this viewpoint that we must approach future decisions in Federal aviation policy.

GRIFFIN MERITS A "PROFILES IN COURAGE" RATING

Mr. WILLIAMS of Delaware. Mr. President, in the May 8 issue of the Chicago Tribune there appears an article by Willard Edwards wherein he pays a well-deserved tribute to the courage and leadership of Senator Robert Griffin, of Michigan.

This article calls attention to the valiant fight led by Senator Griffin last year in preventing Justice Fortas from being elevated to the position of Chief Justice of the United States.

I ask unanimous consent that this article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Capitol Views: Griffin Merits a "Profiles in Courage" Rating

(By Willard Edwards)

Washington, May 7.—It's time to add a supplement to "Profiles in Courage," a best-seller a few years back which extolled public figures who defied political odds to fight for what they regarded as right.

The first name on the new list should be that of Sen. Robert P. Griffin [R., Mich.]. The story of his travail, as the result of his leadership last summer against the nomination of Abe Fortas as chief justice of the United States, has never been fully disclosed.

Complete vindication came to Griffin this week with revelation that Fortas had accepted and retained for a considerable period a $20,000 fee from a foundation set up by Louis Wolfson, a financier then headed for prosecution and eventual conviction as a stock-market manipulator.

Calls in Congress for Fortas' resignation are now being echoed by New York and Washington newspapers which once derided Griffin's arguments against elevation of Fortas to the highest judicial office in the nation.

When Griffin, a freshman senator, took the lead early last summer in the anti-Fortas movement, there was widespread press agreement that he would get his ears pinned back. He was bucking not only President Johnson but his own party leader, Sen. Dirksen [Ill.], the Senate minority leader. It was not until months later that Dirksen stunned the pro-Fortas forces by switching over to support of a filibuster initiated by Griffin.

Griffin quickly learned how ruthless the Johnson administration could be in attempting to crush opposition to its desires. He was first astonished, then sickened by an accusation that he was motivated by religious bias.

HURT BADLY BY INNUENDOES

Long after the Fortas nomination was blocked, this whispering campaign against him continued. He confessed to intimates recently that he was still "hurting badly" even though Sen. Jacob K. Javits [R., N.Y.], a Fortas supporter, had early branded any charge of anti-Semitism in the controversy as "a phony issue."

Its phoniness was presumably clear to all in the light of current disclosures that Fortas could not shed the habits of a lifetime as a fixer for Lyndon Johnson when he took his seat in the Supreme Court.

A less resolute man than Griffin would have retreated to a safe position on the sidelines under the barrage of denunciation he received from interests in his state which could influence political fund-raising and otherwise handicap his political future.

He fought back boldy, noting that he had opposed a lame-duck appointment of a chief justice before Johnson named Fortas. He had, in fact, announced that he would not oppose the nomination of Arthur Goldberg to fill a vacancy because Goldberg, in a sense, was "on leave of absence" from the court in the United Nations.

SUGGESTED WORSE TO COME

Some of Griffin's statements were extraordinarily prescient. When testimony was elicited that Fortas received $15,000 for teaching a handful of law students—the money having been raised by his former law partner—Griffin remarked:

"I believe we have uncovered only the top of an iceberg in relation to Fortas' involvement in activities while sitting as a justice in the Supreme court.

"All the facts haven't been presented yet. I am not satisfied that he possesses an adequate sense of propriety appropriate to the chief justice of the United States. When this issue is thoroly aired, I'm confident that public opinion will be even stronger against his nomination than it is now."

The "thoro airing" awaits action to be taken by Congress on several proposed inquiries. Meanwhile, public opinion appears to be virtually unanimous that Fortas should remove a cloud over the court by retiring.

The temptation to remark, "I told you so," must have been strong in Griffin, particularly because his Democratic colleague from Michigan, Sen. Philip Hart, had led the fight for Fortas.

Instead, he permitted Hart and some latecomers like Sen. Edward M. Kennedy [D., Mass.] to take the center of the stage in suggesting a Senate investigation. If he had ironic reflections on their former hesitancy to question Fortas' conduct, he kept them to himself.

HOW ESKIMOS FIGHT POVERTY

Mr. GRAVEL. Mr. President, small fishing cooperatives in Alaska are developing at a phenomenal rate because of their unique abilities to invigorate the economies of poor fishing villages, and to give hope to the rural residents of my State.

The case of the Kuskokwim Fishermen's Cooperative is noteworthy, and many have become familiar with the controversy surrounding that case since the summer of 1968. Cooperatives are making a significant contribution to private enterprise among disadvantaged Eskimo, Indian, and Aleut people in Alaska. Their record is praiseworthy.

The Federal Government, in particular the Economic Development Administration, and the Office of Economic Opportunity, deserve the respect and praise of those who chose to see a better deal for the native people in Alaska villages. This is one area, Mr. President, where I feel that the Federal Government has stimulated free enterprise just to the right degree, and without intrusion.

While I feel it is important to criticize Government for unworthy or meaningless intrusions into the economy, where they occur, I also feel that we should encourage Government participation in rural poverty areas, where people do not ordinarily have the managerial talent or capitalization to begin a small business.

Along this same line of thinking, Mr. President, I ask unanimous consent to have a recent article from the Oakland Tribune printed immediately following my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Oakland (Calif.) Tribune, Apr. 27, 1969]

How Eskimos Fight Poverty

(By Jim Douthit)

Jim Riley knows what to do when a man is faced with poverty.

"Go fishing."

That's what Riley was doing in Oakland for the past month, getting ready to go fishing.

For Riley is an Eskimo and his people, living in the village of Kotzebue above the Arctic Circle in Alaska, face a terrible poverty unimaginable to the frequent tourists who visit the village during the short Alaskan summers.

Riley and a dozen other men from Alaskan coastal villages were in Oakland to pick up five small moth-balled Army "island trader" boats for use in a unique poverty fight, sponsored by the Office of Economic Opportunity.

The boats will be used like floating trucks to transport fish caught by the Eskimos to processing plants, either ashore or afloat, according to Harold Wolffe, director of the Community Enterprise Development Corp. of Alaska, which is helping the Eskimos.

The five 65-foot boats, capable of carrying 35 tons of freight, are expected to make it possible for Riley and some 450 Eskimo fishermen in five fishing cooperatives to create commercial fisheries where the ocean resource had been used previously only for subsistence.

Riley and 12 other Alaskans took the little ships out of mothballs at Rio Vista and spent a month here, under the direction of Oaklanders Jim Callan and Dave Tate, preparing them for use.

For most of them, it was their first time in California.

And Riley was quite homesick for Alaska, which may prove to be America's richest state.

And yet, perhaps because his homeland is so rich, particularly in petroleum, Riley and his people are in poverty.

Only the past few generations of Eskimos have known the meaning of poverty.

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Before that they led a hard but good life, with the icy Arctic sea providing a bounty of fish and animals for the sustenance of a strong and resourceful people.

Since the riches of Alaska have become known to the rest of the world, development of the resources of fish, gold, whales, furs and now oil have brought also modern foodstuffs, clothing, health practices, machinery and the use of money that is necessary in modern society to the Arctic.

Eskimos are again turning to cooperation . . . to fight poverty.

Riley is a sailor, experienced in operation of Army tugs along the Arctic coast. He could make a living on nearly any shoreline.

But many of his neighbors are local fishermen, who must depend upon their home area's only commercial resource, fish.

They have never had the money to equip themselves with the boats, nets, equipment and shore-side facilities that would enable them to make a commercial success of the fish they have always been able to catch.

"In the past their average per capita income has been about $458 as compared to about $4,000 nationally," said Wolff.

"And remember, the price of groceries along the Alaskan Coast is about 185 per cent of Seattle, or 200 per cent of the Bay Area," he said. High pay in the oil fields accounts for some of this inflation. The major extra cost is in transportation.

"We are a long way from the oil fields in Alaska," pointed out Riley. "And most of those jobs go to Texans, even though Eskimos need the jobs and can handle most of them."

Cooperation among Eskimo fishermen began over a year ago, with the establishment of five "Co-ops" in an organization known as the Alaska Fisheries Development Federation, Inc.

It is an OEO-developed program, created with the assistance of Wolff's organization. His corporation is also working with handicrafts co-ops and consumer co-ops in Alaska.

The fishermen pool their efforts, resources and profits within their own communities, Wolff explained.

Under this system, with OEO assistance, they have been able to finance new large skiffs and nets with which the Eskimos can harvest from 500 to 700 pounds of commercial fish, mostly king salmon, at one time.

With the five Army boats, loaned to the Eskimos under OEO auspices, the fishermen will be able to transport their catches quickly to shore storage facilities or out to the open sea where Japanese factory ships will purchase them at prices negotiated by the co-ops.

In 1967, Kotzebue fishermen working independently had an income of $17,000, according to OEO figures. In 1968, after the Kotzebue co-op was in operation, they cleared $46,000.

With the new boats which sat unused at Rio Vista since they were built for the Korean War, a "significant increase in cash income is expected," said Wolff.

The new-found "muscle" of the Eskimo fishermen has not been exercised without some resistance from previously established firms buying fish in Alaska, Wolff said.

Secretary of the Interior Walter Hickel, then governor of Alaska, stopped the sale of one co-op's fish to the Japanese and enforced his order with state police, Wolff said. The co-op got a court order to break the governor's ban but the delay caused some spoilage of the catch.

The Alaskans sent to Oakland to pick up the Army boats were selected by the co-ops in their own villages, Kotzebue on Kotzebue Sound, Unalakleet in Norton Sound, St. Michaels in Norton Sound, Bethel near the mouth of the Kuskokwim River and Kodiak Island in the Gulf of Alaska.

Riley's crew includes Joe Darling, vice president of the Kotzebue Fisheries Co-op; Clinton Gregg, 28, first mate; and George Conwell, 43, engineer.

Only Conwell, a "sourdough" with many years of heavy machinery experience, mostly in Alaska, is not an Eskimo.

These are the men, not very well experienced in ocean sailing, who are steaming toward Alaska today, outward bound from Oakland on a course they hope will also take them out of poverty.

THE CLOSURE OF SEVERAL JOB CORPS CAMPS

Mr. KENNEDY. Mr. President, on behalf of the Senator from Oklahoma (Mr. Harris), I ask unanimous consent to have printed in the Record a statement by him and some insertions.

There being no objection, the letter, telegram, article, and resolution were ordered to be printed in the Record, as follows:

Statement by Senator Harris

Mr. Harris. Mr. President, I have indicated on several occasions I was quite alarmed with the Administration's decision to discontinue the operation of several Job Corps Camps. Two of these camps are located in my state, and all those who have been in any way associated with these Job Corps Centers agree that they have definitely made a contribution and are needed, worthwhile endeavors. I certainly agree, and I definitely question the advisability of discontinuing these very important programs. One of the Job Corps Centers to be discontinued in Oklahoma is located at Hodgens in LeFlore County and the other is located in Murray County near Sulphur, Oklahoma. Both these centers have been highly successful, and the projects administered through the Job Corps Camp have not only benefited the trainees but have also been beneficial to these underdeveloped areas of our state.

For example, the Hodgens Job Corps Center had nearly 1,000 job corpsmen processed through the camp since it opened some four years ago. These young men have been given basic educational training, and have also been trained in one of six skills—carpentry, masonry, welding, heavy equipment operation, mechanics or cooking. During the educational phase of the program, job corpsmen take on programmed learning that starts at first grade level and they can advance as high as high school equivalency.

The average age of the job corpsmen in these camps is 17, and when they arrive at the facility they are usually unemployable high school dropouts. Their average stay at the facility is six months, and at the end of their training, they are well equipped to hold down a good paying job and become well adjusted members of society. We have had excellent experience with job corpsmen and the job corps centers throughout Oklahoma, and I feel that the arbitrary decision to close these facilities by the present administration is certainly short-sighted and demoralizing for our unskilled young people.

It is for that reason that I have co-sponsored and vigorously supported the resolution introduced by Senator Cranston calling for a delay in the closing of these facilities until such time as the Congress has had an opportunity to give further study to the situation. I certainly hope the Senate will pass this resolution. In an effort to better show the local interest and concern for the continuation of these facilities in Oklahoma, I ask unanimous consent that several letters, a telegram, an article appearing in the Tulsa World on April 27 and a resolution adopted by the Oklahoma Legislature be included in the Record at the conclusion of my remarks.

Young Mens Christian Association of Greater Oklahoma City,
Edmond, Okla., April 11, 1969.

Senator Fred Harris,
Senate Office Building,
Washington, D.C.

Dear Senator Harris: I was quite disturbed when I read the report of the job corps center being closed down. It seems to me that the Nixon administration could find other ways to economize rather than the few programs that are doing some good for the disadvantaged youth of America. Having worked with disadvantaged youth, I know what it means to them to have the opportunity to learn and become "productive" in our society.

If this cut goes through, is there a plan for some other type of program to take its place? If there isn't, then I strongly oppose the closing of these centers. Let President Nixon save some money by bringing home some boys from Viet Nam before he does this.

I think that you are doing a tremendous job and I appreciate your courage on the things that you said on racism in America. I hope that you don't compromise your ideals for political expediency.

Sincerely,

Dick Engle,
Executive Director.

Sulphur, Okla.,
April 18, 1969.

Senator Fred Harris,
Washington, D.C.

Dear Senator: The Citizens of Sulphur, Okla. think the Arbuckle Job Corp has earned a place, to exist, in our nation.

Not only, have they made upright citizens, out of underpriviledged youths, that might have been undesirable, otherwise. They have youths to work at trades, so they can make a living for themselves.

Clarence F. Moore.

United Brotherhood of Carpenters and Joiners of America,
Washington, D.C., April 14, 1969.

Hon. Fred R. Harris,
U.S. Senate,
Washington, D.C.

My Dear Senator Harris: We have been advised that a severe curtailment of the Job Corps Program is being considered.

Since May of 1968, we have had the opportunity of working very closely with the Job Corps Conservation Centers Program through the Department of Agriculture Forest Service and more recently with the Department of Interior in the operation of seven (7) Carpentry Programs, wherein we are providing related and manipulative experience to sixty (60) of the underprepared and underprivileged youth in each of the seven (7) centers.

Although none of our programs have run the full cycle, we have already placed fifty-two (52) young men that we were able to qualify into our Apprenticeship Programs throughout the country and we expect to place all of the young men now in our programs in the industry upon the completion of their program, some of which will be completed in June, 1969 and others in July, 1969.

Therefore, we request that serious consideration be given to the continuance of the Job Corps Conservation Centers in that we feel an excellent job is being done in the training and placement of young men in gainful employment who will take their place in their community as active citizens and workers in the industry, who, otherwise, will be a burden, as well as a problem, for society.

If curtailment is essential of some of the Conservation Centers, it should be done on a selected basis after full investigation of the quality of training and job placement that has been accomplished at each center.

Sincerely yours,

M. A. Hutcheson,
General President.

Lions Club,
Heavener, Okla.,
April 21, 1969.

Hon. Fred Harris,
U.S. Senate,
Washington, D.C.

Dear Senator Harris: We are very concerned about the closure of the Hodgens Job Corps Center. The Center is located 11 miles from our town, and a considerable portion of the $400,000 annual payroll is spent in our local businesses. In addition, it is estimated that another $150,000 to $200,000 is spent in LeFlore County in supplies and materials.

Our industrial facilities are rather limited, and it would take a fair-sized industrial plant to make a comparable contribution to the economy in this area.

LeFlore County is rather high on the welfare list, and industrial jobs are practically nil; so you can see our concern about losing any source of income.

Our community, as well as the surrounding communities, have realized the need for training underprivileged youth, and it is hoped that this training can be continued in our area. Since a great deal of money has been spent on the existing buildings at Hodgens, consideration should also be given to making it a full-time heavy-equipment or carpentry training center.

We know you will give this consideration and are confident your decision will be for the benefit of the majority.

Sincerely yours,

Dale Elliott, *Secretary.*

Oklahoma City, Okla.,
April 11, 1969.

Senator Fred Harris,
Senate Office Bldg.,
Washington, D.C.:

The undersigned being residents and interested citizens of Sulphur, Murray County, State of Oklahoma, are vitally concerned regarding the recent news release from the Department of Labor stating Arbuckle conservation center in Sulphur might be closed, it is our individual and collective opinion, and consensus of the community that the said Arbuckle conservation center is an excellent Job Corps facility that the Corpsmen have completed and are now engaged in numerous work projects in Platt National Park and at the Arbuckle recreational area such as the construction of bridges, roads, comfort stations, boat ramps, storage buildings, picnic tables, etc., etc., that the Corpsmen not only have the opportunity to gain basic educational skills such as reading, writing, and mathematics, but also have the opportunity to acquire practical skills such as welding, sign making, heavy machinery operation, mechanics, carpentry, and general construction techniques that the relationship between the Job Corps center the Corpsmen and the community has been and is now excellent. That Sulphur, being a rural community offers enumerable advantages to the Corpsmen and said Corpsmen are more easily and readily immigrated into the normal community life. That a community such as Sulphur permits these young people to be taken out of and away from the metropolitan ghetto areas. We want to go on record as wholeheartedly supporting the conservation center in Sulphur, and on behalf of all the residents of Sulphur and Murray County respectively urge that said facilities not be closed. We request your assistance in helping us keep this Job Corps open.

Sulphur Chamber of Commerce, Paul Hurst, president; Charlie Wooeruff, mayor; J. R. McBee, chief of police; Harold Roady, sheriff; Glen Key, president of First National Bank; City Councilman Leo Horsman; Ulys Ward; Dr. H. Ray Goodwin; Lions Club, Henry Wynn, president; Sulphur Ministerial Association; Kiwanis Club; James Ray Sooner Foods; Murray County Abstract; Hugh Brinson; Calvin Price Insurance Agency; Calvin Agee, superintendent of Sulphur Public Schools; Nowlin Department Store; Horace Strayhorn, Oklahoma Gas and Electric; G. L. Horsman, Horsman Insurance; Oklahoma Tire and Supply; Ben Franklin Department Store; McGee's Department Store; Schwake Bakery; Rotary Club.

[From the Tulsa, Okla., Sunday World, Apr. 27, 1969]

Job Corps Trainees Have Good Record—Hodgens Area Citizens Ired by Closing Order

Hodgens.—Near this tiny LeFlore County hamlet, only the muffled sounds of Job Corpsmen at work building roads and campsites break the otherwise placid green quietude of the Ouachita National Forest.

In Hodgens itself, and in nearby Heavener, another sound is mounting—a cacophony of complaint by perplexed and angry citizens over the announced closing of the Job Corps center.

The Hodgens center is one of those ticketed for extinction by the Nixon administration. Though there had been persistent rumors almost since the center opened four years ago, the announcement earlier this month that it was closing took the community by surprise.

They immediately besieged their senators, Fred Harris and Henry Bellmon and their congressman, House Majority Leader Carl Albert, with protests.

So far, the response has been discouraging.

The residents of LeFlore County who live near the center aren't arguing with the economics of reducing the number of Job Corps centers. Rather, they're hung up on the inevitable "why me?" aspect of the closing, and they think they have some valid points in favor of retaining the Hodgens center.

Among the pluses they claim:

There have been no significant discipline problems, much less rioting and other disruptions that have plagued urban centers.

The center puts over $200,000 a year in work projects into the area.

A measure of racial integration has been achieved quietly and without incident in the heart of little Dixie.

The economic benefits from the center have pumped new life into the area.

"We're concerned because we know the record this center has had," said former Heavener mayor Martin Tate. "There hasn't been one police call . . . in over four years.

"We'd like an opportunity to stack this one up against the others."

Heavener druggist Harry Meech wants to "see some answers. Is this just more experimentation, or do they know something?"

Meech thinks the job corpsmen benefit by moving from urban areas into the rural Hodgens center. "The boy who moves from one urban area to another doesn't have much change in his environment," Meech allowed. "That's supposed to be one of the big problems—environment."

"They haven't even made an inspection of this center," declared Mrs. Maxine Looper, wife of a Heavener doctor. "I'd like to know what's wrong with it. They should at least come down and look it over before they decide to close it."

The physical accomplishments of the center are impressive. Since it opened April 20, 1965, corpsmen have built roads and campsites—complete with water and sewer facilities—throughout the Ouachita National Forest. They've constructed two information centers on scenic Talamina Drive, 92 wildlife guards, 78 miles of range fence, 82 cattle guards and 225 picnic grills.

But it is the intangibles, the items that don't show up in statistical reports, that residents of the area are more concerned about.

"They helped clean up after the flood of Wister," noted one Heavener resident. "And after the tornado hit at Greenwood (Ark.) last year."

Corpsmen get involved in community projects like putting up the Christmas decorations at Heavener and entertaining at civic club functions.

The Corpsmen, most of them Negroes, attend previously all-white churches in the area on Sundays. And often, they have Sunday dinner in the homes of area residents.

"We've had from two to 10 Corpsmen in church every Sunday," observed Tate, who runs a clothing store in Heavener.

The Corpsmen, opined Heavener newspaper publisher Jack Johnson, have "kind of made something out of themselves.

"Folks around town . . . have been real close to these youngsters. We haven't had any trouble. They've been gentlemen."

Nearly 1,000 Job Corpsmen have been processed through the Hodgens camp since it opened four years ago. At an average age of 17, they are unemployable school dropouts when they arrive.

During an average length of six months, they tackle elementary school subjects at the Hodgens camp and learn one of six skills—carpentry, masonry, welding, heavy equipment operation, mechanics or cooking.

They are trained by 50 employees of the U.S. Forestry Service, through the Office of Economic Opportunity. It costs the taxpayers $800,000 a year.

"We've been rather fortunate," Bennie R. Wood, center director, said, "We've had no major disruptions, rioting or sitting down . . . like some centers have had."

The reasons are simple. Wood said. One is the isolated location of the center. The other is discipline. "We believe in pretty firm discipline," he said. "Firm, fair and friendly."

Wood is proud of the center's work record. "We're building sewer systems in a work program appraised between $200,000 and $300,000 a year," he noted. "This is a training opportunity the urban centers don't have. I think this was a point that was overlooked."

During the educational phase of the program, Job Corpsmen take on programmed learning that starts at first grade level. They can advance as high as a high school equivalency.

The third part of their training is what Corps officials call "resident living," and it is in this area that achievements are difficult to document.

"This is the only home a lot of boys have ever known," said one center worker.

A Hodgens Job Corps graduate wrote recently from Vietnam to tell officials the center "help me in more way's than one. It help me meet all kind of people from all part of the states. It help me to live with people and much, more more."

Last year, a trainee who had returned to his native Baltimore found a job as counselor in an orphanage. When he received a one-week vacation, he hopped on a bus and came back to Hodgens.

"It was home to him," explained a center official.

"They never caused nobody no trouble," declared Mrs. Lena Kelly of Hodgens, a friend of Rep. Albert. "People keep calling me and saying, 'Let's get up a petition.'"

Enrolled Senate Concurrent Resolution 33

A concurrent resolution pointing out some accomplishments of the Hodgens Job Corps Center; memorializing President Nixon to order that the Hodgens Center be kept in full operation; and directing distribution

Whereas, pursuant to recommendations by the President of the United States, certain job corps training centers have been ordered to close; and

Whereas, among those to be closed is the Hodgens Job Corps Center at Hodgen, near Heavener, Oklahoma; and

Whereas, operation of the Hodgens Center has resulted in tremendous strides of progress in the surrounding area; and

Whereas, part of the regular work program at the Hodgens Center has consisted of developing picnic and camping areas and laying roads in the Kiamichi Mountains, the Ouachita National Forest and carrying out various conservation programs such as planting thousands of trees in the Talimena Drive and instruction to the trainees in various vocational and technical fields; and

Whereas, in today's troubled times when America's youth is rebelling at every turn and the welfare programs are meeting with ever-increasing demands from their recipients, the Hodgens Center offers numerous opportunities for young men who want to learn how to get and hold a job, presenting work projects in welding, masonry, building construction, heavy equipment operation, carpentry, sign building, cooking equipment maintenance and other areas, with prevocational training to aid the youth in selection of an appropriate field to match his aptitudes or interests; and

Whereas, the corpsmen have become valuable assets to the surrounding communities and have demonstrated their inclination to become worthwhile citizens by participating in city clean-up campaigns; mowing the municipal airport grounds each year; hosting Christmas parties for needy children and giving toys they have collected and repaired, using their own money for expenses; assisting in fighting range fires; planting trees along the street leading to the center; cleaning the roadway of debris at regular intervals; and

Whereas, the cost of operation of the center is small when compared to the value of the work done for the State of Oklahoma by the corpsmen and is even smaller when considered as the cost of saving a boy and making a man.

Now, therefore, be it resolved by the Senate of the first session of the thirty-second Oklahoma Legislature, the House of Representatives concurring therein:

Section 1. The President of the United States, Richard M. Nixon, is hereby respectfully requested to reconsider his decision to close certain job corps centers, and particularly the Hodgens Center at Hodgen, Oklahoma, and to order that the Hodgens Center be kept in full operation to continue the good it has been doing for the community, LeFlore County, the State of Oklahoma, the nation, and, most of all, the corpsmen.

Section 2. That duly authenticated copies of this Resolution be distributed to the President of the United States, Richard M. Nixon, the United States Senate, The United States House of Representatives, and each member of the Oklahoma Congressional Delegation.

Adopted by the Senate the 28th day of April, 1969.

John R. McCure,
Acting President of the Senate.

Adopted by the House of Representatives the 28th day of April, 1969.

Donald W. Beauchamp,
Acting Speaker of the House of Representatives.

Attest:

Basil R. Wilson,
Secretary of the Senate.

THE TRAGIC WAR TOLL OF VIETNAM

Mr. YOUNG of Ohio. Mr. President, more than 3,000 young Ohioans have been killed in combat in Vietnam and more than 600 have been killed there in what the Pentagon terms "accidents and incidents." It is Pentagon policy that the ranking officer in a combat area, frequently a lieutenant, captain, and often a sergeant, determines whether a GI died in combat or due to an "accident" or "incident." When two helicopters collide, when a firefight is raging in that area even hundreds of yards distant and the crews are killed or a GI truck or jeep driver, under fire, loses control and he and other GI's are killed, I consider these deaths are obviously combat casualties. In Vietnam it appears to me that Pentagon policy is to endeavor to keep our combat casualties low and attribute fatalities whenever possible as due to accidents or incidents instead of due to combat. Officers to keep our combat casualties low allege deaths due to accidents and incidents, and in many of these cases the dividing line is almost nonexistent. In World War II such fatalities were always termed combat deaths. Unfortunately, we have the Pentagon credibility gap in this undeclared and immoral war. The total of Ohioans wounded in combat is 12,137. How many have been injured in what the Pentagon terms accidents and incidents number more than 600. Unfortunately, approximately 3 percent of our wounded ultimately die of wounds. Considerably more than 1,000 Ohio youngsters have been afflicted with bubonic plague, malaria, hepatitis, and various tropical diseases. Many have died.

The community of Beallsville, Ohio, a small town in southeastern Ohio of 1,200 people, including those living on nearby farms, has lost five young men killed in combat in Vietnam in the past two and a half years. This is 25 times the rate of combat deaths suffered by the Nation as a whole. This is just another example of the horrible toll that the Vietnam war has taken in communities throughout the Nation. There is scarcely a town or village in the United States that has not lost one or more of its finest young men as a result of our involvement in the ugly civil war in Vietnam. Without a doubt one important reason that the majority of men and women in the United States is opposed to our fighting this undeclared war in Vietnam is that so many thousands of our finest young men have been killed or maimed in Vietnam.

Mr. President, in the Washington Post of May 4, 1969, there appeared a somber report of the tragedy that has struck Beallsville, a small village in the State I am privileged to serve in the Senate, entitled "Ohio Village Suffers Heavy War Toll." I ask unanimous consent that the article be printed in the Record at this point as part of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Ohio Village Suffers Heavy War Toll: Vietnam Deaths Far Exceed U.S. Ratio

(By Richard Dougherty)

Beallsville, Ohio.—If life can be said to stand still anywhere in America, it would seem to stand still in this little farm village in the rolling hills of southeastern Ohio.

Main street, with its post office, barbershop, grocery store, funeral parlor and luncheonette could serve as a Hollywood set for a film dealing with smalltown life of a generation or more ago.

In the surrounding countryside, chewing tobacco ads are fresh painted on the sides of barns. Farmhouse porch swings are the old-fashioned wood-slatted variety that on chains suspended from porch ceilings. Horses and cattle and occasional small herds of sheep graze on green hillside pastures.

The people are plain uncynical. They are church-goers, they honor the simple ancient virtues of hard work, thrift, neighborliness. Two enduring passions govern their lives—love of their children and live of country.

Now, in this gentle spring, has come conflict between these passions. Beallsville is no less patriotic than ever, but the brutal workings of fate in Vietnam have left it anguished and frightened. The war in that far-off country has taken a terrible toll in Beallsville—and Beallsville wants out.

In the last 2½ years, five Beallsville boys have been killed in action in Vietnam. This is a loss of life which is 25 times the rate of combat deaths suffered by the Nation as a whole.

There are 1200 people in the Beallsville community. Four hundred fifty live in the village proper, the remainder on the farms nearby.

Using the larger figure to measure the proportionate sacrifice of Beallsville's young men, one arrives at a ratio of one Vietnam combat death for every 240 people, as compared to one for every 6000 people Nationwide.

But such figures are merely statistics and do not begin to measure the impact that the deaths of Jack Pittman, Duane Greenlee, Charles Schnegg, Richard Rucker and Robert Lucas have had on Beallsville.

Here, mixed with sorrow and bewilderment, is a collective anger that calls into question even the basic moral course of a Nation which drafts poor farm boys to die in Southeast Asia while allowing draft-exempt sons of the middle class to riot on campuses.

Jack Pittman, 22, was the first Beallsville boy to fall in Vietnam. Star back of the Beallsville consolidated schools' Blue Devils football team, and captain of both the football and basketball teams in 1964—his senior year—he was killed in July, 1966.

At that time, the mother of Duane Greenlee, of the class of 1965, wrote to her son to tell him that his friend Pittman was dead. The letter was returned unopened. Greenlee, 21, died in action less than a month after Pittman.

Then came the death of Charles Schnegg, then Ronald Rucker, Greenlee's closest friend, and then Robert Lucas. He died on March 8. He was a Navy medical corpsman on combat duty with the Marines who hoped,

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with the help of the GI bill, to become a doctor.

It was with this fifth fatality that some of Beallsville's leading citizens decided to ask Washington for mercy. Currently, six other young men from here are serving in Vietnam.

Keith Harper, the local undertaker who has made the trip to Cleveland to bring each one of the dead youths home, recalls he determined to act when his wife answered the telephone one evening and turned to him to say: "My God, now it's Bobby Lucas."

Harper says: "I got right in my car and drove over to Ray Starky's and said to him: 'We've got to do something. We've got to call our Congressman.' "

Raymond Starky, who lives in a big white farmhouse just east of Beallsville and is Monroe County treasurer, agreed and put in a call to Rep. Clarence E. Miller (R-Ohio), whose district includes most of the Beallsville area.

On March 18, Miller wrote Secretary of Defense Melvin R. Laird, drawing attention to the "greatly disproportionate" sacrifice made by Beallsville.

The first response to Miller's appeal came from Brig. Gen. Leo E. Benade, USA, Deputy Assistant Secretary of Defense.

The Defense Department Gen. Benade wrote, is "acutely aware" of the anxiety parents, families and friends feel over a "loved one" in Vietnam, and "can appreciate that this concern may be intensified when several members of a small community are assigned to combat zone."

Nevertheless: "Danger is personal to the individual, not the community from which he comes."

The general expressed regrets that "circumstances do not permit a more favorable response" to the Beallsville's problem, but noted: "If one individual should be excused because of his geographic origin, the risk he is spared would not be cancelled. Rather, it would have to be assumed by some other young man whose family and community would be equally solictous of his welfare."

The people of Beallsville had not really expected any different reply.

In the meantime, Rep. Miller's activity had generated press interest in the plight of Beallsville. Newsmen from both newspapers and television descended on the town.

Robert Lucas came home when Beallsville publicity was at its height. His funeral on March 22 was the biggest in the history of the town. Hundreds of people came from miles away to line the street in front of Harper's Funeral Parlor.

By then, too, there were signs that the Defense Department was beginning to react to the publicity. Laird met with Rep. Miller and Miller's office put out a press release saying that the Secretary had expressed a "sympathetic interest" in Beallsville's problem and would "further investigate the status of Beallsville's servicemen . . ."

On April 21, the Defense Secretary, in a "Dear Clarence" letter, regretted that "fairness to all military personnel" made it impossible to grant combat exemptions "which would spare one group of men from the hazards all others are required to endure."

Laird also informed Rep. Miller that investigation of draft policies in the Beallsville area had indicated that "proper procedures" were being followed.

However, this denial did not take into account the fact that the relatively small number of Beallsville high school graduates who can afford to go on to college (an average of only 15 per cent) leaves the vast majority without exemptions and "just ripe for picking," as one senior puts it.

Mr. YOUNG of Ohio. Mr. President, this points graphically to the reason a majority of citizens in the United States are opposed to our involvement in a civil war in South Vietnam and demand that this administration bring an end to this bloodletting without delay and bring our boys home.

Throughout earlier years from 1961 through 1965 many Americans were deceived by the false statements emanating from the Pentagon and repeated many, many times by Secretary of State Dean Rusk and President Johnson that we were in Vietnam because of our commitments.

Our initial commitment to South Vietnam made by President Eisenhower in 1954 in a letter to the President of South Vietnam stated:

> I am instructing the American Ambassador * * * to examine with you * * * how an intelligent program of American aid * * * can serve to assist Vietnam in its present hour of trial.

He added:

> The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state capable of resisting attempted subversion or aggression through military means. * * * The U.S. Government hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government.

While General Eisenhower was President, the U.S. military advisory group to Vietnam was increased from a total of 327 in 1953 to 685 in 1961.

Now, having made it crystal clear that President Eisenhower's commitment, so-called, was a very "iffy" commitment indeed, what commitment did the late President John F. Kennedy make?

President Kennedy said on September 3, 1963, shortly before his assassination:

> I don't think that unless a greater effort is made by the Government to win popular support that the war can be won out there. In the final analysis, it is their war. They are the ones who have to win it or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it—the people of Vietnam—against the Communists. We are prepared to continue to assist them, but I don't think that the war can be won unless the people support the effort, and, in my opinion, in the last two months the Government had gotten out of touch with the people.

Also, on another occasion, our late, great President John F. Kennedy said:

> Transforming Vietnam into a Western redoubt is ridiculous.

Therefore, it is evident that we are not fighting a land war in Southeast Asia because of commitments made by Presidents Eisenhower and Kennedy.

The primary reason for our being in Vietnam today is our proud refusal to admit a mistake in our attempt to make Vietnam a pro-American and an anti-Communist state. More than anything else, we are fighting to avoid admitting failure. As Walter Lippmann bluntly put it, "We are fighting to save face."

Let us hope we shall witness the end of this carnage before August. Vietnam is of no importance to the defense of the United States. This little agrarian country 10,000 miles distant from our Nation is not worth the life of one American youngster.

THE ABM

Mr. McGOVERN. Mr. President, in recent days we have seen some extremely troublesome revelations in connection with the ABM debate.

The House minority leader, Mr. Gerald Ford, charged last week that those of us who would like to eliminate $400 million for a highly doubtful new missile system from an $80 billion military budget are seeking to unilaterally disarm the United States. I had no idea that the line between "sufficiency" and "surrender" was so incredibly thin. Nor was I aware, although I must admit some doubt on this score, that all of those other billions of dollars are not purchasing anything that preserves our security.

Then Vice President Agnew followed up with still another and clearly the most novel argument for constructing an anti-ballistic-missile system, and particularly the Safeguard version.

The Washington Post last Friday reported him as telling the Republican Governors Conference in Lexington, Ky., that Safeguard is in their interest, "if for no other reason than it is less expensive than the Sentinel system proposed by the previous Administration."

I do have some difficulty in following that argument, because I had been led to understand that the Safeguard price tag is roughly $6.6 billion compared with the $5.5 billion estimated for the Sentinel. Presumably the Vice President is calling attention to the fact that the budget requests for the first year of deployment are somewhat less.

But in any case, I hope we can press his reasoning to its logical conclusion. If its value lies in its economy, then clearly the interests of the Chief Executives will be much better served if we build no ABM at all.

The antiballistic missile and the other expansions of our strategic forces under consideration by the administration may be the most serious matters facing the 91st Congress.

If there is capriciousness involved in this debate it is grounded in superficial arguments such as those raised by Mr. Ford and Mr. Agnew. It is expressed in appeals to partisanship or to fears about a possible loss of our overkill leadership. It comes to light in arguments that those who recommend the ABM are the only Americans who have enough knowledge, enough concern and enough expertise to make judgments about what our national security requires.

Such arguments fall of their own weight, particularly when they have the additional burden of our experience in following such voices in the past—through $1.6 billion museum pieces like the B–70, obsolete bomber defenses, and atomic cannons mired in the mud in Europe.

On this point Gov. William Guy, of North Dakota, has recently cited his own contacts with our arms programs, in a letter to Chairman Stennis of the Armed Services Committee expressing opposition to ABM deployment. Governor Guy has watched strategic defense installations appear and disappear at a rapid rate in his State. He has heard the same kind of

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pogo-stick reasoning with which we have to contend in the Congress in trying to analyze military budgets from year to year. In light of this he expresses the belief that—

> We are witnessing a very serious situation in which our nation is swept along by contrived hysteria to keep the pipeline of the defense industries full.

Mr. President, I ask unanimous consent that Governor Guy's letter be printed at this point in the RECORD, along with the Washington Post report on Vice President AGNEW's address to the Republican Governors Conference.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF NORTH DAKOTA,
Bismarck, April 16, 1969.

Hon. JOHN STENNIS,
Chairman, Armed Services Committee, Old Senate Office Building, Washington, D.C.

DEAR CHAIRMAN STENNIS: As Governor of North Dakota, where a light installation of Sentinel Anti-Ballistic Missiles is scheduled for deployment, I wish to communicate my points of view on this project to your committee.

The United States must be militarily strong and flexible and alert in our nation's defense. If we learned anything from the 1941 Japanese attack on Pearl Harbor, it should be that military weakness of a large nation can provoke an attack by an unstable foreign government or an irresponsible foreign leader. But while we must be concerned with an adequate level of national defense, we must also weigh defense demands and requirements in the light of national expenditure priorities.

I believe the decision to deploy an Anti-Ballistic Missile System is unwise from several standpoints:

1. It would open the door to almost unlimited defense spending in billions of dollars at a time when increased domestic spending requirements for poverty alleviation, crime control, air and water pollution correction, education services, health services, transportation construction demands, and many other urgent needs have built up almost to the bursting point. This nation can no longer ignore these critical domestic social problems in setting the priorities of federal appropriations. These social problems can no longer be pushed aside in favor of excessive and unnecessary military expenditures.

2. The Anti-Ballistic Missile System promises to be like other North Dakota military facilities—obsolete before it can be built.

3. The obvious reaction by potential foreign adversaries would be to add an additional Intercontinental Ballistic Missile for every Anti-Ballistic Missile we deploy.

It is obvious that it would be pointless to pursue such a continuous escalation of atomic destructive weapons when the world's nuclear arsenal is already larger than necessary to destroy all human life on our planet.

4. The deployment of a limited Anti-Ballistic Missile System to protect our ground silo-based Minuteman Intercontinental Ballistic Missiles appears to be an argument of convenience rather than justification in fact. The Minuteman System was constructed to be impervious to nuclear attack.

5. We have been a world leader for nearly 24 years. Our leadership, if based on the insecure feeling reflected in an Anti-Ballistic Missile System, diverts our attention and effort from responsible world leadership based on social, political, and economic considerations.

6. The Anti-Ballistic Missile System is designed to cope with only part of a potential foreign Intercontinental Ballistic Missile threat. Unless it is complete protection from land-based Intercontinental Ballistic Missiles from anyplace in the world, as well as protection against ship-based Intercontinental Ballistic Missiles from anyplace in the world, we are deluding the American public and creating complacency.

7. Germ warfare and other devastating war techniques would not be safe-guarded against by the ABM system.

We have watched the military buildup and the sophistication of weaponry world-wide since the end of World War II. Citizens of the state of North Dakota have seen two costly radar bases constructed here and then abandoned within a single decade. Since I have been in office as Governor, I have observed a bewildering and frantic expenditure of fantastic sums of federal tax money in North Dakota in a headlong race against military hardware obsolescence.

I rode the first B52 Bomber to land at the Minot Air Force Base in 1961. We were told that the United States would have atomic weapon-carrying bombers in the air at all times so that our retaliation force would never be caught on the ground. As far as I know, this practice is outmoded and abandoned.

I visited the huge multimillion dollar Sage control centers at the Minot and Grand Forks Air Bases in 1961. These huge masses of solid concrete and electronic wizardry have long since been phased out after only five years of use.

In 1963, I was visited by Defense Department officials who gave me a preview of the Minuteman Missile complexes that would be built to headquarter out of the two existing but somewhat obsolete North Dakota Air Force Bases. They explained carefully that each Intercontinental Ballistic Missile would be housed deep in North Dakota soil in a silo covered by a hardened top which would be safe from enemy attack except in the case of a direct hit.

However, direct hits would be few in number as more than 300 silos would be spaced over a deployment pattern of hundreds of lineal miles. They explained how safe the Minuteman Intercontinental Ballistic Missile would be from enemy atomic attack because each silo had backup circuits that could be used if any one circuit to the silo were damaged.

I am now surprised to see the proponents of the Sentinel Anti-Ballistic Missile System stating that our ICBM silos must be protected from incoming enemy ICBM's. Why was there such pride and confidence that our Minuteman Missiles in their silos were not vulnerable a few years ago, but now must be protected by an Anti-Ballistic Missile System?

We were told several years ago that the Minuteman Missile silo would contain only a single one-shot missile and was not designed for reloading in event the ICBM was fired. We were told that the Minuteman was a retaliation device that would be in the air and long gone should our sophisticated detection equipment suddenly detect an attack on this country by incoming Intercontinental Ballistic Missiles. If this were true, then why do we now seek to protect, with an ABM System, silos whose retaliation Minuteman Missiles should be long gone in event of attack? Obviously, the reasoning to support changes in our defense system has been conveniently altered to accommodate justification for an ABM System.

In 1963, the federal government constructed a multimillion dollar maintenance and storage facility at Hector Airport in Fargo to house air-to-air atomic warhead missiles that would be carried under the wings of North Dakota Air National Guard fighter-interceptor jets. Sixty-four men were employed in this installation for maintenance and Guard duty for the air-to-air missiles. This costly program was phased out three years later in 1966.

This installation stands as mute testimony to questionable planning, questionable justification, and questionable expenditure of taxpayer funds. It is a monument to the bewildering onslaught of obsolescence that eats up millions of dollars of money sorely needed in higher priority domestic programs.

I have heard the argument used that I should not oppose the Anti-Ballistic Missile System installation in North Dakota because such an installation would be good for this state's economy. I wish to state emphatically that there are priority needs such as education, health services, and reclamation projects that have a higher social priority and would be far better for this state's economy than the ABM System.

We know that each individual Minuteman Missile buried in the earth in North Dakota carries a nuclear warhead that contains more destructive power than that contained in all the bombs dropped by both sides in World War II. We know that there are more than 300 of these missiles in place in the ground in this state. It is totally impossible for any mind to comprehend the potential for devastation and destruction that is buried in the soil of North Dakota.

We have never allowed ourselves to be concerned about the hazards that are an unavoidable part of atomic radiation, storage, or accidental explosion. However, we resent somewhat the implications that these hazards that go with an Anti-Ballistic Missile System are unacceptable in heavily populated areas such as Boston, Massachusetts, but are acceptable in a less heavily populated area such as Walhalla, North Dakota.

I believe we are witnessing a very serious situation in which our nation is swept along by contrived hysteria to keep the pipeline of the defense industries full. I believe that President Eisenhower left his most profound advice when he warned that the United States of America was drifting toward a state of affairs where the military-industrial establishment would decide this nation's priorities and our destiny rather than our people themselves.

We need desperately to accept the mantle of world leadership on the basis of social, moral, political and economic excellence, rather than on the overpowering influence of our military competence.

The recent closing of the only Job Corps Camp in North Dakota, which had been operating in the abandoned facilities of an Air Force radar station, makes me pause and wonder how we can so casually commit billions of dollars for questionable national defense at the same time that we are retreating from a totally inadequate commitment to this nation's disadvantaged citizens.

Sincerely yours,
WILLIAM L. GUY,
Governor.

BACKING SOUGHT

(By David S. Broder)

LEXINGTON, KY., May 1.—Vice President Agnew sought today to enlist the aid of Republican governors in behalf of the Safeguard anti-ballistic missile system recommended by the Nixon Administration.

In a talk to 26 GOP state executives, meeting here for their spring conference, Agnew argued that President Nixon's decision to recommend deployment of the Safeguard system "is in your interest as governors, if for no other reason than it is less expensive than the Sentinel system proposed by the previous Administration."

He said the savings would be used to expand "human and social spending" in years ahead.

Agnew's plug for the ABM project at a meeting concerned primarily with Federal-state relations and political issues was part of the Administration's concerted effort to rally support for Safeguard, which has run into serious, bipartisan opposition in the Senate.

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But it was uncertain today whether Republican governors would formally endorse the decision, as their Democratic counterparts were frequently called upon to support President Johnson's conduct of the Vietnam war.

California Gov. Ronald Reagan, the chairman of the governors' association, told reporters he strongly supported the President's decision and would like to see the GOP governors endorse it. Agnew, in a separate interview, said he did not expect his former colleagues to act formally on the matter "because the President has made it very clear this is not a partisan issue."

Agnew reportedly counseled the governors in closed session against taking any action that would smack of White House "arm-twisting."

The Vice President's defense of Safeguard was in the conciliatory tone adopted by other Administration spokesmen in recent days, since the extent of the Senate opposition became clear.

Calling the President's decision "the minimum, feasible, responsible action necessary to guarantee the security of this Nation," Agnew said "the system itself is layered in safeguards for the American people.

"It will be deployed in careful phases," he said. "It is subject to annual Congressional review. A large portion of its initial funds are allocated to research and development. This means America's options are open every step of the way."

Before heading for the golf course, the Republican governors approved a statement praising the President's early moves toward "the revitalization of the Federal system."

THE ANTIBALLISTIC MISSILE

Mr. KENNEDY. Mr. President, the Amalgamated Meat Cutters and Butcher Workmen, AFL–CIO, a 500,000-member labor union, will oppose both authorization and appropriation legislation concerning the antiballistic missile.

The union's executive board unanimously adopted a policy statement on April 29, saying:

> The Amalgamated firmly believes that our domestic problems—reconciliation of our people, reconstruction of our cities, war on poverty, elimination of hunger, end of consumer and environmental health dangers—must have priority in federal spending and federal action.

It continued:

> We firmly believe in a strong defense posture for our nation. But we cannot imagine that the missiles and arms can safeguard America's security if our people are sharply divided and embittered and if our domestic ills sap our willingness to battle foreign aggression.

In addition, the executive board pointed to the many instances of the "incredible past incompetence of Defense Department procurement." And it questioned whether the ABM is "aimed at any specific purpose," since its stated objectives continuously shift.

Mr. President, the policy statement of the executive board of the Amalgamated Meat Cutters and Butcher Workmen, AFL–CIO, represents an excellent analysis of the ABM problem. I commend President Thomas J. Lloyd, Secretary-Treasurer Patrick E. Gorman, and the other members of the executive board for it.

Their action on the ABM issue is in keeping with the many public services of the union. For example, it pioneered farm labor reform legislation in the 1950's and early 1960's, and it has been the leader in the fight for strong meat, poultry, fish, and other consumer-protective legislation concerning food.

Mr. President, I ask unanimous consent to have the policy statement printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Policy Statement of the International Executive Board of the Amalgamated Meat Cutters and Butcher Workmen (AFL–CIO), Concerning the Safeguard Anti-Ballistic Missile, April 29, 1969

The Anti-Ballistic Missile controversy has raged in Congress and the nation with increasing intensity for over a year. Every aspect and consequence of the system is under debate. They include the effect on U.S. foreign policy, the past wastefulness of Defense Department purchases, the technical efficiency of the ABM, the possible sites for the ABM and—most important of all—the budgetary consequences of the proposed ABM spending.

ABM's objective.—The stated objective of the ABM has changed a number of times during the debate. That fact is very disturbing. We assume that when an extremely expensive program, such as the ABM, is proposed, it is to be a solution to a particularly distressing problem. Yet the nation has been told successively that the system should be deployed because (1) it is needed to defend our cities against possible Chinese—but not Russian—attacks in the 1970s, (2) it is needed to defend our cities against possible Russian attacks and (3) it is needed to defend our offensive missile sites—not our cities—against possible Russian attacks.

The latest objective—the one espoused for the Nixon Administration's Safeguard system—involves the missile sites. Secretary of Defense Melvin R. Laird particularly pointed to the danger of a Soviet rocket, the SS–9, knocking out American offensive missiles in a first strike. He warns that the nation could lose its retaliatory capability. But Secretary of State William P. Rogers told the same Congressional hearing that the likelihood of such a first strike is doubtful!

The shift in objectives and the intra-Administration argument leads to the obvious question whether the ABM is aimed at any specific purpose. Is its construction and deployment actually necessary?

Past incompetence.—There is also a debate over the ABM's technical capability. This Executive Board obviously cannot comment on that issue. It is, however, disturbing to us that there is sufficient question for the scientific advisors to Presidents Eisenhower, Kennedy and Johnson and other leading scientists to argue its effectiveness.

Also, the public record of the Defense Department's past incompetence on procurement is almost incredible. On many occasions, billions after billions of dollars have been spent on systems which were later abandoned. For example, the B–70, which was heralded only a few years ago as "the plane of the future," is now a $1.5 billion exhibit in the Air Force Museum.

Some systems which were not abandoned were found to operate at only a fraction of the effectiveness performance originally promised. For example, a recently-publicized Pentagon evaluation showed that only some of the airplanes and missiles of the 1950s and 1960s achieved 25 per cent or more of expected performance.

And in the overwhelming number of cases, new weapons systems cost immensely more than the originally contracted price tag. For example, construction of 120 C–5A cargo planes is costing $2.1 billion more—so far—than the original $3.1 billion contract.

Amalgamated criticism.—The Amalgamated Meat Cutters and Butcher Workmen (AFL–CIO) has long been a sharp critic of the Defense Department's and Armed Services' procurement policies and actions. Another Policy Statement by this Board details the problems our Union has had. The procurement officials' arrogance, their unwillingness to listen to appeal or reason, their ability to do as they please almost without challenge has taken its toll in costly errors concerning the defense of our nation—as it has in the defeat of workers fighting for the goals of union organization and collective bargaining agreements.

Budget problems.—But this Executive Board's greatest concern about the ABM is the budgetary problems and the budgetary priorities it would create. The Safeguard System has been announced as costing between $6 billion and $7 billion. In all likelihood, it will cost much more because (1) systems almost always multiply in costs and (2) many Defense Department leaders have stated bluntly that the "thin shield" of the Safeguard must be sharply increased. According to Sen. Stuart Symington (D. Mo.), former Secretary of the Air Force, the ABM may cost $400 billion before completed.

Even without these astronomical figures, the nation is currently in a budgetary squeeze. The Nixon Administration is applying the fiscal brakes in an effort to stem inflation Programs to deal with the nation's critical domestic problems are either kept static or even cut back because of the budget problems.

Domestic priorities.—The Amalgamated firmly believes that our domestic problems—reconciliation of our people, reconstruction of our cities, war on poverty, elimination of hunger, end of consumer and environmental health dangers, etc.—must have priority in federal spending and federal action. We firmly believe in a strong defense posture for our nation. But we cannot imagine that the missiles and arms can safeguard America's security if our people are sharply divided and embittered and if our domestic ills sap our willingness to battle foreign aggression.

We therefore oppose the construction and deployment of an extremely expensive and highly controversial weapons system, as the ABM, when it would take much needed funds from the work of healing our internal ills. We look forward to the use of an overwhelming amount of the budgetary savings resulting from a Vietnam peace—the "peace dividend," of which former Secretary of Labor W. Willard Wirtz spoke so eloquently to our merger Convention in San Diego—to deal with and solve our domestic problems.

The Amalgamated therefore will oppose authorization and appropriation legislation involving the Safeguard Anti-Ballistic Missile. Our Union strongly urges the President and Congress to rectify the Defense Department procurement incompetence, to approve only those military items for which there is a clear and definite need and to give legislative and budgetary priority to programs dealing with our civilian, domestic problems.

THE SENATE'S CYNICAL DESIGN

Mr. SAXBE. Mr. President, we are now engaged in a debate concerning the state of our Nation's defense, its role in the world community, and the order of our national priorities. I believe that this is our function as is so ably pointed out by Felix Morley, a Pulitzer Prize-winning former newspaper editor and college president. In the current issue of the Nation's Business he explains that the Senate is merely exercising its proper role in our system of checks and balances as envisaged by Alexander Hamilton 182 years ago.

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The Senate is an integral part of the tripartite system of checks and balances. As an independent body we must not forego our inquisitorial role with respect to all issues before us. No opinions should be cursorily accepted because of its sponsor. None should be silenced. Silencing the expression of an opinion is a peculiar evil. In the words of John Stewart Mill:

> If the opinion is right, they (the human race) are deprived of the opportunity of exchanging error for truth; if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth produced by its collision with error.

I commend Mr. Morley's article to all my colleagues and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SENATE'S CYNICAL DESIGN

(By Felix Morley)

It is to Alexander Hamilton that the United States Senate owes the grant of great political power which it has exercised throughout our history and continues to exhibit today.

More clearly than the other Founding Fathers, Hamilton foresaw that a Second Chamber, representing the States rather than the people, would give the Federal Republic a stability lacking in a purely democratic form of government.

He saw that an independent-minded Senate would serve to curb any executive tendencies towards dictatorship. To guarantee this he developed the plan whereby Senators are eleceted for a longer term than the President and face the voters only one third at a time, thus giving the body a degree of permanency lacking in the House of Representatives.

In the drafting of the Constitution Hamilton did not try to ram through his somewhat extreme personal viewpoint, which would have given Senators seats for life, thus probably making them too powerful. Instead he won his colleagues over by making concessions whenever he could not convince them by logical argument.

Thus we find that of the five essays devoted exclusively to the Senate in *The Federalist* two probably were written by James Madison and one by John Jay, as well as the two which are unquestionably of Hamilton's authorship. But, though all three collaborated, the basic thinking as to the Senate was contributed throughout by Hamilton. He is the one whom the Administration should blame, if it now finds some Senators unpleasantly contentious.

The Founding Fathers, of course, had no inkling whatsoever of the specific problems on which a number of contemporary Senators refuse to pull their punches. Meeting in Philadelphia, 182 years ago this month, none of them had ever heard of Viet Nam. Neither Russian nor Chinese activities then gave the slightest concern. Nobody anticipated anything like the Pentagon, nor the threat of what President Eisenhower, in his last message to Congress, called the "military-industrial complex."

The Eighteenth Century argument for the Senate was based entirely on enduring principles of politics, as valid now as they were in 1787. Becaues of this permanence they can be applied without prejudice to current issues. Indeed, they must be so applied, if we want to maintain the American heritage.

The primary advantage of the Senate, in the opinion of its major architect, is that it draws to national service able men from every State, whether large or small. As was often said, and is still true, a Senator from Delaware can by personal ability exert as much influence as a Senator from New York. One State, two Senators, is a much older slogan than one man, one vote.

Members of the House, many of them here today and gone tomorrow, are most concerned with the interests of their small constituencies. Senators, with a longer tenure and a larger base, are better positioned to consider broader problems, affecting the nation as a whole. Therefore the Senate should exercise particular authority in the entire field of foreign relations.

Concretely, the Senate should have, as it does, special powers in the consideration of treaties and over the appointment of Ambassadors as well as other high executive officers. This power of "advice and consent" has never been taken lightly. After the first World War the Senate broke Woodrow Wilson by refusing to ratify the Treaty of Versailles. The opposition, in this strong President's opinion, was concentrated in "a little group of willful men." But that, omitting the derogatory adjective, was how it was intended to be. Even George Washington had trouble with the Senate of his day.

When viewed against current issues the foresight of the Founding Fathers often seems almost miraculous. John Jay was not prominent at the Constitutional Convention. For most Americans he is now a forgotten man. But Jay's examination of the Senate's role in international negotiations, as set forth in No. 64 of *The Federalist*, reads like the news stories of today.

"In the negotiation of treaties," wrote Jay, "perfect secrecy and immediate despatch are sometimes requisite." Therefore it is desirable that the President should "manage the business of intelligence . . . as prudence may suggest." The safeguard is that the outcome of secret negotiations will be subject to public consideration by the Senate, where "all the States are equally represented" so that "they will all have an equal degree of influence."

This comment by Jay was first published on March 7, 1788. It was on March 27, 1969, that Secretary of State Rogers told the Senate Foreign Relations Committee that secret discussions in Paris are a prerequisite of progress toward peace in Viet Nam. Although most members of that committee have been for years distinctly critical of Viet Nam policy, the right of the Administration to negotiate as it sees fit, defended by Jay nearly two centuries ago, went unquestioned.

But well-reasoned tolerance on procedure does not deprive the Senate of its critical function in foreign policy. That body, wrote Hamilton, is "designed as a method of National Inquest [his capitalization] into the conduct of public men." And he asked rhetorically: "What other body would be likely to feel confidence enough in its own situation" to try cases of impeachment, which happily have been rare in our history.

To perform its "inquisitorial" role it was of course necessary for the Senate, once established, to develop the elaborate committee system through which its investigations are performed. On all these specialized committees the party in office and the opposition are represented in proportion to their respective Senate membership. It follows that the Administration is likely to find the going rough when its party does not dominate the Senate, and when committee chairmen are consequently members of the opposition, as is currently the case.

Because of its special authority in foreign relations the Senate committee charged with that function has always been one of the most important on Capitol Hill. Sen. Fulbright, as its chairman, has followed both precedent and Constitutional design in emphasizing the critical function: "Inquisitorial" is what it was intended to be. So the Arkansas Senator merely observes the rules of the game when he questions whether the Pentagon "should sponsor or carry out programs designed to educate or indoctrinate the public on foreign policy issues." Activities of this nature by the Department of State would not be, and have not been, condemned.

Of course everything has not worked out as anticipated. Much depends on the individuality and personal viewpoint of the committee chairmen. Some are much more critical than others and it is natural that questioning should be subdued when the sensitive issue of national defense is on the carpet.

Other factors may be involved. "It is no accident," charged John W. Finney in the New Work Times recently, "that military bases spring up or weapons contracts are placed in the home districts of [Armed Services] committee members. The Pentagon takes care of the committee members, and the Senators take care of colleagues not on the committee."

The accusation may be protested, though it certainly is apparent that Armed Services has been much more gentle than Foreign Relations in the ABM inquiry, which concerns them both. But if the reporter quoted above seems cynical, that also is in keeping with Alexander Hamilton's design for government. Although a strong advocate of centralized authority, he never thought that fallible men could be trusted to exercise it unrestrained.

Conflict between strong Presidents and outspoken Senators has been continuous throughout our political history. It is to be expected again, now that the traditional honeymoon period for President Nixon draws to a close. As the drama develops there will be less acrimony if we remember that it was planned that way.

Before his well-merited election to the Senate, a staunch Republican, the late Arthur H. Vandenberg of Michigan, wrote a notable book entitled "If Hamilton Were Here Today." In it he paid tribute to this forerunner's role in designing "a government safeguarded by checks and balances which refuse to any one department the privilege or opportunity of autocratic power."

Since 1913, Senators have been chosen by popular election; not by State Legislatures as was the original method. But those who are remembered, both before and after that divide, are the Senators who stood up for the system of check and balance which more than any other factor has made the United States secure.

CLOSURE OF JOB CORPS CAMPS

Mr. EAGLETON. Mr. President, throughout history the lot of the overwhelming mass of mankind has been to exist in dire, mortifying, spirit-destroying poverty.

Only in the last few generations in the western world—and particularly in this country—has man been able to construct a society in which poverty is not the all-pervasive fact. Ours is an economy based on abundance. We are dedicated to the ideal of the full, rich life for all.

To an amazing degree we have succeeded. The majority of our citizens are better fed, better housed, better clothed than any mass group in history. Ironically, the prosperity of the majority tends to blind us to the distress of others. For here, in the midst of this affluent society, there is another America.

This other America is not impoverished in the same sense as some poor nations where millions cling to hunger as a better alternative than starvation. But it is an America where millions exist without adequate and proper food, jobs, housing, education, and medical care. They live at levels beneath those necessary for human decency and dignity.

Because of my concern for these matters, I was pleased to see that President Nixon in his message to Congress of Feb-

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ruary 19, 1969, on the poverty program indicated an understanding of what remains to be done. In that message he said:

> The blight of poverty requires priority attention. It engages our hearts and challenges our intelligence. It cannot and will not be treated lightly or indifferently, or without the most searching examination of how best to marshal the resources available to the Federal Government for combating it.

The President discussed at some length the various Federal manpower programs which provide training and work experience for those members of our society who are chronically unemployed or underemployed. He announced the transfer of the Job Corps to the Department of Labor to integrate and coordinate it with other programs, thus making available additional training and service opportunities for young men and women enrolled in the Job Corps.

Along with many other Members of Congress, I was led to believe from the President's statement that he had made a real commitment to working at a solution for the problems of poverty. In particular, we were encouraged by his program for expanded opportunities within the Job Corps.

However, now I am beginning to have some concern about the depth of the aforementioned commitment.

No more than 6 weeks after the President pledged his continuing support for the program, Mr. Shultz, the Secretary of Labor, announced that 59 of the 106 Job Corps centers and conservation camps throughout the country are to be shut down. These closings would eliminate more than 17,000 openings for hardcore, disadvantaged young persons in comprehensive, live-in, job training centers.

In subsequent statements and in his testimony before a Senate subcommittee, Secretary Shultz made clear that the primary reason for this action was economic—it will yield a $100 million savings in the next fiscal year.

The administration's aims in cutting the budget and saving money are laudable. But I think that an analysis of this particular action will show it to be a false economy which will prove extremely costly in the future years.

The closed-down Job Corps centers are to be replaced with 30 so-called "mini-centers" to be located in urban areas. These centers have not yet been authorized or funded, but their cost, coupled with the waste of nearly $75 million of existing facilities to be abandoned, will undoubtedly exceed the short-term $100 million saving. There is an enormous dollar loss involved in returning to the slums and to the depressed rural areas the 17,000 youths who would otherwise have received valuable vocational training and guidance counseling designed to convert them into productive taxpaying citizens.

Moreover, these matters cannot be measured solely in dollars and cents. How do we count the bitterness and hopelessness of a youth who has seen the first real opportunity ever offered him snatched away?

How do we count the loss resulting from the dismissal of 6,000 dedicated teachers and trainers in the centers to be closed?

Finally, how do we count the loss to the Nation every year of 34,000 fewer opportunities for Job Corps-type training for disadvantaged young people?

I do not insist that the Job Corps is the only method for training these young men and women, nor do I say that economies cannot be realized in such training programs.

But I do protest the abrupt closing of these centers and camps and the turmoil and chaos resulting from a sudden directive to the enrollees that they must leave before their training period has been completed.

In Missouri, the Poplar Bluff Job Corps conservation camp has been ordered to cease its training and release the approximately 220 men enrolled there. This is a center that has proved its worth to the entire area. I have received a great many letters from local residents, Republicans as well as Democrats, who initially opposed the establishment of the Poplar Bluff camp, but who eventually became outspoken supporters of the program after having observed its results.

In St. Louis, the Job Corps center which currently is training 600 women has been ordered to be closed.

I have joined with 31 other Senators in submitting a resolution expressing the sense of the Senate that the proposed Job Corps shutdown be suspended until the Congress completes its normal legislative and appropriation action on the program. We do not seek by this resolution to foreclose the administration from acting to improve the Job Corps. We do, however, ask that the present drastic cutback be postponed until Congress has had an opportunity to consider it fully.

I ask unanimous consent that several relevant letters in opposition to the Job Corps closings in my home State of Missouri be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

April 18, 1969.

Hon. Carl D. Perkins,
Chairman of the House Education, and Labor Committee, Washington, D.C.

Dear Sir: Presented, herewith, are some of the facts and figures of the Poplar Bluff Job Corp that we wish you would take into consideration before you make a final decision, to close, what we the following list of names consider to be an outstanding job well done. Please note the first page which shows that the Poplar Bluff Job Corp ranks Number One of 45 Forest Service Job Corp Centers.

Joda L. Bess,
Chairman, Butler County Republican Party.

June Cox,
Cochairman, Butler County Republican Party.

W. J. Long,
Chairman, Poplar Bluff Central Republican Committee.

Bernard J. Whelcley,
President, Poplar Bluff Chamber of Commerce.

L. E. Lumpe,
Past President, Poplar Bluff Chamber of Commerce.

Thomas J. Cox,
Certified Public Account, Member of Small Business Administration advisory Council.

St. Louis Job Corps Center for Women,
St. Louis, Mo., March 31, 1969.

Senator Thomas Eagleton,
U.S. Senate,
Washington, D.C.

Dear Senator Eagleton: As the Director of the St. Louis Job Corps Center for Women I am very concerned by the repeated reports of planned cuts in the Job Corps program. I am particularly concerned about the future of the 600 young ladies we have enrolled I thought that perhaps you would be interested in what this Missouri Center, at least, has accomplished during the 2½ years we have been in operation.

1. We are placing 92% of the Corpswomen who complete our program. The results have been very rewarding—for example, we were told by the executive secretary of the Greater Miami Printing Industry that they would place any of our young women trained in our graphic arts program. We have been told by local hospitals that they would hire all the licensed practical nurses we train.

2. According to a recent report from OEO headquarters our average length of stay (9.3 months) is among the top in all the women's Job Corps Centers, and our dropout rate (2.6 per week) is among the lowest.

3. Because of the uniqueness of our program and the education and training methods we have developed, our Center is used by the University of Missouri (at St. Louis) for practice teaching in their Teacher Corps Adult education training. We were told by the director of this project that ours was the best adult education program he has seen.

4. Although we have been in operation only two and one half years, information about our education and training program has spread, and we constantly have visitors from schools, colleges and other training institutions to study our methods and materials.

5. We have over 100 Negro staff members whose positions range from supervisory to maintenance, and in each job there is continued opportunity for upward mobility.

6. Because of the policy now to assign young women to the Centers closest to their homes, we have increasing numbers from Missouri.

7. We have received continued support from the City of St. Louis, and in turn our young women have given hundreds of hours of volunteer time to community projects such as tutoring, supervising ghetto playgrounds, etc.

I have tried to be brief and hit only a few of the major points. I would be honored if you could visit the Center when you have an opportunity and see our program for yourself.

At any rate, I hope that you will take any action you can to see that our program continues.

Sincerely,

Al Androlewicz,
Center Director.

Salem, Mo.,
April 15, 1969.

Hon. Carl D. Perkins,
Chairman, House Education and Labor Committee, House of Representatives, House Office Building, Washington, D.C.

Dear Mr. Perkins: I have read that you are conducting a hearing concerning the closing of Job Corps Centers by the Department of Labor and want to commend you for looking into a situation which I think is deplorable. I am familiar with the Poplar Bluff Civilian Conservation Center operated by the Forest Service, U.S. Department of Agriculture in Missouri. This Center is doing an excellent job of fulfilling the educational and work experience needs of many deprived young men in a wholesome rural atmosphere. I cannot comprehend that the urban centers envisioned by the Department of Labor can commence to give poverty youth from ghetto areas the different experience they are receiving from the rural living and work situation

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they are getting in the Conservation Centers. This living situation is an excellent opportunity for the ghetto youth to learn of another way of life and that there are areas in the United States not covered by concrete and asphalt. The proposed ghetto training centers will leave youth in their same environment which, to me, is a mistake. I believe they should be given an opportunity to know and become a part of rural living such as they experience in Conservation Centers.

Our Poplar Bluff Center, within the Clark National Forest, is rated as one of the best Conservation Centers in the United States. This Center has had a record of being ranked #1 or near the top in such areas as length of corpsmen stay, educational gains and operating costs. Overall ranking as compared to other Centers has always been excellent. The corpsmen and staff morale along with community relations has been excellent since the camp started.

The corpsmen have participated in many valuable conservation projects including the construction of five camp and picnic areas on National Forest land. Two of these projects are near Salem and contribute to the economy of our area. These projects provide corpsmen work training in heavy equipment operation, carpentry, plumbing, chain saw operation, and electrical installation as well as the main function of learning how to work and stay with a job.

I am very enthused and encouraged with the education and work training programs that are provided at the Conservation Centers for uneducated and deprived youth. I believe the needs of these youth are being fulfilled at these locations. I cannot see that a change in the program as proposed by the Department of Labor is going to do any better job than is being done now.

The public is getting a return on the Conservation Center investments from the much needed conservation work being completed by the Corpsmen during their work training experience.

I strongly support the retention of the Conservation Centers, especially the Poplar Bluff Center in Missouri. This Center has such a fine record of accomplishment that I cannot conceive how it is listed to be closed down when other Centers with lower ratings are to be retained. Anything you can do to remedy this situation will certainly be appreciated.

Sincerely yours,

JACK T. MASTERS,
Mayor.

U.S. DEPARTMENT OF AGRICULTURE,
Rolla, Mo., January 6, 1969.

Hon. THOMAS F. EAGLETON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR EAGLETON: Leo Drey suggested that I send you information concerning the work and activities of the Poplar Bluff Civilian Conservation Center and the Clark National Forest. Included are newspaper clippings and other information depicting some of the community activities in which our corpsmen involve themselves during their off-duty hours, as well as information on recreation developments that the corpsmen have built within the National Forest.

In addition to the Markham Spring area (brochure enclosed), the corpsmen have built a 20-unit campground at Lane Spring, twelve miles south of Rolla, rehabilitated a recreation area near Fredericktown, Missouri, and have built many latrines, picnic tables, and fireplaces for our other expanding picnic and campground areas within the Forest. The Corpsmen have also done much work on the Mark Twain National Forest, also located in Missouri, with headquarters at Springfield, Missouri.

The Job Corps program has been a real asset to the National Forest in Missouri, and the Poplar Bluff Center is considered as another unit of the Clark National Forest, the same as our seven ranger districts.

I am very enthused with what the boys have done for the Forest as well as what the Forest Service has done in education and training for young men who have not had an opportunity in life to develop themselves and their abilities. In my opinion, the conservation centers are a very worthwhile program and much public gain will be lost should they not continue.

We have had very favorable relations with the community of Poplar Bluff and the surrounding communities where our corpsmen stay while they are working on conservation projects for the National Forests. The Center has been recognized by Poplar Bluff as a definite asset to the community, both for the work the boys do and as an employment source for Forest Service employees and contractors in the Poplar Bluff area. The Center provides a sizeable economic base for the Poplar Bluff community.

Yes, we have some incidents with our boys in town, and at the Center; however, I do not see that they are really any different than any other group of young men who would be placed in a situation such as they—in a junior college, or any other institution where they, at times, like to let off a little steam.

I am not sure how familiar you are with the National Forests in Southern Missouri, so I will give you a little background concerning these public areas which are available to the people of St. Louis and elsewhere within the State for recreation such as camping, picnicking, hunting, and fishing. The Clark National Forest contains 775,000 acres within the exterior boundaries and the Mark Twain National Forest contains 612,000 acres of Federally-owned land. These public lands are managed for timber production, watershed protection, outdoor recreation, and the development of habitat for wildlife. The National Forest lands in Missouri provide nearly 1,400,000 acres of public land which is available for the several public uses and is the largest area of land open for hunting within the State of Missouri.

We are required by law to return 25 percent of the gross receipts from the sale of products from the Forest to the counties within the individual National Forests. This amounts to a considerable sum for the Clark National Forest since the discovery of the lead ore in the Viburnum, Missouri area. A considerable amount of this ore is under National Forest lands. The total return to the counties at the end of June 1968 was $156,538 within the Clark. The Mark Twain returned about $41,000 to their counties within that time, but they do not have the same income as the Clark because of our favorable position for mineral development.

I was disappointed that we couldn't have an opportunity to see the operation of the Poplar Bluff Center and some of the other National Forest operations. I sincerely hope we can work up a date to make a short tour of the Clark National Forest and the Center operations.

Sincerely yours,

RODNEY F. YOUNG,
Forest Supervisor.

POPLAR BLUFF CIVILIAN CONSERVATION CENTER,
Poplar Bluff, Mo., April 11, 1969.

Hon. THOMAS F. EAGLETON,
U.S. Senator for Missouri,
Washington, D.C.

DEAR SIR: I am in the Poplar Bluff JCC. And I have been here quite some time. I like it very much. I have learned a very good trade.

When I was here just one month, I had learned a lot from the Corpsmen, and Staffs. They made me feel like I was at home.

When I heard that some Job Corps Centers were closing down, I said to myself "We don't have anything to worry about, because we know that we are a number one Job Corps."

That next day I heard that we were on that list, to be closed. I just couldn't believe it. I mean I was just shocked.

I think very much in my heart that the Job Corps has helped many thousands of young men and women all over America.

It gives us this only chance to get out in the world and to make something out of ourselves. I am not just talking about myself but of others in the Job Corps. If you take this chance from us, I don't want to say what well might happen to us.

Well, I am hoping that I have said enough to persuade you from closing our center here in Poplar Bluff.

Sincerely yours,

ROBERT DENNIS.

SHELBYVILLE, MO.,
April 4, 1969.

Hon. THOMAS EAGLETON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR EAGLETON: Over the last two years, I have learned of the wonderful work the Womens St. Louis Division of the Job Corps has been doing to rehabilitate the under privileged youth that are assigned to them. On this mornings news, I heard that 60% of this work would be discontinued. Since our youth of today will be our leaders of tomorrow, I think worthwhile programs like this should not be curtailed, and I hope that you will use your influence to preserve the St. Louis Womens Division if at all possible.

Yours respectfully,

VIVIAN SALING.

ST. LOUIS, MO.,
April 17, 1969.

TOM EAGLETON,
Senate Office Building,
Washington, D.C.:

Our Job Corps Center for girls merits reconsideration for steady improvement and recent encouraging statistics.

Mrs. W. D. MCDOWELL,
President, Church Women
United of Metropolitan St. Louis.

CLAYTON, MO.,
April 11, 1969.

The President of the United States,
Mr. RICHARD NIXON,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: As a woman, an attorney, and a prosecutor of juvenile delinquents for the Circuit Court of the City of St. Louis, Missouri, I am disappointed to hear of the decision to close the Women's Job Corps Center in St. Louis and in other cities throughout the country. I strongly urge that this decision be reconsidered and I offer my support and assistance to those persons and groups seeking an increase in the Job Corps program.

Daily I sit in court and hear the life histories of children and urge that they be placed in institutions because they are dependent, neglected, or delinquent. These children have been rejected in every way by parents, schools, and the community. Even though a child can not be held civilly responsible for his acts, he is criminally responsible; and regardless the very failures become a part of his personality and future.

I am appalled by the lack of resources local communities offer for teenagers. There are prisons and State Training Schools or nothing. Now there is Job Corps. I believe in Job Corps: Job Corps helps those persons that all other agencies reject. Job Corps offers pride and recognition to persons who have failed at home and in school. Job Corps offers a skill to teenagers who really want to work, and Job Corps helps young people to assume the responsibilities of adulthood. If Job Corps has ever failed, it is because of the impossibility of undoing the damage of what a neglectful society has done.

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I also believe in a Woman's Job Corps. It is unrealistic today not to prepare women to financially support themselves. A young teenage girl who has no where to go or no one to turn to turns to motherhood. Let's give these girls an alternative. One where they can mature and learn before they take on the responsibilities of raising others in their footsteps.

Sincerely,

Ellen A. Hanson,
Attorney at Law.

Municipal Nurses Advisory Board,
St. Louis, Mo., April 15, 1969.
The Honorable Thomas F. Eagleton,
Senate Office Building,
Washington, D.C.

Dear Senator Eagleton: I enclose a copy of a letter I am sending to Secretary Shultz relative to the closing of the St. Louis Job Corps Center.

Countless bills have been introduced in Washington seeking ways and means of relieving the critical shortage in health manpower in our nation. It seems ironical that the present administration decides arbitrarily to shut down an installation which is doing such an excellent job in this area.

I hope that you will use your good office to see that a complete and thorough study is made of the results in St. Louis before this Center is closed.

Sincerely,

(Mrs.) Irene F. McCabe,
Chairman, Municipal Nurses Advisory Board.

St. Louis, Mo.,
April 14, 1969.
Mr. George P. Shultz,
Secretary, Department of Labor,
Washington, D.C.

Dear Mr. Secretary: I am writing you as a private citizen who for many years has been involved in the health field in our state. I am deeply concerned by the report that the St. Louis Job Corps is to be closed. I have visited their installation in St. Louis and was tremendously impressed with the overall job they were doing to help so many unfortunate young women find their niche in life.

My chief concern is the closing down of their training of personnel for the health field. As you doubtless know, health manpower is one of our most critical needs. The federal government is well aware of this need.

The St. Louis Job Corps has a basic nurse aide program which qualifies young women who complete the course successfully for employment by the Veterans' Administration.

Those who show aptitude for further training have been trained as practical nurses in our Board of Education School for Practical Nursing with clinical experience in our city hospitals.

Last October the Job Corps set up its own school for practical nurses with faculty recruited from our local Board of Education School. Only last week I met with representatives of the Job Corps to discuss members of an Advisory Committee, a requirement of our State Board of Nursing.

It seems ironical that such a worth-while and much-needed program should be shut off mid-stream.

Selected students at the Job Corps have also been trained as surgical technicians with the cooperation of our city hospitals. These people are now working at several local hospitals.

All hospitals, nursing homes and agencies which care for the sick and infirm need skilled personnel. To remove one source from a metropolitan community is a serious step.

I hope you will review this with the Secretary of Health, Education and Welfare and find some way to continue this much needed program in St. Louis.

Sincerely,

(Mrs.) Irene F. McCabe,
Chairman, Municipal Nurses Advisory Board.

Toellner Baking Co.,
Poplar Bluff, Mo., April 21, 1969.
The Honorable Thomas F. Eagleton,
Senate Office Building,
Washington, D.C.

Dear Senator Eagleton: We join a majority of our area business people and other concerned Miscourians in questioning the merits of the Administration decision to include the Poplar Bluff Job Corps Center among those reported listed for closing.

This Center has been built at considerable cost to the taxpayers. It has gone through the "growing pains" of a new program and survived to become—in the opinion of informed observers—a "model" Center for the rehabilitation of disadvantaged American youth. We feel that Missouri has something to offer the boys that cannot be measured in dollars and cents.

At the same time, we feel that the boys, their able supervisory personnel and the tax dollars invested in the program here, are returning to Missouri lasting benefits that cannot be given any exact price tag.

Learning while working, these Job Corps boys are building permanent capital improvements on our two National Forests—the Clark and the Mark Twain. When they leave their training sessions here, they leave behind new forest road construction, new public use areas including permanent recreation areas such as the Markham Springs development in Wayne County, and the proud memory of having helped Missourians in times of distress and community need.

These benefits cannot be measured in dollars and cents alone. We hope you will share some of our enthusiasm for the program and feel the program offers sufficient long-range benefits to warrant your support.

Very truly yours,

W. H. Toellner,
President.

Sutton Realty,
Poplar Bluff, Mo., April 21, 1969.
Hon. Thomas F. Eagleton,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Mr. Eagleton: I am disturbed to learn of the possible closing of the Job Corps Center in Poplar Bluff, Missouri.

I do not know about the program nationally, of course, but the Poplar Bluff Job Corps Center has been doing an outstanding job. I say this from very personal experience, as I have had many of these young men as guests in my home for meals over the past few years and have had many others as my guests at various civic functions.

I have visited the Job Corps Center on several occasions and know first hand of the fine training program that is being conducted here. Many of these boys consider the Job Corps their last chance and while I know there are some "goof ups" and "trouble makers" I also know that this center has served society as a whole, as well as these boys, because it is giving them a chance to make something of themselves and giving them that chance, on terms and in ways they can understand.

If there is anything that I can say or do to help the Job Corps please let me hear from you.

Sincerely yours,

Robert L. Sutton.

Roth's Department Store,
Poplar Bluff, Mo., April 20, 1969.
Hon. Thomas F. Eagleton,
Senate Office Building,
Washington, D.C.

Dear Senator: I am writing to you in regard to the proposed closing of the Poplar Bluff Job Corps Camp.

It is my understanding that the Poplar Bluff camp is one of the finest in the nation, and operates at the lowest cost per boy of those operated by the Forest Service.

If any Job Corps camps remain open, we in Poplar Bluff believe that consideration should be given to the best ones.

We will appreciate any help that you can give us in bringing to the attention of the administration, the Senate Committee on Labor and Public Welfare, and the House Committee on Education and Labor, the above comments.

Sincerely yours,

Ed Cannon, Jr.

New Bethany Christian Church,
St. Louis, Mo., April 15, 1969.
Senator Thomas Eagleton,
Senate Office Building,
Washington, D.C.

Dear Senator Eagleton: We protest the announced closing of fifty-nine job corps centers throughout the nation. Reportedly the reason for this action is to save $100 million. No doubt there is just cause for thrift, but we feel the saving could be extracted from less critical areas.

One of the few urban centers to be closed is in our city. Since its establishment the St. Louis Women's Job Corps Center, located in the heart of the ghetto, has testified to the importance of human values among those who have been deprived of the opportunities which most of us enjoy. One of our members, who is an instructor at the center, affirms the importance of the work being done here.

The proposed "skill centers" seem inadequate to meet the needs of training the poor for jobs, especially women. We urgently request that reconsideration be given to closing the centers. We have noted in the press your opposition to the closing action and encourage you to pursue another decision.

Sincerely,

Donald G. Pelsue, *Minister;* Martha E. Gentry; George W. Maple; W. Elbert Staru; Otto H. Laatsch; Esther R. Ehly; Norma J. Twedell; Charlie Watts; Sharon Gregg; Frank L. Gregg; Carol MacDonald; R. Gerald MacDonald; Anne Behler; Judy Wilensky; Frances S. Laatsch; Mary Coffman; Charellese T. Coleman; Neil E. Topliffe; Anna May Watts; Marian L. Jones; Elder M. Steley; Jerry O'Malley; Sandra Topliffe; Else M. Gissenaas; Bill Gibson; and Donald G. Pelsue, members of Bethany Christian Church.

THE ANTI-BALLISTIC-MISSILE SYSTEM

Mr. INOUYE. Mr. President, concern over the proposed deployment of an anti-ballistic-missile system continues to mount across the Nation. Particularly concerned are the people of those States which have been selected as future missile sites. The State of Hawaii is one of those States designated as an anti-ballistic-missile site, and the people of Hawaii are some of the most concerned of our citizens.

In their deliberations on the proposed deployment of the anti-ballistic-missile system, Senators will, I am sure, be interested in House Resolution 24, adopted on April 11, 1969, by the House of Representatives of the Fifth Legislature of the State of Hawaii. The resolution requests that the U.S. Congress stop the appropriation of funds for the land acquisition and construction of anti-ballistic-missile sites.

I ask unanimous consent to have printed in the Record the text of House Resolution 24, which enumerates the reasons for the opposition of the State of Hawaii's House of Representatives to the deployment of an anti-ballistic-missile system.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE RESOLUTION 24

Resolution requesting the President of the United States, the Secretary of Defense, the Speaker of the United States House of Representatives, the President of the United States Senate and the Hawaii Congressional delegation to stop construction and land acquisition of an anti-ballistic missile site on Oahu

Whereas, Oahu is one of the first twenty-five sites selected for future anti-ballistic missiles sites; and

Whereas, the establishment of an anti-ballistic missile system does not assure defense against nuclear warfare and instead tends to escalate the arms race without affording secure advantages; and

Whereas, the costs of such a system would be poured into a military and industrial complex at the expense of major programs needed to solve the major social and economic ills of the country which deserve immediate attention and action; and

Whereas, numerous scientists, legislators, and leaders in government have expressed reservations concerning the need and effectiveness of an anti-ballistic missile system and have expressed opposition to its establishment; now, therefore,

Be it resolved by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1969, that the Congress of the United States is hereby requested to stop further funds for the construction and land acquisition of anti-ballistic missile sites; and

Be it further resolved that duly certified copies of this Resolution be forwarded to the Honorable Richard M. Nixon, President of the United States, the Honorable Spiro Agnew, Vice-President of the United States, the Honorable John McCormack, Speaker of the United States House of Representatives, the Honorable Melvin Laird, Secretary of Defense, the Honorable Hiram Fong, Senator, the Honorable Daniel Inouye, Senator, the Honorable Spark Matsunaga, Representative, and the Honorable Pasty Mink, Representative.

THE POPULATION PROBLEM

Mr. CASE. Mr. President, the President of the World Bank, Mr. Robert McNamara, has become in a few short months one of the most forceful and effective exponents of timely action to defuse the "population bomb." The message he delivered last week at the University of Notre Dame was a particularly lucid effort to unravel "the tangled problem of excessive population growth," and I commend it to all who seek better understanding of the problem. His concluding observation is especially pertinent, it seems to me.

> What we must comprehend is this: the population problem *will* be solved one way or the other. Our only fundamental option is whether it is to be solved rationally and humanely—or irrationally and inhumanely. Are we to solve it by famine? Are we to solve it by riot, by insurrection, by the violence that desperately starving men can be driven to? Are we to solve it by wars of expansion and aggression? Or are we to solve it rationally, humanely—in accord with man's dignity?

I ask unanimous consent that the full text of Mr. McNamara's address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS TO THE UNIVERSITY OF NOTRE DAME BY ROBERT S. MCNAMARA, PRESIDENT, WORLD BANK GROUP, NOTRE DAME, IND., MAY 1, 1969

I am grateful for this award, and pleased to become an honorary alumnus of Notre Dame.

This university, over the years, has become a catalytic center of creative thought. It does what universities do best: it probes. It probes the past for what is most relevant to the present. It probes the present for what is most formative of the future. And it probes the future for what will most enlarge man's freedom and fulfillment.

I want to discuss with you this afternoon a problem that arose out of the recent past; that already plagues man in the present; and that will diminish, if not destroy, much of his future—should he fail to face up to it, and solve it.

It is, by half a dozen criteria, the most delicate and difficult issue of our era—perhaps of any era in history. It is overlaid with emotion. It is controversial. It is subtle. Above all, it is immeasurably complex.

It is the tangled problem of excessive population growth.

It is not merely a problem, it is a paradox.

It is at one and the same time an issue that is intimately private—and yet inescapably public.

It is an issue characterized by reticence and circumspection—and yet in desperate need of realism and candor.

It is an issue intolerant of government pressure—and yet endangered by government procrastination.

It is an issue, finally, that is so hypersensitive—giving rise to such diverse opinion—that there is an understandable tendency simply to avoid argument, turn one's attention to less complicated matters, and hope that the problem will somehow disappear.

But the problem will not disappear.

What may disappear is the opportunity to find a solution that is rational and humane.

If we wait too long, that option will be overtaken by events.

We cannot afford that. For if there is anything certain about the population explosion, it is that if it is not dealt with reasonably, it will in fact explode: explode in suffering, explode in violence, explode in inhumanity.

All of us are, of course, concerned about this.

You, here at Notre Dame, have been giving constructive attention to this concern for several years. And yet it may seem strange that I should speak at a center of Catholic thought on this awkward issue, which might so conveniently be ignored, or left to demographers to argue.

I have chosen to discuss the problem because my responsibilities as President of the World Bank compel me to be candid about the blunt facts affecting the prospects for global development.

The bluntest fact of all is that the need for development is desperate.

One-third of mankind today lives in an environment of relative abundance.

But two-thirds of mankind—more than two billion individuals—remain entrapped in a cruel web of circumstances that severely limits their right to the necessities of life. They have not yet been able to achieve the transition to self-sustaining economic growth. They are caught in the grip of hunger and malnutrition; high illiteracy; inadequate education; shrinking opportunity; and corrosive poverty.

The gap between the rich and poor nations is no longer merely a gap. It is a chasm. On one side are nations of the West that enjoy per capita incomes in the $3,000 range. On the other are nations in Asia and Africa that struggle to survive on per capita incomes of less than $100.

What is important to understand is that this is not a static situation. The misery of the underdeveloped world is today a dynamic misery, continuously broadened and deepened by a population growth that is totally unprecedented in history.

This is why the problem of population is an inseparable part of the larger, overall problem of development.

There are some who speak as if simply having fewer people in the world is some sort of intrinsic value in and of itself. Clearly, it is not.

But when human life is degraded by the plague of poverty, and that poverty is transmitted to future generations by too rapid a growth in population, then one with responsibilities in the field of development has no alternative but to deal with that issue.

To put it simply: the greatest single obstacle to the economic and social advancement of the majority of the peoples in the underdeveloped world is rampant population growth.

Having said that, let me make one point unmistakably clear: the solution of the population problem is in no way a substitute for the more traditional forms of developmental assistance: aid for economic infrastructure; aid for agriculture; aid for industrialization; aid for education; aid for technological advance.

The underdeveloped world needs investment capital for a whole gamut of productive projects. But nothing would be more unwise than to allow these projects to fail because they are finally overwhelmed by a tidal wave of population.

Surely, then, it is appropriate that we should attempt to unravel the complexities that so confuse this critical issue.

II

One can begin with the stark demographic dimensions. The dynamics are deceivingly simple. Population increase is simply the excess of births over deaths. For most of man's history the two have been in relative equilibrium. Only in the last century have they become seriously unbalanced.

Though the figures are well known, they are worth repeating—if for no other reason than to forestall the familiarity with unpleasant facts from cloaking itself with complacency. It required sixteen hundred years to double the world population of 250 million, as it stood in the first century A.D. Today, the more than three billion on earth will double in 35 years time, and the world's population will then be increasing at the rate of an additional billion every eight years.

To project the totals beyond the year 2000 becomes so demanding on the imagination as to make the statistics almost incomprehensible.

A child born today, living on into his seventies, would know a world of 15 billion. His grandson would share the planet with 60 billion.

In six and a half centuries from now—the same insignificant period of time separating us from the poet Dante—there would be one human being standing on every square foot of land on earth: a fantasy of horror that even the *Inferno* could not match.

Such projections are, of course, unreal. They will not come to pass because events will not permit them to come to pass.

Of that we can be certain.

What is not so certain is precisely what those events will be. They can only be: mass starvation; political chaos, or population planning.

Whatever may happen after the year 2000, what is occurring right now is enough to jolt one into action.

India, for example, is adding a million people a month to its population—and this in spite of the oldest family-planning program in Southeast Asia.

The Philippines currently has a population of 37 million. There is no authorized government family-planning program. At the present rate of growth, these limited islands—

in a brief 35 years—would have to support over one hundred million human beings.

The average population growth of the world at large is 2%. Many underdeveloped countries are burdened with a rate of 3½% or more. A population growing at 1% doubles itself in 70 years; at 2% it doubles in 35 years; at 3½% it doubles in only 20 years.

Now, if we are to reject mass starvation and political chaos as solutions to this explosive situation, then there are clearly only three conceivable ways in which a nation can deliberately plan to diminish its rate of population growth: to increase the death rate; to step up the migration rate; or to reduce the birth rate.

No one is in favor of the first choice. On the contrary, under the impact of public health programs, death rates are falling throughout the underdeveloped areas. Even simple medical improvements—better sanitation, malaria suppression, widespread vaccination—bring on a rapid and welcome decline in mortality. The low-level death rates which Europe required a century and a half to achieve are now being accomplished in the emerging areas in a fifth of that time.

The second choice is wholly inadequate. Increased migration, on any scale significant enough to be decisive, is simply not practical. Countries concerned about their own future crowding are understandably disinclined to add to it by accepting more than a limited number of foreigners. But the more important point is that the continually expanding increment, on a global basis, is already so massive that migration as a solution to population pressure is manifestly unrealistic. We can put a man on the moon. But we cannot migrate by the millions off our own planet.

That leaves the third choice: a humane and rational reduction of the birth rate.

Is it feasible? It is.

Is it simple? It is not.

Is it necessary? Without question.

It is necessary because the consequences of continuing the present population growth rates are unacceptable.

III

Let us examine those consequences.

One cannot sense the inner significance of the cold, remote, impersonal demographic data by merely tracing a line upward on a graph, or by scanning the print-out from a computer.

The consequences of rapid population growth—piled on top of an already oppressive poverty—must be grasped in all their concrete, painful reality.

The first consequence can be seen in the gaunt faces of hungry men.

One half of humanity is hungering at this very moment. There is less food per person on the planet today than there was 30 years ago in the midst of a worldwide depression.

Thousands of human beings will die today—as they die every day—of that hunger. They will either simply starve to death, or they will die because their diet is so inadequate that it cannot protect them from some easily preventable disease.

Most of those thousands of individuals—individuals whose intrinsic right to a decent life is as great as yours or mine—are children. They are not mere statistics. They are human beings. And they are dying; now; at this very moment; while we are speaking.

They are not your children. Or my children. But they are someone's children. And they are dying needlessly.

And yet the thousands who die are perhaps the more fortunate ones. For millions of other children, suffering the same malnutrition, do not die. They live languidly on—stunted in their bodies, and crippled in their minds.

The human brain reaches 90% of its normal structural development in the first four years of life. We now know that during that critical period of growth, the brain is highly vulnerable to nutritional deficiencies: deficiencies that can cause as much as 25% impairment of normal mental ability. Even a deterioration of 10% is sufficient to cause a serious handicap to productive life.

This is irreversible brain damage.

What is particularly tragic in all of this is that when such mentally deprived children reach adulthood, they are likely to repeat the whole depressing sequence in their own families. They perpetuate mental deficiency, not through genetic inheritance; but simply because as parents they are ill-equipped mentally to understand, and hence to avoid the very nutritional deprivations in their own children that they themselves suffered.

Thus hunger and malnutrition forge a chain of conditions that only spiral the total human performance dismally downward. Alertness, vitality, energy, the ability to learn, the desire to succeed, the will to exert an effort—all these inestimable human qualities drain away.

How many children today are caught up in this crisis? How many of them subsist at levels of hunger and malnutrition that risk their being irreversibly mentally retarded for the rest of their lives? Some three hundred million.

But the population explosion's corrosive effects on the quality of life do not end with hunger. They range through the whole spectrum of human deprivation. With entire national populations, already caught up in the dilemmas of development, now doubling in as short a time as 20 years, there is a chronic insufficiency of virtually every necessity.

Current birth rates throughout the emerging world are seriously crippling developmental efforts. It is imperative to understand why. The intractable reason is that these governments must divert an inordinately high proportion of their limited national savings away from productive investment simply in order to maintain the current low level of existence.

Each additional child brought into the world must not only be fed, but clothed, housed, medically cared for, and supported by at least minimal educational services. All of this requires new capital—new capital that cannot be invested in other desperately needed sectors of the economy. For approximately the first 15 years of their lives, children cannot contribute economically to the nation: simply because they are young they are consumers rather than producers.

If the number of children in the total population—as a result of high birth rates—is very large, a nation is under the compelling necessity to expend ever greater resources simply to keep its people from slipping beneath minimum subsistence levels. A treadmill economy tends to emerge in which the total national effort will exhaust itself in running faster and faster merely to stand still.

More and more classrooms must be built; more and more teachers must be provided; more and more vocational training facilities must be established. But despite all this effort both the quantity and quality of education will inevitably decline. It simply cannot keep pace with the mounting waves of children. Thus, one of the prime movers of all human development—education—is sacrificed.

Further, as ill-educated, perhaps wholly illiterate, children reach the age when they ought to become producers in the economy, they are engulfed by the hopelessness of underemployment. In many of the world's shanty towns 50 to 60% of the adolescents are out of work.

Not only are these youngsters unequipped for the jobs that might have been available, but the total number of meaningful jobs itself tends to decline in proportion to the population simply because the government has been unable to invest adequately in job-producing enterprises. The capital that ought to have been invested was simply not available. It was dissipated by the ever rising tide of additional children.

This, then, is the cruel and self-perpetuating dilemma that governments face in underdeveloped countries overburdened for long periods with high birth rates.

Their plans for progress evaporate into massive efforts merely to maintain the status quo.

But what is true at the national level is repeated with even greater poignancy on the personal family level. Millions of individual families wish to avoid unwanted pregnancies.

And when these families cannot find legal and compassionate assistance in this matter, they often turn to desperate and illegal measures.

Statistics suggest that abortion is one of the world's most commonly chosen methods to limit fertility—despite the fact that in most societies it is ethically offensive, illegal, expensive, and medically hazardous.

In five countries of western Europe, it is estimated that there are as many illegal abortions as live births.

In India, the estimate is that each month a quarter of a million women undergo illegal abortion.

In Latin America, illegal abortion rates are among the highest in the world. In one country, they are said to total three times the live birth rate; in another, to be the cause of two out of every five deaths of pregnant women. Further, there are indications that the illegal abortion rate in Latin America is increasing, and that multiple illegal abortions among mothers are becoming common.

The tragic truth is that illegal abortion is endemic in many parts of the world. And it is particularly prevalent in those areas where there is no adequate, organized family-planning assistance.

The conclusion is clear: where the public authorities will not assist parents to avoid unwanted births, the parents will often take matters into their own hands—at whatever cost to conscience or health.

IV

Now I have noted that this entire question of population planning is incredibly complex. There are, of course, certain precise and painful moral dilemmas. But quite apart from these, there is a vague and murky mythology that befogs the issue. Not only does this collection of myths obscure the essential of the problem, but worse still, it builds barriers to constructive action.

I should like to turn now to that mythology, and examine some of its more irrational premises.

There is, to begin with, the generalized assumption that somehow "more people means more wealth." As with all fallacies, there is a deceptive substratum of plausibility to the thesis. With the earlier rise of nationalism in the West—and the more recent emergence of newly independent countries in Asia and Africa—rapid population growth has often been regarded as a symbol of national vigor. It provided, so it was believed, the foundations of a more powerful military establishment; an economically advantageous internal market; a pool of cheap labor; and, in general, a prestigious political place in the sun.

But in the underdeveloped world, nearly every one of these assumptions is false. Because rapid population growth tends seriously to retard growth in per capita income, the developing nation soon discovers that its economic vigor is diminished rather than enhanced by the phenomenon of high fertility. The hoped-for internal market becomes a mere mass of discontented indigents, without purchasing power but with all the frustrations of potential consumers whose expectations cannot be met.

"Cheap labor" in such countries turns out not to be cheap at all. For sound economic growth requires technological improvements, and these in turn demand higher levels of training than the strained government re-

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sources can supply. Though individual workers may be paid lower salaries than their counterparts abroad, their efficiency and productiveness are so low that the nation's goods are often priced out of the competitive export market. The "cheap" labor turns out to be excessively expensive labor.

Even the argument of expanding the population in order to provide a powerful military force is suspect—not merely because the expansion of one nation's forces will, in time, lead to a reactive expansion of its neighbors' forces, but also because modern defense forces require an increasing ratio of educated recruits rather than mere masses of illiterate troops.

As for political prestige, nations caught in the catastrophe of an uncontrolled population growth do not enhance their position in the family of nations. On the contrary, they find it slipping away as their once optimistic plans for progress turn inevitably to the politics of confrontation and extremism.

Akin to the myth that "more people means more wealth" is the notion that countries with large tracts of uninhabited open land have no need to worry about birth rates, since there is ample room for expansion.

The argument is as shallow as it is misleading. For the patent fact is that mere open land does not, in and of itself, support a high rate of population growth. Such open land—if it is to become the home of large numbers of people—must be provided with a whole panoply of heavy government investments: investments in roads, housing, sanitation, agricultural and industrial development.

The sound economic argument is quite the other way round. What such raw space requires first is not surplus people, but surplus funds for investment. And it is precisely surplus people in a developing economy that make the accumulation of surplus funds so incredibly difficult.

What is equally overlooked is that a rational restraint on fertility rates in an emerging country never implies an absolute reduction of the total population. It simply hopes for a more reasonable balance between birth and death rates. And since death rates in the future are certain to drop with continued advances in medicine—and in highly underdeveloped countries the drop in the death rate is characteristically precipitous—there are no grounds whatever for fearing that a nation's population, under the influence of family planning, will dangerously ebb away. The danger is quite the opposite: that even with family planning—should it be inadequately utilized—the population will proliferate in the future to self-defeating levels.

A still more prevalent myth is the misapprehension that official programs of family planning in a developing country are wholly unnecessary since the very process of development itself automatically leads to lowered birth rates. The experience of Europe is cited as persuasive proof of this theory.

But the proof is no proof at all, for the theory is hopelessly irrelevant to today's conditions in the underdeveloped world. There are no comparable circumstances between what happened in Europe's early period of modernization, and what is happening in the emerging world today.

Aside from a lapse of logic which fails to grasp that the current population growth in these areas inhibits the very economic development which is supposed to curb that growth, the historical fact is that conditions in Europe during its initial developmental period were far more favorable to lower rates of population growth. The birth rates were much lower than they are in the underdeveloped world today, the death rates had not yet drastically fallen, and by the time public health measures had accomplished that, the infrastructure of industrialization was already in place.

Further, in nineteenth century Europe, unlike in the developing countries today, marriages were entered into later, and the level of literacy—always an important factor affecting population growth—was considerably higher.

Even in spite of all these advantages, it required some 70 years for Europe to reduce its birth rates to present levels. Today the average birth rate for developing countries is 40 to 45 per 1000 of population. To get this rate down to the 17 to 20 per 1000 that is common in contemporary Europe would require a reduction in the developing world of some 50 million births a year. To suppose that economic advancement by itself—without the assistance of well organized family planning—could accomplish this in any feasible time-frame of the future is wholly naive.

Indeed, even with family planning, no such promising results are feasible in less than two or three decades. What is feasible—indeed what is imperative—is the establishment of family planning on a scale that will stave off total economic and political disintegration in those countries where social progress is being seriously limited by the glut of unwanted births.

No government can, of course, ultimately succeed in convincing its own population to undertake family planning, if parents themselves do not really want it.

But the almost universal fact is that parents do want it. They often want it far more than their own political leaders comprehend.

People—particularly poor, ill-educated people—may not understand the techniques of family planning. Most of them have only the most tenuous understanding of human biology. Often their limited comprehension is tragically confused by gross misinformation.

But the notion that family-planning programs are sinister, coercive plots to force poor people into something they really do not want, is absurd.

The pervasive prevalence of voluntary illegal abortion should be enough to dispel that fiction.

The poor do not always know how to limit their families in less drastic and dangerous ways, but there is overwhelming evidence that they would like to know how.

Another serious misunderstanding is the fear that family planning in the developing world would inevitably lead to a breakdown of familial moral fiber—and that it would encourage parents to limit the number of their children for essentially frivolous and selfish reasons: that it would trade the responsibility of having a large number of children for the opportunity of acquiring the needless gadgetry of an advancing consumer economy.

But one stroll through the slums of any major city in the developing world is enough to dispel that concept. If anything is threatening the fiber of family life it is the degrading conditions of subsistence survival that one finds in these sprawling camps of packing crates and scrap metal. Children on the streets instead of in non-existent classrooms. Broken men—their pride shattered—without work. Despondent mothers—often unmarried—unable to cope with exhaustion because of annual pregnancies. And all of this in a frustrating environment of misery and hunger and hopelessness. These are not the conditions that promote an ethically fibered family life.

Family planning is not designed to destroy families. On the contrary, it is designed to save them.

All of us accept the principle that in a free society, the parents themselves must ultimately decide the size of their own family. We would regard it as an intolerable invasion of the family's rights for the State to use coercive measures to implement population policy. We can preserve that right best by assisting families to understand how they can make that decision for themselves.

The fact is that millions of children are born without their parents desiring that it happen. Hence, a free, rational choice for an additional child is not made in these cases. If we are to keep the right of decision in the hands of the family—where it clearly belongs—then we must give the family the knowledge and assistance it requires to exercise that right.

Nor need anyone be deterred from appropriate action by the pernicious, if pervasive, myth that the white western world's assistance in family planning efforts among the non-white nations of the developing areas, is a surreptitious plot to keep the whites in a racial ascendancy. The myth is absurd on purely demographic grounds, as well as on many others. Non-white peoples on the planet massively outnumber whites. They always have and always will. No conceivable degree of family planning could possibly alter that mathematical fact.

But a more relevant answer is that if the white world actually did desire to plot against the non-white nations, one of the most effective ways possible to do so would be for the whites to deny these nations any assistance whatever in family planning. For the progressive future of the non-white world is directly related to their indigenous economic development—and that, in turn, as we have seen, is dependent upon their being able to bring birth rates down to a level that will allow a significant increase in per capita income.

V

There is one more myth that obstructs the road to action. It is the belief that the time for decisive action is past, and that sweeping famine is inevitable.

The distinguished British scientist and novelist, C. P. Snow, has recently noted that it is the view of men of sober judgment that "many millions of people in the poor countries are going to starve to death before our eyes."

"We shall see them doing so," he adds, "upon our television sets."

He stresses that when the collision between food and population takes place, "at best, this will mean local famines to begin with. At worst, the local famines will spread into a sea of hunger. The usual date predicted for the beginning of the local famines is 1975–80."

In summing up his own view, he suggests that "The major catastrophe will happen before the end of the century. We shall, in the rich countries, be surrounded by a sea of famine, involving hundreds of millions of human beings."

"The increase of population," he predicts, "all over the rich world may get a little less. In poor world it won't, except in one or two pockets. Despite local successes, as in India, the food-population collision will duly occur. The attempts to prevent it, or meliorate it, will be too feeble. Famine will take charge in many countries. It may become, by the end of the period endemic famine. There will be suffering and desperation on a scale as yet unknown."

Now, though Lord Snow is a brilliant and perceptive man of good will, I simply do not believe that one need feel quite so near despair—even in the face of a situation as ominous as this one.

Wholesale famine is not inevitable. I am convinced that there is time to reverse the situation, if we will but use it. Only barely sufficient time. But time nevertheless.

It is the time which has been given us by those who have created the revolution in agricultural technology; a revolution based on new seeds, hybrid strains, fertilizers, and the intensified use of natural resources.

It is a revolution which already has increased the yields of food grains by more than 100% in parts of Southeast Asia, and which promises to boost yields by one-half ton per acre throughout Asia. It is a revolution which has expanded the number of

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acres sown with the new seeds from 200 in 1965 to 20,000,000 in 1968—and an estimated 34,000,000 in 1969—but which has yet to touch more than a small percentage of the rice and wheat-producing acreage of the world.

If we will but speed the spread of this agricultural revolution—by adequate and properly administered technical and financial assistance to the developing countries—we can expect that for the next two decades the world's food supply will grow at a faster rate than its population.

The predicted spectre of famine can be averted.

It will take immense energy and organizing skill, and significant infusions of new capital investment—but it is possible to stave off disaster.

What is required to accomplish this is not so much a psychologically comforting optimism, as an energetic, creative realism.

I believe enough of that realism exists among men of good will—both in the developed and in the emerging world—to do the job.

This is the fundamental reason I do not share Lord Snow's degree of discouragement.

There is no point whatever in being naively over-optimistic about a situation as full of peril as the population problem.

But I am confident that application of the new technology will dramatically expand the rate of agricultural growth and will buy two decades of time—admittedly the barest minimum of time—required to cope with the population explosion, and reduce it to manageable proportions.

VI

How can this best be done?

To begin with, the developed nations must give every measure of support they possibly can to those countries which have already established family-planning programs. Many have. The governments of India, Pakistan, Korea, Taiwan, Hong Kong, and Singapore have established both policies and specific targets for reducing population growth rates and have shown some measurable progress.

Ceylon, Malaysia, Turkey, Tunisia, the United Arab Republic, Morocco, Kenya, Mauritius, Chile, Honduras, Barbados, and Jamaica are giving government support to family-planning programs, but need substantial technical or financial assistance before any significant reduction in birth rate can occur.

Some 20 other governments are considering family-planning programs.

In other countries, where governments are only dimly aware of the dangers of the population problem—but would like, nevertheless, to ponder the matter—the developed nations can quietly assist by helping with the demographic and social studies that will reveal the facts and thus point up the urgency of the issue, and the disadvantages of delay.

It is essential, of course, to recognize the right of a given country to handle its population problem in its own way. But handle it, it must.

The developed nations can point out the demographic facts; can explain the economic realities; can warn of the consequences of procrastination. They can—and should—inform. They should not—and cannot—pressure.

Technologically advanced countries can make one of their greatest contributions by initiating a new order of intensity in research into reproductive biology. They have starved their research facilities of funds in this field. The result is that we are still only on the threshold of understanding the complexities of conception, and therefore only at the outer edge of the necessary knowledge to help make family planning in the developing countries beneficial on a meaningful scale.

Annual worldwide expenditures for research in reproductive biology now total roughly 50 million dollars. The hardheaded estimate is that the sum should treble to 150 million dollars annually—for the next ten years—if we are to develop the knowledge necessary for the most effective and acceptable kinds of family planning.

Our parsimony in this matter in the United States is illustrated by the discouraging fact that out of a total budget of nearly one billion dollars, the National Institutes of Health this year are spending less than ten million dollars for research in population-related phenomena. Hundreds of millions of dollars for death control. Scarcely 1% of that amount for fertility control.

And research efforts should range far beyond biology.

Demography, as a fully developed science, remains in its infancy. It is likely that fewer than half the world's births are even registered. And while the crude estimates of birth rates almost inevitably turn out to be too low, it is essential that more precise data be developed in those areas where the population problem is the most acute.

Similarly, there is a pressing need for far more research in the socio-cultural aspects of family planning. There is manifestly a great deal more to population planning than merely birth control. Attitudes, motivation, preferences differ from country to country, and this essential research can clearly best be conducted locally. The developed nations should be generous in their financial support for such studies and surveys.

Above all else, there is a need to develop a realistic sense of urgency in all countries over the population problem.

Programs are beginning to show progress in limited areas. But no reduction in birth rates has yet been achieved anywhere in the underdeveloped areas which can significantly affect overall world population totals.

This means that family planning is going to have to be undertaken on a humane but massive scale. Other massive efforts in our century—for example, in the field of public health—have been mounted and have been successful. And granted all the difficulties, there is no insuperable reason this one cannot be.

The threat of unmanageable population pressures is very much like the threat of nuclear war.

Both threats are undervalued. Both threats are misunderstood.

Both threats can—and will—have catastrophic consequences unless they are dealt with rapidly and rationally.

The threat of violence is intertwined with the threat of undue population growth. It is clear that population pressures in the underdeveloped societies can lead to economic tensions, and political turbulence: stresses in the body politic which in the end can bring on conflicts among nations.

Such violence must not be allowed to happen.

You and I—and all of us—share the responsibility of taking those actions necessary to assure that it will not happen.

There is no point in despair.

There is every point simply in getting busy with the job. That is surely what God gave us our reason and our will for: to get on with the tasks which must be done.

I do not have to convince you of that here at Notre Dame.

You, and the Roman Catholic Church at large, are completely dedicated to the goal of development. One has only to read the Second Vatican Council's *Pastoral Constitution on the Church in the Modern World*, and Pope Paul's *Populorum Progressio* to understand that. Both these impressive documents call for a solution to the population problem as it relates to development. Such controversy as remains in this matter is merely about the means, not at all about the end.

I am confident that you in this university, and those in the Catholic community that reaches out around the globe, and the fatherly and compassionate Pontiff who stands at your helm—as well as men everywhere of whatever religious allegiance—I am confident that all of us are dedicated to that end however much we may disagree on the specifics of the means.

The end desired by the Church—and by all men of good will—is the enhancement of human dignity. That, after all, is what development is all about.

And human dignity is severely threatened by the population explosion—more severely, more completely, more certainly threatened than it has been by any catastrophe the world has yet endured.

There is time—just barely time—to escape that threat.

We can, and we must, act.

What we must comprehend is this: the population problem will be solved one way or the other. Our only fundamental option is whether it is to be solved rationally and humanely—or irrationally and inhumanely. Are we to solve it by famine? Are we to solve it by riot, by insurrection, by the violence that desperately starving men can be driven to? Are we to solve it by wars of expansion and aggression? Or are we to solve it rationally, humanely—in accord with man's dignity?

There is so little time left to make the decision. To make no decision would be to make the worst decision of all. For to ignore this problem is only to make certain that nature will take catastrophic revenge on our indecisiveness.

Providence has placed you and me—and all of us—at that fulcrum-point in history where a rational, responsible, moral solution to the population problem must be found.

You and I—and all of us—share the responsibility, to find and apply that solution.

If we shirk that responsibility, we will have committed the crime.

But it will be those who come after us who will pay the undeserved . . . and the unspeakable . . . penalties.

THE 85TH BIRTHDAY ANNIVERSARY OF FORMER PRESIDENT HARRY S. TRUMAN

Mr. INOUYE. Mr. President, I am honored to extend special greetings to former President Harry S. Truman on this very happy day—the day of his 85th birthday—and convey the gratitude of our Nation for his years of outstanding service to our country as a U.S. Senator, as Vice President of the United States, and as President of the United States.

His steadfast courage and strong conviction, abiding faith in God and the American people, unflinching patriotism, and inspiring leadership have endeared him to millions of his fellow countrymen. I, for one, have long admired the leadership he gave our Nation during some of its most trying years. Under his leadership, we saw victory in World War II and the initiation of plans to revive war-torn Europe. The Truman doctrine stands as a testament of his compassion and understanding.

In a day when the cause of human freedom and rights is the rallying cry of all concerned Americans, it is fitting to pay special tribute to President Truman for the direction he gave us 14 years ago. His early commitment to national fair employment practices and the integration of our Armed Forces set the tempo for the civil rights legislation passed in recent years. For his compassion and courage, we will always be entirely grateful.

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The people of the State of Hawaii have always had a special aloha for President Truman, a man who knew the true meaning of the spirit of aloha—the spirit of love. The strength of character and integrity which he showed in office have endeared him to the people of Hawaii and the Nation.

I join the Nation today in extending my warmest congratulations to President Truman on his 85th birthday anniversary and in wishing him many happy years of good health.

MINNESOTANS OPPOSE ABM

Mr. MONDALE. Mr. President, the Minneapolis Star & Tribune has just published the results of a poll of Minnesotans on ABM and related issues.

For the first time, the poll reveals that a slight plurality—45 percent—were critical of the ABM system proposed by President Nixon. Only 44 percent of those polled said that they supported the proposed Sentinel system.

Considering that the public normally has no basis for rejecting a recommendation of the President of the United States on a matter affecting national security, I believe these results are extremely interesting. They demonstrate the eminent good sense of the American people.

They also underline that the administration, despite having the vast resources of the Pentagon and a substantial portion of the press in support of its position, has not been able to convince the American people of its case.

That, of course, is because the case is so weak.

I hope that the citizens of other States will stand with those of Minnesota in opposing this senseless plan.

I ask unanimous consent that the text of the article reporting the results of this survey be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MINNESOTA POLL: MINNESOTANS SPLIT ON ABM PLAN

Minnesotans are sharply divided over the antiballistic missile (ABM) plan advanced by the Nixon administration.

Forty-four percent of a statewide sampling interviewed by The Minneapolis Tribune's Minnesota Poll said the plan sounded good to them. "Anything that indirectly protects us is good," said a Minneapolis housewife. "We got to show Russia we are protected and never let our guard down."

Just as many people (45 percent) were critical of President Nixon's approach. A retired businessman from Bemidji touched upon many reservations people voiced in the survey when he said: "I'd save the $7 billion. If missiles were coming from all angles, how could that protect missile sites? The government puts fear in people's minds to get more money."

Eleven percent offered no opinion on the ABM question.

Mr. Nixon reviewed the Johnson administration's plans for ABM defense and recommended that the nation concentrate on protection of U.S. missile sites and not try to defend cities. That did not satisfy congressional leaders who would like to scale down the arms race between the United States and Russia.

In this showdown battle between the Pentagon and some congressmen, Mr. Nixon is said to need strong support from the people to have his plan adopted. Rarely has public opinion played such a crucial role on a military issue.

At the present time most Minnesotans do not think they have a good grasp of the subject. Sixty percent said they do not understand the ABM issue at all well.

Can the United States and Russia agree to stop building up their defenses? Fifty-four percent in the survey said it was possible and 43 percent said it was not.

Most Minnesotans believe that at the present time Russia could not destroy the United States in one blow and escape unharmed. More people think that, in the next 20 years, a major world power actually will try to destroy another major world power, but a majority still reject that possibility.

Having expressed themselves on those subjects, Minnesotans were told these things:

"The ABM is a weapon which defends an area by destroying attacking missiles. President Nixon wants the United States to build an ABM system designed primarily to protect our missile sites from attack but would not protect American cities. It would cost about $7 billion."

Of the people who said it sounded like a good plan to them, the 44 percent, the idea of being prepared to defend our own missile sites was given most frequently as the reason for their support. The next most frequent reason for approval was that the plan struck a reasonable compromise between protection and cost. Some of those people felt cities still would gain some protection from the proposed setup.

Those who termed the administration proposal a poor plan (45 percent) mainly said it did not provide enough protection, it would not be necessary and soon would become obsolete, and that it would cost too much money.

Five hundred ninety-four men and women living in all parts of Minnesota were interviewed about two weeks ago. They represent in miniature all adults in the state. People were asked questions on a variety of subjects in home interviews by trained field reporters.

The questions relating to ABM and the answers obtained are as follows:

"Do you believe it is possible or is not possible for both the United States and Russia to stop building up their defenses by agreement between the two countries?"

[In percent]

Is possible	54
Is not possible	43
No opinion	3
	100

"Do you believe Russia could or could not destroy the United States at this time by surprise attack and come out relatively unharmed?"

[In percent]

Russia could do this	25
Could not	69
No opinion	6
	100

"In the next 20 years do you think it is likely or not likely a major world power will try to destroy another major power in one blow?"

[In percent]

Is likely to happen	43
Is not likely	52
No opinion	5
	100

"There's been a great deal of public debate over the ABM or antiballistic missile. How well do you feel you understand the ABM issue—very well, fairly well, or not well at all?"

[In percent]

Understand very well	5
Fairly well	35
Not well at all	60
	100

The background statement on ABM quoted above was followed by this question:

"Does that sound like a good plan to you or a poor plan?" The answers should be read across the page.

[In percent]

	Sounds like good plan	Sounds like poor plan	No opinion
All adults	44	45	11
Men	49	45	6
Women	38	45	17
Democratic-Farmer-Laborites	37	50	13
Republicans	51	40	9
Independents	47	43	10

TRIBUTE TO POLISH 3D OF MAY CONSTITUTION

Mr. PROXMIRE. Mr. President, I rise today to pay tribute to the citizens of Polish origin in the United States and around the world who throughout the month of May commemorate the signing of the Polish 3d of May Constitution. This is a time when all Americans have an opportunity to demonstrate their friendship toward the Polish nation, to honor the light and spirit of which the May 3 Constitution of 1791 is such a bright symbol, and to express their sorrow that a Communist tyranny has dimmed—though by no means quenched—that light.

Only 2 years after our own Constitution was adopted in 1789, Poland adopted its own trailblazing Constitution without a revolution or even disorder. That Constitution succeeded in reforming Poland's public life and stopping her internal decline. It made Poland one of the first pioneers of liberalism in Europe.

One of the principles at the foundation of the 3d of May Constitution was stated in these words:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

It is clear that our own Constitution and the great 3d of May Constitution had each drawn inspiration from the same enlightened philosophy of government.

Thus the close ties between the Polish nation and the United States are ancient bonds.

A TIME FOR DECISION

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial carried by the Courier-News, Plainfield, N.J., on April 26, 1969, entitled "A Time for Decision." In these days of emotional charge and countercharge, the editorial provides a welcome relief. I think all Members of the Senate will find the pragmatic approach which it sets out a useful contribution.

There being no objection, the editorial

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was ordered to be printed in the Record, as follows:

A Time for Decision

The recent action taken at Harvard University against the Reserve Officers Training Corps (ROTC) which would classify it as an extra-curricular activity is dangerous because it could set a pattern for all Ivy League schools. Harvard is too prestigious in this nation to set such an example.

The military has always been a respectable profession in this nation, ranking along with the ministry, medicine and law. Such professions are not extra-curricular activities.

We would like to believe that the action taken at Harvard, and considered at Dartmouth, resulted from a lack of understanding on the part of students and a segment of the faculty, rather than being a contrived plot. However, there is too much at stake for the nation to take this action lightly. Therefore, we would like to set the record straight.

Let's start by admitting that the ROTC has often been the butt of campus complaints and jokes because it is outward and visible.

The Reserve Officers Training Corps was strengthened by the National Defense Act of 1920, following World War I, when it was realized that we had committed this nation to war in Europe without an adequate army, that we fortunately were given the time and circumstances to build it, and that we were about to destroy it following the war.

By strengthening the Reserve Officers Training Corps, the people of the United States held together the structure of a citizen corps for national defense and dedicated to the preservation of peace. The act created a reserve pool of officers which could be called on if needed for the Regular Army, the National Guard and the U.S. Army Reserve. The same sort of structure was built for the Navy and the Air Force. It was of inestimable value in World War II, following the unprovoked attack at Pearl Harbor.

There is far more to military training than just close order drill, tactics and weapons. It also goes into the subjects of government, history, administration, transportation, communication, supply and all the ramifications of logistics.

The reserve officer student is also given the basics of discipline, leadership training and command decision. These are capabilities which are extremely valuable for the executive in business and industry as they are for the commander in the field, on the sea or in the air.

Even more important to our nation is the fact that the mitilitary strength of this nation does not rest on a palace guard or the military elite. West Point, Annapolis and the Air Force Academy supply the professionals; but in time of emergency the national strength is in the citizen soldier. That strength is a cross section of every business and profession in every part of America. The trained reserve officer in each branch of the service not only gives strength to the nation, but he brings innovation and decisive action when it is needed in time of national emergency.

In the social revolution that is taking place in this nation and around the world today, there is a vast difference between the processes of orderly change and mutiny in the ranks. Each must be identified and dealt with in the matter that it deserves. Harvard in our opinion has made a serious mistake, and the error must not be allowed to spread through the precipitate actions of students or faculty.

NATIONAL AUDUBON SOCIETY ADDRESS BY ELVIS J. STAHR

Mr. BAYH. Mr. President, the president of the National Audubon Society, Dr. Elvis J. Stahr, on April 28 delivered a very thought-provoking speech at the annual convention of that organization in St. Louis. Before he assumed this position of leadership with the Audubon Society last year, Dr. Stahr had a distinguished career both in higher education and public life, having served as president of both West Virginia University and Indiana University, dean of the law school at the University of Kentucky, and Secretary of the Army under President Kennedy.

In addition to analyzing the important conservation role played by the Society which he heads, President Stahr spoke with great insight on the environmental problems which man's presence and activities on earth have caused and commented on the major tasks ahead if our natural resources are to be protected and preserved for future generations. Acknowledging that human actions are "more damaging than nature's dramatic storms and earthquakes," he stressed nevertheless that "man possesses the intelligence and the means to solve every one of these environmental problems."

Mr. President, I agree with Dr. Stahr in his conclusion that there is "nothing more down-to-earth than recognizing that man must learn to live with nature if man wants to live at all," and ask unanimous consent that the full text of this excellent speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

National Audubon—Now and Tomorrow: The President Reports

(Speech delivered by Dr. Elvis J. Stahr at the National Audubon Society Annual Convention, St. Louis, Mo., Apr. 28, 1969)

Chairman Setzer, Secretary Train, Members and Guests of the National Audubon Society: There are thousands upon thousands of species of life on earth. The most complex, and the most dangerous, is the one called man.

Man is the only one which has achieved the power to destroy himself and all other life. And he is steadily engaged in doing it. Rarely is any part of this his deliberate objective—but rarely does he deliberately guard against it. His impact on the natural environment of this little planet, which he shares with so many other forms of life, has already been tremendous. He is now altering that environment, however, at a rate whose acceleration is almost staggering. No matter what aspect of the *natural* environment one considers, one finds that man is destroying or degrading it: land, rivers, forests, wildlife, even the oceans and the atmosphere. And that aspect of the environment which might be called *man made* is in some ways the worst of all: the cities.

Why is all this happening? Because many men don't know what is happening: even more men do not understand why it is happening, and far too few men are committed to spreading the knowledge and the understanding and acting upon it while there *may* yet be time. We here tonight are committed.

The biggest problems of man's relation to his environment have resulted from his own actions. Infinitely more damaging than nature's dramatic storms and earthquakes are what man does day-in and day-out. Curiously, most of the problems can be expressed or suggested in words that also begin with the letter "p": population, pollution, pesticides, petroleum, power plants—from atomic reactors to automobile engines—ploughing, paving, plundering, politics, quick profits, passivity, and *lack* of planning for the good of our posterity on this planet.

And yet man possesses the intelligence *and* the means to solve every one of these environmental problems. *If* he had put half the resources of brainpower, determination and money into mitigating the evil effects of his technology—and every evil effect was foreseeable, and many were foreseen—that he has put into the development and short-term applications of that technology, we would already have a far better environment *and* a far better chance to survive. As it is, only an *aroused public*, willing not only to accept but even to demand some very hard decisions, seems likely to produce the human power necessary to turn us around or even slow us up on our lemming-like rush to make a hell of earth. How many crises, how *many* catastrophes, how much irretrievable loss, must be suffered before this arousal becomes real? What must those who already do understand the problems, and the perils, do to educate and activate a broader public?

National Audubon is even now developing projects and stimulating programs to these ends. And I want to try to tell you in twenty-five minutes tonight something of those plans—and something of our dreams.

If I were to pick out one word to sum up what I have to say, that word would be "excitement". This is an exciting time to be part of the conservation movement—a time when more and more of our fellow Americans are sensing there are things desperately wrong in the way man is treating nature and the environment. People are looking to conservation organizations for leadership—*leadership* away from smog, and noise, and crowding, and filthy rivers, and dying lakes, and urban sprawl, and the destruction of natural beauty—and toward a world that's fit to live in.

To *meet* this exciting challenge for leadership, your Society has some exciting *plans*. For me, *personally*, of course, the most exciting thing of all is that I am in the thick of these plans and have been given—by you—a special opportunity to serve in a cause so crucially important to the world my children will inherit.

Let's look at a couple of benchmarks. To show the pace of change, let's first compare where National Audubon stood at the time of our last convention, a year and a half ago at Atlantic City, with where we stand today and where we confidently expect to be by 1974—at the end of a five-year plan we are undertaking to meet the needs ahead.

Take membership. At the time of our last convention, membership was somewhat over 50,000. Now we're very close to 80,000 memberships—and enough of these are family memberships that this means well over 100,000 members. In a few more years we expect to top 200,000. Two hundred thousand may sound like a lot—but before you raise an eyebrow, remember that at Atlantic City Charlie Callison went out on a limb to predict that we'd pass 100,000 memberships in 1970. That sounded like pretty bold talk then, but today it appears that Charlie was a pretty good prophet. (As a matter of fact, Charlie usually is a pretty good prophet.)

At the time we met in Atlantic City we had 125 chapters. Now we are already close to 150; most of the old ones are larger and more active than they were then, and we expect to have 500 or more in five years or less. What's more, we expect them to cover every state in the Union, and every major community *in* those states. And we want those chapters—like many but not enough of our chapters now—to include the key opinion leaders of the community, and to include more young people—tomorrow's leaders.

When you met at Atlantic City, National Audubon was just starting to expand its *regional* organization. We had a Western man, and a Florida man, and had just set up two representatives in the Northeast. Today we have *seven*. You met them all last night. They're outstanding young men. But the new

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five-year plan (if we can finance it) calls for at least 18. Furthermore, we hope that we will have many more states with an effective statewide Audubon organization—state councils built from our leadership in local communities and reaching outward to our regional and national nerve centers. Opinion leaders, concerned young people, and our other committed members across the land will be firmly linked in a truly effective grass roots organization—ready to take on and win local conservation battles, backed by information and expertise from the national organization, and ready to back state, regional and national battles with a groundswell of unselfish public pressure that can make our voice heard and our creed respected at every level of decision-making. This is what I call *environmental action*.

In addition, we intend to broaden and intensify the *other* major area of our activity, *conservation education*. For in the last analysis, wise policies depend on the level of *understanding* of the natural environment by people—by the members of the family of man.

That's what lies ahead. Do you wonder that I am excited? I have been fortunate enough to live a very interesting life up to the time I cast my lot with you—I have been a lawyer, a teacher, a government official and a university administrator, among other things, and I enjoyed them all (most of the time), but in all sincerity I believe that I am now in the most thoroughly fascinating and basically important work in which any man could be engaged: fighting for the future quality of life on earth. Conservation to me simply means bringing man's intelligence to bear on preserving and producing on planet Earth an environment fit for man and all his fellow creatures to live in—habitable, if you will, in the face of a rapacious technology through which man himself—who ought to know better—is steadily defacing, degrading, and headed toward destroying, the quality of life for himself, for his fellow creatures, and for his posterity.

I have admitted to being pretty excited about all this. Maybe some of you out there think I'm *too* excited and am going overboard. I may, for example, sound as though I think these are all brand new ideas. Let me assure you, I know there is nothing new about National Audubon providing constructive and farsighted leadership. You've been doing it for 64 years now. You *began* as fighters, to save endangered species. What I'm talking about for the future, then, is not changing direction: I'm talking about *building* on a long, proud history of significant service, and magnifying its impact. The polluters, the destroyers, are magnifying their impact, whether willfully or ignorantly. We must match their will and dispel their ignorance, for man, numerous though he is, is now an endangered species too.

And there may be others in this audience—though I doubt it—who think I'm going overboard in the other direction when I talk about a voice heard and respected in a great movement throughout the land. *Those* might as: Is it really up to the *bird-watchers* to save us?

I put the question somewhat flippantly, because I'm only setting it up as a straw man, but I think the question *can* serve as a starting point for a deeper look at where we've been and where we are heading—a look deeper, I mean, than the figures I hurried through a few moments ago. Is it up to the bird-watchers? . . . What *better* people to start with? They have an almost instinctive understanding of the balance of nature. And concern for birds was certainly the starting point for the National Audubon Society, when it set out to save the egret from the plume hunters, and birds remain a very real concern of this Society—particularly at our sanctuaries and in our research department, but in other ways too.

Maybe this would be a good place to mention some things we have been doing lately that apply directly to birds. Those of you who were at the Members' Meeting last night heard our Research Director, Sandy Sprunt, tell about our work to save the bald eagle. Sandy, for any of you who missed it, has long *suspected* that insecticides are one of the key reasons for our national bird's catastrophic decline in the past 20 years. Yesterday he announced that his long and painstaking work in this part of his eagle study has paid off: we now have scientific *proof* of the harm DDT is doing to this regal bird.

Sandy is also heading a committee working on the problems of the brown pelican, which has been disappearing at an alarming rate from the East and Gulf Coasts and now appears to be in trouble on the West Coast, too. We are undertaking some new studies on the wood stork—our Corkscrew Swamp Sanctuary, remember, is the largest remaining nesting place for these big birds. And we're strongly involved in the efforts to save the California condor, the peregrine falcon, the flamingo, the golden eagle, the golden-cheeked warbler, and other threatened species.

Early this year an alert staff member at Audubon House brought together from the other side of the world the cold facts that resulted *last month* in the banning by the Federal Government of imports of grey jungle fowl, a bird that is found only in India. The jungle fowl has been pushed close to extinction and it's illegal in India to shoot them, but they are still being killed by poachers because the feathers are in demand for making flies for American (and other) fishermen. Now our action has resulted in drying up a big part of the poachers' market, and we've ground for hope that the species will be saved.

In short, no one can say that the National Audubon Society is neglecting the birds.

But neither, of course, does our interest stop with birds. For that matter, if it did, the birds themselves would be in *worse* trouble. The basic reason that the wood stork is in trouble, for example, is because of Florida's bad habit of ditching and draining wetlands to turn a quick real estate dollar; this has systematically been wiping out the feeding grounds of these fish-eating storks.

But while I'm on the subject of Florida wetlands, let me mention again, as Senator Jackson did Saturday, the biggest threat yet to Everglades National Park, the priceless natural heritage which your Society helped to bring into the National Park System and also to protect from extinction through water shortage. The new threat is a proposed, massive jet-port that would cover 39 square miles of Everglades country just north of the Park. A huge access road with a 1,000-foot right-of-way is also proposed. These—plus the related construction and development which almost inevitably springs up around great international jetports—would not only further interfere with the flow of water to the Everglades from the north, but seriously pollute the water that does get through, with both oil and sewage, and also add the noise and air pollution that come wtih big jets and related ground traffic and activities.

We are convinced that this could only cause great damage to the Park, and very probably would be its death knell. This, it seems to me, we must not allow to happen—particularly since there are practicable alternatives for solving this particular transportation problem.

I personally invited leaders of five other national organizations to meet with me on this problem in Washington a few weeks ago. We had a good meeting and a complete consensus. By last week we had enlisted 19 organizations and alerted the public media that we intend to *fight*. We're going to call on all our members and the conscience of America to rally to the defense of the Everglades.

I may seem to be getting myself sidetracked. My point in so doing, though, is that if we really want to help the storks and spoonbills and alligators and all the rest of the rich wildlife and unique ecology of the Everglades, we have to concern ourselves with things like jetports!

And if we want to save the eagle, we have to do more than prove that damage is being done by DDT; we have to, somehow, put a stop to the *use* of DDT, which poses threats far, far beyond the farmer's fence.

Did you read in the papers, about ten days ago, that Michigan totally banned the sale of DDT? Great news! We pray that this will lead other states, and the federal government, to ban this persistent chlorinated hydrocarbon and its vicious chemical relatives and permit only less dangerous insecticides on the market. Senator Gaylord Nelson now has a bill pending to ban DDT nationally. There are selfish interests which will fight it.

This leads me to recall to you that the Michigan victory is a story well worth another short sidetrack. It's a story that goes back to the Member's Meeting at our Atlantic City Convention, where a couple of resolutions were passed that led to the founding, about a week later, of the Environmental Defense Fund—a mouthful of a name which I shall shorten to "EDF". The EDF went to court in Michigan later that same year for injunctions against spraying with DDT by the municipal governments of eight Michigan cities; by the end of last month, and with the backing of Michigan Audubon, they had won legal agreements banning sale of DDT in every city in Michigan. Then the whole state banned it! I might just add that it is ironic that meanwhile, Dr. Wurster—the biologist from EDF whom you heard speak about DDT this very morning—had publicly predicted the havoc that DDT would cause with Michigan's prized coho salmon—the high mortality among the fry, and the high concentrations of DDT in the adult fish that has now made many of them unfit for human consumption—which eventually triggered the state-wide ban.

After the years of discouragement and rebuffs we had as the leader in the fight for sane pesticide policies—it's eight years now since Rachel Carson published *Silent Spring*—it's comforting to find our efforts haven't been in vain, after all.

But don't think the pesticide battle is over. It's only begun. EDF is right in the midst of the DDT fight in *Wisconsin* and we are still trying to raise money to meet the costs, as I said following Dr. Commoner's speech Saturday and Dr. Wurster said to you Monday morning. There will be other fights in other courts against other outrages against nature. Checks should be made out to the Rachel Carson Memorial Fund and sent to Audubon House—or handed to any of our staff who are here, if you prefer.

Now to get back—do we, as Audubon members, have some *special* sort of responsibility to our fellow men and our posterity, a special mission to perform?

I think we do. Whatever it was that led each of us to this Society—whether it was bird-watching or other enjoyment of the out-of-doors, or concern about plunder and pollution, or about the crying need for ecological education—whatever avenue has led each of us here has also led us all to the same underlying knowledge. Through various routes we have come to know that the quality—and ultimately the survival—of life on this planet for all creatures, including man himself, hinges upon the wisdom or folly of man's own actions and attitudes toward the natural environment. We know it with a renewed sense of urgency after hearing the words of Dr. Commoner at this convention.

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We know it, but too many of our fellow Americans still don't! Far too many of our agricultural school graduates have no idea what the farmer's insecticides are doing to Dr. Wurster's Bermuda petrels far out at sea; what in fact, the chemicals intended to increase the yield of food this year in one farmer's field may be doing to decrease mankind's total food supply in future years. Far too many of our engineers are educated in the mechanics of making highways and dams without even being asked to think that their bulldozers may be irreversibly altering a region's ecology to the ultimate detriment of both wild *and* civilized life. Too many doctors are concerned only with pills and surgical techniques and don't recognize smog and noise and crowding as health hazards . . . or else believe that correcting those hazards is somehow not the doctor's proper concern. Too many humanists and social scientists and civic leaders don't realize how much the quality of people's *lives* depends on the quality of their *environment*. Too many industrialists don't know or care that Dr. Lamont Cole, of Cornell, has computed that the territory of the 48 contiguous United States is annually replenishing only 59% of the atmospheric oxygen being consumed within it. In fact, I could spend all evening citing examples of great gaps in the *awareness* of key people.

That's why the educational job of the National Audubon Society is so important, and why we must do much more than we have been doing, even though what we have done has been done well indeed.

One great lesson—relating, or, more properly, "re-relating," the separate fields of natural science—is one we can and must pass on to more and more teachers, camp counsellors, and others who work with youth and in turn can pass it on to the youngsters they teach. Each year these teachers and counsellors and leaders—in a multiplier effect—reach more and more students, spreading our message further and further, ultimately reaching more and more present and future engineers, doctors, planners, and the rest. We must plant oaks even while we are fighting forest fires!

In the same way our nature centers have an ever-widening effect, as more and more youngsters and teachers visit them, and as more and more communities follow our lead and establish centers. Ours should be models—continually studying what works and what doesn't work well, continually improving techniques of outdoor conservation education, and we must pass this know-how on to others.

There isn't time this evening to go into the specifics of our planning for all our educational programs if I'm to leave plenty of time for our distinguished next speaker, as I intend to do. You heard some of our thinking, of course, at Saturday afternoon's session on "Environmental Education in Urban America." Let me just say, briefly, that we want to make sure we are reaching the people who can make best use of our help—teachers, counsellors, youth leaders. Our Chapters can help bring them into Audubon programs, and I urge them to do so. And we intend to work with publishers on developing conservation-oriented school texts; to make more effective use of our great nature-film program for teaching sound environmental doctrine; to work with TV networks, educational and commercial, on programs to bring the conservation message to millions. We want to develop closer ties with higher education, the source of teachers, of professional people, of much research, of future leaders. We want more members on college campuses, more ecology in college curricula. We must get our message to those who have the *most* to *gain* from a better environment—and surely that includes two big groups of our population that are inadequately represented here this evening: black people and young people. The great majority of both those groups want *constructive* causes, I am convinced. Let's challenge them to a great one!

This leads me back to the "citizen action" side of our program—the powerful citizen's movement in which we must mobilize leaders and workers in every major community in the nation.

You members who are at this convention know the kind of action I mean. I know you know, because many of you have been *doing* it for years. It's based on the kinds of insights which Leonard Hall articulated brilliantly for us in introducing his film Saturday evening. *You* have been doing it, but in too many areas of the country there is little or no Audubon Society or even other relevant activity. And even where we are now doing a good job, we must still try to do *better*. The times demand it. We're still not reaching enough opinion leaders, enough decision makers, or enough people.

That's why the Society is setting out to expand the Regional Representative staff, and the back-up team at Audubon House: to strengthen our weak spots, to build more Chapters, to help our strong Chapters accomplish even more, and to mould an organization that will be a powerful watchdog and voice across America.

With stronger state, regional and national ties, we will be able to make all our action more effective. There are, after all, some conservation matters best dealt with locally, others on a statewide basis, still others nationwide.

Today—let's face it—we are missing opportunities at all three levels. We are still too spotty in our geographical representation. And there is a very big national job to do—yet thus far we are only 100,000 members in a nation of some 200,000,000 souls. Can we measure up to the big job?

I think we can.

And here's why.

First, the climate is right—the climate of public interest and concern. This was demonstrated only a few months ago by the widespread national interest taken in the new Administration's appointments to the top policy posts in the Department of the Interior. That wouldn't have happened a decade ago. We're honored to have the most outstanding conservationist among those new leaders here to address us this evening.

Second, public support has made possible a great deal of important and farseeing national legislation just in the decade of the '60's; Senator Henry Jackson, one of the principal architects of these breakthroughs, sketched further challenging objectives at our opening session. And we earnestly hope that appropriations for the programs already enacted will soon begin to measure up to authorizations.

Next, there is the fact National Audubon itself has been effective time after time. I'm sure you were all as delighted as I was by the kind things Senator Jackson had to say about conservation causes in which we have played, or are playing, an important role:

Saving the Red River Gorge (I'm very proud that the first fight I got into after coming to your presidency last fall was that successful one in my own native state, but I readily admit that it was *Audubon* magazine that brought the Red River Gorge to my attention); helping to shape such important legislation as the Wilderness and Scenic Rivers Acts (and let me say that in Charlie Callison we have a man who is really effective in Washington); the *Audubon* magazine article in 1966 that did so much to awaken America to the threat of dams in the Grand Canyon—and there have been other successes—and there have been defeats. But, there's been other evidence that the public interest is awaiting only leadership to make itself felt. There's Michigan banning DDT, and other county, state and federal bodies who are beginning to understand about persistent pesticides. Radio-active fallout continues to be a danger, but we can at least feel the world is concerned about this problem "Thermal pollution" was a pretty esoteric term a year or so ago, yet it has already become a topic of hot debate in Washington. The *Torrey Canyon* oil spill, and then the off-shore oil blunder at Santa Barbara, may have finally awakened the Congress to the need to make oil polluters responsible for their actions. There's no denying the widespread and growing concern about smog, polluted lakes and streams, traffic congestion, noise, and the threat of the super-sonic boom—I could go on and on with the list, but there's no need.

I'm sure you'll agree that our fellow countrymen are beginning to wake up to what their uncontrolled technology is doing to their way of life. The point is, when they wake up, they want action. They are looking for real help.

This gives us a double opportunity. Of the many people who want to be shown the way, large numbers are already looking to us for leadership; but there are even more people looking for a strong conservation organization to join—and they include many of the additional leaders we need. I urge our chapters to go after them!

In short, there are great opportunities to match the great task ahead. It's not an easy task, but I'm convinced it is a task we can do. We have a distinguished and dedicated Board, an able staff, hundreds of sparkplug types in our Chapters, and tens of thousands of loyal members; in fact, I think of National Audubon as *Americans committed to conservation*—and beyond that, as people determined to protect and improve the total environment! And most importantly, it's a task someone *must* do, if we—and our children and grandchildren—are to have a liveable world. Audubon people, of all people, should be the last to say, let George do it. Let's never let anybody again get away with saying we're a bunch of idealistic, impractical people. For there is nothing *more* practical than air and water and soil, and the balance of nature—nothing more *down-to-earth* than recognizing that man must learn to live with nature if man wants to live at all!

I am quite aware that our cause—*conservation education* and *environmental action*—will require renewed dedication and new efforts from us all, and that we must ourselves enlist many more people and cooperate with all others who share our objectives. For it will require a movement with a powerful thrust to lift our countrymen away from the paths of self-destruction and toward the simple truth that they must respect and cherish their natural environment—as if their very lives depended on it!

If enough people learn enough to care enough soon enough, we will *succeed*. And that's the keen excitement I share with you tonight—and in the coming days.

"SENIOR AIDES" AT WORK IN AROOSTOOK

Mr. MUSKIE. Mr. President, in mid-1968 the U.S. Department of Labor granted funds for establishment of pilot "senior aide" programs that would enlist older Americans in service projects that might not otherwise be performed.

In providing the wherewithal for this effort, the Department of Labor was at least partially fulfilling a longstanding goal of the U.S. Senate Special Committee on Aging, of which I am a member. That committee has sought for some years establishment of a national older

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American community service program which would provide opportunities for the elderly to engage in work that would have great meaning to them and to the people they serve.

One of the senior aides programs was established in Maine, and I am happy to report that it appears to be making its mark in Aroostook County. Although it is modest in numbers—only three aides are involved—it appears to have found its way into the life of the community in very down-to-earth, effective fashion.

This "good neighbor" approach is refreshing and worthy of emulation elsewhere, to judge by a report made at the recent biennial meeting of the National Council on the Aging in Washington, D.C. That report was made to the NCOA by Andrea Dyer, home economist of Aroostook action program. I ask unanimous consent that it be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Andrea Dyer—Vignette for NCOA Biennial Conferences

When the Central Aroostook Action Program, based in the northern tip of Aroostook County, in Presque Isle, Maine, 12 miles from the Canadian border, was initially approached in October 1968 by the State Office of Economic Opportunity with regard to the possibility of three slots for Senior Service Corps food assistance workers for our agency, we shuddered at the thought and wondered what we could possibly do to keep three part-time, low-income senior citizens busy.

Now, six months later and an established caseload of almost 3,000 Aroostook County citizens, we wish we had ten more like the three we currently have.

In the initial steps of setting up the donated commodity program, three communities were approached. The three (3) were chosen because they were the three largest population centers in our area and had not participated in the commodity program for the last 5 or 10 years. They were asked to provide storage facilities, volunteer manpower when necessary and payment of all expenses incurred. Two responded affirmatively and one declined, saying that the cost would be prohibitive. Keep in mind that this was a community of approximately 13,000 population that only expended ½ of its welfare budget in the previous year.

The central Aroostook action program and the Senior service corps then began to operate the donated commodity program in earnest. Though skeptical, the communities let us begin on a trial basis even though, "there are no poor people in our community."

The initial certification to determine eligibility was done in mid-October with the first shipment of commodities due to arrive in November.

After the first delivery and distribution, the results were plain to see. The need was there and without the Senior Service Corps food assistance workers, there never would have been a chance to discover the need, much less meet it in a tangible manner.

Through the National Council on Aging, these three Senior Service Corps personnel are paid individually $32 a week for a twenty-hour work week. For $96, a week, approximately 3,000 people are being served in the donate commodity program by the Senior Service Corps in Aroostook County.

The attitudes of the surrounding communities in the area are changing rapidly. Four more communities are participating in the program with several more inquiries pending—all due to the inception of the Senior Service Corps last October. By employing three low income senior citizens in northern Aroostook County, almost 3,000 citizens of all ages are being helped.

They are completely involved in the program. Certifying eligible recipients, completing orders and inventory reports, providing delivery services for senior citizens unable to pick up their commodities. By becoming involved, active members of society, with their participation in the Senior Service Corps, they are helping not only themselves but many others in the Central Aroostook County area.

BUCHWALD ON THE PROCUREMENT OF GROMMETS

Mr. PROXMIRE. Mr. President, if, as you read the morning papers about TFX's, C–5A's, and ABM's or even AMSA's and MIRV's, you have been confused over the difference between "shortfalls" and "cost overruns," or if you found it impossible to distinguish between "R. and D.", on the one hand, and in the "contract definition stage," on the other, your problem is solved.

If you have ever wondered, as you perused the Congressional Record, what the distinction is between "renegotiation" and "total package procurement," the simple and easy answer has now been supplied.

If you have been confused between "change orders" and "buy in bidding," that will now end.

Mr. Art Buchwald has come to the rescue. He has written an article published in the Washington Post which will forever end the confusion. It will even end the problem of understanding how "competitive negotiation" differs from "competitive bidding," on the one hand, and "negotiated contracts," on the other.

At a minimum, the article should be clipped and carried in one's wallet. When confronted with modern "new speak" or "double talk" or "Pentagon rubrics," just pull out the Buchwald piece.

Entitled "Cost of Grommets Going Up," it does for military procurement what the old adage "You can't tell the players without a program" does for sports.

And it does it in a simple, direct style. There are no modern barbarisms such as "disintermediation" or "reprivatization" or "deghettoization" in Mr. Buchwald's explanation.

In every way, it is a model of modern exposition.

I am prevented from asking that it be printed as a public document, distributed free of charge to Capitol tourists, and made required reading at the military academies and at the colleges of business administration, only by my profound belief that in these perilous times we should not add to the burden of the budget.

But I can, and do, ask that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, May 7, 1969]

Cost of Grommets Keeps Going Up

(By Art Buchwald)

One of the reasons the Military-Industrial Complex is catching it from everybody is that there seems to be a certain amount of skepticism regarding the price tags they put on our military hardware. Just the other day, it was revealed that Lockheed promised to build 120 big air transports for a total cost of $2.9 billion. But now it turns out that the planes are going to cost $5.2 billion. And, even for an apathetic taxpayer like myself, that seems like a lot of money.

I was shocked when I read the news, but that was because I have no idea how the military purchasing system works. Fortunately, I have a friend who deals with the Government, and he explained it to me.

"You shouldn't come to conclusions just because the C–5A transport cost almost twice as much as everyone thought it would. Anyone can make a $2 billion mistake. Nobody's perfect."

"I still don't understand it."

"Let me explain it to you. As you know, we build grommets for the military.

"Suppose they come to us and say, 'We understand the Soviets have a new grommet, so we have to have a new grommet, too.' Well, we tell them it won't be any trouble developing a new grommet. As a matter of fact, we've been doing research on new grommets, and we already have one on the drawing boards which will make every other grommet obsolete.

"So they give us a contract to deliver 1 million grommets to them at 34 cents a piece, plus retooling costs, advertising, executive bonuses and a fair profit. This brings the grommets up to $1.50 each.

"We start with a prototype which has to be tested. Unfortunately, in the tests it turns out that the grommet expands when someone breathes on it. So we send it back to research and development. While they're trying to work the bugs out of it, we have to pay our workers to stand by the production line and this adds to the cost of the grommet. We inform the military the grommets will cost $5.50 each. They approve it, and finally we get what we consider an excellent grommet.

"We start production but when we send the first batch off, an Air Force general requests an extra groove in the grommet. We inform him that we will have to retool the entire factory and he okays it. The grommets now cost $19 each.

"Since this grommet is supposed to be used for the Navy as well, the Navy research people scream that for their purposes the grommet has to have one *less* groove on it rather than one more. So we have to retool *two* production lines, which sends the cost of the grommet up to $30.

"With the new specifications, our engineers discover that the Air Force grommet screws on too tight and the Navy grommet can't be screwed on at all. So we have to develop a special screwdriver to be issued with each grommet, which brings our costs, before we take in a labor strike, to $103.30."

"That's a lot of money for a grommet."

"Not necessarily. Any defense contractor will tell you there is no price you can put on grommets when the national security of the United States is at stake."

CONTROL OF THE TRAFFIC IN OBSCENITY

Mr. TYDINGS. Mr. President, I welcome President Nixon's initiatives toward control of obscenity. As a member of the Judiciary Committee, I am pleased to be able to cosponsor these proposals.

I am confident we can find a way to reduce the traffic in obscenity and protect citizens who do not wish to receive that kind of material. Control of the traffic in obscenity, as I have frequently said, is one of the most urgent problems confronting the Government.

For that reason, I was one of the sponsors of the legislation which created the National Commission on Obscenity and Pornography and have cosponsored the legislation of our distinguished colleague, Senator Smith, dealing with motion picture classification.

I am sure the findings of that Commission, taken with the proposals of the

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President, will help us find effective and constitutional methods to deal with pornography and those who traffic in it.

PRIVATE ENTERPRISE AND SOCIAL PROGRESS

Mr. GOODELL. Mr. President, from all walks of life today come expressions of concern about the relevance of government in meeting the needs of people. Some say government is too large and impersonal; others, too lethargic and immobile.

For whatever the reasons, there is a clear need to examine the role of government in today's society and its relationship to private enterprise.

Mr. Arthur K. Watson, chairman of the IBM World Trade Corp., presents a perspicacious evaluation of government in his speech which I ask unanimous consent to place in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

The ministers, when I was a boy, used to begin their sermons by announcing that they would take their text from a parable.

Following religious inspiration, I shall take my text from the parable of the quarreling brothers and the rotting tomatoes. To understand my parable you must first understand that you can not grow tomatoes in the northern United States during the winter. Our tomatoes are grown mostly in Florida or, more recently, many grow in the States of Sinaloa and Sonora in Mexico.

You must understand one other thing. That the Mexican tomato is generally tastier than its American cousin, but it is also, unfortunately, slightly smaller. My story turns not on taste, but on size.

It seems that the United States Department of Agriculture has the power to regulate the size of tomatoes that may be sold in my country. While I don't fully understand why the majesty of government must concern itself with the size of tomatoes, I do know that a group called the Florida Tomato Committee has great influence with the Department of Agriculture and persuaded it to pass a new regulation last January.

The regulation stipulated the exact minimum size for tomatoes; and while 80 to 85 percent of Florida's tomatoes are sufficiently large, nearly half of the Mexican crop was excluded.

Predictably, tomato prices have soared. What used to sell for 34c a pound is now 65c—there is a shortage in the United States and tomatoes are rotting on the ground in Mexico.

The Mexicans are complaining bitterly, of course, the Floridians are talking pompously about orderly markets and, up to the time I left New York, the Department of Agriculture was saying nothing.

Now, if you would, put aside the parable of the rotting tomatoes. I'll return to it later.

My second story is about a mood. It doesn't qualify as a parable. The mood has been signaled for a half dozen years now. To put it in broadest terms, it is a mood of popular disenchantment with governments. I am not talking about any particular government, or whether that government is a military dictatorship, a communist bureaucracy or a democracy. It seems to make little difference.

The disenchantment is with the whole idea of government as an instrument of either economic progress or social change. In the United States, this mood can be seen—and heard—in the very same circles that thirty years ago, or even ten, still believed that humane laws and progressive income taxes would solve all ills.

The American writer, Peter Drucker, puts it this way:

"Who," says Drucker, "any longer believes that administrative changes in the foreign aid program of the United States (or the United Nations) will really produce a rapid world-wide development? Who really believes that the war on poverty will vanquish poverty in the American cities? Who in France believes that one more commission on administrative reform will really change the system? Who, in Russia, really believes that a new program of incentives will make the collective farm productive?

"We repeat the slogans of yesteryear," he adds. "Indeed, we still act on them. But we no longer believe in them."

Twentieth century governments, worldwide, have tried to fulfill the dreams of nineteenth century visionaries and have failed.

Perhaps, since we are the private sector, we should applaud. We told them so and they wouldn't listen.

That is not, my friends, the proper mood. In the presence of death one shows respect. We witness the death of a great vision and a great dream of the young.

And we must ask ourselves, most solemnly, what will replace it?

I am a trustee of a university in the United States, Yale University, so I make it my business to talk to young people. Time and again I've come away from these conversations asking myself "what do they really want?" Sadly, I've had to conclude that they don't know.

Thirty years ago, twenty, they knew precisely. They wanted government to undertake some kind of reform or other.

But now that has faded. They are suspicious of business, alienated from religion, but they have utter contempt for government. Government, to them, is a vast bureaucracy—remote, wasteful, ineffective.

It is a dangerous mood. We live in some real peril. The old dream is dead and millions of young people all over the world await the new prophet.

Yet in this troubled mood I find reason for optimism for private enterprise. If affluence is not the prime goal in a country like America, these young people are not indifferent to wealth. If bureaucracy is an enemy, they will at least concede that business is less bureaucratic than government. If government can not reach goals, what else is there but business?

There is a mood to give business another try. This is very explicit in the United States where the Nixon Administration has essentially adopted the social goals of Johnson, but intends to pursue them through private enterprise channels. I think that we will find this happening, if it has not already, in Latin America.

Furthermore, there is a critical distinction that has to be made. It is not the old goals that are in disrepute. It is the means of reaching them. That is where our opportunity lies.

Private enterprise is the wealth creator, and as I mentioned, these young people are not indifferent to wealth. Private enterprise can grow bureaucratic and inflexible but this is not its inherent nature. We can, I am convinced, learn how to accommodate individualism in our ranks.

Most important, I believe that we can effectively implement social change and social progress. I don't mean by that the small deed and the large publicity campaign. I mean basic change methodically and efficiently pursued without thought of public acclaim. I believe we can do this.

I wonder if we will.

What makes me wonder is stories like my parable of the tomatoes.

Can we, and I speak of private business, indulge in petty, cruel trickery and ask to be taken seriously as the instrument of lofty good?

I talk of tomatoes but there are all too many examples.

I was involved in trade negotiations last month with the Japanese. Japan, with the second largest auto industry in the world, virtually excludes foreign made cars from its own market and will not allow other countries to manufacture cars in Japan.

Or I could tell you about the soybean tax and the common market. It would be a domestic tax, just within the common market, and no violation of GATT rules. But, practically all of the soybeans consumed in Europe are grown in the United States.

Schemes, petty and grand, are mounted to thwart international trade. Yet, trade grows and international production grows too. When a plant flourishes in hostile soil, I think we must concede that it is vigorous and world trade and free enterprise are flourishing. But, can this vigor be turned to broader goals?

Here, in Latin America, you have achieved far more than anyone publicly concedes. Your economic growth rate may not have reached the ambitious goals that were set but it still averaged 4.5% a year. That is not bad by any historic yardstick and it was achieved, we should note, primarily by private sector initiative. Social improvement may not have been the explicit goal, but it has most certainly occurred and that brings me full turn on these rambling remarks.

What it all means, I think, is that history has given private enterprise this second chance. Many people thought, a few decades ago, that private enterprise was doomed to be absorbed by ever growing government.

This threat is fading.

It is government that overreached and disappointed popular expectation.

Now hope is groping for another answer and the popular dream, mixed with a lot of skepticism, is turning back to us. In my own country businessmen have been grappling with this for months and I think we have to admit that we are a lot better at assembling automobiles than educating a slum child. We know a lot more about organizing a missile system than eradicating a slum. Yet I do not concede that these achievements are beyond us if we, in turn, can learn two things: How to raise our own goals to broader issues and how to effectively cooperate with each other.

Here, in Latin America the LAFTA idea is an example of what I mean. No one seriously contends that it would not stimulate economic growth. Yet LAFTA drifts, it flounders and this happens largely because businessmen can not reconcile differences among themselves.

So we find ourselves and the idea we represent at a strange juncture. The world turns to us for progress that government cannot provide. Yet we have the older view of our own responsibility, and we find it hard to cooperate with each other toward a grander design.

We can learn?

This meeting, and others that will follow it, are a beginning. We have a little time.

I won't ask anyone, in these closing minutes to make any pious pledges. They are fine for conferences, but they seem a little unreal when we get back to our offices.

I just want to leave you with the thought that millions of restless, disillusioned young people are waiting to see what we will do. They do not really believe that private enterprise can step up to this vast job but, for the moment, they have not thought of an alternative.

We can, with this time fate has given us, divert ourselves a little longer with tomato wars. Or we can change the world.

We can change this world.

Thank you.

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AMERICAN LABOR AND THE STRUGGLE FOR HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, American organized labor has always been deeply involved in the struggle for human rights, both here in the United States and in foreign nations. In the final report of the President's Commission for the Observance of Human Rights Year, 1968, the following comments about the role of American labor were made:

> The democratic labor movement has struggled to achieve and strengthen human dignity and social justice, not only for workers, but also for the people as a whole. In this spirit, the free trade union movement has initiated and supported policies to assist and advance social progress and human well-being among all peoples regardless of race, color, or creed.
>
> Organized labor in the United States was deeply involved in the preparation and adoption of the Universal Declaration of Human Rights. It was the American trade union movement which first placed the problem of forced labor before the United Nations. In November 1947, American labor petitioned the United Nations Economic and Social Council to request that the International Labor Organization (ILO) make a comprehensive study of the extent of forced labor in the Member States of the United Nations.
>
> In its devotion to human rights, the AFL–CIO was the primary force striving for UN action and condemnation of the Soviet military suppression of the Hungarian democratic revolution in 1956. Notwithstanding the worldwide moral revulsion against this brutal Soviet aggression, the USSR has again unleashed its military forces and occupied Czechoslovakia.
>
> In April, 1968, the AFL–CIO Free Trade Union News in an article, "Forced Labor Remains on the Map in the Soviet Union," drew attention to a trend in the USSR toward reversion to Stalinist persecution of intellectuals, minority nationals and dissident workers. American labor continues its uncompromising opposition to all totalitarian and authoritarian methods for resolving social problems through the use of force and other arbitrary, dictatorial measures.
>
> In the ILO and our fight for human freedom and dignity, we have undertaken the role of promoting human rights and freedom for all peoples. We have emphasized not only our commitments but our programs of activity for the realization of human rights throughout the world. We have likewise been uniting in our efforts to combat all racial and discriminatory practices, to enhance human dignity through the adoption of the ILO human rights convention, freedom of association and the right to work, abolition of forced labor, abolition of discrimination and the struggle for freedom of thought.

Despite the leading part that American organized labor has taken since 1947 to end the practice of forced labor throughout the world, the United Nations Convention on Forced Labor remains unratified by several nations. The United States, unfortunately, is one of these countries that have failed to meet its responsibilities. Let us act now to complete the struggle that our own labor movement began. Let us ratify the United Nations Convention on Forced Labor.

ADDRESS OF LAWRENCE GELB

Mr. RIBICOFF. Mr. President, the voices of despair receive more than enough attention today.

From all sides, we are told that conflicts within our society—particularly racial conflicts—cannot be resolved.

It is encouraging, therefore, to hear from a man who does not share so pessimistic a view.

Such a man is Lawrence Gelb, chairman of the board of Clairol, Inc.

In a recent speech, Mr. Gelb said that progress is not only possible. It is being achieved now.

Mr. Gelb wisely points out that much of the racial unrest results from the legitimate desires of people for achievement and opportunity after many years of repression.

I commend to my colleagues Mr. Gelb's speech before an Anti-Defamation League dinner March 31, 1969, in New York City and ask unanimous consent that it be printed in the Record at this time.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Address by Lawrence Gelb

You've heard a lot about the problems our country faces. You'll hear a lot more tonight. But I, for one, refuse to look at them despairingly.

I trust you will not regard me as a blind optimist when I say to you, let's look at the bright side.

Let's remember that much of the unrest in our nation is due to the desire for achievement and opportunity. For the first time, minorities are beginning to see some real light up ahead. That's why they are trying so much harder to reach that light.

We should feel re-assured that people, who have been denied so much, can still hope and work for a chance to determine their own fate. And we should recognize how important it is to protect their rights and interests as well as our own.

For we know what every doctor knows: For the body to be truly healthy, every one of its parts must be sound. If our nation neglects the rights and needs of any one group of citizens, we will have a sick society.

It matters not whether they are unemployed farmers, disenfranchised voters, deprived schoolchildren, or qualified professionals who are banned from equal opportunity because of their religion or their color. If one minority is overlooked in the equitable distribution of opportunity in our society, then *we are all in trouble.*

If we keep this thought in mind, I suggest we might find a new way of listening to the voices of all minorities in our country.

The truth is that the basic message of the underprivileged is neither threatening nor frightening. It is, instead, a fervent appeal—sometimes militant, sometimes conciliatory—for self-determination and dignity. Doesn't this demand our fullest respect, attention, and, above all action?

Therefore, in our dialogue with minorities, we must develop an acute sense of hearing. We must learn to listen to things we may not wish to hear, to things that may embarrass us, that even generate feelings of guilt among us.

But, by listening, we can learn. And we can use whatever power we have to help do what has to be done.

Listen, for example, to what black people are saying, and you will hear a cry—a plea—for the opportunity to share in this Nation's bounty, a respectable job, a decent home, a good education and the chance to do better.

Today there are new powerful voices, the voices of our young people—and, by the way, I'm afraid there are more of them than there are of us—and they too ask to be heard.

Listen to the dropouts, to the protesters, to the doubters and the bewildered, who are trying so hard to find their way. Listen also to the songs our young people are singing. They sing of love—and friendship—and, yes, they sing about brotherhood. They are all trying to tell us the same thing—that maybe we older people have lost some of our sense of human values.

Whether that is true or not, one thing is certain. We must pay heed and respond to their message. Because, if we cannot communicate our values by the quality of our everyday actions, then perhaps we really have lost them.

But when the raucous voices of the extremists of any race, color, or creed shout hate and engender fear, let us not be stampeded. Let us react courageously and listen fearlessly and understandingly patiently.

And if we do, the message will come in loud and clear—the message that we are being asked to find a new way to look at the concept of equality.

It is a fact that equal treatment, as we have known it, is meaningless to people who have been treated unequally for generations. What is needed is not so much equality as equity. Our task is to discover equitable means by which minority groups can share in the unprecedented opportunities that America offers.

Those of us who are working in that direction know that much has been accomplished. And we know how rewarding it can be. But our successes must not breed complacency. For there is a never-ending amount of work to be done.

Like the walls of Jericho, the barriers of discrimination and prejudice are beginning to tumble. In our businesses—in practically every walk of life—we have found a new way of looking at these things.

We must vow, each of us, in our everyday dealings to treat every man, in business, in our social lives, and in our political involvements only on the basis of his true individual worth.

If we can do this, we can really harness the genius and drive of decent people everywhere, to the challenge of helping all groups in our country become happy, proud, and productive and we will have taken a giant step forward.

If we can apply our capacity for facing realities and making tough decisions, as well as our knack for communicating ideas to the problems of individual prejudices, we will get brotherhood rolling—and fast.

It is time—right now—to stop wringing our hands and start linking our arms, to address ourselves to rights rather than to rifts, to work to bridge the gap that separates people, to find fulfillment in the knowledge that each of us—one man at a time, one day at a time—has made some meaningful contribution to better human understanding.

If we made this effort we will build, unquestionably, a far better world for ourselves and for those who follow us. Thank you.

THE SAFEGUARD ABM SYSTEM

Mr. GOODELL. Mr. President, Thomas F. Eagleton, the junior Senator from Missouri, recently spoke against the antiballistic-missile system. I believe Senator Eagleton's speech makes a significant contribution to the dialog on the proposed Safeguard ABM system.

I ask unanimous consent that the text of Senator Eagleton's fine speech be entered into the Record at this time.

There being no objection, the address was ordered to be printed in the Record, as follows:

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Speech to Community Forum by Senator Thomas F. Eagleton, Meramec Community College, St. Louis, Mo., April 7, 1969

Americans are concerned today—perhaps more than at any time in a generation—about the awful cost and the fundamental irrationality of the arms race.

In a dangerous and unpredictable world, we have tried to give ourselves the best protection possible. For a quarter-century, we have felt compelled to explore every avenue of military technology which offered hope of better protection, and done so with very little regard for cost.

Now it is proposed that we try yet another major new arms system—the anti-ballistic missile system, or ABM.

But there is a difference. A very large number of Americans are refusing to support the try-anything, buy-anything philosophy of national defense we have pursued in the past. And I think they are right.

The Pentagon's case for an ABM is predicated on the fear that almost all of our nuclear force could be simultaneously destroyed in a first strike by the enemy, leaving us without the power to retaliate with a devastating "second strike" on the Soviet Union.

If this were true, the deterrent power on which our security has until now been premised would indeed be in jeopardy. In the judgment of an overwhelming majority of the independent scientific community, however, and in my judgment, the Pentagon's case won't hold water.

Secretary Laird cites the continued deployment by the Soviet Union of the SS-9, a large rocket comparable to our Titan-2, as the new threat to our land based retaliatory capability. The Pentagon has upped the estimate of the SS-9's nuclear warhead from 5 to 10 megatons of last year to an estimated 20 to 25 megatons this year.

The SS-9 has been around for several years. It is the only Soviet weapon capable of carrying multiple warheads. By 1975, an estimated 500 could be deployed, and each could carry four warheads. However, the megatonnage of each multiple warhead would be greatly reduced and thus require far more accuracy to destroy our hardened missile silos—a degree of accuracy which is presently impossible and highly improbable in 1975.

Moreover, our second strike retaliatory capability is not based solely—or even primarily—on our Intercontinental Ballistic Misslies which the ABM is designed to partially protect. It currently includes our 41 Polaris submarines with their 658 nuclear missiles. (And 31 submarines have or will have these missiles replaced by the Poseidon missile, each with ten nuclear warheads—raising the total to 5120.)

Also, it includes over 600 Strategic Air Force bombers around the world with over 1,000 nuclear weapons; our intermediate range nuclear weapons in Western Europe; our 7,000 tactical nuclear weapons in Western Europe; an unspecified number of nuclear weapons at other foreign bases, and other tactical nuclear weapons throughout the world.

I find no one who convincingly argues that this aggregate retaliatory force can be almost instantaneously obliterated.

Granted: in a volatile world where technology can change rapidly, anything is possible. But can we, as a sane nation, base our defense and set our national priorities on the worst fears and fantasies we can conjure up?

Aside from the question of need, there is the problem of workability.

The preponderance of independent scientific testimony heard to date indicates that the system could be easily duped by penetration aides such as balloons, decoys, wire chaff, radio waves and "nuclear blackout" caused by nuclear explosions.

The indispensable component of the ABM is its complex radar system. Each ABM site depends on one radar, and should it break down or be destroyed, all intercept missiles would be useless.

And yet this radar system, according to most estimates, is ten times more vulnerable than the offensive missiles it is designed to defend. It is the weak link in a weak system—and without it the system is totally useless.

Eminent scientists, such as Dr. George Kistiakowsky and Dr. Wolfgang Panofsky, have suggested that more efficient and less costly defenses can be devised for our ICBM's. If there is a better way, let's find it. But let's not waste money on a system that won't do the job.

Next, I believe the ABM is a prescription for another futile round in the arms race, despite President Nixon's and Secretary of Defense Laird's statements to the contrary. If we try to build an ABM system, the Soviet Union will, in my judgment, react by devising additional offensive methods of penetrating an ABM system on the outside chance that our ABM might be successful.

We know just how this kind of escalation works. U.S. development of the "multiple independently targeted re-entry vehicle," or MIRV, was our response to the deployment by the Soviet Union of its own ABM system around Moscow. Reports now indicate that the Soviet Union has discontinued deployment of its ABM system—doubtless because of its ineffectiveness and high cost—but work on the MIRV by the United States continues. This kind of sustained over-reaction is common in the field of weapons systems, and the weapons race does not need a further stimulus at the very time we are attempting to explore arms control talks with the Soviet Union.

Finally, there is the enormous cost factor. No one can even reasonably estimate the final cost for an ABM system. Estimates—and they are just that—vary from a few billions of dollars to many billions of dollars depending on how far we go with it.

If history is a guide to the future, we may expect a cost far higher than the estimates. The Sentinel system was originally estimated at $4.4 billion, grew to $5.6 billion, and before it was replaced by Safeguard, it was estimated to cost $9.6 billion.

A recent study by the Rand Corporation indicated that the average cost for missile systems has been three times as high as the original estimate, and the missiles seldom tested at even 60 per cent of the original specifications.

Using this study as a guide and the administration estimate of 7 billion dollars as a base, the Safeguard system, as now conceived, would cost over 20 billion dollars.

And as is usually the case, this is only the tip of the budget iceberg. Last week, before the Senate Armed Services Committee, Secretary of the Navy John H. Chafee testified in favor of the Navy's Sea-based Ballistic Missile Intercept System as a supplement to the ABM. He stated, "Primary calculations show that this plus the Safeguard anti-ballistic missile system can be an effective strategic defense-in-depth to deal with possible future Soviet or Communist Chinese weapons." Secretary Chafee's recent testimony is ominous in its implications for further escalation of the arms race and further escalation of the military hardware budget.

When queried as to cost, the Armed Services Committee responded that the information was "classified."

In the face of overwhelming evidence that such a system is not needed, will not work, will escalate the arms race and further distort domestic priorities, the Department of Defense has forged ahead with plans to deploy the Safeguard ABM.

And the veracity of the Department of Defense has been called into question by overzealous representations and even outright misrepresentations.

Just recently David Packard, Assistant Secretary of Defense, named Dr. Wolfgang K. H. Panofsky, head of Stanford University's linear acceleration center, as an "outside expert" with whom the Department of Defense consulted.

It was discovered that the "consultation" was a chance meeting at the San Francisco Airport, and that Dr. Panofsky felt that the Safeguard ABM was an "unwise decision" from the standpoints of engineering, economy and halting the arms race.

The press recently published a report of a 17-page classified Pentagon memo prepared by General Starbird which outlines a massive and expensive public relations campaign to sell the old city-defense Sentinel—which even the Pentagon now admits would have been "escalatory and unworkable." This campaign to influence the public, it should be noted, was to be paid for with public funds. When the original rationale for an ABM had to be abandoned, another—the defense of the missile sites against a new, secret, and still unsubstantiated Russian first strike threat—was conveniently and very promptly found.

Why, one may ask, does the Administration insist on going ahead with the system?

The ABM debate is about more than a weapons system. It is about a basic and recurring problem in this country which, if allowed to continue unfettered, may well destroy us.

We live in an age of specialization. And consequently, we tend to compartmentalize our thinking. Henry Kissinger, President Nixon's personal foreign policy adviser, pointed out in his professorial days that "as a nation of specialists we like to believe that a problem is either political, or spiritual, or economic, or military. And we are tempted to assume that among all our challenges we must concentrate on one to the exclusion of the others."

This has happened in the field of national security. Over the past quarter century the Department of Defense has emerged as the major spokesman for national security needs—viewing these needs in a one-dimensional military frame of reference, disregarding the other implications of development and deployment of evermore sophisticated weapons systems.

And yet military decisions markedly affect chances for disarmament and distort domestic priorities. They have enormous and still unmeasured political and social implications, to wit, the growth of an influencial alliance between industry and labor and the military.

For over 20 years military programs have annually marched through Congress, cloaked in secrecy or wrapped in the flag, while Congress saluted and appropriated virtually without question or debate.

In my judgment, we have perhaps become the victims of a sort of Parkinson's law of military momentum, with military budgets and requests for sophisticated new weapons systems constantly feeding on themselves—self-perpetuating and ever growing with little regard for cost, effectiveness, or need.

I believe the ABM serves as a clear illustration of the heretofore irresisible momentum of the defense establishment. There is no need for an ABM and it is unworkable. It will escalate the arms race and it will take billions of dollars from urgent domestic needs.

And yet, the ABM marches on. As one commentator stated recently:

"One can hardly avoid the conclusion that the most important element in the decision to proceed with the deployment of the Sentinel system was simply an irresistible pressure to move ahead in the technology of nuclear warfare.

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"The rationale, quite obviously, was of secondary importance. When one—the defense of the cities—had to be abandoned, another—the defense of the missile sites—was soon found. The important thing in the minds of those backing Sentinel was to get the project off the drawing boards and into production one way or another."

I fervently hope that the national debate generated by the insistence of the Pentagon to deploy the ABM will mark the return of sanity to our search for national security.

THE EVENING STAR ENDORSES DDT BAN—DAILY NEWS URGES BETTER CONTROLS

Mr. **NELSON**. Mr. President, in an editorial today, the Evening Star has endorsed legislation to ban the interstate sale or shipment of the pesticide DDT. Last week, the Washington Daily News recommended improved controls on the use of all persistent pesticides.

I have advocated a ban on DDT for several years and have introduced legislation to accomplish that goal in every Congress since the 89th. In addition, I have introduced legislation this year to establish a permanent National Commission on Pesticides to study and investigate problems arising from the use of pesticides and to establish improved programs and regulations for their use.

Both editorials acknowledge the accomplishments of this insect killer, but like so many other concerned observers, the newspapers have taken heed to the many warnings of potential danger to human health and our environment from the use of this persistent, toxic pesticide.

I ask unanimous consent that the editorials be printed in the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Evening Star, May 8, 1969]

DDT

Anyone who was old enough to understand will remember the thrill caused by the news of DDT in the postwar years. Unlike the atom bomb, it was felt, here was a product of wartime research that would be of immediate, widespread, immeasurable benefit to humanity. From combatting the diseases of the slums to battling the insect enemies of bountiful harvests, the pesticide seemed a pure boon to mankind.

Things haven't quite worked out that way. A decade ago the late Rachel Carson warned that a Silent Spring could result from the unchecked use of the pesticide. Her warning went largely unheeded. Today the threat to our environment and to our health is much more acute and people are at last beginning to act on Miss Carson's plea.

In Congress, Senator Gaylord Nelsen and Representative Bertram L. Podell have introduced bills to outlaw the interstate sale or shipment of the pesticide. Secretary Finch, of HEW, has appointed a study commission for the whole subject of environmental pollution with special emphasis on DDT.

The basic trouble with the chemical pest and weed killer is that it lasts, apparently, forever. It travels in water and accumulates in lakes and at the mouths of rivers. It has, to date, eliminated the peregrine falcon from the United States east of the Rockies, seriously endangered the survival of several species of fish and has lodged, in small but permanent amounts, in the tissues of most Americans. It is poison.

It may well be that under the threat of restrictive legislation, the chemical industry will be able to create a DDT equivalent with a short-term life. At any rate, the legislation, as matters stand, deserves the support of all who care for the quality of our life at its most elemental.

[From the Washington Daily News, Apr. 30, 1969]

DDT, HELP OR HARM?

Dichloro-diphenyl-trichloro-ethane, under its mercifully short name DDT, is as much a fixture on the planet as "Coke" and the transistor radio, maybe more so.

When it came into widespread use as an effective insecticide in the mid '40s it was hailed as a great boon to mankind. It was, and still is. By killing off assorted bugs it has helped convert American agriculture into a miracle of productivity. As the nemesis of mosquitoes, DDT caused the number of malaria cases in India to drop from 75 million in 1953 to only five million in 1962.

But while being a blessing, it gradually has proven itself to be also a bane. Five years ago scientists were reporting that DDT had been found in aquatic plants in Arctic waters and in fish off Iceland. And that minute particles of DDT could kill crabs, shrimp, and oysters. Then DDT was found in birds, like seagulls, that prey on fish.

By now DDT is known to have made its way into the body of man himself—largely thru the food he eats—and the DDT problem is no longer regarded as merely interesting but potentially dangerous.

Each American body, Health, Education, and Welfare Secretary Robert H. Finch said the other day, now has 12 parts per million of DDT in its fatty tissue. The U.S. government regards cattle, hogs and sheep unfit to eat if the amount exceeds seven parts. After 14 tons of Lake Michigan coho salmon were confiscated for containing up to 30 parts per million, Mr. Finch set the permissible limit at five.

In case anyone needs reminding, DDT is a poison.

And the problem is that tho "limits" can be set for this and that, no one knows for certain what will be the long-range effects of DDT on the key human organs, the liver, kidney, brain and reproductive organs.

Whether in alarm or prudence, Sweden has banned DDT for two years pending further study of its ill effects. Wisconsin, Michigan and Arizona have set bans or limitations. Mr. Finch appointed a commission of scientists to appraise DDT and report in six months.

While awaiting the outcome, it's fair to say a couple of basic things about DDT and similar pesticides: We need them to curb disease and protect crops. But we also need to control them much more carefully.

It would be the supreme irony, as Sen. Gaylord Nelson, of Wisconsin, once put it, if man, in his efforts to eliminate bugs as a means to his greater prosperity and better health, winds up eliminating himself—and turning the planet over to the bugs that survive.

DEFENSE MARKETING SURVEY ON SAFEGUARD ABM AND ITS COSTS

Mr. **COOPER**. Mr. President, the total cost of the projected Safeguard system has been stated by the administration as $6.6 billion. Defense Marketing Survey, a McGraw-Hill publication, published in March has given an estimate of the total costs of the Safeguard system. In this study cost estimates of the system, component by component, have been made. The cost which the Defense Marketing Survey arrived at is over $11 billion. This estimate does not include about $1 billion of AEC warhead costs and some of the unit estimates of components are low. The full costs of the Safeguard system would, according to this study, be almost double the figure given by the administration.

Mr. President, I ask unanimous consent that the Defense Marketing Survey report entitled "The Safeguard—Modified Sentinel—System," be placed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[A Defense Marketing Survey Special Report, March, 1969]

THE SAFEGUARD—MODIFIED SENTINEL—SYSTEM

At his news conference on March 14, 1969, President Nixon announced a modified Sentinel system which would be oriented toward defending U.S. retaliatory forces rather than the cities as the "Johnson Sentinel" had been designed to do. This modified Sentinel, now known as Safeguard, will be deployed to provide protection for Minuteman missile silos, early warning and area defense of bomber bases and the command and control system. According to the Pentagon the new system will not require missiles or radars to be emplaced in or near major cities except in Washington, D.C. to protect the national command authorities.

SAFEGUARD DEPLOYMENT

The Safeguard plan includes a total of 14 sites, compared with 17 sites in the Sentinel system. Of the 14 sites, 12 are in CONUS. The other two, Alaska and Hawaii have been included as an option. Those cities eliminated are Chicago, New York, and Salt Lake City. Deployment approval has been given only for two sites: Grand Forks AFB, North Dakota and Malstrom AFB, Montana. Each of these will have a 4-face MSR, a one-face PAR and standard Spartans and Sprints. The schedule on which the remaining sites will be deployed is to be determined year by year in step with the emergence of the threat. Other areas under consideration as future sites include: Albany, Georgia; Boston, Massachusetts, Dallas, Texas; Detroit, Michigan; Los Angeles, California; Oahu, Hawaii; San Francisco, California; Seattle, Washington; and an unknown location in Alaska. Three other areas which have been selected are Washington, D.C.; Warren AFB, Wyoming and Whitman AFB, Missouri.

The Safeguard system, when and if it is fully deployed (excluding Alaska and Hawaii), would provide 12 MSRs with 48 faces and seven PARs with 11 faces. (The Sentinel would have had 17 MSRs with 38 faces and six PARs with six faces.) The additional faces are being added to provide better coverage of the U.S. including seaward approaches.

SAFEGUARD OPERATION

According to the Department of Defense, the Safeguard system consists of components of the original Sentinel system appropriately modified and redeployed to provide two types of defense, an area defense and a terminal defense. The area defense will be capable of intercepting ICBM's, SLBM's and FOBs above the atmosphere at ranges of several hundred miles and therefore will be able to protect large areas of the country. A large, long-range radar called the Perimeter Acquisition Radar (PAR) has been designed and will detect and track missiles at ranges of 1000–2000 miles. A similar radar, the AN/FPS–85, has been built and is now operating at Eglin AFB, Florida. Using information supplied by PAR, the long range intercept missile Spartan, with a nuclear warhead in the megaton range, is launched to intercept and destroy the incoming missile. A smaller radar called the Missile Site Radar (MSR) is located at the Spartan launch site and is used to steer the Spartan interceptor close to the incoming missile. Terminal defense is handled by the Sprint missile which seeks

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out and destroys those warheads which have penetrated the atmosphere. It is also guided by the MSR.

SAFEGUARD COMPONENTS

The Safeguard system, like the original Sentinel, consists of six major components. Each of these will be discussed in the following paragraphs.

Perimeter acquisition radar (PAR)

The PAR system, using one or two-faced phased array radars, will detect and identify attacking re-entry vehicles and will be capable of handling several targets simultaneously. In addition to the radar proper, there will be a power plant and a small administrative and housing area; all of which will require approximately 150 acres of land. The radar will be housed above ground in a building some 140 feet high and 330 feet on each side and will be hardened to withstand an unspecified psi blast overpressure. General Electric in Syracuse, New York is doing a majority of the work on PAR.

Missile site radar (MSR)

MSR, with its data processing subsystem, performs surveillance and detection, target track, missile track, and command functions. For the Safeguard it will be configured with four faces to provide full hemispheric coverage. Its power and detection range are considerable less than that of the PAR but it functions to provide refined, closer in, tracking and missile command. The radar is installed largely underground in a building 120 feet square. Though the total height of the structure is not known, that portion above ground will be 30 feet. The MSR has its own underground power plant, offices and living quarters. It needs about 650 people to man it around the clock. The total installation requires between 220 and 250 acres of land. Raytheon Company in Bedford, Massachusetts is responsible for development and production of the MSR.

Spartan missile

Spartan is a three-stage, solid propellant missile which is to be fired from an underground cell. The first and second stage fire sequentially and once the missile exits the sensible atmosphere, the third stage is ignited on command from the ground computer based on computer computations of the course-to-target. An improved longer range Spartan is under development by the contractor, McDonald Douglas in Los Angeles, which will enable Spartan to intercept incoming warheads at greater ranges.

Sprint missile

The Sprint missile is the short range, quick reacting interceptor of the Safeguard system. It provides for close-in protection of radar sites and ICBMs, and is also stored in and launched from an underground cell. A two-stage solid propellant vehicle, it can deliver a nuclear warhead up to an altitude of 100,000 feet though it also has the ability to "kill" as low as 5000 feet. All ABM sites will be equipped with some Sprints. The four sites located in the Minutemen fields (Grand Forks, Malstrom, Whitman and Warren) will have a considerably larger number than the others. The contractor for Sprint is Martin-Marietta in Orlando, Florida.

Data processing subsystem (DPS)

The DPS has as its function the processing and evaluation of vast amounts of information accumulated by the PAR and MSR. The hardware is composed of the associate computer processors, memory banks, displays, tapes and disks, plus software. Univac Division of Sperry Rand is developing the DPS. A developmental system has been installed at Bell Labs in Whippany, N.J. On this system the various programs are developed and tested. A second system is being installed at Kwajalein for use in the full systems tests.

Command, control and communication subsystem (CCCS)

The function of CCCS is to tie together all elements of Safeguard and to direct the system as a whole. It is believed that Western Electric as overall systems manager responsible for integration of the various elements of Safeguard, is handling CCCS. Much of it, however, will be subcontracted to various firms.

SAFEGUARD COSTS

The original Sentinel which has been abandoned reportedly would have cost $5.8 billion. The latest official figures on the Safeguard system show the investment costs for 12 sites to be $6.7 billion and if Hawaii and Alaska are added, the cost goes to $7.3 billion. It should be pointed out that these figures include only funds for procurement and construction and do not cover RDT&E, Operations & Maintenance, and warhead costs.

DMS has studied the costs of the original Sentinel and the Safeguard program and concludes that total costs for ballistic missile defense from the period 1969 through 1975 will total $11 billion, assuming no cost overruns. A breakdown of these costs follows:

[In millions]

Perimeter acquisition radar (PAR) (PAR unit cost is estimated at $80 million; will be installed at seven sites)	$560
Missile site radar (MSR) (MSR unit cost is estimated at $125 million; will be installed at twelve sites)	1,500
Spartan missile: Unit cost of Spartan when deployed is estimated to be $3 million; DMS believes there will be 350 missiles installed	1,050
Sprint missile: Unit cost is estimated at $800,000; DMS believes 700 missiles will be deployed with a greater number at Minuteman sites than at other sites	560
Data processing subsystem: Includes new generation computer, memory banks, displays, tapes and discs, plus an extensive amount of software	1,500
Command, control and communication subsystem: Includes various communication links between sites, NORAD, National Command Center and within a site	500
Warheads: Figure assumes 1,050 warheads at a cost of $200,000 each. AEC funds are used for development and production	210
Construction: Figure assumes construction costs will average $300 million annually through 1975	2,100
Total investment for 12 sites	7,980
Research and development: Figure assumes R&D costs of $350 million per year through 1975. Does not include the $150 million per year which will support work on new radars and interceptors	2,400
Operations and maintenance: Figure based on an average operations cost of $100 million annually through 1975	700
Total Safeguard cost through 1975 (assuming no cost overruns)	11,080

SAFEGUARD OUTLOOK

The major roadblock facing Safeguard at this time is Senate approval. The vote is sure to be close. If it is passed, the military will embark on the most expensive single program in its history. The ballistic missile defense program is not new. Its history can be traced back to 1956 when the Army started the Nike Zeus program. Recently the Army disclosed figures showing Nike Zeus/X and Defender program appropriations from FY 1956 through FY 1968 totaled $4.5 billion.

Nike Program:	
RDT&E	$3,031,800,000
Procurement (in support of R&D)	170,100,000
Military construction	188,600,000
Total	3,390,500,000
Defender program RDT&E and military construction	1,117,700,000
Total Nike/Defender program	4,508,200,000

These figures represent the total amount of money used to support development of the Army Ballistic Missile Defense System.

Research efforts on ABM (including Safeguard. Nike X Advance Development and Defender) are expected to continue at a high level ($350–500 million annually) during the next seven to ten years. A number of new concepts as well as hardware are currently under investigation. Preliminary research has pointed the way toward the following types of advances:

Radars of much higher frequency that offer the prospect of guiding the interceptor missile so close to the incoming warhead that interception could be made with either a much smaller nuclear warhead or even a conventional high-explosive charge.

A new third stage for the Spartan to enable it to fly out at greater ranges and to maneuver through a cloud of decoys to find and destroy the real warhead.

Defensive missiles carried either in ships or large aircraft deployed closer to the enemy's launching sites to achieve interception in the mid-course stage or perhaps earlier.

It is of course difficult at this time for anyone to state precisely what the costs of the new Safeguard program will be. Cost overruns have been quite apparent in such recent programs as the F–111, C–5A and the Navy shipbuilding program. Secretary of Defense Laird in his March 19, 1969 Defense Report to the Senate Armed Services Committee made clear the difficulties in trying to estimate costs. In a report on the FB–111 he said that three years ago the investment cost for a force of 14 operational squadrons (210 UE aircraft) was estimated at $1.9 billion, excluding SRAM. The decision was made by former Secretary Clifford and reported in his FY 1970 Posture Statement to reduce the program to 6 operational squadrons (90 UE aircraft) with an estimated cost of $1.8 billion, excluding SRAM. Thus, in a program as complex as Safeguard, historical experience indicates costs in the long run are likely to be considerably higher.

THE ABM

Mr. GOODELL. Mr. President, in the April 29 edition of the Washington Post, Frank Mankiewicz and Thomas Braden, nationally syndicated columnists, writing about the antiballistic missile—ABM—offered a notable contribution to the literature of satire, called an "Ever Normal Missilery."

As satire the column is amusing. It is also disturbing. I believe that it deserves a wide readership.

I ask, therefore, unanimous consent that the column be entered into the RECORD at this time.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AN EVER NORMAL MISSILERY MIGHT BE THE ANSWER

(By Frank Mankiewicz and Tom Braden)

The oldest living employe of the Department of Agriculture—once a disciple of Henry

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Wallace—has come up with an answer to Mr. Nixon's problem about the ABM.

Because his job was abolished 17 years ago, he does not wish his name to be used. But let us call him Dr. Plowshare. His proposal—revealed in an exclusive interview—is called the Ever Normal Missilery.

The problem it is intended to solve is simply this: How can we avoid a decline in the profits of the military-industrial complex?

The best that Mr. Nixon's advisers have come up with to date is the hastily contrived Safeguard ABM system. It will preserve profits for only a few years and may even be defeated in the Senate.

But Dr. Plowshare refused to panic.

"We are a resourceful and pragmatic people," he says, "and our history is not without examples to guide our way."

Confronted in the 1930s with an impending glut in production, and a drop in prices on the farm, we devised a subsidy system. Our taxpayers, for only a $3 billion payment per year, have the privilege of paying more for food at the supermarket and take their reward in sure knowledge that the sturdy corporate farm is prospering.

Why not, Dr. Plowshare urges, apply the same technique to weapons? Let the Department of Defense set base years, say from 1960–65 as the parity period, and guarantee the defense contractors 90 per cent of their average prices over that time, on condition—of course—that they limit production.

Far better, says the doctor, that the taxpayers support industry with an annual multibillion dollar subsidy for not delivering weapons than to pay for weapons which do not work or—worse—for those which do, and for which some dangerous use must then be found.

Under the Plowshare Ever Normal Missilery, there would be no slowdown in any of the crucial areas of defense production. The Pentagon, for example, could continue to run its graduate studies program in business administration and defense procurement for career officers, thousands of whom have found high-paid employment in defense industry, 210 at Lockheed alone.

Lobbyists could continue to work, scaring the public from time to time about this or that Chinese or Russian threat. Information could be periodically classified and then leaked to favored journalists in order to divert Congress and keep the support price at a reasonable high.

Over the past several years, Dr. Plowshare points out, we have, in fact, been paying enormous sums of money for weapons systems which, for the most part, do not work.

This has caused considerable anger on Capitol Hill and—presumably—some guilt on the part of the manufacturers. The Ever Normal Missilery would take care of both these emotional problems. In time of glut, overproduction of nonfunctioning missiles, helicopters, bombers and even rifles could be taken care of as we do in the farm program devised by Wallace. We could, in line with a famous Wallace formula, "plow under every third missile."

Disposal areas would be much sought after, if only for the local employment they would provide. So long as the House Armed Services Committee remains under its present chairman, at least 50 per cent of all surplus weapons bought at support prices would be destroyed and buried in or near Charleston, S.C., with an appropriate tasteful historical marker, . . . "L. Mendel Rivers, Chairman."

Ninety per cent of parity would be a reasonable price to pay, Plowshare believes. Rancorous problems would disappear from our national agenda; there would be no need to deploy an oversupply of probably unworkable missiles; profits would continue at close to their present levels, and local pride could be served.

In short, the Nation could sleep more soundly, knowing that once again our genius for survival had assured the prosperity of the traditional backbone of our people—the publicly traded defense conglomerate. Neither Thomas Jefferson nor John C. Calhoun could have asked for more.

SENATOR HART'S STUDY OF OIL IMPORT QUOTAS

Mr. MUSKIE. Mr. President, it is accepted in the Senate that the senior Senator from Michigan (Mr. HART) will do an outstanding job with any matter he undertakes. His talent for thoroughness—and fairness—is perhaps most evident in his role as chairman of the Senate Antitrust and Monopoly Subcommittee. The issues there are always complex and controversial, but Senator HART makes understanding them much easier for the rest of us.

Recently, under Mr. HART's direction, the subcommittee took on one of its toughest assignments—an evaluation of the effect that Government's role in the oil marketplace has had on the American consumer.

The Senate should note that the New York Times, in an editorial of March 28, 1969, points out that even in this most complex area Mr. HART has performed up to his usual standards. To quote the editorial, the first set of these hearings were "brilliant."

Mr. President, I ask unanimous consent that the editorial be inserted at this point in the RECORD. And I call my colleagues' attention to the fact that these hearings will resume later this month.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 28, 1969]

NEW THEATER OF THE ABSURD

Senator Russell B. Long of Louisiana faithfully serves his petroleum constituency; so faithfully, in fact, that he recently brought the theater of the absurd to the floor of the Senate in a bizarre defense of the mandatory oil import quotas.

According to the argument tirelessly repeated by the oil interests, the mandatory import quotas were imposed in order to promote the "national defense," not to keep domestic prices above world levels at the expense of American consumers. Senator William Proxmire of Wisconsin punctured that oleaginous myth by pointing out that ample supplies are available from Canada in the event of an emergency. There ensued the following colloquy:

"Mr. LONG. . . . How does the Senator know whether a war would not break out between the United States and Canada? . . . That could happen. Has the Senator ever heard of the War of 1812?

"Mr. PROXMIRE. Is the Senator from Louisiana really serious about that?

"Mr. LONG. It is not inconceivable.

"Mr. PROXMIRE. Canada and the United States would engage in a prolonged war that could hold up our ability to produce oil in this country?

"Mr. LONG. It is entirely conceivable to the Senator from Louisiana."

From that Mr. Long went on to posit the possibility of a prolonged, non-nuclear war between Russia and the United States in which domestic oil would again play a pivotal role. All this brave voyaging in the nightmare world of foreign policy helped divert attention from the hard fact that oil import quotas are costing the American consumers $5 to $7 billion a year in artificially high prices on petroleum products.

Senator Philip A. Hart of Michigan, chairman of the Senate Antitrust Subcommittee, provided brilliant documentation of the case against the import quotas in a recent series of hearings. Independent experts were virtually unanimous in characterizing the import quotas as an unnecessary burden upon consumers and a deterrent to efficiency and long-run profitability in the oil industry.

Domestic interests will have an opportunity to reply at future hearings. Perhaps they can then answer a question to which Senator Long, in his thespian role, did not address himself. If vast domestic reserves of crude oil are essential to the national security, why not take effective action to conserve them by removing the quotas on imports?

GEARING AGRICULTURE FOR THE SEVENTIES

Mr. GOODELL. Mr. President, we are all aware of the tremendous changes taking place within the agricultural sector of our economy and their effect upon the role which agriculture will play in the next decade. A timely and illuminating address on these issues was recently made by Mr. Donald Wickham, New York State Commissioner of Agriculture and Markets, who is president of the National Association of State Departments of Agriculture. I commend Mr. Wickham's comments before the Agribusiness Leaders' Luncheon to the attention of my colleagues, and ask unanimous consent that the text of his remarks be printed in the RECORD at this time.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

GEARING AGRICULTURE FOR THE SEVENTIES

(Remarks by Mr. Don J. Wickham, president, National Association of State Departments of Agriculture at the Agribusiness Leaders' Luncheon, Washington, D.C., Apr. 24, 1969)

Trite as it may sound, gentlemen, times are changing and at such a rapid pace that there aren't too many of us left who recall the time when it took more than one mushroom to smother a $2.00 steak!

I'm sure all of us realize that the changes we experienced in the '60's—as venturesome and as drastic as they may appear—will pale in comparison to what is in store for us in the '70's. As one man put it, they've done everything here in the United States in the '60's except change the price of gold and even this is changing everywhere else in the world.

You gentlemen here today, who lead vast business enterprises and who manage trade associations, know that a great deal has already been done to project people, business, and government in the '70s. Your own five and ten year plans attest to this. Here and there I hear of projections into the '80's and beyond and if you want to get a headstart on the next century, see the movie "2001."

It is indeed a privilege to have the opportunity of speaking to such a distinguished audience comprised of such leaders in the major agribusiness input fields as the:

American Association of Nurserymen;
American Feed Manufacturers Association;
American Seed Trade Association;
Farm and Industrial Equipment Institute;
National Agricultural Chemicals Association;
National Plant Food Institute;
American Petroleum Institute,
National Petroleum Refiners Association.

To begin with, this meeting itself represents a change. In our positions with State Departments of Agriculture, many of us

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have had the opportunity of meeting with you and representatives of your associations and, on occasion, you have met with us. However, I believe this is the first time that a meeting such as this has taken place. So on behalf of the National Association of State Departments of Agriculture—the NASDA Board of Directors and Officers—may I extend our sincere welcome!

Thinking in terms of the agriculture of the '70's let's review some of the changes that are underway within agriculture and changes that relate to agriculture's position in today's society.

The facts clearly indicate that few sectors of our economy have changed as much as agriculture.

Great strides have been made possible by the individual initiative of farm producers who have dared to risk their own money and whatever they could borrow to apply the science and technology that you men developed and marketed in the field of improved seed, feed, fertilizer, pesticides and farm machinery. It is the willingness to not only accept change—but in many cases to lead change—that characterizes those one million U.S. farmers who now produce about 85% of our total U.S. farm output.

Some current forecasts suggest that as many as two-thirds of the farmers now on farms will, in effect, either leave the farm completely and move to megalopolis or their output will be mainly for home consumption. So we can expect the agriculture in the '70's to be in the hands of less than a million primary producers. Further, many of these producers will have investments well in excess of a half-million dollars and quite a number well over a million.

Also, you have undoubtedly made provision for continuing integration. There are obvious signs that other segments of agriculture are moving somewhat in the direction of the broiler industry. There's much more advance planning, advance contracting, and bargaining in agriculture before crops are planted or livestock programs put into operation.

Along with this is the increased use of the futures markets and the development of new futures markets.

Each of you in his own field could cite many dramatic innovations which have made it possible for fewer people to produce more and do it better than ever before. For the most part this has been accomplished through the risks which you as businessmen have been willing to take through investment in research, production facilities and the battle for consumer acceptance on this nation's highly competitive markets.

As members of NASDA we salute you.

The success of American agriculture and the benefits it has shared with this nation and the world is an accomplishment generated by the separate but parallel courses you and farm producers have chartered and followed. The energy and excitement generated by this partnership is perhaps one of the proudest chapters in this nation's history.

If we are to have an agriculture at the very forefront of man's knowledge of biological and life sciences, then we must have new and even better seeds, we must use more fertilizers with the formulations that match the extent of man's knowledge. We must have available more pesticides which likely will be even more sophisticated than those in use today. The animal health products of the future will be called upon to keep even larger herds and flocks healthy from birth until market and since fewer and fewer people will be attracted to the drudgery of farm work, the farm machines of the '70's seem likely to have all the sophistication of space age science.

But while your minds can grasp these changes rather easily and many of you have already committed the capital in your long-range planning operations to research, produce, and market these items—how many of the minds of the 200 million Americans are awake to the reality of an even more productive agriculture in the '70's. An agriculture whose productivity will directly benefit them because to a very real extent the benefits of efficiency in agriculture are realized at the mealtable. This is in addition to the millions of jobs created between the farm and the mealtable—to the production of the input items needed as well as the harvesting and handling of the product until it reaches the knife and fork.

Many of us in NASDA feel that the public's attitude toward the agriculture of the '70's will perhaps have more to do with what agriculture really is than the output of research laboratories and the availability of capital. We sense this because of the increasing interest of the United States Congress and legislatures in the 50 states in concerning themselves more and more with farm production and the agribusiness structure supplying it.

Each of you in your own sphere of operation knows of the bills that are introduced into the Congress or the state legislatures each year which directly affect your business. The number of bills is increasing—the hours devoted to hearings is growing—and the amount of legislation passed seems likely to increase.

Much of this legislation is restrictive in nature or in one way or another limits the development and marketing of products to agriculture. Someone recently said that a pill should be invented for those legislators who father too many bills.

Further, consider the tremendous amount of legislation introduced into the Congress and state legislatures which could properly be included under the broad heading of consumer interest. Such legislative interest includes the areas of prices, wholesomeness, quality, variety, safety, pollution, labor.

Here in Washington there has been a proliferation of consumer bills introduced into the 91st Congress. These bills specifically run the gamut from the establishment of a Cabinet-level Department of Consumer Affairs—to measures aimed at providing safe packaging of toxic household substances. Various segments of the public are insisting—indeed, demanding—to know more about every aspect of their food supply. Many accepted and essential farm production, processing, and marketing practices are being challenged. Scientists are being asked in public forum to defend essential practices such as fertilization, the use of pesticides, animal health products, and the addition of drugs and antibiotics to feed.

Basic agricultural institutions are being called upon to justify time honored programs and methods of operation. It is being suggested that substantial portions of the U.S. Department of Agriculture here in Washington be transferred to other agencies. Many colleges or schools of agriculture and land grant institutions have been organized into departments of biological and life sciences.

Many State Departments of Agriculture are under growing scrutiny by state legislatures, and in some cases they are urging that important functions be transferred to other government agencies. Regulatory intergovernmental agency boards are being established modifying or shifting the control of traditional agricultural programs.

This trend toward keying established agricultural institution to the expressed interest of an urban society probably will continue.

Moreover, this trend, which will most likely exist throughout most of the '70's, seems to call for statesmanship of the highest order by all of us interested in the broad field of agriculture and agribusiness. Agriculture and its institutions cannot fail to be responsive to expressed public interest. At the same time, however, should basic agricultural institutions be dismantled and spread throughout the structure of government created in an urban society? Perhaps this is what prompted Secretary of Agriculture Clifford Hardin to comment that he hopes to be able to spend considerable time working directly with the heads of other agencies and departments in Washington and with the White House. You'll recall that in his introduction of Secretary Hardin, President Nixon said that he had looked for a Secretary of Agriculture who could speak for agriculture to the President. Those of you who are familiar with the operations of Washington government know that it is most important for the Secretary of Agriculture to have continuing access to the President, himself, particularly during this era wherein agricultural institutions are in a period of transition.

Those who work in federal and state government are also well aware that the future course of many interests in this country are determined by the wisdom, vigor, and leadership of those who speak for such interests in the highest councils of government—in the Cabinet Room at the White House, the Governor's Council Chambers in state capitols—and in the Office of the President or Chancellor of state universities. Unless men of ability and high principle speak for agriculture and agribusiness at these turning points, the findings of scientists may gather dust, and the pattern of U.S. agriculture may change from its dynamic course to one of stagnation.

For these and other similar reasons, State Departments of Agriculture have decided to accelerate their efforts in behalf of farmers and to supply whatever increased measure of service is needed to provide for the express needs of the consuming public.

While each State Department of Agriculture operates in accordance with the directives of the Governor and its legislature, nonetheless, we profit by working together in arriving at objectives and plans, and by counselling together we have the opportunity to share experiences and improve our operating performance.

One increasingly important activity in many State Departments of Agriculture is the broadened program of consumer information. The objective is to more fully acquaint the public with the services provided by State Departments of Agriculture.

Since we are fast becoming a nation city-bred and city-born, many of the things some of us take for granted because of our farm background can no longer be counted upon to condition the thinking of today's vast consuming public.

Another priority objective of State Departments of Agriculture is to upgrade the professional capability of our staffs in keeping with the added sophistication of the many scientific services we are called upon to perform.

We are also keenly interested in the development of model legislation and its implementation when enacted. Our Washington office, in conjunction with the state's liaison office, U.S. Department of Agriculture, serves as a clearing house for the dissemination of suggested state legislation to all those interested. It is directed by William Stanwood Cath, Executive Secretary.

We opened this office to enable State Departments of Agriculture to better coordinate our activities and to work more efficiently and effectively with the U.S. Department of Agriculture and other federal agencies in meeting agreed-upon objectives.

For instance, with respect to the model bills—the following are under consideration in many states:

Pesticide Registration.
Custom Applicators Law.
Seed and Weed Laws.
Egg Laws.
Meat and Poultry Laws.
Weight and Measures.
Warehousing of Agricultural Commodities.

XUM

Fair Packaging and Labeling of Fluid Milk and Milk Products.

Some of these measures have already been enacted, thus providing for a degree of uniformity between the states in these areas.

Furthermore, I am sure I speak for most State Departments of Agriculture when I say that we, too, are finding it increasingly important to speak for agriculture to our Governor. Fortunately, most NASDA members enjoy very close working relationships with the Chief Executive of their state, and this relationship is the basis for legislative and administrative action which enables agriculture to make continued progress.

Recognizing the importance of Federal-State cooperation, President Johnson in 1965 "designated the Director of the Office of Emergency Planning to serve as liaison with the Governors of the fifty States for the purpose of establishing and maintaining better understanding, increased cooperation, and improving the lines of communication between the President and State governors and between the executive agencies of the Federal Government and State governments."

He reaffirmed that position last August when he directed the Office of Emergency Planning to continue "to serve as the clearinghouse for the prompt handling and solution of Federal-State problems involving the executive branches of the Federal and State governments."

One of the reports submitted to the President during the Eisenhower Administration—the Kestenbaum Report—on the relative positions of the federal and state governments said, and I quote:

"The maintenance of a healthy federal system has two aspects. The States must be alert to meet the legitimate needs of their citizens, lest more and more of the business of government fall upon the National Government. At the same time, the National Government must refrain from taking over activities that the States and their subdivisions are performing with reasonable competence, lest the vitality of State and local institutions be undermined." In this we fully subscribe.

As members of NASDA, we are honored that two of our members have been selected for "flag rank" in the U.S. Department of Agriculture; the Honorable Phil Campbell, Under Secretary, and the Honorable Richard Lyng, Assistant Secretary. Also, former Tennessee Commissioner of Agriculture, the Honorable Ed Jones was recently elected to Congress.

We can expect these men to bring to the Department of Agriculture and to the Congress the experience gained as heads of State Departments of Agriculture. They are accustomed to dealing with agricultural problems within states; they are close to problems where they exist. They know that the better the states can handle problems and opportunities within their boundaries, the fewer problems that wait for solution in Washington.

In the 70's, I hope we can look towards a decentralization of some of the functions of the Department of Agriculture and the assigning to states of those responsibilities which the states can handle best.

To this end we look forward to working closely with Secretary Hardin and his top staff, as well as the dedicated professional men in the U.S. Department of Agriculture, so that the public interest will be better served.

We must have strong State Departments of Agriculture efficiently performing those responsibilities delegated by legislatures; imaginative State Departments of Agriculture which seek new legislative authority in response to the expressed interest of producers and the public; inspired State Departments of Agriculture which are alert to the future needs and interests of producers and consumers—this is the broad base upon which the U.S. Department of Agriculture can better serve the nation.

A U.S. Department of Agriculture that attempts to perform all services itself would require a staff of such tremendous size, that it is doubtful such an organization could be effective in today's complex urban society.

So with change abounding in the technical aspects of agriculture throughout much of the production phases—with changes coming quickly in the political structure surrounding agriculture, and in the federal and state governments, as well as our colleges and universities, the time may well be here for you men of business to consider whether it would be advisable to create a council, an agribusiness council, if you will, able to advise government on the direction and extent of change which surrounds us and which courses of action seem the best to serve the public interest.

Permit me to read an excerpt from the annual report of one State Agricultural Businessmen's Council:

"As vital as the commercial farm is in food production, it must be supported by industries that provide inputs essential to its successful operation.

"The suppliers of feed, seed, petroleum products, fertilizers, chemicals, equipment and other needs of today's farmer are greatly responsible for the remarkable success of a progressive agriculture.

"The Agriculture industry must be prepared to grow and to operate and make adjustments in even a more highly competitive market in the decade ahead.

"To help make this possible the State Agricultural Businessmen's Council is dedicated. It is dedicated to the further improvement of the agricultural and industrial business climate of the state in a manner consistent with American traditions and economic philosophy."

This Council has been successful in helping to promote good legislation for agriculture and for itself and generally in giving agriculture real support.

Certainly it would seem that the interest of the nation's commercial farmers and that of the men who supply production essentials and process its products might have a community of interests and that such interests could be directed at those issues and problems which might otherwise slow the advancement of agriculture and the contribution it can make to enriching the lives of Americans and many others in the world during the decade of the '70's.

As a national organization, we in NASDA conclude that our responsibilities in the '70's will have different priorities, new objectives and that our methods of operation will change. We are convinced that we must direct our energies to respond to the interests of the urban society of the '70's.

We recognize that through periodic conferences with you jointly or industry by industry, we may well find better solutions to some of the problems that confront us—problems of grade, specifications, and changing trade practice. Certainly it is our responsibility to streamline our operations so that the progress you are making can be capitalized upon fully by farm producers. To accomplish this we need continuing liaison with you. We need the benefit of your thoughts, and the expertise you possess in your specialized agricultural areas so that the decision-making process will be adequately protected from error. We must all recognize the benefits of working together on problems which transcend the interests of the individual and his ability to solve them.

So let us look ahead to the '70's—knowing that there is bound to be more people in the U.S. and in the world and that these people will require more food. Let us also hope that we can use our energies and resources to improve the nutrition of all—at all income levels. Let us find ways to get the needed food to those still in need in the United States and continue our programs to help those who are hungry overseas in accordance with our strength.

Above all, let those of us whose responsibility includes any part of the food production and marketing processes use our energies to be creative and innovative in all that we do so that we can—through cooperation—capitalize fully on the advances made by other sectors of our society.

THE PESTICIDE PERIL—V

Mr. NELSON. Mr. President, the controversy over the use of DDT and other persistent pesticides accelerates daily as scientists, conservationists, and concerned citizens continue to add testimony to the already abundant collection of devastating facts regarding the effects of pesticides. On Tuesday of this week, three articles appeared in two Milwaukee newspapers reporting new evidence of the potential danger of DDT to both human health and wildlife.

Two of the articles, from the Milwaukee Journal and the Milwaukee Sentinel, reported on the latest hearing before the Wisconsin State Department of Natural Resources on the citizens petition to ban the use of DDT in Wisconsin. S. Goran Lofroth, chairman of a six-member committee which studies DDT for the Swedish National Research Council, testified that breast-fed babies ingest more than double the recommended maximum daily dose of DDT—a quantity which shows pharmacodynamical changes in laboratory animals.

Lofroth said that scientists do not know the true significance of these changes, but unless it could be scientifically shown that such levels of DDT are not dangerous, further use of DDT should be stopped.

Lofroth's statement was based on research that had shown that a woman secretes in her milk 125 percent of her daily intake of DDT and its chemical relatives, contrasted with the 2 to 10 percent which cows secrete in milk, giving a baby 0.02 milligrams of DDT daily for each kilogram of body weight. The World Health Organization says that no one of any age should ingest more than 0.01 milligram of DDT per kilogram of body weight daily.

Recently, Sweden became the first country to ban the use of DDT and related pesticides.

In the third article, in the Milwaukee Journal, the disturbing news that Lake Michigan is seriously threatened by pesticides and excessive fertilization was reported to scientists attending the Great Lakes research conference in Ann Arbor, Mich.

The level of pesticides in Lake Michigan, particularly DDT and dieldrin, is approaching the point where fish reproduction is endangered. Robert Reinert, an aquatic biologist with the U.S. Bureau of Commercial Fisheries at Ann Arbor, said that more than a normal number of young fish are dying. The pesticides concentrate in the yolk sacs of young fish, from which many fish derive their entire nourishment in the early stages of development.

Pesticide levels have remained fairly constant in Lake Michigan in recent years and the only way to keep them out of the lake, according to Reinert, is to stop using them.

I ask unanimous consent that these three articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Milwaukee (Wis.) Sentinel, May 6, 1969]

DDT Level Called High in Mother's Milk

(By Quincy Dadisman)

Madison, Wis.—A Swedish scientist testified here Monday that many babies get double the recommended maximum daily dose of DDT if they are breast-fed.

S. Goran Lofroth, chairman of a six member committee which studies DDT for the Swedish national research council, told of his findings during a Wisconsin natural resource department hearing on a petition for an order that would ban use of DDT in the state.

IN CHANGE RANGE

Lofroth, a radiobiologist and toxicologist, said, "In my opinion, many breast-fed children ingest more than the recommended daily intake (of DDT). It is in the range where laboratory animals show pharmacodynamical changes.

"What these changes mean is not known. One cannot predict the consequences if these and similar changes work in man and one does not know what the future holds for persons exposed to that much DDT."

Lofroth based his opinion, he said, on research that had shown that a woman secretes in her milk 125% of her daily intake of DDT and its chemical relatives, contrasted with the 2 to 10% which cows secrete in milk.

Lofroth said he based his opinion on the amount of milk consumed by babies in relation to body weight; that on the average, a baby would get .02 milligrams of DDT daily for each kilogram of body weight; that the World Health Organization, a United Nations scientific agency, had said that no one of any age should ingest more than .01 milligram of DDT per kilogram of body weight daily.

USE INCREASING

He said that fewer and fewer American babies were fed human milk before 1966, with the percentage dropping from 38% in 1946 to 18% in 1966, but that use of mother's milk had increased since it had been shown that babies are generally healthier when fed human milk.

He pointed out that many babies are fed human milk by bottle rather than being directly breast-fed.

[From the Milwaukee (Wis.) Journal, May 6, 1969]

DDT Found in Mother's Milk, Hearing Told

Madison, Wis.—Babies that are breast fed sometimes get twice as much DDT in their systems as the maximum level recommended as safe for humans, a Swedish scientist said here Monday.

S. Goran Lofroth of the University of Stockholm appeared as a witness at the natural resource department's hearing on whether DDT can be banned under the state's water pollution law. He heads a group of six scientists assigned to review the world literature on DDT and give a report to the Swedish Natural Science Research council.

Lofroth said the average breast fed baby would get .02 milligrams of DDT a day for each kilogram of body weight from mother's milk. Both the World Health Organization of the United Nations and the Food and Agricultural Organization recommend that humans ingest no more than .01 milligrams of DDT per day per kilogram of body weight, Loforth said.

NO PREDICTION

Lofroth said the consequences of this ingestion of DDT could not be predicted. He said the intake of DDT was in the range where laboratory animals showed drug induced changes.

"What these changes mean is not known," he said, "One cannot predict the consequences if these and similar changes work in man and one does not know what the future holds for persons exposed to that much DDT."

Lofroth said the average amount of DDT found in human mother's milk was .1 to .2 parts per million.

He also told the hearing that 5%, to 10% of the general world population had twice as much DDT in their fat tissue as the average. He said there should be no further spread of DDT's use unless it could be shown scientifically that this was not dangerous.

USED AT CONFERENCE

He said his group of scientists had not yet made a formal report to the Swedish Natural Science Research council, but that some of its information had been used at a conference of the Swedish national poison and pesticides board.

In March, this board banned all use of aldrin and dieldrin and household and home garden use of DDT (all persistent hydrocarbon pesticides) after next January. It also banned all other use of DDT on that date for two years, with possible exemptions, pending further research.

More time was spent on legal arguments than listening to Lofroth at the hearing.

Lofroth testified that his review of the record showed 10 to 11 parts per million of DDT in fat tissue of the general population of the United States. He gave a range of from 1.8 parts in one part of Australia to 19 parts in Israel.

The average for the world, he said, appeared to be 10 to 15 parts per million although reports were lacking from most of India, China and Russsia.

The arguments over Lofroth centered chiefly around exactly whose witness he was and if papers he brought with him could be accepted as scientific treatises.

Pesticides Called Peril to Lake Michigan

Ann Arbor, Mich.—Lake Michigan is seriously threatened by pesticides and excessive fertilization, scientists attending the Great Lakes research conference were told Monday.

Studies showed that pesticides appear to be approaching a level that impairs fish reproduction. Phosphorus—an element believed to stimulate nuisance algae growth and accelerate a lake's natural aging process—is flowing into the lake at an increasingly alarming rate.

"We feel we may be getting close to a pesticide level that may affect reproduction because more than a normal number of young fish are dying," said Robert Reinert, an aquatic biologist with the United States bureau of commercial fisheries at Ann Arbor.

YOLK SACS

The pesticides, notably DDT and dieldrin, concenrate in the yolk sacs of young fish, Reinert said, adding that many fish derive their entire nourishment from the yolk sacs during early stages of development.

The hardest hit species, he said are lake trout and coho salmon.

The food and drug administration recently established an interim level of five parts per million on the amount of DDT that may be contained in fish sold commercially.

Reinert said mature coho preparing to spawn and lake trout over 16 inches in length contained more than the minimum permissible amount of DDT.

LEVELS GOING UP

"And as these fish get older, we think the levels are going to go up," he said.

Whitefish, an important commercial fish, has not been subjected to study, Reinert said. "But I think the levels are going to be pretty high in whitefish. They're a very fatty fish."

He said pesticide levels had remained fairly constant in Lake Michigan over the last three years and warned, "The only way to keep these compounds out of the lake is to stop using them."

CITY PLAN

Dr. Marvin E. Stephenson, a member of the Michigan State university institute of water research, reported that the total amount of phosphorus flowing into the lake from Manistee, Mich., south to the Indiana border averaged about 7,000 pounds a day in 1963.

Six years later, he said, the amount of phosphorus dumped into the lake by tributary streams totaled more than 18,000 pounds per day.

"The Great Lakes basin is now in danger of repeating the mistakes which have made the eastern megalopolis an ungracious, dehumanized, sometimes tortuous, chaotic sprawl that appears to be out of control," said Harlan Hatcher, president of the developing Great Lakes megalopolis research project.

The problems of a specific city or recreational area, lake or stream cannot be understood or met in isolation from the interlocking interests of the region," he said.

"This includes industrial growth and its effect on population clusters, education, local and area hospitals, and health centers—all of which deeply involve the local community but go beyond that to the total region."

The Great Lakes megalopolis now rapidly forming extends from Milwaukee to Buffalo in the United States and from Sarnia-Windsor to Toronto and Montreal in Canada, Hatcher said.

"The fact that this 192,000 square miles area is one of the fastest growing in the nation, and may easily double in population and activity in another generation or so, further dramatizes the problems and the urgent need for our best attention," he said.

A SELF-HELP PROGRAM FOR ANACOSTIA

Mr. GOODELL. Mr. President, it is no secret that the young people of our country are dissatisfied with many aspects of American society. The war in Vietnam, the problems facing our cities, the shocking fact of poverty in the midst of plenty, have made a deep impression on the postwar generation. As a result, American youth today are seriously concerned with improving the quality of life in this Nation. Unfortunately, many young people, in their bewilderment and frustration, have resorted to disruption and violence to dramatize their discontent. We read about these young people every day.

But there are other young Americans who have manifested their concern in constructive programs designed to right the wrongs in our society. One such group came to my attention recently. They represent the Afro-American Culture Center, Inc., of the Anacostia section of Washington, D.C. They have assisted the residents of Anacostia in establishing a unique self-help program.

Mr. President, I was greatly impressed by these young people and their ideas for the Afro-American Culture Center, Inc. At my request, they have sent me a letter explaining their concept and their plans in detail. I ask unanimous consent to enter the letter in the Record, and I hope that other Members of the Senate will take note of it. The intelligence and dedication of young people like those who helped plan this community program are to be highly commended.

There being no objection, the letter was ordered to be printed in the Record, as follows:

XUM

A Self-Help Program for Anacostia

Dear Senator Goodell: Anacostia, two miles southeast of the United States Capitol, represents in a microcosm all the problems facing the American City in the 1960's: riots, poverty, race tensions and joblessness. The residents of Anacostia are the people who have to live these problems, but they have little or no chance to improve their lot because Anacostia, like the center of almost every major city, is controlled from the outside.

The goal of the Afro-American Culture Center, Inc., is twofold: to alleviate the basic problems and at the same time, to restore to the community some degree of control over its own destiny.

The Anacostia Afro-American Culture Center, Inc., is designed to be a self-supporting training program for high school students and dropouts in the Anacostia section of Southeast Washington. It was incorporated one year ago, and is presently operating a small segment of its broad education program on a grant from the Stern Family Fund. This summer, we will open an Afro-American Store in Anacostia. The store will provide steady jobs and practical training for twenty or more Anacostia residents; in addition, proceeds from the store will support the student-initiated education program. The project gets its vitality and its ideas from the Anacostia, but it will not be strictly an amateur effort. The program will employ a full-time professional staff—two at the beginning and more as they are needed—to oversee the education program and manage retail operations. Moreover, attorneys and businessmen in Washington have offered their help to ensure that we have a sound venture.

In the words of the youth who designed this program:

"We need this Culture Center to give Black people pride in their race and to learn about the past achievements of their Black ancestors. We feel that this Culture Center can give them this feeling of pride which will be hard for them to find in the schools, since Negro History classes are not generally offered and since little chance is there for them to prove that they can make their program work on their own. Our main purpose is to bring a good portion of the community together in meaningful dialogue."

The people of Anacostia realize that self-control requires self reliance. Our program is designed to be self reliant.

In the broadest sense, this program is an attempt to work toward the time when Anacostia residents can rely primarily on their own resources to meet their needs and the needs of the community. If we obtain the financial help we need now, that time may not be so far away.

Sincerely yours,

Erline Whitaker,
Acting Director.
Herman Palmer,
(age 17) *Chairman.*
Macarthur Wilder,
(age 17) *Assistant Chairman.*

AEC STATEMENT ON SAFEGUARD ABM WARHEAD COSTS

Mr. COOPER. Mr. President, on April 2, I addressed in a letter a series of questions to the Chairman of the Atomic Energy Commission, Dr. Glenn Seaborg, concerning the costs borne by the AEC for the Safeguard system. On May 1, I received answers to my questions from Chairman Seaborg. Of interest to the Senate is his statement that—

> It is estimated that the Atomic Energy Commission will expend approximately 1.2 billion dollars in support of the Sentinel-Safeguard system.

This amount was not included in the presentation of the costs of the Safeguard system that have been made by the administration, which referred only to the costs of the Department of Defense. In the statements I made on the floor of the Senate last year concerning the costs of the then proposed Sentinel ABM system, I pointed out that the warhead costs borne by the AEC were not then included by the Johnson administration in their budget presentation.

I ask unanimous consent that my letter to Chairman Seaborg of the Atomic Energy Commission and his unclassified answer be placed in the Record at this point.

There being no objection, the letters were ordered to be printed in the Record, as follows:

April 2, 1969.

Dr. Glenn T. Seaborg,
Chairman, Atomic Energy Commission,
Washington, D.C.

Dear Mr. Chairman: It is my understanding that the Atomic Energy Commission is primarily responsible for research and development and production of warheads to be used in the interceptor missiles, Sprint and Spartan, of the proposed modified Sentinel anti-ballistic system, now designated Safeguard. I would appreciate receiving answers to the following questions as soon as possible. Where possible, I would like to have these answers in unclassified form. If, however, portions of the answers to my questions require them to be in classified form, I wish you would advise me as to the procedure necessary for me to receive the information. The questions are as follows:

1. How long has the AEC been conducting research and development warheads for ABMs?

2. Please supply the amount of money expended on (a) research and development, (b) production, and deployment, if any, of warheads for all ABM systems on a yearly basis up to the present.

3. How much money will be expended on R&D on ABM warheads in FY 70? What are your projections through 1975?

4. With regard to the Sprint missile:

(a) Has the AEC completed research and development on the Sprint missile warhead?

(b) What is the megatonnage of the Sprint warhead?

(c) If R&D has not been completed, when do you expect R&D to be completed, and when will production for deployment begin?

(d) What is the approximate cost of each warhead?

(e) Will underground testing be adequate to fully test the Sprint warhead? Where has the testing for the Sprint warhead been conducted?

5. With regard to the Spartan missile:

(a) Has the AEC completed research and development on the Spartan missile warhead?

(b) If R&D has not been completed, when do you expect R&D to be completed, and when will production for deployment begin?

(c) What will be the approximate cost of each warhead?

(d) What is the size of the Spartan warhead? It has been variously reported in the press that the Spartan warhead will be two to six megatons.

(e) Where has the testing for the Spartan warhead been conducted and where do you plan to test the warhead in the future? I have heard reports that the warhead will be tested in the Aleutian Islands. If this is correct, has the danger of earthquakes been fully considered?

6. (a) When will warhead testing for the Safeguard ABM system be completed?

(b) When would manufacture begin if deployment is approved by Congress?

(c) When would deployment begin if approved by Congress?

7. Would you please comment upon the testimony given on March 28, 1969, before the Senate Subcommittee on International Organizations and Disarmament of the Foreign Relations Committee as to the necessity to re-engineer the proposed ABM system including the missiles if they are to fulfill the President's requirements. (Copy of Dr. Panofsky's statement attached.)

Thanking you, I am.

Yours sincerely,

John Sherman Cooper.

U.S. Atomic Energy Commission,
Washington, D.C., May 1, 1969.

Hon. John Sherman Cooper,
U.S. Senate.

Dear Senator Cooper: I am pleased to reply to your letter of April 2, 1969, wherein you requested information with regard to efforts by the U.S. Atomic Energy Commission on ABM systems and the Sentinel (Safeguard) program in particular.

This reply is intended to provide you with unclassified information in response to your questions. In addition, we will provide to you in care of the Senate Committee on Foreign Relations by separate correspondence a detailed classified amplification of this response.

The U.S. Atomic Energy Commission since its inception has been conducting experiments and doing research and development work in the military application of atomic energy under the authority of the Atomic Energy Act. These efforts have not only pursued programs developed within the AEC but have also been responsive to the desires expressed by the Department of Defense. In this context then, it is most difficult to provide the specific time period that AEC has been conducting research and development of ABM warheads. The same is true, of course, with respect to costs incurred. Generally, it can be said that AEC ABM activity became defined as such in the late 1950's. At no time prior to our start of engineering efforts on the Sentinel program were ABM efforts ever sufficiently well defined and of such magnitude as to enable the AEC to accumulate specific cost data in this area. In this regard, it is estimated that the AEC will expend approximately $1.2 billion in support of the Sentinel (Safeguard) system.

The following comments concerning AEC support of the Sentinel (Safeguard) program pertain to warheads for both the Spartan and Sprint missiles. Research and development which includes such efforts as component development, component and system testing, and prototype fabrication will continue on the program until a reasonable time prior to deployment of the missiles. In accordance with the President's announcement on Safeguard, deployment is still a considerable period in the future. Production, too, is keyed to the deployment date fixed by the President and, hence, is only in the planning phase at this time. However, Construction Project 68–2–a for new weapons production capabilities at various AEC locations, with a total estimated cost of $315.0 million, includes approximately $121.0 million for construction and equipment related to production requirements for the Safeguard system. A majority of these funds for construction and procurement of equipment have been obligated.

For all warhead development efforts which are undertaken by the AEC, there are certain specific testing efforts that must be successfully accomplished prior to providing these warheads to the DOD for incorporation as a part of their missile systems. These tests involve individual component and materials tests to assure compatibility with design. These components and materials are then tested both as subsystems and as a final assembly where they undergo performance tests under varying environmental conditions. A part of these testing efforts are, of course, carried out as underground nuclear tests to assure completeness in the development efforts and confidence in the final product.

With respect to warheads for Sentinel (Safeguard) missiles, AEC is pursuing the same normal development pattern as outlined above. Since these development efforts have not been completed, it is not possible to report on the final results. Insofar as testing has progressed along the normal pattern, however, it has been determined that the AEC designs for these warheads are satisfactory. Sufficient testing has been accomplished to provide the AEC with a high confidence level that we can meet the DOD requirements for the ABM system.

Underground nuclear testing in support of the AEC weapons research and development efforts is being accomplished at the Nevada Test Site. In addition, sites in the Central Nevada and Amchitka, Alaska, areas are being prepared for future tests in support of our development efforts. No tests have yet been conducted in these latter areas except for one calibration test with a yield range less than a megaton in Central Nevada.

The AEC is conducting a continuing, extensive program into the question of the relationship between underground nuclear tests and earthquakes. We are being assisted by geologists and seismologists from UCLA, MIT, other colleges and universities, and the U.S. Geological Survey. Our investigations have confirmed the existence of microtremors which continue for several weeks after a large underground test. These microtremors, measurable only on sensitive seismographs, are too small to constitute a hazard to persons or property. The investigations have included data from two tests of about a megaton yield each. The investigations do not support the theory that such tests cause earthquakes of a hazardous nature at any distance beyond the immediate vicinity of the ground-zero point.

Insofar as the need for reengineering the proposed ABM system is concerned, the AEC is responding in its research and development efforts to the requirements stated by the DOD. These requirements have evolved over a period of time from detailed exchanges between AEC and DOD personnel as well as from studies conducted by the DOD. As was stated earlier, the AEC has high confidence in meeting the DOD requirements.

It is recognized that this reply neither addresses all of your questions nor provides the detail which you desire. We hope that these discrepancies will be adequately covered by the classified response which is also being provided.

Cordially,

GLENN T. SEABORG,
Chairman.

AIR POLLUTION CONTROL FOR MOTOR VEHICLES

Mr. MURPHY. Mr. President, on May 2, I had the pleasure of being with Secretary of Health, Education, and Welfare, Robert Finch, when he made an announcement long awaited by fellow Californians. The Secretary in a Los Angeles press conference announced that he had granted to California the right to enforce more stringent standards of air pollution control for motor vehicles as authorized by the Murphy amendment to the Federal Air Quality Act of 1967.

The granting of California's request will enable California to implement the State's Pure Air Act of 1968. The State measure provides for increasingly stringent motor vehicle emission control standards for the model years 1970, 1971, 1972, 1973, and 1974.

Mr. President, I ask unanimous consent that Secretary Finch's Los Angeles statement announcing the granting of the waiver to California be printed in full at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE HONORABLE ROBERT H. FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, LOS ANGELES, CALIF., MAY 2, 1969

Clean air is fast becoming a scarce commodity in widespread areas of the nation. In a continuous effort to achieve a more comfortable life, we often find ourselves stripping away resources of our human environment. Air pollution is a prime example, but air pollution represents a kind of environmental deterioration that can be countered by immediate and effective action.

The State of California has shown both the willingness and the ability to take such action. The need is clear. Therefore, I am today granting the formal request for the State of California to apply more stringent standards of air pollution control relating to more vehicle emissions than those established by Federal regulations.

My action is consistent with provisions of the Air Quality Act of 1967 and particularly with the strict conditions of the amendment to that Act by California's Senior Senator, George Murphy.

The action I am taking has been discussed with Governor Reagan and incorporates recommendations from him as well as from Senators Murphy, Cranston, and from the entire California delegation to the U.S. House of Representatives. The Act as reinforced by Senator Murphy's Amendment waives application of Federal standards for any State meeting several specified conditions. I am granting such waiver on the basis of public hearings and other information demonstrating that:

(1) California new motor vehicle emission standards prior to March 30, 1966;

(2) All parties appearing at the hearing agreed that compelling and extraordinary conditions do exist in California—that, particularly in Southern California, the unique combination of topography, low wind speeds, atmospheric inversions, and sunlight, together with a large automobile population, produce the most severe photochemical smog to be found in the Nation;

(3) This severe photochemical smog requires stricter control of hydrocarbons, carbon monoxide, and oxides of nitrogen in motor vehicles emissions, to achieve desired levels of air quality;

(4) The California Legislature, assisted by a Technical Advisory Panel comprising experts from industry, universities, and air pollution control agencies, gave full consideration to the existing technology of motor vehicle emission control, and its economic costs, and concluded that the more stringent standards are both technically and economically feasible.

A key feature of the 1967 Act is that the States in their various regions should play a strong role in the development and implementation of standards for air pollution control. The Federal role, on the other hand, should focus primarily on research, manpower training, technical assistance, and the development of instrumentation and control technology.

As Secretary of Health, Education, and Welfare, I support the initiative shown by the State of California in recognizing the gravity of the air pollution problem and applaud its willingness to take effective action to resolve it. Departmental experts in the National Air Pollution Control Administration assure me that the industry will be occasioned little trouble in meeting these progressively more stringent standards because, imposed as they will be in annual increments, they will make relatively modest demands for improved technology.

There is need to step up our efforts to improve air quality. Industry, I am pleased to acknowledge, is cooperating vigorously in these efforts. Its expertise is essential, of course, in exploring ways to clean our polluted air, and I welcome its active partnership with government at all levels in mobilizng public concern and mounting action programs.

With the step taken today we will not, simply and finally, restore the quality of the air we breathe. But I believe it is a vital step in that direction.

Mr. MURPHY. Mr. President, in addition, I ask unanimous consent that a table showing the California vehicle emission standards, as authorized by the State's Pure Air Act of 1968, be printed at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MURPHY. Mr. President, the granting of California's waiver culminates a long, hard struggle here in the Congress to make certain that California will be able to continue its pioneering efforts in the air pollution area and secure for our people the quality of air they demand and deserve.

I believe it would be helpful to trace the history of this victory. It was in 1966 during hearings on the Federal Clean Air Act that the issue of Federal preemption was first raised by me. During the hearings before the Senate Public Works Subcommittee on Air and Water Pollution so ably chaired by Senator MUSKIE, I said:

> This raises a very interesting question, Mr. Chairman. The question of federal preemption. Since the federal government is in effect going to adopt the 1966 California standards as national standards on 1968 vehicles, the very serious question of whether the federal government's action will preempt the field and thus prevent California from enforcing more stringent standards established for 1970 is presented.
>
> It would be undesirable from a policy standpoint for the federal government to preempt the field. I feel certain such was not the intent of Congress in enacting the Clean Air Act, since primarily the responsibility for air pollution was recognized rightfully to belong to the states. For obviously the degree of control needed in one community will vary with the degree of control needed in another. I therefore believe the committee should clarify this point.

Senator MUSKIE responded by saying:

> We ought to make sure that the lesser or lower federal standards do not preempt the higher or more effective standards of any state, including California.

Thereafter, in 1967, the automobile industry argued that the nature of the industry's assembly-line operations required uniform national standards or Federal preemption. Because of the critical nature of the pollution problem in California and our pioneering efforts in this area, I could not stand by and allow the Federal Government to wipe out California's responsibility in this area. Therefore, I strongly argued against Federal preemption and I was able to persuade the Committee to preserve to California the right to set higher standards. I ask unanimous consent that the Committee report's discussion of this issue and my amendment be printed at this point in my remarks.

There being no objection, the text was ordered to be printed in the Record, as follows:

> On the question of preemption, representatives of the State of California were clearly opposed to displacing that State's right to set more stringent standards to meet peculiar local conditions. The auto industry conversely was adamant that the nature of their manufacturing mechanism required a single national standard in order to eliminate undue economic strain on the industry.
>
> The committee has taken cognizance of both of these points of view. Senator Murphy convinced the committee that California's unique problems and pioneering efforts justified a waiver of the preemption section to the State of California. As a result, the committee incorporated in section 202(b) a waiver amendment offered by Senator Murphy. It is true that, in the 15 years that auto emission standards have been debated and discussed, only the State of California has demonstrated compelling and extraordinary circumstances sufficiently different from the Nation as a whole to justify standards on automobile emissions which may, from time to time, need be more stringent than national standards.
>
> This situation may change. Other regions of the Nation may develop air pollution situations related to autombile emissions which will require standards different from those applicable nationally. The committee expects the Secretary to inform the Congress of any such situation in order that expansion or change in the existing waiver provision may be considered.
>
> Until such time as additional problems of this type arise it seemed appropriate that the waiver provision of subsection (b) should be limited solely to California. This approach can have several positive values:
>
> 1. Most importantly California will be able to continue its already excellent program to the benefit of the people of that State.
> 2. The Nation will have the benefit of California's experience with lower standards which will require new control systems and design. In fact California will continue to be the testing area for such lower standards and should those efforts to achieve lower emission levels be successful it is expected that the Secretary will, if required to assure protection of the national health and welfare, give serious consideration to strengthening the Federal standards.
> 3. In the interim periods, when California and the Federal Government have differing standards, the general consumer of the Nation will not be confronted with increased costs associated with new control systems.
> 4. The industry, confronted with only one potential variation, will be able to minimize economic disruption and therefore provide emission control systems at lower costs to the people of the Nation.

Mr. MURPHY. Mr. President, thus, my amendment allowing California to establish higher motor vehicle emission standards was incorporated into the Air Quality Act as reported by the Senate Public Works Committee on July 15, 1967.

On July 18, the Senate by a vote of 88 to 0 passed, with my amendment included, the Air Quality Act of 1967. I ask unanimous consent that a copy of my floor statement in support of the bill as passed by the Senate be included in the Record at the end of my remarks. I would like to emphasize, Mr. President, that not a single voice was raised in opposition to the amendment.

The measure was then referred to the House Interstate and Foreign Commerce Committee where a very strange thing happened to the California amendment on the way to the House floor. For the House Interstate and Foreign Commerce Committee, over objections by California members of that committee, deleted the Murphy amendment.

As soon as I heard of this House action, I expressed my deep disappointment over the committee's action, and urged that the California delegation "unite on this question and attempt to restore the amendment when it comes to the floor."

For those cynics who would say that the voices of the people have little influence in the shaping of legislation, I believe that what happened on the House floor proves otherwise. For following the House committee action, an aroused public opinion in California overwhelmed Congress, letting them know in no uncertain terms that Californians did not believe that the public interest had been served by the committee's action. The spontaneity of the response and its size have interested students of public opinion who have told me that the response of the California public was truly amazing. An example of this was one radio station in Los Angeles, KLAC, which received over 250,000 letters in opposition to the House committee action. This was front page news in California through this period and most newspapers in the State strongly editorialized in favor of the California waiver.

Backed by California public opinion, a united California congressional delegation rose to the challenge, reversed the action of the House committee and restored my amendment prior to House passage of the measure on November 2, 1967.

Although this represented a major victory for the State, we had not yet won the war. My interest continued undiminished. In January and June of 1968 the Department of Health, Education, and Welfare held public hearings on California's first waiver request. I appeared in San Francisco in support of California's request. As a result, California was granted a waiver for the following State standards and test procedures: First, California exhaust emission standards and procedures for 1969 model heavy-duty vehicles; second, California exhaust emission standards and test procedures for 1969 model passenger cars (light duty vehicles); and third, California fuel evaporative emission standards and test procedures for 1970 model light duty vehicles.

In 1968 the California State Legislature enacted the Pure Air Act of 1968, a milestone in our State's battle to achieve clean air. On September 27, 1968, California requested a waiver to implement its Pure Air Act. Again, in March of this year, in testimony to the Department of Health, Education, and Welfare, I strongly urged that the complete 4-year waiver to implement the Pure Air Act be granted to California.

Mr. President, I ask unanimous consent that my statements of July 18, 1967, January 15, 1968, and March 12, 1969, be printed in full following my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibits 2, 3, and 4.)

Mr. MURPHY. Mr. President, I am indeed grateful to Secretary Finch for granting California this waiver. The Secretary's action is consistent with my amendment and the intent of Congress in accepting it. It demonstrates that the new administration by its actions, in addition to words, intends to encourage State initiative and responsibility. The Senate Public Works Committee report on the 1967 Federal Air Quality Act summarized the positive benefits that can result from encouraging California to move ahead. They are: First, most importantly California will be able to continue its already excellent program to the benefit of the people of that State. Second, the Nation will have the benefit of California's experience with lower standards which will require new control systems and design. Third, in the interim periods, when California and the Federal Government have differing standards, the general consumer of the Nation will not be confronted with increased costs associated with new control systems. Fourth, the industry, confronted with only one potential variation, will be able to minimize economic disruption and therefore provide emission control systems at lower costs to the people of the Nation.

In conclusion, I am convinced, Mr. President, that the Secretary's decision will enable California to win its battle against smog within the next 4 to 5 years as well as show the way for the Nation to overcome pollution.

Exhibit 1

Table 4. *California vehicle emission standards*

I. Gasoline-powered motor vehicles under 6,001 pounds manufacturer's maximum gross vehicle weight having an engine displacement of 50 cubic inches or greater—

A. Exhaust emissions:

1. 1970 model year, 2.2 grams per mile hydrocarbons; 23 grams per mile carbon monoxide.
2. 1971 model year, 2.2 grams per mile hydrocarbons; 23 grams per mile carbon monoxide; 4.0 grams per mile oxides of nitrogen.
3. 1972 and 1973 model years, 1.5 grams per mile hydrocarbon; 23 grams per mile carbon monoxide; 3.0 grams per mile oxides of nitrogen.
4. 1974 and later model years, 1.5 grams per mile hydrocarbons; 23 grams per mile carbon monoxide; 1.3 grams per mile oxides of nitrogen.

B. Evaporative loss: 1970 and later model years, 6 grams hydrocarbons per test.

II. Gasoline-powered truck-tractor or bus over 6,001 pounds, manufacturer's gross weight—

A. Exhaust emissions:

1. 1970 and 1971 model years, 275 ppm of hydrocarbons; 1.5 per cent carbon monoxide.
2. 1972 and later model years, 180 ppm of hydrocarbons; 1 percent carbon monoxide.

Exhibit 2

Air Quality Act of 1967

Mr. Murphy. Mr. President, at the outset I want to congratulate Senator Muskie and Senator Boggs for once again steering

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through the Senate Public Works Committee, a bill which I believe represents a great, giant step forward in our Nation's battle against air pollution.

In addition, I believe S. 780 evidences the legislative branch's responding to a clear need in the most responsive manner. And, Mr. President, the record is clear that it has been the Congress that has taken the initiative in the country's battle against pollution, both air and water. In fact, many of us in the Congress have been greatly disappointed in the administration's budget requests in the pollution area.

To the credit of the distinguished chairman of the subcommittee, and to the ranking Republican member, Senator Boggs, this committee held most exhaustive hearings and developed an outstanding record. This record clearly documents the danger and suggests the direction in which the Nation should move in order to combat pollution. Subsequently, in executive session, the subcommittee hammered out and shaped the form of S. 780 that we now have before the Senate today.

It is a good bill; it merits the support of the entire Congress; it will receive the thanks of a concerned citizenry. Last year in a statement before the Senate Subcommittee on Air and Water Pollution, I stated:

"In my judgment the pollution problem is one of the most serious domestic problems facing our country today. While serious, it is not yet critical. The time is not on our side. It is running out. The delay will not only be costly in terms of dollars, but even more important, will be the possible detriment to human health and the interference with the general well-being of our society."

Mr. President, this bill, while recognizing the critical nature of the pollution problem, adopts a rational and reasonable approach to the pollution problem. It should do the job. It recognizes the legitimate and primary responsibility of the State and local governments in the field of air pollution but yet the message of the legislation is clear. Although we are going to give the States and the local governments the initiative in the pollution field, we will not permit inaction. The battle against pollution will and must be won. For while we are fully aware that cleaning up the air will be costly, an article in the Harvard Business Review estimated that expenditures of some $105 billion will be necessary over the next 30-year period to provide clean air. While costly, we recognize clearly that we cannot afford to do less.

Mr. President, we already know much about the damage that pollution causes to both property and, more importantly, to persons. It has been estimated that property damages resulting from air pollution in the United States is $11 billion annually. Agricultural losses in my State total approximately $132 million each year. In addition, we know that pollution contributes to the deterioration and corrosion of our physical structures. As consumers, we can see the effects of pollution by the need for more frequent trips to the laundry and the need for more frequent car washes. Even more important, Mr. President, are the adverse effects that pollution may have on human health. Evidence continues to grow associating air pollution with certain respiratory disorders, such as asthma, bronchitis, emphysema and lung cancer. Surg. Gen. William H. Stewart on April 19 testified before the subcommittee and he centered his remarks on the adverse effects or air pollution on public health. Dr. Stewart, after discussing the types of evidence available linking air pollution and "specific health detriment" declared emphatically that air pollution was a health hazard and that the evidence created a "disturbing and convincing portrait of a major health menace."

It is clear, Mr. President, that we cannot wait until conclusive evidence is produced for it is obvious that air pollution does not do anyone any good. Therefore, it behooves us to clean up the air. Since my father was one of the Nation's outstanding track coaches, I naturally have an interest in track. I read with interest a March 30 study which appeared in the Journal of the American Medical Association, which concluded that high levels of smog have a negative effect on the performance of long-distance runners.

Mr. President, as a Californian, I am very proud of the State's pioneering efforts in the field of air pollution. I am, however, as are most Californians, not satisfied with the quality of air that we have achieved. We can and we must do better. In Los Angeles County a vigorous and effective program to abate air pollution from stationary sources is paying off. Aimed at reducing the air pollution levels from stationary sources to those existing in 1940, the goal has almost been reached. Los Angeles County's control program for stationary sources has kept more than 5,000 tons of contaminants out of the air daily. Los Angeles County has demonstrated that pollution from stationary sources can be controlled. Los Angeles County and the State of California, for that matter, have demonstrated that local and State governments can, and are willing to, adopt and enforce standards to control pollution.

I only wish, Mr. President, that the State of California was making as rapid progress in controlling the pollution from the automobile as we have made in controlling the pollution from stationary sources. Unfortunately, such is not the case. Although we are making progress, the truth of the matter is that we have to run as fast as we can to stand still. This is so because of our rapidly growing population which is expected to double by the end of this century, and the increasing number of automobiles.

On May 27, 1966, the Air Pollution Control District of the County of Los Angeles issued its report to the board of supervisors regarding the status of air pollution control in Los Angeles County and the prospects of success of the current control program. Their conclusions were: First, current motor vehicle control programs will not achieve acceptable air quality in Los Angeles in the next decade, and second, control of motor vehicle emissions must be intensified and accelerated if Los Angeles County is to have acceptable air quality in 1980.

In California, Mr. President, it is estimated that emissions from the motor vehicles are responsible for approximately 80 percent of the Los Angeles problem, and I am certain that the automobile is a substantial contributor elsewhere. In 1966, all new cars were required by California law to be equipped with devices limiting the amount of hydrocarbons that can be emitted from 275 parts per million and carbon monoxide to 1.5 percent. Effective in 1970, standards have been adopted to further reduce the exhaust emissions in the case of hydrocarbons from 275 parts per million to 180 parts per million, and carbon monoxide from 1.5 percent to 1 percent. These statistics document the tremendous challenge the State of California will face in the next few years and the next decade as we attempt to clean up the air of the State of California. The extraordinary and compelling circumstances that have existed in California have prompted the State to move into uncharted areas. By so doing, the State and many of its citizens have provided the Nation with many of the tools, many of the ideas and with many of the competent personnel necessary to zero in on the Nation's pollution problem. That California has developed the needed expertise is readily apparent by counting the number of Californians that have been called upon by the Federal Government to serve in positions of leadership and responsibility in the Federal air pollution program.

It is because of the extraordinary and compelling problem that has existed and that exists in the State of California that the State has had to make a great effort in the past and will undoubtedly be called upon to make even greater efforts in the future, in order to assure that the citizens of the great State of California will have acceptable and clean air. Because of the efforts the State has made, and because of the very serious problem that exists, I naturally, was very concerned and very disturbed when the committee was considering the question of Federal preemption on the right to such standards of automobile exhaust emissions. I also, of course, recognize that industry's argument that they could not live with 50 different standards of 50 different States was not without merit.

I am particularly grateful for the recognition that the committee has given to the State of California by accepting an amendment offered by me which recognizes the State's unique problems and pioneering efforts by granting a waiver from the Federal preemption to the State of California, and thus insuring that the State will be able to continue "its already excellent program to the benefit of the people of that State." Because of the importance of this issue, Mr. President, I would ask unanimous consent that this portion of the committee's report dealing with the question of Federal preemption be printed in full at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

"To date only California has actively engaged in this form of pollution control and, in fact, the initial Federal standard is based on California's experience. The Federal standard will be applicable to all 1968 model automobiles sold in the United States. Other States have enacted legislation and regulations governing crankcase emissions but this control method has been in general use throughout the United States since 1963.

"On the question of preemption, representatives of the State of California were clearly opposed to displacing that State's right to set more stringent standards to meet peculiar local conditions. The auto industry conversely was adamant that the nature of their manufacturing mechanism required a single national standard in order to eliminate undue economic strain on the industry.

"The committee has taken cognizance of both of these points of view. Senator Murphy convinced the committee that California's unique problems and pioneering efforts justified a waiver of the preemption section to the State of California. As a result, the committee incorporated in section 202(b) a waiver amendment offered by Senator Murphy. It is true that, in the 15 years that auto emission standards have been debated and discussed, only the State of California has demonstrated compelling and extraordinary circumstances sufficiently different from the Nation as a whole to justify standards on automobile emissions which may, from time to time, need be more stringent than national standards.

"This situation may change. Other regions of the Nation may develop air pollution situations related to automobile emissions which will require standards different from those applicable nationally. The committee expects the Secretary to inform the Congress of any such situation in order that expansion or change in the existing waiver provision may be considered.

"Until such time as additional problems of this type arise it seemed appropriate that the waiver provision of subsection (b) should be limited solely to California. This approach can have several positive values:

"1. Most importantly California will be able to continue its already excellent program to the benefit of the people of that State.

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"2. The Nation will have the benefit of California's experience with lower standards which will require new control systems and design. In fact California will continue to be the testing area for such lower standards and should those efforts to achieve lower emission levels be successful it is expected that the Secretary will, if required to assure protection of the national health and welfare, give serious consideration to strengthening the Federal standards.

"3. In the interim periods, when California and the Federal Government have differing standards, the general consumer of the Nation will not be confronted with increased costs associated with new control systems.

"4. The industry, confronted with only one potential variation, will be able to minimize economic disruption and therefore provide emission control systems at lower costs to the people of the Nation."

Mr. MURPHY. Mr. President, at one time, air pollution in this country was thought to be a peculiar phenomenon which everyone associated with Los Angeles. Now, we are told that every city in the Nation with a population over 50,000 or more has an air pollution problem.

I have had the privilege and pleasure, Mr. President, of traveling across this great country and countless times over the past years my eyes have witnessed what the experts tell us—the pollution problem is a growing one and can be seen in every State.

On top of this, the leading authorities tell us that we will see a doubling of the population in the urban areas of our Nation in the next 40 years. The number of automobiles is expected to grow at an even faster rate. The challenge to the Nation is great. But we have no choice, Mr. President, if we are to assure to the American people the quality of air and the quality of life that they expect and deserve.

Early in this century, a great American, Teddy Roosevelt, very disturbed over the manner in which the Nation was allowing its land and its other natural resources to waste, led us on a great conservation movement. An equally great challenge faces us today.

Mr. President, air and water are also precious natural resources, which we have been neglecting for too long. All of us are guilty, and as the Los Angeles Times in a March 19th article, entitled, "Let's Clean Up Spaceship Earth," observed:

"Spaceship Earth is a 'closed space capsule.' Only sunlight gets in; nothing leaves. Getting 'rid' of waste often is merely the redistribution of it within our 'capsules.' But it stays with us in our journey through space."

I am encouraged, Mr. President, for I can sense a crusading spirit and a determination by all segments of our society that the Nation can and will be victorious in its battle against pollution. A Harris poll of April 3 indicated that there was more public support for accelerated Federal pollution control than any other single domestic program. Over one-half of the persons queried indicated that they wanted more action by the Government. One-third supported action at the current level.

One seldom picks up a newspaper, a magazine, or a trade journal, Mr. President, without seeing an article on the pollution problem. Businessmen throughout the country recognize that we must win the battle against pollution and that we cannot afford to do otherwise

Having the greatest of faith in our system of government and in the judgment of the American people, Mr. President, I firmly believe that what the American people want and demand will be accomplished.

Also, having the greatest of confidence in the genius and capacity of American industry, I am convinced that technology and know-how, where not presently existing—and much of it is already in existence—can be developed. Industry should aim high; it should aim at completely or nearly eliminating pollution. The automobile industry, for example, should not rest until it produces a pollution-free engine. This does not suggest that we panic, for we cannot demand that which is not technologically or economically feasible.

Mr. President, we should not leave the impression that the bill we are enacting today will clean up the air overnight. It will provide a framework for effective action by State and local governments. I urge States to make maximum utilization of this bill's provisions and incentives, and I have a feeling that those elected representatives who do not heed the cry of the American people for clean air may not be elected officials too long. The bill rightly gives the State and local governments the opportunity to exercise leadership and to face up to the challenge and responsibility of cleaning up the Nation's air. By combining our resources of government, industry and individuals, I for one am confident that we can clean up the air.

Mr. President, I ask unanimous consent that a staff analysis of S. 780 be printed in full at this point.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

"PROVISIONS OF S. 780

"S. 780, as ordered reported includes the following provisions:

"1. Authority for the Secretary to go immediately to court in the event that he finds a particular pollution source or combination of sources, wherever such source or sources may be located, is presenting an 'imminent and substantial endangerment to the health of persons' to seek an injunction against the emission of such contaminants as may be necessary to protect public health.

"2. Provision for establishment of the Federal interstate air quality planning agencies if the States do not request designation of a planning agency for an interstate air quality control region.

"3. Provision for the Secretary of Health, Education, and Welfare to set ambient air standards in any designated air quality control region. If the States fail within 15 months after receiving a criteria and recommended control techniques, to adopt such standards and an acceptable plan for implementation.

"4. Provision for the Secretary to go to court, after 180 days notice, to enforce any violation of standards in any designated air quality control region.

"5. Specific directive to the Secretary to continue to use existing enforcement procedures as may be necessary to protect public health and welfare during standards development period; and provision for participation by interested parties in an abatement conference.

"6. A three-step approach to development of air quality standards including (1) designation, by the Secretary of Health, Education, and Welfare, of air quality control regions based on the need for pollution control and protection of health and welfare; (2) expansion of the existing provision for development and issuance of criteria as to the health and welfare effects on pollutants or combinations of pollutants; and (3) publication of information on the control technology required to achieve various levels of air quality.

"(7) An expanded research and demonstration program to advance the technology for controlling pollution from fuels and vehicles including specific authorization of $375 million for three years (through 1970).

"8. Federal pre-emption of the right to set standards on automobile exhaust emissions with waiver of application of pre-emption to any State which had adopted standards precedent to promulgation of Federal standards (California).

"9. Expanded State and local program grants provision to encourage comprehensive planning for intrastate air quality standards.

"10. Establishment of a statutory President's Air Quality Advisory Board and such other advisory committees as may be necessary to assist the Secretary in performing the functions authorized.

"11. A study of the concept of national emission standards and a study of the economic impact of pollution control.

"12. Federal assistance to the States to develop motor vehicle emission and device inspection and testing systems.

"13. Federal registration of fuel additives.

"14. Comprehensive reports to the Congress.

"15. Three year authorization of $325 million for programs other than research on control of pollution from fuels and vehicles. (Total authorization including research $700 million.)"

EXHIBIT 3

Mr. Presiding Officer, Ladies and Gentlemen. I am grateful for the opportunity to appear at this hearing and to ask that the State of California be exempted from Section 208(a) of the Air Quality Act of 1967 which grants to the federal government the exclusive right to control emissions from new motor vehicles.

At the outset, let me publicly express my very great esteem for Mr. S. Smith Griswold, the presiding officer at these hearings. I know that his expertise in the field of air pollution control is universally recognized. As the former Air Pollution Control Officer in Los Angeles, Mr. Griswold played a major role in fighting air pollution there at a time when smog-control efforts were in their formative stages in California. Thanks to Mr. Griswold's efforts, effective measures were instituted to reduce air pollution resulting from stationary burning.

While great strides have been taken in California to protect the purity of the air we breathe, the job is far from complete. It is now known that 85 percent of the problem results from automobile engine emissions, so there can be no doubt where our attention must focus as we seek to improve a serious situation.

Every authority reminds us that air pollution in San Francisco, the East Bay area, Los Angeles, San Diego and other large urban areas of our state has reached the threshhold of intelerance.

Physicians strongly suspect that polluted air is slowly killing Californians—especially the very young, the aged, and those with respiratory ailments.

I was deeply impressed when Dr. Joseph Boyle, President of the Los Angeles Medical Society, representing 10,000 physicians, warned last fall that air pollution in the Los Angeles Basin "could lead to great loss of life in this community."

Of even more significance, Dr. Boyle declared that the danger extended not only to the traditional high-risk group—the aged, infants and the ill—but also to Californians who are presently in good health.

The warning of a physician trained to examine facts dispassionately—one cautious to the pitfalls of overstating a case—demands attention. I have treated Dr. Boyle's warning with appropriate care, and I hope others will do so too.

We in California have known for a long time that air pollution was damaging our crops, harming our health, spoiling the aesthetics of our beautiful state and threatening the future of California.

We have taken significant steps to lessen the amounts of harmful pollutants in our air.

It has been a race to stay ahead of a condition in which we literally choke on foul air.

Only last week, the Riverside County Air Pollution Control Office issued a report stating that smog in Riverside County increased 88 percent during 1967 over 1966. Similar startling statistics, I am sure, can be reported by other local jurisdictions.

California knows the score on smog. For almost ten years, we have been concerned about this menace. Last Fall, Governor Reagan signed the important Mulford-Carrell Act which provides for a strong and effective program of statewide control and administration over all sources of air pollution, giving due weight to the rights of local authorities. The 1967 Legislature, under Governor Reagan's leadership, created a new State Air Resources Board to coordinate air pollution control efforts throughout the state. The Governor has recently named an outstanding group of California citizens to serve on this Board, headed by Mr. Lou Fuller, a man with a proved record of competence in the field.

California's problem has not been in alerting its citizens and government officials to the dangers of smog. It has been to enact air pollution control standards stringent enough to keep pace with a fast growing problem.

This brings me to the subject of this hearing.

As a member of the Senate Subcommittee on Air and Water Pollution, I was the author of the amendment to the Air Quality Act of 1967 which granted California an exemption from federal control of motor vehicle emissions.

If I may be permitted, I would like to delve briefly into the legislative history of this amendment so important to California.

I first raised the question of federal preemption in June of 1966 when the Subcommittee held hearings on the major piece of legislation in the field enacted that year, the Clean Air Act.

I could see that the time was approaching when Congress would put the federal government in charge of delineating and enforcing standards to control air pollutants.

I was very much interested, of course, in the effect on my state of nationwide air pollution control under federal administration. The danger, I informed the Subcommittee in 1966, was that the effectiveness of California's pioneering efforts in the field would be lessened by weaker federal standards.

That is exactly what happened in 1967. Under the guidance of Senator Edmund Muskie, D-Maine, the Senate Subcommittee prepared a comprehensive measure to put teeth into the federal effort to clean up the skies of the United States.

As I expected, and as is fully understandable, the old standards previously promulgated by California formed the basis of the Air Quality Act's provisions on controlling emissions from motor vehicles.

California, however, based upon new experience and technological advances has adopted new, improved, and more stringent limits on automobile emissions to be effective in 1970.

If the Subcommittee, and later the full Congress, had not approved the Murphy amendment exempting California from federal control over motor vehicle pollutants, these new standards would not be permitted and our state would be precluded from moving ahead in smog control.

This would have been intolerable.

Fortunately, I was able to convince Senator Muskie and the other members of the Subcommittee that California was entitled to a waiver for the reasons I have just outlined.

I emphasized, and Congress agreed with me, that the other 49 states actually will benefit by the California exemption.

Other states, with a lesser problem, will not be burdened with stricter standards necessary for California's special problems. And the people of California will not be penalized because a state like Montana is so fortunate as to have clean air and so does not require the strict controls which we need in California.

As California's more stringent controls become effective, the entire nation will have the benefit of our state's experience. In fact, California will continue to be the testing area for such lower standards. It was the view of the Subcommittee that should our efforts to achieve lower emission levels be successful the Secretary of Health, Education, and Welfare would give serious consideration to strengthening the federal standards.

As finally incorporated in the law, the waiver section requires the Secretary of Health, Education, and Welfare to waive application of federal control of motor vehicle emissions to California unless he finds that: (1) compelling and extraordinary conditions do not exist, (2) that California's standards are not consistent with the test of economic practicability and technological feasibility required in Section 208(a) of the Act, and (3) that the accompanying enforcement procedures are in conflict with the intent of Section 208(a).

In the Congress, both the Senate (by a unanimous vote) and the House agreed with the contention of Californians that "compelling and extraordinary conditions" did exist in our state. The purpose of this hearing is to ratify that finding. I am certain that local officials, representatives of the Legislature, and of Governor Reagan who will testify here will present additional facts to support my contention.

I am convinced that California needs this exemption. I know that California will continue to set the pace for the rest of the nation in air pollution control.

I foresee the day in the near future when the Legislature will adopt a law limiting the amount of smog-producing hydrocarbons in motor vehicles to a figure below 100 parts per million.

I congratulate the automobile industry for the hopeful progress in emission control which has been made in recent months, and I am certain the industry will continue its research effort geared to a goal of eventually producing an automobile that burns all its fuel and allows a bare minimum of harmful pollutants to escape.

I am equally certain that California, as it has done in the past, will continue to spur the industry in that drive.

This state cannot afford an ever-rising curve of pollutants in the air. California has passed that point in its history when it can allow unrestrained fouling of its air. We cannot go backward.

I am pleased that in smog control, California, the Number One State, has once again taken the lead in research and development of techniques which will be of immeasurable benefit not only to the people of our state but to citizens of congested areas throughout the nation and indeed the world.

I urge an affirmative finding on the question of granting California a waiver from Section 208(a) of the Air Quality Act.

Thank you.

Exhibit 4

AIR QUALITY STANDARDS FOR CALIFORNIA

Mr. Murphy. Mr. President, on March 5, I submitted a statement to be included in hearings by the Department of Health, Education, and Welfare being held in Los Angeles, Calif., on California's request for a waiver to implement its Pure Air Act of 1968, as authorized by the Murphy amendment to the Federal Air Quality Act of 1967.

In this statement, I urged Secretary Finch and his Department to grant the full waiver as requested by the State of California, so that we might continue to establish standards that will bring to California the air quality that the people demand and deserve.

Mr. President, I ask unanimous consent that my statement fully supporting California's request be printed in the Record.

In addition, I ask unanimous consent that California Assembly Joint Resolution 8, also supporting California's waiver request, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

"Statement of Senator George Murphy, of California, HEW Hearing on California's Waiver Request, Los Angeles, Calif., March 5, 1969

"Mr. Chairman, I strongly urge the complete waiver as requested by the State of California be granted. The granting of the waiver will enable the State to implement the Pure Air Act of 1968, which was passed by the State Legislature and signed into law last year by Governor Reagan. The waiver is a *must*, if California is to achieve the clean air that our people both demand and deserve.

"As the author of the 'Murphy amendment' which was incorporated into Section 208(b) of the Federal Air Quality Act of 1967, I am obviously very familiar with the congressional intent and the history of the amendment. Under the Air Quality Act of 1967, the federal government pre-empts the field insofar as the establishing and enforcing of automobile emission standards are concerned. This means that the states are not allowed to establish and enforce automobile emission standards. California under my amendment was the only state in the nation granted a waiver from this Federal pre-emption.

"Mr. Chairman, the securing of the waiver for California was not an easy matter. Although California's congressional delegation is large, the task of convincing our colleagues from other states that one state should be granted a waiver was a difficult one.

"On the Senate side, I was able to persuade my colleagues on the Senate Public Works Subcommittee on Air and Water Pollution that both the need and California's pioneering air pollution efforts justified this special treatment for California. Thus, my amendment preserving California's right to continue its battle against air pollution was adopted in Committee and was included in the bill as it passed the Senate. The Senate Committee report points out the "positive benefits" that would flow from the approach of the Senate—that is, federal pre-emption but with the waiver to California.

"1. More importantly California will be able to continue its already excellent program to the benefit of the people of that State.

" '2. The Nation will have the benefit of California's experience with lower standards which will require new control systems and design. In fact California will continue to be the testing area for such lower standards and should those efforts to achieve lower emission levels be successful it is expected that the Secretary will, if required to assure protection of the national health and welfare, give serious consideration to strengthening the Federal standards.

" '3. In the interim periods, when California and the Federal Government have differing standards, the general consumer of the Nation will not be confronted with increased costs associated with new control systems.

" '4. The industry, confronted with only one potential variation, will be able to minimize economic disruption and therefore provide emission control systems at lower costs to the people of the Nation.'

"Thereafter, an all-out campaign was mounted to delete the 'Murphy amendment' with the result that the House Interstate and Foreign Commerce Committee deleted the amendment. When this occurred, an aroused and united California congressional delegation girded by a tremendous groundswell of public opinion succeeded in rein-stating the 'Murphy amendment' on the House Floor. Following this action, I remarked that this was a great victory for the public interest and it demonstrated how the voices of the people can and will make a difference in the action of their Congress.

"California through the 'Murphy amendment' had won the right to continue to enact legislation to further the State's determination to have clean air. In 1968 the California Legislature responded to the vote of confidence that Congress gave with the enactment of the Federal Air Quality Act of 1967 and demonstrating its desire to continue to be the nation's bellwether in the pollution fight enacted the Pure Air Act of 1968.

"In summary, Mr. Chairman, California fought for the waiver and won. They responded to the opportunity afforded them by the amendment by enacting the Pure Air Act of 1968, and they are going to fight for this waiver which will enable them to implement the badly needed tougher standards of the Pure Air Act of 1968.

"I am pleased that the hearing is being held in Los Angeles. Here is where the air pollution problem is the most serious. That extraordinary and compelling circumstances exist is so obvious that I feel it is unnecessary to labor this point. That 10,000 citizens have been advised to leave the Los Angeles areas because of the air pollution problem shows that the problem is, as one radio station in Los Angeles called it, a matter of 'Life or breath.'

"Further, Mr. Chairman, the standards of the Pure Air Act of 1968 have been found to be both economically and technologically feasible by a nine-member blue ribbon technical advisory panel, composed of California's foremost engineers, scientists and air pollution experts. Unless the hearings prove that the California standards are not technologically and economically feasible, the 'Murphy amendment' requires the waiver to be granted to California.

"While I certainly do not agree, I can understand industry's opposition to the California standards. I do not understand, and I emphatically disagree with, the feeling that I get that certain people in the Department of Health, Education and Welfare in the past have attempted to construct any roadblock or strawman they can to prevent California from moving ahead in the air pollution field. I feel confident that under the new Secretary this will not be done in the future. I would think that the Department of Health, Education and Welfare would be delighted to see California increase its efforts to protect the health and welfare of its citizens—efforts that would not only immediately benefit California but ultimately benefit the entire nation.

"I was further alarmed to read in Monday's, March 3, Wall Street Journal an article where one nameless 'federal expert' indicates that if California is granted the waiver the federal government would be under strong political pressure to tighten federal requirements. The 'federal expert' is quoted as saying 'the question is if this is feasible for California, why not for the rest of the country?' I would suggest to this 'federal expert' that he ought to spend some time studying legislative history and the intent of the Congress. Congress intended that a waiver be granted to California so that California could continue to be the nation's pacesetter in pollution control. I might add further, as serious as the pollution problem is, a little pressure to improve air pollution control across the country would not hurt anything.

"The unfortunate truth is that it may have taken California's pressure to get the industry to realize the seriousness of the air pollution problem. I have been encouraged by some recent outstanding and constructive research and action projects now underway by industry. For example, Mr. Miller, retiring chairman of Ford, recently announced a major engineering breakthrough. The Inter-Industry Emission Control Program, jointly sponsored by various automobile companies and the oil industry has invested $4 million into clean air research. Had we pushed earlier, we may not have found ourselves in the serious difficulties that we are in today.

"And I would suggest that a good place to start would be for the federal government to put its own house in order by cleaning up pollution from federal facilities. For example, a 1968 report by former Secretary of Health, Education and Welfare, Wilbur Cohen, states, and I quote: 'Federal installations account for about 30 per cent of the air pollution of the District of Columbia.' We in Los Angeles have certainly done a better job in cleaning up pollution from stationary sources than the federal government has done in cleaning such pollution from the Nation's Capital.

"We frequently hear a great deal of criticism that the states are not living up to their responsibilities. While some of this criticism is undoubtedly true, there are states that not only face up to their responsibilities, but also point the way for other states and the federal government. Air pollution is an excellent example, and we should remember insofar as air pollution is concerned, that the federal government is a 'johnny-come-lately.' If the statistics are accurate regarding pollution from the federal facilities in the District of Columbia and other states, they would indicate that the federal government's record has not been the most enviable one.

"As part of a new Administration that has pledged itself to a new era of federal-state relations, I strongly urge that the waiver as requested by the State of California be granted.

"Mr. Chairman, I think that a statement by Dr. Joseph Boyle, President of the Los Angeles Medical Association, on the critical nature of the air pollution problem needs to be carefully studied:

" 'This committee concludes that air pollution is becoming increasingly worse, and could lead to a great loss of life in this community. The evidence is conclusive that the increase in the significant components of this air pollution is due primarily to emissions from motor vehicles. These emissions constitute a serious threat to the health of residents of the Los Angeles Basin. Although this is especially true for those that are ill, the very young or the very aged, it also applies to those who are presently in good health. The Los Angeles County Medical Association wishes to emphasize to the Legislature of the State of California, and the Congress of the United States, that a critical and worsening health crisis exists in Los Angeles County, despite all efforts for its control. The pending crisis is imminent, and demands that every appropriate action, however drastic, be taken immediately. No further delay can be tolerated, with safety.'

"So, Mr. Chairman, Dr. Boyle's statement leaves no doubt that we need to accelerate our battle against air pollution. To those government officials and members of industry who say that we should go slow and that we cannot afford to move as rapidly as California wants to and has found it economically and technologically feasible to do so, I would quote from a statement by Mr. M. A. Wright, who, as President of the U.S. Chamber of Commerce, said: 'To those who say they cannot afford to take effective antipollution measures, I can only respond that they can't afford not to.'

"In my judgment, Mr. Chairman, the federal government should be encouraging and urging California to move ahead. It can do so by approving the waiver as I strongly urge."

ASSEMBLY JOINT RESOLUTION 8

Joint resolution relative to the Pure Air Act of 1968

Whereas, Seventy percent of the poisonous smog which each year costs California approximately half a billion dollars is caused by motor vehicles; and

Whereas, The California State Legislature last year developed vehicle emission standards which all new vehicles must meet beginning in 1970 and which become increasingly more stringent through 1974; and

Whereas, California may not implement these standards unless the Secretary of Health, Education, and Welfare finds, under the Federal Air Quality Act of 1967, that the standards are technically feasible and capable of implementation with reasonable economic cost; and

Whereas, The standards in the Pure Air Act of 1968 have been found to be technically feasible and capable of implementation with reasonable economic cost by a technical advisory panel of nine California engineers, scientists, and air pollution experts; and

Whereas, The automobile manufacturers have repeatedly asked that emission standards be established well in advance so that they may have "lead time" to develop the hardware to implement the standards; and

Whereas, All the standards in the Pure Air Act of 1968 are now California state law; the standards for cars as well as larger vehicles, the standards for exhaust emissions as well as evaporative loss, and the standards for 1971, 1972, 1973, and 1974 as well as 1970; and

Whereas, This is the law passed by both houses of the Legislature, and this is the law signed by the Governor; and

Whereas, On November 20, 1968, the California Air Resources Board unanimously adopted test procedures for all the standards in the Pure Air Act; for both exhaust and evaporative loss; for hydrocarbons, carbon monoxide and oxides of nitrogen; and for 1970, 1971, 1972, 1973, and 1974; and

Whereas, Without the strong responsible standards in the Pure Air Act of 1968 there is persuasive medical evidence that California faces a public health crisis of major dimension; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California requests the Secretary of Health, Education, and Welfare to grant California a waiver on all of the standards and procedures in the Pure Air Act of 1968 as promptly as possible; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Secretary of Health, Education, and Welfare and to each Senator and Representative from California in the Congress of the United States.

DRAFT REFORM NOW

Mr. GOODELL. Mr. President, in time of peace, an outdated and unfair draft law is bad enough. In time of war—when it determines who may live and who may die—it is intolerable.

We have a draft law that hardly anybody thinks is any good. The President does not like it; the Pentagon does not like it; millions of young men and their families do not like it. Yet, still the obsolete draft system drags on from decade to decade, without real reform.

What is wrong with our draft? We all know the answers almost by heart. It keeps millions of young men in a needless state of uncertainty from the time they are 18 to the time they are 26. It is

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riddled with loopholes and inconsistencies. It is not a just method of answering the question: "Who serves when not all serve?"

Every day, we hear politicians, professors, principals, and parents calling upon the young to abide by the law. Yet how can we seriously expect young men to listen to this advice without cynicism, when the law that most vitally affects their lives and futures—the draft—is so patently unfair and out of date?

Any draft system—even the most carefully and fairly drawn—can be no better than a necessary evil. For any draft system entails involuntary servitude, in a sense. It requires young men to serve and to risk their lives, whether they will or no. Any system of conscription raises the question put so well by Representative James F. Byrnes, of South Carolina, over 50 years ago:

> Must we Prussianize ourselves to win democracy for the people of the world?

In the long run, the only good way to recruit men for our Armed Forces is on the basis of their free will. I wholeheartedly support the President's directive to the Department of Defense to proceed with the formulation of plans for an all-volunteer army which would end reliance on the draft. Any volunteer army should, of course, be subject to strict civilian control.

A voluntary army, however, cannot be established immediately. There will be a period of years—which will be longer or shorter depending on the duration of the war in Vietnam—when we will have to use conscription to fulfill our military manpower needs. We will have to accept the draft as a necessary evil for a time.

Since the draft cannot be abolished immediately, it must be reformed immediately. We simply cannot afford to continue the obvious inequities of the present draft system while awaiting a a voluntary army.

Moreover, even when we reach the point of creating an all-volunteer army, we will need to have a draft law in reserve to meet situations of national emergency.

Draftees are being killed in Vietnam now. The time for draft reform is now.

An overhaul of the Selective Service System must accomplish the following objectives:

It must assure equitable and consistent treatment of all registrants.

It must limit the period of individuals' vulnerability to the draft, so that they can plan their futures.

It must operate simply and openly enough to be understood by the millions of young men whose future it so deeply affects.

A CIVILIAN NATIONAL COMMISSION TO ADMINISTER THE DRAFT

For 29 years, the Selective Service System has been the domain of a single individual—the Director of the System. This no longer makes sense.

We simply cannot afford to have a "czar" of the draft. Even the wisest and best intentioned man can misuse the tremendous power that now resides in the Director of the Selective Service System. No one man can adequately represent the enormously diverse interests that are affected by the draft.

Moreover, we cannot afford to have military men run our draft system at the top level.

Even the Pentagon has civilian leadership. Only the Selective Service System does not. The Director of the System is a career officer, as are almost all the division chiefs and top-level assistants. As long as the System has this purely military orientation, it cannot hope to be attuned to the profound social effect of the draft upon millions of civilians.

There is only one way to reform the draft leadership: to create a national civilian board to run the System.

I propose the creation of a National Selective Service Commission to direct the operation of the Selective Service System. The Commission would consist of five members, all of whom would have to be civilians. Members would be appointed by the President with the advice and consent of the Senate, for staggered, 5-year terms. No member could be appointed for more than two successive terms; and not more than three members could be of the same political party. The Commission would appoint a staff responsible to it. Regulations issued by the Commission would require Presidential approval.

The establishment of such a National Commission would have a number of important advantages.

A five-man civilian body would be more representative of the diverse interests affected by the draft. It would avoid the dangers of arbitrary action inherent in a single "czar" of the draft. It would adopt the principle of civilian rule that is now basic to all our institutions, including the Department of Defense.

Limiting the maximum tenure of members to 10 years will help avoid an entrenched leadership, insensitive to change.

Finally, requiring Presidential approval of the Commission's regulations will create a valuable check upon arbitrary actions, and help assure Presidential leadership in draft policy.

REDUCTION OF PERIOD OF VULNERABILITY TO THE DRAFT

The one point agreed upon by all studies made of the Selective Service System has been that young men of 19 should be the first to be called, not the last.

Under the existing system, most young men live in uncertainty for a period of several years during which they may be called to military service. In the extreme case, this period can run from a man's 18th birthday to his 35th.

The difficulties of planning one's future, of securing satisfactory employment, of entering upon long-term obligations, in the face of this uncertainty are obvious. It is a gross inequity to disrupt young men's lives unnecessarily for so many years.

The designation of 19-year-olds as the prime selection group for the draft should be accomplished by provisions limiting the period of uncertainty for an individual to 1 year. This would assure that a young man's prime exposure to the draft occurs before he is ready to enter on a career.

We must make this change, but we must do so in a way that does not unfairly give blanket immunity to young men now in the age group 20 to 26. Accordingly, the transition should be accomplished over a 2-year period.

During the year beginning July 1, 1969, the prime selection group should be designated as those who will reach the age of 19, plus those who reach the age of 23, 24, or 25 in 1969. During the second year, beginning July 1, 1970, the prime selection group should be designated as the new group of 19-year-olds plus those who reached their 20th, 21st, or 22d birthdays in 1969. In the third year, the prime selection group will consist only of 19-year-olds.

A NATIONAL LOTTERY

The basic fact of the draft is that many more young men become eligible than will be called upon to serve. If we consider only 19-year-olds, approximately 1.9 million attain this age each year, of whom perhaps 1.5 million meet the physical and mental requirements for induction. The need for military manpower in the future however, is likely to require annual draft calls of only between 100,000 and 400,000.

Under the present system, the selection of those eligible men who will have to serve is largely at the discretion of individual draft boards. Glaring inequities have resulted. A young man's chances of being called are high or low depending on the attitudes of his local board.

A lottery is the only fair and practical way of deciding who will and who will not be called. Only a lottery system gives all registrants a roughly equal chance of being called or passed up. Only a lottery system will eliminate the favoritism and confusion which presently exist.

The lottery would draw from the prime selection group each year, the number of inductees needed to fulfill military manpower requirements. Those whose names are not drawn in the course of the year would know they are free from the draft, unless a national emergency requires a sudden major increase in military manpower.

GRADUAL ELIMINATION OF STUDENT DEFERMENTS

Under the present system, a student successfully pursuing an undergraduate degree is entitled to a student deferment until graduation. This automatic deferment should be abolished once the transition to the 19-year-old selection group is accomplished.

The deferment should be continued for students now in college. This is necessary to prevent those who are in the midst of their college careers from having their studies disrupted. Specifically, all students who entered college by September 1968 should be entitled to the II-S student deferment as long as they are successfully pursuing their undergraduate studies.

There is no justification, however, for extending this deferment beyond the transition period to the 19-year-old selection group.

When a young man serves should not depend upon whether his parents' wealth or his intellectual abilities enable him to go to college. The draft system should not be used as an incentive for higher education. Any automatic student defer-

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ment tends to discriminate against the less educated and less affluent.

The inherent unfairness of student deferments becomes particularly striking in times like today, when a war is going on. The young man who does not qualify for a student deferment is faced with being drafted to fight in Vietnam and possibly, being killed. The young man who qualifies for the deferment may postpone his service for 4 years, at which time the Vietnam war may be over.

Under my proposed system, every draft-eligible young man would be placed in the lottery at the age of 19, whether or not he plans to go to college. If he is chosen, he will have to serve immediately, even though he wants to go to college. If, at 19, he is already in college when he is chosen, he will receive only a short deferment to enable him to complete his current college term.

CONSCIENTIOUS OBJECTORS

Since the early days of World War I, Congress has recognized the principle of conscientious objection. Initially, most CO's were members of Quakers, Brethren, and other pacifist sects.

Under the 1940 Selective Service and Training Act, the exemption for conscientious objectors was limited to those whose objection to war was based on religious training and belief. This reflected the historical fact of the religious origin of conscientious objection.

It soon became apparent, however, that those who objected to war on grounds of conscience included those with humanist attitudes not rooted in formal religion.

From 1943 to 1965, the Federal courts broadened the construction of the CO's exemption. This trend culminated in the Supreme Court's 1965 decision in the Seeger case; there, the Court held that the exemption was applicable to any person whose antiwar convictions occupied a place in his life parallel to that filled by the "Supreme Being" of the religious conscientious objector.

Unfortunately, Congress in effect overruled the Seeger decision 2 years later. The 1967 Selective Service Act specifically excluded those whose objection to war was based on "essentially political, sociological, or philosophical views or a merely personal moral code." As a result, persons whose objection to war was not based on formal religion generally were barred from classification as CO's.

On April 1, 1969, Chief U.S. District Judge Charles W. Wyzanski, Jr., ruled the 1967 act "unconstitutionally discriminates because it fails to recognize persons claiming conscientious objector status on other than religious grounds." He pointed out that such discrimination violates the provision of the first amendment that—

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

He said:

> Congress unconstitutionally discriminated against . . . men like (the defendant) who, whether they be religious or not, are motivated in their objections to the draft by profound moral beliefs which constitute the general convictions of their beings.

The National Council of Churches, commenting on this subject in February 1967, aptly made the same point:

> "Conscience" is not a monopoly of Christians or of the religious traditions. Neither is there one kind of conscience that is "religious" and another that is "non-religious"; but only the human conscience.

Under the 1967 law, young men, American citizens, are denied freedom of conscience. The Wyzanski decision points to the constitutional contradiction of the 1967 act. I recommend that Congress amend the 1967 act to exempt from the draft young men who conscientiously oppose war whether on religious grounds or not.

A young man who wishes to qualify for conscientious objector status now must do more than establish his moral opposition to war in the present historical context. He must answer all sorts of hypothetical questions about what his attitudes would have been to wars in other historical situations. He is asked whether he would have fought in the Revolutionary War or whether he would have fought Hitler.

But how can he honestly answer questions like these? A 20-year-old's attitudes toward war can only really be formed on the basis of wars in his own lifetime—like the Vietnam war. How can he really know how he would have acted in World War II, which happened before he was born? We who are over 40 can remember World War II and can talk meaningfully about whether we would have served in it. But can any of us really say how we would have acted in the Civil War; in the Mexican-American War; in the Revolutionary War? These are hypothetical questions without any real meaning to a decision as profoundly personal as a matter of conscience.

We must bear in mind that conscientious objectors have to serve their country in other ways. A CO must serve in a noncombatant capacity in the military—for example, as a medic in the battlefield—or else he is assigned by his draft board to work for 2 years in "alternative civilian service in the national interest" at military pay—for example, as an attendant in a mental institution.

In administering the exemption for CO's, the emphasis should be not so much on the applicants' attitude toward hypothetical or long-past wars, but to war as it is now fought. The basic question should be whether his objection to war in its present historical context is truly based upon conscience—upon a profound moral repugnance against killing.

In short, it is spurious to attempt to distinguish "selective" conscientious objection from "total" conscientious objection. No man can honestly say what his conscience dictates, except in the situation with which he is actually confronted.

Accordingly, the statute should be revised to refer to persons conscientiously opposed "to war in the present historical context" rather than "to war in any form."

UNIFORM NATIONAL STANDARDS OF CLASSIFICATION

One of the worst inequities of the present system is a lack of uniformity on the part of 4,000 local draft boards in the standards used for classifications of registrants.

Prior to last year, the National Security Council maintained a list of occupations in which critical manpower shortages were deemed to exist. In February 1968, however, the National Security Council determined that neither the needs of the Armed Forces nor of the civilian economy required occupational deferments on a national basis.

This decision was publicized as a termination of occupational deferments. General Hershey, however, notified State Selective Service directors that each local board retained "discretion to grant, in individual cases, occupational deferments on a showing of essential community need." In fact, since the decision to terminate occupational deferments on a national basis, such deferments have increased by 25 percent.

At present, no clear standards exist by which local boards can make decisions on occupational deferments, and each board follows its own lights with results that vary greatly from place to place. One bit of evidence that makes this point is the fact that more registrants in New York City hold agricultural deferments than do in the whole State of Nebraska. Colorado, for example, has virtually abolished occupational deferments, except in the health field.

There is the same glaring lack of uniformity in the administration of the hardship deferment. The deferment of actor George Hamilton a few years ago because his mother allegedly was dependent on him for support is a well-publicized instance of loose construction of the hardship principle. On the other hand, I see examples of extremely strict construction in my own State every day. Young men, whose parents will actually have to go on welfare if they are inducted, are refused the hardship classification.

To secure the maximum degree of uniformity attainable by legislation, I recommend that the National Selective Service Commission which I propose be charged with the responsibility for formulating uniform deferment standards and seeing that they are applied uniformly. The Commission should be required to establish by regulation lists of critical occupational shortages in various regions of the country for which occupational deferments may be granted. It should also be required to establish regulations setting forth the guidelines for hardship and other deferments. The regulations should be subject to approval of the President, and should be reviewed every 6 months.

Local draft boards should continue to be responsible for the application of these national deferment standards in individual areas. However, the National Selective Service Commission should conduct periodic surveys and spot checks to determine whether individual boards are, in fact, carrying out these standards.

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One advantage of shifting the prime selection group to 19-year-olds is that it will reduce the scale of deferment problems under the present system. Very few young men of 19 are engaged in essential occupations, however defined. Few can plead hardship for dependents as a reason for remaining in civilian life.

ELIMINATION OF OTHER INEQUITIES

There are a number of other provisions in the Selective Service law and regulations that are patently unfair and should be eliminated.

First, the authority assumed by the Director of the Selective Service System to alter any individual classification should be curbed. The Director has issued Selective Regulation 1622.60 which provides that—

> The Director of Selective Service, notwithstanding any other provisions of the regulations in this chapter, may direct that any registrant shall be classified or reclassified without regard to his eligibility for a particular classification.

This provision's potential for favoritism and abuse is obvious.

This provision was originally added to permit the Director of Selective Service to change classifications in cases where the strict application of the law would produce individual hardship. It should not, however, be necessary once the inequities of the law are corrected.

This provision has been used to reclassify as I–A persons who have been entitled to deferments but have engaged in antiwar protest activities. This is a misuse of the draft as a means of punishing dissent.

Second, a registrant should have the right to appear and be represented by counsel in all stages of draft proceedings. He now has no right to counsel, and may not even appear personally before a State appeals board.

Moreover, the role of the Government appeals agents should be expanded so that registrants have a "friend in court" and are more fully advised of their rights.

Third, various obviously capricious exemptions from the draft should be eliminated. One such exemption is that enjoyed by wealthy young men who can afford to remain outside the United States from their 18th to their 26th years.

Fourth, the courts should be expressly empowered to hear appeals from the action of Selective Service officials. The Director of the System now contends that his decisions on classification are final and not judicially reviewable.

Fifth, the draft treatment of aliens who have had previous military service in their country of origin must be reformed to bring it into line with treaty requirements, according to State Department recommendations.

There is no excuse for keeping the draft system as it now is. There is no excuse for continuing a manifestly unreasonable method of conscripting young men to risk their lives on the battlefield. There is no excuse for further delays, or for only tinkering with a system that needs a complete overhaul. The time for far-reaching reform of the draft is now.

THE 10TH ANNIVERSARY OF THE ST. LAWRENCE SEAWAY

Mr. BAYH. Mr. President, recently I had the privilege of participating in the Great Lakes Conference at Chicago sponsored by the Maritime Trades Department, AFL–CIO, honoring the 10th anniversary of the St. Lawrence Seaway. A number of significant proposals relating to the future development of national commerce and transportation were advocated at this meeting. Among the ideas which received special attention were those supporting a substantial expansion of American-owned fleets operating in the seaway as well as in the Great Lakes and opposing any increase in the present toll-rate structure on the latter.

In addition to my remarks, major addresses were delivered by two Illinois Congressmen, the Honorable Frank Annunzio and Dan Rostenkowski, and by three labor leaders—O. William Moody, Peter M. McGavin, and John Yarmola. In view of the importance of waterway transportation on the Great Lakes and the St. Lawrence Seaway to the economic well-being of the Midwest, I ask unanimous consent that a press release summarizing these comments as well as the texts of the speeches by the five named above be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Speech by Senator Birch Bayh

Three members of Congress and national leaders of maritime unions today marked the 10th anniversary of the opening of the St. Lawrence Seaway by calling for: 1—A substantial expansion of the American-owned merchant fleet carrying trade between Great Lakes cities and foreign ports; 2—A large increase in the U.S. Great Lakes fleet engaged in trans-lakes commerce; and 3—A strong, concerted fight against recent moves to raise St. Lawrence Seaway tolls.

These and other proposals designed to strengthen the St. Lawrence Seaway maritime industry and the economy of the Great Lakes states were advanced at an all-day AFL–CIO Maritime Trades Department Great Lakes Conference held at the LaSalle Hotel, Chicago. The speakers were:

U.S. Senator Birch Bayh (D., Ind.); Congressman Frank Annunzio (D., Chicago); Congressman Dan Rostenkowski (D., Chicago); O. William Moody, Jr., Administrator of the AFL–CIO Maritime Trades Department, Washington, D.C.; and Peter McGavin, Executive Secretary-Treasurer, AFL–CIO Maritime Trades Department, Washington, D.C. Chairman of the Conference was John Yarmola, Vice-President of the Seafarers International Union of North America AFL–CIO.

Senator Bayh, a member of the influential Great Lakes Conference of Senators, told the delegates, representing 32 maritime unions with 275,000 members in the Chicago area, that the American merchant fleet on the Great Lakes faces two major threats. Noting that today (Apr. 25) is the 10th anniversary of the opening of the St. Lawrence Seaway, the Indianian said:

"The deep-sea American merchant fleet faces massive competition from foreign carriers. These companies build their vessels with low-cost labor in foreign shipyards, and they crew their vessels with low-wage seamen drawn from a variety of nations. The result is that they can carry goods at rates that are not profitable for American vessels."

A second threat, Senator Bayh pointed out, lies in the fact that the U.S. has a program to provide assistance in the construction of vessels for the American-flag fleet to enable U.S. shipowners to buy American-built ships at the world market rate, but extends this assistance to only 14 of hundreds of American shipping lines.

"This year, for example," Senator Bayh continued, "the budget presented to Congress calls for constructing only 10 new ships to be divided among these 14 companies, at a time when we should be building many times that number in the face of the serious obsolescence of our fleet.

"The U.S. also has a program," the Senator pointed out, "to help defray the operating costs of American vessels so they can carry imports and exports at precisely the same rate as foreign-flag vessels. Yet again, this assistance is limited to only 14 companies which, together, operate only one-third of the ships in our fleet.

"These defects in our maritime program," the Senator emphasized, "affect all of our merchant marine, but they have a particularly devastating effect on the development of our maritime strength on the Great Lakes."

Senator Bayh recalled that the bipartisan Great Lakes Conference of Senators expressed the unanimous views of its Republican and Democratic members in proposing that a stated portion of the government's appropriations for operating subsidies be earmarked for American-flag vessels operating between Great Lakes ports and the rest of the world.

"We have not asked for an inordinate sum," the Senator said. "Out of the $200 million allocated for operating subsidies each year, we have requested that only $8 million be set aside to meet the threat of foreign competition here on the Great Lakes."

Senator Bayh praised both the American and Canadian labor movements on the Great Lakes for "providing leadership for developing the maximum potential of America's fourth—and newest—seacoast."

Congressman Annunzio strongly deplored both the decline of U.S. shipping in Great Lakes trade and the fact that what remains of the U.S. merchant fleet on the Great Lakes "is dangerously obsolete—even more so than our ocean-going fleet."

While the Canadians have been steadily forging ahead with their trans-lakes commerce, the U.S. has been steadily slipping behind, Annunzio told the delegates. "In the period between 1955 and 1966," he said, "the U.S.-owned Great Lakes fleet declined by more than 500,000 gross tons, while the Canadian-owned fleet on the Lakes increased by exactly that amount."

This has meant the loss of more than 4500 jobs aboard ship, the Congressman stated, plus the loss of other employment affected by the 4500 job dropoff.

"American operators would like to bring about a revival of their fleet with private capital rather than with tax dollars," Annunzio continued. "But if the job cannot be done totally with private capital, I would support legislation that would extend some measure of construction subsidy assistance to the American Great Lakes fleet." He concluded:

"If it makes sense to subsidize construction of some ocean-going vessels so that they can compete with foreign carriers for our deepsea imports and exports, then it makes equal sense to devise some construction subsidy program for our Great Lakes fleet, as well—because competition is equally prevalent in this area."

Congressman Rostenkowski told the Conference that as the Seaway begins its 11th year of operation "all of us are looking forward optimistically to at last going over the

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50 million-ton mark in terms of overall cargo." He continued:

"And yet, there is a cloud on our horizon . . . I am referring to the increasing pressures to raise the tolls on the Seaway—a move which, in my judgment, could price this waterway out of the market. Water carriers are already facing stiff competition from other modes of transportation—including the unitized train—and any tampering with the Seaway rates could lead to a disastrous downtown in traffic and could place the whole future of the Seaway in jeopardy.

"I think that we ought to give attention to removing the tolls in their entirety, to expansion of the waterway system so that it will accommodate *more* ocean-going vessels, and to the expansion of the seven-month shipping season. To the extent that we develop the maximum potential of the Seaway—even if it means underwriting the cost of the Seaway out of our respective U.S. and Canadian public treasuries—to that extent we will contribute to the benefits to the people whom the Seaway serves."

MTD Administrator O. William Moody, Jr. stressed that for a third of a century, since 1936, the U.S. merchant marine program has concerned itself with only one segment of the merchant marine.

"The goal was fine," Moody declared, "but the benefits of the program were limited exclusively to the liner segment of the industry. The bulk cargo segment of the fleet—the so-called "tramp fleet, the Great Lakes fleet, the fishing fleet—all of these were excluded from the provisions of the 1936 Act.

"Yet these are the ships which should be given assistance because of their potential for carrying a major share of our cargo, because we are engaged, as you well know here on the Lakes, in bulk cargo traffic—not in liner traffic."

Moody offered the following specific proposals: "1—We must make sure that there is no further discrimination against any segment of our fleet with respect to shipbuilding. The government should make ship construction subsidies available to *all* American ships—subsidized and unsubsidized, Great Lakes and deep sea, cargo vessels and fishing vessels—so that *all* segments of this industry can build ships in American shipyards; 2—We must make sure there is no further discrimination in the expenditure of operating subsidies; 3—We must end the discrimination with respect to the setting aside of money for shipbuilding; 4—We must end the discriminatory practice of double subsidies. If shipowners want construction and operating subsidies then they should be willing to go out and compete for commercial cargo. There's plenty of it out there and right now 95% of it is moving on foreign-flag ships; 5—We must end the practice of government agencies favoring foreign-flag ships for the carriage of government cargo in preference to American ships."

MTD Executive Secretary-Treasurer Peter M. McGavin, discussing the 2500-mile inland waterway system, contended that this system "is every bit as important to the MTD as is the deep-sea portion of our maritime efforts."

McGavin warned that the waterway is now under attack on two fronts. The first, he said, is a proposal in Congress "to impose a user-tax on the fuel used by towboats on our inland waterways." A tax on fuel would raise the cost of water transportation, the MTD leader said, could cripple the inland barge industry, could raise the rates that shippers must pay, and force up costs to consumers.

The second threat to our waterways, McGavin stated, comes from the Interstate Commerce Commission which "wants to enforce a law passed 30 years ago that would limit the number of different commodities that could be carried in the same unit of barges."

McGavin reported that Congress is now considering a bill that would eliminate this discrimination against the inland waterways by making it clear that each barge is a vessel and that 40 different barges in a tow could, if desired, carry 40 different commodities.

"The MTD is going to fight for this legislation," McGavin pledged, "just as we're going to fight against the user-tax on the inland waterways. This is just as much a part of our Great Lakes fleet and a revitalized American program as our support for a revitalized fishing fleet and a revitalized deep-sea fleet.

"They all go together," McGavin concluded, "because all of them together provide economic opportunities for business, jobs for American workers, and improved transportation capabilities for our nation."

Speech by Congressman Frank Annunzio

It is a distinct pleasure for me to be here today—and to join with you in discussions of some of the prospects that lie ahead in terms of developing shipping on the Great Lakes—as well as some of the problems that must be resolved if we are to achieve that goal.

I would like to commend the Maritime Port Councils for the outstanding service they are rendering through the medium of this seminar—in terms of focusing public attention, both here and elsewhere throughout the country, on the important role that water transportation plays here in the Lakes area.

The opening of the St. Lawrence Seaway a decade ago generated a new wave of interest in water transport in this part of the country—and people now tend to think of the Lakes almost exclusively in terms of its role—realized or potential—with relation to international commerce.

Much of the port development that has taken place or that is being planned in this area has stemmed from the opening of this area to deep-sea vessels—the discussions here in Chicago, for example, about the possibility of unifying port facilities and building a combination container-general cargo terminal is a direct result of the sharp increase in traffic generated by the Seaway link to the rest of the world.

So I recognize the advantages that the Seaway has brought to this area—but I would hope, in developing this potential for international trade, that we would not lose sight of another aspect of waterborne commerce that is involved here—something that existed prior to the opening of this overseas trade artery and that continues to be an important factor in our total transportation picture.

I refer, of course, to the commercial artery that can best be described as the "interlake" trade—and it is here that our efforts have faltered.

I realize that this seminar today involves Port Councils from Canada as well as the United States—and I hope that our Canadian participants will forgive me if I sound a little parochial in discussing the interlake problem.

The fact of the matter is that in this particular area of maritime affairs, we and the Canadians have regularly been engaged in competition.

I believe in competition—it is not only the "spice of life," as the cliche goes—it is also the ingredient that brings out the best in all of us because it puts us to the test of pitting ourselves against the other fellow.

But real competition presupposes that both sides are equally engaged in the contest—and here on the Lakes, this simply is not so—for the Canadians have been steadily forging ahead with their trans-lakes commerce, and we have been steadily slipping behind.

In the period between 1955 and 1965, for example, the U.S.-owned Great Lakes fleet declined by more than 500 thousand gross tons—while the Canadian-owned fleet on the Lakes increased by almost exactly the same amount.

In terms of employment opportunities for seamen on U.S. Great Lakes vessels, this radical reduction in the size of our fleet has been particularly significant—it has meant the loss of more than 4,500 jobs aboard ship, to say nothing of all of the other areas of employment which would be affected by this decrease.

This downward trend has shown no signs of abating.

In 1956, for example, there were 20 independent U.S. bulk steamship companies on the Great Lakes—today, only eight of these remain.

What's more, the Great Lakes fleet is dangerously obsolete—even more so than our ocean-going fleet.

One hundred and nine vessels—approximately 45 percent of the Lakes fleet flying the U.S. flag—were constructed before 1915.

Only 28 American-flag vessels now operating in inter-Lake trade were built after 1950.

Canada does not face this kind of a problem—and the reason is that 20 years ago, the Canadian government foresaw the need for action and took a series of steps which have kept that country's Lakes fleet strong and viable.

In 1949, for example, the Canadians enacted the Vessel Assistance Act which enabled an operator to depreciate his vessel in as few as three years.

The result was that between 1950 and 1961, 51 new vessels—totalling 666 thousand deadweight tons—were added to the Canadian Great Lakes fleet—while we were adding only 24 vessels.

Additional legislation in 1961 provided a direct construction subsidy starting at 40 percent and ranging downward to 35 percent after two years—and which resulted in the construction of another 18 Canadian vessels of 331 thousand deadweight tons.

In 1965—when it appeared that the United States might extend an operating-differential subsidy to its Great Lakes fleet operators—the Canadians suspended this ship construction assistance—but now it was later resumed at a lower percentage after the U.S. government failed to act.

The subsidy plan, along with lower construction costs in Canada, has meant that the Canadian operator was able to build his vessels at only 55 percent of the investment required by an American operator—and the American operator cannot depreciate his vessel in less than 18 years—six times as long as the Canadian depreciation schedule.

This plan has made the Canadian Lakes fleet one of the most advanced and highly automated in the world.

Thus far deprived of government assistance, American operators have attempted—as best they can—to improve the competitive position of their Great Lakes fleet.

But they have not been able to prevent the downward trend of this fleet—and they are in urgent need of assistance.

I am impressed by the fact that, to the greatest extent possible, American operators would like to bring about a revival of their fleet with *private* capital—rather than with tax dollars.

This speaks well for this industry—and it is particularly welcome in view of the fact that the government is dealing with extraordinarily heavy expenses as a result of the Vietnam war—and that there are repeated demands for economies in federal expenditures in view of the inflationary spiral which continues to plague our country.

What the Lakes' operators have asked is that they be allowed to deposit earnings in a tax-deferred reserve fund—a fund that would be used for new vessel construction as well as major repairs.

For years, our government has allowed 14 subsidized American-flag deep-sea companies to use this tax-deferred arrangement to build up private capital to prolong the useful life of their vessels and to make possible their orderly replacement.

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I approve of this procedure as a principle that should be extended throughout our merchant marine—to unsubsidized operators as well as subsidized ones—and to ships which operate on our Great Lakes as well as the ones that operate on the high seas.

There is now legislation pending in Congress to extend this program throughout the industry—and I pledge here today that I will work to see that our Great Lakes fleet is included in the provisions of that law.

This will be a long forward step toward revitalizing our Lakes fleet—and I know I can count on the active participation of the Port Councils in seeing that this legislation is extended to the Great Lakes fleet—and in working for its passage.

It has also been proposed—in view of the success of Canada's rapid depreciation plan—that the United States adopt a similar policy.

In the interest of establishing replacement capital, depreciation rates for Great Lakes vessels should be revised to permit more rapid amortization of capital costs.

Again, I share the view of the operators on this issue—I think that we must make it possible for them to develop a new fleet financed—to the greatest extent possible—with private capital, and I will work for legislation to achieve that goal.

But if the job cannot be done totally with private capital, I would support legislation that would extend some measure of construction subsidy assistance to the American Great Lakes fleet.

If it makes sense to subsidize construction of some ocean-going vessels so that they can compete with foreign carriers for our deep-sea imports and exports—then it makes equal sense to devise some construction subsidy program for our Great Lakes fleet, as well—because competition is equally prevalent in this area.

The same reasons which justify the existence of the American merchant marine on the other seacoasts of the nation are present here in the Lakes—and if anything, with greater impact.

I am sure that, working together, we can develop the kind of Lakes fleet that will give new viability to our maritime efforts here in mid-America—and that will, in the process, strengthen the economy of this entire area of our nation.

SPEECH BY CONGRESSMAN DAN ROSTENKOWSKI

It's a distinct pleasure for me to be here today—and as one of the Members of Congress from the Greater Chicago Area I am delighted to be able to welcome to our city the labor representatives from so many Port Councils here on the Great Lakes.

The past ten years since the opening of the St. Lawrence Seaway have seen some major economic gains for most—if not all—of the Great Lakes ports.

The Seaway has made it possible for this area to export its goods directly to the markets of the world—instead of having to transship them overland to the coast—and it has made possible the importation of raw materials and finished products the same way.

In 1969, as the Seaway begins its 11th year of operation, all of us are looking forward optimistically to at last going over the 50-million-ton mark in terms of overall cargo moving through this artery of commerce.

That would be a major accomplishment—one which we've come close to a couple of times, but have not yet achieved—and it would be added incentive to develop still further this waterway that reaches 23 hundred miles into the heart of our continent—stretching from the Atlantic Ocean to the far reaches of Lake Superior.

It has been the opening of the Seaway which has contributed so much to the slow but steady expansion of the Great Lakes ports until today they have become significant factors on the world trade scene.

Here in Chicago, for example, significant benefits accrue each year to the regional econony as a result of the presence of our great port.

It is estimated that the economic contribution of the Port of Chicago is in the range of $160 million annually.

True, not all of the ports on the Lakes have shared equally in the great economic surge caused by the opening of the Seaway—but this entire area has benefited and it is obvious to all objective observers that the time, effort and money that have thus far been funneled into port improvement and promotion are paying off.

From all that I can gather, most Great Lakes port officials are optimistic about both the short-range and the long-range prospects for international commerce.

And yet, there is a cloud on our horizon—there are developments that, if allowed to take place, could discourage the use of this essential waterway—and that could negate the efforts each of our port cities is making to attract more traffic to this area.

I am referring, of course, to the increasing pressures to raise the tolls on the Seaway—a move which, in my judgment, could price this waterway out of the market.

Water carriers are already facing stiff competition from other modes of transportation—including the unitized train—and any tampering with the Seaway rates could lead to a disastrous downturn in traffic and could place the whole future of the Seaway in jeopardy.

This is not the first time that we have wrestled with this issue of Seaway tolls—the Canadian government proposed increases in user-charges on the 100-mile transit from Montreal to Lake Ontario back in 1966.

The proposal was vigorously opposed by our government at that time—and it was agreed that there would be no increase in tolls at least until 1971.

The American government had to make a concession to Canada at that time—agreeing to reduce its share of the toll revenues from 29 percent to 27 percent—increasing the Canadian share proportionately.

Now the talk of higher Seaway tolls is already being heard—and whereas back in 1966 the proposal was for a 10 percent increase, today the proposals range anywhere from 20 to 40 percent.

The proponents of the toll increase point out that the legislation enacted by the Canadian Parliament and the United States Congress called for paying off debts incurred by our respective countries by the year 2008.

They argue further that a 20 percent increase in tolls would pay the operating cost and the interest on the debt, but would not repay the principal owed to the national treasuries—and that the 40 percent boost is essential if the debts are to be retired as originally planned.

I am sure that the mathematics are correct—but I am also sure that this falls under the heading of theoretical mathematics—and that the practical dollars and cents of this are something else again.

In my view, it doesn't make sense to raise tolls in the hope of retiring our mutual indebtedness if the result would be to reduce the amount of traffic moving through the Seaway.

This would be a self-defeating move, and I find little justification in it.

Just look at the present toll structure on the Seaway—it costs 40 cents a ton to move bulk cargo through the Seaway—it costs 90 cents a ton to move general cargo—and in addition there is a charge of four cents a ton on a ship's gross registered tonnage.

The result is that the average transit of the St. Lawrence Seaway costs a ship anywhere between $10,000 and $12,000.

A 20 percent increase could be damaging to our joint efforts to bring about greater use of this artery of commerce—a 40 percent boost would, on its face, be prohibitive.

And these charges are exclusive of the lockage charges for using the Welland Canal for moving cargo out of Lake Ontario and into the four other lakes.

In 1967, as you well know, lockage charges were instituted on the Welland by the Canadian government—charges which started at $20 per lock and which will advance, in stages, to $100 per lock in 1971.

This additional charge—which now stands at $60 per lock for this season, which means a $480-per-ship charge for each transit of the canal—already has within it a potential for choking off traffic beyond Toronto.

I don't think we should add to the burden of the ship operator—and, in turn, to the burden of the shipper and the consumer—by escalating the Seaway fees any further.

As a matter of fact, it makes more economic sense to me to begin thinking of *cutting* Seaway tolls—and eventually eliminating them—instead of talking about raising the tolls and thus lowering the volume of traffic.

If the original legislation is the stumbling block, then I, for one, would be willing to work to amend the Act passed by the United States Congress—and I would hope that our Canadian friends would be willing to do the same thing in their own Parliament.

If it was valid to have the Seaway to begin with—valid enough to invest the hundreds of millions of dollars that our two countries put into this project—then it is even more valid that we continue with the Seaway and develop its full potential—rather than to stunt its growth through the imposition of artificial restraints.

I think that we ought to give attention to removing the tolls in their entirety—to expansion of the waterway system so that it will accomodate *more* ocean-going vessels—and to the extension of the seven-month shipping season.

To the extent that we develop the maximum potential of the Seaway—even if it means underwriting the cost of the Seaway out of our respective public treasuries—to that extent we will contribute to the development of the maximum economic benefits to the people which the Seaway serves.

This is an important international trade route—one that has marked effect on the commerce of many areas—but it is particularly vital to the daily lives of the 61 million people who inhabit the more than 1¼ million square miles that border on this waterway.

It is up to all of us to see that the Seaway prospers—for, as it does, so will all of the people in this region prosper.

REMARKS OF O. WILLIAM MOODY, JR., ADMINISTRATOR, AFL–CIO MARITIME TRADES DEPARTMENT

I appreciate this opportunity to be with you here today and to take part in this conference on Great Lakes maritime problems.

At the outset, I'd like to pay my respects to all of the officers and affiliated unions of the Great Lakes Maritime Port Councils for the work that is being done in this area to strengthen our merchant shipping.

Your first concern—and rightly so—is with the problems that confront you here at home—the problems of developing maximum use out of the Seaway—and of seeing that American-flag vessels play a greater part in the carriage of the imports and exports being transported over this vital artery of waterborne commerce.

But your concern does not stop there.

In the past several years, during which the Maritime Trades Department has been waging the battle for an independent Maritime Administration in Washington, we have received your wholehearted support—support where it counts—at the grass-roots level.

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The active participation of all of the Great Lakes Port Councils was significant—it helped produce a record-breaking vote in the 90th Congress to reconstitute Maritime as a completely independent Federal agency.

The fact that this legislation subsequently was vetoed in no way diminishes the excellent work that you did in winning passage of the independent agency bill—nor does it in any way change our view that, as things stand now, an independent Maritime Administration is the key to getting a merchant marine program that—for the first time—will truly serve this country's waterborne transportation needs.

The Maritime Trades Department's commitment on the need for a strong and expanding merchant shipping and shipbuilding program was implicit in our support for an independent agency bill—and is was equally implicit in your all-out support for this legislation.

And, without respect to where the Maritime Administration is ultimately lodged, it is going to be necessary for all of us—both in Washington and out here in the heartland of America—to put our maximum strength behind the development of that new maritime program that we so urgently need.

Today's conference is devoted, in the main, to the discussions of the Great Lakes—but I'm sure all of you will agree that your urgent needs in this part of the country are not going to be solved in a vacuum—that they can be solved, in the last analysis, only if we address ourselves to a *complete* maritime program.

After all, your problems here on the Lakes have developed precisely because—for 33 years—we have had a maritime program that served only *part* of this industry—not the total industry.

So let me talk with you for a few minutes about the total maritime picture—about what is wrong with the present system—and about what must be done to improve the system—and you'll see that it applies equally to solving your problems on the Lakes.

For a third of a century—since 1936—we have had a merchant marine program that has concerned itself with only one segment of the merchant marine.

The Merchant Marine Act of 1936 created a series of benefits to help make it possible for our U.S.-flag fleet to carry a substantial share of this country's waterborne exports and imports—and to serve as an auxiliary to our armed forces in time of crisis.

The goal was fine—but the benefits of the program were limited exclusively to the liner segment of the industry.

Only 14 American shipping companies—which operate only one-third of the ships under the U.S. flag—benefit from the special privileges established 33 years ago.

The bulk cargo segment of the fleet—the so-called "tramp" fleet—the Great Lakes fleet—the fishing fleet—all of these were excluded from the provisions of the 1936 Act.

Yet these are the ships which should be given assistance because of their potential for carrying a major share of our cargo—because we are engaged, as you well know here on the Lakes, in *bulk cargo* traffic—not in liner traffic.

Look at the privileges extended by the 1936 Act:

The Act provided for help in paying the cost of building ships in American shipyards. Today, the government pays 55 percent of the cost of building a subsidized ship—but it pays this money only for ships being built for the 14 favored liner companies.

The Act provided for help in paying for the cost of operating ships under the American flag. Today, the government pays roughly $2,200 per ship per day for the subsidized vessels—but it pays this money only for ships operated by the 14 favored liner companies.

The Act provided for tax-deferred construction reserve funds so that shipowners could set aside earnings for the orderly replacement of their fleet—but this privilege is enjoyed only by the 14 favored liner companies.

The purpose of these special arrangements was to help keep the American-flag fleet competitive with foreign-flag operators—the ones who build their ships with low-wage help abroad, and who crew their ships with low-wage foreign nationals.

What I'd like to know is why the 14 liner companies are any different than the tramp fleet—the Great Lakes fleet—or any other segment of our merchant marine?

I don't have to tell you, here on the Great Lakes, about the competition from foreign-flag vessels—you see them every day in your ports, loading and unloading cargo.

Foreign-flag tramp ships are just as much competition as foreign-flag liners—probably even more so, in view of the fact that the major share of our cargo is made up of these kinds of shipments.

Yet everybody has been excluded from the benefits of the Merchant Marine Act except the 14 favored liner companies.

It just doesn't make any sense.

What's more, the discrimination against the unsubsidized lines doesn't stop there.

We have cargo preference laws on our books that are designed to protect American-flag ships against predatory competition in the carriage of cargoes generated by the American government—particularly foreign-aid cargoes and agriculture surplus cargoes.

These laws make it very clear that a *minimum* of 50 percent of these cargoes must move aboard American vessels.

But that's not the way it's been happening.

For one thing, the government agencies have taken the 50 percent minimum and made a *maximum* out of it—they've taken the language of the law which talks about *not less than* 50 percent of these cargoes moving on American ships—and they've translated it into *not more than* 50 percent.

In other words, we're giving away this government cargo to foreign-flag ships—and in the process we're giving away one of the tools that Congress devised some years back to help keep our merchant fleet strong and healthy.

For another thing, when the government agencies *do* put cargo on American ships, they tend to put it on the subsidized ships instead of the unsubsidized ones—so the government gives an added preference to the only segment of this industry that's been given preferential treatment—the 14 subsidized liner companies!

The whole purpose of construction and operating subsidies is to help American ships compete for *commercial* cargo—yet these subsidized ships, in the period just before the Vietnam Sealift, were devoting more than half their space to *government* cargoes.

What this amounts to is a *double subsidy*—it destroys the intent of the construction and operating subsidy program—and it also destroys the intent of the cargo preference program.

Obviously, if the United States is going to survive as a maritime power—and today we're only a fifth-rate shipping power and a ninth-rate shipbuilding power—we have to take a new heading as far as our maritime program is concerned.

Here are some of the things we're going to have to do:

We must make sure that there is no further discrimination against any segment of our fleet with respect to shipbuilding. The government should make ship construction subsidies available to *all* American ships—subsidized and unsubsidized—Great Lakes and deep sea—cargo vessels and fishing vessels—so that *all* segments of this industry can build ships in American shipyards.

We must make sure that there is no further discrimination in the expenditure of operating subsidies. There is just as much need for help in meeting cut-rate and cut-throat foreign competition here on the Lakes as there is on the high seas—and just as much need for tramp vessels to be able to compete as for liners.

We must end the discrimination with respect to the setting aside of money for shipbuilding. At this point in our national life, when the demand for public funds far outstrips our abilities as a nation to underwrite all of the needy projects we should be financing, you'd think the government would be looking for ways to stimulate *private* investment and take some of the pressure off the public treasury. By letting *all* shipowners avail themselves of the opportunity to set up tax-deferred construction reserve funds, we'd be opening the way to the influx of more private capital into shipbuilding.

We must end the discriminatory practice of double subsidies. If shipowners want construction and operating subsidies then they should be willing to go out and compete for the commercial cargo—there's plenty of it out there, and right now 95 percent of it is moving on foreign-flag ships. If they want to carry government cargo, instead—well, that's alright too—but they shouldn't get the construction and operating subsidies, too. There's no point in the United States government paying twice for the same thing.

We must end the practice of government agencies favoring foreign-flag ships for the carriage of government cargo in preference to American ships. There may be a temporary savings in terms of freight rates when low-cost foreign ships are used instead of American vessels—but the long-range cost is enormous in terms of losing our shipping capabilities, and in terms of jobs aboard ship and in supporting trades and services ashore.

All of these improvements are basic to the development of a new and meaningful maritime program—they are at the core of the efforts that the Maritime Trades Department will be making in Washington this year—and they are in harmony with the things which you want done, here on the Lakes, to strengthen your maritime economy.

I know that the Port Councils here and elsewhere throughout the United States will be joining their efforts to ours to help make this program a reality.

Remarks of Peter M. McGavin, Executive Secretary-Treasurer, AFL–CIO Maritime Trades Department

It's nice to be back in Chicago, among so many of my friends from the labor movement throughout the Great Lakes area.

Whenever I get out of Washington—and get out here where the trade union movement is such a powerful force for social and economic gain—it helps me get a better perspective on the job that we're trying to do back in our nation's capitol.

After all, the job that we're trying to do through the MTD involves the jobs and the future of our members out here at the "grass roots"—and we couldn't do the job without the continuing fine support that you've given, every time you've been called on to lend a hand.

So you can say that the MTD's job starts out at the community level—and its benefits end up back here.

Here in Chicago and around the Lakes, you understand something that other people might miss—you understand the full range of the Department's interests and activities.

Many people in Washington, for example, think that the MTD is concerned only with our deep-sea fleet—but you know differently.

You know that we're just as interested in the full development of our inland water transportation—whether it's here on the Lakes or elsewhere on the inland waterways—just as interested as we are in the development of deep-sea transportation.

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For the past 10 years—ever since the opening of the St. Lawrence Seaway—people have been thinking of the Great Lakes in terms of their role as part of our international water commerce routes.

But even without this access to worldwide commerce, the Great Lakes remain important because they are the greatest single inland water transportation system in the world.

Navigation improvements over the last century have led to the rise of the vast industrial complex along and near the shores of the Lakes—and today this system supports a constantly accelerating rate of growth throughout the area it serves.

What's more, the Lakes are interconnected with the rest of our inland waterways system—the rivers and barge canals which form a gigantic, 2,500-mile inland network which ties together the American nation.

This network extends from Pittsburgh to Sioux City—and from Minneapolis and the Great Lakes to the Gulf where it meets the Gulf Intracoastal Waterway connecting the Mississippi system with all the ports and waterways between Florida and the Mexican border.

And this inland waterway system—its potential for development—its ability to serve our domestic transportation needs—is every bit as important to the MTD as is the deep-sea portion of our maritime efforts.

The inland waterway system is a precious natural heritage—without it, we could not have developed the United States from a scattering of Atlantic coastal communities into a transcontinental giant.

There has been an unbelievable growth of commerce on these waterways—today, a modern, integrated tow may consist of as many as 40 barges and a towboat—tied together into a unit nearly 2,000 feet long and 120 feet wide—carrying the equivalent of a dozen freight trains averaging 70 cars each!

There have to be reasons behind this growth—and there are several of them:

We have continued to develop and expand our waterway network, and we have continued to improve and update older channels.

There have been constant improvements in towboats, barges and other equipment and there have been improvements in terminal facilities and in the methods of operation employed by the shipping industry.

There has been an increasing migration of industry to the river banks—primarily attracted by the availability of cheap and dependable barge transportation.

The key to all of this is the fact that barge transportation—like transportation here on the Lakes—offers the lowest rate to the shipper—and that's a big consideration these days, in view of the billions of ton-miles that goods must travel on their way to market.

But now this waterway system is under attack on two fronts.

Recently, Congress received proposals to impose a user-tax on the fuel used by towboats on our inland waterways—for the first time in American history concerted efforts are being made to end the tax-free status of these water highways.

A tax on fuel is going to raise the cost of water transportation—it could cripple the inland barge industry—and it could raise the rates that shippers must pay, which means that the cost to the consumer is going up.

At a time when the government is trying to prevent any more inflation, I am amazed that it would want to enact a tax that would have no other effect except to raise costs all the way along the line—from the producer to the consumer.

The other threat to our waterways comes from the Interstate Commerce Commission—which is trying to wipe out all of the technological achievements made by the inland boat industry over the years.

It wants to enforce a law passed thirty years ago that would limit the number of different commodities that could be carried in the same unit of barges.

The original law was intended to reduce the mixing of commodities aboard a single vessel—but 30 years ago, Congress lumped all of the barges in one tow under the heading of a "single vessel."

It wasn't a very restrictive rule back in 1939, because at that time the average two consisted of only about six or eight barges.

But with the development of high-powered tugs—which can pull a string of 40 barges at one time—the law becomes prohibitive.

It could force this industry to go back to the 1939 level of having only six or eight barges in a tow—which could virtually wipe out all of the shipping and all of the jobs on our inland waterways.

Congress is now considering a bill that would eliminate this discrimination against the inland waterways—a bill that would make it clear that each barge is a vessel, and that 40 different barges in a tow could, if they wanted to, carry 40 different commodities.

The MTD is going to fight for this legislation—just as we're going to fight against the user-tax on the inland waterways.

This is just as much a part of our program as our support for a revitalized Great Lakes fleet—and our support for a revitalized American fishing fleet—and our support for a revitalized deep-sea fleet.

They all go together—because all of them together provide economic opportunities for business—jobs for American workers—and improved transportation capabilities for our nation.

REMARKS OF MR. JOHN YARMOLA, VICE PRESIDENT, SEAFARERS INTERNATIONAL UNION OF NORTH AMERICA

On behalf of the MTD Great Lakes Port Maritime Councils, it's a pleasure for me to welcome all of you here today.

This conference is a joint undertaking.

One of its sponsors is the AFL–CIO Maritime Trades Department—the constitutional department established by the national labor movement to deal with maritime problems.

Its other sponsors are all of the affiliated Port Councils here on the Lakes—in Canadian ports as well as American ports.

Today's conference is another example of the way in which trade unionists engaged in shipboard, shoreside and related occupations join forces to focus public attention on the plight of all segments of our maritime interests—and seek to find solutions that will work to the betterment of our nation, our industry and the workers we represent.

Here on the Great Lakes, our maritime problems are numerous:

We have the St. Lawrence Seaway, which most of us felt would result in a revival of U.S.-flag shipping, but which, instead, has turned out to benefit foreign-flag shipping, in particular.

We have an American-flag Lakes fleet that is obsolete, that is growing smaller with each passing year and that needs a massive stimulant to keep it alive.

We have witnessed an economic boom throughout this area—with the exception of our merchant marine—as the result of the Seaway, but we are now threatened with a curtailment of that boom in the form of proposals to raise tolls on the Seaway.

We are in urgent need of encouraging an increase in the use of the inland waterway system which feeds into the Great Lakes, so that commodities can move as inexpensively as possible—yet we are confronted with proposals for the first user-taxes on these waterways in two centuries, and we find those who would like to impose rigid limitations on the amount and variety of cargo which these inland barges can handle.

To us, here on the Great Lakes, these are problems of staggering proportions.

Most people who live outside this area have little understanding of the tremendous impact that water transportation plays on our economy—or the contribution that this water transportation makes in terms of the total national economy.

Yet there is more traffic through the locks at Sault Ste. Marie each year than there is through the Panama Canal—even though the "Soo" is open only seven months a year, and the Panama Canal operates around the calendar.

There is more shipping through the Welland Canal than there was through the Panama and Suez Canals, combined when Suez was still in operation.

The volume of cargo handled each year here in the Port of Chicago is so large that this is the No. 2 port in the United States—second only to the Port of New York.

So the significance of a healthy maritime industry in this area cannot be minimized—because it is vital to the total economic health of this entire mid-continent.

As we meet here today, the St. Lawrence Seaway begins its second decade of operation.

Along this Seaway, and its interconnecting system of canals, locks and Lakes, we have come a long way, indeed, from the time that Cartier first explored the St. Lawrence on his second voyage to the new world in 1535—and we are far advanced from those first settlements that grew up around the fur trade.

Today we are suppliers to the world—we are shippers to a large segment of the world—and we are consumers of enormous quantities of the world's raw materials.

But we cannot rest where we are—because times change—the world's population enlarges—and we must keep pace with growing demands for the food this area produces and the manufactured articles that pour out of our production facilities.

The key to keeping pace is transportation—and, in this part of the country, the major transportation key must be our waterborne capabilities.

That is why we are here today—to discuss the problems that confront us here on America's newest seacoast—and to devise ways and means of surmounting those problems.

REFORMING THE FEDERAL NARCOTICS PROGRAM

Mr. GOODELL. Mr. President, on March 16 I proposed a five-point program for immediate action to try to halt the narcotics epidemic plaguing New York City. The main thrust of my remarks is that the Federal Government in the past has been dilatory in attacking this menace. There has been too much talk and too little action.

One of my recommendations on March 16 was for the creation of a "strike force" in the southern district of New York to combat organized crime. I am gratified to note that in his April 23 message to the Congress on organized crime, the President recommended the establishment of a new Federal-State racket squad for New York's southern district.

Mr. President, I ask unanimous consent that the text of my remarks on the narcotics problem facing New York and the Nation, be printed in the RECORD.

There being no objection, the text of the remarks was ordered to be printed in the RECORD, as follows:

HOW WE CAN STOP THE NARCOTICS TRAGEDY IN NEW YORK CITY

Narcotics addiction has reached the proportions of an epidemic in New York City. Yet the Federal government stands idly by, doing almost nothing to halt the drug menace.

If our City were struck by an epidemic of any other deadly disease, a state of emergency would be declared and the Federal government would provide massive assistance. But the United States Government has responded to the drug epidemic with massive inaction.

Drugs are a millstone around the City's neck, fostering crime, violence, joblessness and despair.

Because the Federal government has done so little, the State and City have tried to step into the breach. New York State now spends four times as much on its addict rehabilitation centers than the Federal government does nationally, although its budget is less than one-twentieth of the U.S. budget.

But the State and City cannot solve the narcotics problem alone. Only the Federal government has the enforcement powers and financial resources to attack the root of the problem: to cut down on the supply of illegal narcotics and reduce the demand for drugs.

THE NUMBER OF ADDICTS

The Justice Department estimates that over half of the narcotics addicts in America live in New York City.

A conservative estimate of the number of addicts in the City is 50,000. This figure is based on a recent survey by the New York State Narcotics Addiction Control Commission.

But many experts give much higher estimates. Dr. Efren Ramirez, the former head of the City's Addiction Services Agency, has stated that there may be as many as 200,000 people in the City who use "hard" drugs.

WHAT ADDICTION DOES TO PEOPLE

When I talk about drugs and addicts, I am talking about the "hard" stuff. I am talking about heroin, cocaine, morphine and other opiates which give rise to a physical dependence.

The hard stuff is vicious. It is physically addictive. If deprived of his dose, an addict is driven to any lengths to get another shot. It is unbelievably expensive. A heroin addict may have to pay as much as $60 for a shot. Most addicts are poor, and can't get this kind of money except by breaking the law.

Why does anybody take the hard stuff? To get away from a depressing and painful reality.

A young teenager in the slums drops out of school. He lives in a vile, rat-infested tenement. He has no money and no prospects for a job. The real world seems without any hope.

A number of his friends have become addicts and, to support their habit, are pushers too. They tell him how great everything seems when one is turned on. So he tries some just for kicks.

He finds that a shot of the stuff gives a wonderful "high." When he is turned on, he no longer feels insignificant. He feels calm, all-powerful; he has all sorts of exhilarating fantasies. As one addict has said:

"Once you squeeze it in, then you got that boss feeling, man, like you're your own boss, there ain't nobody can tell you what to do in this world."

So he starts taking it regularly, and that's when the trouble comes. He soon is physically dependent on the drug. Getting his daily dose is no longer just a psychological prop—it is a physical necessity. When deprived of the shot he needs, he suffers excruciating pain—his nerves go on fire:

"Your body will cramp up on you, your skin'll start shrinking up, you'll start getting sick and need a fix, you'll start sweating the same time you'll feel cold . . . You'd do anything just to get a fix."

So the vicious circle begins.

When the addict gets his fix, he just has to sit or lie somewhere and feel turned on. He isn't dangerous but he is totally useless. He can't work or do any physical activity. He looks—and acts—like a zombie.

But when he doesn't get his dose, he becomes a risk to society. He *has* to get another shot any way he can. If he doesn't have the $20–$60 needed for a fix, he will have to get it illegally.

His life becomes a deepening cycle of dependence and crime.

ADDICTION AND CRIME

The Justice Department estimates that one-half of all street crimes and burglaries in New York City are committed by addicts to support their habit. This means that addicts perpetrated over a quarter of a million reported robberies, muggings, burglaries, car thefts and similar crimes. The unreported crimes are much higher.

The Director of the Federal Bureau of Narcotics and Dangerous Drugs estimates that there has been an 800% increase in drug-related crimes since 1964.

The connection between addiction and crime is a matter of simple arithmetic.

It costs an addict an average of $30 a day to support his habit. This amounts to $210 per week—over *three times* the minimum wage on a 40-hour a week basis.

But most addicts are poor, uneducated and unskilled. They could hardly find a job that would earn the $210 a week for their habit, even if they could work. But the addiction severely hampers their ability to work. An addict who is dull and listless when he has his fix and violently ill when he doesn't, is hardly the man to hold down a regular job. So where does the money come from? The main source has to be crime.

Some addicts become pushers to sustain their own addiction. To make enough sales, they have to find new customers. That usually means persuading young teenagers to become addicts. Thus the cancer of addiction spreads.

The women addicts can—and do—become prostitutes to raise the money.

But at least half of all the addicts have to steal to support their habit.

Suppose the number of addicts in the City is 50,000. Suppose half of them have to steal, and each has to steal enough to raise $210 a week in cash to support his habit. How much does it cost us, the victims of these thefts?

Property that is stolen cannot be sold at market value. It has to be sold to fences who pay only a fraction of the real value. An addict has to steal $4 of goods to get $1 in cash.

So these addicts must steal over *one billion dollars* of property a year to support their habit!

The worst is that addicts are beginning to find it harder to sell stolen goods at any price. So they resort to armed robbery to find their cash. That's how hundreds of New Yorkers get hurt or killed every year.

Because of the crimes committed by addicts, New York no longer seems a secure place to live. Thousands who can afford to do so leave the City for the suburbs. Those who stay are haunted by the fear that stalks the City. It is the people of Harlem, Bedford-Stuyvesant and the City's other ghettos that live in the greatest fear and are the chief victims.

THE TRAFFIC CAN ONLY BE STOPPED AT THE TOP

It's easy enough to go up to Harlem and arrest some junkies. It's almost as easy to go and arrest a few small pushers who sell the stuff on the street.

But this isn't going to stop the traffic. Chasing the small fry isn't going to do the job. We have to go after the big fish who traffic in dope by the kilo, not by the grain.

Heroin, cocaine, and morphine aren't made in bathtubs in Harlem or Bedford-Stuyvesant. The stuff is all imported.

Who imports it? Organized crime does. Through this vicious traffic, it makes a quarter of a billion dollars a year.

The crime syndicate directs the drug traffic, from purchasing the raw opium in Turkey or the Far East to smuggling and distributing the refined heroin in this country.

The "bosses" of the syndicate—men like the Cosa Nostra chiefs who live in fancy houses in the suburbs and pretend respectability—are the real beneficiaries. They give the orders and make the big money. But they do not personally handle, and may not even see, a shipment of heroin. It is all done through intermediaries.

Organized crime imported about 20 tons of illegal narcotics into the United States last year. These 20 tons must travel through a number of hands before reaching the addict.

At the highest level are the importers of multi-kilogram shipments. Below them are the "kilo-men" who distribute the stuff wholesale. The "kilo-man" purchases the heroin in quantities of a kilo or more, and dilutes it by adding three kilos of milk sugar for each kilo of heroin. He will, in turn, sell the supply to "quarter kilo men," and then to "ounce men" and then to "deck men," with further adulteration of the narcotic at each stage in the process. Eventually, street pushers dispense it in 5-grain packets called "bags" or "packs." The cost to the consumer is in excess of 300 times the cost of the original kilo.

In this process, the syndicate handles only the importing and wholesaling. For that is where the money is.

The traffic can only be stopped at the top—at the importing and wholesaling stages.

But of the 20 tons illegally imported last year, less than 10% was seized by all law enforcement agencies combined.

Most of the bosses of the syndicate who profit from the traffic still have not been convicted although their names and activities are well known.

THE BLACK COMMUNITY DEMANDS ACTION

Today, black citizens of the City—outraged by what drugs are doing to their neighboodhoods—are leading the way in demanding that the narcotics racket be stopped.

Since my appointment as Senator, I have made repeated visits to Harlem and Bedford-Stuyvesant. People talked to me about school decentralization and jobs; but mainly, they talked about the menace of drugs.

They talked to me about the fact that drugs are everywhere. They told me one could see pushers making sales on a corner of 122nd Street in broad daylight. They told me that everyone knows who the addicts are, who the pushers are, where the stuff is sold—but still nothing seems to happen to stop the traffic. One man summed it up this way—"Why we've got so many addicts up here in Harlem, even the buildings are nodding."

They talked to me about the fact that they do not feel safe in the streets and in their homes. They told me they live in daily fear of being robbed, mugged, burglarized, or even murdered by addicts desperate for money to feed their habit.

What they said to me about addiction and crime was grimly confirmed by the appearance of the neighborhood after dark. The main street in Harlem—125th Street—after 5:30 p.m. resembles a prison, with stores bolted and barred and residents unable to buy vital necessities when they return from work.

There are, for example, virtually no drug stores open after dark in or near Harlem. All the druggists in the area have been forced to close down or face nightly robberies by addicts and danger to their lives. So a Harlem father whose child gets sick at night may have to go as far as Times Square to get medicine.

Still more terrifying to them is the threat to their children. The drug racketeers have recruited kids in junior high school to peddle dope in and around the schools. Every parent has friends whose young teenage child has been hooked by drugs; he lives in deadly fear that the same might happen to his own children.

The high schools and junior high schools of many sections of our city are becoming drug markets. The pushers sell the stuff cheap or give it away free to get the kids hooked. In some schools, as many as one-third of the students are probably well on their way to becoming addicts.

Drugs are a major source of black resentment against whites. The black community knows that it is white racketeers who import and wholesale the stuff, making hundreds of millions of dollars a year. Black citizens see every day the failures of government to stop the traffic. They feel they are the victims of this enforcement failure.

Social programs to alleviate poverty in the ghettos have little chance to succeed in a drug-infested environment.

True, stopping the drug racket is by no means enough to solve the problems of New York's slums. Obviously, we *must* expand our efforts to create new jobs, improve the schools, rehabilitate the dilapidated housing and reform the outdated welfare system.

But how can even the best educational program work when heroin is being peddled openly in the schools? How can even the best job programs for the hard-core unemployed succeeed, when many of the jobless are addicts unable to work? Trying to improve the social environment of the slums without stopping the drug traffic is, as one resident of Harlem told me, "like feeding a man with a tapeworm."

PAST FEDERAL INACTION

Until now, the Federal government's efforts to cope with the menace of narcotics have been absurdly inadequate.

Last year, the Federal government spent $26 million to investigate and control illegal drug traffic. This is by far the smallest budget of any Federal crime control effort. It is less than what the Federal government spends on enforcing alcohol and tobacco regulations.

The amount sometimes seized in a single arrest—about 250 pounds of heroin—is worth as much as the $26 million the Federal government spends on narcotics enforcement each year. Several hundred times this amount of heroin is brought into the country illegally each year.

The amount the Federal government spends on narcotics enforcement is less than one-tenth of the amount that organized crime makes on this traffic. It is a tiny fraction of what society pays for crimes addicts commit.

The Federal government has done still less to support the state and local prevention and treatment programs. Only $4 million of new money is available for these purposes this year, and it still sits in the Treasury entangled in a mass of red tape. The unrehabilitated appropriate more than this sum from society at the point of a gun every day.

WE MUST ACT NOW

The Federal government must wage a full-scale attack on the deadly menace of narcotics. It must do so now. I propose a program for beginning the attack.

The measures I am urging are aimed at two fronts: *enforcement* to reduce the supply of narcotics, and *prevention* and *rehabilitation* to reduce the demand.

INCREASE THE NUMBER OF ENFORCEMENT AGENTS

Only the Federal government can stop the illegal importation and wholesaling of narcotics. Organized crime operates a nationwide network which transcends state and local enforcement jurisdictions.

A basic reason for the Federal enforcement failure has been the lack of a sufficient number of trained investigative agents specializing in tracking down the supply of illegal drugs.

Federal investigative agents responsible for combating illicit narcotics traffic operate out of two agencies.

The Bureau of Narcotics and Dangerous Drugs in the Justice Department now has about 640 investigative agents. About 20% work in the New York area.

The Customs Bureau has about 320 customs agents who serve as top-echelon criminal investigators. About 20% are in the New York area. The Bureau also has about 490 Customs Port Investigators and Enforcement Officers performing investigative functions (other than routine customs inspections) at airports, harbors and border crossings. About 40% of these are in New York.

A major increase in the number of these investigative agents is essential.

I propose that we double the number of investigative agents of the Bureau of Narcotics and Dangerous Drugs by July, 1971. This would raise the number of these agents to over 1200. The cost of this increase will be about $4 million a year.

I also propose that we triple the number of customs agents of the Customs Bureau by July, 1971. This would raise the number of customs agents to over 900. The cost of this increase would be about $5 million a year.

I also recommend that we provide an increase in the number of Customs Port Investigators and Enforcement Officers needed to complement the proposed increase in customs agents. I estimate that this would require *doubling* the number of these officers.

A "STRIKE FORCE" FOR THE MANHATTAN-BRONX-WESTCHESTER AREA

In 1967, the Justice Department conceived the "strike force" concept to combat organized crime. Each strike force is a team of Federal anticrime operatives that moves into an area to investigate, arrest and prosecute racketeers. Each force includes Justice Department attorneys, and agents of the Bureau of Narcotics and Dangerous Drugs, Internal Revenue Service, Customs Bureau, Secret Service and other agencies. Each agency involved allocates money from its budget for personnel and equipment.

Seven "strike forces" now exist in Brooklyn, Buffalo, Detroit, Philadelphia, Chicago, Miami and Newark. They have been highly successful in cracking down on organized crime.

I recommend the creation of a new "strike force" for the Southern District of New York, which includes Manhattan, Bronx, Westchester and adjoining upstate counties. The strike force should be created immediately. It should give special attention to traffic in narcotics affecting Harlem.

FEDERAL PREVENTION AND REHABILITATION GRANTS

Under existing law, only $4 million of new Federal money has been appropriated by Congress to aid states and localities in conducting treatment and prevention programs. No guidelines have yet been issued for distributing this money. New York State—which has by far the biggest rehabilitation program in the nation—receives nothing from the Federal government for its program.

This is simply not good enough. It is inexcusable that so little money has been appropriated. It is inexcusable that this money is still held up in the bureaucracy. We must do better.

I proposed that Congress enact an Addiction Treatment Assistance Act to give meaningful support to states, localities and voluntary agencies for operating treatment and prevention programs. The grants should be in amounts up to 75%, and should be distributed with a minimum of red tape. At least $40 million a year should be appropriated for this purpose.

As at least 50% of the nation's addicts are in New York, about half of these funds—or $20 million—should be allocated to New York.

This program of Federal support would permit the State, City and voluntary agencies to expand their ongoing treatment programs. It would also give greater scope to innovative and experimental treatment programs.

One experimental program with exciting potentials is the use of a ship from the Navy's "mothball fleet" to serve as a rehabilitation and training center for addicts. New York already has a ship berthed on the Hudson River which is used as a vocational high school. Leaders in Harlem tell me there is growing local interest in training young men in marine and oceanographic skills. A ship of this sort could be anchored at a pier in or near Harlem and used to treat addicts and teach them these skills.

My proposed program of Federal support should also be used to finance better ways to prevent addiction.

The biggest need for prevention is in the schools. That's where the pushers recruit their victims. Conventional prevention methods aren't enough. School children will not be impressed with lectures about drugs by parents, teachers and the police. To do the job properly, ex-addicts have to be used. An ex-addict can tell kids—graphically and by first hand experience—about the dangers of heroin. Kids will listen to the man who has been down the road of addiction himself.

RESEARCH AND DEVELOPMENT—METHADONE

Formerly, treatment programs relied mainly on psychological counselling. The addict was required to suffer the physical effects of withdrawal from the drug. Little was known about reducing addicts' physical dependence on the drug.

But now there is growing interest in low-cost synthetic drugs—such as methadone—to eliminate an addict's physical craving for heroin.

It must be emphasized that the use of such synthetic drugs has to be combined with an extensive treatment program which takes into account the psychological and social causes of addiction. This sort of treatment, involving the use of methadone, has been conducted on an experimental basis by New York State and City.

Methadone isn't perfect. But it is a step forward. It helps eliminate the need for treatment of the addict's physical symptoms and therefore opens the door for his psychological and social rehabilitation. It is hard to conceive of an effective program of counselling, training and psychological treatment when an addict is still looking at the world through a cloud of heroin.

We have to continue working on developing better drug substitutes and treatment techniques. New substances which eliminate the physical symptoms of addiction—without methadone's disadvantages—may be just around the corner of discovery.

The Federal government is not carrying its full share of the work of research, development and field experimentation in innovative methods of treatment. It should start doing so now.

I recommend that the Federal government establish a comprehensive program of research and development in new methods of treatment of addiction, including those involving use of methadone or other synthetic drugs designed to eliminate physical dependence on narcotics. It should also conduct demonstration projects to test these new treatment methods in the field. This program should be operated by the National Institute of Mental Health. At least $10 million a year should be allocated to this effort.

I am convinced that the steps I have outlined would create a meaningful Federal effort to halt the tragic cycle of addiction and crime.

We must start to act now. Every day we delay, we reap the bitter harvest of crime, fear, wasted lives and human suffering.

Either we will conquer the narcotics problem or it will conquer us.

THE THREAT OF BIOLOGICAL WARFARE TESTING

Mr. NELSON. Mr. President, we are poisoning our environment at an alarming rate. Each day tons of pollutants are poured into the air and millions of gallons of industrial and municipal wastes are dumped into the water we must drink. Many natural creatures have met untimely deaths as a result of our wanton and irresponsible use of pesticides.

And now it seems that we have added yet another chapter to our poor record of conserving our environment. In a recent article, Mr. Seymour Hersh describes the events surrounding the accidental sheep slaughter of 1967 in which well over 6,000 sheep were killed by the U.S. Army's nerve gas VX. This, in itself, is a disturbing episode, especially when one considers the chance that, with a slight change in wind and weather conditions, this colorless and odorless agent could have fallen upon the residents of Salt Lake City, Utah.

In reading this particular account of the sheep accident, one wonders: if this sort of thing could occur with lethal nerve gas, could it also happen as a result of an errant field test of a biological agent. The Hersh article suggests that this very thing could happen. It also indicates evidence that there has already been leakage of some sort from the testing of biological agents.

The basis for this conclusion is found in an article published in the March 1967, issue of Bacteriological Reviews, entitled "Epidemiological Aspects of Venezuelan Equine Encephalitis Virus Infections." The authors of this paper are Robert W. Sidewall, Louis P. Gebhardt, and Bert D. Thorpe, of the University of Utah's Ecology and Epizoology Research Center.

Venezuelan equine encephalitis is frequently mentioned as a possible agent should biological warfare ever break out. The scientists at the Army Biological Laboratories at Fort Detrick, Md., have been working with this disease. Mr. Hersh's article now raises serious questions as to whether Fort Detrick's counterparts of Dugway Proving Grounds, Utah, have not also been working extensively with VEE, in fact, even field testing this virus.

The article in Bacteriological Reviews reveals that VEE antibodies have been found in a number of range cattle, the deer mouse, the western harvest mouse, the chisel toothed kangeroo mouse, the white tailed antelope squirrel, the black-tailed rabbit, the desert cottontail, and the kit fox. These are all animals native to the desert wastes around Dugway Proving Grounds. Dr. Joseph Jackson has suggested that the most probable way to account for a disease of this sort being found in the dry deserts of Utah is that it has been artificially introduced. In a letter to Mr. Hersh, he wrote:

> Considering the fact that VEE has a very wide host range and is so communicable that it does not require arthropods for spread to a new host, it seems reasonable to conclude that it (VEE) was introduced into the Dugway-Salt Lake City area by a biological warfare research team.

It seems strange that we now find evidence that the animals of the dry, desert wastes of western Utah have been exposed to a disease heretofore thriving in the moist swamps of Central and South America. The only other area in the United States, besides the deserts around Dugway, in which VEE antibodies have been found are the swamps of southern Florida and the bayou country of southern Louisiana.

If, in fact, a CBW research team has conducted or is now conducting field tests in the desert at Dugway Proving Grounds with agents such as VEE as the evidence seems to suggest, is there not a danger of another accident occurring with human beings falling victim this time. Such an accident could result in an epidemic like the one which broke out in Colombia, Venezuela, and Panama in the years 1961 and 1962 where 190 persons died of VEE.

We are in real danger of rendering portions of this planet unfit for human habitation by the manner in which we have poured our wastes into the environment. Certainly we are now beset by enough problems, without adding to them the spector of nerve gas drifting over our cities and viruses leaking into the animal population, waiting to be passed on to human beings.

The whole subject of CBW is being widely discussed for the first time. Inexplicably the Congress and the public have not been adequately informed about our Government research. It is time for full public disclosure so that the Congress can openly and thoroughly debate CBW. There must be an opportunity to review the military objectives and to discuss in detail the merits of the CBW program.

As a first step then toward remedying the lack of information on CBW, I strongly recommend that all testing be halted until a select committee of competent scientists—biologists, ecologists, epidemiologists, and other specialists in the life sciences—can determine what have been the long and short range effects of the testing of CBW agents at Dugway. These scientists should not be affiliated with any agency of the Federal Government or with the State government of Utah. Furthermore, these men should not be connected with the University of Utah or any other institution having close ties to Dugway Proving Grounds, Fort Detrick, or the Edgewood Arsenal.

This is certainly only the first step, but it is a step which circumstances suggest we must take now if we are ever to begin to find out what is happening as a result of our CBW program.

I ask unanimous consent that Mr. Hersh's article be inserted in the RECORD at this time along with an excellent article by Mr. Milton Leitenberg entitled "Biological Weapons," which appeared in the August-September 1967, issue of Scientist and Citizen, and the article entitled "Epidemiological Aspects of Venezuelan Equine Encephalitis Virus Infection."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Ramparts]

ON UNCOVERING THE GREAT NERVE GAS COVERUP

(By Seymour Hersh)

(AUTHOR'S NOTE.—Opposition to spending for chemical and biological warfare research has finally begun to attract some attention in Congress. Representative Richard D. McCarthy (Democrat, New York) recently convened a meeting of 22 congressmen and senators to hear a briefing on the nation's CBW program by General J. A. Hebbeler.

(The legislators were told, albeit with some reluctance, that the United States is spending $350 million in 1969 on CBW. The statistic, published on the front page of the New York Times, shocked the nation and evoked immediate protest.

(It was a lie. The military will spend more than $600 million this year on CBW, according to classified budget figures. The Defense Marketing Service (DMS), a private newsletter published for the aerospace industry, staffed largely by former officials and officers of the Defense Intelligence Agency, states that the military's main chemical base, the Edgewood Arsenal in Maryland, alone has a fiscal 1969 budget of $421.5 million, of which $57.3 million is earmarked for research, $266.4 million for procurement, $9.6 million for operating costs, and $1.9 million for stock funds. According to DMS, another $29.8 million will be spent at Fort Detrick, Maryland, the main biological test center, and more than $75 million in operating and production costs will be divided among the Army's other four chemical and biological warfare bases, including Dugway.

(The Air Force has publicly announced that it will spend $71 million on just the herbicides and defoliants used in South Viet-Nam in 1969. No statistics are available on other CBW operating costs for the Air Force or for the Navy, although both are running vigorous testing programs.

(A Senate source with access to classified CBW spending totals told me: "$650 million a year on CBW is a conservative figure.")

The sign outside the only entrance to the Dugway Proving Grounds offers a macabre welcome: "Warning—dangerous instrumentalities of war are being tested on this post. Caution: Do not handle any unidentified objects. Report their location to security."

Dugway, the Army's chemical and biological testing station, is spread out along one million acres ranging from Skull Valley, Utah—about 80 miles southwest of Salt Lake City—to the Great Salt Lake Desert—halfway to Nevada in the west. It is perhaps the key installation among the five bases that make up the military's billion dollar chemical and biological warfare (CBW) arsenal.

The first two weeks of March 1968 were hectic ones for the soldiers and scientists at the proving grounds. The base was in the midst of a series of airborne tests involving nerve gas; nearby sheep ranchers heard the echo of sonic booms daily as the jet airplanes sprayed their deadly cargo onto test areas. Things went as usual until the cold and windy late afternoon of March 13. The Army scheduled the day's test flight for six p.m. The test site was marked off in grids like an outsized football field; thousands of air samplers had been installed throughout the proving grounds and beyond to electronically monitor and track the spread of gas. Later, Dugway researchers dressed in protective suits, high rubber boots and rubber gloves would survey the test site to inspect vegetation and the remains of animal life.

After two trial runs, a jet aircraft carrying a pair of high-pressure spray tanks filled with nerve gas swung over the base at high speed before barreling back toward the test site at an altitude of 150 feet. The time was 5:49 p.m. The gas was to be discharged under a pressure of 6.5 pounds per square inch; it had been dyed red to make visibility easier at dusk. At least three, possibly four, high-speed cameras equipped with color film carefully recorded the plane's approach and its discharge of the poison gas. The winds were blowing from the southwest to the northeast—toward Salt Lake City—at ground speeds of 5 to 25 miles per hour with gusts up to 35 miles per hour. Similar conditions prevailed up to 2300 feet.

The intention was not to test the gas itself, nor the high-pressure dispensers. The Army staged the test to determine how the gas distributes itself downwind in winds 5 to 25 miles per hour blowing to the northeast. That was the only information desired. The color films, which are highly classified, tell the story: the jet roared in at or above the speed of sound, opened its tanks and began spraying the test area. After a few seconds, the tanks were to close and the plane pull up. But something went wrong, and the tanks stayed open. The plane pulled up with the lethal nerve agent still spraying out. The Army has admitted to various state and federal officials, who were cleared for security, that gas escaped at least 1500 feet into the windly upper reaches above Dugway. Many observers believe the gas was carried far higher. (One knowledgeable source said a computation gave the cloud of lethal gas a range of 394 miles.) The men at Dugway watched helplessly as the gas drifted toward U.S. Highway 40, a heavily traveled route which serves as a main link between the Midwest and Northern California. But at seven p.m., an hour after the gas escaped, they got a break.

The winds shifted slightly from the southwest to the west; the gas was blown away from Highway 40 toward Skull Valley. About that time, a heavy rain began to fall, washing the toxic material from the air. Hours later, it began to snow.

Sometime early the next morning, Sheriff Fay Gillette of nearby Tooele County was told there was trouble in Skull Valley, a sheep-grazing area across a small mountain range from the military test center. Gillette quickly drove out to investigate. "I've never seen such a sight in my life," the sheriff recalled later. "It was like a movie version of 'death and destruction'—you know, like after The Bomb goes off. Sheep laying all over. All of them down—patches of white as far as you could see. All the Basque sheepherders could say was 'muerto, muerto.' " Sheep were killed as far as 47 miles west of the test site. U.S. 40 is 33 miles to the north.

What Gillette and the terrified sheepmen had seen on March 14 in Skull Valley was the beginning of what was ultimately to be the death of 6400 sheep. "I had an idea right off whose fault it was," Gillette said. But, like other officials of the state, he kept his thoughts to himself.

The military men at Dugway watched in silence for a week as teams of state and federal veterinarians and pathologists investigated the strange deaths. Many of the scientists believed at first that the sheep had died from eating poisonous weeds; others talked of pesticides. As the incident attracted nationwide interest Skull Valley was quickly filled with newspapermen and television crews. Reporters wrote of sheep with drooping heads, twisted necks and spines. A UPI dispatch on March 24 told of dying sheep that "could be seen making kicking movements with their feet in vain attempts to rise, great heaving movements in their chests as if they were short of breath, and their eyes appeared to be staring without really seeing." The report noted that the symptoms were very similar to those produced by nerve gas poisoning.

The Army doesn't talk openly about nerve gas anymore, but in years past the public was exposed regularly to horror-ridden—and Pentagon-inspired—articles telling, as one popular magazine did 15 years ago, of the "New Weapon of Chilling Terror." In 1954, Lieutenant Colonel S. J. Efnor, then commander of the Rocky Mountain Arsenal, a chemical production base near Denver, told a local newspaper that, "The gas from a single bomb the size of a quart fruit jar could kill every living thing within a cubic mile, depending on the wind and weather conditions. . . . A tiny drop of the gas in its liquid form on the back of a man's hand will paralyze his nerves instantly and deaden his brain in a few seconds. Death will follow in 30 seconds."

Nerve gas acts by lowering the level of cholinesterase, a key chemical in red blood cells that controls muscular coordination. A science writer once explicitly described what follows: "The voluntary muscles go into a state of vibration and then become paralyzed. With the involuntary muscles, which power the blood vessels and other internal organs, the delicate balance of actuating the de-actuating nervous stimulations is upset. The pupils, bladder and alimentary canal constrict, the penis erects, the tear and saliva glands secrete and the heart slows. The cause of death is generally asphyxia following paralysis of the respiratory muscles." In short, victims of nerve gas poisoning strangle in their own vital organs.

The March 13 test involved a nerve agent known as VX, which was developed by researchers in the late 1950's at the Edgewood Arsenal, the Army's main chemical warfare research center near Baltimore, Maryland. VX is unlike other nerve agents in that it is a persistent chemical with a heavy consistency and it evaporates slowly. Once used, the gas turns a target area into a virtual no-man's-land.

According to Dugway officials, slightly more than seven milligrams of VX, or about 7/-1000's of a gram, would have a 100 per cent certainty of killing a 100-pound sheep if applied to its face and hoofs. "It would have killed people just as quickly as anything else," said one civilian who took part in the subsequent investigation of the sheep slaughter, "but everybody was under cover. The combination of rain and dark kept everybody inside that night. It was cold and people driving in cars through the valley had their windows rolled up." The source added that the amount of nerve gas needed to kill a sheep is roughly equivalent to the average lethal dosage for a man.

The military, quick to deny that it had been testing anything even remotely toxic on the base, assured newsmen that tests with nerve agents or similar weapons had not been conducted since the preceding July. "When we first found out about it, we checked and found we hadn't been running any tests that would cause this," Dugway public information officer Tom Donnelly announced on March 20.

But the next day the Pentagon sent a fact sheet to the office of Utah Senator Frank E. Moss, telling a different tale: tests involv- 320 gallons of a "persistent agent were conducted from two spray tanks from a high-speed type aircraft approximately 27 miles from the nearest sheep herd." A Pentagon official quickly called Moss' office to explain that the fact sheet was for "Official Use Only," but it was too late; a press aide had already telephoned newsmen with the information. Just why the information was made available isn't clear; perhaps the Pentagon had miscalculated its hold over Moss, a senator who usually remembers the extent to which Utah's economy is directly linked to defense spending. The military is the state's largest employer; last year the Pentagon paid more than $260 million in salaries and nearly $180 million in contracts to defense-oriented industries there. One of every 11 non-agricultural civilian jobs in Utah is at a defense installation.

Faced with Moss' indiscretion, the Army acknowledged nerve gas was "highly suspect" but raised a number of questions. Brigadier General William W. Stone of the Army Materiel Command in Washington, who was flown out to Utah to take charge of the investigation, told newsmen the sheep symptoms did not match those normally associated with nerve gas poisoning and that study crews had found "no traces whatsoever" of the nerve gas in the area except on the actual test site itself. "We do not have any evidence to tell us the actual chemical compound or to help us pinpoint the source and how it got to the sheep and not to humans or to other animals," he concluded. Dr. Mortimer A. Rothenberg, scientific director at Dugway, also publicly aired his doubts, noting that only sheep seemed to have been affected by the gas. Said the scientist, "All the other animals in the area remain healthy," as did the 50 or so residents of Skull Valley. "If it did occur it was phenomenal." It was left to an anonymous Army spokesman, however, to issue the flat denial. On March 24, a representative emphatically declared that the sheep deaths had nothing to do with the tests at Dugway.

It was not until mid-April, after much of the publicity over the sheep deaths had died down, that the Army finally reported that laboratory experiments indicated nerve gas had killed the sheep, although a statement issued in Washington emphasized that there was no conclusive evidence that gas had escaped the confines of Dugway. The statement was based on a study by the National Communicable Disease Center in Atlanta, Georgia, a branch of the Public Health Service, which reported: "by means of gas chromatography, infrared spectroscopy and mass spectrometry, isolated compound [from snow and dead sheep] has been shown identical to test agent supplied . . . by Dugway." The Army's reaction was to propose the establishment of an "unbiased group" to review safety procedures at the base.

In May, the Army announced that tests were continuing and evidence "is still inconclusive." By this time, interest in the Dugway incident had waned: the out-of-town press had long ago gone home; the Army was paying claims for the sheep, and everyone's sense of fair play seemed satisfied.

After receiving a classified briefing by Dugway officials in late May, Senator Moss told the Salt Lake Tribune: "They assured me that my suggestion of a thorough review of all their safety procedures, which have been successful for 26 years except for the incident of the sheep in March, is under consideration and will no doubt be approved and carried out."

The Dugway incident was the U.S. Army's first major public mistake with a chemical weapon. All the elements for a nationwide scandal were present: target practice with a lethal nerve agent, an incredibly obvious series of military lies, a heavy concentration of newspaper and radio-television reporters, and a national presidential campaign. Yet the sheep deaths led neither to congressional outcries about the military's CBW program nor to a public debate about such weapons; nor did it even provoke any serious citizen reaction in Utah. Concern, from the highest level of state officialdom on down, was that too much investigating or talking about the incident might make the Army move its CBW base from Dugway. The nerve gas incident is perhaps more terrifying but really no different from other mistakes or accidents, or decisions at military bases all over the nation. Lying becomes the order of the day and the attitude is "don't rock the boat." Pentagon funds buy not only goods and services, but also the cooperation and zeal of countless men on Capitol Hill, in federal agencies in Washington and in state capitals from Maine to Hawaii.

Dugway's reluctance to accept responsibility promptly for the sheep deaths, a reluctance that did nothing but further the controversy, was standard operating proce-

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dure for the military's chemical and biological warfare program. Because of the public's abhorrence of the notion of such weapons, public relations considerations are often allowed to take precedence over common sense. "While the sheep were dying," said one civilian involved in the investigation, "the Army sat over there just hoping these boys [the civilian scientists] would continue to go the poisonous plant route."

One man who refused to play along was Dr. D. Avaron Osguthorpe, a Salt Lake City veterinarian acknowledged as a foremost expert in sheep ailments. Osguthorpe was appointed by Utah Governor Calvin Rampton to represent the state in the investigation. The wealthy forty-seven-year-old sheep rancher was one of the first to examine the sheep, and he eventually became the Army's greatest critic in the incident. The veterinarian had flown out to Skull Valley a week after the test. "I knew right away it was an organophosphorous [nerve gas] poisoning," Osguthorpe told me. "I injected the standard atropine dosage into some of the sheep with no results—got up to 15 times the recommended dosage before some of them responded. I autopsied several sheep. Not a mark on them at all. I was the only one who said this is organophosphorous poisoning. In my mind, there was just no doubt. The Army moved me in then—brought me right inside."

Although the veterinarian was given a quick security clearance, he soon became the one man the Army could not control. During the investigation, Osguthorpe said, the Army continued to deny responsibility. Under the wrap of secrecy, the military allowed Osguthorpe to see the color films of the test and made it clear they were at fault. But they demanded that the veterinarian go along with them publicly.

Osguthorpe is a devout Mormon, a rancher's son who was raised in Blackfoot, Idaho, and taught to speak his mind. He didn't like the lying. "That Saturday we could have shut the thing off right there," he said. "I'd have been glad to go back home. Instead they chose to deny it all the way."

He began playing devil's advocate. "The first time they showed us the color film," he said, "they showed only the actual spraying in the target areas, but nothing before and after. I asked for another showing and said I wanted to see all the film. I saw the gates fail to close. It was a mechanical failure. Since then they've let a $400,000 contract to develop a fail-safe gate."

Like most state officials I talked to in connection with the incident, Osguthorpe firmly believes that the nation must pursue its research and testing of chemicals and biologicals and that such work must be conducted at Dugway. "We've got a defense business bringing in $35 million a year into the state; sheep bring in about 1/35th that amount. Which is more important for Utah?" he asked.

Perhaps that explains why even Osguthorpe, despite his battle with the Army, at no time considered informing the public of the real dangers inherent in the chemical and biological research at Dugway. But he knew. As chief veterinarian for the four ranches in Skull Valley, he'd seen some strange things happen. "In the last three to five years I've bumped into some new livestock diseases that I couldn't treat with antibiotics," he told me. Among the biological agents being tested at Dugway, along with such diseases as tularemia and anthrax, are very lethal bacterial endotoxins, the products of dead infectious bacteria. These are not living organisms, however, and livestock—or people—accidentally infected with the toxin will not respond to antibiotics.

Sheriff Fay Gillette also knows about some of the dangers at Dugway: "What bugs me is that they [officials at Dugway] think we're dumb. People know they're working with this stuff that's like dynamite. They're doing a hell of a lot more than we know about." On at least 12 occasions during a four-year span, Gillette's men have been called by security men at Dugway and asked to monitor Highway 40, a precaution necessitated by wind shifts. "We used to have to go out and check, move everybody that was stopped or stalled. Dugway would pay for a wrecker if it was needed," the sheriff said. He did not report the action to his superiors.

"We in the county live here," the sheriff said. "We know that they've killed birds and rabbits. We're entitled to the consideration of knowing when they're going to test. Ah, Christ," he added disgustedly, "they figure you're dummies."

And in early April, Dr. Kelly H. Gubler, chief of staff at Tooele Valley Hospital some 35 miles from Dugway, told the Medical World News: ". . . I've treated Dugway workers in the past for an overdose of anticholinesterase [nerve gas] agents, even though the Army denied they were contaminated at the proving ground." Gubler added that "the important question is not what killed the sheep, but what are the real human hazards involved in chemical and bacteriological testing. I don't consider even Tooele immune from Dugway chemicals. We should bear in mind that with a slight amount of misdirected contamination, there could be a massive human disaster."

His remarks were picked up by the wire services and published in newspapers around the world. Gubler promptly denied making the statement, and Tooele, a prosperous town of 16,000 which is financially dependent on Dugway and other nearby military bases, accepted his denial. Two weeks later the Tooele County Chamber of Commerce voted to express publicly the city residents' confidence in the installation. The Chamber's reaction was typical; when I visited the town in late July, concern was directed not at what the base was doing, but at the possibility that renewed criticism might force the Army to move the base. "Everyone here has two cars, a camper, and a pickup truck," said Sheriff Gillette. "They dont want to lose that." "Some people here believe that pacifists would have a lot to gain—especially with articles like yours," Jan Swanson, the twenty-five-year-old associate editor of the weekly Tooele Transcript, told me. She explained that one theory being discussed in the city is that a pacifist or group of pacifists working at Dugway could have found out what gas was to be tested and then killed the sheep with it.

If anything, the March Incident at Dugway was the exception. A mechanical malfunction is much less likely to occur than a freakish wind shift or a poorly supervised test. One former Dugway researcher wrote me that when he worked at the base in the late 1950's, "There were certainly a number of cooked-up results submitted by our group. The tests were supposed to be done when weather conditions were proper, usually meaning that the wind was not to be too strong. Unfortunately, the wind and the ambition of test officers and section heads were not always the same.

"When these so-called tests came into our lab to be computed it was obvious the wind was too strong. . . . When this happened there was usually hell to pay. If we were honest about the results we would then have to interpret them over again. This meant processing these thousands of catch apparatus again. And if the results were the same we would usually be chewed out for our poor technique. Very often we 'dry-labbed' it [gave them the results they wanted] or else the section heads would.

"It took no idiot to figure out that the more tests there were the more people would be needed and this was exactly the way most of our superiors could improve their position. It was Parkinson's Law gone wild. For a while we worked two shifts to do more tests. V-agent [VX] was just beginning to be tested on a big scale so the people at Dugway were trying to test as much of this as possible in addition to matching the G-agent [GB] tests from previous years, even though there wasn't much more to be learned about G."

On the investigating team appointed by Governor Rampton shortly after the incident, key roles were played by two civilians, besides Osguthorpe—Dr. G. D. Carlyle Thompson, director of the State Board of Health, and Dr. Jordan Rasmussen, chief veterinarian for the State Agriculture Department. The committee, which met regularly over the next few months, filed no public reports on its work nor did it make any private formal recommendations to the governor. Theoretically, members of the investigating committee were to represent the citizens of Utah in the inquiry. In fact, they represented Dugway.

During an interview, Dr. Thompson told me repeatedly about his long and happy association with the CBW base. "As soon as I heard about it [the sheep slaughter], I called Dugway to find out. We've always had good cooperation. By now, I've got security clearance almost every place you turn around," he added. Thompson said that his is a limited role: "It's not up to me to determine whether these tests should be held. It's up to me to determine if the health of our citizens is protected."

Thompson, who has spent 30 years in the health administration field, acknowledged that he had seen the classified films of the malfunction. "They've got the most fantastic camera equipment there you've ever seen," he noted. The doctor emphasized that once he learned what really happened at Dugway, his role did not change. "We did checks. I soon had a clue that there was no evidence of human danger." Yet Osguthorpe told me that he ran tests on some of the Skull Valley residents a week after the sheep began dying and found that their cholinesterase levels had dropped sharply, although no residents suffered any nerve gas poisoning symptoms.

Was there danger to Salt Lake City residents? "It would be possible for me to say that this could have hit Salt Lake City," Thompson replied, "but why should I say something that will scare the pants off a half-million people without doing any good? Every experience teaches us something so we try to improve. The sheep incident even caused a complete review of safety procedures at Dugway. I've heard it said that $300,000-$400,000 (the estimated reimbursement price of the sheep) was a relatively cheap price to pay for what we've learned.

"You have a terrific responsibility," the state health director told me, "not to write anything that isn't going to do any good, something that will just upset people by telling them things they shouldn't know."

The doctor practices what he preaches. When Dugway is anxious to survey the few score residents of Skull Valley after a series of biological tests, the state health director is called upon. "We in the Health Department are always doing surveys and checkups," said Thompson. "Whenever we do one near Dugway, we take advantage of it to check for the (biological) agents being tested at Dugway. The people in the Valley don't really know what we're doing. We draw blood for one thing, then check it for another."

The other key member of the investigating team, Dr. Jordan Rasmussen, also emphasized his close association with Dugway. "I've been as close to them as anybody else," he told me. "We cooperate very extensively. I feel they were a victim of circumstances. The incident's being exaggerated in many ways."

The Public Health Service also found itself in the role of protecting the military in the aftermath of the sheep slaughter. That agency had often worked with Dugway, monitoring the area outside the base for evidence of biologicals or other clues that the testing

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had spilled over. Suddenly asked to help investigate the death of the sheep, the agency found itself analyzing data to demonstrate what it already knew—nerve gas was responsible. Nevertheless, on March 22, B. J. Osheroff, deputy director of the Public Health Service Office of Program Planning, said in Washington that unconfirmed findings of red urine and red tears in the sheep would point to an outlawed pesticide. The use of red dye to aid in monitoring tests is standard at Dugway; presumably such use would be known to the officials, in light of the agency's earlier role in monitoring tests.

The federal zeal to help Dugway cover its tracks in the sheep incident was matched in full by that of state officials. Joseph Francis, Utah commissioner of Agriculture, told me he thought Dugway had done "an exceptionally good job," generally, in its testing programs. "These things are hard to administer without having some mistakes," Francis added. David R. Waldron, another Agriculture Commission member, refused to talk because of the heavy security he said surrounded the incident, although he did praise the military's "cooperation."

By December the situation had quieted to the point where Brigadier General John G. Appel, by then the new commander of the Deseret Test Center, was able to make an announcement which an Associated Press dispatch reported this way: "Saying military nerve gas was not the cause of a massive sheep kill last spring, an Army commander announced a plan Friday to keep it from happening again." Appel, after duly noting that "insecticides have permeated the world," announced "Project Safe," a program to produce tight control over the testing of chemical and biological agents at Dugway. What Appel did not say is that the Army had called for just such a program ten months before the sheep incident. The "Chemical and Biological Weapons Surety Program," initiated by order on May 3, 1967, according to Pentagon records, called for a general tightening of the safety conditions at CBW test facilities.

A few weeks after Appel's reassuring speech, the Pentagon announced the results of its safety review. The review added nothing to the question of what was responsible for the sheep kill, and in effect did nothing more than put on the record some of the existing practices at Dugway. It suggested that permanent monitoring sites be established in Skull and Rush Valleys and that the state give a complete checkup to area residents at least every six months. It also called for a major public relations program to reassure the residents about the function of the test center and suggested that "certain Utah state officals . . . require general knowledge of the activities of the Test Center." This was necessary, the study explained, because "experience has shown in other situations that assurances given by the testing group [i.e. Dugway] reinforced by assurances of knowledgeable state officials and community leaders are much more readily acceptable by the public at large."

In its recommendations, the report merely called for tighter weather restrictions by Dugway when testing large quantities of nerve agents, although smaller quantities, it said, could be tested under existing safety practices. The restrictions will not hamper testing at the base. For example, the report outlawed air drops from altitudes of more than 300 feet; most tests are conducted at altitudes far below that.

The Dugway incident had little outward impact on the 500,000 residents of greater Salt Lake City. Only a few letters about the sheep deaths were published in the two Salt Lake City newspapers, reflecting perhaps the relative lack of interest displayed by the newspapers themselves. The Dugway story consistently showed up in the second section of the city's major newspaper, the Salt Lake Tribune, even at a time when it was front-page news elsewhere.

One resident who did something about the apathy was Earl Jones, an artist and professor at the University of Utah who helped design a billboard depicting a dead sheep. The billboard, displayed in the center of Salt Lake City, had this message: "An unfortunate error . . . they were saving it for people."

"It stayed up four weeks with no public attention or press attention," related Jones. "I wanted to see if other people in the area were as up-tight about it as I was—but we got no response."

The military secrecy, the heavy state dependence on military expenditures, and the seeming apathy of the Salt Lake City residents provide the kind of atmosphere in which operations such as chemical and biological warfare can prosper with no questions asked. But there is some evidence that the various agencies work hard to ensure that the atmosphere is not marred.

In late June, Osguthorpe told a scientific forum in Logan that traces of nerve gas still lingered in Skull Valley. The Associated Press quoted him as saying that the nerve agents "are stable and lingering in the vegetation and soil. Reports that the Skull Valley area is clear of dangerous compounds are false. Animals taken into the area suffer toxic effects." Although the veterinarian did not say so, four sheep were placed in the valley in late May by Dugway researchers. They were dead within five days.

Osguthorpe's revelations made less news in Salt Lake City than did an announcement from Washington that the Army Claims Service had approved a $376,685 claim for the loss of sheep on the Hatch Ranch, largest ranch in Skull Valley and the one which suffered more than 90 per cent of the loss. "This initial claim is only to cover the loss for dead and disabled sheep," Republican Senator Bennett told newsmen. "There will be a second claim filed after the extent of secondary damages has been determined."

The secondary claims could total as much as $1 million for damage to reputation and potential future business. The Army will probably pay willingly; its ambition is to force the sheepherders off the federally owned land in Skull Valley and expand the outer perimeters of Dugway. Discussions between the Pentagon, the ranchers, and federal officials representing the Bureau of Land Management, which owns the ranch lands, were initiated immediately after the incident. Dugway, which now controls more than 850,000 acres of land in the area, could add as much as 400,000 acres more, moving the base's eastern border 25 miles or so closer to Salt Lake City. In light of this, the Army would define prompt payment of claims as good public relations.

"The Army's always made it clear that they were going to pay—it was just a question of the amount, not the liability," explained Alonzo W. Watson Jr., attorney for the Hatch Ranch. "We've had excellent cooperation from the Army."

I asked Watson why, then, didn't he seek the truth about the Dugway incident? "What's the point?" the young lawyer replied. "It's up to Congress and the Army to tell what they want to do. Our thought is that as long as you pay us, that's all that matters. Maybe it's a little selfish," he added with a shrug, "but . . . ?"

The Dugway incident is a microcosm of what's wrong with America, of what's really meant by the phrase "military-industrial complex." In Utah, a tiny group of state officials exchanged participation in classified briefings for public responsibility. Few, if any, were operating solely for personal financial gain; the good of the state was justification enough. "Good," to these men, is measured simply in terms of military contract dollars, those contracts that congressmen fight among each other to announce. The others involved in the Dugway issue limited their responsibilities to the narrow question of clients' rights, or the proper role of their federal agency, or whether the incident was worthy of front-page play and an editorial. None of the participants saw fit to warn the citizens of Salt Lake City publicly of the danger inherent in a major CBW test facility 80 miles upwind. The Dugway incident prompted, in effect, a breakdown of the basic institutions of democracy. What happened at Dugway is happening, in a sense, in South Viet-Nam, at antiballistic missile defense sites, and perhaps even in the White House.

AFTERWORD

A second disaster at Dugway is inevitable; in fact, it may already have happened. This time the agent in question is not nerve gas, but something even more alarming: Venezuelan Equine Encephalitis (VEE), a virus disease that can cause crippling damage to the human central nervous system.

VEE has long been known to be one of the military's top potential biological agents. Not necessarily fatal, it is highly infectious and relatively obscure. It is usually found in swampy areas of South and Central America, with some cases reported in Florida and Louisiana. Yet in March 1967, evidence of VEE in the State of Utah was reported by three University of Utah researchers, who published their findings in Bacteriological Reviews, a prominent science journal published by the American Society for Microbiology. While the specific VEE-causing organism was not isolated, tests indicated that local animals had built up specific immunity (or antibodies) to the disease.

At no point did the report discuss the critical question of whether Dugway tests had been responsible for the suspected outbreak of the disease in Utah, more than 1500 miles away from any other known case—an omission made less surprising by the fact that all of the authors were employed by the University's Ecology and Epizoology Research Center, which is financed by a $500,000-a-year contract from Dugway.

Troubled by the report—which attracted no public attention—Dr. Joseph Jackson, a professor at the Public Health School of the University of Michigan, contacted me and told me that in 1963, he had been approached and offered a job by Dr. Victor J. Cabelli, then head of virus research at Dugway. Cabelli, said Jackson, "explained that they were carrying out an extensive research project to develop methods for starting epidemics with VEE virus." Jackson added that although, according to Cabelli's account, "they were only using animals at that time, he did say 'epidemic' and not 'epizootic' [the spreading of disease in *animals*]."

Jackson wrote to Dr. Robert W. Sidwell, one of the authors of the report: "I cannot help but think that the introduction of VEE into that area must have been the result of human intervention. My recollection of Utah is that of a comparatively dry area, quite different from the 'lowlands of tropical rain forests' to which you indicated the virus has previously been limited. . . . I am sure that you must have been aware of the work being done at Dugway, and I wonder why you did not regard this as a possible means by which VEE became enzootic in the Utah area."

Sidwell replied: "I am aware of the work done at Dugway; in fact, the Epizoology Research Laboratory on the University of Utah campus in which I worked was established to determine if the biological work done at Dugway had any effect on the wild or domestic animal population in the area. We were never informed, however, of the extent or time of testing carried out at Dugway, except that I was led to believe that the survey work we were carrying out for VEE was done as a *preliminary* to testing."

The University of Utah's connection with Dugway is a key one, especially in that it is responsible for monitoring the outside perimeters of the test areas. University researchers argue that they are merely doing pure research. Like the state and federal officials connected with the sheep kill, the men from academia lean over backwards to protect the military.

In fact, the tie between Dugway and the university is even closer than most students and faculty realize. You can dial some faculty telephone numbers listed in the campus directory and the phone is picked up in a Dugway laboratory 80 miles away. There is also clear evidence that university scientists have aided the Army in field test programs for biologicals. On October 18, 1966, for example, Dr. Peter Olsen, head of the university's ecology section located at Dugway, put in overtime requests for four of his staff necessitated by "on-site investigations of disease outbreaks in distant areas, and by a special study of induced rodent movement."

The close ties between university scientists and Dugway make it impossible to determine how much—if any—VEE exists in the desert. Dr. S. L. Spruance, chief of communicable diseases for the Utah State Board of Health, said he didn't "know anything about it. I'd like to know more about VEE—if it is there. We're dependent upon the people who deal with the animals to keep us informed," he added.

Spruance said he was told nothing of the 1967 report, nor did he know that sometime in late 1964 or early 1965. Dugway scientists thought they found hints of VEE antibodies in cows. Samples of cows' blood with the antibodies had been sent to the Communicable Disease Center in Atlanta, Georgia, according to Dr. Gerry Nolan of the University of Utah. "The cattle were bled and checked for antibodies," Nolan said, adding that scientists there determined that while it was impossible to categorically state VEE virus was present, the burden was on the people at Dugway to prove that it was not present. "But they [the blood samples] were lost in the shuffle," Nolan said. The man who handled the samples for the Public Health Service, Dr. Talford Work, initially told me that only a few samples were lost; later he denied any knowledge of their existence.

Another author of the 1967 VEE paper, Dr. Louis P. Gebhardt, chairman of the microbiology department at the university and a member of the academic committee overseeing the university's involvement at Dugway (who noted, "The work there is very poor, very poorly supervised. . . . We used to send our PhD students out there . . . but we had to stop because of poor supervision"), told me: "It scared us when we found VEE antibodies. We didn't know what to do." But, he reiterated, "research has not gone on far enough to prove it was an absolute form of VEE virus." I told Gebhardt about Dr. Jackson's contact with Cabelli and of his concern that an outbreak among the animal or human population of Utah might be imminent. Gebhardt, who has been associated with Dugway since the university began its involvement there in 1951, replied: "Cabelli may have played with it [VEE]. He was not a virologist and didn't know what he was doing half the time. He was a very poor scientist—a blowhard. He tried to get a job here but he was a lousy teacher and we wouldn't hire him."

Cabelli, not a good enough scientist to teach virology at the University of Utah, was apparently competent enough to conduct biological warfare tests 80 miles away.

[From Scientist and Citizen, August–September 1967]

BIOLOGICAL WEAPONS

(By Milton Leitenberg)

We know of no greater destructive force on this earth directed against human life than that of pathogenic microorganisms, and . . . there are no better opportunities for pathogenic microorganisms to thrive and to start widespread epidemics than those presented by wars. (*R. L. Mayer in "Epidemics and Bacteriological Warfare"*)

Plague and war, two of the horsemen of the Apocalypse, often ride side by side. War was linked with the Justinian Plague of the sixth century and the Black Death of the fourteenth century. In the American Civil War, more deaths were caused by disease than by wounds; sixty per cent of deaths were from typhus fever, dysentery, malaria, and other diseases. The intercontinental influenza epidemic of 1918–1919 followed on World War I.

Wars often bring malnutrition, a lowering of hygienic standards, and other conditions which lower resistance to disease. The migration of soldiers may carry a particular virus or bacteria to a new area where the population has never been exposed to it. People tend to develop resistance early in their lives to the viruses and bacteria common to their part of the world. Invading soldiers may have resistance to a disease-producing microorganism, while the invaded population is unprotected. The reverse may also occur, or there may be an exchange of diseases.

Although disease has played a dominant role in many wars of the past, it was initiated unwittingly—not intentionally—by man. There were a few attempts by one side to spread disease to its enemies, for example, by throwing over the walls of a besieged city the bodies of persons who had died of the plague,[1][2] but it was not until Koch, Pasteur and others had created a revolution in bacteriological knowledge that the initiation of disease as a method of warfare really became possible. It first appeared as an organized military concept shortly after World War I.[3]

There has been extensive biological warfare (BW) research and development by various nations since, and three allegations of its actual employment. The nature of these incidents indicates that it has not yet been used in any significant sense. As a result, we have little direct information on the capacity of biological weapons. However, some insight into their effectiveness can be derived from the history of some naturally occurring epidemics.

Epidemics bring illness and death to large numbers of people; they may also have long-term social consequences. Although there is no certainty that manipulated epidemics would duplicate the circumstances of those occurring naturally, some of the plagues of the past suggest the potential destructiveness of biological warfare.

The Justinian Plague broke out in Egypt in the sixth century and spread to the ends of the world as it was then known. Lasting half a century, this intercontinental epidemic killed an estimated one hundred million people, about one fourth of the world's entire population at the time.[1]

The famous "Black Death" spread from Asia where it had been endemic (existent but controlled by naturally developed immunity) for centuries. This was bubonic plague, an acute infectious disease carried by fleas that transfer the plague bacteria from rats to man. It entered Europe through the Mediterranean ports. Estimates of mortality from this plague range from one-fourth to three-fourths of the people of Europe (again about a fourth of the world's population). Mortality rates recorded in individual cities at times reached eighty percent.[4] The Black Death actually lasted for more than three centuries; the London "great plague" of 1665 was its last great European outbreak. The disease died out in Europe at the end of the seventeenth century, but nobody knows exactly why. There are many possible reasons. The rat may have been controlled by better sanitation, there were shifts in populations of different species of rats, or the germ may have mutated and developed less virulent strains. More recently, in the period from 1896 to 1936, twelve million persons have died in India from the same disease.

The epidemic struck a shattering blow at the entire social and economic framework of the Middle Ages. The English historian, Maycock, says that "the year 1348 marks the nearest approach to a definite break in the continuity of history which has ever occurred." For a century thereafter, Europe experienced economic stagnation and decline.[5]

Smallpox was introduced by the conquistadores in Mexico and Peru in 1520. Within several years three million Indians died of the disease and the Aztec civilization disappeared. In this case an epidemic was largely responsible for the most extreme social dislocation possible.

Another example of the effectiveness of a particular disease among people with no previous experience of it, and hence without resistance, is the introduction of measles to the Hawaiian Islands in 1774. The epidemic which followed resulted in a mortality of about one in four. Most recently, in 1918–1919, influenza circled the globe twice, killing twenty million of the 700 million people it infected, nearly equal to the combined World War I casualties of all nations.

This pattern of epidemics spreading wildly through a population without resistance might be artificially engendered by biological weapons. Social disruption produced by epidemics, which historically had more long term effects than the mortality itself, might also be engendered by biological warfare. Once underway, some of these epidemics crossed and recrossed national boundaries. The danger that biological warfare will backfire on the initiator in this way is always present.

Why do organisms that can create epidemics usually do so only at long intervals, even though smoldering (endemic) infection could always provide a seed? In all the historical examples cited, and in others such as the six cholera epidemics in the nineteenth century, an ensemble of specific physical, climatic and demographic conditions necessary for the onset and persistence of an epidemic were on hand. Biological warfare, in addition to the physical attempt to spread one or more particular microorganisms would be an attempt to capitalize on or create this specific ensemble of conditions.

In major epidemics the disease itself and the fear and demoralization that follow in its wake disrupt the social cohesiveness necessary for combatting it, thus perpetuating ideal conditions for its growth. The economic condition of a population often facilitates—or checks—the development of certain epidemics; plague, for instance, flourishes where crowded and unsanitary conditions provide a hospitable environment for rats.[1] Even relatively few cases of an unfamiliar disease occurring in peacetime provoke widespread uneasiness, as is evidenced by the public reaction to outbreaks of poliomyelitis or bubonic plague today. In war, demoralization caused by disease may be even more important than the actual number of diseased persons.

WHAT IS BIOLOGICAL WARFARE?

U.S. Army manuals list five groups of biological warfare agents;[8] this paper will be concerned only with the first three.

Microorganisms: bacteria, viruses, rickettsiae (microorganisms intermediate in size between bacteria and viruses), fungi, protozoa.

Toxins: (chemical poisons derived from living organisms): microbial, animal, plant.

Footnotes at end of article.

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Vectors (carriers) of disease: insects, birds, other animals.

Pests: of domestic and commercial animals and plants.

Chemical anticrop compounds: plant growth inhibitors, herbicides, defoliants.

Out of the millions of biologic agents that would fall into one of these groups, relatively few are chosen for military development. What are the characteristics that recommend such choice?

The agent must produce a disease which will incapacitate or kill.

It should be capable of being produced economically in adequate quantities from available materials. Methods developed for commercial products such as yeast, beer, penicillin and other antibiotics are adaptable to the mass production of many biologic agents.

Means must be available for maintaining the agent's virulence or infectivity during production, storage and transportation. For this reason the organism which produces anthrax, for example, would be preferred over that which produces syphilis. The small reproductive organisms (spores) of anthrax can remain dormant for years, while the bacteria which causes syphilis dies quickly upon exposure to air. Microbiologists have developed techniques for protecting biologic agents by encapsulating them in proteins such as milk, blood and serum, and for preserving them by freeze drying. They can be maintained in this way for years in airtight vials.[6]

Dissemination must be easy and effective. The dissemination of tularemia by its natural route—the handling of infected animals—would be neither easy nor effective, but in an aerosol form its dispersion would be both.

There must be no widespread natural or acquired immunity to the disease in the population to be attacked. For example, in the U.S., where diphtheria immunization is nearly universal the anthrax bacterium would be a more effective agent than the diphtheria bacterium.[6]

Some form of protection must be available to the user. He must have developed immunization, have therapeutic agents available, or be prepared to wear masks or special clothing or to remain at a distance from the area of dispersal.

Difficulty of detection adds to the military desirability of an agent, as does its ability to enter the body through more than one portal.

Some biologic agents have characteristics that would lead to their selection in some military situations but not in others.

There is always a lag or incubation period between exposure to an infectious organism and the first appearance of symptoms.

All biologic agents have some degree of persistence in the environment.

Many biologic agents are contagious, have the ability to spread from one infected person to another and thus to continue spreading. A single attack, even though sharply localized at the source, may be potentially capable of spreading very widely.

Depending upon the strategy of the attacker, an agent with a longer or shorter incubation period, with greater or lesser persistence in the environment and with more or less capacity to spread might be preferred.

The following table indicates the scope and variety of potential BW agents, some of which have already been selected and develeped becaues they meet several of the criteria listed above:

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HUMAN DISEASES WHICH MAY BE SPREAD IN BIOLOGICAL WARFARE

BACTERIAL DISEASES

Name	Disease syndrome in man, when infection is by natural route [1]	Pathogen	Intentionally produced in man	Suitable for strategic use	Suitable for tactical use	Available against presently known strains		Mortality
						Specific vaccine	Specific therapy	
Anthrax (pulmonary)	High fever, difficult breathing; fluid in lungs; shock and coma, frequently death 18 to 48 hours after onset of severe symptoms.[2]	*Bacillus anthracis*		Yes	Yes	Yes	Yes, if prompt	Usually fatal if untreated.
Brucellosis	Intermittent fever, weakness, pains, irritability, mental depression, recovery usual in 3 to 6 months.	*Brucella abortus,* *Brucella suis,* *Brucella melitensis.*	Yes	Yes	Yes	Yes	Yes	2 to 3 percent.
Cholera	Intestinal infection; diarrhea, vomiting, dehydration.	*Vibrio cholera*	Yes	No	Yes	Partial	Yes	If treatment prompt and adequate, 5 percent; if treatment poor, 60 percent.
Diphtheria	Acute infection of upper respiratory tract.	*Corynebacterium diphtheriae.*	Yes	No	Yes	Yes	Yes	(?).
Dysentory (bacillary)	Intestinal infection; lesions, diarrhea, cramps; usually lasts about 10 days.	*Shigella shiga*	Yes	No	Yes	No	Yes	Usually low, but some outbreaks up to 30 percent.
Glanders	Local swellings and internal ulcerations; fever, vomiting and muscular pains.	*Malleomyces mallei*		Yes	Yes	?	?	Few patients recover from acute glanders.
Plague (pneumonic)	Acute infection of the lungs; headache, fever, cough, difficult breathing, loss of oxygen in blood; heart failure.	*Pasteurella pestis*	Yes	Yes	Yes	?	Yes	Without antibiotics almost always fatal.
Tularemia (rabbit fever)	Begins with inhalation infection; cough, difficult breathing, fever, malaise, chest pains.[1]	*Pasteurella tularensis*	Yes	Yes	Yes	Yes	Yes	62.5 percent.
Typhoid fever	Acute illness lasting several weeks; sustained fever, cough, enlarged spleen, rash.	*Salmonella typhosa*	Yes	?	Yes	Yes	Yes	Untreated, 14 percent; treated, about 1 percent.
		RICKETTSIAL DISEASES						
Rocky Mountain spotted fever.	Infection chiefly of blood vessels, chills, fever, aches and "spots."	*Rickettsia rickettsii*		Yes	Yes	Yes	Yes	20 percent without antibiotics.
Typhus (epidemic)	Acute infectious disease; severe headache, high fever, rash; duration about 2 weeks.	*Rickettsia prowazecki*	Yes	Yes	Yes	Yes	Yes	Less than 10 percent in children, higher in adults; 60 percent in those over 50.
Murine typhus	Similar to epidemic typhus	*Rickettsia mooseri*	Yes			Yes	Yes	Usually fatalities only in older persons.
Q Fever	Fever, headache, frequently inflammation of the lungs.	*Coxiella burnetii*	Yes	Yes	Yes	Partial	Yes	Low.
		FUNGAL DISEASES						
Coccidioidomycosis	Acute infection; course similar to histoplasmosis; may develop into progressive chronic type with involvement of bones and internal organs.	*Coccidiodides immitis*		Yes	Yes	No	Yes	Low for primary type; high for progressive chronic type.
Histoplasmosis	Has a benign pulmonary form and a less common generalized form.	*Histoplasma capsulatum.*		?	Yes	No	Yes	Low for primary type; very high for generalized type.
Nocardiosis	Chronic; abcess formation on lungs and feet, sometimes on neck and face, may spread to brain.	*Nocardia farcinica*		Yes	Yes	No	Yes	High unless diagnosis and treatment are prompt.

Footnotes at end of table.

HUMAN DISEASES WHICH MAY BE SPREAD IN BIOLOGICAL WARFARE—Continued

VIRAL DISEASES

Name	Disease syndrome in man, when infection is by natural route [1]	Pathogen	Intentionally produced in man	Suitable for strategic use	Suitable for tactical use	Available against persently known strains		Mortality
						Specific therapy	Specific vaccine	
Dengue	Local and general aches and pains, fever, rash; called "breakbone fever."	Arbor virus, group B (arthropod-borne).	Yes	Yes	Yes	Yes	No	Not fatal.
Equine encephalomyelitis: eastern, western, Venezuelan.	Affects central nervous system	Arbor virus, group A (arthropod-borne).		Yes	Yes	Yes	No	5 to 65 percent.
Encephalitis: St. Louis B, Japanese B, Russian Far East.	do	Arbor virus, group B (arthropod-borne).		Yes	Yes	Yes	No	5 to 30 percent.
Infectious hepatitis	Infection of the liver	Hepatitis virus	Yes	No	?	Temporary.	No	Less than 10 percent.
Psittacosis	Pneumonia, cough, malaise	Bedsonia group	Yes	Yes	Yes	No	Yes	Treated, 0.5 to 5 percent, untreated, 10 to 20 percent.
Smallpox	Headache, chills, fever, lesions of skin and mucous membrane.	Poxvirus group, *vaccinia*	Yes	No	Yes	Yes	No	Highest under 5 years and over 45 years.
Yellow fever	In severe cases, fever, black vomit (altered blood), and jaundice.	Abor virus, group B (arthropod-borne)	Yes	Yes	Yes	Yes	No	Overall average less than 10 percent, but epidemics with 85 percent mortality have been observed.
			TOXINS					
Botulism	Fatigue, difficult swallowing, visual disturbance, death results from respiratory failure.	Botulinus toxin		Yes	Yes	Yes	No	65 percent.
Staphylococcus	Vomiting, diarrhea, prostration	Staphylococcus enterotoxin.	Yes	No	Yes	No	No	Low.

* Sources: Diseases listed are those which would be caused by microorganisms listed in "Questionnaire for Nonproduction Control of Biological Weapons," *Proceedings of the Sixteenth Pugwash Conference on Science and World Affairs*, pp. 105–106. Tularemia was added; it is mentioned in many other sources as a potential BW agent.

Information on disease syndromes, on availability of vaccines, on antibiotic therapy, and on mortality rates has been selected primarily from "The Merck Manual of Diagnosis and Therapy" (11th ed., Merck & Co., Inc., 1966) and "A Textbook of Medicine," edited by Russell L. Cecil and Robert F. Loeb (10th ed., W. B. Saunders Co., 1959).

The information on diseases which have been intentionally produced in man is from "Plagues on Our Children" by R. E. Nopar in *Clinical Pediatrics*, vol. 6, No. 2, February 1967, table 1. Suitability for "tactical" and "strategic" use columns were adapted from "Communicable Diseases and Epidemics" by Martin M. Kaplan in the *Bulletin of the Atomic Scientists*, vol. 16, No. 6, June 1960, table 1, p. 239.

Kaplan's criteria for suitability are as follows:
"* * * 'strategic' implies capability of producing a major effect of widespread proportions either through morbidity, mortality, or economic disruption; 'tactical' implies usage restricted to selected areas for a limited objective. A limited objective such as a command post could of course have strategic consequences. Also a BW agent (cholera) may have 'strategic' possibilities in an underdeveloped country with a low level of sanitary and public health facilities, and be only of 'tactical' importance in an economically advanced country."

[1] As explained in text, symptoms may differ, and disease may be more severe if infection is by aerosol.

[2] This describes the disease when infection is by inhalation. It may also be contracted by handling infected animals, or their skins, in which case the course of the disease is quite different.

A significant factor in BW is that the possible area of effective coverage, in the initial delivery, is generally greater than with chemical agents. Tests have shown that coverage of thousands of square miles is quite feasible with biological agents. This makes them particularly suitable for attacking large populations. The characteristics of biological weapons which are usually considered to make them militarily advantageous are:

They strike directly at a population, or its food, and do not destroy factories, homes, and other property.

They are self propagating.

Detecting and identifying them is difficult or slow—much more so than for chemical agents. Effective immunization against most diseases must be administered before symptoms appear, yet the disease cannot be diagnosed until after the symptoms appear.

Some BW agents do not necessarily destroy human life (unless used in conjunction with other military weapons).

Large scale use could be achieved with very small amounts of biologic agents giving BW an enormous "edge" over other weapons in preparation, storage and dissemination.

They can be produced rapidly—the "mobilization time" is short—and the cost of production relatively low.

Military disadvantages of BW are:

The great dependence on meteorological conditions for effectiveness. The physical state of the aerosol droplets and the viability and infectivity of the organisms they carry are greatly affected by temperature, sunlight, humidity, wind direction and speed. This can be overcome by delivering more of the agent than would be required under optimum conditions. As will be seen from a discussion of the minute numbers of organisms required for infection, this is quite easy to do.

The "backfire" problem—the danger of infection to the user of a biological weapon or to a neutral. Infective microorganisms are living and self-propagating; thus BW has been called a "human conflagration."[7] Given modern methods of developing the most virulent strains of particular microorganisms, the problem of how to prevent the spread of disease, rather than how to spread it, is probably the major concern.

Not all organisms that produce disease in man are contagious. With those that are not, aside from possible initial exposure accidents due to windspread, backfire is not a problem.

The absence of contagion might be considered a particularly desirable military characteristic because it permits a measure of control. However, a disease that was not expected to be contagious might turn out to be contagious.

AEROSOLS—A WAY OF DELIVERY

Early discussions of BW made much of its suitability for covert introduction by saboteur into the water and food supply of a city, into ventilating systems, or simply into the air. Recent emphasis has shifted to delivery by a more efficient means, dispersion by aerosols. As a Senate study of chemical, biological and radiological warfare pointed out, aerosols containing various BW agents would be suitable for dissemination over wide areas. This could be accomplished from the air by planes or drones (spray tanks or bombs) or by free balloons; from the ground by clouds or mist projected by generators located upwind from the target area, or by shells, rockets or missiles carrying BW warhead; and from the sea by clouds or mists launched from ships when inshore winds pervail. Rockets, missiles and shells could also be launched from shipboard. Floating mines, launched by ship or set adrift in ocean currents and set to detonate along coastal areas, might also be used.[8] The capability for anonymous delivery is retained by several of these newer delivery means, even by the modern airplane outfitted for aerial dissemination.

Numerous studies are on record which show that many viral, rickettsial, bacterial and fungal diseases can be produced in man and experimental animals through the inhalation of artificially contaminated aerosols.[9]

The quantities of an aerosol needed to carry infective doses of BW agents to humans are fantastically small. A person breathing air with only one aerosol particle per liter (slightly more than a quart) will take into his lungs fifteen such aerosol particles per minute; fifteen particles, if carrying a virulent BW agent, mean a massive infective dose.[10] There may be thousands or millions of organisms in a single aerosol droplet.

The disease agent can be produced in a form so concentrated that theoretically a few ounces could provide an infective dose for the entire world population, if ideally and equally distributed. Q fever can be produced in half the people in an exposed group if each inhales less than ten organisms. It has been calculated that in one gram (one twenty-eighth of an ounce) of culture medium in which the organisms are grown there are one billion human infective doses of this disease. Similarly, the inhalation of fewer than ten organisms can infect a man with tularemia. Minimal inhalation infective doses for the dengue viruses and smallpox are probably only a little higher. Plague probably requires about 3000 organisms and anthrax about 20,000 to infect one person. Using one dozen chicken eggs as a culture medium, enough psittacosis virus can be produced to provide a theoretical infective dose for every person on earth. All of these theoretical calculations assume the minimal dose inhaled per person. These are dramatic and useful figures to indicate the potential of this means of warfare, but it should be

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kept in mind that any real means of distribution would waste the greater part of what it spread.

Aerosol particle size is critical. These tiny particles are measured in microns. A one-micron particle has a diameter of 0.001 millimeter. A millimeter is 0.039 of an inch. Droplets that are too large will fall to the earth before affecting the target area. Those larger than five microns will be removed from the air in the upper respiratory tract and may be less effective than particles one to five microns in size which can penetrate deep into the lungs. For example, to infect a guinea pig with *Brucella* requires six hundred times as many twelve-micron as one-micron particles. Particles smaller than one micron tend to be exhaled without injury to the host.[6] The piece of machinery, analogous to a home vaporizer, that produces an aerosol is relatively simple. Such machines, as well as bombs that produce aerosols, convert about ten per cent of their staring material into droplets of the desired size range.

About 0.3 of an ounce of suspension containing ten billion organisms would be required to infect everyone in an area of one square kilometer (a little more than half a square mile), with 100 organisms.[12]

Contamination control experts developing masks and air filters, achieved near perfection by filtering out airborne particles with 99.97 per cent efficiency but found that near perfection isn't enough. Even 0.03 per cent pass-through can mean lethal dosages of aerosols.[11]

The variables of time, temperature and dispersal might increase—or decrease—the required amount from ten to a thousandfold. Nevertheless, these infection figures are probably sufficiently accurate to indicate the potential of biological agents as military weapons. The effectiveness of a biological weapon in practice, however, depends as much on recent advances in microbiology, epidemiology and meteorology, and on the efficiency and thoroughness of dispersal methods as on the natural toxicity of the organism it contains.

Techniques for mass production of these bacteria and viruses are not new. Many commercial products are produced in a similar manner. Mass production methods for growing pure cultures are used in the manufacture of sour cream, yogurt, yeast, beer and antibiotics. Suspensions of *Brucella* which contain ten trillion organisms per liter have been made at a rate of half a liter every few hours in the laboratory.[12] Scaled up to mass production these outputs would be greatly increased. During World War II, a continuous culture machine capable of producing *Brucella* organisms by the ton was developed at the Army Chemical Corp's Camp Detrick.

The product was concentrated into a paste containing twenty-five trillion *Brucella* bacteria per ounce.[12] [13] *One ounce of this Brucella* concentrate contains enough bacteria to infect more than two billion people. One characteristic of this particular organism is that it does not tend to become epidemic. Another is that available protective vaccines do not confer a solid immunity.[13] All seventeen Camp Detrick personnel reported to have contracted brucellosis during World War II had been vaccinated. These characteristics would be considered military advantages from the point of view of the user of this organism.

It seems clear that sufficient material to cover large areas could be produced in a matter of days. This has greatly reduced the problem often mentioned in early considerations of BW—the need to store BW material for longer periods of time. Production abilities remove the need for long storage; shorter storage periods are dealt with by freeze-drying and addition of certain compounds that improve the stability of the organisms during storage.[6] [12]

Methods for isolating toxins in pure form were also developed at Camp Detrick during World War II, and they too were produced in astronomical quantities. On a weight for weight basis the bacterial doses previously mentioned are several thousand times more potent than toxins; yet the toxins too are fantastically potent.

In 1949, the wartime director of Canadian CBW research revealed that "one bacteriological weapon, developed late in the second World War, could wipe out all human life in a given area within six hours and yet leave the area habitable afterwards. . . . While it kills everybody in six hours, it is itself oxidized in twelve hours, leaving the ground perfectly safe to occupy, so that there is no danger that the troops of the power which used it, will be contaminated." [14] He added that "if you could secure perfect distribution to all the world's people (which, of course, is impossible) you could kill everyone in the world with a quantity amounting to about eight ounces." While the weapon was not identified, its rapid oxidation implicates a toxin. Botulinus toxin can be produced in a small laboratory about the size of a five room house; with a minimum of equipment, about a pound a week can be produced in large glass bottles like those used to deliver spring water to offices.

Diseases caused by toxins are not contagious, their effects are therefore more predictable and easier to control. These are critical advantages in their use as weapons.

Mass production techniques have also been applied to the insects which carry disease. It was reported that many years ago the Japanese installations in Manchuria had reached a production capacity of forty-five liters of plague-carrying fleas—135 million insects—every four months. By the end of World War II their plans called for producing four times this quantity.[15]

How aerosol particles, and the organisms they carry, would survive under natural conditions has been the subject of research at British and American BW centers. Much work has been done to find means to overcome just those factors of environmental exposure such as temperature and sunlight that are damaging to BW agents upon release in the field. No specific environment is best for all, so each organism is tested in an aerosol at different temperatures, humidities and amounts of sunlight.

Strains can be bred which would fulfill the requirements of a BW agent better than their naturally occurring counterparts, or one of the many presently known strains can be chosen. Most bacterial species have hundreds of known strains, each one differing only slightly from the others. A virulent strain of the virus which causes poliomyelitis can be produced by growing the virus in a tissue culture at 41° C. Tularemia organisms suspended in an aerosol show no loss in infectivity for twenty hours so long as a particular ion, chloride, is excluded from the bacteria's growth medium and the aerosol spray fluid. Eighty-five per cent of polio virus suspended in an aerosol will remain viable for twenty-three hours at eighty-five per cent humidity, whereas only one per cent will remain viable at twenty to thirty-five per cent humidity. Smallpox, in contrast, seems to survive better in a dry atmosphere.[12]

Some bacteria and viruses may disappear in a matter of hours after their dispersal. Others, anthrax for example, are extremely stable and no special measures need to be taken to ensure their survival. In general the decay of purified viruses or their infective genetic material is very slow, of bacterial spores more rapid, and of bacteria the most rapid. It has been found that various chemicals and smokes added to the BW aerosol often protect the organisms from the destructive effects they meet on exposure. More recently, methods have been developed for encapsulating aerosols themselves in inert chemicals. Both natural and artificially enhanced stability have the disadvantage of presenting a greater hazard to the user's advancing or invading troops.

Widespreading of aerosols can be very wide. Many kinds of particles are borne immense distances by high altitude winds. Dust particles are believed to be transported around the globe at high altitudes and smoke particles from forest fires in Canada have been detected over the United Kingdom. Spores of fungi causing wheat rust which originated in Mexico have been detected over Canada.[12] Thus the wind could distribute a biologic agent widely, but would dilute it, while at the same time running the risk of infecting the wrong population.

The effect of a BW agent on a human population can be gauged by three characteristics: its virulence—the number of organisms required to produce infection; its clinical effect on the individual; and its ability to produce an epidemic. United States military requirements have been described in the British *Science Journal* as very stringent. Apparently agents are not classified as lethal unless they can be expected to kill twenty-five to fifty per cent of the population in the area attacked, or incapacitating unless they affect twenty to thirty per cent.

The nature of infection differs drastically with the route by which an infecting organism enters the human body. The critical factor here is that diseases which in nature reach the human body via a vector (an insect bite, or some other intermediate host for the germ) are usually much more virulent when delivered by the "unnatural" means of an aerosol. The number of organisms required to infect is often lower, and therapy is less effective. What this means is that the method chosen for the delivery of BW organisms for the sake of efficiency has produced an added "bonus"—a greatly increased virulence of the organisms thus delivered. Many of the diseases that can be spread in aerosol form have little or no military value in natural form: tularemia is generally contracted by handling infected animals, the rickettsial disease are louse and tick borne, and brucellosis comes from infected meat and milk.

Detection of the infecting organism, which is crucial to defensive, therapeutic aspects of BW, is delayed by the medical consequences of unnatural infective routes. For most diseases, identification must be made early if therapeutic measures are to be effective.

The usual symptoms of these diseases are indicated in the table, but when introduced as aerosols the diseases are *not* usual. Both the virulence and course of the disease may be quite different.

"In anthrax, plague, and tularemia, for example, the patterns of illness after respiratory tract transmission are very different from the more familiar . . . forms of these diseases. And these happen to be infections in which early diagnosis is essential for success in treatment. Thus in pneumonic plague the mortality rate approaches 100 per cent for cases not treated until after 20 to 24 hours of illness, whereas therapy begun earlier can be most effective. Anthrax from inhalation is likewise almost regularly fatal except when treatment is begun during the initial invasive period, a phase characterized by mild nonspecific symptoms." [9]

Several BW agents which produce diseases with or without overlapping symptoms, would, if applied simultaneously, keep the attacked population's medical forces guessing until the diseases had gone too far to be checked. Such a common intestinal bacterium as *E. coli* (harmless in its natural location) at times travels to human lungs, where it causes pneumonia with fatal results, most often because it takes too long to identify the infective agent.[16] There are three ways of overriding immunity: an unusual mode of infection, a massive dose of infectious material, or a mutant strain of the microorganism with an altered surface which no longer responds to the same immune bodies (antibodies).

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XUM

VACCINES—PROTECTION AND EVASION

An ideal BW agent would produce a disease for which there was no known treatment, and for which only the user possessed a vaccine which was long lasting and would protect against massive dosages. However, many vaccines are not long lasting and nearly all can be overcome by massive dosages of the disease organism, which can be easily produced and delivered.

Against some organisms, such as *Brucella*, it has so far been impossible to produce any reliable vaccine. Vaccines that will protect against infection via the abdominal organs will not necessarily protect against infection of the respiratory tract to the same degree, even though the agent is the same. Protective vaccines have been produced against psittacosis virus, but these have been only partially effective. They do not protest against all known strains of the virus, nor prevent appreciable numbers of experimental animals from coming down with the disease although the severity of the illness is ameliorated in such cases.[13] Some Detrick personnel who had been vaccinated in advance against psittacosis nevertheless contracted the disease. The same occurred with brucellosis.[14]

The value of antiserum in the treatment of disease produced by aerosol-disseminated toxins has not been critically examined.[17] In addition to the well-known toxins of the bacteria causing diphtheria, tetanus, and botulism, there have been significant toxins derived from other bacteria and from the viral and rickettsial groups.

Although mass immunization against biological agents has been widely and successfully used in military organizations, mass immunization of civilians is more difficult. Research efforts have been aimed at developing simultaneous immunization, with several vaccines for different diseases at once, and mass immunization by distribution of the vaccine in an aerosol.

The time and effort required to select successively or develop new strains to bypass existing vaccines is incomparably less than that required to develop a vaccine. It seems impossible to imagine that defense in the form of vaccines could ever keep pace with offense—new strains. On the other hand, air conditioning, filter or mask devices would be as effective against one organism as another and could not be circumvented by new strains of organisms. In practice "defensive" vaccines lag far behind development of "offensive" strains and techniques. The rule which is often voiced, that the only BW organisms usable are those for which the user has a vaccine, seems not to have impeded the development of BW strains for which there is no reliable vaccine.

The preceding discussion has focused on those changes in strains of microorganisms that overcome the utility of vaccines. In the same way, a new strain of a known bacterial organism may differ from varieties normally encountered by being resistant to the antibiotics used for therapeutic purposes. Vaccines are used against both bacteria and viruses; antibiotics against bacteria only.

Drug resistance

Not many years after the discovery and application of the first antibiotics, the sulfonamide drugs and penicillin, it was found that bacteria could no longer be killed by these antibiotics. Although most strains of a species of bacteria were susceptible to the action of the drugs, there were mutant strains in existence that were resistant. The drugs killed off the susceptible bacteria while the mutant strain was unaffected and therefore became the dominant strain in the species. As one antibiotic after another has been discovered—penicillin, streptomycin, kanamycin, chloramphenicol, etc.—the various species of bacteria have followed along, with this selection process conferring resistance to each of the new antibiotics.[18–26] There are numerous recorded instances of the development of resistance to a particular antibiotic in the course of infection of a single individual.

There are different ways in which mutations alter the cellular processes of different species of bacteria so that they become drug resistant, but one thing is uniform: bacteria attain resistance through this mechanism to only one drug at a time. That is, one mutation confers resistance to only one drug; at some later date the pencillin-resistant strain of *Staphylococcus aureus*, for example, may undergo a second mutation making it resistant to another antibiotic, erythromycin perhaps.

Fort Detrick has several times had occasion to use antibiotic drugs immediately after laboratory accidents with infectious cultures, but illness has not always been prevented.[17] A strain of anthrax is known to have been produced which cannot be treated with conventional antibiotics and resistance to antibiotics is being bred into BW organisms.

All of this is important to BW in two ways. Special strains of BW organisms resistant to a wide variety of antibiotics can be intentionally developed so that treatment of casualties infected by these organisms in a BW attack would be difficult, if not impossible. Secondly, if a nation depended upon antibiotics for the protection of its own population against a strain it was using against another nation, this protection would be breached if the strain developed a resistance (mutant) to the therapeutic antibiotic or antibiotics.

There is another way bacteria can acquire resistance to drugs, this time to several drugs at once. It has serious significance for therapeutic medicine and public health, as well as for BW. The process takes place during "conjugation," in which one bacterium contributes some of its genetic material to another bacterium.[27] In addition to the chromosomes, the usual carriers of genetic material, bacteria also have smaller, separate particles of genetic material called episomes. Episomes too may be transferred from one bacterium to another during conjugation. They will determine some of the characteristics of the cells that develop from future generations of the bacteria which received the episome. Conjugation occurs both within one species of bacteria and between different species. The latter is of special importance to BW.

Among the characteristics that can be transferred in this way is multiple drug resistance.[28–32] One single episome can carry and transmit resistance factors simultaneously to at least three, often four or five, and sometimes as many as seven different and unrelated antibiotics: Episomes with resistance factors were first discovered in Japan in 1957, and are now being found with increasing frequency in domesticated animals as well as in humans in all areas of the world in which they have been sought (U.S., Germany, Great Britain, Netherlands, etc.). Many bacteria which inhabit man can also inhabit other mammals. It is feared that extensive use of antibiotics as growth stimulators for cattle or hogs has speeded up the worldwide selection for episome-mediated resistant strains.[33–35]

Transfer can occur at *each* encounter between a cell having an episome with a resistance factor and one that does not, as against resistance acquired by mutation at an average rate of only once in 100,000,000 cells. In addition, episome transfer can occur between bacterial species that produce disease, and those that do not. For example, an intestine-inhabiting *E. coli* organism that is harmless to man but harbors resistance factors to four or five of the newest antibiotics, can, in one single step, transfer these to disease-producing organisms it encounters, such as *Vibrio cholera*, the organism that causes cholera in man. This transfer has been readily reproduced in the laboratory. The transfer of resistance factors to *Pasteurella pestis*—the producer of plague—has also been achieved in the laboratory.[36, 37] The genetic material of the resistance factor can be isolated in pure form for experimental, and presumably manipulative, purposes.[38] Resistance factors are available against ampicillin, chloramphenicol, neomycin, kanamycin, streptomycin, sulfonamides, and tetracycline.

Fort Detrick's scientists have transferred such episomic resistance factors into many strains of potential BW significance. If such strains are of contagious organisms, it would at first seem odd that this should be done at all. If the strains were used, and if "backfire" occurred, it would make therapy for the people of the nation using them just as difficult as for the people of the nation attacked. However, perhaps for each organism a resistance factor to one antibiotic is omitted. The assumption might then be that the "enemy" would not know which, while the user would and could be prepared with the proper antibiotic.

Microbial genetics, one of the most active and rapidly changing fields of contemporary biology, may develop other new ways of altering or manipulating characteristics of viruses and bacteria for BW use. The phenomena of "transformation," "transduction," and "recombination," all concern the heritable characteristics of viruses and bacteria.[37] These are processes which can occur naturally, or can be carried out in the laboratory and can all be used to juggle factors determining virulence and immunological specificity among related or unrelated species. Immunological specificity represents all those chemical and structural aspects of the bacterial cell surface that will determine identification and therapeutic protection by vaccines. For example, disease-producing organisms may be given the outer coat of a harmless species, rendering a vaccine against them totally useless.[39, 37]

Organisms change in epidemics

What might happen to a BW agent which was used and produced a human epidemic? Can its course be anticipated or controlled? Natural epidemics tell us something about ways in which microorganisms can *change* in transit from one host to another as they propagate a disease.

Each new extensive epidemic appearance of A-type influenza represents a disease that is new to the current world population, the causative virus of each world epidemic differing immunologically from that of the preceding epidemic. Thus, since 1933, three major variants of the virus have prevailed successively. The first of these was the initial A-type which, with minor variations, was prevalent periodically in man from 1932 through 1944. Then came the so-called A-prime virus in 1947 which prevailed for about ten years, and finally, in 1957, the so-called Asian influenza virus type. The Asian strain may have been a recurrence of the virus type responsible for the great world epidemic in 1889–90.

How influenza viruses maintain themselves in nature, outside clinically ill human beings, for the seventy or so years that seem necessary for their complete cycle, remains unclear. One mechanism is by establishment in a reservoir host. There is evidence that viruses which presently produce influenza-like diseases in swine were a widespread cause of human disease in 1918 and shortly thereafter. Some eight to ten years from now, if a virus of the swine influenza type appears as the cause of disease in man, we shall know that we have run the complete cycle of A-type viruses.[39]

The significance of this for BW has been recognized by official U.S. CBW development personnel:

Footnotes at end of article.

"All living things in a target area would be subjected to the aerosol and it is conceivable that new enzootic foci of disease could be established in our bird and animal population, with later spread to man by vectors already present. Some diseases in this category might be Rift Valley fever, Japanese B encephalitis, Russian spring and summer encephalitis and Venezuelan equine encephalomyelitis. The introduction of some old acquaintances, such as anthrax and brucellosis, into our herds would again force expenditure of huge sums of money, time and personnel to stamp them out or to control them."[40]

And again:

"Covering a large area with a biological aerosol may initiate a situation that is not only unique but quite different from that occurring during the usual or natural epidemiological evolution of airborne disease. . . . It might create a new and different basic epidemiological pattern with which there has been no prior experience. The fauna in the exposed area would have an opportunity to inhale the aerosol; this could involve a variety of animals, reptiles, amphibia and insects. Under these circumstances, many species might experience contact with a particular micro-organism for the first time in its evolutionary history. Very little is known about the possible effects of many potential BW agents on such wild fauna, particularly through aerosol exposure. Some microbes may have a far wider host range than existing knowledge indicates. It is quite possible that new animal reservoirs of disease might be established which could create a major public health problem for some time."[41]

The consideration raised here is that of a wide variety of animals becoming hosts to a bacteria or virus which is dangerous to humans. The host animal would not necessarily be harmed. However, the situation they describe contains another possibility, namely that when a species experiences contact with a particular micro-organism for the first time in its evolutionary history, the result might be disease or death for members of the species, with unknown ecological consequences.

An animal epidemic recently afforded perhaps the best documented case study of what kind of changes are possible in an organism in a very short period of time during a natural epidemic.[42, 43] A viral disease, myxomatosis, was purposely introduced into Australia in 1950 in an attempt to eradicate rabbits from sheep land by releasing large numbers of laboratory-infected rabbits in several successive years. The strain of the organism came from Brazil, where it is endemic, and causes a small tumor on rabbit skin, but no death. In Australia, however, it was 99.8 per cent fatal to rabbits, and in several years covered a third of the Australian subcontinent.

Then a very interesting thing happened. Within one or two years new strains of myxomatosis appeared which caused ninety-nine to ninety per cent mortality. After several more years, strains appeared that were only thirty per cent fatal. The disease was spread by a mosquito. Rabbits infected by the most virulent strains died off so rapidly that there was less chance for mosquitoes to bite them and pass on that strain of the disease. On the other hand, rabbits infected with a mutant strain which was less deadly remained alive long enough to be bitten by mosquitoes that then passed on that strain of the virus to more rabbits. This produced selection for strains with weaker virulence. After several years the various strains reached an equilibrium—a balance—producing an average mortality in rabbits of about ninety per cent.

By coincidence, a strain of the same disease was released in Europe in 1952 from a *single* rabbit that a French doctor infected and dropped in his back yard in the hope of infecting a few other rabbits that were nibbling his lettuce. The disease swept across the continent and England. It resulted in eighty per cent mortality to begin with and does not seem to be undergoing any decrease in virulence.

Lest the implications for human epidemics be misread, the Australian rabbit mortality of the first year, 99.8 per cent, should be recalled. That would be a catastrophic figure in a human population. Furthermore, in contrast to the evolution of the rabbit disease to a somewhat less virulent form, a recent epidemic of human cholera in Asia, beginning in Indonesia in 1961, has followed the opposite course.[44, 45]. A group of strains slightly variant from the classic *Vibrio cholera*, and named "El Tor," have recently established themselves in twenty-three Asian countries, even in such strongholds of *V. cholera* as India, Cambodia and Thailand, where it has produced recent outbreaks. The El Tor strains were previously considered "static," i.e., nonepidemic, and localized to certain regions in the Celebes Islands.

While their virulence seems to be just about the same, the El Tor strains seem to be somewhat more hardy organisms in several ways than the classic cholera strains. The disease they produce is exactly the same, clinically and physiologically, as that produced by the classic organisms. For reasons that are unknown the "static" character of the El Tor strains disappeared suddenly, and the disease spread epidemically.

COMPARING BW WITH OTHER WEAPONS

(NOTE.—Adapted from "A Proposal to Inhibit the Development of Biological Weapons," by Mathew Meselson in "Proceedings of the Fourteenth Pugwash Conference.")

A comparison of aerial attacks with nerve gas, with a hydrogen bomb, with bacteria and with viruses, shows how much damage can be done by minute amounts of biological weapons. In order to kill the majority of unprotected persons in the attacked area, the amount of the agent used would have to be approximately as follows:

Grams per square kilometer: Nerve gas, 1,000,000 (one gram per square meter); hydrogen bomb, 100 to 1,000; bacteria, 0.1; and viruses, less than 0.001.

These values are based on the potential destructiveness of chemical and biological agents if technical problems are solved. It is assumed that for these agents a uniform cloud is formed extending to an altitude of 100 meters (328 feet) and that victims are exposed for ten minutes without protection. If the cloud were disseminated at a higher altitude, a larger amount of the agent would be required. The average lethal inhaled dose of the nerve gas Sarin is 0.001 grams. It is assumed that the average inhaled dose of viruses or bacteria required to initiate infection is 100 infective particles. The infection is not assumed to be contagious. Each individual infected would therefore have to be directly exposed to the aerosol. The weight in grams refers to the biological or chemical agent in the weapon, and not to the total weight of the weapon itself.

CONCLUSION

As physicists learned to create destruction with nuclear weapons, microbiologists are learning to create disease with biological weapons.

Biological weapons, unlike any others, are made of living material. Men may have learned to produce them, to manipulate them, to disseminate them—but they have not learned to control them. Once released from the laboratory, they may propagate, spread, evolve, develop relationships with other living things in ways which cannot be altogether foreseen.

If new reservoirs of disease were established in some animal species, a chain reaction of alterations in many related life forms might be precipitated. Development of biological warfare agents has run ahead of the development of vaccines to protect people against them. The foregoing pages amply demonstrate the means by which protective vaccines can be circumvented. Protection can be negated by massive infective doses; it can be bypassed by the development of resistant strains.

Like the physicists, the microbiologists are acting in ignorance of the ultimate effects of the weapons they are producing.

The answers to the unanswered questions about biological weapons cannot all be found by testing them. A limited test under controlled conditions will not reveal what might happen in an epidemic—by definition, a disease which is out of control.

The destructive potential of biological weapons is in a range comparable to nuclear weapons, yet compared with nuclear weapons, the production technologies involved are extremely cheap and theoretically very simple. They would make the most difference to the arsenals of small, non-nuclear nations, yet it is the technologically and militarily most advanced nations who are pioneering in their research and development. The proliferation of nuclear weapons has been the subject of much international concern, but it is not clear that the proliferation of biological weapons is presently being given any attention.

Biological warfare presents a danger to the attacked, a lesser but still potent danger to the attacker, and in the end a danger to the human race. As Robin Clarke concluded in his recent article on biological warfare: "It seems that some nations are now prepared to accept the risk of a human catastrophe of this kind [which] . . . might also give rise to grave ecological disturbances—in return for the possession of a weapon of unknown if not dubious value."

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EPIDEMIOLOGICAL ASPECTS OF VENEZUELAN EQUINE ENCEPHALITIS VIRUS INFECTIONS

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INTRODUCTION

The modern history of man has been often marked with outbreaks of virus infections. Noted among these outbreaks are those caused by viruses known to be transmitted by arthropod vectors and hence classified as arthropod-borne (arbo) viruses. One of the least investigated of the arbo-viruses, although potentially a serious disease threat to man, is the virus causing Venezuelan equine encephalitis (VEE). VEE virus has been thought to be limited primarily to certain segments of South and Central America and Trinidad, but evidence of this disease agent has recently also been found in portions of North America. Although originally a disease of equines, recent VEE virus infections have occurred in epidemic proportions in human populations, suggesting a possible change in host range of the virus. These findings indicate this virus disease may become a problem as severe as the more well-known arbovirus infections of North America, such as those caused by eastern equine encephalitis (EEE), western equine encephalitis (WEE), and St. Louis encephalitis (SLE) viruses.

It is the purpose of this review to discuss the epidemiological and epizootiological aspects of this agent, particularly the distribution of the virus in man and lower animals and its possible arthropod vectors. The implications of each of these hosts and vectors in the spread of the disease are considered. Related aspects of the virus, including etiology, means of detection and diagnosis, and possible control measures, which seemed pertinent to the review, are also described.

ETIOLOGY

Venezuelan equine encephalitis virus is one of nearly 20 ribonucleic acid (RNA) agents classified as Group A arboviruses, a classification based primarily on serological properties (14). The viruses of this group, although probably having common group antigens, are essentially distinct from one another. Two other viruses have been classified with the causative agent of VEE into the "Venezuelan equine encephalomyelitis complex" because of unusually high cross-reactivity with specific antisera in serum-neutralization, complement-fixation, and hemagglutination-inhibition tests (92). The other agents of this "complex" are the Mucambo and the Pixuna viruses. Since these three viruses are difficult to differentiate, they will be discussed together in this review.

Like other arboviruses of Group A, VEE is relatively small, showing a diameter of 40 to 45 mμ when ultrathin tissue sections were observed by electron microscopy (76, 77). The virus particles were described as being somewhat larger (65 to 80 mμ in diameter) in protamine sulfate-precipitated suspensions examined with an electron microscope (76, 77). In the electron micrographs of virus prepared by the latter method, the agent appeared to have a distinct core and a membrane. Other investigators have described an external envelope with a diameter of 60 to 70 mμ and a 30 to 40 mμ internal spherical nucleoid (58). The virus can be filtered through Berkefeld V and N filters and Seitz filters (78). The agent is not readily inactivated by Formalin and can be preserved by lyophilization or in 50% buffered glycerol at −70 C (102).

DETECTION AND DIAGNOSIS

Clinical features

Until recently, VEE generally has been considered a mild disease in the human being. A recent outbreak in Venezuela, however, reportedly has taken the lives of at least 190 persons of nearly 32,000 with the disease (91). The exact incubation period is not known but is considered to be short, ranging from 2 to 5 days; the onset is usually very sudden. Symptoms may include headache, fever lasting from 1 to 4 days, malaise, chills, nausea or vomiting, and myalgia. Severe encephalitis or generalized systemic illnesses may occur. In rare instances, tremors, diplopia, and lethargy are also noted. Symptoms persist in mild cases for 3 to 5 days and for as long as 8 days in more serious attacks. After the general symptoms of the disease disappear, a prompt and apparently complete recovery usually takes place (13, 59, 66, 85, 96, 102). In the recent Venezuelan outbreak, Castillo (14*a*) and Rovira (84*a*) reported that fatalities occurred only in children of both sexes under 15 years of age, and that the clinical picture was often confused with the disease caused by the influenza virus.

Virus isolation procedures

The VEE virus can be readily recovered from blood and nasopharyngeal washings if taken during the acute phases of the illness in man or lower animals. The agent has been rather unique among the more well-known arboviruses in that it can be recovered for comparatively long periods of time from other areas of the body (e.g., bone marrow, spleen, liver, lung, kidneys, thymus, adrenals, brain, heart, lymph nodes) in addition to blood (104).

Isolations may be made by using a variety of laboratory animals including mice, rats, guinea pigs, hamsters, and monkeys. The animal of choice has been the mouse, which appears to be the most susceptible, particularly if inoculated intracerebrally. In these animals, the time of death has been found to be dose-dependent, and infections are usually fatal (43). Intraperitoneal inoculations of mice also produce death, but Hearn (48) demonstrated an LD_{50} of $10^{1.5}$ less by the intraperitoneal than by the intracerebral route with the same virus. The average survival time in infant mice inoculated with the virus by either route has been shown to be markedly shorter than in similarly infected adult mice, although the mean survival time has been rather erratic in the latter animals when inoculated intraperitoneally (16). In recent years, suckling mice have been the animals most generally used for VEE virus isolation attempts (21, 31, 89, 91). Clinical signs of the disease in mice usually include hyperexcitability, hunching, and rough haircoat. The animals are usually severely depressed or paralyzed immediately prior to death.

Guinea pigs are quite susceptible to VEE virus infection when inoculated intraperitoneally, intracerebrally, or subcutaneously (3, 43, 62). When infected with the virus, the animals usually die within 2 to 4 days, with signs of paralysis evident just before death.

Recently weaned hamsters reportedly are nearly as susceptible as suckling mice to subcutaneous inoculation of VEE virus, and 5- to 10-week-old hamsters were used effectively in Mexico as "sentinals" for isolating the agent from mosquitoes (89).

Embryonated hens' eggs inoculated with the VEE agent via the yolk sac or chorioallantoic membrane routes readily become infected and die in approximately 15 to 48 hr, with large quantities of virus present (3, 60, 65).

Mussgay (75) described a technique for rapid isolation and identification of arbo-

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viruses by use of a plaque test in chick embryo cell cultures in which specific immune serium had been inocrporated. With this technique, isolation and identification can be carried out in a single step. Sellers et al. (91) demonstrated the practicality of this test when a modification of it was used in studying an outbreak of VEE. A continuous line of baby hamster cells, BHK21 (68), which is susceptible to a number of arboviruses (72, 90), was used in these studies. Antiserum was either incorporated into the cell culture or mixed with the material suspected of containing the virus prior to addition to the cells. In the VEE outbreak studies, material tested included blood, serum, throat washings, brain suspensions, and crushed mosquitoes. Cytopathic effects (CPE) usually were apparent in 24 to 42 hr. Another possible modification of the above procedure is to test the cell culture fluid for hemagglutinins which appear 5 to 6 hr after infection (37). Immunofluorescence may also be used to detect VEE virus in cell cultures; in a study using this method, virus was demonstrated in guinea pig heart cells 10 hr after infection (71).

Since viremia in VEE virus-infected animals has been found to be of rather short duration (rarely longer than 5 days), Smith et al. (97) suggested the use of bone marrow cells removed from the animal suspected of being infected. These cells, when cultured in vitro either alone or in combination with L cells, served both as a source of virus and as susceptible tissue supporting virus multiplication. Marked CPE was produced in virus-infected L cells in 48 to 72 hr. In studies in which this system was used with experimentally infected monkeys, isolation of VEE virus was carried out relatively late in the course of the infection, after the viremia had subsided. A number of advantages were cited for the use of marrow culture for VEE virus isolation; the system allows for isolation of a virus later in the course of infection, it provides a relatively simple cell culture system, and it may have application under field conditions when it is not possible to freeze specimens immediately. An additional advantage to all cell culture systems may be the inherent safety to laboratory personnel as compared with the use of laboratory animals.

Serological techniques

Three serological tests are used routinely for arbovirus investigations. These tests, listed in order of specifically, include (i) the virus serum neutralization (SN) test, (ii) the complement-fixation (CF) test, and (iii) the hemagglutination inhibition (HI) test. General procedures for these tests are given by Hammon and Work (47) and Work (112). These procedures are applicable for essentially all arboviruses and have worked well with VEE.

Probably the earliest definitive study employing the SN test for VEE was that described by Kubes and Diamante (63), in which VEE, EEE, WEE, and "Argentine equine encephalitis" viruses were compared. No protection could be induced in mice against the VEE virus isolated by use of any of the other viruses, and the VEE agent would not protect against the other viruses. It was generally concluded from this early study that there was no relationship between these agents. Since this early work, the SN test has been used to some degree in the majority of the recent surveys for evidence of the VEE virus. Both mice and various susceptible cell cultures have been utilized as indicators of SN antibody titer in these studies. Arbovirus neutralizing antibodies often appear within a few hours after infection and may persist at significant titers throughout the life of the animal (101). One problem which has been encountered in the use of the SN test is the loss of labile accessory factor which occurs on storage of sera, although this apparently occurs predominantly for Group B antibodies and can be eliminated by the addition of fresh normal serum or by using the intraperitoneal rather than the intracerebral route of inoculation if animals are used in the test (101).

At higher antibody titers, the CF test apparently has been quite specific for diagnosis of VEE, Casals (9), using CF tests, showed that this virus was unrelated to WEE, EEE, and SLE. Since "false-positives" are one of the most serious problems to be encountered when using the CF test, Casals (9, 10) recommended that human sera should be tested against several antigens simultaneously, and, if apparently nonspecific reactions are demonstrated, heating the sera at 65 C for 20 min should be tried. Complement-fixing antibodies generally persist in high titer for relatively short times, thereby providing a clue to the time of infection, especially when used in conjunction with HI procedures (101). A typical example of results when the CF test is used for detection of VEE antibodies can be seen in our survey for endemic diseases of the wildlife of west central Utah (105). In these studies, over 9,000 serum samples were tested simultaneously with VEE, EEE, WEE, and SLE antigens; CF antibody titers of 1:16 or greater for VEE, with no crossreactions evident, were found in 57 serum specimens. Several of these sera also contained HI and specific SN antibodies to VEE. In addition to these apparently specific antisera, however, 17 other samples contained CF antibody which cross-reacted with one or more of the other antigens, and an additional 140 specimens were cross-reactive with all arbovirus antigens used.

By use of the HI test, a relatively high degree of cross-reactivity between VEE and other viruses has been observed. Casals and Brown (12) prepared an HI antigen from acetone and ether-extracted brain tissue of infected mice, and demonstrated hemagglutinins for chick erythrocytes associated with 13 viruses, including VEE. On the basis of the temperature and *p*H required for reaction, these viruses were separated into two groups, A and B. The VEE virus was included in Group A with EEE, WEE, and sindbis viruses. Cross-reaction titers occurring among antisera specific to these other Group A viruses and VEE antigen were always at lower levels (three- to fourfold dilutions) than VEE immune serum titers. Casals (11) later separated the arboviruses into three groups on the basis of HI cross-reactivity. Always, VEE immune sera reacted to higher titer with homologous antigens than antisera specific to the other agents in Group A. The Rockefeller Laboratory's techniques for the HI test were extensively described by Clarke and Casals (22). These investigators noted that lipid and lipoprotein are often nonspecific hemagglutination inhibitors in sera, and they described a method for the removal of this material by use of kaolin adsorption or acetone extraction. Holden et al. (50, 51) demonstrated the induction by acetone of an inhibitor which can be removed with protamine sulfate. Since acetone extraction is the method of choice for avian sera, protamine sulfate treatment of these acetone-extracted sera is therefore almost mandatory (50, 51). Phospholipids can also cause nonspecific inhibition in hemagglutination tests for VEE (80).

A number of surveys have been carried out in which the HI test has been used for VEE antibody determinations. The results reported by Sanmartin and Duenas (87) are typical: This survey, which was carried out in Colombia, employed both the SN and HI tests. A greater number of positive sera were detected with the HI test than with the SN test (43 compared with 30); the HI titers were relatively high (greater than 1:80) in a number of cases. It is quite possible that a number of the sera containing demonstrable HI antibodies resulted from a cross-reaction induced by the presence of other viruses. In a discussion of serological surveys conducted in southern Florida, the confusingly broad serological HI overlap for Group A antigens was considered responsible for the reported high incidence of HI antibodies to VEE virus, previously unknown in this country (101). Later survey results, however, which included VEE virus isolations and detection of VEE HI and SN antibodies in the same area (21, 111), would seem to have reversed these earlier conclusions.

The HI test measures antibodies which appear somewhat later than the first detectable neutralizing antibodies, but which are usually produced prior to detectable CF antibodies (47). The detection of HI antibodies against other Group A arboviruses in sera obtained for serological surveys suggests that they may last a long time with little loss in titer, and are probably detectable throughout the life of the vertebrate host. Since HI antibodies are the most broadly reactive of the three antibody types being considered, however, a definitive interpretation of serological survey results by this test alone is difficult.

EPIDEMIOLOGY

Venezuelan equine encephalitis has been primarily a disease of equines and other lower animals, although occasionally the agent has infected man. The disease was apparently first noted in equines of Colombia in 1935 when reported from the Department of Valle, Tolima, Bolivar, and Hulla (1). Early in 1936, it was found in equines of some portions of the Department of Magdalena and later in the Colombia portions of the La Guajira Peninsula (73). The disease was first reported in Venezuela in the La Guajira Peninsula (61) in 1936, and it spread from this area to practically the entire country in the course of 1937 to 1939 (3, 65). In subsequent years, the disease assumed more of a sporadic character both in Colombia and Venezuela, appearing in epizootic form in horses and mules in 1942 and later in man, in 1952 and again in 1962, as an alarming outbreak of encephalitis (5*a*, 84*a*, 86*a*, 89, 91).

From the 1942 Venezuelan epizootic, the virus apparently spread to Trinidad, having been isolated from sick equines on this island in 1943 and 1944 (62) and possibly causing fatalities in two humans during the epizootic (41, 82, 106, 107).

Evidences of the infection have subsequently been found in Ecuador (2, 24, 67, 100), British Guiana (107), Panama (37*a*, 78*a*, 89, 107), Argentina (5, 110), French Guiana (36), Surinam (53, 55, 108), Mexico (89, 73a), Brazil (6, 15, 16, 17), Curacao, West Indies (32), and portions of the United States Louisiana (56), Florida (21, 111), and Utah (105). A survey of sera from residents of Antigua, Jamaica, Barbardos, St. Lucia, and St. Vincent Islands of the West Indies revealed no VEE neutralizing antibody (28, 29, 30, 33, 34). Sera from south Florida patients with undiagnosed infectious disease were recently tested for a spectrum of arbovirus HI antibodies. No VEE antibody could be detected (79). Virus isolates from Brazil were later shown to be different from the original VEE virus isolations; these viruses were named Mucambo and Pixuna and are considered part of the "VEE complex" (92).

Natural distribution in man

Since VEE virus infections in humans are of the greatest concern from a public health standpoint, a breakdown of the incidence in human populations is of interest. Until 1942, VEE appeared to be detected only in equines, the disease produced in horses resembling that caused by EEE and WEE viruses. In 1943, however, two human fatalities in Trinidad were attributed to VEE (41, 82). Later analyses of these reports have indicated the earlier conclusions to be equivocal (107), although specific neutralizing antibodies were demonstrated in the blood of persons in the area (106). In 1944, the disease in man was of such a nature that Gallia and Kubes (38*a*) stated that it "never occurred in such a form as to be able to draw the attention of public health authorities." A dengue-like fever of at least 70 persons in Colombia was shown in 1952 to be caused by the VEE virus, as determined by isolation and identification of the agent from blood samples (88). After an apparent subsidence, the disease again appeared in Colombia in 1955 and 1957 as an acute febrile illness. The agent was once again recovered from the blood of patients, and a number of human sera taken from the area contained significant HI antibody titers against the virus (45). Subsequently, in 1961 and 1962, a severe outbreak of the disease recurred in Colombia and also in northwest Venezuela and in Panama. In Panama, several hundred people became infected, whereas in Venezuela nearly 32,000 cases of VEE were reported, with at least 190 fatalities (91). The fatality rate of 6,000 human cases in Venezuela has been reported at 0.6% (103). Early reports of the outbreak indicated all of the fatal cases to be in children under 15 years of age (5*a*, 84*a*).

Inapparent VEE virus infections in man, as determined by specific neutralizing antibodies, have occurred in Argentina (5), Curacao, N.W.I. (32), Trinidad (106), Surinam (53, 55, 108), the coastal region of Ecuador (2, 24), northeastern Venezuela (54, 86*a*), Mexico (73*a*), and in Seminole Indians of Florida (111), Floch et al. (36) reported the occurrence of VEE antibodies in sera from humans of Frence Guiana, but the same sera were also reactive to SLE virus. Sera of residents of Rio de Janeiro, Brazil (6), and San Vincente de Chucuri, Colombia (45), reportedly contained HI antibodies. Specific neutralizing antibodies, as well as virus isolates, were obtained from residents of Belem, Brazil (16, 17), the viruses isolated later being shown to be other members of the "VEE complex."

Laboratory infections

This agent is notorious for its ability to infect laboratory personnel, the infections usually occurring through inhalation of airborne material. The first reported laboratory infections occurred in 1942 (13, 66). These cases were of mild to moderate nature, with clinical symptoms including malaise, fever, chills, backache, and headache. In a study employing the SN test, Kubes and Gallia (64) demonstrated that a close relationship existed between the antibody titers in laboratory workers' sera and the type of research they were engaged in. Those employed in laboratories using the live VEE virus had the highest titers, whereas occasional titers were demonstrated in persons working in nearby areas, and those engaged in duties elsewhere had no detectable antibodies to the virus.

At least 27 laboratory infections have been attributed to the Trinidad strain alone of VEE (107), and 24 additional cases have been reported from a single laboratory accident with the virus (94). It is obvious that laboratory personnel working with this agent should be equipped with the proper microbiological safety equipment (70) and the personnel should be given adequate instructions to prevent infections from occurring. Vaccination of laboratory personnel with an attenuated strain of the virus should be considered. A description of an experimental vaccine available on a limited basis is given under *Control Procedures* in this review.

Distribution in domestic animals

The VEE virus has been isolated from naturally infected horses (62, 65, 82, 95, 99), mules (62, 82), and donkeys (40, 91). Neutralizing and 111 antibodies of significant titer have been found in sera from dogs, goats, pigs, sheep, and cattle (91). Apparently specific complement-fixing antibodies have been found in the sera of 7 of 4,719 range cattle of Utah (Thorpe, *unpublished data*). These bovine VEE antibody titers were 1:16 to 1:256; no evidence was seen of cross-sections with EEE, WEE, SLE, psittacosis, or rickettsial antigens.

The virulence of the agent is apparently variable in equines. Kissling et al. (57) reported infections ranging in severity from subclinical to fatal in experimentally infected horses. Virus titers in these infected horses ranged from 10^4 to $10^{7.5}$ mouse intraperitoneal LD$_{50}$ (MIPLD$_{50}$) at 18 to 108 hr after inoculation, and the virus persisted in the blood until death, or from 17 through 144 hr in surviving animals. The clinical symptoms in these animals included depressiveness, high temperature, and occasionally central nervous system involvement (chewing motion, circling, restlessness). Pancreatic lesions and hematopoictic tissue involvement were often noted. Several routes of infection, including mosquito bite, subcutaneous inoculation, and intranasal installation of the virus, were used in these studies, but the type of disease which developed was apparently not influenced by method of virus inoculation. The virus was shown to be spread in horses by mosquito transmission and by direct contact. Virus was demonstrated in the nasal, eye, and mouth secretions, and from urine and milk of infected horses in the same study (57). One of three burros infected with a high dose of VEE virus died 5 days after inoculation (43, 44). The other two animals lived through 14 days, at which time they were sacrificed. Viremia in the animal that died from VEE began soon after inoculation, reaching a peak of 10^7 MILPD$_{50}$ in 2 days, and persisted at a detectable level until death. The two surviving burros had much lower virus levels in their blood. and the viremia persisted only 3 days. Experiments designed to show relationships among VEE, EEE, and WEE virus in burros were reported by Byrne et al. (8). The viremia responses in these studies were similar to those cited earlier. Significant HI, CF, and SN antibodies had developed 6 days after virus inoculation.

Studies with dogs experimentally infected with virulent VEE virus indicated a varying susceptibility; 2 of 10 died of the infection, whereas 7 of 10 showed no frank clinical signs of illness. Fever, leucopenia, and a low-titer viremia of short duration were observed (103). In a later study, contact transmission of the virus from infected to noninfected dogs was demonstrated (26). In this latter study, 6 of 10 challenged animals died of the virus infection. Short-term viremia with titers as high as $10^{8.5}$ MIPLD$_{50}$ was demonstrated from the challenged dogs, and *Aedes triserialus* mosquitoes were found capable of receiving the virus after feeding on these animals.

Distribution in wild mammals

Evidence is mounting to indicate that wild mammalian hosts may be important in the maintenance of the VEE agent in nature. The virus has been isolated from a number of wild mammals to date, including tufted capuchin monkeys, *Cabus apella* (16), the spiny rat, *Proechimys* sp. (16), the forest spiny pocket mouse, *Heteromys anomalus* (31), the terrestrial rice rat, *Oryzomys laticeps velutinus* (31), and short-tailed cane mouse, *Zygodontomys brevicauda* (31). In addition, antibodies (SN or HI) have been found in the opposum, *Didelphis* sp. (91) the cotton mouse, *Peromyscus gossypinus* (21), and the cotton rat, *Sigmodon hispidus* (21). In a survey for CF antibody to the VEE virus and other agents in various wild mammals native to the western desert area of the United States, the sera of eight species (58 specimens) were considered positive at low (1:16 to 1:64) titers (105). Cross-reactions with other Group A arboviruses tested simultaneously were not evident in these sera. The seropositive animals included the deer mouse (*Peromyscus maniculatus*), the western harvest mouse (*Reithrodontomys megalotis*), the chisel-toothed kangaroo rat (*Dipodomys microps*), the white-tailed antelope squirrel (*Citellus leucurus*), the black-tailed jackrabbit (*Lepus californicus*), the nuttal and desert cottontail (*Sylvilagus nuttallii* and *S. audubonii*), and the kit fox (*Vulpes macrotis*). Thirty-eight of these positive serum samples, involving all species except the harvest mouse, also had VEE HI antibody titers of 1:40 or greater. Nine of the 58 samples were tested for neutralizing antibodies; 4 of these sera (from one deer mouse and three cottontails) were considered to have significant SN indices. In 157 other serum samples, cross-reactions with one or more other arbovirus antigens were demonstrated by use of the CF test. These cross reactive samples were not tested with the 111 or SN techniques.

The tufted capuchin monkey is apparently a host for the viruses of the "VEE complex." Causey et al. (16) hung cages containing the animals in the Amazon jungles. They then attempted to isolate virus from blood samples taken daily. In this way, a large number of isolates of VEE virus (later shown to be Mucambo virus) were made. The viremia in these monkeys was found to occur within 4 days after infection, persisting no longer than 2 weeks. The virus titers during this time were well above the threshold value required for mosquitoes feeding upon the monkeys to obtain an infectious blood meal.

Gleiser et al. (42, 43) experimentally infected rhesus monkeys with the VEE virus and noted the pathological signs in the animals included reversible injury to the lymphatic and nervous system and inflammatory lesions in the central nervous system. Viremia occurred within 1 day after inoculation, reaching a peak in 24 hr and persisting at a high level for 3 days, then declining to a negligible level by 6 days. A minimal clinical response characterized by a diphasic fever was apparent in these animals.

Although little is known of the disease in wild rodents except for what has been stated above, laboratory animals such as mice, guinea pigs, hamsters, and rats are extremely susceptible to VEE virus infection, dying readily of the disease and producing high-titer, persistent viremia. The studies with these animals were described under *Virus Isolation Procedures*.

Bats appear experimentally to be excellent hosts for the VEE agent. Corristan et al (25) reported that four species (big brown bat, *Eptesicus fuscus*, little brown bat, *Myotis lucifugus*, eastern pipistrel, *Pipistrellus subflavus*, and long-eared bat, *Corynorhinus rafinesquii*) were readily infected experimentally when exposed to the virus by either the intranasal or intraperitoneal routes. The infectious dose for each bat species was approximately equivalent to that of Swiss-Webster mice infected by the same routes. When inoculated with 25 MIPLD$_{50}$ of VEE virus, blood virus titers in *E. fuscus* and *M. lucifugus* attained peaks of at least 10^6 MIPLD$_{50}$ within 48 hr, with significant titers persisting for at least 26 days. At intervals during this time, these titers were well above the threshold values usually required to infect mosquitoes. Low titers of the virus persisted in these bats for at least 90 days when at a hibernating temperature (10 C), and when the temperature was raised, the virus titers rose rapidly. The infection was apparently not lethal for these mammals.

A summary of the animals which have been reported to be susceptible to the VEE virus is shown in Table 1:

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EPIDEMIOLOGY OF VEE VIRUS INFECTIONS

TABLE 1.—*Animals known to be susceptible to infection with Venezuelan equine encephalitis virus*

Species	Common name	Type of study [a]	Reference [b]
MAMMALIA			
Bovis sp.	Cow	N, H, C	Sellers et al. (91), Thorpe (*unpublished data*)
Cabus apella	Tufted capuchin monkey	I, E	Causey et al. (16), Causey and Theiler (17)
Canis familiaris	Dog	N, H	Sellers et al. (91)
C. familiaris	Dog	E	Taber et al. (103)
Capra sp.	Goat	N, H	Sellers et al. (91)
Cavia cobaya	Guinea pig	E	Beck and Wykoff (3)
Citellus leucurus	Antelope ground squirrel	C	Thorpe et al. (105)
Corynorhinas rafinesquii	Lump-nosed bat	E	Corristan et al. (25)
Didelphis sp.	Opossum	N, H	Sellers et al. (91)
Dipodomys microps	Chisel-toothed kangaroo rat	C, H	Thorpe et al. (105, *unpublished data*)
Eptesicus fuscus	Big brown bat	E	Corristan et al. (25)
Equus asinus	Mexican burro	E	Gleiser et al. (43)
E. caballus	Horse	I	Kubes and Rios (65)
E. caballus	Horse	E	Kissling et al. (57)
Equus sp.	Donkey	I	Baquérizo and Marmol (2)
Equus sp.	Donkey	E	Gilyard (40)
Equus sp.	Mule	I	Kubes (62), Randall and Mills (82)
Heteromys anomalus	Forest spiny pocket mouse	I	Downs et al. (31)
Lepus californicus	Black-tailed jackrabbit	C, N, H	Thorpe et al. (105, *unpublished data*)
Macaca mulatta	Rhesus monkey	E	Hearn (48)
Mus musculus	Laboratory mouse	E	Gleiser et al. (43), Hearn (48)
Myotis lucifugus	Little brown bat	E	Corristan et al. (25)
Oryctolagus cuniculus	Laboratory rabbit	E	Hearn (48)
Oryzomys laticeps	Terrestrial rice rat	I	Downs et al. (31)
Ovis sp.	Sheep	N, H	Sellers et al. (91)
Peromyscus gossypinus	Cotton mouse	N, H	Chamberlain et al. (21)
P. maniculatus	Deer mouse	C, N	Thorpe et al. (105)
Pipistrellus subflavus	Long-eared bat	E	Corristan et al. (25)
Proechimys sp.	Spiny rat	I	Causey et al. (16)
Rattus norvegicus	Laboratory rat	E	Causey et al. (16)
Reithrodontomys megalotis	Western harvest mouse	C	Thorpe et al. (105)
Sigmodon hispidus	Cotton rat	N, H	Chamberlain et al. (21)
Sus. sp.	Pig	N, H	Sellers et al. (91)
Sylvilagus audubonii	Audubon cottontail rabbit	C, H	Thorpe et al. (105, *unpublished data*)
S. nuttallii	Nuttal cottontail rabbit	C	Thorpe et al. (105, *unpublished data*)
Vulpes macrotis	Kit fox	C, H	Thorpe et al. (105, *unpublished data*)
Zygodontomys brevicauda	Short-tailed cane mouse	I	Downs et al. (31)
AVES			
Butorides virescens	Green heron	I	Galindo et al. (37*a*)
Columba livia	Domestic pigeon	E	Chamberlain et al. (19), Samper and Soriano-Lleras (86)
Corvus brachyrhynchos	Crow	N	Kissling et al. (56)
Crotophaga sulcirostris	Groove-billed ani	I	Galindo et al. (37*a*)
Cyanocitta cristata	Blue jay	N	Kissling et al. (56)
Dendroica coronata coronata	Myrtle warbler	N	Kissling et al. (56)
Florida caerulea	Little blue heron	I	Galindo et al. (37*a*)
Guara alba	White ibis	N	Kissling et al. (56)
Icterus prosthemelas	Black-cowled oriole	I	Galindo et al. (37*a*)
Megaceryle alcyon alcyon	Eastern belted kingfisher	N	Kissling et al. (56)
Melospiza melodia	Song sparrow	E	Chamberlain et al. (19)
Myiozetetes granadensis	Gray-capped flycatcher	I	Galindo et al. (37*a*)
M. similis	Social flycatcher	I	Galindo et al. (37*a*)
Nyctanassa violacea	Yellow-crowned night heron	N	Kissling et al. (56)
Oreoscoptes montanus	Sage thrasher	C, H	Thorpe et al. (105, *unpublished data*)
Passer domesticus domesticus	English sparrow	E	Chamberlain et al. (19)
Quiscalus quiscula	Purple grackle	N	Kissling et al. (56)
Ramphastos sulfuratus	Keel-billed toucan	I	Galindo et al. (37*a*)
Tamphocelus passerinii	Scarlee-rumped tanager	I	Galindo et al. (37*a*)
Richmondena cardinalis	Cardinal	N	Kissling et al. (56)
R. cardinalis	Cardinal	E	Chamberlain et al. (19)
Turdus grayi	Clay-colored robin	I	Galindo et al. (37*a*)
Zenaidura macroura	Mourning dove	E	Chamberlain et al. (19)
Zonotrichia albicollis	White-throated sparrow	E	Chamberlain et al. (19)

[a] C=Complement-fixing antibody to the VEE virus demonstrated in serum from captured animal. E=Susceptibility based on studies in the laboratory. H=Hemagglutination inhibition antibody to the VEE virus demonstrated in serum from captured animal. I=Isolation of VEE virus from captured animal. N=Neutralization antibody to the VEE virus demonstrated in serum from captured animal.

[b] Earliest or most complete study used as reference.

Distribution in birds

The VEE virus is different from EEE and WEE viruses, other agents of the Group A arboviruses, in that it seems to multiply better in mammals than in birds. Until recently, there have been few complete reports of isolations of the agent from wild-caught birds. Samper and Soriano-Lleras (86) stated that the pigeon was the only known animal to be naturally infected at the time of their studies. These investigators showed experimentally that VEE virus could not be demonstrated after three passages through pigeons. Briceno Rossi (5*a*) isolated the agent from a chicken and a rooster taken from an endemic area of VEE in Venezuela during the recent epidemic of the disease in that country. A number of wild fowl caught in the same area contained no signs of VEE virus infection. The same investigator demonstrated chicks less than 1 month old to be fatally susceptible to experimental infection with the virus; experimentally infected chickens older than 1 month produced antibodies to the virus but were not clinically ill and no viremia was detected. Kissling et al. (56) reported the presence of neutralizing antibodies of transmitting the VEE agent in the laboratory. *A. serratus* was found in great numbers in Ecuador (67), Brazil (16), and Trinidad (31), and in lesser numbers in the endemic areas of Venezuela (91); VEE virus isolations were made from these mosquitoes in the latter three countries. Virus was isolated from *A. scapularis* caught during the Venezuelan epidemic (91), and the mosquito also was trapped in Brazil, although no virus isolates were made in the latter case (16). Experimentally, *A. aegypti, A. albopictus, A. geniculatus,* and *A. triscriatus* mosquitos are reportedly capable of transmission of the virus (20, 26, 57, 84).

Mosquitoes of the genus *Culex* (*subgenus Melanoconion*) have yielded the only VEE virus isolations made in the United States (21). A survey in Colombia (46), Trinidad (31), and in Panama (37*a*, 78*a*) yielded isolates from *Culex* sp. mosquitoes, but Sellers et al. (91) were unable to isolate the agent from small numbers of this species caught in Venezuela. Eklund (35) reported that the *Culex* sp. transmitted the disease agent experimentally.

Other genera of mosquitoes of possible importance as vectors for VEE virus transmission include *Anopheles, Haemogogus, Psorophora,* and *Sabethes, Anopheles neomaculipalpus* was collected in moderate numbers from stable traps during the Trinidad outbreak, and one mosquito of this species reportedly transmitted the VEE virus from one donkey to another (40). One pool of *A. aquasalis* of 40 tested yielded an isolate of VEE virus in Venezuela (91). Pools of *Anaphelini* sp. yielded isolates of the virus in Panama (37*a*, 78*a*). Pixuna virus (one of the "VEE complex") reportedly was isolated from *A. nimbus* in Belem, Brazil (18). Causey et al. (16) recovered one of the "VEE complex" viruses from *Haemogogus* sp. mosquitoes in Brazil; small numbers of this species were caught in Venezuela during the recent VEE outbreak in the country, but no virus isolates were reported from them (91). *Psorophora ferox* yielded isolates of the VEE virus or viruses of the "VEE complex" in Brazil (16), Colombia (46), and Trinidad (31). The VEE virus was recovered from 1 of 14 pools of *P. confinnis,* but not from pools of *P. cilipes, P. ferox,* or *P. varipes* caught in Venezuela (91). Female *P. ferox* mosquitoes were shown experimentally to transmit VEE to healthy guinea pigs 14 days after infection (20). Virus isolates of the "VEE complex" were recovered from *Sabethes* sp. in Brazil by Causey et al. (16).

CONTROL PROCEDURES

Control of diseases such as VEE can theoretically be approached by a variety of techniques: (i) elimination of the arthropod vectors, (ii) the use of vaccines, (iii) decontamination of surroundings, and (iv) the use of chemotherapy.

The elimination of the arthropod vectors (only mosquitoes to date) would appear to be the most effective means for control on the basis of past to VEE virus in the sera of a number of birds caught in the swamplands of Louisiana. Among these serologically positive birds were the white ibis, *Guara alba*, and the yellow-crowned night heron, *Nyctanassa violaccea,* which migrate from South and Central America during the summer. All other birds having neutralizing antibodies to the virus were considered permanent residents of the area. In this study, titers were usually low to moderate (neutralization indices of 22 to 79 or greater) in comparison to relatively high titers to EEE and WEE viruses (neutralization indices of 162 to 630) in the same species of birds. Of the permanent resident birds having antibody to the VEE agent, a high percentage had EEE or WEE titers also. Recently, Galindo et al. (37*a*) reported isolations of the virus from 10 species of birds caught in northwestern Panama (Table 1). Several of these birds are known to migrate to North America.

Chamberlain et al. (19) infected wild birds with VEE virus by subcutaneous inoculation and by mosquito bite. All species of birds tested were relatively resistant, the English and white-throated sparrows (*Passer domesticus domesticus* and *Zonotrichia albicollis*) being more susceptible than pigeons (*Columba livia*), cardinals (*Richmondea cardinalis*), and mourning doves (*Zenaidura macroura*), English sparrow-mosquito-English sparrow transmission could be demonstrated by use of the *Aedes triseriatus* mosquito. Virus levels were usually quite low in all of the tested birds, the English sparrow having viremia as early as 17 hr, with peak titers of $10^{3.8}$ to $10^{5.0}$ MIPLD$_{50}$ at 40 to 64 hr, and persisting up to 5 to 7 days (inoculated with 3.2 MIPLD$_{50}$ doses of virus). White-throated sparrows, mourning doves, cardinals, and pigeons were inoculated with 346 MIPLD$_{50}$ of virus; viremia was first observed after 18 hr and persisted up to 162 hr after inoculation. Virus titers varied, but were of significant levels (at least $10^{2.6}$ MIPLD$_{50}$) in pigeons and sparrows, and cardinals; essentially no virus, however, could be recovered from the blood of experimentally infected doves. When the same birds were inoculated with a higher dose (2,000 MIPLD$_{50}$), viremia was shorter in duration, reaching a maximum in approximately 96 hr, with no higher peak titers than were previously observed. A pigeon infected through the bite of a mosquito had a titer of $10^{1.6}$ MIPLD$_{50}$ at 144 hr after the initial infection. The peak titer in this bird was not observed until 120 hr. Infections in all girds were symptomless. Miller (72*a*) had reported pigeons to be susceptible to respiratory infection with the VEE virus. Viremia titers approached 10^5 MICLD$_{50}$ units per ml of blood. The implication of this latter study is the possibility of virus transmission from bird to bird by the respiratory route, perhaps from acrosolization of excreted virus.

A recent survey of 71 sera of wild birds from Venezuela by Sellers et al. (91) failed to yield any positive for VEE antibody by either the SN or HI test, although significant titers were demonstrated in sera of humans, livestock, and wild mammals from the same geographical area. Five buzzards caught by Gilyard (41) during the epizootic in Trinidad were apparently uninfected with the virus. The previous cited CF antibody study in wildlife of Utah included tests on 727 bird sera of 62 different species (93, 109), but only a single serum sample taken from a sage thrasher (*Oreoscoptes montanus*) was considered to have a significant CF antibody titer to VEE virus (105). This specimen was also found to have HI antibodies at a titer of 1:160. Most of the birds from the area are migrants, with only 20 species of approximately 270 known to be permanent residents. The sage thrasher arrives in the spring, nests and departs in the fall.

Possible arthropod vectors

A significant number of mosquito species have been shown to be capable of VEE virus transmission and have yielded isolations of the virus in nature. These mosquito species are summarized in Table 2. No other arthropods have as yet been implicated with the disease.

In Trinidad during the 1943 epizootic, Gilyard (40, 41) found *Mansonia titillans* to comprise 90% of the mosquitoes caught in stable traps set in the area. The VEE agent was isolated from a number of these mosquitoes at the time, and this species was thus implicated by Gilyard as the primary vector in the epizootic. This mosquito was also found in endemic areas of Ecuador (67), and the species reportedly will transmit the virus experimentally (35, 57). No apparent transovarial passage of VEE virus occurred from infected *M. induhitans* and *M. titillans* (57), but virus titers of greater than 10^3 were demonstrated in eggs laid by infected *M. perturbans* (20).

The *Aedes* sp. also have been implicated as vectors of VEE virus. *Aedes taeniorhynchus* was caught in small numbers during the Trinidad studies (40), and in Ecuador (67). It is capable of long flights, has wide distribution, and has been suspected of carrying the VEE virus from epidemic areas in Venezuela to Trinidad (40). During the recent VEE outbreak of humans in Venezuela, *A. taeniorhynchus* appeared to be the most frequent carrier, of the organism (91). Eklund (35) has shown that the species is capable experiences with related viruses. A mosquito eradication program carried out in an endemic area of Venezuela at the height of the 1962 VEE outbreak was thought to be a significant factor in halting the advance of the disease in the area (14*a*).

TABLE 2.—*Known species of mosquitoes from which Venezuelan equine encephalitis virus has been isolated*

Species	Method [a]	Reference
Aedes aegypti	E	Roubaud et al. (84)
A. albopictus	E	Roubaud et al. (84)
A. geniculatus	E	Roubaud et al. (84)
A. serratus	I	Causey et al. (16), Downs et al. (31), Sellers et al. (91)
A. scapularis	I	Sellers et al. (91)
A. taeniorhynchus	I	Eklund (35), Sellers et al. (91)
A. taeniorhyncluis	E	Eklund (35)
A. triseriaus	E	Chamberlain et al. (19), Kissling et al. (57)
Anopheles aquasalis	I	Sellers et al. (91)
A. nimbus	I	Chamberlain (18)
A. neomaculipalpus	I	Gilyard (40)
Anophelini sp.	I	Galindo et al. (37*a*), Peralta and Shelokov (78*a*)
Culex quinquefasciatus	I	Galindo et al. (37*a*)
C. quinquefasciatus	E	Eklund (35)
C. taeniopus	I	Galindo et al. (37*a*), Peralta and Shelokov (78*a*)
C. vomerifer	I	Galindo et al. (37*a*), Peralta and Shelokov (78*a*)
Culex sp.	I	Chamberlain et al. (21), Downs et al. (31), Groot et al. (46)
Haemogogus sp.	I	Causey et al. (16)
Mansonia indubitans	E	Kissling et al. (57)
M. perturbans	E	Chamberlain et al. (20)
M. titillans	I	Gilyard (40)
M. titillans	E	Kissling et al. (57)
Psorophora confinnis	I	Sellers et al. (91)
P. ferox	I	Causey et al. (16), Downs et al. (31), Groot et al. (46)
P. ferox	E	Chamberlain et al. (20)
Sabethes sp.	I	Causey et al. (16)

[a] E = Mosquito shown capable of VEE virus transmission in the laboratory. I = Virus isolated from captured mosquitoes.

A Formalin-inactivated vaccine prepared in chick embryos has been used in Venezuela for prevention of VEE in horses (65). A partially purified vaccine reportedly has produced high levels of antibody and has been used for the protection of laboratory personnel (81). A vaccine prepared later, consisting of VEE, EEE, and WEE, has also been used (69). These vaccines, however, apparently contained active virus which was undetected in laboratory animal safety tests, since a significant number of individuals inoculated with these vaccines developed symptoms of the disease, and in some cases yielded isolates of the virus (96, 102). Attempts to use such Formalin-prepared vaccines have consequently been discouraged. Attenuation of the virus has been achieved in certain cell cultures (4, 48, 74), and an active attenuated vaccine has subsequently been produced. Gochenour et al. (44) induced a solid immunity in borros against a challenge dose of VEE, using an attenuated strain of the VEE virus. The virulence of the agent was not restored by passage in the burro. Similar results were observed with an attenuated virus strain in dogs (103). McKinney et al. (70) employed this attenuated virus for the immunization of laboratory personnel, and followed the course of viremia and the antibody response. After 1 to 2 years, antibody titers were still at high levels in immunized persons. An experimental vaccine comprised of this attenuated virus is available from the U.S. Army Medical Unit, Fort Detrick, Frederick, Md., for governmental agencies and research institutions. Administration of the vaccine is "limited to persons who are considered to be 'at risk' to infection because of occupation or other similar circumstances" (*Personnel communication*, Dan Crozier, U.S. Army Medical Unit, Fort Detrick, Frederick, Md.).

Hyperimmune serum therapy during the first 10 to 14 hr is recommended in the case of known laboratory infections (47).

Since the VEE virus has been shown capable of being transmitted by direct contact, decontamination of the surroundings is of importance, particularly as a means of protecting laboratory personnel. Propylene glycol, glycolic acid, thioglycolic acid, thiourea, and methyl thioglycolate are effective for inactivation of the VEE virus (27, 38, 49), and a variety of other standard disinfectants have been shown to be highly effective against other equine encephalitides (7).

No drug has been reported to show significant activity in vivo against VEE virus; hence, specific chemotherapy is not possible at present.

SUMMARY AND OUTLOOK

An overview of what has been discussed concerning VEE reveals two observations of particular interest. The first is that the geographical range of the disease agent is possibly extending, the virus being first isolated in Colombia, then apparently spreading through the forested parts of coastal South America, and now appearing in North America in coastal areas where the agent might be expected to be detected (i.e., Florida, Eastern Mexico, Louisiana). It is possible that evidence of the virus has been discovered in these extended areas because the agent is now being looked for in these areas for the first time, but an examination of the epidemiological data would indicate that in certain areas an extension in geographic range has been obvious. Interestingly, an extension in range in the reverse direction has recently been observed for SLE (23). A second observation of considerable importance is a possible change in host range which has apparently occurred in the VEE virus. For 20 years, the agent was considered chiefly the cause of a disease of equines, with clinical diseases in the human rarely, if ever, occurring. Recently, however, the disease caused by an immunologically similar virus in Venezuela, Colombia, and Panama resulted in severe human infections, with at least 190 fatalities recorded. These two observations concerning VEE would imply that a definite public health menace could be imminent to both North and South America.

Like most of the mosquito-borne encephalitis viruses, the VEE agent apparently has a complex natural infection cycle, possibly involving several vertebrate hosts, as well as mosquitoes and perhaps other arthropod vectors. Unlike the related Group A arboviruses such as WEE and EEE viruses, however, the available evidence would indicate that birds play a lesser role in the infection cycle of the VEE virus and that mammals may be the primary natural hosts. This assertion is based on reports that the viremias of experimentally infected birds have been lower than those usually found in mammals, and that transmission from one mammalian host to another by the mosquito has been more readily demonstrated. It is difficult, however, to extrapolate the findings of laboratory studies carried out under controlled conditions to the natural ecology of the disease, and birds should definitely be considered to play some role in the transmission cycle of the virus, particularly in view of the recent isolation of the virus made from migratory birds (37*a*). Often in both birds and mammals, the VEE virus infection is inapparent, which is a definite advantage for a reservoir host. Another factor to be considered is the rate of death of both mammalian and avian hosts during a severe epizootic of the disease agent. Chamberlain et al. (19) have pointed out that the avian replacement rate is faster than the replacement rate for the larger mammals, and thus "birds might be involved in an endemic maintenance of infection, furnishing foci for periodic epidemic spread." Man would appear to be an incidental host, although, during times of an epidemic, he could become a significant vertebrate element in the transmission cycle.

The specific VEE neutralizing antibodies demonstrated in the sera of birds in Louisiana which had migrated from South America would suggest that migrant birds may well have been the means by which the virus was introduced into the United States. The few evidences of the disease in Utah would appear illogical except that an extensive bird refuge, which hosts large numbers of migrant birds, is located in north central Utah, and over 250 species of nonpermanent birds have been observed in the area from which the seropositive specimens were taken.

The mosquito is obviously the vector for usual transmission of the VEE virus from one host to another, and, because of the wide variety of mosquito species from which the agent has been isolated, conceivably the disease could become a problem in many parts of the world. Several species of *Aedes* (*A. aegypti, A. scapularis, A. taeniorhynchus, A. triseriatus*), *Mansonia* (*M. indubitans, M. perturbans, M. titillans*), *Psorophora* (*P. confinnis, P. ferox*), and *Culex* mosquitoes which have been implicated as vectors of the VEE virus are known to be present in significant numbers in areas of North America (8*a*). The fact that this virus can also be transmitted by direct contact confuses the natural infection cycle of the agent, but lends weight to the eventuality of a possible world-wide distribution of the virus.

A combination of suitable climate, vegetation, and topography is apparently a critical factor in outbreaks of VEE; the virus essentially has been limited to the low lands of the rain-forested areas of the tropics to date. The recent alarming outbreak of the disease in Venezuela and surrounding countries came at a time when the total rainfall was approximately double the average for the preceding 5 years. Such flooding provided excellent breeding conditions for mosquitoes and caused a crowding of animals on the unflooded land areas (14*a*, 84*a*, 91). Although temperate conditions are dominant in the VEE endemic areas and over-wintering is not a problem, there is no reason to believe the virus would not be capable of persisting in various animal hosts through cold seasons. It is conceivable also that an overwintering host such as poikilothermic animals, which has been suggested for WEE virus (39), could maintain the virus for long periods of time. Transovarial passage of the virus through certain mosquitoes, which has been demonstrated experimentally (20), would indicate an additional means for virus survival during winter months.

Suggested further research would be centered around the manner of transmission of the VEE virus from South America to North America, further elucidation of the infection cycle in nature, and investigations of the antigenic differences among the strains of VEE virus. Extensive surveys of wild animal populations, including poikilothermic animals, for viremic status, and antibody studies in human and lower animal populations of areas between the United States and the northern portions of South America seem to be warranted. Such areas should primarily include Central America and the islands of the West Indies, as well as other areas of suitable climate, topography, etc., in North and South America. A variety of disease surveys in lower animals are currently being carried out in the United States; the agents studied in these surveys should include the VEE virus.

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EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report of Actual Procurement Receipts for Medical Stockpile of Civil Defense Emergency Supplies and Equipment Purposes

A letter from the Secretary of Health, Education and Welfare, transmitting, pursuant to law, a report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, for the quarter ending March 31, 1969 (with an accompanying report); to the Committee on Armed Services.

Report on Defense Appropriation Deficiencies Incurred

A letter from the Secretary of Defense, reporting, pursuant to law, that certain appropriations deficiencies to be incurred for the necessities of the current year have been authorized (with an accompanying report); to the Committee on Appropriations.

Proposed Legislation To Authorize a Federal Contribution for the Effectuation of a Transit Development Program for the National Capital Region

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation, to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89–774 (80 Stat. 1324) (with accompanying papers); to the Committee on the District of Columbia.

Report of Financial Statements of the American Legion

A letter from the Director of the American Legion transmitting, pursuant to law, a statement of financial condition of the American Legion as of December 31, 1968, prepared in accordance with requirements of Federal charter (with an accompanying report); to the Committee on Finance.

Report of Grants for Basic Scientific Research Made by the Department of Defense to Nonprofit Institutions

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report showing grants for basic scientific research by the Department of Defense to nonprofit institutions during calendar year 1968 (with an accompanying report); to the Committee on Government Operations.

Reports of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the use of military personnel in civilian-type positions by the U.S. Coast Guard, Department of Transportation, dated May 8, 1969 (with an accompany report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the use of missile procurement funds by the Department of the Air Force to finance research and development efforts, dated May 7, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings available by using space on military aircraft to transport baggage between the United States and points in the Pacific and Southeast Asia, Department of Defense, dated May 6, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation to the Congress concerning the claim of Mr. Wylo Pleasant, an individual doing business as Pleasant Western Lumber Co. (now known as Pleasant's Logging and Milling, Inc.), for reimbursement of losses sustained under timber sale contract No. 12–11–092–29, dated November 17, 1959, entered into with the Forest Service, Department of Agriculture (with accompanying papers); to the Committee on the Judiciary.

Proposed Legislation To Prohibit the Use of Interstate Facilities for the Transportation of Certain Materials to Minors

A letter from the Attorney General, transmitting a draft of proposed legislation to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors (with accompanying papers); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Proposed Legislation To Prohibit the Use of Interstate Facilities for the Transportation of Salacious Advertising

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to prohibit the use of interstate facilities including the mails for the transportation of salacious advertising (with accompanying papers); to the Committee on the Judiciary.

Proposed Legislation To Authorize Assistance for Projects for Foster Grandparents and Senior Companions

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Older Americans Act of 1965 to extend its duration, to authorize assistance for projects for foster grandparents and senior companions, to provide assistance to strengthen State agencies on aging, and to otherwise strengthen and improve that act (with accompanying papers); to the Committee on Labor and Public Welfare.

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Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requestion action looking to their disposition (with accompanying papers); to a Joint Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. McGee and Mr. Fong members of the committee on the part of the Senate.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. PASTORE, from the Committee on Commerce, without amendment:

S. 1242. A bill to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting. (Rept. No. 91–167)

INCREASED PARTICIPATION BY THE UNITED STATES IN THE INTERNATIONAL DEVELOPMENT ASSOCIATION—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 91–166)

Mr. BYRD of West Virginia. Mr. President, on behalf of the junior Senator from Arkansas (Mr. Fulbright), I report favorably from the Committee on Foreign Relations without amendment, a bill (H.R. 33) to provide for increased participation by the United States in the International Development Association. I ask unanimous consent that the report be printed together with supplementary views of the Senator from Missouri (Mr. Symington).

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Virginia.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. WILLIAMS of New Jersey:

S. 2070. A bill to amend the Fair Labor Standards Act of 1938, as amended, to extend its protection to additional employees, to raise the minimum wage to $2 an hour, to provide for an 8-hour workday, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey, when he introduced the above bill, which appear under a separate heading.)

By Mr. GOLDWATER:

S. 2071. A bill to amend the National Labor Relations Act to prohibit certain secondary boycotts in the construction industry which impede technological progress in such industry and unduly restrict the design professional's freedom in selecting the best and most efficient materials to accomplish construction projects; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Goldwater when he introduced the above bill, which appear under a separate heading.

By Mr. JORDAN of Idaho (for himself and Mr. Church):

S. 2072. A bill to provide for the exemption of certain State lands from the application of the acreage limitation provisions of Federal reclamation laws; to the the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jordan when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (for himself, Mr. Allott, Mr. Anderson, Mr. Baker, Mr. Bennett, Mr. Bible, Mr. Cook, Mr. Cotton, Mr. Curtis, Mr. Dole, Mr. Dodd, Mr. Eastland, Mr. Ervin, Mr. Fannin, Mr. Fong, Mr. Griffin, Mr. Hruska, Mr. Jackson, Mr. Jordan of Idaho, Mr. Jordan of North Carolina, Mr. Miller, Mr. Mundt, Mr. Murphy, Mr. Pastore, Mr. Prouty, Mr. Schweiker, Mr. Scott, Mrs. Smith, Mr. Stevens, Mr. Talmadge, Mr. Thurmond, Mr. Tower, Mr. Tydings, and Mr. Young of North Dakota):

S. 2073. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; and

S. 2074. A bill to prohibit the use of interstate facilities including the mails for the transportation of salacious advertising; to the Committee on the Judiciary.

(See the remarks of Mr. Dirksen when he introduced the above bills, which appear earlier under a separate heading.)

By Mr. WILLIAMS of Delaware:

S. 2075. A bill to deny tax-exempt status to private foundations and organizations engaging in improper transactions with certain Government officials and former Government officials, and to impose an income tax of 100 percent on income received by such officials and former officials from such foundations and organizations; to the Committee on Finance.

(See the remarks of Mr. Williams of Delaware when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND (for himself, Mr. Aiken, Mr. Cook, Mr. McGovern, Mr. Anderson, Mr. Montoya, Mr. Stennis, Mr. Bible, Mr. Jackson, Mr. Jordan of North Carolina, and Mr. Talmadge):

S. 2076. A bill to provide for the establishment and administration of a National Wildfire Disaster Control Fund; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Eastland when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD (for Mr. Sparkman):

S. 2077. A bill for the relief of Dr. Alexander Matas; to the Committee on the Judiciary; and

S. 2078. A bill to amend the Appalachian Regional Development Act of 1965 to extend its coverage to certain additional counties; to the Committee on Public Works.

By Mr. MANSFIELD (for Mr. Sparkman) (for himself, Mr. Bible, Mr. Burdick, Mr. Cannon, Mr. Cooper, Mr. Dominick, Mr. Ervin, Mr. Harris, Mr. Hatfield, Mr. McGee, Mr. McCarthy, Mr. McGovern, Mr. Metcalf, Mr. Miller, Mr. Nelson, Mr. Scott, Mr. Talmadge, and Mr. Tower):

S. 2079. A bill to provide for an annual conference between representatives of the beef industry, the Secretary of Agriculture, and representatives of other departments and agencies of the Federal Government to consider problems relating to the export of beef and beef products from the United States and related international trade problems, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Mansfield when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF:

S. 2080. A bill to amend title 28, United States Code, to authorize the Attorney General to reimburse State and local governments for certain expenses incurred in the prosecution of persons charged with the assassination or attempted assassination of officers of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 2081. A bill to amend the Federal Aviation Act of 1958 in order to provide that terms of members of the Civil Aeronautics Board and the chairman and vice chairman thereof shall begin on July 1; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under an earlier heading.)

By Mr. MONDALE:

S. 2082. A bill for the relief of Dr. Conrad Ti Tsai; to the Committee on the Judiciary.

By Mr. RIBICOFF (for himself and Mr. Dodd):

S. 2083. A bill to provide for orderly trade in antifriction ball and roller bearings and parts thereof; to the Committee on Finance.

By Mr. McGOVERN:

S. 2084. A bill for the relief of Foo Lum;

S. 2085. A bill for the relief of Mui Kwun Tung; and

S. 2086. A bill for the relief of Man Sang Wong; to the Committee on the Judiciary.

By Mr. McGEE:

S. 2087. A bill to correct certain inequities relating to civil service retirement benefits provided under subchapter III of chapter 83 of title 5, United States Code; to the Committee on Post Office and Civil Service.

By Mr. PELL:

S. 2088. A bill to amend title II of the Social Security Act to provide that benefits payable thereunder shall be periodically increased or decreased so as to correspond to increases or decreases in the cost of living; and

S. 2089. A bill to amend title II of the Social Security Act to increase the annual amount that individuals are permitted to earn without suffering deductions in the monthly benefits payable to them thereunder; to the Committee on Finance.

(See the remarks of Mr. Pell when he introduced the above bills, which appear earlier under a separate heading.)

By Mr. GORE:

S. 2090. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to $1,250; and

S. 2091. A bill to repeal section 613 of the Internal Revenue Code of 1954, relating to percentage depletion; to the Committee on Finance.

(See the remarks of Mr. Gore when he introduced the above bills, which appear under a separate heading.)

By Mr. BIBLE (for himself and Mr. Cannon):

S. 2092. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income allowances paid under section 5942 of title 5, United States Code; to the Committee on Finance.

(See the remarks of Mr. Bible when he introduced the above bill, which appears under a separate heading.)

By Mr. HATFIELD

S. 2093. A bill to exclude certain property from the Mount Jefferson Wilderness; to the Committee on Interior and Insular Affairs.

By Mr. BURDICK (for himself, Mr. Dole, Mr. Hatfield, Mr. Jackson, Mr. Mansfield, Mr. McGovern, Mr. Metcalf, Mr. Mundt, and Mr. Packwood):

S. 2094. A bill to extend the life of the Lewis and Clark Trail Commission and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Burdick when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 2095. A bill to amend the Internal Revenue Code of 1954 so as to increase the amount of the general standard deduction and the minimum standard deduction, to increase the amount of the personal exemptions, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON:

S. 2096. A bill for the relief of Doctor George Alexander Karadimos; to the Committee on the Judiciary.

By Mr. GRAVEL:

S. 2097. A bill to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965 as amended; to the Committee on Public Works.

(See the remarks of Mr. Gravel when he introduced the above bill, which appear under a separate heading.)

By Mr. GOODELL:

S. 2098. A bill to establish the Lindenwald Historic Site at Kinderhook, N.Y., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. METCALF:

S. 2099. A bill to require labeling of certain packages transported in interstate commerce containing alligator hides or products made therefrom; to the Committee on the Judiciary.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 2100. A bill for the relief of Sik Po Li;

S. 2101. A bill for the relief of Sai Yan Lo; and

S. 2102. A bill for the relief of Percy Ispan Avram; to the Committee on the Judiciary.

By Mr. MUSKIE (for himself, Mr. Dodd, Mr. Gore, Mr. Hart, Mr. Hughes, Mr. McIntyre, Mr. Magnuson, Mr. Mondale, Mr. Pastore, Mr. Pell, Mr. Proxmire, Mr. Ribicoff, Mr. Tydings, and Mr. Young of Ohio):

S. 2103. A bill to amend the Internal Revenue Code of 1954 to deny the use of percentage depletion for oil and gas wells located outside the United States; to the Committee on Finance.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 2104. A bill for the relief of Milton Kyhos;

S. 2105. A bill for the relief of Donald C. Goeway; and

S. 2106. A bill for the relief of Belen Bunag; to the Committee on the Judiciary.

By Mr. NELSON:

S. 2107. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, reliability, and effectiveness of medical devices; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself, Mr. Bayh, Mr. Byrd of West Virginia, Mr. Case, Mr. Church, Mr. Cooper, Mr. Cranston, Mr. Hansen, Mr. Hart, Mr. Hughes, Mr. Inouye, Mr. Jackson, Mr. McGovern, Mr. Metcalf, Mr. Mondale, Mr. Moss, Mr. Packwood, Mr. Percy, Mr. Randolph, Mr. Saxbe, Mr. Yarborough, and Mr. Young of Ohio):

S. 2108. A bill to promote public health and welfare by expanding, improving and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. GRIFFIN:

S. 2109. A bill to provide for financial disclosure by members of the Federal judiciary; to the Committee on the Judiciary.

(See the remarks of Mr. Griffin when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of Delaware:

S. 2110. A bill to terminate the investment credit, to reduce and extend the tax surcharge, to limit expenditures, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Williams of Delaware when he introduced the above bill, which appear under a separate heading.)

By Mr. GURNEY:

S. 2111. A bill to require the termination of Federal financial assistance to colleges and universities that fail to properly support reserve officer training programs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Gurney when he introduced the above bill, which appear under a separate heading.)

By Mr. GRIFFIN:

S. 2112. A bill to amend the Internal Revenue Code of 1954 to treat certain foster children of an individual as his natural children for purposes of the dependency exemption; to the Committee on Finance.

(See the remarks of Mr. Griffin when he introduced the above bill, which appear under a separate heading.)

By ALLOTT (for himself and Mr. Dominick):

S. 2113. A bill to authorize the construction, operation and maintenance of the Closed Basin Division, San Luis Valley Project, Colorado, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. INOUYE:

S. 2114. A bill to provide for the conveyance of certain real property situated in the State of Hawaii to the State of Hawaii; to the Committee on Interior and Insular Affairs.

By Mr. GRAVEL (for himself, Mr. Brooke, Mr. Church, Mr. Cranston, Mr. Eagleton, Mr. Hart, Mr. Hughes, Mr. McGee, Mr. McGovern, Mr. Metcalf, Mr. Muskie, Mr. Ribicoff, Mr. Hartke, and Mr. Young of Ohio):

S.J. Res. 108. A joint resolution to provide for a study and evaluation of the relationship between underground nuclear detonations and seismic disturbances; to the Joint Committee on Atomic Energy.

(See the remarks of Mr. Gravel when he introduced the above joint resolution, which appear under a separate heading.)

S. 2070—INTRODUCTION OF A BILL TO AMEND THE FAIR LABOR STANDARDS ACT

Mr. WILLIAMS of New Jersey. Mr. President, when the Fair Labor Standards Act was passed in 1938 the stated purpose set forth in its declaration of policy was "to correct and as rapidly as possible to eliminate the conditions" which are "detrimental to the maintenance of the minimum standards of living necessary for health, efficiency, and general well-being of workers." It is clear that throughout the more than 30 years since its enactment we have failed to live up to this purpose.

Even today large segments of our Nation's work force are still denied the protections of minimum wage coverage. Moreover, even for those who are covered, the act's guarantees are plainly inadequate. The minimum wage of $1.60 per hour yields a full-time, year-round worker only $3,200 per year—obviously an insufficient amount to meet the living costs required by a family today.

As a consequence more than half of the 22 to 26 million Americans who live under poverty conditions are in this situation not because the head of the family is unemployed, but because he does not get a decent living wage for the work he does.

The plight of the "working poor" can be greatly improved by making the Fair Labor Standards Act responsive to today's needs and, at long last, giving full effect to its original goals. If we update the 1966 poverty line figure for price increases and increased tax burdens, it is clear that a family of four today needs almost $4,000 a year; accordingly, a $2 per hour minimum wage is a necessity at this time. In addition, we must no longer continue to exclude such large numbers of workers from minimum wage protection. It is clear to me that preventing poverty by guaranteeing a decent wage is much better—and much less costly—than repairing the damage done by substandard wages and living conditions, and will greatly reduce the future need for large-scale Federal programs for feeding the hungry.

I am accordingly introducing a bill, similar to one being introduced in the House by Congressman Dent of Pennsylvania, to accomplish these purposes: I ask unanimous consent that the bill and a summary of its major provisions be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the Record.

The bill (S. 2070) to amend the Fair Labor Standards Act of 1938, as amended, to extend its protection to additional employees, to raise the minimum wage to $2 an hour, to provide for an 8-hour workday, and for other purposes, introduced by Mr. Williams of New Jersey, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2070

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fair Labor Standards Amendments of 1969".

DEFINITIONS

Sec. 2. (a) Section 3(d) of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows:

"(d) 'Employer' includes any person acting directly or indirectly in the interest of an employer in relation to an employee and shall include the United States and any State or political subdivision of a State (including employees of a State or political subdivision thereof, employed (1) in a hospital, institution, or school referred to in the last sentence of subsection (r) of this section, or (2) in the operation of a railway or carrier referred to in such sentence), but shall not include any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.".

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(b) Section 3 (e) of such Act is amended by inserting the words ", including any individual employed in domestic service" after the word "employer" the first time it appears in such section, and by adding at the end thereof a new sentence to read as follows: "Such term shall not include any individual employed as a baby sitter.".

(c) Section 3 (h) of such Act is amended to read as follows:

"(h) 'Industry' means a trade, business, industry, or other activity, or branch thereof, or group of industries, in which individuals are gainfully employed.".

(d) Section 3 (m) is amended by striking out the last sentence thereof.

(e) Section 3 (r) of such Act is amended by inserting after the comma at the end of paragraph (2) the word "or", and a new clause (3) to read as follows:

"(3) in connection with activities of the Government of the United States or of any State or Political subdivision of a State,".

(f) Section 3 (s) of such Act is amended—

(1) by striking out the words "and which" after the words "by any person," and inserting in lieu thereof the words "including any enterprise which";

(2) by striking out clause (1) and inserting in lieu thereof the following:

"(1) is engaged in retail or service business, including any activity relating thereto";

(3) by striking out the word "or" at the end of clause (3)

(4) by striking out the period at the end of clause (4) and inserting in lieu thereof a semicolon and the word "or", and a new clause (5), to read as follows:

"(5) is engaged in activities of the Government of the United States or of any State or political subdivision of a State.".

(g) (1) Section 3 of such Act is further amended by striking out paragraph (t) thereof, and by redesignating paragraphs (u), (v) and (w) as paragraphs (t), (u) and (v), respectively.

(2) Section 3(e) of such Act is further amended by striking out "3(u)" and inserting in lieu thereof "3(t)".

MINIMUM WAGES

SEC. 3. (a) Section 6(a) (1) of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows:

"(1) not less than $2.00 an hour;".

(b) Section 6(a) of such Act is amended by striking out the semicolon and the word "or" at the end of paragraph (4) and inserting in lieu thereof a period, and by striking out paragraph (5) thereof. (c) Section 6(b) of such Act is amended—

(1) by inserting "(1)" after the letter "(b)";

(2) by striking out the parenthetical clause reading "(other than an employee to whom subsection (a) (5) applies)";

(3) by striking out the word "is" after the word "workweek" and inserting in lieu thereof the word "was";

(4) by striking out paragraphs (1) through (5) thereof and inserting in lieu thereof the following:

"(A) not less than $1.45 an hour during the year beginning February 1, 1970,

"(B) not less than $1.60 an hour during the year beginning February 1, 1971, and

"(C) not less than $2.00 an hour thereafter."; and

(5) by adding at the end thereof a new paragraph (2) to read as follows:

"(2) Every employer shall pay to each of his employees who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce, and who in such workweek is brought within the purview of this section by the amendments made to this Act by the Fair Labor Standards Amendments of 1969, wages at the following rates:

"(A) not less than $1.45 an hour during the year beginning February 1, 1970,

"(B) not less than $1.60 an hour during the year beginning February 1, 1971, and

"(C) not less than $2.00 an hour thereafter.".

(d) (1) Section 6(c) (2) is amended to read as follows:

"(2) (A) Any such employee who is covered by such a wage order to whom the rate or rates prescribed by subsection (a) of this section would otherwise apply shall be paid not less than the rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1969, increased by the same amount by which the rate or rates prescribed by subsection (a) of this section pursuant to the Fair Labor Standards Amendments of 1969 exceed the rate or rates applicable to employees covered by such subsection in effect prior to the effective date of such amendments. Such rate or rates shall become effective on February 1, 1970, or one year from the effective date of the most recent wage order applicable to such employee theretofore issued by the Secretary pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

"(B) Any such employee who is covered by a wage order to whom the rate or rates prescribed by subsection (b) (1) of this section would otherwise apply, shall be paid not less than the rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1969, increased by the same amounts by which the rate or rates prescribed by subsection (b) (1) of this section pursuant to the Fair Labor Standards Amendments of 1969 exceed the rate or rates applicable to employees covered by such subsection in effect prior to the effective date of such amendments. Such rate or rates shall become effective, in accordance with the schedule prescribed by such subsection (b) (1), beginning on February 1, 1970, or one year from the effective date of the most recent wage order applicable to such employee theretofore issued by the Secretary pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.".

(2) Section 6(c) (3) of such Act is amended by striking out the words "subsection (a) (5) or subsection (b)", wherever they appear, and inserting in lieu thereof the words "subsection (b) (2)", by striking out the words "Fair Labor Standards Amendments of 1966", wherever they appear, and inserting in lieu thereof the words "Fair Labor Standards Amendments of 1969", and by striking out ", as the case may be". (e) Section 6(e) of such Act is hereby repealed.

MAXIMUM HOURS

SEC. 4. (a) Section 7 of the Fair Labor Standards Act of 1938, as amended, is amended by striking out subsections (a), (b), (c), and (d) and inserting in lieu thereof of the following new subsections (a) and (b):

"(a) No employer shall employ any of his employees who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, for a workweek longer than forty hours, unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

"(b) No employer shall employ any of his employees who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce for a workday longer than eight hours, unless such employee receives compensation for his employment in excess of such hours above specified at a rate not less than one and one-half times the regular rate at which he is employed."

(b) (1) Subsections (e), (f), (g), (h) and (i) of section 7 of such Act, are redesignated as subsections (c), (d), (e), (f) and (g), respectively.

(2) Subsection (e) (as redesignated by the preceding paragraph) of section 7 of such Act is amended by striking out "(e)" and inserting in lieu thereof "(c)".

(3) Subsection (f) (as redesignated by paragraph (1)) of section 7 of such Act is amended by striking out "(e)" and inserting in lieu thereof "(c)".

(c) Subsection (j) of section 7 of such Act is hereby repealed.

EXEMPTIONS

SEC. 5. (a) (1) Section 13(a) (1) of the Fair Labor Standards Act of 1938, as amended, is amended by striking out everything after the words "Administrative Procedure Act".

(2) Sections 13(a) (2), 13(a) (4) and 13(a) (11) of such Act, relating to employees employed by retail and service establishments, are hereby repealed.

(3) Section 13(a) (3) of such Act, relating to employees employed by seasonal amusement or recreational establishments, is hereby repealed.

(4) Section 13(a) (6) of such Act, relating to employees employed in agriculture, is amended by striking out the words "five-hundred man-days" and inserting in lieu thereof the words "one hundred man-days".

(5) Section 13(a) (9) of such Act, relating to employees employed by motion picture theater establishments, is hereby repealed.

(6) Section 13(a) (13) of such Act, relating to employees of logging and sawmill operations, is hereby repealed.

(7) Section 13(a) (14) of such Act, relating to agricultural employees, engaged in the harvesting and processing of shade-grown tobacco, is hereby repealed.

(8) Sections 13(a) (5), 13(a) (6), 13(a) (7), 13(a) (8), 13(a) (10) and 13(a) (12) are redesignated as sections 13(a) (2), 13(a) (3), 13(a) (4), 13(a) (5), 13(a) (6) and 13(a) (7), respectively.

(b) (1) Sections 13(b) (1) and 13(b) (3) of such Act, relating to rail road, pipe line and air carrier employees, are hereby repealed.

(2) Section 13(b) (4) of such Act, relating to fish and seafood processing employees, is hereby repealed.

(3) Section 13(b) (7) of such Act, relating to employees of street, suburban or interurban electric railways, or local trolley or motorbus carriers, is hereby repealed.

(4) Section 13(b) (8) of such Act, relating to employees employed by hotels, motels, restaurants of nursing homes, is hereby repealed.

(5) Section 13(b) (10) of such Act, relating to employees employed as salesmen, partsmen or mechanics by motor vehicle, farm implement or aircraft dealers, is hereby repealed.

(6) Section 13(b) (12) of such Act, relating to employees employed in agriculture, is hereby repealed.

(7) Section 13(b) (15) of such Act, relating to employees engaged in ginning of cotton for market or the processing of sugar beets, sugar-beet molasses sugar cane or maplesap into sugar or syrup is hereby repealed.

(8) Section 13(b) (17) of such Act relating to drivers employed in the business of operating taxicabs is hereby repealed.

(9) Section 13(b) (18) of such Act relating to employees of catering establishments is hereby repealed.

(10) Section 13(b) (19) of such Act relating to employees of bowling establishments is hereby repealed.

(11) Section 13(b) (2), 13(b) (5), 13(b) (6), 13(b) (9), 13(b) (11), 13(b) (13), 13(b) (14) and 13(b) (16), are redesignated as sections 13(b) (1), 13(b) (2), 13(b) (3), 13(b) (4), 13 (b) (5), 13(b) (6), 13(b) (7) and 13(b) (8), respectively.

(c) Section 13(c) of such Act is amended to read as follows:

"(c) (1) The provisions of section 12 relating to child labor shall not apply to any employee employed in agriculture outside of school hours for the school district where such employee is living while he is so employed, if such employee—

"(A) is employed by his parent, or by a person standing in the place of his parent, on a farm owned or operated by such parent or person, or

"(B) is fourteen years of ago or older, or

"(C) is twelve years of age or older and is employed on a farm to which he commutes daily within twenty-five miles of his permament residence, and (i) such employment is with the written consent of his parent or person standing in place of his parent, or (ii) his parent or person standing in place of his parent is employed on the same farm.

"(2) The provisions of section 12 relating to child labor shall not apply to any child employed as an actor or performer in motion pictures or theatrical productions, or in radio or television productions."

PENALTIES

Sec. 6. The first two sentences of section 16(c) of the Fair Labor Standards Act of 1938, as amended, are amended to read as follows:

"The Secretary is authorized to supervise the payment of the unpaid minimum wage or the unpaid overtime compensation owing to any employee or employees under section 6 or 7 of this Act, and the agreement of any employee to accept such payment shall upon payment in full constitute a waiver by such employee of any right he may have under subsection (b) of this section to such unpaid minimum wages or unpaid overtime compensation and an additional equal amount as liquidated damages. The Secretary may bring an action in any court of competent jurisdiction to recover the amount of the unpaid minimum wages or overtime compensation and an equal amount as liquidated damages."

RELATION TO OTHER LAWS

Sec. 7. Section 18(b) of the Fair Labor Standards Act of 1938, as amended, is amended (1) by striking out "6(a) (1)" and inserting in lieu thereof "6(a)", (2) by striking out "7(a) (1)" and inserting in lieu thereof "7(a)," and (3) by striking out the parenthetical clause reading "(except that the wage rate provided for in section 6(b) shall apply to any employee who performed services during the workweek in a work place in the Canal Zone)".

EFFECTIVE DATE

Sec. 8. This Act shall become effective upon the expiration of ninety days after the date of its enactment.

The material presented by Mr. Williams of Delaware follows:

Summary of Fair Labor Standards Amendments of 1969

Following are major provisions in the 1969 amendments to the Fair Labor Standards Act:

The bill would raise the minimum wage to $2 per hour and broaden coverage to 13 million workers now excluded from protection:

MINIMUM WAGE

1. Increase the minimum wage from $1.60 an hour to $2 an hour immediately for those covered before 1966.
2. Raise the minimum wage in steps to $2 an hour effective February 1, 1972, for those newly covered in 1966.
3. Broaden coverage for farm workers and place farm workers on the same step-ups as all other workers newly covered in 1966.
4. Cover domestic, federal, state and local government workers and employees of small retail and service businesses on the same step-ups as those newly covered in 1966.
5. Increase Puerto Rican and Virgin Islands workers' wages by a sum equal to those of other workers.
6. Raise those covered by wage boards and non-appropriated funds to $2 an hour immediately.
7. Eliminate clauses excluding employees of linen supply houses from full coverage.

MAXIMUM HOURS

1. Pay overtime after 8 hours in a day as well as 40 hours in a week.
2. Bring all workers under the overtime provisions.
3. Eliminate special maximum hour exemptions for agricultural processing workers and hospital workers.

EXEMPTIONS

Eliminate all special minimum wage, maximum hours exemptions which exclude any or all of the following groups of workers from protection: retail and service; seasonal amusement and recreational; motion picture, logging, farm, railroad, pipeline and air carrier workers, fish processors, transit workers, hotel, motel, restaurant and nursing home workers; motor vehicle partsmen, cotton ginning workers; taxi drivers, catering employees and bowling establishment workers.

CHILD LABOR

Increase the age limit for children employed in hazardous farm work to 18, the present age limit for other hazardous work. Restrict the employment of children on farms outside school hours.

ADDITIONAL PROVISIONS

1. Penalize cheating employers by permitting the Secretary of Labor, when suing for unpaid minimum wages or overtime compensation, to collect liquidated damages as well.
2. Repeal the provisions which permit tips to be offset against the minimum wage.

S. 2071—INTRODUCTION OF A BILL TO PROHIBIT CERTAIN SECONDARY BOYCOTTS IN THE CONSTRUCTION INDUSTRY

Mr. GOLDWATER. Mr. President, I offer a bill today to protect the right of the American public to enjoy the benefits of technological progress in the construction industry and to protect the right of the design architect to select the best and more efficient materials to accomplish construction projects.

We all know that the construction industry has entered a decade of unprecedented demand. The expanding population and economy of this country have triggered a need for new living units and office space that is on the verge of overwhelming the construction industry. In view of the urgency of current requirements and in light of the impact of the building industry on the national economy—representing as it does one-tenth of the gross national product—I believe it is mandatory on us as responsible protectors of the public interest to assure that these needs will be met efficiently and on schedule.

Much has been done in Congress already toward this end. The Federal statute books are filled to the brim with measures and programs to spur construction. But overlooked in the midst of all this legislative activity are the needs of the industry itself to be physically able to meet the demands imposed on it. Equally important to the success of the goals which all of us share is the ability of the building industry to use the programs we have created and the money we supply to erect enough projects at a reasonable cost and an adequate pace to comply with the enormous expectations we have placed upon it.

It is to restore this balance among our efforts and to establish some reason within the industry that I introduce today a bill which will permit builders to utilize the most modern and efficient materials available for completing their projects. My bill is intended to release the industry from irrational rules which limit innovation and spiral costs to the detriment of national polices which should override special interests.

In order to achieve this, my bill would provide that a product boycott in the construction industry shall be included among the list of those acts which constitute an unfair labor practice under section 8 of the National Labor Relations Act. My bill is tightly drafted. It is precise and limited to only this one industry. It is not applicable unless the architect, draftsman, or other designer actually specifies that a particular product is required for a construction project. It is the minimum protection essential in order to permit modernization in the building industry.

For unless the builders and contractors can offset the terrible costs of components and wages by using newer and better products, the United States will fail in its goal of supplying the vital needs of its people and inflation will continue to burst all the scales. By anyone's measure, wage increases in the building industry are far above productivity increases. In fact, the increase in wage costs is more than double than in any other industry.

One application of my bill, of course, will be to correct the 5-to-4 decision by the Supreme Court in 1967 which is referred to as the "Philadelphia Door" case. This decision, which allowed a boycott against the installation of prefabricated doors delivered to the construction site, has led to a series of strikes and boycotts with ever-expanding implications of danger to our economy.

Regardless of one's judgment about the correctness of this decision as an interpretation of the law as enacted in 1947, it is clear that we in Congress have the responsibility and the obligation to spell out our intent as to what constitutes sound labor policy for the United States in the context of the present setting, taking into account the current demands and predictable future needs of this Nation. It is for this reason that I offer my bill and express my wish that it will receive serious consideration by the Members of this body.

Mr. President, I ask unanimous consent that the text of my bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2071), to amend the National Labor Relations Act to prohibit certain secondary boycotts in the con-

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struction industry which impede technological progress in such industry and unduly restrict the design professional's freedom in selecting the best and most efficient materials to accomplish construction projects, introduced by Mr. GOLDWATER, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2071

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8(b)(4)(B) of the National Labor Relations Act (29 U.S.C. 158(b)(4)(B)) is amended by inserting "(i)" immediately after "*Provided,* That" and by inserting immediately before the semicolon at the end thereof a comma and the following: "and (ii) for the purpose of this clause (B) a product boycott in the construction industry is an unfair labor practice, notwithstanding that the purpose of such boycott is work preservation, if the product against which the boycott is directed is required by the architectural specifications for the construction project and is shipped or otherwise transported to the site of such project".

SEC. 2. Section 8(e) of the National Labor Relations Act (29 U.S.C. 158(e)) is amended by inserting immediately before the period at the end thereof a colon and the following: "*Provided further,* That the prohibitions of this subsection shall apply to a contract or agreement between a labor organization and an employer in the construction industry, notwithstanding that the purpose of such contract or agreement is work preservation, if such contract or agreement is, or is intended to be, applied or enforced so as to boycott any product which is required by the architectural specifications for the construction project and is shipped or otherwise transported to the site of such project".

S. 2072—INTRODUCTION OF A BILL TO PROVIDE FOR THE EXEMPTION OF CERTAIN STATE LANDS FROM THE APPLICATION OF THE ACREAGE LIMITATION PROVISION OF FEDERAL RECLAMATION LAWS

Mr. JORDAN of Idaho. Mr. President, I introduce, on behalf of myself and my colleague (Mr. CHURCH), a bill which will allow the delivery of irrigation water by the Bureau of Reclamation to State institutions or lands owned by political subdivisions of the State where such lands are not operated for profit but for the furtherance of a public function.

This comes about, Mr. President, because the proposed application of acreage limitations relating to privately held lands under the Reclamation Act of 1902 has placed in jeopardy the continued effective operations of two farms in Idaho which are owned by the public, operated at public expense, and in existence for the public benefit.

Under section 5 of the Reclamation Act, water cannot be sold for land in private ownership for a tract exceeding 160 acres to any one landlord. The University of Idaho has been advised that its Caldwell Branch Agricultural Experiment Station will be required to comply with the 160-acre limitation or be deprived of water deliveries. The Idaho State School and Hospital, an institution for the mentally retarded, was similarly advised in regard to the farm it operates as part of its rehabilitation and training efforts.

Because ownership of these publicly held farms has been construed, for the purposes of the law, as private ownership, I introduced, with the cosponsorship of Senator CHURCH, a bill in the 90th Congress to clarify this matter and allow these farms to continue to carry on the nonprofit functions they were established to perform. Due to other legislative priorities, the bill was not acted upon. The bill which I introduced today has been amended along lines suggested by the Department of Interior in its report of July 1, 1968.

Mr. President, this bill will not in any way affect the acreage limitation under the Reclamation Act as it applies to those persons, companies or corporations which are truly private landowners. It merely provides that the limit on acreage of irrigable land held in private ownership which may receive irrigation benefits from Federal reclamation works shall not apply to lands owned by States, subdivisions, and agencies or institutions thereof, so long as the lands are farmed in the direct furtherance of their public function, but not for the raising of revenue.

As you know, Mr. President, Congress is firmly committed to education, to agricultural research, to the development of a viable agricultural economy and to the rehabilitation and training of the mentally retarded. Surely we do not intend or desire to permit a feature of land law, which is itself designed to protect the public, to operate in a manner prejudicial to this commitment.

It is to eliminate such an unjust application of the law that we introduce this proposed legislation, and hope for early enactment.

Mr. CHURCH. Mr. President, I am happy to join with my distinguished colleague (Mr. JORDAN of Idaho) in the introduction of this bill to remedy an injustice that could be done certain State of Idaho and other State institutions or local governmental agencies by acreage limitations of the Reclamation Act of 1902.

As Senator JORDAN has pointed out, this is simple, direct legislation that would allow these nonprofit State institutions to continue to receive the benefit of Federal reclamation project water. Neither of these acreages is extensive, but their maintenance in their present size is necessary to the continued successful operation of each.

There is no infringement or alteration of the Reclamation Act of 1902 by this bill as regards acreage limitation for private landowners. The institutions affected are public in character and are not farmed primarily to raise revenue. As the Department of Interior has indicated in its report on the bill, to supply reclamation project water to excess lands devoted to these uses would not be contrary to the policy behind the excess lands provisions of the reclamation law.

Mr. President, if this law is not passed, it will work a great hardship on these Idaho institutions, forcing them to dispose of their excess lands, inhibiting their long-range programs, and in other ways reducing operations essential to the public welfare and interest of the State of Idaho.

I am aware, Mr. President, that there are other bills before the Congress which would amend the basic provision of acreage limitation in the Reclamation Act, but this is not the objective of the bill which Senator JORDAN and I introduce today. Instead, it addresses itself to a specific and pressing problem in our own State, and I hope it will receive early and favorable consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2072), to provide for the exemption of certain State lands from the application of the acreage limitation provisions of Federal reclamation laws, introduced by Mr. JORDAN of Idaho (for himself and Mr. CHURCH), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 2075—INTRODUCTION OF A BILL TO DENY TAX-EXEMPT STATUS TO PRIVATE FOUNDATIONS AND ORGANIZATIONS ENGAGING IN IMPROPER TRANSACTIONS WITH CERTAIN GOVERNMENT OFFICIALS

Mr. WILLIAMS of Delaware. Mr. President, last Monday I criticized Justice Fortas for having accepted a $20,000 fee from a private foundation controlled by Louis Wolfson, a man who at the time was under active investigation by agencies of the U.S. Government, including the Department of Justice. I said at the time that I was having a bill drafted, the purpose of which would be to first, repeal the tax-exempt status of any foundation which makes or offers to make a payment—of any kind or description either under the guise of honorariums, grants, payment of trips, retainers, fees, and so forth—to any public official either at the Federal or at the State level or to any member of the courts—either Federal or State courts—while such public official is in office, or which makes any such payments to a Federal or State official during the 2-year period following his retirement from such public office or position on our courts; and, second, this bill also provides an additional penalty for the judge or public official who accepts such payments while in office or who accepts a paid position with a tax-exempt foundation during the 2 years following his retirement from public office in that in addition to the normal income taxes, the full amount of all such fees will be taxable at a 100-percent rate. In other words, 100 percent of whatever fees are accepted from such foundations by a public employee must automatically be turned over to the Federal Government, and in addition, the foundations making such payments would lose their tax exemption.

I now send this bill to the desk for appropriate reference, and I ask unanimous consent that both the bill and a

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brief analysis as prepared by the legislative counsel be printed in the Record.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and without objection, the bill and the analysis will be printed in the Record.

The bill (S. 2075), to deny tax-exempt status to private foundations and organizations engaging in improper transactions with certain Government officials and former Government officials, and to impose an income tax of 100 percent on income received by such officials and former officials from such foundations and organizations, introduced by Mr. Williams of Delaware, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 2075

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part I of subchapter F of chapter 1 of the Internal Revenue Code of 1954 (relating to exempt organizations) is amended by adding at the end thereof the following new section:

"Sec. 505. Improper Transactions by Private Foundations With Government Officials and Former Government Officials

"(a) Denial of Exemption.—A private foundation or organization shall not be exempt from taxation under section 501(a) if such foundation or organization, directly or indirectly—

"(1) makes, or offers to make, any payment of money to a government official or a member of his family in any form whatsoever, for any reason whatsoever,

"(2) makes, or offers to make, any gift or contribution to or for the use of a government official or a member of his family in any form whatsoever, or makes, or offers to make, services or facilities available to a government official or a member of his family (unless such facilities are made available to the general public on the same basis as to government officials and members of their families),

"(3) transfers, or leases or offers to transfer or lease, any property to a government official or a member of his family, or purchases or leases, or offers to purchase or lease, any property from a government official or a member of his family, or

"(4) employs, or offers to employ, a government official or a member of his family, or retains, or offers to retain, the personal services of a government official or a member of his family (unless such employment or personal services are performed without payment of any compensation or fee whatsoever).

"(b) Private Foundation or Organization.—For purposes of this section, the term 'private foundation or organization' means any organization described in section 501(c)(3) which does not normally receive a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its charitable, educational, or other purpose or function which constitutes, or would constitute, the basis for its exemption under section 501(a)) from either—

"(1) the United States, a State or possession of the United States or any political subdivision of a State or possession, or the District of Columbia, or

"(2) direct or indirect contributions from the general public.

"(c) Government Official.—For purposes of this section, the term 'government official' means, with respect to a transaction described in subsection (a), an individual who, at the time of such transaction, holds any of the following offices, or who has held any such office at any time in the preceding 2-year period:

"(1) an elective public office in the executive or legislative branch of the Government of the United States,

"(2) an office in the executive, legislative, or judicial branch of the Government of the United States, appointment to which was made by the President,

"(3) an elective public office in the executive, legislative, or judicial branch of the government of a State, or any political subdivision thereof, or of the District of Columbia, and

"(4) an office in the executive, legislative, or judicial branch of the government of a State, or political subdivision thereof, or of the District of Columbia, appointment to which (or election to which) was made by the Governor or legislature of the State, or by the Commissioner of the District of Columbia.

"(d) Members of Family.—For purposes of this section, the members of the family of an individual are—

"(1) his spouse (other than a spouse who is legally separated from the individual under a decree of divorce or separate maintenance), and

"(2) the children (including legally adopted children and stepchildren) of such individual who have not attained the age of 21.

"(e) Taxable Years Affected.—A private foundation or organization shall be denied exemption from taxation under section 501(a) by reason of subsection (a) for all taxable years beginning with the taxable year during which it is notified by the Secretary or his delegate that it has engaged in a transaction described in subsection (a).

"(f) Disallowance of Charitable Deductions.—No gift, contribution, bequest, devise, legacy, or transfer, otherwise allowable as a deduction under section 170, 642(c), 545(b)(2), 2055, 2106(a)(2), or 2522, shall be allowed as a deduction if made to a private foundation or organization after the date on which the Secretary or his delegate publishes notice that he has notified such foundation or organization that it has engaged in a transaction described in subsection (a)."

(b) The table of sections for such part I is amended by adding at the end thereof the following new item:

"Sec. 505. Improper transactions by private foundations with government officials and former government officials."

(c) The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act, but only with respect to transactions occurring after such date.

Sec. 2. (a) Part I of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to tax on individuals) is amended by renumbering section 5 as 6, and by inserting after section 4 the following new section:

"Sec. 5. Special Tax on Income Received by Government Officials and Former Government Officials From Tax-Exempt Private Foundations

"(a) Imposition of Tax.—In the case of a government official, there is hereby imposed a tax equal to 100 percent of the taxable income received by him or a member of his family from a private foundation or organization which (at the time of receipt of such income) is exempt from taxation under section 501(a).

"(b) Taxable Income Defined.—For purposes of subsection (a), the taxable income received from a private foundation or organization is the sum of—

"(1) all income (including the value of services or facilities, but not including income to which paragraph (3) applies) received, directly or indirectly, from a private foundation or organization, reduced by the deductions otherwise allowable under this chapter which are attributable to such income,

"(2) all contributions or gifts of money, property, services, or facilities received, directly or indirectly, from a private foundation or organization, and

"(3) all gain derived from the sale or exchange of property, directly or indirectly, to a private foundation or organization.

Paragraphs (1) and (2) shall not apply to services or facilities furnished to a government official or a member of his family if such services or facilities are furnished to the general public on the same basis as to such government official or such member.

"(c) Private Foundation or Organization.—For purposes of this section, the term 'private foundation or organization' means any organization described in section 501(c)(3) which does not normally receive a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its charitable, educational, or other purpose or function which constitutes the basis for its exemption under section 501(a)) from either—

"(1) the United States, a State or possession of the United States or any political subdivision of a State or possession, or the District of Columbia, or

"(2) direct or indirect contributions from the general public.

"(d) Government Official.—For purposes of this section, the term 'government official' means, with respect to income described in subsection (b), an individual who, at the time of receipt of such income, holds any of the following offices, or who has held any such office at any time in the preceding 2-year period:

"(1) an elective public office in the executive or legislative branch of the Government of the United States,

"(2) an office in the executive, legislative, or judicial branch of the Government of the United States, appointment to which was made by the President,

"(3) an elective public office in the executive, legislative, or judicial branch of the government of a State, or any political subdivision thereof, or of the District of Columbia, and

"(4) an office in the executive, legislative, or judicial branch of the government of a State, or political subdivision thereof, or of the District of Columbia, appointment to which (or election to which) was made by the Governor or legislature of the State, or by the Commissioner of the District of Columbia.

"(e) Members of Family.—For purposes of this section, the members of the family of an individual are—

"(1) his spouse (other than a spouse who is legally separated from the individual under a decree of divorce or separate maintenance), and

"(2) the children (including legally adopted children and stepchildren) of such individual who have not attained the age of 21.

"(f) Coordination With Other Taxes Imposed by This Chapter.—

"(1) Regular income tax.—For purposes of the tax imposed by section 1 or 1201 (b), income and deductions described in subsection (b)(1) and sales and exchanges described in subsection (b)(3) shall not be taken into account.

"(2) Tax surcharge.—For purposes of the tax imposed by section 51, the tax imposed by this section shall not be taken into account.

"(g) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section."

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(b) The table of sections for such part I is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 5. Special tax on income received by government officials and former government officials from tax-exempt private foundations.
"Sec. 6. Cross references relating to tax on individuals."

(c) The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act, but only with respect to income received after such date.

The material presented by Mr. Williams of Delaware follows:

Improper Payments by Private Foundations to Government Officials

This bill has two basic purposes—one, to deny a tax exemption to a private foundation which engages in an improper transaction with a government official and; two, to tax monies or the fair market value of any assets received by the government official from the improper transaction at a rate of 100 percent.

DENIAL OF EXEMPTION TO PRIVATE FOUNDATIONS

For purposes of this bill, private foundations are those foundations granted tax exemption under Section 301(c)(3) of the Internal Revenue Code which do not normally receive a substantial part of their support from either—

(1) the United States, a State or possession of the United States or any political subdivision of a State or possession, or the District of Columbia, or

(2) direct or indirect contributions from the general public.

Thus, in essence, they are those foundations, the charitable contributions to which is limited to 20 percent, rather than to the 30 percent that is allowed with respect to public charities. These private foundations owe their existence to the exemption they receive under the income tax law. Like other tax-exempt charitable, education and religious organizations, private foundations are subject to few restrictions once they establish that they are organized and operated for an exempt purpose. For example, the exemption would be denied if any of these organizations participates in, or intervenes in, a political campaign on behalf of any candidate for public office. The exemption also would be denied if certain "prohibited transactions" are engaged in. Unreasonable accumulations of income may result in denial of exemption, and unrelated business income may be taxable to these organizations—with the exception of churches and certain trusts—even though the tax exemption itself is not lost.

Unfortunately, while the prohibited transaction rules are designed to prevent self-dealing between the tax-exempt organization and its creator or major contributors, there is no provision in the present law which would stop the practice whereby private tax-exempt foundations make payments to public officials or members of their family. These payments are made from tax-free funds.

This bill would deny tax-exempt status to any private foundation that directly or indirectly makes any payment, or offers to make any payment of money to any government official or any members of his family for any reason whatsoever. It would apply regardless of whether or not there was consideration for the payment. This would prevent, for example, the making of payments under the guise of honorariums or loans.

The bill would deny the exemption if the private foundation makes, or offers to make, any gift or contribution to or for the use of a government official or a member of his family, or if it makes or attempts to make services of facilities available to the government official that are not available to the general public. This would prevent, for example, grants or the furnishing of trips and vacation facilities to a government official.

The bill would also deny exemption to private foundations which transfer or lease, or offer to transfer or lease any property to a government official or his family; or who purchase or lease, or offer to purchase or lease, any property from a government official or a member of his family. This, for example, would prevent the type of situation where an apparent armslength transaction is used to hide the "funneling" of assets to a government official or his family.

Finally, the bill would deny the tax exemption to a private foundation where it employs, or offers to employ, a government official or member of his family. Not only would this feature stop the practice of influential government officials moving into employment with private foundations, but also it would prevent the payment of retainers or fees to government officials.

Under the various sections of the bill the term, "government official" includes those government employees who, at the time of the transaction held any of the following offices, or who have held any such office at any time in the preceding two-year period:

(1) an elective public office in the executive or legislative branch of the Government of the United States,

(2) an office in the executive, legislative or judicial branch of the Government of the United States, appointment to which was made by the President,

(3) an elective public office in the executive, legislative, or judicial branch of the government of a State, or of any political subdivision thereof, or of the District of Columbia, and

(4) an office in the executive, legislative, or judicial branch of the government of a State, or political subdivision thereof, or the District of Columbia, appointment to which (or election to which) was made by the Governor or legislature of the State or by the Commissioner of the District of Columbia.

In this bill a member of a government official's family is defined as his wife (unless she is legally separated from him under a decree of divorce or separate maintenance) and his children under 21, including an adopted child or a stepchild. Thus, if any private foundation engages in any of the improper transactions covered by the bill with the government official within two years after his departure from government service, it will lose its tax exemption.

Under the bill the private foundation would lose its exemption beginning with the taxable year in which it is notified by the Secretary that it has engaged in the improper transaction with the government official. It could not regain tax-exempt status thereafter.

TAX ON GOVERNMENT OFFICIALS

Under this bill a tax equal to 100 percent of the taxable income received by the government official from a private tax-exempt foundation, directly or indirectly, personally or through his family, would be imposed on the government official. Like the provisions dealing with the denial of the tax exemption to the private foundation, the provision taxing the government official would apply not only with respect to amounts received while he was actually employed by the government, but also with respect to amounts he receives from the private foundation during the two years following his departure from government service.

This tax on the government official becomes effective as of the date of enactment of the bill but only as to payments received after such date.

S. 2076—INTRODUCTION OF A BILL TO PROVIDE FOR THE ESTABLISHMENT AND ADMINISTRATION OF A NATIONAL WILDFIRE DISASTER CONTROL FUND

Mr. EASTLAND. Mr. President, I am introducing a bill, for myself, Senators Aiken, Cook, McGovern, Anderson, Montoya, Stennis, Jackson, Bible, Jordan of North Carolina, and Talmadge, to create a National Wildfire Disaster Board.

The plight of the building industry due to the high cost of lumber building materials in recent months has created quite a furor. The purpose of this bill is not to solve this immediate problem but to provide the machinery so that wildfires of disastrous proportions can be dealt with immediately and save a large part of the timber and other natural resources that are being lost to fires annually.

The act provides for the use of Federal funds in training key personnel responsible for the suppression of wildfires of disaster proportions. The Board would work through the States in upgrading their firefighting potential to deal with fires while they are still at the small level. It would also encourage the development of plans for assistance from other areas in extinguishing those fires that develop to disastrous proportions.

The activities under this bill would be in conjunction with and not in derogation of the provisions of the Clarke-McNary Act or the Federal Disaster Relief Act. It would act to prevent disasters rather than dealing with them after they occur.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2076) to provide for the establishment and administration of a National Wildfire Disaster Control Fund, introduced by Mr. Eastland (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

S. 2079—REINTRODUCTION OF A BILL TO ASSIST U.S. FARMING AND BEEF INDUSTRIES

Mr. MANSFIELD. Mr. President, the distinguished Senator from Alabama (Mr. Sparkman) is absent on official business today. He has asked me to introduce some measures on his behalf, and I ask that his statement and the associated bills be inserted in the Record at this point.

There being no objection the material will be printed in the Record as follows:

Mr. Sparkman. Mr. President, on behalf of myself and other Senators, I am reintroducing today a bill to help all those associated with the American farming and beef industries to develop export markets for their products. I ask unanimous consent that a text of this measure be printed following my remarks.

This bill is modeled after S. 2226 of the 90th Congress which, in turn, was based on an inquiry of the Select Commmittee on Small Business between 1964 and 1967. That investigation included three sets of hearings and a Senate report of June 1967.[1]

The background of this measure is set forth in statements which accompanied the filing of the Report and the offering of S. 2226, and I ask unanimous consent that excerpts from this material also be reprinted in the Record.

Mr. President, I believe that these initiatives in the field of trade expansion are even more timely today.

According to the statistical authorities, in 1964, when the Committee commenced its investigation the United States had a surplus on the merchandise export account of $6.676 billion; in 1967, when these recommendations were initially brought before the Senate, the export trade surplus had been reduced to $3.483 billion; in 1968, this figure was further reduced to $1.029 billion.[2]

Furthermore, imports into the United States have continued to grow at a rate of about double the export growth. Restrictions on U.S. agricultural exports imposed or threatened by the European economic community have mounted, resulting in an actual decline in foreign sales of U.S. agricultural commodities during 1968.

The reaction of many in this country has been toward import restrictions, including further tightening of import limitations in the meat and livestock field.

The Small Business Committee inquiry establishes that there is a strong demand for beef in Western Europe which, in the six nations of the EEC alone, will outrun supply at the annual rate of about 1 million metric tons by next year, 1970. This import gap could amount to as much as $1 billion in sales each year. Without any doubt the United States possesses natural advantages allowing this country to mass produce the world's highest quality table meats. Our farms and ranches hold 30 percent of the world's cattle and have given this nation a surplus of the grains needed to turn out premium steaks, roast beef and other meat delicacies.

Where effort has been made in building a market for these products, there has been impressive success. The experience of one hotel chain is described in my 1967 remarks. A recent article reflects an interest in Oriental countries, as follows:

"Several outstanding Japanese hotels are now selling U.S. beef advertised as such: one uses 4 tons a month. Leading wholesalers report that new hotel accounts are constantly being added to their customer lists for U.S. beef. Indications are that as much as 100 tons moved into the Japanese market by the end of 1968."[3]

Another report, this time from Scandinavia, shows that U.S. steaks "went over so well that some Swedish restaurants now offer this item on the menu regularly."[4]

And so the evidence continues to come in, from Western Europe and now Japan and Scandinavia.

The bill we are offering would expand the role of these and other foreign market opportunities to the widest spectrum of U.S. agriculture, industry and finance. The annual conference proposed by this bill would extend not only to those growing, feeding, processing, and purveying U.S. beef products, but those who would transport, finance, and insure such shipments as well as those who could supply feed grains and other raw materials.

This conference would allow the sifting and evaluation of information from all over the world on promising opportunities and impending problems for the U.S. beef industry. It would permit a cross-checking of public with private information, and the professional evaluation of trends in order that our businessmen could plan ahead to maximize profits and minimize losses caused by changing conditions in the world as well as U.S. markets.

It thus appears, Mr. President, that for some time many of us in the Senate have been advocating attention to export expansion in an effort to secure a dependable balance of payments surplus for the country and a stable foundation of profits for our farmers, livestock raisers and others in the U.S. beef industry. During the 90th Congress the Department of Agriculture waited eleven months before submitting a report on this measure, and then commented unfavorably. I wonder how long the Departments of the Federal Government are going to allow the opportunities recommended by the Congress to lie fallow.

The interests of our small business community as well as the U.S. balance of payments calls for doing as much as possible to expand exports in this as in other fields. I therefore hope the Department of Agriculture will examine this bill and send us a prompt and favorable report. I also hope that early hearings be held so that the Cattle Conference bill may be brought before the Senate at an early date.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and excerpts will be printed in the Record.

The bill (S. 2079) to provide for an annual conference between representatives of the beef industry, the Secretary of Agriculture, and representatives of other departments and agencies of the Federal Government to consider problems relating to the export of beef and beef products from the United States and related international trade problems, and for other purposes, introduced by Mr. Mansfield (for Mr. Sparkman and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

S. 2079

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Cattle Industry Trade Conference Act".

STATEMENT OF POLICY

Sec. 2. The Congress hereby declares that the production of beef and beef products is of vital importance to the economy of the Nation and that the Secretary of Agriculture and other officials of the Government concerned with international trade in beef and beef products should exercise the authority vested in them by law to encourage exploration and development of overseas markets for these commodities by groups and individual United States businessmen interested in such markets (without regard to their size or previous experience in international trade); and in order that the Secretary of Agriculture and other appropriate Federal officials and the business community may be kept currently informed of conditions in world markets and of the specific kinds of assistance which may be needed by the industry of this country, the Secretary of Agriculture should sponsor an annual conference, to be attended by representatives of the beef industry and all departments and agencies of the Federal Government concerned with the exports and imports of beef and beef products, to consider such conditions and to attempt to find practical solutions to the problems that are involved.

ANNUAL BEEF EXPORT CONFERENCE

Sec. 3. (a) The Secretary of Agriculture (hereinafter referred to as the "Secretary") is authorized and directed to call a cattle industry trade conference each year. Each such conference shall be composed of representatives from the Department of Agriculture, designated by the Secretary, and delegates from the beef industry, selected in such manner as may be approved by the industry. There shall also be in attendance at each such conference representatives from the Department of State, the office of the President's Special Representative for Trade Negotiations, the Department of Commerce, and the Export-Import Bank of Washington, to be designated by the chief executive officers thereof.

(b) The Secretary and a person selected by the beef industry shall serve as cochairmen of conferences held pursuant to this section; and such conferences shall be planned, organized, and conducted in accordance with rules of procedure mutually agreed upon by the cochairmen. The conference shall be held each year at a time and place convenient to delegates of the beef industry and the Secretary.

(c) Delegates to any conference held pursuant to this section shall receive no compensation for their services, but while attending meetings of the annual conference at places away from their homes or regular places of business they shall be allowed travel expenses, including per diem allowance in lieu of subsistence, as authorized by law for persons in the government service intermittently.

(d) Except as otherwise provided in this section, the Secretary shall be responsible for the conduct of each annual cattle industry trade conference held pursuant to this section.

(e) It shall be the function of each annual conference to review, discuss, analyze, and recommend solutions to problems of the beef industry relating to exports, imports, and trade of beef and beef products. Each such conference shall specifically consider, but shall not be limited to, problems relating to—

(A) transportation costs and methods;

(B) market survey information;

(C) market development;

(D) differences in preferences and standards of other nations;

(E) political barriers;

(F) veterinary and sanitary regulations;

(G) credit and insurance;

(H) domestic regulations or barriers;

(I) unfamiliarity with export markets; and

(J) structural problems of the beef industry of the United States.

(f) In carrying out the provisions of this section, the Secretary shall—

(1) request the cooperation and assistance of other Federal departments and agencies concerned with the exports and imports of beef and beef products;

(2) compile, prepare, and make available for the use of the delegates to each conference such background information and material as he may deem necessary or appropriate.

(g) Any conference held pursuant to this section is authorized to secure information directly from any department, agency, or es-

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[1] "Expansion of Livestock Exports," Senate Report 343, 90th Congress, 1st Session, June 12, 1967.

[2] *Statistical Abstract of the United States,* 1968, House Document No. 206, 90th Congress, Table #1198, Balance of Payments: 1960 to 1967. Comparable figures for 1968 from "Highlights of U.S. Export and Import Trade," U.S. Department of Commerce, #FT 990, February 1969, p. 3.

[3] "Far East Promotions of U.S. Beef Continue," Foreign Agriculture Magazine, February 17, 1969, p. 14.

[4] "U.S. Steaks Now a Fixture for Top Swedish Restaurant Chain," Foreign Agriculture Magazine, March 10, 1969, p. 11.

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tablishment of the executive branch of the Government with the consent of the head thereof, and each such department, agency, or establishment to the greatest practical extent shall furnish such information upon request of either cochairman of the conference. Such personnel of such departments, agencies, or establishments as may be required to assist any conference held pursuant to this section in carrying out its functions may be utilized upon request of the Secretary. Any such department, agency, or establishment furnishing the services of personnel shall be entitled to reimbursement therefor out of any funds appropriated under subsection (i) of this section.

(h) The Secretary shall maintain a record of the proceedings of each such conference and shall submit a written report to the Congress with respect to any problem presented for consideration at any such conference, within thirty days after the end of such conference, whenever the same or substantially the same problem was presented for consideration at the previous annual conference. He shall set forth the problem so presented and specify what action has been taken by the appropriate department or agency to alleviate it. Whenever any problem being reported upon is outside the competence or jurisdiction of the Department of Agriculture, representatives of the department or agency concerned shall cooperate with and assist the Secretary in the preparation of the report regarding such problem. Such report shall also contain such recommendations as may be necessary or appropriate to correct such problem.

(i) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

ANNUAL PUBLICATION

SEC. 5. The Secretary shall provide for the annual publication of a report pertaining to the demand in foreign markets for various grades and classifications of beef and beef products, and the extent to which the demand in each such market is being adequately met. Such report shall contain such information concerning the potential for exportation of United States beef and beef products as the Secretary determines will be of value to the beef industry of this country and shall include information of the kind contained in the publication issued by the Department of Agriculture in 1966 under the title "World Beef Trends." The Secretary shall include in such report short, medium, and long-range projections of domestic and foreign demand for various beef products. Such report shall be published each year not less than thirty days prior to the date of the annual conference sponsored by the Secretary pursuant to section 4 of this Act.

FOREIGN IMPORT RESTRICTIONS

SEC. 6. It is the sense of the Congress that, where foreign import restrictions which are unjustifiable impede or prevent the export of this Nation's beef and beef products to any country or group of countries, the President should exercise fully his powers under section 252 of the Trade Expansion Act of 1962 to obtain the elimination or modification of the offending trade barriers within a reasonable time, specifically including whenever necessary the imposition of duties or other import restrictions on the products of the group of countries or individual countries which are involved.

DEFINITION

SEC. 7. As used in this Act, the term "beef and beef products" means live beef cattle and the edible and nonedible products of slaughtered beef cattle.

The excerpts, presented by Mr. SPARKMAN, follow:

[From the CONGRESSIONAL RECORD,
Aug. 3, 1967]

INTRODUCTION OF BILL TO ASSIST THE U.S. CATTLE INDUSTRY, AUGUST 3, 1967

Mr. SPARKMAN. Mr. President, on behalf of myself and other Senators, I send to the desk a bill entitled "The Cattle Industry Trade Conference Act," and ask that it be appropriately referred.

This proposal arises out of a study of nearly 3 years by the Senate Small Business Committee. The committee was seeking to learn of the possibilities and problems of assisting small independent producers and processors in the cattle industry by exploring potential markets overseas for high-quality American beef products.

In its report filed on June 12, 1967—"Expanding of Livestock Exports," Senate Report 343, 90th Congress, first session—our committee cited evidence of considerable demand in foreign countries, which could be translated into profitable commercial markets for the American industry.

In Western Europe, for instance, there are 370 million consumers, who have become increasingly prosperous and are seeking more and better meat in their diets. Officials of the European Economic Community have estimated that by 1970 the six EEC nations might have to import 1 million metric tons of beef annually, with a value of as much as $1 billion a year to the suppliers.

It is the committee's hope and my hope that American farmers, ranchers, cattle feeders, and meatpackers will gain a fair share of this market.

The combination of this latest European demand and the lowered sea and air transportation costs accompanying the committee inquiry has been reflected in a small but growing trade in U.S. quality beef which began in 1966 and has now been extended to several hotels and restaurants.

A recent letter from Mr. Charles Bell, vice president for administration of the Hilton International Hotels, contained the following report:

"Hilton International has indeed expanded its exports (of American quality beef). In addition to the ton to ton and a half per week we are shipping to Paris (the Le Western restaurant), we are now shipping approximately the same quantity to the "Maison du Boeuf" restaurant of our new Brussels Hilton Hotel.

"In addition to the shipments to Paris and Brussels, Hilton International is supplying one ton and more to our hotels in Rotterdam and Amterdam and has just shipped off almost 10,000 lbs. of beef ribs to the Hong Kong Hilton.

"Sample shipments have also been sent to the Royal Teheran Hilton and we anticipate steady ordering from that hotel."

These initial export movements are small, but significant. They constitute the first commercial export shipments of U.S. quality meats in nearly 50 years.

For that period of time American steaks, roasts, and hamburgers have not been available on the European Continent. The beef which is eaten there is veal and meat from older dairy cows, produced as a byproduct of the dairy industry, supplemented by imports of grass-fed beef from South America and elsewhere.

The growth in exports in American variety meats demonstrates the desire to upgrade beef consumption in Europe. In 1951 our variety meat exports were virtually zero. Now they are about 10.3 percent of American production and return $75 million to the American industry. It seems to the committee that this is an indication of the speed with which a similar trade might develop for other American meat products.

Looking at the other side of the picture—the ability of the American cattle and beef industry to furnish these products—we find that this country produces about one-third of all the world's beef. with by far the largest "productive platform," our industry is in a position to consider servicing the large import gaps now arising in places such as Western Europe.

It is well known that cattle constitutes a vital crop for the farmer in practically every State of the Union. Sales of livestock bring in nearly one-third of all farm income, with cattle accounting for about one-quarter. Thus, any success that we might have in developing export markets is likely to have wide benefits throughout the country as well as in our seacoast States, and can have also significant balance-of-payments advantages.

The bill which I introduce today proposes to assist our industry to explore and develop these markets.

It would establish an annual conference at which high Government policymakers, together with the industry leaders, would review and analyze world supply, demand, and trade in beef products.

This conference would be planned, organized, and conducted under the direction of two cochairman: one from the Government side, appointed by the Secretary of Agriculture, and the other designated by industry.

The committee does not envision that this conference will result in the creation of any permanent commission or agency or would require the hiring of additional Government employees. Preparation of the conference would be in the regular course of business of the Government departments concerned with exports and imports of meat products and the welfare of the industry that furnishes these fine products to our own people.

In this connection, the committee was concerned during its investigation when it learned of the low-profit margins which seem to persist and to characterize our domestic cattle industry. These conditions are reflected on the following table financial rates on ranch income, placed in the committee's May 1966 hearing record at the committee's request:

AVERAGE RETURN FOR BEEF CATTLE OPERATIONS, 1957-64

	Northern Plains	Inter-mountain	Southwest
Net ranch income	$6,482	$6,127	$6,179
Percentage return on investment	1.75	1.83	.71

On the basis of this information the committee's report recommends that the Department of Agriculture should present its assessment of the structural difficulties and low profit margins, which affect the full participation of the industry in both domestic and foreign markets, and should take the initiative in organizing a response to these problems.

This conference proposed by the committee will provide an opportune occasion for the Department to focus its efforts in this regard. It would also allow the Department to proceed with the program recommended by the committee to provide effective assistance to businessmen who wish to export, regardless of size or previous experience in international trade. The Department carries on successful cooperating programs as to many other products and the committee feels that the time has arrived for a similar sustained effort to be made in this commodity area.

Another section of this bill would also have the Department of Agriculture publish each year an authoritative report giving information on world supply, demand, and trade in beef products. This would be available 30 days prior to the conference and could serve as a basis for discussion.

It is my feeling that the holding of such a conference would give the experienced and trusted leaders of industry and the Government an opportunity, on a regular basis, to discuss the potentials and problems of international trade which deeply affect this important segment of our economy. These deliberations would be instructive and might be helpful in arriving at the practicable solutions to the problems which have beset the cattle industry in recent years.

* * * * *

In the Congress, we shall continue to do all we can to further the development of export as well as domestic markets and the capability of the small and large American businessmen in the beef industry to participate fully in them.

COSPONSOR OF CATTLE INDUSTRY TRADE CONFERENCE BILL

Mr. BIBLE. Mr. President, I am pleased to join with the Senator from Alabama (Mr. SPARKMAN) and other Senators in reintroducing a bill to provide for an annual Government-industry conference on trade in beef cattle products.

As Members of this body are aware, this legislation arises out of an investigation performed under the leadership of the Senator from Alabama between 1964 and 1967, while he was chairman of the Select Committee on Small Business. This was one of the resulting bills. It was introduced during the 90th Congress, and I was glad to cosponsor the legislation at that time. As successor to Senators SPARKMAN and Smathers as chairman of this committee, I feel it is timely and important to pursue these matters.

When the livestock export inquiry began, the United States had not exported any of its quality meat products for about 50 years. This was despite the fact that there are something over 370 million consumers in Western Europe, with rising standards of living, and U.S. steaks, roasts, and other table meats are virtually unknown on the continent because there is no organized beef cattle industry. The main items at European meat counters are veal and beef from milk cows, which are byproducts of the dairy industry.

Even so, many in industry and Government 5 years ago thought it was impossible to export U.S. meats because of a complex of interlocking problems.

Under the guidance of Senator SPARKMAN, the committee first established the demand for imported beef within the six nations of the European Economic Community at about 1 million metric tons a year, or an annual market worth about $1 billion. The committee report then picked the problems apart, analyzed their sources, and provided an impetus for industry and Government to work toward their solution.

As a consequence, Senator SPARKMAN observed today that export shipments have now begun to move to Western Europe, Japan, and Scandinavia. This trade is in its infancy. However, its potential is substantial to regions such as the Southeast and the Mountain States, including my own State of Nevada. It can be directly beneficial to small, independent, and family livestock raisers and processors throughout the country who would benefit from the growth of additional stable markets. Increasing sales of this kind could also result in sizable increases to U.S. balance-of-payments earnings.

However, to participate in this trade our smaller businessmen must have knowledge of it.

The annual conference and annual study of world beef trends which are recommended by this bill would lay a solid basis for discussion of both problems and potentials of the export and import trades in meat products.

We envision that that conference would take place at times and places convenient to people in the industry, so that producers and processors of all sizes and from all parts of the country can take part.

The bill provides for cochairmen from both industry and Government. This should mean that the representation, procedures, subject matter, and follow-through of the conference will be mutually agreed upon and satisfactory to all parties. Such annual gatherings would, I feel, deepen the communication between industry and Government and build greater understanding of trends in the international market for livestock products so that American businessmen can take maximum advantage of these developments.

The enactment of this bill would, I believe, be a step forward in the many areas which I have described, and particularly to smaller firms in the beef industry throughout the country.

S. 2090 AND S. 2091—INTRODUCTION OF BILLS TO AMEND THE INTERNAL REVENUE CODE

Mr. GORE. Mr. President, I introduce two bills, and ask that they be appropriately referred.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills (S. 2090) to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to $1,250; and (S. 2091) to repeal section 613 of the Internal Revenue Code of 1954, relating to percentage depletion, introduced by Mr. GORE, were received, read twice by their titles, and referred to the Committee on Finance.

Mr. GORE. Mr. President, I have offered today an amendment to repeal section 613 of the Internal Revenue Code. This is the section which authorizes percentage depletion for oil and gas, various minerals, and other extractive operations involving such products as clay and clam shells. The effect of my amendment would be to allow cost depletion, which is more in line with the taxation of industrial operations. No longer would there be a choice between cost and percentage depletion.

So much has been said about percentage depletion over the years, that I hesitate to take the time of the Senate to discuss it in detail. It has been attacked vigorously. It has been defended with equal vigor.

But tax reform is in the air today as never before during my tenure of service in the Senate. I want to insure, insofar as I can, that the percentage depletion question is looked into thoroughly at this time while the climate is better than it has been, perhaps, in the recent past. When the Ways and Means Committee completes action on a tax reform bill, which I hope will be a comprehensive one, I shall examine it carefully. I hope it will deal with percentage depletion, and adequately. If not, it shall be the duty of the Senate to deal with it, and I shall make every effort to attach as an amendment the bill which I have today introduced.

There are two principles of taxation involved in our laws and regulations respecting percentage depletion. These two principles have been somewhat intermixed and intermingled and a great deal of confusion has resulted.

One principle of taxation which has always been recognized since we have had a Federal income tax, is that the return of capital should not be taxed. An investor in any enterprise has always been entitled to a tax-free return of the capital he has invested in that enterprise.

Accordingly, we have various schedules for depreciation and cost depletion. On the sale or conversion of a property, cost is recovered before any tax is computed on the gain realized. This principle has been grossly abused from time to time.

Another principle which is generally recognized, although here there is some disagreement, is that a government may legitimately use tax policy as a means of promoting, or dampening down, various activities because of their economic, social or other effects. Accordingly, we have from time to time, by means of tax incentives, encouraged activities which were deemed desirable or beneficial to the Nation as a whole. Under this principle, the Government has, especially in times of emergency, provided for accelerated depreciation, higher depletion rates and special deductions for emergency development or exploration.

Let me say, in passing, that a tax incentive is not necessarily the best way to subsidize or encourage a given activity. An outright subsidy to exploration in the extractive industries, for example, might prove to be more forthright, equitable and efficacious. After all, a tax reduction does not help the small "wildcatter" or coal miner who is losing money.

Percentage depletion has been defended on both of the principles I have briefly mentioned. Most spokesmen, however, are more prone to emphasize the fact that percentage depletion, admittedly far more generous than cost depletion, is justified, and even required, in the national interest. It is claimed that only through such generous treatment can the ordinarily prudent man be induced to undergo the great risks involved. Although the gusher is the picture ordinarily painted of oil extraction, these people would have us believe that the more appropriate picture is a succession of dry holes, stretching in unnumbered succession across the horizons of the world's wastelands.

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In my opinion, percentage depletion is erroneous in principle, allowing the cost of an operation to be recovered many times over. In practice it has been greatly abused, resulting in the enrichment of a few at the expense of the many taxpayers not so favorably treated by the tax laws.

I think it might be helpful to review briefly just how our depletion tax practices have developed. The development of depletion laws and regulations is an interesting example of the foot-in-the-door type of loophole creating.

Depletion has been recognized in one form or another from the very beginning of our Federal income tax laws in 1913. The Revenue Act of 1913 provided for a "reasonable allowance for the exhaustion, wear, and tear of property arising out of its use or employment in the business"; that is, an allowance was to be made for the return, untaxed, of capital.

The Revenue Act of 1916 spelled out depletion allowances a little more definitely, and provided that—

> When the allowance authorized * * * shall equal the capital original invested, or in case of purchase made prior to March 1, 1913, the fair market value as of that date, no further allowance shall be made.

In other words, depletion was allowed for the purpose of seeing to it that an owner of a mine or well recovered his investment tax free.

In 1918 a new idea was enacted into law, discovery depletion. In explaining this new idea on the floor of the Senate, Senator Penrose, the ranking Republican member of the Finance Committee, stated that the committee had changed the language of the provisions of law dealing with depletion so as to provide "for a more liberal allowance than heretofore permitted in the case of newly discovered mines, or oil or gas wells, permitting the deduction to be based on the fair-market value of property discovered instead of its cost."

Senator La Follette opposed the provision, stating that depletion allowance might permit taxpayers to take depletion deductions far in excess of cost.

Representative Kitchin, chairman of the Ways and Means Committee, opposed the changes in the law, stating that they were relief provisions and that he could not subscribe to them. He regarded them as "pieces of special favoritism."

It would appear from the Finance Committee report, although it is not specifically stated, that this change was made in order to encourage exploration and discovery of new resources.

At this particular point in the legislative history of depletion, and associated deductions and allowances, the two general principles of taxation to which I have alluded became somewhat fused. They have remained confused ever since. Discovery depletion then, seemed to allow the return of capital untaxed, but in addition, it also gave an extra reward to the wildcatter. Furthermore, since the two principles were incorporated into one tax deduction, the extra reward which theoretically encouraged wildcatting was available to those who operated only in proven fields and had no intention or desire to move into unexplored territory.

In 1926 a gross distortion was written into law. In the Revenue Act for that year, discovery depletion was changed to percentage depletion for oil and gas.

The conference report on the Revenue Act of 1926, in discussing this change for oil and gas, stated that the administration of the discovery depletion provision "has been very difficult" and that the change to percentage depletion was being made "in the interest of simplicity and certainty in administration."

I realize that proper administration must be kept in mind when tax bills are drawn up. Indeed, if we eliminated all of the loopholes and reduced applicable rates, administration would certainly be much improved. To violate a proper principle of taxation and introduce gross inequities into the tax structure in the name of ease of administration, however, is something else altogether. Ease of administration has been invoked many times to masquerade a tax favor.

At least some, however, recognized at the time just what this change was, in fact, intended to accomplish. Senator Couzens stated on the floor of the Senate that—

> Congress first intended to * * * * allow the deduction to the little "wildcatter" * * * *. That was the intent of Congress * * * *. That idea has now been entirely abandoned, and this is so profitable and advantageous to the oil industry that it is proposed to extend it so that not only the little wildcatter but the whole industry will get the benefit.

Here, then, we see clearly the result of an attempt on the part of the Congress to incorporate two principles of taxation into one tax law. First, there is the attempt to provide for the return of capital tax free, second, there is the attempt to supply an incentive for additional exploration and discovery, by means of tax concessions, in order to accomplish the social and economic goal of providing the country with an ample supply of oil and gas. The confusion thus introduced is still with us, and subsequent technological and tax developments have compounded the confusion, with wide flow of tax benefits but with only hit or miss promotion of national economic objectives and needs.

Of course, once oil and gas crossed over the Jordan into the promised land, other mineral, mining, and extractive interests were not far behind.

In addition to percentage depletion, oil and gas companies also receive deductions for intangible drilling costs, while other mineral and mining interests receive special deductions for exploration and developmental costs. These costs, along with all others, are then recovered a second time by allowing all these operators to take percentage depletion.

The arguments in favor of this special treatment all boil down to one. It is necessary to spur new exploration. It is necessary as an inducement for high-risk operations. It is necessary if the economy is to have the advantages which accrue as a result of having an abundance of energy sources and minerals.

These arguments will not stand close scrutiny.

In the first place, despite the distortions which have been brought about by monopoly, oligopoly, and arbitrary price fixing, our national economy is still basically price regulated. If a commodity is in short supply and in strong demand, the prices generally go up. When that happens, wildcatting, exploration, and development, as well as production from existing sources, and imports, will be increased. Prices do not necessarily come down when conditions are reversed, but that is a different subject altogether.

Granting tax concessions which give the most benefit to large, established producers may not bring about increased production.

In 1942, Secretary Morgenthau testified before the Senate Finance Committee on the subject of depletion and related items. He stated then that it was doubtful that percentage depletion encouraged "exploration and drilling for oil. There is grave doubt that it has substantial effect on oil discovery." So far as cost is concerned, Secretary Morgenthau went on to say:

> It would have cost the Federal Government about one-third as much to have paid all the cost of every wildcat well that was drilled in 1941 as to have allowed percentage depletion and the associated intangible drilling expenses.

I find it most distressing to hear so many of my colleagues, on both sides of the aisle, speak the old shibboleths about free enterprise when they want to justify a giveaway by offering tax cuts to the large, well entrenched, and wealthy. It never seems to occur to some that there are ways to stimulate activity other than through tax cuts.

If additional exploration for oil and minerals is needed, for example, the Government, as the agent of the whole society, may follow any number of courses.

In 1942, when the Senate was considering an amendment to broaden percentage depletion, Senator La Follette said:

> In my opinion this percentage depletion is one of the worst features of the bill, and now it is being extended. We are vesting interests which will come back to plague us.

How right he was.

Senator Taft, during the same debate, stated:

> The percentage depletion is to a large extent a gift. It is to a large extent a special privilege beyond what anyone else can get.

Mr. President, I do not wish to cover the whole field of percentage depletion arguments at this time. I would, however, like to call to the attention of my colleagues the fact that we have now a recent study which seems persuasive to me. I refer to part 4, "Tax Reform Studies and Proposals U.S. Treasury Department." I commend a careful study of this volume to my colleagues in order that we may all be ready to act when we have an opportunity to vote on the discontinuance of percentage depletion.

Although this study is confined to oil and gas operations as they are affected by percentage depletion and other tax gimmicks. I think the conclusions must be equally valid with respect to other extractive operations.

Here are the two principal conclusions of this study, with respect to percentage depletion and the oil and gas industry.

First:

> The elimination of percentage depletion as an option would reduce existing reserve levels by 3% and result in an additional $1.2 billion in tax revenue at current production levels.

Second:

> Percentage depletion is a relatively inefficient method of encouraging exploration and the resultant discovery of new domestic reserves of liquid petroleum. This is in part due to the low sensitivity of desired reserve levels to the price subsidy represented by percentage depletion, and in part to the inefficiency of the allowance for this purpose, since over 40% of it is paid for foreign production and non-operating interests in domestic production.

Clearly, Mr. President, this study shows the emptiness of the claims of those who for years have perpetrated the percentage depletion fraud on the public. And, of course, I must include in my indictment Members of Congress who steadfastly refuse to correct faulty laws.

As I have pointed out, my bill would end percentage depletion for all extractive operations. So far as my studies indicate, there would be no substantially different conclusions with respect to minerals than with respect to oil and gas were a thorough consideration given to the effects of percentage depletion on ordinary mining operations.

As I have stated many times over the years, there is no justification for percentage depletion. It is purely and simply a formula for tax reduction for those who need no such tax forgiveness. It does not operate in any sense whatsoever in the public or national interest. It should be removed entirely from the statute books.

There is now an apparently good climate for tax reform. But there can be no real tax reform if we close our eyes to percentage depletion, the most obviously selfish and self-interest tax gimmick thus far invented by the fertile minds of tax dodgers. I hope my colleagues will review carefully the Treasury study on percentage depletion and be ready for serious consideration of my amendment when we debate the next tax bill which comes over from the House of Representatives.

S. 2092—INTRODUCTION OF BILL TO AMEND THE INTERNAL REVENUE CODE

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code to exclude from gross income allowances paid to Federal Government employees under section 5942 of title 5 of the United States Code.

Title 5 United States Code section 5942 relates to Federal Government personnel employed at the U.S. Atomic Energy Commission Nevada test site, including the Nuclear Rocket Development Station. It authorizes payment to such employees—in addition to their regular compensation—of a special allowance not to exceed $10 a day. The allowance is paid under regulations prescribed by the Bureau of the Budget.

Mr. President, in providing this special allowance the Congress recognized that the Federal Government's installation at the Nevada test site is situated in an unusually remote location. The Congress also recognized that because of the nature of the activities carried on at the test site, and because of its isolation special burdens are imposed on Federal employees assigned to the site. Such employees do not have the option of establishing their homes reasonably close to where they work. The nearest community offering family living is Las Vegas, Nev., which is from 66 to 92 miles away from the employees' worksites. Some of these employees must commute for distances up to 184 miles a day to and from their jobs. They spend as much as 4 hours driving time getting to and from work.

In 1966, when this special allowance was considered and enacted, the Civil Service Commission reported that the unusual commuting time and distance associated with working at the test site, and the absence of closer living accommodations, had combined to create a particularly severe personnel recruitment and retention problem.

Hence, Mr. President, we approved this special allowance—not by way of extra compensation or incentive pay—but to help defray the inordinately high expenses that must be incurred by these employees in traveling to and from this isolated Government installation. Our purpose was to recognize and provide for an extraordinarily burdensome travel situation, and to help assure that the vitally important work being conducted at the test site would be kept fully manned.

Now, Mr. President, what do we find? We find that having authorized this necessary special allowance on the one hand, the Government has been taking back a portion of it with the other. Despite vigorous claims by the employees at the Nevada test site that this special expense allowance should not be viewed as income, the Internal Revenue Service has disallowed their claims, and the special allowance has been treated as part of their taxable income for Federal income tax purposes. In December 1968, the appellate division of the IRS region headquarters in San Francisco ruled there is no authority under the Internal Revenue Code to exclude this special allowance from the taxpayer's gross income.

Mr. President, it makes little sense to me for the Government to provide this special allowance and then take a part of it back by way of taxes. The Internal Revenue Code now allows for the exclusion from income of a number of allowances provided Federal employees under the Foreign Service Act of 1946, the Central Intelligence Act of 1949, and the Administrative Expense Act of 1946. Certain allowances received by civilian employees and Peace Corps personnel are also excludable.

While it is true that most such exclusions relate to employment beyond the continental limits of the United States, the point is that such exclusions are grounded on the special conditions—often hardship conditions—incident to the Federal employment involved.

The remoteness of the Nevada test site also imposes a hardship on the Government personnel assigned there. We recognized this fact when the Congress authorized this special travel allowance. There are approximately 179 Federal Government employees at the test site and the nuclear rocket development station. In fairness to these employees I believe this allowance should also be excluded from taxation.

The bill I am introducing at this time would amend the Internal Revenue Code so as to specifically exclude this statutory allowance from gross income for Federal tax purposes retroactive to taxable years ending on or after March 31, 1966, the date the allowance was first made available to Nevada test site employees.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2092) to amend the Internal Revenue Code of 1954 to exclude from gross income allowances paid under section 5942 of title 5, United States Code, introduced by Mr. Bible (for himself and Mr. Cannon) was received, read twice by its title, and referred to the Committee on Finance.

S. 2094—INTRODUCTION OF A BILL TO CONTINUE THE LEWIS AND CLARK TRAIL COMMISSION

Mr. BURDICK. Mr. President, I introduce for myself and the following Senators, Mr. Dole, Mr. Hatfield, Mr. Hughes, Mr. Magnuson, Mr. Jackson, Mr. Mansfield, Mr. McGovern, Mr. Metcalf, Mr. Mundt, and Mr. Packwood, a bill to continue the Lewis and Clark Trail Commission.

The Lewis and Clark Expedition of 1804–06 was not only one of the most perfectly executed explorations of all times, but in addition, most important in the formation of our country as we know it today for it consolidated our boundaries from the Atlantic to the Pacific. Now today the Lewis and Clark Trail plan not only follows this historic route, but utilizes it as a conservation and outdoor recreation plan of action. This Lewis and Clark Trail plan was conceived by a great American conservationist and world-famous artist, Mr. Jay N. "Ding" Darling. Following Mr. Darling's death in January 1962, and the creation of the J. N. "Ding" Darling Foundation which has as its objective an extension of Mr. Darling's conservation ideals, representatives of the foundation presented the Lewis and Clark Trail idea to the Secretary of the Interior, who enthusiastically received the idea, urging the foundation and those interested in the trail plan to secure additional grass roots support. A capable program of activity was developed, including two excellent conferences at Omaha and subsequently at Portland, Oreg. These conferences and other action programs set the stage for an acceptance of the Lewis and Clark Trail plan in the 11 trail States and provided a basis for subsequent developments including the crea-

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tion of the Lewis and Clark Trail Commission. The Commission was created by Congress in the fall of 1964, under Public Law 88–630. A subsequent act was passed in 1966, Public Law 89–475, which brought the State of Illinois into the Lewis and Clark Trail Commission activities.

The Commission has developed a program that has and is carrying out the mandate of the Congress, which is to create public awareness of the historic significance of the Lewis and Clark Expedition, to establish not only an appreciation for, but the actuality of refuges and wildlife areas, the conservation of our natural resources and the improvement and the development of outdoor recreational opportunities along the trail route.

The varied resources of the trail route are being linked together, including archeological sites, historic sites, wilderness areas, wilderness waterways, reservations, the development of reservoirs behind Federal dams and perhaps more important than all, the visitors and the tourists can move along the trail via a road system in each of the 11 trail States. This road system is now completely marked with the Lewis and Clark Trail symbol. Thus, a very unusual, interesting, and economically beneficial travel experience is available along this vast trail route extending half way across the country. The Commission has further served its responsibilities under Public Law 88–630 by scheduling three public hearings, two of which have been held, the third to be held in May at St. Louis, Mo. and Wood River, Ill. Many of the Federal agencies, including the Department of the Interior; Commerce; Agriculture; Health, Education, and Welfare; and the Department of Defense, have cooperated in the creation of a number of recreational opportunities that might not have been a reality without the program emphasis of the trail plan.

Each of the 11 trail States have established their own Lewis and Clark Trail Committee, which have been very effective in developing a local and State support that is phenomenal. The publicity attached to the trail plan developments has been most gratifying.

A youth program has been developed in cooperation with the Boy Scouts of America for Scouts to participate in the enjoyment of the use of the trail and in conservation programs along the trail route. The project afforded boys and leaders in Scouting an opportunity to participate in a rugged, outdoor adventure of historic significance and at the same time, to provide a good-turn service to the public, State, and Federal agencies, and to the Lewis and Clark Trail Commission. The project gave Boy Scout councils located along the Lewis and Clark route the opportunity to highlight their explorers, older boy program, to establish permanent historic trail segments for the future use of the youth of America, to promote local and national publicity for the Lewis and Clark Trail, and for the Boy Scouts of America, and to make valuable contacts available with local, State, and National officials. The project also helped further establish the Lewis and Clark Trail as a national scenic trail and emphasized to the future citizens of tomorrow the recreational uses of the trail and its related facilities.

A number of States through their various State agencies, local governments, and cities, have created literally hundreds of additional opportunities for the people to fulfill their outdoor heritage.

The life of the Commission set by Public Law 88–630 is 5 years. The Commission at its meeting in Portland, Oreg., in November 1968, by resolution urged the Congress to consider the extension of the life of the Lewis and Clark Trail Commission. The Commission feels that there are many valid reasons for the continuation of the Commission.

The identification in marking and interpretation of the entire trail route, notably to include historic and other areas of significance along the trail must be continued.

The recommendations which have been received at the public hearings of the Lewis and Clark Trail Commission have yet to be reviewed and incorporated into summary form, utilizing the recommendations that are valuable for developments as additional action programs along the trail route.

The youth program, particularly the one involving cooperation with the Boy Scouts of America should and can have continued guidance and acceleration. The Boy Scouts of America have continued to express their approval and are urging an expansion of this youth participation program. This will probably take the form of a series of short—10 to 100 miles—historic trails along the Lewis and Clark Trail route. As an example, one of these will be the "Lewis and Clark Trail" located in and near East Alton, Ill. Another "trail to the coast" located in and near Portland, Oreg., will be soon in the process of being approved by the national Boy Scouts of America. These trails within the Lewis and Clark Trail areas are open, of course, to all youth organizations.

Of overriding significance in the need for the Commission's life extension will be the creation of an association or organization that can eventually carry on the objectives of the Lewis and Clark Trail Commission. Already steps are being taken to attempt to gather basic data in the implementation of this plan. Thus an association that can continue to act as the Commission has, in the capacity of a catalyst, urging attention to programs of activity that would be of value along the trail route, is a tremendously needed thing. The Commission needs to implement such a program which would hopefully permanently establish the great values that have been started so admirably by the Lewis and Clark Trail Commission.

Mr. President, for Senators Dole, Hatfield, Jackson, Magnuson, Mansfield, McGovern, Metcalf, Mundt, and Packwood, and myself, I urge that the work of the Commission be permitted to continue by enactment of this bill to extend the life of the Commission. I ask unanimous consent that the bill be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2094) to extend the life of the Lewis and Clark Trail Commission and for other purposes, introduced by Mr. Burdick (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 2094

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 6, 1964 (78 Stat. 1005), as amended by the Act of June 29, 1966 (80 Stat. 229), is further amended by—

(a) deleting the fourth sentence of section 7 and substituting the following new sentences: "The report of the first phase of the work of the Commission shall be submitted not later than five years after the date of this Act, and thereafter the Commission shall function to further or implement the recommendations of said report. The final report of the Commission shall be submitted not later than December 31, 1974, at which time, the Commission shall cease to exist."; and

(b) by revising section 3(d) to read as follows:

"(d) Six members, who shall be the Secretaries of the following Departments, or their designated representatives: Interior; Agriculture; Defense; Health, Education, and Welfare; Commerce; and Transportation."

S. 2095—INTRODUCTION OF A BILL TO INCREASE THE AMOUNT OF THE GENERAL STANDARD DEDUCTION AND THE MIMIMUM STANDARD DEDUCTION, TO INCREASE THE AMOUNT OF PERSONAL EXEMPTIONS, AND FOR OTHER PURPOSES

Mr. MONTOYA. Mr. President, on February 18, 1969, I introduced a measure, S. 1054, to increase the personal income tax exemption from $600 to $1,000 and announced at the same time that I would be introducing a more comprehensive tax reform proposal in the near future. I have been reviewing the many recommendations which were made by the outgoing Johnson administration, as well as other necessary reforms which have been brought to my attention. Likewise, I have been following the testimony presented to the House Ways and Means Committee during the course of their hearings on tax reform.

I was also gratified to note that the President has submitted to the Congress a tax reform message.

With these expressions of interest, it appears that we may at last be taking heed of the burden being placed on a large portion of our population. Throughout the Nation we see visual signs of the threat of a taxpayers' revolt. In my own State of New Mexico, we have witnessed the formation of the New Mexico Taxpayers for Tax Reform as well as the Taxpayers Association of New Mexico, an example which I am sure is being followed in the other States. They have legitimate complaints. Our tax system needs to be made more equitable and it needs to be made so now.

I will not bore this body with a long recounting of the injustices of our tax structure. We are all only too familiar with these inequities. Suffice it to say that while most American taxpayers, be they individuals or business firms, are paying their fair share of the Federal tax bill which yielded $150 billion in fiscal 1968, there are at the same time a great number who are paying more than their fair share while others are escaping paying their share of the services which their Government provides them.

We are informed of the married couple with an income of the poverty limit of $2,200 nonetheless paying an income tax of $84—a tax they can well not afford. We have also heard of the individual with a total income of $1,284,718 who paid a tax of only $274. We are also all too familiar with the growing tax burdens being placed on the low- and middle-income wage earners by local municipalities, by State legislatures, as well as by our Federal Government.

In short, Mr. President, the time is long overdue for a complete revision of the Internal Revenue Code. We must set about promptly on the business of tax reform. I am not so naive to think that we can bring about tax reform overnight. I realize that the practicalities of dealing with a subject as complex as the revision of the Internal Revenue Code and the realities of dealing with special interests who will not be too anxious to permit Congress to proceed about a modernization of the tax code are such that many many months of hearings and debate lie ahead of us. Some of the more complex issues, on which there are meritorious arguments on both sides, will embroil the Congress in time-consuming debate.

The House Ways and Means Committee, as I have stated, has conducted extensive hearings into these complex and controversial issues. I shall review the testimony presented at those hearings with a great deal of interest. The President has indicated his support of legislation to more equitably deal with the taxes which wealthier individuals should pay but which they are not. Another of our colleagues in the Senate has proposed a measure seeking to tax the wealthy at a more equitable rate.

Thus, with these other efforts in mind, the proposal which I introduce at this time aims at seeking to lessen the tax burden of the low- and middle-class wage earners. These are reforms that can be instituted immediately without becoming embroiled in the more controversial and complex issues that will of necessity take time. There should be nothing controversial nor complex over the suggestion that no one should be made to pay more than their fair share of the taxes required to run their country.

Because the low- and middle-income wage earners of this Nation have been carrying an inequitable share of the taxload, my measure seeks to lessen their burden and leaves to other proposals which have been or will be introduced the task of seeking to have the wealthy and others pay their share of the taxload. I do not overlook the latter, but, with the announced intention of others to seek reform in this area, I shall concentrate on seeking a reduction in the taxload of the low- and middle-income wage earners as promptly as possible.

Therefore, while not overlooking other needed reforms, the following are reforms which we can institute immediately and without controversy, and which my measure introduced today, seeks to bring about:

First. Increase in amount of standard deduction: The minimum standard deduction would be increased from the present $200 plus $100 for each allowable exemption to $600 plus $100 for each allowable exemption—subject to the same overall limit of $1,000 that exists under present law.

The minimum standard deduction represents the most equitable and efficient method available of directing tax relief to persons in the lowest income ranges. Under the present tax system, there are single individuals as well as families who are paying income tax even though their total incomes are below the poverty level. By increasing the minimum standard deduction as I propose, we would drastically alter this situation. My proposal would greatly reduce the income tax payments of all persons at or near the poverty level and would completely exempt from tax the majority of those persons below the poverty level who now pay income tax.

Second. Increase in amount of personal exemptions to $1,000: This provision is identical to S. 1054 which I introduced on February 28, 1969, and which I had introduced before.

As I stated in introducing this provision on February 28, the last time the personal exemption figure was revised was in 1948. It has not been increased with the rising level of prices. In fact, since 1948 the Consumer Price Index has risen by 44.6 percent—based on average levels of the index in 1948 and 1968—so that the $600 figure would have to be raised to at least $868 merely to equal the purchasing power of the $600 exemption over 20 years ago. But even that figure would not be near sufficient.

What we consider a reasonable standard of living has changed in these last two decades also. Certain aspects of living once considered attainable only by a few have come within the reach of many and are accepted as part of the American way of life. The estimated annual cost of a moderate standard of living for a family of four was determined by the U.S. Department of Labor in 1966 to be $9,191. A moderate standard of living was defined as providing "for the maintenance of health and social well-being, the nurture of children, and participation in community activities."

This budget is in no sense a luxury budget, including practically nothing for expenses of higher education, for example. The personal exemptions for a family of four today should certainly comprise a greater percentage of this total than the present $2,400. Certainly exemptions totaling $4,000 which my bill will provide would be far more equitable.

Third. Termination of preferential treatment for certain stock options: In these days of six- and seven-figure salaries, we find more and more individuals resorting to acceptance of stock options instead of straight salary in order to avoid the taxation that would come with such high-bracket incomes. The preferential treatment which is presently allowed for qualified and restricted stock options would be terminated under my proposal. My proposal leaves untouched the employee stock option provision. The latter provision benefits mostly the middle-income wage earner and is subject to little if any abuse.

Fourth. Extension of time for payment of estate tax where estate consists largely of interest in closely held businesses and farms: This provision would liberalize the rules for the payment of death taxes to avoid possible forced sale of closely held businesses and farms. Estates which contain farms or closely held family businesses sometimes encounter difficulty in finding the cash needed to pay the Federal taxes which become due shortly after death. The end result in many cases is the necessity to sell the farm or business by the widow or children in order to pay the taxes. My proposal would liberalize present rules, including an extension of time in which to pay death taxes.

Mr. President, as I have stated earlier, this is not meant to be a complete tax-reform package. Rather, it is meant to be a realistic reform measure which can be instituted promptly with little debate and controversy. It is a measure designed to bring about a "fair share" payment of taxes among the low- and middle-income wage earners. There are many other areas yet to be explored, but I trust we can move at least this initial step at once.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2095), to amend the Internal Revenue Code of 1954 so as to increase the amount of the general standard deduction and the minimum standard deduction, to increase the amount of the personal exemptions, and for other purposes, introduced by Mr. MONTOYA, was received, read twice by its title, referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

S. 2095

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Tax Adjustment Act of 1969".

(b) AMENDMENT OF 1954 CODE.—Except as otherwise provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

SEC. 2. INCREASE IN GENERAL AND MINIMUM STANDARD DEDUCTION.

(a) REVISION OF STANDARD DEDUCTION.—Section 141 (relating to standard deduction) is amended to read as follows:

"SEC. 141. STANDARD DEDUCTION.

"(a) STANDARD DEDUCTION.—Except as otherwise provided in this section, the stand-

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ard deduction referred to in this title is the larger of the 14-percent standard deduction or the minimum standard deduction.

"(b) 14-PERCENT STANDARD DEDUCTION.—The 14-percent standard deduction is an amount equal to 14 percent of the adjusted gross income, except that such deduction shall not exceed $1,800 ($900, in the case of a separate return by a married individual).

"(c) MINIMUM STANDARD DEDUCTION.—The minimum standard deduction is an amount equal to the sum of—

"(1) $100, multiplied by the number of exemptions allowed for the taxable year as a deduction under section 151, plus

"(2) (A) $600, in the case of a joint return of a husband and wife under section 6013,

"(B) $600, in the case of a return of an individual who is not married, or

"(C) $300, in the case of a separate return by a married individual.

The minimum standard deduction shall not exceed $1,000 ($500, in the case of a separate return by a married individual).

"(d) MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—Notwithstanding subsection (a)—

"(1) The minimum standard deduction shall not apply in the case of a separate return by a married individual if the tax of the other spouse is determined with regard to the 14-percent standard deduction.

"(2) A married individual filing a separate return may, if the minimum standard deduction is less than the 14-percent standard deduction, and if the minimum standard deduction of his spouse is greater than the 14-percent standard deduction of such spouse, elect (under regulations prescribed by the Secertary or his delegate) to have his tax determined with regard to the minimum standard deduction in lieu of being determined with regard to the 14-percent standard deduction.

"(e) INDIVIDUALS WHO ARE DEPENDENTS OF OTHER TAXPAYERS.—Notwithstanding subsecsection (a), the minimum standard deduction shall not apply for any taxable year in the case of an individual with respect to whom an exemption is allowed under section 151(e)(1)(B) to another taxpayer."

(b) CLERICAL AMENDMENT.—Section 4(c)(3) is amended by striking out "10-percent" and inserting in lieu thereof "14-percent".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1969.

SEC. 3. INCREASE IN AMOUNT OF PERSONAL EXEMPTIONS TO $1,000.

(a) INCREASE IN AMOUNT OF PERSONAL EXEMPTIONS.—The following provisions are amended by striking out "$600" wherever appearing therein and inserting in lieu thereof "$1,000":

(1) Section 151 (relating to allowance of deductions for personal exemptions);

(2) Section 642(b) (relating to allowance of deductions for estates);

(3) Section 6012(a) (relating to persons required to make returns of income); and

(4) Section 6013(b)(3)(A) relating to assessment and collection in the case of certain returns of husband and wife).

(b) CONFORMING CHANGES.—The following provisions are amended by striking out "$1,200" wherever appearing therein and inserting in lieu thereof "$2,000":

(1) Section 6012(a)(1) (relating to persons required to make returns of income); and

(2) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

(c) OPTIONAL TAX.—(1) Section 3 (relating to optional tax if adjusted gross income is less than $5,000) is amended by adding at the end thereof the following new subsection:

"(c) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1968.—In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning after December 31, 1968, on the taxable income of every individual whose adjusted gross income for such year is less than $5,000 and who has elected for such year to pay the tax imposed by this section a tax determined under tables prescribed by the Secretary or his delegate. The tables prescribed under this subsection shall provide for amounts of tax in the various adjusted gross income brackets approximately equal to the amounts which would be determined under section 1 if the taxable income were computed by taking either the 14-percent standard deduction or the minimum standard deduction."

(2) Section 3(b) is amended by inserting after "December 31, 1964" each place it appears ", and before January 1, 1969".

(3) Section 4(a) is amended by striking out "the tables in section 3" and inserting in lieu thereof "the tables prescribed under section 3".

(4) Paragraphs (2) and (3) of section 4(c) are amended to read as follows:

"(2) Except as otherwise provided in this subsection, in the case of a husband or wife filing a separate return the tax imposed by section 3 shall be the lesser of the tax shown in the table prescribed under such section which uses the 14-percent standard deduction or in the table which uses the minimum standard deduction.

"(3) The table prescribed under section 3 which uses the minimum standard deduction shall not apply in the case of a husband or wife filing a separate return if the tax of the other spouse is determined with regard to the 14-percent standard deduction, except that an individual described in section 141(d)(2) may elect (under regulations prescribed by the Secretary or his delegate) to pay the tax shown in such table in lieu of the tax shown in the table which uses the 14-percent standard deduction. For purposes of this title, an election made under the preceding sentence shall be treated as an election made under section 141(d)(2)."

(5) Section 4(f)(4) is amended to read as follows:

"(4) For nonapplicability of the table prescribed under section 3 which uses the minimum standard deduction in the case of a married individual filing a separate return who does not compute the tax, see section 6014(a)."

(6) The last sentence of section 6014(a) is amended to read as follows: "In the case of a married individual filing a separate return and electing the benefits of this subsection, the table prescribed under section 3 which uses the minimum standard deduction shall not apply."

(d) Withholding of Tax at Source.—(1) Section 3402(b)(1) (relating to percentage method of withholding income tax at source) is amended by striking out the table therein and inserting in lieu thereof the following:

"Percentage Method Withholding Table

"Payroll period:	*Amount of one withholding exemption*
Weekly	$21.20
Biweekly	42.30
Semimonthly	45.80
Monthly	91.70
Quarterly	275.00
Semiannual	550.00
Annual	1,100.00
Daily or miscellaneous (per day of such period)	3.00"

(2) So much of paragraph (1) of section 3402(c) (relating to wage bracket withholding) as precedes the first table in such paragraph is amended to read as follows:

"(1)(A) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee on or after the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with tables prescribed by the Secretary or his delegate, which shall be in lieu of the tax required to be deducted and withheld under subsection (a). The tables prescribed under this subparagraph shall correspond in form to the wage bracket withholding tables in subparagraph (B) and shall provide for amounts of tax in the various wage brackets approximately equal to the amounts which would be determined if the deductions were made under subsection (a).

"(B) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee before the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a):".

(e) EFFECTIVE DATES.—The amendments made by subsections (a), (b), and (c) shall apply to taxable years beginning after December 31, 1968. The amendments made by subsection (d) shall apply with respect to remuneration paid on or after the 30th day after the date of the enactment of this Act.

SEC. 4. TERMINATION OF PREFERENTIAL TREATMENT FOR CERTAIN STOCK OPTIONS.

(a) QUALIFIED STOCK OPTIONS.—Section 422(b) (relating to definition of qualified stock options) is amended by inserting after "after December 31, 1963" the following: ", and before the date of the enactment of the Tax Reform Act of 1969".

(b) RESTRICTED STOCK OPTIONS.—Section 424 (relating to restricted stock options) is amended—

(1) by inserting after "after December 31, 1963" in subsection (b)", and before the date of the enactment of the Tax Reform Act of 1969"; and

(2) by inserting after "after December 31, 1963," in subsection (c)(3) "and before the date of the enactment of the Tax Reform Act of 1969,".

SEC. 5. EXTENSION OF TIME FOR PAYMENT OF ESTATE TAX WHERE ESTATE CONSISTS LARGELY OF INTEREST IN CLOSELY HELD BUSINESS.

(a) AMENDMENTS TO SECTION 6166.—

(1) LIBERALIZATION OF QUALIFICATION REQUIREMENTS.—The first sentence of section 6166(a) (relating to extension of time for payment of estate tax in certain cases) is amended to read as follows: "If the value of an interest in a closely held business which is included in determining the gross estate of a decedent who was (at the date of his death) a citizen or resident of the United States exceeds 25 percent of the taxable estate of such decedent, the executor may elect to pay part or all of the tax imposed by section 2001 in 5 or more (but not exceeding 40) equal quarterly installments."

(2) CLOSELY HELD BUSINESS.—Section 6166(c) (relating to definition of closely held business) is amended by striking out paragraphs (2) and (3) and inserting in lieu thereof the following:

"(2) an interest as a partner in a partnership carrying on a trade or business, if such partnership had 15 or less partners, and

"(3) stock in a corporation carrying on a trade or business, if such corporation had 15 or less shareholders."

(3) DATE FOR PAYMENTS.—Section 6166(e) (relating to date for payment of installments) is amended by striking out "one year" and inserting in lieu thereof "one calendar quarter".

(b) SUBSTITUTION OF OTHER SECURITY FOR BONDS.—

(1) IN GENERAL.—Section 6165 (relating to requirement of bonds) is amended to read as follows:

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"SEC. 6165. **BONDS OR OTHER SECURITY WHERE TIME TO PAY TAX OR DEFICIENCY HAS BEEN EXTENDED.**

"(a) BONDS.—In the event the Secretary or his delegate grants any extension of time within which to pay any tax or deficiency therein, the Secretary or his delegate may require the taxpayer to furnish a bond conditioned upon the payment of the amount extended in accordance with the terms of such extension. The amount of any such bond shall not exceed the amount extended plus any anticipated additions thereto (including interest).

"(b) OTHER SECURITY.—The Secretary or his delegate is authorized to accept other security, in lieu of a bond, in fulfillment of the requirement of subsection (a). Such other security shall be in such form and shall be accepted under such written agreements and with such amounts of collateral as the Secretary or his delegate may prescribe by regulations. Subject to such regulations, in the case of an extension of time under section 6166, the interest of a decedent in a closely held business to which such section applies shall constitute adequate collateral for payment of the amount extended under such section.

"(c) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section."

(2) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 62 is amended by inserting "or other security" after "bonds" in the item relating to section 6165.

(c) DISCHARGE OF EXECUTOR FROM PERSONAL LIABILITY.—

(1) CONDITIONS FOR DISCHARGE.—The last sentence of section 2204 (relating to discharge of executor from personal liability) is amended to read as follows: "The executor shall be discharged from personal liability for any deficiency in tax thereafter found to be due and shall be entitled to a receipt or writing showing such discharge if—

"(1) the amount of which he has been notified has been paid, or

"(2) an extension of time for payment of such amount (or any unpaid portion thereof) has been granted by the Secretary or his delegate and a bond or other security has been given under section 6165 for payment of the amount for which an extension of time has been granted."

(2) TIME OF DISCHARGE.—The first sentence of section 2204 is amended by striking out "1 year" each place it appears therein and inserting in lieu thereof "18 months".

S. 2097—INTRODUCTION OF A BILL FUNDING THE FEDERAL FIELD COMMITTEE FOR DEVELOPMENT PLANNING IN ALASKA

Mr. GRAVEL. Mr. President, I introduce today, for appropriate reference, a bill to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965, as amended.

This bill would place the Federal Field Committee on the par with the five regional development commissions, but of course does not call for similar funding. The Field Committee has played a dynamic and useful role in Alaska. It has done a remarkable job.

Mr. President, I am confident that with augmented funding, the Field Committee can develop much-needed facilities in Alaska, especially in the areas of unemployment and training. We are in grave need of skill centers to train and retrain many Alaskans who are in sore need of a helping hand from the Federal Government.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2097) to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965 as amended, introduced by Mr. GRAVEL, was received, read twice by its title, and referred to the Committee on Public Works.

S. 2099—INTRODUCTION OF A BILL TO REQUIRE LABELING OF CERTAIN PACKAGES TRANSPORTED IN INTERSTATE COMMERCE CONTAINING ALLIGATOR HIDES OR PRODUCTS MADE THEREFROM

Mr. METCALF. Mr. President, according to an Interior Department press release of March 9, Secretary Hickel was "declaring war" on the poachers who are slaughtering alligators in the Everglades National Park in Florida.

He announced that he was assigning 10 additional park rangers to the Everglades "to work exclusively on law enforcement," and that the "drive against poaching will cost approximately $100,000 this year."

I, too, am concerned about the possibility of the alligator becoming extinct. But I do not think the way to stop poaching is to pull 10 rangers out of other parks, where they are also needed, and toss them into a trackless swamp, where approximately five men of the park's 20-man staff were working in the back country. I doubt that 15 men will be able to do the job. I will reserve my comment on progress by press release—in which the words "declaring war" are used to describe assigning 10 men to a task of such magnitude.

It seems to me the way to stop poaching would be to cut the poachers off at the billfold—instead of the taxpayers, who will pay the bill, and the parks, already overburdened because of the tremendous increase in visitors.

I doubt that we will ever be able to stop an individual from killing an alligator to make his wife a handbag or a pair of shoes. But the greater part of the poaching will end when it is no longer profitable—just as many years ago we ended the slaughter of birds for plumage for ladies' hats.

I want to help Secretary Hickel end the slaughter of alligators. As a start I propose to require that alligator hides or products made therefrom, shipped in interstate commerce, be accompanied by a certification from the appropriate official in the State where the alligators were taken that the alligators were not taken in violation of State law. This would help States to enforce the laws against poachers and give us an idea of how many alligators were taken in States where they are poached.

I offer that bill for introduction and ask that it be printed at this point in the RECORD, together with the Interior Department press release referred to previously.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2099) to require labeling of certain packages transported in interstate commerce containing alligator hides or products made therefrom, introduced by Mr. METCALF, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2099

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 3 of title 18 of the United States Code is amended by adding immediately after section 44 thereof the following new section:

"§ **44A.** Labeling packages containing alligator hides

"Whoever ships, transports, carries, brings or conveys in interstate commerce any package containing any hides of alligators without plainly marking, labeling, or tagging such package with the names and addresses of the shipper and consignee, the contents by number and kind, the State wherein the alligators, from which such hides were taken, were killed, trapped, or otherwise captured, and a certified statement signed by the head of the agency within such State having jurisdiction over wildlife therein to the effect that the alligators, from which such hides so shipped, transported, carried, brought, or conveyed were taken, were not killed, trapped, or otherwise captured in violation of any law of that State; or

"Whoever ships transports, carries, brings, or conveys in interstate commerce any package containing any product manufactured, made, or processed, in whole or in part, from the hides of alligators without plainly marking, labeling, or tagging such package with the names and addresses of the shipper and consignee, the contents by number and kind, the State where the alligators, from which such hides so used in manufacturing, making or processing such product were taken, were killed, trapped, or otherwise captured, and a certified statement signed by the head of the agency within such State having jurisdiction over wildlife therein to the effect that the alligators, from which such hides so used were taken, were not killed, trapped, or otherwise captured in violation of any law of that State—

"Shall be fined not more than $1,000 or imprisoned for not more than six months, or both; and such hides or products shall be forfeited.".

(b) The analysis to chapter 3 of title 18, United States Code, is amended by adding immediately after "44. Marking packages or containers." the following new item: "44A. Labeling packages containing alligator hides."

The material, presented by Mr. METCALF, follows:

[From a Department of the Interior News Release]

INTERIOR SECRETARY HICKEL OPENS DRIVE AGAINST ALLIGATOR POACHERS

Secretary of the Interior Walter J. Hickel today announced that he was opening an immediate drive to end the slaughter of alligators in the Everglades National Park in Florida.

The Secretary will fly to the Everglades on Thursday, March 13, to investigate the situation first-hand.

"The danger of extinction of the alligator is so critical that I am assigning 10 additional Park Rangers to the Everglades to work exclusively on law enforcement," Secretary Hickel said. "We're declaring war on the poachers."

The Secretary also announced that the Department of Justice has agreed to prosecute poachers to the fullest extent possible under the law and to provide whatever additional legal support is necessary.

"Senator Edward Gurney and Representatives William Cramer, J. Herbert Burke and Louis Frey, Jr., of Florida have expressed their deep concern," the Secretary said. "They have made recommendations which I am including in this action."

In addition to increasing the number of Rangers assigned to Everglades Park, the National Park Service has begun recruiting long-time residents of the area to be trained as a "Conservation Posse" to reinforce the Rangers.

"We are looking for men who know the 'Glades like they know themselves," the Secretary said, "We want men who have lived in the swamps, who love wildlife, and who will dedicate themselves to preserving the alligator."

The reassignment of Rangers and transfer from other National Parks has begun. Four Rangers in Everglades Park are being relieved of all other duties and assigned specifically to alligator protection. Their former duties will be handled by personnel transferred from Shenandoah National Park, Blue Ridge Parkway and the Great Smoky Mountain National Park.

Three former Everglades Rangers are being returned from Cape Hatteras National Seashore, Natchez Trace Parkway, and Vicksburg National Military Park.

"A million alligators once abounded in the Park, and now only about 20,000 remain," Secretary Hickel revealed. "Because of the limited manpower and equipment available to the National Park Service, poachers have been able to butcher the alligators by the thousands and sell the illicit hides at fancy prices.

"Bills now pending before Congress will help end this slaughter by prohibiting interstate commerce in alligators and their hides, and of course we are pushing their enactment."

Current penalties for poaching and for other violations related to the killing of alligators can result in fines up to $10,000 and imprisonment up to 10 years, or both.

Secretary Hickel said the drive against poaching will cost approximately $100,000 this year.

"I want to point out that this money will have to come out of other essential activities throughout the National Park system," the Secretary said.

"Lack of funds already is causing a deep cut in Park services throughout the country, and this additional drain will hurt badly. But our nation will be hurt even more if we do not act now to save irreplaceable wildlife."

The campaign in the Everglades will be directed by Park Superintendent John Raftery.

S. 2103—INTRODUCTION OF A BILL TO ELIMINATE THE DEPLETION ALLOWANCE FOR OVERSEAS OIL AND GAS WELLS

Mr. MUSKIE. Mr. President, on behalf of myself and 13 other Members, I introduce, for appropriate reference, a bill (S. 2103) to amend the Internal Revenue Code of 1954 to deny the use of percentage depletion for oil and gas wells located outside of the United States. The present law exempts from taxation 27½ percent of gross income for oil- and gas-producing properties, up to 50 percent of net income.

The amendment would apply to taxable years beginning after the date of enactment of this act.

Percentage depletion was first adopted in the law in 1926 as a substitute for depletion based on "discovery value." Discovery value depletion had been in effect since 1918 as an incentive to find new oil supplies that we needed in World War I. This provision allowed a depletion deduction based on the value of oil and gas in the ground at the time of discovery. This proved difficult to administer because of the endless controversies between the oil companies and the Government over the value of the gas and oil in the ground. To avoid these controversies, and to simplify administration, Congress, in 1926, adopted the depletion allowance as we now know it.

In 1959, after 2 years of attempting to operate a voluntary oil import control program, President Eisenhower enacted the mandatory oil import quota program. That program prohibits the shipment of foreign oil into the United States, unless a special quota for the oil has been granted by the U.S. Department of the Interior. The total amount of oil allowed to enter the United States is approximately 761,000 barrels a day, representing 12.2 percent of the projected U.S. domestic production.

It is ironic that we are allowing a 27½-percent tax exemption for the exploration and production of oil in foreign countries, while at the same time we have regulations that prohibit the importation of foreign oil into the United States.

The amendment we are offering today would restrict the depletion allowance to domestic exploration, which is the basis on which it was originally established. We believe it can contribute to the development of a more rational national petroleum policy.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2103) to amend the Internal Revenue Code of 1954 to deny the use of percentage depletion for oil and gas wells located outside the United States, introduced by Mr. MUSKIE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2103

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 613(b)(1) of the Internal Revenue Code of 1954 (relating to percentage depletion rate for oil and gas wells) is amended by inserting "in the United States" after "wells".

(b) The amendment made by subsection (a) small apply to taxable years beginning after the date of the enactment of this Act.

S. 2107—INTRODUCTION OF THE MEDICAL DEVICE SAFETY ACT OF 1969

Mr. NELSON. Mr. President, today I am introducing the Medical Device Safety Act of 1969 to assure the safety, effectiveness, and reliability of equipment and devices used in the treatment and diagnosis of diseases.

It is indeed appalling that the thousands of therapeutic and diagnostic devices presently on the market have not been pretested for safety or reliability.

No one should be exposed to possible electrocution, unwarranted infection, or permanent disability by faulty manufactured or poorly designed medical devices.

Hospital and medical equipment should be required to meet minimum safety standards just as drugs presently must do. It is appalling that thousands of therapeutic and diagnostic devices currently on the market have not been pretested for safety or reliability.

This legislation would authorize the Secretary of Health, Education, and Welfare to establish safety standards for medical devices, require premarket clearance for certain medical devices and create an advisory council on medical devices.

Presently the Federal Government can take action against faulty or dangerous medical equipment only after they have been used and proven to be unsafe. Establishing that a device is unsafe and being in a position to prove this in court can be a long, tedious, and costly procedure. Usually, it is only after several serious injuries have occurred.

In the absence of any legal requirement to report injuries and in view of a practitioner's or manufacturer's desire not to be exposed to liability, it is difficult to ascertain the number of injuries which occur from the use of medical devices. Some indication might be perceived from a statement before the National Product Safety Commission indicating that about 1,200 hospital patients are electrocuted each year while receiving routine treatment.

These cases have been traced to a variety of problems from the malfunction of equipment, such as electrocardiograms, to ungrounded heating pads and hospital bed controls.

I ask unanimous consent that a February 20, 1969, article in the Washington Post concerning this testimony be inserted in the RECORD following my statement.

The problem of unsafe devices exists not only with complex electronic equipment but also with simple items, such as bone pins, nails, screws, and plates. In numerous cases, these simple devices which are often not made from inert materials have reacted with body chemicals and rusted.

They had to be removed after insertion, posing an additional hazard to the patient.

Of course, there are legitimate uses for many, many devices and great advances have been made in developing equipment to utilize the newer knowledge of modern science in helping to provide better health service such as the artificial kidney machine. But the miracles of bona fide scientific medical instruments must be controlled when such products are built for the commercial market and care must be taken to insure that quacks do not develop fake machines or gadgets based on the concept of a new scientific accomplishment.

There are certain instruments which might fall within the definition of "device" which are not significant from the point of view of requiring premarketing

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clearance. Examples of such items would be tongue depressors, surgical instruments such as scalpels, first-aid dressings, and so forth. The bill I am proposing will not require preclearance for such common items.

However, those devices for which premarketing clearances are deemed necessary will be subjected to premarketing testing, including controlled clinical testing, for safety and effectiveness.

The results of this testing will have to be submitted, along with other relevant data, to the Secretary of Health, Education, and Welfare for review. If the Secretary agrees that the data submitted proves, by substantial evidence, the safety, effectiveness, and reliability of the device, the application will be approved and the device can then be marketed in interstate commerce. However, if the data submitted are inconclusive or fail to establish either safety or effectiveness, then the application will be denied. The sponsor can appeal the decision of denial and request a hearing on the matter.

Standards would be established, in consultation with the many standard-setting organizations now in existence, in lieu of preclearance for devices amenable to minimum standards.

The bill will also require quality manufacturing controls and require manufacturers to maintain and make available information received by the manufacturer or distributor concerning the safety and effectiveness of its devices. Withdrawal of the Secretary's approval of the device application will be permitted where doubt as to a device's safety or effectiveness arises. I ask unanimous consent that a brief section-by-section analysis and the text of the bill also be inserted in the RECORD after my remarks. In short, the proposed legislation would improve public health protection by extending to devices the same medical and scientific safeguards that Congress applied to drugs in 1938 and 1962.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, the section-by-section analysis, and the article will be printed in the RECORD.

The bill (S. 2107) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, reliability, and effectiveness of medical devices, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2107

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Medical Device Safety Act of 1969".

TITLE I—AUTHORITY TO ESTABLISH STANDARDS

SEC. 101. Chapter V of the Federal Food, Drug, and Cosmetic Act as amended by this Act, is amended by adding at the end thereof the following new section:

"STANDARDS FOR MEDICAL DEVICES

"Authority to set standards

"SEC. 513. (a) Whenever in the judgment of the Secretary such action will protect the public health and safety, he may by regulation establish for any device (including any type or class of device), a reasonable standard relating to the composition, the properties, the identification or the performance (including compatibility with power systems and connections) of the device or devices involved (or relating to two or more of such factors).

"Weight given other standards—Consultation with interested groups

"(b) In the development and consideration of proposals for the issuance of standards under this section, and in particular prior to the commencement of formal proceedings on his own initiative pursuant to subsection (c), the Secretary shall to the optimum extent consult with, and give appropriate weight to relevant standards published by, other Federal agencies concerned with standard setting or other nationally or internationally recognized standard-setting agencies or organizations, and invite appropriate participation, through joint or other conferences, workshops, or other means, by informed persons representative of scientific, professional, industry, and consumer organizations that in his judgment can make a significant contribution to such development.

"Procedure for issuance, amendment, or repeal of standards

"(c) The provisions of section 701 (e), (f), and (g) of this Act shall, subject to the provisions of subsection (d) of this section, apply to and in all respects govern proceedings for the issuance, amendment, or repeal of regulations under subsection (a) of this section (including judicial review of the Secretary's action in such proceedings). The Secretary may suspend the running of any applicable time limit under section 701 (e) pending receipt of the report of an advisory committee under subsection (d) of this section and consideration of the committee's report by the Secretary.

"Referral to independent advisory committee

"(d) (1) In any proceeding for the issuance, amendment, or repeal of a regulation establishing a standard under this section, whether commenced by a proposal of the Secretary on his own initiative or by a proposal contained in a petition, the petitioner, or any other person who will be adversely affected by such proposal or by the Secretary's order issued in accordance with paragraph (1) of section 701(e) if placed in effect, may request, within the time specified in this subsection, that the petition or order thereon, or the Secretary's proposal, be referred to an advisory committee of experts for a report and recommendations with respect to any matter involved in such proposal or order that requires the exercise of scientific judgment. Upon such request, or if the Secretary on his own initiative deems such a referral necessary, the Secretary shall appoint such an advisory committee and shall refer to it, together with all the data before him, the matter so involved for study thereof, and for a report and recommendations thereon in accordance with the applicable provisions of paragraph (5) (C) (ii) of subsection (b), and subject to paragraph (2) of subsection (d), of section 706. A person who has filed a petition or who has requested the referral of a matter to an advisory committee pursuant to this subsection, as well as representatives of the Department, shall have the right to consult with such advisory committee in connection with the matter referred to it. The request for referral under this subsection, or the Secretary's referral on his own initiative, may be made at any time before, or within thirty days after, publication of an order of the Secretary acting upon the petition or proposal.

"(2) The appointment, compensation, staffing, and procedure of such committees shall be in accordance with subsection (b) (5) (D) of section 706.

"(3) Where such a matter is referred to an expert advisory committee upon request of an interested person, the Secretary may, pursuant to regulations, require such person to pay fees to pay the costs, to the Department, arising by reason of such referral. Such fees, including advance deposits to cover such fees, shall be available, until expended, for paying (directly or by way of reimbursement of the applicable appropriations) the expenses of advisory committees under this subsection and other expenses arising by reason of referrals to such committees and for refunds in accordance with such regulations."

CONFORMING AMENDMENTS

SEC. 102. Section 501 of such Act (21 U.S.C. 351) is amended by adding at the end thereof the following new paragraph:

"(e) If it is, or purports to be or is represented as, a device of a type or class with respect to which, or with respect to any component, part, or accessory of which, a standard established under section 513 is in effect, unless such device, or such component, part, or accessory, is in all respects in conformity with such standard."

TITLE II—PREMARKET CLEARANCE OF CERTAIN MEDICAL DEVICES

SEC. 201. (a) Section 501 of such Act, as amended by section 102 of this Act, is further amended by adding at the end thereof the following new paragraph:

"(f) If (1) it is a device, and (2) such device, or any component, part or accessory thereof, is deemed unsafe, unreliable, or ineffective within the meaning of section 514 with respect to its use or intended use."

(b) Chapter V of such Act, as amended by section 101 of this Act, is further amended by adding at the end thereof a new section as follows:

"PREMARKET CLEARANCE FOR CERTAIN MEDICAL DEVICES

"When premarket clearance is required

"SEC. 514. (a) A device shall, with respect to any particular use or intended use thereof, be deemed unsafe, unreliable, or ineffective for the purpose of the application of section 501(f) if—

"(1) its composition, construction, or properties are such that such device is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety, reliability, and effectiveness of such device, to be safe, reliable, and effective for use under the conditions prescribed, recommended, or suggested in the labeling thereof; and

"(2) such device (A) is intended to be secured or otherwise placed, in whole or in part, within the human body or into a body cavity, or directly in contact with mucous membrane, and is intended to be left in the body or such cavity, or in such direct contact, permanently, indefinitely, or for a substantial period or periods (as determined in accordance with regulations issued after notice and opportunity to present views), or (B) is intended to be used for subjecting the human body to ionizing radition, electromagnetic, electric, or magnetic energy (including, but not limited to, diathermy, laser, defibrillator, and electroshock instrumentation), or heat, cold, or physical or ultrasonic energy, or is intended for physical or radio or electronic or electric communication in either direction with any part of the human body or with a device placed within or connected with the human body, or (C) is a device which the Secretary, by special order made on the basis of a finding (for reasons stated in the order) that there is probable cause to believe that the device is not effective for its use or intended use, or that it is not safe for use or not reliable, under the conditions prescribed, recommended, or suggested in its labeling, has declared to be subject to the requirements of this subsection with respect to such use or intended use,

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unless either—

“(3) an application with respect to such device has been filed pursuant to subsection (b) and there is in effect an approval of such application by the Secretary under this section,

“(4) such device is exempted by or pursuant to subsection (j), (k), or (l) of this section, or

“(5) such device is intended solely (A) for use in the cure, mitigation, treatment, or prevention of disease in animals other than man or (B) to affect the structure or any function of the body of such animals.

The Secretary shall, by regulation issued or amended from time to time under the authority of this sentence, insofar as practicable promulgate and keep current a list or lists of devices, and of the particular uses (or conditions of use) thereof, which he finds are generally recognized, among experts qualified by scientific training and experience to evaluate the safety, reliability, and effectiveness of such devices, to be safe, reliable, and effective for use (under the conditions, if any, referred to in such list or lists), and the inclusion, while in effect, of a device in such a list shall, in any proceeding under this Act, be conclusive evidence against the United States of the facts stated in that list with respect to such device.

“Application for clearance

“(b) Any person may file with the Secretary an application for determination by the Secretary of the safety, reliability, and effectiveness of any device to which paragraphs (1) and (2) of subsection (a) apply. Such persons shall submit to the Secretary as a part of the application (1) full reports of all information, published, or otherwise available to the applicant, concerning investigations which have been made to show whether or not such device is safe, reliable, and effective for use; (2) a full statement of the composition, properties, and construction, and of the principle or principles of operation, of such device; (3) a full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and, when relevant, packing and installation of such device; (4) an identifying reference to any standard, applicable to such device, which is in effect pursuant to section 513, and adequate information to show that such device fully meets such standard; (5) such samples of such device and of the articles used as components thereof as the Secretary may require; (6) specimens of the labeling proposed to be used for such device; and (7) such other information, relevant to the subject matter of the application, as the Secretary may require.

“Time for initial consideration of application

“(c) Within 180 days after the filing of an application under subsection (b), or such additional period as may be agreed upon by the Secretary and the applicant, the Secretary shall either—

“(1) approve the application if he then finds that none of the grounds for denying approval specified in subsection (d) applies, or

“(2) give the applicant notice of an opportunity for a hearing before the Secretary to be held under subsection (d) on the question whether such application is approvable.

The Secretary may suspend the running of the applicable time limt under this subsection pending receipt of the report of an advisory committee under subsection (h) and the period allowed to the Secretary for consideration of the report thereafter.

“Bases for approval or disapproval; opportunity for hearing

“(d) (1) If, upon the basis of the information submitted to the Secretary as part of the application and any other information before him with respect to such device, the Secretary finds, after due notice to the applicant and opportunity for a hearing to the applicant, that—

“(A) such device is not shown to be safe and reliable for use under the conditions prescribed, recommended, or suggested in the proposed labeling thereof;

“(B) the methods used in, and the facilities and controls used for, the manufacture, processing, and packing and installation of such device do not conform to the requirements of section 501(g);

“(C) there is a lack of substantial evidence that the device will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the proposed labeling thereof; or

“(D) based on a fair evaluation on all material facts, such labeling is false or misleading in any particular;

he shall issue an order denying approval of the application. If, after such notice and opportunity for hearing, the Secretary finds that clauses (A) through (D) of this subsection do not apply, he shall issue an order approving the application.

“(2) As used in this subsection and subsection (e), the term ‘substantial evidence’ means evidence consisting of adequate and well-controlled investigations, including clinical investigations, by experts qualified by scientific training and experience to evaluate the effectiveness of the device involved, on the basis of which it could fairly and responsibly be concluded by such experts that the device will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling or proposed labeling thereof.

“(3) For the purposes of this section, when a device is intended for use by a physician, surgeon, or other person licensed or otherwise specially qualified therefor, its safety, reliability, and effectiveness shall be determined in the light of such intended use.

“Withdrawal of approval

“(e) (1) The Secretary may, after due notice and opportunity for hearing to the applicant, issue an order withdrawing approval of an application with respect to a device under this section if the Secretary finds—

“(A) (i) that clinical or other experience, tests, or other scientific data show that such device is unsafe or unreliable for use under the conditions of use upon the basis of which the application was approved; or (ii) on the basis of evidence of clinical experience, not contained in such application or not available to the Secretary until after the application was approved, or of tests by new methods or by methods not reasonably applicable when the application was approved, evaluated together with the evidence available to the Secretary when the application was approved, that such device is not then shown to be safe or reliable for use under the conditions of use on the basis of which the application was approved;

“(B) on the basis of new information before him with respect to such device, evaluated together with the evidence to him when the application was approved, that there is a lack of substantial evidence that the device will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof;

“(C) that the application filed pursuant to subsection (b) contains an untrue statement of a material fact;

“(D) that the applicant has failed to establish a system for maintaining required records, or has repeatedly or deliberately failed to maintain such records, or to make required reports, in accordance with an applicable regulation or order under subsection (a) of section 515, or that the applicant has refused to permit access to, or copying or verification of, such records as required by paragraph (2) of such subsection;

“(E) on the basis of new information before him, evaluated together with the evidence before him when the application was approved, that the methods used in, or the facilities and controls used for, the manufacture, processing, and packing and installation of such device do not conform to the requirements of section 501(g) and were not brought into conformity with such requirements within a reasonable time after receipt of written notice from the Secretary specifying the matter complained of; or

“(F) that on the basis of new information before him, evaluated together with the evidence before him when the application was approved, the labeling of such device, based on a fair evaluation of all material facts, is false or misleading in any particular and was not corrected within a reasonable time after receipt of written notice from the Secretary specifying the matter complained of.

“(2) If the Secretary (or in his absence the officer acting as Secretary) finds that an imminent health or safety hazard is involved, he may suspend the approval of such application immediately, and give the applicant prompt notice of his action and afford the applicant the opportunity for an expedited hearing under this subsection; but the authority conferred by this paragraph to suspend the approval of an application shall not be delegated.

“(3) Any order under this subsection shall state the findings upon which it is based.

“Authority to revoke adverse orders

“(f) Whenever the Secretary finds that the facts so require, he shall revoke any previous order under subsection (d) or (e) denying, withdrawing, or suspending approval of an application and shall approve such application or reinstate such approval, as may be appropriate.

“Service of Secretary's orders

“(g) Orders of the Secretary under this section shall be served (1) in person by any officer or employee of the Department designated by the Secretary or (2) by mailing the order by registered mail or certified mail addressed to the applicant at his last-known address in the records of the Secretary.

“Referral to Independent Advisory Committee

“(h) (1) In the application filed by the applicant under subsection (b), or at any time prior to the expiration of the time for action by the Secretary under clause (1) or (2) of subsection (c), or within such reasonable period after notice of opportunity for a hearing to be held under subsection (d) or (e) as may be specified by the Secretary in such notice, the applicant may request that such application or the Secretary's action thereon, or the matter or matters with respect to which notice of opportunity for hearing is given, be referred to an advisory committee of experts for a report and recommendations with respect to any question therein involved that requires the exercise of scientific judgment. Upon such request, or if the Secretary on his own initiative deems such a referral necessary, the Secretary shall appoint an advisory committee and shall refer to it, together with all the data before him, the question so involved for study thereof, and for a report and recommendations thereon, in accordance with the applicable provisions of paragraph (5) (C) (ii) of subsection (b), and subject to paragraph (2) of subsection (d) of section 706. The applicant, as well as representatives of the Department, shall have the right to consult with such advisory committee in connection with the question referred to it.

“(2) The appointment, compensation, staffing, and procedure of such advisory committee shall be in accordance with subsection (b) (5) (D) of section 706.

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"(3) Paragraph (3) of section 513(d) shall also apply in the case of a referral to an advisory committee under this subsection.

"Judicial review

"(i) The applicant may, by appeal, obtain judicial review of a final order of the Secretary denying, or withdrawing approval of, an application filed under subsection (b) of this section. The provisions of subsection (h) of section 505 of this Act shall govern any such appeal.

"Exemption for investigational use

"(j)(1) It is the purpose of this subsection to encourage, to the maximum extent consistent with the protection of the public health and safety and with professional ethics, the discovery and development of useful devices and to that end to maintain optimum freedom for individual scientific investigators in their pursuit of that objective.

"(2) Subject to the provisions of paragraph (3), there shall be exempt from the requirement of approval of an application under the foregoing provisions of this section any device which is intended solely for investigational use (in a hospital, laboratory, clinic, or other appropriate scientific environment) by an expert or experts qualified by scientific training and experience to investigate the safety, reliability, and effectiveness of such device.

"(3)(A) The Secretary shall promulgate regulations relating to the application of the exemption referred to in paragraph (2) to any device that is intended for use in the clinical testing thereof upon humans by separate groups of investigators under essentially the same protocol, in developing data required to support an application under subsection (b).

"(B) Such regulations may provide for conditioning the exemption, in the case of investigations intended for such use, upon—

"(i) the submission to the Secretary, by the manufacturer of the device or the sponsor of the investigation, of an adequate plan for the investigation, together with a report of prior investigations of the device (including, where appropriate, tests on animals) adequate to justify the proposed investigation;

"(ii) the obtaining, by manufacturer, or the sponsor of the investigation, of a device to be distributed to investigators for such testing by a signed agreement from each of such investigators that humans upon whom the device is to be used will be under his personal supervision or under the supervision of investigators responsible to him;

"(iii) the establishment and maintenance of such records, and the making of such reports to the Secretary, by the manufacturer of the device or the sponsor of the investigation, of data (including but not limited to analytical reports by investigators) obtained as a result of such investigational use of the device, as the Secretary finds will enable him to evaluate the safety, reliability, and effectiveness of the device in the event of the filing of an application pursuant to subsection (b), but nothing in this clause or in this subsection shall be construed to require any clinical investigator to submit directly to the Secretary reports on the investigational use of devices; and

"(iv) such other conditions relating to the protection of the public health and safety as the Secretary may determine to be necessary.

"(C) Such regulations shall also condition such exemption upon the manufacturer, or the sponsor of the investigation, of the device requiring that investigators using the device for the purpose described in subparagraph (A) certify to such manufacturer or sponsor that they—

"(i) will inform individuals upon whom such device or any controls in connection therewith are used, or the representatives of such individuals, that the device is being used for investigational purposes, and

"(ii) will obtain the consent of such individuals or representatives, except where they deem it not feasible or, in their professional judgment, contrary to the best interest of such individuals.

"(D) Such regulations shall provide—

"(i) that whenever the Secretary determines that a device is being or has been shipped or delivered for shipment in interstate commerce for investigational testing upon humans as described in subparagraph (A) of this paragraph, and that such device is subject to the foregoing subsections of this section and fails to meet the conditions for exemption for investigational use of the device, he shall notify the sponsor of the Secretary's determination and the reasons therefor and that the exemption will not apply with respect to such investigational use until such failure is corrected, and

"(ii) that in determining whether subparagraph (A) of this paragraph (3) is applicable and, if so, in determining compliance with the conditions of exemption, including the adequacy of the plan of investigation submitted to the Secretary, or upon application for reconsideration of his determination with respect to any such matter, the Secretary shall, if so requested by the sponsor of the investigation, or may on his own initiative, obtain the advice of an appropriate expert or experts who are not otherwise, except as consultants, engaged in the carrying out of this Act.

"Exemptions for devices complying with or in anticipation of standards, custom-made prescription devices, and devices made to specifications of licensed practitioners for use in their practice

"(k) In addition to the device exempted by subsection (j) the Secretary, shall, by or pursuant to regulation, exempt the following devices, with respect to any particular use or intended use thereof, from the requirement of approval under this section:

"(1) Any device which, with respect to such use, fully conforms to an applicable standard in effect pursuant to section 513, or pursuant to section 358 of the Public Health Service Act, to the extent that the Secretary finds that the standard provides assurance that the device will be safe, reliable, and effective for such use.

"(2) Any device of a type or class with respect to which there is in effect a notice by the Secretary, published in the Federal Register, that in his judgment the establishment, within a reasonable time, of a standard (issued under authority referred to in paragraph (1)) that would adequately meet the requirements of public health and safety wtih respect to such use of the device (without subjecting such device to the requirement of approval under the foregoing subsection of this section) appears to be feasible; that he intends to propose the establishment of such a standard; and that the nonapplication of the foregoing subsections of this section to such type or class of device with respect to such use pending the establishment of such standard would involve no undue risk from the standpoint of the protection of the public health and safety.

"(3) Any device made to the lawful order, and in accordance wtih specifications, of a practitioner licensed by law to use or prescribe the use of the device if—

"(A) a device meeting such specifications (i) is not generally available in finished form for purchase or for dispensing upon prescription, and (ii) is not, whether in finished form or otherwise, stocked or offered through a catalog or advertising or other commercial channels by the maker or processor thereof; and either

"(B)(i) such device is intended for the use of a patient, named in such order, of such practitioner, or (ii) such device is intended solely for use by such practitioner, or by persons under his professional supervision, in the course of his professional practice.

"Other exemptions

"(1)(1) The Secretary shall also by regulation exempt from the requirements imposed by or pursuant to the provisions of this section preceding subsection (j), or from one or more of such requirements, devices licensed by the Atomic Energy Commission under the Atomic Energy Act of 1954 to the extent he finds it to be appropriate to avoid duplication of regulatory controls or procedures and to be consistent with the purposes of this Act.

"(2) The Secretary shall further, by or pursuant to regulation, exempt from such requirements, or from one of more of such requirements, devices with respect to which in his judgment the application of such requirements is not necessary for the protection of the public health, either because of the small number of devices involved, the negligible significance of the device from the standpoint of the protection of the public health and safety, or for other reasons."

PROHIBITED ACTS

SEC. 404. (a) Paragraph (e) of section 301 of such Act, is amended by striking out "or" before "512" and by inserting "or 514(j) or 515," after ", 512(j), (l), or (m),".

(b) Paragraph (j) of section 301 of such Act is amended by inserting "514," immediately after "512,".

(c) Paragraph (1) of such section 301 is amended (1) by inserting "or device" after the word "drug" each time it appears therein, and (2) by striking out "505," and inserting in lieu thereof "505 or 514, as the case may be,".

TITLE III—REQUIREMENT OF GOOD MANUFACTURING PRACTICE

SEC. 301. Section 501 of the Federal Food, Drug, and Cosmetic Act, as amended by sections 102 and 201 of this Act, is further amended by adding at the end thereof the following new paragraph:

"(g) If it is a device and the methods used in, or the facilities or controls used for, its manufacture, processing, packing, holding, or installation do not conform to, or are not operated or administered in conformity with, current good manufacturing practice to assure that such device is safe and reliable and has the properties and performance characteristics which it purports or is represented to possess and otherwise meets the requirements of this Act."

TITLE IV—RECORDS AND REPORTS; REGISTRATION OF ESTABLISHMENTS

SEC. 401. (a) Chapter V of the Federal Food, Drug, and Cosmetic Act is further amended by adding at the end thereof the following new section:

"RECORDS AND REPORTS ON DEVICE EFFECTS AND EXPERIENCE

"SEC. 515. (a)(1) Every person engaged in manufacturing or processing, or in distributing, a device that is subject to a standard in effect under section 513, or with respect to which there is in effect an approval of an application filed under section 514(b), shall establish and maintain such records, and make such reports to the Secretary, of data relating to clinical experience and other data or information, received or otherwise obtained by such person with respect to such device, and bearing on the safety, reliability, or effectiveness of such device, or on whether such device may be adulterated or misbranded, as the Secretary may by general regulation, or by special regulation or order applicable to such device, require. Regulations and orders prescribed under the authority of this subsection shall have due regard for the professional ethics of the medical profession and the interests of patients and shall provide, wherever the Secretary deems it appropriate, for the exami-

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nation, upon request, by the persons to whom such regulations or orders are applicable, of similar information received or otherwise obtained by the Secretary.

"(2) Every person required under this subsection to maintain records, and every person in charge or custody thereof, shall, upon request of an officer or employee designated by the Secretary, permit such officer or employee at all reasonable times to have access to and copy and verify such records.

"(b) Subsection (a) shall not apply to—

"(1) pharmacies which maintain establishments in conformance with any applicable local laws regulating the practice of pharmacy and medicine and which are regularly engaged in dispensing prescription drugs or devices, upon prescriptions of practitioners licensed to prescribe such drugs or devices, to patients under the care of such practitioners in the course of their professional practice, and which do not, either through a subsidiary or otherwise, manufacture or process drugs or devices for sale other than in the regular course of their business of dispensing or selling drugs or devices at retail;

"(2) practitioners licensed by law to prescribe or administer drugs and devices and who manufacture or process devices solely for use in the course of their professional practice;

"(3) persons who manufacture or process devices solely for use in research or teaching and not for sale;

"(4) any person, with respect to any device if,—

"(A) neither such device nor any of its components has been in interstate commerce, and

"(B) such device is not introduced or intended for introduction into interstate commerce; or

"(5) such other classes of persons as the Secretary may by or pursuant to regulation exempt from the application of this subsection upon a finding that such application is not necessary to accomplish the purposes of this subsection."

INSPECTION RELATING TO DEVICES

SEC. 402. (a) The second sentence of subsection (a) of section 704 of such Act (21 U.S.C. 374) is amended by inserting "or prescription devices" after "prescription drugs" both times it appears.

(b) The third sentence of such subsection is amended (1) by striking out "for prescription drugs", (2) by striking out "and antibiotic drugs" and inserting in lieu thereof ", antibiotic drug, and devices," (3) by striking out "or section 507 (d) or (g)" and inserting in lieu thereof ", section 507 (d) or (g), section 513(j), or section 514", and (4) by inserting "or devices" after "other drugs", inserting "or of a device subject to section 513" after "new drug", and inserting "or section 514" after "section 505(j)".

(c) (1) Paragraph (1) of the sixth sentence of such subsection is amended by inserting "or devices" after "drugs" each time such term occurs.

(2) Paragraph (2) of that sentence is amended by inserting ", or prescribe or use devices, as the case may be," after "administer drugs"; and by inserting ", or manufacture or process devices," after "process drugs".

(3) Paragraph (3) of that sentence is amended by inserting ", or manufacture or process devices," after "process drugs".

REGISTRATION OF DEVICE MANUFACTURERS

SEC. 403. (a) Section 510 of such Act is amended as follows:

(1) The section heading is amended by amended by inserting "of drugs and devices" after "producers".

(2) Subsection (a)(1) is amended by inserting "or device package" after "drug package"; by inserting "or device" after "the drug", and by inserting "or user" after "consumer".

(3) The first sentence of subsection (b) is amended by inserting ", or of a device or devices," after "drug or drugs"; and the second sentence of such subsection is amended by inserting "or of any device" after "drug".

(4) The first sentence of subsection (c) is amended by inserting ", or of a device or devices," after "drug or drugs"; and the second sentence of such subsection is amended by inserting "or of any device" after "drug".

(5) (A) The first sentence of paragraph (1) of subsection (d) is amended by inserting ", or of a device or devices," after "drug or drugs"; and the second sentence of such paragraph is amended by inserting "or any device" after "drug".

(B) Paragraph (2) of such subsection (d) is amended by inserting "or any device" after "drug".

(6) Subsection (g) is amended by inserting "or devices" after "drugs" each time such term occurs in paragraphs (1), (2), and (3) of such subsection.

(7) The first sentence of subsection (i) is amended by inserting ", or of a device or devices," after "drug or drugs"; and the second sentence of such subsection is amended by inserting "or devices" after "drugs".

(b) Subsection 502(o) of such Act, is amended by inserting "or device" after "drug".

(c) The second sentence of section 801(a) of such Act is amended by inserting "or devices" after "drugs" both times such words appear.

(d) Section 301 of the Drug Amendments of 1962 (76 Stat. 793) is amended by inserting "and devices" after "drugs" each time such word appears, except that "or devices" is inserted after "which drugs" and after "intrastate commerce in such drugs".

TITLE V—ADVISORY COUNCIL ON DEVICES, ETC.

SEC. 501. Chapter VII of the Federal Food, Drug, and Cosmetic Act, as amended by this Act, is amended by adding at the end thereof the following new section:

"ADVISORY COUNCIL ON DEVICES, AND OTHER ADVISORY COMMITTEES AND EXPERTS

"SEC. 708. (a) For the purpose of advising the Secretary with respect to matters of policy in carrying out the provisions of this Act relating to devices, there is established in the Department (in addition to the ad hoc advisory committees that may from time to time be appointed under sections 514 and 515) an Advisory Council on Devices consisting of members appointed by the Secretary without regard to the civil service and classification laws. Such members shall consist of persons chosen with a view to their special knowledge of the problems involved in the regulation of various kinds of devices under this Act, members of the professions using such devices, scientists expert in the investigational use of devices, and members of the general public.

"(b) The Secretary may also from time to time appoint, without regard to the civil service and classification laws, in addition to the advisory councils and committees otherwise authorized under this Act, such other advisory committees or councils as he deems desirable.

"(c) In order to facilitate the carrying out of this Act, the Secretary may employ experts and consultants, as authorized by title 5, United States Code, section 3109.

"(d) Members of an advisory council or committee appointed pursuant to subsection (a) or (b) who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the council or committee or otherwise engaged on its business, and experts or consultants employed pursuant to subsection (c) shall while so employed, be compensated at per diem rates fixed by the Secretary but not in excess of the rate established for grade GS-18 of the General Schedule at the time of such service, including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses (including per diem in lieu of subsistence) as authorized by title 5, United States Code, section 5703, for persons in the Government service employed intermittently."

TITLE VI—EFFECTIVE DATES AND TRANSITIONAL PROVISIONS

SEC. 601. (a) Except as provided in subsections (b), (c), and (d) of this section, the foregoing provisions of this part shall take effect on the date of the enactment of this Act.

(b) Except as provided in subsection (c) of this section, paragraph (f) of section 501 of the Federal Food, Drug, and Cosmetic Act, as added to such section by section 201(a) of this Act, shall, with respect to any particular use of a device, take effect (1) on the first day of the thirteenth calendar month following the month in which this Act is enacted, or (2) if sooner, on the effective date of an order of the Secretary approving or denying approval of an application with respect to such use of the device under section 514 of such Act as added by section 201(b) of this Act.

(c) (1) Where, on the day immediately prior to the date of enactment of this Act, a device was in use in the cure, mitigation, treatment, or prevention of disease in man, or for the purpose of affecting the structure or any function of the body of man, such paragraph (f) of section 501 of the Federal Food, Drug, and Cosmetic Act shall become effective with respect to such preexisting use or uses of such device on the closing date (as defined in this subsection) or, if sooner, on the effective date of an order of the Secretary approving or denying approval of an application with respect to such use of the device under such section 514 of such Act.

(2) For the purposes of this subsection, the term "closing date" means the first day of the thirty-first calendar month which begins after the month in which this Act is enacted, except that, if in the opinion of the Secretary it would not involve any undue risk to the public health, he may on application or on his own initiative postpone such closing date with respect to any particular use or uses of a device until such later date (but not beyond the close of the sixtieth month after the month in which this Act is enacted) as he determines is necessary to permit completion, in good faith and as soon as reasonably practicable, of the scientific investigations necessary to establish the safety and effectiveness of such use or uses. The Secretary may terminate any such postponement at any time if he finds that such postponement should not have been granted or that, by reason of a change in circumstances, the basis for such postponement no longer exists or that there has been a failure to comply with a requirement of the Secretary for submission of progress reports or with other conditions attached by him to such postponement.

(d) Any person who, on the day immediately preceding the date of enactment of this Act, owned or operated any establishment in any State (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act) engaged in the manufacture or processing of a device or devices, shall, if he first registers with respect to devices, or supplements his registration with respect thereto, in accordance with subsection (b) of section 510 of that Act (as amended by section 403 of this Act), prior to the first day of the seventh calendar month following the month in which this Act is enacted, be deemed to have complied with that subsection for the calendar year 1969. Such registration, if made within such period and effected in 1970, shall also be deemed to be in compliance with such subsection for that calendar year.

The material, presented by Mr. Nelson, follows:

Brief Section-by-Section Analysis of Medical Devices Safety Act of 1969

TITLE I. AUTHORITY TO ESTABLISH STANDARDS

Section 101—amends Chapter V of the Federal Food, Drug, and Cosmetic Act by adding a new section relating to the standards for medical devices.

Section 513(a)—authorizes the Secretary of Health, Education, and Welfare to establish standards for devices when such action will protect public health and safety.

Section 513(b)—requires that the Secretary, in developing standards, shall consult with and give appropriate weight to standards published by other Federal agencies and National or international standard-setting agencies, and shall invite participation of others representative of scientific, professional, industry, and consumer organizations.

Section 513(c)—establishes the procedure for issuance, amendment, or repeal of standards related to those now incorporated in the Federal food and drug law (announcement and hearings on proposed rule making), but authorizes also the use of a referral to an independent advisory committee, outlined in Section 513(d) below.

Section 513(d)—authorizes those who would be affected by a standard to request a review of a proposed standard, or any matter involved in such a proposal, to an independent advisory committee for consideration.

Section 102—makes conforming amendments in section 501 of the present food and drug law by amending the section defining "adulterated drugs and devices" to include devices which do not meet a standard set forth in accordance with Section 513 above, where such a standard exists.

TITLE II. PREMARKET CLEARANCE OF CERTAIN THERAPEUTIC DEVICES

Section 201(a)—amends section 501 of the present food and drug law by deeming a device "adulterated" if it is unsafe, unreliable, or ineffective with respect to its use or intended use.

Section 201(b)—amends the present food and drug law by adding a new Section 514, "Premarket Clearance for Certain Therapeutic Devices."

Section 514(a)—sets forth conditions for when a premarketing clearance is required. States that a device is to be deemed unsafe, unreliable, or ineffective for purposes of applying section 501(f) above when:

(1) the device is not generally recognized by experts, qualified by scientific training or experience, to be safe, reliable, or effective for use under the conditions prescribed, suggested or recommended; and,

(2) the device is intended for or is used within the human body, intended to be used for subjecting the human body to some process, or after investigation is found to be ineffective, unsafe, or unreliable.

unless—

(1) a new device application has been filed, or an approved application exists,

(3) is exempted as outlined in 513(j),(k), or (1) below,

(4) or is used solely in animals other than man.

This section also requires that the Secretary shall maintain and publish a list of devices and their uses.

Section 514(b)—describes the contents and procedure for new device applications to comply with the clearance procedure set forth in 514(a) above. These applications must contain:

(1) information and data to show the safety, reliability, and effectiveness of the device,

(2) composition, properties, and principles of operation,

(3) methods and controls used in manufacture,

(4) identification of the applicable standard and information to show that the device meets the standard,

(5) samples of the device,

(6) specimens of labeling, and

(7) other requirements the Secretary may require.

Section 514(c)—requires the Secretary to act on application within 180 days after filing by approving, denying and affording an opportunity for hearing, or suspending the time limit pending the report of an advisory committee.

Section 514(d)—establishes the basis for approval or disapproval. Disapproval would be made where:

(1) the device is not safe or reliable under conditions prescribed,

(2) manufacturing or processing controls do not meet good manufacturing practices,

(3) lack of substantial evidence that the device has the effect it purports,

(4) has false or misleading labelling.

Also defines substantial evidence to mean evidence from adequate and well-controlled investigations, including clinical investigations.

Section 514(e)—authorizes the Secretary to withdraw approval of an application where:

(1) other data, or later evidence, indicates that the device is unsafe or unreliable,

(2) new information shows the device to be ineffective,

(3) the application contains untrue statements of material fact,

(4) there is a failure to maintain records, as required elsewhere in the bill (see new section 515).

(5) good manufacturing practices are not employed as required elsewhere in the bill (see new section 501(g)).

(6) on the basis of new information, the labelling is false or misleading.

Where an imminent health or safety hazard is involved, the Secretary is authorized to suspend approval immediately and to provide for an expedited hearing into the matter.

Section 514(f)—provides the Secretary with authority to revoke adverse orders when the facts so require.

Section 514(g)—requires that the Secretary's order be served in person or by registered or certified mail.

Section 514(h)—authorizes the use of a referral committee for an opportunity for a hearing on an application or the Secretary's action to obtain the committee's report and recommendations. This procedure may be employed when filing an application or at any time prior to the expiration of the time for the Secretary to make a determination on an application. The committee would be appointed by the Secretary. This procedure also applies to Section 513(d) relating to standards as outlined above.

Section 514(i)—provides applicants with the right of appeal and to obtain judicial review.

Section 514(j)—establishes exemption for devices used solely for investigational purposes by persons qualified to conduct such investigation. The exemption would be conditioned upon:

(1) the existence of an adequate plan of investigation

(2) a written agreement that the use of the device will be under the supervision of the investigator in cases where the device is for human use

(3) that records and data obtained from the investigation are kept and available

(4) other conditions determined by the Secretary to assure public health and safety.

The exemption is conditioned also upon notification to those who use such a device that its use is for investigational purposes, and that consent be obtained.

Section 514(k)—also exempts from the application procedure under section 514 any device which fully conforms to an applicable standard established under section 513, section 358 of the Public Health Service Act, or meets standards about to be announced or implemented, devices made upon order by a practitioner, where such a device is not generally available in finished form or in existing commercial channels, or where the device is for the use of a named patient, or for the sole use of a practitioner in the course of his professional practice.

Section 514(1)—provides exemptions for devices licensed by the Atomic Energy Commission, or for devices where the application of the procedure in this section is not necessary for the protection of the public health.

Section 202—makes conforming changes in existing law to include under the section on "prohibited acts" certain aspects of the new section 514.

TITLE III. REQUIREMENT OF GOOD MANUFACTURING PRACTICE

Section 301—amends present law to provide that a device is "adulterated" if the method and controls used to manufacture the device do not conform with good manufacturing practice to assure that such a device is safe and reliable and that it has the characteristics it purports to have.

TITLE IV. RECORDS AND REPORTS: INSPECTION AND REGISTRATION OF ESTABLISHMENTS

Section 401—amends present law by adding a new section 515 requiring that manufacturers, processors, and distributors of devices subject to standards keep records and make reports to the Secretary relating clinical experience and other data which bears on the safety, reliability, and effectiveness of such devices. The Secretary is also authorized to have access to such records.

Section 515(a)—sets forth the above requirements.

Section 515(b)—exempts from these requirements the following:

(1) pharmacies operating in conformance with applicable local laws,

(2) practitioners, licensed by law, who manufacture devices solely for use in the course of their professional practice,

(3) persons who manufacture devices solely for use in research or teaching, and not for sale,

(4) persons, with respect to any device, no part of which has been interstate commerce and which is not intended for interstate commerce,

(5) other classes, as determined by the Secretary.

Section 402—amends varied parts of existing law to provide the inspection provisions now relating to drugs to devices covered under the act.

Section 403—amends various sections of existing law relating to the registration of drug manufacturers to include the manufacturers, processors, and distributors of devices covered under the act.

TITLE V. ADVISORY COUNCIL

Section 501—establishes a new section 708 which provides for the creation of an Advisory Council on Devices within the Department of Health, Education, and Welfare to advise the Secretary on policy matters in carrying out the provisions of the bill. The members would be selected with a view toward their special knowledge of the problems involved in regulating various kinds of devices.

TITLE VI

Section 601—makes the provisions of the bill effective upon the date of enactment with the exception as shown in 502(b), (c), and (d).

Section 601(a)—makes the effecitve date (except as provided in 502(c) below) of the definition of an "adulterated device" on the 1st day of the 13th month following enact-

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ment (1 year from enactment), or sooner if, upon application, the Secretary issues an order with respect to such application. The effective date in latter case would be the date of the order. This effective date is the date on which the "safety, reliability, and effectiveness" requirement is imposed.

Section 601(b)—relates to devices already in existence. The safety, reliability, and effectiveness requirements shall become effective on a "closing date," the 1st day of the 31st month after enactment (2½ years after enactment), unless an application is filed sooner. If an application is filed sooner, the effective date is the date of an order with respect to such application. Under certain conditions, this date may be extended by the Secretary to the end of the 60th month following enactment (5 years after enactment), or to any date between the 31st and end of the 60th month.

Section 601(c)—requires registration of manufacturers, processors, and distributors prior to the 1st day of the 7th month (6 months after enactment).

[From the Washington Post, Feb. 20, 1969]

Hearing Told 1,200 Patients Get Electrocuted Yearly

(By Morton Mintz and Nate Haseltine)

About 1200 hospital patients are accidentally electrocuted annually while receiving "routine diagnostic tests" or treatment because of faulty equipment, safety investigators were told yesterday.

The source of the information was Dr. Carl W. Walter, clinical professor of surgery at Harvard Medical School and a surgeon at Peter Bent Brigham Hospital, Boston. The disclosures were made by consumer advocate Ralph Nader in testimony before the National Commission on Product Safety.

Dr. Walter said in a telephone interview that many of the electrocutions happen during diagnostic procedures in which the patient is hooked up to electronic systems. Almost invariably he said, the deaths are listed as cardiac arrests—and "who's to prove electricity did not cause the heart stoppages?"

For that reason, he said, there have been few law suits over the deaths, and the hazards have been little publicized.

The Boston doctor said that most hospital electrocutions happen when untrained hospital employes link together incompatible electronic units. But other such deaths, he said, are caused by surges of high voltage, leaking from equipment, poor circuit design and connecting patients to electronic equipment for long periods of time—as in intensive care units.

Dr. Walter said he obtained the figure on electrocutions from an actuary for a national insurance company whom he would not name. The number, he said, is close to his own estimates.

But Nader said that Dr. Seymour Ben-Zvi, director of scientific and medical instrumentation at Downstate Medical Center in New York City, has documented evidence of defects in 40 per cent of the equipment coming into the Center.

Nader criticized the insurance firm whose actuary supplied Dr. Walter with the information. "Unfortunately," he said, "this company has followed the ghoulish practice of the insurance industry in not publicly releasing this data so as to promote remedial measures."

In other testimony before the Safety Commission:

A scientific firm hired by the Commission on a non-profit, $800 contract said that it has devised protections to prevent thousands of children from being burned annually when they happen on to the scorching hot grilles on gas-fired floor furnaces.

Frank E. Hogdon, director of laboratories for the American Gas Association, praised the commission-sponsored firm for doing in three weeks what his organization of gas utilities had failed to do over a decade.

An industry committee on safety standards "simply did not know of any technology and apparently couldn't think of any; and didn't perhaps have enough incentive," Hogdon said.

A Milwaukee lawyer representing five children scalded by electric steam vaporizers said that one maker alone, the Hankscraft Co., has acknowledged that about a hundred damage suits are pending against it.

Directed to report

The new disclosures about hazards in the home came during the closing session of an inquiry into whether "voluntary" standards—which indicate to consumers what to expect from sellers—provide sufficient protection. The Commission is under a Congressional directive to make a report to Congress and President Nixon.

The gas furnaces are used—mainly by low-income families—almost entirely in the temperate climate of the South Atlantic and South Central states, and in Arizona, California and New Mexico. Possibly four million have been installed. Today, there is a burgeoning new market in mobile and summer homes.

"The only other heating device so constructed is the barbecue," which "is deliberately designed to cook flesh," Dr. Julian A. Waller of the University of Vermont testified.

Dr. Waller said that the victims were mainly children under five. Each year, he estimated, between 60,000 and 65,000 of them are burned seriously enough to require medical treatment. About 90 per cent of the victims suffer second- or third-degree burns "sufficiently to blister or char skin," he said.

The physician, who said data were lacking on persons older than 5, became aware of the problem a decade ago when he was caring for 50 children under age 2 in a Contra Costa, Calif., clinic. In a single year nine of them were "cooked in the same fashion as a waffle" from 13 contacts with flare-furnace grilles.

Waller and two Department of Health, Education, and Welfare safety specialists—Floyd Oglesbay and Alphonse Schaplowsky—gave this account of the effort to get the AGA to act:

In 1958, Eugene Lehr, HEW's liaison with the industry, learned of injuries in Denver (which since has banned the furnaces). He ordered a survey and expressed concern to the AGA.

The standards set by an industry committee permitted a temperature an inch above the grille of 350 degrees over room temperature. A one-second exposure to 158 degrees can produce a second-degree burn.

In Mississippi County, Ark., among a rural population of 85,000, Oglesbay found nine children who had been burned in a single year.

On July 21, 1958, the AGA's R. E. Cramer told Lehr of a lack of "documented reports" and said the industry's Standards Committee would do nothing because if the grille temperature were to be limited to a suggested 120 to 130 degrees, "it would not be possible to heat a room with a floor furnace."

In August, 1959, Lehr told the AGA that the furnaces were unsafe, and, sending along photos of burned toddlers, asked it to withdraw its approval. He forwarded studies, including some done by Waller in Atlanta while he was in the Public Health Service.

On Aug. 28, 1959, the AGA's C. George Segeler told Lehr that this continuation of AGA approval would not be "desirable or practical."

In 1964 Waller and Dewa Manheimer published a paper showing that among 11,000 children medically treated for burns in 14 years in Alameda County, California, 28 per cent of those under five got them from floor furnaces.

The consulting engineering firm whose three-week $800 project developed grille protections is Weiner Associates of Baltimore.

S. 2110—INTRODUCTION OF THE REVENUE AND EXPENDITURE CONTROL ACT OF 1969

Mr. WILLIAMS of Delaware. Mr. President, I introduce a bill to terminate the investment credit, to reduce and extend the tax surcharge, to limit expenditures, and for other purposes, and ask that an explanation of the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the Record.

The bill (S. 2110) to terminate the investment credit, to reduce and extend the tax surcharge, to limit expenditures, and for other purposes; to the Committee on Finance, introduced by Mr. Williams of Delaware, was received, read twice by its title, and referred to the Committee on Finance.

The material, presented by Mr. Williams of New Jersey, follows:

Explanation of the Revenue and Expenditure Control Act of 1969

Short title.—Section 1 of the bill states that this Act may be cited as the "Revenue and Expenditure Control Act of 1969."

Termination of investment credit.—Section — of the bill repeals the seven percent investment tax credit for property placed in service after April 21, 1969. Under present law, seven percent of qualified investment in new depreciable property, except for buildings, may generally be subtracted from tax liability. It is estimated that the revenue loss resulting from the investment credit totals $3.3 billion in calendar year 1969, $2.8 billion from corporations and $0.5 billion from individuals. Unlike the 1967 suspension of the investment tax credit, which provided a series of exemptions and special rules, easing the impact of the suspension with respect to property under contract, this section provides a complete cutoff of the tax credit for property placed in service after April 21, 1969.

Recapture of accelerated depreciation on real property.—Present law provides an incentive for the construction of new real property by permitting the owner of real property to claim depreciation at a higher rate (accelerated depreciation) during the early years of the property's life than could be claimed if depreciation were taken in equal amounts each year (straight-line depreciation). If the property is sold after ten years, the owner has the advantage that depreciation has been deducted from income subject to ordinary income tax rates, while the difference between the depreciated cost of the property and the actual sale price is taxed at capital gains rates—a maximum of 25 percent. To prevent a situation where new property is constructed and sold soon afterward solely to reap tax advantage, the law provides for the recapture of part of the tax benefits attributable to accelerated depreciation. If the property is sold before ten years, only a part of the difference between the depreciated cost of the property and the actual sale price may be taxed at the lower capital gains rates; the rest is subject to ordinary income tax rates. If the property is held 20 months or less, the entire tax advantage is recaptured by taxing 100 percent of the cumulative difference between the amount depreciated under accelerated depreciation and the amount that could have been attributed to straight-line depreciation at the ordinary income tax rates. For each month after 20 months, one percent less of the difference is

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recaptured by being subject to ordinary income tax; the balance is taxed at the lower capital gains rates. Thus, after ten years (120 months), the entire difference is taxed at capital gains rates. Section — of the bill doubles this period of time, providing that the entire tax advantage will be recaptured if the property is held 40 months or less, with one-half percent less subject to ordinary income tax rates for each month thereafter. No part of the tax advantage would be recaptured if the property is held more than 20 years.

Reduction and extension of surtax.—Present law places a ten percent surtax on individuals and corporations through June 30, 1969. Section — of the bill would extend the surtax for another twelve months (until June 30, 1970) at the reduced rate of seven percent (7 percent) both for individuals and for corporations. Since a ten percent surtax is already in effect for the first six months of calendar year 1969, this section will result in an 8.5 percent surtax for calendar year 1969 as a whole and a 3.5 percent surtax for calendar year 1970. The 3.5 rate is equivalent to a 7 percent rate for the one half of 1970 during which the surtax would apply. Based on the estimates contained in the 1970 budget, section — would increase Federal revenues by $6.7 billion.

Reduction of $5.272 billion in Federal expenditures.—Section — of the bill imposes a ceiling of $190,000,000,000 on Federal expenditures during fiscal year 1970, compared with estimates totaling $195,272,000,000 in the budget proposed by President Johnson. This represents a reduction of $5,272,000,000. The $190 billion ceiling may be exceeded only to the extent that expenditures for these four items exceed the estimates contained in the 1970 budget: (1) Vietnam war costs; (2) interest on the public debt; (3) veterans' benefits and services; and (4) Social Security trust fund payments. This section is virtually identical, except for the numbers, to the expenditure limitation provisions of the Revenue and Expenditure Control Act of 1968.

Reduction of $10 billion in new obligational authority.—Section — of the bill imposes a ceiling of $200,116,000,000 on new obligational authority and loan authority (generally comparable to appropriations) during fiscal year 1970, compared with requests totaling $210,116,000,000 in the budget proposed by President Johnson. This represents a reduction of $10 billion. The $210,116,000,000 ceiling may be exceeded only to the extent that new obligational and loan authority for these four items exceed the estimates contained in the 1970 budget: (1) Vietnam war costs; (2) interest on the public debt; (3) veterans' benefits and services; and (4) Social Security trust fund payments. This section is virtually identical, except for the numbers, to the new obligational authority limitation provisions of the Revenue and Expenditure Control Act of 1968.

Moratorium on public works.—Section — of the bill imposes a moratorium on all public works projects which have been authorized but not yet begun. This moratorium would apply to recreational facilities as well as public buildings but it would not apply to the Federal highway construction program. The amendment also prohibits the Federal government from making grants to State or local governments for new public works projects. However, the head of the Federal department or agency involved may request the Director of the Office of Emergency Planning to investigate whether a proposed public works project may be undertaken. If the Director determines that delay in such project would cause irreparable damage to the public health or welfare, the project may be commenced. With respect to projects in progress, Section — requires the Director the Office of Emergency Planning to investigate and determine whether the construction can be postponed during the moratorium without "irreparable damage to the public health or welfare." Such projects as he finds may be postponed, must be postponed. The moratorium would begin the day after the enactment of this act and would end on June 30, 1970 (the moratorium would continue in effect as long as the surtax is in effect).

Interest on long-term Federal Bonds.—Section — of the bill repeals the 4¼ percent ceiling on interest paid on long-term government bonds. It also repeals the 4¼ percent limitation on the interest paid on United States savings bonds. Savings bonds are currently being issued at the maximum rate.

United States retirement and savings bonds.—In 1966 a law was enacted authorizing the Secretary of the Treasury to issue a new type of savings bonds called "United States retirement and savings bonds," paying an investment yield of up to 5 percent annually (compared with a 4¼ percent limit on series E savings bonds). An individual could purchase up to $3000 of such bonds each year. The period of maturity for these bonds could range between 10 years and 30 years. Despite the new authority, no retirement and savings bonds have been issued by the Treasury since the law was passed. Section — of this bill contains several revisions of the retirement and savings bond authority. First, the bill would *require* the Secretary of the Treasury to issue retirement and savings bonds, beginning July 1, 1969. Second, the interest rate for the bonds would be set at a mandatory 6 percent. Third, the maximum amount that could be purchased in a year would be set at $2400, but the Secretary of the Treasury would be authorized to fix the maximum amount of these bonds that could be purchased in any quarter of the year.

20 percent limitation on depletion allowance.—The Internal Revenue Code permits specific percentage allowances for the depletion of mineral resources, ranging from 5 percent for gravel, sand and certain other minerals to 27½ percent in the case of oil and gas. Section — of the bill would set a limit of 20 percent on the depletion allowances by reducing all those allowances now higher than 20 percent down to 20 percent over a three-year period. The oil and gas depletion allowance would be reduced from the 27½ percent in present law to 25 percent in 1969, 22½ percent in 1970, and 20 percent beginning in 1971. The 23 percent depletion rate for sulfur, uranium, and certain other strategic minerals mined from deposits in this country would be reduced to 22½ percent in 1970, and to 20 percent beginning in 1971.

Repeal of Capital Gain Treatment for Sales of Livestock.—Under present law, the capital gains tax (instead of the higher ordinary income tax rates) may be applied to profits realized from the sale of livestock (other than poultry) held for draft, breeding, or dairy purposes for at least 12 months. From the Congressional Committee reports written when this provision of law was enacted, it is clear that the term livestock was meant to be given a broad interpretation. Treasury regulations have indeed given it a broad interpretation, including cattle, hogs, horses, mules, donkeys, sheep, goats, and fur-bearing animals. The courts have broadened the interpretation still further. As a result of court decisions, race horses, cattle used for show or exhibition, and even chinchillas have been considered livestock for purposes of capital gains treatment. The 12-month period specified in the law dates from the acquisition of the animal rather than from its first use for draft, breeding, or dairy purposes. In fact, the animals may never have been put to the prescribed use (or even be old enough to be capable of it), as long as it was being held for the purpose of being put to that use. Present law accords a different tax treatment to the expenses associated with raising livestock compared with the tax treatment of the profits associated with their sale. While the costs of livestock husbandry may be deducted currently from income subject to ordinary tax rates, proceeds from the sale of this sort of livestock are subject to capital gains rates, which are at least 50 percent lower.

Section — of the bill would delete the provision of law specifying that sale of this kind of livestock is subject to capital gains taxation. In fact it would go further and clarify the law by stating specifically that livestock does not qualify for capital gains treatment. This clarification is desirable for the reason that before this special livestock provision was written into law in 1951, there was considerable confusion as to the extent to which livestock sales could receive capital gains tax treatment. This was due to conflicting legal interpretations by the courts and the Commissioner of Internal Revenue of the 1942 amendment allowing capital gains treatment of certain property used by the taxpayer in his trade or business. To avoid a return to this confusing situation, section — of the bill makes it explicitly clear that livestock may not be considered either a "property used in trade or business" for capital gains purposes or a "capital asset."

S. 2111—INTRODUCTION OF A BILL TO REQUIRE THE TERMINATION OF FEDERAL FINANCIAL ASSISTANCE TO COLLEGES AND UNIVERSITIES THAT FAIL TO PROPERLY SUPPORT RESERVE OFFICER TRAINING PROGRAMS

Mr. GURNEY. Mr. President, today I am introducing legislation which would cut off Federal assistance to any college or university that removes ROTC from its curriculum as a course for credit. This does not mean the schools would have to keep ROTC as a required course. It does mean that if students desire to take advantage of ROTC, and spend the many hours required that they should receive proper credit for graduation, as in any other course.

This bill will go a long way to discourage colleges and universities that traditionally have offered ROTC from knuckling under to the demands of the SDS or any other militant campus organization.

Hopefully, if passed, it would put some starch in the backbone of some of these college administrators who are caving in under the pressures of a tiny militant student minority and these leftwing college professors who are aiding and abetting them.

My bill would in no way cut off needed Federal assistance just because a university is under seige by college militants. I would not want this to happen. Federal aid would be denied only after the university authorities had made the decision to capitulate to militant demands to abolish ROTC on the campus.

The importance of the ROTC programs cannot be overemphasized. One-third of all our officers, and a third of those on active duty today, were trained under ROTC programs. ROTC contributed a vast majority of officers in World War II and sizable numbers in the Korean conflict and now in Vietnam. It provides military leadership opportunities to college students, and is invaluable to the defense of the country. In fact without ROTC it would be impossible to

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meet the officer requirements of the Armed Services. This is precisely why the militant campus groups are shooting down ROTC. It is their goal to seriously cripple the defense capability of the United States.

The spectacle of our campuses disrupted and paralyzed by a handful of hoodlums is a disgrace to the Nation. Each morning the breakfast fare of the morning newspaper tells of a new insurgent takeover. Campus riots have become so commonplace that the totals are tallied daily like baseball boxscores.

The Nation and the Congress have patiently and uneasily waited with the hope that university officials would take the lead to restore order. Some have done so and they are to be highly commended. But unfortunately, too many have not. The running total of serious campus disorders now stands at 225, including a great many of our most prestigious universities. One after another have capitulated, most recently Harvard, MIT, and Cornell. Each surrender to militant demands, often so impossible they defy any reasonable explanation, has paved the way for the next submissive target. Recently the president of Cornell gathered funds to buy bongo drums for the militants of the great university. It would not surprise anyone if the next episode at Cornell will see and hear the bongo drums beat accompanying the next assault on that college administration.

Today's militant leader is no longer the misguided youth protesting for the sake of dissent without quite knowing why. His hostility, hatred and opposition to democratic values now has a definite and stated aim. The militants blatantly admit their desire to overthrow the entire governmental and social American system. The universities are being used as the most vulnerable target and most convenient vehicle. Using the guise of academic freedom and freedom of speech, they say they want a dialog. Actually they seek a confrontation to provoke chaos. Through these confrontations they expect to smash first our educational structure, then our economic system and finally our Government.

Their own manifesto is the best illustration of how they utilize phony issues and highly skilled methods to dupe the average concerned student. I quote one of the goals from an SDS document:

> To create a mass movement throughout the country, to smash the military in the schools, especially ROTC and defense research, because this would severely hurt the military and thus bring down the establishment.

So far, they are succeeding beyond their most optimistic predictions and expectations.

I realize that many colleges and universities are in a difficult transitional stage attempting to adjust to rising student enrollment and constant social change. Yet, with the ill-advised concessions already made, it is not surprising that many universities now find themselves racked by student revolt.

The primary purpose of our educational institutions should be education. I do not see how intellectual freedom or society is served when universities allow themselves to become a political breeding ground for anarchists. Nor does anyone benefit in the long run by lowering academic standards to accommodate social grievances. President Nixon recently warned against this when he aptly said intellectual freedom is in danger in America because the real objective of campus violence is to politicize not only the student body, but the institutions as well.

The major responsibility to preserve our educational institutions belongs to the universities themselves, as does the major blame for their disruption. University officials who have submitted to armed insurgents and guerrilla tactics have let themselves be intimidated by criminals. There is a misguided belief that these confrontations are not really serious and with a few concessions here and there, will cease. But I say rewarding violence is an open invitation to further violence.

Attorney General Mitchell, who is to be congratulated on his tough stance, summed it up most aptly in these words:

> When people may be injured, when personal property may be destroyed, when chaos begins, the university officials only aid lawlessness by procrastination and negotiation.

Fear of forceful disciplinary action is an outright admission that a few hoodlums are stronger than the university president and his administration, the trustees, the faculty, and the student body combined.

The Congress has been as patient as possible. But when the responsible officials fail to act, then we must take measures to put an end to this mockery. When university authorities abdicate to militant revolutionaries then it is unfair to ask the taxpayer and the Federal Government to continue to finance them.

The Federal Government spends some $5.1 billion annually to support colleges and universities. My bill would cut off this assistance to those universities and colleges who fail to meet their leadership responsibilities to the academic community and to the public in the matter of the vital, important ROTC programs. It is way past time for every resource to put a stop to military-like occupation of college buildings, manhandling and physical abuse of college authorities, vandalizing of property, red flag waving to mention just some of the anarchistic activities in process.

The vast majority of today's students represent the finest group of students ever produced by this country.

We have an obligation to protect their right to freely and peacefully pursue an education, including ROTC for credit. Campuses are reflections of our larger society. Orderly dissent is generally healthy, but we simply cannot allow the destruction of our universities to continue. It may be only 2 percent of the student body, and the actual physical damage may be small in an overall sense, but the psychological damage is immeasurable.

In the face of so much unrest everywhere, it is more important than ever before to instill in our young people respect for and faith in balance and the orderly process of law. The spectacle of major universities cowed by a handful of criminals can hardly be conducive to this end.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2111), to require the termination of Federal financial assistance to colleges and universities that fail to properly support Reserve officer training programs, introduced by Mr. GURNEY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 2112—INTRODUCTION OF A BILL TO TREAT CERTAIN FOSTER CHILDREN OF AN INDIVIDUAL AS HIS NATURAL CHILDREN FOR PURPOSES OF THE DEPENDENCY EXEMPTION

Mr. GRIFFIN. Mr. President, in his recent message to Congress on tax reform, President Nixon stressed the need for meaningful tax reform. The President is concerned over special preferences in the law which permit far too many Americans to pay less than their fair share of taxes. Too many other Americans bear too much of the tax burden.

Mr. President, I am convinced that our present tax setup needs a thorough overhaul. Attempts to make changes in the past have left the Nation with a patchwork revenue system that needs restructuring from top to bottom.

In the course of this overhaul, there are certain basic inequities in our tax system which should be corrected.

One such basic inequity is the fact that our tax laws do not permit foster parents to claim an exemption for a foster child on the same basis afforded a natural or adopted child.

Section 151(e) of the Internal Revenue Code allows an exemption of $600 for each dependent, defined in section 152 to include a legally adopted child or child placed in a taxpayer's household for adoption by an authorized adoption agency. This section also stipulates that a dependent's gross income not exceed $600 per year.

However, section 151(e)(1)(B) provides an exception to the $600 rule for a "child" of the taxpayer who has not attained the age of 19, or, if he has, is a student, regardless of the amount of income earned by him. Here again, "child" is defined to include a legally adopted child or a child placed in a taxpayer's household for adoption by an authorized adoption agency.

Ordinarily, foster parents obtain a dependency exemption for foster children by reason of section 152(a)(9). That section provides that the term "dependent" includes an individual who, for the taxpayer's taxable year, has as his principal place of abode the home of the taxpayer.

The committee reports indicate that this section was placed in the Internal Revenue Code for the specific purpose of affording to foster parents a dependency deduction to which they were not otherwise intended.

The net result of these statutory provisions is that foster parents cannot claim an exemption for a foster child under section 151(e) (1) (B), even though they are providing their foster child with the same support which they provide to their natural children.

A recent tax case illustrates and underscores this present unwise and discriminatory policy. In Reed against Commissioner, Docket No. 4476–66, 1969 Term, the U.S. Tax Court allowed an exemption for the Reed's natural son, but not for their foster sons. Each son had earned $800 and was attending college. But although the Reeds had been supporting the foster sons equally along with their natural son, the Court disallowed the exemption for the foster sons under section 151(e) (1) (B).

Mr. President, I strongly believe the present law is a totally irrational discrimination against foster children and foster parents. Accordingly, I am today introducing legislation which would correct this inequity by treating the foster children of an individual as his natural children for purposes of the dependency exemption.

Mr. Joseph H. Reid, executive director of the Child Welfare League of America, Inc., in a recent letter, persuasively stated why this legislation should be adopted. He observed:

> Unfortunately many foster children are not legally available for adoption despite the greatest desire to adopt them on the part of the foster parents. This was, in fact, the case with the Reeds. Surely such technical disabilities should not cause differential tax treatment of foster children, who, for all other purposes are treated alike by the family. Nor should such technical disabilities further discriminate against a foster child's opportunity to win a college education.
>
> Good foster parents, willing and able to help support foster children, (who are unlucky enough to lack good homes with their own parents) are in very short supply. Surely such generous citizens should be encouraged in every way possible, so that more children in need for good foster homes will find them, and more foster children will be able to achieve as much education as their potential will permit.

Mr. President, no better reasons could be offered for prompt passage of this legislation.

Mr. President, I ask unanimous consent that Mr. Reid's letter, as well as a letter from Assistant Secretary of the Treasury Edwin Cohen and the bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letters will be printed in the Record.

The bill (S. 2112), to amend the Internal Revenue Code of 1954 to treat certain foster children of an individual as his natural children for purposes of the dependency exemption, introduced by Mr. Griffin, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 2112

A bill to amend the Internal Revenue Code of 1954 to treat certain foster children of an individual as his natural children for purposes of the dependency exemption.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 152(b)(2) of the Internal Revenue Code of 1954 (relating to rules relating to definition of dependent) is amended to read as follows:

"(2) In determining whether any of the relationships specified in subsection (a) or paragraph (1) of this subsection exists—

"(A) a legally adopted child of an individual, and

"(B) a child who is a member of an individual's household, if placed with such individual—

"(i) by an authorized placement agency for legal adoption by such individual, or

"(ii) by an authorized placement agency for foster care by such individual, shall be treated as a child of such individual by blood."

(b) The amendment made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act.

The material, presented by Mr. Griffin, follows.

Child Welfare League
of America, Inc.,
New York, N.Y., February 7, 1969.

Hon. Robert Griffin,
U.S. Senate,
Washington, D.C.

Dear Senator Griffin: Mr. Edward Reed, foster father of two boys placed in his home by an accredited member agency of the Child Welfare League of America, has brought his recent tax case to our attention. We are deeply concerned about the unsound public policy which underlies the decisions made in this case, and the interpretation of the tax statute which denies certain tax exemptions for foster children in circumstances similar to Mr. Reed's. We believe an amendment to the tax law is essential to prevent further discrimination against foster children and foster parents in similar circumstances. The League has had a long time interest in the field of adoption and foster care, and we write to you in the hope that you may be helpful in effecting changes in the present tax law, as interpreted by the IRS and the U.S. Tax Court.

Mr. and Mrs. Reed had one natural son and two foster sons. All three were over 18, and attending college. Each one had earned $800. The Tax Court allowed an exemption for the Reeds natural son, but not for the foster sons, although the Reeds had been supporting the foster sons, as well as their natural son, for many years.

As you know, parents of a full-time student can claim an exemption for him even though he is over 18 and earns $600 or more, provided that the parents furnish more than over half of his support. However, the Tax Court held that the waiver of the $600 income limit applies only for a natural child, stepchild, adopted child or foster child placed for adoption. It does not apply to a foster child who has not been adopted or placed for adoption.

This is an unwise and discriminatory policy which may discourage foster parents from encouraging and helping foster children to achieve a college education. It is a totally irrational discrimination against foster children and foster parents.

Unfortunately many foster children are not legally available for adoption despite the greatest desire to adopt them on the part of the foster parents. This was, in fact, the case with the Reeds. Surely such technical disabilities should not cause differential tax treatment of foster children, who for all other purposes are treated alike by the family. Nor should such technical disabilities further discriminate against a foster child's opportunity to win a college education.

Good foster parents, willing and able to help support foster children, (who are unlucky enough to lack good homes with their own parents) are in very short supply. Surely such generous citizens should be encouraged in every way possible, so that more children in need of good foster homes will find them, and more foster children will be able to achieve as much education as their potential will permit.

The facts in the Reed case demonstrate the invalidity and unsoundness of the current tax law with respect to foster children. As a matter of sound policy we hope that Congress will see fit to amend the pertinent sections of the tax law as soon as possible. The number of such cases is not large, and the added cost to the government is likely to be insignificant in contrast to the services rendered to children who need good homes and education so that they may become productive members of society—and contribute even more to the country's future productivity and income.

We hope you will be in touch with us if we can be of assistance on this matter. We will appreciate whatever influence you can bring to bear in making legislative changes necessary to promote the welfare of children.

Sincerely yours,
Joseph H. Reid,
Executive Director.

Treasury Department,
Washington, D.C., April 4, 1969.

Hon. Robert P. Griffin,
U.S. Senate,
Washington, D.C.

Dear Senator Griffin: This is in further reply to your request for the Treasury Department's comments concerning the letter from Mr. Joseph H. Reid, Child Welfare League of America, New York City. Mr. Reid is concerned about the denial of the dependency exemption to foster parents in cases where they are providing support to a child who is aged 19 or more and has income in excess of $600 but is a student. He cites the *Reed* case where parents of one natural son and two foster sons were denied dependency exemptions for the foster sons, but allowed one for the natural son even though all three were over 18, attending college and each had earned $800.

Section 151(e) of the Internal Revenue Code allows an exemption of $600 for each dependent, as defined in section 152, whose gross income is less than $600 per year. An exception to the $600 rule is provided for in section 151(e)(1)(B) for a "child" of the taxpayer who has not attained the age of 19, or, if he has, is a student, regardless of the amount of income earned by him. A "child" is defined as "an individual who (within the meaning of section 152) is a son, stepson, daughter, or stepdaughter of the taxpayer."

Ordinarily foster parents obtain a dependency exemption for foster children by reason of section 152(a)(9). That section provides that the term "dependent" includes an individual who, for the taxable year of the taxpayer, has as his principal place of abode the home of the taxpayer. Since the Committee reports indicate that section 152(a)(9) was inserted into the Code for the specific purpose of affording to foster parents a dependency deduction to which they were not otherwise entitled, it cannot be argued that Congress intended to include foster children within the definition of "child" contained in section 152(a) (1) and (2). The net result of this omission is to prevent foster parents from claiming a dependency exemption under section 151(e)(1)(B) even though they are providing their foster child with the same support which they provide to their natural children.

In light of the clear Congressional intent as reflected in the Committee reports relating to sections 151 and 152, any change in the tax treatment accorded to parents of foster children would require enactment of new legislation. This administration is under-

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taking a review of proposals to make our tax system more equitable. We will give the problem raised by Mr. Reid careful consideration in connection with this study.

We appreciate having this problem brought to our attention. I hope these comments provide adequate information for your consideration of the question raised by Mr. Reid. His communication to you is returned herewith.

Sincerely yours,

EDWIN S. COHEN,
Assistant Secretary.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Montana (Mr. METCALF), I ask unanimous consent that, at its next printing, the name of the Senator from Oklahoma (Mr. HARRIS) be added as a cosponsor of the bill (S. 746) to amend title XVIII of the Social Security Act so as to include chiropractors' services among the benefits provided by the insurance program established by part B of such title.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Louisiana (Mr. LONG) and the Senator from Michigan (Mr. GRIFFIN) be added as cosponsors of the bill (S. 1287) to authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Alaska (Mr. GRAVEL), the Senator from Hawaii (Mr. FONG), the Senator from Maryland (Mr. MATHIAS), the Senator from Missouri (Mr. EAGLETON), and the Senator from Ohio (Mr. YOUNG) be added as cosponsors of the bill (S. 1400), to amend title I of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Oklahoma (Mr. HARRIS) be added as a cosponsor of the bill (S. 1812) to amend title XVIII of the Social Security Act so as to include chiropractors' services among the benefits provided by the insurance program established by part B of such title.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut (Mr. DODD), I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. GRAVEL) be added as a cosponsor of the bill (S. 1846) to revise the system of congressional nominations for appointments to the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New Mexico (Mr. MONTOYA) be added as a cosponsor of the bill (S. 1850) to provide for the free entry of certain tools and equipment imported for the use of Eastern New Mexico University in establishing a program of training in watch repairing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Indiana (Mr. HARTKE), I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. GRAVEL) be added as a cosponsor of the bill (S. 1896) to amend title XVIII of the Social Security Act to include dental care, eye care, dentures, eyeglasses, and hearing aids among the benefits provided by the insurance program established by part B of such title.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 2014) to amend the Food Stamp Act of 1964, and other acts, to provide adequate food and nutrition among low-income households, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Minnesota (Mr. MONDALE), I ask unanimous consent that, at its next printing, the name of the Senator from Indiana (Mr. BAYH) be added as a cosponsor of the bill (S. 2060) to provide for an expanded Headstart child development program within the Office of Economic Opportunity.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Delaware (Mr. BOGGS) be added as a cosponsor of the joint resolution (S.J. Res. 59) proposing an amendment to the Constitution of the United States providing that citizens of the United States shall be entitled to vote for President and Vice President without regard to excessive residence and physical presence requirements.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF AMENDMENT

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New York (Mr. JAVITS) and the Senator from Rhode Island (Mr. PELL) be added as cosponsors of amendment No. 9 to the copyright bill (S. 543) for the general revision of the copyright law, title 17 of the United States Code, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 23—CONCURRENT RESOLUTION RELATING TO U.S. PARTICIPATION IN AN INTERNATIONAL DECADE OF OCEAN EXPLORTION

Mr. MAGNUSON (for himself, Mr. HATFIELD, Mr. FONG, and Mr. PELL) submitted a concurrent resolution (S. Con. Res. 23) to express the sense of the Congress with respect to an International Decade of Ocean Exploration during the 1970's, which was referred to the Committee on Commerce.

(See the above concurrent resolution printed in full when submitted by Mr. MAGNUSON, which appears earlier under a separate heading.)

SENATE CONCURRENT RESOLUTION 24—SUBMISSION OF CONCURRENT RESOLUTION TO EXPRESS THE SENSE OF CONGRESS RELATING TO ENCOURAGEMENT IN RESEARCH AND TRAINING IN AGING

Mr. MURPHY. Mr. President, as a representative of the State having the largest senior citizen population in the United States, I submit on behalf of myself and Senators FONG, GURNEY, HANSEN, JAVITS, MILLER, and PROUTY a Senate concurrent resolution expressing the sense of the Congress "that programs of scientific research and training in aging, such as the Ethel Percy Andrus Gerontology Center located at the University of Southern California, be encouraged and supported."

Medical science has made tremendous strides in conquering many of the diseases that have afflicted mankind through the years. The lifespan of Americans has been increased until today at birth the average life expectancy is 70. There are 19 million Americans over 65 in the United States and their number is increasing at a faster percentage than the total population. By 1971 the number of persons over 65 is expected to increase to over 21 million, and by 1985, to 25 million.

In California there are approximately 1.9 million senior Californians and this number is expected to increase to 2 million or more by 1970. Some scientists are predicting that disease and artificial organ research will substantially expand the longevity of future generations of Americans.

Despite the growing number of senior citizens and the lengthening of our lifespan, there is a dirth of knowledge in this country with respect to the aging process and its problems. The University of Southern California, which is one of the outstanding institutions in the State of California and in the entire world, hopes to establish the Ethel Percy Andrus Gerontology Center on its campus. Not only is the university of renown reputation, it is also located in the heart of Los Angeles, which incidentally has the highest concentration of senior citizens of any major city in the United States.

To construct such a center, the University of Southern California has already secured pledges of $2 million from a private nonprofit organization, the

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Ethel Percy Andrus Memorial Fund, which represents 1,600,000 older Americans. The university has applied for a matching grant from the Health Research Facilities Branch of the National Institutes of Health. I previously wrote to Secretary of Health, Education, and Welfare, Robert Finch, endorsing the request of USC for matching funds to construct this center.

The evidence is clear that we must learn more about the aging process and its problems. It is in the national interest that the unique proposal submitted by USC to bring together in one university the sciences and expertise for comprehensive research and training on the subject of aging be supported. I, therefore, was very pleased to have endorsed USC's application and to today introduce this resolution expressing the sense of the Congress that such a center be supported.

I ask unanimous consent that the text of the concurrent resolution might be printed in full at this point in the Record.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 24), which reads as follows, was referred to the Committee on Labor and Public Welfare:

S. Con. Res. 24

Whereas there are over 19 million older Americans 65 and over, and

Whereas the number of older Americans increases by over three hundred thousand per year, and

Whereas by the year 2000, over 30 million persons of our population will be 65 and older, and

Whereas the average life span of an American child born today is 70 years as compared with 47 years in 1900, and

Whereas Gerontology is a relatively new science, and

Whereas Congress is continually concerned with the well being of older Americans and the quality of their lives, said concern having been demonstrated by the establishment of the Administration on Aging (Public Law 89–73): Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that programs of scientific research and training in Aging, such as The Ethel Percy Andrus Gerontology Center located at the University of Southern California, be encouraged and supported.

STRENGTHENING AND IMPROVEMENT OF THE OLDER AMERICANS ACT OF 1965—AMENDMENT

AMENDMENT NO. 91–19

Mr. WILLIAMS of New Jersey. Mr. President, I submit, for myself and the senior Senator from Massachusetts (Mr. Kennedy), an amendment, intended to be proposed by us, jointly, to S. 268, a bill he and I introduced on January 15 in order to extend and improve the Older Americans Act of 1965.

For some years, the Senator from Massachusetts and I have advocated establishment of a Federal program to enlist older Americans in service programs within their own communities. In this way, those who need help of one kind or another could receive help from those, the elderly, who are willing and pleased to provide that help.

To judge by the experience gathered in pilot service programs by older Americans, there are innumerable services which can be performed if a way can be found to provide them. The Department of Labor, for example, has established a senior aides program which is providing manpower for many essential functions, including: teachers aides, home service aides, recreation aides, and workers to provide nutrition services to other elderly persons.

We have also learned valuable lessons from the work of foster grandparents program, Operation Green Thumb, and several individual Administration on Aging projects—including Project SERVE, which enlists unpaid volunteers for work in Staten Island institutions.

There is a clear need for more than pilot programs in this area. For that reason, the Department of Health, Education, and Welfare last year advanced a "service roles in retirement" program as one of the proposed amendments to the Older Americans Act. This proposal, known as title VI, caused considerable concern and some controversy, however. Perhaps as a result of the dispute over title VI, the entire package of administration-supported Older Americans Act amendments failed to emerge for Senate action.

In an effort to find an acceptable substitute for title VI, Senator Kennedy and I asked in November for suggestions for revision. We have considered many proposals, and we offer the following new version of title VI. We have received indications that this new approach has wide support, and we are heartened by the leadership that Representative John Brademas has taken in advancing this proposal in the House of Representatives.

The amendment we are offering today would authorize two types of service programs for the elderly. One would offer compensation for those who serve. This would be the foster grandparents program, a continuation of a program which has been conducted by the Administration on Aging for the past few years under a contract with the Office of Economic Opportunity. The other, to be known as retired service volunteer program, would provide reimbursement for transportation, meals, and other out-of-pocket expenses for volunteers. A wide variety of community needs could be met with the services of the elderly provided by this type of program.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment was referred to the Committee on Labor and Public Welfare.

CHANGES IN JOB CORPS PROGRAM—AMENDMENTS

AMENDMENT NOS. 91–20 AND 91–21

Mr. PROUTY (for Mr. Javits) submitted two amendments intended to be proposed by Mr. Javits to the resolution (S. Res. 194) expressing the sense of the Senate in regard to changes in the Job Corps program, which were ordered to lie on the table and to be printed.

OUTER SHELF BILL HEARING POSTPONED

Mr. JACKSON. Mr. President, on behalf of the chairman of the Subcommittee on Minerals, Materials, and Fuels of the Senate Interior Committee, Senator Moss, I announce that hearings on S. 1219, a bill to control oil drilling and production on the Outer Continental Shelf off the coast of California, have been postponed to the afternoons of May 19 and 20.

Previously, the hearings on this bill, which is sponsored by the able junior Senator from California (Mr. Cranston), had been scheduled for May 13. However, at the request of Department of the Interior officials they have been deferred until the following week, and will be held in the afternoon.

The subcommittee will of course be happy to hear any Member of the Senate who wishes to make a statement in connection with the proposed legislation. The hearing will open at 2 o'clock in room 3110 of the New Senate Office Building.

NOTICE OF HEARING

Mr. TYDINGS. I announce that on Monday, May 12, the Committee on the District of Columbia will hold a hearing on the nomination of Frank Q. Nebeker to be an associate judge of the District of Columbia Court of Appeals.

Anyone wishing to appear in regard to this nomination should notify the District of Columbia Committee.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. DODD. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Stewart O. H. Jones, of Connecticut, to be U.S. attorney for the district of Connecticut for the term of 4 years vice Jon O. Newman

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Thursday, May 15, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. SCOTT. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Richard L. Thornburgh, of Pennsylvania, to be U.S. attorney for the western district of Pennsylvania for the term of 4 years vice Joseph S. Ammerman, resigned

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to

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file with the committee, in writing, on or before Thursday, May 15, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Richard K. Burke, of Arizona, to be U.S. attorney for the district of Arizona for the term of 4 years vice Edward E. Davis, resigning.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Thursday, May 15, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARINGS ON OIL BILLS

Mr. JACKSON. Mr. President, for the information of the Members of the Senate and other interested persons, I announce that hearings on two measures relating to oil leasing and production have been scheduled by the Subcommittee on Minerals, Materials, and Fuels of the Senate Interior Committee.

The measures are S. 1193, a bill authorizing the Secretary of the Interior to prevent termination of certain Federal oil and gas leases in particular circumstances, and Senate Joint Resolution 54, granting the consent of Congress to an extension of the interstate oil compact.

The subcommittee will be happy to hear from any Member of the Senate who wishes to make any observations on either measure.

NOTICE OF HEARINGS

Mr. BIBLE. Mr. President, I wish to announce that hearings have been scheduled before the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs on S. 855, sponsored by the Senators from Arkansas (Mr. McClellan and Mr. Fulbright), to provide for the establishment of the Buffalo National River in the State of Arkansas. The hearings will be held in room 3110, New Senate Office Building, at 10 a.m. on Tuesday, May 27, 1969.

Anyone wishing to testify should advise the committee staff.

CONCLUSION OF MORNING BUSINESS

The **ACTING PRESIDENT** pro tempore. Is there further morning business? If not, morning business is closed.

ORDER OF BUSINESS

The **ACTING PRESIDENT** pro tempore. Under the previous unanimous-consent agreement, the distinguished Senator from Tennessee is recognized.

WITHDRAWAL OF U.S. TROOPS FROM VIETNAM

Mr. GORE. Mr. President, in recent weeks, there have been many news stories about phased withdrawal of U.S. troops from Vietnam. Some of the hints or trial balloons have emanated from the Pentagon, some from the White House, some from the State Department, and, significantly, some from Saigon.

Since early last fall, there have been unconfirmed "reports" that increments of U.S. troops would be withdrawn as the South Vietnamese troops improved their capabilities. The flow of such "reports" has been stepped up since the inauguration of President Nixon.

President Thieu was quoted on February 28 in the Washington Post as saying:

> One and possibly two United States divisions can leave South Vietnam during the last 6 months of 1969.

He indicated that one more division might leave in 1970.

Upon his return from an inspection trip to South Vietnam in March, Secretary of Defense Laird spoke of implementing what he called phase II of a program to train and develop the South Vietnamese army to take over a larger role in the fighting. There were two clear implications in what Secretary Laird had to say: One, that the Johnson administration had not done very well with this phase of the "program"; and, two, that the Nixon administration had adopted the program but would do better with it.

In his press conference on April 7, Secretary of State Rogers was asked about reports of troop withdrawal. In his reply, he emphasized U.S. willingness to proceed with a plan for mutual withdrawal of troops, stating that this could be done "at once" if the "other side", a famous phrase of his predecessor, agreed to it. But the Secretary did not rule out the possibility of unilateral withdrawal, saying with respect thereto, "we are considering all possibilities."

Mr. President, the return of U.S. troops from Vietnam would surely be welcomed by the American people. The return of even a small segment of the more than 500,000 servicemen we have there would likely be widely interpreted as a de-escalation of U.S. efforts, and as offering hope of "withdrawal" of all our troops in due course.

Mr. President (Mr. Allen in the chair), the real issue is not the withdrawal of a few troops, but the making of a peace which will permit all U.S. troops to come home.

After more than a decade of deliberate and steady escalation of our misguided involvement in Vietnam, to the refrain of "We Seek No Wider War," the American people look eagerly for signs that there is, indeed, a light at the end of the tunnel.

But the mere scaling down of the level of our forces in Vietnam will not bring about our extrication from this quagmire. The American people, the victims of so much deception about the Vietnam war, should be cautious about buying another pig in a poke labeled "Secret Negotiation."

If troop withdrawal is to herald the actual termination of this American land war in Asia, it must be a step that is taken in consequence of a negotiated political settlement that is plain for all, including the American people, to see, to read and to understand. Our experience with secrecy and credibility has been an unhappy experience. So much so that "open covenants openly arrived at" is deeply imbedded in American ideals.

If the Pentagon-Saigon axis has in mind the withdrawal of increments of U.S. troops over a period of years, leaving behind U.S. troops to back up the South Vietnamese Army, and to prop up a corrupt military dictatorship in Saigon, such withdrawals will but signify a prolonged war there and a long-term U.S. involvement. It is utterly unrealistic to think that the United States will be permitted, without a very long war, to establish in South Vietnam another South Korea-type client state. This, I must reluctantly conclude, is the goal of the Johnson-Nixon policy. I use the term "Johnson-Nixon" to describe the policy because I am unable to find any essential difference in the Johnson San Antonio formula and the Nixon policy, except, just perhaps, more reference to "secret" moves. Indeed, the same canards are accepted and broadcast, the same excuses given, sometimes even in identical words and phrases.

If we are to have peace in Vietnam, it can come only from a settlement of the political controversies that divide the Vietnamese people. In deciding what kind of settlement is obtainable, President Nixon must recognize that American interests and those of the South Vietnamese regime do not necessarily coincide. He must make it clear that this Government is not committed to hold out for a settlement which will insure continuation of the Thieu-Ky government. He must convince our adversaries that our repeated offer to withdraw U.S. forces from South Vietnam, if North Vietnam will also do so, which offer is as old as the Manila conference, is valid, and that we will be prepared to withdraw all of them if the North Vietnamese will do so under verifiable procedures, thus leaving the South Vietnamese people free to work out their own destiny without some outside interference.

The President must recognize, in my view, that this has been and is a political war which we and the South Vietnamese have been trying unsuccessfully to fight by military means. And finally, he must recognize and acknowledge—and the American people must acknowledge—that the influence of Americans in settling the political affairs of Asians is quite limited, whether we seek to do so directly by force of arms or indirectly by proxy.

In short, if we are to attain a political settlement in Vietnam, we shall have to make more credible our often repeated allegiance to the principles of self-determination. We shall have to make clear that we are willing to accept self-determination even if it results in political, economic and social institutions not of our choosing, perhaps not even of our preference.

If there was any recognized mandate from the electorate in the withdrawal of former President Johnson and from the election last November, it was that the Vietnam war should be ended as quickly and as honorably as possible. That mandate is the most important issue facing President Nixon, and facing, too, the elected representatives of the people, during the President's term of office. The manner in which responsibility is exercised in this regard will have an inexorably great impact on the well being of our country at home and its fortunes and prestige abroad.

Largely unhampered by ties to past policy, as was President Johnson, President Nixon has had more room to maneuver in charting a new course for U.S. policy. It is imperative, however, that he act decisively before events foreclose his options. His options are being foreclosed rapidly by actions in South Vietnam, by inaction in Paris, and by reports of decisions in progress in Washington.

Credibility between belligerents is difficult to achieve; it is easily destroyed, and, once attained and then lost, it is even more difficult to reconstruct. If progress on a genuine settlement is to be made in Paris, the President must make more credible the willingness of the United States to accept a compromise of the political issues involved. Indeed, a political settlement must precede a military settlement.

There are many pressures at work which seek to avoid the kind of political settlement which would make possible the withdrawal of American forces from Vietnam. These pressures, if allowed to go uncountered, could soon destroy the delicate balance that brought the parties together in Paris and could dash any hopes for an early end to the war.

This is one reason why the senior Senator from Tennessee utters these views today, Mr. President.

Throughout the period of our direct military involvement our leaders have participated in a sad story of self-deception about the progress being made in the military effort.

Several years ago there were predictions that there would be a military victory and that U.S. troops would start coming home "by Christmas."

Just before last year's TET offensive, there were optimistic forecasts about having the enemy on the run—to be followed after that offensive by urgent requests from field commanders for massive additions to our troop strength.

Shortly before the current Vietcong offensive, Adm. John S. McCain, commander in chief, Pacific, stated in a Reader's Digest interview:

> We have the enemy licked now. He is beaten. . . . He can not even mount another offensive.

And yet, Mr. President, the senior Senator from Virginia (Mr. BYRD) advised the Senate only earlier today that during the first 3 weeks in March, American casualties were larger than in any 3-week period in the history of this war, and that during the past 2 weeks the helicopter losses were larger than in any other 2-week period in the history of the war.

The senior Senator from Tennessee would like to say that, to the credit of Secretary Laird, he did not indulge in this kind of rosy-tinted rhetoric upon his return from his recent inspection trip to Vietnam. Yet there are very disturbing signs that the Nixon administration has not yet grasped the very clear lesson learned in the past 5 years. Only this past weekend there was a spate of page 1 news stories from official sources identified by reporters only as "White House sources" that reeked with propaganda, albeit without even so much as any actual quotation even unattributed.

Incidentally, one wonders how long a free press will permit itself to be so used.

If these stories are accurate, the Nixon administration has not yet faced up to the hard decisions that have to be made. A revolutionary political war in Asia cannot be won by Westerners with acceptable risks and losses. Our military and economic power, as great as it is, has been unable to stop the tide of history which long ago ended the possibility of Western control under Asian political life.

Moreover, we shall be deluding ourselves if we believe that the military forces of the Thieu-Ky regime can be built up to the point where they will be able to carry on the struggle with American dollars only, and without American lives.

I cite the recent remarks of the junior Senator from Mississippi (Mr. STENNIS), chairman of the Senate Armed Services Committee, in this connection.

The truth is that too many of the South Vietnamese have no stomach for the fight and no sense of identity with the ruling clique. A regime which muzzles folk singers, which shuts down newspapers which dare suggest talks with the NLF, which locks up Buddhist priests and politicians who have the audacity to call for peace, does not and cannot command the support of the people of South Vietnam to the degree that would be sufficient to carry on the struggle successfully without a U.S. presence and the active participation of U.S. military forces.

No matter how pure our motives, the United States cannot master the revolutionary, nationalistic tide that is sweeping the world. It was a misguided notion of omnipotence of the power of force, and domestic political pressures and predilections that resulted in the sending of U.S. combat troops into the Vietnam war. There are still powerful elements in our society and a vast apparatus within our Government which believe that we have the power, if not the license, to develop institutions in our own image in any sector of the globe in which we choose to do so. This is a delusion. In the past both former President Johnson and President Nixon have been of this school of thought. It ensnared President Johnson, and it will likewise surely ensnare President Nixon unless he is capable of perceiving its basic error and capable of resisting those who urge continuation of this disastrous course.

Undoubtedly, we would like to see a democratic republic in South Vietnam, and all Vietnam, the more nearly in our own image the more to our liking. This would surely be our ideological preference. But it does not necessarily follow that such is really essential to the security of the United States, even if attainable. Whether there be one Vietnam or two, whether the government of either or both be democratic or autocratic, communist or non-communist, no real threat to our national security is posed.

This is not to say that we are without an interest in what happens in Vietnam. Of course, we have an interest. As I have just said, we would prefer that the people of that area adopt as their pattern of life the type of government and the political institutions which we follow here in the United States, and in which we believe. But we must not confuse our ideological preferences, on the one hand, with our vital national security, on the other. We must distinguish between what is feasible and what is illusory—between fact and fancy.

Insofar as our strategic interests are concerned, they would be best served in Vietnam by a neutralist, nationalist order developed along patterns determined by the people who are indigenous to the area. A government so formed would have greater promise of independent survival in the long run than would any government that is dependent upon our patronage.

Our genuine national interest, then, Mr. President, should neither be equated with the fortunes of the present Saigon government, nor dictated by our ideological preferences in that area of the world.

If the "withdrawal" of American troops that is reportedly under consideration is a step contemplated in consequence of a firm decision to achieve and to accept a compromise political settlement that distinguishes between our preferences and our vital security interests, then there is basis for some hope that this conflict which has cost so many lives of our young men, so much damage to the moral fabric of our society, and so much damage to the prestige and standing of our country, may be terminated. But if this policy is adopted either from unwillingness to see or to face the facts and to make peace, or with a delusion that we can continue to fight a war by proxy in search of an unattainable goal, without prolonged American losses, then the administration and our people should realize that many years of fighting lie ahead. Suppose 50,000 or 60,000 troops—a number frequently used in the trial balloon stories in the press—are "withdrawn" per year. At this rate, it would take 10 years to bring our troops home.

For the moment, the political turmoil of the last 4 years, which was brought about by the steady escalation of a war which the Congress has not declared, has subsided. This is welcome. But this turmoil can, and without peace soon likely

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will, return. The American people will not and should not be content to sacrifice indefinitely our young men and our treasure to fight a war which seemingly has neither success nor end, and which cannot clearly be related to the security of our country.

The senior Senator from Tennessee has thus spoken his views, Mr. President, solely out of deep concern for his country.

Mr. PELL. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. PELL. Mr. President, I congratulate the senior Senator from Tennessee on an excellent speech, with which I find myself in full accord. Speaking as one Member of this body, I have the same thoughts. I have expressed them on the Senate floor in the past, and expect to do so in the future.

I think the country is coming to realize, and I only hope the administration is, that while there was a moratorium of criticism on the conduct and thrust of the Vietnam war, a moratorium which started with President Johnson's abdication speech and with the accompanying cessation of escalation in the fighting, that moratorium is now starting to end, and time is running out.

My understanding is that the operational orders for our troops in that unhappy war are very much what they were before: to search and destroy. I hope that will soon be changed, and that the thoughts expressed by the Senator from Tennessee will be realized.

Mr. GORE. I thank the able Senator.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. HUGHES. Mr. President, I should like to take this occasion, as actually my first utterance on the Senate floor, to compliment the Senator from Tennessee upon an excellent statement, which I think actually reflects almost totally my views, and in which I concur, and share the hopes that the Senator expresses that we can look at and consider in depth for the sake of the future of our country and the world, the things which the Senator has expressed so ably today.

Mr. GORE. Mr. President, I am very grateful for the Senator's remarks, particularly since they are the very first remarks the able Senator, who was such a progressive and popular governor of his great State, has uttered in the Senate. It is encouraging that men of his capacity and the widely recognized capacity of the junior Senator from Rhode Island would find concurrence with the views which I have expressed, with some reluctance, today.

I have been deeply disturbed, I might add, at the extent to which this rumored fast withdrawal has been accepted without question. To me, it would be a device to prop either the inability or the unwillingness to make a choice—the kind of choice which I think may now be possible. Such a choice, in my view, would be possible if we repaired to the Geneva Accords to which this Nation and other great powers agreed.

Mr. PELL. Mr. President, will the Senator yield further?

Mr. GORE. I yield.

Mr. PELL. Is it not correct that if we expressed these views in South Vietnam—views that are shared by many respectable people in the United States—we would find ourselves reposing in jail for an indefinite period of time?

Mr. GORE. Many South Vietnamese are now in jail for advocating either peace or neutrality. Yet, Mr. President, a neutrality of the area, a coalition government in the area, the working of the processes of self-determination, just may be the only procedures by which a peace may be arrived at.

SHALL WE RUN UP THE WHITE FLAG IN VIETNAM?

Mr. DODD. Mr. President, I have not spoken on the subject of the Vietnam war since November of 1967. Because of recent developments, I now consider it my duty to take up the subject again. And I do so with the hope that many Senators who cannot be present will at least read what I have to say.

I have listened with great interest to the remarks of the Senator from Tennessee.

There is no question that the great majority of the American people feel weary and frustrated over the seeming endlessness of the Vietnam war and that they would like to see it concluded on acceptable terms at the earliest possible date.

It is clear, too, that this mood is reflected in Congress.

We would, of course, have peace tomorrow if we were prepared to throw in the sponge and withdraw on Vietcong terms. But the great majority of those who have been critical of our Vietnam involvement do not propose this. They would, on the contrary, strongly oppose the suggestion that we raise the white flag or that we scuttle and run in Vietnam.

Nor do they say that it should be none of our concern if the Communists take over in Vietnam and then proceed to massacre their opponents by the scores of thousands, as they have done in every country in which they have come to power.

Nor, do they go so far as saying that it is of no concern at all to our national security if the whole of Southeast Asia falls under Communist control.

Although there are countless nuances in the ranks of the opposition to this war, the majority of them convey the impression, although one could wish that they were more explicit on this point, that they, too, would like to see the war ended in an honorable manner, which protects the freedom of the South Vietnamese people to determine their own future and which does not undermine the security of free Asia and our own country.

The main thrust of their criticism is that the administration has not been doing enough to bring about a negotiated settlement in the Vietnam conflict.

No one can be blamed for being impatient over the Vietnam war. All of us want to see the killing stopped. Indeed, on the day President Johnson announced that he had ordered the bombing of North Vietnam stopped, I made a statement calling for an immediate across-the-board cease-fire, including the cessation of terrorist activities.

It has been a source of deep regret to me that we have not made the call for a total cease-fire our official position, from the beginning, in the Paris peace talks. It is a position that would have the support of all those who are committed to peace; and if the Communist delegations refused to go along with our proposal for a cease-fire, the onus for the continuation of the killing would clearly be on their shoulders.

But while we all wish to see the killing stopped as soon as possible, we must also be concerned over the possibility that too many public manifestations of impatience may give Hanoi the impression that the American will to resist has been broken, and that we are about to raise the white flag in Vietnam.

Needless to say, surrender is not the intention of most of those who have spoken impatiently, and particularly in recent weeks.

But when prominent and respected members of both parties and important private organizations and retired Government officials warn the Nixon administration that it has only a few months at the most to settle the Vietnam war, or when the call is made for an immediate, or almost immediate, withdrawal of American forces, the hard fact is that this is like telling the North Vietnamese Communists that if they hold on for just another few months, they will have us in a position where they can settle the war on their own terms.

Imagine the position our negotiators in Paris would be in if they implored the Communists to reach an agreement with us in a hurry, because the American people are increasingly impatient with the war and the Nixon administration will be in serious trouble if it does not end the war in 2 or 3 months.

If they said this, then the Vietnamese Communist delegation in Paris would simply sit back and wait for the American home front to collapse.

THE REDUCTION OF AMERICAN FORCES IN VIETNAM

Some of our ablest Vietnam experts are convinced that, even in the absence of an agreement with Hanoi, we can begin to withdraw some of our forces from Vietnam this year without adversely affecting the conduct of the war or our position in the peace negotiations. They believe that we could only gain from a carefully phased de-Americanization of the war, geared to the improved combat capabilities of the South Vietnamese forces, the state of the battle, and progress in the Paris peace talks.

A point of crisis was reached in 1964 and 1965 which made a massive entry of American forces imperative in order to prevent a Communist victory. This was so for a number of reasons.

First, we did not do as well as we might have done in the early stages because we lacked understanding of the nature of Communist political warfare.

Second, we failed to train and equip

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the South Vietnamese forces properly, so that until very recently they were at a serious disadvantage in competing with the superbly equipped Vietcong forces.

Third, we failed to use our influence to promote certain essential social and political reforms.

Finally, a massive American entry became essential when Hanoi decided to go for broke in South Vietnam by reinforcing the Vietcong with entire divisions of the North Vietnamese army.

The American buildup that took place after 1964 saved Vietnam from what appeared to be an almost certain Communist victory. This is its historic justification. But it inevitably had certain byproduct disadvantages.

It encouraged the Vietnamese people to regard the war more as an American conflict than as their own.

It produced widespread popular resentment, as the presence of large numbers of alien and affluent forces invariably does.

It played into the hands of the Vietcong propagandists by lending seeming authenticity to their charge that the Americans are imperialist invaders.

If we can now reverse the process and start de-Americanizing the war, most Vietnamese would welcome it, provided of course, that what is involved is an orderly and phased reduction in forces, and not a precipitate abandonment of the battlefield.

There are many reasons for believing that President Nixon has been thinking in terms of such an orderly reduction, even if there is no agreement with the Communists, and that there have already been discussions with our Vietnamese allies on the subject.

In an early press conference, President Nixon stated that he did not want to see a single American soldier in Vietnam for a day longer than was necessary. Since that time, President Thieu has announced that the expansion and improvement of the South Vietnamese forces will make it possible for them, at an early date, to take over a much larger share of the battle from their American allies.

But it does not help in this situation if President Nixon is publicly pushed and prodded to withdraw or reduce American forces.

The enemy could derive small comfort from a phased and orderly reduction of American forces, agreed upon with our Asian allies. The enemy, may however, become even more stubborn and inflexible if we give him the impression that the President has been compelled by mounting public criticism to embark on a complete pullout of American forces.

THE AMERICAN HOME FRONT

Actually, the picture of overwhelming popular opposition to our Vietnam commitment painted by the critics goes far beyond the facts.

The most recent Gallup Poll on the Vietnam war, published on March 22, 1969, showed that only 26 percent of the American people favored pulling out of Vietnam. A much larger group, 32 percent, said that they were in favor of going all out to win the war; 19 percent said that they favored a continuation of the present policy; while another 19 percent said that they were in favor of an end to the war as soon as possible, but did not demand a pullout or criticize the conduct of the war.

What this adds up to is that the administration can count on the backing of 70 percent of the American people if it calls for further patience and perseverence in honoring our Vietnam commitment.

Significantly, the Gallup report said that up to this point the public had not blamed President Nixon for any lack of progress in the Vietnam situation.

Despite the clamor and confusion which the critics have generated, the basic good judgment of the American people is once again manifested in these figures.

Certainly, these figures do not suggest that the American people are ready to raise the white flag in Vietnam, or that the Nixon administration will be in deep trouble if it does not find a solution in 2 or 3 months, as some people have suggested. When the critics make such dire predictions, they are lapsing into the all-too-common error of identifying their own opinions with public opinion.

It has, of course, been Hanoi's belief for some time now that growing opposition in the United States to the Vietnam war would force us to withdraw on the Communist Vietnamese terms. Nor has Hanoi ever been bashful about stating this position publicly. Almost 4 years ago, when three Washington Post correspondents interviewed the Vietcong representative in Moscow, he made it clear to them that the National Liberation Front was counting on American public opinion rather than on military victory or on negotiations to force an American withdrawal.

In support of this contention, the Vietcong representatives flourished in front of the American correspondents a big batch of signed advertisements and appeals and speeches critical of American policy in Vietnam [see exhibit A].

In a recent article on "Vietcong Propaganda Abroad," Dr. Chester Bain, one of our foremost Vietnam scholars, said that the worldwide Communist propaganda effort on the Vietnam war is probably the largest and best coordinated campaign of its kind in history [see exhibit B].

Documents recently captured from the Vietcong show that, while they have been disappointed by the military failure of their recent offensive, the Communist leaders nevertheless believe that this offensive achieved its major purpose by encouraging the antiwar movement in the United States.

THE SEVERAL FACES OF THE VIETNAM CRITICS

There is a tiny minority in our country who have been particularly reponsive to the Vietcong propaganda because their opposition to our Vietnam policy stems clearly from a commitment to the revolutionary overthrow of our Government. They do not oppose our involvement in Vietnam for pacifist or humanitarian reasons. They oppose our involvement because they frankly favor a Vietcong victory.

Some, but not all, of these extremist critics have made no effort to conceal their motivation.

For example, Prof. Eugene Genovese, of Rutgers, created nationwide indignation when he said publicly in 1965 that he would welcome a Vietcong victory.

And, on the other side of the continent, at the University of California in Berkeley, Dr. Stefan Smale, one of the two chief organizers of the Vietnam Day Committee, told the press that he and his colleagues wanted the Vietcong to defeat the United States, because such a defeat would break American power elsewhere in the world and would also help to bring about revolutionary changes in the United States [see exhibit C].

As small as the group represented by Smale and Genovese may be, they have nevertheless, played a role out of all proportion to their numbers in organizing and in giving leadership to the anti-Vietnam agitation in this country.

The fact that many of the leaders of the anti-Vietnam agitation are motivated not by pacifism, or by high ideals, but by a revolutionary anti-Americanism has become increasingly obvious. Indeed, many of the old-line pacifists and liberals who cooperated with the anti-Vietnam movement in its earlier stages, are gravely concerned over this development.

Mr. Philip Altbach, a Ford Foundation fellow at the University of Chicago and president of the Student Peace Union from 1959 to 1964, said early last year in the Socialist Party organ that a large part of the Vietnam protest movement is not a peace movement at all, but, on the contrary, wants to see a Communist military victory in the conflict. He complained about the strident chorus of anti-Americanism in the Vietnam peace movement, and said that it had the effect of presenting a one-sided view of the situation [see exhibit D].

The revolutionary critics of our Vietnam policy have an unquestioned capacity for mischief and noisemaking, because they have all the zeal of the political fanatic.

To this revolutionary minority one cannot appeal for patience for the simple reason that they are ideologically committed both to a Vietcong victory and to the overthrow of our own Nation.

But the great majority of those who oppose the war have nothing in common with the revolutionary opponents of our Vietnam commitment. They would be unhappy about a Vietcong victory. But they nevertheless oppose our involvement in Vietnam either because they are pacifists, or because they believe we are overextended, or because they think that the Vietnam war is not the kind of war we should be involved in, or because they feel weary and frustrated and are disposed to regard the war as hopeless, or because they think it has not been properly managed or because they feel we are not moving fast enough to get the war concluded.

I can understand their position, and it is to these people that I am speaking today.

Since the honest critics of our Vietnam policy would unquestionably prefer

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to see an honorable settlement to a surrender, it should be possible to appeal to them for a limited measure of patience.

One cannot and should not ask them to forgo their criticism. I do not do so.

But surely it is not too much to ask that they weigh their statements carefully so that what they say cannot be exploited to undercut the position of President Nixon or of his representatives in Paris.

POLITICAL FACTORS FAVORING AN EARLY SETTLEMENT

At this point, some of those who are impatient with the Vietnam war will ask how long we must be prepared to wait while the war drags on and on.

Under other circumstances, it might be more difficult to venture an estimate. But within the past 8 months there has been a dramatic shift in the world situation which, in my opinion, militates against the indefinite prolongation of the Vietnam conflict and in favor of an honorable settlement at a relatively early date.

The Vietnam war would not have been possible without the massive assistance that Hanoi has been receiving from both the Soviet Union and Red China.

In order to make itself eligible for assistance from both sides, Hanoi has been playing an exceedingly delicate balancing act between Moscow and Peking. As tightrope walkers, indeed, the North Vietnamese Communists have shown themselves to be second to none in the world of politics.

However, a situation has now developed which will make this balancing act increasingly difficult. And even if Hanoi should succeed in maintaining a neutral stance between Moscow and Peking, the chances are that Hanoi's two chief suppliers will both be compelled to deescalate the scale of their military support.

Moscow's occupation of Czechoslovakia in August of last year and the political clampdown which it imposed on the Czechoslovak Government last month have not by a long shot solved all of Moscow's problems in central Europe.

Despite the new controls, the Czechs continue to voice their defiance of the Soviet occupiers and the press continues to find ways of partially circumventing the censorship regulations.

The occupation, moreover, has resulted in widespread criticism and discontent throughout the world Communist movement, and the criticism has been particularly marked in the case of the European Communist Parties.

Elsewhere in central Europe, the cauldron of discontent continues to simmer despite the occupation of Czechoslovakia.

A press dispatch of March 4, for example, quoted a high-ranking Soviet Party official as saying that Moscow's great concern at the moment is the situation in Poland. This situation he described as roughly the same as the situation in Czechoslovakia at the end of 1966, that is, just before the overthrow of the conservative Novotny government [see exhibit E].

Apparently completely unintimidated by the Brezhnev doctrine and the numerous threats that have been made against them, Yugoslavia, Rumania, and Albania continue to hurl defiance at Moscow and to reject the concept of "limited sovereignty" which the Kremlin now seeks to impose on all other Communist nations.

And while all this is going on in central Europe, the growing accumulation of differences and tensions between Moscow and Peking has now erupted in an almost explosive intensification of the Sino-Soviet dispute.

There have, of course, been clashes before this along the Sino-Soviet frontier. But this is the first time that both sides have pulled out all the stops and moved to full-fledged propaganda and political warfare against each other. As a result of this outpouring of hate propaganda on both sides, there can be no doubt that both the Russians and the Chinese now hate each other with a genuine passion.

There can be no doubt, too, that this all-out hate propaganda has produced a much more precarious political situation and increased the probability of military conflict. There have been a number of indications that Moscow is seriously worried that Red China will be able to exploit the discontent of the tribal minorities in the border regions to stir up a Vietcong type guerrilla insurgency.

The Sino-Soviet dispute, if anything, is bound to intensify over the coming period; the trend has gone too far to be reversed.

Both governments will be under pressure to increase the already very large forces they maintain along the Siberian frontier.

Simultaneously, Moscow must confront the probability that its political position in central Europe will continue to deteriorate and that the intellectual revolt in the Communist countries will continue to grow.

All the evidence points to the conclusion that, as great as our own difficulties may be, both the internal and external difficulties faced by Peking and Moscow far exceed our own.

This does not mean that we can afford to relax our own guard on the assumption that the intensification of the Sino-Soviet conflict, by itself, will safeguard the Western World. Desperation always has a quality of unpredictability about it; and for this reason, the desperation and frustration which both Moscow and Peking must now feel may actually increase instead of decrease the danger to the free world.

Nevertheless, there is no question but that Moscow and Peking, both, will have to devote more of their energies and more of their resources over the coming period to their internal problems and to their problems with each other. To this extent, it is reasonable to assume that Hanoi will not be able to count on the same degree of assistance from the Communist superpowers.

Besides, it is clear that North Vietnam is suffering desperately from the consequences of the war and that the North Vietnamese people are even more impatient and dissatisfied than the American people.

In a recent interview with an Italian journalist, General Giap, the North Vietnamese defense minister, conceded that the war had cost North Vietnam 500,000 dead. This is the equivalent of almost 7 million dead for a country the size of the United States.

On top of these incredible casualties, it is only reasonable to assume that Communist medical facilities have been utterly overwhelmed by the need to cope with the many hundreds of thousands of wounded, a large percentage of them maimed for life.

Remarkably enough, the figure of 500,000 dead, which was confirmed by General Giap, jibes almost exactly with our own estimates.

General Giap subsequently denied that he had made any such statement in the course of the interview. The Italian journalist replied that she had checked her notes carefully with the two friends, both Italian leftists, who accompanied her on her visit to Giap.

That General Giap subsequently denied the statement which he had made in an unguarded moment is not surprising. Hanoi's official position to this day is that there are no North Vietnamese forces serving in the South. In order to support this myth, Hanoi has had to organize one of the most remarkable campaigns of national deception in history.

Not merely does the North Vietnamese press make no mention of North Vietnamese activities and casualties in South Vietnam, but, to support this deception, the hundreds of thousands of servicemen who have been sent south have for all practical purposes become "non-people."

They are not permitted to write to their families.

They are not permitted any home leave.

And it is the ultimate inhumanity of this deception that even the tens of thousands of amputees and war-maimed are not permitted to return home, because this would give the lie away. What happens to these pitiful "non-people" is uncertain, but there are indications that they are detained in special centers in Laos and Cambodia and in secure areas of South Vietnam. They linger on in their awful suffering, cut off from their country and their families by a government that cannot admit their existence.

Those who are disposed to listen to the North Vietnamese Communists or to regard them as agrarian reformers, would do well to ponder the moral implications of the elaborate and inhuman facade that Hanoi has erected to support the lie that it has not intervened in South Vietnam.

Not very surprisingly, there have been many evidences of division and discontent in North Vietnam and the North Vietnamese Communist Party and the Vietcong movement itself. How deep this discontent goes may be gaged from the fact that among those arrested by Hanoi have been a number of important party functionaries.

In North Vietnam during 1968 the Ho Chi Minh regime, already as ruthless as the Stalinist regime at its worst, introduced still further Draconian measures to deal with discontent and attempted subversion and sabotage. These measures

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were not kept secret. Their introduction was trumpeted aloud, by press and radio, in an obvious effort to terrorize would-be resisters.

And in South Vietnam, at the same time as the will to resist is perceptibly weakening in America, the rate of defection from the Vietcong forces has soared to record levels. During the months of March and April, an average of 1,000 Vietcong defectors, many of them officers and political cadres, have come over to the side of the government each week.

Recently captured documents reveal the grave concern of the Vietcong leaders over the growing defection rate. Vietcong unit commanders are warned that if any soldier shows himself particularly cooperative or willing to accept duties, he should be suspected of trying to set things up for his defection to the government side.

Captured documents also reveal concern over the general level of morale. They complain that too many Vietcong are keeping their eyes on the Paris negotiations instead of on the battlefield.

All of these facts strongly suggest that if we can show the stamina and courage to persist along the path of honor in Vietnam, Hanoi will in the not very distant future show a greater willingness than it does today to come to reasonable terms.

It is a situation that calls above all for patience, a situation which requires that all those who are impatient not only weigh the implications that will be read into their words but also weigh the consequences of an American defeat in Vietnam.

For let there be no mistake on this point: If we abandon Vietnam, or if we are defeated in Vietnam, or if we negotiate a settlement that paves the way for an early Communist takeover there, then it would mark the beginning of the end for American credibility and for America as a great nation.

I do not have much patience with those who say it does not make much difference who takes over there. I will say more about that later, but let me say right now that it makes a great deal of difference. If we have not learned that lesson from history, then we have a lot of catching up to do.

THE HIGH COST OF SURRENDER

President Johnson's historic announcement of March 31, 1968, led to widespread speculation that the American will to resist was nearing collapse. In the wake of the President's statement, Field Marshal Sir Gerald Templer, commander of the British Commonwealth forces that defeated the Communist insurgency in Malaya after World War II, warned of the consequences of an American pullout. He said:

> If the Americans pull out of Vietnam, the Communists will take over the whole of Southeast Asia—and Burma, India, right up to the Caspian Sea, would go. An American withdrawal would have absolutely disastrous effects, not only in the Far East but further afield.

These words deserve the most serious consideration, especially on the part of our antiwar critics, because they come from an Englishman who has a profound and intimate personal knowledge of Southeast Asia and of Communist guerrilla warfare.

Sir Gerald's words were echoed a few days later in a statement by Prime Minister Tunku Abdul Rahman of Malaysia, who is widely regarded as one of Asia's ablest democratic statesmen. Let me quote what the Malaysian Prime Minister said:

> If the Americans for some reason decided to give up this war in Vietnam and the North decided to take over the South, then it will be the end of us all.

Very similar statements have in the past been made by Prime Minister Souvanna Phouma of Laos, by Prime Minister Lee Kuan Yew of Singapore, and even by Prince Norodom Sihanouk of Cambodia. Their statements all coincided with the statement of the Malaysian Prime Minister on the essential point that an American defeat in Vietnam, or an American withdrawal from Vietnam, would be absolutely disastrous for the whole of Southeast Asia.

Let me also quote again the bitter words written by the well-known Filipino commentator, Vincente Villamin. He said:

> The abandonment of Vietnam, would be an indelible blemish on America's honor. It would reduce America in the estimation of mankind to a dismal third-rate power, despite her wealth, her culture, and her nuclear arsenal. It would make every American ashamed of his Government and would make every individual American distrusted everywhere on earth.

Similar opinions have been expressed by other Far Eastern anti-Communist leaders, ranging in their political views from conservative to neutralist to socialist [see exhibit F].

The high price of surrender has also been underscored by some of our best and wisest friends in Europe. The London Economist, which is generally regarded as free Europe's foremost political periodical, and which has also been stanchly pro-American through thick and thin, had this to say about the cost of a surrender in Vietnam, in words that should be noted and remembered:

> It is arguable that the cost of victory, in terms of bloodshed, is proving to be too great; but the cost of betrayal could be even greater. In the last analysis it is for Mr. Nixon to decide; it may yet become Nixon's war. The Americans have made considerable headway in the military field, and a modest degree of headway with their pacification program. If they have the endurance, they can still win the war, in the sense of definitely preventing a Communist takeover. After backing so many rickety regimes through thick and thin, it would be tragic if they were to ditch this much better government to let the Liberation Front in. It is an illusion to imagine that the United States can agree to a compromise peace that would amount to a sell-out and retain any credibility in Asia. Nor in Asia alone; for in this shrunken world credibility is indivisible.

The cost of defeat has also been underscored by American experts who are sensitive to the realities of international politics. Shortly before he became President, Mr. Nixon's principal foreign policy adviser, Dr. Henry M. Kissinger put the matter in these terms:

> The commitment of 500,000 Americans has settled the issue of the importance of Vietnam. For what is involved now is confidence in American promises. However fashionable it is to ridicule the terms "credibility" or "prestige," they are not empty phrases; other nations can gear their actions to ours only if they can count on our steadiness. The collapse of the American effort in Vietnam would not mollify many critics; most of them would simply add the charge of unreliability to the accusation of bad judgment. Those whose safety or national goals depend on American commitments could only be dismayed. In many parts of the world—the Middle East, Europe, Latin America, even Japan—stability depends on confidence in American promises. Unilateral withdrawal, or a settlement which unintentionally amounts to the same thing, could therefore lead to the erosion of restraints and to an even more dangerous international situation.

So, let there be no illusion about the heavy price America will have to pay, in prestige and respect and credibility and world power, if it should seek to extricate itself from the Vietnam conflict under anything less than honorable conditions which assure the independence of South Vietnam.

THE TERMS OF PEACE

There are those who say that to talk in these terms is equivalent to demanding unconditional surrender by Hanoi.

My reply to this is that to talk in anything less than these terms should be equivalent to offering our own unconditional surrender to Hanoi.

The fact is that we do not demand an unconditional surrender.

We are already on record as favoring the inclusion of North Vietnam among the beneficiaries of the vast Mekong River plan. The experts who have worked on this plan tell us that it has a far greater potential for the entire region; that is, for Thailand, Laos, Cambodia, South Vietnam, and North Vietnam, than the TVA had for our Southern States. And the point has further been made that, economically, North Vietnam would gain far more from the peaceful cooperation with the rest of Southeast Asia within the framework of the Mekong River plan than it could ever hope to gain from the conquest of South Vietnam.

If Ho Chi Minh is really a Titoist, as some of the critics of the war pretend, the best way he could prove this would be to terminate the war, thus extricating himself from both the Red Chinese and the Soviet embrace, and to take his country into the Mekong River plan.

Moreover, the South Vietnamese Government has already made it abundantly clear that, while it opposes a coalition government, it is willing to promise a general amnesty when hostilities cease, to agree to free elections under international supervision, to assure the National Liberation Front of the right to participate openly in these elections on a non-Communist program, and even to enter into negotiations with the Vietcong in the interest of achieving a settlement.

This is conceding a good deal. In fact I do not know where people get the idea that our side is the inflexible one, and that we have refused to make any concessions to bring an end to the war.

Hanoi, therefore, can have peace in

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Vietnam on terms that do not represent an unconditional surrender for its side and which, indeed, would bring substantial benefits to it.

AGAIN THE NEED FOR PATIENCE

It is my judgment and prayer that this tragic and costly war will come to a close soon. It may not end in 3 months or 4 months; but then neither will it take 3 or 4 years.

But whether the war is terminated honorably or dishonorably depends in the final analysis on the patience and fortitude and unity we can display on the home front over the coming critical months.

Writing in the Washington Star on January 23, 1969, foreign editor Crosby S. Noyes said that "a demand in this country for quick results in the negotiations is a sure prescription for disaster." Mr. Noyes appealed for an abatement in the clamor for quick results. My own appeal for patience and solidarity is directed in the first place to those critics who until recently agreed that it was essential to the security of the free world to stop Communist aggression in Vietnam, but who now urge that we extricate ourselves on any conditions because the war is proving to be longer and more costly than they anticipated.

This is a position which is difficult to understand.

THE MORALITY OF OUR VIETNAM COMMITMENT

If it was morally and politically right to come to the defense of South Vietnam to prevent a Communist takeover, then it does not cease to be right simply because the going has become tougher, or because the war is more costly.

Whether the cost of the Vietnam war is justifiable or unjustifiable depends in the final analysis, on one's estimate of the enemy.

If one believes that the Vietcong Communists are simple agrarian reformers, as many people believed about the Chinese Communists before they came to power, the Vietnam war would be difficult to justify.

The scales of justification give another reading, however, if one believes that the Communist system is just as totalitarian as the Nazi system; that it is equally contemptuous of human rights and human life; that the total volume of human suffering produced by this system even surpasses the volume of suffering under the Nazis; and that it is just as fanatically committed to the expansion of its empire, to the destruction of freedom, and, above all, to the destruction of the United States of America as the chief bastion of freedom.

That is the reading I get, and I think history is on my side in this estimate.

There are those who will reply to this that some Communist regimes today are less oppressive and some more oppressive, and that it is a mistake to lump them all together.

I have never lumped them altogether; my critics have sometimes thrown that bale of hay at me, but they will have trouble finding it in the record because it is not there.

While all Communist regimes are tyrannical, it has been true, historically, that some have been more bloody than others.

In the spectrum of bloodiness, however, the tyranny of Ho Chi Minh does not belong with the Dubcek regime in Czechoslovakia; it belongs, rather, with the bloodiest of all Communist regimes, the regimes of Stalin and Mao Tse Tung. That this is so should not be surprising in view of the fact that Ho Chi Minh himself is one of the small surviving band of original unreconstructed Bolsheviks.

Hanoi's aggression against South Vietnam must be resisted because it poses basically the same kind of danger to the freedom and security of the nations in the area, and ultimately to our own security, as did the Nazi regime. The only serious difference is that the Communists have refined the means of subversion and aggression to a point never dreamed of by the Nazis.

A Communist victory must also be resisted because, as Hanoi has repeatedly pointed out, such a victory would demonstrate America's complete inability to cope with "wars of national liberation" and would pave the way to more "wars of national liberation" in other parts of the world, especially in Latin America.

Finally, a Communist victory must be resisted on simple moral and humanitarian grounds.

Hoang Van Chi, a former North Vietnamese Government official, has estimated that more than 500,000 North Vietnamese were executed or killed in one way or another during the period when the Ho Chi Minh regime was consolidating its rule over North Vietnam. And this figure would unquestionably have been very much higher if it had not been for the fact that some 1 million North Vietnamese, out of their hatred of communism, took advantage of the Geneva Agreement to flee to South Vietnam.

There are many reasons for believing that the massacre that would take place in South Vietnam if the Vietcong were to come to power there would far exceed, in scale and ferocity, the massacre that characterized the establishment of Communist rule in the north.

It is common knowledge, for example, that the Vietcong have prepared long lists of political opponents whom they plan to massacre as soon as they take over. These lists include Government officials at every level, officers and noncommissioned officers in the army, religious leaders, labor leaders, and countless thousands of those who escaped from the north.

There are some who say that the number slated for execution by the Vietcong may run as high as several million. This estimate may be on the high side. But that the Vietcong execution lists are intended in earnest was demonstrated in the most gruesome manner during the Tet offensive of last year, when the Vietcong briefly occupied the city of Hue.

In Hue proper, when it was liberated from Communist control, the allies dug up from mass graves the bodies of more than 1,000 Vietnamese civilians who had been executed by the Vietcong. Many of them had been buried alive, with their hands tied behind their backs.

More mass graves containing the bodies of civilians executed by the Vietcong are being discovered all the time in the general vicinity of Hue. For example, a mass grave discovered about 12 miles southeast of Hue toward the end of March has thus far disgorged 134 bodies. Again, many of these had been buried alive. And this last April 7, another press report said that South Vietnamese soldiers had discovered a new mass grave about 3 miles north of the first one [see exhibit G].

Moreover, if the Vietcong should ever take power, the victims of their terror would not be limited to those who hold leadership positions and whose names appear on their execution lists. The incredible bestiality with which the Vietcong have fought the war makes it certain that a Communist victory would also be followed by mass killings of men, women, and children in areas that are considered unfriendly to them.

There could be no more dramatic evidence of the Vietcong capacity for indiscriminate massacre than what happened to the simple Montagnard people of the village of Dak Son in December, 1967.

Attacking the village by night, the Vietcong went with flame throwers from house to house, killing indiscriminately, at point-blank range, men, women, and children. When they were through with their flame throwers, 250 unarmed Montagnards, mostly women and children, had been killed; another 500 were missing, some of them dead, some of them kidnaped, some of them escaped; and scores more were suffering from ghastly burn wounds over much of their bodies.

Let no one, therefore, who now demands our immediate withdrawal from Vietnam plead innocence or ignorance if this agitation should in fact compel our withdrawal, and if, in consequence of this withdrawal, there takes place the frightful massacre of the innocents which has attended the establishment of Communist rule in every country.

In the accounting of history they will not be able to escape their responsibility for helping to make this massacre possible.

Nor will they be able to escape responsibility for the subjugation of other Southeast Asian countries by communism which would be bound to follow in the wake of an American capitulation in Vietnam. As the highly esteemed Institute for Strategic Affairs pointed out in a study last week, the validity of the domino theory can no longer be challenged.

When some of us talked about the domino theory a year or two or three ago, we were told, "That is old fashioned; that is a lot of bunk." Mr. President, it was not bunk then and it is not now. All you have to do to realize this is study history, look at the map, and think about the matter.

Referring to the Hanoi-backed Communist insurgencies in Laos and Cambodia, the institute's report said that these dominos were already ripe for tumbling, and that even Thailand's position was precarious.

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The Vietnam war has been long and costly, in my judgment longer and costlier than it should have been because it has been so tragically mishandled.

The recognition that we have made errors, moreover, does not mean that we should now cut and run; it simply means that we must move as rapidly as possible to eliminate the errors, at the same time as we move to reduce and terminate the scale of hostilities.

To many people it no doubt appears that we have achieved nothing through our sacrifices. But despite the errors we have made, our efforts in Vietnam have served the cause of freedom well.

Through our sacrifices we have purchased precious time for the free nations of the Far East; and, with few exceptions, these nations have made good use of this time to strengthen their institutions and build up their economies.

Indonesia was saved from going Communist by a hair's breath; and it is probably no exaggeration to say that our Vietnam commitment made the difference between victory and defeat in this case, because, had another half dozen senior officers sided with the rebels, the Communists would almost certainly have emerged triumphant.

In the balance of history, therefore, our intervention in Vietnam has been anything but fruitless.

The American people have always carried themselves with exemplary fortitude in difficulties and crises.

By history and by temperament, they are not a people disposed to accept humiliation or to raise the white flag of surrender.

If the full facts on Vietnam were now put before the American people, the administration would have the backing of the overwhelming majority for a policy of continued firmness.

President Nixon must be given credit for doing everything in his power, for walking the extra mile and more, in an effort to put an end to the Vietnam war.

In this effort he needs and deserves the understanding and support of the American people. He deserves it all the more because no American President ever inherited a more difficult situation.

We are now closer to a settlement than we have ever been before.

As I have been speaking, the Communist-run National Liberation Front has issued in Paris a 10-point peace program of their own as a basis for a settlement in Vietnam. There has been no chance to analyze this proposal as yet. But it may signal the beginning of serious movement in the negotiations.

So I ask the honest critics of our Vietnam policy, the congressional critics in particular, to withhold their criticism for a while and let President Nixon and his representatives do the speaking for the United States, so that they can bring an end to this awful war.

I ask for patience because it is a fact that the President's position is undercut by calls for an immediate pull-out or by arbitrary deadlines for getting out of Vietnam.

Now, I am sure that the administration will not be misled by the clamor which comes from the misguided and from those who have lost hope and are now impatient.

Nor will the administration permit this clamor to reduce it to a suppliant posture in the Paris negotiations, because nothing could be more fatal to the outcome of the Vietnam war.

And, let us hope that the administration will not allow this clamor to silence its voice at home or prevent it from reaffirming, in positive terms which every American can understand, the importance of Vietnam to the cause of freedom and the overwhelming moral and political justification for our presence there.

This is something, to my great regret, which the Johnson administration failed to do; and for this, it paid a very heavy penalty.

So let us all work to achieve a just and honorable settlement of the Vietnam conflict.

Let us constantly and repeatedly test the sincerity of the Communist negotiators by urging their acceptance of a total ceasefire.

Let us not say anything which might lead the enemy to believe that we are ready to surrender or put up the white flag.

And let us never repeat the folly of base appeasement because this will, as surely as day follows night, inevitably result in new aggression and new bloodshed under far more terrible circumstances.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks several exhibits relating to what I have said today.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

EXHIBIT A

Stephen R. Rosenfeld, Washington Post, May 28, 1965: "Flourishing a batch of American cartoons, signed advertisements, and speeches critical of American policy in Vietnam, the Front's new representative in Moscow made clear his reliance on American public opinion rather than on military victory or negotiations, to compel American withdrawal."

EXHIBIT B

Dr. Chester A. Bain, Foreign Service Journal, October, 1968: "The communists' worldwide propaganda effort on the Vietnam war is probably greater and better coordinated than any other propaganda campaign in history.

"Viet Cong and Hanoi propaganda directives point to groups upon whom to concentrate—pacifists, families of servicemen with the allies in Vietnam, student groups, church organizations. And they suggest means of encouraging dissent with American policy—anti-war demonstrations, military desertions, and alienation of European countries from the United States. The echoes reverberate worldwide, produced and directed by an elaborate and sophisticated propaganda mechanism."

EXHIBIT C

Dr. Stefan Smale, the Oakland Tribune, October 29, 1965: "We want the Vietcong to defeat the United States for international reasons. If the U.S. is defeated in Southeast Asia, this will help break American power elsewhere in the world. This would give new impetus to revolutionary social change (wars of liberation) in such places as Africa and Latin America. And if surrounded by revolutionary changes, it will in turn make it easier to achieve radical change in the United States."

EXHIBIT D

Mr. Philip Altbach, New America, November 24, 1965: "There is a strong undercurrent in the protest movement which tends to view a Vietcong victory as a positive aim . . . The strident chorus of anti-Americanism has had the effect of presenting a one-sided view of the situation . . . A substantial part of the Vietnam protest movement is not a peace movement at all but rather supports the Communist side in the conflict."

EXHIBIT E

The New York Times, March 4, 1969: "An East European source asserted tonight that the apparent shifting in Communist tactics on Berlin in the last week reflected a division in the Politburo of the Soviet Communist party.

"The source, who said he was quoting an official of the Soviet party Secretariat who recently visited his capital, said it was significant that the Soviet leaders who had favored a conciliatory policy on Berlin in Presidium meetings were the ones who pleaded against an invasion of Czechoslovakia last year.

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"The Soviet official was reported to have said that among Moscow's greatest concerns at the moment is the situation in Poland. The country is 'roughly the same as Czechoslovakia at the end of 1966,' the official was quoted as having said. That period was a year before President Antonin Novotny was ousted by the Czechoslovakia Politburo and replaced as party leader by Alexander Dubcek, an advocate of reform."

EXHIBIT F

STATEMENTS ON VIETNAM BY ASIAN LEADERS

Philippine President Ferdinand E. Marcos, Manila, 1966: "It is established beyond dispute that the war in Viet-Nam is not a civil war. It is a war on an international scale involving massive aggression from Communist North Viet-Nam with the active encouragement of Communist China."

Korean President Pak Chung Hui, Korea, 1966: "The forces which support and control the Viet Cong in Free Viet-Nam today are the same forces which 16 years ago supported and controlled the southward aggression of the Communist troops in Korea . . . the situation in Viet-Nam is more than a simple domestic problem of that country. It represents rather a confrontation of the free world with Communist tyranny."

Prince Norodom Sihanouk of Cambodia, May 9, 1967: "They launched these attacks because they want to create civil war. . . .

"If we fail in our operations against them and if the Khmer [Cambodian] Viet Minh emerge victorious, they can transform the nation into a Communist country. If not they must continue to accept independence and neutrality. . . .

"The masters of the Khmer Viet Minh are the Viet Minh and the Viet Cong."

Eisaku Sato, Premier of Japan, November 14, 1967: "I wish to express my deep respect to you, Mr. President [Johnson], for the great efforts being made by the United States under your able leadership to bring peace and stability to the world, particularly in Asia in this moment."

Rajmohan Gandhi, editor of Himmat magazine, February 1965: "There is dangerous thinking in the West . . . progressives of the West believe that Communism will win and the best that they can do is surrender peaceably to it . . . they are free to expound their ideas from remote positions. But there are millions of people in Southeast Asia and 450 million people of India who, in spite of the

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basic defects in the structure of their society, will not permit themselves to be traded in the drawing rooms and cabinets of the Western world. . . .

"If America compromises on this vital issue of freedom in Asia, she will have to pay the price dearly. . . . It is alarming that [responsible commentators] of the West should talk so lightheartedly about leaving India's eastern flank open to the dangers of Chinese invasion.

"[The] counsel of retreat to the West is certainly not what Asians want. We want and need the presence of the West on Asia's land and sea. The West can provide the power of balance to Communist China until such a time as democratic nations like India and Japan can provide it."

Singapore Premier Lee Kuan Yew, May 6, 1965: "If the Communists are able to advance their frontiers to envelop South Viet-Nam it will be only a matter of time before the same process of emasculation by military and political techniques will overtake the neighboring countries."

Prime Minister of Laos, Prince Souvanna Phouma, November 2, 1967: "We were fully satisfied with the [1962] Geneva accords. We thought that the nightmare of internal subversion and foreign aggression was over. But, alas, our people were grievously deceived. The accords were immediately and shamelessly violated . . . the Pathet Lao . . . , valet of the Hanoi Government, continued its sabotage. War, instead of stopping, grew more intense. Today, five years after the signature of the Geneva accords, we can count about 40,000 North Vietnamese soldiers in our territory. They are fighting beside 15,000 Pathet Lao, armed, paid, trained and encadred by North Viet-Nam. Development of our country is paralyzed. Thousands of refugees stream into Governmental zones. Hundreds of villages are abandoned. Only half of the soil is cultivated. The Ho Chi Minh trail has become an active transit route for North Vietnamese forces. . . . But, the most distressing aspect is to think that this useless, bloody, tragedy could not have occurred if some ideological, greedy nations had not come and interfered directly or indirectly in our internal affairs. By what right, what moral, do they assume the right to 'liberate' us?"

The late Prime Minister Harold Holt of Australia: "It is in Vietnam that aggressive communist pressure—the greatest political danger in Asia today—is most severe and direct, and it is in this area that we must, for the time being, concentrate much of our defense effort and resources. . . .

"Let me repeat, in simple terms, why we are in Vietnam:

"We are there because we believe in the right of people to be free.

"We are there because we responded to an appeal for aid against aggression.

"We are there because security and stability in South East Asia are vital to our own security and stability.

"We are there because we want peace, not war, and independence, not serfdom, to be the lot of the peoples of Asia.

"We are there because we do not believe that our great Pacific partner, the United States, should stand alone for freedom.

"We will continue to be there while the aggression persists because, as a free and independent nation, we cannot honourably do otherwise."

Prince Norodom Sihanouk of Cambodia: "The fact is that as long as the Americans are there, China cannot yet swallow Cambodia. And what prevents the Americans from swallowing Cambodia is precisely the fact that China is there."

New Zealand Foreign Minister, Keith Holyoke: "Nothing is more essential to the maintenance of peace than a recognition that so-called wars of national "liberation" must be successfully challenged. . . . Vietnam is a small nation, New Zealand is much smaller. And we have a particular interest to protect the right of all nations, however small, to work out their future free from the threat of aggression and conquest."

Armed Forces Daily, October 24, 1967: "Regardless of one's views on the war, it is evident that U.S. forces in Vietnam are both a deterrent to communist attack and a shield against communist expansion in Southeast Asia. If U.S. forces are withdrawn to Australia, it would be very easy for the Chinese communists to continue their aggression and expansion to the south."

Foreign Minister Thanat Khoman of Thailand: "Let us smaller and weaker nations candidly face the facts and realize that the imminent dangers which may descend upon our nations are less likely to come from nuclear deployment—although that can never be ruled out—than from combinations of military and political ventures which their proponents euphemistically call "wars of national liberation," and which, for all intents and purposes, are hardly different from the one which Adolf Hitler launched against the Sudetenland nearly thirty years ago. Such undertakings nowadays may be more insidious but no less lethal to our free and healthy existence. . . .

"North Vietnam and its supporters in the communist world, as well as its Vietcong agents in South Vietnam, wanted the outside world to believe that the war of conquest they have been waging for many years against the small and independent country of South Vietnam is a genuine national uprising or, to use their current terminology, a "war of national liberation."

"This travesty of the truth has convinced neither the South Vietnamese people nor those who live near the scene of the crime and who are directly or otherwise suffering from its nefarious consequences. Only those who are farther away whose minds are less perceptive of the existing realities, and those who are always liberal with other people's freedom or are prompted by less than altruistic reasons, allow themselves to fall victims of this crude propaganda.

"But if questions as to what they think of the conflict in Vietnam are directed to those Asians who have their feet firmly on the ground and whose vision has not been clouded by the outlandish ideology of the frustrated author of "Das Kapital," they would reply in unison that it is in effect an old-styled colonial conquest with only a few renovated outward trimmings. . . ."

Mr. K. K. Sinha, director, Political and Social Studies Institute, Calcutta: "You cannot help being involved; you are involved, whether you like it or not. Your present indifference is a factor favoring one side in the battle. So don't imagine that by your silence you can escape.

"I have gone through much of the literature on Vietnam and more is coming out. One thing I am already convinced of and that is that this struggle is local as well as universal. Its final result will be crucial both for that small country—flapping like a small side-pocket for coins in the jacket of a continent—as well as for the continent and the world. Vietnam *is* a world issue indeed."

Exhibit G

A Second Grave of Dead Civilians Found Near Hue

The Evening Star, Washington, D.C., Monday, April 7, 1969:

"Da Nang, South Vietnam (AP).—A second mass grave containing bodies of men and women executed by Communist troops during the 1968 Tet offensive was found near Hue today.

"Workers exhumed 20 bodies and are continuing to open the grave 10 miles east of Hue during the remainder of the week.

"Twelve days ago, a Vietnamese soldier on patrol tripped across a wire binding the hands of a buried man. As they uncovered that body, the authorities found the first mass grave and in the following days removed 134 bodies.

"That area was about 12 miles southeast of Hue. The new gravesite is three miles north of the first one.

"We have no idea how many bodies we will find in this new gravesite," said one U.S. advisor. He added that Vietnamese soldiers patrolling the area also are checking reports of additional gravesites."

(The following colloquy, which occurred during the delivery of Mr. Dodd's address, is printed at this point by unanimous consent.)

Mr. LONG. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. LONG. It seems to the Senator from Louisiana that we really have available to us one of two basic courses. Something can be said for both.

For the advocates of withdrawal, it would appear that the best argument that can be made for their side is that if we disengage—keeping in mind what loss of face means in Asia—the American people would not be willing to support our fighting anywhere over there, be it Thailand or Burma or Pakistan or South Korea or Taiwan or even Japan.

Conceivably, this country could back off behind the big, deep oceans and take the attitude that we are going to pursue the old Fortress America theory advocated by President Herbert Hoover. If we did that, one could anticipate that it would be only a period of years, perhaps 10 years, before the Communists would be in complete control of Africa and Asia, and, in all probability, would dominate Western Europe as well. They would have at least 2 billion of the world's 3 billion people well under their control. This Nation would be the only military power standing in their way of dominating the entire planet.

One might say, well, if we did that, we could still hold the New World; we could hold the Western Hemisphere. Conceivably, those who argue that might do well to keep in mind that the Communist do not seem to change their mind about these things, and we could anticipate that they would be pressing in Latin America and Central America, in addition to having the beachhead they have in Cuba, and would do everything they could do to get their military forces into Latin America and elsewhere. We might then well see the Communist powers in control of first one Latin country and then another.

It might be said, "Well, we could still protect our own country." It should be borne in mind that if we were to look at the Communists across the Rio Grande, they would have almost 3 billion people under their domination and control, leaving this Nation only 200 million people to resist the kind of insidious maneuver witnessed through the so-called wars of liberation.

That is one approach. It would perhaps be popular for a few years. I suspect it might well prove to be utterly disastrous in the long run.

The other approach would be to take the attitude that where threats against nations are being made by the Communist powers, we are going to help those countries and give them the kind of help that is necessary for those countries to prevail. In that event, if we had run out on people we had encouraged to stand up and fight in South Vietnam, we would cause people throughout the entire area to say, "You cannot trust the United States. You cannot depend on the United States." And we would begin to see those people shape their policies to conform to the demands of the Communist powers—China and the Soviet Union.

While one recognizes that it is a tragedy every time an American boy is lost on the batlefield, does not the Senator recognize that the cost would be far, far greater if we found ourselves in a situation where we had to take on the Communist movement when we were about the only country to do it and the Communists had a large part of the world under their control?

Mr. DODD. The Senator is correct in analyzing the situation and in suggesting the conclusion that he does.

Although I have not devoted much space to this matter in my previous remarks it is a subject which ought to be gone into thoroughly. I do deal with the matter later on in my remarks, and I hope the Senator will be present to hear what I have to say.

It seems to me that the conclusion the Senator draws is inescapable; I do not see how anyone could reach any other conclusion.

Mr. LONG. It seems to me that those who say, "Withdraw. Get out under any terms whatever, dishonorable though that might be," simply do not tell us where all this is going to lead. They would like to assume that the Communist powers will fall out among themselves and destroy each other. That is not the way it has happened, has it?

Mr. DODD. No; that has not happened anywhere. I do not think it will happen. There is no sign of it, anyway.

I may say to the Senator from Louisiana that my plea today is a special one for what I have described as patience for a little while. I would not attempt to stifle anybody's critcism. But I am fearful that at this hour a lot of the criticism in this country is misunderstood by our enemies and that it serves to stiffen the backbones of the Communist negotiators in Paris and make it harder for us to get the war over with.

We are all anxious to get it over with, but there are differences of opinion as to how it should be done.

The President inherited this mess. He is trying to get it cleaned up. I say, give him a chance to settle it and leave him alone.

Someone may say, "How long?" I say give him a reasonable, sensible period of time, while they are negotiating in Paris.

That is all I am trying to say.

I do not say this in idleness. I mentioned conditions in the Soviet Union and in China and in Central Europe and in Asia. We have many problems, but the Communists have problems, too, in their own countries and in the countries around them. In fact, they have them in spades.

We ought to strive for a balanced viewpoint on this matter instead of focusing too closely on our own difficulties. I guess that is what I am trying to say.

Because we do not seem to know how to win our wars, we just get bled white by them; and I think it is about time we put an end to this.

But we cannot put an end to this situation when we have all this clamor and confusion, and when the Communists in North Vietnam are able to tell the Washington Post correspondents:

> We don't expect to win on the battlefield. But look at the speeches, statements, and advertisements going on in your own country: this is going to cause you to give in.

That is why I say, wait a little bit; give the new Administration a chance, and see if they cannot put an end to it. That is the point of my speech.

(This concludes the colloquy which occurred during the delivery of Mr. DODD's address and which was ordered to be printed at this point by unanimous consent.)

PROPOSED JOB CORPS CAMP CLOSURE

Mr. BIBLE. Mr. President, I have been advised that debate on the resolution relating to the closure of Job Corps camps is now, at least tentatively, set for the coming Monday, May 12. I had previously been advised that it would be called up on Wednesday, May 7, which was yesterday, or, at the latest, today. Because of committee schedules and other problems, I am advised that the leadership now says that the resolution cannot be taken up until next Monday or Tuesday.

Because of previous assurances I had received, I made arrangements for hearings in the field concerning problems which relate to the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs, a subcommittee of which I am chairman. Therefore, it will be impossible for me to be present at the time the resolution is considered by the Senate.

Many of my constituents have written to me of their interest in this particular program, so I should like to say that I would have voted for the resolution sponsored, in chief at least, by the distinguished Senator from California (Mr. CRANSTON). But because I shall be away from Washington at the time the resolution is considered, I have asked that I be paired with a live pair, if possible; but if not, that, at least, my vote be announced accordingly.

My position is based primarily on the fact that the announcement of the proposed closure was made without consultation with Congress or without any notice to or discussion with Members of Congress who represent States in which the various Job Corps camps are located. I think that is not the way to handle a problem of this magnitude.

Accordingly, I desire to have the RECORD show that if I were present, I would vote "yea" on the resolution of the Senator from California (Mr. CRANSTON). As I have stated, I have asked for a live pair.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. CRANSTON in the chair). The Chair, on behalf of the Vice President, appoints the following Senators to attend the United States-Canada Interparliamentary Conference to be held at Ottawa, Canada, June 3 to 8, 1969: The Senator from Idaho (Mr. CHURCH), chairman; the Senator from Alaska (Mr. GRAVEL), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Virginia (Mr. SPONG), the Senator from Montana (Mr. MANSFIELD), the Senator from North Carolina (Mr. ERVIN), the Senator from Vermont (Mr. AIKEN), the Senator from Michigan (Mr. GRIFFIN), the Senator from Wyoming (Mr. HANSEN), the Senator from Idaho (Mr. JORDAN), and the Senator from New York (Mr. JAVITS).

Mr. MANSFIELD. Mr. President, I hope very much that the Senators who have been appointed as delegates representing the Senate to this 12th Canada-United States Interparliamentary Conference will find it possible to participate in this important annual meeting which has done so much since its establishment in 1959 to foster good relations between the United States and our neighbor to the north. It is an important responsibility representing the U.S. Senate and representing the country at this international conference.

The conference, which was established in 1959 by acts of the U.S. Congress and the Canadian Parliament, consists of 24 delegates from each of the two countries, divided between the two chambers. The purpose of the conference as set forth in the U.S. authorizing legislation, is for a "discussion of common problems in the interests of relations between the United States and Canada."

The agenda items which the delegates to this year's conference will discuss run the entire gamut of the mutual problems of concern to our two countries, from defense to trade.

The dialog that transpires at these conferences has far-reaching ramifications in furthering the understanding between countries and its peoples.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). The Chair, on behalf of the Vice President, appoints the following Senators to attend the 53d session of the International Labor Conference to be held at Geneva, Switzerland, on June 4 to 26, 1969: The Senator from New Jersey (Mr. WILLIAMS) and the Senator from Pennsylvania (Mr. SCOTT).

Mr. MANSFIELD. Mr. President, in like manner, our delegates to the ILO are there as the representatives of the U.S. Senate.

The International Labor Organization is the international organization which contains representatves of both management and labor from each of the countries in the United Nations. It has traditionally been a meeting ground for the exchange of information and possible legislative ideas applicable to the labor problems of the individual countries. Traditionally the Congress has sent representatives from each body to take part in these deliberations and the meetings have

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fostered greater understanding between the governments and brought greater insight to the mutual interests of all concerned.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LONG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Stevens in the chair). Without objection, it is so ordered.

RELEASE OF LEAD FROM NATIONAL STOCKPILE

Mr. LONG. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1647, Calendar No. 125.

The PRESIDING OFFICER. The bill will be stated by title.

The Bill Clerk. A bill (S. 1647) to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LONG. Mr. President, as I understand, there is no objection to the bill, except that the Senator from Delaware (Mr. Williams) feels that this lead, which is in the stockpile, should be sold on a competitive bidding basis. And he has an amendment which would accomplish that.

Mr. WILLIAMS of Delaware. Mr. President, I send an amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

On page 1, line 4, strike out "by negotiation or otherwise" and insert in lieu thereof "for sale to the highest responsible bidder".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, for sale to the highest responsible bidder, approximately one hundred thousand short tons of lead now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat 456, as amended by 73 Stat. 607). The disposals authorized by this section may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Mr. LONG. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. WILLIAMS of Delaware. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DELINQUENT TAXPAYERS' ACCOUNTS

Mr. WILLIAMS of Delaware. Mr. President, on April 18, 1969, as appear-
I presented my 15th annual report on the
ing in the Record, pages 9538 to 9547, inventory of delinquent taxpayers' accounts.

In that statement I called attention to the fact that $2,149,842,000 in past-due taxes remained uncollected as of December 31, 1968. Included in that $2 billion unpaid taxes were $236,444,000 which had been abated during calendar year 1968.

An abatement represents a tax assessment written off on the basis: First, that as the result of decisions by tax courts or as the result of later examinations of the taxpayer's records it was found to have been an overassessment, and accordingly the amount overassessed was written down to the actual amount determined to be owed; or, second, that the tax claim as assessed was settled by compromise—that is, settled for a percentage of what was actually determined to have been owed.

Today I am incorporating in the Record a list of the 100 largest compromise settlements that were included in the 1968 abatements as furnished by Commissioner Thrower.

It should be remembered that to the extent one taxpayer escapes paying his tax obligation, other taxpayers must bear the additional burden.

In my opinion, too much leniency has been shown to some of those owing these large amounts of taxes; we need more rigid enforcement.

I ask unanimous consent that Commissioner Thrower's letter of April 28, 1969, along with the list of the 100 largest compromise settlements, be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

U.S. Treasury Department,
Internal Revenue Service,
Washington, D.C., April 28, 1969.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: This is in further response to your letter of December 4, 1968, which requested, among other items, a list of the one hundred largest compromise settlements.

I am enclosing copies of the Abstracts and Statement of each of the one hundred largest accepted Offers in Compromise. Copies of the Abstracts are being furnished because we believe that they will be more informative than a mere listing of the taxpayers' names. You will recall that we used this approach last year.

If I can be of further assistance, please let me know.

With kind regards,
Sincerely,
Randolph W. Thrower,
Commissioner.

Abstracts and Statements

Approval date: 6–13–68; Ralph J. and Iva Abbey, 5630 Loring Dr., Apt. 154, Dallas, Texas; tax due, $43,713.11; compromise settlement, *10,000.00; years involved, 1961–1962.

* The total sum of $10,000 to be paid in full within 30 days after Notice of Acceptance, together with interest at the rate of 6 per cent per annum from the date the offer is accepted until date that payment is made in full, and Waiver of Refunds, Default Agreement and other provisions on Form 656 (Rev. 7–57). In addition the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1968 to 1973 inclusive, and will pay in addition to the $10,000 offered, any monies collected from a $3936.91 suspense fund being held by Permian Corporation, Midland, Texas, as indicated in Item #9 of the Collateral Agreement Form 2261.

Approval date: 12–19–67; Thomas F. Abbott, Jr., 11611 Chenault Street, Los Angeles, Calif. 90049; tax due, $23,619.66; compromise settlement, *12,000.00; year involved, 1959.

* $12,000 with $3,200 already paid in, the balance to be paid at the rate of $150 per month, on the 15th of each month, commencing on the 15th of the first month after notification of acceptance, together with other provisions on form 656 (Revised July 1957). In addition, taxpayer has signed a collateral agreement wherein he has agreed to pay a graduated percentage of his future income in excess of $7500 per year for the years 1968 to 1974 inclusive. In paragraph 9 of the collateral agreement, taxpayer has waived the privilege of carrying forward any unused portion of any net capital losses sustained by him for any year prior to Dec. 31, 1966. He has also signed a joint liability statement wherein it is stated that the offer is made to compromise his liability only and not that of his co-obligor.

Approval date: 2–9–68; James A. Amatulli, A/K/A Vincent Amatulli, 421 Second Avenue, Pelham, New York 10803; tax due, $60,861.59; compromise settlement *$5,000.00; years involved, 1943–1944.

*The amount of the offer is $5000 payable as follows: $2500 upon notice of acceptance; $500 one year thereafter; $500 two years thereafter; $700 three years thereafter and $800 four years thereafter with interest at the rate of 6 per cent per annum from the date the offer is accpted until the respective payments are made in full together with waiver of refunds, default agreement and other provisions of F–656 (Rev.) 7–57. In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1967 to 1973, inclusive.

Approval date: 5–8–68; Gaerold G. Antene, 615 N. W. 25th Street, Oklahoma City, Oklahoma 73103; tax due, $49,576.78; compromise settlement, *$2,500.00; years involved, 1945–1959.

*$2500 to be paid within 30 days from date of notification of acceptance and waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7/57). In addition the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1968 to 1969, inclusive.

Approval date: 3–1–68; F. Leroy & Roberta A. August, 2 Maple Place, North Warren, Pennsylvania 16365; tax due, $48,016.27; compromise settlement, *$4,350.00; years involved, 1960–1965.

* $4350 cash, together with waiver of refunds and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future

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income in excess of $7500 for the years 1968 to 1967, (sic.) inclusive.

Approval date: 6–7–67; Chester O. Bacon, South Haven, Kansas; tax due, $34,509.40; compromise settlement, *5,000.00; years involved, 1957–1963.

*$5000 payable upon acceptance, together with waiver of refunds and other provisions on Form 656. In addition, the Taxpayer has agreed to pay a graduated percentage of his future income in excess of $4500 for the years 1968 to 1975 inclusive.

Approval date: 7–23–68; Sterling H. & Pauline Bagby, Stockton, Kansas, tax due, $145,237.13; compromise settlement, *5,400.00; years involved, 1960–1962.

*$5400, $90 deposited with amended offer of Pauline E. Bagby dated November 20, 1967, and $90 deposited with amended offer of Sterling H. Bagby, Jr. dated November 20, 1967, $1440 to be paid within 15 days after notice of acceptance. Balance to be paid at the rate of $63 per month commencing on the 20th day of the month following receipt of notice of acceptance, together with interest at the rate of 6 per cent per annum from the date of the offer is accepted until the payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years of 1968 to 1977, inclusive. It was also agreed that the term annual income shall include the combined annual income of both taxpayers.

Approval date: 11-24-67; Estate of Margaret (Peggy) Baker and John G. Baker, 177 East Elm Street, Greenwich, Connecticut 06830; tax due, $400,970.87; compromise settlement, *$200.00; years involved, 1948-1949.

*Cash payment of $200. In addition, John G. Baker has agreed to pay a graduated percentage of future income in execess of $12,000 for the years 1967 to 1971, inclusive and has assigned to the United States 50 per cent of his recovery, if any, after payment of taxes thereon, from a suit now pending in New York State against Allis Chalmers Manufacturing Company; together with waiver of refunds and other provisions on Form 656 (Rev. 7-57).

Approval date: 3-25-68; Deeo V. Beckwith (Grasmoen), 8865 East 20th Street, Tucson, Arizona 85710; tax due, $67,538.35; compromise settlement, *2,500.00; years involved, 1956-1959.

*$2,500, payable $50 with the submission of the offer and $50 on the tenth day of each month thereafter, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57).

Approval date: 11–17–67; Martin Berdy, 470 Fourth Avenue, New York, N.Y., 1580 East 18th Street (New address), Brooklyn, New York 11230; tax due, $922,475.80; compromise settlement, *75,000.00; years involved, 1944–1956.

*$75,000, payable $1000 with the offer; $4000 to be paid within 30 days after notice of acceptance, and the balance of $70,000 in monthly installments of $1000 each beginning within 60 days after notice of acceptance for 5 years with a final payment in the amount of $11,000, together with interest from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $6,000 for the years 1967 to 1976, inclusive, and to a reduction in the "tax basis" of certain assets for Federal income tax purposes.

Approval date: 8–4–67; Thomas D. Berry, Jr., 207 Pinewood Circle, Gulfport, Mississippi 39501; tax due $24,310.54; compromise settlement, *14,435.42; years involved, 1961–1965.

*$250 per month commencing 30 days after notice of acceptance and $250 on the same day of every month thereafter, together with interest at the rate of 6 per cent per annum from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions of Form 656 (Rev. 7–57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1967 to 1976, inclusive.

Approval date: 6–18–68; John Block, Apt. 3, County Town Apartments, B.R. Building, Bellmawr, New Jersey 08030; tax due, $20,299.06; compromise settlement, *1,200.00; years involved, 1960–1963.

*$1200 payable as follows: $600 to be paid on or before 30 days following acceptance of the offer, and $300 on the first day of every third month thereafter, until paid in full together with interest at 6 per cent per annum from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $8500 for the years 1968 to 1977, inclusive.

Approval date: 9–20–67; William O. Bridge, 3999 E. South Boulevard, Pontiac, Michigan 48057; tax due, $594,398.76; compromise settlement, *110,000.00; years involved, 1949–1954.

*$110,000 to be paid as follows: $26,000 on deposit, $11,000 to be paid upon acceptance and $73,000 in six annual installments with the first installment due one year after the acceptance of the offer. Each annual installment is to include ⅙ of the $73,000 balance plus 6 per cent interest on the unpaid balance of the $73,000. The offer provides for payment of interest at the rate of 6 per cent per annum on all referred payments from the date of the offer is accepted until the respective payments are made in full together with waiver of refunds, default agreement and other provisions on Form 656 Revised July, 1957).

Approval date: 9–30–68; Joseph E. & Effie Lee Brock, Star Route, Vernon, Florida 32462; tax due, $282,638.47; compromise settlement, *$108,640.81; years involved, 1959–1965.

*$108,640.81 payable $2,500 with original offer, $57,500 payable in cash upon acceptance of this offer in compromise and balance of $48,640.81 payable $806.14 monthly until balance is fully paid including interest in 6 years together with interest at the rate of 6 per cent per annum, from the date this offer is accepted until the respective payments are made in full, and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $6,000 for the years 1968 to 1977, inclusive, and to a reduction in the "tax basis" of certain assets for Federal Income Tax purposes.

Approval date: 7–23–68; Raymond & Eloise Brown, 640 Vernon Street, Oakland, Calif.; tax due, $45,473.35; compromise settlement, *$4,000.00; years involved 1959–1962.

*The total sum of $4,000 payable in full within 90 days of acceptance of offer and a waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer has agreed in a collateral agreement, to pay a graduated percentage of his future income in excess of $7,500 for the years 1969 through 1975 inclusive.

Approval date: 12–5–67; Alfred E. Ceppaluni, 8840 Debra Avenue, Sepulveda, California; tax due, $66,219.31; compromise settlement, *45,300.00; years involved, 1951–1959.

*45,300.00 payable on the deferred payment basis as follows: $12,500 already paid, plus $555 to be paid on November 1, 1967, and $555 to be paid on the first day of each month thereafter, together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full, with waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1968 through 1977, inclusive.

Approval date: 9–23–68; R M and Myrtice Coleman, Warrenton, Georgia 30828; tax due, $397,528.51; compromise settlement, *65,000.00; years involved 1941–1952.

*65,000 payable $30,000 with the offer, the balance payable within 30 days after notice of acceptance, together with interest at the rate of 6 per cent per annum from the date the offer is accepted and waiver of refunds, default agreement and other provisions on Form 656 (Rev. July 1957). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1968 to 1977, inclusive.

Approval date: 1–8–68; Gay Y. and Esther H. Copeland, P.O. Box 232, Rockport, Texas 78382; tax due, $234,955.35; compromise settlement, *60,000.00; years involved, 1956–1962.

*$60,000, payable in 72 equal monthly installments of $994.40 each, including interest at the rate of 6 per cent from the date the offer is accepted, with the first installment due the first day of the month following notice of acceptance, until the total amount shall be paid in full, together with a waiver of refunds and other provisions on form 656 (Rev. 7–57). Under the waiver of refunds provision, overpayments of tax and penalty, as stipulated by the Commissioner and the taxpayers with the Tax Court of the United States, in the years 1955 and 1957, totalling $10,836.83, are to be applied to the liability shown above. In addition, the taxpayers have also signed a collateral agreement agreeing to pay out of annual income for the years 1967 through 1976, inclusive, additional sums of money as provided therein should their annual income exceed $7,500 and have also signed a collateral agreement in which the amounts of alleged losses sustained in the years 1963, 1964, and 1965 have been waived as additional consideration for the acceptance of the offer in compromise.

Approval date: 6–10–68; Roy B. and Nettie P. Davis, 509 Washington Street, West Point, Mississippi 39773; tax due, $29,159.87; compromise settlement, *20,000.00; years involved, 1950–1965.

*$20,000 payable upon acceptance of offer together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7,500 for the years 1968 to 1975, inclusive.

Approval date: 1–15–68; R. L. and Lola C. Duckworth, 2335 Eastover Drive, Jackson, Mississippi 39211; tax due, $31,478.09; compromise settlement, *4,000.00; years involved, 1959–1961.

*$4,000 to be paid upon notification of acceptance of offer, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57).

Approval date: 4–17–68; Albert L. and Josephine M. Dulin, Rt. 1, Box 291, Waynesville, N.C.; tax due, $32,883.54; compromise settlement, *12,000.00; years involved, 1961–1962.

*$12,000 payable as follows: $3500 to be paid on or before the 30th day after the date of the letter of acceptance; $1500 to be paid one year following the date of the previous payment; $1000 to be paid two years following the date of the first payment; $100 to be paid on the last day of each month for 60 months, beginning on the

fostered greater understanding between the governments and brought greater insight to the mutual interests of all concerned.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LONG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Stevens in the chair). Without objection, it is so ordered.

RELEASE OF LEAD FROM NATIONAL STOCKPILE

Mr. LONG. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1647, Calendar No. 125.

The PRESIDING OFFICER. The bill will be stated by title.

The Bill Clerk. A bill (S. 1647) to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LONG. Mr. President, as I understand, there is no objection to the bill, except that the Senator from Delaware (Mr. Williams) feels that this lead, which is in the stockpile, should be sold on a competitive bidding basis. And he has an amendment which would accomplish that.

Mr. WILLIAMS of Delaware. Mr. President, I send an amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

> On page 1, line 4, strike out "by negotiation or otherwise" and insert in lieu thereof "for sale to the highest responsible bidder".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, for sale to the highest responsible bidder, approximately one hundred thousand short tons of lead now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat 456, as amended by 73 Stat. 607). The disposals authorized by this section may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Mr. LONG. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. WILLIAMS of Delaware. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DELINQUENT TAXPAYERS' ACCOUNTS

Mr. WILLIAMS of Delaware. Mr. President, on April 18, 1969, as appear- I presented my 15th annual report on the ing in the Record, pages 9538 to 9547, inventory of delinquent taxpayers' accounts.

In that statement I called attention to the fact that $2,149,842,000 in past-due taxes remained uncollected as of December 31, 1968. Included in that $2 billion unpaid taxes were $236,444,000 which had been abated during calendar year 1968.

An abatement represents a tax assessment written off on the basis: First, that as the result of decisions by tax courts or as the result of later examinations of the taxpayer's records it was found to have been an overassessment, and accordingly the amount overassessed was written down to the actual amount determined to be owed; or, second, that the tax claim as assessed was settled by compromise—that is, settled for a percentage of what was actually determined to have been owed.

Today I am incorporating in the Record a list of the 100 largest compromise settlements that were included in the 1968 abatements as furnished by Commissioner Thrower.

It should be remembered that to the extent one taxpayer escapes paying his tax obligation, other taxpayers must bear the additional burden.

In my opinion, too much leniency has been shown to some of those owing these large amounts of taxes; we need more rigid enforcement.

I ask unanimous consent that Commissioner Thrower's letter of April 28, 1969, along with the list of the 100 largest compromise settlements, be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

U.S. Treasury Department,
Internal Revenue Service,
Washington, D.C., April 28, 1969.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: This is in further response to your letter of December 4, 1968, which requested, among other items, a list of the one hundred largest compromise settlements.

I am enclosing copies of the Abstracts and Statement of each of the one hundred largest accepted Offers in Compromise. Copies of the Abstracts are being furnished because we believe that they will be more informative than a mere listing of the taxpayers' names. You will recall that we used this approach last year.

If I can be of further assistance, please let me know.

With kind regards,
Sincerely,
Randolph W. Thrower,
Commissioner.

Abstracts and Statements

Approval date: 6–13–68; Ralph J. and Iva Abbey, 5630 Loring Dr., Apt. 154, Dallas, Texas; tax due, $43,713.11; compromise settlement, *10,000.00; years involved, 1961–1962.

* The total sum of $10,000 to be paid in full within 30 days after Notice of Acceptance, together with interest at the rate of 6 per cent per annum from the date the offer is accepted until date that payment is made in full, and Waiver of Refunds, Default Agreement and other provisions on Form 656 (Rev. 7–57). In addition the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1968 to 1973 inclusive, and will pay in addition to the $10,000 offered, any monies collected from a $3936.91 suspense fund being held by Permian Corporation, Midland, Texas, as indicated in Item #9 of the Collateral Agreement Form 2261.

Approval date: 12–19–67; Thomas F. Abbott, Jr., 11611 Chenault Street, Los Angeles, Calif. 90049; tax due, $23,619.66; compromise settlement, *12,000.00; year involved, 1959.

* $12,000 with $3,200 already paid in, the balance to be paid at the rate of $150 per month, on the 15th of each month, commencing on the 15th of the first month after notification of acceptance, together with other provisions on form 656 (Revised July 1957). In addition, taxpayer has signed a collateral agreement wherein he has agreed to pay a graduated percentage of his future income in excess of $7500 per year for the years 1968 to 1974 inclusive. In paragraph 9 of the collateral agreement, taxpayer has waived the privilege of carrying forward any unused portion of any net capital losses sustained by him for any year prior to Dec. 31, 1966. He has also signed a joint liability statement wherein it is stated that the offer is made to compromise his liability only and not that of his co-obligor.

Approval date: 2–9–68; James A. Amatulli, A/K/A Vincent Amatulli, 421 Second Avenue, Pelham, New York 10803; tax due, $60,861.59; compromise settlement *$5,000.00; years involved, 1943–1944.

*The amount of the offer is $5000 payable as follows: $2500 upon notice of acceptance; $500 one year thereafter; $500 two years thereafter; $700 three years thereafter and $800 four years thereafter with interest at the rate of 6 per cent per annum from the date the offer is accpted until the respective payments are made in full together with waiver of refunds, default agreement and other provisions of F–656 (Rev.) 7–57. In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1967 to 1973, inclusive.

Approval date: 5–8–68; Gaerold G. Antene, 615 N. W. 25th Street, Oklahoma City, Oklahoma 73103; tax due, $49,576.78; compromise settlement, *$2,500.00; years involved, 1945–1959.

*$2500 to be paid within 30 days from date of notification of acceptance and waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7/57). In addition the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1968 to 1969, inclusive.

Approval date: 3–1–68; F. Leroy & Roberta A. August, 2 Maple Place, North Warren, Pennsylvania 16365; tax due, $48,016.27; compromise settlement, *$4,350.00; years involved, 1960–1965.

* $4350 cash, together with waiver of refunds and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future

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income in excess of $7500 for the years 1968 to 1967, (sic.) inclusive.

Approval date: 6–7–67; Chester O. Bacon, South Haven, Kansas; tax due, $34,509.40; compromise settlement, *5,000.00; years involved, 1957–1963.

*$5000 payable upon acceptance, together with waiver of refunds and other provisions on Form 656. In addition, the Taxpayer has agreed to pay a graduated percentage of his future income in excess of $4500 for the years 1968 to 1975 inclusive.

Approval date: 7–23–68; Sterling H. & Pauline Bagby, Stockton, Kansas, tax due, $145,237.13; compromise settlement, *5,400.00; years involved, 1960–1962.

*$5400, $90 deposited with amended offer of Pauline E. Bagby dated November 20, 1967, and $90 deposited with amended offer of Sterling H. Bagby, Jr. dated November 20, 1967, $1440 to be paid within 15 days after notice of acceptance. Balance to be paid at the rate of $63 per month commencing on the 20th day of the month following receipt of notice of acceptance, together with interest at the rate of 6 per cent per annum from the date of the offer is accepted until the payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years of 1968 to 1977, inclusive. It was also agreed that the term annual income shall include the combined annual income of both taxpayers.

Approval date: 11-24-67; Estate of Margaret (Peggy) Baker and John G. Baker, 177 East Elm Street, Greenwich, Connecticut 06830; tax due, $400,970.87; compromise settlement, *$200.00; years involved, 1948-1949.

*Cash payment of $200. In addition, John G. Baker has agreed to pay a graduated percentage of future income in execess of $12,000 for the years 1967 to 1971, inclusive and has assigned to the United States 50 per cent of his recovery, if any, after payment of taxes thereon, from a suit now pending in New York State against Allis Chalmers Manufacturing Company; together with waiver of refunds and other provisions on Form 656 (Rev. 7–57).

Approval date: 3-25-68; Deeo V. Beckwith (Grasmoen), 8865 East 20th Street, Tucson, Arizona 85710; tax due, $67,538.35; compromise settlement, *2,500.00; years involved, 1956-1959.

*$2,500, payable $50 with the submission of the offer and $50 on the tenth day of each month thereafter, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57).

Approval date: 11–17–67; Martin Berdy, 470 Fourth Avenue, New York, N.Y., 1580 East 18th Street (New address), Brooklyn, New York 11230; tax due, $922,475.80; compromise settlement, *75,000.00; years involved, 1944–1956.

*$75,000, payable $1000 with the offer; $4000 to be paid within 30 days after notice of acceptance, and the balance of $70,000 in monthly installments of $1000 each beginning within 60 days after notice of acceptance for 5 years with a final payment in the amount of $11,000, together with interest from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $6,000 for the years 1967 to 1976, inclusive, and to a reduction in the "tax basis" of certain assets for Federal income tax purposes.

Approval date: 8–4–67; Thomas D. Berry, Jr., 207 Pinewood Circle, Gulfport, Mississippi 39501; tax due $24,310.54; compromise settlement, *14,435.42; years involved, 1961–1965.

*$250 per month commencing 30 days after notice of acceptance and $250 on the same day of every month thereafter, together with interest at the rate of 6 per cent per annum from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions of Form 656 (Rev. 7–57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1967 to 1976, inclusive.

Approval date: 6–18–68; John Block, Apt. 3, County Town Apartments, B.R. Building, Bellmawr, New Jersey 08030; tax due, $20,299.06; compromise settlement, *1,200.00; years involved, 1960–1963.

*$1200 payable as follows: $600 to be paid on or before 30 days following acceptance of the offer, and $300 on the first day of every third month thereafter, until paid in full together with interest at 6 per cent per annum from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $8500 for the years 1968 to 1977, inclusive.

Approval date: 9–20–67; William O. Bridge, 3999 E. South Boulevard, Pontiac, Michigan 48057; tax due, $594,398.76; compromise settlement, *110,000.00; years involved, 1949–1954.

*$110,000 to be paid as follows: $26,000 on deposit, $11,000 to be paid upon acceptance and $73,000 in six annual installments with the first installment due one year after the acceptance of the offer. Each annual installment is to include ⅙ of the $73,000 balance plus 6 per cent interest on the unpaid balance of the $73,000. The offer provides for payment of interest at the rate of 6 per cent per annum on all referred payments from the date of the offer is accepted until the respective payments are made in full together with waiver of refunds, default agreement and other provisions on Form 656 Revised July, 1957).

Approval date: 9–30–68; Joseph E. & Effie Lee Brock, Star Route, Vernon, Florida 32462; tax due, $282,638.47; compromise settlement, *$108,640.81; years involved, 1959–1965.

*$108,640.81 payable $2,500 with original offer, $57,500 payable in cash upon acceptance of this offer in compromise and balance of $48,640.81 payable $806.14 monthly until balance is fully paid including interest in 6 years together with interest at the rate of 6 per cent per annum, from the date this offer is accepted until the respective payments are made in full, and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $6,000 for the years 1968 to 1977, inclusive, and to a reduction in the "tax basis" of certain assets for Federal Income Tax purposes.

Approval date: 7–23–68; Raymond & Eloise Brown, 640 Vernon Street, Oakland, Calif.; tax due, $45,473.35; compromise settlement, *$4,000.00; years involved 1959–1962.

*The total sum of $4,000 payable in full within 90 days of acceptance of offer and a waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer has agreed in a collateral agreement, to pay a graduated percentage of his future income in excess of $7,500 for the years 1969 through 1975 inclusive.

Approval date: 12–5–67; Alfred E. Ceppaluni, 8840 Debra Avenue, Sepulveda, California; tax due, $66,219.31; compromise settlement, *45,300.00; years involved, 1951–1959.

*45,300.00 payable on the deferred payment basis as follows: $12,500 already paid, plus $555 to be paid on November 1, 1967, and $555 to be paid on the first day of each month thereafter, together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full, with waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1968 through 1977, inclusive.

Approval date: 9–23–68; R M and Myrtice Coleman, Warrenton, Georgia 30828; tax due, $397,528.51; compromise settlement, *65,000.00; years involved 1941–1952.

*65,000 payable $30,000 with the offer, the balance payable within 30 days after notice of acceptance, together with interest at the rate of 6 per cent per annum from the date the offer is accepted and waiver of refunds, default agreement and other provisions on Form 656 (Rev. July 1957). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1968 to 1977, inclusive.

Approval date: 1–8–68; Gay Y. and Esther H. Copeland, P.O. Box 232, Rockport, Texas 78382; tax due, $234,955.35; compromise settlement, *60,000.00; years involved, 1956–1962.

*$60,000, payable in 72 equal monthly installments of $994.40 each, including interest at the rate of 6 per cent from the date the offer is accepted, with the first installment due the first day of the month following notice of acceptance, until the total amount shall be paid in full, together with a waiver of refunds and other provisions on form 656 (Rev. 7–57). Under the waiver of refunds provision, overpayments of tax and penalty, as stipulated by the Commissioner and the taxpayers with the Tax Court of the United States, in the years 1955 and 1957, totalling $10,836.83, are to be applied to the liability shown above. In addition, the taxpayers have also signed a collateral agreement agreeing to pay out of annual income for the years 1967 through 1976, inclusive, additional sums of money as provided therein should their annual income exceed $7,500 and have also signed a collateral agreement in which the amounts of alleged losses sustained in the years 1963, 1964, and 1965 have been waived as additional consideration for the acceptance of the offer in compromise.

Approval date: 6–10–68; Roy B. and Nettie P. Davis, 509 Washington Street, West Point, Mississippi 39773; tax due, $29,159.87; compromise settlement, *20,000.00; years involved, 1950–1965.

*$20,000 payable upon acceptance of offer together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7,500 for the years 1968 to 1975, inclusive.

Approval date: 1–15–68; R. L. and Lola C. Duckworth, 2335 Eastover Drive, Jackson, Mississippi 39211; tax due, $31,478.09; compromise settlement, *4,000.00; years involved, 1959–1961.

*$4,000 to be paid upon notification of acceptance of offer, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57).

Approval date: 4–17–68; Albert L. and Josephine M. Dulin, Rt. 1, Box 291, Waynesville, N.C.; tax due, $32,883.54; compromise settlement, *12,000.00; years involved, 1961–1962.

*$12,000 payable as follows: $3500 to be paid on or before the 30th day after the date of the letter of acceptance; $1500 to be paid one year following the date of the previous payment; $1000 to be paid two years following the date of the first payment; $100 to be paid on the last day of each month for 60 months, beginning on the

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last day of the month following the month in which the letter of acceptance is dated; with interest at the rate of 6 per cent per annum on deferred payments from the date this offer is accepted until paid in full, together with waiver of refunds, default agreements, and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have submitted a collateral agreement providing for payment of a graduated percentage of their future income in excess of $7500 for the years 1968 to 1975, inclusive.

Approval date: 9–20–67; E. L. Bruce Company, Transferee, 1648 North Thomas, Memphis, Tennessee; tax due, $67,095.80; compromise settlement, *$26,000.00; year involved, 1958.

*$26,000 cash submitted with the offer, together with other provisions on Form 656 (Rev. 5–57).

Approval date: 6–18–68; E. Di Clemente & Sons, Inc., 551 60th Street, West New York, New Jersey; tax due, $28,698.78; compromise settlement, *10,000.00; years involved, 1959–1960.

*10,000 payable $1,500 within 30 days upon formal notice of acceptance and $800 quarterly thereafter until balance of $8,500 is paid in full, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer corporation has agreed to pay a graduated percentage of its future income in excess of $10,000 for the years 1968 to 1974, inclusive, and to waive future tax benefits in conjunction with net operating loss deductions for net operating losses incurred prior to January 1, 1968.

Approval date: 4–4–67; Milton & Lynne Ebbins, 2884 McConnel Drive, Los Angeles, California 90064; tax due, $85,052.39; compromise settlement, *21,600.00; years involved, 1953–1963.

*$21,600, payable at the rate of $300 per month commencing on January 15, 1967 and continuing on the 15th day of each month thereafter, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full. The offer contains the waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $10,000 for the years 1968 to 1977, inclusive.

Approval date: 7–16–68; Harry Engelman, 20 Hammond Pond Parkway, Newton, Mass.; tax due, $106,015.88; compromise settlement, *5,000.00; years involved, 1944–1945.

*$5,000, payable $1050 within 30 days after notice of acceptance of 2nd amended offer and the balance at the rate of $165 per month commencing 60 days after notice of acceptance and each month thereafter, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656. In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1968 to 1977 inclusive, to a reduction in the "tax basis" of certain assets and waiver of claiming a Capital Loss deduction for Federal income tax purposes.

Approval date: 12–11–67; J. W. Eubanks, Jr. and Julia Eubanks, Ackerman, Mississippi; tax due, $18,510.22; compromise settlement, *9,000.00; years involved, 1960–1964.

*$5400 to be paid on receipt of notice of acceptance, plus $100 monthly thereafter for three years until a total of $9000 has been paid in this manner together with waiver of refunds, interest, default agreement and other provisions of Form 656. In addition, the taxpayers have executed a collateral agreement providing for graduated payments for a period of five years, 1967 through 1971 on income in excess of $10,000.

Approval date: 11–8–67; Melvin W. and Opal Fox, 2010 Meadow Lake Court, Norfolk, Virginia 23518; tax due, $63,152.60; compromise settlement, *14,000.00; years involved, 1960–1962.

*$14,000—Payable $100 deposited with the offer; $100 to be paid on 4–3–67; $100 on 5–3–67; $100 on 6–3–67; $100 on 7–3–67; $100 on 8–3–67; $100.18 on 9–3–67. The monthly payments beginning 10–3–67 will be increased to $250.94 and this amount will be paid on the 3rd day of each month thereafter together with interest at the rate of 6 per cent per annum on the deferred payments from the date this offer is accepted until the respective payments are made in full together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7,500 for the years 1967 through 1977 inclusive.

Approval date: 5–6–68; Thomas R. & Rose Garcia, 815 West Beverly Place, Tracy, California; tax due $82,017.41; compromise settlement, *$42,000.00; years involved, 1959–1964.

*The sum of $42,000, payable as follows: $10,000 to be paid with offer; $10,000 to be paid on refinancing of property transferred by taxpayers to their children for no consideration; $11,000, plus 6 per cent interest per annum, to be paid 1 year from date offer is accepted; $11,000, plus 6 per cent interest per annum, to be paid two years from date offer is accepted. The payments are secured by five deeds of trust on four parcels of property, which property is in the name of the taxpayers' children.

Approval date: 11–3–67; Nathan W. & Rose K. Gennes, 1245 50th Street, Brooklyn, New York; tax due, $34,957.56; compromise settlement, *7,618.00; years involved, 1959–1964.

*$7618, payable $6017.58 on deposit and the balance at the rate of $50 per month commencing with the first day of the month following notice of acceptance, and the first day of the following 31 months with the last payment in the amount of $50.42, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7/57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1967 to 1973, inclusive.

Approval date: 12–20–67; Bernard & Julia Gerson, 19330 Parkside, Detroit, Michigan 48221; tax due, $106,557.77; compromise settlement, *35,000.00; years involved, 1958–1962.

*$35,000 to be paid as follows: $500 previously submitted and the balance of $34,500 to be paid within 90 days after date of notice of acceptance with simultaneous release of liens, together with interest at the rate of 6 per cent per annum on all deferred payments from the date the offer is accepted until the respective payments are made in full, together with waiver of refunds, default agreement and other provisions on Form 656 (Revised July, 1957). In addition the taxpayers have agreed to a reduction in the "tax basis" of certain assets for Federal income tax purposes.

Approval date: 9–20–68; Peter C. Giambalvo (dec'd), 334 Clement Avenue, Elmont, New York; tax due, $21,771.10; compromise settlement, *4,340.99; years involved, 1958–1962.

*$4340.99 Cash, together with waiver of refunds and other provisions on Form 656. The original Form 656, submitted with a cash offer of $1,146.29 has been amended and increased to $4,340.00.

Approval date: 3–29–67; Daniel Gilden, Daniel & Pauline Gilden, 73–42 182 Street, Flushing, New York, tax due, $96,695.20; compromise settlement, *26,000.00; years involved, 1953–1957.

*The amount of the offer is $26,000 payable as follows: $8600 within 30 days after Notice of Acceptance of the offer; $150 per month for the first 12 months; $250 per month for the second 12 months and $350 for the last 36 months, said monthly payments to commence on or about the 15th day of the month following the $8600 payment, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition the taxpayers have agreed to pay a graduated percentage of their future income in excess of $6000 for the years 1967 to 1976 inclusive.

Approval date: 4–16–68; Abe C. Gould, Route No. 6, Mahopac, New York, 150 West Lake Boulevard, Mahopac, New York 10541; tax due, $177,082.75; compromise settlement, *25,000.00; years involved, 1944–1948.

*$25,000 consisting of $22,500 paid with the offer, the balance of $2500 to be paid on acceptance of offer and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1968 to 1977, inclusive, and to a reduction in the tax basis of certain assets for Federal income tax purposes.

Approval date: 3–12–68; Gladys A. Greenhill, 2200 Sacramento Street, San Francisco, California; tax due, $81,314.56; compromise settlement, *5,000.00; years involved, 1953–1954.

*$5000 of which $1000 is to be paid 120 days after acceptance of the offer and the balance of $4000 in 4 equal annual installments commencing 18 months after acceptance of the offer together with interest at the rate of 6 per cent per annum from the date of this offer is accepted until the respective payments are made in full together with waiver of refunds default agreement and other provisions on Form 656 (Rev. 7–57). In addition the taxpayer has agreed to pay a graduated percentage of her future income in excess of $7500 for the years 1968 to 1977 inclusive. Taxpayer has signed Collateral Agreement—Taxpayer involved in joint assessments.

Approval date: 8–16–67; Pasquale and Angelina Guariglia, 50 North Eighth Street, Kenilworth, New Jersey; tax due, $22,141.33; compromise settlement, *$7,500.00; years involved 1955–1958.

*$7500 payable in full 30 days after notice of acceptance of the offer together with interest at the rate of 6 per cent per annum from date of acceptance until date of payment and waiver of refunds, default agreement and other provisions on Form 656. In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7,500 for the years 1967 to 1971, inclusive.

Approval date: 12–19–67; Marvin Hawkins, 219 Bonita Drive, Birmingham, Alabama 35209; tax due $26,637.25; compromise settlement, *1,100.00; years involved 1960–1965.

*$1100 cash, together with waiver of refunds and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $6,500 for the years 1968 to 1973 inclusive.

Approval date: 4–18–68; Gerald P. & Eileen M. Hayes, 1869 North 68 Street, Wauwatosa, Wisconsin 53213; tax due $56,378.14; compromise settlement, *10,000.00; years involved, 1954–1965.

*$10,000. payable $1000 deposited with the offer and the balance of $9000 payable within 48 hours after notice of acceptance, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the payment is made and waiver of refunds, default agreement and other provisions of Form 656 (Rev. 7–57). In addition

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the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1969 to 1973 inclusive.

Approval date: 9–29–67; Horace E. and Sue Seitz Henry, Post Office Box 702, Greenville, Mississippi; tax due, $73,311.21; compromise settlement, *$10,000.00; years involved, 1957–1961.

*$10,000 payable upon acceptance of offer, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition the taxpayers have agreed to pay a graduated percentage of their future income in excess of $12,500 for the years 1967 to 1976, inclusive.

Approval date: 11–2–67; Lester L. Hiatt, 127 Seale Road, San Antonio, Texas, tax due, $14,556.66; compromise settlement, *$1,000.00; years involved, 1953–1962.

*$1,000 together with waiver of refunds and other provisions on Form 656 (Rev. 7–57), payable $100 upon notification of acceptance of the offer and the balance at $25 on the first day of each month thereafter, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full. In addition, Mr. Hiatt has agreed to pay a graduated percentage of his future income in excess of $6,000 per annum for the years 1968 to 1977, inclusive.

Approval date: 2–8–68; W. Harry (dec'd) and Almeda Hooper, Route 3, Mill Creek, Pennsylvania 17060; tax due, $40,781.32; compromise settlement, *$5,000.00; years involved, 1957–1962.

*$5,000 payable within 30 days after notice of acceptance of the offer, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payment is made in full and waiver of refunds, default agreement and other provision on Form 656 (Rev. 7–57).

Approval date: 5–21–68; Lorenzo D. & Norma Howorth, 604 Pool Drive, Norton, Kansas; tax due, $54,035.48; compromise settlement, *5,080.00; years involved, 1956–1958.

*$5080 payable within ten days after notice of acceptance of the offer, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, Lorenzo D. Howorth has agreed to pay a graduated percentage of his future annual income in excess of $5,000 for the years of 1969 to 1978 inclusive. In addition, Norma Howorth has agreed to pay a graduated percentage of annual income in excess of $4000 for the years 1969 to 1978 inclusive. It was further agreed with Norma Howorth, that in event that Lorenzo D. Howorth defaults upon the terms and conditions of the amended offer and collateral agreement, reinstatement of the tax liability will be limited to Lorenzo D. Howorth, so long as Norma Howorth meets the terms and conditions of the amended offer and collateral agreement.

Approval date: 10–30–67; Robert A. and Patricia H. Hutchinson, c/o American Embassy (Visitors Mail), Counselors Section, Tehran, Iran; tax due $38,828.93; compromise settlement, *10,500.00; years involved, 1958–1960.

*$10,500 payable $5250 upon acceptance of the offer, and the balance of $5250 to be paid in 25 installmments of $201.92 and 1 installment of $202 beginning November 15, 1967 and the last installment December 15, 1969 together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the $10,500 is paid in full together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $12,000 to the District Director for the years 1967 to 1971, inclusive. The taxpayers have also agreed to waive the capital loss carryover resulting from bad debts sustained in 1960 and 1961 for the purpose of computing income taxes for all years beginning after 1966.

Approval date: 6–20–68; Jackson & Highley Funeral Home, Inc., West Helena, Arkansas; tax due, $43,331.42; compromise settlement, *15,000.00; years involved, 1955–1959.

*$15,000 paid with the offer, together with waiver of refunds and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer corporation has agreed to pay a graduated percentage of its future income in excess of $10,000 for the years 1967 to 1976, inclusive.

Approval date: 10–30–67; Robert S. Johnson, 7315 5th Ave. N.E., Seattle, Washington 98115; tax due, $5,773.74; compromise settlement, *3,600.00; years involved 1963–1964.

*$3600 payable $100 per month commencing May 15, 1967 and on the 15th day of each month thereafter, in addition to interest at the rate of 6 per cent per annum from the date this offer is accepted until the payment is made in full, together with waiver of refunds, default agreement and other provisions on Form 656 (7/57).

Approval date: 10–11–67; C. Murray and Grace K. Jones, 13 Churchill Road, Pittsburgh, Pennsylvania 15235; tax due, $25,105.02; compromise settlement, *9,000.00; years involved, 1960–1964.

*$9000 to be paid within 90 days after notice of acceptance of the offer with interest at the rate of 6 per cent per annum on the deferred payment from the date of notice of acceptance of the offer until the deferred payment is made in full, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 5–57).

Approval date: 3–26–68; E. V. Jones, 9822 Oasis Drive, Garden Grove, California 92641; tax due, $44,176.22; compromise settlement, *$5,100.00; years involved, 1959–1961.

*The total sum of $5100 payable on the deferred payment basis as follows: $500 paid with the offer, plus the sum of $1000 to be paid on the 15th day of the first month following the month in which the offer is accepted, and $60 on the 15th day of each successive month, together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full, with waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1968 to 1977, inclusive.

Approval date: 7–29–68; Kamen Soap Products Co., Inc., 7 Fairview Avenue, Barberton, Ohio; tax due, $61,656.59; compromise settlement, *$2,500.00; year involved, 1947.

*$2,000 cash, together with waiver of refunds and other provisions on Form 656.

Approval date: 3–21–68; Sidney & Selma Kaufman, 1493 East 49th Street, Brooklyn, N.Y.; tax due, $58,593.07; compromise settlement, *$16,500.00; years involved, 1952–1960.

*$16,500. $1000 within 3 months after acceptance of offer and balance of $15,500 within six months after acceptance of offer or when property 1493 East 49th Street, Brooklyn, N.Y. is sold whichever occurs first. Interest at the rate of 6 per cent per annum from date of offer is accepted until full payment is made; and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7/57). In addition the taxpayer has agreed to a collateral agreement to pay a graduated percentage of his future income in excess of $7500 for the years 1967 thru 1973 inclusive.

Approval date: 6–21–67; Aaron Klein, Transferee, 5610 Caruth Blvd., Dallas, Texas; tax due, $16,754.65; compromise settlement, *2,500.00; years involved, 1950–1953.

*The total sum of $2500 cash paid with offer together with waiver of refunds and other provisions of Form 656 (Rev. 7–57). In addition, the taxpayer agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1967 to 1971, inclusive.

Approval date: 8–5–68; Sidney and Hannah Klein, 1369 Hudson Road, West Englewood, New Jersey; tax due, $32,332.25; compromise settlement, *19,100.00; years involved, 1956–1965.

*$19,100 payable $785 deposited with the offer; $13,000 within 60 days after notification of acceptance, and the balance at the rate of $275 quarterly on or before the fifteenth day of each third calendar month thereafter, together with interest at the rate of 6 per cent per annum from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7/57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1967 to 1976, inclusive.

Approval date: 8–14–67; Beatrice H. (Lerner) Levenson, 4723 Pershing Ave., San Bernardino, Calif.; tax due, $29,487.95; compromise settlement, *1,000.00; year involved, 1960.

*$1,000 payable $500 with the offer and $500 upon acceptance of the offer, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full, and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, taxpayer has agreed to pay a graduated percentage of her future income in excess of $7500 for the years 1967 to 1971 inclusive.

Approval date: 6–5–68; Lyman L. and Detta Lippincott, 52 First Street, North Hampton, Ohio 45349; tax due, $38,036.54; compromise settlement, *$28,000.00.

*28,000 payable $8000 with the offer, $1000 upon receipt of notification of acceptance of the offer, and the balance at $1000 each quarter for 5 years, specifically on August 1, November 1, February 1, and May 1 of each year thereafter, until fully paid, together with waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1968 to 1976, inclusive.

Approval date: 8–1–67; Lincoln S. and Marion S. Love, 4520 Cherry Street, Erie, Pennsylvania; tax due, $26,515.73; compromise settlement, *$14,000.00; years involved, 1959–1962.

*14,000 payable as follows: $6260 payable within thirty days after notice of acceptance of offer and $215 to be paid on the 15th day of the month following notice of acceptance of offer, and $215 on the 15th of each month thereafter until the balance is paid in full together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. July 1957). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1967 to 1976, inclusive.

Approval date: 4–26–68; Martin and Beatrice (dec'd) Luff, 1608 East Washington Lane, Philadelphia, Pennsylvania 19119; tax due, $28,734.20; compromise settlement, *1,700.00; years involved, 1954–1959.

*$250 cash, $250 upon notice of acceptance and the balance in consecutive monthly payments of $50 each, with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7/57). In addition, the taxpayer has agreed to pay a graduated percent-

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age of his future income in excess of $7500 for the years 1968 to 1977, inclusive.

Approval date: 11–2–67; M. N. & Opal McDonnell, P.O. Box 10237, Fort Worth, Texas; tax due, $16,809.60; compromise settlement, *5,000.00; years involved, 1959–1962.

*$5,000 payable upon acceptance of offer, with waiver of refunds, default agreement, and other provisions as set out in form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future annual income in excess of $7500 for the years 1967 to 1974 inclusive as follows: 20 per cent of annual income in excess of $7500 and not in excess of $10,000; 30 per cent of annual income in excess of $10,000 and not in excess of $15,000; 50 per cent of annual income in excess of $15,000.

Approval date: 2–28–68: Hiram J. and Ruby Marks, 701 North 16th Street, Phoenix, Arizona 85006; tax due, $44,780.91; compromise settlement, *7,400.00; years involved, 1958–1966.

*$7,400 payable $5,000 within 30 days after notification of acceptance of the offer, and the balance of $2400 payable at the rate of $50 each month, commencing on the 30th day of the month following notification of acceptance of the offer, and on the 30th day of each month thereafter. Also, waiver of refunds and other provisions on Form 656 (Rev. 7–57). In addition the taxpayer has executed a collateral agreement to pay a graduated percentage of future income in excess of $7500 for the years 1968 to 1972 inclusive.

Approval date: 10–10–67; W. C. and Marjorie P. Massee, Box 311, Milledgeville, Georgia 31061; tax due, $76,834.83; compromise settlement, *25,000.00; years involved, 1956–1958.

*$25,000 payable $10,000 at the time of acceptance of the offer, the balance of $15,000 payable in 84 equal monthly installments of $219.13 per month beginning the tenth day of the first calendar month following the month in which the offer is accepted and on the tenth day of each month thereafter for a total of 84 such payments, together with interest at the rate of 6 per cent per annum from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Revised July 1957). All payments to date to be deducted from the initial $10,000 payment.

Approval date: 6–20–67; William E. and Marion C. Mathies, Jr., 206 Oak Street, Butler, Pa. 16001; tax due, $26,713.28; compromise settlement *7,500.00; years involved, 1959–1961.

*$100 deposited on the offer and $125 payable within 30 days after date of notice of acceptance of the offer, and $125 each month thereafter together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full and waiver of refunds, defaut agreement and other provisions on form 656 (Rev. 7/57). In addition, as additional consideration for the acceptance of the offer, the taxpayers have executed a collateral agreement whereunder they agree to pay a graduated percentage of their future income in excess of $7500 to the District Director for the years 1967 to 1976, inclusive.

Approval date: 4–3–68; B. B. & Josephine Morgan, 1760 Forest Hill, Houston, Texas 77023; tax due, $22,781.25; compromise settlement, *7,500.00; years involved, 1954–1956.

*$7500 paid in full on the deferred basis of $125 per month for a period of 60 months, beginning January 25, 1968, and payable on the 25th of each month following, with waiver of refunds, default agreement, and other provisions on Form 656 (Revised July 1957). In addition, taxpayer executed a collateral agreement for payment of a graduated percentage of future income in excess of $10,000 for years 1968 to 1974.

Approval date: 3–4–68; Victor & Aileen Nativio, 701 Rose Stop Road, New Castle, Pennsylvania 16101; tax due, $25,916.18; compromise settlement, *15,000.00; years involved, 1957–1961.

*$15,000 payable on the deferred payment basis as follows: $10,650 deposited on the offer; $4,350 to be paid within 30 days after notice of acceptance of the offer, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payment is made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1968 to 1977, inclusive.

Approval date: 4–16–68; Louis Nierenberg, 239 West 30th Street, New York N.Y. 10001; tax due, $102,143.06; compromise settlement, *15,000.00; years involved, 1943–1961.

*The amount of the offer is $15,000 payable as follows: $1500 within one month of notification of acceptance and $400 on the 15th day of each succeeding month for a period of 33 months and the balance of $300 one month thereafter, together with interest at 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition to the foregoing, the taxpayer has agreed to pay a graduated percentage of his future annual income in excess of $7500 to the District Director for the years 1967–1976, inclusive, and to a reduction in the "Tax Basis" of certain assets for federal income tax purposes.

Approval date: 9–28–67: Thomas M. and Gertrude Norton (aka Gypsey Norton), 2987 Kalakaua Avenue, Apt. 105, Honolulu, Hawaii 96815; tax due, $193,997.93; compromise settlement, *35,000.00; year involved, 1960.

*$35,000 payable $4330 cash with the offer and the balance payable at the rate of $511.16 or more per month beginning on the 15th day of the 3rd month following notice of acceptance and on the 15th day of each month thereafter for 59 months with a final payment of $511.56 due on the 15th day of the 60th month with interest at the rate of 6 per cent per annum on the deferred payments from the date this offer is accepted until the respective payments are made in full together with waiver of refunds, default agreement and other provisions on Form 656 (Revised July, 1957). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1967 to 1974, inclusive and to the reduction in the "tax basis" of certain assets for Federal income tax purposes.

Approval date: 4–8–68; Estate of Jose Maria Nouel, Deceased, c/o Aquilless Recio, Pago Enriques, Urena #6, Santo Domingo, Dominican Republic; tax due, $151,389.11; compromise settlement, *17,152.60; year involved, 1958.

*Cash, paid in full with offer.

Approval date: 6–6–8; Edward T. J. and Marie Parkinson, 1545 Saragossa Avenue, Coral Gables, Florida; tax due, $84,943.69; compromise settlement, *17,000.00; years involved, 1960–1962.

*$17,000, $2,000 paid on December 8, 1967, and the balance of $15,000 to be paid within 60 days from the date of notice of acceptance of the offer, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payment is made in full and waiver of refunds, default agreement and other provisions on Form 656. In addition, the taxpayers have agreed to pay a graduated percentage on their future income in excess of $7500 for the years 1968 to 1972. Also the taxpayers have executed collateral agreements waiving net operating carry-back or carry-over losses sustained for the years 1968 to 1972, inclusive, and waiving bad debts or other losses due from certain receivables for any year.

Approval date: 1–22–68; Edward & Cele Paul, 4901 South Ridge Terrace, Fort Worth, Texas; tax due, $71,631.58; compromise settlement, *$16,500.00; years involved, 1957–1962.

* $16,000 paid in full, 10 days after notice of acceptance of offer, with waiver of refunds, default agreement and other provisions as set out in form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future annual income in excess of $7,500 for the years 1967 to 1975 inclusive as follows: 20 per cent of annual income in excess of $7,500 and not in excess of $10,000; 30 per cent of annual income in excess of $10,000 and not in excess of $15,000; 50 per cent of annual income in excess of $15,000. Taxpayers have also agreed to Waiver of Net Operating Carry-back or Carry-over losses for the 1967 to 1975 inclusive. Form 2261–C.

Approval date: 8–23–68; Henry N. Price, 239 Hector Street, Ithaca, New York; tax due, $39,164.00; compromise settlement, * $5,000.00; year involved, 1961.

*$5,000 payable $570 upon acceptance of the offer and $130 payable on the 15th of the month following acceptance of offer and $100 payable on the 15th of each month thereafter until the full payment together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payment is made in full, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayer agreed to pay a graduated percentage of his future income in excess of $6,000 for the years 1969 to 1978 inclusive per amended collateral agreement secured on 4–12–68.

Approval date: 7–10–68; Willard A. & Evelyn Rhodes, 1099 Fourth Avenue, Freedom, Pennsylvania 15042; tax due, $62,525.93; compromise settlement, * $20,000.00.

* $20,000 payable on the deferred payment basis as follows: $16,000 deposited on offer; balance to be paid at the rate of $75 monthly starting January 1, 1968, together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57).

Approval date: 2–15–68; Dominick R. & Genevieve B. Rinaldi, 939 Washington Street, Hoboken, New Jersey; tax due, $142,533.06; compromise settlement, *3,500.00; years involved, 1958–1962.

* $3,500 payable $1,000 within 30 days after notice of acceptance of the offer and the balance payable in installments of $500 on July 1, 1968, July 1, 1969, July 1, 1970, July 1, 1971 and July 1, 1972, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7,500 for the years 1968 to 1977, inclusive.

Approval date: 9–26–68; Karl E. and Evelyn Y. Rothrock, 2179 Millvale Road, Louisville, Kentucky 40205; tax due, $122,746.79; compromise settlement, * 6,000.00; years involved, 1957–1960.

* $6,000 cash with offer, together with waiver of refunds and other provisions on Form 656 (Rev. 7–57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $8,500 for the years 1968 to 1974, inclusive and to a limitation of tax benefits as to the repayment of certain funds for Federal income tax purposes.

Approval date: 1–19–68; Jack E. Schauer, 296 Tauber Dr., Centerville, Ohio 45459; tax due, $41,106.46; compromise settlement, *1,000.00; years involved, 1956–1962.

*$1000 payable 30 days after date of notice of acceptance of the offer and waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7-57). In addition the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1968 to 1973, inclusive.

Approval date: 10-23-68; Ben and Janet Schleifer, 2102 West Luke Avenue, Phoenix, Arizona 85015; tax due, $365,358.82; compromise settlement, *3,300.00; years involved, 1956-1963.

*$3300 payable $2000 with the offer and the balance of $1300 on about June 15, 1967 together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1969 to 1978 inclusive, and have agreed that any net operating losses sustained for the years 1963 to 1971, inclusive shall not be claimed as net operating carry-backs or carry-overs, under the provisions of Section 172 of the Internal Revenue Code. Also that in the event of a future sale of note receivable and stock, with cost or book value of $210,000 and $85,000 respectively, the basis of each for income tax purposes will be considered as "zero".

Approval date: 8-3-67, Leroy and Elayne Schwartz, 320 East 46th Street, Savannah, Georgia 31405, tax due, $33,277.84; compromise settlement, *5,000.00; years involved 1961-1965.

*$5000 payable within 30 days after notice of acceptance, together with interest at the rate of 6 per cent per annum from the date the offer is accepted until the respective payment is made in full and waiver of refunds, default agreement and other provisions on Form 656 (Revised July 1957). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1967 to 1973, inclusive, and to a reduction in the "tax base" of certain assets for Federal income tax purposes.

Approval date: 4-5-68; John Shimberg, Route 3, Dunn, N.C., tax due, $39,564.94; compromise settlement, *5,000.00; year involved, 1960.

*$500 paid on amended offer dated 7-31-67. $200 is submitted with this amended offer dated 3-6-68. The remaining amount will be paid in monthly installments of $100 beginning one month from the date of acceptance of the offer, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions of Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of his income in excess of $7500 for a seven year period beginning with the year 1968. In addition, the taxpayer has agreed to waiver of net operating carry-back or carry-over losses for the years 1964 and 1965.

Approval date: 10-6-67; Thomas H. and Frances L. Shugart, 1642 Van Dyke Avenue, Raleigh, North Carolina; tax due $75,596.99; compromise settlement, *700.00; years involved, 1961-1962.

*$700 consisting of $100 deposited with the offer, and the balance of $600 to be paid within 40 days from the date of acceptance of the offer, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7,500 for the years 1967 to 1972 inclusive.

Approval date: 3-29-68; Harry and Esther Simmons, 98-09 64th Road, Rego Park, New York 11374, tax due, $97,255.95; compromise settlement, *7,500.00; years involved, 1956-1959.

*$7,500 payable $4700 paid with the original offer, and the balance of $2,800 to be paid in 19 quarterly installments; the first 18 quarterly installments at $150 per quarter and the last installment at $100 commencing on the 15th day of the second month following date of notice of acceptance and quarterly thereafter until paid in full, together with waiver of refunds, default agreement, interest and other provisions on Form 656 (Rev. 7-57). The taxpayers have also executed a collateral agreement with respect to additional payments from future income.

Approval date: 11-30-67; Albert L. and Edel P. Smith, 204 Roundup Avenue, Newcastle, Wyoming 82701; tax due, $41,689.21; compromise settlement, *2,000.00; years involved, 1949-1952.

*Total ($2000) to be paid within 45 days of acceptance of the offer in compromise by Internal Revenue Service.

Approval date: 4-1-68; Harris K. and Gertrude Smith, o/a 55 Tonnele Avenue, Jersey City, N.J., n/a c/o Mrs. Gertrude Smith, RR 1, Box 56D Orleans, Massachusetts 02653; tax due, $38,570.79; compromise settlement, *825.12; years involved, 1956-1963.

*$825.12 plus the excess over $1200 realized on the sale of ten shares of Eastman Kodak stock, to be paid within 60 days after receipt of notice of acceptance of the offer.

Approval Date: 7-23-68; Alice S. Somermeier, 9599 Sunset Boulevard, Beverly Hills, California 90210; tax due, $102,067.83; compromise settlement, *2,500.00; years involved, 1950-1954.

*$2,500 paid with the offer, and waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of her future income in excess of $2500 for the years 1968 to 1974, inclusive.

Approval date: 2-28-68; Julian R. and Mamie W. Stevens, P. O. Box 3626, Lafayette Louisiana 70504; tax due $148,831.10; compromise settlement, *4,800.00; years involved 1959-1961.

*$4800 payable one-third or $1600 within 90 days after offer is accepted, one third or $1600 one year from acceptance date and the balance of $1600 two years from acceptance date together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1968 to 1973, inclusive, also a waiver of net operating losses and reduction in basis of an asset.

Approval date: 6-13-68; William S. & Lelia F. Stewart, 2502 McGrath Street, Apartment 5, Baton Rouge, Louisiana; tax due, $25,981.02; compromise settlement, *19,307.61; years involved, 1954-1960.

*$19,307.61 representing total amount; with $100 previously submitted and balance payable in full within 30 days upon acceptance of offer.

Approval date: 10-10-67; Adele Hazan Stuart aka A. Stuart aka Adele Hazan, 600 North Kings Road, Los Angeles, California; tax due, $26,757.20; compromise settlement, *5,000.00; years involved, 1960-1965.

*$5000 to be paid within fifteen days after notice of acceptance of this offer, together with interest at the rate of 6 per cent per annum from date of acceptance until payment is made in full, and waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of her future income in excess of $7500 for the years 1968 through 1972 inclusive.

Approval date: 7-31-68; Bernard A. Sykes, Jr., 2030 E. 86th Street, Cleveland, Ohio 44106 tax due, $23,583.42; compromise settlement, *3,000.00; years involved, 1959-1964.

*$3000 payable in 60 consecutive monthly installments of $50. Installment payments to begin 30 days following notice of acceptance, together with interest at the rate of 6 per cent per annum from the date this offer is accepted, until respective payments are made in full, and waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7-57). In addition the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1968 to 1977 inclusive and to waive, for Federal income tax purposes, his right to the deduction of certain losses allowed under Section 165 of the Internal Revenue Code of 1954.

Approval date: 11-29-67; Arthur C. Tebb, 3024 S.W. Florida Court, Apt. D, Portland, Oregon 97219; tax due, $32,361.34; compromise settlement, *$3,000.00; years involved, 1957-1964.

*$3000 to be paid upon acceptance together with interest at the rate of 6 per cent per annum on the deferred payments from the date of acceptance until the full amount is paid. The offer includes waiver of refunds, default agreement and other provisions of form 656 (Rev. July 1957). In addition the taxpayer has agreed to pay a graduated percentage of future annual income in excess of $7500 for the years 1967 to 1971, inclusive.

Approval date: 11-2-67; Willene Tucker, 213 Monticello Drive, Odessa, Texas; tax due, $91,846.26; compromise settlement, *35,362.88; years involved, 1955-1961.

*The total sum of $35,362.88 will be paid within 30 days after notice of acceptance of the Offer in Compromise by the District Director of Internal Revenue, Dallas, Texas, together with waiver of refunds, interest, default agreement, and other provisions on Form 656 (Rev. 7-57).

Approval date: 8-30-67; James T. & Helen C. Valentine, 10335 Hedgeway, Dallas, Texas; tax due, $33,523.46; compromise settlement, *1,500.00; years involved, 1955-1956.

*$1500 payable on a deferred payment basis as follows: $250 to be paid within 30 days from date of notice of acceptance of the offer, $250 to be paid on the 15th day of Oct. and Dec. 1967, and $250 to be paid on the 31st day of March, May & July 1968, together with 6 per cent accrued interest. Waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57) in addition the taxpayers agreed to pay a graduated percentage on their future income in excess of $7500 for the years 1967 through 1976 inclusive.

Approval date: 2-8-68; Dr. Stephen F. Verges, c/o Vasil Polysois, 7504 Alaska Avenue, N.W., Washington, D.C. 20012, tax due, $38,257.75; compromise settlement, *$7,200.00; years involved, 1957-1961.

*$7200 payable within 30 days after the acceptance of the offer, together with waiver of refunds and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1967 to 1976, inclusive. This is a second amended offer submitted by the taxpayer.

Approval date: 10-3-67; Louis J. Van Orden, c/o Eric Pusinelli & Co., 19 West 44th Street, New York, New York 10036; formerly, 122 East 37th St., New York, N.Y.; tax due, $20,565.49; compromise settlement, *8,500.00; years involved, 1955-1959.

*$8500 payable $200 with the original offer, and the balance of $8300 to be paid within 30 days after notice of acceptance, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until paid in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57).

Approval date: 4-25-67; Carl X. Volpenhein, 1027 Ann Street, Newport, Kentucky; tax due, $26,810.99; compromise settlement, *4,956.90; years involved, 1960-1965.

*$4,956.90, payable by certified check on or before 90 days from date of acceptance of

this offer, together with interest at the rate of six per cent per annum from the date the offer is accepted until the respective payment is made in full, with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $6000 for the years 1967 to 1976, inclusive, and has agreed to file and pay future tax on time.

Approval date: 9-1-67; Richard and Evan Wagner, R.D. #2, Masonville, New York; tax due, $14,569.01; compromise settlement, *8,300.00; years involved, 1952-1960.

*$8,300 payable within 60 days after date of notice of acceptance of the offer together with waiver of refunds and other provisions of Form 656 (Rev. 7/57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1967 to 1972, inclusive.

Approval date: 3-14-68; Marion W. (deceased) & Minnie H. Watson, 920 Culbertson Avenue, Worland, Wyoming 82601; tax due, $24,567.37; compromise settlement, *13,500.00; years involved, 1955-1957.

*$13,500 payable in full within thirty days after date of acceptance of the offer.

Approval date: 3-7-68; Harry F. & Kathleen Weaver, 1450 Lake Avenue, Colusa, California 95932; tax due, $27,098.73; compromise settlement, *2,356.27; years involved, 1958-1960; 1963-1966.

*$2,356.27 payable at the rate of $100 on the first day of each month, plus interest at 6 per cent per annum, until the sum offered is paid, and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1969 through 1978.

Approval date: 5-23-68; Herman R. and Rosalie Weiss, 3270 East Camelback Road, Phoenix, Arizona 85018; tax due, $119,441.16; compromise settlement, *10,000.00; years involved, 1955-1959.

*$10,000 payable $1500 paid August 2, 1967; assignment of promissory note due from Hiron and Glenna Tabor dated March 27, 1965 in the amount of $3825 with interest at the rate of 7 per cent per year payable in monthly installments of $25 or more in accordance with the terms of the note to the District Director of Internal Revenue beginning August 1, 1967 to and including March 1, 1973; assignment of promissory note due from Kenneth E. and Zola M. Meek dated April 17, 1967 in the amount of $1069 with interest at the rate of 6 per cent per year payable in monthly installments of $25 or more in accordance with the terms of the note to the District Director of Internal Revenue beginning August 1, 1967; the balance at the rate of $70 per month.

Approval date: 9-27-67; C. I. and Gussie Whitaker, Hartwell, Georgia 30643; tax due, $31,111.76; compromise settlement, *3,000.00; years involved, 1953-1964.

*$3000 cash paid with the offer, together with waiver of refunds, default agreement and other provisions on Form 656 (Revised July 1957). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1967 to 1976, inclusive.

Approval date: 6-20-67; Besfred R. & Catherine Williams, 2407 Paddock Lane, Louisville, Kentucky; tax due $20,097.81; compromise settlement, *2,800.00; years involved 1954-1955, 1964.

*2,800 payable at the rate of $50 a month, first payment to be made on March 15, 1967, and thereafter on the 15th of each month until paid in full together with interest at the rate of six percent per annum from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $7500 for the years 1967 to 1974, inclusive. Form 900 was executed on August 17, 1965 extending the statute to December 31, 1966.

Approval date: 3-15-68; David L. Williams, 7507 N.W. 84th Street Terrace, Kansas City, Missouri 64153; tax due, $21,916.70; compromise settlement, *8,500.00; years involved, 1957-1962.

*$8500 cash together with waiver of refunds, interest and default agreement and other provisions of Form 656 (Rev. 7-57). As additional consideration for acceptance of this offer, taxpayer has agreed to pay a graduated percentage of future income in excess of $7500 gross annual income for the years 1968 to 1977, inclusive.

Approval date: 1-9-68; Charles Wilson, 6030 West Coolidge Street, Phoenix, Arizona; tax due, $69,089.35; compromise settlement, * 1,000.00; years involved, 1963-1965.

* The amount of the offer is $1000 payable in monthly installments of $25 with the first payment on the 30th day of the month following acceptance of the offer and $25 on the 30th day of each month thereafter together with waiver of refunds, default agreement and other provisions on Form 656. In addition the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1967 to 1976 inclusive. This appears to be the first offer submitted by the taxpayer.

Approval date: 4-18-68; Matthew J. & Virginia R. Wojciechowski, 3005 South 37th Street, Milwaukee, Wisconsin 53215; tax due, $32,288.00; compromise settlement, * 3,500.00; year involved, 1954.

* $3500 to be paid within 30 days after notice of acceptance of the offer together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payment is made in full and waiver of refunds, default agreement and other provisions in Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $6000 for the years 1967 to 1973 inclusive and have waived net operating loss carrybacks and carry-forwards for Federal income tax purposes.

Approval date; 3-7-68; John E. and Virginia Yahraes, 2318 Coles Boulevard, Norristown, Pa. 19401; tax due, $59,077.97; compromise settlement, * 44,000.00; years involved, 1955-1960.

* $44,000 payable: $8000 tendered with the offer and $36,000 in 60 equal monthly installments of $600 each payable on the 15th day of each month, the first payment due on the 15th day of the month following the month in which notice of acceptance is received, with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of $15,000 for the years 1967 to 1976, inclusive and further have assigned four life insurance policies as collateral security in the event of the Insured's death prior to full payments under the terms of the offer and collateral agreement.

Approval date: 11-24-67; Albert Yalof, transferee, 166 East 35th Street, New York, New York; tax due, $105,700.91; compromise settlement, *10,000.00; years involved, 1944-1945.

*$10,000 payable $2200 deposit, $1800 within 30 days after notification of acceptance and the balance at the rate of $100 per month starting the first day of the second month after date of acceptance and each month thereafter, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7/57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of $7500 for the years 1967 to 1973, inclusive.

Approval date: 8-12-68; Ralph W. and Miriam D. Young, 244 South El Molina Avenue, Apt. 5, Pasadena, California 91106; tax due, $22,251.50; compromise settlement, *$4,500.00; years involved, 1960-1962.

*$4.500 of which $4000 was submitted with the offer and $500 will be paid upon acceptance of the offer, together with waiver of refund, default agreement, and other applicable provisions of Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future annual income in excess of $7500 for the years 1968 to 1972, inclusive.

SENATE JOINT RESOLUTION 108—INTRODUCTION OF A JOINT RESOLUTION TO PROVIDE FOR A STUDY AND EVALUATION BETWEEN UNDERGROUND NUCLEAR DETONATIONS AND SEISMIC DISTURBANCES

Mr. GRAVEL. Mr. President, the Atomic Energy Commission next fall is planning a series of underground nuclear tests in Alaska, on Amchitka Island, at the western end of the Aleutian chain. This is one of the earth's most seismically active regions.

Many Alaskans have expressed to me their concern that the forthcoming nuclear detonations could disturb the subsurface area in such a way as to cause devasting earthquakes and tsunami waves. Alaskans are all too familiar with the horror of earthquakes and giant sea waves. In 1964 the south-central region of Alaska was torn apart by the most powerful earthquake to strike North America in modern times. The cost in lives was 115 men, women, and children. The damage to public and private property was over a half billion dollars.

So we in Alaska are understandably earthquake-conscious. Two events last month related that concern to the forthcoming nuclear tests at Amchitka. Most ominous was a statement by Dr. Kenneth S. Pitzer, president of Stanford University, a former research director for the Atomic Energy Commission, and, until January, Chairman of the President's Scientific Advisory Committee.

On April 14, with full access to all classified AEC studies on safety, Dr. Pitzer urged that large underground nuclear tests in central Nevada and on the Aleutians be delayed pending an independent inquiry by qualified scientists not now under contract to the Atomic Energy Commission or its contract agencies. Dr. Pitzer particularly singled out potential earthquake hazards as being a matter of immediate concern.

Dr. Pitzer said:

> I believe the risk that a damaging earthquake might be triggered deserves a much more substantial public hearing, before large tests are held at the new sites in Central Nevada and the Aleutian Islands, which are seismically active areas. Then Congressmen, Governors, and other responsible officials as well as the interested public can form their own judgment, balancing this and any other risks against the need for tests or the extra costs of moving to a non-seismic location.

Also in recent weeks, Mr. President, the Atomic Energy Commission released a report entitled "Safety of Underground Nuclear Testing." This report is an attempt to analyze concerns raised over the safety of the program. But with respect to Amchitka, the report contains this startling comment:

> The Amchitka test area merits special mention because it is located near one of the earth's most seismically active regions. Inasmuch as earthquake mechanisms are not completely understood, no absolute statements can be made about the possibility of triggering an earthquake of large magnitude in this area.

The report goes on to temper this statement by forecasting that even if a large earthquake were to result from an underground nuclear explosion, the remoteness of the location would spare populated areas.

This may be so, but I can only add that the earthquake in 1964, which had an epicenter in the Prince William Sound area, had a devastating effect upon the community of Carson City, in California, to the number of 12 deaths and 400 families made homeless. Carson City, of course, is over 2,000 miles from that earthquake center.

I have been assured by the AEC that Amchitka is seismologically one of the most isolated areas in the world. However, that assurance, shrouded in secrecy, does not satisfy the broad concern of the Alaskan public.

If we have learned anything from our bout with earthquakes, it is that the science of forecasting the movement of the earth is in its infancy. We know too little of the mechanics of earthquakes, we know too much about their impact on people and cities.

So, Mr. President, Dr. Pitzer's statement and the AEC's own report about the Amchitka site leave Alaskans very apprehensive. Recently, former Alaskan Gov. William A. Egan expressed his concern publicly regarding the possible dangers involved. Mr. Egan was Governor at the time of our gigantic earthquake in 1964, and was also Governor when the State of Alaska allowed AEC to begin activity on Amchitka.

We read in the AEC's own material that earthquakes always follow nuclear detonation. Let me emphasize that earthquakes always follow nuclear detonation. We read that nuclear explosions near earth faults are particularly sensitive. The AEC says that nuclear detonations move the ground perceptibly and can produce "superficial damage" to nearby structures.

But the Atomic Energy Commission concludes that none of this is serious and that where danger exists it is negligible. The AEC may indeed be correct. But those making that judgment are those most committed to the program.

The inescapable fact, from a reading of the literature involved, is that very much is unknown about these tests and what the tests do to earth faults. That being so, I would think that if we are to err it should be on the side of prudence, not risk.

I have personally met a great many AEC people. To a man they impress me as a competent, dedicated crew. I have been to the Nevada test area in recent weeks and was given review of their program. I have no doubt that the AEC people are just as concerned with the success of their efforts and the safety of all those who live in Nevada and Alaska as we are. In fact, they are to be commended for their outstanding safety record.

But I question the system that permits them to be the exclusive judge of their own assessments. One serious misjudgment could retard our entire nuclear program for both defense and peaceful purposes.

As Dr. Pitzer said last month, and I am quoting him:

> The problem in this case is not that the risk is completely ignored; rather, that it has been examined primarily in closed circles with the effective judgment rendered by officials committed to the test program. To be sure, the President makes the final decision on a nuclear test, but by that time all preparations have been made and there is enormous pressure on him to go ahead. This sort of problem should be considered at an earlier date by an impartial judge and jury.

Mr. President, I propose that the Congress follow that wise advice. I submit for appropriate reference, a joint resolution calling for the creation of a National Commission on Nuclear and Seismic Safety.

Under the provisions of this resolution, no Commission member could be a Federal employee or a person working under a Federal contract that relates to the subject matter of the Commission. Its purpose would be to investigate the implications of underground nuclear detonations for effects including but not limited to subterranean or submarine seismic disturbances, or for ecological waste or contamination. The Commission would issue its report within a year and would have full power to hold hearings and subpena witnesses.

Mr. President, many Alaskans, many residents of Nevada, California, and Utah are earthquake conscious. And lately the link between underground nuclear testing and earthquakes has raised a specter that may or may not be valid.

An independent inquiry would certainly be a modest, yet responsible answer to the legitimate questions that have been raised. I, therefore, propose such an independent inquiry to this body.

Mr. President, I ask unanimous consent to have printed in the RECORD the full text of the joint resolution, Dr. Pitzer's address heading his views of the problem, and an article entitled "Stanford Head Urges Delay in Large Nevada Nuclear Test," which was published in the Los Angeles Times of April 15, 1969.

The PRESIDING OFFICER (Mr. SAXBE in the chair). The joint resolution will be received and appropriately referred; and, without objection, the joint resolution, the address, and the article will be printed in the RECORD.

The joint resolution (S.J. Res. 108) to provide for a study and evaluation of the relationship between underground nuclear detonations and seismic disturbances, introduced by Mr. GRAVEL (for himself and others), was received, read twice by its title, referred to the Joint Committee on Atomic Energy, and ordered to be printed in the RECORD, as follows:

S.J. RES. 108

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "National Commission on Nuclear and Seismic Safety."

ESTABLISHMENT OF COMMISSION

SEC. 2. There is hereby established a National Commission on Nuclear and Seismic Safety (hereinafter referred to as the "Commission").

MEMBERSHIP

SEC. 3. (a) The Commission shall be composed of fifteen members to be appointed by the President from among representatives of nuclear physics, geophysics, seismology, hydrology, oceanography, structural engineering, architecture, urban planning, economics, biology, and medicine.

(b) No member of the Commission at the time of his appointment shall be in the employ of the Government, or under contract with the Government, or otherwise engaged in research or consultation for the Government as the employee of a private business organization under contract with the Government, provided, however, that this subsection shall not operate as a bar to the appointment of a person, not a Government employee, whose work under such contract is not directly related to the functions of the Commission as set forth below.

(c) Any vacancy in the Commission shall not affect its powers.

(d) The President shall designate one of the members to serve as Chairman and one to serve as Vice Chairman of the Commission.

(e) Eight members of the Commission shall constitute a quorum.

DUTIES OF THE COMMISSION

SEC. 4. (a) The Commission shall undertake a comprehensive investigation and study of the implications of underground and other nuclear detonations including but not limited to the following: implications for earthquakes, other seismic disturbances both subterranean and submarine, ecological contamination and waste, and damage to existing structure.

(b) The Commission shall transmit to the President and to the Congress such interim reports of its findings as it deems necessary or advisable.

(c) The Commission shall transmit to the President and to the Congress not later than one year after the first meeting of the Commission a final report containing a detailed statement of the findings and conclusions of the Commission, together with its recommendations, including such recommendations for legislation and administrative action as it deems advisable.

POWERS OF THE COMMISSION

SEC. 5. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this joint resolution, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this joint resolution.

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(c) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power to—

(1) appoint and fix the compensation of an executive director, and such additional staff personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of such title, and

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $50 a day for individuals.

(d) The Commission is authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

COMPENSATION OF MEMBERS

SEC. 6. Members of the Commission shall receive compensation at the rate of $100 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

APPROPRIATIONS AUTHORIZED

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

TERMINATION

SEC. 8. On the ninetieth day after the date of submission of its final report to the President, the Commission shall cease to exist.

The material, furnished by Mr. GRAVEL, follows:

EFFECTIVE NATIONAL PRIORITIES FOR SCIENCE

(By Kenneth S. Pitzer)

For 20 years after the close of the Second World War, science received unprecedented and in some respects unquestioned support in this country. Annual increases of 25% in science budgets were not uncommon. The Federal Government encouraged and financed a major expansion of graduate education and research in science in the universities. The Government expended even larger sums for research and the development of new technologies in industry and in nonprofit research institutes.

The growth of federal research and development expenditures contributed significantly to our national economic progress and prosperity in the postwar period. Its benefits to mankind may be seen in telecommunication satellites, heart transplants, and higher crop yields, to cite but a few examples. The flight of Apollo 8 is symbolic of the international leadership America has achieved through these expenditures.

This period of increasing and largely unquestioning support has ended; some of you have received this message with particular vividness by having your research grants reduced or not renewed. Also, the net effect of the results of science and technology on the quality of human life is being questioned—sometimes irrationally but nevertheless actively.

Don Price in his address as the retiring president of the American Association for the Advancement of Science describes this as a two-front attack—"a political reaction and a new kind of rebellion." I will return to discussion of the rebellion later.

The reaction was to be expected. Budgets for any program, no matter how worthwhile, cannot increase by 25% per year indefinitely. The war in Vietnam undoubtedly accentuated the suddenness of the change, but it would be wishful thinking to assume that the trend of the decade 1955–65 could have continued much longer. In the future, growth in support of science cannot be expected to be much greater than the growth in our total national productivity.

In leveling off appropriations for research, business leaders and Congressmen are now evaluating science more critically than previously by the same criteria they use in making decisions about other matters. They see a level of research and development beyond which there is a diminishing return for additional expenditures, and they ask whether we are not at that level now. The businessmen must justify industrial research in terms of new and profitable processes and products and, while the record is reasonably good, it apparently fails to justify large additions to the present level of research activity. Congressmen must consider not only the national interest as they can best judge it, but also the views of their constituents; and they, too, are asking sharper questions and voting smaller increases in appropriations.

We must be more explicit about the contributions of scientific research to particular national goals. We must discuss recent research which has been valuable as well as the degree of relevance of various basic fields to particular practical problems. I do not mean that we should abandon the more esoteric subjects. But the desire of more and more able people to work in a given field is no longer an adequate reason for indefinite expansion of federal support; more convincing criteria must be devised to justify the magnitude of effort in each discipline.

Furthermore, these improved and more specific justifications of scientific research should be discussed widely. In the end, Congress will make the major decisions; consequently, your arguments should be addressed to your own Congressman.

This halt in the growth of funding for science threatens to undermine an important program initiated a few years ago to add new centers of excellence in research. There is now a blatant contradiction between the federal programs encouraging the development of additional major centers of academic science and the absence of additional funds to finance these centers on a continuing basis. I refer particularly to the University Science Development Program of the National Science Foundation. Thirty grants in the range of $4 million each have been made to enable universities with promising programs to expand and improve these activites in the hope of joining the 15 or 20 leading centers of academic science. The continued support and improvement of these 30 centers will require an increase of at least $50 million in the federal grants to universities each year. This is not an enormous sum, but it is an increase. And in many science appropriations for this year there was no increase at all, while in other oases the increase was less than the rise in price level.

We should recognize what lay behind the Science Development Program. First was the assumption that more science was unquestionably desirable; indeed that we were far below the optimum level. The second idea arose from the remarkable development of innovative industry around certain major university centers of advanced scientific and engineering research—particularly the complex around MIT and Harvard and that around Stanford.

The substantial flow of federal funds into these two complexes and the economic prosperity of their immediate environs have attracted many imitators and excited the pork barrel instincts of Congressmen. Contrary to widespread popular belief, federal research grants do not automatically trigger local economic growth. Neither does the presence of a strong, graduate-level university program. What counts most is the presence of both scientific and financial entrepreneurs—men who are willing to take new ideas, work on their practical development, and other men who will provide enough seed money to bring these innovations to the production stage.

Now we are faced with the collapse of the assumption that more science is unquestionably desirable, and we must face the problem of how broadly to distribute a limited amount of financial support for research in universities. If it is spread too thinly, we will destroy the excellence of our present centers of real distinction and great productivity. But I do not believe it will be politically acceptable to "pull the rug" from under those new centers that have really made great progress under their NSF Science Development grants.

In my opinion, we should make it abundantly clear that we now have enough or more than enough centers for doctoral study and research and that no encouragement will be given from federal sources to new centers or to those presently of marginal quality. The states should be urged, through their individual coordinating mechanisms, to control the number of state colleges and universities that are authorized to offer the Ph.D. degree. Such federal-state cooperation should make possible a compromise pattern of distribution of federal support for academic research which will both maintain the quality of our best universities and allow a reasonable number of additional universities to continue their progress toward comparable excellence.

In addition to the particular problem I have just discussed, active consideration is being given to new mechanisms for federal support to universities. Congressional debate on these proposals should generate a more cogent policy and a firmer commitment concerning the federal role in higher education. It will be an improvement if somewhat more of the federal support of universities comes under the banner of graduate education and somewhat less under research. Furthermore, many decisions allocating support among programs within a single department which are now being made in Washington might better be made locally. Thus, I favor an appropriate program of institutional grants. It is not clear at this point whether this type of new program will be limited to science or will relate to higher education generally.

Now I want to turn to a different type of attack on science which Price has called "a new kind of rebellion." This attack comes, not from the leaders of business and government, but rather from student activists and literary and philosophical spokesmen. It is worldwide in scope. The attack is primarily directed against the impersonality of our technological society and the power of the so-called military-industrial complex.

André Malraux says that "the most basic problem of our civilization is that it is a civilization of machines."

The housewife shares this feeling when she is unable to get human attention to the error in a computer-prepared bill. There are now probably fewer errors than with precomputer methods, but there is more frustration when errors do occur.

Most people limit their opposition to the particular application of technology which has annoyed them, but certain intellectuals charge that science is the cause of it all. Thus Malraux writes: "We, for the first time, have a knowledge of matter and a knowledge of the universe which . . . suppresses man."

These charges are echoed by students and faculty on the campuses and have had more effect so far in making scientists re-examine their own philosophy than on general public attitudes. But it is well for scientists to take the lead in this study. The convocations held

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last March 4 on many campuses demonstrated the great interest of many scientists in a new evaluation of the effects of science on society.

The area of defense-related government activities is one of particular importance, both because of their destructive nature and because of the secrecy of their administration. Many examples are familiar. Concern about the safety of large underground nuclear tests has recently intensified and for good reason, in my opinion. The Atomic Energy Commission had considered carefully various hazards, but there was little release of information and, therefore, little public discussion. Then it was discovered that numerous small earthquakes followed closely after one or more of the larger tests. There arose a new concern that even larger test explosions might trigger damaging earthquakes. Since AEC plans still larger tests in the future and expects to fire them at new sites located in areas with a history of damaging earthquakes, this hazard cannot be ignored.

I am not a geophysicist and cannot estimate this earthquake hazard as well as those expert in that science. But when I was asked to look into this situation a few months ago, I was struck by the fact that there was no real need for secrecy in discussing this problem. The details of the explosive devices were irrelevant. All of the essential information was unclassified, or ought to be. Hence I urged, as did others, that this problem be discussed openly. It has now received some attention at a recent AEC-sponsored conference on Off-Site Safety Programs for Underground Nuclear Detonations held at Las Vegas. This initial report, while desirable in opening the subject for public discussion, is inadequate. In particular, this subject should be studied by scientists who have no affiliation with AEC. This is a matter of judgment as well as expertise; consequently, conflict of interest is an appropriate consideration.

I believe the risk that a damaging earthquake might be triggered deserves a much more substantial public hearing before large tests are held at the new sites in central Nevada and the Aleutian Islands, which are seismically active areas. Then Congressmen, governors, and other responsible officials as well as the interested public can form their own judgment, balancing this and any other risks against the need for the tests or the extra costs of moving to a nonseismic location.

The problem in this case is not that the risk is completely ignored; rather that it has been examined primarily in closed circles with the effective judgment rendered by officials committed to the test program. To be sure, the President makes the final decision on a nuclear test, but by that time all preparations have been made and there is enormous pressure on him to go ahead. This sort of problem should be considered at an earlier date by an impartial judge and jury.

Let us turn now from military to civilian applications. Ever since the time of Francis Bacon we have held a sort of laissez-faire theory that scientific knowledge would automatically yield economic and social progress. In contrast to economic laissez-faire, there must be a source of financial support for the basic scientific research. But after the basic discoveries were made it was assumed that practical inventions would ensue and that economic forces would lead to the implementation of the useful and desirable developments. To a considerable extent this theory has been confirmed, and we do enjoy many benefits indirectly arising from scientific discoveries.

But economic laissez-faire was found to be unsatisfactory, in particular because of the boom-bust instability. Businessmen came to recognize the desirability of government intervention to stabilize the economy at a prosperous level. Likewise, scientists are coming to realize more fully that some practical applications of science can be extremely dangerous to the world. The atomic bomb constituted a shattering example, but we are now observing that the cumulative degradation of our environment from many less spectacular causes can, in the end, be very serious.

Furthermore, it is important to note that most major new technologies are influenced or regulated by the Government in some way. For example, television, air transportation, drugs, pesticides, and offshore oil drilling are all regulated in one way or another. Thus, it would not necessarily extend the range of government control to ask that this influence on, or regulation of, new technologies be more sensitive to humanistic factors.

Consider, for example, the proposed supersonic transport airplane, which is a government-financed project. It has been well known that a highly annoying sonic boom will necessarily accompany each plane in supersonic flight. But much of the earlier planning for this project assumed that our people would acquiesce in this annoyance, and only economic and technical feasibility factors were considered. In my view, however, the top priority should be given to the desires of the majority of people, who do not want to be annoyed by sonic booms. The convenience of faster travel for a few people should be strictly secondary. This should have been recognized before a major project was undertaken with thousands of people employed. Now there are political and economic pressures to continue the project, and there will be human hardships if it is terminated. My point is that we should have had a more humanistically oriented set of priorities for the early decisions.

A supersonic transport is more acceptable for transoceanic flights, and I would see no objection if it were economical on that basis. But I do not find a relatively small saving in time for a few people to be sufficient justification for very large public expenditures when in competition with our other needs today.

It will not be easy to foresee all of the possibly damaging effects of a new product or machine, but we should try to do so. In the past we have usually assumed that deleterious side effects of a new technology would be negligible or could be remedied by subsequent action. In many cases that was correct. But when it was not correct, the problems became severe. Once the new technology is established there is a strong pressure for its continued operation. It is far harder to stop an operation than not to start it at all. Also, a modified technology may be possible which accomplishes the purpose and avoids the damage, but the change is a lot easier at the design stage than after the plant is built.

How can we effectuate a more humanistic set of priorities? The extremists say to stop all scientific work, but I doubt that they really mean it. I am sure that most people want to retain the advantages of science and technology. In that case basic science must move ahead substantially as at present. It is impossible to predict the practical consequences of truly basic research. But as soon as applications can be visualized, the process of judging their desirability should begin. From that point onward in any proposed practical development, one should ask not only, "It it possible?" but also, "Is it desirable?" And the desirability should be judged from a humanistic as well as an economic basis. The market place is a good measure of the usefulness of a new product to the users, but it gives no measure of the damage it does to others and to our environment. We need to assess that damage in advance, if possible, in order to invoke the proper corrections or even to stop the entire development when necessary.

Since scientists are peculiarly able to visualize possible applications of new scientific knowledge and their effects, scientists must play a major role in this judgment process. But other citizens who are sensitive to individual and community attitudes should also participate and help apply the humanistic value test.

In most cases the decision should not be to stop the development of a potentially useful technology; rather the new feature in decision-making would be a much more active study from the very beginning of all possible damaging side-effects and the means to avoid them.

How is this broader judgment of desirability to be made? Do we need a new technology review council somewhat like the Council of Economic Advisors? Probably some central group close to the President is needed to deal with special cases and to promote this viewpoint throughout the government. But primarily we need greater sensitivity and more active attention to these questions in all government agencies. The problem is especially critical in agencies such as the Atomic Energy Commission and the Department of Transportation which are the promoters of new technology as well as regulators of it. Unless some higher authority keeps emphasizing questions of risk and damage, the promotional side of the agency is likely to dominate.

Much of the study of the desirability of new technologies in this broader sense can be done outside of government. Professional organizations such as the American Chemical Society could provide a forum for anticipating the environmental problems likely to arise from new processes and products. Universities include the various types of people, scientists, engineers, lawyers, and humanists, needed for fruitful attack on this general problem. I believe one or more university groups should propose and analyze new decision-making mechanisms which could better deal with these problems.

In summary, there is now both a reaction—a more critical questioning of support for science by leaders in government and industry, and a rebellion—an outright attack by some students and writers on science because in their view it allows machines to dominate people. Furthermore, the dangers and difficulties arising from new technologies, ranging from possible nuclear war to major pollution of water and air, are forcing us to abandon the laissez-faire viewpoint that the natural result of scientific discoveries will be desirable improvements in our conditions of life. A new approach is urgently needed. We must adopt a more active role in (1) justifying specific areas of research deserving increased support; (2) developing a better pattern for federal support of graduate education, and (3) judging the desirability of possible new technologies on a broad humanistic basis. Each of us must accept these obligations, either as a scientist or as a citizen.

STANFORD HEAD URGES DELAY IN LARGE, NEVADA NUCLEAR TESTS: FORMER AEC OFFICIAL PROPOSES INDEPENDENT STUDY OF BLAST HAZARDS

A former research director for the Atomic Energy Commission urged Monday that large underground nuclear tests in central Nevada and the Aleutians be delayed pending an independent inquiry.

A study of potential hazards should be made, declared Stanford University President Kenneth S. Pitzer, by scientists with no AEC affiliation to avoid possible conflict of interest.

Pitzer also observed that findings involving the testing sites, both of which have a history of earthquakes, would represent "a matter of judgment as well as expertise."

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WANTS PUBLIC HEARING

The Stanford president suggested the inquiry be in the form of a "substantial public hearing" after which, he said:

"Congressmen, governors and other responsible officials, as well as the interested public, can form their own judgment, balancing this and any other risks against the need for tests or the extra costs of moving to a non-seismic location.

"The problem in this case is not that the risk is completely ignored, rather that it has been examined primarily in closed circles with the effective judgment rendered by officials committed to the test program.

"To be sure, the President makes the final decision on nuclear tests, but by that time all preparations have been made and there is enormous pressure on him to go ahead."

Pitzer's remarks came as he accepted the 1969 Priestly gold medal for "distinguished services to chemistry" from the American Chemical Society at a meeting in Minneapolis.

Until last January the Stanford president was a member of the President's Scientific Advisory Committee, and he recalled Monday:

"When I was advised to look into this situation (selection of the Nevada and Aleutian sites) a few month ago, I was struck by the fact that there was no real need for secrecy in discussing this problem.

"The details of the explosive devices were irrelevant. All of the essential information was unclassified, or ought to be.

"Hence, I urged, as did others, that this problem be discussed openly. It has now received some attention at a recent AEC-sponsored conference on off-site safety programs for underground nuclear detonations, held at Las Vegas.

"This initial report, while desirable in opening the subject for public discussion, is inadequate."

TALKS OF DANGERS

That, said Pitzer, indicates the need for the independent public inquiry.

He emphasized the issue is but one example of a broader problem explaining:

"The dangers and difficulties arising from new technologies, ranging from possible nuclear war to major pollution of water and air, are forcing us to abandon the laissez faire viewpoint that the natural result of scientific discoveries will be desirable improvements in our conditions of life."

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. GRAVEL. I am happy to yield to my colleague.

Mr. STEVENS. Mr. President, I wish to commend my colleague for raising this issue. I am sure the people of our State will heed his warning.

I, too, have been involved in this matter. I have asked the Joint Committee on Atomic Energy to look into the matter and to give us a report as to the impact of the proposed tests in our State.

Again, I commend the Senator for raising the issue at this time, and I urge him to continue to make public the response he gets from the Atomic Energy Commission and those in the scientific disciplines who know what is going on as far as the impact of the proposed tests in our State may be. My only sorrow is that the warning was not raised some years ago when the Amchitka site was commenced because I feel that the Federal Government placed millions and millions of dollars in this remote island with the hope it could conduct these tests with relative impunity. It would be unfortunate if we found that that was an error and that the investment there could not be utilized for the purpose intended.

I commend my colleague for his efforts. Regardless of whether the investment is enormous it should not be used if further Amchitka tests are going to create serious risk of another earthquake near the magnitude of our 1964 disaster.

I thank the Senator for yielding to me.

Mr. GRAVEL. Mr. President, I thank my distinguished colleague from Alaska for his comments and for his support. A tremendous investment has been made in Alaska by the Federal Government. This is not an attempt to do away with that investment, but I do think we need this modest effort by eminent scientists in this country.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. GRAVEL. I am happy to yield to the Senator from California.

Mr. CRANSTON. Mr. President, on behalf of the people of California I thank the Senator for rendering this service in connection with a matter that is of vital importance to the people of my State. For that reason I am a cosponsor of the Senator's measure.

As the Senator and others are well aware, there has been considerable fear in California for a variety of reasons that there might be a disastrous earthquake there. We have a fault that periodically leads to large-scale earthquakes. In the area of Santa Barbara, where we had the oil problem, 66 tremors occurred in a 6-week period last June, which led to fear in that area that there might be a major earthquake there. There was an earthquake in the San Diego area the other day. Until it was discovered that it was not serious, it confirmed the fear of those persons who wondered if a major earthquake were possible.

The people of the State of California would be grateful to the Senator if he would spell out how this measure, if it were enacted swiftly, would affect the tests in Nevada that could lead to earthquakes in California that could be a catastrophe.

Mr. GRAVEL. Mr. President, I thank the Senator from California for joining in the sponsorship of the measure.

I personally am not qualified to determine whether or not the tests should or should not proceed. I think few Senators would have that qualification. That is why I call upon a commission to be brought into being. Their first act would be to determine the severity involved and if the tests should be held up until they could go into the matter further. That would be the first decision to be made by the commission of competent scientists.

Certainly, California has a fear because they reaped the harvest of the destruction from the Alaskan earthquake, which was more than 2,000 miles away. I think that if people are killed in California as the result of an earthquake in the Prince William Sound area, there is room for concern of people far away from these test centers.

I thank the Senator.

(At this point, Mr. STEVENS assumed the chair.)

NATIONAL COMMISSION ON NUCLEAR AND SEISMIC SAFETY

Mr. MUSKIE. Mr. President, I am pleased to join with the junior Senator from Alaska (Mr. GRAVEL) in cosponsoring his resolution to create a National Commission on Nuclear and Seismic Safety.

If we were not aware before, the recent oil spill in the Santa Barbara Channel has taught us the dangers of tampering with the San Andreas fault. Yet the Atomic Energy Commission continues to claim that continued underground nuclear testing in Anchitka, Alaska, presents no danger. The State of Alaska has suffered two major earthquakes in recent years, and the State of California has been assured that it will suffer a major disturbance in the near future. Nature can cause enough trouble along the San Andreas fault without our helping it along. We cannot afford to tamper blindly with the environment.

If we do not break our habit of basing our decisions concerning environmental risk on what we do not know, rather than on what we do know, disaster will follow upon disaster. I urge the Senate to take quick and favorable action on this resolution.

S. 2108—INTRODUCTION OF A BILL ON FAMILY PLANNING SERVICES AND RESEARCH

Mr. TYDINGS. Mr. President, on behalf of myself and 21 of my colleagues, I wish to introduce a bill today to increase the scope and effectiveness of our family-planning services and research in this country. Those Senators who are joining me in the cosponsorship of this legislation are Senators YARBOROUGH, BAYH, BYRD of West Virginia, CASE, CHURCH, COOPER, CRANSTON, HANSEN, HART, HUGHES, INOUYE, JACKSON, MCGOVERN, METCALF, MONDALE, MOSS, PACKWOOD, PERCY, RANDOLPH, SAXBE, and YOUNG of of Ohio.

This is unprecedented sponsorship support for a family-planning bill, a sign that the Senate recognizes the urgent need for increased Federal support for voluntary family planning programs.

ONE OF MAN'S GREATEST PROBLEMS

The population explosion on this planet represents one of the greatest crises currently confronting mankind. The survival of much of the earth's populace, as well as the realization of man's hopes for peace and the elimination of human misery, will be largely determined by our ability to curb our burgeoning birth rate.

Excessive population growth is a problem which finally has transcended the threshold of public awareness in this country. However, the population explosion has been perceived by Americans primarily as a foreign phenomenon, threatening the survival of millions in the developing nations of Africa, Asia, and Latin America.

This is not surprising. To begin with, the Malthusian prediction of famine and mass starvation is not imminent in this country as it is in much of the world.

Furthermore, the tendency in all nations to regard excessive population as someone else's problem rather than their own is reinforced by the paradoxical character of the issue. As Robert McNamara, former Secretary of Defense and current President of the World Bank, noted in an address on population at the University of Notre Dame last week:

> It is at one and the same time an issue that is intimately private—and yet inescapably public.
>
> It is an issue characterized by reticence and circumspection—and yet in desperate need of realism and candor.
>
> It is an issue intolerant of government pressure—and yet endangered by government procrastination.
>
> It is an issue, finally, that is so hypersensitive—giving rise to such diverse opinion—that there is an understandable tendency simply to avoid argument, turn one's attention to less complicated matters, and hope that the problem will somehow disappear.

The fact is, the United States does have a population problem that will not disappear. What will disappear is the means for a rational, humane solution if we fail to act now.

A PROBLEM OF SOCIETY

Much of the confusion surrounding the population problem in this country results from the failure to distinguish the aggregate from the structural aspects of the problem. In aggregate terms, the issue is the number of people that can be supported without compromising the quality of American life.

In 1950, there were 151 million Americans. Today there are 202 million. By the year 2000—31 years from now—that number will swell to 300 million, a 50-percent increase. In short, the population of the United States will have doubled in the last half of the 20th century.

The likely impact of this increase on the Nation was described by David Lilienthal, the former Chairman of the Tennessee Valley Authority and the Atomic Energy Commission:

> An additional 100 million people will undermine our most cherished traditions, erode our public services and impose a rate of taxation that will make current taxes seem tame . . . (Eventually) there comes a point at which a change in quantity becomes a change in quality—when we can no longer speak of "more of the same." And another 100 million people will, I fear, make just that change in the joy of life in America.

The problem of aggregate population growth is even more graphically grasped when viewed in terms of density. In 1776, there were 4.5 people per square mile in the newly formed Republic. By the year 2000, there will be more than 120 Americans per square mile.

This development is exacerbated by the fact that 70 percent of our population is presently concentrated in cities of over 50,000 people—which is precisely where most of the projected population growth will occur. It takes little imagination to comprehend what this portends for our already overtaxed metropolitan highways, schools, recreation facilities, and other public services. Ponder it as you inch your way home on a commuter-clogged expressway tonight.

Aggregate growth represents the most serious long-term aspect of the population problem. But it is not the most pressing aspect—for U.S. birth rates as a whole have been declining by about one-tenth of 1 percent over the last 10 years.

A PROBLEM OF INDIVIDUALS

The most immediate and pressing aspect of the U.S. problem is structural, affecting that segment of the population which has not followed the national pattern of reduced fertility but rather has continued with high birth rates and has therefore not shared to the full extent in the national prosperity and opportunity.

Social scientists have long recognized a strong correlation between poverty and family size in the United States, Chicago's poor, for example, have a birth rate which equals that of India. Our national fertility rate—the number of children born per 1,000 women in the 15 to 44 age group—is 55-percent greater among the poor than among the nonpoor.

As a result, the poor boast a much higher proportion of large families. According to a recent Census Bureau report, 38 percent of all poor families have four or more children as contrasted with only 17 percent of all nonpoor families.

Mr. LONG. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I am happy to yield to the Senator from Louisiana.

Mr. LONG. The Senator from Maryland is rendering a valuable service to the country by highlighting this problem. Some of us who have to struggle with the laws regarding public welfare and the support of families with dependent children have become very much aware of some of these problems as they acutely affect the Federal Government.

Can the Senator give me an estimate, for example, of how much it costs the Federal Government to support the child of a single woman who is unable to support that child from the time it is born until it is able to go to work?

Mr. TYDINGS. I cannot give the Senator the exact figure, but I believe it would be in excess of $10,000.

Mr. LONG. I think it is less than that. I believe it would be, for one child, between $5,000 and $10,000. But, as the Senator knows, that is not the end of the cost.

Many of those young people, due to lack of proper guidance, tend to become delinquent later on, which also contributes to the high crime rate; which is another heavy burden on society. So we have a situation where the mother is denied the information that she needs, and denied whatever assistance she needs to avoid unwanted pregnancies, with the result that she must bring into society, in some instances, a large number of illegitimate children who must then be supported by society. Many of these children are poorly adjusted, and because of those circumstances, a pitiful situation develops that the mother does not want, and a circumstance that is a very considerable burden upon State and local governments, all because someone thinks they know better than that mother knows whether she should have that child or not.

Sooner or later I believe someone would have to insist that is the right of the mother to decide for herself whether she wants to have a child or more children.

Mr. TYDINGS. I think the Senator's point is extremely well made. It is the right of the mother to determine the size of the family and whether she wants a child. I think it is fundamental that the poor mother should have as much right to plan her family as the rich mother.

FAMILY SIZE AS A CAUSE OF POVERTY

However, it is only in the past several years that family size has been perceived as a cause of poverty as well as an effect.

Popular wisdom to the contrary, surveys have revealed that poor families desire less children on an average than their wealthier counterparts. They end up up with larger families due to the general unavailability of family-planning information, services, and materials to low-income women.

The Natality Statistics Branch of the U.S. Public Health Service calculated that in 1966 the 8.2 million poor and near poor women of reproductive age had 451,000 unwanted births; that is, births that would have been avoided if the mothers had possessed the information and means.

By "unwanted," I do not wish to imply that a child is loved any less than his desired brothers and sisters. He is unwanted in the sense that his birth necessitates an overextension of already scarce family resources, including parental attention. Herein lies the causal link between family size and poverty.

As the National Advisory Commission on Rural Poverty explained it:

> A vicious circle of poverty and fertility is at work . . . Because they [the poor] do not limit the size of their families, the expense of raising unwanted children on inadequate incomes drives them deeper into poverty. The results are families without hope and children without future.

Lacking the parental supervision and support they would likely receive in smaller families, the children of the poor tend to underachieve in school. A higher percentage of them become school dropouts and delinquency problems, all of which reduces the child's chances for economic betterment in later life. And so the poor stay poor.

It cannot be overemphasized that the objective of family planning is not simply to limit the number of births. It is with the quality of life of our citizens that family planning is concerned.

It is with the amount of parental attention and supervision and love and affection that each child can receive that it is concerned. It is with the opportunity for a decent meal three times a day that each child can receive that it is concerned. It is with the opportunity to go to school and have parental guidance and interest in that child's achievement in class that it is concerned. It is with the opportunity of that child to have decent clothes and an opportunity to get a better job in later life that it is concerned.

The ability to determine family size and the spacing of children profoundly affects the economic, educational, and

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health prospects of parents and their children.

Government figures reveal that the birth of children too early or late in a mother's child-bearing years can have adverse physiological and emotional effects on both mother and child. A child born at the wrong time in a family's economic development often constitutes a burden on his parents and loses benefits he would have received if his coming had been planned.

FAMILY PLANNING: A FUNDAMENTAL INDIVIDUAL RIGHT

It should be clear by now that any effective campaign to eliminate poverty in this country must include programs which make family-planning information and contraceptive devices available on a voluntary basis to all who desire them. It is imperative that we give all our citizens, regardless of income, the right to plan the size of their families—a right which the affluent now enjoy. It is essential if the poor are to possess the opportunity to defeat the poverty that oppresses them.

For the right to be able to plan one's family is as essential a part of full freedom of opportunity as the right to a decent home, the right to an education fully commensurate with ability, and the right to a good job. Indeed, the denial of the right to plan the number and spacing of children denies equal opportunity in housing, education, and employment.

MILLIONS DENIED THIS RIGHT

Unfortunately, many parents do not have this basic right. Despite the fact that the Federal Government and many of the States and cities finally have begun to finance family-planning services and population research, it is estimated that only 700,000 of the 5 million women who want family-planning help actually receive such assistance through public and private sources.

Providing satisfactory voluntary services to this group constitutes a principal purpose of the legislation I am introducing today. It is disgraceful that to this day, despite the increasing discussion of family planning, all too few publicly supported health facilities offer family planning as a matter of routine maternal and postdelivery care.

Where better could a poor, young mother with an illegitimate child receive instruction and the opportunity to prevent another unwanted child than in the hospital after the baby is delivered? The very least we should do is provide these young mothers the opportunity to receive the benefit of the knowledge that we have and the contraceptive devices that science has perfected to protect her and her future unborn children.

Less than one-fifth of U.S. hospitals with large maternity services reported family-planning programs in 1966, according to a planned parenthood estimate. In fact, the United States was described in a recent article as "an underdeveloped land in family planning" because of our failure so far to meet the need for services in this field. Hospitals that have added family-planning services report a great increase in patients, often a doubling of the volume, when family planning was included with other services. Doctors associated with family-planning programs, whether run by hospitals, medical schools, or local health departments, comment on the enthusiastic response of their patients.

SERVICES MUST BE VOLUNTARY

However, let me make it perfectly clear that these services are offered on a strictly voluntary basis. No one must ever be forced to practice birth control. There must be no doubt on this point. It must be crystal clear.

Nor does the provision of family-planning services to low-income mothers mask any racist designs. As the late Martin Luther King eloquently explained:

> The Negro constitutes half the poor of the nation. Like all poor, Negro and white, they have many unwanted children. This is a cruel evil they urgently need to control . . . For the Negro, therefore, intelligent guides of family planning are a profoundly important ingredient in his quest for security and a decent life . . . They do not welcome any solution which involves population breeding as a weapon. They have instinctive sympathy to all who offer them fair opportunity to develop and advance as all other people in our society.

WHAT THE BILL WILL DO

The proposed legislation would improve and expand current public family-planning services and population research in a number of ways.

First, many of the family-planning and population-related activities presently administered by various agencies within the Department of Health, Education, and Welfare would be consolidated in a National Center for Population and Family Planning under the direct supervision of the Assistant Secretary for Health and Scientific Affairs.

These diverse family planning activities are currently carried out in various parts of HEW with varying degrees of effectiveness, with fragmented supervision, and with no primary focus of action and responsibility within the Department. The Office of the Deputy Assistant Secretary for Family Planning and Population has no direct responsibility for any of these programs and is staffed by only three professionals.

Transferring most of these activities to a national center within HEW would permit the coordination and comprehensive planning needed to make our population programs more efficient and effective.

The functions of the center would be to administer all special project grants related to population and family planning which presently are the administrative responsibility of the Secretary of HEW; to administer all population and family planning research carried on or financed by HEW; to act as a clearinghouse for information pertaining to domestic and international population and family planning programs; to provide a liaison with population activities carried on by other agencies in the Federal Govenment; to provide training for the manpower needed to staff domestic and foreign population and family planning services and research; and, to be responsible for the evaluation of all population programs in HEW.

Second, the bill would require the Secretary of HEW to submit a 5-year plan to the Congress, not later than 6 months after the bill's enactment, setting forth guidelines and goals regarding the extension of family-planning services to all who desire them, needed research, and manpower training programs. This would provide us with the kind of comprehensive family-planning policy we now lack and desperately need.

Third, in order to make voluntary family planning services immediately available to more Americans, the Center would be authorized to provide $30 million in grants in fiscal year 1971 to public and private nonprofit organizations for the establishment and operation of such services. Expanding the actual delivery of services constitutes the top priority in family planning today.

Fourth, to stimulate the creation of State and local family-planning programs, $10 million in formula grants to State health agencies would be authorized for fiscal year 1971.

Fifth, $2 million would be provided for the purpose of training the personnel required to staff our domestic and foreign population activities.

Sixth, we are not conducting nearly enough research in this vital area. Out of a total budget of nearly $1 billion, the National Institutes of Health are spending less than $10 million a year for population-related research. As Robert McNamara put it:

> Hundreds of millions of dollars for death control. Scarcely 1% of that amount for fertility control.

This bill would authorize $35 million in fiscal year 1971 to expand our program of population-related biomedical and social science research. In addition, $12 million would be made available for the construction of population research centers in universities and medical schools.

Finally, the Secretary of Health, Education, and Welfare would be required to establish a systematic reporting system capable of yielding comprehensive data on which service figures, cost estimates, and program evaluations can be based. Each year, the Secretary would submit a report to the Congress measuring performance in the previous fiscal year against the objectives for that year, and indicating what steps were being taken to achieve these objectives in the coming year.

I believe this section of the bill is particularly important. Too many Federal programs stumble along blindly without established procedures for periodic evaluation. The agency administering such a program has no systematic means of determining its effectiveness. The Congress has no means of determining whether the problem attacked is actually being solved without the waste of scarce tax dollars.

AN INVESTMENT TO SAVE TAX DOLLARS

Mr. President, in cost-benefit terms, the $89 million in first-year appropriations requested by this legislation represents an extraordinary investment of the taxpayers' money. It has been estimated by experts, both in and out of Government, that $1 spent providing family-planning services produces a reduction of $25 to $70 in the costs of welfare, education, health, and housing programs.

This is no "giveaway" program. On the contrary, it is an investment that will yield greater dividends, dollar for dollar, than nearly any other type of public program in the United States.

Enacting this proposal will reduce the Nation's tax bill, not increase it.

SUMMARY

In summary, the benefits of this proposal are many.

It would secure the right to voluntarily plan the number and spacing of children for every American family, regardless of income.

It would provide poor parents with an additional means of self-help in their struggle to escape impoverishment.

It would permit more children to be born into planned families, enhancing their chances of receiving the parental attention and material support so vital to future success.

It would reduce the incidence of physical and psychological damage to both mothers and children often associated with unwanted births.

It would be a sound investment in the Nation's development that would ultimately return billions of dollars to American taxpayers in the form of reduced welfare and public service costs.

It would demonstrate to the developing nations of the world facing famine and mass starvation in the decade ahead that the United States is not a hypocritical wealthy relation—but a Nation capable of practicing what we preach to others.

The manner in which we choose to engage or not engage the population problem will profoundly affect the destiny of men in this Nation and other nations; because, as I believe the President well knows, the population explosion represents mankind's greatest current crisis along with possible global incineration in a nuclear holocaust.

For the first time in history, it lies within our power to prevent a future replete with the famine, starvation, disease, and violence that relentlessly accompany overpopulation. For our sake and that of our children, we must not default our ability to act and abandon our future to the geometric certainties of demographic projections.

In the closing paragraph of his last book, "To Seek a Newer World," our late colleague Robert F. Kennedy wrote:

> Our future may lie beyond our vision, but it is not completely beyond our control. It is the shaping impulse of America that neither fate nor nature nor the irresistible tides of history, but the work of our own hands, matched to reason and principle, that will determine destiny. There is pride in that, even arrogance; but there is also experience and truth. In any event, it is the only way we can live.

A TRIBUTE TO SENATOR GRUENING

Mr. President, before I take my seat, I wish to pay tribute to former Senator Ernest Gruening, of Alaska, for the courageous and imaginative leadership he provided in the Senate for many years in the field of family planning and population. He and the former Senator from Pennsylvania, Mr. Clark, and the Senator from Arkansas (Mr. FULBRIGHT), had the foresight to speak publicly about the problem of overpopulation and the need to provide voluntary family-planning service for all Americans in the days before these were widely recognized problems.

Senator Gruening was a pioneer in this area. It was my privilege to work with him for the first 4 years that I was a Member of the Senate. He has made a great contribution in this field.

So I pay tribute to a man who, if he were still a Member of this body, would be fighting in the forefront of this movement today, former Senator Ernest Gruening.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2108) to promote public health and welfare by expanding, improving and better coordinating the family-planning services and population research activities of the Federal Government, and for other purposes, introduced by Mr. TYDINGS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

DEVELOPMENT AND DEPLOYMENT OF SAFEGUARD ANTI-BALLISTIC-MISSILE SYSTEM

Mr. DOMINICK. Mr. President, I am seriously concerned over the recent flood of statements from those who are criticizing the decision by the President to proceed with the development and deployment of the safeguard anti-ballistic-missile system. I have listened to their arguments during our committee hearings in the Committee on Armed Services, and I have read their statements in the public press. Most of their arguments have been heard many, many times in the past. Many of these arguments are based on conditions and events which have been changed by the passage of time and developments in the Soviet Union and in Red China.

When the question of the deployment of an anti-ballistic-missile system was first debated in this Chamber in 1963, I felt at that time it should be delayed until we developed a more effective system. Six years have now passed, our proposed ABM system is far more sophisticated than it was in 1963, and above all the strategic balance between ourselves and the potential forces of aggression has changed and continues to change for the worse. The credibility of our strategic retaliatory capability is diminishing as the Soviet Union has made consistent and substantial investments in research and deployment of large nuclear weapons delivery systems and in an extensive ABM system.

It now seems abundantly clear that the Soviet Union seeks and is determined to attain more than a parity with the United States in strategic forces. They are bent upon attaining overwhelming superiority. Defense Secretary Melvin Laird informed the Senate Committee on Armed Services on March 19:

> As of today, the Soviets have in being and under construction more ICBM launchers than the 1048 possessed by the United States.

On April 25, he revised that estimate upward. He said that more recent evidence led to the conclusion that the Soviets now have 1,000 ICBM's in hardened sites and 140 more ICBM's on launching pads. He also said that the Soviet Union could have as many as 2,500 ICBM's by 1975 if their production proceeds at the present rate.

Of even greater concern is the Soviet concentration on production and deployment of the very heavy intercontinental ballistic missiles such as the SS–9 which, because of its size and its accuracy, may be designed to knock out our Minuteman retaliatory force. The present Soviet force now includes over 200 of these SS–9's and is increasing all the time. The Defense Department has estimated that the Soviets will have as many as 500 of these deployed by 1975. The booster for this missile can fire an orbital bombardment warhead, such as the customary ICBM; it can be adopted to carry multiple warheads, or MIRV's, as they have been called, and it can be used to launch their fully tested FOB's system, tested by the Soviets in 1967 and 1968.

The Soviets are not confining their armament efforts to ballistic missiles. Secretary of the Navy John Chafee told our committee that they are putting great effort into expanding and modernizing their navy. He said:

> The Soviets are modernizing their submarine force, the world's largest. Following a period of large-scale shipyard expansion, new classes of ballistic missile submarine and nuclear attack boats are becoming operational. More of these new types have been launched than foreseen a year ago.

The Institute for Strategic Studies, in London, recently pointed out that the Soviet undersea fleet now exceeds in numbers—I repeat this for emphasis—now exceeds in numbers all the submarines in the fleets of the United States and other NATO nations. The Soviet Navy has more than a 2-to-1 numerical advantage over the U.S. Navy in the number of attack submarines each possesses. This is critical because the attack submarine is considered to be the most effective weapon against a nuclear submarine. And our position threatens to grow steadily worse in this area of sea warfare unless we move quickly ahead to correct our problems.

In its most recent study, the American Security Council, a group which includes among its members such notable experts in national security affairs as Dr. Edward Teller, Lewis L. Strauss, and Gen. Nathan Twining, points out:

> The destruction of the enemy's forces, the only real threat, has always been the principal military objective in war. If one side can destroy the other's forces it can then impose its will on its opponent without fear of retaliation or even risk of substantive losses. A counter force capability is, therefore, the most logical goal for any nation that accepts the possibility of having to actually fight either aggressively or defensively.

It seems clear that the Soviets fully recognize this doctrine and that their policy conforms to this doctrine. The Soviets have already deployed an anti-

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ballistic-missile system around Moscow which may not be technologically perfect, but which has some operational capability and at ranges designed to protect all of western industrialized Russia.

It is not a spot defense. In addition, it has deployed the Tallin system which may be designed against manned bomber attacks, but which some experts believe has antimissile capabilities. We have not really started any system, and with a long leadtime needed for deployment I fear that any further delay means that we will be gambling with the security of the 200 million American people, based largely on estimates that the Soviets will not attack or try nuclear blackmail even if they attain nuclear superiority.

Critics are wont to state that Safeguard will not work. In answer to the various charges of the critics of the system, Dr. Teller's group reported:

> The "Won't Work" argument is seriously flawed on both specific and general grounds. Both the Spartan and Sprint missiles—the prime ingredients of the proposed Safeguard system—already have been successfully flown. These in turn are successors to the Nike series of missiles which were successfully employed to knock down their missiles. The prototype missile radar is in test operation at the present time. The initial deployment of the Safeguard missile defense is now necessary to give us further technical, engineering, production, and testing experience to improve the system. We learn by doing.
>
> Safeguard will "work" in the sense it is intended to work. It is a "point" defense. A point defense is easier to achieve than an area defense since the enemy warhead can be usefully engaged at much closer proximity to its target. This in turn increases the time allowed the defense to track and react and greatly facilitates the separating out of decoys from the live warheads. Some people may feel that since *all* missiles may not be destroyed, the system is a failure. They say, "You may knock down nine, but the tenth will get through." But even if this is so, the enemy is forced to greatly multiply his arsenal with greatly sophisticated missiles before he could dare to attack. This enormously complicates his offensive problem and adds immeasurably to the deterrent effectiveness of our own offensive missiles.
>
> In a larger sense, however, the United States has amply demonstrated its capacity to produce and operate the most complex communications, electronic, and nuclear warfare systems. It is well to remember that some people declared the hydrogen bomb was impossible or that ICBM's and Polaris missile systems would not work.

As a matter of fact, I can even remember when Admiral Rickover was the sole proponent of a nuclear submarine of any type. I continue with the report:

> Moreover, the astonishing technical capacity revealed in the Apollo moon program or the Telestar communications satellites is evidence of what the United States can accomplish.
>
> Throughout the history of warfare, every offense has produced a corresponding defense. To argue that no defense can ever be possible against missiles is to fly in the face of historical precedent. And it is to fly in the face of the opposite conclusions reached by the Soviet Union. It is doubtful that the Soviets would have devoted the resources they have to ABM if they had concluded that it "Won't Work."

Other criticism has been that an enemy would have a variety of tactics available to penetrate, evade, or overwhelm our ABM system. The American Security Council study deals with that argument as follows:

> D. G. Brennan, former president of the Hudson Institute made this recent observation:
>
> Several years ago, it was widely believed that missile defenses were easy to penetrate—so easy that offensive increments costing only one or a few percent of the cost of opposing defense would serve to nullify it. In recent years, however, it has become apparent that cheap forms of decoys and other penetration aids cannot be relied upon to nullify modern defense techniques. A good defense can be overcome, but it is difficult. This is reflected in the fact that cost exchange ratios for a good defense are now believed to be in the region of one to one—perhaps one-third or two, but not one-tenth or ten. Thus, it is about as expensive to nullify a good defense as to build it.

Another argument by the critics is that our development of an ABM system will only stimulate the arms race. This, too, is refuted by Dr. Teller's group. They said:

> Will the Soviets now cease any further augmentation of their offensive striking power if the United States unilaterally refrains from missile defense? Will they cease their own ABM efforts? The burden of proof for such contentions falls heavily on its advocates. We know that the Soviets have not ceased offensive missile production, because they have drawn past the United States; they are still building at a rapid rate. And we know from their statements that the Soviet leadership holds that active defense constitutes a vital component of the nation's military capabilities. It seems only reasonable to conclude that the Soviet leaders would regard U.S. failure to develop an ABM as a sign of deficient military thinking—one that should be exploited, not followed.

I think one thing should be made clear. Safeguard is not a cure-all for the security of this Nation, and it is not so designed. It cannot stop an all-out attack—as a matter of fact, it probably cannot stop any attack once it is started—but it can contain it long enough to insure second-strike capability; and that second-strike capability should be more than enough to prevent anyone but a madman to proceed with a proposed preemptive strike. Without that defense capability, we are gambling the future of this country on the good will of the Soviet and Chinese leadership in the middle 1970's. That is an unacceptable gamble to me.

Mr. President, I intend to make further and detailed remarks on this critical issue of national security between now and the time it is brought to a vote on the floor of the Senate. But it did seem to me timely to speak out at this point on a matter which is a raging controversy around this country, which is a source of debate among scientists, which has been a source of debate on the floor of the Senate, which is of utmost importance to the United States, and the deployment of which may determine whether or not this world will find itself engulfed in a nuclear holocaust.

S. 2109—INTRODUCTION OF BILL TO REQUIRE FINANCIAL DISCLOSURE BY FEDERAL JUDGES

Mr. GRIFFIN. Mr. President, at the present time, Federal judges are not required to make any report or disclosure concerning their outside income or financial affairs while serving on the bench.

This is not as it should be. The need for some reasonable disclosure requirement is particularly essential in the case of Federal judges, who are appointed for life or during good behavior and do not answer regularly to the electorate.

To paraphrase the American Bar Association's "Canons of Judicial Ethics," a judge must scrupulously avoid circumstances which give rise even to the suspicion that he is utilizing the power or prestige of his office for personal gain. Accordingly, Canon 25 provides in part:

> A judge should not enter into any business relation, which, in the normal course of events reasonably to be expected, might bring his personal interest into conflict with the impartial performance of his official duties.

Canon 26 provides:

> A judge should abstain from making personal investments in enterprises which are apt to be involved in litigation in the Court; and, after his accession to the bench, he should not retain such investments previously made, longer than a period sufficient to enable him to dispose of them without serious loss. It is desirable that he should, so far as reasonably possible, refrain from all relations which would normally tend to arouse the suspicion that such relations warp or bias his judgment, or prevent his impartial attitude of mind in the administration of his judicial duties.

The "Canons of Judicial Ethics" are available to remind judges what the public has a right to expect from them. But the canons do not require judges to make any disclosure or reports concerning financial affairs or dealings while on the bench.

Mr. President, I am today introducing legislation which would require all Federal judges, including Justices of the Supreme Court, to file reports concerning any gifts received over $50, honorariums received over $300, and any fees or compensation received for services of any kind from any party other than the United States. Such reports would be filed annually with the Judicial Conference of the United States and would be available for public examination.

In addition to such public disclosures, this legislation would require a Federal judge to file, on a confidential basis, with the Comptroller General of the United States, a copy of his income tax return, a report of any business and foundation connections, as well as liabilities in excess of $5,000 and his interests in real or personal property in excess of $10,000.

These reports would be held in confidence by the Comptroller General and would be available for examination by the Senate or House Judiciary Committees only by a recorded majority vote of either full committee.

Mr. President, ours must be a government of laws, and judges form the foundation of our system. It is a matter of deep concern to me and to many Members of this body that public confidence in this foundation is less than it should be. Unfortunately, it is all too apparent that the legislation which I am introducing is needed and that the time for enactment is at hand.

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Mr. President, I ask unanimous consent that a copy of the bill and a number of recent editorials relating to commentary on the Federal judiciary be printed in the Record.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill and editorials will be printed in the Record.

The bill (S. 2109) to provide for financial disclosure by members of the Federal judiciary, introduced by Mr. Griffin, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 2109

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 101. Chapter 21 of Title 28, United States Code, is amended by adding at the end thereof the following new sections:

"§ 470. Financial Statements.

"1. Each judge or justice of the United States and each officer or employee of the Federal judiciary of the United States, who is compensated at a rate in excess of $15,000 per year, shall file with the Comptroller General of the United States, in a sealed envelope marked 'Confidential Personal Financial Disclosure of (Name),' before the 15th day of May in each year, the following reports of his personal financial interests:

"(a) a copy of the returns of taxes, declarations, statements, or other documents which he, or he and his spouse jointly, made for the preceding year in compliance with the income tax provisions of the Internal Revenue Code;

"(b) the name and address of each business or professional corporation, firm, foundation or enterprise in which he was an officer, director, partner, proprietor, consultant, or employee who was compensated during the preceding year; his capacity; and the period of time; and

"(c) the identity of each interest in real or personal property having a value of $10,000 or more owned by him or by him and his spouse jointly, at any time during the preceding year; and

"(d) the identity of each trust or other fiduciary relation in which he held a beneficial interest having a value of $10,000 or more, and the identity if known of each interest of the trust or other fiduciary relation in real or personal property in which the judge, justice, officer, or employee held a beneficial interest having a value of $10,000 or more, at any time during the preceding year. If he cannot obtain the identity of the fiduciary interest, the judge, justice, officer or employee shall request the fiduciary to report that information to the Comptroller General in the same manner that reports are filed under this rule; and

"(e) the identity of each liability of $5,000 or more owed by him, or by him and his spouse jointly, at any time during the preceding year.

"2. All papers filed under section 1 hereof shall be kept by the Comptroller General for not less than seven years, shall be confidential, and shall be made available only to persons authorized by either the Committee on the Judiicary of the House of Representatives or the Committee on the Judiciary of the Senate for examination and audit under a resolution adopted by a recorded majority vote of either full Committee.

"3. Each judge or justice of the United States, and officer or employee of the Federal judiciary of the United States who is compensated at a rate in excess of $15,000 per year, shall file with the Judicial Conference of the United States before the 15th day of May in each year the following reports of his personal financial interests:

"(a) the source and value of gifts in the aggregate amount or value of $50 or more from any single source received by him and/or his spouse during the preceding year;

"(b) the amount or value and source of each honorarium of $300 or more received by him during the preceding year; and

"(c) the amount or value and source of each fee or compensation received by him at any time during the preceding year from any party other than the United States for services of any kind.

"4. All papers filed under section 3 hereof shall be kept by the Judicial Conference for not less than three years and shall be made available promptly for public inspection and copying.

"5. The failure to file any report required hereunder, or the filing of a fraudulent report, shall constitute a high misdemeanor and shall be grounds for removal from office.

"6. This rule shall take effect on January 1, 1970.

"§ 471. Conflicts of Interest.

"(a) The conduct of a judge of the United States who participates in the adjudication of any motion, petition, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, creditor, partner, organization in which he is serving as officer, director, trustee, partner, consultant or employee or any person or organization with whom he is negotiating or has any arrangement concerning past or prospective employment, has not an insubstantial financial interest, is inconsistent with the good behavior required by article III of the Constitution and shall be grounds for removal from office.

"(b) The preceding subsection shall not apply if the judge first advises the chief judge of the court on which he serves, or if he is the chief judge of a district court, the chief judge of the circuit court in which his district is located, or if he is a chief judge of a circuit court or the chief judge of the Court of Claims, Court of Customs and Patent Appeals, Customs Court or an Associate Justice, the Chief Justice of the nature and circumstances of the proceeding or other particular matter in which he is to participate by virtue of his office and makes full disclosure of the financial interest and receives in advance a written determination by such chief judge or Chief Justice that the interest is not of such a nature as will affect the integrity of any ruling by such judge.

"Section 102. The analysis of chapter 21 of Title 28, United States Code, is amended by adding at the end thereof the following new items:

"470. Financial statements.

"471. Conflicts of interest."

The editorials presented by Mr. Griffin are as follows:

[From the Washington Post, May 6, 1969]

A Shadow Over the Supreme Court

The public explanation given by Mr. Justice Fortas of his relations with the Wolfson Family Foundation is not good enough. It does not deal candidly or precisely with the allegations made by *Life* magazine and these are quite precise allegations, having to do with a particular sum of money, $20,000, held by Justice Fortas for a particular period of time, 11 months, before it was returned. It begins with something that sounds like a denial and ends as something like a confirmation of *Life's* story. And because it thus raises more questions than it answers about the facts in this matter, the statement succeeds, in the end, only in raising the fundamental question of whether the Justice adequately appreciates the great obligations imposed by his high public office upon his private life.

Unless Justice Fortas can provide a more compelling explanation, publicly and in some reasonable detail, he can best serve himself, the Court on which he sits and his country by stepping down.

The life of a member of the Supreme Court is, by necessity, a circumscribed one. He is barred, if he is to fulfill his responsibilities, from many activities he might otherwise be free to engage in. He has to choose his friends with care. He needs to apply more than the normal caution to requests for his assistance on boards or committees and he needs to be skeptical about offers of high fees for minimal services. The Supreme Court and its Justices, after all, have one indispensable asset—their integrity. When any member of the Court becomes involved in a situation that casts a shadow, whether fairly or not, over his personal integrity, the Court itself is diminished. The American Bar Association has reflected this high standard the Nation demands of its judges by declaring a judge's official conduct shall be free from even the "*appearance* of impropriety" and his personal life shall be "above reproach."

Perhaps there are factors that make the behavior of Justice Fortas in this Wolfson affair "beyond reproach." We hope so, for Mr. Fortas is an extraordinarily able and articulate jurist, whose views of the Constitution and the law we have admired over the years. But his statement of Sunday in answer to the article in *Life* does not eliminate "the appearance of impropriety."

It seems well established that Justice Fortas received a fee from the Wolfson Foundation which he returned some months later. The figures of $20,000 for the fee and 11 months for the time he had this money in hand seem likely since *Life* used them and the Justice did not dispute them; he simply ignored them. He says the money was offered him in hopes that he would do some work for the Foundation and that he returned the money when he discovered he would not be able to. In the interim, he visited Mr. Wolfson's farm in Florida and attended a meeting of the Foundation.

The "appearance of impropriety" is compounded, of course, by the fact that Mr. Wolfson was one of the clients of Justice Fortas' old law firm, that he was in trouble with the Securities and Exchange Commission when the money was sent to Justice Fortas, and that he was subsequently indicted and convicted of violating the securities laws. Justice Fortas does deny, in strong language, the implication that he was offered the money in exchange for his aid in blocking a prosecution and he denies the further implication that he has done anything to aid Mr. Wolfson in his troubles with the Government. Nevertheless, the shadow is there, and it is there in large part because the Justice's statement does not dispel it.

Perhaps Justice Fortas can remove that shadow by putting the whole story of his dealings in this matter on the public record. What did the Foundation think it was getting for its $20,000? Why the 11-month delay in returning the money? What went on at that Florida meeting? How long and how well has he known the Wolfsons? Etc.

If Justice Fortas, however, cannot remove that shadow more persuasively, he must take the drastic and painful step of protecting the Court from his indiscretions. The Court stands today, as it frequently has in the past, in the middle of a storm—this one centering on the issue of "law and order." It will need all the respect and all the support it can get if the forthright positions it itself has staked out in the last 15 years on issues of

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due process are not to be undermined. As a participant in the formulation of some of those positions and as a defender of the Court in the days before he sat upon it, Justice Fortas must recognize the need that its integrity stand unblemished. One way or another, the shadow cast on it by this affair must be removed.

[From the Detroit News, May 6, 1969]

Fortas in Trouble Again—A Lack of Sensitivity

On the basis of the facts revealed to the public to date, it would be unfair to demand that Supreme Court Justice Abe Fortas resign or be impeached because he accepted and kept for 11 months a $20,000 fee from the family of industrialist Louis E. Wolfson. But it would not be unfair to suggest that Justice Fortas provide a better explanation for the incident than he has given up to now.

Life magazine said that the Wolfson Family Foundation, a tax-free charitable organization, paid Fortas $20,000 in January, 1966, three months after he took office, and that the justice paid the money back in December, 1966, three months after Wolfson had been indicted on charges of selling unregistered stock. Wolfson, a former client of Fortas' old law firm, went to jail on the charge last month.

Fortas admitted the foundation had sent him the $20,000, but said the money was offered "in the hope that I would find time and could undertake, consistently with my court obligations, research functions, studies and writings connected with the work of the foundation."

The justice added: "Concluding that I could not undertake the assignment, I returned the fee with my thanks." He also said that at no time since he became justice had he given Wolfson, his family or his associates any legal advice or services, and at no time had he spoken or communicated with any official on Wolfson's behalf.

Well, perhaps not. Yet the magazine said Fortas was a guest at Wolfson's horse-breeding farm near Ocala, Fla., in June, 1966, when the Securities and Exchange Commission's investigation came to public attention. It quoted one former Wolfson associate as saying Fortas "had been at the horse farm to discuss the SEC matter and that it was to be taken care of," and another as stating Wolfson had said Fortas was furious because the SEC "had reneged on a pledge to give the Wolfson group another hearing."

Whether the charges are true in all details, the facts indicate a close relationship between Wolfson and Fortas even after the justice was on the bench. That raises a question as to whether Fortas' conduct was consistent with that expected of an associate justice of the Supreme Court and whether it showed a lack of sensitivity to the canons of judicial ethics of the American Bar Association.

Canon 4 says: "A judge's official conduct should be free from impropriety . . . and his personal behavior, not only upon the bench and in the performance of judicial duties but also in his everyday life, should be beyond reproach"

Canon 24 says: "A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official functions."

Justice Fortas seems to be in violation of both canons, just as he was in accepting $15,000 raised by a former law partner from former legal clients involved in various dealings with the government in order to conduct a law seminar at the American University Law School.

As we said at the outset, the facts made public to date do not demand his resignation or impeachment but they do call for a better explanation than the one Fortas has provided if he wants to continue on the bench.

[From the New York Times, May 6, 1969]

Judicial Impropriety

Serious questions of propriety are raised by the financial relationships of Associate Justice Abe Fortas with industrialist Louis E. Wolfson.

Life magazine reports that Justice Fortas accepted $20,000 from the Wolfson family foundation early in 1966 when the financier was under investigation by the Securities and Exchange Commission. According to the magazine, Justice Fortas returned the money eleven months later—three months after Wolfson had been indicted for selling unregistered shares of stock in violation of Federal law.

In a letter to Life before publication of the article, Justice Fortas did not mention the payment of money. Only after the magazine disclosed the facts did he acknowledge them, and even now his acknowledgement falls far short of adequacy.

Justice Fortas's law firm had represented a Wolfson enterprise in its difficulties with the S.E.C. before the judge was named to the Supreme Court in October 1965. In this context, the country will expect a much fuller explanation than Mr. Fortas has given of why he accepted any fee from the Wolfson foundation after joining the bench, especially when he had performed no services and there was no clear prospect—according to the Fortas statement—that he would perform any.

It is doubtful that any judge, particularly one sitting on the highest court, should have substantial outside involvements in any area of private remuneration. When Justice Fortas was under criticism last year for having accepted $15,000 for conducting a seminar at the American University Law School, we described the fee as inordinately high and questioned its propriety. However, we did not believe it raised a sufficiently serious issue to warrant rejection of his nomination for the post of Chief Justice—a nomination subsequently withdrawn by President Johnson under pressure of a Senate filibuster.

The matter of the fee from the Wolfson foundation and the charges—denied by Justice Fortas—that his name was used to silence Wolfson's co-conspirators are much less easily dismissed. The dignity of the Supreme Court requires the most exhaustive disclosure of every aspect of the Wolfson affair.

[From the Baltimore Sun, May 7, 1969]

The Fortas Case

The Fortas case clearly requires a close, further examination, which should be quite apart from the decisions and public issues which figure in much of the public discussion of the United States Supreme Court. One can approve the main body of the court's rulings during the tenure of Chief Justice Warren—or disapprove for that matter—without in any way condoning the apparent impropriety of Associate Jutice Fortas.

Mr. Fortas owes his associates on the court and the American people a fuller explanation of the Wolfson matter than he gave in the statement he issued Sunday in response to an article in Life magazine. His statement that he considered accepting a fee from the Wolfson foundation for "research functions, studies and writing" but returned the money is supplemented by the magazine report that he kept a $20,000 fee for eleven months before returning it, and by the fact that during that period Mr. Wolfson was indicted for violating Securities and Exchange Commission regulations.

The main points should have been as apparent to Mr. Fortas at the time—in 1966—as they now are to outsiders. Mr. Wolfson was in legal trouble, the law firm of which Mr. Fortas was a member had been representing him, Mr. Fortas was an associate justice of the Supreme Court and a close friend and adviser of President Johnson, and during the proceedings against Mr. Wolfson there were rumors that someone in high places would intercede for him.

Given such a set of circumstances, the impropriety of even considering accepting a fee from the Wolfson foundation should have been plain. This incident, moreover, cannot be divorced from the 1968 incident which came to light while the Senate Judiciary Committee was considering Mr. Johnson's nomination of Mr. Fortas to be the Chief Justice. In this case, which was a factor in the withdrawal of the nomination, Mr. Fortas was shown to have accepted a $15,000 fee raised by several of his former business associates for lectures during a summer law seminar at American University. In this case the fee seemed unduly large, apart from the way in which the money was raised.

Mr. Fortas, in short, has shown a deplorable lack of sensitivity as to the proper role of a Supreme Court justice. His example may be similar in many ways to that of Associate Justice Douglas, but it runs counter to the conduct of the other members of the court, so far as is known, and it surely runs counter to the public concept of what is to be expected of federal judges. The lifetime appointments and adequate salaries of Supreme Court justices are intended to assure them an economic and political independence which will safeguard their judicial independence. Justices who refuse to recognize this standard, or decline to follow it, gravely impair their own usefulness and becloud the entire court.

[From the Evening Star, May 7, 1969]

The Case of Justice Fortas

The situation in which Justice Abe Fortas finds himself is, or should be, a source of acute embarrassment to him.

Certainly, in its present posture, this matter is an embarrassment to the court. If any one agency of government needs to be totally insulated from a suggestion of impropriety or even the appearance of a want of ethics by any of its members, it is the Supreme Court.

The statement issued Sunday by the justice in response to the Life magazine article surely is not adequate. And the thing which troubles us most is the failure of Justice Fortas to explain why the check for $20,000 from the Wolfson Family Foundation was deposited in his personal bank account and why this money was left in his account for approximately 11 months before he returned it to the foundation with a personal check of his own.

The Fortas statement said the money was tendered as a fee to undertake "research functions, studies, and writings connected with the work of the foundation." It also said: "Concluding that I could not undertake the assignment, I returned the fee with my thanks." Why did it take Justice Fortas 11 months to reach this conclusion? What use, if any, did he make of the $20,000 during the time that he retained it? These are points on which his statement is silent. But we think they are of some importance.

The Life article, of course, dealt with other things, many of them, if believable, damaging to the Fortas reputation. For the most part, however, they were based on second or third-hand information. Furthermore, the Fortas statement flatly denied any intercession in behalf of Louis Wolfson, who is now serving a prison sentence for violation of SEC regulations. It also denied that he has given Wolfson, any of his family, associates or foundations any legal advice or services since becoming a member of the court.

Assuming this to be the fact, we should think that Justice Fortas, instead of refusing to say another word, would want to answer in detail the points which are not dealt with

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in his statement and to rebut the adverse inferences which have been and which will continue to be drawn from the Life article.

It is true that most of the criticism in Congress, including calls for his resignation from the court, has come from the Republican side. This raises a certain suspicion, which we do not share, that the motivation is rooted in partisan politics. No such suspicion can possibly attach, however, to the suggestion which has been made by Senator Edward M. Kennedy.

The Massachusetts Democrat has described the items in Life's report as "extremely important charges that reach the integrity of the justice" and the court itself. Also noting that the Department of Justice has the matter under consideration, Senator Kennedy said he hoped the Senate Judiciary Committee, should Justice Fortas desire it, would provide a forum in which the justice can "present his case."

We think Justice Fortas should welcome this opportunity and should avail himself of it. As a sensitive man, he must be deeply concerned with the unfavorable impact which his part in this affair, unless it is more fully explained, is bound to have on the Supreme Court.

Neither any member or official of the court, nor anyone in the executive establishment, however, has been willing to add one word to that which already has been said. This might almost be called a conspiracy of silence. But anyone who thinks that silence is going to resolve the case of Justice Fortas in a satisfactory manner is very much mistaken.

[From the Washington (D.C.) Daily News, May 6, 1969]

JUSTICE FORTAS' PREDICAMENT

As a member of the United States Supreme Court, Justice Abe Fortas owes a much better explanation of his Wolfson connections than he has given.

Louis Wolfson is a high-flying wheeler and dealer who recently began a one-year prison term for illegal stock manipulation.

Before Justice Fortas was appointed to the Supreme Court, his law firm represented one of Wolfson's companies.

After he joined the court, Justice Fortas received a $20,000 check from the Wolfson Family Foundation (tax exempt) to do research and write "in the field of harmonious racial and religious relations." This much Justice Fortas concedes, declaring he "returned the fee with my thanks."

Just that item alone raises serious questions. It happens, for one thing, that foundations generally now are under investigation in Congress. Eventually the Supreme Court may have to pass on one or more phases of these operations, as it well might have to pass on any non-court operation with which any Justice might be connected.

But there are other questions not clearly answered by Justice Fortas.

Did he, or did he not, hold that $20,000 check for 11 months before returning the money (after Wolfson had been indicted)? Instead of returning the original check, did he simply make out his personal check in repaying the amount? Did he visit Wolfson's estate in Florida after receiving the $20,000 and eight months after he became an associate justice?

Life Magazine, in the current issue, answers all these questions in the affirmative. In reply to the magazine, Justice Fortas skims over such significant details.

Several years ago Justice Douglas was accused of getting $12,000 a year in expense money from a Los Angeles foundation. Justice Douglas never explained that very well, either. And this week, when the court was meeting, Justice Douglas was in Brazil delivering lectures to universities for a fee.

Justice Fortas says he has no reason to believe the Wolfson Foundation fee was motivated by any hope of inducing him to do anything for Wolfson in his troubles with the law. But the canons of the American Bar Association specifically decry any conduct by a judge which even suggests the "appearance of impropriety."

Associate justices of the Supreme Court were being paid $39,500 a year until this year, when they were raised to $60,000. Any Justice who cannot afford to live on that salary, without drawing outside income for whatever purpose, ought not take the job in the first place—or should leave the bench.

As Sen. Paul Fannin said, after hearing of the Fortas-Wolfson affair: "I do not think we would tolerate a similar standard of ethics from the cop on the beat . . ."

ALLEGED ACCEPTANCE OF FEE BY MR. JUSTICE FORTAS

Mr. **FANNIN**. Mr. President, we were all surprised by the statement issued by Mr. Justice Fortas during the past weekend in which he flatly denied having accepted any fee from a foundation controlled by Louis E. Wolfson. Mr. Justice Fortas stated:

> I have not accepted any fee or emolument from Mr. Wolfson or the Wolfson Family Foundation or any related person or group.

Further on in his statement Mr. Justice Fortas says:

> Concluding that I could not undertake the assignment, I returned the fee with my thanks.

I ask that the text of Mr. Justice Fortas statement as printed in the Washington Post of May 5, 1969, be printed at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **FANNIN**. Mr. President, the fact which is evident to me on the face of this statement is that Mr. Fortas has contradicted himself. On the one hand he states he has never accepted a fee and later says the fee was returned. It is obvious to me, as I think it is to the vast majority of the American people, that you cannot return something you have not accepted. I realize Mr. Fortas has utilized the legal word "tender." The common usage of this word is "to offer for acceptance." Mr. Fortas makes no mention of the length of time for which this "tender" stood. He makes no reference to the form in which the tender was made. If the Wolfson Foundation offered Mr. Fortas a check which he held and subsequently returned to them after a short period of time, I think that it could reasonably be considered a "tender not accepted." However, if Mr. Fortas accepted such money as may have been offered by the Wolfson Foundation, deposited it in his bank account, made use of the funds for a substantial length of time, and then wrote a check returning the initial amount, I think the transaction must be viewed in quite another light.

Unfortunately, Mr. Fortas did not disclose the details of this transaction to a degree that is satisfactory to me nor, I believe, to the Senate, and more importantly to the American people.

To use another analogy, if a local policeman accepted legal tender—say $200—from a local bookie, deposited it in his bank account and almost a year later returned the $200 via his personal check, I hardly think that such a transaction could be considered one which was above suspicion.

Now, I do not know this same set of facts obtained in the situation of Mr. Justice Fortas. However, the allegations have been made; Mr. Fortas' statement does not speak to the allegations in sufficient detail to remove the cloud of suspicion that must undoubtedly accompany such an action.

Last year here in the Senate, and in the public media, those of us who were critical of the manner in which Mr. Fortas' nomination for Chief Justice was presented, who questioned the propriety of certain actions Mr. Fortas had taken, were flogged and flayed as "know nothings" simply bent upon opposition for opposition's sake.

Subsequently, Mr. Fortas' record revealed the questionable acceptance of a lecture fee of $15,000 for a series of five lectures at a local university. Since this money was collected by former legal associates and contributed by clients—by its very revelation I think it violated the fourth Canon of Judicial Ethics of the American Bar Association—Avoidance of Impropriety.

May I quote that canon:

> A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach.

Mr. President, it is clear to me—and I am not a lawyer—even if it is not clear to Mr. Justice Fortas that the standards of the legal profession call for conduct upon the Bench beyond a merely technically correct standard of conduct. The very words of the canon are clear:

> A judge's official conduct should be free from impropriety and the appearance of impropriety.

Mr. President, Mr. Fortas' own statement does not satisfy that standard. His very words do not place him above the "appearance of impropriety." That is why I am making this plea to this body today.

If the American people can be recalled to a new respect for the judicial processes in this land, then the questions raised by Mr. Justice Fortas' statement of last Sunday must have an answer. My purposes here today is to ask the Senate to set up a means of getting that answer.

Mr. President, when we are called upon to consider the qualifications for appointment to the highest tribunal in the land, what are the specific qualities we are looking for?

Perhaps it is simplistic to say that we expect a judge to have judgment, but it is nevertheless true. We expect a standard of judgment beyond the standards of ordinary men. We expect a judge to be discreet and honest and above every appearance of evil.

Mr. President, it is unfortunate, but we have lowered our standard. We must now return it to such a level that we can call for renewed respect for our judicial system. Presently, it seems that the normal has become subnormal for so long that a return to our former standard

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would ask for extraordinary ethics and conduct. Well, let it be so. I am asking the Senate to renew that pledge to propriety and justice and a standard of judicial ethics which should apply to those upon the Bench of the Supreme Court.

Mr. President, in a speech to the Senate on the Fortas matter last year, I cited Canons 4, 24, 25, 28, and 32, as among the canons of judicial behavior which I thought Mr. Justice Fortas might have violated at that time. My exact words were:

> Is there any doubt that these Canons have been violated? And, Mr. President, it causes one to wonder how many other instances there may have been which have not yet come to light. Also the question arises, if Mr. Fortas pays no heed to the ethics of his profession, what does he pay heed to? What are his sense of values? What can the public expect?

It now appears that we could expect the worst.

Mr. President, I do not think Mr. Justice Fortas should be condemned upon the basis of a magazine article appearing in the Nation. From my own observation, I know that reporters, writers, and editors are often even the innocent misinterpreters of reported actions. Mr. Justice Fortas should have every opportunity to clear the air of these charges. Therefore I respectfully suggest that the Senate appoint a special committee, with the power of subpena, to take official testimony that will enable the Senate to ascertain the actual facts in this matter. There are two reasons for this, Mr. President:

First. The American people need to know from absolutely authoritative and official sources what the facts are.

Second. If the current situation should demand impeachment proceedings, the Senate would be required to make such a finding of fact before it could proceed to discharge its official duties.

Appointing such a committee and empowering it with the legal means to obtain this information would do a service to Mr. Justice Fortas, to the Senate, and to the Nation.

EXHIBIT 1

JUSTICE REPORTS ON TIES TO WOLFSON—FORTAS: FEE WAS FOR STUDIES

(NOTE.—*Here is the statement of Justice Abe Fortas on his relationship with Florida financier Louis E. Wolfson.*)

Since I became a member of the Court (October, 1965):

(1) I have not accepted any fee or emolument from Mr. Wolfson or the Wolfson Family Foundation or any related person or group.

In 1965, before I became a member of the Court my law firm was retained in connection with civil litigation by one of Mr. Wolfson companies. In this connection I met Mr. Wolfson and discussed with him the significant and commendable work of Mr. Wolfson and his Family Foundation in the field of harmonious racial and religious relations. This is an area in which I have and have had a continuing interest apart from my official judicial or legal functions.

In 1966, in the hope that I would find the time and could undertake consistently with my Court obligations, research functions, studies and writings connected with the work of the foundation, the Wolfson Family Foundation tendered a fee to me. At no time did I have any reason to believe nor do I now believe, that the tender of the fee was motivated by or involved any hope or expectation that it would induce me to intervene or make representation on Mr. Wolfson's behalf.

(2) At no time have I spoken or communicated with any official about Mr. Wolfson, whether with respect to a pardon or his criminal cases or his SEC matters.

(3) At no time have I given Mr. Wolfson or any of his family, associates, foundations or interests any legal advice or services, since becoming a member of the Court. I have not participated, as a Justice or otherwise, in any legal or judicial matter affecting any of them. In accordance with general judicial practice, I disqualify myself in cases which come to my attention concerning former clients or associates.

Mr. GRIFFIN. Mr. President, will the Senator from Arizona yield?

Mr. FANNIN. I am happy to yield to the Senator from Michigan.

Mr. GRIFFIN. I thank the Senator for yielding to me.

I have listened with attention—particularly to the suggestion of the Senator from Arizona that a special committee of the Senate be appointed. While I would not oppose such a special committee, let me say again that I heartily endorse the excellent suggestion made by the able Senator from Massachusetts (Mr. KENNEDY) who indicated that the Committee on the Judiciary should make itself available in the event Mr. Justice Fortas indicated a willingness or an intention to come and provide an explanation.

I think that the Committee on the Judiciary is a particularly appropriate forum, for it was that committee which held hearings on his confirmation. And it was that committee which extended him an invitation to come back and explain the circumstances surrounding the Justice's $15,000 fee from American University after this information came to light.

Accordingly, I believe that it is entirely appropriate, as suggested by the Senator from Massachusetts, that the Committee on the Judiciary provide a forum for the Justice to offer any explanation. Although I do not happen to be a member of the Committee on the Judiciary, I am confident that if Mr. Justice Fortas were to indicate his willingness to come before the committee, they would listen to what he had to say.

I thank the Senator from Arizona for yielding to me.

Mr. FANNIN. I would say that the reason I make the suggestion is that the Committee on the Judiciary, as I understand it, has not chosen to take this action. Unless I am wrong, I think that the chairman of the committee has stated that the impeachment initiative lies in the House of Representatives. I feel that a member of the Committee on the Judiciary, perhaps the chairman should be on that special committee; but inasmuch as they have not chosen to call for this procedure, that it would be in order for a special committee to be appointed.

Mr. GRIFFIN. I want to make it clear to the Senator from Arizona that I am not indicating any opposition.

Mr. FANNIN. I certainly understand that.

Mr. GRIFFIN. In referring to the suggestion of the Senator from Arizona, I am only saying that it would be perhaps more appropriate and more desirable if Mr. Justice Fortas himself were to indicate a willingness to appear before the Committee on the Judiciary, even though as its chairman has pointed out, the initiation of any impeachment proceedings would be under the jurisdiction of the House. But at this point, of course, we are not talking about impeachment proceedings, we are only talking about receiving the Justice's explanation and his answers to questions relating to the propriety of his conduct while serving on the Court.

I think it is important to remember that the Senate and the Nation are waiting for Mr. Justice Fortas to indicate that he would like to come before the committee.

Mr. FANNIN. I would say to the distinguished Senator from Michigan that I certainly agree we are not in disagreement at all. It is just that Mr. Justice Fortas has not come forward, and so far as I know, there has not been any indication from him that he will make any request to appear before the committee. The committee which I suggest would concern itself with a finding of facts only. The mood of America indicates we should begin to move.

I feel that this should not take too much time; we should not delay. That is why I make this recommendation.

Mr. President, I yield the floor.

AUTHORIZATION TO RECEIVE MESSAGES AND SIGN BILLS

Mr. KENNEDY. Mr. President, I ask unanimous consent that on tomorrow, during adjournment of the Senate, all committees be authorized to file their reports, together with any minority, supplemental, or individual views; and that the Secretary of the Senate be permitted to receive messages from the President and from the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, MAY 12, 1969

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 28 minutes p.m.) the Senate adjourned until Monday, May 12, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate May 6, 1969 under authority of the order of May 5, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Philip H. Trezise, of Michigan, a Foreign Service officer of the class of Career Minister, to be an Assistant Secretary of State.

GOVERNOR OF GUAM

Carlos Garcia Camacho, of Guam, to be Governor of Guam, vice Manuel F. L. Guerrero.

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DEPARTMENT OF TRANSPORTATION

James A. Washington, Jr., of the District of Columbia, to be general counsel of the Department of Transportation.

THE JUDICIARY

Richard L. Thornburgh, of Pennsylvania, to be U.S. attorney for the western district of Pennsylvania for the term of 4 years, vice Joseph S. Ammerman, resigned.

IN THE ARMY

Gen. Theodore John Conway, O19015, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general under the provisions of title 10, United States Code, section 3962.

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

To be general

Lt. Gen. John Lathrop Throckmorton, O19732, Army of the United States (major general, U.S. Army).

To be lieutenant general

Maj. Gen. Melvin Zais, O33471, Army of the United States (brigadier general, U.S. Army).

Executive nominations received by the Senate May 7, 1969, under authority of the order of May 5, 1969:

DIPLOMATIC AND FOREIGN SERVICE

David H. Popper, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cyprus.

Kingdon Gould, Jr., of Maryland to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305:

To be colonel

McAvoy, Donald W., O81021.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonels

Abele, Louis E., O59231.
Aboe, Kenneth R., O69577.
ABT Frederick T., O70244.
Adams, Charles M., O59126.
Adams, Earl R., Jr., O58288.
Adams, Marvin L., O60612.
Adkins, Alvin E., O65940.
Aldridge, George W., O84935.
Allbee, Howard G., O68069.
Allen, Andrew S., O78696.
Allen, Boyde W., Jr., O59203.
Allison, Charles C., O65729.
Alloway, Curtis H., O59772.
Alter, George M., O58290.
Amburn, Warren G., O78700.
Amos, Carl R., Jr., O90008.
Anderson, William A., O78702.
Andreen, Robert B., O59149.
Andrews, Wiliam J., O58162.
Applin, Paul L., Jr., O57968.
Armstrong, George A., OF102801.
Arnette, John Q., O59418.
Arnold, Stanley W., O78704.
Arnold, William J., O80035.
Ashley, Lewis J., O62231.
Bailey, Walter D., O65945.
Baker, Joe, Jr., O63359.
Baker, John E., O65151.
Baldwin, Cecil C., O60226.
Bales, James C., O56989.
Ball, Doric W. J., O62258.
Ball, John J., Jr., O78709.
Ballou, De Forrest, O58299.
Ballou, William R., O60701.
Balmer, Jesmond D., O59219.
Bamford, Thomas F., O59166.
Bangert, Robert L., O60217.
Banks, Ray C., Jr., O81952.
Barber, John W., O65009.
Barbero, Richard J., O60717.
Barloy, Raymond C., Jr., O59287.
Barnes, Metullus A., O58302.
Barrett, Ernest F., O65114.
Barrett, Frederick, O80557.
Barrett, George B., O62265.
Barris, Donald F., O80041.
Barry, Clarence D., O58303.
Barth, Sam L. O57511.
Baskin, Ronald R., O70264.
Battreall, Raymond, O59108.
Bauer, Eugene R., O69586.
Baugh, Russell E., OF102902.
Baumann, Lewis R. O62808.
Baxley, John B., O59919.
Bayard, Louis P., O59097.
Beard, Kenneth R., O61095.
Beard, Rutland D., Jr., O57813.
Meckwith, Charles M., O81953.
Becton, Julius W., Jr., O65716.
Bell, Cleo O., O65190.
Bell, Clyde B., Jr., O59227.
Belser, Adolph L., O59913.
Bender, John A., O59317.
Benedict, William G., O65117.
Berens, Robert J., O58306.
Berger, Newell J., Jr., O78717.
Berqgner, John, O78718.
Bernard, Carl F., O69589.
Berres, John P., O62276.
Bertholf, Cheney L., O65202.
Bethany, Charles W., O74637.
Betts, Earl C., O59300.
Betts, Edward E., O65950.
Bishop, Bertram J., O78719.
Bivens, Courtland C., O65237.
Bjostad, Louis B., Jr., O65138.
Black, George S., O65953.
Black Robert W., O59350.
Black, William L., O63412.
Blair, Thomas G., O60678.
Blake, Thomas B., O58311.
Blalock, Bill R., O63348.
Blodgett, Rexford J., O60657.
Bodman, Walter J., Jr., O88013.
Boland, Herman T., Jr., O59092.
Bolte, David E., O59307.
Bolton, Virgil W., O69595.
Boman, Truman R., O78725.
Bosan, George S., O78727.
Bounds Marcellus W., O59262.
Bracey, Spencer M., O58317.
Bradley, Charles R., O81963.
Bradley, Robert L., O59244.
Brash, William W., O65042.
Bratton, Joseph K., O57077.
Braun, Albert W., O87480.
Braunstein, Howard, O65196.
Brazier, Vincent M., O60653.
Bressant, Leon D., OF112970.
Bringham, William N., O60665.
Britt, Colon R., Jr., O57806.
Brock, Luther A., O78738.
Brockmeier, William, O57651.
Brockmyer, James J., O63401.
Brooks, Glenn P., O60694.
Brown, Latham H., O58321.
Bryan, Leo C., O91775.
Bryant, Vernon W., O58127.
Buchanan, Crawford, O69605.
Buchanan, Thomas W., O60835.
Buckingham, Clay T., O59247.
Bulawsky, Lawrence, O69606.
Bullard, William P., O58847.
Bullock, Frank E., O60319.
Bunch, James E., O58325.
Bundy, Richard N., O59169.
Burhoe, John M., O90258.
Burke, Thomas P., O62803.
Burks, John R., O81969.
Burnett, Neill C., O85733.
Bushong, Charles R., O80054.
Butler, James F., O65960.
Butler, Jerome J., Jr., O65146.
Cadenhead, Charles, O76853.
Caid, Larry A., O69612.
Callero, Milton F., O65064.
Campbell, James G., O58330.
Campbell, Robert E., O69614.
Caraccia, Marco J., O57694.
Carlson, Robert E., O57646.
Carney, Charles V., O60783.
Carr, John L., O59206.
Carrell, Robert F., O58855.
Carrigan, Mark C., O63414.
Carroll, George F., O78753.
Carroll, Robert M., O63355.
Carswell, Bruce M., O59132.
Catullo, Albert, O65144.
Cerny, Edward V., O59845.
Chadbourne, James F., O65962.
Chandler, John P., O59095.
Chandler, Norman P., O60817.
Chandler, William W., O57493.
Chilcoat, William J., O74658.
Chism, John W., O57676.
Christensen, John, O72842.
Church, Edward H., O59940.
Church, William M., O58336.
Clark, Egbert B., III, O62267.
Clark, James M., O58338.
Clark, Richard W., O62242.
Clarke, Frank P., O59144.
Clayton, Charles C., O60852.
Clinedinst, Clinton, O65225.
Cloninger, Adrian S., O65726.
Cloud, James C., O65743.
Clouser, Maurice L., O60232.
Coghlan, James J., Jr., O59342.
Cohn, Frank, O58341.
Cole, Grady A., O58343.
Cole, William M., O58148.
Collins, Thomas E., O69624.
Connell, Richard M., O59098.
Conner, Judson J., O59242.
Connolly, Richard J., O65139.
Conrad, Herman A., O78770.
Converse, Stanley P., O62262.
Cook, Sidney H., Jr., O58133.
Cooley, Richard E., O78771.
Cooper, Paul A., O65133.
Corcoran, Edward F., O65239.
Cordova, William R., O70308.
Corkan, Lloyd A., Jr. O59811.
Cory, Rennie M., O65207.
Costa, John J., O59112.
Costen, Charles B., O58350.
Couch, Roy E., O58351.
Coughlin, Thomas B., O59323.
Council, Ranald D., O59179.
Covell, Charles R., O58284.
Cox, Cleatus J., O59243.
Craig, Richard S., O59401.
Crane, Joe D., O78775.
Crecelius, Richard, O80064.
Crist, Ernest W., O59936.
Croonquist, Henry T., O59152.
Crowell, Steven S., O65156.
Crozier, Ted A., O70317.
Cummings, William J., O57807.
Custer, George A., O58356.
Dahl, Laverne H., O78782.
Dahlquist, Frederic, O60221.
Davidson, William C., O65125.
Davis, Harold O., O60242.
Davis, Preston A., O58361.
Day, Bartley E., O59201.
Day, Seth S., O59288.
De Bord, Norman D., O65720.
DeCorrevont, Leon, O59258.
DeHass, George D., O65978.
DeHaven, Oren E., O63382.
DeLoach, William M., O59978.
DeMarsche, Joseph, O65723.
Dempsey, Albert P., O57443.
Dempsey, James E., O63101.
Denend, William L., O58365.
Dennington, John F., O65083.
Dews, Hampton, O78797.
Dibella, Alfred L., O59489.
Dibrell, Jack H., O65979.
Dickerson, Harvey G., O68094.
Dickerson, Paul J., O58368.
Dickinson, Dean B., O59160.
Dickinson, Hillman, O59090.

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Dillender, Jack P., O78800.
Dittamore, Rex T., O70326.
Dixon, Albert V., O69630.
Dixon, Ralph P., Jr., O58371.
Dlouhy, George J., O78802.
Dohleman Kenneth E., O69632.
Donoho, Louie W., O61135.
Donohoe, Patrick J., O59102.
Dorsey, Clifford R., O69634.
Dorsey, Ralph M., O63394.
Doster, Robert W., O88660.
Dunks, Fred, O78809.
Dunn, Harold R., O80076.
Dunn, John M., O65252.
Durant, Billy C., O58376.
Durst, Harold E., O66148.
Dye, Clarence C., O58377.
Eagers, Joseph A., Jr., O59367.
East, Charles M., Jr., O70329.
Ebbs, Joseph M., O68339.
Ednie, Robert L., O60243.
Edwards, Grey H., O88258.
Eggers, John F., O84055.
Eichelsdoerfer, How, O60718.
Elliott, Harold N., O58138.
Ellis, William R., O62814.
Emerson, Vaughn C., O78820.
Emery, Thomas D., O69640.
English, Allan J., Jr., O59316.
Erbe, Robert L., O59186.
Esco, Oliver N., Jr., O78824.
Estes, Robert K., O59187.
Evans, Alexander R., O65494.
Everding, Francis R., O78828.
Everett, George W., O60685.
Ezell, Bert P., O59818.
Fairlamb, John C., O60681.
Falkenbury, Stephen, O59508.
Fancher, Paul T., O65205.
Fatum, John J., O59380.
Faul, Lloyd J., O81994.
Feir, Philip R., O59189.
Fender, Louis H., O78831.
Ferguson, James W., O87740.
Ferguson, James W., O59659.
Finlayson, Hugh S., O80756.
Fischman, Kurt, O65744.
Fisher, Charles H., O58142.
Fisher, Robert W. O58386.
Fisk, Eugene N., O80084.
Fitz, Harold C., Jr., O59159.
Flagg, Austin T., O58387.
Fleeson, George S., O59486.
Fleury, Thomas C., O84737.
Florio, John D., O63398.
Foley, John J., Jr., O65209.
Font, Joe A., O57454.
Ford, Earl P., O59233.
Ford, Edward A., O70338.
Ford, George L., O58391.
Ford, John O., O60891.
Forrest, John F., O59269.
Foss, Romaine S., O59947.
Fox, Donald C., O65154.
Frandsen, Donald P., O58396.
Frandsen, Oscar R., O58397.
Frieman, William D., O65993.
Frizzell, Harry P., O84613.
Fry, Louis C., O65608.
Frye, John W., O78838.
Fullerton, Avery S., O59124.
Fulton, Taylor R., O80087.
Fulton, William S., O70137.
Garcia, Oscar M., O58402.
Gard, John D., O59820.
Gardiner, William P., O92193.
Garties, Richard G., O71347.
Gentille, Paul J., O63415.
George, Kenneth E., O89513.
Geraci, John P., O65127.
Gerardy, William L., O60667.
Gershater, Ephraim, O59959.
Gibbons, Benjamin F., O60816.
Gibbs, Marvin H., O58405.
Giboney, Thomas B., O60708.
Gibson, Floyd S., O60844.
Gibson, Joseph T., O59184.
Gillespie, Richard, O59172.
Gillis, William D., O62833.
Gilman, John P., O57640.
Gilmore, Robert L., O67683.
Giuffrida, Louis O, O59903.
Glunn, Franklin J., O94299.
Gober, James R., O99039.
Goche, Leo N., O59937.
Godwin, Ralph R., O97650.
Golden, Alonzo J., O61210.
Gomez, Viviano, Jr., OF105410.
Goodrich, John R., O65124.
Goodwin, William H., O59195.
Gordon, William T., O84858.
Gorlinsky, Victor W., O65709.
Gower, Donald N., O59246.
Graeser, Herbert O., O62002.
Gray, John E., O58411.
Green, Charles E., O70347.
Greenbaum, Bernard, O59141.
Greene, Vernon E., O80094.
Greer, Edward, O57426.
Grezaffi, Joseph, O60613.
Griffith, Harry A., O59089.
Grigsby, Alfred J., O60727.
Grinnell, Douglas D., O62843.
Guelzo, Carl M., O58416.
Haden, Clinton B., O65177.
Hale, Alfred B., O59217.
Hale, Lindsey W., O65607.
Halgren, Spencer V., O57644.
Hall, Reginald W., O65741.
Hall, Rupert P., O74708.
Halley, William F., O89336.
Hammerquist, Robert, O59969.
Hammond, John B., O65725.
Hammonds, Eugene, O65179.
Hampton, Kenneth R., O59982.
Hannum, Clifford P., O59965.
Hanrahan, William P., O67693.
Hanson, James N., O65600.
Harbin, Darwin D., O80836.
Harger, Clyde J., O66006.
Harlan, Lowell B., O69668.
Harold, George J., OF103335.
Harper, William H., O60670.
Harris, Carl W., O58920.
Harris, Richard E., O59979.
Harrison, Oscar J., O58428.
Hartman, William F., O85179.
Harwood, Richard D., O65113.
Hassell, John N., O63368.
Hassin, Donald J., O63361.
Hathaway, Clyde T., O65599.
Hawthorne, Victor J., O69671.
Hayes, Duane, O58430.
Hayes, John G., O66160.
Hayes, Joseph W., Jr., O66012.
Haygood, Jack L., O89069.
Healy, Michael D., O70368.
Hearin, Joseph N., Jr., O63848.
Heckendorn, Robert, O59945.
Heiden, Charles K., O59117.
Heller, Thomas J., O57924.
Helton, Carl J., O65095.
Hemphill, James A., O70371.
Henderson, Hubert H., O70373.
Hendricks, Meredith, O59129.
Hervey, Theodore E., O59208.
Hess, Lewis E., O59815.
Hetzel, Foster G., Jr., O80864.
Hickey, Pennell J., O59361.
Hicks, Robert R., O80106.
Hiestand, William C., O59113.
Hilburn, Jack B., O65224.
Hill, Glen A., O66018.
Hill, James F., O88736.
Hill, John P., O84861.
Hill, Robert W., 065227.
Hillman, Lawson R., O63344.
Hilmar, James E., O60651.
Hines, George G., OF103848.
Hirsch, Edward, O80870.
Hjorth, George E., O58440.
Hoddinott, George R., O59479.
Hodes, John T., O59261.
Hoffmann, William H., O59279.
Hoffmaster, George O59222.
Hogan, John D. A., Jr., O60720.
Holt, James H., O59185.
Hoot, Herbert L., Jr., O59292.
Hopkins, Norman B., O59385.
Horey, Robert L., O58442.
Hornstein, David H., O78888.
Horton, Max G., O82028.
Hougen, John H., O63107.
Houtz, James W., O62821.
Howard, Charles F., O78891.
Howard, Edward B., O59223.
Howard, Norman F., O80886.
Howell, Fred F., O78892.
Howell, Martin D., O59181.
Huber, Leo K., O59250.
Hughes, Billy D., O65236.
Hughes, Irving C., O69690.
Hughes, James E., Jr., O58445.
Hunt, Alexander H., O66164.
Hurtt, Clarence M., O70388.
Hynes, Joseph D., O63390.
Iannamico, Lucky R., O91880.
Insani, John L., O69693.
Ivey, Benjamin F., Jr., O58448.
Jackson, Kenneth F., O58159.
Jacques, Jasper, P., O65180.
Jeffery, Theron E., O75217.
Jenkins, Donald L., O69698.
Jenkins, Thomas F., O65085.
Jenkins, W. Hugh, Jr., O62809.
Jenkins, Wilbur G., O65099.
Jenkinson, Robert C., O84630.
Jennings, Richard M., O58935.
Jessup, Maurice E., O59821.
Johnson, Carlton S., O63121.
Johnson, Charles M., O57650.
Johnson, Lawrence H., O69702.
Johnson, Ross L., O59176.
Johnson, Thomas L., O58453.
Johnson, Clinton K., O70394.
Jones, Frank P., O82033.
Jones, George M., O58456.
Jones, Harry T., O65119.
Jones, Hugh H., Jr., O65163.
Jones, Norman G., O78904.
Jones, Ogden S., Jr., O59237.
Jones, Paul E., O62234.
Jones, Roy M., O65115.
Jones, Walter F., O60208.
Jordan, Jesse L., Jr., O63362.
Jorgensen, Julius J., O65112.
Junk, William P., Jr., O63358.
Kalagian, Samuel P., O78907.
Kavanaugh, Martin J., O76889.
Keebaugh, Harold G., O69705.
Keeling, William O., O58150.
Kees, William G., O91508.
Keith, Donald R., O59170.
Kellam, Lawrence M., O61099.
Kemble, Charles R., O59143.
Kennedy, William J., O59235.
Kent, Graham G., O50859.
Key, Milton E., O58464.
Kiefe, Joseph C., Jr., O60850.
King, Edward L., O65175.
King, John E., O69712.
King, Justice B., O80126.
King, Melvin E., O59661.
King, Monroe D., O60322.
King, Ward D., O93448.
Kingdom, Arthur J., O59202.
Kingston, Joseph P., O59386.
Kinnan, Floyd H., O78919.
Kinne, Harold C., Jr., O61212.
Kirk, Robert J., O59974.
Kirkpatrick, Monroe, O59926.
Kisling, Richard D., O82034.
Kitlas, Albert C., O58466.
Knapp, Theron W., Jr., O59186.
Knipling, Louis H., O58467.
Kogan, Rudolf W., O65098.
Konopnicki, Emil L., O67711.
Koseki, Reginald W., O65094.
Kostka, Bohuslav Z., O65611.
Krakower, Albert M., O78924.
Kirwanek, Robert J., O60648.
Kuhlman, Arthur H., O59963.
Kurtz, Maurice K., Jr., O59107.
La Porte, Arthur E., O58472.
Lamar, Kirby, O59257.
Lamason, Jerry L., O78929.
Lamb, Joe B., O62266.
Lambert, John E., O57450.
Lambert, Robert O., O63400.
Lamp, Russell J., O59115.
Lampros, James, O59283.
Landau, Calvin J., O66034.
Landis, Charles M., O65193.
Landre, Lowell H., O66035.

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Landry, Edward L., Jr., O69719.
Landseadel, Robert, O65496.
Lang, Vincent W., O62841.
Larkin, Daniel T., O78933.
Larsen, Edward D., O78935.
Larson, Gale L., O65185.
Latham, Willard, O65141.
Lauer, Jerry B., O59164.
Lawlor, Thomas A., O69723.
Lawrence, Clyde K., O78936.
Lawson, James E., O62260.
Lay, James R., O63110.
Le Gro, William E., O67837.
Le Page, Julien H., O59476.
Leahy, Thomas M., Jr., O82041.
Leary, John R., O78939.
Ledford, Gerald E., O60219.
Lee, Charles B., O59305.
Lee, Chew-Mon, OF106167.
Lee, Myron E., Jr., O65712.
Legg, Elbert E., O58477.
Lehner, Charles R., O59241.
Leister, James W., O65738.
Lewis, Addison L., O65216.
Lewis, John D., O60682.
Lewis, John L., O69726.
Lewis, Mose E., III, O59904.
Lewis, Samuel A., O65191.
Liddle, John W., O62233.
Liichow, Robert E., O59174.
Lind, Thomas D., O58483.
Lindeman, Arthur H., O59177.
Lindholm, James R., O69728.
Lippincott, John C., O65732.
Litle, Robert F., Jr., O66039.
Little, Robert A., O70409.
Littlejohn, John C., O57886.
Livingston, Leon R., O58487.
Lober, William J., Jr., O69729.
Lochhead, Earl J., O59336.
Lombard, Harold F., O59205.
Lombardi, Arthur P., O69730.
Long, Eldredge R., Jr., O58122.
Long, Homer S., Jr., O59158.
Longbottom, John H., O59916.
Longstroth, Alma G., O60666.
Love, John A., O89095.
Lowrey, Willis H., O59148.
Lowry, Phillip E., O60721.
Loy, Albert, O82045.
Luebbert, William F., O59096.
Lynch, Robert E., O59893.
Lynch, Robert O., O59346.
Lynes, Marvis F., O99909.
Mace, John S., O59789.
Mack, Richard E., O58492.
Mackert, John R., O59146.
Madigan, William P., O66044.
Madison, John H., Jr., O59212.
Maggio, Christopher, O59975.
Mahone, Worthington, O65282.
Maihafer, Harry J., O59167.
Malinowski, Theodor, O78958.
Mallory, Phillip L., O59769.
Maness, Harold M., O63339.
Manning, John R., O57463.
Maple, John C., O57346.
Marcus, Gerald R., O88430.
Marder Eugene, O62807.
Marks, Patrick W., O88432.
Marley, John T., O59314.
Marshall, Magness W., O91920.
Martin, Norman L., O63370.
Martin, Stuart F., O59368.
Martinez-De-Andino, O78960.
Mason, Phillip L., O60728.
Masters, John J., O60697.
Mathern, Louis G., Jr., O63349.
Mathews, Amos C., O59104.
Mauderly, Allen J., O63369.
Maughan, George, O78964.
Maurer, John A., O59225.
Mautz, Wayne A., O65228.
May, Roy R., Jr., O59809.
Mayer, Arthur J., O59221.
Mayer, Jack, O60240.
Mazuchowski, John P., O78965.
McAleer, John J., Jr., O82050.
McArdle, John F., O59135.
McCabe, Jerome M., O82052.
McCarron, Dean J., O59218.
McCarthy, James L., O58502.
McClaran, Jack L., O70425.
McClure, Bruce, O65211.
McClure, George W., O58504.
McConaghy, David D., O58506.
McCracken, Walter, O58970.
McCulloch, Robert, O60723.
McCune, John R., O78966.
McFadden, George L., O60722.
McGarity, Wiley, O97328.
McGinnis, Charles, O58509.
McGowan, Edgar, O63404.
McGuinn, Michael E., O65734.
McGuire, Robert D., O69740.
McGurk, Jack B., O82056.
McIntosh, James F., O65210.
McIntyre, Kenneth, O59087.
McKee, Charles F., O66050.
McKenna, Edward C., O66051.
McKinsey, Ray A., O60797.
McTaggart, Richard, O78975.
Mead, Chester R., O92095.
Meadows, Byron D., O76896.
Mears, Joe G., O66052.
Medsger, Gerald W., O57080.
Meek, Carroll S., O59274.
Mehosky, Edward S., O60688.
Melcher, Ralph W., O88831.
Melner, Sinclair L., O58513.
Merck, Carl J., O57801.
Meredith, Francis, O57498.
Merrill, Samuel J., O65145.
Mesick, Robert A., O60610.
Messinger, Lucien E., O59294.
Metcalf, Donald J., O60712.
Metz, Clarence E., O75252.
Metzger, J. Hayes, O59340.
Meyer, Harold J., O65097.
Middleton, Harry F., O78980.
Miles, Edwin R., Sr., O78983.
Miller, Amory A., Jr., O84060.
Miller, Robert C., O59303.
Milton, Wilburn E., O59943.
Minis, Carol E., O74783.
Mitchell, John D., Jr., O59116.
Mitchell, Terry C., O66056.
Moe, Wayne J., O69990.
Moller, Andreas J., O58520.
Monahan, Lawrence P., O59190.
Monk, Eugene E., O59467.
Monroe, Howard E., O81063.
Montgomery, Ernest, O91942.
Montgomery, George O66057.
Monyhan, William J., O88844.
Moore, Donald G., O60832.
Moore, Fred S., O62257.
Moore, Howard M., O63387.
Moore, James T., O58522.
Moore, Merle M., Jr., O58523.
Moore, William T., O59120.
Moran, Clayton L., O59298.
Moreau, Donald W., O69752.
Morris, Davis O., O69753.
Morrison, John H., Jr., O65121.
Morrison, Robert W., O95363.
Morrisroe, William O62186.
Morrissey, John J., O70439.
Morrow, Charles, Jr., O58983.
Morton, Karl R., O89112.
Morton, Richard L., O59313.
Mortrude, James O., O78997.
Moseley, Lonnie L., O78998.
Moses, Thomas L., O59280.
Muckerman, Joseph E., O59356.
Mullens, Robert M., O65246.
Mumma, Harry F., O57456.
Munroe, Irving W., O79002.
Murphy, Edward L., Jr., O58527.
Murphy, Meredith E., O65176.
Murray, Clive E., Jr., O58529.
Myers, Allen L. Jr., O59968.
Myers, Robert W., O79005.
Neal, Harold, O79007.
Neil, James M., O59101.
Nelson, Edwin B., O57167.
Nelson, Neil G., O59660.
Nelson, Robert B., O59211.
Nelson, Robert C., O59091.
Newport, Elswick, O80153.
Nicholas, Billy B., O65116.
Nickel, William F., O63293.
Nielsen, Jack W., O58534.
Nikas, Nick J., O67733.
Noce, Robert W., O59175.
Nolan, John M., O57452.
Norcom, Henry C., O70455.
Nordin, William H., O59137.
Norman, William C., O59296.
Norton, Dunbar S., O65199.
Nulsen, Charles K., O59260.
Nunnally, Stephens, O59110.
Nyquist, Joel B., Jr., O65107.
Oba, Juneus T., O66187.
Oberst, Tom C., O59178.
O'Brien, Peter, O79011.
O'Brien, Robert T., O59136.
O'Donnell, Edward H., O57683.
Ogden, Lawrence J., O59372.
Ogilvy, Hubert W., O65134.
Ohm, Herbert P., O79012.
Olentine, Charles G., O59125.
Oliver, Kenneth M., O65054.
Olson, Robert E., O58542.
Ondishko, Joseph J., O60576.
O'Neal, Alvin L., OF104509.
Oravetz, Milan J., O82072.
Osato, Timothy, O60241.
Osick, John J., O79015.
Padgett, Oscar M., Jr., O97696.
Page, James M., Jr., O70465.
Page, Philip E., Jr., O92059.
Palmer, Charles D., O59348.
Palmer, Richard A., O58546.
Panzer, Dwayne A., O58547.
Parish, Freddy B., O82074.
Parker, Joseph L., O65172.
Patterson, Clyde H., O58173.
Patterson, William, O58995.
Patton, Thomas J., O65155.
Paulson, Paul A., O59318.
Payne, Bruce R., II, O79020.
Peabody, Richard R., O63354.
Pease, Quentin, O59934.
Peck, George E., O58126.
Peiker, Raymond J., O84657.
Peixotto, Roland E., O59263.
Pence, Edward W., O58552.
Pendergrass, Alva W., O58169.
Perfect, Burns I., O70470.
Perry, Raymond L., O79023.
Peters, Elmer B., O59198.
Peterson, Hartwin R., O60713.
Petranck, John J., O59236.
Phillips, Charles L., O66191.
Phillips, Donald M., O94950.
Phillips, William G., O69770.
Pizzi, Joseph E., O60216.
Pleier, William F., O79027.
Plummer, Frank S., Jr., O63093.
Poerner, Homer W., O65219.
Pollin, George A., Jr., O59168.
Ponder, Lewington S., O59823.
Post, Sterling T., Jr., O67855.
Powell, Joseph L., O82081.
Powell, Richard L., O79033.
Powell, Roger D., O58560.
Powers, Louis W., O82082.
Powers, Terence A., O59286.
Prather, Lewis D., O69772.
Preuit, James V., O63360.
Prout, William L., O59977.
Puckett, Ralph, Jr., O59165.
Pumphrey, Richard T., O60703.
Quackenbush, Harold, O65110.
Quinn, John D., O79037.
Quinn, Thomas G., O79038.
Ramos, Rene, O59005.
Rank, William A., O59099.
Rasmussen, John W. J., O59193.
Rawls, Lucian R., Jr., O65713.
Redd, Milton L., O79041.
Reed, James B., O57921.
Reese, Neil, O65101.
Reign, Lewis L., Jr., O79045.
Rhodes, Clifford D., O65589.
Rice, Foy, O65088.
Riddle, Hugh H., O66194.
Rider, Vernon R., O59488.
Ridlehoover, Edward, O60222.
Riggs, William G., O69777.
Riley, Evan F., O60370.
Ring, Alfred C., O65153.

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Ringenbach, Frank P., O60706.
Riordan, John B., O67745.
Rives, James C., O61138.
Robbins, Stephen L., O80175.
Roberts, Ernst E., O59229.
Roberts, John F., O59914.
Roberts, Wayne G., O63486.
Robinson, Herbert A., O79052.
Robinson, Robert H., O69779.
Roby, Houston S., O62834.
Roebuck, Charles G., O59154.
Roegge, Alvin L., O79056.
Rollier, Robert L., O85244.
Rose, Robert M., O59127.
Rosner, Albert A., O65077.
Ross, Hugh A., III, O94955.
Ross, Marion C., O59273.
Rossman, Warren W., O63235.
Roth, Theodore R., O76913.
Rovegno, Lawton C., O79062.
Rowe, Gordon D., O58583.
Rumore, Sam, O69783.
Rusche, Ralph R., O59970.
Ruzich, Rudolph L., O65178.
Ryan, Wendell J., O66088.
Sadler, Jack R., O59081.
Sampson, Samuel F., O59023.
Samuel, James E., O89591.
Sanders, James H., O59908.
Sargeant, Edward W., O62250.
Schaefer, Martin W., O79072.
Schappaugh, George, O66092.
Scheib, Helmut V., O79073.
Schiller, Melvin D., O60668.
Schmalzel, Joseph L., O59252.
Schulz, Gerhard W., O59121.
Schulz, Theodore G., O79078.
Schumacher, David J., O87608.
Schwartz, Jack J., O87909.
Schwarz, Robert H., O59310.
Seibert, Donald A., O60224.
Selby, Lewis S., O63402.
Selfe, John K., O79080.
Sellers, Homer L., Jr., O65084.
Semmens, Gervies L., O59976.
Semsch, Philip L., O58596.
Sharpe, Melvin B., O79083.
Shelnut, James R., O60725.
Sherman, Robert, O61101.
Shields, Buren R., Jr., O60230.
Shoemaker, Charles, O62274.
Siegrist, Raymond E., O65120.
Sills, Charles W., O84672.
Sills, Gerald H., O76917.
Singletary, Albert, O59180.
Singleton, William, O70504.
Smith, Charles D., Jr., O60827.
Smith, Dale M., O69795.
Smith, Donald E., O62001.
Smith, Duane H., O59191.
Smith, Harold F., Jr., O66101.
Smith, John A., O82095.
Smith, Lloyd D., O91263.
Smith, Malcolm R., O79095.
Smith, Paul T., O69798.
Smith, Samuel L., O59917.
Smith, Simeon M., Jr., O59338.
Smith, Vance O., O63346.
Smith, Wayne C., Jr., O59382.
Smithey, Paul C., O59817.
Smyth, Carl B., O65173.
Snell, Dillon, O62230.
Snow, Morgan W., O80191.
Soucek, Leo E., O60006.
Soucy, Robert H., O82100.
Spencer, Orton F., O59240.
Spettel, Charles L., O59128.
Spivey, Ray V., O63489.
Springer, Robert M., O59210.
Staigers, James M., O69800.
Starkey, Posie Lee, O63373.
Stauffer, Joseph R., O59103.
Stedham, Dan D., O66204.
Steele, Warren B., O63377.
Steenburn, Donald H., O58614.
Steinke, John E., O57885.
Stephens, Rome O., O92255.
Stickney, Louis S., O69804.
Stivers, Fred, Jr., O65089.
Stockell, Charles W., O79108.
Stockton, Thomas W., O59199.
Stone, James L., O65096.
Stone, R. E., O84890.
Stooke, Willard N., O79109.
Story, Robert P., O57654.
Strohecker, Howard, O59084.
Stukhart, George, Jr., O59139.
Stump, Robert M., O58134.
Sugg, Leon H., Jr., O65226.
Sullivan, George A., O75301.
Summers, Archie W., O60237.
Surut, Lee E., O59150.
Suther, Russell J., O58623.
Sutton, John E., O59155.
Swafford, Fred G., Jr., O63087.
Swett, Trevor W., Jr., O59321.
Symmes, Kenneth R., O79115.
Tallman, Richard J., O59277.
Tank, Albert K., O79117.
Taylor, Charles E., O60231.
Taylor, Donald L., O69811.
Taylor, Mack, Jr., O57427.
Taylor, Richard F., O69812.
Taylor, Victor C., O84892.
Teague, Phillip E., O70155.
Teasdale, Robert D., O84677.
Teel, Joseph F., O65164.
Templeman, James M., O60007.
Terry, Charles A., O58628.
Tesko, Stanley, O82109.
Thayer, George E., O69813.
Thevenet, Stanley E., O89840.
Thomas, Charles M., O63357.
Thomas, Jack D., O59255.
Thome, Matthew R., O75306.
Thompson, Lawrence, O60644.
Tice, Raphael D., O70530.
Tieman, Wilbert A., O65078.
Tierney, William P., O69817.
Timmerberg, Paul M., O70531.
Tobin, Paul G., O68804.
Tobin, Richard E., O59329.
Topham, Everett G., O65091.
Townes, James E., Jr., O59906.
Townsley, Edwin S., O59094.
Trabue, Earl N., O58635.
Tracy, George W., O59145.
Trask, Norman E., O79119.
Travis, William H., O57292.
Trinkle, Frank W., O65204.
Trost, Robert W., O79120.
Tuberty, James T., O66109.
Tucker, Harold, O79121.
Tunnell, Teddy B., O85455.
Turman, Robert L., O58636.
Turner, Albert F., O59293.
Turner, Frederick C., O58637.
Tussing, Austin F., O69820.
Tuthill, Jack K., O60833.
Tutwiler, Guy I., O60698.
Tyler, John E., O70540.
Tyson, William P., Jr., O71423.
Umpierre-Vazquez Wilfredo, OF103060.
Unger, Guinn E., O58641.
Upton, Clifford A., O79126.
Urrutia, Carlos E., O66112.
Utley, Jack C., O57519.
Vail, William H., O59954.
Van Dyken, Harold B., O80199.
Van Hook, James M., O59768.
Van Horn, Vannah E., O88986.
Van Laethem, Fernand R., O63350.
Van Meter, Jack D., O65182.
Vaughn, Robert D., O69822.
Vollmer, John P., O59284.
Voseipka, John R., O63365.
Wagner, Richard H., O59122.
Wagonhurst, Arland, O65715.
Waldrop, Andrew J., O57808.
Walker, Albert L., O58644.
Walker, John R., O79134.
Walker, Robert G., O81312.
Wallace, Bruce E., O65610.
Wallis, Vernon V., O63072.
Walsh, John J., Jr., O70549.
Walters, Edwin S., O58646.
Walton, John M., O58647.
Wardle, Theron G., O84468.
Warlick, William F., O65213.
Warrington, Robert, O79135.
Wasco, Joseph, Jr., OF114800.
Watling, Edward T., O59506.
Watson, Henry, Jr., O71892.
Watson, William R., O66118.
Wayne, Norbert J., O65090.
Weaver, Frank E., O99756.
Weaver, Robert N., O69826.
Webel, Herman, Jr., O59899.
Webster, Dobson L., O59816.
Weissinger, Jack K., O84684.
Welch, John M., O57799.
Wells, Donal C., O60828.
Wendling, Donald E., O65150.
West, Oliver I., O65597.
Westendorf, Frederick C., OF105866.
Westermann, Thomas, O62275.
Westling, Frank S., OF105168.
Wetherill, Jerry G., O96725.
Wheeler, Harold L., O60696.
Wheeler, Neil W., O79142.
Whelan, Raymond A., O69829.
Whichard, William A., O65212.
Whistler, Donald E., O59204.
Whitaker, Bill, O84685.
White, Joseph F., O63048.
White, Rudolph D., OF103920.
Whitfield, Patrick, OF105869.
Wickham, Robert E, O66121.
Wienecke, Herman E., O60673.
Wieteki, Donald W., O81335.
Wilcox, George L., O65731.
Wild, Charles B., Jr., O63065.
Wilkins, Frank E., O63408.
Wilkinson, Edward S., O84689.
Wilkinson, Harry W., O69831.
Will, Clement H., O75319.
Willett, Curtis L., O85390.
Williams, Edwin J., O58660.
Williams, Gordon E., O79147.
Williams, Murray W., O59197.
Williams, Robert W., O60839.
Williams, Theodore, O57462.
Williamson, Dan H., O59173.
Williamson, Wade H., O70128.
Wilson, Calvin O., O63094.
Wilson J. Frank, O79148.
Wilson, Jode R., O68177.
Wilson, Leo L., O62836.
Wilson, William V., O81347.
Winslow, Francis J., O69836.
Wintersteen, Joseph, O58151.
Womble, Phelps R., O66647.
Wood, John F., Jr., O63372.
Woolshlager, Richard, O58667.
Worth, William J., O62844.
Wren, John J., O58669.
Wright, Charles D., O60662.
Yadon, James C., O58671.
Yarbrough, John D., O62238.
Yeats, Joseph J., Jr., O59151.
Yellman, Edward K., O59364.
Yepsen, John H., O59267.
Yerkes, Charles W., O79156.
Yost, Deverne R., O60381.
Younger, Ralph K., O58673.
Zarnowski, Walter J., O65605.

CHAPLAIN CORPS

To be lieutenant colonels

Brady, John C., O79689.
Burnette, Lester E., O79682.
Dolan, Francis J., O73444.
Eyler, Mervin S., O71917.
Farrow, Alpha A., O71668.
Hutchins, Gordon E., O75213.
Ketchersid, Corbin, O83543.
Kettler, Earl C., O78632.
Kittermann, Henry O., O75223.
Ledebuhr, Albert F., O75231.
Lewis, Francis R., O73164.
MacGregor, John M., O73074.
McNally, Carl P., O76795.
Plocki, Robert J., O97345.
Remark, Phillip B., O88895.
Rowan, Joseph C., OF117434.
Taylor, George O., O75303.
Thompson, Parker C., O81864.
Walter, Louie W., O84292.
Wilson, Robert D., O75322.

WOMEN'S ARMY CORPS

To be lieutenant colonels

Bray, Lydia M., L574.
Dahnke, Alice L., L283.
Hill, Georgia D., L398.
Kunert, Betty K., L527.

Long, Alice A., L544.
Parks, Dorothy W., L280.

MEDICAL CORPS

To be lieutenant colonels

Akers, William A., O73435.
Austerman, Warrington, O73121.
Baker, Floyd W., O71901.
Barrett, O'Neill, Jr., O72321.
Baugh, Joseph H., O74634.
Berbary, Maurice S., O73126.
Boyd, Howard A., O73237.
Burkett, Harry E., O71907.
Carey, Philip O., O72328.
Ceccarelli, Frank E., O72839.
Chamblin, Stuart A., O71459.
Conrad, Marcel E., Jr., O71658.
Cowgill, Herbert F., OF106086.
Dalton, James B., O74671.
Dixon, Leon M., O75349.
Fichtner, John Z., O93401.
Ford, George W., O75356.
Fulton, Nolen W., Jr., O73466.
Gore, Albert L., OF114632.
Guenter, Kenneth E., O71504.
Hanson, Thomas A., O75367.
Harris, Laurence V., OF105693.
Herman, Robert H., O72335.
Huycke, Edward J., O75214.
Jefferson, Samuel C., O71815.
Kent, Alfred H., O71686.
Leitnaker, Frank C., O99342.
Louro, Jose M., O72342.
MacNair, Donald S., O71830.
Mansfield, John O., O73967.
McFadden, Archibald, O71702.
Mendelson, Janice A., K73107.
Morss, Dwight F., Jr., O73176.
Murray, Thomas B., O76453.
Pearson, Jack W., O71246.
Plunket, Daniel C., O78018.
Powers, Joseph F., O76525.
Salcedo, Jose R., OF103724.
Shamburek, Roland H., O75427.
Thompson, James W., O72657.
Turner, Guthrie L., O75436.
Walton, Spencer, OF106251.

DENTAL CORPS

To be lieutenant colonels

Alderson, Thomas H., O78565.
Alexander, William, O78566.
Andrews, James L., O74626.
Bundt, Lyle D., O75980.
Crowe, Patrick D., O78045.
Davis, Quince B., O78050.
Davis, Thomas H., O76061.
Flenniken, Melvin E., OF106250.
Grisham, William K., O94859.
Horkowitz, Gabriel, O85573.
Howe, Michael J., O78067.
Jones Rex D., O68191.
Lee, Leslie M., O95060.
Legg, William J., O78003.
Morgan, Samuel C., O78104.
Paul, Parks S., O88174.
Seibert, Jay S., O76607.
Smith, Duncan M., O73259.
Steele, Richard A., O86813.

VETERINARY CORPS

To be lieutenant colonels

Brown, Heyward G., O75054.
Fowler, James L., O73069.
Gibbs, Roland J., O75060.
Hays, William L., O71508.
Lorentzen, Kay W., O68375.
Sheehy, Robert W., O85084.

MEDICAL SERVICE CORPS

To be lieutenant colonels

Allen, Edward V., O78640.
Archer, Donald E., O99043.
Bahr, Fred R., O96942.
Baker, Eugene M., III, O65140.
Bentley, Richard E., O69859.
Blakesley, Lyman, O70279.
Blue, Jack T., O65556.
Buker, Leland A., O84731.
Camp, Frank R., Jr., O80288.
Cohen, Milton, O69883.
Cooper, Robert E., O78644.
Crampton, George H., O71910.
Crimen, John C., O70315.
Crook, Samuel L., Sr., O70316.
Cross, John R., O58354.
Cummings, Will J., O97295.
Davenport, James D., O69897.
Davidson, Louis F., O69899.
Davis, William V., O70321.
Downing, Jack W., O69906.
Erne, Walter F., O69914.
Eveland, Charles L., O70332.
Ginalick, Matthew, O70352.
Hayes, William H., O69945.
Hedlund, James L., O71678.
Hino, Chester T., O69950.
Huggins, Lewis H., O70386.
Israeloff, Joseph, O78650.
Kerrigan, Robert J., O84830.
Leifheit, Howard C., O63460.
Lindsay, Clyde J., O84744.
Lysak, William, O72376.
Madere, Glenn W., Jr., O65200.
Marquis, Charles E., O84746.
McArthur, James E., O69982.
McMartin, George M., O84747.
Mullins, William S., O69996.
Pace, Erroll W., Jr., O70462.
Parker, James W., O72347.
Patrick, Darvin O., O78656.
Pavlo, Michael J., Jr., O70013.
Pezzulli, Frank, O78658.
Porter, William R., O78659.
Prescott, William J., O70475.
Sauls, Wayne R., O84328.
Shafer, Keith O., O65102.
Simpson, Wayne L., O70503.
Smith, Grayson, O70040.
Snyder, John S., O70507.
Spencer, Ralph A., O70512.
Stone, Robert A., O70046.
Thomas, Charles A., O73056.
Turnbull, Samuel J., O70535.
Wegner, William M., O70554.
White, Raymond H., O70561.
Wittlif, Charles L., O70068.
Wright, Dallas P., O84039.
Wykoff, Dale E., O58678.
Young, James J., O70575.

ARMY NURSE CORPS

To be lieutenant colonels

Bochman, Beverly E., N1794.
Bongiovanni, Esther, N2891.
Busler, Lelia J., N2019.
Connolly, Margaret, N2833.
Cushnie, Alyce-Marie C., N2110.
Farland, Vivian, N2574.
Gaynor, Eleanor A., N1807.
Gianarakos, Anastasia, N2005.
Hathaway, Edythe J., N2815.
Hughes, Margaret E., N2843.
Kegler, Ruth A., N960.
Klasinski, Dorothy, N2332.
Kuhn, Mary H., N1920.
Levangie, Catherine, N1939.
Mahar, Mary E., N1762.
Massoni, Mary A., N927.
Matlavage, Mary M., N956.
McCaleb, Lois M., N2845.
McCormick, Helen L., N2914.
O'Brien, Mary R., N2846.
Perkins, Sarah E., N2989.
Pettengill, Alice E., N2101.
Phillips, Margaret, N1758.
Pliler, Vivian L., N1938.
Purcell, Elizabeth, N2214.
Renegar, Velma F., N2946.
Roberts, Lucile M., N2906.
Roslonowski, Helen, N2916.
Ross, Sylvia, N2334.
Sears, Grace L., N1932.
Sheridan, Vivian C., N2917.
Shorter, Frances V., N2294.
Sidell, Norma A., N2908.
Tierney, Marian A., N1750.
Weirick, Lenora B., N1819.
Weydert, Margaret E., N2515.

ARMY MEDICAL SPECIALIST CORPS

To be lieutenant colonels

Miller, Ellen C., R10094.
Perry, Joan H., M10096.
Rader, Marjorie A., M10088.
Weaver, Cecelia K., R10135.
Williams, June E., R10102.

To be majors

Baker, Richad D., OF116549.
Herrera, Francisco, OF113672.
Lanzl, Harold J., OF117574.
Murtha, James D., 094118.
Norgard, Donald R., 079406.
Smalls, Moses D., OF117870.

To be major, chaplain

Shelton, Wayne G., 089603.

To be captains

Brinkley, Jimmie T., OF117326.
Campbell, Paul M., OF117144.
Collins, Robert F., OF113586.
Crawford, Raymon E., OF117154.
Des Champs, Patrick, OF113603.
Duberstein, George E., OF117748.
Elliott, Thomas L., OF113612.
Friedler, Sydney, OF106603.
Gordy, John W., Jr., OF117176.
Griffith, Luther J., OF117561.
Kane, Philip C., OF117385.
Keating, Michael D., OF113710.
King, James E., OF113716.
Kinney, Charles E., OF117391.
Larson, Stuart A., OF117394.
Loudenslager, Max T., 090214.
Love, Earnest E., OF102537.
Mackey, Harry V., OF110794.
Maguire, Roger F., OF114620.
Malik, James J., OF117575.
McAllister, William E., OF117778.
Merkt, Francis D., III, OF117577.
Middleton, Thomas C., OF117226.
Millett, Jack K., OF113769.
Riegle, Seth J., OF117785.
Roder, William E., OF117262.
Seely, John B., OF108292.
Shreffler, Lynn D., OF117273.
Simerly, Charles S., OF109296.
Snuffer, Garner D., OF117450.
St. Peter, Norman L., OF117603.
Xenakis, William A., OF116700.

MEDICAL CORPS

To be captains

Calhoun, William I., OF116619.
Stanzione, Steven J., OF117876.

DENTAL CORPS

To be captain

Shaffer, Edward L., OF116681.

VETERINARY CORPS

To be captains

Kerr, William K., OF114131.
Palo, Matti W., OF117781.

MEDICAL SERVICE CORPS

To be captains

McEntire, Ferd W., OF117223.
Miller, William C., OF113768.

ARMY NURSE CORPS

To be captains

Goad, Nan J., N3453.
Kral, Thomas E., MN3659.
Massimino, Joseph J., MN3464.

ARMY MEDICAL SPECIALIST CORPS

To be captains

Durey, Doris J., R10189.
El-Beheri, Mahmoud, MN10224.
Sakson, Donald A., MN102236.
Schiska, Richard L., MJ10220.
Turpin, Marcia L., R10200.
Yokoi, Francis N., J105.

IN THE ARMY

The following-named person for reappointment in the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be second lieutenant

Schofield, David M., OF107944.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the

XUM

Ringenbach, Frank P., O60706.
Riordan, John B., O67745.
Rives, James C., O61138.
Robbins, Stephen L., O80175.
Roberts, Ernst E., O59229.
Roberts, John F., O59914.
Roberts, Wayne G., O63486.
Robinson, Herbert A., O79052.
Robinson, Robert H., O69779.
Roby, Houston S., O62834.
Roebuck, Charles G., O59154.
Roegge, Alvin L., O79056.
Rollier, Robert L., O85244.
Rose, Robert M., O59127.
Rosner, Albert A., O65077.
Ross, Hugh A., III, O94955.
Ross, Marion C., O59273.
Rossman, Warren W., O63235.
Roth, Theodore R., O76913.
Rovegno, Lawton C., O79062.
Rowe, Gordon D., O58583.
Rumore, Sam, O69783.
Rusche, Ralph R., O59970.
Ruzich, Rudolph L., O65178.
Ryan, Wendell J., O66088.
Sadler, Jack R., O59081.
Sampson, Samuel F., O59023.
Samuel, James E., O89591.
Sanders, James H., O59908.
Sargeant, Edward W., O62250.
Schaefer, Martin W., O79072.
Schappaugh, George, O66092.
Scheib, Helmut V., O79073.
Schiller, Melvin D., O60668.
Schmalzel, Joseph L., O59252.
Schulz, Gerhard W., O59121.
Schulz, Theodore G., O79078.
Schumacher, David J., O87608.
Schwartz, Jack J., O87909.
Schwarz, Robert H., O59310.
Seibert, Donald A., O60224.
Selby, Lewis S., O63402.
Selfe, John K., O79080.
Sellers, Homer L., Jr., O65084.
Semmens, Gervies L., O59976.
Semsch, Philip L., O58596.
Sharpe, Melvin B., O79083.
Shelnut, James R., O60725.
Sherman, Robert, O61101.
Shields, Buren R., Jr., O60230.
Shoemaker, Charles, O62274.
Siegrist, Raymond E., O65120.
Sills, Charles W., O84672.
Sills, Gerald H., O76917.
Singletary, Albert, O59180.
Singleton, William, O70504.
Smith, Charles D., Jr., O60827.
Smith, Dale M., O69795.
Smith, Donald E., O62001.
Smith, Duane H., O59191.
Smith, Harold F., Jr., O66101.
Smith, John A., O82095.
Smith, Lloyd D., O91263.
Smith, Malcolm R., O79095.
Smith, Paul T., O69798.
Smith, Samuel L., O59917.
Smith, Simeon M., Jr., O59338.
Smith, Vance O., O63346.
Smith, Wayne C., Jr., O59382.
Smithey, Paul C., O59817.
Smyth, Carl B., O65173.
Snell, Dillon, O62230.
Snow, Morgan W., O80191.
Soucek, Leo E., O60006.
Soucy, Robert H., O82100.
Spencer, Orton F., O59240.
Spettel, Charles L., O59128.
Spivey, Ray V., O63489.
Springer, Robert M., O59210.
Staigers, James M., O69800.
Starkey, Posie Lee, O63373.
Stauffer, Joseph R., O59103.
Stedham, Dan D., O66204.
Steele, Warren B., O63377.
Steenburn, Donald H., O58614.
Steinke, John E., O57885.
Stephens, Rome O., O92255.
Stickney, Louis S., O69804.
Stivers, Fred, Jr., O65089.
Stockell, Charles W., O79108.
Stockton, Thomas W., O59199.
Stone, James L., O65096.
Stone, R. E., O84890.
Stooke, Willard N., O79109.
Story, Robert P., O57654.
Strohecker, Howard, O59084.
Stukhart, George, Jr., O59139.
Stump, Robert M., O58134.
Sugg, Leon H., Jr., O65226.
Sullivan, George A., O75301.
Summers, Archie W., O60237.
Surut, Lee E., O59150.
Suther, Russell J., O58623.
Sutton, John E., O59155.
Swafford, Fred G., Jr., O63087.
Swett, Trevor W., Jr., O59321.
Symmes, Kenneth R., O79115.
Tallman, Richard J., O59277.
Tank, Albert K., O79117.
Taylor, Charles E., O60231.
Taylor, Donald L., O69811.
Taylor, Mack, Jr., O57427.
Taylor, Richard F., O69812.
Taylor, Victor C., O84892.
Teague, Phillip E., O70155.
Teasdale, Robert D., O84677.
Teel, Joseph F., O65164.
Templeman, James M., O60007.
Terry, Charles A., O58628.
Tesko, Stanley, O82109.
Thayer, George E., O69813.
Thevenet, Stanley E., O89840.
Thomas, Charles M., O63357.
Thomas, Jack D., O59255.
Thome, Matthew R., O75306.
Thompson, Lawrence, O60644.
Tice, Raphael D., O70530.
Tieman, Wilbert A., O65078.
Tierney, William P., O69817.
Timmerberg, Paul M., O70531.
Tobin, Paul G., O68804.
Tobin, Richard E., O59329.
Topham, Everett G., O65091.
Townes, James E., Jr., O59906.
Townsley, Edwin S., O59094.
Trabue, Earl N., O58635.
Tracy, George W., O59145.
Trask, Norman E., O79119.
Travis, William H., O57292.
Trinkle, Frank W., O65204.
Trost, Robert W., O79120.
Tuberty, James T., O66109.
Tucker, Harold, O79121.
Tunnell, Teddy B., O85455.
Turman, Robert L., O58636.
Turner, Albert F., O59293.
Turner, Frederick C., O58637.
Tussing, Austin F., O69820.
Tuthill, Jack K., O60833.
Tutwiler, Guy I., O60698.
Tyler, John E., O70540.
Tyson, William P., Jr., O71423.
Umpierre-Vazquez Wilfredo, OF103060.
Unger, Guinn E., O58641.
Upton, Clifford A., O79126.
Urrutia, Carlos E., O66112.
Utley, Jack C., O57519.
Vail, William H., O59954.
Van Dyken, Harold B., O80199.
Van Hook, James M., O59768.
Van Horn, Vannah E., O88986.
Van Laethem, Fernand R., O63350.
Van Meter, Jack D., O65182.
Vaughn, Robert D., O69822.
Vollmer, John P., O59284.
Voseipka, John R., O63365.
Wagner, Richard H., O59122.
Wagonhurst, Arland, O65715.
Waldrop, Andrew J., O57808.
Walker, Albert L., O58644.
Walker, John R., O79134.
Walker, Robert G., O81312.
Wallace, Bruce E., O65610.
Wallis, Vernon V., O63072.
Walsh, John J., Jr., O70549.
Walters, Edwin S., O58646.
Walton, John M., O58647.
Wardle, Theron G., O84468.
Warlick, William F., O65213.
Warrington, Robert, O79135.
Wasco, Joseph, Jr., OF114800.
Watling, Edward T., O59506.
Watson, Henry, Jr., O71892.
Watson, William R., O66118.
Wayne, Norbert J., O65090.
Weaver, Frank E., O99756.
Weaver, Robert N., O69826.
Webel, Herman, Jr., O59899.
Webster, Dobson L., O59816.
Weissinger, Jack K., O84684.
Welch, John M., O57799.
Wells, Donal C., O60828.
Wendling, Donald E., O65150.
West, Oliver I., O65597.
Westendorf, Frederick C., OF105866.
Westermann, Thomas, O62275.
Westling, Frank S., OF105168.
Wetherill, Jerry G., O96725.
Wheeler, Harold L., O60696.
Wheeler, Neil W., O79142.
Whelan, Raymond A., O69829.
Whichard, William A., O65212.
Whistler, Donald E., O59204.
Whitaker, Bill, O84685.
White, Joseph F., O63048.
White, Rudolph D., OF103920.
Whitfield, Patrick, OF105869.
Wickham, Robert E, O66121.
Wienecke, Herman E., O60673.
Wieteki, Donald W., O81335.
Wilcox, George L., O65731.
Wild, Charles B., Jr., O63065.
Wilkins, Frank E., O63408.
Wilkinson, Edward S., O84689.
Wilkinson, Harry W., O69831.
Will, Clement H., O75319.
Willett, Curtis L., O85390.
Williams, Edwin J., O58660.
Williams, Gordon E., O79147.
Williams, Murray W., O59197.
Williams, Robert W., O60839.
Williams, Theodore, O57462.
Williamson, Dan H., O59173.
Williamson, Wade H., O70128.
Wilson, Calvin O., O63094.
Wilson J. Frank, O79148.
Wilson, Jode R., O68177.
Wilson, Leo L., O62836.
Wilson, William V., O81347.
Winslow, Francis J., O69836.
Wintersteen, Joseph, O58151.
Womble, Phelps R., O66647.
Wood, John F., Jr., O63372.
Woolshlager, Richard, O58667.
Worth, William J., O62844.
Wren, John J., O58669.
Wright, Charles D., O60662.
Yadon, James C., O58671.
Yarbrough, John D., O62238.
Yeats, Joseph J., Jr., O59151.
Yellman, Edward K., O59364.
Yepsen, John H., O59267.
Yerkes, Charles W., O79156.
Yost, Deverne R., O60381.
Younger, Ralph K., O58673.
Zarnowski, Walter J., O65605.

CHAPLAIN CORPS

To be lieutenant colonels

Brady, John C., O79689.
Burnette, Lester E., O79682.
Dolan, Francis J., O73444.
Eyler, Mervin S., O71917.
Farrow, Alpha A., O71668.
Hutchins, Gordon E., O75213.
Ketchersid, Corbin, O83543.
Kettler, Earl C., O78632.
Kittermann, Henry O., O75223.
Ledebuhr, Albert F., O75231.
Lewis, Francis R., O73164.
MacGregor, John M., O73074.
McNally, Carl P., O76795.
Plocki, Robert J., O97345.
Remark, Phillip B., O88895.
Rowan, Joseph C., OF117434.
Taylor, George O., O75303.
Thompson, Parker C., O81864.
Walter, Louie W., O84292.
Wilson, Robert D., O75322.

WOMEN'S ARMY CORPS

To be lieutenant colonels

Bray, Lydia M., L574.
Dahnke, Alice L., L283.
Hill, Georgia D., L398.
Kunert, Betty K., L527.

Long, Alice A., L544.
Parks, Dorothy W., L280.

MEDICAL CORPS

To be lieutenant colonels

Akers, William A., O73435.
Austerman, Warrington, O73121.
Baker, Floyd W., O71901.
Barrett, O'Neill, Jr., O72321.
Baugh, Joseph H., O74634.
Berbary, Maurice S., O73126.
Boyd, Howard A., O73237.
Burkett, Harry E., O71907.
Carey, Philip O., O72328.
Ceccarelli, Frank E., O72839.
Chamblin, Stuart A., O71459.
Conrad, Marcel E., Jr., O71658.
Cowgill, Herbert F., OF106086.
Dalton, James B., O74671.
Dixon, Leon M., O75349.
Fichtner, John Z., O93401.
Ford, George W., O75356.
Fulton, Nolen W., Jr., O73466.
Gore, Albert L., OF114632.
Guenter, Kenneth E., O71504.
Hanson, Thomas A., O75367.
Harris, Laurence V., OF105693.
Herman, Robert H., O72335.
Huycke, Edward J., O75214.
Jefferson, Samuel C., O71815.
Kent, Alfred H., O71686.
Leitnaker, Frank C., O99342.
Louro, Jose M., O72342.
MacNair, Donald S., O71830.
Mansfield, John O., O73967.
McFadden, Archibald, O71702.
Mendelson, Janice A., K73107.
Morss, Dwight F., Jr., O73176.
Murray, Thomas B., O76453.
Pearson, Jack W., O71246.
Plunket, Daniel C., O78018.
Powers, Joseph F., O76525.
Salcedo, Jose R., OF103724.
Shamburek, Roland H., O75427.
Thompson, James W., O72657.
Turner, Guthrie L., O75436.
Walton, Spencer, OF106251.

DENTAL CORPS

To be lieutenant colonels

Alderson, Thomas H., O78565.
Alexander, William, O78566.
Andrews, James L., O74626.
Bundt, Lyle D., O75980.
Crowe, Patrick D., O78045.
Davis, Quince B., O78050.
Davis, Thomas H., O76061.
Flenniken, Melvin E., OF106250.
Grisham, William K., O94859.
Horkowitz, Gabriel, O85573.
Howe, Michael J., O78067.
Jones Rex D., O68191.
Lee, Leslie M., O95060.
Legg, William J., O78003.
Morgan, Samuel C., O78104.
Paul, Parks S., O88174.
Seibert, Jay S., O76607.
Smith, Duncan M., O73259.
Steele, Richard A., O86813.

VETERINARY CORPS

To be lieutenant colonels

Brown, Heyward G., O75054.
Fowler, James L., O73069.
Gibbs, Roland J., O75060.
Hays, William L., O71508.
Lorentzen, Kay W., O68375.
Sheehy, Robert W., O85084.

MEDICAL SERVICE CORPS

To be lieutenant colonels

Allen, Edward V., O78640.
Archer, Donald E., O99043.
Bahr, Fred R., O96942.
Baker, Eugene M., III, O65140.
Bentley, Richard E., O69859.
Blakesley, Lyman, O70279.
Blue, Jack T., O65556.
Buker, Leland A., O84731.
Camp, Frank R., Jr., O80288.
Cohen, Milton, O69883.
Cooper, Robert E., O78644.
Crampton, George H., O71910.
Crimen, John C., O70315.
Crook, Samuel L., Sr., O70316.
Cross, John R., O58354.
Cummings, Will J., O97295.
Davenport, James D., O69897.
Davidson, Louis F., O69899.
Davis, William V., O70321.
Downing, Jack W., O69906.
Erne, Walter F., O69914.
Eveland, Charles L., O70332.
Ginalick, Matthew, O70352.
Hayes, William H., O69945.
Hedlund, James L., O71678.
Hino, Chester T., O69950.
Huggins, Lewis H., O70386.
Israeloff, Joseph, O78650.
Kerrigan, Robert J., O84830.
Leifheit, Howard C., O63460.
Lindsay, Clyde J., O84744.
Lysak, William, O72376.
Madere, Glenn W., Jr., O65200.
Marquis, Charles E., O84746.
McArthur, James E., O69982.
McMartin, George M., O84747.
Mullins, William S., O69996.
Pace, Erroll W., Jr., O70462.
Parker, James W., O72347.
Patrick, Darvin O., O78656.
Pavlo, Michael J., Jr., O70013.
Pezzulli, Frank, O78658.
Porter, William R., O78659.
Prescott, William J., O70475.
Sauls, Wayne R., O84328.
Shafer, Keith O., O65102.
Simpson, Wayne L., O70503.
Smith, Grayson, O70040.
Snyder, John S., O70507.
Spencer, Ralph A., O70512.
Stone, Robert A., O70046.
Thomas, Charles A., O73056.
Turnbull, Samuel J., O70535.
Wegner, William M., O70554.
White, Raymond H., O70561.
Wittlif, Charles L., O70068.
Wright, Dallas P., O84039.
Wykoff, Dale E., O58678.
Young, James J., O70575.

ARMY NURSE CORPS

To be lieutenant colonels

Bochman, Beverly E., N1794.
Bongiovanni, Esther, N2891.
Busler, Lelia J., N2019.
Connolly, Margaret, N2833.
Cushnie, Alyce-Marie C., N2110.
Farland, Vivian, N2574.
Gaynor, Eleanor A., N1807.
Gianarakos, Anastasia, N2005.
Hathaway, Edythe J., N2815.
Hughes, Margaret E., N2843.
Kegler, Ruth A., N960.
Klasinski, Dorothy, N2332.
Kuhn, Mary H., N1920.
Levangie, Catherine, N1939.
Mahar, Mary E., N1762.
Massoni, Mary A., N927.
Matlavage, Mary M., N956.
McCaleb, Lois M., N2845.
McCormick, Helen L., N2914.
O'Brien, Mary R., N2846.
Perkins, Sarah E., N2989.
Pettengill, Alice E., N2101.
Phillips, Margaret, N1758.
Pliler, Vivian L., N1938.
Purcell, Elizabeth, N2214.
Renegar, Velma F., N2946.
Roberts, Lucile M., N2906.
Roslonowski, Helen, N2916.
Ross, Sylvia, N2334.
Sears, Grace L., N1932.
Sheridan, Vivian C., N2917.
Shorter, Frances V., N2294.
Sidell, Norma A., N2908.
Tierney, Marian A., N1750.
Weirick, Lenora B., N1819.
Weydert, Margaret E., N2515.

ARMY MEDICAL SPECIALIST CORPS

To be lieutenant colonels

Miller, Ellen C., R10094.
Perry, Joan H., M10096.
Rader, Marjorie A., M10088.
Weaver, Cecelia K., R10135.
Williams, June E., R10102.

To be majors

Baker, Richad D., OF116549.
Herrera, Francisco, OF113672.
Lanzl, Harold J., OF117574.
Murtha, James D., 094118.
Norgard, Donald R., 079406.
Smalls, Moses D., OF117870.

To be major, chaplain

Shelton, Wayne G., 089603.

To be captains

Brinkley, Jimmie T., OF117326.
Campbell, Paul M., OF117144.
Collins, Robert F., OF113586.
Crawford, Raymon E., OF117154.
Des Champs, Patrick, OF113603.
Duberstein, George E., OF117748.
Elliott, Thomas L., OF113612.
Friedler, Sydney, OF106603.
Gordy, John W., Jr., OF117176.
Griffith, Luther J., OF117561.
Kane, Philip C., OF117385.
Keating, Michael D., OF113710.
King, James E., OF113716.
Kinney, Charles E., OF117391.
Larson, Stuart A., OF117394.
Loudenslager, Max T., 090214.
Love, Earnest E., OF102537.
Mackey, Harry V., OF110794.
Maguire, Roger F., OF114620.
Malik, James J., OF117575.
McAllister, William E., OF117778.
Merkt, Francis D., III, OF117577.
Middleton, Thomas C., OF117226.
Millett, Jack K., OF113769.
Riegle, Seth J., OF117785.
Roder, William E., OF117262.
Seely, John B., OF108292.
Shreffler, Lynn D., OF117273.
Simerly, Charles S., OF109296.
Snuffer, Garner D., OF117450.
St. Peter, Norman L., OF117603.
Xenakis, William A., OF116700.

MEDICAL CORPS

To be captains

Calhoun, William I., OF116619.
Stanzione, Steven J., OF117876.

DENTAL CORPS

To be captain

Shaffer, Edward L., OF116681.

VETERINARY CORPS

To be captains

Kerr, William K., OF114131.
Palo, Matti W., OF117781.

MEDICAL SERVICE CORPS

To be captains

McEntire, Ferd W., OF117223.
Miller, William C., OF113768.

ARMY NURSE CORPS

To be captains

Goad, Nan J., N3453.
Kral, Thomas E., MN3659.
Massimino, Joseph J., MN3464.

ARMY MEDICAL SPECIALIST CORPS

To be captains

Durey, Doris J., R10189.
El-Beheri, Mahmoud, MN10224.
Sakson, Donald A., MN102236.
Schiska, Richard L., MJ10220.
Turpin, Marcia L., R10200.
Yokoi, Francis N., J105.

IN THE ARMY

The following-named person for reappointment in the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be second lieutenant

Schofield, David M., OF107944.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the

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provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be majors

Benton, Homer G., O2277953.
Dillard, William H., O4002121.
Hileman, Jerome G., O4005791.
Laforce, Henry P., Jr., O2028445.
Levy, Joseph A., O1931213.

To be captains

Adams, Harvey L., Jr., O4062491.
Bagnerise, Joseph W., O5400496.
Bailey, John E., O5312237.
Bartlett, Henry D., O5008488.
Bellamy, Ronald F., O5235038.
Benton, William B., O4031193.
Biddle, William M., MN2305812.
Brugnoni, John J., O4084440.
Bullock, Robert E., O4083468.
Burton, Martin C., O5208574.
Clemons, George D., O5309125.
Crismon, Charles R.F., O5310585.
Eason, Leonard A., O5405130.
Fairris, Marion T., O5513299.
Ferguson, Phillip R., O5211401.
Gober, Lowman E., O5438686.
Lilley, Virgil E., O5412356.
Manby, William J., III, O4074519.
Marsden, William L., O5506807.
Mendoza, Ronnie A., O4074524.
Montoya, Frank L., O5315391.
Neilson, Russell W., O5502356.
Obrien, Francis D., O5002164.
Patterson, David H., O50209971.
Peasley, Bill, O5311040.
Riley, Harold E., O5402705.
Sarantakes, Nicholas, O5401047.
Seago, William K., O4063820.
Sheehan, Cornelius P., MN2305569.
Stallings, Donald R., O1926203.
Starr, Irving, O3026779.
Striler, Raymond J., O5515585.
Teany, Gene A., O5309834.
Waite, Gimble J., O5307158.
Williams, Winifred G., O5510923.
Wolf, Thomas R., O5509053.

To be first lieutenants

Baraniak, Albert J., O5230134.
Barber, Louis P., Jr., O5421327.
Brown, Charles Q., O5414780.
Brown, James R., O5315326.
Burger, Leslie M., O2326693.
Cagle, Daryl R., O5406244.
Camp, Earley C., O2326168.
Carothers, Joe D., O5414237.
Carthage, Philip G., O5023761.
Clemmer, Terry P., O5227938.
Debiase, James P., O5222954.
Drake, Dean F., O5331729.
Edie, Philip G., MN2325468.
Eitler, Vincent M., II, O5224732.
Fitzgerald, Jerry E., O5713660.
Fitzgerald, Thomas D., O5326888.
Foote, William C., O5519566.
Fouche, David F., O5329641.
Fritsche, Donald J., O5315086.
Garcia, Jose, O5325256.
Genter, Billy V., O5423774.
Greene, Stonell B., O5421721.
Groce, Joan R., N5325758.
Hart, Robert R., O2319175.
Horalek, John L., O5419115.
Hvezdos, Michael S., O5420931.
Knutson, Robert I., O5419637.
Kuhblank, Richard C., O5707856.
Kvasnicka, Wayne L., O5875431.
Lambert, Sharon L., N2315068.
Langman, Frank W., O5221463.
Lanning, Michael D., O5321964.
Lee, Edmund F., O5221413.
Levanson, Joel S., O5017215.
Longgrear, Paul R., O5330040.
Marcks, Ervin W., Jr., O5533976.
McFeely, George D., O5315384.
McLendon, Walter H., O5321387.
Meade, David C., O5217772.
Mercier, Leo J., O5229816.
Miller, Robert H., O5406839.
Millstead, Mikell H., O2337186.
Mitchiner, Marvin E., O5322898.
Moore, Allan K., O5322572.
Morris, Lawrence J., O5419218.
Murphy, Thomas L., O5327723.
Mylander, Kenneth W., O2332587.
Olson, Charles E., O5536927.
Pastrano, Charlie, Jr., MN5422053.
Phelps, Fredrick O., MN2326493.
Principio, Marco A., O2306687.
Reed, Burwin P., Jr., O5413289.
Renaud, Kenneth L., O2321504.
Remson, Arthur S., O5419997.
Rodgers, Frederic B., O5256932.
Ross, Stanley D., O2329749.
Schanding, Donald W., MN5233219.
Schopp, John H., O5535577.
Schultz, Jeffrey B., O5022635.
Sholly, Robert H., O5307532.
Segretti, Donald H., O2335007.
Shriver, Donald L., O5532961.
Stein, Harry A., O5326981.
Stephenson, Hartwell, O5406277.
Stetzinger, John E., O2304033.
Updegraff, James S., O5536647.
Vail, James D., MN2326594.
Vatne, Clarence G., O5535437.
Walker, Darrell W., O5419675.
Walkley, Lester D., O5318436.
Walls, Richard D., O5241285.
Warkel, Raphael L., O2327092.
Wiebe, Robert A., O5423479.
Wilkerson, Arthur F., O5323489.
Woldt, Gerald D., MN2325490.
Wright, Robert D., O5327150.
Zebbs, Barbara F., N5711760.
Zimlich, Patrick D., O5234158.

To be second lieutenants

Angyal, Frank J., O5353764.
Bassett, Richard S., O5343147.
Chalmers, Jefferson, O5431384.
Clark, Charles G., Jr., O5422930.
Dievendorf, Lynn A., O5237678.
Dinkel, Ernest H., Jr., O5334810.
Farley, Donald P., O5246952.
Ford, Francis N., O5427459.
Heston, James V., N5241629.
Jones, Larry L., O2333262.
Llewellyn, William C., O5338674.
Mabry, Dawson B., O5256179.
Munnell, Thomas C., O2330759.
Murphy, Chester A., III, O5427601.
Nelson, Gary W., O5427684.
Price, Joseph S., O5239892.
Stratton, Michael V., O5354464.
White, Harold G., O2328712.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3289:

Bednarczyk, Thomas S.
Boggs, James D.
Bowler, Joseph L., Jr.
Broussard, Douglas E.
Calvert, Richard L.
Chorpenning, Jonathan E.
Cole, Byron J.
Coryell, Thompson O.
Crowder, Ronald G.
Cunningham, Brian J.
Dawson, Michael T.
Dea, Godwin Y. H.
Deitemeyer, Kipley E.
Durham, Donald S.
Dyson, James H., Jr.
Egelhof, Michael J.
Ewald, William R.
Fassig, Samuel M.
Fisher, Allen L.
Gillies, Peter S.
Gossage, Johnny K.
Grishkin, Brent A.
Harris, William H., III
Houston, Kenneth F.
Kelley, Michael R.
Kelly, Dennis W.
Kluever, Emil K.
Knoll, Jeffrey Allan
Krull, Jeffrey P.
Lewis, James W.
Lewis, Roger A.
Liggett, Glade M.
Ludwig, Victor V.
McCrory, Michael A.
Miller, Dennis H.
Mische, Gary D.
Montgomery, David A.
Moore, Isiah, Jr.
Moore, Ronald A.
Napier, John A.
Novak, Stephen R.
Oliver, Alan Patrick
Orbe, Felix A.
Paridon, Terrence J.
Patterson, Samuel F.
Peters, John E.
Purple, Robert L.
Radoll, John V.
Rivet, Lawrence P.
Simmons, Oscar W., III
Skoog, Eric N.
Spiceland, Evans C., Jr.
Springer, Carl D.
Stewart, Stephen C.
Supak, Darrell J.
Tenholder, Michael F.
Vengelen, Frederick R.
Voigt, Thomas F.
Walker, David J.
Wellensiek, Warren A.
Williams, Ernest R.
Worth, David D.

The following-named scholarship students for appointment in the Regular Army of the United States in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

Cox, Marshall R.
Larson, Steven A.
Whitlock, Norris W.

Executive nominations received by the Senate May 8, 1969:

THE JUDICIARY

David W. Williams, of California, to be U.S. district judge for the central district of California, vice Peirson M. Hall, retired.

IN THE NAVY

The following-named officers of the Navy for permanent promotion to the grade of lieutenant:

To be lieutenants

LINE

Abel, Jon F.
Ackerman, William C.
Adams, Joseph H.
Adler, Jay B.
Adolph, Herbert R.
Ainlay, Benjamin J.
Albert, Bruce W.
Alden, John H.
Aldinger, Robert W.
Alemian, Haig S.
Alexander, Edward H.
Allen, Arnold C.
Allen, Benjamin E., Jr.
Allen, Edmond L.
Allen, Richard C.
Allison, Warner L.
Almasi, George R.
Alter, John W., Jr.
Alvarado, Robert J., Jr.
Ames, Richard E.
Andersen, Robert T.
Anderson, Bruce W.
Anderson, David C.
Anderson, Gerald D.
Anderson, Larry F.
Anderson, Richard O.
Anderson, Thomas H.
Andress, William D., Jr.
Angelosante, Carmen
Ansley, James H.
Anton, Andrew J.
Applegate, Terry B.
Armstrong, William E.
Armstrong, Jesse W.
Arnett, James L., Jr.
Arnold, John C.
Arnold, Robert J.
Asbell, William E.
Asher, Charles E.
Astleford, Nathan L.
Athanas, Philip W.
Ayre, Donald
Babbitt, Thomas R.
Bacanskas, Algirdas V.
Bacon, Barton E., III
Badgett, Robert S.
Bailey, Albert E., Jr.
Bailey, David L.
Bailey, Eugene R.
Bailey, Ian M.
Bailey, Thomas F.
Baker, James W.
Baldwin, William H.
Banks, Martin L., III
Bannach, Leroy R.
Bansemer, Ronald W.
Bardeschewski, Walter P.
Barfield, Henry J., Jr.
Bark, Charles A., Jr.
Barker, Charles M.
Barker, James E.
Barnes, Edward T.
Barnes, James C., Jr.
Barnes, William G.
Barnett, Roger W.
Barr, John G.
Barr, Jon M.
Barr, Robert K., Jr.
Barr, Thomas H.
Barrett, Harold C.
Barrett, Robert W.
Barron, Robert W., Jr.
Barta, Arnold F.
Bartholomew, Charles A.
Barton, Jere A.
Barton, Max N.
Barz, Graydon L.
Bates, William R.
Beatty, Troy, III
Beaulieu, Eugene L.
Beck, Brian K.
Beck, Gary L.
Becker, Robert W.
Beem, James N.
Beguin, Larry W.
Bell, James H.
Bell, Ronald K.
Bender, Thomas J.
Benedict, Claude J.
Benedict, Joseph C.
Benne, Robert L.
Bennett, Andrew J.
Bennett, John F.
Bennett, Thomas G.
Benshop, Edwin C.
Benson, George M.
Benson, Peter H.
Benter, Harry W., Jr.
Bently, Donald K.
Berger, Thomas J.
Berry, Charles H.
Berry, Niles W.
Berzins, Vincent M.
Best, James B.
Bianco, John A.
Bickel, Michael D.
Bigelow, Grant L.
Bigsby, Charles F.
Billings, David J.
Bishop, William R.
Bitonti, David F.
Black, Herbert E.
Black, Jerry H.
Black, John W.
Black, Norman T.
Blackburn, John O.
Blackinton, Charles H.
Blackmon, Thomas L.
Blaha, Douglas D.
Blankinship, John H.

Bleakly, Edward W.
Bledsoe, Robert D.
Blundell, Thomas E.
Bobb, Kenneth R.
Bodiford, Larry J.
Bollenbach, Melvin W.
Bonham, Charlie L.
Booth, Albert J.
Borchard, David, C.
Bouchard, Michael L.
Boudov, Milton, H.
Boufford, Francis W.
Bower, Johns H., Jr.
Boyd, James S.
Boyer, John E.
Boyle, Francis J.
Bradberry, Brent A.
Braden, Morse S.
Bradick, Andrew A.
Bradish, Steven D.
Bradley, Michael, D.
Bradley, Michael L.
Braendle, John E.
Bragg, Thomas P.
Branch, Thomas A., Jr.
Brannan, John J.
Breece, James P.
Brent, Gerald P.
Breslin, Michael J.
Brierley, Roc M.
Brinkley, Joseph W.
Bronk, Deforest M.
Bronson, Lawson E.
Brooks, Billy C.
Brooks, Charles E.
Brooks, Kenneth M.
Brooks, William T.
Brown, Barry L.
Brown, Charles D.
Brown, George R.
Brown, Lorin "W"
Brown, Robert H.
Brueggeman, John L.
Brugman, Thomas C.
Brummersted, David A.
Brunnworth, Rolland H.
Bruno, Marco J.
Bryan, Jon J.
Bubeck, Charles R.
Buck, Duane E.
Buckley, Henry T., Jr.
Bulkley, Peter G.
Bull, Lyle F.
Bunce, Ronald L.
Bunch, Harold A., Jr.
Bunnell, Robert T.
Burger, Joseph J.
Burgess, Donald E.
Burke, David V., Jr.
Burkette, Jerry W.
Burn, Reed R.
Burris, Richard E.
Burton, John G.
Busby, Morris D.
Butler, Phillip N.
Butler, Warner L.
Butz, Will A.
Bygler, K.
Cagle, Lonnie F.
Cahill, Joseph P.
Callahan, Joseph E.
Callahan, James F.
Camerson, David D. Jr.
Campbell, Arlington, F.
Campbell, Theodore R.
Cantrell, William A.
Cantus, Howard H.
Carden, Francis D., Jr.
Carl, Walter M.
Carlburg, Ernest G.
Carlson, Gary L.
Carnell, Thomas "E"
Carns, Neil S.
Carter, Floyd W., Jr.
Caruso, Sam J.
Carver, Donald R.
Casey, William R.
Cassels, Bertrand B., Jr.
Casseri, Aldo J.
Castellano, William J.
Cataldo, John
Catchings, Thomas J.
Cathey, Carl D.
Catlett, William J., II
Cavanaugh, William, III
Champlain, John G.
Chapel, Gary M.
Chapin, Robert W., Jr.
Chappell, George C.
Chase, Malcolm W.
Chasko, Gerald J.
Cheaure, Alfred L.
Chinn, Donald M.
Chipchak, Robert F.
Chrans, Larry "J"
Churchill, Bruce W.
Clark, Frank E.
Clark, Kenneth R.
Clark, Rolf H.
Clark, Royall W.
Clark Vernon
Clarke, John C.
Clements, Steven D.
Cleveland, Donald G.
Cloud, Thomas E.
Clouse, Johnny L.
Cobb, John H.
Coen, Ira H., Jr.
Coffee, Desmond T.
Coffman, Richard L.
Cogswell, Thomas M.
Cohen, Paul L.
Cole, Edward F., Jr.
Cole, Isaiah C.
Collins, Jerry C.
Collins, John J.
Coltrin, William A.
Colvert, Donald M.
Colvert, Lundy R.
Conboy, Alan J.
Condon, John R.
Conley, Charles H.
Connell, James J.
Conwell, Douglas M.
Conyers, Thomas R.
Cook, Walter T.
Cooper, Robert W., Jr.
Copes, Raymond F., III
Costello, Robert G.
Covell, Michael A.
Covill, Donald P.
Cowen, Wayne E.
Cowperthwaite, Franklin C.
Crabbe, Douglas V., Jr.
Crabbs, Edward H., Jr.
Craft, Rex J.
Craig, Edward C.
Craig, Kenneth G.
Craiglow, Leo H., Jr.
Cramer, Thomas H.
Crawford, Charles W.
Crippen, Robert L.
Criswell, Paul E.
Csernelabics, Richard C.
Cummings, Vincent P., Jr.
Currey, Carl W.
Dalrymple, John R., Jr.
Dalzell, Fredric S.
Damon, William E.
Danaher, Robert J.
Danielson, Harvey
Dannaker, Robert P.
Darcy, John S.
Darwin, John C.
Dattilo, Frank, III
Davidson, John D.
Davies, Robert L.
Davis, Edwin A.
Davis, Robert T., II
Dawson, David L.
Day, Ronald L.
Dean, Arthur L., Jr.
Dean, David T.
Dean, Peter L.
Decker, Joel P. W.
Decoste, John W.
Delvecchio, John R.
Demark, Ramon S.
Denike, Daniel J., Jr.
Denis, Robert R.
Dennis, David A.
Derose, Richard S.
Desha, Ernest L.
Desrosiers, Arthur J., Jr.
Dewalt, Ralph F.
Dewhirst, George H.
Diamond, Quensel K.
Dick, William J.
Dickey, Edwin H., Jr.
Dickey, Riley W., Jr.
Dickinson, Robert S.
Dietz, David C.
Dietz, Eugene P.
Dighton, Anthony E., Jr.
Dixon, David B.
Dizor, Carl A., Jr.
Dobrosky, John
Doll, Robert J.
Donn, Alan H.
Dooley, John J.
Dooley, William J.
Dorfer, Jay P.
Dougherty, Dennis V.
Douglas, Carlysle A.
Dowell, Clifton, III
Doyle, John F.
Driscoll, Allen A.
Drustrup, John M.
Drylie, Herbert D., Jr.
Dubois, Denis R.
Dubois, Dorse H., II
Duchesne, Robert E.
Duff, Franklin D.
Duffy, Philip F.
Dugan, Timothy P., Jr.
Duich, Stephen J.
Duke, Thomas E.
Duley, Donald G.
Dulin, Robert O., Jr.
Duncan, Thomas J.
Dunkle, Robert A.
Dunn, Gerald L.
Dunn, Willmatthis, Jr.
Dunsmoor, Earl W., Jr.
Durfee, Gerald A.
Durkee, Leroy R.
Dvornick, Eugene S.
Dwyer, David S.
Dyer, Arland R.
Dyer, Edward H., III
Earle, Joseph T.
Eckert, Thomas R.
Eddins, Charles W.
Edson, Darrell W.
Edwards, David R.
Ekse, Jon J.
Elin, Richard A.
Elliott, Jon K.
Ellis, Wright H.
Emerson, John S.
Emmerich, William S.
English, Charles R.
Ennis, James D.
Erchul, Ronald A.
Erickson, Donald C.
Esau, Anthony C.
Esposito, Richard M.
Ettinger, Edward J., III
Etzler, Larry L.
Fair, Paul H.
Famme, Joseph B.
Fang, George W.
Farber, Frederick A.
Farmer, Michael O.
Farnan, George F.
Farnan, Robert L.
Farrell, Charles A., Jr.
Farren, Manus G.
Fedor, John D.
Feist, Eugene P.
Feldmann, Lloyd J., Jr.
Fellis, Richard T.
Fenno, Ted P.
Ferbrache, Ray L.
Ference, Robert J.
Ferguson, James M.
Ferguson, Michael B.
Ferrier, Donald R.
Ferrier, Thomas L.
Fijak, Theodore, Jr.
Findlay, James R.
Fink, Loren L.
Finkelstein, Jimmie B.
Firebaugh, Millard S.
Fischl, Joseph J.
Fisher, David P.
Fisher, George G.
Fisher, Thomas M.
Fitch, Kenneth R.
Fitch, Robert S.
Fitzpatrick, Patrick C.
Flanagan, Alan B.
Fleming, John M., Jr.
Flesher, Elbert E., Jr.
Flores, Arthur J.
Flournoy, Robert A.
Flynn, Robert J.
Folse, Ronald L.
Ford, James I.
Forstner, Gerald
Forthman, Ernest A.
Foster, John C., Jr.
Foster, Kenneth M.
Fox, William C.
Frame, Lee H., Jr.
Frawley, William D.
Frazier, Lowell D.
Fred, Robert H.
Frederick, William E.
Fredette, Roger A.
Freeland, Stuart T.
Freeman, Joseph H., Jr.
Freiheit, James D.
Frelich, Alan W.
French, Dana P., Jr.
Frew, John A.
Friedsam, Bruce A.
Frodyma, John, Jr.
Fromholtz, Richard J.
Frothingham, John C.
Fry, Michael S.
Furman, Dale F., Jr.
Fuscaldo, Robert P.
Futch, Charles A.
Gabriel, Edward M.
Gache, Marius A.
Gagliano, Sam J.
Galbraith, Elmer J., Jr.
Galbreath, Christopher W.
Gallagher, Charles J., Jr.
Gallagher, Paul R.
Gallagher, James A.
Gallamore, John C.
Gambacorta, Francis M.
Gander, John P., Jr.
Garden, Leon B.
Garrett, Roger A.
Garritson, Grant R.
Gaskell, Lawrence C.
Gastrock, Barry A.
Gaylord, Reginald F., Jr.
Geck, Robert L.
Geeding, Robert W.
Gehrdes, Ernest E.
Germany, Holmes B.
Gertz, William J.
Gesswein, Paul S., Jr.
Giauque, Larry L.
Gibbs, Brian L.
Gibby, George C.
Gibney, William J., Jr.
Giersch, Albert E.
Giersch, George J.
Gilbertson, Eugene D.
Gill, Henry A., Jr.
Gill, Richard B.
Gill, Thomas E., II
Giuffreda, Robert N.
Glasier, John M.
Glavis, George O.
Glivings, Rudolph
Glover, Robert P.
Goad, Tommy W.
Goggins, John J., Jr.
Gordon, Robert H.
Gorena, Rolando R.
Gorgas, Chester W.
Goss, Robert W.
Gowers, Fred L.
Graffman, Joel R.
Graham, David B.
Graham, Robert L.
Graustein, Robert S.
Gray, Richard M.
Green, Daniel L.
Greene, Paul E.
Gregor, Richard A.
Gregory, William H.
Griffis, William W.
Grimes, Elmer R.
Grinnell, Donald P.
Gros, Joseph E., Jr.
Grosfils, Eric F.
Grubb, Robert G.
Grulkowsky, Ray A.
Grunert, John L.
Gudmunson, Charles E.
Guertin, Gerald A.
Gurnee, William T.
Gustafson, Kurt A.
Guter, Richard J.
Guthrie, John T.
Hackett, Douglas M.
Hahn, Henry F., Jr.
Hakanson, Gary E.
Hall, James W.
Hallmark, John B.
Hambright, Thomas L.
Hamilton, Leonard A.
Hamilton, Ted A.
Hammond, Edwin S.
Hancock, John B.
Hanks, William L.
Hannaman, Wilbur G.
Hansen, Emery D.
Hansen, Richard C.
Hansen, Robert R.
Hanson, Robert C.
Harden, Harold E.
Harding, Lewis H.
Hardison, Robert P., Jr.
Harksen, Max E.
Harless, Charles W.
Harlett, John C.
Harold, Douglas W., Jr.
Harper, Don S., Jr.
Harper, John N. Jr.
Harrell, Gary W.
Harrell, Richard E.
Harrelson, Allan M.
Harriman, Robert B.
Hart, Robert M.
Hartman, Gary W.
Hartman, William A.
Haselman, Eugene A.
Hassinger, William H.
Haugh, William A.
Hay, John A.
Hayne, William J.
Heald, David B.
Heaton, John E
Hechtman, Robert W.
Heck, Jerome R.
Hedley, Peter F.
Heidt, John H.
Heilmann, Irvin D.
Heinz, William J.
Helmann, Jack E.
Helms, Hugh W.
Hemmer, John K.
Henderson, Lee H.
Henderson, Jimmy D.
Henderson, Hugh C.
Hendren, Edward D.
Henry, James C., Jr.
Hensgen, Richard H.
Henson, Jarrell N.
Hertzler, Gerald R.
Herzog, Raymond F.
Hewitt, Fred L., III
Hicks, Gerald D.
Hicks, Jack A., Jr.
Hicks, William D.
Hightower, Charles V.
Hightower, Roger W.
Hill, Aimo W., Jr.
Hill, Alan C.
Hill, Ronald V.
Hill, Virgil L., Jr.
Hill, William J.
Hillyard, William F.
Hilty, David A.
Himelstein, David B.
Hinchy, Frank T.
Hines, Thomas W., Jr.
Hinman, Kendall G., Jr.
Hinton, Thomas E.
Hipper, Ira M.
Hitch, William L.
Hixson, Richard M.
Hoag, Robert W., II
Hoback, Dan J.
Hodge, Henderson, A., III
Hodge, Stephen A.
Hoernemann, Michael J.
Hoffman, Paul M.
Hofford, Robert F.
Holben, Neil E.
Holcomb, Charles C.
Holifield, Allison J., Jr.
Holliday, James D.
Holly, Richard W.
Holmes, David G.
Holmes, Ephraim P., Jr.
Holmes, Stacy V.
Holt, Richard H.
Holt, Richard W., Jr.
Holtel, Kenneth P.
Hood, "J" "V"
Hooker, Anthony S.
Hopper, John F.
Horn, Frank G.
Hornbeck, Arthur G.
Horne, Roderick M.
Horrigan, John L.
Houghton, David R.
Houk, Donald R.
House, Thomas V.
Houtchens, Horace P.
Howard, John R.
Howard, Robert M.
Howard, Robert S.
Howson, Richard I.
Hubbard, Richard G.
Huber, Raymond J.
Huggard, Stephen F.
Huke, George E.
Hulbert, Bruce W.
Hulme, Nelson D.
Humphrey, Robert W.
Humphrey, William B.
Hunter, Jack E.
Hunter, William P.
Huntington, Dennis E.
Huth, Vincent J.
Hux, Edgar D.
Hyatt, Charles S.

Ibach, James S.
Ingram, Richard F.
Innes, Henry E.
Irvine, Kenneth M.
Isaacson, Robert T.
Jackson, David E.
Jackson, Samuel L.
Jackson, Warren B., Jr.
Jacobsen, James D.
James, Ronald E.
Jenkins, Faber D., Jr.
Jenkins, Frederick P.
Jensen, James L., Jr.
Jensen, Richard M.
Johannes, Richard N.
Johns, James E.
Johnson, Alfred E.
Johnson, James R.
Johnson, Kenneth A.
Johnson, Ralph B., Jr.
Johnson, Thomas B.
Johnson, Thomas A.
Johnston, Daniel F.
Johnston, Lowell T.
Jones, David L.
Jones, Frank A., Jr.
Jones, Jerry S.
Jones, Milton H.
Jones, Robert J.
Jones, Robert M.
Jones, Thomas P., Jr.
Joyner, James D.
Judson, William H.
Julian, Franklin D.
Kaempfer, Frederick W.
Kagel, Colin T.
Kaiser, Theodore J., III.
Kallusch, Herbert W.
Kapocius, Algirdas K.
Karalius, Benedict K.
Karcher, Victor A.
Karr, James D.
Karst, Allen W.
Kasales, Joseph A.
Kehl, David C.
Kehm, William C.
Keller, Harold R.
Kelley, Thomas G.
Kelly, Robert F., Jr.
Kennedy, Jared P.
Kennedy, Joseph P.
Kenney, Lawrence H.
Kenny, John J., III.
Kerr, Howard "J", Jr.
Kerr, James E.
Kiel, Joseph A.
Kilpatrick, Arthur L.
Kinney, Dennis M.
Kirchner, John
Kirk, Francis M., Jr.
Kirkman, David C.
Kiseljack, Charles
Kizer, Clyde R.
Klee, Charles W., Jr.
Klein, Donald C.
Kline, Robert L.
Klinger, David C.
Knabb, Kenneth K., Jr.
Knapp, Edwin J.
Knaub, Leroy H.
Knepell, Thomas G. W.
Knight, Daniel
Knight, Dennis R.
Knight, Euodias, F., Jr.
Knight, Ralph W., Jr.
Koch, Larry N.
Koehler, Thomas C.
Kogler, Robert A.
Kohlstedt, Kenneth D., II
Kolb, William W.
Kolodziej, John S.
Komarek, Jon P.
Koneval, Kenneth G.
Kopp, Elmer M., Jr.
Kordalski, Robert E.
Korsmo, Thomas B.
Kouba, George E., Jr.
Kozlowski, Stanley C.
Krall, John J.
Krall, Robert M.
Kramer, John F., Jr.
Krause, David R.
Kroner, Frank R., Jr.
Kronz, James C.
Kronzer, James E.
Kudla, Eugene
Kuester, Arland W.
Kuhhirte, William F.
Kulesz, James J.
Kunz, James C.
Kurz, Robert
Laack, Dennis R.
Lacey, John S., Jr.
Ladyman, Berlyn D.
Lair, James A.
Lamb, Dennis W.
Lamb, Stanton B.
Lambach, Carl E.
Lambert, Francis R.
Lamont, Robert F.
Lamporte, Richard A.
Lane, Glynn Q., Jr.
Lane, Howard F., Jr.
Lange, Peter S.
Lapean, James W.
Larison, Donald E.
Larsen, Paul J.
Lash, Franklin B.
Lasko, Paul G.
Laugkon, Lawrence E.
Lavicne, Harry E., Jr.
Law, James L.
Lawlor, Francis J.
Lawrence, Richard W.
Layton, David R.
Leardi, Paul L.
Lebedeker, Michael D.
Lee, William J.
Lefebvre, Edward J.
Lehardy, Frank A., Jr.
Lemaster, James L.
Leming, Billy J.
Lemoyne, Irve C.
Lenbergs, Harold E.
Leonard, William J.
Lesuer, Wallace T.
Levin, Frederick W.
Lillis, Jack W.
Limbaugh, John R.
Lindung, John R.
Linehan, Jeffrey A.
Livingston, Ira E.
Lloyd, Robert C.
Lockett, Jospeh L., III
Loftus, John B., Jr.
Logan, James L., Jr.
Long, Glenn U.
Long, William C.
Loomis, Michael F.
Lord, Norman C.
Loving, Howard H., Jr.
Lowack, Frederick J.
Lowry, Bernard F., Jr.
Loya, Eugene S.
Lubbs, Larry L.
Luellen, Lawrence H.
Luenser, Kenneth H.
Luper, James A.
Lutz, Edward J., Jr.
Lutz, Larry G.
Lyman, Charles W., III
Lynch, Edward T., Jr.
Lynch, Frederick W. M.
Lynch, Terrence P.
Mack, Jacob A., III
Mackay, George W.
Mackay, William R., III
Madden, Michael J.
Mader, Joseph W.,
Main, Christopher A.
Makela, Toivo W.
Malla, Richard J.
Malopy, Lawrence R.
Manlove, William W., Jr.
Mansfield, Gordon R.
March, Daniel P.
Marechal, Andre
Markworth, John A.
Marlin, Richard E.
Marnane, Joseph P.
Marquis, Richard I.
Martin, Harold V.
Martin, Harold P.
Martin, Owen C., Jr.
Martin, William G.
Matechak, John
Matheny, James T.
Mathews, Drexel L.
Mathews, William M., Jr.
Mau, Gary W.
Maurer, Thomas E.
Maybach, Alfred A., Jr.
Mayer, Roderick L.
Mayes, George G.
McAbee, John T.
McAulay, Michael L.
McBride, James J.
McCann, Wilford D.
McCarthy, William P.
McCarton, Joseph F.
McClelland, Michael D.
McCloskey, Henry F.
McColgan, John F.
McCormick, John H. C.
McDaniel, John R.
McElhiney, Ivan G.
McElmurry, Joe A.
McElroy, Robert D.
McFadden, Eugene J. M.
McFarland, Fred T.
McGee, Wyatt H.
McGinley, Edward S., II
McGoldrick, Henry J.
McGovern, Lawrence E.
McGraw, Thomas M.
McGuire, James R.
McGuire, Richard J.
McIntire, Lloyd G.
McIntyre, Richard T.
McKeown, Ronald E.
McKimens, Robert B.
McKinney, Donald L.
McLane, David J.
McLaughlin, James A.
McLaurin, John C., Jr.
McLeod, Samuel D., Jr.
McMahon, Bernard F., Jr.
McMahon, John P.
McMahon, Michael J.
McManis, Robert B.
McMichael, David L.
McNair, Morris L., Jr.
McNally, Eugene F.
McNamara, John J.
McNamara, Ronan M.
McNaughton, William E.
McNeill, Robert D.
McNicholas, Thomas M.
McOlgan, Jerry M.
McPherson, Tommy E.
McQueen, Edgar G.
Mcticge, John T.
Mealey, Thomas H., Jr.
Meese, Harry E.
Melendy, Harold R.
Melton, Jack L.
Mensch, George H.
Mercado, Carlos E.
Mermagen, Peter J.
Merriman, Gene D.
Metcalf, Robert E.
Metzger, Allan J.
Metzler, Charles P., Jr.
Meyer, Karl A., Jr.
Micalchuck, David P.
Michael, Gene C.
Michaux, Richard W.
Mickelsen, William "E", Jr.
Middents, Paul W.
Middleton, David D.
Miller, Alan K.
Miller, Everett R.
Miller, James M.
Miller, Leon R.
Miller, Stephen K.
Miller, Thomas L.
Mills, Melvin W.
Minnick, Thomas A.
Misclevitz, Dale L.
Mitchell, Martin R.
Mitchell, Richard F.
Mock, Sanford N.
Moffett, Peter V.
Momm, John A.
Mommsen, Durward B., Jr.
Monteleon, Victor J.
Montgomery, Robert A.
Moore, Robert L.
Morency, David C.
Morgan, Richard A.
Morgan, Ronald D.
Morin, Thomas E.
Moroney, Brendan T.
Morris, John K.
Morris, John E.
Morrison, Harlan L.
Morrison, Karl F.
Morrow, Frank A.
Morrow, George E.
Morse, Carl S.
Moses, Paul D.
Mosser, John H.
Mosteller, William L.
Mouns, Albert L.
Mowery, Gary W.
Moynahan, Michael J.
Mueller, Joseph B.
Mulford, Michael L.
Mullarky, Jon I.
Mullen, James J.
Mullins, William E.
Munck, Philip L.
Murphy, Edward R., Jr.
Murphy, James J.
Murray, Tom R., II
Myers, Elvyn L.
Myers, Thomas A.
Nagel, James R.
Nale, James F.
Narciso, John A.
Nason, Robert S.
Naughton, Robert J.
Needham, William R.
Nelson, James A.
Nelson, Thomas L.
Nelson, William J., Jr.
Nemes, Robert J.
Nersesian, Roy L.
Nesbitt, Donald L.
Newby, Richard E.
Newman, Roger L.
Newman, William E.
Nicholas, Christopher O.
Nichols, John R.
Nielsen, Donald R.
Nolan, Donald E.
Noonan, James F., Jr.
Norfleet, Ashley C., II
Norton, Lafayette F.
Nowotny, Lionel J.
Oakes, Dudley G.
O'Brien, Edward J. III
O'Byrne, Michael E., Jr.
O'Connell, Michael J.
Olds, Harry M.
Oliver, Herndon A., III
Olsen, Robert A.
Olzinski, Stephen J.
O'Neil, Stephen R.
Onorati, Roger P.
Orr, Edwin W.
Ortega, Manuel, Jr.
Ortlieb, Alfred A.
Osborough, Harry R.
Ostrander, Gary L.
Otten, Raymond E.
Oviatt, Gary A.
Owenby, James H.
Owens, Edward L.
Pack, Randall W.
Pafias, James E.
Page, Earl D.
Painter, Clarence M., Jr.
Painter, Floyd C.
Paleologos, Nicholas C.
Palmer, George M. III
Panayotoff, Theodore J.
Pappas, Constantine J.
Parker, James T.
Parkhurst, James C.
Parnell, Charles L.
Parnell, Charles E., Jr.
Parsley, William V.
Partington, James W.
Partlow, Robert G.
Paschall, Richard P.
Passarella, Anthony H.
Patacsil, Peter E.
Patterson, Ronald G.
Patterson, Raymond "A."
Paulson, Gaylord O.
Paulus, John F.
Pavlik, Michael D.
Payne, Joseph C.
Pearl, John M.
Pearson, John D.
Pedisich, Paul E.
Pellett, David A.
Pence, Thomas H.
Penn, Buddie J.
Penrose, William D.
Perry, Eugene E.
Perry, Gilbert B., Jr.
Perry, "J" S.
Persell, Robert A., Jr.
Pestorius, Frederick M.
Petersen, Louis H.
Peterson, Alan M.
Peterson, Ward G.
Petitt, William E.
Petrucci, Richard J.
Petruska, Robert T.
Pettyjohn, James R.
Pfau, Zeno "J," Jr.
Phillips, Reed "M"
Phimister, Stephen
Pichel, Marcelino R.
Pickens, George C.
Pigeon, Norman B.
Pilmer, David F.
Pirofalo, Phillip M.
Plaugher, Charles E.
Podle, Richard J.
Pope, Rex A.
Pope, William H.
Porter, Richard T.
Porter, Robert L.
Post, Jerry L.
Posthumus, Robert K.
Postlewaite, John C.
Poulsen, Carl E.
Powell, Edward T.
Prehn, Robert L.
Presnell, Lawrence D.
Preston, David I.
Preston, Gerry L.
Price, Lawrence H.
Primmer, Stanley L.
Pugh, Rex A.
Pullinger, William A.
Purl, John D.
Pursley, Charles R.
Quarles, James M.
Quarterman, John M., Jr.
Quast, Philip M.
Quinn, Michael E.
Rado, Edward F.
Raibert, Joseph A.
Raiford, John F., Jr.
Rambo, Vinton A.
Ramsay, Ian W.
Randall, Edward J.
Randolph, William L.
Rasley, Roger W.
Rasmussen, Philip A.
Rattan, James D.
Rauth, James A.
Reagan, Daniel A.
Reaves, Curtis F.
Rechterman, Marlin E.
Redmond, Robert M.
Reed, Andrew K.
Reed, Robert F.
Reese, Richard L.
Reilly, George V., Jr.
Reimann, Ronald H.
Reller, Edwin P., Jr.
Replogle, Hugh B.
Repsher, Boyd F.
Reust, Earl D.
Rhodes, Edwin O.
Rhodes, William D.
Richardson, James C., Jr.
Richardson, Frederick M.
Richno, Carl E.
Ricketts, David L.
Riesgo, Ray "E."
Rimback, Arthur T.
Ringelberg, John M.
Robbins, Christopher B.
Roberts, Lawrence W.
Robinson, James E.
Rochells, Andrew J.
Rodgers, James C., Jr.
Rodgers, John M.
Rodriguez, William J.
Rogers, Elmer E., II
Rogers, Theodore F., Jr.
Rohdenburg, Kurt A.
Rohles, Gerald B.
Roller, Donald G.
Roome, Jack V.
Rosdahl, Robert E.
Rose, Michael A.
Ross, Robert J.
Roth, Michael C.
Rothert, William C.
Roton, Cyrus W.
Rottier, Jay A.
Rowe, Arthur E., Jr.
Rowley, Charles D.
Rowley, Thomas J., Jr.
Rudolph, Ralph M.
Rushing, Duncan B.
Russell, Leon B., Jr.
Ruth, Paul A.
Ryan, Charles E.
Ryan, James H.
Ryan, Thomas D.
Rybarczyk, Anthony M.
Sager, Edward R.
Salemi, Anthony J.
Salopek, Raymond
Salveson, Dennis F.
Sammons, Charles E.
Sandefer, Howard L.
Sanders, David J.
Sanders, Leslie A.
Sandidge, Edward D.
Sandlin, John P.
Sands, Robert J.

Sarepera, Hillar
Scheinholtz, Frederick M.
Schin, Robert P.
Schippel, Edwin L.
Schlegelmilch, Charles R.
Schmidt, Henry, Jr.
Schmidt, Leonard G.
Schmidt, Robert E.
Schmidt, Robert H.
Schneider, Joseph E.
Schneider, Michael J.
Schottle, Howard T.
Schraeder Paul R.
Schroeder, Kurt C.
Schuetz, Laurence N.
Schule, Merle D.
Schulman, Richard D.
Sclichter, Edward F.
Scobee, Charles R., Jr.
Scoggin, Authur H.
Scott, Gordon E.
Seeber, Lauren
Seeley, Howard G.
Segerblom, Ronald L.
Sellgren, Charles A.
Seneff, Gerald N.
Seufert, Robert J.
Seyfarth, Robert E.
Seymour, John G.
Shaffer, Leslie V., II
Shaffer, Philip A., III
Shaftoe, Lyndon R.
Sheffield, Donald H.
Shelton, Jon A.
Sherer, Robert W.
Sheridan, Robert E.
Sherman, Bradford C.
Shew, James E., Jr.
Shewchuk, Jon D.
Shoemaker, Brian H.
Shoemaker, William B., Jr.
Shoop, Robin D., Jr.
Shortal, Terence M.
Shower, Albert J., Jr.
Shreve, Robert L.
Shrum, John L.
Shupe, Robert D.
Sibley, Charles H.
Sibold, Robert D.
Sieder, Richard W.
Siegfried, Douglas S.
Sienicki, Edward F.
Sigmon, Jay G, II
Silseth, David F.
Silvey, Frank
Simmons, Douglas W.
Simmons, George R.
Simmons, Vernon P.
Skinner, Garland F.
Sklarin, Michael L.
Sloan, Dean E.
Smith, Eugene T.
Smith, Gerald L.
Smith, Glen W.
Smith, Jerome F., Jr.
Smith, Jerrold M.
Smith, John A.
Smith, Lynn H.
Smith, Raleigh M.
Smith, Raymond N.
Smith, Reid H.
Smith, Robert C.
Smith, Wayne J.
Smrcina, Kurt L.
Eniezek, James H.
Snotherly, Everrette V.
Snyder, Wallace H.
Soupiset, Robert I., Jr.
Spaugy, Donald A.
Speers, Ronald T., Jr.
Sprouse, Donald H.
Sprouse, Haywood G.
Srite, David A.
Stack, Efird M.
Stackhouse, Charles D.
Stafford, David M.
Standish, Allen J.
Stanley, Maurice D., Jr.
Stanley, Robert P.
Stark, Marshall M.
Staton, Billy E.
Stauts, Frank L.
Stave, John A.
Stearns, Richard C.
Steele, Boyden T.
Steele, Richard H.
Stegman, Thomas
Steiner, Reece W.
Stephenson, Robert F.
Stepp, William E.
Stevens, Jackie L.
Stevens, Stanley L.
Stewart, Charles L.
Stewart, Jesse J., Jr.
St. Jean, Russell J.
St. Laurent, Charles M.
Stone, Philip L.
Story, Douglas E.
Straight, William D.
Strasser, Edward J., Jr.
Strickland, Richard J.
Strobach, Walter F.
Stromberg, David P.
Stryker, David H.
Stryker, Phillips C., Jr.
Stuart, Thomas E.
Stuart, Walter A.
Stubbs, Darryl A.
Sullivan, Dennis A.
Sullivan, Daniel J.
Sullivan, George E. III
Sullivan, Robert F.
Sullivan, Raymond F., Jr.
Svendsgaard, David J.
Svensen, Stanley R.
Swavely, David L.
Swift, James K.
Sydow, Kenneth R.
Taft, Richard P., Jr.
Tague, James R., Jr.
Tate, Robert H.
Taylor, Frank H.
Taylor, Herbert W.
Taylor, Herbert W., Jr.
Taylor, Thomas F.
Terry, William E.
Tettenburn, Howard T., Jr.
Therrien, Edward L.
Thiel, Alphonse A., Jr.
Thienes, Harold A.
Thomas, Donald K.
Thomas, Philip M.
Thompson, David S.
Thompson, Donald A.
Thompson, Gayle R.
Thompson, Giles M.
Thompson, James E., Jr.
Thomson, John A.
Thorell, Charles S.
Thorner, Michael G.
Thorstad, Harvey L.
Timm, David R.
Tindal, Ralph L., II
Tobin, Byron E., Jr.
Toland, James C.
Tollefsen, Thomas S.
Tonkin, Charles T., III
Torkelson, Thomas G.
Torres, James D.
Tower, Marvin D., Jr.
Treanor, Thomas S., Jr.
Tredick, William H.
Triggs, Frederick, III
Triplett, Thomas T.
Trumbauer, David S.
Tulloch, Hugh B.
Tulodieski, John F., Jr.
Turman, Thomas W.
Turner, Alfred R., Jr.
Turner, Steven L., Jr.
Uffmann, George W.
Umberger, Paul J.
Underhill, Ross H.
Ungemach, Seibert A.
Unruh, Jerry L.
Vail, Robert C., Jr.
Valerio, John J.
Valimaki, Ronald E.
Vallin, Richard T.
Vance, Benjamin L.
Vendersip, Clifton J.
Vanderwolf, Peter J.
Vanfleet, James L.
Vangeli, Francis J.
Vanmetre, Robert B.
Vanpelt, Sterley B., II
Vansickle, Kenneth L.
Vanwoert, John D.
Varga, George
Varner, John W., Jr.
Verona, Francis M.
Vester, James A., Jr.
Vickers, Robert I.
Vickery, Walter R.
Vision, Michael W.
Visted, Frank A.
Voss, Kenneth L.
Waer, Richard D.
Waggoner, Mark H.
Wagner, James A.
Waldron, James L.
Walker, Cecil E.
Walker, Henry E., Jr.
Walker, James R.
Walker, John A.
Walker, Jon W.
Wallace, Ernest L.
Wallace, John L., Jr.
Wallis, Walter J.
Walsh, Gerald W.
Walsh, Kirk T.
Walsh, Raymond M.
Walsh, Robert J.
Walsh, Roger W.
Walters, Edward C.
Ward, John D.
Warrington, Robert G.
Wasserman, Robert
Wasson, Charles D.
Watterson, Rodney K.
Weaver, Edward H.
Wehner, James R.
Weiermann, Donald H.
Welch, John M.
Welch, Robert H.
Welch, William C., Jr.
Wells, Elwood G.
Wells, Richard P.
Wentworth, David C.
Werhan, Kenneth R.
Werst, Paul L.
West, Bernard H.
West, Frederick J.
Westfall, Robert E.
Wharton, John W.
Whitaker, William D.
White, Bernard G.
Whitley, William R.
Whitney, Richard M., Jr.
Whitsett, John B.
Whitton, Jon W.
Wicklund, Robert M.
Wier, Ward W.
Wiese, Richard J.
Wileen, Gordon C.
Wilkes, Gilbert V., II
Wilkinson, Robert B., Jr.
Willetts, Leo, Jr.
Williams, David A.
Williams, David M.
Williams, Jack R.
Williams, James L.
Williams, Kenneth H.
Willimon, Henry P., Jr.
Willman, Carl E.
Wilmot, Frederick E.
Wilson, David C.
Wilson, Frederic S.
Wilson, James K., Jr.
Wilson, Laurence W.
Wilson, Raymond J.
Wilson, Robert L.
Wilson, Robert J.
Wilson, Robert C.
Wiltamuth, Richard E.
Wimberley, Barry S.
Winant, Thomas C.
Winn, Robert M.
Winstead, Shelby D.
Woehl, Robert D.
Wolf, Craig J.
Wolfe, Ned C.
Wolfgang, Paul W., Jr.
Woltersdorf, Leonard O.
Womack, Thomas F.
Wood, Donovan M.
Wood, James E., III
Wood, John R.
Wood, Richard E.
Woods, Robert J.
Woodward, William J., Jr.
Worthington, George R.
Wraith, William A.
Wright, George F.
Wright, Jerry L.
Wright, Lawrence T.
Wyckoff, Roger D.
Wylie, Walter J.
Wyman, Richard E.
Yarborough, Jerry O.
Yeck, Richard C.
York, Thomas A., Jr.
Youmans, Richard W.
Young, Robert W., Jr.
Young, Stephen G.
Youngwerth, Melvin C.
Zack, Henry C.
Zalkan, Robert L.
Zettler, Thomas R.

To be lieutenants, Medical Corps

Anderson, John D.
Anderson, John P., Jr.
Aucoin, Edsel J.
Balch, Steven A.
Barnard, Douglas E.
Bell, John D.
Berliner, William P.
Billings, Kenneth J.
Birchard, Kenneth K., Jr.
Blackburn, Archie B.
Blackman, Stephen A.
Blanding, James D., Jr.
Blount, Edgar R., Jr.
Bollinger, Charles W.
Bonner, Mack, Jr.
Boring, James H.
Bortz, Bernard J.
Bracht, Edward A.
Brodhacker, James E.
Brown, Joseph B. E.
Brown, Thomas C.
Bruno, Alphonse H. L., Jr.
Buedingen, Richard P.
Buettner, Louis E.
Butler, Jay "B" "V," Jr.
Campbell, William H.
Cantwell, Howard D.
Carlson, Richard E.
Casey, John M.
Cavanagh, Ronald J.
Charters, John R.
Cianci, Paul E.
Cirillo, Nicholas B.
Cloutier, Charles T.
Collins, Jack R.
Conger, John D.
Cooper, Jack S.
Covington, Charles T.
Cramer, Dewey B.
Crislip, George D.
Criswell, Francis M.
Crosby, Robert T.
Crossman, Wayne F.
Cunningham, Melvin D.
Cupples, Howard P.
Depenbusch, Francis L.
Drake, Clayton F., Jr.
Dueker, Christopher W.
Edwards, Oscar E.
Egnatinsky, Jack
Ellis, Robert G.
English, Roger W.
Farmer, Donald E.
Farrell, Raymond L.
Fassett, Richard L.
Finn, John J., Jr.
Fischer, Louis C.
Folkerth, Theodore L.
Foreman, David R.
Forsthoefel, Frank E.
Garvin, David F.
Gay, Charles C.
Gerber, Frederic H.
Gilbert, Harvey A.
Gleaton, Hugh E., Jr.
Gold, Michael S.
Goldstein, Lester S.
Goodstein, Richard K.
Gorman, Michael D.
Gosink, Leonard J.
Hamm, Ronald L.
Hanahan, Ralph B., Jr.
Harrelson, John M., III
Harrer, David S.
Harris, John M., III
Hauser, James L.
Henrichs, Walter D.
Herron, Jerry "M"
Highgenboten, Carl L.
Hodgell, Robert D.
Hoke, Hugh H., Jr.
Holm, William W.
Holschuh, Karl D.
Houston, Patrick J.
Howard, Noel S.
Howe, Warren B.
James, Reese E.
Johnson, Ray M.
Juras, Edward P.
Jurczak, Dennis M.
Kaminsky, Howard H.
Kandler, Paul A.
Kardinal, Carl G.
Keane, John P.
Kearney, Gary P.
Kellogg, Gordon F.
Klein, Elmer F., Jr.
Knudson, Robert D.
Korbelak, Robert M.
Kreider, Stanley "J"
Krueger, Joseph L.
Kvale, Paul A
Lachowicz, Michael R
Lang, Clayton A.
Lanier, Andrew J. Jr
Lee, Wayland S.
Levine, Raphael K.
Lingousky, Arthur P.
Lucey, Richard W.
Lytle, John E.
Madonia, Paul W.
Majewski, Paul L.
Mannarino, Francis G.
Mantel, Lewis
Marantz, Calvin
Marroy, Larry J.
Mayer, Gerald T.
McBurney, Paul L.
McCarthy, Michael P.
McCauley, Robert F.
McClurkan, James M.
McGinn, James S.
McMurry, Gorden T.
Mellema, James D.
Milek, Michael A.
Miller, Douglas A.
Montgomery, William H.
Morhauser, Edward G
Moskowitz, Maurice L.
Motley, Thomas E.
Munroe, Courtland L., Jr.
Murphy, William M., Jr.
Myers, Howard
Nelson, Ralph A
Nesson, John W.
Newens, Adrian F.
Newman, Cyril
Noel, Ewell, C., Jr.
Norman, Stanley G.
Nye, Charles E.
Oldt, Robert F.
O'Neill, John J.
Owens, William D.
Paolillo, Richard D.
Penn, George H., II
Perron, Andre K.
Phelps, Lynn M.
Poole, Joel R.
Presnall, Dixon
Pridmore, Ted T.
Rainforth, Douglas W.
Reit, Russell J.
Rhoades, Marques E.
Roberts, James D.
Robertson, Nathaniel R.
Rogers, Hunter B., III
Romfh, Richard F.
Rosene, Philip, G.
Rubel, Lawrence R.
Ryter, Stephen R.
Sanford, Harold W., Jr.
Schaffer, Donald E.
Schley, Jenkins L.
Schroder, Paul E.
Scutero, James V.
Sharbo, David A.
Sherman, Jerrold M.
Shields, Joseph A., Jr.
Simms, Ernest L.
Sirmans, Meredith F.
Slocum, Carl W.
Smith, Jerry R.
Stetson, Robert E., Jr.
Stout, Rex A.
Strasburger, Arthur K.
Sturtz, Donald L.
Suesberry, Wilbur, Jr.
Tanz, Frederick J.
Telfer, Robert B.
Thalblum, Harvey
Thrasher, James W.
Tocchet, Paulino E.
Utterback, Thomas D.
Vanhouten, Francis X.
Vieweg, Walter V., Jr.
Virgilio, Richard W.
Vogt, Philip J. W.
Wall, George T.
Wallin, Gene A.
Warden, James R.
Warren, Jerry G.
Waterbury, Richard C.
Wax, Ronald L.
Welham, Richard T.
West, David P.
White, Marshall W., Jr.
Wiklund, Richard A.
Williams, Paul F.
Wilson, Billy H.
Wilson, Orville D., Jr.
Witowski, John J.
Wood, William B.
Woodworth, Warren F.
Zurschmeide, David B.

To be lieutenants

SUPPLY CORPS

Akers, John R.
Altman, William, Jr.
Anderson, David K.
Anderson, Thomas
Annan, Robert H.
Anttila, Robert M.
Barnes, Francis S.
Bauer, James F.
Bean, John R.
Benner, Willard J.
Berger, Paul
Bishop, Harry S.
Bishop, William C.
Blankenfeld, Emmitt E.
Boardman, Albert E.
Bratschi, Gilbert W.
Bridwell, Donald L.
Brookstra, William R.
Bryan, Edward L.
Burks, Leroy
Burry, John B., Jr.
Butler, Paul K.
Butler, Wesley E.
Campanella, Vincent G.
Carr, Jeffrey A.
Cavanaugh, Michael R.
Caven, Terry F.
Chaney, Keith R.
Chappell, Ralph G.
Coats, Gerald D.
Coffman, John H.
Contreras, Paulino
Conway, James "D"
Crevier, Stanley M.
Cullerton, Gerard M.
Cushway, Dave M.
Daeschner, William E.
Danna, Peter J., Jr.
Davis, John J.
Day, William M.
Dell, Jack V.
Diener, Thomas E.
Dieterle, Edward R.
Draper, Walter S., IV
Driggers, Raymond L.
Drinkwater, Myron D.
Dudley, James R.
Duncan, Francis E.
Dunlap, Clearance C.
Eaton, Edward S.
Eldridge, Robert M.
Endt, Henry J., Jr.
Fahrenthold, Harvey K.
Falconer, Douglas W.
Faust, John N., III
Fava, Ernest E.
Fay, Larry R.
Fenick, Robert W.
Fike, Charles R.
Fillmore, Norman B., Jr.
Fisher, Orville L., Jr.
Foerster, Kent N.
Foltz, Ronald L.
Ford, John E.
Gahm, Jacob H.
Gaines, James E.
Gibson, Bobby L.
Gibson, Nelson M., Jr.
Gillette, William L.
Grosskurth, Alfred C.
Growney, Kevin J.
Guerriero, Domenic P.
Gustafson, Lawrence C.
Haas, Willard M.
Haase, Larry L.
Hatchett, William J., Jr.
Hellauer, James C.
Hensley, Norman W.
Hern, William R.
Hinkel, Jay E.
Hollis, Dale E.
Horhutz, Randolph J.
House, Steven H.
Iaquinta, Francis S.
Johnson, Jerry R.
Kibler, Thomas C.
King, Charles E.
Kreimer, Robert M.
Kuhns, Howard E.
LaMade, John S.
Lamparter, Theodore A.
Lampman, Charles M. III
Lara, Harry L.
Larsen, James A.
Lempka, Gerald A.
Lines, Lee R.
Lingenbrink, Robert A.
Littlefield, Belton J.
Looney, Richard G.
Love, Robert R.
Lunn, James W.
Lynch, David R.
Lynch, Thomas J.
MacDonald, Alan R.
Manning, Huey A.
Matalavage, Joseph A.
Matheny, Arthur L.
Maxon, Bruce E.
McKechnie, John J., Jr.
McLaughlin, Robert J.
Mendez, Ramon E.
Miller, Ernest B., III
Miller, Kenneth F.
Moore, Robert M.
Morgart, James A.
Morris, William R.
Munro, David R.
Myers, Cecil E., Jr.
Nolan, John W.
Nyenhuis, Keith E.
O'Hare, Shamus J.
Ostrom, Byron R.
Palmatier, Philip E.
Pankey, Beverly St. C.
Payne, Billy I.
Peffer, David J.
Perkins, Robert D.
Perry, William J.
Phillips, Garth V.
Prawl, Philip W.
Prescott, Gordon W.
Rech, Charles L.
Reed, William H.
Revere, Russell B., Jr.
Rhodes, William D., Jr.
Ridings, James, Jr.
Rogers, Allan B.
Roy, Roger C.
Runey, Leroy J., Jr.
Savage, Horace J.
Schroyer, Charles D.
Shahan, Robert R.
Shaw, Robert H., Jr.
Shreman, Huson B.
Singleton, Harold L.
Sledge, Allen H.
Smith, Leo L., Jr.
Smith, Wallace D.
Snyder, James R.
Starkey, Benjamin T., Jr.
Stegemann, John D.
Stevens, Jack O.
Stewart, James R., Jr.
Straw, Edward M.
Sullivan, Edward F.
Sullivan, Joseph M.
Taylor, Lynn C.
Turner, David B.
Varner, Robert N.
VonRadesky, Charles R., II
Wakefield, Terrance W.
Waller, Terry G.
Weber, Jerome J.
Welborn, James H.
Wheeler, Lawrence D.
Whitman, Carl D.
Whittington, Richard G.
Wight, William H., Jr.
Wilcox, Harold E., Jr.
Wingard, Bobby N.
Wolf, Carl G.
Woodall, Marvin J.
Yeoman, William R.
Young, Everett B.

To be lieutenants, Chaplain Corps

Argonis, Alexander B.
Asher, William C. L.
Bohula, Edwin V.
Brannan, Curtis W.
Cram, Norman L., Jr.
Dillon, Thomas J.
Dowd, Patrick A.
Kane, Brian E.
Long, Richard A.
McHorse, George R.
Oregan, Hugh H.
Pegnam, John W.
Rubino, Salvatore
Schumacher, Gordon B.
Thompson, Joseph J.
Williams, James A.

To be lieutenants, Civil Engineer Corps

Baker, John L.
Bell, Robert B., Jr.
Belson, Harold B.
Bilden, Richard P.
Block, Neil
Brennan, John P.
Brown, Gerald L.
Calkin, David A.
Callahan, James F.
Callender, Gordon W., Jr.
Campbell, Donald B.
Clarren, George
Coston, Vernie R.
Crumbley, Don C.
Cunningham, Robert B.
Davis, John M.
Doctor, Richard P.
Faulk, John R.
Fermo, Louis, A., Jr.
French, Richard G.
Garbe, Warren M.
Gardiner, George H., Jr.
Gerdel, David H.
Goins, Philip A.
Hale, Hugh D. II
Hall, Royce H., Jr.
Jensen, Allen H.
Johnson, Howard G.
Karps, John
Kasner, Jon B.
Kay, William H., Jr.
Kunz, Joseph D.
Kurtz, Lewis A., Jr.
Laufersweiler, William J. III
Lenz, Eugene C.
Lockhart, Allen C.
Lukey, John G.
Luzum, Gerald D.
MacCall, Bruce L.
Matthews, George R.
McKibben, Don R.
Mergner, James T.
Miller, David B.
Moore, Richard S.
Mossman, James B.
Mumford, Gerald W.
Musselman, John F.
Myers, Larry D.
Nelson, John J.
Odom, Melton L.
Olsen, Allen N.
Opager, Ludwig H., Jr.
Pensyl "J" Dick
Quigley, Stephen J.
Quinn, Thomas P.
Redderson, Roy H.
Riffey, Alan K.
Robinson, George S., Jr.
Rugless, James M.
Sahlman, Claire G.
Sandrini, Louis M.
Schwirtz, Henry J.
Shank, George E.
Simon, Charles E.
Smith, Alan E.
Stevens, Leo I., III
Struthers, Lynn C.
Tisdale, James L.
Vanroyen, William S.
Wallace, Richard J.
Watson, James P.
Wells, James L.
Williams, Richard L.
Wall, Jerry D.

To be lieutenants, Judge Advocate General's Corps

Byrne, Edward M.
Roach, Joseph A.
Ross, James E.
Transeau, Alvin S.
Wimberly, Bennie C.

To be lieutenants, Dental Corps

Bennett, Steven L.
Burke, Robert S.
Cornell, Michael T.
Daily, Whitson L.
Davis, Norman L.
Ebert, Patrick C.
Frei, Newell R.
Hansen, George J.
Hawse, Richard A.
Kehoe, Joseph C.
King, Ronald C.
Lawrence, Robin M.
Lohr, John R.
Mansfield, Thomas W.
Martin, Richard L.
McDavid, Paul T., Jr.
Mittlehauser, Donald L.
Moll, Richard S.
Morris, Don R.
Nelson, Emory R.
Nicklin, Charles R.
Oshinsky, Stephen W.
Pena, Richard A.
Petri, William H., III
Robertson, Gustav R., Jr.
Romero, Charles J.
Sadler, John F.
Schemick, Michael, Jr.
Schutt, Charles E.
Shanley, James J.
Shore, Paul T.
Simpson, William G.
Snell, William H., Jr.
Souliotis, Theodore A.
Splitgerber, Thomas C.
Stanton, Herbert J.
Thetford, Oris H.
Vaillant, Dennis P.
Wible, James H.
Young, Charles D.
Zendt, Robert R.

To be lieutenants, Medical Service Corps

Baumhofer, Anne H.
Behling, Daniel W.
Benedict, William H.
Bergner, John F., Jr.
Bolton, Ronald R.
Brouillette, Donald E.
Brumfield, Harker D., Jr.
Cassell, Dallas E.
Chan, Robert S.
Christian, Elgin R.
Conley, Walter R.
Cottet, Laverne E.
Coxe, Robert F.
Culver, Judith V.
Dailey, George L.
Dasler, Adolph R.
Diebner, William E.
Drozd, Joseph J., Jr.
Duckett, Jack
Faulkner, James A.
Fishel, David W.
Funderburk, Lester R., Jr.
Groce, William E.
Grothaus, Roger H.
Hempey, Ralph C.
Hendren, John E.
Holiman, Frederick L.
Horrobin, Robert W.
Hoss, William F., Jr.
Houk, Marvin R.
Knight, John R.
Kozik, John R.
LaClair, Bernard W.
Lind, Marvin D.
MacConnell, Thomas W.
Machir, Daniel F.
Meek, Artie E.
Myrah, James L.
Pate, Clyde T., Jr.
Peterson, Robert V.
Pickering, James C. L.
Piersol, Eugene C.
Prelosky, Richard N.
Price, Charles A.
Robinson, George W.
Saine, Floyd D.
Scanlin, Patrick J.
Schoenmann, Donald L.
Shaver, Walter S.
Soule, George I.
Stewart, Shannon D.
Stout, Forrest D.
Taylor, Hollis B.
Turbiville, Leslie H.
Turner, John R.
Walsh, John P.
Warren, Phyllis I.
Zentmyer, Robert K.

To be Lieutenants

Nurse Corps

Agrell, Diane J.
Auld, Barbara E.
Barkus, Phyllis M.
Bartik, Joan M.
Batchellor, Patricia A.
Beatty, Florence W.
Blank, Norma J.
Brown, Patricia B.
Bogdanski, Mary A.
Carroll, Maria K.
Covington, Norma A.
Farrell, Helen L.
Fleury, Phyllis J.
Gilligan, Mary E.
Griffiths, Marcia C.
Hicks, Elaine B.
Hudak, Geraldine J.
Hvizoo, Barbara A.
Lee, Mary A.
Leonard, Dorothy G.
Lopresto, Gail R.
Maxwell, Hattie E.
Miller, Barbara E.
Miller, Judith H.
Pawlak, Marcellene A.
Purinton, Ruth E.
Reynolds, Ann D.
Schultz, Cynthia A.
Shaw, Patricia P.
Stammer, "M" Ellen
Stangelo, Joan E.
Stewart, Carol A.
Teagle, Beverly E.
Thibodeaux, Bunice
Wills, Jacquelyn S.

Federal Home Loan Bank Board

Carl O. Kamp, Jr., of Missouri, to be a Member of the Federal Home Loan Bank Board for the remainder of the term expiring June 30, 1971, vice John E. Horne, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 8, 1969:

Department of Agriculture

Thomas K. Cowden, of Michigan, to be an Assistant Secretary of Agriculture.

Department of Justice

William F. Clayton, of South Dakota, to be U.S. attorney for the district of South Dakota for the term of 4 years.

U.S. Coast Guard

The nominations beginning Robert C. Herold, to be lieutenant (junior grade), and ending William McPherson, to be lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on Apr. 10, 1969.

HOUSE OF REPRESENTATIVES—*Thursday, May 8, 1969*

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

MAY 8, 1969.

I hereby designate the Honorable HALE BOGGS, of Louisiana, to act as Speaker pro tempore today.

JOHN W. MCCORMACK.

PRAYER

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Continue steadfastly in prayer, being watchful in it with thanksgiving.—Colossians 4: 2.

O God, who art above us and yet within us in all reverence of mind and heart, we bow before Thee, acknowledging our dependence upon Thee and offering unto Thee the loyalty and love of our hearts. In this day when pagan forces would overwhelm us and a secular spirit would engulf our world, keep our honor bright, our hearts pure, our minds clean, and our devotion to Thee and our country steadfast and sure.

During these trying times when decisions are made which will determine the direction our Nation takes, help us to maintain our integrity, to rise above personal ambition and to put first that which is first, the welfare of our country and the good of our people.

Give to us the inspiration and the industry to continue to work for justice and peace and freedom both at home and abroad.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

STOP THE KILLING IN VIETNAM

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, the Vietcong has made a proposal today in Paris that calls for a provisional coalition government to set up free elections in South Vietnam and for an end to all fighting prior to the holding of that general election. I urge the President to accept those proposals at face value without looking behind them or seeking other conditions. Each day that passes before a cease-fire is established will bring more killing and more casualties. We must stop the killing and quickly termintate our tragic involvement in Vietnam. A chance to do just that has been offered today. Let us take that chance. Let us remember the words of Robert Kennedy, "We must show as much willingness to risk some of our prestige for peace as to risk the lives of young men in war."

TAX PROPOSALS TO MEET FISCAL CRISIS OF THE CITIES

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, there is no need to reiterate the dimensions of the vast problems confronting urban America, nor is there need to review the staggering costs of proposed solutions. On the assumption, yet unproved, that the American people will muster the political will to mount an assault on those problems on an appropriate scale, we must turn our attention to the devices available.

It should be reasonably clear that the only realistic source of the funds required is the Federal Government with its income tax. The deepest pool of wealth is at the Federal level but the most intractable problems are at the local level. The gap between local expenditures and local revenues has widened from $1.7 billion in 1946 to $17 billion in 1965. No wonder our cities face a fiscal crisis.

Today, I am introducing two bills which I consider as alternatives in meeting this crisis.

The first alternative is an Urban Revenue Sharing Act. It would establish the right of qualified urban areas to share in certain Federal income tax collections set aside in a trust fund and divided on a per capita basis. Tax sharing would be conditioned on the consolidation or reorganization of governmental units in an urban area to promote cooperation in attacking the problems for which the shared revenue is designated.

The second alternative is a bill allowing to an individual a Federal tax credit, not exceeding 40 percent of the amount of State and local income taxes he has paid during the taxable year.

The use of a Federal tax credit would enable State and local governments to impose new income taxes or increase existing rates without increasing the total tax burden on the individual taxpayer. The resulting revenue loss to the Federal Government would be offset by a reallocation of certain fiscal responsibilities to State and localities which are the best able to judge their own priorities.

For example, if Mr. X paid $1,000 in State and local income taxes, he would be entitled to subtract $400 from the tax owed to the Federal Government. An individual has to elect to take the credit or the deduction now available for State and local income taxes available to those who itemize their deductions.

The alternatives which I propose would commit substantial financial resources to the problems of our cities so we can adequately confront the questions of whether an urban society is viable and an integrated society possible.

THE SOCIAL SECURITY ACT OF 1969

(Mr. VANIK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. VANIK. Mr. Speaker, I have introduced today legislation to amend the Social Security Act to provide a 15-percent, across-the-board increase in monthly benefits with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80.

As a member of the Ways and Means Committee, I have long been aware of the need for benefit increases in this session of the 91st Congress. The cost-of-living increases which have occurred during the current inflationary spiral have nearly wiped out the benefits our Nation's senior citizens received in 1965 and 1967. If we do not act to increase benefits this year, the country's retirees receiving social security benefits will be worse off than they were in 1965.

During 1965, there was an increase in benefits of 7 percent retroactive to January 1965. In February 1968, a benefit increase of 13 percent went into effect. Yet, between January 1965 and February 1968, the cost of living rose 9.3 percent—more than wiping out the gain of 1965. Between February 1968 and March of this year, cost of living has gone up another 5.5 percent. April's increase is estimated at nearly eight-tenths of 1 percent. This means that, since 1965, benefits have gone up by 20 percent—cost of living by 15.6 percent. Clearly, if we do not enact increased benefits in 1969, over 24 million senior citizens relying on social security will be in a worse position economically than they were 4 long years ago.

It is unconscionable for this Nation to allow its retired workers to fall deeper and deeper into poverty, while the rest of the country—using what the retired generation has built—moves into greater and greater prosperity.

It is time, too, that we raise the minimum primary benefit. Is it little wonder that our retired citizens make up a vastly disproportionate number of the Nation's poor. Of 15.2 million adult Americans living in poverty, 5.7 million are over 65 years of age. The bill I have introduced will increase the minimum payment to $80 per month and to $960 per year from its present rate of $55 per month and $600 per year.

In addition, the bill contains a provision for an automatic review every 3 months of the cost of living and an adjustment of the level of benefits whenever prices have gone up by more than 3 percent over the base period.

The 15-percent increase with a minimum base of $80 will move an estimated 1.4 million persons out of poverty. I do not believe that there is another single action which we can take which will do so much good.

I am hopeful, Mr. Speaker, that this proposed legislation will receive consideration once the question of tax reform and the surtax is resolved. This legislation should be a must bill for this session of the 91st Congress.

I would like to include as relevant to these comments on the need for social security benefit increases an editorial which appeared in today's New York Times. The editorial is as follows:

RETREAT ON SOCIAL SECURITY

In a time of inflation, the worst victims are elderly persons living on pensions. The economy may be booming to new highs, but their income does not change. Recognizing the painful bite higher prices take out of their limited purchasing power, both parties last year promised to tie Social Security payments to the cost of living. Like all such escalator provisions, this proposal has the disadvantage of tending to aggravate the inflation it is designed to offset. But it is unfair for a Government that is failing to hold the value of the dollar steady to deny relief to those hardest hit by rising prices.

Since the election, both parties have been steadily retreating from this pledge. Officials of the new Administration dismissed an escalator clause as too expensive. President Nixon cut back the increase of Social Security benefits recommended by President Johnson from 10 per cent to 7 per cent to save a billion dollars in the budget, but he retained the proposed increase in Social Security taxes.

Representative Wilbur Mills, the chairman of the Democratic-controlled House Ways and Means Committee, has now gone the President one better. He reportedly plans to put off any action on Social Security for a year. Delay would move an increase close to the 1970 election when recipients are presumably supposed to storm the polls in gratitude. But what about the elderly poor scrimping along for the next eleven to fifteen months? Their plight demands a much quicker response.

The ostensible reason for delay is that welfare legislation, specifically affecting the Aid to Families With Dependent Children program is traditionally considered along with changes in Social Security. But there is no necessary or inherent connection between the two. Indeed, it is only a legislative accident that welfare programs are under the jurisdiction of the Ways and Means Committee. Whenever the Nixon Administration has a basic reform of the welfare program to offer—an overhaul we hope will come soon—that reform ought to be considered on its own merits. Meanwhile, the failure to provide Social Security pensioners with an immediate and substantial increase is callous and unjustifiable.

FEDERAL CRIME FIGHTERS CAN USE YOUR HELP, TOO

(Mr. **FASCELL** asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. **FASCELL**. Mr. Speaker, by its very nature, organized crime operates unseen by the public. Wealthy members of this giant underworld conglomerate carry out their gambling, loan sharking, narcotics, prostitution, and extortion rackets shielded from public view. Only an occasional flash of violence or a newspaper headline about indictments serve to remind us of syndicated crime's cancerous presence.

Yet, as the Miami Herald recently editorialized:

> Organized crime in America stretches from the sleezy nickel slot machine to the very ramparts of Wall Street . . . its presence is real, dangerous, and powerful.

In its editorial, the Herald pointed to the encouraging results of the Federal Government's crackdown on organized crime. It warned, however, that continued and expanded support by ordinary citizens is needed if the battle is to be won. "Federal Crime Fighters Can Use Your Help, Too," was the title of the editorial, and this could well serve as the theme for involving the public in this epic task. I agree that public assistance and cooperation is vital.

One of my major goals in Congress has been to help improve the Federal fight against organized crime. As chairman of the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations, I chaired hearings on "The Federal Effort Against Organized Crime." Those hearings resulted in a series of recommendations designed to strengthen the Government's drive, including expanded use of special interagency investigative units within cities. These strike forces are now concentrating the efforts of all Government agencies involved in this fight. The President's message on organized crime, I am happy to note, incorporated proposals that the subcommittee advanced. The subcommittee's studies and efforts in this field are continuing, so as to further improve Federal techniques against syndicated crime.

The Herald editorial said:

> Last year the Department of Justice got indictments of 1,166 persons who had come under the scrutiny of the department's organized crime and racketeering section. Nearly one half of these were convicted.

Because of my interest in this subject, I am personally delighted to see these efforts meet with growing success.

> This was a record—

The Herald said of the rise in indictments and convictions last year—

> Nine years ago the indictments nationwide numbered only eleven. Convictions in fiscal 1968 rose 30 percent over 1967. Of particular note is the increased activity of the FBI.

I agree that this most important law enforcement agency has been doing an increasingly effective job in helping deal with the organized crime menace. Recently, I had occasion to congratulate the Director of the FBI, Mr. J. Edgar Hoover, for his decision to widely expand the participation of his agency toward the overall Federal agency commitment that the subcommittee recommended.

As the Herald pointed out:

> Law enforcement generally is using the task force approach which pools strength and talent.

I think that this trend will lead to greater victories in the future, and to help bring this about I have urged the use of cooperative interagency forces and the appropriation of more funds to expand this effective tool against organized crime.

The Herald continued:

> The trouble with anti-crime drives is that they lose momentum as the public lapses into apathy after the first surge of excitement and satisfaction. The contrast between 11 indictments in 1960 and 1,166 in 1968 is statistical evidence of that fact.
>
> Thus, the Federal effort calls for the widest citizen support.

I believe there is further reason for the public, in its own interest, to become more involved in this effort. As big crime expands increasingly into legitimate business as a "front" for its nefarious underworld activities, its minions are coming into ever wider contact with the public at large—although the public may be unaware of the nature of those with whom it is dealing. As we do business with supposedly legitimate concerns, any of us could find a business dispute leading to a confrontation with big crime's enforcement apparatus.

The invasion by organized crime into the province of honest business in such fields as real estate and banking, and the spread of its grasp toward our financial exchanges, means that the individual citizen is forced more than ever to defend himself. Truly, organized crime will expand and grow constantly until our citizens join with the Government in a determined effort to eradicate it completely.

As long as organized crime exists, it will be a corrupting influence on the rest of society. Honest businessmen will be forced to adopt similar tactics to compete, and the public officials will be tempted to succumb to the blandishments of payoff for ignoring vice and other illegal underworld actions. It is up to all of us to prevent this—by refusing to participate in syndicate-controlled "numbers" gambling; by obtaining loans only from legitimate sources; by cooperating with law-enforcement authorities in reporting any information we may have about organized crime activity; and by insisting that law-enforcement machinery be kept alert and active against big crime operations.

In this connection, I have long advocated the grant of Federal funds to aid local law-enforcement agencies in strengthening their capabilities against organized crime. I have also supported the development of Federal programs to assist State and local police in their training and techniques for combating organized crime.

The Government's drive against organized crime will require constant effort and dedication, along with increased funding. Continued citizen support, however, is the essence of the battle—and I hope, with the Miami Herald, that each person will do all that he can to help in this cause.

FAILING NEWSPAPER ACT

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, I am today introducing legislation popularly known as the Failing Newspaper Act. This legislation is made necessary by a recent decision of the U.S. Supreme Court in the case of Citizen Publishing Co. against United States—decided March 10, 1969. This decision struck down an arrangement used by a number of newspapers. The arrangement, basi-

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cally, called for a merger of the commercial departments of one or more newspapers, but at the same time retaining separate news and editorial staffs. It has been the position of the Justice Department that they would prosecute such arrangements under the antitrust laws if their position was upheld by the Supreme Court. Since the Court has now upheld the Justice Department position, the newspapers must either secure an exemption from the antitrust laws or face prosecution. As closely as my colleagues here deal with the news media, I certainly do not need to remind them of the rapid decline in the number of newspapers in this country. We have gone from a time when each of our larger cities had at least half a dozen newspapers to a situation where many of our larger cities are lucky to have one newspaper.

Two factors have been largely responsible for this decline. The first is the ever increasing cost of printing papers. The second is the ever increasing competition for the advertising dollar.

These two factors have combined to narrow drastically the field of competition insofar as the number of newspapers, but more important it has narrowed the competition with respect to reporting of the news. It is this phase of the problem, Mr. Speaker, which troubles me the most.

The bill which I have introduced would exempt the arrangements which I have mentioned from the provisions of our antitrust laws. It, in effect, reverses the decision of the Supreme Court in the Citizen Publishing Co. case. The bill would also permit a review of cases already decided, such as the Citizen Publishing Co. case.

Let me make it clear that I am not criticizing the Supreme Court for its decision. The decision appears to be the only one which could be reached under present law.

Mr. Speaker, this legislation is vital to preservation of a free and independent press. The breakup of arrangements made prior to the Citizen Publishing Co. case will seriously interrupt the free flow of news in this country. Mr. Speaker, I urge prompt and favorable action on the bill.

AN INCREASE IN SOCIAL SECURITY BENEFITS THIS YEAR

(Mr. FISH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FISH. Mr. Speaker, I rise in disbelief that this Congress may not forthwith act on raising social security benefits.

President Nixon has called for a 7-percent increase in benefits. There is no need apparently for a payroll tax increase to finance these higher benefits. This is, at best, only a stopgap measure, but it is needed now. Personally, I would like to see a 10-percent increase in benefits.

Mr. Speaker, inflation hit new highs in 1968 and in 1969 the cost of living continues to rise. Elderly people living on retirement cannot wait.

The financial plight of our senior citizens should be one of America's major concerns. As a group they are near the bottom of the economic ladder.

I am convinced that, as a matter of policy, social security benefits should not be left to the mercy of periodic handouts. Provisions should be made for automatic cost of living increases. The elderly are defenseless against inflation. Tying benefits to the cost of living would assure that benefits keep pace with inflation and assure the elderly from loss of purchasing power.

THE ABM: EASILY FOOLED

(Mr. PELLY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PELLY. Mr. Speaker, if the proponents of the ABM in Congress are successful and if the ABM system is deployed as protection for two of our Minuteman sites in Montana and North Dakota, can an enemy's offensive missiles penetrate this defense?

Well, assuming that the ABM works, it should be borne in mind that it is far simpler, according to our scientists, to design and build specific penetration aids against such a specific defense missile than to design a general defense system which would be effective on many types of penetration aid decoys, devices, and other aids.

The ABM as presently designed, we are told, would have only a few radar sites to guide and control its defense missiles. These would be extremely vulnerable to an enemy radar blackout type of attack making our long-range Spartan missiles useless and crippling the short-range Sprint missiles.

As for the penetration aids against defensive nuclear missiles, also it should be borne in mind that when the Soviet Union deployed an antimissile system around Moscow, the United States developed the MIRV, or multiheaded offensive missile to render this Russian defense useless.

Is there any reason to believe that immediately we install the present ABM that the Soviets would not follow the same course? As a matter of fact, I believe presently they have developed a three-headed nuclear attack missile. As yet, each of the three heads probably is not independently controlled like ours, but our Safeguard system is installed, the Russians could well redesign their attack missiles so as to render them able to penetrate our defenses.

I favor continued research. Meanwhile, why not delay installation, and if disarmament negotiations with the Soviets fail, then come up with a better defensive missile? Hopefully, that will not be necessary. But, as for now, I am convinced by the testimony that a delay will not jeopardize our security and that our deterrent strength will remain a safeguard against attack for the foreseeable future.

PORNOGRAPHY AND OBSCENITY

(Mr. DANIELS of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIELS of New Jersey. Mr. Speaker, I read with great interest President Nixon's statement on pornography and obscenity which appeared in the CONGRESSIONAL RECORD on May 5, 1969.

It is good to know that Mr. Nixon is deeply concerned about the problem created by the torrent of unsolicited filth which is bombarding American homes today. While this problem is far from new it does seem to have reached flood proportions in recent months.

I was somewhat surprised to note that in his statement, Mr. Nixon failed to mention Public Law 90–200, which was signed into law by former President Lyndon B. Johnson on October 4, 1967, establishing an 18-member Commission on Obscenity and Pornography.

Most members will recall that this bill was a bipartisan measure approved without a dissenting vote in this House. The newspapers found it unusual that the principal sponsors in both Houses, the senior Senator from South Dakota, KARL MUNDT, and I usually differed on most issues. Indeed there are few matters that come before Congress on which the two of us will be on the same side. On the other hand, the close cooperation of a conservative Republican from one of our great agricultural States and a liberal Democrat from one of the most urbanized parts of the Nation, points out the national nature of the traffic in filth. Senator MUNDT and I worked closely on this bill for many months and I know that I grew to have the greatest respect for this fine man who has such a desire to protect America's young people from unbridled filth. Hearings were held on my bill by the Select Subcommittee on Education which I had the opportunity to chair at that time.

I am happy to report that there was not a dissenting vote on the bill either in the subcommittee or in the Full Education and Labor Committee and as I mentioned above, President Johnson signed the bill into law and appointed 18 very distinguished citizens, headed by Dean William B. Lockhart, of the University of Minnesota to analyze the laws pertaining to the control of obscenity and pornography and to recommend to the Congress and the President such legislative, administrative, or other appropriate actions as deemed necessary to regulate effectively the flow of the traffic in pornography.

It was our hope then that the Commission would clarify some of the constitutional problems which seem to hamper effective regulatory action in this area.

The Commission has been conducting inquiries into the whole complex problem and is expected to report its findings in the very near future. I would hope that the President would give serious consideration to the findings of the committee's work for which $640,000 has been expended in this fiscal year. It would seem singularly wasteful not to use this

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extensive research compiled after months of study.

As cosponsor of Public Law 90-206 I would like to remind all Members that section 301 of this act, entitled "Prohibition of Pandering Advertisements," signed into law by President Johnson on December 16, 1967, is designed to give every mail patron the means to prevent the mailing to him of matter which in his sole judgment is objectionable. Under this section, the householder merely notifies his local postmaster that he no longer wishes to receive any further mail from a particular mailer. The Postmaster General then issues an order to the sender, directing him to refrain from making further mailings to the complainant. The order will also require the sender, his agents, or assigns, to immediately delete the names of designated addressees from all lists owned or controlled by the sender. If the mailer breaches this order, the Postmaster General is given the authority to request the Department of Justice to petition the appropriate U.S. district court to compel the sender to comply with the order.

Mr. Speaker, 170,000 complaints have been made under this antipandering law and as the provisions are better known this figure is expected to increase.

I agree with Mr. Nixon's contention that criminal penalties are needed to halt the flow of salacious material. Obviously, present laws are not adequate. Yet, we can act in such a manner and with such enthusiasm that our best efforts will result in a law declared to be violative of the first amendment by the Supreme Court and thus end up right where we started.

While it is politically wise to be on record as against pornography, it is a better course of action to enact a law which has teeth to be sure but more important one which does the job.

For this reason I think that we should make use of the Lockhart Commission. Surely they have spent more time on this problem than any Member of this House or of the other body. At very least their recommendations ought to be heard.

Mr. Speaker, this is an area where I know whereof I speak. When I was elected to Congress in November 1958, more than 10 years ago I came to Washington to do something about the problem of filth which is especially acute in the New York metropolitan area. I have studied this problem—I have discussed this problem with educators, clergymen of all denominations, and with concerned civil libertarians and with constitutional lawyers of the first rank. I can tell you that this part of the law is a constitutional thicket if there ever was one.

On the other hand, there is genuine desire for action by Members on both sides of the aisle. Our desire for effective legislation has the support of Members representing a wide spectrum of opinion. This is a problem which is not political, sectional, racial, ethnic, or economic. Rather it affects every American in every part of this Nation.

Mr. Speaker, it is my hope that this Congress, working with the executive branch, can come up with an effective solution to the problem.

CALCAV

(Mr. DICKINSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DICKINSON. Mr. Speaker, I have here a copy of a newsletter which arrived in my office over the weekend. This publication, entitled "Issues and Actions," supposedly is published by the organization Clergy and Laymen Concerned About Vietnam—CALCAV for short.

Among other things, there is an item in this newsletter which advises that CALCAV will stage a demonstration at the Dow Chemical Co.'s annual stockholders meeting today, May 7, in Midland, Mich. I wonder if these people plan an action similar to that "spontaneous" break-in staged for newsmen at Dow Chemical Co.'s Washington office recently.

Mr. Speaker, another item in this newsletter is extremely interesting. I would like to quote from this item:

> Due to CALCAV's long-standing visibility in supporting draft resisters and recently in sending Thomas Lee Hayes to Sweden to work among deserters, the organization has several times within the last year been asked to perform a unique and vitally important function. There are many men who, for a variety of reasons, find themselves in the military and discover that they are conscientiously opposed to all war or to the Vietnam war in particular. Unable to secure a discharge from the military as a C.O. (there is a provision for such discharge), they have deserted rather than abandon their convictions. Some go into exile in Canada or Sweden. There is, however, a considerable number for whom exile is not an option. They wish to remain in the United States and at the same time do some form of meaningful work—to make some sort of social contribution here. The only course available to such men is to go "underground"; to go to a place where they are not known and there assume a new identity. CALCAV has assisted several men recently in finding such a place to live and work. Each time the need has arisen a place has been found within a reasonable period of time. But to be prepared to help deserters quickly, CALCAV would like to know persons around the country who would be willing to help such a person or persons. If you are willing to perform this service to these victims of the Vietnam war and are in a situation which would lend itself to providing a place to live and work with reasonable anonymity, please contact the national CALCAV office by mail. Also, if you know of someone in need of such a place to live and work, feel free to contact us.

Mr. Speaker, it appears to me that this organization, by deliberately soliciting help for military deserters, is in violation of Federal law. Therefore, I have asked the Attorney General to look into this situation and determine if legal action is appropriate.

CONFLICT OF INTEREST—DAVID M. KENNEDY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 1 hour.

Mr. PATMAN. Mr. Speaker, I rise to charge that David M. Kennedy has had serious conflicts of interest since assuming the job of Secretary of the Treasury on January 21.

I also charge that the Secretary of the Treasury and his agents have engaged in a willful effort to mislead the Congress and the American people about his continuing financial ties to the Continental-Illinois National Bank of Chicago, Ill.

Mr. Speaker, it is my opinion that the Secretary of the Treasury has violated both the letter and the spirit of a number of statutes and Executive orders designed to prevent conflicts of interest in the Federal Government.

I cite in particular:

Section 201 of title 18 of the United States Code, which prohibits a person selected to be a public official from accepting, receiving, or agreeing to receive anything of value because of official acts performed by him;

Section 208 of title 18 of the United States Code, which requires an officer of the executive branch to refrain from participating in any matter in which he has a financial interest;

Section 1003 of title 31 of the United States Code, which prohibits the Secretary of the Treasury from directly or indirectly being concerned or interested in carrying on the business of trade or commerce; and

Executive Order No. 11222, issued by President Johnson on May 8, 1965, which prohibits Federal officials from engaging in activities that create a conflict of interest or create the appearance of a conflict.

In recent days, there has been a flurry of activity at the Treasury Department designed to lead the American public and the Congress into believing that there has not been and that there is not now a conflict of interest between the Secretary's public duties and his private financial arrangements.

But the facts are that the Secretary, since January 21, has received more—much more—in financial remuneration from the Continental-Illinois National Bank than he has from the Federal Government in payment for his services as Secretary. In fact, his Federal checks fade into insignificance against the massive sums that he has received from the bank at a time when he was charged with the responsibility of regulating that bank and with making recommendations on legislation directly affecting the welfare of that bank.

A cloud has been cast over the office of the Secretary of the Treasury. With this conflict of interest question unresolved, he is like a bird with a broken wing. His most simple official acts are being subjected to doubt because of the manipulations of his financial affairs as they affect the banking industry. A dark shadow hangs over one of the most important offices of this land.

Later, Mr. Speaker, I will detail each of the financial plans that David Kennedy arranged with the Continental-Illinois National Bank prior to taking office as Secretary. These were arrangements that the Secretary planned to maintain while he held public office. These are irrefutable facts and I challenge the Secretary of the Treasury to state one instance in which I am incorrect in these charges.

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But the arrangements with Continental-Illinois are not all. I have just discovered that David Kennedy, at the time he became Secretary of the Treasury, held stock in the General American Transportation Corp., another one-bank holding company in which the La Salle National Bank of Chicago is the subsidiary. This has been kept a secret. The Secretary, unfortunately, has failed to voluntarily reveal this despite his many opportunities to do so.

This is the pattern of secrecy which Secretary Kennedy has followed since he assumed public office. His attitude has approached the arrogant. When a reporter for the Wall Street Journal questioned him on January 19 about how much stock he owned in the Continental-Illinois National Bank, the then Secretary-designate curtly replied: "I could tell you, but I am not going to."

That has been Secretary Kennedy's attitude not only to the press, but to the Congress. Since January, I have given the Secretary repeated opportunities to discuss this matter and to reveal his financial ties to the banks and to offer any explanation that he might be able to provide. He has steadfastly refused.

The Secretary has, for all intents and purposes, pleaded with the fifth amendment about his financial dealings with the banking industry. This subterfuge reached its high point last week when the Secretary of the Treasury instructed his General Counsel, Paul W. Eggers, to issue a letter and a news release "clearing" David Kennedy of conflicts of interest.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I cannot yield at this point.

Mr. GERALD R. FORD. The gentleman from Texas is making some very serious charges.

Mr. PATMAN. I know they are, and I will be glad to yield after I finish my statement.

This was a most amazing press release, minus the most surface documentation, and issued by the Secretary's own employee. He had, in other words, been found innocent by a judge and jury composed of a man under his direct supervision. If the subject were not so serious, this document would go down as one of the most ludicrous and self-serving pieces of paper to ever be issued by a Cabinet-level department.

But the issue is indeed serious and the misstatements and the attempts to mislead cannot be left to stand as a substitute for the truth. Secretary Kennedy instructed his general counsel to utter this statement when he knew full well that it did not represent the facts about the arrangement which he entered into when he took office on January 21.

Here are the benefits that Secretary Kennedy and the Continental-Illinois National Bank arranged:

First, a stock option of 30,855 shares of Continental-Illinois National Bank stock worth more than $1,200,000;

Second, a $200,000 separation gift;

Third, a pension of $4,800 a month for life beginning on January 31, 1969;

Fourth, a profit-sharing plan worth at least $650,000; and

Fifth, a continuing life insurance and health insurance program with the major cost to be paid by the bank.

In addition, Mr. Kennedy and his wife had more than 7,800 shares of Continental-Illinois National Bank stock which was to be placed in a "blind trust" with the Old Colony Trust Co. of Boston with instructions to "diversify" under prudent investment practices. But there is no assurance that any large part of this stock will be sold. The likelihood is that much of it will remain bank stock—a totally inadequate insulation from conflict of interest.

Mr. Speaker, these are the rough outlines of the bank-Kennedy benefit plan. But these surface details do not begin to reveal the arm-in-arm link between the Secretary and the Continental-Illinois National Bank.

Secretary Kennedy's hired hand, Paul W. Eggers, issued his release last Tuesday in which he made a great to-do about the sale of the 30,855 shares of stock which Mr. Kennedy had obtained through the option plan. Mr. Eggers gave neither dates nor the details of this transaction. He raised more questions than he answered on this point.

Mr. Eggers' news release paints the Secretary's sale of this stock as some kind of voluntary and benevolent gesture. This is so much hogwash.

As Secretary Kennedy knows, and refuses to reveal publicly, he intended to hold the rights to this stock outside of any trust arrangement. And the truth, as Mr. Kennedy knows it, is that he was doing this for the purpose of avoiding taxes. It was a pure and simple tax dodging scheme. It was a scheme entered into and carried out when the Secretary was making pious statements about tax reform.

He was avoiding taxes at the very time that he was instructing his aides to go before the Ways and Means Committee and say that this administration was for closing these loopholes. Why, he had one of the biggest loopholes in town.

He had to hold this 30,855 shares for 6 months in order to take advantage of that rich man's loophole—long-term capital gains. This was the little device that Mr. Kennedy will not discuss with anyone. But I will state now, and I challenge Mr. Kennedy to say otherwise, that this was his intent—to dodge taxes.

In fact, Secretary Kennedy has admitted this very fact in writing.

Now, in the heat of the battle, Mr. Kennedy has decided that it would be wiser to dispose of that stock and to forgo the wonderful benefits of long-term capital gains.

I am pleased that the Secretary is going to pay his taxes and is willing to sell this stock, but I think the matter would be much cleaner, much more palatable, if the Secretary would just stand up, like a man, and state exactly what happened rather than depending on the misleading releases of his General Counsel. As it stands now, the Secretary looks like a man caught running out of the chickenhouse at midnight with roosters under each arm. He has dropped the roosters, but he has not explained why he was in the chickenhouse in the first place.

And the Secretary cannot escape the fact that he did maintain the right to this stock outside of any trust arrangement while he operated in his official capacity as a public official. He cannot escape the fact that he did take official actions as Secretary of the Treasury which directly affected the value of that stock. This, in my opinion, constituted repeated violations of section 208 of title 18 of the United States Code.

The exercising of options, the buying and selling of stock, also may constitute a violation of section 1003 of title 31 of the United States Code.

And now Secretary Kennedy's own General Counsel has injected a series of new issues about this particular block of stock. Point eight in Mr. Eggers' news release states:

> Mr. Kennedy exercised the option and within a few days thereafter sold all the shares so acquired. From my discussions with the people who handled this sale, I determined that this was an arms-length transaction. Mr. Kennedy has completely divested himself of any interest whatsoever in this stock.

Mr. Kennedy decided to exercise his option on this stock on January 22. And I am convinced that he did not sell these shares "within a few days thereafter" as alleged by the illustrious Mr. Eggers.

Also, Mr. Eggers states that he has discussed the transaction "with the people who handled this sale." Mr. Eggers, for some reason, does not state who these "people" might have been.

In recent days, some information has come to me to explain the reasons for this omission. It is my understanding, from good sources, that the Continental-Illinois National Bank of Chicago, served as the agent for the sale of this stock. In other words, the bank, from which we are told Mr. Kennedy has severed his relationship, continues to serve as his agent in business transactions.

Also, Mr. Eggers omits the name of the purchaser of this stock. Could it be that the purchaser, likewise, is a bank trust department, in a well-known bank? Why is this essential fact left out?

And, more important, Mr. Eggers refuses to tell us when all of this took place. What is the date and why is it so important that it not be revealed?

Mr. Eggers' press release also states that Secretary Kennedy has decided to take his profit-shares from the bank in the form of cash. This statement, like the other, leaves many unanswered questions.

It is a fact that a plan was set up whereby Mr. Kennedy would take part of this profit-sharing benefit in stock in the Continental-Illinois National Bank. And this stock, 3,800 shares, was to be placed in trust in such a manner that he would regain control of this entire block when he retired as Secretary. In other words, it was not to be diversified or sold except under the most unusual circumstances. Therefore, he planned throughout his career as Secretary of the Treasury to

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have a continuing interest in the bank, knowing that this stock would be there upon his retirement from public office.

Suddenly—and I think wisely—the Secretary has decided that he cannot continue this arrangement. But questions remain. Under the profit-sharing plan of Continental-Illinois National Bank, Mr. Kennedy was required to decide, upon retirement—not at a later date—how he wanted to receive his shares in the profit plan. So, does this mean that while serving as Secretary, he did indeed hold these 3,800 shares? Or has the bank changed its plan to accommodate the Secretary of the Treasury? Unfortunately, Mr. Eggers did not give us any answers on these essential questions.

A few minutes ago, I mentioned that it appeared that Secretary Kennedy's holdings of bank stock and the rights to bank stock had constituted a violation of section 208 of title 18 of the United States Code. Again, let me emphasize that this section, in substance, requires an officer of the executive branch to refrain from participating in any matter in which he has a financial interest.

As Secretary Kennedy well knew, the Continental-Illinois National Bank was undergoing a major corporate change when this administration came into office. Continental-Illinois was forming a one-bank holding company, to be known as the Conill Corp. In other words, the bank was taking advantage of a loophole left in the 1956 Bank Holding Company Act which allowed holding companies with only one bank a free rein to move into a variety of nonbanking businesses. At the time Secretary Kennedy was appointed, as well as at the time he actually took office, nothing was more important to the Continental-Illinois National Bank than the successful completion of the changeover in corporate structure.

On December 13, 1968, David Kennedy, as chairman of the board of directors of Continental-Illinois National Bank, signed a proxy statement and a letter to the stockholders of his bank announcing plans to form the one-bank holding company. In this letter, Mr. Kennedy praised the one-bank holding company device and talked about plans for the bank to move into new services related to the financial field. I place a copy of this letter in the RECORD:

> CONTINENTAL ILLINOIS NATIONAL
> BANK & TRUST CO. OF CHICAGO,
> *Chicago, Ill., December 13, 1968.*
>
> *To our shareholders:*
>
> The notice and proxy statement for the annual meeting of shareholders, to be held at 2:00 o'clock p.m., Central Standard Time, on January 27, 1969, are set forth on the following pages.
>
> The main business of the meeting will be to elect directors for the coming year and to vote upon a major plan of reorganization. Under the plan, your bank would become a wholly-owned subsidiary of a new Delaware company, Conill Corporation, in which you would have the same ownership interest you now have in the bank. Your stock in the bank would be exchanged tax-free on a share for share basis for common stock in Conill Corporation. Conill Corporation would be a one-bank holding company, a corporate form which has recently been adopted by a number of leading banks to meet the changing requirements of our economy. It is contemplated that the common stock of Conill Corporation will be listed on the Midwest Stock Exchange.
>
> Approval of this plan of reorganization requires a favorable vote of holders of two-thirds of the outstanding shares of the bank. In addition, consummation of the plan requires rulings from various governmental agencies including the Comptroller of the Currency, the principal regulatory authority for national banks.
>
> Your Board of Directors unanimously recommends your approval of this plan. It is anticipated that in future years the broad range of financial services needed to support our complex economy will require capabilities strengthening and supplementing those in traditional banking areas. After careful study, management is convinced that a one-bank holding company is the best means of serving present needs and meeting changing financial requirements of industry, government and the public. This new corporate structure will permit management increased flexibility in establishing new services utilizing the bank's expertise in the financial field. For these reasons, your Board of Directors believes that the proposed plan of reorganization is in the best interests of the shareholders of the bank and recommends that you vote in its favor.
>
> In urging approval we wish to make it clear that your management has no specific acquisitions presently under consideration and no present desire to diversify into enterprises unrelated to the financial field. Our goal instead is to preserve and strengthen our ability to meet our customers' present and future demands for financial services.
>
> A word about the stock option plan of Conill Corporation. This plan, which is described in detail in the proxy statement, does not increase the benefits to employees. It is essentially the same plan which you approved in the past for the bank. Approval of the plan is recommended so that options can continue to be granted after consummation of the reorganization.
>
> Please sign and date the enclosed proxy and return it in the accompanying envelope as promptly as possible. It is hoped that you will be able to attend the meeting and, if you do, you may vote your stock in person if you wish.
>
> Our annual report containing a Consolidated Statement of Condition as of December 31, 1968, and a Consolidated Statement of Earnings for the year, will be mailed to you early in January 1969.
>
> DAVID M. KENNEDY,
> *Chairman of the Board of Directors.*

Mr. Speaker, while the letter was signed "Chairman of the Board of Directors," it was a fact that this same David M. Kennedy at that moment was the announced Secretary of the Treasury in the new Nixon administration. In fact, the President-elect of the United States had introduced him to the country the day before in a televised press conference in Washington, D.C.

The Secretary-designate signed the letter to the stockholders knowing full well that as Secretary he would be required to draft and comment on legislation to control the very type of institution which he was establishing. It was an open secret in Washington and in the banking community that such legislation would dominate the Treasury Department's activities before the 91st Congress.

Secretary Kennedy was sworn in on January 21, 6 days before the stockholders of his bank were scheduled to meet to ratify the formation of the holding company. At this time, Secretary Kennedy was well aware that once the stockholders approved, the application for the corporate change would have to come to the Treasury Department for approval.

On February 7—only 11 days after the stockholders' approval—the Comptroller of the Currency gave his approval to the formation of the Conill Corp., a one-bank holding company. The Comptroller of the Currency, of course, works directly under the supervision of the Secretary of the Treasury.

I quote from section 1, title 12, of the United States Code, which outlines the role of the Comptroller of the Currency:

> There shall be in the Department of the Treasury a bureau (of Comptroller of the Currency). . . . The Comptroller of the Currency . . . shall perform his duties under the general directions of the Secretary of the Treasury.

So, for all legal purposes, the approval of the Conill Corp. was under the general direction of the Secretary of the Treasury, David M. Kennedy.

Obviously, the one-bank holding company device is a profitable one for the big banks. In fact, there would be no reason for these banks to enter on such an adventure unless it was indeed profitable. Therefore, the formation of the one-bank holding company greatly enhanced the value of Mr. Kennedy's stockholdings in the corporation.

On February 7, 1969, the day the Treasury Department approved the one-bank holding company, the stock of Continental Illinois National Bank sold for $45½—its highest price since the inauguration of this administration.

In fact, the $45½ quote on February 7 was $3¼ above the bid on the same stock the day Secretary Kennedy was sworn in.

In fact, Mr. Speaker, an analysis of the Continental Illinois bank stock suggests very strongly that it has moved up and down with the fortunes of the one-bank holding legislation pending before the Congress.

To his credit, President Nixon indicated that he recognized some of the big problems being created by these one-bank holding companies. The White House released a statement in which the President said:

> Left unchecked, the trend toward the combining of banking and business could lead to the formation of a relatively small number of power centers dominating the American economy. This must not be permitted to happen. It would be bad for banking, bad for business, and bad for borrowers and consumers.

Mr. GERALD R. FORD. Mr. Speaker, would the gentleman from Texas yield?

Mr. PATMAN. I cannot yield now, I will respectfully say to the gentleman from Michigan. Certainly I would want to yield to the minority leader. But I cannot break the sequence of my statement. After I finish, I shall be very glad to yield to the gentleman.

Mr. GERALD R. FORD. Mr. Speaker——

Mr. PATMAN. I cannot yield now.

Mr. GERALD R. FORD. Mr. Speaker, would the gentleman yield?

Mr. PATMAN. I decline to yield at this time. After I finish my statement I shall be very glad to yield to the gentleman from Michigan.

But something happened to President

Nixon's high-sounding words at the Treasury Department. The bill drafted under Secretary Kennedy's direction fell far short of what the President's words would indicate.

The legislation, as proposed by Secretary Kennedy on March 24, would allow bank holding companies great latitude in entering nonbanking activities. Secretary Kennedy's bill has been proposed in opposition to legislation which I introduced to extend the restrictions of the 1956 Holding Company Act to one-bank holding companies.

Secretary Kennedy and others under his supervision have worked hard for the passage of the Treasury Department's bill and for the defeat of my measure. Secretary Kennedy, of course, has appeared as a witness in support of his legislation on two occasions.

When Secretary Kennedy appeared before the committee on April 17, I told him:

> I would like to point out that should the definition of banking be broadened, as contemplated in the Administration's holding company bill, the value of your stock in the Conill Corporation—the Continental-Illinois National Bank—will rise sharply.

Mr. Speaker, I think this is a shameful situation. Here is a man who, as a corporate officer, helped form a one-bank holding company. He then moved into the Treasury Department where he was in a position to influence either directly or indirectly the approval of the holding company. He then was in a position to recommend and lobby for the legislation that would prescribe the limits in which his own one-bank holding company could operate.

And much, if not all of this, was done at a time when the Secretary of the Treasury had heavy financial interests in the bank.

This is the kind of situation, Mr. Speaker, which causes the American people to lose confidence in their Federal Government. It is difficult, under this set of circumstances, for the man on the street to think that everyone is indeed receiving equal justice under the law. Under these circumstances, it appears that Continental-Illinois National Bank is in a position to be a little more equal than anyone else.

Mr. Speaker, this is only the beginning of the evidence against Secretary Kennedy.

On January 10, when David Kennedy had his bags packed for Washington, the board of directors of the Continental-Illinois National Bank met and voted the Secretary-Designate a $200,000 separation allowance. This is to be paid when Secretary Kennedy leaves office.

The bank's board of directors voted this $200,000 gift to a man who already had a $1,200,000 stock option, a $4,800 a month pension, a $650,000 profit-sharing plan, and 7,800 shares of the bank's stock. They did not want him to come to Washington dead broke, obviously.

This bonus of $200,000 cannot be justified. There is no excuse for it. It should be revoked now, by both the bank and Mr. Kennedy.

That $200,000 was voted by the bank's board of directors when they knew that David Kennedy was going to be Secretary of the Treasury and in a position to represent them at the highest levels of the Federal Government. It was voted at a time when the bank knew that it would have an application for a one-bank holding company before the Treasury Department. It was voted at a time when they knew that the Secretary of the Treasury would be recommending and lobbying on legislation to control the one-bank holding companies.

And under all of these circumstances, we are supposed to believe that the $200,000 was simply a great benevolent gesture not tied to the future interests of the bank.

Mr. Speaker, this $200,000 has every appearance of a gift in violation of section 201 of title 18 of the United States Code which prohibits a "person selected to be a public official" from accepting, receiving, or agreeing to receive anything of value for himself. The Secretary of the Treasury should not serve another day with this $200,000 gift hanging over his head.

Consider what kind of precedent this $200,000 would set for the Federal Government if it is allowed to stand. Under the arrangement that has been accepted by Secretary Kennedy and his defenders, it would be all right for a $200,000 slush fund to be collected and given to each and every Member of Congress after he is elected. Such a fund would be no different than what Secretary Kennedy has agreed to in accepting this $200,000 payment. Suppose every Federal official was given $200,000 as a "going-away" present when he left a corporation to enter public life. This cannot be allowed to stand if we are to have any respect for the Federal Government.

And the nature of this payment cannot be changed simply because someone calls it a "separation allowance." And it is no defense for the Secretary of the Treasury to claim that "the amount is not revocable by the bank."

As I have mentioned earlier, the Secretary of the Treasury has announced his intention to receive a lifetime pension of $4,800 a month beginning on January 31 of this year. This sum is almost equivalent to his salary as Secretary of the Treasury. This pension is given to the Secretary under the pension plan of the bank and it is rightfully his as an employee benefit.

It is rightfully his as a private citizen. But is it proper and is it right for Mr. Kennedy to receive a bank pension while he serves as Secretary of the Treasury?

Can the Secretary receive a $4,800 check from the bank each month and render an objective arm's length judgment when the same bank's interests are before his department?

Does he not feel a little touch of gratitude toward the bank when he sees that check in the mailbox each and every month? And surely the fact that the bank continues to pay his life insurance and his health insurance does nothing to harm this friendly feeling.

Secretary Kennedy is the first bank pensioner to hold the office of Secretary of the Treasury. It is a new precedent for a department that has always had its troubles keeping at arm's length from the banking industry.

If no other statute covers this problem of Mr. Kennedy's pension, I think that Executive Order No. 11222, issued by the President on May 8, 1965, was intended to deal with such a situation. That Executive order made it plain that Government officials were to avoid anything that would "create the appearance" of a conflict of interest as well as avoiding any specific statutory violation.

The Executive order is intended to require that employees of the Federal Government avoid any action which might result in or create the appearance of—

First, using public office for private gain;

Second, giving preferential treatment to any organization or person;

Third, impeding Government efficiency or economy;

Fourth, losing complete independence or impartiality of action;

Fifth, making a Government decision outside official channels; or

Sixth, affecting adversely the confidence of the public in the integrity of the Government.

Does Secretary Kennedy honestly feel he has lived up to the letter and the spirit of this Executive order? Can he say that his arrangements with the Continental-Illinois National Bank do not affect "adversely" the confidence of the public in the integrity of the Government?

I think it is obvious that the situations involving Secretary Kennedy touch on both specific statutory prohibitions against conflicts of interest and on broader rules attempting to avoid the appearances of a conflict.

Mr. Speaker, I hope it is plainly understood that I am not springing these attacks on Secretary Kennedy without giving him adequate warning. When he was ready to be confirmed by the Senate, I suggested the confirmation await an opportunity to more thoroughly explore his ties to the banking industry. On February 17, when he appeared before the Joint Economic Committee, I questioned him about the potential for conflict of interest. I received what I consider to be a series of misleading answers. I did not hear further from the Secretary.

Later, I wrote President Nixon, expressing my deep concern about the Secretary's participation in the one-bank holding company legislation because of his associations with the Continental-Illinois National Bank. I place a copy of that letter in the RECORD.

HOUSE OF REPRESENTATIVES,
Washington, D.C., February 20, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The forthcoming hearings on the Bank Holding Company Act are of vital importance to every segment of our economy and this once again raises the serious problem of the banker influence at the U.S. Treasury Department.

As you are aware, it would be normal procedure for the Treasury Department to make recommendations on these amendments to the Holding Company Act and to comment on the various proposals. Likewise, normal procedure would involve consultation and approval of the Budget Bureau.

However, all Administration officials in a position to advise the Congress on this vital piece of legislation are only weeks away from their jobs in the banking industry which this legislation is designed to regulate and to restrict.

In fact, the Secretary of the Treasury—who would be expected to make the recommendations of the Administration—participated in the formation of a one-bank holding company while he served as Chairman of the Continental Illinois National Bank of Chicago. He must now draft legislation and make recommendations which will, in effect, decide whether the very holding company which he formed will remain intact. Mr. President, I am sure that the Secretary is a man of high integrity, but such a situation places him in an impossible position where he must rule on his own handiwork.

The same situation exists when the matter goes before Mr. Robert Mayo, your director, of the Bureau of the Budget. Mr. Mayo, of course, was a vice-president of the Continental Illinois National Bank and presumably participated alongside Mr. Kennedy in forming the one-bank holding company.

I understand that a great deal of the work on the Administration proposal is being performed by Charls Walker, the under-Secretary of the Treasury. Mr. Walker, of course, is former executive vice-president of the American Bankers Association, the lobbying organization largely controlled by the big banks which are now so interested in the one-bank holding companies as a means of expanding their influence in the economy. Mr. Walker has had a close relationship with these banks and has faithfully lobbied for their position on Capitol Hill.

Before he was appointed by you, I am sure that Mr. Walker was in the process of preparing the legislative position of the ABA on the Holding Company Act and it is safe to assume that this position was not contrary to that of the large banks which have formed holding companies.

I am not certain of the role of the other under-Secretary, Paul Volcker, in the holding company talks in the Administration, but I assume that he will have a voice in the final decision. Mr. Volcker, as you know, was vice-president of Chase Manhattan National Bank of New York, which announced plans to form a one-bank holding company just 11 days before Mr. Volcker joined the Treasury.

The background of these policymakers perhaps explains the confusion and constant shifting which seems to be going on inside the Treasury Department on this vital issue. Trying to reconcile their past associations and life-time careers in banking with their current responsibilities, is, I am sure, a difficult, if not impossible task, particularly on an issue as volatile as this.

Originally, I had understood the Treasury Department would send legislation on Bank Holding Companies to Capitol Hill before the Lincoln Day recess. Then later, I noticed in the press that the time table had been changed and that the bill would be forthcoming immediately after the recess, February 17. Later this was changed to February 19 or possibly the 20th "at the latest." Now I understand that all of this scheduling has been changed to next week.

I can only assume that there is some rapid rewriting and re-evaluation going on inside the Treasury Department. I notice in the press that there have been a series of "background briefings" extending over several weeks by an anonymous official of the Department. It is my understanding that these briefings have been taking place not only in the Treasury Department building, but also in the editorial rooms of some of the nation's leading newspapers. Apparently, there is a great effort to justify the Administration's position before it has a position.

What has sifted out of these shifting positions has been discouraging and alarming. The briefings have inspired reports that the Treasury Department wants to give total exemption to all of the one-bank holding companies already formed. Much more serious have been reports that the Administration would weaken the present Bank Holding Company Act through a broader definition of non-banking activities and by splitting the regulation of the holding companies among all the banking agencies.

If these reports are true—and they have not been denied by that anonymous Treasury official—then what we have is a back door assault on the existing regulation, rather than a much-needed strengthening of the Holding Company Act.

All of this points to the extreme difficulty of drafting legislation in a Department dominated by people from the very industry that the legislation purports to regulate.

Therefore, Mr. President, in view of the extremely critical nature of this issue and its far-reaching impact on the entire economy, I respectfully urge you to withdraw the Treasury Department and the Director of the Bureau of the Budget from direct participation in this legislation.

This may seem unusual, but there is, indeed, ample precedent in our system of government for such action. For example, a judge is obligated to withdraw from consideration of a case in which he may have participated as an advocate before taking the bench. And certainly, Mr. Kennedy, Mr. Walker, Mr. Volcker, and Mr. Mayo were advocates for the banks—and bank holding companies—before they took their current appointments.

I am sure that there are others in the Administration—not connected with banks—who could be drafted to work on this legislation and to bring forward your recommendations to the Congress. The Federal Reserve Board, of course, has direct responsibility for the regulation of the registered bank holding companies and I understand that this agency has already studied and prepared extensive legislative recommendations on this issue.

The important thing, Mr. President, is that we have legislation that truly protects the public interest and in which the public can have confidence. This issue involves much more than the narrow banking interests and its resolution should not be left solely to the bankers. It is something that affects the entire business community and the general public.

You have the power to remove the cloud of suspicion that has arisen about the pending Administration proposals. I respectfully urge you to exercise it.

Sincerely,

WRIGHT PATMAN.

Mr. Speaker, I also mentioned the problem of the Secretary's apparent conflict of interest to a top staff member of the White House.

On April 17, Secretary Kennedy appeared before the Banking and Currency Committee to testify on the legislation that he had proposed on one-bank holding companies. I opened that session by detailing some of his ties to the bank and asked repeatedly that he comment on these charges and give the committee any explanation he might have available. The Secretary replied, "No comment."

The following week, April 24, Secretary Kennedy again appeared on the same piece of legislation. I reminded him that I had made these charges the previous week and I again gave him an opportunity to reply. He did not do so. At this juncture, I asked that he furnish the Banking and Currency Committee a detailed financial report with particular emphasis on any connections he might have with banks and bank holding companies. To this date, he has not complied with this request.

And I understand that he told news reporters that he was "too busy" to comment on this issue.

Also, I have given his General Counsel, Mr. Paul Eggers, an opportunity to expand on his letter and news release which he issued last Tuesday. I requested that Mr. Eggers appear for this purpose at 10 a.m. last Saturday. Mr. Eggers declined.

So, both the Secretary and his Counsel have refused to talk about the ties to Continental-Illinois National Bank.

In making these charges, I do not in any way want to be in a position of criticizing the Senate Finance Committee which was forced to pass on these nominations quickly so that the new President might have his Cabinet available. It is traditional for the Senate to give a new administration quick confirmation of its appointees. And under this arrangement, the Senate Finance Committee did not have the opportunity to explore all of these facets of Mr. Kennedy's background. The Senate committee did discover many facts and did throw the spotlight on much of Mr. Kennedy's financial dealings.

Senator GORE, a member of that committee, did require that the Secretary eliminate Continental-Illinois National Bank as his trustee and forced some major changes in the handling of the stock option. Without these changes, the situation would have been much worse than it is today. However, it appears that Secretary Kennedy did not keep his word to Senator GORE on the stock option.

As I understood it, Senator GORE sought an agreement from Mr. Kennedy that he would "either exercise or relinguish the option to purchase additional Continental stock prior to taking the oath of office." My information indicates that this did not happen. He decided to exercise the stock option after, not before, he took office.

In any event, it would have been extremely difficult for that committee to have delayed the appointment under the circumstances existing at that time. The Senate Finance Committee did everything that it could in the time allotted to it.

The Constitution, of course, provides safeguards in this situation. It provides that any impeachment proceeding against a Cabinet official shall be made in the House of Representatives. This is where the jurisdiction lies on the initiation of such charges when they become necessary. So we cannot stand here today and pass the buck to the Senate. If there is an irreconcilable problem, we must deal with it.

When Mr. Kennedy was appointed in December, he issued a statement at a news conference in Chicago in which he indicated he realized how sensitive his new position would be to the banking industry. The New York Times of December 17, 1968, contains this statement:

> At a news conference in Chicago last Friday, Mr. Kennedy said it was his intention to "sever all connections with the bank."

Many of us took this statement, printed in one of the Nation's leading newspapers at face value. The folly of taking this at face value soon became apparent.

Since that time, Secretary Kennedy has been less free with his comments to reporters either in Chicago or Washington. They have elicited little more information from the Secretary than has the Banking and Currency Committee.

Many newspapers and wire services have done an admirable job of pursuing this issue. But two reporters in particular, Murray Seeger of the Los Angeles Times, and Fred Zimmerman of the Wall Street Journal, have refused to accept Secretary Kennedy's "no comment."

In a series of articles extending from the time of Mr. Kennedy's confirmation, these reporters have laid out the facts and have raised basic questions about the Secretary's continuing ties to the Continental-Illinois National Bank. The press' role is essential in a situation where a high public official refuses comment.

Without the work of these two reporters and their newspapers, I think even greater violence would have been done to the conflict of interest statutes. Mr. Speaker, I place in the Record at this point two sets of newspaper articles, one printed in the Wall Street Journal, and a second in the Los Angeles Times. They lay out this case from A to Z:

[From the Wall Street Journal, Jan. 17, 1969]

Senator Gore Threatens Confirmation Fight Over David Kennedy's Bank Stockholdings

Washington.—Sen. Gore threatened to fight the confirmation of David Kennedy as Treasury Secretary unless the Chicago banker removes what Mr. Gore called a "clear-cut conflict of interest" involving his large holdings of bank stock.

The Tennessee Democrat's objections to Mr. Kennedy's proposed trust arrangement for the stock clouded the status of the Treasury Secretary-designate, who had been thought assured of swift confirmation.

At the Senate Interior Committee hearing where Interior Secretary-designate Hickel spent his second day in the witness chair, the Alaska governor committed himself to maintaining most of the land freeze imposed by outgoing Secretary Udall—or at least gave Chairman Jackson (D., Wash.) the impression that he had. The freeze, imposed in 1962 to protect the land rights of Alaskan Indians, Eskimos and Aleuts, has prevented the state from taking title to some 86 million acres of Federal holdings to which it's entitled under the 1958 Statehood Act.

Treasury Secretary-designate Kennedy has been invited to appear before a closed session of the Senate Finance Committee at 10 this morning. That committee, of which Sen. Gore is third-ranking Democrat, must vote on Mr. Kennedy's confirmation.

At today's meeting the committee presumably will hear Sen. Gore's objections and Mr. Kennedy's response, and then vote tentatively on whether to approve Mr. Kennedy—as well as California Lt. Gov. Robert Finch, the proposed Secretary of Health, Education and Welfare.

CHANGE IN TRUSTEE

One source suggested that, to allay fears of a conflict of interest, Mr. Kennedy may assure the committee he will find a different trustee. According to Sen. Gore, Mr. Kennedy's intended trustee is Continental Illinois National Bank & Trust Co. of Chicago—the bank from which Mr. Kennedy intends to resign as chairman, and it's that bank's stock he is placing in trust, Mr. Gore said.

Sen. Gore examined Mr. Kennedy's statement of assets and proposed trust arrangement—furnished privately to the committee—and then the two met for an hour yesterday.

Following that meeting, the Senator released a three-page letter to Committee Chairman Long (D., La.), in which he explained his reservations about Mr. Kennedy.

The Chicago banker "is an estimable gentleman of ability and integrity," Sen. Gore said, "but I am troubled . . . because the proposed plan which Mr. Kennedy submits permits a clear-cut conflict of interest to remain." He added that "in the aura of grace rightly extended an incoming President, the Senate is about to relent on a very vital instrument of public policy—the traditional safeguards against conflict of interest."

Sen. Gore said the provisions of the proposed trust are "superficial," because a variety of benefits, such as regular payment of dividends, will accrue to Mr. Kennedy. He said, also, that Mr. Kennedy proposes after confirmation to "purchase large additional stock holdings" in the bank through a stock-option plan, "of which he doesn't propose to divest himself . . . it being his intention, I believe, ultimately to place such stock in said trust after capital gains tax treatment can be accorded" to it.

Sen. Gore said that in "respect for Mr. Kennedy and for his privacy" he wasn't disclosing details or exact amounts of the stock holdings, but he added it might become necessary to do so "in order to place this vexatious problem, which doesn't relate to Mr. Kennedy alone, before the Senate."

The Senator said he sympathized with Mr. Kennedy's problem in trying to devise a satisfactory arrangement, but added: "Regretably, I must insist that there be no conflict of interest between the Secretary of the Treasury and personal bank stock holdings."

In the Interior Committee hearings, Sen. Jackson sought to nail Gov. Hickel to a commitment that he would continue the Federal land freeze in Alaska as head of the Interior Department. Saying that Congress likely would settle the land claims of Alaska's natives within the next two years, Sen. Jackson asked, "Can we keep the freeze (for that period) so that we can legislate without a feeling of undue haste?'"

Mr. Hickel said Alaska needs land to build airports, roads and other public projects. But, he said, "I would abide by your wishes . . . except for unusual situations."

NOT SURE WHAT HE MEANT

Following yesterday's session, Sen. Jackson said he thought Gov. Hickel's reply meant that we would basically maintain the status quo in Alaska until Congress could act. The Washington Democrat also indicated a willingness to allow oil and gas exploration on the disputed land—an action Mr. Hickel has argued for as Alaska's chief executive—provided that any revenues would be held in trust until the share for natives could be determined.

However, the chairman said some Democratic members of the committee still aren't totally certain of what the Secretary-designate had promised to do. Consequently, the committee will study a transcript of yesterday's testimony and seek to clarify the issue when Mr. Hickel returns today for his third day of testimony, he said.

Sen. Jackson, describing the governor as "responsive" to questions during the first two sessions, declared himself "generally satisfied" with his answers so far. This would seem to strengthen earlier forecasts of Gov. Hickel's eventual confirmation.

POSSIBLE LENGTHY HEARINGS

Nevertheless, there's a possibility that lengthy committee consideration of Mr. Hickel's qualifications could lead to the new Republican Administration's first embarrassment by the Democratically controlled Senate.

In addition to further testimony from the governor, conservation groups and individuals desiring to speak on Mr. Hickel's fitness have yet to be heard. The committee will begin hearing these witnesses today and meet in closed session tomorrow to consider Mr. Hickel's private financial interests and whether any of them could represent a conflict of interest. But it's possible further hearings will have to be scheduled next week in order for "everyone to be heard," Sen. Jackson said.

Such a delay could cause the Senate to vote on Mr. Nixon's other Cabinet choices, leaving Gov. Hickel for later. All alone, though, he'd be an easier target for extensive critical comments by the liberal Democrats who've been sniping at him all along.

In other actions, the Senate Commerce Committee approved the nomination of Maurice Stans, New York investment banker, to be Commerce Secretary and Massachusetts Gov. Volpe to be Secretary of Transportation. The full Senate plans to act on the Nixon Cabinet appointments Monday or Tuesday.

[From the Wall Street Journal, Jan. 20, 1969]

Speedy Senate Vote Seen Today for Most of Nixon's Cabinet—Interior Secretary Designate Hickel Is the Only Appointee Whose Status Remains Clouded

Washington.—Nearly all Richard Nixon's Cabinet appointees probably will be confirmed in a speedy Senate vote this afternoon, shortly after the inauguration.

The only one whose status remains clouded is Alaska Gov. Walter J. Hickel, the Interior Secretary-designate and the most controversial of Mr. Nixon's Cabinet choices. Opponents may delay his confirmation today so they'll have time to make speeches urging him to be more conservation-minded, but he almost certainly will be approved later this week.

Besides Gov. Hickel, the only appointees who haven't yet been cleared by appropriate Senate committees are Secretary of State-designate William P. Rogers, a New York lawyer and former U.S. Attorney General, and Postmaster General-designate Winton Blount, an Alabama contractor who currently heads the U.S. Chamber of Commerce. These two aren't expected to have any trouble, however; the Senate committees probably will approve them quickly and informally after the nominations actually have been received from the new President.

On Friday, the Senate Finance Committee voted unanimously to recommend approval of Treasury Secretary-designate David M. Kennedy, former chairman of Continental Illinois National Bank & Trust Co., Chicago. The vote came after a lengthy closed meeting in which Mr. Kennedy agreed to revise the terms of a proposed trust into which he plans to put his substantial holdings of Continental Illinois stock.

Mr. Kennedy's initial trust plan has prompted objections from Sen. Gore (D., Tenn.) that Mr. Kennedy would have a "clear-cut conflict of interest" as Treasury Secretary.

At the committee meeting Friday, Mr. Kennedy agreed to find an "independent" trustee to replace Continental Illinois, as it is that bank's stock that would be held in trust. Mr. Kennedy told reporters he originally had chosen his bank as trustee "because I'm familiar with the high quality of our investment services. Now I've go to trust someone else with my life's work."

He also agreed to "instruct" the trustees to diversify his holdings as soon as it could be done "prudently." Mr. Kennedy later told reporters, "that would have been done anyway, of course. It's just good investment policy to diversify."

He refused to say how much bank stock he owns. "I could tell you," he said, "but I'm not going to." Almost all of his portfolio consists of Continental Illinois stock, he said.

Mr. Kennedy also agreed that before he become Treasury Secretary he will notify the bank whether he intends to exercise his option to purchase 30,000 of the bank's shares.

Gov. Hickel, from all indications, will be endorsed quickly by the Senate Interior Committee this morning. This would open the

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way for action by the full Senate today along with other Nixon choices. However, Senate rules permit a single member to delay voting on any of the nominations, and at least one or two Senators are likely to move for such a delay.

Republican committee members pressed Chairman Jackson (D., Wash.) unsuccessfully for a vote at the close of an unusual Saturday hearing, at which Gov. Hickel's financial holdings were reviewed in public and private sessions. After the meeting, Sen. Jackson once again indicated he could see no reason for opposing Mr. Hickel's appointment. But he was keeping the proceedings open, he said, until the committee could receive still more information from Alaskan officials about possible oil leases granted by the state's natural resources commissioner, a Hickel appointee.

The chairman also disclosed that Mr. Hickel, after closed consultations with the committee, had agreed to sell personal business holdings valued at close to $1 million to avoid any conflict of interests. Most of this amount represents more than 32,000 common shares of Alaska Interstate Co., Houston. Based on Friday's closing price of $28.25 on the American Stock Exchange, these shares would be worth more than $900,000.

Mr. Hickel acquired the stock in exchange for his interest in Anchorage Natural Gas Corp., a gas-distributing utility that he helped found. The committee believed the possibility of a conflict existed because the pipeline supplying the utility—also owned by an Alaska Interstate subsidiary—runs over public land administered by the Interior Department.

In addition, Mr. Hickel agreed to sell his $3,000 interest in a seafood company that fishes for crab on the continental shelf and, thus, comes under the jurisdiction of the department's Bureau of Commercial Fisheries.

The other required divestitures weren't disclosed, but are equally small, the governor told reporters.

Mr. Hickel also will "admonish" hotels, contracting concerns and other Alaska enterprises, in which he, or his family, has an interest not to engage in any Federal business during his time in office. But "obviously, a Government employe can rent a room" in a Hickel-owned hotel, Sen. Jackson commented.

The committee originally turned its attention to Alaska Natural Resources Commissioner Thomas E. Kelly, a former Houston oil executive, in exploring charges that the Hickel administration has been too cozy with the oil industry. Mr. Kelly's post gives him regulatory powers over oil and gas development on state lands.

At the outset of the hearings, Mr. Hickel testified that as far as he knew, Mr. Kelly didn't own any oil-company interests. In response to the committee's inquiry, though, Mr. Kelly sent a telegram stating that he owns about $60,000 in oil company stocks, including 1,400 shares of British Petroleum Co., purchased after he took over as state commissioner.

[From the Wall Street Journal, Apr. 18, 1969]

Representative Patman Charges Treasury Secretary Would Gain From Administration Bank Bill

WASHINGTON.—Chairman Patman of the House Banking Committee charged that Treasury Secretary Kennedy would gain financially through passage of the Nixon Administration's proposed bank holding-company bill.

The Texas Democrat detailed the conflict-of-interest charge in a scathing seven-page statement as Mr. Kennedy, who left the chairmanship of a major Chicago bank to join the Nixon Cabinet, waited to testify at the Banking Committee's hearing on holding-company legislation.

The session was marked by tense and bitter exchanges between the Treasury Secretary and the Banking Committee chairman. Mr. Kennedy was appearing to testify in behalf of the Administration's bill, but the tough tone of Chairman Patman's opening statement overshadowed the hearing.

When Mr. Patman had finished reading the statement, Secretary Kennedy responded to the allegations by saying, "I have no comment, Mr. Chairman. None at all. None at all. Go ahead and interrogate. I have no comment."

Following the hearing, Mr. Kennedy told a reporter "no comment" when asked if Mr. Patman's discussion of the Secretary's financial situation was accurate.

SECRETARY'S FORMER BANK

Mr. Patman noted that Mr. Kennedy is the former chairman of Continental Illinois National Bank & Trust Co. of Chicago, which recently transformed itself into a so-called "one-bank holding company," Conill Corp., thereby taking advantage of a legal loophole that the Administration's bill is designed to close. As the bank's chairman, Mr. Kennedy had advocated the move.

Rep. Patman and the Administration both have introduced bills that would extend Federal regulation to these one-bank holding companies, with the goal of keeping banking separate from nonbanking businesses.

Currently, only the banking subsidiaries of these one-bank companies are Federally regulated; the holding companies themselves are free to acquire other businesses far afield from banking. In contrast, holding companies controlling two or more banks are tightly regulated by the Federal Reserve Board under a 1956 law. Thus, the one bank exemption has prompted many of the nation's banks to transform themselves into one-bank holding companies to enjoy unregulated diversification.

The Patman bill would close the loophole by simply extending the 1956 law's coverage to one-bank companies. In less direct fashion, the Administration bill would provide for regulation of one-bank companies, but in Mr. Patman's view it also would loosen the present regulatory framework.

"MAN OF HIGH INTEGRITY"

Mr. Patman assured Mr. Kennedy that he considered him "a man of high integrity." But the chairman added: "You come before us today to testify on banking legislation at a time when you hold substantial interests in a bank. And more importantly, it is an interest in a one-bank holding company—the very subject on which you testify."

Chairman Patman said he understood Secretary Kennedy has exercised an option on 30,855 Continental Illinois National Bank shares with a market value of more than $1.2 million, and that these shares won't be placed in trust before Aug. 15.

"It takes no financial expert to realize that the value of this huge stock option will fluctuate according to what happens to the legislation regulating one-bank holding companies," Mr. Patman commented.

He added that part of Mr. Kennedy's "very large holding" in a Continental Illinois profit-sharing plan has been transferred to him in the form of Continental Illinois stock. Although it has been placed in a trust, Mr. Patman maintained the trustee isn't obligated to diversify the holding—as is the case with an additional 7,800 Continental Illinois shares owned by Mr. Kennedy and his wife.

"In effect, this block of stock (from the profit-sharing plan) remains intact, and you know that the moment you leave the office of Secretary of the Treasury you will have in your possession a substantial holding in Continental Illinois Bank, or the Conill holding company," Mr. Patman said. "Under these circumstances, it would be extremely naive to say that you have no interest in the value of that stock at this moment."

Mr. Patman also said he had learned that Continental Illinois has promised Secretary Kennedy "future financial remuneration of a sizable sum, something on the order of $200,000." He said Mr. Kennedy would be paid the money when he left office.

Additionally, Mr. Patman said that last Jan. 31 Secretary Kennedy began receiving from the bank a pension of nearly $5,000 a month, "or roughly equivalent to your salary from the Federal Government."

Chairman Patman declared that if the legal definition of the banking business is "broadened, as contemplated in the Administration's holding-company bill the value of your stock in Conill Corp.—the Continental Illinois National Bank—will rise sharply."

RESOLVING THE CONFLICT

Mr. Patman said questions of conflict could be resolved if Secretary Kennedy "could tell the committee this morning that you were willing to revise your trust arrangement to provide for the immediate sale of all bank stock."

The Banking Committee chairman said this perhaps would cost Mr. Kennedy money "in the form of additional taxes, but I don't think this should be the overriding factor in meeting your obligations as Secretary of the Treasury. Living up to the spirit and the letter of the law is often costly to the average citizen, and I don't think that it should be any different for Cabinet officers."

Mr. Patman said Title 18 of the U.S. Code requires Executive Branch officials to refrain from participating in any Governmental matter in which they have a financial interest.

In their testimony, Secretary Kennedy, Under Secretary Charles E. Walker and Richard W. McLaren, assistant attorney general in charge of the Justice Department's Antitrust Division, urged passage of the Administration's bill as being preferable to the one introduced by Rep. Patman.

Here are the main differences between the two bills:

Range of permissible activities: The Patman measure would extend to one-bank holding companies the same restriction that applies to multibank holding companies. The restriction specifies that bank holding-company affiliates must be "closely related" to banking. The Administration bill would eliminate that restriction, but would state that any bank holding company could acquire any concern engaged in any activity that has been determined unanimously by the three Federal banking agencies to be financial or "of a fiduciary or insurance nature."

Jurisdiction: The Patman bill would make one-bank holding companies subject solely to regulation by the Federal Reserve Board. The Administration measure would spread the regulatory power among the three Federal agencies along traditional jurisdictional lines—the Comptroller of the Currency for national banks, the Federal Reserve for state member banks and the Federal Deposit Insurance Corp. for insured nonmember banks. Proponents of the Administration measure object to the tight manner in which the Reserve Board has supervised multibank holding companies under the 1956 act. Mr. Patman takes the opposite view, and feels regulation would be significantly softened under the Administration plan, particularly through giving the Currency Comptroller a role.

Effective date: The Patman bill would require one-bank holding companies to divest themselves of affiliates deemed by the Reserve Board to be insufficiently related to banking. The Administration bill would leave untouched any one-bank holding company affiliates acquired before June 30, 1968.

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[From the Wall Street Journal, Apr. 30, 1969]

TREASURY SECRETARY SELLS HIS BANK STOCK, PRESUMABLY TO STIFLE CONFLICT ALLEGATIONS

(By Fred L. Zimmerman)

WASHINGTON.—Treasury Secretary Kennedy, apparently giving in to Congressional pressure, a few weeks ago quietly sold more than $1.2 million of stock in Continental Illinois National Bank & Trust Co., Chicago.

In a confidential statement to the Senate Finance Committee in January he had said he intended to hold the stock at least until Aug. 15, when the income from its sale would have been eligible for long-term capital-gains tax treatment. The 30,855 shares were purchased under a stock-option plan for $1,211,367 after Mr. Kennedy joined the Cabinet.

Their unannounced sale presumably was designed to stifle allegations, principally from Chairman Patman (D., Texas) of the House Banking Committee, that Mr. Kennedy had a clear conflict between his Treasury job and his ownership of a large block of stock in the nation's eighth largest bank. Mr. Kennedy was the bank's $200,000-a-year chairman until he entered the Government in January.

The sale was disclosed by Treasury general counsel Paul W. Eggers yesterday morning in response to a reporter's inquiry. Mr. Eggers later issued a statement discussing, in more detail than Mr. Kennedy has been willing to do himself, the Secretary's financial situation and declaring that no illegality or conflict of interest exists.

Mr. Eggers also disclosed that Secretary Kennedy had elected to accept an unspecified amount of cash from the bank as settlement of his profit-sharing account, rather than a combination of cash and bank stock.

This decision also contrasts with the intentions Mr. Kennedy outlined in his confidential letter to the Senate Finance Committee. He told that group in January he planned to settle with the profit-sharing plan for 3,800 bank shares and about $475,000 cash. He told the committee that his total distribution from the plan would be worth about $645,000.

Additionally, his trustee, Old Colony Trust Co., Boston, originally had been instructed not to sell that block of 3,800 shares except under unusual circumstances. Mr. Eggers didn't explain why Secretary Kennedy eventually decided against taking the 3,800 shares.

Mr. Eggers declined to state exactly when the 30,855 Continental Illinois shares were sold, to whom, or the price received. He said the bank had arranged the sale at Mr. Kennedy's request in an "arm's-length" transaction.

Secretary Kennedy, he said, was taxed on the shares at ordinary income rates rather than at the lower capital-gains rate Mr. Kennedy originally had aimed for. His profit from the sale isn't known, but current market prices for Continental Illinois stock are only a dollar above his stock-option price of $39.26.

Criticism of Mr. Kennedy's continuing relationship with the bank has been rising. About two weeks ago Mr. Kennedy sat silently at a House Banking Committee hearing waiting to testify on banking legislation while Chairman Patman read a biting seven-page statement discussing the Kennedy finances.

When Mr. Patman had finished his attack, which centered on Secretary Kennedy's alleged ownership of the 30,855 shares, Mr. Kennedy briskly declined comment—even though, according to the Eggers statement, he had already disposed of the shares in question.

Chairman Patman, in response to the Eggers statement, commended Secretary Kennedy for "starting this action to clear up the conflict."

Mr. Eggers said that Mr. and Mrs. Kennedy don't own any stocks that haven't been transferred to a trust supervised by Old Colony Trust Co. This trust includes 7,846 shares of Conill Corp., the holding company into which Continental Illinois National Bank was reorganized April 1 on a share-for-share basis.

According to Senate Finance Committee records, the trust also apparently contains 2,351 common shares of 14 other corporations, including Texaco Inc. and General Motors Corp.

Mr. Eggers noted that on Jan. 10, after Mr. Kennedy was named to the Cabinet, Continental Illinois directors awarded him a "separation allowance" of $200,000, to be paid in five annual instalments beginning when Mr. Kennedy leaves the Treasury. "This contractual right was fixed and certain on Jan. 10, 1969, and no action Mr. Kennedy would take while in office can alter this amount," Mr. Eggers said.

Senate Finance Committee records also disclose that Mr. Kennedy is entitled to deferred payments totaling about $32,000 for his past service as a director of Abbott Laboratories, Chicago. The payments are to be in monthly instalments of about $400, starting when he reaches age 68. Mr. Kennedy is 63.

Additionally, he has been receiving since last January a pension from the bank of about $4,800 monthly, and the bank is paying the "major cost" of his $108,000 life insurance policy.

[From the Wall Street Journal, May 1, 1969]

PATMAN SHOWDOWN WITH TREASURY CHIEF SEEN OVER FINANCIAL TIE TO CHICAGO BANK

(By Fred L. Zimmerman)

WASHINGTON.—Chairman Patman of the House Banking Committee, still dissatisfied with Treasury Secretary Kennedy's financial ties to a Chicago bank, is determined to force a "showdown" with Mr. Kennedy on the issue.

Mr. Patman, a Texas Democrat, said in an interview he won't be content until Secretary Kennedy either "removes all conflict with the bank" or leaves the Treasury.

The 75-year-old Mr. Patman consider his fight with Mr. Kennedy similar to his 1932 battle with Treasury Secretary Andrew Mellon over conflicts of interest. The impeachment proceedings Mr. Patman began then were instrumental in Mr. Mellon's resignation.

Chairman Patman readily states that an impeachment effort is "one of the alternatives" he's considering, although he says his next major step may be to ask the committee to subpoena Mr. Kennedy or Treasury General Counsel Paul W. Eggers to answer questions about the Secreary's financial situation.

"As long as there's evidence he's in a conflict of interest," Mr. Patman says, "I'm not going to give up on him. I have never given up on anything."

Yesterday, Chairman Patman called upon Secretary Kennedy to revoke an arrangement whereby he will be given $200,000 by the Chicago bank, Continental Illinois National Bank & Trust Co., when he leaves the Government.

He also requested that Mr. Eggers, the Treasury's general counsel, appear before the committee Saturday morning to answer questions about a statement he had issued Tuesday about Mr. Kennedy's financial situation.

REQUEST QUICKLY DECLINED

But Mr. Eggers quickly declined, explaining that "Secretary Kennedy's personal finances are irrelevant" to the bank holding company legislation the committee is considering. He also stated that he had nothing to add to his earlier discussion of Mr. Kennedy's finances.

Meanwhile, a Treasury spokesman said Secretary Kennedy continues to have nothing to say about the controversy.

The Eggers statement had denied a conflict existed between Mr. Kennedy's Treasury job and his relationship with Continental Illinois National Bank, of which Mr. Kennedy was the $200,000-a-year chairman until he joined the Cabinet.

Mr. Patman began yesterday's skirmishing with Mr. Kennedy by commending him for recently selling more than $1.2 million of the bank's stock, presumably to resolve the conflict-of-interest question that has been raised mainly by Mr. Patman.

The 30,855 shares were acquired through stock options after Mr. Kennedy became Treasury Secretary. He has declined to say exactly when they were acquired or sold, to whom, and at what price.

Mr. Patman maintained, however, that the stock sale, disclosed in the Eggers statement didn't sufficiently cut the Secretary's ties with the bank. He noted that Mr. Kennedy still is entitled to the $200,000 "separation allowance" bank directors voted him last Jan. 10, after he had been named to the Cabinet. The money is to be paid him in five annual instalments when he leaves office.

PATMAN SAID "ANGRIER"

Last night, after learning Mr. Eggers didn't intend to appear before the committee as requested, Mr. Patman was reported by an aide to be "angrier than ever."

In a statement, Chairman Patman noted that Mr. Eggers had accused him of making "erroneous" allegations and then had refused to "come before the committee and substantiate the charge."

Mr. Patman also said: "Secretary Kennedy and his general counsel . . . have issued a misleading and highly incomplete statement claiming that the Secretary has absolved himself of a conflict. The release is minus dates and other essential details of the events they claim occurred. This is simply a hoax being perpetrated on the press and the Congress . . . and I regard the general counsel's letter charging me with erroneous statements to be a personal affront. I challenge him to document the charge."

[From the Houston (Tex.) Chronicle, Feb. 25, 1969]

PATMAN TAKING AIM AT KENNEDY OVER BANK FIGHT

(By Murray Seeger)

WASHINGTON.—One of the craftiest old lions of Congress and a Nixon cabinet member once described as a lamb are about to tangle in bitter battle.

The specific issue is legislation governing the headlong growth of one-bank holding companies. But the personal finances of the lamb, treasury secretary David M. Kennedy, will also be debated with the lion, Rep. Wright Patman, D-Texas, leading the argument.

Under an agreement reached with the Senate Finance Committee when it confirmed his nomination, Kennedy has notified the Continental Illinois National Bank and Trust Co. of Chicago that he will buy the 30,000 shares of stock he was entitled to under a stock option granted when he was its chairman. The stock is worth $1.2 million.

Kennedy agreed last month to transfer his assets to a "blind trust" to be administered while he is in office. This trustee, who would operate without informing Kennedy of his investment decisions, was instructed to diversify the portfolio. The items given to the trustee include about 8000 shares of Continental Illinois stock.

However, Kennedy must hold the 30,000 new shares of Continental Illinois stock for six months under terms of the law governing stock options. He then can sell them or transfer them to his trust.

Continental Illinois on Feb. 3 received permission from the superintendent of na-

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tional banks to convert itself into a one-bank holding company, Conill Corp.

As a result, the new corporation has a vested interest in holding company legislation the Treasury soon will send to Congress.

The possibility of a conflict-of-interest between Kennedy's official role and his private investment caught the attention of the 75-year-old Patman, chairman of the House Banking and Currency Committee.

Patman has introduced a bill that would limit the activities of one-bank holding companies more strictly than the legislation under consideration by the Treasury.

Although Patman seldom can win majority approval in the House for his sternest anti-big bank positions, his influence on bank legislation is great.

AN EMBARRASSING SITUATION

Several Congressional sources conceded this week that the Treasury's position was weakened by Kennedy's personal involvement with Continental Illinois.

"It is a very embarrassing situation," one anti-Patman member of the house banking committee observed.

The Treasury, Patman and Federal Reserve Board of governors all agree that one-bank holding companies should be regulated.

Under present law, a company that owns 25 percent of two or more banks can engage only in the usual banking services—receiving deposits, making loans, acting as trustee, and so on. They must register with the Federal Reserve and get permission of the board for new acquisitions or expanded services.

These are the same restrictions applied to companies chartered to do business as banks. When such a company reorganizes as a holding company owning one bank as its subsidiary, however, it becomes exempt from those strict rules.

WERE NO ECONOMIC THREAT

When the holding company act was passed in 1956, Congress decided that the one-bank companies were no economic threat although the Federal Reserve wanted them covered by the law.

By last December, however, the number of one-bank holding companies had grown to 880. They held deposits of $100 billion.

The big banks of the nation, including the three largest—Bank of America in California and First National City Bank and Chase Manhattan in New York City—have joined the parade.

There would be nothing to stop such a huge financial giant from buying a steel company, an automobile factory or a brokerage firm. The modern banking laws passed after the great stock market collapse 40 years ago were designed to prevent the formation of such cartels that could wield immense power over the nation's economy.

PUT ALL IN SAME BASKET

Under the Patman proposal, one-bank holding companies would be swept into the same limited legal structure governing multi-bank companies. The banks that had already taken on enlarged services would have to divest themselves of such activities.

"The entire structure of the American economy is being changed through conglomerates centered around banking institutions," Patman charged. "This is clearly a threat to everyone—both inside and outside the financial community—and it is essential that the Congress act quickly to provide meaningful remedies."

[From the Los Angeles Times, Apr. 24, 1969]

TREASURY AIDES SILENT ON STATUS OF KENNEDY—DECLINE TO ANSWER QUESTIONS ON CABINET OFFICIAL'S APPARENT CONFLICT OF INTEREST

(By Murray Seeger)

WASHINGTON.—The Treasury Department would not disclose Wednesday if Secretary David M. Kennedy has received written presidential clearance—as required by law—for his apparent conflict of interest relationship with a Chicago bank.

Under the federal conflict-of-interest laws, a public official is barred from taking official decisions and actions that would benefit his personal business interests.

The law can be circumvented, however, if the President finds that the individual's private interest is "not so substantial" as to likely affect the integrity of the man's service to the government.

A Treasury spokesman, in declining comment, said, "This issue involves the secretary personally and the White House."

At the White House, all questions were referred to John D. Ehrlichman, counsel to the president. Ehrlichman could not be reached for comment.

Although the conflict issue involving Kennedy has been discussed previously, particularly before the House Banking and Currency Committee, it is certain to rise again to embarrass the Nixon Administration.

Rep. Wright Patman (D.-Tex.), the chairman of the banking committee, plans to ask Kennedy a third time to explain his relationship with the Continental Illinois National Bank & Trust Co.

Kennedy has taken the position that his private affairs were discussed when he was confirmed by the Senate Finance Committee.

The Texas congressman plans to lead a congressional investigation of Kennedy's affairs if no satisfactory answers are provided to his questions soon.

The apparent conflict of interest involves Kennedy's continuing financial relationship with Continental Illinois where he was board chairman until he joined the Cabinet in January.

This bank in February became a one-bank holding company, Conill Corp., with government approval. Kennedy, as board chairman, had urged the change in corporate structure.

(Banks, by forming holding companies, are permitted to diversify and therefore achieve higher earnings growth. Federal legislation controls multibank holding companies but single-bank holding companies are not regulated.)

Since taking office, Kennedy has sent to Congress legislation which would for the first time define the proper field of operation for one-bank holding companies. An issue has developed because the Treasury proposal is more generous to the holding companies than proposals supported by the Federal Reserve Board of Governors, Patman and Sen. William Proxmire (D-Wis.), ranking Democrat on the Senate Banking Committee.

"If the Treasury bill passes," one congressional authority said Wednesday, "it will enhance the value of every one-banking holding company stock in the country."

KENNEDY HOLDINGS

Thus Kennedy is in the position of advocating legislation which probably would increase the value of his holdings in Continental Illinois.

Kennedy owns outright 30,855 shares of Continental stock currently selling at $40.25 a share over-the-counter. He purchased this stock after becoming Treasury secretary at $39.26 a share under terms of a stock option granted to him by the bank while he was its chairman.

Although Kennedy will not talk about his personal finances publicly, it is known that he must hold these shares until Aug. 15 in order to comply with the law covering stock options. This waiting period will also allow him to take advantage of a lower tax rate on capital gains compared with the rate charged for ordinary income.

OBTAINED LOAN

Kennedy's holding of Continental stock is now worth $1,241,913. He paid $1,211,367 for it by obtaining a bank loan but not from Continental. The source of the loan could not be learned.

Kennedy also owns 11,646 shares of Continental stock which he has placed in trust with the Old Colony Trust Co. of Boston.

After Kennedy was appointed to the Cabinet, the Continental Bank directors voted to give him deferred compensation of $200,000 to be paid over five years after he leaves government service. This amount is almost equal to his final annual salary at the bank, $233,750.

The secretary is currently receiving $5,000 a month in pension from the bank, a total of $60,000 a year. His government salary is also $60,000 a year.

Kennedy's financial interest in Continental is covered by two legal provisions—a criminal statute and an executive order still in effect from the Johnson Administration.

One section of the statute bars a government official from participating personally "through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise," with any "person or organization" with which he has a financial interest.

This law would not apply, however, "if the officer involved has received in advance a written determination made by the government official responsible for the appointment to his position that the interest is not substantial as to be determined likely to affect the integrity of the services which the government may expect from such officer or employee."

Treasury officials and the White House were asked Wednesday if such a clearance had been written by President Nixon for Kennedy. Treasury officials said they were unable to answer and the White House had no authorities available to answer. The Justice Department said the issue had not been raised there officially.

In addition, under the effective executive order, Kennedy was required 30 days after taking office to file a statement of his private investments with the chairman of the Civil Service Commission. This official is required to determine if the private interests appear to conflict with official duties.

The chairman of the commission must submit a statement outlining the possible conflict of interest to the President. The White House was also unable to say Wednesday if such a statement concerning Kennedy had been received from Civil Service Commission Chairman Robert E. Hampton.

When he was questioned by the Senate Finance Committee, Kennedy submitted a letter from his Chicago attorneys which stated that "upon your assumption of office . . . you will be in compliance with some of the conflict of interest laws.

However, the big stock purchase was made after Kennedy took office as was the severance pay arrangement.

Herbert A. Freidlich, an attorney, also warned Kennedy in the letter: "In the day-to-day administration of the office of secretary of the Treasury, Section 208 of Title 18 will be the statute which will be principally applicable to you."

This is the statute which Mr. Nixon can waive with a memorandum. It is also the law cited by Patman in his criticisms of the secretary.

In his statement to the appointees last winter, Ehrlichman warned:

"As a general proposition, it can be said that where ownership of property or a financial interest creates a conflict or an appearance of a conflict, some arrangement should be made to eliminate the conflict.

"It is worth emphasizing that the appearance of a conflict could be just as embarrassing to the Administration and the Cabinet appointee as an actual conflict."

[From the Los Angeles Times, Apr. 25, 1969]

NO WAIVER ISSUED IN KENNEDY CASE, WHITE HOUSE CONCEDES—AIDE ALSO DISCLOSES NO FINANCIAL STATEMENTS HAVE BEEN FILED FOR ANY MAJOR NIXON APPOINTEE AS REQUIRED BY LAW

(By Murray Seeger)

WASHINGTON.—The White House acknowledged Thursday that no presidential waiver has been issued or requested to protect Treasury Secretary David M. Kennedy from charges of conflict of interest.

In addition, Edward L. Morgan, deputy counselor to the President, disclosed that the White House has not yet sent to the chairman of the Civil Service Commission the financial statements required of any major Administration appointee.

The terms of a 1965 presidential executive order governing the conduct of federal officials require that statements of their personal financial holdings, loans and property be submitted to the commission chairman, now Robert E. Hampton, a Nixon appointee, 30 days after taking office.

CHARGES AIRED FOURTH TIME

The White House for the first time Thursday discussed the charges against Kennedy shortly after Rep. Wright Patman (D-Tex.), chairman of the House Banking Committee, or the fourth time this year publicly attacked the secretary. He accused Kennedy of having a conflict because of his personal ownership of stock in a Chicago bank at the same time he is advocating new legislation which would directly affect that bank.

"From the facts that I have before me, I can only conclude that you do indeed have a serious conflict of interest which can be remedied only through the immediate sale of your bank stock and through severance of your other financial ties to Conill Corp." Patman said.

Kennedy listened quietly to Patman's new blast in the banking committee hearing room. The secretary refused to answer reporters' questions about his personal finances as he has since February when The Times first asked him about them.

Later, the secretary sent word through the Treasury Department's general counsel, Paul W. Eggers, that he was gathering material about his holdings which would be made public.

"There is no stock in his wife's name and there is no stock in his name and that covers the Continental Bank and that covers the holding company, Conill," Eggers said.

He acknowledged the secretary exercised an option to purchase 30,855 shares of the bank stock but would not elaborate on how it is held.

ONE-BANK HOLDING COMPANY

Conill is the name of the one-bank holding company formed by the Continental Illinois National Bank & Trust Co. of Chicago and approved by the superintendent of national banks in February.

Kennedy was chairman of the board of Continental Illinois and was active in the formation of the holding company. Under present laws, a one-bank holding company is able to expand business operations beyond the restrictive area of traditional banking.

Legislation is pending before Patman's committee to regulate one-bank holding companies for the first time.

Patman favors strict rules of operation for one-bank and multibank holding companies. A bill supported by the Treasury Department would loosen the rules now governing multibank holding companies and put one-bank companies under the same regulations.

In his brief statement to Kennedy Thursday, Patman insisted, "Your bank stock and your other connections with the Conill Corp.—a one-bank holding company—do have a direct bearing on your presentations before this committee."

Under the federal conflict of interest statutes, a government official must "refrain from participating as such in any matter in which, to his knowledge, he, his spouse, minor child or partner has a financial interest," according to a Department of Justice analysis.

An exemption or waiver to this law can be granted for a Cabinet officer by the President "if the outside financial interest in a matter is deemed not substantial enough to have an effect on the integrity of his services," the Justice Department report states.

NOMINEES ADVISED

Morgan said White House lawyers examined each Cabinet officer's financial holdings before their names were submitted to the Senate for confirmation. Each nominee was advised on the conflict of interest laws and regulations.

In general, the officials were advised to sell stocks that might cause a conflict and put other holdings in trusts over which they would have no control.

Kennedy followed this procedure with 11,646 shares of Continental stock he had accumulated. However, he had the rights to the additional 30,855 shares under a stock option which he exercised after he was appointed.

A federal law covering options says the holder can make "no disposition" of such stock for six months. In addition, Kennedy told the Senate Finance Committee which confirmed him that he wanted to hold the stock for six months—ending Aug. 15—in order to take advantage of the capital gains tax rates which are lower than the rates on salary income.

DEFERRED INCOME

In addition, Kennedy has been granted $200,000 in deferred income to be paid by the bank after the secretary leaves office.

"There has been no waiver signed by the President," Morgan said. "We haven't been requested to issue a waiver—Treasury has not asked for a waiver."

The executive order, issued by former President Lyndon B. Johnson and still in effect, also prohibits employes from having "direct or indirect financial interests that conflict substantially, or appear to conflict substantially with their responsibilities and duties as federal employees."

Enforcement of this order is assigned to the Civil Service Commission. The chairman has the responsibility for judging if Cabinet officers have potential conflicts according to the statements they submit.

IN THE PROCESS

"We are in the process of sending all this over to the Civil Service Commission," Morgan added.

The counselor said he did not think a "double standard" of conduct had been applied to Kennedy. His arrangements with the Senate Finance Committee had also been cleared with the White House.

"At the time we advised him, the one-bank holding company question was not an issue," Morgan asserted.

Congressional authorities pointed out that every Cabinet officer except Kennedy was required to divest himself of stocks or to assign them to an independent trustee. No other appointee was allowed the freedom to acquire more stock after taking office.

"He is the poorest man in the Cabinet," a Finance Committee staff member observed about Kennedy.

Other sources observed that while the Senate Finance Committee approved the secretary's arrangements with Continental Illinois, another Senate committee, banking and currency, will have jurisdiction over the bank holding company legislation.

At his hearing, Patman asked Kennedy to supply a detailed financial statement to the House committee and to include a legal analysis of the federal law and rules governing conflict of interest.

[From the Los Angeles Times, Apr. 30, 1969]

DAVID KENNEDY'S SALE OF STOCK IN CHICAGO BANKING FIRM TOLD

(By Murray Seeger)

WASHINGTON.—During the first week of April, Treasury Secretary David M. Kennedy sold 30,855 shares of stock in the Chicago Bank where he had been chairman, it was disclosed Tuesday.

Since then, therefore, neither Kennedy nor his wife has been "a stockholder of record of any stock either in Continental Illinois Bank & Trust Co. or in Conill Corp.," Paul W. Eggers, general counsel of the Treasury, said in a letter to Rep. Wright Patman (D-Tex.), chairman of the House Banking and Currency Committee.

Eggers wrote his letter after undertaking an investigation of charges by Patman that Kennedy was the owner of substantial stock in the Chicago Bank at the same time he was advocating new legislation which would directly affect the bank.

"I have made a thorough investigation of these charges and I find that they are erroneous both as to the facts alleged and as to the conclusions drawn," Eggers said.

The statement did not explain why Kennedy held the stock from Jan. 22, when he notified the Senate Finance Committee he would exercise an option on the 30,855 shares—worth more than $1.2 million—until after April 1.

In the meantime, the bank was reorganized into a one-bank holding company called Conill Corp. This action took final effect on April 1 and Kennedy sold his stock "two or three days later," a Treasury spokesman said. Continental Illinois stock was converted into Conill stock on April 1 with no change in value.

There was also no explanation why Kennedy spurned repeated requests by Patman and reporters to explain clearly his financial situation since it became an issue in February.

The secretary had no comment Tuesday on Eggers' study.

The questions raised involved three blocks of stock which Kennedy either held or was entitled to obtain when he left the big bank to join President Nixon's Cabinet in January.

The legislative issue involves the rapid movement of banks to reorganize themselves into one-bank holding companies, a corporate structure which allows banks to expand their businesses outside the usual financial services.

As a result of this rapid move, the federal bank regulatory agencies led by the Federal Reserve Board sought new legislation which would regulate the activities of one-bank holding companies.

ALREADY REGULATED

Multi-bank holding companies are already regulated.

Kennedy, as board chairman of Continental Illinois, last December urged stockholders to approve the conversion of the bank into Conill Corp., to be incorporated in Delaware. He took the oath of office as Treasury secretary on Jan. 21.

After the stockholders approved the reorganization, the superintendent of national banks approved the creation of Conill Corp. on Feb. 3.

Treasury officials, in the meantime, were trying to reach agreement with the other agencies on holding company legislation. Federal Reserve officials held out for a stricter bill than the Treasury advocated but the differences finally were compromised.

Patman and Sen. William Proxmire (D-Wis.) ranking Democrat on the Senate Banking Committee, introduced their own holding company bills in March. In general, they took the same position—that one-bank companies should simply be placed under the strict limits of activity which apply to multibank companies.

The Senate Finance Committee, which ap-

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proved Kennedy's nomination, required him to either sell two blocks of stock he held or to turn them over to a trustee to manage.

GORE OBJECTS

At first, Kennedy proposed that Continental Illinois be the trustee, but after objections by Sen. Albert Gore (D-Tenn.), he agreed to find an "independent trustee."

The committee, however, gave him permission to exercise an option on 30,855 shares to which he was entitled as a bank officer. The panel said he could hold the stock for six months in order to take advantage of the more generous long-term capital gains tax rate.

"The committee members felt that since they wrote that law they ought to let Kennedy take advantage of it," a congressional source said Tuesday.

In addition, the committee approved a plan by the bank to pay Kennedy $200,000 in deferred salary in five installments to start after he leaves public office. He receives a bank pension of $60,000 a year, the same as his government salary.

Patman first questioned Kennedy about the bank stock in February when the secretary appeared before the Joint Economic Committee of Congress.

On March 24, eight days before Conill officially went into business, the Treasury sent its proposed holding company legislation to Congress. Patman started hearings on April 1 and raised the issue of Kennedy's stock again. He repeated his questions on April 17 and April 24.

Eggers said he started his investigation after hearing Patman's statements on April 25.

The Chicago bank said Kennedy took some of the stock he was entitled to under a profit-sharing plan in cash. Another 7,846 shares of stock were transferred to the Old Colony Trust Co. This remained in Kennedy's name until April 1 when it was converted into Conill shares and reissued to Old Colony, the secretary's chosen trustee.

After the 30,855 shares were converted into Conill stock, Kennedy asked a bank officer to arrange a sale, a Treasury source said Tuesday. This deal was consummated during the first week of the month.

"The tax law would require Mr. Kennedy to hold this stock for a period of six months after purchase in order to realize long-term capital gain on the sale," Eggers pointed out. "There were no restrictions under the terms of the option or under the law to prevent the sale of the stock prior to the termination of the six months."

Eggers said he determined "this was an arms-length transaction."

"Kennedy has completely divested himself of any interest whatsoever in this stock," he said.

The large block of Conill shares had to be sold carefully in order to avoid undermining their value.

PROFIT CITED

Under the option terms, Kennedy bought the 30,855 shares for $39.26 each. Market price for the stock on April 4 was $42.38, giving Kennedy an indicated profit of $3.12 a share.

The stock, however, was selling for a better price in late January when Kennedy told the Senate Finance Committee he was exercising his option.

The January price was $42.50 a share. Early the next month after the government approved the formation of Conill the stock went to its high price of the year of $45.50.

If Kennedy, therefore, had actually purchased the stock when he indicated he was going to, he could have realized $6.25 a share—twice the profit he did make.

This raised the possibility that he decided to sell in April because of the pressure brought by Patman.

"I commend the secretary for starting this action to clear up this conflict," Patman said Tuesday.

The congressman said he still wanted Kennedy to provide the committee with a financial statement. He said he had objected to the arrangements agreed to by the Finance Committee in January.

"I'm pleased that the secretary now agrees at least in part," Patman added.

A Treasury spokesman was asked if the White House had brought pressure on Kennedy to dispose of his stock completely. "Not enough so you could tell it," he answered.

Eggers undertook the investigation as part of his official duties of enforcing conflict of interest rules for Treasury officials, the Spokesman added.

[From the Los Angeles Times, May 1, 1969]

David Kennedy Aide Snubs House Inquiry—Treasury Counsel Refuses To Testify on Secretary's Chicago Financial Holdings

(By Murray Seeger, Times staff writer)

WASHINGTON.—Paul W. Eggers, general counsel of the Treasury Department, refused Wednesday to appear voluntarily as a congressional witness to discuss the financial affairs of his boss, Secretary David M. Kennedy.

As a result, Rep. Wright Patman (D-Tex.), chairman of the House Banking and Currency Committee, said he was considering taking action to force Eggers to testify, presumably by subpoena.

Patman invited Eggers Wednesday morning to appear before the committee Saturday to answer questions about a statement Eggers issued Tuesday concerning Kennedy's finances.

Eggers promptly replied in a letter to Patman that "there is nothing I can add" to his Tuesday statement.

SERIOUS CONFLICT

In that statement, Eggers contended that Kennedy, by disposing of stock he owned in a Chicago bank where he had been chairman, had removed any possible conflict of interest.

Earlier, in congressional hearings and in a letter to President Nixon, Patman charged that Kennedy had "a serious conflict of interest" because of his ownership of stock in the Continental Illinois Bank & Trust Co., which on April 1 became a subsidiary of Conill Corp., a one-bank holding company.

The Secretary on March 24 sent Congress proposed new legislation to regulate one-bank holding companies such as Conill.

Although he took office Jan. 21 and advised the Senate Finance Committee Jan. 22 that he intended to exercise an option to buy 30,855 shares of bank stock, Kennedy did not actually buy the stock until April 1, according to Treasury officials. He sold it again "two or three days later," a department spokesman said.

COMMENDS KENNEDY

Kennedy told the Senate committee he wanted to hold the stock for six months before transferring it to a trustee in order to take advantage of the lower capital gains tax. The committee expected him to buy the stock by Feb. 15 and transfer it by Aug. 15, six months later.

Patman commended the secretary for "starting this action to clear up his conflict." But he noted that "the disposition of this stock has come recently, only after the issue was raised in Congress."

In addition to seeking more details on Kennedy stock transactions, Patman also wants to inquire about a $200,000 deferred compensation plan voted by the bank on Jan. 10 shortly before Kennedy retired to join the Nixon Cabinet. Kennedy would receive this money in installments after he leaves federal office.

"The secretary should firmly and immediately revoke his interest in this gift from the bank," Patman argued. "The secretary should move to sever all of these ties to the bank and get on with the job of serving as a public official. He has to make a choice whether he wants to be a public official or a banker."

Patman said "it would have been unusual, to say the least" if Eggers had found his boss guilty of wrongdoing.

IRREVELANT TO BILL

In his Wednesday letter, Eggers told Patman, "Secretary Kennedy's personal finances are irrelevant to H.R. 6778 (the one-bank holding bill)."

"At the beginning of the hearings on H.R. 6778, you made statements concerning Secretary Kennedy which were erroneous to the facts alleged and the conclusions drawn. My statement was for the purpose of insuring that the record accurately reflects the facts."

Patman termed Eggers' refusal to testify "a disgrace to the federal government." He also termed the Treasury's statement clearing Kennedy of conflict of interest "hoodwinking."

"This is simply a hoax being perpetrated on the press and the Congress," he said of Eggers' letter.

Patman said he would not include Eggers' statement in the hearing record until he questioned the counsel. As committee chairman he has power to subpoena Eggers to testify.

Such a move could bring an early confrontation between the Democratic-controlled Congress and Republican Administration on the issue of "executive privilege"—the right of executive-branch officials to withhold information from Congress.

Mr. Speaker, David Kennedy has taken the attitude that no one, not the Congress, not the press, and not the public, should ask him about his finances. He apparently comes to Washington from a stratum of the business world in which such questions are never asked and answers are never given.

But Mr. Kennedy is now in a public world and there are certain rules, regulations, and laws which must be followed. No doubt in the banking community a flick of his hand was enough to settle an issue.

In the Federal Government, more is required. The people of the United States have not given the Congress nor the executive branch the authority to excuse any official from the letter and the spirit of these laws regardless of his past record for integrity or his past role as a banking leader. Mr. Kennedy will have to accept this fact or return to private life.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. Not at this point. As soon as I finish I will be very glad to yield to the gentleman.

Mr. GERALD R. FORD. Mr Speaker——

Mr. PATMAN. Mr. Speaker, I respectfully refuse to yield at this time to the minority leader.

In some other Federal job, Mr. Kennedy's ties to the banking community might be more easily tolerated. But no other Cabinet official is charged with more responsibility over the banking industry than is the Secretary of the Treasury. Mr. Kennedy's official actions directly affecting banks are not incidental. They are the heart of his responsibility. Virtually every action he takes touches the banks and a large bank like Continental-Illinois is affected day-to-day.

The one-bank holding company legislation now before the Congress is but one example. The Secretary must speak out and make recommendations on all banking legislation that comes before the Congress. He cannot escape this responsibility if he is to perform his duties as Secretary of the Treasury.

The Secretary must make decisions concerning the banks' favored tax treatments. The automatic tax writeoff for "bad debts" is a huge loophole for the banks and its elimination or continuation will depend very largely on the Secretary's recommendations.

The tax and loan account funds are handled by the Secretary of the Treasury. These are the income tax payments that are left on deposit in commercial banks without interest. This "free" money is a highly profitable item for the banks like Continental Illinois National Bank which has rights to more than $600 million worth of these funds. What kind of objective decision can the Secretary make about this when he is so closely tied to the bank?

The Secretary, of course, must also help formulate broad economic policy and he is charged with the responsibility of marketing Government securities which are purchased in huge blocks by banks like Continental Illinois National Bank. The Secretary has indicated that he accepts high interest rates as a matter of course and he has no objections to the Treasury Department paying banks like Continental-Illinois National Bank record interest charges on these securities. He is very sympathetic to the banks' needs. Under these circumstances, it is naive to expect the administration to seek lower interest rates so long as Secretary Kennedy is in the Treasury Department.

Let me read that again: The Secretary has indicated that he accepts high interest rates as a matter of course. In other words, he has no objection to high interest rates on these securities and he is very sympathetic to the banks' needs.

Under these circumstances it is impossible to expect the administration to seek lower interest rates so long as Secretary Kennedy is in the Treasury Department.

The Secretary of the Treasury makes important policy decisions in other areas and among one of the most important areas is the area of taxes, a very controversial legislative item at this moment.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Texas yield?

Mr. PATMAN. Not now; no, sir. Apparently Mr. Kennedy's fame as an officer of the Continental Illinois Bank has not been lost in the lobbies that are swarming around tax reform bills. That may explain the appearance—and I hope the gentleman from Michigan listens to this—that may explain——

Mr. GERALD R. FORD. Mr. Speaker, as long as the gentleman from Texas has used my name, I would like to have an opportunity to make an observation and a comment.

Mr. PATMAN. Mr. Speaker, I decline to yield at this point.

That may explain the appearance of a Mr. Wallace Wilson—and I want you to listen to this—before the Ways and Means Committee on March 20. Mr. Wilson represented, and presented the coordinated testimony for the American Petroleum Institute, the Mid-Continent Oil & Gas Association, the Rocky Mountain Oil & Gas Association, and the Western Oil & Gas Association—four major gas and oil company trade associations which have a tremendous stake in the pending legislation and especially depletion allowances and things like that.

It just so happens that Mr. Wallace Wilson is a vice president of the Continental Illinois National Bank of Chicago.

Was Mr. Wilson's selection for this important testimony accidental? Or has the word gone out that the way to reach the Secretary of the Treasury on tax matters is through the Continental Illinois National Bank?

Mr. Speaker, today there is great concern in the country for law and order. I share this concern but I recognize that law and order must be applied evenly across our society if it is to have any meaning at all. And it is incumbent on public officials—particularly those in the highest Federal offices—to set an example.

Secretary Kennedy's conflict of interest shakes the people's confidence in their Government. It does not set an example of scrupulous conduct at a time when we are attempting to gain new respect for the law. We cannot insist that the average citizen obey the letter of the law and then allow the highest officials of the Federal Government to flaunt the law.

Last week, President Nixon sent the Congress a really excellent message on organized crime. It is a message that I hope this Congress will heed. I hope we give the President the necessary tools to carry out a meaningful fight against organized crime.

But a large part of this assignment would go to the Treasury Department, under the direction of Secretary Kennedy. The department has jurisdiction in such areas as narcotics control, smuggling, and similar crimes. The Secret Service is under the direct supervision of the department as well as the Internal Revenue Service, and both of these agencies are essential tools in a fight against crime.

With all of the responsibility in this area, it is essential that the Secretary of the Treasury be clearly consistent with the law. It is important that he have no cloud of suspicion hanging over the performance of his official duties. Certainly he, and any other official charged with law-enforcement powers, must be certain that his skirts are scrupulously clean.

Mr. Speaker, in recent days we have heard much comment about a Supreme Court Justice who has taken a $20,000 fee which he later returned. Many have expressed their doubts about his fitness to serve and there have been a rash of newspaper editorials. I share the concern over this incident and it is something that should be firmly resolved without pulling any punches.

But if it is wrong for the Supreme Court Justice to have taken the $20,000 fee from a foundation, then surely it is wrong for the Secretary of the Treasury to have agreed to accept the $200,000 gift from his former employer. And, unlike the Supreme Court Justice, Mr. Kennedy has not agreed to renounce his gift.

I hope that some of the righteous indignation that has broken out over the $20,000 fee will now spread to the $200,000 which Mr. Kennedy agreed to receive after he was nominated to be Secretary.

The bank and Mr. Kennedy know what this $200,000 represents. They know that such a "separation payment" is not normal. And, more importantly, they know that it would not have been made to David M. Kennedy had he not been nominated Secretary of the Treasury.

This $200,000 must be renounced.

President Nixon is a very wise politician. He has been around Washington for a number of years. I sincerely question whether he endorses Mr. Kennedy's refusal to testify before a congressional committee. I doubt that he would approve of the Treasury General Counsel's issuing a statement and then refusing to explain it to a congressional committee.

President Nixon built a great deal of his career in the House of Representatives on the pursuit of reluctant witnesses—witnesses who entered pleas of the fifth amendment to avoid testimony. I cannot believe that the President would now agree to have his own Cabinet officials enter such pleas before the Congress.

Mr. Speaker, I hope that the Nixon administration will carefully review Secretary Kennedy's entire financial situation. I hope they will explore the details of the written agreements as well as determining whether any additional arrangements exist and whether any new conversations have taken place between the Secretary and his former employer. I hope that the administration will take the appropriate action. Without question, such an issue is better resolved on a voluntary basis. It is something that should have been resolved before the Secretary took the oath of office. It is regrettable that we reach this point of showdown after he has taken official actions and after he has held the office for more than 3 months. Much damage has already been done and this is something that should be assessed as the matter is being officially concluded.

The next move is up to the executive branch.

After that, the matter would have to be resolved in the legislative and judicial branches. Various statutes as well as the Constitution provide adequate remedy in such cases.

But we must have a firm, no-compromise resolution of this issue. The integrity of the Federal Government is at stake. If we allow the $200,000 gift to stand along with the other arrangements that Secretary Kennedy has made with the Continental-Illinois National Bank, then the conflict-of-interest statutes mean nothing. They cannot be enforced successfully in other areas if they are to be ignored at the Cabinet level.

Unless this is corrected, it will become an everlasting mark of shame for the Nixon administration. It will be evidence of a double standard—evidence of special privileges and special exemptions from the law for a special few.

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The **SPEAKER** pro tempore. The time of the gentleman from Texas has expired.

Mr. **PATMAN**. Mr. Speaker, I am sorry I did not have time to yield to the gentleman from Michigan.

THE NIXON ADMINISTRATION HAS TAKEN THE INITIATIVE ON HOLDING COMPANY LEGISLATION

(Mr. **GERALD R. FORD** asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. **GERALD R. FORD**. Mr. Speaker, I am very disappointed that the chairman of the Committee on Banking and Currency has fled the Chamber. I asked the gentleman to yield on several occasions during his remarks concerning the distinguished Secretary of the Treasury. I wish that the gentleman from Texas would return to the Chamber to answer a question or two, or to hear the observations and comments I might make concerning his remarks.

The gentleman from Texas amazes me when he suggests the possibility of a conflict of interest growing out of Secretary Kennedy's previous association with the banking industry and more particularly with the Continental Illinois Bank, now a subsidiary of a one-bank holding company. The gentleman knows very well that, at his request, the Secretary of the Treasury appeared and testified before his committee on behalf of one-bank holding company legislation.

Mr. Speaker, I believe it ought to be pointed out for the benefit of the record that it is a fact that the new administration, under the leadership of the Secretary of the Treasury, has sponsored the introduction of H.R. 9385, the one-bank holding company bill. In its present form, this legislation is opposed by many of our Nation's largest banks, and several key sections, as I understand it would severely handicap future acquisitions and activities of the Continental Illinois National Bank and its holding company.

I might also add, Mr. Speaker, that the formation of large one-bank holding companies started in 1967, and for 2 years absolutely no holding company legislation was sponsored by the previous administration. In this respect the new administration is taking the initiative in far-reaching legislative proposals that are opposed by many of Secretary Kennedy's former banking associates.

With regard to Treasury Department legislative proposals concerning banking, one might even say that the evidence thus far points to a significant conflict between Secretary Kennedy's position in behalf of the public and that held by many of our Nation's leading bankers.

I might add one other observation, Mr. Speaker; the allegations made by the gentleman from Texas were thoroughly aired by the appropriate committee in the other body at the time of the confirmation hearings concerning the Secretary-nominee of the Treasury.

It is my understanding that the committee in the other body, and the other body as a whole, unanimously approved the recommendation of Mr. David Kennedy as Secretary of the Treasury. They recognized him as a man of high integrity and one whose advice and past commitments to public service have been valued by Presidents Kennedy and Johnson as well as President Nixon.

I think we ought to respect the judgment of the other body in this regard after they have been given the information in reference to some of the allegations made by the gentleman from Texas.

I think the gentleman from Texas, under the circumstances, ought to remove from the RECORD the serious charges which he cannot and has not convinced the Senate or this body of any validity.

The **SPEAKER** pro tempore. The time of the gentleman from Michigan has expired.

PENALIZE THE SMUT PEDDLERS

(Mr. **MONAGAN** asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. **MONAGAN**. Mr. Speaker, I am filing legislation today to expand the role of the Federal Government in restricting the availability of obscene material to children. The bill provides stiff penalties for those who use the mails to peddle smut to minors—$5,000 and 5 years in jail for the first offense; $10,000 and 10 years in jail for the second offense.

Under this legislation, the penalties apply both to those who mail obscene materials to minors under 17 years of age and to those who publish such materials in the knowledge that they will be mailed to minors.

Included in the bill is a provision requiring a publisher of materials which are obscene and therefore harmful to children to stamp clearly on the cover of such mail that the contents are obscene and harmful to children.

Another feature of the bill is a section which forbids delivery directly to minors of mail which is stamped obscene and instead requires that such mail be receipted for by an adult.

This bill also has the goal of keeping not only hard-core pornography away from children but also materials not classified as obscene by adult standards which would nevertheless be harmful to children.

This bill represents the culmination of a study of the legal aspects involved in curbing obscenity; it represents discussions with medical experts on the dangers which pornography holds for children; and it represents consultations with Post Office Department officials on the dimensions of obscene mail.

My recognition of the obscentity problem is not new. As early as February 1961, I introduced legislation specifically designed to punish those who sent obscene materials to children. That bill prescribed penalties of $5,000 and 10 years in jail for those convicted of violating its provisions. In March 1963, I filed an amended form of my earlier legislation which I had expanded to include unprincipled publishers of pornography sent to school-age children. In October 1967, I actively supported title III of the Postal Revenue and Salary Act which provided a means whereby citizens could protect themselves from unsolicited mailings of pornographic materials.

Title III of the Postal Revenue and Salary Act, 1967, which incorporated provisions from my earlier antiobscenity bills, was regarded then, at least in my opinion, as only a first line of defense against the smut peddlers. Accordingly, I have since taken it upon myself to consult with officials in the Criminal Division of the Justice Department, the General Counsel's Office in the Post Office Department, and the Chief Justice of the Supreme Court about further corrective legislation.

I have also discussed the need to protect minors from the harmful effects of obscene literature with several doctors of medicine, themselves so offended by the unsolicited obscene mail sent to their offices and homes that they were prompted to advocate stern legal penalties. I have also received substantial mail from other professional men in my congressional district who are both offended and alarmed by the rising volume of pornography. One of these doctors put the issue to me most eloquently. He wrote:

> I do not expect that these men can be stopped from publishing this material without trampling on all kinds of rights, but I would hope that my rights and others' rights to be free of these obnoxious and unwarranted mailings could be enforced.

While I recognize that the constitutionally protected right of free speech encompasses the right to have full access to printed materials, the Supreme Court in *Roth* v. *United States,* 354 U.S. 476 (1957), declared that obscene literature is not entitled to the first amendment protection accorded to other literature. More recently in *Ginsburg* v. *New York,* 390 U.S. 629 (1968), the Court recognized the right of a State to enforce laws to prohibit the exposure of children to materials, which although not falling within the definition of obscene materials for adults, are nevertheless harmful to the immature and impressionable.

While the Roth case was directed against obscene materials in the mails I think that the ban can be extended to keep obscene materials out of interstate commerce as well. Obscene materials have no greater right in interstate commerce than they have in the mails.

Offensive as obscene literature may be to adults, in the case of minor children such materials have infinitely greater potential for harm. Of all the protests which I have received, the one most emphasized was the element of serious damage to children who have no means to evaluate this material properly. The future of any country rests in the strength, ability, and morality of its young; this bill aims to preserve just those qualities by adequately and constitutionally penalizing smut peddlers.

CONGRESSMAN NELSEN INTRODUCES THE KIDNEY DISEASE TREATMENT AND PREVENTION ACT OF 1969

(Mr. **NELSEN** asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. NELSEN. Mr. Speaker, recently a fellow Minnesotan sent me an excellent letter on the problem of the shortage of funds for kidney machines. In the 90th Congress I introduced H.R. 16217 which would have provided assistance for the establishment and operation of regional and community programs for patients with kidney disease, and would have provided for assistance for the training of personnel involved in such programs.

I am reintroducing the bill today under the title, "The Kidney Disease Treatment and Prevention Act of 1969."

Mr. Speaker, I under unanimous consent include with my remarks the letter I received from Mrs. Roger Tousley, a copy of an article in the March 10, Wall Street Journal entitled "Some Kidney Patients Die for Lack of Funds for Machine Treatment," and a copy of a synopsis of H.R. 16217 prepared by the American Medical Association:

MINNEAPOLIS, MINN.

Hon. ANCHER NELSEN,
House of Representatives,
Washington, D.C.

SIR: I have just read an article in the March 10 edition of the Wall Street Journal entitled, "Some Kidney Patients Die for Lack of Funds for Machine Treatment". This is a situation with which I have been familiar for over a year as our closest friend became a kidney dialysis patient a year ago. This is a problem which has been almost unbelievable to me since becoming involved with it, however, after reading the above article, there are some things I have to say.

As a citizen of the United States, I cannot believe that our moral obligations have deteriorated to the point where we can spend annually billions of dollars to reach the moon, billions of dollars on a war in Vietnam which I will neither defend or criticize because I honestly don't have an opinion as to whether or not we should be there, billions of dollars towards foreign aid for countries who will not be our allies at times when we need them, to say nothing of the money being wasted on so-called poverty programs of many kinds where the only ones seemingly benefiting from them are those at the supervisory level, and yet, we have, according to statistics, hundreds of kidney patients who die annually because our good Government cannot see fit to provide the funds required to not only maintain, but further improve upon the kidney dialysis centers in the United States.

This article stated, "A bill now pending in Congress would commit new Federal money for artificial kidney programs, but its prospects for passage aren't clear now. A similar bill made little headway last year." It also listed the kidney centers throughout the United States whose Federal grants expired on December 31, and that unless new funds are obtained, many of these centers will be phased out, and others will be unable to accept new kidney patients.

I am ashamed to think that this great country whose abilities and aspirations have been unlimited, has a body of men and women in Washington, D.C. who feel they have the right to pass judgment on the great number of these people who need financial support. I will admit that there are many similar situations where financing is necessary. There is only one difference—those people who have lost the use of their kidneys have no other alternative—they will die without kidney machines. The same cannot be said for many, many other people on poverty programs. I, personally, cannot even conceive that any one person could live with himself if he were part of a group of people deciding whether or not to pass legislation which would further this program to the extent that it needs Federal Aid, and would let such a bill go through Congress with "little headway."

As a Representative of Minnesota, I am asking for your feelings on this problem, and what part you will take in this situation. I am further asking that unless you are one of the men who have not supported this program in the past, that you do everything in your power to see that this bill does not come out of Congress again with "little headway" made.

While maybe there is a need for all the money this country spends overseas and in space which many of us do not understand, it's about time we all start realizing that we have more than enough problems right here in our own country that demand more time from Washington, more federal and state support, and more people who take it upon themselves to see that the right thing is done. I, as well as most of the population, feel we have to start improving the mental and physical health of our own country before we continue to worry about many of the things we're presently spending money on, and without a doubt, this is where our moral obligation lies.

Thank you for your time, and for your reply.

Sincerely yours,
MRS. ROGER A. TOUSLEY.

[From the Wall Street Journal, Mar. 10, 1969]

SOME KIDNEY PATIENTS DIE FOR LACK OF FUNDS FOR MACHINE TREATMENT—ARTIFICIAL ORGAN WORKS WELL, BUT USE IS COSTLY—FEDERAL GRANTS, DONATIONS DWINDLE—INSURANCE DOESN'T MEET BILLS

(By Jim Hyatt)

The effort to treat sufferers from chronic kidney disease by machine, which once promised to save thousands of lives a year, is floundering for lack of financial support.

High costs have plagued the so-called artificial kidney program from the outset. Hospital bills for the twice-weekly machine blood "washings" that take over the kidneys' vital function of removing blood wastes and adjusting body chemistry now run from $10,000 to $20,000 annually per patient. That's the main reason only about 1,700 Americans currently receive the treatments, while an estimated 8,000 people will die this year for lack of them.

But even this far from adequate situation is deteriorating. Federal grants have been running out at the 14 hospitals designated by the U.S. Public Health Service about three years ago as demonstration centers for the process; without Government help, some of them have had to reduce the number of cases they handle.

Some private hospitals have been forced into similar cutbacks because of difficulties in attracting donations to support patients who can't pay the cost themselves. Indeed, private support of any kind has been slow in coming.

COMING OUT SECOND BEST

"The cost per capita of the treatment is an overwhelming drawback when we approach organizations for help," says Dr. Frederic B. Westervelt, director of the kidney care demonstration center at the University of Virginia School of Medicine in Charlottesville. "They say, 'Look what we can do for $10,000 a year—we can give 20 people an artificial leg.' When they measure what they think is the greatest good for the greatest number, we come out second best."

As a result of this lack of funds, hospital committees that once spent weeks agonizing over which artificial kidney candidates would receive the life-giving treatments, called hemodialysis or simply dialysis, now find that the decision has been taken out of their hands. "Who gets the care here now is determined purely by ability to pay—we don't like it, but that's the way it is," says Dr. Daniel Leb of the Louisville (Ky.) General Hospital's kidney center, run by the University of Louisville School of Medicine.

Physicians' chagrin over the financial obstacles to the treatment is heightened by the highly advanced state of artificial kidney technology. The prototype of the present artificial kidney machine, which resembles a squat old-fashioned washing machine was developed in 1943 in Holland by Dr. William J. Kolff, who now is a resident of the U.S. The patient is connected to the machine, and his blood is pumped through a series of tubes, coils and filters.

The key element of the device is a thin cellophane membrane immersed in a saline solution. Through the process of osmosis, wastes in the blood that otherwise would accumulate and cause death pass through the membrane into the solution. At the same time, vital chemicals normally added to the blood by healthy kidneys pass from the solution into the blood. The "cleansed" blood then is returned to the body.

A SURGICAL BREAKTHROUGH

For a number of years, the machine could be used only when a few treatments would suffice—such as in cases of acute infections—because the surgery required to connect the patient with the machine was difficult and dangerous. In 1960, however, a team of specialists from the University of Washington devised a system that made the artificial kidney available to individuals who had suffered irreparable kidney damage and needed frequent blood washings. In minor surgery, they permanently inserted small plastic tubes in an artery and vein in a patient's arm or leg. During dialysis, the machine is easily connected to the body through those tubes; when the treatment is finished, the tubes are plugged and covered with a small bandage.

Recently, some doctors have improved on this method. By increasing the flow of blood through an artery and a vein, they enlarge them to the point where they can be easily punctured with large needles for connection to the kidney machine. This makes the mechanics of dialysis about as simple as giving blood.

Dialysis is time consuming; the twice-weekly treatments take from six to 13 hours each, depending on the patient and model of machine used. But it is painless, and patients undergoing the life-long treatment can lead a nearly normal life. Clyde Shields of Seattle, who nine years ago received vein and artery implants from the University of Washington team and became the first person to start regular dialysis by machine, still is regularly employed as a mechanic. He is 49 years old.

THE ROLE OF TRANSPLANTS

Treatment by kidney machine isn't the only alternative open to victims of kidney failure. Kidney transplant operations have been performed since 1954 with a high and growing rate of success. Up to last year, three-fourths of the transplant patients who received a kidney from a blood relative had survived for at least one year after the operation (people have two kidneys but can live with just one). The one-year survival rate for a person who received a kidney from a cadaver was 45%.

The utility of this operation is limited, however. Many kidney patients might not survive a transplant operation because of poor general physical condition, and not nearly enough suitable organs are available for those who could benefit. Only about 2,000 kidney transplants have been made in the past 14 years, an average of less than 150 a year.

Moreover, transplant candidates often require dialysis. They usually must undergo the treatment while awaiting an organ, and they must fall back on the machine if the operation fails.

Amid the general gloom over the outlook for artificial kidney treatment, some see a hopeful sign in the recent trend for more

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patients to receive machine dialysis at home instead of in a hospital. The savings from such a move can be substantial. The first-year bill for home dialysis, including $3,000 to $4,000 to purchase the artificial kidney machine itself and fees for training a family member to run it, usually total about $10,000. After that, it costs $3,000 to $5,000 a year to maintain the machine and buy the various components and chemicals that must be changed after every use.

About 200 of the 1,700 Americans on machine dialysis currently are treated at home, and some kidney specialists say they have high hopes that the number will rise sharply in the next few years. In 1967, the U.S. Public Health Service moved to accelerate the trend by setting up 12 home treatment training centers around the country and promising them $4 million over a five-year period.

But many experts in the field strongly doubt that home care will assume the majority of the treatment burden in the near future. They point out that some patients don't have a relative who can assume the job of operating the complex artificial kidney, others don't have homes where the treatments can be safely carried out and still more have strong fears about entrusting themselves to the care of a family member when a mistake could prove fatal. Moreover, even patients who intend to purchase their own artificial kidney must receive hospital dialysis for several months while a relative is being trained to run the machine.

THE FINANCIAL SQUEEZE

To date, the financial squeeze has been hardest on the hospitals picked by the Federal Government in 1965 and 1966 to demonstrate the feasibility of the widespread use of artificial kidneys. The Federal grants—which totaled $2.5 million—paid the operational costs of the kidney centers and permitted them to admit patients who couldn't pay for their own treatments. Federal funds for medical projects go only for research or treatment-demonstration purposes, not for daily general patient care, so the centers knew the funds might not be renewed when the grants expired. But many of them felt that the Government wouldn't cut them off after having made a commitment.

Since it became clear that the grants would stop in the wake of the Government economy drive caused by the war in Vietnam, the centers have moved to pare their rolls. None have summarily cut off any patients, but when a patient receives a transplant or moves to home care, he isn't replaced.

The center at Cleveland's Mt. Sinai Hospital, for instance, now has only 17 patients on dialysis, down from 30 in 1967; its Federal grant expired Dec. 31. The unit at the University of Alabama Medical Center in Birmingham now only accepts patients likely to receive transplants fairly quickly; if new funds can be obtained, it plans to phase out its artificial kidney program as soon as other facilities can't be found for its 15 present patients.

PAY IN ADVANCE

The center at Hennepin County General Hospital in Minneapolis, whose Federal grant expired Dec. 31, now requires some prospective patients to put $12,000—funds for at least one year's care—in an escrow account before they can begin dialysis. "A couple of people have felt they'd rather die than spend the amount of money involved," says one doctor at the hospital.

A bill now pending in Congress would commit new Federal money for artificial kidney programs, but its prospects for passage aren't clear now. A similar bill made little head way last year.

The outlook for developing other sources of funds is even less bright. Only a half dozen states support dialysis patients, and few others show signs of following. New York has the largest state program; according to Dr. Ira Greifer, medical director for the National Kidney Foundation, Medicaid in New York helps pay dialysis bills for more than half of the state's 400 dialysis patients and the state has set up a Kidney Disease Institute to coordinate the various public and private kidney treatment projects. But state officials say that about 900 New Yorkers a year need the treatments, and their efforts help only a fraction of those who need financial help.

Ordinary types of health insurance often pay some costs of dialysis but typically fall short of meeting the actual expenses. The average maximum major medical policy benefit of $10,000 "just about covers the preliminary steps to start a patient on dialysis," says L. A. Orsini, an official of the Health Insurance Association, a New York-based trade group.

INSURERS ARE HESITANT

A few companies now offer kidney treatment policies. Western States Life Insurance Co. in Sacramento, Calif., for instance, sells a $50,000 maximum benefit group policy for an organ transplant or dialysis. However, most private insurers have been reluctant to enter the field.

Persons covered by the Federal Medicare program for the elderly receive little aid for dialysis. Medicaid, the Federally assisted program adopted by some states to help low-income people pay medical expenses, provides more aid—$25 for each in-hospital dialysis treatment—but still leaves substantial bills.

What's left for some kidney disease sufferers, then, is charity. While organized support for kidney care has been slow in coming, instances abound of local largess in individual cases. Last Christmas, for example, residents of Whitesville, Ky., a town of fewer than 1,000, raised $26,000 in four days for Roscoe French, a 33-year-old carpenter for whom machine dialysis represented the only chance at life.

Even well-off victims may end up needing charity. "If you aren't indigent when you start dialysis, you soon will be," says one physician.

H.R. 16217

Title: Kidney Disease Treatment and Prevention Act of 1968

Author: Nelsen (R) Minn.

Introduced: March 26, 1968

Committee: Interstate & Foreign Commerce

Purpose: To provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs.

Provisions: The bill states that it is the purpose of this program to provide financial support through grants to public and nonprofit schools of medicine, hospitals, agencies, and institutions to assist in the establishment and operation of regional and community prevention and treatment programs for patients with kidney disease and for training related to such programs.

The bill authorizes the appropriation of $20 million for fiscal 1969, and $30 million annually in the four succeeding fiscal years, to carry out these purposes.

The Secretary of HEW, after consultation with the National Advisory Committee on Kidney Disease Programs (established by the bill), would have to prescribe general regulations and guidelines concerning *(1)* eligibility of public or nonprofit agencies for grants; *(2)* determination of cost with respect to which the grants may be made; *(3)* terms and conditions under which the grants would be made; and *(4)* the assurance that all grants are coordinated with any existing regional plan for a kidney disease program in a particular area.

The bill would establish in the Department of HEW an Office for Kidney Centers which would be responsible for administering the kidney disease programs and for providing coordination of Federal activities in the prevention and treatment of kidney disease. The Secretary would be authorized to appoint a Director and such additional personnel as are necessary to carry out the bill and other responsibilities as the as the Secretary may assign to the Office.

Subject to the regulations issued by the Secretary, the Office would assist in establishing kidney center programs. The assistance would consist of providing information, services, and grants for planning, training, instruction, renovation, and percentage contributions toward the operation of kidney centers.

A "*kidney center*" would mean:

(1) A regional kidney center established within, or as part of, a medical school or hospital that has demonstrated a high level of professional competence in relevant medical disciplines. The purpose of such a center would be (*a*) to train medical and support personnel; (*b*) provide transplantation treatment for patients with chronic uremia where this form of therapy is indicated; (*c*) provide dialysis treatment when medically indicated in connection with training, research, and transplantation; (*d*) engage in research and development of new techniques; (*e*) to coordinate with and establish appropriate relations with one or more local community dialysis units; and (*f*) to assure that knowledge and treatment of kidney disease will evolve in a balanced fashion.

(2) A community dialysis unit established in conjunction with and in continuing relationship with a regional kidney center. The purpose of a community dialysis unit would be (*a*) to provide a central training and treatment facility for the care of persons having cronic kidney disease; (*b*) providing training and supervision to physicians, staff members, and to patients who are candidates for home dialysis; and (*c*) to foster and promote the availability and wider use of the equipment and techniques of home dialysis.

The amount of any grant to carry out this program would have to include (1) 100% of the cost directly related to training of physicians, staff members, patients, and their families; (2) 100% of the cost for construction or renovation of existing facilities and for the necessary equipment to establish a regional kidney center; (3) 60–90% of the cost for construction or renovation and for necessary equipment to establish a community dialysis unit (the percentage contributions would be determined on the basis of the economic status of the particular community pursuant to guidelines established by the Secretary); and (4) 90% the first year of full operation; 60% the second year; and 30% the third year and thereafter, of the operation and maintenance costs of regional kidney centers and community dialysis units established under the bill (grants could be in a lesser amount if the Secretary determines that the centers and units are capable of meeting a larger share of operational costs).

Three years after the Secretary publishes notice in the Federal Register that applications will be received for grants under the program, the President would have to transmit to the Congress any recommendations he may wish to make concerning the program.

The bill would establish a 12-man National Advisory Committee on Kidney Disease Programs composed of four Federal employees and eight others not in the employ of the U.S., appointed by the Secretary, who are leaders in the fields of the basic medical sciences related to kidney disease, its diagnosis and treatment, community health programs, or public affairs.

The Advisory Committee's duties would be to advise and assist the Secretary of HEW in the preparation of regulations and as to policy matters arising with respect to administration of the bill as it pertains to kidney

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disease or diagnosis, treatment and care of patients suffering from such disease. After its establishment, the Committee would consider all applications for grants which pertain to kidney disease and the diagnosis, treatment, and care of patients suffering for such disease; it would make recommendations to the Secretary with respect to the approval of applications and the amount of grants.

The Committee would also review and make recommendations on kidney disease programs of Federal agencies including, but not limited to, those in the VA, the PHS, and the Vocational Rehabilitation Administration so that the methods, facilities, and programs of these agencies can best be utilized in supporting prevention and treatment programs for kidney disease. Particular attention would have to be given to the coordination of activities of Federal agencies in a given region so as to insure adequate geographical distribution of services and to avoid duplication.

The head of each Federal agency is authorized and directed to cooperate with the Secretary of HEW in carrying out the bill.

The bill authorizes the appropriation of "such sums as may be necessary" to carry out its provisions.

The bill would become effective on the first day of the first month which begins after its date of enactment.

INDIANA DUNES NATIONAL LAKESHORE

(Mr. LANDGREBE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LANDGREBE. Mr. Speaker, I would like to bring to the attention of my colleagues in the House a bill I have just introduced. It would define the boundaries of the Indiana Dunes National Lakeshore, a proposed national park which lies within the Second District of Indiana, which it is my privilege to represent.

As you may know, Public Law 89-761 establishes the national lakeshore to preserve for the educational and recreational use of the public "certain portions of the Indiana Dunes and other areas of scenic, scientific, and historic interest and recreational value in the State of Indiana."

No decision, however, as to the definitive boundaries of this national lakeshore has ever been made, except the general outline area on a map known as "A Proposed Indiana Dunes National Lakeshore"—LNPNE-1008-ID, September 16, 1966. Most of the areas that are indicated on this map as areas which the Park Service would like to acquire for the national lakeshore have been found to be controversial and disrupting to the residents of the area. Those whose homes and property would be taken for this park have indicated that such land acquisition would cause them great inconvenience and hardship in terms of the loss of revenue and property as well as the uncertainty of future acquisition plans by the Park Service. Numerous protests have come to my office requesting action that would alleviate such hardship and uncertainty.

After investigation and study into this matter, I have decided to introduce a bill into the House to define more clearly the boundaries of the Indiana Dunes National Lakeshore, within the lines drawn on the proposed map of the Park Service. My goal is to provide for a Federal park in the industrial area of Indiana that would be feasible, desirable, and practical. The boundaries, which are clearly defined in my bill in legal terms, encompass those undeveloped areas remaining in the community which have historic value and conservation significance, and which lend themselves to development as recreational facilities. The areas indicated in my bill as the boundaries of the national lakeshore would be: The area lying west of Ogden Dunes known as the Inland area; The area lying south and west of Dunes Acres known as the Dunes Acres area; and the area known as Pinhook Bog.

These areas encompass approximately 3 square miles, including almost 2 miles of Lake Michigan shoreline. Exempted from my bill are those highly developed areas which encompass several hundred homes, bus and railroad lines, highways, public utility lines and services. Not only would confiscation of those homes and businesses result in substantial hardship to the present occupants, but would result in permanent loss of local tax revenues so badly needed to provide education, transportation, protection, and other services of vital importance in a fast growing community.

I would like to point out further that within the confines of the existing 2,100-acre Indiana Dunes State Park, there are preserved some of Indiana's finest remaining dunes in addition to the flora and fauna peculiar to this area. Access to the beaches of that park is provided to the general public at a very nominal fee.

It is my sincere opinion that the Federal park as defined in my bill plus the Indiana Dunes State Park will provide adequate and reasonable recreational facilities as well as retention of areas of education and conservation value.

The Federal Government now owns about one-third of the land area of the United States or about 765,000,000 acres. While I agree that we have an obligation to preserve for posterity certain areas of great historical, recreational, and natural value, I still subscribe to the proposition of private ownership of property and feel that the destruction of hundreds of homes which would result from the development of this national lakeshore park as it now stands is both excessive and unnecessary. Further, I must make mention in this case of the extravagant waste of Federal funds which would be used to clear highly developed land, much of which is completely unsuitable for recreational purposes and has no historic or conservation value. At a time when we have an enormous national debt, serious domestic problems, and large obligations in Vietnam, surely a possible savings of $50 million would be worthy of serious consideration.

I believe this legislation is needed and imperative and I wish to encourage my colleagues to give it their careful consideration and attention. In this endeavor, I welcome their support and assistance.

FINANCIAL DISCLOSURE BY JUDICIARY

(Mr. TAFT asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. TAFT. Mr. Speaker, recent disclosures relating to fees received by a member of the Supreme Court suggest the immediate need for legislation to provide for financial disclosure by members of the Federal judiciary and employees of the judicial branch.

Studies in this field have been made for some time by our former colleague in the House, now a Member of the other body, the junior Senator from Michigan, Senator GRIFFIN, and he is introducing a bill today covering the subject. I expect, today, to introduce an identical bill in the House.

Hopefully, early consideration will be given on both sides of the Capitol. It is merited by the broad and justified public alarm and needed to help restore confidence in our Federal court system.

The effect of the bill will be to require all Federal judges, including Justices of the Supreme Court and the Chief Justice, and judicial employees compensated at a rate in excess of $15,000 per year, to file, in confidence but subject to review by a majority vote of the Judiciary Committee of either Chamber, appropriate information as to income, sizable property holdings, gifts, honorariums and fees.

More limited information as to contributions over $50, honorariums over $300, and fees for service would be required to be filed for public inspection.

There is also included in the bill a section aimed at preventing conflict-of-interest situations through prior or later employment of judges and judicial employees.

SECRETARY FINCH "A DOVE" ON CAMPUS WARFARE

(Mr. HARSHA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HARSHA. Mr. Speaker, for months, I have been warning that the national wave of campus-centered disorder and violence was leading to greater, more far-ranging problems.

As author of H.R. 10074, the Harsha bill to compel academic administrators to employ enough of their own backbone to control the uprising on their own campuses, I have been asked, many times, to comment upon the reported statements in which Health, Education, and Welfare Secretary Finch has objected to enactment of simple laws designed to deal with this problem even as he has complained that present laws are too complex to enforce.

Through yesterday, following my own

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testimony before the Subcommittee on Education, I chose to decline to comment on the Secretary's position as a "dove" in the campus warfare. I did so despite the fact that, by that time, Mr. Finch was so far out of line with the positively uttered statements by such well-advised and properly concerned officials as the President, Vice President, and Attorney General that he was presenting that which, at best, was the embarrassing problem which I assume the administration would quickly repair.

But now, Mr. Finch reportedly is demonstrating himself no longer content to criticize efforts by Members of Congress who seek restoration of law and order, individual rights, and academic freedom. He is publicly reported as indulging himself in pique, not only that the President, Vice President, and Attorney General have publicly demanded law and order and commonsense, but because he was not consulted before their statements were made.

Among the many things which Mr. Finch seems to ignore are these:

Those statements, by those high, well-informed, properly concerned officials, were not only necessary, but were widely applauded by the American people and, certainly, by the majority of the American students whose rights continue to be severely violated by an offensive minority.

The alien-inspired hard-core revolutionaries directing this violence have already begun to extend it beyond the campuses into the streets which already have enough violence.

Some of those revolutionaries, principally, the leadership of the far-left radical outfit, SDS, have already boasted that they are preparing to move their efforts from the campuses and the streets into the heart of American industry this summer.

Mr. Finch, apparently, has lost sight of the fact the anarchy that is presently prevailing on some campuses is caused by a very small militant minority that in some cases have no right nor business on these campuses whatsoever.

I would, therefore, put this question to Mr. Finch: "Why should the right of the majority to pursue learning in an atmosphere conducive to academic freedom, be violated and destroyed for a militant minority delivering anarchy?"

Mr. Finch's latest reported statement to the effect that "the administration's hard-line rhetoric may actually inflame the situation on the campuses instead of calming it" is the typical reaction of the ultra-liberal, when, as a matter of fact, his own statements will serve more to inflame the situation than anything else.

A prime example of the fallacy of Mr. Finch's argument and that of other ultraliberals is the Cornell instance: There a complete capitulation to the demands of SDS and the militant minority resulted not in solution of the problems, but in escalation of the demands and of the violence attendant with those demands. This has likewise resulted in a growing resentment in the rest of the campus community and faculty.

Mr. Finch's remarks serve no useful purpose whatsoever. His reluctance to administer those laws already on the books dealing with campus disorders does not enhance his position with the administration nor with the American people.

Apparently he is of the same "ilk" as some of the university administrators.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE CERTAIN REPORTS

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight Friday, May 9, 1969, to file certain reports.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. HALEY) is recognized for 30 minutes.

Mr. HALEY. Mr. Speaker, one of the serious issues to occupy the attention of the American people today is the subject of taxes. I do not recall a single mail delivery to my office since the 91st Congress convened that did not contain at least one letter complaining about the rate of taxation or the surtax. Not only are the people concerned about the rate of taxation, they are concerned also about how their taxes are being spent.

Certainly the people of my district and States have felt the pinch of inflation upon their pockets and pocketbooks as much as, if not more than, the people of other congressional districts or States because many of them are retired citizens who must live on fixed income. Recently the Secretary of Health, Education, and Welfare advised me that 124,302 of the residents of my congressional district receive some form of social security benefits. Many other residents of my district are retired under other programs. We of Florida are very much aware of burdens of taxation and the other forces which contribute to inflation and the loss of purchasing power that inflation brings.

Among those who have given considerable thought and study to our economic picture is editorial writer and newspaperman, Robert K. Pepper, who serves as the news editor of the Fort Myers News-Press, one of Florida's outstanding daily newspapers. As the result of his extensive research, Mr. Pepper has written an article entitled "We Can Cut Taxes." Through the article he suggests a new approach to the problem. He very carefully has documented the article with statistics and modern history.

Both Mr. Pepper and I believe that no reasonable approach should go unexplored in efforts to solve our fiscal problems. I have asked permission at this time to place the article, "We Can Cut Taxes," in the Congressional Record. I commend his writing to the attention of my colleagues and to all readers of the Congressional Record. It is worthy of your attention:

We Can Cut Taxes

(By Robert K. Pepper)

Most Americans are concerned over the steady increase in taxes. There seems no end in sight, no hint that this trend will be reversed.

The only alternatives suggested are quite elusive economies in government, unrealistic in the face of the needs and demands for better schools, streets and sanitation. There is also the rising cost of armaments and the fact that Congress appears unwilling to reject any appropriation asked in the name of defense.

There is a possible solution and it should be given the most careful consideration, although it defies our current way of thinking. It is for the United States government and the American people to enjoy the benefits from an orderly and continuous increase in the nation's monetary wealth.

The program would be as follows: After the preparation of the federal budget the decision would be made as to how much should be raised by taxation, and how much through the issuance of government bonds or new currency. It is suggested that the latter figure be not less than 10 or more than 20 per cent of the planned government spending.

Thus in a budget of say $150 billion the cost to the taxpayers would be reduced to between $120 and $135 billion.

The immediate reaction is, why this is inflation! It will debase our currency, result in an endless price spiral and bring financial ruin to the nation!

Well, will it? What examples, what statistical facts do we have to go by?

Let us consider the case of World War II. During the five peak years, 1942 through 1946, total government outlay for all purposes was $366 billion. More than half of this, $197 billion, was raised through the issuance of federal securities.

If disaster struck afterwards, it was in extremely pleasant form. America swung into the greatest and most sustained era of industrial prosperity it has ever known, with amazing records set in income, productivity and new home building. It was in this manner that the nation displayed its "loss of confidence" in the dollar after the national debt had soared from $50 billion to over $250 billion over the entire war period.

The theory that if we increase our money supply, prices will rise accordingly, does not correspond with the facts. In the 40-year span from 1929 through 1968 the federal debt increased 21 times and government spending 42, while the cost of living index which we take as the measure of inflation had a ratio of only 2 to 1. National income is now eight times as great as in prosperous 1929, and 17 times as high as in the depth of the depression in 1933. In this "spiral" the benefits have assuredly gone to the people.

A reasonably accurate yardstick of progress may be gained by dividing the per capita income by the cost of living index. In 1933 the average American earned around $300, today more than $3,000. Thus despite the fact that prices are doubled, we are better off by a 5 to 1 ratio.

In the decade of 1930–39 the money supply was increased by deficit financing, the government debt rising from $16.1 billion to $45.8 billion. During this period the consumer price index actually declined, dropping from 58.2 to 48.4. In President Eisenhower's term the cost of living rose steadily despite some years of budget surpluses.

This brings up the question: If the money factor is not to blame, why are prices climbing now?

The answer is that prices are determined fundamentally by the costs of production and distribution. Labor is demanding and making well-deserved gains with most contracts calling for steady wage escalation. In many cases businesses cannot survive unless part or all of these added costs are passed on to the consumer. Insurance rates are being boosted and rising Social Security contributions now add almost five per cent to industrial payrolls.

Price increases are not necessarily an economic evil; in fact, they may be a sign of progress. Food prices were low in the 1930s, but the nation's farmers were going bankrupt. If machine tools and steel tubing go up, it is reflected in higher salaries and better living for factory workers. And how can we expect to win the war on poverty unless the millions on the lowest economic level gain more income?

Here is an unpleasant case of what happened when the price trend was reversed. From 1929 through 1933 the consumer index declined from 59.7 to 45.1. But during this period the national income was cut in half, tumbling from $86.8 billion to $40.3 billion!

Despite propaganda to the contrary, rising taxation is one of the major inflationary forces working on the economy today. When levies are imposed on gasoline, cigarettes and general sales the prices go up right before our eyes. On the other hand if the government reduces the income tax the effect will be the same as a nationwide pay raise, and perhaps temper the insistence of labor for increases.

In a specific example of the inflationary effect of taxes, the Florida Public Service Commission recently granted rate increases to Southern Bell and General Telephone. A commission spokesman said the federal surtax can be considered a key reason behind the decision, because it had caused the companies' returns to fall below a fair level.

Congress was badgered into voting the 10 per cent surtax on the theory that to halt inflation it was necessary to reduce demand (money in the pockets of consumers.) That this theory is fallacious is evidenced by the fact that the cost of living during the last half of 1968 took the biggest jump in seventeen years.

It might also be well to review the notion that the American public is overloaded with buying power. Let us take a typical young family in the $10,000 income bracket. They could readily drop $2,000 to $2,500 in taxes—income, Social Security, property, sales and excise levies; up to $1,000 on insurance, auto, liability, property, life and health, and $500 to $1,000 on interest for home mortgage, auto finance, credit accounts and loans. Here is approximately 40 per cent of income erased before the family even starts on the assorted items in the cost of living index!

Moreover, the notion that anyone now, no matter how wealthy, would go around bidding up prices is completely absurd. Imagine anyone offering $895 for a used car tagged at $795, or insisting on paying $1 for a pound of 90-cent butter! Only when there is a scarcity of merchandise, such as in World War II, do consumers compete for steaks and automobile parts. If anyone is of the opinion that America is in short supply of goods today, he should view the jammed shelves in stores and supermarkets. If such a tremendous demand exists, why are such huge advertising campaigns being conducted by pulp and air in an effort to peddle soaps and washing machines and garden tractors?

When motor manufacturers paste the label on the window of a new car, some consideration is given to the selling price of rival models; none to statistics on the per capita income of the nation. Grocers do not check the rise and fall of the national debt in marking the prices on pork chops and canned corn. When some years ago a freeze damaged the Brazilian bean crop coffee soared to more than $1 a pound. Now with full production restored the price has declined to around 75 cents, although every monetary factor in America has been on the rise.

In this era of mass merchandising prices are practically uniform across the nation. Rich and poor alike pay the same for a waffle iron or a can of orange juice. And as long as business competition exists any dangerous inflation is impossible here today.

We are constantly being told that the economy should be cooled off, that the gross national product is advancing at an unwelcome rate. Some even suggest that a business recession would be advisable, which seems about as logical and necessary as putting up with infantile paralysis now that we have a vaccine to combat it.

The nation is growing steadily in population and assuredly output and monetary wealth should also rise. A gain of a percentage point or two in the GNP may just be another sign of progress, not an alarm signal. We still have millions of jobless; the goal of full employment unattained.

There are many who insist that our problems will be solved if the government practices economics and reduces outlay. Since the spending trend has been steadily upward, we will have to reverse the reel to determine what could happen. Here is the picture:

[In billions]

Year	U.S. spending	National income
1962	$87.7	$457.8
1952	65.3	291.4
1942	34.0	137.1
1932	4.6	42.5

Now that the medieval shackles of a metallic based currency have been broken, it will facilitate a studied program of monetary expansion. It is interesting to note that when Congress recently lifted the gold cover requirement it did not cause the faintest ripple in the economy. When silver was "debased" the only question raised was whether the sandwich coins would work in the vending machines.

Modern banking is done on paper, with paper. More than 90 per cent of the nation's business is transacted by check, and currency is only the small change issued to supply the needs of trade.

We come to this question: Should the wealth of the nation be increased by the issuance of government bonds (deficit financing) or by the printing of new currency?

In a hypothetical case (which is not advocated here) Congress would exercise its constitutional rights and authorize the issuance of $350 billion in $10,000 bills. These would be deposited in the Treasury's account and we proceed to pay off the national debt.

Then government bonds and notes, which represent the debt, would be called in and checks issued for their redemption. With the transaction completed not one American would be a cent richer, for federal securities are as valuable as cash. The poor and spendthrifty, who presumably would go on wild spending sprees, would not get any money because they do not own any government bonds.

Investors such as banks, corporations, governmental agencies and trust funds hold the preponderance of federal issues. They have no interest in, nor desire to bid up the prices of beans and bicycles. If individuals now holding bonds had cash instead it does not necessarily mean they would spend it. For if they wanted money for any purpose the bond could be posted as security for a bank loan at approximately its face value.

Afterwards business would go on exactly as usual. Freight rates would still be controlled by the Interstate Commerce Commission; the supply of goods, distributive facilities and productive plants would be unaffected. This suggested issue would simply remain in nation's vaults and a $10,000 bill would still be a major curiosity.

If it's all so easy, why don't we go ahead and wipe out the national debt? The answer is that it would bring catastrophe to the financial world.

The stability and livelihood of banks, trust funds, insurance companies and many individuals depends on holding interest bearing issues. Pension and retirement accounts, with large portfolios of federal securities, place heavy dependence on this safe and secure retreat. To compel them to trade government bonds for cash would result in extreme hardship for nothing now exists in the investment field to absorb this huge sum.

Thus the issue of bonds vs currency boils down to (1) The needs of the investment and banking world, and (2) The question in interest rates.

One of the inflationary factors in the economy today is the high cost of borrowing money. This is felt especially in the housing field. If a contractor pays eight per cent for operating expenses rather than the customary six, this extra must be passed on to the buyer to maintain the margin of profit necessary to stay in business. Any repayment chart will reveal that financing a mortgage at seven per cent is much more expensive than at five.

If the government adds to the national wealth by issuing and depositing money in the banking system it will expand the base for loans. That America is short of investment money is evidenced by the fact that interest rates are generally higher than at any time since World War I, 50 years ago. Surely the banking field will be as well off as now if given the opportunity to make more loans, even at somewhat lower rates. American bankers are a shrewd and crafty lot, they are not inclined to fling money around and no matter how much they have on deposit make loans only with adequate security, and the assurance of repayment.

If the Government prints some currency, which requires no interest, in the place of securities, it will mean a saving to taxpayers in servicing the national debt. This figure is now a formidable $15 billion annually, and will leap ahead unless action is taken to curb soaring interest costs.

A program of monetary expansion would not be advised for Latin America, a land of unstable governments and scarcities of goods. What the Confederacy needed was not more currency, but more iron, food and gunpowder. Our dollar is sound, and will stay that way both here and abroad, because of America's huge storehouse of goods and the world's best productive facilities.

At the local level costs of government are rising swiftly and there is no alternative but to increase taxes or add to bonded debt. On the other hand the financial resources of the United States government are in a sense unlimited. This is due not only to the constitutional right to issue new money but also to the fact that the banking system is geared to provide an assured market for all federal securities offered.

So it is suggested that as we increase the national wealth, part of this is turned over to cities, counties and states as an outright grant for use in public projects. Throughout the country a grim battle is raging in an effort to provide the governmental services demanded by this rising, complex civilization.

There is a tremendous economic lesson to be learned from World War II. Before its outbreak we were assured that the government was in a perilous financial condition, with a national debt of almost $50 billion. But when the fighting started financial problems vanished, the money needed was always forthcoming. And suppose a nuclear war, costing $200 billion annually, should erupt tomorrow? Would anyone stand up and advise surrender, because "we can't afford to fight?"

This proposal opens a magnificent vista for the immediate future: That taxes can be cut and outlay increased to battle poverty and pollution, to build new highways and needed airports, schools and universities, increase social services, preserve forests and add to parklands.

To do this, all that is required is to dis-

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card old economic theories and teachings which do not apply to the America of today, and tomorrow.

[Dollar amounts in billions]

Year	National debt	National income	Government spending	Consumer prices 1957-59=100
1929	$16.9	$86.8	$3.1	59.7
1930	16.1	75.4	3.3	58.2
1931	16.8	59.7	3.5	53.0
1932	19.4	42.8	4.6	47.6
1933	22.5	40.3	4.5	45.1
1934	27.7	49.5	6.6	46.6
1935	32.8	57.2	6.4	47.8
1936	38.4	65.0	8.4	48.3
1937	41.0	73.6	7.7	50.0
1938	42.0	67.4	6.7	49.1
1939	45.8	7.26	8.8	48.4
1940	48.4	81.1	9.0	48.8
1941	55.3	104.2	13.2	51.3
1942	76.9	137.1	34.0	56.8
1943	140.7	170.3	79.3	60.3
1944	202.6	182.6	94.9	61.3
1945	259.1	181.5	98.3	62.7
1946	269.8	181.9	60.3	68.0
1947	258.3	199.0	38.9	77.8
1948	252.3	224.2	32.9	83.8
1949	252.7	217.5	38.4	83.0
1950	257.3	241.1	39.5	83.8
1951	255.2	278.0	43.9	90.5
1952	259.1	291.4	65.3	92.5
1953	266.1	304.7	74.1	93.2
1954	271.3	303.1	67.5	93.6
1955	274.4	331.0	64.3	93.3
1956	272.8	350.8	66.2	94.7
1957	270.6	366.1	68.9	98.0
1958	276.4	367.8	71.3	100.7
1959	284.8	400.0	80.3	101.5
1960	286.4	414.5	76.5	103.1
1961	289.2	427.3	81.5	104.2
1962	298.6	457.7	87.7	105.4
1963	306.4	481.9	92.6	106.7
1964	312.5	518.1	97.6	108.1
1965	317.8	562.4	96.5	109.9
1966	320.3	616.7	106.9	113.1
1967	326.7	649.6	125.7	116.3
1968[1]	351.5	695.0	137.1	120.8

[1] Estimates.

Sources: Bureau of the Budget and Treasury Department; Department of Commerce; Bureau of Labor Statistics.

Note: The figures on Government spending are the "old concept" administrative budget, and do not include social security outlays.

HAPPY BIRTHDAY, MR. TRUMAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri (Mr. RANDALL) is recognized for 60 minutes.

Mr. RANDALL. Mr. Speaker, today we honor in the American tradition one of America's great Presidents, Harry S. Truman, our 33d President, upon the occasion of his 85th birthday.

Prof. Clinton Rossiter, this country's leading scholar on the Presidency, has written:

> I am ready to hazard an opinion that Harry Truman when history is written will win a place not only as a truly great President, but even as a national hero alongside Thomas Jefferson and the immensely popular Teddy Roosevelt.

By most impartial and objective observers, Mr. Truman has been consistently ranked within the top half dozen from among all of our Presidents in terms of wisdom in office and courage to do that which he believed to be right for the country.

His courage and his honest conviction, his outspoken determination to respond to necessity have earned him a place of enduring fame in the annals of the American Presidency. I shall not take the time to detail all of the events of his earlier life, first at Lamar, where he was born, and then at Grandview, Mo., where he made his home as a youth.

I recall a speech he made at the place of his birth in Lamar when he came to accept the Democratic nomination for Vice President. There he sounded the prophetic note which showed he had a grasp of world affairs by expressing his concept of the Presidency. He said:

> The end of hostilities can come suddenly. Then decisions will have to be made that will determine our future for years and even generations to come. America is going to have to guide the way for the world with wise counsel and advice.

It was these very remarks which gave evidence of future courage, firmness, and independence of a man on whose shoulders was soon to be thrust the burdens of the Presidency, far sooner than he expected when he made those remarks.

Just 83 days after the 1945 inauguration of Franklin Delano Roosevelt the tragic news came from Warm Springs. Harry S. Truman succeeded to the Presidency. There was not very much in Mr. Truman's earlier background to suggest that he would someday achieve the heights of being President. He was born on May 8, 1884, in modest surroundings in Lamar, Barton County, Mo. At the age of 4 he moved to Jackson County, just outside of Grandview, where as a young farmer, you will recall his mother said, "Nobody can plow a straighter furrow than Harry."

It was because of financial crises in the family that young Truman had to take a job. He had no choice but to go to work. He did not have the chance to go to college. He desired to attend the Naval Academy. But then there was that severe case of diphtheria, which left him with such poor eyesight that he could not qualify.

His real capacity for leadership was first clearly demonstrated when he became captain in command of Battery D, 129th Field Artillery. It was here that there rose to the surface the fact that he was a leader of men. He took command of a poorly disciplined unit and made it one of the best in the American Expeditionary Force in World War I.

During the 8 years, less 83 days, that his administration was in power his conduct was marked by great decisions that were landmarks of historical significance. They are so well known that they are easy to review.

Remember, it was only minutes after he took the oath of office that he made his first great decision, and that was to authorize the full support of the U.S. Government in the San Francisco Conference which created the United Nations.

Of course, we all hope that the 85th birthday will be a happy one for our former President. It seems only yesterday, in spite of the fact that it was exactly 10 years ago tonight, that it was my privilege as a freshman Member of Congress to be with him at the Waldorf-Astoria in New York upon the occasion of his 75th birthday. On that occasion the principal speaker was the late Sam Rayburn.

Then on another birthday it was my honor to be present with Mr. Truman down at Lamar, Mo., when his birthplace was made a national shrine.

Because President Truman once said he wanted to be known as a man of peace, I suggest to you that perhaps the happiest birthday of his life, by his own account, was when he turned 61 on May 8, 1945, because it was on that day that he was able to announce to the world that the war with the Axis was over and all hostilities in Europe would cease. Our Nation went into ecstasy at the announcement.

The war with Japan was not over. Perhaps his greatest decision—and certainly his most painful one—was to face head-on the question whether to use the atomic bomb against Japan in order to hasten the end of World War II.

No man in all of history has ever faced so many problems in such a short time. Think of it. Before he had been in office 4 months, Germany and Japan had surrendered, the United Nations had been chartered and the Potsdam conference had been held. In this short time he had proven himself possessed of the admirable attribute of a truly great leader—the ability to make important, quick decisions with wisdom and with a maximum of understanding of the issues at hand.

Mr. Truman loved to play the piano. In a cartoon which adorned the cover of the book "The Truman Presidency" by Cabell Phillips, he is shown sitting at his piano with the sheet music in front of him marked "Post-War Problems." His hands are not on the keyboard, because he is scratching his head with puzzlement at the sour notes in the music in front of him.

Notwithstanding, history will show that Harry Truman performed almost a miracle when he established post-war stability in such a short time. On August 8, 1945, we became the first major power to ratify the U.N. Charter.

Just after World War II, Communist insurgency threatened the freedom of the people of Greece and Turkey, and the response was the Truman doctrine sending technological and military aid that kept them free from the Communist conquest.

Then, as a corollary to the Truman doctrine, the 33d President resolved to create the North Atlantic Treaty Organization to become the bulwark to contain the postwar Soviet imperialistic fronts. He had vision to realize that the greatest protection for postwar Europe lay in the rebuilding of the war-torn countries. For this purpose he conceived the Marshall plan which lifted Europe from the rubble of war to communities of prosperous people who could share fully in the postwar world.

He did not stop there. Mr. Truman argued his point 4 program for developing nations who were emerging from colonialism and who, with help, could know the dignity which comes from creating and guiding their own destinies.

A little later the Soviets were to test the courage of this man to maintain a free Berlin, by closing the land corridors. But they did not know Mr. Truman. Instead, he acted quickly and avoided an armed conflict by the ingenious Berlin airlift. The people of West Berlin remained free because the blockade was thwarted.

After World War II we were in an uncertain world. Yet it took a Harry S. Tru-

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man, against the wishes of his advisers, only 11 minutes to recognize the State of Israel when he learned she had issued her declaration of independence. As a testimony to his action, the Israeli people today are building an international center for the advancement of peace on Mount Scopus.

By his own statement, the hardest decision he ever made as President was to enter the Korean conflict. This was the first time the United States had acted in concert with others to preserve the principles of international law, and we did so successfully. Mr. Truman's own Executive decision to use U.S. troops to defend South Korea was later endorsed by the Congress and by the United Nations Security Council. These two things we have never been able to achieve in the Vietnam war.

As a footnote to Korea, Mr. Truman was required to exercise the monumental courage to fire a popular wartime hero whose long years of absence from the United States had dulled his perception of the relation between military and civilian authority.

All he did as to Korea and for that matter, in each of his major decisions, was to follow the theme or principle of a common factor which was to work toward the goal of a better world.

Let us not forget that it was Harry Truman that changed the Presidential seal, turning the eagle's head from the left and the symbolic arrows of war in its left talon to the right, as Mr. Truman said, a direction of honor facing the olive branches of peace.

His unblemished record of success in foreign affairs was not always equaled in legislative and domestic affairs. Many of his Fair Deal bills were rejected by the Congress, but he never lacked in perseverance; even if one of his measures was defeated, he would come up with a new proposal of similar scope. Mr. Truman once said that any President who did not get in a fight with Congress or the Supreme Court had not done a good job.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. RANDALL. I am delighted to yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Is it not true that President Truman first suggested the great program of medical care, which at the time he suggested it was criticized by opposition Members of the Congress and by reactionary forces all over the country?

Mr. RANDALL. The gentleman is so eminently correct.

The 33d President lived to see the medicare bill assigned in his presence by President Johnson at the Truman Library in Independence, Mo.

As you recall, Mr. Truman labeled the 80th Congress the "Do Nothing Congress" and called it back into session. When once again the Congress obliged him by doing nothing, during the 1948 campaign which followed he blasted it as "That good-for-nothing Congress."

I think it is important to note, as the gentleman from West Virginia suggested, that in the years since he has retired many of Mr. Truman's proposals have become law. Most noteworthy is the one we have just mentioned, the health program for the aged which we call medicare today. Others are the voting privileges for all Americans, and a measure which we considered the extension of in this body only last week or the week before, and that is aid to elementary and secondary schools.

One of the marks of greatness of Mr. Truman was that during all the days of his Presidency he never became a stuffed shirt. He never succumbed to what he called "that ludicrous disease known as Potomac fever." His down-to-earth good humor was always in evidence. At one time, when he was told that a speech to the American people, containing his report on the Potsdam Conference, had been well accepted as a popular statement, he remarked:

> It shows you never can tell; I thought it was a rotten speech.

One of the most interesting years of the Truman Presidency is the never-to-be-forgotten campaign of 1948. It was that year Mr. Truman did not choose the political safety of polished phrases, speeches delivered in cathedral tones and with the sort of above-politics image. It was almost inconceivable that any President would ever have to humble himself as did Mr. Truman in the 1948 campaign. Once he had to stand on a chair and plead for money to move his campaign out of the city of Washington, over at Union Station.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. RANDALL. I am glad to yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Does the gentleman recall the famous headline in the Chicago Tribune, the early edition on 1948's election night, that President Truman so joyfully held up, "Dewey Defeats Truman"?

Mr. RANDALL. I certainly do. It is one of our prize possessions to have a copy of that, along with the picture taken at the Mulebach Hotel when the announcement was made that Dewey had finally conceded defeat.

The campaign of 1948 was certainly one of the most colorful in all campaign history, because in that campaign Mr. Truman captured the affection of the American people. It was that campaign that showed the completely delightful side of the man that Americans could understand.

He became the indefatigable campaigner. He won the election in his own right by his no-nonsense, straight-talking, deliciously partisan, hard-hitting "Give 'em hell" style. He made a 36,000-mile tour across the country from the platform of a Pullman railroad car and told his message to the American voters. The crowds that came to hear him discerned that Harry Truman was not a "do-nothing" man. Instead they saw a worker and a fighter, a man who knew where we should be going as a nation. They saw a man with the firmness of conviction that comes from loyalty to principle. American citizens could see the fervent loyalty in this man, even in his partisan speeches. They could see the fabric of the man. They believed he was a man who could be trusted, because they believed that his loyalty was to them, all of them, regardless of party. On election night so complete was his confidence that he went to bed after dinner, awaiting the results, and was awakened several hours later a little impatient when some of his associates expressed surprise that the announcement was made that there was a turning of the tide and he was going to win reelection.

For a long time it was said, although with the passage of time it is said much less frequently, that he was a good President. It is a fact almost universally conceded now. However, it was also said that he was nonetheless no more than an ordinary man. Now, nothing could be further from the truth. Harry Truman possessed a most keen sense of history and politics and a remarkable ability to decide. He possessed sensitivity which inspired those about him with a devotion to his person and his policies. Beneath all of these qualities and underlying his whole being was a strong faith in the power of his God to lead those of his servants and those who trusted in his leadership.

Harry Truman's greatness was partly due to the unshakeable confidence in his abilities, but it was a confidence that was indivisible from his acceptance of his own limitations. He was a great President precisely because he was an accurate judge of himself, wisely utilizing the belief that he always trusted in a power greater than himself. Since ancient times this wisdom and knowledge has not been the mark of just an ordinary man.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, all of us join in wishing Harry Truman a happy birthday, his 85th birthday. I think each year that passes raises his stature in history as we reflect on his courage and the many landmark decisions which he made. Harry Truman had a unique sense of how to make a decision and he had a sixth sense and an instinct for leadership. He knew exactly when to make these strategic decisions which the gentleman in the well has outlined. He knew precisely when all of the facts and arguments were in and when it was necessary to slap the top of the conference table and say, "This is it." As everyone knows, the sign on his desk was, "The buck stops here." He certainly carried it out in everything he did and in the way he lived. Other men vacillated and other men worried or lost sleep, but Harry Truman always had the power of decision. He also believed as President that the power of national leadership should be used on behalf of those average people who have no other spokesman.

I had the great honor to work on the staff of President Truman and to travel with him on many of his whistle-stop trips.

Mr. Speaker, many instances splash across my mind. I recall one occasion when inflation was gripping this Nation to the detriment of the consumers of the country. President Truman called a number of the Members of the Senate and the House of Representatives down to the White House to ask their advice

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on what could be done. One Senator spoke up said, "I do not think there is anything really the trouble. I am not hearing from many consumers."

President Truman's jaw stiffened as he said, "I represent the consumers. That is why I called you down here." He proceeded to exert his national leadership on behalf of the unorganized, unrepresented people who do not have great high-paid lobbyists to speak for them.

Mr. Speaker, Harry Truman was a great campaigner, as the gentleman from Missouri has indicated. But even more he was the author and presided over truly great decisions like the creation of United Nations, the NATO, the Truman doctrine, the Marshall plan, the Berlin airlift and the many other world-shaking decisions.

I also marveled at his ability to clarify extremely complex questions. This was not a case of oversimplification. It was an ability to communicate in down-to-earth terms that everyone in this Nation could understand. He also had an ability to look into the future.

I recall in March 1952 when he made at that time the very stunning announcement that he would not run again for reelection. We assembled in the Cabinet Room, the members of his staff, to work with him on the next speech that he was to deliver. He pushed the speech aside and said:

> We must start thinking about the transition, whoever is President after 1952. I want to be sure that the next President of the United States is very well briefed on the problems that confront the world and the Nation so that he does not have to come in the way I did, unfamiliar with these problems.

So, Mr. Speaker, we honor President Truman as a man of decision, a man of compassion, and a man who could look into the future and plan for the future.

All of us join in saying, "Happy birthday, Harry S. Truman."

Mr. RANDALL. I thank the gentleman from West Virginia.

Missourians will always remember the 33d President for his loyalty to the show-me State. During his term of office in the White House "The Missouri Waltz" almost replaced "Hail to the Chief" as the official song. Truman lore is easy to find here in Washington. An example is the Truman balcony added to the White House during its renovation. Then in Missouri in the form of the famous equestrian statute of Andrew Jackson, who was Mr. Truman's favorite President. That statue stands in Kansas City, and a replica in Independence, which Mr. Truman described as the finest equestrian statue in America.

Of course, there was another side of the coin. Some few people regarded Mr. Truman's Presidency as a national disaster. Some said that if Mr. Truman had been defeated in 1948, we would have been spared the trauma of the McCarthy era. But the man of Independence to such critics once remarked, "I do not care a hoot what history says about me. I know what I have done and that is good enough. I did what had to be done."

Mr. Truman faced many difficult days. Lesser people would have wanted to quit, but he persevered. Thomas Paine once referred to a person in a crisis having a tendency to act like a "summer soldier and sunshine patriot."

Harry Truman was neither. He was a man who did not hesitate to harness the floodtide of history by which lesser men would have been overwhelmed. He is truly an individual in whom the elements were so mixed that all the world may say, "This is a good man—this is a great man."

Today we could not present President Truman with any gift that would adequately tell him what is in our hearts. It is a joy to witness and share this, his 85th birthday. Mr. Truman is of strong stock. By his own statement he said he was going to live to at least 90. It is a privilege to have him as the first citizen of Independence, Missouri—our home city—where he lives in the large beautiful home at 219 Delaware Street with his beloved Bess. On June 28, 1969, he will have been married 50 years. While it may be a little over a month premature, we congratulate the President and his lady of their upcoming 50th wedding anniversary. Today we salute this great man on his 85th birthday. Happy birthday, Mr. Truman. It is a joy to wish you happiness on your birthday. Congratulations on a happy 85th. Many happy returns of the day.

Mr. McCORMACK. Mr. Speaker, in keeping with the purposes of House Concurrent Resolution 216, unanimously agreed to April 24, 1969, I should like on this occasion to extend to Harry S. Truman, 33d President of the United States, best wishes on his 85th birthday.

To honor such a man is an honor in itself and to be able to say, when he passes by, "There goes a friend of mine," that surely is a first-class honor if ever there was one. This I know for a fact, because Harry S. Truman is one of my closest and dearest friends: He is a gentleman of the highest type, the essence of honor and integrity, a dedicated scholar, and a man of astonishing intuitive ability and penetrating intellect.

The life and times of Harry S. Truman will read in future ages something like the career of Horatio Alger, the prototype of American fictional heroes. Born of Kentucky stock, in the wake of the Civil War, Harry Truman entered the world under inauspicious circumstances. Times were hard in Barton County, Mo., where he spent his early years, and opportunity for advancement was slight. The so-called Gilded Age failed to bring prosperity to Missouri, and even after the Truman family removed to Independence, in 1891, the specter of poverty was never totally removed from their surroundings.

There is something to be said for knowing the pain of poverty, if you are ever going to enter the political field. Nothing is more disturbing than to witness the complacency of those who have never experienced poverty, shrugging off the need for economic improvement, on the grounds that it can wait for awhile, just so long as their own inconsequential projects are instantly enacted and their own interests constantly protected.

Harry Truman knew a lot about poverty, and fought all his life to prevent it among his fellow Americans on the district level, the State level, and the National level—and with remarkable results.

As a student, he became accomplished at an early date in matters such as agriculture, banking, and military tactics. He joined the National Guard in 1905 and served 6 years, rising to the rank of corporal. In World War I he served in France as captain of Battery D, 129th Field Artillery, 35th Division, engaging in the famed Saint-Mihiel and Meuse-Argonne offensives, from which he returned in 1919 to reenter civil life as a haberdasher, and to get married. As his wife he selected Bess Wallace, his childhood sweetheart, whom he described as "the only girl I ever went with."

As an entrepreneur, Harry Truman encountered the deflationary troubles of 1921 which quickly ruined his small business. But this was his last defeat. From there on, he was out to win, and win he did.

Turning to politics, he placed his name in contention, in 1922, for the Democratic nomination for the office of judge of the Jackson County Court. The court was not judicial, despite its title, but more in the nature of a commission. He captured the nomination, following a spirited campaign, and also carried the election.

Jackson County, embracing Kansas City, had an unfortunate reputation in this period, and many people associated with it tended to arouse the public's indignation through the sudden acquisition of wealth, far in excess of their official salaries. Not so, however, in the case of "Judge" Truman. Of all the political leaders in Missouri, he was known from the outset as a paragon of honesty; the man who would never take a bribe or do a favor for a friend at the expense of simple justice. Word of this astonishing phenomenon spread rapidly in a region long familiar with rather different ways of doing business and performing the duties of public office. An honest man was on hand in Kansas City, and he seemed determined to establish honesty as a part of the machinery of government. Duly appreciative, the Democratic Party nominiated Harry Truman for U.S. Senator in 1934, and he was subsequently elected.

The record of crusader, established in the Jackson County court, followed Harry Truman to Washington, and in a short time he was established as one of the leaders of liberal reform. Concerned about increasing transportation problems, he helped conceive the Civil Aeronautics Act and the Railroad Transportation Act of 1940. None of this was seriously opposed, because everybody is in favor of transportation progress. But Mr. Truman was chairman of a subcommittee investigating matters in Missouri, preceding construction of the Transportation Act, and under his direction improprieties were discovered in Kansas City, to the great embarrassment of many of his political associates. Pressure was exerted to stop the investigations, but Mr. Truman refused to let them be stopped. In consequence of his exposés in Washington, other investigations were inaugurated in Missouri, revealing—among other things—the existence of a bogus registration list. containing the

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names of 47,000 nonexistent voters. All of these names had been voted for Mr. Truman in 1934 and they would now be voted no longer. It began to look as though his honesty had paid off in the form of his own political demise. But when he sought reelection in 1940, he received the rousing endorsement of his constituents, with a margin of 40,000 votes to spare.

The war years, 1941 to 1945, found Mr. Truman at the head of the Special Committee To Investigate Contracts Under the National Defense Program—a title that was shortened in the press to the more concise "Truman committee." In its first annual report, the Truman committee exposed the waste of $100 million in Army construction work and detailed the "extraordinarily poor judgment" shown in many other wartime expenditures.

Truman committee reports were responsible for the abolition of the Supply Priorities and Allocation Board, in 1942, in favor of the Office of Production Management. Further exposés by the committee brought about the establishment of the highly efficient War Production Board; broke up cartel agreements between American and German industries; ended the scrap shortage that was hampering the war effort; cut down on malpractice by labor unions and faulty production on the part of several major manufacturers; and forced the better coordination of the entire American war program.

At the Democratic National Convention, Mr. Truman was nominated for Vice President, on the strength of his work as head of the Truman committee. In November of that year he acceded to the second highest office in the land, and with the death of President Roosevelt on April 12, 1945, Harry Truman became President of the United States.

It has been said that President Truman assumed office at one of the most unpropitious moments in history for a change of leaders. At this point, without experience in the field of national administration, he was required to take a leading part in winning World War II, making the peace, establishing the United Nations, reconverting from a wartime to a peacetime economy, and helping the wartorn lands. Moreover, in moving into the White House at this juncture, Harry Truman had to follow Franklin D. Roosevelt, the most colorful and popular President to hold office since Theodore Roosevelt, a half century before. Franklin Roosevelt had already been classed among the political immortals in American history. How, then, could Harry Truman be expected to make a fair showing? Could he, walking in the shadow of his predecessor, dare aspire to greatness?

The facts, I think, are clear enough today. Indeed, Harry Truman was able, in his two terms as President, to establish himself among the list of the great American Presidents. The fact, I think, is undeniable, on its face, and easily supported by the record.

It is a notable fact that the greatest of American Presidents have been inclined to arouse the greatest storm of activity while they are in office, both in favor of, and in opposition to, their policies. It is also a notable fact that the greatest of American Presidents have departed from office with their outraged opponents dedicated to undoing their policies. This was the case, certainly, so far as Harry Truman was concerned. It was also the case with regard to George Washington.

When Washington left the White House, following 8 years of firm Federal control over the infant American Republic, he could hear on every side the voice of his critics. Was he right in following Hamilton's conservative lead in the establishment of the original Federal economic program? His critics did not think so. Was he right in supressing the Whiskey Rebellion? His critics did not think so. Was he right in avoiding further conflict with England? His critics did not think so.

They would show him. They would undo the National Bank, weaken the Federal authority in behalf of States rights and drive the British out of Canada. Or so they said. But when all was said and done, none of this occurred. As it turned out, the National Bank was left standing, the Federal authority remained strong and the British—though nudged a bit in the War of 1812—retained control of Canada. In the end it had to be conceded that George Washington's program was, in fact, good enough to keep.

The same, you will recall, was the reaction of many of Harry Truman's opponents to his departure from the Presidency in 1953. Much was said about the changes that were going to take place. Much was prophesied as to the whirlwind revamping that would be required once "the man from Missouri" was out of the White House. But what occurred along this line? Not very much, as I recall. In fact, it seemed as though those, who were going to undo Harry Truman's policies, wound up letting them alone, to an extraordinary extent. Why? Because those policies were good ones—good for the Nation and good for the world.

It was President Harry Truman who linked the American destiny with that of West Europe, under the terms of the NATO alliance. It was he who inaugurated the Marshall plan, which stopped the spread of communism across the European continent. It was he who called the bluff of communism in Asia, by meeting the Red menace in Korea. It was he who desegregated the U.S. Armed Forces. It was he who brought the Nation through 7½ years of prosperity, without let-up.

Under the circumstances, it will be necessary for history to accord a high place to this remarkable man—Harry S. Truman, of Independence, Mo.—just as the American people accord him a high place in their hearts today on the occasion of his 85th birthday.

He saw his duty and performed it, with a will and with the energy and ability required of his great office. You can well imagine the pride that is mine in knowing that this man—of great mind, great heart and great accomplishments—is my friend.

It is therefore my distinct pleasure to salute my friend and my former President on this day, and to wish him more happy birthdays in the future, birthdays in a world that has been made a better one by his leadership.

Mr. BOLLING. Mr. Speaker, we observe today the 85th birthday of former President Harry S. Truman. Less than a quarter of the men and women who now serve in the House of Representatives served here when Harry Truman was President. But his good qualities as a President are known to all and acknowledged by most. Harry Truman when confronted with vital matters made policy choices. He did not play politics with vital issues. He was doughty and candid in an era when the soft-sell and the soft-soap and the public relations too often dominate our public men. He was not always correct. No President is. But no one had to look behind the political bushes to find out where Harry Truman was located on civil rights, fair housing, unification of the armed services, desegregation of the military forces, foreign aid, Korea, West Berlin, Taft-Hartley, and development of the atomic bomb. On all the wide range of burdensome problems confronting any President, Harry Truman was there—identifiable and taking the heat in the political kitchen. He needed no special assistant to run to the Hill and tell Members of Congress what "the President really meant." It was all there in the morning newspaper. He solicited and received indispensable Republican support for his determined and firm policies in respect to foreign affairs. When Truman did not receive such support from a member of his own party, he fired him—I refer to Henry Wallace, Secretary of Commerce. The foreign assistance program, about which some Johnny-come-latelys often complain, was inaugurated during the Truman administration following Secretary of State Marshall's landmark speech at Harvard College in June 1947. The Marshall plan helped to reconstruct ravaged and vulnerable nations in Western Europe—notably Italy and France. Great Britain was a beneficiary. President Truman, with the support of his courageous Secretary of State, Dean Acheson, firmly set out to counteract the probing aggression of the Soviet Union and China in both Europe and Asia.

His firm declarations, such as the Truman doctrine and subsequent supportive actions, helped fend off Soviet Union aggression in such vital locations as Iran, West Berlin, and South Korea. But Harry Truman used a plowshare, too. His inaugural address in 1949 set forth a so-called point 4 program of technical assistance to developing nations who have benefited in their struggle to create stable, healthy and representative conditions for their people.

Some would tell us that Harry Truman was partisan. Well, there is room for partisanship in some aspects of the Presidency. But these were the opening words of Harry Truman when he accepted his party's nomination in Philadelphia in the summer of 1948:

> We meet in this convention not only as Democrats but as Americans to promote the welfare of our country and the happiness of our people.

Health care, equal opportunity, fair employment, better housing—these and other programs he offered to a Congress that was most often heedless.

In January 1953, President Truman left the White House—just as rugged

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and hard-fighting as ever. He left behind a Presidential record, a reading of which indicates his policies diverted and dammed the totalitarian tides that were lapping at free countries in the tumultuous years immediately following the conclusion of World War II in September 1945.

Mr. HULL. Mr. Speaker, it is an honor for me to join with my colleagues on this occasion in paying tribute to former President Harry S. Truman on his 85th birthday anniversary.

It is our sincere hope and prayer that Harry Truman and his devoted wife will be with us for many more years to come and that they will continue to enjoy health and happiness.

Because of President Truman's many major contributions to this country as one of our most effective Chief Executives, his presence among us remains as an inspiration to those who believe in a government of law and who are opposed to the vicious concept of a government represented by tyrants.

I know that I speak for all the people in the State and congressional district which I represent when I extend birthday greetings to this great American and Missourian.

Mr. FINDLEY. Mr. Speaker, it is a pleasure to join my colleague in saluting former President Truman on his birthday.

As President he exhibited rare courage in prosecuting the war in the Pacific in World War II, and rare vision in launching programs which made possible the reestablishment of free institutions in most of Western Europe. I also salute him for his leadership in the construction of NATO, a free-world community which has just observed its 20th anniversary.

Many happy returns.

GENERAL LEAVE TO EXTEND

Mr. RANDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the subject matter of this special order.

The SPEAKER pro tempore (Mr. BURKE of Massachusetts). Without objection, it is so ordered.

There was no objection.

IMPROVEMENTS NEEDED IN SOCIAL SECURITY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 5 minutes.

Mr. VANIK. Mr. Speaker, on Wednesday, May 6, I addressed a letter to the gentleman from Arkansas, the Honorable WILBUR MILLS, the distinguished chairman of the Committee on Ways and Means, on the subject of social security legislation in the first session of the 91st Congress. Today I received a reply from Chairman MILLS that I would like to place in the RECORD.

My letter to Chairman MILLS on May 6, 1969, is as follows:

Hon. WILBUR MILLS,
Chairman, Committee on Ways and Means, House of Representatives.

DEAR MR. CHAIRMAN: In recent newspaper articles, it was reported that the Ways and Means Committee will not consider social security legislation in the first session of this Congress. The articles further stated that due to the pressing business before the Ways and Means Committee, including tax reform legislation and the surtax, coupled with the need for action this year on important trade legislation which will be considered later by the Committee, that it would be impossible for the Committee to consider any social security proposals during this first session.

The articles also indicated that you as Chairman favored a 10 percent increase in social security benefits instead of the 7 percent increase which was proposed by the Administration.

As a member of the 91st Congress and as a member of the Ways and Means Committee, I am very concerned at these reports which point up a delay in adequate increases in social security benefits to the 22 million social security beneficiaries who are feeling the cruel effects of the inflationary impact of the last several years. Their needs cannot face any further delay. As a matter of fact, several million senior citizens on social security have been forced into below poverty levels because of the inflationary impact and the spiraling cost of consumer goods and health care.

Under the circumstances, I urge that the Ways and Means Committee consider this important legislation in this session of the Congress so that we can respond to the urgent needs of our senior citizens who must not be overlooked.

Sincerely yours,
CHARLES A. VANIK,
Member of Congress.

Today I received the following letter from Chairman MILLS:

Hon. CHARLES A. VANIK,
U.S. House of Representatives.

DEAR CHARLES: I appreciate receiving your letter of even date strongly urging that the Committee on Ways and Means consider Social Security legislation during this Session of the 91st Congress.

As you know, since the opening days of this Session, the Committee on Ways and Means, in accordance with the schedule determined by the Committee at that time, has been engaged daily in public hearings, and is now in executive sessions, on the subject of broad tax reform. Not only is this in accordance with the schedule as determined by the Committee at the outset of this Session, but it is in fulfillment of commitments which were made on the Floor of the House last year in connection with the passage of the surcharge legislation.

It is my firm belief that the Committee should continue to complete the tax reform legislation on which we have embarked so that we can attain a greater degree of equity for all of our taxpayers. As you know, particularly since you have been such an effective Member of the Committee on Ways and Means, the development of sound and equitable tax legislation is a time-consuming and complex process, affecting as it does significant sectors of our economy and millions of citizens throughout this country. It cannot quickly be done.

I stated publicly during the course of the public hearings, and on the television and to the press since then, that I hope the Committee can complete its consideration of tax reform legislation so that legislation can be developed and passed through the House of Representatives by the early part of August. Considering the scope of this legislation, I do not see how it will be possible to complete action on all these items before that time.

As I have also indicated both in the Committee and publicly, the Committee may well have before it before this Congress is completed the very important issues of foreign trade and unemployment compensation. These likewise are subjects which affect millions of American consumers, producers, and, in the case of trade, our relationships throughout the world. There are also other matters pending involving expiration dates, such as the surcharge, and the Interest Equalization Tax, etc.

Finally, I have repeatedly stated that the development of the further schedule of the Committee on Ways and Means will be accomplished by the Committee itself when we complete action on the pending business, namely, tax reform. In other words, when we complete action on these items, the subject of our further schedule will be open for consideration in the Committee.

Social Security matters are always given high priority in the Committee. Let me point out, however, that there are issues involved in the Social Security program in addition to a benefit increase which need to be considered, including such things as the proposal to extend hospital benefits to the disabled. I know you also agree that we must develop a greater benefit increase than the 7 percent which has been proposed.

As I have assured you and other Members, we will move from one major subject to the next just as soon as we possibly can, considering the necessity to legislate carefully and soundly. We cannot consider everything at the same time. We obviously have not ruled out the possibility of consideration of Social Security legislation in this Session, but looking at the problems realistically, our task will be difficult. In any event, it would be my hope that the Social Security beneficiaries would be able to receive a really meaningful benefit increase at the earliest practicable date.

Sincerely yours,
WILBUR D. MILLS,
Chairman.

Mr. Speaker, these letters are submitted for the information of the Members of this body on the issues which have been raised.

SOCIAL SECURITY BENEFITS SHOULD BE INCREASED

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute.)

Mr. HECHLER of West Virginia. Mr. Speaker, I would like to commend the gentleman from Ohio (Mr. VANIK) for bringing the issue of increased social security benefits to the attention of the House.

I would like to ask the gentleman—and I am not presuming to second guess the action of the Committee on Ways and Means—but would it not take far less time to consider the issue of social security than it would tax reform?

I think it would be unconscionable if this session of Congress, after raising its own salaries, adjourned without taking action to raise the benefits of the many people in the gentleman's State and in my State and in other States who are hit by inflation and the rising cost of living. Social security benefits should be tied to the cost of living, and should not be allowed to lag behind the rising cost of living.

Mr. VANIK. I concur as to the impact of inflation on the elderly retired citizens of America.

But I might say to the gentleman that I have been in this Congress for almost 15 years and I have been waiting all of this time for an opportunity to do a real job on tax reform. We cannot suspend this effort. We are very deeply involved in it.

It is my hope that we can complete our

work on tax reform by early August and then certainly there will be time to work on the very important social security matters.

I would imagine, and the chairman indicated by his letter, that we can expect there will be a tax reform bill through the House by early August so that it is my hope that immediately after that we might move on into this matter of social security.

Mr. HECHLER of West Virginia. Mr. Speaker, I share the concern of the gentleman from Ohio and the chairman of the Ways and Means Committee as to the paramount importance of meaningful and effective tax reform. I hope too that not only can social security benefits be raised by 10 percent but also that reforms be written into the social security system to make it work in a fairer fashion. I am sure the gentleman from Ohio will not relax in his efforts to try to bring this issue of the need for reform as well as an increase under the social security law forcefully to the attention of his committee and of the Congress.

Mr. VANIK. I pledge to work toward that goal.

Mr. HECHLER of West Virginia. I thank my colleague, the gentleman from Ohio.

VIOLENCE ON THE CAMPUSES

(Mr. BEVILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEVILL. Mr. Speaker, the patience of the administrators and faculties of many colleges and universities in this country must be running pretty thin by now. For it is obvious to most that they are losing the battle of the campus. They are, in many instances, failing to retain any semblance of discipline and dignity.

Seldom a day goes by without the buildings on some college campus becoming the bastion for a mob of unruly, unkempt young militants bent on creating violence.

I realize, Mr. Speaker, that these beleaguered school administrators are attempting to cope with the crises in an adult, civilized manner. But from my point of view, it appears that they are losing ground daily and have no desire to put forth enough effort to reverse the trend.

The intriguing and unanswered question is "Why"? Why have our college students become so violent, so bent on destruction? Why, when they obviously have plenty of outlets to air their complaints. Why, when they obviously have so much to lose by their acts of violence.

I know, Mr. Speaker, that much rhetoric has already been expounded on this one question and I do not plan to compound the situation with more of the same. With you, I have listened to and read the statements referring to our youth as restless and frustrated, as being exasperated with the establishment. But this has been the case, I believe, in one form or another, with each generation, and probably always will be. However, seeking relief from these frustrations through violence is tearing down the very fabric of our society.

There was a time when a young person looked upon going to college as an opportunity. He realized that it involved a good deal of study and self-discipline and fully expected to live within certain reasonable bounds and conduct himself in such a manner as to not intrude on the rights of others.

I am confident, Mr. Speaker, that the majority of our young people still approach academic life with this philosophy.

President Nixon recently made the statement that administrators and trustees "should have the backbone to stand up" against acts of violence.

In addition, Attorney General John Mitchell and other administration officials have spoken out forcefully on the need for school officials to take control and put an end to the strife and chaos.

I am in agreement with the positions taken by these officials and urge them to follow through on their recommendations.

The great majority of our college students are sincere, hard-working young people who are trying to prepare themselves for the future. But in many places, these students have had their education disrupted and delayed for months by those who are intent on promoting discord and violence.

I say the time has come for our colleges and universities to adopt a get-tough policy in dealing with these troublemakers.

The needs of the majority should be given immediate consideration. The troublemakers should be dealt with in accordance with their individual actions. If arrests are needed, then arrests should be made. If expulsion is in order, then expel the troublemakers.

People everywhere are profoundly concerned about this problem and feel that unless some corrective steps are taken, our whole educational system may be endangered.

The people of this Nation are still looking to the college administrators and academic authorities to take control of their schools.

If they fail to meet these responsibilities, then I believe it is the duty of Congress to take action. I feel that Congress should give full consideration and careful study to even going as far as withdrawing Federal assistance to those schools which will not maintain order.

We cannot postpone facing up to the problem much longer. We must be prepared to take appropriate legislative action, if necessary.

A BILL TO REFINANCE THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. Reuss) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, I today introduce H.R. 11101 to assure the solvency of the St. Lawrence Seaway—a transportation facility of fundamental economic importance to this Nation, and especially to its industrial heartland in the upper Midwest and Great Lakes region. Cosponsoring the bill are Representatives Frank Annunzio, John A. Blatnik, John Brademas, John D. Dingell, Thaddeus S. Dulski, William D. Ford, Donald M. Fraser, John C. Kluczynski, Richard D. McCarthy, William T. Murphy, and J. William Stanton. All of these Members joined in introducing similar legislation last session.

The bill provides that the $148 million of outstanding St. Lawrence Seaway Development Corporation indebtedness to the U.S. Treasury shall be converted into permanent U.S. investment in the Seaway Corporation. This is very simply accomplished by exchanging preferred stock of the Seaway Corporation for its $129 million of outstanding 50-year bonds and $19 million of accrued interest debt.

In dollars and cents terms, the Seaway Corporation would no longer be obligated to repay its $148 million debt, which it must now pay by the year 2009. Instead, it would continue to pay, and would pay forever, to the U.S. Treasury a fair dividend return on the Government's equity investment. This dividend would be the same amount which the Seaway Corporation is now paying to the U.S. Treasury in interest payments.

On the basis of the Seaway Corporation's own estimates of cargo to be shipped on the Seaway over the next 4 years, the Corporation will fall hopelessly behind in meeting its present statutory financial obligations. The St. Lawrence Seaway Act of 1954, as amended in 1957, requires that the Seaway Corporation pay from toll revenues its operating expenses, maintenance expenses, interest on its indebtedness, and that it repay in 50 years' time the capital which it borrows from the U.S. Treasury.

In the next four shipping seasons the Seaway Corporation, after paying operating and maintenance costs, is likely to fail to pay $2 million in interest on its outstanding indebtedness. It will, moreover, be unable to make any repayment of the $19 million of back interest which has accrued since the seaway's opening in 1959, nor will it be able to repay a single dollar of its $129 million bond indebtedness, either in the next 4 years or in the foreseeable future.

It is therefore necessary now, once and for all, to come to grips with the gloomy reality which is the Seaway Corporation's financial statement. The largely bookkeeping difficulty of the Seaway Corporation will not fade away. It must be tackled.

In its first 10 shipping seasons the seaway has been more responsible financially than any other waterway in the continental United States; it has paid the entire costs of its operation and maintenance, totaling nearly $15 million. In addition, over this period, it has paid to the Treasury over $29 million of interest, approximately 60 percent of its total interest obligation.

If this bill were enacted, the seaway would continue to pay its own way. The only significant change which the bill would make is to make the Federal Government investment in the Seaway Corporation permanent, thus relieving the Seaway Corporation of its obligation to repay its $148 million indebtedness.

Toll revenues would continue to pay operating and maintenance expenses and

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to yield in dividends the same return on the Treasury's invested capital that the Seaway Corporation now is obligated to pay in interest. In the next 40 years the Seaway Corporation, in addition to paying for its operating and maintenance expenses, would return to the U.S. Treasury some $220 million in dividends.

In short, under this bill the seaway would continue to operate without Federal subsidy.

Since the seaway together with the Great Lakes is quite literally a fourth seacoast of the United States, the Federal Government should retain ownership of the U.S. share of the seaway in perpetuity. The Government should not try to amortize the costs of its investment over 50 years—it should, instead, seek to be paid a fair annual rate which in time will repay its investment many times over.

The U.S. Government has made a long-term, if not permanent investment in every other major U.S. transportation system.

OCEAN SHIP CHANNELS PAY NEITHER CAPITAL NOR OPERATING COSTS

The seaway is very much like an ocean ship channel for it serves a particular geographical area, yet ocean ship channels have not had to repay invested capital or to pay interest, and, in fact, have not even had to pay their operating and maintenance costs.

For example, through fiscal year 1965, the Federal Government has paid on behalf of the Delaware River channel from Philadelphia to the sea, $54,631,336 in construction costs and $113,346,844 in operating and maintenance costs; the Houston ship channel $34,449,257 in construction costs and $32,605,276 in operating and maintenance costs; the Sacramento deep water channel, $39,551,254 in construction costs and $10,740,586 in operating and maintenance costs; and the Mobile, Ala., channel, $14,275,026 for construction costs and $15,221,599 for operating and maintenance costs.

INLAND WATERWAYS PAY NO CAPITAL COSTS AND GET SUBSIDY FOR OPERATING COSTS

Over $2 billion of Federal funds have been invested in inland waterways in addition to some $113 million annual appropriations for their operation and maintenance. The Northwest Ordinance of 1787 established the principle, specifically reaffirmed in the Rivers and Harbors Act of 1909, that tolls will not be charged for use of these waterways. As a result, not 1 cent of this huge capital investment has been repaid.

LAND GRANTS TO RAILROADS A FORM OF SUBSIDY

In the period from 1850 to 1871 the Nation's railroad companies received Government land grants of about 183 million acres. According to a joint economic committee study, the value of this aid given to railroads came to nearly $1.3 billion. The arrangement was that this subsidy would be paid off over time by giving the Government special low shipping rates. This form of long-term payment, still being made to the Federal Government, cannot be considered analogous to the seaways' interest burden and requirement to repay invested capital. There is no way to measure its adequacy in terms of a return on Federal investment or in liquidation of the investment itself.

CHARGES ON AIRLINES DO NOT COVER COST OF FACILITIES AND SERVICES

The Nation's commercial airlines are beneficiaries to the extent of at least $250 million of the $750 to $800 million appropriated each year to build airports, maintain, and operate airways, provide navigation and landing aids, communications facilities, and weather advisory services. For all of this, commercial prop transport planes pay only a 2-cent-per-gallon tax on gasoline, and jets, which do not use gasoline, pay nothing. Air passengers pay a 5-percent excise tax on their tickets but no toll or charge is assessed on airfreight.

CHARGES ON TRUCKING LINES DO NOT COVER THEIR SHARE OF ROAD COSTS

While trucking lines, like other users of federally financed toll highways and bridges, presumably pay for their share of these new facilities, they are free to use all other highways, streets, and bridges in their business operations. It seems highly debatable whether their present payments in license fees, gasoline taxes, and other taxes would adequately cover their share of the interest and capital costs of past public investment as well as current operating and maintenance costs.

MERCHANT MARINE RECEIVES EXTENSIVE FEDERAL SUBSIDIES

U.S. shipping lines receive about $330 million annually in Government subsidies. About one-third of this money is capital investment, spent for ship construction, and the other two-thirds is used to subsidize operating and maintenance costs.

Mr. Speaker, by any measure the bill which my colleagues and I have joined in introducing today is truly a modest proposal. It is in keeping with the principle of the 1954 St. Lawrence Seaway Act—that the St. Lawrence Seaway is to pay the full costs of its construction and operation. No Federal subsidy is provided for in this bill.

The bill in no way puts the seaway on a comparable footing with other major U.S. transportation systems, all of which continue to enjoy large direct or indirect Government subsidies of capital expenses, operating and maintenance expenses, or both.

In terms of the seaway's financial dilemma, the bill works no miracles. The Seaway Corporation would continue to be financially responsible for all major costs of the great waterway. As a result, the Seaway Corporation would probably continue to operate in the red until some 56 million tons of cargo annually are carried over the seaway. Last year 48 million cargo tons were shipped. It is estimated that the 56-million-ton level will be reached sometime in the early 1970's.

The bill, however, is clearly sufficient to achieve its objective: it would eliminate any foreseeable need for increasing seaway toll rates above their present levels, either in the next four shipping seasons, 1969 to 1972, inclusive, or thereafter; and within the next decade it would probably make possible a decrease in the present toll rates.

It is my hope that early hearings will be scheduled on this bill. I could hope also that the President and the new Secretary of Transportation, John A. Volpe would support this legislation.

The text of the bill follows:

H.R. 11101

A bill to provide for a more conservative capitalization of the St. Lawrence Seaway Development Corporation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5 of the Act of May 13, 1954 (Public Law 358, Eighty-third Congress; 33 U.S.C. 985), is amended (1) by inserting "(a)" immediately after "SEC. 5." and (2) by inserting in the first sentence ", prior to the date of enactment of subsection (c) of this section," immediately before "revenue bonds".

(b) Such section is further amended by adding at the end thereof the following new subsections:

"(b) The Secretary of the Treasury and the Corporation are authorized and directed to convert the revenue bond obligations referred to in subsection (a) hereof to capital stock in an amount equivalent to the outstanding principal amount of said revenue bonds and accrued interest. The Corporation shall pay a cumulative dividend on such capital stock of 3.85 per centum per annum.

"(c) To finance its activities, the Corporation may issue to the Secretary of the Treasury, after the date of enactment of this subsection, capital stock with cumulative dividends payable from corporate revenue. The Corporation shall pay a cumulative dividend on such capital stock at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate as of the last day of the month preceding the issuance of the capital stock on current marketable obligations of the United States maturing more than five years thereafter.

"(d) The capital stock of the Corporation may be redeemable at the option of the Corporation in such manner as may be stipulated in such obligations."

Sec. 2. Subsection (a) of section 12 is amended by adding after the first sentence thereof the following sentence: "The division of the revenues of the seaway may be based on the respective annual costs of the Corporation and the St. Lawrence Seaway Authority of Canada only if comparable costs are used in arriving at the division."

Sec. 3 (a) Paragraph (4) of section 12(b) of such Act (33 U.S.C. 988(b)(4)) is amended to read as follows:

"(4) That the rates prescribed shall be calculated to cover, as nearly as practicable, the costs of operating and maintaining the works under the administration of the Corporation, payment of cumulative dividends on the capital stock of the Corporation, and payments in lieu of taxes."

(b) Paragraph (5) of such section (33 U.S.C. 988(b)(5)) is repealed.

A NEW AMERICAN INDIAN POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. Kastenmeier) is recognized for 10 minutes.

Mr. KASTENMEIER. Mr. Speaker, Indian reservations, as alienated socially as urban ghettos and far more isolated geographically, are the purest examples of underdeveloped enclaves within American society.

Reservation Indians today cling by choice to the remnants of forest and plain that once they roamed without bounds. They eke out an existence from a land base too small to support their numbers. They cherish and maintain the unique traditions of the first American civilizations, traditions distinct for the recognition of the oneness of mankind with nature.

The price of preserving traditions need not be poverty, although poverty is the price that reservation Indians have paid, generation after generation, for nearly a hundred years. Fifty thousand Indian families today live in unsanitary, dilapidated dwellings. The unemployment rate among Indians is nearly 40 percent, more than 10 times the national average. Of the Indians who do work, a third are underemployed in temporary or seasonal jobs. Fifty percent of Indian families have cash incomes below $3,000. With rare exception, Indian communities are so underdeveloped that there is little, if any, opportunity for significant social or economic progress.

Fifty percent of Indian schoolchildren, double the national average, drop out before completing high school. Ten percent of American Indians over age 14 have had no schooling at all. Nearly 60 percent have less than an eighth grade education. Even those Indians attending school are plagued by language barriers, by isolation in remote areas, by lack of a tradition of academic achievement.

The health level of the American Indian is the lowest of any major population group in the United States. The infant mortality rate among Indians is 34.5 per 1,000 births, 12 points above the national average. The incidence of tuberculosis among Indians and Alaska natives is about five times the national average. Viral infections, pneumonia, and malnutrition are common among Indian children.

For more than a century, the Federal Government has exercised close control over every aspect of the reservation Indian's life. This paternalistic policy has resulted in maintaining the Indians at a subsistence level while attempting to destroy distinctive Indian culture as a preparation for rapid assimilation, a goal most Indians rejected. There is no group of American citizens which finds it harder to adjust to today's world. Nothing is more rural and isolated than the backlands of Indian country, where paved roads, electricity, and plumbing are as unfamiliar as they were 50 years ago. As a result, much of the reservations' natural resources were wasted and their human resources became disabled. At the present time, Indians, unlike all other Americans, do not yet enjoy self-government. They are still governed not entirely unlike colonial subjects.

There are those individuals who believe that this serious Indian problem can be best solved through a termination policy, generally cloaking such a program in terms of setting the Indian free, but this rhetoric is often a mere disguise for the rather callous desire of some people simply to be rid of the Indians and their problems. Many Indians, however, recognize that the cannot sustain themselves without Government assistance, a view reinforced by the experience of tribes whose reservations have been terminated. For example, after termination of the Menominees in my State of Wisconsin, a county controlled by the Indians replaced the reservation. Due to the low income level of the Indian inhabitants, Menominee County has an insufficient tax base, which necessitated the drastic curtailment of social services and a solicitation of outside investment that could erode Indian control of tribal enterprises.

In recent years, with an increasing Indian population and a growing complexity of reservation problems, appropriations for Indian programs have risen, but consistently have stayed well below a level needed to carry out intentions. Indian programs will continue to limp along, and development will proceed at an unsatisfactory pace. In addition, because of the rapid increase in the Indian population, there is every prospect that their economic, education, and health levels will drop steadily behind those of the rest of the population.

For Indians on the reservations, any program for social and economic development must be specifically tailored to Indian needs and culture. The Indian culture is based on a man-to-land ethic the country cannot afford to disregard. The Indian people must not be asked to abandon this part of their culture in their striving toward social and economic equality. Many Indians have long asserted, but usually to deaf ears, that the individual tribes know better than the Government what kinds of programs they need and want, and that if they could play decisive roles in the planning of such programs, they could, with technical and financial assistance, demonstrate an ability to learn quickly to administer and execute them successfully.

I might also add that the number of Indians living in towns and urban centers has increased to some 200,000. These Indians, too, have urgent needs for education, adequate housing, health, welfare, and rehabilitation services.

The greatest hope for Indian progress, I believe, lies in the emergence of Indian leadership and initiative in solving Indian problems. Indians must have a voice in making the plans and decisions in programs which are important to their daily life.

Mr. Speaker, I am introducing today a House concurrent resolution which states that the deplorable conditions of American Indians and Alaska natives can only be alleviated through a sustained, positive, and dynamic Indian policy with the necessary constructive programs and services directed to the governing bodies of these groups for application in their respective communities, offering self-determination and self-help features for the people involved. Also, this resolution asks that our Government's concern for its Indian citizens be formalized in a new national policy so that the beneficial effects may be continued until the day when the Nation's moral and legal obligations to its first citizens are fulfilled. Another feature of the resolution points out the desirability of new and innovative approaches in the planning, implementation, and administration of the Indian programs and the need for adequate Federal funds to assist this progress. I am also pleased to announce that a number of my distinguished colleagues have ageed to cosponsor this concurrent resolution. They are Messrs. ANDERSON of California, BROWN of California, BURTON of California, FRASER, HELSTOSKI, KOCH, MIKVA, OTTINGER, POLLOCK, ROSENTHAL, and RYAN.

Mr. Speaker, if the American Indians are to escape from the economic and psychological depression created by past policies, the Federal Government must cease attempts to determine the course of development and undertake a commitment to assist Indian communities to advance toward goals of their own choosing. The best hope for Indian progress lies in the emergence of Indian involvement and leadership in solving Indian problems.

DR. C. PAUL VICKERS—TRIBUTE TO A FRIEND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FUQUA) is recognized for 10 minutes.

Mr. FUQUA. Mr. Speaker, a man who has friends is fortunate indeed.

Those of us who were privileged to call Dr. C. Paul Vickers our friend were doubly fortunate.

Doc is gone from our midst, but not from our hearts.

A heart attack at 57 stilled the earthly life of my dearest friend on December 30, 1968. He lived life more fully and enjoyed his family and friends more than any man I have ever known.

He was proud of his profession—veterinary medicine. I do not suppose any other man in the profession has ever enjoyed his work with his animal patients and their owners more than Doc.

He was intensely proud of being a graduate of Auburn University and of his hometown of Chipley. He moved to Tallahassee in 1937, and it was there he established the successful practice he was to enjoy so much.

Doc did a great many things—and everything he did, he did well. He had tremendous drive and determination. He was Florida's State veterinarian, served the Florida Veterinary Medical Association as one of its most outstanding presidents, and had served as secretary of the State board of veterinary examiners.

But, it is not those honors about which I wish to speak. I want to talk about a man, a husband, a father, an intensely proud grandfather and my friend.

For those who have the privilege of serving in public office, we are mindful of those who have made it possible. I say with all sincerity that without Doc Vickers I would never have been privileged to serve in the Congress.

He joined me in my first campaign for Congress back in 1962, and I could never adequately express my appreciation for what he and his family did for me. Doc was a man who got things done and his enthusiasm affected us all.

When things seemed the darkest, it was his quick wit that made the day a

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little brighter—the future a little more certain. No one will ever know how many people Doc encouraged and inspired with his humor and his example.

Whenever I needed him, he was there and things will never be quite the same for us again. I cannot conceive of having to go through a political campaign without Doc Vickers at my side.

He was married to the former Margaret Stoutamire, daughter of long-time Leon County sheriff and Tallahassee chief of police, Frank Stoutamire. He was devoted to his daughter, Mrs. Larry C. Watts, and so completely proud of his grandson, Paul Vickers Watts, that he received a new lease on life at the birth of this young man.

He loved Tallahassee and its people, and they loved him. Doc could count his friends almost by the thousands. He was that kind of man.

I know of his work in the veterinary medical profession from having talked to other veterinarians through these past 7 years. Doc wanted the highest of standards and he felt that every man who practiced must certainly share the love and concern he felt for his chosen field.

Veterinary medicine is poorer for his having passed, but it is richer for his having lived.

I suppose that is what I wanted to say about Doc. He was such an intensely happy man that he would not want us to be sad. He would be the first to want us to pick up and move forward, enjoying every day as it comes.

His family misses him, but I am sure their sorrow is lightened in knowing of the esteem and affection in which he was held by his fellow veterinarians and his friends.

I think I speak for all of us when I say that the highest privilege of my life is that I could call Doc Vickers my friend. And I know full well that I was just one of many.

Somehow I think he would have liked that.

SHIPPING TO VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CHAMBERLAIN) is recognized for 5 minutes.

Mr. CHAMBERLAIN. Mr. Speaker, the Department of Defense has advised me that during the month of April there were nine more free world-flag ship arrivals in North Vietnam. Of these seven flew the British flag, with one of each under the registry of Japan and the Somali Republic. This brings the total so far for 1969 to 37 free world arrivals and while it is encouraging to note that this amounts to a reduction from the 43 arrivals during the same period in 1968 this traffic must remain a matter of deep concern so long as American soldiers are fighting and dying in South Vietnam. I urge the new administration to continue its efforts with respect to this unconscionable situation.

At this point, I insert a chart and report No. 26 "List of Foreign-Flag Vessels Arriving in North Vietnam on or After January 25, 1966," issued by the U.S. Maritime Administration on April 11, 1969. As I have pointed out before, this so-called blacklist does not contain the names of all free-world or Communist flagships trading with North Vietnam, but only those which are considered potential visitors to U.S. ports. In addition, there is no information provided about the number of trips that each vessel has made to North Vietnam.

The material follows:

1969 FREE WORLD FLAG SHIP ARRIVALS IN NORTH VIETNAM

	United Kingdom	Cyprus	Singapore	Japan	Somali Republic	Total
January	8	1			2	11
February	6	1	2	1		10
March	6				1	7
April	7			1	1	9
Total	27	2	2	2	4	37

[Department of Commerce, Maritime Administration, Report No. 26]

LIST OF FOREIGN FLAG VESSELS ARRIVING IN NORTH VIETNAM ON OR AFTER JANUARY 25, 1966

Section 1. The President has approved a policy of denying the carriage of United States Government-financed cargoes shipped from the United States on foreign flag vessels which called at North Vietnam ports on or after January 25, 1966.

The Maritime Administration is making available to the appropriate United States Government Departments the following list of such vessels which arrived in North Vietnam ports on or after January 25, 1966, based on information received through April 11, 1969. This list does not include vessels under the registration of countries, including the Soviet Union and Communist China, which normally do not have vessels calling at United States ports.

Flag of registry and name of ship	*Gross tonnage*
Total, all flags, 55 ships	370, 959
Polish (32 ships)	243, 514
Andrzej Strug	6, 919
Beniowski	10, 443
Djarkata	6, 915
Emilia Plater	6, 718
Energetyk	10, 876
Florian Ceynowa	6, 784
General Sikorski	6, 785
Hanka Sawicka	6, 944
Hanoi	6, 914
Hugo Kollataj	3, 755
Jan Matejko	6, 748
Janek Krasicki	6, 904
Josef Conrad	8, 730
Capitan Kosko	6, 629
Kochanowski	8, 231
Konopnicka	9, 690
Kraszewski	10, 363
Lelewel	7, 817
Ludwik Solski	6, 904
Marceli Nowotko	6, 660
Mickiewicz	4, 344
Moniuszko	9, 247
Norwid	5, 512
Nowowiejski	9, 186
Pawel Finder	4, 911
Phenian	6, 923
Przyjazn Narodow	8, 876
Stefan Okrzeja	6, 620
Szymanowski	9, 203
Transportowiec	10, 854
Wieniawski	9, 190
Wladyslaw Broniewski	6, 919
British (15 ships)	86, 595
Court Harwell	7, 133
Fortune Glory	5, 832
Golden Ocean	3, 827
Greenford	2, 964
Isabel Erica	7, 105
Kingford	2, 911
Meadow Court[1] (trip to North Vietnam under ex-name *Ardrossmore*—British	5, 820
Rochford	3, 324
Rosetta Maud[1] (trip to North Viet- under ex-name *Ardtara*—British	5, 795
Ruthy Ann	7, 361
Shun On[1] (trip to North Vietnam under ex-name *Pundua*—British)	7, 295
Shun Wah (previous trip to North Vietnam under ex-name *Vercharmian*—British)	7, 265
Shun Wing	6, 987
Taipieng (tanker)	5, 676
Tetrarch (previous trips to North Vietnam under ex-name *Ardrowan*—British	7, 300
Cypriot (4 ships)	14, 481
Acme	7, 173
Amfithea	5, 171
Marianthi	2, 137
Somali (2 ships)	13, 531
Happy Dragon[2]	4, 534
Yvonne (tanker)	8, 997
Greek (1 ship): *Leonis*[1] (trip to North Vietnam under ex-name *Shirley Christine*—British)	6, 724
Panamanian (1 ship): *Salamanca*[1] (trips to North Vietnam under ex-name *Milford*—British)	1, 889
Singapore (1 ship): *Lucky Dragon*	4, 225

[1] Ships appearing on the List which have made no trips to North Vietnam under the present registry.

[2] Added to Report No. 25 appearing in the Federal Register issue of March 11, 1969.

Section 2. In accordance with approved procedures, the vessels listed below which called at North Vietnam on or after January 25, 1966, have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the North Vietnam trade so long as it remains the policy of the United States Government to discourage such trade and;

(b) That no other vessels under their control will thenceforth be employed in the North Vietnam trade, except as provided in paragraph (c) and;

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to January 25, 1969, requiring their employment in the North Vietnam trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

Flag of registry and name of ship

	Number of ships
a. Since last report: None.	
b. Previous reports:	
British	1
Italian	1

Section 3. The following number of vessels have been removed from this list since they have been broken up, sunk or wrecked.

	Gross tonnage
a. Since last report:	
Antonia II (Cypriot)	7,303
Dartford (British)	2,739
Shun Tai (Somali)	7,065
b. Previous reports (broken up, sunk, or wrecked):	
British	4
Cypriot	5
Greek	1
Lebanese	2
Maltese	1
Polish	1

By Order of the Maritime Administrator.
Date: April 11, 1969.

JOHN M. O'CONNELL,
Assistant Secretary.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. LANDGREBE, for May 15, 1969, on account of official business in the Second District of Indiana.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALEY, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. RANDALL, for 60 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. WHITEHURST) and to revise and extend their remarks and include extraneous matter:)

Mr. CHAMBERLAIN, for 5 minutes, today.

Mr. HALPERN, for 5 minutes, today.

Mr. VANIK, for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. MCFALL) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. REUSS, for 30 minutes, today.

Mr. KASTENMEIER, for 10 minutes, today.

Mr. FUQUA, for 10 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PHILBIN in five instances.

Mr. GERALD R. FORD immediately following the special order of Mr. PATMAN today.

(The following Members (at the request of Mr. WHITEHURST) and to include extraneous matter:)

Mr. PETTIS.

Mr. STEIGER of Wisconsin in two instances.

Mr. SPRINGER.

Mr. ZWACH.

Mr. MINSHALL.

Mr. MESKILL.

Mr. CONTE.

Mr. BLACKBURN.

Mr. ASHBROOK in two instances.

Mr. KLEPPE.

Mr. GOODLING.

Mr. MICHEL in two instances.

Mr. TAFT in two instances.

Mr. POLLOCK.

Mr. HUNT.

Mr. HARVEY.

Mr. SCOTT.

Mr. HOGAN.

Mr. GUDE.

Mr. HOSMER.

Mr. WINN.

Mr. BROYHILL of Virginia in three instances.

Mr. MILLER of Ohio in two instances.

Mr. SHRIVER.

Mr. WYMAN in two instances.

Mr. BOB WILSON.

Mr. CUNNINGHAM in five instances.

Mr. BROTZMAN.

Mr. SNYDER.

Mr. BROCK in two instances.

(The following Members (at the request of Mr. ANDERSON of California) and to include extraneous matter:)

Mrs. HANSEN of Washington in two instances.

Mr. JOHNSON of California in two instances.

Mr. LONG of Maryland in three instances.

Mr. BIAGGI.

Mr. WILLIAM D. FORD in two instances.

Mr. KOCH.

Mrs. GRIFFITHS in three instances.

Mr. SCHEUER.

Mr. VAN DEERLIN.

Mr. DOWNING in two instances.

Mr. BRASCO.

Mr. MONTGOMERY.

Mr. ALBERT.

Mr. MOORHEAD in two instances.

Mr. BURKE of Massachusetts in three instances.

Mr. BINGHAM in two instances.

Mr. RODINO.

Mr. ZABLOCKI in three instances.

Mr. ROGERS of Florida in five instances.

Mr. RARICK in three instances.

Mr. RYAN in three instances.

Mr. GALLAGHER in three instances.

Mr. MONAGAN in two instances.

Mr. ANDERSON of California in three instances.

Mr. CHARLES H. WILSON.

Mr. RIVERS.

Mr. PICKLE in two instances.

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until Monday, May 12, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

749. Under clause 2 of rule XXIV, a letter from the Secretary of Transportation, the Commissioner of the District of Columbia, and the Chairman of the Washington Metropolitan Area Transit Authority, transmitting a draft of proposed legislation to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89–774 (80 Stat. 1324), was taken from the Speaker's table, and referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. S. 1011. An act to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes; with amendment (Rept. No. 91–208). Referred to the Committee of the Whole House on the State of the Union.

Mr. KASTENMEIER: Committee on the Judiciary, H.R. 751. A bill to consent to the New Hampshire-Vermont interstate school compact; with amendment (Rept. No. 91–209). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONOHUE: Committee on the Judiciary. H.R. 4246. A bill to discontinue the annual report to Congress as to the administrative settlement of personal property claims of military personnel and civilian employees; (Rept. No. 91–210). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 4247. A bill to amend section 2734 of title 10, United States Code, to authorize the Secretary concerned to make partial payments on certain claims which are certified to Congress; with amendment (Rept. No. 91–211). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 10595. A bill to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program (Rept. No. 91–212). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of New York: Committee on the Judiciary. House Resolution 86. Resolution referring the bill (H.R. 1691) to the Chief Commissioner of the Court of Claims; with amendment (Rept. No. 91–191). Referred to the Committee of the Whole House.

Mr. MANN: Committee on the Judiciary. H.R. 1749. A bill for the relief of Eagle Lake Timber Co., a partnership, of Susanville, Calif. (Rept. No. 91–192). Referred to the Committee of the Whole House.

Mr. MANN: Committee on the Judiciary. H.R. 1808. A bill for the relief of Capt. John W. Booth III; with amendment (Rept. No. 91–193). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 1865. A bill for the relief of Mrs. Beatrice Jaffe (Rept. No. 91–194). Referred to the Committee of the Whole House.

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Mr. SMITH of New York: Committee on the Judiciary. H.R. 2238. A bill to provide for the relief of certain civilian employees of the Air Force; with amendment (Rept. No. 91–195). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 1999. A bill for the relief of Mrs. Aili Kallio; with amendment (Rept. No. 91–196). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 4744. A bill for the relief of Mrs. Ezra L. Cross; with amendment (Rept. No. 91–197). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 5419. A bill to provide relief for Comdr. Edwin J. Sabec, U.S. Navy; with amendment (Rept. No. 91–198). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 3006. A bill to fix date of citizenship of Alfred Lorman for purposes of War Claims Act of 1948 (Rept. No. 91–199). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 6375. A bill for the relief of Amalia P. Montero (Rept. No. 91–200). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 6377. A bill for the relief of Lt. Col. Earl Spofrord Brown, U.S. Army Reserve (retired); with amendment (Rept. No. 91–201). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 6581. A bill for the relief of Bernard A. Hegemann (Rept. No. 91–202). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 6850. A bill for the relief of Maj. Clyde Nichols (retired); with amendment (Rept No. 91–203). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 8136. A bill for the relief of Anthony Smilko (Rept. No. 91–204). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 9088. A bill for the relief of Clifford L. Petty (Rept. No. 91–205). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 10149. A bill for the relief of Jack W. Herbstreit (Rept. No. 91–206). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 10153. A bill for the relief of Frances von Wedel; with amendment (Rept. No. 91–207). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 11064. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

Mr. ANDREWS of Alabama:

H.R. 11065. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures forthwith, and to require the suspension of Federal financial assistance to teachers participating in such disorders; to the Committee on Education and Labor.

By Mr. BIAGGI:

H.R. 11066. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Commttee on Ways and Means.

By Mr. BROTZMAN:

H.R. 11067. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAMBERLAIN:

H.R. 11068. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. de la GARZA:

H.R. 11069. A bill to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DENT:

H.R. 11070. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. DEVINE:

H.R. 11071. A bill to amend title 13, United States Code, to increase the penalties for wrongful disclosure of information by employees of the Bureau of the Census; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H.R. 11072. A bill to amend the Land and Water Conservation Fund Act of 1965 to increase the amount of funds covered into the land and water conservation fund in the Treasury of the United States; to the Committee on Interior and Insular Affairs.

By Mr. DULSKI:

H.R. 11073. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 11074. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 11075. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. GALIFIANAKIS:

H.R. 11076. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. HICKS:

H.R. 11077. A bill to amend title II of the Social Security Act to provide that an individual adjudged permanently and totally disabled under State law shall be considered to have a "disability" for purposes of disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 11078. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11079. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KOCH (for himself Mr. Anderson of California, Mr. Bell of California, Mr. Dulski, Mr. Edwards of California, Mr. Evans of Colorado, Mr. Fascell, Mr. Fish, Mr. Gallagher, Mr. Hanley, Mr. Hanna, Mr. Hawkins, Mr. Howard, Mr. Jacobs, Mr. Johnson of California, and Mr. Karth):

H.R. 11080. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. KOCH (for himself, Mr. McKneally, Mr. Minish, Mr. O'Neill of Massachusetts, Mr. Patten, Mr. Pepper, Mr. Price of Illinois, Mr. Rodino, Mr. Thompson of New Jersey, Mr. Tunney, Mr. Van Deerlin, Mr. Vanik, Mr. Yates, and Mr. Yatron):

H.R. 11081. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. KOCH:

H.R. 11082. A bill to provide for the sharing with qualified local governmental institutions of a portion of the tax revenues received by the United States; to the Committee on Ways and Means.

H.R. 11083. A bill to amend the Internal Revenue Code of 1954 in relation to a credit for State and local income taxes; to the Committee on Ways and Means.

By Mr. LANDGREBE:

H.R. 11084. A bill to amend the first section of the act of November 5, 1966, to define the boundaries of the Indiana Dunes National Lakeshore; to the Committee on Interior and Insular Affairs.

By Mr. LATTA:

H.R. 11085. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LOWENSTEIN:

H.R. 11086. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MacGREGOR:

H.R. 11087. A bill to amend the Internal Revenue Code of 1954 to provide that any foundation which makes, or offers to make, a payment of any kind to a Federal or State official shall lose its tax-exempt status; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 11088. A bill to provide for the establishment and administration of a national wildfire disaster control fund; to the Committee on Agriculture.

H.R. 11089. A bill to amend the Agricultural Marketing Agreement Act of 1937 to authorize marketing agreements providing for the advertising of Hawaiian papayas; to the Committee on Agriculture.

By Mr. MONAGAN:

H.R. 11090. A bill to strengthen the antiobscenity laws in order to protect minors against the distribution or sale of obscene materials through the mails or interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 11091. A bill to amend title 39, United States Code, to prohibit the mailing of unsolicited sample drug products and other potentially harmful items, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MOSS:

H.R. 11092. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to require notification to purchasers of defective tires; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSEN:

H.R. 11093. A bill to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs; to the Committee on Interstate and Foreign Commerce.

By Mr. POLLOCK:

H.R. 11094. A bill to amend title 10 of the United States Code to permit the use of naval vessels and aircraft in the enforcement of State fishing laws; to the Committee on Armed Services.

H.R. 11095. A bill to designate the third Sunday in October of each year as "Foster Parents Day," and for other purposes; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 11096. A bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RARICK:

H.R. 11097. A bill to amend the Merchant Marine Act, 1936, as amended, by inserting a new title X to authorize aid in developing, constructing, and operating privately owned nuclear-powered merchant ships; to the Committee on Merchant Marine and Fisheries.

H.R. 11098. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 11099. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 11100. A bill to promote and foster the development of a modern merchant marine by encouraging the orderly replacement and modernization of merchant vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. REUSS:

H.R. 11101. A bill to provide for a more conservative capitalization of the St. Lawrence Seaway Development Corporation, and for other purposes; to the Committee on Public Works.

By Mr. ROGERS of Florida (for himself, Mr. Jarman, Mr. Satterfield, Mr. Kyros, Mr. Preyer of North Carolina, Mr. Nelsen, Mr. Carter, Mr. Skubitz, and Mr. Hastings):

H.R. 11102. A bill to amend the provisions of the Public Health Service Act relating to the construction and modernization of hospitals and other medical facilities by providing separate authorizations of appropriations for new construction and for modernization of facilities, authorizing Federal guarantees of loans for such construction and modernization and Federal payment of part of the interest thereon, authorizing grants for modernization of emergency rooms of general hospitals, and extending and making other improvements in the program authorized by these provisions; to the Committee on Interstate and Foreign Commerce.

By Mr. RUMSFELD (for himself, Mr. Andrews of North Dakota, Mr. Bell of California, Mr. Broomfield, Mr. Collins, Mr. Corbett, Mr. Cowger, Mrs. Heckler of Massachusetts, Mr. Horton, Mr. Johnson of Pennsylvania, Mr. McDade, Mr. McEwen, Mr. McKneally, Mr. Mayne, Mr. Pollock, Mr. Price of Texas Mr. Schadeberg, and Mr. Smith of New York):

H.R. 11103. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. RYAN:

H.R. 11104. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 11105. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 11106. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 11107. A bill to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers; to the Committee on the Judiciary.

By Mr. STEIGER of Wisconsin (for himself, Mr. Brock, and Mr. Collins):

H.R. 11108. A bill to develop and strengthen a systematic National, State, and local manpower policy and provide for a comprehensive delivery of manpower services; to the Committee on Education and Labor.

By Mr. TAFT (for himself and Mr. Gerald R. Ford):

H.R. 11109. A bill to provide for financial disclosure by members of the Federal judiciary; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 11110. A bill to afford protection to the public from offensive intrusion into their home through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. UTT (for himself and Mr. Burton of California):

H.R. 11111. A bill to amend part A of title IV of the Social Security Act to repeal the limitation upon the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 11112. A bill to amend title II of the Social Security Act to provide a 15-percent, across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Bingham, Mr. Burton of California, Mr. Cabell, Mr. Camp, Mr. Cleveland, Mr. Conyers, Mr. Corbett, Mr. Dickinson, Mr. Donohue, Mr. Edwards of Louisiana, Mr. Feighan, Mr. Fish, Mr. William D. Ford, Mr. Galifianakis, Mr. Hanna, Mr. Howard, Mr. Kee, Mr. Kleppe, Mr. McCarthy, Mr. Mize, Mr. Myers, Mr. Obey, Mr. Ottinger, and Mr. Patten):

H.R. 11113. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Podell, Mr. Preyer of North Carolina, Mr. Price of Illinois, Mr. Powell, Mr. Railsback, Mr. Rarick, Mr. Robison, Mr. Saylor, Mr. Scheuer, Mr. Thompson of New Jersey, Mr. Tunney, and Mr. Whitehurst):

H.R. 11114. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for serviecmen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. YATRON:

H.R. 11115. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H.J. Res. 707. Joint resolution to amend the Pledge of of Allegiance to the flag of the United States of America; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.J. Res. 708. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PODELL:

H.J. Res. 709. Joint Resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. RARICK:

H.J. Res. 710. Joint resolution proposing an amendment to the Constitution to add the words, "so help me God" to the President's oath of office; to the Committee on the Judiciary.,

By Mr. ROYBAL:

H.J. Res. 711. Joint resolution designating the first Sunday in June each year as "National Teachers Day"; to the Committee on the Judiciary.

By Mr. KASTENMEIER (for himself, Mr. Anderson of California, Mr. Brown of California, Mr. Burton of California, Mr. Fraser, Mr. Helstoski, Mr. Koch, Mr. Mikva, Mr. Ottinger, Mr. Pollock, Mr. Rosenthal, and Mr. Ryan):

H. Con. Res. 245. Concurrent resolution expressing the sense of the Congress that the Government's concern for its Indian citizens be formalized in a new national policy offering self-determination and self-help features for the people involved; to the Committee on Interior and Insular Affairs.

By Mr. MORSE:

H. Con. Res. 246. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. WHALLEY:

H. Con. Res. 247. Concurrent resolution expressing the sense of Congress that U.S. Route 219 should be designated as part of the Interstate System; to the Committee on Public Works.

By Mr. CHARLES H. WILSON:

H. Con. Res. 248. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. FASCELL:

H. Res. 400. Resolution requesting the President to urge the Soviet Union to process the requests of 50,000 Soviet citizens for reunions with their families who are outside the U.S.S.R.; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BIAGGI:

H.R. 11116. A bill for the relief of Helena Pysna; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 11117. A bill for the relief of Sonja M. Gozum; to the Committee on the Judiciary.

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EXTENSIONS OF REMARKS

PRAYER AND BIBLE READING IN OUTER SPACE BY AMERICAN ASTRONAUTS

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Thursday, May 8, 1969

Mr. TALMADGE. Mr. President, there appeared in the April edition of the Masonic Messenger, the official publication of the Grand Lodge of Georgia, F. & A.M., a splendid article on prayer and Bible reading in outer space by American astronauts.

This article, composed by Wilmer C. Tolleson, chaplain of Morningside Lodge No. 295 in Atlanta, emphasizes with great perception that ours is a nation and world under God and, whether it be in the outer reaches of space or here on this earth, He is the guiding force behind all that we do.

I commend this article to the Senate, and ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE VOICE IN GOD'S HEAVENS WHICH CAME TO US OVER TELEVISION 240,000 MILES AWAY

(By Wilmer C. Tolleson, Chaplain, Morningside Lodge No. 295, F. & A.M., Atlanta)

A miracle happened in the Heavens on the day before last Christmas, when the three astronauts were in space. The miracle to all of us was the voice of Captain James A. Lovell as he read from the Holy Bible the first words found in the first chapter of Genesis.

"In the beginning God created the Heaven and the Earth. And the earth was without form, and void; and darkness was upon the face of the deep. And the Spirit of God moved upon the face of the waters. And God said, Let there be light: and there was light. And God saw the light that it was good; and God divided the light from the darkness."

If there was ever a time for a man to carry the Holy Bible with him it was then. He and the other two needed God's words of comfort to give them strength, faith, hope and courage. Voices in themselves are miracles, each person having a different voice distinct from other voices, and each recognizable from others. (These are also among God's miracles.) The television announcer said that the voice coming from Apollo 8 was the voice of Captain James A. Lovell, Jr.

The miracle to our minds was the human voice coming from away up in the Heavens, God's Heavens and travelling to the listeners all over the world as they heard this voice repeat to millions a few words from the first chapter of Genesis.

As Captain James A. Lovell, Jr., repeated the words from the Holy Bible the moon was 70 miles below Apollo 8 and the earth was 240,000 miles away. It is good to know that Captain Lovell carried the Holy Words of Almighty God with him during this historic flight. Almighty God watches over us. He, watching over us, neither slumbers nor sleeps. We are in the Hollow of His Hand always. He, watching over Israel, neither slumbers nor sleeps.

After the invention of telegraphy these words were flashed around the nation: "See what God has wrought. Yes, it is Almighty God who gives us the mental ability to do all these creations. We speak of Science, yet without Almighty God we could not do any of the things that have been done.

We are so very dependent on Almighty God that we should keep His commandments and with all of our hearts study and obey them.

Let us with all our hearts rejoice and be glad that these three brave men, Borman, Lovell and Anders were returned to this earth through the merciful goodness of our God Jehovah. How great thou art. Oh sing my soul to my Master and my God, how great thou art. Let us consider how how close to God these men were. No man has ever chartered a course to God's dwelling place, although many of our good preachers are trying to get you to charter your course to God's Heaven each Sunday. How lovely is Thy dwelling place, oh God. Billy Graham, the great evangelist, is pouring out his very heart and soul to get you to charter your course to God's Great Dwelling place.

God's miracles are many and His blessings are continuous. Be strong in His strength.

CONGRESSMAN TALCOTT'S DEDICATION ADDRESS AT THE JAMESBURG EARTH STATION

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. PETTIS. Mr. Speaker, my distinguished colleague, the Honorable BURT L. TALCOTT, recently took part in the dedication of an important addition to the Nation's communications system in Jamesburg, Calif. This is the Jamesburg earth station which ties in the telephone, television, and telegraph facilities of the continental United States, via communications satellite, with those of Hawaii and four countries of the Pacific. Our communications satellite program is a matter of particular interest to me, as a member of the Science and Astronautics Committee, and I was most pleased that my fellow Californian, in whose district this new facility is located, represented Congress at the dedication.

Congressman TALCOTT's comments at the dedication ceremony explain the significance of this new station, and also mention the role played by California in binding the Nation together through communications. I would like to share his comments with our colleagues:

THE HONORABLE BURT L. TALCOTT, U.S. CONGRESSMAN, DEDICATION ADDRESS, JAMESBURG EARTH STATION, APRIL 25, 1969

Dr. Charyk, COMSAT's partners, Mr. Scroggs, ladies and gentlemen.

It is a special honor to participate in these dramatic spacemark ceremonies. We are always proud to welcome this caliber of new enterprise into our great and growing State. And it is a privilege to extend the congratulation of the people of California to COMSAT and its partners for the contribution that this new earth station will make to the advancement of our nation's communications capacity.

We take special pride in this new facility, because it again projects California into the forefront of modern world communications. This seems both fitting and proper. We have already become the center of our nation's aerospace industry, and a pioneering spirit has been the hallmark of our progress from the earliest days.

It is, in fact, exactly 125 years ago that another communications milestone was achieved about 125 miles north of here. That was the occasion of the completion of the first transcontinental telegraph line, and the historic message that flashed from San Francisco to Washington, D.C. In that dedication ceremony, on October 24, 1861, Stephen J. Field, then Chief Justice of California, telegraphed this message to Abraham Lincoln. He said, in part:

"The people of California desire to congratulate you upon the completion of the great work. They believe it will be the means of strengthening the attachment which binds both the east and the west to the Union, and they desire in this—the first message across the continent—to express their loyalty to the Union and their determination to stand by its Government on this, its day of trial. They regard that government with affection, and will adhere to it under all fortunes."

From this historic beginning, central California became the west coast communications center of the United States and then the gateway to the Far East with the advent of the radio telephone and then the trans-Pacific ocean cable in 1964. I was privileged to speak the first words via trans-Pacific cable—from Washington, D.C., to Ambassador Reischauer in Japan via the land fall station in San Luis Obispo County. I shall always treasure these two significant moments in communications history.

Now, in this beautiful quiet valley, in close proximity to the San Francisco cablehead, but away from the noises of the cities (which was a requirement in site selection of this station), millions of telephone, telegraph, data and facsimile messages, and television programs, black and white and color, will be processed electronically without a sound. Only the antenna reaches majestically toward the heavens. It appears merely to be gazing into space, but in reality it links our country directly with similar stations in Hawaii, four countries of the Pacific, and with others to come. And we especially look forward to the day when we shall also be in direct communication via satellite with our sister State of Alaska, where the task of building is reminiscent of the task our young State faced a century go.

Transportation and communication systems have always served as the lifelines in the movements of man, and as the umbilical cord in his social, economic and cultural development. The satellite has made live television possible among all nations bordering the Pacific and it has expanded their communications potential fantastically. Jet planes traverse the vast Pacific ocean in hours, and this will be reduced further with the advent of the supersonic aircraft. I foresee these sophisticated modern tools of progress as bringing the Pacific community of nations into ever closer understandings and harmony through economic and cultural exchange.

I trust you will believe, therefore, my closing observation. As Justice Field once saw the telegraph binding both the east and the west to the Union, I see this magnificent structure and the men who operate it playing a preeminent role in the potential that communications satellites have for increasing the level of understanding and harmony among the peoples of our planet that has never heretofore been possible.

MR. NIXON DEALS HIS CARDS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, May 8, 1969

Mr. THURMOND. Mr. President, on April 21 radio station WBT in Charlotte, N.C., broadcast an editorial concerning President Nixon's domestic program. The editorial points out that "the things that he has proposed are reasonable rather than wild experimentation." He calls the President's program both practical and heartening.

Mr. President, I do not expect to agree with each and every proposal that President Nixon sends to the Congress; however, I believe that WBT has summed up the feelings of the majority of the American people toward President Nixon's domestic program, a program based on performance, not promise.

Mr. President, I ask unanimous consent that this editorial entitled "Mr. Nixon Deals His Cards" be printed in the Extensions of Remarks of the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. NIXON DEALS HIS CARDS

The preliminary outline of his domestic program which President Nixon has sent to Congress contains nothing that is startling or unexpected, yet it is a welcome indication that he intends to put the nation's house in order. Coupled with his earlier announcement that he expects to have a budget surplus of nearly $6 billion, this gives us an assurance that has been lacking for many years.

Of course a budget surplus is easier to promise than deliver, but the President has put himself so firmly on the side of government economy that we can accept his estimate with good faith. And the things he's proposed are reasonable rather than wild experimentation. The problems of poverty, hunger, job opportunity, transportation, crime, and inflation all come in for their share of attention. There's also good news that the postal system will be re-organized and that a start is to be made in sharing federal revenue with state and local governments—revenue which will allow them to carry a greater share of responsibility and hopefully reduce the amount of dictation from Washington.

Then there is the proposal which may not be the most important in the President's package but which will surely delight the vast group of middle-income citizens who just wrestled their way through the income-tax deadline; and that is the reform of the tax structure.

To know that someone is finally making an effort to plug the loopholes and remove the inequities in our tax system is almost like being rescued from drowning.

This station finds the President's program both practical and heartening. Congress of course must still pass on it. But the goals are so sensible we are allowing ourselves the hope that we might once again live under a government that is well-planned, well-organized, and well-directed.

EDITORIAL COMMENT BY THE NATIONAL SHERIFFS' ASSOCIATION

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. HARVEY. Mr. Speaker, I would like to bring to the attention of the membership an editorial which appeared in the latest issue of the magazine, the National Sheriff. Written by Ferris E. Lucas, who serves in a dual role as executive director of the National Sheriffs' Association and editor of the association's official publication, I believe he has clearly established that departmental consolidation of our local law-enforcement agencies under the administration of the sheriff is a continuing and increasing trend.

But, the principal thrust and purpose of this well written editorial by Mr. Lucas—himself former Sheriff of St. Clair County in Michigan, which is included in our Eighth Congressional District, for a number of years—is a call for unity of all types of local law-enforcement agencies—be they village marshals, county police, sheriff departments, or city police.

Let me quote Mr. Lucas:

> There are far too many who would break the law. There are far too many who would attempt to divide the forces of law enforcement so as to weaken the efforts of all. There are far too many reasons for closer cooperation than ever before. Internecine bickering can only hurt law enforcement while aiding those who live without the law.

The entire editorial follows:

LET'S LOOK AT THE RECORD

(By Ferris E. Lucas)

A Washington, D.C., area law enforcement administrator recently discussed his opinions of law enforcement and was widely quoted by two newspapers published in the nation's capital.

Unfortunately for the profession of law enforcement, this official's comments displayed an abysmal lack of knowledge concerning present-day trends in police administration.

The occasion for the statements was a news conference called after the sheriff of that county (which also has a county police force) had proposed that in the interests of efficiency and economy, the two departments be merged under the direction of the sheriff.

This particular chief of county police, possibly afraid for his job and therefore striking out blindly at anyone or anything which posed a threat to his private "kingdom," retaliated to the proposal by saying, "All over the country, the trend is to limit rather than enlarge the sheriff's authority."

He was also quoted as saying that a police department operated by a sheriff would be "backward, unwieldy, and dangerous."

This administrator continued, quoting from some alleged manual of police administration. Interestingly enough, the manual wasn't named specifically. This supposedly "authoritative" treatise on police administration purportedly said, or so our ill-informed public official would have us believe, "[The sheriff] is a mere bird of passage, never well trained and incapable of making his work a career service."

To those of us who know the true facts, the statements are laughable. However, when we consider that they may have been read by countless thousands of folk who might be grossly misled thereby, it gives us cause for genuine concern.

For this reason, it seems advisable to discuss the allegations and to set the record straight so that whenever or wherever such insidious distortions of the truth are encountered, the true facts may be made readily available.

If any trends are discernible in the nation today, they indicate the increasing popularity of departmental consolidation under the administration of the sheriff. An increasing number of cities, towns, and townships have voted to turn over all law enforcement duties within their jurisdiction to the sheriff. This trend is noted in all parts of the nation, in both large and small population counties.

We are all familiar with the contract law enforcement services offered by the sheriff of Los Angeles County, California.

Los Angeles County covers 4083 square miles and has a population of 7,000,000 residents. Jurisdiction of the sheriff's department, as set forth by government code, is the total territory and inhabitants within the county.

In addition to services rendered all of Los Angeles County, the sheriff's department is the sole policing agency for more than 1,750,000 citizens. Over 4000 sworn personnel provide service in a geographical area encompassing 3209 square miles.

Progressive California legislation enables cities to provide independent police service or, through mutual agreement, to contract for such service with the sheriff.

At the present time there are no fewer than thirty cities, covering 177 square miles, with a combined population of 710,000 residents that have contracted with the sheriff's department to handle their policing needs.

In many cases in Los Angeles County, contract municipalities have been able to enjoy greater-than-average police manpower at a cost of one-third to one-half the expenditures of neighboring self-policing cities of the same size.

To the north of California, in Malheur County, Oregon, we find another example of consolidation. Malheur County encompasses 9780 square miles with only about 23,000 inhabitants.

The county seat city of Vale asked that the sheriff take over the law enforcement function in Vale. The sheriff agreed to do so on a contract basis. The city policemen are now a part of his staff of deputies and he has the responsibility of providing for the policing of his entire county which is, incidentally, larger in area than the entire Commonwealth of Massachusetts. Malheur County has more than four times the area of Delaware.

Across the nation, in Duval County, Florida, the voters of the county and city (Jacksonville) balloted to consolidate the sheriff's and city police departments. These same voters also specified that they wanted the sheriff to administer the new, combined department. They further stipulated that, as in almost every other location, the sheriff remain an elected official, responsive and responsible to the voters.

The county-city of Duval-Jacksonville is now enjoying better law enforcement at less cost than was possible with the costly duplication of efforts which had existed.

In many counties, contractual law enforcement is prohibited by law for a variety of reasons. Some states, Michigan, for example, have passed enabling legislation to overcome this obstacle.

The Operating Director of the Police Legal Advisor Program of the Northwestern University School of Law, Wayne Walter Schmidt, has researched the concept of Sheriff's Corporation Police whereby a non-profit police corporation is formed. Mr. Schmidt recommends that the by-laws of the corporation

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provide for the election of the sheriff as president of the corporation, "thereby giving him executive control."

There is scarcely a week goes by in which the National Sheriffs' Association is not asked for details or advice on consolidation matters.

It appears obvious that the *true* trend as disclosed by a study of the facts and the *purported* trend cited by the aforementioned public official are diametrically opposed.

What about the "bird of passage" garbage? Let us turn to some of the most well-known and widely respected experts in the field of present-day law enforcement training and education . . . men who can be and are identified by name . . . and who can verify any statement attributed to them.

In 1966, John Edgar Hoover, Director of the Federal Bureau of Investigation, said:

"America owes a great debt of gratitude to the thousands of sheriffs who today are doing such a magnificent job. We in the FBI appreciate the splendid cooperation which you . . . have given our Special Agents over the years. Your problems are our problems. We are partners on the same team. We are proud to stand at your side."

In that same year, John L. Sullivan, Assistant Professor and Coordinator of Police Science, Pasadena City College, Pasadena, California, authored a book, *Introduction to Police Science,* wherein he states:

"With roots stemming primarily from Great Britain, the sheriff of today in the United States has become an integral part of American law enforcement. The past has proven that the American people like to elect the top law enforcement officers in their counties."

In 1968, Edward A. Farris, Professor of Police Science at New Mexico State University, Las Cruces, New Mexico, wrote a book, *A New Vitsa For Sheriffs. . . . New Mexico.* He spoke of sheriffs in this way:

"In general it might be stated that the sheriff is the only viable officer remaining of the ancient offices, and his contemporary responsibility as (conservator of the peace) has been influenced greatly by modern society."

"While changes have been brought by technological and social advances, the framework of government within which the sheriff functions has not changed drastically. His duties and powers may be altered by the existing social and political climate, but his basic responsibility—to protect life and property—has not been diminished."

Also in 1968, Joseph J. Casper, Assistant Director of the FBI in charge of training, said:

"There is no honorable law enforcement authority in Anglo-American law so ancient as that of the county sheriff whose role as a peace officer goes back at least to the time of Alfred the Great.

"If there is one who seeks the remarkable characteristics of the office of sheriff, he will not find it solely in antiquity. The benefits of the sheriff and the job of the sheriff—the deeds and activities of the sheriff—will not be found in the renowned medieval sagas or in the tales of the American western sheriff. They are to be found, I think, instead in the aspects of this inmportant public office such as the vital jobs they perform in the area of our changing social, political, and economic lives—the competent discharge by men of dedication, who hold a job that has a host of functions both civil and criminal."

The "testimonials" could go on indefinately. The facts speak for themselves. Should any readers of *The National Sheriff* be confronted with any such unfounded and untrue allegations, perhaps these lines will serve to set the matter straight.

The writer has no quarrel with county police forces . . . nor with any other type of professionally-administered law enforcement operation.

We rather believe that the best type of law enforcement is that type chosen by the inhabitants of a particular jurisdiction whatever form it may take.

It has been said that the community enforces the laws; the police merely suppress the exceptions. If this be true, and there is evidence that it is, a community should be free to express its wishes in the creating and administering of one of the most significant forces with any community, i.e., the policing function.

Conversely, the writer does object most vigorously to erroneous statements whether issued by academicians, theorists, journalists, or members of our own profession. When these statements are not only erroneous but deliberately slanted for personal gain, they are doubly odious.

There are far too many who would break the law. There are far too many who would attempt to divide the forces of law enforcement so as to weaken the efforts of all. There are far too many reasons for closer cooperation than ever before. Internecine bickering can only hurt law enforcement while aiding those who live without the law.

The NSA continues to wish well to all its members . . . in whatever law enforcement jurisdiction or capacity they serve. We can only hope that no member of the NSA will be guilty of the type of anti-law enforcement diatribe which, intentionally or not, injures us all.

NEWSPAPER COMPETITION

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Thursday, May 8, 1969

Mr. FANNIN. Mr. President, Monday, I was delighted to read an excellent editorial in the Evening Star which set forth a very cogent argument for pending legislation that has the object of preserving newspaper competition.

I ask unanimous consent that the editorial appearing May 5, in the Washington Evening Star be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Evening Star, May 5, 1969]

PRESERVING NEWSPAPER COMPETITION

It is no accident that an ever-smaller number of cities is served by two or more daily newspapers. Rather, it is a simple matter of economics. The costs of producing newspapers are skyrocketing. Yet the newsstand price needs to be kept within reach of the ordinary man's budget. Moreover, there is increasing competition from television and other media for the advertising dollar.

This is the context in which a bipartisan group of lawmakers have introduced the Newspaper Preservation Bill. The bill is designed to prevent a sudden, further decrease in competing newspaper voices by exempting newspapers from the broad sweep of a recent Supreme Court decision involving two Tucson, Arizona, dailies.

Tucson's Star and Citizen had cut costs by a joint operating arrangement, entered into 29 years ago, whereby they pooled production, advertising and circulation facilities, but maintained separate news and editorial departments, thus offering the community separate and competing newspaper voices.

The Supreme Court by a seven-to-one vote held this arrangement to be in violation of anti-trust laws. There are 21 other cities where two or more newspapers are maintained by virtue of joint operating arrangements. Each such arrangement would be effected unless the newspapers involved can prove that, at the time of their commercial merger, one paper was on the verge of bankruptcy and could not find another purchaser. The catch, of course, is that a newspaper once on its deathbed hardly ever recovers its readership and advertisers.

As a Justice Department lawyer told the Supreme Court, "if an exception (to existing anti-trust laws) is to be made, legislation is the proper course."

At this point, there is substantial bipartisan support for the Newspaper Preservation Act in the House and the Senate. Extensive hearings on this general subject have already been held. The time to act is at hand. Congress should pass this bill in the current session.

ENDORSEMENTS OF H.R. 8397—POSTAL OBSCENITY BILL

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. HUNT. Mr. Speaker, on March 6, my good friend from Ohio's 15th Congressional District, Congressman CHALMERS P. WYLIE, and I sponsored a measure, H.R. 8397, to prohibit the use of the mails or interstate commerce for the dissemination of obscene materials to minors or families with minor children residing with them.

The response to this proposal has been most encouraging, in terms of support for its prompt enactment, but the reaction is also disturbingly indicative of a mounting frustration of an aroused public which wants answers now as to why something has not been done to put the peddlers of obscenity out of business. One obvious difficulty has been the confusion arising from numerous decisions of the Supreme Court as to just what obscenity is and the extent to which the content of such materials should be protected in order not to offend the constitutional freedoms of speech and the press. This proposal, then, embodies the hope of the adult community, whose senses of propriety and morality have been offended, that their children will be afforded a protection of the law, by statute and judicial interpretation, not heretofore granted.

Congressman WYLIE's articulation of this controversial issue before his constituency has contributed to the endorsements of the Better Business Bureau of Columbus, Ohio, the local Buckeye Branch No. 78, and the National Association of Letter Carriers. I am pleased to insert in the RECORD a news report, carried in the April 22 edition of the Dispatch, Columbus, and commend Mr. WYLIE for his diligent efforts:

LETTER CARRIERS SUPPORT WYLIE'S ANTI-SMUT BILL

(By Jack Shough)

The 900 letter carriers operating out of Columbus Post Office, disgusted with delivering pornographic mail to residents, are throwing their support to a federal bill, which if enacted, might discourage the smut peddlers.

The bill to amend present law, was introduced March 6 by Rep. Chalmers Wylie R-Columbus, and is now before the Judiciary Committee of the U.S. House of Representatives.

It would prohibit the delivery of obscene materials to persons under 18 years of age or to any person who has a minor child residing with him.

Last week a South Side family complained their 10-year-old son had received an advertisement for a "marriage manual," complete with nude illustrations.

George Bonner, president of Buckeye Branch 78 of the National Association of Letter Carriers, said the 900 local men and women are supporting Wylie's bill.

He said a letter to this effect was sent to the congressman Tuesday.

"Letter carriers are embarrassed because we have to deliver this type of mail," Bonner said. "We know from experience what it is, and when you think of bringing it to homes it's disgusting."

He said the 900 local people are "adding their voice to the 220,000 other national postal employes to put some teeth in the postal laws against pornographic literature being sent through the mails."

In his letter congratulating Wylie and offering his union support, Bonner said in part:

"After a person has carried mail for any length of time he knows what kind of mail he is delivering . . . I have become half sick when I knowingly place this mail in the box knowing full well the clean living and wholesome family living there will resent such trash.

"I can hear the lady say, 'There goes George the mailman, I wonder what he brought us today' and know the shock she's going to get."

EMPLOYMENT OF THE HANDICAPPED

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Thursday, May 8, 1969

Mr. McGEE. Mr. President, last week the Nation's Capital was honored by a visit from the various winners in each State of the 21st annual "Ability Counts" competition sponsored by the President's Committee on Employment of the Handicapped. These winners were 11th and 12th graders, who submitted essays on the theme: "What Every Employer Should Know About Handicapped Workers."

Among the many excellent essays in this competition was one by Patricia Lou Berry, of Cheyenne Central High School, my State's winner. I ask unanimous consent to have her essay printed in the Extensions of Remarks.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

WHAT EVERY EMPLOYER SHOULD KNOW ABOUT THE HANDICAPPED

(By Patricia Lou Berry, Cheyenne Central High School, Cheyenne, Wyo.)

The still warm summer air is heavy laden with the tang of cured hay. A muscular six foot rancher deftly loads his truck with bales of new hay . . . Cheers rally through the frosty fall air. An injured football player draws on all his strength to limp off the field. Quickly and expertly the trainer comes to his aid. Examining the injured player he immediately gives emergency aid . . . An anxiety torn expression is worn on the face of a slightly grayed gentleman as he steps on the elevator and quietly hums up several stories. Down the hall he enters the office of a prominent attorney to seek advice . . . A worried mother fidgets in her chair and glances at her small boy leafing through a comic book. The door clicks and the doctor nods for her to enter his office . . . The first session of the 1969 legislature is called to order. The musty air buzzes with plans for the new year. A representative takes the floor to debate an urgent bill.

A rancher, an athletic trainer, an attorney, a doctor, and a legislator. Each of these is serving his community in a very different, yet vital way. The image painted of them is one of respectable, hard working citizens. Let us look at each of these for what he can do; not what life has done to him. Yes, each of these is handicapped.

Endurance, patience and hard work symbolize the life of Dorance Berry. Working to produce top quality registered Herefords with his two brothers on a large ranch is his life.

Three years of hard work as a trainer proved a victory for Mike Fendley. There is a certain pride in rehabilitating the injured athlete. Summer months find Mike on a construction job. Polio struck and deformed Mike's leg leaving an obvious limp its trademark.

A dream come true—Law. Dick Tobin now has a practice of his own and a place as a respected lawyer in the state. Once paralyzed from the neck down he has now a taste of victory—he walks with a cane.

Curing his patients of disease which he has overcome, Doctor Preston remains one of the top bone specialists in the Rocky Mountain Region. His empathy is real, he knows how they feel. He defies his leg struck by polio to hinder him.

Active in state government we find Mr. Van Velzor in the House of Representatives this time of year. Also being a prominent business man he runs and owns two music stores. His stature conceals an artificial limb—a leg is gone.

Obviously the handicapped are an asset. "Experience has shown that a handicapped worker, properly placed in respect to his abilities, will turn out at least as good as and often better than his able-bodied associates." Why? Because a handicapped person who has overcome his defect has developed a strong character, a desire to prove his value and a need to retain employment.

Handicapped workers are quite impressive on the job. *The Monthly Labor Review* states they are just as efficient as co-workers. They have no more absenteeism, are just as safe, have lower injury rates and far less job turnover. They are not asking for special privileges. They want to be seen for their abilities.

There are many institutions set up in the State to help the handicapped develop their abilities. For example there is the Wyoming Summer School for the Adult Blind, the Community Business Services for the Handicapped, or the Division of Exceptional Children of the State Department of Education. Each of these is furthering the development of the handicapped and their skills. Now the handicapped are seeking employment where they can put their skills to use.

The handicapped have come a long way in overcoming misconceptions that people have of their abilities. Many have overcome personal barriers. Handicapped people have received a second sight that casts off the impression that they are unable, uncontributing citizens. They are now tasting a new life. They are proving to our modern society that love is not blind, deaf is not incapable, retarded is not stopped, handicapped is not unable! This every employer needs to know.

HOUSE REPUBLICAN RESEARCH COMMITTEE TASK FORCE CHAIRMEN OUTLINE GOALS

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. TAFT. Mr. Speaker, on Tuesday, May 6, 1969, the House Republican Research Committee, of which I am chairman, held a press conference to outline the goals of the various task forces operating under the committee. Eight of the task force chairmen were present and made excellent statements concerning the projects planned for their respective study groups. I commend these gentlemen for their statements, and look forward to viewing the progress of the task forces.

Mr. Speaker, I am pleased to bring these statements, plus my introductory remarks to the attention of my colleagues:

REPRESENTATIVE ROBERT TAFT, JR., CHAIRMAN, HOUSE REPUBLICAN CONFERENCE RESEARCH COMMITTEE

It is my pleasure to introduce the Chairmen of the Research Committee Task Forces.

These are the men who will be carrying a major share of the workload of this Committee.

We have outlined an ambitious study program for their task forces, and I am confident that they will produce extremely useful reports.

As you know, we have created nine task forces to study problems of urban affairs, earth resources and population control, education and training, agriculture and rural affairs, international trade, labor law reform, nuclear affairs, social security and human needs, and transportation.

While all of these areas have received some attention in the past, we believe there is much to be learned and much remaining to be done. Under the direction of their task force chairmen, the various study groups will dig into their areas of concern and report back to the entire Research Committee.

We are embarking on an ambitious research program which will take these task forces into some of the most complicated problem areas facing this country.

In the next few months, we look forward to hearing from these task force chairmen. I am confident that their reports will be of use to our colleagues in the House and will provide useful background material.

Several of the chairmen are here today, and would like briefly to outline some of the immediate goals they have in mind for their task forces.

REPRESENTATIVE ODIN LANGEN, CHAIRMAN, TASK FORCE ON AGRICULTURE AND RURAL AFFAIRS

The decision by the House Republican Conference and the Research Committee chaired by Congressman Taft to reactive the Task Force on Agriculture and Rural affairs is to be applauded. The leadership is to be commended for its full awareness that the problems of the farm, the rural community and the metropolitan areas cannot be isolated or separated.

The related activities of people living on farms and in rural areas provide jobs for approximately one-third of this nation's citizens and provide the food and fiber for all. Agriculture by itself represents America's largest industry, employing more people than the steel, auto, utilities and transportation industries combined. Agriculture is American Industry's biggest customer.

The House Republican leadership feels it intolerable that our farmers continue to operate on a deficit basis, with farm debt increasing at a rate of about 10 percent a year while income has remained almost constant. Farm production expenses are expected to again outdistance the gain in gross farm income this year.

It is equally intolerable that the average person on a U.S. farm today has only three-fourths as much income as the average nonfarmer, and that all of rural America, with a little more than one-fourth of the nation's population should have almost half of the nation's poor and more than half of the country's inadequate housing. Not to tackle these problems simultaneously and equally energetically with those of urban areas would be but to defer additional problems for the metropolitan areas at a later date.

In responding to the Republican leadership's call, we on the Task Force on Agriculture and Rural Affairs pledge to explore every possibility for the encouragement of sound economic growth and development on the farm and in the countryside. Rural America, with most of the nation's land area, has the human and other natural resources needed by all in the years ahead.

As Chairman, it is a pleasure to welcome these members to the Task Force: Robert V. Denney (Nebr.), Hamilton Fish, Jr. (N.Y.), George A. Goodling (Pa.), Durward G. Hall (Mo.), John Paul Hammerschmidt (Ark.), Thomas S. Kleppe (N.D.), Catherine May (Wash.), Alexander Pirnie (N.Y.), Robert Price (Tex.), Tom Railsback (Ill.), William J. Scherle (Iowa), and Keith G. Sebelius (Kans.).

REPRESENTATIVE WILLIAM O. COWGER, CHAIRMAN, TASK FORCE ON URBAN AFFAIRS

Seventy per cent of the people in the United States live in urban areas, according to 1960 census figures. Today, the figures are even higher. Our urban citizens, taxpayers and voters deserve a fair share of our attention.

The Task Force on Urban Affairs will be concerned with analyzing the complex problems confronting residents of the nation's cities and towns. Housing, services, safety, urban decay and renewal, local government, economic and environmental factors—these admittedly intricate questions have no simple answers. However, it is our goal to develop a system of priorities for urban America upon which a coherent, consistent Republican position can be built.

The plight of the cities is one of the most serious issues facing us today. Our task force is by no means alone in seeking solutions to these concerns. Many bills pertaining to the cities have already been introduced. The White House is taking an active role in guiding the development of urban policies and the executive agencies are focusing increasingly upon the urban sector. We will continue to cooperate with a number of organizations, among them the National League of Cities, National Association of Counties, National Governors' Conference, the U.S. Conference of Mayors and the various State Municipal Leagues.

REPRESENTATIVE GEORGE BUSH, CHAIRMAN, EARTH RESOURCES AND POPULATION CONTROL TASK FORCE

Every day the population of the world increases by 180,000 people. It is estimated that by the year 2,000 the population of the United States will be between 280 and 360 million and the population of the world, 7 billion. The problems that these additional millions and billions of people will create are unimaginable.

Now is the time to begin making preparations for these ever increasing mouths to feed. Now is the time to make the public aware of the consequences of a constantly increasing population—on ourselves, our children and on the environment in which we will have to live. Now is the time to remove the stigma from the words "population control" and "family planning". Now is the time to insure that every person in this country is aware of the voluntary services available for the asking and to insure that these programs are adequately continued.

There is so much that needs to be explored. When one glimpses the vast resources of the oceans, one cannot help but become excited about the possibilities of subsea farming, fish meal and many of the new ideas that are being advanced in this area. The use of the sea and space, as well as the use of the land, will play an important part in the world food supply.

I want to commend the leadership of the Republican Party and my colleague, Bob Taft, for having the courage to initiate action in this critical area. Frankly, I don't know that the task force will come up with a panacea that will solve the earth's problems, but I do know that we will be doing something constructive about them. We will be holding hearings, collecting data and publishing reports that, hopefully, will serve to educate our fellow members and the American people of the need to prepare for these population increases and for the reclamation and recycling of our resources. At the same time we will be working in close coordination with the White House and the Executive Branch to insure maximum support and understanding.

We will be striving to make these topics the subject of household conversation as only out of this kind of awareness can come the action needed.

REPRESENTATIVE JOHN DELLENBACK, CHAIRMAN, EDUCATION AND TRAINING TASK FORCE

No area of national concern is of greater long-range significance than the field of education. What Congress does in education will have a tremendous impact on the future of our nation's most valued resource, its people. Too often education is not suited to the needs of students. We must develop new policies and programs that will make education relevant and meaningful.

While there are important education measures coming before Congress, still other emerging problems merit our attention. The Education and Training Task Force will look into such areas as early childhood, vocational education, junior colleges, teacher preparation and recruitment and financing education. We hope to recommend new legislation and to develop a Republican policy in areas where Congress has not yet taken the initiative.

Education Task Force members are driving and innovative legislators who have had a great deal experience in the field of education. We will give our best efforts to this important and challenging assignment.

REPRESENTATIVE DONALD G. BROTZMAN, CHAIRMAN, TRANSPORTATION TASK FORCE

The various components which make up a nation may be compared to the human body, and in applying this analogy it may be said that transportation is our circulatory system.

Thus, if our national arteries are in bad repair, the other functions of the national body will suffer.

There is no doubt in my mind but that our national arteries have not kept pace with our progress and our problems, and that is true whether you speak from an economic, a sociological or an esthetic viewpoint. In varying degrees, we face in the 1970's chronic arterial disease on the land, on the waters and in the air.

There is a high degree of awareness on Federal, state and local government levels of the seriousness of the problem. However, the conversion of concern into public policy has been slow in coming, and I believe it is going to take a very large effort on the part of our nation's policymakers to assign the proper priorities to the application of our expertise and resources.

The Task Force on Transportation can, in my opinion, play a unique role in this process, since it will be unencumbered by the policies of the past and yet will be able to avail itself of the full body of knowledge about not only our problems but the human and physical resources which are available to solve them.

REPRESENTATIVE MARVIN L. ESCH, CHAIRMAN, TASK FORCE ON SOCIAL SECURITY AND HUMAN NEEDS

The Social Security System was established more than a quarter of a century ago, and although there have been many changes in it, there has never been an overall review of its effectiveness in meeting its goals. Our Task Force hopes to make an analysis of the entire system and recommend changes which appear to be appropriate. Our consideration will include such questions as: should benefits increase as the cost-of-living increases; are benefit levels adequate and to what extent are increases possible in relation to costs; has the public concept of Social Security as a full retirement fund rather than a retirement supplement been encouraged by false claims in Social Security literature; should the method of taxation remain on its present basis or should it be a percentage of total income; should "welfare" type functions such as disability benefits be separated from retirement benefits and, if so, should they be paid for from trust funds or from general tax revenues; are working wives equitably treated; and should the Social Security system be actuarily sound. We have made no prejudgment on the answers to these numerous other questions but feel that our senior citizens deserve our attention.

The question of welfare is one of the most politically charged and difficult facing all levels of government. Our Task Force hopes to concentrate on proposals to encourage those who are able to work to return to the working force. At the outset, we recognize that there are many who are disabled who cannot work through no fault of their own. Our programs dealing with these persons should assure that a decent standard of living can be maintained. Among the questions we hope to consider are: measures to increase work incentives by establishing a smoother transition from poverty into economic responsibility; the extent to which equalization of benefits among the states is possible or desirable; minimization of burdensome red tape and administrative regulations; means to retard the disintegration of family life; and the relationship between welfare, the poverty program, and the private sector and the need to coordinate programs.

REPRESENTATIVE SHERMAN P. LLOYD, CHAIRMAN, LABOR LAW REFORM TASK FORCE

It will be the objective of this Task Force to conduct studies and investigations and to formulate recommendations for long range legislative action in the field of labor legislation.

The Task Force is primarily interested in the problem of strikes which create national emergencies. The adequacy of present legislation to represent effectively the welfare of the general public in the case of a nationwide work stoppage will be closely investigated.

The Task Force will seek the advice and counsel of the Secretary of Labor, of authorized spokesmen of organized labor, organized industry and others who can make useful contributions to our objective.

The Task Force will also consider for possible recommendation, the recurring suggestion that the exemption of labor organizations from the provisions of the anti-trust laws should be removed.

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Representative Chester L. Mize, Chairman, Task Force on International Trade

"Open-minded inquiry will be our approach to the difficult and delicate problems of international trade.

"All Members recognize there are differences of opinion among Americans and within the Republican Party on basic trade policy. These differences will be sifted and weighed to determine the best possible course for this Nation to follow. It will be our responsibility to conduct in-depth analysis of such topics as East-West trade, protectionism at home and abroad, the balance of payments, the gold flow, and possible tariff revision for increased trade. Members of the task force, at the first organizational meeting held May 1, concluded that inflexible attitudes of the past were inadequate to successfully meet the challenge of the 1970's.

"The Task Force on International Trade will hold further organizational meetings in the immediate future, then will begin a systematic program of investigation and analysis. Position papers and studies will be developed for release from time to time.

"Our job will be to inform the Administration of our conclusions and to inform the American people as well. We hope to complement Administration thinking in an area where diverse views, economic and political, have caused confusion and conflict. The diversity of membership within our Task Force should provide an excellent forum for the exchange of views essential for development of a prudent, profitable, national trade policy."

MARTY ALLEN—MILITARY HOSPITAL ENTERTAINMENT TOUR

HON. CHARLES E. GOODELL

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Thursday, May 8, 1969

Mr. GOODELL. Mr. President, starting on January 6, 1969, for 3 whirlwind weeks, Marty Allen, the comedian, canceled his personal appearances, and donated his time exclusively to the disabled veterans of the Vietnam war in hospitals here in this country.

Last year Marty had donated his time for a first tour with no publicity. In 1969 he was persuaded that more entertainers would be inspired to similar ventures, if he allowed the press to know about his "Second Operation Hello Dere."

Beginning in the Washington, D.C., area, Marty visited the Walter Reed Medical Center, the National Naval Medical Center, the Andrews Air Force Base Hospital, and the Kimbrough Army Hospital. From there he went to Pennsylvania, to Texas, Colorado, and California, visiting 16 hospitals in all, ending the tour on January 24 at Camp Pendleton Naval Hospital.

When he visits the hospitals, there is no advance notice that Marty is coming to the wards. Depending upon the given situation, he will exchange quips, react, or play it straight, usually ending up giving an autographed picture.

Currently the first entertainer of U.S. military hospitals, Marty hopes that many other entertainers will follow his example. He states:

> These guys are a great audience, and they deserve everything we can do for them. You have to be careful though, or they might think you're condescending to do them a favor. Once they know you're sincere, they're with you all the way. Politics should not enter into the question of whether our Vietnamese wounded—whether recuperating here or overseas—merit as much consideration, concern, and happiness as show business personalities can give them. I don't want them to be forgotten men.

Mr. President, I wanted to inform my colleagues of the work that Marty Allen is doing. Hopefully, other personalities will follow his lead. Marty Allen is the kind of American that makes us all proud.

SUBMISSION TO ARMED STUDENTS HUMILIATING: NEGRO LEADER

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. MICHEL. Mr. Speaker, last week I inserted an article in the RECORD quoting a few remarks of Mr. Bayard Rustin with regard to the antics of black militants on our college campuses around the country.

A more extensive account of his remarks together with some questions and answers put to him by a reporter appears in the May 5, 1969, edition of the Peoria Journal Star and I include the article in the RECORD at this point:

SUBMISSION TO ARMED STUDENTS "HUMILIATING": NEGRO LEADER

(By Brian Sullivan)

NEW YORK.—Bayard Rustin, long-time Negro civil rights leader, says colleges are taking a cheap way out by agreeing to Negro students' demands for black studies programs.

Instead, he says, colleges need to develop massive—but expensive—remedial projects to improve the scholastic level of Negro students and to enable them to make their academic way.

In a question-and-answer session with a reporter on Negro unrest on the campus, Rustin deplored violent protests and said it was humiliating to see college administrators and faculty submitting to Negroes with guns.

They wouldn't submit to "Ku Klux Klansmen coming on campus with guns," he said, and suggested this indicated the college officials didn't really consider Negroes equal to whites.

"They say, well, it's only Negroes behaving that way. They wouldn't tolerate this from white students," he said.

Rustin, who organized the March on Washington in 1963 and now is executive director of a A. Philip Randolph Institute, said Negroes had made substantial gains in educational opportunities.

"It is therefore all the more tragic that instead of taking advantage of the opportunity for learning, they are reducing the situation to a series of courses that cannot really prepare them for the kind of life they have to live."

The interview ranged over a spectrum of Rustin's views on campus problems, Negro militancy, and faculty reactions and concessions.

The questions and answers:

Q. How do you view the efforts to establish separate black studies departments?

A. I am very much opposed to separation under any circumstances, and I'm also opposed to black studies. And I believe it is a grievous mistake that there has not been the study of Negro culture history, but I'm opposed to it as black studies, because I believe there should be the integration of Negro contributions into the American historical forces, into the economic forces, and into other forces. For example, I don't think you should study the American Revolution without studying Crispus Attucks.

Q. Do you think that the college militants, black or white, have a valid protest?

A. I think there are valid reasons for protesting. I think administrators have been insensitive to the needs of college students. I think that in a society where we have war, racism and poverty, young people are justified in protesting. But, I'm not interested in protest that is going to strengthen rightist forces in this country. Nor am I interested in infantile leftism.

That's to say protest that is so outlandish that instead of causing the society to move forward, it, in fact, causes the society to move in the opposite direction. Now, my criticism is not of protest per se, my criticism is of particular types of protest.

I could name a few—first of all, I'm very much opposed to the use of violence as a means of protest—the appearance of youngsters on campuses carrying guns and attempting to get decisions while holding guns at the heads of the administrators is first of all very bad for the students.

Second, it is humiliating to me to see college professors and presidents so filled with guilt and so masochistic as to submit while they would not submit to Ku Klux Klanists coming on the campus with guns. Why do they submit to Negroes? Because they really do not believe as yet that Negroes are equal. They say "Well, that's only Negroes behaving that way." They wouldn't tolerate this from white students.

I'm against what I call putschism, brown shirtism. Any time 20 or 30 people seize buildings, which must be used by thousands of people, they're being putschists. In addition, they're being elitist, that is to say, they think they have the right to make the decisions for thousands of people where no vote has been taken. Who are they that they should do this? So I say violence, elitism, putschism have no place in social protest in this nation and certainly not on the campus.

Q. What kind of demonstration would you lead on a campus in a protest you consider justified?

A. I believe people have the right to withdraw. They have the right to go on strike, but not to interfere with other people. They have the right to refuse to go to classes, they have to right to carry on any form of nonviolent protest.

Q. Do you think Negroes have made significant gains in the past few years, within the education system?

A. I think there have been a number of important gains. The U.S. government expects that by 1975 there will be 400,000 Negro college students. The fact is in 1969 there are over 400,000. We are way ahead of schedule—largely because of the education bill which President Johnson introduced and Congress passed.

There are many, many campuses where only three or four years ago Negro students did not have an opportunity to attend. Now they have been offered scholarships, or special cases have been made to encourage Negro students to come on campus.

It is therefore all the more tragic that, instead of taking advantage of the opportunity for learning, they are reducing the situation to a series of courses that cannot really prepare them for the kind of life which they have to live when they get out of college. Now here again I'm all for studying in an integrated manner. Just as I'm for integrating whatever contributions Jews and Irish and Italians made into our whole history, I'm for integrating the contributions of blacks. However, in the long run, what one has to come out of college with, is a degree which prepares one to do something significant in the society. We need doctors, we need lawyers, we need people with degrees in economics and sociology and a myriad number of things. People ought to use their time in college really to specialize and to be able to make a contribution.

Q. There were reports that black students at Cornell armed themselves from fear of an imminent attack by some white students. You mentioned psychological stress that the ghetto student is under when he is dropped into an Ivy League school. How are you going to resolve this?

A. There is a police matter or, better still, a matter for the university to take care of. If the university cannot take care of it, then it's a police matter. I think there's been brutality to Negroes for centuries. We have been able to mount a concern about brutality to Negroes precisely because people were fairly convinced that Negroes were not engaged in aggressive violence.

It's going to be increasingly difficult now when people see pictures of young Negroes carrying guns for us to get attention called to that degree of brutality which is still left in our society. People will get the notion that Negroes are engaged in aggressive violence and, therefore, that the brutality may be justified. So I think these people are doing us a grave disservice with these guns. And I simply do not believe that there are organized groups of white college students on campus, at this point, which are prepared to attack Negro students with violence and guns. If Negro students continue to carry guns, that may very well happen later.

Q. How are we going to resolve this, given the feelings of the black militants?

A. The college administrations will have to be honest with themselves; first of all, believe that Negroes are equal to other people and treat them accordingly. If Negroes and any other students engage in this kind of behavior, something must be done to prevent it.

And I think the college administration needs to stop playing young Negroes cheap. Now everybody knows that the ghetto schools and high schools are basically inferior. Efforts to get more youngsters into college and through college is a good idea, but it must not be done in a cheap way.

Now, it's very inexpensive to give in to the demands of Negro students for black studies. But it's also ineffective. What colleges should be doing is spending hundreds of thousands of dollars for remedial work, bringing the students' mathematics up, bringing their reading rate up, bringing their ability to write a decent sentence to the fore, developing their thinking processes through courses which are useful. But of course this will require a much larger teaching staff, many more hours of teaching.

Let me put it another way. There is no Italian history of the United States. There's no Jewish history, there's no black history; there is American history and whatever role Jews, Italians and blacks have played in it ought to be written as it occurs and integrated into the whole picture. Therefore, you have American history.

The problem is we have not yet had American history, because blacks have been excluded. You don't deal with that problem of American history by doing the opposite thing now.

Q. What do you think of Harvard allowing Negro students to have a voice in selecting teachers for the Afro-American studies department?

A. I am all for students being consulted on all courses given at the university; I am not for students having the right to hire and fire teachers. Furthermore, why should Harvard give this right to black students for black courses, but not to a total student body, for the hiring and firing of professors?

Q. Can you answer that question?

A. I think it's a form of not caring, of a reverse racism. They are saying, "Okay, we face a problem where Negro students are churning things up on the campus. We don't give a damn about them, really, so if they want to take courses which are fairly useless let's give them the courses."

Q. In summary, what's the root of the campus problems?

A. One of the problems is that young Negroes are facing the shock of integration. They have been partially integrated, but there is a distance in their minds between what they aspire to be and what the conditions they have lived under makes it now possible for them to be. The conflict between this aspiration and ability creates many internal confusions. Therefore one is often tempted, instead of fighting that conflict through, to revert to one's self, to look inward . . . So that if I set up courses myself I'll set them up so I can pass them. And that, you see, is what I mean when I say there should be lots of money and energy spent in helping the young Negro over that psychological barrier.

There's only one way to do that. That is to give him enough tutoring, enough remedial work so that when he does finish college, he will finish on a par with all other students.

RHODESIAN CHROME

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, May 8, 1969

Mr. THURMOND. Mr. President, Mr. Jack Kilpatrick's column in the Evening Star of last Tuesday points out that the U.S. policy with regard to the Rhodesian chrome situation is pure folly. I have addressed myself to this problem on the floor of the Senate on more than one occasion. As long as 2 years ago, it was evident that the U.S. policy toward Rhodesia would result in a serious situation in which we would become dependent upon Soviet mines for our chrome supplies.

Mr. Kilpatrick points out that the Communists have made a fat profit off the Rhodesian situation while American-owned companies in anti-Communist Rhodesia have been frozen out of the picture.

Mr. Kilpatrick describes this situation as lunacy. I can think of no better word to describe it and I hope that when the Nixon administration finishes its announced full-scale review of the southern Africa situation that commonsense will prevail.

Mr. President, I ask unanimous consent that the article entitled "Rhodesian Chrome a Lesson in U.S. Folly," published in the Evening Star of Tuesday, May 6, be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Evening Star, May 6, 1969]

RHODESIAN CHROME A LESSON IN U.S. FOLLY

(By James J. Kilpatrick)

The chrome ore deposits of Rhodesia surely rank low on a list of the sexiest subjects a columnist might find to write about, yet the dismal story of U.S. policy toward Rhodesia—and the effect of that policy on a vital industry—offers an instructive theme.

Almost no one has much to say any more about Rhodesia. Not in this country, at least; and even in the British press, the volume of comment dwindles. Plainly, Rhodesian independence has become a fact of political life. Just as plainly, the punitive economic sanctions imposed by the United Nations have failed in their purpose.

The White House disclosed last week that the President has ordered a full-scale review of U.S. policy toward all of southern Africa. Presumably, this study will embrace the whole series of bad judgments, blunders, and political follies in which Great Britain, the United Nations, and the United States have shared. If the President obtains some outside advice—outside Joe Palmer's office in the State Department, that is to say—perhaps the study will lead to a wiser course. And if Nixon wants an expert consultant for the task, he could not do better than to ask Dean Acheson to draft the report.

The immediate problem as to chromium may not wait upon a leisurely policy study. Chrome is a vital element in the production of stainless steel and other high-strength steels used in American defense. We have to have it.

In years gone by, when American policy toward Africa made more sense than it has seemed to make lately, our steel industry obtained crome ore from Rhodesia. The finest chrome deposits in the world lie at Selukwe, about 140 miles south of Salisbury, and in the North Great Dyke 40 to 50 miles west of the capital city. Two American companies, Union Carbide and the Foote Mineral Company, own the mines.

Prior to December of 1966, when the U.N. embarked upon its vain and wrongful intervention in Rhodesia's domestic affairs, the Foote and Union Carbide mines provided a steady source of ore for the free world. The mines are not of overwhelming significance to the Rhodesian economy; they provide jobs for several hundred native workers and bring in some useful income, but the ore exports never approached tobacco as a factor in Rhodesia's trade.

As the U.N.'s sanctions progressively were tightened in 1967, the two American companies were compelled to cease operations. They could not even import some 200,000 tons of ore that already had been mined and put in stockpiles—ore that already had been paid for. It is their property. Present U.S. policy prevents them from putting it to use.

Meanwhile, the American steel industry had to have chrome. The only alternative source—and what an irony it is—lay in the Soviet Union. The Communists were happy to make a fat profit off the Rhodesian situation. So for the past two years, American steelmakers have had to depend upon Communist suppliers of chrome ore, while two American-owned companies in anti-Communist Rhodesia have been frozen out of the picture.

This lunacy has other aspects. The peculiar geological nature of Foote's serpentine mine demands continued operation. The hard-pressed government of Ian Smith has been providing some maintenance, but it is sheer folly—dangerous folly—to risk the loss of this important source of chromium.

For roughly $1,000,000 a year, a sum too small to matter to anyone, the Foote mine could be saved. All that is required is a common sense decision on the part of our government to let Foote spend it in Rhodesia. A second commonsense decision would permit the companies to import the ore they already have stockpiled.

These actions ought to be taken at once, without waiting upon the policy review. Great Britain could hardly object, for Great Britain herself has allowed for hardship cases in the Rhodesian mess. The African bloc in the U.N. doubtless would howl, but so what? Nixon came into office pledging a fresh approach in foreign affairs. One such fresh approach would lie in candidly placing our own national interests in first place, ahead of the political concerns of

Prime Minister Wilson and a few black despots in central and northern Africa. Such a course would be sound in principle, and sound business practice, too.

SPEECH BY EDWIN M. HOOD, PRESIDENT OF THE SHIPBUILDERS COUNCIL OF AMERICA

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. DOWNING. Mr. Speaker, for the past decade Mr. Edwin M. Hood, president of the Shipbuilders Council of America, has been one of the most able and dedicated advocates for a strong U.S. merchant marine and for American seapower in general. Recently before a Propeller Club audience in Texas he paid tribute to the remarkable job which our space scientists have accomplished in overtaking and surpassing the Soviet Union. At the same time Mr. Hood called for a similar "national attitude of determination and dedication" which is so urgently needed if we are to prevent Soviet domination of the world's oceans.

His message is clear and his language is such that every American can understand and should heed the warning. I am pleased to include them in the RECORD:

SPEECH BY EDWIN M. HOOD, PRESIDENT, BEFORE THE PROPELLER CLUB OF THE UNITED STATES, PORT OF THE SABINE, BEAUMONT, TEX., MARCH 25, 1969

In these days of controversy and confusion, it is frequently said that agreement on public problems or national issues is impossible. The present debate on the merits or demerits—depending on one's point of view—of deploying an anti-ballistic missile system would seem to infer the accuracy of that statement. On the other hand, the popular acclaim extended the recent Apollo mission in outer space would seem to adequately refute the point and to sunggest that the nature of the times is not completely, or always, diffident or dissident.

The latter example has captured the public fancy. It has all of the elements of adventure. It stirs the imagination and emotions of all Americans. It represents a successful blending of people, skills, talents, technologies, capabilities and resources. It composes the symbol of a contest in which a late-starter has emerged as an impressive participant, and conceivably an exceptional victor.

In almost every department of outer space achievement, the United States has surpassed the Soviet Union, and every American can accordingly be proud of the collective teamwork of our space agency complex and of the individual courage of our astronauts. But, these accomplishments could have been far less impressive, virtually impossible, without the strong impetus of a national policy—a national attitude of determination and dedication—favoring primacy over the Russians.

President Kennedy, in a 1961 message to the Congress on urgent national needs declared: "It is time . . . for this nation to take a clearly leading role in space achievement, which in many ways may hold the key to our future on earth." His words, eight years ago, set the stage for the remarkable Apollo 9 mission, only two weeks ago. He offered a new inspiration to the American people and committed the United States Government to its fulfillment.

Once it had been declared as a matter of national policy that our nation would not founder in the backstream of the space age, the people reacted through their elected officials. All of the elements of capability—all of the requisites of success—began to fall in line. Federal funding was forthcoming; technical skills and professional disciplines transferred from other activities; the scientific, technological, manpower, and financial resources of the country were marshalled; production facilities were constructed; manpower training was quickened; and research and development reached out in unprecedented ways.

As a result of this determined national policy and supporting national attitude, our astronauts will soon land on the moon—a feat which many formerly considered impossible.

Can the same results be achieved with respect to sea power? That is a question of important substance with a timeliness equal to that of landing on the moon. The question arises from the uncertainties of present times not too dissimilar from those which prompted President Kennedy to call for rededicated action and substantial progress with respect to space efforts just eight years ago.

The Soviet Union, in eight years plus two, has perhaps been more successful in connection with its efforts on the oceans than it has been in outer space. Admiral Thomas H. Moorer, USN, Chief of Naval Operations, puts it this way: "By any measuring stick, they (the Soviets) are today the second largest sea power in the world. In a mere 10 years, the Soviet Union with dedication of purpose, huge outlays of funds, and with priorities equivalent to or even surpassing their space programs, has transformed itself from a martitime nonentity to a major sea power."

Year by year, the Russians have perceptibly narrowed the margin of U.S. sea power superiority. Year by year, U.S. naval and merchant fleets have been undergoing progressive qualitative decline, though it must be recognized that the too few ships constructed or being built in this country are perhaps the most sophisticated ever conceived by man.

In any event, the Soviet Navy is today seconly only to that of the United States, and a Committee of the Congress has concluded that "In naval matters the United States no longer enjoys clear-cut military and technological superiority." The Soviet merchant marine will shortly be larger than the American flag maritime fleet in terms of tonnage, but it has already surpassed the number of active U.S. flag merchant ships on the high seas. Russian fishing and oceanographic ships are perhaps the most modern afloat, and Soviet trawlers equipped with sophisticated electronic gear are employed as "lookouts" for the Russian Navy.

The geo-political implications of this steadily growing communist armada to the national security of the United States and the collective security of the entire Free World have been brought into sharp perspective by the withdrawal of the British Navy from historic outposts, the imposing presence of the Soviet naval fleet in the Mediterranean Sea and the aggressive solicitations of commercial cargoes by the Russian merchant marine.

When viewed against the high ratio of overaged ships in the U.S. Navy and the American merchant marine, when viewed against levels of ship construction output of the recent past, the changing power structure on the oceans is a proper cause for national concern.

Admiral John S. McCain, Jr., Commander of U.S. Forces in the Pacific, warns that Russia is already engaged in an "undeclared" war against the United States for control of the seas. Says Admiral McCain: "It is a war of design and construction, of manpower and national resources, of money, planning and organization—and the signs are that we are losing it."

There is considerable evidence of increasing public concern. In this case, the national attitude has clearly been ahead of national policy for the past five years. Signs that we were losing the space race impelled President Kennedy to make his historic declaration of 1961, already mentioned. No comparable call "for the nation to take a leading role" over the Russians in terms of sea power was forthcoming from President Johnson.

On the contrary, in the past five years, the seeming policy of the Executive Branch of the Government was to discount or minimize the obvious outward thrust of the Soviet Union to the seas. Prior to the start of 1969, Administration spokesmen pontificated with bland, and unsupportable statements, to the effect that Russia's expanding maritime strength represented no menace to the United States or to the Free World.

An alert journalist revealed that a former Administration official had directed that the Soviet sea power threat was to be "played down" to keep a lid on public demands for effective correction of the high degree of obsolescence in our naval and our maritime fleets. There were repeated reports of State Department intercession to prevent the formulation of a constructive national policy for fear that other countries would object to the American merchant marine carrying more than 5 percent of our own trade and commerce.

Whatever the reason, the statistics applicable to the present situation are hardly comforting.

Latest intelligence information suggests that the Soviet shipbuilding industry can now equal our current nuclear submarine construction capability. Defense Secretary Melvin R. Laird told the Senate Armed Services Committee, only last Thursday, that the Russian submarine production rate is now one per month. This development further suggests an expansion of capacity and the acquisition of technological proficiency of considerable magnitude over the last six to eight years.

The Russians have been building many more merchant ships than we have. Last November, they were constructing 458 ships compared to our 62. There are other startling statistics: for the past several years new ship deliveries to the Russian merchant fleet have outpaced U.S. deliveries by a ratio of nearly 6 to 1 . . . about 80 percent of the Soviet shipping fleet today is less than 10 years of age, while approximately 80 percent of the American merchant marine is 20 years of age or older . . . in the past 20 years, more than 1,000 ships have been added to the Russian merchant marine, while in the same period our shipping fleet has contracted by about 1,000 vessels . . . 58 percent of the ships in the U.S. Navy are at least 20 years of age, and less than one percent of the Soviet Navy's surface combatant ships and submarines are 20 years old or older.

In assessing the serious obsolescence in our Navy fleet and the steady decline of our merchant fleet against the backdrop of advances in Soviet sea power, the distinguished Chairman of the House Committee on Armed Services, the Honorable L. Mendel Rivers, last Wednesday, said: "It can be best described in one word: Shocking."

President Nixon, during the 1968 presidential campaign, said that "if we permit this decay to continue, we will find that we have abdicated our maritime position to none other than the Soviet Union." In essence, he echoed President Kennedy's challenge: "It is time . . . for this nation to take a clearly leading role" on the oceans. He has evidenced an intention to meet this situation through measures to assure U.S. supremacy at sea at all times . . . to assure the constant availability of a U.S. Navy second to

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none . . . and to restore the United States as a first-rate maritime power.

The program and policies to carry out these declared national goals have yet to be announced. But this much can be said: there is a national attitude of optimism and support favoring full achievement of the sea power goals defined by President Nixon, and achievements on the oceans will more directly, more intimately, hold the key to our future on planet earth. Freedom of the seas, access to the seas, will long control our destiny.

THE IDEALISM OF AMERICAN YOUTH

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Thursday, May 8, 1969

Mr. METCALF. Mr. President, American young people today are a generation more concerned over the course of events in the Nation and the world than perhaps any in history. Their concern sometimes takes extreme forms, and young people have thus been subject to vilification and sometimes have been the victims of policemen's clubs. Many Americans, I think, tend to lump the "new generation" into a single category and define it by its most outrageous members.

I believe this is grossly unfair—because there are so many devoted, unselfish, and capable young people who provide a far better definition of our younger generation.

One of these young people, Russell Twedt, son of Gordon Twedt, president of the Montana Farmers Union, recently spoke before the National Farmers Union on the concerns of America's young people. Russell is a freshman at Montana State University in Bozeman, and I think he was a remarkably articulate witness for young people today.

His main topic was the preservation of the family farm, and he spoke of the tacit assumption on the part of many in the "establishment" that economic forces beyond man's control have rendered the family farm obsolete. Russell deplores what he sees as an abject submission to economic forces at the expense of human and social values. Young people, he says, place more value on human beings than they do on the so-called practical needs of an economic machine. He speaks not only of preservation of the family farm, but of dozens of other ways in which the young see society as a tool for the betterment of human life rather than as a mindless mass.

The speech is a fine expression of the idealism of American youth, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH OF RUSSELL TWEDT, MEMBER OF THE NATIONAL FARMERS UNION, SENIOR YOUTH ADVISORY COUNCIL, 67TH ANNUAL CONVENTION, MARCH 16, 1969

Flossie Nikkel, President Dechant, Mr. Johnson, Mr. Ray, Members of the convention: Last fall when I entered the ranks of American university students as a Freshman, I enrolled in one of our nation's several Colleges of Agriculture, which of course includes the various general areas such as Agricultural Business, Agricultural Education, Agricultural Science, and one conspicuous area entitled Agricultural Production, which they have conveniently branched off into several other minor headings which all inevitably lead back into one of the other major areas. All this, as I saw later, was to eventually guide the student away from any hope of "going back to the farm" and making a successful life of it. Cleverly as this was disguised, I came face-to-face with the problem later when I took a course orienting us with the over-all scheme of the College of Agriculture.

In this course we were to hear the same line from the representatives of every department in the College: Get into something besides plain Agricultural Production. In a few years there won't be enough farms left in your state to support 1/50 of you. You say you love Agriculture? Agriculture is your whole life? Well, you'd better get into some phase of Agricultural training that will land you a job with one of the big corporations who will soon control all the farms in your area. It's the only way you'll be able to remain affiliated with the type of life and community you rural youth have come to live and need. And even the small rural communities you're used to won't be the same any more. If they're even still there, they will soon be the same "company towns" as are exhibited by other industries controlled by the same few factions. There won't be enough people to support that small church you belong to, or to maintain a satisfactorily-functioning school within reaching distance.

No, the human and social side of this problem can have no bearing on the situation, just as with all the other problems of our society, it is an economic and political surety.

What really woke me up, though, was the fact that all these professors seemed to accept this situation without objection or question, and as a result, almost all of the students involved are led to accept it as final also.

This, I believe, is one of the main reasons I'm standing before you here tonight, and why I'll be here all my life, as all the other dedicated people in Farmers Union; fighting to overcome this feeling of helplessness when it comes to *solving* our problems rather than be taken over.

Don't misunderstand me; these students fully *realize* the impact this is going to have on their lives and future, and understand the *causes* of it; but when asked what they will do to *change* it, they come back with what *has* to be the classic excuse of all time: "What can *I* do about it? I'm only *one man!*" Well, Ladies and Gentlemen *you and I know* there are *several* ways to go about it, but as for the *main* one, it's going to take all of us here and *more* to go out and *show* that type of people what we have learned *all our life* in Farmers Union, that we *can* have strength in unity, where we are helpless standing alone; that truly "when the Union's inspiration through the farmers' blood shall run, there *shall* be no power greater anywhere beneath the sun!" That we *do indeed* have in our hands a power "greater than the might of Armies magnified a thousand fold." Because *we* feed those Armies, and what power could have *more effect* on a *man*, an *Army*, or a *Nation* than the basic physical need for food? Food for thought, we ask? This trend of thought could open many *new* possibilities.

But, it's this feeling of *helplessness*, or *hopelessness*, if you wish, that we have to vanquish if we are to have a continuation of the basic democratic traditions of thought and practice.

Americans today *are worried* about the direction they see their country heading. What's worse, so many of them feel powerless to *do* anything about it individually, and don't expect any change, that may have "given up" on it altogether. This feeling seems much more predominant among such oppressed or minority groups as poverty-stricken people, Negroes, and Indians. They look at it as a "materialistic society—the age of the fast buck," where they can't run their own lives and make their own decisions any more. As one of the many Negro militants who have given up any hope of trying to change or improve the "White Society" puts it: "There's no way to reform your system, baby; it's rotten from top to bottom; and it's gonna come down . . .," and yet another, "You made this system and you must change it. It's corrupt to the core." Although I don't agree with the philosophy that there can't be any change, I know we must face reality in dealing with the problems we have created. Sure, we provide job-training programs and aid to oppressed people through welfare, but when there are no jobs they can get afterwards and prices are raised above their meager allowances, what good does it do?

I believe that before we can solve the major problems confronting our society, we have to look at the underlying causes of them which must be eliminated first, oftentimes individually. In the words of Sen. Harris of Oklahoma, "Equality of social, economic, and political opportunity must be made real, immediately, for all Americans."

We must face reality. And change is the most real thing about our age. One main reason we're more alarmed about change *now* is that we're more aware of it. It's hitting "close to home." We can no longer enjoy the comfort of ignorance and unawareness. America's population grows at the rate of 6400 people a day. With larger and growing populations, we naturally have larger growing problems.

In facing reality, we must face our future. Our lives and society have changed because there are a great many more of us, and there *will* be *still* more. Other forces of change parallel population growth. Knowledge and technology have literally exploded, and as we as students change to keep up with it, we must also be allowed other changes to go along with it. We can't afford to let some phases of our society advance while others just as important lag behind. If we are ready to handle the advanced material we find in our schools today, we are surely ready for the responsibilities that accompany the use of it. While the average age of qualifications for everything else goes down and down, I believe the age for adults status should be included. We young people want to be involved; want to participate in the decisions affecting our destiny, and feel frustration and more alienation when this desire isn't satisfied.

Because today's young people are the best educated and most idealistic ever, they feel the pressures of modern society more acutely than anyone. I believe that we young people are becoming more and more alienated from adult society, as we live in a world of ever-increasing change and adults live in their already-patterned worlds not nearly so involved with change. Thus, we have an ever-widening split we have come to know as the "generation gap." With the lower maturity age, and the longer education time, we are being held out of adult society for longer than at any period in our history.

We want this to change. Now, we find ourselves outside, questioning the values adult society believes in. Unlike the adolescent of a generation ago, we find no one to pattern ourselves after other than members of our own age group, wherein we find practically all our activities, as well as our values and leaders, behavior and dress, language and customs. We try on our own to find meaning in life, and therefore desire more authority over our life and future. This feeling of alienation is aggravated even more when the youth in question is among the poor or oppressed people of America. These types of

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people are becoming increasingly aware of the exploitation they are subject to at the hands of many of our faulty welfare programs, but, since they're generally unorganized and powerless, this knowledge brings them not results, but more frustration. This adds to the feeling of alienation and inferiority which is almost forced upon them, and consequently on their children, making the situation worse instead of better. This type of situation is worsened even more by the problem of racial discrimination. In the words of one Negro economist, "There are a lot of poor people who are poor because they are black, but there are not any white people poor because they're white."

As a former U.S. Attorney General said, "Racial discrimination also furnishes the grist for the Communist propaganda mills and raises doubt even among friendly nations as to the intensity of our devotion to the democratic faith." And to quote Senator Harris once again, "For all white Americans the persistent gap between ideal and reality has done severe damage to our collective mental health. As a nation, we have been living a false life, and, deep down, we know it and *have* known it all along." He goes on to say, "But, while the alarms are sounding throughout America, it is not too late for hope."

I believe that the best illustration of this lies in the issue closest at hand—the family farm. Even with all today's programs for the support of agriculture, rural life is still terribly substandard on the whole in America. As a result of this disparity between the quality of life in the cities and that in the rural areas and small towns, there has been a flood of migrants to the cities. Accompanying that is the movement from inner city to suburbs, and many even across country and state lines. This mass movement has made it very difficult for an increasing number of Americans to put down or maintain any roots, to retain family and community ties. All these forces of change in America have placed enormous tresses on the traditional institutions around which our sense of community and sense of direction have centered—the home and family, the school, the church, and the local government. We must know that, more than anything else, a renewed feeling of community is our greatest need—and it must be fullfilled.

Although there *is* a very definite movement of land ownership to corporate-type absentee control, accompanied by a great rural-to-urban shift of our population, the family-type farm *is still* the basic pattern of agriculture in America. We must fight and fight *now* to keep it that way! This trend has gone on too long already. I believe the family farm *does indeed* provide the best possible environment for the development of individual personality and character for stability of good family life, for strength of rural communities and their institutions such as churches, schools, and private business establishments, as well as protecting our basic American democratic traditions of thought and practice. Farming is a *way of life* for many of us, and an *important* one for our American society. If it's statistics you want, there *are* studies proving that communities consisting of family-owned and operated farms *are* more progressive and wholesome in terms of education, religion, business, and overall community life, than are either urban communities or comparable rural communities dominated by huge agricultural tracts run by managers and manned by transient workers.

Throughout the world, throughout history, one of the greatest causes of poverty, ignorance and disease (which are the underlying causes of revolution) is the concentration of land in the hands of the wealthy few. If you'll look into history, you'll find that one of the first and foremost endeavors of almost all new revolutionary governments is that of land reform, as it directly or indirectly affects all other phases of government and society.

And seemingly "contrary to popular belief" we *could* have the type of farm program here in America which *would* keep land ownership in the hands of the people, *and* allow family farmers, large *or* small, to earn full parity income.

But when we have such a feeling of complacency, indifference, helplessness, whatever the case may be, we are *never* going to accomplish anything. It is going to take great *individual* effort, a great *unified* effort to even *begin* to put ourselves back on the road to prosperity. The first few major steps toward the necessary *legislation have* been taken, but it's *not* going to continue by *itself*. It's going to take all of us here and more to keep the ball rolling. We *know* we have much opposition, but it's a task we *must overcome* if we are to continue as a successful democracy. It's up to *us here* to get the rest of the needed force *interested*, and even more than that, up and *doing* something about it! Is *is* true that when *one* of us as an *individual* makes a certain commitment, it doesn't mean much in our society today. *But when* a number of individuals are led to or make the *same* commitment, we really begin to make an impact on "the Establishment".

Getting people to make such a commitment, I believe, is the duty of each and every one of us as citizens. It is a responsibility each of us *must* accept if we are to steer our society in the right direction away from the "crisis" it definitely faces today. It is a *crisis* of *change*, and just that name for it should imply that it pertains to far more than just Agriculture. We young people in *rural* America are involved in *all* our society's problems, just as we think *other* Americans should be aware of the problems of *rural* America. We young people of America are striving more and more each day to prove that, among other things, the "Establishment," as we know it, is *not* a permanent fixture, any more than any other facet of our society in the face of today's unstoppable change. We know that anything which tries to assume such a position of permanence in this world of ever-increasing change will inevitably either submit to change or meet a death which in some cases has proven to be violent.

By the same token, some people who can't stand to see the forces of change and progress win out resort to violence in an attempt to stop it. Lee Harvey Oswald—James Earl Ray—Sirhan Sirhan—to name a few.

This change is not always *complete* change, the way I see it. An "establishment" can meet changes and still continue to survive and function successfully if it absorbs the forces of change and makes within itself the necessary moderations and advancements to "keep up with the times." The basic illustration of this, I believe, is our American democracy, which has stood with the same basic foundations for nearly two centuries, and I hope many more, because of its ability to adapt to new situations as they evolve. The same basic principle applies, in my opinion, all the way down through such smaller-scale issues as family farming. I sincerely believe that we family farmers and small rural communities *can* make all the necessary technological and other advancements *without* having to change our whole economic system of land ownership and control. I think that *both* the human and social side *and* the economic or practical side of *all* these problems *do* overlap, and that they *can* do so harmoniously. Therefore, I say that we *must not* and *cannot afford* to keep these problems separate, if we are to find satisfactory solutions to them.

What can we Americans, especially we young people, do in finding solutions to these problems? First, we *must* realize that our country is *indeed* facing a crisis of major proportions. Among other things it is a crisis of personal values, as we look for our place in today's society. We search for meaning and purpose. We aren't happy, because the quality of our life doesn't match our affluence. We must accept change and shape it to our own desires, *not* let it rule us. We must realize that our greatest concern today and our greatest hope for the future *is* our youth. Americans everywhere are searching for a renewed sense of community, and we young people hardest of all. We must resolve to take more account of the individual—particularly the young and the poor. Individual effort will be more important than any other, but we also need a commitment and mobilization led at the highest levels of our government, to meet the crisis of our day. It *will* cost us, but as a former Secretary of Health, Education, and Welfare said, "We are in deep trouble as a people. And history is not going to deal kindly with a rich nation that will not tax itself to cure its miseries." And we should be aware that doing nothing will cost us much, much more.

We must campaign not just against *discrimination*, but against *prejudice*, which has been called the *number one* mental health problem in America. We will *all* benefit by giving *real* equal opportunity to *every* American. We need to make improvements, both urban *and* rural, in housing, employment, education, and in our welfare programs. The job ahead for just rural youth is astounding. One of the most *crucial* tasks is closing the gap between world food production and growing population. As long as there is threat of starvation, it overshadows all other problems. I believe that, although slowing the massive population growth isn't the sole solution, it is an indispensable *part* of the answer.

Our rural educational facilities must be brought into the main stream of society through better teaching aids, techniques, and attitudes. We must strive to bring to sparsely settled areas the highest quality of instruction for the largest number of students. This also pertains to health and welfare services. This will mean that rural areas must become attractive as places to work and live for both the professional and non-professional people who will be needed. Rural communities will prosper when their residents enjoy high quality education for their children, adequate health and welfare services, and employment close to where they live. As a result, all the surrounding communities will prosper and be able to support many more extensive activities, therefore further erasing the old lines between urban and rural.

But all this will remain "dream stuff" unless we plan now for tomorrow. Only through cooperative effort and careful planning can these dreams come true. Those who *choose* to live in rural America must be given a meaningful opportunity to *do* so. In the words of Snorri Thorfinnson, "Our *two* worst enemies are *complacency* and *indifference*. Both of these are afflictions of the spirit, and *both* are curable by *ourselves*."

In ending my comments in reference to "the corporate invasion of Agriculture," I would like to reemphasize some wise and far-reaching words that *I've* really taken to heart, written by a man I can have nothing less that admiration and respect for, our national president, Tony Dechant, who says: "The corporate invasion is still in the beginning stage. Some people see this trend as inevitable—that it cannot be stopped. Not only *can* it be stopped, it *must* be stopped. We should not concern ourselves only with trying to decide what the future of American Agriculture is *going to be*—but what it *should* be. We should not accept any trend as inevitable. What is happening in America is *because* of our public policy, not *in spite* of it." He goes on to say, "The Agricultural establishment of this nation is *more* than land. *People* are involved. We in Farmers Union believe that it is in the national interest that we decide—now—what direction we want to go. And *now* is the time to start doing something about it."

So you see, Ladies and Gentlemen, tonight I have just tried to impress upon you the fact that we young people do recognize and understand the problems of our society. We

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don't want just to *rebel;* we want to *better*. This *is* our country; it will very soon be in our hands. We want nothing *more* than to be ready for it, and *it* ready for us. It is not yet *in* that state, but it *has* to come to reality, just as surely as *we are coming* into the picture. We hope and pray that it *is* going to be a *new* and a *better* picture. We need more and better understanding among generations, among *all* our people, among all *mankind*. We need more and better education, more and better legislation, more and better co-operation, which I think is the most important of *all*. Although we are not completely *ready* for this awesome task, as I said, we want nothing more than to *be* ready, just as it *must* be ready for us *and* our changes. We cannot attain all these goals by *ourselves*, Ladies and Gentlemen; we *still* need your help—*and* your *trust*. We are willing to earn it. Thank you.

AMERICAN LEGION CELEBRATES 50TH ANNIVERSARY

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. ALBERT. Mr. Speaker, the American Legion was organized in Paris, France, in March 1919. Recently the Oklahoma Legislature adopted a resolution expressing its congratulations to the American Legion on its 50th anniversary. Under the unanimous consent request, I include a text of that resolution, Enrolled House Concurrent Resolution 1032 of the first session of the 32d Oklahoma Legislature.

Text of resolution follows:

ENROLLED HOUSE CONCURRENT RESOLUTION 1032

A concurrent rsolution congratulating the American Legion on its 50th anniversary; and directing distribution

Whereas, the American Legion was organized in Paris, France, in March, 1919; and

Whereas, following the return of the World War I veterans, the American Legion held its first caucus in St Louis, Missouri, at which it adopted the preamble "For God and Country" to tell the world that the Legion stood for service to the widows and orphans of those killed in World War I and to the wounded and disabled; and

Whereas, the American Legion has become the largest veterans' organization in the world comprised of some three million veterans of four wars—World War I, World War II, Korea and Vietnam; and

Whereas, twenty-two Presidents of the United States of America have served their country in time of war and associated with the Legion; and

Whereas, through the past fifty years, members of the organization have served the people of America with dedication and devotion; and

Whereas, the American Legion has become a driving force against communism and oppression through the world; and

Whereas, the year 1969 marks the fiftieth Anniversary of the American Legion and on May 1, a Fiftieth Anniversary program will be celebrated in the House of Representatives, where World War I veterans met on May 3, 1919, to elect delegates for the St. Louis caucus, to commemorate fifty years of service by the Legion to community, state and nation; and

Whereas, it is fitting and proper that the First Session of the Thirty-second Legislature of the State of Oklahoma pay tribute to the men and women of America who have made the American Legion the dynamic and united group of veterans it is today.

Now, therefore, be it resolved by the House of Representatives of the first session of the thirty-second Oklahoma Legislature, the Senate concurring therein:

Section 1. The First Session of the Thirty-second Legislature of the State of Oklahoma hereby extends to the American Legion its heartiest congratulations and sincerest wishes for continued service to the community, state and nation.

Section 2. Duly authenticated copies of this Resolution shall be transmitted to each member of the Oklahoma Congressional Delegation and to Department Headquarters of the American Legion, Oklahoma City, for distribution to Department and National Officials.

Adopted by the House of Representatives the 28th day of April, 1969.

REX PRIVETT,
Speaker of the House of Representatives.

Adopted by the Senate the 28th day of April, 1969.

GEORGE NIGH,
President of the Senate.

FELLOWSHIP AWARD TO LYNN R. DUNSON, OF INDIANAPOLIS, IND.

HON. BIRCH BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, May 8, 1969

Mr. BAYH. Mr. President, I was pleased to learn that one of the 20 recipients of fellowships awarded recently by the Washington Journalism Center for study in the Nation's Capital next fall was Miss Lynn R. Dunson, of Indianapolis. The fellowships, which carry a $2,000 stipend, are designed to encourage and provide experience for young men and women interested in newspaper careers.

As a deserved tribute to Miss Dunson, who is now a student at Indiana University but formerly was employed by the Indianapolis Star, I ask unanimous consent that a brief article which appeared in that newspaper on May 5 be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STAR REPORTER ON LEAVE GETS NATIONAL FELLOWSHIP

WASHINGTON, D.C.—An Indiana University senior on leave from the reportorial staff of The Indianapolis Star is among 10 Negroes with newspaper experience awarded fellowships by the Washington Journalism Center yesterday.

The student is Miss Lynn R. Dunson, 27 years old, Indianapolis, who returned to I.U. at Bloomington last fall to complete work on a bachelor's degree after having worked as a reporter for The Star since July, 1966.

Miss Dunson, who covered stories in the social welfare field, including antipoverty programs, won Community Appreciation for Service in Public Enlightenment and Relations (CASPER) awards in 1967 and 1968. The awards are presented by the Community Service Council of Metropolitan Indianapolis.

Ten other Negroes with little or no experience in newspaper or television-radio work also were awarded fellowships.

She is a Ford Foundation fellow.

Under the fellowship program, offered to encourage Negroes to follow careers in journalism, the 20 fellows will spend 16 weeks in Washington, beginning Sept. 2, and each will receive $2,000 for living expenses.

They will attend special seminars with Federal officials, members of Congress and Washington reporters, and will pursue in-depth investigative reporting projects or work as interns with Washington news bureaus.

REMARKS OF THE HONORABLE FRANK J. BRASCO BEFORE THE HOSPITAL FINANCIAL MANAGEMENT ASSOCIATION

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. BRASCO. Mr. Speaker, I wish to submit for the RECORD a transcript of the address I have today delivered before the Hospital Financial Management Association:

Reverend Clergy, Mr. Chairman, Distinguished Guests, and panelists, Ladies and Gentlemen: I wish to extend my thanks for being given the privilege of addressing this body today. As the Keynote speaker, I believe that most everyone hopes to hear something new and different. As a Legislator and member of the Banking and Currency Committee of the House of Representatives, I find it rather difficult to tell you, who are the prime movers in fiscal management and hospital administration, what is novel, change, and daring experimentation.

To you who are the experts, the challenge in the oncoming years is extremely great. Social and economic movement, changes in hospital services and management are creating greater and larger frontiers. Therefore, to all of you falls the awesome responsibility of contributing to the framework of our health programs, locally and nationally. All of us understand what the problems are, but, a review must be undertaken so as to some light on what the future may be. The possibly give another image and maybe cast most important problem as a Legislator is the status of our present health structure and its socio-economic implications.

When 25 percent of our nation can be ill-housed, or ill-clad, or poorly fed, or of poor health, our future as a great nation is seriously threatened. When the disadvantaged in any of these segments are disbursed throughout 50 States in pockets of poverty. There is much need for reform and change. I must classify these pockets as ghettos. They are not ghettos from the ethnic aspect, but a ghetto in the sense that a moat surrounds and separates the deprived whether Appalachian, Indian, Eskimo or Negro, whether in an Urban center or a Rural district, from the mainstream of our affluent society. These blights cannot exist if we are to retain our leadership in the world Community.

This deprivation undermines the health of our 50 million citizens. Our purpose is to see that these citizens as well as all others receive the best service, health wise sociologically and economically.

Health is not a privilege, Health is a right and a basic one, that must be constantly reinforced and watched. It therefore is your privilege and purpose to see that the quality of care shall be of the highest standards and available to all. The cold, hard benches of the clinic and its impersonal approach has to be done away with. The automation type of care to the disadvantaged must be set aside. The bleak wards with bed after bed must be a thing of the past.

We must realize that in this time of mass visual communication, not one segment of our population is unaware of what the other has. In New York City, the task is even

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greater. Massive, archaic Municipal Hospital system, which for years should have been constantly rehabilitated must either be corrected or phased out. Yet if this is to be corrected with the new Agency, as written into law by the State Legislature and Governor, to be called the New York City Health and Hospital Corporation, will not in and of itself be the answer, since poverty, housing, disease and lack of opportunity all act as retardants for any isolated advancement.

We must resolve ourselves to the thinking that welfare is only a first-aide measure and not the answer for the ill.

So, in order that a Health Program be successful, no matter how great or diversified, there must be the other partners. Adequate Education, Proper Housing, Equal Opportunity, and Guaranteed minimum wage.

We must address ourselves to the problem that is particularly important to New York City. At one time or another, various estimates on a number of physicians who are not staff members, of the hospitals of the City of New York. This number ranges from 5000 to 7500 physicians who are disenfranchised from the mainstream of medical practice, through lack of hospital privileges. The shortage of physicians is great. The need for utilization of all resources is mandatory. The failure to employ these physicians in this urgent program does great disservice to the general populous, as well as to the physician himself, who is being deprived of hospital based continuing educational programs and in-service training.

Substitution of physician manpower by paramedical personnel is not the answer and most certainly will never be the cure. The creation of more medical training facilities should be of top priority. Funding must be generously advanced by federal agencies in conjunction with a private sector. Research and development activities must be advanced in all institutions, but not under the same budget ascribed for patient care.

The Federal Government, through the popular Title XVIII and IXX have of necessity become partners with you of the hospital industry. The spiraling costs of health is causing many legislators and many agencies to take a second look. A 50 billion dollar industry which appears to continually escalate its price cannot be handled with a Laissez-Faire approach. The Federal Government cannot honestly subscribe to the concept that within one institution the reimbursement is different for Medicare, Medicaid and Blue Cross. We must suppose that those who are recipients of Medicare and Medicaid or Blue Cross contract are all receiving the same care, yet in many instances, there are Medicaid reimbursements that are higher than the 2 prior mentioned plans. One questions therefore, whether the ward medicaid care is superior in quality and quantity to that of others.

With New York State's push for Federal Government to assume the major responsibility of Welfare Funding, we must now reflect on whether the so-called rugged individualism of some hospital operations are as fiscally prudent as it is claimed, and furthermore, are they tendering through this mechanism the best possible medical care. The Federal Government if requested to assume a responsibility of this nature can no longer idly sit by and let things go on in some instances in a rather imprudent fashion. The new requirements of the Joint Committee on Accreditation of Hospitals are requesting that the Board of Trustees of Hospitals have a documented budgetary expenditure.

A bill in the State Legislature to amend the Public Health Law created a method of establishing hospital cost control. Medicaid reimbursement was frozen, and it is anticipated in some quarters that there may be some relief from this. Senator Anderson, in the Senate of the United States, on February 28, 1969, introduced Senate #1195; a bill to amend the Social Security Act, so as to provide a more uniform, orderly, economical and equitable method of payment for hospitals, extended care facilities, nursing homes, and intermediate care services, under programs established by or pursuant to such Act. Within the bill, the Secretary was given broad powers to implement the intent of this legislation.

Ladies and gentlemen, it is readily apparent that strict guidelines are to be formulated. Many questions arise. Why is it possible in one Community that the reimbursement for several hospitals may vary as greatly as they do. In some instances as much as 40 dollars per day. Todays mark of 100 dollars reimbursement is a truism, and it appears to be skyrocketing itself out into infinity. Many hospital leaders have said that the increase is due to labor cost. I don't believe that skilled nurses should receive less than many civil servants. I don't believe that Technicians should be priced considerably lower than those in industry. I definitely do believe that the service workers, porters, and others are entitled to a living wage, and not to be the exploited element in our society. A $1.60 or $2.00 per hour is not consistent with the cost of living for a family of four, which is felt to be $6,000 by some. I do believe that the interns and residents should be paid a wage that would not strap them economically, but all these increments must come out of the hospital care budget, which would reflect itself in the reimbursement formula and not include those personnel engaged in research and development, or other activities, which are extremely vital, but not part of patient care.

Hospitals vied with each other in their construction, and built Marble Halls and started raising costs of basic construction from 10 to 15 to 45 thousand dollars per bed. The Hospital no longer was a place to care for the ailing. It started to assume the proportions of a resort hotel. But, to curtail an extravagant movement in construction, or reduplication of facilities is not only thrifty and prudent, but has a "yankee" characteristic of good business.

The problem now resolves itself—How much of this 100 dollars per day cost is reflected in true patient care. How much of it is reflected in a Marble Hallway. How much is reflected in electric beds, T.V. sets, and fancy decor. How much of this 100 dollars is vital for the patient. How much of this 100 dollars can you people save from being expended in order to reach the true figure of Health care. Yours is the responsibility to see that there should not be a premium compensation for inefficiency. Leadership in this direction is your responsibility. In this free society, it must not become necessary for the government to legislate fiscal responsibility. The competative spirit of business in the market place has apparently infected the hospital systems. Hospital X has a big fancy computer, Hospital Y has to have the same machine, although it is not needed for patient care. Hospital X has a big fancy machine, Hospital Y has to have the same machine, although one wonders whether the need is essential in say a 100 bed institution. Hospital X has undertaken a massive expansion program, and is contracting out for 45 thousand dollars per bed or more. What part or factor of that expenditure is essential and meaningful. Is there a reduplication of personnel in an area. How is the inventory regulated, how are purchases made. How is cost control instituted. How effective are these prophylactic measures. Is the need for 50 billion dollars a year a real need, or one that has been inflated by a grab-all philosophy.

Ladies and Gentlemen, to you the responsibility is great. As fiscal administrators and Administrators of Hospitals, you are confronted with many problems. The imaginative resolution of these problems will render a meaningful service to all. I must thank you for the opportunity to be here. I do believe I have only nicked the surface and presented some of the problems that are present. I believe there are many others. I think it is your responsibility and goal to try to eradicate as many as possible.

Thank you again.

NEW PRESIDENT OF NATIONAL CHAMBER OF COMMERCE

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Thursday, May 8, 1969

Mr. FANNIN. Mr. President, the Chamber of Commerce of the United States has just installed a distinguished editor and publisher, Mr. Jenkin Lloyd Jones, as its new president.

Mr. Jones, at his initial press conference, said some things which help put the current troubled national situation in perspective. I particularly noted Mr. Jones remarks in regard to motivation for the "hard core" unemployed. He said:

> Business cannot supply motivation. When the door is open, the individual, himself, must walk through. He cannot expect to be carried. This may have been understressed in the past. Too many people, perhaps, have been told that the way to a better life lies by demand, riot and mindless commotion. If these peoples continue to be misled—and if the majority of Americans react with backlash and disgust—then we'll all be worse off.

Mr. President, these words need an audience, an audience of all Americans. Mr. Jones has succinctly put his finger on one of the most potent and misunderstood problems in America today. I ask unanimous consent that the complete text of his remarks along with a biography of Mr. Jones, be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Statement by Jenkin Lloyd Jones, Editor and Publisher, the Tulsa Tribune, Tulsa, Okla., at News Conference To Announce His Election as 42d President of the Chamber of Commerce of the United States

The National Chamber hopes to promote a pragmatic approach to some of the perplexities facing the American people, in contrast to some of the highly theoretical efforts in this direction which have been recently in vogue.

Without discounting in any way the intelligence or sincerity of many people in government who have been struggling in recent years with America's social and economic problems, the National Chamber feels that businessmen, who are subject to sterner disciplines, are able to make some useful contributions.

If the head of a government department proceeds on faulty theories and false premises and gets no results he can always call for larger appropriations and more personnel. The businessman who does so goes broke.

There is no humanitarianism in unworkable social action, however, vigorously pursued. There is little uplift or social stability to be found in schemes based on the assumption that human beings will react in one way if it turns out that they generally react in another way.

Ten years ago no one dreamed that almost a million people would be receiving public

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assistance in New York City or that the bill would amount to close to a billion dollars annually. This is now a fact. In the face of a record per capita national income and gross national product we are seeing a steady rise in dependency and a steady degradation of the poor. This is no time for recriminations, but it is certainly time for a re-examination of some of our past assumptions.

One thing the business community of America can do is increase opportunity to escape from the poverty cycle. It can, if it gets cooperation from the unions, end discriminatory practices in which the worth of a man is discounted or appreciated according to the color of his skin. It can increase on-the-job training for better jobs. It can support educational programs, not merely for technical training—which everybody seems to be for—but for giving the so-called "hardcore" the basic skills for simple and repetitive jobs.

But business cannot supply motivation. When the door is open, the individual, himself, must walk through. He cannot expect to be carried. This may have been understressed in the past. Too many people, perhaps, have been told that the way to a better life lies by demand, riot and mindless commotion.

If these peoples continue to be misled—and if the majority of Americans react with backlash and disgust—then we'll all be worse off.

The Chamber of Commerce of the United States has no unthinkable thoughts.

It is ready to examine all suggested solutions, however novel or far out. While the Chamber represents, essentially, the business and professional communities of America, it proceeds on the theory that nothing could possibly be so good for business and professional men as general prosperity and a stable social system. As Mark Twain pointed out, even undertakers dislike epidemics.

Officers of the National Chamber have already called upon President Nixon to offer the support of this organization to any government plans designed to give the man adrift a hope, the man confused a purpose, and the man who has been chronically unable to cope, the equipment for can-do.

The Chamber asks only that government and social scientists apply one principle which has long been the foundation of any successful business system:

If it hasn't worked and doesn't look as though it's going to work, let's try something else.

JENKIN LLOYD JONES, PRESIDENT, CHAMBER OF COMMERCE OF THE UNITED STATES

Jenkin Lloyd Jones, editor and publisher of the Tulsa Tribune, is the 42nd president of the Chamber of Commerce of the United States.

He was born Nov. 1, 1911, at Madison, Wis., a few months after his father, Richard Lloyd Jones, had resigned as associate editor of Collier's magazine in New York and bought the Wisconsin State Journal.

In 1920 his family moved to Tulsa where his father bought the Tulsa Democrat, changing its name to the Tulsa Tribune.

Jenkin Lloyd attended Culver Military Academy, along with his brother, Richard Lloyd, Jr., and he has this to say of the experience:

"Both of us were thrown out, in the summer of 1926. It seems that Dad, who was a didactic character, got into a heated argument by mail with an old friend, a colonel on the Culver faculty, about techniques of military training, and the colonel, an equally didactic character, wouldn't let the Jones boys back in. Perhaps the high point in my career is the fact that I am probably the only Culver kickout who later returned to make a commencement address."

Mr. Jones was graduated from the Tome School, Port Deposit, Md., in 1929, then went to the University of Wisconsin, graduating with a Ph.B. degree in 1933. He has worked for the Tulsa Tribune ever since.

As a reporter he covered all beats, started a daily column, and at 25 had become managing editor.

During World War II he served as communications officer on the jeep aircraft carrier, U.S.S. Makassar Strait, which supported the logistics supply group at the Iwo Jima invasion, carried planes to the Philippines, and took part in the fighting at Okinawa during the kamikaze craze.

At the end of the war, as a lieutenant commander, he served as chief press officer for Admiral Louis Denfeld, head of the bureau of personnel.

Soon after Mr. Jones returned to civilian life he was invited by the Defense Department to tour Europe and observe the beginning of reconstruction. He was in Berlin shortly before the four-power government fell apart and when the realities of Russian intransigence were dawning. His travels since then have taken him to 95 countries on all continents. He has been three times above the Arctic Circle and once to the South Pole.

In 1953 Secretary of the Navy Robert Anderson asked him to come to Washington to set up a Navy office of analysis and review. His four months on this task gave him a sympathetic insight into the problems of many government administrators.

He was elected president of the American Society of Newspaper Editors in 1956. The next year he received the William Allen White award for excellence in journalism.

Several years ago a national syndicate began selling the weekly column Mr. Jones was writing for the Tulsa Tribune. It is now published in about 150 newspapers. The syndicate also published a collection of his columns in a book titled, "The Changing World."

In 1935 he married Juanita Carlson, daughter of a former governor of Colorado. They have three children: Jenk, Jr., now the Tribune's managing editor; David, the Tribune's Washington correspondent, and Georgia, who is women's editor of a Tulsa television station.

Mr. Jones formerly held a commercial pilot's license, which he never used. He is a member of Phi Gamma Delta, Sigma Delta Chi, the National Press Club, International Press Institute and Inter-American Press Association, and is a Unitarian.

RAISE IN POSTAL RATES

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. ANDERSON of California. Mr. Speaker, recently President Nixon called for a raise in the postal rates from 6 to 7 cents for first-class mail.

This would be the fourth time our postal rates have been raised in the last 10 years. The taxpayers of this country are getting very tired of paying, every 2 or 3 years, more money for stamps so they can pay their bills, send out their Christmas cards, and correspond with their friends and relatives.

If we continue at the rate we are presently going, the price of a single stamp in 10 years could be close to 20 cents. We must draw the line at extracting more and more money from the lower and middle income taxpayers, giving the wealthy continued tax breaks.

Mr. Speaker, it is too easy for the administration to ask the taxpayer to fork over $557 million by raising the first-class postal rate again. Second- and third-class mail users contribute only about $27 million, and these are the ones who can afford it the most and, again, who will pay the least. Too many times it is the little man, the average consumer and the middle-income taxpayer, who must bear the burden of these regressive and unnecessary increases.

Mr. Speaker, I earnestly call upon President Nixon to rescind this proposed first-class postage increase and instead put the Post Office on a businesslike basis as he promised.

It is all too easy to attempt to justify a postal increase by saying this will wipe out the postal deficit. Well, every time there has been a postal raise it has been to wipe out the deficit, and every time, even though hundreds of millions of dollars in additional revenues are taken from the taxpayers, the deficit always exists, usually larger than before. During the 1968 campaign President Nixon promised to run the Post Office like a first-class business and did not say he would raise the rates. Let him make good on that promise.

STATEMENT BY SENATOR BELLMON ON POSTAL REVENUE AND OFFENSIVE INTRUSION OF SEXUALLY ORIENTED MAIL ACT OF 1969

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, May 8, 1969

Mr. SCOTT. Mr. President, at the request of the Senator from Oklahoma (Mr. BELLMON), who is necessarily absent, I ask unanimous consent that a statement by him on the Postal Revenue and Offensive Intrusion of Sexually Oriented Mail Act of 1969 be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The statement follows:

STATEMENT ON POSTAL REVENUE AND OFFENSIVE INTRUSION OF SEXUALLY ORIENTED MAIL ACT OF 1969

Mr. BELLMON. Mr. President, the American people are sick and tired of receiving crude, sex-oriented material through the mails. This salacious advertising is offensive to adults and frequently harmful to their children.

In the light of recent court decisions, it is not legally obscene, but it is damaging and disgusting. A court decision regarding legality is small comfort to American families bombarded with offensive mail.

Mr. President, I applaud President Nixon's decision to stop the flow of pandering advertisement to families that do not want it, and to youths under 18 years of age.

In proposing the Postal Revenue and Offensive Intrusion of Sexually Oriented Mail Act of 1969, the President is urging that we protect the privacy of a family and adopt a new measure for protecting the young.

The President's legislation would not deny adults the right to order such material and to receive it through the mails or other channels of commerce. The law would still make it illegal, of course, to send material held obscene by the courts.

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The President's recommendation will help hault the decline of moral standards and reduce the crime rate of our country. This legislation will go a long way toward cleaning up the mails. It will give American families new confidence in our postal service.

If we must increase postal rates—as I believe we should in the light of the postal deficit—the least we can do is curb the flow of mail which is deeply offensive to the American people.

DAY CARE CENTERS

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mrs. GRIFFITHS. Mr. Speaker, the Washington Post on April 23, 1969, carried an article by William Raspberry entitled "Law Dooms Care Project." This article describes how a very small day care center operated by a Washington woman for some of her neighbors was forced to close because her operation did not meet the required standards.

In my judgment, Mr. Raspberry describes the whole problem of providing day care services precisely when he says:

> Some of the rules are based on such practical considerations as fire hazards, but many seem to be based on the assumption that the choices are between a not-quite-adequate day care center and the sort of middle-class homes one sees on television. The real choice may be between a day nursery that isn't too bad and a bad home that will become worse when the mother is forced to quit work and go on welfare.

As you know, I have long advocated the establishment of day care centers and strongly supported the day care provisions of the Social Security Amendments of 1967. But, as this law is now being administered in many States, including my own State of Michigan, a very high percentage of women receiving day care assistance are simply given money to hire a babysitter. Of course, there are official standards these babysitters must meet. But, at least in Michigan, at present, no one checks to see that the sitters do, in fact, meet these standards. How much wiser it would be to permit the establishment of small neighborhood centers like the one Mr. Raspberry describes. The article follows:

[From the Washington Post, Apr. 23, 1969]

POTOMAC WATCH: LAW DOOMS CARE PROJECT

(By William Raspberry)

Rosa Lee Gainey, who rents a large house on Kenyon Street, thought she had solved a lot of problems.

She and her sister needed work. Their elderly mother needed someone to be with her around the clock. Several neighborhood women needed day care for their children.

So Mrs. Gainey, whose children are grown and gone, set up a small-scale day nursery.

"We had ten children and we were charging $12 a week to pick them up, take them home, feed them and take care of them all day while their mothers worked," she said. She and her sister each grossed $60 a week, the mothers were able to hold regular jobs, and Mrs. Gainey's own mother had the care she needed.

"I thought things were working out pretty well," she said. "We weren't making much money, true enough, but it wasn't too bad.

"Then somebody reported us to the city, and the first thing we knew, the people from downtown were telling us that we didn't have enough windows and the rooms were too small and we didn't have a fire escape, even though all the children were on the first floor."

What Mrs. Gainey didn't know was that as soon as she took in the sixth child, she had become an "institution" under District law and was subject to the same rules that govern convalescent homes and similar institutions.

Officials told her that she could keep five of the children, but no more. That wouldn't permit her to earn enough to stay in business, however.

As a result, several of the mothers had to give up their jobs, even though Mrs. Gainey's place on Kenyon Street was a lot better than their homes. Mrs. Gainey herself is working as a domestic in Bethesda and earning $55 a week.

Her duties include taking care of her employer's children.

"That's how it is, I guess," she said. "We can get all the jobs we want taking care of white folks' kids, but we can't do it for our own people, and they're the ones that really need it."

The city doesn't deliberately set about to force people like Mrs. Gainey out of business, even if it must seem that way sometimes. It's just that the Bureau of Licenses and Inspections and the D.C. Health Department are concerned about the health and safety of small children, and their rules are pretty strict.

Too strict, perhaps, to be altogether realistic. Frame houses, for example, are out of the question. Houses with masonry walls and wooden joists are all right—if they have automatic sprinkler systems complete with alarms that ring the Fire Department. Run afoul of the rules of either agency, or of the Welfare Department, and you're out of business.

Some of the rules are based on such practical considerations as fire hazards, but many seem to be based on the assumption that the choices are between a not-quite-adequate day care center and the sort of middle-class homes one sees on television.

The real choice may be between a day nursery that isn't too bad and a bad home that will become worse when the mother is forced to quit work and go on welfare.

It is becoming more widely recognized that hundreds of Washington welfare mothers would gladly go to work if they could find someone to car for their children. The supply of day-care facilities, unfortunately, doesn't begin to meet the demand.

Tom Taylor, head of the National Capital Area Day Care Association, sees both sides of the problem. He knows the importance that early stimulation has for later education. He knows the value of good nutrition and adequate play space and all the other things that make for a good day nursery.

But he also knows what the real choices are. He is currently heading a committee set up to review day care standards for the city. "But the truth is, we'll probably wind up tightening as many standards as we relax," he said.

What Taylor and the Day Care Association ought to consider is some sort of quickie training program to teach interested women how to run small nurseries. The city would cooperate by relaxing some of its requirements. There are plenty of women who would love that kind of work, and hundreds more who need the service.

The real solution, of course, is modern, well-equipped day care centers that include nurses, nutritionists and educators. Taylor is working toward that end.

But in the meantime, people like Mrs. Gainey could perform a most useful stopgap service if the city would let them.

HARVESTING THE WHIRLWIND

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, May 8, 1969

Mr. THURMOND. Mr. President, Americans who are proud of the fine educational institutions in this country are becoming increasingly concerned about the program of systematic destruction currently being carried out by the SDS and other subversive groups.

This terrifying situation is put into clear perspective in an excellent article by Mr. Gilmore Iden, who writes for my hometown newspaper, the Aiken Standard and Review.

Mr. President, I commend this fine editorial to this body and to all constructive Americans who want to see our schools of higher learning maintained on the same levels which have made them so highly respected throughout the world.

Mr. President, I ask unanimous consent that the editorial entitled "Harvesting the Whirlwind" by Mr. Gilmore Iden be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HARVESTING THE WHIRLWIND

(By Gilmore Iden)

Last year the radical organization known as the Students for a Democratic Society constituted the hard-core of the obstructionists on our college campuses. As a placating gesture the college trustees were persuaded not only to open their doors to black students but to campaign actively for their attendance. Although not legally compelled to, the establishments exposed these institutions to a new wave of unrest during the scholastic year now closing.

The Ivy League colleges have adopted a recruitment program for acceptable black students, unmindful of the trouble they have already reaped. These have endeavored to impress upon their patron schools codes of conduct and studies of their own devising. Their insistency, spurred by the sympathetic responses of the Students for a Democratic Society and other small radical groups, has erupted into riots and reprisals.

According to a survey made by the New York Times, these same Ivy League Schools have recently sent out acceptance notices to the students they are willing to enroll in their September classes. According to the response these same schools plan to matriculate next year nearly twice as many black students as they did last year. In many instances this will give the colleges and universities a percentage of black and Puerto Rican students larger than the relative importance of these same generic groups to the general public. If the new additions entering next September are indicative of what has been experienced during the current scholastic year, then the famous Ivy League universities may anticipate a much rougher year during the coming winter than they have so far experienced.

The Ivy League colleges will be further changed in their character not alone by the inroads of black and Puerto Rican students, but by their intention to go co-educational. Most of the famous all-women colleges will accept male students in September. Nearly all of the heretofore all-male colleges in the East will enroll women for the first time. The change that is now coming over these institutions is wider spread than was first thought possible and no end to the change is yet in sight.

According to the experience of the current scholastic year, the blacks were quick to adopt disruptive tactics taught them by the radical Students for a Democratic Society, although they do not deliberately join with those radicals in all their troublemaking.

The doors of these universities have been opened to the new students as a concession, and that the blacks consider patronizing and therefore conceded by them to be a form of bias. The blacks want a voice in the selection of black students in the future and no longer would leave the selection of the old college establishments exclusively. Furthermore they have invariably demanded African studies or a special department in African affairs. Most colleges have been quite willing to grant that demand. Now they wish the African studies administered by black teachers only. Most of the Ivy League colleges have from time to time instituted special studies or schools related to one or another particular political group, such as Studies in Far Eastern Culture, or a special institute devoted to the study of Marxism and Soviet Affairs. These departments have been open to all students and not relegated to matriculates of a special nationality. In the case of the new school of African studies, an exclusive trend has been adopted.

In the South it has long been the practice to maintain separate colleges for the blacks. The blacks of today do not want separate colleges, would open all colleges to themselves but prefer to maintain a separateness from the whites.

With the growing pains which have been started by these experiments in the new open-door policy, our colleges have been going through some rough days. What may come out of all the turmoil is not yet clear. Scholars may wonder if the United States will ever be able to move back into the high ranks of academic freedom that once gave our colleges the high standing of days gone.

Some may commend our Ivy League institutions for their more than generous gesture toward the underprivileged. But the permissiveness involved has not reaped the reward of gratitude normally expected. Instead the assertiveness of the radicals has been unpredictable and distrubing. College trustees, unacquainted with such confrontations, seem to have become confused, and the executive officers unduly burdened with their duty to maintain peace and order on the campuses.

The lack of backbone has become quite obvious. The rewards are already ominous. According to the Chronicle of Higher Education at least 70 presidents of our universities and colleges have so far given notice of their retirement. Seventy new college presidents must be selected by next September. The problem of running an academic community is proving too much for these executives under the present circumstances. Permissiveness may be a sign of academic freedom, but we have seen that it can be carried too far and can seriously jeopardize our academic excellence.

HELP WITH THE ENFORCEMENT OF ALASKAN FISHING LAWS

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. POLLOCK. Mr. Speaker, today I have introduced a bill which would remove from the Posse Comitatus Act—18 U.S.C. 1385—restrictions which deny the use of naval aircraft and personnel to assist in the enforcement of State fishing laws.

In the State of Alaska this naval assistance would be greatly appreciated and would assist us in enforcement of our fishing laws which because of the area to be covered we are unable to do at the present. The enforcement of these laws has national as well as international implications and this act would be of great assistance to our department of fish and game.

HON. JAMES A. BURKE PRESENTED THE VFW LOYALTY DAY AWARD

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. BURKE of Massachusetts. Mr. Speaker, on May 1, 1969, a most distinguished award was presented to me, the Veterans of Foreign Wars Loyalty Day Award. I will always cherish this award, and I am proud to join the prominent list of former recipients which include:

The Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation.

The Honorable Strom Thurmond, Senator from South Carolina.

The Honorable Norman Paul, former Assistant Secretary of Defense.

The Honorable Thomas Clark, former Associate Supreme Court Justice.

The Honorable Dean Rusk, former Secretary of State.

The Honorable Frank Carlson, former Senator from Kansas.

The Honorable Robert Emmett Quinn, Chief Judge of the U.S. Court of Military Appeal.

Lt. Gen. Lewis Blaine Hershey, Director of Selective Service System.

Loyalty Day is the result of Public Law 85–529, a joint resolution enacted on July 18, 1958, which designates the first day of May of each year as Loyalty Day, and this first day in May is to be set aside as a special day for the recognition of the heritage of American freedom.

The VFW has initiated an annual award to be given to a man "who embodies in his personal and public career the constant practice in action of those American ideals, love of country, service to his fellow citizens, integrity of leadership in State and National affairs, and responsibilities in government at all levels."

This award rotates each year between the judicial, executive, and legislative branches of Government.

Mr. Speaker and fellow colleagues, I would like to take this opportunity to bring to the attention of the membership of the House of Representatives the Loyalty Day program, May 1, 1969:

Presentation of Flag

Department of the District of Columbia, Ladies Auxiliary to the Veterans of Foreign Wars of the U.S.,
Washington, D.C., May 1, 1969.

Hon. James A. Burke,
U.S. Representative, 11th Congressional District of Massachusetts.

Dear Mr. Burke: On behalf of the Department of the District of Columbia, Ladies Auxiliary to the Veterans of Foreign Wars of the United States of America, I present this flag to you for your outstanding work in your public career in your state (Mass.) and your outstanding record in the United States Congress.

It is indeed a great pleasure to honor an outstanding American, who stands for our ideals and is a champion for the American way of life.

Respectfully,
Dorothy K. Guiboa,
President, Department of District of Columbia, Ladies Auxiliary to the Veterans of Foreign Wars of the United States of America.

Remarks of Chairman A. Leo Anderson

Delighted to see so many of today's youth with us because it is a fact that this Nation's greatest single resource, is *not* our gross national product, our factories or our farms, but *our youth*.

Our American youths possess the talents, the ability, the skill and the vigor to carry America to continued greatness.

Our country has always expected much from its youth.

At 23: Alexander Hamilton commanded the artillery forces of the Continental Army.

At 33: Thomas Jefferson authored the Declaration of Independence.

At 43: John F. Kennedy was the youngest man to be elected the President of the United States.

Turning a moment at this time to our forces serving in Vietnam and Southeast Asia:

Over two years' ago, during Armed Forces Week, Eric Sevareid of CBS–TV News, posed the question as to what made the soldiers do so well in Vietnam . . . and I quote:

"The real answer must be deep in the tissues of whatever is the substance that keeps America from becoming unstuck. It must have something to do with their parents and teachers and pastors, with their 4–H Clubs and Scout troops and neighborhood centers and groups—it has to do with the sense of belonging to a team, with the dishonor of letting it down. But it also has to do with their implicit unreasoned belief in their country and in their natural beliefs in themselves as persons—whatever the full answer, it is a considerable thing they are doing when they stick at this kind of war . . . they provide an opportunity for the rest of us who are not covered with mud and weariness and nightly fear to pay a measure of respect."

Program—Loyalty Day, May 1, 1969

(Sponsored by District of Columbia Department, Veterans of Foreign Wars of the U.S.A.)

HON. JAMES A. BURKE, U.S. REPRESENTATIVE, 11TH CONGRESSIONAL DISTRICT OF MASSACHUSETTS

Congressman James A. Burke, a resident of Milton represents the 11th Massachusetts Congressional District, having been elected to the 86th, 87th, 88th, 89th, 90th, and 91st Congresses.

Congressman Burke, for ten years was a member of the Massachusetts General Court, four of which he served as Assistant Majority Leader. He was formerly Registrar of Vital Statistics for the City of Boston, and for the Commonwealth of Massachusetts, he served as Chairman of the World War II Veterans' Problems and Korean Veterans' Commission.

Congressman Burke earned Four Battle Stars and numerous Unit Citations during World War II in the South Pacific with the 77th Infantry Division during his 45 months of combat duty.

His keen interest in veterans programs is demonstrated in his long, active and accomplishment-filled V.F.W. membership in the William D. Doyle Post, Hyde Park, Massachusetts.

Congressman Burke was appointed during his first term in Congress to the important

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Committee on Banking and Currency. At the beginning of his second term, he was elected to the powerful House Committee on Ways and Means, which among its other duties functions as the Committee on Committees in advising the Speaker of the House on all other Committee assignments. Ways and Means is the only Congressional Committee whose Members are actually elected by the full membership of their own party in Caucus. He is the only Member of Congress from New England who holds a seat on the Ways and Means Committee.

This year Congresman Burke moved up to the fifth position on this important Committee of the House which is also known as the "Salt-mines" of the Congress due to the long hours of hearing which are conducted and the extensive studies which must be made by each member.

Congressman Burke was the third Member of Congress in history to be appointed to this Committee in his second term; preceding him were House Speaker John W. McCormack and the Committee's present Chairman, Wilbur Mills.

Congressman Burke has repeatedly been cited for his 100% Roll Call and Quorum Call record in the House of Representatives. He has also been acknowledged for his perfect record of attendance at all public meetings and executive sessions of the House Ways and Means Committee, historically one of the busiest Committees in the Congress.

Congressman Burke embodies in his personal and public career the constant practice-in-action of those American ideals, love of country, service to his fellow citizens, integrity of leadership in State and National Affairs and responsibilities in Government at all levels.

His is an active participant in the programs, and activities which provide for growth, expanded social justice and economic security, and for the continued development of opportunity for all Americans.

PROGRAM

7:30 P.M.—Musical selections: United States Marine Drum and Bugle Corps, directed by—Staff Sgt. Allen C. Emerman.

8:00 P.M.—Master of ceremonies: A. Leo Anderson, Co-Chairman, V.F.W. Loyalty Day Committee.

Posting of colors: V.F.W. National Honor Guard, Captain, Francis C. Wood.

Invocation: Chaplain Wayne E. Soliday, Colonel, United States Army.

Loyalty Day proclamation: Read by Gervasio G. Sese, Department Senior Vice Commander.

Introduction of distinguished guests: A. Leo Anderson, Co-Chairman, V.F.W. Loyalty Day Committee.

Presentation of Komdat-Spedden Awards: Department Commander, Eli Cooper.

Flag presentations: Ruby L. Griffin, Coordinator.

Awards presentations to Cong. James A. Burke: Department Commander, Eli Cooper, Department Auxiliary Pres., Dorothy K. Guibao.

Principal address: Hon. James A. Burke, Member of Congress, Massachusetts.

Flag pageant: United States Marine Corps, Flag Pageant, directed and narrated by: Sgt. Major Lewis E. Tuttle.

Retirement of colors: V.F.W. National Honor Guard, Captain, Francis C. Wood.

PUBLIC LAW 85-529—85TH CONGRESS, HOUSE JOINT RESOLUTION 479, JULY 18, 1958

Joint resolution to designate the 1st day of May of each year as Loyalty Day

Resolved by the Senate and House and Representatives of the United States of American in Congress assembled, That the 1st day of May of each year is hereby designated as Loyalty Day and is to be set aside as a special day for the recognition of the heritage of American freedom; and the President of the United States is authorized and requested to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day and inviting the people of the United States to observe such day in schools and other suitable places, with appropriate ceremonies.

Approved July 18, 1958.

DWIGHT D. EISENHOWER,
President of the United States.

COMMITTEE

Department Commander, Eli Cooper.

Department Auxiliary President, Dorothy K. Guibao.

Chairman, V.F.W., Gervasio G. Sese.

Chairman V.F.W. Auxiliary, Ruby L. Griffin.

COMMITTEE MEMBERS

A. Leo Anderson, George Lange.
Francis Wood, David Wood.
Paul Wampler, Joseph Aronson.

ADDRESS BY CONGRESSMAN JAMES A. BURKE: "RESPECT FOR LAW AND ORDER WITH JUSTICE"

First, I would like to thank Leo Anderson for his kind words of introduction. He has an outstanding record of a lifetime of service to his community and Nation. A native of Massachusetts and a combat veteran of World War II, for over two decades he has closely associated himself with the mission of recognized veterans organizations as they affect veterans benefits programs and the changing social and economic needs of veterans and their dependents. He is currently the director of the Department of Veterans' affairs for the government of the District of Columbia and I am sure he will continue his good work through the years.

Order is the first objective of a sound government, lacking it no other goal can be attained. History illustrates this emphatically.

To cite one example: After the time of Joshua, the people of Israel were without law except as each tribe or faction conceived it. Anarchy reigned . . . chaos was rampant. Similar tragic situations have occurred at intervals down through the generations.

Disorder and disrespect for the law have rendered great and powerful governments impotent. Let us be warned by the past . . . Let us be aware of our troubled present . . . Let us strive for a future of peace! It is in times of tranquility that countries prosper, that plans are formulated and completed for the erection of great institutions for the arts and sciences. . . . That the dreams and aspirations of the people are achieved and that every man is assured the basic rights which are guaranteed by constitution and bill of rights.

No man living in human society can be his own law. If a man is free to disobey any law he thinks is not "good", to that extent he infringes upon the political rights of all men and the principles our government was founded on no longer prevail. *If the philosopher can make his own law, so can the fool.* Good laws must come from the genius of a whole people, based upon their traditions, their experience and their current needs. And they must be capable of practical application. The wise lawmakers of the Athenians admitted that they did not give their citizens the best laws they were capable of giving, but the best laws that the citizens were capable of receiving.

Virtue does not of itself lead to wisdom, and no man may by the assertion on his own superior virtues or wisdom put himself above the laws commonly imposed upon and accepted by his fellow citizens. To permit such is to court disaster. Rich and poor, powerful and weak men, . . . all must be the same before the law of the land.

When a tyrant is at one's throat and there are no peaceful means of redress, rebellion is necessary. Our first President, George Washington, took up arms when no peaceful solution was available. In so doing he became a hero and today his statue stands in Trafalgar Square, a tribute to the pursuit of liberty.

But in an open society, where all men are free to express themselves and select their Governors and legislators, rebellion is criminal!

An open society demands peaceful methods, and America *is* an open society, where everyone's views may be freely expressed and fully asserted at the ballot box. The more extreme a man's views, the more certain he is of attention from press, radio and television: He has a full hearing, even when advocating subversion of the government and of the due process of law. The news media give his utterings full coverage except when excluded, which is the procedure when subversives gang together. London's Hyde Park is set aside for free expression by cranks and splinter groups. America, too, has many such forums.

But the ballot box is secret and is made accessible to *all* the people—to taxpayers and those who pay no taxes, the intelligensia and to the most ignorant.

In all history there has never been a country that was as fully responsive to the popular will as expressed in the voting booth.

In a free society laws can be changed when the majority is convinced that they should be and expresses its opinion through the vote. When the people are aroused, no one can stand in their way. City ordinances, State statutes and acts of Congress are quickly changed when the public demands. The will of the people can change the Constitution, too, and quickly when they are aroused. In an open society, the *people* rule and cannot be denied. Through peaceful political process, not violence, their will is made law.

Mobbery is violence! Every right that a man enjoys carries with it a duty to observe the rights of others. We hear on every side men proclaiming their rights without seeming to realize that *duties* go hand in hand with them. The cries are sometimes loudest from those who are dedicated to the destruction of our Constitution and all that it stands for and yet they are the first to loudly claim the immunities and privileges which it assures.

There are those who already believe that our institutions are too generous to wrongdoers and that there are too many among us who have no regard for constitutions and who therefore should be denied its protection. *But* should that view prevail, and we reach a time where constitutional guarantees are suspended . . . we would be heading towards dictatorship and all men would lose their freeoms! We are not immune to the lessons of history an thus must find our remedy against lawlessness within our present constitutional system.

It is incumbent upon all of us who are in a position of responsibility and leadership to teach our young people first, a respect for the law, and second, the process by which the law can be changed legally and peacefully—through the right to vote.

Periodically elected officials and representatives stand for re-election. The measure of their service is reflected in their records and the people should investigate these records to determine whether nor not an official is fulfilling his duty to his people and whether or not his decisions reflect the desires and opinions of the majority. If they feel his job has been inadequate they can express this by their votes. This is the way to change the law. Elect officials that will bow to the convictions of the majority of those whom he has been elected to represent.

We are all aware of the many problems that this great nation of ours faces . . . divergent opinions, dissent, the poor, and we must all strive together in unity to build, improve and enact meaningful legislation which will be helpful in solving these problems.

We should always remember that our founding fathers set up a democracy in this

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country and continue to face the tasks before us in the peaceful manner that the law provides.

As history has shown in the past, the *youth* of this great nation has always risen to the test: They have answered the needs of our country through its most trying ordeals: they have given of their hearts and their minds to the building of the greatest democracy in the history of mankind, and they have always been dedicated to the improvement of our nation's welfare.

As was so well stated in the inaugural address of the late beloved John Fitzgerald Kennedy and which is so apropos today, "now the trumpet summons us again, not as a call to arms, though arms we need, not as a call to battle, though embattled we are, but a call to bear the burden of a long twilight struggle, year in and year out, rejoicing in hope, patient in tribulation, a struggle against the common enemies of man: tryranny, poverty, disease, and war itself."

I think that on this first day of May which has been designated as loyalty day we should consider the great heritage of freedom which belongs to all Americans and that we should respect this freedom and support the right of all to life, liberty and the pursuit of happiness.

COSPONSORS OF H.R. 6278—BILL FOR CONGRESSIONAL REFORM

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. BROCK. Mr. Speaker, I am today introducing the seventh duplicate copy of H.R. 6278, the Legislative Reorganization Act of 1969. Today's bill brings the total cosponsors of this legislation to 120.

Similar legislation introduced on April 22 by the gentleman from California (Mr. REES) has been cosponsored by 27 Congressmen from the Democratic side of the aisle.

Mr. Speaker, I dare say all of us have noted with interest the appointment by the House Rules Committee of a subcommittee to study the differences between pending reorganization bills and report back to the full committee. I hope this is an encouraging development in our struggle to enact a meaningful congressional reform bill in the 91st Congress. Speaking from my own side of the aisle, I am sure that the activities of the subcommittee will be carefeully noted. Republicans in the House have been consistent and insistent upon the need to have on the floor a bill at least as strong as the package of recommendations made by the 1965–66 Joint Committee on the Organization of the Congress, and to have that bill reported under a completely open rule for debate.

Mr. Speaker, I here attach a list of the names of cosponsors of H.R. 6278.

COSPONSORS OF H.R. 6278

Anderson, John B. (Ill.).
Andrews, Mark (N.D.).
Beall, J. Glenn, Jr. (Md.)
Bell, Alphonzo (Calif.).
Biester, Edward G., Jr. (Pa.).
Blackburn, Benjamin B. (Ga.).
Brock, W. E. (Bill) (Tenn.).
Broomfield, William S. (Mich.)
Brotzman, Donald G. (Colo.).
Brown, Garry (Mich.).
Broyhill, James T. (N.C.).
Buchanan, John (Ala.).
Burke, J. Herbert (Fla.).
Bush, George (Tex.).
Button, Daniel E. (N.Y.).
Byrnes, John W. (Wis.).
Cahill, William T. (N.J.).
Clausen, Don H. (Calif.).
Cleveland, James C. (N.H.).
Collier, Harold R. (Ill.).
Collins, James M. (Tex.).
Conable, Barber B., Jr. (N.Y.).
Conte, Silvio O. (Mass.).
Corbett, Robert J. (Pa.).
Coughlin, R. Lawrence (Pa.).
Cowger, William O. (Ky.).
Cramer, William C. (Fla.).
Cunningham, Glenn (Neb.).
Dellenback, John R. (Ore.).
Denney, Robert V. (Neb.).
Dennis, David W. (Ind.).
Duncan, John J. (Tenn.).
Dwyer, Florence P. (N.J.).
Edwards, Jack (Ala.).
Erlenborn, John N. (Ill.).
Esch, Marvin L. (Mich.).
Eshleman, Edwin D. (Pa.).
Findley, Paul (Ill.).
Fish, Hamilton, Jr. (N.Y.).
Frey, Louis, Jr. (Fla.).
Fulton, James G. (Pa.).
Grover, James R., Jr. (N.Y.).
Gubser, Charles S. (Calif.).
Gude, Gilbert (Md.).
Halpern, Seymour (N.Y.).
Hansen, Orval H. (Idaho).
Harvey, James (Mich.).
Hastings, James F. (N.Y.).
Heckler, Margaret M. (Mass.).
Horton, Frank J. (N.Y.).
Hosmer, Craig (Calif.).
Hunt, John E. (N.J.).
Hutchinson, Edward (Mich.).
Johnson, Albert W. (Pa.).
Keith, Hastings (Mass.).
Kleppe, Thomas S. (N.D.).
Kuykendall, Dan (Tenn.).
Kyl, John (Iowa).
Lloyd, Sherman P. (Utah).
Lujan, Manuel, Jr. (N.M.).
Lukens, Donald E. (Ohio).
McClory, Robert (Ill.).
McCloskey, Paul N., Jr. (Calif.).
McClure, James A. (Idaho).
McDade, Joseph M. (Pa.).
McEwen, Robert C. (N.Y.).
McKneally, Martin (N.Y.).
MacGregor, Clark (Minn.).
Mathias, Robert B. (Bob) (Calif.).
May, Catherine (Wash.).
Mayne, Wiley (Iowa).
Meskill, Thomas J. (Conn.).
Michel, Robert H. (Ill.).
Mize, Chester L. (Kans.).
Morse, F. Bradford (Mass.).
Morton, Rogers C. B. (Md.).
Mosher, Charles A. (Ohio).
Nelsen, Ancher (Minn.).
O'Konski, Alvin E. (Wisc.).
Pelly, Thomas M. (Wash.).
Pettis, Jerry L. (Calif.)
Pirnie, Alexander (N.Y.).
Pollock, Howard W. (Alaska).
Price, Robert (Tex.).
Quie, Albert H. (Minn.).
Railsback, Tom (Ill.).
Reid, Ogden R. (N.Y.).
Riegle, Donald W., Jr. (Mich.).
Robison, Howard W. (N.Y.).
Roth, William V. (Del.).
Roudebush, Richard L. (Ind.).
Rumsfeld, Donald (Ill.).
Ruppe, Philip E. (Mich.).
Sandman, Charles W., Jr. (N.J.).
Saylor, John P. (Pa.).
Schadeberg, Henry C. (Wis.).
Schneebeli, Herman T. (Pa.).
Schwengel, Fred (Iowa).
Sebelius, Keith G. (Kans.).
Shriver, Garner E. (Kans.).
Smith, Henry P., III (N.Y.).
Stanton, J. William (Ohio).
Steiger, Sam (Ariz.).
Steiger, William A. (Wis.).
Taft, Robert, Jr. (Ohio).
Teague, Charles M. (Calif.).
Thompson, Fletcher (Ga.).
Vander Jagt, Guy (Mich.).
Weicker, Lowell P., Jr. (Conn.).
Whalen, Charles W., Jr. (Ohio).
Whitehurst, G. William (Va.).
Widnall, William B. (N.J.).
Wilson, Bob (Calif.).
Winn, Larry, Jr. (Kans.).
Wold, John (Wyo.).
Wyatt, Wendell (Oreg.).
Wydler, John W. (N.Y.).
Wyman, Louis C. (N.H.).
Zion, Roger H. (Ind.).
Zwach, John M. (Minn.).

GREEN-THUMB LADY

HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mrs. HANSEN of Washington. Mr. Speaker, the splendor of spring has never been brighter in Washington. The color and scent of flowers spread the message that beautification is possible and wondrous.

Even gray buildings and jammed boulevards can reflect a glow of majesty and warmth when they are edged with flowers. And in the Capital of our Nation, these things are appreciated. Indeed, flowers and gardens are essential.

The fresh look in Washington is the handiwork of a gracious and thoughtful lady who has left this city. I am sure, however, there is a ranch in Texas that is blossoming with beauty because of the "green thumb," and her belief in beauty.

When Lady Bird Johnson was our Nation's First Lady, it was my pleasure to help in her efforts to sprinkle brightness—not only upon this city, but across the land. Many mocked this devotion, and there were repeated remarks by a great many gentlemen about the waste of money, but today's blossoms and beauty are these critics' best answer.

I am inserting an editorial from the past weekend issue of the Christian Science Monitor, which tells of the city and the lady:

GREEN-THUMB LADY

From the capital of the United States, reports have been wafting out, all through the last few weeks, about how beautiful the nation's capital is in springtime. This spring time. Commentators have mentioned it. Columnists have waxed eloquent.

We know how lovely Washington can be when spring comes on with a rush. The daffodils, the tulips, the lilacs, the dogwood, the flaming azalea, the flowering trees, all seem to burst forth virtually on a single day. From cherry blossom time onward, it is breathtaking when the weather is right.

But we also know why, this year, the parks and the squares and those little sections of land and those centerpieces on the main streets are especially standing forth in their spring sheen, tended and cared for, imaginatively landscaped—truly a citywide beautification program. They are a legacy left by a charming lady who, while at the White House, made the beauty of Washington and the countryside her foremost concern. We salute Lady Bird Johnson and we thank her, deeply, for the wondrous spring bouquet which she has prepared for all of us who love our country and our Washington.

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CHAIRMAN PERKINS CONDUCTS CRITICAL BATTLE FOR PRESERVATION OF CONSERVATION CENTERS

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 1969

Mr. JOHNSON of California. Mr. Speaker, I rise to commend our colleague, the chairman of the distinguished House Committee on Education and Labor, for his comments here today on behalf of the Job Corps program and for the fine record which he has established through the hearings he and his committee are holding.

As I have made it clear in statements before Chairman PERKIN's committee and here on the floor of the House of Representatives, I feel strongly that the closing of these 57 Job Corps centers throughout the Nation, and especially the conservation centers which are doing such a fine job of conserving natural and human resources, will in the long run prove to be extremely foolish economy.

I have visited each of the three conservation centers located in the Second Congressional District—the Toyon Camp operated by the Bureau of Reclamation and the Sly Park and Five Mile Centers operated by the Forest Service—and have been tremendously impressed with the fine work they are doing.

In each instance these centers have proven that good hard work when combined with a good basic education will provide our young men with an opportunity to become self-respecting, self-supporting, contributing members of society. In many instances, these young men have not had the opportunity to accomplish these goals, and this represents their last chance. At the same time we are saving people we are also conserving natural resources, as a corpsman learns by practical experience. This results in broad programs of resource development and protection.

During 3 years of operation, corpsmen at the Toyon Camp have completed some $1,328,000 in work projects, including some of the largest campground installations ever built in the National Park System. Additionally, the corpsmen provided some 10,000 emergency man-hours in firefighting, search and rescue work, and battling floods and storms. At the Five Mile Center, corpsmen have completed $946,250 in work projects beneficial to the national forests. Since 1966, corpsmen have spent 27,632 man-hours in fire suppression work, the value of which would amount to $55,260. At Sly Park the project value to the national forests and the local community amounts to $897,000 plus thousands of man-hours on the firelines and other disaster work.

These contributions do not reflect in the cold statistics upon which the decision to close these centers was apparently based.

For these reasons I feel very strongly that these centers should be maintained, and I again commend Chairman PERKINS for his outstanding efforts in this direction.

THE 178TH ANNIVERSARY OF POLISH CONSTITUTION

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. MINSHALL. Mr. Speaker, one of the most effective groups of spokesmen for the countries behind the Iron Curtain is the Polish American Congress. We are this month observing the 178th anniversary of the Polish Constitution, adopted on May 3, 1791. In doing so we pay tribute to those great Polish patriots who helped us achieve our own independence nearly two centuries ago, to the genuis of Poland which has flooded the world with great music, great literature, great art, and to the courage of latter-day Polish heroes who have suffered under the tyranny of two of the most despotic invaders the world has ever seen.

Anniversary celebrations were held May 4 by the Ohio Division of the Polish American Congress at Pulaski Plaza in Cleveland, and I am honored to include with my remarks the excellent resolution drawn up by the congress. In doing so, I wish to remind my colleagues in the House, and particularly those who serve on the House Committee on Foreign Affairs, of the urgent need for adoption of my House Concurrent Resolution 59, which calls upon the United Nations to insist that the Soviet Union abide by its charter provisions on national self-determination and colonialism.

May the day soon arrive when the Polish people are free once again to choose their own governmental destiny as formulated in their constitution of 1791:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

The resolution adopted by the Ohio Division of the Polish American Congress follows:

RESOLUTION

Whereas, the Ohio Division of the Polish American Congress is celebrating the 178th Anniversary on May 4, 1969 at the Pulaski Plaza, Cleveland, Ohio.

Whereas, this was a most significant event in Poland's history;

Whereas, the Constitution of May 3, 1791 expressed freedom and democracy;

Whereas, these same freedoms do not exist in Poland today, therefore

Be it resolved, that the Ohio Division of Polish American Congress endorse the following principles to again restore freedom and individualism in Poland and to promote a program in the U.S. to stop the rise of lawlessness, violence, and dictatorship:

1. The U.S. should pursue a peaceful liberation policy to free Poland of Soviet Oppression.

2. The U.S. Government should expand and enliven our involvement with Poland in economic, cultural, and scientific exchange in a manner as not to aid Soviet rulers of Poland.

3. The U.S. Government should recognize and support the Oder-Neisse Line as the permanent border of Poland.

4. Poland should be continued to be classified as a most favored nation.

5. Polish currency owned by the U.S. should be used in Poland for humanitarian purposes.

6. The U.S. should revise the Immigration Laws in order to remove discriminatory provisions pertaining to immigrants from Poland.

7. To further work for the development of the Talent Bank established by the Polish American Congress of the U.S. which contains a list of the most qualified and talented Polish Americans available for government services at all levels and to encourage governmental leaders at all levels to utilize the recommendations of this Talent Bank.

8. To encourage the further involvement of Polish intellectuals in Polonia and community affairs.

9. To work for the success of the coming 25th Anniversary of the Polish American Congress of the U.S. which will be celebrated in Washington, D.C. in 1969.

10. To request that President Richard E. Nixon be encouraged to fulfill his pre-election campaign promises of restoring law and order.

11. To request that President Richard Nixon investigate university disturbances for foreign intrigue.

12. To request that university officials stiffen their opposition to student lawlessness, violence, and intolerance.

13. To oppose demands by any group if guns and violence are used to attain their ends.

14. To request that President Richard E. Nixon prepare the American people that lawlessness and violence must end on universities before chaos creates dictatorship. For the long term needs of American Democracy, the use of legitimate but violent police activities may be necessary to restore law and order to protect the innocent and the dedicated loyal majority.

15. In the shadow of Law Day, we, the Americans of Polish descent, break a silence of a generation and elect to speak in the interest of promoting greater understanding between ethnic groups in a nation of many origins, colors, and creeds. By this declaration, we seek to disseminate knowledge and understanding to hopefully eliminate ignorance and its consequence of prejudice, bigotry, and defamation particularly as they affect ethnic groups in this country.

16. We of Polish American heritage rededicate ourselves to "freedom under the law" and demand justice and fairness with respect to each man's public image. We allege that those who command the press and air waves that influence the masses should accept a just criticism for conduct diametrically opposed to the American concept of justice and equality when they fail to portray the heritage of Americans of various ancestry.

17. We, Americans of Polish Heritage, do hereby solemnly declare and proclaim that we will on every possible occasion expose, deplore, and denounce those powerful rulers of the pen and airwaves who use vicious ethnic humor and malicious misrepresentation of ethnic cultural heritage.

18. To declare to the Free World that the Ohio Division of the Polish American Congress is opposed to Communist oppression and tyranny. To this extent, we loyally as Americans first support the Viet Nam War until an honorable peace is negotiated.

Be it further resolved, that Richard Jablonski, president of the Ohio Division of the Polish American Congress and Al Mazewski, national president, be recognized and praised for their dynamic leadership in promoting Polonia aims and objectives by vigorously working to fulfill the rising role of Polonia in local, national, and international events.

Be it further resolved, that the Ohio Division of the Polish Congress endorse the afore-

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mentioned principles and hereby directs the Board of Officers to forward copies of this resolution to President Richard Nixon, to the U.S. Secretary of State and other interested persons.

Released by Casimir Bielen, Public Affairs Officer, Ohio Division Polish American Congress, 3716 East 50th Street, Cleveland, Ohio 641-6056.

NORTH DAKOTA SECOND DISTRICT RESIDENTS OPPOSE VIETNAM PULLOUT

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. KLEPPE. Mr. Speaker, the first 7,500 responses received to a questionnaire I distributed among all postal patrons of North Dakota's Second Congressional District indicate that my constituents remain somewhat "hawkish" on Vietnam, oppose extension of the 10-percent Federal income tax surcharge by more than 2 to 1, and overwhelmingly favor cutting off Government assistance to college students who employ violent tactics.

If the Paris peace talks fail to produce agreement leading to at least some disengagement in Vietnam, 10 percent of those responding to the questionnaire said they would favor withdrawal of all U.S. military forces even though this might mean a Communist takeover.

Withdrawal of U.S. forces as rapidly as they could be replaced with South Vietnam forces, was selected as the best alternative by 47 percent.

Thirty-nine percent favored an all-out offensive against North Vietnam, utilizing full available military power, short of nuclear weapons, in an effort to win a clear-cut victory.

Undecided were 4 percent.

In a similar poll conducted 1 year ago, 41 percent favored going all out to win. At that time, 17 percent favored withdrawal of U.S. troops, while 23 percent advocated a halt in bombing of North Vietnam in the hope this would lead to a negotiated peace. The substitution of South Vietnamese troops for U.S. forces was not included in the 1968 questionnaire.

Two years ago, the west district poll showed 75 percent for stepping up the war effort against North Vietnam, with 16 percent advocating withdrawal.

Because the Vietnam questions in the three polls varied considerably, they are not exactly comparable. The responses, however, indicate increasing weariness with the war and a softening of "all-out-for-victory" support. It appears there is still no strong demand for a unilateral pullout of U.S. troops from Vietnam.

Following are percentage breakdowns of responses to 10 other questions:

1. The 10 per cent Federal surcharge on individual and corporate income taxes is presently scheduled to expire June 30, 1969. Do you favor?

(A) Extending it? 27%.
(B) Letting it expire? 64%.
(C) Undecided. 8%.

2. Would you favor replacing Federal health, education and welfare grants to the States with a block grant system which would permit State and local officials to determine how the funds should be spent? Yes 64%, no 22%, undecided 14%.

3. Would you favor replacing the present military draft system with an all-career defense force? Yes 44%, no 38%, undecided 18%.

4. Do you believe that college students receiving financial assistance from the government should have such aid cut off if they participate in demonstrations which cause property damage or interrupt the orderly pursuit of education by others? Yes, 95%, no 4%, undecided 1%.

5. Would you favor Federal legislation to strengthen collective bargaining power for farmers through their cooperatives and marketing organizations in order to obtain more faovrable prices for their products? Yes 65%, no 21%, undecided 14%.

6. How would you rate the kind of job Richard M. Nixon is doing as President? Good 48%, fair 28%, poor 5%, undecided 19%.

7. Should the Federal government try to slow down the migration from rural to urban areas through programs of economic incentives and aids to private business to help create jobs in rural areas? Yes 72%, no 16%, undecided 12%.

8. Do you favor transferring most functions of the Office of Economic Opportunity to other established agencies? Yes 51%, no 14%, undecided 35%.

9. Do you favor further and more stringent legislation to combat crime? Yes 91%, no 6%, undecided 3%.

10. Do you favor a government-guaranteed annual wage as a means of attacking poverty? Yes 14%, no 76%, undecided 10%.

A STUDY IN LOGIC

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. GOODLING. Mr. Speaker, boycotts of one kind or another seem to be the vogue today.

Just recently WSBA, a radio station serving the York-Harrisburg-Lancaster area in Pennsylvania, projected a significant editorial with respect to a particular type of boycott. Because this editorial deals with the subject of boycott in a unique manner and submits it in the light of logic, I insert the editorial into the CONGRESSIONAL RECORD and commend it to the attention of my colleagues. It follows:

A STUDY IN LOGIC

Intro.: Recently, some protestors demonstrated at Dow Chemical Company against the Vietnam war and the use of napalm manufactured by Dow. The logic here is difficult for opinion to understand.

Ann.: The demonstrators urged an economic boycott of Saran Wrap, a Dow Chemical consumer product. By not using Saran Wrap, you put an economic squeeze on Dow Chemical. If this logic is correct—if you have boycotted Dow Chemical by refusing to buy Saran Wrap because Dow makes napalm, WSBA's opinion suggests an extension of this logic: You cannot buy or use an automobile . . . car makers build military vehicles! You cannot wear nylons or paint your house . . . DuPont makes explosives! You cannot use your Ski-Daddler, or bowl at an AMF Bowling Center . . . AMF builds rockets! You cannot use aluminum products . . . all major aluminum companies are on government war-related contracts! You cannot wear Rayban sunglasses . . . the manufacturer makes fine optical weapons of war! You cannot go hunting with any firearm . . . all gun companies are also government contractors! So if you are really serious about boycotting the American companies who "manufacture war-related products", you will have to abstain from virtually all activities . . . all purchases . . . all travel. You'll have to stay at your home and be completely inactive. Oh yes, if your telephone rings, don't answer it . . . AT&T makes army field telephones!

PENTAGON HIRING BIAS STARTLES CONGRESSMEN

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. ANDERSON of California. Mr. Speaker, I would like to call to the attention of my colleagues a most interesting and disturbing article by well-known columnist, Carl T. Rowan, which appeared in the May 4, 1969, edition of the Washington Evening Star.

My colleague GUS HAWKINS and I are quite upset at the kind of double talk the Defense Department seems to be giving to "equal employment opportunity" when the largest employer in the Nation employs only three Negroes in policymaking positions with two of them in "civil rights" jobs.

The article follows:

PENTAGON HIRING BIAS STARTLES CONGRESSMEN

(By Carl T. Rowan)

A few weeks ago I wrote that the Defense Department, the largest employer in the nation and the biggest spender of the public's money, is also the biggest racial discriminator in employment.

I didn't know how bad things really were.

But thanks to Reps. Gus Hawkins and Glenn M. Anderson, both California Democrats, the Defense Department has come up with some facts that Anderson's office calls "hard to believe."

Referring to my earlier column, Anderson asked Defense Secretary Melvin Laird just how many civilian "policy-making" jobs Defense has and precisely how many such posts are filled by black Americans.

Roger T. Kelley responded for Laird. He said that as for "super-grade" positions (GS-16, GS-17, and GS-18—not to mention executive level jobs), the Army has 136, not one of which is filled by a Negro. The Navy has 88 such posts, with one black GS-17. The Air Force has 96 super-grade posts, none of which is filled by a Negro American. The office of the Secretary of Defense and the defense agencies have 203 super-grade slots. Two are filled by black men.

So of a total of 523 super-grades in the military complex, only three Negroes are employed, and two of them are in "civil rights" jobs.

None can really be called a policy-maker. Of 48 executive positions, none is held by a Negro.

Yet, Kelley wrote on behalf of Laird: "Please accept our assurance that affirmative action, to assure equal employment opportunity at all levels within this department, is a matter of first priority."

And with that Kelley sent the two congressmen mimeographed copies of Laird's "equal employment" directive that no one seems to take very seriously.

I must point out, however, that Laird and President Nixon are not solely responsible for the appalling employment picture at Defense. It was just as pathetic during the tenures of Clark Clifford and Lyndon Johnson, of Robert McNamara and John F. Kennedy.

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It seems no one has ever had the guts or the inclination to do anything about it.

After my earlier column there was a lot of hand-wringing in the Pentagon, but not over the question of who was going to take steps to at least create a pretense of fair hiring policy. The hand-wringing arose from a fear that what I had written would be mailed to black GIs in Vietnam, in Thailand, and Korea and intensify the racial unrest that has been building among our troops in the Far East.

The Pentagon has tried to keep this seething racial discontent from the public, but some of the facts have leaked out in recent weeks.

The truth is that more and more black troops feel that they are getting the dirtiest, most dangerous jobs, are being wounded and killed in numbers larger than their proportion of our fighting force in Vietnam, yet they have a harder time getting a promotion in the military or a fair chance once they return to civilian life.

Some of the 300,000 black men in the military are clearly in a mood to rebel.

This column has never advocated anything other than that young men of all races face up to and discharge the responsibilities of citizenship, onerous though they become on occasion.

But nothing encourages a "hell no, we won't go" attitude on the part of young black more than knowledge of the kind of civilian hiring policy the Defense Department is following.

NO COMPROMISE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. ZWACH. Mr. Speaker, I was shocked at the disclosure that one of the members of our august Supreme Court had accepted, and returned 11 months later, according to reports, a fee of $20,000 from a man who was having difficulties with the law.

At a time when many people are displaying a shocking disrespect and low regard for our Government, especially its courts, this disclosure is bound to give rise to doubts of the integrity of this most important branch of our Government.

Our Supreme Court must be above suspicion. The action of the Supreme Court Justice in this instance cannot be condoned or our very system of government, already under attack, will be in jeopardy.

I have had but one political philosophy in the 35 years that I have been in public office: There can be no compromise with integrity and high ethical conduct in public office.

This applies across the board, to men and women, Republicans and Democrats, to all nationalities and races.

Because of that belief, I introduced an ethics bill in the 90th Congress which was helpful in the creation of the House Committee on Standards of Official Conduct.

I sincerely regret the involvement of a Supreme Court Justice in this matter of fee acceptance and other acts of questionable conduct. It is an affront to the integrity and dignity of our highest court.

I hope the Justice will have the courage to undo this damage by tendering his immediate resignation.

CLIFFORD ALEXANDER DID HIS JOB TOO WELL

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mrs. GRIFFITHS. Mr. Speaker, the Nixon administration has appointed fewer women to office than any administration in the last 30 years. This is bad enough, but even worse, they are now trying to get rid of the only man ever appointed to any post in the Federal Government that I know about who has spent any time attempting to give equal employment opportunities to women. I refer, of course, to Clifford Alexander, Chairman of the Equal Employment Opportunity Commission.

It was shocking to read in the press a threat from a leading Republican to go to the highest office in the land to get Chairman Clifford L. Alexander, Jr., fired for doing his job. It was shocking to read the next day that a White House spokesman said that Clifford Alexander would be removed. The threat and the White House response were, from what I read, based on Mr. Alexander's doing his job too well in enforcing the antidiscrimination law. Mr. Alexander submitted his resignation as Chairman on April 9 documenting his charge that the administration refused to support this Commission's vital work but he agreed with counsel, from within and outside Government, that he would stay on as a member of the Commission as long as he could continue to make a contribution to that work.

The inconsistencies of this administration in the area of civil rights were made abundantly clear, however, when another administration spokesman on April 22 recommended that Mr. Alexander quit the Commission entirely because, he said, the Chairman was not doing his job well.

So we have the high ranking Republican saying EEOC is doing too much at the same time that we have the assistant to the Attorney General in charge of civil rights in the Justice Department saying that EEOC is not doing enough.

The Equal Employment Opportunity Commission, under the leadership of Clifford L. Alexander, Jr., deserves the support of the Congress and the American people. As the Commission's third Chairman in the 3½ years of its existence, Mr. Alexander has initiated new and effective programs in the area of equal employment as well as speeding up the compliance process to bring redress to aggrieved individuals.

Under his leadership, the Commission, through its 1967 public hearings on discrimination in white collar employment, the first ever held, helped to dispel the myth that qualified minorities and women are not available for high-level jobs. EEOC's meetings with drug industry leaders and the executives of the Nation's largest utilities in 1968 along with its followup programs, are producing dramatic results in terms of new job opportunities.

I want to commend Mr. Alexander and the Commission for enlightening not only employers but the American people of the need for action in the area of equal employment. I also want to commend him for his recognition that sex discrimination is a real problem throughout this Nation, along with race, color, religion, and national origin. Prior to Clifford L. Alexander's chairmanship, sex discrimination was almost completely ignored or, even worse, ridiculed.

During the past 20 months, EEOC has made significant interpretations and issued important guidelines in the area of sex discrimination that forecast important new gains for women in employment. These guidelines establish the principle that nondiscrimination requires individuals to be considered on the basis of individual capacities and not on the basis of any characteristics generally attributed to the group. They make it an unlawful employment practice to classify a job as "male" or "female" or to maintain separate lines of progression or separate seniority lists based on sex where this would adversely affect any employee unless there is a bona fide occupational qualification—BFOQ. The leading Commission opinion in the area of BFOQ was issued in February 1968 when the Commission found that sex was not a BFOQ for the position of flight cabin attendant, more commonly referred to as steward or stewardess, and that an airline which hires only women as stewardesses or men as stewards and pursers thereby violates title VII. The Commission indicated by its opinion that when a job is involved which both men and women are able to perform satisfactorily, employers may not lawfully restrict that job to women because of their assumptions about the personality characteristics of men or women as a class.

As of January 24, 1969, EEOC's historic guideline concerning sex discrimination in job advertising became effective. The guideline states that the placement of job advertisements under separate male and female column headings violates the law unless sex is a BFOQ for the position advertised.

Other significant guidelines on employment discrimination because of sex that have been issued by the Commission establish standards of equal pay for equal work; make preemployment inquiries unlawful in connection with prospective employment when they express directly or indirectly any limitation, specification, or discrimination as to sex and make differences in optional or compulsory retirement ages unlawful when based on sex.

EEOC has negotiated conciliation agreements with industry that have benefitted many women and established precedents. For example:

A single complaint filed with EEOC by a woman charging she was denied a job on the basis of sex brought these benefits through a conciliation agreement: wage increases for 150 female employees and new job opportunities, the charging party got her job, and the company agreed to equalize its pay rates for men and women in comparable jobs, amounting to a collective annual increase of $37,440 for the women. In addition the company agreed to merge its male and female seniority rosters. Another agreement mediated by the Commission resulted in an estimated $500,000 in annual

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wage increases for 2,000 women employees in 44 west coast paper mills. In the agreement, the company deleted all references to separate women's jobs and pay scales to insure equal pay for men and women in equivalent jobs.

Most women work for the same reason that men do; many are heads of households and they need the jobs. While educational opportunity has enlarged women's skills, job opportunity has not kept pace with the increasing abilities and preparation of women to hold jobs for which they are qualified and to which they are entitled.

Clifford Alexander has repeatedly stated that sex discrimination in employment is a serious matter. The Commission has found as a result of its studies that women are seriously underutilized in many top management and professional jobs. Mr. Alexander has said that—

> The Commission intends to continue its vigorous efforts to eliminate discrimination on the basis of sex, as well as discrimination on the basis of race, religion, and national origin.

I want to commend EEOC and its chairman for its vigorous efforts to enforce the laws on employment discrimination. The Commission does not have the kind of authority that it should have and I certainly hope that this administration will see to it that the EEOC gets "cease and desist" authority so that it can properly do its job. The administration must assure a continuation of the same forward thrust in all areas of employment discrimination as carried out by Clifford L. Alexander, Jr. if we are to end the wasteful underutilization of womanpower and manpower.

ERNIE PYLE COMMEMORATIVE STAMP

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. BROCK. Mr. Speaker, as one of the many citizens interested in honoring the memory of War Correspondent Ernie Pyle, I have written Postmaster General Winton Blount urging him to issue a commemorative stamp on Memorial Day, May 30.

As a skilled reporter, a man of courage, and most of all, a man of great compassion, Ernie Pyle earned recognition as the best of America's combat correspondents during World War II.

The late Gen. Dwight Eisenhower spoke for thousands of American GI's and their families when he said of Ernie Pyle:

> We have lost one of our best and most understanding friends.

On his writing, President Truman remarked:

> No man . . . has so well told the story of the American fighting men as American fighting men want it told. He deserves the gratitude of all his countrymen.

And Ernie Pyle has won that gratitude. Today, thousands visit his grave in Honololu, proving that his memory is still alive in the hearts of the men whom he wrote about and served with.

Each year, the Ernie Pyle Award is given to a leading war correspondent for keeping alive the traditions of courage and integrity that Ernie Pyle brought to his profession—characteristics that have found a new testing ground in the steaming jungles of Vietriam.

Ernie Pyle has our gratitude but we still owe it to him to preserve his memory for future Americans. I can think of no better way of doing this than by the issuance of a commemorative stamp in his honor.

Accordingly, I have asked the Postmaster General to consider April 1970, the 25th anniversary of Ernie Pyle's death, as an alternative date for issuing the stamp if this Memorial Day is not a workable goal. I urge my colleagues to join me in support of this effort to commemorate a great American.

BROCKTON, MASS., ONE OF THE FASTEST GROWING U.S. CITIES

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. BURKE of Massachusetts. Mr. Speaker, Mr. Vincent A. Choate, manager of the Brockton, Mass., Regional Chamber of Commerce, has called my attention to a fine article in the U.S. News & World Report magazine which focuses on Brockton, Mass., as one of the fastest growing cities in the United States. Mr. Speaker, I would like to have this article appear in the RECORD and I hope all Members of the House have a chance to read this excellent analysis of our urban centers:

FASTEST-GROWING CITIES: LATEST CENSUS ESTIMATES

(NOTE.—Broad shifts in population of cities. . . . Urban areas in South and West showing biggest gains. . . . Big cities losing appeal, smaller ones growing faster. . . . These changes, now reported officially, hold important keys to Government, business planning.)

If you're wondering which U.S. cities are growing the fastest—

Urban areas in the South and the West are attracting people more rapidly than those in other regions.

It's the smaller or medium-sized cities, not the huge ones, that are gaining at the fastest clip.

The big metropolises of the North and East, in particular, with their problems of crime, congestion and racial tension, seem to be losing their appeal as places in which to live.

These and other trends are pinpointed in a new forecast, by the U.S. Census Bureau, of population patterns in metropolitan areas.

Changes of far-reaching significance are coming—changes that will affect businessmen and public officials in their planning for the future.

City versus countryside. The urge to move toward cities, on the whole, is slackening. Population still is rising faster in urban areas. But the "growth gap" is narrowing as migration from the countryside slows to a crawl.

In 1975, the proportion of Americans living in urban areas—64 per cent of the expected 215 million population—will be little different than it was in 1965.

In fact, the official figures suggest the big movement of people in coming years will be not from farm to city, but from the cities of the North and East to those of the South and West.

The nation's huge financial and commercial centers, such as New York, Philadelphia and Chicago, will still be attracting more people than they lose. But the net gain will be scanty.

Actually, in some of the major industrial and manufacturing centers—Pittsburgh, Detroit, Buffalo, Cleveland, Cincinnati and St. Louis, as examples—more people will be leaving than entering, if the Census Bureau is right.

In all these cities except Pittsburgh, however, population will still be higher in 1975 because of natural increases due to births.

Of the biggest cities, only Washington, D.C., with expanding Government, and Los Angeles are expected to grow much faster than average.

You can see from the charts on these pages how your city fits into the shifting population pattern now under way.

All but two of the 25 fastest-growing urban centers are located either in the South or west of the Mississippi River. And 15 of these metropolitan areas now have populations of less than 600,000.

Among the 25 leading gainers, California and Texas each boast five cities, Florida four. Climate is a major factor favoring these States, particularly for retired people. So is a holdover of the "frontier spirit," with opportunities for new ventures in business and trade.

Rapid expansion expected in Tucson, Phoenix and Albuquerque reflects the appeal of the desert country of the Southwest, now that air conditioning provides relief from the heat.

America's space program, involving billions in spending each year, is a factor in predictions of fast growth for Huntsville, Ala., Houston, and Orlando, Fla.

Many cities with big universities performing research work promise to develop rapidly, too—such as Madison, Wis.; Ann Arbor, Mich., and Columbus, Ohio.

On the other hand, many urban centers serving farm areas are losing population or gaining little. Sioux City and Des Moines, Iowa; Wichita, Kans., and Spokane, Wash., are cases in point.

Among cities expected to lose people by 1975 are those in mining areas, such as Johnstown and Scranton, Pa.; Wheeling, W. Va., and Duluth, Minn.-Superior, Wis.

The 25 urban areas that lead the growth parade

[Based on percentage growth in population from 1965 to 1975, as estimated by the U.S. Census Bureau]

		Increase
1.	Fort Lauderdale-Hollywood, Fla	51.9
2.	Santa Barbara, Calif	51.6
3.	San Jose, Calif	51.4
4.	Huntsville, Ala	51.4
5.	Las Vegas, Nev	46.6
6.	San Bernardino-Riverside-Ontario, Calif	35.2
7.	West Palm Beach, Fla	34.5
8.	Phoenix, Ariz	34.2
9.	Sacramento, Calif	32.4
10.	Orlando, Fla	31.2
11.	Tampa-St. Petersburg, Fla	28.1
12.	Washington, D.C	25.9
13.	Los Angeles-Long Beach, Calif	25.6
14.	Lexington, Ky	25.2
15.	Tucson, Ariz	23.8
16.	Houston, Tex	23.4
17.	Lubbock, Tex	23.2
18.	Dallas, Tex	23.1
19.	Atlanta, Ga	23.0
20.	Denver, Colo	22.5
21.	Madison, Wis	22.3
22.	Albuquerque, N.M	22.2
23.	Amarillo, Tex	22.0
24.	Brockton, Mass	22.0
25.	Austin, Tex	21.5

These figures show a key change in population patterns now under way: a large-scale shift of people toward smaller and medium-sized urban centers in the South and West. Of the 25 fastest-growing cities, all but two—Brockton, Mass., and Madison, Wis.—are either in the South or west of the Mississippi River.

Percentages versus numbers. One thing to keep in mind is that percentage rates of rise in population do not accurately reflect the actual number of people added to population.

A relatively small urban area such as Santa Barbara, Calif., for example, with only 244,000 people in 1965, can boast a 51.6 per cent rate of growth by adding only 126,000 people in 10 years.

Yet metropolitan Chicago, with almost 6.7 million inhabitants in 1965, will show only a 9 per cent gain in population even though it is expected to add 600,000 people by 1975.

Despite wide variations in percentage rates of increase, changes come slowly in the relative rankings of cities according to actual population.

Today's 10 largest urban areas will still be the 10 largest in 1975, although the ranking of a few of these cities will change slightly. New York and Los Angeles will remain first and second in population, though the gap between the two is fast narrowing. Chicago, Philadelphia and Detroit will follow, maintaining their present positions.

But San Francisco will overtake Boston and move into sixth place. Washington will remain in eighth, though closing fast on Boston. St. Louis will move from tenth to ninth, displacing Pittsburgh.

HOW YOUR CITY WILL GROW BY 1975, AS ESTIMATED BY U.S. CENSUS BUREAU

	Population of metropolitan areas—		
	In 1965	Expected in 1975	Percent change
NEW ENGLAND			
Boston, Mass	3,205,000	3,334,000	Up 4.0
Bridgeport-Stamford-Norwalk, Conn	745,000	874,000	Up 17.3
Brockton, Mass	296,000	361,000	Up 22.0
Hartford-New Britain, Conn	768,000	884,000	Up 15.1
New Bedford-Fall River, Mass	411,000	421,000	Up 2.4
New Haven-Waterbury-Meriden, Conn	703,000	775,000	Up 10.2
Pittsfield, Mass	144,000	147,000	Up 2.1
Portland, Maine	197,000	209,000	Up 6.1
Providence, R. I	739,000	756,000	Up 2.3
Springfield-Chicopee-Holyoke, Mass	550,000	582,000	Up 5.8
Worcester-Fitchburg-Leominster, Mass	608,000	633,000	Up 4.1
MIDDLE ATLANTIC			
Albany-Schenectady-Troy, N.Y	697,000	745,000	Up 6.9
Allentown-Bethlehem-Easton, Pa	514,000	542,000	Up 5.4
Altoona, Pa	137,000	132,000	Down 3.6
Atlantic City, N.J	179,000	202,000	Up 12.8
Binghamton, N.Y	221,000	235,000	Up 6.3
Buffalo, N.Y	1,320,000	1,349,000	Up 2.2
Erie, Pa	255,000	254,000	Down 0.4
Harrisburg, Pa	364,000	389,000	Up 6.9
Jersey City, N.J	619,000	607,000	Down 1.9
Johnstown, Pa	270,000	246,000	Down 8.9
Lancaster, Pa	288,000	305,000	Up 5.9
Newark, N.J	1,851,000	2,045,000	Up 10.5
New York, N.Y	11,366,000	12,078,000	Up 6.3
Paterson-Clifton-Passaic, N.J	1,307,000	1,491,000	Up 14.1
Philadelphia, Pa	4,659,000	5,080,000	Up 9.0
Pittsburgh, Pa	2,385,000	2,306,000	Down 3.3
Reading, Pa	283,000	290,000	Up 2.5
Rochester, N.Y	644,000	733,000	Up 13.8
Scranton, Pa	226,000	203,000	Down 10.2
Syracuse, N.Y	606,000	686,000	Up 13.2
Trenton, N.J	296,000	338,000	Up 14.2
Utica-Rome, N.Y	346,000	376,000	Up 8.7
Wilkes-Barre-Hazleton, Pa	345,000	324,000	Down 6.1
York, Pa	252,000	267,000	Up 6.0
SOUTH ATLANTIC			
Asheville, N.C	143,000	158,000	Up 10.5
Atlanta, Ga	1,216,000	1,496,000	Up 23.0
Augusta, Ga	237,000	250,000	Up 5.5
Baltimore, Md	1,854,000	2,045,000	Up 10.3
Charleston, S.C	248,000	278,000	Up 12.1
Charleston, W. Va	246,000	228,000	Down 7.3
Charlotte, N.C	312,000	373,000	Up 19.6
Columbia, S.C	289,000	335,000	Up 15.9
Columbus, Ga	260,000	268,000	Up 3.1
Durham, N.C	123,000	141,000	Up 14.6
Fort Lauderdale-Hollywood, Fla	441,000	670,000	Up 51.9
Greensboro-High Point, N.C	267,000	307,000	Up 15.0
Greenville, S.C	218,000	235,000	Up 7.8
Huntington, W. Va.; Ashland, Ky	260,000	262,000	Up 0.8
Jacksonville, Fla	499,000	579,000	Up 16.0
Lynchburg, Va	119,000	138,000	Up 16.0
Macon, Ga	201,000	227,000	Up 12.9
Miami, Fla	1,061,000	1,288,000	Up 21.4
Newport News-Hampton, Va	271,000	305,000	Up 12.5
Norfolk-Portsmouth, Va	637,000	681,000	Up 6.9
Orlando, Fla	372,000	488,000	Up 31.2
Pensacola, Fla	224,000	257,000	Up 14.7
Raleigh, N.C	195,000	232,000	Up 19.0
Richmond, Va	451,000	535,000	Up 18.6
Roanoke, Va	173,000	201,000	Up 16.2
Savannah, Ga	192,000	195,000	Up 1.6
Tampa-St. Petersburg, Fla	873,000	1,118,000	Up 28.1
Washington, D.C	2,409,000	3,034,000	Up 25.9
West Palm Beach, Fla	281,000	378,000	Up 34.5
Wheeling, W. Va	187,000	180,000	Down 3.7
Wilmington, Del	414,000	490,000	Up 18.4
Winston-Salem, N.C	207,000	238,000	Up 15.0
NORTH CENTRAL			
Akron, Ohio	545,000	592,000	Up 8.6
Ann Arbor, Mich	187,000	224,000	Up 19.8
Bay City, Mich	109,000	114,000	Up 4.6
Canton, Ohio	356,000	375,000	Up 5.3
Cedar Rapids, Iowa	149,000	165,000	Up 10.7
Chicago, Ill	6,688,000	7,288,000	Up 9.0
Cincinnati, Ohio	1,125,000	1,185,000	Up 5.3
Cleveland, Ohio	1,871,000	1,956,000	Up 4.5
Columbus, Ohio	769,000	895,000	Up 16.4
Dayton, Ohio	757,000	843,000	Up 11.4
Decatur, Ill	122,000	129,000	Up 5.7
Des Moines, Iowa	270,000	276,000	Up 2.2
Detroit, Mich	3,987,000	6,174,000	Up 4.7
Duluth, Minn.; Superior Wis	267,000	255,000	Down 4.5
Flint, Mich	413,000	449,000	Up 8.7
Fort Wayne, Ind	259,000	294,000	Up 13.5
Gary-Hammond-East Chicago, Ind	596,000	644,000	Up 8.1
Grand Rapids, Mich	390,000	424,000	Up 8.7
Hamilton-Middletown, Ohio	208,000	230,000	Up 10.6
Indianapolis, Ind	739,000	789,000	Up 6.8
Jackson, Mich	137,000	149,000	Up 8.8
Kalamazoo, Mich	181,000	208,000	Up 14.9
Kansas City, Mo	1,116,000	1,200,000	Up 7.5
Kenosha, Wis	114,000	134,000	Up 17.5
Lansing, Mich	336,000	389,000	Up 15.8
Lima, Ohio	112,000	122,000	Up 8.9
Lincoln, Nebr	161,000	170,000	Up 5.6
Lorain-Elyria, Ohio	240,000	281,000	Up 17.1
Madison, Wis	260,000	318,000	Up 22.3
Milwaukee, Wis	1,231,000	1,302,000	Up 5.8
Minneapolis-St. Paul, Minn.	1,611,000	1,814,000	Up 12.6
Muncie, Ind	117,000	127,000	Up 8.5
Omaha, Nebr	516,000	588,000	Up 14.0
Racine, Wis	160,000	185,000	Up 15.6
Rockford, Ill	226,000	254,000	Up 12.4
Saginaw, Mich	208,000	229,000	Up 10.1
St. Louis, Mo	2,198,000	2,356,000	Up 7.2
Sioux City, Iowa	102,000	93,000	Down 8.8
South Bend, Ind	237,000	241,000	Up 1.7
Springfield, Ill	153,000	160,000	Up 4.6
Springfield, Mo	140,000	164,000	Up 17.1
Springfield, Ohio	147,000	166,000	Up 12.9
Terre Haute, Ind	107,000	108,000	Up 0.9
Toledo, Ohio	473,000	489,000	Up 3.4
Topeka, Kans	149,000	158,000	Up 6.0
Waterloo, Iowa	124,000	128,000	UP 3.2
Wichita, Kans	350,000	348,000	Down 0.6
Youngstown-Warren, Ohio.	523,000	543,000	Up 3.8
SOUTH CENTRAL			
Abilene, Tex	126,000	146,000	UP 15.9
Amarillo, Tex	168,000	205,000	Up 22.0
Austin, Tex	247,000	300,000	Up 21.5
Baton Rouge, La	255,000	306,000	Up 20.0
Beaumont-Port Arthur, Tex	313,000	334,000	Up 6.7
Birmingham, Ala	644,000	652,000	Up 1.2
Chattanooga, Tenn	292,000	303,000	Up 3.8
Corpus Christi, Tex	237,000	248,000	Up 4.6
Dallas, Tex	1,288,000	1,585,000	Up 23.1
El Paso, Tex	344,000	395,000	Up 14.8
Fort Worth, Tex	627,000	713,000	Up 13.7
Galveston-Texas City, Tex	157,000	178,000	Up 13.4
Houston, Tex	1,494,000	1,843,000	Up 23.4
Huntsville, Ala	183,000	277,000	Up 51.4
Jackson, Miss	211,000	243,000	Up 15.2
Knoxville, Tenn	390,000	405,000	Up 3.8
Lake Charles, La	135,000	139,000	Up 3.0
Lexington, Ky	159,000	199,000	Up 25.2
Louisville, Ky	771,000	820,000	Up 6.4
Lubbock, Tex	185,000	228,000	Up 23.2
Memphis, Tenn	688,000	764,000	Up 11.0
Mobile, Ala	337,000	375,000	Up 11.3
Monroe, La	112,000	129,000	Up 15.2
Montgomery, Ala	174,000	180,000	Up 3.4
Nashville, Tenn	435,000	496,000	Up 14.0
New Orleans, La	973,000	1,107,000	Up 13.8
Oklahoma City, Okla	585,000	673,000	Up 15.0
San Antonio, Tex	774,000	862,000	Up 11.4
Shreveport, La	289,000	300,000	Up 3.8
Tulsa, Okla	433,000	450,000	Up 3.9
Tuscaloosa, Ala	118,000	135,000	Up 14.4
Waco, Tex	156,000	164,000	Up 5.1
Wichita Falls, Tex	130,000	145,000	Up 11.5
FAR WEST			
Albuquerque, N. Mex	288,000	352,000	Up 22.2
Bakersfield, Calif	320,000	373,000	Up 16.6
Colorado Springs, Colo	176,000	192,000	Up 9.1
Denver, Colo	1,075,000	1,317,000	Up 22.5
Eugene, Oreg	194,000	234,000	Up 20.6
Fresno, Calif	404,000	485,000	Up 20.0
Honolulu, Hawaii	571,000	646,000	Up 13.1
Las Vegas, Nev	232,000	340,000	Up 46.6
Los Angeles-Long Beach, Calif	7,877,000	9,893,000	Up 25.6
Ogden, Utah	120,000	136,000	Up 13.3
Phoenix, Ariz	818,000	1,098,000	Up 34.2
Portland, Oreg	897,000	1,003,000	Up 11.8
Pueblo, Colo	119,000	123,000	Up 3.4
Sacramento, Calif	584,000	773,000	Up 32.4
Salt Lake City, Utah	440,000	528,000	Up 20.0
San Bernardino-Riverside-Ontario, Calif	1,016,000	1,374,000	Up 35.2
San Diego, Calif	1,138,000	1,378,000	Up 21.1
San Francisco-Oakland, Calif	3,081,000	3,625,000	Up 17.7
San Jose, Calif	885,000	1,340,000	Up 51.4
Santa Barbara, Calif	244,000	370,000	Up 51.6
Seattle, Wash	1,178,000	1,328,000	Up 12.7
Spokane, Wash	267,000	263,000	Down 1.5
Stockton, Calif	274,000	322,000	Up 17.5
Tucson, Ariz	307,000	380,000	Up 23.8

CUSTOMS BUREAU NEEDS ADEQUATE FUNDING TO DO ITS JOB: BUREAU BRINGS IN FAR MORE THAN ITS COST

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. DULSKI. Mr. Speaker, the congressional appropriations subcommittees are putting in long hours these days in their consideration of the budget to run the Federal Government in fiscal 1971.

The subcommittees have momentous tasks—which unfortunately too many people do not fully appreciate—in culling the vast background information necessary upon which to make their decisions.

At the same time that they are making decisions on individual items or agencies, they also must take into account the overall budget, seeking to hold down Government spending in every way possible.

I commend each and every member of these subcommittees for their diligence and for their devotion to duty. Their conclusions, I am convinced, are reached upon the basis of the best information which they have at hand.

If there is any fault, beyond sincere differences of opinion, it probably should be chalked up to the magnitude of the responsibility which we impose upon these members.

The foregoing is intended to clearly set forth my respect and admiration for the work of the appropriations subcommittees, as a preface to pointing up an area where I feel the subcommittee involved may well consider more leniency which will in turn increase the inflow of money to the Federal Treasury.

Mr. Speaker, there are some agencies of Government which develop considerably more in revenue to the Federal Treasury than their cost of operations. Indeed, adequate staffing works to increase the income to the Treasury.

Two excellent examples come to mind: the Internal Revenue Service and the Bureau of Customs.

As a former field employee of the Internal Revenue Service, I am well aware that the recovered revenue by an agent is limited only by the time he has available to devote to studying and investigating cases.

The Bureau of Customs has a fantastic workload today, and is doing an admirable job despite limited staff and facilities.

The National Customs Service Association, composed of employees of the U.S. Customs Service, has developed a comprehensive memorandum, filled with impressive statistics, which spells out the task facing the Bureau today and its limitations because of inadequate funding.

Mr. Speaker, the memorandum by Association President John J. Murphy tells the story very well to the appropriations committees, and I include the text with my remarks:

MEMORANDUM BY THE NATIONAL CUSTOMS SERVICE ASSOCIATION REGARDING FUNDING FOR THE BUREAU OF CUSTOMS, MAY 1, 1969

The Bureau of Customs is in the position of being chronically understaffed and forced to operate with a completely inadequate budget. This is a condition that has existed for many years, going back in fact to the days when Calvin Coolidge was President.

The Bureau has struggled along through the years; never having the resources to carry out its mission in the manner that Congress originally intended when it laid upon Customs the obligation of protecting the revenue of the United States.

The Bureau of Customs is caught in a squeeze between the continually increasing workload, a static work force, and a completely unrealistic budget.

For the past several years, the Bureau requests for funds have shown an increase of four per cent (4%) per year, while the actual requirements of the Service have been at a rate above eight per cent (8%) annually. From this simple comparison of figures, it is obvious that Customs is waging a losing battle.

Our purpose at this time is to bring to you a personal appeal from the employees who are on the firing line. We seek your help in alleviating the Customs' plight which is brought about simply and solely by the lack of staff and funds to do an effective job.

INCREASED WORKLOAD OF CUSTOMS IS CATASTROPHIC

The record of previous hearings on appropriations for the Customs Service show a steady increase in workload in every category. They show also a steady increase in the amount of duties and excise tax collected, and a steady drop in the cost of collection. We wish to bring to your attention the following analysis of the almost unbelievable increase in workload. The functions of entries filed, passengers processed and collection of duties and taxes, the yardstick by which Customs measures its workload, reveal dramatic increases.

	For 1945	1965 increase (percent)	1966 (percent)	1967 (percent)	1968 (percent)	Cumulative 1968 over 1945 (percent)
Collections	358,138,757	478.0	14.6	8.5	8.4	712.4
Passengers	59,284,421	200.0	4.9	5.2	5.8	260.6
Entries	417,910	301.0	10.0	7.0	6.5	448.3

In spite of this amazing expansion of all categories, the number of employees on our payroll has risen by less than eight per cent (7.9%) from 8,500 back in 1945 to 9,169 in fiscal year 1968.

The cost of collecting $100 in revenue in fiscal year 1968 was only $3.09, despite rising salaries and administrative overheads. This is the seventh consecutive year that this cost has remained below $4.00. Customs is plainly one of the most profitable of the Federal Government's operations.

We today perform many functions not dreamed of a few years ago, or which were performed on a minor scale. For example: air traffic, which we were able to process with only a handful of personnel in 1945, now requires more than 600 full time inspectors and other support personnel.

The increased emphasis upon other programs, such as the enforcement of anti-dumping laws, the collection of import statistics, quotas, munitions control, export control, foreign assets control—activities which are of great importance to the economy and well-being of the United States—do not produce revenue but demand highly trained people and substantially increase the Customs' workload.

NATURE OF CUSTOMS ACTIVITIES AND INCREASE THEREIN

The most recent figures available concerning Customs' activities (covering the fiscal year 1968), show the continuing dramatic increase in Customs' transactions and collections.

1. The total collection of duties and excise tax for the general treasury by the Bureau of Customs reached a record total of $2,909,540,528 during the fiscal year 1968. This figure represents *an increase of nearly eight and one half per cent (8.4%)* over the 1967 total of $2,684,010,465.

2. The cost of collecting each dollar for the general treasury fell during 1968 to $0.0309, the lowest figure on record. The Bureau's total operating budget for the fiscal year 1967–1968 was less than $90 million.

3. The number of persons entering the United States and processed through Customs rose to 213,806,189 *an increase of five and eight-tenths per cent (5.8%)* over the previous year's figure of 202,029,245 and is virtually equal to the total population of the United States.

4. The number of formal Customs entries, another significant barometer of the workload, *jumped by six and one-half per cent (6.5%)* from 2,152,190 in 1967 to 2,291,241 in 1968.

5. The number of mail packages received from abroad *increased by two per cent (2.0%)* from 55,052,498 to 56,126,729.

6. Arriving aircraft *increased by thirteen per cent (13%)* from 275,623 to 312,712. The total number of carriers processed by the Customs Service *rose from 60,543,308 to 64,118,762.*

The Commissioner of Customs, in commenting on Bureau statistics, has stated "We have absorbed much of the sharp increase in our workload with our present staff, but we are hard pressed to meet the demands placed upon us. *Workload increases continue to outrun the manpower available.*"

THE CUSTOMS SERVICE IS FACED WITH A SERIOUS CRISIS

It is becoming impossible for the Bureau of Customs to do an effective job with the funds and staff at its command. As has been said, extraordinary increases in workload are occurring in all areas while the number of people to do the job has not kept pace.

For example, it is our understanding that the number of inspectors available today to process the greatly increased number of travelers and the tremendous growth of import cargo is actually less than we had thirty (30) years ago. As has been pointed out, thirty years ago many of our present responsibilities were non-existent or the process was in its infancy.

It is no answer to say that we are doing the job. Actually we are doing the job but under greatly altered circumstances. Because of lack of money, we have to operate with a reduced staff.

The net result of this is that in order to keep the job going—to process passengers, baggage and cargo; and to handle the avalanche of paper work, has meant some dangerous and unjustified corner cutting.

What has happened is that the employees have been subjected to constant severe pressure to get the job done despite personnel shortages. While this has resulted in a tremendous increase in productivity, it has been accomplished at the expense of proper protection of the revenue.

Spot checks which were formerly used only to keep the operation moving during peak periods have now become the order of the day. This is a pragmatic decision. There is really no other way to do it.

Travelers are waiting to be processed and it is unthinkable that they should be put to inconvenience because of the inadequacies of the Customs Service. This applies likewise to importers. The burden should not be shifted to the importing business because Customs has insufficient help to do the job.

Because of spot checks, corner-cutting and other variations of the so-called "calculated risk," the Customs Service has been reduced to carrying out only the form of its responsibilities while the substance is completely lacking.

From outward appearances, we are doing what we are supposed to do, while in point of fact, we are not, simply because it is impossible for us to do so.

Despite the reorganization of Customs, great emphasis on streamlining operations, constant attempts to eliminate unnecessary or duplicating functions, it is a physical impossibility to cope with the increasing workload without additional manpower.

There is nothing wrong with the Customs Service that additional personnel cannot correct.

No amount of changes in procedures, short of changing the Tariff Act itself, will bring our responsibilities and their accomplishment into balance.

Customs operations have been studied and restudied, analyzed and re-analyzed ad infinitum. The conclusion in every case is that the work is there; and has to be done, in some fashion, by someone.

EFFECTIVE CONTROL OF NARCOTICS MENACE IMPOSSIBLE UNDER EXISTING CONDITIONS

It is our view, based on the studies and opinions of career Customs employees of long service, that the present state of affairs in the Customs Service is at such a dangerous point that something drastic must be done before the Service deteriorates into complete impotence.

We are accomplishing the service functions of our job in a perfunctory and ineffective manner. This is because we must of necessity move people and cargo without regard to revenue protection.

The enforcement aspects of Customs have been reduced to a sort of hit and miss screening. We do not know, and will never know, what the loss in revenue is because of this way of doing things. Neither will we ever know the extent to which our many loopholes have been used to introduce prohibited material from entering the United States.

It is the firm conviction of our members that there is a direct connection between inadequate enforcement by Customs and the widespread availability and use of narcotics, particularly heroin.

It is acknowledged by all concerned that this narcotic and other drugs are produced abroad and that they, or their ingredients, must be smuggled into the United States.

It is obvious that the narcotics traffic is increasing to an extent never before seen. Despite an inadequate staff, Customs has been doing an heroic job in trying to prevent the introduction of narcotic drugs into the United States.

The narcotics menace, now receiving so much belated attention, has long been known to the Customs Service which has the primary responsibility for the prevention of smuggling.

Although the responsibility for the prevention of the entry of narcotics is imposed by law on the Bureau of Customs, the funds and personnel necessary to do the job have never been sufficient.

In fact, the amount of funds has been completely unrealistic when one considers that narcotics activities have been steadily increasing.

One point in the study of the narcotics problem upon which there is complete agreement is that they are imported into the United States. The shocking accounts of teenage addiction have aroused the public from its lethargy in some quarters.

However, the public generally is not aware of the value of a dollar appropriated at the Customs enforcement level. Customs officers seize the narcotics before they enter the country and while the shipment is in its pure unadulterated form.

Try to visualize a large shipment of narcotics as a pillow filled with tiny feathers. When seized by Customs men the entire load is taken in one swoop.

Once the bag of feathers is loosed on the country and enters into the commerce of the underworld, it takes, literally, thousands of federal, state and local enforcement agents to ferret out the little individual feathers which have blown away and are now scattered in countless directions.

It is safe to estimate that the difference in costs of detection is a thousand to one in dollars alone.

RECORD REVENUES MISLEADING

The fact that Customs is now collecting $100 in revenue at a cost of $3.09 (the lowest figure on record) is not necessarily an indication of the effectiveness of the job.

This simply means that revenues are constantly increasing because of the upward spiralling of imports and that the work in connection with the collection of this amount of revenue is being done by a completely insufficient workforce.

It should be borne in mind that this cost of collection includes also all of our enforcement operations which do not directly bring in any revenue.

The fact of the matter is that we would be doing an infinitely better job in every respect if the cost of collection were as high as $1 or $2 more.

We have hoped through the years, that the Congress would take a business approach to the needs of the Customs Service, quite apart from any service or law enforcement consideration. This would be a plain dollar approach from the standpoint of what return can we get from our investment.

To our mind, it would be a lucrative business indeed, that could return to its treasury $100 for every $3.09 invested. The plain fact is that with additional funds, Customs could collect a great deal more revenue besides having the muscle to do a far superior enforcement job.

The Customs Service is the oldest in the government of the United States, having been formed in 1789, antedating the Treasury Department itself. It is also one of the most sensitive agencies in government standing as it does on the threshold of our country.

It is the first line of defense against smuggling of all sorts. It prevents the introduction of narcotics, dangerous insect pests that ravage our agriculture, pornographic material that undermines the moral fiber of our citizens, and fraud and underevaluation of imported merchandise which encroach upon the legitimate business of American importers.

The myriad duties of the Customs Service cannot be effectively carried out without an efficient, experienced and highly trained staff. We know of no area where the saying "penny wise and pound foolish" applies so aptly as it does to the Bureau of Customs.

RECOMMENDATIONS OF NCSA

The members of NCSA respectfully and earnestly appeal to you as key members of the Appropriations Committee, to use your good office to bring about a realistic appraisal of the serious problems that currently confront the Customs Service and require *immediate* attention.

The employees of the Customs Service traditionally have been a dedicated group, but we cannot effectively carry out the mission charged to us by Congress when it passed the Tariff Act in our present understaffed condition.

We repeat that the Customs Service is the Nation's first line of defense against our now critical and ever growing drug menace. Congress has always made funds available for defense against foreign enemies, and it should now adopt a similar attitude toward the protection of our citizens against the menace of drug addiction that threatens thousands of our citizens from within.

In furtherance of this end, we have made a survey through our national officers in an effort to estimate the number of additional employees we feel is necessary to more effectively carry out the Customs' mission.

The estimates have been made by knowledgeable employees who are close to the problem and have to contend with the day to day issues brought about by understaffing.

The following figures represent what we believe to be minimum requirements:

Processing persons (baggage examination, borders, piers, airports, etc.)	550
Processing cargo (all locations)	700
Processing mail	400
Enforcement activities (all areas)	700
Total	2, 350

In addition to the above, additional personnel is needed to properly handle administrative needs at Regional Headquarters and at Bureau Headquarters in Washington. For this purpose, we estimate an additional 100 employees is required.

It should be pointed out that in the area of enforcement, the above figures are an absolute minimum requirement, in our view, to have any realistic impact on smuggling operations, particularly narcotics.

In conclusion, we wish to reiterate that a very substantial portion of the funds now being made available by Congress to health agencies to treat persons afflicted with drug addiction, and to law enforcement agencies to reduce the traffic in drugs, would not be needed if effective means were made available to the Customs Service to reduce the flow of drugs into the country. We therefore respectfully request that our recommendations be given your careful consideration at this critical time.

CHALLENGE OF NEW HORIZONS MET BY CORN MILLERS MAY ARROW THE WAY TOWARD CURING MALNUTRITION AT HOME

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. MICHEL. Mr. Speaker, in line with the President's stirring message to the Congress, which amounts to a declaration of war on hunger, I would like to pass on to my colleagues some news about an exciting development in food production. I am speaking of a product called CSM—corn, soya, milk—which has been developed by the corn milling industry in this country. It is a real breakthrough in the problem of finding enough food for starving millions all over the world as well as some of our own undernourished citizens.

I can attest to the good taste of CSM since I have eaten it often and, in fact, ate nothing else for 1 week. I found it to be more than satisfying and received a fringe benefit in that I was able to drop a couple of pounds of weight which I will not miss at all.

An article by Mr. George E. Swarbreck appearing in the May 1969 issue of the Northwestern Miller magazine points out some interesting highlights of the CSM story and I noted with pleasure the contribution to this very worthwhile endeavor on the part of my good friend, Mr. Bert Tollefson, Jr., who, as many of you know did an excellent job for the Eisenhower administration in the Department of Agriculture. He has just been confirmed by the Senate for the position of Assistant Administrator of the Agency for International Development and very likely will be in a position to further expedite an even wider and more effective distribution of this product to those countries where hunger is a daily fact of life.

I insert the article in the RECORD at this point:

CHALLENGE OF NEW HORIZONS MET BY CORN MILLERS MAY ARROW THE WAY TOWARD CURING MALNUTRITION AT HOME

(By George E. Swarbreck)

Corn millers have been making newspaper headlines. Deservedly so, too. They have been pioneers in the work of developing new foods for the needy peoples of the world who number in the millions. One product, known as CSM, has gone to more than 100 countries with shipments since 1966 approaching the billion pound mark.

The headlines came after CSM—corn, soya, milk—was mentioned at the recent congressional hearings on hunger presided over by Sen. George McGovern (D., S.D.). CSM has made a substantial contribution to the problem of relieving the world's hunger, as have many other corn-based products. And the corn millers have reason to be proud of their contribution. Sen. McGovern's interest was aroused—on behalf of the poor people of America.

PRAISE FROM OFFICIAL

Richard W. Reuter, when he was special assistant to former Secretary of State Dean Rusk, working on the Food for Peace program, said in the early stages of the development of food for the hungry: "No commodity group has done more to help meet world food needs than the American Corn Millers Federation. Using their own resources, the corn millers have cooperated closely with the U.S. Department of Agriculture and the Agency for International Development to develop formulated foods, rich in proteins and vitamins, for use overseas in America's Food for Peace program."

That was said nearly three years ago. The corn millers' contribution has increased many-fold since then.

The question now being raised today is how can those corn-based foods, such as CSM, be directed into domestic channels to help feed the needy of the U.S. The needs of people overseas, particularly infants and children, are still dire, but the problem is equally serious here at home.

CSM is already on a limited domestic test pattern by USDA in order to judge its acceptability. Corn millers are quick to pay tribute to the members of USDA's Agricultural Research Service for the work done in building CSM into an acceptable product abroad. It contains a well-balanced assortment of necessary nutrients and approaches the optimum desirable cereal-protein ratio. It is specifically designed for infants and children in low-protein status who require prolonged feeding to achieve normal levels of metabolism.

CSM's basic cereal component is processed corn meal with added defatted toasted soyflour, nonfat dry milk, calcium carbonate and a vitamin-mineral premix. The result is a 20% protein food with an adjusted protein efficiency ratio of 2.42 to 2.48 and a nutritionally approved amino acid balance. It is virtually bran-free, has a bland flavor and smooth texture. Produced in powder form, it is precooked and ready for infant or child feeding after 1 min. broiling time. It can be fed also as a gruel, as a cereal and even made into bread or cookies.

It has been described as a marriage of flavors—the flavor of corn with the flavor of soy flour—and in this happy union, processed corn meal functions as one of the most effective protein carrier foods ever produced by the cereal processing industries of America.

OTHER CORN-BASED FOODS

The corn millers don't stop at CSM. There are other similar, imaginative foods, all based on corn meal, and all have had varying degrees of success around the world, depending upon local dietary requirements. In these, too, is hope for curing the malnutrition that is America's besetting sin today.

Regular corn meal is still a basic, proven, acceptable product and it is in demand in many parts of the country, baked or cooked, as may be required, says Bert Tollefson, Jr., president of the American Corn Millers Federation, which has its headquarters in Washington, D.C. Mr. Tollefson joined the federation in the summer of 1966, just as the new foods started to attract official attention as a means of filling the needs of the hungry abroad. First as executive director, now as president, he has responsibility for over-all federation activities, including government relations, domestic and foreign marketing staff and operations, financial management and administration of industry-sponsored research programs.

The personable Tollefson came to ACMF well-equipped for the job. From 1957 to 1961, for instance, he was assistant to the then Secretary of Agriculture Ezra Taft Benson, acting as program liaison officer for the department. He was a member of Mr. Benson's 11-member policy staff and initiated several management innovations and agricultural marketing promotions, including participation in the establishment of the Food for Peace program. In November 1957, he was a member of the U.S. 12-member delegation to the Food and Agriculture Organization Conference in Rome and was the U.S. representative to the public affairs session. He traveled with Mr. Benson as his aide on many domestic and foreign trips and in this capacity made a trade development and goodwill trip to the Soviet Union, Yugoslavia, West Germany, Poland, Finland, Sweden and Norway.

But Bert Tollefson is no dyed-in-the-wool government official—and there's nothing wrong about being dyed-in-the-wool for official caution has its values—because his experience in the business world has included service with some dynamic major organizations.

And it is to government officials, particularly the ARS people, that Mr. Tollefson likes to point when awarding credit for what the corn millers have achieved.

In talking enthusiastically about CSM, Mr. Tollefson does not overlook corn products. He mentions the time-tried and tested degermed enriched corn meal, a basic product of the U.S. corn miller, and itself a vital part of aid programs abroad. Enriched corn meal is both economical and nutritious and lends itself to use in hot breads, main dishes and desserts. Extra food values flow with the use of enrichment.

Processed corn meal, also enriched, is useful for people with no ovens and only the minimum of fuel on call, he explains. Its unique characteristic is that when mixed with water it forms a corn dough. Incidentally, processed corn meal is the only cereal acceptable for the widely popular and nutritious corn beverages which are a staple food throughout Latin America where they are known as *atol, pinolillo, chicheme, colada* and *chicha dulce*.

INGENIOUS CEPLAPRO

Another product is Ceplapro, a high protein, enriched corn-based food in kernel form resulting from the ingenuity of corn millers and outstanding nutritionists. It is of particular interest whether this is the staple in short supply, and, additionally, it is adaptable to the many meat and fish dishes peculiar to Southeast Asian and Latin American eating habits. Ceplapro is composed of degermed corn meal, durum flour, defatted toasted soy flour, nonfat dry milk, calcium carbonate and a vitamin-mineral premix. Ceplapro's protein content ranges from 18% to 20% by U.S. government specification, with an adjusted protein efficiency ration in excess of 2.25.

There are others. Incaparino, a corn meal, sesame, cottonseed flour blend is being produced and marketed in Colombia and Central America. A corn-based blend called Supro is being sold commercially in Kenya. Pronutro, another high protein blended food with corn meal base, is being marketed in South Africa.

STEEPWATER USE SUGGESTED

A development of recent origin comes from a suggestion by Robert C. Liebenow, president of the Corn Refiners Assn. He has asked USDA to investigate steepwater, a first step byproduct of corn refining, as a new source of nutrition-building protein for humans. It is, he says, a good source of available protein, amino acids and minerals necessary for proper nutrition. Recent tests rate protein content at about 7.5%. For years steepwater has been added to corn gluten feed which is vital in beef, poultry and egg production, and is used extensively in the production of antibiotics.

Mr. Liebenow says the role of steepwater "has never been fully explained and a number of growth factors remain unidentified. Research on these questions could lead to the identification of valuable components and methods for recovering them which in turn could provide an important new source of protein."

IS CORN THE KEY?

Is corn the key to solving the problems of malnutrition in America? There are many observers who believe that it could be.

Hubert H. Humphrey, then Vice President of the U.S., speaking at the second international conference on the War on Hunger in Washington last year, discussing the opportunities and responsibilities of the U.S. in meeting world food needs said: "In a world where the majority of men still lead a hand-to-mouth existence, where hunger and malnutrition still destroy mental and physical powers, where war, pestilence and famine still ride hand-in-hand, there can be no peace. Nor can there be real security or full development for any of us."

Today, Mr. Humphrey could use those same words in describing the situation in the U.S. Until the specter of malnutrition is laid, there can be no peace in this land. The Nixon administration shows signs that it recognizes this, while still casting a sympathetic eye towards the impoverished abroad.

CHANGING DIETARY HABITS

How can the undernourished people of the U.S. be persuaded to change their dietary habits? That is the crux of the problem.

Nobody knows until we try. USDA is trying. CSM is being given to poor Americans in two limited tests, primarily among Indians on a California reservation. The officials have to proceed cautiously. The question is will the undernourished peoples eat it. Will they accept it? More importantly, will they ask for more?

Cost of CSM for export works out at about 8¢ lb., f.a.s. Taking into account regular commercial operation, including distribution, the cost to the American consumer might be in the area of 65¢ for a 5 lb. sack, according to Mr. Tollefson.

Production of these foods represents a substantial investment for the corn miller. Before expensive capital development programs can be introduced, there must be some guarantee of a market. The foreign market is developing fast, but how permanent will it be as countries learn to fend for themselves? The domestic consumer is crying out for help. That's why the USDA tests are so important. They should provide an answer. But speed is of the essence.

The products of the corn milling industry can be made acceptable. The industry itself has distributed hundreds of thousands of copies of recipes printed in many languages—Turkish, French, Spanish, Malay, and even Kiswahili—and this effort has had beneficial results in gaining acceptance. Such a program might have similar success at home.

Recently, introducing S. 6, the Domestic Food Assistance Act of 1969, Sen. Walter Mondale (D., Minn.) said that "the time

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for a complete overhauling of our food programs for the poor is long overdue." He pointed to what he described as the shocking testimony presented by the U.S. Public Health Service in which it was said that "the American poor are crippled by malnutrition as seriously and in some cases more seriously" than the people of under-developed nations in Africa and Asia.

The solutions provided by the corn millers—and the wheat flour millers have provided solutions also—must be examined carefully because the future internal peace of the U.S. depends upon adequate food for all.

PRESIDENT NIXON AND HUNGER

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, President Nixon has made a major new commitment to end hunger and malnutrition in America, a commitment which was seriously lacking in previous administrations. His forthright and eloquent challenge to the Congress to meet the urgent nutrition needs of every American deceves our fullest measure of support.

The President's legislative and administrative recommendations constitute a truly comprehensive approach. The food stamp and commodity distribution programs which provide the bulk of current efforts are in need of an extensive overhaul. Substantial numbers of poverty-stricken families cannot afford the financial contribution required to take part in the food stamp program, and the present system of commodity distribution results in only very limited quantities and varieties of foods reaching those who most urgently need them. Several hundred counties still do not have any kind of food supplement program and others have administered them in such a manner as to exclude large numbers of malnourished individuals.

The reforms which the President has suggested, will bring a measure of rationality to these programs which they have lacked in the past. His suggestion that we consider the establishment of a separate agency to administer the programs will give proper emphasis to the purposes of the programs, just as his recommendation for special emphasis on the nutrition needs of expectant mothers and infants will insure a focus for the programs on those who stand to suffer most from inadequate diets.

Especially noteworthy is the calling of a White House Conference on Food and Nutrition for executives of the Nation's leading food distributing and processing companies and trade unions. Our present food industry is extremely efficient at serving the needs of the vast majority of Americans. Our goal is not to replace it with a public system or to superimpose another public system on what is already an excellent private one. We must continue to seek ways to extend the quality services which most of us enjoy to those who live in poverty. I am confident the food industry will respond with the vigor and imagination of which they are capable.

Finally, I believe the President's establishment of a special committee of the Urban Affairs Council to promote coordination between the food and nutrition programs and the programs of other agencies concerned with health, education and poverty is an essential ingredient to a comprehensive attack on the problem. It would be indeed shortsighted of us to expect to be able to continue to operate our nutrition and food supplement programs in a vacuum, independent of our needs and activities in other policy areas.

In President Nixon's words:

> More is at stake here than the health and well-being of 16 million American citizens who will be aided by these programs . . . Something very like the honor of American Democracy is at issue.

The President has responded in an imaginative and responsible manner. I would urge the Congress to do the same.

QUESTIONNAIRE

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. SNYDER. Mr. Speaker, for the benefit of other Members and readers of the CONGRESSIONAL RECORD, I include the response of my constituents to a recent questionnaire:

[In percent]

1. Do you favor legislation which would return to the States for use as they see fit, a percentage of the money now collected in Federal Income Tax?

Yes	70.3
No	21.3
No opinion	8.4

2. Do you believe the Federal Government should guarantee an annual income to heads of families, whether or not they are working?

Yes	4.1
No	91.2
No opinion	4.7

3. Do you support the proposal to convert the Post Office into a government-owned corporation to operate on a self-supporting basis?

Yes	71.3
No	20.0
No opinion	8.7

4. Viewing the economy as it now stands, do you favor renewing the 10% surtax when it expires on June 30?

Yes	35.0
No	57.7
No opinion	7.3

5. Do you favor a comprehensive study to determine the advisability of replacing the draft with a voluntary army and a ready reserve?

Yes	65.0
No	29.0
No opinion	6.0

6. Should the United States continue its membership in the United Nations?

Yes	70.6
No	20.7
No opinion	8.7

7. Generally speaking, are you favorably impressed with the first three months of the Nixon Administration?

Yes	62.8
No	26.4
No opinion	10.8

8. Do you believe that Foreign Aid should be reduced or eliminated?

Yes	80.0
No	10.1
No opinion	9.9

9. Do you believe the "war on poverty" has been worth the cost?

Yes	8.4
No	81.0
No opinion	10.6

10. Do you favor a resumption of bombing in North Vietnam by the United States?

Yes	61.1
No	21.8
No opinion	17.1

11. Should the U.S. stay out of the Middle East conflict between Israel and the Arab States?

Yes	75.2
No	18.5
No opinion	6.3

12. Do you favor holding spending within revenues and a real effort to reduce the public debt even if it means cutting expenditures in *your* favorite government program?

Yes	92.0
No	3.9
No opinion	4.1

13. Do you favor repeal of the 1968 "gun law" as it applies to long gun (rifles and shot guns)?

Yes	45.9
No	34.0
No opinion	20.1

CHANGE NEEDED IN BROADCAST LICENSE RENEWAL REQUIREMENT

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. BROTZMAN. Mr. Speaker, today I reintroduce a bill to amend the Communications Act of 1934 to extend the maximum period for broadcasting licenses from 3 to 5 years.

Under present law, each broadcaster in the United States must apply for renewal of his license every 3 years. Those governmental agencies such as police, forestry, and fire departments who use safety and special radio service licenses must apply for renewal every 5 years.

These procedures are time consuming and costly to both the applicant and the Government. Furthermore, the present regulations governing license renewals are outmoded and unrealistic as applied to today's communication needs.

Mr. Speaker, my bill would correct these problems and would also abolish the necessity of renewals for licenses in the safety and special services category which now imposes a useless burden on the Federal Communications Commission and on the licensees. At the same time, the bill will preserve authority in the Commission to grant licenses for a fixed term of years in the safety and special services category, where the public interest would, in the Commission's judgment, so require.

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ANOTHER LOOK AT THE ALLIANCE

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. ROYBAL. Mr. Speaker, as a member of the House Committee on Foreign Affairs, I have always maintained a keen interest in developments in Latin America, and, particularly, in the work being done under the banner of the Alliance for Progress.

This effort at close hemispheric cooperation among the sister Republics of North and South America is the subject of an excellent article written by Mr. F. J. Aguirre-Sacasa, appearing in a recent edition of the Boston Herald Traveler, which I would like to include in the RECORD at this point:

ANOTHER LOOK AT ALLIANCE

(By F. J. Aguirre-Sacasa)

WASHINGTON.—Since its inception in 1961, the Alliance For Progress has been subjected to an ever increasing amount of criticism. Now, at a time when this country's overall foreign aid program has sunk to the nadir of its popularity, Congressman Dante Fascell's House subcommittee on inter-American affairs has undertaken a probe which is examining "every premise and assumption of the Alliance For Progress as well as its performance and future."

The Fascell investigation follows closely on the heels of a controversial study released in early February by Sen. J. W. Fulbright's foreign relations committee. This Senate report sought to identify the pitfalls besetting the Alliance For Progress by focusing on the program's operations in Colombia from 1962 to 1967.

Colombia was chosen for the analysis because it faces most of the social, political, and economic difficulties plaguing Latin America. In addition, that nation of 20,000,000 inhabitants has been the third largest recipient of U.S. aid in the hemisphere. Since 1962, approximately $750,000,000 in Alliance For Progress funds have been channeled into its economy.

The detailed study prepared by Fulbright's committee was hardly encouraging. It pointed out, for example, that despite the massive infusion of American capital, Colombia's per capita Gross National Product barely inched forward at an annual rate of 1.2 p.c. during the span considered. That same five-year period also saw the Colombian peso plunge from its 1961 level of 8.50 per dollar to its present exchange peg of 16.45 to the dollar.

After reviewing the United States educational program in Colombia, the survey concluded that it, too, was a disappointment primarily because U.S. and Colombian planners vacillated between an approach which stressed aid to elementary schools and one which favored stimulating higher education. As a result, little progress was achieved on either level and Colombia's illiteracy rate remained constant during the years examined.

The American agricultural assistance program was also criticized in the analysis. The report noted that the project's main goal was to increase production of cash crops for export. Consequently, the principal beneficiaries of the program were the "latifundistas" or large land owners who have traditionally grown these crops. At the same time, roughly 450,000 rural families remained landless due to the low priority assigned by the program to agrarian reform.

The committee's document recognized that the Alliance For Progress may have attained its basic political objective, namely, a democratic Colombia. Nevertheless, it charged that most of the socio-economic targets set for the country were not met.

Although the report laid most of the blame for this failure on the doorstep of United States policy makers and administrators, it also indicted the Colombian governments of former chief executive Guillermo Leon Valencia and current president Carlos Lleras Restrapo. It accused their regimes of foot-dragging in the implementation of basic reforms and charged that they literally misused the time which Alliance funds bought for Colombia's experiment in democracy.

This condemnation has resulted in a furor in that South American republic. Virtually every Colombian leader has denounced the study's conclusions as inaccurate and offensive. President Lleras Restrepo, for example, declared that the report was obsolete in the light of his country's accelerated growth rate during 1968. His foreign minister, Alfonso Lopez, concluded that the survey was faulty because its authors were ignorant of actual conditions in Colombia.

Public criticism of the review made by the foreign relations committee was so vociferous that the U.S. State Department decided to issue a statement through its Bogota embassy disavowing the study's conclusions and reminding Colombians that the committee print did not reflect the official views of the United States. In addition, the State Department release went to great lengths to praise the recent economic achievements of President Lleras Restrepo's government.

HARRY SHEPPARD

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. VAN DEERLIN. Mr. Speaker, the passing of Harry Sheppard has removed a giant from our scene. In the San Diego area, a portion of which I represent, Mr. Sheppard is well remembered for his statesmanlike work as chairman of the House Appropriations Subcommittee on Military Construction. Within our California delegation, he will always be recalled for his services as our dean and for his sound advice to our younger Members.

The fact that San Diego today has such a mighty military establishment is due in large measure to the tireless efforts of Harry Sheppard. Most of the Navy and Marine Corps installations in the area bear his imprint. He was an authentic expert on the subject that fell within his purview—military construction—in the best tradition of the House of Representatives. He would not allow a project to be funded unless it could be fully justified; by the same token, he would never stint if a facility were truly needed to sustain our military preparedness.

When I came to the House as a first-term Member in the winter of 1963, Mr. Sheppard, then a veteran of 26 years of distinguished service in this body, went out of his way to counsel me on some of the political realities of life in Washington. His advice is as valid today as it was then.

And whenever it appeared that the Defense Department might be giving San Diego shabby treatment, as in the delicate matter of base closings, Mr. Sheppard would invariably offer his assistance—if he thought our case had merit.

His performance in Congress on behalf of his own district is legendary. San Bernardino County, which he so ably represented for 28 years, abounds with monuments to his effectiveness. But his greatest work was on behalf of the Nation, to whose defense he contributed so significantly.

A perfect epitaph for our late colleague was provided, I think, by one of San Diego's leading editors, Capt. E. Robert Anderson, of the Copley Press. He wrote:

> Harry Sheppard was truly a Congressman for all America.

QUESTION OF COSTS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. GAYDOS. Mr. Speaker, in a recent editorial from the McKeesport Daily News, Mr. John Orr presents an interesting and thought-provoking suggestion for the financing of the proposed "Safeguard" ABM system. He suggests economies be made within the present defense budget to provide the billions necessary for its deployment.

I invite the attention of my colleagues to the editorial and submit it for insertion in the RECORD:

QUESTION OF COSTS

The Senate Armed Forces Committee hearings failed to resolve in the public mind the advisability of undertaking the "Safeguard" anti-ballistics missiles program as proposed by President Nixon.

Eminent men appeared on both sides of the issue. Several of them were scientists who disagreed sharply on what should be the most fundamental question of all—whether the Safeguard system actually will work.

Certain witnesses approached the matter from political directions. Some thought the project would antagonize the Soviet Union, which happens to have a number of AMB's of its own, and make disarmament negotiations more difficult. Others such as Prof. Williams G. McMillan of the University of California couldn't have cared less. Said he:

"I cannot understand the sophisticated arguments that conclude it is somewhat bad to defend ourselves. We are told, in effect, to stop our provocation action of punching the Soviets in their fist with our eye."

Perhaps, so. But the most telling moment of the hearings came when one of the Senators raised the subject of costs. He pointed out that the American people have a trillion of their dollars in insurance, pension funds and the like and that increased federal spending is threatening these investments. He implied that to add billions for the ABM to the already staggering Pentagon outlays would crumble the eventual buying power of the investor's dollar even further—in other words, that ABM could generate a new wave of inflation.

When the Senator brought up this topic, he found, as might have been expected, the scientists silent in their witness chairs. Also the global-minded politicians. None elected to take up the issue he set forth because, undoubtedly, the costs and the effect of another multi-billion expenditure on the economy generally had been little considered.

And yet, there is a ready answer to the cost matter and it is this: If the Pentagon thinks we must have an ABM system to defend us, then let it construct the system out of present funds, making economies elsewhere in its budget to provide the billions needed. There are many places where this can be done. One which readily comes to mind is in the vast sums we spend to maintain NATO troops in Europe. If our survival depends on ABM installations here, then U.S. soldiers are not needed on some useless battle line in Europe. In fact, it can be argued that they never have been needed there except for "window-dressing" and to fuel the European economies with our dollars.

THE NATIONAL TIMBER SUPPLY ACT

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. FLOWERS. Mr. Speaker, many Members of this distinguished body have risen in the last several days to speak to the merits of the National Timber Supply Act. I am pleased to be among the sponsors of this legislation. It is unnecessary for me to repeat in detail the carefully developed expositions of my colleagues.

They have said the Nation needs more wood for housing.

They have pointed out that private forest management is more productive than public forest management.

They have clearly identified the lag in public management as inadequate funding for reinvestment in improved management.

The have related productivity to investment as an element of sound management.

They have, without exception, advocated early passage of the National Timber Supply Act so that Federal timber management could be brought up to the level of the excellent private forest management which we enjoy in the South.

I can only echo their scholarly words.

I know that houses in America are made of lumber and plywood.

I know that lumber and plywood comes from trees.

I know that trees come from forests.

I know that forests will grow again.

I know that trees can be managed like a crop so that faster growing and higher quality trees can spring up where one grew before—with the advantage of man's help through genetic selection, spacing, fertilization, and adequate care and attention.

These are obvious matters and do not warrant a lengthy examination.

One thing I am aware of, however, may not be common knowledge. In the South we are on the verge of a forest renaissance such as has never been known in the world before. It will revolutionize the production of wood fiber in the South and will guarantee a future for farmers and manufacturers and consumers as they have never known.

The one ingredient we cannot buy in the South, however, is time. It will take an estimated 15 years before we can stimulate wood production on our southern Federal lands, and industrial lands, and private woodlots to the extent that we can rely on a constant flow of wood fiber forever to meet the Nation's needs.

The Federal Government can provide us that time by carefully releasing its vast inventory to commercial use. I am not advocating whole scale logging of the national forest. I am advocating a calculated development program so that timber now going to waste in the Federal forests will be available to relieve the pressures on our growing southern forests. I am advocating the reforestation of the Federal Government's vast landholdings so that timber harvested today will be replaced by better trees more quickly.

I am, in brief, advocating the adoption of modern methods by our Federal Government so that all the people can benefit forever.

In that context I urge that every Member of the House act at once to support the National Timber Supply Act and vote for its passage so that we can realize more immediately the bounty from our storehouse and the application of techniques which will guarantee those benefits forever.

EXPANDING LAW ON SOLID GROUND

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. MILLER of Ohio. Mr. Speaker, the Supreme Court continues to find new legal technicalities with which to overturn convictions of known criminals. At a time when crime statistics are soaring, it is frightening that our ultimate judicial body has apparently taken a pro-crime position.

Within the past few months a new flicker of hope has appeared on the High Bench. Justice Hugo Black has recorded some opinions indicating that he believes the Court has reached a limit in favoring the violent and criminal elements in our society.

An editorial in the Lancaster, Ohio, Eagle Gazette comments on Justice Black and a recent court decision. I submit the editorial for inclusion in the RECORD at this point.

EXPANDING LAW ON SOLID GROUND

It's regrettable that the U.S. Supreme Court didn't take the suggestion of its Justice Black that it make a "new appraisal of the language and the history of the Fourth Amendment to cut it down to its intended size."

The Fourth Amendment protects citizens from unreasonable searches and seizures.

That's all it says, but over the last few years it has become so barnacled with Supreme Court interpretations, all to the advantage of accused criminals, that—in Justice Black's words—its "original authors would be hard put to recognize their creation."

The corner stone of the Supreme Court's enlargement of the Constitution is its so-called exclusionary ruling, which bars "illegally" seized evidence from admission at trial.

Under it, persons literally seized with the goods can get off.

The court has been pyramiding other decisions that extend the scope of the meaning of "illegal" search and seizure.

The latest, which provoked Justice Black's call for a new look at the Fourth Amendment, found that the taking of fingerprints of a person rounded up in a dragnet, even though he did not object, was unconstitutional because there was no warrant or even probable cause for the suspect's detention.

The court thereby overlooked the hard evidence of guilt—that the suspect's fingerprints matched those found of the scene of a rape of an 86-year-old woman, a crime for which he had been convicted.

Justice Black is on solid ground in urging that a restoration of the original meaning of the Fourth Amendment would "make our cities a safer place for men, women and children to live."

KEEPING AMERICA BEAUTIFUL—WESTERN PENNSYLVANIA CONSERVANCY

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. MOORHEAD. Mr. Speaker, conservationists and nature lovers everywhere will be heartened by the New York Times article of May 4 describing the program of the Western Pennsylvania Conservancy, headquartered in my city of Pittsburgh.

This organization, of which I was proud to be a former member of the board, received the National Wildlife Federation Award in 1967 as "Conservation Organization of the Year" for its outstanding efforts in preserving and protecting the natural beauty of our land.

I include the article herewith for the attention of my colleagues, whom I also cordially invite to visit the area:

THE VISIBLE BENEFITS OF A CONSERVANCY PROGRAM

(By David Jones)

PITTSBURGH.—Weary nature lovers seeking escape from the hustle of urban life are enjoying new opportunities to savor nature's pleasures in the heart of this coal and steel country.

The chance is being provided by the Western Pennsylvania Conservancy, a nonprofit organization dedicated to preserving the natural beauty of this rolling Appalachian Mountain region against industrial and urban blight.

The fruits of the effort are now going on dramatic display at the conservancy's nature centers as spring presses across the Pennsylvania woodlands to awaken the wildflowers there. Over the next two months, the four centers will be awash with waves of delicate pinks and whites, dazzling reds and purples and bright yellows.

MILLIONS OF FLOWERS

This spring's show already is under way at the conservancy's Wildflower Reserve on U.S. 30 about 25 miles west of Pittsburgh, where spring beauties, bluets and hepatica are in bloom. Within the next 10 days to two weeks, blooming will begin at the three other nature centers. They are populated by millions of flowers, such as trout lilly, coltsfoot, trillium, trailing arbutus, bloodrot, dogwood, mountain laurel and rhododendron.

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Some species of wildflowers in the reserves—such as twinleaf—come and go in two or three days. But most have a blooming period of several weeks, and new flowers come into bloom throughout the summer and fall. A list of the current flowers is posted on reserve bulletin boards each weekend.

The Wildflower Reserve is a 30-acre tract that is situated in a stream valley adjacent to Raccoon Creek State Park. The wooded area also offers opportunities for bird-watching and picnicking.

"This seems to be one of the largest concentrations of wildflowers growing naturally in the Eastern United States," says Joseph B. C. White, the conservancy's educational director, who supervises its extensive programs for area schools.

POPULAR NATURE TRAILS

About 20,000 visitors walked the reserve's 4.5 miles of nature trails last year, viewing its 300 varieties of wild-flowers. "Once we get the people on the trails, it's hard to get them off," Mr. White says.

About 50 miles southeast of Pittsburgh, in another conservancy nature center, 87 varieties of trees and shrubs have been found. Ferncliff Nature Reserve, a 100-acre tract on State Route 381 at Ohiopyle, has two miles of trails that take visitors through large stands of mountain laurel, which bloom for two weeks in late June, and rhododendron, which blooms for two weeks in early July. The reserve is lush with fragile green fern and includes the umbrella tree, a form of magnolia that reaches its northernmost known limits there.

Ferncliff sits on a peninsula formed by a horseshoe curve in the Youghiogheny River, and is adjacent to 18,500-acre Ohiopyle State Park. Scenic overlooks from the reserve offer views of the 40-foot Ohiopyle Falls and the churning rapids above.

THE BLAZING STAR

Jennings Nature Reserve, a conservancy property about 40 miles north of Pittsburgh, is a 350-acre tract whose main feature is eight acres of the Blazing Star, a Western prairie flower that clings tenaciously to an eastern foothold. The reserve is on State Route 8, at the intersection with State Routes 528 and 173, and about 12 miles north of Butler.

The Blazing Star is a brilliant pink and pink-purple flower about 12 to 14 inches long that blooms at the end of a three-to-four foot-high stalk in late July and early August. It is a descendant of a plant that made its way east in the post-glacial age, perhaps 4,000 years ago.

The conservancy's newest property is the Bear Run Nature Reserve on State Route 381, about 3.5 miles north of Ohiopyle. It was opened last October and is adjacent to Fallingwater, the renowned Frank Lloyd Wright house built over a waterfall in 1937–39. The House, owned by the conservancy, is open to the public.

The Bear Run center consists of 1,500 acres of woodland on the western slope of Laurel Ridge. More than 9.5 miles of nature trails thread through the dense growths of rhododendron, hemlock groves and oak-maple forest. A bird sanctuary will be opened there later this year.

PROTECTING NATURAL BEAUTY

The four nature centers are only one facet of the vast conservation program being pushed by the conservancy, whose 8,000 members are credited with doing much to develop the natural resources of western Pennsylvania. A successor to a parks association formed in Pittsburgh in 1931, the conservancy was reorganized in 1958, and since then has vigorously acquired land to protect the region's natural beauty.

"The primary objective of the conservancy is to preserve open space—in areas both large and small—in order that western Pennsylvania may increasingly become a better place in which to live, to work and to enjoy the good earth that sustains our life," says Charles F. Lewis, its president.

Since 1958, the conservancy has acquired more than 33,000 acres in 11 counties, of which nearly 28,000 have been or are being transferred to the state as a nucleus for five new parks. Most of the remainder comprises the four nature centers and Fallingwater.

The conservancy now is developing two more reserves northwest of Pittsburgh. One is Schollard's Wetlands, a 900-acre tract of marsh and swampland with two waterfalls, and teeming with wildlife and waterfowl. It is on State Route 19, about eight miles south of Mercer, and it will be opened later this spring.

HEAVILY GLACIATED LAND

The second new reserve will be about 15 miles to the west—at Buchanan Run, near Pulaski. It will consist of 100 acres of unusual, heavily-glaciated land, and it will be opened in the early 1970's.

The conservancy also has been buying property in river areas to protect shore lands and hillsides above waterways. It has been a moving force behind development of Ohiopyle State Park, having accumulated 10,000 acres for the 18,500-acre park and having sold them to the state at cost.

One of its most ambitious ventures has been the acquisition of 11,230 acres of land along Laurel Ridge, one of the state's most scenic mountain ridges, and transferring the tract, at cost, to the state. The property will serve as the heart of a 15,000-acre state park that will open in the early 1970's.

PROPOSED HIKING TRAIL

This ambitious program to preserve this entire mountain ridge includes plans for a 58-mile hiking trail from the Conemaugh River, near Johnstown, to Ohiopyle. The conservancy's land acquisition was financed with aid of a $1-million grant from the Richard King Mellon Charitable Trusts.

About 70,000 persons from more than 30 states visited the four conservancy nature centers last year, and more are expected in 1969. Guided tours are available for casual visitors on weekends, but reservations are needed on weekdays, or for groups of 15 or more at any time.

The centers are open from 10 A.M. to sundown daily, but are closed Mondays. There is no admission fee.

Information on the centers, as well as nearby recreational and tourist facilities, can be obtained by writing the Western Pennsylvania Conservancy, 204 Fifth Avenue, Pittsburgh.

TAX RELIEF FOR SERVICEMEN IN KOREA

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, I have joined with over 130 Members of the House to put before the Congress legislation to provide servicemen in Korea with tax benefits similar to those provided for our GI's in Vietnam. Our tax laws now provide appropriate exemptions to servicemen stationed in and around Vietnam.

Recent events show that the level of danger for members of our armed services serving in Korea is high enough to make the provision of such tax benefits logical. The recent downing of an American EC–121 plane and the consequent loss of American lives, the U.S.S. *Pueblo* incident and the stepped-up North Korean action near the demilitarized zone should show us that Korean military duty constitutes duty "in an area of combat."

Our Nation's efforts to maintain the delicate truce that exists in Korea should be continued. But we need also to be realistic enough to admit that we are in many cases asking American servicemen to risk their lives in Korea. Military pay, especially for the enlisted man, is far lower than the wage scale for those working at home.

Our tax structure is now peppered with needless loopholes for the rich and for large corporations. In light of this, a tax break to military personnel, while they serve in areas of combat does not seem out of line. The danger to American soldiers serving in Korea is high. Tax benefits extended to those serving in other areas where they must risk their lives for their country should be extended to our servicemen in Korea.

FOUR MARYLANDERS DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. LONG of Maryland. Mr. Speaker, 1st Lt. William Racca, U.S. Army; Pfc. Robert L. Bittinger, Jr., U.S. Army; Sgt. Michael E. Gordy, U.S. Marine Corps; and 2d Lt. Anthony E. Kupka, U.S. Marine Corps, four fine young men from Maryland, were killed recently in Vietnam. I would like to commend their courage and honor their memory by including the following article in the Record:

Four Marylanders Die in Vietnam—Two Army Men and Two Marines Reported Killed in Action

Four Maryland servicemen—an army first lieutenant, an Army private, a Marine Corps second lieutenant and a Marine sergeant—have been killed in action in Vietnam, the Defense Department has announced.

Reported killed were:

1st Lt. William Racca, USA, husband of Mrs. Jean Racca, of 5201 25th avenue, S.E., Hillcrest Heights, Md.

Pfc. Robert L. Bittinger, Jr., USA, son of Mr. and Mrs. Robert L. Bittinger, Sr., of 211 Springdale street, Cumberland.

Sgt. Michael E. Gordy, USMC, son of Mr. and Mrs. L. Edward Gordy, of Snow Hill, Md.

2d Lt. Anthony E. Kupka, USMC, husband of Mrs. Jeanne Kupka, of Silver Spring, Md.

Lieutenant Racca, who was 22, was killed April 17 while on a combat mission near Saigon. He was with the 1st Cavalry Division.

Although he was born in Providence, R.I., Lieutenant Racca spent most of his life in Maryland suburbs of Washington, was graduated from Surrattsville High School, and attended the University of Maryland.

He was drafted into the Army in September, 1966, and attended Officer Candidate School at Fort Benning, Ga. Shortly afterward he was commissioned a 2d lieutenant.

He received the commission of 1st lieutenant a few days after arriving in Vietnam, in August, 1968, and had planned to make a career of the military.

Besides his wife, he is survived by a daughter, Michelle Ann; his parents, Mr. and Mrs.

William Racca, of Mesa, Ariz.; and two brothers, James and Richard also of Mesa.

Lieutenant Kupka died from wounds he received on a long-range reconnaissance patrol April 16, 16 miles southwest of Da Nang, exactly a month after the 23-year-old officer arrived in Vietnam.

Lieutenant Kupka was born in Washington, and attended a private boys' school in Bethesda before attending Trinity College in Hartford, Conn., where he received a bachelor of science degree in electrical engineering.

After attending Officer Candidate School in the summer before his senior year in college, Lieutenant Kupka was commissioned a 2d lieutenant the day after his graduation.

He was married last June to the former Jeanne Sullivan. His only child, a daughter, Christine, was born three days before his death.

He is also survived by his parents, Mr. and Mrs. Anthony Kupka, of Falmouth, Mass.

Sergeant Gordy, 22, was killed Friday in Quong Tre, Vietnam, where he was stationed with the 3d Marine Division. He was scheduled to return to the United States May 25.

He was born in Worcester County, and attended Snow Hill High School. He enlisted in the Marine Corps in June, 1966.

Besides his parents, he is survived by his wife, Mrs. Martha L. Gordy, of Westminster, Cal.; a brother, Airman 1st Class Dennis W. Gordy, also in Vietnam; and three sisters, Rhonda, Belva and Abby, all of Snow Hill.

CLEMENCY AND PRESIDIO MUTINY CHARGES

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. KOCH. Mr. Speaker, I think that the Nation was heartened on Tuesday when Secretary of the Navy, John H. Chafee, acted with compassion and announced that no disciplinary action would be taken against the *Pueblo* crew.

Stanley Resor, Secretary of the Army, has a similar opportunity; and I submit that he too should act with charity and immediately order that all the mutiny charges related to the Presidio incident be dropped. I am writing to Secretary Resor today urging this course of action; my letter follows:

MAY 8, 1969.

Hon. STANLEY RESOR,
Secretary of the Army, the Pentagon, Washington, D.C.

DEAR SECRETARY RESOR: I very much appreciate receiving a letter on March 26 from your General Counsel, Mr. Jordan, who enclosed a comprehensive fact sheet concerning the Presidio trials. I am sure that you have monitored the continuing trials and are prepared to see that justice is done in these matters.

I would, however, like to call to your attention how speedily Navy Secretary John H. Chafee acted on May 6 when, upon receiving the recommendations of the court of inquiry charged with the responsibility of investigating the Pueblo incident, he overruled the court of inquiry and announced that no disciplinary action will be taken against anyone involved. He could have awaited the outcome of the court martial which would have ensued and let the matter work its way up the military trial calendar until it reached him and then exercised clemency. If he had done that, think of the months and perhaps years of trial and tribulation which everyone involved would have had to suffer.

Surely, the powers vested in Navy Secretary Chafee do not exceed those vested in you with respect to the Presidio incident. I urge you to direct that all pending mutiny charges be dropped and to remit or suspend all unexecuted portions of any sentence as a matter of clemency.

I believe that you would be rendering a great service to the young men involved and to the country at large if in your wisdom you emulated the very charitable act of Navy Secretary John H. Chafee.

Sincerely,

EDWARD I. KOCH.

POLITICAL ACTIVITIES OF TAX-EXEMPT ORGANIZATIONS

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. BLACKBURN. Mr. Speaker, early in this session of Congress, I had the privilege of introducing legislation that would curb the political activities of tax-exempt organizations.

In light of the fact that tax-exempt organizations enjoy a form of subsidization by the Government since they are not compelled to pay taxes, I feel that it is improper for them to be allowed to engage in political activity which is not directly related to their own survival or the reason for their tax exemption.

Recently, Mr. Reed Larson, executive vice president of the National Right to Work Committee submitted a statement to the House Ways and Means Committee with regard to the need to control political activities of labor organizations. For the information of my colleagues, I hereby insert Mr. Larson's statement into the RECORD:

STATEMENT SUBMITTED TO THE COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES BY REED LARSON, EXECUTIVE VICE PRESIDENT, NATIONAL RIGHT TO WORK COMMITTEE, WASHINGTON, D.C., APRIL 21, 1969

The National Right to Work Committee appeals to the Congress to halt widespread abuses of present tax laws by denying tax exemptions to labor unions which use compulsory dues for political purposes. It will thereby close a tax loophole of gigantic proportions. Exploitation of the loophole, in effect, compels all of the nation's taxpayers to subsidize the massive political programs promoted by union officials.

Today officials of many labor unions which have been granted tax exemptions by the Federal government are brazenly violating the political freedom of conscripted members—and also flouting recent decisions of the U.S. Supreme Court—by spending mandatory dues for political purposes.

Union spokesmen would have everyone believe that their political action is supported entirely by "voluntary" contributions. This fallacy is refuted by an abundance of evidence on the public record. It was most convincingly exploded by a group of Georgia employees who successfully waged a legal fight to prevent the use of their compulsory dues for political purposes.

In this particular case—*International Association of Machinists, et al v. Street, et al,* 367 U.S. 740 (1961)—officials of 15 defendant unions admitted using union dues "to support ideological and political doctrines and candidates which plaintiffs . . . were, are and will be opposed to and not willing to support voluntarily."

This lawsuit was filed in 1953. In 1958 the Georgia trial court invalidated the compulsory "union shop" agreement between the unions and several companies. Its decision was later upheld by the Georgia Supreme Court, but an appeal to the U.S. Supreme Court by the defendant unions prolonged the battle.

The nation's highest Court, evading the constitutional issues raised by this litigation, simply ruled in 1961 that dues paid to labor organizations cannot legally be used for political purposes over the objections of dues-payers. It ordered the trial court to resolve the controversy in a manner which would safeguard the workers' political freedom and also preserve the compulsory "union shop" agreements.

Ultimately officials of the unions were instructed to produce their financial records so that an auditor appointed by the trial court could determine what percentage of the dues they collected had been diverted into political channels.

The court order required the union officials to either permit examination of their books or exempt the protesting workers from the compulsory "union shop" provisions and also refund to them the money they had been compelled to pay in the form of dues, fees and assessments.

Finally, in February 1965 officials of the defendant unions chose the second alternative. They thereby prevented the court from learning exactly how much money they had invested in blatant politicking.

The Street case proved conclusively that union political action is *not* financed entirely by "voluntary" contributions. This litigation provided relief for oly a tiny fraction of the wage-earners across the country whose money is fueling the unions' political machines And it underscored the prohibitive cost of restraining those union officials who are preoccupied with political matters.

Unfortunately, the remedy prescribed by the Supreme Court is meaningless and impractical because it places relief beyond the reach of aggrieved employees. The Court's remedy entails costly litigation and pits employees with modest incomes against union officials who control overflowing treasuries. The fact that "justice delayed is justice denied" was underscored by the Street case, which the courts required 12 years to resolve.

Justice Hugo Black dissented from the Supreme Court's 1961 decision in the Street case. He objected strenuously to the refusal of the Court's majority to face up to obvious constitutional questions. He wrote, in part:

"The stark fact is that this Act of Congress (the National Railway Labor Act) is being used as a means to exact money from these employees to help get votes to win elections for parties and candidates and to support doctrine they are against. If this is constitutional, the First Amendment is not the charter of political and religious liberty its sponsors believed it to be."

Although this cited case involved compulsory "union shop" agreements under the National Railway Labor Act, the very same constitutional problems are created by compulsory "union shop" agreements authorized by the National Labor Relations Act.

There can be no valid objection to the political activities of a labor organization which is comprised exclusively of voluntary members. The individual worker can preserve his own political freedom, if he is free to either maintain or withdraw his membership from a union without fear of discharge or other reprisals.

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The fact is, however, that a large part of the money used by union officials for political activity is collected from rank-and-file employees under compulsory "union shop" arrangements. Consequently, large numbers of workers are required to pay money over to the union against their will with knowledge that it will be used to support candidates and causes which they themselves oppose.

There is the further fact that in spending their members' money in this manner, the union officials are engaging in unlawful activity in direct violation of the Federal Corrupt Practices Act. This act makes it a crime for any union to make any contribution or expenditure in connection with any election to Federal office, including President, Vice President, Senator or Representative. It provides for punishment by fine and imprisonment for any union officer responsible for making, and any candidate who receives, any such contribution.

This criminal statute has been on the books since 1947, but no serious effort has been made to enforce it and, as a result, union officials make believe it doesn't exist.

Unions enjoy a tax-exempt status under the Internal Revenue Code, and this alone should disqualify them from engaging in political activities. Section 501(c) of the Internal Revenue Code lists various categories of exempt organizations, among which are labor unions, fraternal clubs, chambers of commerce, civic associations, religious, charitable and educational organizations and so on. Of the more than two dozen groups listed, there is only one that can engage in political action without being disqualified for tax exemption, and that group is labor unions. A chamber of commerce, for example, that spends any part of its funds for political purposes would quickly—and properly—lose its exemption status, and the same would happen to a religious or educational organization, a public welfare organization, a social club or any of the others.

Now, the interesting point is that there is nothing in the statutory language which would authorize this special treatment for unions, nor is there any legislative history to support it. It is purely and simply a position that has been followed by the Internal Revenue Service and officially articulated for the first time in 1966. In other words, this arm of the Treasury Department says, "We will recognize a union as tax exempt no matter how much of its money it spends for political purposes, and notwithstanding the fact that the Federal Corrupt Practices Act makes such expenditures a Federal crime."

The flagrant political activities of tax-exempt labor unions have produced a loud and continuing chorus of objections from the American people. Polls by reputable research firms have consistently shown overwhelming public opposition to the use of union dues for political purposes. Not surprisingly, union politicking is also opposed by a majority of the nation's union members.

This is an abuse which seriously jeopardizes our system of representative government. It dilutes every citizen's political freedom and outrageously violates the basic rights of workers whose money is being misused. It does violence to the "one man-one vote" concept.

In contrast to the favored treatment which it gives labor unions under the Internal Revenue Code, the IRS in 1965 and 1966 subjected the National Right to Work Committee to an exhaustive investigation for the acknowledged purpose of finding nonexistent evidence of political spending by our organization. If it had discovered such evidence, the IRS would have justifiably deprived the National Right to Work Committee of its tax-exempt status. However, the IRS obviously is not applying that same standard to labor unions.

Therefore, the National Right to Work Committee respectfully recommends that the Congress amend existing laws to deny tax exemptions to labor organizations which use mandatory dues for political purposes.

LONG-RANGE VIEWS ON TAX POLICY NECESSARY

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. MILLER of California. Mr. Speaker, recently a thought-provoking editorial appeared in the Alameda Times Star, a newspaper published in my district. In it, the editor points out that in adopting measures to effectively solve our present inflationary difficulties, we must consider the long-range economic implications of our actions. At this point in the RECORD I insert this timely editorial:

[From the Alameda (Calif.) Times Star, May 5, 1969]

INVESTMENT TAX CREDIT BAN COULD PROVE INFLATIONARY

A close study of price gains in the past decade indicates President Nixon's major anti-inflation tax proposal to Congress will be inflationary over the long run, whatever its short-run benefits.

That is, the government's own statistics, analyzed in detail, clearly suggest the President's move to end the investment tax credit for industrial modernization is likely to be self-defeating.

By and large, prices have risen only moderately in industries which have invested in modernization.

In manufacturing, where the liberal application of new equipment has increased output per man-hour almost 40 per cent, wholesale prices have risen but 10 per cent in the past decade.

In industries in which modernization has moved slowly, prices have risen more rapidly. This has produced the inflation that concerns Nixon and the nation.

Service costs generally are up 37 per cent, medical care 60 per cent, housing and home maintenance 31 per cent.

The investment credit Nixon would do away with was designed to produce the kind of modernization that seems to have kept prices down in those companies in which it has been applied. The evidence cited above suggests this credit was very successful indeed.

Presumably then, over the long run, the removal of the investment tax credit will result in somewhat less modernization than there would have been. If the past 10 years serve as a measure, that will, in turn, mean costs and prices in the industries concerned will go up more rapidly than otherwise.

A number of industries utilizing investment tax credits are in heavy competition with foreign countries. Steel, for one.

If these companies are less able to compete, the U.S. trade balance will suffer. This would put additional pressure on the already-shaky U.S. balance of payments. It could weaken the dollar.

In many cases, as in utilities, the loss of investment tax credit will be passed on to the consumer in higher (inflationary) rates.

Why then the proposal to reduce the investment tax credit? Talks with economists and political strategists suggest this reasoning behind the Nixon strategy:

1—Anything that reduces spending will have a short-term effect on inflation. The long-term problem can be handled later.

2—Psychologically, a strong move like this one has a shock effect. It convinces industry the administration means business. It thus discourages unnecessary expenditures hopefully over a much wider range than affected by the investment tax credit.

3—Politically, there's a strong feeling in Congress against the credit. Some legislators consider it a favor to big business at a time when the public is burdened by high taxes.

SENATOR ERNEST GRUENING TELLS HOW PRESIDENT NIXON CAN END THE WAR IN VIETNAM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. RYAN. Mr. Speaker, during the several years in which the Vietnam war has been an issue of controversy and debate in the Congress, Ernest Gruening, former Senator from the State of Alaska, has constantly sought to sharpen our awareness of the tragic consequences of that conflict. Senator Gruening was one of the few Members of Congress who opposed the Johnson administration's escalation of the war from the beginning.

Senator Gruening very early recognized that the results of perpetuating our military involvement in Vietnam could only be tragic for Vietnamese society as well as our own. It is most unfortunate that Senator Gruening no longer serves the U.S. Senate, for his counsel and insights were invaluable to all of us.

In the May 5 issue of The Nation, Senator Gruening shows that he is continuing to carry on the fight against the war—which he did so much to initiate—and that his insights and recommendations are as sharp and persuasive as ever. In his article Senator Gruening offers specific steps through which the war in Southeast Asia could be ended—steps which I believe provide a workable strategy for extricating ourselves from the morass in Southeast Asia.

If President Johnson had listened to Senator Gruening in 1964 and 1965, America would be very different today. President Nixon would do well to remember how his predecessor's policy in Vietnam brought about his retirement, then listen to the former Senator from Alaska, and end the war immediately.

I commend Senator Gruening's arguments to my colleagues and urge them to give the steps he urges their careful consideration:

[From the Nation, May 5, 1969]

HOW PRESIDENT NIXON CAN END OUR WAR IN SOUTHEAST ASIA

(By former Senator Ernest Gruening)

It is, and for some time has been, obvious that the most important issue facing our nation is to get out of the war in Southeast Asia. All our other issues and problems are slighted, impaired and unresolved until we halt the fighting, stop the concomitant continuing drain of blood and treasure, and turn to the long-neglected and pressing needs at home.

During his election campaign Richard Nixon told the American people that he had a plan to end the war, but did not want to disclose it for fear of interfering with the

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negotiations in Paris. After three months in office President Nixon gives us no indication of any formula or proposal for achieving that widely desired objective.

On the contrary, draft calls are undiminished, casualties mount and we continue, as we have for the last five years, to be winning the war only in the optimistic pronouncements of our military leaders and their supporting newspaper columnists. The President has shown a commendable restraint in not re-escalating the battlefield activity, having no doubt learned that every time our military propose just one more upmanship we get in that much deeper. But the prospect is for continued warfare.

A new approach is desperately needed, and I offer it in the fervent hope that President Nixon who, I doubt not, would like to rid his Administration of the albatross bequeathed him by President Johnson, will lay aside his preconceptions and the assumptions that have underlain our policies to date. For that purpose a review of what has happened is appropriate.

Five years ago, on March 10, 1964, I delivered the first major opposition speech on this issue made in Congress. It was entitled, "The United States Should Get Out of Vietnam." With exhibits, it occupied 30 pages in the *Congressional Record*. It would have been easy for President Johnson to accept that counsel and to withdraw at that time, since no United States units had been committed to combat, and the casualties had been very few.

The opening sentence of that March 10 address was: "The mess in Vietnam was inherited by President Johnson." That holds true for President Nixon today; he is under no more obligation than was President Johnson to perpetuate his predecessor's policies.

That we have lost some 34,000 young Americans killed in action, several thousand more through other causes, more than a quarter of a million wounded, some horribly crippled for life, have killed tens of thousands of innocent noncombatants, created more than a million homeless refugees, sunk in excess of $125 billion unrecoverably in the Asian quagmire, and sacrificed our moral standards before the conscience of mankind, does not lessen but increases the need for an alternative course. To continue to permit our men to die in vain—as they all have died in this war—is not short of criminal.

The extent of our folly, despite official propaganda and the ever optimistic and misleading reports of military and diplomatic experts in the scene, has dawned increasingly on the American people. The desire and need to disentangle ourselves have been widely expressed, and as widely countered with the hopeless and unimaginative retort: "Well, maybe we shouldn't have gone in but we're there now," with the accent on the "there," implying that we have to keep on with what we have been doing.

More recently, this has been refined by acknowledgments that, while we must find a way out, it must be an "honorable" way—which can be translated to mean victory for our position. The "unthinkable" proposal that we withdraw unilaterally (why not, since we barged in unilaterally and in violation of all our treaty commitments?) is met with the loaded cliché, "You wouldn't scuttle and run, would you?" I'll examine that in a moment.

Let me urge that any way out would be more honorable than to continue the needless slaughter, and the ever deepening submergence of our nation's interests and values. But actually the most honorable way out would be to repudiate the whole dishonorable episode (made even more demonstrably so, since the Fulbright committee hearings last year revealed that the Tonkin Gulf incident was spurious), to make an "agonizing reappraisal" and confess error.

Defense Secretary Laird has recently revived the shopworn proposal that we strengthen the South Vietnamese army and turn the war over to it—Congress to appropriate additional millions of dollars for that purpose. This would mean merely further subsidy to the corrupt and dictatorial Saigon regimes which have been successively self-imposed by military coups or by electoral fraud, thereby justifying the struggles of the anti-Communist opposition, as well as of the Vietcong against puppet regimes which have no popular support and are maintained solely by American armed might and financial aid.

On February 26 of last year, addressing the Senate shortly after the rigged South Vietnamese elections and the sentencing to years at hard labor of the defeated non-Communist opponents of the Thieu-Ky ticket (it was as if President Nixon after his victory had ordered Mr. Johnson and Mr. Humphrey to the chain gang!), I made a specific recommendation to the President. It appeared in the *Congressional Record* under the heading, "One Possible Solution to the Vietnam Dilemma," and follows:

"Recommendations for extrication of the United States from its Vietnamese folly are not the responsibility of those who for years have dissented from United States policy in Vietnam. It is the responsibility of those who got us into the Southeast Asia mess.

"However, if President Johnson really wants to get the United States out of the morass in Vietnam, and save us from ever-mounting and ever-deepening disaster and the increasing slaughter of the flower of our youth and of thousands of Vietnamese noncombatants, his opportunity is here and now.

"He could go on nationwide radio and television and, in effect, say to the American people:

"My fellow citizens, I have tried for four years and my predecessors have tried for a decade previously to bring a semblance of self-government and democracy to the people of South Vietnam. It has become clear beyond peradventure that it is not their desire, and that the United States, despite its prodigious efforts in manpower and money, and the sacrifice of thousands of American lives, cannot achieve these desired results for them.

"I have today ordered the unconditional cessation of all bombing of North Vietnam and of all offensive operations in South Vietnam. In addition, I have directed there be an immediate in-place cease-fire in South Vietnam on the part of the United States and I have requested the South Vietnamese Armed Forces to do likewise, with only defensive action authorized. I have called upon the forces of the National Liberation Front and of North Vietnam in South Vietnam to do the same. It is my purpose, which I now declare, to initiate a phased military withdrawal which should be completed within a year. In the meantime, behind the shield of American military forces with the leverage afforded by U.S. military and economic aid, U.S. representatives in South Vietnam will insist that the Thieu-Ky government broaden the base of its government to include their non-Communist opponents, represented in large measure by those whom they have now jailed and put in protective custody, and that this broadened South Vietnamese Government begin immediate negotiations with the National Liberation Front so that all these Vienamese components can work out their own destinies.

"In addition, I have directed our Ambassador to the United Nations to work with other nations there to find places of refuge in other lands for those who would not want to live in South Vietnam under the new regime which will be formed and I will ask the Congress for such additional authority as may be needed to admit such refugees to the United States and to assist in their resettlement elsewhere.

"Further, I have instructed our Ambassadors to Great Britain, the Soviet Union, Canada, India and Poland to propose a greatly strengthened International Control Commission to supervise any elections to be held in South Vietnam to obtain an expression of the people's will.

"The United States will assist in the reconstruction and rehabilitation of the burned villages, destroyed buildings and defoliated fields, and give suitable fiscal assistance to economic development. But our military efforts will cease. We will make every effort to assist the people of both North and South Vietnam to establish whatever form of government they can develop."

Here lies a solution which both Americans and Vietnamese, I am confident, will welcome.

This proposal in substance—with a few minor emendations because of changed conditions and its enunciation by a different President—is as valid for President Nixon today as when I proposed it to President Johnson fourteen months ago. President Johnson, of course, turned a deaf ear to it as to all other proposals for U.S. extrication. Instead, he extricated himself by announcing his withdrawal from office, a move which averted his certain defeat at the November elections.

This withdrawal was a confession of error even if he could not bring himself to admit such. He was lucky to have escaped impeachment proceedings which might have been his not undeserved fate, because of his betrayal of his campaign pledges, but was never a possibility because a supine Congress with its Democratic majority with a *particeps criminis* in the whole Southeast Asian affair.

Johnson's withdrawal, however, diminished the tension at home and allayed the mounting opposition to the war based on the hope that the "peace talks" in Paris could bring peace. This is an utterly vain hope because the premises of the two adversaries are diametrically opposed and irreconcilable. We have proceeded on the premise that we are there to repel aggression. Our adversaries maintain that the United States is the aggressor—a view substantiated by an objective review of the facts, many of them kept from the American people. That being so, our adversaries will naturally insist that we withdraw from Asia and let Asians settle their own problems. I doubt whether this proposition is negotiable and that peace by negotiation will be achieved. We should ask ourselves by what right we are there; what we have to gain by maintaining that presence, and whether the price is worth the costs—human, material and spiritual—which will haunt us for generations.

As for the secondary justification for our military intrusion to Southeast Asia—we must halt communism—it should be clear by now that we are actually aiding communism; that if the rulers of Communist Russia and Communist China desire our nation's debilitation and downfall, they could not devise a policy more likely to achieve that objective than the one our country is pursuing. To date, neither the Russians nor the Chinese have committed a single soldier to combat. And if our aim was to prevent the southward expansion of mainland China we have pursued the worst possible policy; we have weakened and sought to destroy Vietnam, which has been hostile to the Chinese for centuries and would fight their aggression as it has successively fought that of the French, the Japanese and the Americans.

What would be the consequences of a unilateral American withdrawal? It would not be "scuttle and run." A phased withdrawal would require months and could be replaced by a nation-wide coalition government more responsive to the Vietnamese Nationalist aspirations.

Would there be a blood bath? One is going on now and it will continue as long as the United States clings to its present policies. We can be confident that long before our withdrawal was far advanced the few hundred corrupt Vietnamese officials would have retired to Paris or the Riviera, to enjoy in luxury and ease the fortunes they have filched from our bounty. If some thousands of others would prefer to leave Vietnam, it would pay handsomely to arrange for their relocation and sustenance, if necessary for life, in other climes. It would be far less costly and more humane than the present $3 billion monthly military bill.

The others—the peasantry—would be absorbed and return to the life they had anticipated in the independent countries of Laos, Cambodia, and reunited Vietnam which the Geneva Agreements predicated and we had agreed to support.

President Nixon has the opportunity to end the war and end it honorably by readherence to principles upon which our nation was founded and through which it grew to greatness until a faulty leadership began to abandon them and got us into the present tragic disaster. That disaster—already great—will only be magnified and intensified unless President Nixon reverses the policy that has brought our nation to unfathomable depths. The Congress, too, has a responsibility to change its course and stop voting the military authorization and appropriations which have supported Presidential misleadership.

A STUDY OF HEADSTART

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. SCHEUER. Mr. Speaker, it has been with a considerable amount of distress that I have been reading the recent newspaper accounts of a study of the Headstart program, which has been carried out by the Westinghouse Learning Corp.

Let me rephrase that: a preliminary study which has been carried out by the Westinghouse Learning Corp. I think it is important to emphasize that; despite the fact that every page of the some 350-page work is stamped "Preliminary Draft," it has apparently been interpreted at being the definitive, unqualified opinion as to the merits and demerits of the Head Start program.

It is my understanding that the final version of this study is not due until May 31, and its authors indicate that additional work now being carried out may provide new insights.

However, the conclusions already arrived at in the study, and the manner in which they were arrived at, give me cause for great concern. As I turned the pages of the report I read, with seemingly relentless consistency, that in learning readiness, in academic achievement, in self-concept and classroom behavior, the full-year Headstart graduates now in the elementary grades, showed no significant gains over their non-Headstart classmates. The 8-week summer session graduates appeared to have lost every ounce of gain by the time they reached the second or third grade.

To me, the shopping list of negatives arrived at by the Westinghouse study provides graphic and dramatic evidence of the need for the further strengthening, expansion and improving of the program. Its conclusions are in many ways similar to those of the Wolff and Stein study of 2½ years ago, on which I commented at the time. This study, based on 179 New York City children, reported disappointment in the durational effects of Head Start, although it was careful to note that children who went into good primary teaching situations continued to show improvement.

It is for this reason that I was happy to read Secretary Finch's statement that HEW's budget for 1970 includes an increase to $60 million—from $30 million—for the Follow Through program. This will enable Follow Through, designed to continue the benefits of Head Start into the early elementary grades, to be extended in some communities into the third grades, as well as be initiated in other communities. Secretary Finch is also calling for an expansion in the use of title I funds for Follow Through.

It is unreasonable to believe that the generations of poverty, ignorance, neglect, and absent opportunity which have produced today's child of poverty, can be counteracted by 1, 2 or even 3 years of special treatment.

Should we not now be addressing ourselves, reasonably and practically, to the kind of programs we are providing for children when they leave Headstart? It is my belief that every effort should be made, every resource mobilized, and every talent conscripted to improve and adapt the early elementary grades to meet the needs of these children. I believe that every educator, be he a State school superintendent, or the principal of a little red school house, should stand back and take a good hard look at the type of programs and supportive service which are being provided to children from disadvantaged homes.

Maybe some of the old traditional, comfortable methods of piloting children through these years should be discarded or revamped. Children must be regarded as individuals with individual needs, desires, and potentials, and this cannot be done within an inflexible, uniform system. We should never be afraid, or too lazy to experiment. Only in this way will we learn what works and what does not. And what more responsive subjects could there be for such experimentation, provided it is always remembered that the children are subjects to be served, and not instruments to be used in perpetuating outmoded techniques, and the discredited operating principles of the past.

Every effort should be made to improve and expand the Follow Through program and the quality of the elementary grades; thus, it is particularly unfortunate that the unfinished results of a study using questionable measures of evaluation should be allowed to cast a shadow over the effectiveness of the nationwide Headstart program. In reading the study several questions spring immediately to my mind: while the Headstart children were tested in first grade or after completion of second or third grades, were these findings examined against a similar evaluation of the same children before they entered Headstart, and immediately after leaving the program.

What basis is there for assuming that the control group of children used by the study had experienced the same level of physical, mental, and emotional deprivation in their preschool years as had the Headstart children? Headstart children are drawn from poverty families, with accompanying deficiencies in these three vital areas of early growth and development. A true evaluation, of necessity, would have to be based upon a perfectly matched group.

Where is there, in the Westinghouse study, a careful examination of the Headstart child in his relationship to his home, his environment and, most important of all, to himself, before and after he completed Headstart? He is, it seems to me, being judged on his sustained ability to put square pegs in square holes, to draw a picture, and to color it green.

And where is there a definitive assessment of the conditions under which he is being asked to do these things in first, second, and third grades? Where is the caliber of the school program described?

A child entering Headstart, from whatever level of poverty he comes, is drawn into an environment where he is offered individual, specialized attention: one teacher, plus one nonprofessional aide and a volunteer for every 15 or 20 children at most. The curriculum is molded to the child, not the child to the curriculum.

From this experience, in all too many cases, he is summarily ejected into a world which consists of 30 or 40 children, supervised by one harassed, overworked, underpaid teacher. Where previously he has been given the time and opportunity to express himself, he now takes his turn, which may never come, or come too late. Where previously he has learned that he could expect the undivided attention of a caring, thoughtful adult when he was troubled, he must now share her with 40 others. These are traumatic experiences for a very young child, but it was under subjection to what might well be these conditions, that the Headstart graduates have been evaluated by the Westinghouse study.

It is incredible to me that any professional researcher would expect a child, particularly those now enrolled in a ghetto classroom, to maintain and sustain the same rate of progress as he did under infinitely more favorable conditions. A well-motivated Headstart child, on the other hand, may very well suffer more in this situation than the non-Headstart child, and this will inevitably be reflected in this testing.

The Westinghouse study, like several other studies, shows that Headstart programs have their greatest impact in Negro males from rural poverty areas, or from big city ghettos. This is the same group that would ordinarily be expected to have the greatest dropout and failure rate in school. Therefore, and most importantly, the most significant improvement is occurring in children with the greatest need.

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Headstart offers a great deal more than what is provided during the classroom hours. While admittedly the study takes no account of the program's nutrition and medical and dental services, it similarly omits reference to two other cornerstones of Headstart, namely the social services and parent involvement. For nearly 4 years now, the parents of more than 3 million children have been brought into the early years of their children's development in a unique way. They have been invited into classrooms as aides, as volunteers and as spectators. They have gained insights into their role as parents and homemakers; they have received educational and training opportunities; and they have served on policy advisory boards which determined the administration and operation of the program in which their children were enrolled.

Parents, with the cooperation of a wide range of human service professionals, with local businesses, voluntary organizations, and countless other resources, have made Headstart truly a family program, with a 24-hour-a-day influence, not just confined to the classroom.

AID FOR THE PORT OF NEW YORK

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. BIAGGI. Mr. Speaker, the Port of New York is the busiest port facility in the United States. More goods pass over her docks than through any other port in the Nation. The Port of New York, in 1966, imported a higher tonnage than all the gulf coast ports combined, or all the Pacific coast ports combined, including Alaska and Hawaii. In 1968, the Port of New York handled just over 15 million long tons of general cargo, or 17.5 percent of the country's import-export tonnage.

While the Port of New York still handles a large percentage of the general cargo imported and exported from this country, her position in relation to other ports in the United States has been slipping in recent years. Ten years ago New York handled 27.6 percent of the Nation's import-export tonnage, or 10.1 percent more than she did in 1968.

In order to help reverse this trend, and to prevent New York from slipping further behind, I urge full support for requests for: First, $8.6 million to deepen New York's anchorage facilities; second, a policy of the Navy to use New York shipyards for repair work; third, a $20 million harbor cleanup project; and fourth, greater use of New York pier facilities for Government cargo shipping.

These measures will help reverse the trend which has led to a decline in dock jobs and income for residents of New York. Between 1961 and 1967, an estimated 5,400 dock jobs were lost in the city as well as an estimated $13 million in income in port operations in Brooklyn and Manhattan. These figures do not include losses in jobs and wages in port-related activities, and are only a portion of the losses the city has sustained because of its decline as a port. It has been estimated by economists that there are four to five jobs generated in other areas for every dock job. These include the functions related directly to dock work, such a truckdrivers who deliver and pick up goods, and others who inspect and handle goods. There are also those jobs which fulfill the personal needs of dock workers; for example, restaurant jobs to serve lunch, or car salesmen selling these men cars.

These requests, which have my wholehearted endorsement, will promote New York's economy. They will help create jobs in the city, jobs the city badly needs since its job supply has been adversely affected by the shift of manufacturing enterprises out of the city, and a consequent loss of 140,000 manufacturing jobs in the last 10 years. They will help make New York more competitive with other harbors. Developments, such as the St. Lawrence Seaway, which has opened the Midwest to ocean traffic, have undercut New York's position. The new facilities will help restore the city's position, and will allow her to better capitalize on the opportunities for additional port business such as containerization.

I urge prompt support for these proposals for improving the Port of New York. They are urgently needed to insure New York's leadership as a port, and to encourage the development of the city's economy.

GEORGE GOW: KANSAS BROADCASTER OF THE YEAR

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. SHRIVER. Mr. Speaker, on Saturday, May 10, 1969, the Kansas Association of Radio Broadcasters will present its first "Broadcaster of the Year Award" to George Gow, of Wichita. George Gow was a "radio habit" for thousands of Kansans for many years. Although he is now retired, Mr. Gow worked in Wichita radio newscasting for 20 years.

He is remembered here in the Nation's Capital, too, where he covered the White House for Associated Press during World War II. He covered every Democratic and Republican Convention from 1920 to 1960. Mr. Gow has known many Presidents and his interviews have included President Nixon, the late Speaker Sam Rayburn, and the late Gen. Dwight D. Eisenhower.

It is appropriate that he should receive this first award from his fellow broadcasters in the State of Kansas. He has contributed significantly to both newspaper and radio journalism. I extend personal congratulations and best wishes to my friend, George Gow, for this most deserved honor.

Under the leave to extend my remarks in the RECORD, I include the following feature article written by Rae Jean Matlack which was published in the Wichita, Kans., Beacon:

BROADCASTING VETERAN RECALLS "BACK WHEN"

(By Rae Jean Matlack)

At the tender age of 10, George Gow, 1932 High St., earned his first by-line on the front page of his stepfather's newspaper in Wilmington, Del., for covering a local fire. As a youngster then, little did he know that some years later in his work as a radio newscaster he would be involved in his widespread "red check mark" fire prevention program.

The now retired newscaster who worked in Wichita radio for more than 20 years has been named first recipient of the Kansas Association of Radio Broadcasters "Broadcaster of the Year" award. He will receive a plaque commemorating the honor on May 10 during the 19th annual KARB convention in Salina.

Gow recalled the events of his first major news story as a youth when he was assigned to the fire in Delaware. "Dad sent me out to cover a fire that had resulted from an explosion of a building in which fireworks were made. I had to take a streetcar to and from the fire since I was to young to drive and besides, there weren't many cars back then. They printed my story on the front page, word for word just as I had written it."

In 1895, Gow was born in Leadville, Colo., moving to Denver as an infant where he lived until he was nine years old. During a recent interview, he sat back in his easy chair as he relaxed at home in his living room amidst several honorary wall plaques as well as a couple of gold paperweights presented to him as an honorary member of the Lions' Club, and taxed his memory a bit as he reminisced about his boyhood. "I was always interested in news. As a kid I played marbles, jacks and had a little red wagon. That was so long ago."

His wife, Lee, added, "He was just an average young squirt."

Gow used to set type as a youngster working for his stepfather's newspaper. "I started work there in grammar school. When I was in high school, I used to work two or three hours a day setting type. They used to call me 'nimble fingers,' " he added modestly.

Gow began his radio career in Cincinnati, Ohio on station WLW. He explained that his radio work actually came about by accident. He became involved in a radio series for a research company at which time he started to consider the possibilities of a career in radio.

The veteran newscaster came to Wichita in 1944 as news director for KFH radio, where he remained for five years before working for station KANS for nearly 11 years. He also worked for KFBI and KSIR.

Gow's fire prevention campaigns, known as the "red check mark" fire prevention promotion, won five consecutive "gold medal awards" from the National Board of Fire Underwriters for public service. He was also made Honorary Fire Chief of both the Sedgwick County and Witchita fire departments. As a result of the program, fire prevention booths were constructed by many large Wichita plants in their facilities, "Red check mark" stickers and buttons were also distributed.

"I used to close my nightly 10 o'clock newscast by saying, 'Right now, check your house against fires before you go to bed,' " said Gow.

Other campaigns with which Gow was associated included the Wichita flood control project, Red Cross drives, War Bond sales and the Lion's Club "Drive to Arrive Alive" safe driving appeal. He received citations from CROP, the Heart Association and the Cerebral Palsy Association.

Gow has been honored by the Wichita Downtown Lions Club by being voted a lifetime honorary membership in 1946. Until his retirement, he annually presented a five-minute round-up of the previous year's news at the first January luncheon of the club. Gow was also awarded a citation of appreciation by the International Lions Club.

Upon his retirement from teaching at Wichita State University in 1965, Gow was awarded a plaque from the Radio and Television Journalism Education Department.

Another fond memory for the retired newsman is the Good Neighbor Club, which he helped organize. "Radio listeners would write letters in about the nice things people they knew had done. A 15-minute segment was presented daily and there was a winner every day. I would read the winning letter over the radio and a poem we used entitled 'I Know Something Good About You.' Then each daily winner was given an orchid."

Gow graduated from Aquinas College in Columbus, Ohio, "the class of '17." He worked his way through school and wrote a column called "As I See It" for a newspaper. His column dealt with current topics of the day.

While Gow feels schooling is important for a student in radio journalism, he said that "on the job training" is most definitely of the greatest value. "The more he gets his feet wet," as he put it, the better it'll be for him."

The newsman discussed how radio has changed since the early days. "Back then, everything was live. There were lots of studios and all different kinds of shows going on at once. Sometimes it was confusing but it was also exciting."

At one time he did some television commercials, live, naturally. "I remember doing commercials for Killion's Fresh Gas, that's how they always referred to it. Each week we'd do a different one, using different props," Gow said.

The retired radio veteran spent the years during World War II in Washington, D.C., covering events and personalities for "the old Blue Network." In 1945, he was at the United Nations charter meeting in San Francisco for Wichita's KFH and the CBS network. He was the only news commentator accredited to the UN conference from Kansas.

It was then that Gow out-scooped Walter Winchell. He telephoned the Wichita Eagle at midnight and reported that "tomorrow Russia will declare war on Japan," beating Winchell by several hours.

At the time of Gow's noteworthy scoop, he was among 14 correspondents who chartered a boat out of San Francisco and journeyed to a destroyer-type Russian vessel.

"They were painting the boat gray and white to make it blend in with the waves," Gow recalled. "They camouflaged the cannons by aiming them upwards and painting them also to look like smokestacks."

Gow was also at one time a White House correspondent. "I held an AP card," he said.

From 1920–1960, he covered every Democratic and Republican Convention.

"I knew all the presidents from Harding on up." His wife would also accompany him to the national conventions and contribute to the reporting of them by giving the woman's view of the conventions.

Mrs. Gow commented, "I have always been news-minded." She talked about how important she feels it is for a wife to understand and follow her husband's career.

"I never used to miss a newscast when he was on the radio. I stayed right with him. I think a wife should be vitally interested in her husband's work."

Gow gave his wife an appreciative nod as he added "She's been a lot of help."

During his career, Gow was billed as "the man who knows the men who make the news." He became personally acquainted with countless news personalities throughout his years of radio broadcasting. His interviews have included the late General Dwight D. Eisenhower, the late House Speaker Sam Rayburn, President Richard Nixon and Dr. Norman Vincent Peale, who he interviewed four years in a row on the radio.

Gow remembered when he first started his radio career in Cincinnati. "I started at the top, and that was a mistake," he said. Later he took the advice of a friend and moved to a smaller radio station, "where I really learned about radio from the ground up." When asked if there is a larger demand for newscasters today, Gow replied, "It depends on the area. In a metropolitan area, you need more newscasters for radio and television."

He talked about editorial comment in newscasting. "When a newscaster gives a view, he should keep it short. A one-line editorial usually covers the bill."

Gow is still interested in the news. "I'm interested mostly in national and international events. Yes, I sometimes miss my work. I wish I could still do it," he said.

When a man retires from a lifelong profession which had become so much a part of him, he ceases the familiar daily work of his career, but he doesn't cease to remember it.

Certainly radio broadcasting has left its mark on Gow, but even more certainly, Gow has left his mark in radio broadcasting.

THE 1970 CENSUS, THE BIG BROTHER APPROACH

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. WINN. Mr. Speaker, today I submitted the following statement to the Census and Statistics Subcommittee of the House Post Office and Civil Service Committee. I wish to bring my remarks and the resolution of the Kansas Legislature to the attention of my colleagues:

Mr. Chairman, and distinguished members of the committee, I wish to express my strong support of H.R. 20, and my own bill, H.R. 7078, to amend Section 221 of Title 13, U.S. Code, to limit the categories of questions required to be answered under penalty of law in the 1970 census.

I would like to take this opportunity also to bring to your attention House Concurrent Resolution No. 1048, adopted by the Kansas Legislature on April 7, 1969. This resolution clearly and firmly endorses our efforts. I submit it as a permanent part of the hearing record as an expression of the feelings by the citizens of the State of Kansas regarding the proposed census questionnaire for 1970.

May I make it clear that I do not object to the taking of a census. Over the years, this information has been invaluable in measuring the growth of the United States, and in determining necessary improvements in our standard of living. But, the bulk of the questions in the 1970 census form, to my way of thinking, constitute an invasion of privacy and a breach of individual freedom.

I have not lost faith in the American people. It is not necessary to have a jail sentence and fine hanging over their heads to answer honest, rational questions in a census form. It is simply not the traditional American way to coerce cooperation from our citizenry and I will continue to fight this Big Brother approach by the Federal government.

HOUSE CONCURRENT RESOLUTION 1048

A Concurrent Resolution memorializing the congress of the United States in regard to legislation pertaining to the conduct of a census

Whereas, A census of the entire population of the United States will be taken in the year 1970; and

Whereas, The residents of the state of Kansas are vitally concerned with the census that will be conducted; and

Whereas, The proposed census questionnaire for 1970 contains a great number of questions, many of which are of a very personal nature, and such questionnaire will prove to be quite cumbersome and burdensome; and

Whereas, Legislation has been introduced in the 1969 session of the congress of the United States which would remedy this problem by limiting the categories of the census questionnaire to six items; and

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature of the state of Kansas respectfully petitions the congress of the United States to give serious consideration to the legislation which is now before such body in reference to the categories and items to be considered in the conduct of a census. Such consideration should take into account a thorough review of the proposed census questionnaire for the year 1970 which contains a tremendous number of items, many of which are of a strictly personal nature. There is now a bill before the 1969 congress, which is House Resolution 20, which would limit the categories and items that a census would be concerned with to six in number. The legislature of this state respectfully requests that the members of the 1969 congress study this problem and direct their attention toward the legislation now before the congress or to other legislation of a similar nature and import.

Be it further resolved: That a duly attested copy of this resolution be immediately transmitted by the secretary of state to the secretary of the Senate of the United States, the clerk of the House of Representatives of the United States and to each member of the congress from this state.

ENGLISH LANGUAGE CASUALTIES

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. MESKILL. Mr. Speaker, yesterday I received a copy of an editorial that was delivered by Leonard Patricelli, president of Broadcast Plaza, Inc., on WTIC–TV, channel 3, Hartford, Conn., on May 2, 1969. It is a powerful commentary on the casualties of the English language on the college campus.

Under unanimous consent, I submit this editorial for inclusion in the RECORD for my colleagues to read:

A WITC EDITORIAL COMMENT

Among the many casualties of college campus violence is the English language. As used by youthful dissenters, words simply don't mean what they once meant.

Take, for example, the world *liberate*. It brings to mind American soldiers marching into a French or Belgian village and freeing the cheering citizens from Nazi oppression. Today, a campus building seized by students is said to be liberated—although the liberation consists of destroying property that doesn't belong to the liberators.

Demand is another word heard with increasing frequency on the campus. A demand is what used to be a request—back in the days when deans and college presidents commanded some respect from students. Demands, of course, are always *non-negotiable*. But non-negotiable really means that discussion is suspended until the food runs out, the police arrive, or a face-saving device is

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found for both the demonstrators and the dean.

In the demonstrator's jargon, a policeman is a *pig*. But in olden days, a pig was someone who dressed in a slovenly fashion, didn't bother with niceties like haircuts and baths and tended to be profane and obscene in his speech.

Segregation is a word that used to mean separating black people from white people and it was wrong. But now, segregation has become respectable because it has been enshrined in Afro-American Institutes.

And finally, there are two words used by members of the SDS when they try to explain just what it is they're after. The words are *participatory democracy*. In the hands of student radicals, participatory democracy is practiced by seizing buildings, blocking job interviews, shouting down those with differing points of view, and committing acts of vandalism. In an earlier time, there was another word for participatory democracy. That word was fascism.

FOREIGN SERVICE REFORM

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. ASHBROOK. Mr. Speaker, the New York Times of May 7 and 8 contained two articles by Peter Grose concerning proposed changes in the Department of State's Foreign Service. It has been generally conceded that conditions in the Foreign Service justified a review of its operation to better utilize its potential. As one who has introduced in the past, legislation dealing with the Foreign Service, I am encouraged to learn that Under Secretary Elliot Richardson is taking steps to effect changes in that agency. The legislation which I introduced last year would have provided an appeals procedure for Foreign Service personnel in the case of those who are selected out of the Service. This proposal has yet to be put into effect, and could, perhaps, be taken under consideration by the new administration.

As indicated in the Times articles, included among the various recommendations on reforms is the report last year by the American Foreign Service Association entitled, "Toward a Modern Diplomacy." This report was reviewed in the December 11, 1968, issue of the Government Employees Exchange, a publication which has for many years closely followed issues and problems peculiar to employees in Federal service.

Admittedly, the task at hand is no easy one, and only an exhaustive and objective appraisal of recommended changes will insure any chance of success. For this reason, I insert at this point the two above-mentioned articles from the New York Times by Peter Grose and the review of "Toward a Modern Diplomacy" from the Government Employees Exchange of December 11, 1968:

[From the New York Times, May 7, 1969]

NIXON IS CHANGING FOREIGN SERVICE—YOUTH AND ABILITY STRESSED IN PROMOTIONS AT STATE

(By Peter Grose)

WASHINGTON, May 6.—The Republican leadership has started a series of changes in the State Department, where President Nixon, during the campaign last year, promised voters a thorough "housecleaning."

But instead of the partisan political purge implied in some campaign statements, this week's reorganization measures looked more like the sort of reforms that professionals of the Foreign Service themselves have been urging.

The opening move in the reform came four days ago in a formal two-page memorandum from Under Secretary Elliot L. Richardson to the assistant secretaries and other bureau chiefs of the department.

He instructed them to "identify younger [career] officers of exceptional ability" and move them into positions of higher responsibility.

The unstated corollary was that more senior Foreign Service officers might be passed over in promotions to higher diplomatic posts and thus encouraged to retire.

Tomorrow, Mr. Richardson is expected to announce a second step of reorganization, a reconstituting of the long-dormant Board of the Foreign Service to take control of personnel and staffing decisions, not only in the State Department but also in other Government agencies with overseas operations.

Subsequently, there is to be a reorganization of the top-level analytical staff around Secretary of State William P. Rogers, pulling together the work of the once-influential Policy Planning Council of the State Department with the policy and budgetary planning of the United States Information Agency, the Agency for International Development, the Arms Control and Disarmament Agency and the Peace Corps.

One purpose behind this move is to give the Secretary of State the bureaucratic machinery necessary for him to carry out his legal responsibility of coordinating foreign operations, rather than letting this function fall by default to the smaller National Security Council staff at the White House, headed by Henry A. Kissinger, Presidential assistant for national security affairs.

PLANS TO CLEAN HOUSE

On Oct. 14 last year, three weeks before the election, Mr. Nixon told newsmen in Key Biscayne, Fla. that "we are going to clean house up there" at the State Department.

"It has never been done," he said. "It wasn't even done during the Eisenhower Administration.

"It's going to be a Nixon-oriented State Department," he said.

"There are some good men in the State Department, and I know who they are," he went on, "but the routine men that have been the architects of the past—they will have other assignments and we are going to bring new men in with a fresh approach."

This sort of campaign statement struck terror into much of the career diplomatic service. Though many of the younger officers, in particular, agreed with the need to "clean house," the remarks from the Republican candidate were taken by many to point toward a shakeup as bitter as the loyalty and security investigations of the McCarthy era of the early nineteen-fifties.

RICHARDSON'S DIRECTIVE

Mr. Richardson translated the President's campaign rhetoric into the language of a formal directive in his May 2 memorandum.

"This Administration is committed to a thorough re-examination of the foreign affairs establishment with a view toward a more effective use of the unique human resources found there," the Under Secretary wrote.

"We desire to examine the size, shape, functions and purposes of the career services, to review the processes for selection, promotion and assignment of personnel and to develop comprehensive policy objectives for our personnel system."

This approach is expected to find wide endorsement among many career officers, including a number of prominent retired diplomats who have been encouraging Mr. Rogers and Mr. Richardson in their planning of the reforms.

The American Foreign Services Association, a professional society of the career diplomats, proposed a sweeping reform of the foreign affairs machinery in a 185-page report last August. Their program included several of the measures the Administration is now putting forth.

FIRST STEPS LISTED

Mr. Richardson's memorandum itemized several "first steps" in the reorganization of the foreign affairs machinery.

Beyond the encouragement through promotions for younger career officers, he called for greater flexibility in interchanging personnel among the various foreign affairs agencies.

He proposed to "increase the opportunities for career officers to move temporarily into other disciplines—business, universities, foundations and the like—without loss of career contact with the Foreign Service System."

[From the New York Times, May 8, 1969]

UNITED STATES OPENS REVIEW OF ITS DIPLOMACY—RICHARDSON IS NAMED HEAD OF FOREIGN SERVICE BOARD

(By Peter Grose)

WASHINGTON, May 7.—Secretary of State William P. Rogers appointed Under Secretary Elliot L. Richardson chairman of the Board of the Foreign Service today, making that largely inactive body the chief instrument for changing the foreign affairs establishment.

Mr. Richardson promptly opened what was called a "major and comprehensive review" of foreign policy machinery, which has long been criticized as cumbersome and stultified through years of unplanned expansion.

As one example of what might come out of his review. Mr. Richardson pointed to the possibility of achieving a unification of the foreign services of the State Department, the United States Information Agency, the Agency for International Development, the Arms Control and Disarmament Agency and the Peace Corps.

Leaders of the American Foreign Service Association, the nongovernmental professional society of diplomatic career officers, called an open meeting for next Monday to discuss the implications of the Richardson move.

BEGINNING OF BEGINNING

Lannon Walker, chairman of the so-called "young Turks" heading the association, said, "We are tremendously encouraged," but he added that the measures announced "represent only the beginning of a beginning."

The association, in which many prominent retired diplomats are active alongside the junior officers, has long been pressing for a modernization of the personnel and bureaucratic structure of the State Department.

The initiative for the present drive for change, however, has come from the Nixon Administration. Mr. Richardson said the views of the young Turks would be considered in the review, along with those of more senior careerists and other interested groups.

As chairman, Mr. Richardson replaces Idar Rimestad, the Deputy Under Secretary of State for Administration, who remains as one of the four State Department members of the board. Others named today were Martin Hillenbrand, Assistant Secretary of State for European Affairs, and Phillip Trezisf, soon to be sworn in as Assistant Secretary for Economic Affairs. Both are career diplomats.

Representatives of A.I.D., U.S.I.A., the Departments of Commerce and Labor and the Civil Service Commission also sit on the board.

Ever since the Foreign Service Act of 1946, the career system and its governing board

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has theoretically enjoyed an independent status. Last year's report of the American Foreign Service Association described the board as an "anachronistic vestige," which no longer served an effective purpose.

[From the Government Employees Exchange, Dec. 11, 1968]

A REVIEW OF "TOWARD A MODERN DIPLOMACY"

(NOTE.—In a recent issue of The Exchange, October 30, 1968, the newspaper made reference to an American Foreign Service Association special report, "Toward A Modern Diplomacy," and promised a critique of the report by an analyst at the Department of State. For obvious reasons the name of the employee is withheld from publication. References to this newspaper by the analyst were not solicited.)

A committee headed by Ambassador Graham Martin recently made 17 recommendations, including placing the U.S. Information Agency within the State Department as an autonomous unit and integrating its personnel into the Foreign Service, for an organizational improvement of the nation's foreign affairs. In submitting the committee's 60-page report entitled "Toward a Modern Diplomacy," which forms Part 2 of the November issue of the *Foreign Service Journal,* Ambassador Martin declares that the report is intended to serve the incoming Nixon Administration "in creating, at long last, a stable foreign affairs personnel system designed to adequately meet the needs of the nation in the 1970's." The *Journal* is published monthly by the Foreign Service Association.

The report was prepared in response to a request made more than a year ago to Ambassador Martin by the Board of Directors of the American Foreign Service Association. Lannon Walker, Chairman of the AFSA board, in an introductory note to the report, explains that it is "in no way an official report" and reveals that John D. Rockefeller 3rd "generosity" made its publication possible.

Although the recommendations cover a wide range of subjects, the report takes no position on the vital and controversial selection-out or removal procedure applying to Foreign Service Officers. This omission is surprising and curious, because the report of the Subcommittee on Personnel Selection and Development makes detailed comments and specific recommendations on separation procedures.

The Subcommittee maintains that the broad policies by which some officers are selected out by reason of the maximum-time-in-grade requirement are "an essential part of the Foreign Service personnel system." Conceding that "We have some doubts about the way in which they are implemented," they add, however: "Our doubts do not extend to the fairness with which the system as it now stands is being administered. Our consideration of the various review procedures at work—at the post, in Washington, by the selection board action—*has convinced us that gross inequity is highly unlikely. We do not, therefore, consider that an appeals arrangement is called for.*" (italics for emphasis).

The Government Employees' Exchange, which has been advocating the establishment of an appeals system for many months, categorically rejects the subcommittee's conviction that "gross inequity is highly unlikely" and that an appeals arrangement is consequently unnecessary. As the readers of *The Exchange* are fully aware, this newspaper has persistently and vigorously supported the efforts of Stephen A. Koczak, a former Foreign Service Officer who was selected out, to obtain an appeal.

The Exchange has argued that the selection-out procedure violates the principles of justice and human rights, because it denies a person "due process" as guaranteed by the Constitution. "Due process" is not mentioned in the subcommittee's report. In urging that due process be established in the State Department, *The Exchange* proposes that any person designated for dismissal be insured the right to be informed in advance of the specific charges against him in writing; the right to a speedy and fair hearing; the right to engage counsel in his defense; the right to confront the witnesses against him; the right not to be a witness against oneself, and the right to appeal.

"The decline in promotions and the increased number of separations were probably necessary to restore a balance, but they reflect a defect in the operation of the personnel system over the past few years," the subcommittee candidly admits. "*We believe selection boards should be asked to identify the facts that led them to put an officer in the low 10% category,*" thus subjecting him to selection out, it emphasizes. Letters in this category, the report suggests, should be more than a form letter. The letter should give the officer some idea of his deficiency so that he may make an effort to correct the problem.

Recognizing that the system inflicts both psychological and financial hardship on those selected out, the subcommittee recommends more satisfactory retirement arrangements for middle-grade officers voluntarily or involuntarily separated, perhaps analagous to the military retirement system. The prospect of shortened careers, it says, makes it "mandatory" for the State Department to improve its outplacement facilities. In this connection, it recommends the use of contract agencies specializing in the placement of executive and professional employees. For a better understanding of how the system operates, it proposes that a brief layman's version of the system be made available to all officers on entry and periodically thereafter as changes are made, and that the key elements of selection board precepts and rating officers' guides be highlighted to all officers as revisions are effected.

Bernard Weisman, president of USIA Lodge 1812 of the AFL-CIO American Federation of Government Employees, has strongly denounced the Martin committee's recommendation that USIA be placed within the State Department. He has accused AFSA of evidently "blithely seeking" to reconstitute the scheme embodied in the Hays Bill, which was thwarted two years ago and which would have created, in Mr. Weisman's words, "a pseudo FS system to permit hiring-assigning-and-firing at will of employees of all foreign agencies." Contending that "it is the Crockett scheme all over again," he cited as proof the "feverish effort" made at the AFSA meeting on Sept. 6 "to halt the implementation of USIA FS career legislation until after a new Administration arrives." The Crockett plan was sponsored by William J. Crockett, who was the Deputy Under Secretary of State for Administration before resigning to join a major business organization.

In addition to suggesting that USIA be given the same operational status within the State Department as is now the case with respect to the Agency for International Development, the committee under the chairmanship of Ambassador Martin recommends:

The retention of the White House organizational pattern primarily concerned with foreign affairs; and the establishment of the position of Permanent Under Secretary as the third ranking position in the State Department. To ease the enormous burdens placed on the Secretary of State, the second position in the Department should be a true *alter ego* to the Secretary, with the title of "Foreign Secretary."

"The United States Diplomatic Mission" should replace the concept of the "Country Team," with the Ambassador, as the personal representative of the new President, exercising, on his behalf, control over all U.S. Government activities in the country to which the Ambassador is accredited.

Return to the basic foreign affairs structure created by the Congress in the Foreign Service Act of 1946, the first step being the restoration of the statutory independence of the Board of the Foreign Service. The board should have representation from all agencies using the Foreign Service and its chairman should be an outstanding private citizen.

The creation of an adequate manpower utilization and planning mechanism.

The expansion of Foreign Service efforts to assist the President and the Secretary of State in their task of maintaining continuing productive communication with the American people on basic foreign policy issues.

The new Administration should investigate thoroughly the applicability of new technology to the problems of foreign affairs as recommended by the Subcommittee on Technology and seek resources to install such systems. Other proposals deal with the promotion system, salaries, the "development" function, the assignment of Foreign Service Officers to other Departments and international organizations, greater comparability in medical benefits, remuneration and benefits on retirement and transfer allowances.

POLISH CELEBRATE CONSTITUTION DAY

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. CUNNINGHAM. Mr. Speaker, since the outbreak of World War II, Poland's valiant struggle against Nazi-Communist totalitarianism has become an inspiration for mankind.

On May 3, Poles throughout the world marked the 178th anniversary of Polish Constitution Day. Adoption of this document came in 1791 during one of those brief periods in recent history when the Polish people were free of foreign domination.

My many Polish friends joined about 10 million other Americans of Polish ancestry in this observance which also coincided with these important dates in Polish history: 30th anniversary of German-Soviet attack on Poland; 25th anniversary of the Battle of Monte Cassino; 25th anniversary of the Warsaw uprising; 25th anniversary of the founding of the Polish-American Congress.

Mr. Speaker, I commend to your attention the following article by the Polish-American Congress on a valiant people who will one day again taste freedom:

NATIONAL HOLIDAY

On May 3 Poles everywhere and citizens of Polish origin in many countries celebrate a Polish national holiday—the Polish Third of May Constitution Day.

In the United States, wherever Americans of Polish descent live, in cities and towns from coast to coast, this holiday is observed with appropriate exercises throughout the month of May to pay tribute to the Polish nation and to remind fellow Americans that Poland was one of the first pioneers of liberalism in Europe.

It was on May 3 in 1791, barely two years after the adoption of its Constitution by the United States in 1789, that Poland without a bloody revolution or even without a disorder succeeded in reforming her public life

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and in eradicating her internal decline. But this great rebirth and assertion of democracy came to the Poles too late and did not forestall the third partition of Poland in 1795 by Russia, Prussia and Austria.

The greatness of the May Third Polish Constitution consisted in the fact that it eliminated with one stroke the most fundamental weaknesses of the Polish parliamentary and social system. The Poles raised this great moment in their history to the forefront of their tradition rather than any one of their anniversaries of glorious victories or heroic revolutions.

We Americans who have been reared in the principle given us as a birthright by the founders of our great Republic, the principle of the sovereignty of the people in the state, which is the primary postulate in the 1791 Polish Constitution, can see how this truism cut off the Poles and the Polish political tradition completely from both the Germans and the Russians, who have been reared in the principle of state, and not national, sovereignty.

The light of liberalism coming from Poland was then, as it has been throughout the years that followed and even unto today, a threat to tyranny and absolutism in Russia and Germany. In 1795 Russian and Prussian soldiers were sent to Poland to partition and rape her. In 1939 Russian and Prussian soldiers met again on Polish soil, as the absolute totalitarianism systems of naziism and communism again felt the danger of true liberalism coming from Poland just as in 1791.

In the Polish Third of May Constitution this liberalism was formulated in these words:

"All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation."

The philosophy of government discernable throughout the Third of May Polish constitution leads one to believe that the American people and the Polish people had each drawn inspiration for their respective constitutions from the same source.

Meditation on the anniversary of May the Third deepens the faith and heightens the courage of every Pole and of every American of Polish origin. It reminds all Americans of Poland's destiny in the history of mankind, and prophesies the ultimate triumph of justice, even though Poland once more has been deprived of her independence, sovereignty and her territory by one of our former allies, Soviet Russia, with the consent of other United Nations.

RUMANIAN INDEPENDENCE DAY

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. FEIGHAN. Mr. Speaker, the 10th of May marks, for free Rumanians all over the world, the date when Rumania finally shook off the shackles of Turkish domination and became a free kingdom in 1877. Its observance provides an occasion for recalling the country's historical steps toward independence, steps which have been nullified by the virtual colonization of the country today by Soviet Russia.

Observance of the 10th of May as Rumanian Independence Day gives us an opportunity to draw world attention to the present enslavement of the Rumanians, and to note that its people continue to struggle for the restoration of true freedom. The Soviets who now dominate Rumania hope to dim the significance of this day by substituting another day as the important national holiday and thereby erase this symbol of freedom.

The Rumanians, however, join other captive peoples in refusing to accept communism and in clinging to their hope for freedom. I am proud to join in that celebration and await with them the day when freedom shall be restored in Rumania and flourish throughout the world.

EUGENE T. KINNALY

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. CONTE. Mr. Speaker, I would like to join with my colleagues in expressing my deep regret at the passing of a valued friend and dedicated public servant, Eugene T. Kinnaly.

For 51 years in the service of the Congress, 41 of them as the valued administrative assistant of our distinguished Speaker, Gene Kinnaly provided dedicated and competent service in a genuinely warm and sincere manner.

Since I first came to the Hill in 1958 I have had the great pleasure to come to know Gene Kinnaly and to understand fully the reasons for the wide esteem in which he was held by all who knew him. I could not begin to recount here the countless times he provided helpful assistance about the problems of my Massachusetts constituents and even more valued personal advice which I especially needed when I first arrived on the Hill.

Most of all, of course, I will miss the warmth and genuineness of his friendship.

I wish to extend my condolences to the Speaker and to Mr. Kinnaly's family for the great loss.

WASHINGTON AREA AMBULANCE CRISIS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. HOGAN. Mr. Speaker, I want to take this opportunity to bring to the attention of my colleagues a series of editorials which have been broadcast over radio station WWDC bringing to the public's attention a shocking crisis existing in the District of Columbia concerning emergency ambulance service.

I also wish to commend WWDC for its enlightened public service in bringing to the public's attention through a series of searching reports, the problems related to ambulance service in Washington, D.C.

I urge each of my colleagues to read these editorials which shed light on a matter which warrants the concern of Congress, as it discharges its legislative responsibility for the District of Columbia:

WASHINGTON AREA AMBULANCE CRISIS

EDITORIAL NO. 1

Broadcast of this editorial by WWDC General Manager, William S. Sanders, was on April 8, 1969. We welcome comments.

The Washington area, city and suburb alike, is in the midst of a snowballing ambulance crisis. Ambulances are making taxi runs, carrying sick people to hospitals, while emergency cases lie bleeding on the streets because there are not enough ambulances.

Authorities here agree that between fifty and seventy-five percent of the current ambulance runs are *not* true emergencies. At the same time, during March there were no ambulances available twenty-five separate times when true emergencies did occur.

At the same time, hospital emergency rooms are glutted. Emergency cases wait in the hall because the crush of non-emergency cases keeps overworked personnel tied up.

The training given many ambulance drivers is not satisfactory, and many are not interested in their work. In the District, all firemen work one year on the ambulances. Many view that year as a necessary evil, a year in which there is no promotion.

WWDC Newsman Ross Simpson has studied the ambulance situation, delving into its problems, and studying its alternate solutions. His series began yesterday and will be heard for two weeks on WWDC. We will be commenting at the same time, hoping to find some relief from the Washington area ambulance crisis.

Thank you for your interest.

EDITORIAL NO. 2

Broadcast of this editorial by WWDC General Manager, William S. Sanders, was on April 9, 1969. We welcome comments.

A quick look at upcoming budgets for the District of Columbia indicates that the ambulance crisis here is going to get worse before it gets better. The ten D.C. fire ambulances are already so over-extended that on twenty-five occasions last month, there was no ambulance available for an emergency run. Those ten ambulances are making two hundred runs a day. A set of brakes last five weeks. An ambulance is worn out in eighteen months, and many drivers are through in twelve.

There is a documented need for more ambulances today, yet the budget calls for only two additional ambulance trucks next year. The situation, then, is running downhill. Emergency cases wait on the street while fire department dispatchers search the city for an available ambulance, and the demand for ambulances is increasing at a rate far outstripping any planned increases in the service. Part of the problem is money. There's not enough to buy the needed ambulances . . . but a larger part of the problem is abuse of the service. More than 50% of those two hundred runs a day are *not* emergency runs.

Thank you for your interest.

EDITORIAL NO. 3

Broadcast of this editorial by WWDC General Manager, William S. Sanders, was on April 10, 1969. We welcome comments.

For you who've been spared the experience, take our word for it, a ride in a D.C. ambulance is a frightening and frustrating experience. The penetrating siren wails, the driver's foot jumps from the accelerator to the brake pedal and back. The horn sounds a steady

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staccato, and the driver curses under his breath as motorist after stupid motorist refuse to yield the right of way. Newsman Ross Simpson rode an ambulance for one night, and he reports frequent instances of drivers cutting the ambulance off, and of people refusing to move over and let the emergency vehicle pass.

There are several things which can be done about the situation. For starters police could make a few arrests of drivers who refuse to grant the right of way.

The D.C. Government should enact an ordinance authorizing the creation of specially marked emergency lanes down the center of major arteries. Several cities have these, New York for one, and some cities paint them a different color. When a siren sounds, you best not be caught in that emergency lane.

And finally, serious thought should be given to installing a control over-ride device on traffic signal control boxes. These devices react to a radio wave emitting from a traveling emergency vehicle. As the vehicle approaches, *all* lights at an intersection go red. This guarantees that no one will be moving, that there will be a clear emergency lane, and that there will be no tragic collisions between emergency vehicles and stupid or callous drivers. Washington has been miraculously free of such wrecks, thanks only to the skill of ambulance drivers and occasional divine intervention.

Thank you for your interest.

EDITORIAL NO. 4

Broadcast of this editorial by WWDC General Manager, William S. Sanders, was on April 11, 1969. We welcome comments.

Washington's emergency crisis extends beyond the ambulance service and into the hospital emergency rooms. Emergency rooms are glutted, often with non-emergency cases, and several area hospitals flatly refuse to treat indigent cases. Cash, they say, or an ambulance carries you to another hospital.

The total problem stems from the decline in the number of general practitioners, and from the fact that few doctors today will make house calls. If you felt bad yesterday, you called the doctor to your house. Today, you call an ambulance, and wait in line at an overcrowded emergency room.

Dr. Charles Hutchinson, staff physician at Freedmans Hospital, offers what we feel is a workable solution to the problem: neighborhood clinics, a place near the home, where a person can see a doctor. Neighborhood clinics for non-emergency cases would cut down the spiraling number of ambulance runs, and hospital emergency rooms would be reserved for emergencies.

Finally, the District government must make the Medicaid program financially workable. Every hospital in this city must open to all people. Since the hospitals and doctors have been unable to meet the problem, the government must. George Washington Hospital and others can turn people away, saying they can't afford to treat them. But the area governments cannot afford not to treat them.

Thank you for your interest.

EDITORIAL NO. 5

Broadcast of this editorial by WWDC General Manager, William S. Sanders, was on April 12, 1969. We welcome comments.

Over the past six months, WWDC newsmen have become convinced there is a critical shortage of ambulances in Washington. Yet when newsman Ross Simpson set out to document the problem, he ran around in shoals of official ignorance. The District government simply has no information whatsoever about the ambulance service: the demands on it, the quality of service, or problems, past, present and future. There are no statistics to refute or affirm either the private complaints of poor service or the official affirmations that all is well.

We suggest that the District government establish and maintain complete records of ambulance service, including the number and type of runs, the number, type and disposition of complaints, and a comparison between service offered here and in other cities. We have found a wealth of excellent ideas for improved ambulance service, already being practiced in numerous cities. In fact, neighboring Baltimore has one of the top ranked ambulance services in the nation. We would do well to follow her lead.

Thank you for your interest.

EDITORIAL NO. 6

Broadcast of this editorial by WWDC General Manager, William S. Sanders, was on April 13, 1969. We welcome comments.

Our investigation of the ambulance crisis in Washington has brought forth some sharp criticism, charges of inadequate training, of low morale and low experience, charges of insufficient manpower and equipment, and finally, charges that no one in the District Building is aware of the problem.

It strikes us that the ambulance situation today stems from the fact that ambulances are the stepchild of the fire department. There is no top official concerned only with ambulance service to push for action. Only 9 out of 78 ambulance men have more than three years experience. The reason: involuntary service. All fire department personnel are required to spend one year on the ambulance service. It may round out a fireman, but the practice does little to mold enthusiastic, well trained and experienced ambulance attendants. The service has no intrastructure. The result is *no promotions*, and no bosses. Ambulance men are trained at the fire department, not in hospitals. The result is attendants must get their experience in the field, perhaps with you.

We strongly urge that the District ambulance service be made a separate department, with line as well as staff, whose men work because they want to be ambulance drivers, and who are trained in medical science first and rescue work second. To do less than this is to gamble daily with the safety of you and me.

Thank you for your interest.

EDITORIAL NO. 7

Broadcast of this editorial by WWDC General Manager, William S. Sanders, was on April 14, 1969. We welcome comments.

The ambulance crisis is not limited to the District. A $15,000 rescue truck sits in the Kent District Firehouse, and it sits there through many fires, accidents with injuries, and ambulance runs. The reason is a lesson in fire department politics . . . the continuing struggle for power between paid and volunteer firemen. It is a struggle in which you, the citizen, are the real loser.

William Clarke, the Prince George's County Fire Director, has ordered that the Kent District truck not run on many emergencies. He has also ordered that paid firemen not ride on the Kent District ambulance. The result is that 13 times in nine months, Kent District residents waited extra time for an ambulance, while theirs' sat immobilized by executive order.

Newsman Ross Simpson has learned that two and possibly four other rescue squads in Prince George's County are contemplating pulling out of the county fire organization. Yet Fire Director Clarke told Simpson he thought there is an "amicable relationship" between his officers and the volunteers. There is not, Mr. Clarke, and for the sake of the people you serve, we hope you will recognize that there is not, and take some action to bring peace to the undeclared war between volunteers and paidmen . . . a war whose casualties are the people of Prince George's County who need ambulance and rescue service.

Thank you for your interest.

EDITORIAL NO. 8

Broadcast of this editorial by WWDC General Manager, William S. Sanders was on April 15, 1969. We welcome comments.

There is a bright spot in the area ambulance situation. That is the Bethesda-Chevy Chase rescue squad. Basically it is a volunteer organization which now is the mainstay of emergency service in a substantial portion of upper northwest Washington. Bethesda-Chevy Chase is *all* that the *District is not*. There is sufficient money. Bethesda-Chevy Chase held a fund drive last year and raised $120,000.00, and Bethesda has as many ambulances as the entire District of Columbia. The men are doing their work because they want to. Most are volunteers, unlike the District, where ambulance work is a prerequisite to becoming a firefighter. The workload in Bethesda is human. Bethesda-Chevy Chase runs 7,200 calls with 10 vehicles, the District runs 48,000 calls a year with the same number of ambulances.

We feel that the experience of the Bethesda-Chevy Chase rescue squad is strong evidence of the need for more vehicles and more personnel in the District ambulance corps and for an end to the practice of drafting ambulance attendants.

Thank you for your interest.

EDITORIAL NO. 9

Broadcast of this editorial by WWDC General Manager, William S. Sanders, was on April 16, 1969. We welcome comments.

The Washington Area Council of Governments has missed the ship . . . airship that is. We're referring to helicopter ambulance. The Council of Governments opted for a one year study of the feasibility of helicopter ambulance in the Washington area, while several other cities jumped at the chance to put copter-stretchers in the air. The result, a turndown of the local proposal by the Department of Transportation.

While we've missed out on a free year's service, we're convinced that helicopter ambulances have a role to play in the Washington area. They are not the panacea for all area ambulance problems, and indeed, they will be of less help in the District, where the problem is the worst, but they will save lives on area highways and they will cut the transportation time for the counties.

We hope that the Council of Governments will continue with their plans for implementation of helicopter ambulance service in the Washington area, with or without Federal monies.

Thank you for your interest.

EDITORIAL NO. 10

Broadcast of this editorial by WWDC General Manager, William S. Sanders, was on April 17, 1969. We welcome comments.

The District government has been derelict in its ignorance of the current ambulance crisis. On August 27, 1957, the District government created an Emergency Ambulance Service Advisory Committee. Its purpose was to study the ambulance service and make recommendations on current performance and future needs. The Committee was charged with making an annual report to the District government and to the Fire Department Chief. That Committee exists today, but Chief Hugh Groves of the Fire Department told newsman Ross Simpson he was unaware of its existence. Simpson delved into Fire Department records back to 1957 from the present, and found not one single annual report, study or recommendation.

The City Council has now created an ad hoc committee to study the situation. Councilman Stanley Anderson heads that committee, and is scratching the surface of the problem, but is obviously unaware of the depth or true nature of the crisis.

The District government must immediately move to rectify this situation. An ambulance crisis exists today, and will be worse tomorrow. The government cannot act without information, and the government today has neither information nor means of getting it. The Emergency Ambulance Service Committee must be reactivated, and told in no uncertain words that its job is truly a matter of life and death.

Thank you for your interest.

EDITORIAL NO. 11

Broadcast of this editorial by WWDC General Manager, William S. Sanders, was on April 18, 1969. We welcome comments.

WWDC is completing two weeks of study of the ambulance crisis in Washington. If we have done nothing else in these reports, we hope that the District government and area residents alike are aware that an emergency exists. We remind you that living in the suburbs does not exempt you from concern. For in the event of an auto accident or sidewalk stroke, you forfeit any choice in ambulance service or hospital emergency room.

It's time for the District government to move, and move quickly. The Ambulance Advisory Board must be immediately reactivated. The ambulance service must be given independent status, with promotions and staff. Ambulance service must be made voluntary. More equipment and better training must be provided ambulance drivers. And finally, there must be some solution to the ambulance overload. Neighborhood clinics would go a long way to relieving the dependence on ambulances and hospital emergency rooms to substitute for the vanishing general practitioner who makes house calls. And we suggest either a fee or fine for flagrant abuse of the free ambulance service . . . service designed for emergencies and not to replace taxis.

Thank you for your interest.

TRIBUTE TO THE HONORABLE HARRY SHEPPARD

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 1969

Mr. COHELAN. Mr. Speaker, while it was not unexpected because of his long bout with chronic illness, the news of Harry Sheppard's death leaves all of us saddened and mildly stunned. Not only was Harry a revered colleague but to most of us he was a good personal friend. He was an especially important person in my own experience, as I had the privilege of serving with him as Secretary during his tenure as dean of the California delegation. Since I had the opportunity to work closely with him I think I got to know him well. I can testify that he was an extraordinary man and it was a unique experience to know him. Behind his gravel-voice and hard-boiled demeanor, he unsuccessfully concealed an extraordinary intelligence, an enormous fund of life experience and knowledge generated by a determination for self-reliance and the recognition that goes with monetary success and public achievement.

Others will recount his remarkable career and his achievements in both the private and the public sector. I merely want to say it was a great privilege to know Harry and to benefit from his frequently offered counsel. Evelyn and I will miss him and for many years will recall some of the great moments we had together.

On behalf of Mrs. Cohelan and myself, we extend to his devoted wife, Kay, our fond regards and heartfelt condolences.

SPEECH BY CONGRESSMAN WILLIAM D. HATHAWAY AT THE COLLEGE OF WILLIAM AND MARY, WILLIAMSBURG, VA., MAY 3, 1969

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. BRADEMAS. Mr. Speaker, one of the ablest and hardest working members of the House Committee on Education and Labor is the distinguished gentleman from Maine, Congressman William D. Hathaway.

At a time when all of us must be concerned about the problems of student unrest on our college and university campuses, I believe that Members of the House and Senate will read with great interest the text of a most thoughtful address on these problems delivered by Congressman Hathaway at the College of William and Mary, Williamsburg, Va., on May 3, 1969.

Mr. Speaker, I ask unanimous consent to insert the text of Mr. Hathaway's address at this point in the Record:

Speech by Congressman William D. Hathaway at the College of William and Mary, Williamsburg, Va., May 3, 1969

President Paschall, Members of the Faculty, parents and students. It is a privilege and a distinct honor to be here at the Nation's Alma Mater, the college of presidents and numerous distinguished leaders in all walks of life. And we feel right at home, my wife, Mary, and I, William.

The history of this great institution forms an important part of the history of this nation.

One of the most distinguished alumni, Thomas Jefferson, was the first in our new nation to recognize the need for a good education to carry on a democratic society. He would be proud today to see so many of our young people attending college acquiring the education he deemed so necessary for promoting the public happiness. And Jefferson believed in dissent; dissent so long as it is clothed with reason, accompanied by calm deliberation. But college campuses are now experiencing a kind of dissent which lacks those qualities of reason and calm deliberation Jefferson suggested.

Today the campus has replaced Vietnam as the front page battlefield. The New York Times publishes a daily summary of campus combat. People have maps on their walls with pins and ribbons to follow the flow of fighting. Books, articles, and speeches abound; Congressional hearings are being conducted. You have been inundated with advice on this problem, and today I am going to burden you further with my views because they represent the views of a public official who can do something about the situation, because it is the domestic issue of the day, because certain aspects of the problem have not been fully discussed, and because the problem has ramifications extending beyond the campus.

Students are upset, restive, arrogant—for many reasons: Vietnam, racism, poverty disturb them, and these we'll discuss later. Shortcomings of the University disturb them. These we'll discuss now.

SHORTCOMINGS OF THE UNIVERSITY

First they want—and for good reason—full responsibility for their personal conduct on and off campus. It is high time the university got out of the custodial business, and let students run their lives the way ordinary Americans do—subject, of course, to the same laws—the same penalties, that govern us all.

There is a paradox in being a student in today's society. Presently, the attitude of many adults to students is that they're damned if they do and damned if they don't. A young man, if he wants to succeed in life and be respected by his elders, must go to college. On the other hand, while the young man is in school, as is expected by society, he is considered a kid who should not have adult opinions and views. We must stop this maddening attitude of beating them until they bleed and then beating them for bleeding. A young man or woman of college age is an adult and should be treated as an adult.

College attendance is not an adolescent pursuit, but a form of adult participation in our society.

Second, students want the chance to express their views on faculty teaching performance—and to have these views count. This need not be a popularity contest. Without some such opportunity, research will wax and teaching will wane to the continued detriment of those who come to college expecting full well to be taught.

Teaching is the primary purpose of a university. It is said that students are transients—and, therefore, should have no influence on essentially institutional matters which might affect the entire career of faculty members. This notion is false. In the first place, almost 50 percent of all college freshmen intend to take post graduate work and, in the second place, in the student's life college has much more than a merely transient place. College is the main event on his educational program. The university should be exploring every avenue to bring student and teacher back into the center of the arena.

The third student complaint is about the university curriculum. Here, as in other university matters, students should not have a controlling voice or even an equal voice, but they should have an effective voice. They or their parents are paying, at least in part, for the goods, and they should have some say about the quality of the goods. But more importantly, the university makes the mold for curricula all the way down to kindergarten.

This is an awesome responsibility—a responsibility which should be shared by the student, by the parents, by the alumni, as well as the faculty and administration. The decision for determining the content of programs which have such a tremendous impact on life in general should be shared by those who participate in life in general.

The lack of relevancy of curricula has led many to believe that school is school and life is life and never the twain shall meet. It is interesting to note that, to date at least, campus disturbances have been confined to liberal arts colleges with few incidents at the so-called trade schools. The late J. P. Marquand's opening quip at my commence-

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ment was more than the customary audience relaxing joke—He said the only benefit he derived from his college chemistry course was the ability to pour while holding the flask and the stopper in the same hand.

VIETNAM, MILITARISM, POVERTY

And there are outside influences contributing to the general miasma of discontent. Foremost, of course, is Vietnam. Vietnam has been, and continues to be, a frustrating experience affecting particularly our young people. The war has gone on much longer than any expected and the platitudes of our political leaders offer little solace.

Militarism in this country in aspect, prospect, and attitude is a frankensteinian monster casting an ominous and discomforting shadow over all of us. But unlike Frankenstein's monster, this one was neither planned nor desired. It is the result of our over-response to World War II and the cold war. In compensating for lack of preparation in the past, we are over prepared in the present and we have created a military-industrial giant for the future.

Social transformation—new groups asserting themselves: Economic transformation from an industrial to a technological age bring confusion, frustration, irritation—the ordeal of change. The changes are rapid and it is easy for the less adaptable old to be frustrated and the more adaptable young to feel contemptuous of the old. And this frustration and contempt is accentuated by our lack of a unifying, transcendental culture. We have an *Ad Hoc*, "pop" culture. Everything we build seems artificial. Everything is changing. Nothing seems permanent. This can be upsetting.

The ambiguity of progress is slowly dawning. The 1969 man carries strontium 90 in his bones, iodine 131 in his thyroid, DDT in his fat, and asbestos in his lungs. A litttle more progress and this man will be dead.

We have been described by a Presidential Commission as racists. This is not true, but is partially true and the part is too large. Racism abounds, but its obliteration would not be a panacea for all the Black man's problems. We can't burn the bigots for a bright new day. We still have large pockets of white poverty.

Vietnam, militarism, poverty, all of our problems both foreign and domestic are not subject to easy explanations—as most of us are prone to make. They aren't the evil designs of madmen. We can't blame an English banking conspiracy, a Communist conspiracy, a military-industrial conspiracy or any other conspiracy. Sure, certain individuals are responsible for certain acts, but the problems result from the haphazard flow of events and the uncontrollable momentum of situations.

Custodial rules, teachers who don't teach, irrelevant curricula, Vietnam, militarism, racism, poverty, imaginary conspiracies, ambiguous progress, a missing culture, certainly contribute to campus unrest. They contribute to the inevitable ambiguities of life and to the mounting desire to resolve all questions once and for all. They snowball man's longing for a cataclysmic showdown. To meet and to vanquish evil—The shootout at the OK corral—the same desire for confrontation between employee and employer, partner and partner, father and son, husband and wife, the desire we all have for a cathartic every once in a while.

Cathartic, showdown, yes; contempt for the freedom of others, no. Many of our campus demonstrators consider themselves a privileged class intolerant of the rights of others and contemptuous of human limitations. These puritans would destroy man for not being perfect. But all of history is a record of man's limited successes against a background of recurring failures. Man's failures are all too understandable. His successes need explanation. Student militants seem oblivious to the evil in themselves, the evil that lurks in all of us. In threatening people with guns, physically attacking opponents, we have a manifestation of moral certitude—the certitude of the Inquisition. They're going to save mankind even if they have to kill mankind to do it. But this violence can neither solve nor dramatize social problems. This violence becomes-its own drama and its own problem.

We have the picture, the causes, now what can we do?

WHAT CAN WE DO?

First of all let's dismiss the notion that we can stop this violence by suspending Federal benefits to students and schools. Such punishment is both unjust and unwise. Unjust because, unlike the quality of mercy, it does not fall upon the rich and poor alike and unwise because it usurps the local police power. The rich violators lose nothing, the poor everything. Our greatest protection against tyranny, our decentralized police and judicial system, should not be tampered with.

Campus violence is still violence. Students want and shall have freedom, but with freedom comes responsibility—the same responsibility the rest of us have—to answer to the local police. But many administrators behave like buffalo being shot standing by inertly with dazed eyes as one by one they are slaughtered. Some administrators assert that the university must be open to the free exchange of ideas. If carrying a weapon or seizing a building is an exchange of ideas, then rape is just a social event and a holdup is merely a financial transaction.

Calling in the police only helps us mop up the floor. We still have to patch up the leak. Today's problems of teaching, curriculum, custodial rule, Vietnam, racism can be solved, but more problems will arise tomorrow and more unrest and more violence will follow unless we get to the root of the problem—the absence of a functioning community, the absence of a forum for the voice of students, faculty, administration, and even parents and alumni. We need an arena large enough to accommodate all interested participants. The frustration of non-participation hurts more than the burden of an anachronistic administrative rule. Extremists gather student support not because of errors in college life, but because of lack of community. The extremist fills this void like a dictator in an underdeveloped country.

This same lack of community on the campus is a reflection of the lack of community in the country. Our sense of identity, our place, our status in the community has not changed with the conditions of our lives. Yesterday we established identity by achieving success in our community, today many of us travel to succeed.

We have wandered from local status to institutional status. But we have not acquired a sense of social responsibility adaptable to this new mobility. The college professor is not part of his campus, only part of his discipline. The doctor not part of his city, but part of his profession. The technician not part of his town but a part of his trade. We have cities like Washington, D.C. where no one is responsible because everyone is from somewhere else. We must develop a new social code for this new mobility. A social code depending upon conditions rather than fixtures.

Our problems are not caused by the machinations of a few evil men; our problems are caused by the loss of control of our society by its citizens.

THE NEED FOR COMMUNITY

How can we create this new community? We must restructure our institutions, our schools, our factories, our churches, our governments, to allow for pluralism, diversity of opinion—self-contained forums for expression of ideas, if you will.

The sheer size and complexity of everything due to simple, uncomplicated, unevil facts like increased population has left most of us with a sense of powerlessness. Powerlessness which can only be overcome by responsibility—which means effort, which means commitment, which means sacrifice. With his automobile the affluent American escapes not only the city but his citizenship.

The poverty program was an experiment in this kind of responsibility. The poor were brought into the community, into the decision making process and the rebellion of vested government interests is evidence of this program's success. A decentralizing of power understandably irks those at the center of power.

We must choose whether the astrodome or democracy will control our destiny.

We need a renewed and expanded community spirit, a new social contract, a new relationship between man and society.

HON. HENRY S. REUSS PROPOSES SOLUTIONS TO INFLATION

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. ZABLOCKI. Mr. Speaker, as national concern has mounted over the failure of the Federal Government to curtail the momentum of inflation, my distinguished colleague from Milwaukee, the Honorable HENRY S. REUSS, has gained increasing attention nationally for his critical views of the monetary problems.

Complying with the Milwaukee Journal's request for his analysis of current economic problems and possible solutions, he prepared a concise and cohesive article which was published in the Sunday, May 4, 1969, edition of the Journal. The report, based as it is on his extensive experience on the House Banking and Currency Committee, the Government Operations Committee, and the Joint Economic Committee, deserves the attention of my colleagues.

More importantly, I urge careful consideration of the solutions which Congressman REUSS proposes for putting a stop to the spiral of inflation. His criticism of the current half-hearted attempts to stop inflation should be weighed carefully and the alternative solutions he proposes should be implemented without delay. The article follows:

[From the Milwaukee Journal, May 4, 1969]

WHY WE'RE LOSING "INFLATION WAR"

(By Representative HENRY S. REUSS)

WASHINGTON, D.C.—We are now undergoing the worst inflation since 1951—a more than 5% increase in the consumer price index in the last year and a more than 3% increase in the wholesale price index.

And we are failing to take adequate steps to bring it under control.

The main ingredients in the administration's "war against inflation" are these:

Continuation of the surtax after next June 30 for another year, at 10% until January, 1970, and at 5% until the following June; repeal of the 7% investment tax credit.

Spending cuts, distinguished by their modesty on the defense side of the budget.

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Moderately tight money. The federal reserve so far this year has been creating money at approximately the rate of 2% a year—just about what the joint economic committee has recommended. Though it recently raised bank reserve requirements, the potential restrictiveness of this move will be at least partially vitiated by a somewhat more expansive open market purchase of securities by "the fed" (indeed, unless the fed does negate some of the effect of its increased reserve requirements by added open market purchases, it could well throw us into a recession).

SURTAX INEFFECTIVE

This "war against inflation" is being fought in a healfhearted manner.

We have had the surtax since last summer, and it has not markedly chilled consumer expenditures. Consumers have dipped into their savings rather than cut their spending.

The meat ax approach to budget cutting has been tried in certain areas of domestic spending, but has been found wanting as an effective way of curbing inflation. Inflationary government spending increases are concentrated heavily in a very few areas—defense, space, public works. These are the areas where substantial cuts should have been made.

Indeed, present methods are not only unlikely markedly to reduce inflation, but judging by the administration's admissions before the joint economic committee earlier this year, they may also produce up to 500,000 new unemployed by the end of this year who would have had jobs but for the slowdown of growth which is the aim of the program.

With our manufacturing establishment currently operating at only 84% of its plant capacity, it is shortsighted economics to contemplate throwing away half a million jobs. What we should be doing is to expand our manpower training programs so that job opportunities and trained manpower can be matched.

If we look at the consumer price index and the wholesale price index, we see at least five major inflationary pressure spots:

Defense spending. This is the greatest single inflationary factor—greatest not only in its enormous amount, but also in that it produces no useful good which can be used to sop up the purchasing power created by the act of producing defense goods. Our space program and costly projects like the supersonic transport have also made their contribution.

Business equipment spending. While the wholesale price index is up 9% in the last 10 years, the indices which most closely reflect business capital equipment spending are up by a much greater amount. Metals are up by 13%, machinery and equipment by 17%. These two are at the top of the wholesale index list primarily because of the government induced inflationary boom in capital equipment spending by business, as a result of the continued 7% investment tax credit. Business capital expenditures could reach a total of some $73 billion this year, up a whopping 14% over last year's record breaking total. The credit should be promptly repealed, as the administration has now wisely requested.

Home mortgage interest rates. The consumer price index has gone up overall by 23% since 1959. Expenses of homeownership, however, have gone up by 34%. And this is largely because of soaring interest rates, now at their highest level in 100 years. Interest rates for homeownership, in turn, are as high as they are largely because of the extraordinary siphoning off of the nation's credit resources to excess business investment, particularly in the defense industries. Repeal of the 7% investment tax credit should help somewhat to relieve the demand for credit and the resulting high interest rates.

Medical care. This is now 49% above what it cost 10 years ago. Here we are now reaping the whirlwind of shortages in the health professions and of growing pressure on hospital facilities. What will break the medical care log jam is belatedly to provide expanded schools for medical and other health professionals. At the same time, tax law changes might indirectly help to ease pressure on hospital facilities. A broadened and increased deduction for health insurance where it includes health care would encourage insurers to offer, and consumers to subscribe to, policies which present alternatives to hospitalization.

Lumber. Prices of lumber and lumber products have skyrocketed, particularly in the last year. At the same time, profits in the lumber industry have increased by almost 100%. Basically, this is the result of poor national planning in recent years: Our timber resources and cuts are simply not adequate for both present domestic and foreign consumption. Short term remedies include increasing allowable cuts without jeopardizing sound forestry practices, and temporarily reducing the level of our lumber exports. Housing and Urban Development Secretary Romney recently appealed to the lumber industry to exercise restraint in its price increases. The appeal is not likely to have much effect in the absence of wage-price guideposts.

WHAT CAN BE DONE?

What can be done to make the "war against inflation" real, with some chance of success? We should:

1. Adopt a positive goal of ending inflation. The council of economic advisers is apparently prepared to accept another 3.5% price increase this year. This attitude is too complacent, for a price increase of these dimensions not only damages the retired and others on relatively fixed incomes, but robs millions of workers of the purchasing power of their wages, and everyone of the value of his savings.

2. Achieve an adequate surplus by cutting military expenditures. Actions on expenditures and taxes this year must be guided by the overriding necessity to achieve a significant budget surplus. The administration has now completed a budget cutting exercise looking to a surplus of $5.8 billion in fiscal year 1970. But it is a surplus obtained by cutting too much from productivity increasing domestic programs, and far too little from military and military related programs.

The domestic sector has been cut back $2.9 billion, including $1.2 billion from health, education, and welfare alone, and cuts in job training, housing, urban transport, and environmental protection programs.

This 2.5% reduction in civilian outlays compares with a cut of only 1.3% for the Pentagon—$1.1 billion out of the enormous $80 billion defense budget. And most of that cut is in money for bombs and artillery shells for Vietnam, leaving the Pentagon free to come back next January for another supplemental appropriation. Still included in the budget are expensive new weapons systems—such as the $8 billion advanced manned strategic aircraft, the $6–$7 billion Safeguard ABM, and the controversial F–111 fighter-bomber.

TRINITY RIVER BOON

Programs in space and public works, also areas of inflationary government expenditures, have also been generously dealt with. The national aeronautics and space administration has been granted an increase of $86 million in fiscal 1970 to help finance seven more moon landings than originally planned. Reductions in public works spending have been achieved not by cancelling costly projects, but by deferring contract awards for projects not yet started or in early stages.

And in the budget can be found funds for the $1 billion army corps of engineers' project to make an ocean port of Fort Worth, Tex., by deepening the Trinity river. Experts assert that it would be less costly to move Fort Worth bodily 400 miles down to the sea.

3. Reinvigorate the wage-price guideposts. Almost every country of western Europe uses a wage-price guidepost procedure to focus public attention on wage and price increases which are likely to lead to inflation when they exceed improvements in productivity. The United States used the wage-price guidepost technique effectively during the period 1960–1965, when inflation was avoided. The administration, by rejecting the wage-price guideline system, has unilaterally disarmed itself in the battle to moderate price rises in such industries as steel and lumber.

4. Plug tax loopholes. Loopholes which should be promptly plugged because they are directly inflationary include the 7% investment tax credit, which contributes both to inflation in the capital equipment industry and to the inflationary overdemand on scarce credit supplies; the hobby farms loophole, which bids up the price of farmland; and the accelerated depreciation provision, which causes speculative price rises in urban real estate.

LOOPHOLES REMAIN

Loopholes whose inflationary impact is less direct—the 27.5% oil depletion allowance, capital gains provisions, tax exempt state and local securities, for example—should likewise be closed. They deprive the government of needed revenue, and they lead low and moderate income payers to ask—justifiably—why they should pay higher taxes while others fail to pay their fair share.

The administration's tax reform package rightly contains a call for repeal of the 7% investment tax credit. But in other respects the package is deceptive and relatively empty.

Affluent individual loophole enjoyers will be charged a small "user's fee" for enjoying some loopholes; they will have license to flock to other loopholes not subject to the fee; and corporations won't have to pay a fee at all.

New loopholes, to be known as "tax incentives" for businesses investing in poverty areas, are promised, and if accepted, will remove further areas from congressional annual budgetary control. Most important, major loopholes, such as the oil depletion allowance, are left untouched.

5. Lower interest rates. This is not a recommendation that the federal reserve system bring interest rates down by creating new money at an excessive rate. Instead, interest rate increases should be moderated by removing from the demand side of the credit equation the swollen demand for business equipment and military goods. Lower interest rates will help three elements of the economy that are in trouble—the home building industry, state and local government, and small business.

Thus one comes to the reluctant conclusion that the administration's choice of anti-inflationary weapons is just not going to do the job. Indeed, a war that begins by postulating a 3.5% rate of inflation this year concedes defeat before it starts.

Both parties are at fault for our inflation. It was the Democrats who allowed wage-price guideposts to atrophy, who enacted the investment tax credit, who let tax loopholes go unplugged for years, who enormously increased military spending.

What is needed now is a bipartisan and all-out attack on inflation. If we can stop it, there will be credit enough for all.

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CAMPUS RACE RIOTS

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, the lead headline in the New York Times this morning read: "City College of New York Shut Down, Then Racial Clash Injures Seven Whites." Last week stories appeared relating similar occurrences at C.C.N.Y.'s sister school, Queens College, where 1,000 whites rousted 200 blacks from campus. To make matters more unfortunate, New York City, for better or for worse, often is correctly viewed by the rest of the country as a barometer of things to come. For this reason I feel duty bound to speak out today on this issue of national concern.

What potentially could have been a grand alliance between blacks and whites, an alliance that could have reunited our Nation through the bonds of working toward a common goal, an alliance that could have recaptured the spirit that our Nation had when Andy Goodman, James Chaney, and Mickey Schwerner gave their lives as brothers in a cause, this potential of black and white youth peacefully, constructively, intelligently working for change appears to be lost. Instead we are faced with the horrible specter of backlash by a traditional black ally, the white student, and with apartheid, by a traditional denouncer of segregation, the Afro-American university member.

Emotions are beginning to boil over throughout the land and rational thought is being replaced by visceral reactions. The time is now conducive to demagoguery as well as to overreaction. It is also for these reasons that I speak out today.

We must not let all that we have worked for in the past be swept away in a tide of emotional bitterness and vent our frustrations by ramming through get-tough legislation that would harm academic freedom and limit personal liberty for years to come. While our university administrators must act with alacrity and conviction and the rights of the majority must be protected, let us beware of playing into the hands of both the SDS radical and the black separatist militant. Those people desire a total polarization to occur, a polarization between the youth of our Nation and its Government, between blacks and whites. And it is exactly this polarization that we must avoid if our Nation is to remain free, strong, and united.

While we must keep our universities open, while we must continue to act to correct the inequities that unfortunately abound throughout our Nation, while we must protect life and property from attack, we must also not forget to abide by the principles that have sustained our Nation since its inception. We must not let the ends justify the means, for in the crises with which we are now faced, the means shall largely determine the validity of the ends. Let us pray that reason and sanity shall prevail and that the wounds that our Nation has suffered will be sutured with a surgeon's skill rather than be torn wider apart with a butcher's strength. Let us avoid the temptation to overreact.

MENTAL HEALTH GROUPS OWN MESSIANIC COMPLEX

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. RARICK. Mr. Speaker, the Commission on Mental Health of Children—a group composed of 13 national organizations of psychologists, educators, sociologists, psychiatrists, labor, and the like are proposing future legislation to establish a nationwide network of child development councils to serve as "direct advocate for the children and youth."

The Commission apparently feels that with legal protection and enough taxpayers money, they can cure all of the ills and problems of society and in addition make provisions for the youth to "participate in activities now available only to adults."

I include a news clipping from the Evening Star for May 5, 1969, a clipping from This Week for April 20, and a clipping from the Evening Star of May 7, as follows.

[From the Washington (D.C.) Evening Star, May 5, 1969]

BROAD NATIONAL SETUP URGED TO AID CHILDREN

(By Judith Randal)

BAL HARBOUR, FLA.—The Joint Commission on Mental Health of Children has recommended that the present fragmented collection of services and institutions for children be placed under a coordinating umbrella through a nationwide network of Child Development Council.

It would be partially funded by the federal government, but operate on the state, local and neighborhood level.

The council would function through state child development agencies which in turn would have ties to the federal government. Considerable latitude for local variation and innovation would be built into the plan.

The recommendation and its specific proposals have been three years in the making by the commission, a group of 13 national organizations of psychologists, educators, sociologists, psychiatrists, labor and the like interested in the welfare of children.

The proposals will be submitted to Congress as the basis for future legislation, probably within the next six weeks.

At a news conference today at the annual meeting of the American psychiatric Association here, representatives of the joint commission said implementation of the plan would result in a council to serve as "direct advocate for children and youth."

They indicated they were hopeful on getting action on the proposal because President Nixon has said children from one to five years old should get priority attention from the nation.

"We are," said Dr. J. Cotter Hirschberg, who directs the Child Psychiatry Program of the Menninger Clinic in Topeka, "really talking about a health program. . . . The Commission could not separate health from mental health especially in the early stages of child development. This was highlighted by the hunger hearings, where testimony pointed out that without proper nutrition the nervous system is damaged."

There are, said Hirschberg, about four million children in this country less than 14 years old who need psychiatric care and a half million of these are severely disabled. The total costs of mental illness in this group are about $20 billion annually. This doesn't take into account the costs of loss of productivity in later life, which are at least twice as great. "We've always known more medically than we've been able to do. We must now begin to reverse this trend."

Dr. Reginald Lourie, chief of psychiatry at the Children's Hospital in Washington, said the services now available for children are uncoordinated with the result that they compete rather than cooperate. What is needed, he indicated, is a system that provides continuity and followup care.

Many of the problems of the city, such as juvenile delinquency, racial violence and high school dropouts, have the roots in the first three years of life when the child forms an image of himself, he said. If they are not corrected then, the damage must be undone later, he said.

"It will become necessary for child rearing and child services to become one of the largest industries in this country if we are to do it right."

The Child Development Council he and his colleagues advocate would encompass a variety of services ranging from day care centers and physical and mental health care to legal and welfare support and a range of training and educational opportunities for both children and their families. Particularly important would be provision for youth to participate in activities now available only to adults.

[From This Week magazine, Apr. 20, 1969]

UNREST STUDIED

The National Institute of Mental Health has awarded a $114,000 grant for the study of unrest on college campuses. The money will cover the first year of efforts by The American Council on Education to obtain data from 300 institutions on such questions as: What is the actual frequency and extent of student demonstrations? What accounts for individual differences in the forms the protests take? What role does the size or kind of college have on student behavior?

In addition, more detailed case study and interview material from 30 of the sample colleges will be collected and analyzed. Dr. Alexander W. Astin, the Council's Director of Research, will head the study which will be made with the assistance of 12 distinguished scientists and educators.

[From the Washington (D.C.) Evening Star, May 7, 1969]

MENTAL CARE PLAN WORKS, UAW REPORTS

BAL HARBOUR, FLA.—When 1.1 million Michigan members of the United Auto Workers and their families became eligible to have out-patient psychiatric care covered by their health insurance, fewer than 7,000 took advantage of it, and only 7 percent of these received the maximum $400 yearly benefit, a union spokesman reports.

Speaking at the American Psychiatric Association meeting here yesterday, Melvin A. Glasser of the UAW's Social Security Department said this experience suggests that coverage of mental health services on an outpatient basis is "economically viable" both for blue collar workers and the middle class.

Under the novel plan, Glasser said, the usual deductible or co-payment by the patient is eliminated for the first five visits. From the 6th through the 10th treatment sessions, the patient pays 15 percent of the bill and for the 11th through the 15th sessions, 30 percent. After that, he must pay 45 percent of the bill.

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Statisticians for the American Psychiatric Association estimate that of the 100 million Americans covered by some sort of health insurance plan, only about 1.5 million have any financial protection against the costs of outpatient mental health care. Yet about 2 million visit psychiatrists each year for an average of five visits at $30 an hour—the "usual and customary" fee.

The UAW experience has shown, Glasser said, that the problems of blue collar workers and their families are no different from those of the middle class. Children who do poorly in school, marital discord, alcoholism and depression—particularly among women—are the most usual complaints. And less than 20 percent of the patients need to be hospitalized for out-and-out psychoses, he said.

All in all, he said, the fear that insurance benefits for outpatient mental health care will lead to abuse of the coverage appears to be unjustified.

Indeed, because the benefits are most heavily used by people under 30, the utilization may prevent the development of serious mental illness which would be more costly in the long run.

SOCIAL SECURITY BENEFITS MUST BE INCREASED NOW

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. RYAN. Mr. Speaker, as is the case in so many other of our national needs, the performance of both the executive branch and Congress with respect to urgently needed increases in social security benefits is falling far short of the promises which were made during the campaign last fall. President Nixon has already recommended that social security increases proposed by President Johnson be cut back from 10 percent to 7 percent in order to achieve a budgetary saving. He has retained the proposed increase in social security taxes, however.

Now the chairman of the House Ways and Means Committee (Mr. MILLS), has indicated that he does not plan to take up social security legislation until next year. The effect of such a postponment will be that the millions of elderly citizens struggling to meet their needs in the act of the very inflation which President Nixon has cited as the No. 1 priority of his administration will have to make do for another year on the meager and grossly inadequate benefits which the law now provides.

If budget cuts must be made in order to curb inflation, surely the burden ought not to fall on programs which are the only source of income for most older Americans. To deny them the increases they urgently need even while the purchasing power of their present income is being eroded by inflation is to add still more burdens to the plight of those dependent on fixed incomes.

Mr. Speaker, it is essential that social security legislation be dealt with by the Ways and Means Committee this year. Similarly, the recommendation of the Nixon administration to reduce the proposed increases to 7 percent must be rejected. The inadequacies of social security payments and the need to tie the benefits to the cost of living must be considered immediately to ease the strain and inequity which inflation in our economy is already inflicting on the Nation's elderly citizens.

I include at this point in the RECORD an editorial from today's New York Times which underscores the necessity of Congress acting on social security legislation during the current session of the 91st Congress:

RETREAT ON SOCIAL SECURITY

In a time of inflation, the worst victims are elderly persons living on pensions. The economy may be booming to new highs, but their income does not change. Recognizing the painful bit higher prices take out of their limited purchasing power, both parties last year promised to tie Social Security payments to the cost of living. Like all such escalator provisions, this proposal has the disadvantage of tending to aggravate the inflation it is designed to offset. But it is unfair for a Government that is failing to hold the value of the dollar steady to deny relief to those hardest hit by rising prices.

Since the election, both parties have been steadily retreating from this pledge. Officials of the new Administration dismissed an escalator clause as too expensive. President Nixon cut back the increase of Social Security benefits recommended by President Johnson from 10 per cent to 7 per cent to save a billion dollars in the budget, but he retained the proposed increase in Social Security taxes.

Representative Wilbur Mills, the chairman of the Democratic-controlled House Ways and Means Committee, has now gone the President one better. He reportedly plans to put off any action on Social Security for a year. Delay would move an increase close to the 1970 election when recipients are presumably supposed to storm the polls in gratitude. But what about the elderly poor scrimping along for the next eleven to fifteen months? Their plight demands a much quicker response.

The ostensible reason for delay is that welfare legislation, specifically affecting the Aid to Families With Dependent Children program, is traditionally considered along with changes in Social Security. But there is no necessary or inherent connnection between the two. Indeed, it is only a legislative accident that welfare programs are under the jurisdiction of the Ways and Means Committee. Whenever the Nixon Administration has a basic reform of the welfare program to offer—an overhaul we hope will come soon—that reform ought to be considered on its own merits. Meanwhile, the failure to provide Social Security pensioners with an immediate and substantial increase is callous and unjustifiable.

POSTAL EMPLOYEES PROTEST

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. ANDERSON of California. Mr. Speaker, several days ago the National Postal Union held a rally in Washington with 2,500 members to protest the small 4.1-percent wage increase proposed by the Nixon administration for postal employees.

Although I was unable to attend the rally, I want to express my support to the postal workers that 4.1 percent is not enough. This small increase does not even cover the increase in 1 year's cost of living.

It is about time that we give postal employees true wage comparability as Congress has promised in 1962, 1967, and again this year. Starting salaries of postal employees are in some cases today substantially less than those earned by bus drivers, policemen, and firemen in many of our major metropolitan areas.

My bill, H.R. 9703, would give postal employees a one-step increase in their level which would take care of any increase in the cost of living and still give postal workers a substantial increase in their salary.

We must pay postal employees wages comparable with private industry; token salary increases such as 4.1 percent are totally unsatisfactory. Postal employees are just as affected by inflation, taxes, and cost-of-living increases as anyone else. They must be paid accordingly to reflect these adjustments in our economy. They must be paid a decent wage which will permit them to live with the same comforts enjoyed by their friends and neighbors in comparable non-Government jobs.

Mr. Speaker, I agree with the National Postal Union and postal employees across the country in saying "Nuts to 4.1 percent." They deserve better than that.

RUMANIAN INDEPENDENCE DAY

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. ZABLOCKI. Mr. Speaker, it is our honor today to commemorate the Rumanian Independence Day, May 10. Actually, we celebrate three great events in the history of the Rumanian nation on this anniversary.

First, after a long struggle on the part of the Rumanian people to acquire the right to choose their own sovereign, the Rumanian monarchy was founded on May 10, 1866. On May 10, 1877, a segment of the Rumanian people which had been under the domination of the Turkish Ottoman Empire declared their independence. Four years later, on May 10, 1881, the Rumanian nation became a full-fledged state of Europe, the Kingdom of Rumania.

These events reflect the vigorous independence of the Rumanian people. Courageously and with indomitable spirit they have endured repeated conquest and rule by foreign powers.

Today, though still under Soviet domination and with a Communist regime, Rumania is determinedly embarking on a semi-independent course, opening its doors to the West.

In responding to these initiatives, the United States has indicated our continued friendship with the Rumanian people by increased trade and diplomatic contacts.

Regretfully, the Rumanian people have yet to benefit from this liberalization of Rumanian foreign policy. However, it is expected that increased contact with the West will eventually lead to greater personal freedom within Rumania.

Thus, as we turn our thoughts toward the Rumanian homeland of the past and present, we earnestly hope for even greater liberalization of Rumania's foreign policy, and greater improvement in the living conditions and standards for the Rumanian people. As a freedom-loving people, they will not be kept in bondage.

It is our further hope that Rumania's leaders will realize that the future progress and development of their nation depends in large part on their providing significant liberties and an opportunity for free cooperation and expression to the Rumanian people.

JOB CORPS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, Secretary Shultz appeared before the Committee on Education and Labor this morning to set the record straight on Job Corps.

The Secretary's statement is clear and concise, and I commend it to my colleagues for their information:

STATEMENT BY THE HONORABLE GEORGE P. SHULTZ, SECRETARY OF LABOR, BEFORE COMMITTEE ON EDUCATION AND LABOR, HOUSE OF REPRESENTATIVES, MAY 8, 1969

Mr. Chairman, I am here at your request to discuss further with you developments with respect to the Job Corps.

Earlier I described our analysis of the Job Corps, its strengths, and its weaknesses. I described how we felt the Job Corps should be tied in more closely with the Nation's total manpower training effort and recast to better serve our youth.

In implementing the Department of Labor's plan for restructuring the Job Corps, our immediate concern is developing constructive alternatives for those corpsmembers in centers which are being closed. I would like to review briefly with you the procedures to achieve this objective and to discuss some of the preliminary results. The procedures have been formulated by OEO and the Department of Labor and have been carried out on a collaborative basis wherever possible.

1. Job Corps counselors ascertain from the enrollees at closing centers their desires about continuing in the Job Corps. Arrangements are then made to transfer the corpsmen to centers that will remain and to continue their particular training program.

2. Any corpsmember who does not wish to move to another Center is interviewed by Employment Service counselors assigned to the centers. The counselors explain to the corpsmember the manpower training programs work opportunities available. In many cases, the corpsmember's home is in a State considerably removed from the Job Corps Center and it is more sensible to make referrals to manpower programs on a local basis. The enrollee is referred to the local employment office in his home town and that office makes arrangements for appropriate training. The fact that the corpsman must go to the local Employment Service office to pick up his last pay check increases greatly the likelihood that an initial contact will be made with the Job Corps man who has chosen to return to his home community.

3. An enrollee may want some time before deciding what he wants to do. The counselors arrange by telephone to assign the enrollee to a special assessment program located in the trainees hometown. This special assessment program will last from two to four weeks during which time the enrollee will receive a very intensive counseling and placement analysis by the local office.

The special assessment program will include a stipend for the ex-corpsmember so he will be adequately supported while awaiting proper placement in a training opportunity or an appropriate job. The stipends will be equivalent to the MDTA allowance payments made in each State and may be paid to ex-Job Corpsmembers for up to a 4-week period, although it is expected that this period will not be needed in most cases. Payments will vary from $25 to $51 per week depending upon the State.

4. Following the period of assessment, the former Job Corpsman will be given the opportunity to enter a training program adapted to his needs and interests. Special placement efforts will be made to effectively place the trainee in either an institutional MDTA training program, an OJT program, a JOBS (JOBS–NAB) or other appropriate training opportunities.

We are following a deliberate process in the interviewing and referral of the Corpsmen to ensure that they will be able to make a decision based on the best possible information. For this reason we set aside funds to enable the Employment Service to do a better job of assessment and to provide an immediate financial incentive for the enrollees to remain in contact with the Employment Service in the event that he choses to leave the Corps.

Department of Labor representatives along with Job Corps officials, are following the phase-out of the designated centers closely in order to handle reassignments of corpsmembers as effectively as we can. Since the Department of Labor announced its plan, the following developments have occurred.

As of April 11 when the center closure announcement was made, according to Job Corps data, there were 16,300 enrollees in the centers to be closed. As of the end of April, there were 11,600 in these centers, a net reduction of 4,700.

In the past three weeks, 2,200 enrollees have been transferred to other centers; 300 have graduated; 1,400 have elected to accept other manpower training and been referred to the Employment Service; and 800 have dropped out. Efforts will, of course, be made to locate these young people and make provision for their enrollment in training.

Of the 11,600 remaining in the centers, 2,800 are scheduled to be moved to other centers. 4,000 have elected placement in other manpower programs and, of this number, 1,300 have been scheduled for assessment and programming referral. The remaining 2,700 are in the process of being counseled by the Employment Service at the centers. Another 4,800 have indicated they wish to remain in Job Corps but have not yet been scheduled for transfer.

Considering normal attrition, existing vacancies, and expansion of capacity by 10 percent, the centers to be left open will accommodate almost 8,000 individuals, slightly more than the 7,600 now in centers to be closed that want to remain in Job Corps but have not yet been scheduled for transfer. Indeed, we will probably recommend the renewal of the Job Corps recruiting in July to maintain the Corps at its revised capacity.

Other manpower programs will have ample vacancies to take care of those corps members electing to transfer to them rather than remain in the Job Corps. A State-by-State tabulation for the period May through July showed the following projected openings:

NAB–JOBS	20,400
MDTA institutional	14,200
OJT	24,200
CEP	2,800
Non-CEP New Careers	500
Total	62,100

While these shifts have been carried out, active steps have been taken to maintain or extend particular components of the Job Corps that have been effective and which are consistent with the new program design. Discussions have been held with representatives of the AFL–CIO to formulate plans to gain trade union involvement at a large number of urban and conservation centers. We intend to maintain the current Women in Community Service program as a supportive activity, and negotiations are underway to continue the Policy Academy and Rentor programs currently at Camp Kilmer. By retaining these programs, and integrating them with other manpower efforts administered by the Department it is expected that both will be strengthened.

The second area of concern involves the new residential manpower training centers. Before I discuss our plans, however, I would like to clear up some apparent misunderstandings about the role to be played by the new centers.

These centers were not proposed in the context of immediate availability to take care of the young people now at Job Corps centers which will be closed. The opening of the new centers and the closing down of some old centers are two entirely different operations. The young people at centers to be closed will be given alternative opportunities within the framework of the plan previously described. The new centers to be opened are part of an effort to use Job Corps resources in a more meaningful fashion, but will not necessarily involve individuals now in the Job Corps.

The new centers are designed to use the residential idea to meet the needs that existing Job Corps centers do not accommodate and to improve operating concepts where necessary. The new centers will provide a residential training facility for urban youth who need this kind of service but who are not willing to leave their home area. One of the most critical weaknesses of the Job Corps has been its high dropout rate. The new centers are designed to correct this problem by having the residential facility near their homes, families, and friends to mitigate the normal feeling of loneliness and homesickness young boys or girls may feel when they are in unfamiliar surroundings. The new centers will be closely tied in with the employers and institutions in the local labor market where the youths will seek work after completion of their Job Corps training. The new centers themselves will be expected to work more directly in the placement process than could be possible when they are far removed from the source of employment opportunities for their enrollees.

The 30 new centers we plan would have a capacity of about 4,600 enrollees. Half of them would be small, residential support facilities. These small centers, however, will contain about 8 percent of the enrollees in the new centers. The other 15 centers would be larger, containing up to 350 enrollees. As I indicated in my testimony two weeks ago, we plan to establish a number of different kinds of centers to meet the varying needs of young people in as flexible and imaginative a manner as possible.

Some centers will be co-educational.

Some will be for young unmarried mothers and could include, or be linked to, child care services.

Some will be in the city itself; others will be near enough to permit easy week-end commuting home.

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The program design of the new centers is such that some cost savings can be expected. But a desire for cost reduction was not the prime consideration in the establishment of the new centers; we sought primarily improvement in the quality and relevance of the program.

Cost savings can be expected in the new centers as compared with the old in recruitment, placement, and enrollee travel expenses and in the use of available community supportive facilities.

Our time schedule for the establishment of the new centers includes the following steps:

1. There are a number of proposals that are already in the process of submission to either OEO or labor for residential skill centers similar to what we contemplate. The cities involved are Phoenix, Rochester, Nashville, Chicago, and Atlanta. A field visit has already been made to Phoenix. Rochester will be visited this week and the other visits are scheduled shortly thereafter. Some of these centers and some potential sponsors are revising their proposals in light of the Department's concepts of the new centers. It is anticipated that centers in some of these cities will be funded this fiscal year and be in operation in mid or late summer.

The present Job Corps centers that may be suitable for use as part of the new program include some facilities at Kilmer, Clinton, St. Louis, Huntington-Ashland, and Koko Head. Our people are already assessing these centers and it is likely that those found suitable for a new center will be among the first funded within the framework of the Residential Manpower Center program.

2. We are in the process of obtaining the recommendations of our Regional Manpower Administrators concerning the type of center most suitable for the cities under consideration as sites for the new centers. In addition, we are developing comprehensive guidelines for the new centers for purposes of specific proposals. We expect to have proposals developed for most of the centers by July. We expect that as many as half of the proposed centers can be funded this summer with the remainder funded by fall.

Each center's timetable will necessarily have a start-up and gradual build-up time to permit necessary preparation of the facility, staff selection and training, development of specific local ties for supportive services where appropriate and a reasonable progression time from initial enrollment to capacity enrollment. By late winter or early Spring, most, if not all, of the new centers should be fully operational.

The final point—it is important to mention today—concerns the disposition of the centers to be closed. Obviously, the personal property and equipment can be used in the remaining centers and the new centers to be opened. As I mentioned, there is a possibility that the facilities at some centers to be closed may be converted to use under the revised concept.

We are exploring carefully the possibilities for the productive use of the other centers by State or local governmental bodies.

An inter-agency committee has been established of all of the agencies involved, the Bureau of the Budget, Agriculture, Interior, Labor, OEO, and GSA. The committee is meeting today. It will very shortly develop a list of center facilities that will be available for disposition to public bodies and a schedule or priorities for alternative use. This material will be widely circulated in the areas where the closed centers are located and proposals invited. In the meantime, proposals have been received and they will all be considered on their individual merits.

The process of reshaping the Job Corps has not been without difficulty. Any change is unsettling. As I indicated to you last week, we are retaining those aspects of the Job Corps that have merit, and changing those that we believe have been found wanting. We are doing this as expeditiously as possible to avoid a long and lingering uncertainty about the fate of particular centers as uncertainties are particularly unsettling to Corps enrollees. We believe the residential component is an important element of the Nation's manpower training program and, with your help and cooperation, we will make the residential service a more meaningful and rewarding experience for those it serves.

THREE FROM STATE DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. LONG of Maryland. Mr. Speaker, Pfc. Wayne A. Stevens, Capt. John R. Tine, and S. Sgt. James R. Dorsey, three fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and to honor their memory by including the following article in the RECORD:

THREE FROM STATE DIE IN VIETNAM

A Marine private first class and two Army men from Maryland have been killed in combat in Vietnam, the Defense Department announced yesterday.

The dead are:

Marine Pfc. Wayne A. Stevens, 20, of College Park, Md., who was killed May 1 in a fire fight.

Capt. John R. Tine, 26, of Silver Spring, who was killed May 1 in action near the Cambodian border.

Staff Sgt. James R. Dorsey, Jr., of Brandywine, Prince Georges county, who had earlier been reported as missing in action.

Captain Tine was stationed near the Cambodian border at Cao Lanh where he was with an advisory team attached to a South Vietnamese Army unit.

"He was our only son but we are just as proud of him as we could be," his mother, Mrs. Joe V. Tine said yesterday. "He was dedicated to his duty, and he refused two leaves in Korea and Vietnam because he felt he was needed."

He entered the Army as a recruit in 1965 and rose to the rank of captain last year.

After earning his second lieutenant's bar at the artillery school at Fort Sill, Okla., he served for a year in Korea.

He returned to the United States in August, 1967, and was assigned as a training officer at Fort Gordon in Augusta, Ga.

Captain Tine was trained as an expert in Vietnamese affairs before he was sent to the war zone last December.

A native of Washington, Mr. Tine spent his early youth in Silver Spring. He was a graduate of Randolph-Macon Academy, Front Royal, Va., and attended Chowan College, in Murfreesboro, N.C. and Salisbury State College.

Besides his mother and father, Captain Tine is survived by his wife, the former Judith Aber.

Private Stevens was an artillery soldier with the 3d Marine Division stationed at An Hoa near Da Nang. He died of a gunshot wound of the chest.

A native of Salem, Ohio, Private Stevens grew up to have one consuming passion in life: Music.

PLAYED 5 INSTRUMENTS

According to his mother, Mrs. Harold F. Stevens, of College Park, Private Stevens began playing the trombone at the age 8, and quickly broadened his range of instruments to include the piano, violin, viola and trumpet.

His true love was the trombone, an instrument he played at high school and at the University of Arkansas where he played for the Marching Razorbacks.

Private Stevens attended schools in California and Arkansas before being graduated from High Point Senior High School in Beltsville, Md., in 1966.

IN COLLEGE BAND

He attended the University of Arkansas as well as Sonoma State College in California before enlisting in the Marines in December, 1967. He had been in Vietnam eight months.

Besides his mother and father Private Stevens is survived by a brother, Roger Paul Stevens, at home; his paternal grandparents, Mr. and Mrs. Floyd Stevens, of New Richmond, Ohio; and his maternal grandparents, Mrs. Elzora Jones, of Columbus, Ohio, and Idris Jones of Van Wert, Ohio.

Sergeant Dorsey, 22, was reported missing April 26, but was later found to have been killed in combat.

SERVED IN KOREA

Born in Clements, in St. Marys county, Sergeant Dorsey attended the local public schools before joining the Army at the age of 18.

He served in Korea and the United States before being sent to Vietnam last January.

Sergeant Dorsey is survived by his wife, the former Elizabeth Proctor, of Brandywine; his father, James R. Dorsey, Sr., of Clements; four sisters and three brothers.

THE JOB CORPS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, from the hue and cry that went up with the announcement that some of the Job Corps centers will be closed, one might assume that these centers deserve nothing but praise and a blank check to continue to spend taxpayers money. No matter how poorly managed or ineffective they have been proven to be, the proponents of Great Society waste programs seem to be advocating the continuance of the programs on the basis that they just conceivably might be doing somebody a little good. But are they?

I think not, Mr. Speaker. I should like to call the attention of my colleagues and all who read this RECORD to the frightening experience of one Job Corpsman, as related by his uncle. This is not an isolated case, Mr. Speaker. It represents more the rule than the exception. Certainly we in Congress would be derelict in our duties if we permitted Job Corps centers such as this to continue to operate as breeding ground for crime and corruption.

The young man's experience at the Breckinridge Job Corps Center reads as follows:

> If the conditions that are allowed to exist at the Breckinridge Job Corps Center—Morganfield, Kentucky is any example of what is going on at other Job Corps Centers—then I say its time to close down each and every one of these Job Corps Centers now.

The conditions that now exist at the Breckinridge Job Corps Center are deplorable—my nephew was a Job Corpsman at this center for about a month—only long enough for him to make arrangements to get out.

I charge here and now that at the Breckinridge Job Corps Center the few white youth who are in the Job Corps there live in fear of being beaten up by the great majority of negro youth. Not only are the few white youth in the Corps there have to fear of being beaten up but also there is the fear of being homosexually attacked by negro Job Corpsmen.

My nephew states that on March 26th—Wednesday Night—that a group of Negro Job Corpsmen beat up the few white Job Corpsmen in his dormitory or barracks.

My nephew enlisted in the Job Corps February 3, 1969—that is he made application—he was officially accepted March 3, 1969. My nephew enlisted in the Job Corps because he thought it was a good thing—he thought it would teach a young fellow something he could be proud of—but all my nephew found out after he arrived at the Job Corps Center from what he heard and from what he seen was the conclusion that the Job Corps was not what it was cut out to be.

While my nephew was going to the Breckinridge Job Corps Center a negro Job Corps recruit picked up his suitcase sitting on the platform of the Greyhound Bus Terminal—Washington, D.C. The negro Job Corpsman was shouting "hey man" "I got myself a suitcase"—"hey man" "I got myself a suitcase". My nephew did not realize that this was his suitcase that the negro Job Corpsman recruit had picked up off the Greyhound Bus Terminal platform . . . when my nephew arrived at the Breckinridge Job Corps Center he found his suitcase in the back of the Greyhound Bus—it had been broken into. . . .

The first week that my nephew was at the Breckenridge Job Corps Center he states that there were fights in his temporary dormitory just about every night. First the fights were mostly between the Negro Job Corps recruits—then the Negro Job Corps recruits started jumping on the white Job Corps recruits.

While my nephew was attending a training class at the Job Corps Center "Breckinridge"—his gloves were taken away from him by a Negro Job Corpsman and he never got them back. The white youth dared not report such incidents as this because of fear of being beaten up.

All Job Corps recruits when they come into the center are required to turn in all weapons and no questions asked . . . now I ask you gentlemen what type of boys are they (Job Corps) recruiting? You would think these boys are just starting time in a reformatory (an institution to which young law offenders are sent for training and discipline)!

My nephew states that during the time he was at the Breckinridge Job Corps Center a white youth in his dormitory—age twenty—home Pennsylvania—had a younger brother also in the Job Corps next to his dormitory—the younger brother was sixteen—he too was from Pennsylvania. My nephew states that this sixteen year old white lad was attacked homosexually by a group of Negro Job Corpsmen and was later taken to the Breckinridge Hospital where fifteen stitches were required in his behind (rectum). Now gentlemen: I ask you—do we have clean cut boys at the Job Corps Center or do we have a bunch of wild animals like the Job Corpsmen that attacked this helpless boy?

I ask you gentlemen of the U.S. House of Representatives and you gentlemen of the U.S. Senate to forget political motivations and forget whether or not a Job Corps Center in your state constitutes a "Pork Barrel" and think of the health and welfare of our youth that are in the Job Corps Centers. Is it a good idea to throw 30% of Job Corps recruits that do not have criminal records in with 70% of Job Corps recruits that do have criminal records . . . I think not!!! I would have never allowed my nephew to enlist in the Job Corps if I had of known at the time that 70% of Job Corps applicants have criminal records of some type or other.

If the Job Corps original purpose was to train and discipline young law offenders—this I think was a mistake—in the first place this is the job of our reform schools!!

My niece and her husband and myself—all three drove up to Breckinridge Job Corps Center the evening of Friday March 28th—we drove all night Friday and most of the day Saturday 29th, 69.

We arrived at Breckinridge Job Corps Center Saturday evening around 4:30 p.m.—my nephew called my niece the night of the 27th which was Thursday and requested that we come to Breckinridge Job Corps Center to get him out that things were getting worse—that he was living in fear of being beat up by the Negro Job Corpsmen. He requested that we come to the Breckinridge Job Corps Center to get him in person due to the fact that if they (Negro Job Corpsmen) heard that he was going to leave that he had heard that they would give you a "blanket party" (they put a blanket over your head and beat the living daylights out of you) that is my nephew talking and how he would express the situation because he is a clean cut boy but what it really boils down to "they beat the hell out of you"—"they kick you" "they beat you" . . . I signed the papers to release my nephew from the Breckinridge Job Corps Center Saturday March 29, 1969 . . . On April 5th I had an opportunity to talk with two brothers from Lynchburg, Va.—both brothers were in the Job Corps—one was at Breckinridge for five months and he too told me of an instance where another young Job Corpsman was tied to a bed and homosexually attacked by a group of wild animals (Job Corpsmen that would do a thing of this sort). The other brother was at a Job Corps Center in Michigan he stated that things were so bad that he left and hitch hiked home.

The brother that was at Breckinridge also stated that while he was there they found a white Job Corpsman in his bunk with a knife in his back. Also he stated you had to watch your money on pay day—roving groups would take it away from you. He said also "don't drop your soap in the shower" if you do you leave yourself wide open for an attack!

CLEVELAND PLAIN DEALER SERIES ON SPECIAL TAX RULINGS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. VANIK. Mr. Speaker, Mr. Sanford Watzman of the Cleveland Plain Dealer has written an excellent three-part series on special tax rulings by the Treasury Department which I thought might be of interest to the House during this time in which the Ways and Means Committee and the country are so absorbed with tax reform. The articles are as follows:

Regulation Gives Hanna Ore Firm Tax Break in Millions

(By Sanford Watzman)

(Note.—To uncover the story behind an innocuous-looking regulation, The Plain Dealer went beyond the public record. Sanford Watzman of The Plain Dealer's Washington Bureau had only the regulation to start with, plus two comments filed by objectors who did not realize what was going on.

(More of the story was dug out, bit by bit, from confidential news sources. Watzman found that many government employes, taxpayers themselves, were allies of the public in the "tax revolt" that is sweeping the country.)

Washington.—Under a "special" government regulation, in one of the largest cases ever to turn on a single issue, a subsidiary of the Hanna Mining Co. of Cleveland has been allowed to avoid payment of $10 million to $20 million in federal taxes.

Hanna's offspring, the Iron Ore Co. of Canada (IOC), got the opening it wanted in the closing days of the Johnson administration. A regulation tailored for IOC was put on the books, resulting in a tax return of zero money owed.

As a decree applying across the board, helping any company with a case that fits, the regulation does not name any corporation. It was drafted in such a way, however, as to make it unlikely that any other company could benefit.

The break came for Hanna after the case had been pending seven years. In its fight with the Internal Revenue Service, Hanna lost every round. But higher authorities speeded action at the end to lift Hanna's hand in victory.

It was not the edict itself that raised eyebrows in the IRS building and produced critical remarks there. Rather, it was the way it was written and the procedure followed.

As to the merits of the case, the few who know the facts acknowledged that IOC, the Hanna subsidiary, had good legal arguments which could have swayed a court. But the regulation spared IOC the necessity of going to court, or of paying up.

A Hanna spokesman asserted in an interview with The Plain Dealer that the Treasury Department action had saved IOC $10 million. An authoritative rival figure computed for this reporter was $20 million.

Other estimates by tax specialists not as close to the case range higher.

The top official identified as being involved—although he denied an active role—was former treasury secretary Henry H. Fowler. IRS is a part of the Treasury Department.

In addition to taking its case to Fowler, Hanna enlisted the aid of the Canadian government, which interceded for the company.

The other principals were Stanley S. Surrey, then assistant secretary of the treasury for tax policy, and Sheldon S. Cohen, IRS commissioner until the Nixon administration.

It was Surrey who ordered his staff to write the pro-Hanna regulation. He took this action after the chief counsel of IRS refused three times to grant relief to the company, and after Cohen declined twice to issue a favorable ruling.

Surrey himself rejected Hanna's argument the first time the case was presented to him. In the end, both he and Cohen signed the regulation that laid the issue to rest. It was approved by them on Jan. 9, 1969—11 days before they left office.

The issue was IOC's eligibility to pay its taxes in a special way—by filing what is known as a consolidated return. It did file such a return in 1959 and 1960 with the IRS district director in Cleveland.

The return treated IOC and its own wholly owned subsidiary, the Quebec, North Shore and Labrador Railway Co., as a single taxpaying entity.

The railroad runs from Seven Islands, a Canadian port on the St. Lawrence seaway, to the ore fields at Knob Lake, some 350 miles to the north.

Starting in 1960, and without interruption since then, the railroad has been paying dividends to its parent corporation.

In 1960 these payments totaled $34.4 million. In addition, IOC that year realized a gain of $12.1 million from the sale of rolling stock to the railroad.

If a consolidated return were in order, these items could be eliminated from IOC's taxable income—meaning that IOC could retain the earnings tax-free.

The problem that arose was whether the railroad could be treated for tax purposes as a domestic (U.S.) corporation, although it had been chartered in Canada.

If it were held to be a strictly foreign entity, it could not be included in a consolidated tax return with IOC, which was incorporated in Delaware in 1949.

In that event, the gains realized by IOC would be considered income and held taxable by the United States.

Section 1504 (D) of the U.S. Internal Revenue code assigns domestic status to foreign subsidiaries of an American company—providing that the subsidiary was organized because the laws of the host country do not permit an American corporation to operate within its borders.

This section of the code dates to the revenue act of 1928. While it applies to Canada as well as Mexico, it was put in the code because of problems that arose over American business operations in Mexico.

When the consolidated return was filed, IRS officials in Cleveland questioned it. They argued that Canadian law does not bar American companies from Canada. It would follow, then, that the foreign railroad could not qualify as a domestic (U.S.) corporation.

IOC countered that, while there was no explicit prohibition in Canadian law, there was an implicit government policy—backed by historical precedent—which had the same effect.

Cleveland officials asked IRS headquarters here for a ruling. In September 1961, IRS sent out an agent from its office of international operations to examine the returns.

The fight—with its many long counts—had begun.

Meantime, IOC continued to file consolidated returns for subsequent years pending a final decision. Railroad payments to IOC kept rolling in, reaching a total of $136.3 million by the end of 1968.

Despite these earnings, IOC did not pay a penny in taxes to the United States in those years. Company officials assert that tax liability was wiped out by foreign tax credits and other special allowances.

The dispute has been over the 1960 return. Apparently, a challenge for the other years was not in the cards, even had IOC been forced to back down from a consolidated return.

By now, the company has built up a surplus credit of $30 million on taxes paid to Canada. This money is deductible, dollar for dollar, on returns filed with IRS. The credit has run through the 1960s, leaving the surplus available for the future.

When Cohen denied a favorable ruling to IOC, all possibilities of relief from IRS itself had been exhausted. Only the IRS commissioner—and no higher authority—has the power to issue a tax ruling.

But one more avenue remained open to Hanna as an alternative to going to court. It led beyond IRS to the Treasury Department, which shares responsibility with IRS for tax regulations.

Ordinarily, regulations are drafted or changed only after Congress amends an old law or enacts a new one. The regulations interpret the law, giving guidance on how it is to be applied.

There is a difference between an IRS commissioner's ruling and a regulation. A ruling resolves a particular case. A regulation—like a law—lays down a broad policy.

A complicated procedure has evolved for promulgating new regulations. Usually, it starts with a "proposed rule making"—an initial draft.

This is published in the Federal Register as a public document. Interested parties are given an opportunity to comment on the proposal, after which a public hearing may be held. Then the regulation is republished in final form.

For a regulation to become effective, it must be signed by two persons—the assistant secretary for tax policy and the IRS commissioner. A refusal by either one to sign kills the proposal.

What had set the stage for the Hanna controversy was the fact that the then existing regulation, based on section 1504 (D), did little more than restate the law. This opened both law and regulation to varying interpretations.

So far as Cohen and his staff were concerned, the law was clear. But the company felt IRS was being unfair and rigid in its rendering of the statute.

Surrey's order that a new and expanded regulation be written was carried out by publication of his proposal in the Register on Nov. 2, 1968, just before the presidential election.

As a statement of general policy, the prospective new regulation turned out to be surprisingly specific.

It said: "the term 'laws of such country' (Canada and Mexico includes . . . in addition to explicit statutory or constitutional provisions, any existing legislative practice or policy."

Then the specific language followed, with the regulation offering an example of a situation that might arise. This lengthy sentence, virtually a recitation of IOC's case, except that IOC's name was omitted, reads:

"For example, if the laws of Canada (SIC—not Mexico) permit the ownership or operation of specified property, such as a railroad (SIC), only by a person granted a special legislative authorization, and it is established that there is an implicit (SIC) legislative policy that such authorization would be granted only to a corporation organized under the laws of such country, then a corporation organized under the laws of Canada to own or operate such property will be considered maintained solely for the purpose of complying with the laws of such country . . ."

In addition to the precise wording of the example, two other aspects of the regulation proved interesting. Both had the effect of narrowing the circle of companies that might be helped by the edict, perhaps eliminating all other corporations.

One of these features was that the regulation is retroactive, applying only to the tax years before 1966. The second was that certain qualifying tests were retained without change.

Retroactivity stemmed from the fact that IRS has two sets of regulations in the consolidated return area, one applying to the pre-1966 period and the other to the years following. The reason is that regulations in this field slowly are being revised, as part of a general undertaking.

To make the Hanna regulation apply to the present and future, as well as the past, it would have been necessary to repeat the new proposal in the post-1965 regulations.

The fact that this was not done prevents any company from using the regulation today, even if it should find that for any year after 1965 its situation was similar to that of IOC.

The Plain Dealer was told that an amendment to the current regulations was also intended. However, this action was postponed in the rush to complete paperwork on the pre-1966 regulation. That was the explanation given.

The restrictive provision retained when the pre-1966 regulation was amended says:

"The option treats a foreign corporation as a domestic corporation so that it may be included in a consolidated return * * * must be exercised at the time of making the consolidated return, and cannot be exercised at any time thereafter."

Hanna met this test because, as related earlier, it had begun in 1969 to file consolidated returns on behalf of IOC and the railroad.

The next sentence in this section holds that, once a consolidated return is filed, the filing must be repeated "each consecutive year thereafter." Hanna also met this test.

Because there was no loosening of these provisions any company seeking relief under the new regulation would have to show it had done exactly what IOC did—that is produce a record of consistent filing of consolidated returns.

When the proposed regulation was made public, two parties availed themselves of the opportunity to comment. But their objections missed the point. Clearly, the authors were not aware of the real reason for the new regulation.

One comment was submitted by the American Bar Association on behalf of members of its committee on foreign tax problems. The second came from Chicago lawyers for the U.S. Gypsum Co.

The bar appeared puzzled. Its members observed that the decree "appears to apply only to taxable years commencing before Jan. 1, 1966."

U.S. Gypsum—and the bar members to a lesser extent—were particularly concerned about what impact the edict might have on American organizations doing business in Mexico.

Robert M. Gunn, attorney for U.S. Gypsum told The Plain Dealer about a conversation he had had with Stanley Weiss, who was drafting the regulation for Surrey.

"We felt that a Gypsum mine might properly be cited as an example, in the same way that a Canadian railroad was," Gunn recalled.

He added: "but our main problem was that we wanted to be sure that the same regulation would be made applicable for the years after 1965."

Gunn said to this reporter: "as you have probably gathered, there was a lot of urgency about this regulation and a great desire to get it closed out in January."

"How do you account for that? Do you think it had anything to do with the impending change of administrations here?" Gunn was asked.

"Your interpretation of that would be as good as mine. Why don't you check with Weiss? For my part, I was assured the matter would be taken care of later, and I saw no harm in waiting."

Weiss has since left the government. Reached at his law office here, he was asked what the rush was about.

"Well, this issue had been pending a long time, and there were tons of paper on it," Weiss replied. "Cohen and Surrey had already decided it, and they felt it ought to be disposed of before they left."

In spite of the comments by the bar association and U.S. Gypsum counsel, the proposed regulation was adopted without changes. No public hearing was held.

After Cohen and Surrey signed, notice of their action was published in the Federal Register on Jan. 15, 1969—five days before the Johnson administration was replaced by the new Republican team.

More than three months later, there still has been no publication of a proposal to repeat the edict in the current consolidated return regulations.

Treasury officials told The Plain Dealer this would be done. But other work, they said, has priority.

Surrey Saw Trend Growing: Ex-Treasury Aide Hit Tax Breaks

(By Sanford Watzman)

WASHINGTON.—"The refuge of the wealthy has been in the brains of their tax lawyers and in the technicalities of the tax law."

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Author of that sentence is Stanley S. Surrey, who wrote an essay for the May, 1957, Harvard Law Review entitled: "Congress and the Tax Lobbyist—How Special Tax Provisions Get Enacted."

Surrey's focus then was on Congress. But as the assistant Treasury secretary for tax policy, Surrey exercized quasi-legislative powers himself, as in the Iron Ore Co. of Canada case.

In his 1957 article, Surrey wrote:

"These provisions run counter to our notions of tax fairness. Moreover, the tendency of Congress to act this way seems to be increasing.'

He cited the so-called "Louis B. Mayer Amendment," named for the movie mogul.

"It is generally assumed that the amendment at the time covered only two persons, Mayer, retired vice president of Loew's Inc., and one other executive in the company, and that it saved Mayer about $2 million in taxes."

Surrey continued:

"The question, 'Who speaks for tax equity and tax fairness?' " is answered today largely in terms of only the Treasury Department. If that department fails to respond, then tax fairness has no champion before the Congress.

"The Treasury, representing the executive branch, stands in the open before the Congress virtually alone as the champion of tax fairness. The main reason is obvious.

"When the issue is a special provision for one group as against the taxpaying public as a whole, what pressure group is there to speak for the public?

"Other legislation—labor laws, natural gas prices, farm legislation—brings forth strong and opposing pressure groups. But what pressure group fights against capital-gain treatment for employe stock options? Which group sees itself harmed by a 'Mayer Amendment'?

"In sum; there are no private pressure groups actively defending the integrity of the tax structure . . .

"Perhaps the most significant aspect of the consideration of special tax provisions by the Congress is that it usually takes place without any awareness of these events by the general public.

"Almost entirely, these matters lie outside of the public's gaze, outside of the voter's knowledge. The special provisions which are enacted lie protected in the mysterious complex statutory jargon of the tax law.

"This technical curtain is impenetrable to the newspapers and other information media. The public hears of debate over tax reduction or tax increase and it may learn something about the general rate structure.

"But it seldom learns that the high rates have no applicability to much of the income of certain wealthy groups. Nor does it understand how this special taxpayer or that special group is relieved of a good part of its tax burden.

"All of these matters are largely fought out behind this technical curtain. Hence the congressman favoring these special provisions has for the most part no accounting to make to the voters for his action.

"The task of educating and informing the public is formidable. To begin with, the educators are a very limited group. Most of them are in the executive branch, and hence perhaps the prime responsibility should fall on them. But in recent years that department has shown little disposition to inform the public about tax problems.

"Some of the prospective educators are in the universities. But academic knowledge and learned writing are not the keys to public education of this nature—more writing at the public-information level is clearly needed . . .

"It would seem proper for the Congress to require that all retroactive tax proposals limited in application to one person or to a small group be presented as private-relief bills to be considered by the tax committees (of Congress).

"The bills would name the individuals concerned and specify the amounts involved.

"Nor is there any reason why the 'Louis B. Mayer Amendment' should not have been handled as a 'Bill for the relief of Louis B. Mayer' and the amount of the relief stated in a precise dollar figure . . .

"It is only later that the extent of the tax generosity inherent in (special) provisions is comprehended.

"But by then they are in the law, the problem of the group benefited is one of defense rather than attack, and the strategic advantages are all with that group."

LAWYERS WORK ON CURTAIN THAT SCREENS TAX DECISIONS

(By Sanford Watzman)

WASHINGTON.—The "technical curtain" that obscures many big tax decisions sometimes baffles even the experts.

Government lawyers trained to write technical rules and corporate lawyers paid to interpret them spend a great deal of time speculating about why a rule was written, thereby hoping to learn more about it.

One such case involves a set of regulations published last July 3 in the Federal Register, spread across four pages and taking up 12 columns of type.

The rules tell affiliated companies how to account for earnings and profits exchanged within the group. They sanction intercorporate payments compensating one company for the "use" of its tax loss by another.

But some insiders theorize the real purpose of the regulations—or at least an impelling ancillary purpose—was to bail out certain companies from problems they were having with other units of government.

Fanning the gossip is the fact that the regulations apparently will not substantially increase or decrease the amount of taxes the government collects. Yet the Treasury Department spent three years working on them.

They were approved by Stanley S. Surrey, former assistant secretary of the Treasury for tax policy, and Sheldon S. Cohen, commissioner of the Internal Revenue Service (IRS) in the Johnson administration.

Commenting last April on a draft of the regulations, an anonymous member of the American Bar Association's section of taxation protested that they were "impossibly complex," so much so that there was no way to anticipate the possible effects.

"The problems in determining earnings and profits are difficult enough," he objected, "without adding complications which probably have relatively narrow application and probably little impact on the federal revenue."

The comment was filed with IRS.

The same theme figured in a sharp argument some months ago between Surrey and Cohen, part of which took place in the presence of their subordinates. As the exchange grew more heated, everyone else was ordered to leave the room—and then it resumed.

Cohen confirmed the incident when this reporter questioned him about it. Surrey said he did not recall it specifically, but he did not deny it.

Cohen told Surrey he was not going to sign the regulations because they did not have sufficient tax significance. Surrey replied he had already "committed" himself to issue the rules. Cohen retorted the commitment, then, was Surrey's, not his.

But in the end, Cohen did sign. He told this reporter: "I guess that's one that I caved in on."

Sen. Everett M. Dirksen, R-Ill., was interested in getting the regulations adopted, The Plain Dealer learned. In 1965 the GOP leader was defeated in an attempt to obtain legislation similar in many respects to the later regulations.

News reports at the time linked Dirksen with some gas pipeline companies who reasoned that, if certain bookkeeping methods were blessed by IRS, then a case for higher rates could be made before the Federal Power Commission.

But so far as utility rates today are concerned, a recent Supreme Court decision involving the United Gas Pipeline Co. appears to have wiped out any benefits the utilities might have received from the regulations, one source pointed out.

In addition to Dirksen, representatives of the Mobil Oil Corp. pushed hard for adoption of the rules. The Mobile people tried to get Cohen to issue a commissioners' ruling that would permit them to do what the regulations later allowed.

When Cohen balked, they took their case to Surrey. Instead of a ruling, they got the regulations.

One report was Mobil wanted the rules so it could squeeze out from under an antitrust decree that had been handed down by a federal court in 1941, in a lawsuit involving a predecessor of Mobil and many other corporations.

This decree imposed limits on dividends that could be exchanged among members of an affiliated group of companies. The prohibition could be undermined, one source suggested to The Plain Dealer, if a trading of funds could be labeled a payment for the "use" of a tax loss, rather than a dividend.

George F. James, senior vice president of Mobile, acknowledged in a telephone interview that his company worked hard to get the regulations promulgated. He added that other corporations were similarly active.

But he denied the rules could help his company in antitrust litigation.

James said: "We simply had to have it made clear, for our own internal purposes, what was the correct method of allocating, on our books, the charges among companies in our consolidated group.

"This doesn't save us any tax money at all. The only tax advantage it would have for us would come, possibly, if we deconsolidated the corporate group or if we sold off one of the companies. However, we have no plans to do this."

When the rules were first proposed, IRS announced it was not that agency's intention to try via the regulations to influence the policies or requirements of other government agencies dealing with corporations.

However, everyone concedes that what IRS intends is one thing but how lawyers might choose to stretch it or take advantage of it, if they can, is quite another.

Writing in the Journal of Taxation in July, 1968, one authority, Arnold Jay Cohen, observed:

"The implications of these rules may go far beyond their tax aspects. It may well be that . . . their main impact will not be in the tax area, but rather in the corporate or regulatory area."

Surrey was asked about this by The Plain Dealer. He replied:

"The purpose of these regulations was to accept methods of accounting that accountants say are proper. So long as the method is right and IRS is protected, the Treasury ought to recognize it.

"No, it wouldn't concern me if someone says that the regulations might have meaning in antitrust or rate-making cases. What we do often spreads to other area. That isn't relevant so long as we are right and IRS isn't hurt by it."

Asked about the "commitment" he had cited to Cohen, Surrey said: "At various times bills were introduced in Congress dealing with the area of these regulations. In my judgment, those bills were too generous.

"I told the Senate Finance Committee we would study the matter and try to work something out administratively. I don't think it's a good idea to clutter up the legislative books and to have people running to Congress if it's something we can handle here.

"If I used the word 'commitment,' it was in that sense. I wasn't under any pressure from Sen. Dirksen or anyone else. I don't work that way."

"Some of the news stories in 1965 reported that you were backing Sen. Dirksen's legislation," the interviewer said.

"Well, some of those stories were correct and some were not, because there were a lot of versions of the legislation," Surrey replied. "It would depend on which version the stories were referring to."

INTERSTATE TAXATION ACT

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. RODINO. Mr. Speaker, as chairman of the Special Subcommittee on State Taxation of Interstate Commerce, I am aware of the great interest in my bill, H.R. 7906, the proposed Interstate Taxation Act, which has been ordered reported favorably by our subcommittee on May 7, 1969.

In this regard, I want to call to the attention of my colleagues an excellent law review article written by the distinguished chairman of the Committee on the Judiciary, Representative Emanuel Celler. The article appeared in the March 1968 issue of the Fordham Law Review. In analyzing both the political and economic ramifications of State taxes imposed on interstate commerce, Chairman Celler has made a major contribution to the literature on this important subject.

Chairman Celler's article was published during the 90th Congress prior to consideration by the House of H.R. 2158—a bill which was identical to H.R. 7906. This measure eventually passed the House on May 22, 1968, by a vote of 284 to 89.

I would like to include this article as a part of my remarks in the Record today.

The article follows:

The Development of a Congressional Program Dealing With State Taxation of Interstate Commerce

(By Emanuel Celler*)

I. BACKGROUND

Prominent on the list of great legacies which modern America received from the original framers of the Constitution is the principle of a national common market. It is this principle—the principle of the Commerce Clause—that has bound our states together in the economic union which is so essential to their political union. At the same time, this principle has also played a major role in the phenomenal development of our American economy. Yet, essential as the common market principle has been for both our political and economic development, the very nature of our federal system has precluded us from attaining a completely open market and necessitated that some proper balance be struck between the need for the free movement of goods and persons across state lines and the need of the states for revenue.

From the enactment of the Constitution until 1959 the entire responsibility for reconciling conflicts between the tax policies of the states and the national interest in the free flow of commerce was shouldered by the courts. Congress itself enacted no statutes to give the courts guidance. As a result, a vast body of decisional law provided the only standards for determining whether any particular state or local levy was violative of the national principle of free trade among the states. However, most of the cases which arose were so diversified and of such peculiarly local significance that they did not generate strong political interest on a national level.

While Congress remained silent, significant trends developed which resulted in a balkanization of the economy. As each state reached farther and farther beyond its own borders to tax more and more companies the burdens on the courts became unmanageable, and it became clear that the judicial branch of the government was inadequate to balance state revenue requirements with the national need for an open market. Indeed, the Supreme Court itself came to recognize its own inadequacy in this area. Thus, in recent years several members of the Court with such diverse philosophies as Justice Jackson,[1] Rutledge,[2] Black,[3] Frankfurter,[4] Douglas,[5] and Clark[6] have all subscribed to this view and have either directly or implicitly called upon Congress to act.

Essentially, the inadequacy of the judicial process to accommodate both the competing demands of the states for revenues and the national need for a free flow of commerce is an inherent one. It arises from the fact that the Court can deal only with individual cases and is substantially handicapped by its inability to explore fully the national impact of a broad conglomeration of levies imposed on interstate companies by all fifty states and literally thousands of local governments. The late Justice Frankfurter has described these built-in limitations of the Court in the following terms:

"At best, this Court can only act negatively; it can determine whether a specific state tax is imposed in violation of the Commerce Clause. Such decisions must necessarily depend on the application of rough and ready legal concepts. We cannot make a detailed inquiry into the incidence of diverse economic burdens in order to determine the extent to which such burdens conflict with the necessities of national economic life. Neither can we devise appropriate standards for dividing up national revenue on the basis of more or less abstract principles of constitutional law, which cannot be responsive to the subleties of the interrelated economies of Nation and State.

"The problem calls for solution by devising a congressional policy. Congress alone can provide for a full and thorough canvassing of the multitudinous and intricate factors which compose the problem of the taxing freedom of the States and the needed limits on such state taxing power.[7]

Faced with its own inherent limitations, the Court generally maintained a permissive attitude toward state levies on interstate commerce[8]—often declining in the absence of federal legislation to invalidate state revenue measures.[9] Encouraged by the Court's permissive posture, the state tax administrators asserted broader and broader jurisdictional claims over interstate commerce, so that by 1959 it was clear that Congress would have to act if the rapidly growing trend toward a balkanized domestic economy were to be reversed. In that year, in two companion cases, *Northwestern States Portland Cement Co.* v. *Minnesota* and *Williams* v. *Stockham Valves & Fittings, Inc.*,[10] the Supreme Court decided that in the absence of federal legislation a company could be required to pay a state income tax, even though it was engaged *exclusively* in interstate commerce in the taxing state. Prior to this decision the view had been widely held by the business community that a company could not be taxed by a state unless it engaged at least to some extent in *intrastate* commerce within the taxing state.[11]

The reaction of the business community to the *Northwestern* decision was extremely sharp. Small and moderate-size businesses in particular became gravely concerned with the prospect of having to comply with diverse, complex and overlapping income tax laws which would be beyond their capacity to handle. Not only was the business community fearful of future liabilities, but it was also confronted with the specter of assessment for countless numbers of back years as well. Having failed to file tax returns in the past in the belief that no liability had existed, generally they could not rely on statutes of limitations to bar assessments. In the *Northwestern* case, for example, the taxpayer was held liable for back taxes covering a period of some sixteen years. Under all of these circumstances, the business community regarded it as imperative for Congress to act.[12]

The reaction by Congress to the *Northwestern* decision was swift. Within weeks after the decision, hearings were held by the Senate Select Committee on Small Business.[13] Meanwhile, both the House Judiciary Committee[14] and the Senate Finance Committee[15] reported out bills designed to provide "stopgap" relief while Congress could develop a more comprehensive program based on more detailed information. The outgrowth of the bills was Public Law 86–272,[16] which became effective in September of 1959.

Public Law 86–272 had a two-fold significance. First, the statute precluded a state or subdivision from imposing an income tax in situations in which the company's only activities in the state were limited to the solicitations of orders by salesmen or the making of sales through independent contractors. Second, both the House and the Senate viewed the statute as a temporary measure designed to prevent a further expansion of the jurisdictional reach of the states, pending the completion of a thorough study of state income taxes—which was considered necessary to achieve a permanent solution.[17]

Although Public Law 86–272 was limited in scope so as to apply only to income taxes, it soon became clear to the Congress that other forms of taxes were likewise having a profound impact on interstate commerce. Several months after the enactment of Public Law 86–272, the Supreme Court held in *Scripto, Inc. v. Carson*[18] that an out-of-state seller could be required to collect a use tax on shipments to in-state purchasers even though the seller maintained no facilities in the taxing state and its sales were made entirely through independent contractors. This decision raised apprehensions in the business communities similar to those which had been raised by the *Northwestern* decision concerning income taxes. Indeed, the ramifications of *Scripto* are so broad that even those who tend to support the views of the state tax collectors regard it as a "stunning extraterritorial extension of a State's reach."[19]

Following *Scripto*, bills were introduced in both the House and Senate which would have extended the jurisdictional protection of Public Law 86–272 into the sales and use tax area and would also have broadened the Congressional study so as to include sales and use taxes. Deeply concerned with the broad impact of *Scripto*, but reluctant to restrict state taxing powers without a thorough study, the 87th Congress enacted legislation which was limited to broadening the scope of the study called for by Public Law 86–272. However, out of an awareness of the interrelated effects of a variety of taxes, Congress expanded the study to include not only sales and use taxes but "all matters pertaining to the taxation of interstate commerce. . . ."[20]

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II. THE CONGRESSIONAL STUDY AND THE DEFECTS IT DISCLOSED IN THE PRESENT SYSTEM

Pursuant to Public Law 86–272, as amended, a comprehensive study was initiated early in 1961 by a Special Subcommittee of the House Judiciary Committee under the chairmanship of Representative Edwin E. Willis of Louisiana. Since Congress had expressed its intention to act only on the basis of clearly documented facts, the primary objective of the study, as stated by Representative Willis, was "to develop a body of factual information, hitherto unavailable, as to the number and characteristics of interstate companies, the pattern of their activities across State lines, the cost of complying with State and local tax laws, the degree to which they were able to comply, and the effect on businesses and State revenues of various possible remedial proposals." [21]

The study conducted by the Special Subcommittee on State Taxation of Interstate Commerce was one of the most exhaustive ever undertaken within the Congress, and occupies a total of four volumes published over a four and one half year period.[22] It has by now become the definitive work in its field and has provided a wealth of reliable data of value not only to the Congress but also to state legislators, lawyers, accountants and students of local and state fiscal problems.

Since the study was extremely comprehensive—covering major aspects of the tax structures of all fifty states and several hundred local governments—one cannot summarize it briefly without losing sight of the extraordinary complexity of the current levies on interstate commerce. Yet it is useful for purposes of this analysis to point out that the study revealed at least four major defects in the present system.

First, the study revealed that the system is characterized by widespread non-compliance and non-enforcement—with most companies simply not filing any form of tax return in any state in which they do not actually maintain a place of business.[23] For example, in the income tax area it was found that in 97.5 per cent of the cases in which liability existed in the absence of a place of business, no return was in fact filed.[24] In the sales tax area there was non-compliance in 93.5 per cent of the cases under similar circumstances.[25] At the same time, those companies which do in fact file tax returns were found not to be complying accurately with state and local rules. As a result, it is clear that the system creates gross inequities among similarly situated taxpayers and leaves the tax administrator free to exercise an extremely broad amount of discretion to determine just which taxpayers will be subject to rigorous enforcement. In addition, it is also clear that the business community does not have the capacity to comply without incurring grossly excessive compliance costs.

The second defect documented by the congressional study is the tendency of the present system to result in overtaxation in some cases and undertaxation in other cases.[26] In the income tax area, for example, it is possible for some companies to be taxable on more than 100 percent of their net earnings, while other similarly situated companies pay a tax on substantially less than 100 percent.[27]

A third defect of the current system results from the existence of some provisions in state laws which give to locally based companies benefits which are not made available to competitors who are based outside of the taxing state.[28] In the sales and use tax area, for example, some states discriminate against consumers who trade in automobiles that are purchased outside of the taxing state.[29] Still other states tax products which are produced outside of the state, while granting exemptions for identical products manufactured within the state.[30]

The fourth major defect of the present system is the attitude which it has generated among taxpayers, especially small and moderate-size companies. Faced with rules that are inherently unworkable and cannot possibly be enforced by the state tax administrators on a systematic basis, taxpayers generally have developed a widespread resistance to the assumption of responsibility. Rather than file return under circumstances in which the cost of preparing the return often exceeds the tax, it is understandable that the small company especially will simply disregard state and local requirements. Thus the system itself not only breeds a widespread disrespect for state and local tax laws, it also tends to foster disrespect for laws in general.[31]

III. THE PROPOSED INTERSTATE TAXATION ACT

Based on the study conducted by the Subcommittee, as well as on three months of extensive hearings held subsequent to the completion of the study,[32] the House Judiciary Committee reported out a proposed Interstate Taxation Act in the form of H.R. 16491 on September 7, 1966. Since the 89th Congress adjourned shortly thereafter, consideration by the House was not possible, and the proposal was reintroduced in the 90th Congress in the form of H.R. 2158. On March 7, 1967, the House Judiciary Committee again reported the measure favorably, together with several amendments which reflected a number of suggestions for improvements made largely by State tax administrators.[33] In July of 1967, H.R. 2158 was reported by the Committee on Rules. Although it was not scheduled for debate by the House of Representatives in the first session of the 90th Congress, its sponsors are hopeful that it will be considered during the second session.

The core of H.R. 2158 is found in Title 1 of the bill, which establishes uniform jurisdictional standards for each of the four types of taxes which were included in the congressional study: corporate income taxes, capital stock taxes, sales and use taxes, and gross receipts taxes. Under these standards a company would not be subject to the jurisdiction of any state in which it does not maintain a "business location," which is defined to include: the owning or leasing of real estate, the maintenance of a localized employee, or the regular maintenance of a stock of tangible personal property for sale in the ordinary course of business.

To the basic jurisdictional standard there are two significant exceptions. One exception occurs in the sales and use tax area in the form of a provision which makes an out-of-state seller liable for the collection of a tax if he regularly makes household deliveries in the state. The other exception to the basic "business location" standard occurs in the income and capital stock tax areas, and involves the exclusion from the jurisdictional rule of those corporations which have an annual net income in excess of one million dollars.

Title 2 of H.R. 2158 provides a supplement to the jurisdictional standard in the form of a limit on the percentage of income or capital which can be taxed in those cases in which a company does have a business location in more than one state. Under Title 2, the maximum percentage of income or capital which is taxable is determined by a two-factor formula based on property and wages.

Title 3 of the bill addreses itself to some specific problems in the sales and use tax area. It provides for, *inter alia*, the location of sales for tax purposes, the granting of credits for prior taxes, exemptions for the household goods of persons who establish new residences, the exclusion of interstate freight charges from the measure of the tax, and the relief from collection requirements in the case of sales to persons who are already registered under the sales tax program of the jurisdiction imposing the tax.

Title 4 provides for continued congressional scrutiny of the problems left unresolved by the bill. It affords the states an additional four years to make progress in resolving such problems before congressional committees are called to make specific proposals.

Title 5 contains definitional provisions. In addition, it prohibits states and localities from giving favored tax treatment to local companies or local products under sales and use taxes or gross receipts taxes. It also prohibits the states from charging a taxpayer with the cost of conducting an audit—a practice which is fairly common on the part of states such as Florida, which sends auditors throughout the entire United States and assesses the taxpayer with the travel and living expenses of the roving auditor.[34]

IV. THE JURISDICTIONAL BALANCE STRUCK BY H.R. 2158

Since the jurisdictional provisions in Title 1 provide the basic framework around which the entire proposal is structured, the balance struck by those provisions is of paramount significance to an understanding of the manner in which the bill would reconcile the taxing powers of the states with the national need for a common market.

In this regard it is especially important to keep in mind that the present jurisdictional assertions of the states cannot be complied with by small and moderate-size companies and in fact are beyond the enforcement capabilities of the states themselves. To understand the reason for this, one need scarcely look beyond the data collected by the Subcommittee with respect both to the types of companies engaged in interstate commerce and the numbers of state and local governments which assert jurisdiction over interstate commerce.

At the time the Subcommittee conducted its study, it ascertained that there were, at the very minimum, some 120,000 manufacturing and mercantile companies engaged in interstate commerce in the United States. Today, the number is obviously considerably larger. About half of these companies have fewer than twenty employees, a substantial number have fewer than ten employees, and a significant minority have fewer than five. Yet these companies typically sell their products in many states, and even among those companies which are so small that their annual gross proceeds are less than two hundred thousand dollars, a considerable number sell their products in a truly nationwide market.[35]

By 1965, the number of jurisdictions taxing interstate commerce was already staggering. There were in effect at the state level 38 sets of corporate income tax laws, 38 sales and use tax laws, 37 capital stock laws and 8 gross receipts tax laws of general applicability. In addition, to compound further the chaos and confusion, business taxes are rapidly proliferating on a local level—with sales taxes already imposed by over 2,300 localities, gross receipts taxes by over 1,000 and corporate income taxes by more than 100 local governments.[36]

In formulating jurisdictional standards, one alternative which was considered and rejected by the Judiciary Committee was a plan to give jurisdiction for sales and use tax purposes to each state into which an interstate company shipped its products. However, such a broad jurisdictional reach necessitated a substantial degree of centralized administration. In short, if each state and each locality were to impose its own tax on a nationwide scale, it was clear that the system could only be made to work under a uniform nationwide collection program. As a result, the proponents of the plan recommended that a cooperative system be established under which the states and their subdivisions, as well as the Treasury Department of the Federal Government, would cooperate to provide a single audit for those companies

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which market their goods in more than one state.[37]

Were the raising of state revenues the only consideration in the formulation of jurisdictional standards, then the effective enforcement of a broad jurisdictional reach that could be obtained through central administration would obviously be desirable. However, during the course of the lengthy hearings that were held prior to the formulation of H.R. 2158, state officials made it clear that one of their primary considerations was the preservation of the maximum possible amount of state and local autonomy.[38] As a result, the sponsors of H.R. 2158 concentrated their efforts on the formulation of jurisdictional rules which would not require central administration but which would have the least possible effect on state revenues and at the same time protect the small and moderate-size companies from being exposed to insurmountable compliance burdens.[39]

In fashioning jurisdictional standards, the results of the Subcommittee's earlier study provided workable criteria. The Subcommittee had found that, for all practical purposes, compliance and enforcement were both limited to circumstances in which the interstate company actually maintained some form of permanent establishment within the taxing state.[40] The Subcommittee's findings also made it clear that no state would stand to gain or lose a significant percentage of its total revenues if Congress were simply to lay down legal rules which were consistent with the present actual practice.[41] Thus, having rejected the possibility of centralized administration and having found that the states do not have the capacity to tax systematically out-of-state companies which do not have some form of permanent establishment within their borders, the sponsors of H.R. 2158 then sought a practical and workable jurisdictional rule embodying a permanent establishment concept.

Having evaluated a fairly broad series of "permanent establishment" rules, the Special Subcommittee proposed the "business location" definition which is embodied in H.R. 2158. Originally, the term "business location" was defined so as to include either the ownership or leasing of real property, or the maintenance of a local employee who does more than merely solicit orders. Subsequent to the introduction of H.R. 2158, this definition was subject to considerable criticism by state tax administrators who argued that the resulting jurisdictional rule would be too narrow as a result of its failure to give the states jurisdiction over companies which regularly maintain stocks of goods in the state, but which have no other jurisdictional contacts. In response to this criticism, H.R. 2158 was later amended by the Judiciary Committee so as to include the regular maintenance of a stock of goods as a basis for jurisdiction.[42]

Several additional features of the jurisdictional standard in Title 1 were also incorporated as a means of further reconciling the views of the state tax administrators with the need for a free flow of commerce. In this regard, perhaps one of the most controversial features of H.R. 2158 is the exclusion from jurisdictional protection in the income and capital stock tax area of corporations which earn more than one million dollars annually. The basis for such an exclusion was suggested by one of the foremost state tax administrators in the United States, Mr. Fred Cox of the Georgia Department of Revenue. Based on a careful evaluation of both federal and state income tax returns, Mr. Cox concluded that, as a practical matter, there would be no significant loss of revenue so long as the states were left free to impose their current jurisdictional rules and their own types of apportionment formulas on the larger corporations. At the same time, the adoption by Congress of jurisdictional rules and a consistent two-factor formula for the smaller companies would substantially eliminate the compliance problems of the smaller companies and contribute to increased efficiency of state tax administration.[43]

Since Mr. Cox's proposal was consistent with the data and findings of the Subcommittee, it offered the possibility of a highly workable compromise that would be acceptable to the state administrators as well as to the small business community. In addition, Mr. Cox's proposal was also consistent with a widely held view on the part of the state tax administrators that the states themselves ought to be given four more years to resolve the major problems through state legislative action, rather than to be required to conform immediately to federally imposed standards.[44] Thus, by limiting the scope of the income tax and capital stock tax provisions to the smaller corporations, H.R. 2158 was able to afford the states such an opportunity in those areas where significant amounts of revenue were involved.

Still another feature of the jurisdictional standard in Title 1 which is consistent with the views of the state tax administrators is the provision in the sales and use tax area which gives the states jurisdiction over out-of-state sellers who regularly make household deliveries in the state, regardless of whether the seller has a business location in the state. During the course of the various hearings held on interstate taxation problems, state tax administrators generally emphasized the need to protect local retailers from the tax-free competition of out-of-state sellers. In its investigation the Subcommittee had found that this was a matter of considerable significance to retailers who are located close to the borders of a state.[45] Although the United States Supreme Court has generally maintained a permissive attitude toward state taxes, one of the few cases in which the Court struck down a state tax on interstate commerce involved an out-of-state company which regularly delivered goods from Delaware to household consumers in Maryland.[46] As a result of this case, border retailers are currently exposed to a significant amount of tax-free competition.

In its evaluation of this problem the Subcommittee observed that if a seller in this type of a case were required to collect the tax, he would generally not be subject ot a multiplicity of laws since the radius of his delivery routes, is, of necessity, limited. As a result, the Subcommittee recommended that the Supreme Court's decision be reversed and the jursidictional reach of the states be expanded in this area.[47]

In its entirety, Title 1 of H.R. 2158 may thus be viewed as embodying a series of compromises. First, it permits the states to continue to assert taxing jurisdiction on a level that is consistent with the level of actual compliance and enforcement under the present system, while protecting the many small companies engaged in interstate commerce from having to cope with a plethora of taxes imposed by states and localities which are now asserting jurisdiction even though the companies do not maintain an actual place of business within their borders. Second, it obviates the need for centralized administration and for a direct involvement of the federal government in state and local tax matters and thereby strengthens the autonomy of state and local governments, while assuring that the national market will remain accessible to the small business community. Third, in the income and capital stock tax area, it provides immediate relief for those companies which have the most serious compliance problems, while affording the states an opportunity to work out their own solutions to the interstate tax problems of those companies which are a major source of state and local revenues. Fourth, in the sales and use tax area, since the jurisdictional rule coincides with effective limits of the current systems, it permits the states to retain jurisdiction over all but a very few of their presently registered seller-collectors, while extending the jurisdictional reach of the states in the border retailer situation where tax-free competition is currently the most troublesome.

V. SOME POLITICAL RAMIFICATIONS OF THE JURISDICTIONAL BALANCE

It is testimony to the objectivity of H.R. 2158 that it has not raised political issues of a partisan nature on either a national or a regional level. In short, neither a Republican nor a Democratic policy position has emerged. At the same time, neither support nor opposition for the bill is more concentrated in one area of the country than another—or concentrated in accordance with either the size or degree of industrialization of particular states. Instead, H.R. 2158 has received broad general support from the business community as well as from segments of labor, with the major opposition coming from state officials.

The groups which strongly support the establishment by Congress of jurisdictional standards include such diverse organizations as the National Association of Wholesalers, National Association of Manufacturers, the United States Chamber of Commerce, the International Ladies Garment Workers Union, and a large number of associations representing specialized industries, such as the American Association of Nurserymen, the Magazine Publishers Association, the National Food Brokers Association, the Advertising Federation of America, etc. On the other hand, the organizations which oppose the measure include the National Association of Tax Administrators, the Council of State Governments and the National Association of Attorneys General.

The very nature of the types of groups which support and oppose H.R. 2158 makes it clear that the major political issue raised by the measure is whether the imposition by Congress of jurisdictional limitations on state taxing powers is inimical to the political interest of state and local governments. Expressed in other terms, the issue before the Congress is whether the political power which would be denied to the states and their subdivisions by H.R. 2158 is such that it ought properly to be exercised by state and local governments. As a result, careful consideration ought to be given by the Congress to two fundamental aspects of the type of power in dispute.

First, the question arises as to the actual capacity of state and local governments to exercise this power in an equitable manner. Obviously, jurisdictional claims which cannot be equitably and systematically enforced by the states and their subdivisions and which cannot be complied with by the great majority of taxpayers, ought not to be asserted. In this regard, the evidence accumulated by the Congress indicates that the states simply do not have—and without federal assistance are unlikely to acquire—sufficient administrative capacity to eliminate the widespread non-enforcement and non-compliance that currently exists with respect to out-of-state companies which do not maintain business locations within their borders.[48] Thus, in effect, the power denied to a state or local tax collector by H.R. 2158 is not the power to impose an effective tax program which is capable of raising significant amounts of revenue but is, instead, simply the broad administrative power to select out of a wide range of non-resident businesses only a limited number as targets for enforcement. To deny the tax collector such power—the power to administer an unwieldly and unworkable system—can scarcely be considered to have a deleterious effect on state and local governments.

Second, even if it were assumed that the states and their subdivisions could acquire

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Footnotes at end of article.

the administrative capacity to enforce their present jurisdictional claims equitably and systematically and that the many small companies in interstate commerce could afford to acquire the record-keeping facilities necessary to comply, an even more fundamental political question arises: would it be to the long-range benefit of the states and of the federal government if each state imposed its own tax on a nationwide scale, effectively reaching all of the companies which market goods in the state but do not have a business location there? Admittedly, such a system would have strong political appeal if viewed solely in local terms. As one distinguished writer has observed:

"Interstate commerce is a rich tax base. It has, moreover, special political fascination. A state or local tax levied upon it falls largely upon people in other states. Here is a legislator's dream: a lush source of tax revenue, the burden of which falls largely on those who cannot vote him out of office. It is the old problem of taxation without representation." [49]

It is indeed this appeal of the present system which accounts to a large extent for the opposition to H.R. 2158 on the part of a number of state and local officials. Obviously, any federal proposal to limit the power of the local tax collector vis-a-vis out-of-state companies would tend to be rejected summarily by governors, state legislators and state tax administrators, who are continuously plagued with the arduous task of extracting revenues from their constituents. Yet the policy of seeking continually to expand each state's jurisdictional reach beyond its own limits of effective enforcement has broad ramifications, not only because of its effect on the national economy but also because it undermines the political vitality of the states themselves. The more each state is successful in shifting its tax burden onto persons who are without political representation in the state government, the more those persons will exert political pressures on the federal government to play a primary role in state and local affairs. Thus, strong as the political appeal of programs to tax out-of-state citizens may be, the results of such programs lead to greater and greater political responsibility for the federal government.

Finally, there is still another aspect of state programs designed to shift tax burdens onto out-of-state companies which is too often ignored by state officials. The development of such a program on the part of one state and its subdivisions obviously acts as a stimulus to other states and subdivisions to develop similar programs. For example, California currently asserts jurisdiction over companies all over the United States, which do not have business locations in California. As part of its program, it currently maintains field offices in other states, including a staff of some 80 full-time auditors in New York City and a similar staff in Chicago. A number of other states have likewise begun to operate out-of-state offices of their own. Under the circumstances, there is certainly implicit in California's policy an open invitation to all of the other states and their subdivisions to assert jurisdiction over California companies which do not have business locations outside of California.

At first blush, one might expect that some sort of "golden rule" of state taxation would emerge from this situation so that each state would voluntarily limit its own jurisdictional assertions as a means of assuring its own local companies continued access to the national market. Yet the very nature of our federal system relieves state officials of political responsibility in this area. On the one hand, if a local businessman feels aggrieved by having to comply with the tax laws of a state in which he has no business location, he rarely calls his grievance to the attention of public officials in his "home state." Instead, he regards his predicament as raising a federal issue and is inclined, therefore, to make his grievance known to his representative in Congress. On the other hand, if the local businessman does call his grievance to the attention of the officials of his "home state," these officials will, in fact, be powerless to act.[50] Thus, if there is to be a "golden rule" for the taxation of interstate commerce, it is unlikely that such a rule will be promulgated by any political body other than the Congress.

VI. SOME OBSERVATIONS ON THE MULTISTATE TAX COMPACT WHICH HAS BEEN SUGGESTED AS AN ALTERNATIVE TO H.R. 2158

As part of their official program of opposition to H.R. 2158, both the National Association of Tax Administrators and the Council of State Governments have taken the position that Congress ought to discontinue further consideration of federal legislation in this area and ought instead to authorize the negotiation of an interstate tax compact. Thirteen states [51] have already enacted such a compact and several bills [52] have been introduced into Congress which would give congressional approval.

The compact provides *inter alia* for: the creation of a multistate tax commission composed of tax officials from each party state, the arbitration of multistate disputes, a three-factor formula for apportioning income which could be elected at the option of the taxpayer, and a system of credits in the sales and use tax area. Although a detailed discussion of similarities and differences between the compact and H.R. 2158 is beyond the scope of this analysis, there are two major features of the compact which are highly significant in the light of the foregoing discussion.

First, the compact does not address itself to the jurisdictional problem. Since it establishes no jurisdictional standards it leaves even the smallest interstate companies vulnerable to the claims not only of many states but of thousands of localities as well. Thus, it would not reaffirm the principle of a common market—as would H.R. 2158—but would instead encourage the states to persist in their efforts to shift tax burdens onto out-of-state businesses.

Second, by granting broad administrative powers to a multistate tax commission, the compact would tend to lessen the direct control of each individual state legislature over its own state's tax policies. At the same time, since the powers which would be granted to the Commission, as well as to individual tax administrators, are largely discretionary, it is unlikely that the compact would bring about an improvement in the attitudes of taxpayers towards the present system. In short, it is largely because the present system is lacking in precise standards and is so heavily dependent on the exercise of administrative discretion that taxpayers have developed a widespread resistance. If businessmen are to be called on to pay taxes in jurisdictions in which they have little or no political representation, a decrease rather than an increase in discretionary administrative powers would appear to be necessary.

VII. SUMMARY AND CONCLUSIONS

During the eight years that have passed since the Supreme Court's decision in the *Northwestern* case it has become abundantly apparent that the present system for taxing interstate commerce works badly both for business and for the states. The study conducted by the Special Subcommittee makes it clear that as the states reach farther and farther to impose smaller and smaller liabilities on more and more out-of-state companies, tax administrators are called on more and more to enforce the unenforceable and businessmen to comply with the impossible. Since the system has grown unworkable, it is essential that a national policy be formulated which will preserve the taxing autonomy of our states and at the same time reaffirm the basic principles of our American common market.

H.R. 2158, which is now pending before the 90th Congress, would limit the jurisdictional reach of the states to the present levels of effective enforcement and compliance, and in so doing would provide a system which is not dependent for its efficacy on centralized administration. Although the measure has widespread support from the private sector of our economy, opposition to the measure on the part of state tax officials is formidable, and the states generally are reluctant to accept any statutory limitations on their jurisdictional reach over out-of-state businesses. As a result, the major political issue raised by H.R. 2158 is whether the establishment of jurisdictional limitations would in fact be inimical to the interests of state and local governments.

Whether the common market principles embodied in H.R. 2158 will eventually prevail depends ultimately, of course, on the collective judgment of the Congress. The facts have been found, the issues framed, and the alternatives in terms of national policy made clear. Reduced to its essence, the question for the Congress now to determine is whether the principles of free trade among the states ought to be compromised so as to permit each state to continue to make broad jurisdictional claims on a nationwide scale.

If the program contained in H.R. 2158 is approved by the Congress, then the present trend toward a balkanized domestic economy will be reversed and the small business community assured continued access to the national market. If on the other hand, H.R. 2158 is rejected, the states will be encouraged to increase their efforts to extract revenues from non-resident businesses. As a result the need to provide relief for small companies plagued by a plethora of compliance problems will continue to grow and correspondingly increase the need for centrally administered programs capable of systematic enforcement. In either event, it is clear that the vexing problem of state taxation of interstate commerce has broad national ramifications and that ultimately a national program must of necessity emerge to remedy the present chaotic and unworkable system.

FOOTNOTES

*United States Representative from Tenth District of New York; member of the New York Bar.

[1] Northwest Airlines, Inc. v. Minnesota, 322 U.S. 292, 306–07 (1944) (concurring opinion).

[2] International Harvester Co. v. Department of Treasury, 332 U.S. 340, 360 (1944) (concurring opinion; General Trading Co. v. State Tax Comm'n, 322 U.S. 335, 360 (1944) (concurring opinion); McLeod v. J. E. Dilworth Co., 322 U.S. 327, 360 (1944) (dissenting opinion).

[3] McCarroll v. Dixie Greyhound Lines, Inc., 309 U.S. 176, 188–89 (1940) (dissenting opinion); Gwin, White & Prince, Inc. v. Henneford, 305 U.S. 434, 448–55 (1939) (dissenting opinion); J. D. Adams Mfg. Co. v. Storen, 304 U.S. 307, 327 (1938) (dissenting opinion).

[4] Northwestern States Portland Cement Co. v. Minnesota, 358 U.S. 450, 474–77 (1959) (dissenting opinion); Northwest Airlines, Inc. v. Minnesota, 332 U.S. 292, 300 (1944); McCarroll v. Dixie Greyhound Lines, Inc. 309 U.S. 176, at 188–89 (1940) (dissenting opinion).

[5] McCarroll v. Dixie Greyhound Lines, Inc., 309 U.S. 176, 188–89 (1940) (dissenting opinion).

[6] Northwestern States Portland Cement Co. v. Minnesota, 358 U.S. 450, 457–58 (1959).

[7] Id. at 476–77 (dissenting opinion) (footnote omitted).

[8] For discussion of the judicial approach see Federal Limitation on State Taxation of Interstate Business, 75 Harv. L. Rev. 953, 956–72 (1962).

[9] But see National Bellas Hess, Inc. v. Department of Revenue of Illinois, 386 U.S. 753 (1967).

[10] 358 U.S. 450 (1959).

[11] H.R. Rep. No. 1480, 88th Cong., 2d Sess. 7 (1964).

[12] Id.

[13] Hearings on State Taxation of Interstate Commerce Before the Senate Select Committee on Small Business, 86th Cong., 1st Sess. (1959).

[14] H.R.J. Res. No. 936, 86th Cong., 1st Sess. (1959), reporting H.J. Res. 450.

[15] S. Rep. No. 658, 86th Cong., 1st Sess. (1959), reporting S. 2524.

[16] 15 U.S.C. §§ 381–84 (1959).

[17] See H.R.J. Res. 450, 86th Cong., 1st Sess. (1959); 105 Cong. Rec. 16354 (1959) (remarks of Senator Byrd).

[18] 362 U.S. 207 (1960).

[19] H.R. Rep. No. 69, 90th Cong., 1st Sess. 14 (1967) (separate views of Rep. Edward Hutchinson).

[20] 75 Stat. 41 (1961).

[21] H.R. Rep. No. 69, 90th Cong., 1st Sess. 4 (1967).

[22] Special Subcomm. on State Taxation of Interstate Commerce of the House Comm. on the Judiciary, Report on State Taxation of Interstate Commerce, H.R. Rep. No. 1480, 88th Cong., 2d Sess., vols 1 and 2 (1964); H.R. Rep. No. 565, 89th Cong., 1st Sess., vol. 3 (1965); H.R. Rep. No. 952, 89th Cong., 1st Sess., vol. 4 (1965) (hereinafter referred to as Report).

[23] Report, vol. 4, at 1127.

[24] Report, vol. 1, at 303.

[25] Report, vol. 3, at 729.

[26] Report, vol. 4, at 1127.

[27] Report, vol. 1, at 408–11.

[28] Report, vol. 4, at 1127–28.

[29] Report, vol. 3, at 819–20.

[30] Id. at 820.

[31] Report, vol. 4, at 1128.

[32] Hearings Before the Special Subcomm. on State Taxation of Interstate Commerce of the House Comm. on the Judiciary, 89th Cong., 2d Sess., ser. 14 (1966).

[33] H.R. Rep. No. 69, 90th Cong., 1st Sess. 5 (1967).

[34] Report, vol. 3, at 698–99.

[35] Report, vol. 1, at 90–91.

[36] Report, vol. 4, at 1121.

[37] Report, vol. 4, at 1181–82.

[38] See Hearings Before the Special Subcomm. on State Taxation of Interstate Commerce of the House Comm. on the Judiciary, 89th Cong., 2d Sess., ser. 14, vol. 1, 76–111 (1966).

[39] See CONGRESSIONAL RECORD, vol. 112, pt. 18, p. 24744 (remarks of Rep. Edwin E. Willis).

[40] Report, vol. 4, at 1124–25.

[41] Report, vol. 4, at 1209–11.

[42] H.R. Rep. No. 69, 90th Cong., 1st Sess. 2 (1967).

[43] Hearings Before the Special Subcomm. on State Taxation of Interstate Commerce of the House Comm. on the Judiciary, 89th Cong., 2d Sess., ser. 14, vol. 2, 854–56 (1966).

[44] Id. vol. 1, at 82.

[45] Report, vol. 3, at 767–70.

[46] Miller Bros. Co. v. Maryland, 347 U.S. 340 (1954).

[47] Report, vol. 4, at 1180.

[48] See, e.g., Report, vol. 1, at 515–16.

[49] Mendelson, Epilogue to F. Frankfurter, The Commerce Clause 118 (Quadrangle Paperback ed. 1964).

[50] See, e.g., Statement of Willard W. Livingston, Chief Counsel, Alabama Dep't of Revenue, Hearings Before the Special Subcomm. on State Taxation of Interstate Commerce of the House Comm. on the Judiciary, 89th Cong., 2d Sess., ser. 14, 1301–03 (1966).

[51] Alabama, Arkansas, Florida, Idaho, Illinois, Kansas, Missouri, Nebraska, Nevada, New Mexico, Oregon, Texas, and Washington. In addition, the Wyoming Legislature has authorized the Governor to negotiate a compact subject to the subsequent approval of both the Legislature and the United States Congress.

[52] H.R. 9476, H.R. 13682, 90th Cong., 1st Sess. (1967).

WASHINGTON REPORT

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. CUNNINGHAM. Mr. Speaker, I periodically make a report to the people of the Second Congressional District of Nebraska, whom I have the honor to represent in the U.S. House of Representatives.

This is my second report for the 91st Congress:

WASHINGTON REPORT: CONGRESSMAN GLENN CUNNINGHAM, SECOND DISTRICT, NEBRASKA

COMMANDER BUCHER COMES BACK HOME

DEAR FRIENDS: I was very proud to be among those welcoming Pueblo Captain Lloyd M. Bucher on his return to Nebraska and Boys Town.

And it was a privilege to have the opportunity to introduce *H.R. 10359*, which calls for award of the Medal of Honor to Commander Bucher. This bill would authorize President Nixon to present, in the name of Congress, this nation's highest military honor to one of its most courageous sons whom we in Nebraska claim as our own.

There was a giant welcome for Commander Bucher, his wife, Rose, and sons, Mark, 16, and Mike, 14, at Eppley Airfield, with 900 boys from Boys Town there. And there were many damp eyes when he attempted to thank each of the Boys Town residents individually, saying in an emotional tone: "I'm glad to be home. This is my home."

BLAIR MAPLE TREE ON CAPITOL GROUNDS

I had the pleasure to represent *Blair, Nebraska*, at the planting of a *Blair Maple* on the Capitol grounds. As you can see from the picture, it is in a beautiful area on the House side.

The tree was planted to commemorate Blair's 100th Birthday which comes later this year. Those of you who live in the Blair area know that a similar tree was planted in Rhoades Park on Highway 30.

A *"time capsule"* will be buried at Blair during the August 1–9 Centennial Celebration and will note the planting of the two trees. It will be opened in the year 2069 and it is hoped a check can be made to see if the two trees still are living.

The Blair Maple was a selection from a Silver Maple observed growing on the courthouse grounds in Blair in the 1930's. The tree has an unusual upright habit of growth, developing a crown which is exceptionally resistant to wind damage.

GENERAL EISENHOWER

I lost a close and personal friend with the passing of General Eisenhower. But more important, the world lost a great leader and a soldier who dedicated his life to peace.

History also will record General Eisenhower as one of our great Presidents. I think it can be best stated in this manner: The nation had confidence in this man, and he gave it back.

SERVICE ON COMMITTEES, COMMISSIONS

In addition to my primary assignments on the *Committees* on *Interstate and Foreign Commerce* and *Post Office and Civil Service*, I have been honored with two other appointments.

I was selected as a member of the *Republican House Task Force on Transportation*, one of nine such groups studying areas of national concern.

I am also honored to become one of four members of the House of Representatives to serve on the *Lewis and Clark Trail Commission*.

The purpose of the Commission is to advise and stimulate activities of Federal, State and local agencies and individuals to keep available for public inspiration and enjoyment the route traveled by Lewis and Clark early in the 19th century from the mouth of the Missouri to the mouth of the Columbia.

PAPIO IN PRESIDENT'S BUDGET

I have been informed by *President Nixon* that he has included $75,000 in his revised fiscal 1970 budget for preliminary work on the *Papio Flood Control* project. This is extremely good news and marks another step toward completion of this vital undertaking. In the 90th Congress I led the fight which brought authorization last August of $26.8 million for the Papio project. The Corps of Engineers says it can make use of as much as $800,000 in 1970 for planning, design and some land acquisition. *I will make every effort* to see that additional funds are provided by Congress for this very important lifesaving project.

NINE NAMED TO ATTEND CONFERENCE

I have named nine men from the 2nd District to attend the National Rivers and Harbors Congress Convention May 13–16 here in Washington. *John W. Neuberger* of Omaha, General Manager of the Papio Watershed Board, will serve as Chairman of the delegation of water resource leaders. Others invited to attend the four-day meeting are *Ted V. Salestrom* of Tekamah; *Walt Oehlerking, Sr.* of Elmwood; *Robert Steffen*, Boys Town; *Mark Gautier*, Omaha; *Milton Fricke*, Papillion; *Bill Brooks*, Bellevue; and *Simon Korshoj* and *Hjalmer Quist*, both of Blair. The National Rivers and Harbors Congress was organized in 1901 and is a nationwide organization of Federal, State and local leaders devoted to the sound development of America's water resources. I have served as a Vice President of the Congress since 1967.

ANTI-OBSCENITY FORM

The Cunningham Law enacted in 1967 gives parents the means to halt the flow of unsolicited obscene literature to the family mail box.

Your *local* Post Office can provide you with a form (POD Publication 123) and instructions on how to have your name or the names of your children removed from smut peddlers' mailing lists. Or you can get one from me.

My law became effective April 15, 1968, and so far nearly 150,000 parents have taken advantage of it, filing complaints with the Post Office Department. It is really a "gut blow" to those dealing in obscenity.

My wife Janis was recently in my office with five Nebraskans who attended the 17th National Republican Women's Conference. Those present were Marilyn Gesiriech, Mrs. Dorothy Hermanek, Mrs. Robert Finnman and Mrs. H. A. Boersma of Omaha, and Mrs. John R. Scott of Lincoln.

LEGISLATIVE RECOMMENDATIONS

In addition to the bill calling for the Medal of Honor for Commander Bucher, I have introduced a number of other measures in the past two months. *H.R. 9724* would require the Federal Government to share Federal Income Tax with the States, something which I have long advocated. This bill calls for outright appropriations to Nebraska of one-fourth of one percent of the Federal individual income tax collected from our State for the 1971 budget year. This would be increased to one-half percent in fiscal 1972 and to one percent in 1973.

My new bills include: *H.R. 10341*—Establishes Cabinet-level Department of Peace. *H.R. 10379* and *10375*—Provide cost of living increases to Social Security and Railroad Retirement recipients. *H.R. 10378*—Allows Federal Income Tax credits for certain expenses of higher education. *H.R. 10380*—Prohibits States from imposing a lien on a blind person's property as a condition for assistance under the Social Security Act. *H.R. 9723*—Calls for closer scrutiny of toys and other products manufactured and constructed for use by infants and children. *H.R. 9013*—Would abolish the Presidential Commission which recommended the Congressional salary increase. *H.R. 8434*—Provides free letter mail service to *all* servicemen in overseas assignments. *This bill has passed the House and has been sent to the Senate.*

Sincerely,

GLENN CUNNINGHAM.

TREAD SOFTLY ON THE JOB CORPS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. MOORHEAD. Mr. Speaker, the war on poverty has been under attack since its inception; and shouldering the brunt of most of it has been the Job Corps.

Now we are advised that the Nixon administration plans to close more than half of the Job Corps centers and to shift the rest to the Labor Department.

Are we concerned with saving people or saving only money? I would suggest that if it is the former, that Congress take a long look at the accomplishments of the Job Corps to date. If it is only the latter, I would suggest that we could start with items like defense spending rather than domestic programs to cut the fat.

As a cosponsor of the resolution opposing the shutdown of the centers, I am pleased to include for the RECORD an excellent editorial from the Washington Post of May 7 which tells the story very well:

TREAD SOFTLY ON THE JOB CORPS

The basic mistake the Nixon Administration may be making about the Job Corps, as it seeks to close 59 of 109 centers and to shift the rest from OEO to the Labor Department, is in assuming that it is only a job-training program. Anyone who has ever been at a Job Corps center the day a batch of recruits piled off the bus will know it isn't. Unkempt, unsociable, unwell, unlearned, their condition adds up to a frozen unfiitness for anything, not to mention job-training.

Officials dealing with the poor are fond of the term *the disadvantaged* in describing Job Corps youth. Disadvantaged? They read and add at fifth grade level. Fifty per cent have never seen a doctor or dentist. Sixty-four per cent have been either thrown out or pushed out of school. Sixty per cent lived in substandard housing. Sixty per cent are from broken homes. Add to all this the fears, neuroses and suffering that statistics can't get to, and the term *disadvantaged* becomes a puton. At best, the average Job Corps youth is seriously sub-disadvantaged, so far at the bottom of society's barrel that until Job Corps, no scraping was thought possible.

The Administration, sensitive to charges that some 13,000 trainees will be thrown to the wolves when the 59 centers are closed, has busily given assurances to everyone that these trainees unable to be placed in jobs or other centers will be absorbed into existing manpower programs. But this is unrealistic. One reason Job Corps was created in the first place is that it is a human renewal program, a last-stand try at reclaiming the broke and broken youths when other programs can't or won't. Programs in the Manpower Development and Training Act and Concentrated Employment Program are meant for the pleasantly "disadvantaged," not the unpleasant kind of Job Corps.

Sides have been forming in recent weeks on the fate of Job Corps. Last week the Senate Labor and Public Welfare Committee cleared a resolution calling on the President to hold up the shutdown. It is scheduled for the Senate floor Monday. Meanwhile, Nixon aides are now holding confidential files alleging a high incidence of gang rapes, homosexuality and drug use at the Job Corps centers. Presumably, the Administration may use this information, if things get tight, as a trump card to persuade Congress that it's better to let Job Corps die.

Aside from the cheapness, the tactic would be based on a distortion. The headlines describing the files may say, for example, that the Kilmer Job Corps Center in New Jersey had 22 cases of narcotics in the first six months of 1968. Yet Kilmer's 22 narcotics users represent a relatively small proportion of the 1700 total in the center, whose officials should be congratulated if that's actually the full dimension of their drug problem.

The genesis of all this is President Nixon's trimming of the $280 million budget currently set for Job Corps by the House and Senate to $180 million. This cut allows him to tell taxpayers of another $100 million saved. But next to defense and space money, the saving is ridiculously small. Job Corps never had the funds it needed in the first place. Economy driving now only adds fiscal insult to social injury.

As for the injured, a few showed up here last week. A busload of students, faculty and Job Corps trainees on a 25-hour ride from northern Michigan testified before the House Education and Labor Committee. They said simply that the Job Centers are worth preserving.

Reports from individual centers around the country reveal that trainees at the axed centers are shocked and depressed at the Administration's action. Others, too beaten by the odds to react, have slipped off quietly. They may have misinterpreted the signal from on high as an invitation to get lost. But that is how they read it, nevertheless. And the message the Job Corps centers are sending back to the Administration in return is in the words of Yeats: "Tread softly, because you tread on my dreams."

DISTRICT OF COLUMBIA: DRUG CRISIS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. RARICK. Mr. Speaker, the latest report from the Federal Bureau of Narcotics and Dangerous Drugs indicating that the Washington area schools rank second in the Nation for student drug violations is a frightening example to set from our Nation's Capital.

Especially is this so when the report indicates grade school students using drugs or their equivalent.

It is past time that the self-promoting adult community here in the District of Columbia set their values straight by attending to this drug crisis among the youth. If the adult community of our Nation's Capital cannot provide a wholesome environment, free from drugs for their youth, how can they be entrusted with self-government under any proposed home rule.

I include a clipping from the Evening Star:

AREA'S SCHOOLS RANKED NO. 2 IN DRUG VIOLATIONS

Washington area schools now rank second in the nation for drug violations by students, and the problem here reaches down to elementary school level, according to two D.C. public school officials.

J. Arthur Miles, the Districts schools' assistant director of health, athletics and safety, said he got his figures from the Federal Bureau of Narcotics and Dangerous Drugs. He said yesterday the metropolitan area is ranked only behind California in the use of drugs and narcotics by school students.

In addition, Frank P. Bolden, director of health, athletics and safety for the schools, noted recent incidents of grade-school students taking drugs. He cited a Northwest Washington elementary school where some youngsters were found getting "high" on vanilla extract, a common kitchen item they obtained at home.

TAX REFORM AND THE TREATMENT OF CAPITAL EXPENDITURES

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to share with my colleagues the "Tax Reform and the Treatment of Capital Expenditures" paper prepared by Stanley S. Surrey, the very able Assistant Secretary of the Treasury for Tax Policy appointed originally by President Kennedy and continuing in office under President Johnson:

TAX REFORM AND THE TREATMENT OF CAPITAL EXPENDITURES

(By Stanley S. Surrey, former assistant Secretary of the Treasury for Tax Policy)

The Congress is presently engaged in a wide ranging consideration of reform of the Federal tax structure. The main location of the consideration at the present time is the House Ways & Means Committee, which is conducting Hearings on an announced agenda. These Hearings in large part parallel an extensive Treasury Study made under Secretary Fowler, culminating in 3 volumes of material published by the Tax Committees of Congress in February of this year. But the location of the tax reform consideration can change at any time as tax measures—principally extension of the 10% surcharge—make their way through the House and Senate. The present consideration is in response to insistent and growing demands inside the Congress and on the part of the public—and the two are of course linked—that revision in the tax structure is overdue. The pressure for reform is thus stronger than in many a year and the situation is volatile.

I would like to discuss with you an aspect of this tax reform consideration that I know from past discussions is of interest to your industry. This is the treatment of capital expenditures under the Federal income tax—primarily expenditures for machinery and equipment. You are both investors in ma-

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chinery and equipment on your own account and manufacturers and distributors of machinery and equipment for others. Hence you have a double concern in how expenditures for machinery and equipment are treated—and will be treated—under our tax law.

The Treasury Studies—and statistical data—clearly demonstrate that the present tax treatment of a variety of capital expenditures is responsible for much of the escape from the individual income tax now enjoyed by the high-income group in our society and much of the lack of uniformity under the corporate tax. The list of excluded items under the individual income tax described in those Studies as responsible for the complete absence or low rates of individual income tax supports this view. This is the list:

The excluded half of realized capital gains.

Interest on state and local bonds.

Accelerated depreciation on buildings.

Deduction for unlimited charitable contributions.

Farm "tax losses."

Excess of percentage depletion over cost of investment.

Intangible drilling expenses of oil wells.

Four of these seven items—the last three and accelerated depreciation of buildings—involve the treatment of capital expenditures. As to the corporate tax, the major cause for an overall actual effective tax rate—37.5%—below the expected effective tax rate—43.4% (after taking into account the effect of the 22% normal tax and the investment credit—is the low effective rates for the natural resources industries and for financial institutions. The rate for the petroleum industry is 21.1%, for other mineral industries 24.3%, and for lumber 29.5% (these effective rates are before the foreign tax credit). The principal factors responsible for the low rates of the natural resources industries relate to the treatment of capital expenditures made by those industries.

The Studies also show that the activities benefited by these tax rules regarding capital expenditures bear a high burden of proof as to the perpetuation of that treatment, for the benefits to our economy appears to be far below the revenue lost under the tax rules.

As a consequence, the tax reform consideration necessarily will involve an examination of capital expenditures. Since a variety of capital expenditures are involved, it is hard to foresee what trails will be followed and how developments for one type of expenditure will affect other types. And for an industry interested in machinery and equipment, the questions are where will the trails end and what will be the interacting effects that can radiate from other sectors. Let us start therefore with some of these other sectors.

TAX TREATMENT OF CAPITAL EXPENDITURES

Natural resources

In the natural resources area, a large part of the capital expenditures can be expensed—that is, written off in one year as incurred. Thus, so called "intangible drilling costs"—all costs of drilling wells except the cost of depreciable property—are expensed. These costs come to about 60 or 70% of total drilling costs. In addition, all the costs of drilling non-productive wells are written off. Hence much of the investment in oil and gas wells is written off at the start. Where a well is productive, the owner can then take a depletion deduction, supposedly to recoup the investment made. But the percentage depletion deduction is not limited to the remaining investment in the well—nor even to the original investment—since it is in no way related to cost but is a percentage of income. Thus, in this industry not only is a large part of the investment cost recovered at once for tax purposes through current deduction rather than capitalized but then continuing deductions offsetting receipts are allowed without regard to the remaining unrecovered cost. The contrast to other business investment is obvious.

The revenue cost of this favorable depletion treatment compared with cost depletion is about $1.5 billion for all minerals at present, and $1.3 in the longer-run; for intangible drilling expenses and other deductible development costs compared to capitalization it is $750 million at present and about $300 million in the longer-run. The Government is thus presently spending around $2 billion in tax funds to assist the natural resources industry, about 80% of which is for oil and gas wells (and about 85% of the overall spent goes to corporations). This is about the same amount spent through direct budget expenditures, as the Treasury Tax Expenditure Budget indicates. Overall, in amount, it is by far the largest factor making for disuniformity among industries under the corporate tax. The Treasury Studies summarize a report made last year for the Treasury by a private research organization, Consad Research Corp., measuring the benefits to the United States, in terms of additional oil reserves, resulting from the large tax expenditure for the oil industry. Its conclusion was that the tax money spent, say around $1.5 billion, produces about $150 million annually of additional oil and gas reserve findings. The rest, assuming the tax savings go to benefit the oil companies, goes into refining or general diversification, or reduced cost of capital generally for the industry.

The Treasury Studies indicate that the Consad Report conclusions raise serious questions as to the cost effectiveness of the present tax provisions for oil and gas and other minerals. The Studies also discuss the relationship of the present tax treatment to other policies regarding our natural resources, such as oil imports, the management of oil and gas reserves owned by the Federal Government, State regulation of production, the availability of alternatives sources for liquid fuel, as oil shale and hydrogenation of coal.

Agriculture

We can turn from natural resources to agriculture. Here the principal tax benefits arise both from the treatment of capital expenditures and the acceleration of certain expenses:

A farmer can deduct at once certain capital costs rather than having to capitalize the investment and spread it over the useful life of the asset involved. Thus, he can deduct currently the cost of raising a citrus grove although it may not bear a commercial crop until 6 or 7 years after it is planted, or he may currently deduct the cost of raising livestock held for breeding. In these periods while the asset is unproductive, so that these are no receipts, the farmer will be writing off his costs thus creating "tax losses" to apply against non-farm income.[1]

A farmer can use cash accounting even though he produces merchandise for sale, so that the expenses involved are deductible when paid—such as the expenses of raising cattle to be sold. This also creates "tax losses" in advance of receipts from farming. Any other business involved in producing articles for sale must accrue its expenses and cannot deduct expenses associated with its inventory until it is sold and there is receipt of income.

The consequences of this treatment are to turn investment into "tax losses" applied against non-farm income otherwise taxable in high brackets. The data show that this is an important factor in reducing individual income tax at high income levels. While the situation seriously affects the individual income tax, it is also becoming a factor in corporate farming.

Does the United States gain from this tax generosity? Many Senators from farming states and the Department of Agriculture think not and are supporting bills which, similar to the proposal in the Treasury Study, would not let these farm "tax losses" be offset against non-farm income. These Senators, and that Department, believe that the attractiveness of farm tax benefits available to wealthy individuals has caused them to bid up the price of farmlands above the level that would prevail in a normal farm economy. Further, the ordinary farmer must compete in the marketplace with wealthy farmers who may consider a farm profit—in the economic sense—unnecessary for their purposes since a "tax profit" is of sufficient benefit.

Buildings

Moving now to another area of capital expenditures, the Treasury Studies point to the use of accelerated depreciation for buildings as a major factor in eliminating or reducing tax for high-income groups and for corporations generally. The Treasury material describes the present benefits:

Accelerated depreciation—at 200% for new buildings and 150% for old buildings—with no economic evidence to justify this acceleration.

Leveraged financing, the use of a high ratio of mortgage debt in relation to the equity invested, with the ability under the tax law for the equity owner to base the depreciation on the debt as well as the equity. The excessive depreciation advantages are thus obtained with only a minor equity investment.

Excessive depreciation plus mortgage interest looms so large in the early years that it not only offsets any cash flow from the building but also creates "tax losses" that can be applied against other income. The parallel to the farm "tax loss" is clear.

The gain on a sale of the building is taxable only at capital gain rates, with only a very limited recapture of the excessive depreciation.

The revenue cost of acclerated depreciation for buildings compared with straight line depreciation is about $750 million annually. Of this total, according to the Treasury Studies:

About $500 million is used for tax advantages for motels, office buildings, shopping centers, and commercial and industrial construction of all kinds.

About $100 million is used for continued tax advantages for older buildings undergoing the second, third or fourth round of depreciation writeoffs at rates above straight line.

Around another $100 million goes for housing construction in the semi-luxury or luxury high rise category.

Only about $50 million feeds into the process of rewarding investors who invest in low and moderate income housing (and some think only about $10 million into projects with direct Federal assistance).

Again, the question is, what is the United States obtaining for these large expenditures? The Treasury Studies indicate that the degree of increased construction that they may produce cannot yet be measured quantitatively but that qualitatively the investment is in a direction at variance with our social goals as expressed in direct Federal expenditures to assist private construction. Thus, the tax benefits tend to expand luxury housing, office building, and other forms of more glamorous investment and thereby squeeze out lower income housing—

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[1] The Treasury Studies call attention to a similar problem for timber, where tax practice permits the current deduction of costs associated with the raising of timber—property taxes, prevention of disease and insects, fire insurance—unlike financial accounting which would usually add these items to the cost of standing timber.

the item on which Federal direct assistance is focused. We thus find a costly tax policy pulling directly against other Federal policies regarding construction and housing. The Treasury Studies conclude with the following:

"Recognizing the importance of the real estate section of the economy and of low and moderate income housing in particular, it is nevertheless evident from the foregoing that the present structure of tax provisions for real estate seems ill-suited and costly. Moreover, it provides individuals with an unwarranted and excessive escape from tax liabilities. Clearly, a new set of tax provisions together with suitable non-tax measures that meet proper tests of efficiency and effectiveness are required" (451).

For these reasons, in an appearance before the House Ways and Means Committee last February, I recommended that the matter be attacked directly through elimination of the deduction for depreciation on buildings in excess of straight-line depreciation and the recapture of any remaining excess depreciation on sale, or that it be handled through including excessive depreciation in the base of the minimum tax proposed for individuals.

This discussion indicates that the tax treatment for capital investment in three important sectors of our economy, natural resources, buildings, and farming, is very costly from a revenue standpoint—from $2.5 to over $3 billion (if capital gain on sale is included); at best is highly inefficient in achieving desirable economic or social goals; and more probably induces activities that are harmful to those goals. The tax treatment consists of a more rapid write-off of investment than is warranted from an economic standpoint and, in some cases, of a write-off that is in excess of the cost involved. In all the situations, the tax treatment is not reflected in financial accounting for the same activities.

TAX TREATMENT OF MACHINERY AND EQUIPMENT

Now, against this background, what are the implications for the tax treatment of machinery and equipment? That treatment involves the use of accelerated methods of depreciation, the use of guideline lives coupled with the reserve ratio test, and the 7% investment credit. Let us start with accelerated depreciation.

Accelerated depreciation

Accelerated depreciation on machinery and equipment is not one of the topics listed in the agenda for the Ways and Means Committee Hearings, unlike the other capital expenditures earlier discussed. Nor is it listed in the Treasury Tax Expenditure Budget. Instead, that Budget states:

"The tax depreciation allowed for machinery and equipment is thought to be closer to actual depreciation than that allowed on buildings. Also the code provisions relative to recapture of profits resulting from excess depreciation effect a full recapture as ordinary income of such profits on machinery and equipment, but recapture of only a declining and then disappearing proportion of such profits in the case of buildings. In view of this and the difficulty of estimating the divergence, if any, between depreciation allowed for tax purposes and actual depreciation, depreciation for machinery and equipment is not included here as a tax expenditure."[1]

In effect, this statement indicates the belief that, generally speaking, accelerated depreciation may properly represent the decline in economic utility of machinery. Moreover, the guideline lives are not intended to depart from expected depreciable lives. This aspect is underscored by the complementary adoption of the reserve ratio test to monitor the correspondence between the guideline lives used by a taxpayer and his actual practices. Hence, the entire setting of depreciation policy for machinery and equipment is quite different from that for buildings. Indeed, the adoption in 1954 of accelerated depreciation for buildings, was just about a happenstance, for the focus was all on machinery and equipment.

Those who wish to see the present depreciation policies for machinery and equipment continue can take comfort from the above factors, for they are factors that separate depreciation policy for machinery and equipment from the other capital expenditure areas in need of reform. But all is not serene. There are abuses associated with the depreciation of machinery and equipment that require attention. One is the use as a tax escape by high income individuals of arrangements for the "leasing" of personal property which combine the tax benefits of accelerated depreciation on certain types of high-cost equipment, such as airplanes, railroad cars and computers, and the investment credit with leveraged financing (a high ratio of debt to the cost of the property). In reality in these situations the company obtaining the use of the equipment is selling its depreciation deduction and its investment credit, thereby distorting the scope of those provisions.

It would seem possible to reach this abuse through administrative action, by a more careful delineation between genuine lease transactions and transactions which are essentially financing arrangements for acquisitions of equipment by the purported "lessee." The delineation can be in terms of the portion of the asset retained by the lessor at the end of the lease, taken at its present value and compared to the cost of the asset. If that present value is significant in relation to that cost and is used as the expected salvage value which cannot be currently depreciated, a lease is involved. The depreciation deduction and the credit would then be properly available to the lessors. But if that value is not significant, a sale and not a lease is present and the depreciation deduction and credit properly belong to the user of the property and not to the purported lessor. His role in this situation is that of financing the acquisition by the user, just as in the case of a loan used by the borrower to acquire property. The determination of what is a significant value could be based on a formula which would remove the tax motivations from these arrangements and thereby separate out the transactions that are not based on a pre-tax profit that is economically rational.

Another approach would consider whether accelerated depreciation is proper at all in a lease situation, since the taxpayer has himself chosen a stream of receipts to provide a recovery of capital whose timing under the typical lease is clearly at variance with the timing of capital recovery presupposed by the accelerated methods. Indeed, the whole matter of the appropriate treatment of the modern "lease" of equipment should be reexamined, both from tax and non-tax aspects. Thus, the question touched on above of whether a sale or a lease is involved is also present for financial accounting. Also, if a genuine lease is involved, financial accounting should consider whether the balance sheet treatment should differ, as it does today, from that of a purchase on credit.

A second concern regarding accelerated methods of depreciation grows out of the consequence that its use by a number of companies, primarily utilities, has resulted in the dividends of those companies being tax-free to their shareholders. This situation appears at bottom to rest on the use of an accelerated depreciation method for tax purposes, thus reducing tax earnings and profits which determine the presence of a dividend in the tax sense, but straight-line depreciation for book purposes, thus increasing the profits available for the distribution of a dividend in the corporate sense. There would appear to be no reason to permit accelerated depreciation to remove the annual stream of public utility dividends from the individual income tax.

This aspect of book depreciation differing from tax depreciation may well draw increasing attention in other situations. It is one facet of the question of how regulatory commissions should treat for rate-making purposes those utilities that do not claim accelerated depreciation for tax purposes, a matter on the agenda of the Ways and Means Committee. Some commissions may desire to ignore the tax books and compute taxes and hence rates as if accelerated depreciation were taken and the tax bill were lower, a position objected to by the companies. The companies would like to use accelerated depreciation for tax purposes though it is not permitted for utility accounting generally, and then establish a deferred tax account for ratemaking purposes. These conflicting positions move, as does the tax-free dividend abuse earlier mentioned, in the direction of raising the question of whether tax depreciation and book depreciation should be at variance. The shift of some industrial companies back to straight-line depreciation, to show larger pre-tax profits, may accentuate this question. As we observed earlier, one of the factors highlighting the tax escapes occurring through the tax treatment of capital expenditures in natural resources, farming, and buildings is the variance of that treatment from financial accounting.

Accelerated methods of depreciation thus have a potentiality for abuse that we must be alert to remove or confine if the substance of those methods is to be protected. The failure in 1954 adequately to safeguard accelerated depreciation from abuse was a major defect that has plagued the tax structure ever since. To avoid this situation, when guidelines were adopted in 1962 the reserve ratio test was also adopted to confine the use of those lives within safe channels.

Essential to any continued use of the present depreciation approaches for machinery and equipment is the recognition that unless safeguarded and appropriately confined, accelerated depreciation or any treatment of depreciation that is at variance with actual experience is bound to produce unfairness and lack of uniformity. In the past the complacent attitude of many toward tax largesse in the depreciation area has been rationalized by the view that in the long run the tax advantage of rapid depreciation at variance with realistic depreciation cannot be great if the taxpayer who early uses up his depreciation and reduces his taxes must later pay the piper though larger tax bills when his depreciation deductions decline as his depreciation base runs out. It was for many a comforting rationalization.

But the rationalization is simply wrong. A lengthy computer study of "Tax Depreciation and the Need for the Reserve Ratio Test", published by the Treasury in 1968, solidly demonstrates this. Its conclusions, briefly summarized are:

Realistic tax depreciation is important from an equity point of view, in that a tax depreciation policy which does not insist on linking tax lives to actual replacement lives will result in an intolerable cost in terms of tax unfairness between otherwise similarly situated taxpayers.

The extent of that unfairness can be illustrated as follows: the opportunity to use a tax life shorter say by 30% than the

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[1] Annual Report, Secretary of the Treasury, Fiscal Year 1968, p. 332.

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actual life will produce an effective tax rate on the income from the assets which may frequently be as much as 20% lower than the tax rates applicable to the taxpayer whose tax lives match his actual replacement cycle. In effect, a 48% corporate tax rate becomes a 38% rate. The benefit conferred on the non-conforming taxpayer is equivalent to a rate cut for the income from the assets twice as large as that enacted for corporations in 1964; it is equivalent to a doubling of the investment credit.

The non-conformity in depreciation lives does not catch up with itself unless the business contracts. Instead the non-conformity is a continuing source of difference in tax treatment and the differences do not wash out over time.

The reserve ratio test does serve as a fair and efficient administrative technique to enforce the correspondence between actual depreciation lives and tax depreciation lives which is necessary to the realistic determination of tax depreciation.

Realistic tax depreciation is thus essential to a fair tax system. Over-depreciation is as unfair as is under-depreciation. We should note that while the reserve ratio test will properly safeguard the guideline lives concept, it does not tell us—nor did the Treasury depreciation study—whether in a given situation accelerated depreciation on straight-line depreciation properly measures the allocation of depreciation over the tax life.

Investment credit

We may turn from accelerated depreciation on machinery and equipment to the 7% investment credit granted for investment in those assets. Since that credit is not an essential element of the measurement of business net income and since it grants a tax benefit beyond a return of cost, it is listed as a tax expenditure in the Treasury Tax Expenditure Budget—in the amount of $2.3 billion. It is not on the agenda of the Ways and Means Committee Hearings.

The investment credit does not have the abuse problems associated with other tax measures that treat capital expenditures differently from their treatment under financial accounting. The place of the credit in the tax structure and the actual benefit it provides are clear and open, in contrast to the other measures affecting capital expenditures. Moreover, the credit does not make any claim to its being a proper element in the determination of net income, which also contrasts with those other measures. Since the credit is a flat percentage of the asset and is limited to only a portion of the tax, it does not have the potential for unfairness and abuse that accelerated depreciation possesses, though the role of the credit in certain "lease" arrangements must be examined. Finally, it is applicable across the board for new machinery and equipment and is not confined to a particular industry or activity.

But these credentials, though important, do not end the inquiry. For the question remains whether the expenditure involved in the credit is of benefit to the United States—does it do any good and does it do so effectively in relation to the cost in revenue that is involved?

I know that business in general, and certainly the machine tool industry, would answer these questions in the affirmative and strongly so. But the econometricians who are pondering these matters are not so quick with an affirmative reply. They seek to answer the question of what the level of investment would have been if the credit had not been enacted. To do so takes them into the task of developing forecasting equations that "predict" the level of investment on the basis of economic indicators. Unfortunately for the rest of us, the econometricians are not in agreement on these matters. The first question the econometricians face is whether changing the relative costs of labor and capital in favor of capital does cause business firms to shift to more capital-intensive methods of production, through modernization and expansion of machinery and equipment and the buildings associated with them. It is evident that business investment has grown since the investment credit was adopted in 1962. But the whole level of GNP also rose in that period. The problem is, how much of the growth in business investment can be attributed to the credit and how much to eight years of prosperity. A study of investment by Hickman published a few years ago by the Brookings Institution concluded that from past experience very little of the increased business investment could be explained by profitability factors—and hence by the credit which increases the profitability of an investment—and that almost all of the increased investment was explained by growth in markets. More recent work, however, particularly by Jorgenson, tends to support the proposition inherent in the advocacy of the credit that a reduction in the cost of capital will cause business firms to want to invest more than they otherwise would at the given level of demand.

I gather that the consensus is in the direction that in the years during which we had not reached full employment the credit did produce an investment response that exceeded the revenue spent through the credit (and would do so more effectively than rapid depreciation), so that in this regard the credit did good. But in an economy at full employment economists will tell us the matter becomes harder. If businessmen desire to invest more in response to the credit than the level of demand would dictate, we face the question of where will business obtain the savings that will enable the credit to achieve such an increase in investment. In a full employment economy, this would require bidding the funds away from other uses, i.e., raising the interest rate and hopefully increasing the supply of savings through a lowering of consumption. But if the savings do not increase sufficiently, businesses will be bidding against each other for funds and interest rates would rise to the point where they would offset the cost saving of the credit. This would allow little or no increase in business investment from the credit except to the extent that business would bid savings away from home buyers and state and local governments.

Some economists do not see the necessary savings arising in response to the interest rate changes and would thus regard the credit as inflationary and unsuited to a full employment economy. Others would see an adequate response that would produce the necessary capital and would thus find the credit a useful device to promote economic growth, even in a full employment economy. Still others might see the savings response but be concerned with the allocation consequences—away from state or local government or housing—even in the presence of economic growth.

Against this divided background, some economists would urge repeal, some no change, and some a suspension, the last hoping that the technicians learned enough in 1966–1967 to handle the admittedly difficult task of using the credit in this fashion. Still others would say that in an economy that has so many problems and tensions as we have today—and which will face great uncertainties when hostilities end—the wisest course until more knowledge is available is to maintain the credit rather than through a change in the credit inject still another uncertainty into the economy and our export position.

Thus, the present place of the investment credit is basically an economic matter. It does not directly raise issues and questions of the kind that characterize the capital expenditure items involved in the current tax reform consideration. But the matter is not entirely economic and does concern the tax structure. For the investment credit has led many to suggest the use of the tax credit device as the path to solution of a wide spectrum of social objectives—manpower training, low-income housing, location of businesses in ghetto and poverty areas, anti-pollution devices, education financing, and so on. The investment credit and its operation are not precedents for tax credits in those fields, for they present more particularized areas and problems far removed from the simple mechanics and generalized application of the investment credit. Certainly, if it were clear that the presence of that credit would mean the adoption of a whole train of credit incentives that could turn our tax structure into a shambles, then the question of the perpetuation of the investment credit would be an entirely different one. But so far that has not occurred.

CONCLUSION

In summary, the tax treatment of capital expenditures in particular industries and activities—natural resources, farming, and building—has developed preferences that are costly and present distinct tax unfairnesses. These consequences when measured against the lack of benefits or even disadvantages to our economy resulting from the preferences have given the items a prominent place in the agenda of tax reform. The tax rules for investment in machinery and equipment do not raise similar abuse or tax escape possibilities and thus do not appear directly involved in that agenda. But accelerated depreciation has a potentiality for tax abuse and in some instances correction is needed. The investment credit raises issues that are economic in nature rather than directly related to tax reform consideration. But economists are not agreed as to the answers to those issues. In all likelihood, then, the tax rules governing investment in machinery and equipment will not be free from continuing examination. But that is a healthy situation. A tax structure freed from the careful and continuous scrutiny of its important segments, especially those that depart from financial accounting, is not likely to give full service to our economic and social goals.

ON THE OKINAWA FRONT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. RARICK. Mr. Speaker, I have received correspondence from the VFW Post in Okinawa professing a fear that our American people are not getting all the facts in the ultra-left-wing movement to intimidate the United States to surrender Okinawa to Japan.

In the hopes that our colleagues may find the viewpoint of Americans in Okinawa enlightening, I insert the letter from Post Commander Altman and several newsclippings from the Okinawa Morning Star in the RECORD:

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
OKINAWA MEMORIAL POST NO. 9723,
Naha, Okinawa, May 1, 1969.

Hon. JOHN R. RARICK,
House of Representatives,
Washington, D.C.

MY DEAR MR. RARICK: The VFW of U.S., Okinawa Memorial Post No. 9723, the largest VFW Post in the world joins with the Oki-

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nawa Morning Star to furnish you with the local viewpoint of Americans on Okinawa.

For fourteen (14) years, Robert Prosser, Editor of the Okinawa Morning Star has written on the local problems with humor, compassion and understanding. His editorials form the bulk of this second special issue of the Morning Star. Featured also is Hessell Tiltman, Dean of the Tokyo Correspondents, who writes with equal knowledge and foresight on Japan-U.S. relations.

Much of the news which appears in the U.S. press concerning Okinawa has been filtered through a reporting process which records voices without evaluating or properly estimating the situation. The speakers in most cases frequently self-seekers and emotionalists who choose to ignore the basic reasons why the U.S. has found it necessary to remain on Okinawa.

We know that this local source of first hand information will be very helpful as background in preparing you for the up coming U.S.-Japanese talks regarding the future of Okinawa.

Sincerely,

RALPH S. ALTMAN,
Post Commander.

Japanese Communist Party Calls Shots for Okinawa Demonstration

As the result of an obscure bit of political augury Feb. 4 has been set aside by the Ryukyuan leftists as an auspicious day to hold a general strike for the avowed purpose of demanding the removal of B52 bombers from Okinawa. Or, in the light of subsequent events, perhaps there is less obscurity in the selection of Feb. 4 as the great day for anti-Americanism than had been earlier imagined. In selecting Feb. 4 as the day for a general strike on Okinawa the sponsors of this event did not consult the gods or inspect the entrails of slain animals. Nor did they study the flight of birds or listen to the mumblings of the sorcerer.

The only wizards to whom the local leftists listened in setting the date for their local affair on February 4 were the organizers from the Japan Communist party.

As almost an afterthought the other day the Japan Communist party announced its policy program for 1969 by declaring that Feb. 4 was to be the first day of a one-month Communist movement aimed at sabotaging the U.S.-Japanese mutual security pact. It is no coincidence that the local threatened general strike against the B52s was planned to take place on opening day of the newest self-declared Communist drive against the free world. And thus the general strike threat on Okinawa takes on its proper perspective in the big picture of Communist activities.

Viewed against its proper background it also becomes apparent that the Communists have had an impact out of proportion with their numbers in influencing local politics. This is largely due to the pact of strange bedfellows which was formed to engineer the election of Chobyo Yara as chief executive of the Ryukyus. Lip service for the Communist-sponsored general strike is part of the political debt that Yara owes his poll watchers and election day assistants who assisted in his election.

With the Communist announcement that their newest political drive against the free world is combined with Okinawa's general strike it becomes apparent that the local politicians have been strongly infiltrated or overwhelmed by the Communists. The brightest ray of hope for the free world is the fact that the Communists are almost as unhappy with their allies acquired under Yara as they are with the free world. In announcing their newest plan for a one-month anti-security treaty campaign opening on Feb. 4 the Japanese Communists offered a few other bits of information also.

The Japanese Communists also denounced both the Japan Socialist party and Sohyo, the Japanese labor federation which supports the Socialist party. The Japanese Socialists and Sohyo were also strong supporters of Yara during his election campaign and expect just as much political allegiance from Yara as the Communists demand. Both would like to lay claim to the Feb. 4 general strike if it is a success in the eyes of the anti-establishment forces in Japan. Each will blame the other if the affair is less than a rousing, head busting success.

As rival political organizations in Japan lay claim to responsibility for future strife on Okinawa the general strike and its damaging fall-out become less and less a domestic product and more and more a foreign import from Japan. Unhappily our local political leaders have allowed themselves to be outsmarted and maneuvered into a dangerous position by political manipulators in Japan who do not have the best interests of the Ryukyus in mind. In announcing that Feb. 4 was their day for troublemaking the Japan Communists admitted paternity of the Okinawan general strike threat. This may cause a certain amount of surprise on Okinawa particularly among the Socialists. After all, they thought all along that they were the father.

South Korea, Thailand, Nationalist China Also Uneasy About Okinawa's Return

Some new voices have been added to the reversion dialogue which has for long involved only Ryukyuan reversionists, occasional Japanese and from time to time American experts who have been recognized mostly for their superficial grasp of the problems involved.

At this time when the prime instigators of the reversion movement admit that they are motivated mostly by Ryukyuan self interest, voices are being heard from the outside which also reflect self interest. The governments of South Korea, Nationalist China and Thailand have questioned the wisdom of the reversion of Okinawa to Japan and the accompanying dislocation of the defense capability of the Ryukyu islands. These voices from the outside deserve to be heard when it is remembered that Thailand, the Republic of Korea and Nationalist China are all signatories of the Japan peace treaty which originally empowered the United States to perform any and all functions in the administration of the Ryukyu islands. These voices from the outside also question the legality of the reversion of Okinawa to Japan as a private arrangement between the Japanese and the Americans since the governments of some 50 nations participated in approving the peace treaty that gives the United States its current status on Okinawa.

Thailand's Foreign Minister Thanat recently went on record during a Tokyo visit by saying that if Japan wants to replace the United States in the Ryukyus that it must be prepared to pick up the military burdens which are now borne by the Americans as well as the U.S. administrative chores on Okinawa. If Japan wants the United States out of the Ryukyus then Japan should be prepared to finance and maintain its own defense umbrella, the Thai minister declared.

The Republic of Korea, ROK Foreign Minister Lee Tong-Won told the Japanese that the Republic of Korea cannot remain indifferent to any move which would deprive that government of the protection that American military presence on Okinawa provides.

The Nationalist Chinese government is, of course, vitally concerned with American presence in the Ryukyus and has been blunt in saying so. Calling plans to return Okinawa to Japan "complicated and delicate" a spokesman for the Chinese government pointed out that the United States became responsible for the administration of Okinawa as the result of the Yalta declaration, the Potsdam declaration and the San Francisco peace treaty. The return of Okinawa to Japan, the Nationalist Chinese government said, would impair the security system of the entire Far East and create a security threat to the free nations of the Far East. The island of Taiwan is within sight of the southern Ryukyuan islands, a fact which links Okinawa and Taiwan together on the closest possible basis since a weak or unfriendly Okinawa would be a direct military threat to the Nationalist Chinese.

The Koreans, the Thai and the Nationalist Chinese are not the only ones who seriously question the wisdom of the immediate and unconditional return of Okinawa to Japan. Japan's own Prime Minister Sato has said that there is no concensus in the Ryukyus or in Japan on the return of Okinawa. There are Okinawans who seriously question the wisdom of forfeiting the security of the Ryukyus on the altar of emotionalism. Japan's own security and prosperity are linked to Okinawa since the American military in the Ryukyus contributes not only to the military safety but also the economic prosperity of Japan. For Japan to abruptly attempt to replace the U.S. in the Ryukyus would be a costly and even dangerous gamble.

The reversionists have held the center of the stage for over long. Theirs have been the only voices heard in connection with Okinawa. Strong opinions from Japan's neighbors in the Pacific and Asia are welcomed at this time in connection with Okinawa because the rest of the Asians will have to live with whatever the future brings. And it seems that much of free Asia would be uneasy at the prospects of living without certain American military guarantees.

Unmasking Japan—Japan Can't Provide Leadership

When the Japanese set out to unmask themselves the results are more demure than they are startling. Nonetheless it may be useful to review the Japanese view of themselves at their most critical as reflected by Ichiro Kawasaki, the author of Japan Unmasked (Tuttle, $3.75). Kawasaki is a 1932 graduate of the Tokyo (Imperial) University Law school, is proficient in eight languages and has enjoyed a brillian career with the Japanese diplomatic service. He is currently serving as Japanese ambassador to Argentina.

Kawasaki's analysis of the Japanese national is surprisingly close to that held by most foreigners and is not exclusive with the Japanese. Kawasaki describes the average Japanese as an abominable linguist and as a person who is more at home with his own kind than among persons of another race or nationality. As the result he makes a deplorable traveler and a person who prefers to travel in packs rather than as a loner. He tends to be unadventuresome and to judge the world from the standards of Tokyo rather than on its own merits.

Thus far the average Japanese is not a great deal different from the average American, Frenchman or the Australian or Briton who prefers to travel with his club or village group and wearing his distinctive old school or club tie and beanie.

Japan's major philosophy, according to Kawasaki, is the spirit of "Enjoy today, for tomorrow who knows," a philosophy developed by Japanese laborers who felt that money earned should be spent the same day to prevent the loss of the earnings through some mysterious means.

Kawasaki takes to task the Japanese newspapers for their "negative attitude" and the people themselves for their innate aversion to assert themselves. As the result all Japanese newspapers parrot virtually the same line with the main emphasis on an egotistical demand for individual rights rather than

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a healthy concept of group welfare. The result has been for Japanese politics to promote self interest rather than common welfare.

Politics emerges in a peculiar light when seen through the eyes of Kawasaki who takes the historic post-war view of Japan's political development. Before the war the government of Japan was based upon a three-part foundation. This consisted of the military, the politican and the bureaucrat. In losing the war the military discredited itself and in discrediting itself the politicians who supported the military were also discredited. Those politicians who were not automatically discredited were placed out of bounds by allied occupation policy which set out systematically to eliminate the zaibatsu or large moneyed interests which had supported the government and the militarists.

By the end of the allied occupation of Japan only the bureaucracy remained, a fact which is equally true today. Dedicated and capable, Japan's bureaucracy today is the backbone of that government and the balancing factor between the politicians and a reborn zaibatsu. The politician in Japan today demonstrates his skill by obtaining favors from the bureaucracy on behalf of the new zaibatsu and for a fee to the politician. Political struggle in Japan is more likely to occur between factions within the same party than between the parties themselves because the Japanese Socialists have largely isolated themselves from the people as the result of their extremist and unrealistic approaches to common problems.

The Japanese themselves are made up of pressure groups all of whom press for special advantage from the government. One of the most important pressure groups in Japan is the farm group which attempts to keep rice prices as high as possible while consumer groups demand low commodity prices. War veterans, families of war dead, special claimants for pensions and relief are a yen a dozen in Japan and Japanese industry from shipping to coal mining to beef raising demands special subsidies from the government.

Okinawa's "demands" for sugar and rice subsidies are only drop in the bucket when compared with the multitude of demands which are made against the Japanese treasury each day. The ability of Okinawan politicians to realize these demands against the Japanese government will be the ultimate measure of the ability of the local politicians. Thus far the Yara Government has been more successful than it has had any right to hope. Its continued success is likely to depend more upon Okinawan politicians acting like Japanese and joining the club rather than attempting to teach the Japanese new methods of doing what they have been doing for so long.

In summing up Kawasaki reviews Japan's ability to provide political leadership in Asia in the near future and finds it extremely doubtful. Before the war Japan provided certain leadership in Peking, New Delhi, Taipei and elsewhere in Asia. During the war Japan destroyed British, French and to a degree Chinese influence in these areas. The United States comes closest to Japan in replacing this lost leadership but the goals are still elusive for the occidental. And the Japanese aren't particularly interested in taking over the white man's burden at this time. The Japanese are still too busy selling miniature cars, jumbo tankers and transistor radios to be concerned with politics among their neighbors. At least that's what seems to be behind Japan's mask.

OKINAWAN TEACHERS NOT SURE OF WANTS

To be or not to be, that is the question. That is the question that seems to plague the Okinawa Teachers' Association at this time. The teachers have campaigned long and ardently to transform Okinawa into another Japan. At least that is the impression that they have given. Now there is room to wonder whether the Okinawan teachers want Okinawa to be more like Japan or if they want Japan to be more like Okinawa.

Japan's education minister, Hiroaki Nadao, is currently visiting Okinawa. In their never ending quest to be more Japanese than the Japanese it would seem logical for the Okinawan teachers to welcome the visit of this top educator. Instead, the Okinawan teachers find his visit somewhat objectionable since they fear that Nadao's presence will give aid and comfort to the political moderates on the island. And Okinawa's teachers are anything but moderate in their political and economic demands. The perennial president of the Okinawa Teachers' Association aspires to become the next chief executive of the Ryukyus and has acquired the backing of the Communist Okinawa Peoples party, the Okinawa Socialist and the local Socialist Masses party to assist him.

At least the teachers' candidate thinks that he has the backing of these three somewhat parallel but hotly competitive groups. He may be mistaken, however, since the Okinawa Peoples party recently went on record, according to Japan's Communist party house organ, as being Communist first and proteachers second.

Japan's Socialists earlier declared their intentions of backing the local teachers in the upcoming election also. Unfortunately for the Socialists and the teachers the Socialists have been unable to decide who is going to head the Japan Socialist party and the presently leaderless Socialist camp is unable to lead itself, let alone direct the local teachers toward their political ambitions.

And that leaves the local Socialist Masses party to back the local teachers. The Socialist Masses people, however, must remain on the alert lest their loyal allies from the Communist and Socialist camps subvert their aims.

With such unlikely allies it is easy to understand why the teachers are uneasy on behalf of the welfare of their candidate. To be or not to be can sometimes be a considerable problem. The teachers' problem is how to be a super Japanese and still make their own ground rules and not to have moderate Japanese interference in local affairs. Such problems can result in a split personality.

FIVE MARYLANDERS DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. LONG of Maryland. Mr. Speaker, Army Sp5c. Paul D. Savanuck, Navy PO3 Lloyd E. Jones, Army T. Sgt. Harry P. Burton, Army S. Sgt. Robert P. Roehmer, and Marine 1st Lt. Robert D. Huie, five fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memory by including the following article in the RECORD:

FIVE MARYLANDERS DIE IN VIETNAM: ONE WAS NEW STAFF WRITER FOR SERVICE PUBLICATION

Five servicemen from Maryland, including a Baltimorean who had been a staff correspondent for the *Pacific Stars and Stripes* for only two weeks, were killed in Vietnam, the Defense Department announced yesterday.

They were:

Army Spec. 5 Paul D. Savanuck, the correspondent, son of Mr. and Mrs. Daniel F. Savanuck of 4323 Manor Hill road, Pikesville.

Navy PO 3 Lloyd E. Jones, son of Mr. and Mrs. Lloyd Jones, of 2149 Hawkins Point road.

Army Tech. Sgt. Harry P. Burton, husband of Mrs. Shirley A. Burton, of 908 East 30th street, Baltimore.

Army Staff Sgt. Robert P. Roehmer, husband of Mrs. Darlene Roehmer, Hillside road, Kingsville Md.

Marine 1st Lt. Robert D. Huie, Jr., husband of Mrs. Paulette P. Huie, of 127 Smith avenue, Annapolis.

SOUGHT VIETNAM SERVICE

Specialist Savanuck, according to his father, had just been appointed a staff correspondent for the Army newspaper two weeks ago. He was killed when North Vietnamese troops penetrated the position where he was stationed.

A graduate of Poly, Specialist Savanuck majored in journalism at the University of Maryland from which he graduated in 1967. After graduation he enlisted in the Army.

He attended journalism school in the Army and was stationed for six months in Germany. According to his father, he had written to Representative Samuel N. Friedel (d., 7th) asking for transfer to Vietnam.

He received his transfer and left for Vietnam June 30, 1968. He was an information officer for an artillery unit until his switch to the newspaper.

Besides his parents, he is survived by two brothers, Anthony and Stewart Savanuck, both of Baltimore.

Sergeant Burton, 27, was a platoon sergeant in the 11th Armored Cavalry unit. He was a career Army man with 10 years of service and was due home this September, according to his mother, Mrs. Margaret F. Burton.

He had been in Vietnam since August 8, 1968.

With Sergeant Burton's mother in Baltimore is his wife, Mrs. Shirley Hooper Burton, whose home is New Zealand, and his two sons, Christopher Paul, 5, and Jeffrey Wayne, 18 months. Sergeant Burton met his wife while he was stationed in Germany.

He was a graduate of City College, class of 1959. Besides his mother and wife, he is survived by his father, Harry P. Burton, Jr., also of Baltimore, and a sister, Elizabeth.

Engineman Jones, 22, had served on a PBR boat in Vietnam since July 8, 1968. He had been in the Navy since March, 1966, and was previously stationed on the USS Howard W. Gilmore at Charleston, S.C.

He was graduated from Glen Burnie high school in 1965.

Survivors, besides his parents, are a brother, also in the Navy and stationed at Charleston, and a sister, Darnell, a student at Northeast high school.

Two weeks before he was killed he had been awarded the silver star for bravery and gallantry, according to a younger brother, David.

Sergent Roehmer was a graduate of Perry Hall senior high school. Besides his wife, he is survived by his parents, Mr. and Mrs. John D. Roehmer, and three brothers, of Kingsville.

Lieutenant Huie was a 1966 graduate of the Naval Academy at Annapolis, was commissioned into the Marine Corps basic school at Quantico, and was selected to be a marine naval aviator, training at Pensacola, Florida.

Besides his wife he is survived by two sons, Robert D. Huie, 3d, 3, and Charles Hamilton Huie, 18 months. His parents, Robert D. Huie, Sr., and his grandmother, Mrs. Charles Rutherford, formerly of Arkadelphia, Ark., now reside in Beltsville.

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HOUSE OF REPRESENTATIVES—*Monday, May 12, 1969*

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Clerk will read the following communication.

The Clerk read as follows:

THE SPEAKER'S ROOM,
May 12, 1969.

I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.

JOHN W. MCCORMACK,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Holy Father, protect by the power of Thy name those whom Thou hast given Me, that they may be one.—John 17: 11.

Almighty God, our Father, we come to Thee in earnest prayer that Thou wilt keep our country under Thy divine protection; that Thou wilt incline our citizens to live by the laws of our land; and that Thou wilt help our people to so cultivate a spirit of good will that they may learn to live together in peace and without fear.

We cannot all be of the same mind nor can we think alike, but we pray that Thou wilt make us one in our loyalty to our Nation, one in our love for liberty, and one in our search for justice and peace.

Deliver us from pride and prejudice, from intolerance, and from every evil way. By the might of Thy spirit within us may we show forth in our lives the fruit of our faith and the power of our principles.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, May 8, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1177. An act to authorize the documentation of the vessel *West Wind* as a vessel of the United States with coastwise privileges.

S. 1590. An act to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned tasks.

S. 1647. An act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

The message also announced that the Vice President, pursuant to Public Law 86–42, appointed Mr. CHURCH (chairman), Mr. GRAVEL, Mr. MCCARTHY, Mr. SPONG, Mr. MANSFIELD, Mr. ERVIN, Mr. AIKEN, Mr. GRIFFIN, Mr. HANSEN, Mr. JORDAN of Idaho, and Mr. JAVITS as members of the U.S. group to attend the United States-Canada Interparliamentary Conference to be held at Ottawa and Banff, Canada, June 3–8, 1969.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MCGEE and Mr. FONG members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 69–5.

A COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON PUBLIC WORKS

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Public Works, which was read and referred to the Committee on Appropriations:

MAY 5, 1969.

HON. JOHN W. MCCORMACK,
Speaker of the House,
The Capitol,
Washington, D.C.

MY DEAR MR. SPEAKER: Pursuant to the provisions of the Public Buildings Act of 1959, the Committee on Public Works of the House of Representatives on May 5, 1969, approved the following public building projects:

Montgomery, Alabama: Post Office and Vehicle Maintenance Facility.

Little Rock, Arkansas: Post Office and Vehicle Maintenance Facility.

Inglewood, California: Post Office Facility.

Los Angeles, California: Post Office and Vehicle Maintenance Facility.

Colorado Springs, Colorado: Post Office and Vehicle Maintenance Facility.

Hartford, Connecticut: Post Office and Vehicle Maintenance Facility.

Stamford, Connecticut: Post Office and Vehicle Maintenance Facility.

Tallahassee, Florida: Post Office and Vehicle Maintenance Facility.

Bloomington, Illinois: Post Office Facility.

Rockford, Illinois: Post Office and Vehicle Maintenance Facility.

Terre Haute, Indiana: Post Office and Vehicle Maintenance Facility.

Lexington, Kentucky: Post Office and Vehicle Maintenance Facility.

Shreveport, Louisiana: (a) Post Office Facility; (b) Leased Courthouse and Federal Office Building.

Minneapolis-St. Paul, Minnesota: Post Office and Vehicle Maintenance Facility.

St. Louis, Missouri: Post Office Extension (Revision) (1720 Market St.).

Billings, Montana: Post Office and Vehicle Maintenance Facility.

Reno, Nevada: Post Office and Vehicle Maintenance Facility.

Camden, New Jersey: Post Office and Vehicle Maintenance Facility.

Huntington Station, New York: Post Office Facility.

Yonkers, New York: Post Office and Vehicle Maintenance Facility.

Cleveland, Ohio: Post Office and Vehicle Maintenance Facility.

Salem, Oregon: Post Office and Vehicle Maintenance Facility.

Knoxville, Tennessee: Post Office and Vehicle Maintenance Facility.

Nashville, Tennessee: Post Office and Vehicle Maintenance Facility.

Amarillo, Texas: Post Office and Vehicle Maintenance Facility.

Fort Worth, Texas: Post Office and Vehicle Maintenance Facility.

Waco, Texas: Post Office and Vehicle Maintenance Facility.

Charlottesville, Virginia: Post Office and Vehicle Maintenance Facility.

Charleston, West Virginia: Post Office Facility.

Reston, Virginia: Leased Space for Geological Survey, Department of the Interior.

Beltsville, Maryland: Federal Law Enforcement Training Center.

West Branch, Iowa: Herbert Hoover Library (Extension and Modernization).

Abilene, Kansas: Eisenhower Museum (Extension and Modernization).

Total, 34 projects.

Sincerely yours,

GEORGE H. FALLON,
Chairman.

HOWARD UNIVERSITY

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, for weeks now the campus of Howard University has been torn by dissension, buildings have been seized by students and classes have been disrupted. This university, with its proud tradition of service to the American community, has found itself under attack by those whom it is attempting to serve.

Howard University was incorporated by Federal charter in 1867. Since that time, its operational budget, year after year, has been substantially supplied by Congress. It is almost unique among higher education institutions of the country in this respect. Its continued welfare and its effective function are thus a matter of immediate congressional concern.

Today the gentleman from Minnesota, Congressman QUIE, and I are introducing a bill which would modify the manner in which members of the board of trustees of Howard University are chosen. Section 4 of the 1867 charter provided that there would be not less than 13 trustees and that they would be nominated by the incorporators of the university. At the present time, they number 24 members, of which three are elected by the alumni and the remaining 21 are nominated by the existing board.

I do not mean in any way to be critical of the present board. Many of them are most distinguished members of our society. They are all people with high public standards, who have given much of their lives to public service and who have responded most willingly to the burdens of their work as trustees.

It has seemed to me, however, that the board of trustees might be made more immediately responsive to the needs of our society and to those groups in the society who have a most direct stake in the university by appropriate modification in the procedure for nomination. In order that the responsibility might be

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concentrated rather than diffused, I believe it also of value that the number of trustees be reduced.

Therefore, my bill would set the number of trustees at 15. Of that 15, a majority of eight would be appointed by the President of the United States.

I think it also proper that those groups on campus who have the most direct stake in its effective functioning be also given representation on the board of trustees. Accordingly, this bill provides that of the remaining seven members of the board, two would be elected by the tenured faculty, three by the alumni, and two by the students. Student trustees must be full-time students in the last year of the school in which they are enrolled. They might be senior students in the undergraduate college or third-year law students or students in the last year of their doctoral work.

Mr. Speaker, this bill does not solve the problems of Howard University. Howard University must solve its own problems. This bill is an attempt to streamline and make more effective the board of trustees of that institution so that it can address itself with greater force and effect to the job of solving Howard University's problems.

POOR PEOPLE'S CAMPAIGN—CHAPTER II

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, today the Reverend Ralph David Abernathy, president of the Southern Christian Leadership Conference, is in the Nation's Capital to lead the second chapter of the poor people's campaign.

One year ago Dr. Abernathy organized the poor people's campaign after the tragic assassination of the Reverend Dr. Martin Luther King, Jr., established Resurrection City, and sought to redress the long-standing and legitimate grievances of the poor. The poor people's campaign dramatized the urgency of eliminating poverty and hunger in America as well as the distortions in our national priorities. Yet, 1 year later the executive branch and the Congress have not taken essential action to meet the urgent unmet needs of our Nation. The war in Vietnam continues to take its toll in the sacrifice of lives, the waste of billions of dollars, and the deepening divisions in our society.

Yesterday Dr. Abernathy was in Charleston, S.C., where I was pleased to join him in support of the striking hospital workers who seek only a decent wage and the right to organize and bargain collectively. Their fight for economic justice is the fight of the Southern Christian Leadership Conference which has said that the second chapter of the poor people's campaign "involves organizing poor workers into unions and demanding the rights of poor people in communities across America and at the Federal Government in Washington, D.C."

I believe that it is imperative that Congress recognize the importance of the strike in Charleston and the necessity of responding to the 10 demands which Dr. Abernathy will present to the administration and Congress this week. For both the strike and the second phase of the poor people's campaign focus upon the unmet domestic needs of our Nation, which because of the justice and urgency of their nature, must receive first priority from Congress.

The strike in Charleston—as organized locally by the members of Local 1199B of the Hospital and Drug Workers Union—originally grew out of the arbitrary dismissal of 12 Negro nonprofessional workers employed by the South Carolina Medical College Hospital and the Charleston County Hospital. The workers believe—and with considerable justice—that the 12 employees dismissed were the victims of racial discrimination and unfair employment practices.

Even before the incident, however, nonprofessional employees at the two hospitals had been growing increasingly conscious of the fact that they were being denied fundamental rights to organize and bargain collectively which the vast majority of workers in American industry have enjoyed for over 30 years.

The wages for the nonprofessional employees were, and continue to be, abysmal. The hourly wage is only $1.30. How can any employee support his family on a weekly pay check of $52—which is what these workers are receiving for a 40-hour workweek?

The use of the strike is hardly a new tactic. It has been used by almost every labor organization struggling to achieve justice for its workers and has succeeded in achieving substantial gains in wages and working conditions for millions of Americans.

The striking workers in Charleston demand no more than that which has been accorded other workers. They ask only that they be given a decent day's wage for their toil, and that they be granted the right to work collectively to attain their goals. Their demand is just.

What has the response of the State of South Carolina been to these moderate—indeed traditional—demands? South Carolina authorities have refused to even negotiate with the leaders of the strike and have sought instead to crush the strike through mass arrests and the prolonged imprisonment of the union's leaders and supporters. Unwilling to face their responsibilities and the economic realities of the 20th century, State officials have resorted to repression and intransigence in the hope that the strike will lose momentum and wither away.

But the strike has not lost momentum, and the determination of the hospital workers to win their rights has not diminished. As the Reverend Ralph D. Abernathy said on April 29, 1969, in a letter written in the Charleston jail:

> We will teach until America feeds her hungry; we will teach until this rich and wealthy Nation puts an end to poverty; we will teach until a just, national welfare system is instituted; we will teach until America decides to do away with its slums and provide decent housing for all. We will teach until South Carolina recognizes the rights of its poor to organize and accept local 1199B as the official bargaining agent for nonprofessional workers in Charleston's county and medical college hospitals.

The efforts to achieve decent wages and working conditions are not confined to South Carolina. As Dr. Abernathy has made clear, the poor people's campaign has set as one of its primary goals for 1969 the unionization of poor workers in unions in order to achieve fundamental rights.

The Southern Christian Leadership Conference has set forth 10 demands for chapter II of the poor people's campaign. If these demands are to receive the widest possible discussion and understanding in the Federal Government, then President Nixon should direct the appropriate Cabinet officials to meet individually with Dr. Abernathy in order to obtain an understanding of how their departments can best respond to the demands of the poor people's campaign. Department heads have canceled appointments made over a month ago because the President plans a full Cabinet meeting with the leaders of the poor people's campaign. However, it is on the level of individual departments—and not a 45-minute Cabinet meeting that gains are most likely to be obtained.

One year ago the urgency of responding to the needs of our disadvantaged citizens—whether white or black—was eloquently articulated by the President's National Advisory Commission on Civil Disorders. That Commission—composed of men and women of stature and reputation—studied the needs of our Nation thoroughly and provided a blueprint for action. Today that blueprint remains unfulfilled.

As the report of the National Urban Coalition recently made clear, none of the pressing domestic needs of our country has received adequate treatment from Congress, and in most areas—including housing, education, employment, and our polluted atmosphere—the report concluded that absolutely no progress had been made.

Mr. Speaker, we cannot allow another year to pass. We cannot afford to have yet another session of Congress yield "no progress."

The Charleston strike offers the Federal Government the opportunity to actively involve itself in securing justice and a better life for Americans too long denied their most basic economic rights.

The President should use his influence to secure prompt negotiations and not be content to direct the Attorney General to send "observers" to the scene.

Similarly, the administration must heed the demands of the poor people's campaign, for those demands constitute the agenda of domestic needs that must be the first priority of both the administration and the Congress.

I include at this point in the RECORD the text of the "Letter From a Charleston Jail" written by the Reverend Ralph D. Abernathy, and the demands of phase II of the poor people's campaign, 1969, as outlined by the Southern Christian Leadership Conference:

A LETTER FROM THE CHARLESTON COUNTY JAIL

(By Dr. Ralph David Abernathy)

CHARLESTON COUNTY JAIL,
Charleston, S.C., April 29, 1969.

MY DEAR FRIENDS OF CHARLESTON: Sitting here in a cell of the Charleston County Jail of the State of South Carolina, I am moved to write you a letter. I can no longer keep my peace when I see "An Open Letter to Members of the Clergy Concerned Committee" in the *News and Courier* and the *Evening Post*.

You may not realize it, but the Clergy Concerned Committee is merely seeking through non-violent means to solve an unjust practice perpetrated against black and white poor here in Charleston. Please do not tell the Clergy to return to their churches, for this is in conflict with their orders from God. We clergy are commanded to go into the highways and byways—not into a building called a temple, a cathedral, or a church.

These men of good will are trying to administer preventive measures to a potentially explosive situation. In fact, they are carrying out their commission as Rabbis, Priests and Pastors and it is your duty if you are a Man of Religion to join them and, above all, encourage them to do their duty. If you are not a Man of Religion, but love America, the state of South Carolina and, above all, Charleston, then you should do all in your power to bring about a peaceful solution to this problem by seeing to it that the poor people of Local 1199B are recognized as a union by this State with full authority to bargain for the rights of its workers so that violence will not erupt in this physically beautiful and historic city.

I need not remind you of your letter, for I am certain that you helped write it or approved its contents, that is, since your name is attached and it is reported that you and your colleagues paid for it, but please let me speak briefly to some of its contents:

1. You said, "We commend all efforts that you may exert in spreading the morality contained in the Ten Commandments and the teachings of Our Lord and Savior Jesus Christ." Jesus said, *"Thou shall love the Lord thy God with all thy heart . . . and thou shall love thy neighbor as thyself."* Love is not a sentimental word spoken or expressed in periods of deep emotion. Love is life's most lasting and endurable force. It expresses itself in action. It sends a mother into the dangers of the streets to try and rescue her child; it makes a father rise early in the morning and brave the winter storms, rain, snow and sleet in order to provide for his family and secure the funds necessary to send his children to college. Love causes young men to leave mother and father, sister and brother and answer the summons and even die, if necessary, to defend this democracy. Love causes many of us to go to jail, march in the streets and deny ourselves the comforts of American life in order to make democracy and its promises a reality for all Americans, black and white, rich and poor. Love is greater than faith, it is more powerful than hope. Love is a just and powerful feeling for God and man in action. This is the true meaning of the Ten Commandments. So, if we love as commanded by God through Moses, then we love Local 1199B and will act until it is recognized as a bargaining unit for the non-professional workers.

2. You stated that, "We are totally opposed to your becoming involved in this dispute between employees and employers at the Medical College and the County Hospital on your contention that it is your religious duty." Nothing could be more misleading than this statement. I find it difficult to believe that you are not aware of the fact that it is the Clergyman's religious duty to become involved in the dispute between employees and employers at the Medical College and the County Hospital. Jesus Christ made it crystal clear when he said almost 2000 years ago, *"The Spirit of the Lord is upon Me, because He has anointed me to preach the Gospel to the poor; He has sent me to heal the hearts, to free the captives, to set at liberty them that are bruised and to proclaim the acceptable year of the Lord!"* Jesus also said, *"If any man will come after me, let him deny himself, take up his cross and follow me."* We must follow Him in freeing the captives and the poor non-professional workers at the Medical College and County Hospitals. They have a just and honest right to organize a labor union.

3. In paragraph three you said to the Concerned Clergy Committee, "We call your attention to the history of the past few years of demonstrations and the chaos they led to in many cities throughout the country." Only a brief comment from me on this is necessary. For every intelligent person knows that this nation came into being out of protest. Remember the Boston Tea Party, remember the words of early white Americans to the mother country England: "There must not be taxation without representation." Well, I guess you say this kind of protest is all right for affluent white America, but not for black, brown, yellow, red and even white poor Americans. Let me remind you that peaceful, orderly and non-violent protest against what one feels to be unjust is an American right, guaranteed by the Constitution of the United States. It was through these demonstrations that you speak of that black Americans won the most basic American right, the right to vote here in South Carolina and throughout the South. It was not until these demonstrations which you claim led to chaos that black people, regardless of education or economic standing, won the right to eat at certain lunch counters; live in downtown hotels and motels. In fact, it was not until the demonstrations of which you speak, that we finally got the comprehensive Civil Rights of 1964.

4. In your fourth call you state, "We call attention to the violence, destruction, murder and arson to which these demonstrations have led." I would be the first to admit that murder, destruction, violence and arson came as we demonstrated for our rights. I can do this with authority, for I was a victim. But where did this violence, murder, destruction and arson come from? It came from the white community. It came from your people and not from black people. Today, we must try to understand that a state which refuses to serve and recognize its poor people is itself doing violence to the poor and keeping them down in poverty.

5. In the next paragraph you say, "We call your attention to the suffering created among the people that you ostensibly would help." Well, let me tell you that black people have been suffering a long time. We have suffered in this country ever since we landed here in 1619, one year before the Pilgrim fathers. We suffered the inhumane treatment of slavery for 244 years. We cleared the new grounds; we dug ditches; we made cotton king by working in the fields from sun-up to sun-down without pay or wages. In fact, we were not considered persons, but property, subject to the dictation of our owners. And now for 106 years we have suffered under a theory of "Separate but Equal" and under the unfulfilled promise of justice and equality for all. We have suffered in spite of our love and loyalty to this, our country. If we could endure these 350 years of suffering, we don't mind a little more suffering in order to achieve those rights to which we are duly entitled.

6. In your sixth paragraph you make many ill-considered accusations against us. This is the most unacceptable of all you had to say. How can you fail to see that any nation which denies necessities to the masses only to give luxuries to the classes is digging its own grave and it will not be long before that nation fills it? This is what led to the fall of the Roman Empire centuries ago. In spite of her military power and financial resources, Rome crumbled because she left the poor out of the mainstream of her social, economic, and political life. History does repeat itself at intervals, and unless you help me and the Concerned Clergy wake up this nation, then America's fate shall be the same as other nations which forgot God and ignored the cries of their poor.

Undoubtedly, you misunderstood the purpose of the Concerned Clergy Committee. The purpose of this Committee is not to *divide* the people; its purpose is to try and bring us together by getting Local 1199B recognized as a union so that it may bargain for the rights of non-professional hospital workers. Doctors are organized and their Medical Association is recognized. Nurses are organized and their groups stand up for their rights. The hospital administrators are organized, and that is why the target is so clear. Why do you have a Chamber of Commerce here in Charleston? Why? Because you are organized. There are unions all over South Carolina, but not for poor hospital workers. Please tell me why? Is it simply because they are poor or is it because all poor, black and white, brown and yellow and even red, are getting together and this represents a force too powerful for you to deal with? Are you afraid that, "You are going to reap what you have sown?"

This is a purely non-violent movement and we will not be led to believe, as you allege, that anyone in our ranks is making threats, intimidating any one over the telephones or having direct confrontations or making physical attacks on any workers at bus stops and parking lots because they dare to speak out. We cannot control everybody, any more than you can, but I will say that unless this strike is settled, you will have much more violence. If the S.C.L.C. (Southern Christian Leadership Conference) was not here and the Concerned Clergy was not on the job, there would be violence which would destroy life and property and bring shame upon this proud and old historic city.

"There is nothing in the world that is more powerful than an idea whose time is come," says Victor Hugo. An idea of total freedom has come to the black community; an idea to organize the poor is on the horizon; a non-violent revolution is taking place, and *no* force can stop it. No, not even the state troopers and the National Guard with fixed bayonets, guns, clubs, tear gas and tanks; no force can stop this idea, not even the armed forces of the Federal government. The wealth of this rich land must be more equally distributed and there will be no more tyranny. You may crush it here with force, but it will spring up somewhere else.

Finally, my brethren, let me say to you that we are not Communist. We want not and will have no part of a godless, atheist, totalitarian form of Communism. But neither will we have a dictatorial, repressive so-called Democracy. We love our country. I fought in the latter years of World War II to defend this Nation. You can trace the course of the American Revolution to the present ungodly, unwinable and senseless war in Viet Nam. All people of good will stand as a mighty force, black and white, rich and poor, Ph.D. and no D, until America lives up to the principles on which it was founded.

Let me assure you that as we go we will

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"teach the word of God so that all of our people will live together in peace and harmony," as you suggest. But we will teach that God is love and that He is the Father of all mankind. We will teach that we are all brothers. We will teach that this is our Father's world and that all men are entitled to enjoy the blessings of the land. We will teach until America feeds her hungry; we will teach until this rich and wealthy nation puts an end to poverty; we will teach until a just, National Welfare System is instituted; we will teach until America decides to do away with its slums and provide decent housing for all. We will teach until South Carolina recognizes the rights of its poor to organize and accept Local 1199B as the official bargaining agent for the non-professional workers in Charleston's County and Medical College Hospitals. In fact, we will teach until "every valley of America is exalted, the hills and the plains are made low, the crooked straight and the rough places made smooth." We will teach until America is truly the land of the free and the home of the brave.

The Southern Christian Leadership Conference is determined to stay in Charleston until the poor hospital workers obtain justice. We are the organization which began with the 381-day Montgomery Bus Boycott of 1955-1956, and we have grown and become stronger ever since, with friends in every part of the nation who will respond when we call.

I sincerely hope that by the time you read this, Charleston will have come abreast of most of the rest of the nation in understanding that all working men and women have a right to organize a union of their own choosing.

Yours for a nation that is true to its principles and just to its poor, I remain,

Sincerely,

RALPH DAVID ABERNATHY,
President, Southern Christian Leadership Conference.

DEMANDS FOR CHAPTER II OF THE POOR PEOPLES CAMPAIGN, SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE

MAJOR UNMET DEMANDS OF CHAPTER I, POOR PEOPLES CAMPAIGN (1968)

1. That hunger in America be eliminated.

2. That the Department of Labor support a jobs bill guaranteeing employment to every person able to work.

3. That a federal standard of welfare be enacted; that the "freeze" on AFDC recipients be repealed and that welfare assistance to unemployed fathers be made mandatory on the states.

4. That federal civil rights statutes covering jobs, schools, housing, hospitals, etc., be vigorously enforced by the Department of Justice.

5. That HUD provide a specific 5-year plan to build low-income housing units and vigorously enforce the 1968 open housing act.

6. That a priority on comprehensive health services for the poor be adopted by HEW.

7. That segregation and discrimination in Department of Agriculture programs be eliminated.

CHAPTER II DEMANDS

The poor peoples campaign (chapter II) makes the following ten demands upon the administration, the Congress and the country on behalf of the black, white, Mexican-American, Puerto-Rican and Indian poor:

1. That hunger be wiped out in America now. All persons with incomes of less than $3,000.00 per year should be provided free food stamps. A minimum of $2½ billion additional monies for fiscal 1970 should be immediately appropriated in order to insure an adequate diet to every needy person.

2. That an adequate Federal standard of welfare be immediately implemented, and that legislation be enacted to guarantee an annual income above the poverty level for every poor person. We also demand immediate repeal of the "freeze" on AFDC recipients and we demand the mandatory adoption by states of welfare assistance to unemployed fathers.

3. That a comprehensive jobs bill be adopted to provide 3 million new jobs in the private and public sectors for the unemployed. We also strongly demand that the federal government effectively enforce Executive Order 11246 and stop spending billions of federal tax dollars annually to foster racial segregation and discrimination through federal contracts.

4. That every poor child be provided a quality education. And that Title I and other education funds be appropriated on an equal basis to white and black, rich and poor. That HEW insure that local school districts comply with Title VI by completely ending the dual school system by the fall of 1969.

5. That the Vietnam war be ended promptly and that rising military expenditures be drastically cut back so that desperately needed funds can be shifted to the crying domestic needs that are tearing this nation apart. We also demand that the projected ABM expenditures be abandoned and that the military draft be changed so as not to discriminate against the poor.

6. That title VII of the Civil Rights Act of 1964 and the National Labor Relations Act be expanded to cover employment by State and local governments and private non-profit institutions and that the rights of public employees and farm workers be protected by collective bargaining.

7. That full appropriations originally authorized be provided for the Housing and Urban Development Act of 1968, and that a housing trust fund be established which will guarantee a continuous supply of decent housing for the poor and the prompt and orderly reconstruction of our cities and rural areas. That fair housing laws be vigorously implemented to provide true housing choice for the poor and for Americans now deprived of such choice because of skin color or race.

8. That a national health program for the poor be implemented.

9. That 18-year-olds be granted the right to vote.

10. That increases in public assistance benefits and social security benefits be based on the cost of living index. And that fundamental tax reform measures be enacted to redistribute the burden the poor and the non-poor carry under the present discriminatory tax system.

PRESIDENT NIXON MUST ACT IN THE CHARLESTON HOSPITAL WORKERS STRIKE

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, yesterday, along with several of my colleagues, I participated in a very moving rally in Charleston, S.C., in support of the striking hospital workers. Some 500 nonprofessional employees of the South Carolina Medical College and the Charleston County Hospital have been on strike in that city for over 6 weeks now. They seek an increased wage of 30 cents an hour, hardly an unreasonable demand in view of the fact that these workers now receive only $1.30 per hour, or $52 for a 40-hour week. They also seek the right to bargain collectively for wages and working conditions—rights which have been guaranteed to most workers in American industry for over three decades.

The South Carolina authorities have responded to the strike with repression and force. Hundreds of arrests have been made, and arrests have also been used to remove the leadership of the strike. Leon Davis, the president of Local 1199 of the Drug and Hospital Employees Union, and the Reverend Ralph D. Abernathy, the president of the Southern Christian Leadership Conference which has thrown its support behind the strike, have been jailed.

The situation in Charleston closely resembles Memphis 1 year ago, where the Reverend Martin Luther King, Jr., was struck down by an assassin's bullet while he was providing leadership and inspiration to the long-oppressed and exploited sanitation workers of that city, who also sought higher wages and the right to organize as a union.

Yesterday's rally—which included Reverend Abernathy, Walter Reuther, numerous labor and civil rights leaders, and Members of Congress—conveyed to the Nation the overriding necessity of the hour: that the Governor of South Carolina face up to the realities of the 20th century and negotiate with the strike leaders. Continued intransigence by South Carolina authorities in the face of the overwhelming support for, and justice of, the demands of the workers cannot be countenanced.

Mr. Speaker, the strike in Charleston has become more than a local issue. The situation in that city is a matter of grave concern and importance to the entire Nation. Therefore, I again call upon President Nixon to actively intervene in the strike. It is not enough to send "observers," as the President informed me, he has directed the Attorney General to do. He must lend the influence of his office to achieving a settlement, so that the Charleston hospital workers have the right to a living wage and decent working conditions, and also to guarantee them the right to organize collectively as a union in order to better represent their interests. Through his office the President must also make it clear that nonprofit hospitals and State and local governments have a responsibility to deal with their employees in a fair and equitable manner.

One year ago the poor people's campaign came to Washington to focus attention on the urgency of implementing the recommendations of the President's National Advisory Commission on Civil Disorders. Congress and the administration were, regrettably, insufficiently responsive to that plea. After a year, the report of the National Urban Coalition has told us, the gaps in income and living standards that the President's Commission pointed up are even wider.

Reverend Abernathy, who as head of the Southern Christian Leadership Conference, led the poor people's campaign last spring, will be in Washington this week again to press the demands of the campaign on the administration. While

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Reverend Abernathy had obtained individual appointments with several Cabinet officers in order to discuss how each Federal agency could respond to the urgent need for action, the press reports of yesterday indicate that President Nixon has now ordered Cabinet officers to meet with Reverend Abernathy as a group.

I call upon the President to direct each Cabinet officer to meet individually with Reverend Abernathy—in addition to the meeting with the Cabinet as a whole—so as to learn specifically the demands of the poor people's campaign affecting his particular department. In the face of the overwhelming needs of our disadvantaged and exploited citizens, we cannot permit yet another year of inaction to pass.

CHANGE IN LEGISLATIVE PROGRAM

(Mr. BOGGS asked and was given permission to address the House for 1 minute.)

Mr. BOGGS. Mr. Speaker, I take this time to announce for the benefit of the Members that on tomorrow the bills reported unanimously by the Committee on Ways and Means some weeks past and listed previously in the CONGRESSIONAL RECORD for May 7 will be called up in place of the bills reported out by the Military Affairs Subcommittee of the Committee on Armed Services.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I will be happy to yield to the minority leader.

Mr. GERALD R. FORD. Does that mean those five bills or at least the bills listed for Tuesday from the Committee on Armed Services will come up later in the week probably?

Mr. BOGGS. Probably. It is dependent on the request of the chairman of the committee. He has asked they not be called up tomorrow.

DEAD-LETTER OFFICE

(Mr. HOWARD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HOWARD. Mr. Speaker, there is a dead-letter office downtown. It is also sometimes referred to as the Office of the Secretary of Interior, Mr. Hickel.

As a member of the Public Works Committee and the Subcommittee on Rivers and Harbors, and concerned about Secretary-designate Hickel's views on conservation in general, and a proposed Sandy Hook National Seashore in the State of New Jersey in particular, I wrote to Mr. Hickel on January 8 of this year requesting his views on these two subjects.

This letter was sent to him at the statehouse in Alaska. On January 14, a similar letter was sent to him at his transition office in room 5150 at the Interior Department here in Washington.

The proposal for a national seashore at Sandy Hook, which is pending legislation, was thoroughly investigated and reviewed by former Secretary Stewart Udall. Before leaving office, Mr. Udall formally endorsed the proposal.

After waiting for more than 2 months for a reply from Mr. Hickel, I again wrote to him on March 18 of this year. The only response to this letter was a phone call from Mr. Hickel's staff to my staff explaining that since the Secretary received my first two letters a few days before his confirmation, he felt he did not have to answer them, which is unique thinking in itself. I was also informed that a formal, written reply would be forthcoming.

Since that time I have heard absolutely nothing from Secretary Hickel, if indeed there actually is a Secretary Hickel.

But, 2 weeks ago I read a report in my own local newspaper—a press release distributed by the senior Senator from my State, who is a Republican, concerning the Interior Department's response to the very questions I asked of the Secretary.

I would hate to believe that the Secretary of Interior is playing partisan politics with our Nation's resources, and I wonder, Mr. Speaker, if it is going to be the policy of this administration to ignore correspondence from Democratic Members of Congress. I also wonder whether or not my only means of obtaining information for the next 3½ years will come from reading the press releases issued by the Republican senior Senator from my State.

The letters referred to follow:

JANUARY 8, 1969.

HON. WALTER H. HICKEL,
Secretary of the Interior-Designate,
State House, Juneau, Alaska.

DEAR GOVERNOR HICKEL: I am taking this opportunity to write you in order to respectfully seek out your position on two specific items, mainly, federal standards for water pollution control and secondly, the need for more national federal parks and seashores, particularly in the industrialized East.

The reason I am writing is that I have read several newspaper clippings which would indicate that you may be opposed to strong federal standards for water pollution control and secondly, that you might not be as strong a supporter of a proposed Sandy Hook National Seashore in the State of New Jersey as I would hope.

Mr. Hickel, I could not disagree more with those who feel there is not a need for strong water pollution control minimum standards.

It is my position that the strongest water pollution control in one state is no more helpful than the weakest water pollution standards in any neighboring state.

It is absolutely mandatory—if we are ever to clean up our Nation's rivers and streams—to demand uniform strong water pollution control minimum standards throughout the United States. If we fail to have a single national minimum standard for water pollution control, then industries which pollute our rivers and streams would be moving into the states which would offer them the weakest water pollution control laws.

Failing to have a single national minimum standard for water pollution control also would allow states to pollute the waters of states downstream from them.

In October, the Advisory Board on National Parks, Historic Sites, Buildings and Monuments recommended establishment of a Sandy Hook National Seashore in New Jersey. This would be made possible through legislation I introduced in the 90th Congress, and have reintroduced in the 91st Congress.

Once this area is so designated, of course, it would be administered by the National Park Service of the Interior Department. The legislation has the support of various conservation groups and many members of Congress, both Republican and Democrat alike.

I respectfully urge your support of this plan.

Thank you for giving this letter your attention.

Sincerely yours,

JAMES J. HOWARD,
Member of Congress.

MARCH 18, 1969.

HON. WALTER H. HICKEL,
Secretary of the Interior,
Interior Building,
Washington, D.C.

DEAR MR. SECRETARY: Under date of January 8, 1969, and again on January 14, 1969, I wrote to you requesting your position regarding federal standards for water pollution control and the need for more federal parks and seashores, particularly in the industrialized East.

To date I have received no reply, and am fearful that perhaps my letters were either lost or misplaced.

I wonder if I may hear from you on these two very important issues.

Thank you, for your attention to this request.

Sincerely,

JAMES J. HOWARD,
Member of Congress.

THE ADMINISTRATION'S DESIRE TO RESTORE A SENSE OF BALANCE AND ORDER ON MANY OF OUR COLLEGE AND UNIVERSITY CAMPUSES

(Mr. WRIGHT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include a letter.)

Mr. WRIGHT. Mr. Speaker, the administration has repeatedly spoken of its desire to help restore a sense of balance and order to the sometimes unrestrained turmoil which is sweeping many of our college and university campuses.

What the Federal Government can appropriately do is, of course, limited. The restoration and maintenance of orderly behavior has been largely a task for school and local officials.

Last Thursday night, however, acts of terror and interference committed against police and firemen attempting to protect property and restore order at Howard University clearly constitute federally punishable offenses under the Civil Rights Act of 1967.

On Friday, I wrote a letter to Attorney General John N. Mitchell, a copy of which I include herewith, calling upon him to enforce this act by swiftly apprehending, arresting, and prosecuting those who committed these flagrant acts of anarchy against the police and firemen of the District of Columbia.

In this case the law is clear. The Justice Department has not only the clear legal right but the clear legal duty to act decisively.

The letter referred to follows:

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MAY 9, 1969.

Attorney General JOHN N. MITCHELL,
Department of Justice,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: Last night arsonists set fire to one of the buildings at Howard University. Firemen, called to extinguish the flames, were subjected to stoning. A fire engine itself was deliberately ignited at 5th and Howard Streets.

Police, acting to restore order, were subjected to harrassment and interference. Police Captain O'Neill was stoned, and the deliberate terror tactics of indiscriminately barraging and assaulting vehicular traffic prevented a summoned ambulance from continuing until a police escort could be provided.

These acts of terror, lawlessness and anarchy directed against police and firemen, obviously constitute open and flagrant violations of the Civil Rights Act of 1967.

That act contains a provision, of my authorship, which makes it a Federally punishable offense to interfere physically or to attempt such interference with police or firemen engaged in their lawful duties of restoring order in connection with a civil disturbance.

Anyone committing this offense is subject to Federal prosecution, a $10,000 fine and/or imprisonment up to ten years.

The purpose of this letter is to urge that immediate action be taken to identify, apprehend, arrest and bring to justice those who perpetrated these criminal acts against the police and firemen of the District of Columbia last night.

Swift and decisive action by the Department of Justice in this immediate instance may act as an effective deterrent against other lawless elements throughout the nation in the current wave of increasingly violent campus disturbances directed against various institutions of higher learning.

If forceful and effective action is not immediately forthcoming in the present case, then this failure will be noted by those same lawless elements, and this very failure undoubtedly will encourage similar violent acts of nihilism, anarchy and outright open rebellion against duly constituted civil authority.

In the specific case of Howard University and the deliberate damage by fire of the R.O.T.C. building, it seems probable that additional Federal action would lie against the arsonists themselves for willful destruction of Federal property.

The time has come, Mr. Attorney-General, for a vigorous and unmistakeable demonstration that our civilized society can protect itself, that it has every right to protect itself, and that it will protect itself against wanton acts committed by those who seem bent upon destroying the very fabric of society itself.

Very sincerely yours,

JIM WRIGHT.

THE ADMINISTRATION TO TAKE A HARD LOOK AT THE PROBLEM OF OIL DEPLETION ALLOWANCES

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, I am pleased to learn that the Secretary of the Department of Interior is willing to concede that the administration is going to take a hard look at the problem of oil depletion allowances and the problem of oil import quotas.

I want the administration to take a hard look and to come up with an early report so that the Committee on Ways and Means which is currently considering tax reform legislation may have the benefit of the administration's views on oil taxation in time to provide action thereon during the current work on the tax reform program.

Mr. Speaker, there can be no adequate tax reform program unless oil is included. For too long a time oil has enjoyed special tax privileges which erode our tax system and make it unfair.

The current effort in the Committee on Ways and Means is to get to the roots of this problem. If the oil tax loopholes are overlooked, the American people will never believe our work in tax reform.

THE CONTRAST BETWEEN ARTHUR GOLDBERG AND SECRETARY OF THE TREASURY DAVID M. KENNEDY

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, over the weekend, Arthur J. Goldberg, former Secretary of Labor and Supreme Court Justice, set an outstanding example for public officials throughout the land.

I quote from an Associated Press dispatch:

> Former Supreme Court Justice Arthur J. Goldberg says he will not accept a $25,000 a year pension from the United Steelworkers Union until he is sure it is proper.

The AP story goes on to say that Mr. Goldberg will have the issue reviewed by the American Bar Association to make certain it would be "free from even the appearance of impropriety."

In his statement, Mr. Goldberg revealed that he had waived his pension rights with the union when he was appointed Secretary of Labor in the Cabinet of President John F. Kennedy in 1960.

Mr. Goldberg's action in waiving his union pension is in sharp contrast with the current position of a leading Cabinet official in President Nixon's administration..

President Nixon's Secretary of the Treasury, David M. Kennedy, accepted, on January 31, a lifetime pension of $4,800 a month from the Continental-Illinois National Bank of Chicago, of which he was chairman of the board.

Mr. Kennedy is receiving this handsome bank penion at a time when he serves as Secretary of the Treasury with direct jurisdiction over the banking industry.

But, Arthur Goldberg, as Secretary of Labor in the Kennedy administration, voluntarily gave up his pension. And even now that he is in private life, Mr. Goldberg wants to make certain that a reinstatement of the pension would in no way create an appearance of impropriety because of his past service as Secretary of Labor.

Mr. Goldberg is to be commended in the highest terms. It is this type of scrupulous action by a public official that builds and maintains the public's confidence in the Federal Government.

By contrast, the present Secretary of the Treasury thumbs his nose at the public and goes right along performing his public duties, hand-in-hand with his former employer, the Continental-Illinois National Bank.

Secretary Kennedy and his aides have attempted to indicate that I am asking something unusual and extreme by demanding that he sever his ties with the bank. This is not so. All I am asking is that the Secretary not violate the law and that he not tear down the confidence of the people in their Government through a massive conflict between his public responsibilities and his private financial dealings.

Arthur Goldberg's actions over the weekend plainly demonstrate that what I am asking Secretary Kennedy is neither unusual nor extreme. If Arthur Goldberg, as Secretary of Labor, could forgo a $25,000 a year pension, then surely Secretary Kennedy—a wealthy man—could refrain from taking the $60,000 a year pension from the bank.

Mr. Speaker, the pension, of course, is but a minor part of the ties that Secretary Kennedy has had with the bank since he became a member of the Nixon Cabinet.

He also has had these benefits:

A stock option of 30,855 shares of Continental-Illinois National Bank stock worth more than $1,200,000.

A $200,000 separation gift arranged after his nomination.

A profit-sharing plan worth at least $650,000.

A continuing life insurance and health insurance program with the major cost to be paid by the bank.

In addition, Mr. Kennedy and his wife had more than 7,800 shares of Continental-Illinois National Bank stock which was to be placed in a "blind trust" with the Old Colony Trust Co. of Boston with instructions to "diversify" under prudent investment practices. But there is no assurance that any large part of this stock will be sold. The likelihood is that much of it will remain bank stock—a totally inadequate insulation from conflict of interest.

Mr. Speaker, I hope that Mr. Kennedy's defenders will study the distinct contrast between Mr. Goldberg's standards of public conduct and those of the present Secretary of the Treasury.

I place in the RECORD a copy of an article entitled, "Goldberg Requests Pension Abeyance" which appeared in the Washington Evening Star, of Sunday, May 11, 1969:

GOLDBERG REQUESTS PENSION ABEYANCE

Former Supreme Court Justice Arthur J. Goldberg says he will not accept a $25,000-a-year pension from the United Steelworkers union until he is sure it would be proper.

Goldberg was informed last Monday the union's executive board has voted to give him the pension. He said yesterday he immediately informed steelworkers President I. W. Abel that he could not accept the offer until an impartial review assured him it would be ethical.

"I believe that before the reinstatement is put into effect, there should be an impartial review and determination that such action meets the highest standards of pro-

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fessional and public ethics," Goldberg wrote in a letter to Abel Tuesday.

The former United Nations ambassador said in a telephone interview from his Virginia farm he would ask the American Bar Association to review the pension offer to determine if acceptance would "be free from even the appearance of impropriety."

The lifetime pension was revealed yesterday in a copyrighted story by the Pittsburgh Post-Gazette.

Goldberg served as the union's legal counsel from 1948 to 1961, when he was named secretary of labor by the late President John F. Kennedy. He was later appointed to the Supreme Court and then became U.S. Ambassador to the United Nations.

The former Justice said he waived the pension arrangement when he entered public life more than eight years ago. But he said the executive board's reinstatement of the pension was "an act of regard and respect by the union which I deeply appreciate."

MICHIGAN CREDIT UNIONS PROVIDING MUCH NEEDED HELP IN HOUSING MARKET

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the Michigan Credit Union League has long been recognized as one of the most progressive leagues in the country.

Over the years, the Michigan Credit Union League has worked diligently to meet the needs of its members in a rapidly expanding and changing economy. To this end, the Michigan Credit Union League is expanding on a cooperative housing program that will save credit union members up to 20 percent on the cost of a house.

Not only will the housing program provide savings for credit union members but the program will inject funds into a sagging homebuilding market and thus help the economy in general.

The April issue of Michigan Business carried a detailed article on the housing program, as well as the general operation of the Michigan Credit Union League.

I am including in my remarks a copy of the article, since it provides so dramatically another example of the outstanding work being done by credit unions across the country:

MICHIGAN CREDIT UNIONS MOUNT DRIVE TO BECOME MAJOR FACTOR IN HOUSING

Michigan's Credit Union movement—second largest in the country—is on the verge of becoming a major factor in the state's housing industry.

The instrument: the Michigan Credit Union League's cooperative housing program. Sources of mortgage funds: federal (and, eventually, state) backed housing authorities and lending agencies. Type of housing: everything from special low-cost homes and single-family detached homes to high rise apartments for low to high income families.

Michigan credit unions got the go-ahead to invest up to five percent of their capital in cooperative housing as a part of the 1967 Michigan housing act.

Now MCUL has put together a package to help its member unions—some 1,200—individually and as groups launched what Sidney C. Barnes, MCUL general counsel and director of the program, calls a "breakthrough."

There is big money involved if MCUL is successful in its housing venture. Credit unions scattered in all parts of Michigan had shares and deposits totalling about $1.2-billion at the end of 1968—of which the 5% legal limit for use in housing projects amounts to some $60-million.

Actually, the credit union funds for the most part will be used as seed money rather than permanent mortgage funds, although the latter is not prohibited and resources of some of the largest unions are capable of such financing.

As in just about everything they do, credit union leaders are approaching their new role in the housing industry with the fervor of dedicated standard bearers of a "movement"—a word that crops up in all their literature. In fact, the non-profit aspect of their charters and the growth of the movement since the early 1900's have made credit unions a thorn in the side of other financial institutions, which credit union people like to call "the establishment."

The housing program will likely be no exception to that.

Though it is carrying the ball, MCUL, based in Detroit, isn't the source of the funds. Its budget is like any other service association—paid for by pro-rated membership fees from the CU member societies. But it provides a host of services which the individual credit unions can't always afford, including sophisticated data processing equipment at its new headquarters, legal and legislative advice, insurance programs for members, auditing, credit collections, promotional material, loan and investment counseling. In other words, MCUL, like its counterparts in other states, is the professional financial and management service for the local CU's.

Single credit unions can be small entities, like the Western Michigan Gas Dealers with less than 100 members and assets of about $16,000. But there are huge groups, too, such as the Detroit Teachers Credit Union with more than 25,000 members and assets of about $50-million. Thus, through the MCUL and the big members, the credit union movement is something to reckon with just in dollars alone.

In Michigan, for instance, credit unions hold about 29% of all the outstanding consumer installment credit, or about $900-million. Commercial banks account for around 60%, finance companies 11%.

Credit unions are a potent political force, too. In Michigan, there are some 1.6-million members, topped only by California. What happens in this state has important influence all over the country.

Barnes spells out the credit unions' plans this way:

Land banking: That has already started by MCUL as a long-range plan to acquire community-size tracts of land far enough ahead of construction to get lower prices. Costs can also be cut, he says, by the Michigan credit unions' doing their own land development.

Mortgage costs: MCUL wants to reduce money costs by exerting "a certain amount of leverage . . . because of their activities in the money markets and the large volume the program involves."

Housing costs. Pre-sold housing under the MCUL plan, processing of government redtape, and large volume construction can add up to cheaper housing and can "induce early entry by industry into the field of manufactured housing."

Communities. MCUL sees the credit unions' role as building entire communities, including recreational, educational, and cultural entities, on a non-profit basis.

Credit unions, under various FHA programs, have the option of backing management-type or sales-type projects for moderate to higher income groups. Under management-type cooperatives, the cooperative members sign what amounts to a lease and pay as FHA approved carrying charge for operating expenses. New housing of almost any type is allowed and so is rehabilitation of existing rental units for conversion to co-ops.

In the sales-type arrangement, a non-profit housing corporation is formed to build single-family residences, with members becoming owners of each house when the project is completed.

Programs are also available for lower income groups and for elderly and disabled persons.

All these programs are under federal sponsorship. But now MCUL has proposed legislation in Michigan that would permit the cooperative housing program "to find new sources of revenue from conventional sources rather than be limited to state or federally-assisted programs"—broadening the entire base of the credit unions' housing plans.

What's more, Michigan credit union leaders are also hoping to expand the definition of the common bond—the key legal term—under which they are chartered by the state.

Credit unions were authorized in Michigan back in 1925, an outgrowth of a movement among the working classes of Europe back in the 1800's. (The MCUL was formed in 1934.) Legally, they had to establish a common bond or group to exist—and in this country that has been largely through employment situations.

In Michigan, by far the greater number of credit unions are based on occupational ties, such as teachers, government workers, labor unions, or individual companies. Associations—churches and fraternal organizations, for instance—also are common bonds. A small percentage, however, include groups formed from a residential common bond.

The residential category may be a sleeper. Presently the residential groups are limited, but the time could come when credit unions might embrace large community areas, perhaps a medium-sized town or city.

That the credit union movement is a vital financial instrument shows up plainly on the record. Growth in Michigan has been especially rapid since the end of World War II. In 1946, there were about 121,000 members in the state. That remained fairly static until the 1950's when the movement boomed to its present 1.6-million members.

With that size goes financial impact. Take just one area where credit unions are strong and complete directly against other financial institutions—new cars. In 1967, for example, the 513 groups reporting to MCUL had new car loans of $102-million.

It is pretty obvious that the credit union movement in Michigan is eyeing the housing market through the cooperative program as another area for growth.

MCUL has spelled out in detail how its member societies can go about establishing a cooperative housing program. A particular CU consults with an MCUL representative at which point all the services of the MCUL are brought to bear—analysis of housing needs of the members, site selection, rough cost estimates, pre-application studies for submission to government agencies, and a myriad of details to bring the deal to its closing point, not excluding the key feature—obtaining mortgage sources. MCUL will also act as the project sponsor and provide management and the first board of directors "to act for the owner-corporation" during processing and the course of construction of the project.

REVISING TRADE EXPANSION ACT

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

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Mr. MONAGAN. Mr. Speaker, today I am introducing a bill to amend the Trade Expansion Act of 1962. The bill is designed to assist domestic industries in unfair competition from foreign imports by substituting more flexible relief criteria for the rigid standards presently embodied in the act. While the original act was intended to foster foreign trade by granting tariff concessions to certain foreign producers, the act in practice does accomplish that but contains no workable standards for determining at what point the advantages gained from increased imports diminish to the point of damaging domestic producers. My bill makes effective the original congressional intent of promoting foreign trade while maintaining a true reciprocity of economic benefit to all parties involved.

I have prepared an extensive memorandum which more fully explains the implications of my bill and I include the text of the memorandum in the RECORD at this point:

EXPLANATION OF PROPOSED AMENDMENT OF ESCAPE CLAUSE CRITERIA CONTAINED IN SECTION 301(b) OF TRADE EXPANSION ACT OF 1962

Only in the very special circumstances of such industries as textiles and possibly steel can legislatively imposed mandatory import quotas be justifiable. Yet numerous small industries have pressed energetically for such mandatory quotas. These earnest pleas from small industry are symptomatic of the failure of the Congress and the Executive Branch to provide such small industries a workable means of escape from the occasionally injurious consequences of our trade expansion program of recent years.

The basic policy concept was, and is, to stimulate a longterm expansion of world trade by the gradual dismantling, on a reciprocal basis, of tariff and other trade barriers. Implicit in the concept, however, is "escape" from harmful, short-run dislocations of particular industries by rising imports. Since 1962, no effective means of escape has been available to American industry.

Most trade agreements to which the United States is a party contain escape clauses. Typical and of most general effect is Article XIX.1.(a) of the General Agreement on Tariffs and Trade.[1]

The GATT escape clause was first implemented by legislation in section 7 of the Trade Agreements Extension Act of 1951, which Act predicated eligibility for relief on an increase in imports resulting in whole or in part from a trade agreement concession and that such increased imports had contributed substantially toward causing or threatening serious injury.

During the eleven years of section 7, the Tariff Commission instituted 135 investigations at the behest of American industries and completed 113. A Commission majority recommended relief in the form of import restrictions in 33 cases and were equally divided in 8. The President proclaimed restrictions in 15 instances.

The escape clause was radically restructured in the Trade Expansion Act of 1962, and especially the criteria of eligibility for tariff adjustment, to accord with the innovation first introduced at that time of adjustment assistance to firms and workers adversely affected by increased import competition. Under the 1962 escape clause, only 12 industries have made application for relief; in not one of these cases has the Tariff Commission found the petitioning industry to be entitled to tariff adjustment.

The adjustment assistance concept introduced in 1962 was intended to offset to some extent the anticipated lesser availability of escape clause relief. But this device, too, failed to produce any useful result. A workable program of adjustment assistance is desirable in those instances where it is only the occasional firm or group of workers which for individual reasons is unable to withstand the competition of increased imports.

When, however, the adverse effect extends to entire industries or to substantial portions of an industry, to employ adjustment assistance as the escape mechanism is in effect to subsidize foreign producers and exporters from out of American public funds without a commensurate reciprocal benefit. It is difficult to understand how such subsidization can be in the public interest.

Necessary is a refashioning of the escape clause to create an effective safety valve, equitable to both American industry and to America's trading partners.

The unworkability of the present escape clause derives from the virtually insurmountable obstacles posed by the "major part" and "major factor" tests. In order for the Tariff Commission to find an industry eligible for "tariff adjustment"—i.e. withdrawal or suspension of concession duty rates, limitation of imports by quota, or negotiation of orderly marketing agreements, or certification of the firms and workers constituting the industry as eligible for adjustment assistance—it must be found that a trade agreement concession was the major cause of an increase in imports, and that the increased imports were the major factor in causing, or threatening to cause, serious injury.

CAUSAL CONNECTION BETWEEN TARIFF CONCESSION AND INCREASED IMPORTS

In practice, the Tariff Commission has by and large concentrated on causes of increased imports other than trade agreement concessions and causes of economic distress in the petitioning industries other than increased imports. While no consistent guideline as to the meaning of major causation is discernable from the Commission's reports, a reluctance to attribute fault to imports is clearly evident.

It was not the intent of the Congress in enacting the major part and major factor tests to create an impossible obstacle to escape clause relief from injurious import competition; quiet the contrary, this language was intended to prevent overly restrictive interpretations by the Tariff Commission and the President in applying the section.[2]

In practice, the Committee's intent has gone awry.

The recent Report of the Special Representative for Trade Negotiations recognizes the impossibility of this test and recommends that the requirements of a causal connection between a trade agreement concession and increased imports be eliminated.[3] This is the only workable solution, and section 1 of the proposed amendment would restore the original Congressional intent by requiring only that imports have increased.

The term "increased quantities" as used in the proposed subsection is intended to require that, if quantities of imports in a recent period reflect an absolute increase over quantities of imports in a representative base period, the total quantity of imports in such recent period shall be taken into account. Thus, if quantities of imports in a representative base period were 8 million units and the quantities in a recent period were 10 million units, the quantities of imports to be considered would be 10 million units.

The "directly competitive" imported article is intended to mean either an article which is like the domestic article and is therefore necessarily directly competitive with it, or one which is unlike the domestic article but nevertheless competes directly with it.

In cases where there is more than one directly competitive imported article, it is intended that the quantities of imports of the several imported articles shall be taken together for purposes of determining whether there have been increased quantities of imports.

By the use of the words "have been," it is intended that the increased quantities of imports shall have occurred in the recent past, although the cumulative effect of a long-term increasing trend must also be taken into account.

NEW MEASURE OF CAUSE OF SERIOUS INJURY

New subsection 301(b)(3) would provide that the Tariff Commission shall determine whether increased imports have been a *substantial factor in causing* serious injury, or threat of such injury, to a domestic producer producing like or directly competitive products.

With respect to the quantum of causation between increased imports and serious injury, the term "substantial factor in causing" is intended to require the demonstration of an actual and considerable cause. A "substantial" cause in any specific case need not, however, be greater than all other causes combined nor even greater than any other single significant cause.

SPEEDING UP THE RELIEF PROCESS

Section 2 of the bill would eliminate subsection 351(a)(4) of the TEA completely, as an inequitable protraction of the time in which the President must act following a Tariff Commission recommendation for tariff adjustment.

Under section 301(f)(2), the Tariff Commission must complete its investigation and report to the President within 6 months from the date of filing of the petition. In practice, the Commission takes the full 6 months.

After receipt of the Commission's report and recommendation, the President has under section 351(a)(2) 60 days within which to act.

However, section 351(a)(4) permits the President as a matter of discretion within the 60 day period to request additional information from the Tariff Commission, which body has then a further 120 days to supply the requested information, following which the President again has a further 60 days within which to take final action.

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[1] "If, as a result of unforeseen developments and of the effects of the obligations incurred by a contracting party under this Agreement, including tariff concessions, any product is being imported into the territory of that contracting party in such increased quantities and under such conditions as to cause or threaten serious injury to domestic producers in that territory of like or directly competitive products, the contracting party shall be free, in respect of such product, and to the extent and for such time as may be necessary to prevent or remedy such injury, to suspend the obligation in whole or in part or to withdraw or modify the concession."

[2] The Senate explained its insertion of the major cause criteria, concurred in by the House, as follows: "The bill as it came to the [Finance] committee might have made it difficult for industries which felt that they had been injured to prove their case under the escape clause. The language of the bill could have been interpreted to mean that the increased imports as a result of concessions were the sole cause of the injury. While this may not have been the intent of the bill, the amendment makes it clear that the Tariff Commission need find only that the tariff concessions have been the major cause of increased imports and that such imports have been the major cause of the injury." S. Rep. No. 2059, 87th Cong., 2d Sess., page 5.

[3] *Future United States Foreign Trade Policy*, Report to the President submitted by the Special Representative for Trade Negotiations, January 14, 1969, page 45.

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This succession of time periods permits the postponement of final action up to 14 months from the date of filing of the original petition. It is felt that 6 months for investigation and report by the Tariff Commission plus an additional 2 months for consideration and final action by the President affords adequate time to serve the purposes of the statute. Prolongation of final action by another 6 months can only be inequitable to industries which merit escape clause relief.

NARROWING THE DEFINITION OF "DOMESTIC INDUSTRY"

The foregoing amendments avail naught if in weighing "serious injury", the impact of increased imports is dissipated across a broad definition of domestic industry.

Section 3 of the proposed amendment would add a new subsection (7) to section 405 of the Trade Expansion Act to make it clear when an article is produced in a distinct part or section of a subdivision of an "establishment", even in a multi-establishment firm, that part or section will be considered an "appropriate subdivision" within the meaning of the Act for measuring injurious impact.

In an age of increasing conglomerate integration, it is necessary to give more attention to the "product line", and not to dilute the injurious impact of the imported article by spreading it over the non-related experience of the other divisions of the same business entity.

BLUE-COLLAR PAY BREAKDOWN

(Mr. VAN DEERLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VAN DEERLIN. Mr. Speaker, a deplorable situation has developed in my home community of San Diego, and it is threatening to affect other parts of the Nation as well.

Last December 25, Christmas Day, some 13,000 Government workers in San Diego were due to get a pay raise. Today, nearly 5 months later, they still have not received it.

Reasons for the delay are varied and complex. It is difficult to point the finger of blame at any one individual or organization. But regardless of who, if anyone, is at fault, the hard truth is that 13,000 loyal, hard-working citizens have become the victims of a system over which they have no control.

These men and women are among more than 800,000 "blue-collar" employees of the Government. Their pay is determined, not by act of Congress, but by the prevailing industrial rates in the areas where they are employed.

Until very recently, industry has always cooperated with the Government in volunteering salary and other payroll information needed to set the pay scales for the blue-collar workers. Like most other working Americans, they have been able to anticipate with a fair degree of accuracy when they will get their increases, and to plan their budgets accordingly. I would add that with the inflation now rampant—the cost of living rose 4.6 percent last year alone—most of us need these increases on a regular basis just to stay even.

What has happened in San Diego—and is likely to recur elsewhere unless corrective measures are taken promptly—is that certain companies are refusing to divulge data essential to the successful completion of these wage surveys. The reluctance of these firms stems from the new Federal wage board system which became effective last year and under which, for the first time, Government employee union personnel were assigned to the wage-survey teams making the comparative studies. This apparently stirred fears in the companies that sensitive job classification and salary range data might be turned over to the unions with which they must deal in negotiating contracts covering their own employees.

Information needed to complete the San Diego survey was actually turned over by the recalcitrant firms to the Defense Department—but on condition that it be held in confidence. When union representatives learned they were to be denied a portion of the data on which pay raise recommendations were based, they protested—and were upheld by Robert E. Hampton, Chairman of the Civil Service Commission, who ruled that such restricted information should not be used in setting the pay rates.

As a result of all the pulling and tugging of recent months, matters are pretty much where they were at the beginning of the year. The end of the struggle is not in sight, and the workers are deriving scant comfort from the assurance that the increases, when they do come, will be retroactive.

The situation would be bad enough if it applied only to San Diego. But ramifications of the impasse there are extending across the country. I understand that pay raises in cities such as Denver and Salt Lake City are being held up for the same reason. And a survey is due to get underway shortly in Los Angeles, where industries presumably will be guided by the same rationale as their counterparts in San Diego.

I should also point out that company resistance to union participation in the wage-setting process is not an isolated thing. Three San Diego firms have decided that the information for the wage board surveys should not be shared with union representatives. And two other manufacturers did provide the data to the wage-survey team but indicated this year would be the last time.

As I stated earlier, it is difficult to make and sustain accusations, despite the glaring injustice being done the workers. The companies understandably are concerned about compromising their position at the collective bargaining table, and the unions quite logically want to be part of the process for determing these rates.

But something has got to give. Most obviously, this system is not working. A tragedy is unfolding which apparently only Congress can prevent. I have taken the floor this afternoon simply to alert the House to the potential magnitude of the problem, and I stand ready to cooperate in every possible way with our Manpower Subcommittee in resolving it.

TO ESTABLISH A YOUTH CONSERVATION CORPS

(Mr. MEEDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEEDS. Mr. Speaker, the last several years have seen the Nation in turmoil, with racial and student problems part of our plague. A great deal of our mind and energy lately has been devoted to finding solutions which strike at the root of these pressing problems.

I am introducing today, along with Representative WYATT, of Oregon, a bill to establish a Youth Conservation Corps. For sheer numbers, few unemployment statistics compare with those for young people. Last June a total of 1,600,000 were without jobs: This represents 16.5 percent of the young men and 23 percent of the young women desiring work. The tragedy of it is that these young people are not wanting a summer of relaxation, but rather are actively seeking work and coming away empty handed. The figures also show that employers prefer not taking chances on youngsters out for their first job. Thus the youngsters go idle, and we have all seen what their idleness brings during the summer months of vacation.

My bill is designed to do five things:

First, provide gainful employment for young people 14 to 18 during the summer months;

Second, place these young people in the healthy outdoor, working environment of national public lands and recreation areas;

Third, aid in the preservation and wise utilization of our natural resources;

Fourth, generate appreciation and regard for our great natural resources; and

Fifth, create understanding among the Corps members which should lead to mutual respect.

Central to these aims and a successful program is proper representation of a variety of social, economic and racial backgrounds. The attitudes of these young people 14 to 18 are still formative and malleable. The Youth Conservation Corps experience would be instrumental, and I think effective in keeping their minds open and responsive. We can little afford to bypass this great opportunity and lock out the ills of prejudice and misunderstanding. While I do not see this program as a panacea for all our social problems, the outgrowth would be lessening of tension: with a more healthy society, the long-run effect.

In addition to aiding our youth directly, the work of the Corps would preserve and enhance our national public lands and recreation areas. I am a cosponsor of another bill which seeks to ensure a meeting of our future timber needs. Part of the Youth Conservation Corps idea dovetails with that of the Timber Supply Act, as a means for extensive reforestation and improved husbandry of our timberlands. The corpsmen would aid our reforestation projects, and our reforestation projects would help the corpsmen.

My hope is that the program would begin as a pilot project at a modest level with approximately 3,000 participants and a price tag of about $3,000,000 in the first year. One year should be sufficient time for the Corps to get on its feet, gain experience and prove its effectiveness. Subsequent years can bring expansion.

In the vein I have been talking, the conservation of natural resources has a double aspect: conservation of our young people and conservation of our great forests and public lands. Double returns for a single price.

NATIONAL SMALL BUSINESS WEEK

(Mr. EVINS of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVINS of Tennessee. Mr. Speaker, today marks the beginning of National Small Business Week, and I want to join with others in paying tribute to the Nation's 5 million small businessmen.

Our small businessmen are the keystone of our economic system.

Our small businessmen are the watchmen on the walls of our great free enterprise system.

Our small businessmen are the guardians of competition, the heart and soul of our free economy.

Like the Biblical David the small businessman stands strong against the corporate giants that challenge his very existence.

Never before in history have our small businessmen been subjected to the competitive pressures they are experiencing today.

Chain stores, joint ventures, exodus to suburbia, urban renewal dislocation, discount houses, big business shopping centers, automation, electronic computers, and the general trend toward giantism remind us that the competitive status of the small business segment of our economy must be constantly observed in order to maintain a truly competitive free enterprise system.

The Select Committee on Small Business—which I am honored to serve as chairman—is working constantly in many areas to assist small businessmen to cope with these tremendous problems. Our subcommittees and our staff are working daily on many areas to strengthen the hand of the small businessman and to assure him a free, competitive market.

The committee is following the mandate of the Congress:

> It is the declared policy of the Congress that the Government should aid, counsel and assist and protect insofar as is possible the interests of small business concerns in order to preserve free competitive enterprise to assure that a fair proportion of the total purchases and contracts or subcontracts for property and services for the Government be placed with small business . . . to maintain and strengthen the overall economy of the Nation.

During Small Business Week a number of outstanding activities have been scheduled. The National Advisory Council of the Small Business Administration will hold its annual meeting at the Mayflower Hotel, May 11 to 13.

Seventy-three members of the Council, representing all 50 States, Guam and Puerto Rico, will be present.

The National Small Businessman of the Year will be selected.

Simultaneously, at the State level, the Governor of each State will present an award to his State's Small Businessman of the Year.

The Small Business Council is a voluntary group which analyzes the work of the Small Business Administration.

On May 14, the annual Small Business Subcontracting Conference and Workshop will be held.

The main theme of this meeting will be a report, prepared in response to a recommendation of the House Small Business Committee on "The Position of Small Business in Subcontracting."

This report was prepared by a special committee established by SBA and headed by a member of that agency.

This week declared by President Nixon is the Small Businessmen's Week. Let us remember their contributions in the national interest.

MILITARY BUDGET ALTERNATIVES RANGE FROM $20 BILLION TO $101 BILLION

(Mr. MOORHEAD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MOORHEAD. Mr. Speaker, 1969 is the year for an agonizing reappraisal of our national priorities, however, I charge that this reappraisal will amount to nothing unless we can find some way of controlling the $80 billion military budget.

Recently, I have criticized the Defense Department on their questionable record in the procurement of certain major weapon systems.

The primary purpose of my effort is to develop in the Congress and in the public a healthy skepticism about the infallibility of the military.

However, I cannot emphasize enough that procurement is only the tip of the iceberg and we in the Congress have to critically examine—for the first time ever—the foreign policy commitments and contingencies that actually create the military budget.

To debate rationally the issue of the size and shape of the military budget we have to go back and reassess the mutual defense commitments that we have with over 40 nations in the world. Then we must evaluate our force structure—both strategic and general—which is necessary to meet our commitments. To my knowledge this has never been done on a systematic basis, in the Congress, since the end of World War II.

According to an excellent article by William Beecher in yesterday's New York Times, the National Security Council is now examining these questions to provide President Nixon with a range of meaningful choices. By varying the assumptions on which our strategic nuclear policy is based, preliminary estimates of these options range in cost from $6 to $16 billion annually for 10 years, compared to the present estimate of about $10 billion a year. In the conventional forces area they have developed 10 alternative options, ranging all the way from "Fortress America" on one extreme to the United States as world policeman on the other. In terms of dollars, the conventional force options run from $14 billion a year to $85 billion a year. Presently our forces in being cost about $50 billion annually to maintain.

Thus the total military budget could vary from a total of $20 billion to a total of $101 billion—a difference of $80 billion.

These 80 billions of dollars should be the subject of the congressional debate of the decade.

The critical question, it seems to me, is whether the Congress and the American people will get the benefit of being apprised of the alternative military policies that are available and the cost of these alternatives. The first reaction of the National Security Council is that the Congress will not be apprised of these alternatives. I suggest that the Congress demand the result of this study, so that we can—in the future—make our own evaluation of the military policy that now requires over half of our Federal resources.

I include the Beecher article at this point in the RECORD:

AS THE ADMINISTRATION REVIEWS MILITARY OPTIONS

(By William Beecher)

WASHINGTON.—A new mood is taking hold in official Washington on the whole question of national defense and the resources committed to it. The mood, whether in the executive branch or in Congress, is one of reassessment, of realignment, of impending change.

Listen to two representative voices speaking last week.

The first is a senior defense official with long experience in the Pentagon:

"It was in the years immediately after the Second World War that the United States abandoned its traditional policy of noninvolvement and moved into a policy of collective defense and containment," the official began.

"We launched the Marshall Plan to restore Western Europe's economy, the Truman Doctrine to help defend Greece and Turkey, the North Atlantic Treaty Organization to protect against the Soviet hordes. It was a turning point in our history as we moved into the world, making new commitments, picking up new encumbrances."

The official closed his eyes for a moment as he recalled the earlier era. "We had a great national debate in the Congress at the time. Now we appear on the verge of another, quite as historic."

Across town from the Pentagon, in a crowded Congressional office, an intense young lawmaker puts it somewhat differently but comes to a similar conclusion:

"I don't say we should disband our Army, disarm unilaterally and look only inward. But it's time we achieved a better distribution of resources. I, for one, am willing to assume larger risks by cutting back on defense, while assuming a larger burden of fighting crime and poverty and hunger and ignorance in America."

Though the words may vary, the sentiments of these two men are being heard increasingly around the nation's capital.

They have their echoes within the top ranks of the Nixon Administration on the part of some of those participating in a sweeping review of the nation's security policy and the forces necessary to fulfill that policy.

The study, under the direction of Deputy Defense Secretary David Packard, seeks to provide President Nixon with a range of meaningful choices.

It is divided into two parts.

The first concentrates on strategic nuclear policy and the weapons necessary for each of five alternate options. They range from one stressing a build-up of long-range missiles to outdistance completely the Soviet Union, to one unilaterally holding back on offensive forces and stressing instead defensive missiles to limit damage if the Russians should stage a surprise attack.

The options in between look to the possibility of freezing or otherwise limiting both offensive and defensive weapons if an arms control agreement can be worked out with the Russians.

These options range in cost from $6-billion to $16-billion annually for 10 years, compared to the present expenditure of about $10-billion a year.

This portion of the study has already reached the staff of the National Security Council; the President is expected to make a choice of nuclear strategies within the next six weeks to enable him also to prepare a bargaining position for arms limitation talks sometime this summer.

The second part of the study deals with conventional forces and world-wide commitments to 42 countries, how these commitments might be curtailed, or expanded, and what forces would be necessary for each. This study is not expected to reach the National Security Council until July 1.

It embraces 10 alternative options, ranging all the way from "Fortress America" on one extreme to the United States as "world policeman" on the other.

In terms of dollars and soldiers, the conventional force options run from $14-billion a year, with only seven Army divisions on active duty, to $85-billion and 40 divisions. The nation's non-nuclear ground, sea and air forces today cost about $50-billion to maintain. This includes an army of 18 divisions and five independent brigades.

Administration officials say they recognize the propensity of some in Congress to slash the defense budget and reallocate many billions of dollars to social problems. But, they insist, no really substantial military budget cuts would be prudent until basic decisions have been made on whether some of the nation's global commitments are to be curtailed.

Whatever final choices are made, talks with several of those working on the Packard study suggest the mood within the Administration, as in Congress, is one of curtailment and reallocation.

Mr. **HECHLER** of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. **MOORHEAD**. I am delighted to yield to the gentleman from West Virginia.

Mr. **HECHLER** of West Virginia. Mr. Speaker, I would like to commend the gentleman from Pennsylvania for his persistent questioning of certain excessive expenditures in our swollen military budgets. The efforts which the gentleman is making are bearing fruit, not only in saving money for the taxpayers of this Nation but in enabling Congress to fulfill its responsibility for effective oversight.

Mr. Speaker, I ask unanimous consent to include an editorial from the May 12 New York Times further commending the gentleman from Pennsylvania.

The **SPEAKER** pro tempore (Mr. Albert). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The editorial referred to follows:

Critical Look at the Pentagon

There was a time when Congress, in supine deference to the wishes of the Pentagon and the armed services committees, quickly acquiesced in approving huge requests for defense spending. But the five-year period of painlessly escalated military budgets is coming to an end. Disquieted members of the House and Senate are asking embarrassing questions, not only about the defective ordering of priorities by which military spending takes precedence over social welfare programs, but about specific items in the heavily padded defense budget.

The C–5A, the huge cargo plane ordered from the Lockheed corporation, is a case in point. It was originally estimated that 120 of those planes would cost $2.9 billion, but it subsequently became clear to Pentagon officials that the actual cost would exceed $5.2 billion. Yet, according to the testimony of an Air Force officer before the House Government Operations Committee, that information was concealed by doctoring the records with the approval of civilian officials in the Pentagon.

The excuse for concealing that information is in itself revelatory. The Pentagon didn't want news of Lockheed's lackluster performance disseminated because of the adverse effect that news would have on the market for its common stock. That is a striking example of the danger of the military-industrial complex about which President Eisenhower warned in his farewell address. The Pentagon is not only Lockheed's principal customer; it also seeks to shield it from the discipline of the market place.

Thanks to persistent probing by Representative William S. Moorhead of Pennsylvania, the public now has a fresh insight into the C–5A scandal and the vast waste on faulty F–111B fighter-bombers. Last November, Gordon W. Rule, a retired Navy captain now in charge of naval procurement control, summed the situation up for his Pentagon superiors in these words: "Industry today is smug and perhaps rightly so. They know that no one in [the Defense Department] is going to take any action they do not like. . . . No matter how poor the quality, how late the product, they know nothing will happen to them."

The C–5A is only one of a number of cases involving large cost overruns. A still confidential report has been prepared by the General Accounting Office on the Sheridan tank/Shillelagh missile system program. Chairman Rivers of the House Armed Services Committee said that there is "evidence of serious administrative deficiences that could result in the waste of hundreds of millions of dollars." But why wasn't the GAO report released? And when is the Armed Services Investigating subcommittee going to report on what really happened?

The growing Congressional criticism of the Pentagon suggests that the military-industrial complex is no longer considered sacrosanct. That is one of the more hopeful developments on Capitol Hill.

Mr. **MOORHEAD**. Mr. Speaker, I thank the gentleman from West Virginia very much.

UMW WELFARE AND RETIREMENT FUND

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. **HECHLER** of West Virginia. Mr. Speaker, Ward Sinclair, of the Louisville, Ky., Courier-Journal, has taken a very active interest in all questions relating to coal mining. He has developed a high competence for reporting on the human side of coal mining, and the problems confronted by coal miners whose health and safety is threatened every day they go down into the mines.

Under unanimous consent, I include the excellent article in the May 7 issue of the Courier-Journal on the United Mine Workers of America welfare and retirement fund:

Miners Deprived of Benefits Lash Out at UMW Welfare Fund—Court Battle Underway

(By Ward Sinclair)

Washington.—The name and story of Shelby Collins, a retired coal miner from Eastern Kentucky, may be on their way to becoming a symbol and an example.

Collins, from the Harlan County community of Chevrolet, is winning a federal court battle involving a series of events not unlike those affecting thousands of other Kentuckians.

They and Collins are involved in a struggle with the United Mine Workers of America Welfare and Retirement Fund over health and pension benefits they think are due them.

Although the last judicial word has not been spoken in the Collins case, his fight may point the way toward hope for others who find themselves in a similar predicament with the fund.

Late last month a U.S. district judge in Washington ruled that the fund had acted arbitrarily in cutting off the pension of Collins after he had retired from mining.

The decision, which the fund says it will appeal, may open a whole new legal avenue for miners and their survivors who have grievances with the way the fund doles out its benefits.

A GROWING CLAMOR

The Collins case is but one more chapter in the growing clamor over the way the welfare and retirement fund has treated its beneficiaries.

So widespread is the discontent in West Virginia that hundreds of miners have joined an association of disabled miners and widows based at Madison, W. Va. They all say they have been treated unfairly by the fund.

On the Washington scene in recent days, both West Virginia Rep. Ken Hechler and consumer advocate Ralph Nader have demanded congressional investigations of the fund's operations.

Hechler charges that the fund is "inadequate, inconsistent and in fact, incredible" in its treatment of retired and disabled coal miners and their families.

Since making his statements, Hechler has received dozens of letters of support—including a number from Kentucky—from widows and miners who complain of the fund's autocratic operations.

Says Nader: "The fund is a labyrinth of arbitrariness toward retired miners and mismanagement largely attributed to the union which controls it in fact . . . It has been stripping thousands of sick, disabled and aged miners of their meager pension rights."

To the Kentuckians of whom Hechler and Nader speak this is not news. Since the fund in the 1950s began wholesale reductions of its welfare and medical rolls, they have been stoically aware of it.

There is an inescapable irony in these attacks on the fund. For the UMW Welfare and Retirement Fund, at its inception, at least, was one of the great experiments in union protection of its members and their kin.

The fund was created in 1946, financed solely by a royalty paid by operators on every ton of soft coal mined by union members. Since 1952 the royalty paid by these operators has been 40 cents a ton.

Since its creation, the fund has paid out several billion dollars in benefits for disabled miners, widows and orphans.

But the fund's three trustees, one of whom is the venerated John L. Lewis, octogenarian

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former president of the UMW, have also changed the rules as they have gone along.

In some instances the fund has given economic reasons—the decline of coal sales during the 1950s, for example—and in other instances it has given no reason at all for its actions.

This combination of reasons, plus new questions being raised about the fund's investments and bank holdings, has formed a reservoir of bitterness and doubt in many people who were once the union's staunchest supporters.

PENSION DENIAL AT ISSUE

Shelby Collins of Harlan County was one of those who counted himself among the supporters of the union and its fund—until he attempted in February of 1965 to collect his pension.

The fund trustees, whose decision on all applications is final, ruled that Collins was ineligible for the retirement pension on the grounds that he did not meet the third of three basic requirements.

That third requirement says the applicant must have worked in a union mine during the full year immediately prior to the retirement.

The first two requirements are that the applicant must be 55 or more years of age and that he must have completed 20 years service in the U.S. coal industry.

Collins worked for more than 20 years in the mines, including at least 12 years in union mines that made their contributions to the fund.

But during the year prior to his retirement Collins was employed by the L&G Coal Co., a non-union operation. He told the court he left a previous job in a union mine because he was fearful about poor safety conditions.

YEAR MADE A DIFFERENCE

This final year of employment in a non-union mine was enough to deprive Collins of the $1,380 yearly pension he felt he was entitled to receive. Hence, the court action.

In his decision last month, District Judge Alexander Holtzoff ruled the fund's requirement on the final year of employment in a union mine is "unreasonable, arbitrary and capricious."

The judge noted that, by contrast, a pension applicant could work his entire career in non-union mines and yet receive a pension if he managed to get a job in a union mine during the final year immediately prior to retirement.

Said the judge: "Such results are unfair and unreasonable and border on the absurd."

Earlier in his opinion Holtzoff declared that the fund itself is the creation of the labors of coal miners and the contributions made to the fund by operators are of a type known today as "fringe benefits."

COULD OPEN A DOOR

"Persons intended to be benefited rendered the creation of the fund possible by working for employers who made contributions. They furnished a consideration for the payments. The result is that, unlike in a charitable trust, members of the class (miners) have a legal right to benefits," Holtzoff said.

If the judge's opinion is upheld by higher courts, it very possibly will open the door to many similar suits from others whose complaints are not unlike that of Shelby Collins.

Complaints coming in to Rep. Hechler's office indicate that the discontent is widespread and the grievances many. Most letter writers criticize the union and the fund for shedding themselves of responsibility for those it once undertook to support.

The fund (by law separate from the union) was established by an industry-union agreement in 1946. One of the agreement's provisions called for a health survey in the coal regions of the nation.

When revealed in 1947, the results, which indicated primitive health and medical facilities where miners lived, shocked many people. By 1948 the fund had already opened 10 regional medical offices around the coal fields and, a bit later, a major rehabilitation program began.

Then in 1952 the fund announced it would construct 10 ultra-modern hospitals in the Appalachian region of Kentucky, Virginia and West Virginia to provide medical care to miners and their families.

The hospitals, built at a cost of $30 million, were opened in 1956. Six years later, however, the fund announced it was going to have to close or sell the hospital chain because of economic problems.

They were sold to private operators—at an estimated loss of some $16 million, which had to be made up from the fund's ton-royalty receipts.

During all those years, however, the fund's trustees were systematically reducing payments, cutting back benefits and changing eligibility rules.

The bitterness that created was brought to a peak with the hospitals' eventual change of hands, which resulted in the lifting in the early 1960s of hospital benefit cards held by thousands of persons.

Prior to 1953 an applicant to the fund could count any time in the mines toward his 20-year required total for retirement. The rule was changed in 1953, excluding many men who could no longer count their early work years as pension credits.

SOME 30,000 CUT OFF IN 1 YEAR

In 1954, some 30,000 disabled miners and dependents were cut off from cash benefits the fund paid them. Some 70 per cent of these were totally disabled and had no other income.

That same year 24,000 widows and children were cut off from maintenance benefits. In 1960 thousands more were told they could receive no more hospital medical benefits because they were not on pension, were no longer working or had not been employed in the mines during the previous year.

Then to confuse matters more—and more deeply embitter those who had already suffered—the trustees said in 1965 that, henceforth, active miners would no longer have to meet the stringent regulation on qualifications set down in 1953.

The effect of this was to reward younger miners, allowing them to quit at an earlier age and receive better benefits. It also had the effect of frustrating many others who had been adversely affected by the 1953 eligibility crackdown.

The fund is now reaping the harvest of that bitterness in the form of the court suits (in addition to the Collins case, others are pending) and in the form of criticism by the Hechlers and the Naders.

MANY-FACETED CRITICISM

The criticism has been aimed at the fund's financial entanglement with the union itself, at its seemingly poor record of return on investments, at high salaries paid to fund officials and at the seeming arbitrariness of trustees' decisions.

Some of the specific points, raised by Hechler and Nader include these:

The 40-cent per-ton royalty collected by the fund has not been increased since 1952. Since that time, however, production has vastly increased and the coal industry is taking in record profits.

The fund's resources are deposited in the National Bank of Washington, which is controlled by the union. The fund is deprived of more than $3 million in interest because, at last accounting, about $70 million was kept in a checking account that draws no interest.

The union controlled bank is allowed to use some $50 million more of fund money in interest-bearing time deposits. The bank also manages a separate $16 million retirement fund for UMW officials and employes, although bank management is not applied to the much larger retirement fund of the miners.

The fund has invested something more than $44 million in common stocks, entirely in public utility companies. Yet the fund's last published audit shows the common stock portfolio was worth only $90,000 more than was paid for it—small return on such an investment accumulated over a decade or more.

Fund and union officials benefit from excessively high salaries and a plush retirement fund of their own. UMW president W. A. Boyle, for example, makes $50,000 yearly and he will retire at that rate. A rank and file miner can expect to retire on $1,380 per year.

Fund trustee-director Josephine Roche, a confidante of John L. Lewis (who serves as a trustee at no pay), receives a $60,000-a-year salary. A third trustee, Henry G. Schmidt, of the North American Coal Corp. of Cleveland, draws a $35,000-a-year salary.

Hechler notes that 37 fund employes draw salaries of $20,000 or more a year. His point, he says, is not to criticize the salaries, but "to raise the question as to whether it would not be possible at these salaries to hire individuals of the competence to explain clearly to the beneficiaries of the fund and to the American people the nature of the income, investments and benefits and why the rules seem to be arbitrary and unfair."

UNION MAKES FORMAL REPLY

Both the fund and the union have been extraordinarily reluctant to comment publicly about the allegations made by Hechler, Nader and others.

After initial "no comment" replies to the recent charges, fund officials, through the latest issue of the UMW Journal, responded with a two-page "look at the record" aimed at union readers of the paper.

The reply was a formal statement dated April 18 and signed by Miss Roche, fund counsel Welly K. Hopkins (salary, $50,000 per year) and comptroller Thomas F. Ryan Jr. (salary, also $50,000).

These officials point out the undeniable good brought about by the funds' administration of more than $2.8 billion in royalties received over the years. But the reply is not likely to quiet the critics.

As Rep. Hechler put it. "The gnawing questions remain." He thinks that only a full-scale congressional investigation can clear the air.

SAVE LAKE OKEECHOBEE

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, one of America's largest fresh water lakes, Lake Okeechobee in southern Florida, is being threatened by a a proposal to mine limerock. The value of this material underlying the 700-square-mile lake is estimated to exceed $1 billion. But the loss of this priceless natural resource, the fish and wildlife which are dependent on it, and the possible damage to the water supply of most of southern Florida cannot be calculated in dollars and cents.

Apparently, the State of Florida entered into a lease including Lake Okeechobee over 20 years ago. A recent court decision on the lease, which the State felt was restricted to oil, indicates that all minerals are included.

The issue of the old lease, and any financial damages due the company from

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the State, must properly be determined by the courts.

In the meantime, there can be no question of the damage to all of south Florida if the U.S. Army Corps of Engineers permits the company to mine limerock from the lake bottom.

Although the company had applied for a permit to mine the lake bottom many months ago, the Army Engineers suddenly decided to proceed with a public hearing on the permit request even though the State of Florida opposes action on the permit.

The Jacksonville district engineer adopted a policy more than a year ago, consistent with good Federal-State relations, which provided that the Army would not proceed with hearings on any matter of particular interest to the State of Florida, until after the State had had an opportunity to act. Florida has not acted on the application to mine limerock in Lake Okeechobee.

Yet the Jacksonville district engineer issued a public notice for comment on the mine permit with just 30 days notice to all parties concerned, the minimum time allowed. In the notice, it was indicated that this was to be an exception to the understanding between the State and his office, because of a high degree of public interest.

The State, through its elected Governor and its elected attorney general, has requested full particulars as to why the Federal-State understanding was not complied with in this matter.

I asked the district engineer for an explanation, and he replied that he did not consider this case an "exception" from policy, but rather it "deviated" from policy.

But the people of Florida still have not been told why. I asked the district engineer a second time, and was advised that the Jacksonville office acted on the direct orders of the Secretary of the Army.

The people have a right to ask why the Secretary of the Army interested himself in this mining permit, with the known opposition of many Floridians including the State Government.

The Army Engineers intend to go ahead with a hearing on June 12.

At my request the chairman of the House Fish and Wildlife Subcommittee has requested full particulars on the hearing from the Chief of Engineers, and the Secretary of the Interior. Perhaps their replies as to why this hearing was scheduled in spite of existing memorandum of understanding dated July 13, 1967, between the Department of the Army and the Department of the Interior on conservation questions, the spirit and intent of section 2 of the Fish and Wildlife Coordination Act and the standing procedures of the Jacksonville district, will provide some of the answers needed.

But in the meantime, we must assume that the hearing will be held as scheduled on June 12. I have requested that any such hearing be held in West Palm Beach, Fla., so that those most affected can be heard.

If the hearing is so that public opinion might be heard, as the Army now insists is the case, I would urge every American interested in the conservation of our vanishing natural resources to let the Secretary of the Army know of their feelings. It is urgent that they do so at once, since the hearing is only a few weeks away.

I will have some more to say about this serious matter, and will include information about the lake and its importance to fish and wildlife, and people in the area, soon.

MISFITS NOT BEING PROSECUTED

(Mr. ANDREWS of Alabama asked and was given permission to address the House for 1 minute.)

Mr. ANDREWS of Alabama. Mr. Speaker, I received a letter yesterday, which I am sure each Member of this House received, which was addressed to the President at the White House, and Members of the U.S. Senate and Members of the U.S. House of Representatives and Governors, dated May 11, 1969. It came from Baileysville, W. Va.

I do not know the young people who signed this letter, but there is something to think about and I would like to read it to the House:

BAILEYSVILLE, W. VA.,
May 11, 1969.

The PRESIDENT,
The White House.
MEMBERS U.S. SENATE.
MEMBERS, HOUSE OF REPRESENTATIVES.
GOVERNORS.

MOST HONORABLE REPRESENTATIVES: As members of an experimental class in junior high school, we have become disturbed as we try to analyze the trends of the times, and try to visualize what our college life will be like four short years from now, if there are any colleges by that time.

It is difficult to understand how our elected representatives can remain passive and indifferent as they witness college administrators, spineless and gutless, condone the actions of subversive groups on our campuses.

It is sickening and perplexing, in free America, to witness Communist-inspired, foul-mouthed, SDS dissidents taking over our educational institutions. It is strange, indeed, that pistol-packin', stone-throwing, knife-wielding, chanting misfits can disrupt so many institutions and so few seem concerned.

Where are our red-blooded Americans?

Sincerely yours,

Marcia Vance, Donna Aliff, Carolyn Harless, Kathy Cooper, Debbie Atwell, Robbie Hodges, Melinda Vance, Glenn Bailey, Betty Lusk, Darlene Thehl, Therese Newcomb, Robin Mitchell, Pam Morgan, Kathy Jackson, Kathy Hatfield, Valerie Blankenship, Rhonda Allen, Robin Echard Tony Haught, Danny Cooper, Cynthia Thebb, Patricia, Ross, Mary Burks, James Morgan, Jody Cook, Debbie Rose, Linda Atwell, Members, the Frontier Room, Baileysville Junior High.

Mr. Speaker, we have plenty of laws on the books and those who are charged with the responsibility of enforcing those laws are letting these misfits get by without being prosecuted.

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

CONDITIONS ON OUR COLLEGE CAMPUSES

(Mr. NICHOLS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. NICHOLS. Mr. Speaker, on the first page of the Sunday Washington Post, Secretary of Health, Education, and Welfare Robert Finch was quoted as saying that the cause of the rioting on our college campuses today was the colleges themselves. It disturbs me greatly that a high official such as Mr. Finch would in effect encourage a continuation of this lawlessness through statements of this nature.

Now those who look for an excuse to riot can point to Mr. Finch's statement and say that they are justified in their actions. Other high officials now in the Government have also made statements to the effect that a cutoff of Federal funds to students and faculty members who participate in or encourage the disruption of school activities is not the answer to this problem.

Whether it is the answer or not, the Congress has an obligation to the taxpayers to see that these funds are not used for revolutionary purposes. As a cosponsor of this cutoff legislation, I hope it will be brought up for action very shortly. I also hope that Mr. Finch and other Federal officials will cease their statements which can only serve to further inflamation of the conditions existing on our college campuses today.

THE SUPREME COURT—REFINEMENT IMPERATIVE

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, nine men compose the U.S. Supreme Court—nine political appointees, few with any judicial experience—who have arrogantly usurped power and propelled themselves into a self-serving cult of untouchables.

Since 1954, the Supreme Court has departed from interpreting the law and pursued a course of using the Court for promotion of social and political change in American life. The effect of these changes over the last 15 years are evident in the crime rate—riots—violence—immorality.

Abe Fortas has now been exposed in accepting an under-the-table $20,000 fee from the criminally indicted president of a tax-free foundation. Earlier Fortas had admitted accepting large honorariums to lend the prestige of his position as a guest lecturer.

Earl Warren has demonstrated his blatant disrespect for the constitutional separation of powers by taking junkets to foreign countries as a paid agent of the State Department, a department of the executive branch, accompanied by his wife. Mr. Warren has also made appearances for pay from organizations and foundations of questionable activities.

William Douglas—an admitted anti-Vietnam peacenik, and biased against all military people—has turned up as the paid president of the Albert Parvin Foundation of California, which contributed to Mrs. Abe Fortas $16,000 in legal fees in 1966 to evaluate the foundation's tax-free status.

Last Friday, Justice William Brennan, speaking at a Council of Judges on Crime and Delinquency here in Washington, D.C., bluntly told Congress—and through

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us, the American people—Congress has "no power" to alter the Court's rulings curbing police power in criminal cases.

Four of the nine men on the Supreme Court have clearly exhibited such prejudice and bias against constitutional government and arbitrary personal discretion that they have disqualified themselves from the requisite of impartiality to dispense justice.

Not only must Abe Fortas resign or be removed, public confidence in the High Court cries out for removal of Warren, Douglas, and Brennan.

The U.S. Supreme Court must become a hall of temperate justice. If the Supreme Court is to be respected as the highest court in our land, only the most dedicated and highest caliber of experienced, honest judges should be selected for the positions and permitted to remain.

I include several news articles at this point:

[From the Washington (D.C.) Evening Star, May 10, 1969]

Douglas Foundation Casino Sale Noted

Tax records for 1967 show a Los Angeles foundation of which Supreme Court Justice William O. Douglas is president gave up its interest in a Las Vegas hotel and gambling casino for $101,340.

The tax records were checked after the Los Angeles Times said yesterday there was a "link" between the Albert Parvin Foundation of Los Angeles and the wife of Justice Abe Fortas.

Life Magazine disclosed earlier this week that Fortas received, and then returned, a $20,000 fee from a different foundation, the family foundation of financier Louis E. Wolfson.

Douglas has been associated for years with the Parvin Foundation. That relationship led to criticism of Douglas three years ago, when it was revealed the foundation pays Douglas $12,000 a year as its only salaried officer, president and director.

The 1967 tax returns for the Parvin Foundation showed it added $101,340 to its tax-exempt assets from the sale of its interest in the "custodian accounts" of the Hotel Flamingo in Las Vegas. Presumably, that referred to a part ownership in financial assets of the hotel and casino.

Fortas' wife, Mrs. Carolyn Agger Fortas, was retained in November 1966 by the Parvin Foundation, according to the Los Angeles newspaper, to evaluate its tax-free status. Mrs. Fortas is a tax lawyer with the firm of Arnold and Porter, her husband's former firm. Although her fee was never disclosed, the 1966 Parvin Foundation returns list "miscellaneous expense—professional fees—$16,058."

Parvin was a partner in Parvin-Dohrmann Co., a hotel supply company which owned three casinos in Las Vegas. The foundation's 1967 returns showed it owned about a half million dollars' worth of that stock.

The 1967 Parvin foundation return was the most recent one filed. Parvin's 1968 return must be filed by next Thursday.

The Los Angeles Times story, discussing "links" between the Douglas and Fortas foundation situations, said Parvin was a "co-conspirator" in a stock manipulation case involving Wolfson and his construction firm, Merritt-Chapman & Scott Corp. Wolfson and other defendants—Parvin was not a defendant—were convicted of obstructing a government investigation into the Merritt-Chapman manipulations.

The government had charged that this obstruction was the result of a conspiracy, in which Wolfson and Parvin were involved.

[From the Washington (D.C.) Evening Star, Apr. 10, 1969]

Warren Hits Efforts To Curb Court's Power

(By Lyle Denniston)

Chief Justice Earl Warren has rebuked congressmen who tried to take away some of the Supreme Court's powers, telling them: "A free people require a free judiciary."

Warren's comments in a speech here yesterday, marked the second round of criticism he has aimed at Congress in the last month.

A few weeks ago he bluntly accused the lawmakers of depriving the high court and lower courts of the full amount of money they need to do their work.

Yesterday's speech, which was oblique and indirect compared with the earlier one, appeared to be an answer to the effort in Congress last year to deprive the justices of some of their authority to decide criminal law issues.

When Congress attempted to include these curbs in the new anticrime law, the effort was beaten but only by narrow margins.

Warren's response came indirectly as he used the historic figure of Daniel Webster to make his point. The chief justice was speaking at a ceremony marking the anniversary of an 1819 Supreme Court decision in a case in which Webster was the winning lawyer. The case upheld the royal charter of Dartmouth College and laid the basic foundation for much of American Business law.

Warren recalled that Webster, as a member of Congress, had been "stern and unswerving—in his opposition to legislative attempts at retaliation to unpopular Supreme Court decisions. The chief justice praised Webster for his "tireless effort to protect and sustain the independence and the integrity of the federal courts, and their authority to give meaning to the language of the Constitution."

After quoting Webster as saying that the judicial power was "essential and indispensable to the very being of this government," Warren said that those "underlying premises" remain valid today.

The chief justice also returned to his earlier theme that adequate facilities must be provided for the courts so they could handle what he called a "litigation explosion."

He commended lawyers who work without adequate pay in handling unpopular criminal cases and said these lawyers "can rightly insist that there be an allocation of public resources" to attain the "goal of equal justice under law."

Defending the advances the high court itself had made in the field of criminal law, Warren said the result has been to add a "civilized aspect to our society."

[From the Washington (D.C.) Evening Star, May 9, 1969]

Brennan Defends Police Curbs

Supreme Court Justice William J. Brennan Jr. has bluntly told Congress it has "no power" to alter the court's constitutional rulings curbing police power in criminal cases.

Defending those rulings without exception, Brennen said in a speech here last night that the Constitution does not authorize Congress "to restrict, abrogate, or dilute" the Bill of Rights "as judicially constructed."

His remarks appeared to be an answer to the rising tendency in Congress to consider laws that narrow the scope of the high court's controversial protection of the rights of the criminally accused.

The lawmakers did just that in a key section of last year's federal crime control law.

Brennan's retort, besides relying on the clauses of the Constitution, drew on an 1875 law passed by Congress itself, enlarging considerably the power of federal courts to hear appeals in state law cases.

By that law, the justice said, Congress put federal judges deeply into the "area of individual rights."

Coupled with laws enacted in 1866 and 1871, Brennan added, Congress "deliberately and carefully chose to leave to the federal judiciary the primary task of defining" the constitutional clauses requiring states to observe "due process" and to give all their citizens "equal protection" of law.

Those two phrases are the ones upon which the high court has relied in recent years in requiring state and local police and prosecutors to obey the Bill of Rights safeguards for suspects in criminal cases.

"Congress saw," Brennan declared, "that to accord state and local governments immunity from effective federal court review would be to risk that the great guarantees would become nothing more than rhetoric."

Conceding that the court's decisions require police, prosecutors and judges to "work harder," the justice said:

"The convenience of prosecutors, police officers and judges can never be the basis for the slightest diminution of rights secured by the Constitution.

Brennan said he had "distinctive reservations" about the view that criminals were encouraged to break the law because of court rulings. He contended that there is "growing recognition" that rising crime rates could be explained by "long neglected social conditions which breed crime."

He also dismissed arguments that court rulings freed criminals on "technicalities." This he said, "could not be more in error."

"The guilty criminal in any of these cases rarely escaped his just punishment," Brennan argued. "These decisions required new trials, not the release of the accused."

He also attempted to answer the criticism that the courts rulings had intruded into areas that should have been handled by Congress and state legislatures.

"When cases brought these problems to the court it was hard to find either congressional or state legislation enacting affirmative measures to improve criminal procedures for enforcing these guarantees."

He said it was not a choice between having the Supreme Court or the political branches do something about "indefensible inequities."

"All too often," Brennan said, "the practical choice has been between the court doing the job or no one doing it at all."

Besides, he said, history and custom support the view that the Bill of Rights guarantees were to be applied by "the judicial branch."

Brennan spoke here at a "Council of Judges" meeting sponsored by the national council on crime and delinquency.

[From the Washington (D.C.) Evening Star, May 12, 1969]

The Constitution and Justice Fortas

(By David Lawrence)

Proposals are being made by some members of Congress calling for the impeachment of Justice Abe Fortas of the Supreme Court. But the Constitution limits the impeachment power of Congress solely to "treason, bribery, or other high crimes and misdemeanors."

A different section of the Constitution would have to be invoked, as there is no proof that Mr. Fortas engaged in any acts covered by the above phraseology. "Life" magazine, in its article exposing the affair, says no evidence of bribery was found. Mr. Fortas received a fee of $20,000 for services to a charitable foundation created by Louis Wolfson, but returned the payment when Mr. Wolfson was indicted in a stock-manipulation case. He was later convicted and now is in jail.

Justices usually disqualify themselves from sitting on any matter coming before the court that, directly or indirectly, involves their family or relatives, former clients or personal investments. Mr. Fortas declares that he did not participate in any way in the Wolfson case.

Congress, however, does have a broad power which could bring about the removal of any justice who has committed an indiscretion that casts a shadow on the prestige of the court of which he is a member. The Constitution says:

"The judges, both of the Supreme and Inferior Courts, shall hold their offices during good behavior."

No mention is made of "life tenure," and no definition is given of "good behavior." But it may be assumed that, once the Senate has confirmed an appointee, the upper house has a right to terminate his service provided the president also decides to declare a vacancy. If, for instance, the Senate and the president concluded that a judge had violated the concept of "good behavior," the passage of a resolution concurred in by the president might well be regarded as a logical assertion of constitutional power.

"Good behavior" could be construed to cover any personal action which would be deemed an impropriety. This is something which may be considered by the Judiciary Committee of the Senate in connection with a thorough inquiry into the facts and circumstances surrounding some alleged "misbehavior" on the part of a justice.

Should justices, for example, accept lecture fees from organizations involved in controversies about public affairs? Should anyone on the bench make any address discussing specific decisions or rulings of the courts? Should any judge sit on a case which involves, directly or indirectly, his past connections with a law firm or business? These are points on which a comprehensive investigation and report by the Senate Judiciary Committee would certainly prove helpful and might tend to prevent such errors from being committed.

For Justice Fortas is not the only member of the federal judiciary who at one time or another has accepted money for lecturing or for the performance of duties outside the court, and there has been some discussion in the press and in Congress about them. Also, Justice Fortas, when nominated for the chief justiceship by President Lyndon B. Johnson last year, was criticized for having sat in conferences with Mr. Johnson on some governmental matters while serving on the bench, though he received no fee.

The judicial branch is supposed to be completely separate from the executive branch of the government. However unwise or mistaken Mr. Fortas might have been in acting at times in the role of personal adviser to a president, there is no precedent for a reprimand or penalty.

Certainly, even if no adverse conclusions were reached by the committee concerning the behavior of Justice Fortas, the proceedings would clear up doubts as to what Congress thinks is proper or improper, and judges could be guided thereby in the future.

There is a widespread feeling in Congress that Mr. Fortas and other justices have been doing things off the bench that are not consistent with the dignity or prestige of the highest court in the land and that the President and the Senate should at least take some steps to define what is not considered to be "good behavior."

ABE FORTAS AN EXPERIENCE IN INTRIGUE

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, there are continuing developments over the Abe Fortas issue.

In a little-publicized news release over the weekend, a few Americans learned that Life magazine—responsible for exposing Justice Fortas—is the defendant in a $6 million libel suit brought by Michael J. McLaney, a casino operator in Miami Beach, Fla.

While the court of appeals in New Orleans entered a judgment for Life magazine, the plaintiff is appealing to the U.S. Supreme Court where the matter could possibly have come under the judicial influence of Justice Fortas.

Was the Life magazine exposé of Fortas and Wolfson a journalistic technique to set the stage for recusation of Justice Fortas to excuse him from participating in the libel case should there be any further proceedings in the Supreme Court? We are reminded that Mr. Wolfson's offer of the $20,000 fee also occurred in the State of Florida.

It is also widely reported in Washington that Fortas' former law firm where Mrs. Fortas practices law has opened a new account for Ling Temco Vought in connection with an antitrust lawsuit brought by the Justice Department against L.T.V. The word is around as to who the "fixer" is. But in this latter instance, of course, technically it was entirely proper to tender a fee to Mrs. Fortas at Justice Fortas' former law firm.

Mr. Speaker, I include a clipping from the Sunday Advertiser-Journal.

HIGH COURT TO RULE SOON ON MAGAZINE LIBEL CASE

WASHINGTON.—The Supreme Court soon will have to deal with a libel charge against Life magazine, which has raised questions about Justice Abe Fortas' conduct.

In the case, already docketed, Life is the defendant in a $6-million suit brought by Michael J. McLaney, a casino operator who lives in Miami Beach.

The suit is based on McLaney's claim he was tied to "the mob" in a Feb. 3, 1967, article titled "The Scandal in the Bahamas."

The U.S. Circuit Court in New Orleans entered a judgment for Life's publisher, Time, Inc., last January but McLaney is appealing to the Supreme Court for reversal.

Life set new controversy swirling about the court last week with disclosures that Fortas was tendered a fee by the family of industrialist Louis E. Wolfson in 1966.

Fortas said he was given a fee to do some writing for the foundation but returned it after deciding he did not have time to do the work.

LEGISLATIVE REORGANIZATION

(Mr. SCHADEBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHADEBERG. Mr. Speaker, I have cosponsored and support H.R. 11103, the Legislative Reorganization Act of 1969, which is now before the Committee on Rules. I am submitting to the chairman of the committee my own additional recommendations in this matter for his serious consideration. These suggestions are directed to making our legislative program less erratic, to providing for meaningful time in the district to be able to discuss legislation with our constituents before it reaches the floor of the House, and to providing specific times at which the Congressman will be in the district for appointments and discussions with his constituents.

I urge my colleagues in this House to review these recommendations and to join with me in pressing for early action on these proposals.

In outline, there are my suggestions:

First. With the exception of the month of January, there would be the legislative calendar on the first 21 days of each month, Saturday and Sunday excluded. The House would be in session from noon until 5 p.m., Mondays through Fridays.

Second. Sessions each day shall be adjourned before 5 p.m. if legislative business does not require the full 5 hours. Session may be extended beyond 5 p.m. by consent of the Members. If such consent is not given, unfinished business will be the first matter of business on the next legislative day.

Third. Sessions may be held on Saturday of legislative weeks by consent of the Members.

Fourth. From the close of the legislative month—at the end of the 21st day—until noon of the first legislative day in the following month, Members will be expected to return to their districts for such activities as they deem necessary to fulfill their responsibilities as Representatives of their districts.

Fifth. The present rule permitting deduction from pay if not present at a legislative session will be enforced unless, as in the case of sickness or official business, the Member is excused by the Speaker of the House.

Sixth. In even-numbered years Congress will stand in recess from the close of the 21st day in October until the Monday following the day of the general election.

PROTEST OVER SOVIET ANTI-SEMITISM

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, on behalf of my constituents and myself, I protest the continued attitude and active discrimination against Soviet Jews.

As an example of the campaign of hate, let me cite a new book entitled "Judaism and Zionism," by Trofim Kichko, which contains anti-Semitic slanders of the Stalinist era.

How can there be peace in the world when a powerful nation such as the Soviet Union condones and practices racial hate and seals its borders to those Jews who would seek their freedom by emigrating to Israel?

THE PRESS SHOULD TELL THE REST OF THE STORY

(Mr. PELLY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PELLY. Mr. Speaker, the last Congress passed legislation—the so-called ethics bill—under which Members of the House were required to file statements of financial interests and associations with the Committee on Standards and Official Conduct.

Well, lately, the newspapers have been listing information contained in these reports of financial disclosure.

This is well and good, but several newspapers I have read have inferred there

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is something wrong if you hold certain investments in a company which is regulated by the Government, such as a bank. And, in no cases have they referred to House rule 8, adopted in 1789, which indicates that a Representative is not required to vote if he has a direct personal or pecuniary interest in the legislation being considered.

I think in such an instance it is proper to vote "present," under most circumstances, but definitely it is up to one's own conscience to decide if any conflict of interest exists.

For example, I recall one Member of Congress telling me that his wife owned stock in a bank which would be affected by legislation on the floor. In this case, this particular Member said it was not a good bill and he was voting against it and his wife's bank's interest.

The point is, however, the procedure for avoiding conflict of interest is available, and I think it would be helpful if the press would report in such a way as to avoid any insinuation that it is improper for a Member of Congress to own stock or to serve as a trustee or director of a business concern.

GALLUP POLL ON PRESIDENT NIXON'S PERFORMANCE IN OFFICE

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, over the weekend I had the opportunity to peruse the latest findings of the Gallup poll in regard to the Nation's assessment of President Nixon's performance in office. It was most heartening to see from the Gallup poll's results that those who approve of President Nixon's performance in office outnumber those who disapprove his performance by a ratio of better than 7 to 1. I believe that this is a remarkable accomplishment when one considers the pressing problems passed onto this administration after all the verbosity and rhetoric of the past 8 years. I believe that we should give credit where it is due; and President Nixon deserves our gratitude for breaking through the credibility gap which for so long has plagued the relationship between this Nation's Government and its people.

One of the more significant results of the Gallup poll survey, in my opinion, was the response of the Nation's youngest voters in answer to the question: "Do you approve or disapprove of the way Nixon is handling his job as President?" Respondents within the ages of 21 to 29 years voiced approval of the President's conduct in office by an overwhelming majority, with only 9 percent of this age group expressing disapproval.

In fact, the polls indicate that the Nation's young are the President's strongest supporters. Forty-five percent of this age group have actually changed their opinion of the President for the better since he came to office, despite the fact that the President has had to make so many difficult decisions.

Mr. Speaker, as an American I am heartened to see that our new President has won the overwhelming acceptance and approval of the American people through his judicious conduct in office. He has replaced flamboyance with prudence, temperance, and hard work. And the American people are responding to this sort of leadership enthusiastically.

As a Republican, I am pleased to see that the President has made his gains in acceptance where they are most needed—among the young, among the educated and critical, and among the independent voters. I personally extend my congratulations to the President at this time when the Nation stands in need of a leader who is able to gain the broad acceptance necessary if we are to heal the wounds which still divide us.

OUR COMMON HERITAGE IN THE WEST

(Mr. ANDREWS of North Dakota asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. ANDREWS of North Dakota. Mr. Speaker, Franklin S. Longan, an attorney in Billings, Mont., addressed the Kiwanis Club in that city on April 22 with regard to United States-Canadian relationships. His excellent speech, entitled "Our Common Heritage in the West," is of special interest to those of us who are members of the United States-Canadian Interparliamentary Group, and I commend it to all my colleagues.

Mr. Longan's remarks, I must point out, were called to our attention by the Honorable James F. Battin who only recently deserted the toil and turmoil of this Chamber for the relative tranquillity of the U.S. district court in Billings. He is, I am sure, remembered with respect and admiration by all of the Members on both sides of the political aisle.

I insert Mr. Longan's speech in the Record at this point:

Our Common Heritage in the West

Let's go back 100 years for a minute or two. Western Canada and Montana at that time were the outposts of our two countries. Our intrepid frontiersmen were lured here by the oldest trade in the world—that is, the fur trade, I didn't say the oldest *profession* in the world. This trade was so important to the Mother country that the furrier to the King or Queen was called the "Sergeant of the Peltry". At a later time he was known as the "Skinner of the Great Wardrobe". If the Boston Tea Party participants had been reversed the Royal Government would have dubbed it the "Thrower of the Great Party".

OCCUPATIONS

The young man coming out west was not looking for an employer. Here he could employ himself as a trader, a fur trapper, a gold miner, a buffalo hunter, a farmer, a livestock man. He not only wanted to face the problems that met him, he wanted to father their solution. The trend of the times was not to the left or to the right, but straight ahead, with some accent upon the guidance from above and a lot of temptation from down below.

FREEDOM OF OUR PIONEERS

These men knew one thing, regardless of the fact that they were a multitude of mixed racial, ethnic and religious backgrounds. Even though every man among them could disagree upon every subject that formed a part of their conversation and thinking, they were unanimous in one respect, and their notions were as fixed as the stars. They were experiencing freedom at its uninhibited best. All of the ingredients in the recipe that made a man free in those days, likewise made governments small, and these ingredients when stirred together and cooked on the camp fire of self-sufficiency ended upon as the "bread of life" to them.

The greatness of Canada and of the United States, in the eyes of those western pioneers, was not measured by its size, but by its ability to grant all of its citizens the kind of freedom which gave people *confidence* in themselves, and in their ability to cope with the significant perplexities of life that confronted them. Our nations fostered the form of freedom that instilled in the pioneers a fearless approach to the necessities of the day. It was the kind of government that instilled in our forebears the initiative to solve their own problems. Today, I'm worried, when I should have confidence, I'm fearful, when I should be fearless, I'm abstract, when I should be concrete. Aren't you? Our modern painting mirrors our confusion of mind. Today, do we measure greatness in government by these same virtues? I'm afraid not, and isn't it true that we reflect our government's weaknesses? Our irresoluteness in Viet Nam; our tragic acknowledgements at the time of the release of the Pueblo crew; and our guarded tip-toe handling of almost every minor domestic or foreign crisis.

DE TOCQUEVILLE SAID

When a forebear of ours meditated on an undertaking, however directly connected it was with the welfare of society, he never thought of soliciting the cooperation of the government, he formulated his plan, offered to execute it himself, and struggled manfully against all obstacles. Undoubtedly, he was often less successful than the government might have been in his position, but in the end the sum of his private undertakings far exceeded all that the government could have done.

De Tocqueville warned us that big government made little people. Little do the bulk of our fellow citizens now realize that the constant swelling of government is a sure sign of our moral sickness. One of the freedoms that our ancestors enjoyed was freedom from government domination.

Freedom has no capacity to perpetuate itself. Tom Paine put the truth in a nutshell when he remarked that "Free society is the fruit of our virtues, but government is the product of our wickedness."

Harold Blake Walker said, "That where voluntary character fails, compulsion begins".

Edward Gibbon, in his "The Decline and Fall of the Roman Empire" said: "The frequent and regular distribution of wine and oil, of corn or bread, of money or provisions, had almost exempted the poorest citizens of Rome from the necessity of labor . . ., and it was artfully contrived by Augustus that in the enjoyment of plenty, the Romans should lose the memory of freedom".

Mr. Justice Brandeis, Associate Justice of the United States Supreme Court, in Omstead vs. United States, 227 U.S. 438, said: "Experience should teach us to be on our guard to protect liberty when the government's purposes are beneficent". Men born to freedom are naturally alert to repel invasion of their liberty by evil minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well meaning, but without understanding."

The limits upon those freedoms were put way out where the pioneers were to have a maximum amount of liberty to pursue their own affairs and not a minimum amount. My government, and I think Canada's, was regarded as the means to protect those rights, and not as a device whereby every individual should be subordinated to a function.

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OUR HERITAGE

The world should know what two great nations can do when they leave obstinancy behind and hold before their respective eyes the great truth that "Those closest to us have first claim on our good will". If it were possible for one nation to act as a brother to another nation, then surely Canada and the United States should so act. Our Mother country was the same. We should not be pro-Canada, and Canadians should not be pro-United States, because our ties are too close for that, and truly to the rest of the world we are too inter-mixed. Our social customs have always been the same. All our forebears were immigrants; our main language is the same; our laws are based essentially upon the common law. We inherited practically the same mass of common traditions and characteristics, and at the time of our own revolution neither Canada nor we had fostered or developed a typical culture or fully developed a social pattern different from the other. We have intermarried and taken the citizenship of the other country with the same pride in our hearts on both sides of the line. We are the same people essentially in dress, custom, habits and outlook. Here on this North American continent is the personification of the brotherhood of nations. "Goodwill is not an empty phrase, nor a lip service statement between us."

Within modern times bad will has never shown itself. Even if we had to go back 100 years to the Civil War days in our own country to find that Canada's sympathies lay with the southern states, it was our feelings that were hurt more than anything else. No overt act of any kind do I recall during those trying days.

When we have had differences with Canada, it was generally at the unimaginative level of officialdom, whereas the true level of understanding is at the level of our Kiwanis Clubs.

It is the powerful force of our common culture that warns us to be mindful of the value of the relationships which have brought us together such as in Kiwanis.

COMMUNIST DIVIDED COUNTRIES

Think of what it would be like if it were different. We are aware that extremists on one side of the line always *breed* extremists on the other. Nothing could be more helpful to those who blame all of the world's ills upon us all of the time, and upon Canada part of the time, then to make us view the other with contempt. The ruinous results of the conqueror who knows how to divide peoples of common culture is portrayed by the ghastly spectre of North and South Korea, North and South Viet Nam, and East and West Germany. Nor have we seen the last of this latitude and longitude carving up of nations by war. How great is our task in Kiwanis International to make this peaceful boundary line dominate the scene. How great would be the world's joy, if this same thing could happen between Israel and Jordan—to change blood-letting to blood-giving.

MODERN MAN'S ONLY FEAR

We now see communism as a villain standing in the wings wrapped in his black cape and twirling his long moustache. We are now color blind to every light except red. We let someone turnoff the green light.

FRIENDSHIP—LIKE GRAVITY

As between Canada and the United States, we should keep the green light on forever. Our Kiwanis Clubs should direct this boundary traffic of friendship into our daily lives. Our policy toward Canada should be consistent, predictable, and dependable enough to make us respect Canada, and Canada respect us. We should love Canadians more than they deserve. They should feel the same toward us. We do not need Canada's help; we need her friendship. We are a young nation with world leadership. Although Canadians want to give us a kick in our political pants once in awhile, we want a pat on the back too when we deserve it. We need Canada's Northern Lights in the Dark Days ahead.

FARM PAYMENTS AND HUNGER IN 425 COUNTIES OF THE UNITED STATES

(Mr. FINDLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FINDLEY. Mr. Speaker, my special order today will deal with farm payments and hunger in the 425 counties of the United States that are not now receiving Federal food aid for poor people. I mention this at this time because the counties involved do touch a good many congressional districts, and I thought maybe the membership would like to be advised.

J. EDGAR HOOVER—COMPLETION OF 45 YEARS AS DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION

(Mr. SMITH of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. SMITH of California. Mr. Speaker, on Saturday, May 10, 1969, Mr. J. Edgar Hoover completed 45 years as Director of the Federal Bureau of Investigation. I doubt that anyone ever will surpass this record.

Mr. Hoover certainly is a legend in his own time. Few men in public service have enjoyed the great respect which this man commands. His is a personality which transcends the so-called generation gap, for he is held in equal esteem by his contemporaries and by the young people in this Nation.

Perhaps the secret to his success is the fact that he accepted a job, a challenge, and dedicated his life to it. He has not sought fame or greater power, although efforts have been made to thrust each upon him. Instead, he has continued each day to strive to do the best job possible as the leading law enforcement officer in the country. He has never abused the power he has. Objectivity always has been his hallmark.

Mr. Hoover has made enemies. No man in his position could avoid doing so. The criminals do not like him. The Communists and other subversives hate and fear him. Extremists from both the left and right have attacked him. But responsible men and women everywhere know J. Edgar Hoover is a man who can be relied upon to do the job entrusted to him. That is why he has been continued as Director of the FBI for 45 years.

Recently there have been rumors that Mr. Hoover was going to retire on his 45th anniversary as FBI Director. These reports had no basis in fact and could perhaps be traced to the wishful thinking of those few who have long wanted to see him replaced.

Last week Mr. Hoover answered some questions put to him by news services. Foremost among his comments was the assertion that he had no thought of retiring. It was my privilege to serve as a special agent of the FBI under Mr. Hoover, and I am certainly pleased with his decision to continue.

Mr. Speaker, I would like to include at this point some newspaper articles concerning Mr. Hoover's recent comments to the news services:

[From the Washington (D.C.) Evening Star May 8, 1969]

HOOVER QUASHES RUMOR HE'LL QUIT AS FBI CHIEF

(By William Barton)

J. Edgar Hoover, 74, today squelched rumors he will retire Saturday on his 45th anniversary as director of the Federal Bureau of Investigation. He said he has no plans to step down.

"I have many plans and aspirations for the future," said Hoover. "None of them includes retirement.

"As long as God grants me the health and the stamina to continue, I have no ambition other than to remain in my post as director of the FBI."

Hoover, who told of his plans in written responses to questions, is more than four years past the mandatory retirement age for federal employes—a requirement waived in his case by former President Lyndon B. Johnson and President Nixon.

His reply to written questions was the first since 1964. He has not held a press conference since 1960.

(In a similar letter today to the other major wire service, Hoover told United Press International: "I look forward to many years of sharing in the efforts of law enforcement to make this a safer society.")

Hoover warned against what he called a trend toward giving federal agencies ever-increasing powers.

"I hope the day never arrives when the FBI or any other federal agency," he said; "has powers and authority approaching those of a national police force."

To prevent that from happening, he said, We need to safeguard against encroachments upon the legitimate authority of state and local law enforcement agencies."

Hoover claimed his 5-year-old prediction that Communists would launch a new youth-oriented campaign in this country had come to pass with the emergence of militant New Left student groups.

Although virtually devoid of an effective youth arm of its own," he said, the Communist party has succeeded in penetrating and influencing a number of militant youth organizations—particularly those of the so-called New Left."

He named only the Students for a Democratic Society.

"The Communist party, USA, considers the field to be so fertile at this time, in fact," he said, "that it presently is making plans to start a new youth organization this fall."

HOPEFUL FOR LONG RANGE

On the subject of crime, the FBI director said he sees no immediate prospect for a reversal in the trend toward huge annual increases in serious crimes but "the long-range picture is much more promising."

As reasons for his optimism, he cited a greater public "awareness of the crime problem and a keener alertness to weaknesses which exist in the administration of justice," and said "the caliber of law enforcement in this country, which has improved tremendously during my lifetime, should continue to improve in the years ahead."

Hoover predicted that better police training programs, better equipment, expanded use of scientific crime detection techniques, and increasingly stronger cooperation among various law enforcement agencies will result

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in great strides toward improving the overall quality of law enforcement.

Looking back on 4½ decades on the job, Hoover said in his reply to UPI:

"May 10, 1924, presented a challenge which has stayed with me vividly for the past 45 years. On that day when Atty. Gen. Harlan Fiske Stone asked me to become director of the FBI (then known as the Bureau of Investigation), I sensed the enormity of the job ahead.

"Reorganizing the bureau into what it was originally intended to be—a federal law enforcement agency and not the catch-all for political hacks it had become—would be no easy task."

But Hoover said Stone fully supported his stipulation that political influence would no longer count, "that only persons qualified through education would make up the investigative staff, and that all employes were to be above reproach in character and reputation."

"The standards set then have been the guidelines for the FBI through the years," Hoover said.

Hoover said he was encouraged by "the increasing concern of citizens who are taking more seriously their personal responsibilities in maintaining an orderly society.

"More and more citizens are becoming actively involved in supporting their law enforcement agencies. And this involvement, together with the excellent spirit of cooperation among enforcement agencies across the land, can be a most telling blow against those who would destroy our way of life."

[From the New York Daily News, May 9, 1969]

Hoover, Still Battling, Is Giving No Thought to Leaving the FBI

Washington, May 8.—J. Edgar Hoover, 74, giving no thought to retiring as FBI director, said today the Communist Party remains a threat to internal security and is planning a new drive at American youth.

Hoover said the Communists have "succeeded in penetrating and influencing a number of militant youth organizations—particularly those of the so-called "new left."

"The largest and best known of these is the Students for a Democratic Society."

A FERTILE FIELD

He added: "The Communist Party, USA, considers the field so fertile at this time, in fact, that it presently is making plans to start a new youth organization this fall."

Hoover will mark his 45th anniversary Saturday as head of the Federal Bureau of Investigation. He said he has many plans for the future, but "none of them includes retirement."

"As long as God grants me the health and the stamina to continue," he said, "I have no ambition other than to remain in my post as director of the FBI."

Former President Lyndon B. Johnson waived the mandatory retirement-at-70-rule in Hoover's case, and President Nixon has continued the waiver.

REDS HAVEN'T CHANGED

On the subject of communism, Hoover remained firm.

"Today," he said, "the Communist Party is as fully dedicated to the destruction of our democracy as at any time in its 50-year history.

Citing "draft card burnings, profane confrontations with law and authority, desecration of hallowed halls of learning in this country," he contended all such acts are treated by the Communist Party "as forms of legitimate protest and dissent."

Here are some of Hoover's written replies to other questions submitted:

Q. With FBI crime reports reflecting constantly increasing numbers of serious offenses, is there any hope for reversing this trend in the near future? A. I see no prospect of a reversal in the immediate future. However, the long-range picture is much more promising. The public has begun to realize the cold and undeniable fact that our steadily rising crime figures represent not merely an increase in the number of offenses committed, but an increase in the number of victims of crime. This is leading to . . . a keener alertness to weaknesses which exist in the administration of justice.

Q. What are some promising developments in improving the quality of law enforcement? A. Better training programs—including those which will be provided for state and local officers at the FBI's new academy, soon to be constructed at Quantico, Va.—will enhance the skills and abilities of investigative and administrative personnel at all levels of our profession.

Q. Looking to the day when you will no longer be director, do you foresee the possibility that the bureau, under different leadership, might become a national police agency? A. I hope the day never arrives when the FBI or any other federal agency has powers and authority approaching those of a national police force.

[From the New York Times, May 9, 1969]

Hoover, 74, Asserts He Will Not Retire

Washington, May 8.—J. Edgar Hoover, 74 years old, said today he had no intention of retiring as director of the Federal Bureau of Investigation.

"I look forward to many years of sharing in the efforts of law enforcement to make this a safer society," he said.

On Saturday, Mr. Hoover will mark his 45th year in the post. In 1964, President Johnson said, "The nation cannot afford to lose you," and signed an executive order waiving indefinitely in Mr. Hoover's case the mandatory retirement age of 70 for Federal employes. President Nixon also asked Mr. Hoover to stay on the job.

A bureau spokesman said today, "The entire F.B.I. is delighted with Mr. Hoover's announcement that he has no intention of retiring."

"The past several years," Mr. Hoover said in a statement, "have witnessed an alarming increase in crime in all areas of the country, coupled with the mounting acts of violence by the new left and other extremists.

"Indeed, the vicious attacks on law enforcement by these elements have posed a crisis for our society. But I have the utmost confidence that the cause of law and order will prevail."

WITNESS IMMUNITY BILL

(Mr. POFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POFF. Mr. Speaker, I take pleasure in introducing a bill to enact the Federal Immunity of Witnesses Act, which embodies recommendations made to the Congress by the National Commission on Reform of Federal Criminal Laws and endorsed for consideration by the President. I am joined in introducing this bill by my fellow Commissioners and colleagues, Congressman Don Edwards and Robert Kastenmeier. An identical bill is being introduced in the Senate by our fellow Commissioners from that body—Senators Ervin, McClellan, and Hruska.

This act would replace the more than 50 disparate witness-immunity laws now scattered throughout the United States Code with a single set of uniform provisions in title 18. This is accomplished by giving the power to grant immunity to identified agencies of the Government to the extent of their jurisdiction, instead of—as it is now provided—keying immunity-granting authority to specified subject matter, such as narcotics, consumer protection laws, and so forth. This change is only a logical and practical extension of modern congressional policy, under which we keep adding immunity authority to new pieces of criminal or regulatory legislation—which accounts for the large number of such laws today. One substantive consequence, of course, will be to avoid gaps in immunity authority.

The uniform procedures require a claim of privilege before immunity is conferred and a considered judgment by the agency requesting or conferring it. This will reduce the possibility that immunity will be improvidently granted. An undue risk that this may happen now exists under some existing laws which confer immunity automatically on a subpenaed witness.

The authority to grant immunity is given, in effect, to the U.S. attorney, with approval of the Attorney General or other high Justice Department official, for all grand jury or court proceedings. For administrative proceedings the authority is given to the heads of departments, and to those independent agencies and commissions which now have immunity authority by virtue of subject-oriented immunity laws under their jurisdiction. A new feature would require these agencies to give advance notice to the Attorney General of the intent to grant immunity. The act would not limit the congressional power, as in present law, to hearings related only to national security; but the act would retain the requirement that an immunity grant be conferred only upon two-thirds vote of the full committee and that notice be given to the Attorney General.

The act would make a substantial change in the legal effect of an immunity grant. Present laws give the witness what has been called an "immunity bath"—that is, a defense to prosecution for any crime revealed or related to his testimony. Under recent Supreme Court decisions it now appears that testimony can be constitutionally compelled by restricting only its use, either directly as evidence or as leads to evidence, the same consequence now following an illegal seizure of evidence or the coercion of a confession. By giving the immunity grant only the effect required by the fifth amendment, a State or the Federal Government will be free to prosecute on independently obtained evidence.

One other novel feature of the act is the authorization of a prospective immunity order when it can be anticipated before a witness appears at a proceeding that he will claim the privilege, although the order does not become effective until he actually does claim the privilege. This will permit procedural efficiency and economy, and also will go a long way toward alleviating the problems which may arise from requiring a notice of intention to the Attorney General for an immunity grant in an administrative proceeding.

XUM

STOP OBSCENE MATERIAL

(Mr. GROSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, today I am introducing, with the gentleman from Missouri, Representative HALL, two bills designed to carry out President Nixon's recommendations with respect to the transportation by interstate commerce of pornographic and obscene material.

The first bill prohibits the use of interstate facilities, including the mails, for the transportation of salacious advertising, with a criminal penalty for those who violate this prohibition by a fine of $50,000 or imprisonment for not more than 5 years, or both, for the first offense, and a fine of $100,000 or imprisonment for not more than 10 years, or both, for a subsequent offense.

The second bill prohibits the use of interstate facilities, including the mails, for the transportation of pornographic and obscene materials to minors. Any person violating this prohibition shall be subject to the same criminal penalties as contained in the first bill.

On May 5, 1969, I coauthored a bill designed to carry out another of President Nixon's recommendations which affords protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter. This bill is particularly designed to protect minor children from exposure to such pornographic and obscene matter.

In the light of certain recent Supreme Court decisions, the peddlers of smut in our country are having a field day and they are afforded certain protections under Supreme Court decisions. I vigorously differ with the decisions of the Supreme Court in some of these cases and I am hopeful that this legislation, recommended by President Nixon, has been carefully reviewed by the Attorney General with respect to its constitutionality based upon the present constituency of the Supreme Court.

I urge the Post Office and Civil Service Committee and the Committee on the Judiciary to take prompt action on the pending legislation.

HOW TO STOP SMUT

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HALL. Mr. Speaker, during the months of May and June 1967, the Supreme Court created another wilderness of chaos in the laws of the land, pertaining to pornography. This 2-month period saw the decisions of the Court reverse 23 of 26 prior State and Federal decisions against pornographic books, films, and magazines. The community standards of 13 States were upset, and eight findings of fact by juries were reversed.

Earlier this year I introduced legislation removing the jurisdiction over pornography cases from the Supreme Court, and giving the decisions back to the people at the State and local level.

On May 2 of this year, President Nixon sent to the Congress a message dealing with this very subject, in which he outlined proposals to deal with and prevent the spreading of this vile material through the mails.

In an effort to implement the President's proposals, it is a pleasure for me to join with my friend and colleague, the gentleman from Iowa, the Honorable H. R. GROSS, in sponsoring legislation designed to put new and more effective teeth into the law.

This bill will prohibit the use of interstate facilities—including the mails—to transport this pornographic material; with a fine of $50,000 or imprisonment for not more than 5 years, or both, with even stiffer penalties for subsequent offenses.

The second bill would prohibit the use of interstate facilities including the mails to transport pornographic or obscene material to minors.

These bills are in line with the recommendations made by the White House, and are designed to supplement my originally introduced legislation.

RED CHINA: 20 YEARS OF FAILURE

(Mr. ADAIR asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ADAIR. Mr. Speaker, only 4 days after it was suggested in the Senate that now was the time for the United States to take the initiative in improving its relations with Communist China and to lead a campaign for the admission of that country to the United Nations, U.S. News & World Report published a detailed report from Hong Kong, which reveals why now is exactly not the time for such diplomatic moves.

Although the article's title contains the word "enigma," I believe the concluding paragraphs are crystal clear as to the chaotic condition and abject failure of Mao Tse-tung's Communist regime:

> What emerges clearly from an examination of China in 1969—20 years after the Communists seized power from Chiang Kai-shek—is this assessment:
>
> The party that was supposed to be incorruptible turns out to be full of men who are greedy, ambitious and intent on creating a privileged "new class."
>
> The nation of "blue ants," supposedly dedicated to unity at all cost, turns out to be a nation of men and women who want autonomy at every level—the family, village, county, province and region. Rule from one desk in Peking is but a mirage.
>
> The obedient Chinese turn out to be people who disobey once controls are slackened.
>
> In short, Red China today is not vastly or basically from the Chinas of the past.

Mr. Speaker, simply put, Communist China does not deserve membership in the United Nations, an organization upon which it has heaped abuse and calumny year after year.

Under unanimous consent, I include the article in U.S. News & World Report, entitled "Red China—World's No. 1 Enigma," in the RECORD following my remarks:

RED CHINA—WORLD'S NO. 1 ENIGMA

(NOTE.—Communist China, heckling Russia along a common border, acts like a nation leading from real strength. Far from it. The Red, rule a land of bewildering contrasts, and after 20 years in control they haven't managed to alter things much.)

HONG KONG.—Military and propaganda clashes upsetting the long Soviet-Chinese border are forcing the outside world to take another look at Red China.

What is turned up by all the probing remains the world's biggest enigma.

China, after 20 years of Communist rule, has nuclear devices, but no modern transportation system worthy of the name.

It has Asia's largest military machine, by far. But its slow-growing industrial base is still almost primitive.

Its food and agricultural needs are staggering, but most farming still is a matter of using wooden plows and hand sickles. Men and women, not machinery, do the work.

It is a dictatorship, ruthless in many ways. But orders from Peking are more often than not ignored in the countryside.

MODERN "THROWBACK"

In short, China seems to be a power that the modern world must deal with. Yet its hundreds of millions of people—nobody knows exactly how many—live more in the eighteenth than in the twentieth century.

Red China has a relatively modern Air Force equipped with Soviet-model jet planes. But Peking has only one commercial airport, from which 70 domestic and 18 international flights are scheduled each week. Shanghai, a metropolis of more than 10 million people, has 22 domestic and 6 international flights each week.

China is a vast land of deserts, mountains and coastal plains slightly larger than the U.S. Yet a single Province, Szechwan—roughly the size of Arizona and Nevada together—has a popualtion of more than 72 million.

In all this land there are but 23,000 miles of railway, almost all of it single track. There are only 350,000 miles of highways; half of the system is clay, lacking hard surfacing.

There is virtually no traffic on the roads. Buses and trucks are scarce in a country that produces about 22,000 vehicles a year—most of them trucks for the Army.

Rivers and canals are jammed with junks and sampans. Those that are powered tow other craft in line, creating the illusion of fat sausage lengths being dragged through watery filth. Those without power rely on sails or the primitive yulo, a large, hand-powered wooden sweep at the stern.

A PIG GOES TO MARKET

When a peasant takes a pig or produce to market he uses a pole balanced on his shoulder, or a screeching, wooden-wheeled barrow. Much of China's manufactured goods moves through city streets on carts pulled and pushed by straining men who chant rhythmically to keep their pace steady.

Twenty years of Communist rule have seen steel output rise from a million to roughly 11 million tons annually. But there is neither steel nor cement for new housing. Most buildings, other than factories and government offices in large cities, are made of clay mixed with sorghum stalks, which is plastered on bamboo frameworks. The thatch roof is seen everywhere in the countryside.

A village in China today is not unlike a village of 100 years ago. Streets are muddy in wet weather and choked with dust in dry. Flies may be fewer now than when the Reds took over, and the mangy dogs once seen everywhere are gone. They were eliminated on orders from Peking. But a tiny flock of chickens or a family-owned pig are kept in the house at night, a custom practiced for centuries.

Outside the villages the ancestral graves have been ploughed up, to give the state more land on which to grow food. But ancestral tablets hung in homes are still cherished and offerings of food are made to them on the proper days.

OIL FOR THE LAMPS

Some villages have small, diesel-powered generators to produce electricity that lights administrative offices. But most lighting comes from tiny, old-fashioned oil lamps with cotton wicks, or from a saucer with a thin scum of vegetable oil.

Where irrigation is possible, streams and canals are tapped by huge, foot-powered water wheels. In the relatively rich Yangtze River Delta, 80 per cent of the irrigated fields are served by mechanical, not power-driven, pumps.

The farmer lives and works in much the same fashion his ancestors did. It is a life of hard toil, from before dawn until long after dusk. Everyone in the family, from the child not long out of the toddling stage to the aging grandfather, must work. Food rations depend on work points. In the relatively more "liberal" climate of recent years, the family in a commune brigade may grow crops in tiny, privately cultivated plots. The produce may be eaten at home, or sold in the open market.

THE DAILY FARE

Breakfast may be a bowl of millet or rice porridge and a dab of vegetable. Lunch, if any, is a ball of cold rice. Dinner is rice, or a mixture of wheat and millet, a bowl of fresh or salted vegetable and a soup made of roots or grasses. Fish or a snarled bird is served occasionally; a slice of pork is a rare delicacy.

Villagers are not much interested in the outside world, not even in happenings in a neighboring Province. But they must listen to the party's radio news service, piped into a loudspeaker outside the village headquarters building. The radio network that blankets the country is largely used to carry official news and exhortations. It, like the press, offers little or no information about sports, arts and science, or light topics. There are no movies in the villages, and few of the party's traveling opera and circus troupes ever reach down to the village level.

In all of China there are only a few thousand TV sets, most of them in party headquarters or public meeting halls in the larger cities. Literally tens of millions of Chinese have never seen a TV show, or even heard about one.

PRIMITIVE MEDICINE

Health stations are generally found in large villages and small towns. Attendants have had a touch of medical training. Fully trained doctors are few in the countryside.

"Native medicine," centered on the use of herbs and locally made ointments, is still popular. But public-health measures, even though primitive, are said to be superior to those of 20 years ago.

Life in the cities is more exhilarating, judging from the millions who each year try to flee the land. Even so, most urban dwellers do not experience ease and the comfort of well-paying jobs in industry or in government.

In pre-Communist days, there was time for an occasional family outing—a stroll in the park or an evening at the movies, watching the circus or listening to Chinese opera.

Now the movies are heavily propagandistic—glorifying labor, the peasants, and above all, Mao Tse-tung. Even historical movies must carry a Communist-era "message." The only foreign films come from North Korea, North Vietnam and Albania, and glorify war.

A family may still stroll in the parks, but most of them have been turned into cultural centers that stress "horrors" of the pre-Communist days when feudalism and imperialism, the Reds say, were linked to keep China degraded.

NO TIME FOR PLEASURE

The best of China's circuses are still superb. So, too, are the operas. But there is far less leisure to enjoy them now than before. Here's why:

A workday in a factory runs 10 to 12 hours or more, and usually the workweek is 6 or 6½ days.

Political meetings, abandoned during the "Great Cultural Revolution" are back in style. Each household must send one member to classes that last one hour in the morning and two hours at night. Each course lasts a month. Then the family must send another member to be enrolled "Graduates" of these courses are required to take "refresher" lessons.

Streets in the big cities seem to have more people, but fewer vehicles, than ever before. Streets and alleys are cleaner. Block "wardens" make certain that housewives collect all litter and sweep away the dust.

Only the elite have refrigerators, telephones, television sets or sewing machines in their homes or apartments. The buildings generally are poorly heated in the winter and there is no air-cooling system other than open windows during the summer.

Peking has more automobiles than other cities in China but they are reserved for government officials, diplomats and foreign visitors. In the capital there are no more than a dozen or so motorcycles. Bicycles are far more common. Possibly one of every 60 residents in the large cities owns one.

Rents are low and food is cheap. But consumer goods are scarce and expensive. A bicycle costs the equivalent of about $65, or roughly one to three months' pay, depending on the individual's skills. It takes months of saving to buy a radio or a watch. Women not holding down jobs spend much of their time waiting in lines hoping to buy such staples as rice and peanut oil. Soap is always in short supply, as are matches, thread, kerosene, cigarettes and medicine. Customers complain that government-owned stores tend to open their doors after work in factories and offices begins and close before they let out.

Cloth is tightly rationed at roughly 5 yards of cotton material a year for each person. Individuals sell or barter their ration tickets, but those processing them must still find a shop where goods are available. Result is that only the highest-paid factory workers have enough clothing to keep themselves warm.

Low-paid workers wear straw sandals or go barefoot on the job. Rubber sandals and low shoes are popular but relatively expensive.

City dwellers have ration cards entitling them to about 25 pounds of rice, wheat or millet each month. The ration of cooking oil comes to a few ounces a month. Vegetables and fruit are plentiful and cheap during the harvest season but unobtainable at other times. Canned fruits, meat and vegetables are for export only.

A Chinese native, who emigrated to Australia 30 years ago, recently visited his cousin, a middle-level official in Shanghai, and tells this story: The visitor found the family of six living in a two-room apartment, relatively luxurious by present-day standards. The four children slept on the floor of the dining-living room.

Noting that the entire family was dressed in much-patched clothing, the visiting Australian offered his jacket to the cousin, who broke into tears.

"I've wanted a new jacket for three years," he explained. "When you go back, don't send me money. That's not the problem. But if you could spare a little cloth—."

THE "INCOMPLETE" MEAL

Dinner was a chicken, taken from a flock the official kept on the roof of his apartment house. There was also rice, purchased with ration tickets. But the Australian shocked his cousin by asking for soya sauce, the indispensable Chinese condiment.

"There is none, and no one to borrow from," the hostess explained.

Alberto Moravia, the world-famed Italian author, wrote these impressions in "Corriere della Sera" after a recent trip to Red China:

"There is no doubt that what strikes today's traveler in China is the uniformity and leveling of the masses. . . .

"To begin with the question of uniformity, one cannot insist too much on the apparently irrelevant fact that every Chinese citizen, be he man or woman, wears the same type of clothing. Thus, not only have the differences between individuals been abolished, but also the differences between the sexes. . . . To find something in Europe that resembles Chinese uniformity one must turn to the monastic orders.

"As for the leveling of the masses, China today impresses one as a single, immense, poor country whose poverty is respectable and proud, but implacable. Utter destitution seems, it is true, to have been eliminated; nevertheless the style, the color, tone, manner of living and the world view implied by poverty are eviden everywhere. . . .

"What are the needs of the Maoist man? Judging by appearances, one can enumerate them as follows: a pair of blue cotton trousers, a white cotton shirt, a pair of sandals or slippers; a bicycle to ride to work; an apartment consisting of a single room shared by the whole family; a limited number of consumer goods such as cigarettes, beverages, soap, toiletries, household utensils; public parks in which to walk, the only nonpolitical form of recreation."

READY FOR REDS

The China that Mao Tse-tung inherited in 1949 was tired of war and civil strife, ready to accept rule by Communists who were thought to be incorruptible, to have far-reaching plans for the future and to be able to pull hundreds of millions of peasants out of the misery resulting from centuries of national decline.

Yet China today is a nation of discontent, frustration and envy. Education, totally disrupted by more than two years of frenzied "Red Guard" activities, is still not back at a normal pace. Political indoctrination is considered more important than regular studies. Students are reluctant to return to classes. Some experts believe education has been set back at least 10 years by the "Great Cultural Revolution." The chronic shortage of engineers, scientists, technicians and managers has grown more acute. Disruption of education is paralleled by disruption of family life.

Millions of families have been broken up on orders from the party. Husbands work in one locale, wives in another. The luckier couples may see each other once a year.

BACK TO THE FARM

In recent months, possibly 25 million people have been ordered to leave the cities and go to work in the countryside. The exiled include unemployed young bureaucrats, medical workers, even housewives. But also included are hundreds of thousands of men who were being trained to work in planned new factories. They are being ordered to leave simply because the new factories failed to materialize when industrialization plans were cut back.

Evacuation of 25 million from the cities eases the pressure on urban food supplies, and hits at "featherbedding" practices common in Chinese industry. But all this imposes enormous strains on the villages. Few commune brigades have surplus food for the newly arrived. Few of the city workers are physically or psychologically equipped to work with their hands in the fields.

XUM

What emerges clearly from an examination of China in 1969—20 years after the Communists seized power from Chiang Kai-shek—is this assessment:

The party that was supposed to be incorruptible turns out to be full of men who are greedy, ambitious and intent on creating a privileged "new class."

The nation of "blue ants," supposedly dedicated to unity at all cost, turns out to be a nation of men and women who want autonomy at every level—the family, village, county, province and region. Rule from one desk in Peking is but a mirage.

The obedient Chinese turn out to be people who disobey once controls are slackened.

In short, Red China today is not vastly or basically different from the Chinas of the past.

HUNGER AND FARM PAYMENTS IN NON-FOOD-AID COUNTIES

The **SPEAKER** pro tempore (Mr. FOLEY). Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, President Nixon's announced program to meet hunger and nutritional deficiencies in the United States is commendable and urgent. It is also an enormous undertaking which will involve unanticipated costs and problems.

In this country 12 million persons are classified as "hard-core poor." This means, for example, a family of four with annual income under $2,200, or $550 per person. According to the Department of Agriculture, this family would require $1,200 annually to purchase a nutritionally complete diet. By the standard so properly set forth in President Nixon's statement, no family should have to pay more than 30 percent of its income for food. Since 30 percent of $2,200 is only $660—about half that needed for a satisfactory diet—the new antihunger program must necessarily include all hard-core poor as well as many more.

It may reasonably be assumed that where hard-core poor exist, hunger exists too.

According to President Nixon, there are over 400 counties in the United States which are not now participating in any Federal food-aid program for the poor. The President very commendably has stated his determination that by next July a food-aid program will exist in each of these counties. It is important to recall that Lyndon Johnson, while President, expressed a similar determination but did not succeed.

For some reason, these counties have proved to be strangely but effectively resistant to Federal food aid to their poor, and perhaps this resistance will tend to thwart President Nixon's promise to the poor and hungry. Indeed, Agriculture Secretary Hardin, in testifying last week on the administration's food-aid program, stated:

> I want to emphasize—as strongly as I can—that the success or failure of our Federal efforts to eliminate hunger and poverty-induced malnutrition depends heavily on the level of concern and action by states and local communities.

The statistics I am today placing in the RECORD concerning the non-food-program counties—425 are actually listed—are revealing. They give important dimensions to the problem and at the same time suggest a way to meet part of the food-aid costs.

They also lead to the embarrassing conclusion that Federal food aid to poor families is deliberately excluded from the very counties where farm production is curbed at extremely high cost to the taxpayer.

Deliberate exclusion of Federal food aid by these counties is a fact. Although limitations exist in the availability to additional counties of the food-stamp program, the direct distribution program, under which 22 items of food can be distributed free to the poor, is immediately available to any county in the United States and has been for years.

That farm production is curbed at high cost in these counties is evident from farm program payments made to farmers. For the most part these payments are made in exchange for agreement not to grow feed grains, wheat, and cotton.

On the face of it, this anomalous situation seems to be an astonishing departure from the Judeo-Christian ethic. Leviticus 19: 9–10 records God's injunction to Moses:

> And when ye reap the harvest of your land, thou shalt not wholly reap the corners of thy field, neither shalt thou gather the gleanings of thy harvest. And thou shalt not glean thy vineyard, neither shalt thou gather every grape of thy vineyard; thou shalt leave them for the poor and strange.

Under supply-management Federal programs, farmers receive Federal payments for leaving large acreages of productive land unplanted. In a hungry world, this practice must raise questions of prudence, judgment, and morality. In a country which has prided itself on the bounty of its land only to find that many Americans suffer from hunger and malnutrition, this practice is anomalous and ironic.

But what makes this practice truly astonishing, and directly contrary to that of Biblical days, is that it is so extensive in the very counties which bar poor people from access to free or low-cost food from the Federal largess. It is incredible that these counties, with tax bases swollen by Federal aid capitalized into the wealthy farmers' land values, flatly refuse Federal aid to their poor people.

Why does this incredible practice exist?

Surely not because of a local philosophical aversion to welfare, even Federal welfare. After all, Federal farm payments cannot possibly be explained or justified except as a means of providing income support. Income support is but another interchangeable expression for welfare. And let there be no mistake as to which farmers are receiving the most income support—or welfare—from Federal farm programs. It is not the little farmer. Nor is it the average farmer. Rather, it is the large, often wealthy farmer who receives most of the benefits from farm programs. The top 15 percent of the farmers, with sales in excess of $20,000 per year, receive almost one-half of the $3 billion plus in Government payments each year.

Plainly, the political leadership of these counties finds Federal handouts to wealthy farmers something they can live with, but Federal handouts to hard-core poor something else.

I would hate to think that this deplorable situation is to be explained as reflecting an aversion to poor people themselves. Surely the local leadership in denying Federal food benefits does not purposefully take this means to encourage poor people to move on and take their troubles elsewhere. Out of sight, out of mind, the saying goes.

Nor would I want to think that in areas where poor people are predominately Negro, it might reflect a racial bias.

In many cases, it could well reflect a lack of awareness of the extent of local poverty. Particularly in rural areas poor people are less concentrated than in cities and therefore poverty is less visible.

Whatever the reasons, the policy is completely out of tune with the Judeo-Christian ethic and with America's humanitarian character.

While these statistics are the best available, it is possible that, due to lag in reporting, the list contains the names of a few counties which have very recently put a food-aid program into operation.

Federal farm payments in the larger statistical table—table III—include only those which totaled $5,000 or more per farm in 1967. Totals in table I include payments of all sizes.

Of the non-food-aid counties, the one whose farmers received the largest total in Federal payments is Lynn County, Tex., with $8,903,000.

This is especially noteworthy because Lynn showed a population total of only 10,914 with 2,282—nearly 25 percent—classified as hard-core poor.

The number of Lynn County families directly benefiting from the farm payments happens to be about the same as those classified as hard-core poor. Their income from farm payments alone, however, is more than three times the gross income of the poor. This estimate is based on $1,200 as the national average income of the hard-core poor.

Ninety-nine of Texas' 254 counties exclude Federal food aid to the poor. Of the 99, farm payments totaled more than $2 million each in 14, and more than $1 million each in 14 others. Put another way, 28 were million-dollar-plus counties but hardly so viewed by poor people.

Actually, Texas leads the Nation in size of farm payments and in total poor people without access to a Federal food-aid program.

Of $3 billion in direct payments in 1967 nationally, Texas farmers received $457 million, which was 15 percent of the Nation's total and more than twice as much as its nearest competitor, Kansas.

Kansas leads the Nation in percentage of counties without a food-aid program for the poor.

Of its 105 counties, 83—79 percent—are non-food-aid counties. Although ranking second only to Texas in total farm payments with $211 million, the size of individual payments was much smaller.

While Texas had 53 farmers who got over $100,000 each, and 278 who got between $50,000 and $99,999 each, Kansas had no farmers in the first category and only nine in the second.

Other non-food-aid counties with heavy concentrations of hard-core poor are:

County	Hard-core poor	Farm payments	Number of payees
Tuscaloosa, Ala	21,409	$605,000	48
Bell, Tex	11,732	473,000	68
Bowie, Tex	11,724	698,000	35
Wharton, Tex	10,831	1,771,000	195
Fort Bend, Tex	10,300	1,946,000	158

Non-food-aid counties that are especially interesting in terms of total farm payments are:

County	Hard-core poor	Farm payments	Number of payees
Finney, Kans	1,382	$2,862,000	281
Stanton, Kans	116	2,094,000	165
Harmon Okla	1,063	2,008,000	195

In citing these facts, I do not mean to minimize the problems which exist in other States. Hard-core poor exist in all States, and even where food-aid programs exist, undoubtedly many families still are not being adequately served.

While my home State of Illinois has food-aid programs in almost all counties, I freely acknowledge that it has unmet problems in hunger and nutrition.

Certainly poverty is not limited to urban areas. Nor are poor people in rural areas predominately Negro. Of 14 million poor people in rural areas, 11 million are white.

These facts suggest a way the Congress can meet part of the cost of the program to meet hunger nutritional deficiencies. A study prepared by the Department of Agriculture at the direction of Dr. John A. Schnittker, Under Secretary of Agriculture under President Johnson, recently concluded that a ceiling on payments to individual farmers would not seriously impair the effectiveness of the commodity programs and would result in budget savings as high as $300 million annually.

Such a ceiling, at the $20,000 level, was voted last year by the House of Representatives but subsequently dropped in House-Senate conference. When the agriculture appropriation bill comes up for consideration later this month I will offer a similar amendment. An examination of payments to individual farmers under the various programs must lead to the conclusion that many of these payments are excessive and can be used to more constructive purpose in meeting nutritional needs of poor people.

With these remarks I place in the RECORD three tables. Table I lists the States which have non-food-aid counties, the total number of such counties, and also total farm program payments.

Table II gives data on each non-food-aid county, including the number of hard-core poor, the rank of the county in terms of median family income, and the number and total of farm payments which exceed $5,000.

Table III shows by size categories farm payments for each State.

Tables I, II, and III follow:

TABLE I

States	Number of counties without Federal food-aid programs [1]	Farm program payments [2]
Alabama	2	$89,180,305
California	4	110,289,443
Colorado	3	56,192,011
Florida	2	17,643,379
Georgia	1	77,825,112
Idaho	26	37,069,593
Illinois	8	97,673,527
Indiana	2	77,316,643
Iowa	1	142,839,395
Kansas	83	211,367,759
Louisiana	7	55,463,315
Maryland	2	5,317,123
Michigan	1	56,039,398
Minnesota	17	95,250,735
Missouri	42	115,838,406
Montana	34	68,480,121
Nebraska	29	133,113,432
Nevada	3	1,686,712
New Jersey	3	4,200,894
New York	1	20,214,630
North Carolina	3	61,696,043
North Dakota	6	130,224,183
Ohio	14	70,354,682
Oklahoma	4	111,025,376
Pennsylvania	1	21,191,008
South Dakota	16	65,399,780
Texas	99	457,205,685
Virginia	8	17,581,651
Wisconsin	3	41,226,935
Total	425	2,448,907,276

[1] USDA report for February 1969

[2] 1967 payments to farmers; USDA report transmitted to Congress Apr. 8, 1968.

TABLE II.—POVERTY AND FARM SUBSIDIES IN NONFOOD PROGRAM COUNTIES AS OF MAR. 14, 1969

County	MFIR [1]	Population	Hard-core poor [2]	Farm subsidy payments	Number of payees
ALABAMA					
Morgan	1670	60,454	12,243	$689,000	74
Tuscaloosa	1654	109,047	21,409	605,000	48
CALIFORNIA					
Butte	2532	82,030	4,158	127,000	14
Glenn	2450	17,245	1,266	108,000	13
Mono	2954	2,213	59	5,000	1
San Benito	2610	15,396	1,289	30,000	3
COLORADO					
Douglas	2349	4,816	270	29,000	4
Pitkin	2884	2,381	181	14,000	1
San Miguel	2231	2,944	211	26,000	2
FLORIDA					
Marion	1069	51,616	11,258	14,000	1
Putnam	1386	32,212	6,487	6,000	1
GEORGIA					
Troup	1346	47,189	11,205	21,000	3
IDAHO					
Ada	2801	93,460	4,339	$88,000	8
Bear Lake	2279	7,148	448	113,000	13
Blaine	2303	4,598	335	50,000	7
Bonneville	2992	46,906	2,560	1,008,000	88
Butte	2697	3,498	245	67,000	9
Camas	1987	917	128	264,000	31
Canyon	1926	57,662	5,883	1,019,000	106
Caribou	2646	5,976	602	534,000	62
Cassia	2259	16,121	1,054	970,000	82
Clark	1512	915	156	101,000	10
Custer	1936	2,996	362	5,000	1
Elmore	2049	16,719	990	171,000	17
Franklin	1781	8,457	969	194,000	26
Gem	1822	9,127	696	19,000	2
Gooding	1636	9,544	1,318	91,000	9
Jefferson	2236	11,672	1,075	263,000	21
Jerome	1731	11,712	1,299	54,000	9
Lemhi	1345	5,816	797	11,000	2
Lincoln	2273	3,686	187	73,000	11
Madison	2574	9,417	898	489,000	55
Minidoka	2198	14,394	1,384	496,000	41
Oneida	1836	3,603	328	424,000	53
Owyhee	1583	6,375	753	98,000	9
Payette	1687	12,363	1,256	75,000	9
Twin Falls	2251	41,842	2,792	354,000	43
Washington	1615	8,378	1,005	193,000	26
ILLINOIS					
Boone	2774	20,326	912	71,000	10
De Kalb	2835	51,714	3,217	233,000	32
Du Page	3123	313,459	6,679	34,000	6
Kendall	2972	17,540	981	42,000	7
Lake	3110	293,656	6,140	110,000	15
Stephenson	2576	46,207	3,589	78,000	9
Winnebago	3038	209,765	9,329	248,000	32
Woodford	2554	24,579	1,586	115,000	13

Footnotes at end of table.

TABLE II.—POVERTY AND FARM SUBSIDIES IN NONFOOD PROGRAM COUNTIES AS OF MAR. 14, 1969—Continued

County	MFIR [1]	Population	Hard-core poor [2]	Farm subsidy payments	Number of payees
INDIANA					
Newton	1963	11,502	1,155	$164,000	20
White	2153	19,709	1,320	205,000	24
IOWA					
Fayette	1599	28,581	3,979	36,000	6
KANSAS					
Allen	1488	16,396	1,597	62,000	7
Anderson	1249	9,035	1,396	37,000	5
Barber	2286	8,713	596	783,000	99
Barton	2677	32,368	1,751	766,000	103
Brown	1092	13,229	1,699	122,000	18
Butler	2632	38,395	2,012	138,000	21
Chase	1132	3,921	593	37,000	6
Chautauqua	971	5,956	769	11,000	2
Cheyenne	1466	4,708	495	708,000	91
Clay	1544	10,675	859	243,000	39
Cloud	1616	14,407	1,166	467,000	67
Coffey	898	8,403	1,174	45,000	5
Comanche	1546	3,271	355	658,000	83
Cowley	2210	37,861	2,039	202,000	30
Decatur	1400	5,778	615	389,000	55
Dickinson	1848	21,572	1,623	299,000	39
Doniphan	1396	9,574	1,360	105,000	16
Douglas	2423	43,720	...	47,000	7
Edwards	1688	5,118	645	1,141,000	143
Ellis	2328	21,270	1,833	242,000	33
Ellsworth	1658	7,677	641	375,000	52
Finney	2478	16,093	1,382	2,862,000	281
Franklin	1581	19,548	1,708	16,000	3
Geary	1656	28,779	2,538	69,000	10
Gove	1871	4,107	462	945,000	119
Graham	2374	5,586	743	498,000	70
Gray	1791	4,380	642	1,665,000	187
Greeley	2829	2,087	89	1,731,000	151
Harvey	2362	25,865	1,156	362,000	55
Haskell	2624	2,990	173	1,749,000	170
Jackson	1258	10,309	1,507	91,000	14
Jefferson	1665	11,252	1,054	44,000	8
Jewell	887	7,217	987	754,000	103
Johnson	3118	143,792	2,878	60,000	10
Kiowa	2390	4,626	285	653,000	89
Lane	2149	3,060	265	1,153,000	133
Lincoln	1129	5,556	584	402,000	56
Linn	1299	8,274	...	104,000	11
Logan	2293	4,036	197	1,197,000	125
Lyon	1960	26,928	2,486	34,000	4
McPherson	2204	24,285	1,364	530,000	75
Marion	1890	15,143	1,241	181,000	23
Marshall	1413	15,598	2,007	248,000	39
Miami	2189	19,884	1,543	62,000	9
Mitchell	1531	8,866	921	1,043,000	129
Montgomery	2044	45,007	4,123	41,000	5
Morris	1103	7,392	1,164	70,000	10
Morton	2824	3,354	227	965,000	102
Nemaha	1017	12,897	2,448	75,000	11
Neosho	1631	19,455	1,816	60,000	9
Ness	1272	5,470	721	914,000	116
Norton	1522	8,035	857	207,000	31
Osage	1372	12,886	1,290	61,000	8
Osborne	1211	7,506	979	578,000	79
Ottawa	1391	6,779	427	461,000	64
Pawnee	2367	10,254	613	1,185,000	163
Phillips	1380	8,709	1,021	355,000	42
Pottawatomie	1455	11,957	1,840	86,000	12
Pratt	2284	12,122	817	1,007,000	142
Rawlins	2105	5,279	581	523,000	76
Reno	2405	59,055	3,727	1,276,000	183
Republic	860	9,768	1,263	401,000	56
Rice	2202	13,909	579	761,000	110
Riley	2035	41,914	2,641	42,000	7
Rooks	2104	9,734	762	657,000	88
Rush	1938	6,160	753	661,000	92
Russell	2283	11,368	675	526,000	75
Saline	2506	54,715	2,161	388,000	58
Scott	2325	5,228	403	1,789,000	189
Seward	2891	15,930	491	951,000	107
Sheridan	1487	4,267	968	759,000	110
Smith	943	7,776	1,121	494,000	72
Stafford	1765	7,651	599	739,000	100
Stanton	2681	2,108	116	2,094,000	165
Stevens	2904	6,400	250	1,624,000	170
Sumner	2270	25,316	1,214	1,382,000	193
Thomas	2340	7,358	419	1,821,000	193
Trego	1924	5,473	711	453,000	69
Wabaunsee	1016	6,648	1,026	71,000	4
Wallace	1657	2,069	151	1,203,000	112
Washington	[3] 757	10,739	...	261,000	3
Wichita	2056	2,765	546	1,410,000	158
Woodson	988	5,423	700	16,000	2
LOUISIANA					
Bossier	1899	57,622	10,123	1,058,000	52
La Fourche	1702	55,381	10,088	426,000	37
Ouachita	1733	101,663	20,450	1,015,000	50
Plaquemines	2329	22,545	4,732	10,000	1
St. Tammany	1307	38,643	8,900	7,000	1
Terrebonne	2114	60,771	10,453	634,000	21
Webster	1440	39,701	8,877	22,000	2
MARYLAND					
Cecil	2431	48,408	3,939	$14,000	2
Washington	2338	91,219	7,712	11,000	2
MICHIGAN					
Midland	3029	51,450	3,051	30,000	4
MINNESOTA					
Brown	1868	27,676	3,796	39,000	7
Clay	2670	39,080	2,250	760,000	91
Dodge	1402	13,259	1,664	71,000	9
Fillmore	1328	23,768	4,018	54,000	7
Freeborn	2183	37,891	3,833	219,000	30
Goodhue	2111	33,035	2,913	51,000	7
Houston	1697	16,588	2,687	5,000	1
McLeod	1827	24,401	2,885	10,000	2
Martin	1640	26,986	3,096	222,000	31
Norman	1147	11,253	1,449	257,000	32
Olmsted	2881	65,532	3,647	48,000	8
Rice	2246	38,988	2,698	27,000	5
Steele	2326	25,029	2,122	76,000	10
Wabasha	1917	17,007	1,995	46,000	4
Watonwan	1471	14,460	2,476	109,000	15
Wilkin	1572	10,650	1,490	166,000	24
Winona	2228	40,937	3,316	11,000	2
MISSOURI					
Adair	1110	20,105	2,544	30,000	5
Andrew	1029	11,062	1,528	12,000	2
Atchison	1059	9,213	1,386	430,000	49
Audrain	2139	26,079	2,149	45,000	5
Barton	706	11,113	1,641	91,000	14
Bates	935	15,905	2,287	145,000	19
Boone	2223	55,202	3,347	81,000	10
Calloway	1720	23,858	2,241	34,000	4
Carroll	1035	13,847	2,257	544,000	66
Cass	1935	29,702	2,377	74,000	11
Cedar	512	9,185	1,546	5,000	1
Chariton	622	12,720	2,470	300,000	36
Clinton	1281	11,588	1,536	49,000	7
Cooper	1536	15,448	1,695	112,000	17
Franklin	2128	44,566	3,594	17,000	3
Grundy	848	12,220	1,832	23,000	3
Henry	1106	19,226	2,413	75,000	10
Holt	876	7,885	1,242	371,000	43
Howard	987	10,859	1,761	264,000	29
Jasper	1790	78,863	7,367	55,000	8
Johnson	1343	28,981	2,648	54,000	9
Knox	630	6,558	1,075	84,000	9
Laclede	776	18,991	3,675	11,000	2
Lafayette	1469	25,274	2,216	172,000	22
Lawrence	1044	23,260	3,248	23,000	3
Lincoln	1421	14,783	1,741	37,000	6
Macon	822	16,473	2,543	74,000	12
Miller	953	13,800	2,531	7,000	1
Moniteau	893	10,500	1,613	93,000	11
Monroe	770	10,688	2,232	39,000	5
Montgomery	946	11,097	1,620	89,000	13
Morgan	677	9,476	1,217	5,000	1
Newton	1429	30,093	4,020	38,000	4
Pettis	1584	35,120	3,386	59,000	8
Platte	2814	23,350	1,391	124,000	16
Randolph	1368	22,014	2,337	22,000	3
Ray	1717	16,075	1,383	305,000	39
St. Genevieve	1809	12,116	1,305	71,000	5
Saline	1398	25,148	2,240	619,000	61
Scotland	697	6,484	937	27,000	4
Vernon	942	20,540	2,165	190,000	24
Warren	1573	8,750	845	21,000	3
MONTANA					
Beaverhead	2241	7,194	446	184,000	19
Broadwater	1411	2,804	248	257,000	26
Carbon	1708	8,317	674	201,000	26
Carter	1585	2,493	358	163,000	17
Custer	2353	13,227	803	209,000	26
Dawson	2620	12,314	1,150	797,000	102
Fallon	1993	3,997	373	436,000	60
Fergus	2234	14,018	1,443	1,383,000	162
Gallatin	2491	26,045	1,584	440,000	56
Garfield	[3] 863	1,981	426	315,000	37
Golden Valley	1451	1,203	164	121,000	16
Granite	2195	3,014	181	5,000	1
Hill	2936	18,653	1,124	2,127,000	258
Jefferson	2229	4,297	294	71,000	6
Judith Basin	2476	3,085	361	583,000	73
Liberty	2790	2,624	124	1,228,000	138
McCone	1350	3,321	672	1,145,000	134
Madison	1824	5,211	417	124,000	11
Meagher	2206	2,616	195	80,000	7
Missoula	2744	44,663	1,810	32,000	5
Musselshell	2187	4,888	285	112,000	14
Park	2424	13,168	...	115,000	17
Petroleum	2541	894	115	78,000	8
Powder River	2076	2,485	292	207,000	27
Powell	2508	7,002	...	64,000	6

Footnotes at end of table.

TABLE II.—POVERTY AND FARM SUBSIDIES IN NONFOOD PROGRAM COUNTIES AS OF MAR. 14, 1969—Continued

County	MFIR[1]	Population	Hard-core poor[2]	Farm subsidy payments	Number of payees
MONTANA—Continued					
Prairie	1823	2,318	223	$261,000	37
Ravalli	1260	12,341	1,513	136,000	17
Richland	1814	10,504	1,540	1,129,000	146
Stillwater	2067	5,526	294	502,000	62
Sweet Grass	1705	3,290	391	91,000	12
Teton	3435	7,295	800	1,611,000	196
Toole	2866	7,904	359	1,116,000	127
Treasure	1873	1,345	117	136,000	16
Wheatland	2523	3,026	139	62,000	8
NEBRASKA					
Adams	2071	28,944	1,344	519,000	70
Brown	1156	4,436	575	63,000	9
Burt	1305	10,192	1,555	452 000	47
Chase	1394	4,317	520	520,000	56
Cherry	1934	8,218	885	16,000	3
Cheyenne	2596	14,828	752	631,000	93
Colfax	969	9,595	1,334	103,000	9
Dundy	1121	3,570	648	175,000	24
Fillmore	1183	9,425	1,119	852,000	107
Frontier	959	4,311	796	254,000	35
Furnas	1041	7,711	826	311,000	38
Hayes	1259	1,919	221	165,000	20
Hitchcock	1310	4,829	622	223,000	33
Jefferson	1210	11,620	1,309	328,000	40
Keya Paha	603	1,672	232	13,000	2
Kimball	2911	7,975	399	752,000	101
Lincoln	2310	28,491	2,255	431,000	60
Logan	1268	1,108	184	68,000	11
Nuckolls	1199	8,217	1,283	445,000	60
Otoe	1609	16,503	1,960	239,000	28
Platte	2042	23,992	2,866	80,000	13
Polk	1188	7,210	1,007	331,000	43
Red Willow	2252	12,940	951	463,000	58
Richardson	1251	13,903	2,023	219,000	27
Saline	1215	12,542	1,463	194,000	27
Seward	1122	13,581	1,992	225,000	34
Sioux	1895	2,575	391	26,000	3
Wayne	1221	9,959	1,471	12,000	2
Webster	904	6,224	824	281,000	38
NEVADA					
Douglas	3056	3,481	168	13,000	2
Lander	2345	1,566	78	6,000	1
Nye	2701	4,374	247	320,000	14
NEW JERSEY					
Hunterdon	2864	54,107	2,109	10,000	2
Monmouth	2986	334,401	14,028	93,000	13
Somerset	3105	143,913	3,442	16,000	3
NEW YORK					
Ontario	2722	68,070	3,637	75,000	10
NORTH CAROLINA					
Iredell	1680	62,526	10,562	35,000	3
Lincoln	1286	28,814	5,468	63,000	7
Polk	1031	11,395	2,678	10,000	1
NORTH DAKOTA					
Adams	1504	4,449	503	868,000	117
Bowman	2483	4,154	454	669,000	85
Renville	1508	4,698	663	493,000	72
Slope	2162	1,893	366	564,000	66
Stutsman	2002	25,137	2,668	914,000	114
Wells	1201	9,237	1,714	531,000	74
OHIO					
Auglaize	2514	36,147	2,314	23,000	4
Defiance	2673	31,508	1,965	27,000	5
Delaware	2548	36,107	2,335	43,000	6
Fairfield	2592	63,912	3,638	73,000	9
Greene	3005	94,642	4,762	98,000	12
Hancock	2717	53,686	2,912	46,000	8
Henry	2482	25,392	1,400	51,000	7
Mercer	2410	32,559	3,202	24,000	4
Noble	1242	10,982	1,712	9,000	1
Paulding	2232	16,792	1,298	54,000	8
Perry	1813	27,864	3,106	5,000	1
Putnam	2074	28,331	4,057	45,000	5
Seneca	2647	59,326	3,977	85,000	14
Warren	2914	65,711	4,173	32,000	4
Williams	2481	29,968	1,828	41,000	6
OKLAHOMA					
Beaver	2127	6,965	646	$921,000	127
Harmon	1164	5,852	1,036	2,008,000	195
Major	1145	7,808	1,002	355,000	51
Woods	1777	11,932	1,041	649,000	90
PENNSYLVANIA					
Adams	2200	51,906	3,263	37,000	5
SOUTH DAKOTA					
Aurora	289	4,749	1,580	72,000	11
Clay	1470	10,810	1,349	88,000	11
Douglas	541	5,113	1,692	11,000	2
Edmunds	822	6,079	1,577	209,000	30
Fall River	2201	10,688	692	101,000	12
Haakon	1974	3,303	480	223,000	25
Hughes	2968	12,725	283	271,000	30
Jones	1340	2,066	306	298,000	40
Lawrence	2407	17,075	902	12,000	2
Meade	1840	12,044	1,308	166,000	23
Minnehaha	2705	86,575	4,565	59,000	6
Shannon	251	6,000	3,009	196,000	22
Walworth	2052	8,097	667	260,000	38
Washabaugh	1320	1,042	222	81,000	9
Sully	1506	2,607	533	883,000	88
TEXAS					
Andrews	2976	13,450	456	186,000	15
Aransas	1498	7,006	1,148	33,000	1
Archer	1915	6,110	509	93,000	11
Armstrong	1939	1,966	80	827,000	94
Bailey	1628	9,090	1,630	6,034,000	443
Bandera	656	3,892	768	7,000	1
Baylor	1264	5,893	891	571,000	68
Bell	1404	94,097	11,732	473,000	68
Blanco	975	3,657	795	29,000	3
Borden	2419	1,076	108	596,000	58
Bosque	618	10,809	1,682	52,000	7
Bowie	1484	59,971	11,724	698,000	35
Brazoria	2375	76,204	8,014	306,000	39
Brazos	1467	44,895	8,553	1,511,000	41
Briscoe	1137	3,577	777	2,266,000	194
Burnet	1182	9,265	1,279	44,000	6
Calhoun	2474	16,592	3,185	644,000	70
Castro	1650	8,923	2,457	7,979,000	559
Clay	1832	8,351	746	297,000	35
Coleman	855	12,458	2,087	287,000	43
Collin	1478	41,247	6,353	1,015,000	125
Collingsworth	997	6,276	1,465	1,751,000	184
Colorado	1055	18,463	4,307	288,000	24
Comal	1805	19,844	2,724	5,000	1
Concho	992	3,672	811	489,000	53
Coryell	1054	23,961	2,269	178,000	22
Crane	2999	4,699	243	11,000	1
Crockett	2480	4,209	527	151,000	17
Deaf Smith	1847	13,187	2,718	5,965,000	442
Denton	1925	47,432	3,699	290,000	36
Donley	974	4,449	584	689,000	84
Ector	2909	90,995	6,929	151,000	9
Edwards	1492	2,317	445	207,000	23
Ellis	1333	43,395	....	1,795,900	199
Erath	731	16,236	2,021	14,000	2
Fort Bend	1378	40,527	10,300	1,946,000	158
Gaines	2534	12,267	1,510	6,145,000	403
Garza	2342	6,611	955	1,143,000	117
Gillespie	993	10,048	1,045	6,000	1
Glasscock	2838	1,118	132	934,000	67
Gray	2865	31,535	1,759	556,000	68
Gregg	2263	69,436	10,051	7,000	1
Hall	1123	7,322	1,675	2,835,000	275
Harris	2876	1,243,158	108,328	80,000	10
Harrison	1190	45,594	11,785	11,000	2
Hansford	2822	6,208	421	2,921,000	257
Hartley	3035	2,171	92	1,172,000	91
Hood	847	5,443	758	12,000	1
Hopkins	699	18,594	3,672	31,000	5
Hunt	1367	39,399	....	673,000	84
Jack	1741	7,418	657	48,000	7
Johnson	1943	34,720	2,865	354,000	36
Kaufman	984	29,931	5,837	653,000	55
Kendall	1094	5,889	642	6,000	1
Kerr	1446	16,800	1,709	56,000	5
Kimble	1150	3,943	725	67,000	9
Lamar	759	34,234	7,883	1,034,000	103
Lampasas	957	9,418	1,796	60,000	4
Llano	991	5,240	675	22,000	1
Lynn	1449	10,914	2,282	8,903,000	678
McCulloch	966	8,815	1,603	186,000	26
Mason	737	3,780	943	81,000	9
Menard	930	2,964	847	96,000	14
Midland	3065	67,717	4,270	1,036,000	79
Mills	569	4,467	835	34,000	5
Mitchell	1486	11,255	2,443	2,179,000	209
Navarro	827	34,423	7,741	1,763,000	173
Ochiltree	2898	9,380	375	1,714,000	192
Oldham	2088	1,928	121	684,000	62

Footnotes at end of table.

TABLE II.—POVERTY AND FARM SUBSIDIES IN NONFOOD PROGRAM COUNTIES AS OF MAR. 14, 1969—Continued

County	MFIR[1]	Population	Hard-core poor[3]	Farm subsidy payments	Number of payees
TEXAS—Continued					
Palo Pinto	1371	20,516	2,424	$67,000	10
Parker	1456	22,880	2,025	6,000	1
Parmer	2065	9,583	1,376	8,559,000	679
Randall	3041	33,913	1,198	2,020,000	192
Reagan	2752	3,782	415	144,000	16
Reeves	1891	17,644	3,924	5,389,000	144
Refugio	1844	10,975	3,154	788,000	63
Roberts	1761	1,075	87	192,000	24
Rockwall	1358	5,878	1,618	287,000	29
Runnels	1192	15,016	3,027	1,351,000	171
Rusk	1303	36,421	8,224	95,000	7
San Saba	586	6,381	1,535	62,000	8
Schleicher	2322	2,791	514	239,000	24
Shackelford	1767	3,990	307	87,000	11
Sherman	2764	2,605	189	2,155,000	197
Somervell	476	2,577	508	5,000	1
Stephens	1801	8,885	702	44,000	6
Sterling	2184	1,177	196	63,000	9
Sutton	1772	3,738	732	197,000	23
Taylor	2417	101,078	6,210	615,000	73
Throckmorton	1625	2,767	149	211,000	24
Upton	2639	6,239	429	59,000	5
Uvalde	1043	16,814	4,860	298,000	28
Van Zandt	777	19,091	3,597	98,000	13
Victoria	2086	46,475	8,827	415,000	51
Wharton	1162	38,152	10,832	$1,771,000	195
Wheeler	1726	7,947	904	649,000	76
Wichita	2470	123,528	8,608	323,000	41
Yoakum	2889	8,032	691	2,312,000	168
Young	1913	17,254	955	228,000	30
VIRGINIA					
Campbell	1905	9,330	5,781	6,000	1
Clarke	1160	2,590	1,387	19,000	3
Fauquier	1360	7,305	5,237	5,000	1
Hanover	2247	7,728	3,406	9,000	1
Loudoun	1811	24,549	4,826	6,000	1
Prince George	2134	20,270	1,915	11,000	1
Shenandoah	1253	21,825	2,801	6,000	1
Stafford	2106	16,876	1,695	5,000	1
Virginia Beach (city)				89,000	8
WISCONSIN					
Calumet	2604	22,268	1,235	18,000	1
Jefferson	2634	50,094	2,768	25,000	4
Walworth	2699	52,368		58,000	8

[1] Median family income rank: National ranking, out of 3,133 counties, of the county's median family income, with 1 being the lowest.

[2] Defined by the Office of Economic Opportunity as the number of persons having an income at or below $2,200 for a family of 4, per year.

[3] Ranked No. 1 in State.

TABLE III.—PAYMENTS BY SIZE GROUP, ASCS AND GREAT PLAINS—1967 FARMERS' PAYMENTS BY SIZE GROUP, $5,000 AND OVER

State name and code	$5,000 to $7,499	$7,500 to $9,999	$10,000 to $14,999	$15,000 to $24,999	$25,000 to $49,999	$50,000 to $99,999	$100,000 to $499,999	$500,000 to $999,999	$1,000,000 and over
Alabama (64):									
Total (dollars)	6,124,324	4,006,286	5,404,605	6,253,030	5,054,655	1,938,996	268,873		
Number of payments	1,004	464	446	329	154	30	2		
Alaska (50):									
Total (dollars)									
Number of payments									
Arizona (86):									
Total (dollars)	1,185,812	1,236,056	2,430,586	4,475,884	9,796,150	10,487,421	11,794,213	554,817	
Number of payments	191	143	196	232	277	155	62	1	
Arkansas (71):									
Total (dollars)	8,498,676	6,877,640	9,884,150	12,767,481	15,213,551	8,809,959	3,627,129	619,489	
Number of payments	1,400	798	808	669	456	136	24	1	
California (93):									
Total (dollars)	6,065,869	5,372,726	8,534,005	12,326,094	16,574,425	14,178,357	18,746,262	3,552,019	8,259,579
Number of payments	991	618	702	630	484	207	111	5	3
Colorado (84):									
Total (dollars)	7,897,367	4,714,228	5,338,057	4,198,346	2,039,635	615,635	280,429		
Number of payments	1,305	550	443	225	64	10	1		
Connecticut (16):									
Total (dollars)	18,969	8,662							
Number of payments	3	1							
Delaware (52):									
Total (dollars)	82,436	26,945		19,959					
Number of payments	14	3		1					
Florida (59):									
Total (dollars)	669,730	513,670	603,770	718,380	1,047,334	739,263	1,269,826	610,923	1,275,687
Number of payments	112	59	50	36	29	11	7	1	1
Georgia (57):									
Total (dollars)	6,072,886	4,248,031	5,674,574	5,863,090	3,697,007	1,100,670			
Number of payments	998	490	465	314	113	17			
Hawaii (60):									
Total (dollars)	158,755	100,634	21,795	30,951	71,294	54,795	5,316,017	3,102,514	1,353,770
Number of payments	26	12	2	2	2	1	17	5	1
Idaho (82):									
Total (dollars)	4,938,531	2,968,673	3,100,186	2,042,004	1,395,099	371,106			
Number of payments	813	348	256	111	43	6			
Illinois (33):									
Total (dollars)	5,178,036	2,199,661	1,393,387	850,963	384,676	79,153			
Number of payments	871	256	118	47	12	1			
Indiana (32):									
Total (dollars)	3,159,026	1,423,664	1,034,759	700,792	264,511	114,932			
Number of payments	532	166	86	36	7	2			
Iowa (42):									
Total (dollars)	4,982,634	1,773,284	1,239,436	346,321	264,010	88,499	107,136		
Number of payments	839	208	105	18	7	1	1		
Kansas (49):									
Total (dollars)	27,144,739	13,359,820	12,039,993	7,221,459	3,270,376	534,598			
Number of payments	4,520	1,562	1,013	394	100	9			
Kentucky (61):									
Total (dollars)	808,808	295,750	285,832	186,449	84,644				
Number of payments	135	34	24	10	3				
Louisiana (72):									
Total (dollars)	3,910,558	3,092,455	5,254,164	6,780,899	7,042,148	2,683,671	1,540,673		
Number of payments	641	358	429	356	211	42	10		
Maine (11):									
Total (dollars)	21,801			38,835					
Number of payments	4			2					
Maryland (51):									
Total (dollars)	102,140	91,865	59,831	16,543					
Number of payments	17	11	5	1					
Massachusetts (14):									
Total (dollars)	12,534								
Number of payments	2								
Michigan (35):									
Total (dollars)	1,784,385	673,842	404,446	233,308	67,863				
Number of payments	300	79	34	13	2				
Minnesota (41):									
Total (dollars)	4,094,426	1,898,869	1,621,470	625,880	150,891				
Number of payments	687	223	136	36	5				

TABLE III.—PAYMENTS BY SIZE GROUP, ASCS AND GREAT PLAINS—1967 FARMERS' PAYMENTS BY SIZE GROUP, $5,000 AND OVER—Continued

State name and code	$5,000 to $7,499	$7,500 to $9,999	$10,000 to $14,999	$15,000 to $24,999	$25,000 to $49,999	$50,000 to $99,999	$100,000 to $499,999	$500,000 to $999,999	$1,000,000 and over
Mississippi (65):									
Total (dollars)	6,643,039	5,642,766	9,212,577	15,218,200	25,499,838	18,868,337	10,869,403	653,252	
Number of payments	1,086	655	753	781	742	286	83	1	
Missouri (44):									
Total (dollars)	8,027,294	4,476,656	4,994,327	3,572,324	2,295,406	896,483	103,271		
Number of payments	1,333	521	416	191	70	14	1		
Montana (81):									
Total (dollars)	12,430,928	7,702,245	6,589,221	3,929,802	1,266,896	115,141	166,336	553,358	
Number of payments	2,048	896	551	217	41	2	1	1	
Nebraska (48):									
Total (dollars)	11,966,409	4,682,724	3,262,707	1,817,613	739,913				
Number of payments	2,008	551	275	97	23				
Nevada (88):									
Total (dollars)	152,086	92,905	171,364	91,364	186,177		105,271		
Number of payments	26	11	13	5	5		1		
New Hampshire (12):									
Total (dollars)									
Number of payments									
New Jersey (22):									
Total (dollars)	138,063	50,126	53,511						
Number of payments	23	6	4						
New Mexico (85):									
Total (dollars)	4,268,207	3,357,201	4,522,480	4,226,870	2,936,499	683,185	237,593		
Number of payments	701	391	375	227	89	10	2		
New York (21):									
Total (dollars)	348,366	162,508	76,042	53,543					
Number of payments	57	19	7	3					
North Carolina (55):									
Total (dollars)	2,536,153	1,575,519	2,025,318	1,609,908	1,288,982	368,879	445,913		
Number of payments	418	181	168	86	40	6	2		
North Dakota (46):									
Total (dollars)	16,313,109	6,363,762	4,542,805	1,712,639	605,070	121,737			
Number of payments	2,731	746	384	94	19	2			
Ohio (31):									
Total (dollars)	2,204,005	782,328	490,226	377,195	66,355	65,710			
Number of payments	372	91	40	21	2	1			
Oklahoma (73):									
Total (dollars)	15,095,671	7,667,762	6,686,572	3,557,676	1,655,517	332,321			
Number of payments	2,513	894	564	197	53	5			
Oregon (92):									
Total (dollars)	2,668,433	2,193,405	2,375,351	1,934,747	1,300,127	186,154			
Number of payments	442	253	198	102	41	3			
Pennsylvania (23):									
Total (dollars)	222,075	134,184	166,668	76,806	28,710				
Number of payments	38	16	14	4	1				
Puerto Rico (70):									
Total (dollars)	663,066	637,648	758,787	1,715,156	1,329,479	710,900	1,512,841		
Number of payments	109	73	61	89	40	10	5		
Rhode Island (15):									
Total (dollars)									
Number of payments									
South Carolina (56):									
Total (dollars)	4,377,396	3,168,004	4,591,511	4,957,228	4,196,454	1,624,733	296,327		
Number of payments	723	367	379	263	129	26	2		
South Dakota (47):									
Total (dollars)	5,861,725	2,562,054	2,064,335	861,296	352,007	54,432			
Number of payments	986	301	175	46	11	1			
Tennessee (63):									
Total (dollars)	4,675,223	3,044,954	3,448,331	3,203,187	2,147,453	568,721	105,309		
Number of payments	773	353	285	174	63	9	1		
Texas (74):									
Total (dollars)	51,954,255	41,984,504	59,164,777	67,084,829	46,845,437	17,968,450	7,832,314		
Number of payments	8,492	4,844	4,861	3,546	1,431	278	53		
Utah (87):									
Total (dollars)	972,523	464,342	379,404	418,227	207,679				
Number of payments	162	5		2	6				
Vermont (13):									
Total (dollars)	6,027								
Number of payments	1								
Virgin Islands (80):									
Total (dollars)									
Number of payments									
Virginia (53):									
Total (dollars)	320,522	170,510	96,068	71,330	62,486				
Number of payments	54	20	8	4	2				
Washington (91):									
Total (dollars)	7,949,452	5,845,797	7,667,848	5,977,142	3,016,512	660,831	289,126		
Number of payments	1,302	676	639	323	94	10	2		
West Virginia (54):									
Total (dollars)	12,750								
Number of payments	2								
Wisconsin (36):									
Total (dollars)	692,707	373,856	274,503	128,272	66,176				
Number of payments	117	44	24	7	2				
Wyoming (83):									
Total (dollars)	1,352,012	688,892	483,452	395,239	233,626				
Number of payments	224	80	41	22	7				
United States:									
Total (dollars)	254,763,929	158,707,413	188,423,272	188,687,210	162,744,944	85,023,069	64,914,262	9,556,372	10,889,036
Number of payments	42,146	18,426	15,585	9,984	4,880	1,291	388	15	5

STATUS REPORT: CRISIS IN MILITARY LAWYER RANKS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. PIRNIE) is recognized for 5 minutes.

Mr. PIRNIE. Mr. Speaker, for some time I have been greatly interested in the problem of retaining qualified lawyers for our armed services and during the past 5 years have introduced bills to provide differing types of retention incentives to accomplish this purpose. In January, I introduced H.R. 4296 to provide professional pay and a continuation bonus to lawyers in the uniformed services. The language of the bill was essentially the same as that which was recommended by a Department of Defense study group charged with determining the cause of the incredibly low military lawyer retention rate. This group conducted an in depth investigation of the problem, including a detailed survey of nearly all the military JAG officers now on active duty, as well as those who have left the services within the last 5 years. It recommended that professional pay now paid to doctors, dentists, and veterinarians and a continuation bonus similar to those already authorized for doctors and dentists, be approved for military lawyers.

Despite the fact that the situation has been getting worse for a number of years, the need was markedly accentuated last year by enactment of the Military Justice Act of 1968, which extends to our servicemen the same right-to-counsel guarantee presently afforded criminal defendants in civilian courts. On August 1—less than 3 months from today—this law goes into effect, and the four services estimate that a minimum of 800 additional military lawyers will be required to carry out its mandate.

Time is running out for the Department of Defense and the Congress to take the necessary action to insure that our servicemen receive the type of legal services they are supposed to have by law and deserve as American citizens.

This week the three major service newspapers, the Army Times, the Air Force Times, and the Navy Times, carried similar front-page, lead stories on a new proposal which is supposedly being seriously considered by the Department of Defense. It would provide officers in critical skill areas—lawyers, scientists, and so forth—with the opportunity to obtain a variable reenlistment bonus for signing on for an additional number of years. Also, these articles indicate that consideration is being given to incorporating into the proposal the language of another bill I introduced, H.R. 528, which provides constructive service credit for the time spent in graduate school for those officers whose appointment is dependent upon having that graduate education. For example, in order to be appointed to JAG, it is necessary to have a law degree. Under the provisions of H.R. 528, a JAG officer would receive credit for pay and retirement purposes for the 3 years spent in law school.

I would like to call to the attention of my colleagues the following article which appeared in the Army Times of May 14, 1969, entitled "Pentagon Plans Officer VRB":

> ### PENTAGON PLANS OFFICER VRB
>
> WASHINGTON.—Defense is working on a legislative proposal which could give officers in critical skill-shortage areas bonuses similar to the Continuation Pay going to physicians and the special bonus now before Congress for nuclear submarine officers.
>
> Under present plans the new bonus would amount to $3750 for each year of additional active duty beyond the officer's obligated service.
>
> The proposal has several steps to go before it gets out of the Pentagon, but it is in line with Secretary of Defense Melvin R. Laird's desire to handle critical officer shortages.
>
> He said on a recent Pentagon Forum program that he did not want to handle such shortages on "a piecemeal basis." He meant that he wanted an overall law for all shortages, not just lawyers, pilots, scientists and other officers whose skills require long training and who are in short supply.
>
> It is possible the same piece of legislation would include a section giving constructive credit to men with advanced degrees, but final decisions on neither of the two sections have been made.
>
> Defense may offer the proposal as a substitute to bills already in the hopper to give extra pay and constructive credit to lawyers.
>
> The lawyer bills were introduced by Rep. Alexander Pirnie (Rep., N.Y.). They will be coming up for hearings soon and Defense may find that an appropriate time to offer its own substitute.
>
> The Department is undoubtedly also aware that it may be on mushy ground if it asks Pirnie once again to hold back action on his bills "pending further study." Pirnie has been offering his lawyer bills for years and Defense has been putting him off while the Hubbell pay study was in progress.
>
> Now that study is "being studied." And although Defense may wish to present the skill bill when it brings the whole pay package to Congress later in the year, Rep. Pirnie and other legislators may not want to wait.
>
> As the Defense measure is shaping up, the Secretary of Defense would have the authority, with service coordination, to designate certain skills for which the bonus would be paid. As the shortage ends in one skill, the bonus would end for newcomers signing on for extra duty in that skill.
>
> There is no decision yet on which skills would be designated, but lawyers appear certain to be on the list.
>
> Pilots could be another. One unofficial suggestion made in last month's Military Review magazine, published at the Army Command and General Staff College, would give big bonuses to warrant officer pilots, but that proposal is unrelated to the Pentagon effort.
>
> The question of constructive credit is more complicated. There are two points of view among officials working on the measure.
>
> One is that the officers should be compensated for the time and money they put into their education before they enter service. One way to do this would be to give them time-in-service credit for that schooling.
>
> The other point of view is that these specialists have been deferred from military service while pursuing their education, while less fortunate men who couldn't afford to go to college have to fight the war, and so constructive credit would be unfair to them.
>
> There may be some reluctance on Capitol Hill to give the Defense Department the authority to choose the skills. Some of the lawmakers are unhappy because when they passed the Continuation Pay for physicians, they included dentists as well. Defense does not pay the bonus to dentists despite the law.

Mr. Speaker, I want to make my position on this legislation very clear. The Army Times article is correct, that I do not intend to be put off any longer by the Department of Defense with regard to providing a meaningful incentive to insure that the military services are in the position to provide the necessary legal services. I have been patient for a number of years and have given the Department every conceivable opportunity to come forth with legislation to help solve this vexatious problem. August 1 and the requirements of the Military Justice Act loom on the near horizon. The time for "studies" has long since past.

I hasten to add that I am not alone in my concern about this critical situation. As of today, 13 other Members of this body have introduced bills similar to H.R. 4296 and numerous others advised the Secretary of Defense of their interest in it. We share not only a common concern that equity be done to those who are responsible for the administration of justice to American servicemen, but also a responsibility for seeing that the mandates of the Military Justice Act of 1968 are fulfilled. It is the latter point that must be emphasized. Let no one make the mistake that the requirements of that act are permissive—in fact, they are mandatory. Thus, the military services do not have the luxury of choice in this matter, rather they must provide these legal services and can only do so in the long term if they are able to retain qualified attorneys experienced in military justice. My bill provides the vehicle to insure an experienced, dedicated military legal corps. It must be approved.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Findley, today, for 30 minutes; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. Wold) and to revise and extend their remarks and include extraneous matter:)

Mr. Pirnie, for 5 minutes, today.

Mr. Pirnie, for 15 minutes, on May 13.

Mr. Reuss (at the request of Mr Boggs), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Monagan and to include extraneous matter.

Mr. Andrews of Alabama and to include an editorial.

Mr. Poff and to include extraneous matter.

(The following Members (at the request of Mr. Wold) and to include extraneous matter:)

Mr. Pirnie.
Mr. Pelly in three instances.
Mr. Quie.
Mr. Minshall.
Mr. Conte.
Mr. Ashbrook in two instances.
Mr. Harvey.
Mr. Scott.
Mr. Taft in three instances.
Mr. Burke of Florida.
Mr. Quillen in four instances.
Mr. Broyhill of Virginia in three instances.
Mr. Hosmer in two instances.
Mr. Pollock in two instances.
Mr. Schwengel in three instances.
Mr. Eshleman.
Mrs. Heckler of Massachusetts.
Mr. Smith of New York.

(The following Members (at the request of Mr. Boggs) and to include extraneous matter:)

Mr. Matsunaga in two instances.
Mr. William D. Ford in two instances.
Mr. Gonzalez in three instances.
Mr. Perkins.
Mrs. Griffiths in two instances.
Mr. Anderson of California in three instances.
Mr. Lowenstein.
Mr. Murphy of New York.
Mr. Friedel in two instances.
Mr. Dulski.

Mr. Rarick in five instances.
Mr. Burke of Massachusetts.
Mr. Bingham in two instances.
Mr. Ryan in four instances.
Mr. Fascell in two instances.
Mr. Diggs in three instances.
Mr. O'Hara in two instances.
Mr. Ichord in two instances.
Mr. Boggs in two instances.
Mr. Pickle in two instances.
Mr. Leggett in two instances.
Mr. Gaydos.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1177. An act to authorize the documentation of the vessel *West Wind* as a vessel of the United States with coastwise privileges; to the Committee on Merchant Marine and Fisheries.

S. 1590. An act to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned tasks; to the Committee on Interstate and Foreign Commerce.

S. 1647. An act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on May 8, 1969, present to the President for his approval, bills of the House of the following titles:

H.R. 3548. An act for the relief of Dr. Roberto de la Caridad Miquel; and

H.R. 4064. An act for the relief of Ana Mae Yap-Diangeo.

ADJOURNMENT

Mr. WAGGONNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 13, 1969 at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

750. A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report of agreements signed under Public Law 480 in March and April 1969, for foreign currencies, pursuant to the provisions of Public Law 85–128; to the Committee on Agriculture.

751. A letter from the Comptroller General of the United States, transmitting a followup report on the use of military personnel in civilian-type positions by the U.S. Coast Guard, Department of Transportation; to the Committee on Government Operations.

752. A letter from the Comptroller General of the United States, transmitting observations on the development and status of the audit function at the Department of Health, Education, and Welfare; to the Committee on Government Operations.

753. A letter from the Chairman, Federal Power Commission, transmitting copies of the publications, "Gas Supplies of Interstate Natural Gas Pipeline Companies, 1967", and "Sales by Producers of Natural Gas to Interstate Pipeline Companies, 1967"; to the Committee on Interstate and Foreign Commerce.

754. A letter from the Comptroller General of the United States, transmitting a report and recommendation concerning the claim by Mr. Wylo Pleasant, an individual doing business as Pleasant Western Lumber Co. (now known as Pleasant's Logging & Milling, Inc.), against the United States, pursuant to the provisions of 31 U.S.C. 236; to the Committee on the Judiciary.

755. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend title 5, United States Code, to repeal the reporting requirement contained in subsection (b) of section 1308; to the Committee on Post Office and Civil Service.

756. A letter from the Assistant Secretary of the Interior, transmitting the 1969 report on "The Cost of Clean Water and its Economic Impact," pursuant to the provisions of section 16(a) of the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

757. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report of grants for basic scientific research made by the Department of Defense to nonprofit institutions during the calendar year 1968, pursuant to the provisions of Public Law 85–934; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of May 8, 1969, the following bill was reported on May 9, 1969:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 4152. A bill to authorize appropriations for certain maritime programs of the Department of Commerce; with amendment (Rept. No. 91–213). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted May 12, 1969*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KASTENMEIER: Committee on the Judiciary. H.R. 4244. A bill to amend section 576 of title 5, United States Code, pertaining to the Administrative Conference of the United States, to remove the statutory ceiling on appropriations; with amendment (Rept. No. 91–214). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 11118. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. ADAMS:

H.R. 11119. A bill to provide for public ownership of the mass transit bus system operated by D.C. Transit System, Inc.; to authorize interim financial assistance for the company pending public acquisition of its bus transit facilities; and for other purposes; to the Committee on the District of Columbia.

By Mr. BROYHILL of Virginia:

H.R. 11120. A bill to amend title 5, United States Code, to provide for the inclusion of certain periods of reemployment of annuitants for the purpose of computing annuities of surviving spouses; to the Committee on Post Office and Civil Service.

By Mr. BUCHANAN:

H.R. 11121. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CARTER:

H.R. 11122. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the only son of a family, and for other purposes; to the Committee on Armed Services.

H.R. 11123. A bill to promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 11124. A bill to amend title 28, United States Code, to limit the appellate jurisdiction of the Supreme Court in certain cases relating to the apportionment of population among districts from which Members of Congress are elected; to the Committee on the Judiciary.

By Mr. de la GARZA:

H.R. 11125. A bill to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DEVINE:

H.R. 11126. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DINGELL (for himself, Mr. William D. Ford, Mr. Karth, Mr. McCloskey, Mr. Moss, Mr. Nedzi, Mr. O'Hara, Mr. Reuss, and Mr. Saylor):

H.R. 11127. A bill to amend the Land and Water Conservation Fund Act of 1965 to increase the amount of funds covered into the land and water conservation fund in the Treasury of the United States; to the Committee on Interior and Insular Affairs.

By Mr. DULSKI:

H.R. 11128. A bill to prescribe standards for congressional redistricting, and for other purposes; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 11129. A bill to provide for Federal Government recognition of, and participation in, international expositions proposed to be held in the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FRIEDEL:

H.R. 11130. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the only son of a family, and for other purposes; to the Committee on Armed Services.

By Mr. GALLAGHER:

H.R. 11131. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

By Mrs. GREEN of Oregon (for herself and Mr. Quie):

H.R. 11132. A bill to amend the charter of Howard University; to the Committee on Education and Labor.

By Mr. GROSS (for himself and Mr. Hall):

H.R. 11133. A bill to prohibit the use of interstate facilities, including the mails, for

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the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 11134. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judciary.

By Mr. HASTINGS:

H.R. 11135. A bill to amend title 13, United States Code, to increase the penalties for wrongful disclosure of information by employees of the Bureau of the Census; to the Committee on Post Office and Civil Service.

By Mr. HELSTOSKI:

H.R. 11136. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

H.R. 11137. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11138. A bill to reclassify certain key positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11139. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for expenses paid by him for the education of any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

By Mr. LOWENSTEIN:

H.R. 11140. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McCULLOCH (for himself, Mr. Buchanan, Mr. King, Mr. Kyl, Mr. Shriver, and Mr. Wyman):

H.R. 11141. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

By Mr. McCULLOCH (for himself, Mr. Buchanan, Mr. King, Mr. Kyl, and Mr. Shriver):

H.R. 11142. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 11143. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. MATHIAS:

H.R. 11144. A bill to authorize the appropriation of additional funds necessary for acquisition of land at the Point Reyes National Seashore in California; to the Committee on Interior and Insular Affairs.

By Mr. MEEDS (for himself and Mr. Wyatt):

H.R. 11145. A bill to establish in the Department of Labor a Youth Conservation Corps, and for other purposes; to the Committee on Education and Labor.

By Mr. MILLER of California:

H.R. 11146. A bill to amend the Immigration and Nationality Act to provide for the expeditious naturalization of certain former alien employees of the United States who have been admitted to the United States for permanent residence; to the Committee on the Judiciary.

H.R. 11147. A bill providing an exception to the Revenue and Expenditure Control Act of 1968; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 11148. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts (for himself, Mr. Gray, Mr. Davis of Georgia, Mr. Foley, Mr. Rogers of Colorado, and Mr. Mollohan):

H.R. 11149. A bill to amend the Merchant Marine Act, 1936, to encourage shipbuilding, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 11150. A bill to clarify and strengthen the cargo-preference laws of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PATMAN:

H.R. 11151. A bill to amend section 1331(c) of title 10, United States Code, to authorize the granting of retired pay to persons otherwise qualified and were Reserves before August 16, 1945, and who served on active duty during the so-called Berlin crisis; to the Committee on Armed Services.

H.R. 11152. A bill to prohibit loans by the Small Business Administration to businesses deriving 50 percent or more of their revenues from the sale of alcoholic beverages; to the Committee on Banking and Currency.

H.R. 11153. A bill to provide for the study of the East Texas Heritage Trail for inclusion in the national trails system; to the Committee on Interior and Insular Affairs.

By Mr. PICKLE:

H.R. 11154. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the only son of a family, and for other purposes; to the Committee on Armed Services.

H.R. 11155. A bill to prohibit the use of interstate facilities, including the mails, for the transporation of certain materials to minors; to the Committee on the Judiciary.

H.R. 11156. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

By Mr. POFF (for himself, Mr. Kastenmeier, and Mr. Edwards of California):

H.R. 11157. A bill to amend title 18, United States Code, to prescribe the manner in which a witness in a Federal proceeding may be ordered to provide information after asserting his privilege against self-incrimination and to define the scope of the immunity to be provided such witness with respect to information provided under an order; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 11158. A bill to provide that the U.S. flag be flown at half staff within the national cemeteries; to the Committee on the Judiciary.

By Mr. POLLOCK (for himself, Mr. Hansen of Idaho, Mr. McClure, Mr. Sebelius, Mr. Evans of Colorado, Mr. Olsen, Mr. Steiger of Arizona, Mr. Wold, Mr. Baring, Mr. Lujan, and Mr. Burton of Utah):

H.R. 11159. A bill to provide for an additional staff employee for each Member of the House of Representatives representing a congressional district the geographical area of which is at least five times that of the average-size congressional district, and for other purposes; to the Committee on House Administration.

By Mr. REUSS (for himself, Mr. Annunzio, Mr. Dulski, Mr. Dingell, Mr. Fraser, Mr. Kluczynski, Mr. Brademas, Mr. Blatnik, Mr. Murphy of Illinois, Mr. McCarthy, Mr. William D. Ford, and Mr. Stanton):

H.R. 11160. A bill to provide for a more conservative capitalization of the St. Lawrence Seaway Development Corporation, and for other purposes; to the Committee on Public Works.

By Mr. REUSS (for himself, Mr. Annunzio, Mr. Dulski, Mr. Dingell, Mr. Fraser, Mr. Pucinski, Mr. Brademas, Mr. Blatnik, Mr. McCarthy, Mr. William D. Ford, and Mr. Stanton):

H.R. 11161. A bill to authorize rehabilitation of navigation structures and appurtenant works of the St. Lawrence Seaway project to be carried out by the St. Lawrence Seaway Development Corporation and financed from appropriations; to the Committee on Public Works.

By Mr. ROBISON:

H.R. 11162. A bill to create a Commission to study the passenger-carrying railroads of this country; to the Committee on Interstate and Foreign Commerce.

By Mr. SANDMAN:

H.R. 11163. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.R. 11164. A bill to amend the Tariff Schedules of the United States to allow containers for certain petroleum products and derivatives to be temporarily imported without payment of duty; to the Committee on Way and Means.

My Mr. CHARLES H. WILSON:

H.R. 11165. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects; to the Committee on Education and Labor.

H.R. 11166. A bill to provide for the establishment of a Commission on Marihuana and Other Hallucinogenic Drugs; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 11167. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CARTER:

H.J. Res. 712. Joint resolution to authorize the President to designate the period beginning November 16, 1969, and ending November 22, 1969, as "National Family Health Week"; to the Committee on the Judiciary.

By Mr. GUDE (for himself and Mr. Beall of Maryland):

H.J. Res. 713. Joint resolution to designate Route 70 of the National System of Interstate and Defense Highways as the "Eisenhower Memorial Highway"; to the Committee on Public Works.

By Mr. SANDMAN:

H.J. Res. 714. Joint resolution proclaiming the week of May 24 through May 30 as "National Memorial Week"; to the Committee on the Judiciary.

H. Con. Res. 249. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. FRIEDEL:

H. Res. 401. Resolution to express the sense of the House regarding the shutdown of Job Corps installations before congressional authorization and appropriation actions; to the Committee on Education and Labor.

H. Res. 402. Resolution requesting the President to urge the Soviet Union to process the requests of 50,000 Soviet citizens for reunions with their families who are outside the Union of Soviet Socialist Republics; to the Committee on Foreign Affairs.

By Mr. TALCOTT (for himself, Mr. Saylor, Mr. Coughlin, Mr. Camp, Mr. Gubser, Mr. Kyros, Mr. Hogan, and Mr. Reid of New York):

H. Res. 403. Resoltuion to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Environment; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

158. By the SPEAKER: Memorial of the Legislature of the State of Minnesota, relative to standards and regulations applying to the dairy industry; to the Committee on Agriculture.

159. Also, memorial of the Legislature of the State of Wisconsin, relative to the ban on the use of lean pork in venison sausage; to the Committee on Agriculture.

160. Also, memorial of the Legislature of

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the State of Iowa, relative to amending the Constitution of the United States to allow the people of each State greater freedom of choice in the apportionment of their legislature and local governing bodies; to the Committee on the Judiciary.

161. Also, memorial to the Legislature of the State of Minnesota, relative to the consent of Congress to the agreement of the States of Minnesota and North Dakota transferring certain lands in Kittson County, Minn.; to the Committee on the Judiciary.

162. Also, memorial of the Legislature of the State of Washington, relative to the sharing of Federal income tax revenues with the States; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 11168. A bill for the relief of 2d Lt. Lennart G. Krals; to the Committee on the Judiciary.

By Mr. KAZEN:

H.R. 11169. A bill for the relief of Juan and Trinidad V. Esquivel; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

105. The Speaker presented a petition of the City Council, Philadelphia, Pa., relative to the antiballistic-missile plan, which was referred to the Committee on Armed Services.

SENATE—*Monday, May 12, 1969*

The Senate met at 12 o'clock noon, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, whose temple is in the heart which is ever open to Thy presence, we pause before Thee this day to thank Thee for the light and truth of Thy kingdom mediated to this Nation by many faiths. For the elevated insights and dynamic drives of men and women, who being in tune with the infinite, have kept the higher goals and the loftier vision of Thy kingdom ever before us, we give Thee thanks.

In these disturbing and difficult days strengthen our faith in the enduring and eternal values of our heritage. Make us to heed and respond to the cry of Thy children for justice and peace. When we are unsure of the course we should follow, enable us to hear above the din of many voices Thy voice echoing across the years. "This is the way, walk ye in it."

O Father of our spirits, we commend this Nation and all its leaders to Thy divine direction.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, May 8, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate sundry messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The bill clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

COMMUNICATIONS SATELLITE CORP.

The bill clerk read the nomination of George Meany, of Maryland, to be a member of the board of directors of the Communications Satellite Corp.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

NOMINATION PASSED OVER

The bill clerk read the nomination of Carl J. Gilbert, of Massachusetts, to be special representative for trade negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

Mr. MANSFIELD. I ask that the nomination go over.

The VICE PRESIDENT. The nomination will be passed over.

U.S. REPRESENTATIVE ON THE NATO COUNCIL

The bill clerk read the nomination of Robert Ellsworth, of Kansas, to be U.S. permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

AMBASSADORS

The bill clerk proceeded to read sundry nominations of Ambassadors.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

U.S. NAVY

The bill clerk read the nomination of Rear Adm. Arthur R. Gralla, U.S. Navy, to be vice admiral.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE ABM AND THE NATIONAL SECURITY

Mr. MANSFIELD. Mr. President, in the Los Angeles Times of May 4 and May 6 appeared two articles on the ABM and the national security. I think they both present fair assessments. Each attempts to indicate that there are wo sides to this particular question.

I ask unanimous consent that these articles, plus one published in the Christian Science Monitor of May 10, 1969, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, May 4, 1969]

VIEWPOINT OF THE TIMES: THE ABM AND THE NATIONAL SECURITY

(This first viewpoint of the Times concerns the anti-ballistic missile controversy. The second will explore the dangerous implications of a unilateral missile freeze and examine some of the current assumptions regarding "excessive" military spending.)

President Nixon vows to fight as hard as he can for the proposed "Safeguard" missile defense system because he believes "it is absolutely essential to the security of this country."

ABM critics, in turn, deride the proposed system as a military boondoggle, and charge that its deployment will set off a new arms race, divert resources from badly needed domestic programs and "turn the United States into a garrison state."

The controversy, which turns on whether Congress will or will not vote $900 million for the first phase of the $7 billion project, is developing an emotional intensity of the same sort which caused the country to tear itself apart over Vietnam.

In a statement calling for rational debate instead of name-calling, Freedom House correctly observed that opposition to the ABM does not necessarily signify indifference toward the security of the United States.

But the moderate, nonpartisan society also warned that ABM supporters should not be dismissed as "bloodthirsty warmongers, tools of the 'military-industrial complex' or the like."

ARGUMENT HAS GROWN

If there is more heat than light in the debate, it is because the confrontation has escalated into much more than an argument over the merits of a specific weapons system.

Aviation Week, which is anything but hostile to defense spending, made precisely this point in a recent editorial.

The uproar over the ABM, the journal warned its readers, represents an "emotional explosion" against the growth of the military establishment into what many people see as a "vast octopus consuming enormous amounts of blood and money without producing very much security for the nation."

As a result, a jaundiced congressional eye is being cast not just on the ABM, but on military spending as a whole.

Some members of the Senate, in particular, are demanding slashes of a magnitude which would condemn the United States to a second-best military posture relative to the Soviet Union—a situation which most Americans, if faced with a conscious choice, are not prepared to accept.

MUST BE PUT IN FOCUS

If the new skepticism toward defense spending is to serve constructive ends, some perspective is needed, both in regard to the ABM itself and to the larger issue of allocating more resources to civil needs and less to the military.

What is Safeguard?

It is important to understand first what the ABM system, as announced by the Nixon Administration on March 14, would not do.

It would *not* protect the cities of the United States against the kind of massive missile attack which the Russians are capable of launching, nor is it intended to.

As the White House put it, "There is no way of doing that. Even if we built a 'thick' defense around our cities at enormous cost, some attacking missiles would get through—enough to inflict extremely high casualties and damage."

To deter the Russians from launching such an attack, Mr. Nixon would continue to rely—as did his predecessors—on keeping the Kremlin convinced that we could absorb a surprise blow and still destroy the Soviet Union with what is left of our missiles and bombers.

As of now, there is absolutely no doubt but that the United States has this capability. The question is whether we will have it in the period from 1973 on.

Russian buildup

In 1965, the year of the massive U.S. escalation in Vietnam, the Soviet Union had some 200 land-based intercontinental ballistic missiles in place compared to our 854.

As of last summer, the Russians had 800 ICBMs compared with our 1,054. Today, they have something over 1,000—and are still deploying more every month—while we have leveled off at 1,054.

The Administration readily agrees that, as of now, our superior bomber forces and missile-firing Polaris submarines give us a clear edge, despite the parity in land-based ICBMs.

The Russians, however, are not standing still.

If they continue to deploy ICBMs at the rate of 200 to 250 a year, while the United States indulges in a unilateral missile freeze, they could have twice as many ICBMs as us by 1973.

Furthermore, the ICBMs now being deployed are the big SS-9 or Scarp missiles which can carry single warheads up to 25 megatons or three smaller multiple-reentry warheads—each of which is several times larger than the warheads atop our Minutemen.

The Russians, meanwhile, also are building missile-firing submarines of their own, as well as killer subs which presumably are intended, in event of hostilities, to knock our Polaris subs out of action before they can fire their missiles.

Finally, they have already built a relatively unsophisticated ABM system around Moscow, and are known to be conducting research and development toward a more advanced system.

The Pentagon's best judgment is, as President Nixon told a recent news conference, that the Soviet Union may be "substantially ahead of us in overall nuclear capability" in 1972 or 1973, unless something is done now.

Defense Secretary Melvin Laird is convinced that the Russians are trying to build a "first strike" capability—that is, the ability to knock us out with a surprise blow.

There is no proof of that. But, as Mr. Nixon put it, "We have to base our policies on their capability"—and this capability is rising in an ominous way.

Enter Safeguard

The main purpose of the ABM proposed by the President is to insure the survival of a significant proportion of our land-based Minuteman ICBMs (and of our bomber forces) in the event of a first strike by the Soviets.

Safeguard is designed secondarily to protect virtually the whole country against the kind of smaller-scale ICBM threat which Communist China will be able to pose in the 1970s.

Finally, if a missile were to be fired accidentally in our direction from any quarter, Safeguard supposedly would enable us to shoot it down.

Negotiations

In announcing a proposed go-ahead on the ABM, President Nixon made it plain that he hopes it will not be necessary to build the whole $7 billion system. Construction can be stopped whenever arms control talks with the Russians produce results.

In the first phase, what amounts to prototype ABM installations would be built in the vicinities of two Minuteman complexes (in Montana and North Dakota) which are said to contain about 350 ICBMs.

Mr. Nixon is convinced that these two ABM complexes alone should, upon their completion in 1973, go a long way toward deterring a would-be enemy from the temptation of a surprise attack on the United States.

Whether the remaining ten Safeguard complexes would ever be built depends upon the progress of arms control talks with Moscow.

The opposition

One thing which makes the ABM debate so confusing to the ordinary American is the sharp disagreement among the so-called experts.

The Safeguard system, which has been likened to "shooting a bullet with a bullet," involves an extremely complex marriage of radars, computers and missiles.

Some of our most eminent scientists sincerely doubt that, if built, it will work—and they have mounted a vigorous and highly effective lobbying effort to impress their skepticism upon Congress and the public.

Other scientists, equally qualified and sincere, are confident that Safeguard will do the job it is designed to do and believe it should be built.

Officials recall that both the hydrogen bomb and the Polaris submarine were developed—fortunately for the security of the United States—in the face of similar disagreement among the "experts."

Dean Acheson, who chaired a presidential advisory group on the hydrogen bomb question 20 years ago, says that "everything which is being said at the present time was said to me then." And he added: "Then, as now, scientists were acting as professors of morality."

Calling Dr. Strangelove

Assuming Safeguard will work, there are still a lot of knowledgeable people who argue that it will not really provide the protection advertised.

If the Communist Chinese were to decide to commit national suicide by launching a nuclear attack on the United States in the 1970s, it is argued, the existence of Safeguard would not stop them.

AN EASY JOB

They would need only to lob in a few short-range missiles from offshore submarines, or smuggle some A-bombs aboard freighters bound for Los Angeles, New York or other port cities.

In the event of a massive Soviet missile attack on the United States, ABM opponents argue that we could fire off our Minutemen before the incoming missiles arrived.

Even if we failed to do so, they insist, the Russians would still have to score near-perfect bull's-eye on virtually all of our Minuteman silos, bomber bases and Polaris subs—else they would face certain destruction from our retaliatory blow.

The survival of a substantial retaliatory force is best guaranteed, in the opinion of many experts, not by installing ABMs, but by building more offensive missiles, putting multiple warheads on them—and perhaps mounting some on hard-to-hit mobile platforms such as barges or railroad cars.

Surely, argue the ABM critics, a start on Safeguard can at least be postponed for a few months more. By that time, arms control talks should be under way, and we will have better intelligence on whether the Soviet ICBM buildup is aimed at achieving parity with the United States or an intimidating superiority.

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SOME ROOM FOR DOUBT

The Nixon Administration has not, as a matter of fact, been entirely convincing in its insistence that the country faces a now-or-never decision on the ABM. Even if one assumes the worst about Soviet intentions, a few months' delay does not have to condemn the United States to a position of inferior power.

The U.S. Senate, however, will gravely and irresponsibly imperil the security of the United States if it votes down the ABM without serving clear notice that the action is provisional—that the Soviet Union is expected to match our own show of good faith by stopping its buildup of offensive missiles.

If Moscow disappoints these expectations, the anti-ABM senators should make plain, they will support President Nixon in doing whatever is necessary to maintain the American nuclear lead.

Unfortunately, there is no evidence that the more emotional foes of the ABM are prepared to exercise that kind of statesmanship.

[From the Los Angeles Times, May 6, 1969]

VIEWPOINT OF THE TIMES: ABM: SHOULD THE UNITED STATES GO AHEAD?

Sen. Henry Jackson (D-Wash.) noted the other day that we were spending five times as much on defense against manned bombers at the end of the 1950s as we would spend on the "Safeguard" missile defense system proposed by President Nixon.

Why was there so little outcry then and so much now?

The answer, of course, lies in the rising resistance to military spending—the feeling among Americans that we have allowed our national priorities to get out of whack.

To keep the record straight, the polls show that the American people as a whole still favor a strong defense establishment. And, of those who have made up their minds on the ABM, over 60% are for it.

There is no question, however, but that sentiment for a tight rein on Pentagon spending is on the increase.

Paper eagle

As far as the average citizen is concerned, the new resistance to military spending has many roots. These include frustration over high taxes, inflation—plus the seeming inability of the world's most powerful military establishment to defeat a rag-tag army of Vietnamese Communists, or prevent the kind of humiliation we suffered in the Pueblo incident.

Credibility gap

Leaving disenchantment of that sort aside, the heart of the trouble is the growing cost and complexity of modern weapons systems.

During World War II, destroyers and submarines cost in the neighborhood of $5 to $9 million apiece; today, the going price is closer to $200 million. Today's fighter planes can carry price tags a hundred times higher than the models which outfought the Germans and Japanese 25 years ago.

What particularly angers congressional critics are the cases where costs run 200% to 300% higher than estimated. The over-run on the big C-5A transport plane alone is now calculated at $2.1 billion.

Even after soaking up enormous resources, the new weapons systems are sometimes a flop, the prime example being the Navy version of the F–111 swing-wing jet fighter.

Pork barrel, 1969 style

While all these factors are relevant, they are not the whole story.

"WALK AROUND" VIETNAM

In hard-rock political terms, what we are seeing is the opening round in a fight over the so-called Vietnam dividend—the billions of dollars which will be up for grabs when the war ends or is drastically reduced.

In this context, the so-called military industrial complex is locked in a struggle with competitive power centers—made up of scientists, educators, anti-poverty warriors, etc.—which want federal money for their own projects.

Since the end of the Vietnam tunnel is not in sight, these interests tend to favor a big slash in the non-Vietnam portion of the defense budget now.

The ABM, because of its controversial nature, makes an attractive target. If the first domino falls, reason the more zealous anti-Pentagon crusaders, the political atmosphere will be conducive to congressional veto of other portions of the defense budget.

Fair is fair

There can be no question but that the attack on America's urban ills—poverty, slum housing, snarled transportation, environmental pollution and the like—deserves a far greater claim on the country's resources than it has enjoyed in the past.

If the new skepticism is to serve a constructive purpose, however, it is important to separate fact from distortion. And the facts are as follows:

In 1960, long before the Kennedy-Johnson escalation in Vietnam, defense spending accounted for 8.7% of the gross national product and 47% of the total federal budget.

In 1969, defense spending is $35 billion higher than it was nine years ago. But it still accounts for only 8.8% of GNP and 43% of the total federal budget.

During the Vietnam war years, spending for major social programs has more than doubled, while defense outlays are up only 52%.

To cite specifics, the federal contribution to welfare programs is almost twice what it was six years ago. Outlays for education and manpower training have more than quadrupled, as has spending for community and regional development. Medical expenditures, thanks to Medicare, are up more than 700%.

Where to cut?

These statistics hardly bear out the picture, assiduously cultivated by Pentagon critics, of a country which has turned its back on human needs in the name of national security.

Obviously, however, the pertinent standard for "sufficiency" in the war on poverty and environmental blight is not the past but the future.

We can do better—if ways can be found to cut the military budget, which is the largest single category of federal spending. And given sufficient determination, ways can be found.

It is hard to believe, for example, that the United States really needs all the 429 major and 2,972 minor military bases which it maintains around the world. Surely a substantial number can be closed if U.S. overseas commitments are reviewed hardheadedly.

Another obvious target is the Pentagon's contracting and weapons evaluation procedures, so that the problems of cost over-runs and "white elephant" weapons systems can be reduced to manageable proportions.

The Soviet enigma

Inevitably, such a tightening up means that more weapons projects must be vetoed before too much money is invested in them—and Safeguard, all things considered, is a borderline case.

What must be avoided, however, is the know-nothing approach which manages simultaneously to be against the ABM, advanced new bombers and fighters, modernization of the Navy and upgrading of our Minuteman and Polaris missiles—all without regard to what the Russians are up to.

And, the Russians have been up to plenty while the United States has been otherwise engaged in Vietnam.

In fiscal 1965, the last year before the massive escalation of the U.S. role in the war, our defense spending totaled $50 billion.

As a result of war outlays, the total figure soared to $80 billion—but the non-Vietnam portion of the military budget is still not much over $50 billion.

The downhold in non-Vietnam spending was accomplished, to a considerable degree, by postponing or stretching out new strategic weapons projects.

As Sen. Jackson observed the other day, the budget for strategic forces is actually almost 50% less than it was in fiscal 1962, if inflation is taken into account.

While we were cranking down our side of the arms race the Russians have been cranking their side up.

The Institute for Strategic Studies estimates that total Soviet military spending is now on a parity with the non-Vietnam portion of ours—and as a percentage of GNP, is almost twice as large.

Beyond parity?

Four years ago, we had a four to one lead in ICBMs. Today, the Russians have caught up with us and may be going beyond parity to superiority.

We still have a big lead in bombers, ballistic missile-firing submarines and total number of warheads. But the Soviets are now building Polaris-type subs of their own, as well as sub-killers which could be used against our Polaris fleet.

As for the big U.S. lead in warheads, UCLA Prof. William G. McMillan, a longtime defense consultant, warns that the Russians may be using a different kind of arithmetic.

They may figure that one nuclear torpedo can destroy a Polaris submarine and all 16 of its missiles. One suborbital missile could take out a bomber field with a score of B–52s and a much larger number of H-bombs.

At this point, no one says for sure that the Soviets are shooting for an intimidating strategic superiority. But the evidence is too strong to be ignored.

Missile freeze

Both the Administration and ABM opponents agree that the best solution is a Big Two arms control arrangement which would effectively prevent either side from gaining a first strike capability over the other.

Mr. Nixon argues that an immediate start on Safeguard is essential to the U.S. bargaining position in such talks. Sen. William Fulbright (D-Ark.) charges that a start on the ABM would imperil the arms control talks and provoke the Russians to countermoves.

Neither argument stands up to critical analysis.

The Kremlin, it turns out, has accepted President Nixon's announcement on the ABM with more equanimity than the chairman of the Senate Foreign Relations Committee. Arms control talks are still expected within a few weeks or months.

This is not surprising. After all, the Russians have 67 ABMs of their own in place around Moscow, and are thus in no position to argue that defensive missiles are provocative.

U.S. DETERMINATION VITAL

Beyond that, the Kremlin leaders understand, if Fulbright and like-minded senators do not, that deployment of ABMs around ICBM silos—as distinct from cities—is not the act of a nation which is thinking in terms of a surprise attack on the other side.

There would be little point, after all, in spending billions to protect empty silos against a retaliatory blow.

Compromise

It does not necessarily follow, however, that congressional approval of Safeguard is essential to success of arms control negotiations.

What is essential is that the Russians know that the United States is not prepared to indulge in a unilateral missile freeze while the Kremlin indulges in a unilateral drive for strategic supremacy.

Unfortunately, the ABM opponents are coming perilously close to creating the opposite impression.

What, then, is the solution? Two alternatives suggest themselves:

Congress can approve a go-ahead on phase one of Safeguard—with language putting the Administration on notice that construction should be stopped if arms control talks show promise.

Congress can withhold approval—but with language putting the Soviets on clear notice that we are prepared to escalate our side of the arms race if the Soviets do not halt their own missile buildup.

The latter alternative is preferable.

If the lawmakers choose neither of these alternatives, but instead turn the ABM down in a euphoric atmosphere of unilateral disarmament, they will be not only wrong but irresponsible.

[From the Christian Science Monitor, May 10, 1969]

The Missile Hassle

The battle for and against deployment of the Sentinel antiballistic missiles wages fitfully in Congress and the public forums. Predictions suggest that the Nixon administration, favoring the ABM system, may win in the House and lose in the Senate, but no one is quite sure. Now the anti-ABM case is bolstered by the Wiesner-Chayes report, a lengthy analytical document which argues that the ABM system for destroying incoming missiles would be ineffective, unnecessary, and mainly a contribution to international tensions.

This 344-page report—by Jerome Wiesner, science adviser to Presidents Kennedy and Johnson; Abram Chayes, former State Department legal adviser; plus a group of scientific and academic experts—was in part politically inspired. Sen. Edward Kennedy commissioned it last February, when he decided to take up the cudgels against the administration's—and Pentagon's—ABM proposal. It will be referred to, and quoted from, a good many times from here on in the crescendoing debate.

The Pentagon has promptly retaliated with its own evaluation—by two scientific experts and Nathan Twining, former chairman of the joint chiefs—which brands the report as unscientific in method, inconsistent and full of errors.

The average individual will wonder what he should believe. Probably the most compelling argument by the Wiesner-Chayes document is its conclusion that, there is no need for a decision, now, to deploy a missile defense system. In short, why go ahead with a new system when the United States is just about to engage in crucial arms-curtailment talks with the Soviet Union?

The impact of the report also is to cast further doubt on the testimony of Defense Secretary Melvin Laird, already disputed, that Moscow is seeking a "first strike" capability against the United States—an ability to knock out America's total defenses in a first devastating blow. Hence the report concludes that deployment, now, of an untried and controversial new defense line would not enhance, but would lessen, national security.

It is useful, to public debate and final decision, that this report is at hand. Dr. Wiesner was one of those who labored long to persuade Moscow that arms-cutback talks would be worthwhile. It is also useful to have the Pentagon's rebuttal which declares the ABM system to be workable and effective. Let the debate continue. But let the administration and Pentagon realize they are under heavy obligation to show why an ABM system would need to be set in motion now, only shortly before talks with Moscow begin.

THE ABM AND THE PRIMARY DANGER

Mr. MANSFIELD. Mr. President, in the Washington Post of May 3, 1969, is published a letter by Mr. Mark A. Weiss. It carries a heading, "The ABM and the Primary Danger." Mr. Weiss has written a most thoughtful letter which relates the question of the deployment of the ABM to the larger issue of the need for general adjustments in U.S. policy in the light of contemporary national and international realities. He urges that the debate of the issue not be reduced to a partisan irrelevancy but, rather, that it be utilized as a profound opportunity to bring up to date our outlook on the situation which confronts the Nation.

I ask unanimous consent that the letter be printed in this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

[From the Washington Post, May 3, 1969]

Letters to the Editor: The ABM and the Primary Danger

If the anti-ballistic missile controversy is permitted to deteriorate into a partisan test of the President's political skill and prestige, we fail to see it for what it is: a major opportunity to put aside outdated ideas and to begin molding our international and domestic policies to the realities of the post-Vietnam era.

What was sophisticated policy in the past has become naive dogma. We persist in the view that our physical survival and our world influence depend upon our possession of ever-growing nuclear might, yet we know that the security and influence of the great powers continue to decline as their nuclear arsenals increase. We pour vast resources into more and more ultimate weapons that at heart we believe never will be used precisely because they are ultimate.

Sophisticated strategy today does call for preservation of an American nuclear deterrent—less because an adversary actually would be likely to use his nuclear weapons than because of the subtle effects our inability to retaliate would have on our policies and the policies of other nations. But this means only that we must retain the ability to exact an unacceptable price of any attacker, not that we must be able to shield ourselves from injury in the first instance or devastate the globe. Since we have missiles and bombers and nuclear submarines, any small part of which would make an attack foolhardy, either the ABM proposal must assume the imminent development of hostile weapons systems capable of neutralizing every part of this excessive destructive force, or the ABM deployment is only a sly first round in the expenditure of many more tens of billions in pursuit of a total security that we could not achieve even if we could afford it.

Whether we can afford the ABM in the broadest sense is the heart of the matter. To be sure, there are risks in every direction, but we pay a terrible price for the delusion that the sole, or even the primary danger is the one that nuclear weapons are made to meet. We undermine our political and social structure at home, and curtail our opportunities to influence others through cooperation and example. As the McCarthyism of the 1950s mistakenly saw our security threatened more from within than from without, will we in the 1970s mistakenly see our survival threatened more by the weapons of other nations than by the frustrated grievances of our own people?

To stop grasping for omnipotence need not be to withdraw into neo-isolationism. Moreover, the choice is not between our aims as a world power and our aims as a society, for it is increasingly plain that our present course does not lead toward either set of objectives, while the alternative offers a better prospect of both.

If we can accept the inevitability of a world in which no nation can have ultimate power or security, perhaps there will be a basis for global de-escalation of military spending and redirection of effort toward human and environmental needs.

If we can overcome our preoccupation with the chronic danger of a future external attack long enough to notice the acute symptoms of cancer, perhaps we will take the first step toward a cure by rejecting deployment of the ABM system.

Mark A. Weiss.

Chevy Chase.

ORDER OF BUSINESS

Mr. ALLEN. Mr. President, I ask unanimous consent to proceed for 10 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

THE SUPREME COURT

Mr. ALLEN. Mr. President, the people of our Nation have been stunned by information indicating the extent to which Justices of the U.S. Supreme Court have been involved in practices which are glaringly inconsistent with the duties and responsibilities of the office of U.S. Supreme Court Justice.

Our Nation is in debt to those who have brought this information to public attention, and particularly to the distinguished Senator from Delaware (Mr. Williams), who has put together and placed in the Record what must rank as one of the most devastating indictments ever leveled against practices which appear to have become commonplace on the Court.

Mr. President, moral and ethical issues have been raised of crisis proportions. I wholeheartedly concur in the judgment of many Senators that a full scale investigation is imperative and that enactment of legislation will be necessary to incise what amounts to an amoral malignancy revealed in certain practices of some members of the Court.

In examining the issues presented, from the standpoint of proposed legislation, it may be helpful to avoid a rush to judgment on the basis of single factual situations. It may be well to back up a bit and see if there is not a pattern revealed to suggest that the present problem may be the effect of a deeper and more profound cause. If so, the legislative approach must do more than treat the symptoms—it must reach the underlying cause.

In this connection, Mr. President, we must bear in mind that Justice Fortas is not the only member of the Court who has accepted fees, royalties, gratuities, and honorariums from outside sources. We are confronted with a pattern and practice apparently deemed acceptable and therefore condoned by the Supreme Court.

For example, Justice Douglas has accepted an annual stipend of $12,000 a year for extra work or services, from sources outside the Court. In the case of Justice Douglas, as in the case of Justice Fortas, money was paid by tax-exempt foundations. And it may be no more than a coincidence, but both foundations had a connection with individuals

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and interests in trouble with the U.S. Department of Justice. The mere possibility of something more than coincidence in these similarities is enough to send shivers down the spine.

Then, of course, there is the matter of Supreme Court Justices who market books, and capitalize on the opportunity to harvest royalties from sale of books. And there is the practice of reaping substantial honorariums for speaking engagements. Justice Fortas previously accepted a $15,000 honorarium for a series of lectures paid from a "kitty" made up from contributions of clients of the law firm of which he was formerly a member.

More recently, it has been reported that Justice Fortas had agreed on a $2,500 honorarium as adequate compensation for making a speech. One cannot help wonder if dickering on the price took place in arriving at the amount of honorarium to be paid. Apparently, most of the Justices on the Supreme Court find nothing wrong in this sort of "moonlighting" and consider it proper to reap a financial harvest from the banquet circuit.

Of course, this practice may or may not result in conflicts of interest in individual cases, but what of constitutional principles which come before the Court for definitive adjudication? Who pays the piper? Who calls the piper's tune? The possibility for undue influence in structuring speeches to the demands of a particular audience is too real not to recognize it as a potential danger; and, as a source of income, it is one incompatible with the office of Supreme Court Justice.

Another aspect of this problem is that members of the Court are shamelessly profiteering on the prestige of the Court. The guardians of our liberties are subjecting the Court to criticism for what appears to be crass commercialism demonstrated by a willingness to trade on the prestige of their office for personal gain.

Frankly, I can not accept the attitude of some Supreme Court Justices that it is permissible to seek outside income simply because there is no law against it. A Supreme Court Justice is appointed for life; he receives $60,000 a year in salary; and is entitled to retire on full pay. Under these circumstances, there should be no financial reason, unless it is love of money, to use the position of Justice of the Supreme Court for personal gain in commercialization of the office. Yet it is a common practice. What is to be done?

Frankly, there is something distasteful in the idea of imposing criminal sanctions in order to regulate the conduct of Supreme Court Justices. But as distasteful as it is, if their conduct in certain areas is not regulated by moral inhibitions or by canons of the legal profession, then Congress may have no choice and must take legislative action. It is perfectly obvious that some members of the Supreme Court see nothing wrong in "judicial hustling." Such a distorted judgment is adequate reason for enacting a law which says otherwise.

Mr. President, it seems to me that there are three separate aspects of the overall problem which may need legislative attention.

First, the practice of members accepting gifts, honorariums, or allowances from individuals, corporations, or any special interest group. This practice suggests the relationship of a patron of the arts, and a down and out suppliant. The idea of a Supreme Court Justice feeling compelled to measure his words or conduct to demonstrate a proper respect and gratitude to a benefactor or benefactors is depressing to think about and downright degrading in practice. Let us put an end to the practice.

Second, Mr. President, a Justice of the Supreme Court has a full-time job—with adequate compensation. There should be no reason to "moonlight" in order to make ends meet and there can be no excuse for having to write books and magazine articles to sell on the commercial market. Since themes for books and articles frequently are chosen to meet demands of the current market and since pornography is the hottest theme on the market today—it is distressing to have to wonder if one of our judicial authors might be tempted to hit the market with a book on obscenity and pornography.

Commercialization of the office is rampant, to the extent even that one Justice has found it necessary to employ a booking agent to go about hawking a "surefire guaranteed hit" in much the same manner as a vaudeville agent selling a "talking dog act." Are we to awake one day to read an advertisement in Variety—"Have Speech, Will Travel," promoting the financial interest of a Justice of the Supreme Court?

Mr. President, this crass commercialization of the Supreme Court presents us with an accumulated mess. It smells to high heaven. The need for cleansing is reminiscent of the Aëgean stables or perhaps the situation in the temple in the time of Christ. I do not know which comparison is more apt. In any event—cleansing there must be.

Next, Mr. President, I believe that Federal criminal statutes might be tightened up a bit—made a bit more precise in the area of undue influence, to the extent that individuals, corporations, and special interest groups might be discouraged from dreaming up ways to tempt Supreme Court Justices by way of commercial or other offers of reward for any kind of advice, counsel, or service.

Finally, Mr. President, in order to effectively achieve these ends, it would seem necessary that some provisions be made for periodic financial disclosure of income sources of members of the Court.

Mr. President, it is unpleasant to think about the need to legislate along these lines. I most sincerely hope that legislation may not be necessary. I hope that the Court will clean up its own house by the formulation and adoption of a code of ethics. I hope that such a code may be a first priority item in the current order of business and that standards adopted will accomplish not less than a correction of the glaring improprieties outlined above.

If the U.S. Supreme Court does not act, then Congress must.

Mr. President, last January I made a speech on the floor of the Senate against the salary raise for Members of Congress and members of the Supreme Court. At that time I said that I believe the Court would be much improved by the resignation of a majority of the Justices of the Supreme Court. I still stand by that statement.

To be a little more precise and exact I would say the Court would be much better off if Mr. Justice Fortas and Mr. Justice Douglas would resign.

I yield the floor.

SAIGON MURDERER NOW GUEST OF AMERICAN TAXPAYERS

Mr. YOUNG of Ohio. Mr. President, many Americans will distinctly remember the picture in most metropolitan newspapers of the South Vietnam militarist national police chief, Nguyen Ngoc Loan, murdering a Vietcong officer with a single pistol shot during the Tet offensive last year. This Vietcong officer had been taken prisoner by American GI's. Unfortunately, although our Nation is signatory to the Geneva Pact guaranteeing the humane treatment of prisoners of war, it is our continuing policy in Vietnam to turn over all Vietcong prisoners taken by American troops to officers of the South Vietnamese Armed Forces.

We do this notwithstanding the fact our military leaders know that usually those prisoners of war taken by our GI's are often subjected to brutality and torture immediately and that many are murdered. Soldiers of the Saigon militarist regime tie their hands behind their backs, usually blindfold them, invariably torture them, and too often murder unfortunate Vietcong prisoners of war. This particular outrageous murder was also depicted on television screens as part of the Vietnam war news of that day and viewed by millions of Americans.

Americans should now know that this murderer, Brig. Gen. Nguyen Ngoc Loan who was seriously wounded in street fighting in Saigon has been brought to the United States on a commercial jet liner at the expense of our taxpayers who are footing the bill for this murderer.

This brutal murderer, accompanied by his wife, four children, chauffeur, cook, and military aide, is in the United States and en route to Washington, D.C., where arrangements have been made for him to be given a suite at Walter Reed Hospital and have the services of U.S. surgeons and doctors attending him under the pretext that he has diplomatic status and is connected with the South Vietnam Embassy in Washington.

This murderer will soon be at Walter Reed Hospital, Washington, receiving the best medical, surgical, and nursing attention available. All this, of course, at the expense of American taxpayers. Incidentally, the suite he will occupy should be occupied instead by some American GI's wounded in fighting in Vietnam to maintain in office the militarist regime in Saigon of which he is a general officer.

American citizens are beginning to realize that the Saigon regime of President Thieu and Vice President Ky represent at most but 20 percent of the people living in South Vietnam. At least 80 per-

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cent are sympathetic to or fighting with the Vietnam or forces of the National Liberation Front.

When I was in South Vietnam, the chief deputy of General Westmoreland informed me that 80 percent of the Vietcong fighting against Americans in the Mekong Delta, south and west of Saigon, were born and reared in the Saigon Delta.

This most recent picture of this Saigon murderer shows a well-dressed man in civilian clothes, carrying a cane, accompanied by his wife and, presumably, his daughter, or a friend. He will soon be a guest and patient at the Walter Reed Hospital "where his injured leg will be operated on."

Mr. President, this seems to me to be a disgraceful end to a disgraceful, murderous episode.

UNTIMELY DEATH OF JACK JUREY, WTOP NEWSMAN

Mr. MANSFIELD. Mr. President, it is with sadness and regret that I read in the press this morning of the passing of an old friend, an excellent journalist, and first-rate reporter, Jack Jurey, who had been with station WTOP since 1958.

Jack Jurey, I believe, was the originator of the use of the broadcast editorial both on radio and television; at least in the Washington area he was one of the first to employ this kind of reporting.

He was the winner of a number of Sigma Delta Chi, and local Emmy awards. He was a man of outstanding honesty. His editorials were brief, thorough, and to the point. I cannot recall one to which I listened—and I listened to many—which did not impress me very much.

I knew that Jack had been ill over the past few months but, nevertheless, I am deeply sorry that the career of this outstanding correspondent, reporter, and newspaperman has been brought to such an untimely end.

On behalf of Mrs. Mansfield and myself, I extend our deepest condolences and sympathies to his wife, Philomena, and to his daughter, Mrs. Edwin Conklin, Jr., who lives with her husband in Istanbul, Turkey.

Mr. President, we will all miss Jack Jurey. He was a rare man in the reportorial field. It will be some time before his like will once again appear on the scene.

Mr. President, I ask unanimous consent to have printed in the Record an obituary from the Washington Post of this morning.

There being no objection, the orbituary was ordered to be printed in the Record, as follows:

Jack Jurey, 45, WTOP Newsman

Jack Jurey, senior correspondent for WTOP News, died yesterday of cancer at his home, 3211 Rowland pl. nw. He was 45.

Mr. Jurey's career with WTOP, which began in August, 1958, included participation in several award-winning efforts. He originated the station's editorial, which in 1963 won the Radio-Television News Directors Association Award.

Also, a two-week fact-finding tour of Vietnam in 1965 led to a series of editorials that won the award of Sigma Delta Chi, the national professional journalism fraternity, for distinguished service in television editorializing.

Mr. Jurey was named news director of WTOP in 1968. He supervised the station's coverage of the April disturbances here. Two WTOP documentaries on the riots, "Dialogue With Whitey" and "The Silent Cash Register," was named for local Emmy awards by the Washington chapter of the National Academy of Arts and Sciences.

In December, 1968, he asked to be relieved of his administrative duties to devote full time to reporting. He was named senior correspondent.

Born in Youngstown, Ohio, Mr. Jurey attended Youngstown University. He began his career with WKBN in his home town in 1941. After service with the Army Air Corps in World War II, he returned to the station as news director.

Mr. Jurey covered the 1960, 1964, and 1968 political campaigns and conventions.

Larry H. Israel, chairman of the board of Post-Newsweek stations, said, "Jack Jurey's pioneering in editorials for local stations was a major contribution to broadcast journalism. His recruitment and encouragement of young people coming into the field made his off-camera contribution as meaningful as his work on television."

John Corporon, vice president and general manager of WTOP–TV, said, "Jack will be missed as a friend and as a journalist. He made many contributions to the Washington community as an editorialist, a reporter and as a news director. His devotion to truth-seeking and his high standards of professionalism made him one of Washington's most respected newsmen."

Mr. Jurey is survived by his wife, Philomena, and his daughter by a previous marriage, Mrs. Edwin Conklin Jr., who lives with her husband in Istanbul.

YOUTH PATRIOTISM WEEK

Mr. ERVIN. Mr. President, in these troublesome days, it frequently is easy to view the acts of some members of the younger generation through a jaundiced eye. Consequently, it is indeed a privilege for me to call to the attention of the Congress the Youth Patriotism Week sponsored by the Fayetteville, N.C., Youth Council from March 2 through 8.

With the thought that other communities might be interested in sponsoring a similar activity, I ask unanimous consent to have printed in the Record a statement outlining the activities of Youth Patriotism Week and the essays on patriotism which won the first, second, and third prizes.

There being no objection, the statement and essays were ordered to be printed in the Record, as follows:

Youth Patriotism Week

(Sponsored by the Fayetteville Youth Council)

The week of March 2, thru March 8, 1969 was set aside to show that the youth of Fayetteville have a deep love for their country. On Sunday, March 2, a rally was held at Rowan Park. Sgt. Lawrence Joel, Medal of Honor winner, was the speaker for the rally. High school glee clubs and folk singers gave a suitable program. The four city high school service clubs took a project during the week. Some of these projects were visiting the local Veteran's Hospital, making posters, flag raising ceremonies at each school and special P. A. School announcements and programs at the schools. The high school ROTC units helped with the flag raisings at the schools.

An essay contest, with high school students submitting a 300 word or less essay on what patriotism means to them. The Mayor of Fayetteville, Monroe E. Evans, gave the prizes for the three winners. David Freeman won first prize. Wanda Mitchener placed second and Cathy Hobbs won third prize.

American flag decals were distributed by the Youth Council to all interested people in displaying them on their automobiles.

Radio spot tapes were made by teen-agers on patriotism to be played on the local radio stations.

Murray Fogler, a Fayetteville Youth Council member, wrote a letter to Senator Sam J. Ervin, Jr., stating the confidence that we have in our country.

The week closed on Saturday, March 8, 1969, with a Cavalcade through downtown Fayetteville with high school students driving decorated cars. A prize was given to the group with the best decorated car. The ROTC car from Reid Ross High School won the prize.

The Fayetteville Youth Council feels that this week made many of the teen-agers of this area more aware of the feelings that they have for their country.

[First Place]

An Essay on Patriotism

(By David S. Freeman III, Terry Sanford, Sr., High School, Fayetteville, N.C.)

Klansman burn crosses—the panther snarl! Freedom rings—how sweet it is; the big bear is hugging us again! Clinched black fists and shiny medals—the flag goes up but the head goes down! Wallace ran—a racist army embraced him! Wallace ran—tears ran! 45, 22, 38—not a figure but an arsenal. This is like it is, but not like it ought to be.

History is still repeating itself and someone has rightly said that "the worst thing about history is that every time it repeats itself the price goes up!"

Those who wrap themselves most conspicuously in the stars and stripes—the symbol of liberty and equality—are the most likely to be, either openly or tacitly, anti-Negro, anti-Semitic, anti-Foreign, and anti-intellectual, secure in the most un-American confidence that only they themselves are true Americans. For them, the oath of allegiance is the passport to patriotism and the ritual observed is the end desired.

Like most outward professions, the claim of patriotism ironically can mask a lack of faith. The patriot who thinks of himself as a patriot may pledge allegiance to the flag, but he may not truly believe in the democracy for which it stands and the justice it is sworn to maintain. The real patriot believes in both. But you might not recognize him, because he carries his allegiance within his heart and his banner within his blood.

If we are true patriots, when the flag goes up, our fists and medals go down, and our heads go up with pride.

[Second Place]

Patriotism

(By Wanda K. Mitchener, E. E. Smith Senior High, Fayetteville, N.C.)

"My country claims me all, claims every passion; her liberty henceforth be all my thought; for her, my life,

"I'd willingly resign, and say with transport that the gain was mine."—Martyn.

"O say does that star-spangled banner yet wave; Or' the land of the Free and the home of the Brave."

And thus ends the celebrated anthem of America. Yet, how many Americans continue to hum it's melody or think twice about the meaning and thought contained within the lines of our National Anthem.

At the historic time in history when these glorious words were written by Frances Scott Key, Americans were aware of their nativity. At a time in history when Americans were fighting to maintain freedom, Frances Scott Key expressed the feelings of many American

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people. Patriotism was strong and Americans were filled with love and devotion for their country; and they sang, "My country 'tis of Thee sweet land of liberty, of thee I sing."

How many Americans are forced to seek their dictionary's help when patriotism is mentioned? How many Americans have to force themselves to stand tall when the anthem is sung? How many Americans truly know the words and meaning of our national anthem? How many Americans think about their wonderful heritage? How many Americans love their country? These are all questions which should become a challenge to each individual in this democracy.

Patriotism is not to be taken lightly, as many persons seem to think, but it is to be practiced in day to day living. Patriotism should be stressed not only at Football and Basketball games, but in homes, schools, churches, at work and recreation.

The true patriot forgets not the struggles of his forefathers which made him free and comfortable today. In the words of the late John F. Kennedy, a true patriot "ask not what his country can do for him, but rather what he can do for his country."

A patriot has so expertly been defined as, "one who loves and zealously supports his *own* country." Love for one's own country is the key to patriotism which unlocks the door to an individual's heart and enables him to sing with renewed vigor, "God bless America, land that I love."

[Third Place]

PATRIOTISM

(By Cathy Hobbs, Reid Ross High School, Fayetteville, N.C.)

Patriotism must truly come from the heart. The dictionary defines it as a deep love for one's country. But it can't just stop at that. Ask yourself, "Would I be willing to lay down my life for my country?" "Would I be willing to defend my country's beliefs, policies, and form of government?" These points are only a few of the many aspects covered by the word patriotism.

We, as young people, should be primarily concerned with a love of our country. We are the leaders of tomorrow and the only hope for the future. Now is the time when we should be preparing ourselves for the problems that lie ahead. Our country depends on us. It is the *people* that represent the United States, not the figures on a national graph. It is said that the United States is the most influential and the richest country of today. The people before us have made it that way. Their love of our land has brought us unbelievable wealth. This wealth isn't necessarily from our economic standpoint, but from the small intangible aspects of life in general. Our fathers, grandfathers,, and great-grandfathers have all laid down their lives for this wonderful country. They did this not because they had to, but because they wanted to fulfill the dream of all Americans—the dream of freedom and peace for everyone.

Freedom and peace can't come by just sitting back and letting nature take its course. Peace will come only through brotherly love, and there is no better place to start than by loving one's own country.

As I said before, patriotism must come from the heart. Only when sincerity plays its proper role will this land of ours be free and peaceful.

ADDRESS OF REV. IRVIN R. PUSEY, BEFORE THE CONFERENCE OF GRAND MASTERS OF MASONS IN NORTH AMERICA

Mr. ERVIN. Mr. President, on February 24, 1969, the Reverend Irvin R. Pusey, grand chaplain of the Grand Lodge of Delaware and pastor of the Red Lion Methodist Church, Red Lion, Del., made an address before the Conference of Grand Masters of Masons in North America at the Shoreham Hotel in Washington, D.C. This speech dealt in very eloquent fashion with the fundamental principles upon which our country was founded. This address merits the consideration of all thoughtful Americans and for this reason, I ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address of Rev. Irvin R. Pusey, Grand Chaplain of the Grand Lodge of Delaware and Pastor of the Red Lion Methodist Church, Red Lion, Del., Before the Conference of Grand Masters of Masons in North America, Washington, D.C., February 24, 1969

I consider it a privilege to be with you tonight to share in this great meeting with great people. I come to you as a Mason; as a Minister; and as an American. I have a love for my Lodge; a love for my land; and a love for my Lord. And these themes of circumstances will color what I have to say to you tonight. They all flow together; they all mingle in; they cannot be separated. I thank God for all of these.

I should like to share with you three things you can hang your thoughts on: Masons as men of purpose; Masons as men of patriotism; Masons as men of prayer.

So to you distinguished guests; to you, Mr. Chairman; to you dear ladies and to you brethren, let me speak to these three things.

Masons as men of purpose. We live in a divided world tonight; a world where there are two Koreas; two Vietnams; two Germanys; two Chinas; two Berlins. A world that is divided by philosophical and political ideologies and even in our fair land, we see many, many problems. Freedom is under attack by Communism. Don't you think it is not. Men by the hundreds are coming back from Vietnam in little wooden boxes; pant legs pinned up, coat sleeves tucked in. They know Freedom is under attack tonight. We see in America tonight the ravages of an increasing crime rate that many of our police departments are now admitting they cannot really control. Immorality in America is no longer a disgrace—it is a way of life. If there was ever a time for Masons to live by the spirit of their Fraternity, it is now. To become men of purpose, and I do not mean men of purpose just by saying "Oh, I have a purpose for my life", but as Masons to take the purposes and the spirit of Masonry and get it out of the ritual of a Lodge Room and let it live in our hearts; on the streets, in our homes and in our factories. Let Masonry come alive; let it become incarnate in our bodies, because unless it does then I am afraid of its future.

Not long ago I gave my little daughter a stuffed toy lion. She played with it, carried it around; kicked and mauled it. I often wondered what would happen if that stuffed lion ever came alive. Many Masons are treating Masonry that way. We dabble in it; we play with it. Oh, if it could only come alive. I hear people say "you know we have got to defend Masonry." I do not believe it. You do not have to defend Masonry any more than you have to defend a lion. Let it loose. It will protect itself. Let it loose in your life and my life.

We read in the Book of Acts in the Bible, of Peter and John going up to the Temple and they met a lame man at the gate of the temple. He was begging. It was quite surprising, because at that time most beggars used to beg on the outside of the city at the gates of the city where the marketing was done and the caravans came through. But, this man was begging at the gates of the Temple. Why? Because he expected more from those who entered the temple, more from those who believed in God. I think he was right. And I believe tonight that the world has a right to expect more from Masons than many other groups. And God help us if we do not think so. I believe Masonry makes a man a better man and if it does, it gives him an awesome responsibility to let loose the spirit and the morals and the principles of Masonry. Let it come alive. Let that be our purpose.

I want to say that Masons ought to be patriotic. This is a dirty word in our day and time. The thing to do if you want to be popular is to criticize America; find fault with her. And this can be done. She has got her faults and she is certainly open to criticism. I have done some myself. But I am just a little bit weary of hearing all of this. Because, as I look at this land, I believe there is a lot to be said for America. And now I would like to say a good word for America. I think she is the greatest nation on earth. I make no apologies for that. Patriotism, comes from the word patriarch. It means love of fatherland. Let us not be ashamed of it.

I would like to take the letters of the word America: America. And ascribe some thoughts for each letter.

A. A is for *Ahead*. We live in a time of social and political revolution, where people are telling us that a democracy can no longer cope with the needs of the time. This is a technological age, they say, and the only way a government can control and compete and take care of its people is to become socialistic or communistic. I do not believe it. No nation has done more for her people than America. No Nation has given more dignity and freedom and opportunity to her people than America. And I know her standard of living is the envy of the world. There are some who like to compare us with the communist nations, notably the Soviet Union.

Do you realize that if we were to become equal with the Soviet Union, we would have to go backwards? We would have to cut our agricultural and industrial production by great percentages. We would not be able to meet here tonight, if this hotel was located in Russia. Such a thing as Masonry would not be tolerated. Such a society could not exist in the Soviet Union. You couldn't be here tonight and if you were, there would be secret police in the garage taking down your license numbers from your cars.

Speaking of police. The police in Russia are there to protect the *government*. The police in America are here to protect the *public*. And I am one who thinks that the police of America are doing a *great job* and are ridiculed unnecessarily. The Grand Master of Delaware, Warren Schueler, is a lieutenant colonel of the state police. We have three other state troopers on the staff, who are Masons, and whenever I hear the cry of police brutality go up I cringe, because usually, it is just an attempt to get out of a crime a person has already committed. And I will tell you something tonight, brethren and friends. I hope I never have to make the choice, but if I do have to make the choice, I would far rather have police brutality of the criminal rather than criminal brutality of the public the way it is being done today. And so as I look at America, I see that she is already *far ahead* of any other system of government. Name any system of government that has done as much for their people as the United States of America! In fact, many of these governments today exist because of the American dollar that's kept them afloat. So why should we want to change to another form of government when we are *already ahead!*

M stands for *Mighty*, she is a mighty nation; and I, for one, am not ashamed of the military power of the United States because I'm convinced tonight that the only thing that stands between the Soviet, the

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Red Chinese war machine and world domination is the military power of the United States! I believe they fear and respect it and I'm not ashamed of our military power! I'm proud of every one of our men in uniform because they not only represent their country, but they represent a direct challenge to a way of life that would ruin our way of life. They represent power that the enemy will respect! And to those who would burn the American flag and tear it down, burn their draft cards (and by the way, when they burn their draft cards, I would have a lot more respect for them if they burnt their social security cards at the same time). Those who burn the American flag ought to read up on their history and I'll make this statement in front of anybody—No nation has done more for the world in the history of the world than the United States of America!

Ask any Englishman if there would be an England today without America's help in World War II. Of course not! Charles De Gaulle, in France, can say all he wants to about his anti-Americanism (you notice he doesn't do it too much anymore . . . not since he got stung himself by the Communists last spring when they turned on him); but he used to be very anti-American in many respects. Yet, Charles De Gaulle has a nation to be president of tonight because there are *10,000* American graves in Normandy and throughout France that bought his country back from Hitler! I'll say this too! There wouldn't even be a Russia tonight without America! Just go back in history a few years. In 1942, Hitler's armies were at the gates of Moscow and we know that the Russian winter took its toll. But it wasn't the Russian winter that defeated Hitler's army—it was the Russian army that defeated Hitler's armies, but with what? Ships—hundreds of them left American ports and put in at Russian ports. It was *American* guns, and *American* tanks, and *American* planes, and *American* bombs in the hands of Russian soldiers that turned the tide and if she didn't have the war equipment we gave to her, she could never have done it! Hitler would have marched right into the streets of Moscow. So there is a Russia today because there was an America who pumped out of her factories war materials and armed the Soviet soldiers. And then those who would say about America's involvement in Vietnam—how criminal we are over there—look at the past! What did we do with West Germany, this enemy that had ravaged Europe and killed many of our men? Why we turned our treasuries loose and we poured money into West Germany and today she is the fastest growing economy in all of Western Europe and her dollar is the soundest! What did we do with Japan? Here is an enemy that had a sneak attack on Pearl Harbor and 2700 American men died! With this enemy that stabbed us in the back, we signed a peace treaty on the decks of the U.S.S. Missouri. Did we go in and plunder and loot and rape that nation? No! We sent money, medical aid, food supplies, factory equipment—we went in there and we put Japan back on her feet! We also turned back to her many islands of the Pacific taken at such a high price, Iwo Jima to name one. Today, Japan is the fastest growing economy in the whole world, thanks to her *enemy*, America, who treated her better than she had ever been treated before, even after Pearl Harbor. Who was the first one to come to the aid of the South Koreans, even before the United Nations involved themselves in it? And those in South Vietnam! When no other nation cared, the very finest of our young men went over there and are over there going through the ravages of war for the freedom of another country! Don't tell me we're criminal—history just doesn't prove it!

I am reminded of a story I heard when I was in theological seminary. It was told to me by one of the associate editors of the Baltimore Sun Newspaper. He said, "when I was born, my mother died in giving me childbirth. He said, my father was a good man—a farmer, and I was the last of eleven children. Dad wanted to keep the family together and he did. He said one warm summer day I saw my dad sitting on the front porch of the old farm house and I ran and climbed up into his lap. I was then about seven years old. Dad put his big arm around me and began to tell me all about my mother, whom I never knew. Tears rolled down his cheeks and when he had finished he pointed to a little cemetery across the way and said, son, you'll never know how much you cost me."

All across the world America can point to hundreds of thousands of little white crosses and say to the world, you'll never know how much you cost me. She is a *mighty* nation and I am not ashamed of her military power.

E stands for *Everyone*. Now we know and we have to admit that there have been injustices in this country. This is certainly, true. But there have been injustices in every country. I do believe, however, that more people have been given an opportunity in this country than in any other nation. There are a lot of people tonight who are submitting bills to America. They want something. It is like the little boy who went to school. He found out from his classmates that some of them were getting a larger allowance than he was getting. When he found it out he thought he would give Mom the word. But when he got home, he chickened out and could not bring himself to tell her that he needed a larger allowance because every one else in the class was getting it. He wrote her a note, and left it on the dining room table. When he went to school the next morning his mother found it. She picked it up and read it. It went something like this: (To Mom. A bill from your son. For taking out the garbage, fifty cents; for helping with the dishes, seventy-five cents; for saying thank you and please, two dollars. It all totaled up to several dollars.

When he came home that night his mother did not say a word to him and he was a little bit surprised, but he was too afraid to bring up the subject. After he finished his supper, he saw a little note sticking out from under the plate. He pulled it out and opened it up. It said something like this: *To my son, a bill from your Mother*. For bringing you into this world and going into the jaws of death to do it, the cost was love. For walking the floor with you at night when you were sick, the cost was love. For teaching you to talk and to walk, the cost was love. He got the idea. He could never repay his mother).

Suppose that in some way America could submit a bill to us for the privilege of being born in this country. The cost was the grace of God. For the freedom you have enjoyed, the cost was innumerable lives given at Valley Forge, Gettysburg, Iwo Jima, Korea and so on. We could never repay her for what she has done for us.

R stands for *Religion*. We will never be able to understand this great American phenomenon *apart from GOD*. What is it that makes America unique? Not democracy. Other nations have had democracy. The Greeks had it thousands of years ago. Not her military power. Other nations have had military power. Not her resources. Other nations have great resources. I believe it is the fact that she is one nation under God. Notice that phrase—Under God. Not equal with God, or above God, or along side of God, but a nation under God. Under God's rule and law. As I have surveyed the American scene, I have wondered how people can get the idea she is supposed to be religiously neutral. Oh, I know that there was no religious denomination to be supported by our government. But I cannot buy the idea that she was supposed to be religiously neutral, not when I look at history. When the Pilgrims would rather have their Bibles than their lives, and came to these shores and wrote a Mayflower pact and stated therein that they took possession of this land in the name of God and for the propagation of the Gospel of Jesus Christ.

When I see Washington kneeling at Valley Forge, praying. When I hear Benjamin Franklin call thirteen colonies together when they were about to split up at the Continental Congress and say to those gentleman, "let us pray". And out of that prayer meeting came much of the structures of our Government. I see the Continental Congress in 1775—one year before the Declaration of Independence—call upon the American people on July 12th to have a day of fasting and prayer in humility and recognition of Almighty God. That was done by the Continental Congress in 1775. It was George Washington who issued a statement that he would like to see ministers or chaplains in all branches of the armed services. And it was Washington, after he had finished his oath of office said *"so help me God"*, and so has every President all down through history. The Congress in 1853 decreed that the motto on our coinage and our money should be "In God We Trust". Consider the National Anthem of this Nation (*The Star Spangled Banner*). It has this phrase in it: (*"Praise the power that has made us and preserved us a nation. Then conquer we must when our cause it is just and this be our motto In God is our Trust.*) That is our National Anthem. Go to the Lincoln Memorial and there you can read his Gettysburg address which has this phrase in it ("one nation under God"). Go to the tomb of the Unknown Soldier and there you can read (*"Here Lies One Known Only To God"*). Go to the Washington Monument and there you can read many portions of Scripture, one of which says (*"Suffer the little children to come unto me and forbid them not for of such is the Kingdom of God"*). In 1956 the Congress of the United States had the phrase (*"One Nation Under God"*) inserted into the Pledge of Allegiance to our flag. Many of the men who wrote our great historic documents were *Men of God* and they *did not* separate their Religious Convictions from the Political Philosophy. America's history is rooted in the Bible; she was reared in the cradle of prayer and nursed at the breast of the church.

I stands for her *Institutions!* Which one of her institutions would you want to do away with? A trial by jury? I wouldn't! A free press? I wouldn't! Free Elections? I wouldn't! Some may need updating, as times change, but, those who want to eliminate them never seem to have any better alternatives. And until they do, I am not for destroying a structure of government that has served so many, so well, for so long.

C stands for *Capitalism*. Here is another dirty word today. It simply defines an economic system that says a man has a right to make a profit and own property. And it is this economic system called capitalism that has released the energies of man as no other system has, that he might achieve the capabilities God gave him. And this system, as Senator Walter Judd said, "has made it possible for *six percent* of the world's population living in the United States to own *fifty* per cent of the world's wealth. Six per cent of the world's population owns fifty per cent of the world's wealth. It didn't just happen. There was an economic system that sparked it and primed it and that system is called capitalism. Although there are many nations around the world who look down their noses at it and do not want to have anything to do with it, they will take all the cream that it can produce. They will take all the money capitalism can make. They do not want the system, but they want all that it can produce."

We have this great system of capitalism because the political structure of our Government says that man is endowed with certain inalienable rights, and these rights are endowed by his Creator, including the right to own property and to make a profit. This rests on the foundation of a religious philosophy that men are important to God. That they are made in the image of God, and that freedom is not just something that we obtained. Freedom is something in the human heart. We can go back to the Book of Genesis in the Old Testament and note the creation of Adam and Eve. When God made Adam he gave him a free will. And God did it at a risk. A risk that he would rebel and disobey God. God was willing to take that risk because he thought it was so valuable for man to have freedom. Whenever the flame of that freedom planted there by Almighty God, has been imprisoned it has leaped out into the world. All are created with certain inalienable rights and endowed by their Creator. That is the philosophy that lets capitalism be what it is tonight.

A stands for *Abundance*. America is an abundant nation. We have over 500,000 men in Vietnam; 300,000 or so in Europe; 50,000 in Korea; hundreds of other thousands scattered around the world. We are fighting a costly, bloody war. We have a multi-billion dollar program in space going on now, reaching out to the stars. We have a multi-billion dollar social improvement program reaching out to the people. And not one of us a ration card for food or gasoline. She is an abundant nation, she's been good to you and to me.

I remember several years ago a couple who celebrated their 60th wedding anniversary. Their daughter, now grown up, with children of her own, wanted to take mother and dad out for dinner. The parents said certainly we will be happy to go, but before we do, we would like to go to an old farm some miles from here. So the daughter drove them out to the farm. The barn had fallen down. Someone else was tilling the ground. The house had burned down. They got out of the car and they walked up the lane, the old farm lane, covered now with weeds. The wife said to the husband, let's stop right here. The daughter shook her head and said I do not understand it. I wanted to take you out to a very lovely dinner for your 60th wedding anniversary, and here you are in the middle of nowhere. Why did you come here before we go to dinner? The wife slipped her hand into that of her husband, saying, it was right here that your father first told me that he loved me. It is a meaningful place.

When history is written, may they look back on this troubled era of America saying of the Masonic Lodges, they were one of the first that told America they loved her.

Finally, Masons should not only be men of *purpose* and men of *patriotism*, but men of *prayer*. Men of faith who not only believe in the reality of God but that they can commune and communicate with God through prayer. If our prayers have simply degenerated into a little ritual that means nothing, then God help us. Whenever the Masonic Lodge loses its spiritual dimensions it will lose its life. We need to keep alive the great sinews of faith, a belief in God. A supreme being, not just an ideal but a personal God, who I believe as a Christian minister has made himself known in Jesus Christ.

Someone has said when you depend on money, you will get what money can do. And that is something. If you depend on organization, you will get what organization can provide. And that is something. If you depend on programs, you will get what programs can do. And that is something. But, when you depend on prayer, you will get what God can do. I know in my life I need what God can do. What my church needs is what God can do. What America needs tonight so desperately is what God can do for her through people like you.

Abraham Lincoln in his famous Gettysburg Address said that this nation needed a new birth of freedom and in his time that was very true. I think tonight we could change the words to say that this nation needs a new birth of faith; faith in God, so that government of the people, by the people, and for the people *shall not perish* from the earth.

S-2118—INTRODUCTION OF THE COMPOSITE VERSION FEDERAL COAL MINE HEALTH AND SAFETY ACT

Mr. RANDOLPH. Mr. President, I introduce, for appropriate reference, a bill to improve the health and safety conditions of persons who work in the important and vital coal mining industry of the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2118) to improve the health and safety conditions of persons working in the coal mining industry of the United States, introduced by Mr. RANDOLPH, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. RANDOLPH. Mr. President, this bill is what I call a composite approach. My version of the legislation embraces numerous provisions of measures now pending in the Committee on Labor and Public Welfare, on which we have heard voluminous testimony from many, many witnesses for over 60 hours.

I stress, Mr. President, that the proposed form of the Federal Coal Mine Health and Safety Act of 1969 is submitted as my version of what I believe to be a workable and potentially effective composite of six bills, namely, S. 355 and S. 467, introduced by this Senator; S. 1094 and S. 1178, introduced by the junior Senator from New Jersey (Mr. WILLIAMS); S. 1300, introduced by the senior Senator from New York (Mr. JAVITS) and other Senators on the minority side for the Nixon administration; and S. 1907, introduced by the junior Senator from Kentucky (Mr. COOK), by request.

Thorough hearings on all six measures were conducted capably by the Subcommittee on Labor, chaired by Senator HARRISON A. WILLIAMS, JR., of New Jersey. Chairman WILLIAMS' record of presence throughout the hearings was commendably close to 100 percent. I sat beside him through more than 52 hours of testimony by witnesses.

I wish to express my personal and official appreciation to the chairman of the Subcommittee on Labor for the capable manner in which he conducted the hearings.

I think it is important for us to realize that members of the subcommittee entered into this task with the realization that the answers would not be easy to come by as we seek to improve safety and health conditions in the coal mines of this country.

I think we also realize that we were not to polarize our thinking, that we were not to say one bill is right and another bill is wrong, but that we were to take the legislative proposals, listen to the testimony, read the appended material—often in very minute detail and in the technical terms as presented to us by able physicians, lawyers, engineers, and mining technicians and practitioners.

The VICE PRESIDENT. The time of the Senator from West Virginia has expired.

Mr. RANDOLPH. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, at the outset, even before the hearings began, I indicated that I was not committed just to words but to the purpose of the legislation. Now, we are able to look back at the completed record of hearings and to make our assessments of the testimony as we begin executive sessions to agree on and to report specifics of important and necessary modernization of Federal coal mine health and safety laws. I hope and I believe we will perform this responsibility promptly and will have our recommendations before the full Committee on Labor and Public Welfare by early June.

I do not feel that I have an inflexible position because I know that there must be give-and-take discussions by our subcommittee before we complete action and prepare our report.

It is emphasized, Mr. President, that this legislation is the fulfillment of what I believe to be a commitment I must make as a Senator from West Virginia, the leading coal-producing State, and the one with the largest number of active miners. The commitment I make also is that of the ranking majority member of the subcommittee having jurisdiction over this legislation. In the pursuit of fulfillment, I am calling on a quarter of a century of congressional experience spanning the whole life of the fight—which began in the mid-1930's—on the Federal role in matters pertaining to coal mine health and safety.

Our first breakthrough on the Federal role occurred in 1941. I was then chairman of the Subcommittee on Coal of the House Mines and Mining Committee. I have been a consistent advocate of strengthening safety and improving occupational health in coal mines. My objective always has been to work for fair treatment for miners and operators alike—but always for improved safety of the miners, whether or not the operators agreed with our formula for expressing the Federal role. In the present legislative considerations, I am gratified to find management and labor closer to agreements on ways and means to achieve better health and safety conditions in the mines than usually was true in the past.

The primary objectives of the newly introduced version, based on study of the several bills and voluminous testimony, are first, to prescribe and to provide in law means and requirements for healthier and safer working conditions, but, second, to do so without overtly and ill advisedly destroying any more jobs of men employed in the coal industry than necessary, and, third, to do so without

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depriving the American and the world economy of the coal tonnage expansion that this country's and worldwide energy needs will continue to demand.

Mr. President, we must move forward with this mission of developing the Federal role more fully in the area of coal mine health and safety. But we must do so realistically and with an awareness that even a conservative Federal Coal Mine Health and Safety Act will mean substantial increases in the cost of producing coal and in the price of coal at the marketplaces. Likewise, the costs of the production of the byproducts of coal, electricity, some chemicals, steel, and, eventually, automobiles and appliances, will be increased as a consequence of higher coal costs and prices. So, consumers will pay more, too, for the end products.

Vast new capital investments will have to be made by many of the coal mine owners and operators to achieve the new and broader health and safety standards that the new law apparently will provide.

I anticipate that there will have to be many acquisitions of marginal and underfinanced mining properties by the larger companies—hence, there will be a concentration of coal reserve ownership, as well as a concentration of active mining property ownership, within a smaller circle of companies. If we pass—and I feel sure we will pass—this new legislation, let us be prepared to accept these conditions.

And I predict, too, that there will be many job losses as hundreds of small and medium-size mines feel the impact of the new health and safety legal requirements. It is probable, too, that much lost time will be experienced—even at some of the large mines—as new requirements and tighter inspections come to the fore. It is likely, also, that many miners and their families will have to relocate to continue employment in mining, as occurred extensively during the early mechanization of coal mines. Out of these conditions, I fear that there will be renewals of the problems inherent in pockets of poverty—especially in the mining sections of the Appalachian region.

Yes, Mr. President, these are costs we must expect and the prices we must be prepared to pay for the fulfillment of the objective of making coal mining safer, and for making coal mines healthier places in which to be gainfully employed.

As in our endeavors on behalf of cleaner air to breathe and purer water to consume, we must realize, however, that there does not exist the ultimate in technology to make for pristine purity of air and water, so we must realize, also, that there does not exist the complete technology to guarantee absolute safety and no impairment of health in underground coal mining.

The capital investment and operating costs of mining coal under the health and safety conditions which would be required or authorized under the measure I offer will be vastly larger industrywide than are the costs under existing law. But I hope that I have suggested ways to remove some of the overload costs without impairing fulfillment of the primary objectives of this legislation.

Above all, I trust that in the overall my proposed version of a new and broader coal mine health and safety act will help to save lives and will improve occupational health conditions for the brave and strong men who mine the Nation's coal.

All of the six bills on which we heard testimony were subjected to some criticism. That does not impugn the integrity of those who wrote, endorsed, or introduced and sponsored them.

My new bill, the seventh to be added to the lineup of proposals before the subcommittee when executive sessions begin, likewise will have its critics—probably from coal management as well as coal labor. My effort is a well-meaning one as to language I offer in this composite of the measures on which we have heard testimony.

Mr. President, in essence my proposal follows the format of both the Johnson administration bill (S. 355), which I introduced January 16, and the Nixon administration bill (S. 1300), which the senior Senator from New York (Mr. JAVITS) introduced on March 4 for himself and other Senators.

Changes, some of them substantial, have been made. This legislation contains the principal provisions of both the Johnson administration and the Nixon administration bills, but I believe improvements are present in: First, title I, section 101, which provides that both the health and safety standards established in titles II and III will be the mandatory health and safety standards in permanent law, rather than interim standards to be replaced by regulations by the Secretary of the Interior. In title I, section 101, of our version, however, the Secretary of the Interior may go beyond the mandatory standards established in titles II and III and develop new or revised standards where there are changes in technology or research data, but subject to notice of hearing and review procedures. I consider this to be a reasonable and workable compromise between first, the position of the United Mine Workers and the operators, whose officers have urged that all standards be made permanent in the statute, not subject to change by the Secretary of the Interior; and second, the position of the Johnson and Nixon administration bills giving the Secretary broad powers to develop or revise "interim" standards.

As to coal dust abatement and control in the interest of reducing health hazards—especially coal miners' black lung disease—we continue the 4.5 mgm/m^3 standard, although recognizing that this standard may be difficult to meet in many mines—especially in the thin seam low-sulfur coal mones of southern West Virginia where prime coking and "chemical" coals are produced. In order to carry out the purpose of the dust standard, which is to protect the health of the miners, and in order not to deprive men of work through mine closures or excessive withdrawals, respirators and other equipment are required to be provided by operators and used by miners where the 4.5 mgm standard cannot be attained under existing technology. Also created is a coal dust advisory committee to be composed of equal representation of coal miners, coal operators, and the U.S. Bureau of Mines. An admonition is provided to reduce the dust standard—when and where technology makes it feasible—to a level of at least 3 mgm/m^3 level. Additional provisions refer to the exposure of a miner to dust over a work shift. There is a necessary provision for X-rays of miners every 2 years.

Technical changes are suggested in the safety standards—although, as with other sections, there is general agreement on principle with other bills, except as to the important matter of gassy and nongassy mines. I will explain in greater detail on a later occasion my reasons for restoring gassy and nongassy categories of mines and for the establishment of standards for both categories. Declaring all mines gassy in a new coal mine health and safety bill, when more than 75 percent of American mines have been classed nongassy for years, is going too far too fast.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session for the consideration of Executive Calendar Nos. 2 and 3, a convention and an agreement, reported unanimously by the Committee on Foreign Relations.

This matter has been cleared with the distinguished minority leader, the ranking member of the committee on the Republican side, and the chairman of the committee.

The VICE PRESIDENT. Without objection, it is so ordered.

CONVENTION ON OFFENSES COMMITTED ON BOARD AIRCRAFT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Executive L (90th Cong., second sess.), a convention of offenses committed on board aircraft.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the convention (Ex. L 90th Cong., second sess.), a convention on offenses committed on board aircraft, signed at Tokyo on September 14, 1963, which was read the second time, as follows:

CONVENTION OF OFFENCES AND CERTAIN OTHER ACTS COMMITTED ON BOARD AIRCRAFT

The States parties to this Convention have agreed as follows:

CHAPTER I—SCOPE OF THE CONVENTION

Article 1

1. This Convention shall apply in respect of:

a) offences against penal law;

b) acts which, whether or not they are offences, may or do jeopardize the safety of the aircraft or of persons or property therein or which jeopardize good order and discipline on board.

2. Except as provided in Chapter III, this Convention shall apply in respect of offences committed or acts done by a person on board any aircraft registered in a Contracting State, while that aircraft is in flight or on

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the surface of the high seas or of any other area outside the territory of any State.

3. For the purposes of this Convention, an aircraft is considered to be in flight from the moment when power is applied for the purpose of take-off until the moment when the landing run ends.

4. This Convention shall not apply to aircraft used in military, customs or police services.

Article 2

Without prejudice to the provisions of Article 4 and except when the safety of the aircraft or of persons or property on board so requires, no provision of this Convention shall be interpreted as authorizing or requiring any action in respect of offences against penal laws of a political nature or those based on racial or religious discrimination.

CHAPTER II—JURISDICTION

Article 3

1. The State of registration of the aircraft is competent to exercise jurisdiction over offences and acts committed on board.

2. Each Contracting State shall take such measures as may be necessary to establish its jurisdiction as the State of registration over offences committed on board aircraft registered in such State.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

Article 4

A Contracting State which is not the State of registration may not interfere with an aircraft in flight in order to exercise its criminal jurisdiction over an offence committed on board except in the following cases:

a) the offence has effect on the territory of such State;

b) the offence has been committed by or against a national or permanent resident of such State;

c) the offence is against the security of such State;

d) the offence consists of a breach of any rules or regulations relating to the flight or manoeuvre of aircraft in force in such State;

e) the exercise of jurisdiction is necessary to ensure the observance of any obligation of such State under a multilateral international agreement.

CHAPTER III—POWERS OF THE AIRCRAFT COMMANDER

Article 5

1. The provisions of this Chapter shall not apply to offences and acts committed or about to be committed by a person on board an aircraft in flight in the airspace of the State or registration or over the high seas or any other area outside the territory of any State unless the last point of take-off or the next point of intended landing is situated in a State other than that of registration, or the aircraft subsequently flies in the airspace of a State other than that of registration with such person still on board.

2. Notwithstanding the provisions of Article 1, paragraph 3, an aircraft shall for the purposes of this Chapter, be considered to be in flight at any time from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation. In the case of a forced landing, the provisions of this Chapter shall continue to apply with respect to offences and acts committed on board until competent authorities of a State take over the responsibility for the aircraft and for the persons and property on board.

Article 6

1. The aircraft commander may, when he has reasonable grounds to believe that a person has committed, or is about to commit, on board the aircraft, an offence or act contemplated in Article 1, paragraph 1, impose upon such person reasonable measures including restraint which are necessary:

a) to protect the safety of the aircraft, or of persons or property therein; or

b) to maintain good order and discipline on board; or

c) to enable him to deliver such person to competent authorities or to disembark him in accordance with the provisions of this Chapter.

2. The aircraft commander may require or authorize the assistance of other crew members and may request or authorize, but not require, the assistance of passengers to restrain any person whom he is entitled to restrain. Any crew member or passenger may also take reasonable preventive measures without such authorization when he has reasonable grounds to believe that such action is immediately necessary to protect the safety or the aircraft, or of persons or property therein.

Article 7

1. Measures of restraint imposed upon a person in accordance with Article 6 shall not be continued beyond any point at which the aircraft lands unless:

a) such point is in the territory of a non-Contracting State and its authorities refuse to permit disembarkation of that person or those measures have been imposed in accordance with Article 6, paragraph 1c) in order to enable his delivery to competent authorities;

b) the aircraft makes a forced landing and the aircraft commander is unable to deliver that person to competent authorities; or

c) that person agrees to onward carriage under restraint.

2. The aircraft commander shall as soon as practicable, and if possible before landing in the territory of a State with a person on board who has been placed under restraint in accordance with the provisions of Article 6, notify the authorities of such State of the fact that a person on board is under restraint and of the reasons for such restraint.

Article 8

1. The aircraft commander may, in so far as it is necessary for the purpose of subparagraph a) or b) of paragraph 1 of Article 6, disembark in the territory of any State in which the aircraft lands any person who he has reasonable grounds to believe has committed, or is about to commit, on board the aircraft an act contemplated in Article 1, paragraph 1b).

2. The aircraft commander shall report to the authorities of the State in which he disembarks any person pursuant to this Article, the fact of, and the reasons for, such disembarkation.

Article 9

1. The aircraft commander may deliver to the competent authorities of any Contracting State in the territory of which the aircraft lands any person who he has reasonable grounds to believe has committed on board the aircraft an act which, in his opinion, is a serious offence according to the penal law of the State of registration of the aircraft.

2. The aircraft commander shall as soon as practicable and if possible before landing in the territory of a Contracting State with a person on board whom the aircraft commander intends to deliver in accordance with the preceding paragraph, notify the authorities of such State of his intention to deliver such person and the reasons therefor.

3. The aircraft commander shall furnish the authorities to whom any suspected offender is delivered in accordance with the provisions of this Article with evidence and information which, under the law of the State of registration of the aircraft, are lawfully in his possession.

Article 10

For actions taken in accordance with this Convention, neither the aircraft commander, any other member of the crew, any passenger, the owner or operator of the aircraft, nor the person on whose behalf the flight was performed shall be held responsible in any proceeding on account of the treatment undergone by the person against whom the actions were taken.

CHAPTER IV—UNLAWFUL SEIZURE OF AIRCRAFT

Article 11

1. When a person on board has unlawfully committed by force or threat thereof an act of interference, seizure, or other wrongful exercise of control of an aircraft in flight or when such an act is about to be committed, Contracting States shall take all appropriate measures to restore control of the aircraft to its lawful commander or to preserve his control of the aircraft.

2. In the cases contemplated in the preceding paragraph, the Contracting State in which the aircraft lands shall permit its passengers and crew to continue their journey as soon as practicable, and shall return the aircraft and its cargo to the persons lawfully entitled to possession.

CHAPTER V—POWERS AND DUTIES OF STATES

Article 12

Any Contracting State shall allow the commander of an aircraft registered in another Contracting State to disembark any person pursuant to Article 8, paragraph 1.

Article 13

1. Any Contracting State shall take delivery of any person whom the aircraft commander delivers pursuant to Article 9, paragraph 1.

2. Upon being satisfied that the circumstances so warrant, any Contracting State shall take custody or other measures to ensure the presence of any person suspected of an act contemplated in Article 11, paragraph 1 and of any person of whom it has taken delivery. The custody and other measures shall be as provided in the law of that State but may only be continued for such time as is reasonably necessary to enable any criminal or extradition proceedings to be instituted.

3. Any person in custody pursuant to the previous paragraph shall be assisted in communicating immediately with the nearest appropriate representative of the State of which he is a national.

4. Any Contracting State, to which a person is delivered pursuant to Article 9, paragraph 1, or in whose territory an aircraft lands following the commission of an act contemplated in Article 11, paragraph 1, shall immediately make a preliminary inquiry into the facts.

5. When a State, pursuant to this Article, has taken a person into custody, it shall immediately notify the State of registration of the aircraft and the State of nationality of the detained person and, if it considers it advisable, any other interested State of the fact that such person is in custody and of the circumstances which warrant his detention. The State which makes the preliminary inquiry contemplated in paragraph 4 of this Article shall promptly report its findings to the said States and shall indicate whether it intends to exercise jurisdiction.

Article 14

1. When any person has been disembarked in accordance with Article 8, paragraph 1, or delivered in accordance with Article 9, paragraph 1, or has disembarked after committing an act contemplated in Article 11, paragraph 1, and when such person cannot or does not desire to continue his journey and the State of landing refuses to admit him, that State may, if the person in question is not a national or permanent resident of that State, return him to the territory of the State of which he is a national or permanent resident or to the territory of the State in which he began his journey by air.

2. Neither disembarkation, nor delivery, nor the taking of custody or other measures contemplated in Article 13, paragraph 2, nor return of the person concerned, shall be con-

sidered as admission to the territory of the Contracting State concerned for the purpose of its law relating to entry or admission of persons and nothing in this Convention shall affect the law of a Contracting State relating to the expulsion of persons from its territory.

Article 15

1. Without prejudice to Article 14, any person who has been disembarked in accordance with Article 8, paragraph 1, or delivered in accordance with Article 9, paragraph 1, or has disembarked after committing an act contemplated in Article 11, paragraph 1, and who desires to continue his journey shall be at liberty as soon as practicable to proceed to any destination of his choice unless his presence is required by the law of the State of landing for the purpose of extradition or criminal proceedings.

2. Without prejudice to its law as to entry and admission to, and extradition and expulsion from its territory, a Contracting State in whose territory a person has been disembarked in accordance with Article 8, paragraph 1, or delivered in accordance with Article 9, paragraph 1 or has disembarked and is suspected of having committed an act contemplated in Article 11, paragraph 1, shall accord to such person treatment which is no less favourable for his protection and security than that accorded to nationals of such Contracting State in like circumstances.

CHAPTER VI—OTHER PROVISIONS

Article 16

1. Offences committed on aircraft registered in a Contracting State shall be treated, for the purpose of extradition, as if they had been committed not only in the place in which they have occurred but also in the territory of the State of registration of the aircraft.

2. Without prejudice to the provisions of the preceding paragraph, nothing in this Convention shall be deemed to create an obligation to grant extradition.

Article 17

In taking any measures for investigation or arrest or otherwise exercising jurisdiction in connection with any offence committed on board an aircraft the Contracting States shall pay due regard to the safety and other interests of air navigation and shall so act as to avoid unnecessary delay of the aircraft, passengers, crew or cargo.

Article 18

If Contracting States establish joint air transport operating organizations or international operating agencies, which operate aircraft not registered in any one State those States shall, according to the circumstances of the case, designate the State among them which, for the purposes of this Convention shall be considered as the State of registration and shall give notice thereof to the International Civil Aviation Organization which shall communicate the notice to all States Parties to this Convention.

CHAPTER VII—FINAL CLAUSES

Article 19

Until the date on which this Convention comes into force in accordance with the provisions of Article 21, it shall remain open for signature on behalf of any State which at that date is a Member of the United Nations or of any of the Specialized Agencies.

Article 20

1. This Convention shall be subject to ratification by the signatory States in accordance with their constitutional procedures.

2. The instruments of ratification shall be deposited with the International Civil Aviation Organization

Article 21

1. As soon as twelve of the signatory States have deposited their instruments of ratification of this Convention, it shall come into force between them on the ninetieth day after the date of the deposit of the twelfth instrument of ratification. It shall come into force for each State ratifying thereafter on the ninetieth day after the deposit of its instrument of ratification.

2. As soon as this Convention comes into force, it shall be registered with the Secretary-General of the United Nations by the International Civil Aviation Organization.

Article 22

1. This Convention shall, after it has come into force, be open for accession by any State Member of the United Nations or of any of the Specialized Agencies.

2. The accession of a State shall be effected by the deposit of an instrument of accession with the International Civil Aviation Organization and shall take effect on the ninetieth day after the date of such deposit.

Article 23

1. Any Contracting State may denounce this Convention by notification addressed to the Interational Civil Aviation Organization.

2. Denunciation shall take effect six months after the date of receipt by the International Civil Aviation Organization of the notification of denunciation.

Article 24

1. Any dispute between two or more Contracting States concerning the interpretation or application of this Convention which cannot be settled through negotiation, shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State may at the time of signature or ratification of this Convention or accession thereto, declare that it does not consider itself bound by the preceding paragraph. The other Contracting States shall not be bound by the preceding paragraph with respect to any Contracting State having made such a reservation.

3. Any Contracting State having made a reservation in accordance with the preceding paragraph may at any time withdraw this reservation by notification to the International Civil Aviation Organization.

Article 25

Except as provided in Article 24 no reservation may be made to this Convention.

Article 26

The International Civil Aviation Organization shall give notice to all States Members of the United Nations or of any of the Specialized Agencies:

a) of any signature of this Convention and the date thereof;

b) of the deposit of any instrument of ratification or accession and the date thereof;

c) of the date on which this Convention comes into force in accordance with Article 21, paragraph 1;

d) of the receipt of any notification of denunciation and the date thereof; and

e) of the receipt of any declaration or notification made under Article 24 and the date thereof.

In witness whereof the undersigned Plenipotentiaries, having been duly authorized, have signed this Convention.

Done at Tokyo on the fourteenth day of September One Thousand Nine Hundred and Sixty-three in three authentic texts drawn up in the English, French and Spanish languages.

This Convention shall be deposited with the International Civil Aviation Organization with which, in accordance with Article 19, it shall remain open for signature and the said Organization shall send certified copies thereof to all States Members of the United Nations or of any Specialised Agency.

Mr. FULBRIGHT. Mr. President, this convention on offenses committed on board aircraft is not complicated; it was reported unanimously, and there is no objection that we know of from any source. What is undertaken to be done is to be more precise about the rules governing jurisdiction over, and the types of recourse that could be had with regard to, crimes and other offenses committed on board aircraft engaged in international aviation. The convention provides that the country in which the aircraft is registered is competent to exercise jurisdiction over offenses committed aboard that aircraft when it is in flight or on the surface of the high seas, or any other area which is outside the territory of any country. This is similar to the widely accepted principle of jurisdiction in maritime law which is based on the nationality of a vessel's registration when the vessel is outside the territorial jurisdiction of other states.

I ask unanimous consent to have printed in the RECORD an excerpt from the committee report (Ex. Rept. No. 3) summarizing the background and purpose of the convention.

There being no objection, the exerpt from the report was ordered to be printed in the RECORD, as follows:

BACKGROUND

A study dealing with the matters covered by this convention was initiated by the Legal Committee of the International Civil Aviation Organization in June 1950. After 13 years of discussion and negotiation, the pending convention was signed at Tokyo on September 14, 1963. Five years later, on September 25, 1968, it was submitted to the Senate for advice and consent to ratification.

According to the executive branch, the reason for the delay in submitting the convention was "because of the need to assure that implementing legislation could be drafted which is fully consistent with the national interest." Such draft legislation was submitted to the Congress just prior to adjournment last year and again on April 25, 1969. It is expected that the legislation in question will be referred to the Committee on Interstate and Foreign Commerce.

PURPOSE

The primary purpose of the Tokyo Convention is to establish international rules providing for continuity of jurisdiction with respect to crimes and other offenses committed on board aircraft engaged in international aviation. The convention provides that the country in which the aircraft is registered is competent to exercise jurisdiction over offenses committed aboard that aircraft when it is in flight or on the surface of the high seas or any other area which is outside the territory of any country. This is similar to the widely accepted principle of jurisdiction in maritime law which is based on the nationality of a vessel's registration when the vessel is outside the territorial jurisdiction of other states.

The committee emphasizes that although the pending convention contains a provision relating to air piracy ("hijacking"), it does *not* provide for punishment or extradition of the "hijacker." In other words, desirable as it may be, this convention is not designed to prevent or to punish "hijackings." It should be noted, however, that Administration officials have been working through the International Civil Aviation Organization in an effort to find an acceptable solution to the problems of punishment and extradition in

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air piracy cases. A summary of those activities is contained in a letter from the Department of State which is included in the appendix to this report.

MAIN PROVISIONS OF CONVENTION

Article 1 of the convention states that it shall apply to offenses against penal law and other acts which may jeopardize the safety of the aircraft or passengers "while that aircraft is in flight or on the surface of the high seas or of any other area outside the territory of any state." Acts or offenses committed by persons not on board the aircraft (saboteurs who remain on the ground) are excluded from the provisions of the convention. Moreover, the convention does not apply to aircraft used in military, customs, or police services. However, the implementing legislation recommended by the executive branch would amend the Federal Aviation Act of 1958 to make its criminal provisions apply to all aircraft, including military, within the special aircraft jurisdiction of the United States.

Pursuant to article 3, the country in which the aircraft is registered has authority to exercise jurisdiction over offenses and acts committed on board. There are certain exceptions (art. 4) under which a country in whose airspace an offense has been committed may interfere with an aircraft while in flight for the purpose of exercising its criminal jurisdiction.

Articles 5–10 of the convention cover the powers of the aircraft commander and the acts and offenses to which his authority applies, the period of time during which it exists, its extent, and its limitations. In addition, these provisions grant the aircraft commander and crew protection from legal action brought against them because of the use of force which might otherwise subject them to legal liability or criminal prosecution.

Under the terms of article 11, when an aircraft is "hijacked" the countries party to the convention "shall take all appropriate measures to restore control of the aircraft to its lawful commander or to preserve his control of the aircraft." In addition, the country in which the aircraft lands "shall permit its passengers and crew to continue their journey as soon as practicable." In this connection, article 16 provides that "Nothing in this Convention shall be deemed to create an obligation to grant extradition" for offenses committed on board aircraft.

DATE OF ENTRY INTO FORCE

The convention will come into force 90 days after 12 countries have deposited their instruments of ratification (article 21). As of this date, 33 countries have signed the convention and nine have deposited their instruments of ratification. Cuba is *not* a signatory.

COMMITTEE ACTION AND RECOMMENDATION

The Committee on Foreign Relations held a public hearing on this convention, often referred to as the Tokyo Convention, on April 29, 1969. At that time testimony in support of the convention was received from Mr. Murray Belman, Deputy Legal Adviser, Department of State, and Mr. Charles Ruby, president, Air Line Pilots Associations. The record of that hearing is printed in the appendix to this report. The convention was considered by the committee in executive session on May 6, and ordered reported favorably to the Senate.

The committee is not aware of any opposition to the pending convention which has been endorsed by the Interagency Group on International Aviation, consisting of representatives of the Departments of Commerce, State, Defense, and Transportation and the Civil Aeronautics Board. In the committee's view, the convention is a significant step in the development of international aviation law. The committee recommends, therefore, that the Senate give its advice and consent to ratification of the convention.

Mr. FULBRIGHT. There was no objection from any source. We heard representatives of the pilots' organizations, and of course of the State Department also. Some 33 countries have signed this convention. Nine have already deposited their instruments of ratification. Cuba is not a signatory, nor is the Soviet Union. However, the Soviet Union had observers present at the International Federation of Air Line Pilots Association Conference which was held in Amsterdam March 20–27, 1969. There were observers in behalf of Indonesia, Panama, Poland, Uruguay, and the U.S.S.R.; and it is quite possible that later on, as this matter develops, they may become signatories.

I might add, by way of information, that this does not really solve the hijacking problem; it does not provide for punishment or extradition of the hijacker. That is a problem that could not be dealt with in this convention, and I am not sure it would be useful in any case for us, with Cuba not a signatory.

The VICE PRESIDENT. Without objection, the convention will be considered as having passed through its various preliminary stages up to the point of consideration of the resolution of ratification, which will be read for the information of the Senate.

The bill clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Convention on Offenses and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on Septembe**r** 14, 1963 (Ex. L., 90th Cong. 2d sess.).

AGREEMENT WITH CANADA PROVIDING FOR ADDITIONAL TEMPORARY DIVERSIONS FROM THE NIAGARA RIVER FOR POWER PRODUCTION PURPOSES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Executive C (91st Cong., first sess), an agreement with Canada providing for additional temporary diversions from the Niagara River for power production purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the agreement (Ex. C, 91st Cong., first sess.), an agreement with Canada providing for additional temporary diversions from the Niagara River for power production purposes, signed at Washington on March 21, 1969, which was read the second time, as follows:

EXCHANGE OF NOTES ON DIVERSIONS FOR POWER PURPOSES—UNITED STATES AND CANADA

DEPARTMENT OF STATE,
Washington, March 21, 1969.

His Excellency A. EDGAR RITCHIE,
Ambassador of Canada.

EXCELLENCY: I have the honor to refer to an exchange of notes between the Government of Canada and the Government of the United States, dated March 21, 1969, authorizing the construction of a temporary cofferdam to divert water away from the American Falls at Niagara, so as to permit the on-site investigation of measures that might be taken to preserve or enhance the beauty of the American Falls.

It appears advantageous to make use of the additional energy resource thus made available, by authorizing the temporary additional diversion for power purposes of the water normally flowing over the American Falls.

Accordingly, I have the honor to propose that during the period in 1969 when the cofferdam is in place, the following arrangements shall be put into effect:

1. The minimum flows over the Falls stipulated in Article IV of the Niagara River Treaty of 1950 shall be reduced from 100,000 c.f.s. and 50,000 c.f.s., respectively, to 92,000 c.f.s. and 41,000 c.f.s, respectively, during the hours designated in that Article. Any water in excess of these new temporary minimums may be diverted for power purposes; provided that when the 41,000 c.f.s. minimum applies at least 9,000 c.f.s. of the waters thus diverted shall be either passed through the low-head plants or released to the Horseshoe Falls so as to maintain a minimum flow of 50,000 c.f.s. into the Maid-of-the-Mist Pool at all times.

2. Entitlement to the power benefits deriving from this temporary additional diversion shall be divided equally between the Power Authority of the State of New York and the Hydro-Electric Power Commission of Ontario, upon the agreement of each such power entity to—

(A) contribute in cash or in services to the cost of the cofferdam and ensuing investigations, the value of $385,500 in its national currency, if the additional diversion is permitted during the entire period from April 30, 1969 to December 31, 1969, or a portion of said contribution corresponding to any shorter period during which the additional diversion is permitted, such portion to be determined on the same basis as was the $385,500 by the International Joint Commission in consultation with the power entities; and

(B) assume responsibility for the disposition of claims for physical injury or damage to persons or property occurring in the lower Niagara River on its side of the international boundary line, caused by the resulting temporary alteration of water levels in the lower river below that normally experienced at flows of 100,000 c.f.s. and 50,000 c.f.s., and for the satisfaction of any such claims that are valid.

3. The temporary additional diversions permitted by these arrangements shall not be considered as creating any vested right or interest in the use of such additional amounts of water.

If the foregoing proposed arrangements are acceptable to the Government of Canada, I have the honor to propose that your reply to that effect and the present Note shall constitute an agreement between the Government of the United States and the Government of Canada which will enter into force upon notification that it has been approved by the Senate of the United States of America.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

MARTIN J. HILLENBRAND.

EXCHANGE OF NOTES ON CONSTRUCTION OF TEMPORARY COFFERDAM—UNITED STATES AND CANADA

CANADIAN EMBASSY,
Washington, D.C., March 21, 1969.

No. 89.

The Honourable WILLIAM P. ROGERS,
Secretary of State, Washington, D.C.

SIR: I have the honour to refer to your Note of March 21, 1969, concerning the proposed temporary additional diversion of Niagara water for power purposes.

I wish to advise that the Government of Canada accepts the proposals set forth in your Note and agrees that your Note, together with this reply, which is authentic in English and French, shall constitute an agreement between our two Governments which will enter into force upon notification by you that it has been approved by the Senate of the United States.

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Accept, Sir, the renewed assurances of my highest consideration.

A. E. RITCHIE,
Ambassador.

DEPARTMENT OF STATE,
Washington, March 21, 1969.

His Excellency A. EDGAR RITCHIE,
Ambassador of Canada.

EXCELLENCY: I have the honor to refer to the Reference from the Government of the United States and Canada to the International Joint Commission, dated March 31, 1967, requesting the Commission to investigate and report on measures that may be feasible and desirable to preserve or enhance the beauty of the American Falls at Niagara. The Commission has convened an American Falls International Board consisting of experts from each country, has conducted initial hearings, and has in its letter of November 6, 1967, proposed that the two Governments arrange by the most expeditious procedure to authorize the construction of a temporary cofferdam to redirect to the Horseshoe Falls the normal flow over the American Falls so as to permit the necessary on-site investigation and collection of data.

Under Article III of the Boundary Waters Treaty of 1909, temporary or permanent obstructions or diversions of boundary waters on one side of the line, affecting the natural level or flow of boundary waters on the other side, may be authorized by special agreement between the two Parties. Accordingly, I have the honor to propose as follows:

1. The United States Army Corps of Engineers shall be authorized to construct or to have constructed a temporary cofferdam between the head of Goat Island and the United States mainland in the channel above the American Falls at Niagara; if such authority is exercised, said cofferdam shall be installed during the calendar year 1969 in sufficient time to carry out the necessary on-site investigation and collection of data and shall be removed by or at the direction of the United States Army Corps of Engineers no later than December 31, 1969.

2. The costs incurred in such installation and removal, and in conducting on-site investigations while the temporary cofferdam is in place, shall qualify for inclusion in the costs to be recommended for allocation as between the United States and Canada by the International Joint Commission pursuant to the Reference of March 31, 1967.

3. Neither the United States nor Canada shall be responsible for physical injury or damage to persons or property in the territory of the other which may be caused by any act authorized or provided for by this agreement.

If the foregoing proposals are agreeable to the Government of Canada, I have the honor further to propose that your reply to that effect and the present Note shall constitute an agreement between the Government of the United States of America and the Government of Canada, which will enter into force upon the date of your reply.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:
MARTIN J. HILLENBRAND.

CANADIAN EMBASSY,
Washington, D.C., March 21, 1969.

No. 88.
The Honourable WILLIAM P. ROGERS,
Secretary of State,
Washington, D.C.

SIR: I have the honour to refer to your Note of March 21, 1969, concerning the construction of a temporary cofferdam between Goat Island and the United States mainland.

I wish to advise that the Government of Canada accepts the proposals set forth in your Note and agrees that your Note, together with this reply, which is authentic in English and French, shall constitute an agreement between our two Governments which will enter into force on the date of this Note.

Accept, Sir, the renewed assurances of my highest consideration.

A. E. RITCHIE,
Ambassador.

Mr. FULBRIGHT. Mr. President, this convention is noncontroversial and was reported unanimously. The agreement with Canada is simply to allow the diversion of the water on the American side of Niagara Falls, pending study of how to prevent the continued erosion of the rock underneath. That study is necessary to preserve the beauty of the falls and there is no objection from any source whatever that I know of.

I ask unanimous consent that an excerpt from the committee report (Ex. Rept. No. 4), explaining the purpose and background of the agreement, be printed in the RECORD.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

PURPOSE

The basic purpose of this agreement with Canada is to provide for the temporary diverison of water from the American falls on the Niagara River for power production purposes. The agreement requires the advice and consent of the Senate because it would authorize a departure from the minimum flow limitations set forth in article IV of the Niagara River Treaty of February 27, 1950.

BACKGROUND

This agreement is the outgrowth of an effort to find means to preserve and enhance the beauty of the American Falls on the Niagara River. Conservationists have been concerned for some years over the deterioration of the falls and have felt that study of the erosion problem and the feasibility of removing the accumulated rock at the base of the Falls was desirable. In 1967 the Government of Canada and the United States requested the International Joint Commission, established under the Boundary Waters Treaty of 1909, to investigate and report upon measures to preserve and improve the appearance of the American Falls. The Commission appointed a board of experts to study the problem, conduct public hearings, and submit recommendations for agreement that would permit the study to proceed.

In order to study the rock formations and make other on-the-site investigations there must be a temporary "dewatering" of the American Falls. This would be accomplished by construction by the U.S. Army Corps of Engineers of a temporary earth and rock cofferdam above the falls. The estimated cost of the cofferdam is $1,500,000. Construction is expected to be completed by July 1, 1969, and the dam to be removed no later than December 31, 1969.
required on a separate exchange of notes with Canada, dated March 21, 1969, relating to construction of the cofferdam. Article III of the Boundary Waters Treaty of 1909 provides that temporary diversions of water, such as will be the case here, may be authorized by special agreement between the Governments of Canada and the United States. However, article IV of the Niagara River Treaty of 1950 provides that the minimum water flows over the combined falls shall be 100,000 cubic feet per second in the daytime and 50,000 cubic feet per second at night. The agreement before the Senate would reduce those minimums by the amount normally flowing over the American Falls and allow the excess water, diverted by the cofferdam, to be used for power generation. Under the agreement the Canadian and United States power entities (Power Authority of the State of New York and the Hydro-Electric Power Commission of Ontario) would each contribute, in cash or services, one-half the value of the power to be generated with the diverted water. This amount is equal to slightly more than one-half the total estimated cost of the cofferdam.

PROVISIONS OF THE AGREEMENT

The agreement provides that during the period in 1969 when the cofferdam is in place, the following arrangements shall be in effect:

1. The minimum flows over the falls stipulated in article IV of the Niagara River Treaty of 1950 shall be reduced from 100,000 cubic feet per second and 50,000 cubic feet per second, respectively, to 92,000 cubic feet per second and 41,000 cubic feet per second, respectively, during the hours designated in that article. Any water in excess of these new temporary minimums may be diverted for power purposes; provided that when the 41,000 cubic feet per second minimum applies at least 9,000 cubic feet per second of the waters thus diverted shall be either passed through the low-head plants or released to the Horseshoe Falls so as to maintain a minimum flow of 50,000 cubic feet per second into the Maid-of-the-Mist Pool at all times.

2. Entitlement to the power benefits deriving from this temporary additional diversion shall be divided equally between the Power Authority of the State of New York and the Hydro-Electric Power Commission of Ontario, upon the agreement of each such power entity to—

(A) contribute in cash or in services to the cost of the cofferdam and ensuing investigation, the value of $385,500 in its national currency, if the additional diversion is permitted during the entire period from April 30, 1969, to December 31, 1969, or a portion of said contribution corresponding to any shorter period during which the additional diversion is permitted, such portion to be determined on the same basis as was the $385,500 by the International Joint Commission in consultation with the Power entities; and

(B) assume responsibility for the disposition of claims for physical injury or damage to persons or property occurring in the lower Niagara River on its side of the international boundary line, caused by the resulting temporary alteration of water levels in the lower river below that normally experienced at flows of 100,000 cubic feet per second and 50,000 cubic feet per second, and for the satisfaction of any such claims that are valid.

3. The temporary additional diversions permitted by these arrangements shall not be considered as creating any vested right or interest in the use of such additional amounts of water. (Except from note dated March 21, 1969, from Assistant Secretary of State Martin J. Hillenbrand to Ambassador of Canada A. Edgar Ritchie.)

COMMITTEE ACTION AND RECOMMENDATION

Executive C (91st Cong., first sess.) was referred to the Committee on Foreign Relations on April 14, 1969. The committee held a public hearing on the agreement on May 5, 1959, receiving testimony from Assistant Secretary of State Martin J. Hillenbrand and Col. Fred E. Anderson, Jr., U.S. Army Corps of Engineers. The hearing is appended to this report. The committee considered the agreement in executive session on May 6, 1969, and ordered it favorably reported to the Senate.

This agreement would provide a means by which the Federal Government can recoup approximately one-half the cost of the cofferdam needed to permit inspection of the problem at the American Falls. Without this agreement, the diverted water would be channeled over the Canadian Horseshoe Falls, benefiting no one, and, perhaps, impairing the esthetic appearance of the Horseshoe Falls by the increased flow.

The committee was assured that the ap-

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proval of this agreement would not be construed by the executive branch as a commitment to support recommendations that may come out of the investigation and that Senate approval will be sought for implementing any subsequent agreements relating to the problem. According to the testimony, there is no known opposition to the agreement.

The Committee on Foreign Relations believes that the arrangement is in the public interest and recommends that the Senate give its advice and consent to the agreement.

The VICE PRESIDENT. Without objection, the agreement will be considered as having passed through its various parliamentary stages up to the point of consideration of the resolution of ratification, which will be read for the information of the Senate.

The bill clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Agreement with Canada Providing for Additional Temporary Diversions From the Niagara River for Power Production Purposes (Ex. C, 91st Cong. 1st sess.).

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending convention and agreement occur at 12:30 p.m. tomorrow.

The VICE PRESIDENT. The Chair inquires of the distinguished majority leader whether he wishes them voted on separately.

Mr. MANSFIELD. Separately and consecutively; yes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD subsequently said: Mr. President, I ask for the yeas and nays on the convention and the agreement to be voted on tomorrow at 12:30.

The PRESIDING OFFICER. Does the Senator ask unanimous consent that it be in order to order the yeas and nays?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The yeas and nays were ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The VICE PRESIDENT. Without objection, it is so ordered.

CLASSIFICATION OF STATISTICS ON THE VIETNAM WAR

Mr. FULBRIGHT. Mr. President, the selective release by administration officials of heretofore secret data, in connection with debate on the ABM issue, illustrates an inherent difficulty Congress faces in coping with the enormous public relations mechanism of the executive branch. Congress, in trying to appraise executive branch policies on national security matters is, in effect, playing a game where the rules are revised at will by the opposing side. Conflict is inevitable under our system of separation of powers but when one coequal branch of the Government, under the guise of security, withholds any information it chooses, and releases that information piecemeal in an effort to make its case, the democratic process suffers.

There are few real secrets in the operations of a democratic Government as anyone who reads the New York Times, the Washington Post, or Aviation Week, knows. Much of the information given the Committee on Foreign Relations on a classified basis either has already appeared in print, or appears in print shortly thereafter—through executive branch leaks. For example, the committee recently received a briefing on the shooting down of the Navy EC–121 intelligence-gathering plane off the coast of North Korea. The spokesman for the Department of Defense was quite reluctant, on grounds of national security, to discuss some of the most basic aspects of our aerial intelligence-gathering operations, even on an off-the-record basis. It turned out that much of the information he was reluctant to discuss had already appeared in the press. There has since been a further baring of the breast by the executive branch, and readers of Time and Newsweek know far more about aerial intelligence-gathering activities than members of our committee learned from the official briefing.

Protection by classification and selective leaks have been particularly troublesome to the Committee on Foreign Relations in the last several years in connection with its study of the developments in Vietnam. The official distortion of the facts on Vietnam has been one of the most shameful episodes in our history, a period when the full propaganda resources of the Government were devoted to concealing the truth about the war. But "truth will come to light" and the American people in time perceived the truth through the plethora of rosy reports and optimistic predictions, and recognized the war for what it actually is—a military and political stalemate.

Although the truth about Vietnam has slowly come to light, there is still much suppression of information that has great bearing on the prospects for peace. Earlier this year I became disturbed over news reports that United States and South Vietnamese forces substantially expanded offensive operations following the November 1 halt in the bombing of North Vietnam. I had assumed that the bombing halt signaled a move toward mutual deescalation of military activities and a turning away from the futile search for a military solution. Although the monthly statistics on Vietnam furnished the Committee by the Department of Defense gave some clues to what had taken place in the months following the bombing halt, I felt that I should have more detailed information before reaching any conclusions. Accordingly, on March 7 I wrote to Secretary of Defense Laird, asking for answers to a series of questions, and on March 22 I received a reply from Robert C. Moot, Assistant Secretary of Defense. Each of the answers to my questions was classified. I wrote to Secretary Laird again on April 15, questioning the necessity for classifying much of the data. In that letter I wrote:

> I can understand the need to classify information that might be helpful to the other side, such as that concerning the disposition of U.S. troops, but I cannot understand why the Department classifies data obviously known to the other side, such as that concerning infiltration, hamlet control, changes in the infrastructure, and so on. I hope you will review the information furnished the Committee and declassify as much of it as possible. On those items which you feel should remain classified I would appreciate your providing me with a justification of the Department's position.

Secretary Laird replied on April 28, refusing to declassify any of the most pertinent information. He also failed to justify the continued classification of each item, as I had reqeusted, pleading the problems of relations with our allies and possible compromise of intelligence sources, citing infiltration data as an example where release would reveal techniques. This example illustrates the problem of selective leaking. In a statement, released 2 days after Secretary Laird's letter was sent, Dr. John S. Foster, Jr., the Pentagon research chief, praised the sensor system which detects infiltrators, stating that the listening devices "will rank as one of the major technological contributors" of the Vietnam war. Dr. Foster apparently did not share Secretary Laird's concern over revealing the "accuracy of our intelligence and effectiveness of our techniques." I ask unanimous consent to have printed in the RECORD, following my remarks, an article on this subject from the May 1 Washington Post, as well as the exchange of correspondence, minus the classified data, of course, thus complying with the law.

The PRESIDING OFFICER (Mr. HUGHES in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. FULBRIGHT. Mr. President, the enemy is not being kept in the dark by continued classification of most of this information. He knows what the facts are in Vietnam and has repeatedly shown that his intelligence sources, primitive as they may be, can confound our most sophisticated electronic gadetry. But the American people who must pay the costs of this war in lives and dollars have a right to know whether or not our side's military posture in South Vietnam is helping or hindering the search for peace in Paris. Actions still speak more loudly than words.

On the basis of the information provided by the Department of Defense, I think there is ample reason for the other side to question whether the United States is seriously interested in a political settlement. The creditibility gap—at home and abroad—led to the downfall of the last administration. I hope that this administration has the capacity to profit from that experience.

EXHIBIT 1

OFFICIAL HAILS DETECTORS ALONG HO CHI MINH TRAIL

(By George C. Wilson)

Listening devices the United States has placed along the Ho Chi Minh trail to detect enemy infiltrators "will rank as one of the major technological contributions" of the Vietnam War, the Pentagon research chief said yesterday.

John S. Foster Jr., in making that as-

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sertion in his annual statement on research and development, added that "we may well be on the verge" of keeping a battlefield under mechanical surveillance around the clock.

While Foster did not specify where sensors have been sown, it is known they have been placed along infiltration trails in Laos as well as North and South Vietnam.

"Land combat may well have been revolutionized for the years ahead," Foster said, "by the emergence of a new family of sensors for remote detection and for rapid delivery of firepower. Building on our experience in Vietnam, the instrumented battlefield has become possible."

SUCCESSFUL IN SIEGE

The research chief said the anti-infiltration devices—including ones which listen for vibrations in the ground as well as noises in the air—were used with success in the siege of Khesanh and in the defense of Saigon.

The Fuller system the Pentagon in working on calls for sensors to warn an automated command and control network of the approach of enemy troops. Then artillery and bombing could be loosed into the area, or infantry flown there.

The system Foster praised goes beyond the $1.6 billion McNamara line of mechanical obstacles installed along part of the DMZ separating the two Vietnams, Defense Secretary Melvin R. Laird said earlier this year that the line—code named Project Dye Marker/Muscle Shoals—had not lived up to expectations.

To combat a Soviet military threat which he said is supported by a research program growing faster than our own (10 per cent growth a year in military, space and atomic energy research compared to 1 per cent for the U.S. in "the last few years"). Foster said he is thinking of building a giant test submarine with long-range missiles inside.

CONTINUE BLASTS

While considering such a weapon for under the sea, Foster said the Pentagon will continue setting off nuclear blasts underground to test such things as the effect X-rays have on warheads for our Polaris and Minuteman missiles.

In case the United States reaches an arms control agreement with Russia, Foster said he has asked a Defense Science Board task force to analyze how the Pentagon's research program should be rearranged to keep track of Soviet "capability and intent."

MARCH 7, 1969.

The HONORABLE MELVIN R. LAIRD,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I would appreciate it if you would provide the Committee, as soon as possible, with the data listed on the enclosure concerning certain military operations in South Vietnam since the bombing halt.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

DATA CONCERNING MILITARY OPERATIONS IN SOUTH VIETNAM SINCE THE BOMBING HALT

1. Net changes in troop strength since November 1, 1968 for the: (a) United States, (b) South Vietnam, (c) Third Countries, (d) Viet Cong/North Vietnam (operating in South Vietnam).

2. Number of battalion-sized offensive operations, by month, for the period from July-February: (a) By the Viet Cong/North Vietnamese; (b) By U.S. forces; (c) By South Vietnamese forces.

3. Number of other contacts with enemy units for the months from July-February: (a) Initiated by the enemy; (b) Initiated by U.S. forces; (c) Initiated by South Vietnamese forces.

4. (A) Number of B–52 bombing sorties in South Vietnam, by month, from July-February.

(B) Number of other bombing or attack sorties by aircraft other than B–52's during the same period.

(C) Number of tons of bombs dropped, by month, during this period.

(D) Total ammunition used, by month, by U.S. and allied forces during this period.

5. (A) Battle deaths, by month, for the period from July–February, compared with the same months a year ago: (a) U.S. Forces; (b) South Vietnamese Forces; (c) Viet Cong/North Vietnamese Forces.

(B) Data on number of troops captured during that period.

6. Changes in the number of troops stationed in each of the tactical corps between November–February for forces of the (a) United States, (b) South Vietnam, (c) Viet Cong/North Vietnam.

7. Number of hamlets brought under government control (changed from "D" or "E" status to "A", "B", or "C"), by month, from July–February.

8. Viet Cong recruiting data, by month, for July–February.

9. Number of members of the Viet Cong political infrastructure killed, jailed, or otherwise eliminated, by month, for the months of July–February.

10. Enemy infiltration, by month, for July–February.

11. Enemy weapons and ammunition captured from July–February.

12. Number of reconnaissance sorties flown over North Vietnam, by month, from November–February.

13. Number of aircraft shot down over North Vietnam from November–February.

14. Estimated changes in troop strength in the DMZ area from November–February for the: (a) United States, (b) South Vietnamese, (c) Viet Cong/North Vietnamese.

15. Estimates of the tons of weapons and ammunition infiltrated from North Vietnam, by month, from July–February.

APRIL 15, 1969.

Hon. MELVIN R. LAIRD,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I have received a reply from Assistant Secretary Robert C. Moot to my letter of March 7 in which I requested information on certain military operations in Vietnam since the halt in the bombing.

The overall classification of the material provided in "Secret" although a number of the specific answers are "Confidential." The fact that this data is classified represents a continuous problem which this Committee has had in connection with its study of the Vietnam war. From your service in the Congress I know that you can appreciate the problems involved in trying to carry on an intelligent public discussion concerning military aspects of the war when the basic information provided by the Department of Defense is classified. Yet, as you know, the press seems to have no difficulty in obtaining access to classified information through sources in the Executive Branch.

I can understand the need to classify information that might be helpful to the other side, such as that concerning the disposition of U.S. troops, but I cannot understand why the Department classifies data obviously known to the other side, such as that concerning infiltration, hamlet control, changes in the infrastructure, and so on. I hope you will review the information furnished the Committee and declassify as much of it as possible. On those items which you feel should remain classified I would appreciate your providing me with a justification of the Department's position.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

THE SECRETARY OF DEFENSE,
Washington, D.C., April 28, 1969.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations,
U.S. Senate

DEAR MR. CHAIRMAN: This is in reply to your letter of April 15, 1969 in which you raised the question of the security classification of the data transmitted to you by Assistant Secretary Moot on March 22, 1969.

A review of that transmittal indicates that all of the information included must be classified for security reasons with the exception of the changes in U.S. and Third Nation troop strength, the battle deaths of U.S. and enemy forces and enemy weapons captured which you may use as unclassified.

As you know, since December 1967, we have been forwarding to you, at your request, a series of classified data which we update each month. Beginning March 1, 1968, our monthly updates to you have also included a monthly series of unclassified information that we had developed for general use. Included are data on U.S. and Third Nation troop strength, U.S. and enemy casualties and enemy weapons captured.

We continuously review the classification of information on Southeast Asia with a view toward declassification of those items that will no longer be of military value to the enemy and, as individual items or series of data are declassified, they are available to members of Congress and the general public.

One of the constraints placed upon us in this effort is that much of the information regarding Southeast Asia is provided in classified form by the Government of South Vietnam and other sovereign Governments which we cannot unilaterally declassify. Another consideration which inhibits declassification is when disclosure would compromise sources with resultant denial of valuable military information. As an example, a full breakout of infiltration data would reveal the accuracy of our intelligence and effectiveness of our techniques.

As information of the type provided in the classified part of our monthly report to you is declassified, it will be reflected in the unclassified portion of the information we send you.

Sincerely,

MELVIN LAIRD.

HOW THE PENTAGON CAN SAVE $9 BILLION

Mr. FULBRIGHT. Mr. President, there are signs that perhaps the Department of Defense budget will, at last, be given more than casual attention by the Congress and that it is no longer unpatriotic to question military spending. The Washington Monthly for March 1969 contains an article by Robert S. Benson, a former employee in the Office of the Assistant Secretary of Defense, Comptroller, entitled "How the Pentagon Can Save $9,000,000,000." In view of the interest of many of my colleagues in analyzing military spending programs more carefully, I am sure that they will find this article of interest. I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW THE PENTAGON CAN SAVE $9 BILLION

(By Robert S. Benson)

I have a modest proposal.

I should like to demonstrate, in as brief and as simple a way as the complexities permit, how $9 billion can be cut from the Pentagon budget without reducing our na-

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tional security or touching those funds earmarked for the war in Vietnam.

Let me emphasize at the outset that this is truly a modest proposal, offered from an earnest belief in its practicality and with the conviction that savings from its adoption could be applied to our fiscally undernourished concerns for human opportunity.

The process by which the Pentagon budget—as well as the rest of the federal budget—is shaped and reviewed is a strange and not always wonderful thing. Any new program is usually given thorough scrutiny in Congress: debate rages over the program's purposes and over the level of funding required. Once it is accepted, however, only the funding level is certain to receive continuing Congressional attention. A nation's needs change, but rarely is a program's reason for existence ever challenged again, either in the executive branch or on Capitol Hill. On the contrary, its administering agency and its Congressional advocates, cheered on by its beneficiaries, strive to perpetuate or expand it, seldom pausing to ponder whether it is still worthwhile or whether something else is needed more.

The process can be insidious. Man, the social animal, takes comfort from acting in accord with the wishes of friends and associates. But over years of advocacy he loses some ability to discriminate, to relate the particular to the whole. In the case of Pentagon outlays, the built-in protection inherent in established programs often achieves invulnerability.

Because a mystique of secrecy and complexity surrounds the Pentagon, most Americans feel uncomfortable, or even vaguely unpatriotic, if they question any part of the military budget. But the fact is that the federal budget's provisions for defense far exceed our national security requirements. Although not many Americans realize it, a great deal of information about the threats to our security (and the forces we procure to meet them) can be gleaned from unclassified papers: budget statements of the President every January, annual posture statements by the Secretary of Defense, transcripts of Congressional hearings, and articles in the newspapers. Any serious student will soon discover that items in the defense budget, as in any other, range from fundamental to marginal. The difference is that in the Pentagon budget (a) vastly larger sums are involved, and (b) far less Congressional scrutiny is applied to them.

I

Using the sources above, my two years of experience in the Comptroller's office of the Department of Defense, and my own judgment of the issues, I hope first to outline how the budget can be trimmed by $9 billion and then proceed to a discussion of the weaknesses in the system which allowed this fat to survive even in the cost-conscious regime of Robert S. McNamara.

In our budget-cutting exercise these ground rules will apply:

None of the cuts is related to the war in Vietnam.

None of the cuts would impair our national security requirements.

All of the cuts are in what the Pentagon calls ongoing core programs.

All of the cuts could be effected within the next 24 months, which would allow the savings to be applied rather quickly to unfilled domestic needs.

The focus is on areas where forces or weapons systems are either duplicated or outmoded, where an enemy threat is no longer credible in today's political and technological environment, or where money is being lost through grossly inefficient performance.

Perhaps the best place to begin is with the Manned Orbiting Laboratory, which receives half a billion dollars a year and ought to rank dead last on any rational scale of national priorities. The MOL, a carbon copy of the National Aeronautics and Space Administration's spacecraft operation, is in the budget because the Air Force wants a piece of the extraterrestrial action, with its glamor and glory, and Congress has been only too happy to oblige.

Although there have been valiant attempts to make the MOL seem different, Pentagon space research is alarmingly similar to that of NASA. Listen as Dr. Alexander H. Flax, Assistant Secretary of the Air Force for Research and Development, tries to draw the distinction for members of the House Appropriations Committee:

"If you view the objectives of these programs as being simply to get data on humans exposed for some period of time, I think you have to conclude that there is a great deal of duplication, but I tried to make the point that our objective is primarily to test equipment, not humans. The humans interact with the equipment, of course."

True, there are potential military uses for space vehicles. But little thought appears to have been given to whether a separate program was required or whether the same results could have been achieved through slight adjustments in the parallel NASA activities. The MOL program is duplicative and wasteful. Of the $600 million requested for it last year, Congress approved all but $85 million. This year's budget calls for $576 million. I would strike all of it.

Saving: $576,000,000.

As for grossly inefficient Pentagon performance, the most obvious example is manpower management and utilization. Manpower is the single largest commodity the Defense Department buys; this year, the Pentagon will directly purchase the services of nearly five million Americans. Assuming an average of $7,000 each in pay, allowances, and supplementary benefits, the department payroll is about $34 billion, of which about $22 billion goes to military personnel and $12 billion to civilians.

The Pentagon has little direct control over the costs of its civilian personnel, who are recruited mainly through a government-wide civil-service pool. But its control over military personnel is complete, covering not only the $22 billion payroll but also about $7 billion annually in training costs and nearly $2 billion in moving expenses for men changing assignments.

enlist in preference to being drafted. All

Most men enter the armed forces either because they are drafted or because they enlisted men entering the service receive basic training, which in the Army takes eight weeks and costs about $1,000 per head. After advanced training in a specialty, these short-term new servicemen generally spend the rest of their hitches on assignments requiring that specialty.

A more flexible training policy would not employ such a lockstep approach. Some basic training is needed for everyone, and combat infantrymen certainly need the full eight weeks. But not all of the Army's 535,000 new soldiers this year will serve in combat, and four weeks would suffice for the others. The Navy and Air Force have already abbreviated their basic training; for the Army to do so would yield, in direct training savings alone, $50 million.

Saving: $50,000,000.

Although the pattern of training and assignments for officers is far different, even greater economies are possible—and with a clear gain in individual job performance. After initial training, which is more diverse than it is for enlisted men, almost every officer is shuttled around through an amazing variety of assignments and further training designed to give him enough breadth of experience to become Chief of Staff some day, often at the sacrifice of obtaining no deep experience in any one field. The expectation is that every seasoned officer can lead an infantry battalion through a swamp on one assignment, promulgate personnel promotion policies behind a Pentagon desk on the next, and discuss black separatism with Ethiopians as a military attache in Addis Ababa a year later.

In this age of specialization, such a philosophy is anachronistic and expensive. No efficient business would move its men around in so illogical a pattern. By perpetuating the illusion that every officer can aspire to the top organizational position, rather than screening the candidates earlier in their careers, the services suffer from having an excessive number of men struggling to learn totally unfamiliar jobs. Moreover, today's technological and analytical complexities demand the development of specialists whose entire experience is focused on performing one particular function well. By attempting to fill the growing number of specialist slots with generalists, job performance diminishes for all.

If we were to reduce by a modest one-fourth the present number of assignment changes (whereby servicemen move almost once a year), the annual saving in transportation and moving costs alone would be slightly over $500 million, to say nothing of the improvement in work effectiveness.

Savings: $500,000,000.

A further saving can be accomplished by changing the way the military calculates individual manpower requirements. Unlike business, which requires work units to absorb the impact of absences, the Pentagon includes a cushion to compensate for men absent on leave, in the hospital, in school, and en route to new assignments. And the military's 30 days of annual leave—which all servicemen get—is far more than the norm for civilian work forces of comparable age and experience, even acknowledging that the 30 days includes weekends. The military argues that this amount of leave time is compensation for being on duty 24 hours a day, seven days a week—but this is a myth long in need of explosion. Except for those at sea and in Vietnam, most military men work evenings or weekends no more and no less than civilians do. Cutting leave time to 20 days a year—with the exception of men on hardship duty overseas—would reduce the total armed forces manpower requirements enough to save $450 million annually.

Saving: $450,000,000.

Thanks to Beetle Bailey, Catch 22, and the fact that so many Americans are veterans, the supernumerary theory of military staffing has had great visibility. But an area of far greater inefficiency—supplier performance on large weapons system contracts—draws almost no attention at all. This is especially serious because the same contractor who can be extremely efficient under the conditions imposed by the private competitive marketplace can waste millions when working under a government contract. Few Americans are aware that about 90 per cent of the major weapons systems that the Defense Department procures end up costing at least twice as much as was originally estimated. Some of this cost growth comes from Pentagon-ordered changes in design or configuration, but much of it results from inefficient contractor practices or from his knowledge that the government will underwrite his excessive overhead.

It is up to the government, therefore, to impose on a non-competitive defense contractor the same cost discipline that the contractor would be forced to impose on himself in a competitive situation. Instead, the present procurement system is geared almost exclusively to securing timely delivery and good technical performance. Cost comes last.

The engine contract for the controversial F-111 fighter-bomber offers a classic illustration of what happens to costs after a decision is reached to proceed with procurement.

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An aircraft of this kind has three major components: airframe (wings and fuselage), avionics (electronic navigation and weapons-guiding gear), and engines. For a technologically advanced fighter-bomber, the airframe will account for about 55 per cent of total cost, avionics 25 per cent, and engines 20 per cent. The initial F–111 contract for 2,053 engines was awarded to Pratt & Whitney on the basis of an estimated cost of $270,000 per engine. Today the engines are expected to cost more than $700,000 each.

In the F–111 case, and in general, four major factors account for such cost escalation:

1. The Buy-In: Our procurement system encourages contractors to play the game called "buy-in." The rules are simple. Contracts are awarded to the company which offers the lowest bid with a straight face. Later cost overruns may bring a mild reproach or a stern reprimand, but they will not prevent the contractor from getting enough money to cover all his costs and pocket a profit. A contractor rarely takes these reprimands seriously; he knows that his competitors have similar experiences. Besides, the procurement officials have told him to worry about performance and prompt delivery, not about cost. So the buy-in game produces initial cost estimates that everyone knows are unrealistically low.

2. Design Changes: From the time bids are requested on a new weapons system until final delivery, a great many changes in design specification develop. These changes are often initiated by the Defense Department, although some reflect contractor production problems. In either case, the costs change—usually justifiably, but almost always upward.

3. Volume: Changes in volume are even farther beyond the contractor's control. In large contracts, economies of scale are often achievable; if a weapons system is found highly useful, as was the F–4 fighter, and more units are ordered than were initially planned, the later unit costs are lower. In the case of the Air Force F–111, however, cancellation of British orders and the Congressional decision to kill the Navy version reduced the number of aircraft to be purchased, thereby raising the unit cost.

4. Sheer Inefficiency: These costs arise because a contractor has slipshod purchasing procedures, poor scheduling of men and machines, ineffective work standards, or other managerial deficiencies. Such extra costs would be a threat to a company's survival in the competitive private marketplace; they should not be tolerated in defense procurement.

In calculating how much of the F–111 engine's cost growth was due to this intolerable fourth factor, we need to begin by figuring how much the first three factors cost.

We know that the orginal $270,000 estimate was artificially low. Allowing for buy-in fibbing and for some early required changes in design, an initial figure of $450,000 would have been more realistic. Later design changes may have raised the allowable price to $500,000. But the contractor's final estimate of $700,000-plus, made after the British action but before the Congressional cutback, probably should not be adjusted for volume changes, because the British buy was to have been proportionately very small and there are good indications that this actually enabled Pratt & Whitney to disengage itself from some expensive subcontracts. So unjustifiable contractor inefficiency amounted to around $200,000 per engine.

It could have been worse. Past practice in such cases, where the government is dealing with a single supplier rather than with several competitors, has been to accept whatever price is commensurate with the costs the supplier has incurred, regardless of how efficient or inefficient he is. But, in an unprecedented action, the Defense Department ordered an investigation of Pratt & Whitney operations to determine how much such an engine ought to cost if produced under efficient manufacturing procedures. After that, the Navy—which had contract responsibility for all F–111 engines—took the further unprecedented step of unilaterally setting the price it intended to pay. Indications are that the Navy compromised its position somewhat after some hard bargaining, but the final contract did reduce by about 15 per cent the price proposed by the company, which customary procedure would have accepted outright. This saved the government roughly $200 million.

Two other good examples of spiraling costs were described in recent hearings before the Congressional Joint Economic Committee. A. E. Fitzgerald of the Defense Department reported that the C–5A transport may cost $2 billion more than the original contract ceiling of $3 billion; yet when Defense negotiated the contract with Lockheed, then-Secretary of Defense Robert S. McNamara described it as "a model method of doing Defense business . . . a damn good contract." In another case, retired Air Force Colonel Albert W. Buesking, a former financial officer for the Minuteman intercontinental ballistic missile, said the Minuteman contractors received 43 per cent pre-tax profit based on net worth, or about twice the normal industrial return; he estimated that defense contract costs are 30–50 per cent "in excess of what they might have been under conditions of competitive-type commercial environment."

Conservatively assuming that aerospace and shipbuilding contractors harbor an inefficiency of 15 per cent, and figuring that the average annual amount provided for research and procurement of such systems over the past three years is about $17.9 billion, then wiping out the inefficiency would annually save the government $2.7 billion.

This is no pipedream. It requires no dramatic breakthrough in management techniques. Such savings could be achieved quickly if the Secretary of Defense and the Secretaries of the individual services resolved to focus the energies of their top financial and engineering men on procurement of these major weapons systems. What is needed is some truly independent cost-sleuthing into contractors' operations, with firm backing from top Defense management for appropriate follow-up efforts.

Saving: $2,700,000,000.

The most fruitful way of all for saving defense dollars is to eliminate forces which no longer pack a credible punch or which were designed to meet a threat that is no longer credible.

The Navy's Polaris/Poseidon fleet ballistic missile program is vital to our national security. But the Navy's three primary and independent conventional warfare missions—tactical air, amphibious operations, and shipping protection—are overequipped, as are their associated support units. Current force levels cannot be justified by any potential threats. In my view, President Nixon was misguided when he decried America's loss of sea power during the campaign last fall. He made the mistake of applying the same argument the admirals use when they attempt to eternalize and expand their favorite programs: that the United States must have superiority in numbers, ship-type by ship-type, over the Soviet Navy. This is a legacy of late-1940's thinking, when it was assumed that we must always be ready to fight and win an extended war at sea. In the nuclear age, such thinking is highly unrealistic.

Fifteen aircraft carriers are presently assigned to the Navy's tactical air mission. Since the wallop they pack is purely the firepower of their aircraft, they should be compared with the alternative means of delivering that firepower—Air Force tactical aircraft. Carriers can deploy quickly to areas where we have no airfields, and they are safe from insurgent attacks (though they now appear to be vulnerable to Russian Styx missiles). But this flexibility comes at a high price. Independent studies place the cost of carrier-based tactical missions at three to four times that of similar missions flown from ground fields. Because of the many air bases we have built all over the world, we can rapidly deploy land-based aircraft to most areas. Carriers still play a necessary role in providing the potential to fight in a handful of otherwise inaccessible places and in meeting initial "surge" requirements for a non-nuclear war. But there is no justifiable reason to use them on extended deployments in major wars as we do now in Vietnam. Although the Defense Department will never admit it, the only reason we continue to employ carrier-based air strikes there is that the jealous Navy doesn't want to be shut out of some role in the war.

Tactical aircraft carriers could be cut from 15 to 10 without risk to the country's security. The average annual peacetime operating and modernization/replacement cost per carrier appears to be about $120 million. Assuming that the costs of expanding Air Force tactical missions to take up the slack were one-third as much, the net annual saving from the elimination of five carriers would be $400 million.

Saving: $400,000,000.

Marine Corps amphibious assault tactics have been used in minor contingencies such as Lebanon and the Dominican Republic, but against a major power they would be highly vulnerable to a tactical nuclear weapon. Nor are Marine forces now structured logistically for sustained combat, the type of war that Vietnam would suggest is most probable. Without eliminating any Marine troops, we could—by restricting their amphibious training and equipment and phasing out a proportionate share of assault ships—save $100 million annually.

Saving: $100,000,000.

A classic example of continued spending for protection against a no longer important threat is the third major area of Navy tactical forces—protection for shipping. The structuring of our anti-submarine and supporting antiaircraft and fleet escort forces harks back to the post-World War II prospect of a sea war with Russia. If we ever do begin destroying each other's ships, there seems little prospect of avoiding escalation to nuclear war, which would make shipping protection irrelevant. Further, as various jumbo aircraft near production, the cost gap between a ton-mile of plane transportation and a ton-mile of ship transportation is narrowing. Yet instead of scaling down our protective forces, we are keeping them up and even expanding them, through last year's implausible decision to begin procuring VSX anti-submarine aircraft. Killing this program and reducing overall shipping defenses to a sensible level—four anti-submarine carriers and three air groups rather than the present eight carriers—would save an annual $600 million.

Saving: $600,000,000.

Another major area in which our involvement is unreasonably large is our troop commitment in Europe. We have about 310,000 soldiers there now, accompanied by more than 200,000 dependents. Such a staggering share of the NATO burden was appropriate while our World War II allies struggled to get back on their feet, but they can now afford a larger load. Part of the thesis behind U.S. deployments is to make certain that any substantial attack by Warsaw Pact forces would engage American forces, thereby creating potential consequences that the Soviet Union would find untenable. But this could be assured with far fewer than 310,000 U.S. troops. Says Senator Stuart Symington (D-Mo.), a former Air Force Secretary recently assigned as chairman of a Foreign Relations subcommittee that will investigate the involvement of U.S. forces abroad: "Surely 50,000 American troops would be sufficient to

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make sure that no Soviet probe could succeed in Berlin or elsewhere in Europe without a direct confrontation with the United States."

In the event of a truly major Soviet attack, not even 310,000 U.S. troops plus the NATO allies' forces would be sufficient to thwart it. But both sides recognize that an assault of such proportions is likely to evoke a nuclear response.

Psychological reasons prevented us from making a major cut in our European forces close on the heels of the Russian takeover in Czechoslovakia last year. But that should not deter us from effecting the cut this year. If anything, our non-response to the Czech invasion simply reinforces the reality learned in Hungary in 1956—that the United States is not about to send troops into Eastern Europe no matter what the Soviet provocation.

Realistically, we could cut back to a total of 125,000 troops in Europe plus 50,000 at home earmarked for NATO contingencies, and cut by one-fourth the air power assigned to the European theater (a McNamara comparision shows that NATO air forces can deliver a payload more than three times greater than that of their Warsaw Pact counterparts). Altogether, these reductions would annually save about $1.5 billion.

Saving: $1,500,000,000.

The final two programs of questionable value—the SAGE-Air Defense Command system and the Sentinel anti-ballistic missile system share some common characteristics. Both are defensive, in an age when the balance of terror rests on offensive missile strength. Both encompass a detection function and an intercept guidance function. And numerous technical experts express serious doubts about the potential operational effectiveness of either.

SAGE represents yesteryear's attempt to defend against the Soviet version of our Strategic Air Command. It is widely conceded that the Soviets have grounded their bomber development efforts and no longer pose their primary strategic threat in this area. Nonetheless we persist in trying to further refine our bomber defenses, when in fact we have already achieved a satisfactory capability in the detection sphere. Moreover, SAGE's role as a guide to interceptor pilots is rather superfluous, given its imperfections and our primary reliance on a strong offensive deterrent. Some reductions have already been effected in the Air Defense Command, but conversion from a full defensive system to purely a warning system ought to save $600 million annually.

Saving: $600,000,000.

If SAGE is intended to sustain a mostly futile yesteryear system, the Sentinel ABM represents a misguided attempt to provide protection tomorrow. Against the destructive power of the missile, our best defense is a good offense. Particularly tragic is the staggering cost of a full-blown "thin" Sentinel system. Because it is so expensive, and the work is therefore parceled out to many Congressional districts, many politicians have favored it. It therefore may be difficult to stop before we have spent $40 billion. However, the Sentinel program faces increasingly fervent opposition in the Senate this year—partly because residents in four cities where ABM sites are being developed have objected so loudly.

Sentinel would make some sense if it truly promised blanket protection against strategic offensive missiles. But it doesn't. As Secretary McNamara said in a speech in San Francisco 18 months ago: ". . . any such system can rather obviously be defeated by an enemy simply sending more offensive warheads, or dummy warheads, than there are defensive missiles capable of disposing of them."

Secretary McNamara opposed the Sentinel, but President Johnson overruled him and decided to proceed with the program. Today we are on the road toward building a $5 billion ABM system, ostensibly for protection against Chinese missiles—as yet undeveloped—should Peking miscalculate our potential response and attack us.

It seems unrealistic not to expect the Soviets to perceive the $5 billion "thin" Sentinel as a first stage in a $40 billion "thick" defense against themselves. Senator Richard B. Russell (D-Ga.) said as much last year when he was chairman of the Senate Armed Services Committee: ". . . there is no doubt that this is a first step in a defense system against an atomic attack from the Soviet Union." Yet all seven of the men who have served over the past decade in the jobs of Science Adviser to the President or Director of Research and Engineering in the Defense Department have recommended against deployment of a "thick" ABM system designed to protect our population against a Soviet attack.

By halting the Sentinel now, before it acquires irreversible momentum, we could save $1.8 billion this year, not to mention vastly larger sums during the next decade.

Saving: $1,800,000,000.

The items above do not exhaust the list of things to cut—there are other savings to be made in such areas as mapping operations, the reserve forces, logistics—but the total here will serve as a start. It amounts to:

Total savings: $9,276,000,000.

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If all these Pentagon budget cuts are so obvious, why didn't the cost-conscious McNamara regime push them through? Did the Whiz Kids fail? Were they really trying? I think a fair assessment would have to conclude that they were trying hard but were only partly successful, for five basic reasons.

First, McNamara's Band was grealty outnumbered by experienced adversaries bound together by a shared goal—more and bigger military programs. All the elements in this military-industrial-Congressional complex are served by an enlarged defense budget, though their motivations are different. Industry wants greater sales and profits. The military wants expanded power, plus the assurance that they will be on the forefront of technology. Congressmen respond to pressure from contractors and military employees in their districts, and those on the military committees yearn for the prestige and power that comes from presiding over a bigger slice of the federal pie. The combination made life difficult even for a man as strong and courageous as Robert McNamara.

Second, in selecting systems to analyze for effectiveness, the Whiz Kids chose to concentrate on the relatively uncluttered strategic programs instead of digging into such fat and messy activities as we have catalogued here. Within their selected framework, they generally performed technically sound, objective initial analyses. Once they arrived at a position, however, they too often "overdefended" their conclusions; that is, they were unwilling to reassess them against subsequent cost experience, technological advances, or a changing international political environment. For example, the current structuring of our programmed airlift/sealift needs emanates from a carefully developed linear programming model. This model attaches a high value to rapid deployment, stemming from an early 1960's Europe-oriented study which showed high benefits in terms of political bargaining power and casualty minimization. This analysis still makes good sense in Europe, but now appears grossly misapplied in Asia. Yet nothing has been done to revise the high value placed on rapid deployment. Such a change would point to a different desired mix of airlift and sealift.

Third, the Defense Department's budget review process concedes too much at the beginning. Last year's budgeted amounts are generally taken by everyone as this year's starting points. This practice ignores the possibility that fat crept into preceding budgets or that some of last year's activities are now outmoded. Consider, for example, the subject of training, in which the armed services have been pioneering for years by applying new technology to education. This area should be a prime candidate for frequent review from the ground up (what the managers call "zero-base" budgeting). Rather, the Defense Department budgeting process virtually concedes last year's amount and focuses on whatever incremental changes have been requested. The result, of course, is higher budgets, with past errors compounded year after year.

A fourth limitation also derives from the planning and budgeting system. Discussions about the desirable level of various forces are conducted in terms of numbers of things—missiles, carriers, fighter wings. This flows naturally out of intelligence estimates of enemy forces and subsequent analyses of how much counterforce the United States needs to nullify them. Approval is then given to the Air Force to buy 40 more fighters or the Navy to buy four more submarines, each with specified capabilities. But carrying out such purchases is not like walking into an automobile showroom and asking for a yellow Plymouth Belvedere sedan with power steering. As a submarine is built, many unanticipated choices present themselves; they involve different levels of effectiveness or convenience for different levels of dollars. Inevitably the generals and admirals want to buy as much capability as possible; it is almost always more than is required to meet the threat. For want of adequate follow-up by top procurement officials, the generals often have their way.

Finally, the President and the Budget Bureau have shied from making public any meaningful comparisons between military and domestic programs. Systems analysis, the technique that aims to measure the relative national worth of results obtained from alternative programs, cannot precisely compare the benefits to be gained from highly diverse activities. Yet inexact as such comparisons may be, the Budget Bureau does make them and present them to the President from time to time. If the President, for his part, were to discuss national priorities more frequently and candidly with the public, then Congressmen might be less likely to base their judgments on the only other available view—that the present balance of activities is about right.

The present balance of activities is anything but right. Unmet national concerns for human opportunity and the quality of life require an investment even larger than the amount that would be freed if all of the Pentagon reforms outlined in this report were carried out.

Perhaps the clearest, most thorough delineation of these high-priority social needs is found in the report of the National Advisory Commission on Civil Disorders. To redress root causes of despair and frustration, the Commission recommended a long series of measures which, if enacted in full, would cost between $13 billion and $18 billion a year over their first several years.

The only way to begin addressing these unfilled needs is to take money away from Pentagon programs that must rank lower on any rational national-priority scale. Examples provide compelling support for this argument. We have such choices as:

Funding the Manned Oribiting Laboratory—or providing Upward Bound summer courses for the 600,000 additional ghetto students who have the potential to go to college;

Spending this year's Sentinel funds—or training 510,000 more hard-core unemployed;

Continuing to operate one of the marginal tactical aircraft carriers—or training and

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supporting 20,000 more Teacher Corps members;

Maintaining our full troop complement in Europe—or diverting an additional $10 million to each of 150 Model Cities;

Permitting excessive contractor costs to flourish unchecked—or providing Head Start education for 2,250,000 more children, plus enough school lunches to feed 20 million children for a whole year.

These alternatives are real and immediate. They do not represent wishful dreaming. The choices are up to Mr. Nixon, to the Congress, and ultimately to ourselves.

VIETNAM IN 1969—STATEMENT BY THE AMERICAN FRIENDS SERVICE COMMITTEE

Mr. FULBRIGHT. Mr. President, the American Friends Service Committee has released a statement on ending the war in Vietnam entitled simply "Vietnam, 1969." It is a persuasive statement on the need to bring this war to an end. I commend it to my colleagues and other readers of the Congressional Record and ask unanimous consent that it be printed in the Record following my remarks, together with excerpts from letters from Miss Dorothy Weller, a senior physical therapist in the Quaker-run rehabilitation center in Quang Ngai province, South Vietnam.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. FULBRIGHT. Mr. President, Miss Weller's letters give a small glimpse of the agony and suffering being endured by the simple people of South Vietnam, trapped in the middle of a war they neither understand nor support. It is an antiseptic war to most Americans, halfway around the world from the suffering and dying. Miss Weller's letters help to bring the war home in very human terms. They constitute an eloquent plea for ending the killing and I hope they will be read by those who are promoting a Korea-like end to the war, a situation which will assure the indefinite continuation of the fighting. It is conceivable that such a policy could result in maintaining the Saigon government in power for a while longer—but the price of such a "victory" would be America's soul.

Exhibit 1

Vietnam, 1969: An American Friends Service Committee White Paper on Ending the War

May 5, 1969.

The last year: It has been more than a year since the rhetoric of peace began in Vietnam. During this time scores of thousands of men and women and children have died in the fighting. They continue to die today, and every evidence in Vietnam is that they will continue to die tomorrow unless there is an unparalleled demand from the American people that the slaughter be halted. The American Friends Service Committee calls for a halt—now.

Like millions of others the world over, we felt a sense of relief a year ago that our country was at last moving toward a Vietnam settlement. We welcomed the initiation of the Paris talks, the halting of the bombing of North Vietnam, and, more recently, the reports of an Administration decision to undertake some form of U.S. military disengagement. We have hoped these steps would lead to a cease-fire and our country would begin to right its distorted priorities that require spending billions on destruction while our cities decay and our poor despair. But hope has not been enough. Little has really changed in the year that has passed.

Present illusions: We believe U.S. military and government leaders are fostering illusions in regard to Vietnam. Our own experience in Vietnam is so at variance with official interpretations that we cannot reconcile what we have seen with what is officially reported. Americans are under the impression that the war is all but over; it is not. They are being told that the U.S. military policy is one of restraint in the interest of progress in Paris; it is not. They are encouraged to think that the Thieu-Ky government is becoming more acceptable to the Vietnamese, that it is politically more secure, more resolute in carrying on the war, more ready to institute reforms, more competent to carry on with diminishing U.S. help. We find no evidence that these things are so.

In our judgment, the human situation in Vietnam today is worse than it has ever been; the cumulative result of U.S. involvement (on top of 25 years of warfare) borders not on Vietnam's salvation, but on its death. An entire nation is being physically, morally, and spiritually destroyed—and the tempo of destruction has increased, not decreased, since the beginning of the Paris talks and the bombing halt.

AFSC qualifications to comment: Our judgment on these matters is based on 15 years of relationship with Vietnam, the last four with fulltime staff stationed variously in Saigon. Vung Tau, My Tho, Danang, An Khe, Pleiku, Hue, and, for the last two years, Quang Ngai. As far back as June 1954, we urged the U.S. not to follow the French example of trying to deal with Indo-China's problems in military terms, insisting that "nothing but disaster lies down that road." [1] Since the U.S. military involvement escalated in 1965, our field staff, speaking Vietnamese and living as closely as possible among the people, have regularly reported to us on the conditions around them. These reports make hard reading, chronicling as they do a tide of destruction that has gradually engulfed a people and torn apart the fabric of their lives. Here is what these reports have recorded:

Refugees: Four million people—one-third of the rural population of this rural nation—have fled their homes and become refugees in a country where land and village roots have an importance unknown in western culture.[2] Most have fled to the cities, which are quite unprepared to cope with the influx. Saigon's population has swelled to 2,800,000, making it the world's most crowded city, with more than twice the population concentration of Tokyo.[3]

Destruction: Physical destruction is enormous. Hundreds of thousands of acres have been defoliated, countless villages have been razed, and bomb craters pockmark the countryside. B–52 raids alone have torn 2½ million holes 45 feet in diameter and 30 feet deep [4]—holes that are now filled with water and serve as breeding grounds for malarial mosquitoes and other insects. More tons of explosives have been dropped on this tiny country than were dropped on all the Axis powers in all of World War II, and with every month that passes the loads are bigger and the bombs heavier.[5] In December 1968, the U.S. for the first time began using in Vietnam 10,000-pound bombs that had been stored in military depots for 15 years.[6]

Economic impact of war: The basic economy of the country has been destroyed, and only heavy imports of consumer goods from the U.S. and Japan keep inflation from assuming explosive dimensions. Corruption is epidemic. Vietnam's ancient Buddhist culture, with its village roots, its veneration of ancestors, its reliance on the extended family, has been torn apart by the impact of having quartered in its midst a half million foreign troops who know nothing of its ways or sensibilities. Prostitution and black marketing are rampant.

Suffering: In all of this the suffering of the Vietnamese has reached levels that would appall the American people if they could see it. Many thousands have been forced from their homes on short notice, incarcerated in tent cities and then after weeks or months been permitted to return to their villages—their homes destroyed, their animals dead, and their fields mined.[7] More thousands are caught under the bombs or between the contending forces, and the result is carnage.[8] Even before the 1968 Tet offensive it was estimated that there were from 150,000 to 200,000 civilian casualties annually.[9] Provision for caring for the victims is hopelessly inadequate. Provincial hospitals today have few doctors, poor facilities, and often a shortage of medical supplies and even pain killers.[10] The American Friends Service Committee, which has been involved in the relief of war suffering for more than half a century, has rarely encountered such misery as is found in Vietnam today.[11]

U.S. escalation since Nov. 1, 1968: The United States, while it is publicly committed to a search for peace, has in fact stepped up its military activity since the bombing of the North was halted on November 1, 1968. Consider the following:

1. There are more U.S. troops in Vietnam today than there have ever been since the war began. On March 15 this figure was 540,500, in addition to 45,000 in Thailand and 35,000 in the Navy offshore.[12]

2. The number of battalion-sized operations initiated by the Allies and in progress during each month has grown steadily since the bombing halt. In November the figure was 800; in December, 956; in January, 1077.[13] The actual figures for less-than-battalion-sized operations in this same period are still classified, but it is known that they, too, reflect a steady increase. Enemy-initiated actions in both of these categories are substantially lower than allied actions during these months, which indicates that it is the allies who have been pressing the fighting.[14] Indeed, the North Vietnamese withdrew 30,000 to 40,000 troops from South Vietnam after the bombing halt.[15] The inclusion of small scale terrorist activity by the NLF forces does not significantly alter the picture. These actions remained relatively constant through December at a level of approximately 100 a month, involving the deaths of from 350 to 450 civilians monthly.[16]

3. Despite the cessation of missions over the North on November 1, the total tonnage of bombs dropped on Vietnam has increased every month since then, except for a slight decrease in the shorter month of February. In November, 115,000 tons were dropped; in December, 127,700; in January, 129,700; in February, 115,800.[17] The January figure represents the highest monthly tonnage dropped since the war began.[18]

4. Since October the war has been carried into ostensibly neutral Laos with greatly increased intensity. Before November 1 there was an average of 150 bombing strikes daily over Laos in 1968.[19] By the end of January the U.S. had 300 to 400 planes a day over Laos, or more than double the number being used before the November 1 bombing halt.[20] U.S. commanders have also been permitted to cross the border and carry ground fighting into Laos when they have felt the military situation required it.

5. U.S. battle deaths—always the inexorable barometer of the level of military action—offer final confirmation of the validity of the preceding statistics. These show a rise every month since the bombing halt; 600 American men lost their lives in October; 703 in November; 749 in December; 795 in January; 1073 in February; 1265 in March.[21] Renewed military initiatives by the NLF and

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Footnotes at end of article.

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DRV forces did not begin until the last week of February.

Where is there evidence in these statistics of a scaling down of allied operations?

U.S. Aims in Vietnam. Americans are assured that U.S. goals in Vietnam are limited ones. Earlier talk of victory has ceased as the death toll has risen and as the decimation of Vietnam has become apparent. Today the apologists for continued U.S. military action argue that our commitment will be fulfilled if our forces can achieve a reasonably pacified countryside, a reasonably stable government, and a reasonably effective Vietnamese army, capable of defending itself against its opponents. The American people are being assured that progress toward these goals is being made.[22] On the basis of our experience, however, and without considering whether these are appropriate goals for the U.S. to be seeking, we do not believe they are in fact attainable:

1. Pacification efforts have repeatedly failed over a ten-year period, and they will continue to fail. The Hamlet Evaluation System, a U.S. introduced, computerized measurement of territorial security, may show the country to be 75% secure, but all who know the Vietnamese countryside dismiss such figures out of hand. They are worthless because the sources of data are biased, and the definition of "security" is elusive. As the recent Tet offensive has shown once again, the NLF can still move with impunity into any part of Vietnam, even into the very centers of U.S. military power. Despite the contrived reports of the computers and despite the billions of dollars spent on pacification, there is today no part of Vietnam that is truly secure. Neither the U.S. nor Saigon is "winning the minds and hearts" of the Vietnamese. The countryside has not been pacified; it is less secure in 1969 than it was in 1965. Even the major cities, though ringed with fortifications, are vulnerable to attack and infiltration.[23] Quaker workers and Vietnamese sources report to us that anti-American feeling has never before been so intense as it is now.

2. The Thieu-Ky government does not offer any promise of future stability. The government in Saigon is a military dictatorship propped up by U.S. power, despised by most Vietnamese and notoriously corrupt. Freedom of speech is suppressed. No one knows exactly how many Vietnamese political prisoners languish in Vietnam's prisons, but the figure is certainly in the thousands, and includes many of the country's leading intellectuals: university professors, religious leaders, lawyers, students, newspaper editors, politicians—anyone who has dared to advocate political initiatives to end the war. Many of the leading figures in the present Saigon government fought for the French against their own countrymen. They represent an old and vanished order. Whatever the outcome in Vietnam, they will be swept away the moment the Vietnamese regain control of their own affairs. They are too weak a reed on which to pin any U.S. hope for future political stability.[24]

3. The South Vietnamese armed forces will never successfully take over the military burden now carried by the United States. It is not hardware or training that is lacking in Saigon's armies. It is will, the one ingredient the United States will never be able to provide. Thieu's soldiers have no heart for this struggle and have not had any for years. Indeed, one of the most striking phenomena of the war is the contrast between the contending forces: a Vietnamese dressed in the peasant garb of the NLF is one of the world's most formidable fighting men; the same man in the uniform of Saigon is one of the world's poorest. Why? Because one believes he fights to drive the foreigner from his soil while the other fights only to sustain the power of a corrupt military clique.

Why the U.S. should withdraw: If, therefore, as the American Friends Service Committee believes, a continuing U.S. military presence in Vietnam will not result in any genuine pacification of a war-weary and embittered countryside, and will not make palatable a government that is not palatable, nor an army fight that has no will to fight, it becomes useless to pursue further a course that is leading nowhere. It is useless to stay on even for the purpose of a bargaining position in Paris, because we find no reason to think that time will serve to strengthen the U.S. position. This is why we believe that the only viable option left for the U.S. in Vietnam is to withdraw from the whole tragically misconceived adventure.

This is something the U.S. can do. Our military can cease all offensive action, all search-and-destroy missions, all air and sea attacks, and withdraw U.S. troops to port areas for repatriation. This action would have the paramount advantage of returning the future of Vietnam to the Vietnamese, where it belongs. Questions of reunification and political settlement are questions for the Vietnamese to answer, because the Vietnamese, whether they live in Hanoi or in Saigon, are still a single people. They were divided by foreign fiat at Geneva; they have been kept divided by U.S. preoccupation with anti-communism; but fiat and power do not undo the history of a thousand years. The Vietnamese remain one people and not two. They are presently torn by strife between North and South, and between contending forces within South Vietnam, but these struggles can only be resolved by the Vietnamese themselves.

As the only foreigners in South Vietnam, the U.S. and its allies have nothing to negotiate but the rate and manner of their withdrawal. If our leaders were to acknowledge this and move to act on it, it would at once open up a whole new range of possibilities for the good offices or other nations to be used in mediation and arranging for sanctuary or amnesty for those open to reprisal. This in itself would be a hopeful development.

There will be suffering and turmoil if the U.S. leaves. There may be a government in Saigon led by Ho Chi Minh; there may not be. Withdrawal does not mean that justice will be done. It does not insure fair elections or well-protected freedoms. It does not even insure that urgently needed resources will at last be released for use in America's cities, since the Pentagon has plans to use any savings for its own new weapons projects. But whatever happens, or fails to happen, will, in our judgment, be preferable to going on with the present agony of death and destruction that is literally destroying Vietnam, undermining our own domestic social fabric, and damaging our country's name in the world community.

The real problem for the United States in unilateral withdrawal is not in the military consequences in Vietnam, but the political consequences at home. We do not underestimate their magnitude, or the courage that would be required to face them. The President is under great pressure, and it may seem safer and wiser for him to pursue a less drastic course. But we believe that both the American people and the world at large would respond to forthright leadership to withdraw our country from this war, especially if it were made clear simultaneously that the U.S. stood ready to assist generously in the task of economic reconstruction. We are not calling for the United States to abandon Vietnam, but only to replace a destructive American presence with a constructive one that will act in concert with an international effort to provide such economic help as may be requested by the Vietnamese.

This approach would give us a whole new position in Southeast Asia. At the very least, it would change the present tragic image of the United States. Every day sees the armed forces of the world's most powerful nation raining bombs and chemicals and napalm on the rice fields and bamboo huts of one of the poorest and most defenseless countries. As long as this continues, millions must wonder whether the Americans have indeed become the New Barbarians.

Let us therefore order a cease-fire and withdrawal from Vietnam, unilaterally and immediately. Let us get on with what is really important: the rebuilding of their country—and ours—and the lifting of the burden of poverty from the backs of Vietnamese and Americans alike. These are tasks in which Americans can join with enthusiasm.

GILBERT F. WHITE,
Chairman.
BRONSON P. CLARK,
Executive Secretary.

FOOTNOTES

[1] June 8, 1954, Public Statement issued by the Board of Directors of the American Friends Service Committee.

[2] Report of the Subcommittee to Investigate Problems Connected with Refugees and Escapees, Senator Edward Kennedy, chairman. May 9, 1968. The same report indicates that 80% of these refugees fled because of U.S. bombing. In our Quaker experience, this percentage is a conservative estimate.

[3] *The Vietnam Guardian*, March 22, 1969: "Saigon: The World's Most Crowded City." Average density of Saigon is reported as 148 persons per acre; Tokyo, the second most densely populated city in the world, averages 63. Densities in Saigon are up to 830 persons per acre.

[4] *The Nation*, April 21, 1969. Report from Professors E. W. Pfeiffer and G. N. Orians of the Society for Social Responsibility in Science, as quoted in editorial, "Ravaging Vietnam."

[5] November, 6.94 tons per sortie; December, 7.00 tons per sortie; January, 7.55 tons per sortie; February, 7.55 tons per sortie. These estimates were computed on the basis of figures on total tonnage and total number of sorties provided by the Southeast Asian News Desk, Directorate for Defense Information of the Office of the Assistant Secretary of Defense (Public Affairs), March 26, 1969.

[6] *Washington Post*, December 27, 1968: "10,000-Pound Bombs Used to Clear Viet Landing Zone." These bombs, too big for conventional fighter-bombers, are reported as being dropped from C–130 cargo planes or flying crane helicopters.

[7] In one such removal, during Operation Bold Mariner in January 1969, 12,000 peasants from the Batangan Peninsula were taken to a waterless camp near Quang Ngai over whose guarded gate floated a banner saying, "We thank you for liberating us from communist terror." These people had been given an hour to get out before the USS New Jersey began to shell their homes. After 8 weeks of imprisonment they were ferried back to what was left of their villages, given a few sheets of corrugated metal and told to fend for themselves. When asked what they would live on until new crops could be raised, the Vietnamese camp commander said, "Maybe they can fish."

[8] A quaker worker, writing from Quang Ngai late in February 1969, describes the situation as follows:

"Several of us went to the roof about 3 a.m. The Americans unleashed the terrifying 'Puff the Magic Dragon.' a DC3 that spews forth 5000 machine gun bullets per minute. As I watched it circle overhead last night, silhouetted against the low clouds in the light of the flares, flinging indiscriminate bolts of death earthward, I could vividly visualize the scene below. Men, women, children and animals, caught like rats in a flood. No place to hide, no way to plead their case of innocence to the machine in the sky, no time to prepare for death. The beating the civil-

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ians are taking in this war is beyond adequate description.

"Sitting behind the others on the roof I felt tears welling up and was shocked as I became aware of feelings foreign to my conscious self, which surfaced under the indescribable strain of watching man slaughter man en masse. The cold, mechanical, compassionless way that monster circled around and around and around, ruthlessly pursuing an unseen 'enemy,' stabbing viciously earthward again and again, probing, searching, killing and maiming all in its path . . . We have survived, but a lot of Quang Ngai people didn't make it. And a lot more who are now clinging to life over at the hospital will not make it until morning. If only we could bring this horrifying scene of human devastation in its true dimensions home to the people who must know what it's like. The ones who are pulling the strings on this deadly puppet show. Man's inhumanity to man has reached its climax in Vietnam."

[9] Report of the Kennedy Subcommittee, cited above. These figures, the report notes, are prior to the 1968 Tet offensive, which greatly increased the rate of civilian casualties.

[10] In Quang Ngai's 500-bed provincial hospital, for example, there were in late February over 600 patients, the great majority war-related. At one point, our Quaker physician was the only non-Vietnamese medical personnel available to care for this overflow load, with the exception of a single Vietnamese doctor.

[11] Consider the following, taken from one of many recent reports from Quaker workers in Quang Ngai:

"How can I tell you what it was like! These people coming in filthy, with glazed looks, numb. Nobody talking, nobody crying and the sounds of furious battle not yet ended pursuing them in the door. The emergency room floor still covered with blood from yesterday's casualties, smelled in the heat of the day and was oppressive . . .

"One little fella of ten or so, shot in the face. Three bullet or fragment holes in the back and buttocks, one of which had exited through his abdomen, the others lodged somewhere. He, like most of the others, came in lying in a pool of blood. Feces and ground up bits of bones were flowing out of the buttocks wound. Vomitus ran from his mouth and mixed with the blood pouring from the face wound. We worked with him for a long time but his chances are slim. He was in shock (most of them were) and struggling to get up from time to time, at times opening his eyes wide to beg for water or complain of the pain in his belly and then lapsing into unconsciousness. His father stood by silently, grief written all over his face. A girl, maybe seven years old, with a head wound and skull fracture. Also major portions of one foot missing. Mother and grandmother crying quietly while trying to help us dress the wounds. A mother lying on a stretcher on the floor smeared with blood and with her infant lying silently on her chest. The baby also was covered with blood and I never saw it move.

"I've seen all this before! Why can't I get used to it?! Each lifeless form, every scream of anguish, each blank stare of those who have suffered too much strikes pain in the pit of my stomach. Are there really those who can look at a scene like this and not suffer with the people?"

[12] Figures provided by the Pentagon's Southeast Asian News Desk, March 26, 1969.

[13] Ibid.

[14] This is confirmed by the New York Times, April 18, 1969 ("U.S. Battle Let-Up Denied in Saigon") which reports that "American troops are continuing to follow a policy of maximum pressure against the enemy. Allied units are continuing to patrol and pursue the enemy aggressively." Later in the story an unidentified colonel is quoted as follows: "All our battalions and brigades are out and operating from one end of the country to the other, just as they've been doing for months. If the casualty figures are down, it's because the Vietcong didn't want to fight—not the United States."

[15] Figures provided by the Pentagon's Southeast Asian News Desk, March 26, 1969. Senator George McGovern, speaking on the Senate floor March 17, 1969, reports this withdrawal was of "22 full regiments." Sources differed as to the reason for the withdrawal. The military attributed it to the need of North Vietnam to rest its battered forces; Senator McGovern suggests it was in response to the bombing halt.

[16] South Vietnamese government figures, as reported by the Pentagon's Southeast Asian News Desk, March 26, 1969. Data available only through December 1968. These show 443 killed in October, 440 killed in November, 355 killed in December.

[17] Figures provided by the Pentagon's Southeast Asian News Desk, March 26, 1969.

[18] Representative Don Edwards (Dem., Calif.) in a speech on the floor of the House, March 26, 1969.

[19] New York Times, November 1, 1968. William Beecher, "Laos Route to Be Pounded."

[20] U.P.I., January 29, 1969.

[21] Pentagon figures, updated from those quoted by W. F. Ryan (Dem., N.Y.) in the Congressional Record, March 26, 1969.

[22] New York Times, January 3, 1969. Charles Mohr, "Major Gains Made by Vietnam Allies, Even Critics Assert." Reader's Digest, February 1969, an interview with Admiral John S. McCain, Jr., "In Vietnam the Enemy Is Beaten." When the NLF stepped up the fighting late in February 1969, the military made efforts to keep the vision of U.S. progress alive by downgrading these actions. See New York Times, March 11, 1969, Charles Mohr, "Field Checks in Vietnam Show Allies Understated Foe's Gains." The American Friends Service Committee can document this charge from its own experience as far as Quang Ngai is concerned, since the city has more than once since February 23 been subject to night ground attacks that have resulted in an occupation of at least 25% over a period of several hours. Yet, as far as we know, these actions have not been reported by the military briefers.

[23] Quang Ngai, has one provincial capital, for example, has over the past year been regularly infiltrated at night. In the weeks following Tet 1969, heavy street fighting erupted twice around our unarmed and unprotected Quaker compound, which is well within the city limits. Every house in Quang Ngai city has its sandbagged shelter to protect the occupants. This is the situation in a provincial city garrisoned by allied troops. Is this security?

[24] Estimates from our AFSC contacts in Vietnam suggest 20% as the maximum support that Thieu-Ky could claim, with 80% in opposition. Some U.S. government estimates use these same figures but in reverse. We find it difficult to understand the basis for the official U.S. optimism on this point.

EXHIBIT 2

REPORT NO. 23, MARCH 1969: QUAKER SERVICE, VIETNAM, AMERICAN FRIENDS SERVICE COMMITTEE

(NOTE.—Dorothy Weller is senior physical therapist in the American Friends Service Committee's Prosthetics and Rehabilitation Program in Quang Ngai. These portions of her recent letters describe the circumstances in which the Quaker team's work is currently being carried out.)

QUANG NGAI, SOUTH VIETNAM,
February 23, 1969.

DEAR FRIENDS: When I went to bed last night, sleep wouldn't come. I was as jumpy as a cat. Finally got up about 1:30 a.m. and was rummaging around in the dark for a match to light the candle when the old familiar sound of incoming mortars split the night. My reaction was almost one of relief, since what we all knew was coming had at last come, and it felt better to be able to face the threat. It was a hellish battle, an inferno of death. Fortunately for us, none of the fighting or shelling came any closer than a mile or so. The main battle seemed to be around the main bridge across the Tra Khuc river (just where highway 1 exits town and heads north) and over Binh Son which is the next little village north. But while that was the main battle within earshot, it wasn't the only one. Quang Ngai was being hit from three sides—north, east and west. This morning the focus of fighting switched to the south. It seems obvious that the city is pretty well surrounded. There were so many incoming mortars and rockets competing for air space with outgoing shells plus a hail of bullets traveling both ways, it's a wonder there weren't mid-air collisions. The night was all but chased away by the hundreds of flares drifting overhead and the bright flashes of light given off by the explosions of bombs, shells, rockets, etc. It went on and on hour after hour.

Several of us, perhaps exhibiting more courage (or curiosity) than good judgment went to the roof of Pixton Hall about 3 a.m. and watched the Roman spectacle from there. The Americans unleashed the terrifying "Puff the Magic Dragon" (DC3 that spews forth 5000 rounds of machine gun bullets per minute). It's a horrible, horrible weapon and just the hideous sound it makes as it belches forth solid streams of red tracers makes my blood run cold. As I watched it circle overhead last night, silhouetted against the low clouds in the light of the flares, flinging indiscriminate bolts of death earthward, I could vividly visualize the scene below. Men, women, children and animals, caught like rats in a flood. No place to hide, no way to plead their case of innocence to the machine in the sky, no time to prepare for death. The beating the civilians are taking in this war is beyond adequate description.

Sitting behind the others on the roof I felt tears welling up and was shocked as I became aware of feelings foreign to my conscious self, which surfaced under the indescribable strain of watching man slaughter man en masse. The cold, mechanical, compassionless way that monster circled around and around and around, ruthlessly pursuing an unseen "enemy," stabbing viciously earthward again and again, probing, searching, killing and maiming all in its path. The pilot and the gunners, American boys who could just as easily be my own brothers or sons—men "just doing their job." In this particular instance, the NFL appears to have started the mayhem. They, too, had killed or injured their own share of their innocent "brothers" in the initial barrage. When the "Dragon" came down low on several occasions, he was, indeed, shot at. Twice, climbing streams of tracers from the ground almost connected. We came down from the roof about 4:30 a.m. Things were quieter but far from over.

At 7 this morning I managed to get BBC on the shortwave and learned that Quang Ngai was not alone in her agonies. Some 30 cities in the country had been attacked simultaneously: Saigon, Hue, Da Nang, Quang Tri and so on down the line.

After the newscast I dressed and went downstairs as it was just getting light. Others of the team were already outside with the same idea: to go to the hospital, check for damage at the Quaker Rehabilitation Center (QRC) to see if the emergency room needed help. QRC was fine but the Emergency Room was filled.

I've seen all this before! Five times, ten times. It seems like a thousand times. I've seen too much, and heard too much and smelled too much, but yet each time is like the first time. Why can't I get used to it?! Each lifeless form, every scream of anguish,

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each blank stare of those who have suffered too much strikes pain in the pit of my stomach. My emotional strength is a sham. Are there really those who can look at a scene like this and not suffer with the people?

As I approached the Emergency Room of the hospital I saw a fellow from CORDS–USAID sitting on the steps in the filth. I walked up to him and noted that he looked as if he had been crying. Wondering what was wrong, I softened my greeting and asked him what he knew about the military situation. His remark was irrelevant to the qestion, but he obviously spoke what was foremost in his mind. "We lost one of our men last night," he said in a choked voice. Apprehension rising, I sat down beside him and asked who it was. He told me then that it had been George Gaines and that he had been killed by a direct rocket hit on his house. (It wasn't until later that the real story came out through a Vietnamese guard who had been wounded trying to help George.) "He's in there," he said, motioning with a shaky hand towards the emergency room. There wasn't anything that would have been appropriate to say at the moment so I just squeezed his hand and got up to go in.

As it was bound to happen ultimately, death has hit us where it hurts. George Gaines, a personal friend of most of the team members, had worked in Quang Ngai with CORDS–USAID for almost four years. He was here when I came in July '67 and just last month returned from a leave to start his third tour of duty. Of all people, it shouldn't have been George! An American Negro, he was one of the kindest and gentlest men I've known here, big, bulky and cheerful. He never wore a gun as most of his colleagues did and really had genuine concern and affection for the Vietnamese people, something found in only a minority of foreigners in Vietnam. The Vietnamese had a great respect for him.

As I went in the door of the emergency room, a young boy of ten or so was being carried out. His eyes rolled back, his face and hair covered with blood, his frail body arched in the extension of a decerebrate. A brain stem injury, most likely. They put him into an ambulance that had just driven up with a middle aged woman. She was pulled out just momentarily, checked briefly by a Vietnamese doctor and shoved back in. The two of them were driven down to the soccer field and sent to Chu Lai Army hospital by helicopter. (The lad died before reaching Chu Lai.) The medivac helicopters have been unable to land behind the hospital today because of the proximity of the NLF snipers.

As I went into the dark first room of the emergency area, the four stretcher racks were full. Two with dead bodies; one a child, one an adult. On the floor lay three more stretchers soaked with blood flowing from major wounds of the people on them.

7:15 p.m.: I must try to stay chronological about all this. So, to go back to this morning.

I stepped over the stretchers on the floor and went into the back room. In the far corner, a husky good looking Vietnamese boy lay on his back, feet manacled together, hands tied over his head to the stretcher poles. His face was covered with dried blood and his hair was matted. An IV (intravenous) needle was askew in his arm and the bottle half full but it was not running. The boy was breathing (a captured VC) but seemed comatose. Later investigation showed that he had a bullet wound just behind the left ear. He obviously was moribund.

To my left as I walked into the back room was a body wrapped in a green sheet and labeled Gaines, George; American; CORDS. As I stood there I just couldn't bring myself to accept the fact that George was dead. Kneeling, I uncovered his face expecting to find a grisly sight. Any man killed by a rocket would be badly mangled. It was George with not a mark on his face. Pulling the sheet further down I saw in his chest three holes from bullets which had been fired at close range. There was no denying his death any longer, and I couldn't keep back the tears. Such a good guy who had done more for the Vietnamese people than most, had been executed for his efforts. But there's no sense trying to find logic or justice in war. None of these other casualties now being brought in deserved to die either. I guess George knew the risks he ran as well as we do.

The hospital was flooded in casualties. Dr. Marge Nelson, who arrived shortly, went right into surgery with Dr. Khai, and Joe and I went over to QRC and loaded up a stretcher with medical supplies. Took the supplies back to the emergency room and set up shop in the back room. By that time George's body had been taken out to the airport to start the long final journey home.

As I was sorting things out on the stretcher, the Viet Cong casualty gave a tortured cry, lifted his head and seemingly looked me in the eye. His entire body convulsed in a strong seizure, the intent look in his eyes faded, and he died. As I turned back to my work I thought: this guy had given his life for a cause very important to him.

Clark Kerr carried innumerable pails of water from the QRC and helped Joe and me wash and temporarily bandage patients. Our biggest battle was trying to counteract the patients' shock. Most of them have lost so much blood by the time they get here, and there was little or none available to replace it. No pain killers are given; presumably because there are none. All this time (and even now while I'm writing) the fighting was going on right behind the hospital, maybe half a mile. A mortar was set up right behind the surgical unit and was firing every few minutes. At times we had to yell to be heard above the chatter of rifle and machine guns. One of the patients I tried to help was a middle aged woman, pregnant and with a penetrating abdominal wound and numerous lacerations and a possible skull fracture.

Another patient was an older woman with a severe scalp laceration and possible skull fracture, severe lacerations of the left thigh and a left arm hanging on by an inch wide piece of skin. The relatives of this woman had heavily packed her arm with tobacco and bound it tightly. Probably saved her life as it certainly stopped the bleeding but it is appalling to think of the contamination there. Fortunately, Marge had come back from Surgery by the time I had finished dressing her other wounds. That arm had me buffaloed. I was afraid to remove the tobacco dressing, feeling that if I did it might well start pumping blood again and I wouldn't be able to stop it. I helped Marge work on that arm and was shaken as I never have been before. Marge unwrapped it and I came very close to passing out. The hand was bloody but intact, curled into a grotesque claw. Between the wrist and the elbow it was shattered to pulp. The bones were in a dozen pieces, the skin ripped from the underlying tissue and hanging in dark reddish strips. An unrecognizable mass of muscle, bone and blood. Hoping to save all the tissue possible, we washed the entire arm in a pail of water. With the dirt, tobacco and blood washed away, Marge hoped to be able to determine what was viable tissue and what wasn't. Even now, my skin crawls as I think about holding the cold dead hand while Marge tried to finish the amputation with a pair of bandage scissors. The skin holding the hand on looked dead but wasn't. Rather than cause the woman further shock by cutting this one inch piece of tissue, Marge decided to simply dress it, splint it and put a tourniquet on in case she started to bleed and transferred her to the waiting line for surgery. (She was still waiting with no further treatment 24 hours later.) There, if she survives, the arm was probably removed above the elbow. And so it went until about 12:30. Things were slackening up so we came home, tired, liberally spotted with blood and very depressed.

We got back to the hospital at 3 p.m. to find the floor and porches lined with patients on stretchers. These people had already had their wounds dressed, they were tagged efficiently with military casualty tags and the IVs were started. Turns out that most of them had been flown down from Chu Lai military hospital. Up there the hospital is full and they have no more room. The irony was that we had already been full up by noon. (Some 45 casualties came in this morning alone. Don't have any figures for this afternoon yet but it seemed like one steady stream.) But Dr. Khai and Marge checked them in and registered them while Lou, Roger, Joe, Eric and I carried them to various wards and crammed their stretchers into the narrow aisles between the ends of the beds. Once there, one could only crawl over the ends of the beds to get by.

Lou strung rope from the overhead beams to hang the IV bottles from. Roger Marshall and I discovered that all the IVs had been stopped somewhere along the line so we opened them and adjusted the flow. Found one fellow in agony, shot through both shoulders and his IV had infiltrated. Neither Roger nor I knew how to take care of it so went back to emergency to get Marge. It was an hour or so before she could break away but when she could she took Lou, Roger and I with her and gave us a graphic lesson in how to restart an IV. Hoped I learned as I have a feeling we may be called upon to do this in the next 24 hours or so. There isn't time to show us more than once.

Back at the Emergency Room, new patients, freshly injured, began to flow in again. The fighting had moved to within 300 yards of the hospital according to one person. Don't know about that but it was close enough for me. The din was deafening and terrifying for the patients (I was too busy to be scared then but I am now.)

We worked until 6:30 p.m. and when there was a slack period, we came on home. This evening Marge, Joe and Lou went back to help further but they are home now (10:15 p.m.) Lou drove one of our cars over to QRC and locked it up inside. No sense having all the cars destroyed in one fell swoop in case we take a rocket tonight. The bottled gas is buried and we have taken the ladder down from Pixton Hall roof. Don't want anyone using that vantage spot as a machine gun nest. The bunker is cleared of furniture and we have water and medical supplies in there in case we need it.

The senior USAID Province representative stopped by the house tonight and sat down to coffee with us. He told us calmly of the situation which isn't particularly good. He was going around town collecting all the foreign relief and government workers and taking them into their heavily fortified compound. The government workers were ordered to go and the voluntary agencies invited.) All the USAID people, CORDS, German and Canadian teams, Red Cross team I guess, were gathered together. All but the Quakers and possibly the Vietnam Christian Service team will probably be there. Having a lot of understanding for the Quaker position, the USAID Province Rep made it easy for us to refuse, although grateful for his concern. So here we are. It's almost 10:30 p.m. and ominously silent for the moment.

February 24, 1969: Last night was unexpectedly quiet. I slept some but it was fitful, and I think the rest of the team fared about the same. We were just too keyed up and tense. By the time I got up at 6:45 this morning, the quiet was ended. The sky was rapidly filling with planes and already a mortar (ARVN) was beginning to bark about a thousand yards from the house.

We went to work not knowing if we would

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be doing our regular work or helping to pick up more human pieces but when we got there the emergency area was empty. Dr. Khai had only a couple of hours sleep so the casualties must have kept dribbling in all night long. QRC was in good shape but filthy! The constant concussions of the explosions had knocked down months worth of dust and gecko, bat and bird dung! We were relieved to see all our employees back to work with three exceptions. One is in Saigon on vacation. The other two are brothers and they live in the Nghia Hanh area where much of the heaviest fighting has been going on. It may just be that they can't get in through the battle areas. Let's hope it's only that.

I had rather expected that we would have very few patients coming over for treatment today, since many of them had gone home for Tet and I was sure that they couldn't get back. But far from it, Mr. Ry and I were swamped with patients. Not as many had gone home as I thought and of those who did, many came back to Quang Ngai before the fighting started. Then the wards were filled with new amputees, most of which won't be ready to start the prosthetic process for several weeks but there were some who were ready to start so start we did amidst the din of a raging air assault against the NFL forces just south of us. It's hard to describe what it's like to work in the midst of the roar of the battle. The relentless noise was very unsettling and nerves were frayed. B52s were incessantly hitting an area maybe 20 miles south of here. My guess is that since the NFL and NVA didn't hit last night, they drew back their main force and this is most likely the group taking the heavy bombing today. Plus a "few" innocent people who always manage to plant their homes right in the middle of the front lines. All morning long, jets were screaming in at roof top level, flinging bombs and rockets at an NFL force just a mile or so behind the hospital. Bird dog planes circled around and around and around marking the enemy troop concentrations back there with smoke rockets. Helicopter gunships were raking the area with their guns. I'm sure the NFL are well dug in and not taking a lot of casualties but it will be a miracle if anything or anybody else survived.

It is close to 1 a.m. now. The fighting is so close in, it's next to impossible to classify shells as "incoming" or "outgoing." You're just as likely to get zapped by one as the other. Until just a few moments ago it has been a pretty noisy night. Puff was in the air again tonight with its obscene utterances of terror, B52s, jets, and all sorts of unexplainable explosions. To the south, to the west and to the north.

I realize I haven't talked of anything but the military situation in this letter, but the thing that we are most happy about is that despite extensive military action the patients are continuing to come to QRC for their treatments, and we can keep working. As long as we can do the work we came here to do, there's no reason for us to even think about leaving.

Another gratifying aspect of the past 48 hours or so is that we have found that we can function as an emergency medical team. Obviously we are not as polished and coordinated as we should like to be. This experience has taught us a lot and pointed out some of the weak spots in our preparation for such emergencies. Drs. Khai and Thanh seemed to welcome the help; in fact, it was in response to a request for help from them that Marge, Joe and Lou went back last night.

The team, as I said, is in good shape. Nervous? Yes. But if we weren't, I'd say there would be some real cause for worry. I'd say my prevailing mood at the moment and for the last few days has been more one of sadness and depression over the tragic drama taking place before our eyes. Tragedy for everyone involved. No one is going to win here. I can't help but wonder how many more times yet this is going to happen, how many more people are going to die, before something comes of the peace talks. And when it does, who then is going to have the power to bring the dead back to life, to restore the limbs and health of the maimed, to mend the breaks in family unity, to say nothing of this country's cohesiveness. The United States of America hasn't got enough power or money in its golden lined pockets to restore what it has helped to destroy. I think history will make it very hard for America to live with "Vietnam."

February 25, 1969, 10:45 p.m.: We have survived another 24 hours, but a lot of Quang Ngai people didn't make it. And a lot more who are now clinging to life over at the hospital will not make it until morning. At the moment, like all other members of the team to varying degrees, I am exhausted, bitter and very upset. Small complaints compared to the hell we have seen passing in unending streams tonight. If only we could bring this horrifying scene of human devastation in its true dimensions home to the people who must know what it's like. The people in Paris, the people in Washington, Hanoi, Saigon. The ones who are pulling the strings on this deadly puppet show. These puppets in the production or living, flesh and blood humans! Man's inhumanity to man has reached its climax in Vietnam and leaves me wondering how much worse it can get.

All day long battles have continued to the south, to the north and to the west. Heavy fighting not more than a mile south of the hospital and at times it sounded closer. To the west they are battling out near the airport and maybe closer in. I don't know how close.

All day long with few breaks, the planes of all descriptions have been overhead: B52s dropping the heavy ones. The jets and smaller planes diving over and over again down behind the hospital hurling the powerful explosives earthward and streaking for the sky again. Just long enough to gain altitude to turn around and come in again. Helicopter gunships growling and spitting lead in solid sheets. While some went back to re-load, new ones took their places and kept up the barrage. Mortars going both directions. I can't describe the noise for you. It can't be imagined unless it was your eardrums that were being besieged. We have learned tonight that some of the less familiar and earsplitting explosions we heard were shells coming from an offshore gunship. Artillery going off, machine gun fire. . . Incredible . . . Incredible. . . .

We all went to work this morning as usual. Again the emergency room wasn't too full so we were able to run our own departments.

After a rocket landed in town near a school the youngsters were sent home in our Child Day Care Center this afternoon. But the Rehab. Center stayed open all day. Mr. Ry and I didn't have too many patients. Not surprisingly. Many were just too tired and sick from days of fear and nights of no sleep.

In the midst of all this chaos and immediate emergency a new amputee presented himself at our door this afternoon. His leg has been off for 24 years and he came in today for a prosthesis!!! He told (somewhat reluctantly) an interesting story, however. He lived in Son Quang in the Batangan Peninsula and he and his family had been moved into the new refugee camp on the sand spit just the other side of the bridge, into which the military have put those 12,000 people who were forced from their homes in "Operation Bold Mariner." He said that he had been told that if he came into the Quang Ngai hospital he could obtain an artificial leg. I don't know how he got in (walked) through all that fighting without getting shot. We had another refugee from that camp come in yesterday.

I returned to the hospital early after lunch. The concussion of all the explosions is keeping it half an inch deep in dust and cinder all the time. Trying to clean it is a waste of time. The air around Quang Ngai is filled with dust, grit, smoke and the acrid smell of guns hot from firing. Shortly after I got back there, I heard the medivac helicopters coming in. This morning is the first time they have been able to get in here since the attacks started.

I went over to Emergency to see if I could be of some help. Found people streaming in through the doors. Those two choppers had brought in 23 or 24 people. Some were walking wounded, some had to be carried in on a litter. Some of the litters had two people on them; head to toe. With babies or children carried on top. Old women carrying babies. Some wounded and some not. A large number of this group were soldiers wounded just a few minutes before, right behind the hospital. One soldier with a good portion of his leg shot away came in carrying another soldier who had been shot in the abdomen. The hospital is full, full, full. It was full yesterday morning. But they keep on coming. Most of these soldiers were herded right on through the civilian hospital grounds and across the road to the military hospital. They must be full too. I think it was 100 casualties they received yesterday.

How can I tell you what it was like! These people coming in filthy, with glazed looks, numb. Nobody talking, nobody crying and the sounds of furious battle not yet ended pursuing them in the door. The emergency room floor still covered wtih blood from yesterday's casualties, smelled in the heat of the day and was oppressive. The hospital staff plus some of the MILPHAP men were on hand and equal to the job at noon; so I went back to work at QRC.

At 9:30 this morning the USAID nurses were evacuated once again to Da Nang. They were unhappy about the decision, but the physician in charge feels the burden of responsibility for them weighing heavily on his shoulders and he ordered them out. Heaven knows how we could have used them tonight!

Just before I left work this afternoon at 5:45, I went over to the emergency room again and found it filled and beginning to overflow. There was no one there but one Vietnamese nurse and one medical technician, both of whom seemed overwhelmed and incapable of much action. They had several serious cases. One a head wound and one abdominal wound. I asked the nurse who the doctor on duty was and she told me. I suggested she go ask him if he needed help. (He was operating at the time.) She did and came back saying that he needed help very badly. I went back to the house and got Marge and Joe. We went back and started to work. There were eight or so casualties there when we started. But it seemed not ten minutes later when I looked up from a wound I was dressing and saw twice as many people, most with horrifying injuries. And they kept jamming in the door or lay on the porch. At this point I don't know how many there were. We just kept going.

Before long a number of Joe's prosthetic trainees came in. How they knew the situation, I don't know. I paused long enough to send Lan (the pros. trainee who was wounded himself back in August) back to the house for more help. Pretty soon we had all the rest of the Quaker team on the job: Quy, Mr. Bich, Xuan Lan and Ngo and the youngest teenage son. We needed them all. Before long more Vietnamese doctors materialized and went right to work in surgery. Marge stayed in the Emergency Room and did yeoman duty there. Our team functioned well, although it seemed at times as though we were going to be swamped. Most of the casualties tonight

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had major injuries. Those who didn't get shoved out the door and had to wait until the last. Kids, gosh, so many kids!

One little fella of ten or so, shot in the face. Three bullet or fragment holes in the back and buttocks; one of which had exited through his abdomen, the others lodged somewhere. He like most of the others came in lying in a pool of blood. Feces and ground up bits of bone were flowing out of the buttock wound. Vomitus ran from his mouth and mixed with the blood pouring from the face wound. We worked with him a long time and his chances are slim. He was in shock (most of them were) and struggling to get up from time to time; at times opening his eyes wide to beg for water or complain of the pain in his belly and then lapsing into unconsciousness. His father stood by silently, grief written all over his face. A girl, maybe seven years old, with a head wound and skull fracture. Also major portion of one foot missing. Mother and grandmother crying quietly while trying to help us dress the wounds. A boy, maybe eight or nine, came in with leg bent at right angles at the thigh and in deep shock, bleeding heavily from a hole in his back. Doubt that this little fella will ever see the light of another day. A teenaged girl with most of the arm between the elbow and hand destroyed. Blood pooling under her stretcher quickly and becoming a hazard to safe walking. A mother lying on a stretcher on the floor smeared with blood and with her infant lying silently on her chest. The baby also was covered with blood and I never saw it move. It could have been dead. It later disappeared while I was busy with someone else.

The patients' relatives were swarming all over the place. You had to gently shove them aside to get to the patients. But in some cases they were a big help. Vaguely in the midst of all this chaos I was aware of a man hovering near the stretchers. He was dirty and bloody but didn't seem to be wounded. His face was a mask and I couldn't tell who he belonged to. We were too busy to pay any attention to him. All of a sudden I looked up and this poor fella was standing there hanging on to one of the stretcher rack poles and sobbing convulsively, hiding his face with an upraised arm. I moved to put a hand on his shoulder and he turned and walked out the door. I didn't see him again.

Lou and Eric did a lot of carrying patients to the wards after they had been given emergency treatment. I don't know where they put them. NTD had three to a bed and in the aisles. In the old ortho ward, there is no place to walk. They scrubbed stretchers, they ran back and forth for medical supplies and water from the QRC. The rolled sheet bandages Mom had sent me were a godsend. Fortunately we had enough bandages, etc. stocked in QRC for just this emergency. Tomorrow I've got to find more.

Roger, Joe and I worked with Margy in the emergency room. I don't know who did what, but thank God each of them was there. Everybody was great. The X-ray tech stayed on until the flow of casualties stopped, bless him. We have to give credit to the hospital staff. There is all the difference in the world between now and in 1967 here at the hospital. They are really trying. Tonight several of the medical techs showed up in civvies and stayed to help. Yesterday, several Vietnamese nurses came in and helped during their off duty hours. I found myself assisting the Vietnamese medical technicians, and then I'd find them helping me. There was no friction. Everybody was working together. I guess we were there for three hours or so, but it seemed like a hundred years.

Now, finally, the fighting seems to have worn itself out. The hospital is awash in human agony. We all are wondering how many more are still lying out there in the fields. How many will never make it in. How many more will be killed or wounded tonight or tomorrow or the next day. When will this stop?

A rocket hit the military compound again this morning. This time a U.S. marine was killed and several others injured. Several more marines were injured at the airport. Saw a line of cyclos loaded with two bright red coffins each headed for the hospital today at noon. Yesterday Carroll noted lines of montagnards streaming down Phan Boi Chau headed for town with their possessions on their heads. Very few people on the streets. Many of the shops downtown closed up. Now as I write it is no longer quiet. Rockets are coming into the town somewhere. Not right here.

Xuan Lan, Ngo and their kids are here with us tonight. Last night their area was swarming with NFL troops. Supposedly several crack NFL units are around there. Mr. Ry asked me as he left for his house tonight if he could bring his family down to us if the VC moved into the Tu Lo refugee camp. The answer was obvious. Of course. But the last two nights have been relatively quiet and maybe tonight will be too. It's a real switch for the major fighting to take place during the day. This is a whole new war. And we hear talk of the bombing of the North to perhaps start again. One more round of retaliations? Even now Vietnam is writhing in agony, and must she suffer more?

The team is fine. There have been no close shellings here, and we don't seem to be in any immediate danger. We are functioning well, both in normal program activities and in the emergency situation. We know we are needed here; we know we can help, and that goes a heck of a long ways toward helping us keep an even keel.

Will keep you posted. Remember as you read these letters the fighting here will probably be over. So there is nothing to worry about.

The team sends love to all.

February 26, 1969, 10:15 p.m.: It has been a much quieter day and while I'm really tuckered tonight I think I will be able to get some sleep for the first time in days. I think much the same could be said of the rest of the team, as well.

There has been some bombing (both B52 and jet) off and on all day and around 5:30 tonight, quite a battle heated up just back of the hospital for 45 minutes or so. Strafing rockets and ground fire. But taken in comparison to yesterday, the hostilities within earshot have been light. It's hard for us to know just what the military situation is now but we have heard the usual plethora of rumor.

Son and his brother finally showed up intact this afternoon much to everyone's relief; particularly theirs. They told of being trapped in their house during the first night and the next day and the terror of having heavy bombs dropping within 300 yards of them. Somewhere along the line their home was burned and they had to flee to another hiding place. Finally they decided to chance it. They live near Nghia Hanh but apparently the road was so heavily fought over today that they didn't dare try to come in via that route. They cut across country and came in on Highway #1. Seems like six of one and half a dozen of the other. That entire area is crawling with troops from both sides. They are very lucky to be alive and unhurt. Son was also telling us that the Americans attacked a large force of NFL in the Nghia Hanh area yesterday and were quickly routed by the Viet Cong. He spoke of large numbers of killed and wounded, both civilian and military. We asked him how the wounded were getting in to the hospital and he said, they weren't. Most of the ones he saw were still lying there; presumably to die since there was no care or medical supplies for them. The helicopters couldn't get in to evacuate them and the roads between there, and Quang Ngai would be a suicide-route. The implication is just what I suspected. The floods of casualties we did see at the hospital didn't represent even a fraction of the total. It has been mass slaughter here, and I wonder how they are going to arrive at accurate casualty figures. My guess is that they won't.

Today casualties were never so heavy that the Quaker emergency unit was needed, so we paid attention to our normal business. Seemed almost a "normal" day. Mr. Ry and I had 21 patients to tend to, with a usual supplement of hangers-on. The patient population here at the hospital seems to be very aware of our presence in the Emergency Room over the past few days, and it has made a visible impact on them.

We have learned that the Viet Cong penetrated the city as far as the Post Office yesterday. That's about as far in as you can come, I'd say. Haven't heard anything about damage downtown though, or casualties. We have stayed away from there for the most part. However, the Viet Cong are just as apt to show up under your bed as anywhere else. And all these rockets, mortars and bullets flying around are very non-discriminating missiles.

The CDCC ran a normal day today. The kiddies glad to be back to a normal routine as a thin grasp on security. However, one of our staff members there is looking for another house, feeling that it is much too dangerous where she is. That's so but I don't know where she is going to go where it isn't dangerous around here.

The wards at the hospital today were a study in horror. The overcrowding is incredible. If they have another sudden influx of patients I don't have any idea where they are going to put them. The hospital staff seems to be trying valiantly to keep up, but it's an overwhelming job that would tax the capabilities of even a sophisticated medical staff with good facilities and peaceful surroundings.

No more now. Going to go to bed and try to get some sleep. At the moment it is very quiet outside. I pray it stays that way!

February 27, 1969, 10:15 p.m.: Today hasn't been too bad. In fact, the morning and early afternoon seemed almost "normal" with just a little distant B52 bombing and some jets strafing behind the hospital. But around 3 p.m. the battles started up again just back of the hospital. The same old story. Jets dive bombing, rockets from smaller planes and all kinds of small arms fire. Kept up til about 5:30. Since then it has been relatively quiet and right now it is deathly quiet.

This morning the USAID nurses flew back into town. Had a brief talk with the head nurse, and she said that they had returned because "they" had decided it was foolish to do all this running back and forth between Quang Ngai and Danang. Later she said to Joe that they had come back "for good." Knowing how increasingly upset the nurses have been when they were pulled out of here during fracuses, I suspect the nurses themselves rose up in protest and insisted on coming back. They all looked much happier this morning in contrast to the almost guilty mood they were in when they left. I can well understand how they feel. We are sure glad to see them back!

Tonight Michael Jutras (the Canadian doctor) is staying with us here. I haven't had a chance to talk to him to see how badly hit the Canadian Hospital was. But apparently one of their big x-ray machines was destroyed, as well as much of the building.

March 1, 1969, 8:30 p.m.: "Saturday night is the loneliest night in the week . . ." So the song goes but over here in Quang Ngai it is anything but an isolated existence we lead on Saturday nights! In fact, there are usually far more people hanging around than we would like. And all of them carrying arms!

XUM

As near as we can tell, tonight isn't going to be any different than most of the past Saturdays and already the mortar across the street has started its yammering. Last night was a bad one and we don't look forward to another four hours of the same tonight. After taking stock of last night we can only believe that there must be a special Quaker Angel in residence here, and he was working overtime last night.

Last night I decided to not write another letter since the night before had been relatively quiet. A few letters had finally filtered through from home, so I just spent the early evening soaking up the news and reading the newspaper clippings that had come. By 10:30 I had gone to bed; still looking for that uninterrupted night's sleep. At 1 a.m. a tremendous explosion rocked Pixton Hall; knocked things off the tables and brought me up into uncomprehending wakefulness. A second explosion immediately followed the first and brought full awareness, as I dove under the bed; dust, gravel and shrapnel raining down on all the buildings here. There was no doubt about these being "incoming" mortars! Investigation this morning showed that one of them had hit at the north-west corner of Pixton Hall. There is a tiny open spot of ground between Pixton Hall, the big well and some refugee shacks back of us, and only some heavenly power could have guided that shell into that small space. No one was hurt! The area into which it fell couldn't have been much bigger than five square feet. The shacks and the back wall of Pixton Hall were liberally sprayed with fragments, but no real damage except for some frayed nerves. The second explosion was in the banana plantation right behind us and that was the first of many shells landing back there last night.

Following the first two explosions there was dead silence. After about five minutes of this I picked my bloodied nose up out of the dust under my bed and crawled stealthily to the door. Nothing going on, so I got braver and stood up. Still nothing, so decided that it might be the wisest thing to go down to the bunker just in case there was more to come. A wise decision but just a little too late. As I stuck one foot out the door, I got a face full of gravel from another series of blasts. Like a turtle I withdrew and there was never another chance (that I cared to take!) all that night to get down to the bunker. Eric was in the same boat downstairs in his room. He also started out the door and got hit in the leg with a piece of flying "something or other." No damage to either Eric or me, but we were both trapped for the rest of the night which was wild.

Apparently the Rural Development Cadre headquarters right across the street was the target in this area, and the Vietcong moved right in here through the hospital grounds as usual. After the fracas got well under way we couldn't distinguish any more between the incoming and outgoing shells. The RD fellows were firing their mortars, grenade launchers, rifles, etc., from the street right outside the house, and the incoming fire was dropping right in on top of them—and us. They eventually brought up three of the ARVN tanks and they parked right in front of our gate with motors running and lights out. They were firing their cannons through the open spaces between the houses. Just like Tet last year. The racket has all of us a little deafer than usual today.

Lou and some of the fellows who were watching the battle from upstairs in the main house saw one of the tanks go up towards the hospital where heavy fighting was going on. It crept up Phan Boi Chau about 500 feet, and an NFL soldier threw a grenade in front of it. Lou said that tank turned around on a dime and came streaking back to join the other two huddled together in front of the RD cadre place. It never went near the hospital again.

Everyone except for Eric and me spent the night either in our bunker or upstairs watching the fighting raging up and down the street. About 6:45 a.m. Roger and Joe decided it was quiet enough and with all fingers crossed they walked up to the hospital to assess the damage to QRC if, indeed, there was still a QRC. What they found was an intact QRC, but with numerous holes punched in the brand new roof over the brand new storeroom that Roger and Joe had just finished last weekend. It wasn't until later in the morning that they made the discovery that turned all of us a pale sickly white. They went up on the roof to find that a mortar had made a direct hit on the storeroom roof but had hit one of the sandbags first! That sandbag had taken the brunt of the explosion and the fragments had ripped up the roofing a bit but that was all. The ruins of the old MILPHAP warehouse next door to QRC had taken a few more hits. Apparently a number of shells had hit the hospital grounds although the structural damage was minor.

Elsewhere in Quang Ngai, we understand that some 20 houses between VNCS house and the big bridge were burned and that the VC broke into one house and shot an old man who was supposed to have a lot of money.

Here we had a houseful of people. Michael Jutras was here for the second night in a row, and Barry Fleming, the representative of Oxfam of Canada, was here, along with a young Vietnamese fellow who works at the Buddhist School of Youth for Social Service in Saigon. Barry had said as he came in from the airport that he'd like to see a little real action, as Saigon had been too tame for him, I guess. He certainly got his wish. He was only here 24 hours but he got to see the Prison, the CDCC, the Rehab. Center, the Hospital and the new refugee (Thien An) camp out on the Tra Khuc. He was a somewhat subdued man by the time he left this afternoon. Things are in incredibly bad state right now. There are somewhere over 680 patients in the hospital and you will remember that it only has 400 bed spaces. By Monday I'm sure there will be more than that.

Surprisingly, there were few casualties that came in this morning. We opened up the Rehab. Center and had a very busy day although none of the outpatients arrived. I find on days after close attacks like this, the hospital patients seem more eager than usual to come over and carry on their usual routines. I think it represents a certain amount of security for them to know that this is one place and one activity they can count on.

So we go into the 7th day (or is it the 8th) since the attacks started and while they have abated at times, they are still flaring up with their original intensity. The patients at the hospital are frightened and tired, as are most of the rest of the Quang Ngaians. I find it hard to know what to say to them as I leave QRC for the night. Our house is comparatively safe. We have a bunker and food and water and toilets, and each of us has a bed to himself. It is only being realistic to know I may never see them alive again. These people are living in double jeopardy and have been for a long time. Most people only have one death in a lifetime to worry about but Vietnam is a land of a thousand deaths, and individual peril is served up on a daily basis.

Enough for now. Once again, I am going to bed and hope for a few hours of sleep before the boys start up again. No work tomorrow. Hope to be able to get down to some personal correspondence and talk about something else but this holocaust here.

Take care of yourselves. Pray for some relief for these people over here soon. Do what you can to influence the right people in the right directions.

The team sends love to all.

DOROTHY WELLER.

THE CHARACTER OF THE PRESENT GREEK REGIME

Mr. FULBRIGHT. Mr. President, there appeared in the Sunday Times of London on May 4 an article smuggled out of Greece written by one of the leading musicians there, Mr. Mikis Theodorakis. This article gives an insight into the character of the regime now in control in Greece and a regime with which we are associated. I think it is important that the Members of the Senate be aware of our policies in this regard. Personally, I suspect that such policies are not unrelated to the turmoil that is so widespread in our country today. I ask unanimous consent that the article and an editorial from the Northwest Arkansas Times regarding the ROTC be inserted in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the London Sunday Times, May 4, 1969]

"MY LIFE IN EXILE," BY THEODORAKIS—SMUGGLED OUT OF GREECE WITH THE AID OF SUNDAY TIMES REPORTER JOHN BARRY

(NOTE.—Mikis Theodorakis' own account of life in exile was smuggled out of Greece last week. The courier was John Barry, the Sunday Times Insight reporter who six weeks ago travelled to the remote mountain village of Zatouna to investigate the captivity of Greece's most famous composer. Now, his new material—photographs, letters, the score of some new music, and a long message tape-recorded by Theodorakis—reveals for the composer's own feelings, and the steps the regime is taking to tighten still further the conditions of his exile. This is an edited version of Theodorakis' messages.)

On April 21, we completed eight months in Zatouna. The village looks deserted, with only 20 families or so living here now. Our house is in the centre, on the main street. We have one large room, and a smaller one where Margaret and George [*his children*] sleep. They go to the village primary school.

Myrto [*his wife*] and I, we spend our days in this room. Sometimes I play the piano; sometimes we read. We occupy ourselves a lot with the children.

Myrto gets out very seldom. But twice a day, I have to go to the police station. It is up a hill, and I often get tired climbing up there. But when I decided to stop it, I was subjected to tremendous pressures. I just had to give in, because I had no possible weapon but a hunger strike. When the worst comes to the worst, though, I will start a hunger strike.

Day and night, two guards are posted in front of our door, while a third patrols the road. As soon as I leave the house, one guard falls in on my left and the other on my right. The same thing happens even in the village coffee house.

And I may only speak, and then only about trivial things, to two or three villagers whom the police trust. I cannot speak to anyone else—whoever gives me "good morning" is questioned.

Theodorakis makes it clear that the regime is tightening its pressure.

At first, I was free to go out whenever I liked. Now, I have to be indoors 20 hours a day; I am allowed only four hours' exercise. On the Tuesday before Greek Easter (*April 8*), the restrictions became for a time even harsher: 22 hours a day indoors. And I walk only in the village. I am not allowed even 10 metres beyond it.

But frequently even theee "privileges" are cancelled and they shut me in with no explanation. I have absolutely no rights, absolutely no way of defending myself and my family against the arbitrariness of the authorities. "When I see you," I told an officer, "I hear inside me the sound of jungle drums. To me, you represent the law of the jungle."

In recent weeks, three new guards have been drafted into the village.

My guard now consists of a corporal, a sergeant and 13 gendarmes. And the local civilian armed units [*roughly, the territorials*] have special duties as well. No foreigner is allowed to pass through Zatouna. For days now, they have been stopping all the local buses in the Zatouna area. The passengers have to get out and be searched.

When the Council of Europe's sub-commission on Human Rights was due to arrive in Zatouna [*around the middle of March*] there were special precautions. I was ordered to be ready for secret transfer to another village; they would have hidden me there. They even had a special squad ready to blow up a big rock [*on the single precipitous road into Zatouna*] and thus cut off access.

Theodorakis, it seems deliberately, avoids talking of his own health, which is known to be declining. Instead, he concentrates on the effect of exile on his family.

When we first came here, a guard forced my nine-year-old son George to put up his hands, pushed him against a wall and then stripped him naked in the middle of the village. George had a nervous breakdown. He came home in a state of shock, with fits which continue even now. He cries continuously.

On the Monday [*April 7*] before Greek Easter, we sent the children to Athens because George was so disturbed. He is now being treated by a psychiatrist. Two days later, Myrto wanted to phone to hear news of his health. They would not allow it. I shouted at them from the balcony: "They are not Christians, not Greeks, not even humans."

That night the governor of Arkadia [*the province*] came. He asked me about my threatened hunger strike. Yes, I told him, that is my last weapon. "What's your opinion?" he asked Myrto. "When my husband dies, I shall kill the children and myself," she replied. "Then we will give you the satisfaction of four bodies." They let us phone.

The tragic irony is that the worst restrictions follow attempts to penetrate the regime's fictions about life in Zatouna:

The first measures were imposed after the visit of German television in November 1968. [*The film was shown last month.*] They have reached their peak after the marvelous report of John Barry in The Sunday Times.

For days after that, there was a general alert in the region, with arrests and interrogations and great nervousness everywhere.

At first, they completely cut off my telephone, and all the telephones of the villages around. They shut me in. They forbade books and magazines. Finally, they took our transistor radio. Our last link with the outside world was cut.

Now, after the announcement by the B B C that my Songs of Zatouna will be broadcast on Monday, there is great nervousness, even fear. Possibly we face new measures. They might take away the [*hidden*] tape recorder. They might take away my piano. So, finally, they would achieve silence.

Yet Theodorakis has regained at least some of the confidence he lost so painfully through the long winter.

It was unnecessary, I imagine to say that all these restrictions, far from disturbing us, fill us with joy. Not, of course, because we are masochists. But because they are a sign that what our friends who love us are doing has an impact abroad.

In the midst of these conditions, our morale and our faith, far from weakening, is on the contrary being sharpened and strengthened.

And first of all, as an intellectual performing my duty, I have composed here in Zatouna six cycles of songs. I call them "Arkadies." And I dedicate them—these songs I have written yesterday, and those songs I shall write tomorrow to all men who believe in man, who believe in life, in justice, in democracy and in freedom. And who have the will to fight to defend these ideals.

[From the Fayetteville (Ark.) Northwest Arkansas Times, Apr. 30, 1969]

ROTC Decision

It appears increasingly likely that the ROTC program at the University will become a voluntary one next year. The University Senate Council (faculty) has voted (10–3) to recommend such a step to the Board of Trustees. The Trustees generally follow such recommendations.

This decision appears to us to be a reasonable one. Those opposing the program's mandatory nature can now look forward to a pursuit of education unmolested by threat of non-graduation.

All of this seems eminently in keeping with the appropriate processes of higher education.

Amid the ruckus of recent protest and demonstration at the UA concerning ROTC, it was inevitable that some of the "victims" of the system would be pushed forward to illustrate alleged grievances. One such turns out to be a Phi Beta Kappa pre-med student who will not win a degree this spring because of non-compliance with ROTC requirements.

Under ROTC rules the student, as we understand it, was wrong. He declined to have his hair cut to military specifications and his instructor could hardly have done otherwise than to penalize him. The important issue in this instance—particularly since graduation is not a requirement for entrance in med school—is not hair, but rather how far Americans are prepared to allow the military to invade the conduct and procedures of a civilian society.

An ROTC spokesman, commenting on the matter, emphasized that the military today is "big business," and needs everything from data processors to doctors and lawyers. And he is right. The Pentagon's budget includes enormous annual expenditures for pure academic research, on many of our nation's campuses. The military, in fact, is such a major economic influence on research and development in this country that its whims have a very real effect upon the financial welfare of many college campuses.

This sort of thing shapes up as a dangerous trend, we think (at least it holds the potential of a dangerous threat to academic freedoms), and because of this any sort of mutually agreeable separation of military and civilian pursuits, particularly on campus, should serve the national purpose in good fashion in years to come.

Mr. FULBRIGHT. Mr. President, I have just been told that an article in, I believe it is, this week's Look magazine deals also with the conditions in Greece.

CONGRESS SHOULD NOT REPEAL INVESTMENT CREDIT

Mr. PROXMIRE. Mr. President, in a few weeks the Senate will debate whether or not we should repeal the investment credit. As the only Democratic member of the Joint Economic Committee to oppose repeal of the investment credit, I hope the Senate will think carefully about the consequences before it acts to eliminate a provision of our tax laws that has done a great deal for our economy in the past 7 years.

This provision was enacted in 1962, suspended in 1966, made effective again in 1967. To end it now would be a mistake for a number of reasons.

The principal drive behind its repeal is the conviction on the part of many economists that the present sharp rise in capital spending is highly inflationary—which it certainly is—and that the investment credit is a principal reason for the high level of capital spending, and it is.

The difficulty is that the repeal of this provision of our tax laws will not slow capital investment until some time next year. By the time the slowdown occurs we may very well need the capital investment in order to keep the economy moving.

Much more important, Mr. President, is the fact that capital investment is essential in holding down prices in the long run. Over the years the increasing efficiency of American productive facilities is the real reason why we have been able to pay higher real wages to tens of millions of Americans.

Along with education, and the basic stimulation of our competitive economic system, capital investment—in modernizing our factories, providing automation, sharply increasing productivity—is at the very heart of America's economic strength.

For this reason I call attention to a brilliant analysis of the benefits of the investment credit in this morning's Wall Street Journal.

I hope Members of this body will read it and ponder it before they make up their minds to vote to repeal the investment credit. This column by John O'Riley makes a persuasive case that such a vote would be a serious mistake.

I ask unanimous consent that the article from the front page of the Wall Street Journal in the column, "The Outlook," entitled "Appraisal of Current Trends in Business and Finance," be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Appraisal of Current Trends in Business and Finance

You hear a lot of talk about capital spending by industry these days. The talk notes that it is very large. And from there debate swings about the wisdom of withdrawing a tax-credit incentive for spurring such spending. The credit proviso has been on the statute books since 1962. It is bad and should be dropped, it is claimed, because the big industrial spending it helps induce is inflationary. Maybe the immediate effect of this expenditure is indeed inflationary. But the record of history makes one thing clear: Over the long pull, no force on earth has done more to hold down the prices of things people buy than has capital spending.

This money goes for factory machinery. And machinery, substituting for human hands, is the thing that gives maximum production at minimum cost. New and better machines come out every day. The new must replace the old. If they didn't, the soaring cost of human labor would push the prices on manufactured products into the sky. This is readily demonstrable. Factory wages in this decade have risen more than three times as fast as producer prices on finished consumer products.

The table below tells the story. Figures on

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prices of consumer durable and nondurable goods are official Labor Department indexes. Average hourly manufacturing wages are also compiled by the Labor Department.

Year	Consumer goods prices		Hourly wages
	Durable	Nondurable	
1960	100	101	$2.26
1962	100	101	2.39
1964	99	101	2.53
1966	100	104	2.72
1968	103	109	3.01
1969	116	108	3.14

It will be noted that in the first half of the decade the machines held the prices at a standstill—despite rising labor costs. Big wage gains of the past few years, though, have pushed prices up some despite all the machines could do to hold them down. Even so, the record since 1960 shows prices on the two categories of manufactured products up 16% and 7% respectively—and the wages up 39%.

It is one of the prime ironies of our inflation-plagued time that the finger of blame is so often pointed at prices on manufactured products—the very sector that is doing most to hold the overall cost of living down. If manufactured product prices were up as much as other things, the "C of L" would be staggeringly higher.

Take, for example, the cost of home ownership. Its runaway cost elements lie not in prices of such things as beds and television sets that go into the house, but rather in things that manufacturing efficiency can't put a brake on—land prices, mortgage interest, real estate taxes, insurance and maintenance and repairs.

The official home ownership cost index has jumped nearly 10% in the past 12 months alone. Over the same span, manufacturers prices on all finished consumer goods have risen less than a third as much, or only 2.9%.

The massive impact of modern factory machines is most dramatically mirrored in the changing ratio between the number of men it takes to run them and the amount of goods they turn out. Figures on factory production workers below are in thousands. The factory output index is that of the Federal Reserve Board. The 1957-59 average number of workers is used because that is the base for the production index.

Year	Production workers	Factory output
1957–59	12,596	100.0
1962	12,488	118.7
1964	12,781	133.1
1966	14,273	158.6
1968	14,485	166.8
1969	14,778	171.6

The number of men in the factories has increased only 17% since 1957–59. The physical volume of production has soared 71%. A proportionate rise in the number of men would have called for over 21 million workers in the factories today—instead of 14 million. And at today's $3.14-an-hour wages, it is not hard to see what those extra 7 million paychecks would do to prices on everything from TV sets to toothpaste.

As everybody knows by now, of course, the relative shrinkage in factory jobs has spelled no decline in overall employment. In an economy growing more diverse daily, today's labor supply market is drum tight.

In striving to produce more things at minimal cost, this country is not an island unto itself. Technology is global. Never have so many modern factories in Europe and Japan poured such a flood of merchandise into world commerce. It beats in mounting waves on American shores. Today's Yankee mouse trap maker who does not make that better trap, and at a competitive price, finds others halfway around the earth not only making it but delivering it to consumers across his backyard fence.

Here's how the industrial production indexes of half a dozen lands have jumped in the past decades. The 1957–59 average is used as a base of 100 in each case.

Country	1957–59	1969
Japan	100	402
Italy	100	236
West Germany	100	190
Canada	100	184
France	100	180
United Kingdom	100	137

Much of this production is consumed overseas, of course. But import figures show vividly how much finds buyers in this country. Imports of manufactured goods into the U.S. as recently as 1961 were valued just over half a billion dollars. Last year they topped $1.7 billion. This is not a moderate increase—it approaches a fourfold increase.

It is easy to attribute this lightly to U.S. prosperity. But only a head-in-the-sand observer can fail to realize that a major factor is simply that a great many foreign producers are offering the American consumer more for his money.

The foreign factory operator has always had the advantage of cheaper labor—with his American rival depending on better machines, better equipment. But now the foreigner has good production machines too. And he spends briskly on better ones. It is hard to see how American industry can fail to do likewise.

—John O'Riley.

THE F–111 "BRAIN": HOW ITS COSTS SOARED

Mr. PROXMIRE. Mr. President, in the Washington Post for Sunday, May 11, there was an article by Mr. Bernard Nossiter on the huge cost overruns for the avionics equipment of the F–111 airplane. For those not steeped in Pentagon jargon, avionics is the word used to describe the radar, navigation equipment, and the computer on the plane. In this case, the avionics equipment and the contract was known as the Mark II.

HUGE OVERRUNS

As usual, Mr. Nossiter makes clear the details of what may seem to be a highly complex matter.

The facts are that the cost of the "avionics" for the F–111 under the Mark II contract soared from $145 million to at least $357 million. This was first brought out at the hearings before the Joint Economic Committee's Subcommittee on Economy on Government last January. In testimony before the committee in January, which was released last week, Mr. Robert H. Charles admitted that the costs could go as high as $360 million.

But Mr. Nossiter has dug beyond these facts. His article is unique in the description of, as he puts it:

> How generously the Air Force dealt with its contractor, suggesting to the military-industrial world that an agreement may be only a scrap of paper when it threatens any firm with a loss.

SHOCKING PRACTICES

There are at least four practices revealed about this contract which are shocking, to say the least.

First, is the massive cost overrun, in this case an increase from $145 million to at least $357 million.

Second, is the refusal of the Air Force to enforce the contract which could have saved the Government, according to the article and the Air Force memo on which it is based, at least $100 million. Under the contract, after taking into consideration legitimate changes, the company was clearly responsible for at least those costs in excess of $172 million. But the Air Force let the company off the hook and loaded the excess costs onto the backs of the taxpayers.

The third point was the apparent willingness of the Air Force to allow this equipment to be installed in the planes even if it did not meet the specifications of the contract.

PYRAMIDING PROFITS

Finally, the article details the system of pyramiding costs and profits by means of what is called the "burden." This is a method whereby the prime contractor for the avionics equipment adds a fee to the costs of the subcontractor before calculating profits.

Then when the completed avionics equipment is shipped to the builder of the airplane, this company, too, adds a burden or a fee before figuring its profit.

To the degree that a prime contractor has to supervise the subcontractor, run tests, provide personnel, check on data, and so forth, these are legitimate costs. But absent such specific prime contractor activity a markup, such as Mr. Nossiter details, merely added to costs before the profit is figured, is clearly wrong. It is improper to allow a prime contractor to add a fee to the costs of the subcontractor for costs not involved or for services not performed. This practice should end.

PRACTICES ENFEEBLE DEFENSE

I commend Mr. Nossiter's article to the Senate. It is one more in a list of a dozen or more examples of huge cost overruns on major weapons systems which cannot be justified either under proper accounting practices or as a means of defending the country.

Such practices will enfeeble rather than strengthen this Nation.

I ask unanimous consent that the article by Mr. Nossiter be inserted in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

F–111 "Brain": How Its Costs Soared—Project Exceeds Estimates by More Than 100 Percent

(By Bernard D. Nossiter)

This is the story of the contract for the Mark II, a piece of electronic gadgetry for the F–111 plane that is running far more than 100 per cent above its original cost estimates.

The runaway costs, however, are only part of the story. More important is how generously the Air Force dealt with its contractor, suggesting to the military-industrial world that an agreement may be only a scrap of paper when it threatens any firm with a loss.

Buried in this story, too, is a warning from a responsible Pentagon official that the Air Force would risk the lives of its pilots by giving them "degraded" equipment to sup-

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port a "selling" job within the Pentagon and on Capitol Hill.

Much of the story is told in a long memorandum written by an official in the office of the Secretary of Defense. This man, who prefers not to be otherwise identified, had an almost unparalleled view of the events surrounding the Mark II until the Air Force last summer pulled down a curtain to hide the embarrassing sequence from the Secretary of Defense. The memorandum has been supplemented by a few other observations from those connected with the program.

The central theme of the memo is contained near its end. It says:

"If it fails to enforce the contract, the Air Force and the entire Department of Defense can count on many more years of misleading promises from contractors and failures to meet contractual requirements. On the other hand, enforcing the Mark II contract can be advent to a more realistic, business-like period in defense contracting."

A pencilled note tells what happened. It says:

"Charles overturned this position (enforcing the contract) in August 1968. He felt that Autonetics could not be forced to suffer a loss."

Charles is Robert H. Charles, the Air Force Assistant Secretary for procurement whose name has already figured in the C–5A affair and the contract termination of the F–111B. Autonetics is the Autonetics Division of North American Rockwell Corp., contractor for the Mark II.

The Mark II is the avionics of black-box electronics for the F–111, the swing-wing fighter-bomber already described as a "fiasco." The avionics includes the plane's radar, navigating equipment and the computer to make the calculations extracted from and guiding these instruments.

Its predecessor, the Mark I, did not promise the precision that the Air Force thought it could achieve. This led to a call to the industry to design Mark II.

Several firms bid on the project and North American's Autonetics was chosen the winner although some 600 defects were found in its design. The memo from the Pentagon official notes that J. L. Atwood, president of North American, assured the Air Force in the spring of 1966 that Autonetics "did not anticipate any difficulty" in correcting those flaws.

PRICE BAIT

The company won the contract, estimating its costs for some 210 Mark II's at $132 million. Allowing 10 per cent for profit, its "target price" was $145 million and any costs above $172 million, the "ceiling," were to be borne entirely by Autonetics.

Actually, Autonetics figured its costs at $183 million, but knocked off $38 million as a "management reduction" or special price bait.

The Air Force was pushing Autonetics to produce in a hurry, the memo relates. This was a costly program and if it was to be justified, Mark II's had to be rushed into F–111's before too many wings were equipped with Mark I's.

Indeed, the speed-up was so intense, "production go-ahead was required before the first RDT&E unit was integrated." That is, Autonetics was told to produce Mark II's before the research and development had been fully completed on test units.

Test flights were hurried, too, and "from this schedule," it was obvious at the start that test results could not be used in improvement of initial production units."

By September, 1966, just two months after it signed the contract, Autonetics was telling the Air Force it could not meet the contract's specified performance requirements and new less rigorous ones were drawn up.

How "degraded" the new specifications were is a classified matter. But it is evident from the Pentagon memo that the Air Force was now allowing the black boxes to break down more frequently than the original contract provided.

A few months later, in March, 1967, Autonetics was saying that its original cost of $132 million was unrealistic, that the first batch of Mark II's would run $357 million, almost three times the original amount.

However, on April 15, the North American division said it would ask the Air Force to pay only $297 million. It knocked off $22 million for a poorer performing Mark II and $38 million as that special "management reduction."

The Air Force, at this point, said, in effect, "We have a contract with you. We will only pay more if you can show us that the increased costs result from changes we ordered."

The president of Autonetics, Fred Eyestone, said that this was "impossible", the memo relates.

So an Air Force team of analysts went to work. They found only $20 million of increased costs that could be traced to the Government's demands. Thus, the office of the Defense Secretary reasoned that Autonetics was now entitled to a new "target" of $196 million.

This touched off a great internal debate. If Autonetics was held to its contract, it would lose $170 million and the end was not in sight. If relief came, what was the point of a contract?

From another memorandum written Oct. 20, 1967, it is learned that Robert Anthony, the Defense Department Comptroller, wanted the Air Force "to hold the contractors' feet to fire." He instructed his aides to draw up an order from Defense Secretary Robert McNamara to the Air Force insisting on just this.

Moreover, this second memorandum discloses, Anthony had won the support of Deputy Defense Secretary Paul Nitze for another idea, a "should cost" study of Autonetics' operations.

This scheme, developed by a veteran Navy negotiator, Gordon W. Rule, was to save the Government more than $100 million on a contract with Pratt & Whitney. It involved sending Government cost specialists into a contractor's plant and showing him the inefficiencies that were running up costs.

The second memorandum, however, observes that Charles, the Air Force buying chief, opposed a "should cost" study of Autonetics because "it reflects poorly on past and current Air Force procurement practices and the Air Force always does a form of 'should cost'," anyway.

In any event, Nitze ordered the Air Force to make the "should cost" examination. About a year later, when these men were soon to leave office, Nitze asked Air Force Secretary Harold Brown what had happened. Brown is said to have answered that the study was never made because it would not have produced any useful results.

At the Pentagon during 1967 and 1968, the argument continued over how tough to be with Autonetics.

UNREALISTIC

According to the memo written by the official in the McNamara entourage: "The Air Force does not want to have one of his principal suppliers lose over $100 million and, on the other hand, it does not have the facts to justify a higher (cost) position . . . Considerable feeling can be found in the Air Force that Autonetics is an innocent victim of a system which is changing from oral promises to written agreements. People with this viewpoint feel Autonetics should be 'left off the hook.' "

However, the Pentagon official observed:

"With important programs being cut back by a lack of funds throughout the Government, these funds are vitally needed elsewhere. The implicit notion that the money is more important to North American than it is to the Government, while finding a considerable sympathy within the Department of Defense, is a fallacious one. The money itself is an important reason to hold Autonetics to the contract."

The memo goes on:

"Both the contractor and the Air Force were unrealistic in assessing the ultimate cost of the system. It appears the contractor knew very well what he was getting into but was so anxious to win the competition that he was willing to 'buy in' by quoting a low price."

Then, "the contractor pursued a strategy of using change notices (blaming higher costs on Government-ordered changes) as a means of 'getting well' . . . Autonetics has operated effectively with this kind of strategy for some years in the Minuteman program."

As for the Air Force, it "was also guilty of lack of realism, probably because it was anxious to 'sell' the program to OSD (Office of the Secretary of Defense) and to the Congress. No independent estimate was made of Mark II costs at the time of source selection and, as a result, the Air Force was forced to depend upon the contractor's estimates."

There is a further and deadlier warning in the memo. It says:

"Given the Air Force's desire to get the planes operational it may be willing to accept the aircraft with deficiencies with a view to modifying them at a later date. This would be a mistake for two reasons. First, the dangers of crashes through failure and-or combat losses will be greatly increased if the equipment does not operate satisfactorily. Second, this strategy would mean that the Air Force would not be enforcing the contract."

Moreover, the memo from the Pentagon official predicts:

PROBABLE FAILURE

"Judging from past experience, it is likely that the Air Force will permit GD/FW (General Dynamics, Fort Worth, the prime contractor and builder of the airframe) to install the Mark II equipments in the (deleted) wing of planes even if they do not meet all specifications. These planes will then become operational with the intent of making the necessary retrofits at a later date.

"However, there is a high probability that these aircraft will not function properly in all modes and will experience a high loss rate. Such has been the experience with the F–111A/Mark I aircraft although its avionics is much less sophisticated."

As far as is known, none of the 11 Air Force F–111s that have crashed so far, with six officers and men missing and one dead, have been equipped with the Mark II black boxes. These, it is thought, just now are being installed.

Apart from the cryptic observation that Autonetics' Air Force sympathizers won out, the memo contains few further details on the outcome of the struggle. Those once close to the program say that Autonetics is getting a new "ceiling," near its costs of $3 million, thereby relieving it of its contractual obligations and sparing it from losses.

General Dynamics has been given the uncomfortable job of tracing additional cost increases of change allegedly directed by the Government in order to upset the earlier Air force findings and provide a rationale for the movable "ceiling."

The memorandum notes this is not the end. The Air Force once had a plan to buy 600 more of the Mark II's, a program since cut back substantially because the F–111 has been cut back. One measure of how Autonetics ballooned its costs can be gleaned from this table in the memo, a summary of the changing costs estimates for the full Mark II program—About 800 units:

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[In millions]

June 1966	$610
December 1966	850
June 1967	1110
January 1968	1510
November 1968	2510

In other words, the estimated costs when last checked had risen by $1.9 billion or more than 300 per cent.

The Pentagon official who wrote the memo says that his estimates are not precise. The Air Force began bunching together all cost on the F-111, including its avionics, to hide the Mark II spiral.

Another complication for the office of the Defense Secretary was outright misinformation coming from the Air Force. A pencilled note in the memo observes:

"Costs were intentionally understated (in April, 1967) by $385 million in order to 'sell' the program. This includes an 'error' of $170 million and an omission of $215 million."

The "omission" refers to an Air Force device of dropping from embarrassing cost estimates the rising cost of necessary auxiliaries. This is the device invoked to hide the 500 million overrun on spare parts and engines for the C-5A.

The "error" refers to what is believed to be an "honest" mistake. The Air Force at that point had simply "forgotten" $170 million.

The error and omission were turned up by cost analysts working for the Defense Secretary.

There is one more instructive section of the memo, a lucid explanation of why the Air Force pays 60 per cent more than is necessary because of pyramiding profits and burdens.

In a hypothetical example, a subcontractor supplies a $100 component to Autonetics. Autonetics takes a "burden" fee of 25 per cent, raising the cost to $125. It then takes its "normal" 10 per cent profit, lifting the cost to $137.50.

The prime contractor, General Dynamics, then adds on 7.5 per cent "burden" and the cost is now $147.80. GD, of course, also takes its 9 percent profit, lifting the final cost to $161.10.

The memo observes that the Government could have bought the item directly, supplied it to General Dynamics, and saved $61.10.

What the final cost of all the Mark II black boxes will be is a secret till buried with the Air Force and Autonetics. That it will be a rising figure, like that for the first batch of 210, is evident from the memo.

It says: "Although the contract contains firm option prices for the follow-on buy, the Air Force is not planning to use these prices because of the large increase in actual costs which has already occurred."

There is still one more feature to the upside-down economics of the Mark II. Normally, the more of an item you produce, the cheaper are your costs per unit.

In Pentagon jargon, this is graphed as a "learning curve." For an economist, it is the familiar, downward sloping unit cost curve.

For the Mark II, however, the memo remarks:

"The revised estimates show that the forecasted learning curve effect of costs decreasing with quantity will not be realized. In fact, the first year follow-on costs per unit will actually exceed the cost of the units already on contract. In informal discussions, Autonetics officials concede that the prices have been intentionally set high to enable the company to recoup potential losses on the existing contract."

GOVERNMENT SPENDING BY HUNCH, PORK BARREL, AND A PRAYER

Mr. PROXMIRE. Mr. President, Louis Cassels, of United Press International, wrote a series of articles recently based on a month-long investigation of Federal budgetary practices. His conclusions showed very clearly that the taxpayers' money is spent with an almost cavalier disregard for any standards there may be for "value received." Mr. Cassels reported on the basis of well-informed estimates that some $20 to $30 billion of the taxpayers' money is annually wasted or spent ineffectively because of "haphazard spending policies." That is almost as much as we are spending on the Vietnam war each year. It comes down to spending—as the headline on the first Cassells article proclaims—by hunch, pork barrel, and a prayer.

Mr. Cassels' articles are "must" reading for every Member of Congress and I ask unanimous consent that the articles be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GOVERNMENT SPENDING BY HUNCH, PORK BARREL, AND A PRAYER

(By Louis Cassels, UPI senior editor)

WASHINGTON.—The U.S. Government is wasting huge sums—at least $10 billion a year and probably much more than that—by spending money blindly.

That is the conclusion of a month-long investigation of Federal budgetary practices by United Press International.

The inquiry, which ranged from the White House to Capitol Hill and into numerous departments and agencies, disclosed that:

Little progress has been made in applying to civilian agencies the system introduced in the Pentagon by former Defense Secretary Robert S. McNamara, under which program decisions are supposed to be based on objective analysis of costs and results.

Even in the Defense Department, systematic analysis thus far has been applied mainly to new weapons systems and has had very limited impact on the bulk of military spending.

As a result, most Federal spending decision—military and civilian—are still being made on the basis of hunches, hopes and pork barrel politico rather than hard facts.

Costly programs, once launched, are continued or expanded year after year, without sufficient effort being made to determine whether they are actually achieving their supposed objectives.

The Government's left hand often doesn't know—or care—what its right hand is doing. It is not unusual to find 8 or 10 different agencies working in the same field with little or no coordination. This leads to overlapping and duplication of programs, and in some cases to such spectacles as one Government agency spending money ($30 million) to subsidize tobacco farmers while another Government agency is trying (with $8 million) to discourage cigarette smoking.

In military procurement particularly, and to a lesser extent in social program, the Government gets locked into long-term commitments running into many billions of dollars through "foot-in-the-door" programs that cost little at first but a great deal later. In some cases, Congress legislates without demanding adequate information about ultimate costs. In others, it is misled by flagrant underestimates of what certain programs or weapons systems eventually will cost.

It is impossible for anyone to tell exactly how many of the taxpayers' dollars are being wasted—or spent ineffectively—because of haphazard spending policies.

"The horrible truth," said a high career official of the General Accounting Office, "is that neither the President nor Congress nor anyone else really knows enough about what the Government is doing, and what results its programs are achieving, to speak with certainty about how much waste there is in our $200 billion a year Federal budget."

Pressed for an estimate, he said $20 billion to $30 billion a year would be a "realistic guess."

Phillip S. Hughes, Deputy Director of the Budget Bureau, said it would be "extremely conservative" to estimate that at least 5 percent of the Government's expenditures are redundant or ineffective. He indicated he would not boggle at an estimate of 10 to 15 percent. Five percent of the present budget is about $10 billion; 15 percent would be nearly $30 billion—as much as the Nation is spending annually on the Vietnam war.

Rep. George Mahon, D-Tex., Chairman of the House Appropriations Committee, thought these figures were too high, but conceded in an interview that "there is substantial waste" that could be eliminated by a more rational approach to spending decisions.

The more rational aproach was supposedly introduced throughout the Government in August, 1965, when President Lyndon B. Johnson announced, with considerable fanfare, that he had ordered all major Federal agencies to adopt the so-called "programing-planning-budgeting" (PPB) system which McNamara pioneered at the Pentagon.

Johnson said the new approach to budgeting "will enable us to fulfill the needs of the American people without waste . . . Because we will be able to make sounder decisions than ever before."

Under the PPB system, Federal agencies are supposed to follow a series of analytical steps in determining how much money they need from Congress. Step number 1 is to identify an objective as clearly and precisely as possible. Step number 2 is to consider alternative ways of achieving the objective, comparing them in terms of their relative cost and effectiveness. Step number 3 is to choose the alternative which promises to accomplish the most for the money. Step number 4 is to follow up a program after it is in operation, to measure its actual results and make sure it's working out as expected.

Advocates of PPB have developed some rather sophisticated techniques for analyzing the "cost-effectiveness ratio" of an existing or proposed program. However, the reliability of these techniques is a subject of dispute among economists. Some critics, such as Prof. Frederick C. Mosher of the University of Virginia, contend the system will never work well because many Government decisions entail considerations that cannot be reduced to quantitative terms.

Others, such as Alain C. Enthoven, former Assistant Secretary of Defense who is now vice president of Litton Industries, assert that systematic analysis is the only way to make sure that Government decisions are based on a reasoned judgment of the public interest rather than the jockeying of political and military pressure groups.

Because PPB would bring under analytical scrutiny all Federal activities—even the sacred cow programs dearest to bureaucrats and politicians—the introduction of the system into civilian agencies has not been hailed with universal glee in Washington.

A survey of 25 major Federal departments and agencies showed that all of them now have at least some machinery for systematic analysis.

But the survey turned up only three civilian agencies which are making more than token use of systematic analysis in planning, reviewing and revising their programs. These are the Department of Health, Education and Welfare (HEW), the Agriculture Department and the Labor Department. Even in these agencies, PPB is still in its infancy.

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Overlap, Duplication, and Contradiction

The biggest single cause of Government waste, in the opinion of many administration and congressional officials, is the long-standing practice of drafting appropriations bills on an agency-by-agency basis.

Until very recently, no serious attempt was made at the White House or Congress to look at Government spending on a functional basis—that is, to examine simultaneously and critically all of the things that are being done by all Federal agencies in a particular field.

This lack of overview may not have been a particularly serious matter in years past, when society was simpler, the Government less active, and the lines of responsibility more clearly drawn.

Today, however, there is scarcely a single major Government function that does not cut across department or agency lines. A recent survey by the Senate Government Operations Committee showed that 10 agencies are involved in manpower programs; 18 agencies are conducting programs to improve the natural environment; and 20 have something to do with health.

Daniel P. Moynihan, President Nixon's chief adviser on urban affairs and a veteran of two Democratic administrations, says the Government now has so many programs spread through so many agencies it is hard for policy makers "just to keep up with what is going on," let alone achieve any kind of true coordination.

As a freshman Member of Congress, Rep. William V. Roth, Jr., R-Del., was profoundly shocked last year to discover that no one in Washington could tell him how many Federal aid programs are currently in operation.

He set out to make his own list. After eight months of patient interrogation of individual agencies, he managed to identify 1,050 separate programs under which Federal money is given or loaned to States, cities, institutions or individuals.

Roth has neither the staff nor the authority to determine how much overlapping and duplication there is in this welter of Federal activity. But he figures there's bound to be a lot when—to cite just one field as an example—15 agencies are dispensing funds through 211 separate programs to support higher education.

Specific cases of overlap, duplication and even direct contradiction between Federal programs come to light often enough to indicate that Roth has sound grounds for this suspicion.

Item: The House Appropriations Committee, investigating the Government's marine science activities (on which 11 agencies spend nearly $500 million a year), found the Coast and Geodetic Survey preparing to explore underwater manganese deposits which had only recently been extensively and expensively studied by the Geological Survey.

Item: The Department of Health, Education and Welfare will spend $8 million this year on efforts to discourage smoking, while the Agriculture Department will spend $30 million to subsidize the growing of tobacco.

Item: The Air Force is spending about $600 million a year on its "manned orbiting laboratory" project which is strikingly similar to the spacecraft program of the National Aeronautics and Space Administration (NASA). Critics charge that the manned orbiting laboratory was put into the budget solely to gratify the Air Force's desire for a piece of the action in space research.

One of the cardinal principles of systematic analysis is that spending decisions should be based on a careful calculation of what a program will cost over the long run, rather than during its first year or two of operation, when it is just getting under way.

"This principle is being widely ignored," said Robert Haveman, professor of economics at Grinnell College, Iowa, who is currently on leave to help the joint congressional economic committee investigate how "PPB" is working in Federal agencies.

Sen. William Proxmire, D-Wis., vice chairman of the Joint Economic Committee, charged that the armed forces have persistently misled Congress about the ultimate costs of new weapons systems, such as the antiballistic missile (ABM) now under consideration.

Proxmire said in an interview his committee's hearing have established that the Air Force's new C15 airplane "will probably cost the American taxpayer $2 billion more than the original contract ceiling of $3 billion."

Nor is that an unusual case, Proxmire said. "About 90 per cent of the major new weapons systems adopted by the military end up costing at least twice as much as was originally estimated."

Proxmire said the Pentagon's "notorious" readiness to permit a military contractor to double or triple his original price tag has encouraged the price of "buy-in bidding" which a firm deliberately enters an absurdly low bid in order to obtain a defense contract, and then puts in a whopping claim for "unexpected" extra costs.

Proxmire said the Pentagon could stop "buy-in bidding" in a hurry if it began slapping severe penalties on contractors whose costs run far higher than the original estimate. But no move in this direction has been made, he said, because "the connections between the military and the major industries which supply it are very close and very cooperative."

Efforts are being made, both in the administration and in Congress, to provide Government decision makers with more of the kind of information they must have to make sound choices about spending.

The Budget Bureau has instituted an "overview" system under which activities will be grouped for Bureau review by function rather than merely by agency. This means, for example, that manpower programs of all agencies eventually will be examined by one section of the Bureau, all education programs by another, and so on. This operation, however, is quite new and still a long way from being full effective.

The House Appropriations Committee chairman, Rep. Mahon, has introduced a resolution that would require every congressional committee, when recommending creation or expansion of any Federal program, to submit cost estimates for the first five years of its operation. This could help Congress avoid getting mousetrapped by "foot in the door" programs.

Rep. Wilbur Mills, D-Ark., chairman of the House Ways and Means committee, wants Congress to establish a "Government Program Evaluation Commission." It would be similar to the Hoover Commission, Mills said, but would study the substance rather than just the efficiency of each Federal activity, seeking to identify redundant and ineffective programs.

The degree to which systematic analysis becomes a significant tool in budget making in the years ahead will depend on how much support it gets from President Nixon and his new Republican team. Indications to date are that Nixon is sympathetic to the concept but he has been too busy with other problems to give it much attention.

One major step toward increased emphasis on analytical budgeting was taken at the Pentagon last month. Defense Department Comptroller Robert C. Moot ordered the Armed Forces to apply the techniques of cost/effectiveness analysis to all military spending programs, including decisions on such matters as whether to shut down a base, or when to recap aircraft tires.

The new secretary of Health, Education and Welfare, Robert Finch, also has displayed a keen interest in putting decisions on a sounder basis. He believes at least 1 percent of all funds appropriated for educational and societal programs should be earmarked for objective evaluation or how the programs work in practice.

All of these initiatives will encounter quiet but formidable opposition from people, in and out of Government, who fear that rational analysis might lead to drastic cutbacks or even elimination of their pet programs. This opposition, being intense and focused, is likely to prevail over the rather diffuse public interest in reducing waste—unless or until the long-suffering American taxpayer really sees red.

THE CREDIT BUREAU BUGABOO

Mr. PROXMIRE. Mr. President, on May 19 my Subcommittee on Financial Institutions of the Banking and Currency Committee will begin hearings on a bill I have introduced designed to protect consumers against some of the abuses of credit reporting agencies.

There have been numerous excellent articles in recent months describing some of these abuses. One of them—by John E. Simonds, of the Gannett News Service—sums up in very able and succinct fashion the problem we will be trying to get at it in the hearings next week.

I ask unanimous consent that the article be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Rochester (N.Y.) Democrat and Chronicle, Feb. 16, 1969]

Rating Firms—Credit's Anonymous Bugaboo

(By John E. Simonds, Gannett News Service)

Washington.—A recent applicant for a $300 bank loan here was surprised when, after waiting three weeks, he was politely told that a routine credit report failed to verify two other bank loans he had listed as outstanding debts. The prospective borrower was furious. "Who made this investigation?" he demanded.

"I'm sorry, I can't tell you that," the bank official said. "We have a credit rating service that handles these things, and they tell me they can't find any record of your loans at those other banks."

"That's like saying I filed a phoney application!" the man steamed. "I listed all those debts to give you an honest picture. If I had left them out, nobody would have looked for them, and I probably would have got the loan right away."

Finally the bank official agreed to make the $300 loan when the angry man brought in his books of payment stubs for the two loans to show that he actually owed money to the other banks.

"I can't understand it," the bank officer marveled. "If I were you, I wouldn't bother to pay them, if they aren't keeping any records of it."

The banks, of course, were keeping records. But somewhere along the streamlined avenues of computerized financial investigation someone had failed to make a note of the debts, or had been in too big a hurry.

But this man's problem was a minor inconvenience compared with others. Consider the case of a California man who wrote to Sen. William Proxmire, D-Wis.

"He was falsely arrested and convicted of a felony in 1962 on a case of mistaken identity," Proxmire told the Senate recently. "In 1963 the real criminal confessed. Despite his innocence, the man has never been able to obtain any credit since even though he is a successful real estate broker."

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A Pennsylvania woman complained to Proxmire that an insurance company refused to issue her a major medical policy on the basis of a credit report that she was an alcoholic. "In actual fact," said Proxmire, "the woman had never consumed more than a dozen drinks in 20 years of married life."

A Florida insurance man with 20 years' experience in such matters told Proxmire that "credit investigations are frequently characterized by hearsay evidence, inaccuracies, incompetent investigators and snide insinuations."

What is happening, say Proxmire, Sen. Philip A. Hart, D-Mich., and other members of Congress concerned with privacy and consumer protection, is that a vast network of raw information about the lives of millions is forming and flowing faster than society can manage it.

"While the growth of this information network is somewhat alarming," said Proxmire, "what is even more alarming is the fact the system has been built up with virtually no public regulation or supervision."

The Associated Credit Bureaus of America (ACBA) have more than 2,200 member bureaus serving 400,000 creditors in 36,000 cities and towns in the nation. They keep files on more than 110 million people. In 1967, Proxmire notes, they issued 97 million credit reports.

Among the major firms in the field, the Retail Credit Co. of Atlanta has 1,800 offices in the United States and Canada, and supplies 35 million reports a year to 40,000 customers, specializing in insurance and employment queries.

"Their files include dossiers on 45 million individuals and contain information on drinking, marital discords, adulterous behavior as well as a person's general reputation, habits and morals," Proxmire said.

A typical investigation by the firm has been estimated at 30 minutes, "with much of the information coming from neighbors," he added.

Other fast-growing firms in the area include Hooper-Holmes of Morristown, N.J., with files on nine million people, and Credit Data Corp., of California, which has 20 million credit files on computer tape, is adding 50,000 new files a week and expects within five years to have a file on anyone who has ever applied for credit.

"Credit reporting agencies are absolutely essential in today's credit economy where consumer debt has passed the $100 billion mark," agrees Proxmire. But what is needed, he says, is a system for preventing innocent people from suffering at the hands of careless or insensitive employes and from information that is either inaccurate, irrelevant, outdated or incomplete.

To install some protective controls, Proxmire, chairman of the Senate Banking Committee's financial institutions subcommittee, has proposed legislation that would require credit rating firms to:

Provide a chance for individuals to correct inaccurate or misleading information in their files.

Inform individuals whenever they enter a derogatory item about them in their credit file.

Keep information current and destroy obsolete material.

Limit information released to relevant material, and maintain procedures to insure the confidential treatment of the information and to reduce its currently widespread release to government agencies, market researchers and prospective employers.

The Federal Housing Administration (FHA) and other federal agencies frequently draw on commercial credit rating firms for information on private citizens, the FHA when it is determining whether to grant a home loan, and the FBI and Internal Revenue Service in their law enforcement duties.

"We have considered our voluntary cooperation with these agencies to be in the public interest," an official of the Retail Credit Co. has said. The president of Credit Data Corp., however, says his firm refuses to give such information to government agencies unless it is subpoenaed.

Another part of the Proxmire legislation requires the bank or other firm requesting the credit check to notify the person involved that there is a problem with his credit rating. It also would require the bank to release the name and address of the credit reporting firm to the subject of an unfavorable report.

Thus, the man trying to borrow the $300 would have to be told the name of the credit rating firm, which could not find the record of his two outstanding bank loans. As it now stands, that man's credit rating is in the hands of some nameless, faceless organization which has challenged the accuracy of his credit picture. There is no legal way he can retrace the credit checking system to challenge its report on him.

ORDER OF BUSINESS

Mr. MURPHY. Mr. President, I am about to introduce a bill. I ask unanimous consent that I may proceed for 10 minutes, in order to make the presentation properly.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2120—INTRODUCTION OF THE OLDER AMERICANS ACT AMENDMENTS OF 1969

Mr. MURPHY. Mr. President, I introduce an important bill, the Older Americans Act Amendments of 1969. Joining me in sponsoring this measure, which incorporates the administration's recommendations for extending and improving the programs under the Older Americans Act, are the Senator from Arizona (Mr. Fannin), the Senator from Florida (Mr. Gurney), the Senator from New York (Mr. Javits), the Senator from Vermont (Mr. Prouty), the Senator from Iowa (Mr. Miller), and the Senator from Arizona (Mr. Goldwater).

This is a most urgent piece of legislation since several provisions of the Older Americans Act of 1965 will expire this year if Congress fails to act promptly.

The Older Americans Act has only been in existence for 3½ years, but it has already demonstrated that it is a highly effective mechanism for stimulating a national awareness of the need for programs and activities for the increasing numbers of people in this country living in retirement, who too often seem to be the forgotten group.

Mr. President, there are 19 million Americans over 65 in the United States today. By 1971, the number of persons over 65 is expected to increase to over 21 million, and by 1985, the number will reach 25 million. California is proud of the fact that we have the largest senior citizen population in the country. Approximately 1,882,000 citizens over 65, which exceeds the population of 19 individual States, reside in California, and the number of senior citizens in our State grows by 100 a day.

In the city of Los Angeles alone, the present population of seniors is 370,000 and the number is increasing at the rate of 10 percent each year. The seniors living in the city of Los Angeles exceeds the population of two of our smaller States.

The Older Americans Act created the Administration on Aging to serve as the focal point of concern for older persons in this Nation. In just 3½ years, the Administration on Aging, through title III has been instrumental in the creation of State agencies on aging in all but three States. The title provides grants to the States for community planning and projects. By the end of this fiscal year, over 1,000 community projects will have been funded under this title through the State agencies.

In my judgment, title III is the most important title of this very important act. This is the title of the act that is reaching retired citizens and providing services for them at the local level. Federally and State supported, State directed, and locally operated, title III has forged a partnership of all levels of government and private citizens and groups. Under title III, over 660,000 older Americans of all economic, social, and ethnic levels have been well served.

The bill I am introducing today, Mr. President, in addition to extending title III for 3 years, makes various and necessary improvements. First, it amends the provision for Federal sharing of project costs to provide that grants for local community projects will no longer be limited to the 3-year period. Under present law, Federal sharing of project costs is limited to a 3-year period with a maximum of 75 percent for the first year, 60 percent for the second, and 50 percent for the third. This new provision, at the discretion of the States, would allow extension of Federal support for the fourth and subsequent years. This will give the State agencies additional and needed flexibility to plan and to continue good projects. This is a desirable provision, for in some cases, solid programs are in existence that are not yet ready to be financed at the local or community level. This amendment will prevent these programs from going out of existence when the State agency feels that an extension of Federal support is in everyone's best interest.

I am familiar with two programs in California, Mr. President, and I am sure there are others, not only in my State, but in every State throughout the country that will welcome this flexible approach. In both south central Los Angeles and in east Los Angeles, senior groups are having difficulty producing the funds needed to carry out their operations through the fourth year. Under the new proposal, if the State agency deems it wise, Federal funds under title III could be continued. Further, other new title III provisions are aimed at strengthening the State agencies. The provision of State plans would now include statewide planning, coordination, and evaluation of programs. A separate authorization of appropriations for these functions underscore their importance. The Federal sharing for these activities would be increased to a 75 percent Federal, 25 percent State sharing formula.

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These amendments will enable State agencies to better direct programs of services to older people in communities and to give the leadership essential to achieving maximum effect. Greater coordination with all agencies involved in activities directly affecting older people is the objective and should be the result.

Mr. President, the California Commission on Aging, ably directed by its chairman, Mrs. A. M. G. "Bonny" Russell, and its executive director, Charles "Chuck" Skoien, Jr., is providing outstanding leadership in developing a statewide plan. Spurring the development of programs for senior Californians throughout the State, their goal is the development of a statewide network of services for seniors. The degree of cooperation that the State agency has achieved is evidenced by the fact that presently 58 counties and 401 cities in the State of California have designated individual citizens to work closely with the California State Commission. This network is well on its way.

The foster grandparent program, administered by the Administration of Aging under contract with the Office of Economic Opportunity, has proved a boon to hundreds of older persons as well as to emotionally deprived and institutionalized children. The stories of success engendered by these programs are heartwarming.

Mr. President, I am pleased to be able to say that finally here is a program that is working so well that the results are amazing even to those of us who supported it at the outset.

The foster grandparents program has been very successful and well received in California. The program is most practical. It recognizes that many neglected and deprived children and youngsters in our institutions and related settings are starving. This is not from lack of food or material wants, but from those intangible needs that really, after all, are what life is all about. It recognizes that many senior citizens have these precious intangible commodities—love, understanding, faith, and time in abundance. Grandparents have been able to offer a much-needed ear, hand, and heart in the specific way that only grandparents have in meeting the very special needs of these young people to change attitudes and to help their aspirations. Thus, in a small but important way they are helping to change America for the better. Mr. President, in examining a 1968 foster grandparent project report of the California Youth Authority, I came across a rather moving letter from a youngster who left home. I ask unanimous consent that this letter be printed in full at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR FOLKS: Thank you for everything, but I am going to Chicago and try and start some kind of new life.

You asked me why I did those things and why I gave you so much trouble, and the answer is easy for me to give you, but I am wondering if you will understand.

Remember when I was about six or seven and I used to want you to just listen to me? I remember all the nice things you gave me for Christmas and my birthday and I was really happy with the things—about a week—at the time I got the things, but the rest of the time during the year I really did not want presents, I just wanted all the time for you to listen to me like I was somebody who felt things too, because I remember even when I was young I felt things. But you said you were busy.

Mom, you are a wonderful cook, and you had everything so clean and you were tired so much from doing all those things that made you busy; but, you know something Mom? I would have liked crackers and peanut butter just as well if you had only sat down with me a while during the day and said to me: "Tell me all about it so I can maybe help you understand!"

And when Donna came I couldn't understand why everyone made so much fuss because I didn't think it was my fault that her hair is curly and her skin so white, and she doesn't have to wear glasses with such thick lenses. Her grades were better too, weren't they?

If Donna ever has children, I hope you will tell her to just pay some attention to the one who doesn't smile very much because that one will really be crying inside. And when she's about to bake six dozen cookies, to make sure first, that the kids don't want to tell her about a dream or a hope or something, because thoughts are important too, to small kids even though they don't have so many words to use when they tell about what they have inside them.

I think that all the kids who are doing so many things that grown-ups are tearing out their hair worrying about are really looking for somebody that will have time to listen a few minutes and who really and truly will treat them as they would a grown-up who might be useful to them, you know—polite to them. If you folks had ever said to me: "Pardon me" when you interrupted me, I'd have dropped dead!

If anybody asks you where I am, tell them I've gone looking for somebody with time because I've got a lot of things I want to talk about.

Love to all,

YOUR SON.

Mr. MURPHY. In addition, I ask unanimous consent that various letters describing the benefits of the foster grandparents program be printed in full at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MURPHY. The bill I am introducing today would add to the Older Americans Act a new title VI, authorizing and making permanent a foster grandparent and senior companion program. The President, in his economic opportunity message to Congress, indicated that the Department of Health, Education, and Welfare would take over the foster grandparent program. Since the Department already administers the foster grandparent program, this means placing the funding for it and having the complete responsibility in one agency.

The new senior companion program builds on the successful experience of our foster grandparent program by extending these special, personal and human relations to older persons who are in institutions or who are homebound. Under both the foster grandparents and the senior companion program, preference is given to projects in which priority is given to older persons of low income who are no longer in the regular work force. In keeping with President Nixon's call for volunteer efforts, senior citizens, other than those of low income, can take part in the foster grandparent and senior companion programs as voluntary participants. Such volunteers, however, may only be compensated for incidental expenses such as transportation and meals during their service.

That senior citizens are interested in giving of their time, energy, and ability can be illustrated by the Senior Californian Service Corps. This volunteer program has attracted thousands of senior Californians in local community projects throughout the State. In one of these programs with which I am familiar, senior Californians voluntarily contributed 31,213 hours of service to their community last year. I am referring to the 164 senior Californians of Walnut Creek. Their contributions ranged from the stuffing of more than 60,000 letters for the March of Dimes to the staffing of the community's Hospitality House 7 days of the week. They have a visiting service for the bedridden, have worked at the Veterans' Hospital in Livermore, and made 42 dolls for the distribution at the Napa State Hospital at Christmas. I ask unanimous consent that an article describing the Walnut Creek volunteers be printed following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MURPHY. Mr. President, the special grants for research, development, and training provided under titles IV and V of the Older Americans Act are pointing the way to new and effective approaches to many of the problems of retirement. The results of title IV research are just beginning to come in. For example, in the April 27 Sunday newspaper supplement, "Parade," a study by the University of Southern California, on the development of exercise programs for senior citizens and for senior centers is most interesting. I ask unanimous consent that this article be printed in full at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. MURPHY. Mr. President, in summary, the bill I introduced today would strengthen the State agencies, allow greater flexibility for the States under title III by extending the period of Federal support, establish and make permanent the foster grandparent and senior companion program, and extend the various titles of the Older Americans Act for a 3-year period. The Older Americans Act has developed an effective Federal-State-local partnership. It enjoys almost unanimous and bipartisan support in the Congress. I am hopeful that this kind of support will continue because this act focuses on those citizens in our country who have done so much and contributed so much in building our great Nation. The Older Americans Act has enabled us to utilize the many talents and abilities of our senior citizens and has provided our senior citizens with an opportunity to be productive and cre-

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ative and to maintain their dignity and self-respect.

Mr. President, I believe prompt consideration and enactment of this legislation will help move forward our efforts on behalf of the older citizens of this country.

Mr. President, I ask unanimous consent that three project profiles depicting activities in California under title III be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. MURPHY. Mr. President, in addition, I ask unanimous consent that various articles describing some of California's senior citizens who have been cited by the California State commission for "service to others" be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 5.)

Mr. MURPHY. Mr. President, I ask unanimous consent to have printed in the Record the full text of the bill and a summary of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and the summary will be printed in the Record.

The bill (S. 2120) to amend the Older Americans Act of 1965 to extend its duration, to authorize assistance for projects for foster grandparents and senior companions, to provide assistance to strengthen State agencies on aging, and to otherwise strengthen and improve that act introduced by Mr. Murphy (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2120

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Older Americans Act Amendments of 1969".

EXTENSION OF AUTHORIZATIONS

Sec. 2.(a) The second sentence of section 301 of the Older Americans Act of 1965 (42 U.S.C. 3021) is amended by striking out "for the fiscal year ending June 30, 1970, and the two succeeding fiscal years, such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "such sums as may be necessary for each of the next 3 fiscal years".

(b) The second sentence of section 603 of such Act (42 U.S.C. 3053) is amended by striking out "for the fiscal year ending June 30, 1970, and the two succeeding fiscal years, such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "such sums as may be necessary for each of the next 3 fiscal years".

EXTENSION OF DURATION OF PROJECT SUPPORT

Sec. 3.(a) Effective with respect to appropriations for fiscal years beginning after June 30, 1969, the last sentence of section 302(c) of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended:

(1) by inserting "such percentage of the cost of any project as the State agency (designated or established pursuant to section 303(a)(1)) may provide but not in excess of" before "75 per centum";

(2) by striking out "the third year of such project" and all that follows down to but excluding the period and inserting in lieu thereof "the third and any subsequent year of such project".

(b) Effective with respect to appropriations for fiscal years beginning after June 30, 1969, section 303(a)(2) (42 U.S.C. 3023) of such Act is amended by striking out "after termination of Federal financial support under this title".

STATE PLAN REQUIREMENTS FOR PLANNING, COORDINATION, AND EVALUATION

Sec. 4. Effective with respect to appropriations for fiscal years beginning after June 30, 1969, section 303(a) of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended by striking out ", and for coordinating the activities of such agencies and organisations to the extent feasible" in clause (3); by redesignating clauses (4) through (8) as clauses (5) through (9), respectively; and by adding the following new clause after clause (3):

"(4) provides for statewide planning, coordination, and evaluation of programs and activities related to the purposes of this Act in accordance with criteria established by the Secretary after consultation with representatives of the State agencies established or designated as provided in clause (1);".

GRANTS FOR STATE PLANNING, COORDINATION, AND EVALUATION AND ADMINISTRATION OF STATE PLANS

Sec. 5. (a) Effective for fiscal years beginning after June 30, 1969, section 304 of the Older Americans Act of 1965 (42 U.S.C. 3024) is amended to read as follows:

"PLANNING, COORDINATION, AND EVALUATION AND ADMINISTRATION OF STATE PLANS

"Sec. 304. (a) There are authorized to be appropriated for the fiscal year ending June 30, 1970, and each of the next 2 fiscal years such sums as may be necessary for making grants to each State, which has a State plan approved under this title, to pay such percentage, not in excess of 75 per centum, as the State agency (established or designated as provided in section 303(a)(1)) may provide, of the costs of planning, coordinating, and evaluating programs and activities related to the purposes of this Act and of administering the State plan approved under this title.

"(b)(1) From the sum appropriated for a fiscal year under subsection (a), the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa shall each be allotted an amount equal to one-half of 1 per centum of such sum or $25,000, whichever is greater, and each other State shall be allotted an amount equal to 1 per centum of such sum.

"(2) From the remainder of the sum so appropriated for a fiscal year each State shall be allotted an additional amount which bears the same ratio to such remainder as the population aged sixty-five or over in such State bears to the population aged sixty-five or over in all of the States, as determined by the Secretary on the basis of the most recent information available to him, including any relevant data furnished to him by the Department of Commerce.

"(3) A State's allotment for a fiscal year under this section shall be equal to the sum of the amounts allotted to it under paragraphs (1) and (2); except that if such sum is for any State, other than the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa, less than $75,000 it shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing such sum for each of the remaining States (except the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa), but with such adjustments as may be necessary to prevent such sum for any of such remaining States from being reduced to less than $75,000.

"(c) The amount of any allotment to a State under subsection (b) for any fiscal year which the Secretary determines will not be required for meeting the costs in such State referred to in subsection (a) shall be reallotted from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines (1) have need in meeting the costs referred to in subsection (a) for sums in excess of those previously allotted to them under subsection (b) and (2) will be able to use such excess amounts for meeting such costs during the period for which the original allotment was available. Such reallotments shall be made on the basis of such need and ability, after taking into consideration the population aged sixty-five or over. Any amount so reallotted to a State shall be deemed part of its allotment under subsection (b).

"(d) The allotment of any State under subsection (b) for any fiscal year shall be available for payments pursuant to this section to State agencies which have provided reasonable assurance that there will be expended for the purposes for which such payments are made, for the year for which such payments are made and from funds from State sources, not less than the amount expended for such purposes from such funds for the fiscal year ending June 30, 1969."

(b) Subsection (a)(3) of section 302 of such Act (42 U.S.C. 3022) is amended by striking out "title" and inserting in lieu thereof "section". Subsection (b) of such section is amended by striking out "for carrying out the State plan (if any) approved under this title" and inserting in lieu thereof "for grants with respect to projects in the State under this title".

REALLOTMENT

Sec. 6. The first sentence of section 302(b) of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended by striking out "the State notifies the Secretary will" and inserting in lieu thereof "the Secretary determines will".

EXTENSION OF CONTRACT AUTHORITY FOR RESEARCH AND DEVELOPMENT PROJECTS AND TRAINING PROJECTS

Sec. 7. (a) Section 401 of the Older Americans Act of 1965 (42 U.S.C. 3031) is amended by striking out "any such agency" and inserting in lieu thereof "any agency".

(b) Section 501 of such Act (42 U.S.C. 3041) is amended to read as follows: "The Secretary is authorized to make grants to any public or nonprofit private agency, organization, or institution, and contracts with any agency, organization, or institution, for the specialized training of persons employed or preparing for employment in carrying out programs related to the purposes of this Act."

FOSTER GRANDPARENTS AND SENIOR COMPANION PROGRAM

Sec. 8. The Older Americans Act of 1965, is further amended by redesignating title VI as title VII, by redesignating sections 601 through 603, and references thereto, as sections 701 through 703, respectively, and by inserting after title V the following new title:

"TITLE VI—FOSTER GRANDPARENTS AND SENIOR COMPANION PROGRAM

"AUTHORIZATION OF APPROPRIATIONS FOR GRANTS AND CONTRACTS FOR PERSON-TO-PERSON SERVICE PROJECTS

"Sec. 601. (a) The Secretary shall carry out a program of grants and contracts in accordance with this title. There are authorized to be appropriated for the fiscal year ending June 30, 1970, and each of the next 2 fiscal years such sums as may be necessary for grants to or contracts with public or nonprofit private agencies and organizations to pay not to exceed 90 per centum of the cost of the development and operation of projects designed to provide opportunities for persons aged sixty or over (to be known as 'Foster Grandparents' in the case of services described in clause (1) and 'Senior Companions' in the case of services described in clause (2) or (3)) to render personal services on an individual relationship basis—

"(1) to children receiving care in hospitals, homes for dependent or neglected children, or other establishments providing care for children with special needs;

"(2) to older persons receiving institutional care in hospitals, nursing homes, intermediate care facilities, or homes for the aged; and

"(3) to persons in need of special personalized assistance because of physical infirmities or other special circumstances.

"(b) Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, in such installments and on such conditions, as the Secretary may determine.

"CONDITIONS OF GRANTS AND CONTRACTS

"Sec. 602. (a) The Secretary shall not award any grant or contract under this title for a project in any State to any agency or organization unless, if such State has a State agency established or designated pursuant to section 303(a)(1), such agency is the recipient of the award or the project application has been submitted to such agency for review and recommendations.

"(b) In administering this title the Secretary shall—

"(1) give preference to projects in which priority will be given in the enrollment of participants to older persons of low income who are no longer in the regular work force;

"(2) award a grant or contract for a project only if he determines that the project will not result in the displacement of employed workers or impair existing contracts for services;

"(3) award a grant or contract for a project proposed to be undertaken in (and to be limited to) a single community served by a community action agency only if—

"(A) such agency is the recipient of such award or has been afforded a reasonable opportunity to apply for and receive such award; and

"(B) in cases in which such agency does not receive such award, the application contains or is supported by satisfactory assurance that the project has been developed, and will to the extent appropriate be conducted, in consultation with, or with the participation of, such agency;

"(4) award a grant or contract to any agency or organization for a project in which older persons other than those of low income (as determined in accordance with criteria prescribed by the Secretary) are to be enrolled as participants only upon reasonable assurance that such enrollees will not receive reimbursement or compensation from such agency or organization with respect to such participation except for incidental expenses such as transportation and meals.

"(c) The term 'community action agency', as used in this section, means a community action agency established under title II of the Economic Opportunity Act of 1964.

"INTERAGENCY COOPERATION

"Sec. 603. In administering this title, the Secretary shall consult with the Office of Economic Opportunity, the Department of Labor, and any other Federal agency administering programs related to the program under this title with a view to achieving optimal coordination of the program under this title with such other programs and shall promote the coordination of projects under this title with other public or private programs or projects carried out at State or local levels. Such Federal agencies shall cooperate with the Secretary in disseminating information about the availability of assistance under this title and in promoting the identification and interest of older persons whose services may be utilized in projects under this title."

PUBLIC ASSISTANCE

Sec. 9. For the purpose of section 701 of the Economic Opportunity Act of 1964, payments made to or on behalf of any person under a project (of the kind formerly carried on under the Economic Opportunity Act of 1964) assisted under the title VI of the Older Americans Act of 1965 added thereto by this Act shall be deemed to be payments made to or on behalf of such person under title I of the Economic Opportunity Act of 1964.

EVALUATION

Sec. 10. The title of the Older Americans Act of 1965 herein redesignated as title VII is amended by adding at the end thereof the following new section:

"EVALUATION OF PROGRAMS

"Sec. 704. Such portion of any appropriation under title III or VI or section 703 for any fiscal year ending after June 30, 1969, as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the programs authorized by this Act and, in the case of allotments from such an appropriation, the amount available for such allotments (and the amount deemed appropriated therefor) shall be reduced accordingly."

TRUST TERRITORY OF THE PACIFIC ISLANDS

Sec. 11. (a) Sections 102(3) and 302(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3002, 3022) are each amended by inserting "the Trust Territory of the Pacific Islands," after "Guam,".

JOINT FUNDING OF PROJECTS

Sec. 12. The Older Americans Act is further amended by adding at the end thereof (after section 704, added by section 10 of this Act) the following new section:

"JOINT FUNDING OF PROJECTS

"Sec. 705. Pursuant to regulations prescribed by the President, where funds are advanced for a single project by more than one Federal agency to an agency, organization, institution, or person assisted under this Act, any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each Federal agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose."

The summary, presented by Mr. Murphy, follows:

SUMMARY OF OLDER AMERICANS ACT AMENDMENTS OF 1969

DURATION OF AUTHORIZATIONS

1. Extends authorization of appropriations for allotments to States for projects for community planning, services, and training for 3 years beyond the present fiscal year 1969 expiration date, without any dollar ceilings.

2. Similarly extends, without dollar ceilings, authorization for grants and contracts under title IV[1] for research, development, demonstration, and evaluation projects and under title V[1] for training projects.

DURATION OF FEDERAL SUPPORT FOR PROJECTS

Removes the present 3 year limitation on the duration of Federal financial support for community projects under title III,[1] with the maximum Federal share continuing at the present third year maximum of 50% of the cost of the project (present first year and second year maxima retained at 75% and 60%, respectively).

STATE PLAN REQUIREMENT ON PLANNING

Adds new requirement for approved State plans under title III[1] that the State plan must provide for State-wide planning, coordination, and evaluation, in accord with Federal criteria, of programs and activities related to the purposes of the Older Americans Act.

GRANTS FOR STATE PLANNING AND ADMINISTRATION

Authorizes separate appropriations (of such sums as necessary) for grants to States to pay up to 75% of the costs of planning, coordinating, and evaluating programs and activities related to the purposes of the Older Americans Act of 1965 and of administering the approved State title III[1] plan. Three year program authorized.

(a) This substitutes for present provision under which States may use up to 10% or $25,000, whichever is greater, to pay up to ½ of the cost of State plan administration.

(i) Would allot appropriations among States on basis of relative number of persons aged 65 and over, after basic allotment to each State of 1% (½% or $25,000, whichever is greater, in case of the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa), but with minimum allotment of $75,000 for States eligible for the 1%.

(ii) Provides for reallotment to other States if Secretary determines a State will not need all or part of its allotment.

(iii) Conditions State's eligibility under this provision on maintenance of its FY 1969 fiscal effort for the same purposes.

REALLOTMENT

Amends provision on reallotment under title III[2] relating to community projects for planning, services, and training so as to provide for reallotment if Secretary determines the State will not need all or part of its allotment—presently provides for reallotment only if State notifies Secretary it will not need its allotment.

CONTRACT AUTHORITY FOR RESEARCH, DEVELOPMENT, OR TRAINING PROJECTS

Authorizes contracts for research, development, demonstration, or evaluation projects under title IV[2] and for training projects under title V[2] to be made with private profit-making organizations and persons, as well as (now provided under existing law) with public or nonprofit private groups and persons.

FOSTER GRANDPARENTS AND SENIOR COMPANIONS

Authorizes appropriations (of such sums as necessary) for grants and contracts for public or nonprofit private agencies and organizations for paying up to 90% of the cost of development and operation of projects providing opportunities for foster grandparents and senior companions to render personal services on an individual relationship basis. Three year program authorized.

(a) Services to be provided by—

(i) "Foster Grandparents" to children in hospitals or homes or other establishments providing care for children with special needs.

(ii) "Senior Companions" to older persons receiving institutional care and to other persons in need of special personalized assistance because of physical infirmities or other special circumstances.

(b) Projects to be awarded only to State title III[2] agency or after review and recommendation by that agency.

(c) (1) Preference required in awarding

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[1] Of Older Americans Act of 1965.

[2] Of Older Americans Act of 1965.

grants or contracts to projects giving priority to low-income persons no longer in regular work force.

(ii) Project must not displace employed workers or impair existing service contracts.

(iii) In case of a project in a single community with a community action agency (under the Economic Opportunity Act), such agency must have reasonable opportunity to be the recipient of the award or the project must have been developed, and be conducted with appropriate consultation or participation, of such agency.

(iv) Non-low-income participants in project may receive only reimbursement for incidental expenses such as transportation and meals.

(d) Federal interagency consultation and cooperation provided for in administering this program, as is coordination of projects under it with other State or local projects.

PUBLIC ASSISTANCE

Provides that, for purposes of section 701 of the Economic Opportunity Act of 1964 (relating to disregard of parts of payments under provisions of that Act is determining need for assistance under approved State public assistance plans), payment to participants under foster grandparents projects of the kind formerly carried on under that Act shall be treated like payments under title I of that Act.

EVALUATION

Authorized up to 1% of appropriations for title III[4] (community planning, services, and training) or title VI[4] (foster grandparents and senior companions), or for research, development, demonstration, evaluation, or training projects, to be used by the Secretary for evaluation of the programs authorized by the Older Americans Act of 1965.

TRUST TERRITORY OF THE PACIFIC ISLANDS

Extends Older Americans Act of 1965 to Trust Territory of the Pacific Islands.

JOINT FUNDING

Authorizes single Federal agency to Act for several where they advance funds for a single project of an agency or organization aided under the Act and provides for certain other simplification of requirements in such a case.

EXHIBIT 1

COMMENTS REGARDING THE FOSTER GRANDPARENTS PROGRAM TAKEN FROM CALIFORNIA YOUTH AUTHORITY REPORT

DEAR MR. BRINSON: I just take pleasure in writing you these few lines to express my opinion as well as my gratitude of the Foster Grandparent Program. I think it's just wonderful and me and my husband enjoy working with the boys so very much. We are both so much in love with children, we never had any of our own. We enjoy talking with them and giving them things such as: soda water, candy, koolaid and other little items. It also has been a great financial lift, it has helped us catch up on many of our bills and also our taxes was way behind and we have almost caught up with them. So may God bless this program and I hope and pray it will spread all over every where and help more senior citizens.

Sincerely,

MRS. BIRDIE OLIVER.

DEAR MR. BRINSON: When I applied for this job I was quite depressed over the loss of my husband and my dear mother. Getting this job has brought me out of my depression and I am doing the kind of work I like—with boys and children.

Seeing these boys I realized they had more problems than I had, they need help and loving care, which I am trying to give them. I think I am giving this to them not only from my hall but from other halls. When I am passing over to my hall, other boys call "Hi" Grandma Anna. On Sundays the boys from other halls come over and talk to me.

I had a Foster grandson who was transferred to Preston, from whom I got a Easter card, a letter and a Mother's Day card. I am keeping up my correspondence with him and telling him to keep up his good behavior.

From this Project I got myself a washing machine and paid off some debts.

MRS. BIGALL.

To: Mr. Lowell Brinson, Grandparent Program Supervisor, Northern California Youth Center.

From: Mr. Lue Flake, Academic Teacher, Fresno Hall, O. H. Close School for Boys, Department of the Youth Authority.

DEAR MR. BRINSON: I wish to express my appreciation at this time for the Grandparent Program.

For some ten months or better, I have had the privilege of having the grandparents as Aides within the classroom. They have been very useful and have filled a void for many of the boys on our Hall that could not have been filled otherwise.

At present, I have two members from the Grandparent Program assigned to my classroom and am desirous of keeping them as they are giving me exceptional service. The boys look forward to their appearance each morning. Through their influence, many worthwhile lessons not contained within the textbooks have been taught these boys by their Hall Grandparents.

Thank you, through your assistance with the Grandparents, for Fresno Hall.

LUE FLAKE,
Academic Teacher, Fresno Hall.

To: Mr. Brinson, Project Coordinator, Foster Grandparent Program.

From: Louis Puente, Superintendent, Karl Holton School for Boys.

DEAR MR. BRINSON: The Foster Grandparent Project at the Karl Holton School has increased in effectiveness during the past few months to a degree that special comment seems appropriate at this time. The regular staff and wards are most appreciative of the contributions the grandparents are making with their varied talents in the rehabilitation of juvenile delinquents noteably in the fields of counseling, tutoring, crafts teachers, assistant shop instructors and teacher's aides in the academic classrooms.

The minority group grandparents have been able to relate and motivate negro and mexican-american youth to work toward a change in attitudes and improved values. Many of these boys have not been influenced in the past to change their delinquent behavior because of cultural and communication barriers existing between them and the regular staff. Even where regular staff were capable of relating to minority groups, they did not have enough time to give these boys the attention they needed to bring about any changes in their behavior. The grandparents have, or take enough time to work with the total needs of the boy in the most effective type of sub-professional casework methods.

The fifteen grandparents at Karl Holton have proven that sub-professionals can develop a high degree of effectiveness in dealing with delinquent youth in less than one year and do contribute immeasureably of their varied experiences and talents to helping institutionalized boys prepare for their return to the community. The generation gap is being bridged between many of the wayward boys and their foster grandparents in the institutional setting.

We hope that additional grandparents will be made available to us as we increase our population from 200 to 400 boys in the near future.

LOUIS PUENTE,
Superintendent.

MR. LOWELL BRINSON,
Coordinator, Foster Grandparents Project, Northern California Youth Center.

DEAR MR. BRINSON: I want you to know how much I value and support the Foster Grandparent Project of which you are the coordinator. For the past year, I have been privileged to watch the project's growth in increased impact on the wards of my hall.

Mr. Lewis Wilson, foster-grandparent on Butte Hall, has been teaching lapidary arts in a small rock shop set up in a corner of my arts and crafts shop. The relationships and skills that he has given to the boys who have come under his care and guidance has added immeasurably to their feelings of self-worth and sense of accomplishment. The example that he sets for the wards of honesty of feelings, independence and strength of character serves as a model for them to emulate.

Needless to say, I am very pleased with the success of Mr. Wilson and the Foster Grandparent Project. I selfishly wish for a hundred more like him. I thank you for making him available to my shop program. Without him the program would not be nearly as effective.

Yours sincerely,

SEIGI KUGE,
Arts & Crafts Teacher, O. H. Close School For Boys.

EXHIBIT 2

THESE SENIOR CITIZENS ARE TOO BUSY FOR ROCKING CHAIRS—CONTRIBUTIONS TO COMMUNITY BRING STATE HONORS FOR FIVE

Take five people, retired, with time on their hands.

Set them down in a community that cares.

And everyone benefits—as witness the 5,135 hours of time contributed by Florian Stark, Harry Babcock, Mrs. Minnie Verrey, Mrs. Florence Million and Mrs. Nellie Cook during the year 1968 to the community of Walnut Creek.

If there is any kind of a job that a retired person can do for the community, one of the quintet has done it along with other members of their club . . . stuff envelopes for charity, make kits for the Red Cross, help under privileged children, knit sweaters for orphans, prepare bandages for the children's hospital . . . the list goes on and on.

Why do they do this?

Because the community has done so much for them and their fellow members (the community that cares) and they figure that by contributing their time, talents, and abilities through their Walnut Creek Senior Citizen Center they can repay the community for the money, the building, the personnel that has been marshalled in their behalf.

The State of California Commission on Aging asked Walnut Creek for permission to cite some of its Seniors as examples of how it is to the mutual benefit of a community and the Seniors to have an organized program, based on sincere personal interest, in behalf of the town's retirees.

The Commission's executive director, Charles W. Skoien, Jr., said in his Sacramento office:

"Work with Seniors is not a 'social program.' Rather, it is that of a community family, where the older person is looked on as a Father or Mother, and all efforts are bent towards making their retirement years as pleasant as possible.

"It is to show what can be done on the grass-roots level, in the community itself, that we are directing attention to this wonderful group of five from Walnut Creek and their fellow members.

"This can be duplicated anywhere in the State of California . . . first by organizing a formal county committee or commission on aging, followed by the forming of city committees, and ultimately, neighborhood committees so that every Senior Californian has a place to go or someone to talk to.

"Walnut Creek has found it pays. Even if we were to analyze the contributions by the

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[3] Of Older Americans Act of 1965.

[4] Of Older Americans Act of 1965.

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dollars and cents yardstick, the return would be tremendous. It is estimated that 165 Seniors contributed 45,382 hours to Walnut Creek during 1968. The community's dollar investment in plant, facilities, programs and personnel to serve the Seniors is estimated at $8,470.00 for the year.

"But, the dollar is not the measure when it comes to respect for our elderly," Skoien said, "It is the demonstration that we care—that we cherish them as Mothers and Fathers and Friends."

Florian Stark, born in Montana, was a supervisor with a Chevrolet Process Laboratory. He favors the center's "friendly visit" program, going to hospitals, taking magazines, running errands, and doing what he can to brighten the patients' day.

Florian Stark has 1125 hours to his credit for the year, which is approximately 22 hours a week.

He is active in his church, serves as public relations for the Senior Citizen Club, visits the ill and crippled, gathers clothing for the needy and helps with transportation.

During the year he took charge of collecting over 10,000 magazines and books, saw that they were separated and distributed to the Red Cross, hospitals, convalescent homes and veterans hospitals. He collects stamps for overseas children, writes for the Senior Citizen Bulletin and also attends meetings for the Club.

Harry Babcock, born in New York State, was in recreation and education and has a project that tugs at the heart, helping underprivileged children. He and Mrs. Babcock have one son, a doctor, three grandchildren and two greatgrandchildren; hence, their compassion for children.

Harry Babcock has given 1302 hours during 1968, which is approximately 25 hours a week.

Babcock spends many hours patterning a brain damaged child, helps to prepare and serve City Council dinners at the Hospitality House, visits sick members and welcomes new ones. He buys supplies for the Senior Club meetings and represents the club at various meetings.

He also helps in a book store, baby-sits and provides transportation for those who don't have transportation when needed.

Mrs. Minnie Verrey, born in Arizona and a retired telephone company employee, is chairman of the Walnut Creek Hospitality House Committee, specializing in helping lonely Seniors meet other Seniors, getting them on committees which staff the house seven days a week.

Minnie Verrey has accumulated 967 hours for the past year, approximately 18 hours a week.

These were spent in arranging for Hosts and Hostesses at the Hospitality House and also seeing that the Hospitality House is well supplied and in good condition. She is also ready to help with any work the city or recreation department might send to be done.

She attends various meetings for the club and also helps in other organizations.

Mrs. Florence Million, who admits to being a youngster of 82, born in New Mexico, belonged to several organizations which qualified her as "Sunshine Chairman" for the club. She visits the sick and sends get-well cards to those she cannot reach. She also sends birthday cards to each club member to celebrate their "special" day.

Florence Million has 721 hours posted for 1968 and is Club Sunshine chairman. She is responsible for seeing that each member receives a birthday card and also sends cards to those who are ill.

She works on the phone committee, is active in her church and several other organizations and brightens the lives of underprivileged children with colorful crafts.

Mrs. Nellie H. Cook, born in Illinois and soon to be 80, is decorator chairman in charge of a committee of 10 and respected for being a "doer" rather than "talker." She has "two families"—the Seniors and her own family of two children, six grandchildren and 16 great-grandchildren.

Nellie Cook, with 1020 hours averages 19 hours a week. She phones and visits the ill and lonely, helps with a crafts class, prepares material for the Recreation Pre-school classes, works as Hostess in the Hospitality House, helps with city work (assembly bulletins, etc.), buys supplies for parties and still finds time for church work and other organizations. "The hands of these five are representative of the hands of Seniors throughout the State at California, extended to help other hometown Seniors," Skoien said. "A Senior not knowing the location of a Center in his local area is invited to write for information to the California Commission on Aging, 1108 14th Street, Sacramento 95814, contact the local recreation department.

Exhibit 3

How To Grow Young

(By Andrew Hamilton)

Laguna Hills, Calif.—For many years, Clarence Dayton, a jeweler in Huntington Park, Calif., suffered from excruciating migraine headaches. He felt as tense inside as a tightly wound watch.

"I ate aspirin tablets like peanuts," he said, "but nothing seemed to deaden the pain."

Last year at age 67, he started on a program of prescribed exercises, and within six weeks the headaches vanished. Physiological tests showed that his nervous tension had virtually disappeared.

"In my whole life, I'd hardly ever worked up a good sweat," he admitted. "But the routine I follow today makes me feel so good I exercise out-of-doors even when it's raining."

Stocky Charles Jamieson, a former Detroit dentist who confesses to being "over 60," says that body conditioning helped him to lose weight and to sleep better.

William Kinsey, 87-year-old retired president of the Union Theological Seminary in the Philippines, repeats a jogging routine (200 running steps, ten walking steps) three times a week.

"Jogging," he said, "has made a much younger man out of me."

Dayton, Jamieson and Kinsey are among 150 oldsters who are taking part in a unique, long-range, scientific study. It seems to indicate that men in their 60's and 70's can retain much of the vigor and physical functions of their 40's. The secret: carefully planned exercise.

This research is being conducted at Leisure World, a plush retirement community in Laguna Hills, Calif.—50 miles south of Los Angeles. In charge is husky, quiet-spoken Dr. Herbert deVries of the University of Southern California's Gerontology Center, which is zeroing in on problems of the aged.

MIND AND BODY

It is generally agreed that exercise promotes a feeling of mental and physical wellbeing.

But what kind of exercise?

And how much?

Is exercise more effective in preventing serious health problems or in treating them?

Can it slow down aging?

Dr. deVries' research is one of several projects in American universities and hospitals seeking to answer these basic questions. The U.S. Department of Health, Education and Welfare is supporting his program with a grant of $46,763.

The deVries study was launched about a year ago. He and his assistant, Dr. Kenneth E. Lersten, recruited a small staff, purchased a mammoth green-and-white trailer, and equipped it with instruments that measure heart rate, oxygen consumption, blood flow, body fat and carbon dioxide production. They parked the vehicle behind Leisure World's Medical Center and ordered a sign painted on it, Mobile Laboratory for Physiology of Exercise and Aging Research.

Before long, curious senior citizens began to drift in. One of the first was 68-year-old Raymond Halldorson, retired oil marketing expert. "Can't hurt anything," he said. "Might do me some good."

Like all who joined the program, six-footer Halldorson underwent a head-to-toe physical examination by his own doctor. Then came four tests, developed by Dr. deVries, that stretched over a three-week period: (1) a physiological efficiency profile, or PEP for short; (2) a second PEP plus an oxygen intake test; (3) a telemetry test in which Halldorson's heart was monitored by a short-wave device strapped to his belt while he ran up and down on the sidewalk outside the mobile laboratory; and (4) a cardiac output test while he pedaled a stationary bicycle.

"In the beginning I was a bit apprehensive," said Halldorson. "I had a lurking fear Dr. deVries might find out something about my heart or lungs I didn't want to know."

But Halldorson was pronounced fit. Out of 150 participants, ranging in age from 52 to 87, only about 20 have been eliminated because of heart irregularities.

Halldorson was then assigned to a 25-man exercise group that met three times a week. This was the crux of the experiment. *Would exercise be beneficial to the oldsters?*

Starting off slowly, they worked into a four-part huff-and-puff schedule: (1) a modified version of the Royal Canadian Air Force calisthenics; (2) a jogging program, alternately running and walking; (3) a static stretching routine to limber up joints and muscles; (4) swimming—"the fun part."

When they gathered on the grassy lawn near the Leisure World Medical Center, the exercise groups looked like a platoon from Coxey's Army. Walking shorts, sweat suits, ski sweaters. Baseball caps, yachting caps, Panama straws—and occasionally, a beret. Tennis shoes, basketball shoes, leather sandals.

"We do a lot of kidding amoung ourselves," said Halldorson. "One group dubbed itself Leisure World Olympic Team of 1968."

But results that began to show up in before-and-after group averages were not at all funny. Statistics indicated dramatic improvement in physical conditioning. Tested at the end of 6, 18 and 42 weeks, the Leisure Worlders showed this kind of group-average improvement:

Diastolic blood pressure lowered by 6 percent.

Body fat decreased 4.8 percent.

Maximum oxygen consumption, the best single measure of an individual's vigor, increased 9.2 percent.

Oxygen pulse, a measure of cardiovascular function, improved 8.4 percent.

Arm strength increased by 7.2 percent.

Other indicators of working capacity: gains of 7 to 9 percent.

"One of the most significant changes that occurred as a result of the exercise program was the startling drop in nervous tension," pointed out Dr. deVries.

"In the first 41 experimental subjects, we saw a reduction of about 15 percent in nervous tension—as compared with a control group of non-exercisers. Tension is often a neglected area of health and physical education, yet it poses a serious health hazard to the middle-aged and elderly."

AGING SLOWED DOWN

Though his research is not yet completed, Dr. deVries is convinced that exercise has both preventive and therapeutic value. On the basis of health benefits produced in the Leisure World participants, Dr. deVries offers

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the hypothesis that exercise may prolong human life by slowing down the aging process.

One of his long-range goals is to develop a "pharmacopoeia of exercise." This would be a reference book that doctors could use to look up the kind and amount of exercise that an individual, after a physical examination, should have.

"The time is not too far away," he says, "when it will be possible to prescribe exercise with the same scientific detail and exactness as that now employed in writing a prescription for drugs or medicine."

Dr. deVries is collecting detailed information for such a pharmacopoeia, which would be combined with results from many other laboratories.

Thousands of individual statistics are fed into a typewriter terminal in his mobile laboratory and flashed to an IBM System/360 Model 50 computer in Santa Ana, 20 miles away. There, the tiny bits of information are sorted, evaluated and stored to build a model for prescribing exercise.

Dr. deVries agrees with his friend Dr. Kenneth H. Cooper, U.S. Air Force physician and author of the best-selling book, *Aerobics*, that the best kind of fitness is "endurance fitness." This is the ability to do prolonged work without fatigue.

"It has to do with the body's overall health—the health of the heart, the lungs, the entire cardiovascular system and the other organs, as well as the muscles," Dr. Cooper wrote.

"The key to the whole things is oxygen. The best kind of exercise, therefore, is that which demands oxygen and forces your body to process and deliver it. Even if you've been inactive or sick, exercise may be good therapy."

CYCLISTS LEAD ALL

One scientific authority claims that the most efficient hearts are to be found among professional cyclists. Then, in descending order: long-distance runners, amateur cyclists, cross-country skiers, boxers, handball players, gymnasts, wrestlers and weight lifters. Isometric exercises may help make your muscles bulge, but they do little for your heart and lungs.

Dr. Paul Dudley White (who favors cycling as the best exercise) long ago convinced medical men and laymen that exericse is good for the heart. It was he who treated President Eisenhower during his heart attacks and put him on a regimen of exercise.

"Heart disease before 80 is your fault, not God's will," he told a meeting of the National Association of Retired Persons.

What about the man who slacks off during his middle years? Is it safe for him to crank up to full vigor again? The answer is yes, according to a study made by Dr. John O. Holloszy of the U.S. Public Health Service with 15 men aged 35 to 55 who had gone soft from modern living.

The blood of all who participated contained high levels of serum triglycerides which some doctors consider more dangerous than cholesterol. After six months of running exercises they lowered their heartbeats an average of 15 per minute, cut their time in the mile run from nearly 9 minutes to 7½ minutes, and reduced the serum triglycerides in their blood from an average of 205 milligrams to a healthy 105.

Exercise is being used to treat a wide variety of ailments. Hospital bed rest is almost obsolete, and many patients are made ambulatory soon after operations for hernia, appendicitis and even fractures. But each health problem requires a certain kind of exercise. The wrong kind, or too much of the right kind, can be dangerous.

Here are some examples of ailments that respond to exercise:

Emphysema

At the National Jewish Hospital and Research Center in Denver, exercise constitutes almost the entire therapy program. First, patients are taught a series of exercises to bring up mucous from their lungs to their throats where it can be coughed out. Then they are taught to breathe a new way: by using the large rib muscles to do the work that the lung tissue cannot; finally, they are taught body-building exercises.

Asthma

Similarly in the treatment of asthma, younger patients at the National Jewish Hospital exercise daily by playing softball, football, basketball or soccer. Even though they compete on fields where the pollen count may be high, no patient has ever suffered a serious attack that could be attributed to the exercise.

Diabetes

Exercise burns up excess sugar in the blood and reduces the need for insulin. Diabetics are taught that "exercise is the pleasantest remedy"—provided it is regular and in about the same amount each day.

Orthopedic problems

One of the first branches of medicine to recognize the value of exercise was orthopedics. Physical deformities and disfunctions resulting from accidents, birth defects and strokes respond to exercise therapy.

Low back pain

Dr. Hans Kraus, the New York doctor who helped to develop the Hans-Weber tests for physical fitness, preaches that exercise helps low back pain—a complaint of 28 million sufferers. Exercise helps to strengthen weak back muscles, relax those that are tense.

Arthritis

Exercise is particularly helpful following a "flare"—a severe inflammation of an affected joint. Tissues loosen during a flare and sometimes tighten up again in the wrong position. Before this can happen, a doctor will often prescribe the rhythmic flexing and relaxing of muscles—to pull the tender joints into normal alignment.

Business and industry are paying closer attention to the health of their employees. A study of 900 management executives by Dr. Robert L. Fleck, chief of NASA's preventive medicine section, turned up the fact that about 2 percent had defective hearts. In a similar Georgetown University project, the rate was even higher—7 to 8 percent.

This has led a number of large companies to institute "exercise breaks." Such firms as the American Can Company, Standard Oil of New Jersey, North American Rockwell and others have even set up small gymnasiums where employees can work out during the day.

Dr. Bernard Sandler, director of Rehabilitation Medicine of the Kingsbrook Jewish Medical Center in Brooklyn, is planning to start a program similar to that of Dr. deVries at Leisure World. Out-of-shape men and women will come to the hospital regularly for programmed exercise to improve their physical fitness.

"They'll be a little overweight, a little arthritic, perhaps a little diabetic," he said. "We aren't interested in making musclemen out of them, but in improving their hearts and lungs. We hope that the majority will learn to run an eight-minute mile."

Dr. deVries makes these suggestions if you are determined to launch a do-it-yourself physical fitness program:

1. For anyone over the age of 25 or 30, a thorough physical examination is essential.

2. Start slowly and perform only mild exercises at the start.

3. Seek skilled supervision and companionship—in a YMCA or YWCA, a night school class, or a university.

"From the accumulated results of several research programs, it begins to appear that exercise can contribute to maintaining health and assisting with recovery when we are sick," said Dr. deVries. "The 60- and 70-year-olds of the Leisure World Olympic Team have shown that exercise may lengthen the life span. Can it be the best medicine of all?"

EXHIBIT 4

OLDER AMERICANS ACT, TITLE III: PROJECT PROFILE, ASSISTANCE LEAGUE OF SOUTHERN CALIFORNIA

A JOB OF SKILL AND PATIENCE

There are individuals in our communities for whom even the past can bring no relief. There are people who must find strength in the smallest rewards, who must progress under conditions marked by few advantages. To help men and women whose lives have become desperate, who are no longer able to fully control their feelings or reactions, is a demanding task, a work of love and satisfaction. It requires infinite skill and patience.

Yet it is being demonstrated that the job can be done, and that the added difficulties sometimes in evidence with older persons do not represent insuperable barriers.

Operating with Older Americans Act funds administered through the California Commission on Aging, the Assistance League of Southern California Family Service Agency in Los Angeles helps older people with their problems through counseling and referral. Professionally trained social workers and volunteers at the agency provide assistance in many difficult areas, supporting their clients with the unique empathy found almost exclusively in the truly concerned, well-trained individual. Their exemplary work is helping to create a new image for the older citizen.

The goals are far-reaching. Evidence of this is the staff's frequent work with clients' families. It has been found that an ambitious program will often derive solutions from intense study of individuals' backgrounds, including contemporary relationships to in-laws. For this reason the Agency Service is also available to relatives in behalf of Senior Californians.

CONSIDERATION OF THE INDIVIDUAL

Referral to appropriate community resources has been proven to be the natural concomitant to Agency help. Accordingly, health problems, housing, legal questions, opportunities for volunteer work, transportation and many other related areas of concern are dealt with under the auspices of the Agency's referral service.

The tenor of the organization is one of purpose and careful design. Procedures are worked out to protect the older person. Clients are worked with exclusively as individuals, and while the time element has been one of normal concern, results have been so gratifying that the Agency's efforts seem well justified. While "efficiency" evokes thoughts of production lines and numbers, and it is true that staff workers have increased client load, with the attendant increased pitch of activity they have been able to assume an even more meaningful posture in relation to their cases.

PROBLEMS ARE SOLVED

Consideration of problems confronted helps to enlighten the observer as regards the myriad difficulties brought to the Agency. An elderly woman with an alcoholic daughter is confused and unhappy. She is unable to gain the perspective necessary to help her daughter. They live together in a state of tension and distrust. Counselled together they are instilled once again with their natural abilities to reason with one another intelligently and attack their mutual problems with the advantage of sound compassionate understanding. Foundations such as these are not easily re-established. In many cases it is clear that meaningful change could not occur without Agency assistance.

A 73 yr. old woman has signed a document without fully understanding the inten-

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tion of the contract. She is soon confronted with the prospect of paying for articles which she does not need and cannot afford. She is a widow with serious heart trouble, and when her payments are not made she receives stark letters threatening suit. The sum is small but she does not have it. A door to door salesman, two terse letters, and a phone call: these ingredients are all that is necessary to create fear and seemingly hopeless anguish. In desperation, the woman contacts the Agency. Within an hour the problem is solved. A polite visit to the office of the caller, an explanation of the circumstances, and a considerate retraction on behalf of the business involved.

Advances are made, some with lasting results, others bringing to light chronic difficulties. The work may be arduous, it may be light; it is always satisfying and always needed.

A strong Advisory Committee of professional and lay community people work with the program. Churches in the area are very much interested and participate on the committee and provide volunteers.

It seems certain that sufficient local support is developing to continue to expand the program at the termination of federal funding as administered through the California Commission on Aging.

SENIOR CALIFORNIAN: DMV TO ISSUE ID CARDS TO NONDRIVING SENIORS

Is driving a car becoming too much of a chore? Anybody who feels that way need not tax his nerves and energies to renew a driver's license just for its value as identification. He can ask for an identity card instead.

Under a measure lauded by the California Commission on Aging. California's seniors will soon have their choice of two wallet-size documents to use when they need to prove who they are: either a driver's license if they drive, or an identity card if they don't. DMV will begin taking applications for the plastic-encased cards in January, 1969.

DMV WILL ISSUE

They are to be issued at local offices of the DMV for a $3.00 fee and will carry the holder's photograph and current address. Each is good for four years, renewable on the holder's birthday. A person can have either card, but not both.

Mrs. A.M.G. Russell, chairman, and Charles W. Skoien, Jr., executive director of the California Commission on Aging said the issuance of the new identity cards is another of the many steps being taken in California in service to its senior residents.

Mrs. Russell pointed out that there are several million Californians who, because of age or physical disability, are unable to obtain a driver's license, and are deprived of the kind of identification they need to cash old age assistance checks, pension checks, or otherwise prove their identity.

Governor Ronald Reagan commented on signing the identity card bill into law. "This legislation recognizes a very important fact of life. Ever since California driver's licenses with the bearer's photograph became commonplace following their authorization in 1958, they have been the most freely accepted prima facie identification card a person can carry. The California driver's license has become the document which anyone wishes to cash a check finds he is almost always asked for. A person who can't produce a driver's license where he isn't well known is at a great disadvantage. This situation will soon be corrected."

The program was developed through the influence of Verne Orr, director of the Department of Motor Vehicles. The Department was considered the logical agency to process the cards because it already has the photographic and most other equipment in its several local offices throughout the state. It is also set up to process and file identifications rapidly with electronic equipment.

NO AGE LIMIT

California's cooperative attitude towards its seniors is indicated by the fact that the state has no upper age limit for driver's licenses and by figures which show that 800,000 residents over the age of 65 are licensed to drive.

SAN FRANCISCO DOWNTOWN SENIOR CENTER

One initially critical and hard-to-reach person said recently, "You know, this center is making a difference in the whole neighborhood. I never go into a store now without somebody saying 'hello'—someone I've met at the center."

In the downtown residential hotel area of San Francisco decisive steps are being taken to help economically and socially deprived hard-to-reach older people. The Multi-Service Program for socially isolated older persons put to work knowledge gained through a recent demonstration project on "reaching out" conducted by the San Francisco Senior Center.

Funding for the Multi-Service Program is arranged by the California Commission on Aging through the administration of an Older Americans Act Title III grant.

PROJECT'S WORK

The project's work includes training of personnel: professional, subprofessional and students. Also, the program strengthens a Community Coordinating Committee currently being developed to insure better coverage for the isolated in all census areas of the city, and to serve as a clearing house for programs being organized in order to eliminate overlapping of such services.

Designed originally as a drop-in center, the facility has widened its perspectives and learned through experimentation. Initially, older men and women came to enjoy the nutritional and delicious noon "soup snack" (with recipes provided by a masters student from the University of California department of nutrition), to read magazines and newspapers, play table games, and to talk—to one another, and to staff members, all of whom were readily available to converse on a one-to-one basis. Personal problems could be discussed with the caseworker, and a job counselor was present two half-days a week. It was thought that small groups would appeal to those who came. Soon, however, those who participated became more gregarious and less reserved. While partial to those scheduled activities which provided intellectual stimulation, parties became the most popular events of all.

MORE ACTIVITIES

Hand crafts continued and opportunities for group discussion-participation developed with the introduction of informal speakers to those who gathered at the center. Bus trips were soon added to the schedule, and members were encouraged to acquaint themselves with the advantages of inexpensive bus travel around the city. A series on "Good Nutrition," "Exercise," and "Release from Tension" was presented, and will continue on a yearly basis.

The Health Series is presented by a psychiatric caseworker from the Health Center. Problems are brought up and dealt with very directly by the caseworker. The wide variety of personalities and backgrounds represented by the group is delightful, and the wealth of material they bring to the discussion insures significant relevance and interest.

Frequently a major concern for those who attend is area residents who sit and do nothing in local hotels. Impatience and anger are often expressed. The consensus of opinion suggests that the majority of those who refuse to seek social involvement are victims of severe physical handicaps. Concern for their depression and inertia is as widespread as in other segments of the population.

Administratively, referral procedures are constantly reviewed and revised through meetings with representatives of other agencies. It is hoped that a Home Health Aides program can be instigated for handicapped persons in hotels. This important work would allow isolated older individuals to visit the Downtown Senior Center, to be engaged in Center activities, and to take advantage of other services with which they would otherwise have no contact. Other group meetings of leaders from various local organizations are held to discuss such crucial problems as transportation for the handicapped.

The project caseworker continues to maintain daily contact with neighboring hotels. She works from hotel to hotel (there are 133 of concern in the area) to involve managers and hard-to-reach residents with the center's activities and services. Activities schedules are distributed to over 800 persons each month.

INVOLVEMENT VALUABLE

Involvement of individuals in the presentation of programs helps to overcome the most prevalent problem: loss of memory. With part of the responsibility for the success of a discussion an individual will take special precautions to insure his presence at the center on a certain day. Such events as the Fire and Earthquake Commemorative Program have involved many older citizens in this manner. Fascinating stories were told in this instance by those who had lived through the disaster.

The spirit of friendship is growing at the center. At first many sat in silence, although they had lived within a block or two of each other for years. Now one must ring a bell in order to make announcements. In the noon soup program the hoped-for and worked-for "family" atmosphere and feeling of fellowship amongst older people from many different socio-economic backgrounds is being achieved.

OLDER AMERICANS ACT, TITLE III: PROJECT PROFILE, PARADISE MULTIPURPOSE ADULT CENTER

VITAL VITALITY

If one word could describe the activities at the Multi-Purpose Adult Center in Paradise it would be "vitality." And perhaps the second word would be "vital." For the work is vital. The Center serves the needs of older persons in the community in many ways.

The Project is co-sponsored by the Paradise Recreation and Park District and the California Commission on Aging, which provides funding through the administration of an Older Americans Act Title III grant.

Seven prominent community agencies and facilities serve in an advisory capacity, and twelve area resources provide direct services to project clientele.

A great variety of recreational and leisure activities are conducted on a regular basis. These include knit and crochet instruction, slim-trim class, horticulture class, shuffleboard tournaments, rugmaking, armchair travel films and slide shows, and many others. Sightseeing bus excursions carry participants to Lake Tahoe, Shasta Caverns, Oroville Dam and other selected places of interest. This has proved extremely popular. It meets a need of a broad cross-section of older adults: both for those of limited means who have no other travel opportunity and those who prefer the convenience and advantages of such travel. Companionship is certainly a prime consideration.

PROGRAM PLANNING FOR SENIORS

The Community Committee on Aging has been reactivated and under its aegis many new people have become interested and involved. The Committee is well motivated and assists in program planning and presenta-

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tion. Recent scheduled sessions have included "The Importance of a Will and Estate Planning," "Publicity Workshop," "Stretch Your Food Dollar," "Common Health Emergencies," "Social Security and You," and "The California Driving Privilege," providing information on licensing procedures and restrictions, given by a Department of Motor Vehicles representative.

The Adult Activity Center has also sponsored, in cooperation with the Paradise Committee on Aging, a Driver Improvement Course. The "Defensive Driving" classes have provoked intense interest, exploring a variety of professional driving concepts with films, charts and other teaching aids that help older persons to visualize the significance of potential dangers. The purchase of the instructor's kit was made possible by a local association. An important outgrowth of this work has been the addition of "behind-the-wheel" driver training.

Club events at the Center are extensive. The Newcomers Club introduces many older people to the program, and from there on it's up to individuals' tastes and interests. There is even the opportunity to play the French horn, or any other instrument, with members of the instrumental group.

The center provides a central agency for the dissemination of information about specialized services for the older adult. It stimulates and conducts workshops on community leadership, care and maintenance, and preretirement. Group discussions regarding civic, national and international problems are held. Volunteer services are organized for those with special interests related to nursing homes, hospitals and the care of shut-ins. The Friendly Visiting Program has been a great success. Local family care homes for former mental patients are also visited regularly, and home operators bring groups to the center weekly. This provides opportunity for more community contact for these persons as a further step in their recovery and develops interest and understanding on the part of the community. The commitments of older persons have been essential to this design. It would be difficult to emphasize adequately the striking potential represented by the participation of our older adults in this challenging area. Their role may well define one of the foremost elements necessary for significant change: patient and regular communication and contact. The reciprocal satisfactions require no explanation.

Actual participation is the final proof of a project's success. Monthly attendance has reached 2500 at the Paradise Adult Center, and in one eight-month period total attendance was nearly 15,000.

Exhibit 5

[From the Los Angeles (Calif.) Times, Mar. 26, 1969]

Dolls Not Just for Children

(By Barbara Riker)

Van Nuys.—Mrs. Joseph Jacobson has reaped unexpected success in career and retirement from a chance encounter with the art of millinery some 60 years ago.

When her Russian family sent her to Paris to learn French, she became interested in the skills of seamstresses there.

The sewing arts she learned led her years later to a job as head milliner for the Metropolitan Opera Company in New York.

MEMORIES LINGER ON

And she has made such constructive use of her skills in her retirement years in the Valley that she has been cited by California Commission on Aging as an example of how senior citizens can lead satisfying lives.

Even after Mrs. Jacobson moved thousands of miles from the Met, memories of the melodies and magic of its operas lingered in her thoughts.

So, she recreated 22 opera figures in miniature and dressed them in exact copies of the original costumes, duplicating even the embroidery on the pantaloons under the elaborate gowns.

DOLLS COME ALIVE

She copied the jeweled robes of a Russian czar and princess, the exotic silks of Scheherazade, and even the tiny painted fingernails and embroidered facial expressions of the opera stars.

Each doll seems to come alive when the white haired woman takes it from the display case and tells the story of the opera it represents.

Once a week Mrs. Jacobson weaves the magic of opera for a group of women recently released from Camarillo Hospital.

"I can see their eyes light up when I tell the tales of love and adventure from the operas," reports Mrs. Jacobson. She read of the need for volunteers to work with the Camarillo women in the involvement opportunities column in The Times.

She shows her dolls and lectures on them for large benefits. The collection has been exhibited at Los Angeles Public Library.

One day it will be her legacy to her granddaughter, now 13, for whom she has compiled a scrapbook of her life starting with graduation from high school in 1904. The Jacobsons came to America in 1929 and have lived in the Valley since 1954.

As well as using the collection for community causes, she employs her sewing skills to teach old people what they can do for others.

"I tell them to turn off their televisions and put down their cards and help people who need them," said the octogenarian as she hopped over a hassock to answer the telephone.

TEACHES DOLL-MAKING

She was given a diamond pin for contributing more than 1,000 volunteer hours with the residents of California Home for the Aged at Reseda.

Now she teaches the women of Van Nuys Senior Citizens Club to make dolls and toys to be donated to needy children.

"One of the ladies even sews buttonholes in the doll clothes," said Mrs. Jacobson with delight.

She buys the pretty beads and gay flowered fabrics which the women use for the doll clothes and craft items.

ASSISTS ORT

Mrs. Jacobson makes items to be sold to raise money for such groups as Women's Organization for Rehabilitation Through Training (ORT). She earned $110 for its vocational schools throughout the world.

This is a group dear to her because she was the first teacher in one ORT School in Russia, where she met her husband, a music teacher. She also makes items to support Children's Asthma Research Institute and Hospital (CARIH).

Formerly a member of National Council of Jewish Women, she has given her skills to aid a toy library for needy youngsters and to make layettes for unwed mothers.

PAID IN SATISFACTION

"People ask me why I do not take money for my work, but I have received more than I have given because I know what I have done has meant something to others," she said.

"No amount of card-playing can give as much satisfaction as seeing the faces of those you help light up at seeing you."

[From the Downey (Calif.) Live Wire, Mar. 27, 1969]

He "Retired" Himself by Helping City of Hope

It's such a simple statement to make:

"I collect money for the City of Hope."

Behind it is a story, the story of Abe Cohen, retired.

He was a lamp manufacturer in his day; now he wholesales sunshine to brighten the lives of a number of Senior Californians in the Long Beach area.

His story is one of thousands being written up and down the state by folks of retirement age who have found that by doing something for others they have "re-tired" themselves, they've gotten new running gear to carry them along the highway of life.

He lives in Long Beach and he started collecting for the City of Hope more than 15 years ago.

In the words of Executive Director Charles W. Skoien Jr., of the California Commission on Aging:

"Mr. Cohen appreciated a great deal the help that City of Hope gave to his grandson, and he set out to do what he could in his way to show his gratitude.

"Gradually, his visits widened, until he now experiences a new, full life.

"There are many like him in California. We call them the Senior California Volunteer Service Corps, all Seniors who do things in their communities, either for organizations or for people, just for the sake of the doing.

"Their reward is personal. . . . the very act of the doing is the reward."

Cohen is well known in restaurants, stores, businesses of Long Beach as he carries out his project: "I collect money for the City of Hope."

This involves going from one place to the other, emptying the blue bank containers of the small coins and sometimes large ones. City of Hope's charitable works.

The time isn't great—some 10 hours a week—and it helps fill the day with something worthwhile.

Mr. Cohen comments:

"I have visited many of the sick people in hospitals, homes, nursing homes. I have driven people to doctor's offices, helped ill people with their shopping.

"My rewarding moments come when people tell me that they get well faster because of what I am able to do for them. They tell me it is good to know that someone cares."

He spent most of his adult like in Ohio and California. He and Mrs. Cohen have been blessed with two children, five grandchildren and one great-grandchild.

And all of them are generous in supporting him in his project, especially his wife.

She joins him in the philosophy:

"We all dream dreams, and as we grow older our dreams turn away from ourselves to others. We would like to see an end to war; we would like to see a world where people help each other, and take care of each other."

[From the San Francisco (Calif.) Progress, Mar. 5–6, 1969]

Telling the Story of "Old Glory"

Retired electrician Arthur B. Chase of San Francisco is using his knowledge of photography and tape recording to fill his retirement days with a unique project—telling the story of glory of the nation to school children.

He does it with slide shows, in color, with synchronized tape recordings of the story about the place involved.

The stories the youngsters enjoy the most are those of the Ghost Town of Calico in California, the historic city of Williamsburg, Virginia, and of Greenfield Village in Dearborn, Michigan.

Chase, who lives at 39 Tacoma St., gave one of his "Glorious America" travelogues at San Francisco's McKinley Elementary School and as he watched the youngsters react to the beauty of the scenes he thought what a fine thing it would be to tell them the story of Old Glory.

So, in a two-month trip in the fall of 1968, he started gathering slides, musical tapes or records, and patriotic sayings to weave into a fitting tribute to the nation's flag that he can show at schools, service clubs, or youth groups.

He has faith in the youth of America . . . active faith, as evidenced by his interest in the Boy Scouts, which he joined when as a youngster and served six years as a member, followed by 49 years as a leader.

Chase was born January 20, 1899, in Galesburg, Ill., and on his 70th birthday this year he scheduled a demonstration on slide show planning for the Galileo Adult Evening School class on photography.

The State of California Commission on Aging learned of Chase's retirement activity and has commended him for using his hobby for the benefit of others, especially young people. The Commission's executive director, Charles W. Skoien, Jr., said Chase has qualified for membership in the commission's honorary organization, Senior Californian Service Corps, whose members devote part of their retirement time to doing something worthwhile for others without thought of reward.

Chase has been a journeyman electrician 49 years, 26 of them in San Francisco.

He and Mrs. Chase like to travel, and say it is nothing for them to start out and be gone from three weeks to three months at a time.

As they travel about the country, they try to practice the old scout law "Do a good turn to someone every day," and "if one wants to have friends, it is necessary to be a friend."

They have been in virtually every state in the union, and it is to tell the story of the glory of the flag and the history of the nation that Arthur B. Chase is dedicating his retirement years.

[From the Wilshire (Calif.) Press, Oct. 17, 1968]

Mrs. Mabel Fischer—Lady Dynamo Promotes Happiness for Seniors

Mrs. Mabel Fischer decided to do something about her "old age retirement loneliness" by joining a Senior Citizens Club.

Now, she's a 15-hour-a-day dynamo, ranging all over Los Angeles City and the southern part of Los Angeles County promoting programs to make retirement living more interesting for others.

Her phone is ringing at 7 in the morning, to start a day that sees her talking with lonely pensioners on one hand and high government officials on the other. She attends conferences, addresses meetings, advises committees, during the day; and when she gets home in the evening, goes back on the phone.

She started as a club member, went on to the presidency, and did so well that she became Community Representative for the California Commission on Aging to assist in coordinating the efforts of state and local agencies in determining the needs and resources of the community for the aging.

In this, she has little time for reverie, but she does express the dream "that some day no one need sit alone in a rocking chair and wait for the Man Upstairs to beckon."

Towards that end, she has hopes for wider use of Senior Californian facilities for other than purely recreation programs. She would like to see expansion of employment opportunities for seniors.

She is sincere in her belief that no Senior Californian live in helplessness and she is highly pleased with the growing Senior Californian Service Corps whose members seek out other retired people and do things for them, such as read to the blind, take physically handicapped to the doctor, or contact the right agency to help them solve problems.

High praise of her concern for others has come from two highly-placed state leaders, Charles W. Skoien Jr., and Mrs. A. M. G. Russell who are, respectively, Executive Director and Chairman of the California Commission on Aging.

Skoien said: "Mrs. Fischer is a sound example of our unique Senior California Service Corps, who are receiving more and more recognition for voluntarily giving their time and ability to organizations and people in their communities. Not only is she benefitting herself, but she is leading others back into the mainstream of life so that retirement is a time to enjoy."

Mrs. Russell is regarded as one of the outstanding volunteers in the field of the aging in the United States and she commented: "No more how little or how much a volunteer does, as shown by Mrs. Fischer, the reward is always the same . . . a sense of satisfaction, of belonging, of living again. She understands the feminine view, and it is so gratifying to see other women follow her lead into what they can do for others. All these little bits add up to a lot."

Mrs. Fischer lives at 627 S. Normandie Ave., coming to California in 1962. She was born in Chicago, and received her Bachelor of Arts degree from Chicago University as a major in English Literature.

She married in Cleveland, raised two children, became active in politics, and served as a precinct committeeman. She drove a Red Cross truck in World War I, and sold $100-000 in war bonds in World War I and World War II drives.

Mrs. Fischer had a business career as assistant buyer of coats and suits in the May Company.

On her retirement, she "sat until twinges of loneliness set in" and responded to an article in a neighborhood newspaper inviting Seniors to attend a meeting of the Normandie-Wilshire Senior Citizens Club, whose president, Mrs. Jessie Smith, soon put her to work.

She took a leadership class at Lafayette Park and served as a volunteer worker in helping build interest in all projects for the aging. For seven weeks she was director of Medical Alert at Lafayette Park, working with 17 paid seniors over 65 uncovering as well numerous welfare cases.

Mrs. Fischer is president of Lafayette Park Senior Citizens Club, chairman of Employment for the Aging for the Hollywood-Wilshire Community Committee, and community representative for the California Commission on Aging.

Helping seniors get jobs gives her tremendous pleasure. Her visits and speaking engagements throughout Los Angeles County have brought her a wide circle of friends so that she is readily recognized and called by name at many places.

Many doors are open to her, especially those of John Walker, County Director, Department of Senior Citizens Affairs; Tom Murphy, Director of Los Angeles City Recreation and Parks; and Domingo Delgado, Director of Los Angeles County Recreation and Parks.

Los Angeles City Councilman Tom Bradley and John Ferraro are often contacted regarding problems facing aging, as are Robert Oppenheimer and Dorothy Mergie of the State Employment Service, and Irene Gunckel, assistant director of United Crusade's Central Division.

She works with them in furthering county and city programs they have launched, such as civic participation, tours and special days for seniors, or the annual fund drive for United Crusade.

Mrs. Fischer is thinking way ahead: She has helped organize new pre-retirement clubs for Young Seniors from 40 up, working with Mrs. Carolyn Cohen, her daughter.

[From the San Mateo (Calif.) Times, Oct. 17, 1968]

Busy World of Retired Matean

Earl Rodda retired three years ago, and has been going full blast almost every day since then, busier now with Senior Californian projects than he was during his 41 years with the U.S. Department of Agriculture.

He was at loose ends, those first few weeks after getting out of the traces, and was driving his wife to distraction. She knew about San Mateo's Senior Citizen programs, and she shooed him out of the house to find out about them. Now, he's glad she did. And so are hundreds of San Mateo residents, young and old.

Their feelings are best expressed by one of the nation's experts in the field of the aging who lives right in Rodda's area, Mrs. A. M. G. Russell of Atherton, who is chairman of the California Commission on Aging. She said: "Mr. Rodda is a graphic example of what is happening in our little-publicized but highly-important Senior California Service Corps of men and women who are winning recognition for the way they are voluntarily doing things for others in their communities, whether they be individuals or organizations. We find that Service Corps members almost always say the greatest reward is that they have found something worthwhile to do, and their influence is bringing more and more Senior Californians back into the mainstream of life. Rodda's influence is far greater than any of us realizes."

The Roddas live at 2830 Flores, Apartment 5, San Mateo, and from there he sallies forth every day on a schedule that would make a successful salesman look to his laurels.

It was in the fall of 1966 that he joined San Mateo's largest Senior California club, the Keenagers, and in a short while was elected President. In quick succession he became active in chairman of the various committees, and in December of 1967 was elected president of the Association of Senior Clubs of San Mateo County.

Then, in the summer of 1968, he was named Community Representative in San Mateo for the California Commission on Aging, an assignment that puts him in daily contact with a wide range of people in the community, from leaders of civic clubs to elderly people who want to become alive again.

They gave him some of the most pleasurable moments he has had. As he says: "The pleasures of this job? First of all, the many, many friends I have made. Then, to see the faces of shut-ins and hospital patients light up when visited. Utilizing the tremendous talents of so many of the Seniors in the accomplishments of projects, challenging the timid to come out of 'the shell' and their own surprise at doing things they did not think they could, radiating enthusiasm and joy and making people feel it is 'catching.' Stimulating optimism when pessimism seems to be rampant, and enlisting cooperation in reaching new heights in accomplishments!"

Rodda comes naturally by his leadership abilities. He was born and raised in Omaha, Nebraska, and was graduated from high school but for various reasons did not enter university even after enrollment.

He was active in church and Young Peoples work, played basketball until he was 32, then a lot of golf, which he caddied as a youngster.

He worked in a bakery and then in a drugstore during his high school years. He entered government service in the Department of Agriculture in February of 1924 as a clerk at $1,000 per year, was married in August of 1924. He received promotions in his work rather regularly and was transferred several times to such cities as St. Paul; Thomasville, Georgia, Des Moines; Cincinnati; Denver.

He kept studying and climbing and in 1944 went to St. Joseph, Missouri, as officer in charge.

Then came the big one, in 1955, to San Francisco as Western Area Supervisor for 13 Western States, a post he held until his retirement in 1965.

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Mr. and Mrs. Rodda have two sons, one in the army as a career, and one a minister in Topeka, Kansas.

Much of his business life was in public relations, dealing with livestock stockyards, commission men, cattlemen's associations, wool growers' associations, meatpacking plants, Farm Bureau, and similar farm groups.

The average day starts about 8:45 a.m., with two or three phone calls inquiring about certain activities of the Keenagers, the Association, Forum . . . or to make suggestions concerning programs that are in progress.

Paper-work takes a while, such as agenda for the Association Presidents' meeting, work on the Keener News, or plan the coming Keenager meeting.

Rain or shine, he goes out for a few sick calls or to attend a club meeting, or contact community leaders, such as Dr. C. S. MacKenzie, pastor of First Presbyterian Church and member of the Human Relations Committee. Or Dr. C. A. Kircher, the Presbyterian Consultant is so helpful in enlisting people in an orientation class.

Superintendent Willard Shumard of the San Mateo Recreation Department is on his regular call list, and Rev. Elmer Andersen, manager of Pilgrim Plaza, a retirement home, and active in Lions, prisoner rehabilitation, and Senior Californian projects.

It is by enlisting the cooperation of such men as these that Mr. Rodda has been able to develop the Senior Californian program. He credits Dr. MacKenzie with every successful work at his church and in the Human Relations Committee.

Shumard is responsible for outstanding recreational center programs as well as setting up arts and crafts not only for youngsters through middle age, but also for Seniors; and gives considerable time to the Advisory Council of Senior Citizens.

To bring the word of Senior programs to all in San Mateo county, Rodda is planning a weekly radio program entitled "Three Score Plus" over KCSM 90.9 FM, plus weekly columns in the area newspapers to report the activities of various clubs.

Some day, he doesn't know when, he would like to develop the Keenagers into an everyday center, with a full time director, arts and crafts, and . . . but this is in the future!

[From the San Bernardino (Calif.) Sun Mar. 22, 1969]

Top Senior Citizen in Victorville Is Just Too Busy for a Rocking Chair

State-wide recognition came to Mrs. Viola Norris of Victorville this week as the State of California Commission on Aging cited her activity in her retirement years as an example for other senior Californians.

Mrs. Norris makes egg carton tray favors for St. Mary Desert Hospital, for rest homes and for some sick or shut-ins at their homes.

She makes cheer baskets for sick members of the 1st Christian Church (Disciples of Christ) and knick-knacks for the house; artificial flowers; and even raises prize-winning vegetables in her garden.

Executive Director Charles W. Skoien Jr., of the State Commission on Aging, prevailed upon Mrs. Norris to tell her story to encourage other seniors to look upon "service for others" as a means of filling their leisure days.

He said, "Mrs. Norris is proving that the rocking chair theory of retirement is as outmoded as the Model T Ford on a superhighway.

"Through her hobby, she is helping assure herself of the fulfillment of these basic needs: security, recognition, belonging, self-expression, and adventure.

"Security—of health, added income and a place in society.

"Recognition—as an individual with her own capacities, achievements, and personality.

"Belonging—as a member of a social group and the community.

"Self Expression—from developing her abilities and talents in new areas and at new levels.

"Adventure—of new experience, new sights and new knowledge."

Skoien pointed out that with Mrs. Norris age is no barrier—she was 82 on Feb. 23—and being young in heart and in mind has kept her young in body, too.

The State executive said the commission has found such retirees as Mrs. Norris extremely helpful in convincing others to "get out and live" and for her spirit the commission is enrolling her in its Senior California Service Corps, whose members are dedicated to serving their communities or other individuals simply for the sake of doing something worth while, rather than for the reward.

Mrs. Norris was born and reared in Mayview, Mo., and came to California about 60 years ago. She and her husband, Arthur, who is now 90, retired in Victorville about 10 years ago. They operated a small cafe.

They now live at 15564 4th Street.

A friend gave Mrs. Norris an egg carton "Idea Booklette" and she talked things over with a sister at St. Mary's Hospital. There she started making the favors.

Mrs. Norris is just completing 70 pixyish rabbits and 90 ducks, all made out of old egg cartons, to put on patient's trays at Eastertime at St. Mary Desert Valley Hospital.

Each includes sequin eyes, ribbons and bits of discarded imitation flowers. She's made more than 400 rabbits in the past three years, as favors for shut-ins, invalids, patients at rest homes, etc., and for Sunday school students.

"Rabbits go real fast. It takes a little longer to make a duck," she says.

Today, she plans to teach a group of physically handicapped persons to make the little animals. They'll be distributed on Easter Sunday at Victor Valley Hospital, Victorville.

"I make 29 different kinds of animals," she says, including a cat and mouse, a bull, a bear, an elephant, a soldier boy, a donkey, and Uncle Sam, among others.

Her day has no room for self-sympathy. Her husband is blind, and she enjoys reading most of three daily papers to him.

Then, she turns to her cartons, her garden or some activity in the Christian Women's Fellowship; a day per month sewing at church; two days a month at Victor Valley Federated Women's Club; and whatever time is required at the Victor Senior Citizens Club.

Mrs. Norris tithes, pays for all her supplies in her handicrafts project and has resolved that anything that is good and wholesome in life is now sufficient for her. As she says:

"I just take God with me at all times. He guides and keeps me; with His help I do the things I wish to do."

[From the Paradise (Calif.) Feather River Times, Apr. 1, 1969]

Paradise Senior Fills Days by Helping Others

Feeding the disabled elderly.

And helping in the school library.

They're such simple things to do, yet they give interest to the retirement days of Miss Jeannette W. Rutledge of Paradise, whose experience has been selected by the California Commission on Aging as an example of how a retired professional person can fill her days.

Miss Rutledge is now nearing 80 and lives at the Paradise Hotel.

She found time heavy on her hands and asked Mrs. Patricia Rellaford of the Paradise Adult Activity Center for ideas on what to do.

When Mrs. Rellaford found that Miss Rutledge was a retired Librarian, and knowing that Paradise Elementary School needed help, it took but a phone call to match them up . . . and all are happy.

Then, Miss Rutledge started going to a training class in "friendly visitors." The hospitals asked for volunteers to help the staff in feeding the disabled.

So, every day, weather permitting, at four o'clock, she goes to the hospital and helps feed a woman who can use only one hand, and that very little; and also has trouble speaking.

As she points out, "These two things are not really 'projects.' They are just something which need doing that I can do."

This spirit is typical of so many Senior Californians who have searched out Senior Centers, looking for worthwhile things to do, and so much good has come of it that the California Commission on Aging is energetically promoting the philosophy through a volunteer group identified as Senior Californian Service Corps.

The Commission's Executive Director, Charles W. Skoien, Jr., said from Sacramento there are many little things that need doing, and so many Seniors who can do them. The Senior need only to go to a center for the matching-up process.

He commented: "Miss Rutledge gets enjoyment out of helping others. She isn't bound to endless days in a rocking chair in front of a TV.

"Part of the day she is matching wits with bright 7th and 8th graders. And in the afternoon, she is performing a deed that is doing because it needs doing. This is the spirit so manifest throughout California, and we hope it spreads, to brighten the days of all Seniors."

Miss Rutledge isn't hardset in her ways. She points out there is a saying: "Look up and not down; Look out and not in; Look forward and not back; and Lend a hand."

But she finds it wise to "look back" at times in order to understand the present, the people around her, and to avoid getting upset when difficulties arise.

That's the reason she understands young people, like the young boy at the school library who asked her for "non-fiction, but not biography," and accepted a book on shoemaking before the days of machinery, saying happily, "It has only 40 pages".

[From the Paradise (Calif.) Post, Feb. 21, 1969]

Kate Price Is Active Senior Citizen

Kate Valentine Price spent Friday baking cookies for local servicemen even though she was celebrating her 75th birthday on that date.

Sending cookies to local men serving in Vietnam is a project that Mrs. Price started two years ago and since then she has sent numerous boxes to Paradise men who are members of St. Nicholas Episcopal Church. They share the goodies with others in the war zone.

She made some 20 dozen cookies Friday and had two boxes ready to ship Monday.

Mrs. Price is a native of Scotland. She grew up in England and was one of the members of the original Girl Guides in that country in 1910.

She has always been interested in youth work and at one time she was leader of four different Girl Scout troops. The troops of varying ages met at her home once a week.

She has served 52 years as a Sunday school teacher and is an active member of the Episcopal Church here since moving to Paradise six years ago.

Prior to retiring she was a 13 year member of the Bentley School faculty in Berkeley and was serving as dean of the school when she retired.

Her own family includes three children and nine grandchildren.

The State Commission on Aging recognizes senior citizens who are living full lives during the retirement years. Mrs. Price was added to the rolls by Charles W. Skoien Jr., executive director.

[From the East Side Journal and Belvedere Citizen]

SENIOR CITIZEN SERVICE CENTER DEDICATION IN MAY

The familiar face of Mrs. Helen Colima will greet users of the new East Los Angeles Bilingual Senior Citizens Center on its dedication at 2 p.m. Sunday afternoon, May 4, at 3864 Whittier Boulevard, East Los Angeles, Mrs. Colima, Supervisor Ernest E. Debs and other distinguished guests will participate in the dedicatory ceremonies.

Mrs. Helen Colima, project director of the center, was born of French and Dutch parents in Shenandoah, Penna., 66 years ago.

Today, she is blessed with 13 grandchildren and 14 great-grandchildren, and thousands of friends.

She knows how to get along with people and as Project Director of the Senior Citizens Bilingual Center she is helping tremendous numbers of older Mexican-Americans find something worthwhile to do in their leisure time.

And she is helping many, too, who have serious problems.

Mrs. Colima started helping other Seniors because she wanted to fill her own idle hours, and she has done so much so well that she has been selected by the State of California Commission on Aging in Sacramento as an example of how a senior citizen can find new life by going to a Senior Center and getting acquainted.

Almost every day she is at the Center, phoning, visiting, helping.

Even at home, in Montebello, she is on the phone.

Executive Director Charles W. Skoien, Jr., of the State Commision on Aging, said:

"I remember when Mrs. Colima first started with the Center, and how a small grant from the Older Americans Act made it possible for the Center to continue serving seniors of Spanish heritage."

NEW CENTER

"At the new center they can do so many things, and I encourage everyone living in the vicinity to use it . . . even if they do not live in the vicinity, but have language problems, then use the center anyway.

"The center is there to help people. In Mrs. Calima, the seniors have someone anxious to help them."

She is Founder and Ex-president of the Latin-American Women Senior Citizens Club, member of Madres Mexicanas, former Secretary of St. Benedict's Latin-American Club of Montebello, member of Mexican-American Women's League, and former secretary of the East Los Angeles Committee on Aging.

For her efforts in these organizations, and many more, she has received many awards, as well as being named Mrs. Senior Citizen of East Los Angeles.

NEED TRANSPORTATION

One of the great needs she would like to see filled is transportation for shut-ins . . . a small station wagon and driver to take shut-ins to the doctor, to Senior Citizens Clubs, and Recreational Activities.

This dream is not for herself, but for others. Somewhere, there is an auto dealer or a family with a station wagon to spare!

Mrs. Colima has assisted many Spanish-speaking people in solving a wide variety of problems. She commented:

"Our Field Assistant, Ralph Calzada, met a man who could use only one arm. He was a lonely and depressed man.

"Mr. Calzada, after a second visit, convinced him to joint a Senior Citizens club. We helped him get started, and now he has many, many friends.

"We sent him to an agency where he received a part-time job that does not interfere with his handicap. Now, he has a new outlook on life.

"In September, a 75-year-old man came to our office.

"He was depressed because his wife had passed away a week before, and he did not know where to turn because a daughter was coming into his home and taking away furniture and personal belongings of his deceased wife.

"He said he could not afford a lawyer, so we sent him to a neighborhood Legal Aid Society.

"A week later he came to our office. This time he was all smiles. Not only did Legal Aid stop the daughter from removing any more articles, but made her give back everything she had taken."

HOME EMERGENCIES

"In another matter, we followed up on a phone call to a home where there was an emergency. with the husband very ill.

"Our Mrs. Emma Quen called an ambulance, accompanied the wife to the hospital, stayed with her while the husband was admitted; and then learned the family was in serious financial trouble.

"Mrs. Quen contacted the Department of Social Service and Department of Public Assistance to help this husband and wife in their distress."

It is understandable why Mrs. Colima's project helpers, her family, and the thousands of Spanish-speaking people of Los Angeles love her.

It is for them she lives, guided by this credo:

"I pray every morning before I leave home that God grant me the serenity to accept the things I cannot change;

"The courage to change the things I can;

"And the wisdom to know the difference."

If you are a senior with problems, and need a friend who understands your language, remember Helen Colima of the East Los Angeles Bilingual Center at 3864 Whittier Blvd., East Los Angeles.

The East Los Angeles Bilingual Center was established by the Greater East Los Angeles Committee on Aging which has recently established the Greater East Los Angeles Senior Citizens Foundation with Mrs. Max Offenberg as president.

SENIORS ROLL ALONG IN NEW BUS

Little House has taken to wheels. In an effort to meet the transportation problems of older persons, the senior citizen center in Menlo Park sponsored by Peninsula Volunteers, Inc. (PVs) has leased a bus.

The 12-passenger vehicle will pick Little House members up and take them along a scheduled route so that they can participate in the center's activities.

As part of "Operation Reach-Out," plans also call for using the bus to take Little House craft and recreation programs to residents unable to leave convalescent homes and for bringing other senior citizen groups to special programs at Little House.

It took more than two years to get the project rolling, according to PV Mrs. James L. Sammet of Atherton. First, it became increasingly evident that transportation was one of the prime problems of the older person, she says.

Those who had cars tended to let their licenses lapse when they no longer felt able to drive safely. Some never owned cars and relied on family and friends for their mobility. Some were unable to make connections with public transportation.

For these reasons, in December of 1967, the PV's Community Services Committee was given the task of solving the transportation problem for Little House members. This committee was composed of Mrs. Charles Dye of Palo Alto, Mrs. R. Cree Pillsbury of Los Altos, and Mrs. Sammet.

After sending a questionnaire to Little House members to establish interest in the project and a proposed routing pattern, the committee began investigating all public and private transportation in the area.

Herbert, who taught the teachers of the Red Cross "Safety First" program for many years.

Herbert agreed to prepare 10 Little House members to drive the bus. Once a week for an entire summer, he drilled his class on the information needed to pass the license test.

Next, the cost of the complete medical and visual examinations for the drivers was found to run about $75 per person.

This hurdle was overcome when a Palo Alto ophthalmologist and a retired internist agreed to donate the examinations.

Seven out of the ten over-50 drivers passed all of the medical, written and practical tests and obtained their licenses.

On Thursday, the bus finally got rolling.

Pickup points include Stevenson House, Mitchell Park, Midtown (Colorado Avenue), Community Center, Drop-in Center at Hamilton and Cowper, the Southern Pacific depot in Redwood City, Marsh Manor, Flood Park and Alameda-Valpariso.

Times are subject to change and are posted daily at Little House.

The entire project is being underwritten by the McCarthy Foundation of San Francisco.

CHURCHES PRAISED FOR SOCIAL WORK

One of the material gifts of the Church that is giving great spiritual benefit to thousands of men and women of all faiths is the gift of the parish hall, for use as a senior center for all people in the neighborhood.

This is the summation of a Christmas message by Charles W. Skoien, Jr., executive director of the California Commission on Aging with offices in Sacramento.

Skoien said the past year has seen a surge of interest in the state's senior population, with churches taking a strong lead.

Not only are the churches making the educational halls available, Skoien said, but the parishioners with leadership ability have been generous in setting up programs which range from purely social and recreational, to the very serious assistance with health and housing problems.

The programs have bridged the generation gap . . . high school teenagers have gone out to visit shut-ins in homes or hospitals under auspices of the Legion of Mary, the Marian Visitors, high school clubs.

Just as the senior centers serve members of all faiths, these young people are helping all in need of help, regardless of religious belief.

"This", points out Skoien, "is in keeping with the spirit of sacrifice, the commencement of a life on Christmas Day dedicated to serving all mankind, even to the Supreme Sacrifice.

"The church is offering a rare gift in extending its facilities, a gift which all Senior Californians will cherish upon receiving."

THE ANSWER FOR SENIORS: "LAFAYETTE, WE ARE HERE"

If you lived almost your entire life in the East and came out to California to retirement . . . and loneliness . . . then Gladys M. Kieley is a lady you want to meet.

She understands what it means because she went through it.

It's all in the past now, and if you're at a loss for something to do in your retirement days, go out to the Lafayette Center and look

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her up. Trade stories with her, she'll help you out.

Mrs. Kieley is 70 and lives at 320 S. Gramercy Dr. She was born in Beloit, Wisconsin, and was reared and spent most of her adult life in Rockford, Illinois.

She was a professional musician, pianist, and she found the jolt of retiring to possible loneliness real tough, spotlight to oblivion!

But this needn't be, she points out, because you are at a loss for things to do, then go to a Senior Center to see what things are like there.

Mrs. Kieley met her match . . . they asked her to help with programs, and her old professional training stood her in good stead.

Now, she's living again, as Choral Director for the Lafayette Senior Center. They're putting on a new show every month, and that takes plenty of rehearsals.

Between Senior Citizens, the Troupers Club, and the Comedy Club, as well as playing the piano for Senior Citizen afternoon dances, she has a busy life.

A long-time friend praises her for seeking out this busy life. He is Charles W. Skoien Jr., Executive Director of the California Commission on Aging, who first became acquainted with her when he was Director of Senior Citizens Activities for the City of Los Angeles.

Skoien commented:

"Gladys Kieley holds forth this encouragement to all Seniors who are lonely. Go to a Senior Center or to a Senior Club just to see what it is like. They'll help you."

People who know her tell her that as she grows older she gets younger looking, and to anyone with five grandchildren and three great-grandchildren, that is nice to hear.

Music is what does it, and she hold that true happiness comes through music and song.

It is her hope that all the Senior Centers and Senior Clubs will give even greater emphasis to music. Two of her strong advocates bless her for this. Miss Elsa Carrow of the Mayor's Committee on Aging and Tom Murphy, Supervisor of the Los Angeles Recreation and Parks Senior Citizen's Division.

For, as they say, music washes away from the soul the dust of every-day life . . . whether you're young or old.

Mr. PROUTY. Mr. President, I am pleased to be a cosponsor of legislation embodying the administration's recommendation for extending and improving programs to meet some of the pressing needs of older Americans under the Older Americans Act.

As you know, I have often come before the Senate to argue for the 22,000,000 Americans who are aged 65 or over. I think all of us realize that the needs of these forgotten Americans are both economic and psychological. The purpose of the Older Americans Act is primarily to assist in determining, articulating, and meeting the psychological needs of older citizens, who merely because of their age are often left out of the mainstream of our society.

In all candor, I think that all of us would agree that to date the Older Americans Act has only achieved very limited progress toward fully meeting the needs of our older citizens. Nevertheless, we should take heart in the fact that some progress has been made. I am personally convinced that the changes in the program suggested by the administration's bill will enable the Administration on Aging to accelerate and expand the progress which has been made to date.

One of the most significant features of the bill is the provision to transfer the foster grandparents program to the Administration on Aging. As you know, in the past I spent considerable time and effort in studying the effectiveness of the war on poverty. Time after time one program stood above all others when the test of program effectiveness was applied. That program was the foster grandparent program which costs so little money, but reaped such great rewards, not only for the thousands of older Americans who gave their time and services, but also for thousands of young people who often for the first time in their lives had a friend and companion.

This bill not only makes the logical transfer of the program from OEO to the agency which in fact has been administering it since its inception, but it also expands the program so as to permit older Americans to participate by providing companionship and assistance to other older Americans.

Finally, Mr. President, I am particularly pleased that the administration suggests that the grant formula under the act continue at a level which will insure that States already having programs will not be faced with program termination for lack of funds. Along this same line, I am pleased to see that President Nixon's concept for joint funding of projects is contained in this bill. I personally am convinced that the streamlining of Government-grant programs by placing responsibility in the primary agency whenever more than one Federal agency is involved in a project at the State or local level will remove much of the confusion and redtape surrounding so many Federal-grant programs.

As a member of the Labor and Public Welfare Committee, I look forward to early action on this bill.

S. 2122—INTRODUCTION OF THE FEDERAL IMMUNITY WITNESS ACT

Mr. McCLELLAN. Mr. President, on January 15, 1969, along with the Senator from North Carolina (Mr. Ervin) and the Senator from Nebraska (Mr. Hruska), I introduced S. 30, the "Organized Crime Control Act of 1969." The Subcommittee on Criminal Laws and Procedures, of which I am chairman, subsequently held 4 days of hearings on S. 30 and a series of related measures. During those hearings, Congressman Richard Poff of Virginia, appearing in his capacity as vice chairman of the National Commission on Reform of Federal Criminal Laws, a Commission on which Senators Ervin, Hruska, and I are also privileged to serve, testified in favor of the enactment of a general immunity statute along the lines of that proposed in title II of S. 30, but which would also codify existing immunity law and procedure.

In order that the subcommittee might have the specific language of such a general immunity bill before it when it considers title II of S. 30, Senator Ervin, Hruska, and I are today introducing the "Federal Immunity Witness Act," which was prepared by Congressman Poff with our collaboration, to effectuate the recommendation of the National Commission on Reform of Federal Criminal Laws. I assume that this new measure will be referred to the Committee on the Judiciary, and then to the Subcommittee on Criminal Laws and Procedures.

As my colleagues and I have repeatedly stated, we are not committed to the words of the bills now pending before the subcommittee. We will weigh the advantages of this new general immunity proposal against the retention of specific grants of immunity—the practice currently followed. If the general immunity approach is adopted, there will, of course, be no need for a specific immunity title in S. 30, and it may well turn out that the best course of action to follow will be to substitute the language of this proposal for that of title II. This was suggested to the subcommittee by the Attorney General, John H. Mitchell in his comments on S. 30 of May 8, 1969.

Mr. President, this new bill is a part of our continuing efforts to improve the administration of criminal justice in our Nation. We are grateful for the able efforts of Mr. Poff and the Commission in this worthwhile endeavor.

Mr. President, I ask unanimous consent to have the text of the bill and a letter of March 17, 1969, from the Honorable Pat Brown, the chairman of the National Commission on the Reform of Federal Criminal Laws, to the President of the United States, explaining the Commission's proposal, printed at the conclusion of my remarks. Finally, I add that the President, in his message on organized crime of April 23, 1969, "commend[ed] to the Congress for its consideration" the proposal contained in this bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and the letter will be printed in the Record.

The bill (S. 2122) to amend title 18, United States Code, to prescribe the manner in which a witness in a Federal proceeding may be ordered to provide information after asserting his privilege against self-incrimination and to define the scope of the immunity to be provided such witness with respect to information provided under an order, introduced by Mr. McClellan (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 2122

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Immunity of Witnesses Act."

TITLE I—IMMUNITY OF WITNESSES

Sec. 101 (a) Title 18, United States Code, is amended by adding immediately after part IV the following new part:

"Part V.—Immunity of Witnesses

"Sec.
"6001. Immunity generally.
"6002. Court and grand jury proceedings.
"6003. Certain administrative proceedings.
"6004. Congressional proceedings.
"6005. Definitions.

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"§ 6001. Immunity generally.

"Whenever a witness refuses, on the basis of his privilege against self-incrimination, to testify or provide other information in a proceeding before—

"(1) a court or grand jury of the United States,

"(2) an agency of the United States, or

"(3) either House of Congress, a joint committee of the two Houses, or a committee of either House, and the person presiding over the proceeding communicates to the witness an order issued under this part, the witness may not refuse to comply with the order on the basis of his privilege against self-incrimination. But no testimony or other information compelled under the order (or any information directly or indirectly derived from such testimony or other information) may be used against the witness in any criminal case, except a prosecution for perjury, giving a false statement or otherwise failing to comply with the order.

"§ 6002. Court and grand jury proceedings.

"(a) In the case of any individual who has been or may be called to testify or provide other information at any proceeding before a court of the United States or a grand jury of the United States, the United States district court for the judicial district in which the proceeding is or may be held shall issue, upon the request of the United States attorney for such district, an order requiring such individual to give any testimony or provide any other information which he refuses to give or provide on the basis of his privilege against self-incrimination.

"(b) A United States attorney may, with the approval of the Attorney General (or the Deputy Attorney General, or any Assistant Attorney General, designated by the Attorney General), request an order under subsection (a) when in his judgment—

"(1) the testimony or other information from such individual may be necessary to the public interest; and

"(2) such individual has refused or is likely to refuse to testify or provide other information on the basis of his privilege against self-incrimination.

"§ 6003. Certain administrative proceedings.

"(a) In the case of any individual who has been or who may be called to testify or provide other information at any proceeding before an agency of the United States, the agency may issue an order requiring the individual to give any testimony or provide any other information which he refuses to give or provide on the basis of his privilege against self-incrimination.

"(b) An agency of the United States may issue an order under subsection (a) only if in its judgment—

"(1) the testimony or other information from such individual may be necessary to the public interest; and

"(2) such individual has refused or is likely to refuse to testify or provide other information on the basis of his privilege against self-incrimination.

The agency may issue such an order no earlier than ten days after the day on which it served the Attorney General with notice of its intention to issue the order.

"§ 6004. Congressional proceedings.

"(a) In the case of any individual who has been or may be called to testify or provide other information at any proceeding before either House of Congress or any committee of either House, or any joint committee of the two Houses, a United States district court shall issue, upon the request of a duly authorized representative of the House of Congress or the committee concerned, an order requiring such individual to give any testimony or provide other information which he refuses to give or provide on the basis of his privilege against self-incrimination.

"(b) Before issuing an order under subsection (a), a United States district court shall find that—

"(1) in the case of a proceeding before either House of Congress, the request for such an order has been approved by an affirmative vote of a majority of the Members present of that House;

"(2) in the case of a proceeding before a committee of either House of Congress or a joint committee of both Houses, the request for such an order has been approved by an affirmative vote of two-thirds of the members of the full committee; and

"(3) no earlier than ten days prior to the day on which the request for such an order was made, the Attorney General was served with notice of an intention to request the order.

"(c) Upon application of the Attorney General, the United States district court shall defer the issuance of any order under subsection (a) for such period (not longer than twenty days from the date of the request for such order) as the Attorney General may specify.

"§ 6005. Definitions.

"As used in this part—

"(1) the term 'agency of the United States' means any Executive department (as defined in section 101 of title 5), a military department (as defined in section 102 of title 5), the Atomic Energy Commission, the China Trade Act registrar appointed under section 143 of title 15, the Civil Aeronautics Board, the Federal Communications Commission, the Federal Deposit Insurance Corporation, the Federal Maritime Commission, the Federal Power Commission, the Federal Trade Commission, the Interstate Commerce Commission, the National Labor Relations Board, the National Transportation Safety Board, the Railroad Retirement Board, the Securities and Exchange Commission, the Subversive Activities Control Board, or a board established under section 715d of title 15;

"(2) the term 'other information' includes any book, paper, document, record, recording, or other material;

"(3) the term 'proceeding before an agency of the United States' means any proceeding before such an agency with respect to which it is authorized to issue subpenas and to take testimony of witnesses under oath or affirmation; and

"(4) the term 'court of the United States' means any of the following courts: the Supreme Court of the United States; a United States court of appeals, a United States district court established under chapter 5 of title 28, the District Court of Guam, the District Court of the Virgin Islands, the United States Court of Claims, the United States Court of Customs and Patent Appeals, the Tax Court of the United States, the Customs Court, and the Court of Military Appeals."

(b) The table of parts for title 18, United States Code, is amended by adding at the end thereof the following:

"V. Immunity of Witnesses..........6001".

TITLE II—CONFORMING AMENDMENTS

Sec. 201. The third sentence of paragraph (b) of section 6 of the Commodity Exchange Act (7 U.S.C. § 15) is amended by striking out "of section 12 of the Interstate Commerce Act, as amended and supplemented (U.S.C., 1934 ed., title 49, secs. 12, 46, 47, and 48), relating to the attendance and testimony of witnesses, the production of documentary evidence, and the immunity of witnesses" and by inserting in lieu thereof the following: "of section 12 of the Interstate Commerce Act and of the Act of February 11, 1893 (49 U.S.C. 46), relating to the attendance and testimony of witnesses and the production of documentary evidence".

Sec. 202. Subsection (f) of section 13 of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. § 499m (f)) is repealed.

Sec. 203. (a) Section 16 of the Cotton Research and Promotion Act (7 U.S.C. § 2115) is amended by striking out "(a)" and by striking out subsection (b).

(b) The section heading for such section 16 is amended by striking out ": SELF-INCRIMINATION".

Sec. 204. The fourth sentence of subsection (d) of section 10 of the Federal Deposit Insurance Act (12 U.S.C. § 1820(d)) is repealed.

Sec. 205. The seventh paragraph under the center heading "DEPARTMENT OF JUSTICE" in the first section of the Act of February 25, 1903 (32 Stat. 904, 15 U.S.C. § 32) is amended by striking out ": *Provided*, That" and all that follows in that paragraph and inserting in lieu thereof a period.

Sec. 206. The Act of June 30, 1906 (34 Stat. 798, 15 U.S.C. § 33) is repealed.

Sec. 207. The seventh paragraph of section 9 of the Federal Trade Commission Act (15 U.S.C. § 49) is repealed.

Sec. 208. Subsection (c) of section 22 of the Securities Act of 1933 (15 U.S.C. § 77v(c)) is repealed.

Sec. 209. Subsection (d) of section 21 of the Securities Exchange Act of 1934 (15 U.S.C. § 78u(d)) is repealed.

Sec. 210. Subsection (e) of section 18 of the Public Utility Holding Company Act of 1935 (15 U.S.C. § 79r(e)) is repealed.

Sec. 211. Subsection (d) of section 42 of the Investment Company Act of 1940 (15 U.S.C. § 80a—41(d)) is repealed.

Sec. 212. Subsection (d) of section 209 of the Investment Advisors Act of 1940 (15 U.S.C. § 80b—9(d)) is repealed.

Sec. 213. Subsection (c) of section 15 of the China Trade Act, 1922 (15 U.S.C. § 155 (c)) is repealed.

Sec. 214. Subsection (g) of section 307 of the Federal Power Act (16 U.S.C. § 825f(g)) is repealed.

Sec. 215. Subsection (b) of section 835 of title 18, United States Code, is amended by striking out the third sentence thereof.

Sec. 216. (a) Section 895 of title 18, United States Code, is repealed.

(b) The table of sections of chapter 42 of such title is amended by striking out the item relating to section 895.

Sec. 217. (a) Section 1406 of title 18, United States Code, is repealed.

(b) The table of sections of chapter 68 of such title is amended by striking out the item relating to section 1406.

Sec. 218. Section 1954 of title 18, United States Code, is amended by striking out "(a) Whoever" and inserting in lieu thereof "Whoever" and by striking out subsection (b) thereof.

Sec. 219. (a) Section 2514 of title 18, United States Code, is repealed.

(b) The table of sections of chapter 119 of such title is amended by striking out the item relating to section 2514.

Sec. 220. (a) Section 3486 of title 18, United States Code, is repealed.

(b) The table of sections of chapter 223 of such title is amended by striking out the item relating to section 3486.

Sec. 221. Subsection (e) of section 333 of the Tariff Act of 1930 (19 U.S.C. § 1333(a)) is amended by striking out ": *Provided*, That" and all that follows in that subsection and inserting in lieu thereof a period.

Sec. 222. (a) Section 4874 of the Internal Revenue Code of 1954 is repealed.

(b) The table of sections of part III of subchapter (D) of chapter 39 of such Code is amended by striking out the item relating to section 4874.

Sec. 223. (a) Section 7493 of the Internal Revenue Code of 1954 is repealed.

(b) The table of sections of subchapter (E) of chapter 76 of such code is amended by striking out the item relating to section 7493.

Sec. 224. Paragraph (3) of section 11 of the

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Labor Management Relations Act, 1947 (29 U.S.C. § 161(3)) is repealed.

SEC. 225. The third sentence of section 4 of the Act entitled "An Act to provide that tolls on certain bridges over navigable waters of the United States shall be just and reasonable, and for other purposes", approved August 21, 1935 (33 U.S.C. § 506), is repealed.

SEC. 226. Subsection (f) of section 205 of the Social Security Act (42 U.S.C. § 405(f)) is repealed.

SEC. 227. Paragraph c of section 161 of the Atomic Energy Act of 1954 (42 U.S.C. § 2201 (c)) is amended by striking out the third sentence thereof.

SEC. 228. Subsection (c) of section 12 of the Railroad Unemployment Insurance Act (45 U.S.C. § 362(c)) is repealed.

SEC. 229. Section 28 of the Shipping Act, 1916 (46 U.S.C. § 827) is repealed.

SEC. 230. Subsection (c) of section 214 of the Merchant Marine Act, 1936 (46 U.S.C. § 1124(c)) is repealed.

SEC. 231. Subsection (l) of section 409 of the Communications Act of 1934 (47 U.S.C. § 409(l)) is repealed.

SEC. 232. (a) The second sentence of section 9 of Interstate Commerce Act (49 U.S.C. 89) is amended by striking out "; the claim" and all that follows in that sentence and inserting in lieu thereof a period.

SEC. 233. The third sentence of section 3 of the Act entitled "An Act to further regulate Commerce with foreign nations and among the States", approved February 19, 1903 (49 U.S.C. § 43) is amended by striking out "; the claim" and all that follows in that sentence down through and including "*Provided*, That the provisions" and inserting in lieu thereof ". The provisions".

SEC. 239. The first paragraph of the Act of February 11, 1893 (27 Stat. 443, 49 U.S.C. § 46) is repealed.

(b) Subsection (a) of section 316 of the Interstate Commerce Act (49 U.S.C. § 916(a)) is amended by striking out the comma following "part I" and by striking out ", and the Immunity of Witnesses Act (34 Stat. 798; 32 Stat. 904, ch. 755, sec. 1),".

(c) Subsection (a) of section 417 of the Interstate Commerce Act (49 U.S.C. § 1017 (a)) is amended by striking out the comma after "such provisions" and by striking out ", and of the Immunity of Witnesses Act (34 Stat. 798; 32 Stat. 904, ch. 755, sec. 1),"

SEC. 235. Subsection (i) of section 1004 of the Federal Aviation Act of 1958 (49 U.S.C. § 1484(i)) is repealed.

SEC. 236. The ninth sentence of subsection (c) of section 13 of the Internal Security Act of 1950 (50 U.S.C. § 792(c)) is repealed.

SEC. 237. Section 1302 of the Second War Powers Act, 1942 (50 U.S.C. App. § 643a) is amended by striking out the fourth sentence thereof.

SEC. 238. Paragraph (4) of subsection (a) of section 2 of the Act entitled "An Act to expedite national defense, and for other purposes", approved June 28, 1940 (50 U.S.C. App. § 1152(a)(4)), is amended by striking out the fourth sentence thereof.

SEC. 239. Subsection (d) of section 6 of the Export Control Act of 1949 (50 U.S.C. App. § 2026(b)) is repealed.

SEC. 240. Subsection (h) of section 14 of the Natural Gas Act (15 U.S.C. § 717m(h)) is repealed.

TITLE III—EFFECTIVE DATE

SEC. 301. The provisions of part VI of title 18, United States Code, added by title I of this Act, and the amendments and repeals made by title II of this Act, shall take effect on the 60th day following the date of the enactment of this Act. No amendment to or repeal of any provision of law under title II of this Act shall affect any immunity to which any individual is entitled under such provision by reason of any testimony or other information given before such day.

The letter, presented by Mr. MCCLELLAN, is as follows:

THE NATIONAL COMMISSION ON REFORM OF FEDERAL CRIMINAL LAWS,
Washington, D.C., March 17, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: This is the second interim report by the National Commission on Reform of Federal Criminal Laws and the first recommending a specific reform for consideration by the President and Congress. The reform relates to the matter of granting immunity to a witness in order to compel him to testify despite his assertion of the privilege against self-incrimination.

As noted in our first interim report (of November 4, 1968), we are primarily engaged in drafting a new code of federal criminal laws, defining offenses, defenses, and sentencing authority. Since it is to be an integrated and systematic code, our work does not usually lend itself to severable recommendations. We have been prompted to move ahead with the recommendations here, however, not only because the need is manifest but also because it can be met by provisions which are independent of the other reforms upon which we have been working.

We annex to this report statutory provisions recommended for reform of immunity, together with a report on federal immunity prepared for us by Professor Robert G. Dixon, Jr., of the George Washington University Law Center. The report includes appendices consisting of a list of existing federal immunity laws and some samples of them.

Upwards of 50 different statutes now authorize the granting of immunity in federal matters. They vary in a number of respects. The proposed reform would replace them with a single set of provisions having the following features:

1. The scope of immunity would be converted from immunity of the witness from prosecution for all matters related to his testimony to immunity from use of the testimony, or its fruits, against the witness in a criminal case.

2. The witness would have to claim his privilege in all cases before the immunity could be granted, unlike some existing statutes which confer immunity automatically when a subpoenaed witness testifies.

3. Instead of the authority to grant immunity being confined to inquiries having a specified subject, which leaves some matters of interest outside the compulsory testimony power, the immunity authority would extend to *all* court, grand jury, and Congressional proceedings, and to those administrative proceedings designated by Congress. Authority to determine when the need for information warrants an immunity grant would be vested in responsible officials to the extent of their jurisdiction.

4. To meet the concern that immunity may be improvidently conferred, a centralizing role is given to the Attorney General. He, or another high Department of Justice official, must approve grants to be authorized by a United States Attorney; and he must be given notice of grants to be conferred in Congressional and administrative proceedings. The proposal requires notice but does not give a veto-power to the Attorney General because the likelihood of his being able to persuade the Congress or department or agency officials that a particular immunity grant would be unwise makes it unnecessary to face difficult constitutional or policy issues arising from a requirement that he approve it.

5. Since on many occasions it can be anticipated before a witness appears to testify that he will assert his privilege, the proposal permits a contingent grant of immunity by the responsible official, to become operative when the privilege is asserted. This procedure should permit avoiding inconvenience, delay, and unnecessary ritual.

6. Although we make no recommendation as to which official or what body within a department or agency should be granted the authority to confer immunity in administrative proceedings, we do provide a standard provision for the exercise of such authority once the Congress has determined by law who should have it.

We are satisfied that our substitution of immunity from use for immunity from prosecution meets constitutional requirements from overcoming the claim of privilege. Immunity from use is the only consequence flowing from a violation of the individual's constitutional right to be protected from unreasonable searches and seizures, his constitutional right to counsel, and his constitutional right not to be coerced into confessing. The proposed immunity is thus of the same scope as that frequently, even though unintentionally, conferred as the result of constitutional violations by law enforcement officers. The change from absolute immunity to a use-restriction supports our recommendations that Congress no longer confine immunity authority to inquiries regarding a limited range of legislatively-specified subjects. At the same time this change in the scope of the immunity avoids the concern, which has arisen as the result of recent Supreme Court decisions, regarding the impact of federally-compelled information on state prosecutions. State prosecutions would be thwarted only if the evidence upon which they are to proceed has been derived directly or indirectly from the federal compulsion.

The provisions we propose could appropriately be placed in Chapter 223 of Title 18 of the United States Code; at the same time the immunity provisions in Sections 895, 1406, 1954(b), 2514, and 3486 of that Title should be repealed. We further recommend that, except for Section 2424 of Title 18 (dealing with the filing of a statement required under the White Slave Act) and Section 5848 of Title 26 (dealing with registrations under the Gun Control Act of 1968), the immunity provisions of the other laws listed in Appendix A of the immunity report be repealed; at the same time legislation should be enacted naming the appropriate person or body in the various federal departments and agencies authorized to issue a direction to testify, as required by section 3 of our proposal.

Directions to testify under Section 2 of the proposal (court and grand jury) and under Section 4 (Congress) can be enforced through existing provisions. When testimony is required by court order, refusal would be contempt under section 401 of Title 18, United States Code. When testimony is required before Congress, refusal would be a misdemeanor under Section 192 of Title 2, United States Code.

The adequacy of existing law to deal with enforcement of directions to testify under Section 3 (formal administrative proceedings) will depend upon which officials or bodies Congress determines should have the immunity-granting authority. Existing provisions applicable to certain agencies now make it a misdemeanor to "refuse . . . to answer any lawful inquiry" of the agency. See, for example, first paragraph of Section 50 of Title 15, United States Code (Federal Trade Commission); subsection (c) of Section 78u of Title 15, United States Code (Securities and Exchange Commission); last sentence of Section 46 of Title 49, United States Code, Interstate Commerce Commission).

The Commission has under consideration a provision which would make it an offense to intentionally fail or refuse to comply with a direction to testify, lawfully issued under the provisions proposed here; but until it is forthcoming as a part of our complete code, we are satisfied with existing laws dealing with unlawful refusals to testify.

Respectfully submitted for the Commission,

Edmund G. Brown, Chairman; Don Edwards, George C. Edwards, Jr., Sam J. Ervin, Jr., A. Leon Higginbotham, Jr., Roman L. Hruska, Robert W. Kastenmeier, Thomas J. McBride, John L. McClellan, Richard H. Poff, Donald S. Thomas, Theodore Voorhees.

NATIONAL COMMISSION ON REFORM OF FEDERAL CRIMINAL LAWS—PROPOSED IMMUNITY PROVISIONS

SECTION (1). IMMUNITY GENERALLY

(a) A witness who asserts his privilege against self-incrimination before either House or committee of either House or a joint committee of both Houses of Congress, or a court or grand jury of the United States, or in a formal administrative proceeding may be directed to testify or produce other information as provided in this article. He shall not thereafter be excused from testifying or producing other information on the ground that his testimony or other information required of him may tend to incriminate him. But neither the testimony nor other compelled disclosures of the witness, nor any information or evidence derived therefrom, shall be used against the witness in any criminal case, except a prosecution for perjury or any other offense constituting a failure to comply with such direction.

(b) A direction to testify or produce other information authorized by this article may be issued prior to the witness's assertion of his privilege against self-incrimination; but the direction shall not be effective until the witness asserts his privilege against self-incrimination and the person presiding over the inquiry communicates the direction to him.

(c) As used in this article "other information" includes any book, paper, document, record, recordation, tangible object or other material; and "formal administrative proceeding" means any proceeding for which an agency of the United States is authorized to issue subpoenas and at which testimony of witnesses may be taken under oath.

SECTION (2). IMMUNITY BEFORE COURT AND GRAND JURY

When the testimony or other information is to be presented to a court or grand jury, the direction to the witness to testify or produce other information shall be issued by the United States District Court upon application therefor by the United States Attorney. The application may be made whenever, in the judgment of the United States Attorney, the witness has asserted or is likely to assert his privilege against self-incrimination and his testimony or other information is or will be necessary to the public interest, and the application has been approved by the Attorney General or a Deputy or Assistant Attorney General designated by him.

SECTION (3). IMMUNITY IN FORMAL ADMINISTRATIVE PROCEEDING

When the testimony or other information is to be presented in a formal administrative proceeding, the direction to the witness to testify or produce other information shall be issued by the person or persons in the agency concerned to whom such authority has been given by statute. The direction may be issued whenever, in the judgment of such person or persons, the witness has asserted or is likely to assert his privilege against self-incrimination and his testimony or other information is or will be necessary to the public interest, but no sooner than ten days after service of notice upon the Attorney General of an intention to do so.

SECTION (4). IMMUNITY BEFORE CONGRESS

(a) When the testimony or other information is to be presented to either House or a committe of either House or a joint committee of both Houses of Congress, the direction to the witness to testify or produce other information shall be issued by a United States District Court, upon application therefor by a duly authorized representative of the House or committee concerned, and subject to the requirements of this section.

(b) Before issuing the direction, the court must find that application was authorized, in the case of proceedings before one of the House of Congress, by affirmative vote of a majority of the members present of that House, or in the case of proceedings before a committee, by affirmative vote of two-thirds of the members of the full committee.

(c) Notice of the application for issuance of the direction shall be served upon the Attorney General at least ten days prior to the date when the application is made. Upon request of the Attorney General, the court shall defer issuance of the direction for not longer than thirty days from the date of such notice to the Attorney General.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. HRUSKA. Mr. President, I wish to commend the distinguished Senator from Arkansas for his leadership in this field and for introducing this particular measure, the Federal immunity witness bill. We hope it ripens into an act soon. This measure is another link in the important chain of events being formed in the battle against organized crime. That chain consists of many component parts and the Senator from Arkansas has taken a prominent part in all of them: the wagering tax bill, the Illegal Gambling Control Act, the Wiretapping Act and the Electronic Surveillance Act, which extend to fields other than organized crime, and the revision of grand jury procedures. These matters are important if the battle is going to be waged successfully.

Therefore, I express my appreciation for the efforts the Senator has expended and I also wish to extend my appreciation to the Chairman, the Commissioners, and the staff of the National Commission on Reform of Federal Criminal Laws. They have laid a good foundation for the bill. I am confident that when the hearings are held, they will be persuasive for immediate action.

Mr. McCLELLAN. I thank the distinguished Senator from Nebraska. I may say that I think the outlook at this session of Congress is good for enactment of additional laws to strengthen law enforcement in this country and to provide the additional tools which are much needed by law enforcement officials. There are good prospects that such legislation will be enacted. I feel greatly encouraged about it and about some of the progress we have made so far. There are no indications of serious conflict. I do not mean by that that every bill before us will be acted on favorably, but there is a spirit of cooperation, and a real bipartisan effort is being made to weigh all of the proposals and to insure that the committee will soon bring recommendations to the Senate floor for the enactment of legislation, which is so sorely needed, in our judgment, and will be of great assistance in the war on crime.

I thank the distinguished Senator from Nebraska for the splendid contributions he is making. We are also glad to have Representative POFF join us, and to have the counsel and recommendation of the National Commission on Reform of Federal Criminal Law. They are making a good effort and the result of their labors will be very helpful to us.

I thank the Senator from Nebraska very much.

A NEW KIND OF STUDENT DEMONSTRATION IN IOWA—GOOD WILL, HELPFULNESS, COOPERATION, AND SERVICE TO THE COMMUNITY

Mr. MILLER. Mr. President, not a day goes by without new reports of new college demonstrations, new takeover of college buildings, and new campus violence. The latest example of student thoughtlessness and selfishness occurred at Zap, N. Dak., where an entire community's hospitality was abused by wanton violence and destruction.

At one college in Iowa, there are also demonstrations occurring—but not of the violent kind that make the headlines. As the Sioux City Journal of March 30 reported "the demonstrations are of good will, helpfulness, cooperation and services to the community."

What the students at Morningside College are doing should be a lesson to students throughout the United States.

I ask unanimous consent that the article, entitled "Morningside College Students Employ New Type of Student Demonstrations," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

APPROBATION—MORNINGSIDE COLLEGE STUDENTS EMPLOY NEW TYPE OF STUDENT DEMONSTRATIONS

Students at Morningside College are demonstrating, but there are no headlines.

There are no street scenes, no campus riots, and no seizing of Main Hall.

The demonstrations are of good will, helpfulness, cooperation and service to the community.

Among the "activisms" are these:

Through the collegians' volunteer efforts, youngsters of the Mary J. Treglia Community Center at 900 Jennings St. have companions who often fill the void of a fatherless or broken-home situation.

Lads of the Boys Club of Sioux City, situated in the old Armory at Ninth St. and Grandview Blvd., enjoy group singing under the direction of musical men of the college.

Morningside's three sororities, Alpha Omicron Pi, Alpha Delta Pi, and Delta Zeta have numerous projects marked by community helpfulness and awareness of the needs of unfortunate people.

Morningside students have proved they are alert to community need, as in the current flood threat situation when the collegians helped in sandbagging operations to prepare for high water in the menaced areas.

Many Indian families are provided transportation to and from St. Paul's Episcopal mission on Sioux City's West Side. They ride on a bus purchased by a group of Morningside students who also help with the mission's Sunday School program and in other phases of mission work.

Underprivileged and retarded children of the Sioux City area enjoy holiday parties provided by Morningside fraternity men.

XUM

A 9-year-old South Vietnamese boy whose father was killed in military action near Saigon receives monthly support money from a Morningside fraternity.

Starving children in wartorn Biafra received $630 in relief money from a two-day fast conducted by hundreds of Morningside students.

The March of Dimes and the Heart Fund benefited from two basketball games, a benefit dance and door to door canvassing by students.

The Red Cross blood bank will receive donations of blood from the six Greek-letter organizations on the Morningside campus. The blood drive is scheduled for Saturday, April 26.

AND MORE PROJECTS

Additional humanitarian projects are in the planning stage.

Jayne Yates, executive director of the Mary Treglia Community Center, warmly praised the group of Morningsiders, who go to the center by pairs every week night, mingle with the children and lead recreational activities.

"Many of these children need individual attention, particularly male leadership," said Miss Yates. "They need an 'older brother' or replacement for a father who for various reasons is absent from the home or who is so deeply involved in earning a living that he does not have time to devote to the children. Young men of Morningside College are doing a wonderful service in providing such companionship."

"If children can have attention on what we call a one-to-one basis, they feel that someone is interested in them," she added. "Believe me, our youngsters look forward to the nightly visits of the Morningside College men. We can count on them—seldom do they miss. We are most appreciative of their services."

Current leader of the group that provides this unique service at the Community Center is Morningside junior James Pease of Huron, S.D., who is president-elect of Circle K, which is affiliated with the Morningside Kiwanis Club. The work was started when Robert Banwart of Adel, Iowa, was president.

"Circle K has 52 members," Pease said, "and every one of them has gone down to help at the Community Center at least once, many of them numerous times. We just make ourselves available to the children and help with whatever they want to do in the recreation area. One night we took 17 of the Community House children to a college wrestling match and they were very enthusiastic about it, especially when the action became hot and heavy.

MUCH ENCOURAGEMENT

"One of the side benefits of our working with youth is that they see how Morningside College men act and live, and hopefully that will encourage them to continue with their education."

Two music students, Gary Besley of Freeport, Ill., and Wendell Williams of Milford, Iowa, go to the Boys Club (affiliated with Boys Clubs of America) every Wednesday night and help with group singing.

"The boys are likely to clam up if we try to teach them to sing individually," said Williams, "but they come out of it when we work with a group. We've had especially good results with a male quartet, which has appeared several times before clubs and service organizations."

Circle K's work at the Community House gives the college men a "personal satisfaction that they are helping somebody," Pease said. "It's a deeper feeling than just an emotional thrill over doing something different."

Circle K men also assist with the work of the Sanford Center on the West Side by sending members to the center every Wednesday evening. They help with the physical education program, providing coaching, and participate in varied recreational activities.

Sororities are far more than coed organizations stressing fun and games, for the three Morningside sororities Alpha Omicron Pi, Alpha Delta Pi and Delta Zeta conduct many projects that show comparison for less fortunate people everywhere.

Alpha Delta Pi has adopted a Korean war orphan, 11-year-old Tam Wai Sang, to whom they send money every month and gifts on special occasions. The college women also write letters regularly to Tam, who writes back and thanks the Morningside coeds for their thoughtfulness. The Korean girl attends an Apostolic Faith Church, and the Korean relief work is managed by the Christian Children's Fund, Inc., in Hong Kong.

READY FOR FLOOD

Members of Alpha Delta Pi also have offered their services in the event of a flood in Sioux City and have agreed to work eight-hour shifts helping with the cooking, caring for children, and performing any work that needs to be done for flood refugees during the emergency. The sorority girls for several years have assisted members of Sigma Phi Epsilon fraternity at Christmas parties for handicapped and underprivileged children, and have donated clothing and toys to needy families in the Sioux City area during the Yule season. Janice Stevenson of Sioux City is president of the Alpha Delta Pi group.

Members of Delta Zeta have several projects that prove their concern for the welfare of others. In one of these projects, the college women contribute gifts that are sent to needy members of the Navajo Indian tribe at Gallup, N.M. The coeds also hold an annual bake sale, profits of which this year were given to the National Association of Hearing and Speech Agencies. Delta Zeta members also have canvassed door-to-door for the Heart Fund and the Cerebral Palsy Fund. At Christmas time, the college girls cooperate with the Morningside Sociology Club in donating food and clothing to needy Sioux City families. Elaine Satten of LaGrange Park, Ill., is president of Delta Zeta.

Alpha Omicron Pi members hold annual Christmas parties for retarded children and follow up that humanitarian activity by corresponding with retarded children in this area. These children write back, and Cheryl Kovarna, president of this sorority, said 'their responses are heart-warming." Letters and cards go out to the retarded youngsters on every special occasion, such as birthdays, Christmas, Halloween, Thanksgiving, Easter, Valentine's Day and even St. Patrick's Day. Alpha Omicron Pi members joined in the recent Morningside fast for starving people of Biafra, sent contributions to the National Foundation, and made donations to The Sioux City Journal Goodfellow drive. "Every month we try to have something going that will help others," said Miss Kovarna.

GET BUS FOR CHURCH

The Morningside group that obtained a bus for St. Paul's Indian Mission has won warm appreciation from pastor Rev. Philip Allen and the Rev. Robert Lucent, associate vicar of St. John's.

"The bus that Morningside men obtained for us means that we're able to expand our program by enabling us to transport more people to the mission church," the Rev. Father Allen said. "There's an almost unlimited opportunity to help the Indian people and assist them to establish themselves more firmly in the community. The Morningside group has performed, and is performing, a wonderful service."

The 54-passenger bus is used not only to transport Indian families to church worship services on Sunday, but also takes them to church-related events on weekdays.

Paying for the bus posed a big problem for the collegians, but they put the fund over the top by holding an ice cream social.

The $630 which the Morningsiders raised for the stricken people of Biafra went to the Biafran Relief Services Foundation which disburses such funds. It was made certain that the money would go directly to the starving people and would not be used to buy military supplies. Decision to hold the Biafran fast was made by vote of the Morningside students who take their meals at the Commons. The students missed three meals during the fast.

The South Vietnamese boy assisted by members of Sigma Phi Epsilon fraternity is Huynh Lang, who comes from a poor and needy family. His mother, although working, has not been able to earn enough to provide necessities for her needy family since her husband was killed. Kenneth Smith of Colo, Iowa, a fraternity member, assisted in arrangements for the child's care.

MEANINGFUL THINGS

Tau Kappa Epsilon fraternity sponsored the March of Dimes and the Heart Fund benefit basketball games.

Members of the Sigma Phi Epsilon were hosts at a Christmas party for retarded children at the fraternity complex. The fraternity men were assisted by members of Alpha Omicron Pi sorority, headed by Joy C. Johnson of Fort Dodge, Iowa. It was the third such annual event. Tau Kappa Epsilon staged a similar Yule party for underprivileged children in the 5-to-10 age bracket in the fraternity's quarters. Dennis Henrichs of Jackson, Minn., who headed the group's spirit and service committee at that time, directed arrangements and said "the kids had a ball." A downtown department store provided gifts which were distributed to the children.

Thus, Morningside College students are "demonstrating."

Jim Pease summarized when he said: "Whoever thinks present-day students are indifferent to the needs of others does not know the facts. I'm amazed at the number of students who are willing and eager to give of their time and ability to help underprivileged people have a richer life."

PROPOSED INSTITUTE ON TRANSPORTATION, TRAVEL, AND TOURISM

Mr. MANSFIELD. Mr. President, of the many suggestions for the use of former Glasgow Air Force Base, the huge multi-million-dollar installation in northeastern Montana recently closed by the Department of Defense, none is more intriguing than that simply called "TTT."

Conceived by Rabbi Samuel Porrath, now head of a department bearing these initials at Niagara University, in New York, it relates to "transportation, travel, and tourism." Specifically, it calls for creation of an institute to give college-level training in these fields. Such training is now given at Niagara University. But a drawback there is that laboratory facilities are limited. This is where Glasgow comes in.

A similar program at Glasgow could utilize that base's magnificent aviation facilities, and could lead eventually to development of the base as a gateway to western United States for foreign tourists flying the polar route. "TTT" students would process them, arrange their itineraries, and do all the other tasks incidental to their visit. In time, the same services could be extended to possible cargo flights.

XUM

Montana government officials are excited about the concept. Avco Corp., the lessor of the base facilities, is exploring it. Proponents advance several arguments in support of Glasgow as a "gateway to the West." One is the great desire on the part of Europeans to see the land of "cowboys and Indians." As last summer's jam-ups proved, air space difficulties over eastern airports are reaching crisis proportions. Glasgow's modern facility and 13,500-foot runway, coupled with a lack of air congestion, would lend itself fast, safe handling of tourists and cargo. Glasgow lies equidistant between Tokyo and Rome. Because of this unique position at the apex of polar routes from both Europe and the Orient, it is a gold mine waiting to be tapped.

There are other obvious benefits. They relate to American Indians, to a boon to the economy of the western United States, to an influx of tourists and relief for our balance-of-payments problem, and to more trained workers for the transportation and tourism industries.

Mr. President, the concept is discussed more thoroughly in an article written by Jerry Holloran and published in the Butte, Mont., Standard, of April 24, 1969. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Butte (Mont.) Standard, Apr. 24, 1969]

Gateway to Old American West—Glasgow Base Envisioned as Transportation Lab

(By Jerry Holloron)

Helena.—Glasgow Air Force Base Could become a "gateway" to the old American West for Europeans and a student "laboratory" for transportation, tourism, and travel under a proposal that has caught the enthusiastic eye of Gov. Forrest H. Anderson.

The intriguing idea, which has far-reaching implications for the $100 million former Strategic Air Command base and for Montana, is being considered seriously by two New York educators and is far beyond the "pipe dream" stage, according to Gordon R. Bennett, executive director of Montana's Unemployment Compensation Commission.

"The governor has been convinced this is the brightest, most promising plan for Glasgow AFB," Bennett told the State Bureau. The UCC official has been asked by Anderson to head up state efforts to find greater uses for Glasgow facilities but emphasized that Anderson himself is the "shotgun" behind the present proposal.

Key to the plan is the institute of transportation, travel and tourism at New York's Niagara University, which offers bachelor of science degrees with specialization in "TTT." Simply stated, the institute gives college-level training in the social, operational and technical aspects of the rapidly growing fields of transportation, tourism and travel.

Bennett said the institute was "created in the mind" of Rabbi Samuel I. Porrath, its present chairman, to help meet the pressing demand for trained personnel in the TTT fields.

But Porrath has been searching for a "laboratory" for his students—a place where they could receive actual on-the-job training in tourism, transportation and travel.

After consultation with Federal Aviation Agency officials, Montana's congressional delegation and a visit to Montana last week, Porrath has decided that Glasgow AFB would be a near perfect place for such training.

But such a "laboratory" obviously would require the three T's—transportation, tourism and travel. And Porrath has a proposal for that, too.

Bennett explained that many Europeans who visit the United States list "cowboys and Indians" and the Old West as the top attraction.

Porrath, who is a very direct man, says why not bring them directly to where the cowboys and Indians are," Bennett said.

That's where Glasgow fits in. It offers 13,500-foot reinforced runways that could handle huge 747s and SSTs and the clear approaches and unloading facilities that those huge planes require.

"It's a reliable place to get in and out of with these heavies," Bennett noted.

Once the tourists arrived at Glasgow, the institute students could arrange their travel and tours. Included might be bus tours of the Old West, camping trips throughout Montana, and final arrangements to return to Europe either directly or via the East Coast.

"Washington, D.C., is the number two attraction after cowboys and Indians," Bennett said.

Location of the TTT lab in Montana could do more than attract and handle European tourists, he pointed out, because the institute offers training in the transportation of freight, as well as of passengers.

Thus, because Glasgow already is capable of handling the huge planes of the future, it might be a logical transportation point between Europe and the United States. Again, the institute could provide a trained cadre to handle the freight shipments.

In addition, Bennett sees the possibility of using Glasgow as a training base for pilots of the SST and the 747—a possibility that would be enhanced by the location of the institute there.

But at this point, everything hinges on whether the New York institute decides to expand its operations into Montana. Porrath and Robert S. Dyer, academic director of the institute, visited Glasgow, Helena and Billings last week to see what cooperation they could expect.

In Glasgow they conferred with community leaders and officials of the Avco Corp., which has a $2.6 million Army contract at the base now. In Billings, they met with Kampgrounds of America, Inc., officials to discuss the possibility of utilizing some of the corporation's camping facilities for the proposed tours.

The Helena visit included conferences with Anderson and other state officials. Bennett explained that Porrath sees the proposed Glasgow laboratory as a facility separate from the Niagara institute and one that could attract students from the West and possibly be tied in with a Montana university or college.

"Nothing is holding him up but money," said Bennett. "It's very simple."

So Porrath and Dyer have returned to New York to investigate financing possibilities, which include federal help and aid from private tourism-related industries such as airlines.

"EISENHOWER—SONNET ON HIS DEATH"

Mr. DIRKSEN. Mr. President, Dr. Amado M. Yuzon, president and chairman of the United Poets Laureate International, Quezon City, Philippines, was a great admirer of the late President Eisenhower. The late President's great friendship for the Filipino people inspired Dr. Yuzon to write a sonnet about our late beloved President. It is entitled "Eisenhower—Sonnet on His Death." I ask unanimous consent that it be printed in the Record.

There being no objection, the sonnet was ordered to be printed in the Record, as follows:

Eisenhower—Sonnet on His Death

(By Amado M. Yuzon)

Like Washington, he was the war-and-peace
Titan of Presidents all—as a whole;
While Lincoln emancipated the black race,
He led the hosts of freedom in his days
And freed all Europe from the Nazi rule.

Unlike the Jacksons and the McKinleys
Who had pushed far and wide the nation's border,
He flew the flag with nothing to increase
But the empire of human liberties
In yet the greatest, costliest world disorder.

Now he is dead—the soldier, President,
And may his God rest him in peace sublime. . . .
Leaving behind as deathless monument
Democracy—this monarch of his time!

Quezon City, Philippines, *April 3, 1969.*

HIGH-PRICED OIL

Mr. KENNEDY. Mr. President, last week I placed in the Record the first of a series of articles concerning the oil industry which are to be published in the National Observer. As the Observer points out, this industry is perhaps unrivaled in the kind and number of arrangements that protect its members from free market forces and, often, from each other.

Today, the second article exploring the oil industry's "singular position and prerogatives in America" appeared in the National Observer. This excellent article examines in depth the complex and wasteful State regulations which serve primarily to keep the price of domestic oil at an artificially high level by protecting inefficient operators from competition. Like the import program, these regulations result in enormous costs to the American consumer. Moreover, they channel new exploration away from the most efficient potential and threaten to undermine the incentives to search for new reserves.

I hope that Senators will read the article with care. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Fueling the Fight Over Machiasport: How High-Priced Oil Gets That Way

(Note.—This is the second of several articles that explore firsthand and in depth the oil industry's singular position and prerogatives in America today. The articles were prepared by staff writers August Gribbin, Michael Malloy, and Patrick Young and senior editor Edwin A. Roberts, Jr.)

Finding, producing, transporting, processing, and selling oil is a paradoxical business. On the one hand, competition can become almost hysterical; on the other, the industry is perhaps unrivaled in the kind and number of arrangements that protect companies from free market forces—and often from each other.

Competition at the retail level is loud and clear. Filling stations in many areas have become mini-casinos in which bally-hooed giveaways and games of chance are used to

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sell products that, whatever the brand names, are, and perhaps must be, essentially similar. At the other end of the system, the race to find oil deposits is a breathless one, and oil companies watch and track each other much in the manner of hostile nations.

But because the risks are great, companies often conduct their explorations in partnership with one or more competitors. And once oil is found, it is immediately locked into a production system that protects its price.

Price protection. That is at the heart of the Machiasport controversy and the import-quota system. It is also at the heart of the intricate structure of production controls established and enforced by the nation's chief oil-producing states. These controls force the American consumer to pay an artifically high price for oil products. They also encourage inefficiency and waste on a grand scale.

Inefficiency and waste. These terms are heard whenever critics of the oil industry level their guns at the industry's unique assortment of protections—prorationing, import quotas, and special tax privileges. To understand the dimensions of these protections, which tend to be interwoven, it's necessary to understand exactly how oil is produced.

The system of prorationing is part of the story of the Machiasport plan, which was explained in detail in The National Observer of May 5, because it is prorationing, among other things, that keeps domestic oil prices 60 per cent higher than world prices.

Proponents of building a huge refinery—using foreign oil—in the tiny Maine village of Machiasport argue that their plan will revitalize industry in northern New England, reduce the home-heating and gasoline bills of New Englanders, provide the nation with a new deep-water port, among many other benefits.

Opponents of Machiasport, and they include practically all domestic oil producers, fear that if the Maine facility were permitted to import huge quantities of foreign oil, the American oil market would collapse, national security would be endangered, and the country's oil-producing regions would suffer great economic hardship.

President Nixon has said he will decide next fall whether a free trade zone will be established in Maine (a prerequisite for the Machiasport refinery because of the current restrictions on oil imports) and whether a license to import foreign oil will be granted to Occidental Petroleum Corp., the company that proposes to erect the Machiasport facility.

Unlike the import-quota system and oil's myriad tax shelters, controls on domestic production are not now under serious review. But it is impossible to see the oil industry plain and whole, to appreciate its remarkably privileged status, unless one understands the process known as "prorationing." And to understand prorationing, it's first necessary to consider the nature of the commodity itself and the way it is extracted from the earth.

Oil is believed by most scientists to be the residue left by countless little animals that died and sank to the bottom of ancient seas many millions of years ago. The creatures became part of the deep layers of ooze on the ocean floors. These layers were covered with harder rock as the seas dried and the earth's crust moved and folded. The great pressure of the surrounding rock reduced the organisms to oil.

Because it was formed in this way, oil is typically found in the pores of sedimentary rock like sandstone or limestone. It can flow through such rock like underground water in response to gravity or other forces.

Oil trapped in the earth is responsive, for instance, to the pressures of gas and water. It is always found mixed with gas, just as soft drinks are mixed with carbonation. When a hole is drilled in the oil-bearing rock, pressure on the gas is released and a mixture of oil and natural gas fizzes to the surface, in the manner of a just-opened bottle of soda pop.

Sometimes a part of the gas content is freed from the oil underground, and it accumulates in pockets above the oil-saturated rock. When a well is drilled into the rock, the pressure of the gas speeds the oil to the surface.

Another kind of pressure is that caused by water, often salt water that remains from the ancient sea in which the oil was formed. Being heavier than oil, water may accumulate at the bottom of an oil deposit, and exert an upward pressure on the oil. Or the water may squirt to the surface like an artesian well and carry oil with it.

These various kinds of pressure are the causes of gushers and naturally flowing wells in new oil fields. If an operator has a good understanding of the layout of an oil reservoir and the pressures within it, he can extract most of the oil with one or two strategically placed wells. But if he and others drill holes all over a pool, they exhaust the natural pressures and invite underground water to invade the field. By overdrilling, they also waste money, partly by drilling so many unnecessary wells and partly by having to pump the oil that nature would have sent to the surface if the pressure had not been destroyed.

Such chaotic exploitation was once the standard procedure, thanks to human ignorance and greed and the peculiar legal status of oil. Lawyers call oil a "fugacious" mineral, from the Latin *fugere*—to flee. It is treated like a fugacious animal, such as a deer. English common law, dating back many centuries, declares that a landowner has the right to any wild animals he catches on his own property. And so an American landowner today has the right to any wild oil he can capture under his land.

This has been true even if the oil is flowing onto his land from somewhere else, or even if it is being sucked from a neighbor's land toward his by a well he has drilled.

This principle resulted in an absurd amount of overdrilling when the oil industry was young. A man who didn't drill a well on his own property was surrendering the oil beneath it to his neighbor who did. The more wells a man drilled, the more moving oil he might capture. Lawyers, in fact, refer to oil as being subject to the "law of capture," and so property owners dared not dally in their drilling. They were like children drinking from the same soda bottle with many straws, each trying to get the most.

Some of the most dramatic examples occurred in the East Texas field, the richest in the United States, when it was discovered in 1930 by C. M. "Dad" Joiner. Residents of nearby Kilgore hastened to drill as many wells as possible. Derricks were built so close together that their legs crossed. It was commoplace to drill two wells on the front and back halves of a 25-foot-wide city lot. As a result, Kilgore, a city of 12,000 people, now has 1,000 oil wells in an area that could adequately be served by a few dozen. One downtown business block alone contains 32 wells. Indeed the community is a maze of rusty derricks that the town fathers decorate like trees at Christmastime.

Most of the money that went into the forests of derricks was wasted. Economist Paul T. Homan estimates that 10 to 15 times as many wells were developed in the East Texas field as were needed to drain the reservoir. The overdrilling destroyed natural pressures, and it led to a glut of oil just as the Depression was settling upon the nation.

The East Texas field lacked the pipelines to handle the oil extracted from so many wells, and anyway the market for oil had collapsed. Nevertheless, operators continued to pump out all the oil they could—just to keep it from their neighbors—and the oil was dumped into open, earthern pits to evaporate while the owner searched desperately for buyers.

Small, independent refineries skimmed off valuable gasoline from the little oil they bought, and the remaining heating-fuel oil was poured into creeks.

In the early 1930s the price of oil fell so low that a saloon on the Texas-Louisiana line advertised beer at "10 cents a glass or one barrel of oil."

Out of this era of waste and confusion grew the state production controls of today. The governors of Texas and Oklahoma started out with direct methods, calling forth the militia to see that the new restrictions on output were not ignored. Gradually the system of production limitation became more sophisticated, but its purpose remains the same.

"Prevention of waste" is the official justification in the laws of almost every oil-producing state for regulating output. But a dozen of the most important oil states define waste, among other things, as the Texas statute does: "The production of crude petroleum in excess of . . . reasonable market demand."

These "market-demand states" limit the oil they produce to the quantity they can sell at current prices. Officially, they deny that their aim is to hold prices at a high level, and it is true that the state regulatory bodies do not consider price directly when they calculate each month's production quota. But by making certain that supply never exceeds demand, they ensure price stability.

Such a neat arrangement would not be possible if the big oil companies could buy all the oil they needed elsewhere, but the market-demand states of Texas, Louisiana, Oklahoma, Kansas, and New Mexico have always produced the lion's share of American oil, and even today Texas produces more than a third of U.S. oil and Louisiana almost a fourth. Needless to say, the market-demand states are casting a fretful gaze at northern Alaska, whose fields may one day destroy the Texas-Louisiana primacy.

Despite the assertion of the market-demand states that output controls don't keep prices up, the U.S. Justice Department in a generally friendly report in 1963 said: ". . . the states controlling the bulk of production have directly stabililfied prices by limiting the amount of new production which will be permitted to enter the market." The report declared that market-demand laws are "most emphatically direct factors in national price and supply balance." But the Justice Department also concluded that price stabilization of this kind is not illegal.

Market-demand prorationing does more than limit production. It "prorates," or rations, output among all the wells in a state. And it does this in a manner that systematically directs production toward the less efficient wells and away from the more efficient ones. Given a choice between a barrel of oil that costs $3 to produce and a barrel that costs $2, the prorationing system will give the nation the three-dollar barrel every time.

The system works this way: Purchasers of crude oil submit an estimate each month of the amount of oil they expect to buy in the particular state in the month to come. At the April prorationing hearings in Louisiana, for instance, every interested refining company from Southwest Gas Producing Co., which wanted 10 barrels, to Texaco, which wanted 475,000 barrels, submitted an official "nomination" for the amount wanted to state Conservation Commissioner J. M. Menefee.

The total of all these nominations, which covered anticipated May purchases, was slightly more than it had been for the previous month, so Mr. Menefee raised the statewide production quota for the month of May. The state-wide quota is then divided among all 31,000 wells in the state.

But the quotas bear no relation to the capacity of each well. If production is cut back, say, 30 per cent from the total output possible, all wells in the state are not cut back 30 per cent. All of the reduction is concentrated on the most efficient wells.

The so-called marginal, or stripper, wells are never cut back at all. These are wells that cannot produce more than 10 barrels a day. About half of all the oil wells in Texas are of the stripper variety, but they produce only 15 per cent of the state's oil. This oil usually costs more on a per-barrel basis because it takes so many more wells to produce a given amount. This more expensive oil is produced without any limitation, and the more productive wells are given reduced quotas to make room for it.

The remaining 85 per cent of production in Texas is then parceled out among the wells capable of producing more than 10 barrels a day. But again there is a formula that concentrates production among the least efficient of these wells. This formula gives each well a "top allowable" or "yardstick allowable" that limits the number of barrels it will be permitted to produce on any given day.

The market-demand states all set this allowable by relating the depth of the well to the size of the tract that it drains. Under rules adopted in Texas in 1965, for instance, a 2,500-foot well would get a top allowable of 22 barrels a day if drilled on a 10-acre tract, and of 74 barrels a day if drilled on a 40-acre tract. If the well was 10,250 feet deep, it would be allowed 48 barrels a day on a 10-acre plot, and 192 barrels on 40 acres.

The system sounds complicated and it is, but that is not necessarily a fault when technology and economics become intertwined. On the other hand, the complexity of extraction rules does not make any more reasonable those provisions that are unreasonable on their face.

For instance the ability of a well to produce oil depends on the quantity and richness of the "oil sands" that it has tapped. Acreage is only roughly connected with production, and depth has nothing at all to do with it. Therefore, a well with a top allowable of 100 barrels a day may be capable of producing 1,000 barrels a day. A company with such a 1,000-barrel-a-day well would have to drill nine identical wells to qualify for the 1,000-barrel quota. And the average 5,000-foot well drilled in the United States costs $65,000.

But many wells are unable to produce the "top allowable" determined by depth and acreage. Some wells with a top allowable of 100 barrels a day may never produce more than 50. Yet the system works to take as much oil out of such a well as out of one with 5 to 10 times the capacity.

When the Texas Railroad Commission, which handles oil prorationing in Texas, or Louisiana's Mr. Menefee decide how much oil their respective states will produce the following month, they express their decision as a "percentage of allowable." They take the amount of production they have calculatd to equal the demand, deduct the output of strippers and certain other exempt wells, and then cut back all other wells to a percentage of their top allowable.

The Texas Railroad Commission in March, for instance, decided to increase Texas production for the following month by allowing wells to produce 49.9 per cent of their top allowable instead of 45.6 per cent as in March. In other words, a well with a top allowable of 100 barrels a day would be permitted to increase production from 45.6 to 49.9 barrels.

This means that a well with a depth-acreage allowable of 100 barrels, and a genuine capacity of 50, would be allowed to produce all the oil it could. It would also mean that a well with a capacity of 1,000 barrels and the same depth-acreage formula would be restricted to less than 5 per cent of its potential.

"You are using your most expensive oil today and saving your cheaper oil for the future," concedes William J. Murray, who served for 16 years on the Texas Railroad Commission and became one of the most articulate defenders of market-demand prorationing. Mr. Murray's point is that nobody would produce the higher-priced oil if operators could produce all they wanted from their more efficient wells.

Mr. Murray and most oilmen see this as a good thing, because the higher priced wells would otherwise be closed down and their small reserves lost to the public. Most economists agree that the system forces the public to use high-cost instead of low-cost oil, but they insist that producing it is a waste of manpower and money.

"A perennial criticism of existing proration is not that it restricts output, but that by favoring higher-cost marginal and exempt wells, it causes the restricted output to be produced at a much higher cost than necessary," says oil economist Dr. Henry Steel of the University of Houston.

Counters Mr. Murray: "I'm for getting energy wherever it's cheapest, but I'm willing to pay extra for national security. For security reasons, you have to have the ability to produce more than the nation is going to consume."

He adds: "The states that used market-demand prorationing conned the producers into drilling more wells than they needed, but the industry owes it to the country to have this extra capacity."

Mr. Murray says further that market-demand prorationing increases the amount of oil produced in the long run, by making producers develop their fields most intensively. He declares that about 82 per cent of the oil beneath the heavily overdrilled East Texas field is being withdrawn, partly because of high prices and a rationing system that compels companies to take part of their purchases from each well there. A recovery rate of 25 to 50 per cent is far more common, and Mr. Murray says the 82 per cent rate makes East Texas the most "efficient" oil field in the world.

In the long run, contends Mr. Murray, the price stabilization brought on by prorationing makes oil cheaper, or at least no more costly, than would a free market. He asserts that sharp ups and downs in price would average out at a higher level than that chieved by the smooth path of stabilization. Producers would otherwise be forced to spend more on storage facilities during lean times, he says, and their financing would cost more because of the increased risk.

"When you don't prorate, the consumer pays more and the producer gets less," according to Mr. Murray.

These are the major arguments for prorationing. They are heard wherever oil producers gather to criticize the critics of the system. And the term "national security" seems to grace every other sentence. But the prorationing arguments are subject to formidable rebuttal.

If national security indeed requires the existence of surplus wells, it would be more sensible, and perhaps cheaper, for the Federal Government to pay a bonus for this extra capacity, rather than for the Texas Railroad Commission and Mr. Menefee to work it out as a side effect of the rationing system.

Higher-cost oil, moreover, is higher-cost oil, whether the price is stable or not. If the rationing system were biased in favor of efficient, instead of inefficient, wells, the price could still be stable but at a lower level.

The current system causes unnecessary wells to be drilled, and a large amount of money to be spent needlessly. The best-known book to deal with the subject, *Economic Aspects of Oil Conservation Regulation*, by Paul T. Homan of Resources for the Future, Inc., and Wallace F. Lovejoy of Southern Methodist University, puts it this way:

"The oil that is *not* produced is invariably the oil that could be produced at the lowest marginal cost. This phenomenon is merely a secondary feature of a system that permits far more wells to be drilled than are necessary for efficient drainage and protects their profitability. It is, however, a popular feature, since there are far more poor wells than rich ones, and the vested interests that it creates stand as the most formidable barrier to progress toward a more economically rational structure of production. Progress in that direction requires a drastic reduction in the well population. Rapid progress would require the deliberate extinction of masses of existing wells, a task that no state agency has cared, or dared, to propose."

Messrs. Homan and Lovejoy warn further that "present regulatory rules contain the danger of slowing down, if not actually halting, the growth of the industry by undermining the incentives to search for new reserves."

This is an important point that is stressed by almost all economists not affiliated with the industry, and yet it is one that industry spokesmen refuse to concede. Prorationing has a double-edged effect. It guarantees that someone who develops a third-rate well will receive a large enough quota to make a profit, but it also guarantees that someone who brings in a first-rate well will still get only a third-rate return.

It is not even certain, at least in the short run, that prorationing is needed to stabilize prices. Mr. Menefee, for instance, doubts that there would be many changes in the price structure if he stopped issuing monthly quotas.

"Even if you eliminated 'market demand,' there wouldn't be more oil produced," he says. "The pipelines can carry only so much. We have reached the point that refineries are practically operating about 100 per cent of capacity.

"The oil companies have a tremendous investment, and they are prudent. My opinion is that if we didn't have any allowables at all, they would not produce any more. There would be no material difference over a 12-month period."

What Mr. Menefee is saying is that the companies themselves would keep production stable if the state didn't. The history of the oil industry before prorationing, however, does not support that opinion. And if such a co-operative, mutually protective arrangement were worked out by the oil companies themselves, it might quicken the interest of antitrust specialists in the Justice Department.

"What we are doing," adds Mr. Menefee, "is just a matter of fair distribution of production among each landowner and royalty owner and producer. People who talk about price fixing don't know what they're talking about."

The matter of fair distribution is one aspect of prorationing that would seem to make some such system necessary.

Harold Vance, a veteran oil operator in Houston, underscores this point with the story of Monte Michael, an independent oil man who hit a gusher during the Mexican oil boom just before World War I. The major company that dominated the surrounding acreage, and was the only possible purchaser of Michael's oil, simply ignored him, and took its oil from its own wells. Michael went broke, even as his well produced thousands of barrels of oil. Michael was driven by this experience into a new career as robber of

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oil-company payrolls and was finally shot to death by company guards.

"That's what happens without prorationing," says Mr. Vance.

Without some form of state-controlled, per-well production, the big oil companies would almost surely use all the oil possible from their own wells, and the thousands of small producers would soon be out of business.

There have been some attempts lately to modify the prorationing system's traditional absurdities.

Since 1967, for instance, Texas has permitted producers to shut down some surplus wells and concentrate their production on others. Prior to 1967, however, these companies were compelled to operate 8 or 10 wells on tracts they knew could be efficiently drained by 1 or 2 wells. But even the new rules don't cover all the wells in Texas.

Officials of the major companies, which lose the most because of the system's peculiarities, have managed to have them changed over the years. They are proud, for example, that the state now permits them to regularly space new wells on tracts of 40 acres each, whereas before the standard spacing between wells was 5 acres. The movement to change the spacing from 5 to 10 to 20 to 40 acres represents years of arduous lobbying—lobbying that still continues.

The three members of the Texas Railroad Commission are elected state-wide for six-year terms, and thus they are responsive to political pressures from the literally millions of people who own tiny interests in individual wells.

"The royalty owner wants to see as many wells as can be drilled on a tract of land," says Mr. Vance. "The producer wants to drill only the number of wells that will make the most profit."

The regulatory bodies seem on the whole to have favored the interests of the royalty owners in the past, and this is one reason why the United States has 550,000 wells compared to about 1,500 in the entire Arab world.

The market-demand system is being steadily liberalized because of the growing demand for oil. As demand increases inside the protected American market, state authorities allow production to rise. Oklahoma raised production to 100 per cent of allowable in March of this year, and Texas is exceeding 50 per cent in May for the first time since the 1967 crisis in the Middle East.

The commissions also are taking a more reasonable attitude toward producers who want to use fewer wells to extract the same amount of oil. An agent representing one of the major oil companies at Texas Railroad Commission hearings says that he now spends almost two-thirds of his time on pollution control and genuine conservation, instead of working full time on seeking allowables as he once did.

But making production controls more reasonable today doesn't extirpate the unnecessary drilling and investment that marks the industry's past. So when oil companies argue—and they constantly do—that their return on investment is no higher than that of other industries, they are including the current returns on investments that perhaps should not have been made in the first place.

A protected domestic oil industry is primarily justified by pleas for national security. The derivatives of crude oil are so many and so essential that neither the military nor civilian sectors of society could function without them. So it is that oilmen stress the need for greater and greater oil reserves.

In early April, the American Petroleum Institute estimated that proved reserves in the United States, not including the recent big find in Alaska, stood at 30.7 billion barrels at the end of 1968. This is 670,000,000 barrels less than a year earlier.

But "proved reserves" are not what most laymen think they are. Proved reserves generally include only the oil that can be produced profitably with the equipment presently installed. A known deposit of economically recoverable oil is not part of the proved reserves if the owner has not yet installed the necessary extraction equipment. Oilmen refer to proved reserves as oil that is "on the shelf," and the amount of oil on the shelf is as dependent on the industry's investment decisions as it is on the amount of oil that is actually underground.

The oil that lies in its natural state is known as "oil in place." The U.S. Geological Survey estimated in 1965 that oil in place under the continental United States originally totaled 1.6 trillion barrels. It later estimated that 400 billion additional barrels lay under Alaska and the continental shelf out to a water depth of 600 feet. Only 85 billion of this 2 trillion barrels has been recovered in the entire history of the oil industry. So there is no danger that the United States will "run out of oil."

How much of this 2 trillion barrels that is recovered will really depend on how much the public wants to pay for it. The amount of oil definitely located so far totals 400 billion barrels. About 85 billion barrels of this has been removed, and the American Petroleum Institute (API) says that 31 billion additional barrels can be extracted profitably with the equipment now in place.

The API said in its 1967 yearbook that another 7.4 billion barrels could be economically extracted if the proper equipment were installed to increase the pressure under certain fields. The Interstate Oil Compact Commission, a kind of information clearinghouse composed of representatives from oil-producing states, estimates these real, but unofficial, reserves at 17.5 billion barrels. It also calculated that 21.5 billion more barrels could be removed with conventional methods of restoring pressure—but not necessarily at current prices. The IOCC estimates that 40 billion additional barrels could be extracted by newly developed methods.

The point is that reserves increase as much with improvements in technology as they do through discovery. The Interior Department reported in 1968 that "on the basis of past experience, it is estimated that identified oil fields as of January 1, 1968, may eventually yield at least twice the 31 billion barrels in proved reserves with which they were credited by the American Petroleum Institute on that date."

So the oil available to the United States depends on the amount of money devoted to extracting it. This is what the oil people are complaining about when they bemoan the "shrinking" of reserves. They mean that beyond a certain point there isn't enough profit in oil to make it worth-while to develop new sources.

And they can make a case. The recent price rises of about 20 cents per 42-gallon barrel of oil are the first since the late 1950s. Oil now sells for between $3 and $3.50 a barrel. Harold McClure, president of the Independent Petroleum Association of America, calculates this price to be the equivalent of $2.15 a barrel in 1956 dollars. Their failure to keep up with inflation is the main reason cited by independent oilmen for the reduced drilling done by independent operators.

Dr. Steele in Houston estimates that it costs about $4 today to find and extract a barrel of oil. If he is right, then present prices can't possibly support the development of reserves as fast as oil is used.

Mr. McClure would like to see a rise in prices of one cent per gallon, or 42 cents per barrel, as a solution to dwindling reserves. But it is very likely that oil would then reach a price that would make competitive various synthetics as well as oil extracted from shale. Some big companies have been looking into both of these lately.

In using shale they are up against a most peculiar problem of waste disposal, because a cubic yard of oil shale produces more than a cubic yard of ash when the oil is withdrawn.

"These questions may become moot if the Alaskan discoveries are as big as some people think they are," says Dr. Steele, who thinks they are very big indeed. He has been studying oil-shale economics, and he says the big companies' enthusiasm for it has abated since they started hearing from their geologists in the Arctic.

Oil geologists are normally conservative about estimating the size of new finds, yet the estimates of 5 to 10 billion barrels under Alaska's Prudhoe Bay field are based on the development of only two wells, drilled seven miles apart.

That is what makes the prospects of further drilling so exciting, not just in Alaska but in the MacKenzie River Delta and on the Arctic islands of Canada, where the surface geology is said to be almost identical to that of the Arab Middle East.

Should the Arctic finds prove to be as gigantic as many experts believe them to be, and if the formidable transportation problems are worked out, then a new era in the domestic oil industry will be at hand. And the present prorationing system, so long dictated by the states of the Southwest, may well become just another curious chapter in the remarkable history of the oil business.

TENTH ANNIVERSARY OF THE ST. LAWRENCE SEAWAY

Mr. PROXMIRE. Mr. President, the Senator from Indiana (Mr. Bayh) recently delivered a speech in Chicago to the Great Lakes Conference of the Maritime Trades Department, Maritime Port Councils.

Senator Bayh's speech was a timely and thought-provoking analysis of the St. Lawrence Seaway as the seaway celebrates its tenth anniversary. As a member of the Great Lakes Conference of Senators, Senator Bayh has been in the forefront of those who have sought to have the seaway live up to its tremendous promise as the vital link between America's "heartland" and the rest of the world.

Senator Bayh astutely points out that the shortage of American-flag shipping in the seaway and the Great Lakes has been one of the principal reasons for the failure of the seaway to live up to its full capacity. The fact that American-flag lines generally do not possess ships which can physically transit the seaway is largely to blame. Congress has been appropriating money for years to subsidize ship construction. It is time that serious consideration be given to a specific set-aside for building ships that are designed for seaway travel.

Senator Bayh's speech deserves the attention of every Member of the Senate. I ask unanimous consent that it be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

It is a distinct pleasure for me to be able to come to Chicago today to join with you in this very important seminar.

This has really been a flying visit for me—I attended an important meeting in Washington this morning on the restructuring of the Democratic Party so that it will continue to be a responsive and responsible voice in our society—and as soon as I finish visiting with you I have to jump back to Washington for some equally important weekend meeting on some of the vital international and domestic matters that are engaging the attention of the Senate.

I tell you this—not to gripe about a Senator's lot—but to let you know that I considered that this Port Council conference had high priority—high enough to warrant a little schedule juggling in order to be here.

I must say, at the outset, that I am impressed by the fact that the labor movement on the Great Lakes—both North and South of the border—are providing leadership for developing the maximum potential of America's fourth—and newest—seacoast.

As most of you are aware, I am privileged to be one of the members of the Great Lakes Conference of Senators—a bipartisan grouping in the United States Senate which is devoted to the same principle.

So we have a lot in common—and there is much that we can do together to make certain that the Great Lakes—and the St. Lawrence Seaway which links this inland coast to the rest of the world—serve as an economic stimulus to this area which is the heartland of the North American continent.

We meet here today on a rather significant date—the 10th anniversary of the opening of the St. Lawrence Seaway.

It was on April 25th, 1951, that the first ships began moving through this long waterway—which for the first time made it possible for ships of 27-foot draft to continue from Montreal into Lake Superior.

Up to the time that the Seaway was opened, this waterway was an important *inland* artery—now it is our link to the entire world around us.

The Seaway has been a long time coming.

Back before most of us were born—or at least before I was born—the whole idea of a deep-draft seaway had been conceived and recommend to the governments of the United States and Canada.

It was in 1895 that a joint Canadian-United States Deep Waterway Commission was created to study the matter—and it was in 1897 that the Commission reported favorably on the idea of a deep waterway that would put the Lakes within reach of ocean-going vessels.

But it took more than half a century of development and debate before the project was implemented so that today's vessels which call at the major ocean ports of the world also call at Chicago, Detroit, Duluth, and the other port cities on the Lakes.

Mid-America has always been well served by domestic forms of transportation—Chicago, for example, has thrived as the railway hub of the United States.

Yet it has long been obvious to us that—rail and truck and air service, notwithstanding—this heartland of our continent could reach its full development only if there also existed the capability for maximum water transport—particularly deep-sea transport.

This mid-continent area is an integral part of America's economy—it serves not only the bread-basket of our people but their industrial complex as well.

From this area, the grain from our vast midwestern farms—the corn, rye, oats, soybeans and wheat which feed our own people and a hungry world—have to be moved to the four corners of the globe.

From this area, as well, are shipped the products of our vast industrial empire—transportation equipment, non-electrical machinery and fabricated metal products, to name just a few—which are produced in such abundance.

In point of fact, the Great Lakes area is distinguished by the fact that it exports more than any other section of the United States.

But commerce is a two-way street—in this area we are importers, as well as exporters.

To keep our giant industries operating we need raw materials—iron ore and chromite for our steel mills, bauxite for our aluminum plants, lead and copper, manganese and columbite, and a host of other materials—and we need them in ever-increasing quantities.

Beyond that, this area imports huge amounts of other products—coal, petroleum, rubber and the like—to keep the wheels of our industry turning.

Sea transport of the things we grow and the things we make—and sea transport of the raw materials that go into our productive capacity—is vital.

In building the St. Lawrence Seaway—and in opening the Great Lakes to ocean-going vessels—we put this area on the doorstep of the world, and we brought the world into our own backyard.

But it seems to me that we have not done enough in terms of our water potential—and the reason why I say this is that so much of the goods moving between this area and the rest of the world move, not on American vessels, but on foreign vessels.

To the extent that this has happened, we have developed this area's economy unevenly—and, equally important, we are contributing to a continued deficit in our balance of payments as long as we utilize foreign vessels with foreign crews to move so great a percentage of our cargo.

The deep-sea American merchant fleet faces massive competition from foreign carriers—these companies build their vessels with low-cost labor in foreign shipyards, and they crew their vessels with low-wage seamen drawn from a variety of nations.

The result is that they can carry goods at rates that are not profitable for American vessels.

This, however, is not a new development—it has existed for years, and it has its roots in America's standard of living which is unparalleled in the rest of the world.

Nor is this situation unique with the American merchant marine—the same thing can be said for every other American industry—namely that it cannot compete, without some protections, in the open market.

Yet as far as the merchant marine is concerned, we have devised a maritime program that is only minimally protective—and that we then proceed to fund inadequately, thus making it next to impossible to develop our full maritime potential.

For example, we have a program to provide assistance in the construction of vessels for the American-flag fleet so that U.S. shipowners can buy American-built ships at the world market rate—yet we have extended this program to only 14 out of the hundreds of American shipping lines—and for years we have provided little or no funds to make this program possible.

This year, for example, the budget presented to Congress calls for constructing only 10 new ships to be divided among these 14 companies—at a time when all objective indicators show we should be building many times that number in the face of the serious obsolescence of our fleet.

We also have a program to help defray the operating cost of American vessels so that they can carry imports and exports at precisely the same rate as foreign-flag vessels—yet, again, this assistance is limited to only 14 companies which, together, operate only one-third of the ships in our fleet.

These defects in our maritime program affect all of our merchant marine—they have a particularly devastating effect on the development of our maritime strength here on the Lakes.

When the Seaway operations began, there was an effort made to encourage at least some of the subsidized American lines to operate between other world ports and the Great Lakes.

But in 1967, the lines abandoned this operation on the ground that it was "unprofitable"—although how the shipping companies arrived at that conclusion is, quite frankly, beyond me, in view of the fact that foreign shipping interests have made a success out of operating into this area.

I think an analysis might show that what the subsidized lines really were saying was that operating exclusively out of East Coast ports was *more* profitable.

I don't wish to get into any sort of public dispute with the subsidized lines—I don't want to polarize this situation and make it any more difficult to work out—but I do want to see some resolution to the problem we have here on the Lakes in terms of upgrading American-flag participation in this ever-increasing carriage of imports and exports.

The Great Lakes Conference of Senators has expressed itself on this subject before—and the unanimous views of its Republican and Democratic members deserve to be stressed again.

It is our considered view that—whether the government's appropriations for operating subsidies are large enough or not—and whether they are equitable or not—that a stated portion of these subsidies be earmarked for American-flag vessels operating between this area and the rest of the world.

We have not asked for an inordinate sum—out of the $200 million which is allocated for operating subsidies each year, we have requested that only $8 million be set aside to meet the threat of foreign competition here on the Lakes.

If it makes sense to meet foreign competition elsewhere in the maritime area, then it makes particular sense to meet that competition here, because foreign-flag operators have moved into the mid-America market even more strongly than they have anywhere else.

There is less than 4 percent American-flag participation in this rich and growing trade here on this new seacoast—and it is our contention that this share should be sharply increased so that we derive the maximum economic benefit.

After all, citizens of the Great Lakes area—through their taxes—are helping to underwrite the subsidies which are handed out to these American-flag carriers—and it's about time they received some direct benefit.

The Great Lakes Conference of Senators has also proposed that part of the money being allocated for ship construction subsidies—even though the sums are too small and the distribution within the merchant marine too limited—that a part of these sums be set aside for building ships that will be able to traverse the Seaway.

It is an irony that in the face of our need for newer, speedier and more efficient shipping in this area, the government's money is going toward the building of ships that are too wide to negotiate the Seaway.

We have spent hundreds of millions of dollars to open up this area to ocean-going shipping—and now we are abdicating this trade to foreign-flag ships because of our short-sightedness in building ships which physically can't get through the Seaway.

Again, with reference to the tax dollars from this area which are involved, the citizens of the Great Lakes area are being asked to finance themselves out of business in terms of modern American-flag vessels, paying American taxes and employing American crews.

This doesn't make sense.

But while we have problems in terms of American shipping is concerned, we also are making progress.

The Great Lakes Conference—through the efforts of its chairman, Senator William Proxmire—has been instrumental in correcting a situation within the Department of Defense which discriminated against the use of Great Lakes ports for the carriage of military cargoes from this area.

For years, the Defense Department was using a method for figuring terminal costs that was unrealistic and discriminatory as far as our port facilities were concerned.

Under this arrangement, the government was assessing the highest possible "terminal costs" against the Great Lakes ports, and the lowest possible costs against East Coast ports.

Senator Proxmire described this once as a "chicken-and-the-egg" dilemma—as long as the rates remained high, American ships wouldn't bid for cargo—and as long as American ships wouldn't bid for the cargo, the rates remained high.

The Defense Department has now removed this artificial standard—and this should mean the increased movement of military cargo from this area by ship—instead of moving it by rail to East Coast ports and by ship from that point outward.

This is one small victory—but it gives us hope that we can continue to make progress in terms of greater shipping activity—and, equally important, greater American-flag participation in this shipping activity—here on the Lakes.

I commend the AFL–CIO Maritime Trades Department—and I particularly commend the officers and members of all the Port Councils around the Lakes—for their continuing efforts to upgrade America's maritime efforts here in mid-America—as well as elsewhere around the globe.

For your part, you can count on my continued support for all of your efforts which are aimed at making our fleet more dynamic competitive—not only on the Lakes but everywhere that American ships carry our goods—and the American message—to the world.

Thank you very much.

SIXTIETH WEDDING ANNIVERSARY OF MR. AND MRS. ANDREW F. ARMSTRONG, OF GLASGOW, MONT.

Mr. MANSFIELD. Mr. President, rarely do we have the occasion to extend congratulations to a husband and wife who have lived together for 60 years. It is with a great deal of pleasure that I do so today. Mr. and Mrs. Andrew F. Armstrong of Glasgow, Mont., are celebrating their diamond jubilee with almost 100 members of their family and numerous friends and neighbors in north central Montana. I am pleased to join in extending congratulations to the Armstrongs in behalf of the Montana congressional delegation. This is a joyous occasion, and we only regret that it is impossible for us to be in Glasgow today to participate in the festivities. The Armstrongs came to Montana in 1915 and except for two brief periods have lived in either Glasgow or Billings, Mont. They homesteaded and farmed in the area and were then forced to sell their property during the depression of 1921. Mr. Armstrong was employed at the Fort Peck Dam during its construction and later entered the Glasgow police force, from which he retired as chief of police late in 1951. They have nine children and enjoy their numerous grandchildren. Again, I wish to say how pleased I am that two people have had the opportunity to live together these many years.

CAMPUS DISORDERS

Mr. TALMADGE. Mr. President, with all of the campus disorder and lawless rioting that we have been witnessing in recent months, one of the most overpowering questions of all is why university and college officials and administrators have not taken more positive action to see that order is maintained.

It is strange indeed that unruly and rabblerousing students have been allowed to go about fometing strife with virtual impunity. In very few instances have they been expelled from college, or even suspended. Moreover, although tremendous property damage has been suffered and even human life endangered by student insurrection—some of them armed with deadly weapons—arrests and prosecution have been the exception rather than the rule.

At the same time, it is wondered how an abject minority of students, sometimes numbering only a few hundred out of many thousands, are permitted to totally disrupt the education of an overwhelming majority of hard-working and conscientious college students who want no part of the revolution and who are endeavoring to the best of their ability to get an education. The well-known syndicated columnist James J. Kilpatrick asked these questions in his column in the Washington Evening Star of Thursday, May 8. Mr. Kilpatrick makes the point, with which I am in total agreement, that the power to expel disorderly students should have been invoked long ago, and it should constantly be invoked today.

The first line of defense against campus rioting and disorder and the initial responsibility for maintaining order rests with the university or the college. It is they who must take the first step. Unless they are willing to totally succumb to anarchy, it is they who must take action to enforce their own rules—in the interest of the overwhelming majority of their students and in the interest of preserving the integrity of higher education.

To bring Mr. Kilpatrick's column to the attention of the Senate, I ask unanimous consent that it be printed in the Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

[From the Evening Star, May 8, 1969]

Why Aren't Ringleading Students Expelled?

(By James J. Kilpatrick)

New York, N.Y.—The student riots go unchecked, and the questions go unanswered. For the time being—but at a fearful price—some of our great institutions are quiet. But Columbia was violated again last week, and two campuses of the City University of New York had to be closed in the wake of violence.

A number of difficult questions will not yield to simple answers: What motivates the radical students? Where is the ultimate blame for revolution to be lodged? But one elementary question continues to baffle the ordinary layman: Why aren't the ringleading students expelled?

It is beyond comprehension. When students clearly are guilty of outrageous conduct—of violent and criminal conduct—why aren't they summarily tossed out of school? When non-students trespass upon private property, why aren't they prosecuted to the limit of the law?

Such a direct reaction, on the part of the university administrations, would appear to be automatic. Yet it almost never happens. In one instance after another, on college campuses across the country, student militants go scot free and non-students rarely get arrested.

It is not a matter of "due process." No question arises of "insufficient evidence." At Cornell, everyone knew precisely which black students were involved in the seizure of Willard Straight Hall. Their photographs appeared in every paper in the land. There they were, bandoliered with ammunition, bearing guns, glowering their defiance of the law. Why weren't these students expelled?

At Queens College last week, 40 black students marched through three buildings, smashing windows and overturning furniture. It is beyond belief that these students were not identified. Of coursey they were identified. Why, then, were they not booted out?

At City College on May 1, a band of black militants overturned card catalogues and broke windows in the faculty dining room. At Brooklyn College on May 2, student hoodlums broke down the door of the dean of faculty, Harry Albaum. "The handful of staff members inside locked desks and files and surrendered the building to the students." What is wrong with the college officials? Why weren't the students first expelled, then arrested, and then sent to jail?

Time after time, names are named. This from Cornell:

"In a show of contempt for President James A. Perkins and the trustees of Cornell University, members of the Students for a Democratic Society entered Barton Hall last night, taunted Army Reserve Officer Training Corps cadets at drill, and then broke into a restricted area to paint peace slogans on a three-inch Navy destroyer deck gun. . . . Some entered an R.O.T.C. office and tore military maps from the wall. They openly defied arrest. Charles S. (Chip) Marshall 3d spoke from the gun turret. . . ."

That was last Friday night. Why wasn't Charles S. (Chip) Marshall 3d expelled on Saturday morning?

The same questions cry out for answers at Columbia. An estimated 100 students and a handful of non-students seized and occupied Mathematics and Fayerweather Halls. Thirty of them were swiftly, positively identified. When they finally were ousted, Dr. Andrew Cordier, acting president, made an inspection tour.

Did Dr. Cordier institute expulsion proceedings at once? No, indeed. "It's most regrettable," he said, "that students see fit to mess up a hall this way. It's obvious they don't know the first rules of good housekeeping."

It is equally obvious, or so it seems to some of us, that Dr. Cordier and his fellow administrators don't know the first rules of keeping order. When it comes to summoning police, or to asking for help from troops, questions of judgment doubtless arise. Reasonably minded men may disagree on matters of timing and necessity. But the power to expel a disorderly student is something else. It should have been invoked long ago; and it ought constantly to be involked today.

DWIGHT DAVID EISENHOWER—A MEMORIAL ADDRESS

Mr. YOUNG of North Dakota. Mr. President, the late Dwight D. Eisenhower was revered not only by our people who knew him so well, but by people all over the world.

Mr. President, a friend of mine has sent me the address delivered by the Rev. Erwin P. Ruklic, pastor of the International Church of Bangkok, Thailand, during a memorial service honoring General Eisenhower. The service was attended by a number of ambassadors from the various embassies in Bangkok and a large number of leaders from the Thai Government. The American community in Bangkok was also well represented.

Mr. President, I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

DWIGHT DAVID EISENHOWER: A MEDITATION

(An address by the Rev. Erwin R. Ruklic, pastor, at the Memorial Service in the International Church of Bangkok, Thailand, on March 31, 1969; United States Ambassador Leonard Unger presided)

Dwight D. Eisenhower—soldier; statesman; university president; national hero; world leader.

These are the facts of the soldier of war who became a crusader for peace.

When we recall his name we remember the common touch of his humanity.

His grin and nickname—Ike—were the trademarks of a humble but human figure of mankind.

The qualities that revealed the stature of the man will long be remembered:

"His virtue was modesty.

"His character was honesty.

"His life was service.

"His leadership was trusted."

Though he began his career as a soldier he finished his life as a civilian—the President of the United States.

The highest honor came to him without Solicitation or desire.

He did not covet the life of a politician; it was the politicians who needed him.

And the people of his country paid him the highest compliment—not once but twice—by electing him as their President with the largest margin of votes.

His nation gave him the blessing of trust, confidence and encouragement.

He brought the country together at a time when it needed to be strengthened and sustained.

The American people enjoyed a climate of unity because he gave them his unqualified trust.

His immense influence for public morality, personal integrity, and civic responsibility was the beach head of his presidential office.

He gave himself unselfishly and unreservedly to this highest office of public service.

And whenever he made his periodic treks to the greens, the American public was ever so happy to see their President relax.

And in mood of jest, one quipster remarked: "I'm not sure whether Ike is a full time President and a Part time golfer, or a Full time golfer and a Part time President."

However, none of his constituents criticized him on taking leave for a long weekend.

They loved him the more for it.

Few other Presidents had so caught the imagination of the people as this man.

Deeply concerned about world peace, he visited 31 countries during his presidency in an effort to strengthen and stabilize the nations around the world.

The words of an earlier President, Thomas Jefferson, so aptly described him:

"When a man assumes a public trust, he should consider himself as public property."

Indeed, this man—was the people's President.

For the greatness of the man was in the goodness of the man.

And the strength of the man was in the character of the man.

Nothing can surpass the qualities of integrity and honesty; commitment and compassion—for these outlast and outshine all others.

Few people remember that it was not until after he entered the White House that he made one of the most important decisions of his life.

For the first time in his life he became a Christian and united with the Church. He always made it a practice to nurture his faith and put his faith to work.

He took it upon himself to worship with others and made it a regular habit to do so wherever his duties took him: in the nation's capital or Augusta, Ga.; in the United States or in his travels abroad.

In his book, Waging Peace: The White House Years, he tells this personal account of his visit to Rome:

Having worshiped at St. Paul's Episcopal Church, he went to make a scheduled call on the Pope—John 23rd. Pope John, bright and active at the age of 78, had the vivacity and zest of a young man.

They had met years before when both served in Paris: Their conversation included reminiscences, observations of the cold war; some hope for the future, and cheerful banter about their respective careers and present positions.

"You were a general and became President," said Pope John jokingly, and I was a sergeant and became Pope."

The people's President met the people's Pope.

A nation has lost a warrior—a warrior for truth and justice: humanity and peace.

A world mourns his passing and pays tribute to a greatness that is rooted in goodness; a life that reflects its Creator; and a death that knows not the end but marches forward valiantly and triumphantly in the name of the Master, Jesus Christ, his Lord and his Saviour.

Dwight David Eisenhower.

THE CALIFORNIA FLOOD DISASTER

Mr. CRANSTON. Mr. President, in many respects the actions taken by the Federal Government to challenge the disastrous consequences of the California floods are notable and satisfying. More than 15 Federal agencies played a part in giving prompt aid to the property and to the people who were forced to seek help by the unfettered waters which swept across the California landscape. The Office of Emergency Preparedness has detailed these procedures and I am pleased to know that both damaged property and displaced people were assisted.

At the same time, I am greatly concerned for one area of flood damage which appears to be unaided and unnoticed by those Federal disaster relief programs we have devised.

Our programs provide that people immediately displaced and made homeless can obtain help from many sources. The Red Cross provides shelter. The Department of Agriculture furnishes tons of food. The Department of Health, Education, and Welfare sends funds and personnel for sanitation and other health programs. The Office of Economic Opportunity offers varied assistance, from clothing to sandbags.

Yet all this aid, all these good things are done only for the temporarily displaced, the people who can soon return to the future security they anticipated before the floods disturbed them. I heartily endorse the aid we have given them. The helping hand of our Federal disaster assistance marks these as honorable and worthy programs.

But there are people in California injured by the water on our land for whom no provisions of the law bring the special and extra relief we associate with disaster aid. I refer to those who work on our lands, the farm laborers.

By soaking the soil of California for weeks on end, the floods have denied or postponed those agricultural tasks California farmworkers depend on for subsistence for their families. Tractors and planters cannot make much headway in a flooded field. Cotton seeds cannot be planted under water and would not thrive if they could. Grains cannot be harvested when the harvester is up to its wheel tops in mud. When the planting is delayed the jobs that follow planting are delayed.

Take just one major agricultural area of California, the Tulare Lake Basin. There are three major crops: cotton, barley, and safflower. Two-thirds of the barley crop was ruined by the rains. Safflower, which must be planted in the late winter, simply will not get into the ground. It was too wet, too late.

The cotton prospects are brighter, although the continuing rains into April delayed the planting beyond its regular cycle.

Some land which normally would be planted will not be in production this year. Some land is still under water. The consequences of the floods on farms vary from area to area, from crop to crop. But everywhere they bring a change in the routine by which the farmworker maintains his yearly income. And all too often that change spells deprivation and hunger for agricultural labor.

Unfortunately, the deprivation and hunger usually go unrecorded and even unnoticed, for they are a part of the undramatic aftermath when the floods are yesterday's news.

Thus while State and county officials have advised that they are aware of an increase in cases receiving public assistance as a result of the floods, I have found none who keep records of aid or assistance given because of the disaster. For example, the farm labor office of the California Department of Employment was not able to supply figures on the number of people made jobless as a result of the floods. The office did, however, report that the estimated average employment of seasonal agricultural workers during the first 2 months of 1969 was down 8 percent in the San Joaquin Valley and down 28 percent in the south coast counties from the same period in 1968.

Mr. Reed K. Clegg, welfare director of Fresno County, reported to the Fresno County Board of Supervisors on April 10, 1969, as follows:

> Requests for food over the years have paralleled weather conditions and have been particularly influenced by the amount of rainfall. When the weather is favorable and work is available, our 35 years of experience indicates that the majority of people prefer employment to assistance with food. We experienced unusual numbers of requests in the years 1952 and 1967 when rainfall was above normal. In the current 1968–69 perior when rainfall has broken all established records requests for food have exceeded those of any previous year.

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Newspapers throughout the State have reported that the floods and consequent unemployment have accentuated the perennial need for food and shelter among our rural poor.

In most other occupations, men made jobless by natural disaster can obtain the benefits of unemployment insurance to carry them through the crisis. But not farmworkers, who are usually not covered by unemployment insurance. Here, as in so many other areas of social legislation, the agricultural workers is the forgotten man of American labor.

Mr. President, when floods engulf our farmlands, we know that the men and women who depend on those fields for their livelihood may suffer for weeks and sometimes months thereafter.

Surely it is as worthy to give them aid as it is to restore the homes and businesses wrecked by the disaster. I urge the Committee on Public Works which is considering legislation to bring relief to California, not to forget the need for assistance of these deprived families.

One specific proposal I would suggest is that after a Presidential determination that there is a major disaster, the President be authorized to provide supplemental Federal aid in the form of food stamps to be distributed to those made jobless during the period of their unemployment. Our food aid during floods can be unrealistic when the rural poor are expected to travel great distances to food commodity distribution points.

While the floodwaters are high and people are stranded, the distribution of food itself may be the only hunger aid feasible.

But after the floods have receded and the weeks of joblessness trail on, food stamps can be a preferable tool for aiding the destitute victims. I believe that the food stamp option should be authorized.

Careful advance planning for emergency relief invariably alleviates the hardship disaster brings. I ask today that aid to relieve the economic plight of the farmworker denied work on flood drenched farms be made a mandatory part of our disaster relief programs.

THE 10TH OF MAY

Mr. PERCY. Mr. President, this year as we commemorate the 10th of May celebration, we recall the history of the Rumanian people and the unhappy events which for so many years cruelly tested their faith and courage. Rumania's current struggle to express its national identity with independent action engages the attention of the world. Yet the people of Rumania know that their well-being is of great concern to us all and that they will never be forgotten by their friends in other nations.

THE PRESIDENT'S REORGANIZATION PLAN

Mr. STEVENS. Mr. President, I commend President Nixon's recent action concerning the reorganization of Government service systems.

It is an action that is long overdue. The current organizational plan of many Government departments and agencies is very much like Topsy: they just grew. Over the last 40 years the Federal Government has grown tremendously under the pressure of a rapidly changing society. The immediate necessities for action have all too often taken precedence over good organizational planning. This situation has been recognized as a problem for over 20 years, and I am very much heartened to see that President Nixon has taken steps to rectify the situation.

The power of the Federal Government is very great. However, it is power that must be transmitted via a lever. The length of the lever and the position of fulcrum are the determining factors as to how much power can be exerted at a given distance from Washington. Currently, the local and regional offices of the Federal bureaucracy, which are the fulcrums, are too close to Washington, and there is too much waste and inefficiency. This is the situation that President Nixon is aiming to correct: to make the Federal representatives in local areas more responsive and responsible to the areas in which they operate.

I know that we in Alaska will benefit greatly from such a reorganization. In a gigantic State such as ours, when a message or a request may take as long as a week or more just to reach the State Capitol, we desperately need closer contact with the Federal Government. This has always been the problem with the Federal Government: the distance between the area of action and the decisionmakers has developed an unfortunate gap between Federal and local authorities.

Lack of faith in the Federal Government has not been a traditional American attitude. We do not want to foster an unthinking dependence on the Federal Government; however, those things that the Government can and should do on a local level should be done well. This is the aim of President Nixon's reorganizational plan—not to expand the sphere of Federal activity, but rather to insure that the already existing functions of Government are carried out in as efficient and effective a manner as is possible.

NATIONAL TRANSPORTATION WEEK—MAY 11–17, 1969

Mr. ALLOTT. Mr. President, I am sure that Senators are aware of the long interest I have had in all forms of transportation. Going back to my early days in this body, I had occasion to help to formulate the Interstate Highway System. In more recent years my attention has been directed toward adequate aircraft to meet the needs of the 1970's, and even more recently I have been focusing attention on the need for improved intercity rail lines and urban rapid transit systems.

It is against this background that I am most happy to invite the attention of the Senate to the fact that we are now in the midst of National Transportation Week. In addition Friday, May 16, has been proclaimed National Defense Transportation Day.

President Nixon has officially proclaimed both Transportation Week and Defense Transportation Day, and in my own State of Colorado, Gov. John Love has issued a similar proclamation.

Since Colorado is without a doubt the keystone State for the Rocky Mountain region in America's vast transportation system, it is indeed fitting that all of us from Colorado should salute those involved in the affairs of transportation. My State is ably served by excellent railroads, airlines, trucking companies, urban, suburban, and interurban bus operations, and pipelines.

Each of these modes makes a significant contribution toward our economy and the welfare of our Nation's citizens.

During this week, then, I hope that all Coloradans and all other Americans will reflect on the invaluable contribution our men and women in transportation make during every minute of every day. To them we extend congratulations for continuing their outstanding work.

POLISH CONSTITUTION DAY

Mr. PERCY. Mr. President, during this month, as we commemorate one of the greatest events of Polish history, the adoption of the historic 3d of May constitution, we should rededicate ourselves to the causes of justice and peace. We should recall the continuing struggles of the Polish people for true liberty. Let us commit ourselves to these ideals and pledge that our deep concern will endure until that glorious day when all men will be free.

THE GREAT ODOMETER RAID

Mr. BYRD of Virginia. Mr. President, in February I introduced a bill, S. 1185, to protect the public from the practice of some used cars dealers of turning back the mileage readings on odometers.

My office has received a considerable amount of mail on this subject, and the public has shown interest in the odometer problem.

The May issue of Consumer Reports contains an article, entitled "The Great Odometer Raid," in which the editors of Consumer Reports detail some of the difficulties which State authorities have faced in trying to curb the practice of turning back odometers.

I ask unanimous consent that the text of the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GREAT ODOMETER RAID

Last summer, 12 investigators from the Massachusetts Attorney General's Division of Consumer Protection made consumer protection history. They staged an odometer raid.

The plan of attack was simple. Working in pairs, the investigators fanned out through the Commonwealth, selected 24 new-car showrooms at random, sauntered in, flashed their badges, and said they were conducting a "routine check" of cars on display in the dealers' used-car lots. For the next several hours they inspected hundreds of used cars and pored over dealers' records for possible evidence that odometers might have been rolled back from original trade-in mileages to lower, more salesworthy figures. Mainly on the basis of educated guesswork after comparing the odometer readings with the appearance of the cars, the investigators listed about 250 vehicles open to suspicion of odometer tampering.

The next step was to try locating the former owners of the suspect cars. About 70 per cent of the owners could not be traced at all because the dealers had purchased the cars from wholesalers, or because former owners couldn't be located. A few former owners, when located, refused to cooperate. But 70 persons did reply to the inquiry, and 20 of them said the reading on their odometers when they traded in their cars was much higher than the readings found by the inspectors. On average, between 20,000 and 30,000 miles had been subtracted. One man said his odometer reading had been pared from 90,000 to 45,000 miles.

PENANCE OF A SORT

Assistant Attorney General Robert L. Meade at length decided he had strong cases against six of the biggest new-car dealerships in his state. Massachusetts is one of four states with "little FTC laws" patterned on the antideceptive practices provisions of the Federal Trade Commission Act (the others are Washington, Vermont, and Hawaii). Acting under his state's laws, Mr. Meade succeeded, after several months of polite arm-twisting, in convincing three of the dealers to sign an assurance of discontinuance. That meant, simply, that they filed in Superior Court an agreement saying they would not offer "for sale any vehicle upon which the odometer has been adjusted in any manner . . . so that it does not disclose the . . . true mileage. . . ." As in consent orders filed with the FTC, assurances of discontinuance in Massachusetts are carefully worded so that the signer does not admit to having used certain specific deceptive sales practices in the past, but, nevertheless, agrees *not* to use the same deceptive practices in the future.

Those who signed were Charles Chevrolet, Inc., and The Harr Motor Co., both of Worcester, and State Plymouth, Inc., of Springfield. At this writing, the state was still negotiating with two of the other dealers. Mr. Meade took sterner action against the sixth dealer on his list, North Ford, Inc., of West Medford. Saying it had flatly refused to cooperate, he filed suit for permanent injunction against North Ford.

All things considered, the Great Odometer Raid might have been a very bitter pill, indeed, for any auto dealer to swallow had it not been for a high-level decision to sugarcoat the pill with secrecy. As far as CU has been able to learn, little news of the raid ever reached the people of Massachusetts. The Attorney General's office could have given the names of the dealers to the newspapers, but it decided not to—this time. The only excuse offered by a state official was that it would have been "unfair to ruin these guys when everyone else is doing it, too." Of course, the names of the dealers thus far cited went into public court records (where CU eventually looked them up). But by not alerting the press, the state deprived itself and the public of a most effective enforcement tool in consumer protection cases—the glare of publicity.

Nevertheless, the Massachusetts Division of Consumer Protection deserves some credit for the first organized attempt to stamp out the ancient, odious and widespread practice of odometer tampering. And, Mr. Meade assures us, it won't be the last assault on what is, regrettably, a standard operating procedure of many used-car dealers, who know perfectly well that a high-mileage car is nothing but a drag on the market.

PICKERS AND SPINNERS

Technically speaking, odometer tampering is all too easy to do. The favorite technique in the trade is called "picking" because most operators use a homemade assortment of specially shaped ice picks. With a certain degree of skill and a modest capital investment, an odometer picker earns anywhere from $3.50 to $25 a car. The procedure takes only a few minutes. The picker simply reaches into the odometer drum—after first removing the instrument panel lens or boring through a partition behind the speedometer—and manipulates the digits mechanically, usually only the ten-thousandth place. If the picker is skilled, his handiwork is rarely detectable by a used-car shopper.

With less skill but much more patience, an odometer tamperer can spin the speedometer cable with a high-speed electric motor to the desired low reading. But since it can take hours to spin off just a few thousand miles, spinning is most commonly used by the amateur.

The simplest way to falsify an odometer is by disconnecting the speedometer cable. Dealers will sometimes do that on a new car to be used as a demonstrator or to be driven cross-country to the point of sale. In California last year a fairly strict state law against odometer rollbacks was weakened by an amendment expressly permitting dealers to reset new-car odometers at zero, provided they give the buyer a statement of the true mileage. But law or no law, you can't always be certain that the mileage on the odometer of a "factory-fresh" car recounts is true history.

Wisconsin *requires* that the odometers on all used cars be reset at zero. Arizona tried that, too, then changed its mind (CONSUMER REPORTS, June 1968). And in Florida dealers are permitted, but not required, to roll odometers back to zero. The idea is fine, of course—for the dealer. He can then disavow any knowledge of a car's true mileage and still be on the side of the angels. But the car buyer is deprived of the only base he has on which to add mentally the 20,000-or-so miles the dealer has subtracted mechanically. In states where antitampering legislation is pending, the back-to-zero idea is apt to be pushed hard by the dealer lobby.

Besides California, only Delaware, Kentucky, Massachusetts and New Jersey have laws making it illegal to tamper with an odometer. Several other states, including Hawaii, Maryland and Georgia, have similar laws under consideration. Unfortunately, state laws specifically aimed at odometer rollbacks are generally regarded as difficult to enforce and are therefore rarely invoked. "In order to convict under these statutes," says Paul J. Krebs, director of New Jersey's Office of Consumer Protection, "you practically have to catch these guys in the act."

Bearing him out, Massachusetts chose not to use its criminal statute against odometer tampering to prosecute suspects in the Great Odometer Raid. Although enforcement under the state's little FTC law proved possible, the act provides for no fines to penalize violators and no redress for victimized consumers unless they can sue privately and win an award for damages. The legislature is considering an amendment with stiffer penalties, but meanwhile the most the Attorney General can do is get an injunction ordering the unrepentant violator to stop his fraudulent practices. That has more muscle than an assurance of discontinuance, since anyone in violation of a court injunction is also in contempt of court.

WHO GYPS WHOM?

Massachusetts' Assistant Attorney General, Mr. Meade, while pleased at the results of his raid asks, "Why hasn't the Federal Trade Commission itself declared odometer tampering an unfair trade practice?" He argues that the problem is, after all, interstate in scope, since so many used cars are sold to wholesalers, particularly in the South, and then auctioned off to dealers from all over the country. Therefore, the solution must be national in scope. The FTC, on the other hand, told CU the agency views odometer tampering in used cars as primarily a local rather than an interstate problem.

"We have no evidence to support the idea that it is being done by the wholesaler," said an FTC attorney. "If we did, we'd certainly investigate, but in my opinion, it's done at the retail level, the level at which the automobile is sold to an unsophisticated buyer. The wholesaler would have nothing to gain by resetting an odometer. He's certainly not going to fool the dealer, who doesn't buy on the basis of the odometer reading, anyway."

Still, he was willing to make at least a hypothetical concession: "I could visualize a dealer *requesting* the wholesaler to turn back an odometer for him, especially if it's illegal in his state, and I'm sure the wholesaler would do it. But, as I said before, we have no information on this."

Perhaps FTC doesn't, but evidence of a sort is apparently plentiful right across the Potomac River from Washington. The office of Virginia's Senator Harry F. Byrd, Jr. told CU: "The Automobile Trade Association of Virginia tells us that 90 per cent of all odometer rollbacks are done by wholesalers. They say it's a routine part of the 'reconditioning' process. Naturally, the dealer doesn't pay any attention to the odometer reading; he only buys a car on the basis of what he thinks he can sell it for. And when he buys from a wholesaler, he knows he is getting a product he can palm off with little or no risk because the former owner will be very difficult to trace."

The dealer can blame the wholesaler, and the wholesaler can blame the dealer, but it's obvious that neither could tamper with odometers on any large scale basis without the direct knowledge or the implied consent of the other. Few swindlers, after all, fall for their own swindle.

Senator Byrd has therefore taken up the cause of a Federal law against odometer tampering. The Byrd bill (S. 1185) would make odometer tampering subject to a stiff fine. It would also require used-car dealers to give their customers a statement signed by the last *private* owner of the vehicle certifying the mileage that was on the car when he sold it. Meanwhile, on the other side of the Hill, New Jersey Congressman Henry Helstoski has resubmitted his bill of last year (H.R. 4163), also prohibiting odometer tampering in interstate commerce. The chances for passage of either measure during the current session of Congress may be hard to assess, but it's not very encouraging to note that, even in the proconsumer atmosphere of the previous Congress, a bill sponsored by Senator William Proxmire to require auto manufacturers to install tamperproof odometers in all new cars died in the Senate Commerce Committee.

The need for effective legislation is obvious. Norman Polovoy, chief of the Maryland Consumer Protection Division, puts it this way: "I know of no rational or reasonable justification for an automobile dealer setting the odometer back other than to try to convince the purchaser that the automobile has substantially less mileage on it than is in fact true."

According to one report, in 1967 alone Americans bought nearly 20 million used cars and paid an estimated $20 billion for them. The trade journal *Automotive News* reports that prices start falling off sharply after a car has traveled 30,000 miles; and beyond that distance, a two-year-old car loses about $10 of value for every 1,000 miles

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on the odometer. Assuming that only half of the used cars sold in 1967 were two years old or older, and that only half of them had 20,000 miles picked or spun off their odometers, it doesn't seem unreasonable to estimate that consumers are being misled on used-car lots to the tune of $1 billion a year.

But the cost must be assessed in terms of safety as well. Even with the best of care, a car with 75,000 miles on the odometer is not the car it was at 25,000 miles. The prudent owner knows this and is less likely to take his steering or wheel bearings or exhaust system for granted. But the owner of a "low-mileage" used car may be lulled by the odometer. Until the critical moment, he may have been completely unaware that his car was dangerously in need of repair—a menace to himself and to others.

The National Highway Safety Bureau agrees, and in 1967 it proposed a safety standard requiring tamperproof odometers on all passenger vehicles, including buses, trucks and motorcycles. The idea was assigned to an administrative pigeonhole, however.

"Other proposed safety standards had a higher priority," a bureau spokesman told CU, "but this is not to say we won't have such a standard later on."

WHAT'S TAMPERPROOF?

But at the same time, the bureau questions whether it is possible to design a really tamperproof odometer, and except for General Motors, the auto industry has yet to market anything resembling one. GM's 1969 models have odometers that cannot be spun backward. But there is no way for the used-car buyer to detect whether the mileage reading has been spun forward beyond 99,999.9 to zero and then to some youthfully low second-time-around setting. Also, in GM cars made after January 1, the odometer will exhibit a telltale color separation between the numbers if it has been picked. But, a GM spokesman admits, the buyer would have to be "a knowledgeable individual" to recognize the evidence. Despite those refinements, the new GM odometer cannot therefore be described as truly tamperproof. And whatever its positive virtues, the GM odometer will be of little use to the buyer of a used *Ford, Plymouth, Ambassador, Volkswagen,* etc., or, for that matter, to the buyer of a pre-1969 GM model.

CU's automotive engineers give a qualified Yes to the question of whether a tamperproof odometer is feasible. While anything Yankee know-how can put together, Yankee know-how can probably take apart, our engineers say a much less accessible odometer unit, one sealed in plastic perhaps, is certainly possible. But for the unit to be completely tamperproof, the speedometer cable would have to be sealed in two places—where it connects with the speedometer head and at either the transmission or the front wheel connection, depending on the car. (Some car rental companies seal odometers, for obvious reasons, and a spokesman for one of the biggest says sealing is highly effective.)

What about repairs? Would it be possible to fix a broken but tamperproof odometer or install a new one without breaking the seal? Probably not, but mechanics could be required to reseal the unit and verify the original mileage. Enforcement might be difficult—but no more impossible than any other weights-and-measures regulation. If it is important to protect the consumer from the butcher who cheats a few cents on the hamburger, it's at least as important to protect him from the odometer "artist" who chisels a few hundred dollars on a used car.

TITLE LAWS

Title registration laws could help, too, and 41 states already have them. Not only are they an effective weapon against auto theft, they also assure the car owner a clear title to his automobile by requiring that the chain of ownership be established to the satisfaction of motor vehicle authorities. (And possibly the mileage to the satisfaction of the consumer; see box above.) Such a title law is pending in Massachusetts, but the Massachusetts Consumers Council further proposes that the identity of the former owner become a part of the certificate of title the state gives the new owner. But even if the measure sailed through the Massachusetts legislature, it would be truly effective only if most other states passed similar laws.

It will be difficult but not impossible to make the used-car mile more nearly approximate the statute mile. For example, auto makers could develop better odometers; the National Highway Safety Bureau could require them; the FTC could compare notes with Sen. Byrd; states could pass uniform title laws; and, above all, Congress could pass meaningful antitampering legislation.

Meanwhile, there is something to be learned from Assistant Attorney General Meade's historic venture: Even weak laws *can* be enforced. His Great Odometer Raid certainly hasn't stamped out odometer tampering, but it has made the practice a good deal riskier in Massachusetts.

NEED FOR FEDERAL COORDINATION ON HUMAN RIGHTS MATTERS

Mr. PROXMIRE. Mr. President, the United States should improve its record with regard to the ratification of human rights conventions. We have ratified only two of the more than 20 of its human rights conventions which have been proposed since the establishment of the United Nations. Those two are international resolutions on slavery and the status of refugees. Pending before the Senate are conventions on genocide, political rights of women, and slavery.

One of the major recommendations of the President's Commission for the Observance of Human Rights Year of 1968 was the need for greater cooperation and coordination of human rights activities. This cooperation is needed both within the Federal Government and among State and local groups. I invite attention to an article entitled "Human Rights Aide for Nixon Proposed," published in the Milwaukee Journal, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HUMAN RIGHTS AIDE FOR NIXON PROPOSED

(By Frank A. Aukofer)

The federal government needs better coordination of its human rights activities, President Nixon was told last week.

In its final report, the president's commission for the observance of human rights year asked Nixon to appoint a special assistant who would advise the president on all domestic and international human rights matters.

MILWAUKEE MEMBER

The special commission was established Jan. 30, 1968, by President Johnson. It was directed to work to enlarge people's understanding of human rights principles during 1968—the 20th anniversary of the adoption of the Universal Declaration of Human Rights by the United Nations.

The commission's chairman was W. Averell Harriman, former United States ambassador at large. One of its members was Milwaukee Atty. Bruno V. Bitker.

One of the commission's major findings was that the federal government had no interdepartmental mechanism to coordinate, report and advise on all aspects of human rights.

Such a mechanism, the report said, could help in planning and dispensing information and could speed state department reports to the UN on human rights questions.

Each federal department has a person or section charged with making certain that equal rights and opportunities are taken into consideration in the department's programs. But the level of responsibility varies.

ANOTHER PROPOSAL

The report said that departments and agencies with programs that had a significant impact on human rights issues should have a high level officer to make policy and co-ordinate responsibilities in this area.

The special commission said also that there should be better co-ordination of federal human rights activities with local and state agencies.

There are many excellent human rights organizations at the state and municipal levels, the report said. "However, they often lack knowledge of each other and of federal government programs. They would benefit from a sense of common purpose and federal support for their activities," the report said.

The commission said that one of the "grave problems" facing the United States was the "crisis in human relations, which results from the failure of many Americans to recognize and respect the legitimate aspirations of their fellow Americans."

SENSE OF COMMUNITY

"This crisis," the repport added, "has attracted attention to the need for creating among the American people a greater sense of community—a sense of unity, mutual respect, social justice, and common purpose indicative of a progressive and just society.

"Essential in achieving such a sense of community are an understanding of human rights standards and a willingness to commit the necessary resources to their attainment."

The commission said that the "community" to which it referred went beyond national boundaries, and that human rights affected questions of peace and war, international exchange, growth and development. It said human rights needed to be continually reviewed in a global context.

NIXON'S HELP ASKED

The commission asked Nixon to give his personal support to international human rights conventions, or agreements. It noted that the United States had ratified only two of the more than 20 human rights statements drafted since the establishment of the UN.

The United States has ratified international resolutions on slavery and the rights of refugees. Pending before the senate are conventions on genocide, the political rights of women and forced labor. Another, on racial discrimination, has not yet been submitted to the senate.

TOM PILLIFANT, ALASKAN

Mr. STEVENS. Mr. President, recently a close friend of mine as well as a fine Alaskan died. He was Tom Pillifant, and he had been with the Bureau of Indian Affairs for the last 3 years. I can only offer my sincerest sympathy to Tom's family and all of his friends throughout the State of Alaska.

I think the depth of feeling for Tom Pillifant can best be shown by an editorial published in the Anchorage Daily

Times of April 28, 1969, and in an excerpt from a letter I received from Tom's mother. The two items speak far more eloquently than I ever could about how the people of Alaska felt about Tom.

I ask unanimous consent that the text of these two items be printed in the Record.

There being no objection, the texts were ordered to be printed in the Record, as follows:

Waukegan, Ill.,
April 29, 1969.

Hon. Ted F. Stevens,
U.S. Senator from Alaska, Senate Building, Washington, D.C.

Dear Senator Stevens: To Alaska: I have known "of" you all the 67 years of my life, but I "discovered" you only this week. Prior to that time I had thought of you as a great expense of land where it was always colder than it was warm—where my dear son Tom lived—where there were other people and places, of course, and that you were one of the states of our great Nation.

Upon landing at your airfield I learned of the death of my son whom I had come a great distance to see and to bid goodbye. My first thought was "Oh, how I wish I could take him back where he was born, where he lived so long, and where he can be with his people."

Within a few hours I had changed my mind. I found he belonged to Alaska and I was at peace when I left him there with you along with a great piece of my own heart, because I discovered Alaska's heart was as great as its expanse of land and as loving and as warm as the people I had the privilege to meet there, and that the warmth of that love transcended any coldness of climate.

Thank you, Alaska, for your love for my son and for the great honors you paid him. I know he had a great love for all of you and that he found peace and happiness with you. Truly, you were his people, too!

He needs no monument of stone—you have given him a monument, unsurpassed by any earthly one that could ever be erected.

My love and appreciation to all of you.

His Mother.

[From the Anchorage (Alaska) Daily Times, Apr. 28, 1969]

Thomas H. Pillifant

Alaska had Thomas H. Pillifant for only three years, but the people who knew him—and there are many—will remember for a long time the gentle, compassionate man who cared so deeply about human dignity.

He didn't just talk about it; he really cared. And that's why it hurt his friends so much to watch helplessly as cancer weakened him and finally took his life.

Pillifant was especially interested in improving the living conditions of Alaska's native people. As a practical man, he knew part of the answer was in settlement of the native land claims and in jobs and better housing in the villages.

Native leaders responded to the depth of his concern. They made him an honorary chief in the Alaska Federation of Natives, an honor he deeply cherished.

He has left behind the warm memories of a vigorous man who devoted his life to comforting the afflicted and afflicting the comfortable.

HARPER'S BAZAAR ARTICLE SUPPORTS SECRETARY OF PEACE BILL

Mr. HARTKE. Mr. President, the bills introduced by Representative Seymour Halpern and myself in February for the establishment of a Cabinet-level Secretary of Peace and a Department of Peace continue to draw interest and support across the Nation.

The current issue of Harper's Bazaar contains an article, entitled "How To Win the Human Race," written by Natalie Gittelson. The author specifically ties our proposal to efforts being made by a large women's organization for revitalizing Mother's Day as an occasion for stress by the Nation's mothers on the need for peace. She urges support by the magazine's readers for the leadership efforts of the 55,000-member organization "Another Mother for Peace" as a spearhead of support for the Peace Department we have proposed.

However, I wish to note one inaccuracy in the account, which states that "21 Congressmen joined to sponsor the legislation." As a matter of record, 15 Members of the Senate cosponsored my own bill, S. 953, and there are now 65 cosponsors of the House bill, H.R. 19650, five having been added since its introduction.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article ordered to be printed in the Record, as follows:

How To Win the Human Race

(By Natalie Gittelson)

May means a lot to me. My husband's birthday and our son's both occur in this radiant month as the earth quickens with new life. And Mother's Day blossoms forth on May 11th. It has always seemed a rather charming, personal configuration of the planets that the birthways of the two men in our family fall so close—almost on top—of that day which purports, at least, to celebrate maternity. But my pleasure in it has been somewhat marred in recent years. As a woman and a mother, I have begun to feel slightly sold out, slightly disappointed, slightly ill-at-ease by the innocent mindlessness of May 11th.

Now don't get me wrong. I love festivals. I love parties. And I love presents. I dig right down to the ground the bibelots and other tokens of tribute that come snowed under mountains of white tissue in those pretty Bergdorf and Bendel boxes on Sunday morning. I dig breakfast served by loving hands, and the carefully coddled egg, and the fresh pink carnation on the tray. In fact, after lo, these many years, all that sweet pomp and circumstance can still bring tears to my eyes.

But in recent times I have not wept gently. I have wept with rage, with frustration and with horror. For, as I write these words, we are still engaged in the longest war in America's history. And no woman can confront her own motherhood on the happy, close and carefree family holiday of May 11th without grieving for tragic, careworn parents all over the world whose children have been lost or, perhaps worse, wounded beyond recognition; and for those many more young whose lives and wholeness hang in the balance every moment that war continues.

It goes without saying that this is not a political, but a visceral response—independent of party, of partisanship and even of nationhood. For (sophisticated theorizing about the sameness of the sexes notwithstanding), I believe that the reverence for life must live especially in female loins. Each child who dies, each child maimed physically or psychologically in the final obscenity of war, is lost by every woman who has ever borne a child—and by all those women who have not, but whose maternity is no less vibrant.

Martha Gellhorn, the war correspondent who was married to Ernest Hemingway, wrote recently from Vietnam: "To aid your passion for stopping this war, I enclose one little photo." (It is of two young teenagers with ghoulish non-faces, so shocking that one does not permanently recover from the sight of it.) "I thought it was two boys in ghastly Halloween masks, but not so. These are Binh and Bao, two children I know: at the ages of nine and eleven, respectively, they were tending their uncle's buffaloes far from the village where they were napalmed; all buffaloes dead and two tiny boys left burned beyond belief.

"They spent some two years lying on beds in a provincial hospital; God knows how they survived; and were brought to London two years ago perhaps more, yes more, by Terres des Hommes; they are now sixteen and fourteen. Note their lack of hands as well as faces. And they are astoundingly remodeled after more than thirty operations each; but both nearly blind, nearly fingerless, and frightening as you see. And they are perfectly adorable human beings; I've seen them in and out of hospitals; gay and gallant, gentle, kind, quick-minded . . ."

This is not a pretty sermon for Mother's Day. Perhaps it seems sickeningly, even perversely misplaced among the pink carnations and the kisses and the careless joy. But it does dramatize the reason why our national vision of Mother's Day has lately struck a hollow chord within me. As women meticulous in our regard for life, should we not demand more seriousness, and higher purpose, on this single occasion of the year that presumes to celebrate our human capacity to deliver life into the world?

Not surprisingly, I am not alone in my instinctive longing for a radical revamping of the meaning of Mother's Day. This year, 55,000 women (at last count) will "re-dedicate themselves to action for peace" on May 11th. The first act on their collective agenda: to flood Washington with all the Mother's Day cards and messages that they themselves receive, forwarding them to government leaders—the President and/or their own Congressmen—with a personal plea for Peace Now. The slogan of these women is a simple one: "War is not healthy for children and other living things." It appears in bold black type on the letterhead of their organization; on notepaper, peace posters, bumper stickers and in media advertisements purchased of course at their own expense. They wear it inscribed on golden medallions lit by golden sunflowers, strung on thin golden chains around their throats. "And we shall continue to wear it until there is peace," says Mrs. Paul Newman (who is, professionally, the actress Joanne Woodward). "Not a time between wars, but peace."

Mrs. Newman, and at least 54,999 more women, are members of a non-political, non-partisan, non-militant group called Another Mother for Peace. (It is an impossible philosophical contradiction, they believe, to act militantly in behalf of non-violence.) The roster of their membership includes many novices who are by nature nonactivists and some "old pros" who have stood up against war again and again in this shattering decade: Donna Reed Owen, the movie and television star who is co-chairman of AMP; Felicia Montaleagre Bernstein who, with her husband, Leonard Bernstein, launched AMP's first Christmas Card campaign two years ago; Gloria Vanderbilt Cooper, painter and patron of the arts; Bess Myerson Grant, Commissioner of Consumer Affairs in New York City; Barbara Rush, the young actress whose great-great-great grandfather, Benjamin Rush, was a signer of the Declaration of Independence.

On the 10th of May, at an all-day con-

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ference in Southern California, AMP will honor Mr. and Mrs. Paul Newman, for their unceasing dedication to the cause of non-violence, as peace parents of the year. Conference theme: This Age Demands A Meaningful Mother's Day. The organization will call once more for a cease-fire in Vietnam and the withdrawal of American troups (if by then this has not occurred); for the elimination of the production of war toys by industry; for the reduction of violence in television, especially during those hours when children watch; and, with particular ardor, for "a strong, vocal constituency for Department of Peace legislation in Washington."

Last February 10th, the AMP-advocated Secretary of Peace bill, was introduced to the Ninety-first Congress by Senator Hartke of Indiana, Hatfield of Oregon and Yarborough of Texas. The goal of this bi-partisan measure, H.R. 19650, is, as Hartke told the Senate, "to establish a Department of Peace as an executive department of the Government . . . in the advancement of our existing peace programs . . ." Twenty-one Congressmen joined to sponsor the legislation. Professor Frederick L. Shuman, Woodrow Wilson Professor of Government, Emeritus, at Williams College and now Professor of Political Science, Portland State College, Oregon, wrote a long, coldly reasoned, warmly inspired treatise called "Why a Department of Peace?" setting forth his conviction that neither the Department of State or Defense nor the United Nations can carry the burden of responsibility. "We who have reached the moon," Schuman said, "must now begin the imperative journey toward a peaceful earth." This "modest proposal" for a Department of Peace was defeated in Congress. It was not the first time that the voices of life in this regard had fallen on ears both deaf and dead. In 1945, Senator Alexander Wiley of Wisconsin said in the Senate, for the second time within two years, "I crave for my government the distinction of being the first Government on earth to establish a Secretary of Peace. The establishment of such a secretariat would be heralded throughout the world . . ."

Twenty-six years later, the world still waits. AMP does not. Its members will continue to lobby, seeking support from the McCarthys, the McGoverns, the Kennedys, the Muskies, the Fulbrights, the Ribicoffs, and the Mansfields on the Hill to help make operative, through H.R. 19650, President Nixon's inaugural appeal to this nation: "Let us take as our goal: Where peace is unknown, to make it strong; where peace is temporary, to make it permanent."

If this is your goal too; if you would like to add one more feminine voice to, in Donna Reed Owens' words "the cry in the world for a new philosophy; a philosophy of the priorities of life over the priorities of death"; and to participate in "the search for a usable future," for the children of the world write to Mrs. Owens now. Her address: Another Mother for Peace, 407 North Maple Drive, Beverly Hills, California 90210.

THE NEGLECTED ALASKAN NATIVES

Mr. STEVENS. Mr. President, the Washington Post recently published an editorial concerning the native people of my State and the complex and significant land problem which confronts Alaska.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OUR NEGLECTED ALASKAN NATIVES

The complex Alaskan lands problem appears to be getting careful attention both in the Interior Department and in the Senate Interior and Insular Affairs Committee. This is a hopeful sign, for the problem has been grossly neglected ever since Alaska became a part of the Union. The result of this neglect is acute poverty among most of the native Eskimos, Indians and Aleuts living in that potentially rich land.

Gov. Keith H. Miller told the Interior Committee the other day that the average life span of these natives is just over 34 years and that all but 400 of the 7,500 native houses in Alaska are in need of replacement. The Government has fluctuated between a policy of assimilating the natives and a policy of protecting their separate way of life. While their strong moral claim to the lands they have occupied or used for centuries has been generally recognized, no settlement has ever been worked out and the resulting confusion has worsened the natives' plight.

Even now one of the main incentives to legislation is lifting of the land freeze that has been imposed until the native claims have been settled. Alaska sees its economy in a strait-jacket until a solution can be found. Be that as it may, much careful work has been done and at least there is hope of a solution on the horizon.

An extensive study of the complex social, legal and political aspects of the problem was made by the Federal Field Committee for Development Planning in Alaska. On the basis of that admirable study a bill has been drawn by the Department of the Interior, and Secretary Hickel and other witnesses have submitted their comments to the Interior Committee. Without committing himself to all of the detailed provisions of the bill, Senator Jackson, the chairman, is trying to push the controversy to a satisfactory conclusion.

The native groups have shown good judgment in seeking a legislative solution instead of pursuing the slower and more dubious route of judicial action. Their legal claims are vague and uncertain; their moral claims and their right to a share in the expanding American economy are more secure. A strong consensus seems to be emerging that Congress must treat them with fairness and respect for the way of life they prefer to follow.

The Field Committee concluded that any fair settlement must confirm the rights of the village people to the lands they use for homes, business, hunting, fishing and the like; safeguard their access to fish and other wildlife resources; and compensate them for land taken by the Government for military bases, national forests and so forth. To compensate the natives for their aboriginal land claims, the Field Committee would create a Development Corporation belonging to the natives and give it a share of the return from potentially rich oil and mineral lands as they are developed.

Secretary Hickel contended that this would involve excessive risks for the natives, although it might, by the same token, provide handsome returns. He recommended instead a fixed sum of $500 million to be appropriated over a period of 20 years. The Secretary would also double the land allotment which the bill provides for the native villages, on the reasonable assumption that they will continue to rely heavily on the land for their sustenance.

However these differences may be resolved, the obligation on Congress to act promptly and generously is clear. Poverty is never quite so unjustified as when it is directly related to the Government's own neglect in meeting its obligations.

THE AFRICA TREK FOR DEVELOPMENT

Mr. DODD. Mr. President, on Saturday, May 17, an important and worthwhile project will take place in Washington, D.C. It is called "The Africa Trek for Development," and it is a joint project designed to raise funds for Operation Crossroads Africa and the American Freedom From Hunger Foundation.

I know that many Senators are familiar with Operation Crossroads Africa, a nonprofit organization which sends young North Americans to live and work in various African nations during the summer.

Begun in 1958 by a New York City minister, Rev. James H. Robinson, Crossroads was described by the late President Kennedy as the "progenitor of the Peace Corps." Its goal is "building bridges of friendship" between Africa and the United States through a series of service projects.

The American Freedom From Hunger Foundation was initiated in 1961, in response to President Kennedy's challenge:

> We have the ability, we have the means, and we have the capacity to eliminate hunger from the face of the earth. We need only the willingness.

Freedom From Hunger aims at mobilizing private technical, economic, and manpower resources to augment Government efforts to eliminate the causes of hunger. Among its accomplishments have been educational projects on nutrition, a day care center, and several community centers, both rural and urban.

The coalition of these two somewhat different organizations into the Trek, a cooperative effort, has grown out of a basic trend in the thinking of many young Americans today.

This is a generation which is undoubtedly service-oriented; proof lies in the vast number of young adults who are involved in the Peace Corps, VISTA, poverty and civil rights groups throughout the Nation, and in various phases of international service.

This generation is also international, indeed universal, in its outlook. This fact is illustrated by such phenomena as the growth of student interest in the war, the yearly increasing number of students in international affairs and area studies programs, and, particularly among young blacks, the revival of the Afro-American movement.

Many students and young adults who wish to turn to international service, however, are faced with a deep-rooted conflict: can they turn their backs on the poverty and strife in their own country in order to serve the people of another area of the world? This conflict was heightened, slightly more than a year ago, when virtually the entire Nation erupted into violence. America's social and economic ills became all too apparent.

"Africa Trek," an attempt to raise funds for these two worthy organizations, is one solution to the conflict. It is based on an interrelation between domestic and international service; funds will be allocated accordingly.

Forty-two percent of the money raised will go toward an inner-city project in the District of Columbia. A youth committee, composed of representatives of

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schools and other area organizations, will choose the project from among existing self-help programs, such as Junior Village.

Forty-two percent of the funds will go to Operation Crossroads Africa to send 12 Washington area high school students to Africa this summer.

Freedom From Hunger will also send three graduate students in nutrition from Howard University on a Crossroads project to improve nutrition programs in Liberia, the Congo, and Ghana.

The final 15 percent will go to the Freedom From Hunger Foundation for its national education program on the problems of hunger at home and abroad.

The format of the Africa Trek for Development is a 25-mile hike through Rock Creek Park. Adult sponsors will pledge a certain sum for each mile that one or more participants walk. Similar hikes in Canada have raised more than $4,000,000 since 1967 for various community organizations.

Commenting on the Trek, Mayor Walter Washington said recently:

> Your program is uniquely capable of offering real understanding of the firm ties that bind the African continent and the United States together. At the same time your capability of assisting to relieve hunger in Africa and to apply the experience gained abroad in work in the inner-cities of our own country comes at a time of critical need.

Mr. President, the Africa Trek for Development represents the kind of innovative and constructive activity in which so many of our young people have involved themselves. But their effort and interest need our encouragement.

I commend the coordinators of this fine program, and wish them the greatest success.

I ask Senators to lend their active support to the trek when the opportunity presents itself.

AMERICAN FRIENDS SERVICE PROPOSAL TO END VIETNAM WAR

Mr. HATFIELD. Mr. President, the American Friends Service Committee white paper on ending the war, published on May 5, 1969, offers an enlightened perspective on the current situation in Vietnam and proposes a solution to this tragic dilemma. The white paper represents a comprehensive study of the war in Vietnam today and draws upon the firsthand experience of field workers who have conscientiously served the people of that land. The committee supports an immediate unilateral withdrawal by U.S military forces in view of its findings based on 15 years of experience in Vietnam.

I ask for unanimous consent that the text of the pamphlet be printed in the Record.

There being no objection, the pamphlet was ordered to be printed in the Record, as follows:

Vietnam 1969

THE LAST YEAR

It has been more than a year since the rhetoric of peace began in Vietnam. During this time scores of thousands of men and women and children have died in the fighting. They continue to die today, and every evidence in Vietnam is that they will continue to die tomorrow unless there is an unparalleled demand from the American people that the slaughter be halted. The American Friends Service Committee calls for a halt—now.

Like millions of others the world over, we felt a sense of relief a year ago that our country was at last moving toward a Vietnam settlement. We welcomed the initiation of the Paris talks, the halting of the bombing of North Vietnam, and, more recently, the reports of an Administration decision to undertake some form of U.S. military disengagement. We have hoped these steps would lead to a ceasefire and our country would begin to right its distorted priorities that require spending billions on destruction while our cities decay and our poor despair. But hope has not been enough. Little has really changed in the year that has passed.

PRESENT ILLUSIONS

We believe U.S. military and government leaders are fostering illusions in regard to Vietnam. Our own experience in Vietnam is so at variance with official interpretations that we cannot reconcile what we have seen with what is officially reported. Americans are under the impression that the war is all but over; it is not. They are being told that the U.S. military policy is one of restraint in the interest of progress in Paris; it is not. They are encouraged to think that the Thieu-Ky government is becoming more acceptable to the Vietnamese, that it is politically more secure, more resolute in carrying on the war, more ready to institute reforms, more competent to carry on with diminishing U.S. help. We find no evidence that these things are so.

In our judgment, the human situation in Vietnam today is worse than it has ever been; the cumulative result of U.S. involvement (on top of 25 years of warfare) borders not on Vietnam's salvation, but on its death. An entire nation is being physically, morally, and spiritually destroyed—and the tempo of destruction has increased, not decreased, since the beginning of the Paris talks and the bombing halt.

AFSC QUALIFICATIONS TO COMMENT

Our judgment on these matters is based on 15 years of relationship with Vietnam, the last four with full-time staff stationed variously in Saigon, Vung Tau, My Tho, Danang, An Khe, Pleiku, Hue, and for the last two years, Quang Ngai. As far back as June 1954, we urged the U.S. not to follow the French example of trying to deal with Indo-China's problems in military terms, insisting that "nothing but disaster lies down that road." [1] Since the U.S. military involvement escalated in 1965, our field staff, speaking Vietnamese and living as closely as possible among the people, have regularly reported to us on the conditions around them. These reports make hard reading, chronicling as they do a tide of destruction that has gradually engulfed a people and torn apart the fabric of their lives. Here is what these reports have recorded:

REFUGEES

Four million people—one-third of the rural population of this rural nation—have fled their homes and become refugees in a country where land and village roots have an importance unknown in western culture.[2] Most have fled to the cities, which are quite unprepared to cope with the influx. Saigon's population has swelled to 2,800,000, making it the world's most crowded city. with more than twice the population concentration of Tokyo.[3]

DESTRUCTION

Physical destruction is enormous. Hundreds of thousands of acres have been defoliated, countless villages have been razed, and bomb craters pockmark the countryside. B–52 raids alone have torn 2½ million holes 45 feet in diameter and 30 feet deep[4]—holes that are now filled with water and serve as breeding grounds for malarial mosquitoes and other insects. More tons of explosives have been dropped on this tiny country than were dropped on all the Axis powers in all of World War II, and with every month that passes the loads are bigger and the bombs heavier.[5] In December 1968, the U.S. for the first time began using in Vietnam 10,000-pound bombs that had been stored in military depots for 15 years.[6]

ECONOMIC IMPACT OF WAR

The basic economy of the country has been destroyed, and only heavy imports of consumer goods from the U.S. and Japan keep inflation from assuming explosive dimensions. Corruption is epidemic. Vietnam's ancient Buddhist culture, with its village roots, its veneration of ancestors, its reliance on the extended family, has been torn apart by the impact of having quartered in its midst a half million foreign troops who know nothing of its ways or sensibilities. Prostitution and black marketing are rampant.

SUFFERING

In all of this the suffering of the Vietnamese has reached levels that would appall the American people if they could see it. Many thousands have been forced from their homes on short notice, incarcerated in tent cities and then after weeks or months been permitted to return to their villages—their homes destroyed, their animals dead, and their fields mined.[7] More thousands are caught under the bombs or between the contending forces, and the result is carnage.[8] Even before the 1968 Tet offensive it was estimated that there were from 150,000 to 200,000 civilian casualties annually.[9] Provision for caring for the victims is hopelessly inadequate. Provincial hospitals today have few doctors, poor facilities, and often a shortage of medical supplies and even pain killers.[10] The American Friends Service Committee, which has been involved in the relief of war suffering for more than half a century, has rarely encountered such misery as is found in Vietnam today.[11]

U.S. ESCALATION SINCE NOVEMBER 1, 1968

The United States, while it is publicly committed to a search for peace, has in fact stepped up its military activity since the bombing of the North was halted on November 1, 1968. Consider the following:

1. There are more U.S. troops in Vietnam today than there have ever been since the war began. On March 15 this figure was 540,500, in addition to 45,000 in Thailand and 35,000 in the Navy offshore.[12]

2. The number of battalion-sized operations initiated by the Allies and in progress during each month has grown steadily since the bombing halt. In November the figure was 800; in December, 956; in January, 1077.[13] The actual figures for less-than-battalion-sized operations in this same period are still classified, but it is known that they, too, reflect a steady increase. Enemy-initiated actions in both of these categories are substantially lower than allied actions during these months, which indicates that it is the allies who have been pressing the fighting.[14] Indeed, the North Vietnamese withdrew 30,000 to 40,000 troops from South Vietnam after the bombing halt.[15] The inclusion of small scale terrorist activity by the NLF forces does not significantly alter the picture. These actions remained relatively constant through December at a level of approximately

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100 a month, involving the deaths of from 350 to 450 civilians monthly.[16]

3. Despite the cessation of missions over the North on November 1, the total tonnage of bombs dropped on Vietnam has increased every month since then, except for a slight decrease in the shorter month of February. In November 115,000 tons were dropped; in December, 127,700; in January, 129,700; in February, 115,800.[17] The January figure represents the highest monthly tonnage dropped since the war began.[18]

4. Since October the war has been carried into ostensibly neutral Laos with greatly increased intensity. Before November 1 there was an average of 150 bombing strikes daily over Laos in 1968.[19] By the end of January the U.S. had 300 to 400 planes a day over Laos, or more than double the number being used before the November 1 bombing halt.[20] U.S. commanders have also been permitted to cross the border and carry ground fighting into Laos when they have felt the military situation required it.

5. U.S. battle deaths—always the inexorable barometer of the level of military action—offer final confirmation of the validity of the preceding statistics. These show a rise every month since the bombing halt: 600 American men lost their lives in October; 703 in November; 749 in December; 795 in January; 1073 in February; 1265 in March.[21] Renewed military initiatives by the NLF and DRV forces did not begin until the last week of February.

Where is there evidence in these statistics of a scaling down of allied operations?

U.S. AIMS IN VIETNAM

Americans are assured that U.S. goals in Vietnam are limited ones. Earlier talk of victory has ceased as the death toll has risen and as the decimation of Vietnam has become apparent. Today the apologists for continued U.S. military action argue that our commitment will be fulfilled if our forces can achieve a reasonably pacified countryside, a reasonably stable government, and a reasonably effective Vietnamese army, capable of defending itself against its opponents. The American people are being assured that progress toward these goals is being made.[22] On the basis of our experience, however, and without considering whether these are appropriate goals for the U.S. to be seeking, we do not believe they are in fact attainable:

1. Pacification efforts have repeatedly failed over a ten-year period, and they will continue to fail. The Hamlet Evaluation System, a U.S. introduced, computerized measurement of territorial security, may show the country to be a 75% secure, but all who know the Vietnamese countryside dismiss such figures out of hand. They are worthless because the sources of data are biased, and the definition of "security" is slippery. As the recent Tet offensive has shown once again, the NLF can still move with impunity into any part of Vietnam, even into the very centers of U.S. military power. Despite the contrived reports of the computers and despite the billions of dollars spent on pacification, there is today no part of Vietnam that is truly secure. Neither the U.S. nor Saigon is "winning the minds and hearts" of the Vietnamese. The countryside has not been pacified; it is less secure in 1969 than it was in 1965. Even the major cities, though ringed with fortifications, are vulnerable to attack and infiltration.[23] Quaker workers and Vietnamese sources report to us that anti-American feeling has never before been so intense as it is now.

2. The Thieu-Ky government does not offer any promise of future stability. The government in Saigon is a military dictatorship propped up by U.S. power, despised by the Vietnamese and notoriously corrupt. Freedom of speech is suppressed. No one knows exactly how many Vietnamese political prisoners languish in Vietnam's prisons, but the figure is certainly in the thousands, and includes many of the country's leading intellectuals: university professors, religious leaders, lawyers, students, newspaper editors, politicians—anyone who has dared to advocate political initiatives to end the war. Many of the leading figures in the present Saigon government fought for the French against their own countrymen. They represent an old and vanished order. Whatever the outcome in Vietnam, they will be swept away the moment the Vietnamese regain control of their own affairs. They are too weak a reed on which to pin any U.S. hope for future political stability.[24]

3. The South Vietnamese armed forces will never successfully take over the military burden now carried by the United States. It is not hardware or training that is lacking in Saigon's armies. It is will, the one ingredient the United States will never be able to provide. Thieu's soldiers have no heart for this struggle and have not had any for years. Indeed, one of the most striking phenomena of the war is the contrast between the contending forces: a Vietnamese dressed in the peasant garb of the NLF is one of the world's most formidable fighting men; the same man in the uniform of Saigon is one of the world's poorest. Why? Because one believes he fights to drive the foreigner from his soil while the other fights only to sustain the power of a corrupt military clique.

WHY THE UNITED STATES SHOULD WITHDRAW

If, therefore, as the American Friends Service Committee believes, a continuing U.S. military presence in Vietnam will not result in any genuine pacification of a war-weary and embittered countryside, and will not make palatable a government that is not palatable, nor an army fight that has no will to fight, it becomes useless to pursue further a course that is leading nowhere. It is useless to stay on even for the purpose of a bargaining position in Paris, because we find no reason to think that time will serve to strengthen the U.S. position. This is why we believe that the only viable option left for the U.S. in Vietnam is to withdraw from the whole tragically misconceived adventure.

This is something the U.S. can do. Our military can cease all offensive action, all search-and-destroy missions, all air and sea attacks, and withdraw U.S. troops to port areas for repatriation. This action would have the paramount advantage of returning the future of Vietnam to the Vietnamese, where it belongs. Questions of reunification and political settlement are questions for the Vietnamese to answer, because the Vietnamese, whether they live in Hanoi or in Saigon, are still a single people. They were divided by foreign fiat at Geneva; they have been kept divided by U.S. preoccupation with anti-communism; but fiat and power do not undo the history of a thousand years. The Vietnamese remain one people and not two. They are presently torn by strife between North and South, and between contending forces within South Vietnam, but these struggles can only be resolved by the Vietnamese themselves.

As the only foreigners in South Vietnam, the U.S. and its allies have nothing to negotiate but the rate and manner of their withdrawal. If our leaders were to acknowledge this and move to act on it, it would at once open up a whole new range of possibilities for the good offices of other nations to be used in mediation and in arranging for sanctuary or amnesty for those open to reprisal. This in itself would be a hopeful development.

There will be suffering and turmoil if the U.S. leaves. There may be a government in Saigon led by Ho Chi Minh; there may not be. Withdrawal does not mean that justice will be done. It does not insure fair elections or well-protected freedoms. It does not even insure that urgently needed resources will at last be released for use in America's cities, since the Pentagon has plans to use any savings for its own new weapons projects. But whatever happens, or fails to happen, will, in our judgment, be preferable to going on with the present agony of death and destruction that is literally destroying Vietnam, undermining our own domestic social fabric, and damaging our country's name in the world community.

The real problem for the United States in unilateral withdrawal is not in the military consequences in Vietnam, but the political consequences at home. We do not underestimate their magnitude, or the courage that would be required to face them. The President is under great pressure, and it may seem safer and wiser for him to pursue a less drastic course. But we believe that both the American people and the world at large would respond to forthright leadership to withdraw our country from this war, especially if it were made clear simultaneously that the U.S. stood ready to assist generously in the task of economic reconstruction. We are not calling for the United States to abandon Vietnam, but only to replace a destructive American presence with a constructive one that will act in concert with an international effort to provide such economic help as may be requested by the Vietnamese.

This approach would give us a whole new position in Southeast Asia. At the very least, it would change the present tragic image of the United States. Every day sees the armed forces of the world's most powerful nation raining bombs and chemicals and napalm on the rice fields and bamboo huts of one of the poorest and most defenseless countries. As long as this continues, millions must wonder whether the Americans have indeed become the New Barbarians.

Let us therefore order a cease-fire and withdrawal from Vietnam, unilaterally and immediately. Let us get on with what is really important: the rebuilding of their country—and ours—and the lifting of the burden of poverty from the backs of Vietnamese and Americans alike. These are tasks in which Americans can join with enthusiasm.

GILBERT F. WHITE,
Chairman.
BRONSON P. CLARK,
Executive Secretary.

FOOTNOTES

[1] June 8, 1954, Public Statement issued by the Board of Directors of the American Friends Service Committee.

[2] Report of the Subcommittee to Investigate Problems Connected with Refugees and Escapees, Senator Edward Kennedy, chairman, May 9, 1968. The same report indicates that 80% of these refugees fled because of U.S. bombing. In our Quaker experience, this percentage is a conservative estimate.

[3] The Vietnam Guardian, March 22, 1969: "Saigon: The World's Most Crowded City." Average density of Saigon is reported as 148 persons per acre; Tokyo, the second most densely populated city in the world, averages 63. Densities in Saigon are up to 830 persons per acre.

[4] The Nation, April 21, 1969. Report from Professors E. W. Pfeiffer and G. N. Orians of the Society for Social Responsibility in Science, as quoted in editorial, "Ravaging Vietnam."

[5] November, 6.94 tons per sortie; December, 7.00 tons per sortie; January, 7.55 tons per sortie; February, 7.55 tons per sortie. These estimates were computed on the basis of figures on total tonnage and total number of

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Footnotes at end of article.

sorties provided by the Southeast Asia News Desk, Directorate for Defense Information of the Office of the Assistant Secretary of Defense (Public Affairs), March 26, 1969.

[6] Washington Post, December 27, 1968: "10,000-Pound Bombs Used to Clear Viet Landing Zone." These bombs, too big for conventional fighter-bombers, are reported as being dropped from C–130 cargo planes or flying crane helicopters.

[7] In one such removal, during Operation Bold Mariner in January 1969, 12,000 peasants from the Batangan Peninsula were taken to a waterless camp near Quang Ngai over whose guarded gate floated a banner saying, "We thank you for liberating us from communist terror." These people had been given an hour to get out before the USS New Jersey began to shell their homes. After 8 weeks of imprisonment they were ferried back to what was left of their villages, given a few sheets of corrugated metal and told to fend for themselves. When asked what they would live on until new crops could be raised, the Vietnamese camp commander said, "Maybe they can fish."

[8] A Quaker worker, writing from Quang Ngai late in February 1969, describes the situation as follows:

"Several of us went to the roof about 3 a.m. The Americans unleashed the terrifying "Puff the Magic Dragon," a DC3 that spews forth 5000 machine gun bullets per minute. As I watched it circle overhead last light, silhouetted against the low clouds in the light of the flares, flinging indiscriminate bolts of death earthward, I could vividly visualize the scene below. Men, women, children and animals, caught like rats in a flood. No place to hide, no way to plead their case of innocence to the machine in the sky, no time to prepare for death. The beating the civilians are taking in this war is beyond adequate description.

"Sitting behind the others on the roof I felt tears welling up and was shocked as I became aware of feelings foreign to my conscious self, which surfaced under the indescribable strain of watching man slaughter man en masse. The cold, mechanical, compassionless way that monster circled around and around ruthlessly pursuing an unseen "enemy," stabbing viciously earthward again and again, probing, searching, killing and maiming all in its path. . . .

"We have survived, but a lot of Quang Ngai people didn't make it. And a lot more who are now clinging to life over at the hospital will not make it until morning. If only we could bring this horrifying scene of human devastation in its true dimensions home to the people who must know what it's like. The ones who are pulling the strings on this deadly puppet show. Man's inhumanity to man has reached its climax in Vietnam."

[9] Report of the Kennedy Subcommittee, cited above. These figures, the report notes, are prior to the 1968 Tet offensive, which greatly increased the rate of civilian casualties.

[10] In Quang Ngai's 500-bed provincial hospital, for example, there were in late February over 600 patients, the great majority war-related. Our Quaker team members were the only non-Vietnamese medical personnel available to care for this overflow load, and, with the exclusion of a single Vietnamese doctor, the only medical aid.

[11] Consider the following, taken from one of many recent reports from Quaker workers in Quang Ngai:

"How can I tell you what it was like! These people coming in filthy, with glazed looks, numb. Nobody talking, nobody crying and the sounds of furious battle not yet ended pursuing them in the door. The emergency room floor still covered with blood from yesterday's casualties, smelled in the heat of the day and was oppressive . . .

"One little fella of ten or so, shot in the face. Three bullet or fragment holes in the back and buttocks, one of which had exited through his abdomen, the others lodged somewhere. He, like most of the others, came in lying in a pool of blood. Feces and ground up bits of bone were flowing out of the buttocks wound. Vomitus ran from his mouth and mixed with the blood pouring from the face wound. We worked with him for a long time but his chances are slim. He was in shock (most of them were) and struggling to get up from time to time, at times opening his eyes wide to beg for water or complain of the pain in his belly and then lapsing into unconsciousness. His father stood by silently, grief written all over his face. A girl, maybe seven years old, with a head wound and skull fracture. Also major portions of one foot missing. Mother and grandmother crying quietly while trying to help us dress the wounds. A mother lying on a stretcher on the floor smeared with blood and with her infant lying silently on her chest. The baby also was covered with blood and I never saw it move.

"I've seen all this before! Why can't I get used to it?! Each lifeless form, every scream of anguish, each blank stare of those who have suffered too much strikes pain in the pit of my stomach. Are there really those who can look at a scene like this and not suffer with the people?"

[12] Figures provided by the Pentagon's Southeast Asian News Desk, March 26, 1969.

[13] Ibid.

[14] This is confirmed by the New York Times, April 18, 1969 ("U.S. Battle Let-Up Denied in Saigon") which reports that "American troops are continuing to follow a policy of maximum pressure against the enemy. Allied units are continuing to patrol and pursue the enemy aggressively." Later in the story an unidentified colonel is quoted as follows: "All our battalions and brigades are out and operating from one end of the country to the other, just as they've been doing for months. If the casualty figures are down, it's because the Vietcong didn't want to fight—not the United States."

[15] Figures provided by the Pentagon's Southeast Asian News Desk, March 26, 1969. Senator George McGovern, speaking on the Senate floor March 17, 1969, reports this withdrawal was of "22 full regiments." Sources differed as to the reason for the withdrawal. The military attributed it to the need of North Vietnam to rest its battered forces; Senator McGovern suggests it was in response to the bombing halt.

[16] South Vietnamese government figures, as reported by the Pentagon's Southeast Asian News Desk, March 26, 1969. Data available only through December 1968. These show 443 killed in October, 440 killed in November, 355 killed in December.

[17] Figures provided by the Pentagon's Southeast Asian News Desk, March 26, 1969.

[18] Representative Don Edwards (Dem., Calif.) in a speech on the floor of the House, March 26, 1969.

[19] New York Times, November 1, 1968. William Beecher, "Laos Route to Be Pounded."

[20] U.P.I., January 29, 1969.

[21] Pentagon figures, updated from those quoted by W. F. Ryan (Dem., N.Y.) in the Congressional Record, March 26, 1969.

[22] New York Times, January 3, 1969. Charles Mohr, "Major Gains Made by Vietnam Allies, Even Critics Assert." Reader's Digest, February 1969, an interview with Admiral John S. McCain, Jr., "In Vietnam the Enemy Is Beaten." When the NLF stepped up the fighting late in February 1969, the military made efforts to keep the vision of U.S. progress alive by downgrading these actions. See New York Times, March 11, 1969, Charles Mohr, "Field Checks in Vietnam Show Allies Understated Foe's Gains." The American Friends Service Committee can document this charge from its own experience as far as Quang Ngai is concerned, since the city has more than once since February 23 been subject to night ground attacks that have resulted in an occupation of at least 25% over a period of several hours. Yet, as far as we know, these actions have not been reported by the military briefers.

[23] Quang Ngai, as one provincial capital, for example, has over the past year been regularly infiltrated at night. In the weeks following Tet 1969, heavy street fighting erupted twice around our unarmed and unprotected Quaker compound, which is well within the city limits. Every house in Quang Ngai city has its sandbagged shelter to protect the occupants. This is the situation in a provincial city garrisoned by allied troops. Is this security?

[24] Estimates from our AFCS contacts in Vietnam suggest 20% as the maximum support that Thieu-Ky could claim, with 80% in opposition. Some U.S. government estimates use these same figures but in reverse. We find it difficult to understand the basis for the official U.S. optimism on this point.

NATIONAL TIMBER SUPPLY ACT OF 1969

Mr. SPARKMAN. Mr. President, last month I introduced a bill S. 1832, the proposed National Timber Supply Act of 1969, which would authorize the establishment of a fund to receive receipts of timber sales from the national forests for redisbursement to these same forests for intensive management purposes.

This bill was prompted by a sudden realization by our Housing and Urban Affairs Subcommittee that, unless a positive and aggressive effort is made to increase the yield of our national forests, an extreme shortage of lumber for housing faces us in the future.

Since the introduction of the bill, I have received numerous letters supporting it, and I have also received supplementary information on the great potential for increased yield in America's forests, once a program for research and intensive management is adequately funded.

Two recent articles were sent to me from opposite ends of the country—one from the State of Washington and the other from the Southeastern area—describing the remarkable achievements that are being made in research on tree culture. The articles speak for themselves in demonstrating what can be done to increase timber yield through better seeds, improved reforestation, and more scientific use of fertilizers and a variety of other management tools.

I am particularly enthusiastic about the statement made by Mr. Keith W. Dorman, of the Southeastern Forest Experiment Station, Forest Service, U.S. Department of Agriculture, of his success in breeding trees for high yields in the Southeastern area of the United States. He expects that the improved stock will increase gum yields four to five times the current average.

Similarly, an article by Mr. Bert L. Cole, Commissioner of Public Lands of the State of Washington, indicates the increased yield possible through use of the latest techniques in electronic data processing equipment.

Mr. President, I ask unanimous con-

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sent that the articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Planned Parenthood for Pine Trees

(By Keith W. Dorman, Southeastern Forest Experiment Station, Forest Service, U.S. Department of Agriculture)

"Only God can make a tree," wrote poet Joyce Kilmer long ago, but today foresters are taking an ever-increasing hand in the process. Through the science of genetics, foresters are making woodlands more productive by planned mating of trees to fill the maws of proliferating pulp mills.

How do they do it—the foresters and tree breeders?

The forest giant—roots deep in the soil—branches high in the sky—is not exactly an image of malleability or flexibility. Why try to improve a plant that grows as big and lives as long as a tree?

A pulp and paper mill is a mighty big collection of machinery and people and costs a mighty big pile of dollars. Foresters have to think big, too. A paper company may own a million acres of trees scattered over several states. The company forester grows trees the mill will chew up 30, 60, or 90 years from now. And when the mill needs them they had better be there. The 81 mills in the South used over 24 million cords in 1961, about 1,000 cords a day for each one. This is a lot of trees and these trees have to be replaced. To do it foresters plant about 700 million seedlings each year.

Good tree-growing land is getting scarcer. The more people there are in the United States the less space there will be for trees. Our population is supposed to double by the year 2000. And the amount of paper used by each person is increasing. Thus, in future years, we'll have more people, each using more paper.

Today it is not enough to grow just a little bit more wood than we're using—we should grow a lot more to have the large size, high-quality trees that can be harvested most economically when needed many years from now.

University, State, Federal, and industrial foresters and tree breeders are working together in a coordinated, Southwide plan of action to improve growth rate and quality of trees. They are finding the best genetic stocks nature has already produced so foresters can use their seed now. They are carrying out planned crossing systems for mating individual trees to create better and special tree types for use in the future.

For example, in trying to find nature's best trees, we have grown 67 species at our research station in Florida. These were species that grew naturally in warm climates of the United States and over the world. None grew faster than local trees, so this approach isn't very promising.

We've also raised trees from seed of the same species growing at different locations in the South. Foresters have known for a long time you couldn't take a good tree species from one climate and expect it to grow well in another. One new thing we're finding out is that within the same species, trees are sensitive to small differences in climate.

A lot of those brown paper bags you lug home your groceries in are made of loblolly pine wood, a tree that makes up half the pine timber between Maryland and Texas. Loblolly pine grown from Georgia seed isn't happy planted in North Carolina or Virginia and vice versa. And those unhappy trees grow slower—30 to 40 percent slower. The tree breeder calls this a racial difference.

Such information was real help for the foresters. Now when they get pine seed to produce 15 to 20 million trees on their company land each year, they collect or buy it in areas where the trees are to be planted. If local seed isn't to be had they go east or west to obtain it, not north or south.

In searching for good sources of seed the tree breeder took a hard look at the genetic differences between individual trees of the same species growing in the same geographic location and of the same race. Here too he struck pay dirt—rich pay dirt.

When he mated fast-growing, straight-stemmed, well-pruned, and small-branched trees with each other, most of the offspring were equally good, too. Trees with bad traits, such as crooked stems, forked stems, long branches, thick bark, poor pruning, and diseased parts—and there are a lot of trees like these in the woods—produced strikingly similar offspring. The tree breeder found that weight of wood and length of fiber varies between individual trees and are inherited traits.

This finding was a really big assist to the forester. In addition to the proper race of trees to plant he knows now which type of individual mother trees to get seed from each year. Also, company foresters and State Forest Services have planted hundreds of acres of seed orchards of grafted trees, using tiny twigs from the very best wild trees that could be found throughout the great southern pinery. These trees will cross with each other and produce seed for millions of improved trees. The first orchards planted just 6 or 7 years ago are producing small amounts of seed right now.

Tree breeders have done much in just the last ten years or so to help the industrial forester get better tree seed from nature's best trees to plant today. The tree breeders are working hard now in mating super individual trees of the same species and super trees of different species for super hybrids. We have progeny or offspring, still young, that are better than anything nature has produced in rate of growth, straightness of stem, ability to prune branches, resistance to diseases, ability to survive after field planting, and yield of "gum" or "pitch."

Results of breeding for high yields of the "gum" or "pitch" that supplies the rosin for paper size—480,000 drums were used in 1960—are startling. The U.S. Forest Service started this work in Georgia and Florida 20 years ago. Wild trees that produced twice as much gum a year as others, when mated, gave groups of offspring that produce twice average, and individual trees with yields 4 to 5 times average. These individual, powerful producers have now been mated and another breeding cycle started. Grafts have been placed in seed orchards from Florida to Louisiana to produce seed commercially.

Super strains are the hope of the future for the pulp and paper industry. It is hard and slow work for the scientists to create, grow, and test new tree strains, but every mill employee has a stake in this work.

Sixth Biennial Report Shows Record Achievements, Gains

(By Bert L. Cole, Commissioner of Public Lands)

You will find in this report and its statistical supplement, the biennial story of income and productivity of your public lands. Our management programs for these lands are producing record achievements in every field.

You will note that during this 1966–68 biennial period the gross income from these public lands has again reached the level of $38.3 million, this was about the same level reached during the preceding biennial period.

The Department spent $7,517,724 from our "20%" management accounts in financing the activities that generated this revenue. These management accounts financed current operational costs and the cost of long term improvements that will increase future income from our state-owned lands.

But it's the future that we look to with anticipation. Our studies of potentially irrigable farm lands in Eastern Washington; the increasing interest in commercial lease sites in the Puget Sound area, and our recently completed (1967) resource inventory put us at the threshold of a dynamically exploding "business" that challenges and stimulates our imagination. Our resource inventory, for instance, has identified and recorded some 90,000 stands having separate forest conditions on our nearly two million acres of state-owned forest land. We are now literally "up to our ears" in analyzing and calculating alternative forestry and economic models to help us improve our ability to make better decisions in maximizing long term net income.

As our electronic data processing equipment started "chewing up" our resource inventory data in answer to a multitude of "what if" alternatives, we were soon impressed with a renewed realization of the inter-dependence of timber growth, stumpage prices, and total forest revenue. In a free economy, more intensive forest management will be practiced only when timber prices are high enough to encourage greater investment and utilization in forest production.

But the rather exciting thing is that we, as managers of state-owned land committed to a sustainable harvest volume, know (1) that by committing more money to increasing timber growth, we can immediately—this year, today—increase our calculated sustainable harvest volume because our sustainable harvest volume is determined from both the present and the estimated future growth of our forest; (2) that we may be able to increase the sustainable volume by merely refining our technique of analyzing existing data and by improving our predictions of future growth. An increased sustainable harvest volume will in turn permit us to increase our annual timber sales immediately and, with high stumpage prices, we can recover our increased expenditure from the revenue generated by this very same volume increase and in addition, produce increased revenue for the state schools, institutions, and counties.

The important fact is that this increased revenue can start coming now! (or, in the instance of the state-owned forest, just as soon as the volume from the increased sales is actually logged), rather than having to wait until the particular acres planted, thinned, or fertilized are ready for harvest.

It is sort of like lifting yourself by your own bootstraps . . . but, if course, those straps can break if the planned investments are not initiated and continued, or if timber prices fall to the point where our Department's share of the gross receipts is not sufficient to finance the new level of forest management.

As the opportunity for increased harvest through investment emerged from our forest inventory data, it first seemed that our 20% management allowance from state-owned timber sale receipts would not be sufficient to capitalize on the opportunity awaiting us and that we might be coming to the 1969 session of the legislature requesting an increase in this 20% allowance. More recently it appears that the current high price of state-owned stumpage will make a reasonable increase (though probably not an optimum level) of growth possible as long as timber prices stay high.

While we have enough answers now to have made a substantial increase in our sustainable harvest volume, our staff is spilling over with additional "what if" questions to feed to the new electronic data processing system that we are installing. We believe that further analysis will permit

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additional increases in our sustainable harvest within the next few years.

Perhaps the increasing importance of revenue from our state-owned lands can be judged in part by the fact that half of the total revenue from these lands (sale of land, timber, rental, and interest) since statehood in 1889, has been received in the 12 years since the formation of the Department of Natural Resources.

All this and forest recreation too!

NUCLEAR POWER IN NEW ENGLAND

Mr. MUSKIE. Mr. President, the New England River Basin Commission recently issued a statement on thermal powerplant siting in New England.

The commission's statement recognized the far-reaching effects on the environment of decisions concerning the site selection for electric generation plants. It was the judgment of the commission that existing procedures for public agency review and approval of thermal powerplant construction projects do not provide for adequate consideration of the effects of such powerplants on water-related land resources.

I shall shortly introduce legislation in the Senate which will provide for extensive consideration of these effects, but in the meantime, I hope that the Members of the Senate will note the concern of the New England River Basin Commission over this problem. With the help of the active interest of public agencies such as the NERBC, the public has reason to hope that its environment can be protected from unnecessary and irresponsible intrusions upon it.

I ask unanimous consent that the text of the statement by the New England River Basin Commission be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENTS ON THERMAL POWERPLANT SITING BY THE NEW ENGLAND RIVER BASINS COMMISSION, BOSTON, MASS.

DEFINITION OF PROBLEM

Peak electrical power demand in New England is approximately 12,000 megawatts (mw.) at the present time. By 1980 the demand is expected to approach 20,000 mw. and by the year 2000, 70,000 mw. may be required. Current trends in New England power development indicate that a major block of the baseload power will be generated by nuclear fueled power plants. The remainder would be fossil fueled. Three significant constraints related to these facilities are that (1) the plants must be of high capacity (usually nuclear plant capacities exceed 500 mw.) in order to be economically feasible, (2) large quantities of waste heat must be dissipated to a coolant, usually water, and (3) exhaust gases may be toxic. Approximately one million gallons per day of cooling water are required per mw. of power plant capacity. Several unresolved environmental factors are associated with the siting of these power plants. These factors include: (1) the aesthetic aspects of siting adjacent to major bodies of water, (2) the ecological effects of thermal and nuclear waste disposal and (3) the health effects of toxic air pollutants.

In addition to the numerous fossil fuel thermal plants, seven using nuclear fuel have been completed, are under construction or firmly proposed in New England. Land acquisition for an additional plant has been publicly announced. By 1980 three additional plants will be required, and by the year 2000 the total for New England may approach 18.

The Commission considers siting of thermal power plants to be an urgent issue.

FACTORS AFFECTING SITING

The Commission recognizes the need for thermal power generating facilities in New England and the several unresolved environmental issues associated with the siting of these facilities. Recently the Energy Policy Staff, Office of Science and Technology in cooperation with the Atomic Energy Commission, Department of Health, Education and Welfare, Department of Interior, Federal Power Commission, Rural Electrification Administration and Tennessee Valley Authority published a report entitled Considerations Affecting Steam Power Plant Site Selection. Page VIII of that report lists 11 factors to be considered in thermal power plant siting. The remainder of the report substantiates these factors. The factors are as follows:

1. Comply with the safety criteria for nuclear plants as prescribed by AEC.
2. Comply with air pollution criteria and standards as established by the States and the National Air Pollution Control Administration of HEW.
3. Comply with the water quality standards for thermal effects as established by the States and the Federal Water Pollution Control Administration of the Department of the Interior.
4. Develop the opportunities for public recreation at plant sites and avoid impairing existing recreational areas.
5. Consider aesthetic values and give adequate attention to the appearance of power plant facilities and associated transmission lines.
6. Recognize the rural development considerations in plant siting.
7. Consider the siting and lead-time requirements for reliability of service.
8. Consider the impact on defense preparedness of particular sites and power plant capacities.
9. Consider the routing of associated transmission lines and the problems of rights-of-way at various alternative plant locations.
10. Assure that the plant will be of sufficient size to meet regional loads including mutually agreeable arrangements for meeting the bulk power needs of the small utilities.
11. Consider prospects for combining power plants with other purposes such as desalting plants, industrial centers, and even new cities.

The Power and Environment Committee of the New England River Basins Commission has been intensively studying the subject of thermal plant siting. The findings of the committee are consistent with the comments on environmental factors of the study of the U.S. Energy Policy Staff. The Commission urges that all public and private organizations which propose, evaluate or approve thermal power plants consider those factors which relate to use of or effects on water and related land resources. Special attention should be given to themal pollution—to more precise determination of thermal effects, and to careful implementation of protective criteria in State and Federal water quality standards programs. The Commission notes that thermal plant siting factors should include compliance with State as well as Federal criteria.

It is the judgment of the Commission that existing procedures for public agency review and approval of thermal power plant construction projects do not provide for adequate consideration of the effects of such power plants on water and related land resources. The Commission will consider and recommend ways of improving procedures related to water and related land resources, and may offer recommendations for improvement of State and Federal review and approval of programs.

The Commission will, within existing authority, work informally during the months ahead to help evaluate sites proposed for early development from the standpoint of water and related land use. The Commission believes that a special region wide study of future sites from this standpoint is urgently needed, and will work with appropriate public and private institutions to attempt to get such a study underway.

Approved February 13, 1969.

WASHINGTON OPPORTUNITIES FOR WOMEN

Mr. DOMINICK. Mr. President, an excellent article entitled "Washington Opportunities for Women," written by Ann Schmidt, and dealing with a relatively new program of real value has recently been published in the Denver Post.

Among others who have wished long and arduously to get this program moving in a constructive manner is an extremely able woman who is a friend of many of us in Washington, Mrs. Wistar M. Janney.

The program is a volunteer effort to provide information on part-time work and study for the educated women of this area who have ability and energy and who, above all, desire to do more than they now find possible. I commend Mrs. Janney and Ann Schmidt for their efforts in conducting this program. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Denver Post, April 1969]

WASHINGTON OPPORTUNITIES FOR WOMEN

(By Ann Schmidt)

WASHINGTON.—What is a mother to do? If she is between roughly 30 and 50, her children are either married, in college, or old enough to no longer require her continual custodial care, and she's bored to the teeth wtih rounds of bridge playing and less than satisfying volunteer jobs—what is she to do?

Her college degree, if she has one, is probably completely out of date. It's highly possible that she hasn't punched a time clock for years and in the interim between now and her last paid employment a whole range of frightening new machines and procedures have come on the scene. Her family commitments preclude her taking a full-time job. But, if she looks at her community she sees an enormous need for qualified people in almost every field. There must be some way to put our hypothetical lady with her need for useful part-time employment together with the work that needs doing.

It was to fill this gap that an imaginative group of women put their heads together a few years ago and came forth with an extremely helpful booklet entitled "Washington Opportunities for Women." Its title page declares that it is "a guide to part-time work and study for the educated woman." Published in 1967, the booklet explores part-time job opportunities in the Washington area in professional and semi-professional fields. Clerical and stenographic positions have usually been available for part-time workers, and though the booklet points out that such jobs are often stepping stones to more rewarding positions, it concentrates its efforts on exploring possibilities in such fields as teaching, government, arts, law, communications and health and welfare.

More than 100 women volunteered to do the initial research necessary to produce the book—and many of them found themselves hired by the businesses they were investigat-

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ing. It also quickly became apparent that in addition to listing part-time work, it would be necessary to create a clearing-house where interested lady and needed job could be united.

USED BY HUNDREDS

In 1966 Washington Opportunities for Women (the name of the organization as well as the booklet) was given a desk in the U.S. Employment Service where jobs were listed for professional placement. In 1967 a Labor Department contract was granted which provided the funding for a full-time director and an office from which she could operate. That contract was renewed in 1968. Over 1,300 women have thus far made use of WOW's services.

Kiki Nelson, the executive director, has the help of several dedicated volunteer workers. WOW is not an employment agency, though women who come through its doors are told what jobs are available in the fields in which they are interested. Often the lady looking for employment doesn't know what she wants to do, so here Mrs. Nelson and her volunteers help by exploring her past experience, her volunteer interests, her talents and skills. Sometimes a retreading housewife needs to become a part-time student before she becomes a part-time employe.

But helping the harried housewife find fulfillment in the world beyond her kitchen is only part of WOW's activity. Mrs. Nelson and her crew of volunteers are now working to develop new areas of part-time work in the critical region of the inner city, especially in the fields of teaching and social work.

The greatest underdeveloped source of qualified labor in the country today is the middle-aged educated housewife. What she lacks in youthful verve she makes up in common sense accumulated from having survived almost everything. She needs a meaningful use for her talents. The community needs her skill and experience. In Washington WOW is one organization that is helping the two get together.

NATURAL AREAS IN INDIANA AND THEIR PRESERVATION

Mr. BAYH. Mr. President, I am pleased to invite the attention of the Senate to a recent publication entitled "Natural Areas in Indiana and Their Preservation," which, although limited to one geographical area, has significance for all States. This important book, whose authors are Alton A. Lindsey, Damian V. Schmelz, and Stanley A. Nichols, is a pioneering study and analysis of the natural areas still extant in my home State of Indiana.

As these and other experts have told us, environmental degradation is, in part, a function of the severe alteration or destruction of a substantial portion of the landscape. This, in effect, means that components of the natural ecological system are being eliminated. We do this at great risk, knowing very little of the consequences of our altering the natural system. Just as it would be ill advised to tamper ignorantly with any complex system—for instance, a manned spacecraft—it is likewise foolish to change blindly the extremely complex, natural life support system of man—the biosphere. Because knowledge about the dynamics of the natural system is so limited, we must first develop programs and activities that will extract and preserve the information necessary to understand the system with which man must harmonize.

It is important to note that at least two current programs are aimed directly at the critical problems of man's relationship to his environment. One is the international biological program, a large-scale ecological research activity which holds much future promise. Related to this is Senate Joint Resolution 89, a joint resolution calling upon all U.S. departments and agencies to support this program, which has been introduced by the Senator from Maine (Mr. Muskie) and 11 other Senators.

The other program, which is gaining momentum and of which this "book" is an important segment, is directed toward the identification and survey of major natural areas at the State level. It is designed to preserve natural areas which are representative examples of the many types of systems that together comprise the biosphere. Scientists point out that it is essential that areas such as these be established to provide, among other things, study areas and reserves of genetic material. The natural-areas concept is one that I strongly endorse; hopefully, other States will follow Indiana's lead in assembling data similar to that included in "Natural Areas of Indiana."

The research in Indiana and the publication of its results were supported by the Resources and Environment Division of the Ford Foundation. An informative preface to the book was written by the officer in charge of that division at the Ford Foundation, Mr. Gordon Harrison. I ask unanimous consent that it be printed in the Record.

There being no objection, the preface was ordered to be printed in the Record, as follows:

Natural Areas in Indiana and Their Preservation

PREFACE

For primitive man the notion of a "natural area" could have no meaning. Not only are all areas known to him natural but his world view makes no distinction between the economy of man and the regime of nature. It is civilization born of man's power to manipulate the rest of the living world and resulting in the increasing concentration of people in those artificial ecosystems we call cities that created the very concept of nature as something both alien and potentially lovable. A natural area in our world is by definition something outside the living space of man and something he values precisely because it is not routinely a part of his life. In the normal way he tends to value it more the rarer it becomes.

Why? The reasons are various: Some are so deeply personal that they can hardly be articulated except in terms of poetry; others have large social implications. Nature seen from the vantage point of the civilized life has for many people an esthetic appeal at least equivalent in spiritual values to great art and the vision of the wild as God's handiwork is quite sufficient motivation for many who wish to preserve it against the desecration of highways, power lines or subdivisions.

Beauty is often reason enough but it is not all even for those who respond to it. Remote as city man may be from nature, as attenuated as his direct dependence on other living things may become through technology, there are good reasons to believe that the human race can no more develop its human potential in isolation from the matrix of living creatures out of which it evolved than can a child grow to fulfillment withdrawn from people.

For one thing there are the requirements of understanding. The voyage of the Beagle was an expedition into the wild that discovered man. Biology which is ultimately a science of man could tell us little if it could not explore the life processes of other creatures. Nor is it enough to rear monkeys for the laboratory; the critical facts of life that we need to understand for the sake of our own survival are those to be observed in natural communities—that is to say the behavior of living organisms, their interactions with each other, their adaptations, their capacity to coexist in relatively stable self-regulating systems. It is ironic (and unless the enlightenment that underlies this book comes quickly to our political leaders it may be tragic) that we have only just come to recognize the crucial importance of living systems at that point in history when so many of them are in imminent danger of being squeezed to death by the encroachments of civilization.

As the intellectual excitement and practical significance of ecology attract more scientists, the need for natural areas representative of the whole range of natural ecosystems will grow. A rational first step toward preservation is such a detailed inventory as Dr. Lindsey and his colleagues have carried out for Indiana. It both provides a basis for assigning priority of purchase and protection and assures (or should assure) that the specially rare and precious communities of plants and animals will not be destroyed through inadvertence. We clearly need such inventories for the whole of the United States. While it will not be easy to duplicate the experience and devotion of Alton Lindsey, Damian Schmelz and Stanley Nichols, they have nevertheless demonstrated that this kind of job can be well done without exorbitant expenditure of time or manpower and at a modest dollar cost that state budgets could easily afford. It would be refreshing to find a highway department with the imagination to commission such a study—and use it!

Indiana passed a law in 1967 recognizing the importance of natural areas and giving them some protection against public works that would destroy them. Eight other states have similar legislation. Important as these laws are as official endorsement of the public value of natural areas, they can accomplish little, as this book makes clear, unless backed by both public and private action. Privately owned lands are particularly vulnerable. mechanisms must be designed and courageously applied to counteract economic pressures that force them at an ever-increasing rate into what we euphemistically call "development." In form this book is a simple description of what is left of undeveloped nature in one state intended as a guide for those who can save some of it. In spirit it is an appeal for a fresh sense of public values that speaks to everyone with an urgency corresponding to the frightening speed with which inventories like this in the automobile age can become obsolete.

Gordon Harrison,

December, 1968.

OMAHA YMCA DEDICATES NEW BUILDING

Mr. HRUSKA. Mr. President, on June 10, 1969, the Omaha Young Men's Christian Association will dedicate a new six-story building. This marks another step in the "Y's" commitment to offer the very best facilities for the citizens of Omaha.

The building contains such features as an AAU-size swimming pool three times larger than the old pool, a gymnasium which can seat 300 spectators, a banquet room and food facilities for 400, a chapel and three floors devoted to housing. Besides emphasizing the physical programs the "Y" will continue its armed services work, encouraging participation by servicemen and their families. One of the most exciting areas in the "Y's" community activity is an expanded program for grade school children of the inner city. A special effort will be made to involve teenagers in the many educational opportunities offered at the "Y."

There will be something else quite special about the new Omaha "Y." The cornerstone to be laid at the dedication, will contain a box with memorabilia of historic interest. Among the mementos will be a copy of today's Congressional Record with this salute to the Omaha "Y" and to the tradition it so well represents.

Mr. President, emblazoned on the triangle insignia of the Young Men's Christian Association are the words "Spirit, Mind, Body." This motto symbolizes the earnestness and simplicity that are the hallmarks of this splendid organization.

From its earliest years, the YMCA has been interested in improving the spiritual and physical welfare of the citizens of our country. First it concentrated on religion, sponsoring Bible classes and revival meetings and sending evangelical preachers out on the streets and into the factories to spread the Gospel.

Later on, the "Y" began developing ways and means to improve its member's health through planned exercises and wholesome sports. In more recent years, increasing attention has been given to intellectual development, with adult education courses and the sponsorship of cultural events.

Being a YMCA member gives one a feeling of vitality, of being in a movement that is worldwide, serving all age ranges, a movement which is having its period of greatest achievement, after so many years of productive fellowship.

Fellowship is the byword of the "Y." Its influence has been so widespread that it is next to impossible to find an American boy who has grown up without making some contact with the "Y" and benefiting greatly from it.

For over a million young men who find themselves away from home each year, the YMCA offers a refuge and a source of inspiration and wholesome recreation.

This world would be a much better place to live in if more people adopted as their own the ideals and aspirations of the YMCA.

Mr. President, I wish to commend the Omaha "Y" on its years of growth and progress culminating in the dedication of a new and outstanding building. I predict for it many years of even greater achievement, and continued dedication to the service of young and old in Nebraska's largest city.

LIBRARY SERVICES AND CONSTRUCTION ACT

Mr. **MUSKIE**. Mr. President, President Nixon, in proclaiming April 20–26 as National Library Week, declared:

> Libraries are the banks of our educational system. . . . Never have we had greater reason than this year to celebrate National Library Week. For never have our libraries played a more prominent role in our campaign against ignorance and for fullness of educational opportunity.

Yet I find that in his proposed budget for library programs, President Nixon has eliminated entirely funds for library resources in the Elementary and Secondary Education Act. He has eliminated entirely funds for construction of new public libraries. He has reduced by one-half funds for library services.

When we in Congress enacted the Library Services and Construction Act in 1966, we did so with the express purpose to promote the extension of free public library services to areas without such services; to assist communities in the construction of public library facilities; to establish interstate or regional cooperative networks of libraries; to improve library service to the physically handicapped; to provide library services to State institutions.

In Maine our small rural communities have been unable to maintain adequate library service. With the aid of Library Services and Construction Act funds, eight bookmobiles served 133,000 rural residents in 1968 who otherwise would have had no access to public library services.

Mr. Edward Y. Blewett, president of Westbrook Junior College in Portland, Maine, recently wrote on the state of the public library in Maine. I commend his article to Senators and point out that without Federal funds the South Portland Public Library could not have been constructed; without Federal funds the model high school libraries of Waterville and Brunswick would not have been implemented; without Federal funds thousands of public and parochial school children in Maine would have been denied cultural and educational enrichment through books, visual aids, and recordings.

Mr. Blewett called to the Maine communities:

> What have you done to help your library lately?

I call to President Nixon:

> What have you done to help the Nation's libraries lately?

I ask unanimous consent that Mr. Blewett's article, published in the Portland, Maine, Sunday Telegram of April 27, 1969, be printed in the Record.

There being no objection, the article was ordered to to be printed in the Record, as follows:

Your Local Library: A Hub or Backwater?

(By Dr. Edward Y. Blewett, president, Westbrook Junior College)

Probably you can remember, as I do, opening the door and entering a large room where sunlight came only from a distant window and the air was heavy with an atmosphere of circumspection and tiptoe quiet—this was the library.

The emphasis should be on the word "was". Because libraries, like so many of our other institutions, must reshape themselves if they are going to be meaningful in these times.

What is the new image? What constitutes the "new library"? For Maine, the answer lies in the model school libraries in Waterville and Brunswick. These students flock to the library. There, the library is an exciting place that "turns them on". There, virtually modern technology has been focused in the library. These tools help to reveal to many students the fact that education need not be dull; and that the advenures of the mind can be the most exciting of all.

Paperback books, filmmaking, photography, tape recording, microfilm, speed reading, informal discussions, filmstrips, movies, videotape recorder, graphic arts, loans of paintings, tapes and records, exhibits—the Waterville Senior High School Library uses these and many other modern tools to really reach the student and really involve him in the learning process. On the elementary and junior high school level the same type of effort is being made in Brunswick.

School libraries are not the only ones that are sensing the need for change. Public libraries are seeking to expand their services. In communities such as Freeport, Presque Isle and South Portland, new facilities reflect the new library image of informality, enjoyment and widespread use.

At the Bowdoin College Library a microfilm printer allows instant copying of any of the thousands of pages of periodicals compactly recorded on film. Today, even in remote parts of Maine; a request for a book can be telephoned directly from a local public library to the State Library, and from there relayed to the nine-library teletype network which makes more than two million volumes available to any Maine resident.

But I think we might stop and ask ourselves the very basic question, "What do we mean by a library?" It is too easy to get involved in comparisons of hours, staff size, buildings, equipment, number of books loaned and fail to answer the basic question "Why a community needs a library at all?"

Any library has two major and unique functions. First, it makes possible meetings of mind and idea which are not limited by normal boundaries of time, space, and social or economic level. An effective library allows us to use the power of our human awareness to become more than we were; to increase our individual stature; to add to our public effectiveness to move to the far side of the world, to the fifth Century B.C. or into the company of prophets and princes.

The library encourages the extension and active generation of ideas. The technical means may be a book, a tape, a film, a record, a print-out, a video-tape or some other system not yet invented.

Yet the emphasis must be on people and not on things. A library should not be defined by its space, equipment and collections alone; but by the adequacy of its people. In addition to technical and professional skills, the librarian must have skill with people. The librarian is a teacher whose subject is learning itself.

The public library is an essential social and educational institution in a community. It is a municipality's investment in popular education, in information services, in aesthetic values and in the recreation needs of its citizens. Its success is based on how well it fulfills three needs: (1) The need for skilled and sensitive people to staff it. (2) The need for bold and imaginative use of all available technical means. (3) The need for support from all sectors of the economy and every level of government.

I wish we were in the forefront in meeting library needs in Maine. Unfortunately we are not. The unpleasant fact is that Maine libraries do not adequately serve the needs of Maine people.

The following are just a few of the unpleasant facts concerning Maine libraries:

More than half of Maine's public li-

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braries offer only token service. They are open less than 10 hours a week. More than 70 per cent of the public libraries are open less than 20 hours a week.

About half of the public libraries added less than 100 books to their collections during 1967 and 70 per cent added less than 200 books.

An average per capita expenditure of $4 is recommended but 45 per cent of the libraries spend less than $1 per capita and 75 per cent spend less than $2 per capita.

The libraries of the University of Maine are dangerously inadequate. The main library at Orono is seriously deficient in the number of volumes it should contain. The total shortage of books throughout the University system is 770,000 volumes. Only the Law School Library is up to par.

A Maine School Library Survey released in March reveals the "appalling" state of our school libraries. Libraries are either nonexistent or are largely under-staffed and under-equipped. For instance, the survey shows that only 59 Maine high schools and only 13 junior high schools have even one full time librarian.

This low level of library service in Maine results in substantial cultural and educational deprivation for half a million Maine people. We have failed in reaching to get across clearly the role that libraries play in a complete community; to show the need of all people of all ages for good library service; and to make clear the social and educational interest that can be reaped on each dollar invested in our libraries.

Yet the situation in Maine is not unusual in the nation, but typical. The Advisory Commission report to the President last October states:

"The public library reaches the entire population as does no other aspect of library service. For all men and women, it is the one place through which they may reach the world's collected informational and intellectual resources.

"Yet as important as the public library is, there are few social services so unequally provided to the American people. Residents of some cities can command the resources of enormous institutions holding many hundreds of thousands, or even millions of volumes. At the other extreme, some 20 million Americans, largely in rural areas, have no public library service at all, and some 10 million more have access only to very small libraries with very inadequate collections and little or no service from professional librarians.

"Even where public library service is available it is usually far below any reasonable standard of adequacy. More than two thirds of all public libraries fail to meet standards for size of collections and only one in 30 meet standards for per capita financial support."

These deficiencies which have "truly serious consequences for our entire system of education" were labeled a "national disgrace" by former Commissioner of Education Francis Keppel.

The recommendations of the National Advisory Commission on Libraries as well as numerous studies in individual states including New Hampshire, Vermont and Massachusetts indicate a few of the answers to this state, local and national problem. Better communications systems, inter-library cooperation, regional libraries, more effective use of all technological changes, upgrading of staff in number and training, a higher level of financial support and numerous administrative and technical operational changes are among the recommendations.

The Maine National Library Committee is cooperating with the Community Betterment Program of the Department of Economic Development to help make more communities aware of the full value of their libraries as a vital social and economic resource. But all future library improvement rests on this base of citizen awareness. What have you done to help your library lately?

THE PESTICIDE PERIL—II

Mr. NELSON. Mr. President, the second of a two-part examination of the problem of pollution by pesticides has just been completed by the Conservation Foundation and printed in that organization's newsletter. The foundation's first report dealt with the extensive use of pesticides, their effects on wildlife, natural systems, and man himself. This second report outlines Federal and State government attempts to limit the dangers, the politics of pesticides, and alternatives for solving the problem.

For a number of years there has been considerable controversy over the use of persistent, toxic pesticides, particularly DDT. In the past, voices warning of the threat to wildlife and human health of these pesticides have received little notice, in part because of the lack of public knowledge about pesticides and in part because of the powerful forces opposing attempts to restrict the use of pesticides.

CF's report talks of the "well entrenched coalition," composed of pesticide users, bureaucrats, legislators, and manufacturers and distributors of pesticides, "which prides itself on the Nation's superlative agriculture—and generally opposes attempts to restrict the use of pesticides." These spokesmen claim that there are some safe uses and some unsafe uses for these pesticides, and that therefore a total ban on the product is not sensible.

However, pesticides are potentially dangerous to man. Researchers have found evidence that may link pesticides to cancer, adverse enzyme production and disturbances of the stomach and liver functions. Fish and wildlife have suffered heavy losses, and our natural systems have been adversely affected.

According to CF:

> The Federal Government's regulation of pesticides is done on a piecemeal, or individual product-use basis.

At the base of all regulations is the Federal Insecticide, Fungicide and Rodenticide Act—FIFRA—passed in 1947. This law controls registration and labeling of pesticide products. It is supplemented by provisions of the Federal Food, Drug, and Cosmetic Act of 1938 with an amendment which allows the Food and Drug Administration to set tolerance levels for pesticide residues in raw agricultural commodities, confiscate them if the pesticide content exceeds authorized levels, and initiate prosecution against violators.

FIFRA is administered by the U.S. Department of Agriculture's Pesticides Regulation Division. Applications for registration are reviewed by FDA if food is involved and by HEW's Consumer Protection and Environmental Health Service under its mandate to protect drinking water and long-term environmental health, and by the Interior Department if a pesticide use might affect fish or wildlife.

However, despite all these steps available, the foundation points out that there is no formal followup procedure, and the laws are not adequately administered. Speaking of enforcement, one FDA official said:

> Our programs are minimal in this area. They could be strengthened.

General Accounting Office reported that in fiscal 1966, the Agricultural Research Service found 750 product samples to be in violation of standards, but only 106 were seized.

On the State level, only two States lack registration laws covering pesticides distributed in intrastate commerce. Most State laws follow the plan of FIFRA and a uniform act prepared by the Council of State Governments.

However, the report notes:

> Though FIFRA and these state laws govern labeling and prescribed use of a pesticide, these laws do not restrict actual use after a pesticide is sold.
>
> Most States have their own tolerances for commodities sold intrastate, and they generally parallel the FDA's. There is no telling how much abuse or misuse of pesticides takes place, be it from misinformation, carelessness, or overzealousness.

Many States have enacted "use and application" laws which regulate specific uses, inspection of equipment, and licensing of operators, dealers and applicators, including aerial applicators.

In addition, the water quality standards program carried on by most States gives another opportunity for regulation of pesticides.

The CF newsletter cites 15 recommendations for solving or at least improving the complex problem of pollution by pesticides. Heading the list is natural or biological controls of insects and diseases, such as introducing the natural predators or parasites of the target insect. The "cultural" methods of control would include rotating crops and better timing of crops. Integrated pest control programs, those that combine the biological and cultural methods, also hold a great deal of promise.

Greater research and better communication of sound ecological knowledge already available are vital to effective regulation of pesticides. International food, health and development agencies are urged to investigate the problem. And of course, strong citizen interest and action is fundamental to all progress in setting meaningful regulations and enforcement procedures.

Mr. President, I ask unanimous consent that this important report by the Conservation Foundation be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

A Report on Environmental Issues From the Conservation Foundation, May 5, 1969

(In This Issue.—The second of a two-part examination of the problem of pollution by pesticides . . . The April 25 CF Letter dealt with the extensive use of pesticides, their effects on wildlife, natural systems, and man himself . . . This issue looks at government attempts to limit the dangers, the politics of pesticides, and alternatives for solving the problem.)

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NEEDED: BETTER REGULATION OF PESTICIDES AND INTEGRATED METHODS OF PEST CONTROL

There is a large, well-entrenched coalition in the United States which prides itself on the nation's superlative agriculture—and generally opposes attempts to restrict the use of pesticides. The coalition is composed of farmers, bureaucrats, legislators, and, of course, the manufacturers and distributors of an estimated $1.7 billion worth of pesticides each year.

At the forefront is the National Agricultural Chemicals Association, based in Washington, D. C., and including in its membership the large pesticide makers. Its public position is crystal clear: there's nothing wrong with pesticides if they are handled and used properly.

"Our basic philosophy," says Parke C. Brinkley, NACA's president, "is that there are some safe uses for all the products, and some unsafe uses. We don't think a total ban on a product is a very smart way of doing it. It would not be in the public interest."

Why not? Because, it is insisted, there are particular uses and particular chemical compounds for which there is no good substitute. For example, DDT is considered cheaper and more effective to control many pests than other, less harmful or less persistent compounds. "These conventional insecticides," says Dr. Edward F. Knipling, director of the Department of Agriculture's Entomology Research Division, "have many advantages. They are positive and consistent in their effect in controlling destructive insects. Because of their rapid action, damaging infestations can be brought under control in a matter of hours. Individual action can be taken by farmers or property owners."[1]

Considering this, and the immediate potential savings to farm and forest owners, it is small wonder that they turn to pesticides with alacrity and that broad attempts to limit the use of pesticides are adamantly opposed.

But for all its seeming logic, this all too common approach presents a problem. For it is already clear that pesticides are dangerous. They often cause unintended and damaging side effects, including heavy losses of fish and wildlife. They adversely affect natural systems and they may even pose a threat to man himself. But with factual knowledge on most pesticides still to come in, how does society measure and balance the risks in the meantime? For those who seek to minimize the use of pesticides, it's slow, tough going. Each restriction usually requires painstaking research, public education, and legislative action.

FEDERAL REGULATION

Essentially, the federal government's regulation of pesticides is done on a piecemeal, or individual product-use basis. The backbone of this process is the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), passed in 1947 and subsequently amended and interpreted at great length. This law controls *registration* and *labeling* of pesticide products. It is supplemented by provisions of the Federal Food, Drug and Cosmetic Act of 1938, also amended, under which the Food and Drug Administration (HEW) is empowered to set "tolerance" levels for pesticide residues in raw agricultural commodities, to confiscate them if the pesticide content exceeds authorized levels, and even to initiate prosecution. Both federal acts apply only to pesticides or food marketed in interstate commerce.

FIFRA is administered by the U.S. Department of Agriculture's Pesticides Regulation Division. A manufacturer or shipper must apply for registration and labeling of a particular product to be used for a particular purpose. Although there are only 900 or so basic chemical compounds, there are some 45,000 pesticide registrations, including those for household use. An approved label will prescribe conditions of use, target, dosage, method and timing of application, etc., as well as pertinent warnings. Approved uses are determined by USDA, based on its own research and review of information and research data supplied by the manufacturer. This information deals with efficacy and toxic effects, among other things.

Applications for registration are reviewed by the FDA if food is involved, and FDA has the power to block approval if it finds the proposed use of the pesticide is likely to result in a residue in food or feed exceeding the tolerance level. Applications are also reviewed by HEW's Consumer Protection and Environmental Health Service under its mandate to protect drinking water and long-term environmental health. And they are reviewed by the Interior Department if a pesticide use might affect fish or wildlife. Both CPEHS and Interior can only *advise* USDA; that is the limit of their authority.

(USDA first registered the insecticide lindane for use in vaporizers in 1951. Recently, the U.S. Comptroller General scored USDA for permitting this use of lindane in food-handling and other commercial and industrial establishments—despite the fact that the Public Health Service and other federal, state and private organizations have long contended it is dangerous to health and food.[2] On April 29, USDA cancelled the registration of lindane for use in vaporizers. USDA explained that "intensified" studies since the Comptroller General's report showed lindane vapors caused "undue risk to . . . health" and that simulated restaurant tests showed "illegal residues of lindane" in "practically all food, packaged and unpackaged," after five days' exposure.)

Officials of both Interior and USDA generally say that cooperation is good, and that Interior's recommendations are almost always accepted. However, Dr. Frederick H. Dale, chief of the Division of Pesticide Registration of Interior's Bureau of Sport Fisheries and Wildlife, adds that there is no formal follow-up procedure and "we're never positive Agriculture hasn't disregarded our warning." Ned P. Everett, counsel to the House Merchant Marine and Fisheries Committee, says evidence shows that some labels recommended by Interior have been "toned down considerably" by Agriculture.[3]

A continuing effort has been made in Congress to *require* Agriculture to take Interior's labeling advice to prevent or minimize injury to fish and wildlife. In fact, the House on April 1, 1968 passed a bill containing such a provision. However, it did not emerge from the Senate Commerce Committee, where it was opposed by the National Agricultural Chemicals Association and the Agriculture Department.[4] A similar provision is contained in a new bill introduced this year, H.R. 1057.

Attempts to strengthen pesticides regulation do not normally fare well in Congress, where the four committees or subcommittees dealing with agricultural legislation and appropriations are heavily dominated by farm and pesticides-oriented congressmen. For example, bills to ban the interstate shipment of DDT have been referred several times to the Senate Agriculture and Forestry Committee, which one observer calls a "dead end" for that kind of proposal.

Another example involves a bill introduced in several sessions by Senator Abraham Ribicoff of Connecticut. It would give Agriculture more muscle by requiring a pesticide manufacturer to register his *establishment* and by permitting Agriculture to inspect it to see if proper materials, precautions and controls are being followed, and to inspect a warehouse or vehicle carrying pesticides.

But, as Brinkley reported to his NACA membership: "Through the understanding of Congress, and particularly Senator (B. Everett) Jordan of North Carolina (chairman of the subcommittee to which the bill was referred), we have been given some time to see if the situation might be improved without the necessity of federal intervention." Brinkley said this compromise was "entirely acceptable to us."[5]

Even as they stand, the laws are not necessarily administered well. Some observers give the FDA good marks for its system of residue tolerances on food. Others do not. Douglass F. Rohrman, an attorney formerly with HEW's National Communicable Diseases Center, says that a significant amount of work has never produced a truly complete set of standards.[6] Dr. Paul Ehrlich of Stanford University says that FDA tolerances are set "on the basis of short-term animal experiments and are set one poison at a time. Then, when it proves to be impossible to keep tolerances within limits, pressures are brought on the government, and the tolerances are conveniently raised."[7]

Speaking of enforcement, one FDA official says "our programs are minimal in this area. They could be strengthened." He also says that although there have been many seizures of food, he knows of no case of criminal prosecution.

The situation in the Agriculture Department is another story. Under FIFRA, the Pesticides Regulation Division, a branch of the Agricultural Research Service, can act against a pesticide product if it is unregistered, misbranded, or adulterated. In addition to the issuance of a written warning, the PRD has power to seize such products, cancel their registration, or ask the Justice Department to prosecute for criminal violations.

How has this regulatory program worked? Consider these blunt charges in a recent reoprt[8] by the government's watchdog General Accounting Office:

For 13 years, ARS never reported a violator of FIFRA for prosecution. This in spite of "repeated major violations" of the law. (A number of shippers were cited for between four and 20 major violations each.)

Shippers cited by ARS "did not take satisfactory action to correct violations," and in fact "ignored" ARS notification that prosecution was being contemplated.

"We found that, in taking action against products, ARS, with few possible exceptions, did not obtain product quantity and location data to determine whether other shipments of the same misbranded, adulterated or unregistered products were available to the public in other locations."

GAO reported that in fiscal 1966, ARS tested and reviewed 2,751 product samples and found 750 of these to be in violation (562, or about 20% of the samples, in major violation). There were 106 seizures.

The current chief of the PRD, Dr. Harry W. Hays, has promised stronger enforcement activities, while at the same time stressing voluntary industry cooperation and warnings to industry. "Citations are the backbone of our enforcement program," he is quoted in an industry magazine. "Effective enforcement should emphasize corrective action, rather than being strictly punitive in nature."[9]

Perhaps complicating the picture is the presence of several basically conflicting purposes within Agriculture. For one thing, the Department's principal responsibility is to the farmer and food production, and Congress wouldn't let it forget this if it wanted to. So there is a potential conflict of interest simply in having pesticide regulation within the Agriculture Department.

On the other hand, there exists a clear pesticide policy memorandum in the Agriculture Department, issued by former Secre-

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tary Orville Freeman on December 23, 1964. It expresses concern over the effects of pesticides and states that Department policy is "to practice and to encourage the use of those means of effective pest control which provide the least potential hazard to man and animals. When residual pesticides must be used to control or eliminate pests, they shall be used in minimal effective amounts, applied precisely to the infested area and at minimal effective frequency. Biological, ecological or cultural methods or non-persistent and low toxicity pesticides will be used whenever such means are feasible and will safely and effectively control or eliminate target pests."

But there is a generally cozy relationship between the agricultural industry and various branches of government, some of whose officials end up working for industry. This coziness is not exactly discouraged by Congress. Congressman Jamie L. Whitten of Mississippi, chairman of the House Appropriations subcommittee on agriculture, says that farmers must look to the Department of Agriculture to represent their interests. "If the Department does not appear on behalf of the farm producers at hearings (on pesticide residues) as to whether it is essential on the one side and to question whether it does any injury on the other side, we are in a bad way." [10]

Whitten has summed up his philosophy on pesticides this way: "The worst residue problem we have to face today is the residue of public opinion left by Rachel Carson's book *Silent Spring*." And Dr. George L. Mehren, former assistant secretary of agriculture, testified before Whitten's subcommittee in 1968: "I think we can validly say that the hysteria associated with the *Silent Spring* has quite effectively subsided." [10]

The economic pressures usually involved are illustrated by Whitten's description of a meeting he attended with key congressmen interested in cotton: "They were discussing the matter of failure to have sufficient cotton to retain our foreign markets. According to our hearings in prior years, about 30% of the average production of most farm commodities would be lost to insects and pests were not measures taken to prevent it. . . . So the ability to use pesticides is very important to the farmer." [10]

STATE REGULATION

All states except two have registration laws covering pesticides distributed in intrastate commerce. Most of these laws are modeled after FIFRA and a uniform act prepared by the Council of State Governments. But though FIFRA and these state laws govern labeling and the *prescribed* use of a pesticide, these laws do not restrict *actual* use after a pesticide is sold. The FDA's residue tolerances are indirect restraints on excessive use of pesticides.

They place a "natural restriction" on the farmer, says an NACA aide. "If he overuses, there will likely be an excessive residue on the crops and they'll be seized. A grower can't risk his entire crop that way."

But some question the impact of FDA's regulatory program. Ehrlich, for example, says that inspection of foods for residues is "completely inadequate," and that farmers have not infrequently sprayed beyond official tolerances "knowing that the chances of being caught were practically nil." [7]

Most states have their own tolerances for commodities sold intrastate, and they generally parallel the FDA's. There is no telling how much abuse or misuse of pesticides takes place, be it from misinformation, carelessness, or overzealousness. But dozens of cases have been cited and the comment of Dr. Dale is apt: "I hope there's not as much as I'm afraid there is . . . We can put a warning on the label, but . . . we can't hold his (the farmer's) hand and see that he uses it that way."

Dr. William A. Niering, director of the Connecticut Arboretum, says "it appears that not infrequently repeated spraying applications are merely insurance sprays and in many cases actually unnecessary." [11] Said Miss Carson: ". . . there remains the well-known fact that farmers very frequently exceed the prescribed dosages, use the chemical to close to the time of harvest, use several insecticides where one would do, and in other ways display the common human failure to read the fine print." [12]

A congressional report states that "substantial pressures are on the side of excess application"—although they are balanced by the farmer's natural desire to use pesticides as inexpensively and efficiently as possible. "The (county) agricultural adviser is the recipient of a constant stream of information from the chemical company salesman with new products and techniques every year. Chemical marketing efforts are directed at the farmer, too, by every means of advertising from billboards to personal visits." [13]

Directed specifically at misuse of pesticides are the so-called "use and application" laws which many states have enacted. These may regulate specific uses, inspection of equipment, and licensing of operators, dealers and applicators, including aerial applicators. In California, for example, the Department of Agriculture establishes rules and regulations for the use of several "injurious" or "restricted" categories of chemicals. Before using certain chemicals, the prospective user (farmer as well as commercial applicator) must obtain a permit from his *county* agricultural commissioner, who may include on the permit any conditions he considers necessary to assure safety. Before delivery, the seller must obtain from the purchaser a signed statement that the appropriate permit has been secured.

Some state laws are extremely limited in scope. Some deal only with herbicides, others only with "structural" termite control. Rohrman comments on these state laws in general: "There is a great divergence of coverage, unfortunately mostly inadequate." [6] Enforcement is a problem too, with effectiveness varying as much as the laws themselves. And as in all regulatory programs, enforcement is only as effective and vigorous as the people carrying it out.

Quite a few attempts are currently being made to pass new state laws, or strengthen those that exist, but progress can be difficult. As Brinkley reported to NACA's members on their organization's effectiveness in 1968:

"Though we had quite a bit of controversy in Arizona, California and Michigan, the issues were satisfactorily resolved for the current session. In California the bill to require licensing of salesmen was tabled in favor of an interim legislative study bill. In Michigan a bill providing for the establishment of a pesticide control board in the Conservation Department with the expressed purpose of completely prohibiting the use of persistent materials was tabled in favor of an interim legislative study committee of five members of the Senate and five members of the House. In Arizona a bill designed to unduly restrict the use of DDT was amended in such a manner as to be acceptable to everybody actively concerned." [5]

State legislatures and agencies, of course, are subject to the same economic and political pressures and dilemmas, the same latent conflicts of interest, as Congress and federal agencies. Almost all states have placed pesticide regulation under their agriculture departments. On March 14, discussing pending legislation in Minnesota to control pesticide use, the Minneapolis Star said it would like to see such regulatory powers vested in the pollution control agency rather than in the state's agriculture department. "Such pesticides must be regarded as the environmental pollutants they are, rather than only as an assist to agricutlure," the paper said.

Sometimes there is even a reluctance to supply information on pesticide use. Recently, a Washington, D.C. city official simply declined to tell how much DDT was being used on the city's trees.[14] Kevin Shea, an entomologist formerly with the Agriculture Department, has noted how difficult it was to obtain a copy of a December 1967 report on pesticide injury to wildlife. The report was printed for limited distribution by the California Department of Fish and Game. When a university entomologist sought a copy, he was asked to wait a few weeks until the department had a chance to meet with the pesticide manufacturer. The reason for this, says Shea, was stated quite specifically in the report itself:

"An opportunity is available to demonstrate the effectiveness of cooperative action between the chemical industry and local government in solving problems without undue outside interference." [15] These are not the only examples—involving bureaucrats, scientists and others, state and federal—of a strange reluctance to let the public know what's going on in the field, not to mention the disturbingly close relationships between industry and government.

Still another opportunity for regulation of pesticide use is provided by the water quality standards program which states are carrying out in cooperation with Interior's Federal Water Pollution Control Administration. Most state standards, which have to be approved by Interior, generally require that waters remain free from toxic substances in concentrations harmful to man, fish or wildlife. Such language could presumably be used to control pesticide use. This, in fact, is the essence of the case now at issue in Wisconsin.

LEGAL REMEDIES

In addition to federal and state regulatory controls, there is a further restraint on excessive pesticide use—legal liability for damage to another's property. This is discussed at length by Rohrman.[6] There are often extremely complex problems of liability and evidence, but successful suits are not infrequent.

Some state fish and game departments receive frequent, usually small settlements for fish kills. Many states have set specific values on individual fish for such purposes.

"They can all recover one way or another—if they want to," says a Federal Water Pollution Control Administration official. "Some states make an effort to collect, some just don't at all." One state, for example, had 25 fish kills due to endrin in one year, but took no action. "In many states," he says, "the pressure of the chamber of commerce, or the manufacturers' association, is so great through the governor that they just don't get it done."

A broad-brush injunctive legal attack on behalf of the citizenry in general is the approach of the Environmental Defense Fund, Inc. and its attorney Victor J. Yannacone, Jr. EDF has taken pesticide use cases to court in an effort to establish a precedent that the citizen has a constitutional right to a clean environment. That argument hasn't been accepted so far, but EDF's court challenges have indirectly induced many local governments to restrict or ban the use of DDT. Yannacone is a firm believer in the court suit as an answer:

"A court of equity is the *only* place to take effective action against polluters. Only in a courtroom can a scientist present his evidence, free from harassment by politicians. And only in a courtroom can bureaucratic hogwash be tested in the crucible of cross-examination." [16]

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Alternatives for the future

There is no shortage of recommendations for solving or at least improving the complex problem of pollution by pesticides. Some possible solutions:

1. Natural or "biological" controls of insects and diseases offer what are undoubtedly the most promising ways of gradually replacing pesticides. These methods are of great variety and potential. Natural predators or parasites of the target insect often can be introduced in an area. There are many successes. A bacteria or virus which is ruinous to the target pest alone can be introduced. Males of some target species can be sterilized in vast numbers and then released. They mate with females, but produce no offspring. Because of the rapid reproduction rates of most insects, the population may soon be lowered dramatically. The outstanding example of this technique, developed by Knipling, is control of the screwworm, a destructive livestock pest.

Many insects are attracted sexually by substances that can be made synthetically. These attractants are used to trap, or confuse, the targets. Similarly, food attractants can be used to induce pests to eat poison. Sound and light can be used to either attract or repel insects. And light can be used, in minute exposures, to completely disrupt an insect's timing—making it think, for example, that spring has arrived and inducing it to emerge into a cold or hostile environment. There are also methods of genetic manipulation (even to the point of introducing into the population insects carrying lethal genes); and hormonal control (to promote excessive growth, disrupt the life cycle, etc.). A Czechoslovak chemist has reported the synthesis of a hormone-like substance that imparts sterility to some bugs—and is *contagious* to them.[17] Many crop varieties have been developed that simply resist attack from particular insects or disease.

The Agriculture Department, in fact, has shifted a major portion of its research funds over the years from chemical to biological controls. The chemical industry, of course, is not likely to do so. "For the most part," says a congressional committee, "biological control can only be considered a threat to some portions of the pesticide market." [13] In In fact, industry has been accused of shaping or dominating pest control research. Miss Carson noted that many of the best entomologists labor in the "more exciting vineyards" of *chemical* control. She suggested this was because major chemical companies were "pouring money into the universities to support research on insecticides." [12]

2. So-called "cultural" methods of control can also be useful. These include rotating crops and reducing areas of monoculture, to encourage more predators and fewer harmful insects; better timing of crops to avoid emerging insect populations; and more appropriate plant spacing, soil preparation and tillage, water and fertilizer management and sanitation.

3. Even when insecticides are used, techniques can often be improved. Careful timing and minimal applications can produce better results at less cost—both to the user and the environment. Pesticides can be used, or developed, that are more selective and cause minor damage to beneficial insects and fish or wildlife. One new technique is called ultra-low volume (ULV) aerial spraying. Undiluted insecticide is sprayed in a very fine mist. As little as one ounce per acre may be needed, and one plane load can cover a large farm or forest area inexpensively.

4. Many experts believe that the real answer lies in *integrated* pest control programs—those that make maximum feasible use of biological and cultural methods as well as selective application of pesticides when necessary as supplements.

5. Avoidance of economic loss does not necessarily require the *eradication* of a pest. Niering says the farmer is forced to seek total eradication "by those demanding from agriculture completely insect-free produce. This has now reached ridiculous proportions. Influenced by advertising, the housewife now demands perfect specimens with no thought of or regard for how much environmental contamination has resulted to attain such perfection." [11]

6. It has been suggested by many scientists and legislators that DDT, or *all* so-called "hard" pesticides be banned entirely. Thomas L. Kimball, executive director of the National Wildlife Federation, has urged this, adding that he would "never make such a strong suggestion if I thought that banning the chlorinated hydrocarbons would bankrupt the companies . . . throw thousands of people out of work, or ruin the farmers." [8]

Actually, there have been a number of steps in this direction. Some states and communities have banned DDT for certain uses, such as treating Dutch elm disease or mosquito control. Pending a study, Arizona has a one-year prohibition on DDT use in commercial agriculture; in Wisconsin a hearing is being held on a petition to ban DDT altogether; and Michigan has moved to make the sale and use of DDT illegal.

Sweden just became the first nation to declare an outright ban on DDT—for at least two years. This was apparently stirred in part by an international conference in Stockholm at which scientists stated they couldn't be sure DDT was *not* harming humans.[18] On April 1 Senator Gaylord Nelson of Wisconsin again introduced a bill (S. 1753) to prohibit the interstate sale or shipment of DDT in the U.S. Congressmen Bertram Podell of New York and Joseph Karth of Minnesota have offered similar bills in the House.

7. Greater research is needed. The President's Science Advisory Committee has said that it is "well within the capacity of the chemical industry which annually screens some 100,000 new organic compounds as potential pesticides, to develop biodegradable pesticides of suitably narrow spectra of action." [19]

Little is known about the possible long-term threats of pesticides to man, including mutagenicity and carcinogenicity. But Dr. Wilhelm C. Hueper, former director of the National Cancer Institute, has warned: "The evidence on hand is sufficiently substantial for supporting the view that the rapidly growing exposure of the general population to pesticides of diverse chemical nature, of diverse biologic activity, and from multiple sources . . . should arouse concern and apprehension, should stimulate and justify comprehensive investigations, and should actuate thoughtful consideration of effective protective measures." [20]

8. Even the best information is of no use buried somewhere. "One of our major problems," says Niering, "is the communication of sound ecological knowledge already available . . . The problem really challenging man is to get this scientific knowedge translated into action . . ." [11]

The President's Science Advisory Committee believes "all data used as a basis for granting registration and establishing tolerances should be published, thus allowing the hypotheses and the validity and reliability of the data to be subjected to critical review by the public and the scientific community." [21]

9. The Science Advisory Committee has also suggested a more cautious approach to registration of pesticides: "Unless a pesticide proposed for registration is equally effective in a less hazardous way than methods already available, (we) believe registration should be considered conservatively. As a corollary . . . more hazardous compounds might well be removed from the market wher equally effective and less hazardous substances are found." [21]

10. New or stronger federal and state laws governing registration and labeling, use and application could be enacted and enforcement could be improved. Among possible administrative changes is the transfer of pesticide functions from agricultural agencies to those concerned with health or the environment; and the creation of independent, policy-making pesticide review boards, which some states in fact already have. Also recommended by some is the regional approach illustrated by the four-state agreement between the natural resources agencies of Illinois, Indiana, Wisconsin and Michigan, designed to stem the flow of persistent pesticides into Lake Michigan.

On April 14, Senator Nelson introduced a bill (S. 1799) to establish a permanent, 12-member National Commission on Pesticides. It would be responsible for evaluating the present usage of pesticides, reviewing existing use and labeling restrictions, recommending safety standards for pesticides in water, developing a monitoring program, conducting or initiating research of all kinds, and making recommendations to the President and Congress on the elimination or limitation of pesticide use.

11. Greater accountability has been suggested. For instance, Dr. Robert L. Rudd of the University of California, Davis, recommends that we "require public justification of any tax-supported control program and insist that this justification contain a clear description of the purposes of the control program, the methods by which it is to be conducted, the hazards inherent in it, and the economic or social gains that justify both costs and hazards." [22]

12. Broader training of commercial applicators and others is also needed. Rudd proposes a "user education" program "in which the full range of hazards of chemical use is explained." He says "it is not enough to seek to educate growers and appliers in the proper methods of handling toxic chemicals. They must also be told the biological and social consequences of continuing chemical use." [23]

13. The pesticides problem seems tailor-made for the kind of oversight, review and judgment which could be provided by a Council of Environmental Advisors—a highly qualified group at the top level of the Executive branch which is called for in several bills now pending in Congress. Control of pesticide pollution is a massive and complex problem; it involves both interagency and federal-state coordination; it requires the resolution of divergent scientific views; and it involves conflict between different economic and social interests.

14. On the international level, food, health, and development agencies could also take a new look at the pesticide problem. Pesticides are often exported as part of aid packages to tropical countries, where their impacts on complex and vulnerable ecological situations, and their side effects, could be and have been serious. International agreements to control the release of harmful chemicals into the world environment would be a great step forward.

15. Few if any improvements will be achieved without strong citizen interest and action. Traditional pesticide practices are cemented by traditional bureaucratic and political alliances, and by traditional scientific and economic considerations. Citizen and conservation organizations can play key roles in focusing public, legislative and administrative attention on the pesticides problem. The Michigan Pesticides Council does this. The Citizens Natural Resources Association's petition for a ban on DDT in Wisconsin is the subject of hearings now being held in that state. Similarly, the Michigan

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Audubon Society initiated a court suit in 1967 which led at least indirectly to restrictions on the use of DDT in that state.

ECOLOGICAL SURPRISE PROMPTS MOVE TO SET LIMIT ON DDT IN FISH

For the first time, the Food and Drug Administration plans to set pesticide residue levels for fish sold in interstate commerce. Until now this has apparently not been considered a serious problem, for the highest DDT residue level found in fish was 3.6 parts per million.

But several weeks ago, when FDA investigators in the midwest took samples of frozen Lake Michigan coho salmon for analysis, they found, much to their surprise, DDT residues of up to 19 parts per million. (Only 7 parts per million are tolerated in meat.) So on March 28, U.S. marshals seized 21,850 pounds of frozen coho from warehouses in Wisconsin and Minnesota. So far, it's a mystery how the level in the salmon got so high. "Shades of Rachel Carson," said one FDA aide. "It seems that some kind of monster has been created here."

FDA's seizure of the salmon produced political repercussions. Congressman Gerald Ford of Michigan, who represents a district in which some fish were packed, criticized the seizure. The Republican governors of five Great Lakes states met, concluded there was no health hazards, and asked HEW Secretary Robert H. Finch not to set pesticide tolerances on fish until further study was made. Finch said no, adding he was "very apprehensive" about the effects of pesticides on people. He also appointed a Commission on Pesticides and Their Relationship to Environmental Health, to report to him in six months with "specific suggestions." And on April 22 he set an interim residue level for DDT in fish of 5 parts per million, pending further study. (A major study of pesticides is also being completed by the Committee on Persistent Pesticides of the National Academy of Sciences-National Research Council, under contract to the Agriculture Department.)

WHAT DID CONGRESS TELL YOU?

Since 1957 the government and various southern states have been attempting to eradicate the pesky fire ant. The cost: many millions of public dollars. Though the fire ant has a nasty sting, and builds large mounds which are a nuisance in crop fields, reputable scientists say that control is not worth the trouble. A National Academy of Sciences committee said the ant apparently does no significant harm to land values, agriculture production or health. The committee expressed "very grave doubts whether an attempt to eradicate it would be justified, even if it were shown to be feasible." The Agriculture Department has been soft-pedaling the program. But when it asked for $3.9 million for fiscal 1969, Congressman Whitten's appropriations subcommittee gave it $5 million. And when Agriculture held up spending, Whitten asked: "What did Congress tell you last year?" An Agriculture official replied: "They told us to get on with the program." To which Whitten answered: And you did not pay any attention . . . If you are not going to do what the Congress says to do, maybe we ought to cut down the money at your level, Doctor, and I am serious."[18]

FOOTNOTES

[1] FDA Papers, February 1969.

[2] *Need to Resolve Questions of Safety Involving Certain Registered Uses of Lindane Pesticide Pellets,* General Accounting Office, February 20, 1969.

[3] Hearings of House Merchant Marine and Fisheries subcommittee, March 14, 1968.

[4] Testimony before Senate Commerce Committee, May 17, 1968.

[5] NAC News and Pesticide Review, October 1968.

[6] *Pesticide Laws and Legal Implications of Pesticide Use,* National Communicable Disease Center, Atlanta, March–April 1968.

[7] *The Population Bomb,* Ballantine Books, 1968.

[8] *Need to Improve Regulatory Enforcement Procedures Involving Pesticides,* General Accounting Office, September 10, 1968.

[9] Agricultural Chemicals, January 1969.

[10] Testimony before House Appropriations subcommittee on Department of Agriculture and Related Agencies, March 1968.

[11] BioScience, September 1968.

[12] *Silent Spring,* Houghton Mifflin Co., 1962.

[13] *Interagency Environmental Hazards Coordination,* Senate Report No. 1379, Senate Government Operations subcommittee on reorganization and international organizations, July 21, 1966.

[14] Washingtonian, March 1969.

[15] Scientist and Citizen, November 1968.

[16] The New Republic, January 13, 1968.

[17] New York Times, March 30, 1968.

[18] Washington Post, April 5, 1969.

[19] *Restoring the Quality of Our Environment,* report of the Environmental Pollution Panel, President's Science Advisory Committee, 1965.

[20] Testimony to Senate Government Operations subcommittee, July 23, 1963.

[21] *The Use of Pesticides,* President's Science Advisory Committee, May 15, 1963.

[22] *Pesticides and the Living Landscape,* University of Wisconsin Press, 1964.

REEXAMINING OUR CHINA POLICY

Mr. TYDINGS. Mr. President, it has long been evident that a major revision of U.S. policy toward China is required. Our present policy of excluding China from international organizations and conferences and erecting a diplomatic, economic, and cultural barriers between our countries has clearly become counterproductive.

We are told that one of the principal reasons for U.S. involvement in Vietnam is to contain China. We are told that the Safeguard ABM system is being proposed to protect against a possible Chinese nuclear attack. We are told that the Nuclear Nonproliferation Treaty may fail to halt the spread of nuclear weapons because of Chinese recalcitrance.

Yet we refuse to employ the diplomatic and economic means available to us to affect Peking's behavior. By so reducing our options in the Far East, we limit the potential effectiveness of our policy in this area.

At the National Convocation on United States-China Relations held in March of this year in New York, Theodore Sorensen, an adviser to the late President Kennedy, focused on the shortcomings of our present policy regarding China. Mr. Sorensen offered some sound, reasoned remarks on a subject which tends to generate much emotion. I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF THEODORE C. SORENSEN AT THE NATIONAL CONVOCATION ON UNITED STATES-CHINA RELATIONS, PANEL ON "THE UNITED STATES AND CHINA: POLICY ALTERNATIVES FOR THE FUTURE," HILTON HOTEL, NEW YORK CITY, MARCH 21, 1969

As the Soviets and Chinese confront one another across the Ussuri, the United States would do well to recall an old Chinese saying: "It is better to sit on a hill and watch two tigers fight."

I do not suggest that war between these two large and bitter adversaries is in our interest; no war anywhere in the world is in our interest. But I do suggest that it is *not* in our interest to take sides in this dispute, to appear to take sides, to permit ourselves to be used by either side, or to give either nation grounds for charging that we have taken sides. I am further suggesting that, if such a stance is the right one, we should no longer continue our policy of making a greater effort toward understanding and friendly relations with the Soviet Union than we do with Communist China. I will go still further and suggest that, contrary to the basic assumptions of our foreign policy for many years, *there is no foundation in fact or logic for our continuing to apply a double standard to our relations with the Soviets and the Chinese.* Peking may erect barriers that make impossible a relationship with the United States that is the equivalent of our relations with Moscow; but there is no reason for the United States to erect any different, extra or higher barriers between ourselves and the Chinese than we do between ourselves and the Russians.

We should be equally vigilant in our policies toward both nations. We should be equally realistic about the substantive as well as the ideological conflicts that divide us from both nations. We should be equally frank about our limited ability to intervene or otherwise influence events around the borders of both nations. *I am not advocating either a regression in our relations with the Soviet Union or a rush to make concessions to Red China—only an attitude that is equally cautious, equally forthcoming, equally suspicious or equally hostile toward both nations.* We can no more judge the merits or predict the future course of their feud than Shakespeare's Prince could understand the Montagues and the Capulets. *But whether our cry, like his, is "a plague on both your houses" or something a little more diplomatic, we should take care not to embrace one of these two gladiators while kicking the other.*

Some may reply that China is more hostile and Russia more friendly. It is true that Peking's *words* have been more hostile than Moscow's, and any overtures we make now may well be rejected. But Moscow's *deeds* have been more threatening than Peking's; and surely our policy (in terms of what we seek) should not place more importance on words than on deeds. *For it is the Soviets, not the Chinese,* who are the chief suppliers of weapons used against our troops by the North Vietnamese and Vietcong. It is the Soviet Union, not China, whose forces pose a potential threat to our own at the Berlin Wall and in the Mediterranean. It was the Soviets who tried to establish nuclear missile bases in the Western Hemisphere, and who ruthlessly invaded their peaceful neighbor for merely aspiring toward a greater degree of independence.

There have been in recent years no comparable deployments of Chinese forces outside their own borders, nor even any very serious threats against those American forces stationed on territory claimed by the Red Chinese. Nor is there any longer good reason to believe that the North Koreans, North Vietnamese and other Asian Communists now giving us trouble on that continent are wholly owned and operated subsidiaries of the government of Mao Tse-tung. Propaganda from Peking may be far more harsh and belligerent than the anti-American propaganda emanating from Moscow; but China in fact cannot now match the Soviet Union's economic, industrial or military capability to sustain a major threat to this

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country's very existence, and that difference in capability surely speaks louder than any difference in propaganda.

Some experts may cite the opposite justification for our present double standard—namely, that we need not pay as much attention to the Chinese so long as they pose less of a threat to our security than the Soviets. But that is not the reasoning that today motivates the general public's distinctions between the two; nor can our government afford to minimize in any way the implications of a long-range build-up in China of both xenophobic suspicion of the United States and a nuclear missile capability, a very dangerous combination.

I stress this point today at this Conference in the hope that placing U.S.-Chinese policy in the perspective of U.S.-Soviet policy may make possible a more logical attitude toward both nations on the part of American public opinion. Liberals and conservatives may rationally disagree as to where the lines should be drawn in our relations with the two Communist powers; but they ought to agree on a policy that seeks to draw the line in the same place for both of them. I do not believe the American people would be willing to turn back the Cold War clock to a point where we broke off diplomatic relations with Moscow, excluded the Soviet Government from the United Nations, forbade trade relations of any kind with the U.S.S.R. and refused to listen seriously to any of its disarmament proposals. But if they recognize that that would not serve the interest of world peace, it should not be impossible for the Nixon Administration to convince them that our present China policy does not serve the interest of world peace.

If the American people are willing to have our government offer an exchange of diplomats, businessmen, tourists and artists to Moscow despite Soviet actions in Europe and the Middle East, they should be willing to have a similar offer made to Peking. If they were willing to have three seats—three votes—in the U.N. General Assembly awarded to the Soviet Union and two of its subdivisions, they should be willing to find a formula by which both Taipei and Peking can be represented in the United Nations regardless of who ultimately controls Taiwan.

If they are willing to have President Nixon sit down with his Soviet counterpart the year after Czechoslovakia's invasion, why should they not want him to sit down with Mao Tse-tung as well? If American businessmen believe it is right to engage in the peaceful trade of non-strategic goods with the Soviet Union despite the arrest of Soviet intellectuals, how can they say it is wrong to trade with the Chinese? If Moscow is invited to the next round of disarmament talks, why not invite Peking? And if we do need (which I do not accept) an ABM system to safeguard our missiles, why shouldn't it be designed to deter the possibility of attack from either of the two leading Communist powers?

I realize that no two nations, no two situations, no two potential threats to our security, are ever identical. We need a U.S.-China policy wholly apart from our U.S.-U.S.S.R. policy, The difference in their responses will for some time make a difference in our relationships But let that be their choice. In the words of the now-rejected Supreme Court doctrine, *let our policies toward them be "separate but equal."*

THE ROLE OF THE ROTC ON COLLEGE CAMPUSES

Mr. MURPHY. Mr. President, much has been said and written of late concerning the role of the ROTC on our college campuses.

The Los Angeles Times of May 12, 1969, published what I feel is an astute appraisal of this situation. I ask unanimous consent that the article, written by William F. Buckley, Jr., be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PERSECUTION OF THE ROTC

(By William F. Buckley, Jr.)

The very first thing the president of the typical university does, upon announcing that henceforward ROTC students will receive no academic credits, is to assure his audience that the decision of the faculty was reached without any thought to the political situation, absolutely none at all.

That is of course sucker-bait, and the presidents know it, but they have become so much accustomed to dissimulation, which they practice upon the alumni as if they had Ph.D.'s in the subject, that they can manage to keep straight faces while saying such crooked things. Sure, anti-Vietnam sentiment had nothing to do with deciding to drop ROTC credits, and the New Hampshire primary had nothing to do with Lyndon Johnson's retirement. Sure, ROTC doesn't warrant academic respectability, but Eldridge Cleaver does . . .

Here are a few points which the college presidents have not treated. One of them is, why—if properly taught—shouldn't ROTC training earn credits? It is widely imagined that ROTC consists in marching up and down the quadrangle with rifles on one's shoulder. Sure, there is some of that. But much more is the classroom work. Now if the classroom work is unimaginative, and consists only in the rote-learning of drill manuals of one sort of another, then obviously academic credits are not in order.

But if that is the case, one wonders why the administration and faculty voted to give credits to ROTC in the first instance? It is not widely known that ROTC appears on campus not because the Pentagon, at some point in the past, dispatched a military expedition to the local college, posting non-negotiable demands. A contract is negotiated and signed, and these contracts have called for the granting of academic credits. If university officials did not take the trouble to ascertain that the ROTC staff would devise a curriculum of academic consequence, then the dereliction is the university's.

Or are they saying that there is no body of knowledge presentable by an ROTC? That would be a strange position to take, particularly by those militants who hug to their bosom the collected works of Mao Tse-tung and Che Guevara and the gang, on the tactics and psychology of guerrilla warfare. If there is a body of knowledge to revolution, surely there is a body of knowledge to counter-revolution.

Why, if the subject is academically jejune, do we acknowledge the "science" of warfare? What of the related paramilitary subjects, concerning which some of the most interesting theorists of human behavior have addressed themselves, stressing diplomacy, public psychology, propaganda, and the rest?

Is it idle to study military history? Or geopolitics? Or strategic geography? Or the relation between the psychology of a culture and the relevance of the weapon? Couldn't a highly instructive semester—at the very least—be devoted to an examination, for instance, of the intellectual relevance of the arguments and the tactics of the North Vietnamese during the current war?

And then the other point. The movement now is not merely to deprive ROTC students of academic credit, but to ban ROTC from the campus. Why? I mean, why does the majority of the student body, or of the faculty, undertake to dictate to an individual student what he can do in his spare time? If he desires to drill with a master sergeant, or to otherwise satisfy Reserve Officers Training requirements, what business is it of the busybodies on campus, who prate about academic freedom—while designing a curriculum geared to their own neurotic lusts?

The ROTC—here is an interesting and, so far as I know, heretofore unpublished datum—has, at this writing, received not one communication from one college in America announcing the abridgement, or rescission, of an outstanding contract. That means that students, are entitled even to academic credits, until that contracts expires. What then? Is ROTC to set up shop, like Berlitz Schools, unrelated to the college in any formal way?

What, then, will the student and faculty do, in pursuit of their goal of unconditional victory? Ask that any student who spends his afternoon at the local Berlitz-ROTC institution be punished? Expelled? Publicly flogged? One weeps for the end of reason.

FOREIGN TRADE ZONE IN MAINE

Mr. MUSKIE. Mr. President, much has been written about the attempt to establish a foreign trade zone in Maine, the proposal to construct an oil refinery in the trade zone, and the request by Occidental Oil Co., for changes in the oil import regulations.

Those who oppose the refinery have claimed that a refinery constructed in a trade zone for the purpose of refining foreign oil would not be in the best interests of the national security. They argue that a removal of oil import controls would hinder domestic exploration for oil.

We who are in favor of the trade zone, construction of the refinery, and changes in the oil import regulations have, over the past few months, been presenting the facts as they are, using the results of our own investigations and research, as well as the work of others. For this reason, I ask unanimous consent to have printed in the RECORD an excellent article published in the National Observer of Monday, May 5, 1969.

It is apparent that a great deal of study and work has been done by the authors to get the whole story on the Machiasport problem. They present an excellent history of the oil import program. The authors point out that the quota program has done what it was supposed to do, guarantee the domestic producers high prices for their oil, about 65 percent higher than the world price. The article describes in detail the need for cheap oil to provide cheap power to New England. It answers the questions raised concerning the use of the American-flag tankers for the transport of oil. It explains the reason for the high costs of oil products in New England as compared with other sections of the United States. This article is the first of several that the National Observer will publish that will explore the oil industry in depth. I recommend it as interesting, as well as informative, reading for all Senators.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

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Very High Stakes Make Very Anxious Players—Why the Machiasport Deal and Taxpayers Shake Up an Industry

(Note.—The oil industry occupies a unique position in America—a position that is at once colorful, contradictory, and increasingly controversial. Its influence—political and social, as well as economic—is powerfully pervasive, as evidenced in recent public conflicts over production controls, import quotas, industry tax shelters, and bitter behind-the-scenes feuding over a startling new project proposed for Machiasport, Maine.

(This is the first of several articles that explore first-hand and in depth the industry's singular position and prerogatives. The material was prepared by staff writers August Gribbin, Michael Malloy, Patrick Young, and senior editor Edwin A. Roberts, Jr. The reporting and research was done in Washington, D.C.; New York City; Machiasport and Augusta, Maine; New Orleans and Baton Rouge, La.; and Dallas, Longview, Houston, and Austin, Texas.)

The American oil industry, which registered more than $60 billion in sales in 1968, is the giant of giants in the business community. But it is an anxious giant, clanking about in several suits of armor and thus conspicuously protected from many of the rigors that are the spice and spark of enterprise.

But it soon may be stripped of its mail and a gauntlet or two. There is mounting evidence that Congress, reacting to customer and taxpayer indignation, will divest the industry of some of its distinctive assortment of protections. These protections can be listed under three headings: the oil-import quota system, state regulation of domestic production, and an unequaled variety of tax advantages.

The challenge to the industry is advancing on two fronts. One is a congressional review of the import-quota system, a review given important impetus by the proposal of Occidental Petroleum Corp., Los Angeles, to erect a huge refinery, using foreign oil, at Machiasport near the northeast tip of Maine. The other is the Government effort to reduce the multiple tax loopholes that, in size and sum, have been the particular privilege of the oil industry.

THE MOST POWERFUL BUSINESS LOBBY

The industry, for its part, is fighting any trimming of its advantages. The oil and natural gas lobby is the most powerful business lobby in Washington, and the industry counts scores of congressmen and Federal officials as its surrogates in the halls of Government. The oil companies have traditionally based their case for preferential treatment on the proposition that the nation's security requires a prosperous domestic oil industry, and a prosperous oil industry—so it is argued—is dependent upon tax incentives for exploration and import controls to save the United States from becoming dependent upon oil from politically unstable countries.

Those are the issues in their most elemental form. But underlying the general arguments on both sides is the frenetic history of the oil business. And out of this history has grown a huge, contorted industrial mechanism, prodigiously complex in the working of its parts and complicated still further by its tight meshing with the gears of government. It is a Chinese puzzle whose pieces are strewn throughout a labyrinth of law.

And behind the forests of oil derricks, the pipelines and giant tankers, the vast refineries and tank farms, the corporate edifices and millions of gasoline pumps—behind all the familiar hardware of this basic industry—lies the biggest gambling game ever devised by man, a game in which $1,000,000 is a token wager, a game that can determine the health and wealth of many nations.

Very high stakes make very anxious players, so it's not surprising that the companies that take the risks look about for all the protection possible. One way of protecting the price of domestic oil is to keep all but a trickle of foreign oil out of the country. This the industry has successfully done since 1959 when mandatory oil import quotas went into effect. Today this protectionist program is endangered. President Nixon has promised to decide by autumn of this year whether the Administration will support the revolutionary proposal called "Machiasport."

FAVORED BY A FEW WEALTHY FAMILIES

Machiasport, the town, is typically Maine. With a population of 1,370, it consists of a couple of stores, a rayon mill, a lumber mill, some piers for lobster boats, a cluster of neat-but-weathered houses, and rocky fields that roll down to the sea. Although it is far to the northeast of Maine's principal seashore communities. Machiasport has long been known to and favored by a few wealthy families who maintain summer estates in the vicinity.

It is the kind of rural community that had been most notable for its remoteness and obscurity. But the politics of oil have suddenly thrust the village into the national spotlight, and the technology of oil may turn Machiasport into a hub of industry. Machiasport is blessed with a remarkable harbor; it is 140 feet deep at mean low tide, meaning it could accommodate the largest ships in the world, including the new 300,000-ton super tankers.

But why build an oil refinery in a piney little village so far from the buyers of oil products? Because the plan involves an ingenious way of blowing a hole in the import-quota dike.

Aided by Kenneth Curtis, the 39-year-old governor of Maine, and enthusiastically abetted by the entire New England congressional delegation, Occidental Petroleum is hoping to build at Machiasport the largest crude oil refinery of its kind. The plant capacity would be 300,000 barrels a day. Its daily production would include some 90,000 barrels of home-heating fuel; 10,000 barrels of gasoline; 75,000 barrels of residual fuel used by heavy industry, especially for the generation of electricity; 30,000 barrels of jet fuel for the military; and 10,000 barrels of special Navy fuel.

Occidental would bring in crude oil from its wells in Libya. Therein lies the heart of the Machiasport controversy, and it is a controversy in which not only Occidental, but Maine and the entire nation have an important stake.

Under present law, no U.S. company is permitted to ship into the United States any oil produced in a foreign country, even if the company pumped the oil out of the ground and owns every drop of it, unless the company has been granted a special quota by the U.S. Interior Department. This restriction is contained in what is commonly known as the U.S. oil import-quota system.

The system is now under wide attack, not only because it forces Americans to pay artificially high prices for oil products, but because it is wrenched by so many exceptions, special provisions, and amendments that it no longer can be viewed as a coherent program.

The Secretary of the Interior, using figures developed by the Oil Import Administration in his department, decides every six months how much foreign crude, refined, and partially refined oils can come into the United States. The total generally hovers around 761,000 barrels a day, and it represents 12.2 per cent of the projected U.S. domestic production—excluding oil from Mexico, which is considered a special exception, and oil from Canada, which is also considered a special exception, and that oil from Venezuela entering the United States via Hawaiian refineries, which represents still another special exception.

DIVVYING UP THE QUOTA

The Secretary divides the 761,000 barrels a day among the 150 companies that now qualify for quotas. Some companies get bigger quotas than others. The amount of oil a company is permitted to import depends on a so-called historic quota, and also on the company's refinery production capacity as well as on a complicated "sliding scale" formula.

When a company that had not been on the import list is given a quota, every other company on the list must contribute a fraction of its share to help make up the newcomer's allotment. Since every barrel of foreign oil in a company's quota is worth $1.25 cash—the difference between the foreign and domestic price—companies already on the list are not anxious to share the largess with newcomers.

The "historic quota" criterion, like almost everything else about the oil business, merits explanation.

At the end of World War II, American industry returned to peacetime production of automobiles, and many new homes were equipped with oil instead of coal furnaces. The market for oil in the United States quickly expanded and the price of oil zoomed. With demand outrunning supply, the oil industry began vast exploration and development programs. By the early 1950s, the situation was reversed; the companies were producing more oil than they could sell.

While U.S. oilmen were moving from a position of shortage to surplus, oilmen in other countries—in South America and the Middle East—were doing the same thing. The international companies, realizing the United States presented the best market for oil, cut prices and began exporting their less-expensive oil into the United States on a large scale.

Domestic producers were furious. Responding to pressure from the oil lobby, President Eisenhower acted. He acted not only to mollify American oil interests but also to assure the nation the oil it might need in a military emergency. If the United States used so much cheap foreign oil that discovery and exploitation of U.S. oil fields dwindled, the country might become largely dependent on foreign sources for its military fuel. Given the political instability of most of the foreign nations that produce oil, reliance on foreign crude could endanger American security.

In 1955, a Cabinet-level committee much like the one recently established by President Nixon recommended that the President limit oil imports to about their 1954 level. For two years the Eisenhower Administration urged the seven major international companies to limit their imports. They didn't, and they didn't because it is not in the nature of businessmen to intentionally eschew easy and obvious profit opportunities.

So, in 1957, Mr. Eisenhower set up the Voluntary Import Control Program. He assumed the power to take this action from the National Security Amendment of the Trade Agreement Extension Act of 1955. This is one of the reasons import quotas are so often discussed in the context of national security.

The voluntary program provided for limiting imports of oil and refined oil products to 12 per cent of domestic production. The 12 per cent limit applied to the East and Midwest, known as U.S. Districts I–IV. There are five such districts in the nation, with District V including Arizona, Nevada, California, Oregon, Washington, Alaska, and Hawaii.

CALCULATING DISTRICT V'S QUOTA

The District V states traditionally have been unable to get enough domestic oil for their needs, so in those states the quota restrictions were made more flexible than those applying to Eastern and Midwestern states. They were based on estimates of District V's demand in relation to available domestic supply. That's essentially the way the District V quota is calculated today.

The total amount of quota oil allowed into the United States was to be allocated to "established" importers, meaning the seven major oil importing companies, which, in order of size, are: Standard Oil (New Jersey), Royal Dutch Shell, Mobil Oil, Texaco, Gulf Oil, Standard Oil (California), and British Petroleum.

The program also provided for the addition of newcomers to the ranks and specified, just as the present mandatory program does, that the seven established companies' quotas would be reduced to accommodate allotments to newcomers.

The voluntary program had a fatal flaw. It was voluntary. While the established importers complied with its provisions, smaller companies disregarded them. Imports continued to rise. In March 1959, the Mandatory Oil Import Quota Program was enacted.

In the past decade the quota program has worked. It has guaranteed domestic producers high prices for oil pumped from U.S. reserves; domestic crude oil prices, in fact, are the highest in the world—about 60 per cent higher than world prices. This arrangement has successfully protected domestic producers from foreign competition, but the cost to the American economy has been staggering. An economist with the Senate Antitrust and Monopoly subcommittee estimates that cost at $7.2 billion annually. Oil industry spokesman say the cost is "only" $2.7 billion. Independent economists put the figure somewhere in between, but usually closer to the higher estimate.

The industry argument is that the extra billions American consumers and businesses pay for oil products represent part of the cost of national security. Where would the nation be, they ask, if domestic facilities were to lie idle because of a flood of cheap foreign oil? Where would the nation's oil come from in a crisis that cut off access to the fields of the Middle East?

Critics of the present system respond with their own rhetorical questions. Is it wise for the United States to use up its own reserves when it could save them while buying far cheaper oil from abroad? And if national security is indeed the issue the industry spokesmen say it is, is there not some more efficient way to guarantee the United States a ready supply of oil in an emergency?

Another element has recently been introduced into the debate. There is evidence that the discovery of major oil fields in northern Alaska will expand U.S. reserves to the point where it is unlikely this country will run out of oil in this century—or the next century. Then, too, there is the new technology that could make economic the processing of huge, domestic oil shale deposits. And what of the likelihood that atomic energy will eventually replace oil as an industrial power source? And what of the current experimentation with automobiles powered by other than internal combustion engines?

These questions are part of the general argument. The particular argument hinges upon Occidental's attempt to obtain an import quota of 100,000 barrels of oil daily to feed its projected facility at Machiasport.

Companies already on the import list are naturally hostile to the idea. They note that 100,000 barrels is equal to almost 20 per cent of the quotas presently allocated to all other companies. They contend the Occidental plan would destroy the import quota system, ruin the domestic oil industry, and unfairly present Occidental with a windfall variously estimated at between $35,000,000 to $65,000,000.

When opponents speak of the "Occidental Deal" or the "Machiasport Deal," however, they are referring to much more than a big import-quota application. They are referring to a series of maneuvers that resemble a brilliant chess attack, the kind of master plan that has been associated with the oil industry since the halcyon days of John D. Rockefeller.

Here is the grand strategy:

Maine's Governor Curtis has energetically sought new industry for his state, which badly needs an economic boost. Maine's roads are poor; its school system is inferior; its services minimal.

Governor Curtis says Maine has the highest incidence of poverty in New England. Per-capita income figures calculated for 1966 show that Maine residents earn an average of $2,438 annually, compared with the New England average of $3,223. The low-income cycle is particularly pernicious because the state lacks cheap electrical power. Residual oil, rather than water power, turns its electricity-producing turbines. Industry does not usually seek out new plant sites in areas where power costs are high.

A MASTERFUL PROMOTER

Governor Curtis called in John K. Evans to help find a way to get Maine moving. Mr. Evans, who was formerly an executive with Royal Dutch Shell, is an expert in international oil operations. And he is a masterful promoter. It was Mr. Evans who devised the imaginative Machiasport project, although it soon became too big for him to handle, and in July 1968 he turned the plan over to Occidental, no doubt for a satisfactory consideration.

The main purpose of the Machiasport deal is to reduce power costs in the state and thereby attract new industry. Since the state depends on oil for electrical power, it must get cheap oil to reduce power rates. Since oil itself is a basic industry and raw material, it seemed reasonable that if Maine could tap a big supply of cheap oil, it might signal the beginning of a state-wide boom.

The oil for the Machiasport refinery could not come from the United States because U.S. oil is the most expensive in the world. Maine, furthermore, is almost as far from domestic sources of supply as it is from foreign wells that produce cheaper oil and transport it less expensively in foreign ships.

By law, U.S. oil must be carried in American-flag tankers. Thus, the oil for Maine had to originate outside the United States if the grand strategy were to work.

The planners knew they could eventually get a quota for foreign oil; any petroleum company with a refinery can manage that. But the quota system is so designed that the large refineries get proportionately less oil than the smaller ones. The quota system serves as a special protective device for the smaller operators.

Maine—and Occidental—had to find a way around the import-quota system, because that system wouldn't allow nearly enough foreign oil to enter Machiasport to make the facility practicable. Occidental not only wants to bring in huge quantities of foreign oil; it wants to bring it to Machiasport in the holds of huge foreign takers that are almost three times the size of the largest American tanker. Economies thus would be spread throughout the whole arrangement.

Even America's relatively small 100,000-ton tankers can't sail into most U.S. harbors because they draw nearly 90 feet of water. The bigger foreign tankers, in service and on the drawing boards, require still greater depths. The need for an extremely deep harbor was clear.

Files of the Army Corps of Engineers and the Coast Guard provided a likely answer: Machiasport. The water around the tiny spit of land on which the village stands, at more than 140 feet deep, is deep enough to handle anything afloat or on the drawing borads. What's more, Machiasport and a few other New England ports are the only ones in the nation offering at least two-mile turn-around room, which the super tankers need. Machiasport, in fact, has a four-mile turn-around area.

THE BIG PROBLEM

Machiasport's natural endowments solved one problem. But the greater problem was, and is, the import-quota system. How to get around that?

By setting up a free trade zone in the state of Maine.

A free trade zone is a technical term applied to a geographic area of the country that has been specifically exempted from certain import laws. Though physically a part of the United States, customs laws don't apply in these zones. Importers can bring in raw materials or other goods into a free trade zone, process them, store them, manipulate them, and export them without paying a nickel in import duty. Products shipped from the zone into the rest of the United States, however, are subject to regular customs charges.

Until 1965, oil could be shipped into a free trade zone in the manner of any other commodity. In that year, however, President Johnson issued a proclamation requiring petroleum importers to obtain a license from the Interior Secretary before importing foreign oil into a free trade zone.

It might be noted here that during the years the late Sam Rayburn was Speaker of the House, and when Lyndon B. Johnson, another Texan, was Majority Leader of the Senate and later President, the domestic oil industry had two of its most devoted friends in positions of surpassing power.

Maine's first move was to apply to have a section of the state declared a free trade zone. It then had to apply for a license to import foreign oil into the zone. This the state has done, requesting that the Portland area be designated a free trade zone with Machiasport declared a "subzone" having the same privileges.

The decision on the free-trade-zone application will be made officially by the Foreign-Trade Board, composed of the secretaries of Commerce, Treasury, and the Army. In fact, however, the final decision will be made by President Nixon.

Maine supports its case with several arguments.

The plan, it is argued, would enhance national security because the new refinery would add to the nation's oil-processing facilities; moreover, the refinery would be built in a part of the nation where no refineries now exist, thus dispersing the facilities of a vital industry.

The nation's balance-of-payments problems would not be aggravated because Occidental would build a refinery in the United States that it will build abroad if the trade-zone application is denied.

The Machiasport refinery would contribute to a lessening of air pollution in the Eastern United States. Libyan oil is lower in sulphur content than domestic crudes, and the emission of sulphur from burning residual oil is a major cause of air pollution.

Area consumers would save money on gasoline and heating fuel. Occidental has agreed to sell its gasoline in the "unbranded market" at approximately 2.5 cents per gallon below major company prices. Company officials say this will save gasoline customers $4,000,000 a year and heating-fuel customers $22,000,000 a year. This is an important aspect of the plan to New Englanders who pay high heating-fuel rates throughout their long, cold winters.

Occidental would also provide the military with lower-cost petroleum products.

XUM

The plan would provide the nation with a new deep-water port, which it may need for military and commercial purposes.

U.S. tanker trade would be stimulated because, though Occidental would haul its raw material in foreign ships, the company would export some of its products in American vessels.

If the plan is approved, Occidental has agreed to finance in New England a new, nonprofit oceanographic research and development foundation.

The project would provide 350 jobs immediately and would attract industry to a depressed area.

While the Machiasport deal would be good for New England, better for Maine, and entirely superb for Occidental, the rest of the oil industry is dead set against it. Leading the way in a propaganda campaign to counter the Maine-Occidental propaganda campaign are three giant oil companies—Humble, the marketing subsidiary of Jersey Standard, Gulf, and Shell. Too, if all the Democratic and Republican congressmen from New England are for Machiasport, the Texas and Louisiana delegations are strongly opposed to it.

One of Machiasport's most avid supporters is Massachusetts Sen. Edward M. Kennedy, perhaps the second most influential politician in the nation. Aligned with him and the rest of the New England delegation are the governors of the six New England states. Machiasport represents one of the few times since 1620 that practically everybody in New England is in agreement on an issue.

Squabbling between the New England and Texas-Louisiana factions began as soon as the proposal was announced and it's still raging. Last February, President Nixon declared he was personnally assuming responsibility for all decisions relating to oil. On March 26 he named a Cabinet-level committee to review the nation's oil-import policy. The committee, headed by Labor Secretary George Shultz, expects to finish its survey by October. Some time after that the President plans to make a decision about Machiasport.

What little opposition exists in New England has been localized and minute.

Bernard Cheney, an insurance adjuster, was asked what he thought of the Machiasport plan as he stepped from a bank on Center Street in the nearby village of Machias.

"I don't like it. I don't think it can solve the economic problems of Washington County (in which Machiasport is located). It won't create enough jobs. Even if it did we've got people around here who wouldn't work if you gave them $500 a week.

"But the biggest objection is that they want to build the refinery on the most beautiful section of the coast. Don't you realize that this country around here is one of the last places you can go to get away from the pollution and gook of the cities. You look forward to your kids coming back to escape from the city and bringing the grandchildren to a place with some beauty. Why it's like getting $1,000,000 to get out in your car and drive around this county. Now they're going to bring pollution here."

Fear of pollution—of both air and water—is uppermost in the minds of all local opponents of the plan. Even many who favor it do so with mixed feelings. Says lawyer Wesley Vose: "I can see that the refinery and the other industries it will attract will be an excellent source of jobs and tax revenue. But it's bound to change the community and most of us like it the way it is. Still I'm for the proposal. We need it."

Charles Kilton, manager of the sardine cannery in Machiasport, remarks: "I've always thought it was a good idea. Sure the refinery will hurt our cannery. It will bring changes. But we've got to have help. We've got to have better roads. Where's the money going to come from? The people around here are afraid of strangers coming in. I say let 'em come."

The poverty, or near-poverty, of many Maine residents is not the apparent kind. It is not the poverty of filthy, crumbling city slums. Nor is it the wretched hopelessness of barefoot mountain folk. It is rather an absence of amenities in old, rickety—but clean—houses that have known too many Maine winters. Most important of all, most poor people in rural Maine do not consider themselves poor. And they possess the Yankee knack of making do. Poverty is not always a matter of money; sometimes it is a matter of attitude.

One opinion widely held throughout New England is that New Englanders are forced to pay too high a price for home heating fuel. Seventy per cent of the residents of the six states heat their homes with oil. They use more than 900,000 barrels of oil a day, 21 per cent of the heating oil used by the entire nation. Since 1964, the price of that fuel has risen an average of a half-cent a gallon a year—at a cost to New Englanders of an additional $20,000,000.

Heating oil costs more in Boston, some 50 to 80 cents more a barrel, than it does in Chicago, Milwaukee, or Detroit, which also have long, frigid winters.

The cost of heating their homes is a particular irritant to New Englanders, and it is a major reason why most people in the area favor the Machiasport plan. There are smaller irritants, too, that contribute to a general feeling of dissatisfaction with the curious workings of the oil industry.

Governor Curtis says that people living in Portland resent the fact that though a major oil pipe line runs through Portland carrying oil from that city to Montreal, the price of heating oil in Montreal is 3.59 cents a gallon less than it is in Portland. The harbor at Montreal is too shallow to accommodate ocean-going tankers, so oil bound for the Canadian city is brought into Portland, the second biggest (after Philadedphia) oil port on the East Coast, and immediately transshipped to Montreal. But it's foreign oil that pours through those pipes and Portlanders aren't allowed to tap any of it.

The Machiasport proposal raised so many questions about the import-quota system that the Senate Antitrust and Monopoly subcommittee began hearings on March 11 with a view to recommending changes in the present policy. The subcommittee, an offshoot of the Senate Judiciary Committee, is headed by Sen. Philip Hart, Michigan Democrat. Eighteen economists and educators appeared before the senators, and almost all of them were extremely critical of the quota system. In fact, Senator Hart observed during the hearings that his subcommittee had been unable to find any economist not connected with the oil industry who was willing to argue in favor of the present system.

The most telling points made by the expert witnesses were these:

The import-quota system is the "capstone" of a network of regulations that greatly benefit the oil industry and keep the price of U.S. petroleum products artificially high.

The cost of U.S. oil is so high that domestic prices could be reduced by more than 30 per cent and still permit 95 per cent of the oil produced in this country to be sold at a profit.

The import-quota system no longer makes a significant contribution to national security. It may, in fact, jeopardize national security because it forces the United States to drain its own reserves—reserves that might be more valuable as a wartime asset.

CREATING A CARTEL

The quota system preserves what Walter Adams, acting president of Michigan State University, calls a "Government-created, supported, and subsidized cartel." He said the Federal Government "does for the oil companies what they could not legally do for themselves." He means that Government policies have the effect of fixing prices, something the companies could not do on their own with impunity.

The present system keeps the most efficient wells from operating at capacity while encouraging the development and operation of the least efficient wells. If the restrictions on imports were moved, the per-barrel price of oil would drop from $3 to $2 and 5.4 per cent of domestic production would be lost. The most efficient companies would expand their production facilities and the marginal operators would be forced out of the market. The marginal operators contribute a small fraction to total production.

The witnesses before Senator Hart's subcommittee rarely equivocated; although their language was properly polite, the force of their arguments bespoke a barely muted anger.

At one point, Senator Hart asked Prof. Henry Steele of the University of Houston if he meant that the Government was subsidizing 95 per cent of domestic production just to safeguard 5 per cent of the oil operators. "Yes," said Professor Steele, "and it doesn't make sense."

Prof. Paul T. Homan, an economist with Resources for the Future, Inc., a nonprofit research organization, declared:

"We are under the impression that those responsible for adopting the allocation system never regarded it as having any importance for meeting the national security objects of the import program. . . . We are not aware that those responsible for framing the allocation system engaged in a serious economic analysis of the effects of the alternatives open to them. . . . It might be thought rather remarkable that a program affecting such a wide range of economic interests should be developed in a sort of intellectual economic void."

Professor Adams of Michigan State University explained some of the effects of the quota system that keep domestic oil prices high. He noted that Japanese manufacturers can buy Iranian heavy crude (residual fuel) at $1.35 a barrel. The same oil could be shipped to the U.S. East Coast at a delivered price of $2.10 before tariffs. U.S. industrialists, however, must pay $3.42 per barrel. That's a difference of $1.32 before tariffs and $1.22 including tariffs.

PASSED ALONG TO CONSUMER

Professor Adams concludes: "Such a differential obviously could not exist except for the penalties imposed on U.S. manufacturers by the import quota program. Major American chemical companies—du Pont, Union Carbide, Dow, etc.—have estimated that domestic oil prices on the East Coast average $1.25 per barrel more than elsewhere in the world; this amounts to 3 cents a gallon, or 60 per cent above the world price."

The higher price U.S. chemical companies must pay for raw materials, of course, is passed along to the American consumer. And the American consumer buys all manner of products that are derived from petroleum.

Major petroleum derivatives include carbon black, synthesis gas, methane, propane, toluene, and benzene. And from those chemicals come tires, plastics, fertilizers, explosives, shower curtains, pharmaceuticals, rayon, nylon, fumigants, synthetic rubber, lacquer solvents, windows, paint resins, polyesters, and dyes, among other products.

There is general agreement by many in the economic community that prices on these consumer goods would be lower if the price of domestic crude oil were not pegged by the Federal Government at a relatively high level. The manufacturers' costs, in any case, would be importantly reduced.

One witness before the Senate subcommittee told a reporter after testifying: "I would prefer not to sound unscholarly in public, but it does not take much economic sophistication to come to the conclusion that the oil import-quota system is an exercise in insanity."

None of the witnesses urged that the system be scrapped at once; that would throw the domestic market into chaos. Critics urge instead that the quota program be eliminated gradually.

The oil industry is aware it has on its hands its toughest fight in years. Its old prerogatives are being called into question all at the same time, and there is some doubt that even the powerful oil lobby and its well-situated friends in Government can sweep back the tide of change.

The major oil companies have declined to be drawn out on their position in the import-quota controversy. This reluctance is due partly to the traditional secrecy that the companies attach to their operations and policies for fear of providing information that might be of use to competitors. Too, industry spokesmen in coming months will themselves be testifying before the Senate Antitrust and Monopoly subcommittee and they prefer not to tip their hand.

But the industry position can be summarized this way: The present quota system is imperfect, but a devil known is better than a devil unknown. Import quotas enhance national security by assuring the viability of the domestic industry in the event an international crisis should close off America's access to foreign sources. Elimination of the quota system would work an extreme hardship on the economies of oil-producing regions in the United States. And such elimination would adversely affect the nation's balance of payments.

Nowhere does the oil industry have more friends than in those agencies of the Interior Department that are charged with overseeing various aspects of industry operations. This is so whether the issue is oil spills off U.S. shores or the import-quota system.

Ralph W. Snyder, a key official of the Oil Import Administration, has reacted to the controversy over quotas with two suggestions. Mr. Snyder is unconcerned that the high cost of oil forces consumers to pay much more than necessary for oil products. He is concerned about national security, and he believes that even with the present quota system the nation is still too dependent upon foreign oil. And, even though the recent oil strike in Alaska promises to change the whole chart of world oil reserves, he is distressed at what he says is the low level of exploration in the United States.

Mr. Snyder would not only retain the import controls, he would supplement them. He would, for instance, offer U.S. offshore oil producers in the Gulf of Mexico the option of withholding up to 30 per cent of their permitted production for a period of two years in exchange for a crude-oil import allocation exactly equaling the amount of oil they agree not to produce. At the end of two years, the offshore wells would be put back in production for one year to test and verify their production rates. After a year of normal operation, the producer would be free to reduce production and qualify for an increased import quota again.

Mr. Snyder's second suggestion is similar. To encourage domestic oil exploration and well development, he would give operators who find and develop new fields the alternative of withholding up to 50 per cent of their domestic production for a period of one or two years in exchange for an import quota equal to the amount of domestic oil withheld.

Almost all independent economists, however, believe that national security would be better served by gradually abandoning the quota system. How likely is it, they ask, that all foreign oil would be denied the United States by a localized war in some part of the world. Western Europe would indeed suffer if war in the Middle East halted oil shipments from there. But the United States has at least a 12-year supply, and when the new Alaska fields are developed and when it becomes economic to extract oil from shale rock, the United States will have enough oil of its own to last for many generations.

And if the worst comes to the very worst, how much of an oil reserve will the United States require in a global, thermonuclear war? Such a war is not likely to last 12 days, much less 12 years.

A top executive, moreover, of one of the biggest international oil companies, who refuses to have the statement attributed to him or his company, says that the major oil companies are ambivalent in their attitude toward the import-quota system.

NATIONAL SECURITY

"Obviously we want to optimize the return to the shareholders," he says, implying that retention of the quota system would help assure that end. But he thinks the ostensible rationale for the system has eroded: "Since quotas were put on, changes in the program have made it bear less and less relation to national security. The world is different today than it was 10 years ago [when the quotas were made mandatory]."

The international companies are reluctant to discuss the controversy with the press. British Petroleum, for instance, which recently bought Sinclair's East Coast marketing operation, declined comment on the grounds that it might appear to be trying to influence the Senate hearings. Royal Dutch Shell also decided to withhold comment.

The international companies have good reason to straddle the fence about import quotas. The "foreign" oil barred from the United States is oil produced by U.S. companies on foreign soil. It's their oil that's being kept out of the nation, but, because they are domestic producers too, it's their oil that is being overpriced in the U.S. market. All the major international companies have recorded record profits in recent years. Standard Oil (New Jersey), the world's largest oil company, boosted earnings in 1968 to $1.3 billion, or $122,000,000 more than in 1967.

From an industry point of view, the present quota system is just fine, even for the international companies that have a big stake in foreign oil.

But the industry is well aware that in its current form the quota system is, in the opinion of many, an unfair and unnecessary burden on American consumers and businessmen. And nothing could revamp the system so simply and suddenly as approval of the Machiasport plan.

Maine's Governor Curtis is optimistic. "They've been delaying us to death down in Washington," he says. "But we're going to win something for sure, for the thing that gives our request and our argument credibility is merit."

Oil import quotas, however, are only one of the protections that have enveloped the industry in a cocoon of extraordinary privilege. The others are state-enforced controls on domestic production, which have the effect of further supporting high prices, and the many tax advantages, of which the 27.5 per cent depletion allowance is only the best known.

Machiasport and the quota system represent but an introduction to the biggest and most complicated of all business stories.

TESTING OF BIOLOGICALS BY THE ARMY

Mr. NELSON. Mr. President, it was reported in the Washington Post of Saturday, May 10, 1969, that the Army has acknowledged that antibodies to Venezuelan equine encephalitis have been discovered in the vicinity of Dugway Proving Grounds, Utah.

The Army spokesman did not reveal why antibodies to a virus normally found in swampy, tropical forests have been found in the deserts around Dugway, the Army's foremost testing site for chemical and biological warfare agents.

However, the spokesman did not rule out the possibility that the VEE virus had been tested in the laboratories at Dugway "where the strictest safety precautions are observed."

Similar conditions were thought to be in effect at Dugway in 1967, when 6,400 sheep were killed by drifting nerve gas.

Regardless of whether VEE virus has leaked from a Dugway laboratory or whether it seeped into the environment as a result of an errant field test, there is a clear need for a thorough study to determine the environmental effects of the research program at Dugway. This study should be conducted by an impartial committee of experts in the life sciences. It is critically important that the Congress and the American people be fully informed about this subject.

I ask unanimous consent that the Washington Post article, entitled "Test Area Virus Clues Confirmed," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 10, 1969]

TEST AREA VIRUS CLUES CONFIRMED

The Army acknowledged yesterday that the antibodies of a severely incapacitating virus rarely found in the United States were discovered in the vicinity of the Dugway, Utah, Proving Grounds.

But Army spokesmen also asserted that the virus of Venezuelan Equine Encephalitis (VEE) has never been field-tested at Dugway or anywhere else and there are no plans for field-testing in the future.

VEE is common to South and Central America but its presence in the United States has been detected only in coastal Florida and Louisiana.

The Army statement did not speculate on why the antibodies from a mosquito-borne virus normally found in tropical swamplands should exist in the arid regions of south western Utah.

An Army spokesman said the statement did not rule out the possibility that VEE might have been tested within Dugway's laboratories where, he said, "the strictest safety precautions are followed."

WORLD LEPROSY DAY

Mr. INOUYE. Mr. President, Hawaii's tortuous journey toward the enlightened treatment of the victims of leprosy was eased by the humanitarian work of Father Damien De Veuster, a Belgian priest, who dedicated his life to ministering to the lepers at Kalawao, an isolated settlement for all those afflicted with this malady in Hawaii. For 16 years—from 1873 to 1889—Father Damien ministered to the lepers, bringing comfort where there was pain, joy where there was sadness, hope where there was despair, and love where there was hate.

Hawaii and the world have profited from the light Father Damien shed on the darkness of despair so long associated with leprosy. The State of Hawaii recently expressed its gratitude to Father Damien with the presentation of his statue to the National Statuary Hall collection.

It was with special interest, therefore, that the people of Hawaii commemorated World Leprosy Day on February 16 and witnessed many spiritual and governmental leaders filling Washington Cathedral to commemorate this day. Dramatizing the problems leprosy has inflicted on its victims throughout the ages, the assemblage of distinguished leaders urged people to recognize and disavow the fears which have stifled community efforts to control this ancient disease and to help the unfortunate victims of this disease lead normal lives.

The messages for World Leprosy Day which were received from President Richard M. Nixon, Secretary of Health, Education, and Welfare Robert Finch, Governor of the State of Hawaii John A. Burns and Mrs. Burns, and Dr. Detlev Bronk, and the sermon delivered by the Very Rev. Francis B. Sayre, express the deep concern which should move each of us.

I ask unanimous consent to have the messages and the sermon printed in the RECORD, together with an article describing the observance of World Leprosy Day, which was published in the Honolulu Star-Bulletin.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Honolulu Star-Bulletin,
Feb. 17, 1969]

LEPROSY DAY IS OBSERVED

(By Frank Hewlett)

WASHINGTON.—Washington Cathedral was filled to capacity yesterday for a colorful and dramatic observance of World Leprosy Day.

Spiritual leaders of the Buddhist, Catholic, Hindu, Jewish, Moslem and Protestant faiths marched in procession from the north portal to the great choir area of the Episcopal cathedral. Following them were representatives of a score of embassies. Most of them were in colorful national dress and represented countries with a leprosy problem.

Another highlight was the carrying to the altar by staff members of the U.S. Public Health Service Hospital at Carville, La., of an apothecary jar containing capsules of diaminodiphynlsulfone (DDS), the sulfone drug used to arrest leprosy's spread.

The dean of the cathedral, the Very Rev. Francis B. Sayre Jr., described DDS as "the greatest break-through" in the treatment of leprosy and held it was fitting that this jar of medicine should be "offered to God."

Dean Sayre praised those who have cared about the plight of the world's estimated 15 to 20 million leprosy victims, including about 2,000 in the United States, and have done something about it.

"What sufferers fear most is to be cast out and isolated," said Dr. Sayre.

He explained the purpose of World Leprosy Day was to "dramatize the problem of this ancient scourge." That's why it was appropriate for the Washington Cathedral to be the setting for "great services like this," he said.

Theme of the sermon was the need to care about the plight of the victims and Dr. Sayre held that if the public cared enough "the whole ancient curse of leprosy may be eliminated in our times."

Dr. Sayre was high in his praise of research work being done, particularly at Carville, New Caledonia and the central Philippines. He is a trustee of the Leonard Wood Memorial for the Eradication of Leprosy which built a sanitarium and laboratory facilities in the Philippines.

From President Richard M. Nixon there came a statement which said in part: "World Leprosy Day offers each of us the opportunity to rededicate ourselves of the task of dispelling the false fears that have perpetuated our neglect of this ancient enemy and devising new programs to eliminate the obstacles to its eradication and control.

"I salute the generous concern and willing cooperation of those who sponsor this observance and I urge all my fellow Americans to contribute to the success of your rewarding work."

Organizations sponsoring the 16th annual World Leprosy Day were the Leonard Wood Memorial, the American Leprosy Missions, the Damien-Dutton Society, the Pan American Health Organization and the International Society for Rehabilitation of the Disabled.

Dr. William H. Stewart, surgeon general of the U.S. Public Health Service, was chairman of the Washington committee for World Leprosy Day. A member of his committee and attending the cathedral services was Sen. Daniel K. Inouye.

This year's national chairman of World Leprosy Day was Dr. Detlev M. Bronk, president emeritus of the Rockefeller University and a former president of Johns Hopkins University. The honorary co-chairmen were Gov. and Mrs. John A. Burns of Hawaii.

The Governor was the first president of the Hawaii Chapter of the National Society for Crippled Children and Adults. Mrs. Burns has been active in the work of the Crippled Children's Society and other organizations.

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, February 12, 1969.

Leprosy is one of mankind's most ancient and most stubborn afflictions. But today the outlook is brighter than it has been throughout all of recorded history. Leprosy can be conquered if we replace fear with enlightened understanding and negligence with modern methods of care and rehabilitation. All of the world's people will benefit when this dread disease is brought under control. Only by working together constructively can the nations of the world make this dream come true.

ROBERT FINCH,
Secretary.

THE WHITE HOUSE,
Washington.

Cruel and unjust myths have far too long deprived the victims of leprosy of the miracles of modern medicine. Far too often, stigma and superstition have prevailed over compassion and constructive treatment and research.

World Leprosy Day offers each of us the opportunity to rededicate ourselves to the task of dispelling the false fears that have perpetuated our neglect of this ancient enemy, and devising new programs to eliminate the obstacles to its eradication and control.

I salute the generous concern and willing cooperation of those who sponsor this observance, and I urge all my fellow Americans to contribute to the success of your rewarding work.

RICHARD NIXON.

EXECUTIVE CHAMBERS,
Honolulu.

Hansen's Disease, also known as leprosy, presents one of the world's most serious health problems. There are an estimated 10 to 15 million victims, most of whom labor under severe economic and social burdens. Not only is their working capacity reduced, but, because of the stigma attached to those who have the disease, they are sometimes denied a normal place in society even when they have jobs.

Many of the world's leprosy sufferers are in need of surgery. Less than 20 per cent receive any kind of modern medical treatment at all, despite the great increase in recent years in programs to provide it.

To hope to solve this problem, the understanding and support of every individual is needed. Effective action cannot be taken until there is more general knowledge of the problem's extent and what can be done to solve it from the points of view of treatment, rehabilitation, research for a preventive, education, etc.

For this reason we are doing all we can to promote observance of World Leprosy Day, Sunday, February 16, 1969. As honorary cochairmen of the Day, we urge every American citizen to give careful consideration to the words of Mrs. Arthur J. Goldberg, retiring World Leprosy Day honorary chairman. She said, "The need for enlightenment and for support of constructive programs is urgent. Leprosy can be controlled and, finally, eradicated. This is one of the great contributions that America can make to the people of the developing lands, and to a happier, more healthful world."

JOHN A. BURNS.
BEATRICE M. BURNS.

THE ROCKEFELLER FOUNDATION,
New York, N.Y.

For centuries leprosy has been a dreaded disease and those with leprosy have been social outcasts. Now scientific research has yielded knowledge that makes it possible to cure the disease and to destroy the myth that its sufferers are unclean people to be shunned. But there are still wide gaps between knowledge of the cause of the illness, its cure and removal of the false social stigma.

Fifteen million people still suffer from leprosy and the number will probably increase by more than a million during the next five years. Many of its victims are social outcasts because of ignorance and unreasoned prejudice.

To eradicate this affliction that has been dreaded since Biblical days, the needs are three:

Spread knowledge of the true nature of leprosy that need not be feared.

Provide medical care and drugs for treatment of its victims who are mostly in the poorer countries of the world.

Support research to discover means for preventing the disease.

To achieve these goals requires money, medical care and scientific research.

DETLEV BRONK., Ph. D.,
Chairman, World Leprosy Day.

SERMON: WORLD LEPROSY DAY

(By the Very Reverend Francis B. Sayre, Jr.)

We all know how much it helps our understanding of something if we can just succeed in dramatizing it. Pageantry and scale conjure up for us the images by which we appropriate something and respond to it! So this Cathedral to which I welcome you all this morning is built because it dramatizes the whole Christian faith from beginning to end. People often wonder why it is built in this time of trouble and change and doubt. The answer, of course is because it says in exquisite form—and massively enough to compete with mass media—that God cares and that man can care too!

Thus a cathedral is built for great services like this one which can dramatize a concern that is as wide as the world, as old as man; and yet which, just because it is so wide and dispersed . . . often remains invisible to people: the 15 or 20 million leprosy victims living today, a couple of thousand of them right here in the United States. Such a service dramatizes the fact that they exist and the problem of mobilizing far more resources than we now have, if we ever hope to treat more than the mere one-fifth of all victims of leprosy that are presently cared for in the world. This morning we want to dramatize the problem of this ancient scourge and what it will take to conquer it. That's what World Leprosy Day is for! Yet I suspect, as do all of you who have lived close to this disease, of whom there are many here this morning, that we will never really come to grips with leprosy or any other affliction until we see it not only dramatically but also on the undramatic, day-to-day plane of a human being's life. After we've finished dramatizing the world problem, then we have still to live with what it's like to try and work with a hand that no longer has any feeling in it, or live with people who don't understand because they are forever over-dramatizing the disease, which after all is not highly infectious (as most people believe) nor grossly destructive nor even always incurable.

The point that I am trying to make just now is marvelously made in the Second Book of Kings in the Old Testament, where you may remember we are told of Naaman, Commanding General of the Syrian Army, who, nevertheless, was a victim of leprosy. His wife's little Jewish maid advised that in neighborhing Israel there was a Prophet who in God's Name could heal him. Well, the General couldn't do anything if he didn't do it dramatically. So he got the King of Syria to write a letter of introduction to the King of Israel. Then he proceeded with splendid pageantry, with camel trains and gifts and all the panoply of an oriental despot to make his way to the King of Israel. But that poor monarch was dumbfounded. "Am I God" he said when Naaman arrived "to give life or to take it away? Perchance there is some trick here!" said he. But Elisha the Prophet heard about it. He sent to the King of Israel and said "Just send him down to me and he will know that there is a God in Israel." So Naaman with all his servants, his camels and his panoply arrived at the humble abode of the Prophet. He thought that God would tell him some great thing to do. "Just go wash in Jordan seven times" said the Prophet. As simple as that! Naaman was offended. "Are not Aband and Pharpar, rivers of Damascus, greater than all the muddy waters of Israel? Why should I do this simple thing?" But his servants said to him, "Ah, but if you want to be healed, why not do the humble thing that the Prophet recommends?" And the last we hear of the General, he is pushing two wheelborrowloads of earth back to Damascus in Syria. Believing that the wonderous God who had made him well was rooted in the soil of Israel, he undertook to carry a bit of it back with him so that he might never be far from that wondrous God, who could work so great a miracle in so humble an act. Is it not always so: that healing comes, in the end, in humble ways, one by one, by the agency of water mixed with faith? And neither one costs a cent in this world!

There is much that we seek to dramatize today at this service. I would that all of you might visit the laboratories around the world, in Carville in Louisiana, or Noumea in New Caledonia, or Ethiopia or Culion in the Philippines, where men and women have worked day after day in research on that persistent bacillus which was first described by Dr. Hansen in 1874. Many, many doctors supported by the U.S. Public Health Service, or private groups like the Leonard Wood Memorial—and agents of other governments too: have harnessed their lives to the hope that one disease at least might someday be all but eradicated from this planet. A symbol of that hope and of its partial realization is the presence with us this morning of Mrs. Paget, widow of the great doctor who in 1943 first made use of the sulfone drugs in treating leprosy. It was the greatest breakthrough ever in the arrest of the disease. And this is the precious medicine which she will carry forward and offer to God at this service, in our symbolic act of dedication and thanksgiving. "DDS" it is called, and it represents a dramatic battle won. But as Dr. Faget knew so well, it was made—that battle, of simple ingredients the chief of which is faith, even as it was in Elisha's day.

Talk of faith! The most vivid example of it I have ever seen took place in the colony for leprosy patients on that remote island of Culion in the Philippines which, before World War II was, I think, the largest colony in the world—more than 5,000 patients there. During the war it was isolated by the Japanese. No supplies of medicine or food were allowed to be carried in. Distress was acute. Houses had to be pulled down and burned for fuel. There was no light, there was no help. Many died; many more fled. But among those that remained the only medium of exchange for their little society was trust. The old Philippine currency was worthless then and the Japanese occupation money was unacceptable to them. All that remained in the Culion colony were the checks that had been issued, but never cashed because of the outbreak of the war, by the Leonard Wood Memorial, for research on leprosy done there. These checks had passed from hand to hand through all those dread years because the colony steadfastly believed that the people who once had cared would one day come back to redeem them. It happened that to me fell the moving joy, in 1946, of seeing Perry Burgess, head of the Leonard Wood Memorial, sitting at a little table in that colony, cashing all those notes, making good on human trust and hope. Later that same day as we climbed the high steps to the chapel, we were met by the children of the colony, victims of leprosy themselves, drawn up in a line before the Church, waiting for us so that they might sing "God Bless America".

What's it like to have leprosy? We, who have never had the disease can only guess. But I think we ought to try the exercise of imagination to make that guess. Way back at the beginning of the Bible, the regulations for leprosy victims were recorded in the Book of Leviticus: they give a little indication of what it is like to have leprosy. Here is an excerpt:

> "And the leper in whom the plague is, his clothes shall be rent, and his head bare, and he shall put on a covering over his upper lip and shall cry unclean, unclean.
>
> "And the days wherein the plague shall be in him he shall be defiled; He is unclean, and shall dwell alone; without the camp shall his habitation be."[1]

Unclean and cast out! That's the sting of leprosy. All through history until now the treatment was worse than the infection. The agony was in being cast out. The loneliness of the human spirit! To this day that is what the sufferers fear most. Many feel that the reason why no care reaches three-fourths or more of all leprosy victims in the world today is because they will not indentify themselves. They are afraid. They will not come in. They dread the "habitation without the camp", to which both myth and misconception would seem to condemn them. It rather makes one think of those ten lepers in a village of Samaria who stood off at a great distance and cried to Christ as he passed on the road: "Jesus, Master, Have mercy on us."[2]

His response, characteristically, was a simple thing. "Go, show yourselves to the priests," was all he said. And as they went, they were healed.

Healing whether of body or of spirit is always made of the everyday, the undramatic. As for example the gloves and socks that have been recently invented for patients with leprosy. The main reason why leprosy victims are deformed so often is simply because they cannot feel anything in their extremities. So when they grasp something or stamp their foot or use a tool, they squeeze too hard, break down the tissue, literally bash their limbs to pieces. But now these fabrics have been invented that contain little ampules of dye, which under pressure break and stain the glove or the sock or the trouser that the leprosy patient is wearing. And so warned by the external signal, since his internal nerve is impaired or destroyed, the individual is preserved from untold damage.

What a simple idea! But it would not have come had not someone cared and done something about it. Of the ten lepers cleansed, you remember only one turned back to thank the Lord. To him Jesus said, "Arise, go thy way, thy faith hath made thee whole." That's what I think he is saying to all the world through us, through this service here his morning: that if we care enough, and will give and live and love enough, the whole ancient curse of leprosy may indeed "Arise and be made whole"; in our time.

There was a time, in the Middle Ages, when in the Cathedrals that were built then, there were oblique holes pierced through the great thick outer walls of the Nave. These holes were so that the victims of leprosy who had to remain outside, could peek in when the Mass was celebrated. The angle of the aperture was such that the poor outcast could manage at least to see the Host, when it was elevated at the High Altar. But that was all. They might see Christ's body, but they might not enter in to receive it. Now has God bidden us to carry the body from this Cathedral, the body of His love to every end of the earth, that each last one who needs it may receive it. May God add his blessing to the speaking of His work this day and grant that His Grace may abide in all the world. Amen.

SENATE RESOLUTION 194—TO EXPRESS THE SENSE OF THE SENATE IN REGARD TO CHANGES IN THE JOB CORPS PROGRAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 152, Senate Resolution 194, and that it be laid down and made the pending business.

The PRESIDING OFFICER. The resolution will be stated for the information of the Senate.

The assistant legislative clerk read the resolution as follows:

S. Res. 194

Whereas the administration has announced its intention and taken immediate steps to close fifty-nine Job Corps centers and camps and establish a new system of urban skill centers; and

Whereas the Congress has under active consideration bills regarding the Job Corps program, and has recently received several detailed studies of the program's record in the past: Now, therefore, be it

Resolved, That it is the sense of the Senate that any action to shut down Job Corps centers and camps should be deferred until the Congress has had an opportunity to review the Job Corps program and decide upon the legislation which would extend the Economic Opportunity Act of 1964, as amended, and appropriations for that program.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution.

The Senator from California (Mr. CRANSTON) obtained the floor.

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[1] Leviticus 13:45–46.

[2] Luke 17:13.

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Mr. MANSFIELD. Mr. President, if the Senator will yield to me without losing his right to the floor, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. CRANSTON. Mr. President, I ask unanimous consent that members of the staff of the Committee on Labor and Public Welfare be authorized to be in the Chamber during the consideration of this resolution.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, I should like, quite briefly, to state some of the background concerning the resolution.

It does not represent a partisan attack in any way upon the President of the United States; nor does it represent an attack in any way upon the Secretary of Labor. It is not a partisan effort to embarass the administration.

I have talked personally about this resolution to every Republican Senator except two. I tried to talk with them, but they were unavailable.

My purpose in talking to my Republican colleagues was to express the objectives of the resolution and to assure them that my intentions and the intentions of other Senators supporting the resolution were neither partisan nor provocative—nor, of course, the intentions involved in those conversations which seek support for the resolution.

The resolution is not a defense of the Job Corps. The Job Corps is far from perfect, like most Government programs. It is undoubtedly more imperfect than some Government programs

Changes are in order in the Job Corps. Quite possibly, a total substitution, with another approach to manpower training for the particularly disadvantaged and underprivileged in our society, may well be in order. But the fact is that we have no alternative plan before us. The fact is also that a vote on this resolution binds no Senator in any way insofar as future votes are concerned. Later on, all Senators, no matter how they vote on this resolution, will be perfectly free to vote for or against keeping the Job Corps going, cutting it, modifying it, revising it, or substituting another program.

The resolution really represents an effort to preserve the rights of the U.S. Senate. It represents an effort to protect the young men and women who were in the Job Corps in camps suddenly ordered closed. It represents an effort to protect the young men and women who were 1 day away, or 1 week away, or 1 month away from assignment to a Job Corps camp; who were making their plans; who were told they had been accepted or were presumably about to be accepted; and who were then told the whole process is halted—"There may be no place for you in the Job Corps."

The problems that these young people face are truly immense. This is the first opportunity that many of them have had in their lives to rehabilitate themselves, to escape from an unhappy family environment, from a devastating community environment; the first opportunity they have had to seek to stand on their own two feet; to have a helping hand; to learn a skill or trade; and to become self-respecting members of our society.

When they heard that there was this sudden, impending ordered shutdown, it dashed their hopes. Dropouts increased something like 75 percent among enrollees in the camps. It was a very high ratio, not only in those that are about to be closed, but in those not to be closed, because of the fear that those would be subject to closing orders.

Some of these young people probably cannot be gotten back to the stream of opportunity that had been offered by the Job Corps camps. There is one rather striking example of a situation that confronted the young people in these camps which is portrayed in a communication from a newspaper in my State to its correspondent here in Washington, relating to one little example of the imposition of heartbreaks involved in the closing of Job Corps camps suddenly. I have slightly edited the communication, but it reads approximately as follows:

> Reference this Parks Center thing—
>
> Being a center in California—
>
> We got a call from a woman here concerning a young man named Roberto Gonzalez. A Costa Rican, Gonzales was employed at the center learning to be an auto mechanic. Like [illegible] to 95 per cent of all trainees, Roberto's teeth were bad—(awful). Jobs Corps center dentists began pulling them, and are now halfway through the job.
>
> But the center is closing and Roberto had no chance to get the rest of his teeth pulled or to get new teeth. They had been pulling good ones as well as bad ones, incidentally—to give him a full set of plates. Dentists—subcontractors—already are leaving Parks.
>
> A call from us pretty well changed things for Roberto. He apparently is being transferred to another center where they teach auto mechanics and will continue his training and dental work.
>
> The real problem is that dental work has apparently been started on a large number of these young men. Many are halfway through and are stuck with dental work which will not be completed—and in some respects, say the dentists at Parks, they are worse off than they were when they began.
>
> Apparently some rehabilitative medical care is also being done and is being cancelled halfway through.
>
> I assume they are going to go ahead and close Parks. But possibly the Federal Government could provide some way for them to finish medical and dental care.

The number of young people involved in all of this cannot be exactly ascertained. The Labor Department has provided figures which would seek to indicate that young men and women turned away from the closing camps will find spots elsewhere. I believe that the evidence—and the evidence is considerable—indicates that that cannot be done. The statistics from the Labor Department are based in part upon a very heavy dropout percentage of enrollees, and so they are partly based, and their hopes for placement of the remaining people are based, on the very large number dropping out. Many are dropping out because of the cutbacks.

There are no statistics available as to how many young men and women were on the way to the processing stage and were cut off by the order to freeze recruitments.

I sent the Secretary of Labor a telegram, asking several questions, including how many were stopped in the processing. I have received no response to it. I ask unanimous consent to insert it in the RECORD, without taking time to read it.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

> MAY 7, 1969.
>
> HON. GEORGE P. SCHULTZ,
> *Department of Labor,*
> *Washington, D.C.:*
>
> Would greatly appreciate your providing answers to the following questions by the end of this week:
>
> 1. How many youngsters were processed and scheduled to be enrolled as Corpsmen when the recruiting freeze was imposed?
> 2. How many youngsters had unprocessed applications pending at this time?
> 3. What steps have been taken to communicate with youngsters in each of these categories, and could I please have samples of any such standard communications?
> 4. When is it expected that youngsters in each of the categories will start being entered into women's centers, men's centers, and conservation camps left open?
> 5. When will active recruiting and processing be resumed?
>
> I am asking these questions at this point because my review of the hearing transcript does not indicate that any data has been presented to provide these answers.
>
> ALAN CRANSTON.

Mr. LONG. Mr. President, will the Senator yield?

Mr. CRANSTON. Yes; I am delighted to yield to the distinguished Senator from Louisiana.

Mr. LONG. Mr. President, I was somewhat impressed by a television program shown yesterday, not because it dealt with this particular issue, but because it was discussing problems regarding inmates in penitentiaries. The program was on channel 4 locally. Those who discussed the matter were knowledgeable people, professional penologists, people who work with young criminals. Included was a very knowledgeable young woman with experience in rehabilitating persons. I think, perhaps, she held a responsible position with the Federal Government. She was asked about the matter of closing the private schools. She said she hoped very much that money could be found to continue the schools, because she said so many people in those schools, who admittedly are being provided skills at relatively high costs, will at least pay their own way in the future as taxpayers; whereas if we do not do this and do not offer this opportunity, these people are going to find their way into crime, drugs, prostitution, and a thousand other things which result in their being a burden on society. When people have no hope or no opportunity to better themselves, they often fall into that kind of life.

While it is true that one can severely criticize some of the poor conduct, some

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of the poor manners, and some of the social habits that those people have brought to those schools, it seems to me that argument must be answered with the question, "Well, assuming all these things are wrong with these people, does that not prove they need help?" If we have nothing better to offer, do we just take 17,000 people who are looking for a chance in life and turn them out? That would seem to this Senator to be unwise, until we studied the problem and saw that we had an opportunity to use the money better somewhere else.

The Finance Committee is studying the medicare program. I have no doubt we will find ways to save money on medicare. We have before; we will again.

We will find ways where we can suggest savings in the medicaid program; there is no doubt in my mind about that. I have difficulty getting any votes on the Republican side of the aisle for my drugs proposal but if that proposal, which by the way has HEW support, were to be adopted we could save a minimum of $50 million a year right there. We will probably find the votes on the Senate to vote an economy there, whether or not we get a single Republican vote—which we failed to do last time we tried to save money on drugs.

But in this situation, why must we rush so headlong into a victory over the poor, without trying to see whether there might be some better way we could help these people?

Mr. CRANSTON. I have no idea why there is this rush. It seems to me that it is extremely wasteful. It certainly is heartless; and I think it really is going to cause the taxpayers, in many of the areas where we seek to protect the taxpayers, as we should in all the things we do here, to have a higher bill in the long run, because of what these young people will fail to learn, and how they will feel when they go back to the streets.

Mr. LONG. Is there any evidence that the young people in these Job Corps camps are not being turned out better qualified to make a living, improved and upgraded human beings, as a result of the training and opportunity provided them in the camps?

Mr. CRANSTON. One aspect of the undue haste of the administration is that they acted on a report by the General Accounting Office completed in June of last year, and they failed to wait for a more up-to-date report that would cover new accomplishments based upon past bad experience by the Job Corps.

The administration ordered, in January, a $250,000 report by Lou Harris, and the report was based upon 10,000 interviews with trainees, employers of trainees, families, and friends, and other people who knew trainees, as to what the accomplishments were.

The administration acted 1 week before that report came in, without waiting to see what it had to say. The report, when it was provided, indicated very substantial accomplishment, including an increase in real wages and a decrease in unemployment among graduates of Job Corps centers. Had they waited, it is quite possible they would not have acted in this rash and, I think, reckless way.

Mr. LONG. Mr. President, I for one wish the President every success in his administration. Be he a member of a different party than I, or not, he is our President; he is the only President we have. He is our President during a very critical time, and I certainly wish him every success.

But it would seem to me that he is going to need the cooperation of the majority party in both Houses of Congress. Now when a majority of those of us who voted to create this poverty program would like to take a look to see on what basis a lot of the undertakings to improve the lot of the poor are being cast aside, would it not seem that just mutual respect and cooperation, consideration of one branch of government for the other, would indicate that we should at least have the opportunity to let the people who are most closely involved in this program have their say. Should not these people who have with enthusiasm, volunteered to get into this program to try to provide opportunities for young people who otherwise would have no chance, report what they have done, and show us what they have been able to achieve and what they have not been able to achieve, so that we could judge for ourselves, whether this program should be terminated?

Mr. CRANSTON. The Senator has put his finger on the fundamental point involved in this matter, and that is the issue of whether or not the opportunity and prerogative of Congress to consider what an administration does with ongoing, approved programs, through the authorization and appropriation process, shall be observed or not be observed.

Oddly enough, the President, in his message to Congress about the OEO on February 19, indicated a total intention to observe these rights. He said:

> How the work begun by OEO can best be carried forward is a subject on which many views deserve to be heard—both from within Congress, and among those many others who are interested and affected, including especially the poor themselves. By sending my proposals well before the Act's 1970 expiration, I intend to provide time for full debate and discussion.

In other words, he indicated that he intended to wait until 1970, and give Congress a full opportunity to consider whatever recommendations he had to offer. This resolution really enables him to fulfill that pledge to Congress.

It seems to me that what probably happened was that some overzealous administrator rushed in before Congress had the opportunity to follow that through, and thus defeated the intention of the President.

Mr. LONG. Mr. President, I would urge that we not slash with the meatax before we know what we are doing. I am willing to cooperate with the President and help him find money to finance his program. It might not make me any friends to say it, but when I was invited to express my opinion about the Revenue Act, I spoke up and urged, if something needed to be done about inflation, that we should repeal, or at least not extend, the investment tax credit.

That was not in the President's program when I suggested it. It is there now. I was a member of a group of Senators the President asked about fiscal and monetary programs. I am pleased to see that it is in the program now. It represents $3 billion, in my opinion, that the President gained right there, by some of us on the Hill having an opportunity to suggest how problems might be met.

This will have much more of an anti-inflation effect than simply raising $3 billion in taxes, because it will help induce the postponement of such practices as tearing down perfectly good plants, and building superplants to meet a highly speculative future need, at a time when it would be inflationary to do so.

I submit that here is a case where the administration could very well cooperate with Congress, and let us have the opportunity to see what they are proposing to do. I suspect if they do it, they will find that, to say the least, some of their plans are behind the times.

For instance, I have had information made available to me which indicated that some of these decisions were made just because the information was outdated. If they had had the latest information, they might have closed centers which they now planned to keep open, and keep others open which they plan to close.

I believe that where you really lose money in programs is to start something and not finish it. That is where the great loss is, and that is what seems to be happening here, if we simply abruptly terminate a lot of these undertakings, which may very well in the long run prove to be good investments.

Mr. CRANSTON. I should like to point out to the distinguished Senator something of which he is already well aware, but I should like to touch upon it: The fact that there will presumably be before the committee proposals for tax incentives to business, to enable them to be more assured of a profit while engaging in job training for underprivileged, untrained Americans, and providing them jobs in factories close to where they live.

I am inclined to go along with such plans, even as a Democrat, because I like to see things done by private enterprise whenever possible. But we do not know whether such plans will meet this problem or not; so, again, there is a part of our incentive to keep this program going until we have a chance to study the alternatives.

Mr. LONG. I hope the Senator will not be so zealous as to adopt some other alternative before it is started. It sounds to some of us as if this is a "rich get richer" poverty program. It seems to me that more direct help might be more advantageous than to help induce the businessman, by making him richer, to expand his own plant and train someone to work for him.

What the program seeks to do is ferret out the least qualified of the workers—all those that industry is least likely to hire under any conditions. If we continue the incentive program, it seems likely that the people industry would hire, and let us say just as a good business decision it makes good sense, would be those among the poverty cases who looked like they had the best possibilities.

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Those in the program that the Senator is trying to help are those who have the least possibility of success, as I understand it.

Mr. CRANSTON. The Senator is correct.

Mr. LONG. So that in one case we would reach those at the bottom of the pile, and in the other case we would reach those at the top. And, as long as it is possible to consider the other approach, there is no reason that we cannot do it both ways and help those at the bottom as well as those at the top, those who have the least talent, as well as those who have the most.

Mr. CRANSTON. The Senator is correct. Talking about profits for business, what is the view of the Senator about the aspects of the waste and potential profit related to that waste? $65 million is invested in private building by private contractors. That is now going to be abandoned. And the Government is shopping around elsewhere. The Department of Labor has written to other agencies saying, "We do not want the programs. Can you think of one which could use them?" Meanwhile, they are going to build 21 new camps, so-called minicenters, at a potential profit to those who build them and at a potential waste to the taxpayers, because we are substituting some brand new facilities for some that we already have.

Mr. LONG. It would certainly seem that one would do well to let those who apparently have an enthusiasm for the program proceed with their good work. I doubt that any contractor would have come into the program if he had not had some enthusiasm for it. After they have had some experience and have had a chance to see how it is working and have thought how it could be improved, it would seem that one should permit the people to come in and say how they think they might be affected.

I am not too much impressed by the fact that the cost of training new people might be more expensive than the cost of teaching students at Harvard. I am not too much impressed by the job they are doing at Harvard. We are giving them more than $60 million in Federal grants a year. One would gain the impression that they take young people from upper income families, who presumably have had the "proper" upbringing, and proceed to make bearded anarchists of them.

One cannot say that about these camps. Have there been any riots in these camps in which people have been burning the American flag?

Mr. CRANSTON. Despite the heartbreaks experienced by these people, there has not been one riot in any of the Job Corps centers since the order for closing. I do not know how many riots there have been on campuses for different reasons since that time.

Mr. LONG. Some people would make it appear that some of those who receive training in these camps are not the best of people. If that is correct, I would gain the impression that if they were the so-called "best" people, the money would be wasted, since we are proceeding on the basis that these are the people at the bottom, people who have had no choice, no proper inspiration. In some cases, they have not had an opportunity to know the difference between right and wrong. We are trying to make good citizens out of them before those people who might fall into trouble or who have already fallen into trouble get into further trouble.

Am I correct in the assumption that really we are not looking for the best citizens to send to these training centers? We are looking for those who have had the least opportunities and those whose families are able to provide them with the least with which to move forward and become a part of the mainsteam of American citizenship, rather than trying to find someone who has all of the potential skill of someone who does not need the training and is available to go to work and take a good job tomorrow.

Mr. CRANSTON. The Senator is correct. Most of these people come from broken families and from very bad community environments. Many of them are illiterate or are only able to read up to the third- or fourth-grade level, even though they are of high school or college age.

The people have no skills. And if they are not given an opportunity, they will go back on the streets and fall into crime, and the welfare cost for them will be far more throughout the remainder of our lives and their lives than the cost of any training program. Some of them will be in prison. Some of them had criminal records before being accepted in the Job Corps centers. They do not want to remain in a life of crime. They want to go to these camps. If we send them back to the streets, it will lead to very predictable results.

Mr. LONG. Mr. President, I for one am, I suppose, at variance with the views of the Senator from California (Mr. CRANSTON) concerning the ABM missile. I am in favor of that measure.

One argument that could be made is that one cannot guarantee it will work. Maybe it will not. It appears to me that we should at least try to help people whether we succeed or not. We should try to help people who have never had a chance in this richest country on the earth. They should have an opportunity to show if they can become full, 100-percent, first-class American citizens.

Mr. CRANSTON. I certainly think the Senator is correct. If there is a better program that the administration or Congress can develop through the normal processes to do this job better, I will vote for the program. And I am sure that the Senator from Louisiana and other Senators will vote for it.

I want, and I am sure that other Members of Congress want, an opportunity to examine the alternatives before the measure is acted on.

I mentioned tax incentives. I want a chance to consider that. I offered my proposal in a very pleasant, nonpartisan spirit. Perhaps it will not be a good plan. However, we should reserve the right to consider very carefully the alternatives before going along with the cutback.

Mr. LONG. Mr. President, has the Senator analyzed the extent to which the abrupt closing of these schools will fail to achieve the purpose of economy in terms of loss to the contractors? When these schools are closed, all of the contractors will lose their investments. Some will sell out for whatever they can get.

Has the Senator undertaken to determine how much we will lose in taxes? That is something that no one seems to think about. We propose to close something down, but we find then that someone will lose a lot of money and can take deductions against his 52 percent corporate income tax.

We find sometimes that the revenue loss equals two-thirds or three-fourths of what one thought he was going to be able to save. Sometimes the saving is very meager.

Mr. CRANSTON. Mr. President, we have been unable to get any figures to cover that very important aspect of the matter. I do not think that the Department of Labor took those matters into account in any way in making the decision, as it did not take many other factors into account.

Mr. LONG. Mr. President, I thank the Senator. I hope this will be one case in which we can achieve bipartisan cooperation. What was the vote in the Senator's committee with respect to the resolution?

Mr. CRANSTON. In the subcommittee the vote was 7 to 4. In the full committee, the vote was 10 to 7.

Mr. LONG. Mr. President, there was a substantial majority in the subcommittee, and there was a majority of three in the full committee. That majority felt that we would do well to take a good look at the matter.

Mr. CRANSTON. The Senator is correct. And it is solely on that basis that we have acted. The committee has not had an opportunity to look into the matter. We should consider other ways to deal with the problem.

Mr. LONG. Mr. President, I take it the Senator would hope if the resolution carries that, in addition to considering whether existing programs should be continued, we should consider the possible use of those facilities which have been built and would be simply sitting there unused or would be sold at a sacrifice. We should consider whether those facilities should be put to better or more effective use.

Mr. CRANSTON. The Senator is correct.

Mr. LONG. I thank the Senator.

Mr. GRAVEL. Mr. President, will the Senator yield?

Mr. CRANSTON. I yield.

Mr. GRAVEL. This thing that does not quite square with my own thinking is the fact that the President's message on February 19, in which he said, "I intend to provide time for full debate and discussion," has not been adhered to as a result of the action of the Secretary of Labor on April 11.

Has the Senator's committee addressed itself to the Secretary or heard testimony from the Labor Department as to why the wishes of the President have not been adhered to?

Mr. CRANSTON. We sought that information, and we could get no responsive reply.

Mr. GRAVEL. Was the information in the Harris poll brought out before or after the action by the Secretary of Labor?

Mr. CRANSTON. The action was taken by the Secretary of Labor 1 week before this quarter of a million dollar report was rendered to OEO.

Mr. GRAVEL. Is it the Senator's conclusion that the Secretary of Labor did not have knowledge that this report was in existence?

Mr. CRANSTON. They must have had knowledge that it was coming, but they simply decided not to wait for it. Perhaps they did not know it was coming. They did not know too much about the Job Corps, when they made these decisions, as is evidenced by a number of blunders committed in closing various camps and in selecting those that were to be closed.

Mr. GRAVEL. The Senator from California mentioned earlier that the Harris poll involved some 10,000 interviews. How does that square with the poll of the General Accounting Office or the numbers they used to arrive at their conclusion?

Mr. CRANSTON. The Harris poll was based upon approximately 10,000 interviews, whereas the GAO survey was based upon approximately 1,000. In some of their samples, they had as few as 5, 6, or 7 interviews, from which they extrapolated a decision that simply could not relate to an adequate sample by traditional scientific sampling methods.

Mr. GRAVEL. I cannot help feel distressed about the haste that apparently seems to have entered this act. If I were to draw a parallel, I would say that what the resolution is asking is exactly what the President suggested—time to study the program, time to evaluate it properly, rather than closing it.

I should like to associate myself with the remarks of the Senator from Louisiana, that probably the best way to get to the hardcore unemployed, the cheapest way for society, is to put these people in a position in which they can be gainfully employed, can pay taxes, can pay the cost of the education of their children, can pay the cost of their health services, and not have to get these things from Federal programs or from the dole, but to enable them productively to do these things and to get a personal reward of some note.

I cannot help bring to the attention of the Senate a dichotomy that is apparently demonstrated by these acts—the simple fact that the Secretary of Labor goes off on one tangent while the President advocates another.

I am reminded of something that occurred yesterday.

The Secretary of the Interior now takes a different position, apparently, with respect to depletion allowance from the position the administration seems to have taken, or, for that matter, the position taken by the Platform Committee of the Republican Party at the Republican convention, where the same Secretary of the Interior was the chairman of the Resources Committee.

I believe this is worthy of note, and I think the Senate should be placed on guard. If there are fissures of policy within this administration, it should be noted and taken into consideration, because this may affect our decisions in the future.

I hope the Senate will realize the benefit of the program of the Job Corps centers and how they go to the heart of the matter—the individual, and how to make him productive in society. I hope the Senate will go along with this very modest resolution.

Mr. CRANSTON. I thank the Senator for his contribution.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. CRANSTON. I yield.

Mr. PROUTY. I do not wish to transgress on the Senator's time, but reference has been made to the Harris poll. I will cover that in some detail later, as well as the studies made by the General Accounting Office, but I should like to point out one thing at the present time.

In response to a question I asked Mr. Harris, he said that there is evidence, based on his poll, to suggest that after training, former Job Corps trainees show useful gains the first 6 months but within a year these young men and women are losing these gains and reverting back to their pre-Job Corps training status. In other words, permanent training has not been received. That is a major problem that many of us on this side of the aisle have with this program. Approximately 40 percent of the trainees drop out within the first 30 days. I shall discuss this in some depth later, but I think that should be brought out at this point.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. CRANSTON. I yield.

Mr. BAYH. I arrived in the Chamber in the midst of the colloquy between the Senator from California and the Senator from Louisiana, and I was impressed by the points raised at that time.

I wonder if any effort has been made to total the consequences so far as to the cost involved in curtailing the program. The Senator from Louisiana correctly pointed out the contractual loss with respect to what this would mean by the time it was related back to the average taxpayer through the tax structure.

All of us want to find ways to lessen cost and to save tax dollars; but it is my considered judgment that, with respect to young men and women who have in all probability dropped out of high school and are about to drop out of society, we really are not talking about not spending money. The question is how we are going to spend it. Are we going to spend it, as the Senator from Alaska very dramatically pointed out, to rehabilitate these lost lives and get them back into producing society, or are we going to spend it for incarceration, for treatment in mental institutions, for welfare payments, for unemployment payments, and for the cost of crime?

Has any effort been made to compile the cost that this might bring to society, compared with the so-called savings attributed to cutting back the Job Corps centers?

Mr. CRANSTON. We have not had statistics available to us that would really clarify that point, but I think that is the most important tax aspect of the situation—that the costs of welfare and of crime, involving the lives of young people who will be deprived of the opportunity they presently have, can be astronomical.

Mr. BAYH. I compliment the Senator from California for taking the lead in this matter.

As a Senator who comes from a State that has a Job Corps center which has not been closed—as of this particular moment, anyhow—I am well aware of the tremendous political repercussions that surround such a center. With respect to the central part of my State, it may not be good politics for the Senator from Indiana to suggest that Job Corps training is meritorious, because that has been a political hot potato. But I suggest to my colleagues who may not already recognize this—and I think most of them do—that in dealing with the young men and women of today who need this type of treatment, there is no easy solution to the problem. This is a very difficult, knotty, controversial issue. While the problem is not new, our efforts to deal with it are relatively recent. I think it stands to reason that when we become involved in a new program to deal with an unmet need, there is bound to be some uncertainty and controversy.

I would like to think—and I believe there is ample evidence to indicate—that many of the knots have been taken out of this very complicated problem. We have made mistakes; but we have also learned by those mistakes.

I should like to associate myself with the Senator from California in his belief that, before a program in which there have been mistakes but from which we have learned is completely decimated, we propose to find out what mistakes are likely to be made in the other programs that have been suggested. Certainly there is no easy way to deal with the problem of the unemployed and the undereducated—the young men and women who today are in many cases almost beyond recall. It seems to me that this is the last chance we have to help them become producing members of society; and I, for one, support the Senator from California in his efforts to keep us from taking this step backward. I compliment him for it.

It is essential that Congress be given the opportunity to review President Nixon's decision to shut down the 59 Job Corps installations.

Such a matter cannot be lightly dismissed. We are dealing with a matter which is affecting people's lives. Time is needed to evaluate the potential damage and impact that the closing of these Job Corps centers may have upon those young men and women who have been counting on the program.

Decisions affecting such important matters must be given adequate debate. If irrevocable decisions are carried out before Congress even has time to review the program, then the legislative process is severely compromised.

It appears that President Nixon's order to shut down 59 Job Corps centers—half in all—might yield an immediate $100 million saving for the administra-

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tion in 1970, but I question the expense it will cost the Government in the long run. The closing would represent a reduction of more than 17,000 opportunities for hard-core disadvantaged young persons in a comprehensive live-in job training center.

It is a tragedy that such a worthwhile program may be going down the drain simply in order to redeem a campaign pledge. Campaign rhetoric at the expense of citizens is inexcusable.

The closing of the centers seems to be in contradiction with today's goal of providing more employment for more people. By cutting back such a worthwhile program of job training, we are not helping the underprivileged help themselves; we are merely putting them back on the streets.

I am deeply concerned over the need to find ways to eliminate unnecessary Federal spending and, thus, save tax dollars. However, those who are mistakenly of the opinion that cutting back on job training opportunities for young men and women is actually saving money are either naive or totally unaware of the problem involved. By denying training and job opportunities for the unskilled who have dropped out of school and who are about to drop out of society, we do not save money. What we are doing, in reality, is adding to the costs which society will have to pay in other areas as a result of our negligence—increased costs of welfare, increased unemployment payments, increased costs of maintenance of our penal and medical institutions, and increased costs because of criminal activity.

President Nixon's substituting "mini" skill centers for the Job Corps center is simply substituting "mini" solutions for maximum problems.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. CRANSTON. I shall be happy to yield but first I would like to respond to a point the Senator raised. I did not have an opportunity to attend the House hearings. They were going on simultaneously. However, I have the testimony given by a witness on March 19 before the House committee. The witness was Mr. Cliff, Chief of the Forest Service, which handled the training in the conservation camps bearing the brunt of the closings. This is another question we might explore. We might explore why they chose the conservation camps which gave the young men their first opportunity to get away from city slums.

On one question it was stated that the cost average per man-year or per trainee is $6,800. Mr. Cliff was asked at the close of the hearings what it costs per inmate in a prison at the present time. These are statistics of the U.S. Department of Justice, Bureau of Prisons. In 1967 the annual cost was $3,000 per average man. Therefore, if we have a man there just over 2 years the cost would exceed the cost for training a man.

Mr. LONG. Mr. President, will the Senator yield?

Mr. CRANSTON. I yield.

Mr. LONG. There is also the cost of putting that man in the prison and the cost involved in getting rid of perhaps a dozen writs of habeas corpus in the State courts.

Mr. BAYH. I would suggest, as well, keeping the man's family and providing some way to sustain them while he is in prison.

Mr. CRANSTON. The Senator is correct. I have one other figure from the testimony of Mr. Cliff. This is from a research report entitled "Cost of Correcting Youthful Offenders." The District of Columbia Department of Corrections provides the following data. These are records of youth studies made over 9 years. The medium cost per youth was $31,000. The average age of subjects was 26 years. Therefore, it costs $31,000 to deal with a youthful offender as against $6,800 to train him.

Mr. LONG. Mr. President, someone has referred me to the fact that it was stated recently in the press that up until now the cost of trying Sirhan Sirhan has been $927,000. The point is that we are not through with that trial yet. It will be appealed and there will be more said about it.

If one looked at what it cost to put a man in the penitentiary, as well as to keep him there, and having his family on welfare while he is there, the overall expense is much greater, and we fail to make that person a productive member of society.

Mr. CRANSTON. I thank the Senator.

I yield to my esteemed senior colleague from California.

Mr. MURPHY. I thank my distinguished colleague for yielding.

Is it not part of the administration plan, as the Secretary of Labor stated, that every trainee at a center designated to be closed will be placed in another center or in another manpower program?

Mr. CRANSTON. That is the avowed objective of the Secretary of Labor.

Mr. MURPHY. Do I understand that my distinguished colleague does not place trust in the objective stated by the Secretary of Labor?

Mr. CRANSTON. I have great respect for him and his motives. I do believe that we have ample evidence, and I will be glad to provide that evidence in the course of this discussion, that that promise cannot be kept.

Mr. MURPHY. Can the Senator prove it cannot be kept?

Mr. CRANSTON. I believe we can; and it has not been kept.

Mr. MURPHY. Was this matter raised during the hearings?

Mr. CRANSTON. Yes.

Mr. MURPHY. I was not present at the time and I did not find it in the RECORD.

I would like to ask the Senator the source of the figure $6,800.

Mr. CRANSTON. It is in the committee hearings, page 237.

Mr. MURPHY. I merely want to point out that the problems facing the Job Corps are not new. It is certainly no surprise to the senior Senator from California, who has served on this committee for 4 years now, that in light of the past failure to resolve these problems this matter is being brought up and hopefully rearranged.

The General Accounting Office estimates the cost per man-year was in the neighborhood of $8,300. I understand that this does not include the cost of the capital investment.

There has never been a question as to the objectives of the program? I know of no one on the committee over the past 4 years who has raised an objection to the stated purpose or the objectives, but there have been continuous problems and it is to these that objections have been raised. I would say that in the entire war on proverty, no single program has had as much bad publicity as this particular one.

Is it not true that each year we have been asked to consider the program's continuation for another year and to give those in charge a chance to see if it can be operated efficiently and effectively?

Is it also not true that the Secretary of Labor, in taking a new approach, feels quite certain that the effectiveness of the program can be increased and many more of those who need help can receive it within a very short period of time?

Mr. CRANSTON. The basis of the testimony of the Secretary was that they would endeavor to find equivalent training positions for all those in camps ordered closed. He never said anything about those who might be 1 week away or 1 day away from going to camp. He never indicated anything in that respect.

Mr. MURPHY. He also indicated, has he not, that once the new program has been instituted that they will be able to train many more individuals at a lesser cost?

Mr. CRANSTON. He has talked in generalities about a program for many centers, or inner-city skill training centers that would be part of a substantive program. He never talked in specific terms in discussing what they claim, nor have others done so.

The only prototype skill center that exists presently is one in Baltimore. That has been a fiasco and a failure with a high dropout rate and with a lower rating in terms of finding employment than almost any other center in the country.

Mr. MURPHY. Does my colleague know of the skill centers now operating in Los Angeles?

Mr. CRANSTON. Yes, I have visited many of them, as has the Senator.

Mr. MURPHY. They are doing quite well. I think they are.

Mr. CRANSTON. Some are. They are not Job Corps skill centers.

Mr. MURPHY. They are training, counseling, teaching, and motivating young men, and placing them in jobs in anywhere from 4 to 7 months at a great deal less cost than the Job Corps program.

Mr. CRANSTON. I believe that many boys and girls now in Job Corps centers were rejected for those programs because they were felt to be so disadvantaged they needed a different type of environment and a different approach to training than the effort involved in the Job Corps. So they are not necessarily comparable.

Mr. MURPHY. I beg my colleague to permit me to disagree. The hope has been to find a way to take unemployed youths and train them for a job, whether they need educational finishing improvement, vocational training, or both. I believe this

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has been the stated objective of the program. I believe that experience has led the Secretary of Labor to the same conclusion that I share; namely, that the new approach will operate much more effectively, actually, within a short period of time to train more of the disadvantaged at a lesser cost to the American taxpayer who, in my opinion, is already so heavily burdened.

I have pointed out previously that every year we have asked how many boys were being placed in jobs, how long they stayed in the jobs, how much they advanced in terms of skills and wages as a result of their training. Yet, we were never given accurate data. Now we are, but the figure used is that of those supposed to go to a job, those who went into the Army or back to school, and those corpswomen who married. Still the result is not very good. One of the most frightening figures is that which shows that 26 percent of those recruited never show up at camp after they have gone through the whole process of examination, an explanation of the situation, and acceptance of the conditions of the contract.

We found in the first 30 days that another 17 percent would drop out, and during the next 60 days another 13 percent would drop out. My figures on percentages may be one or two points off.

But the point is that in the years the program has been operating a very small percentage stay in the program long enough to gain the benefits for which the program was designed. Is that not the case?

Mr. CRANSTON. There are many who drop out, but both the GAO report and the Harris report indicate that there are many who do finish. The Harris report has statistics indicating success in placing them in hourly wages far higher after Job Corps training.

Mr. MURPHY. I have read the GAO report quite carefully. I would point out that this report probably cost—I do not know—roughly, $1 million, maybe $1.2 million. However, on top of that, we had to obtain another $275,000 for the Harris report to get information which should have been made available to the committee on a yearly basis by those in charge of the program. This is a disturbing situation to me.

I say all this merely because I am afraid that in his enthusiasm for his resolution, my distinguished colleague might have missed some of the background that has caused many of us who are fully committed to the objectives of the Job Corps to be disturbed over the slogan, "Let us give it another chance."

I must say that I think we have wasted quite a bit of time and some money. That is why I rose and I thank my distinguished colleague for his comments. I will have statements to make further as debate proceeds.

Mr. CRANSTON. I thank my colleague very much. Now let me say to my colleague from California that the Harris report is based upon far later information than the GAO report made more than a year ago. The Harris report is based upon 10 times as much evidence as the GAO report.

Mr. MURPHY. May I ask my colleague, is that the same Harris who made the now famous political prognostication at the last presidential election?

Mr. CRANSTON. It is the same Mr. Harris, yes.

Mr. MURPHY. I thank the Senator very much.

Mr. CRANSTON. Mr. Harris has made a pretty good record. I thank the Senator very much. I appreciate his helpful guidance.

Mr. President, now I should like to yield to the Senator from Wisconsin (Mr. Nelson), who has been exceedingly effective in this matter in the hearings and has a broad range of experience in this matter, for his comments at this point.

Mr. NELSON. As to the comment made by the Senator from California (Mr. Murphy) as to cost, I thought it might be an appropriate place to raise the question with the Senator from California (Mr. Cranston) about the testimony of the Assistant Secretary, Mr. Weber, on the cost of the proposed administration residential city centers—sometimes called the mini-centers which were planned by the Labor Department.

Does the Senator recall that Mr. Weber testified before the committee, as follows:

> The new inner city residential support centers we have currently priced at $5,600. They are the small ones which will have 25 or 40 people, much as we have them in New Haven.

A number of comments should be made on the $5,600 figure. First, it is considerably higher than the many Job Corps camps which are being closed, even if we add the camps' operating cost enough to allow for other costs such as overhead and enrollee allowances. Second, the New Haven center, to which Mr. Weber refers, provides for no vocational training at all. It has been primarily a center for intensive treatment, an enrollee and family center that apparently would have to be added at a substantial additional cost to the program. Third, on the $5,600 figure—and I think this is important—the subcommittee has been unable effectively to get really meaningful talks on the New Haven center. Fourth, Mr. Weber concedes that the figures are only estimates. Fifth, they are all "ball park" costs. They are a reasonable basis for planning.

Thus, I raise this question with the distinguished Senator from California (Mr. Cranston). Is it not true that really meaningful costs of running a residential mini-center were not, in fact, presented to the committee of a kind which the Senator compares with the cost presented for the conservation of other Job Corps centers?

Mr. CRANSTON. That is correct. We do not have in the Record a reliable basis or comparison covering those costs.

Mr. MURPHY. Will my colleague yield at that point for clarification?

Mr. CRANSTON. I am glad to yield.

Mr. MURPHY. I thought the $5,600 figure included all the costs, while the GAO estimate of $8,300 did not include capital investment. It was $5,600 all inclusive in the new, planned centers, as against $8,300 noninclusive for the ongoing program. I believe those figures are correct.

Mr. CRANSTON. These are the exact figures that were presented, as set out on page 387 of the committee hearings by Mr. Staats, Comptroller General of the United States. The total center and enrollee direct cost averaged $6,601. That is a lesser figure than the one I cited. If we add the costs that are overall for the Nation, including amortization of capital, $360; work project costs, $362; agency direction, $159; other costs, $772, we get a total cost per enrollee in terms of man-years of $8,254.

Now I yield to the Senator from Arizona.

Mr. GOLDWATER. I thank the Senator. If I am not mistaken—if I am, please correct me—California has had a program similar to this for quite a few years. Is that correct?

Mr. CRANSTON. Yes; California has had a somewhat comparable program.

Mr. GOLDWATER. Am I correct in remembering something in the newspapers to the effect that these camps are being closed in California?

Mr. CRANSTON. I beg the Senator's pardon?

Mr. GOLDWATER. Am I correct in remembering that they are closing these camps in California?

Mr. CRANSTON. There has been a general economy wave in California, as the Senator is aware, and I think it has led to a closing of these camps, although there was a considerable feeling, where they were and elsewhere in California, that they were serving a useful purpose and that the consequences of closing them would be a rise in welfare costs and the cost of combating crime.

Mr. GOLDWATER. When I was last in this body, I recall that when this matter first came up for discussion I asked the chairman of the committee, of which I was the ranking Republican member, if we could not have some testimony from California brought in at that time to see what a difficult time they were having in California in making this program work. In fact, as I remember, the dropout rate was higher than the dropout rate the program was supposed to correct.

The cost in California at that time—and again, I am depending upon memory—was getting up to around $7,000 per man. At that time—and it was 4 or 5 years ago—California was talking about dropping its whole program because it was not felt it was being effective.

Has that program been dropped in California? Is it still operating? If the answer to the second question is "Yes," does the Senator from California have any knowledge that the program will be dropped in the future because of its cost?

Mr. CRANSTON. No; I do not have specific knowledge on that point. If that is a relevant fact which should be brought into the Record, as apparently there are other facts which have not been given us, that is another reason for the resolution, because it will give us further time to consider the matter, rather than to have the hasty action which

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would take place if the resolution were not adopted.

Mr. GOLDWATER. I might observe that the State of California has now offered the best evidence in this case. I was very sorry that, when we discussed this matter 4 or 5 years ago, the chairman would not allow witnesses from California to come before the committee and testify. I am a firm believer in going on the proven values of the past, and if the great State of California, which has its problems, was not able to operate a service like this and do it effectively, certainly California could have given us the benefit of her experience. Evidently, the program is not working in California, and it has not worked in California, I imagine, for the same reasons that this administration finds it is not working generally across the Nation.

If the Senator from California obtains any information on this point, I think it would be most helpful to this debate.

I am trying to go back, not to what is ancient history, but to a few years ago, and put that evidence into the debate. I am trying to see if we can get some evidence on it. I think it would be of interest if California is evidently dropping the program entirely, while the Nation as a whole is diminishing the program, which has had its troubles, partly for the same reasons that it had in California.

I thank the Senator for permitting me to make these comments.

Mr. NELSON. Mr. President, I want to make some remarks in behalf of the resolution.

Several Senators addressed the Chair.

Mr. NELSON. But if Senators want to ask questions——

Mr. GRAVEL. Mr. President, if the Senator will yield, I would like to make a comment with respect to the dropouts which were referred to by the Senator from Arizona and the Senator from California. Will the Senator from Wisconsin yield? He has the floor.

Mr. NELSON. If there is no objection to the Senator's making remarks, I yield.

Mr. GRAVEL. Mr. President, I wish to suggest that the wisdom of the decision of the State of California in decreasing or eliminating this effort may not be the wisdom of the Nation, but both my personal friend the senior Senator from California and the Senator from Arizona addressed themselves to the dropout rates. I think the dropout rate is actual proof of the need for the program. Were there a 50-percent dropout rate, I would suggest that there was a 50-percent retention. The simple fact that these deprived people have not adjusted to the course of action required in this regard I would think shows the program has merit. If there has been a shift because there is a dropout or diminution in the number, I submit it is proof of the need for the program.

Mr. GOLDWATER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

Mr. NELSON. Mr. President, I do not want to yield for dialog.

Mr. MURPHY. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Wisconsin has the floor. To whom does he yield?

Mr. NELSON. I yield if a Senator has a question.

Mr. GOLDWATER. I have one.

Mr. NELSON. I yield to the Senator from Arizona.

Mr. GOLDWATER. The Senator has referred to the use of the term "dropout." I hope that the Senator understands that I am not referring to dropouts from the camps per se, but one reason for the California program was to do something about stopping the dropouts in the high schools and to give these people another chance. Then the dropouts from the camps were higher than the dropouts from the schools, which the program was trying to correct. I believe it should be made abundantly clear that it is relevant to point out that when we try to cure something by a program and the medicine is not working, we had better try another medicine.

Mr. NELSON. Mr. President, I ask unanimous consent to place in the RECORD at this point a chart which will show some comparison of the figures which were being discussed by the Senator from California (Mr. CRANSTON). This chart was submitted by the Secretary of Labor when he testified.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

The costs of an inner-city center are compared with those of the Job Corps in the following table:

COMPARISON OF MAN-YEAR COSTS—JOB CORPS AND INNER CITY CENTER

	Job Corps urban center	Labor E. & D. (New Haven)[1]
Center operating expenses	2,429	1,864
Enrollee expenses	1,176	[2] 124
Operations and maintenance		740
Other operative expenses (including rent)	1,253	1,000
Center staff expenses	3,114	3,320
Staff salaries and benefits		2,880
Travel		240
Contracted services		200
Enrollee direct cost	1,447	40
Allowances		[3] 0
Travel		0
Insurance		40
Total center and enrollee direct cost	6,990	5,224
Capital investment	251	560
Rehabilitation		240
Equipment		320
Grant total center cost	7,241	5,784

[1] Includes staff cost of services to families of the center residents and followup of graduates.

[2] Residents are required to contribute ⅙ of earnings as rent for room and board. Amounts vary according to hours worked (out-of-school youngsters earn more than in school). Rent receipts are used to pay food costs ,which explains why this figure is so low.

[3] Residents are not paid allowances because they are expected to hold jobs which can be either public or private sector jobs.

Mr. NELSON. The chart shows that the average cost of the Job Corps urban center was $7,241 per man-year.

Then it was compared with the New Haven center, which is a very small one, comprising about 25 youths, whereas the urban center has 1,000. The cost of the New Haven center was $5,784. So the cost of the so-called minicenter of $5,784 was compared with the Job Corps urban center cost of $7,241, but one very significant cost was left out. Absolutely no vocational training cost at all was included in the New Haven center figure. All the vocational and educational training cost was included in the urban center figure of $7,241. There is a difference only of $1,400 in any event, but the New Haven center does not do any training. If that cost were added, the cost of operating the minicenter would come very close to the cost of operating the average Job Corps camp.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. PROUTY. It seems to me we are placing too much emphasis on the cost, whether it is of urban centers or conservation centers, or wherever they may be. I for one am not too concerned with the cost. I am not concerned with whether it costs $10,000 or more if we accomplish our objectives with this training. The point is, we have not been getting results. That is the only issue.

The Secretary of Labor and the administration have guaranteed to take care of all the trainees presently in the camps being closed.

Also, the Secretary of Labor states that 5,700 additional training slots will be available in fiscal 1970 for out-of-school youth. We are not cutting down on these programs. We find, however, that many of the young men who go into these camps stay a few days and then they leave, for reasons of their own. The dropout rate the first 30 days is higher—that for 30 to 90 days is not much better. They feel that they are not getting any training, or are homesick, or are dissatisfied with the experiences they undergo in camp, or there is some other reason.

The only issue here is to find the best way to take care of these needs. Whether it costs $10,000 or $12,000 is immaterial, so far as I am concerned, if we are getting the job done. But the facts reveal we are not. We are wasting an awful lot of money, which might be better spent helping young people in other methods of training. I shall go into that in considerable detail when I have the floor, but I think that it is sufficiently important to mention now.

Mr. NELSON. Mr. President, I might say to the Senator from Vermont that I think it would be helpful if he discussed the matter further at this point. The Senator has always been a strong supporter of the poverty program, and has made a fine contribution to the committee.

However, the administration has taken the position that the objective is jobs, and I think that is the ultimate objective, although many of the young people have other problems on which they need help, and that is the reason for the residential centers.

I was never able to get a satisfactory answer from the Assistant Secretary of Labor on this question. They emphasize that the objective is jobs at the least cost. Yet they closed the Tillamook Conservation Center, which had a higher job placement record than any one of all the urban centers they kept open; 75.8 percent of all the boys who went into the conservation center at Tillamook were placed in jobs. There is no urban center that matched it; and I do not know of any other program we have in which they did so well.

Next, on the question of costs: The Tillamook Conservation Center had a lower cost than any of the urban centers save one. So it had one of the highest placements and next to the lowest cost at that center, and yet they closed the camp. We never got an answer as to why.

There are several other situations, not quite so dramatic. For example, Tamarack camp in Minnesota, had a 75 percent placement record, of all the young fellows who went through that camp. That is extremely good, in my opinion. Incidentally, I might mention that, as I know the distinguished Senator from Vermont is very much aware, among the objectives are to teach these kids how to get along socially, how to dress, personal hygiene, mathematics, and how to read and write. In an average of 8 months, in that Tillamook center, they raised their reading level by 2.12 years. The school system did not do that well; why is it we expect these conservation camps, just starting, to do a whole lot better than the school systems, where they did not accomplish anything and became dropouts, but did pretty well in the conservation camps?

Mr. LONG. Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. LONG. Mr. President, it is true, as the Senator from Vermont has stated, that money is not important when you are talking about people. The Senator has made a record in the regard which has even jolted me from time to time on some of these social security bills, wanting to do more for people than the Senator from Louisiana, who regards himself as a big spender in the welfare field and thought he could find money to finance.

So if the statement is correct, as far as the Senator from Vermont is concerned, that he is concerned about people and not money—and his record will prove it; there is no doubt in the world about that—I say to him, let us not kid ourselves: At the administration level, from the top on down, the argument against the program, and for closing these camps, has been that it is costing too much money, and other cheaper ways can be found to achieve the same result. That is the argument that was made by the distinguished Senator from California; and basically, that is the administration's argument, that you can spend money more wisely, spend less and get more results, but in some other way.

It does seem to me that the big point is being missed here. I would like to see the administration be successful in all its programs for the good of America, and I wish President Nixon all the success in the world with his administration. I would hope, if he is beaten by a Democrat, it would be because the Democrats have more to offer, not because President Nixon failed to make a great President. I helped present his tax bill to the Senate, and voted for it, which is something I did not even do for a Democratic President; so that is going the extra mile, it would seem to me.

But when we look at something like this, the American people should keep in mind that there are two programs involved.

One is a program to encourage industry to train people for jobs, which is fine. That is great. But under that program the people that the present centers are trying to help will be the last to be reached because when industry goes out to seek someone to train for a job, they try to get the fellow who has the greatest potential. The people the Senator is trying to help, as I understand, are those people who, just on the face on it, would appear to have the least chance, as of the moment, and who would be the last selected by industry for training, unless someone reaches out and offers them a helping hand.

Therefore, these costs are very important, when you ask how is the best way to do it, and when one proposes a program leaving out the vocational part of the effort as an means of cutting costs, that to me is a very important item because, let us not kid ourselves, it is cost items that caused the closing of these centers.

Mr. NELSON. I thank the Senator.

I should like to say, before I proceed with my prepared remarks, that the Secretary of Labor, Mr. Schultz, and the Assistant Secretary, in my opinion, made very able presentations to the subcommittee. I think that they answered questions honestly. They were strong and able advocates of the position they took.

There is no doubt in my mind that the Secretary of Labor is as strongly committed to the idea of training young people for jobs, providing job opportunities, as the previous Secretary of Labor under the Democrats, or as any Member on the Republican side or the Democratic side of this body. I want that understood, because I was very much impressed with his testimony and my feeling of his commitment to do something about affording opportunities for training for young people.

I say this because I do not want this to be in any way a partisan matter. I was much stronger in my criticism of the closing of some camps when President Johnson was President than I have been at this time, because, as chairman of the subcommittee, I wanted to avoid being partisan.

My difference here has not been with the philosophy of the residential camp. The President of the United States, the Secretary of Labor, the Assistant Secretary of Labor, and I think most Members of Congress endorse the Job Corps residential center concept. The difference is, should we have 16,000 slots, 35,000 or 50,000? That is all; I am not debating or differing in any way with the philosophy.

The President, the Secretary of Labor, and the proponents of the Job Corps residential theory are in agreement. The disagreement is over how much money we should allocate for how many training spots in residential centers.

Mr. President, many thousands of words have been written and spoken about the Job Corps since the Assistant Secretary of Labor announced the cutbacks in this program on April 11.

For my part, I should like to bring the discussion back, for the moment, to the Job Corps itself, and to center a little attention on this small experiment in rehabilitating disadvantaged young people.

Much of the time in this debate we have been talking about procedural issues. And that is as it should be. A very important principle is at stake in this debate. A program established by the Congress has been drastically altered without any consultation with Congress.

Regardless how one might feel about the Job Corps, and certainly there is a genuine difference of opinion within Congress on this program, it seems to me that full hearings would be had prior to any major alterations in the program.

After the hearings have been had, it may very well be that a large majority of the Members of Congress would agree with the administration's position. I do not know.

There are two main issues involved in the administration's move to close 59 Job Corps centers:

First. Should they be closed without affording Congress a full opportunity to consider and evaluate the administration's proposal?

Second. How many training positions should be maintained in these residential-type programs?

It is clear from the President's February 19 message that it was his intent to afford a full opportunity for Congress and the public to debate and consider the poverty program before basic changes were made. There are, of course, valid criticisms of the Job Corps program and improvements and changes to be made. None of the problems is insurmountable. Each could be satisfactorily resolved by the joint effort of Congress and the executive branch.

On the question of residential-type centers, there is no dispute between Congress and the executive branch over the need or rationale for them. There is general agreement that a certain number of youth are benefited most by the opportunity to leave their present environment to live, learn, work and play in a residential-type center. Administration spokesman strongly endorses the concept at hearings before the Labor Committee.

The issue, apparently, is solely over the question of how many youth should we train in this type of center. The administration believes it should be half the current number while others believe these centers ought to be maintained at current levels or above.

It is my own view the program at the present level of 35,000 is much too small to accommodate more than a fraction of those who need and would benefit from this type program. So, at least, if the program is not to be expanded it certainly should not be cut back.

The Job Corps was established in title I, part A, of the Economic Opportunity Act of 1964. We have now had 4 years of experience with it.

According to the General Accounting Office—GAO—audits, obligations for the Job Corps have been as follows:

Fiscal year 1965, $196 million.

Fiscal year 1966, $309 million.

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Fiscal year 1967, $210 million.

Fiscal year 1968, $282 million.

During that 4-year period, 223,000 youths have been served by the Job Corps, for varying periods of time.

During fiscal year 1968, the GAO reports, total direct operating costs for the centers in operation as of June 30, 1968, amounted to $221 million.

During that same year a total of 100,000 youths were served by the Job Corps centers. Thus the average direct operating cost for each youth served was about $2,200.

A great deal has been said about Job Corps costs, much of it misleading. I will discuss the cost matter in more detail later in my remarks.

Job Corps enrollment is limited to a total of 45,000 by law. Enrollment reached a high of 42,000 on June 30, 1967. In December 1967, budget reductions forced a cutback in the Job Corps, and 16 of the 122 centers were ordered closed.

Prior to the April 11 announcement by the Secretary of Labor, the Job Corps had 34,860 youths enrolled and a capacity of 37,469.

That current enrollment figure is of major importance.

The Job Corps right now is serving about 35,000 young people at any one time.

This is what the Job Corps dispute is all about.

The Secretary of Labor has ordered camps closed so as to reduce the number of enrollees by 16,404.

Thus, in round numbers, he wants to cut 16,500 positions out of a program with 35,000 positions.

At the same time, the Secretary of Labor proposes to establish, over a period of about 1 year, a new network of 30 "urban skill centers," often referred to as "minicenters," which will provide a total of 4,600 training positions once they are fully established. Not all will be directly comparable to the Job Corps. Some will be residential centers only, and their enrollees will be trained elsewhere. Some will be training centers only.

The Secretary of Labor intends to invest $24 million in these new minicenters in fiscal year 1970.

He intends to cut the budget of the Job Corps program as we now know it from $280 million to $156 million. This, plus the $24 million for minicenters, would total $180 million, for a claimed budget saving of $100 million.

These few facts draw the issue clearly. They spell out a series of major policy changes in the training of hardcore disadvantaged youth, all of which the Secretary of Labor proposes to carry out, or at least set in motion, prior to any action by Congress.

The major policy questions are these:

First. Should 16,500 training positions be eliminated from the Job Corps program?

Second. Should a new network of 30 urban minicenters be established?

Third. Should there be an overall cost reduction of $100 million in the budget for training the hard-core disadvantaged?

Fourth. In the course of these changes, should the concept of "conservation camps" be virtually abandoned? This is a separate issue which I will discuss later.

Even before taking up those questions on the merits, I think any Senator would have to concede that they are clearly policy questions on which Congress should express itself.

An attempt has been made to develop the argument that the Cranston resolution invades the area of "Executive prerogative." How can anyone argue that the answers to these policy questions are merely within the area of Executive prerogative and not the business of the U.S. Congress.

Now as to the merits of those questions.

First, as to the elimination of 16,500 training positions from the Job Corps program.

To me, it is highly questionable at this stage in our Nation's history that we would make a reduction of about 50 percent in this tiny Job Corps training program, which offers a unique package of services to our really hard-core disadvantaged young men and women.

As I analyze this question, there are only two reasons which could possibly justify the elimination of these 16,500 training positions:

First. If it could be shown that there simply is no need for this kind of training.

Second. If it could be demonstrated that the training as offered by the Job Corps has not been successful.

From the information made available to our committee so far, neither of these propositions can be sustained.

The uniqueness of the Job Corps is that it provides manpower training in worthwhile skills in a residential setting, where a comprehensive array of remedial services can be provided to the enrollees, carefully integrated with their job training program.

They receive complete physical examinations, their teeth are fixed, they receive counseling on personal matters such as hygiene, they are taught to live together with other young people.

They are tested to determine their level of education attainment. Then a program of basic education is laid out for them.

Incidentally, wherever possible this basic education program is closely tied in with the vocational training program which the trainee selects. For example, reading instruction is planned in terms of the job on which the trainee will be working. A young man learning to operate construction equipment will often be given reading lessons which use the language of his trade. Specially developed printed texts also tie the reading into the job, as do tape recorded lessons. Through this kind of intensive education—personalized attention from a specially trained teacher, specially developed reading materials, and tape recorders—young men who have wasted many years in the schoolroom are suddenly brought into the world of reading and working.

The variety of vocational training varies with the camps.

One of the finest training programs is at the Gary Job Corps Center at San Marcos, Tex. Here a Job Corpsman has a choice of 34 different vocations, including welding, masonry, carpentry, bricklaying, printing, heavy equipment operation, electrical work, business skills, food services, and many others.

The training program at the Gary Job Corps Center was developed with the assistance of a voluntary council which includes representatives of 100 industries. These industrial representatives help to plan the training programs, they donate much of the material and tools used in the camp, and they help to design the placement programs through which the young men flow into the labor market.

Incidentally, the program at the Gary Job Corps Center is so successful that many of the boys are hired away before they can complete their training. Many who are enrolled in a training program which is supposed to take a year or 18 months are hired at good paying jobs after about only 10 months. This success story, of course, helps to reduce the "length of stay" figures for the Job Corps as a whole, another example of how misplaced statistical criticism can be.

Not every camp is able to offer the comprehensive programs of the Gary center, of course.

But even the small conservation camps, with 100 to 200 enrollees, offer for the most part a fairly broad variety of training opportunities in the building trades—heavy equipment operation, carpentry, masonry, electrical work, painting, and in some cases, automobile repair.

Is there a need for this kind of training?

During our subcommittee hearings, Senator JAVITS asked the Secretary of Labor:

> How many job slots do you really need and how many is the United States furnishing, public and private, at the optimum?

The Secretary agreed to provide that information, but to the best of my knowledge, we do not yet have it from the Labor Department.

Others have attempted to assess the need in various ways.

The Kerner Commission reported as follows:

> In 1967 approximately 3 million persons were unemployed during an average week, of whom about 638,000 or 21 percent were nonwhites. When corrected for undercounting, total nonwhite employment was approximately 712,000 or 8 percent of the nonwhite labor force. . . . Unemployment rates are, of course, much higher among teenagers, both Negro and white, than among adults; in fact, about one-third of all unemployed Negroes in 1967 were between 16 and 19 years old. During the first 9 months of 1967, the unemployment rate among nonwhite teenagers was 26.5 percent; for whites, it was 10.6 percent. About 219,300 nonwhite teenagers were unemployed (after adjusting for Census Bureau undercounting.) About 58,300 were still in school but were actively looking for jobs.)

After careful consideration of all available data, the Kerner Commission came up with this table:

NONWHITE SUBEMPLOYMENT IN DISADVANTAGED AREAS OF ALL CENTRAL CITIES, 1967

	Unemployed	Underemployed	Total
Adult men	102,000	230,000	332,000
Adult women	118,000	266,000	384,000
Teenagers	98,000	220,000	318,000
Total	318,000	716,000	1,034,000

Thus the Kerner Commission tells us of 219,000 unemployed nonwhite teenagers in the Nation as a whole; a total of 277,000 nonwhite teenagers either unemployed or "actively looking for jobs"; and a total of 318,000 unemployed or underemployed nonwhite teenagers just in the disadvantaged areas of our large central cities.

On March 1, 1969, the Kerner Commission report was updated by the Urban Coalition and Urban America in a report entitled "1 Year Later." This report indicated that the Kerner Commission actually had underestimated unemployment among nonwhite teenagers. In the year between the Kerner Commission report, things had improved somewhat. However, the improvement merely seems to have corrected the under estimating. "1 Year Later" said:

> Black teenagers in poverty neighborhoods in the final quarter of 1967 had an unemployment rate of a staggering 34 percent, worse than even the (Kerner) commission had estimated. By 1968 it had been reduced to 27.3 percent. The gain was highly significant, but did not remove the problem of idle youth from the streets of the slums and ghettos.

In other words, according to "1 Year Later," the Negro teenage unemployment rate in ghettos was not 26.5 percent as the Kerner Commission had estimated but actually was 34 percent, at least in the end of 1967. By 1968 it had been brought down to 27 percent, about what the Kerner Commission had originally estimated.

To sum up, the "need" which Senator JAVITS asked the Secretary of Labor about can be conservatively estimated at from 200,000 to 300,000 just for nonwhite teenagers, and largely in the inner cores of our large cities.

But of course we know that the problem of poverty, substandard education, and unemployment is not limited to our large urban areas nor to nonwhites. Forty-one percent of poor Americans live in rural areas—according to a 1969 study by the U.S. Chamber of Commerce, "Rural Poverty and Regional Progress in an Urban Society." An estimated 14 million rural Americans live in poverty.

The Job Corps enrollment shows this; 25 percent come from rural communities of less than 2,500 population; 47 percent from medium-sized communities of 2,500 to 250,000, and only 28 percent from metropolitan areas of 250,000 or more.

Manpower authorities state that the total of unemployed and underemployed youth in this country, who are not in school, is in the neighborhood of 800,000.

We have gone into these figures in some detail to show that the need for services such as the Job Corps provides is staggering when compared with the tiny experimental program we have been operating.

We have a program for 35,000 young people out of a total unemployed group of youths which may be as great as 800,000, without any real knowledge of how many of those 800,000 require a residential training facility.

We are cutting Job Corps positions by 16,500 under the guise of strengthening the overall manpower program by adding 4,600 new training positions in urban areas—4,600 new positions to serve 200,000 to 300,000 unemployed teenagers in our central cities.

Faced with those figures as to the overall need, who can seriously argue that we should cut our Job Corps program by 16,500 positions?

Would all the weight of the evidence not indicate instead that we should expand this program?

Not if the Job Corps is an ineffective program, it might be argued.

So let us take a look at the effectiveness of the program.

And let us look beyond the headlines. I doubt if any public program in my memory has received the shallow, superficial and unfair judgments which the Job Corps has received.

Certainly no one would deny that the Job Corps has had its troubles.

Difficulties are encountered, of course, when any new program is set up.

But the Job Corps had more than just the "normal" difficulties. It had the difficulties which are inescapably encountered when you try to deal with the kinds of young people who the Job Corps was meant to serve.

The average Job Corps boy is 17½ years old. He has spent 9 years in school. Yet he reads at only a fourth- or fifth-grade level.

About 60 percent of the Job Corpsmen are black.

About 60 percent come from broken homes; 63 percent come from a household where the head of the household is unemployed. Also 60 percent of them live in substandard housing.

Half of them have parents with less than an eight-grade education.

One of the most astonishing figures of all is that, of those eligible for the draft, 63 percent—almost two-thirds—failed to qualify.

I wonder if Congress and the Nation realizes what it is like to operate a program that does not skim the cream from the top, but takes from the very bottom of whatever kind of rating system you want to devise.

These are the young people who have been failed by every other institution in American society—the family, the schools, the churches, the vocational schools, the employment service—you name it.

There are hundreds of thousands of them. We have taken a tiny slice of that vast group, that explosive mixture of the dissatisfied and disadvantaged, and tried to make them into full-fledged American citizens within a few months.

How have we done?

It seems that it all depends on whom you ask. The Job Corpsmen themselves, a number of whom have testified before our committee, praise the program highly. They say it has saved their lives.

All across the country there are thousands of community leaders who work with the Job Corps camps. They have been saying the same thing in the last 3 weeks, in letters which have poured into congressional offices.

The program also has been highly praised by religious and civic organizations, by organized labor, by conservation organizations, by the League of Women Voters, the National Association for Community Development, and many, many others.

But others will tell you "the statistics do not look good." It costs too much; the dropout rate is too high; too much money is being spent on too few people.

Well who is to say how the statistics should look like on a program such as this?

William P. Kelly, Job Corps Director, submitted the following table of costs to our subcommittee. This is the direct operating cost per man-year for the Job Corps for fiscal year 1969 through January 31, 1969:

Clothing	$231
Food	388
Medical care	315
Basic education	436
Vocational training	637
Safety, morale, and recreation	230
Guidance and counseling	650
Center operations and maintenance	2,265
Enrollee allowances	1,027
Enrollee travel	209
Total direct operating cost	6,388

In addition to these direct operating costs, the Job Corps spends money for such items as recruitment and placement of enrollees, program development and evaluation, equipment and rehabilitation of facilities. It is charged for certain amounts of overhead.

The Comptroller General computed the total direct and indirect costs for fiscal year 1968 at $8,300 per man year. Since Job Corps operating costs have been coming steadily down, that figure is probably a little high, but it is the one most commonly used in evaluating the program.

Whether you use Mr. Kelly's direct operating cost figure of $6,388 per man year, or the Comptroller General's total cost of $8,300 per man year, there are certain important facts to keep in mind.

In the first place, this cost varies greatly from camp to camp.

According to the "selection criteria" developed by the Labor Department for use in deciding which camps to close, the costs of the men's urban Job Corps centers are as follows, in order of cost:

Gary	$4,035
Atterbury	5,547
Clearfield	5,824
Breckinridge	5,966
Kilmer	6,170
Parks	7,245

Here is a range of $3,200 per man. Obviously, if you are going to make an indictment of the Job Corps concept on the basis of cost, it makes a big difference whether you are talking about a cost of $4,035 or a cost of $7,245.

This tremendous disparity in costs raises the question of whether we should be talking about the high cost which is inevitable in the Job Corps program, or whether, through better management, we should simply strive to bring the high-cost camps down to the same range

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as the lower cost camps, and preserve the program.

One would think, in view of all the criticism of Job Corps costs, that one of the goals of the drastic revision of the program being carried out by the Labor Department would be the closing of high-cost camps and the retention of low-cost camps.

But the selection criteria used by the Labor Department do not indicate such a result.

Cost was simply one item out of six considered in the Labor Department rating system.

As a result, we have strange results such as this:

The camp at New Waverly, Tex., with the astonishingly low unit cost of only $3,436 per man, has been ordered closed.

Other low-cost camps ordered closed were Grants, $4,058; Winslow, $3,932; Cumberland Gap, $3,733.

I seriously question the judgment which results in the closing of a Job Corps camp operating for $4,000 per man or less. Those figures sound like a real bargain to me.

Another important fact to keep in mind is that all these costs are per man per year costs. That is, they assume that the man is enrolled for 12 months.

But the real cost per man must consider the length of time he is in the Job Corps program.

If the length of stay is 6 months, the actual cost is only one half the figures which are usually quoted. If it is 9 months, the cost is three-fourths or 75 percent.

Comptroller General Staats stated in his testimony:

> During fiscal year 1968, total direct operating costs for the centers in operation as of June 30 amounted to about $221 million and about 400,000 man-months of training were provided to about 100,000 youths who were in attendance at the centers for varying periods of time during the fiscal year.

You will note that he talks of $221 million for 100,000 youths—a direct cost of only $2,210 per youth served.

It certainly is correct that we are not pleased with the comparatively short average length of stay at Job Corps camps. But all the experience indicates that this is a fact which must be expected in dealing with hard-core disadvantaged youth. The turnover rate is high in all programs which seek to serve these young men.

But since that is a fact, it is only fair in assessing the Job Corps program to remember that these costs are averages, and they do not necessarily reflect specific conditions.

Both the GAO audit and the Lou Harris Job Corps study indicate that youths who attend the Job Corps even for a short period of time receive some benefit from the program.

So if you really want to talk about "average costs," the average direct operating cost of the Job Corps in fiscal year 1968 was really only about $2,210 for each youth served.

Another point to be kept in perspective, when we talk about costs, is this:

WHAT ARE THE ALTERNATIVES?

If Job Corpsmen, most of whom are dropouts from broken homes who can barely read and write, are simply left in their home environment, what will be the cost to society?

These young people come to us because they are unemployable. The Labor Department's employment service certifies that they are not employable and not suited for any other training program.

So what is to happen to them? There certainly is a likelihood that many will be drawing relief, that many of them will merely repeat the cycle of broken homes and joblessness which is causing our welfare costs to soar every year. A high percentage also will almost certainly be involved in misdemeanors and felonies, raising the cost of law enforcement, the courts, and our very costly correctional institutions.

If we try to serve them in some other program, what will the cost be?

Well, let us look at some comparisons.

First, the new minicenters planned by the Labor Department.

Arnold Weber, the Assistant Secretary of Labor for Manpower, testified:

> The new inner city residential support center we have currently priced out at $5,600. These are the small ones which will have 25 or 40 people and serve kids much as we have done in New Haven.

A number of comments must be made on that $5,600 figure.

First, it is considerably higher than many of the Job Corps camps which are being closed, even if you add to those camps' direct operating cost figure enough to allow for other costs, such as overhead and enrollee allowances.

Secondly, the New Haven center to which Mr. Weber referred provided no vocational training. It has been primarily a center for intensive treatment of the enrollee and his family. So we apparently would have to add substantial additional costs for training.

Third, our subcommittee has been unable so far to get really meaningful cost figures on the New Haven center.

Fourth, Mr. Weber concedes that these figures are only estimates.

He testified:

> They are ball park costs, they are a reasonable basis for planning.

Job Corps costs not only compare very favorably with the estimated costs of the new minicenters, but they also compare favorably with the program known as JOBS—Jobs in the Business Sector—operated by the Labor Department and the National Alliance for Business—NAB.

It is important to remember that the programs are not directly comparable.

The JOBS program serves an older age group, a group which generally is less disadvantaged in terms of education and family background.

But most important of all, the JOBS program does not provide many of the services which the Job Corps provides. It is not a residential center. The other remedial services provided to trainees are minimal when compared with the Job Corps.

Yet the Labor Department reports an average cost of about $3,000 for the JOBS program.

The director of the Wisconsin State Employment Service informed my staff that the average JOBS cost in Wisconsin is $3,500.

And remember, this does not cover any of the substantial costs of a residential center—such as the $2,265 per man for center operations and $1,027 for enrollee allowances.

The Labor Department signed a contract July 1, 1968, with the Hotel Corp. of America, in Boston, to train men and women as waiters, waitresses, cooks, stewards, housekeepers, cashiers, storeroom workers, and so forth.

The cost was for $719,690 to train 250 people.

This averages out at $2,878 per person.

However, this is only a 22-week program. Would it be fair to compute a "cost per man year" figure? If so, it would be extremely high.

Also, in order to compute the true cost of this program, you have to consider the substantial dropout rate in this program.

Here are the figures of the Hotel Corp. of America contract:

In New York, 130 trainees have enrolled—and 82 have dropped out.

In Washington, 53 have enrolled—35 have dropped out.

In Boston, 66 have enrolled—39 have dropped out.

These are dropouts rates of 60 percent to 66 percent. A Labor Department report supplied to our committee (page 237 of hearing record), states that 48 percent of JOBS trainees leave within 90 days compared with 55 precent of Job Corpsmen.

That not only has a great effect on the cost figure, but it also demonstrates dramatically that the JOBS program has the same problems as the Job Corps.

As you know, the JOBS program is very highly regarded. Almost all the publicity in regard to it has been favorable. Full-page ads have been run in newspapers hailing its success. The administration is planning to expand the program in the coming year—while cutting the Job Corps almost in half.

The great advantage of the JOBS program, we are told, is that the trainee already has a job before he begins his period of training.

As Assistant Secretary Weber testified:

> It (the JOBS program) gets people right on the job, and is based on the assumption that one of the best motivational factors is the provision of direct employment as it relates to training.
>
> Under the JOBS program, you have provision for job coaching, for counselling, for continued education on the job involving services which do not come within the compass of the Job Corps program which says, once you leave the camp . . . you are on your own.

Yet how do you square that characterization of the JOBS program with dropout rates of over 60 percent?

I regret that neither the Labor Department nor the Comptroller General was able to supply us with really detailed figures on the JOBS program. But I am convinced, from the figures we have seen, that if we made a review of the JOBS program, comparable to that which has been made on the Job Corps, that we would find the exact same situation—surprisingly high costs, discouragingly high dropout rates, rapid turnover in jobs after training, and so forth.

No factual evidence has been presented to show that the JOBS program is a satisfactory alternative for the Job Corps, or to show that it is free of the high costs and high dropout rates which have caused the Job Corps to be so highly criticized.

There are many objective, factual measurements of Jobs Corps success.

Even the GAO audit, which was critical of Job Corps on the cost and dropout problems, found that "increased employability and earning power also appeared to be associated with the length of stay of Corps members at the centers, those who graduated being the most successful."

The GAO audit found—before Job Corps—that 43 percent of the enrollees were unemployed. After Job Corps it was 31 percent—a drop of 12 percent.

Before Job Corps, the average wage was $1.42 an hour. After Job Corps, it was $1.85, an increase of 43 cents an hour.

Lou Harris, who conducted the broadest and most extensive study ever made of Job Corpsmen, found these figures:

> Before Job Corps, unemployment was 50%; after Job Corps it was 23%, a difference of 27%.
>
> Before Job Corps, the average wage was $1.39 an hour; after Job Corps it was $1.84, an increase of 45¢.

The GAO audit contends that the obvious increase in wages and the decrease in unemployment is largely attributable to the fact that the persons have simply grown older.

The Harris survey specifically refutes that conclusion.

Through much more extensive sampling, Harris was able to compare people of similar ages, and in his opinion the findings completely refute the GAO conclusion that most of the benefits result from aging.

As Harris testified:

> We were able to take a look at 1,291 Job Corpsmen who entered the Job Corps at the age of 17. We also have 1,094 Job Corpsmen who are now 17 years of age. Therefore, what we are looking at are those who entered the Job Corps at 17 and those who finished . . . who are 17 today. So we are comparing 17 year olds with 17 year olds.
>
> When we do this, you can see, in terms of unemployment . . . if those 17 year olds had not gone through Job Corps, 45% of them would have been unemployed. But if we looked over to the current group, 34% of the 17 year olds are unemployed. If we look at the wage data, if they hadn't been to the Job Corps, they would be earning $1.41. But they are earning $1.58.
>
> In other words, it helps the 16 year olds, it helps the 17 year olds, it helps the 18 year olds, in that the changes which have previously been seen are not a matter of the Job Corpsman simply growing older . . .

But overall statistics fail to tell the really dramatic story of what the Job Corps has meant in the lives of specific young men.

In testimony before your subcommittee, a spokesman for the International Union of Operating Engineers quoted a young man from Selma, Ala., who wrote:

> I am making $4.35 an hour, 10 hours a day, with two hours overtime and working six days a week. Last week I made $209. Before I came to the Job Corps I was making $24.50 a week. Now I get more than that a day. The Job Corps did more for me in a year than I did for myself in 20. Another youth wrote from Cleveland, Ohio:
>
> Tell all the boys to stick with it at the Job corps, because in the long run it pays off. We all (mentioning three other graduates) work nice and hard. I make $5.50 an hour. That is why I say it pays off.

Our committee has received individual testimony from a number of boys and girls which corroborates these results. They are not isolated cases.

The spokesman for the Painters Union testified before our committee:

> Of the 38 centers that we were involved in, 21 of these were dropped (in the Labor Department closing order.) . . . We had hoped to place between 500 and 600 corpsmen per year into apprenticeship programs in our industry at an average starting rate of $2.80 per hour.

The spokesman for the Operating Engineers Union testified:

> (At Jacobs Creek camp) we have completed classes in 1967 and 1968: 110 youngsters completed their training and 102 were placed—89 in the construction industry and 13 in the armed services, and some of the latter at advanced rates (ratings) because of their skills learned at Jacobs Creek. . . . They have averaged well over $3.55 per hour, and many are in the $4 to $5 bracket.

Mr. President, who can review figures such as those and not be impressed?

Who can look objectively at the results and call the Job Corps a failure?

What was this program supposed to achieve that it has not achieved?

A young Job Corpsman from Camp Kilmer, David Walker, put it very eloquently to our committee. He said:

> I don't know what you people want . . . The corpsmen can't do no more. I know for a fact that every corpsman almost goes to class every day—every day. I don't know, you are asking for the impossible . . .

What more are we asking of the Job Corps?

Look at the "selection criteria" developed by the Labor Department.

This purports to rate all the Job Corps centers and camps. We have a right to assume that those which are being closed are considered "failures."

Let us look at one of those "failures"—Camp Tillamook in Oregon.

It has a unit cost of $4,900 per man year—lower than all but one of the urban Job Corps centers which are to remain open.

It has a placement rate of 75.8 percent.

This means that of every man who walks through the gate, including all the dropouts we have heard so much about, almost 76 percent of the men who leave that camp are satisfactorily placed in a job, have returned to school, or are in Armed Forces.

Can anyone cite another program, anywhere, with a better rate of success?

But we are pronouncing this one a failure.

What do we expect?

I think Congress deserves an answer. What are the goals of our manpower training programs which the Job Corps, as represented by camps like Camp Tillamook, have failed to achieve?

Camp Tillamook also raised the reading level of the average Job Corpsman 2.12 grade levels—with an average stay of less than 8 months.

Think of that. The average Job Corps conservation camp enrollee in fiscal year 1968 had spent 8.4 years in school but could read only on a 3.7 grade level and cope with math only at a 4.1 grade school level.

In 8½ years, that typical youth had progressed 3.7 grade levels in reading. In 8 months, Camp Tillamook lifted him another 2.12 grade levels, out of the functional illiterate classification, able to read instructions and hold a job.

For that, Camp Tillamook was rated as a failure.

Look at some of the other "failures."

Camp Winslow raised the reading level an average of 3.24 grades with an average stay of less than 6 months. It placed 59.2 percent of its men. It had an average cost of $3,932 per man per year—and it is rated as a failure.

Camp Hodgens raised the reading level of its men 2.98 grades in an average stay of just over 5 months. It placed 66.9 percent of its men. It had a cost of $4,301 per man per year—and has been rated a failure by the Labor Department.

If these camps are failures, then we are simply admitting that our whole effort to salvage hard core disadvantaged youths is a failure, because we have no directly comparable programs to offer them, and we have no programs even remotely comparable with a better record of success.

The fact is, these camps are not failures, and the Labor Department has admitted the fact.

When we pointed out a long series of fantastic discrepancies in the Labor Department's closing list, the Assistant Secretary for Manpower replied that it really did not make any difference if there were errors in the rating system because "we made a policy decision that 50 conservation camps should be designated for closure."

That is really how this all came about.

Somebody decided that the conservation camp concept was no good, and that 50 out of 82 of the camps should be closed—without any careful review whatever as to how good they were or how much they were accomplishing.

And remember, all of this was done without consulting the Congress or the director of the Job Corps program.

This is a special tragedy which deserves special mention.

The whole idea of conservation camps is being lost in the current argument over placement statistics, manpower slots, and so on.

There seems to be some idea that the conservation camp concept is a kind of fuzzy minded idea which corrupts pragmatic thinking in regard to manpower training.

Nothing could be further from the truth.

The Lou Harris study shows that the conservation camps have had the greatest impact of all in changing the lives of Job Corpsmen. After Job Corps, young men who went to conservation camps experienced an 83-percent increase in earnings; those in urban men's centers, 79 percent, and women's centers 64 percent.

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Dr. David Paynter, superintendent of the Garden Grove, Calif., School District and former director of Job Corps conservation camps, testified:

> The conservation camps have the greatest impact in terms of changing the individual from his attitude of opposition to society. . . The conservation centers make the greatest contribution in producing a more positive attitude. This can be done better in a conservation center where they are working, where they are improving the land, where they are learning skills, and many are freed from the proximity of a large city and the opportunity of returning.

Similar testimony has come out repeatedly in our brief inquiry into the Job Corps program.

Yet there is no question but that the Labor Department is rejecting the conservation camp concept without even giving it a chance for a fair hearing.

Until late in 1968, there was a conscious policy of sending the young men with the poorest attainment scores to the conservation camps. All the statistics showed this. That was one reason why conservation camp training emphasized training on the job. These young men, over half of them illiterate, could not be simply put back into a classroom. First they were taught basic work attitudes and work skills. Then this was integrated into a classroom program of basic education and vocational training.

At last report, some 42 of the 82 Job Corps conservation camps had worked out arrangements with labor unions for high quality vocational training, leading to a union apprenticeship program and a career as a skilled union craftsman.

The work which conservation corpsmen have done in their on the job training is truly impressive. Under capable direction of career employees of the National Park Service, the United States Forest Service, and the Bureau of Indian Affairs, they have performed conservation work which the Job Corps values at over $66 million.

They have built camping and picnic facilities to serve an estimated 27,000 families; they have built picnic shelters, toilets, boat ramps, and water systems in public parks and forests.

They spent 333,000 hours fighting fires, 34,000 hours on search and rescue missions, 11,000 hours cleaning up after tornados, 10,000 hours cleaning up after floods, 10,000 hours cleaning up lakeshores soiled by dead fish.

This is valuable public service work—valuable both to the public and to the young men who learn to perform it.

Yet none of these benefits are taken into account in assessing the costs of the conservation camp program.

To show the closed mind which the Labor Department has toward the conservation camp program, the Assistant Secretary for Manpower not only rejected the idea of crediting the program for worthwhile work done in our parks and forests, but he went on to argue that the camps should be charged for the value of the land they were located on, which would raise the apparent cost of the program still further.

Mr. Weber testified:

> Even though it is free to the Job Corps (the park or forest land on which the camp is located) you should establish a price to it, and that is the price that that land could gain if it were put on the open market and subject to bids. If you really want to get an economic cost, that should be included in it.

Mr. Weber also suggested that perhaps the cost of materials used in conservation camp construction projects should be charged against the program.

Imagine, a corps of young men is brought into a national park or forest, working directly under supervision of National Park Service and U.S. Forest Service officials. They build park buildings, picnic tables, and so forth. Their program receives no "credit" whatsoever on the balance sheet for the work they perform. And now it is suggested that they be "charged" for use of the land they are working on, and "charged" for the lumber, the bricks, and cement they use in building park buildings.

What more dramatic proof can there be of the Labor Department's rejection of the conservation camp concept, a concept developed and written into law by the Congress strongly supported by the conservation movement in this country, and solidly proved by the results experienced in these camps over the past few years.

(The following colloquy, which occurred during the delivery of Mr. NELSON's address, is printed at this point in the RECORD by unanimous consent.)

Mr. LONG. Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. LONG. The point has been made that it is difficult to explain to some father who is making $12,000 a year and sending his boy to college why we should spend so much money to help some disadvantaged child and keep him from spending the rest of his life in misery and poverty, on skid row or in the penitentiary, a boy or girl who has no opportunity or perhaps had no father to give him or her any guidance at all.

The point occurs to me that in the year in which I entered college, my father was making $12,000 a year as a U.S. Senator. He was assassinated.

About two-thirds of the money spent to pay for college education is not paid by their parents, but by the State or Federal Government. It was certainly that way at Louisiana State University. We had a program which tried to make it possible for young people to go to the university with nothing more than the shirts on their backs and work their way through college.

Many of these individuals today are financially well-off and outstanding citizens of our country. Generally speaking, most of those who go to college are the children of advantaged families that might have to dig a little deeper into their pockets and do without some of the luxuries they would like to have. However, those families can find a way to provide an education for the young children.

If we look at the amount of money we are spending—$60 million a year for Harvard University—and then analyze where it is going, I think we will find that in most instances it is going to young people whose families are middle and upper income families, and that those who graduate from the university will be even better off.

When we look at the amount of money concentrated at the Federal, State, and city levels, particularly if we include all of the tax deductions we are giving to these foundations that are making donations and the favorable tax treatment to those who make contributions to college institutions and others, directly and indirectly untold billions of dollars are being poured into helping the advantaged young people achieve even greater advantage and be able to serve themselves and, hopefully, their Nation.

When we look at what little is being done, however, to help the most disadvantaged children of the country, one would certainly make the case that even if it does cost more money to help one of those disadvantaged children have a chance in life, it is something that should be done, even if we fail to get the money back later.

Some things ought to be done simply because they are right, because they are good for people, or because they are in line with one's morality or conscience, quite apart from the cost.

The cutback, so far as I can see, is a case of putting the dollar figure ahead of the needs of people. I would certainly hope that the administration, even at this late date, would offer to be as conciliatory about the matter as the President and the administration have been about the war in Vietnam and the ABM. I would hope that they would consider the very able arguments being made, such as those being made by the junior Senator from Wisconsin and the junior Senator from California, and seek a meeting of the minds whereby we would try to resolve the matter in terms of what is right and best for the people.

I hope this will not be regarded as a partisan victory for one side or the other. I hope that it will be a case where men of good will try to do the best they can for people.

As I understand it, they are saying, "We would not close the Job Corps camps until you have had a chance to study the matter and Congress has had an opportunity to pass upon the program with all of the facts before it." Am I correct?

Mr. NELSON. The Senator is correct. We had a little debate on the matter earlier. The junior Senator from California (Mr. CRANSTON) said that the administration is offering an opportunity for all of the young men and women in the camps to get into an alternative program.

I am satisfied that the administration will accept any offer that is taken up by any young man or woman in the camps and will perform on their promise. I think the Secretary of Labor and, I am sure, the President intend to do what they have said.

The problem is that we have been talking with some of the young people in Camp Catoctin, Md., and a couple of them have said, "You take a young man, pull him away from home. He is in camp a month or 2 months. He is having a difficult time becoming adjusted. He has never been away from home before. Now you are going to send him somewhere else."

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They are there now. Why not let them complete their program?

I have doubt about the sincerity of the administration to perform on their offer to the young man who undertakes to accept it. However, what about the young man who says, "I give up. I am going to go back home." The administration will have no ability to do anything about that.

The Senator from Louisiana mentioned that the Job Corps kids are disadvantaged.

On a comparative basis, at least, a large percentage of the kids in vocational training programs in this country, in colleges, and apprentices in unions, for example, are advantaged young people, compared with these kids with whom we are dealing. They have parents who had steady work, and who were able to give them the best of loving care. They were not in broken homes.

By comparison, what is the profile in the Job Corps? The average Job Corpsman is seventeen and a half years of age. They did not fail society. Society failed them. The average Job Corpsman has spent 9 years in school, but he reads at only the fourth- or fifth-grade level. Not because he is unintelligent. The school system he went to was no good. The Senator knows that and I know that. Many of these kids are of a very high degree of intelligence, but they just did not learn to read and write because they did not get the chance. So they are reading at a fourth- or fifth-grade level.

Sixty percent of these kids are black. Sixty percent—six out of 10—come from broken homes. Think of it. Six out of 10 are from broken homes. Sixty-three percent are from households in which the head of the household is unemployed, and in a good percentage of the instances in which the head of the household is employed, he is underemployed.

Sixty percent live in substandard housing. Half of them have parents with less than an eighth-grade education.

One of the most astonishing figures of all is that despite the fact that they are 17½ years of age, and should be in their prime in health and vigor, 63 percent of those eligible for the draft—almost two-thirds—cannot qualify for military service, either for physical reasons or because they cannot read and write.

This is the profile of the young man or young woman with whom we are dealing. The school systems already have failed them. Society already has failed them. Yet, we are supposed to take this bunch of kids—who, incidentally, were not drafted—who said, "I want to learn something. I want to learn so I can make a contribution to society." They have volunteered to come to camp. They come into that camp, and we are supposed to have in 6, 8, 10, or 12 months a several times better success record with them than all of society and the whole school system has had with them during the previous 17 years of their lives. It cannot be done by any mechanism at all.

I have looked at all these statistics. I have been in Job Corps camps. I have talked with these kids. I think the program is a success—unless you have some standard that is so high that you could never meet it; then all programs are a failure. Half of all the kids who enter college from middle-class families drop out before they finish. What about that statistic? Is that supposed to prove that the college system is no good? We have a high dropout rate here, but I think we are accomplishing a great deal. It is an experimental program.

For the first time in the history of America, we undertook to get to these young people and train them and give them an opportunity, and they undertook on their own to come and participate in the program.

I would hope that we would decide that out of the hundreds of thousands of kids around this country who ought to be in a program like this, we at least can maintain position—slots, if you will—in residential centers for 35,000, and see if we can work out a program and continue to improve it and arrive at a solution and a formula from which we will learn, as we are learning, how to get to these young people more effectively than we are. That is the objective. It is small; it is a pilot program. It should be 35,000 in my judgment, not 18,000.

Mr. LONG. Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. LONG. When the President got ready to send to Congress a tax message indicating what should be done with regard to the fiscal problems of the country, he showed some of us on the tax-writing committees and the Appropriations Committees the courtesy of inviting us to the White House and discussing his budgetary and fiscal problems, and inviting our suggestions. May I say that there is no doubt in the opinion of this Senator that the President was 100 percent sincere. He was not just asking us there to talk at us. He wanted to have our suggestions, because some of the things that some of us suggested found their way into the President's message, and we know they were not there prior to the time he invited us to the White House. He did, it seems to me, try to move in a spirit of bipartisanship and thinking in terms of what was best for the country.

I do not mean to be critical, but those of us on these committees really are not the experts in the war on poverty. The experts in that area should be found in the Committee on Labor and Public Welfare, in the Senate, for example.

I ask the Senator whether the senior members of his committee were invited to discuss this problem with the President prior to the time the announcement was made that these Job Corps centers were being closed.

Mr. NELSON. Will the Senator please repeat his question?

Mr. LONG. Was the Senator or the senior members of his committee, and their counterparts in the House of Representatives, accorded the opportunity to discuss this proposal with the President prior to the time the announcement was made that these Job Corps centers were being closed?

Mr. NELSON. No; we were not consulted on the changes in the Job Corps. We had a discussion with Mr. Moynihan on the poverty program in general on February 18. Then the President made a speech on February 19, in which there was a paragraph that I thought was clearly addressed to the whole poverty program, in which the President stated that he wanted to see full congressional debate and public discussion, including hearing from those who are involved and who would benefit from the program. In that message, he asked for a 1-year extension of the Economic Opportunity Act. I assumed, as I think everybody else did, that this meant there would just be an across-the-board, 1-year extension of the entire program, and he would come in with his recommendations, as the President said, prior to June 30; that we would consider those, and then have hearings and make a change for next year.

As to this part of the program, which is small overall, the administration decided that they would cut the Job Corps in half and start some "mini" centers, which could not be opened, surely, before next fall. I did not discuss any of that prior to April 11, the day the Secretary of Labor announced that 59 Job Corps camps were to be closed.

Mr. LONG. The thought that occurred to me is that the President of the United States has gone the extra mile so repeatedly in trying to reach agreement with those on the Hill who had an honest difference of opinion, that I find it somewhat surprising that this type of impasse would occur; because the Senator makes such fine argument that I should think it would have been considered and we would not be debating this matter on the floor today.

Mr. NELSON. I think we ought to consider the merits, at least on continuing the program until the kids in it complete their classes, and until the new residential centers they are talking about do open up, and until Congress has had an opportunity for full discussion. This is something on which perfectly honest people can disagree. One person can look at the statistics and say that the program is a failure, and another person can look at the statistics and say that the program is a success, depending on what one anticipates should be accomplished.

If one anticipates the program should accomplish twice as much as it has, then it is termed a failure, or if it has fulfilled as much as one anticipates, then it is a success. As far as I am concerned the Job Corps camps have accomplished at least as much and more than I would have anticipated from my acquaintanceship with this kind of a program. That is why I think it is a good program. We do have Senators who think it should accomplish twice as much as it has and, therefore, that it is a failure.

I think we should have time for full debate before they move to close the camps.

Mr. LONG. I thank the Senator. It seems to me that there is such a crying need to help people in this category, these youngsters who have no hope unless someone does something to help them, that the fact that some of them drop out and some of them are unable or unqualified to take full advantage of the opportunity accorded them, should not cause one to dismiss the program. One should

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think in terms of how many persons it has managed to help and how many were able to improve their condition. I believe the study on that point is somewhat impressive in that many of these young people could find employment, were able to work at better wages, and begin to move up the ladder.

I believe the figures indicate that to be true, do they not?

Mr. NELSON. I have been very impressed with the results. I might say that I went to one of the conservation camps a couple of years ago. On an individual basis I asked 27 young men the same question—"Why did you come here?" All but one gave the same answer in different words. What they all said was, "I came here to learn something so I can make a living." In effect, that is what they all said except one. He said, "Senator, I came here to learn to read and write so I can get into Uncle Sam's Army. They won't let me in now."

I talked to one of those kids for a good half hour. He was 5 feet 3 inches and weighed 115 pounds; he had gained 10 pounds since he had been there. He was 18 years old. He had left home when he was 15 years of age. He was from Harlem. He had ridden the freight cars across the country, he went to Chicago, and then he left Chicago and went to Texas.

I said, "Why did you leave home?"

He said, "I did not have any money."

Remember, he was 13 years old at the time he left home.

I said, "Why did you leave home?"

He said, "Because I do not have a father, and my mother can't feed me."

I asked, "Why did you leave Chicago?"

He said, "It gets cold sleeping in warehouses in the fall."

He made it to Los Angeles and he did all this between the ages of 13 and 18, or for a period of 5 years.

I said, "What did you do?"

He said, "Sometimes when people took a vacation I would sleep in their houses. I bummed food, I stole food, and I lived on the streets of Los Angeles for 5 years."

Then, he came to the Job Corps because he heard about it. He could not read and write the word "cat." Yet he was a very, very intelligent boy. He had gone to school for 6 months in the first grade; that is all. He was very intelligent.

I asked, "Why did you come here?"

He said, "To learn something so I can make a living. You don't want me on relief all my life, do you?"

I said, "I sure don't."

What better motivation could one ask for? If only one case out of five were a success it would be a successful program.

Mr. LONG. The alternative is that the same young man, for failure to earn an honest living, might have found himself a pistol somewhere and found he could exist by robbing grocery stores or holding up filling stations, and perhaps eventually killing some honest businessman who wanted nothing more than to do business legitimately. All that could happen because nobody provided that youngster a chance in life.

Nobody is putting on the dollar scale the worth of that businessman's life. Then, the boy goes into a life of crime, or perhaps peddles narcotics, or anything that comes along because he has had no opportunity.

Mr. NELSON. Or he goes on relief.

Mr. LONG. Or fathers droves and droves of children without claiming paternity so that the mother then claims welfare.

(This marks the end of the colloquy which occurred during the delivery of Mr. NELSON'S address and which was printed at this point in the RECORD by unanimous consent.)

Mr. YOUNG of Ohio. Mr. President, I am happy to be a cosponsor of the pending resolution submitted by the distinguished junior Senator from California (Mr. CRANSTON), calling on the President to delay the closing of Job Corps centers until Congress has had the opportunity to revew this problem thoroughly.

The closing of 59 of the 106 Job Corps centers and conservation camps would eliminate more than 17,000 openings for hard-core disadvantaged young people. Approximately 13,000 young men and women would, so to speak, be thrown to the wolves. The administration assures us that those trainees unable to be placed in jobs or proposed mini-centers will be absorbed into existing manpower programs. This is unrealistic and oblivious of the fact that one reason the Job Corps was created is that it is a last attempt at reclaiming broken and hopeless youth when other programs cannot or will not.

The average Job Corps trainee reads at a fifth-grade level. Sixty-four percent are dropouts or have been expelled from school. Sixty percent are from broken homes.

It is a fact that there was some maladministration at the outset in the operation of the Job Corps. It is a fact that in the beginning there were too many high-paying jobs and too many frills. However, in the 4 years since its inception most of these problems have been corrected.

Furthermore, we have learned that much of the overhead cost of Job Corps centers is fixed and that small centers such as proposed by the administration tend to be proportionately more expensive. It is very questionable whether the proposed mini-centers that are now to be opened in urban areas will actually result in a saving of taxpayers' money.

The President claims that his proposal will save $100 million in fiscal year 1970. The point of the Job Corps is to save lives, not dollars. We must not overlook the human factors involved—that many of the young people now enrolled in the Job Corps will lose the will to keep trying even though they were making progress in their present centers. We will in effect be telling the underprivileged, poverty-stricken youth of America that we have given up on trying to make a real effort to help them join the mainstream of society.

If hundreds of thousands of untrained, ill-educated youth drift into the stagnant pool of unemployables, they will cost the Nation much more in the long run in crime, drug addiction, and higher welfare costs. More small training centers in the cities are envisaged, but the overall effect still will be to scale down the job training program.

We are spending more than $30 billion of taxpayers' money a year in our involvement in the ugly civil war in Vietnam—all blown up in smoke. In that undeclared and immoral war we are spending more than $100 million every day of the year. How can we justify dismantling the Job Corps program, designed to provide youth now without hope with training and jobs, in order to save $100 million, when we willingly spend that amount every day in a little country 10,000 miles distant from our shores, a country which is of no economic or strategic importance to our Nation? Compared with our expenditures on defense and space, this proposed saving is ridiculously small. Some saving may result, but the social injury will be far more expensive in the long run.

The administration and Congress should take a second look at this proposal. I commend the Senator from California for his leadership in the fight to save the Job Corps and strongly urge that his resolution be agreed to by the Senate.

Mr. METCALF. Mr. President, one of the 59 Job Corps centers chosen for closure by the Nixon administration is the Kicking Horse Center, near Ronan, Mont. As in the case of the other 58, there are some very good reasons to object to the decision.

I believe those objections were ably expressed in the committee's report on Senator CRANSTON'S resolution which asks that any action to close any Job Corps center be delayed until Congress has had an opportunity to review the program. It is a resolution I gladly cosponsored.

There is no need for me to review here the findings of the committee majority as set forth in the report. It is enough for me to say that I agree with the report, particularly where it describes the Department of Labor's criteria for closure as "arbitrary and unreliable."

If these criteria—length of stay, 30-day dropout rate, and so forth—were the only considerations, and I have no reason to believe they were not, then important individual characteristics of each Job Corps center, which might have had a determining role in whether the center was to close or continue, were either unknown or neglected.

Mr. President, the Kicking Horse Job Corps Center serves as a perfect example of what I mean.

The Kicking Horse Center is one of three Job Corps centers in Montana. The other two are called Trapper Creek and Anaconda. A quick comparison of the Department of Labor's rating of the three centers shows that they are not far apart in performance.

The per enrollee training cost was $4,461 at Kicking Horse and $5,368 and $5,491 at Trapper Creek and Anaconda, respectively. Length of stay was virtually the same at all three camps. The placement record, on which the Department of Labor placed so much emphasis, was 66.3 percent at Kicking Horse, 67 percent at Anaconda and 68.6 percent at Trapper Creek. The one area that caused Kicking Horse to fall below the level at which the centers were to be kept open was progress in reading.

When the news went out that the Kicking Horse Jobs Corps Center was

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among those to be closed, many Montanans reacted with justifiable rage. They knew what the administration did not know, or, if it knew, what it did not choose to consider:

That the Kicking Horse Job Corps Center is the only Job Corps center in the Nation that is truly oriented to the training of Indian youth.

As I told a Job Corps official after I learned of the decision:

> Because of their isolation on reservations, it has been difficult to interest Indian youth who have dropped out of schools in such programs as the Job Corps.
>
> Some of the early trainees were prone to go AWOL to a greater extent than boys from the eastern centers. These particular problems with the Indian trainees have just begun to be worked out. The Kicking Horse Camp is on the threshold of its greatest significance to the Indian boys who are being trained there.

Despite the early history of the camp, the Kicking Horse Center has compiled a solid record. John Belindo, executive director of the National Congress of American Indians, testified before the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare:

> The Kicking Horse Center has a lower cost per man-year than 25 centers that will remain open, its percentage of Category I graduates (those who finish the full program) exceeds that of 22 Centers that will remain open, the average length of stay exceeds that of 17 Centers that will remain open . . ."

Mr. Belindo added that the Kicking Horse Center had helped 298 Indian boys and had contributed nearly $1.5 million worth of recreational, conservation, and community development programs to the area. He said:

> When the closing order was announced, the Kicking Horse Center, which has a capacity of 200 young men, had 197 in attendance with four additional Indian corpsmen on the way. There were already 121 Indians in attendance, in addition to 74 non-Indians.

An amazing part of this story is how the community feels about the Kicking Horse Job Corps Center, for, as we all know, community relations were a sore point in the early history of Job Corps centers. In this case, the community is the Confederated Salish and Kootenai Tribes, for the Kicking Horse Center is located on the Flathead Reservation of western Montana.

In the contract with the Federal Government under which the Job Corps was granted land on which to build the facility, there was a clause that provided that the land and facilities were to revert to the use of the Consolidated Tribes as a community center at no cost, should the Job Corps center be discontinued for any reason.

In spite of this feature which guaranteed to the tribes a new community center in which $1,200,000 of Federal funds has been invested, the community let it be known that it wanted the Job Corps center to remain open. This is what Harold W. Mitchell, Jr., tribal chairman, said:

> This is the only predominantly Indian center in the United States. Its loss would be another example of the disregard by the Federal Government of the needs of the first Americans. We strongly urge reconsideration of this decision and request you to keep Kicking Horse open. It has an outstanding record and the impact of its training of Indian youth is just beginning to be felt.

Furthermore, on May 2, the tribal council unanimously passed a resolution asking the Department of Labor to reconsider its decision and retain Kicking Horse Job Corps Center as a predominantly Indian center.

When the facts were brought to the attention of the Department of Labor, it sent an inspection team to make an onsite appraisal of the Kicking Horse Center. I understand that this was one of the few camps so favored.

As a result, the Department of Labor announced last week that, while Kicking Horse would in the Department's words "be phased out as of the end of June 1969," there would spring up in its place a new Northwest Indian Manpower Skills Center.

The new center, we were told, would have a capacity of 150 Indians, drawn from Montana and the Northwest. It would serve adults as well as youth who would be offered a broadened range of training based on a survey of the occupational needs of the area.

The Department of Labor went to great pains to explain that there would be significant differences between the Kicking Horse Job Corps Center and the Northwest Indian Manpower Skills Center. That may be. I do not know, for the details of the new skills center have not been worked out.

But I would like to point out what Mr. Belindo so aptly pointed out in his testimony—that the administration declared during the 1968 campaign that it would be its policy to carefully study the administration of Federal programs affecting Indians "to provide maximum efficiency consistent with program continuity."

If the Kicking Horse operation is disrupted, then, I ask, "How is that consistent with the administration's pledge for program continuity?"

Furthermore, the administration also pledged:

> The right of self-determination of the Indian people will be respected and their participation in planning their own destiny will be encouraged.

If the resolution of the Consolidated Salish and Kootenai Tribes of the Flathead Reservation is ignored, then, I ask, "How is that consistent with the administration's pledge to respect Indian self-determination and planning?"

I repeat that we do not yet know how the new manpower skills center will differ from the Kicking Horse Job Corps Center.

If the new center becomes basically what the old one was, that is, an operation dedicated to the vocational training and education of young, disadvantaged Indians in an environment in which they feel familiar and comfortable, then that is just fine with me, no matter what the bureaucrats choose to call it.

Personally, I prefer the color and romance of the West that was implicit in the name Kicking Horse. To forestall any confusion that might arise in the transition, I am toying with this name, to be used in letters to concerned constituents: "The Northwest Kicking Horse Job Corps Indian Manpower Skills Center."

But the name is not important. The function is. In that spirit, Mr. President, I submit that an on-site appraisal conducted at each Job Corps center scheduled for closure might turn up, as it did in the case of the Kicking Horse Center, good and substantial reasons for the administration to reconsider its decision.

Should that happen, I think this body would risk any confusion caused by a wave of new names.

Mr. INOUYE. Mr. President, I wish to lend my voice in support of Senate Resolution 194, which urges the administration to defer its action to shut down the Job Corps centers until Congress has had the opportunity to complete its normal authorization and appropriations processes on this program.

In discussing the shutdown of these centers, it appears easy to become embroiled in complicated sets of figures of cost analysis, and the like. These considerations are not unimportant; however, I believe the most important consideration is the human cost of these closings. For example, it appears that many of the enrollees in the affected centers have already left their Job Corps camps or have become so disillusioned as to indicate no interest in continuing in other manpower programs. These enrollees are severely disappointed by the administration's precipitate action. It is not clear to us, and certainly not to them, that adequate plans exist to provide for an orderly transition to other manpower programs. More important, it is unclear that the needs of the present Job Corps enrollee would be adequately met by the types of manpower programs the Department of Labor hopes to induce the enrollees to join. Enrollees in the Job Corps are among the most disadvantaged youth in our Nation, and a large percentage enter functionally illiterate. Other manpower programs such as MDTA and the JOBS program are not specifically aimed at developing basic skills, attitudinal and work habits for these enrollees, but rather concentrate merely on occupational skills.

Hawaii's Job Corps center has received an order that it would be shut down. However, the Department of Labor has recently indicated that this decision is being reevaluated. Yet, it is not clear to me what purpose or whose welfare is served if the Koko Head Center is shut down, with a mini-center to be established later in the same place. To illustrate what I believe to be the poor planing involved in the decision to shut down these Job Corps centers, let me cite the case of the Koko Head Center. Approximately 80 percent of the enrollees in our Koko Head Center are those from Guam and the Trust Territory of the Pacific. If the Koko Head Center should be closed these enrollees would be forced to travel an additional 3,000 miles to another Job Corps center to complete their training. Parenthetically, I should note that a number of Job Corps centers in California have also been ordered closed, which would force these enrollees to travel farther away to a stranger environment. While Hawaii is located a great distance from many of these enrollees' homes, there are some similarities with their previous life to mitigate against the homesickness and feeling of foreignness.

In announcing the closing of the Koko Head Job Corps Center, it was also announced by the Department of Labor that an entirely new center was to be established and designated as an urban skills center. The implication underlying the Department of Labor's decision was that the present Job Corp center was inaccessible and quite removed from the urban area of Honolulu. However, as it later came out, the new center which was to be established was merely 5 or at the most 10 minutes closer to the heart of Honolulu. This clearly demonstrates to me the total lack of planning in the decision to close these Job Corps centers. I am certain that this example could probably be duplicated by others with Job Corps centers in their own States.

As I mentioned earlier, the Department of Labor has indicated that the Job Corps center at Koko Head would be reevaluated, probably retained, and later turned into an urban skills center. This is welcome news; however, other Job Corps centers around our country deserve the same consideration as the Koko Head Center may receive. Yet it is still unclear to me whether the present Koko Head Center will be closed down now only to be later reopened as an urban skills center.

My basic concern is for the Job Corps enrollees themselves. What will become of them? I ask unanimous consent to have printed in the RECORD at the end of my statement several letters which other members of Hawaii's congressional delegation and I have received from enrollees themselves describing the effects of the Job Corps centers on their lives.

As has been adequately covered in this debate on this resolution, some of us in Congress believe that little planning went into the decision to shut down these centers. Upon examination it would appear the decision to close out a major portion of the centers was made first and efforts to find justification for the 50 to be closed followed. The Congress has the responsibility and the duty to look into this matter and should be permitted the opportunity for a more complete review of the entire action and the future direction of the Job Corps.

Rhetoric often creates dreams and expectations that cannot be fulfilled and those of us in Congress are often guilty in this regard. However, many hopes and dreams have been dashed by the closing of Job Corps centers. It was to build just such hopes and dreams, in those with little cause for hope, that Job Corps was established in the first place.

I urge this administration to keep that hope alive—I urge Senators not to provide additional justification for those who would condemn our Government as being heartless and unconcerned with the future of those who are not a part of the "establishment." I urge the adoption of the resolution.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from Hawaii?

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

KOKO HEAD JOB CORPS CENTER,
Honolulu, Hawaii.

To my CONGRESSIONAL REPRESENTATIVE,
Washington, D.C.

DEAR SIRS: I think Job Corps is important because I feel there's a lot of good future in the corpsmens who are in the Job Corps. And I personal feel that the fellow people who brought out the idea about Job Corps had a good thing going. I feel very sorry that some of the Corps center have to be close down, because I myself know how it feels. I feel that Jobs Corps should continue not only because people have troubles at home or any other places, but people like the Job Corps because what they do for the corpsmens who are already in the project of the Koko Head Job Corps or any of the Conservation Centers, it means a lot of great honor to the fellow corpsmens. Job Corps has done a lot for me in education and though our work is different from the outside schools but we still learn the same thing.

Sincerely yours,
Corpsman ZACHARIAS M. LORENZO.

KOKO HEAD JOB CORPS CENTER,
Hawaii, April 10, 1969.

To my CONGRESSIONAL REPRESENTATIVE,
Washington, D.C.

DEAR SIR: I think Job Corp is important because it provides training for boys who find it hard trying to go to school outside. It also keep them from getting in trouble with the law etc.

I think Job Corp should continue or the crime wave is going to get larger and get out of control.

Job Corp in the few months that I've been here has given me an opportunity to do some things that I have most often thought of doing. It has stopped me from doing some of the things that I used to do before I came here. So please take me into consideration thank you.

Sincerely,
WILKIE K. HAYASHIDA.

KOKO HEAD JOB CORPS CENTER,
Hawaii, April 14, 1969.

To my CONGRESSIONAL REPRESENTATIVE,
Washington, D.C.

DEAR SIR: I love Job Corps.

J. MIURA.

KOKO HEAD, HAWAII.

To my CONGRESSIONAL REPRESENTATIVE,
Washington, D.C.

DEAR SIRS: According to the newspapers this morning, it's makes me lot of crying, because I know how Job Corps helped me. As far as Job Corps is concern, it will helps me to have a very good life future. Or I learned many things that I never knew before. And also job corps stop me from making trouble in my Country. So I think it is good to be continue because it's gives me from thinking some thing that is not fair.

Sincerely yours,
E. HADLEY.

Mr. **TYDINGS**. Mr. President, the administration's decision to shut down 59 Job Corps centers—including the Catoctin Job Corps Center in Maryland—is indefensible. It is wrong. It is arbitrary. It cannot be justified.

On the basis of an arbitrary rating system using out-of-date statistics, the administration has chosen to turn 17,000 of the Nation's most disadvantaged and potentially hostile youngsters out on the streets at the peak of the summer. It decided to do this without even consulting the Director of the Job Corps or visiting the centers it victimized with its meat ax.

The administration's decision to emasculate this effective antipoverty program comes just a month after its decision to spend upward of $7½ billion to deploy a dubious missile defense system. The destruction of the Job Corps to help pay for useless military hardware demonstrates a cynical disregard for the real needs of the American people. It indicates, once again, that the administration has seen fit to make the poor people foot the bill for its courtship with the military-industrial complex.

The administration's ABM and Job Corps decisions turn logic upside down and national priorities inside out. The ABM will be deployed even if it is worthless. The Job Corps will be destroyed, whatever its value.

The principal victims of the administration's meat ax are the conservation centers—the Job Corps camps that have served the most destitute poor. Fifty of the 82 conservative centers—including Catoctin—have been ordered to shut down.

In all, nearly one-half of the 36,000 Job Corps enrollees will be sent back to the streets by July 1.

For the past 4½ years, the Job Corps, particularly through its conservation centers, has provided a ray of hope for the most hopeless and disadvantaged young people in the Nation;

Ninety percent of the corpsmen have been school dropouts.

Two-thirds, including more than 90 percent at the conservation centers, have entered the Job Corps as functional illiterates.

Sixty percent entered unskilled.

Fifty-six percent were unemployed.

Sixty percent came from broken homes; 27 percent from families on relief.

Sixty-eight percent of the corpsmen entered Job Corps from families where the head of the household was unemployed.

The Job Corps was their only hope. It is a cruel blow to extinguish that hope. It may, however, be an even crueler blow to our cities this summer. Turning 17,000 disillusioned corpsmen loose to roam the streets this summer is an open invitation to violence. According to the Kerner Commission report, the corpsmen are, by and large, the same kind of youths who did the burning and looting in more than 50 American cities during the 1967 riots.

It would also be interesting to know why in its eagerness to condemn the Job Corps for its high operating costs, the administration neglected to consider the constructive contributions corpsmen have made to this country.

Since the inception of the Job Corps in 1965, corpsmen have completed conservation work projects valued at more than $70 million. In the last 8 months alone, they have completed more than $14 million worth of work in our national parks and forests. In addition, during fiscal year 1968 more than 4,000 corpsmen voluntarily contributed more than 400,000 hours in emergency services to this Nation, including more than 330,000 hours fighting fires. That is no small contribution from a group of youths who without the Job Corps likely would have contributed nothing at all.

Unfortunately, the administration chose not to use such rational criteria in its rush to close Job Corps centers. It never even considered them. Administration officials did not even go out to the centers to see what the corpsmen were doing. Rather it chose to arbitrarily assign point values to out-of-date statistics and close productive job training centers on the basis of those points totals.

There is little doubt that the administration arbitrarily rated the centers. It gave the Angell Job Corps Center, for example, a rating of 8 for its 63.0 placement record, while it gave Catoctin a rating of only 5 for its 64.0 record. Because the administration then doubled the value of the placement record, the Angell Job Corps Center earned 16 points for the placement category to only 10 for Catoctin, even though Catoctin actually had a better record.

Nor did the administration use the most current Job Corps statistics. Had it done so, Catoctin would have ranked favorably with the centers the administration intends to let remain open.

The administration, for example, listed the operating cost at Catoctin at $4,482 per corpsman per year, though the current actual cost, according to most recent Job Corps statistics, is only $4,051 per year. Similarly, the administration used 5.76 months as the figure for the average length of stay of Catoctin corpsmen. The most recent Job Corps figure is 6.3 months. Had the current figures been used, Catoctin would have come out with 46 points on its tally sheet—or two points more than it needed to be kept open.

Clearly, closing productive Job Corps centers on such criteria cannot be justified. What is most alarming is that with their inability to rationally justify their decision, administration officials are pointing to confidential OEO reports alleging incidences of gang rapes, homosexuality, and drug abuse at Job Corps centers. Not only is this a cheap and disgusting tactic, but it is a malicious distortion of the facts.

One report, for example, alleged 22 cases of narcotics during the first 6 months of 1968 at the Kilmer Job Corps Center in New Jersey. As the Senate District Committee's recent narcotics hearings revealed, if the staff of the 1,700 man Kilmer Job Corps Center could keep the narcotics incidences down to 22 cases in 6 months, they should be commended for their efforts. What the administration's hatchet men did not report was that within the past month 10 Kilmer graduates were sworn in as police cadets of the Baltimore Police Department and nine more became Washington, D.C., police cadets.

Certainly, the Senate of the United States cannot stand idly by as the administration takes the low road to arbitrarily destroy a working job-training program. The Job Corps should be expanded, not destroyed. The Senate must have the opportunity to consider pending antipoverty legislation before the administration wields its meat ax.

In accepting President Nixon's appointment as Director of OEO, Congressman Donald Rumsfeld alluded to "the voices we have lost amid the shouting—the voices of quiet anguish; the voices that speak without words, the voices of the heart.

"We are all poor, regardless of where we live," he said, "when we fail to heed these voices."

In its decision to close 59 Job Corps centers, it is quite obvious this administration has failed to heed these voices.

Mr. MONTOYA. Mr. President, I am pleased to support Senate Resolution 194, in which I have joined our distinguished colleague, Senator CRANSTON, and 30 other Senators in sponsoring the resolution expressing the sense of the Senate that administration action to close 59 Job Corps centers throughout the Nation should be deferred until Congress has an opportunity to review the matter in depth during the course of its normal authorization and appropriations process.

Mr. President, the intent of Congress in approving the Job Corps program, as stated in the Economic Opportunity Act, is as follows:

> To assist young persons who need and can benefit from an unusually intensive program, operated in a group setting to become more responsible, employable and productive citizens, and to do so in a way that contributes, where feasible, to the development of national, state and community resources.

The act further goes on to state that—

> Enrollees will participate in intensive programs of education, vocational training, work experience, counseling and other activities.

In short, Congress recognized in approving the Job Corps program that problems of the hardest core unemployed could never be completely resolved by placement, training, and development programs, and that programs of a remedial nature will always be with us. Such factors as broken homes, failure in school, inability to read and write, lack of self-confidence and motivation, neglected physical defects, and other developmental deficiencies have roots that go deep. Too often they produce an individual whose habits, attitudes, motivation and skills are wholly inappropriate to a working environment, unless special and intensive remedial attention is applied. Moreover, the ills of the ghetto youth cannot be cured unless he is enabled to get away from the neighborhood environment and often the family environment itself.

Mr. President, I believe it is generally agreed that whatever the underlying reason for the administration's decision to close this series of Job Corps centers, it was based upon insufficient factfinding. Indeed, it is difficult for me to find any rationale or purpose which warrants calling the action by the administration a program for meeting the needs of inexperienced, unskilled, deprived youth possessing an innate sense of unworthiness and destined for a bleak future.

If the administration was convinced that expansion of the inner cities program was a wise course of action, it needed but $100 million to go after the problem. Instead of bolstering the program, however, it proceeded to cut the present Job Corps program by $130 million to secure funds for this purpose. I cannot see where any economies have been realized through this action, particularly in light of the cost of phasing out the programs and the resultant loss of capital investment.

In a detailed and urgent letter to the President, dated April 14, 1969, I explained my position on the Job Corps programs. I ask unanimous consent that that letter appear in the RECORD immediately following the conclusion of my remarks. Additionally, I believe several points I raised in my letter to the President are reinforced in an editorial which appeared in the May 7 issue of the Washington Post, and I therefore request that this excellent editorial also be included as part of the RECORD.

In conclusion, Mr. President, I should like to say that when one measures the resultant savings to society as a whole—in terms of those enabled to find a secure and productive place in our society, the increased tax dollars, the reduction in cost of welfare and crime in the community, State, and Nation—the Job Corps is an economical venture. Without it, we must reconcile ourselves to increasing community instability and delinquency and crime. Until more creative and dynamic means of dealing with our seriously deprived youth are evolved, I cannot envision a humane society and people permitting these programs to be reduced.

I fully support Senate Resolution 194, and oppose the administration's decision to go ahead with its intended closure of the 59 Job Corps centers without first consulting with Congress. I look forward to adoption of the resolution and the administration's cooperation in postponing the closures so that we can all avail ourselves of the opportunity of determining whether Job Corps and other proverty programs have been worthwhile, and how they may be enabled to become more efficient.

There being no objection, the letter, enclosures, and editorial were ordered to be printed in the RECORD, as follows:

APRIL 14, 1969.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: As a cosignatory of the recent telegram sent to you by Members of the Senate expressing concern over the decision to close certain Job Corps camps throughout the Nation, I should like to request additionally that most serious reconsideration be given to reinstatement of the four Job Corps Conservation facilities planned for closure in my own State of New Mexico. These facilities are: The Eight Canyon Civilian Conservation Center in Otero County administered by the Interior Department; and the following Civilian Conservation Center programs of the Agriculture Department's Forestry Service: Grants (Valencia County), Luna (San Miguel County), and Mountainair (Torrance County).

Enclosed are statistics and data I have gathered which appear to have been overlooked in reaching decision with respect to closure of these camp sites. In this connection, I should like to add the following observations which I hope might be of assistance in re-evaluating the importance of these Conservation Centers.

As you know, the elements of our population being served by the Job Corps programs come from backgrounds of severe deprivation and poverty, have not had the benefit of any community-based remedial programs that might exist, and are almost wholly less than functionally illiterate. Hence, we are dealing here with young people who come from an inadequate home and/or community, possess an innate sense of unworthiness, and as a result have neither the the aptitudes nor attitudes necessary to make them employable under the most liberal of hiring criteria. Thus, despite the availability of meaningful work-training programs for these Job Corps enrollees at these camp sites (see Table 1) and the added advantage of on-the-job experience, it is the inculcation of remedial social adjustment, work habits and attitudes, and self-confidence gained under the Job Corps programs which are just as essential to their success as any training and skills they acquire.

The dramatic success of the Job Corps Conservation programs in my own State in instilling proper values, motivation, and a sense of participation and community responsibility in these seriously deprived youth has been well documented. It is reflected in the total placement rates contained in the attached Table 2, resulting from placement in jobs, return to school, or entry in the military. Considering the fact that these young people have for most of their lives been 100% dropouts, these placement rates are a significant achievement and a criterion for the success of these four specific programs. Moreover, they compare favorably, and in some cases exceed the over-all national placement average for Conservation Center enrollees (60 to 65%), and hence I am at a loss to understand why these four centers were chosen for closure over and above others in the Nation.

Among other noteworthy, ancillary benefits which speak well for these Conservation Centers is their success in maintaining enthusiasm and discipline among the Corpsmen, and hence in stemming the tide of alienation and juvenile and adult crime in the decades ahead.

With the proposed phasing out of these Job Corps Conservation Centers, not only could a substantial segment of these young people (794 in my State of New Mexico) be adversely affected, but additional hundreds of New Mexico youth (a total of 2,355 since inception of the program in January, 1965) participating in other Job Corps programs throughout the Nation may suffer a devastating setback if forced to return home. And special problems will be created in accommodating those youth who cannot or should not return to their home environment and families. Indeed, because of further serious effects on the morale of these young people, it would not be surprising if they matured into failures, at great cost to themselves and the community.

Moreover, Mr. President, in speaking of these four specific Conservation Centers in New Mexico, we are also talking about jobs and money going into counties and communities that cannot build the economic base necessary for self-sufficiency. Experience gained through the closing of 16 Job Corps Centers throughout the country last year indicates that the economic impact of similar closures in these severely depressed counties of New Mexico will be equally and in all likelihood even more devastating.

As Chairman of the Senate Subcommittee on Economic Development, I am deeply involved in finding ways and means for improving the economic, industrial and environmental bases of economically depressed areas of the Nation. It is no exaggeration to state that a County such as, say, San Miguel County, New Mexico—which has an unemployment rate of 9.7% and a below-poverty-level median family income of $2,409 annually—could literally "dry out" as a result of the Luna Conservation Center leaving and the concomitant withdrawal of $1.1 million in Job Corps expenditures within San Miguel County. And of course 59 counselors and other employees at the camp would become jobless.

Nor can the Job Corps programs be viewed as "make-work" projects. In a society confronted with a huge backlog of public service needs in its parks, streets, slums, countryside, schools, colleges and universities, libraries, hospitals, rest homes, public buildings—indeed, throughout the public and non-profit sector of the economy—the appraised value of conservation work accomplished by the Corpsmen at these four camps alone represents a step forward in attacking these immense needs. As you are well aware, it is only by fully mobilizing *all* of our available human resources through such programs as these that the task of renewing our environment can be undertaken and the cycle of poverty broken.

In short, Mr. President, the conditions described above in and of themselves justify, and indeed demand, not a process of retrogression in our *remedial* (as distinguished from *preventive*) programs for severely deprived youth, but, rather, efforts to improve and expand economic and social opportunities for them. When one measures the resulting savings to society, the Job Corps program is an economical venture. Without it, little is likely to be accomplished in helping these young people.

There must, in fact, be no let-up in providing the specialized, intensive, remedial orientation which these youngsters are in dire need of and which the Job Corps programs are structured to make available to them in order that they might become acceptable for further training. Until these young people take on another status, they must be entitled to the highest presumption of remedial potential.

I would hope, therefore, that the Labor Department will rethink and consider separating its *remedial* programs from, rather than linking them inexorably with, other manpower programs of a preventive or other nature. The remedial problem is rapidly multiplying itself, and that is why I sincerely believe the Job Corps programs must be serioulsy re-examined in terms of their effectiveness for those seriously deprived youth in need of social, emotional and other adjustment before they can become responsible, employable, and productive citizens.

It has also come to my attention that the legality of the proposed closures is in question on two counts. First, Section 106(e) of the law requires that 50% of male enrollees be in conservation centers. However, the proposed closures would leave open but 32 conservation centers, with a total bed space of 5,300. Approximately 8,000 enrollees will be left at the remaining four urban men's centers and at least 3,000 male enrollees at the new Residential Manpower Centers to be opened by the Labor Department. These estimates would indicate that the proposed closures will result in the number of male enrollees in conservation centers at a figure well below 40% of the legal requirements.

Secondly, there appears to be some question as to whether the Secretary of Labor has the authority to proceed with these closures prior to the effective July 1, 1969 date of transfer of Job Corps activities from OEO to the Labor Department.

In conclusion, Mr. President, I am hopeful that in light of the climate of concern over reducing the Job Corps program, that—simultaneously with Congressional hearings on the subject—a thorough re-examination will be conducted by the Labor Department of the Job Corps program, including on-site inspections. I would fervently hope, too, that as a result of inquiries into the influence of the program on the seriously deprived, the rate of their progression, and the over-all economic benefits the program has generated—and unless more creative and dynamic approaches can be substituted—that action will be forthcoming to reinstate and expand these constructive programs in view of the important and extremely fundamental contributions they are providing.

Respectfully submitted,

JOSEPH M. MONTOYA,
U.S. Senator.

TABLE 1.—TRAINING DATA ON 4 NEW MEXICO JOB CORPS CONSERVATION CENTERS SCHEDULED FOR CLOSURE

1. GRANTS CENTER

[Since inception of the program at the Grants Center, there have been approximately 131 similar projects carried on for a total appraised value of $1,308,538]

Vocational skills [1]	Typical 1969 work projects and appraised value [2]	Typical community projects
Auto mechanics, carpentry, culinary arts, cement masons, heavy equipment operator, welding.	Tobo Canyon road project ($200,000); coal mine campground ($74,000); parking lot, McGaffey ($3,000); forest road improvement ($15,000); cattle guard construction ($10,000); Guadalupe cabin (Grants ranger district) ($6,000).	Community cleanup (San Rafael, Milan, Grants); putting up Xmas decorations (city of Grants).

2. MOUNTAINAIR CENTER

[Since inception of the program at the Mountainair Center, there have been approximately 121 similar projects carried on for a total appraised value of $1,086,402]

Vocational skills [1]	Typical 1969 work projects and appraised value [2]	Typical community projects
Auto mechanics, carpentry, culinary arts, bricklayer, cement mason, heavy equipment operator.	Sandia ranger station construction ($60,000); Foothills road construction ($80,000); Priest Mill Road ($50,000); Colorado water line ($30,000); Cole Spring Conservation Center rehabilitation ($14,000).	Recreation development (Manzano Range).

3. EIGHT-CANYON CENTER

[Since inception of the program at the Eight-Canyon Center, there have been approximately 88 similar projects carried on for a total appraised value of $887,874]

Vocational skills [1]	Typical 1969 work projects and appraised value [2]	Typical community projects
Auto mechanics, carpentry, culinary arts, bricklayer, cement mason, heavy equipment operator.	White Sands picnic area ($30,000); Otero boys camp ($18,000); Eagle Creek Road ($58,000); juniper eradication ($66,000); Harley well and pipeline ($13,000); Sienega recreation area development ($22,000).	Clean up city dump; Boy Scout camp (Otero); assist Indian tribes as needed.

Footnotes at end of table.

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TABLE 1.—TRAINING DATA ON 4 NEW MEXICO JOB CORPS CONSERVATION CENTERS SCHEDULED FOR CLOSURE—Continued

4. LUNA CENTER

Vocational skills [1]	Typical 1969 work projects and appraised value [2]	Typical community projects
[Since inception of the program at the Luna Center, there have been approximately 87 similar projects carried on for a total appraised value of $760,375]		
Auto mechanics, carpentry, culinary arts, bulldozer operator, motor grade operator, welding.	El Pueblo water system ($16,000); Gallinas cabin ($14,000); ski basin campground ($10,000); Santa Fe spike camp ($15,000); Colonias road construction ($75,000); Penasco warehouse ($35,000).	Clean up local cemetery. Numerous responses to requests from Luna townspeople.

[1] These training courses are structured training standards developed by industry and the unions (carpentry, engineering, etc.) which entitle corpsmen, upon completion, to an apprenticeship status in the trade, from which they progress on the job to the journeyman status. Further promotion is, or course, dependent upon individual capabilities.

[2] Appraised value is defined as the cost of the project if done by formal contracting methods

Note: All centers contribute to development of economic, industrial, and recreational assets for the entire State.

TABLE 2.—DATA ON 4 NEW MEXICO JOB CORPS CONSERVATION CENTERS SCHEDULED FOR CLOSURE

Name of center	County	Capacity	Annual median family income	Percent unemployment rate	Annual Job Corps expenditures in the county	Fiscal year 1968 cost per Job Corps enrollee	Value of facilities	Value of equipment	Consumable supplies [1]
Eight-Canyon (Interior)	Otero	200			$1,023,804	$5,484	$934,297	$405,878	$175,000
Grants (Forest Service)	Valenica	160	$5,615	5.3	1,057,925	5,048	912,420	278,463	175,000
Luna (Forest Service)	San Miguel	224	2,409	9.7	1,140,246	4,148	[2] 816,779	319,577	175,000
Mountainair (Forest Service)	Torrance	210	3,568	8.5	1,080,608	4,088	862,813	333,283	175,000

Name of center	County	Appraised value of conservation work	Number of employees	Overall placement of enrollees				Average wage of all placements	Agerage wage of graduates
				Percent placed in jobs	Percent returned to school	Percent entering military	Total placement		
Eight-Canyon (Interior)	Otero	$887,874	52	59.0	6.4	1.1	66.5	$1.52	$1.58
Grants (Forest Service)	Valencia	1,308,538	52	54.4	3.4	4.8	62.6	1.51	1.64
Luna (Forest Service)	San Miguel	760,375	59	57.3	10.2	3.9	71.4	1.53	1.59
Mountainair (Forest Service)	Torrance	1,086,402	52	54.5	2.7	1.3	58.5	1.56	2.12

[1] Food, clothes, nails, lumber, etc.

[2] Old military base.

Note: Enrollees at conservation centers are almost totally "functional illiterates," i.e., defined as the 6.8 grade level by Dr. Douglas Porter, of Harvard. At these 4 centers, the average enrollee reads at the 3.7 grade level and has a 4.2 grade-level proficiency in mathermatics. Only about 6 percent read at the 6th grade level, and many are nonreaders and non-English-speaking.

[From the Washington Post, May 7, 1969]

TREAD SOFTLY ON THE JOB CORPS

The basic mistake the Nixon Administration may be making about the Job Corps as it seeks to close 59 of the 109 centers and to shift the rest from OEO to the Labor Department, is in assuming that it is only a job-training program. Anyone who has ever been at a Job Corps center the day a batch of recruits piled off the bus will know it isn't. Unkempt, unsociable, unwell, unlearned, their condition adds up to a frozen unfitness for anything, not to mention job-training.

Officials dealing with the poor are fond of the term *the disadvantaged* in describing Job Corps youth. Disadvantaged? They read and add at fifth grade level. Fifty per cent have never seen a doctor or dentist. Sixty-four per cent have been either thrown out or pushed out of school. Sixty per cent lived in substandard housing. Sixty per cent are from broken homes. Add to all this the fears, neuroses and suffering that statistics can't get to, and the term *disadvantaged* becomes a puton. At best, the average Job Corps youth is seriously sub-disadvantaged, so far at the bottom of society's barrel that until Job Corps, no scraping was thought possible.

The Administration, sensitive to charges that some 13,000 trainees will be thrown to the wolves when the 59 centers are closed, has busily given assurances to everyone that those trainees unable to be placed in jobs or other centers will be absorbed into existing manpower programs. But this is unrealistic. One reason Job Corps was created in the first place is that it is a human renewal program, a last-stand try at reclaiming the broke and broken youths when other programs can't or won't. Programs in the Manpower Development and Training Act and Concentrated Employment Program are meant for the pleasantly "disadvantaged," not the unpleasant kind in Job Corps.

Sides have been forming in recent weeks on the fate of Job Corps. Last week the Senate Labor and Public Welfare Committee cleared a resolution calling on the President to hold up the shutdown. It is scheduled for the Senate floor Monday. Meanwhile, Nixon aides are now holding confidential files alleging a high incidence of gang rapes, homosexuality and drug use at the Job Corps centers. Presumably, the Administration may use this information, if things get tight, as a trump card to persuade Congress that it's better to let Job Corps die.

Aside from the cheapness, the tactic would be based on a distortion. The headlines describing the files may say, for example, that the Kilmer Job Corps Center in New Jersey had 22 cases of narcotics in the first six months of 1968. Yet Kilmer's 22 narcotics users represent a relatively small proportion of the 1700 total in the center, whose officials should be congratulated if that's actually the full dimension of their drug problem.

The genesis of all this is President Nixon's trimming of the $280 million budget currently set for Job Corps by the House and Senate to $180 million. This cut allows him to tell taxpayers of another $100 million saved. But next to defense and space money, the saving is ridiculously small. Job Corps never had the funds it needed in the first place. Economy driving now only adds fiscal insult to social injury.

As for the injured, a few showed up here last week. A busload of students, faculty and Job Corps trainees on a 25-hour ride from northern Michigan testified before the House Education and Labor Committee. They said simply that the Job Centers are worth preserving.

Reports from individual centers around the country reveal that trainees at the axed centers are shocked and depressed at he Administration's action. Others, too beaten by the odds to react, have slipped off quietly. They may have misinterpreted the signal from on high as an invitation to get lost. But that is how they read it, nevertheless. And the message the Job Corps centers are sending back to the Administration in return is in the words of Yeats: "Tread softly, because you tread on my dreams."

Mr. HUGHES. Mr. President, with reference to the administration's plan to cut out more than half of the Job Corps centers in the United States, I would ask your indulgence to express for the RECORD my personal feelings about the tragedy that will result if one of these facilities—a women's center in my own State—is closed.

I would like to relate the Clinton, Iowa, story.

Let me make it clear at this point that the good intentions of the administration and Secretary Shultz are not in question.

But their rationale for making this precipitate move is in severe question.

Their logic is not convincing for the simple reason that it fails to take into adequate consideration the most important factor involved—the human quotient.

This is a factor that should unite all Americans who are concerned about conserving our American society in its intended image.

The administration set up certain criteria for judging the efficiency of the Jobs Corps program which might be valid if we were dealing with a normal cross-section of American youth. We are not. This is the hardest of the hard-core. They come from the dirtiest, ugliest, and unhappiest environments you will find in America. They already have virtually reached a point of no return, at the average age of 18 in the case of the girls at the Clinton Center.

It is a classic understatement to call them simply "disadvantaged" youth. They are the miserable ones, hopelessly mired in poverty, malnutrition, ignorance, and hopelessness. Half of them have never seen a doctor or a dentist. About one-fifth of them are unwed mothers. Many have already been touched by the insidious influence of crime, dope, and prostitution. They are the legion of the condemned. It is toward these, the most hapless victims of our society, that the Job Corps program is precisely directed.

Therefore, the Job Corps program, as I understand it, is not simply another program of training to be judged by the same standards as any other program of training. It is, in its third and most important dimension, a program of human redemption.

Its trainees are not just dropouts from school; they are dropouts from life. Its purpose is not only to train these young people in the elementary arts of life and to give them skills which will enable them to support themselves. Its higher purpose is to restore these young people to the sunlit mainstream of human life, to give them hope for the future that they never had before, and a faith in the benign purpose of this great society that proudly calls itself the land of the free.

Judged by this standard of human values rather than statistics, I can tell you from personal experience that one Job Corps center has not been a failure. But a magnificent, moving success. I have no reason to believe that the same appraisal does not apply to other Job Corps installations, as well.

Every good American is concerned about the polarization of races and of the haves and have-nots that presently threatens to pull our Nation apart at the seams.

Every thoughtful American knows that what we need to meet our unprecedented crises is a unified America, from Manhattan to the Golden Gate, from the blue lakes of Maine and Minnesota to the Deep South.

We must think and act as a Nation if we are to endure as a Nation.

The Secretary of Labor has adduced—as one of his main points for junking the present going Job Corps centers in favor of mini-centers, more widely distributed throughout America—the assumption that the centers will be more economical to operate and less subject to dropout if located near the home environments of the trainees.

In making this point, the Secretary completely misses one of the great values the Job Corps has given us—that of pulling the United States together, obliterating the ugly stain of discrimination, and reducing the narrowing influence of regional parochialism.

Also missed in the assessment is the basic point that many of these young people benefit from being far removed from the environment in which they would be certain losers to a completely different set of circumstances in which they have a chance to find themselves and start a new life.

Mr. President, let me now tell you the Clinton story.

About 3 years ago, at a time when I was serving as Governor of Iowa, the Job Corps announced plans to move a women's Job Corps center into the excellent building facilities in Clinton that had formerly been the location of a veteran's hospital.

Clinton is a small city of about 35,000 that represents the best Iowa has to offer in community living. Beautifully located on the Mississippi River, Clinton, like other Iowa communities, has a rural flavor. But it is a progressive city that can compare with any other community of its size in the United States in its initiative for attracting industry. Its citizens are self-reliant, stable, and predominantly conservative. There are probably no more than a couple of hundred black citizens in Clinton, with only a small sprinkling of other racial minorities.

When the Job Corps installation was announced, a wave of apprehension swept over the city. The girls who would be coming in would be drawn largely from the rural poverty areas of the South. Seventy-five percent would be black, with the rest divided between whites, Mexican-Americans, and Indians. They would be hard-core cases—young people who had been deprived of the most rudimentary advantages, semiliterate, unruly, without working skills, and even ignorant of how to conduct themselves at a restaurant or how to buy something at a store. Some were unwed mothers; many had been in trouble with the law.

What would their impact be on a stable, law-abiding, quiet city like Clinton? How would the local police be able to keep order? Would the sons and daughters of Clinton citizens be contaminated by the example of these restless trainees who had known nothing but misery and trouble in their lives? Would the peaceful community life be disrupted when male intruders came in on weekends to visit the Job Corps trainees? What would be the impact on the business community when an effort was made to place these girls in on-the-job training situations?

How did it all turn out? I do not want to give the Senate an account that glosses over the true facts. I do not need to. There were some incidents involving the Job Corps girls, yes. But no more than involved any other segment of the youth population.

And the way that the people of Clinton took these young, unimaginably handicapped girls to their hearts and helped them find their way back to a life worth living is one of the great stories of America. So is the story of how these youngsters responded and learned to believe in people again—or perhaps for the first time. So is the story of the job that the crack professional staff of the Clinton women's center did, with the help of volunteer workers, to restore the self-confidence of the trainees and teach them vocational skills and—even more important—such elementary matters as personal hygiene, how to keep house, how to cook, and how to take care of children.

Some of the letters I have received about the closing of the Clinton women's center tell the story better than I possibly could.

A citizen of Clinton writes to express his utter bewilderment at the closing of the Job Corps center:

> If they are concerned with economizing, there are many other areas which might be brought into focus.

He points out:

> The cost of 2 hours of the Vietnam War will more than pay the cost of operating the Clinton center for 1 year.

The chief of police, who retired in 1967 after 35 years of service, and who had first-hand experience with the discipline situation relating to the Job Corps girls, writes:

> I urge you to assist in any way possible in keeping the Clinton Job Corps center open. I believe that the Clinton center has helped girls learn skills and basic education necessary to make a living.

The mayor of the city has, from the beginning, been one of the center's most enthusiastic supporters and I have conferred with him often about the program.

The municipal judge is convinced that these girls from 40 different States, 60 percent of whom are from Southeastern States and three-quarters of whom are black, did not cause any more problems in the community than any other group of 900 girls would have caused.

A man and his wife who live in the nearby community of Dewitt write:

> We have had opportunity to observe the training program and its results. We have entertained trainees in our home and have become acquainted with their problems and hopes for the future. We are also personally acquainted with some of the volunteer workers in the enrichment programs at the center and know of their enthusiasm for the changes that take place in the future of the girls. We also firmly believe that the only solution to the ills of this Nation lies in the training of underprivileged persons that they and their children may have equal opportunities to achieve the "American way of life."

An Episcopal rector writes:

> Can we, as Americans, afford to cut $100 million from the war on poverty and racism?

Another pastor, a Lutheran, writes of the contacts he and members of his congregation had with the Job Corps girls. Through these contacts, he relates:

> My people have changed their attitude and feel positively toward the work being carried on at the center.

The superintendent of schools praises the work of the Clinton Center in helping "certain young people make a turnaround from a potential welfare client to a productive citizen."

> Each person so re-directed—

He continues—

> becomes a national asset rather than an economic liability to our society.

The superintendent goes on to make a final point that I think is especially worth noting.

> The Job Corps—

He says—

> has been in operation long enough so that we have some notion concerning the weaknesses of the program, and can, therefore, concentrate our efforts on improving it in terms of those known weaknesses. To establish a new program would mean that we

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> would have to go through this effort all over again.

Another Clinton citizen expresses the fear that if there is a time lag between the closing of the Job Corps and the establishment of adequate replacement programs, the disappointed trainees might "return to their homes and spread the word that the Government talks out of both sides of the mouth."

An angry Clinton housewife writes:

> What is wrong with you people in Washington? Why are you letting our young people down? Are you going to throw 900 young women back into the streets and the ghettos?

Finally, I would quote you a few sentences from the letter a young Indian-American girl, Fay White Calf, wrote to President Nixon:

> I shudder to think where I would have been if it hadn't been for Job Corps.

She says:

> I have discovered talents in myself I didn't know I had. I've learned to understand and get along with people of other races, something I had never done before.
>
> I've learned to appreciate the modern conveniences of life and I now have the desire to work for them instead of waiting for them.
>
> I have learned that there are people in this world that can be trusted.
>
> I really dread the day when the Job Corps will close. Because if it closes before I have the chance to get what I came here for, I know I will be a disgrace to my family when I go back to the way I was living before.

It seems appropriate to conclude the reading of these letters with this eloquent plea from this Indian-American girl who represents that group in affluent America that is the most wronged and most deprived of all of the minorities in our land.

I do not know what the new administration expects of a facility such as the women's center at Clinton. I do know that this center recruited a top professional staff from 112 colleges and universities, with 26 percent minority representation on the staff. I do know that during the last 2½ years, 225 girls succeeded in getting high school equivalency diplomas. I do know that the collaboration between community and center was something great and special on the contemporary American scene.

I appreciate the thoughtful and carefully prepared testimony given by Secretary Shultz before both House and Senate committees. I take in good faith his statement that economy is not the main reason for the administration's decision to shut down more than half of the Job Corps centers. I would not deny that he has made a case on the basis of the criteria he has used for judging the effectiveness of the Job Corps.

I simply say that in setting up his criteria, he has left out the most important criterion of all—the human value quotient.

In terms of redeeming for useful living young Americans who, through no fault of their own, had hit the bottom and seemed beyond reclamation, the Clinton Women's Job Corps Center has been an inspiring success.

The Clinton Center has enabled the people of one midwestern community—people I consider highly representative of the vast majority of decent, compassionate citizens of America—to learn at firsthand to know, understand, and accept as equal citizens the poor, the deprived and the nonwhite from faraway parts of the country. If this be a worthy objective for the Job Corps, then here again the Clinton operation was very successful, indeed.

Mr. President, we must never lose sight of the fact that these Job Corps trainees were enrolled from the dregs of humanity. They were "the least of these" in our society. If we bear this realistically in mind, we will realize that the dropout figures that have been cited were not alarmingly high, but amazingly low, dropouts, by the way, were about 17 percent at the Clinton Center.

No Federal program in the poverty sector has worked against greater odds than the Job Corps. No program has been directed at a more desperate need in our society.

The provisions the Labor Department has made for taking the place of the Job Corps program may look convincing, on paper, to some observers.

I can only say that, in my view, they are diffused, inadequate and off-target.

I am sure that the closing of the Job Corps centers looks to the poor people of this country and to the racial minorities like a breach of faith on the part of the white, undeprived majority in our society.

I am aware that Secretary Shultz has indicated that all of the present Job Corps trainees are being interviewed by Government counselors and encouraged to fit into some other niche in Federal training and employment programs for which they might qualify. But the Job Corps program was unique in its application to the cases of last resort. I have seen nothing else on the horizon that is beamed directly at the needs of these hard-core young people. The danger in dispersing these people over the landscape of the Federal bureaucracy is that many will think they are being politely told to "get lost."

All I can tell you is that if we let these pitiful kids "get lost" at this point, it will be our civilized society itself that will be lost in the long view.

In justice to these disadvantaged people and to our own consciences, I would ask your support for the resolution to defer the closings.

No one claims that the Job Corps program has functioned perfectly or that it has fully met the needs of the hard-core, impoverished, unemployable youth of America. But it has been something where nothing existed before. Aimed precisely at an area of most desperate need in our society, it has stood as a symbol of our best and most compassionate national effort.

Mr. President, we cannot, we must not give up in our effort to reclaim these potential dropouts from life. We need to increase our work in this area, not reduce it. We need a maximum effort, not a mini-effort.

As I think of the Clinton story I have related to you and how it proved that people will rise to compassion and understanding if given the opportunity, I am reminded of the familiar words:

> Inasmuch as ye have done it unto one of the least of these my brethern, ye have done it unto me.

Mr. PROUTY. Mr. President, I rise to speak in support of the decision of the administration and the Department of Labor—a decision made after careful and thoughtful deliberation—to cut back on the Job Corps program in the interests of establishing a much more meaningful and effective overall national training program for the unskilled and disadvantaged youth of our Nation. Therefore, I am unable to support Senate Resolution 194.

The President's judgment that much better results will be obtainable through the delegation of responsibility for the operation and administration of the Job Corps program from the Office of Economic Opportunity to the Department of Labor is sound.

The Secretary of Labor's determination that more efficient training and a significantly higher placement rate in productive jobs for trainees will flow from reducing the scope of the Job Corps program and integrating it into an overall pattern with the other training programs operated by the Department of Labor is also sound.

Both of these decisions, Mr. President, represent a new and creative approach in our attempts to solve one of the major problems which has faced our country in recent years, and both deserve the strong support of the Senate.

The first point I intend to make—and one which cannot be overemphasized—is that not a single trainee in any Job Corps camp scheduled for closing is going to be turned loose on the street or abandoned.

This fact has not been given the publicity that it should have received, despite numerous and repeated statements on this point by administration spokesmen and the Secretary of Labor.

This fact has not been accepted by my colleagues on the Labor and Public Welfare Committee who hold honest convictions that no reduction in the size of the Job Corps program should be made.

More importantly, however, it has been ignored and twisted by certain groups, including, I have reason to believe, employees of Job Corps and OEO, which have been desperately searching for an issue to use as a strawman for the purpose of precipitating a "confrontation" with the administration in the hope of discrediting it in the eyes of the American people as an administration concerned about the problems of the uneducated, the unskilled, and the disadvantaged.

Misrepresentation, phony slogans, and false emotionalism are the hallmarks of these groups in their attempt to make it appear that we are acting with a callous disregard for the welfare of our young people and that, by permitting the Secretary of Labor to close certain Job Corps camps, we are dooming many of them to lives of despair, poverty, and crime.

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Our job then, Mr. President, is to destroy these snide insinuations and sly implications. To accomplish this, we must make the record clear for the general public as to what we are doing and why we are doing it.

What are the facts with respect to what has been done and is being done for every single trainee in a Job Corps camp scheduled for closing?

Professional counselors from the appropriate State employment service agencies have been placed in each camp which will be closed. The skills, needs, and potential of each trainee in these camps is being carefully reviewed and evaluated, and each is being given professional advice by these counselors.

Three options are being given to all these trainees. If they are qualified for and desire jobs, they will be placed in employment. If they are unqualified for jobs or employment is not available for them, they will be given the opportunity to transfer either to another Job Corps camp to be continued in operation or into another training program operated by the Department of Labor. This latter decision would be based entirely on the needs, capabilities, and desires of each individual.

Let me again repeat, Mr. President, that not a single trainee will be abandoned or turned loose in the street. Those who return home unemployed will do so only because they have elected to reject a job or further participation in the Job Corps or some other training program. In fact, the counselors presently working in these camps are not accepting "no" for an answer, and are actively trying to change such decisions to the acceptance of one of the alternatives which are available.

The Washington Post recently carried an article, Mr. President, containing reports of young people dropping out from Job Corps camps whose closing have been announced, allegedly because their spirits were broken and their morale shattered due to having been abandoned, and questioning what would become of them this summer.

Let us look at the facts. The record shows that in calendar year 1968, 40 percent of all Job Corps enrollees dropped out of the Job Corps program before they received 30 days' training. This dropout rate is broken down as follows: 38 percent at men's urban centers; 41 percent at conservation camps; and 34 percent at women's urban centers.

The record further shows a continued high dropout rate for trainees who stay in Job Corps camps more than 90 days in 1968, resulting in only 36 percent of all Job Corps trainees actually completing the programs for which they enrolled. The training completion rate breaks down to 43 percent in men's centers; 24 percent in conservation camps; and 38 percent in women's centers.

These figures, I submit, place this situation in its proper context. I believe that they establish beyond doubt that those trainees now dropping out from Job Corps camps scheduled to be closed would have dropped out in any event, and are not doing so because of a feeling that our society has broken faith with them.

In fact, I would predict that, as a result of the intensive counselling being given trainees in camps that are closing, the dropout rate will probably be lower—and in no event higher—than it has been in the past under normal operations. I share the Washington Post's concern for the future of these dropouts, but they are dropouts in spite of the camp closings and not because of them, and I suggest that the Post should have shown an equal concern for the same large or larger number of trainees who have dropped out of Job Corps camps each summer and every year since the Job Corps program initiated.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. HANSEN. I want to compliment the distinguished Senator for his very able presentation. I would observe that it should be apparent that there is no argument—and I would ask this question of the Senator—insofar as our concern and the concern of every Member of this body goes, that we are trying to reach the so-called disadvantaged people or people in the poverty class—call them as one may. Are we not all trying to give them programs that will advance their educational level, that will give them the motivation so they will be able and will inspire them to go out and seek jobs and, having gotten those jobs, give them the talents that will assure them that they will be able to discharge those jobs successfully and become self-supporting? Is that not correct?

Mr. PROUTY. The Senator is absolutely correct. That is the objective we have always had in mind, both as members of the committee and as Members of the Senate. The point is, we are not achieving that objective. That is the reason for reevaluating the whole program.

As a result of an amendment to EOA which I offered in this body in 1967, the General Accounting Office has made an intensive study into the whole war on poverty program for the first time. It has made recommendations. It will have 51 volumes, discussing not only the Job Corps, but other programs within the poverty field in OEO's jurisdiction. I think it is a magnificent report, and for the first time since the Job Corps has been in existence, we have been able to obtain factual information by a completely objective and unbiased agency.

They have given us the facts and recommendations, which certainly indicate that we must make some changes if we are going to achieve the overall objectives which we have in mind.

Mr. HANSEN. I asked the distinguished Senator the question because, as I have listened to the debate this afternoon, I have noticed that various Senators speaking on the matter have gone into considerable detail to describe the problem, to point out this particular class of young people that the Job Corps seeks to deal with and, by implication, I think that it would not be difficult for one to assume that there may be some questions on the part of some of us whether we subscribe to the notion that there is indeed such a problem.

I have no feeling of doubt about there being a problem, and I know very well the distinguished Senator from Vermont had no such feeling. I am conscious of the great efforts he has made in bringing the Manpower Development Training Act legislation into being, in order to come to grips with the problem.

I simply wish to point out that it seems to me that there is little to be gained, now, in trying to discuss what the problem is, because we all agree that there is a problem, and we want equally, I am sure, to do something about that problem.

The distinguished Senator from Wisconsin painted a very accurate picture of the profile of poverty and starvation in this country, which I think was helpful. But it is not helpful, in my opinion, in trying to decide what should be done about the resolution proposed by the very distinguished and able junior Senator from California. Rather, it seems to me that what we need to look at is the relative effectiveness or ineffectiveness of this present program, to examine it closely, as my distinguished colleague has done, and then to see if there may not be better ways of involving some of these people.

I was impressed with the Senator's statement that 40 percent of all of the enrollees in the Jobs Corps program have dropped out, if I understand the Senator correctly, before they had completed 1 month of service. Did I understand the Senator correctly?

Mr. PROUTY. That is correct. For calendar year 1968.

Mr. HANSEN. Did I further understand the distinguished Senator to say that only 36 percent of all the enrollees have completed those programs in which they signified an original interest?

Mr. PROUTY. In 1968—that is correct. That figure is probably high, because there is a difference of opinion as to what is meant by "completing" a program. Simply on the basis of the time spent in the camp, it might be said that some have completed a program. On the other hand, looking at it from the standpoint of whether they have acquired a skill which will enable them to go out and become employed as productive citizens, the answer is "no" in too many instances.

Mr. CRANSTON. Mr. President, will the Senator yield for a question?

Mr. PROUTY. I yield.

Mr. CRANSTON. I wonder if the Senator, in commenting on dropout rates for the Job Corps, had noted that on page 237 of the committee report, there is a chart showing dropout rates. In the on-the-job sector, which is, I think, a program that has considerable support in this administration—and I have been greatly interested in it myself—there is a 40-percent dropout rate in the first 90 days of enrollees in those programs. Those are Labor Department figures.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. HANSEN. I ask the Senator from California, did I understand him to say that the chart to which he referred showed that the dropout rate in the MDTA program was 40 percent within the first 90 days?

Mr. CRANSTON. In the job opportunities program sponsored by the private business sector.

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Mr. HANSEN. For comparison, I understood the distinguished Senator from Vermont to say that the dropout in the Job Corps was 40 percent for the first month. Is that correct?

Mr. CRANSTON. The comparable figure for the Job Corps—and this is the chart presented to the committee by Secretary Shultz—is 55 percent, as against 48 percent. It shows no vast difference between the private program and the Job Corps public program.

Mr. PROUTY. I have some figures given by the Secretary of Labor when he testified before the House committee, which I shall read:

> *Dropout rates.*—In calendar 1968 approximately 40% of enrollees dropped out in the first ninety days—38% at men's centers, 41% at conservation centers, and 34% at women's centers.
>
> *Training completion rates.*—In calendar 1968 36% of Job Corps enrollees completed the program for which they enrolled—24% at conservation centers, 43% in men's centers and 38% in women's centers.
>
> These figures compare with the following training completion rates in some of the other manpower training programs:
>
> 68%—M.D.T.A. Institutional Training.
>
> 60%—M.D.T.A. On-The-Job Training.
>
> 67%—The Job Opportunities in the Business Sector Program, (JOBS).

So it indicates very definitely, I think, that the results in these other programs have been far more effective and productive than is true in the case of the Job Corps.

Having set the record straight and cleared the air, so to speak, as to what is available for and what will become of trainees in the Job Corps camps being closed, let us turn to a consideration of some of the facts which are persuasive in concluding that the Job Corps program should not be continued at its present level.

A principal—if not the primary—consideration in evaluating the merits of a reduction in the scope of the Job Corps program is whether—and to what extent—it is producing results and accomplishing objectives which Congress set for it in 1964. Before discussing that subject, however, I wish to bring out some data contained in the Comptroller General's report to Congress on Office of Economic Opportunity programs recently submitted pursuant to an amendment to the Economic Opportunity Act which I was successful in having Congress enact in 1967.

I am sure we have all heard many times the allegations that agencies which recruit young men and women for the Job Corps camps are often more interested in meeting their quotas of referrals than they are in insuring that those referred are the ones who need and will benefit from Job Corps training. In this regard, the GAO study contains the following information for fiscal year 1968.

Ninety thousand youths were recruited for Job Corps camps, of which 73,000 entered the program and 17,000 never showed up. Quotas for the women's camps were met, but only about 68 percent of the quotas for men's camps—both urban and conservation—were met.

Of the 73,000 enrollees who actually showed up at Job Corps camps, data as to whether or not they met Job Corps eligibility criteria was unavailable for 27,000.

This leaves 46,000 for whom data as to eligibility criteria was available. Of this number, approximately 10,000 did not meet Job Corps eligibility requirements.

The Comptroller General further reports that the three most important eligibility requirements not met were:

First. The minimum period that an applicant had to be out of school, a requirement designed to discourage youth from dropping out of school to join the program.

Second. The requirement that an applicant meet certain behavior standards.

Third. The requirement that an applicant not be a high school graduate.

The GAO study further concludes, and I quote:

> We noted in many cases there was not adequate verification by the screening agencies of data supplied by applicants and their parents, a factor which raises additional questions as to the extent to which youths may not have met the eligibility criteria for acceptance in the program.

Another important finding based on this study is that screening organizations often accepted young people without first determining whether the Job Corps program was the most appropriate available training program to meet the individual applicant's needs, and that this condition existed primarily because:

First. Emphasis was on meeting of quotas; second, screeners were not familiar with other available training programs; and, third, screening personnel did not question the wisdom of the applicants' choice to participate in the Job Corps program.

Before interpreting these statistics and findings, let me make plain once more that what we are faced with and what we are considering is not—and I repeat, is not—the abolition of the Job Corps program. Rather, it is a judgment that it can function more effectively and in concert with other training programs at a reduced level.

The administration and the Secretary of Labor have made clear that they see a need for continuing Job Corps for those disadvantaged and unskilled youngsters who need a change in environment and who cannot qualify for other programs. The Comptroller General, in reaching the same conclusion, put it this way:

> It is probable that a valid need can be documented for residential training of the type envisioned in Job Corps for a certain number of youths whose needs, because of environmental characteristics or because of geographic location, cannot be well served through other programs operating in or near their home communities. We have doubt, however, that, in light of our findings and the cost of this type of training, the resources now being applied to Job Corps can be fully justified.

Now, what do the findings of the GAO study mean in terms of justifying a cutback in—rather than the abolition of—the Job Corps program?

First, they show that of 46,000 trainees for whom data was available in fiscal 1968, 10,000—or 22 percent—should never have been referred to Job Corps camps originally.

Thus, if we apply this 22 percent figure to the 73,000 trainees who entered the program, we find it could be reduced by more than 14,000 slots without denying Job Corps training to a single applicant who was, in fact, eligible to receive it. Of course, if we use the 90,000 youths who were recruited and agreed to attend, the program could be reduced by 18,000 trainees without impairing its ability to accept every qualified applicant.

There is only one inescapable and logical conclusion that can be drawn from all of this, even if we accept as valid the statement in the committee report that there will be a net reduction of 14,413 residential training positions available in fiscal 1970.

The one real fact which emerges is that, with proper screening procedures and strict adherence to Job Corps eligibility standards, the cutback in Job Corps camps announced by the Secretary of Labor will still provide space in fiscal 1970 for every qualified applicant who desires to attend, with those being screened out being placed in less costly training programs but programs better tailored to meet their individual needs.

Again, the committee report states:

> It is conceivable that by concentrating on less-disadvantaged youngsters we can get more people on the employment rolls for less money.

This statement to me misses the point completely. Rather, I submit that by getting the less-disadvantaged youngsters out of the Job Corps program and into less costly training programs capable of qualifying them for post-training employment, we can get the most disadvantaged youngsters into the more costly Job Corps program while still decreasing it significantly below present levels.

Thus far, I have not discussed the merits or the substance of the training programs offered in the Job Corps camps. This is of critical importance not only on the present issue, but also in considering the future of the camps to remain open. Based on the results achieved by this program since 1964, can we justify continuing the Job Corps in its present form and at present levels? Is the Job Corps showing the results and doing the job that was envisioned for it by Congress in 1964?

Based on the hearings recently concluded by our committee, and the recent report of the Comptroller General, there is no question in my mind but that the answer to these questions is "No."

Let us first look at the conservation camps. As we do so, we must bear in mind that there is a vast distinction between what was sought to be accomplished by the CCC camps during the depression of the 1930's and the objectives we seek to obtain through the operation of Job Corps conservation camps.

The old CCC camps were not primarily designed to train people in skills which would permit them to obtain jobs in the private sector of our economy after their tours at the camps were completed. Rather, the CCC program was a massive effort by the Federal Government to provide "make work" employment as the employer of last resort to help offset the most disastrous and widespread unemployment in our Nation's history.

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It was a plus benefit that the CCC program, in addition to providing jobs for young men for whom there were no jobs, also benefited the Nation and improved its natural resources. Any training these young men received, however, was incidental to the main thrust of creating paying jobs and getting some of our unemployed off the streets and into an earning capacity.

The thrust behind the establishment of the Job Corps program was entirely different. There are plenty of attractive jobs today for young men who are trained for them or who have learned a trade or a skill. The motivation behind Job Corps was to provide this training to our unskilled and disadvantaged so that they could obtain and hold available jobs after they completed training.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. HANSEN. Mr. President, I have been reviewing some of the information made available to the Senate. I refer to the Harris survey of ex-Job Corps men.

On page 5 of that report, there is a schedule and a chart which depicts what a typical group of 100 men had been doing before Job Corps. It points out that insofar as men's conservation centers are concerned, 35 men were working, 18 men were in school, 3 were engaged in other activities, 44 were unemployed, and the hourly wage was $1.44.

The current status, after 6 months with the Job Corps, discloses that there has been an increase in the number of men working. There are now 40 men working, 5 working and going to school, engaged in school only, 10, plus the fact that five are in the military. And other positive placement includes six.

In the minority views and the further individual views, the distinguished Senator from Vermont points out:

> As pointed out by Mr. Staats, however, the GAO study and the Harris eight-center study counted former trainees as placed who were in the armed services, ill, married or imprisoned, as well as those who were working, while the Harris OEO study, in addition to these, counted as placed those young people who 12 months after leaving Job Corps training had been accepted and were still waiting to enter the Armed Forces or school and also females who were not working because they were fulfilling full-time family responsibilities.

I ask my distinguished colleague if, in his judgment, a person who is imprisoned—and while I will grant that he is placed—is in satisfactory placement as a proper recognition of the contribution the Job Corps has made.

Mr. PROUTY. I agree with the distinguished Senator from Wyoming that he is not, or should not be, regarded as a good Job Corps placement. I will discuss the approach taken by the GAO and Harris studies in a moment, and will show that by changing the ground rules a little, the Harris-OEO survey was able to show a better record than actually existed.

Mr. HANSEN. I thank my distinguished colleague.

Mr. PROUTY. The most important factor in Job Corps training has to be that of training these young people for productive jobs and worthwhile lives—not in providing work for them at the taxpayers' expense which will leave them unsuited and unqualified for other employment once Federal financial assistance is withdrawn and they are again on their own.

The value in conservation camp training under the Job Corps program is not—or should not be—the value of the conservation work which they perform. This is the benefit to the Nation that is merely incidental. The real value or lack of it flowing from Job Corps conservation camps is the acid test as to whether the training being received by enrollees is qualifying them to go out and get and hold jobs after their training program is finished.

In justification of the Job Corps conservation camps, the Director of the Job Corps points with pride to the following accomplishments achieved by over 4,000 trainees during fiscal years 1967 and 1968: 333,000 hours suppressing fires; 34,124 hours on search and rescue missions; 11,300 hours on tornado cleanup; 10,816 hours on flood cleanup; 4,800 hours on pine beetle eradication; 10,000 hours gathering dead fish from our shores; 768 hours on lake cleanup; 800 hours on duck rescue from oil washed to our shores; and 800 hours on duck burial.

Now, I want to make this perfectly clear so that I am not misunderstood. I believe that all of this work provides useful and needed services to our country in the field of conservation and matters related thereto. However, this is obviously not the type of training which prepares a trainee to leave the camp and obtain a job in the private sector of our economy now going unfilled because of a lack of qualified personnel.

There may even be a present need for the Federal Government to hire unskilled labor to perform these worthwhile services in the capacity of an employer of last resort. I have thought so in the past, and on two occasions I have introduced legislation cosponsored by the distinguished senior Senator from Pennsylvania which would result in this kind of Federal Government program. To effectively conserve our national manpower assets, however, this approach must be confined to our "unemployables" and "untrainables."

I submit, therefore, that this type of training at Job Corps conservation camps fails completely in meeting the congressional mandate to Job Corps to train and equip these trainees with job skills to make them employable after they leave camp.

The study of OEO programs undertaken by the Comptroller General reaches the same conclusion, and the following quote is from his report to Congress:

> We have considerable doubt as to whether conservation centers can be expected to provide the intensive training contemplated in the act, at least without substantially upgrading the vocational training program which would appear to be quite costly. Conservation centers generally provide vocational training through the performance of conservation work projects, with little or no related vocational classroom instruction.
>
> We recognize the value of conservation work in itself. We also recognize that most of the centers have some work projects which permit exposure to some occupational skills and that, generally, work projects are a good vehicle for instilling proper work habits in corps members. However, the size and complexity of the work projects coming to our attention at the centers we reviewed generally were not of a nature to serve as a basis for intensive vocational training. It does not appear to us that the use of work projects as the primary vehicle for providing vocational training would permit the centers to establish and operate an effective training program directed toward skill development in occupational areas above the helper or laborer categories.

Let me stop here for a moment. The Comptroller General is saying that a conservative work project has some value in instilling proper work habits to our disadvantaged young people. In other words teaching them to get up and go to bed at reasonable times, and to report for work on the job at the proper time. This is the type of function performed by caseworkers under the old work-training program.

Aside from this value, however, the report concludes that little is being taught in the way of job skills through vocational education techniques, and that employability of trainees is not being improved beyond the classifications of helper or laborer. It is obvious, however, that if these trainees had had a counselor to bird-dog them into daily reporting for work at the right time, they were qualified to work as a helper or laborer without ever having set foot in a conservation camp. And what else would an ex-Job Corps trainee be qualified to do if he told a prospective employer that he had been trained in a conservation camp as a fire suppressor, or a pine beetle eradicator, or a dead fish gatherer, or a duck rescuer and burier?

I again quote from the Comptroller General's report:

> Our perusal of the requirements prescribed in May 1968 by Job Corps, in conjunction with the departments, "(that is, Departments of Interior and Agriculture)," for improvements in the training program indicated that, in order for corps members to accomplish the minimum requirements for program completion in the various occupational areas, corps members would need an opportunity to take part in intensive classroom and work-experience programs directed specifically toward development of knowledge and technical skills needed beyond the helper and laborer categories.
>
> To establish intensive vocational training programs at each of the 82 centers in a number of vocational areas for the 100 to 250 corpsmen enrolled at each of the centers would appear to be quite costly. Moreover, it is questionable whether a sufficient number of qualified instructors could be obtained to provide such training at the generally remote and isolated conservation center locations.

The GAO report regarding the Job Corps conservation camps includes a finding that very few corpsmen achieve the program goals established by Job Corps even though such goals are equivalent to about a seventh grade education. The reasons precluding corpsmen from advancing to the desired grade level were found to be first, their generally low academic achievement level when they entered the camp; second, their short

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length of stay; and third, the general practice at conservation camps of dividing their time equally between academic and vocational training.

I quote from the Comptroller General's report on this subject:

> In one instance there were indications that academic training was not emphasized because of the importance attached by the center to completing work projects. The need for intensive academic training is apparent from Job Corps data showing that enrollees who entered conservation centers during fiscal year 1968 had average grade levels of 3.7 in reading and 4.1 in mathematics . . .
>
> We found instances where terminees were classified as graduates, without regard to their length of stay, on such basis as their having obtained employment or having entered the armed services after termination. Some terminees were classified as graduates although they had apparently made no measurable progress in vocational or academic training areas.

Finally, in concluding that the results of his study raised doubt as to first, whether the resources now being applied to the Job Corps program can be fully justified, and second, whether the Job Corps program is sufficiently achieving the purposes for which it was created to warrant its continuation at present levels, the GAO report states:

> Our doubt in this regard is especially applicable to the conservation center component of the program, particularly in consideration of the significant changes which appear necessary in this component to upgrade its effectiveness in achieving training program objectives.

I hope my colleagues have all read the GAO report, particularly that section dealing with the Job Corps, and that they have also taken the time to read the testimony of the Comptroller General before the Committee on Labor and Public Welfare on May 2.

This report and testimony is a damning indictment of the manner in which the Job Corps program was set up and has been administered by the Office of Economic Opportunity.

It can also be viewed as being a damning indictment of congressional action—or perhaps congressional inaction would be a better term. Far too often during the last 8 years, the prior administrations and the majority party in Congress have concluded that once legislation was enacted establishing a particular program, and that program did not work properly in obtaining the objectives Congress had intended, the automatic cure-all for all program defects was simply to keep authorizing and appropriating ever increasing funds for it. The folly of this philosophy is now coming home to roost as it pertains to the Job Corps program.

In addition to providing an objective and independent source of support for the decision of the administration and the Secretary of Labor to cut back on the Job Corps program and attempt to integrate it with other manpower training programs, however, the Comptroller General's report should make both Congress and the Secretary of Labor think—and think hard—concerning the future of even a limited Job Corps program in terms of what can be done in order that conservation camps may make a really positive contribution in solving our national manpower problems.

Congress must think about the requirement in the law that 40 percent of all Job Corps enrollees have to be assigned to conservation camps. In view of the GAO report, Congress must think about this even though the Secretary of Labor has taken the position that he can live with this statutory requirement in his plan to continue a limited Job Corps program.

The Secretary of Labor must think about what can be done to improve the training records of conservation camps to be continued in light of his own and the Comptroller General's findings. He must think about this, and he must implement the necessary changes, because, if he does not and the record of the conservation camps in training results is as bleak the next time the Job Corps program is reviewed as it is today, I predict that grassroots opinion in this country will demand the complete termination of this type of training program.

To digress for a moment, I would like to comment here on the testimony of the Secretary of Labor and his Assistant Secretary for Manpower, and that of the Comptroller General and his aides, before our committee.

The Secretary and Assistant Secretary of Labor did a remarkable job in furnishing data justifying both the cutback in the Job Corps program and the reasons why certain camps were selected for closing and others chosen to continue in operation.

Our committee heard more facts pertaining to the Jobs Corps camps and their operation and administration during the 1 day these gentlemen testified than we were ever able to ascertain from representatives of the prior administration who testified before our committee on innumerable occasions during the past 4 years.

In addition, the facts presented by the Comptroller General and the other representatives of GAO who testified substantiated the recommendations contained in their report and fully supported the Secretary of Labor's decision to cut back the Job Corps program. Again, their testimony was refreshingly different from what our committee had become accustomed to hearing from witnesses of the prior administration.

I would be remiss not to note here that our Subcommittee on Employment, Manpower, and Poverty voted to report the resolution now before the Senate to the full committee on Tuesday, April 29, and that our full committee on Labor and Public Welfare voted to report it to the Senate on Wednesday, April 30. This is so even though the Comptroller General and his office, who has done the only thoroughly objective and independent study and evaluation of the Job Corps program, did not testify before our committee until Friday, May 2.

In discussing studies of the Job Corps program, the record would not be complete without reference to the testimony of—and the studies conducted by—pollster Lou Harris and his associates.

To start with, I will bring one matter to my colleagues' attention by quoting from the individual views to the committee report filed by the distinguished senior Senator from California and myself:

> Much publicity has been attached to a recent study which pollster Lou Harris made for the Office of Economic Opportunity concerning the overall effectiveness of the Job Corps program upon participants. This contract with O.E.O., incidentally, was entered into a few days prior to the Nixon Administration's taking office and was concluded 3 months later at a cost of approximately $275,000.
>
> The Comptroller General put the results of this survey in their proper perspective by submitting a chart which compared the data from the G.A.O.'s study of nine Job Corps centers with the results of the Harris Survey for O.E.O. released in April and with another Lou Harris study of eight Job Corps centers which was released in January 1969. The results of the G.A.O. nine-center study and the Harris eight-center study are remarkably similar with the G.A.O. study in some respects being more favorable to this program. The latest Harris study, however, done for O.E.O., differs remarkably from these other two studies in two categories, one being the placement of former Job Corps trainees and the other being the reduction of unemployment following Job Corps training.
>
> As pointed out by Mr. Staats, however, the G.A.O. study and the Harris eight-center study counted former trainees as placed who were in the armed services, ill, married or imprisoned, as well as those who were working, while the Harris O.E.O. study, in addition to these, counted as placed those young people who 12 months after leaving Job Corps training had been accepted and were still waiting to enter the Armed Forces or school and also females who were not working because they were fulfilling full-time family responsibilities.
>
> The carryover effect of this, of course, was to drastically increase the reduction in unemployment after Job Corps training reflected by the Harris O.E.O. study.

Mr. President, that is the point that the Senator from Wyoming and I discussed awhile ago.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. HANSEN. Is it not fair to assume that with or without the Job Corps, and with or without any program, as people mature, one might expect females to have families and to direct their efforts toward discharge of the full-time family responsibilities that go with having children?

Mr. PROUTY. Certainly.

Mr. HANSEN. In that context, then, is it not self-serving to try to take credit, insofar as the Job Corps is concerned, for people who find themselves thus involved?

Mr. PROUTY. I agree. To be completely fair, I wanted both the Harris eight-center study and the GAO nine-center study counted "marriage," and that the Harris overall study for OEO added to this "women otherwise fulfilling full-time family responsibilities."

Mr. HANSEN. I am well aware of that, and I used the word "self-serving."

I wish to ask this question. I think both of these surveys are charitable in that regard. I do not see how we can assume anything different would be the situation. Does the Senator agree?

Mr. PROUTY. I do agree thoroughly.

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In addition, in the third Harris poll these young people were counted as placed who, 12 months after leaving the Job Corps training, were accepted but still waiting to go into the Armed Forces or to school. Also, women who were married and those having families, regardless of marriage. I wanted to point out the difference between the two surveys.

Mr. HANSEN. I appreciate that, and I do thank the Senator.

Mr. PROUTY. Mr. President, I ask unanimous consent that the comparative chart of these three surveys submitted by the Comptroller General be printed at this point in my remarks.

The PRESIDING OFFICER (Mr. COOK in the chair). Without objection, it is so ordered.

The chart, ordered to be printed in the RECORD, is as follows:

COMPARISON OF DATA FROM THE GAO 9-CENTER SURVEY, LOUIS HARRIS 8-CENTER STUDY OF JANUARY 1969, AND THE LOUIS HARRIS OVERALL STUDY OF APRIL 1969

	Pre-Job Corps							About 12 months after Job Corps[2]							Change in—		
	Working (percent)	School (percent)	Working and school (percent)	Other[1] (percent)	Unemployed (percent)	Total other and unemployed	Hourly wage (percent)	Working (percent)	School (percent)	Working and school (percent)	Other[1] (percent)	Unemployed (percent)	Total other and unemployed (percent)	Hourly wage	Unemployment (percent)	Unemployment and other (percent)	Hourly wage (percent)
Total:																	
GAO	37	16	1	3	43	46	$1.42	47	8	4	10	31	41	$1.85	−12	−5	+0.43
L/H 1	34	13		3	50	53	1.44	50	11		6	36	42	1.82	−14	−11	+.38
L/H 2	32	15		3	50	53	1.39	41	8	4	24	23	47	1.84	−27	−6	+.45
Men's urban:																	
GAO	40	16	1	2	41	43	1.48	55	6	4	9	26	35	1.90	−15	−8	+.42
L/H 1	33	11		1	55	56	1.54	58	11		2	32	34	1.97	−23	−22	+.43
L/H 2	32	15		3	50	53	1.50	42	7	5	24	22	46	1.95	−28	−7	+.45
Conservation:																	
GAO	42	19		3	36	39	1.37	45	7	5	6	36	42	1.80	0	+3	+.43
L/H 1	37	15		3	45	48	1.44	52	13		4	34	38	1.76	−11	−10	+.32
L/H 2	34	15		3	48	51	1.41	46	8	4	14	28	42	1.85	−20	−9	+.44
Women's urban:																	
GAO	26	13	2	3	56	59	1.16	27	12	4	16	41	57	1.60	−15	−2	+.44
L/H 1	34	10		5	51	56	1.32	36	8		15	45	60	1.57	−6	+4	+.25
L/H 2	28	16		5	51	56	1.21	31	9	4	40	16	56	1.57	−35	0	+.36

[1] For GAO 9-center study and Louis Harris 8-center study (L/H 1) this column includes those in the armed services, those ill, married, or imprisoned. For the overall Louis Harris (L/H 2) study this column also includes those accepted and waiting to enter the Armed Forces or school, and females not working or otherwise placed due to fulfilling full-time family responsibility.

[2] For L/H 1, the terminees were interviewed after being out of Job Corps for 6 to 18 months.

Source of data:

GAO: Survey of 9 centers—5 conservation, 2 urban, 2 women's (TransCentury, August 1968).

L/H 1: Louis Harris survey of 8 centers—4 conservation, 2 urban, 2 women's (all centers in this survey were included in the GAO survey), dated January 1969, No. 1869.

L/H 2: Louis Harris survey—Overall, dated April 1969.

Mr. PROUTY. Mr. President, in this same context, I draw my colleagues' attention to the chart which appears on page 6 of Mr. Harris' prepared testimony before our committee. This is confined to data obtained in the most recent Harris study for the Office of Economic Opportunity, and illustrates once more how statistics can be used to create various kinds of impression.

This chart shows that prior to entering the Job Corps program, 50 percent of the enrollees were either working or were in school, and that after receiving Job Corps training, 52 percent of the trainees were working or were in school.

This would seem to clearly indicate that there was a 2-percent increase in the number of young people working or in school after they attended Job Corps camps. The Harris chart reflects, however, that there was a 21-percent decline in unemployment among former trainees.

Some of this decrease is explained by the fact that young men who enter military service after training are no longer carried as unemployed. I do not quarrel with this. However, the major decrease in unemployment results from Mr. Harris having placed 14 percent of former trainees in a category entitled "Other Positive Placement."

A note at the bottom of the chart defines the category "Other Positive Placement" as including trainees who, 6 months after leaving a Job Corps camp, are not working but who have been accepted and are waiting to enter either the Armed Forces or school, and females who are not working because of marriage or because they are otherwise fulfilling full-time family responsibilities.

I bring this point out because I believe that the average person glancing at this chart and noting a 21-percent decrease in unemployment following Job Corps training would normally assume that this meant a 21-percent increase in employment and that the Job Corps program was greatly increasing the employability of our disadvantaged youth. If this were true, of course, it would be a fine record. However, a close analysis of the statistics shows how they are being manipulated to suggest a result which just simply is not so.

Next, I quote a colloquy which took place between the chairman of our subcommittee and Mr. Harris during Mr. Harris' testimony on April 18. I quote, with my friend, the junior Senator from Wisconsin, directing his first remark to me:

> Senator NELSON. Isn't it correct, Senator, that some percentage of the men who are in the military are men who were not qualified either physically or in terms of reading and writing and arithmetic accomplishment level to get into the military prior to the training in Job Corps. Did you understand my question?
>
> Mr. HARRIS. Some couldn't get into the military, I am sure that is right, yes.
>
> Senator NELSON. Some couldn't get into the military and after their training they could qualify to get into the military?
>
> Mr. HARRIS. Yes, many of them as a matter of fact were rejected by the military before entering the Job Corps who later on after the Job Corps were admitted.

While Mr. Harris was still testifying, I was informed by a representative of the Department of Labor that they had checked with the Job Corps and had been informed that there was no data available to substantiate a statement or an inference that Job Corps trainees who had failed an examination for military service prior to enrolling in the Job Corps later were successful in entering the armed services as a result of Job Corps training. The colloquy between Mr. Harris and myself at that point was as follows:

> Senator PROUTY. I just had a check made with the Job Corps people and they say there is no data which would indicate whether or not a Job Corps enrollee who had failed a military examination later succeeds in getting in as a result of Job Corps training. That is their testimony, I mean they say there isn't any such data.
>
> Mr. HARRIS. What we can say, definitely, Senator is that after Job Corps a certain number of them, which we have documented here, have entered the military.
>
> Senator PROUTY. They might have anyway.
>
> Mr. HARRIS. Right. We know those under 17 could not have gotten into the military.
>
> Senator PROUTY. But in reality, there is no data available at this time to suggest that they were able to enter the military services simply because of Job Corps training.
>
> Mr. HARRIS. No, sir. I hope I didn't imply that.
>
> Senator PROUTY. Perhaps you didn't say that, but I understood you to.
>
> Mr. HARRIS. I think the only points I tried to make were, it seems to me that it would be a serious mistake to imply that entering the military service wasn't every bit as good as obtaining a job.
>
> Senator PROUTY. I am not suggesting that. Some of them might have entered the military service, in any event, and perhaps some of them were helped as a result of Job Corps training, but there is no data to support that according to the Job Corps people.
>
> Mr. HARRIS. Yes, sir.
>
> Senator PROUTY. Thank you.

The record speaks for itself, and I leave my colleagues to draw their own conclusions.

I also questioned Mr. Harris concerning his testimony before the House committee as reported in the April 17 edition of the Evening Star, to the effect that trainees showed substantial gains 6 months after leaving Job Corps but that these gains tended to fade out as more time passed.

Mr. Harris analyzed statistical data on page 28 of his prepared statement, and then continued as follows:

> Now Senator, what I said yesterday, I think there are two ways in which one can read this. As Job Corps fades back in time in terms of more time elapsing from a young person leaving the Job Corps, one might conclude from this that the benefits of the Job Corps are more ephemeral, more temporary, they are a passing phenomenon which might fade quickly.
>
> They may prove one might claim that the Job Corps therefore, its training and experience, has no depth, no real staying power. It might also indicate that if one waited long enough, that those who dropped out of the Job Corps might ultimately catch up in terms of wage rates with those who had completed the Job Corps.
>
> One might also say therefore in view of all this, why have a Job Corps or any training program, because sooner or later if you wait long enough, perhaps all of them will end up the same.
>
> There is another possible conclusion one might reach from this. That is that what is happening here is during the first six months I would say incontrovertibly the impact of the Job Corps is great, positive challenges are being registered. You get the 12 months' mark, taking that, if that were the only point in time we had, you would say the gains were still great but the rate of change of guage is slowing down and the gaps are beginning to close.

After an exchange with Senator NELSON, Mr. Harris continued on this subject:

> I might suggest the possibility here is that, indeed, the effects of the Job Corps are not long and lasting, because these young people for the most part we know have gone back precisely to the same environment from which they have come.
>
> It could well be that the old existence of disadvantages and discrimination and a kind of bottom existence has begun to take over and these elements are, indeed, snuffing out that experience that they had in the Job Corps.
>
> That is why I suggested yesterday that the strong implication, to me at any rate, from these results are that these young people simply cannot be exposed to a four or six months' Job Corps or call it what you will, training, and then try to be out-placed and then left on their own.

Mr. HANSEN. Mr. President, will the Senator from Vermont yield at that point?

Mr. PROUTY. I am happy to yield to the Senator from Wyoming.

Mr. HANSEN. Before the Senator gets too far beyond his discussion of the dropout rate experienced in this operation, I should like to ask whether the Senator has any specific figures he can recall which would indicate the number of enrollees who were summarily dismissed or expelled—whatever term we wish to use—because of obvious violation of the rules under which they became members of the Corps and participated in the program?

It is my understanding that a rather sizable percentage of Job Corps enrollees were removed from the program because, among other things, they were found to be in the possession of firearms.

Does the Senator have any figures indicating the number of people who have been removed from the program because of that kind of violation?

Mr. PROUTY. I have no figures on that subject. I think that those figures are available and are in the possession of the Secretary of Labor. They have not been brought out for perhaps one good reason; namely, that the Department of Labor does not wish to paint such a bleak picture that there might be a great tendency on the part of Congress to close down all the Job Corps camps.

I know that there have been serious disciplinary problems, and other problems, and in some cases, a substantial number of trainees have been removed. Most, of course, should never have been there in the first place because they did not meet the criteria set out for such admissions. These conditions have also caused many of the drop outs.

I am sure that the Secretary of Labor could give that information to the Senator. I am sure it is available. Unfortunately, I do not have it at this time.

Mr. HANSEN. I thank the distinguished Senator from Vermont.

Mr. PROUTY. Mr. President, turning to the next page of Mr. Harris' testimony, he concludes his remarks on this subject as follows:

> With these kinds of young people, and that is why I develop at the beginning how they are different, they are right down at the bottom of society here, with these young people it seems to me patently apparent that you have to have programs that go beyond just the training programs that they are exposed to.
>
> We have to continue them out in time. I don't know, I dare say there isn't a man alive who knows how long they should go. Maybe they go two, five, even ten years where these young people are traced through and they have someplace to go to, to see that the spectacular gains scored in the first six months continue after that.

Mr. President, it should be pointed out that a great deal of weight has been given to the Harris OEO survey, which cost about $275,000, by the proponents of the pending resolution. It seems to me that Mr. Harris has stated frankly and definitely that, in his opinion, the camps are not achieving their overall objectives.

Although Mr. Harris would not say whether he felt the Job Corps program should be continued, or continued at present levels, it appears to me, Mr. President, that his testimony which I have just quoted strongly indicates that this program is failing to reach its objectives and failing to achieve the results desired.

Whether training is given on a residential basis or a nonresidential basis, it seems to me his testimony tells us that supportive services and effective followup of trainees is needed long after the disadvantaged have been given vocational and academic training courses.

The Job Corps program has not been productive as structured in the past. The type of additional services needed as seen by Mr. Harris can be provided as an adjunct to any other appropriate training program just as easily if not more easily than for Job Corps. I am convinced that these are areas in which the Secretary of Labor intends to move with respect to all training programs operated through or under the Department of Labor, including that portion of the Job Corps program which will be continued, and I submit that we give him a reasonable period of time to see what he can accomplish instead of trying to lock him into established programs which the record shows have produced miserable results in the past.

There is one other statement of Mr. Harris which I should like to bring out here. When Mr. Harris commenced his overall Job Corps survey for OEO, he started with an original list of 36,000 names furnished him by Job Corps. Of these, his organization attempted to contact 19,613, and succeeded in contacting 11,278.

I asked Mr. Harris whether it would not be a more effective method for determining the value of the Job Corps program to go into particular camps and get all the facts concerning young people enrolled in that camp, such as background, education when they arrived, education received while in camp, skill or job training received, length of stay, and then follow up to determine the jobs obtained after training and whether the jobs obtained bore any relationship to the type of training received at the Job Corps camp.

Mr. Harris agreed that this would be the most effective way to determine whether these programs were working, and I quote him:

> Let me say if you did a one-to-one program, which if you ask me, I would say I favor, I think this should be done; as a matter of fact, if I might suggest, I think one of the areas that I think all of Government has been remiss on as well as many areas of the private sector is that somehow we assume that monies can be proven to be spent efficiently by some cost accounting methods and therefore the program works.
>
> Very rarely in our society have we ever gone out to the objects of the program and said what really happened to them. I will give you one good illustration.
>
> I think Medicare, we have all kinds of cost accounting systems on Medicare, and, to my knowledge, no one has gone to the individuals who got the Medicare treatment and found out what happened to them.

I should like to point out that this is the general procedure the General Accounting Office followed in its study, and that it will shortly come out with voluminous reports on the individual camps, which it studied in great depth.

I told Mr. Harris I was glad to have him agree with me, because I had felt that way for a long time and it had been a prime consideration of mine in sponsoring the amendment to OEO legislation which directed the Comptroller General to conduct such a study.

That is one reason I feel the GAO study is entitled to such great weight. In numbers of trainees interviewed, this study did not approach the scope of the Harris OEO overall survey. On the other hand, the GAO study did not reach for trainees in a manner similar to buckshot scattered at random. Rather, the Comptroller General's people went into nine Job Corps camps selected as being representative, and did an indepth study of each. It is the only study of its kind of which I am aware. This is one reason, Mr. President, that I consider our committee's actions in ordering this resolution reported prior to the appearance of the Comptroller General and his asso-

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ciates to testify before our committee as having been hasty and ill advised.

Mr. President, I was one of the original sponsors and strong supporters of the Manpower Development and Training Act of 1962. I have diligently and consistently supported manpower training programs over the years which would enable our young men and women to become self-supporting and productive citizens. No one wants our attempts to achieve these objectives to succeed more than I do.

I want the Job Corps program to succeed, as well as all the other training programs. I want to give all our disadvantaged and unskilled young people every chance in life. The record will support me when I say that during my entire stay in Congress I have always tried to judge every training program on the basis of what it was accomplishing in this regard.

The Secretary of Labor's proposal to put youngsters who do not require the kind of residential training provided by the Job Corps program into other training programs which will more appropriately meet their needs is put forward as part of a new approach designed to provide a more efficient, effective, and integrated overall manpower program for the training of all our citizens who need or desire it.

I believe this is a sound approach and I endorse it. Last year over $318 million was spent on operation of the Job Corps program. This money was paid by the taxpayers of this country, both large and small, and averages out to somewhere in excess of $8,000 per trainee. I do not believe the American people would object to these expenditures of their tax moneys if the job was being done. It is senseless, however, to continue the waste of tax money where results are small when it appears that for many, much more lasting benefits may be obtained in different types of programs.

If this new approach does not produce better results, then we will have to again reassess the situation in the hope of finding new methods that will succeed. For the present, however, the Department of Labor should be given every opportunity to implement its concepts of appropriate training programs, and I intend to support their efforts to do so.

In bringing my remarks to a close, Mr. President, I quote from the Secretary of Labor's testimony before our committee to underscore the fact I made at the beginning of my speech that no trainee in any Job Corps camp to be closed will be denied an opportunity to continue in an appropriate training program. On this point, Secretary Shultz said:

> I would like to emphasize that in these closings we have made an absolute flat guarantee that every presently enrolled Job Corps member will have an opportunity to transfer to another Center if he or she chooses to do so.
>
> So no one will be deprived of an opportunity to continue the program if that person wishes to do so. That we make as an absolutely flat statement.
>
> In addition, as my statement will bring out, we will take measures for those who don't choose to move to another center to see that they have every opportunity and a priority opportunity in other Manpower programs that are available, if that seems to be their wish, and we have set aside a special fund from our Department of Labor funds of $1 million to just be sure that we can do that over and above funds that are flowing into a community for regular Manpower programs. So I want to emphasize that insofar as the individual people in the Centers are concerned, we have taken steps to look after as best we possibly can their interests.

When the Comptroller General and his assistants testified before our committee, the supporters of the resolution now before the Senate made many allegations in attempting to discredit and invalidate the results he reported and the recommendations that he made. These allegations included: biased reporting, inadequacy of sample used, inappropriate and incomplete measures of the program's success, inadequate interpretation of economic benefits data, overgeneralizations which were not supported, incorrect or questionable assumptions, and misunderstandings of the program.

Mr. President, the Comptroller General has now prepared an eight-page reply, which specifically rebuts each of these allegations. In my opinion, this is a complete vindication of all charges that the GAO did not conduct an objective and honest study and evaluation of the Job Corps program.

Mr. President, I ask unanimous consent that this document, prepared by the General Accounting Office, be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMMENTS ON CERTAIN ALLEGATIONS CONCERNING THE ADEQUACY OF THE GENERAL ACCOUNTING OFFICE EVALUATION OF THE JOB CORPS PROGRAM

ALLEGED BIASED REPORTING

It has been alleged that the General Accounting Office (GAO) report is biased and unobjective and contains distortions. These charges are untrue. During the course of the work GAO had the benefit of advice from acknowledged authorities in the field on the courses of inquiry to follow. In order to ensure objectivity of reporting, the findings and conclusions were made available for review by recognized researchers of manpower training programs and their views were considered before finalization of the report. Additionally, the results of the GAO work at a number of locations and the tentative overall findings and conclusions were made available to the Office of Economic Opportunity (OEO), and its comments were carefully considered by GAO in preparing its report.

Throughout the course of the work and the development of the report, it was GAO's objective to present to the Congress useful and objective information on the operations of the Job Corps program. GAO made a concerted effort to include in its report not only the conclusions reached on various aspects of the program, but also the basis for these conclusions and any qualifying information considered necessary to enable the users of the report to consider the results of the review in their proper perspective.

ALLEGED INADEQUACY OF SAMPLE

It has been alleged that GAO's selection of centers was inadequate to draw general conclusions and that, deliberately or by accident, it reviewed the least efficient or effective centers rather than representative centers.

GAO carried out its assignment on the basis of two closely related approaches. In-depth field examinations were made of programs of Job Corps centers at selected locations, and statistical and economic analyses relating to the achievement of program objectives were undertaken because of the difficulty of generalizing from conclusions based on detailed audit work performed at relatively few locations. GAO made in-depth examinations at nine Job Corps centers and obtained for analysis through interviews by a contractor selected information relating to five of these centers and 12 additional centers. In addition, one of GAO's contractors performed analyses of data collected on a national basis by an opinion research organization.

GAO's review provided a valid basis for the conclusions contained in its report concerning the effectiveness of the Job Corps and the efficiency of its operations. The principal basis for this belief is that the in-depth studies included an analysis of program operations, the policies under which these operations were carried out, and the manner in which the responsible Federal agencies monitored or supervised actual program operations.

Accordingly, GAO's conclusions concerning program accomplishment are based not only on indicators of post-program experience of participants but also upon the apparent underlying reasons in terms of program content and effectiveness of administration. Also, the results of the studies in national data served to generally support the results of the in-depth studies.

GAO selected the centers primarily on the basis of getting a cross section of the three basic types of centers, and in the case of conservation centers, getting a representation of the principal Federal agencies which operate the centers for OEO.

On the basis of evidence available to it, GAO is satisfied that circumstances and conditions coming to its attention at the centers reviewed would exist in varying degrees at other locations.

The Job Corps did develop a formula for measuring centers which has more recently been adopted with some modification by the Department of Labor. GAO has not attempted to evaluate this formula but it believes all concerned would agree that the application of such formulas while useful, will not result in precise measurements of center effectiveness.

As a matter of information, however, in January 1968 when GAO began its review, the Job Corps ranked the men's urban and conservation centers then in operation. By use of the formula, a minimum score of 14 for the least efficient centers and a maximum score of 31 was assigned to each of the various centers with the median score being 23. Two of the men's centers GAO reviewed received scores of 21 and 22, respectively, and the five remaining centers received score equal to or greater than the median. These data would indicate that these centers were neither extremely good nor extremely bad under the formula, but, on the whole, were about average.

ALLEGED INAPPROPRIATE AND INCOMPLETE MEASURES OF PROGRAM SUCCESS

It has been alleged that the GAO report did not give adequate consideration to (1) medical, dental, nutritional, and other health program benefits, (2) changes in Corps members attitudes, reliability, honesty, aspirations, and ability to get along with fellow men, and (3) basic education including reading, mathematics, language and study skills.

GAO did give consideration to these factors both explicitly and in considering the meaning of the information developed. It believes that this should be clear from its report.

The GAO review did not consider the relative effectiveness of the health program because in order to protect the confidentiality of the doctor-patient relationship, Corps members health records were not made available. However, GAO did not question that to the extent that medical problems have

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been corrected or alleviated and nutritional deficiencies were met, benefits to individual Corps members have been achieved.

With respect to behavioral and attitudinal changes, GAO considered that the ability or inability of the centers to retain enrollees for a sufficient period of time to benefit from training is critical to the development of such changes. Achievements of the Job Corps, overall, and centers individually have not been highly successful in this regard. Most Corps members terminated before the 6-month time period considered by the Job Corps as the minimum time required to meet its objectives; among these early terminees a high percentage left within 3 months.

GAO also considered those aspects of center life most closely aligned with changes in the behavior and attitudes of the Corps members including such matters as the counseling provided, discipline achieved and the effectiveness of the vocational and educational programs provided.

At each center GAO examined into the basic education program provided to the Corps members. As pointed out in the GAO report, it found that for a number of reasons, including the unfavorable retention rate, the need for improvements in program content, and the need for better enforcement of requirements, many Corps members had not met the objectives of the program at the time of termination.

Overall GAO considers that the adequacy of training provided should be reflected generally in the post-Job Corps experience of Corps members. In its examination of the post-Job Corps experience of a sampling of Corps members, GAO found indications that training objectives had not been met. A relatively small percentage of the youths were employed in vocational fields related to their Job Corps training. GAO's contacts with employers showed that in a high percentage of cases the youths had been dismissed because they did not meet performance requirements or the youths had walked off the job and had given no reason for leaving. GAO recognizes that a number of factors other than the Job Corps training affect the ability of the youths to obtain and retain gainful employment. It considered the experience of the terminated Corps members in relation to a control group—youths also eligible for Job Corps who decided not to attend—in an attempt to isolate the effect of such other factors.

ALLEGED INADEQUATE INTERPRETATIONS OF THE ECONOMIC BENEFITS DATA

It has been alleged that the comparison group used by GAO is not appropriate and that alternative interpretations of the data concerning wage gains would be more favorable to the Job Corps. It also has been alleged that GAO did not make a number of comparisons which would be useful.

GAO believes that the control group included in its sample does serve as a basis for comparison with the post-Job Corps experience of terminated Corps members. It recognized in its report the difficulties in obtaining a fully comparable control group. GAO also recognized that at the time of sign-up for Job Corps, the control group was in greater need, particularly in terms of employment, than was the group of terminated Corps members.

However, it does not consider that because this greater need existed comparisons of the experience of the two groups should be avoided. Those in the control group were eligible for and have been accepted by the Job Corps and were therefore part of the population meant to be served. Also, the data concerning the control group at the time of sign-up in the program is applicable to a period varying by an average of about 6 months from similar data concerning the terminated Corps members. The data developed in GAO's analysis follows.

DATA ON EXPERIENCE OF TERMINATED JOB CORPS ENROLLEES AND NONPARTICIPANTS (NO-SHOWS)

	Terminees at signup in program [1]			No-shows at signup in program [1]			Immediately after termination from program			At interview approximately 1 year later [2]		
	Number	Percent	Average hourly rate	Number	Percent	Average hourly rate	Number	Percent	Average hourly rate	Number	Percent	Average hourly rate
Conservation centers:												
Working	44	42	$1.37				72	69	$1.50	48	46	[3] $1.80
School	20	19					8	8		7	7	
Work and school					(4)		4	4		5	5	
Unemployed	37	36					16	15		37	36	
Other [5]	3	3					4	4		7	6	
Terminees interviewed	104	100					104	100		104	100	
Urban centers, men:												
Working	154	40	1.48				245	62	1.72	218	55	[3] 1.90
School	64	16					28	7		24	6	
Work and school	5	1			(4)		6	2		15	4	
Unemployed	160	41					93	24		101	26	
Other [5]	9	2					20	5		34	9	
Terminees interviewed	392	100					392	100		392	100	
Total men terminees:												
Working	198	40	1.45				317	64	1.67	266	54	[3] 1.87
School	84	17					36	7		31	6	
Work and school	5	1			(4)		10	2		20	4	
Unemployed	197	40					109	22		138	28	
Other [5]	12	2					24	5		41	8	
Terminees interviewed	496	100					496	100		496	100	
No-shows, men:												
Working				25	24	$1.67				39	38	[3] 1.90
School				15	15					4	4	
Work and school	(4)						(4)			11	10	
Unemployed				61	59					37	36	
Other [5]				2	2					12	12	
No-shows interviewed				103	100					103	100	
Urban centers, women:												
Working	37	26	1.16				55	39	1.40	38	27	[3] 1.60
School	19	13					12	8		17	12	
Work and school	3	2			(4)		1	1		5	4	
Unemployed	79	56					58	41		58	41	
Other [5]	4	3					16	11		24	16	
Terminees interviewed	142	100					142	100		142	100	
No-shows, women:												
Working				5	12	0.92	(4)			14	34	[3] 1.41
School				10	24					2	5	
Work and school	(4)									3	7	
Unemployed				25	60					16	38	
Other [5]				2	4					7	16	
No-shows interviewed				42	100					42	100	

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[1] 2 columns are provided for the at signup information because of chronological differences between the time that the terminees signed and the time that no-shows signed. This time difference is approximately 6 months, the average length of stay in the Job Corps for terminees.

[2] At the time of interview the average age of those included in our sample was as follows:

Conservation center terminees, 18 yrs. 10 mos.
Urban center terminees, men, 19 yrs. 0 mos.
No-shows, men, 18 yrs. 8 mos.
Urban center terminees, women, 19 yrs. 4 mos.
No-shows, women, 18 yrs. 11 mos.

At the time terminees entered Job Corps they would have been an average of 18 months younger, compared with no-shows who would have been approximately 1 year younger at the time they were scheduled to enter Job Corps.

[3] Represents the average hourly wage rate for those terminees and no-shows working and reporting a wage rate.

[4] Not available.

[5] Represents imprisoned youths, married females, those in the armed services, or those that did not provide the necessary information.

With respect to alternative interpretations of the data concerning wage gains, comparisons cannot be made between (1) gains by the control group from time of sign-up to approximately one year after the Corps members had terminated and (2) gains by Corps members from time of sign-up to approximately one year after termination because, as previously indicated these periods do not represent a similar span of time. An adjustment of the data for the time span difference between the control group and the terminated Corps members would show somewhat lower gains for the control group.

The above table shows that employed male terminees of urban and conservation centers had average wages about 42 cents per hour higher than at enrollment. This increase corresponds to a period of approximately 18 months. Hence, it is not directly comparable with the 23 cents per hour increase indicated for "no-shows," which corresponds to a 12-month period. In order to make the comparison with "no-shows" more clearly understood, their 12-month wage increment can be multiplied by 1.5, i.e., to an 18-month basis—or to 34.5 cents per hour increase. This procedure would result in an estimated program wage effect of 8 cents per hour for the Job Corps terminees.

External evidence supports the reasonableness of an estimated control wage increment on the order of 23 cents per 12 months and 35 cents per 18 months over the period under consideration. This increment has two components: (a) the effect of the rising trend of wage rates over calendar time; and (b) the effect of higher wage rates associated with additional years of age for individuals in the 16–21 age group. Based on data pertaining to lower paying industries and other industry wage data in the Department of Labor publication *Employment and Earnings*, GAO's contractor, Resource Management Corporation, believes that 15–16 cents per hour is a reasonable estimate of the average wage increment for men in relatively low-wage industries and occupations over one year. This would amount to 7–8 cents per six months.

The "worth" of a year of age for disadvantaged individuals in the 16–21 range is estimated by our contractor at 6–8 cents. The Louis Harris Survey of August 1966 Job Corps terminees in February 1967 indicated a 15-cent average wage differential between 16–17 year olds and 18–19 year olds, and an 8-cent differential between the latter and the 20–21 year olds. Taking into account the age distribution of wage earners within each 2-year group, the average wage increment for a year of age appeared to be 6–7 cents per hour. Similar data for Neighborhood Youth Corps terminees from a Dunlap Associates survey in February-April 1967 indicated increments of 18 cents per hour from 16–17 to 18–19, and 7 cents per hour from 18–19 to 20–21. In this case the average increment per year of age was estimated at 8 cents.

Summing the separate calculations of wage effects of calendar time—related to general wage increases resulting from economic conditions—and aging, yields a combined estimate of 21–24 cents per hour per year which is entirely consistent with the 23-cent increment for no-shows in the GAO table. These findings are additionally supported by data in the Louis Harris Survey of no-shows in early 1967 which indicate a 29-cent per hour wage gain for an average period of slightly less than a year.

With respect to the potential for making additional comparisons, GAO did make a number of comparisons which indicated that increased employment and earning power among the terminated Corps members included in the sample could be attributable to the greater employability of youths due to the process of growing up, higher employment and wage levels, and the length of stay of Corps members at the centers. GAO recognizes that a great number of additional comparisons could be made of statistical data; however, the comparisons made were selected on the basis of considerations of the content of past similar studies by others and the desire to be most informative as to the results of the work.

ALLEGED UNSUPPORTED OVERGENERALIZATIONS AND ALLEGED INCORRECT OR QUESTIONABLE ASSUMPTIONS AND MISUNDERSTANDINGS OF THE PROGRAM

It has been alleged that the report represents unsupported overgeneralizations which do not include any evidence or data other than hourly wages and job experience. It also has been alleged that the report does not indicate a correct understanding of the Job Corps program particularly with respect to such matters as the goals and objectives of the vocational and educational programs. It has been stated also that vocational classroom training is not practical considering the academic achievement levels of the entering youths. It has been suggested that (1) vocational classroom training may not be meaningful, (2) many areas of industry are primarily interested in obtaining youths with proper attitudes who it can provide vocational training by its own standards, and (3) GAO placed too much emphasis on graduation criteria.

The GAO report contains comments on the adequacy of the Job Corps program with respect to recruiting and screening, retention of Corps members, vocational and academic training, counseling, and placement and follow-up as well as the post-Job Corps experience. GAO's views are based on consideration of all of these facets of the program.

GAO found and reported that the vocational training program at the conservation centers generally lacked precise, detailed curriculums and lesson plans. In this connection the Job Corps recognized the weakness and has taken action to improve the situation.

GAO recognizes that vocational training, whether in the classroom or in practical on-the-job training, requires a minimum level of literacy and that in many cases incoming Corps members had not reached this level. Job Corps calls for intensive academic training partly to meet this need, and, with respect to individual centers, GAO has made suggestions to Job Corps for improving academic training.

While there may be views among some educators that vocational classroom work may not be of value, such views do not appear to have been the basis for the methods followed at the Job Corps centers. In this respect, GAO noted that the program at conservation centers where vocational training was provided primarily within the context of work projects contrasted with the programs at the urban centers which usually included both classroom and on-the-job training.

It may be that in many areas of American industry there is a growing desire to provide skill training by the industry's own standards. However, GAO's examination was made against the objectives of the Job Corps program which are in part to provide intensive vocational training to participants. GAO recognizes the need to develop in Corps members good work habits and attitudes, but if it is demonstrable that such qualities are all that are desired by industry in those it employs, the objectives of the various manpower programs to provide intensive vocational training would have to be reconsidered.

The stress on graduation has been established, not by GAO, but by the Job Corps which has developed its program to give the greatest assistance to those classified as graduates. GAO would not agree that anyone should be classified as a graduate at termination merely because he took part in the program and showed some progress. Considering the objectives of the Job Corps program, measurements of improvements in the participants is an essential tool for evaluating the extent to which the program is successful.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. JAVITS. Mr. President, I have been on the same committee with the Senator from Vermont for some years. The Senator from Vermont has constantly taken the position he has now taken with respect to the Job Corps situation, which has very largely developed along the lines he predicted.

What the Senator has developed in great detail and depth is characteristic of the fairness and preparation that have gone into his whole approach to the situation.

Because I know he would not say it himself, I should like to say that his solicitude for those who need training, and who should have training with the help of the Federal Government, is second to no one's here, neither the sponsor of the resolution nor any other Senator.

I know that his statement comes only after real study and with a design for doing a fine and better job. He is the primary author of the Human Investment Act, which so many of us supported here, which is designed to attain the very purposes that I certainly think our committee is united on and which represents a different point of view from that of the sponsor of the resolution and those Senators who have supported him.

It is only fair to say that that proposal has as its objective the same effort to provide every young American, no matter how he may have been situated before, the opportunity to acquire the skill and training which would enable him to share fairly and equitably in the tremendous productivity and power of the American economy.

I congratulate the Senator.

Mr. PROUTY. I am very grateful to my distinguished friend, the senior Senator from New York. Certainly, my statement today has not been intended as anything other than constructive criticism. I am sure all of us on the committee and in the Senate want to do everything we can to make these training programs successful and enable thousands of young men who have not had a fair chance up to this time to receive the training and skills necessary to become productive citizens. That is all I am interested in. That is what we are all interested in. If there is a better way to do it, then let us try it.

Mr. JAVITS. Mr. President, the Senator and I have served together now for a very long time. In my judgment, the Senator from Vermont shows that he is not going to be deterred from attaining the objective by narrow financial considerations, but that he will lend himself to every constructive measure, on a high priority, to attain the result which he has indicated by his previous statement that he wishes to attain.

Mr. PROUTY. I have said on many occasions that, if more money is needed to do the job, I would be in favor of it if it did the job. My assertion today is that we are not now doing the job with the money spent on the Job Corps program. If we can find a better way, even though it may cost more in the end, I am in favor of taking that action.

Mr. JAVITS. Again I congratulate my colleague.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. TYDINGS, from the Committee on the District of Columbia:

Frank Q. Nebeker, of Virginia, to be an associate judge of the District of Columbia Court of Appeals.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Proposed Supplemental Appropriations (S. Doc. No. 91–18)

A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1969 in the amounts of $172,600,000 for mandatory payments to veterans; $30,353,000 for Federal agency expenses of recent storms and floods; $17,305,407 in budget authority and $24,651,000 in other proposals for essential needs of the Executive Branch; and $1,700,000 for fiscal year 1968 and 1969 needs for the Judiciary, which, with accompanying papers was referred to the Committee on Appropriations and ordered to be printed.

Report of Agreements Signed Under Public Law 480

A letter from the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting, pursuant to law, report of agreements for foreign currencies signed by the Department in March and April 1969 (with an accompanying report and papers); to the Committee on Agriculture and Forestry.

Report—National Atmospheric Sciences Program

A letter from the Director, Office of Science and Technology, Executive Office of the President, transmitting, pursuant to law, a report on the national atmospheric sciences program, for the fiscal year 1970 (with an accompanying report); to the Committee on Commerce.

Proposed Legislation on Certain Concessions at Washington National Airport

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the act of October 9, 1940 (54 Stat. 1030), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes (with an accompanying paper); to the Committee on Commerce.

Proposed Legislation To Provide for Alteration, Maintenance, and Repair of Government Buildings and Property Under Lease or Concession Contracts

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide for the alternation, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government owned airports under the jurisdiction of the Secretary of Transportation and for other purposes (with an accompanying paper); to the Committee on Commerce.

Proposed Legislation Authorizing Arrests for Offenses Committed on Federal Lands Acquired To Provide Access to Dulles Airport

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the act of September 7, 1950 (relating to the construction of a public airport in or near the District of Columbia), to authorize arrests for offenses committed on Federal lands acquired to provide access to the airport, and for other purposes (with accompanying papers); to the Committee on Commerce.

Report of the Comptroller General

A letter from the Comptroller General of the United States, transmitting pursuant to law, a report on observations on development and status of the audit function at the Department of Health, Education, and Welfare, dated May 9, 1969 (with an accompanying report); to the Committee on Government Operations.

Withdrawal of Application by Cameron County Water Improvement District No. 2, San Benito, Tex., for Loan

A letter from the Assistant Secretary of the Interior, transmitting a request that the loan application by the Cameron County Water Improvement District No. 2 of San Benito, Tex., be dropped from consideration (with an accompanying paper); to the Committee on Interior and Insular Affairs

Proposed Amendment of Title 5 United States Code

A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend title 5, United States Code, to repeal the reporting requirement contained in subsection (b) of section 1308 (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

An act (H.F. No. 881) adopted by the Legislature of the State of Minnesota; to the Committee on the Judiciary:

H.F. No. 881

"An act relating to the cession by the state of Minnesota to the state of North Dakota of certain parcels of real property located in Kittson county, Minnesota

"Be it enacted by the Legislature of the State of Minnesota:

"Section 1. [Finding.] Because of the construction of the Drayton Dam on the Red River of the North for industrial and municipal water supply purposes, an avulsion has occurred leaving the following parcel of land physically detached from the state of Minnesota and attached to the state of North Dakota:

"That portion of government lot 1, section 18, township 159 north, range 50 west of the 5th principal meridian, county of Kittson, state of Minnesota, bounded by the thread of the Red River of the North as it existed prior to April 1964, and the thread of the new channel and spillway constructed to the east of the old channel, containing 2.83 acres, more or less.

"Sec. 2. [Cession of lands.] The state of Minnesota upon passage by the legislature of the state of North Dakota of the necessary enabling legislation accepting jurisdiction over the property described in section 1, so that said property shall be a part of the state of North Dakota, hereby agrees to the cession of said lands so that the same will no longer be a part of Minnesota.

"Sec. 3. [Lands, Titles, Records.] Nothing contained in the provisions of this act shall be construed in such manner as to prejudice the title, right or claim of any person to any of the lands herein involved. The register of deeds of Kittson county, Minnesota shall cooperate with the register of deeds of Pembina county, North Dakota in furnishing him such records of title, or copies thereof, to the land described in section 1, recorded in Kittson county, Minnesota, as may be necessary. The register of deeds may make the usual charge for certified copies of records and documents if the same are required by the register of deeds of Pembina county.

"Sec. 4. [Agreement, Consent of Congress.] The act of the legislature of the state of North Dakota referred to in section 2 of this act, together with this act, shall constitute the agreement between the states of Minnesota and North Dakota. The congress of the United States, upon passage of such acts by the respective legislatures of the states of Minnesota and North Dakota, is petitioned, pursuant to Article I, Section 10, Clause 3 of the United States Constitution, to give its consent to this agreement and to amend the enabling acts of such states accordingly. The secretary of state of Minnesota shall transmit copies of this act to the presiding officers of the senate and house of representatives of the United States and to the several senators and representatives of the states of Minnesota and North Dakota in the congress of the United States who are petitioned to take such action as they deem proper to procure the consent of the congress of the United States to this agreement between the states of Minnesota and North Dakota.

"L. L. Duxbury,
"Speaker of the House of Representatives.
"James B. Goetz,
"President of the Senate.

"Passed the House of Representatives this seventh day of April in the year of Our Lord one thousand nine hundred and sixty-nine.

"Edward A. Burdick,
"Chief Clerk, House of Representatives.

"Passed the Senate this 11th day of April in the year of Our Lord one thousand nine hundred and sixty-nine.

"H. Y. Torrey,
"Secretary of the Senate.

"Approved April 22, 1969.

"Harold LeVander,
"Governor of the State of Minnesota.

"Filed April 22, 1969.

"Joseph L. Donovan,
"Secretary of State."

A resolution adopted by the city council of the city of Philadelphia, memorializing the President of the United States to reconsider the anti-ballistic-missile plan; to the Committee on Armed Services.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

S. 1287. A bill to authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study (Rept. No. 91–168); and

H.R. 8794. An act to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development, and for other purposes (Rept. No. 91–169).

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

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By Mr. PEARSON (for himself and Mr. Dole):

S. 2115. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans.; to the Committee on Banking and Currency.

(See the remarks of Mr. Pearson when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (for Mr. Aiken):

S. 2116. A bill to provide for the inspection of certain egg products by the U.S. Department of Agriculture; restriction on the disposition of certain qualities of eggs; uniformity of standards for eggs in interstate and foreign commerce; and cooperation with State agencies in administration of this Act; and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. MANSFIELD:

S. 2117. A bill for the relief of Lai Wai (Wai-ming); to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 2118. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Randolph, when he introduced the above bill, which appear earlier under a separate heading.)

By Mr. GOLDWATER:

S. 2119. A bill to provide for the restoration of the Antelope Creek lands to the Navajo Tribe of Indians; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY (for himself, Mr. Fannin, Mr. Gurney, Mr. Javits, Mr. Prouty and Mr. Miller):

S. 2120. A bill to amend the Older Americans Act of 1965 to extend its duration, to authorize assistance for projects for foster grandparents and senior companions, to provide assistance to strengthen State agencies on aging, and to otherwise strengthen and improve that act; to the Committeee on Labor and Public Welfare.

(See the remarks of Mr. Murphy when he introduced the above bill, which appear earlier under a separate heading.)

By Mr. ELLENDER (by request):

S. 2121. A bill to amend the act of August 28, 1950, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work; to the Committee on Agriculture and Forestry.

By Mr. McCLELLAN (for himself Mr. Ervin, and Mr. Hruska):

S. 2122. A bill to amend title 18, United States Code, to prescribe the manner in which a witness in a Federal proceeding may be ordered to provide information after asserting his privilege against self-incrimination and to define the scope of the immunity to be provided such witness with respect to information provided under an order; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under an earlier heading.)

By Mr. EAGLETON:

S. 2123. A bill for the relief of Mr. Mir Shamsuddin Ali Khan; to the Committee on the Judiciary.

By Mr. MILLER:

S. 2124. A bill to authorize the Commissioner of the District of Columbia to administer a program to provide for the construction of parking facilities in the District of Columbia for Government employees and visitors to the District of Columbia without displacing families or businesses or reducing the tax base of the District of Columbia; to the Committee on the District of Columbia.

(See the remarks of Mr. Miller when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 2125. A bill to amend the Tariff Schedules of the United States to accord to the Trust Territory of the Pacific Islands the same tariff treatment as is provided for insular possessions of the United States; to the Committee on Finance.

(See the remarks of Mr. Inouye when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 2126. A bill for the relief of Hon Wong; to the Committee on the Judiciary.

By Mr. McINTYRE:

S. 2127. A bill for the relief of Jose Dias Costeira Afonso;

S. 2128. A bill for the relief of Domitilia da Silva Sousa;

S. 2129. A bill for the relief of Jose Maria Pimentel Jeronimo;

S. 2130. A bill for the relief of Jose Luis Tavares Arruda;

S. 2131. A bill for the relief of Manuel Espilola de Veiga and his wife, Rosa Augusta de Melo de Veiga;

S. 2132. A bill for the relief of Dimas Carvalho Pimentel;

S. 2133. A bill for the relief of Clarimundo S. De Quadros;

S. 2134. A bill for the relief of Daniel Dias Machado; and

S. 2135. A bill for the relief of Fernando da Silva Matos; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 2136. A bill for the relief of Hsia Cheung Fat; to the Committee on the Judiciary.

By Mr. EAGLETON:

S. 2137. A bill for the relief of Dr. Chung Hong Khan; to the Committee on the Judiciary.

By Mr. HATFIELD:

S. 2138. A bill for the relief of the estate of William E. Jones; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 2139. A bill to amend section 213 of the Internal Revenue Code of 1954 to include certain amounts paid for special foods as amounts paid for medical care; to the Committee on Finance.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON:

S. 2140. A bill to provide for the conveyance of a portion of pier 91, Seattle, Wash., for National Guard purposes; to the Committee on Armed Services.

By Mr. METCALF:

S. 2141. A bill to provide that Federal income tax returns may be mailed free of postage; to the Committee on Post Office and Civil Service.

By Mr. COOPER:

S. 2142. A bill to provide for the renewal and extension of certain sections of the Public Works and Economic Development Act of 1965, as amended; to the Committee on Public Works.

By Mr. JAVITS (for himself, Mr. Bible, Mr. Brooke, Mr. Cannon, Mr. Hartke, Mr. McGee, Mr. Percy, Mr. Scott, and Mr. Williams of New Jersey):

S. 2143. A bill to amend the International Travel Act of 1961 in order to promote travel in the United States; to the Committee on Commerce.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. GRAVEL (for himself, Mr. Cook, and Mr. Moss):

S. 2144. A bill to clarify and strengthen the cargo-preference laws of the United States and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Gravel when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S.J. Res. 109. A joint resolution to provide for a study of student unrest on campuses in the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Mondale when he introduced the above joint resolution, which appear under a separate heading.)

S. 2115—INTRODUCTION OF A BILL PROVIDING FOR THE STRIKING OF MEDALS IN COMMEMORATION OF THE 100TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF WICHITA, KANS.

Mr. PEARSON. Mr. President, today I introduce, for myself and Senator Dole, for appropriate reference, a bill which will provide for the striking of medals to commemorate the 100th anniversary of the founding of the city of Wichita. This centennial celebration is to begin June 28, 1969. The bill authorizes the Secretary of the Treasury to strike and furnish the Wichita Centennial, Inc. with not more than 100,000 national medals for the celebration. The designs, sizes, and composition of the medals are to be determined by the Wichita Centennial, Inc., the sponsoring organization, subject to the approval by the Secretary. The medals may not be made until security satisfactory to the Secretary is furnished to indemnify the United States for full payment of all costs. The medals may be made in quantities of not less than 2,000 and no medals may be made under the authority of this legislation after December 31, 1970.

Wichita, the largest city in Kansas with a population of 282,381, serves as county seat of Sedgwick County with a total population of 352,553. Named for the tribe of Wichita Indians which came to Kansas from Oklahoma Territory in 1863, Wichita had its beginning for the purpose of trade with the Indians. Wichita has grown from an Indian village to a metropolis in its first century.

Wichita is termed the "Air Capital of the World." Fifty-six percent of all general aviation aircraft manufactured in the United States are produced by Wichita's Beech, Cessna, and Lear Jet. Moreover, the Wichita Division of the Boeing Co. is the largest industrial employer in the State of Kansas, and contributes a high percentage of this country's airline and military jets. McConnel Air Force Base, also located at Wichita, adds to the city's air travel fame. As a result of the capabilities of its aerospace industries. Wichita is proud of the many contributions made through the years to the defense and security of America.

As Sedgwick County and Wichita are situated in the center of an extensive fertile agricultural area, agriculture is important and diversified. Wichita is a principal agricultural market in Kansas. It is the third largest grain storage city in the Nation. Wichita for many years has been the largest broom corn market in the world. The city also serves as a major livestock terminal market and meatpacking center. Wichita is headquarters

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for oil production in Kansas and for parts of Oklahoma, New Mexico, Colorado, and Wyoming.

The people of Wichita have long realized the importance of culture in everyday life, and they are supporting citywide improvement programs, including core-area beautification, tree-lined boulevards, a $2.5 million library, a $3.6 million natural habitat zoo, and a $12.6 million civic and cultural center known as Century II.

The House has completed action on this legislation. Because of the nearness of the centennial, I hope the Senate may act expeditiously.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2115) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the City of Wichita, Kans., introduced by Mr. PEARSON (for himself and Mr. DOLE), was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 2124—INTRODUCTION OF A BILL PROVIDING FOR PARKING FACILITIES IN THE DISTRICT OF COLUMBIA

Mr. MILLER. Mr. President, I introduce, for appropriate reference, a bill to authorize the mayor of the District of Columbia to administer a program for the construction of parking facilities in the District of Columbia for Government employees and visitors to the District of Columbia without displacing families or businesses or reducing the tax base of the District of Columbia.

This bill is basically the same, with a few minor changes, as that passed by the House of Representative on September 25, 1968. The purpose of the bill is to provide adequate parking on federally owned or District-owned property. The general idea is to have these facilities constructed, maintained, and operated by experienced operators.

Besides minimizing cost of site acquisition and avoiding erosion of the property tax base, another important aspect of the bill is that the cost of these facilities would be self-liquidating. In other words, fees would be charged to amortize the cost of the facilities. Therefore, it would not cost the Federal taxpayers any money. This is most important at a time when we are trying to hold down Federal expenditures and stop the runaway inflation we have been experiencing for so long. The need for this legislation is urgent.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2124) to authorize the Commissioner of the District of Columbia to administer a program to provide for the construction of parking facilities in the District of Columbia for Government employees and visitors to the District of Columbia without displacing families or businesses or reducing the tax base of the District of Columbia, introduced by Mr. MILLER, was received, read twice by its title, and referred to the Committee on the District of Columbia.

S. 2125—INTRODUCTION OF A BILL EXEMPTING THE TRUST TERRITORY FROM CERTAIN TARIFFS AND DUTIES

Mr. INOUYE. Mr. President, I am today introducing a measure to exempt most goods of the Trust Territory from the tariffs and duties now imposed on such goods entering the United States from this area. At the present time, American Samoa, Guam, and the Virgin Islands enjoy tariff preferences for the entry of their goods into the United States. My bill would grant the Trust Territory the same privileges afforded these territories. While the Trust Territory is not itself a possession of the United States, it is administered by the United States under a United Nations trusteeship. I believe this places a special obligation upon us relative to this area. Assumption of our proper responsibility for the economic development of the Trust Territory is long overdue. As a first step we should assist in developing as viable an economic base as possible despite the Trust Territory's lack of natural resources and its great distance from large markets. The proposed legislation would be a step in that direction.

The Trust Territory has few duties and these only apply to specific commodities such as tobacco, liquors, and petroleum. Of the $13,572,052 imported into the Trust Territory in fiscal year 1968, the U.S. share of this market was approximately 50 percent. Trade is not a one-way street.

Undoubtedly concern will be expressed by some that the Trust Territory will merely become an assembly point for foreign produced goods thereby giving them preferred treatment in U.S. markets. To prevent this, the bill I am introducing would provide for a 50-percent foreign materials limitation on the duty-free goods imported into the United States. There is a similar provision which applies to those goods imported from Guam and the Virgin Islands duty free.

Public attention has once again focused on the Trust Territory of the Pacific Islands as a result of a recent visit by Secretary of Interior Walter J. Hickel.

Unfortunately such attention is rare for the Trust Territory. The U.S. Government has not given this area the attention it needs, nor have we expressed our concern through meaningful action. The bill I am today introducing would help to assist the Trust Territory to become more self-sufficient, raise their miserably low per capita income, and demonstrate our intent to fulfill our obligations to the people of these islands. The time for action is now.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2125) to amend the Tariff Schedules of the United States to accord to the Trust Territory of the Pacific Islands the same tariff treatment as is provided for insular possessions of the United States, introduced by Mr. INOUYE, was received, read twice by its title, and referred to the Committee on Finance.

S. 2139—INTRODUCTION OF A BILL TO INCLUDE CERTAIN AMOUNTS EXPENDED FOR SPECIAL DIETARY FOODS AND BEVERAGES

Mr. HARTKE. Mr. President, I introduce, for appropriate reference a bill to amend section 213 of the Internal Revenue Code of 1954. Specifically, this bill provides for an expansion of the definition of "medical care" as found in section 213(e) of the code to include certain amounts expanded for special dietary foods and beverages. Such foods and beverages which are needed to satisfy the nutritional requirements of an individual who, for reason of health, is unable to consume a regular diet would be made tax deductible to the extent that the cost of such items exceeds the cost of a normal diet. In addition, the cost of transportation which is undertaken for the primary purpose of obtaining such foods and beverages would also be made deductible.

There are millions of people in this country, Mr. President, who must adhere to strict diets for health reasons. Currently they are not allowed to deduct as "medical care" expenses those amounts expended for special foods which are above and beyond that which would be spent on normal diet. This is so even though those who must utilize such diets are, in the strictest sense of the world, ill. Although adherence to required dietary prescriptions will ordinarily prevent illness in the affected person, any departures from the regimen are capable of producing serious illness and even death. Section 213(e)(1)(A) of the code provides that amounts expended "for the mitigation, treatment, or prevention of disease" should be treated as allowable expenses, yet the Internal Revenue Service has consistently refused to acknowledge that special diet foods have the effect of mitigating, treating, or preventing disease and thus has refused to bring them within the language of the section.

The following outline indicates those clinically identified diseases wherein the patient knows he has the disease and wherein dietary restrictions, regimens, or supplements are prescribed by a physician.

Disease	Diet	Number
High blood pressure	Sodium restricted	17,000,000
Coronary heart disease	Fat restricted	3,125,000
Diabetes	Carbohydrate restricted.	2,000,000
Gastric ulcers	"Sippy" food regimens.	10,000,000
Colitis	"Bland" food regimens.	(1)
Iron-deficiency anemia	Iron-enriched foods	(2)

[1] Unknown, but common in white women in their thirties outside the Southern United States.

[2] 10,000,000 to 60,000,000 among children and women (estimated prevalence).

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In addition to the above-listed diseases there are many conditions which require anti-allergenic diets, fat gluten-free diets, therapeutic vitamin and/or mineral supplements, protein supplements; as well as restricted diets in connection with certain kidney and metabolic diseases.

Mr. President, I ask unanimous consent that the text of this bill be reprinted immediately after my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill was ordered to be printed in the RECORD.

The bill (S. 2139) to amend section 213 of the Internal Revenue Code of 1954 to include certain amounts paid for special foods as amounts paid for medical care introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2139

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 213(e)(1) of the Internal Revenue Code of 1954 (relating to definition of medical care) is amended—

(1) by striking out "or" at the end of subparagraph (B);

(2) by striking out the period at the end of subparagraph (C) and inserting in lieu thereof ", or"; and

(3) by inserting after subparagraph (C) the following new subparagraph:

"(D) for food and beverages necessary to satisfy the nutritional requirements of an individual who is unable, by reason of his health, to consume normal food and beverages (but only to the extent the amounts paid for such food and beverages exceed the amounts which would be paid for food and beverages for such individual if he was able to consume normal food and beverages), and transportation undertaken primarily to obtain such food and beverages."

(b) The amendments made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act.

S. 2143—INTRODUCTION OF A BILL TO PROMOTE TRAVEL IN THE UNITED STATES

Mr. JAVITS. Mr. President, for the past 8 years, the United States has experienced major balance-of-payments difficulties, a significant element of which is the so-called "travel gap"—the difference between what U.S. tourists spend abroad and what foreign travelers spend in the United States. Yet, except for the establishment of the U.S. Travel Service in 1961, no effective national program or resources have been developed to meet this major problem.

The last administration's record was unhappily inadequate in this respect. It first launched the so-called "Discover America" program in 1965, financed entirely by travel industry contributions. It subsequently reduced the value of goods that returning American travelers could bring into the United States duty-free to discourage U.S. overseas travel. In early 1968, the President called for additional measures to restrict travel, including a travel tax. Fortunately, Congress had the good sense not to act on these restrictions. In November of 1967, President Johnson appointed an Industry-Government Special Task Force on Travel to develop recommendations for government and private action in the field of travel. The report of the task force was completed February 6, 1968, and some of its minor proposals were implemented by the travel industry. When it came to such major proposals as the establishment of a national tourist office with an annual budget of $30 million, differences within the administration prevented it from implementing them.

The point I am making here is that we are in the ninth year of the U.S. balance-of-payments crisis, and the Federal Government still has not been able to come up with an effective national travel effort. Despite the heroic efforts of the USTS through its meager financial resources, the travel deficit has widened. It was $1.6 billion in 1964, and $1.96 billion in 1968.

The outgoing administration's last proposals were to request the start of a matching fund program to encourage the travel promotion efforts of State and local governments and private or public nonprofit organizations, and a $6 million appropriation for the USTS for fiscal 1970. Senator MAGNUSON, Senator STEVENS, and I have introduced legislation, S. 1289, to establish a matching fund program.

I do not believe that either the matching fund proposal or a minor increase in USTS' budget will be adequate to do the job that needs to be done.

I believe that now is the time, at the outset of the new administration, to chart a new course, and to make this country into a first-class travel nation. It is for this reason that I am introducing the International and Domestic Travel Act of 1969. The bill would significantly broaden the authority and scope of the USTS, will provide it with $15 million in annual appropriations; and will establish a 15-member Commission to assess the long-term travel needs of this country, financed by a separate $2.5 million appropriation.

Specifically, the bill provides:

First, new authority for the USTS to develop a coherent national travel policy to coordinate the present travel activities of various Federal agencies; to encourage and improve domestic travel facilities; and to coordinate and act as the Federal Government's liaison with State and private tourist organizations.

Second, a budget of $15 million to finance the USTS' new activities and to strengthen its present activities abroad. Of this, $5 million could be devoted to start the domestic travel program proposed by the bill, and $10 million to promote foreign travel to the United States.

Third, a national inventory of our travel resources to lay the groundwork for a long-term national travel program. The bill calls for the establishment of a 15-member National Tourism Resources Commission, to be appointed by the Secretary of Commerce from among private citizens knowledgeable and experienced in the travel field.

The legislation I am proposing today will provide the Nation with the basis for an effective national travel effort. The USTS now has an able, new Director in the person of C. Langhorn Washburn, who already has made himself felt during the brief period that he has been in office. He has proposed a number of interim steps to stimulate the flow of travel to this country from abroad, proposals which received the endorsement of the 15-man Travel Advisory Board of the U.S. Department of Commerce.

I have also discussed the need for a new travel effort with the Secretary of Commerce, Maurice Stans, during his testimony before the Joint Economic Committee earlier this year and in subsequent correspondence, I am impressed with Secretary Stans' determination to strengthen the USTS and to establish an effective travel program for the United States based on new concepts. I very much hope that this bill will gain Secretary Stans' and Director Washburns' support, and urge that the Senate Commerce Committee undertake hearings on U.S. travel policy in the immediate future.

The U.S. travel industry, composed of thousands of hotels, motels, resorts, airlines, national parks and forests, gas stations, seashores, restaurants, is one of our most important national resources. It is a $30 billion industry, ranking as third largest behind manufacturing and agriculture. It is vitally important as an employer of 6 million individuals, 3 million directly and an additional 3 million indirectly, many of them unskilled and semiskilled; as a source of profits to investors and owners, as a source of tax revenue, both to the States and the Federal Government. A vigorous domestic travel industry is also—vital as the most effective means of dealing with the so-called tourism gap—the difference between money spent by U.S. tourists overseas and foreign tourists in the United States.

By promoting foreign and domestic travel effectively at the national, State, and local levels, we will be in a much better position to attract foreign tourists—confident, for example, that when they arrive they will be able to convert their currency easily at points of entry and in the larger cities, that they will be able to find officials and employees in the hotel and transportation field capable of speaking their language, that the natural and manmade wonders of our country will be made available to them with the least possible difficulty. In short, that they will find facilities awaiting them, similar to the facilities and services available to foreign visitors in Europe for the last half century.

The responsibility to own, invest in, and to promote and manage our travel industry belongs to the private sector. The responsibility to encourage, assist, and to act as a catalyst and spearhead for our travel industry rests with the national, State, and local governments in cooperation with private industry.

Since the end of World War II, European countries, Canada, and Japan, as well as developing countries, have embarked on large-scale efforts to increase foreign travel to their countries, as well as to increase travel within their borders. They realize early the enormous earnings potential to travel as a source of employment and tax revenues. With this realization in mind, their budgets for travel promotion have risen each year.

A few statistics will demonstrate what is at stake here: Nearly 141 million for-

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eign visitor arrivals were recorded in the different countries of the world in 1968, generating an estimated $14.4 billion. The United States received approximately 11 million visitors: 8.7 million from Canada, 1.8 million from overseas countries, and 500,000 from Mexico. These visitors spent approximately $2.002 billion in the United States. On the other hand, some 16.7 million U.S. residents traveled to Canada, 3.9 million to overseas countries and 400,000 to Mexico. These travelers accounted for an outflow of $3.96 billion. Thus, the travel gap, the difference between expenditures by U.S. residents for travel and U.S. receipts from foreign visitors, in 1968 equaled $1.96 billion.

The United States is a late starter in the competition for the foreign traveler. It was not until the creation of USTS in June, 1961 that the U.S. Government seriously started to promote foreign travel to our shores. This effort has been extremely successful as is demonstrated by the steep rise in foreign travel to the United States since the USTS went to work. On the budget that has reached $4.5 million only in the current fiscal year, the USTS has succeed in stimulating an increase in foreign travel to the United States by over 20 percent in 1967. Through the help of USTS, from 1961 to 1968, the overall percentage increase has been 176.7 percent, an average of over 14 percent per year.

According to information supplied by the USTS, the estimated number of foreigners whose income level would permit a visit to the United States is 13.2 million as compared with the nearly 2 million who visited this country from overseas last year—excluding those from Canada and Mexico. It is therefore quite clear that the USTS budget should be sharply increased if an effective travel promotion campaign is to be mounted by the United States.

It is rather obvious that before an effective national effort can be mounted to fully exploit the potential of travel in the United States, there must be developed a focal point within the Federal Government to orchestrate the activities of the Government in travel and tourism.

If anyone today attempts to discuss the problem of improving our American travel resources with official Washington, he would find it impossible to find any one agency involved with the broad aspect of travel. There is an agency to promote foreign travel to this country, another to encourage outdoor recreation. The Agriculture Department is encouraging farmers to build campsites. Interior is helping Indian reservations to create tourist attractions. ARA is lending money for tourist development in distressed areas. Interior has National Parks, and Agriculture, National Forests. The Department of Transportation establishes transportation policy and so do some of the independent agencies.

More than a dozen Federal departments and agencies spend millions of dollars on travel and tourism functions. Departments or agencies not already named include the Forest Service, the U.S. Army Corps of Engineers, the Tennessee Valley Authority, the Bureau of Sport Fisheries and Wildlife, the Bureau of Outdoor Recreation, the Civil Aeronautics Board, the Interstate Commerce Commission, the Bureau of Public Roads, and the Armed Forces. The need is obviously great for a central coordinating body which can at least think about the overall state of the American travel industry.

Providing the specialized facilities and services needed by foreign and domestic visitors must also be considered. There is a great need for taking a national inventory of our national travel resources and assessing its adequacy over the next decade. A new initiative must be taken to establish a close relationship between our national efforts to promote domestic and foreign travel in the United States and the efforts of the States.

Such an inventory would be the responsibility of the National Tourism Resources Review Commission which is authorized by the bill I introduce today. The Commission, whose members would be experienced in the tourism and travel industries, would bring into focus our current resources and facilities and help draft long-range plans for the future.

Under my bill, the Commission would be provided with a budget of $2.5 million and would be ordered to report to the President and the Congress within 2 years. The staff of the U.S. Travel Service would be authorized to assist the Commission; but expert consultant hire would also be authorized.

Among the problems that should be considered by the Commission in the course of its study is: Whether a separate Federal agency should be created to consolidate and coordinate the tourism research, planning, and development now handled by many different departments, offices, and agencies.

Mr. President, I ask unanimous consent to have printed in the Record various tables to which I have referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 to 4.)

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, the International and Domestic Travel Act of 1969 for myself and Mr. Bible, Mr. Brooke, Mr. Cannon, Mr. Hartke, Mr. McGee, Mr. Percy, Mr. Scott, and Mr. Williams of New Jersey, and I request unanimous consent that the text of the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2143) to amend the International Travel Act of 1961 in order to promote travel in the United States, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2143

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Travel Act of 1961 (22 U.S.C. 2121–2126) is amended—

(1) by striking out the first and second sections and inserting in lieu thereof the following:

"That it is the purpose of this Act to strengthen the domestic and foreign commerce of the United States, and promote friendly understanding and appreciation of the United States by encouraging foreign residents to visit the United States and by facilitating international travel generally, and by otherwise encouraging and facilitating travel within the United States (including its possessions for the purposes of this Act).

"Sec. 2. In order to carry out the purpose of this Act the Secretary of Commerce (hereinafter in this Act referred to as the 'Secretary') shall—

"(1) formulate for the United States a comprehensive policy with respect to domestic travel;

"(2) develop, plan, and carry out a comprehensive program designed to stimulate and encourage travel to and within the United States for the purpose of study, culture, recreation, business, and other activities and as a means of promoting friendly understanding and good will among peoples of foreign countries and the United States;

"(3) encourage the development of tourist facilities, low-cost unit tours, and other arrangements within the United States for meeting the requirements of all travelers;

"(4) foster and encourage the widest possible distribution of the benefits of travel at the cheapest rates between foreign countries and the United States and within the United States consistent with sound economic principles;

"(5) encourage the simplification, reduction, or elimination of barriers to travel, and facilitation of travel to and within the United States generally;

"(6) collect, publish, and provide for the exchange of statistics and technical information, including schedules of meetings, fairs, and other attractions, relating to travel and tourism; and

"(7) establish an office to be known as the Office of Travel Program Coordination, which shall assist the Secretary in carrying out his responsibilities under this Act for the purpose of (A) achieving maximum coordination of the programs of the various departments and agencies of the United States Government to promote the purposes of this Act, (B) consulting with appropriate officers and agencies of State and local governments, and with private organizations and agencies, with respect to programs undertaken pursuant to this Act, and (C) achieving the effective cooperation of Federal, State, and local governmental agencies, and of private organizations and agencies, concerned with such programs.";

(2) by inserting before the period at the end of section 3(b) the following: "and shall not otherwise compete with the activities of other public or private agencies";

(3) by inserting "(a)" after "Sec 4", and by inserting at the end of such section 4 a new subsection as follows:

"(b) The Secretary may appoint two assistant directors for the purpose of this Act, Such assistant directors shall be compensated at the rate provided for GS–18 in the Classification Act of 1949.";

(4) by redesignating sections 5, 6, and 7 as sections 6, 7, and 8, respectively, and by inserting after section 4 a new section as follows:

"Sec. 5. (a) The Secretary shall establish a National Tourism Resources Review Commission. Such Commission shall be composed of fifteen members appointed by the Secretary from among persons who are informed about and concerned with the improvement, development, and promotion of United States tourism resources and opportunities or who are otherwise experienced in tourism research, promotion, or planning. The Secretary shall appoint a chairman from among

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such members. The Commission shall meet at the call of the Secretary.

"(b) The Commission shall make a full and complete study and investigation for the purpose of—

"(1) determining the domestic travel needs of the people of the United States and of visitors from other lands at the present time and to the year 1980;

"(2) determining the travel resources of the Nation available to satisfy such needs now and to the year 1980;

"(3) determining policies and programs which will insure that the domestic travel needs of the present and the future are adequately and efficiently met;

"(4) determining a recommended program of Federal assistance to the States in promoting domestic travel; and

"(5) determining whether a separate agency of the Government should be established to consolidate and coordinate tourism research, planning, and development activities presently performed by different existing agencies of the Government.

The Commission shall report the results of such investigation and study to the Secretary not later than two years after the effective date of this section. The Secretary shall submit such report, together with his recommendations with respect thereto, to the President and the Congress.

"(c) The Secretary is authorized to engage such technical assistance as may be necessary to assist the Commission, the Secretary shall, in addition, make available to the Commission such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Commerce as the Commission may require to carry out its functions.

"(d) Members of the Commission, while serving on business of the Commission, shall receive compensation at a rate to be fixed by the Secretary, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

"(e) There is authorized to be appropriated not to exceed $2,500,000 for the purpose of this section."

(5) by striking out "$4,700,000" in the section redesignated as section 7 and inserting in lieu thereof "$15,000,000"; and

(6) by striking out "International Travel Act of 1961" in the section redesignated as section 8 and inserting in lieu thereof "International and Domestic Travel Act of 1969."

EXHIBIT 1.—Travel promotion expenditures of countries as compared to their gross national products and travel receipts—1967

Country	National tourist office budget for advertising and promotion	GNP	Receipts from international tourism
Austria	$1,730,800	$10,600,000,000	$615,000,000
Belgium	1,100,000	19,200,000,000	(1)
Canada	8,031,000	57,400,000,000	1,209,000,000
Denmark	671,000	12,200,000,000	(1)
Finland	576,600	9,400,000,000	(1)
France	3,339,800	108,000,000,000	1,041,000,000
Germany	[2] 2,000,000	120,900,000,000	877,000,000
Greece	4,700,000	5,700,000	127,000,000
Ireland	[2] 5,000,000	3,100,000,000	(1)
Italy	3,023,000	67,000,000,000	1,424,000,000
Luxembourg	75,000	677,400,000	(1)
Mexico	1,361,900	24,000,000,000	(1)
Netherlands	1,292,000	24,300,000,000	299,000,000
Norway	630,000	8,500,000,000	102,000,000
Portugal	1,793,700	4,185,000	257,000,000
Spain	2,045,200	21,900,000,000	1,210,000,000
Sweden	[2] 600,000	26,000,000,000	109,000,000
Switzerland	2,695,000	15,700,000,000	575,000,000
United Kingdom	[2] 8,500,000	95,000,000,000	652,000,000
United States	1,400,000	789,663,000,000	1,641,000,000

[1] Not available.

[2] Estimated.

Source: Overseas business reports, IUOTO and OECD.

EXHIBIT 2

Budgets of Federal agencies dealing with some aspects of travel, fiscal year 1968 [1]

	*1968 estimate**
Fish and Wildlife Service	$288,197,000
Bureau of Indian Affairs	256,374,000
Bureau of Land Management	156,584,000
National Park Service	130,283,000
Bureau of Reclamation	301,799,000
Army Corps of Engineers: civil works program, fiscal year	1,306,428,000
Bureau of Outdoor Recreation	123,469,000
Forest Service	531,675,000

[1] Funds available for travel promotion or facilities used by traveler are contained within these budgets.

*New obligated authority including revenues.

EXHIBIT 3

Expenditures of State governments for travel promotion, fiscal year 1968—Advertising and promotion budget

Alabama	$374,370
Alaska	200,100
Arizona	75,000
Arkansas	300,000
California	(1)
Colorado	$395,000
Connecticut	70,000
Delaware	4,300
Florida	625,000
Georgia	400,000
Hawaii	400,000
Idaho	140,000
Illinois	100,000
Indiana	282,000
Iowa	20,000
Kansas	50,000
Kentucky	130,000
Louisiana	200,000
Maine	263,598
Maryland	100,000
Massachusetts	555,000
Michigan	367,000
Minnesota	230,000
Mississippi	240,000
Missouri	250,000
Montana	100,000
Nebraska	(1)
Nevada	7,000
New Hampshire	100,000
New Jersey	220,000
New Mexico	145,218
New York	$628,285
North Carolina	525,000
North Dakota	20,000
Ohio	75,000
Oklahoma	85,000
Oregon	353,000
Pennsylvania	340,000
Rhode Island	100,000
South Carolina	125,000
South Dakota	218,500
Tennessee	140,000
Texas:	
Texas Highway Department	(1)
Texas Tourist Development Agency	225,000
Utah	268,600
Vermont	140,000
Virginia	865,000
Washington	220,000
West Virginia	38,000
Wisconsin	228,435
Wyoming	207,600
Total	11,145,006

[1] None.

Source: "Survey of State Travel Offices, 1967–1968" prepared by National Association of Travel Organizations (NATO), October 1968.

EXHIBIT 4

U.S. TRAVEL SERVICE BUDGET AND STAFF

Fiscal year	Approved budget	Size of Staff, District of Columbia	Overseas	Number of offices
1962	$2,500,000	21	27	7
1963	3,350,000	26	38	9
1964	2,600,000	25	44	9
1965	3,000,000	29	47	9
1966	3,000,000	31	48	11
1967	3,000,000	32	44	11
1968	3,000,000	29	47	11
1969	4,500,000	[1] 39	[1] 38	7
1970 (requested)	6,900,000	43	41	8

[1] As of Apr. 30, 1969.

S. 2144—INTRODUCTION OF A BILL TO CLARIFY AND STRENGTHEN CARGO-PREFERENCE LAWS

Mr. GRAVEL. Mr. President, I am today introducing legislation which is designed to clarify and strengthen our cargo-preference laws, and to insure that we at last move toward the attainment of their original goal—the strengthening and improvement of the American-flag merchant marine.

The concept of providing some minimal safeguards for the American merchant marine is an historic one. Since its founding, this Nation has been dependent upon merchant shipping for the adequate development of our peacetime commerce and for the carriage of our national defense requirements. Repeatedly, our ability to develop merchant shipping under the American flag has been placed in jeopardy by the highly competitive nature of international shipping.

On the one hand, we have an American merchant marine which reflects the economic vitality of our country. Because we have a high standard of living, American sailors enjoy wages unmatched by any other maritime power. Because of our high standard of living, the higher economic base of all American workers—in shipyards, in steel mills, in ore mines, in woodworking, in metal working, and the like—finds itself reflected in higher capital costs for the American shipowner who builds and registers his vessel in this country. Because of our humanitarian concern and sense of social responsibility, American sailors enjoy the best of working conditions and fringe benefits, and the vessel on which they work must measure up to the highest achievable safety standards.

All of these cost money, and they place the American-flag ship operator at a disadvantage when he is forced into face-to-face competition with the foreign-flag operator who benefits from lower wages, substandard working conditions, and smaller capital costs resulting from lower safety and operating standards.

Yet, competitive pricing aside, America's need for a merchant fleet of its own has never been challenged. And it is out of this need that the system of insulating American operators against predatory competition developed.

In the international trade, the cargo-preference program had its origin in laws enacted to reserve all of our military cargo for American-flag ships. The reason, again, was obvious: Our military strength would be placed in jeopardy if war and defense materials were carried on foreign ships of uncertain friendliness.

The 73d Congress enacted a cargo-preference law—Public Resolution No. 17 (U.S.C. 616a). This law provided that when the purchase and shipment of American goods is financed by Federal lending agencies, the cargo is to be carried by American-flag ships. This law remains in effect, but it has not beer subject to strict enforcement and the intent of the law has been negated.

In addition to the statutes that I have already cited, there is on the books what is commonly referred to as the cargo-preference law—section 901(b) of the Merchant Marine Act of 1936 (46 U.S.C. 1241(b)). In brief, this law provides that at least 50 percent of the gross tonnage of Government-generated cargo shall be carried in privately owned U.S.-flag commercial vessels, to the extent they are available at fair and reasonable rates. This is the law which was intended to insure a minimum of 50 percent participation by American-flag ships in the carriage of foreign aid, food for peace, and other Government-generated cargo which we have provided in such vast quantities for the less fortunate nations.

There can be no question about the intention of Congress in passing this law and all subsequent amendments. The purpose of the legislation was to make sure that there was a minimum of 50 percent of this cargo reserved for American-flag ships.

Notwithstanding this plain intention, repeated and emphasized in every enactment and amendment of the law, Government agencies have acted in such a way as to make the 50-percent participation a maximum and not a minimum mandate. Accordingly, it has been only rarely—and only for brief periods—that American ships have carried as much as 50 percent of such cargo, while foreign-flag lines have feasted on our bounty to the detriment of our commercial fleet.

Recently, the Transportation Institute of Washington, D.C., which concerns itself with all phases of transportation but whose primary concern is for maritime matters, made an analysis of the practices of the Federal agencies involved. I ask unanimous consent, Mr. President, to include in my remarks at this point the statistics on fiscal year 1967 compiled by the Transportation Institute on this subject.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

U.S.-FLAG SHARE OF GOVERNMENT SHIPMENTS, DECEMBER 1968

While the matter of the government's waterborne shipment of Food-for-Peace and foreign aid cargoes is one of primary concern to the maritime industry, it is of equal concern to all American taxpayers, since, of necessity, public funds underwrite the cost of these shipments.

The basis for allocating cargo to American-flag ships versus foreign-flag ships under these programs is embodied in Section 901(b) of the Merchant Marine Act of 1936 and P.L. 480—both of which make clear:

(a) That American-flag shipping should receive a *minimum* of 50 percent of the cargo generated by the government, and

(b) That the minimum 50 percent requirement be computed *separately* for each segment of the industry, i.e., liners, tankers and tramps.

In recent weeks, this issue has been the subject of increasing public discussion generated by the contention by some segments of the maritime industry that the laws have been administered unevenly in terms of cargo allocation. In the course of these discussions, some confusion has arisen based on the fact that different federal agencies involved in various aspects of the program use different methods for measuring their activities. This has led to the erroneous conclusion, in at least some quarters, that the program has been completely effective in assuring each segment of the maritime industry its "fair share" of the available government-generated cargoes.

The research staff of the Transportation Institute has analyzed the data supplied by all federal agencies involved in order to clarify the status of the program and to make possible objective conclusions as to the effective implementation of the law.

The Maritime Administration, the Department of Agriculture and the Agency for International Development all publish statistics on the U.S.-flag percentage of government agency shipments. MarAd's data are on a calendar-year basis and cover all agencies except the Department of Defense. AID and Agriculture, on the other hand, use a fiscal-year base and only concern themselves with their own liftings.

The information supplied by MarAd for calendar 1967 breaks down as follows:

MARAD SUMMARY OF GOVERNMENT EXPORTS[1]

	Total long tons	U.S.-flag tonnage	U.S.-flag percentage
AGRICULTURE DEPARTMENT			
Tramps	6,174,000	1,497,000	24.2
Tankers	3,366.000	1,718,000	51.0
Liners	1,082,000	707,000	65.3
Total	10,622,000	3,922,000	36.9
AID			
Tramps	2,036,000	366,000	18.0
Tankers	287,000	86,000	30.0
Liners	2,786,000	1,867.000	67.0
Total	5,109,000	2,319,000	45.4

[1] "All Agencies (Except Department of Defense) Summary of Public Law 664 Exports and Imports, Calendar Year 1967," Maritime Administration, Division of Cargo Promotion.

The Interamerican Development Bank also exported 12,000 tons; all carried on U.S.-flag liners. Excluding this, the totals for AID and Agriculture combined are:

	Total tonnage	U.S.-flag tonnage	U.S.-flag percentage
Tramps	8,210,000	1,863,000	22.7
Tankers	3,653,000	1,804,000	49.4
Liners	3,868,000	2,574,000	66.5
Grand total	15,731,000	6,241,000	39.7

The law states that the 50–50 cargo preference provision shall be "computed separately for dry-bulk carriers, dry cargo liners, and tankers." As can be seen, the liner segment was the only one which exceeded the minimum legal requirement for total AID and Agriculture shipments.

If the tonnage carried by liners—approximately 75 percent of which are subsidized—is excluded, the figure drops to *31 percent* as the U.S.-flag share carried by the largely unsubsidized portion of the fleet—3,667,000 tons out of a total of 11,863,000.

AID's export figures for fiscal 1967 were somewhat more complicated than those of MarAd:

AID EXPORTS[1] (FISCAL 1967)

	Total tons	Tonnage subject to 901(b)	U.S.-flag tonnage	U.S.-flag percentage
Tramps	1,983,377	879,928	468,154	53.0
Tankers	366,014	279,250	141,098	51.0
Liners	2,923,039	2,923,039	1,934,603	66.0
Total	5,242,430	4,082,217	2,543,855	62.3

[1] "Cargo Preference Report, Fiscal Year 1967." AID Office of Procurement, Resources Transportation Division.

Normally, the only discrepancy between this and the AID tonnage figures compiled by MarAd would result from comparing the "apples and oranges" of calendar and fiscal years. In most years the difference would be minor. However, there is substantial percentage difference: 45.4 percent reported by MarAd as opposed to 62.3 percent reported by AID.

The reason for the difference lies in the means whereby the two agencies arrived at their results. The reasoning used by AID was as follows:

The column headed "Tonnage Subject to 901(b)" represents that U.S. tonnage which was *available* at time of cargo movement. The percentage of U.S.-flag tonnage actually carried is figured as a share of this subtotal, rather than of the true total.

AID's position is that Section 901(b) of the Merchant Marine Act—the 50–50 cargo preference requirement—applies only where American ships are available. The agency thus "writes off" the remaining portion of its liftings to foreign-flag vessels before com-

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puting the U.S.-flag percentage. As can be seen in the above table on AID exports, even where U.S. tonnage *was* available, AID saw fit to use it for only 62.3 percent of its total shipments.

To be valid, the U.S.-flag tonnage carried should be considered as a percentage of the grand total, not of the subtotal. When this is done, the following results are obtained:

	Total tonnage	U.S.-flag tonnage	U.S.-flag percentage
Tramps	1,983,377	468,154	23.6
Tankers	336,014	141,098	42.0
Liners	2,923,039	1,934,603	66.0
Total	5,242,430	2,543,855	48.5

The 48.5 percent figure is a more reasonable one and, furthermore, is one which is comparable to the 45.4 percent total given by MarAd for calendar 1967.

Again, the U.S.-flag percentage drops considerably if the liner segment is not included. Subtracting those receiving a "double subsidy" leaves a total tonnage of 2,319,391, out of which U.S.-flag tramps and tankers carried 609,252 tons. The percentage then becomes *26.3*, rather than 48.5.

Department of Agriculture liftings are covered by P.L. 480, which governs the disposal of surplus agricultural commodities. The law is divided into two Titles. Title I concerns long-term credit sales and Title II, the "Voluntary Agency Program" portion of the law, concerns free donations of agricultural surpluses to friendly nations on a government-to-government basis. Although an Agriculture Department program, Title II is administered by AID.

The U.S. Attorney and Comptroller-Generals have ruled that the 50–50 cargo preference provision is applicable to Title I of P.L. 480. AID and Agriculture have agreed, in their words, to "maximize" the use of U.S.-flag vessels in carrying out Title II, but there is no formal cargo preference requirement.

For fiscal 1967, the following shipments were made:

	Total long tons	U.S.-flag tonnage	U.S.-flag percentage
Under title I:			
Tramps	5,167,000	1,606,000	31.1
Tankers	4,958,000	2,711,000	54.7
Liners	1,052,000	674,000	64.1
Total	11,177,000	4,991,000	44.7
Under title II:			
Tramps	450,000	156,000	34.7
Tankers			
Liners	636,000	421,000	62.0
Total	1,086,000	577,000	53.2

Title II Agriculture Department shipments constitute the only area where there is no explicit cargo preference and yet this is the only area where more than 50 percent of the total tonnage was lifted in U.S.-flag ships. It also represents the smallest total—only a little over a million tons for fiscal 1967, or about one-fifteenth of the 15,743,000 tons exported by all agencies for calendar 1967.

The Agriculture Department statistics follow the same pattern as do those of MarAd and AID—U.S.-flag tramps and tankers carried 42.6 percent of Title I tonnage and tramps (no tankers were involved) carried 34.7 percent of Title II tonnage. It was the 62.0 percent carried by liners which pushed the Title II percentage over the 50–50 mark.

Most liners receive a daily operating subsidy to enable them to compete with *foreign ships* for *commercial cargo*. The subsidy *is not* intended to enable liners to compete with other U.S. ships for U.S. government cargo. In light of this it is strange that the only segment of the industry which consistently receives more than 50 percent of government generated cargo is the liner segment.

It is equally strange that in spite of the clear language and the intent of the legislation, the other industry segments have not received a *minimum* of 50 percent of government cargo. While tankers have not fared as well as liners, it is the tramps which have really suffered from unfair distribution of government cargo. Regardless of whose figures are used and regardless of whether annual or fiscal periods are used, U.S. tramps do not come close to being allocated at least 50 percent of total tramp cargo. No manipulation of "availability" claims can hide the fact that of this cargo only about 25 percent was carried on U.S.-flag vessels.

Mr. GRAVEL. Mr. President, subsequently, the Transportation Institute issued some additional data showing that the pattern of using foreign-flag vessels did not change in fiscal year 1968—in fact, during that year, there was a further decline in American-flag carriage. I ask unanimous consent to include these statistics at this point in my remarks.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

AGRICULTURE DEPARTMENT EXPORTS, TITLE I, PUBLIC LAW 480, FISCAL 1967 AND 1968

[Long tons]

	Total long tons		U.S.-flag tonnage		U.S.-flag share (percent)	
	Fiscal year 1967	Fiscal year 1968	Fiscal year 1967	Fiscal year 1968	Fiscal year 1967	Fiscal year 1968
Tramps	5,167,000	7,765,000	1,606,000	2,081,000	31.1	26.8
Tankers	4,958,000	2,832,000	2,711,000	1,431,000	54.7	50.6
Liners	1,052,000	1,228,000	674,000	773,000	64.1	62.9
Total	11,177,000	11,823,000	4,991,000	4,285,000	44.7	36.2

Note: Fiscal year 1968 figures compiled on basis of quarterly reports published by U.S. Department of Agriculture.

Mr. GRAVEL. Mr. President, I am introducing today legislation which will reaffirm and implement our cargo-preference laws.

This bill would strengthen these laws in such a way as to encourage greater use of American-flag vessels in the carriage of military, foreign aid, and surplus agricultural shipments generated by the U.S. Government as a means of revitalizing the privately owned merchant marine.

The clear intent of this bill is to assure that privately owned American-flag vessels receive priority over Government-owned ships; and that all American-flag vessels, privately owned and Government-owned, receive priority over the ships of recipient nations.

In accordance with the intent of the original law, the bill vests responsibility for the administration of cargo preference with respect to foreign aid and agricultural surplus shipments in the Federal Maritime Administration, and leaves within the Department of Defense responsibility for administration of cargo preference with respect to military shipments.

The enactment of this bill, Mr. President, would serve the positive goal of ending the present decline of American shipping capabilities.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 2144) to clarify and strengthen the cargo-preference laws of the United States, and for other purposes, introduced by Mr. GRAVEL, for himself and other Senators was received, read twice by its title, and referred to the Committee on Commerce.

S. 2005—THE RESOURCE RECOVERY ACT OF 1969

Mr. MUSKIE. Mr. President, on April 29, 1969, I introduced the Resource Recovery Act of 1969 and asked unanimous consent to have the text of the bill printed in the RECORD. Through an inadvertence only a part of the bill was printed. I, therefore, ask unanimous consent to have the complete text of the bill printed at this point in the RECORD.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

S. 2005

A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Resource Recovery Act of 1969".

SEC. 2. Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

"(7) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law and having jurisdiction over the disposal of solid wastes."

SEC. 3. (a) Subsection (a) of section 204 of the Solid Waste Disposal Act is amended by striking out all beginning with "the development and application" through the end of such subsection and inserting in lieu thereof the following: "the reduction of the amount of such waste and unsalvageable waste materials, and the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering usable materials from solid waste (including devices and facilities therefor)."

(b) Such section 204 is further amended by striking out subsection (d).

SEC. 4. The Solid Waste Disposal Act is amended by redesignating sections 205 and 206 as sections 206 and 207, respectively, and by inserting after section 204 a new section as follows:

"SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF USEFUL MATERIALS

"SEC. 205. (a) The Secretary of Health, Education, and Welfare shall as soon as practicable carry out an investigation and study to determine—

"(1) economical means of recovering useful materials from solid waste, recommended uses of such materials for national or international welfare, and the market impact of such recovery;

"(2) appropriate incentive programs (including tax incentives) to assist in solving the problems of solid waste disposal;

"(3) practicable changes in current production and packaging practices which would reduce the amount of solid waste; and

"(4) practicable methods of collection and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse, or disposal of wastes.

The Secretary shall report the results of such investigation and study to the President and the Congress.

"(b) The Secretary is also authorized to carry out demonstration projects to test and demonstrate recovery techniques developed pursuant to subsection (a).

"(c) The authority contained in section 204 for the purpose of carrying out research and demonstration projects shall be applicable to the provisions of this section."

Sec. 5. Section 207 of the Solid Waste Disposal Act, as redesignated by the previous section of this Act, is amended to read as follows:

"GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

"Sec. 207. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of not to exceed 66⅔ per centum of the cost in the case of a single municipality, and not to exceed 75 per centum of the cost in the case of an area including more than one municipality, of (1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and (2) developing solid waste disposal plans as part of regional environmental protection systems for such areas, including planning for the reuse, as appropriate, of solid waste disposal areas and studies of the effect and relationhip of solid waste disposal practices on areas adjacent to waste disposal sites, and not to exceed 50 per centum of the cost of overseeing the implementation, including enforcement, and modification of such plans.

"(b) Grants pursuant to this section shall be made upon application therefor which—

"(1) designates or establishes a single agency as the sole agency for carrying out the purposes of this section for the area involved;

"(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal programs;

"(3) sets forth plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

"(4) provides for submission of a final report of the activities of the agency in carrying out the purposes of this section, and for the submission of such other reports, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary to assure the correctness and verification of such reports; and

"(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

"(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with, and not duplicative of, other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954."

Sec. 6. The Solid Waste Disposal Act is further amended by redesignating the last four sections in such Act as sections 211 through 214, respectively, and by inserting after section 207, as redesignated by this Act, the following new sections:

"GRANTS FOR CONSTRUCTION

"Sec. 208. (a) The Secretary of Health, Education, and Welfare is authorized to make grants pursuant to this section to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal and resource recovery facilities, including completion and improvement of existing facilities.

"(b) Any such grant—

"(1) shall be made for a project only if it is consistent with any State or interstate plan for solid waste disposal, is included in a comprehensive plan for the area involved which is satisfactory to the Secretary for the purposes of this Act, and is consistent with any standards developed pursuant to section 209;

"(2) (A) shall be made in amounts not exceeding 25 per centum of the estimated reasonable cost of the project as determined by the Secretary in the case of a project serving a single municipality and not exceeding 50 per centum of such cost in the case of a project serving an area including more than one municipality, and only if the applicant is unable to obtain such amounts from other sources upon terms and conditions equally favorable;

"(B) Notwithstanding any other provision of this paragraph, the Secretary may increase the amount of a grant made under (A) by an additional 50 per centum of such grant for any project which utilizes new or improved techniques of demonstrated usefulness in reducing the environmental impact of solid waste disposal, recovery of resources, or recycling useful materials.

"(3) shall not be made until the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project after completion;

"(4) shall not be made unless such project is consistent with the purposes of the Federal Water Pollution Control Act and the Clean Air Act; and

"(5) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

"(c) In determining the desirability of projects and of approving Federal financial aid in connection therewith, consideration shall be given by the Secretary to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of the project to the public interest and to the public necessity for the project, and the use by the applicant of comprehensive regional or metropolitan area planning.

"(d) Not more than 15 per centum of the total of funds appropriated for the purposes of this section in any fiscal year shall be granted for projects in any one State. In the case of a grant for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant which is chargeable to the percentage limitation under this subsection for each State into which such area extends.

"RECOMMENDED STANDARDS

"Sec. 209. (a) The Secretary of Health, Education, and Welfare shall, in cooperation with appropriate State, interstate, and regional and local agencies, within eighteen months following the date of enactment of this section, recommend to appropriate agencies standards for solid waste collection and disposal systems (including systems for private use) which are consistent with health, air, and water pollution standards and can be adapted to applicable land use plans.

"(b) Further, the Secretary shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act."

Sec. 6. (a) Subsection (a) of section 214 of the Solid Waste Disposal Act, as redesignated by this Act, is amended by striking out "not to exceed $19,750,000 for the fiscal year ending June 30, 1970." and inserting in lieu thereof the following: "not to exceed $46,000,000 for the fiscal year ending June 30, 1970, not to exceed $83,000,000 for the fiscal year ending June 30, 1971, not to exceed $152,000,000 for the fiscal year ending June 30, 1972, not to exceed $216,000,000 for the fiscal year ending June 30, 1973, and not to exceed $236,000,000 for the fiscal year ending June 30, 1974. The sums so appropriated shall remain available until expended."

(b) Subsection (b) of such section 214 is amended by striking out "not to exceed $12,250,000 for the fiscal year ending June 30, 1970." and inserting in lieu thereof the following: "not to exceed $15,000,000 for the fiscal year ending June 30, 1970, not to exceed $17,500,000 for the fiscal year ending June 30, 1971, not to exceed $20,000,000 for the fiscal year ending June 30, 1972, not to exceed $22,500,000 for the fiscal year ending June 30, 1973, and not to exceed $25,000,000 for the fiscal year ending June 30, 1974."

Sec. 7. The amendments made by this Act shall be effective for fiscal years beginning after June 30, 1969.

SENATE JOINT RESOLUTION 109—INTRODUCTION OF A JOINT RESOLUTION CREATING A SPECIAL COMMISSION ON STUDENT UNREST

Mr. MONDALE. Mr. President, today I introduce a joint resolution establishing a Commission on Student Unrest, authorizing the Commission to investigate student unrest and campus disorder, and to report and make recommendations for appropriate action to end campus disorders and eliminate from American educational institutions the causes of legitimate student unrest.

The Commission is intended to produce information for intelligent consideration of the problems in our universities, to prevent ill-advised governmental intervention in our traditionally independent system of higher education, and to provide a forum for discussion of the causes and effects of violence on campuses.

I ask unanimous consent that the text of the proposed joint resolution be printed in the Record at this point in my remarks.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 109) to provide for a study of student unrest on

campuses in the United States, introduced by Mr. MONDALE, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S.J. RES. 109

A joint resolution to provide for a study of student unrest on campuses in the United States

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "Commission on Student Unrest".

DECLARATION OF POLICY

SECTION 1. Student unrest and campus disorders throughout the nation require emergency attention in order to prevent serious damage to the stability of individual institutions, the process of higher education, and our social system.

SEC. 2. In a free society, adequate response to unrest and disorder requires an understanding of the causes of such unrest.

SEC. 3. Whether premeditated or spontaneous, violence and disruption or the threat of violence and disruption of the educational process cannot be tolerated; nor can protection from violence or the threat of violence be allowed to suppress just criticism of weaknesses and injustices in our educational and other social systems.

SEC. 4. Remedies must be found for unresponsiveness and injustice in American social institutions, wherever such unresponsiveness and injustice may be found.

SEC. 5. Investigation and due process are the hallmarks of the solution of problems in a free society.

ESTABLISHMENT OF COMMISSION

SEC. 6. In accordance with the above-stated declaration of policy, there is hereby created a Special Commission on Student Unrest to be composed of fifteen members, appointed by the Secretary of Health, Education, and Welfare. In making such appointments, the Secretary shall give due consideration to the need for representation on such Commission of students, university faculty and administrators, the executive, legislative, and judicial branches of the Federal Government, municipal and State authorities and informed citizens, and he shall also give consideration to appropriate representation from racial groups and political parties.

SEC. 7. It shall be the duty of the Commission to report and make recommendations, as hereinafter provided, to the President of the United States, and the Secretary of Health, Education, and Welfare, and the House of Representatives and Senate of the United States, for action to accomplish the following objectives: (a) to establish procedures within the Federal Government to determine what action, if any, is appropriate to end campus disorders; (b) to eliminate from American educational institutions the causes of legitimate student unrest; and (c) to probe the manifestations of student unrest and disorder and gain an understnding of the forces at work on college campuses.

SEC. 8. The Commission shall make its first preliminary report and recommendation as herein provided, within one month from the effective date of this Act and shall make its final report, as herein provided, not later than six months from the effective date of this Act.

ORGANIZATION AND OPERATION

SEC. 9. The Commission shall elect a Chairman and Vice Chairman from among its members.

SEC. 10. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, in accordance with the provisions of the civil service laws and the Classification Act of 1949, as amended.

(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810) but at rates not to exceed $75 per diem for individuals.

(c) The Commission is authorized to negotiate and enter into contracts with private business and nonprofit research organizations, including educational institutions, to conduct such studies and to prepare such reports as the Commission feels necessary in order to discharge its duties.

(d) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) may be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided,* That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46d) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further,* That the Commission shall not be required to prescribe such regulations.

SEC. 11. Eight members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 12. (a) Members of Congress.—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members from the Executive Branch.—The members of the Commission who are in the executive branch of the Government shall serve without compensation in addition to that received for their services in the executive branch, but they shall be reimbursed for travel, subsistence and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) Members from private life.—The members from private life shall each receive $100 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

POWERS OF THE COMMISSION

SEC. 13. (a) Hearings and sessions.—The Commission, or any member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places and take such testimony, as the Commission or such member may deem advisable.

(b) Obtaining official data.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, independent establishment or instrumentality is authorized and directed, to the extent permitted by law, to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

(c) The Commission, or any member of the Commission when so authorized by the Commission, shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation by the Commission. The Commission, or any members of the Commission or any agent or agency designated by the Commission for such purpose, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place within the United States at any designated place of hearing.

(d) In case of contumacy or refusal to obey a subpena issued to any person under subsection (b), any court of the United States within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(e) Process and papers of the Commission, its members, agent, or agency, may be served either upon the witness in person or by registered mail or by telegraph or by leaving a copy thereof at the residence or principal office or place of business of the person required to be served. The verified return by the individual so serving the same, setting forth the manner of such service, shall be proof of the same, and the return post office receipt or telegraph receipt therefore when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the Commission, its members, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

(f) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to a subpena, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture (except demotion or removal from office) for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(g) All process of any court to which application may be made under this Act may be served in the judicial district wherein the person required to be served resides or may be found.

EXPENSES OF THE COMMISSION

SEC. 14. There are hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

TERMINATION OF COMMISSION

SEC. 15. The Commission shall cease to exist thirty days after submitting its final report as required by this Act.

Mr. MONDALE. Mr. President, the proposed joint resolution declares the following policy:

First, the "student unrest and campus disorders throughout the Nation require

emergency attention in order to prevent serious damage to the stability of individual institutions, the process of higher education, and our social system";

Second, that "in a free society, adequate response to unrest and disorder requires an understanding of the causes of such unrest";

Third, that "whether premeditated or spontaneous, violence and disruption or the threat of violence and disruption of the educational process cannot be tolerated; nor can protection from violence or the threat of violence be allowed to supress just criticism of weaknesses and injustices in our educational and other social systems";

Fourth, that "remedies must be found for unresponsiveness and injustice in American social institutions, wherever such unresponsiveness and injustice may be found";

And fifth, that "investigation and due process are the hallmarks of the solution of problems in a free society."

The joint resolution provides that the Secretary of Health, Education, and Welfare appoint the Commission, giving representation to students, faculty, university administrators, the executive, legislative, and judicial branches of the Federal Government, municipal and State authorities, and informed citizens. I hope that such appointments would give appropriate representation to racial groups, political parties, and campus factions.

Secretary of Health, Education, and Welfare Robert H. Finch expressed interest in the idea of such a commission to study the problems of change on campus in an article appearing yesterday in the Washington Post entitled "Finch Blames Universities in Disorders." I ask unanimous consent that portions of the Washington Post story be included at this point in my remarks.

There being no objection, the portions were ordered to be printed in the Record, as follows:

Finch Blames Universities in Disorders: Says United States Mustn't "Play Cop"; May Propose Commission

Secretary of Health, Education and Welfare Robert H. Finch has placed a great share of the blame for current campus unrest on the failures of American universities, which he describes as "more rigid than almost any other institution in our whole society."

In an interview with the Washington Post, Finch said he is considering recommending to the White House a Federally appointed commission to study the problem of change on campus. Among other things, he said, the commission should study possible "conflict of interest" on the part of university presidents who are members of corporate boards of directors.

As Finch sees it, the Federal Government can have only a very limited role in stemming the current disorders. The small group of hard-core militants is not the basic problem, he said, and in any case, HEW does not intend or desire to "play cop." If Federal aid to student protesters is to be cut off, it must be the colleges themselves that take the action, he declared.

The HEW Secreary, who carries heavy responsibility for a wide range of domestic policy in the Nixon Administration, gave his views in a recorded interview with staff writers Don Oberdorfer, Victor Cohn and Eric Wentworth.

The following is a partial transcript of the interview:

Q. Mr. Secretary, in view of the campus disorders going on this spring, and of the debate that is developing over them, what are your views about what the Federal Government's role should be. What should the Federal Government not be doing? What can you do to try to meet this problem?

A. (Mr. Finch) You have to begin with the existing state of the law, which evolves out of two sections that were passed late in the last Congress. One requires the cutoff of loan funds on grounds of the conviction by a court of general jurisdiction (for an offense) that disrupts the campus, or if (there is) a violation of a campus regulation that disrupts the academic community.

The prior Administration felt the language was ambiguous and chose not to advise the institutions of this law. We felt that we should put them on notice, and I did so.

We have made it clear that obviously the responsibility for enforcing this really just gives governing bodies and administrators an additional several strings to their bow if they choose to use them . . .

Some have insisted that we ought to be cutting off the funds under the existing law. That's clearly not administratively possible.

We don't pretend nor would we try to keep a master list of a million and one-half students who are getting loans or grants of one kind or another . . . It's clearly not administratively possible for us to terminate funds from Washington. This has to be left to the local campus autonomy.

There are several things I think we can do and that we are doing. In the course of my communications with the college presidents, advising them of this law, we have asked for suggestions of techniques that have proven helpful in dealing with disorder. We will make a composite of these, those that we think have national applicability, and circulate that to the campuses.

I think we need to have a long hard look at what is behind this student unrest. It is not simply the Vietnam war. In my opinion, it is a failure of the governance of education, the governing bodies, the institutional apparatus to respond. Probably they've been more rigid than almost any other institution in our whole society . . . in the face of very fast-changing conditions.

I think we need to take a hard look at the role of each of the components in the higher education academic community—the governing bodies, themselves the administration, faculty, students, the parents and the immediately surrounding community—and not with the idea that they should all have conformity, because what we should be searching for here is diversity.

Some of the bills that are before Congress would have you have a Federal Student Code of Conduct, in effect. This is part of the very legitimate complaint of a lot of students, well articulated, that this would be like learning factories with a lot of interchangeable parts. We don't want that in higher education. We want diversity which reflects this pluralistic society.

Q. You say we ought to take a hard look at the education process. Who should take that hard look?

A. We haven't made a determination of that. (Commissioner of Education) Jim Allen has just come aboard. We could appoint a commissioner. Whatever form this takes, I think its clear that it's time to look at how we govern our institutions of higher education.

Q. Is the possibility of a Federally appointed, Federally started commission under reconsideration now?

A. Well (it is), within the Department of HEW. We've made no formal recommendation to the White House as yet. I'm waiting until I get all of these responses back from all of these university and college presidents on implementing this other law. We want to collate and get that input before we come to any firm conclusion within our own shop.

I come back to the fact that, in all of this—implicit in this—is the idea that the Federal Government should somehow play cop. That's the antithesis of what I think this department is out to accomplish.

Q. You do have some aspects of campus protests which involve activities of the Federal Government itself. For instance, is ROTC a legitimate academic subject in your opinion?

A. I think that is something that each legislature in each state and each governing board has to decide for themselves.

Q. How about the legitimacy of secret or even nonsecret research for the Department of Defense or the Central Intelligence Agency on campus? Kids are protesting about this.

A. That's really not in my domain. I think there are some very severe problems in this that could be looked at in the scope of the inquiry that I suggest. For instance I think we should examine very carefully the number of (university) presidents or chancellors who at the same time are on boards of large corporate enterprises. I can name you a half a dozen. I'm not at all sure that is a wise policy. You get into a kind of conflict of interest situation.

Q. In your opinion is conspiracy a major element of the difficulties facing our colleges today, or the difficulties facing our high schools?

A. If you mean a national conspiracy, I gather from the rather imperfect data that we have that there are some hard-core militants in the SDS who think they can contest, challenge, overthrow these institutions as we know them.

Q. If they were to disappear tomorrow, would this problem be much different than it is today?

A. No. Some of these people have gotten to be very sophisticated and very articulate, that might alleviate the problem somewhat, but as I say the basic problem goes to the structure of the higher educational institution, its rigidity and its unwillingness to respond to the demands of the community around it, and the students, and just the changes in modern technology.

Q. From the information you get, what is happening in our high schools?

A. We know that the agitation is on the increase. This does not get as well-reported. We have no intelligence system per se to evaluate it. But from the imperfect data that we get . . . the syndrome is extending downward. The incidence of drug abuse appears to be mounting in certain localities.

. . . I do feel trying to take the long view, that there are certain encouraging signs in the problems of higher education—the so-called silent majority taking steps to contain the militants, some institutions, being more responsive to legitimate demands, the fragmentation within the SDS between the Negroes and the white militants—but our problem areas down the road in a great many areas lie in Elementary and Secondary education.

In elementary and secondary education, the problems cover the whole spectrum—in financing, you've got major school districts that are in desparate trouble, there's the whole field of civil rights compliance, the question of whether compensatory education really works at all, and the very uneven performance of high schools, within states, within districts. Some within ghetto areas, they just pass the kids along.

This is why we are trying to put such major emphasis on the community college in the states where they don't already have them, because we think that's a kind of a mechanism that will prepare a child for higher education who has not had as good a

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high school education as perhaps his peers had. And also we can put greater stress on adult education in community colleges and also on vocational education for those students who want to go that way.

Mr. MONDALE. Mr. President, a nation rocked by the turbulence of her cities in past years seems equally shocked by the explosion of violence on campuses. Campus tactics are varied, ranging from sit-ins to the introduction of arms, from chaining campus gates to race riots. The responses may include injunctions, seizure by the police, counter-student violence, expulsion, faculty resignation, or no response at all.

As of the first of this month, the current academic year has seen demonstrations on more than 200 campuses, 2,300 arrests and property damage in excess of $2.2 million. And the violence is quickening as the school year draws to a close.

Two years ago, when Senator HARRIS and I introduced the resolution establishing a Special Commission on Civil Strife, which became the Kerner Commission, there had been 128 riots. At that time I believed we needed a commission to tap the resources of many areas to get at the sources of discontent and violence and to learn to deal with disorder. I believed then, as I do now, that one of the problems we have in responding to civil disorder is that we have not explored the fundamentals resulting in disturbances and have not come to a national understanding of what they involve.

One cannot read the major columnists in our papers or the statements of major public officials without finding a surprising disagreement and uncertainty over what is bringing about this widespread unrest. I hope that the Commission's study would help disclose to the American people—and create a consensus about—the outlines and character of the problem we face. Not until we understand the problem can we hope to cure it.

Just as campus disturbances have been increasing, so have proposals to solve the problem. Some want all Federal aid to student dissenters cut off. Others want all Federal aid to universities cut off. The President asked college administrators to show more "backbone." The Attorney General of the United States has stated that the time to get tough is at hand, with no mention of reform. The Deputy Attorney General has suggested that if people demonstrated in a manner to interfere with others, they should be rounded up and put in a detention camp.

I suppose that one of the first reactions to this proposal will be, "Here we have a grave national problem, and our answer is one more study." The reaction to the Kerner Commission before its report was that it substituted a study for action. But the outspoken study served as a valuable guide, particularly in legislation for fair housing and law enforcement techniques.

When we better understood the problems of the cities, we found that law enforcement was only one part of the problem and that fundamental reform was essential. I suspect that a study of our universities will show that without some reforms, they cannot expect to achieve order.

Violence and lawlessness must stop. It is not sufficient, however, to say that laws are being violated and violators must be arrested. Whenever a broad social issue becomes wrapped up with the activities of a few apostles of violence, the response of order must include reform as well. And the form of order must be acceptable to a majority of students and faculty if we want our academic institutions open and running.

I hope that a commission will include the following in its study: Student grievances against universities; meaningful response by universities to criticism; the effect of injustices in our society including racial and economic problems, the war in Vietnam, the power of the military and the draft; the inability of our society to respond to its problems such as pollution and traffic; the quality of life in a technological age and the romantic reaction to it by young people; and the loss of individualism resulting from the size of our institutions.

I hope also that the Commission will consider whether outside agitators have been involved in campus disturbances; whether there is interstate travel to incite riots as the Justice Department claims; the role of SDS radicals and black militants; the effect of general violence in our society; the effect upon young people of growing up with television; Prof. George Wald's assessment of a "generation uncertain that it has a future"; campus-community problems; and the reaction provoked on campuses by calling in the police to restore and maintain order.

In considering the problems of student unrest, I found a number of articles most useful. I ask unanimous consent that these articles be included in the RECORD:

New York Times Magazine, April 27, 1969, "You Have to Grow Up in Scarsdale to Know How Bad Things Really Are," by Kenneth Keniston.

Letter to President Nixon from Calvin H. Plimpton, president, Amherst College.

Editorial, the New York Times, May 4, 1969, "The Amherst Declaration."

"Pusey Voices Fear of Outside Efforts to Curb Students," the New York Times, May 5, 1969.

"Academic Body Deplores Mitchell's View on Unrest," the New York Times, May 5, 1969.

Editorial, the New York Times, May 10, 1969, "Avoiding the Backlash."

"Louisville, Ky.: From Anarchy to Repression?" by James Reston the New York Times, May 4, 1969.

"Topics: Who Is Really Uprooting This Country?" by Josephine W. Johnson, May 10, 1969.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Time magazine, Apr. 27, 1969]

YOU HAVE TO GROW UP IN SCARSDALE TO KNOW HOW BAD THINGS REALLY ARE

(By Kenneth Keniston)

The recent events at Harvard are the culmination of a long year of unprecedented student unrest in the advanced nations of the world. We have learned to expect students in underdeveloped countries to lead unruly demonstrations against the status quo, but what is new, unexpected and upsetting to many is that an apparently similar mood is sweeping across America, France, Germany, Italy and even Eastern European nations like Czechoslovakia and Poland. Furthermore, the revolts occur, not at the most backward universities, but at the most distinguished, liberal and enlightened—Berkeley, the Sorbonne, Tokyo, Columbia, the Free University of Berlin, Rome and now Harvard.

This development has taken almost everyone by surprise. The American public is clearly puzzled, frightened and often outraged by the behavior of its most privileged youth. The scholarly world, including many who have devoted their lives to the study of student protest, has been caught off guard as well. For many years, American analysts of student movements have been busy demonstrating that "it can't happen here." Student political activity abroad has been seen as a reaction to modernization, industrialization and the demise of traditional or tribal societies. In an already modern, industrialized, detribalized and "stable" nation like America, it was argued, student protests are naturally absent.

Another explanation has tied student protests abroad to bad living conditions in some universities and to the unemployability of their graduates. Student revolts, it was argued, spring partly from the misery of student life in countries like India and Indonesia. Students who must live in penury and squalor naturally turn against their universities and societies. And if, as in many developing nations, hundreds of thousands of university graduates can find no work commensurate with their skills, the chances for student militancy are further increased.

These arguments helped explain the "silent generation" of the nineteen-fifties and the absence of protest, during that period, in American universities, where students are often "indulged" with good living conditions, close student-faculty contact and considerable freedom of speech. And they helped explain why "superemployable" American college graduates, especially the much-sought-after ones from colleges like Columbia and Harvard, seemed so contented with their lot.

But such arguments do not help us understand today's noisy, angry and militant students in the advanced countries. Nor do they explain why students who enjoy the greatest advantages—those at the leading universities—are often found in the revolts. As a result, several new interpretations of student protest are currently being put forward, interpretations that ultimately form part of what Richard Poirier has termed "the war against the young."

Many reactions to student unrest, of course, spring primarily from fear, anger, confusion or envy, rather than from theoretical analysis. Governor Wallace's attacks on student "anarchists" and other "pin-headed intellectuals," for example, were hardly coherent explanations of protest. Many of the bills aimed at punishing student protesters being proposed in Congress and state legislatures reflect similar feelings of anger and outrage. Similarly, the presumption that student unrest *must* be part of an international conspiracy is based on emotion rather than fact. Even George F. Kennan's recent discussion of the American student left is essentially a moral condemnation of "revolting students," rather than an effort to explain their behavior.

If we turn to more thoughtful analyses of the current student mood we find two general theories, gaining widespread acceptance. The first, articulately expressed by Lewis S. Feuer in his recent book on student movements, "The Conflict of Generations," might be termed the "Oedipal Rebellion" interpretation. The second, cogently stated by Zbigniew Brzezinski and Daniel Bell, can be called the theory of "Historical Irrelevance."

The explanation of Oedipal Rebellion sees the underlying force in all student revolts as blind, unconscious Oedipal hatred of fathers and the older generation. Feuer, for example, finds in all student movements an inevitable tendency toward violence and a combination of "regicide, parricide and suicide." A decline in respect for the authority of the older generation is need to trigger a student movement, but the force behind it comes from "obscure" and "unconscious" forces in the child's early life, including both intense death wishes against his father and the enormous guilt and self-hatred that such wishes inspire in the child.

The idealism of student movements is thus, in many respects, only a "front" for the latent unconscious destructiveness and self-destructiveness of underlying motivations. Even the expressed desire of these movements to help the poor and exploited is explained psychoanalytically by Feuer: Empathy for the disadvantaged is traced to "traumatic" encounters with parental bigotry in the students' childhoods, when their parents forbade them to play with children of other races or lower social classes. The identification of today's new left with blacks is thus interpreted as an unconscious effort to "abreact and undo this original trauma."

There are two basic problems with the Oedipal Rebellion theory, however. First, although it uses psychoanalytic terms, it is bad psychoanalysis. The real psychoanalytic account insists that the Oedipus complex is universal in all normally developing children. To point to this complex in explaining student rebellion is, therefore, like pointing to the fact that all children learn to walk. Since both characteristics are said to be universal, neither helps us understand why, at some historical moments, students are restive and rebellious, while at others they are not. Second, the theory does not help us explain why some students (especially those from middle-class, affluent and idealistic families) are most inclined to rebel, while others (especially those from working class and deprived families) are less so.

In order really to explain anything, the Oedipal Rebellion hypothesis would have to be modified to point to an unusually *severe* Oedipus complex, involving especially *intense* and unresolved unconscious feelings of father-hatred in student rebels. But much is now known about the lives and backgrounds of these rebels—at least those in the United States—and this evidence does not support even the modified theory. On the contrary, it indicates that most student protesters are relatively *close* to their parents, that the values they profess are usually the ones they learned at the family dinner table, and that their parents tend to be highly educated, liberal or left-wing and politically active.

Furthermore, psychological studies of student radicals indicate that they are no more neurotic, suicidal, enraged or disturbed than are nonradicals. Indeed, most studies find them to be rather more integrated, self-accepting and "advanced," in a psychological sense, than their politically inactive contemporaries. In general, research on American student rebels supports a "Generational Solidarity" (or chip-off-the-old-block) theory, rather than one of Oedipal Rebellion.

The second theory of student revolts now being advanced asserts that they are a reaction against "historical irrelevance." Rebellion springs from the unconscious awareness of some students that society has left them and their values behind. According to this view, the ultimate causes of student dissent are sociological rather than psychological. They lie in fundamental changes in the nature of the advanced societies—especially, in the change from industrial to post-industrial society. The student revolution is seen not as a true revolution, but as a counter-revolution—what Daniel Bell has called "the guttering last gasp of a romanticism soured by rancor and impotence."

This theory assumes that we are moving rapidly into a new age in which technology will dominate, an age whose real rulers will be men like computer experts systems analysts and technobureaucrats. Students who are attached to outmoded and obsolescent values like humanism and romanticism unconsciously feel they have no place in this post-industrial world. When they rebel they are like the Luddites of the past—workers who smashed machines to protest the inevitable industrial revolution. Today's student revolt reflects what Brzezinski terms "an unconscious realization that they [the rebels] are themselves becoming historically obsolete"; it is nothing but the "death rattle of the historical irrelevants."

This theory is also inadequate. It assumes that the shape of the future is already technologically determined, and that protesting students unconsciously "know" that it will offer them no real reward, honor or power. But the idea that the future can be accurately predicted is open to fundamental objection. Every past attempt at prophecy has turned out to be grievously incorrect. Extrapolations from the past, while sometimes useful in the short run, are usually fundamentally wrong in the long run, especially when they attempt to predict the quality of human life, the nature of political and social organization, international relations or the shape of future culture.

The future is, of course, made by men. Technology is not an inevitable master of man and history, but merely provides the possibility of applying scientific knowledge to specific problems. Men may identify with it or refuse to, use it or be used by it for good or evil, apply it humanely or destructively. Thus, there is no real evidence that student protest will emerge as the "death rattle of the historical irrelevants." It could equally well be the "first spark of a new historical era." No one today can be sure of the outcome, and people who feel certain that the future will bring the obsolescence and death of those whom they dislike are often merely expressing their fond hope.

The fact that today's students invoke "old" humanistic and romantic ideas in no way proves that student protests are a "last gasp" of a dying order. Quite the contrary: All revolutions draw upon older values and visions. Many of the ideals of the French Revolution, for example, originated in Periclean Athens. Revolutions do not occur because new ideas suddenly develop, but because a new generation begins to take old ideas seriously—not merely as interesting theoretical views, but as the basis for political action and social change. Until recently, the humanistic vision of human fulfillment and the romantic vision of an expressive, imaginative and passionate life were taken seriously only by small aristocratic or Bohemian groups. The fact that they are today taken as real goals by millions of students in many nations does not mean that these students are "counterrevolutionaries," but merely that their ideas follow the pattern of every major revolution.

Indeed, today's student rebels are rarely opposed to technology per se. On the contrary, they take the high technology of their societies completely for granted, and concern themselves with it very little. What they are opposed to is, in essence, the worship of Technology, the tendency to treat people as "inputs" or "outputs" of a technological system, the subordination of human needs to technological programs. The essential conflict between the minority of students who make up the student revolt and the existing order is a conflict over the future direction of technological society, not a counterrevolutionary protest against technology.

In short, both the Oedipal Rebellion and the Historical Irrelevance theories are what students would call "putdowns." If we accept either, we are encouraged not to listen to protests, or to explain them away or reject them as either the "acting out" of destructive Oedipal feelings or the blind reaction of an obsolescent group to the awareness of its obsolescence. But if, as I have argued, neither of these theories is adequate to explain the current "wave" of student protest here and abroad, how can we understand it?

One factor often cited to explain student unrest is the large number of people in the world under 30—today the critical dividing line between generations. But this explanation alone, like the theories just discussed, is not adequate, for in all historical eras the vast portion of the population has always been under 30. Indeed, in primitive societies most people die before they reach that age. If chronological youth alone was enough to insure rebellion, the advanced societies—where a greater proportion of the population reaches old age than ever before in history—should be the least revolutionary, and primitive societies the most. This is not the case.

More relevant factors are the relationship of those under 30 to the established institutions of society (that is, whether they are engaged in them or not); and the opportunities that society provides for their continuing intellectual, ethical and emotional development. In both cases the present situation in the advanced nations is without precedent.

Philippe Aries, in his remarkable book, "Centuries of Childhood," points out that, until the end of the Middle Ages, no separate stage of childhood was recognized in Western societies. Infancy ended at approximately 6 or 7, whereupon most children were integrated into adult life, treated as small men and women and expected to work as junior partners of the adult world. Only later was childhood recognized as a separate stage of life, and our own century is the first to "guarantee" it by requiring universal primary education.

The recognition of adolescence as a stage of life is of even more recent origin, the product of the 19th and 20th centuries. Only as industrial societies became prosperous enough to defer adult work until after puberty could they create institutions—like widespread secondary-school education—that would extend adolescence to virtually all young people. Recognition of adolescence also arose from the vocational and psychological requirements of these societies, which needed much higher levels of training and psychological development than could be guaranteed through primary education alone. There is, in general, an intimate relationship between the way a society defines the stages of life and its economic, political and social characteristics.

Today, in more developed nations, we are beginning to witness the recognition of still another stage of life. Like childhood and adolescence, it was initially granted only to a small minority, but is now being rapidly extended to an ever-larger group. I will call this the stage of "youth," and by that I mean both a further phase of disengagement from society and the period of psychological development that intervenes between adolescence and adulthood. This stage, which continues into the 20's and sometimes into the 30's, provides opportunities for intellectual, emotional and moral development that were never afforded to any other large group in history. In the student revolts we are seeing one result of this advance.

I call the extension of youth an advance advisedly. Attendance at a college or university is a major part of this extension, and there is growing evidence that this is, other things being equal, a good thing for the student. Put in an oversimplified phrase, it

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tends to free him—to free him from swallowing unexamined the assumptions of the past, to free him from the superstitions of his childhood, to free him to express his feelings more openly and to free him from irrational bondage to authority.

I do not mean to suggest, of course, that all college graduates are free and liberated spirits, unencumbered by irrationality, superstition, authoritarianism or blind adherence to tradition. But these findings do indicate that our colleges, far from cranking out only machinelike robots who will provide skilled manpower for the economy, are also producing an increasing number of highly critical citizens—young men and women who have the opportunity, the leisure, the affluence and the educational resources to continue their development beyond the point where most people in the past were required to stop it.

So, one part of what we are seeing on campuses throughout the world is not a reflection of how bad higher education is, but rather of its extraordinary accomplishments. Even the moral righteousness of the student rebels, a quality both endearing and infuriating to their elders, must be judged at least partially a consequence of the privilege of an extended youth; for a prolonged development, we know, encourages the individual to elaborate a more personal, less purely conventional sense of ethics.

What the advanced nations have done is to create their own critics on a mass basis—that is, to create an ever-larger group of young people who take the highest values of their societies as their own, who internalize these values and identify them with their own best selves, and who are willing to struggle to implement them. At the same time, the extension of youth has lessened the personal risks of dissent: These young people have been freed from the requirements of work, gainful employment and even marriage, which permits them to criticize their society from a protected position of disengagement.

But the mere prolongation of development need not automatically lead to unrest. To be sure, we have granted to millions the opportunity to examine their societies, to compare them with their values and to come to a reasoned judgment of the existing order. But why should their judgment today be so unenthusiastic?

What protesting students throughout the world share is a mood more than an ideology of a program, a mood that says the existing system—the power structure—is hypocritical, unworthy of respect, outmoded and in urgent need of reform. In addition, students everywhere speak of repression, manipulation and authoritarianism. (This is paradoxical, considering the apparently great freedoms given them in many nations. In America, for example, those who complain most loudly about being suffocated by the subtle tyranny of the Establishment usually attend the institutions where student freedom is greatest.) Around this general mood, specific complaints arrange themselves as symptoms of what students often call the "exhaustion of the existing society."

To understand this phenomenon we must recognize that, since the Second World War, some societies have indeed begun to move past the industrial era into a new world that is post-industrial, technological, post-modern, post-historic or, in Brzezinski's term, "technectronic." In Western Europe, the United States, Canada and Japan, the first contours of this new society are already apparent. And, in many other less-developed countries, middle-class professionals (whose children become activists) often live in post-industrial enclaves within pre-industrial societies. Whatever we call the post-industrial world, it has demonstrated that, for the first time, man can produce more than enough to meet his material needs.

This accomplishment is admittedly blemished by enormous problems of economic distribution in the advanced nations, and it is in terrifying contrast to the overwhelming poverty of the Third World. Nevertheless, it is clear that what might be called "the problem of production" can, in principle, be solved. If all members of American society, for example, do not have enough material goods, it is because the system of distribution is flawed. The same is true, or will soon be true, in many other nations that are approaching advanced states of industrialization. Characteristically, these nations, along with the most technological, are those where student unrest has recently been most prominent.

The transition from industrial to post-industrial society brings with it a major shift in social emphases and values. Industrializing and industrial societies tend to be oriented toward solving the problem of production. An industrial ethic—sometimes Protestant, sometimes Socialist, sometimes Communist—tends to emphasize psychological qualities like self-discipline, delay of gratification, achievement-orientation and a strong emphasis on economic success and productivity. The social, political and economic institutions of these societies tend to be organized in a way that is consistent with the goal of increasing production. And industrial societies tend to apply relatively uniform standards, to reward achievement rather than status acquired by birth, to emphasize emotional neutrality ("coolness") and rationality in work and public life.

The emergence of post-industrial societies, however, means that growing numbers of the young are brought up in family environments where abundance, relative economic security, political freedom and affluence are simply facts of life, not goals to be striven for. To such people the psychological imperatives, social institutions and cultural values of the industrial ethic seem largely outdated and irrelevant to their own lives.

Once it has been demonstrated that a society can produce enough for all of its members, at least some of the young turn to other goals: for example, trying to make sure that society does produce enough and distributes it fairly, or searching for ways to live meaningfully with the goods and the leisure they already have. The problem is that our society has, in some realms, exceeded its earlier targets. Lacking new ones, it has become exhausted by its success.

When the values of industrial society become devitalized, the élite sectors of youth—the most affluent, intelligent, privileged and so on—come to feel that they live in institutions whose demands lack moral authority or, in the current jargon, "credibility." Today, the moral imperative and urgency behind production, acquisition, materialism and abundance has been lost.

Furthermore, with the lack of moral legitimacy felt in "the System," the least request for loyalty, restraint or conformity, by its representatives—for example, by college presidents and deans—can easily be seen as a moral outrage, an authoritarian repression, a manipulative effort to "co-opt" students into joining the Establishment and an exercise in "illegitimate authority" that must be resisted. From this conception springs at least part of the students' vague sense of oppression. And, indeed, perhaps their peculiar feeling of suffocation arises ultimately from living in societies without vital ethical claims.

Given such a situation, it does not take a clear-cut issue to trigger a major protest. I doubt, for example, that college and university administrators are in fact more hypocritical and dishonest than they were in the past. American intervention in Vietnam, while many of us find it unjust and cruel, is not inherently more outrageous than other similar imperialistic interventions by America and other nations within the last century. And the position of blacks in this country, although disastrously and unjustifiably disadvantaged, is, in some economic and legal respects, better than ever before. Similarly, the conditions for students in America have never been as good, especially, as I have noted, at those élite colleges where student protests are most common.

But this is precisely the point: It is because so many of the other problems of American society seem to have been resolved, or to be resolvable in principle, that students now react with new indignation to old problems, turn to new goals and propose radical reforms.

So far I have emphasized the moral exhaustion of the old order and the fact that, for the children of post-industrial affluence, the once-revolutionary claims of the industrial society have lost much of their validity. I now want to argue that we are witnessing on the campuses of the world a fusion of two revolutions with distinct historical origins. One is a continuation of the old and familiar revolution of the industrial society, the liberal-democratic-egantarian revolution that started in America and France at the turn of the 18th century and spread to virtually every nation in the world. (Not completed in any of them, its contemporary American form is, above all, to be found in the increased militancy of blacks.) The other is the new revolution, the post-industrial one, which seeks to define new goals relevant to the 20th and 21st centuries.

In its social and political aspects, the first revolution has been one of universalization, to use the sociologist's awkward term. It has involved the progressive extension to more and more people of economic, political and social rights, privileges and opportunities originally available only to the aristocracy, then to the middle class, and now in America to the relatively affluent white working class. It is, in many respects, a quantitative revolution. That is, it concerns itself less with the quality of life than with the amount of political freedom, the quantity and distribution of goods or the amount and level of injustice.

As the United States approaches the targets of the first revolution, on which this society was built, to be poor shifts from being an unfortunate fact of life to being an outrage. And, for the many who have never experienced poverty, discrimination, exploitation or oppression, even to witness the existence of these evils in the lives of others suddenly becomes intolerable. In our own time the impatience to complete the first revolution has grown apace, and we find less willingness to compromise, wait and forgive among the young, especially among those who now take the values of the old revolution for granted—seeing them not as goals, but as rights.

A subtle change has thus occurred. What used to be utopian ideals—like equality, abundance and freedom from discrimination—have now become demands, inalienable rights upon which one can insist without brooking any compromise. It is noteworthy that, in today's student confrontations, no one requests anything. Students present their "demands."

So, on the one hand, we see a growing impatience to complete the first revolution. But, on the other, there is a newer revolution concerned with newer issues, a revolution that is less social, economic or political than psychological, historical and cultural. It is less concerned with the quantities of things than with their qualities, and it judges the virtually complete liberal revolution and finds it still wanting.

"You have to have grown up in Scarsdale to know how bad things really are," said one radical student. This comment would probably sound arrogant, heartless and insensitive to a poor black, much less to a citizen of the Third World. But he meant something important by it. He meant that even in the Scarsdales of America, with their affluence, their upper-middle-class security and abundance, their well-fed, well-heeled children and their excellent schools, something is wrong. Economic affluence does not guarantee a feeling of personal fulfillment; political freedom does not always yield an inner sense of liberation and cultural freedom; social justice and equality may leave one with a feeling that something else is missing in life. "No to the consumer society!" shouted the bourgeois students of the Sorbonne during May and June of 1968—a cry that understandably alienated French workers, for whom affluence and the consumer society are still central goals.

What, then, are the targets of the new revolution? As is often noted, students themselves don't know. They speak vaguely of "a society that has never existed," of "new values," of a "more humane world," of "liberation" in some psychological, cultural and historical sense. Their rhetoric is largely negative; they are stronger in opposition than in proposals for reform; their diagnoses often seem accurate, but their prescriptions are vague; and they are far more articulate in urging the immediate completion of the first revolution than in defining the goals of the second. Thus, we can only indirectly discern trends that point to the still-undefined targets of the new revolution.

What are these trends and targets?

First, there is a revulsion against the notion of quantity, particularly economic quantity and materialism, and a turn toward concepts of quality. One of the most delightful slogans of the French student revolt was, "Long live the passionate revolution of creative intelligence!" In a sense, the achievement of abundance may allow millions of contemporary men and women to examine, as only a few artists and madmen have examined in the past, the quality, joyfulness and zestfulness of experience. The "expansion of consciousness"; the stress on the expressive, the aesthetic and the creative; the emphasis on imagination, direct preception and fantasy—all are part of the effort to enhance the quality of this experience.

Another goal of the new revolution involves a revolt against uniformity equalization, standardization and homogenization—not against technology itself, but against the "technologization of man." At times, this revolt approaches anarchic quaintness, but it has a positive core as well—the demand that individuals be appreciated not because of their similarities or despite their differences, but because they are different, diverse, unique and noninterchangeable. This attitude is evident in many areas: for example, the insistence upon a cultivation of personal idiosyncrasy, mannerism and unique aptitude. Intellectually, it is expressed in the rejection of the melting-pot and consensus-politics view of American life in favor of a post-homogeneous America in which cultural diversity and conflict are underlined rather than denied.

The new revolution also involves a continuing struggle against psychological or institutional closure or rigidity in any form, even the rigidity of a definite adult role. Positively, it extols the virtues of openness, motion and continuing human development. What Robert J. Lifton has termed the protean style is clearly in evidence. There is emerging a concept of a lifetime of personal change, of an adulthood of continuing self-transformation, of an adapatability and an openness to the revolutionary modern world that will enable the individual to remain "with it"—psychologically youthful and on top of the present.

Another characteristic is the revolt against centralized power and the complementary demand for participation. What is demanded is not merely the consent of the governed, but the involvement of the governed. "Participatory democracy" summarizes this aspiration, but it extends far beyond the phrase and the rudimentary social forms that have sprung up around it. It extends to the demand for relevance in education—that is, for a chance for the student to participate in his own educational experience in a way that involves all of his faculties, emotional and moral as well as intellectual. The demand for "student power" (or, in Europe, "co-determination") is an aspect of the same theme: At Nanterre, Columbia, Frankfurt and Harvard, students increasingly seek to participate in making the policies of their universities.

This demand for participation is also embodied in a new ethic of "meaningful human relationship," in which individuals confront each other without masks, pretenses and games. They "relate" to each other as unique and irreplacable human beings, and develop new forms of relationships from which all participants will grow.

In distinguishing between the old and the new revolutions, and in attempting to define the targets of the new, I am, of course, making distinctions that students themselves rarely make. In any one situation the two revolutions are joined and fused, if not confused. For example, the Harvard students' demand for "restructuring the university" is essentially the second revolution's demand for participation; but their demand for an end to university "exploitation" of the surrounding community is tied to the more traditional goals of the first revolution. In most radical groups there is a range of opinion that starts with the issues of the first (racism, imperialism, exploitation, war) and runs to the concerns of the second (experimental education, new life styles, meaningful participation, consciousness-expansion, relatedness, encounter and community). The first revolution is personified by Maoist-oriented Progressive Labor party factions within the student left, while the second is represented by hippies, the "acid left," and the Yippies. In any individual, and in all student movements, these revolutions coexist in uneasy and often abrasive tension.

Furthermore, one of the central problems for student movements today is the absence of any theory of society that does justice to the new world in which we of the most industrialized nations live. In their search for rational critiques of present societies, students turn to theories like Marxism that are intricately bound up with the old revolution.

Such theories make the ending of economic exploitation, the achievement of social justice, the abolition of racial discrimination and the development of political participation and freedom central, but they rarely deal adequately with the issues of the second revolution. Students inevitably try to adapt the rhetoric of the first to the problems of the second using concepts that are often blatantly inadequate to today's world.

Even the concept of "revolution" itself is so heavily laden with images of political, economic and social upheaval that it hardly seems to characterize the equally radical but more social-psychological and cultural transformations involved in the new revolution. One student, recognizing this, called the changes occurring in his California student group, "too radical to be called a revolution." Students are thus often misled by their borrowed vocabulary, but most adults are even more confused, and many are quickly led to the mistaken conclusion that today's student revolt is nothing more than a repetition of Communism's in the past.

Failure to distinguish between the old and new revolutions also makes it impossible to consider the critical question of how compatible they are with each other. Does it make sense—or is it morally right—for today's affluent American students to seek imagination, self-actualization, individuality, openness and relevance when most of the world and many in America live in deprivation, oppression and misery?

The fact that the first revolution is "completed" in Scarsdale does not mean that it is (or soon will be) in Harlem or Appalachia—to say nothing of Bogotá or Calcutta. For many children of the second revolution, the meaning of life may be found in completing the first—that is, in extending to others the "rights" they have always taken for granted.

For others the second revolution will not wait; the question, "What lies beyond affluence?" demands an answer now. Thus, although we may deem it self-indulgent to pursue the goals of the new revolution in a world where so much misery exists, the fact is that in the advanced nations it is upon us, and we must at least learn to recognize it.

Finally, beneath my analysis lies an assumption I had best make explicit. Many student critics argue that their societies have failed miserably. My argument, a more historical one perhaps, suggests that our problem is not only that industrial societies have failed to keep all their promises, but that they have succeeded in some ways beyond all expectations. Abundance was once a distant dream, to be postponed to a hereafter of milk and honey; today, most Americans are affluent. Universal mass education was once a Utopian goal; today in America almost the entire population completes high school, and almost half enters colleges and universities.

The notion that individuals might be free, en masse, to continue their psychological, intellectual, moral and cognitive development through their teens and into their 20's would have been laughed out of court in any century other than our own; today, that opportunity is open to millions of young Americans. Student unrest is a reflection not only of the failures, but of the extraordinary successes of the liberal-industrial revolution. It therefore occurs in the nations and in the colleges where, according to traditional standards, conditions are best.

But for many of today's students who have never experienced anything but affluence, political freedom and social equality, the old vision is dead or dying. It may inspire bitterness and outrage when it is not achieved, but it no longer animates or guides. In place of it, students (and many who are not students) are searching for a new vision, a new set of values, a new set of targets appropriate to a post-industrial era—a myth, an ideology or a set of goals that will concern itself with the quality of life and answer the question, "Beyond freedom and affluence, what?"

What characterizes student unrest in the developed nations is this peculiar mixture of the old and the new, the urgent need to fulfill the promises of the past and, at the same time, to define the possibilities of the future.

AMHERST COLLEGE,
Amherst, Mass., April 29, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: The Faculty and Students of Amherst College have just experienced an extraordinary two days. Our usual educational activities were replaced by debate, discussion and meditation which have given shape to our beliefs about the nature of higher education and the governance of educational institutions. It is clear that we have much to do to set our own house in order. We are convinced, and have shown during these days, that changes, even fundamental ones, can take place without physical duress. It will require all our care and energy in the months ahead to combine change with continuity, to provide students with a real and regular role in influencing their education and the College's govern-

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ment, and to honor both intellectual discipline and creativity. We have as a College emerged from these two days with a renewed sense of the urgency and seriousness with which we must attend to our primary purpose.

We have also as a College embraced a new sense of urgency of another kind. We believe that we must speak out to make clear that much of the turmoil among young people and among those who are dedicated to humane and reasoned changes will continue. It will continue until you and the other political leaders of our country address more effectively, massively, and persistently the major social and foreign problems of our society. Part of this turmoil in universities derives from the distance separating the American dream from the American reality. Institutions dedicated to the nurture, husbanding, and growth of critical intelligence, and to inquiry into basic problems cannot but open people's eyes to the shoddiness of many aspects of our society.

In yesterday's New York Times it is reported that five officers in your Cabinet "seemed to agree that the disorder was caused by a small minority of students." Our conviction is that such a view is seriously in error if it is taken to mean that no legitimate and important reasons exist for the anger and sense of impotence felt by many students and faculty. The pervasive and insistent disquiet on many campuses throughout the nation indicates that unrest results, not from a conspiracy by a few, but from a shared sense that the nation has no adequate plans for meeting the crises of our society. To name only one issue of special concern to the students: since the Kerner Commission's report, there has been no decisive response to its recommendations.

We do not say that all the problems faced by colleges and universities are a reflection of the malaise of the larger society. That is not true. But we do say that until political leadership addresses itself to the major problems of our society—the huge expenditure of national resources for military purposes, the inequities practiced by the present draft system, the critical needs of America's twenty-three million poor, the unequal division of our life on racial issues—until this happens, the concern and energy of those who know the need for change will seek outlets for their frustration.

We realize that in writing this letter we have taken the unusual step of speaking publicly for our community on pressing issues of the moment. We do this out of an urgent concern to question the widely held view that university unrest is merely an internal problem or at most fomented by outside influences. More, we believe that if political leaders act on this mistaken assumption, their actions will serve only to widen the separations within the university and between the universities and society at large. If, however, this important element in student unrest is understood, it would be possible for you, Mr. President, to redirect youthful energy toward those more idealistic, creative and generous actions which reflect a concern for others. Your influence can provide that hope which encourages those visions to which young men so gladly dedicate themselves, and we will support those efforts.

I send this letter to you on behalf of an overwhelming majority of Amherst students, faculty and administration who attended the closing meeting of our days of inquiry tonight. Copies of this letter with the signatures of all those who wish to subscribe will follow as soon as possible.

Respectfully yours,

CALVIN H. PLIMPTON.

THE AMHERST DECLARATION

The search for solutions to the sick contagion of the student rebellion is a matter of high national priority. University presidents, forsaking virtually all other functions of leadership, are desperately trying to chart a course that will prevent both violence and surrender to the threat of violence. The appalling spectacle of guns on campus, of students attacked by students, and of professors being threatened and actually beaten by students, has added to a nightmare that should at last alert to the danger of escalating lawlessness even those who are most sympathetic to the student radicals.

The successful use of court orders by President Cordier at Columbia has illustrated what should never have been forgotten: The only way to prevent contempt for law is to rely on, and firmly enforce, lawful procedures against violators. There should never have been any doubt that the abuse of amnesty as an instrument of appeasement could only embolden the young totalitarians to step up their guerrilla tactics.

But it is also clear that great numbers of idealistic and normally moderate students fail to oppose the radical forays, not because they approve of lawlessness, but because they are sincerely troubled and severely frustrated by much of what they—as well as many of their elders—know to have gone wrong with their colleges and their country.

It is for them that President Calvin H. Plimpton of Amherst College appealed to President Nixon. He urged the President to understand that, although not all the campus unrest can be ended by specific reforms, there can be little hope for a moderate consensus as long as many students and their teachers sense "that the nation has no adequate plans for meeting the crises of our society."

Mr. Plimpton did not pretend that society's ills are alone to be held responsible for the college turmoil. But he warned that the frustrations will continue to divert the energies of young people "until political leadership addresses itself to the major problems of our society—the huge expenditures of our natural resources for military purposes, the inequities practiced by the present draft system, the critical needs of America's 23 million poor, the unequal division of our life on racial issues."

President Kennedy perceptively capitalized on the idealism of American youth by offering it a Peace Corps. But the wasteful and tragic demands of war have in the minds of American students long since overshadowed this opportunity to serve the nation and the world in the cause of peace. The overwhelming majority of American youth, on and off the campus, is neither revolutionary nor disruptive. But, as the Amherst declaration suggests, it is deeply concerned with the basic issues facing the country, nationally and internationally, a concern for which Americans of every age can be thankful.

The use of force and violence on or off campus is inadmissible. It cannot be condoned or appeased and must be met with the full application of academic discipline and external law, as is now beginning to be successfully done in many places.

But the great mass of America's youth is going to continue to be in a state of ferment—and has every right to be—until and unless a serious search is undertaken for ways to bridge the chasm that, in President Plimpton's words, separates the American dream from the American reality.

S.D.S. SCORES BIG GAINS BUT FACES MANY PROBLEMS

(By Barnard L. Collier)

CHICAGO, May 3.—Students for a Democratic Society, perhaps one of the most provocative radical organizations ever to spring up on America's campuses, is exultant over its "revolutionary victories" so far this year. But evidence is mounting that it may be facing some potentially grave crisis.

In its relatively brief history—the group was founded in 1962 when 59 students from 11 colleges met in Port Huron, Mich., to draft a manifesto calling for "a democracy of individual participation"—the S.D.S. has spread its direct influence to some 350 campuses and claims about 70,000 members.

As the S.D.S. has expanded, student strikes, sit-ins, guerrilla theater type disruptions, riots, mass rallies and other examples of what its members call "militant actions" have shattered the academic tranquility of almost every major American university.

By count of one of S.D.S.'s three national officers (the three who prefer not to be quoted by name, are Michael Klonsky, 25 years old, national secretary; Bernadine Rae Dohrn, 27, interorganization secretary, and Fred Gordon, 25, education secretary), there have been more than 200 separate "militant actions" on campuses across the country in the last six months.

"It's been one of our most successful years," the officer said. "The strike at San Francisco State that lasted for five months, which makes it the longest student strike in American history. Columbia again. And the fantastic strike at Harvard. And the spring isn't over yet."

Indeed, in the spring of 1969, it is difficult to see how much more could have been legitimately expected of S.D.S.'s ability to stir rebellion. Where its chapters have chosen the issues carefully—mostly in the key realms of "American racism" and the university's relation with the community and its role in aiding the so-called military-industrial complex—S.D.S. has received notable student and faculty support for the justice of its demands, even if many of those same supporters decry some of its tactics of confrontation.

Yet at the same time the S.D.S. appears on the surface to be most successful, the organization also finds itself in what Jeff Rice, a leading member of the S.D.S. chapter at Northwestern University, called "a crucial period of transition."

Basic S.D.S. doctrine has not changed much since the Port Huron call for "participatory democracy," a decentralized system in which the ideas of all men are somehow given equal weight or at least an equal hearing. There remains the conviction that something is essentially wrong with the corporate-based system of American capitalism and with the colleges and universities that serve it.

But problems of strategy and tactics, made more complex by increasingly sophisticated and sometimes harsh counteroffensives by the universities and the police, have been compounded by the problem of redefining and maintaining national interest in issues as circumstances change.

When the Spring Offensive of 1969 is finished, S.D.S. members at various campuses say, there must be a hard rethinking of the S.D.S. line if the organization is to remain effective.

The following—according to S.D.S. members, unaffiliated student radicals, faculty members and administrators, and members of Negro militant groups interviewed across the country—are some of S.D.S.'s major problems:

No national issue now seems to engage the same kind of broad popular support that the Vietnam war did before the Paris peace talks started.

The issue of racism in America, while still extremely powerful, is almost everywhere being pursued forcefully by Negro and Hispanic-American groups who often resent what they feel are S.D.S. attempts to "coopt our black struggle" for white radical ends.

S.D.S. members affiliated with the Maoist Progressive Labor party are a severe cause of ideological concern to the majority of S.D.S. members, in many campus chapters, who do like the Progressive Laborites' always aggressive, often "unrealistic" line—particularly in relation to ways of forming a student worker alliance.

XUM

Moderate students seem more quickly "turned off" than before by some of S.D.S.'s tortured political "rhetoric," and the tendency of some chapters to disrupt campus life for less and less important issues.

Heavy police surveillance and infiltration of S.D.S. has made many chapters, and certainly the national headquarters personnel, more conspiratorial in their methods—a fact that tends to alienate some of its less guileful "hippie" supporters who enjoyed the old wide-open debate days.

BICKERING AT COLUMBIA

Not all of those problems are vexing to all S.D.S. chapters. At Columbia University, for example the ideological bickering between Progressive Labor Party members (who found the labor committee they controlled disbanded by the chapter last fall because it opposed school decentralization, which most of S.D.S. backed) and the rest of S.D.S.'s membership is acute.

This is so, too, at the University of Chicago (where some regular S.D.S. members refer to the Progressive Laborites as "the stupids.") At Harvard, the Progressive Laborite faction is very strong and was the first to take over a building in the prelude to the strike.

At Stanford University and at Northwestern, on the other hand, there are few, if any, Progressive Laborities in the S.D.S. chapters to cause such problems.

Part of the reason that S.D.S. has the kind of problems it does, and yet does not necessarily have them all in all of its many chapters, can be traced to the extraordinarily diffuse—some would say anarchic—structure of the organization.

Each S.D.S. chapter is essentially independent of every other. Some have been well-organized, able to plan ahead and then carry out their plans; some have not. Every chapter deliberately opens its membership rolls to political activists of all stripes: Maoists, Socialists, anarchists, liberal Democrats, even conservative Republicans if they should wish to join.

The national headquarters here—which operates on meager funds derived from the sale of publications, posters, protest buttons, donations from sympathizers and $5-a-year dues paid by those chapter members who want to (but need not) become national members—exercises no direct control over any chapter. In fact, several campus chapters disdain the "N.O."—for national office—because its officers are somehow regarded as on the periphery of the "real" battles on the local levels.

"To talk about some sort of nationwide or international conspiracy of S.D.S. in ridiculous," said an investigative official in charge of keeping track of the group's activities. "In fact, what S.D.S. really suffers from, why they can't do a lot of the things they say they want to do, is that they are trying to run a revolution without discipline. That never works."

S.D.S. OFFICER DISAGREES

An S.D.S. officer here, when told of the investigator's comment, responded hotly:

"That's absolutely wrong. We are part of an international Communist conspiracy. We have solidarity with the 700 million Chinese, the 14 million North Vietnamese, and all the poor people of the world."

There are thousands of S.D.S. members who would agree more with the investigator than the national S.D.S. officer, which is both a measure of the organization's ideological diversity and an indication why some of S.D.S.'s major problems loom large and difficult in the months to come.

"There may be some dogmatic types who disagree," said David Pugh, a 21-year-old political science student who is a leading member of the S.D.S. at Stanford University in Palo Alto, Calif., "but I don't think the Vietnam war is a visible issue as such any more—and that has lost us a lot of our appeal to liberals.

"Even the trustees [of Stanford] want to get out of the war now. It's not good business any more. So we have to make an issue out of war itself, beyond the Harvard R.O.T.C. thing. Now that the war is petering out, and Nixon is not up for re-election, we are trying to get liberals to understand that Vietnam was no aborration, that there is a war macine built into our system.

"But I'll tell you, the liberals don't trust us and it's not going to be easy to go beyond the Vietnam issue for them."

Last week, after a violent S.D.S. sit-in protesting classified counterinsurgency studies by the Stanford Research Intsitute, the school suspended 39 students, including Mr. Pugh.

Distrust of S.D.S. by American liberals appears to be more than matched by militant Negro distrust of S.D.S. and white radicals in general.

The typical S.D.S. member is white, is a good student and comes from a politically liberal family that is rather well-off financially. As a Columbia administrator quipped, the S.D.S.'ers are "suburban Che Guevaras."

"DON'T KNOW THEIR ROLE"

Milton Gardner, a journalism student who is communications coordinator of a militant Negro group at Northwestern University called "For Members Only," said in a recent interview at The Black House, a Negro students' gathering place:

"Some white radicals just don't know their role. They want to take over. They don't have their own thing, and they don't have their own good issues.

"When blacks come up with an issue, it is a concrete issue and we can mobilize the people we count on in the middle and turn them on. But S.D.S. can turn something serious into something ridiculous and absurd."

One of S.D.S.'s national officers agreed that problems between white and black radicals did exist, but he contended that the problems would always exist "until American racism is dead and we are a socialist society."

"S.D.S.," he added, "is the only group that maintains real solidarity with the blacks—even if the blacks do not trust us now."

What really seems to create the most distrust between black activists and the white, middle-class radicals is the S.D.S.'s violently anti-establishment posture.

"Like at the university," said Milton Gardner. "I say in the university you either have to reform it or destroy it. We aren't to the stage yet of destroying it, but we can reform it. We have to get black people in the Establishment to change it—and when we're in it then we'll have the power to make it over our way."

Perhaps the single most pervasive S.D.S. problem, and one that appears likely to grow under the Nixon Administration, is police surveillance and infiltration.

RUDD ARREST RECALLED

How the police have burrowed into the S.D.S. structure was probably best illustrated when Mark Rudd, the key S.D.S. figure at Columbia last year, was arrested by his trusted bodyguard, who was an undercover agent.

But across the country, Federal, state and local investigators keep scrupulous track of S.D.S. activities. The Federal Bureau of Investigation maintains lengthy dossiers on all of its important members and has undercover agents and informers inside almost every chapter.

The national headquarters as well as S.D.S. chapters on many campuses, have had their files mysteriously rifled or stolen. There appears to be cause for the widespread S.D.S. belief that its telephones are tapped, and its meeting places bugged. One investigator explained the police tactics this way:

"The S.D.S. can't be a dangerous organization as long as we know what they are up to. So we keep watching it. Nothing the S.D.S. does surprises us. If they are going to have a rally, then we know what kind of tactics they are planning and we are ready for them if they want to cause trouble."

He added:

"Our inside information has caused S.D.S. to get more conspiratorial in a lot of places. They make their plans at the last minute now to fool us. But that doesn't leave them much time for getting the word around, and it causes them confusion and makes it harder for them to draw the kinds of crowds they used to get at their rallies.

"We also find that the more conspiratorial S.D.S. becomes the less they appeal to the hippies and people like that who think everything should be wide open and who are afraid of political secrets and secret political planning. I think the conspiratorial mood is hurting S.D.S. a lot."

WORK IN FACTORIES

This summer, according to some members, much of S.D.S.'s membership will be engaged in spreading S.D.S. ideas into the nation's factories as a way of forging the first links in a proposed student-worker alliance.

S.D.S. members seem to be encouraged by, and hope to duplicate, the success of radical black groups in Detroit, where the Dodge (Main) Revolutionary Union Movement is growing very powerful in several automobile plants, and in Mahwah, N.J., where the Mahwah Black Brotherhood has been using militant tactics with some success at the local Ford plant.

Most S.D.S. members believe that America's white blue-collar workers will not be an easy class to recruit. "They hate us," one S.D.S. girl said bluntly. But it is vague (and still hotly disputed) S.D.S. doctrine that the "workers class" and "students class" are destined to "struggle" together against the "capitalist imperialist" system. Many S.D.S. members are thus willing to give factory recruiting a try.

Meanwhile, S.D.S. will continue to concentrate on winning over high school students, a project that appears to be going very well. In Southern California alone, the S.D.S. national headquarters estimates there are 57 chapters on high school campuses. There are numerous chapters also in Boston-area high schools, in Chicago, Detroit and New York. "They are coming to us, we don't even have to work very hard," said one national officer.

The various S.D.S. draft resistance projects around the country show no real signs of deterioration either. Many of the S.D.S.-run coffee houses near Army bases are doing well by quietly spreading antiwar ideas to increasing numbers of receptive soldiers.

The disruptive magnitude of what S.D.S. considers its successes has thrust the organization high into the American consciousness. Success in its terms has made S.D.S. a prime target for both liberals and conservatives, who are coming to regard its tactics as more destructive to American society than the often important issues the group raises.

That sometime soon there could be a harsh and possibly fatal reaction to S.D.S. figures high in the thinking of many of its members.

There is little doubt that S.D.S. is moving ideologically further left each year—and that as it does its appeal to the "ones in the middle" will decrease and its problems will increase.

Jeff Rice, at Northwestern, along with S.D.S. members on other campuses, is concerned about the consequences of the organization's ideological drift.

"It could be," he said, "that we could bring on a fascist reaction that could wipe us out. It's something to think about. But we have to remember that S.D.S. ideology is still forming.

"I don't know what's going to happen 10 years from now. I don't know where I'll be or what I'll be or what I'm going to think. All I know is that what we are doing today about the war and racism and American society is what radicals should be doing."

Pusey Voices Fear of Outside Efforts To Curb Students

(By Robert M. Smith)

Boston, May 4.—Nathan M. Pusey, the president of Harvard University, said today that he was "terribly afraid" of any steps that might be taken outside universities to enact laws or tighten controls on colleges in an attempt to deal with student unrest.

Mr. Pusey declared, in a television interview, that "the answer has to come from within the university community itself."

"I think," he said, "that it has to come from the students and faculty primarily, and it will come only as [they] themselves come to see that this kind of disrupting activity is something that can't be tolerated. They'll have to withhold their sympathy [from] this small group of revolutionaries who don't care about the university."

In an interview after the television program, the 63-year-old college president also said:

He is sanguine about Harvard's future. "The evidence," he said, "is that a majority of our people do care about the institution." He cited "the way the students didn't go the whole way with S.D.S. [Students for a Democratic Society]" and "the way the faculty stayed together." But he said he is concerned lest Harvard's alumni "lose their confidence and interest in the institution." He said he has been "flooded with mail from deeply unhappy and upset" graduates. "It could very well affect their contributions in the long run," he added, depending on what happens "from here on in."

Granting students a voice in the selection of faculty for the black studies program "is going to create quite a few difficulties in trying to get the kind of black studies program we want." Giving students that power was an issue in the student strike that virtually paralyzed the Harvard campus for more than a week.

He would like to see the Reserve Officers Training Corps stay at Harvard "because I think all those young men—and there are several hundred of them—who want to fulfill their military obligations that way should be allowed to."

The Harvard faculty has decided that R.O.T.C. may stay on the campus only on an extracurricular basis. The president added that he was "afraid the services won't accept R.O.T.C. as an extracurricular activity."

He made "a deliberate decision that nothing was to be gained by talking to large groups" during the turmoil on campus. Mr. Pusey has been criticized by many people at Harvard, including the editors of the Harvard Alumni Bulletin, for staying away from a large segment of the community, particularly students, during the crises and being "virtually invisible."

In the television interview today, Mr. Pusey voiced sympathy for what he called "the valid concerns "motivated" a lot of the general unrest on campus."

"Insofar as people show those concerns," he continued, "we as a nation ought to think of them as a source of future strength. It's just the impatience that insists on correcting the situation right now that is a little hard to live with."

Today's session on the National Broadcasting Company's "Meet the Press" program and the interview afterward was the first time Mr. Pusey has made himself available to answer the questions of reporters since the start of the student disturbances, nearly a month ago.

At the very start of the questioning by the four panelists at WBZ–TV here, Mr. Pusey said that he still regarded having summoned the police to clear students from University Hall, the administration building they occupied April 9, as the best way to handle the situation.

There were alternatives, he said, but they "just seemed to clearly be more productive of long-range harm than calling the police at that time."

"The question," Mr. Pusey went on, "was whether or not we could survive such an action and still get the university back to its regular activity in a reasonable length of time that way or by letting the thing drag on and have it drag on and brought in very large numbers of people from all over the area and the region into the Yard. I think probably the results might have been worse."

Mr. Pusey said he realized at the time that "some, perhaps at least 2,000 or more of our students, would show an immediate sympathy" with Students for a Democratic Society because the police was summonded. "But," he explained, "we had to weigh that against what we thought would be a prolonged disruption if we didn't do it."

He said "there was no dissenting opinion" about the decision to call the police.

Asked why he did not consult with the faculty before summoning the police, he said he had consulted with the Council of Deans—the heads of the various faculties of the university—and "he had assumed that in talking with them and getting their views I was getting access to faculty opinion and also, to a degree, student opinion."

Mr. Pusey has been bitterly criticized by several faculty members at Harvard for not consulting them in the crisis.

He said today that the clearing of University Hall by the police was "done remarkably quickly and with a relatively small amount of injury." The university news office has reported that 44 persons were treated for injuries sustained during the police action and five persons were admitted to hospitals.

At another point in the program, a panelist asked Mr. Pusey whether he had any intention of resigning. He said no.

"I must say," he added, "that any one that has one of these jobs today would have to recognize that it's not just an activity filled with pleasure and happiness. But there still are things that are worth trying to do."

On the issue of tighter laws and recommendations from persons outside universities that colleges "get tough" with student dissidents, Mr. Pusey said:

"Many of us, I think, are terribly afraid about that kind of reaction from outside the campus communities. And it is something we ought rightly to be frightened by."

If colleges are going to come through this period, he declared, it will be because the majority of students and teachers come to see that chronic disruption cannot be tolerated.

He drew a sharp line between "a group within S.D.S. that have espoused violence and force" and "the largest number of them" who have not gone that far.

"I would think," he said, "that there are lots of people in the S.D.S. group at Harvard who have a genuine affection for the institution."

Avoiding the Backlash

In Minneapolis last week a police detective running as an independent on a "law and order" platform finished first by a wide margin in that city's mayoralty primary. At Queens College, in this city, white students offered physical resistance to rampaging blacks. In Congress and other legislatures over the country more and more demands are being made for "crackdowns" on student dissenters, and laws aimed at campus disorders have been passed or are under legislative consideration in almost half the states. The symptoms are evident that a massive backlash is building up against student disrupters.

Ironically, this build-up—with its threat of repression in the wings—is coming at a time when developments on many campuses suggest that university administrators are beginning to learn how to deal with the forces making for disruption, and thus to frustrate the miniscule minority whose only purpose is to destroy American higher education as a first step toward destroying American society. The fiasco suffered last week by the Students for a Democratic Society at Columbia was one important indication. Another was Harvard's ability to restore peace and normal conditions of study and class attendance so quickly after last month's "bust" and the passions it aroused. At Stanford, student demonstrators peacefully surrendered an administration building when informed police would be coming on campus.

By a combination of concessions to justfied demands, improved communications among students, administrators and faculty, and firmness where required, university administrators are showing that they can regain the initiative from the wildest dissenters and even mobilize student majorities to back campus order and peace.

A mindless, vindictive backlash movement now will surely play into the hands of the disrupters, win them more supporters, and reverse the encouraging trend on what were recently some of the most endangered campuses. This is because the backlash is likely to result in overkill, in the passage of new laws and the taking of other punitive meassures that would enable the disrupters to pose as the victims of persecution by a soulless adult Establishment.

Last spring at Columbia and this spring at Harvard, the radicalization of both campuses was the product of such overkill by policemen who used far more violence in ending student sit-ins than was required by the objective situation. Repetition of such tactics at higher levels of government is likely to have similar boomerang effects and increase rather than diminish the prospects for campus turmoil.

American society can deal with the mini-revolution on the campuses by insisting on the rule of law but at the same time by retaining perspective and a sense of proportion. The serious disrupters constitute a small minority among the millions of the nation's college and university students, and they have succeeded in shutting down only a very tiny fraction of the nation's thousands of higher educational institutions. This disruptive minority becomes powerful when it is able to gain leverage through the mistakes and insensitivity of its opponents.

It can be and has been defeated by intelligent administrators who have moved rapidly against the causes of student discontent, thus separating the majority that wants to continue its studies from those who have become semiprofessional revolutionaries. A firm adherence to the rule of law is necessary, along with understanding and a willingness to discuss needed change. But in dealing with the young people on the campuses, the blacklash psychology points the way only to disaster for university and society alike.

Louisville, Ky.: From Anarchy to Repression?

(By James Reston)

Louisville, Ky., May 3.—The political reaction to the campus disorders is now running very strong. The threat of anarchy is now producing the threat of repression, and politicians all over the country are trying to put the university wreckers up against the wall.

The wild wing of the Students for a Democratic Society has done a remarkable thing. It has awakened all its proclaimed enemies. It has mobilized the squares, stirred up the Federal and state legislators, weakened the anti-Vietnam war movement, divided the left, and pushed the country to the right.

ACTION AND REACTION

This is quite an achievement. No other combination of political and moral forces in this country, from J. Edgar Hoover to Billy Graham, could possibly have aroused such a powerful coalition against the extreme left, or made opposition to the demands of the white and black extremists so respectable.

In many ways it is a sad story, for in the end, it could easily mean more political interference and control of the universities, more opposition even to legitimate dissent, reduced state and Federal funds for higher education, more separation and hostility between the races, and more trouble for the idealistic students who want fundamental but nonviolent changes in our society.

A NEEDED CHALLENGE

The dangers of over-reaction now are plain. The challenge of the young was not a bad but a good thing. They were questioning our materialism and hyprocrisy, our policies and priorities in Vietnam and the cities, and the structure of many of our universities.

But the S.D.S. extremists who started by demanding "free speech" at Berkeley are now denying it to others. They want the right of dissent for the protestors but no right of dissent for their opponents. They have gone well beyond Gandhi's or Thoreau's concept of civil disobedience. Gandhi and Thoreau were prepared to take their punishment for breaking the law, but not the young extremists of today.

They seize and destroy private property, shut down classes, interfere with scholarly research, and then demand amnesty and submission to their "non-negotiable demands." They want "due process" for themselves but not for their opponents.

It is not easy to shake the indifference of the quiet majority in this country, but the militants have achieved it. They forgot that students are not the only people who are troubled by the complexities, contradictions and inequalities of American life. The middle-aged and the middle class—caught between their rebellious kids and their aging parents, and between inflation and taxation—are really the ones in the middle. And the sight of guns on campuses and kids sneaking out of occupied buildings with covered faces plus all these endless demands and headlines about the student rebellion, have finally produced great pressure on the politicians from the middle class to get this movement under control.

The politicians are delighted to respond. They have always enjoyed moralizing about the wickedness of the young and the permissiveness of the universities. President Nixon has had his say and J. Edgar Hoover will be reciting on the radicals within the next few days.

Also, various Congressional committees are planning investigations under such pillars of philosophical meditation as Senators John McClellan of Arkansas and James Eastland of Mississippi—not to mention that other old friend of the S.D.S.—the former House Un-American Activities Committee.

PREDICTABLE REACTION

None of this is surprising, however. It is following the usual political scenario of violent action and extreme reaction. The odd thing is that the young militants who claim to know so much about human psychology and political tactics provoked such a predictable reaction. It is said they welcome the repression, for this will bring the moderates over to their cause. That at least is the theory, but that is not what is happening now; the militants are not getting stronger but weaker, and the only thing that can really help them now is another angry lurch to the right.

Topics: Who Is Really Uprooting This Country?

(By Josephine W. Johnson)

The wild cherry leaves are waxy green and bronze in this spring morning. The rain is falling over the buckeye pyramids, over the limegreen flowers and the dark-green leaves. The woods are flooded with flowers. The ferncut leaves of dutchman-breeches and squirrel corn, the white hearts of their flowers, shake in the rain.

When the sun comes out it is as though a veil of silver ice sheathed every living thing. A green-white ice where the slow rain stayed on every leaf and shoot it touched. And as far as the eye can see white glittering spiderwebs are flung on the hillside, and long strands, pearl-hung, wave from the beech twigs, invisibly anchored somewhere far out in space.

These are only a few hours out of a spring woods that will unfold, flower, change with every day. The buds of buckeye have that waxy rose of petalled sap, and then a burst of green leaves and the rose petals falling. The great oaks and maples and beeches will begin to leaf, begin their giant breathing, the soundless respiration and purifying to which our own lives are tied.

This is indeed a beautiful country, one thinks. A land to be loyal to. One's soul expands. But down beyond this valley, beyond the circle of hills that ring this wild greenness, plans are being made to destroy it. Anarchic, sweeping, enormous and expansive plans. Who is making these plans?

A half mile away in the early spring morning, the great orange school buses begin to roll, gathering up the children, weighted down with books, carrying them to their new and beautiful buildings on old pasture lands. Among the thousands of things these children will hear are words about a Man Without a Country: "Breathes there a man with soul so dead who never to himself has said, this is my own, my native land?"

POLLUTERS OF SPRING

From these words should flow love, patriotism, and law into the veins of the growing child. But busily behind the edifice, under cover of the mighty music of the organ sound, a vast throng of people are working night and day, destroying all they still call their native land.

Who are these people? Who are the destroyers? Breathes there a man. . . . Try and breathe. Who pollutes the air? Who fouls the rivers? Who cuts down the trees, builds houses on the stripped hillsides? Who poisons the sheep, shoots the deer, oils the beaches, dams and rivers, dries up the swamps, concretes the countryside? Who bulldozes homes, builds missile sites, pours poison wastes underground, poison gas overground, slabs over mountain tops, rocks the earth with explosions, scars the earth with strip mines?

LAW-ABIDING DESTROYERS

Who is doing this? Who is responsible for this anarchy and ruin? Is it the revolutionaries, the black militants, the draft refusers? Is it the college students, the pacifists, the hippies? Who is taking our country away from us before our eyes?

It is the well-dressed, law-abiding, patriotic and upright citizens who are taking our country away from us. In the name of saving us, protecting us, and civilizing us, statesmen and generals, scientists and engineers, businessmen and Congressmen, are making us into a people without a country, dead souls and exiles. And we are paying to do it.

In the name of saving and protecting us, the Pentagon has become the symbol of the greatest power on earth today. There it sits, a terrible mass of concrete. Its power penetrates into every single life. It is in the air we breathe, the water we drink. Because of its insatiable demands we are drained and polluted. Nothing in the world is like this concrete monster. It is like the great god Moloch into which the children were thrown as sacrifices. It is our greatest unnatural disaster.

We are dying of preconceptions, outworn rules, decaying flags, venomous religions, and sentimentalities. We need a new world. We've wrenched up all the old roots. The old men have no roots. They don't know it. They just go on talking and flailing away and falling down on the young with their tons of dead weight and their power. For the power is still there in their life-in-death. But the roots are dead, and the land is poisoned for miles around.

After the first silent spring will come a short and suffocating summer, then asphalt autumn, and in the end, winter. Cold, clean, orderly, concrete winter. Winter forever. And then we will have nothing to fear anymore, nothing to be protected from, nothing to be protected for, nothing at all, in fact, that we or anyone else will want to call our own.

Academic Body Deplores Mitchell's View on Unrest

MINNEAPOLIS, May 3.—The American Association of University Professors found Saturday "a direct threat to academic freedom" in speeches on campus disrupters by Attorney General John N. Mitchell and other spokesmen for the Nixon Administration.

A resolution approved by a majority of the 800 delegates attending the association's annual convention here said that the Nixon Administration's position was "of grave concern."

The delegates, representing 90,000 professors around the country, were particularly alarmed about one statement attributed to Mr. Mitchell in his Detroit speech on Thursday. He had been quoted as saying that the Justice Department would begin prosecuting "violence-prone militants" to "the fullest extent" under the provisions of the Civil Rights Act of 1964.

"The present tragic season in our intellectual life must not be made the occasion for premature or punitive intervention" by public officials, the resolution said.

Although the resolution did not mention Mr. Mitchell by name, its target seemed clear.

The professors rejected a last-minute appeal from the Justice Department, which urged by telephone and telegram that the convention delay the resolution until the Administration could provide the delegates with "an authoritative text" of Mr. Mitchell's speech.

The Administration suggested that the speech had been inaccurately reported.

The final text of the resolution was lightly altered in recognition of the Administration's appeal but still referred to Federal officials' speeches on campus disorders as "provocative."

It said that Federal officials had used "indiscriminate" and "dangerous" language in criticizing campus militants as "ideological criminals" and "new barbarians."

"Such statements assert a policy which is a direct threat to academic freedom and autonomy," the resolution said.

The original resolution referred to threats of prosecution against "students allegedly responsible for disruption." The words "professional militants" (in quotation marks) were substituted for "students allegedly."

Wording saying that these statements "assert" a policy threatening to academic freedom was changed to say that the statements "suggest" such a policy.

XUM

Mr. Mitchell was one of a number of Justice Department officials who made Law Day speeches of campus disorders. In his speech, he said: "If arrests must be made, then arrests there should be. If violators must be prosecuted, then prosecutions there should be."

In another resolution, the association expressed "grave concern" over the spread of campus violence and voted to "unreservedly condemn any forcible interference with teaching, learning and research."

It said, however, that any attempts to quell student disorders should be left to school administrators and faculty members and that "the current crisis can only be compounded by vengeful reprisals" by Federal and state governments.

The resolution voicing concern over Mr. Mitchell's statements had been prepared Friday night. The association's meeting ended Saturday.

TEXT OF RESOLUTION

The 55th annual meeting of the American Association of University Professors notes with grave concern reports of a recent series of provocative statements by high Federal officials which threaten "professional militants" responsible for disruption with prosecution for conspiracy, and which employ indiscriminate and dangerous phrases such as "ideological criminals" and "new barbarians." Such statements suggest a policy which is a direct threat to academic freedom and autonomy.

Academic life must be protected from both external and internal assaults. Having affirmed that the initiative in that protection must rest with properly constituted academic authorities, the annual meeting states its conviction that the present tragic season in our intellectual life must not be made the occasion for premature or punitive intervention by public officials. It calls upon administrative officers, faculty members and students to exercise their obligations affirmatively so as to insure maintenance of institutional autonomy, academic order, and academic freedom.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. MANSFIELD. Mr. President, in recent months there has been a tremendous increase in the amount of unsolicited obscene and pornographic literature being sent through the U.S. mails. I have received a great many protests from my constituents in Montana and I think the situation has reached such a magnitude that it demands some action on the part of the Federal Government. While I recognize certain constitutional guarantees of freedom of speech and the first amendment, I think that there can be some controls established through legislation.

First of all, it is important to protect children against this kind of traffic in smut. Also, I see no reason why the average citizen should have to put up with this kind of unsolicited material through the mail. I am certain that no one has the absolute answer but it is my hope that the appropriate committees of Congress will now give every consideration to the necessary control measures. Whatever laws may be enacted, I hope that the responsibility for keeping this material out of the mail will be placed on the sender and not the unsuspecting box holder.

Last week several bills were introduced in the Senate which provide an excellent basis for further discussion. Mr. President, I ask unanimous consent to have my name added as a cosponsor of S. 2057 introduced by the Senator from Indiana (Mr. BAYH) and S. 2073 and S. 2074 introduced by the minority leader (Mr. DIRKSEN), and others. I ask further that my name be included as a sponsor on the next printing of these bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, at their next printing, the names of the Senator from West Virginia (Mr. BYRD), the Senator from Indiana (Mr. HARTKE), the Senator from Rhode Island (Mr. PELL), and the Senator from Washington (Mr. MAGNUSON) be added as cosponsors of the bills S. 2073 to prohibit the use of interstate facilities, including the mails, for the transporting of certain materials to minors; and S. 2074 to prohibit the use of interstate facilities including the mails for the transportation of salacious advertising.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the name of the Senator from Montana (Mr. METCALF) be added as a cosponsor of the bill (S. 1851), the Honey Promotion and Research Act of 1969, to enable honey producers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for honey.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, at the request of the Senator from Oregon (Mr. HATFIELD), I ask unanimous consent that at the next printing of the bill (S. 1937) to supplement and strengthen voluntary youth service and learning opportunities supported or offered by the Federal Government by establishing a National Youth Service Council and a National Youth Service Foundation, and for other purposes, the name of the Senator from Alaska (Mr. STEVENS) be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Texas (Mr. TOWER) be added as a cosponsor of the bill (S. 2071) to amend the National Labor Relations Act to prohibit certain secondary boycotts in the construction industry which impede technological progress in such industry and unduly restrict the design professional's freedom in selecting the best and most efficient materials to accomplish construction projects.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, at the request of the Senator of Illinois (Mr. PERCY), I ask unanimous consent that at the next printing of the bill (S. 2037) to amend title VI of the Public Health Service Act to include within the scope of part A thereof comprehensive ambulatory health services, and otherwise to extend and improve the program established by such part A, the name of the Senator from Kansas (Mr. DOLE) be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 2098) to establish the Lindenwald Historic Site at Kinderhook, N.Y., and for other purposes, that my name be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, at the request of the Senator from Hawaii (Mr. INOUYE) I ask unanimous consent that at the next printing of the bill (S. 1949) to amend section 620 of title 38 of the United States Code to permit the Administrator of Veterans' Affairs to share with public or private persons the cost of nursing home care for veterans in Alaska and Hawaii, the name of the Senator from Alaska (Mr. GRAVEL) be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that at its next printing, the name of the Senator from Connecticut (Mr. DODD) be added as a cosponsor of the joint resolution (S.J. Res. 59) proposing an amendment to the Constitution of the United States providing that citizens of the United States shall be entitled to vote for President and Vice President without regard to excessive residence and physical presence requirements.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 195—SUBMISSION OF A RESOLUTION PROVIDING FOR THE PRINTING OF ADDITIONAL COPIES OF SENATE DOCUMENTS 91–13

Mr. ELLENDER submitted the following resolution (S. Res. 195), which was referred to the Committee on Rules and Administration:

S. RES. 195

Resolved, That there be printed for the use of the Committee on Appropriations eight hundred additional copies of Senate Document 91–13, entitled, "Review of United States Foreign Policy and Operations, 1968", by Honorable Allen J. Ellender, United States Senator from the State of Louisiana.

SENATE RESOLUTION 196—SUBMISSION OF A RESOLUTION PROVIDING FOR THE REFERRAL OF THE BILL (S. 2138) TO THE CHIEF COMMISSIONER OF THE U.S. COURT OF CLAIMS

Mr. HATFIELD submitted the following resolution (S. Res. 196), which was referred to the Committee on the Judiciary:

S. RES. 196

Resolved, That the bill (S. 2138) entitled "A bill for the relief of the estate of William E. Jones", now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the United States Court of Claims; and the chief commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due from the United States to the claimant.

THE NEW JOHNSON DOLLAR

Mr. WILLIAMS of Delaware. Mr. President, on the UPI wire service today, an item appeared as follows:

> WASHINGTON.—The Treasury Department announced today it will recommend production of nonsilver half dollars and dollars, thus taking silver out of the last U.S. coins in circulation.
>
> Treasury Secretary Kennedy said he will seek legislation from Congress authorizing the minting of both nonsilver coins along with the sale of $2.9 million in rare Carson City dollars as collectors items.
>
> Kennedy made his statement to a meeting of the U.S. Coinage Commission which advises the Government on coinage policy.
>
> Treasury General Counsel Paul W. Eggars said the Commission also discussed a suggestion that the new nonsilver dollar bear a likeness of former President Eisenhower instead of the traditional head of Miss Liberty.

Mr. President, I object to the placing of President Eisenhower's picture on this new nonsilver dollar.

During his administration President Eisenhower was a strong supporter of a sound American dollar, and I have entirely too much respect for him to have his picture placed on this cheap coin.

Instead I recommend that a picture of former President Lyndon Johnson be placed on this new coin as a constant reminder to the American people that it was as the result of the deficit spending policies of his administration that the purchasing value of the American dollar was undermined.

I ask unanimous consent that the complete item as it appeared on the UPI wire service be printed in the RECORD.

There being no objection, the wire service report was ordered to be printed in the RECORD, as follows:

> WASHINGTON.—The Treasury Department announced today it will recommend production of non-silver half dollars and dollars, thus taking silver out of the last U.S. coins in circulation.
>
> Treasury Secretary Kennedy said he will seek legislation from Congress authorizing the minting of both non-silver coins along with the sale of $2.9 million in rare Carson City dollars as collectors items.
>
> Kennedy made his statement to a meeting of the U.S. coinage commission which advises the Government on coinage policy.
>
> Treasury General Counsel Paul W. Eggars said the commission also discussed a suggestion that the new non-silver dollar bear a likeness of former President Eisenhower instead of the traditional head of Miss Liberty.
>
> Eggars said the commission took no action on the suggestion and that no decision has been made on the design of the new dollar coin.
>
> "The size would have to be the same as the old silver dollars because we intend to use them as substitutes for vending machine use," Eggars said.
>
> He explained that the Treasury Department had been under increasing pressure to produce a dollar coin to head off the growing use of dollar tokens used by resort hotels in the West.
>
> "We want coins that will be in circulation in commerce," Eggars said.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HANSEN. I yield.

Mr. GOLDWATER. I associate myself with the remarks of the distinguished Senator from Delaware. I think it would be doing our children a great service to keep reminding them of the disservice that was rendered in the field of our monetary policy during the last 8 years.

Mr. WILLIAMS of Delaware. I thank the Senator.

TO EXPRESS THE SENSE OF THE SENATE IN REGARD TO CHANGES IN THE JOB CORPS PROGRAM

The Senate resumed the consideration of the resolution (S. Res. 194) to express the sense of the Senate in regard to changes in the Job Corps program.

Mr. KENNEDY. Mr. President, I support Senate Resolution 194 as it has been reported from the Committee on Labor and Public Welfare. The resolution expresses the sense of the Senate that Job Corps closings should be deferred until Congress has had an opportunity to review and consider the Job Corps program.

In the past, Congress has vigorously asserted its commitment to combating poverty and helping the disadvantaged in our society. Passage of Senate Resolution 194 would confirm our determination to follow through closely on that commitment.

The Job Corps program is unique in several important respects. First, the target is not just the disadvantaged members of society. Rather, the Job Corps is aimed at what might be called the "subdisadvantaged"—the most seriously deficient of the disadvantaged youths. We are talking about 17- and 18-year-olds who have achieved an education level of less than the sixth grade. We are talking about a group in which 63 percent fail to meet eligibility standards for the Armed Forces. We are talking about youths with a 47-percent unemployment rate.

Eighty percent of starting trainees have not seen a doctor or dentist in 10 years. Sixty percent come from broken homes. Forty-nine percent have parents, both parents, who have had less than an eighth-grade education.

The Job Corps is aimed at helping dangerous, undisciplined, hard-core social dropouts who have been unable to make it anywhere else. Where other programs have failed, the Job Corps offers a final opportunity for them to become productive and responsible members of society.

Second, the Job Corps is not simply a skills training program. Job Corps enrollees have a wide range of deficiencies. They lack adequate education, emotional stability, good health, ability to cope with the demands of society, and so on.

Recognizing these needs, Job Corps centers offer comprehensive services. In addition to job training, there is medical care, dental care, hygiene training, and basic education.

Third, the Job Corps operates on the residential center principle. Experience indicates that most hard-core social dropouts need to break out from their captive environment—to get away from the negative and disruptive influences and old patterns which have handicapped them throughout their life. Job Corps residential centers provide a chance to get away and make a fresh start, without the temptation or the easy opportunity to return to bad habits and to regress in an unproductive environment.

Other Federal manpower programs differ markedly from the Job Corps. All Job Corps trainees are under 22. More than half of the trainees in such programs as "JOBS," "SEP," and "MDTA" are over 22.

Thirty-eight percent of the Job Corps trainees have no more than an eighth-grade education. The figure is less than half for other manpower programs.

Only 12 percent of Job Corps enrollees have completed the 12th grade. The figure is more than double for other manpower programs.

Only the Job Corps offers wide, comprehensive services. Only the Job Corps operates on the residential center principle.

I firmly endorse our Federal commitment to assist extremely disadvantaged, hard-core social dropouts. Therefore I feel that any curtailment of programs designed specifically to help them must be made with the greatest care. Job corps cuts should not be taken lightly. We must ask several tough questions and we must have satisfactory answers before we proceed with cutbacks.

Is the Job Corps program working successfully?

Do other Federal programs exist which can meet the objectives of the Job Corps?

Is there adequate evidence that proposed alternative programs will be effective?

Are only the least effective centers being closed?

Have full detailed plans been worked out to insure that present enrollees will not be cut off in the middle of their training?

Has the decision to cut back been fully considered from all viewpoints, with proper procedures followed, and after consultation with those experienced in the program?

Congress has an obligation to ask those and other questions. And Congress has a right to receive and consider answers before major changes and sharp cutbacks are made. Congress established the program and authorizes and appropriates funds in the first place. We should not now be preempted.

I am disturbed at many aspects of the decision to close over half of the Job Corps centers. Although OEO runs the Program and has full experience and expertise, OEO was not consulted by the Department of Labor on what centers were to be closed. This is astounding, when we note that the Job Corps had not yet even been delegated to the Department of Labor. There were serious inconsistencies in the camp rating system—for example, in the arbitrary decision to close 50 conservation centers without even comparing their individual effectiveness with other Job Corps centers.

We have no evidence that the proposed urban mini-urban centers will be effective. And in any case, they will not be ready to serve those who even today are being closed out of Job Corps centers.

XUM

Conflicting reports on the success of the Job Corps—especially the GAO report which is critical and the Harris report which is favorable—have not been fully analyzed. Indeed, the Department of Labor did not even wait for the Harris report before deciding on the cuts.

Much emphasis has been placed on the GAO report, and its reservations about the Job Corps program in general, and conservation centers in particular.

In fact, there are serious shortcomings to the report which cast doubt over its conclusions and negate its usefulness.

First, it is based on an inadequate sample. Two out of six—or 33 percent—of the men's centers were studied. Two out of eighteen—or 11 percent of the women's centers were studied. But only five out of 82—or six percent—of the conservation centers were studied. The 6-percent sample is simply too small to draw any meaningful or general conclusions.

Moreover, even those five conservation centers chosen were not representative. Average length of stay by a corpsmen is a critical factor for success in the Job Corps. For all conservation centers during the period studied, the average was 6.3 months.

But at the centers reviewed in the GAO report, the average ranged from 3.9 months to a top of 6.1 months. So even the top was below the average for all centers.

The Department of Labor subsequently chose to shut down four of the five centers studied, further indicating that this was a substandard sample.

The GAO report had no objective control group against which to measure achievements of job corps trainees.

However, the GAO report did attempt to make comparisons with "no-shows"—those who signed up to go into the Job Corps but then did not go through with it. But in comparing Job Corps trainees with "no-shows," the GAO skipped over clear evidence from its very own figures which demonstrated the value of the Job Corps. Average hourly wage increase—comparing time of entry to 1 year after graduation—for trainees in men's centers was 42 cents an hour. For trainees in conservation centers it was 43 cents an hour. But for "no-shows," the increase was only 23 cents an hour. Even with adjustments for inflation, Job Corps trainees had far greater income increases than "no-shows."

Mr. President, I raise these points not because I necessarily favor the Job Corps as the only approach to these problems. Certainly we must consider new approaches and be receptive to changes and improvements. But we must not act precipitously, or without adequate planning. The points I raise reflect my concern at the discrepancies and confusion and lack of full planning in connection with the Job Corps cuts.

Especially in light of these and other problems, I think that Congress should have an opportunity to review the conflicting evidence and draw its own conclusions about the Job Corps. In the Committee on Labor and Public Welfare, we have already had several days of hearings and are working hard on extension of the Economic Opportunity Act. The House is also considering OEO legislation. I feel that programs should not be radically changed until Congress has had a chance to follow through on this work.

That is why I speak on this resolution today. That is why I oppose weakening the resolution. That is why I shall vote in favor of Senate Resolution 194 in its original form.

Mr. SPONG. Mr. President, I have long had grave reservations about the Job Corps program. The per capita cost for enrollees is difficult to justify. Under the Manpower and Development Training Act, on-the-job training is provided at an approximate cost of $1,000 per person and institutional training in vocational schools is provided at a cost of about $1,900 per trainee. Vocational education offered through regular school channels runs less than $100 per pupil. Yet the per capita cost for a Job Corps enrollee is $7,000 to $8,000.

I believe that we should provide opportunity for less fortunate young people to increase their skills, to learn new ones, and to take remedial courses. This can, however, be done more effectively and more economically through channels other than the Corps.

For these reasons, I voted in 1967 for an amendment to abolish the Job Corps and to increase the authorization for vocational education legislation. To date, no new information has been presented to modify my previous reservations and concerns about the Job Corps program.

I am, nevertheless, supporting the pending resolution for several reasons.

First, the timing of the curtailment could not be worse. The camps are being closed on relatively short notice. Their closure will disrupt the plans of a number of young men and women. They are being closed on the verge of summer—a time when numerous young persons are left on the streets, without the opportunity or guidance to make constructive use of their time.

Second, I believe the legislative branch of the Government should have a role in decisions such as this. The President undoubtedly has the right to recommend action. He has the responsibility to seek reorganization of governmental programs in order to effect efficiency and economy. In doing so, however, he should consult with Congress which is accountable for the authorization and appropriation processes, both of which it will be called upon to exercise in the upcoming months with regard to this program.

Mr. HANSEN. Mr. President, our attention has been called several times to the President's remarks on February 19 concerning the work of the Office of Economic Opportunity. What you gentlemen have quoted the President as having said is this:

> How the work begun by OEO can best be carried forward is a subject on which many views deserve to be heard both from within Congress, and among those many others who are interested and affected, including especially the poor themselves. By sending my proposals well before the Act's 1970 expiration, I intend to provide time for full debate and discussion.

Certainly, all of us subscribe to the objectives of the war on poverty—to motivate, educate and train young men and women to lead useful, constructive lives and to be self-supporting. The argument that revolves around this question is, Are there better ways of reaching these young people?

As all of us now realize, the war on poverty has not accomplished what all of us had hoped it would—elimination of poverty in the wealthiest nation on earth, and elevation of the poor to self-support and self-respect. Much of the program is excellent in theory, but has lost something in its practical application. Now, while none of us expected these programs, one of which is the Job Corps, to achieve a miracle of success overnight, we did hope for more rapid progress than we have had.

Many people in this country feel the theories failed through improper administration of the programs. The theories often made for encouraging headlines, but the applied theories often resulted in the kind of headlines proponents of a program would like to see buried on page 61 of the newspaper.

We talk of hunger in this Nation, and of the plight of the poor. The Nixon administration, with the cooperation of Congress, is going to improve these conditions. The poor have been hungry for a long time in this country. They are tired of waiting, they are tired of hearing glowing promises—and they are tired of hearing about a program that got started years ago and has yet to solve the problem.

That is why the President, acting on the advice of many experts who have studied the accomplishments of the OEO at length, has announced a restructuring of this agency and the placement of the Job Corps program under the Department of Labor. The President said he wanted to hear many views from within Congress—and he has not defaulted in allowing the time for us to be heard. The target date for transfer of the Job Corps program to the Labor Department is July 1. There still is time for all views to be presented. Many of us have presented our views already. One such view—and one which I have endorsed—is that the problem of finding good, permanent employment for the jobless can best be solved by finding the actual jobs for these Americans—and not only by training them for some job which may not even exist in the part of the country in which they plan to live.

I do not believe the intent of the Job Corps program was to provide a mass relocation of the citizens of this country. No; I believe the intent was to provide people the training they need to be productive citizens in their own States and counties, or parishes.

We have a Job Corps center in my State. It is a conservation center, and it is one of those marked for closing. We are not happy to lose this facility in our State, where we need every job and every dollar we can find to keep the wolf from the door. This center has been of some help to the economy of Natrona County, it has provided a few much-needed jobs—and the conservation and park and recreation work of the center has been most welcome in several counties of central Wyoming. But we also know that these young men training in Wyoming are not going to be able to find jobs as conservationists or rangers of forest fire fighters when they return to their homes in the heart of New York City, Chicago, or Washington, D.C. We do know that the purpose of the Job Corps program is to have an end result of putting capable Americans who want to work in jobs in their own communities.

The future of thousands of Young Americans is not something we can discuss here on the basis of political considerations, or the loss of some income to your State or mine. Put yourself in the shoes of an underprivileged American if he is one of the ones fortunate enough to have shoes. You have family and friends in your own neighborhood. You feel that you have the right to live your life with these people, and you also want to have a respectable job and be able to enjoy some of what is good in America. You are told that you will be trained so that you can find such a job and acquire some of what most Americans expect.

Well, you are shipped a thousand miles from home and trained. You become competent in whatever you are trained for, and then return home. You are going to be more discouraged than ever when you learn that after all your hard work and training, you are just as unfit to fill a job in your community as you were when you left home.

The Nixon administration inherited at least two wars, and one of them was most unwelcome. But the new administration is not running up a white flag in either of these wars. The restructuring of the Job Corps is a revitalization—a new offensive in the war on poverty. In the conduct of any war, it is more advisable to switch strategy than to unconditionally surrender. To continue with a failing strategy is to concede defeat.

The resolution we discuss today asks that the restructuring of the Job Corps be delayed, or as we call it, "deferred." The poor, the jobless, and young Americans do not want a delay—they want action. The President has outlined his views, after hearing from the poor and all who have, over the past months, expressed their views. And the restructuring is the kind of action that will provide more jobs. Senator SMITH and gentlemen, this is not the time to fight a delaying action. It is time for positive action.

The people of America are complaining about the taxes they pay. They do not mind paying if they can see results. But they have not seen the results they had hoped for in the war on poverty. The average American has not seen them, and the poor have not seen them.

You do not have to be an elephant to remember the criticisms launched early in the Job Corps program by the people of the United States. I remember them well, because I had the duty of being Governor of Wyoming when the decisions had to be made on whether Job Corps centers could be located in the State of Wyoming. There was great opposition to the location of these centers in Wyoming. And in certain counties there was nearly unanimous objection to location of the centers there. We finally decided to locate one in Natrona County. Here, the people of Casper seemed—of all places proposed—most inclined to accept the idea, most willing to do all things necessary to insure its success. But support and opposition were still divided.

Many felt the character of the youth in the program would be a harmful influence in the communities. But we went ahead with the program. There were some unpleasant incidents, and these involved some of the teachers as well as some of the trainees. But overall, there has not been much unfavorable publicity over the conduct of the trainees at Casper, Wyo. However, it is my understanding that there have been major problems at other centers, and that some communities have petitioned for the centers to be closed because of this.

While progress has been made, many believe it has been slow and inordinately expensive. Comparisons are often made, illustrating that the cost of the Job Corps program, measured in terms of corpsmen trained and motivated to become self-supporting, is excessively high, exceeding costs of a year's schooling at America's most prestigious colleges and universities.

One of the arguments we faced in Wyoming against location of a center there was the high cost per trainee. The charge was made that two students could attend Harvard for a year on what it cost to keep one trainee in the Job Corps for a year. Well, I do not know what it costs to send a boy to Harvard for a year.

The distinguished junior Senator from California has supplied me with the Government statistics that it cost $4,863 per trainee at the Job Corps center in Wyoming. This would send several students to the University of Wyoming for a year.

The figure Senator CRANSTON provided to me is exactly the one quoted to me by the Office of Economic Opportunity on April 15, 1969—that is to say, again, $4,863 per trainee, per year. The OEO spokesman also emphasized to me that this was the calendar year figure, as opposed to the fiscal year figure because—and I quote:

> We prefer to use the calendar year because initial outlays are heavier at the beginning of a fiscal year, than at the start of a calendar year.

Now, I am not sure just what that means, unless the total cost per trainee is not included in the calendar year figure.

On the same day, April 15, I called the Department of Labor to see what figure they had for a fiscal year cost per trainee. Now, at that time, the Labor Department had not known for very many days that the Department was slated to take over the Job Corps, and it could be that the OEO had not yet provided the Labor Department with all the facts. Nevertheless, the Labor Department spokesman told me that the cost per trainee at the Wyoming center per year was "just over $7,000." The Labor Department figure was based on the fiscal year, as opposed to the calendar year.

We checked back with the Job Corps people in the OEO that same day to see why the figures did not match up. The OEO spokesman said of the $7,000 figure the Labor Department had, "They must be using the fiscal year figure."

Now, when we look for the cost in a Government project, we are supposed to know the full cost—including the hidden cost. It had not occurred to me before that fiscal year costs should remain hidden costs. But if they are hidden—in any agency of the Government—we need to find them.

The distinguished junior Senator from California referred me to page 5 of the survey of ex-Job Corpsmen conducted by Mr. Louis Harris and his associates. Mr. Harris has an excellent reputation, and the accuracy of his surveys is well known. I am sure this survey meets the same high standards of excellence for which his firm is known.

Now, on page 5 we find a table which shows the status of the trainees 6 months prior to enrollment in the Job Corps program, and 6 months after. I wonder how many of you have had opportunity to study Mr. Harris' survey, which was presented to the House Committee on Education and Labor. Mr. CRANSTON provided me with this copy, and I am grateful for it because it points out some basic facts we need to know about the Job Corps program.

This table appears to me to be a key one. It breaks the trainees down into three groups—those who went to the men's urban centers, those who went to the men's conservation centers, and those who went to the women's centers—and I hope they got the right sexes at the proper centers. Some of what we have been reading lately would indicate there have been sex problems in the program, regardless of whether the sexes were kept separated.

But we are not here to talk about those kinds of problems in the program today, because those are administrative problems. What we want to determine here is the value of the program to the poor and the jobless. The goal of the program, as I understand it, is to place the jobless in permanent jobs. And this table, on page 5 of Mr. Harris' report, shows us that.

The Job Corps center we have in Wyoming is a men's conservation center, so that is the sort of center we have been most familiar with and that is what I am looking at in the table. Now, over on the right-hand side—in the next to last vertical column, we see the change in the unemployment picture in percentages, 6 months after trainees have completed the course at a conservation center. The table shows that unemployment among these young men decreased by 12 percent. On the face of it, that would look like 12 out of every 100 men in the program who did not have jobs upon entering the program had found jobs after the training.

This would not be a very good return on the dollar, even though we would be glad if the program had produced jobs for 12 people out of a hundred.

But let us look at the breakdown, comparing the "Before Job Corps (1)" statistics with "Current Status (2)" 6 months after training.

Before, 35 of each hundred were working. Six months later, 40 were working. Five more men had jobs.

Before entering, 18 were in school compared to five working and going to school, and 10 in school exclusively.

XUM

But apparently, the big drop in unemployment, from 14 to 32, was nearly all accounted for by the five in military service and the six in other positive placement—which Mr. Harris explains as: Ill, confined for one reason or another and unable to work, reentering or re-entered the Job Corps, including those accepted and waiting to enter Armed Forces or school and female not working or otherwise placed due to marriage or fulfilling full time family responsibility.

Further, the individual views filed with regard to Senate Resolution 194 make an important point:

> As pointed out by Mr. Staats, however, the GAO study and the Harris eight-center study counted former trainees as placed who were in the armed services, ill, married or imprisoned, as well as those who were working, while the Harris OEO study, in addition to these, counted as placed those young people who 12 months after leaving the Job Corps training had been accepted and were still waiting to enter the Armed Forces or school and also females who were not working because they were fulfilling full-time family responsibilities.

This indicates that the statistics used in the studies are strongly suspect.

What about those actually employed—excluding military service and other positive placement?

Before Job Corps, 35 had jobs, 18 were in school; after 6 months, 40 had jobs, five were working and in school, and 10 were in school only.

This means that five more are working only, and there has been a drop of those in school from 18 to 15.

The individual views in this minority report disclose that for 1968, over $318 million was spent on operation of the Job Corps camps. This averages out to somewhere in excess of $8,000 per trainee, and this is not the kind of return the taxpayers of the United States expect on their dollar when they tell us to do all we can for the poor of this country—but to spend their money wisely. It would appear that the tax money put into this program might go a lot further toward accomplishing the objective, if redirected.

We can look at the figures for the men's urban centers, also, and we see that the percentage figure on this table for change in unemployment is 21 percent. But again, with six in the military and 14 in other positive placement, only one remains unaccounted for. Seven more are employed out of each 100 who have been trained in men's urban centers.

And this is the reason the Nixon administration wants to try a new approach. The present program is not producing the results it is intended to produce. Many of the jobless are still jobless, the poor are still poor, and the welfare roles have not decreased appreciably.

I say, let us give the new administration a chance to try something that might work, instead of pursuing a course which we know has not worked very well.

Mr. EAGLETON. Mr. President, I wish to speak on behalf of the 4,500 young women currently in training at the seven women's Job Corps centers that the administration intends to close, and on behalf of the additional thousands of young women who will never have the opportunity to receive Job Corps training unless the administration's closure order is suspended.

I speak, too, on behalf of American taxpayers now and in the future whose tax burden could have been lightened if these young women had received the training that would make them useful and productive citizens and taxpayers instead of welfare recipients.

Finally, Mr. President, I speak on behalf of the tens of thousands of children that these young women will eventually bear and whose place in the chain of inherited poverty is guaranteed unless their mothers can break free.

In the approximately 4 years that the Job Corps women's centers have been in operation, they have trained thousands of young women in a variety of skills. Moreover, the Job Corps' residential concept permits treating the whole person. Many of the trainees have never had the advantage of even a minimal amount of medical and dental care. These deficiencies are remedied as a part of the program.

Nearly every one of them suffers from severe educational disabilities. Seventy-two percent did not finish high school. On the average, the girls enrolled for this training completed 10 grades of school, but had reading abilities equivalent to only the sixth-grade level. The Job Corps has been successfully in upgrading the reading, writing, and mathematical skills of many of them to a point where they are able to hold a job. As one young girl wrote me:

> When I came in the Job Corps, I was in Level 3 in reading and now I am in advanced reading. When I came in, I was doing only multiplication, and I have now been able to do fractions. The people who I work with have all tried to encourage me to get more education.

The improvements worked by the Job Corps in skills, earning capacities, health, and education are all measurable accomplishments. But perhaps the greatest accomplishment has been that of human renewal. This means simply that these young women have learned to respect themselves and, equally important, to command the respect of others. It means that they can hope to have stable homes rather than a series of temporary alliances born of desperation, and all the human degradation and social cost they entail. It means they can rear their children in dignity rather than defiance.

My own view of the value of Job Corps training is based on first-hand evidence gained from my own investigation of the Job Corps center for women in my home city of St. Louis.

At a cost which compares favorably with the operating costs of other women's centers, St. Louis Job Corps Center has produced, over the past 2½ years, young women who have been trained in the fields of health occupations, graphic arts, business and clerical occupations, and retailing and merchandising. The success of this center is demonstrated by the fact that the average length of stay is 9.3 months, one of the highest in all the women's centers. Ninety-two percent of its graduates have been placed in jobs at average earnings of $1.72 an hour. Thus, these young women who were for the most part dependent on welfare and other kinds of relief prior to training, are now making on the average of $3,447 a year. They have been transferred from society's dependents to society's contributors.

To cite just one example of the placement success achieved by the St. Louis center, the Greater Miami Printing Industry Association has offered to place any of the graduates trained in the graphic arts.

An important part of the St. Louis program has been training young women as nurses' aides and licensed practical nurses. The plight of the hospitals in being unable to secure sufficiently qualified personnel has been widely publicized. The St. Louis program has been an outstanding success in helping to meet this need. Its graduates are sought by hospitals in St. Louis and elsewhere.

An attorney in St. Louis who is responsible for prosecuting matters before the St. Louis juvenile court has written me a letter containing an impressive testimonial for the Job Corps program:

> I am appalled by the lack of resources local communities offer for teenagers. There are prisons and State Training Schools or nothing. Now there is Job Corps. I believe in Job Corps: Job Corps helps those persons that all other agencies reject. Job Corps offers pride and recognition to persons who have failed at home and in school; Job Corps offers a skill to teenagers who really want to work, and Job Corps helps young people to assume the responsibilities of adulthood. If Job Corps has ever failed, it is because of the impossibility of undoing the damage of what a neglectful society has done.

The St. Louis program has met with general approval in the community. Earlier this year Alphonso J. Cervantes, mayor of St. Louis, stated:

> We are very happy to have the Job Corps in this area and we are even more gratified that the Job Corps will conduct a strong recruitment program in this area. I am more than happy to cooperate in your great work.

Despite this successful record, the administration now proposes to close seven of the 18 women's Job Corps centers, including the previously mentioned St. Louis center. In taking this action, the administration did not seek the views of Congress; nor did it contemplate congressional consent, even though President Nixon's message to Congress of February 19, 1969, stated his intention to encourage "full debate and discussion" on the entire poverty program.

The effect of the Secretary of Labor's closure announcement on the women's Job Corps centers has been shattering. The attrition rate at those centers to be closed has doubled since the Secretary's announcement on April 11. Even at those centers scheduled to remain open, there has been a substantial increase in the attrition rate. It seems obvious that many young people who once saw the Job Corps as the single hopeful prospect in their lives, now view the administration's proposal as having extinguished that glimmer of hope.

The Secretary of Labor has said that all the current Job Corps enrollees at the centers to be closed will be transferred into the remaining centers if they so choose. At least four things are wrong with this statement in terms of the women's centers:

First, projecting the highest possible attrition rates at the remaining centers, there will still be 500 Job Corpswomen for whom there will be no space.

Second, while there may be physical space for the remaining enrollees who wish to transfer, there will be a shortage of from 1,200 to 1,500 vocational spaces at the remaining centers. This means, simply, that a girl transferring from the St. Louis center may be able to find space at, for example, the Excelsior Springs center, but there is a very definite prospect that she will not be able to continue with the same vocational training she began in St. Louis.

Third, there is the indefinable emotional factor of moving some of the trainees to yet another part of the country, bearing in mind that the trainees may well have been somewhat fearful or reluctant to come to the center, in the first place, and may find the closing of a center to be an easy excuse to return home.

Fourth, the accommodation of transferees can be accomplished only by a complete termination of new enrollment at all centers. There are hundreds of girls who have been accepted for training, but who now cannot enroll until some time in the distant future because of the closing of these centers and the resultant transfers to centers remaining open.

Let me emphasize that all of these young women have voluntarily joined the Job Corps program—they were not drafted—no one forced them in. They want a chance to improve themselves, and they have enough ambition and enough courage to seek it.

I think it is inevitable that the denial of this opportunity in the Job Corps will be so discouraging that the availability of training slots at some future time will no longer find them still seeking that chance.

There have been conflicting and occasionally bewildering reports and counterreports bearing on the efficiency of the Job Corps program and the extent to which its goals have been achieved. It is evident that the program has deficiencies, but it is equally evident that each year of operation has brought significant improvements and lower costs.

I support the resolution not only because I believe the Job Corps offers a unique opportunity for disadvantaged young men and women, but, more important, because I believe that Congress should have an opportunity to give careful consideration to proposed radical revisions in programs established by Congress.

The President has said that a comprehensive manpower training bill will be presented in the near future. The Subcommittee on Employment, Manpower, and Poverty, of which the Senator from Wisconsin (Mr. Nelson) is chairman, already has before it the Economic Opportunity Amendments of 1969, which provide a basis for congressional consideration of all aspects of the poverty program.

Thus, there will be ample opportunity for Congress to weigh the pros and cons of the Job Corps program in the normal legislative process.

It may be that Congress will ultimately determine that some change in the program is desirable. But let us insure that any such decision is made with full deliberation, not in haste, and with a chance to sift out all of the facts from a mass of often conflicting data.

Mr. MUSKIE. Mr. President, I have joined many Senators in raising my voice in protest over the precipitate and ill-conceived action of the administration in closing 59 Job Corps centers throughout the Nation.

Since the announcement on April 11, 1969, I have received hundreds of letters from concerned public officials, citizens, and Job Corps enrollees in opposition to the closings.

These letters speak an eloquent and often heartbreaking plea for continuation of a program which has held out hope for the severely disadvantaged young people of this country.

I ask unanimous consent that a representative selection of letters be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Geiger Bros.,
Lewiston, Maine, April 15, 1969.

Hon. Edmund S. Muskie,
U.S. Senate,
Washington, D.C.

My Dear Ed: As a near neighbor, so to speak, of the Poland Spring Job Corps (my summer camp is on Middle Range Pond), I feel that I ought to express to you my opinion regarding the projected closing of this facility.

I was not much of an enthusiast when the Job Corps first established itself at Poland Springs, as you may remember. And until the water pollution problem had been attended to, I grew less enthusiastic by the day.

But the situation has levelled off. We have found that our new neighbors do not really disturb the peace of the realm nor the beauties of the landscape. And it does seem to me that to close this functioning unit, now equipped to carry on without much further investment, is most unfortunate. It is unquestionably offering instruction, opportunity and hope to human beings who are desperately in need of them. It is a social asset for the nation, and an economic asset for the State of Maine.

Those of us who live within a stone's throw of Poland Spring are no longer in a mood for stone-throwing. We'd like to see the Job Corps continue in active residence!

Sincerely,
Ray Geiger,
President.

Lewiston, Maine,
April 17, 1969.

Dear Senator: I am taking a moment to express my thoughts on the proposed closing of the Poland Spring Job Center.

Though the girls' stay has been brief it has enriched my family's life immeasurably. I have two high school teen agers and children of eight and ten. I have spent my life speaking of tolerance, compassion and understanding of the underprivileged and oppressed. We were very privileged to have made the acquaintance of several colored girls that gave us the opportunity to have my children see first hand since we do not have the opportunity to meet many colored people in Maine, that we are all the same, only that social conditions have made the difference.

My two teenagers had the opportunity to get together to try to organize some inter-social activities. Any white person was quite apprehensive about meeting in an all black surrounding but after doing so were enthused and impressed with their friendliness.

As for my two youngest, my wife and I, we've had girls invited for Thanksgiving, Christmas, several weekends and much of our time is spent visiting them. A great amount of mutual affection has developed between us through these visits and discussion. The girls have discussed problems and outlooks quite freely.

Our visits to the Job Center and their visits with us have shown us that this project has given them new hope and outlook on life and also that without this hope there is much ferment as there is among our own white youngsters, but with more justification. As I consider the black social problem as the most pressing one of our time I think it's very important every avenue of conciliation be pursued.

To sum up what I am trying to say is that the impact that these girls have made on us is going to have a far wider effect than on my own immediate family. I feel that my children will advocate, defend and promote better understanding to all that surround because they have a genuine love and understanding made possible by the contact with these girls. As for myself and my wife, we are always ready to talk to anybody that is receptive about the qualities and advantages of the Job Corps and its students.

In short I would deem it a very sad and grave mistake to close the center.

Respectfully,
Raymond A. Anderson,
A Very Concerned Citizen.

Haverhill, Mass.,
April 14, 1969.

Dear Senator Muskie: I would like to register my complaint against the closing of the three Job Corps Training Centers in New England.

I know how much good they are doing by teaching a trade to the under-privileged as I know several Job Corps girls personally.

Please consider the future of these youngsters.

Thank you,
Mrs. R. Rosengard.

Senator Edmund S. Muskie,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator Muskie: It was with a great deal of sorrow that I heard of the Job Corps closing at Poland Spring and Acadia. It seems to me from living in the area and having some knowledge of what they have accomplished, that we have helped these young people become useful citizens and they in turn have helped us to help the economy of Maine.

The millions of dollars at these two installations put into circulation in Maine is sorely needed and has helped our tax structure remain where it is. From the community point of view, the girls at Poland Spring Job Corps Center have done a great deal to alleviate the help situation in such places as Pineland Hospital, Mercy Hospital, in Portland, and the Central Maine General and St. Mary's Hospitals in Lewiston. They have also done a great deal in helping the school systems of Auburn, Lewiston and Poland in learning how to be Teachers' Aides and have given unstintingly of themselves in many other community project. I am sure if you will look up their record, you will be impressed with how much they have done go-

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ing so far as to help staff a child-care center for working mothers.

I urge you to use all your influence and your vote to help us maintain the Job Corps Centers at Poland Spring and Acadia.

Very sincerely,

Raymond Bzier, Raymond Clifford, Mr. and Mrs. Clayton Monson, Joseph Wirthmore, Ervin Ward, Howard Lunt, Charles Sherman, Mr. and Mrs. Russell L. Sansbury, Mrs. Olive Grundy Curtis, Ruth Verrill, Laurence Dyer, Betty S. Dyer, James W. Logan, Miss Rene Morton, Mr. Lucien Fournier, R. F. Parsons, James T. Swoll, Daniel C. Wakefield.

INTERNATIONAL UNION OF
OPERATING ENGINEERS,
Washington, D.C., April 10, 1969.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SIR: Recent news stories regarding proposed cutbacks in the Job Corps program have caused serious concern among the members of our union. Our membership of 360,000 has supported the concept of a "latter-day CCC" since first proposed in Congress a number of years ago. We were very pleased to see the idea become a reality, in the Job Corps Civilian Conservation Centers.

Not only have we supported the Job Corps in principle, we have supported it in action. Since 1966, our International Union has provided training as heavy equipment operators for sixty-five to seventy Corpsmen annually at Jacobs Creek, Tennessee. In July of 1968, we extended this program to the Conservation Center at Anaconda, Montana where we have a trainee census of about fifty. We have placed almost all of the Jacobs Creek graduates in union jobs across the country, and anticipate placing some one hundred more graduates from Jacobs Creek and Anaconda this summer. I am attaching typewritten copies of several of the many letters received by the Center staff from young men who have gone to work and become taxpayers instead of "tax eaters."

While not all Job Corps graduates can tell as significant a story, there is one overriding reason that this program should remain intact. About sixty per cent of the Job Corps Civilian Conservation Center entrants have reading achievements below grade level 3.5, making them—for all intents and purposes—functionally illiterate. Where will they go? Our society cannot afford to carry them forever and they are not capable of caring for themselves.

I earnestly solicit your assistance in maintaining the conservation centers so that we, along with others, may continue to help these youngsters who want to help themselves.

Very truly yours,

HUNTER P. WHARTON,
General President.

CLINTON, IOWA,
April 11, 1969.

DEAR SIR: Do you realize what will happen by cutting out Job Corps? I don't think you do. The Job Corps has helped us a lot.

Some of us didn't have a future until now. Some of us never had it so good. We are being helped to help ourselves and some of us are taking advantage of this opportunity.

You may have always had it made. I didn't. I had to fight for what I've received. You all ready somebody had only to ask. You never had to worry about where your next meal was to come from, the clothes on your back or a roof over your head. You have yours. Why not let us keep this chance to better ourselves. Not all of us came from a situation like the one I just finished talking about, but we all need a chance.

Job Corps is to help the nation as a whole. We, members of Job Corps, are being useful instead of being out on the streets trying to make a living without any education.

We want Job Corps to stay open. It is needed!

I am going to tell you about myself and how Job Corps has helped me.

My name is Shirley Ann Favors, I am 18 years old, I am from Georgia. I never lived with my mother. I was raised by my Great Aunts. All my life I was passed from one to the other until I graduate from High School. I wanted and still do to go to college but I couldn't go because my relatives refused to help me. I want to succeed in life, so I came to Job Corp. I am in Clinton, Iowa. I am in the Business & Clerical Department. I hope someday to be a secretary. That has been my dream. Being here is turning my dreams into reality. I have hope once again, if you do close Job Corps what would I do? Tell me what's going to happen to us. There are some centers that need to be closed but not this one in Clinton, Iowa. It's helping. Why not let the centers that are operating efficiently stay open? We, the young people need your help.

We want to be somebody, not a nobody.
Please let us do our thing in Job Corps.
"Do Our Thing In Job Corps."
We need your help.
Thank you.

SHIRLEY FAVORS,
Corpswoman, Clinton Job Corps.

ST. THOMAS CHURCH,
Camden, Maine, April 12, 1969.

DEAR SENATOR MUSKIE: I was stunned to learn of the closing of the Job Corps centers in Maine. I have written to Richard Nixon about this.

Please register the protest of many of us here in Camden.

Arbitrary "economic" cutting is going to badly hurt our nation not only in Maine but throughout the country and increase the tensions between "the haves" and "the have nots." While Vietnam appears as the #1 issue, I fear our Nation is going to be at a boiling point if unemployment and lack of concern for the racially deprived and economically needed are overlooked.

Please do all you can to pressure Sen. Gaylord Nelson's committee to act on these unwise moves.

Meanwhile here in Knox County, we in the clergy, shall do all we can, by local efforts, to aid those in need—financially, morally and in spirit—by action as well as awareness.

Good luck to you in your dedication to good government.

Sincerely,

HARRY I. LAUER, JR.

ARLINGTON, VA.,
April 12, 1969.

DEAR SIR: As a VISTA volunteer, who spent thirteen months at a Job Corps Conservation Center, I am appalled at the closing of over half the Job Corps Centers in the country. Anyone who has been deeply involved with a Job Corps Center and the individual corpsmen cannot help feel that beneath the euphemisms of the Administration lies either ignorance of the program and the young men it serves, or a lack of commitment towards the disadvantaged youth of this country.

In analyses of the Job Corps program, the assumption is usually made that the corpsmen are generally residents of northern urban ghettos. This is not so. I know in the northwest, the majority of our corpsmen were southern Negroes. This is the biggest justification for the intention of a national residential program, for we were far more successful with the southern Negro than any other ethnic geographical group. By contrast one L.A. corpsman once said, "Man, why do I have to do all this. Man, I know a pimp at home with a third grade education, drives a Cadillac, wears diamond rings."

For the southern, poor, largely from rural Mississippi, Alabama, Georgia, and South Carolina, Job Corps is almost the only poverty program available for those who want to do more than pick cotton for the rest of their lives. As stipulated by the 1964 OEO Act, the governor has veto power over each poverty project within the state—and consequently there are almost no N.Y.C. programs, few C.A.P.'s and no General Motors in the rural South. Oregon has 70 Vista volunteers; Mississippi has 0.

Of approximately 300 southern corpsmen who came in my thirteen months at Wolf Creek Job Corps Conservation Center in Oregon, four were reading above a sixth grade level. The medium level was second grade, and the mode fell in a beginning reading level. President Nixon, the roots of poverty are deep, far deeper than most of us can imagine. Learning a job skill is the easiest obstacle to overcome, for the same physical approach to life, coupled with intense hostility, which makes the disadvantaged youth so difficult to school and socialize, often makes him an excellent worker. Sure we spent $5,000 per corpsman but our corpsman needed extensive dental care which for over 80% of our corpsmen was the first care they had had in ten years. And these "dudes" must have a residential program, for, when you are from a family of nine, with an income of $2,700 (The Wolf Creek southern average) and your old man (if you had one) pulled you out of school in order to bring home some extra money, getting away from home can do you wonders.

One of Wolf Creek's more articulate corpsman stated his reaction to the possible closing down of centers eloquently. "Man, this country is evil. Look what they did to the Indians and to my people. Howard Hughes makes a couple of thousand bucks every minute and people go hungry in South Carolina. They spend billions of dollars to go around the moon and now they want to put me back in the streets."

Another corpsaman in writing "True Story Are (of) My Life" concluded by saying, "Where there (is) a rope, there some hope." If the Administration is truly committed to bringing disadvantaged youth into society but contends Job Corps is too expensive, should not the alternative to Job Corps be functioning in all geographic areas before sending the corpsmen back to the streets. From a list given in the Washington Post of April 12, no mini-centers are slated for the states of Mississippi, Alabama, Louisiana, South Carolina or Georgia. To cut the only rope that the poor Southern youth has now is heartless.

Yours truly,

JON GABEL.

DOWNEAST WICS, INC.,
RESIDENTIAL YOUTH CENTER,
Portland, Maine, April 14, 1969.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

MY DEAR ED: I am enclosing with this letter a copy of a night letter that I have dispatched to Mr. Nixon. The contents are self-explanatory.

Since its inception, I have been personally aware of the Poland Springs Job Corps, and generally aware of the Arcadia operation. As a matter of fact, while I was Director of the Neighborhood Youth Corps, we cooperated with the implementation of Poland Springs by furnishing them with Neighborhood Youth Corps' enrollees, both from Portland and West Roxbury, to "dry run" its center for one week. From then on we have always, through Neighborhood Youth Corps, PROP, etc., had excellent relationships with this center. These contacts gave us a continuous insight into its operation. I therefore speak from personal experience and knowledge when I state that Poland Springs is a quality program. This also applies to Arcadia. For instance, when an Arcadia enrollee graduated into a higher train center, he was put on a bus which usually stopped in Portland, and at this time, the enrollee would change buses and return to Arcadia. They did a fantastic job in basic education and in changing attitudes.

It is regrettable indeed that the Administration is arbitrarily recouping $100,000,000 through the process of closing down programs in human resources at the expense of recouping $100,000,000 from the sixty billion dollars loss of revenue emanating from tax loop-holes now on the books.

What can we do here on the line to stem actions that once again will discard from society hard-core youth and pump down the drain the gallant and courageous experiments of OEO and other agencies before they can reach valid answers and conclusions.

In closing, I urge the support of your office to press for reconsideration of the Administration's drastic action (without consultation with Congress)—actions which will effect and create another generation of youth, another generation of Welfare recipients, and another generation of young adults incapable of joining a truly productive role in the labor force.

You have been ever since I've known you, the champion of these people.

I hope and trust that your efforts will be successful.

Thank you.

Very cordially yours,

NELSON A. PEPIN,
Executive Director.

APRIL 15, 1969.

Senator EDMUND MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: This letter is from an admiring non-constituent (now that this national election is over). I was immeasurably distressed by the recent news of impending Job Corps center closures. We can spend 30 billion dollars a year on poor, impoverished people 12,000 miles away; yet the administration reneges on spending 100 million dollars to assist our own country's flesh and blood in attaining a minimal academic competence and a marketable skill. I am sure, Sir, that you are more than capable of illustrating this injustice to the less advantaged youth of our country.

My personal gratitude to you, Sir, for what, I am sure, will be your strenuous efforts to rectify this eminent social injustice.

Sincerely,

GAIL E. REESE.

CLINTON, IOWA,
April 15, 1969.

Senator EDMUND MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: I am a Corpwoman enrolled in the Clinton Job Corps Center. I am sure the shocking news about our Center closing has reached you by now.

I am asking you not to let this happened. This is some of us last chance. Don't let us go back into a world of ignorancy. We want to be leaders of tomorrow. We want to do something worthwhile for our country in the future, but without the training, what can we do? Absolutely nothing; without training and skills, we are entirely to nothing that is worthwhile for us.

Here we are being trained in various vocations to obtain a goal. If the center is closed, what can we do?

As the saying goes which is very much true, Opportunity knocks but once, and we feel this is our first and last chance. If this chance is passed by, we will have no other opportunity.

Please don't send us back into a life of poverty and ignorancy.

Please help us.

Sincerely yours,

Miss HATTIE CLARK.

CUMBERLAND CENTER, MAINE,
April 15, 1969.

DEAR SENATOR MUSKIE: I am writing to protest the closing of the Job Corp centers around the country, especially the two in Maine. I feel that these are worthwhile, well-run projects beneficial to the country as well as to the people they help. I feel that it is unfair to close them simply to save money. We will really be losing if we allow the individuals involved to return to their former hopeless state unskilled and feeling discouraged and unwanted. We must let them know that someone cares about them, that their country does have a heart, that life really does offer them something beyond degradation.

As my government representative I hope, that you share my feelings and will work to find a reasonable and fair solution to this problem. I realize that you are very busy, but I think this is important. Thank you for your time.

Sincerely,

GERTRUDE HICKEY.

APRIL 28, 1969.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: I urge you to continue to oppose closing Job Corps Centers until adequate facilities are in operation to guarantee continuation of training programs for the hard core unemployed. As I understand, after July 1 it will be impossible to accommodate approximately 10,000 of the boys now in Conservation Centers. Are these boys to be abruptly sent back to the ghetto in the middle of their training without any consideration for their personal feelings?

I am somewhat familiar with the Acadia Center and know the educational program had improved greatly in efficiency and quality within the few months before the announced closing. Since this announcement by Secretary Shultz, the morale of the boys has fallen sharply and within two weeks time about fifty boys have given up and gone home. This is sad.

Sincerely,

Mrs. ROBERT O. BINNEWIES.

LEAGUE OF WOMEN VOTERS OF MAINE,
Brunswick, Maine, April 23, 1969.

Hon. EDMUND S. MUSKIE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MUSKIE: The Maine League of Women Voters is concerned about the abrupt closing of Job Corps centers before adequate substitutes can be set up. For your information, you will find enclosed a letter which was sent from the League to Secretary Shultz explaining our position in detail. We know that according to the *Washington Post* of April 12 you telephoned the President to ask that closing orders be rescinded and we are grateful for your efforts in this matter.

Yours very truly,

Mrs. THOMAS P. RILEY,
Chairman of Human Resources.

LEAGUE OF WOMEN VOTERS OF MAINE,
Brunswick, Maine, April 23, 1969.

Hon. GEORGE P. SHULTZ,
Secretary of Labor,
Washington, D.C.

DEAR MR. SECRETARY: On behalf of the League of Women Voters of Maine, I am writing to urge that Job Corps Centers should not be closed until adequate and expanded facilities are in operation to guarantee continuation of programs to train the hard core unemployed and underemployed.

League members have supported the Job Corps because they feel that removing young people from environments holding little hope for improvement and placing them in residential settings where both job and basic educational training would be available is worthy of trial. To set up replacement facilities in 30 urban centers by July 1 seems unrealistic. Therefore the League opposes the abrupt closing of Job Corps Centers.

Maine League members have been particularly interested in the conservation center at Arcadia and the women's center at Poland Spring both of which are slated to be closed. Our members in the Mt. Desert Island area have never reported anything but excellent relationships between the community and the trainees at Acadia. Living in the southern part of the state, I can speak from firsthand knowledge of what the Poland Spring girls have done for our state. If living in Maine has given them any insight into the value to one's total outlook on life of living in an environment of natural beauty, what the girls have done for our citizens in return is far more. The majority have been anxious to become a part of our community life. They have worked on fund raising drives, entertained throughout the area, joined in discussion groups particularly with students, arranged flowers for churches and visited in countless homes for weekends and special occasions. They have inspired those of us who had the luck to grow up in supportive environments by their unusual courage. They have impressed us with their determination to lift themselves out of a life of poverty and despair into a productive role in society.

Of course there have been exceptions at both centers in Maine, young people who are problems to the centers and to the state, but we feel that the numbers who have succeeded more than justify the money expended for this rehabilitation and training. It seems to us that withdrawal of promised assistance and opportunity will only make these young people cynical and disillusioned about the depth of the commitment the nation has to overcoming poverty and discrimination.

We believe it is possible that as urban "mini" skills centers are developed, they may prove better able to fill the needs of the severely disadvantaged. The League does not believe that immediate closing of Job Corps centers is in the best interests of the aims of our nation.

Yours very truly,

Mrs. T. P. RILEY,
Chairman, Human Resources.

POLAND SPRING JOB CORPS CENTER
FOR WOMEN,
Poland Spring, Maine, April 14, 1969.

Hon. RICHARD M. NIXON,
President of the United States,
White House, Washington, D.C.

DEAR MR. PRESIDENT: I am a staff member at Poland Spring Jobs Corps Center for Women and I am displeased that your Secretary of Labor finds it necessary to close our Center.

I have been at Poland Spring since June 1, 1966 and have seen many young ladies come and go. Most of the young ladies have learned many things besides educational and vocational skills. They have learned things that most adults in our country haven't learned yet and that's being able to live together, despite geographical, racial and ethnic differences.

For a President that is supposed to be so administratively qualified and excellent at setting up organizations, it seems to me that you haven't received all the facts about the Job Corps and have used Job Corps as a political football. You thought you had problems with cities before, but to turn back into the cities 15,000 young people without proper training—are you kidding?

I've worked in Community Action Programs, and other city based programs and they don't work. If young ladies are given proper training they will return to the cities and become better citizens, but to get training in a city and live in the ghetto is difficult and almost impossible because of all the deviant behavior and elements.

Please, Mr. President, I don't care about myself because I can get another job; but many young people need to have training that they will not be able to get in a nonresidential program. It seems to me that when the Labor Department decides to close Job Corps Centers that at least they could do is visit the Centers and talk to the staff and young ladies at the Center.

Mr. President, why don't you and Mr. Shultz visit our Center before you decide to ruin the lives of 1,100 young ladies.

Harry Lisewski, Jr.

Poland Spring Job Corps Center
for Women,
Poland Spring, Maine, April 15, 1969.

The President,
The White House.
Washington, D.C.

My Dear Mr. President: I am very disappointed and dismayed that you find it necessary to close the Poland Spring (Maine) Job Corps Center for Women plus other centers. If you personally could witness what productive, creative things are happening at Poland Springs, I would judge that you would feel that the Center's advantages greatly outweigh its disadvantages.

A staff member at Poland Spring since it began in April, 1966, I testify to at least three pertinent factors: (1) A residential setting is more conducive to producing the necessary attitudes required by an employable person. (2) Poland Spring, situated in a rural area, contains more strengths than weaknesses when compared with a center in an urban location. (3) Corpswomen who are members of minority racial and ethnic groups find in Job Corps that some white persons do indeed exist who treat them like human beings.

Finally, the fact that most of the 1,100 Corpswomen at Poland Spring sincerely desire to remain at Poland Spring in the Job Corps represents a living testimony to the value of Job Corps training with its many rather intangible benefits.

Respectfully yours,
H. Harvey Harrington.

Augusta *House*,
Augusta, Maine, April 14, 1969.

President Richard M. Nixon,
White House,
Washington, D.C.

Dear President Nixon: As the manager of the Augusta House and a conservative person by nature, I have observed the Arcadia Job Corps and Poland Spring Job Corps trainees with a great deal of interest. The Arcadia boys have stayed at the Augusta House when they attended socials at Poland Springs. The Job Corps Officials wanted the boys having rooms forty miles away after the socials. I have given the lowest possible rate as I think these centers are doing a lot of good and have tried to help the program.

I have talked with a number of the boys and asked what the Job Corps meant to them. I almost always receive an answer that is very similar to other answers. "This is my last chance to be able to do some kind of work other than a common laborer." One boy said, "I get a job digging a hole, when they start to build the building I can't do anything so I get laid off."

Maine people are independent and very self sufficient. The trainees that associate with local employees that have "never gone on the town," a Maine expression of not accepting welfare, are being exposed to the type of thinking that will do them a lot of good.

I believe the Maine Job Corps Centers are two of the best and urge you to consider their merits when you curtail this program. My experience with the trainees would indicate that these people have been trained to support themselves when they graduate.

Very cordially yours,
Richard L. Schenk,
Manager.

Kennebunk, Maine,
April 4, 1969.

Dear Senator Muskie: Please make every effort to keep the Job Corps Center at Poland Spring, Maine, open. This is a proven workable, and valuable center.

The Job Corps is for the disadvantaged as the G.I. bill was for the veterans of World War II.

I pray that you will be effective in helping to keep open the Job Corps Center at Poland Spring, Maine.

Thank you,
Jean O'Brien Perkins.

Poland Spring, Maine.

Hon. Edmund Muskie,
Washington, D.C.

Dear Senator Muskie: I am writing you in regard to the proposed closing of the Job Corps Center for Women here at Poland Spring, Me. I have been one of the staff members since February 1966.

I have seen the program developed for the girls here and have watched with interest the way the girls have responded. We have taken great pride here on the number of graduates and the help we have been able to give to so many young women who needed help and guidance for a new way of life. I feel that these young people need such a program as is offered here and that it will be doing a great injustice if this center is allowed to close.

I hope everything possible will be done to keep this center open so that many more young women can obtain the education and help they deserve so very much.

Sincerely,
Avis M. Baird.

Poland Spring, Maine,
April 15, 1969.

Hon. Edmund S. Muskie,
The Senate, the Capitol,
Washington, D.C.

My Dear Senator Muskie: I am a secretary at the Poland Spring Job Corps Center for Women and a native of Auburn, Maine. I feel very sad that the Poland Spring Center is on the list of Job Corps Centers to be closed because of a budget cut.

I have worked at Poland Spring for a year and a half and have enjoyed immensely my work and my contacts with the Corpswomen. I find that so many of the young ladies I have met are grateful for the opportunity to better themselves academically and they really want this second chance.

Please do all you can to help reverse the decision to close Poland Spring. Even though I do not know a large percentage of the Corpswomen or what they will do when they leave here (whether it means going back to their homes or being placed in another program) I cannot help but worry about the well being and futures of these girls when they had such a good chance here to make something of their young lives.

Yours sincerely,
Mrs. Rose Keene.

Poland Spring, Maine,
April 15, 1969.

Re opposition to proposed closing of Poland Spring Job Corps Center.

Hon. Edmund S. Muskie,
U.S. Senate,
Washington, D.C.

Dear Senator Muskie: First of all, you might call me partial because I am employed by Poland Spring Job Corps Center. Naturally, I stand to lose by the closing of the center, but I can always find other employment. With 19 years of experience, I feel I am qualified in my profession.

The main issue as I see it is the end of opportunity and hope for a brighter future for the corpswomen enrolled at Poland Spring Job Corps Center. I have seen thousands of girls come through this center in the 2½ years I have been employed here. Sure, we have had a minority of disappointments, but the great majority of these girls (black or white) have gained immensely and have been given an opportunity in life which they wouldn't have had without this program. We have had corpswomen at our home and have found them to be very well mannered and ladylike. Too bad they are condemned on the whole by the actions of a few. Our local paper (The Lewiston Sun-Journal) is quick to print any wrong doing of a corpswoman (including her name) but seldom if ever is there anything mentioned about the good and generous actions of the corpswomen. Our three year old daughter attends the Job Corps Nursery School. We love her very much and certainly wouldn't trust her to incorrectables. Through the efforts of the corpswomen and their instructors, she has learned the equivalent of sub primary.

The above are but a few of the reasons I am strongly opposed to the closing of the Poland Spring Job Corps Center. If our government funds were expended on programs like this one instead of foreign countries and rocket races, our racial and poverty problems would diminish in proportion.

Very truly yours,
Mary C. Abel.

United Brotherhood of
Carpenters and Joiners of America,
Washington, D.C., April 11, 1969.

Hon. Edmund S. Muskie,
U.S. Senate,
Washington, D.C.

My Dear Senator Muskie: We have been advised that a severe curtailment of the Job Corps Program is being considered.

Since May of 1968, we have had the opportunity of working very closely with the Job Corps Conservation Centers Program through the Department of Agriculture Forest Service and more recently with the Department of Interior in the operation of seven (7) Carpentry Programs, wherein we are providing related and manipulative experience to sixty (60) of the underprepared and underprivileged youth in each of the seven (7) centers.

Although none of our programs have run the full cycle, we have already placed fifty two (52) young men that we were able to qualify into our apprenticeship programs throughout the country and we expect to place all of the young men now in our programs in the industry upon the completion of their program, some of which will be completed in June, 1969 and others in July, 1969.

Therefore, we request that serious consideration be given to the continuance of the Job Corps Conservation Centers in that we feel an excellent job is being done in the training and placement of young men in gainful employment who will take their place in their community as active citizens and workers in the industry who, otherwise, will be returned to their home community as unskilled workers and thus become a burden, as well as a problem for society.

If curtailment is essential of some of the Conservation Centers, it should be done on a selected basis after full investigation of the quality of training and job placement that has been accomplished at each center.

Sincerely yours,
M. A. Hutcheson,
General President.

Camden, Maine,
April 12, 1969.

President Richard M. Nixon,
The White House,
Washington, D.C.

Dear Mr. President: I am stunned by the announcement of your decision to close approximately 50% of the Job Corps centers. The intended substitution, as announced, of training centers for a smaller number of day students may be less expensive in dollars in the short run, but I cannot see it as a credible alternative to the present Job Corps program, and I predict that your economies in this area ultimately will become unbelievably expensive in terms of their social results.

Government spending needs to be cut, but the obvious place to make the cuts is where the spending is greatest, for the least return to society, namely, the military establishment. The "security" which our military system provides is indeed questionable in these times of mutual "over-kill" capability, while the obvious and immediate consequence of our military spending is death and destruction in Vietnam, and anguish for the families of our own casualties. Preoccupation with the supposed danger of external enemies has helped this nation to ignore more dangerous domestic situations. Mayor Carl Stokes of Cleveland has expressed very effectively the need for rearranging our national priorities.

I know that it is probably easier politically to cut domestic welfare programs than to curtail the military establishment, but we need leadership in the presidency—a vision which goes somewhat beyond the common preoccupation with immediate profits.

Sincerely,

Ralph E. Cook.

Ward Bros.,
Lewiston, Maine, April 12, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator Nelson: Many thanks for your letter expressing your views to do something constructive about the Poverty Program, especially in reference to the closing of the Job Corps Centers in many areas.

The decision to close the nearby Poland Spring Center was an irrational afterthought. This type of decision-making is irresponsible, and loaded with politics. It is based on emotional judgment and unfounded fact.

The total poverty program is sound. It is the only positive way to aid the young unfortunate youngster that has indicated his willingness to get out of his environment and do something for himself. But if the present Administration is going to make hasty decisions such as the closing of this particular Center, this alone adds to the "failure and rejection" aspect that these youngsters have been subjected to in their formative years. All they get is rejection.

As to the cost . . . I froth with anger when I see billions spent on defense; on systems that "may not work"; on the immoral war in Vietnam. As a taxpayer, and a heavy one this year, I cannot justify paying my hard earned dollars for the kinds of defense spending that could be used toward helping our unfortunate citizens get a lease on life. The costs of Poverty versus the costs of defense . . . who are we kidding?

Thank you for asking my views. I shall be happy to come to Washington and testify that these Centers should be increased, not eliminated. That the effort to make these centers more productive be tried, rather than disregarded. That more "good old American ingenuity" be used to think positively about these programs rather than drop them in the junk heap.

Senator Muskie is a dear friend. My qualifications, if needed, can be confirmed by a call to his office anytime. If I can be of further assistance by writing or phoning at my own expense, please call on me.

Thank you again.

Respectfully,

Lawrence J. Ward.

Town of Poland, Maine,
April 12, 1969.

Senator Edmund Muskie,
Senate Office Building,
Washington, D.C.

Dear Senator Muskie: The Board of Selectmen of Poland were shocked to hear of the decision to close the Poland Spring Job Corps for Women.

The "Center" has been well received by area people and we have observed many graduates who have benefited from both the school and the fine location where the girls have the opportunity to live and study in a quiet area away from the slums of the cities in which they were reared.

We strongly protest the manner as well as the degree of appraisal and thought exhibited by the Labor Department in making a decision of this magnitude without at least viewing the entire operation.

The decision to eliminate the largest womens' center in the United States will be felt by the minority groups, the inhabitants of Poland and the State of Maine and the students for many years to come.

The Poland Center makes approximately 400 jobs available to area people, and pays one-fifth of the taxes in this community of approximately 2,000 population.

Truly this is a severe blow to both the Town of Poland and the State of Maine.

Your consideration of this matter will be greatly appreciated.

Respectfully yours,
Board of Selectmen of Poland,
R. A. Waterhouse, Jr.,
Secretary.

Seattle, Wash.

Dear Mr. Muskie: I feel it is futile to write anyone in Congress. I'm writing anyway. Closing Job Corps is a tremendous mistake. Save on the military budget!

Jerry Campbell,
An Angry Voter.

Cumberland Center, Maine,
April 13, 1969.

Senator Edmund Muskie,
Washington, D.C.

Dear Mr. Muskie: It is with concern for the closing of the Poland Springs Job Corp Center that I am writing.

Through our local church I have had the opportunity of visiting the Center, and have met some of the young women. Their enthusiasm is something that must be seen to be appreciated, and the majority will certainly "graduate" being useful citizens of our country.

It is almost inconceivable that such a thing as closing this most worthwhile way of helping some of our underprivileged class is happening.

Please consider me as one that is against it.

Very truly yours,

Naomi Meadows.

Farmington, Maine,
April 15, 1968.

Senator Edmund Muskie,
Washington, D.C.

Dear Senator Muskie: I know of your alarm concerning the announced closing of the Poland Springs Job Corps Center and I wish to support you as heartily as one voter can, with the hope that this excellent program will be continued.

I have visited the center and recently have met several of the Corps women enrolled there. I hate to think of their fate if this program is eliminated. Certainly other economies can be effected—and I am for this, believe me, that do not deal so vitally with human rehabilitation. The center's achievement record does not deserve this action!

Good luck!

Sincerely yours,

Sarah K. Prentiss.

Alfred, Maine,
April 12, 1969.

Mr. Edmund Muskie,
U.S. Senate,
Washington, D.C.

Dear Mr. Muskie: The announcement yesterday that Poland Spring Job Corps Center is to be closed came as a great blow both to the staff and the 1100 girls who are here.

I have worked at the Center as both a Senior and a Resident Counselor for almost three years. The wonderful results of our program are well-known to me.

Many of our girls have gone on to both good jobs and to further training as nurses or in colleges.

Those girls who could not benefit from the program have been referred to the proper agencies either in their home cities or in their states. Perhaps they never would have received this help if they had not come to Job Corps.

Besides these wonderful results we have had, on the most part a wonderful experience in interracial living both among staff and the corpswomen. This is an important part of our program.

I am also thinking about the economic benefit the Center has brought to this part of Maine. Our state needs this Center.

Most sincerely yours,

Mrs. Mary T. Strayer.

Poland Springs, Maine,
April 14, 1969.

Senator Edmund S. Muskie,
Waterville, Maine.

Dear Mr. Muskie: Enclosed please find a copy of the letter which I felt constrained to write to our President.

I feel, very deeply, the need for the Poland Spring Job Corps, and the others.

For humanitarian reasons.

For economic reasons.

A girl here is only one member of a tree which will grow in several generations to a larger number—perhaps to nearer fifty than one for the country to support on welfare.

Looking at it this way the money spent on a girl at Poland Spring is quite small indeed.

I have seen hundreds here graduate with a vocation and perhaps a G.E.D. high school diploma. Good, quiet girls who never made the papers by disorderly conduct.

This action to close some centers may be a wedge to close others—one by one.

For a thousand girls to be sent home is one thing but the greater thousands that will need Job Corps to keep them from nothingness is another.

Yours truly

Mrs. Gertrude E. MacLeod.

Poland Springs, Maine,
April 14, 1969.

To the President of the United States, Mr. Richard Nixon.

Dear Sir: There is great consternation among the young girls at the Poland Spring Job Corps Center.

In my three years here I have not seen one of them so stunned unless it was on account of news of a death in the family.

Some say that they cannot possibly return to the intolerable conditions at home without a vocation to help them gain a foothold on life.

I believe that if they opened their hearts and lives to you you would bend every effort to save them, in so far as possible, from their personal and private despair.

Prose really doesn't lend itself to the tragedy that I see in some of these young faces. These words come into my mind although I have not wit nor time to improve the form.

"Orphans of Humanity
Step-children of Life
Return to your troubled homes
Return to your strife.
Young Black, Young Spic
Young Poor White Trash
Don't be so bold—so brash
As to think America holds for you
A first or second chance.
Return without a thought, or care
To a lifetime of reliance
Upon your Country's Welfare."

XUM

This could cost up to $190,000.00 for Welfare and $35,000 loss in taxes to the Government per girl.

We have not been able to help every girl who came to us. Psychological causes have made it impossible for light to penetrate many a misguided soul or warped mind.

But even the campaigns of Evangelist Billy Graham, whom I honor, cost vast sums of money and great physical toll. Yet he is grateful to God that some seed falls upon receptive soil.

And Jesus said the poor were always with us. He also gave His disciplines directions for catching the greater supply of fish.

This letter is from an ingrained Republican who grieved when you faced heartbreak and rejoiced in your Victory!

Sincerely yours (and my Country's),
GERTRUDE E. MACLEOD.

MECHANIC FALLS, MAINE.

SENATOR MUSKIE: I am writing to protest the closing of the Poland Spring, Maine, Job Corps.

The Center, as you probably know, is located in a most scenic location and I feel that its environment, good air, the many opportunities to learn, can do much to make the Corps girls feel that they really have, and will desire to have in their future, a brand new and better way of life through learning and earning. I sincerely feel that Poland Spring is an ideal place for this type of center.

It goes without saying that the economy of this area will be strongly affected if the Center is closed. Neither my husband nor myself is employed at the Center but we feel strongly that it should be allowed to continue in operation.

Maine can help these girls and these girls can help Maine!

We ask for your efforts toward the continuance of the Poland Spring Job Corps.

Thank you.

Respectfully,
Mr. and Mrs. F. V. CURTIS.

WEST POLAND, MAINE,
April 13, 1969.

OFFICE OF THE PRESIDENT OF THE UNITED STATES OF AMERICA,
Washington, D.C.

DEAR MR. PRESIDENT: I hope you accept my apologies for any error in protocol in the writing of this letter, but I felt that the matter at hand warranted its writing, regardless.

I wish to speak of the closing of the Poland Spring Camp Job Corps Center for Women at Poland Spring, Maine. I cannot in all fairess to the Center, the girls, the towns nearby, the State, or this nation, say that this action is in the best interest of all concerned. As a staff member of that center, I have seen for myself the faces of the girls when they heard the news of the action taken by the Department of Labor to close their center. For most, it was the first time in their lives that they were treated with any dignity. For all, it was the greatest chance they would ever receive to make it in this life.

I would like to ask what you intend to do this summer when these girls, and countless boys from the other Job Corps centers, are back on the streets of the nations cities, with the thought in their minds that no one in this world cares whether they live or die, and an incident like the closing of the centers is all the proof they need.

Take a look around you, Mr. Nixon, and look at the lines of tension being pulled tighter and tighter. Take a closer look at the racial prejudice that strains them even more. The cause of such prejudice? Its source? Ignorance, Mr. President. Sheer ignorance. Aside from educating the underprivileged youth of this nation, each Job Corps Center has, by its mere existence, brought about a racial harmony in the youth of America that most adults still need the key to. Through my work at the Poland Spring installation, I have achieved a much greater understanding of the negro and his problems than any ten Presidential Commissions.

If saving money is really your first concern, as is only right when that money doesn't belong to you, then why not consider the cutting of funds allocated for the military, or to foreign aid. You are not blind, Mr. Nixon. You know what the South and Latin American nations REALLY think of the United States. We have for too long, punished ourselves and felt guilty for being the richest nation this world has ever seen. We say, "I'm sorry I'm so rich, but give me a chance, and I'll give it all away as soon as possible." What possible use is the salvation of the world, if we as a nation, can't save ourself?

The Job Corps program is even more valuable when you look at it in the aspect that for every girl or boy that graduates, there is one less person on the welfare lists of this nation. There is a better than likely chance that his or her future husband or wife will be much more capable of raising a family that will not be on welfare. So you can see that the Job Corps program is self-eliminating as it eliminates welfare at its source—poverty. In fact, with the number of graduates from the program who assumes the responsibility for their own welfare, there are more tax dollars coming in than going out to welfare programs over a long period of time. By any means of reason, the Poland Spring Job Corps Center, by virtue of its being the largest, could be run much more effectively and efficiently and at much lower cost than two or three smaller centers scattered throughout the country. Not to mention the savings in operational costs, personnel payroll, fuel and electricity, foodstuffs, plus the advantage of size in the Poland Spring complex. The Center is located a relatively short distance from Lewiston and Auburn, which makes it convenient for the girls' work programs, for shopping trips, for recreational purposes, and the accessibility of supplies for maintaining the center. The Center is large enough to easily accommodate 1200 girls, but small enough to provide the individual attention each girl needs. It is not too close to any major metropolitan area (such as "Cleveland", New York City, Washington, D.C., etc.) but there are airports and bus routes to them. This, it would seem, is ideal, since the emphasis is on avoiding the tensions of the city, and to concentrate on individual development and education. Show me the practicality of closing this center.

It may be important for you to know that I am only 19 years old, I am white, and that I am not poverty stricken. It should be more important for you to know that I am sincere in everything I have said. Job Corps has done wonders for this community in which I live, and in the surrounding communities where I attend college. Through my work at the Poland Spring Job Corps Center, I have grown considerably. This is supposed to be the common reaction of nearly every staff member working with these girls. I wish you would at least come, and see for yourself the tremendous value of this program before making your final decision. Who knows, you might even change the minds of those who continue to condemn this program without knowing what it is really all about!

Thank you for your time.

Sincerely,
GREGORY A. KEENE.

KEZAR FALLS, MAINE,
April 18, 1969.

Senator EDMUND MUSKIE,
Washington, D.C.

DEAR SENATOR MUSKIE: We are greatly disturbed by the announcement that the Poland Spring Job Corps is to be closed.

We have visited the Job Corps at Poland Springs and have been amazed at the variety of trades the girls were learning and doing extremely well so that they might go out into the world as useful citizens rather than being turned back to their old environments to squalor and ghetto living and rioting and hopeless futures.

So far as Poland Springs is concerned the Job Corps certainly cannot be tagged as a "flat failure".

Setting up new centres to absorb the boys and girls from those being closed would not be much, if any, saving to the Government as the present facilities are already set up, well equipped and, as far as Poland Springs is concerned, turning out girls who are neat, polite and in a position to live respectable lives and to hold the job of their choice.

Yours very truly,
MARGARET STROUT.
INA N. EMERY.

WPNO,
Auburn, Maine, April 17, 1969.

Congressman WILLIAM D. HATHAWAY,
House of Representatives,
Washington, D.C.

DEAR BILL: Many thanks for your kind note of the fourteenth.

Believe me, if the challenges to the Youth Commission prove to be as vast as they seem to be, I will most certainly be calling upon you for valuable advice.

Incidentally, I would like to be on record as opposed to the closing of the Job Corps Center at Poland Springs. I am not really familiar with our other Job Corps facility, but I have been closely associated with the facility in Poland and feel that while this may not be panacea to our economic ills and ghetto problems, it is at least better than what has come before and better than nothing.

Again, my thanks for your kind note of the fourteenth.

Best regards,
JAMES M. AIKMAN,
Station Manager.

PORTLAND, MAINE,
April 14, 1969.

Hon. KENNETH CURTIS,
Governor of Maine,
Augusta, Maine.

DEAR GOVERNOR CURTIS: The State of Maine has been struck with very sad news upon hearing of the closing of the Poland Spring and Acadia Job Corps Centers. I am very much interested in what we can do to combine our forces in an effort to see the reversal of this decision by the Nixon Administration.

The black, the hardcore and the very poor, which is the very backbone of these Centers, must have all the support we can give them.

If I, in my capacity as an officer of the New England Regional Conference NAACP can be of any service, please feel free to contact me.

Sincerely yours,
GERALD E. TALBOT,
Third Vice President, New England Regional Conference, NAACP.

APRIL 14, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The news of the closing of the Poland Spring and Acadia Job Corps Centers at Poland Spring and Bucksport, Maine, come as a surprise and very sad news. Some of the very people who have put you and your administration into office with faith and trust in the future will be hit the hardest and will feel it the most. People who are trying to learn a better future for themselves so that in turn they will benefit the community and State in which they reside. People who are trying to forget that in the past too many promises by the peoples of this country have been broken, and the people themselves hurt.

To be frank, Black people who are struggling for their self respect, manhood, a place in society, things we shouldn't have to wait until now for, will be moving backwards in a society that stresses progress.

I, in behalf of the New England Conference, National Association for the Advancement of Colored People, urge you and your administration to take another deeper look into this most costly decision and reconsider.

Sincerely yours,

Gerald W. Talbot,
Third Vice President, New England Conference, NAACP.

Seal Harbor, Maine,
April 24, 1969.

Hon. Edmund Muskie,
Senate Office Building,
Washington, D.C.

Dear Senator Muskie: I believe that most thinking citizens agree as to the importance of maintaining those elements of the Poverty Program that have proved constructive in lessening poverty and in building greater social stability.

Although some reorganization in the administration of the Job Corps may be indicated, the sudden discontinuance of the Job Corps centers, as recently announced, is a severe blow to the long-range goals of the Poverty Program.

The purpose of the Job Corps is linked with the rehabilitation of individual boys and girls whose chances in early life have been minimal. In countless cases, young people, through their experience in the Job Corps, have entered into a new era of hopefulness. The cutting off of a hope before realization is often more dangerous to an individual than the absence of this hope. Our nation is made up of individuals, and social turmoil can result when too many people face bitterness and frustration.

I trust you will use your influence to prevent the implementation of the plan to close the centers.

Sincerely,

Isabel Dunham.

Erie, Pa.,
April 12, 1969.

Senator Edmund S. Muskie,
U.S. Senate,
Senatc Office Building,
Washington, D.C.

Dear Senator Muskie: In all sincerity, I ask of you, do not become a party to President Nixon's dismemberment of the Job Corps program. The need for this program, and other programs such as this, is today desperate and will become ever more so in the days to come.

In the sense of decency and fairplay, which you have displayed on many occasions in the past, I ask of you, not only to fight strongly against this cut in the number of Job Corps Centers, but to fight even stronger to have the number of these Centers increased.

Yes, there have been some flaws in the operation of these Centers, but to take a second look at the record, one can readily see that the good that has come out of them far overshadows the bad.

But the biggest fallacy of all is this so-called plan to set up training centers close to, and within the cities themselves. The reason for these Job Centers in the first place was to get these young boys and girls away from these cesspools of crime and violence. Now the powers which be, feel that they can be trained in these same enviroments. Who is kidding who?

The training in many of these Centers includes courses in carpentry, auto mechanics, the handling of some heavy duty equipment, etc., along with the working towards a high school equivalency diploma. This varies from Center to Center as well I know, because I have visited a number of them.

With moves such as this, by the Administration in Washington, can so many almost hopeless Americans be blamed for the "long, hot summer?"

Sincerely yours,

Guido A. Mancini,
President, Local 1680, United Steelworkers of America, AFL–CIO.

Levant, Maine,
April 13, 1969.

Senator Edmund S. Muskie,
U.S. Senate,
Washington, D.C.

Dear Senator Muskie: I am sure that the average American, rather than being apathetic, is inarticulate and hesitates to make his feelings known. He is afraid that he may not express himself well. As one of these average Americans the events of the past few days have jolted me enough so that I am forced to try to express my beliefs and opinions to a source that may be able to express them better than I. I am shocked at the callousness of the Administration in closing the Acadia and Poland Springs Job Corps Centers as well as about fifty others. While the President speaks piously of reducing government spending, he advocates the deployment of an Anti Ballistic Missile system that most of the experts don't think will even work. This is at a cost of some six to seven billion dollars. Based on the spiraling cost of the C–5 transport this could easily run to fifteen to twenty billion dollars. By closing the Job Corps Centers he saves some one hundred thirty million dollars at the price of hopelessness and despair on the part of those trainees whe were beginning to see an end to the chain of poverty.

I am sure that the President and his advisors have toured the Centers but I don't believe that they have really seen them. They haven't seen the look in a young man's eyes who has just been accepted by the U.S. Marine Corps when two years before he could neither read nor write and couldn't even be drafted. This has happened not once but many times at the Acadia Center and I am sure that Acadia is not unique in this respect. In visiting Acadia I was impressed by several factors. First, the permanent staff is competent and dedicated. I know that some of them were working as much as one hundred hours a week with the trainees. Secondly, the feeling of hope engendered in the corpsmen was contagious. You could feel it. Thirdly, and not the least important, this outdoor experience in a Conservation Center was the first for many of the ghetto kids. They had found that there was something to life other than concrete and asphalt. This the Nixon administration would take away.

A good many of my tax dollars have gone into the preparation of these Centers and now when the cost of training a young one is beginning to get within reason they want to shut them down. I have been told that it now costs about five thousand dollars to train a Corpsman to a point that he is either ready to assimilate advance training or is ready to become a useful member of society. It costs the tax payer this much each year to maintain each inmate of our State and Federal institutions (penal). Where Senator, are the savings if young men and women that we could train and develop in Job Corps Centers are denied this opportunity and wind up as habitual criminals or perennially on welfare rolls.

Lest you think I am some sort of a do gooder nut, I would like to give you a little of my background. I am a retired Army Artillery Officer with some experience in Nuclear Delivery System, both conventional and missiles. While in the Service I served for several years with the 11th Airborne Division in both this country and Europe as an Airborne Artillery Operations Officer. In Korea I served as an Adviser to the South Korean Army. I have been wounded three times in two wars and have been decorated for gallantry in action once, if you call being so scared that you couldn't run gallant. My wife who classifies herself as a Muskie Republican, as an Army Nurse in Korea did some of the early applied work with the Artificial Kidney.

After retirement, I attended the University of Maine and graduated with a Bachelor of Science Degree in Forestry. Since that time I have been employed as a Service Forester, working with small landowners in the management of their woodlands. In working with these people and with the men who cut the wood I have run head on into the bone grinding poverty that we have not only in Maine but throughout the rural areas of America. This has become even more apparent to me as a member of the Penobscot County Technical Action Panel, which as you know works toward Rural Area Development.

At the risk of sounding maudlin, Senator, I love my country. I feel that it is the finest place in the world to live and raise my children. I have been given the opportunity for education and service and to find fulfillment in not only one but two rewarding careers. I sincerely believe that our Country will not realize her full potential until these same opportunities are available to more of our underprivileged, and in fact may be in grave danger if we don't. It is obvious that the Job Corps is a tool by which many of these youngsters can be reached and helped.

I understand that a man must do what he must do and that you must be guided by your own conscience and knowledge. However, I urge that you oppose the Anti Ballistic Missile System by all possible means and work for the retention of the Job Corps as a viable weapon in the fight against poverty.

As an aside, is it not possible that Maine is being spanked quite publically for having the nerve to produce such outstanding public servants as Smith, Muskie, Hathaway and Kyros. After all to a Californian, nothing can be much good unless it comes from the land of Fruits and Nuts.

Sincerely yours,

Kenneth H. Hendren.

Hartford, Conn.,
April 19, 1969.

Senator Edmund S. Muskie,
Senate Office Building,
Washington, D.C.

Dear Senator Muskie: It has just been brought to my attention that a proposal to close the Poland Spring Job Corps Center has been brought forward for question. This letter is to ask you to urge Congress for the continuation of the Job Corps program at Poland Spring.

As a former employee of the Center (I worked there last summer, 1968), I feel that I have been fortunate to view the Center and its workings from the inside, and to receive a special insight into many of the problems of our girls through a mutual confidence and respect. For these reasons I wish to promote an effort against the closing of the Job Corps.

I would like to emphasize the fact that the girls are from some of the least desirable environments of this country, and that the Job Corps is possibly their last hope either of leaving those environments or of working to improve them for themselves and their families. The educational opportunities offered by the Job Corps to its participants are exactly what are needed to win the battle against the intolerable poverty that is smothering human beings in this country. I cannot passively support or accept the abolition of a program, the effects of which I feel can and will rescue those innocent children, hungry and cold, who live in filth.

The race problem in this country is one of the main issues involved with and af-

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fected by the Job Corps. Through the education offered by the Job Corps, the black American can take his rightful place in society, as a working, tax-paying, law-abiding citizen, and can raise a family, providing all necessities and, hopefully, some luxuries. With the job training provided by this program, the black man can do for himself, without becoming the object of continual public support, which can lead, and not without reason, to public scorn, thus creating further tension. In effect, to cease offering the program which provides the black American with a means of making his own way is to provoke that tension between the races.

I attended the August, 1968 graduation ceremony at the Poland Spring Job Corps Center, at which time approximately fifty women were graduated. I sincerely wish that you, Mr. Muskie, could have seen the faces that I saw that day: I would almost say that light was radiating from them. Those girls were so happy, anxious, proud, and—best of all—ready, that I cannot see this opportunity taken away from them. They truly felt, and still do feel (I have visited several graduates since then) that they did and are doing something not only for themselves personally, but for all of those who have been trapped by the same fate that almost trapped them.

Please urge Congress, Mr. Muskie, not to cut back on the Job Corps program. An abolition of or a cutback on the program not only would affect those who most need the opportunity for self-betterment and self-respect, but also would affect those of us who have been fortunate enough not to be born into those "humbled masses," in that we would be deprived of more self-reliant people. And we must not forget that our children will be affected also: I do not want my children to experience the utter frustration that I have felt, in realizing that this society of plenty can let human beings feel the pangs of hunger, cold, and filth. We are two hundred years late already; let us not be any later.

Thank you.

Most sincerely,

BRUCE HARMON.

BANGOR, MAINE,
April 22, 1969.

Hon. EDMUND S. MUSKIE,
U.S. Senate, Washington, D.C.

SIR: In behalf of the League of Women Voters of Bangor, Maine I urge you to oppose the abrupt closing of more than one-half of the Job Corps centers. The League feels that these centers should remain open until adequate and expanded facilities are in operation to guarantee continuation of programs to train the hard core unemployed and underemployed. The League is concerned that the sudden closings will have a detrimental effect on the attitude of the under-privileged who need to know the Nation has a depth of commitment to overcome poverty and discrimination.

In Maine we are particularly concerned as two excellent facilities at Poland Springs and Bar Harbor are among those designated for closing.

The League sincerely hopes you will actively continue your opposition to these closings.

Respectfully,

SHIRLEY WHITTAKER,
President,
Bangor League of Women Voters.

POWNAL, MAINE,
April 21, 1969.

Hon. EDMUND S. MUSKIE,
U.S. Senator,
Washington, D.C.

DEAR ED: In this letter, I wish to express my concern about the scheduled closing of the Job Corps Training Center, at Poland Spring.

I fully appreciate that the program there, perhaps as elsewhere, has come under criticism in certain quarters, and that the per capita expenditure is considered extravagant by some people.

Be that as it may, we have trained girls from the Job Corps Training Center, during these past couple of years, and I am very much concerned that precipitous dissolution of the program nationwide will have unfortunate repercussions, particularly if no other program simultaneously is being developed to take its place by July 1.

I think the administration owes the public an explanation for its decision and particularly what the alternatives are.

You know, from my previously expressed concern to you, we owe, particularly the black population in this country, some form of substantive compensation for the abuse it has suffered in the past 2½ centuries. This, to my mind, is one of our most urgent and immediate obligations that we must not shun any further.

Also, I feel that we should give top priority to training those (particularly young) people who are presently considered unemployable because of their educational and social status, regardless of whether they are black or white.

Knowing of your own convinctions, I am sure that you will do everything possible.

I am, with warmest wishes,

Sincerely,

PETER W. BOWMAN, M.D.

GORHAM, MAINE.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SIR: The enclosed petition is to ask you to do everything you can to see that Poland Spring Job Corps Center be kept open.

Gorham students have been tutoring at Poland Spring for two years now; and the young ladies from Poland Spring have been to Gorham for various activities or just to spend a weekend. People can learn a great deal from one another if they can first meet and get to know each other.

Please do all you can to keep Poland Spring Job Corps Center open. Thank you.

Sincerely,

WILLIAM M. SIMS.

PETITION

To: Senator EDMUND S. MUSKIE.

We, the undersigned, do respectfully request that the Poland Spring Job Corps Center for Women at Poland Spring, Maine, *not* be closed.

William M. Sims, Gorham; Robert W. Burband, Joan B. Flynt, Harold R. Hurlbert, Rond Henry, Portland, Maine; Ann I. Loving, South Portland, Maine; John Linton, Berwick, Maine; Gregory Brusion, Princeton, Maine; Jean M. Haycock, Poland Spring, Maine; Ann L. Hawkes, Portland, Maine; Harold Hurlbert, Patten, Maine; Eleanor M. Pillsbury, Danvers, Mass.; Bill Hunt, Berwick, Maine; R. Lowe, Indian Island, Maine; Tom Drew, Lebanon, Conn.; John Wallace, Falmouth, Maine; Diana Philpot, N. Windham, Maine; Timothy J. Wooten, Gorham, Maine; Cyrene A. Siegona, Woodbury Hts., N.J.; Laurel Knowles, Hartland, Maine; Suzanne Jackman, Presque Isle, Maine; Eilan Bray, Portland, Maine; Donald Dees, Gorham, Maine; John E. Kortecamp, Dexter, Maine; Sharon J. Onyango, Gorham, Maine.

Ann Snow, West Scarborough, Maine; Sharon Hilbown, So. Berwick, Maine; Eugene P. A. Schleh, Gorham, Maine; John R. Lewis, Westbrook, Maine; Horton W. Emerson, Jr., Gorham, Maine; Robert M. York, Gorham, Maine; Douglas Mosher, Livermore Falls, Maine; Judy Sims, Gorham, Maine; Kay Morrill, Lisbon Falls, Maine; Kathleen Doughty, Yarmouth, Maine; Christine Kelly, Bangor, Maine; Thom Maurais, Sanford, Maine; Cynthia H. Perry, S. Portland, Maine; Leo T. Arsenarp, Gorham, Maine; Mary Margaret Hunt, Island Falls, Maine; Patrick F. Ayotte, Gorham, Maine; Leighton R. Cissey, Boothbay Harbor, Maine; Patricia E. Tracliek, Gorham, Maine; Vincent Delarols, Portland, Maine; Frank Hodges, S. Windham, Maine; Constance Bowque, Lewiston, Maine, Linda Libby, Freeport, Maine; Trudy Kouzounas, Saco, Maine; Brenda McInnis, Augusta, Maine; Richard Aclack, Portland, Maine; Catherine L. Martin, Kittery, Maine; B. P. Rumeby, Cape Elizabeth, Maine; Douglas Siddons, Gorham, Maine; Sue Siddons, Gorham, Maine; Barbara D. Budi, Gorham, Maine.

Anita Bussine, Auburn, Maine; Anthony Cow, Oakland, Maine; Susan Palmer; Pam Johns, Bath, Maine; Donna Lemerich, Sayreville, N.J.; David A. Rolfe, South Portland, Maine; Jeffery Hardy, Lincolnville, Maine; Cheryl Hardy, Portland, Maine; Rosalie Burgess, Levant, Maine; Jennifer Van Fleet, West Rockport, Maine; David Deas, Gorham, Maine; Donald G. Stanley, Jr., Gorham, Maine; Tommy Martin, Douglas Hill, Maine; Richard E. Dyer, Jr., Stockton Springs, Maine; Kirk M. Danberg, Readfield, Maine, Deborah Batchhelder, Reading, Mass.: Donald Turcott, Biddeford, Maine; Gloria Abbott, Rumford Pt., Maine; Victoria Manper, Bangor, Maine; Judith A. Jackson, Portsmouth, N.H.; Stephanie Kneeland, Portsmouth, N.H.; Beth Wilson, Stockton Springs, Maine; James E. Page, Kittery, Maine; Barry A. Glen, Dover-Foxcroft, Maine; Patrick D. Daly, Cape Elizabeth, Maine; Patricia A. Daley, Westbrook, Maine; Melville R. Hanson, Gorham, Maine; C. Thomas Stinson; Gorham, Maine; Cyndee Thilandeau, Gorham, Maine; Bonnie M. Neal, Friendship, Maine.

WALNUT CREEK, CALIF.,
April 21, 1969.

Hon. EDMUND MUSKIE,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MUSKIE: It has come to my attention that President Nixon has decided to close several Job Corps Centers, including the Camp Parks one in Alameda County.

It has been my opinion since this program was initiated that it took kids from eighteen to twenty-one off the streets in *our* impoverished areas and gave them a trade and taught them how to use it to make their lives useful. Are we to let these kids down? Are we to let these kids go by the way-side because they have not learned a trade and cannot find a job? the answer to these questions, of course, is NO! We must give these kids a chance to live a life equal to the rest of Americans. We must make having a job a right for everybody and not a privilege for some, as it is, now.

It is time we started to make sure that everyone has three meals a day in his stomach, a roof over his head and a job to make the first two things possible. With the Job Corps, maybe we can make a start at th.

Sincerely yours,

DAVID C. STARKIE.

POLAND SPRING, MAINE,
April 15, 1969.

DEAR SENATOR MUSKIE: There is good and bad in all. No one thing has all good in it. Poland Spring Job Corps is the same way. We have the good in with the bad. But it seems the bad always gets noticed more than the good.

If you came to Poland Spring Job Corps in Maine, you would see a beautiful countryside away from noisy disturbances. If you stayed here day after day you would see girls working hard to finish a vocation, girls graduating month after month and girls getting along in activities. Then again you would notice some trouble makers. There could be something good for the majority of girls if Job Corps was left open.

The expense of closing Poland Spring Job Corps down could be much more to the pub-

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lic than 5.3 million a year. Girls may be left out on the streets, some put on welfare and some working in low paid jobs. Some may go back to school but it won't be the same opportunity as they had in Job Corps. I don't know how to express my feelings on this, but it is sort of a magic ecstasy about this place that makes you want to work hard. That is why we are asking your help to keep Poland Spring open.

Sincerely yours,

MISS ILENE STANLEY.

BROTHERHOOD OF PAINTERS, DECORATORS AND PAPERHANGERS OF AMERICA, AFL–CIO,

Washington, D.C., April 15, 1969.

To all Cabinet Members, all Members of the Congress:

I previously wrote to many of you in a much happier vein, informing you of our joint participation with the Job Corps in preparing disadvantaged youth for gainful employment in the Painting and Decorating Industry, with the ultimate goal of fitting this group into the mainstream of our society as employed taxpayers rather than having them face a future as recipients of welfare doles or prison rehabilitation. This appears to no longer be the goal of this Administration.

It saddens and alarms me to see that we are again turning our backs on a major segment of our population; for while we do not like to believe it, we still must recognize that this hardcore, disadvantaged youth group does exist.

We must not stand idly by and see our most precious resource, the youth of this country, wasted from lack of opportunity. It is my studied opinion that one of the very best and most practical ways to refine this flow of undereducated, disadvantaged, raw youth into our machine of progress is through the Job Corps Civilian Conservation Centers Program. This is practical on the job training for a practical job and no substitute has ever been found for this method by any administration since the dawn of the world.

Now is the time to search our conscience as representatives of our people and ask ourselves some basic questions. Is it really more costly to prepare a youth for employment than to keep him in prison, or on the public welfare rolls along with his future family and their future families ad infinitum? I know what my answer and the answer of the membership I am privileged to represent is to this, and hope that you are of the same mind.

Therefore, on behalf of the 210,000 members which I have the honor of representing, I ask that you exercise your influence to have this most critical decision on the part of the Administration either rescinded or modified. I would indeed hate to see the Great American Dream be turned into a nightmare for these now forgotten and disillusioned youth.

With best personal regards, I remain.

Sincerely,

S. FRANK RAFTERY,
General President.

SOUTH WELLFLEET, MASS.,
April 25, 1969.

Re Job Corps reorganization.
Hon. EDMUND MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: Mrs. Law and I have been spending three mornings a week for the past two years at the Wellfleet, Mass. Job Corps Conservation Center which is one of the centers proposed to be closed by the Administration. We are opposed to the closing of this center and believe that the change from rural conservation centers into urban areas is a serious mistake. Our opposition may best be illustrated by the two following examples.

There is a boy now at the center from your own state of Maine. He is 16 years of age, grew up in a town on the seaboard, attended public school, and was carried along from grade to grade but never learned to read or write. I would guess that he is about second grade in these skills. Obviously he needs the individual attention and encouragement which all of the boys here receive from the volunteer tutors. Coupled with the real effort which he himself is making we are convinced that he will advance considerably if allowed to continue for a year or two. The closing of this camp in all probability means that he will return to the vicinity from which he came even more discouraged than when he arrived.

The second boy came originally from South America, lived in New York City for about a year, where he attended the Hughes High School on 18th Street. His problem is to learn a new language and I might add that this is true of practically all of the Spanish speaking boys who come here. A recent article by Joseph Alsop in the Boston Globe stated that 40–50% of the pupils at Hughes were experimenting with heroin. I quote a paragraph from this article,

"Just for school kids," said Gales bitterly, "the damn pushers break the regular $5 bags down to $2 bags. Then four kids pool their lunch money—50 cents apiece and share the bag between them instead of eating lunch."

This boy came to Wellfleet about two months ago to escape from this environment. We are of the opinion, based upon our past experience, that he can learn our language adequately in from six months to a year if allowed to continue here.

These are both fine boys and I only select their cases from many others, both black and white, because they are in the camp right now, we have worked with them, and we are somewhat familiar with their background.

The proposed change of emphasis in the overall setup of the Job Corps from conservation to vocational training overlooks the basic fact that the need is first to raise the literacy level of the trainees to a point where they can go on to the so called "skill centers" to be trained for specific jobs. You have to be able to read simple directions. Whatever system is eventually planned must teach these fundamentals if it is to succeed.

Perhaps Wellfleet has been unique in having had a voluntary program such as I have described above but I see no reason why it can not be duplicated in other areas and why should it be abandoned here where it has been a success?

Very sincerely yours,

MALCOLM C. LAW.

POLAND COMMUNITY CHURCH,
Poland, Maine, April 21, 1969.

Hon. EDMUND S. MUSKIE,
Senate of the United States of America,
Washington, D.C.

DEAR SIR: This is a note to express my own concern and that of many members of my congregation upon hearing of the Administration's proposal to close the Job Corps center in Poland Spring. We here in Poland who are directly affected by this decision feel that it is an unfortunate one. And I personally feel that it represents the present administration's hypocritical approach to solving the problems of the budget . . . cutbacks should come from the military, the hair-brain ABM System certainly should not be deployed and the oil depletion allowance should be lowered or dropped entirely (Since the oil companies seem bent on not letting Maine have a piece of the pie, why should we be paying their taxes?).

Is the cut-back in the Job-Corps program going to be another example of the triumph of the military-industrial complex (a cliche by now?) over the needs of individuals? I sincerely hope not, for time is running out for Washington. The average American citizen is *rapidly* reaching the limits of his endurance.

With deep appreciation for your courageous views, I am

Sincerely,

REV. JAMES W. FLETCHER.

ORRINGTON, MAINE,
April 19, 1969.

Senator EDMUND MUSKIE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MUSKIE: I am very disturbed by the closing of the Job Corps Centers in Maine. The Job Corps is a valuable tool of our economy. It is taking unemployed and unemployable youth from poverty situations and making most of them (80%) employable. While the cost may seem high, it will be repaid several times over in taxes which these youths will pay from earnings.

Closing of the Job Corps Centers in Maine will leave no place for rural youth to be trained, unless they are sent to the proposed mini-centers in the large cities. Since these are not in existence now, the interim period will leave these youths with nothing and without hope of anything.

I feel that the Job Corps has already given many youths a chance for a better future, that they will be beneficial citizens in our society. The youths, themselves, are upset and concerned over the proposed closing of the centers. How can we not be?

I know that you are using your influence for the retention of these centers and hope, that by voicing my opinion along with other interested citizens, we can reverse the decision to close the Centers.

Very truly yours,

MRS. ALTON N. VARNUM.

BANGOR, MAINE,
April 21, 1969.

Senator EDMUND MUSKIE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MUSKIE: I am writing to you as a concerned citizen over the move to close the Job Corps centers in Maine and elsewhere in the country.

I have worked closely with people in Job Corps and I have seen first hand the value that this program has given to deprived citizens or our country. To close these centers would only bring increased hardships on those that now have an opportunity. I also feel that these people will become a burden to our communities when we could make them assets.

The proposed programs to replace Job Corps will not solve the problem but only add fuel to a raging fire. Positive steps must be taken to maintain this worthwhile program.

I urge you to support to the best of your ability the retention of these centers. Let us continue to produce assets to our communities.

Yours truly,

GLENN PAYNE.

FARMINGTON, MAINE,
April 20, 1969.

Senator EDMUND MUSKIE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MUSKIE: I am distressed at the possibility of closing Maine's Job Corps centers for economy.

Take away subsidies from private airlines. They can stand up alone. Job Corps young people cannot . . . without our support.

Yours sincerely,

KARYL A. CONDIT.

APRIL 24, 1969.

POLAND SPRING, MAINE,
April 23, 1969.

MY DEAR SENATOR MUSKIE: I am just one of the many young women who feels that our

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Job Corps Center is a victim of unjust discrimination. It is my opinion that our Job Corps Center is one of the best Centers in the United States of America.

I am aware that there may be some prejudice involved in my statement but any one who is a member of any organization that strives for self-improvement tends to show some form of favoritism.

This is not my intended reason for requesting that the Poland Spring Job Corps Center remain open.

I, as so do every other corpswoman stationed here in Maine, feel that our center should remain unclosed. This is Our road to future Success. Or should I say Survival?

Sincerely yours,

LINDA F. CATHEY,
Corpswoman.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR MUSKIE: Job Corps for women is a very wonderful thing for us young people today. I think it is unfair of you all to even considering closing Poland Spring Job Corps Center. So I ask you good people to try and keep it open. Thank you.

Sincerely yours,

HAZEL GRAY.

APRIL 23, 1969.

MY DEAR SENATOR MUSKIE: I would like to ask you to help us keep Poland Spring JCCW open. Because there is a lot of girls here that is trying to make something out of themselves and I guess you know that if this center closes, there will be more innocent young teenagers out on the street, with nothing to do. There really is a lot I can say to you, but the most important thing is, "Please help us keep Poland Spring JCCW open." The girls here and our parents, I'm sure would really appreciate it.

Sincerely yours,

JOYCE HOWARD,
Co-chairman of Student Government of Poland Spring JCCW.

P.S.—Please help us! Please, answer me back.

APRIL 23, 1969.

MY DEAR SIR: I am writing to stress the importance of Poland Spring Job Corps.

As a corpswoman here, I can only stress it's importance to me.

Now I myself have dropped out school, not knowing it's great importance. I admit this was my stupidity, but I am trying to make it up by trying to further my education at Job Corps.

I feel as though you are trying to deprive me of this opportunity. Not only me but many, who are trying to make something and someone out their lives.

So if letters mean anything to them I ask you Why?

Sincerely Yours,

Miss JUDI COVINGTON.

P.S.—Don't Close Poland Spring.

POLAND SPRING J.C.C.W., MAINE,
April 23, 1969.

MY DEAR SENATOR MUSKIE: I want to finish my vocation and education. Please, keep Poland Spring Job Corps Center open.

I know that this center has a very good rating, and therefor it wasn't in the list to close, and just because a personal reason it's closing now, but we are trying our best to change Mr. Harry's mind about the idea.

Sincerely Yours,

GLADYS PEREZ.

APRIL 23, 1969.

DEAR SIR: As being one of the thousand of C/W here in Poland Spring I think it was very unfair to us because we were rejudged the wrong way, we had a good rate and the others had a bad rate. Do you think it's right. Please help us to remain open.

I don't have much to say but please help us to remain open.

Sincerely Yours,

PATRICIA D. PEEPLES,
A Chairman for Garrison Hall.

POLAND SPRING, J.C.C.W.,
Poland Spring, Maine, April 23, 1969.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR MUSKIE: I sincerely hope that this center don't close. Because it gives each person an equal opportunity to better themselves. This center gives everyone a chance to meet new people as well as, to learn ways of other people. I don't think that our rating was unfair. We did pass. So I will close now saying I hope and pray that this center stay open.

Sincerely yours

SALLIE GILLIAM.

POLAND SPRING JOB CORPS, MAINE,
April 22, 1969.

Hon. EDMUND MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR MR. MUSKIE: As a representative of the Poland Spring Job Corps Student government and as a corpsman I am very much concerned as to the future of this centre.

Most of us here at the centre are very appreciative of the opportunity given us and are therefore taking advantage of it. Most of us have greatly benefited from the program which we call our second chance. It helps us to get along with all kinds of people in different situations. In all the training given us helps to mold us into good citizens.

As a result of the above statements we were very much distressed when we heard that our centre was among those to be closed. We believe that the government is robbing us of the opportunity to better our condition.

We are sincerely hoping that the decision to close the centre will be reversed because believe me we are really doing something worthwhile at Poland Spring.

Thanks for reading.

Yours faithfully

MANDLYN LEWIS.

POLAND SPRING, JCCW,
Poland Spring, Maine, April 17, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

My DEAR MR. PRESIDENT: I am a Student at the Poland Spring Job Corps for women. We don't want to go home. We like Maine. But the people don't like the girls. We want to stay in the Job Corps. The girls want to get a good education and training. We don't want to go back to the ghetto. We don't have homes and families to go to. What will you do with the girls? I will like to see Job Corps stay open. Please don't close Poland Spring down. You have shown great concern for foreign policies on poverty. But what about your own country * * * have Kid Back home. Who want the Kid to Get a good education to, and your oath of office? If you Personally could come to Maine to see the Job Corps. I want my Daughter to go to Job Corps. What about People of need money back for food and clothing.

Respectfully yours,

CYNTHIA PRESTON.

APRIL 14, 1969.

DEAR SENATOR: My name is Betty Kathleen Jones and I'm in the Job Corps at Roland Spring. The course Im in is veterinary assistant. I like my course very much. It takes from six months to one year tell me how I can finish my course, when I won't be finished till next year?

Mr. Senator put your self in my place and try to see my point of view. How would you like it if you weren't finished with your course and they said they were closing down Job Corps. I know that you would feal like I do rite now very sad indeed. The course that I'm taking well theres only one other Job Corps that has got it and it is closing down. (which in Omaha, Nebraska.)

Please Mr. Senator try to keep this Job Corps at Poland Springs open. Because the Job Corps is a very good program for young people that have quit school and that are not going back like me. Mr. Senator even if you can't keep it open then Please put the Job Corps under the department of Labor.

Mr. Nixon said that the Job Corps at Poland Springs was going to stay open for another year. why did he say that if he didn't mean it.

Sincerely yours,

BETTY KATHLEEN JONES.

P.S.—Please try and keep this Job Corps at Poland Springs open. Please!!!!!!!!

POLAND SPRING JOB CORPS
CENTER FOR WOMEN.

DEAR SENATOR MUSKIE: I am presently enrolled in Job Corps and I am writing to let you know how I and a thousand other girls feel about President Nixon closing sixty-five Job Corps centers.

I am twenty-three years old and have been in Job Corps for two years now and will be graduating shortly. So you can see that the closing of this and other centers will not affect me personally. However, I feel much regret, shock and distress for the girls who are in the program and for those who would be considering on joining Job Corps in the future.

Before coming to Job Corps the future held little meaning for me. I was a shy, quiet and rather an insecure type of person who was unconsciously afraid to face whatever the future had in store for me. I felt beaten and defeated by life and society before I had turned sixteen. Coming to Job Corps has changed my whole outlook on life completely and it has enabled me to develop a wholesome and healthy outlook for everything and everyone around me. Instead of being afraid of the future I now look forward to it and can hardly wait for the next day to come. I have been trained in the field of commercial art and my future financially speaking is very secure.

I shall be getting married this year and I plan to live in Maine. I realize there aren't too many good paying job opportunities in this field open in Maine, but nevertheless, I love this State and hope to use my skill in a way which will benefit the people of Maine however small it should be.

I don't feel President Nixon is fully aware of the poverty situation in this country. These girls on this center are here because they are sick and depressed of the living conditions of their past, of discrimination, poor housing, and schools and of low paying jobs. We didn't come here for a handout—we came to better ourselves so that we may better serve the country we live in—for our future and our children's.

President Nixon wants more effort and money put into the Headstart program—well all I can say is this is a marvelous effort but I hope he doesn't forget that it will be people of our age group who will be the backbone of our country in the very near future.

We are also very aware of the amount of money spent each year for the Job Corps program—and we are also well aware of the fact that the United States Government spends that much alone for one particular kind of bomber plane. How can any country be proud of the fact that they spend billions of dollars on warfare but hesitate to spend just one billion dollars toward a peaceful end, to help her own people so that they can learn to help themselves and others.

There is so much more I could say for Job Corps but I realize your time is valuable and I think my letter speaks enough on how I

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feel. We all at Poland Springs Job Corps Center appreciate your efforts in trying to keep open the Job Corps centers and our hopes and prayers are with you.

Sincerely yours,

MARSHA STEWARD.

P.S.—This past election was my first chance to vote and my vote was for you.

Thank you for not letting me down.

Sincerely yours,

MARSHA STEWARD.

HON. W. LEE O'DANIEL, FORMER U.S. SENATOR AND FORMER GOVERNOR OF TEXAS

Mr. YARBOROUGH. Mr. President, it was with genuine grief that I learned of the death of former U.S. Senator W. Lee O'Daniel, of Texas. Senator O'Daniel passed away yesterday, after an illness of several weeks.

W. Lee O'Daniel, absolutely without any previous political experience, was elected Governor of Texas in 1938, with a clear majority over all opponents in the first primary. He was a unique candidate. He said that his campaign platform was the Golden Rule and the Ten Commandments, and he was aided by the most handsome hillbilly band in Texas, W. Lee O'Daniel's own band.

Senator Morris Sheppard died on April 9, 1941, and Gov. W. Lee O'Daniel, the incumbent Governor, ran for the vacancy and was elected to the U.S. Senate on June 28, 1941. He was reelected to a full term in 1942 and served until January 1949. Twenty-six men have represented Texas in the U.S. Senate, and 39 people have served as Governor of Texas, but only six men have been both Governor of Texas and U.S. Senator from Texas, and W. Lee O'Daniel was one of those.

O'Daniel came out of obscurity to be elected Governor in 1938, and in the general election of 1938 he captured 473,526 out of 485,288 votes cast in that election, winning one of the greatest vote victories in the history of Texas. He was reelected in 1940 for a second term.

W. Lee O'Daniel was one of the most colorful campaigners in the history of Texas. No person who ever saw or heard him campaign in 1938 or 1940 will ever forget him: witty, a quick thinker, quick at rejoinder, urbane, immaculately dressed, with his wife always at his side, beautifully dressed, with a large bouquet of red roses.

His daughter, Molly, and his sons, Pat and Mike, were in the band that accompanied him. In the midst of the depression, they traveled; and with his wit and music and songs, some of which he had composed himself, he lifted the hearts of Texans in the depths of the depression. He made them laugh, and brought smiles and hope to people who had known only the despair of the depression.

Despite all this, when he sought public office again in 1956 and 1958, he was unsuccessful in both bids for the Democratic nomination for Governor.

Mr. President, Senator W. Lee O'Daniel made an imprint on his generation of the political life of my State that will never be forgotten by any of those who lived through it.

ORDER FOR ADJOURNMENT UNTIL 11:30 A.M.

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 11:30 a.m. tomorrow, Tuesday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR MANSFIELD TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that after the prayer tomorrow the Senator from Montana (Mr. MANSFIELD) be recognized for a period not to exceed 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that at the conclusion of the remarks by the Senator from Montana (Mr. MANSFIELD) tomorrow, statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

A RESOLUTION TO EXPRESS THE SENSE OF THE SENATE IN REGARD TO CHANGES IN THE JOB CORPS PROGRAM

The Senate resumed the consideration of the resolution (S. Res. 194) to express the sense of the Senate in regard to changes in the Job Corps program.

Mr. JAVITS. Mr. President, I wish to address myself to the pending resolution in a way which is rather unique for me. It is well known that under other circumstances I would probably be on the other side of this particular debate, and it may seem surprising to some Senators that I am on this side. Therefore, I feel it my duty—although I think the debate will probably continue for another day at least—to explain very briefly why I have taken this position, because I deeply believe other Senators may wish to take a position similar to the one that I wish to express here.

Mr. President, as I see it, we have in this situation, the perfectly legitimate and understandable feeling of those who have had successful Job Corps camps in their areas—and we heard from many of them—and the fact that local people like it, and that it is a good and stimulating activity in their communities. We all understand these considerations which induce Senators to be receptive to keeping the installations. As much as we understand and appreciate the individual points of view of Senators—and certainly share them in terms of my own State, I think we have to lay these considerations aside, in order to look at the fundamental thrust.

In my judgment, we must look at the cost-benefit ratio; that is, we must examine the expenditure called for in the Job Corps, in terms of the inadequacy of job slots to deal with the job producing training, which is essential to so many of our youths, especially those in the slums and ghettos of America.

As contrasted with other uses to which the money could be put, is Job Corps training justified on the present scale? I have come to the conclusion that it is not, and that the cost-benefit ratio just does not work out so as to justify the carrying on of the Job Corps to the extent to which it has been carried on.

I, too, am not very happy about an Executive decision to deal with this matter, but sometimes that is the only way in which it is likely to be dealt with. Therefore, I have sought to examine the merits and the end result of the Executive determination rather than the punctilio of whether it should or should not have been left to the Congress.

What primarily motivates me in looking at the question of the cost-benefit ratio is contained at page 225 of the hearing record, which outlines the training opportunities for youth which will be available in 1970 as compared with the training opportunities for youth which were available in fiscal 1969. It is found that there will be more training opportunities available in 1970, notwithstanding the contraction of the Job Corps, than there were in 1969. Also, and very importantly, it is found that the categories where there is a material increase in numbers are categories which urgently need to be encouraged.

One must consider the grave questions which have been raised about the Job Corps: the enormous dropout rate, the fact that at the end of the road only about one-fourth of the people are in the Job Corps and training and, therefore, in a position to really benefit from it, as well as other factors, including cost. One must compare that with the fact that in 1970 it is the JOBS program, which has now gotten rolling with the National Alliance of Businessmen and the Urban Coalition, which has the greatest advantage of bringing youths to jobs. This is the objective of the JOBS program, and not just charity for youths in Job Corps camps, which keeps them off the streets.

It is my view that in terms of the overall objective of training the maximum number of youths with the greatest likelihood of their getting jobs, we can do a better job under the reorganization proposed by the Secretary of Labor than we can do if we keep the Job Corps frozen where it is.

In addition, considering the expense of the Job Corps, I can see much more likelihood of expanding these other forms of job training which lead me directly to jobs, rather than continuing the Job Corps at its present level and using all the moneys for that purpose.

One can find considerable appeal in the tens, dozens, or perhaps hundreds of youths who, in terms of character building for their future, will profit exceedingly from the Job Corps atmosphere. However, we always have this terribly difficult task in Government. Laying that side by side with the other considerations which affect the overall manpower training program—as well as the partic-

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ular priorities which the United States should assign in terms of its taxpayers money—it seems to me that one must come to the conclusion that we are on a better platform. I am not satisfied with the aggregate numbers which have been produced by the Secretary of Labor for 1970, nor am I satisfied with the fact that we have not begun to deal with over 300,000 youths that will have to be dealt with in terms of summer employment in an appreciable way. I do not think we have begun to exploit apprenticeships or other means of preparing youths for jobs.

I say that we are on a better platform or plateau for the purpose of accomplishing those results by giving ourselves a little bit more amplitude if we free what is involved in carrying on the Job Corps at its present level than otherwise. That is the reason I have taken the position I have. Fundamentally we can demonstrate the proof of this by individual figures.

Now, Mr. President, in order to carry that out and to be sure that the administration will perform what it promises, I intend to offer as an amendment in the nature of a substitute to what has been offered by the distinguished Senator from California (Mr. CRANSTON), a sense of the Senate resolution which will lock in the administration to the assurances which it gave to the committee concerning the phasing out of the almost 17,000 slots in the Job Corps program and I ask unanimous consent that the text of that amendment, No. 20, be printed in the RECORD.

There being no objection, the amendment No. 20 was ordered to be printed in the RECORD, as follows:

> Strike out all after the resolving clause and insert in lieu thereof the following: "That it is the sense of the Senate that—
>
> "(1) any phasing out of Job Corps centers shall be carried out in a manner that will insure that equivalent educational, vocational, and related training opportunities are provided for each trainee who is enrolled in any such center and wishes to continue his training, and
>
> "(2) the aggregate of opportunities for job and related training available to disadvantaged youth under Federal manpower training programs shall in no event be less than that for fiscal year 1969."

Mr. JAVITS. Mr. President, this will do two things: It will insure that in the phasing out of Job Corps centers, the equivalent—I emphasized that word "equivalent"—educational, vocational, and related training opportunities are provided for each trainee who wishes to continue that training. I emphasize again that word "equivalent." The amendment provides further that the aggregate of opportunities for job and related training under the Federal manpower training program will in no event be less in fiscal 1970 than for fiscal 1969, according to the table which has been given us by Secretary of Labor Shultz. I ask unanimous consent that that table on page 225 of the hearing record be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Training opportunities for youth, USDL and Job Corps—fiscal year 1970

[In thousands]

Total youth	787.4
In-school youth	418.8
NYC in-school	109.3
NYC summer	309.3
Out-of-school youth	368.6
JOBS	60.5
MDTA institutional	49.2
MDTA OJT	29.4
JOPS	10.8
NYC out-of-school	75.9
Operation Mainstream	.2
CEP	78.0
WIN	13.5
Title V MDTA	4.1
Job Corps	47.0

Estimated number of out-of-school youth served in manpower programs in fiscal year 1969, by program

Total	362,900
JOBS	28.800
MDTA-institutional	58,600
MDTA–OJT	29,400
NYC-out-of-school	109,200
Operation Mainstream	200
CEP	53,900
WIN	12,800
Jobs Corps	70,000

Mr. JAVITS. Mr. President, that number will be increased by 5,000 or 6,000, rather than reduced.

Let me point out that I offer my substitute because I believe it only right under the circumstances. This is of deep concern not only to me but also to Members in States where centers are being closed, so that they have profound assurances on the record for their own constituents and for their own consciences that the Senate has expressed itself on the subject and ties the administration into precisely what it has promised to perform.

Mr. President, as I conclude, I emphasize that it shall be my aim to expand job opportunities as well as job training opportunities, that I take what will be done here—if it is successfully consummated—only as a basis for doing more rather than less in that regard; that I am not inhibited by the particular dispositions of the administration except where I think they are right, that I believe that by adopting the substitute which I shall offer in due course, Members will assure themselves that the promise will be performed and that giving assurance in their own communities that the fundamental objectives of manpower training and jobs will be even better served than they have been up to now.

Mr. President, one of the most crying needs in the whole field of the struggle against poverty and hunger, and the struggle to get on top of the welfare problem in this country, is to afford the greatest and the most flexible as well as the most intelligent handling of job training and job-getting opportunities. It is because I believe that this will be best promoted through the course which has now been started and is being put together that I have taken the position I have in the committee and on the floor of the Senate.

To those who would go along these lines, let me give them the deep and firm assurance—as a ranking member on the committee, in whose work I am constantly engaged, a job which I have succeeded in taking over from the distinguished Senator from Arizona (Mr. GOLDWATER)—that I shall be indefatigable in seeing that the opportunities for training, and the opportunities for jobs, are constantly widened. I am not a bit satisfied with the total figures now. I want to increase them. I am acting as I am because I believe that is the best path to attain that result.

Mr. GRAVEL. Mr. President, I wish to commend the distinguished junior Senator from California (Mr. CRANSTON) whose leadership has been shown in this area.

I have remained in the Chamber all afternoon and have listened to the colloquy which has taken place and to the statements on this issue. We have heard evidence from the advocates that the program is successful. We have also heard evidence from those opposed to the program that it is not a success. We have heard statements concerning new needs and a new course of action which must be adopted.

In a number of the statements we have talked about the problem, but no one has put his finger on the problem. The problem can be easily defined: We are talking about an appropriation of $280 million which is to be decreased by $100 million—that is, in excess of 30 percent.

Mr. President, we can talk about the semantics of the program, but I submit that a program that is that hard hit, in excess of 30 percent, has been gutted. That is exactly what has happened.

We can talk about what we hope will occur in the future with additional appropriations, but the effort that this Nation is putting forth on this most serious problem is being cut drastically, to the point of a crippling blow.

Mr. JAVITS. I know that the Senator would want all the facts to be before the Senate. I might say to him, and I ask the Senator whether he is not aware of the fact that the Secretary of Labor was asked precisely these questions in the sharpest way. It is only fair that his answer should be incorporated in the RECORD at the same time. It was the Secretary's response that a budget increase of more than $200 million in the JOBS program is being proposed. Under those circumstances, one may differ with the Senator. I have no quarrel with the administration. I present my view. He presents his view.

I have no quarrel with the administration on whether the Job Corps can or should be shut down or whether this is the optimum way to deal with this particular problem. But, I do not believe it can be done on the basis of niggling and short-changing.

It is a fact that what the administration is doing is moving in another direction in terms of jobs and job training. It is showing that by its approach to the JOBS program.

Mr. GRAVEL. I would only add, with the permission of the Senator from Arizona (Mr. Goldwater), on the question of the increased funding effected by the Secretary of Labor, whether it is a contemplated budget increase in the future.

Mr. JAVITS. He says as follows on page 228 of the hearings:

> I might say we are proposing an increase in the budget for the JOBS program from $200 million to $420 million.

Tomorrow I shall place in the Record the exact status of that request as compared with what they are doing about the Job Corps.

Mr. GRAVEL. I can only say to the distinguished Senator from New York that the day the administration comes down with a $100 million increase in this program, which I feel is so vital to the Nation, I shall welcome it on the floor and I will be glad to help them in that regard. But the only way it can be viewed now is that it is a cut in excess of 30 percent in what is a very vital program.

Mr. CRANSTON. Mr. President, first I want to express my thanks to those who have supported the resolution which I have introduced this afternoon.

I also want to thank the opponents who have spoken, specifically, the Senator from New York (Mr. Javits), the Senator from Vermont (Mr. Prouty), and the Senator from Wyoming (Mr. Hansen). I thank them for their approach and for the care and interest they have displayed. All of us agree upon one thing, and that is the great need to provide opportunities for young Americans who have not had the chance to develop, standing alone on their own two feet, whether through the Job Corps or through something like it.

Mr. President, I ask unanimous consent to have printed in the Record a statement commenting on the substitute which the Senator from New York (Mr. Javits), has announced his intention of offering.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Reasons for Opposing Substitute Amendment to Job Corps Resolution (S. Res. 194)

1. The proposition that every displaced enrolee should have another job training slot seems unexceptionable on its face. But it completely misses the central theme of S. Res. 194—Congressional prerogative.

2. The substitute misses the point that this decision was hastily conceived and implemented without adequate provision for thousands of young men and women both in the camps to be closed and already processed who have been shut off. Unfortunately, significant damage has already been done by the shut-down decision. Of the 16,300 youths in camps to be closed when the decision was announced, 2,200 have already been transferred and 2,200 have left, presumably for home—1,400 of whom have reportedly expressed interest, but not yet been placed, in other manpower programs. Many of these disheartened youngsters left before an opportunity for discussion with the Job Corps or State employment counsellors about transfers or positions in Labor Department manpower programs back home. It thus comes far too late now to offer them other training slots.

3. Moreover, this sort of job training guarantee is not really capable of realization. First, as to transfer within the Job Corps, the fact that the slot might be in an entirely different skill training and half-way across the country in a strange place with strange faces undoubtedly has discouraged, and will discourage many displaced enrollees from accepting such transfers. Labor Department statistics just released show that already 6,200 displaced enrollees with incomplete training have chosen not to stay on in the Job Corps. The Job Corps drop-out rate in closed centers is up about 75% since the announcement. Recent estimates of availability of matched training slots within the Job Corps show that about 66% of those in women's centers, 35% of those in conservation camps and 20% of those in men's centers who will wish to remain in the Job Corps will *not* receive a comparable skill training assignment.

4. As to the possibility of placement in Labor manpower programs, testimony before the Subcommittee failed to demonstrate that many of the manpower programs were designed for youngsters under eighteen or any who, as 80% or more of Job Corps enrollees, were functionally illiterate. Indeed, it is for exactly that reason that enrollees generally were not placed in such programs in the first place. Nevertheless, the Labor Department has blithely announced that it expected 62,100 slots in these not really comparable programs to open up in the next three months. It said nothing about comparability or these slots being available in the towns to which displaced enrollees will be returning. Finally, there seems to be considerable evidence that openings in these programs are not now available in many urban areas—in Baltimore and on the west coast, for example.

5. Nor would the substitute recognize the difficulties which will be created at ongoing Job Corps camps receiving transferred enrollees. Last year when about one-quarter of the number of centers were closed, unfortunate difficulties were created by the negative attitudes of many transferees. It seems undeniable now that, given the confusion surrounding the present shut down order and the far more extensive dispersion of transferees, ongoing centers will be significantly retarded in their attempts to serve those already enrolled there as well as those transferred in.

6. In sum, the substitute fails to express the question of principle that the way the decision was made—in haste and without appropriate consultation within the Executive branch or opportunity for Congress to review it meaningfully—was wrong. Those already stripped of hope by these actions are entitled to have the U.S. Senate stand on principle and not quietly acquiesce in the *fait accompli* with which it has been presented. That may, indeed, be little solace to the already displaced, disheartened ex-Corpsman now back to the street, but it at least tells him that we strongly object to the callous way he or she has been treated and are trying our best to remedy the situation in a realistic way for as many as possible.

Mr. HRUSKA. Mr. President, today we are considering a resolution expressing the sense of the Senate which would attempt to block the improvements in programs for training disadvantaged youths which were recommended by Secretary of Labor Shultz.

Mr. President, I want to make clear that I have due regard for the sincerity and the dedication of the management of the Job Training Corps; as well as those who have spoken out on their behalf.

However, ever since President Nixon announced his intention to close 59 of the 106 Job Corps centers around the Nation, there has been some activity in an attempt to justify their retention. Voices have been raised which confuse, rather than clarify issues. The motives of President Nixon and his Secretary of Labor have been questioned and the impact of the decision has been misjudged.

The issue presented is not whether we attempt to assist and train disadvantaged youth or not. The issue is how to train more youth, how to train them better, and how to do it at less cost per trainee to the taxpayers.

It is results which count, Mr. President, and not necessarily the tools used to accomplish these results. We should not become so addicted to, or sold on, a particular program that we are blind to the need for change to the point that we would resist reasonable attempts at improvement.

The purpose of the Job Corps is to train disadvantaged youths to become productive members of this society. Although the Job Corps concept was well motivated and well intentioned, I am afraid we must face a rather harsh fact that it simply has not worked well enough to justify its retention in its present form.

It must be made clear, contrary to the claims of some, the Secretary of Labor's action in closing Job Corps centers will not deprive enrollees of training. Secretary Shultz has pledged that every Job Corps enrollee in a center to be closed will have the opportunity to transfer to another center or to enroll in another manpower program.

Secretary Shultz, in his appearance before the House Committee on Education and Labor, established the following facts:

Reduction in the number of youths served in Job Corps centers during the course of the coming year will be more than offset by the increased enrollment in other manpower programs. Under President Nixon's budget for 1970 some 368,000 youths will receive training; this figure is 5,700 more than are receiving training during fiscal 1969.

Since more, rather than less, disadvantaged youths will receive training as a result of the Secretary's action, clearly the charge that this action will deprive disadvantaged youths of training is erroneous.

The real issue that we have before us is how can we best help our disadvantaged youth. The Secretary of Labor has studied this matter carefully and has determined that in view of the high cost per enrollee of the Job Corps as compared with other training programs, more young people can be trained if the more expensive Job Corps programs are curtailed. This is sound reasoning, and I support his decision.

In addition to the high cost of residential training, both the failure of recruitment efforts and the short training stays for the Job Corps centers raise doubts about the value of the program. In fiscal 1969, about $10 million was budgeted for recruitment and yet 28 percent of those young people accepted for the Job Corps never arrived at the training center. Those who did arrive had a very high dropout rate. Almost 40 percent of the enrollees dropped out in the first 90 days during 1968. The Secretary's analysis of

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the Job Corps' failures is fortified by the recently released report of the General Accounting Office. The study found:

> It is questionable whether the Job Corps training has resulted in a substantial economic benefit thus far for those youths who participated in the program.

It was further concluded:

> We have doubt, however, that, in light of our finding and the cost of this type of training, that resources now being applied to the Job Corps program can be fully justified.

Mr. President, I am convinced that the programs planned by the Labor Department to replace the Job Corps are sound and will produce the better results which we all desire.

My support of the Secretary's proposal was fortified by the very enlightening testimony on this subject before the House Education and Labor Task Force on Poverty on May 7.

The House committee heard testimony of officials of Northern Systems, a company which had operated a Job Corps center in Lincoln, Nebr., and is currently operating the Washington Job Opportunities in the business sector program.

Mr. President, the officials of this company felt that, based on actual experience with both residential and nonresidential training centers, the nonresidential JOBS program was superior, in most cases, to the residential training concept of the Job Corps. Mr. Grantham, vice president of Northern Systems, said:

> I would like to reemphasize the fact that with the exception of the residential component, the training program which is now functioning here at the Washington JOBS Center, is precisely the same training program which was functioning at the Lincoln Job Corps Center. So here we have an excellent example of the impact of the loss of a residential setting with respect to trainees and how it impacts upon their capability to be trained and to receive behavioral skills and to get and hold a job after they complete the training program.
>
> After operating this program for over a year, it is our expert judgment that with the exception of the relatively few cases (i.e., extremely difficult home situations, need for excessive remedial education, et cetera), the great majority of the young men which we were processing in our Lincoln Center on a residential basis can be handled just as well or even better in our Washington JOBS Center.

Mr. President, since I am concerned more with helping disadvantaged youths than I am with retaining established programs of some questionability I will cast my vote against Senate Resolution 194. I encourage my colleagues, who genuinely care about helping these young people, to join with me in rejecting this resolution which is designed to perpetuate the mistakes of the past at the expense of the disadvantaged youths of today and tomorrow.

Mr. President, I ask unanimous consent that the testimony of Mr. J. O. Grantham and Mr. Welcome Bryant before the House Task Force on Poverty be printed in the Record immediately following my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT OF J. O. GRANTHAM AND WELCOME BRYANT ON H.R. 513, EXTENSION OF ECONOMIC OPPORTUNITY ACT, WEDNESDAY, MAY 7, 1969, HOUSE OF REPRESENTATIVES, TASK FORCE ON POVERTY OF THE COMMITTEE ON EDUCATION AND LABOR, WASHINGTON, D.C.

The Task Force met at 9:10 a.m., pursuant to recess, in room 2175, Rayburn House Office Building, Hon. Garl D. Perkins (chairman of the committee) presiding.

Present: Representatives Perkins, Hawkins, Ford, Mink, Meeds, Stokes, Clay, Ayres, Quie, Bell, Erlenborn, Scherle, Dellenback, Steiger Collins and Landgrebe.

Chairman Perkins. The committee will come to order. A quorum is present.

Go ahead and call witnesses and introduce them Mr. Quie.

Mr. Quie. Thank you, Mr. Chairman.

This morning we have Mr. Grantham, of Northern Systems; and Welcome Bryant, who is the Director of the Washington JOBS Center; and Mr. Gerry Matson, also of Northern Systems.

Mr. Chairman, I am particularly interested in these witnesses because Northern Systems had the contract of the Lincoln Job Corps Center and Mr. Welcome Bryant was the Director of that center.

When that center was closed, they then put everything on a semi-trailer and moved it out to Washington to the Washington JOBS Center and have been training people there. I went out and visited the Washington JOBS Center and have been particularly interested in the story that they have to tell and the job they have done.

I think this will be extremely beneficial to us.

Chairman Perkins. I want to join with my colleague and welcome all of you gentlemen here. I have always felt that it was a great mistake to close down the Job Corps permanently. That has been my view, because we have no suitable facility to take the place. But I will be delighted to hear from you witnesses and join my distinguished colleague in welcoming you here.

STATEMENT OF J. O. GRANTHAM, VICE PRESIDENT, NORTHERN SYSTEMS, ACCOMPANIED BY WELCOME BRYANT, DIRECTOR, WASHINGTON JOBS CENTER; AND GERRY MATSON, DIRECTOR OF ADMINISTRATION, NORTHERN SYSTEMS CO.

Mr. Grantham. Mr. Chairman, Congressman Quie and members of the committee:

We are very pleased to be here today to discuss with you our efforts in the training of the hard-core unemployed and the experience we have gained from the deep involvement in manpower training on a national basis for the past three years.

Representing Northern Systems Company today along with myself are Mr. Welcome Bryant, currently the Director of the Washington JOBS Center; and Mr. Gerry Matson, Director of Administration for Northern Systems Company. The three of us would be pleased to answer any questions or provide any additional information this committee may desire upon the conclusion of my statement.

Northern Systems Company is a wholly-owned subsidiary of Northern Natural Gas Company, a major natural gas transmission and distribution company, whose corporate offices are located in Omaha, Nebraska.

Northern Systems Company was originally founded in 1966. Since its origin it has expanded its activities to include many national manpower training programs, having operated a major urban Job Corps center in Lincoln, Nebraska—three MA-1 (prevocational training and placement of hard-core unemployed) programs in Houston, Detroit and Los Angeles—a training and job development center for 1,400 hard-core unemployed in Washington, D.C., a pre-vocational training center for the Human Resources Development Corporation in St. Louis, and a large number of subcontracts with private firms engaged in the JOBS program sponsored by the National Alliance of Businessmen.

Mr. Chairman and members of this committee, in view of the fact that we did operate an urban Job Corps center and then close it down only to reconstitute it in an urban setting here in Washington, D.C. over a year ago, we believe that we can best serve our appearance here today by providing information relative to this. What we have done is, in fact, what the Secretary of Labor is proposing to do with the cutting back of Job Corps and providing alternate training in an urban setting. I would like at this time to address myself to the basic differences between our Job Corps operation and the operation of our JOBS Center here in Washington, D.C.

Chairman Perkins. That is the reason I am very interested in hearing that explanation. Go ahead.

Mr. Grantham. The training program at our Washington JOBS Center is designed to take young men and women who are residents of the ghetto and give them the necessary skill and behavioral capabilities to get and hold a job in society. This is also the general objective of the Job Corps.

The training program at our Washington JOBS Center is designed to place on 1,400 jobs the necessary individuals to occupy these slots for one year. On a trainee basis this figure is comparable to our urban center in Lincoln, which called for a capacity of 1,150 trainees.

I would like to reemphasize the fact that with the exception of the residential component, the training program which is now functioning here at the Washington JOBS Center, is precisely the same training program which was functioning at the Lincoln Job Corps Center. So here we have an excellent example of the impact of the loss of a residential setting with respect to trainees and how it impacts upon their capability to be trained and to receive behavioral skills and to get and hold a job after they complete the training program.

After operating this program for over a year, it is our expert judgment that with the exception of the relatively few cases (i.e., extremely difficult home situations, need for excessive remedial education, et cetera), the great majority of the young men which we were processing in our Lincoln Center on a residential basis can be handled just as well or even better in our Washington JOBS Center.

Chairman Perkins. You mean let them stay there in the daytime and take the training, but not stay there during the week? They don't have a bed in your center?

Mr. Grantham. That is correct. They come at eight o'clock in the morning and leave at five in the afternoon and go back home in the evening.

Chairman Perkins. Go ahead.

Mr. Grantham. For example:

1. The initial trauma of homesickness and adjustment to a strange area is, of course, eliminated in the recruiting and orientation phase of our Washington program. Here the young men come in from their home areas, spend eight hours at the center, and then return to their homes in the evening.

2. Training which these young men receive moves along at a pace equal to or better than the training pace at our center in Lincoln. For example, the average length of stay of a young man at our Lincoln center was 5.5 months, while the average length of stay of a young man at our Washington JOBS Center is three months.

3. The motivation displayed by these young men in our urban center in Lincoln in contrast to the Washington JOBS Center is about equal. The spirit which can be built up in an urban Job Corps center which leads to heavy identification and, incidentally, somewhat of a reluctant feeling to leave the center and go back into the real world, is offset here in

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Washington by the fact that the trainees know from the day they enter training, that they will indeed have a job waiting for them when they leave the program.

This fact of having a job in the home area from which they come, and with a firm which is already known to them, is to the trainee a very high motivational factor. This point is further emphasized by the fact that at our urban Job Corps center in Lincoln the dropout rate was 44 percent. Here in Washington the dropout rate is 27 percent.

4. Now as to the quality of the Corpsmen in contrast to the trainees in our JOBS Center here in Washington. We can categorize that the type of trainee-handled in our Washington JOBS Center is much tougher than the Corpsmen which we receved in our urban Job Corps center in Lincoln. In fact, the rules and regulations of Job Corps were tough enough such that many of the young men who have prison records and are on parole and who are doing well in our Washington JOBS Center could not even get into an urban Jobs Corps center.

5. But probably the most important point, which in the final analysis is the objective of all manpower programs in the nation pertains to getting a job and holding it. In the end it is the job and how long the man stays on it which is the final test of the success of the program.

We can say that, based on our experience, it is much easier and more effective to obtain jobs, and to keep young men employed at a center like our Washington JOBS Center rather than one like the Urban Job Corps center in Lincoln.

From a programmatic standpoint, the ability of the staff to work with employers in the area, to place the young men on key jobs and watch how they perform for six to eight months makes all the difference in the world in keeping the men in the job market rather than having them become disillusioned and return to the life pattern they had displayed prior to coming into training.

Here in our Washington JOBS centers when a young man or woman goes on a job, the job coach goes along the first day, checks on the trainee at the end of the second day, and the third day again and then once a week for six weeks. If at any time, during this period, the trainee gets into trouble, has a question or for one reason or another leaves the job, the job coach follows him, finds out what the difficulty was, works with the trainee, provides another job, and sees to it that he or she is, indeed, stable in the job market.

Now, ladies and gentlemen, this is extremely important as it takes more than the training and the assimilation of job experience, as important as they are, to make a lasting difference. A trainee has to get into the job market and stay there for a while in order to find out what the world of work is all about. This followup procedure, which we have at the Washington JOBS Center, is in our judgment the key to effective manpower programs. If you do not work with the trainees when they first go into the job market and help them get through the shakedown period associated with the job, then you may lose all that you were working for.

So, ladies and gentlemen, we can say, based on experience, that improvements can be made in the manpower programs in this country and they can be made in the direction which is being recommended by this Administration. Our experience here in Washington attests to this.

I wish to thank the distinguished Chairman and members of this committee for your attentiveness and would like to offer a personal invitation to each committee member to visit our training center here in Washington.

Thank you.

Chairman PERKINS. How long have you had the Job Corps skill center established here in Washington?

Mr. GRANTHAM. We have finished approximately one year of operation now, Mr. Chairman.

Chairman PERKINS. This is an aftermath of the Job Corps center that you used to operate for the Government?

Mr. GRANTHAM. That is correct. The training system, many of the staff, which were located and involved in our Lincoln Job Corps Center were brought here.

Chairman PERKINS. And after you had put together that know-how, you transferred it over to the private skill center that you now operate?

Mr. GRANTHAM. That is correct.

Chairman PERKINS. You are operating here in the District of Columbia?

Mr. GRANTHAM. That is correct.

Chairman PERKINS. What is the average cost per enrollee that you enroll in the vicinity here of the District of Columbia?

Mr. GRANTHAM. The average cost in this initial year of operation is a little under $4,000 per man-year.

Chairman PERKINS. But that does not include any remedial education, does it?

Mr. GRANTHAM. Yes, sir. We give remedial work to the young men and women at the center to the extent they need it to go on the job and be successful on the job.

Chairman PERKINS. What percent of your enrollees up to the present time are high school graduates?

Mr. GRANTHAM. I would like to have Mr. Bryant answer that.

Mr. BRYANT. I would say less than 15 percent are high school graduates. Most of the young men and women that we have in the program are dropouts and some of them are young men who have, and women, who have been in Job Corps over the country. But from the standpoint of educational qualifications, we have a similar situation here as we had in Lincoln in terms of the educational level of the people involved.

Chairman PERKINS. What problems have you had in connection with recruitment?

Mr. GRANTHAM. Mr. Chairman, this is a very interesting question and one that I believe Mr. Bryant can answer very effectively because it points to one of the advantages of our being here in an urban area.

Mr. BRYANT. I think the advantage that we have had here in the recruitment standpoint that we didn't have when I ran the Lincoln Job Corps Center is the fact that we work with the agencies within the city and in Washington, for example, we work with the concentrating employment group.

We get help through the United Planning Organization and the USES, the U.S. Employment Service, provides recruits for us. We also get recruits from the ministers. We have a group of ministers in town who have patience and they also send trainees in to us.

Chairman PERKINS. That is the way that recruitment has taken place in the Job Corps. You have adopted about the same method of recruitment that is presently going on in the Job Corps?

Mr. GRANTHAM. Yes, to an extent. The only difference is that the recruitment program here, where we use the agencies right in town, we are very close to our source. We have the opportunity, for example, if we need additional recruits to get on the phone and call to the agencies right here in the city to increase the number that we need. In other words, we have a more flexible position here than we did in the Job Corps center, because we are dealing directly with our resource here within the same locale. Whereas, in the Lincoln area, for example, my first point of contact was Kansas City for the flow and then we got it from all over the country.

Chairman PERKINS. Let me ask you this question: You do not provide any medical care at your center, do you?

Mr. GRANTHAM. The medical care is provided. There is an initial medical examination. However, we do work with the agencies in town where we find that there is a medical problem and we do refer them to other agencies in town.

Chairman PERKINS. Who pays those bills?

Mr. GRANTHAM. They are paid by the groups that we are referred to. If we refer a man to the Howard University Clinic, then they are paid by the clinic. If we are referred to the Dental Clinic or the Health Department in Washington, these costs are paid by the existing agencies that provide this type of services.

Chairman PERKINS. By existing agencies that provide this type of service?

Mr. GRANTHAM. Yes.

Chairman PERKINS. Has your center been filled to capacity ever since you have opened it?

Mr. GRANTHAM. No. It hasn't been filled to capacity ever since it opened, because as with Job Corps, you have to phase up to work toward your peak. But now we are filled to over-capacity.

Chairman PERKINS. How many of these enrollees do you fill? How would you take care of any of these enrollees from these other places since they must have a residential center that has a bed?

Mr. GRANTHAM. Mr. Chairman, with respect to that, those that would need a residential area, the particular site out there does have a residential capability and we can, of course, have a number of beds totaling around 400 if this was needed.

Chairman PERKINS. Say you could take 400 of these youngsters that are going to be taken from a camp that is being closed. How much additional money would it take, in addition to the $4,000, to give them a bed and board and so forth and so on, medical and dental care and any other rehabilitation services necessary?

Mr. GRANTHAM. Mr. Chairman, of course that particular question we have not researched. We can only say that our on-going operation here, our on-going costs are going to be reduced considerably because of our experience and the effectiveness and the efficiency of the program will be increasing.

Chairman PERKINS. That is the point. How do you know that you are going to have a more efficient operation? You tell me. You have not researched the cost in addition to the $4,000 that it will take to give a boy a bed, his food, clothing, and medical, and dental care and all other rehabilitative services that youngster should have?

Mr. GRANTHAM. Only this, sir: I was referring to the fact that with respect to our present program as presently constituted, it would be dropping to around $3300 for our on-going operation, a decrease of around $700.

Chairman PERKINS. But that doesn't include——

Mr. GRANTHAM. That doesn't include what might be incurred as an additional cost associated with a residential operation. That we would be very happy to insert into the record if it would be your wish.

Chairman PERKINS. You don't know how long it would take you, though, to do that type of research, do you, to give us a figure that would be accurate?

Mr. GRANTHAM. One day, two days, sir. We have our old data from our Lincoln Job Corps Center that we can translate.

Chairman PERKINS. Would you say it would be double the $4,000?

Mr. GRANTHAM. No, not at all.

Mr. BRYANT. In terms of the $4,000, I think it might be well to note that within this $4,000, the trainees involved in this particular program get $1.60 an hour while they are in training or about $64 a week, which is much in excess of what the young men received in Job Corps.

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Within this $4,000, we are talking about better than $200 a month in trainee wages to provide some of the subsistence that they need. So thinking about the amount of money that we give them for this, you see we would be able to provide a residential program and clothing at a figure less than the cost to do it in the Lincoln Job Corps Center.

Chairman PERKINS. I want to compliment you on opening up the center. But still this does not, in my judgment, take care of the situation that we have in the country. We need all of these so-called skill centers in these metropolitan areas that you can recruit and so forth, and place them in jobs.

We have a shortage of those facilities. I am delighted that you took the know-how that you acquired in connection with the operation of the Job Corps center and took that personnel that was skilled in the area, and opened up a private center. I think it is good.

But, at the same time, the boy from the rural area, the rural areas that I represent—this skill center is not a substitute for the Job Corps, because this boy has got to have a bed. He has got to have food and clothing. He has got to have all types of medical and dental facilities. He has got to have training and remedial education and all of these things and comprehensive in nature.

Since you are not able to give us a figure as to how much all of this would cost in addition to the $4,000 that it presently costs to do the training of a boy that doesn't stay there, who only stays there during the day and takes some training, I don't think it is a comparable situation at the present time.

We need skill centers like you are operating. I want to compliment you on that. I think you are doing a great job. But at the same time, I am worried about these boys that have no place to go, who are going to be turned out of the Job Corps.

Don't you think it would be a much smoother operation if we let these skill centers like your own get into operation and develop into a residential center where you can keep them there during the week and look over them 24 hours a day and set up your technique in giving them medical and dental care and rehabilitative services? And to expand along that line, don't you think then that you would be in a better position to tell us whether this center is actually a substitute for the Job Corps and don't you think it would be wiser for us to not phase out the Job Corps and not disband on the Job Corps until we have these skill centers that I have described in actual operation in the country?

Mr. GRANTHAM. Mr. Chairman, the point we would make in answer to your question is only that we have found based on our experience here in contrast to our experience in running an urban Job Corps center that much of the work that you talk about isn't needed for a large number of the potential trainees coming out of the innercity.

I am not arguing on the other side that there isn't a place for a residential component. There definitely is. It should, indeed, have its on-going place in our manpower programs in this country. But a far greater number of the young men from our innercity can benefit and can get the necessary tools, if you will, and the necessary support, if you will, to move back into the innercity and to hold jobs and to improve the economy and the whole environment from which they come by getting what we call nonresidential training close at hand.

Chairman PERKINS. I want to compliment you for making that statement. I agree that there is a place for both. You and I both know there is a great shortage of training facilities in the country today. You are not going to have any problem about keeping that center filled.

But the inner-city people are a little bit more fortunate of the unfortunate group, which you are going to serve. I think you will agree with that, won't you?

Mr. GRANTHAM. It is about a break-even point, sir. The young men that are referred to our center here, for example, over 60 percent of them have been on parole or on probation. They are from a very tough area.

Chairman PERKINS. Thank you very much. Mr. Quie?

Mr. QUIE. Mr. Chairman, when you were asking the question of closing of some of the Job Corps centers and some of these individuals who do not want to be transferred or cannot be transferred to another Job Corps center, but have been assured by the Department of Labor that either there will be a job waiting for them or some other training program; let's assume that there are some Washington Job Corps enrollees in some of the camps or centers that are going to be closed.

Do you feel that they would need necessarily a residential component, if they are in effect residents of the City of Washington and, therefore, would fit in with the enrollees who are in your program similar to the ones who previously were in Job Corps, who are now also training under your program?

Mr. GRANTHAM. Sir, we have had over 100 Job Corps trainees come into our program at our Washington JOBS Center already and most of them do not need a residential setting in order to be able to get the necessary training and the necessary behavioral work to get and hold a job.

Basically they come with some training. The real thing they need is to quickly get a job and to be followed on that job as we do in our job followup program that we described in our testimony.

Mr. QUIE. Let me ask, Mr. Bryant, when you were Director of the Job Corps center in Lincoln, how many, do you think, needed the residential component in order to benefit from the training program? How many do you think could have gotten along without a residential component if a training program was available to them similar to what you have here in Washington?

Mr. BRYANT. At the Lincoln Job Corps, I felt that 85 percent of the young men who were in the residential program with support could have operated very well in a nonresidential program. I have several concerns: (1) Many of the young men that I worked with there liked the support in their home area. After working with them for 15 months, the way I did, I found out that it would be just as important to provide success images for them and for their other friends in the communities that they came from. So I felt that 85 percent of the young men that I had in the Lincoln Job Corps Center with support could have operated very well in a nonresidential setting, provided they were provided other types of support that they needed.

There were more than 15 percent of them which came from homes so severe that they had to have a residential setting in order to make them a part of the economic or job market.

Mr. QUIE. How about the acceptance of the community here in Washington? You first had to go out to businesses and find jobs, because I notice from your testimony that you assured the young men of a job before they started their training. Have you seen a change in the attitude of the business community from when you went out to explain to them a program that hadn't started yet and a program now that has been operating just about a year?

Mr. BRYANT. I think we have seen a change, and I think this is another plus to this type of program, because with Job Corps they had support when they were sent back into the area to be placed. But in this particular setting we are giving them an opportunity to work with the businessman, to give them a chance to see the activities that are going on at the center and two relate to the training while he is on the job and relate to the businessman.

So I think the thing that happens here we have been able to tie the trainee to his community economically and we have opened new inroads for him in the business community, because businessmen, after the boys have had training and have gone to work for them, they begin to really understand what you mean when you talk about hard-core.

There was not a real understanding of what you meant when you talked about hard-core men and women. There was some reluctance on their part to really get involved. But with the program the way we have it now, where we invite the businessmen out to see the program, where we have employer advisers out to talk to the employers about "What problems do you find with our trainees how can we better support them?"

This has tended to tie the business community to an on-going program, therefore giving better support to the young men out in the field working.

Mr. QUIE. In the Lincoln Center, you train in certain skills, undoubtedly, and there are certain skills that you train in here. Are they the same? For instance, your training in culinary arts, auto mechanics and the building and construction trades, were they the same in Lincoln as they are here?

Mr. BRYANT. We ran the same line in Lincoln as we run here except another thing has happened here. Because we are working with the business community, we have been able to respond to specific needs. For example, a group of businessmen were interested in carpet laying. They came out and said, "we need young men to lay carpets." We were able to put in a program responding to their particular need on carpeting.

Other than that, we have hardwood flooring that we didn't have at Lincoln. These are programs we put in in response to the business community. We do have a clerical line here for the young ladies that we didn't have in Lincoln.

We didn't have a coeducational program in Lincoln.

Mr. QUIE. When the business community wanted the carpet laying program, which is different than you had in Lincoln, have you graduated some from it so you could compare the ability of your graduates with the people who are on the job?

Mr. BRYANT. We have had graduates. We have a very interesting thing happen.

The Carpet Laying Association came out and asked us to institute the particular program. We got a call from the association three weeks ago, saying they would like for their journeymen to come out at night and go through a brushup course.

I think the thing that happened when they asked us to create this course for them and told us what it took to bring this program together, and we were able to give them the program, they found out that some of the techniques that we developed would have some benefit for the journeymen.

So not only have they been pleased with the trainees, but they have also asked us to provide some support for the journeymen in this particular area.

Mr. QUIE. In other words, they wanted the journeyman to be able to lay carpet as well as your graduates were able to lay carpet when they went on the job.

Mr. BRYANT. We really don't want to brag that much. I think we developed some techniques that would be of some value to the journeymen.

Mr. QUIE. You also stressed the follow-through, Mr. Grantham, when they were placed on the job. What kind of follow-through did you have with your enrollees as they went to all parts of the country to go back home again out of Lincoln?

Mr. Grantham. Very, very little. It was very difficult. We had a job development section in our Lincoln Job Corps Center, but since most of the graduates were scattering all over the country, it was practically impossible and about the only way we could communicate was by mail.

Mr. Quie. By mail?

Mr. Grantham. By mail or by telephone.

Mr. Quie. That is some followthrough.

Mr. Bryant. Might I say, Congressman Quie, another problem you have, if you understand the problems of the ghetto when you are not working with it, and we have seen it here, it is not very difficult to lose young men when they go back to their homes 300 to 500 miles away from you. Because this is a very fluid population.

A great deal of fluidity takes place within this population. They are hard to find. I know in the school system, I would have a young man or woman move five or six times during the school year. We would try to correspond by letter and work with the employment agencies in the area to get whatever information we could about what was happening to them.

Mr. Quie. How many young men have gone through your training program?

Mr. Bryant. In a year we have about 2300 who have gone through the training program. We have about 457 in the program today.

Mr. Quie. How many did you have at your Lincoln Center?

Mr. Bryant. The peak capacity there was 1150 when we were operating at full.

Mr. Quie. In other words, a skill center such as you are running here can be comparable in size or in handling numbers of trainees as an urban center.

Mr. Bryant. In terms of production, yes.

Mr. Grantham. Even larger.

Mr. Quie. Even more so?

Mr. Grantham. Yes.

Mr. Quie. You indicated that their average length of stay at Lincoln was 5.5 months and here the average length of stay is three months. What about their training skills or ability to handle the job when they left between the two?

Mr. Grantham. The training program that we have here, Congressman, is an innovative program that works very, very well with this population. They learn a skill and they learn it fast. Not only do they learn the skill, but they also learn the behavioral control requirements as well as tolerance to stress.

So when they come out of our training program, they do indeed go on a job that is a bona fide job that they have been specifically trained for and have checked out according to industry standard before they go on that job.

Mr. Quie. What about the speed of setting up your center here? You closed the Lincoln Center and you set up here. How easy is this or what problems did you have or what kind of length of time are we talking about. What kind of costs do we have in that?

Mr. Grantham. We must smile a little bit because a week after we signed our contract, the civil disturbances broke out here in D.C. and there was a need manifested by the Mayor for an early startup. So within two weeks we had an office operating out of the Training Center at Bladensburg Road.

Within six weeks we were taking trainees into the program. We brought the training materials and training equipment from Lincoln here and reconstituted them in our program here. We brought them out on advance and in a very, very small amount of time, actually, we were operational out here.

The cost associated with that was minimal, because we were using practically all the equipment and materials and 80 members of the staff for that matter.

Mr. Quie. You moved the equipment out here and were able to find a location to set it up in the buildings there?

Mr. Grantham. That is correct, with a minimal amount of rehabilitation.

Mr. Bryant. If you would like dates, for example, we got the notice that the closing date was the 15th of March. By the sixth of April we had started our lineup, by the sixth of May we were taking people in already. That is moving it across the country, finding a site, and the whole work from the time of the March 15th when were going to close.

So actually in terms of moving it across the country and setting it up, we were able to do it quite quickly.

Mr. Quie. You mention in your testimony also you don't have the problem of homesickness and adjustment in the area here in Washington, because they are living in the surroundings that they did in Lincoln.

There is a huge dropout in the Job Corps. It keeps coming back to us that there are special behaviorial problems. Have you any comparison also, Mr. Bryant, in handling the enrollees and handling behavioral problems there in Lincoln as compared to here in Washington?

Mr. Bryant. In terms of the behavioral problems, again we must go back to the training system that we use. It is a total training system where we have behavioral experiences worked into it. We have a minimum amount of behavioral problems in Lincoln, but we have the perennial problems of homesickness, the young men coming from rural areas, young men really away from home for the first time in strange settings.

So we had a great deal of homesickness, of trying to get adjusted to one environment, knowing that they come from another type of environment. So we had these peculiar problems. However, in the Washington Center we don't have these problems because the thing that we do is to give them the type of techniques necessary to survive in the environment that they come from.

So we are working on a different basis. We are taking them from their local locale. We are giving them experiences to use in this locale, not only from the standpoint of living in the environment of the home, but in the work environment. So we don't have the same problem here that we had there.

Mr. Grantham. It is much easier to deal with the behavioral problems in a nonresidential setting than it is in a residential setting.

Mr. Quie. When I was out there at the center, I thought it was a unique program that I hadn't been before in the method in which you trained. I wish you would tell us so we could have it on the record the system of monitors that you use in the training program, the training stations and the monitors which you didn't explain fully in your testimony.

Mr. Grantham. This particular program is, indeed, an innovative program and a departure from traditional methods of training and education. I guess we would liken it most closely to the concept of a Link trainer which is used to train pilots for the aviation industry, because what we do is create a Link trainer, if you will, for responsible living through the systems approach and through simulation methods we actually created ahead of time all the experiences or a majority of them that the young man or woman will receive on a job, so that they can get prior experience and how to deal with this in addition to the skills that they need in order to handle their jobs.

This requires a very careful amount of design. In fact, it requires the same intensity of design that you would in designing a missile component, but the results are worth it.

This particular method where we take the young men in and where they move through training stations, where they physically move every day, where they get the backup information which they need for the training assignment in the afternoon, in the morning, where all the information is relevant and will be immediately used, all of this is designed into this program and it has a very dramatic effect upon their motivation and their willingness to stay in the program and to stay on the job.

And the monitoring process is very unique, wherein the young men once they pass a certain checkout station so that they have attained a certain skill capability themselves, are then fed back into the program as monitors or teachers, if you will, and they teach their own peers.

This has a very fine motivating effect in that they, in addition to getting the enjoyment of teaching, get reinforced as to what they have learned. As we all know, we learn best that which we teach.

This also has an impact of reducing the requirement for our own instructional staff and reduces the cost of instruction as the trainees themselves teach themselves.

Mr. Quie. We have heard a great deal on academic subjects, people saying that they really didn't know the subject until they taught it. I haven't heard of this or seen it before in teaching vocational or occupational skills. So as far as you know is this a unique and different program or are there some things like it?

Mr. Grantham. Many of the components which we used were first used in the military, but configured in a social setting this is the only one that we know of in the country.

Mr. Quie. The last question I would ask you, Mr. Bryant, is do you recall from the Lincoln Center how many came from rural areas and how many from urban areas? This goes back to the Chairman's question again.

Mr. Bryant. In the Lincoln Center, we had them from about 43 states, Congressman Quie. The larger number were from the urban areas, the exact percentage I don't have. But the larger numbers which we had were from the urban areas. We got our largest inputs from St. Louis, Kansas City and the larger areas.

Our rural boys came from around Iowa, Missouri and this type of area. Then we have a very large influx of young men from the South, Alabama, like Florida, which was the second largest group we got in Nebraska. But they were from the ghettos by and large, but the preponderance of them were from the ghettos of the larger cities North and South and we got some from the West Coast.

Mr. Quie. I recall the figure from all of the Job Corps centers, 25 percent coming from rural areas. You have 75 percent from urban areas. This was a total of all the picture. I was wondering how it was in Lincoln.

Mr. Bryant. This was pretty close.

Chairman Perkins. Mr. Steiger?

Mr. Steiger. I wonder whether you have available or can you recall the cost for the transfer from Lincoln to Washington?

When you closed the Job Corps center as it existed in Lincoln and opened this center.

Mr. Grantham. Practically all of the materials and equipment that existed at our Lincoln Job Corps Center were either used by us in our transfer to Washington, D.C. or transferred to other Job Corps centers. The exact cost of this I have no way of finding out or knowing. But it cost us approximately $36,000 to move our equipment from Lincoln to Washington, D.C., but that is the only precise number I have.

Mr. Steiger. You have had extensive experience in the manpower field. I wonder if you want to comment on the role of private enterprise and whether or not there is, in fact, a place for a profit-making organization in what is essentially a social field?

Mr. Grantham. Congressman, we have thought about that question extensively, because we are indeed in a cutting-edge type of operation where very few private firms are operating. It is not an easy area to succeed in and to make a contribution in. However, we have seen this: That the peculiar capabilities of private industry, that of being able to innovate, willing to use their own investment, willing to put in their management expertise and their control mechanisms to reduce cost and the very real item of competition has a very key role to play, it seems to us, in our social programs to date.

I can recall the very impact of competition and what it means in terms of reducing costs. I referred earlier to our participation in the National Alliance of Businessmen Program.

And I can't help but recall the fact that as we were initially quoting prices to the firms that would buy our business or would buy our expertise, we were quoting in the neighborhood of, say, $2,000 per project. We were finding our competitors were quoting $1,800.

We said, "Well, this is no good. We have got to find out why." Well, the conclusion of all that is that now through competition we were quoting down around $1,000 for the same kind of work brought about primarily through the aggressive competition of private firms wanting to get business in this area.

So in our judgment there is a great role for private industry in this field. The only thing is that, in return for the service rendered for the effectiveness of our programs, there must be a reasonable return in order for us to justify our existence in this.

We look forward to a greater and more comprehensive role for ourselves, because we do indeed feel that in terms of being able to innovate, in terms of being able to compete, there is no comparison or there is no substitution for private industry.

Mr. Steiger. Perhaps Mr. Quie asked this question and I regret that I was not here for your initial statement, though I did have a chance to review it and really know the fantastic work you are doing.

Have you got any kind of information that relates to the wages of those who have been enrolled in your program after they have gone through it when they go into other jobs?

Mr. Grantham. Our data indicates that the average wage of the men who have graduated from our program and women is over $2.25 an hour. Considering the $1.60 an hour minimum, that gives you some idea of the impact of the training and the effective placement of our program.

Mr. Steiger. Most of your enrollees come from this area?

Mr. Grantham. All of them do come from this area.

Mr. Steiger. The placement takes——

Mr. Grantham. Takes place right in the industrial firms here in the greater metropolitan area of Washington, D.C.

Mr. Steiger. Thank you.

Thank you, Mr. Chairman.

Chairman Perkins. How long did you operate the Lincoln Center?

Mr. Grantham. Approximately a year and a half, sir, before it was closed down.

Chairman Perkins. You were closed out by the Government, I presume, when the cutback came?

Mr. Grantham. Our Lincoln Center was selected as one of the four to be closed, that is correct.

Chairman Perkins. That was selected and you were cut back in, when, in '67?

Mr. Grantham. In March of '68, sir.

Chairman Perkins. You came down here and set up immediately almost?

Mr. Grantham. That is correct.

Chairman Perkins. Did you enter into a contract with the District of Columbia about the facilities that you were going to use, the building?

Mr. Grantham. The facilities we used were furnished by the General Services Administration through the Department of Labor.

Chairman Perkins. Through the Department of Labor?

Mr. Grantham. Yes.

Chairman Perkins. What kind of contract do you have with the Department of Labor?

Mr. Grantham. The arrangement that we have here in Washington, D.C. is this way: We were working with the Washington, D.C. Board of Trade, which is the major spokesman for business and industry here in the city. They have the prime contract with the Labor Department.

Chairman Perkins. Who has the prime contract?

Mr. Grantham. The Washington, D.C. Board of Trade has the prime contract.

Chairman Perkins. Do you subcontract with the Washington, D.C. Board of Trade?

Mr. Grantham. That is correct.

Chairman Perkins. What kind of rent do you have to pay on these facilities?

Mr. Grantham. We don't pay any rent.

Chairman Perkins. The building you are in, who owns it?

Mr. Grantham. The General Services Administration.

Chairman Perkins. But they let you have that free of rent?

Mr. Grantham. That is correct.

Chairman Perkins. You have no maintenance upkeep other than just the ordinary maintenance?

Mr. Grantham We have the utilities and the normal maintenance associated with occupying the facilities.

Chairman Perkins. Utilities and normal maintenance, but a renovation job such as painting or things of that type you do not have to do that, do you?

Mr. Grantham. Yes, we had to do all the renovation, all the adaption of the facilities for our own training. This we had to do at our own cost.

Chairman Perkins. But you don't pay rent?

Mr. Grantham. That is correct, nor did we pay rent at our Lincoln Job Corps Center.

Chairman Perkins. The capacity of this center presently is what?

Mr. Grantham. Our present contract calls for 1400 jobs within a year. At one time we were taking up to over 100 trainees per week and the capacity of the center is that and more.

Chairman Perkins. So your center is filled presently?

Mr. Grantham. No, sir; it is not. It is beginning to phase out, because the training portion of our present contract is coming to a close and we are actually taking in fewer now than we are capable of taking in.

Chairman Perkins. Do you know whether you are going to get a renewed contract?

Mr. Grantham. We are aggressively pursuing that, sir.

Chairman Perkins. Will it be with the Washington Board of Trade or with the Department of Labor?

Mr. Grantham. Both of these organizations will be involved in the on-going contract.

Chairman Perkins. Thank you very much.

Are there any further questions? I want to compliment all of you gentlemen for your appearance here today. You have been helpful to the committee.

SAFEGUARD ANTI-BALLISTIC-MISSILE SYSTEM

Mr. GOLDWATER. Mr. President, today it is my intention to speak at some length and in some detail in support of the Nixon administration's request for authority to proceed with the development of the Safeguard anti-ballistic-missile system for the United States.

I will address myself again—and maybe again and again—on this subject. I am concerned in this matter because I do not believe that the ABM dispute has been explained fully enough nor often enough nor properly to the American people—and they, after all, are the persons most concerned.

It is my considered opinion that we are here debating the most important question to come before this Congress in many years. I say this because, despite its many technical aspects and its possible non-workability, we are speaking here about an ultimate system to protect this Nation's deterrent capabilities and to defend 200 million American lives against the possibility of an enemy nuclear attack.

Being no scientific expert, I cannot—nor will I try to—assure this body that I believe the safeguard system is the final answer to the possibility of an enemy attack nor even that I am convinced the safeguard system is the most effective ABM device we could proceed with at this time. It may well be that safeguard will not be the system ultimately deployed.

But we are not here talking about alternatives. The critics of safeguard offer no substitutes in the form of defensive hardware. They would like us to reject safeguard and rely on Soviet intentions. No, Mr. President, let us make no mistake about this.

What this debate boils down to is whether this country is to have even a rudimentary counterpart to the elaborate, three-stage, Soviet defense system known as Galosh. The debate is over whether we have something to match against Soviet defenses or nothing at all. And let us make it very clear we are not here talking about an offensive weapon system.

Mr. President, mention has been made in this debate, and I believe it was by the distinguished senior Senator from Arizona, my friend and colleague, Paul Fannin, of a "nuclear Pearl Harbor." The contention has been that, unless we proceed with the Safeguard or some other comparable system, we run the risk of sustaining a disasterous sneak attack. I do not believe it is alarming or emotional to suggest that if we make no pretense to erect a missile defense in this country we must bear in mind the unhappy occurrences on December 7, 1941. It could happen again unless we are vigilant and prepared.

As I see it, this debate has a symbolic nature as well as a pragmatic side. I begin to sense that the ABM controversy arises at a time when we are actually at a crossroads in this Nation's approach to the entire subject of national security and worldwide commitments in the name of freedom.

In effect, our choice is either to move ahead and keep abreast of the times, or harken back to that period in the twenties and thirties when isolationism, disarmament, and the downgrading of the military and the ROTC were being pushed the same as they are now. And conditions today have some marked similarities. People are tired of war. Many yearn for the comforting isolated days of an earlier era. Many want to risk again the dangers of unilateral disarmament in the face of rising armed strength in the potential enemy camps.

This is completely understandable, Mr. President, but it is regrettable that the opponents of Safeguard must appeal to this human temptation in their determined and deliberate attempts to achieve what they mistakenly believe would be a more comfortable balance of power between this country and the Soviet Union.

The forces which today are mounting a concerted attack on almost every item in this Nation's defense budget are also making a test case of the ABM controversy.

Thus, we are seeing all of the arguments against military activity, defense projects, security measures lumped together in the attempt to defeat congressional approval for an American ABM.

We are today hearing the same kind of arguments that were used 20 years ago in a futile attempt to get this Nation to forego the development of a hydrogen bomb while our Russian adversaries in the cold war pushed ahead with their own H bomb.

The critics of an American ABM system tell us "ad nauseam" that, if we are to approve even the most rudimentary ABM system, we will single-handedly become responsible for escalating the nuclear arms race.

These so-called experts overlook, conveniently—seldom even mention—the fact that the Russians have been building their own ABM system for 5 years without provoking escalation of the arms race. When the Russians began their deployment, our Defense Department scarcely moved a hair. In fact, it took Secretary McNamara several years even to concede what the Armed Services Committees of both the House and Senate and all intelligence agencies throughout the world knew for a fact: That the Russians had begun to erect a system for defending Leningrad, Moscow, and other areas of Russian territory from the possibility of an attack from beyond her shores.

It was not until last year, when the Russians began an advanced phase of their ABM deployment, that Mr. McNamara saw fit to recommend that maybe it would not be a bad idea to explore the idea of a little protection for the United States. As you well know, it was this decision which brought about the recommendation for the start of the Sentinel ABM system in this country.

Mr. President, I have sat through many hours of testimony in the Senate Armed Services Committee on the question of whether it is feasible for the United States to proceed with the Safeguard ABM. In addition to that, I have read a great many thousands of words on this subject, and a large percentage of what I have heard and read have been arguments against the Nixon administration's first major defense project. And I am struck by the similarity of the arguments that run through all the papers and treatises that have been presented, especially those from the scientific community and the academic world, in opposition to this proposal. Boiled down, they all come around in various degrees of directness to an expressed fear that something we do in the field of defense may upset or irritate the Soviet Union.

We are told with an amazing, if questionable certitude, that approval of the Safeguard ABM system will destroy the possibility of our engaging in arms limitations talks with the Soviet Union. This has no basis in truth. The fact of the matter actually is that the Russians did not even entertain the idea of such negotiations until after we announced our determination to build a missile defense.

President Nixon himself has called attention to the fact that the Soviets signified their willingness to engage in arms limitations talks exactly 4 days after the Pentagon announced its recommendation for the Sentinel system. Not only that, but the Soviets scarcely showed any interest in the ABM argument in this country until its opponents became so emotional and hysterical in their attempts to block the Nixon administration's Safeguard proposal.

Students of Russian periodicals pointed out that the Russians never even commented adversely on our determination to go ahead with a purely defensive system until they became aware of the heat and hostility which was being aroused against an American ABM by the leftwing elements in this country.

Only in recent weeks, have periodicals such as Isvestia and Pravda taken up the question of why the United States should not build a defense for its nuclear deterrent. And then these Russian papers appeared to be taking their cue from the ABM critics in this country rather than from any self-held Kremlin opposition.

In this connection it was interesting to note that the May 7 edition of the Washington Post carried about eight columns of type on the report prepared for Senator EDWARD KENNEDY by two opponents of the ABM system. The conclusion seemed to be that the ABM system proposed by the Nixon administration probably would not work and would appear to the Soviet Union as an escalation of the arms race. However, buried on page A7 of that same paper under a tiny little headline which read "Russians Belittle ABM as Threat," the Washington Post published these two highly interesting and significant paragraphs:

> At a reception at the Soviet Embassy last night, various Russians scoffed at the idea that the ABM deployment was a "provocative" act.
>
> They said that the government regards the Safeguard ABM—as it regards its own ABM deployment around Moscow—as a "silly" waste of money.

And, of course, Soviet Premier Kosygin when he was here and held his meeting with President Johnson said:

> It seems to me that defensive measures do not accelerate the arms race.

If the Russians are truly interested in arms limitations agreements, they can demonstrate this interest easily enough. All they have to do is to remove or destroy their own ABM system so that we will not have to build one to reach that level of "parity" about which Secretary McNamara and his aides always spoke. I must remind you that we have to assume that the Russians are sincere if we are going to credit any of the arguments of the American left which claim that the true road to peace in our times lies through speedy negotiations with the Soviet Union. We have to believe that they are as desirous of avoiding an escalation of the arms race as are the opponents of the American ABM system. And the only sound and logical way for the Russians to avoid such escalation is for them to stop building defense systems which the United States may not be permitted to duplicate.

Consequently, Mr. President, I do not believe it is unreasonable to assume that we would forgo all considerations or construction of an ABM system—whether it be called Sentinel or Safeguard, whether it be described as "thick" or "thin"—the minute the Soviet Union prove to us that they are dismantling their defensive advantage over the United States. If they have the right to expect us to forgo the building of a defense system in the interest of easing world tensions and avoid arms buildup, why have we not the right to expect some kind of demonstration to prove faith on their part.

We have heard from a great many alleged experts that the Russian system does not count because it is already probably outmoded and obsolete. If this is the case, and there is no certainty of it, the Russians should not object to dismantling what is already old-fashioned to make sure that the United States does not build a completely modern and up-to-date system.

Mr. President, I have tried throughout the hearings before the Senate Armed Services Committee to find what real evidence we have or anyone has to support the belief that if we do not abandon the building of an ABM, the Russians will refuse to discuss arms limitations. So far, I have been unable to get anything from the opponents of the ABM but their own personal and emotional guesses. I do not think this is good enough, when we are discussing a system of defense which may mean the difference in any final test of millions of American lives. I do not think the guesses and the presumptions of the men of science are important enough for us to cancel the balance of power in a divided world. I do not believe the emotional arguments against war and against violence and in favor of wiping out poverty are good enough, when it comes to a question of maintaining the safety of the American people and the leadership of a freedom-loving nation in today's shaky world.

When you come to the arguments that we cannot be sure that a Safeguard system or any other proposed American ABM system would be workable and effective, we must ask ourselves an important question—why can we not tell? The answer to this can be found in the Nuclear Test Ban Treaty. I might repeat, Mr. President, in further answer to that question, the statement of Dr. DuBridge I quoted the other day, when he said, "It not only will work, it is working, and we have had results with it."

This treaty, which the U.S. Senate approved in good faith, was designed to facilitate the development of peaceful agreements. But it was adopted after the Russians had made their own high altitude missile tests and reached their very important conclusions and before the United States conducted such tests. This

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little problem in timing has left the Russians with a pretty good idea of what will work and what will not work in the whole area of antimissile missiles. It also leaves the United States with a high percentage of doubt and no certainty on this equally important question. In other words, we cannot test.

I might say here that both the Nuclear Test Ban Treaty and the Nuclear Nonproliferation Treaty were adopted to a large extent in the belief that they would help to bring about meaningful arms limitations negotiations between East and West. It has now been some years since the adoption of the Nuclear Test Ban Treaty and we are not closer to the adoption of firm arms limitation agreements than we were then as a result of its passage. There is no reason to believe that the Nonproliferation Treaty ratification has hastened the development of such agreements. Now we are told that the way to get talks going is to reject the Safeguard system. If that does not work, Mr. President, what will they tell us next? Will they suggest that the way to get arms limitation talks started will be to reduce our supply of ICBM's while the Russians increase theirs? Will they suggest that we cancel more weapons systems while the Russians develop additional ones? Will they ask us to sink our Navy while the Russians build more ships? In other words, Mr. President, how far are we expected to go along this one-way street of trying to arrange a peace in our time that the Soviet Union and Communist China seemingly have no interest in at all?

Mr. President, in connection with Soviet present and future strength, I believe that we should pay more than casual attention to a recent statement by Prof. Eugene Wigner, who is the only physicist ever awarded the so-called big four for high achievement in this field. I speak, of course, of the Nobel Prize for Physics, the National Medal of Science, the Fermi Award, and the Atoms for Peace Award. Professor Wigner goes into the whole question of nuclear strength of the United States and the U.S.S.R. in considerable depth. He says that the total explosive power available in missiles in the U.S.S.R. is higher than ours by almost 20 percent. After we convert to multiple independent reentry vehicles, the Soviet missile strength will be 30 percent higher than ours. The conversion will, of course, increase the probability of our missiles penetrating the defenses of the U.S.S.R. over the present probabilities of such penetration.

Professor Wigner acknowledged that it would be difficult for his data to be reconciled with statements of former Defense Secretaries Robert McNamara and Clark Clifford both of whom gave the impression that our nuclear strength exceeds that of the U.S.S.R. by a factor of about four. Then, Professor Wigner explains:

> However, if you read their statements they say explicitly that they compared numbers of warheads. In this regard, we really are ahead of the USSR, Although the British Institute for Strategic Studies estimates they will catch up with us by mid-year.

It is also well understood, Mr. President, that the U.S.S.R. is now ahead of the United States when it comes to total missiles, and I include in this estimate not only ICBM's, but intermediate missiles as well, and has been for more than a year.

Whatever figures we take, Mr. President, it certainly should appear obvious to all concerned that the Russians' strength in nuclear power, megatonnage, area coverage, warhead multiples and conventional arms has been increasing by leaps and bounds for the past 2½ years, while our supplies have remained stagnant.

Mr. LONG. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield to the Senator from Louisiana.

Mr. LONG. There was discussion of the possibilities as to what could be done to assure disarmament, when the then Senator Hubert H. Humphrey, later the Vice President and Democratic candidate for President, was chairman of the Disarmament Subcommittee, one of this Nation's top military officers appeared before his subcommittee and said that the kind of struggle that goes on from day to day between the major powers of this world is something like a game of no-limit poker—the kind of game where you need lots of blue chips.

He said:

> As a practical matter, I just do not have any blue chips that I could afford to give away, at least not unless the other fellow is going to surrender some of his blue chips back.

When one side has a missile defense, and the other side has no missile defense, it would seem to me that it is not only like playing the game where you have fewer blue chips than the other fellow has, so that you really cannot afford to call the size bet he might be willing to make; but it is also like playing a game where you have only four cards face up, while he has four cards face up and one card face down. In a game like that he plays with both more cards and more chips.

If we must confront a major power like the Soviet Union, when it thinks it has a good missile defense and we do not know how good it is, but we have none we are at a terrible disadvantage in a major power confrontation.

There is one other thing that I have not heard the Senator go into. Perhaps he has already discussed it. That is the danger that would face this Nation when some lesser, and perhaps less responsible, power gains a missile with an atomic warhead. A while back, as the Senator knows, we had a major confrontation with regard to atomic missiles on warheads in Cuba. We know how irresponsible the Cuban Government can be in respect to the kidnaping of airplanes and refusing to send them back. Some of this can be regarded as an act of war.

The Senator knows of the very irresponsible dictator of North Korea. Perhaps the Russians may be too responsible to let those powers have missiles with nuclear warheads capable of striking the United States. But we have no assurance that Communist China would not provide such weapons.

If we have no defense, what do we do if an irresponsible dictator, who perhaps has only a dozen missiles, proceeds to let them fly against our cities? We are totally at his mercy.

The kind of defense the President has in mind could be easily broadened to give us the capability of at least defending our major cities, some of which have at least 7 million people, and defending our retaliatory capabilities with some missiles which could shoot down from 15 to 30 missiles that might be launched at us.

It is not very likely that at any time within the next 10 or 15 years Red China would be willing to give Cuba or North Korea any more missiles because they probably would not have that many to spare.

The problem is multiplied, however, when you have zero defense, no defense at all.

Once in awhile someone has to take charge and run the country if it is going to succeed at all.

Sometimes we must have a singleness of purpose. I enjoy telling stories about my Uncle Earl who was a very practical man and a very successful politician. He was loved by a great number of people. He was elected Governor of Louisiana four times. His homely expressions had a way of catching on.

Once when we had a difference of opinion, he said:

> Russell, if you are not running anything but a peanut stand, somebody must take charge and run it or you will go broke.

We have a Commander in Chief who has the responsibility of protecting the lives of more than 200 million people. The same sentiments were expressed by the previous Commander in Chief who had the same responsibility.

The Senator from Arizona is very much aware of the problem because he was a candidate for President and had to consider the same problem. It is absolutely foolhardy to risk having to confront a power that has the capability of the Soviet Union if it can defend itself and we cannot.

In my judgment, the only possible explanation must lie in the minds of those people who think that we should unilaterally disarm. We have heard some of that conversation around the Chamber from time to time, concerning unilateral disarmament. Where do those people get the idea that the Communists of the Soviet Union or Red China are more interested in assuring our future than we?

Mr. GOLDWATER. Mr. President, I might say that the Senator from Louisiana in his usually frank and analytical way has hit on the very good example of a poker game. Certainly one does not run a bluff with a man who has five cards when one has only four.

Mr. LONG. Especially if his cards are face down.

Mr. GOLDWATER. The Senator is correct. In this international poker game, every time we have called their bluff, they have backed down. We called their hand in Cuba and they backed down. We called their hand in Guatemala and they backed down. We called their hand in the Formosa Straits and

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they quit. We did the same thing in Lebanon.

Every time the United States has acted as a world leader should act and said, "Take one more step and you have had it," the enemy has turned around and gone the other way.

I hope that we can enter into meaningful negotiations with Russia to the end that we will rid ourselves of nuclear weapons.

I am very happy to report that in her usual wise way the Senator from Maine (Mrs. SMITH) has proposed time and again before the scientists who have appeared before the Committee on Armed Services that we try to get started on getting the Russians to work with us on some of these spaceships and maybe then get into arms talks. However, if we continue to assume that Russia, with her great strength—which is greater than ours in practically every field that we know of—is going to sit down and talk with us when she knows she is stronger than we, I am afraid that we will be sadly misled.

Mr. President, with regard to the remarks of the Senator about the Commander in Chief, I recall the days when, with a rather slim chance of being President, I campaigned for the office. It used to scare the daylights out of me when I considered the responsibility. Here we have a Commander in Chief who said that in his opinion, backed up by the opinion of the people who understand the field—both in uniform and in out—the system will work and the new systems will be better. If he wants it, this is the Commander in Chief's decision. It is not like the debate had here today where we can get a little emotional or practical on each side. This is the request of the Commander in Chief. It is his opinion. We should back up his hand and the hand of our country when it comes to negotiations with the Russians. Certainly I intend to support him. I think it is a wise decision.

I am certainly glad to receive the support today of the Senator from Louisiana.

Mr. LONG. Mr. President, for all we know we may very well be voting to back the hand of a future President, be he Democratic or Republican. The present President must look down the road 4 or 5 years from now to consider what the problem will be then. Whatever we vote today takes planning, time, money, construction sites, and equipment. It takes a while for things to be worked out.

The Senator has discussed one illustration with me. There is one other that occurs to me. That concerns the fact that when we have two teams that have a good offense—I do not care whether it is basketball, football, or tennis—if both teams have a strong enough offense that every time the team has the ball it scores, and the other team does the same thing, then the team which can keep the other fellows from scoring every time will win. That does not mean that the team must keep the opponent from scoring at all.

We hope that our missiles and warheads will never be used against any power and that no power will ever use its missiles against us. It is hoped that they will never be used by either side. However, in the kind of major power confrontations that have occurred, as the Senator has pointed out, the situations have worked out to our advantage.

If the enemy knows that we have no defense and that we cannot intercept even one of his atomic warheads, he would be at a very great advantage. This is the kind of thing that nations have to plan far in advance.

I had no doubt as to what the Senator's position would be after he had thought it over. The Senator was an Air Force officer. I was in the Navy. When we first started trying to defend the amphibious craft with antiaircraft weapons, we hit more of our own boats than airplanes by at least 10 for 1.

I recall that when we landed in Sicily, the enemy showed their utter contempt for our marksmanship at night by flying right between our ships, with the running lights on, to make us shoot at them. Our boys would shoot at them, which is a sure way to miss, because if you do not shoot in front of them, you will miss them. We would just rake our nearby snips back and forth with machinegun fire, some of it being 20-millimeter machineguns.

After we had been at it for awhile, especially after the proximity fuses and radar control aiming pieces were developed, it was pure suicide for any plane to try to come through and attack in that sort of situation.

Mr. GOLDWATER. The Senator is correct. I would like to use another comparison.

I remember in the early days of World War II when radar was discovered, and it was not even called radar. They did not know what to call it. It was a radio direction finder. The arguments were that no one except a highly trained scientist could ever learn to run one of these things; that a GI or a Navy gob could never learn to run it; that it had to be a highly trained man with a doctor's degree.

If we had listened to those people then, where would we be today? Today we have a radar that can be put in a small airplane.

I say to those people who say the system will not work that it is working. I am not saying that it will get down to the point at which some Senator can run it. It will never become that simple. But it will be something that our troops can handle.

I thank the Senator for helping me in this presentation this afternoon.

The Senator from Rhode Island has been waiting for the floor for a long time, but I will yield at this time to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, all the Members of this body should be greatly indebted for the contribution that the Senator from Arizona has been making this afternoon on this subject. He always merits close attention whenever he talks about any aspect of national defense and the defense posture generally, and that includes affirmative as well as negative aspects. Certainly, in this debate, which is so important to the future of the country, we should be very indebted.

Mr. GOLDWATER. I thank the Senator.

Mr. President, we are not moving ahead in any of the offensive fields that the Russians are pushing along in, and now some people would like us to forego any attempt to establish a defense for our nuclear deterrent as well as for our people.

The way to make sure there are no negotiations with the Soviet Union is to reject the Safeguard system. I agree with Premier Kosygin and most military experts that defensive measures are not provocative. I believe the deployment of an ABM system will help rather than hinder disarmament and accommodation with the Soviet Union.

But I believe, Mr. President, we are speaking here about something much more fundamental than the possible reaction of another government to an act of ours. We are speaking here of safety, of an attempt to protect the security of millions of people, many of whom could be wiped out by a single nuclear attack. I believe that people or groups who raise specious, hypothetical arguments about cost, workability, enemy reaction, and other factors involved in the Safeguard decision are gambling with the security of their country and the safety of their fellowmen.

It is my considered belief that if anyone of us in this Chamber, regardless of how he presently feels about the ABM system, were suddenly tomorrow to find himself President of the United States he would be obligated and duty bound to propose a missile defense system at least partially comparable to the one that has been in the process of erection for the past 5 years in the Soviet Union.

It is one thing to stand outside the arena of direct responsibility and inveigh against the large expenditures that would be required for an American ABM system; it is quite another thing to be personally responsible for the safety of 200 million American men, women, and children.

THE SAFEGUARD SYSTEM

Mr. HRUSKA. Mr. President, in a recent radio and television report to my constituents, I expressed my support of President Nixon's position on the defense missile system, the Safeguard system. My guest on that program was a leading and respected expert in this field, our colleague, the Senator from Washington (Mr. JACKSON). Senator JACKSON stated the case for Safeguard, clearly and empirically.

In making his decision, the President considered several options. The one he selected was to begin "measured construction on an active defense of our retaliatory forces." He has proposed construction for the initial phase at Minuteman fields at two Air Force bases—Malmstrom, Mont., and Grand Forks, N. Dak.

The President noted that this is a substantial change in the earlier program. The result of this measured approach will be a reduction of the budget request for this project of about one-half that of the previous administration.

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My support of the President's position is based primarily on three fundamental considerations.

The first results from the real uncertainty as to just what are the capabilities and intentions of Russia and Red China. Defensive measures must recognize adverse possibilities.

Second is the fact that only operational experience can produce the answers to many of the technical issues involved. For this reason, the President felt the safety of our country required proceeding now. Recent activity by Russia and the Chinese threat, he determined, makes any delay unwise.

Finally, the decision is not irreversible, implementation can be halted or the program can be modified, depending on events, including prospects of arms-limitation talks. President Nixon has emphasized that the program will be subject to continuing review and will be further modified in light of such review.

In stressing that the program was not provocative, that it was defensive only, the President indicated that he was mindful of his pledge to make every effort to move from an era of confrontation to an era of negotiation.

Mr. President, I ask unanimous consent that the transcript of my discussion with Senator Jackson on Safeguard be printed in the Record at the conclusion of my remarks, together with discussions of the subject published in the Omaha World-Herald and the Hastings Daily Tribune.

There being no objection, the material was ordered to be printed in the Record, as follows:

Radio-Television Program of Senator Roman L. Hruska, Sunday, May 11, 1969

Senator Hruska. Because today's program has to do with the anti-ballistic missile system and defense generally. I have asked one of the most respected and highly qualified of my colleagues in the field of national security to be with us. Senator Henry M. Jackson has been in the Congress since January of 1941. For 12 years he served in the House of Representatives and since 1953 he has represented the State of Washington in the Senate of the United States. He is Chairman of the Interior Committee and also serves on the Joint Committee on Atomic Energy and the Government Operations Committee. In addition, he is a very active and knowledgeable member of the Senate Armed Services Committee. He was seriously considered for the post of Secretary of Defense in the Nixon Administration, and that testifies, it seems to me, to the high standing which he has in this area.

It's with a great deal of pleasure that I present to you Senator Henry M. Jackson. Welcome to our program, "Scoop."

Senator Jackson. Thank you, Roman. I'm really delighted and honored to participate in your program today. I've great respect for the fine job you've done in the Senate, and I look forward to an opportunity to discuss some of the important national security issues, especially as they relate to the present controversy on the ABM.

Senator Hruska. I'm very grateful to you.

You know, ladies and gentlemen, for the past several decades the United States has been building defensive as well as offensive systems to protect us from potential aggressors. We know about the development of nuclear weaponry, for example, and about the delivery systems for such weapons. We know about the Polaris submarine and about the stockpiles for materiel, ammunition and arms of different kinds. We know of the strategic and tactical air forces and the early warning system. Debates and discussions have emerged as a result of this military posture which we have elected to maintain.

Currently, we are engaged in a discussion of the anti-ballistic system—the ABM it is called. Its mission is to defend against missiles aimed at the United States. President Johnson, before he left office, recommended an ABM system for deployment. President Nixon has recommended a modified system, and today my intention is to discuss that system with Senator Jackson.

It has been the subject of my study for a long time. I've gone into the reports of the scientists and the reports of the military and have discussed it with my colleagues who are knowledgeable in the field and who know its past history. I have followed the hearings before the congressional committees.

With a great deal of deliberation and after long, thoughtful consideration, I have decided to support President Nixon's recommendations in this matter. A difficult decision, to be sure, but in my opinion very, very necessary.

Senator Jackson, one of the first questions always asked is, "Why is an ABM system necessary?" What would you say in answer?

Senator Jackson. The basic purpose of the anti-ballistic missile system is to protect our nuclear deterrent. In other words, the credibility of the American nuclear deterrent must never be in doubt. It is the American nuclear capability that has preserved the peace since the end of World War II, in the sense of avoiding what could be a thermonuclear holocaust, and it is the posture that we have maintained that has prevented our adversaries from starting a nuclear conflict. We're now in the position where we must act to protect our Minuteman missile sites and our SAC bomber bases. This is what President Nixon had in mind when he approved and sent to the Congress a program for the so-called Safeguard ABM system.

Senator Hruska. Of course, it has never been our intention to send the first missile salvo from America to Russia or to China or to any other aggressor.

Senator Jackson. Our missiles are not designed as first strike weapons. They are missiles designed to retaliate. I want to emphasize that. It's only after the enemy has made an attack on us that we would respond not by hitting their missile sites, because their silos would have been emptied, but by striking their cities. In my judgment, it is this fact that deters the Russians from movement.

Senator Hruska. As I understand the thinking, after a first strike by the enemy, we would be hopeful of surviving with sufficient missiles to retaliate. Is it true that the ABM, as we now envision it, would fit into this thinking?

Senator Jackson. The primary mission of the Safeguard ABM system is to protect our Minuteman missile sites so that we will have enough Minuteman missiles left, should an enemy make a Pearl Harbor strike on the United States, to give a credible, a believable response to the adversary.

Senator Hruska. One of the arguments of the opponents is that the system won't work. Is there any basis for this statement?

Senator Jackson. I'm glad you mentioned that. Twenty years this fall I was named to the late Brien McMahon's subcommittee on the hydrogen bomb. There were five of us on that subcommittee of the Joint Atomic Energy Committee, and we were to recommend whether we should go ahead with the hydrogen bomb. The arguments being made by some of the top scientists in the country at that time were, first of all, the Russians wouldn't build one anyway; second, there wasn't a need for one; and third, if you made one it wouldn't work. It's the same arguments 20 years later.

Senator Hruska. And weren't similar arguments attached to the Polaris?

Senator Jackson. That's right. And if we had followed those advisers. I fear for the Western world what would have happened.

I think it's quite clear that this system is purely defensive. We're asking only the means by which we can protect and defend our Minuteman sites. Even Mr. Kosygin, the Premier of Russia, said in 1967 that ABMs are defensive. They're not provocative. They don't add to the arms race. Yet you hear arguments that deployment will speed up the arms race, and that it's provocative.

Another argument is that the Russians won't talk arms-limitation if we deploy. You remember last year in the debate the opponents claimed that if we went ahead with the system, Russia wouldn't talk. Well, we voted to go ahead with it on Monday and on Thursday they asked for talks.

Senator Hruska. I remember that.

Senator Jackson. The party that hopes to negotiate an effective agreement with Russia had better be in a position of strength.

Senator Hruska. Next we come to the matter of cost. The argument is advanced that money ought to be spent for the benefit of people and the betterment of conditions in our cities rather than for military purposes. I'm sure everyone would prefer that, if it could be safely done. However, as I view it, one of the first duties of a nation is to survive, and if we find abroad a potential enemy that might use its capabilities to try to make war upon us, we'd better be prepared. Do you agree with that, Senator Jackson?

Senator Jackson. Yes, there's no question about that. The first priority in this world of ours and in our country is the protection of individual liberty, to preserve it and to extend it. That's the first priority. Everything else must be subservient to that. And I hasten to add, Roman, that we're spending less today on strategic offensive and defensive weapons than we were spending in Fiscal Year 1962—$11.3 billion back then. President Nixon's budget beginning July 1 in this area is $8.3 billion. When you adjust for inflation, in terms of constant dollars, it's more than a 50 percent reduction. And yet you hear people say that we've increased it. We have not increased spending in this area, and this is a crucial area.

Senator Hruska. You've mentioned already the matter of provocation. Isn't it a fact that the Russians have been for years engaged in deploying the ABM system?

Senator Jackson. That's right. They started deploying their ABM system in 1962. They were the first to deploy, first to develop and first to test fire. Russia is the only country to test fire an ABM under nuclear conditions. They did so when they broke the nuclear test moratorium in September of 1961.

Senator Hruska. So we're about seven years late. However, not too late, are we?

Senator Jackson. That's right. We'll have a better system and a more effective one, I think, if we can proceed now.

Senator Hruska. Another thing of some concern that we haven't touched on yet is the role that China will play one of these days in this field of nuclear warfare. I know your committee has gone into that in depth.

Senator Jackson. Yes we have, and it's quite clear that the Russians are concerned about the Chinese missile threat in the 1974–1976 time frame. They're already revising their radars in Russia to cover a possible attack from China. Now I think there's some hope that we could get the Russians to agree to limit the number of anti-ballistic missiles, but I don't think they are going to dismantle all of them because of the Chinese problem.

Senator Hruska. Yes.

Senator Jackson. And in my judgment, it's just horse sense that the Russians aren't going to talk about a limitation on ABMs when they have the system and we don't have it. It doesn't make sense.

Senator **Hruska**. We have nothing to trade, do we?

Senator **Jackson**. We have nothing to trade. Why should they give up something they have and we don't have? And I think it's a matter of prudence that we proceed to protect our deterrent.

Senator **Hruska**. If the opponents of ABM deployment are correct, we would be able to use the money for other purposes. But if they should be wrong, we would be in a hazardous situation, risking domination or even destruction at the hands of an enemy.

Senator **Jackson**. That's right. And we must remember that the men who are running the Kremlin these days are moving back toward Stalinism. There's more persecution, greater denial of individual liberty in the Soviet Union than in any previous period since the days of Stalin. What they did to Czechoslovakia, I think, is just a prelude to what they would do to the free Western world if they had an opportunity.

Senator **Hruska**. As I have said, I have concluded that the President's position is sound. It deserves support. Our safety and world position will be greatly improved, if the congressional approval sought is granted.

Thank you, Senator Jackson, for being on this program with me.

Senator **Jackson**. Thank you, Roman, I've enjoyed every minute of it.

[From the Omaha (Nebr.) World-Herald, May 2, 1969]

LAIRD'S PICTURE

One of the chief criticisms of Defense Secretary Melvin Laird's approach to the ABM issue is that he comes on too strongly. It is said that he overstates the need and overestimates the liklihood that the Soviet Union is trying to attain a first-strike capability.

Persons who criticize Laird on these grounds probably will find fresh ammunition in a speech he made last weekend in Florida.

Laird said he has gauged the Soviets' levels of technical accomplishment. He said:

"Upon the best information available to me as secretary of defense, I must conclude that the Soviet Union has the capability of achieving by the mid-1970s a superiority over the presently authorized and programmed forces of the United States in all areas—offensive strategic forces, defensive strategic forces and conventional forces."

He said that in the past two years the Soviet Union has more than tripled its force of intercontinental ballistic missiles from 250 to 900, and this year will have more than the United States' 1,054 land-based weapons.

In addition, Laird said, the Soviets could during the same period, increase their fleet of Polaris-type submarines to more than the United States 41.

He also said U.S. intelligence estimates that the Soviet Union "can deploy anywhere from 200 to 2,000 ABM missiles" by the mid-1970s.

Laird paints a grim picture. Whether he paints with too broad a brush cannot be determined with precision; he draws on intelligence sources which are not available to the ABM opposition.

There is a political picture Laird did not mention. It involves the character of the ledership of the Soviet Union.

At present there is significant evidence that a hard-line leadership, typified by the marshals who played such a strong hand in Czechoslovakia, is in the ascendancy.

The evidence includes the Russian decision to deploy the SS9 missile, the USSR's recent mysterious fleet exercises in the North Atlantic and possibly even the border clashes with the Chinese. These developments, among others, indicate that Soviet policy at present is in the hands of men who approximate Stalin more closely than is comfortable for American interests.

No one knows for sure just how Soviet leadership will evolve in the next five to 10 years. But recent history seems to indicate that the Kremlin's policies are hardening, with the military establishment taking the lead.

A push for attainment of clear strategic superiority over the United States would be much more likely to come about under such leadership. As Laird has said, such a push seems to be in progress, making it imperative for the United States to strengthen its position by proceeding with the President's ABM plan.

[From the Hastings (Nebr.) Daily Tribune, Apr. 29, 1969]

NIXON SEEKS TO GUARANTEE NATION WILL HAVE GREAT RETALIATORY POWER

Planning strategy for World War III is called "thinking about the unthinkable." Not only is a nuclear war too horrible to contemplate but there are so many variables and unknown quantities that it is almost impossible to know what would really happen in the event some nation actually initiated a missile attack on another.

Underlying President Nixon's proposal for a limited antiballistic missile system to protect the nation's missile sites is one basic assumption—that an enemy, to have any hope of winning would have to give first priority to wiping out or crippling his opponent's retaliatory strength.

Thus it follows logically that an ABM system that guarantees, or makes an enemy believe it guarantees, that some of our retaliatory strength would survive a first strike would be an effective means of staying his hand and preserving peace.

It is particularly important at this juncture because, according to the latest report from the American Security Council, Russia already has its own ABM system well advanced and is apparently testing the far more sophisticated problems of defending against space weapons.

"This would give Russia great additional lead time, even if the United States plan for a Safeguard system around some of our Minuteman silos is approved immediately," the Security Council said.

The United States Air Defense Command has definite evidence that late last year the Soviet Union tested its antispace defenses by putting satellites into orbit and then destroying them with other satellites.

Some of the Russian claims about its improvement of its antimissile defenses are discounted by critics of ABM on the grounds that there is no definite knowledge as to just what the Russians do have. But there is sufficient evidence to support the fact that the Soviet Union does have antiballistic forces in being and the United States does not. No United States commander can assure the people of America that they have a defense against nuclear war because the United States has not allowed its military to provide such defenses.

Some critics of President Nixon's ABM proposal say that just because the Soviet Union has devoted so much attention to a Russia ABM is no reason why the United States must follow suit.

But these same critics owe it to themselves and the American people to ask why the Soviet leadership considered it to be desirable or necessary to develop the elaborate defense it apparently has. If the ABM is so "costly, useless and meaningless" as some critics say, then why have the Russians pushed ahead so fast in building their own ABM and more?

Until the question is fully answered, supporters of the ABM defense concept in the United States have a right to keep asking: Why should the Russian people have a monopoly on defense against nuclear war?

The United States must have as many people thinking about the unthinkable as does Russia. That is the belief of President Nixon and he is seeking to give them a system that will help overcome some of their fears.

[From the Omaha (Nebr.) World-Herald, Apr. 9, 1969]

TO ERR WITH WHOM?

Most of the serious trouble the United States has gotten into in modern times has been the result of making faulty judgments as to the intentions and capabilities of its enemies.

The United States guessed wrong on how long it would take the Soviet Union to develop atomic and hydrogen bombs.

It was assumed that Red China was too primitive to devise nuclear weapons. The guessers forgot that Chinese minds are among the best in the world; China surprised everyone by setting off a nuclear explosion in 1964.

Time after time, our nation's leaders have assumed that our Communist adversaries would or wouldn't, could or couldn't—and they have been wrong.

The current assumption, forwarded so ardently by the leading opponents of President Nixon's ABM proposal, is that it is unthinkable that the Soviet Union would strive for a first-strike capability.

A first-strike posture would require enough nuclear weapons to eliminate substantially the American nuclear forces in a surprise attack, leaving the United States incapable of retaliating.

It has been declared that neither nation can ever achieve a first-strike capability, and that therefore the United States doesn't need the Safeguard system to defend its missile sites.

Defense Secretary Melvin Laird thinks otherwise. He has warned that the Russians do appear to be building for a first strike.

Developments in three Soviet weapons programs seem to bear out Laird's position.

The Soviet Union is building its hunter-killer submarine fleet at the rate of more than seven a year. In a few years the Soviets will have enough of these vessels to shadow all the American Polaris Missile-firing subs.

The Soviet Union also is building Polaris-type missile subs. In four or five years it could have a fleet to rival the American force of 41 Polaris vessels. Soviet submarine missiles could strike American bomber bases without giving sufficient warning to get the planes off the ground.

Finally, there is the SS9, the gigantic Soviet intercontinental ballistic missile. The Russians now have about 200 of them, and they are still building. It is estimated there will be about 500 of them by 1973. Each SS9 is believed to be capable of carrying 10 to 25 megatons of nuclear explosives. Laird said Monday the Soviet Union is testing a triple-warhead nose cone for the SS9, which would greatly increase its striking power.

Against these hard facts, the comfortable assumptions of the ABM opponents are flimsy indeed.

Laird may be wrong. But the facts seem to lean in favor of his arguments. It would be safer for the nation to err with Laird, if he is wrong, and err on the side of preparedness, than to err with the ABM opponents and go along with what could be the ultimate false assumption.

ABM AND WAR-IS-HELL HANG-UP

(By James J. Kilpatrick)

WASHINGTON.—In the unfolding debate over proceeding with an antiballistic missile system, the arguments against President Nixon's proposal fall into four main groups.

Some of the objections are scientific: The things won't work when the button is pressed. Other objections are financial: In terms of cost-effectiveness, even the modified plan is too costly. Still other arguments arise from political considerations: An American ABM system will escalate the arms race and present a new threat to the Soviet Union.

Finally, one hears a tactical-strategic case: By the time our ABMs could be made operational, even if they worked to perfection, changes in the technology of weaponry will have made the missiles obsolete.

On careful examination, each of these arguments falls apart. The scientific objections, for example, are essentially an echo of the old argument against a hydrogen bomb; but the bomb worked. The problems of mounting an ABM system are fearfully complex, to be sure, but so were the problems of developing a moonshoot. If there can be no iron-clad guarantee of successful design, in the absence of an actual test, the guarantees are reasonably solid.

The financial arguments are the least impressive. President Nixon's recommendation is for an $800 million investment, but more than half of this—roughly $450 million—is for research and development.

Virtually all the opponents have conceded the necessity for continuing research. The fight on budgetary grounds thus boils down to $350 million only. In terms of national security, this is peanuts.

Perhaps the loudest complaint is that by going ahead with an antiballistic missile system, the United States in some fashion will escalate the arms race with the Soviet Union. This is nonsense.

In its "Washingon Report" for April 21, the prestigious American Security Council provides stunning documentation—documentation from Soviet sources themselves—of the Soviet Union's own antimissile defenses. It is not necessary, in this regard, to make guesses of future strength. "The fact remains," says the Council, "they have ABM forces in being and we do not."

The tactical-strategic arguments are highly speculative. So far as the Soviet Union is concerned, the President and his advisers have had to act upon the intelligence available now.

By every indication, the Kremlin is proceeding steadily with deployment of its fantastic SS9 missiles. These terrifying weapons, carrying 20- to 25-megaton warheads, are much larger than our own intercontinental ballistic missiles. They represent the threat that must be countered now—and by "now," we are talking of 1973, when the first minimal phase of the proposed Safeguard system is complete.

In the end, none of the familiar, rational arguments can prevail. What the opponents really are saying, out of their hearts and not their heads, is simply that war is hell.

Of course war is hell. If we lived in a perfect world, all nations would beat their swords into plowshares. We would defuse our missiles, scrap our bombers and dump every weapon in the depths of the seas. But presidents—and senators— have an obligation to deal with hell as it is, and not with heaven as it might be.

The President's recommendations for an antiballistic missile system are the very least that he could make, in good conscience, as commander-in-chief, charged with keeping our nation secure The most telling criticism, in truth, is not that Nixon is proposing too much, but that he is proposing too little.

In any event, the President has looked at realities; he has not closed his eyes. No one can ask more than this of a troubled Congress; but the conutry cannot settle for less than this, either.

A RESOLUTION TO EXPRESS THE SENSE OF THE SENATE IN REGARD TO CHANGES IN THE JOB CORPS PROGRAM

The Senate resumed the consideration of the resolution (S. Res. 194) to express the sense of the Senate in regard to changes in the Job Corps program.

Mr. PELL. Mr. President, I rise to support the Senator from California (Mr. CRANSTON) in his sense of the Senate resolution concerning a postponement of the Job Corps action on the part of the administration.

The points pro and con have been covered in the debate, and I wish to identify myself as a strong proponent of the resolution.

ORDER OF RECOGNITION OF SENATORS

Mr. PELL. Mr. President, I believe Presiding Officers should be informed that the purpose of the list at the desk is to indicate what Senators are to be called to speak if the Senate is about to adjourn, but that, under the rules of the Senate, the Senator first on his feet, seeking recognition, is the one who should be recognized.

I am not directing these remarks at the present Presiding Officer, but referring to the general rule, because I note that this habit of following a list is coming into too much use. I believe we should return to the regular rule, which is that the Senator first on his feet seeking recognition is recognized first, and that the purpose of the list is to avoid the Senate's adjourning before a particular Senator can be called.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. PELL. I yield.

Mr. BYRD of West Virginia. Mr. President, I wish to associate myself with the remarks that have just been made by the distinguished Senator from Rhode Island.

I have noted particularly this year that the practice of having a list of names at the desk has seemed to grow over that of previous years. We have heretofore had lists of names at the desk from time to time, but the rules of the Senate do not make any provision for recognition of a Senator by virtue of his name's having been placed on a list.

Rule XIX, paragraph 1, provides that the Presiding Officer shall recognize the Senator who shall first address him, and I would hope that we would not permit the erosion of this rule. It is possible for a Senator, under the practice that is coming more and more into vogue, to place his name on the list at the Presiding Officer's desk, return to the office and work for 2 or 3 hours, feeling assured that when his name is about to be reached on the list, he will be notified, and can be on the floor and get immediate recognition; whereas, a Senator who has been diligent in remaining on the floor all afternoon, as has the Senator from Rhode Island, will not be recognized in accordance with rule XIX.

I have sat in the Chamber day after day and watched this rule being eroded; and I would like to express the hope that Senators who preside—and my remarks are not, I want to say, as did the Senator from Rhode Island, meant to be directed to the present Presiding Officer—whoever they may be, will follow the Senate rule and recognize Senators in accordance with the rule.

Mr. LONG. Mr. President, will the Senator yield?

Mr. PELL. I yield.

Mr. LONG. While the Senator is addressing himself to that subject, I would hope that one of these days we might be able to prevail upon our Rules Committee to consider a number of not consequential but helpful changes to our rules in order to help us expedite our business, so that we could get on with it more effectively.

One thing that especially concerns the junior Senator from Louisiana is that many times, because of some absentees and the failure of the side that has the most absentees to be able to obtain pairs for all their absentees, Senators insist on a matter going over to the following day and then they go over to the following day at a time when there is no other business to take up.

We were fighting over a measure involving campaign expenditures 2 years ago, and six votes were taken. My side won three times and the other side won three times. It depended on which side had the most absentees. If we had had the entire membership of the Senate present, it would have been a tie vote.

That kind of thing could go on forever. If we could reach an agreement on any basis, once it is cleared that a Senator wishes to vote in a certain way, that could be achieved by any one of a dozen mechanisms, or we could agree that both sides would pair their absentees, provided they knew how Senators wanted to vote.

I suppose the Senator from Rhode Island has used a similar technique in some of the committees on which he serves, and I know it is followed on some of the committees on which I serve. It is a helpful means by which to get on with business. We might even go to the extent when we are in doubt, of getting on the telephone and contacting a Senator who might be addressing his State legislature or some group on a matter involving, perhaps, the Federal-State relationship. We might get the Senator on the telephone, permit most sides to explain their positions, and then ask the Senator how he wants to vote to break the tie.

However, in the Senate Chamber we are still stuck with the obsolete way of doing business. If a Senator gives a pair it looks as if both Senators did not vote. That is the difficulty in giving pairs. Someone might say, "Don't let them vote today, fellows. We will keep the conversation going until tomorrow." Sometimes that procedure goes on indefinitely. I assume that during sessions of the Senate it must cost us at least 10 days of our time, and that is valuable time.

Mr. PELL. Mr. President, I completely agree with the Senator. We are one of the few legislative bodies in the world that does not make full use of the regular pair so that two men can be away to take care of business.

Mr. LONG. I used to tell friends if they wanted to help me on something I would be glad to return the favor when I apparently could but that there was no use asking me to help them unless it was going to be a close vote. On a close vote I would be glad to return the favor, but if I were going to lose by a big vote it did not matter and if I were going to win by a big vote they could vote how they wanted because I had plenty of votes anyway. That is the point of view of a practical legislator.

However, when one gets down to the close votes where neither side wants to lose because one of their men is out of town or in the hospital, from time to time we will have Senators request that nothing happen until they return.

I recall situations where a Senator wanted to be present to vote on something and he may have left instructions that nothing important happen until he gets back. Then, if anything does happen, he stands up and proposes to object to every unanimous-consent request for the next 6 months because he felt the faith was not kept with him.

When the vote is going to be close anyway, why should a Senator who is going to be absent not be accorded a pair so that his position will be recorded. Then, both would be shown as voting. It would be easier to accord the absent Senator a pair.

Mr. PELL. I agree and I would support the idea if the opportunity presented itself.

Mr. LONG. I shall draft the rule and submit it and if the Senator gets a hearing on his proposal we can have a hearing on it as well.

GREECE: GOVERNMENT BY TORTURE—AN ARTICLE BY CHRISTOPHER S. WREN

Mr. PELL. Mr. President, the May 27 issue of Look magazine, which is out tomorrow carries an article entitled "Greece: Government by Torture," by Look senior editor Christopher S. Wren. The article tells a shocking story of torture under the Greek military regime which took power 2 years ago. Mr. Wren notes, at the beginning of the article:

> Torture has taken place in Greece on victims who number into the thousands. Under a frightened unpopular military regime, torture goes on today.

He then goes on to describe some specific examples.

Mr. Wren concludes his article, I should note, with this comment:

> We are spending around $40 million a year of American taxpayers' money for aid to a government that rules by torture. Do we really want to do that?

I was interested to note, too, that of the eight names of torturers mentioned in the article, six had been cited by me on this floor last October 12, 1968. These are Messrs. Lambrou, Karapanayiotis, Spanos, Babalis, and Mallios.

Mr. Wren's article needs no further comment from me. It speaks for itself. While it is not pleasant reading, I ask unanimous consent that the full text of the article be placed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PELL. Mr. President, I also ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an article published in the May 7 issue of the New York Times under the headline "European Ministers Warn Greek Regime," an editorial from the May 8 issue of the Times entitled "Warning to the Junta," and an editorial from the Providence Evening Bulletin entitled, "Greece Under the Heel."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 2, 3, and 4.)

Mr. PELL. Mr. President, the article written by Drew Middleton from London, reports that the Committee of Ministers of the Council of Europe has warned the Greek Government that its internal policies violate the principles of human rights on which the Council was founded. Mr. Middleton notes that the Committee has postponed a decision on the expulsion of Greece from the Council but has adopted a resolution citing the Assembly's finding that the Greek military regime violates the conditions for membership on the Council, one of which is that every member of the Council must accept the principles of the rule of law and of the enjoyment for its citizens of human rights and fundamental freedoms. Mr. Middleton mentions the fact that a subcommittee of the Council's Human Rights Commission will resume hearings next month on allegations of torture of political prisoners of Greece. I intend to continue to follow these hearings with close attention and to inform Members of the Senate of the group's conclusions.

Mr. President, I have spoken out many times on the floor in the past 2 years on the subject of torture in Greece. The effect of torture on a people is sinister and pervasive. It intimidates through fear and silences by terror. While I have no way of knowing personally to what extent torture is still being used as an instrument of control by Greek officials, I find the recurrent reports of torture most alarming and disturbing.

I would like to point out at this time, Mr. President, that we have not had an Ambassador in Greece since January 20. As we recognize the current regime, and do business with it on a full range of political and economic matters, including certain forms of military assistance, it does not strike me as wise to leave this post unfilled. I hope that the new administration will appoint a tough-minded, nonmilitary man to this important position immediately. We need to have a strong voice in Athens—and an experienced ear.

EXHIBIT 1

GREECE: GOVERNMENT BY TORTURE

(By Christopher Wren)

I didn't believe it. The reports of torture filtering out of Greece for two years since the military coup were so grotesque as to seem unreal. It took a trip inside Greece to change my mind. In Athens, businessmen, priests, army officers, lawyers, housewives and students persuaded me. A succession of former political prisoners described every ordeal in detail and let me see, and touch, the scars. Now I am convinced. Torture has taken place in Greece on victims who number into the thousands. Under a frightened, unpopular military regime, torture goes on today.

Pericles Korovessis, a 28-year-old Athens actor, told me he didn't believe the stories either, until *Asphalia*, the Greek security police put him through what it likes to call the "machine of truth."

One Monday morning at 3 a.m., five armed plainclothesmen burst into his apartment. Odyssef Spanos, the leader, told the others what to look for: "Every thick book is a Communist book." The police seized ten folk-song tapes, a BBC English lesson, a typewriter, and the classics of Aristotle, Sophocles and Aeschylus. They took their evidence and Pericles Korovessis, in an unmarked black sedan down to the big *Asphalia* headquarters on Bouboulinas St.

Korovessis was hustled upstairs to a small office. Spanos told him, "I want to know everything you've done." "It's a horrible mistake," explained Korovessis. "I'll be released in the morning." Spanos hit him in the mouth, drawing blood. "If you dirty my shirt," warned Spanos, "you'll pay for it."

They took Korovessis up to the small room on the roof terrace where interrogation takes place. In the middle was a wooden bench, its top polished with use. They tied him down on it. One man held his chest. Another picked up a shovel handle. He began pounding Korovessis on the soles of his dangling feet.

The technique is called *falanga*. At Bouboulinas St., the victim's shoes are routinely left on. This minimizes telling scars, prolongs the beating time, and is especially painful, because swelling feet eventually pop the shoes apart. "Do you like this?" the torturer asked. "This is just a sample." Korovessis tried vainly to arch his feet until the shoes were too swollen full. Screaming, he lost count of the *falanga* strokes.

With stick, Spanos daintly hoisted a urine-soaked rag from a toilet hole at one side of the room. An assistant stopped him: "Sir, it's my job. That's too dirty for you." Korovessis passed out as the wet rag was jammed inside his mouth.

When he came to, they asked if he had anything to tell them. Then they started on his feet again. Korovessis still remembers: "It was so horrible that I thought somebody was beating me on the head. It's as if they beat you all over. After a while, I couldn't even cry." He passed out again, came to and vomited. They untied him. One policeman said: "Look, you've dirtied the floor. You must lick it up."

Korovessis couldn't stand. His shoes had split to reveal flesh "like unbaked dough." Two men dragged him down to the basement past policemen chatting about yesterday's soccer match. They put him in a windowless cell without food or water.

The next day, they took him upstairs again. Spanos' superior, Constantine Karapanayiotis, confided: "We know you're not a Communist because your family is royalist. We want you to help us. Give us the name of two friends you don't like." Korovessis refused. "Everybody who comes here talks," Karapanayiotis warned. "You're not spoiling the record."

Basile Lambrou, the dapper *Asphalia* director, walked in. "I'm the boss," he announced. "It's useless trying to play hero because everybody here speaks." Korovessis said he would protest when he got out. "You'll never be able to," Lambrou laughed. "Everybody believes us and not you. It's very easy for us to humilitate you. We are the government, and you are nothing. The government isn't alone. Behind the government are the Americans. The whole world is in two parts—the Russians and the Americans. *We* are the Americans. Be grateful we've only tortured you a little. In Russia, they'd kill you."

Lambrou, other victims confirm, displays a facial twitch when he gets excited. His jaw began jerking when Korovessis told him he had nothing to say. "Then say a prayer," Lambrou snapped.

Karapanayiotis gestured: "I'll give you to Gravaritis and he'll kill you. He enjoys it."

Basile Gravaritis, paunchy and smiling, took over. He stroked Korovessis' shoulder. "Why fight the boss?" he soothed. "Tell the whole story. It'll be good for you." Suddenly, he grabbed Korovessis by the hair and slammed his head against the wall.

Gravaritis ordered his assistants to take Korovessis back up to the room on the terrace. He stamped on his prisoner's instep. The blood came out.

They tied Korovessis back on the bench. Gravaritis hung up his coat and rolled his sleeves "like a priest preparing for a ceremony." He began *falanga*, this time with an iron pipe. After ten blows, he paused to say: "Your right foot is already broken. If you want to save the other, tell the truth now." The beating resumed. "I even felt pain in my fingernails," Korovessis recalls today.

He fainted, then revived. Gravaritis walked over: "I'm so sorry, are you all right?" He slapped Korovessis across the face, then with two fingers slowly pressed his victim's eyes back into his skull.

They untied Korovessis, and began flailing his shins and knees with the iron bar. Gravaritis dragged him around the room by the hair, smashing his face against one knee. A tooth fell out. They took him outside, pretended to toss him off the roof and brought him back inside the room.

Korovessis feigned unconsciousness, until his testicles were slugged with the bar. "Oh, you're all right," grinned Gravaritis. They spread Korovessis down over the bench. Gravaritis shoved the iron bar into his rectum, tearing the skin. Korovessis blacked out. He came to in the corner. Gravaritis was carefully combing his hair in the window's reflection. He looked down at Korovessis. "We've become tired of this kind of man," he said.

Lambrou and his associates came in and kicked at Korovessis. Karapanayiotis seared his mouth with a hot pepper, broke it open, and stuck the pieces into his eyes and nose. Another man poured American detergent down his throat, and, finally, propped a cigarette into his lips as he lay writhing. Everyone laughed. "You see what happens to people who don't like democracy," Lambrou lectured.

An army ambulance carried Korovessis to the No. 401 Military Hospital in central Athens. But he got no medical attention. Instead, daily, he was wheeled from his bed into a room, strapped to a leather chair, and tortured with electricity from a "black box." Several men in white smocks watched to determine how much shock his heart could stand. "This little machine could make you feel like nothing," Korovessis remembers. "I shook like a piece of paper." Lambrou dropped in once to chat. "Your soul is tortured because you have many sins," he suggested. "Write them down and save your soul."

Korovessis never talked, because, he insists, he had nothing to tell. After a week, he was taken back to Bouboulinas St., then through a succession of prisons. Six months after he was picked up, he was finally released. He had been charged, with nothing, convicted of nothing. Still, he was forbidden to work and had to see the police twice a week.

Pericles Korovessis can speak now because he has escaped from Greece with his wife. I studied nearly 200 cases like his, in personal interviews and smuggled reports. The people I met in Athens had names. Most victims are anonymous, like the "bloody amorphous mass" that one young laborer told me was dumped into the next cell and remained without food and water when he left six days later. The majority are still in prison. Those released have been forced to sign statements that they were not tortured.

Falanga is the basic torture. In Athens, the victim is tied to a bench or chair. In Salonika, he is stripped below the waist and laid on his back, with his feet between the sling and stock of an American M1 rifle. Two men hoist the rifle, twisting it to immobilize his feet. A third slams away at the exposed soles. "The pain is like an electric shock," one student told me. "It goes up into your heart and bangs inside your head." When the victim passes out, he is made to stand up and jump. This brings the circulation—and pain—back. Then *falanga* begins again, swelling the entire leg. Everybody I talked to said he urinated blood afterward.

That isn't all. Suspects are often stripped naked, an old Gestapo trick to break resistance. There have been mock executions, sometimes over an open grave. Karapanayiotis gave one student a forced enema with detergent, boasting: "We'll pull your bowels out of your mouth." A Salonika girl was dangled from a helicopter and dipped into the Aegean Sea until she talked. A prominent lawyer was hung by his feet. A quiet, long-haired brunette was deflowered with a broom handle. I learned of a film maker who had his moustache burned off. At the *Asphalia* station in central Piraeus, the Athens port, vice director Sotiris Kouvas gets results from a heavy metal ring that he slips over the suspect's skull, then tightens slowly with metal screws.

Electric torture to the toes, neck and genitals is commonplace. But psychological terror frequently works best. At one jail a clanging bell keeps prisoners awake. Threats of rape or sodomy are also effective. A 35-year-old spinster resisted 14 bouts of *falanga*. She broke when her torturers stripped her and began to molest her. She has since tried to hang herself.

The government forbids anyone to help the family of a man taken to jail. He becomes more vulnerable if he has to worry about them. An army major was buried up to his neck and saw his son beaten before him. Paul Zannas, director of the Salonika Film Festival, was not tortured. But when his 13-year-old son tried to bring him a French newspaper, *Le Monde*, in prison, the boy was thrashed by a jailer in front of Zannas.

Georgia Pangopoulou was arrested with her fiancé, Constantine Meletis. They were tortured in adjacent rooms of a military barracks in Salonika, so they could hear each other scream. An officer crisscrossed her face with a knife. "Go to the mirror and see how pretty you look," he ordered her. Meletis remembers a man named Baras being beaten so badly next door that with each new blow he could only "grunt like an ox." At the Bouboulinas St. jail, an actress, Kitty Arseni, listened to one *falanga* session overhead. She counted 200 blows.

A student's wife, two months pregnant, miscarried after *falanga*. One prisoner at Bouboulinas St. told me some men could only crawl to the daily toilet. One young man was so battered that when his girl friend saw him, she vomited.

How could such torture be condoned? Bear in mind that the colonel's coup on April 21, 1967, defied the Greek people, the government, the king and even the generals, who had postponed their own planned coup. Today, I was told in Greece, only five percent of the population backs the junta. Another five percent may collaborate. But 25 percent of the people strongly oppose it. The remaining two-thirds, including the peasants, are sitting on the sidelines.

In two years, the colonels have failed to solidify any significant support from the Greeks. They have to expose and smash all opposition, or the precarious dictatorship will collapse. As one priest puts it, "They govern Greece like a battalion and nothing more."

The target for torture has been those the junta fears most—the intellectuals, the young and the non-Communist leftists. Nearly all the torture victims I met were educated. *Asphalia* is especially worried about resistance groups like the radical Patriotic Front, the moderate Democratic Defence, and the students' *Rigas Feraios*.

The torture is calculated to create fear as well as get information. Doctors are warned not to treat released victims; if they do, their telephone service can be cut. Feeding the children of a man in jail is "association with Communists" that will send you to prison yourself. Ex-prisoners cannot hold a job without *Asphalia's* approval. The *Asphalia* budget has doubled since the coup much of the increase going to pay informers.

The four-story, brown-shuttered *Asphalia* building across from the National Archeological Museum on Bouboulinas St., with gray jeeps parked along its sidewalk, has become a landmark. At first, a motorcycle engine was run at night to drown out screams from the terrace. Now, the building is so infamous that most torture has been relocated to suburban stations. The windowless basement cells are still used, as is the three-room basement at 16 Rethymnou St., several blocks away, where the overflow of prisoners from Bouboulinas St. has been stored.

The once-elite commandos, decimated by a purge after the coup, carry out the worst atrocities at the Dionysos military camp outside Athens. One green-beret raiding-force officer confirmed the tortures took place. There is a tree there where prisoners are hung by their wrists, which are manacled behind their backs. In winter, prisoners have been doused with water and left hanging overnight.

Even in Athens, prisoners have been frequently denied food, water and blankets. A young girl told me she got along by lapping water from the toilet. Provisions sent by families have sometimes been kept by the police. One 22-year-old girl stayed in solitary confinement for six months because she spit at Lambrou, but shorter isolation periods are common. I learned of prisoners left in handcuffs for days, weeks, even months. In one case, the man's flesh swelled over the handcuffs, hiding them.

The torture ends with prison. Anyone sentenced to Averhoff or Aegina prisons, or the island concentration camp at Leros, faces hardship, but not *falanga*. A military officer presides at the trials. Lawyers don't see their clients until just beforehand. Any references to torture, as when Yannis Petropoulos, a construction worker, showed his mutilated feet on the witness stand, are stricken from the record. Sentences are heavy. A law student, later amnestied with other prisoners, told me he got 20 years for possessing two leaflets. Young demonstrators at former Prime Minister George Papandreou's funeral drew up to four and a half years. A man who called the government a "junta" in a grocery-store conversation went to prison. So did a priest who asked his congregation to give their Easter dinners to the families of those in jail.

The torture has tapered off from the first bloody year after the coup, but the same torturers keep cropping up in the most recent accounts: Lambrou, Gravaritis, Karapanayiotis, Spanos, Petros Babalis, and the sexual torture specialist, Evanghelos Mallios, at Bouboulinas St. alone. Nicholas Kioupis, a fat, bespectacled *Asphalia* doctor, inspects victims to advise how much more torture they will take.

Besides Korovessis, I met only one other victim, a young cabinetmaker, who held out.

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The broken ones are far more bitter. A student who blurted the name of his best friend recalls: "I tried not to think of speaking. Even naked and tied, I was so much more than the people beating me. Then there was an emptiness, and I found myself talking."

The dictatorship refuses to admit that torture goes on. It calls anyone who raises the fact Communist or homosexual or both. Yet, Amnesty International, a London-based organization concerned about political prisoners, confirmed almost a year and a half ago that there was torture. Sweden, Norway, Denmark and the Netherlands have filed charges against Greece in the Council of Europe for violation of the Human Rights Convention, which forbids degrading treatment of prisoners. A subcommission of the Council went to Greece in March. It was refused access to the prisoners and prisons it had requested. Now, a showdown is brewing that could result in Greece's expulsion from the Council.

The Greek Government brought an ex-prisoner, Constantine Meletis, under armed guard to rebut the torture charges at the Council's hearing last November in Strasbourg, France. He escaped to testify that he had in fact been tortured. I saw him in Oslo, where he now lives under Norwegian police protection. His jaw is still crooked from being broken with a submachine-gun magazine when he was arrested a year ago. *Asphalia* has been collecting pictures of him at home. They plan to get him.

In Washington, D.C., Sen. Claiborne Pell has brought up the subject of torture a half-dozen times on the Senate floor. "Torture has been used as an instrument to keep the Greek people scared," Senator Pell believes. "It will get worse if we extend full military assistance, and they think we're not horrified. We should hold up assistance until we know the torture has been stopped."

American military aid to Greece was suspended after the coup; now the money is flowing again, but our Government refuses to say how much. The consensus is that we need Greece in NATO. Yet one of Greece's top military men insisted to me that, since its 2,000 best officers were purged by the junta, the Greek armed forces have become nearly worthless. "Before," he said, "Greece gave NATO ten infantry divisions, one armored division and the raiding forces. Now, it all adds up to zero, because today, there's no morale, no discipline, no spirit left."

The people of Greece believe the tortures would end if the United States just spoke out. One woman challenged: "I can't understand why Americans want democracy in their country, but smile upon people who destroy democracy in my country. Democracy is not just for the Americans." The irony is that American aid has become identified with the tortures. American M1 rifles have been used in the *falanga* beatings. Some of the interrogator's desks at Bouboulinas St. bear the clasped-hands emblem of the U.S. AID program. Unconscious victims have been lugged from the terrace there down to the basement ("A slaughterhouse of broken bodies" one prisoner called it) in gray American hospital blankets with "U.S." in prominent black letters. The torturers, who smoke American cigarettes while they work, like to give the impression they are only doing a job for the Americans. Most of the victims I talked to believed that Lambrou and Mallios, among others, were trained in the United States, though there is no evidence of this. No wonder Pericles Korovessis, now a homeless, penniless exile, asks: "Is Lambrou your spokesman? What has happened to the American dream?"

Before I left Athens, I had dinner with a bearded Orthodox priest. "When a foreigner comes to Greece," he said, "he sees the sun and the sky, and he thinks things are going fine. In reality, inside these people you see on the streets is a hatred that is eating them away. There is going to be such an explosion here as no one is expecting."

The reckoning of the tortures is yet to come. Look for the educated and the young to shift so far left that the junta's baseless charge of Communism becomes a self-fulfilling prophecy. Look for what one Greek calls "the mathematical certainty of anarchy," culminating in a revolt, conceivably Soviet-backed, against the dictatorship. Look for the condemnation and probable expulsion of Greece from the Council of Europe. Look eventually for a split within NATO itself, lining Norway, Denmark, the Netherlands and even Italy against the United States and its corrupted ally. Look for anti-Americanism to spread through a people who were once loyal friends.

We are spending around $40 million a year of American taxpayers' money for aid to a government that rules by torture. Do we really want to do that?

Exhibit 2

[From the New York Times, May 7, 1969]

European Ministers Warn Greek Regime

(By Drew Middleton)

London, May 6.—The Committee of Ministers of the Council of Europe warned the Greek Government today that its internal policies violated the principles of human rights on which the Council was founded.

After a three-hour debate the committee approved by 13 to 2 a four-point resolution that in effect warns Greece that she is in danger of expulsion from the Council.

Greece and Cyprus voted against the resolution and France, Switzerland and Turkey abstained.

At its 20th anniversary meeting the ministerial committee endorsed multilateral contacts with Eastern Europe as contributions to a detente with the Communist bloc.

"The policy of a detente should be continued," the committee reported in a communique, even though the Soviet occupation of Czechoslovakia had impeded progress.

The Council of Europe is an 18-nation intergovernmental group formed in 1949 with the aim of furthering European unity. It consists of a Committee of Ministers representing the various governments and a Consultative Assembly whose members are chosen by the national parliaments.

In January the Consultative Assembly, meeting in Strasbourg, France, recommended the exclusion of Greece from the Council. Greece denounced the resolution as prejudiced.

HARMONY IS STRESSED

The two-day anniversary meeting of the ministerial committee was concluded at Lancaster House this afternoon. The session was notable in two respects, participants said.

Positive steps toward European political unity in this first post-de Gaulle conference could be discussed "in terms of reality rather than vague hopes," one Foreign Minister said.

There also was an obvious desire in this more optimistic atmosphere not to take action that would rupture European harmony.

This was believed to be one of the reasons the committee postponed until its next meeting in December a decision on the expulsion of Greece from the Council, adopting the four-point resolution instead.

The resolution cites the Consultative Assembly's finding that the Greek military regime violates the conditions for membership in the Council as set out under Article 3 of the Statute of the Council of Europe.

READY FOR DECISION

The article provides that every member of the Council must accept the principle of the rule of law and of the enjoyment of all persons within the jurisdiction of the government of human rights and fundamental freedoms.

The ministerial committee also declared in the resolution that it was "ready" to make a decision on Greece at its next meeting and expressed the hope that the report of the Commission on Human Rights would be available to the committee as soon as possible.

A subcommittee of the European Human Rights Commission will resume hearings in Strasbourg, France, next month on allegations of torture of political prisoners in Greece.

The ministerial committee spent much of the afternoon session discussing the political aspects of European economic integrations.

Progress in this field, it is widely believed, depends on the policy of the future French government Foreign Minister Willy Brandt of West Germany and others cautioned against giving the French the impression they were under any kind of pressure.

Prime Minister Wilson, who yesterday reasserted Britain's desire to enter the Common Market, was similarly cautious while answering questions in the House of Commons.

Mr. Wilson said that Britain "must take this matter fairly slowly and cooly" until the situation in France is clearer. There are still "enormous difficulties" facing British entry, the Prime Minister said.

[From the New York Times, May 7, 1969]

Actress in Plea to Greeks

Athens, May 6.—Anna Synodinou, one of the foremost Greek dramatic actresses, appealed to Greeks today for action to help restore freedom in Greece after two years of military rule.

The 42-year-old actress, who has refused to appear on the Greek stage since the military regime took power in 1967, said she was demonstrating in this way her "opposition to the suppression of the freedom of speech" in her country. She expressed her views in a statement issued to the foreign press.

"I address myself with all my heart and my full voice, to all those—Greeks and strangers—who believe in a peaceful and creative life," she wrote. "Help restore freedom in Greece. Help rehabilitate human dignity."

Exhibit 3

[From the New York Times, May 8, 1969]

Warning to the Junta

The Council of Europe has warned Greece's junta to restore basic human rights by December or face expulsion from the eighteen-nation body. Greek democrats had hoped that the Council at its twentieth anniversary meeting in London would at least suspend Athens; but the colonels would be wise to take this milder action for the conditional reprieve it was.

Up for consideration in London was the recommendation of a huge majority of the Consultative Assembly of the Council that Greece be ousted for "serious violation of the conditions of membership" regarding the rule of law and human rights. The foreign ministers postponed action until their December meeting however, partly to get a report from the Council's Human Rights Commission on alleged torturing of Greek political prisoners. They were also reluctant to rock the European boat further after the shock of President de Gaulle's exit in France.

At any rate, these colonels now have seven months in which to restore basic liberties and put Greece on the road back to democracy and the rule of law. It would solve many problems—for Greece, the Council of Europe, NATO and also for the United States—if Colonel Papadopoulos and his henchmen took this opportunity to carry out a few of their promises.

Exhibit 4

[From the Providence (R.I.) Evening Bulletin, May 9, 1968]

Greece Under the Heel

In denouncing the Greek government's suppresion of freedom, the Council of Min-

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isters of the Council of Europe has struck a note of truth in an evasive world. That they held off a vote on expelling Greece from the 18-member council indicated perhaps their hope that conditions in Greece may improve in the next six months.

But in declaring that the policies of the totalitarian regime in Athens violated the prinicples of human rights on which the council was founded, the ministers did what many Americans have wished their own government would do. In recognizing the Papadopoulos military dictatorship and in offering it assistance, this nation seems to many to have condoned the suppression of free speech, the imprisonment of political enemies, the denial of popular government.

Greece is a member of NATO, part of the defense of Western and Southern Europe against Russian expansionism. But the fact that Greece occupies a strategic location in the planning of the NATO joint command should not be permitted to override considerations of human decency. If the Council of Ministers has rebuked the Athens regime, it is time the United States used all the pressure at its command to push the Greek colonels into a return to representative government.

DISPOSAL OF CHEMICAL WEAPONS IN THE ATLANTIC OCEAN BY DEPARTMENT OF THE ARMY

Mr. PELL. Mr. President, on Thursday last, as I am sure many of my colleagues will recall, the New York Times reported that the Department of the Army plans to dispose of several thousand tons of chemical weapons by dumping them into the Atlantic Ocean at a distance of 250 miles offshore and at a depth of 7,200 feet.

I ask unanimous consent that Mr. Roy Reed's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Congressmen Protest Rail Plan To Carry Poison Gas to Atlantic

(By Roy Reed)

Washington, May 7.—The Army is considering the transportation of a large quantity of obsolete, but still lethal, poison gas across the country in railroad cars to be dumped in the Atlantic Ocean.

Under a proposal that the Army says is being discussed—and which a New York Congressman says has been decided on—the gas would be shipped by railroad from the Rocky Mountain Arsenal near Denver and the Edgewood Arsenal in Maryland to the Naval Ammunition Depot at Earle, N.J. There it would be loaded onto four old Liberty ships, towed 250 miles out to sea and sunk with the ships.

Earle is 20 miles across the lower bay from the southern tip of Manhattan.

The proposal was attacked today by Representative Richard D. McCarthy, Democrat of upstate New York, who made it public, and by Senator Harrison A. Williams Jr., Democrat of New Jersey.

The two men, in letters and telegrams, urged the Defense Department to stop what Senator Williams called "this very hazardous operation" because of the danger to human life along the railroad routes and at the port, as well as the potential hazard to marine life in the Atlantic.

The Pentagon replied this afternoon that, although it had not decided to go ahead with the proposal, disposal by this method would be the safest it could devise.

Mr. McCarthy said his source of information, which he did not divulge, insisted that the military had already decided on the train plan of disposal.

Meanwhile, Representative Henry S. Reuss, Democrat of Wisconsin, announced that Congressional hearings would begin May 20 on the possible dangers of open-air testing of chemical warfare agents.

The hearings will cover the accident last year in Utah in which about 7,000 sheep died in the vicinity of an Army nerve gas test.

Ramparts magazine, in its June issue now going on sale, reviews that accident and warns that a similar accident that could involve human life may occur in Utah from an infestation of a Latin-American virus that was brought to the state by the Army.

Representative McCarthy and Senator Williams said they had learned that the Department of Transportation had issued a permit to allow the gas to be transported by rail.

Mr. McCarthy said the permit had been issued with a waiver of a customary safety requirement. Cylinders carrying toxic material ordinarily are tested under water pressure for valve leaks.

A Transportation Department spokesman said it would be more dangerous to empty the already-filled World War II cylinders than to let them go through untested.

Mr. McCarthy said most of the cylinders involved had not been tested since World War II.

An Army spokesman said the Army had disposed of obsolete gases by the train-to-sea method "several times," most recently in August, 1968. He said there had never been an accident.

Mr. McCarthy said he had learned of accidental spilling of a military-made chemical agent called phosgene in four separate incidents in the Midwest during the last year. He said details of the accidents were hard to find because of a policy of secrecy surrounding chemical warfare agents.

Pentagon spokesmen said a decision on disposal of the obsolete gas would be made only after consultation with scientific and technical experts and with other government agencies.

They said 27,000 tons of material, including containers, was involved and the movement would require 90 to 120 days, beginning later this month.

Maj. Gen. Wendell Coats, the Army's Chief of Public Information, said the material was about half GP nerve gas and half mustard gas. The nerve agent is in Air Force bombs, the mustard gas in cylinders of three-eighths-inch thick steel.

General Coats said the cylinders would be packed on the railroad cars in vermiculite to absorb any spill of the deadly liquid.

He said that any significant pollution of the sea would be "virtually impossible" from the dumping. The gas would rest on the sea bottom at a depth of about 7,200 feet, he said.

In the unlikely event of a ruptured cylinder, General Coats said, the poison would be dangerous for only 185 hours, after which it would be absorbed by the water and rendered harmless. He said the Army calculated that it would take water at that depth 400 years to rise to the surface.

He said the operation would cost $2.9-million.

An alternative would be to burn the material in the arsenals, and that would take "a period of years," he said.

"Our people calculate the train method is the safest way of getting rid of this material," he stated.

Mr. PELL. Mr. President, while the primary focus of this article is to raise the general issue of the transport and the disposal of chemical and biological weapons, I wish to draw attention to the specific question—does the United States have the right to use the ocean space environment as a dumping ground for obsolete lethal gases? I bring up this question because the area selected by the U.S. Army is not only beyond our territorial sea but, indeed, it lies beyond our Continental Shelf. In other words, the disposal site is clearly beyond the territorial jurisdiction of the United States, and, yet, by carrying out this proposed plan, the United States will be asserting de facto, if limited, jurisdiction over that selected portion of the ocean deeps and the seabed thereof, and I might add, it will be asserting this jurisdiction for a very questionable purpose.

Mr. President, as one of the congressional advisers to the United Nations Committee on the Peaceful Uses of the Seabed, I have closely followed the discussion on this issue, and I would remind the Department of the Army that the United States has gone on record at the United Nations as giving its full support to the principle that the seabed beyond the present limits of national jurisdiction shall be utilized in the interests and for the benefit of all mankind. In addition, during the last session of the General Assembly, the United States cosponsored a major resolution calling on the United Nations Secretariat to undertake a general study of the problem of marine pollution. Also, I think it should be recalled that, during the past session of the 18-Nation Disarmament Conference, the United States stated that mass destruction weaponry, including chemical and biological weapons, must be prohibited from emplacement in the ocean floor.

While I do not in any way mean to suggest that the Army's plan to dispose of the chemical weapons in question can be equated with the emplacement of weapons on the ocean floor, or that the action contemplated is ipso facto synonomous with marine pollution, or even that the Army's plan must necessarily be contrary to the interests of mankind, I do suggest that, if the Army implements this course of action, the credibility of our pronouncements before the United Nations and the 18-Nation Disarmament Conference could be impaired.

Like all great powers, Mr. President, the United States cannot have it both ways and still enjoy the trust and confidence of the other nations of the world; we cannot berate Peru for trying to protect the fisheries within its 200-mile coastal belt, while we maintain that freedom of the high seas permits us the jurisdictional authority to dump lethal gases 250 miles from our coast. We cannot seek to overcome the problems of marine pollution, or to exploit the marine environment in the interests of mankind, or to use the seabed exclusively for peaceful purposes, while at the same time we retain the right, under customary law of the sea, to utilize ocean space in any way we see fit, including the disposal of some of the most ghastly weapons ever produced by man. In short, how legitimate is our leadership in the field of oceanology, when on the one hand we call upon the world community to fashion a new legal and political framework for the development and exploitation of the international marine environment, and on the other we ourselves seek refuge among the old rules when we find them convenient to our purposes.

Mr. President, for several years now, I have urged my colleagues to give serious thought to the need for an ocean

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space treaty, such as I have reintroduced during this session of the Congress. The type of treaty which I have suggested would provide for the peaceful and orderly development of ocean space, and in large measure would establish a meaningful basis for a solution to the kind of problem which I have mentioned today. I know that all of us would feel much less apprehensive about the Army's proposed plan of disposal if it were sanctioned by a majority of the members of the international community, or if the plan itself were approved by an international body of experts. We have neither, but the fact that we have not sought such approval explains the crisis of our times in the way we conduct our international relations.

THE TURBOTRAIN—THE MODERN PASSENGER TRAIN

Mr. PELL. Mr. President, recently, I had an opportunity to travel from New York City to my home State of Rhode Island on a regularly scheduled run of the turbotrain, the modern passenger trains being operated by the Penn Central Co. under the High-Speed Ground Transportation Act of 1965.

Mr. President, I had a pleasant, agreeable, and I would even say a delightful ride. I am extremely glad that these trains finally are on the track.

However, there are three very important steps that I would hope the Penn Central Co. would take as quickly as possible. They are steps that I consider necessary to the full and valid test of public acceptance that Congress envisioned when it approved this demonstration program.

The first, and to my mind most important, is to permit the Penn Central engineers to run the turbotrains at the speeds of which they are capable, consonant with reasonable safety.

I am personally convinced that, with no relocation or straightening of the twisting New Haven right-of-way, the turbotrains could make the trip from New York to Boston in 3 hours flat, compared with the current 3-hour and 55-minute schedule.

These trains were imaginatively designed and built by United Aircraft Corp. specifically to ride the present right-of-way with its many curves and bumps. I, in fact, believe that if the track were straightened and improved, if grade crossings were eliminated, and if the right-of-way were fenced, the turbotrain could cut the Boston to New York running time to the 2 hours that I have always held out as a target. Indeed, I think it is time we started giving very careful consideration to a program of right-of-way improvements to make such true high-speed runs possible with full safety.

I think it quite probable we would find the cost of such improvements more than offset by the public benefits in convenience and time savings, and in relieving the strain on overcrowded conditions in other transportation facilities. I for one, would be prepared to give my full support to such a program of roadbed and right-of-way improvements.

In the meantime, however, I see no reason why the most advantageous use should not be made of the existing roadbed and the turbotrain capabilities. I strongly urge the management of the Penn Central to unleash their engineers and permit these trains to make the run in three hours, as I believe they can.

Secondly, the turbotrain continues to operate on a minimal schedule of frequency—one round trip each day. It is vitally important to a valid demonstration that the number of daily runs be increased as soon as possible to the four roundtrips anticipated in planning for this project.

The third point I wish to raise involves the effort being made to inform the public of the turbotrain services through advertising. Up to the present time, there has been scarcely any effort made by the Penn Central at advertising the service. But despite these three failings—the relatively slow speeds, the infrequent service, and the lack of advertising effort by the Penn Central, the turbotrains are being well patronized. That is a clear, if early, indication that New Englanders want improved rail passenger service, and want it very badly.

I would hope very strongly that the Penn Central will move quickly to cut the running time, and increase the frequency of service for the turbotrains. When these steps are accomplished, I would expect the Penn Central to present a forceful informative advertising campaign, and I would point out that the High-Speed Ground Transportation Act authorized the use of project funds for such informational advertising.

The Penn Central Co. should take the initiative in these three steps I have urged. At the same time, we must remember that this demonstration is being conducted by the Penn Central under a Department of Transportation contract. The present limited service is being run under a temporary 150-day agreement. If the Penn Central has not acted sooner, I would urge that the improvements I have urged today be required by the new contract for the turbotrain demonstration.

FEDERAL AID TO HIGHER EDUCATION

Mr. PELL. Mr. President, in this morning's Washington Post, there is published an editorial which succinctly sets forth the shortcomings of the proposed budget allocations as related to Federal aid to higher education. I ask unanimous consent that this fine statement be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Federal Disinheritance

There is not going to be much benevolence for colleges or for college students in the 1970 fiscal year if President Nixon's proposed budget is approved by Congress. Perhaps the parsimony has something to do with the widespread student feeling that the older generation really does not care quite so much for education as it likes to pretend it does. At any rate, the Federal aid to higher education cupboard looks pretty bare.

The National Defense Student Loans have been cut by slightly more than one-third from the level promised by the Johnson Administration—from $270 million to $155 million. These low-interest, long-term loans benefit lower and middle-class families; over half a million students now depend upon them. The College Work-Study program, designed to provide decent paying jobs for needy students working their way through college, has been cut by 31 per cent, from $211 million to $146 million. Educational Opportunity Grants have been cut in half. These grants are awarded to children of poor families to help them pay basic college costs. This cut alone would deprive more than 100,000 needy students, intellectually qualified for higher education, of the financial means to attend college unless the already overtaxed colleges themselves can somehow, offer them scholarships.

"My Administration," President Nixon said when he was campaigning for election, "will commit itself to the proposition that no young American who is qualified to go to college will be prevented from doing so because he cannot afford it. I will support existing programs which aid needy students, and will call for their expansion when it is indicated . . . I intend to make the new Administration one which will not allow men's worlds to remain closed to those who need only money."

It is not only for fiscal 1970 that the Nixon Administration is now closing men's worlds. Funds to promote the Higher Education Facilities Act also have been drastically reduced—a reduction which will mean inescapably that colleges will lack the physical plant to accommodate young men and women seeking higher education in the years ahead. Commissions on Higher Education set up in all parts of the country have recommended substantial Federal grants and loans for construction purposes. Funds for Title I of the Act, designed to promote the building of undergraduate academic facilities, have been slashed to a minor fraction of what the commissions recommended; under the proposed budget, only $43 million is requested for this program, of which about $60,000 might be allocated to the District of Columbia. This will not go very far in financing the $17 million planned by D.C. colleges and universities for the construction of academic facilities in fiscal 1970. The President's budget recommends no funds at all for the construction of graduate academic facilities.

Can this Nation reclaim the trust and allegiance of its young by disinheriting them?

Mr. PELL. Mr. President, I can assure you that the concern about the underfunding of higher education is not just from the Washington Post. As chairman of the Subcommittee on Education of the Senate Committee on Labor and Public Welfare, I am in receipt of all too many letters explicitly stating just how the cutback in funds will hurt developing colleges and universities; ruin student aid programs; and thwart growing and diversified curriculums.

How does one explain to a young student, who has been accepted at college that the Federal Government cannot afford to loan him or her $400 for tuition. How can we in good conscience allow the curtailing of programs, as is evidenced by the table prepared by the American Council on Education, which denotes that Student Aid Funds available to be dispersed amount to only 67 percent of the requests received? I ask unanimous consent that the table I am speaking of, be printed in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

Student Aid Funds for 1969–70 Amount to 67 Percent of Requests

Funds for three major Federal student aid programs in the coming 1969–70 academic

XUM

year amount to only 67 percent of the approved requests from colleges and universities, according to information obtained from the U.S. Office of Education.

An estimated $461 million will be available in the coming academic year for the three programs—the National Defense Student Loan (NDSL), College Work-Study (CWS), and Educational Opportunity Grants (EOG) programs. This compares with $682 million in approved requests from higher education institutions. The institutions originally asked for $814 million, but regional panels which reviewed their requests approved only the $682 million figure.

As the following chart shows, for the current academic year, available funds met 80 percent of approved requests, and for the preceding year met 85 percent. Figures shown are in millions of dollars for each of the three programs. The figures for the EOG program are divided into three parts: (1) new, or initial year grants, (2) renewal grants, and (3) bonuses previously allowed recipients who maintained an academic standing in the upper half of their class.

	1967-68			1968-69			1969-70		
	Institutional request	Panel approved	Available funds	Institutional request	Panel approved	Available funds	Institutional request	Panel approved	Available funds
NDSL	$243	$230	$190	$270	$247	$190	$318	$273	[1] $155
CWS	174	159	131	233	198	162	275	219	[2] 161
EOG:									
Initial	65	57	50	83	73	68	120	99	54
Renewal	48	48	48	72	70	69	101	91	91
Bonus	11	11	11	19	17	1			
Total	541	505	430	677	605	490	814	682	461

[1] Since the NDSL is funded from current fiscal year appropriations, the actual amount available will not be known until the HEW appropriation bill for fiscal 1970 is passed. The $155,000,000, figure is the amount requested in the budget for the 1970 fiscal year.

[2] The CWS program during an academic year is funded in part from the current fiscal year appropriations and partfrom the previous fiscal year, so the exact amount available for the latter part of the coming academic year will not be known until the fiscal 1970 HEW appropriation bill is passed. The EOG program for the coming academic year is funded entirely from money already appropriated.

The estimated funds for the NDSL program would provide loans for about 398,000 students, compared with 442,000 in the current academic year. The EOG funds will aid 280,600 students, 100,200 through initial year grants and 180,400 with renewal grants. This compares with EOG aid to 271,100 students this year—140,500 with initial grants and 130,600 with renewal grants. The USOE estimates that the CWS funds will provide assistance to about 375,000 students, compared with 395,000 this year.

On pages 4 and 5 appear state-by-state breakdowns of institutional requests for the three programs (initial year awards only for EOG), the amounts approved by the review panels, and the estimated percentage of approved requests to be met by funds available. All three charts are subject to some degree of adjustment later. The EOG chart shows a total of $68.1 million for initial year grants, rather than $54 million on the overall chart above. The $54 million figure assumes that all renewal grants would be funded in full, while the $68.1 million figure does not. The USOE is permitting institutions to make initial year awards up to a total of $68.1 million with the proviso that institutions can transfer initial year funds to renewal year awards if necessary to meet their obligations to returning students.

HIGHER EDUCATION AND NATIONAL AFFAIRS

	National defense student loan program, 1969-70				College work-study program, 1969-70			Educational opportunity grants—initial awards, 1969-70			
	Institutional request	Panel approved	Funds available	Percent	Institutional request	Panel approved	Estimated percent	Institutional request	Panel approved	Funds available	Percent
Total	$317,873,424	$273,322,121	$155,000,000		$274,969,531	$219,327,606	74	$119,549,871	$98,707,386	$68,137,040	
Alabama	5,559,358	4,567,605	2,205,761	48.82	7,597,656	5,251,083	87	3,020,511	2,427,697	1,135,047	48.00
Alaska	112,658	112,658	66,443	58.98	377,443	318,000	60	55,500	47,500	29,874	62,89
Arizona	3,602,825	3,283,433	1,751,328	56.59	2,725,957	2,221,318	68	1,492,625	1,189,700	704,789	66.19
Arkansas	3,146,082	2,618,760	1,475,439	56.81	5,070,279	4,319,866	61	1,483,480	1,155,815	659,784	57.40
California	26,869,187	23,824,224	15,617,366	67.63	29,079,401	24,133,981	60	10,216,455	8,593,000	6,743,199	82.43
Colorado	5,268,638	5,217,574	2,271,173	45.33	3,730,432	3,695,386	60	1,803,586	1,726,095	892,782	59.16
Connecticut	3,474,497	3,465,331	1,936,537	55.88	3,373,069	2,723,998	56	1,041,300	960,500	849,996	90.65
Delaware	719,722	399,874	296,000	74.02	431,962	345,900	90	362,150	356,100	91,728	48.00
District of Columbia	3,412,894	2,276,734	1,313,675	62.98	3,350,656	1,894,303	62	515,320	500,850	500,850	100.00
Florida	7,658,976	6,566,140	3,685,089	56.12	7,042,950	5,492,481	85	3,289,079	2,428,592	1,598,722	68.23
Georgia	4,911,080	4,366,779	2,624,771	61.28	4,595,480	3,631,244	100	2,361,625	2,038,868	1,161,031	58.34
Hawaii	618,704	604,103	400,396	100.00	719,023	675,652	70	150,600	150,600	150,600	100.00
Idaho	996,507	926,156	645,988	69.75	1,229,970	1,008,333	60	268,100	268,100	266,533	100.00
Illinois	14,035,951	13,580,918	7,662,447	57.06	12,497,003	10,804,793	60	4,745,427	4,469,097	3,407,795	77.51
Indiana	10,587,483	9,935,285	4,314,574	44.89	3,938,725	3,482,860	100	2,551,212	2,315,534	1,877,875	81.11
Iowa	7,664,962	6,666,606	3,015,537	45.31	3,619,479	2,817,245	94	2,148,190	1,611,150	1,340,735	85.48
Kansas	5,330,815	4,809,668	2,637,901	54.92	3,854,041	3,123,134	61	2,087,700	1,586,960	1,175,557	75.14
Kentucky	4,938,555	4,166,986	2,418,499	59.35	5,537,984	3,942,215	68	2,032,482	1,683,903	1,085,531	65.16
Louisiana	4,223,499	3,675,058	2,906,134	79.82	4,650,012	3,972,817	100	1,477,120	1,343,375	1,306,701	97.27
Maine	1,659,655	1,556,080	625,202	40.93	1,345,324	1,191,334	65	428,150	401,650	278,601	69.99
Maryland	3,253,403	2,720,395	2,297,195	84.44	2,205,869	1,889,368	100	1,156,781	845,396	842,156	100.00
Massachusetts	16,007,471	13,665,368	5,725,832	42.66	14,332,324	11,870,188	61	3,158,550	2,853,150	2,548,358	92.32
Michigan	12,886,155	12,492,915	7,039,070	56.63	7,618,731	6,634,181	92	4,867,077	4,453,144	3,078,074	71.08
Minnesota	8,116,187	7,790,918	3,684,454	47.82	5,697,491	4,901,434	65	2,826,220	2,425,335	1,650,323	68.31
Mississippi	5,661,412	3,895,456	1,861,287	47.78	6,164,722	4,573,362	80	2,755,604	1,755,164	817,867	49.00
Missouri	8,019,845	7,189,538	3,970,379	55.57	4,976,479	4,216,213	95	2,742,753	2,237,482	1,777,335	79.91
Montana	1,476,878	1,296,170	700,015	54.01	4,665,171	4,357,031	63	645,575	593,125	306,299	53.06
Nebraska	2,775,618	2,561,908	1,495,750	58.76	2,030,892	1,830,031	64	1,137,560	899,640	638,428	75.23
Nevada	597,271	425,181	181,360	42.65	674,700	591,120	59	173,700	129,000	81,540	63.21
New Hampshire	1,807,757	1,440,152	647,734	44.98	1,818,546	1,272,394	61	568,950	456,350	285,438	63.82
New Jersey	5,517,808	4,544,329	2,747,066	62.12	5,163,952	3,823,740	92	2,289,997	1,831,329	1,183,635	68.03
New Mexico	1,915,723	1,817,018	830,641	45.71	2,760,706	2,153,498	61	850,752	723,269	368,360	53.41
New York	28,589,688	22,451,081	12,249,659	55.23	23,769,289	16,024,591	66	13,094,063	11,320,412	5,182,117	49.94
North Carolina	7,574,469	5,428,245	3,683,025	68.74	8,162,010	5,963,738	96	4,626,755	2,675,519	1,618,187	61.44
North Dakota	2,671,731	2,060,068	764,158	37.61	1,565,317	1,404,887	60	654,280	532,080	343,050	64.57
Ohio	16,678,208	15,265,021	7,545,745	50.49	7,565,418	6,473,408	100	3,973,301	3,624,911	3,368,761	93.52
Oklahoma	6,840,031	4,663,340	2,653,213	58.08	5,234,045	3,857,006	67	2,035,393	1,450,453	1,192,999	82.25
Oregon	4,178,373	3,569,683	2,050,780	60.60	8,394,234	5,461,138	62	2,019,366	1,406,798	906,164	65.65
Pennsylvania	14,692,558	12,351,520	7,811,837	64.28	9,283,305	6,964,743	100	4,158,533	3,474,995	3,470,860	100.00
Rhode Island	2,146,595	1,824,845	881,298	48.29	843,351	732,351	95	567,350	533,450	392,189	74.28
South Carolina	3,135,451	2,759,676	1,472,346	55.78	2,340,031	1,917,515	100	1,915,035	1,387,763	625,139	48.00
South Dakota	2,654,367	2,210,969	746,942	34.53	1,656,623	1,285,548	62	573,710	474,550	335,837	70.77
Tennessee	7,307,343	6,313,274	3,178,017	51.66	7,021,569	5,646,593	67	4,049,235	3,174,574	1,498,476	48.00
Texas	13,574,275	9,583,747	8,555,051	97.77	12,945,427	10,749,095	90	6,124,748	4,862,424	3,829,301	79.11
Utah	1,458,984	1,367,227	1,367,227	100.00	2,685,170	1,912,858	60	857,283	738,035	738,035	100.00
Vermont	1,069,963	994,633	492,990	49.57	667,952	532,918	77	421,800	361,450	221,634	61.32
Virginia	4,192,709	3,534,096	2,525,919	71.93	3,277,185	2,652,399	100	1,621,547	1,229,372	1,118,206	92.38
Washington	5,268,473	4,896,912	3,236,407	67.14	5,019,294	4,222,168	62	1,927,688	1,806,573	1,447,211	80.55
West Virginia	2,715,884	2,161,456	1,474,448	68.22	2,666,698	2,193,643	90	1,034,066	842,965	662,995	78.65
Wisconsin	8,355,066	7,741,458	3,894,018	50.70	7,279,561	6,482,705	60	3,686,449	3,294,898	1,729,120	53.14
Wyoming	651,783	647,653	331,979	51.26	898,302	873,478	59	326,323	297,994	143,729	50.09
Guam					131,922	131,922	100	12,600	12,600	10,576	83.94
Puerto Rico	1,283,845	1,031,845	1,030,685	99.89	666,299	666,299	100	1,159,215	741,100	463,411	62.53
Virgin Islands	6,052	6,052	3,213	53.09	20,100	20,100	100	7,000	7,000	3,500	50.00

Mr. PELL. Mr. President, I call upon the administration to review its priorities and give thought to full funding for all educational programs. It is an investment which we cannot allow to lapse.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW AT 11:30 A.M.

Mr. **KENNEDY.** Mr. President, if there be no further business to come before the Senate, I move, under the order previously entered, that the Senate stand in adjournment until 11:30 o'clock a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 29 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, May 13, 1969, at 11:30 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate May 12, 1969:

Diplomatic and Foreign Service

Richard Funkhouser, of New Jersey, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Gabon Republic.

In the Navy

Rear Adm. Maurice F. Weisner, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

Vice Adm. John B. Colwell, U.S. Navy, for appointment to the grade of vice admiral on the retired list in accordance with the provisions of title 10, United States Code, section 5233.

In the Marine Corps

Lt. Gen. Lewis W. Walt, U.S. Marine Corps, for appointment to the grade of general while serving as Assistant Commandant of the Marine Corps.

In the Navy

The following-named midshipmen (Naval Academy) to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law:

Guy H. Able III
Paul L. Achenbach, Jr.
Bruce C. Adams
John H. Adams
Robert H. Adamson
Christopher L. Addison
Robert A. Ahrens
David J. Alexander
Paul A. Alfieri
Charles E. Allen
Harry K. Allison
Barry M. Amos
Robert J. Amundson
Gerald J. Anderson, Jr.
Jonathan L. Anderson
Edward P. Anglim
Stanley R. Antrim, Jr.
Anthony F. Apollaro
Hubert E. Archambo, Jr.
Eric A. Arllen
Harold R. Armet
Keith J. Arneson
Robert G. Arnold
John M. Atturio
John C. Auriemma
Douglas P. Ayers
James W. Ayres, Jr.
James A. Babb
Mario J. Bagaglio, Jr.
Robert W. Ballew
James S. Bangert
Edward G. Bannat
Mark Barbero
Arnold W. Barden, Jr.
James H. Barnett
Frank O. Barrett III
Ronnie L. Barrow
Brian J. Barry
Richard J. Bartlett
James E. Baskerville
Richard E. Batdorf
John C. Bathgate
Hugh N. Batten, Jr.
Duane P. Battles
Robert O. Baylis
Bradley S. Beall
Thomas J. Belichic
Albert E. Bennett, Jr.
Robert D. Bennett
Claire M. Beucler
Charles T. Biddle, Jr.
George E. Bieda
Terrence L. Bingman
Douglas S. Bishop
John E. Bishop
Peter D. Blackledge
Robert D. Blakely
John W. Blaue
Nelson A. Blish
John H. Bodine
David E. Bogosian
Dwight K. Bohm
Michael J. Bohoskey
James A. Boland
John F. Bone
Oliver A. Boucher, Jr.
Joseph C. Boudreaux III
John C. Bowen
Robert W. Boynton
William A. Bramley III
Jerome S. Branum
Wayne J. Braunstein
William L. Breckinridge VI
Edward M. Brelsford
Lawrence J. Brenner
Eric D. Bries
Gale D. Brink
Randolph M. Brooks
William E. Brooks III
John C. Broome
Gregory C. Brown
John S. Brown
Norman F. Brown
Richard F. Brown, Jr.
Robert B. Brown
Gregory W. Brubeck
William L. Bruckner, Jr.
Stanley W. Bryant
John S. Buckingham
Paul J. Bugelski
Richard L. Bulger
John M. Bunker
Charles T. Burbage
Thomas J. Burdick
Dennis P. Burke
Stephen M. Burkhalter
David S. Burlin
Dennis E. Burton
Dennis R. Bussey
Charles L. Butler
Charles T. Butler III
Robert W. Byles
Thomas M. Byrne
George W. Cairnes III
Leonard J. Callan
Patrick F. Callan
Gerald E. Campbell
Christopher J. Carlson
James R. Carlson
Hubert M. Carmichael, Jr.
John X. Carrier II
Charles R. Carroll
David E. Carter
Bobby W. Carver
Richard A. Cataldi
John F. Cates, Jr.
Lawrence J. Cavaiola
Thomas J. Cavanaugh
Kenneth C. Cech
Michael A. Chafee
Peter S. Chalfant
Eric J. Challain
Dudley H. Chase
John M. Chevrier
Ronald L. Christenson
Carl S. Christiansen
Albert T. Church III
William M. Cima
Alfred L. Cipriani
Kevin S. Clancy
Michael R. Clapsadl
John F. Clark
Michael B. Clark
Thomas F. Cleverdon
William F. Clifford
John M. Cochrane
James E. Code
Anthony V. Colantoni
Walter D. Coleman, Jr.
William E. Coleman
Dennis F. Colin
John P. Collins
Robert W. Conger, Jr.
William C. Conkle
Albert S. Conlon
Kevin P. Connors
Philip F. Connors
John W. Conrad
Harry P. Consaul III
Philip O. Conti
Pemberton Cooley III
Thomas J. Corcoran
William K. Coxe, Jr.
Jeffrey D. Crawford
Charles T. Creekman, Jr.
Dale W. Crisp
Marvin H. Crisp
John M. Croake
Thomas P. Cruser
Robert R. Cuccias, Jr.
James P. Culet
Terrence V. Cullen
Frederick T. Cumminger III
Walter J. Cummings
William E. Cummins, Jr.
Robert F. Cunliffe
Frank J. Curnow
David K. Daggett
Thomas J. Daley
Richard A. D'arezzo
Bruce C. Davey
James A. Davidson
Henry G. Davison
Thomas R. Day
Clifford L. Deets
David G. Deininger
Richard M. Dempsey
Norman R. Depp
Peter J. Devries, Jr.
Ronald A. Dibble
Lawrence F. Diddlemeyer
Terry M. Dillon
Michael T. Dinnegan, Jr.
Augusto J. Dionizio, Jr.
Maurice H. Docton
Kenneth E. Dodge
Gerald T. Doempke
James E. Dolan, Jr.
Michael F. Donilon
John E. Donovan
Andrew S. Dowd, Jr.
Gerald J. Downey, Jr.
Christopher B. Doyel
David O. Drew
Eddie L. Duckworth
David F. Dudek
Harrison G. Dudley, Jr.
Russell A. Duke, Jr.
James N. Eagle II
George H. Eastwood
Ronald G. Eby
Lawrence I. Eckerman
Jack K. Edgar
Carl H. Edmonds
David A. Ehemann
Kenton W. Elderkin
Patrick W. Elliott
James O. Ellis, Jr.
Craig W. Elmore
Brian D. Engler
David M. Enman
Steven C. Epperson
Melvin R. Etheridge, Jr.
Thomas H. Etter
Harold R. Eustis
John C. Everett
Ward S. Everhart
Thomas E. Fahy
Larry W. Falls
Leo J. Faneuf III
John H. Feder
Thomas R. Fedyszyn
James L. Feeney
John A. Felten
John D. Fernie
Edwin B. Finison
Myles A. Fisher
Jeffrey H. Flannery
Richard P. Floyd, Jr.
George W. Foote
Mark L. Ford
Anthony M. Fortino
Robert M. Fortson III
Thomas V. Fowler
Robert E. Franglone
John C. Franzoni, Jr.
Donald E. Freed
William Y. Frentzel II
Joseph J. Fulbright, Jr.
Frederick M. Furland
Gerald L. Gallagher
Antone J. Gallaher
Albert J. R. Galus
Richard D. Gano
John E. Gantley
Donald E. Garavito
Lester O. Gardner, Jr.
Spencer L. Garrett
Maurice A. Gauthier
Fred A. Geisler
Michael P. Gembol
Michael G. Genrich
Danny L. George
Louis J. Giannotti
Thomas R. Gibbs
Scott G. Gier
James T. Gierucki
Robert C. Gillaspie
Thomas R. Gillespie II
Walter R. Giraldi
Wayne E. Girardet
Dennis W. Glass
Gary C. Goodmundson
Hugh G. Goodwin
George M. Gordon
Howard P. Gorman, Jr.
Robert M. Gray
Gordon M. Green
Joseph M. Greene, Jr.
William R. Grimm
Edward F. Gritzen II
David E. Grove
Terry L. Grumley
James R. Guilfoyle
Gregg G. Gullickson
Ronald D. Gumbert, Jr.
Joseph M. Gunter
James E. Gutmann
Edward J. Hackett
Michael J. Haddon
Thomas F. Hagan
Alan R. Hager
Michael R. Hall
Michael T. Hallett
Howard J. Halliday, Jr.
Thomas E. Halwachs
James W. Hamburg
Gregory L. Hansen
Stephan A. Hanvey
Michael A. Harbin
Clay W. Hardin
Deck E. Harrell
James D. Harris
John D. Harris, Jr.
Robert F. Hartman III
John B. Hawkins, Jr.
Robert K. Hawkins, Jr.
John P. Hazelrig
Lonnie P. Hearne
Michael L. Heidel
Gary W. Hein
Jeffrey M. Hellrung
David M. Heming
Randall S. Henderson
Roger H. Henderson
Roger W. Herrman
Simon A. Hershon
Michael D. Hess
Michael J. Hester
Benjamin H. Hicks, Jr.
Harold S. Hicks, Jr.
James B. Higgins
James C. Higgins III
Simeon G. Higgins, Jr.
John E. Hilburn
Ronald E. Hills
Richard S. Hillyer
Jarvis G. Hilton
Robert C. Hinckley
Jonathan T. Hine, Jr.
Charles A. Hoffman
Clinton N. Holeman
Thomas J. Holleman
Michael K. Hollis
Michael L. Honey
Eric C. Honour
James A. Hooper IV
Thomas F. House, Jr.
Bryan Hrabosky, Jr.
Steven A. Hudock
James H. Huff III
Conway L. Hunt
William D. Hurley
Robert L. Hutchings
John R. Hutchison
Umberto C. Iacuaniello II
John W. Jacobs
Ronald Jadlocki
William R. James
Philip C. Jamison
Jack Hays Janes
Michael P. Jarina
David C. Jarrett
Gerald W. Jenkins
David B. Jennings
Franklin J. Jensen, Jr.
Michael K. Johannsen
James A. Johnesee
Charles C. Johnson
Stephen D. Johnson
Thomas P. Johnson
Paul S. Johnston
Fred W. Jones
Fredrick E. Jones
Gregory B. Jones
Meade A. Jones, Jr.
Michael K. Jones
Michael O. Jones
Stephen W. Josephson
Charles L. Joslin III
David S. Juarin
Royal D. Joslin
George W. Jurand
William F. Kachergus, Jr.
John D. H. Kane III
George J. Kanupka III
Charles C. Karlan
John J. Kearley
James T. Kearns
Leo J. Kelleher III
Joseph F. Keller
James B. Kelley
James M. Kenney
William Kernan, Jr.
Gregory J. Kieffer
Milo J. Kilmer II
James M. Kimmel
Ralph H. Kindelberger
Earl E. Kindstrom
Brian E. Kinsley
James D. Kirby
Thomas M. Kirby
Douglas C. Kirk
Richard G. Kirkland
Jerome D. Kislia
Howard K. Kline
Thomas E. Klocek
Robert C. Klosterman
Robert B. Klugh
Roland B. Knapp
Robert D. Knowlton
James Knubel
Kenneth W. Koch
Frank R. Kockler
Robert G. Kokstein
Jerry D. Kolman
Donald C. Kosloff
Nile R. Kraft
Theodore C. Kral
James Kras
Clifford L. Kratt
Duane Krum
Peter W. Kruse
Henry J. Kucinski, Jr.
Robert Kuginskie

XUM

William D. Kuntz
Stephen J. Kuppe
John A. LaTourrette
Ronald L. Ladd
Thomas W. LaForce
Jack W. Lahren
Philip C. Lame
Alan L. Lane
Kenneth E. Lange
Samuel H. Larsen
James W. Latham
Glenn D. Lattig
Roland D. Laurenzo
Dale B. Lawson
William J. Laz, Jr.
Stephen J. Leaman
Robert L. Ledbetter III
Edward J. Lehre
Robert J. Lemke
Craig M. Lemrow
Ronald P. Lessmann
Michael F. Lettieri
Billy M. Lewis
John M. Lewis II
Stephen L. Lieberman
Douglas V. Liebschner
Creighton D. Lilly, Jr.
Stephen M. Lind
Dan H. Lochner
Robert J. Logan
Richard W. Long
Michael T. Lops
John M. Lounge
Freddie P. Lounsberry
David M. Lumsden
Richard I. Lyles III
Edward A. Lyons II
William P. McCauley
Calvin P. McClain, Jr.
William C. McClain, Jr.
Malcolm W. McClellan, Jr.
Leonard D. McCumber, Jr.
Robert J. McDevitt
James F. McGovern
Steven W. McHenry
James B. McIlvaine
George S. McInchok, Jr.
Charles E. McKeldin, Jr.
Owen D. McLean
David L. McLintock
Edwin H. McMahon, Jr.
William S. McMurry
Maurice M. McNeil, Jr.
Oscar N. McNeil, Jr.
David A. McPherson
Thomas W. McQueen
Joseph S. MacDougall
Robert D. MacIver
William A. Mackey, Jr.
John C. Maggi
David B. Maher, Jr.
John P. Maley
Michael J. Malone
Robert D. Mansfield
Paul A. Marsh
John J. Marshall
John R. Marshall
Jack "E" Martin
James W. Martin
Richard W. Martin
Guy T. Mascari
John M. Masica
Eric E. Matchette III
George W. Mather
Barry J. Mathis
Neil G. Mathison
Heinz G. Maurer
Glenn J. Maus, Jr.
George G. Maxwell
James H. Maxwell
Hamilton K. Maynard
Robert E. Mayo
William R. Medford
Paul R. Meeker
Albert G. Mertz
Thomas D. Meteer
Frederick H. Michaelis, Jr.
Michael J. Milchanowski
John T. Miles
John H. Miller
William R. Miller
John G. Mitchell
Thomas W. Mitchell, Jr.
Robert L. Moeller, Jr.
James W. Moffit, Jr.
James W. Molloy
George M. Moore
Harry R. Moore II
Mitchell D. Moore
Robert D. Moore
Terry A. Moore
Wayne T. Moore
Gary W. Moran
Michael Carter Morgan
Michael Charles Morgan
Newton H. Morgan, Jr.
Michael F. Morrell
Raymond J. Morris, Jr.
Ronald P. Moseley
William J. C. Moses
Gerald A. Motta
Ronald R. Mueller
Douglas F. Muir
John F. Mulderig
Alden F. Mullins, Jr.
Robert D. Mullins
Jay M. Munninghoff
Thomas P. Murach
Dennis M. Murphy
Edward J. Murzinski
Donald H. Nash
John D. Nash
Thomas R. Nastro
Charles W. Nation, Jr.
David A. Neale
Earnest L. Neighbors III
Robert R. Neumann
Michael S. Newman
John W. Newton
William H. Newton III
James J. Norconk, Jr.
Paul D. Oberender
John M. O'Brien
Gerald J. O'Donnell
John F. Ohlinger
Timothy W. Oliver
Barry W. O'Neal
Edward J. O'Neil
Carl H. Oosterman
Lynn C. Orfgen
Brian O'Rourke
Gary J. Overbeck
Gregg R. Overbeck
David C. Overheim
Michael J. Packard
James R. Paddock
John B. Padgett III
David W. Parsons
James W. Pattison
Michael A. Payne
Robert T. Pearce, Jr.
Charles E. Pehl
John K. Pell
Richard K. Perkins
Bryan L. Person
Jerome L. Petykowski
Landon B. Phillips, Jr.
Robert W. Phillips, Jr.
Thomas L. Phillips
Monroe G. Piland III
Carroll A. Pitman
Ronald L. Pitman
Dennis W. Plank
Edwin A. Platt
John R. Plett
Rudy E. Plummer
William P. Poirier
Gary R. Polansky
Michael W. Pole
Charles F. Posey
Miles B. Potter
Edwin S. Potts
John E. Prairie
John R. Pratchios
Gene H. Price
Walter W. Price III
William A. Proses
David L. Prosser
George M. Prout
Michael J. Provencher
Richard F. Puckett
Frederick D. Puncke, Jr.
Charles H. Quandel
Stephen M. Quennoz
Gregory F. Quillinan
Marshall E. Rachmiel
Robert L. Rachor, Jr.
Leslie J. Reading
James A. Reaghard
Roy W. Reeber
Richard R. Reece
William C. Reed
Ronald E. Reedy
Thomas B. Reeve, Jr.
James A. Reid
Robert G. Reid, Jr.
Peter R. Renfree
Robert L. Reusche II
Richard J. Rhoades
Robert E. Riera, Jr.
Joseph C. Rieth, Jr.
Roy C. Rieve
Michael P. Rishel
Bernard U. Ritzert, Jr.
Richard A. Robbins
Francis A. Roberts
William L. Robinson
John A. Roeder
William W. Rogalski, Jr.
Roger K. Roosa
David O. Rose
Paul F. Ross
Louis F. Rubano
David H. Ruddock
Richard K. Rufner
Charles P. Rush
Robert C. Russell, Jr.
George R. Sadler
Michael R. Salewske
John L. Sams
Robert J. Sanderson
Valentino Santos
George S. Sara
Michael A. Saraniero
William C. Sauls, Jr.
Gerald J. Saunders
Thomas F. Sauntry
Lawrence M. Schadegg
Charles A. Schaefer
Robert M. Scharnus
Paul H. Scherf, Jr.
Robert T. Schram
William V. Schwarzenbach
Edward G. Schwier
Roger L. Scofield
Andrew M. Scott
Donald M. Scott
John C. Scrapper
John J. Scully
Ronald M. Sedgley
Kenneth W. Seltmann
Peter M. Settle
Patrick M. Sherbak
John R. Shinovich, Jr.
Stephen S. Shumlas
Stanley A. Shustak, Jr.
William F. Sigler
Eric C. Simmons
Nils A. Sjostrom
James B. Slaight IV
Michael L. Slonecker
Baker A. Smith
Charles A. Smith
Gary L. Smith
James C. Smith III
Michael S. Smith
Michael T. Smith
Peter M. Smith
Thomas H. Smith, Jr.
Charles F. Snyder III
James L. Solberg
Bradley W. Spahr
Brian L. Specht
James W. Speer
Robert G. Sprigg
David A. Spriggs
Wesley C. Stanfield
Frank E. Stenstrom
John Z. Stepien
Guy H. Stevens, Jr.
Jack M. Stevens, Jr.
James D. Stevens
William H. Stieglitz
John J. Stockdale
Jackson A. Stockton, Jr.
Ralph H. Stoll
Robert F. Stoss
Michael G. Strand
John H. Strauss
Patrick A. Stroop
Roy H. Suberly, Jr.
John D. Sullivan
Patrick D. Sullivan
Timothy J. Sullivan
Michael T. Swanson
Paul A. Swanson
William A. Tait
Carl M. Tankersley
Walter M. Teesdale
Terrence N. Tehan
George P. Terwilliger
Kenneth W. Tevebaugh II
Arthur G. Teves
Roland C. Thatcher III
Lawrence S. Thomson
Denis C. Tierney
Steven G. Tinsley
Donald D. Tippett
Benjamin W. Tipton III
Robert A. Tolhurst, Jr.
Thomas P. Tonden
David A. Townsend
Lawrence W. Townsend
David C. Trimble, Jr.
Paul C. Tsamtsis
James H. Tulley, Jr.
Archie A. Turner III
George N. Tzavaras
Ray M. Umbarger
Mark A. Unhjem
Thomas E. Utegaard
Thommy H. VanBrunt
Andrew G. VanSant
Julian T. VanWinkle
Roger P. VeHorn
Richard J. Veltman
Thomas J. Verrengia
David G. Vetter
Edward J. Waitt, Jr.
Edward G. Wallace
James G. Wallfred
James M. Walters
Thomas J. Wandishin
Terry S. Wanner
James C. Ward
James Gearey Ward
Mark A. Warner
Paul G. Warner
Richard G. Warren
James F. Watson
Michael J. Watson
Neal W. Weisberg
Patrick T. Welsh
George F. Wenchel
Glenn R. Whaley
Alan J. Whitby
John S. White
Nestor D. White
Charles R. Wienke
Scott G. Wiggett
Donald E. Wilcox, Jr.
George A. Wildridge, Jr.
Thomas J. Wilkes, Jr.
Harold A. Williams
Russell L. Willis, Jr.
John W. Wilson
Samuel E. Wilson III
William R. Wilson
Keith A. Winters
Gerald T. Witowski
Thomas J. Wojciechowski
Richard A. Wolf
William B. Wood, Jr.
Berryman E. Woodruff III
John G. Woods
Richard A. Woodworth
Michael J. Worley
Richard A. Wrobel
Michael E. Wulf
Lawrence R. Yarnell, Jr.
Dennis A. Yatras
John R. Young
Richard A. Young
Michael E. Younker
Alfred E. Yudes, Jr.
David B. Zerfoss
Peter B. Zuidema

The following-named U.S. Army Cadets to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law:

Richard S. Ploss
Clifford "T" Rock, Jr.
William Alphonse Schroeder III

The following named (Naval Reserve Officers Training Corps candidates) to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law:

David V. Edling
Lief W. Erickson
Joseph W. Haddock III
Kenneth J. Hollett
James B. Horsley
Edward L. Niebruegge, Jr.
Timothy L. Stewart

The following named (Naval enlisted scientific education program candidates) to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law:

Bert M. Anderson
Jonathan E. Browning
David L. Francis
Stephen A. Hulsizer
Richard A. Miller III
David F. Warren

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Robert F. Birtcil, Jr.
Thomas J. Merlo
Francis J. Robertello

The following named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

John F. Clymer
Robert D. Staub

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Jim D. Anderson
Stephen S. Arendale
Thomas A. Augustine, Jr.
David A. Cross
John L. Curry
Brian D. Geary
Kevin T. Geraci
John B. Giedraitis
George G. Hancock II
David F. Harder
Fred T. Kimbrell, Jr.
Charles R. King
Brian G. McAlary
Alice M. Martinson
Clyde K. Meade
Joseph H. Robinson
Philip R. Severy
Charles E. Stuckey

Nicolas E. Walsh (Air Force cadet) to be a permanent ensign in the line of the Navy, subject to the qualifications therefor as provided by law.

IN THE NAVY

The following-named officers of the U.S. Navy, for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Aanerud, Kenneth D.
Abbot, Charles S.
Abel, Arthur P.
Abraham, Michael, III
Abston, "J" "B"
Acker, James E.
Ackerson, Jeffrey T.
Adams, Edgar W.
Adams, John B.
Adams, Kenneth K.
Adams, Merchant S.
Adams, Robert B., Jr.
Adams, Russel M.
Adkins, Freeman F.
Aeschleman, Vance E., Jr.
Affeld, Richard L.
Aiken, Edwin W.
Aker, Robert E., Jr.
Akst, "H" Gordon
Albright, David L.
Albritton, William H.
Alcon, Charles A.
Alexander, Samuel J.
Alleman, Alfred D.
Allen, Layton S., Jr.
Alley, Stephen D.
Almon, John S.
Ameel, Frederick D.
Amerine, David B.
Amme, Richard D.
Anderson, Gene G.
Anderson, William A.
Andersook, Walter
Andrade, John R.
Andrews, Michael W.
Andrews, Roger M.
Andruchow, Paul
Angel, James B.
Angleton, John M.
Antle, William S., III
Applewhite, Barry A.
Appling, Bobby C.
Arbogast, John E.
Arendt, Steven M.
Arje, Andrew C.
Arkwright, Gale T.
Armstrong, Roland J.
Arnold, Gavin D.
Arnold John K.
Arrington, Farlin W.
Arthur, James C.
Ash, Richard W.
Ashworth, David B.
Aubrey, Richard C.
Austin, Julian L.
Bach, Ronald C.
Badger, Richard L.
Bagby, Joseph T.
Bahn, Theodore I.
Bailey, John G.
Bailing, Timothy D.
Baird, Leo J. M.
Baker, Dennis
Baker, James W.
Baker, Richard F.
Bald, Reynald A.
Ball, John G.
Ballew, Jackie C.
Balsam, Carl E.
Bandy, Robert F.
Baranowski, William
Barber, Robert L.
Barbero, Frank, Jr.
Barchi, Richard H.
Barnes, John W., Jr.
Barnett, Burnice E., Jr.
Barnett, Peter A.
Barnette, Richard T.
Barnhart, Carl F.
Barr, William S.
Barry, Thomas J.
Bartel, Edward D.
Barton, Jon H.
Bates, George M.
Bauer, Russell C.
Baum, Scott R.
Baumhardt, Robert J.
Beachy, John S.
Beakes, John H., Jr.
Beal, Robert E.
Beard, Timothy R.
Beattie, David J.
Beaulier, Jerome E.
Beck, Andrew C., II
Beck, Robert L.
Becker, George L.
Beckett, Robert S.
Bedford, Thomas J., Jr.
Beeby, Gered H.
Beede, William P.
Beesley, James B.
Beil, Adolf H.
Beith, William R.
Belangia, William R.
Bell, Roy M. R.
Bellas, Robert C., Jr.
Bellman, Terry R.
Benator, Barry I.
Benedict, Crawford L.
Bennett, Sterling N.
Benson, Frank A.
Benton, Robert R., Jr.
Benzin, Robert W.
Bereza, Richard A.
Berg, Steven K.
Bergen, Laurence M., Jr.
Berkebile, Donald F.
Berkline, Kelly R.
Bernard, Gilbert C., Jr.
Bernier, Joseph P.
Bernier, Thomas R.
Betts, Craig R.
Beveridge, Bernard E.
Bickel, Roger B.
Biery, George M., II
Bill, David S., III
Bina, William F., III
Birchfield, Robert B.
Birkmaier, William B., Jr.
Bishop, Ernest F.
Bishop, John W., Jr.
Bisti, Joseph C.
Bitten, Ernest J.
Bixler, Michael B.
Bixler, Paul W.
Black, Evan "J."
Blair, Foster J., II
Blakeney, James H.
Blanchard, Mark W.
Bledsoe, Samuel
Blekicki, Walter C.
Blinn, Gary R.
Blocksom, Roland D., Jr.
Blount, Thomas E., Jr.
Bock, Thomas H.
Bockhold, George, Jr.
Bogert, Gary M.
Bohling, Peter H.
Bokesch, William M.
Bona, Richard A.
Bone, Robert E.
Boone, Victor F.
Bopp, Frederick, III
Bouck, David W.
Boughner, Thomas K.
Bowden, Gurnie G.
Bowenkamp, Robert D.
Bowman, Frank L.
Bowser, Rex J.
Boyce, Brian F.
Boyd, Cecil A. K., II
Boyd, Thomas A.
Boyette, James R.
Boyhan, Thomas C.
Boyle, David W.
Boynton, Robert W., Jr.
Bozzelli, Philip A.
Braden, James D.
Brady, Terrence J.
Brady, Thomas M.
Branco, Robert J.
Brennan, Neil H.
Breuer, David P.
Brice, Robert G.
Brilliant, Irwin J.
Brindle, Mark P.
Brinn, Stephen J.
Brinser, John R.
Brittenham, John C.
Brix, Christian W., Jr.
Brockman, Robert J.
Broderick, Thomas P.
Brooks, Nicholas G.
Brooks, Robert A.
Broome, Norval L.
Broomall, Anthony W.
Brosee, Manfred N.
Broughton, Thomas G.
Brown, Michael I.
Brown, Richard E.
Brown, Ronald N.
Browning, David L.
Brownley, Lawrence L.
Brudno, Robert J.
Bruggeman, Alan R.
Brunk, Thomas E.
Bryant, David A.
Bryant, Franklin S.
Bryant, Lee W.
Buchanan, William J.
Bucher, Lawrence C.
Buckingham, James R.
Buckley, Victor P.
Buege, Paul S.
Buletza, Peter G.
Bumann, Timothy P.
Bunch, Gerald D.
Bunge, Thomas E.
Burger, James F.
Burke, Bryan, J.
Burke, James G.
Burke, Joseph J.
Burkett, Jerome P.
Burkhart, Harold J.
Burkhart, James R., II
Burkhead, Franklin, Jr.
Burnett, Roger A.
Burnham, Eugene C.
Burns, Barry E.
Burns, Franklin, J.
Burns, Raymond S.
Burrill, Clair G., Jr.
Burrill, David R.
Burton, Gary L.
Byam, John W., Jr.
Byard, Larry F.
Byerly, Robert S.
Byron, Roger W.
Calazza, Albert W.
Cairnes, Charles W., Jr.
Caldwell, Dwight B.
Caldwell, Leonard A.
Callaghan, James M.
Callahan, Patrick A.
Calvert, Eric S.
Campbell, Bruce W.
Campbell, Horace J.
Canaday, Brent A.
Cannon, Thomas M.
Cantor, Terry R.
Capper, Dean R.
Capute, Joseph R.
Caraway, John B., III
Carbone, Nicholas D.
Carlberg, Richard F.
Carlson, Edward J.
Carlson, Richard E.
Carlson, Russell C.
Carroll, James N.
Carroll, Thomas V.
Carson, Ross H.
Carter, Rodger B.
Carter, William C.
Castle, William K., Jr.
Catello, George M.
Catron, Arnold E.
Caudill, Garland W.
Ceruzzi, Michael L.
Cetta, Nicholas J.
Chagnon, Andre J.
Chalke, George P., Jr.
Chandler, Carder D.
Chandler, Michael S.
Chapman, Gary C.
Chapman, Michael R.
Charles, John R.
Cheek, Robert L.
Chessman, Gary A.
Chew, Chett T.
Childs, Stephen R.
Christianson, Robert A.
Churchill, Edwin T.
Ciccarelli, Chester A.
Claassen, Lawrence L. "J"
Clancy, James P.
Clark, Guinn G.
Clark, Jack "C"
Clark, James R.
Clark, John M.
Clark, John M., Jr.
Clark, Thomas A.
Clark, Thomas F., Jr.
Clarke, Joseph D., IV
Claude, David L.
Clayton, William B., III
Clegg, Marshall C.
Clement, Marc A.
Clemins, Archie R.
Cline, Gary K.
Clinton, John W.
Clothier, Thomas J.
Coers, Mardis M.
Coffin, Charles E., III
Cohen, Jacob, Jr.
Cole, Otis R., III
Colley, Donald V.
Coltrane, Glenn G.
Compton, James E.
Conery, George F., Jr.
Coneway, Clinton J.
Conn, George R. W.
Connolly, John M.
Connor, Dennis R.
Cook, Curtis B.
Cook, Robert A.
Coonan, John J., Jr.
Cooper, Clark R.
Cooper, Patrick E.
Copeland, Larry M.
Copenbarger, Paul D.
Cordell, Jeryl W.
Corder, Henry R., Jr.
Costello, John J.
Costello, Terrence W., III
Cotter, Paul S.
Courts, David P.
Covey, Charles C.
Cowardin, James H.
Cox, Mariner G.
Cox, Milford C., Jr.
Cox, Thomas J.
Crable, Paul A.
Crabtree, Carlton P.
Cragg, Eugene E., Jr.
Crain, Richard N.
Cramer, Charles R.
Creasser, William N., Jr.
Creighton, John O.
Crenshaw, William R., Jr.
Cress, Donald M.
Cress, James T., Jr.
Cripe, Paul L.
Crisp, Howard L.
Croclata, Joseph P.
Crockett, Alan K.
Crockett, James O.
Cronan, Charles E., Jr.
Cronyn, Brian S.
Crosby, Dennis A.
Crosby, George R.
Crosby, Ted
Cross, Lawrence A., Jr.
Crouch, William H., Jr.
Crum, Roy L.
Cruse, Charles H.
Cruser, Peter J.
Cuddington, Michael E.
Cullen, Timothy E.
Culp, William G.
Cummings, David L.
Curran, John P.
Current, Max C.
Curtin, James E.
Curtis, Stephen E.
Dadd, Alan M.
Dahlstrom, John R.
Daley, Michael J.
Dallmeyer, Richard L.
Dalporto, William F.
Daly, Beverly A.
Daniels, Harold E., Jr.
Darden, Arthur C., Jr.
Davidson, Richard J.
Davis, Clay S., Jr.
Davis, Robert W.
Davison, Joseph W.
Dawe, George F., Jr.
Day, Franklin J.
Day, Gerald W.
Deal, Leonard J., Jr.
Dech, "C" Michael
Deda, Donald J.
Deegan, Michael E.
Dehart, William O.
Denegre, Thomas B., III
Denney, David C.
Dennis, Patrick J.
Denton, Richard J.
Depompei, Daniel A.
Depoy, Jimmy G.
Desantis, Victor A.
Devine, James D.
Devoss, Gary G.
Dickerson, Barry S.
Difilippo, William J.
Dillow, Gary E.
Dilorenzo, Leonard A.
Dimmig, Gary L.
Dirienzo, Louis R.
Ditzler, Kirk J.
Dobscha, Frank J., Jr.
Dodge, Marvin M.
Dolan, Paul T.
Dollar, Stephen E.
Dolson, Richard C.
Donaldson, David B.
Donaldson, Paul H.
Donley, Michael J.
Donnelly, Michael P.
Donnelly, Walter P., Jr.
Dornsife, William P.
Dorsett, Hubert "G"
Dove, Curtis R., Jr.
Dowdy, William L., III
Dogwilla, Frank M., Jr.
Downey, John B.
Downton, Charles E., II
Doyle, Dennis M.
Doyle, Edward T.
Doyle, Gerard F.
Doyle, Thomas V.
Dozier, Frank S.
Drake, John B.
Draper, John J., III
Drinan, Alan H.
Driscoll, Robert G.
Driver, Roy K.
Droz, Donald G.
Druist, George F.
Drummond, Dennis G.
Dubois, Wayne D.
Dudley, Scott B.
Duffy, John F.
Duke, James K.
Duke, William C., Jr.
Durick, Robert E., Jr.
Duserick, Frank G.
Duwe, Henry C.
Dye, Gary T.
Dyer, Bruce P.
Earhart, John D., Jr.
Eckstorm, David E.
Eddinger, Thomas J., Jr.
Eden, Charles G. H.
Edmondson, Gary Duane
Edwards, James E.
Edwards, Robert B.
Eicens, Imants D.
Eiland, Leonard M., Jr.
Eisenhardt, William B.
Elliott, Thomas F.
Ellis, John R.
Ellis, Robert L., Jr.
Ellis, Thomas H.
Ellison, James E.
Ellison, Thomas H.
Elsesser, James R., Jr.
Elwell, Robert G.
Elwing, Daniel T.
Emery, Robert H.
Engelken, James K.
Engstrom, John T.
Ensign, Donald E.
Epstein, Steven W.
Erckmann, William J., Jr.
Ericson, Keith G.
Ernst, Larry L.
Eshleman, Donald E.
Esty, Harvey L.
Eubanks, Thomas I.
Evans, Howard C.
Evans, Kirk E.
Evans, Leslie F.
Evans, Samuel H.
Eyer, Jon T.
Fadden, William N.
Fairchild, Lawrence V.
Farmer, Clinton J.
Farrell, Richard K.
Fawkes, Delany
Fay, Robert M.
Feeherry, Edward J., Jr.
Feher, David T.
Fehrenbacher, Michael R.
Felger, Thomas R.
Felton, Lewis A.
Felty, Joseph W. R.

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Fenstermaker, Roy E., Jr.
Ferdon, Frank C.
Ferenchick, Paul T.
Ferguson, Robert P.
Ferree, William M.
Ferreira, David M.
Field, Michael E.
Finn, Daniel F.
Fish, Lawrence E.
Fisher, Dwight D.
Fisher, Robert B., Jr.
Fisk, Alan E.
Fiske, Gary W.
Fitch, David A.
Fitzgerald, Sharon L.
Fitzgibbons, Thomas A.
Flaherty, Timothy J.
Flanders, Graeme L.
Flannery, Michael
Flatley, Brian A. J.
Fleming, James W.
Flora, Brian G.
Flowers, Gerald E.
Flowers, Orville A.
Flude, John W., Jr.
Font, William F., Jr.
Foote, Jerry L.
Foote, Morris C.
Forrester, Joseph G., II
Forsythe, John R.
Foster, Jesse R.
Foster, John L.
Foushee, Sam L., Jr.
Fowler, Edward M.
Fox, James F.
France, Robert T.
Francis, Burt R., Jr.
Francis, David L.
Franklin, Ronald E.
Franson, William E., Jr.
Frantz, James J.
Frantz, John P.
Franzitta, Anthony M.
Freaner, Claude W.
Frederiksen, John T.
Frederickson, John A.
Freiband, James M.
Freise, Roger W.
French, John R.
Frick, Kenneth E.
Friday, Charles F.
Friedman, Paul G.
Frikker, Peter M.
Fritschner, Walter J.
Fritz, Michael A.
Fritzius, Robert S.
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Fryar, Bruce C.
Fuentez, Raymond M.
Fullerton, William R.
Futch, Edward I.
Gabber, Wilhelm M.
Gadberry, Raymond E., Jr.
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Gallagher, Michael J.
Gallagher, William J., Jr.
Gallo, Robert M.
Galvin, James J.
Gammill, Jerry V.
Garfield, Raymond, Jr.
Garrick, Barney F., Jr.
Garrison, Mark C.
Gartley, Markham L.
Gary, Michael A.
Gaskin, Peter J., II
Gaston, Tommy E.
Gebeaux, Robert J.
Geib, William R.
Gibbons, Francis W.
Gibbs, Raymond W.
Giblin, James F., Jr.
Gibson, Terrell A.
Gibson, Thomas L.
Giddings, Lawrence D.
Gilder, Jerry Q.
Gill, Robert P.
Gillard, James H.
Gillespie, Thomas F.
Gillogly, Harold J., Jr.
Gilmore, Webb R.
Gingrich, Thomas "J"
Ginsburg, Peter A.
Glenn, Robert C.
Glover, William S., Jr.
Gnerlich, Charles H.
Godwin, Ronald H.
Goedjen, Russell C. "J"
Goff, Edgar S., Jr.
Golden, Robert T.
Goldfried, Robert M.
Gonding, Robert L.
Gonzalez, Pedro
Goodgion, Gilbert
Gooding, Leroy A.
Goodrich, William A.
Gordon, Ian S.
Gorman, James R.
Goryanec, George T., III
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Grace, Donald N.
Grace, Joseph P.
Grant, Harold E.
Gravelle, Paul J.
Graves, David M.
Graves, Larry A.
Gray, Gary R.
Gray, Will P.
Green, Maurice D., Jr.
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Greenamyer, Richard D.
Greene, Jonathan M.
Greengard, Howard H.
Greenleaf, Joseph G.
Gregg, Frederick M., II
Gregg, John S.
Grieve, David J.
Griffin, Gerald L., Jr.
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Grim, Thomas H.
Grossbeck, Martin L.
Grostick, John L.
Grothe, George W.
Growney, Richard J.
Gruber, Larry E.
Grutzius, Charles R.
Gurgel, David L.
Gurley, Ronald K.
Gustafson, William J.
Haberzetle, James D.
Hack, William F.
Hagen, James B.
Haggerty, Daniel B., Jr.
Hahn, Robert C.
Halberstadt, Paul E., Jr.
Haley, James R.
Haley, Willard J.
Hall, David P.
Hall, David T.
Hall, Steven C.
Halliburton, Joe M.
Hallinan, Thomas J.
Hamann, Errol D.
Hamilton, Robert L., Jr.
Hammer, Douglas L.
Hammond, Reginald G.
Hancock, William C.
Hanley, Gerald S.
Hanley, Wayne R.
Hansborough, Lash D.
Hansen, George R., Jr.
Hansen, Leo E., Jr.
Hanson, Peter H.
Harbeson, Richard F.
Harding, Stanley L.
Hardy, Donald F., II
Hardy, Randall W.
Hardy, Thomas G.
Harmon, Daniel J., Jr.
Hartnett, Timothy, J.
Hartsfield, David L.
Hartzell, Cleon L., Jr.
Hartzell, Ray K. M.
Harvey, Charles K.
Harvey, Douglas N.
Harvey, John C.
Harvey, Phillip I.
Haskins, Michael D.
Haslett, Donald B.
Hasson, Joseph J., Jr.
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Hattan, Robert L.
Haughney, Charles J.
Hayes, Channing W., Jr.
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Hayzlett, Dennis C.
Head, Charles R.
Healy, Martin J.
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Helmsin, Francis K., Jr.
Hempey, Richard J.
Hendershot, Alan R.
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Henkel, Kent K.
Henny, David C.
Henry, George M.
Henzi, Robert M.
Hern, Lawrence R.
Herr, William M, Jr.
Herrera, Henry F.
Herscher, Carl D.
Hertel, Michael M.
Hess, George D.
Hess, Paul D.
Hicks, Ricky L.
Hicks, Wayne E.
Hierl, David J.
Higginbotham, John M.
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Hill, Roymond K.
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Hintz, Donald C.
Hitt, Roy E., Jr.
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Hobson, Duane D.
Hoch, Christopher M.
Hochhalter, Melvin E.
Hoddy, John R.
Hodge, Jerome B.
Hodges, William C.
Hoepfner, Karl T.
Hoff, Kenneth L., Jr.
Hoffer, Charles A.
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Hoffmeyer, James A.
Hogg, Andrew L., Jr.
Holbert, William H.
Holbrook, Robert S.
Holland, Michael R.
Holler, Eugene J., Jr.
Holloman, John T.
Holm, Stanley R., Jr.
Holst, Robert W.
Holty, Robert M.
Honse, Robert W.
Hood, Robert S.
Horahan, Francis E.
Horn, William A.
Horner, Timothy F.
Horrell, James E.
Hoskins, Robert A.
Hosp, Steven P.
Hough, James A.
House, Thomas E.
Howard, Stephen T.
Howe, Kenneth G.
Howell, Buford F.
Howton, Harry M.
Hoxie, Stephen S.
Huber, Paul M.
Hubert, Richard G.
Hudson, Warren P.
Huffman, Thomas B.
Hufty, Jack G., Jr.
Hughes, Frank C.
Hughes, Herschel, Jr.
Hughes, John S.
Hughes, Joseph D.
Hughes, Kirby E., II
Hughes, Richard K.
Hull, Robert C.
Hulse, Richard L.
Humphrey, Alan W.
Hunt, Andrew W., Jr.
Hunt, Charles A.
Hura, Myron
Hurlock, Ronald J.
Iafrate, Francis
Ickes, Robert W.
Ing, James D. K.
Ingraham, Duncan N.
Ingraham, William H.
Inlow, Rush O.
Inlow, William R.
Iwasko, George W., Jr.
Jack, Robert "E"
Jackson, James O.
Jackson, John D.
Jacobi, Benjamin R.
James, Dennis P.
James, Wiley F., III
Janes, Marc, Jr.
Janulis, Peter J.
Jenkins, Charles E.
Jensen, William L.
Jeremiah, William L.
Jessico, Charles M., Jr.
Jezierny, Thomas J.
Johnson, Bruce H.
Johnson, Charles E.
Johnson, Curtiss D.
Johnson, Donald M.
Johnson, George K. III
Johnson, Paul A.
Johnson, Paul N. T.
Johnson, Pierce J.
Johnson, Robert G., Jr.
Johnson, Robert F.
Johnston, Thomas J., Jr.
Jones, Arthur D., III
Jones, Charles R.
Jones, Charles E., III
Jones, Francis T.
Jones, James R., Jr.
Jones, James A., III
Jones, Ronald W.
Jones, Timothy G.
Jordan, Gerald H.
Jordan, Michael F.
Jordan, Robert L.
Jordan, Ronald R.
Josephson, David W.
Josi, Roy W.
Joslyn, Robert A.
Judelson, Alan W.
Julian, Benjamin E.
Kain, Joseph E., Jr.
Kalosis, Stephen F.
Kamp, Gary R.
Kamrath, Robert A.
Kane, Leonard "K", II
Kanive, Robert F. R.
Kappa, John R.
Kappel, Leslie G.
Kappes, James R.
Kardell, David D.
Kauffman, Horace C., Jr.
Kauffman, Carl F.
Kaufhold, Francis F.
Kaye, George T.
Kazlauskas, Walter V.
Keefe, George E., Jr.
Keeley, Robert M.
Keiller, Stuart J.
Keiper, James T.
Keiser, Ronald L.
Keith, Larry B.
Kelley, James J., Jr.
Kelly, Donn K.
Kelly, Howard K.
Kelly, James P.
Kelly, Michael C.
Kemlein, Donald F., Jr.
Kenny, John F., Jr.
Kenty, Jay W.
Kern, Donald S.
Kerr, Gerald L., III
Kerstein, David L.
Kerwick, Raymond J.
Kidd, Robert B.
Kildebeck, Thomas C.
Kilgo, Martin D.
Kilgore, Sidney J., III
Kimball, Grant P.
Kimmel, Thomas K., Jr.
Kinard, David M.
Kincaid, James E.
King, Roland E., Jr.
King, William B.
Kingsley, Oliver D., Jr.
Kircher, David R.
Kish, John D.
Kitchen, Gary D.
Klahr, Owen A.
Klein, George A., III
Klimchak, Andrew J., Jr.
Klinkhamer, David J.
Klostermann, Kenneth E.
Kluessendorf, Fred K.
Knott, Gerald W.
Knust, Fred P.
Kobylk, Nicholai S.
Kochanski, Joseph J.
Kokoruda, David J.
Konetzni, Albert H. Jr.
Kopplin, John F.
Korbet, Michael T.
Kosnik, Edward F.
Kostar, William L.
Kowalick, Stephen J., Jr.
Kraker, Donald L.
Krause, John D.
Krejci, Emil J.
Krekel, Thomas W.
Kress, Michael M.
Krienke, Loren T.
Krol, Robert A.
Krum, Stephen G.
Kuechle, John D., Jr.
Kuehn, Rodney E.
Kunkel, James E.
Kupka, Stephen G.
Kurth, Robert P.
Labow, Joel C.
Labrecque, Robert J.
Lah, Raymond G. M.
Laino, William P.
Lange, Jerome B.
Langill, Frank S.
Larkins, James M., Jr.
Larson, John M.
Lassiter, Ronald L.
Lathen, Donald F.
Latta, Donald G., Jr.
Lattin, Terrance L.
Lautenschlager, Karl B.
Law, Douglas E.
Lawless, John M.
Leach, Jerry W.
Leber, George M., Jr.
Lechner, Bruce E.
Lee, Donald A.
Lehman, Henry C.
Leidecker, Gary F.
Lemons, James R.
Leo, John A., III
Leonard, Fred P., III
Leonard, Robert E.
Leonard, William N., Jr.
Leonard, William J., Jr.
Leroy, Dennis K.
Letter, Thomas M.
Levinson, James R.
Lewis, James C.
Lewis, Robert H.
Lewis, Thomas M.
Lienhard, John B.
Lightstone, Robert M.
Linch, William D., Jr.
Lindsay, William T.
Lineburg, George W., Jr.
Lines, Richard A.
Ling, John H.,
Linton, Parker S., III
Lipfert, Ralph H.
Lipscomb, Warren N., Jr.
Lisle, John T.
Livingston, Richard A.
Lockwood, Bruce W.
Lomacchio, Thomas D., Jr.
Long, Edward C., III
Long, James A., III
Lonsdale, Frederick
Loome, James M.
Lopacinski, James M.
Lopez, Manuel R.
Lorden, John J., Jr.
Lothrop, Peter S.
Loughran, Joseph P., Jr.
Lovelady, David E.
Lovett, Kenneth D.
Lueneburg, Raymond L.
Lundberg, William D.
Luther, Walter W., Jr.
Lutz, Frederick R.
Lynch, John D.
Lyon, Douglas V.
Lyons, Joseph E., Jr.
MacConnell, John L.
Mack, Jonathan T.
MacKenzie, Donald K.
MacOnkey, Thomas J. Jr.
MacPherson, George W.
MacVean, Stephen S.
Magner, Rodney E.
Magnuson, Ronald R.
Maher, Jerome T., Jr.
Mahlstedt, Paul W.
Maitland, James E.
Maixner, Harold V., Jr.
Makela, Bruce G.
Malavar, Frank M.
Mallett, Carl V.
Mallini, Joseph J., Jr.
Maloney, Elbert S., Jr.
Mandel, Eric
Mandeville, Donald E.
Mandich, Joseph
Manes, Michael R.
Maniscalco, James A.
Manskar, Dennis R.
Maras, John W.

Marflak, Thomas F.
Margeson, Walter L., Jr.
Markowski, Frank J., Jr.
Markusic, Michael L.
Marsh, Walter C.
Marsh, William R.
Marsh, William T., Jr.
Martin, Port R.
Martin, Ricard W.
Martin, Thomas G.
Martineau, Paul W., Jr.
Martinek, Charles A.
Marzano, Richard M.
Mason, Charles P., III
Mason, James W.
Mason, John H.
Massey, James B., III
Massicot, William H.
Masters, Quentin S.
Mathers, William M.
Mathis, Troy E., Jr.
Matthews, Jan D.
Matthews, John L.
Matthews, Thomas F.
Mattis, David W.
Maule, Francis E., III
Mauney, Fleming
Maupin, David O.
Maxwell, John S.
Maxwell, Ronald L.
Maxwell, William H.
May, Douglas E.
Mayer, Conrad J.
Mayhue, Richard L.
Maynard, James D.
Mazach, John J.
McAdams, Gayle R.
McAdams, Glenn E.
McAuley, James W., Jr.
McCaffrey, John P.
McCague, James D.
McCallie, Spencer W.
McCarty, John B.
McConnell, William S.
McCoy, Robert B.
McCray, Stephen S.
McCullen, Clarence H.
McCullough, Carl P.
McCumber, Ralph R., Jr.
McCune, William E.
McDonald, Raymond A.
McDonald, Richard D.
McDonnell, Gordon R.
McDowell, Elmer J.
McElvein, David B.
McFadden, Owen C., Jr.
McGann, William H., Jr.
McGarry, Charles N.
McGee, Terry R.
McGee, William E.
McGehee, Robert B.
McGibbon, Charles A.
McGinty, Richard C.
McGlinn, James E.
McGoldrick, John D., Jr.
McGraw, Bennette D.
McKendrick, John D., Jr.
McKenna, Patrick J.
McKenney, Edward A.
McKenzie, Brian D.
McKie, David E.
McKinney, Ronald L.
McLendon, James B.
McMenamin, William J.
McMenimen, Lawrence L.
McMunn, Mary K.
McNally, William J., III
McQuaid, Michael J.
McRae, Charles R.
Mears, Michael L.
Meintzer, Robert E.
Melnyk, George R.
Meloney, Michael B.
Mendenhall, Corwin G., III
Menke, James E.
Mercer, William E.
Merriman, Stephen C.
Messina, Edward F.
Metcalf, Douglas C.
Metro, Joseph P., Jr.
Michaux, Richard L.
Michelson, Gregory M.
Miess, Samuel A.
Miller, James E.
Miller, Nicholas P.
Miller, Richard D.
Miller, Robert J.
Miller, Stephen A.
Miller, Wayne H.
Miller, Wayne M.
Mills, Robert C.
Minarick, Joseph W., II
Minton, Joseph K.
Mintun, Tom L.
Mitchell, Charles S., IV
Mitchell, John M.
Mitchell, Ralph M., Jr.
Mittendorff, Gerald E.
Mobley, Joseph S.
Mock, Floyd L., Jr.
Mohan, James F.
Moller, Mikkel
Mollet, Robert E.
Molloy, Clifford F., Jr.
Mondy, Ralph L.
Monell, Gilbert F., Jr.
Montano, William B.
Montgomery, George W.
Montgomery, Michael F.
Moore, Billy G.
Moore, George M.
Moosally, Fred P., Jr.
Morey, David N., III
Morgan, Edward E.
Morgan, James F., Jr.
Morgan, Roy S.
Morgan, Vernon M.
Morgan, Warren E., Jr.
Morrill, Philip J.
Morris, Milton D.
Morris, Ralph R.
Morse, David W.
Mosby, William R., IV
Moses, Dale H.
Mosier, David W., Jr.
Muldoon, Patrick M.
Mulhall, Robert B.
Mulvany, Michael S.
Munn, Joe A.
Murphy, Andrew M.
Murphy, Daniel J., Jr.
Murphy, Dennis E.
Murphy, James K., Jr.
Murphy, Robert J.
Murphy, Thomas E.
Murphy, Timothy A.
Murray, James R.
Murray, Robert E.
Myers, Henry B., Jr.
Mynett, Harold J.
Naber, Michael E.
Nagy, Carl F.
Naye, John R.
Nealley, Alan W.
Nearing, Robert W.
Nelson, Dennis G.
Nelson, Harold E., Jr.
Nelson, Kenneth S.
Nelson, Robert M., Jr.
Nesbit, Thomas B.
Neumeister, John E., III
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Newell, James K., III
Newman, Donald E.
Nichols, John W., III
Nichols, Loring B.
Nicholson, Samuel T.
Niss, Steven D.
Nolta, Franklin L.
Noonan, Patrick J.
Norman, Donald S.
Norman, Phillip J.
Norton, David H.
Norton, John E.
Nuessle, Francis E., Jr.
Nutwell, Robert M.
Oberg, Neal S.
O'Brien, Gerard M.
O'Brien, Kathleen M.
O'Brien, Thomas E.
O'Donovan, Alfred J., III
O'Dwyer, William
Offutt, James H., III
Ogar, Walter T., III
Ogden, Richard W.
Ohlert, Edward J.
O'Keefe, Richard B.
O'Keefe, Thomas S., Jr.
Olden, Irvin L.
Oliver, Daniel T.
Olsen, Curtis W.
Olsen, Richard A.
O'Malley, John F.
Oman, Robert G.
Omohundro, Michael J.
O'Neil, Haines A.
Orcutt, John A.
O'Reilley, Dennis P.
Orkins, James E.
Orser, William S.
Orvis, James W.
Osani, Joseph R.
O'Shea, Michael G.
Ott, Marvin M.
Owens, James T., III
Oxford, Thomas P.
Paine, Robert G., III
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Palmer, Donald A.
Parchinski, Eugene A.
Parisen, Richard L.
Parish, Philip W.
Parker, Henry S., III
Parker, Leonard A., Jr.
Parker, Richard E.
Parsoneault, Jerald L.
Parsons, Frederick C., II
Parsons, Joe C.
Pasquini, Leonard A.
Patch, David A.
Paul, Thomas W.
Paulsen, William G.
Payne, Tommy E.
Peabody, Edward L.
Pedersen, Gordon D.
Pedersen, Jack L.
Pelletier, Dennis R.
Pender, Orland J., Jr.
Pennington, Charles W.
Peppard, Terry F.
Perakis, James A.
Percival, Robert C.
Peresich, Dan L.
Pergler, Robert A.
Perkins, Robert E.
Perry, Albert K.
Perry, Frank R.
Persels, Jimmy B.
Petering, George W.
Peters, Dennis L.
Peterson, Alan T.
Peterson, William C.
Petillo, James T.
Petrucka, Paul M.
Pfaff, John F.
Pfeifer, Charles G.
Phelan, Joseph F.
Phillips, Larry W.
Phillips, William T., III
Phillips, William L., Jr.
Phipps, John W.
Piazza, Frank P., Jr.
Picken, Joseph C., III
Pickett, Robert D., Jr.
Pierce, Peter W.
Pierce, Richard B., Jr.
Pilecek, Kenneth C.
Piper, Harry L.
Pitely, George J.
Pitman, Edgar L., II
Planitzer, Russell E.
Plante, Robert J.
Plis, Kenneth J.
Ploeger, Robert B.
Plotkin, Richard A.
Plummer, Ronald E.
Poggi, Steven N.
Poiencot, Glenn P.
Polanski, Charles M.
Polsenski, Martin J., Jr.
Pomeroy, John S.
Porter, Thomas J.
Posenecker, William W.
Posoli, John B.
Pospisil, John M.
Postle, Douglas C.
Potter, Stephen C.
Powell, Harry C., Jr.
Powell, James M., Jr.
Powell, William P.
Power, Oliver K., III
Pratt, Augustus K., Jr.
Predtechenskis, Leonids
Prep, Victor M., Jr.
Price, Leland H.
Prickett, David C., Jr.
Prout, James G., III
Prusaitis, Gerald J.
Puckett, Don S.
Puffer, James W.
Pulsifer, Edward K.
Puppe, Russell A.
Pursley, Robert E., III
Quinn, Neal A., Jr.
Quirk, David J.
Radcliffe, William M., Jr.
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Raker, Edward A.
Raleigh, Richard E.
Randall, Jeffrey W.
Randolph, Robert G.
Rauch, Kenneth N.
Rawson, Warren A., Jr.
Ray, Robert N.
Reass, Richard M.
Redd, John S.
Reddington, Christopher M.
Redington, Michael P.
Reeb, John E.
Reeder, Terry L.
Regmund, William C., Jr.
Regnier, James M.
Reid, Thomas H.
Reinhart, Frederick M.
Remer, Bryan E.
Rempt, Rodney P.
Rendine, Paul
Renne, Merline M.
Reynolds, Tom H., Jr.
Ribble, William M.
Rice, John A.
Rice, Paul D.
Rice, Theodore L.
Richardson, Glenn F., Jr.
Richardson, David W.
Richardson, Peter B.
Ries, Kenneth L.
Rigstad, Dennis A.
Rist, Austin M.
Ritchey, Stephen L.
Ritter, Douglas B.
Rivamonte, Lorenzo A.
Roberts, Charles R.
Robertson, John E.
Robertson, Kenneth C.
Robertson, Stephen R.
Robinson, William P.
Robison, Frances D.
Rochelle, William B.
Rockwell, John H., III
Rodriguez, Antonio J.
Rogers, David E.
Rogers, Frank W., III
Rogers, Ross F., III
Rohrkemper, Stephen F
Roland, John R., Jr.
Roller, Charles L.
Rollins, Richard E.
Ronchetto, John R., Jr.
Roodhouse, Alan M.
Rooney, Daniel J.
Rorick, Jay T., Jr.
Rosiak, James A.
Ross, Paul D., Jr.
Roth, Milton D., Jr.
Rowe, Donald
Royal, Gilbert V., Jr.
Rubright, David G.
Rudell, Frederick L.
Ruehl, Victor E., III
Ruff, Richard K.
Runkle, Thomas C.
Runqurunquist, Ulf W.
Ruppel, Jack C. L.
Russ, Stephen J.
Russell, James M.
Russo, John A.
Ruth, David J.
Ryan, Carl J., Jr.
Ryan, James J.
Ryan, Michael R.
Ryan, Terrence P.
Sabaitis, Eugene J.
Sadd, David J.
Sage, David M., Jr.
Sage, Fred W., III
Sage, Leland C. C.
Sager, Harlan R.
Saints, Stuart K.
Salinas, Daniel, II
Salmon, Richard C.
Sams, Bonum B., Jr.
Sandberg, Christopher F.
Sanders, James C.
Sanders, Marvin L.
Sanders, Robert T.
Sandquist, Fred C.
Sapp, Vincent D.
Saracino, Quentin M.
Sarich; Ace J.
Saunders, Richard E.
Savage, John D.
Sawyer, Thomas D.
Scalcucci, Francis S.
Scarbrough, Robert R.
Schaede, Harry R.
Schaefer, Charles R.
Scheerer, Raymond H.
Schlehuser, Charles H.
Schlein, Paul B.
Schmidt, Gary E.
Schoch, William L.
Schoen, Gary W.
Schoeppner, Leonard J.
Schofield, Paul L.
Scholz, Ronald W.
Schoolfield, Ernest L.
Schuder, Danny E.
Schuler, Paul G.
Schultz, Dale E.
Schuster, Michael A.
Schwartz, Norbert V., Jr.
Schwedt, Mervyn A.
Schwering, Richard J.
Scott, Donald E.
Scott, Murrel C., Jr.
Scott, Robert P.
Scrivener, Orlin R.
Searcy, Kinchen J.
Sears, Jay A.
Sears, Scott L.
Seery, John J.
Seiden, Steven S. S.
Seward, Lachlan W.
Seward, Theodore C., Jr.
Sexton, Noah P., II
Seymour, Terry I.
Shannon, James O.
Sharp, Harry G., III
Shea, John P., III
Shearer, Richard P.
Sheedy, Patrick J., Jr.
Sheeley, Royal E.
Sheffield, Robert C.
Shelar, Eugene, Jr.
Shelton, Leonard G., Jr.
Sherman, Granville, III
Sherman, Marshall R.
Shields, Scott J.
Shipe, Edwin E., III
Shook, Raymond R.
Shrawder, Steven D.
Shubert, William M., Jr.
Shyjka, Frank
Sibold, Brian B.
Sidney, Richard W.
Siems, Norman E., Jr.
Sigler, John F.
Sigler, Titus S.
Silloway, Richard F.
Silverman, Samuel I.
Simmons, Robert T.
Simmons, William A.
Simms, Donald L.
Simms, Larry L.
Simonpietri, Andre C., Jr.
Simonsen, Charles M.
Sinisi, Jon M.
Sinness, Kenneth R.
Siwinski, Edmund L.
Sladek, James A.
Slagle, Norman H.
Slear, David G., III
Slowik, Sylvester H.
Smart, Robert V.
Smisek, Thomas J.
Smith, Billy J.
Smith, David A., Jr.
Smith, David B.
Smith, Frank L.
Smith, Gary W.
Smith, James H.
Smith, Kenneth C., Jr.
Smith, Norman A.
Smith, Richard W.
Smith, Ronald E.
Smith, Thomas J.
Snaider, Richard P.
Snitzer, Richard E.
Snyder, John W., Jr.
Snyder, Luther W., Jr.
Snyder, Warren B.
Snyder, William T. D.
Sosnicky, Andrew P.

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Soule, George H., Jr.
Southerland, Mark J.
Spadafora, William H.
Spayde, Roger C.
Specht, Harry, F., Jr.
Spelbring, Daryl C.
Spencer, David J.
Spencer, Robert W.
Spicer, Tadd E.
Spikes, Clayton H.
Sproul, William D.
Stabb, John A.
Stahl, Robert A.
Stanko, Theodore R., Jr.
Stankowski, Robert J., Jr.
Stanley, Harold G.
Starostecki, Richard W.
Starr, Duane M.
Starr, Ronald W.
Staudte, Paul V.
Steen, David S.
Steenburgh, Charles J.
Steffen, Nicholas J.
Stein, David A.
Steinman, Larry W.
Sterling, Stoughton, III
Stevens, Richard G.
Stevens, Ronald F., Jr.
Stevens, Thomas R.
Stevenson, Ernest H.
Stewart, Alford M., Jr.
Stewart, Jamie "B", Jr.
Stewart, John C.
Stewart, Joseph S., II
Stewart, Lawrence "L"
Stillabower, Michael "E"
Stinnett, Jack F.
Stiteler, Fred Z.
Stoneberg, Lawrence C.
Storck, Donald G., Jr.
Stott, Laurence R.
Strain, Paul F.
Stratis, George K.
Stratton, Charles L.
Strausbaugh, Thomas L.
Strayhorn, Robert E.
Strickland, Henry W.
Strother, John W.
Strouse, James L.
Stuart, Jay C.
Stuckey, James G.
Stumm, Albert F., Jr.
Sturm, William P.
Sulfaro, John J.
Sullivan, Dennis B.
Sullivan, James V., Jr.
Sullivan, Robert A.
Summa, Angelo J.
Summers, Gary R.
Svalya, Phillip G.
Swain, Charles L.
Swank, Jeffrey L.
Swanson, John F.
Swartwood, James M.
Sweeney, James D.
Sweeney, Michael J.
Swiantek, Francis M.
Swinger, Alan W.
Swingle, Robert D.
Tackney, David T.
Tanber, Terry N.
Tappan, Benjamin, III
Tarr, Robert J., Jr.
Tarro, Arthur S.
Tate, James K., IV
Tattersall, Alan P.
Taylor, Billy B.
Taylor, Hugh M.
Taylor, Royce D.
Taylor, Rufus L., III
Taylor, William E., Jr.
Taylor, William L.
Teed, Richard B.
Temme, Robert L., Jr.
Tercek, Robert L.
Terebessy, Terry J.
Terrill, Thomas J.
Tersteeg, Douglas J.
Thaete, Harry A., III
Thielen, Bruce E.
Thole, Michael J.
Thomas, Orville G.
Thomas, Richard S.
Thompson, Douglas E.
Thompson, Edward C.
Thompson, Jesse B., Jr.
Thompson, Jesse L.
Thompson, John R.
Thompson, Joseph R.
Thompson, Norman R.
Thompson, Oland D.
Thompson, Ronald M.
Thompson, William E.
Thonerfelt, Reuben T.
Thorstad, Arthur A.
Titcomb, Robert E.
Titus, Dale N.
Toedter, Wendel W.
Tomasko, John A., III
Tomlinson, William J.
Tonkin, Russell J.
Toriello, Andrew N., Jr.
Toth, Michael A.
Totushek, John B.
Touve, Bruce N.
Townsend, John W.
Tracey, Michael T.
Transue, Michael J.
Treadway, Edward R.
Treter, Douglas E.
Trodahl, Howard F.
Trueman, Larry D.
Truesdell, William C., Jr.
Tucker, Marvin H.
Tuley, Michael T.
Tummonds, Paul A.
Tuzzolo, Patrick A.
Uhrie, Richard J., Jr.,
Unks, Robert S.
Upp, Robert R.
Urbani, Donald L.
Ustick, Perry W., Jr.
Utter, James H.
Valley, Bruce L.
Vangilder, George T.
Vanloy, Alan E.
Vanteslaar, Paul S.
Vanzanten, Barend L.
Vasey, William C.
Vaughan, Douglas D.
Vellines, Harry F.
Vernallis, Jeffrey T.
Verratti, Robert N.
Vidosic, Richard P.
Vincent, George A., III
Vorwald, William J.
Votava, Charles F., III
Waddell, Michael W.
Wade, James I.
Wadsworth, Donald A.
Wagenseil, Lawrence L.
Waggoner, David T.
Wagner, Keith A.
Wainwright, Stanley D., Jr.
Walberg, Peter E.
Walker, David M.
Walker, David R.
Walker, Thomas H., Jr.
Walker, William H.
Wallace, Reuben H., Jr.
Wallace, William T., Jr.
Walls, Thomas L.
Walls, William H.
Walsh, David F.
Walsh, Emmet M.
Walsh, Thomas J.
Walts, Charles R.
Waltz, Alfred J.
Ward, Douglas E.
Ward, Lewis A.
Waring, Thomas
Waschbusch, John F.
Waterman, Charles E.
Watson, David
Watts, Bruce R.
Waylett, William J., Jr.
Weathers, Cleve O.
Weber, Craig S.
Weber, Steven D.
Webster, Paul E.
Weeks, Charles J., Jr.
Weigand, Karl R., Jr.
Weil, Donald
Weller, Herold J., III
Weinzapfel, Kenneth H.
Weissner, William W.
Welch, James T.
Wells, Jack L.
Wendel, William H., Jr.
West, William R.
Wetzel, Kenneth R.
Whalen, John F., III
Wheary, Eugene P.
Wheeler, David L.
Wheeler, Mark W.
Wheeler, William R.
Whitcomb, Giles M.
White, Allen H., Jr.
White, James W.
White, Joseph R.
White, Robert D.
Whitley, Robert B.
Whittemore, Frank C.
Whittemore, Michael A. N.
Widener, Douglas G.
Wieezerek, Stephen G.
Wier, Joel A., III
Wiese, Clifford A.
Wiggers, Francis E., Jr.
Wiggins, Joseph L., Jr.
Dilcock, John L., Jr.
Wiles, Marvin B. C.
Willard, Robert B.
Willever, Kent A.
Willhite, Allen L.
Williams, Clyde R.
Williams, Gregory B.
Williams, Frank L.
Williams, Kenneth R.
Williams, Richard P.
Williams, Robert E., Jr.
Williams, Thomas J., Jr.
Williams, Thomas P.
Williams, Thomas R.
Williamson, Francis T., Jr.
Williamson, John C.
Wilmarth, Lance A.
Wilson, Donald L.
Wilson, Eldon S.
Wilson, John F.
Wilson, Martin B.
Windle, Ralph E.
Wingfield, Thomas J., III
Winners, Donald L.
Wise, Billy B.
Wise, Bobby G.
Wisniewski, John L.
Witt, Ronald C.
Wittenberg, Robert R.
Woerner, James P., Jr.
Wolf, Robert W.
Wolford, Norman H.
Wolsoncroft, Thomas R.
Wong, Peter W.
Wood, Gordon L., Jr.
Wood, William A.
Wooden, Harry H., Jr.
Woodfin, Richard H., Jr.
Woodson, Walter B., III
Woolrich, Raymond D.
Wortham, Thomas R., Jr.
Worthington, Jack C.
Worthley, John A.
Worthy, Charles D., Jr.
Wright, George M.
Wright, James E.
Wright, Peter W.
Wurster, Ronald F.
Wyman, Bruce D.
York, Richard J.
Young, Brian W.
Young, Donald M.
Zallnick, Anthony F., Jr.
Zando, Paul J.
Zeddies, Armand A.
Ziegler, Philip E.
Zientek, Steve M.
Zondorak, William M.
Zopf, Garrett A.
Zucker, Clayton G.
Zuga, Leonard F.
Zuhr, Kenneth C.
Zumsteg, Howard O., Jr.
Zvacek, Robert D.
Zveare, Dennis L.
Amann, Lorraine F.
Beale, Carolyn B.
Byerly, Kathleen D.
Demarest, Paula A.
Dieter, Janet M.
Gabbrielli, Laura S.
Gabryshak, Betty J.
Grayson, Deidra L.
Greiner, Ann C.
Hatch, Marilyn J.
Herley, Martha S.
Hitch, Linda L.
Hollister, Donna S.
Huttenbrauck, Gail E.
Lee, Patricia A.
Lyons, Dorthy E.
Maguire, Jean F.
Maloney, Mary E. P.
Pope, Diane J.
Powers, Mary E.
Reilly, Christine M.
Roney, Patricia M.
Shaw, Christela A.
Trussell, Ellen A.
Urban, Deanna I.
Voos, Sybil A.
Williams, Mary L.
Yont, Mary P.
Zalesky, Sarah A.

SUPPLY CORPS

Allega, Timothy J.
Allen, Daniel W., Jr.
Auerbach, Eugene E.
Baird, Paul T.
Balding, Anthony D.
Barnett, Orlando T.
Barrett, Sean C.
Beckner, David L.
Benbow, Robert T.
Benton, Billy B.
Biggerstaff, Robert E.
Bingham, Alfred A., III
Bond, Robert C.
Bray, Richard L.
Burmeister, Edward D., Jr.
Cassidy, John P.
Cassidy, William F.
Chamberlin, Edward R.
Chenault, David W.
Clary, Neal T., Jr.
Cloud, Burt M., Jr.
Coleman, James S., III
Connelly, Stephen A.
Conradteberlin, Viggo P.
Crognale, Stanley J., Jr.
Daley, Robert W.
Davis, Kenneth E., Jr.
Dexter, Stephen T.
Dobbert, Clarence F.
Doubleday, Ross J.
Dreher, Darrell L.
Dreyer, Leo P.
Droms, William G.
Drowty, Dennis R.
Duff, Donald D.
Dunteman, James M.
Early, Lawrence J., Jr.
Edgerton, Donald K.
Erickson, William V.
Evans, Michael J.
Findley, Norma P., III
Franyo, Richard L.
Gibson, John J.
Gruver, William R.
Guth, Michael H.
Havener, William J.
Haverty, Lawrence J., Jr.
Hickey, William V. Jr.
Higgins, William F., Jr.
Hilton, David E.
Ingram, John C.
Ireland, Dennis W.
James, Daniel V., Jr.
Johnson, William F., Jr.
Joye, Erwin M.
Kalas, Frank J., Jr.
Karg, Herbert W., Jr.
Keenan, Frederick
Keller, Frank B.
Kelley, Charles E., Jr.
Kelly, James M.
Kennedy, William E., Jr.
Killian, Charles E.
Kinsey, Joseph W.
Kolodziej, Victor D.
Lang, Thomas F.
Leniart, Peter J.
Libby, Kurt W.
Lincoln, Samuel A., III
Lingle, Jan C.
Loveday, Leonard N.
Lynch, Peter J., III
Lynn, Wayne R.
Mahn, Gary L.
Maloney, Francis L., Jr.
Mangin, Garrett N., II
Martens, Richard L.
Martin, James M.
McCabe, Raymond L., Jr.
McCook, Kevin W.
McTyre, Harry E., Jr.
Melton, Harold K.
Middleton, George R.
Mills, Kenneth B.
Molino, Robert L.
Morisky, Richard J.
Muir, Anthony M.
Neale, John C.
Niblock, Edward G.
Nicol, Robert L.
Norton, Phillip G.
Ogrosky, Charles E., III
Ott, Gene F.
Parks, Michael B.
Patterson, Alexander Z., II
Patton, John C.
Pettis, David W., Jr.
Potts, John A.
Potts, Norbert J.
Regan, John J.
Reis, Peter S.
Rouzer, William W.
Sandalls, William T., Jr.
Saylor, Clarence M., Jr.
Scarola, Joseph R.
Schechter, Kenneth A.
Schnepf, Charles A.
Schramm, Frederick C., Jr.
Scott, Jerry W.
Scudi, John T.
Semet, Robert J.
Senn, Lavern K.
Siegel, Gary
Slane, Robert L.
Smith, Ronald E.
Sprague, Douglas R.
Stafford, Michael D.
Stanton, William H.
Sutherland, John W.
Sutherland, Michael T.
Thomas, William J., Jr.
Tompkins, Alan M.
Tracy, Richard T.
Ullrich, James M.
Vaughan, Larry E.
Velte, Duane R.
Volkmann, John M.
Wagner, David L.
Watson, Andrew J.
Webber, Carl M.
Whitlock, Robert E.
Williams, Edward L., III
Winston, Robert D., Jr.

CIVIL ENGINEER CORPS

Altstaetter, James L.
Ames, William D.
Buchanan, Robert D., Jr.
Burkett, Hugh A.
Cooney, Thomas A.
Fesler, Jeffrey B.
Furich, Robert P.
Garrigan, James T.
Geibel, Bruce B.
Guinosso, Andrew J.
Hoff, Michael L.
Jones, Lloyd K.
Koons, James E.
Larsen, Quentin J.
Leubecker, Stephen T.
Lowery, Edward J., Jr.
McCormack, Richard F.
Milner, Ronald A.
Morss, James C.
Palmborg, James G.
Ramsey, James M.
Royal, Clifford H.
Rudegeair, Edward A.
Sherron, John T.
Shoup, George M., Jr.
Siler, Richard T.
Somers, Allen H.
Sopko, David C.

Spence, Gordon D., Jr.
Walter, Harold W.
Wong, Stephen E. C.
Yanuck, Rudolph R., Jr.
Zaist, William J.

MEDICAL SERVICE CORPS

Bondi, Kenneth R.
Brant, Robert H.
Brees, Philip H.
Evans, Patricia R.
Howard, Ivan D.
McManaman, Vincent L.
Profita, Salvatore J.
Sholdt, Lester L.

NURSE CORPS

Cords, Marvin D.
Mitchell, Mary C.

Lt. Comdr. Lowell J. Brown, Medical Corps, U.S. Navy, for temporary promotion to the grade of commander in the Medical Corps subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant commander in the Medical Corps subject to qualification therefor as provided by law:

Bloustine, Stanley A.
Davis, McWilliam H.
Forsthoefel, Frank E.
Freeman, Richard E.
Hoskins, William J.
Howard, Noel S.
Hutchins, Charles H.
Manion, James L.
Murray, Melville C.
O'Neill, John J.
Stone, William C.
Vidoloff, John C.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Ashford, Ervin A.
Barbour, Nathaniel S.
Betzner, Hugh W., Jr.
Brouwer, Daniel C.
Carter, Lee S.
Chenery, Robert L.
Chudalski, Michael K.
Cook, John C.
Ensch, John C.
Fortenberry, Henry C.
Gladston, Steele
Hogan, John B., Jr.
Huff, Gerald L., Jr.
Huffman, Curtis W., Jr.
Jogan, Stephen
Johnson, Thomas R.
Johnston, Howard P.
Kaufman, Edwin J.
Kowlok, Gerald W.
Lischke, Erwin L., Jr.
Lockard, John A.
May, Donald L.
Milham, Russell O.
Morgan, Donald L.
Nichols, James R.
Parkinson, Robert
Pattarozzi, Norman J.
Peoples, Philip M.
Pfaff, George J.
Pfister, Stephen J.
Randall, Richard F.
Roy, James C.
Saenz, Roland A.
Schneider, Paul T.
Shoemaker, Stephen C.
Steele, Joseph H., III
Sutton, Ronnie N.
Thiele, James F.
Vallee, Ronald A.
Walker, David C.
White, Richard L.
Whitmore, John T.
Wiley, Richard A.
Wuthrich, Lawrence G.
Zuncich, Joseph L.

SUPPLY CORPS

Campbell, Robert R.
Christopherson, Wilhelm G.
Gibson, Blair E.
Harper, Charles H.
MacArthur, Chester B.
Myers, William M.

CIVIL ENGINEERING CORPS

Coston, Oscar L., Jr.
Wright, Hubert D., Jr.

MEDICAL SERVICE CORPS

Bird, Noel T.
Milliken, Paul R.
Newman, Reginald E.

NURSE CORPS

Quayle, Leo C.

Lt. (j.g.) Joanne L. Schmitt, U.S. Navy, for permanent promotion to the grade of lieutenant in the line, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Barbour, Nathaniel S.
Chudalski, Michael K.
Churchill, Edwin T.
Cooney, Christopher J.
Daines, Gary L.
Davis, Herman E.
Hennessey, William J., Jr.
Huffman, Curtis W., Jr.
Kaufman, Edwin J.
Kuehn, Ronald E.
Lisle, John T.
Lockard, John A.
Benton, Robert R., Jr.
Martin, Charles F., II
Millward, John E.
Morgan, Donald L.
Orvis, James W.
Peoples, Philip M.
Pfister, Stephen J.
Schmidt, Clifford L.
Smith, Gary W.
Steele, Joseph H., III
Walker, David C.
Ward, Lewis A.
Wiley, Richard A.
Yates, Cornelius H., III

SUPPLY CORPS

Campbell, Richard P., Jr.
Chiomento, Thomas V., Jr.
Christopherson, Wilhelm G.
Heiselberg, Gary L.
MacArthur, Chester B.
McKechnie, Arnold W., Jr.
Schechter, Kenneth A.

CIVIL ENGINEER CORPS

Gardner, James K.
Jensen, Allen H.
Kennedy, Ronald E.
Nash, David J.

MEDICAL SERVICE CORPS

Carpenter, Gordon L.

NURSE CORPS

Jackson, Charles R.

Lt. Comdr. Leyon D. Sakey, U.S. Navy, for transfer to and appointment in the Judge Advocate General's Corps in the permanent grade of lieutenant and the temporary grade of lieutenant commander.

Lt. Carl H. Horst, U.S. Navy, for transfer to and appointment in the Judge Advocate General's Corps in the permanent grade of lieutenant (junior grade) and the temporary grade of lieutenant.

The following-named officers of the U.S. Navy for transfer to and appointment in the Civil Engineer Corps in the permanent grade of lieutenant (junior grade) and the temporary grade of lieutenant:

Jarosz, Thomas J.
Koppenhaver, Larry N.
Standish, John A.
Wellumson, Douglas R.

The following-named officers of the U.S. Navy for transfer to and appointment in the Civil Engineer Corps in the permanent grade of lieutenant (junior grade) and the temporary grade of lieutenant:

Moore, Seley E.
Reynolds, George B.

The following-named officers of the U.S. Navy for transfer to and appointment in the Supply Corps in the permanent grade of lieutenant (junior grade):

Graves, Larry A.
Weissner, William W.

Lt. (j.g.) Ray K. M. Hartzell, Supply Corps, United States Navy, for transfer to and appointment in the line of the Navy in the permanent grade of lieutenant (junior grade).

The following-named officers of the Supply Corps, U.S. Navy, for transfer to and appointment in the line of the U.S. Navy in the permanent grade of ensign:

Frederick, Ronald J.
Hartzell, Ray K. M.

The following-named officers of the U.S. Navy for transfer to and appointment in the Supply Corps of the Navy in the permanent grade of ensign:

Allen, Randall C.
Atkins, John W., III
Averett, Gary L.
Berthy, Leslie C.
Carter, Robert K.
Cole, Barry W.
Culver, Joseph E.
Dinga, John P.
Dittmann, Harry G.
Every, Robert E.
Graves, Larry A.
Hager, Hampton, C., Jr.
Jordan, Larry J.
Kellum, William C.
McQueen, James D., Jr.
Tate, David J.
Thiele, John C.

The following-named officers of the U.S. Navy for transfer to and appointment in the Civil Engineer Corps in the permanent grade of ensign:

Lemon, Harvey B.
Mason, Robert D.

John P. Budrenich, U.S. Navy, for promotion to chief warrant officer, W-3, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for promotion to chief warrant officer, W-4, subject to qualification therefor as provided by law:

Aldrich, Marvin M.
Allen, Raymond S.
Allerdings, Robert D.
Bacha, Michael
Bailey, Howard L.
Baker, Oscar M.
Baney, Richard L.
Bates, Arthur H.
Bishop, John F.
Booth, Thomas G.
Boucher, Leonard R.
Briody, John H.
Burns, John C.
Butler, Kelly, Jr.
Cady, Howard P.
Carr, Robert G.
Chandler, Neil B.
Chastain, Edward C.
Chesmore, Kenneth L.
Cochrane, James E.
Cote, Roland F.
Davenport, William K.
Dolan, John
Durland, Ray M.
Durren, Richard L.
Enzminger, Kenneth A.
Epoch, Paul
Ferguson, John R.
Fickett, Lawrence E.
Fortney, Doyle W.
Friel, Joseph A., Jr.
Ganey, Walter F.
Gerbis, Daniel
Claab, George W.
Gonzalez, Ernest G.
Haldeman, Leonard D.
Hanna, Adrian L.
Hathcock, Milton T.
Havens, William F.
Healy, Gordon R.
Hillhouse, William C.
Huffman, James W.
Hyatt, Gerald C.
Isebrands, Arthur B.
Jacobs, Meredith D.
Jaggard, Joseph F.
Jensen, Dana C.
Johnson, Charles J.
Johnson, Roland L.
Jones, John D.
Jones, William W.
Kellner, Edward J.
Ketterer, Frank R.
King, Alfred E.
Kinnie, Phillip B., Jr.
Kitch, Dale
Kraft, James R.
Kremsner, Carl J.
Kulik, Charles A.
Lamb, Gerald M.
Landon, Stewart N.
Lovett, Owen, Jr.
Luther, Bert S.
Mathews, Donald B.
McKinley, Robert N.
Meyer, Harry W.
Mitchell, Harold J.
Monaghan, Jerome A.
Murphy, William J.
Myers, Paul R., Jr.
Myers, Wayne E.
Nadal, Jaime B.
Neely, Benjamin C.
Neil, Richard C.
Nelson, Warren H.
Newton, Killraine, Jr.
Oates, Bob, Jr.
Olmsted, Stanley H.
Orr, Charles P.
Overly, Robert W. D.
Parris, Eddie R.
Parrish, Solomon A
Patton, Kuemen B.
Perkins, Daniel J.
Pettigrew, Melvin N.
Player, Charles E.
Powell, Morrison, Jr.
Preston, William J.
Quicker, Joseph M
Rathke, John E.
Reber, Forrest C.
Robinson, Paul
Roche, Patrick J.
Salamon, William
Scales, John W., Jr.
Scarlett, Bernard
Schardein, Edgar A.
Schmidt, Christopher G., Jr.
Schuman, Daniel D.
Shaffer, Charles T.
Sluss, Charles S.
Smallwood, Frank W., Jr.
Smith, George D.
Soler, Carlos R.
Steadman, Joseph D.
Stowers, Bernard L.
Tarkington, Dewey A.
Terry, Donald L.
Thornley, Robert, Jr.
Torres, Edward G.
Turetz, Richard
Turner, Jack "D"
Wagner, Charles P., Jr.
Whitcomb, Winfield J.
Wilkes, Roy W.
Wilson, Joseph M., II
Witte, Ernest R.
Wyatt, Robert N.
Yarbrough, Lawrence B.
Youngdahl, Robert J.

Lt. Joseph H. Frates, Chaplain Corps, U.S. Navy, for temporary promotion to lieutenant commander, Chaplain Corps, subject to qualification therefor as provided by law.

Lt. (j.g.) William R. Broadwell, U.S. Navy, for permanent promotion to lieutenant (junior grade) in the line, subject to qualification therefor as provided by law.

The following-named (Naval Reserve Officers Training Corps candidates) to be permanent ensigns in the line or staff corps of the Navy subject to the qualifications therefor as provided by law.

Michael R. Andrew
Robert B. Anyon

Terry J. Atherton
Barry L. Babcock
Mark C. Baker
Peter M. Bluhm
Robert A. Bollenbacher
William S. Bozeman
Charles S. Browning, Jr.
Gregory L. Carr
Vincent E. Clarke
John T. Conly
Edward J. Cordes, Jr.
Richard G. Cowper
Valier J. Daigle
David E. Daube
Roderick F. Davis
Donald M. Dietz
Philip A. Erickson
Robert L. Ferriman
Thomas O. Fincher
James E. Force
Stephan D. Frank
Peter M. Fried
Michael A. Fusco, III
Ronald N. Gerber
Patrick A. Hammond
David C. Harding
James W. Hargrove
Jeffrey K. Harris
Hamilton D. Hearn
Paul C. Henshaw
Calvin C. Humberd, Jr.
Peter B. Johnston
John P. Ketz
William F. Kracke
Stephen D. Kraft
Kenneth A. Krumholz
James R. Laughead
Warren D. Lynn
Tommy G. McDowell
Randall J. McEwen
William B. McGoey, Jr.
Peter C. McLaughlin
Michael Manning
Elton J. Martin, Jr.
Gregory R. Masters
Scott H. Mayer
James M. Mleziva
Thomas A. Morrison
Jerry M. Naeve
Gregory M. Nazaruk
Gary S. Nelson
Thomas G. Olsen
Stephen J. Parham
James E. Pulbratek
Thomas M. Regan, Jr.
Robert M. Reinauer
Thomas W. Sadler
Paul F. Schmitt
Charles W. Schrack
James E. Shauberger
Michael W. Sheehy
George M. Sheppard
Edward J. Sherwood
Warren E. Small
Alan L. Stocklmeir
William L. Todd
Vincent J. Valva, Jr.
Richard F. Wall
Edward J. Walsh, Jr.
Joe F. Wilkinson, Jr.
Frank R. Wilson
William E. Wowak
Richard L. Yoder
Carlos M. Yordan, Jr.
Terence K. Young

The following-named (Naval enlisted scientific education program candidates) to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law.

Raymond F. Fike
Robert J. Giannaris
David E. Hamilton
Raymond L. Hargis
Ronald G. Higdon
Keith A. Hirt
Kenneth W. Key
Ralph E. Lambright
Douglas T. Lowe
Larry A. Lukens
Richard L. Pellegrino
Robert G. Williscroft

*Howard A. Platt (Naval Reserve officer) to be a permanent lieutenant and a temporary lieutenant commander in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

Stephen H. McCoy (civilian college graduate) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

*John D. Berryman
Robert E. Chambers
*John B. Cotton
*David B. Danzer
*Lawrence D. Dorr
*Matthew W. Duncan
*Christian E. Hageseth
*William J. Hoglund
*Ralph H. Kaiser
*Gerdi "D" Kelsey
*William H. Labunetz
*Paul J. McKee
*Prudencio Mendez, Jr.
*David M. Murphy
*James A. Murphy
*Thomas S. Parvin
*Thomas E. Rader
*Joseph M. Ryan
*James M. Thomas
*Andrew C. Von Eschenbach

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

Adam E. Feret, Jr.
Thomas C. Licking.
*Glenn Lamar Paulk.

*Donald J. White (Naval Reserve officer) to be a permanent lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named U.S. Navy officers to be reverted to permanent chief warrant officers W–3 and temporary chief warrant officers W–4 in the Navy, subject to the qualifications therefor as provided by law.

Max A. Harrell.
Samuel F. Keller, Jr.
James S. Rose.

Frank E. Kline, U.S. Navy retired officer, to be a lieutenant, limited duty only (avionics) in the line of the Navy, for temporary service, subject to the qualifications therefor as provided by law.

Diplomatic and Foreign Service

G. McMurtrie Godley, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Laos.

U.S. Circuit Judges

George Harrold Carswell, of Florida, to be U.S. circuit judge for the fifth circuit vice a new position created under Public Law 90–347.

John F. Kilkenny, of Oregon, to be U.S. circuit judge for the ninth circuit vice a new position, Public Law 90–347, approved June 18, 1968.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 12, 1969:

Department of Justice

Sherman F. Furey, Jr., of Idaho, to be U.S. attorney for the district of Idaho for the term of 4 years.

Thomas K. Kaulukukui, of Hawaii, to be U.S. marshal for the district of Hawaii for the term of 4 years.

Communications Satellite Corp.

George Meany, of Maryland, to be a member of the board of directors of the Communications Satellite Corp. until the date of the annual meeting of the corporation in 1972.

U.S. Representative on the NATO Council

Robert Ellsworth, of Kansas, to be U.S. Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Ambassadors

Shelby Davis, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Switzerland.

Malcolm Toon, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Czechoslovak Socialist Republic.

Fred L. Hadsel, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Somali Republic.

Guilford Dudley, Jr., of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

U.S. Navy

Rear Adm. Arthur R. Gralla, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of 10 U.S.C. 5231, for appointment to the grade of vice admiral while so serving.

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*Indicates ad interim appointment issued.

EXTENSIONS OF REMARKS

PRAISE THE LORD AND PASS THE AMMUNITION

HON. RICHARD (DICK) ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. ICHORD. Mr. Speaker, it was a distinct privilege for me to be the featured speaker at the 50th anniversary prayer breakfast of the American Legion Convention in St. Louis, Mo., last Saturday, hosted by Missouri's Governor, the Honorable Warren E. Hearnes, and at the request of the Executive National Committee of American Legion, I am inserting my remarks at this point in the CONGRESSIONAL RECORD:

Pass the Ammunition

(Address of Congressman RICHARD H. ICHORD, chairman, House Committee on Internal Security, before the American Legion, 50th Anniversary Prayer Breakfast, the Sheraton-Jefferson Hotel, St. Louis, Mo., May 10, 1969)

Some things are fitting and proper.

Among those most fitting and proper is that this breakfast should be here in St. Louis, for Missouri and St. Louis are honored that the American Legion was founded at a caucus here May 8 through 10th, 1919. And it is fitting and proper that the Governor of our State, a chief executive who stands firmly for the principles and ideals of the American Legion should be our host.

Let me say to my visiting fellow Legionnaires who may not be intimately acquainted with the Governor of the State of Missouri that your host is not only a man who voices the call for law and order, he does not hesitate to take the decisive action to enforce law and order.

It is fitting, too, I believe that we should take up the cry made famous a few years ago, when a beleaguered chaplain shouted out the words, "Praise the Lord and pass the ammunition." For it is time, past time, I would emphasize, for us to "praise the Lord" for this great nation which is ours, the great institutions which we have built, and then to "pass the ammunition" to those who would defend this nation and its institutions, including our great colleges and universities. We do not have a perfect nation. We have our ills and deficiencies, serious ills and deficiencies, but we can still thank our Creator for the privilege of living in a nation which has given more people greater freedom and more material comforts than any other country in the history of man.

When I speak of "ammunition," I speak not of shells and bullets, nor of mortars and men on the firing line. I speak of "ammunition" which can help us to establish the kind of internal structure that makes and keeps a nation worthy of its people.

Today, this country is fighting a great internal battle—a battle which has sprung up because of the gap between ideal and fulfillment, principle and opportunity, spirit and power. It has become most difficult to find the valid relationship between these extremes. The battles being fought are perhaps not as clear cut as the ones in which the men of the American Legion have been involved in World Wars I and II and the Korean and

Vietnam conflicts, but already there have been loss of life, maiming, great destruction of property, continuing chaos, riots and rebellion. Perhaps we shall never succeed in fully bridging the gap between ideal and fulfillment, but at least we should not "kill ourselves off" in our struggles to accomplish this end.

And, if I may be so blunt, though the battle lines aren't so clearly drawn, the issues are requiring the same kind of decision-making as was necessary at Verdun, the Battle of the Bulge, the 38th Parallel and Khe Sanh. As one of our past Presidents once said, "When hours may decide the fate of generations, the moment of decision must become the moment of action."

This is the kind of world we face today, with the campuses of our colleges and universities the battlegrounds today, the playgrounds of our high schools and grade schools the battlegrounds of tomorrow—unless we assess the problem quickly, decide upon what action to take intelligently, and act responsibly.

Toward solving our problems we could do much worse than look at the techniques used by the American Legion to serve the returning veterans of America's wars.

When the American Legion was founded there were three major ideals uppermost in the minds of the men who made up the American Expeditionary Force. Those ideals were:

1. Creation of a fraternity based upon firm comradeship born of war service and dedicated to a square deal for all veterans, particularly the disabled, their widows and orphans;

2. National security for America, including a universal military traing program for the prevention of future world conflicts;

3. Promotion of a 100 percent Americanism and the combatting of communism, nazism, fascism, socialism and all other foreign isms.

No organization ever lived up to its ideals so well as has The American Legion. It organized a Veterans Bureau to consider the needs of the disabled veterans resulting from the unwieldy mass of laws and regulations governing them. Through the efforts of The Legion, Congress has enacted law after law—born out of the efforts of The Legion to aid the returning veterans.

With the establishment of the Veterans Administration in 1931 to handle veteran benefit programs, The Legion's continuous campaign for justice to the war-disabled and for equalized treatment of widows and orphans began to show results. Pension legislation was passed. Rehabilitation services began to be provided. Medical programs were expanded. Education services were enlarged. Home, farm and business loans were made possible. Veterans employment has been protected. Readjustment allowances have been provided for the unemployed. Child welfare programs have been improved.

The American Legion has provided a home base for its members to get things done. The American Legion Child Welfare Foundation filled The Legion's need for an organized method in which grants could be made in the future which would bring the best results to the greatest number of children.

The National Legislative Committee, now Commission, was established early, in the life of the Legion when it became obvious a central legislative unit was necessary if legislative programs and proposals of the Legion were to be presented effectively, if they were to compete with the proposals of others interested in the same issues.

The Legion has made a few decisions wiser than that, for it has enabled the American veteran to wield the kind of influence that is his due on the American scene. Through the efforts of the Legion, such great legislation as the National Defense Act of 1920 was passed. This act, for example, gave the U.S. its first workable plan for a small Regular Army, augmented by a large National Guard and Organized Reserve.

The recommendations of the American Legion, made principally through its National Security Commission, have had a profound effect on our Nation's history.

Three of the Legion's activities have long been of interest to me, and truly of vital interest to the entire nation. I speak of the Legion's interest in *Americanism*, in anti-subversive activities and in youth activities.

Since the inception of the Legion, Americanism has been one of the Legion's great concerns. At the caucus here in St. Louis 50 years ago, among the things those assembled considered were: "relief work, employment, and Americanism." At the charter convention in Minneapolis that same year, the Americanism Commission was established by convention action.

In the beginning, the Commission was charged with the task of combatting anti-Americanism tendencies, educating citizens old and new in the ideals of true Americanism, distribution of information about "the real nature and principles of American government," and fostering the teaching of Americanism in all schools.

This mission sometimes led the Americanism Commission over difficult routes. For example, as many of you know, early in the 1920's unemployment and other conditions contributing to national unrest coincided with an upsurge of communism and other subversive isms. Through the years the Commission served yeoman duty in helping to solve these problems through education and action.

Much of the Commission's work was concerned with the problems of unemployment until that phase was taken over by the National Economic Commission of The American Legion.

In the field of anti-subversive activities, The American Legion continues to be the outstanding opponent of communism and other divisive dogma. Throughout the years, the Americanism Commission has gathered data which has been filed and catalogued, so that now any Legionnaire, through his post and department, has at his command one of the best library and information services on subversives and subversive activities available anywhere.

"To foster and perpetuate a one hundred per cent Americanism" The Legion has channeled much of its efforts into education of our youths—for their roles as leaders of tomorrow.

Hundreds of programs with literally thousands of participants have benefitted from the generosity and the foresight of The American Legion—Junior Baseball, Boys State, Boys Nation, Oratorical Contests, School Awards to youths outstanding in honor, courage, scholarship, leadership and service. All these have helped to make America strong. I, myself, am a beneficiary of the programs initiated by the men, we honor this morning, the founders of the American Legion. As a 14-year-old participant in the American Legion's oratorical contest, I had my first experience with the Legion.

All these efforts, so brilliant and so capably administered, have done much to help this nation adhere to the principles and philosophies on which this nation was founded.

Today, this nation is battling new isms, isms which I am sure are outgrowths of old cancers breaking out anew with new characteristics, attracting new leaders and a new cadre of supporters. These isms are emerging as indigenous, radical, partly revolutionary groups, apparently controlled neither by Moscow or Peking but infiltrated to a considerable degree by their agents.

We are alerted because these groups, like their progenitors which gave them birth, are taking advantage of serious weaknesses and illnesses within our society, fomenting disorder rather than contributing solutions to these problems. They are putting their tentacles down, obtaining every toehold they can, especially in our colleges, our universities, and even among our strong business, labor and civic organizations.

For their coup d'etat, they are seeking to wither away the crusading spirit of this country by attacking the very heart of our country, through those we love the most, our youths, and the institutions which we have established to give them the best preparation we possibly can for their roles in life—our colleges and universities. And, today, they are going one step farther, even into our high schools and grade schools, since they realize quite analytically that thousands and thousands of our youngsters will not be going on from high school into our colleges and universities, but are preparing themselves for lives outside the fields requiring college and university training.

As chairman of the House Committee on Internal Security, one of my major responsibilities is to insure that this is not done. This does not mean that the Committee will be going into the communities of this country and onto the high school, college and university campuses to operate programs in opposition to these efforts.

But it does mean that we have a responsibility to investigate, report and recommend to the Congress of the United States what the situation is, how extensive the problems are, and what might be done to curb the revolutionary violence which is tearing this country apart. Those investigations are now being conducted and have been in progress since the Committee was established on February 19th.

The student rebellions which have paralyzed our colleges and universities are not a sudden event. They have been building up for many years. The causes are not solely attributable to Marxist and communist activity but the Marxist oriented actions of the old and new left are becoming more visible with the occurrence of each campus disorder.

The general public has false notions about the nature and methods of totalitarian revolutionary groups, believing they operate only secretly behind closed doors and a deep conspiracy. But, the public, I think, overlooks the fact that human beings are limited in communication, for the large part, to speech and writing—and revolutionaries, whether of the far Left or the far Right, are human beings. To communicate with each other they must write and speak their thoughts and disclose to one another their plans.

They communicate small circulation magazines and newspapers and publicized in direct mail appeals to groups of their interest. Admission fees to their meetings are always nominal—from 50 cents to a dollar, rarely more than five—hence, almost any individual or the representative of any group has, almost for the asking, access to such meetings where plans are made and decisions rendered.

Toward solution of our campus problems today, I would recommend a return to the ideals which led to the founding of The American Legion and urge once again:

One. That we give of our efforts so that all students will get "a square deal" on the college and university campuses of the United States, that the classrooms and services belong properly to the majority of the campus students, not to the disruptive minority. This does not mean that universities should be run by the students anymore than they should be run by politicians. Universities should be run by experts—expert educators, who are charged with the responsibility of developing the most important resource of this nation or any nation—our youth;

Two. That we exert pressures on those administrators who require a stiffening of backbone, to establish a policy of firmness in dealing with those on the campus, who in the name of dissent, flout the law and invoke violence. Too long this nation has suffered from the result of permissiveness. Suspension and expulsion are still effective tools of discipline if they are wisely and timely used. Our campus problems will never be solved by the "namby-pamby" attitude exhibited by some of our university administrators. Those who fail to take the necessary disciplinary action or who follow a policy of appeasement only should be forthwith removed; and I might observe that timely disciplinary action in nearly all cases requires action long before the campus explodes into firebombings, the seizure of university buildings, and other forms of violence;

Three. That we in the Congress re-evaluate our draft laws. Personally, I have come to believe that our policy of college deferments are the primary underlying cause of campus disorder. College deferments should be abolished and those who have not fulfilled their military obligation and fall within the prescribed age group should take their chances by lottery;

I make this recommendation not by way of punishment, but to remove what I consider one of the basic underlying causes of campus disorders. The lottery method, I recognize, as not the best way to utilize our manpower requirements, but I believe it should be employed at a time we are faced with the problem of answering the question: Who is to serve when all are not requ'red to serve?

Four. I call upon responsible governmental officials, university officials, and news media officials to work to achieve balance and perspective in campus coverage. There is no doubt that there is a direct relationship between the intensity of violence in a college confrontation and the number of TV cameras and the number of reporters on the scene. Don't accept my word as an accurate assessment of this phenomenon. Discuss this problem with the intelligence units of every police department in St. Louis, Chicago, New York, Los Angeles, the men who work with these problems continuously; and you will hear the same assessment;

Five. That we listen more to the voices of strength and reason and less to the voices of weakness and indecision. Americans cannot afford the luxury of living in the world of "make believe." The world is not what we would have it to be and unilateral action to achieve the world of our dreams will not bring it to pass. Those who love freedom in Czechoslovakia today will testify to the folly of such self-delusion;

Six. That we cease to confuse legitimate dissent with criminal action. I am firmly convinced that we need to improve our enforcement of existing laws much more than we need new laws. This recommendation includes the necessity for many of our judges and courts to descend from the ivory tower and deliver us more realistic decisions that will permit our law enforcement officers and university officials to more effectively cope with complex and difficult problems.

Seven. That we re-define "national security for America," to insure that it includes the internal as well as the external security of this country; and

Eight. That we re-dedicate ourselves to promotion of 100 per cent Americanism and the combatting of the harmful aspects of any ism—communism, nazism, fascism, socialism—that we re-examine the isms and explore the operations of them so we can combat effectively those which would destroy our country and the principle for which it stands.

I am convinced if this Nation would give as much intelligent and responsive attention to controlling the riots and disturbances on our campuses and removing the causes for them as The American Legion has done in solving the problems of the American veteran, this country would be on the threshold of a new era in human understanding.

With the support of The American Legion and other organizations like it, I think we can go a long way toward getting the job done. This will be the "real ammunition" we seek.

Thank you.

CZECHOSLOVAKIA: TODAY AND TOMORROW

HON. ROMAN L. HRUSKA

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Monday, May 12, 1969

Mr. HRUSKA. Mr. President, the invasion of Czechoslovakia in August 1968 was a shock to the conscience of the world and a brutal act of tyranny that all free men deplored.

The consequences of the invasion seemed inevitable—loss of the few freedoms so briefly exercised, renewed police terror, and a change in government leadership. Few thought, although many hoped, that Alexander Dubcek would remain in power indefinitely and maybe restore the lost reforms. It is true that Mr. Dubcek sought to preserve communism in Czechoslovakia, but he also wanted to give his people a degree of freedom; not freedom as we know it in the United States, but at least freedom from arbitrary terror. Now Alexander Dubcek has been replaced as party secretary, and a few leading figures remain as symbols of reform.

It is now that the people of the world who desire freedom and respect courage must remember the people of Czechoslovakia and stand with them during the coming period of increasing repression. Person-to-person contact keeps this memory poignant and alive.

Recently, a series of five articles came to my attention. They are anecdotal accounts of life in Czechoslovakia, as the author saw it during the Christmas holidays of 1968. The author is Don Miller, a young administrator from the University of Michigan. Mr. Miller has visited Czechoslovakia three times since 1964 and has become good friends with a number of young Czechoslovaks. His outlook on Czechoslovakia is that of a man concerned for his friends' welfare but tempered by his training as a historian. Mr. Miller has a degree of bachelor of arts in history from the University of Michigan, a master of arts degree from Brown University, and has done work toward a degree of Ph. D. in history at the University of Zurich, Switzerland.

News coverage of the invasion and occupation has mostly given us accounts of troop movements, group protests, and scenes of street fighting. The world has viewed it as a national tragedy and has thought in general terms of the loss of independence for the Czechoslovak nation. This coverage has not brought home the feeling of fear, rage, and frustration from broken dreams that was shared individually by millions of Czechoslovaks. Mr. Miller's articles help to bring these feelings home.

Mr. President, I ask unanimous consent to have printed in the RECORD the entirety of the five articles entitled, "Czechoslovakia: Today and Tomorrow," written by Mr. Miller.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

CZECHOSLOVAKIA: TODAY AND TOMORROW—I

(By Donald E. Miller)

Since the Russian invasion this past August, and during the days of the Dubcek liberalization in the months before, thousands of articles, and perhaps millions of words, have been written about Czechoslovakia. They have sought to examine the country and its people politically, economically, socially—and in every other conceivable way.

Yet few articles have discussed Czechoslovakia in human, or individual, terms. We know about groups cheering, fighting, protesting, and demanding. But we have read little about individuals in Czechoslovakia. Assuming one of the purposes of the liberalization was to re-assert the dignity and worth of the individual—and that of the Soviet invasion to suppress individual freedoms—what is the individual in Czechoslovakia thinking about these days? What does he think about the events of the past year? How does he regard the future?

I recently spent two weeks in Czechoslovakia, my third trip there in the past four years. During my visits I have come to admire the people greatly; perhaps, too, I even understand them just a little bit. I hope that in this forthcoming series of articles you will gain a greater understanding of the people of Czechoslovakia, whose fight for freedom has lasted almost a thousand years and may perhaps last a thousand more.

As my plane, a sleek British European Airways jetliner, broke out of the cloud cover and approached the runway of Prague's Ruzyne Airport, I had mixed feelings. I couldn't help being excited at the thought of being back in Czechoslovakia; but this excitement was tinged with the normal amount of apprehension, in view of the events there these past months.

My excitement mounted as the plane came to a halt before the main terminal building. I looked out the window at it—new, modern, and functional like so many thousands more around the world. Above the building in huge block letters I could read the word PRAGUE. I wondered how much Prague had changed from my visit three years before. It wasn't long before I would find some answers!

My first few hours in Prague were crowded with what seemed like a million impressions. A few things stand out above the rest: the friendliness and interest of the people—it was there and strong—exactly as I remembered it from my last visits; at the airport my luggage hadn't been inspected or opened; on the way from the airport into town, I saw the names of the Czechoslovak leaders, Dubcek and Svoboda written literally a hundred times on the sides of apartment buildings, grocery stores, and fences. On many buildings, writings had been already whitewashed—I could only wonder what these had said.

After registering and settling in at my hotel, I took a short walk on Prague's Wencelas Square, the main street of the city, a combination of New York's Fifth Avenue and London's Piccadilly Circus. At the head of this broad avenue, and on a height commanding the whole street, is the National Museum. It was here where much of the fighting be-

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tween the Russian tanks and the Czechs took place—and it is very evident.

The Museum is a dull implacable gray—much like many of the buildings in Paris before the French embarked on a government program to white-wash them. The Museum had, in fact, had a white-washing of its own—not by a government program as in France, but by the guns of Russian tanks. The front of the Museum, facing on Wencelas Square, had been riddled by thousands of Russian bullets. In a thousand places, the dull gray of the Museum had been chipped away by Russian gunfire, leaving gaping white holes. It was an awesome sight. I will never forget it. The Museum became the symbol to me of the Russian presence and power in Czechoslovakia. If life on the street had gained a semblance of normality once again, as indeed it really had, one had only to look at the National Museum to understand the magnitude of the problem lying beneath the normality in the streets.

To understand how the Czechoslovaks were facing up to this problem you didn't have to walk very far from the National Museum—in fact, only about one hundred and fifty steps to be exact, to the base of the statue of Good King Wencelas. (Wencelas had been one of the most famous kings of Bohemia, which encompasses Prague and the western part of Czechoslovakia; and many years ago this statue had been erected here in his honor.) The Czechs had turned the Wencelas statue into a memorial for those who had died during those first days of the occupation. The first to die was a 14-year-old boy, killed near the statue, and people began bringing flowers and laying them at the base of the statue as a memorial to him. Others died in Prague, and they were similarly honored with flowers at the base of the statue.

Soon the statue became more than a memorial honoring the dead of the Soviet invasion. It became the focal point of passive Czech resistance and defiance to the Russian presence in Czechoslovakia. Today, the statue is always crowded with people looking at the flowers placed there daily and reading messages of sympathy and support placed there by Czechoslovaks and foreigners. One wreath placed there especially touched me. It was placed there by Americans. On one side was the Czechoslovak flag; on the other, the American flag. The message, in bold large black letters, read simply:

"We are with you.

"We care about you.

"Signed Two USA STUDENTS."

Before I left Prague, I decided to place a tribute of my own. I took my luggage tag—red, white, and blue American Tourister—reversed the address side and had some Czech people I had met write in Czech: "Our sympathies and our Admiration. From one American and from All Americans." I was given a commemoration wreath free of charge by a florist when I happened to mention to him what I was planning to use it for. Slowly, carefully, on Christmas Day, with many persons watching, I placed the wreath and the tag carefully wrapped around it, at the base of the statue. This was not only my tribute but the tribute, I thought, of the many Americans who could not be there with me. I think often of this tribute. I wonder if it is still there and what people think as they read it.

In the United States, just prior to my trip, I had taken some Czech lessons. In Czechoslovakia, I determined to, and did, speak Czech. One of those with whom I spoke was a very pretty young girl, a student at Charles University in Prague. After talking with her for some time, she called her home and then invited me to spend Christmas day with her and her family. This was something I really had not expected, for Christmas in Czechoslovakia is a very personal holiday, a family holiday, and not many foreigners are invited into Czech homes to share it with them.

To spend Christmas with a Czech family, less than four months after the Russians had invaded their country, would be a very special experience. I wondered, as we drove there, what it was going to be like.

First of all, I can say it was charming. In the corner of the living room, was a huge Christmas tree. Instead of multi-colored electric lights, there were real candles and sparklers on the tree—an enchanting sight. A while later, one of the lighted candles fell, setting fire to a part of the tree. We put it out with wine.

Christmas dinner was delicious. Fish is the traditional Christmas fare in Czechoslovakia, with potatoes, salad, chocolate cakes, and wine. All very special, and very fattening, I thought to myself, as I let my belt out a notch.

After dinner came the exchange of presents. This especially touched me, for the presents were simple and the family feeling strong. (Bars of soap for the daughter, a scarf for the son, cigarettes (Kent) for the father.) At least, superficially, Christmas in Czechoslovakia 1968 did not seem so different from Christmas elsewhere in the Western world. Later on, when we began discussing politics, I realized how different it really was.

Our discussion began humorously. I learned that this year in Czechoslovakia, people were sending one another special Christmas and New Years greetings. Instead of the traditional "Merry Christmas and a Happy New Year," Czechs were wishing one another: "Merry Christmas and a *Better* New Year."

The Soviet invasion, all thought, was a sign, not of Soviet strength, but of Soviet weakness. From the Czech point of view, perhaps the invasion's most telling and long-lasting effect would be its impact upon Czechoslovak youth. Until now, the Germans had been looked upon as the great enemy. Though the Russians were never exactly considered buddies, it had generally been felt that they weren't such bad guys and that it benefitted Czechoslovakia to have them around looking after Czechoslovak interests.

Today, this had changed. The Russian invasion and the continued Russian presence in Czechoslovakia is considered by the country's youth to be the act of a mortal enemy. This they will never forget, and this is bound to have a telling effect on Russian-Czechoslovak relations far into the future.

On the streets, Czechoslovak kids still plays their favorite cowboys and indians game. But it now has a new twist. The cowboy now says to the villain, "You're a Russian soldier, and when I say 'Bang,' you fall down dead."

On August 20, 1968, Russian tanks crossed the border into Czechoslovakia. Life there would never again be the same.

CZECHOSLOVAKIA: TODAY AND TOMORROW—II

(By Donald E. Miller)

Presov, not far from the Russian border, is about 400 miles east of Prague; yet it is as different from Prague as it is from Chicago. Presov is a provincial town with about 40,000 inhabitants. Its people, a mix of Slovaks, Ukrainians, Hungarians, and gypsies, tend to be gay, extroverted, and interested in fun and the good life, whereas those in Prague are dour, hard-working, and materialistic—not much different, in fact, from people in most big cities in the West.

It is almost as if Presov and Prague exist in two different worlds, let alone one country. Yet, there is one thing uniting the peoples of Prague and Presov—hatred of the Russians and unflinching support for Czechoslovakia's liberal leaders.

I arrived in Presov at eight in the morning after a grueling thirteen-hour train ride from Prague. If the Czechs could survive their trains, I thought to myself as the train pulled into the station, they could survive anything.

I wasn't in the best mood as my friend Richard and I greeted one another after an absence of more than two years. My mood changed, though, as we walked from the railroad station to his apartment, for there was much on the way to interest me. As in Prague, pictures of Dubcek and Svoboda were everywhere. They were in the shop and dwelling windows. A poster of a smiling Dubcek called for unity from a fence.

Fifteen minutes—and one thousand pictures of Alexander Dubcek and Ludvik Svoboda later, Richard and I reached his apartment. We were greeted warmly by his wife Natasa and their two sons, Vladko (6 years old) and Milanko (one year old) and were ushered into the living room. There in the living room were the inevitable photos of Dubcek and Svoboda—but with a difference. Between Dubcek and Svoboda, there was a photo of me. What an unlikely triad—Dubcek, Svoboda and Miller, I thought to myself.

Richard told me why I was up there. "You see, Don, Dubcek and Svoboda are the hope of Czechoslovakia. They are here; we know them and we respect them. But America, too, though it is so far away, remains one last hope. Your picture there reminds all of us about America. We like to think that you care about what is happening in Czechoslovakia. Besides, your big American smile helps when the going gets a little rough here some days."

Later in the day, Richard and I walked around Presov. It is an attractive and an interesting town, but the most critical thing about it is its location. It is on the high road from the Russian border, about 60 miles to the east, into the heartland of Czechoslovakia and is the first town of any size in Czechoslovakia west of the Russian frontier. Hundreds and thousands of Russian military vehicles had poured through during the Soviet invasion and many stayed. Still, through the first difficult days of the invasion, Presov had remained relatively quiet. There were demonstrations in the streets, sit-downs at the University (hearing this made me feel at home), and work-stoppages at the factories. But the Russians had the power, and the people of Presov knew it.

It was a far different story in Bratislava, Czechoslovakia's second largest city, I learned some days later when Richard and I visited there. The city had been in turmoil for days. According to whichever rumor you chose to believe, from five to two hundred people were killed in Bratislava, and at least 15,000 fled the city for the Austrian border, less than an hour away.

During my visit, Bratislava was quiet, but scars of the invasion days remained. There were two memorial plaques in the city center—one was near the University—listing those, mostly young, who had died. As in Prague, flowers were placed on the tablets daily.

At the Slovak Parliament Building, near the Technical University, one could spend an interesting few minutes watching workers plaster over the many bullets pock-marking the front of the building.

Visible reminders of the invasion and occupation remain in Bratislava; but in truth you have to look for them. For life in Bratislava, as in Prague, or Presov, or Olomouc or any one of a hundred other Czech cities and towns, has in fact returned to something approaching normality.

But the people haven't. I heard them discussing politics heatedly in the streets and in their homes—something unusual before the Dubcek liberalization began a year ago: Newspapers, still basically free to write what they think, stimulate their thought—as do radio, television, and the theatre.

In Bratislava and everywhere else in Czechoslovakia, the communications media still seemed free. Perhaps, as one American later said to me—it is a verbal catharsis. Perhaps, it is something more. Let me relate some of the incidents, in any case.

One night in Bratislava, Richard and I went to see "Fiddler on the Roof" in the Slovak language (In Bratislava, Slovak is spoken, and in Prague, Czech. They are quite different languages, though someone speaking Czech in Bratislava can be understood.) It was one of the most magnificent and unusual musical comedy productions I have ever seen—and no doubt would probably be a sensation in the United States performed exactly as it was. Aside from the brilliant production, the highlights of the evening were certainly two political jokes, relevant to the current Czechoslovak political scene.

"Fiddler on the Roof" is about Jewish life in Russia, under the threat of Russian persecution. (I felt that this alone had some political significance.) In one scene, the family, threatened by the Tsar's police, decides to leave their little town to emigrate to America. Before leaving, the old father offers a prayer. Looking up into the sky, he says: "Oh God, won't you help us now." The audience, catching the political significance of the line, cheered and applauded wildly.

In another scene, a young couple promise to marry only each other—against the wishes of the girl's father, who alone has the power to decide whom she will marry; and he wants her to marry an old but rich Jewish man. The father, hearing of the couple's vow to one another, confronts them and says: "So you have promised that you will marry only one another. What good are your promises? Where do you think you are—in Moscow?" The applause was deafening!

The next night in Bratislava, we saw "Madame Butterfly" at the National Opera. In the opera, Madame Butterfly falls in love with an American sailor, and three or four times in the musical scoring one could easily detect the first two lines of "The Star Spangled Banner." I still wonder whether the playing of "Madame Butterfly" in Bratislava at this particular time was coincidental. Later on, I was told that the program schedule of the National Opera in Prague, which up until that time had been determined by the opera administrators, was to be from now on dictated by the government.

Nor was it any different on radio and television. One night in Presov, we listened to Radio Bratislava, the official government radio, from eight until eleven o'clock. If you didn't know you were listening to Czechoslovak radio, you might think it was WJR in Detroit. For three straight hours. Radio Bratislava played nothing but American music. The most popular song in Czechoslovakia today is a ballad called "Massachusetts"—in effect, a New England "I Left My Heart in San Francisco," California was represented by "Do You Know the Way to San Jose" and "San Francisco." Nor should I forget to mention "Give My Regards to Broadway" and "Back Home Again in Indiana."

The big thing on Czechoslovak television during my visit was the Apollo Eight mission. Coverage was complete, from lift-off to splash-down. Borman, Lovell, and Anders were hailed as warmly throughout Czechoslovakia as in the United States. Along with the Apollo Eight coverage were broadcast reports out of Moscow to the effect that the mission was reckless and unsafe. People smiled at these reports, and prayed for the success of the mission and the astronauts. Before Dubcek, such TV coverage of an American space mission would have been completely unheard of. Today, four months after the Russian invasion, the American space spectacular was covered in the greatest detail.

Czechoslovakia today is in transition. The Russians want to turn back the clock; the Czechoslovaks want to push ahead. There is a giant tug of war going on there and the prize is Czechoslovakia itself. It would be difficult to predict the ultimate winner. What is certain is that during the contest, the Czechoslovak people will suffer greatly.

Czechoslovakia: Today and Tomorrow—III

(By Donald E. Miller)

I spent much of my time in Presov at the university.

Czechoslovakian universities, like their counterparts in the United States, France, and Japan, are in ferment. Students are in revolt against old ideas, the Establishment, the Russians. Students throughout the country were, in fact, in the vanguard of the Dubcek liberalization drive. They were in the front lines of those who fought the Russian invasion; they protest and demonstrate and agitate to this very day.

I learned that in Presov, university students had organized demonstrations and sit-ins, in protest against the Russian invasion and the large garrison of Soviet troops stationed in the city. Now, during my visit, however, the university was comparatively quiet.

I had hoped, while in Presov, to talk with many people at the university. This I did. I remember, in particular, one young professor of English. I talked with him more about American problems than Czechoslovak problems, for after all, as he exclaimed, "What is there, after all, to discuss about Czechoslovakian problems. Our future is settled, we have no choice. We never did. We go with Russia."

He was interested and curious about Vietnam, America's racial problems, America's attitude toward Russia and Czechoslovakia. But most of all, he showed his greatest interest—and he was the rule, not the exception—in the Kennedys—John, Robert, Jackie, and Ted. Adulation of the Kennedys is not confined to the United States alone.

Though we spent some time talking about John and Ted Kennedy, his interest focused mostly on Robert Kennedy and Jackie. "Why?" he asked, "was he killed? He was a *good* man." This comment I heard at least six or seven times during my stay in Czechoslovakia. "He was a *good* man." I think about it often.

And Jackie Kennedy! His comments on her marriage were much the same as in the United States. "Why did she marry that old guy?" Did she marry him for his money? But why? She had enough of her own, didn't she?"

Another of the people I met that day at the university, who made a great impression on me, was an administrative secretary, a woman in her forties. She had little cause to love the Russians. Her father, a doctor, had been sent to Siberia by the Russians at the end of World War II and had come back in 1950 or 1951 a broken man. The Russian invasion for her was simply one more sad saga in her life sponsored by Russia. Still she radiated courage and humor. I admired her greatly.

I was also taken on a short tour of the liberal arts building of the university, by my friend, who at 27 years of age was Chairman of the university's Department of English. It was unprepossessing by American standards and rather dirty (like most buildings in Czechoslovakia). A foul smell permeated the building. But the most important impression I left with was this: where it counted, the building's facilities were excellent. For example, I saw a language laboratory there second to none. I saw an excellent science lab, and well-lighted, well-equipped classrooms. And, the ratio of students to teachers at the liberal arts faculty of the university, I was told, was only 10 to 1. It gave me something to think about.

My conversation with Richard, as we toured and later talked, inevitably got around to student unrest. The target of student discontent, he told me, in Czechoslovakia, as in most other countries around the world, was the established order. Students, in fact, had been agitating for many years. They were idealists. They wanted to change things, to make a better life for themselves and for those who followed. And, he smiled and nodded, there was much that needed changing. Could you blame them for trying?

For example, he told me, admission to the university was not necessarily based on ability. He had several times been forced to admit unqualified students who were the sons and daughters or relatives of Communist party members. Though a practical man, Richard still clings to the idealism of his youth. Telling this story upset him.

Students, he said, also wanted a voice in the running of the university. They demanded a vote and a voice in the highest administrative councils of the university and backed this up by class boycotts and sit-ins. Eventually they got what they wanted. It was still too early, he said, to judge their performance, but he was clearly for giving them a chance—if only because he felt they couldn't do any worse than those already wielding power.

As if to support this conversation, I had noticed a sign on one of the university bulletin boards during the tour. It announced a meeting of one of the student governing groups. "Come to the next meeting of the Student Government Council. Participate. Speak your mind. Vote. This isn't like former Student Government Councils. We're no longer a rubber stamp. We have the vote; we have the power. And we want to use it for you."

Later on in the evening, Richard and I went to the Dean's Office. This was not the Dean's Office at the University, but it was the name of a nearby tavern, very popular with students. We talked, and we drank. Mostly, I guess, we drank. And after we had drunk enough, we sang. Richard would sing a Czechoslovak song and I would follow with an American song. So it went into the early hours of the next morning, I was told. I didn't remember.

Nor did I recall the songs I had sung, on behalf of America. Later on, I was told that I had sung stirring renditions of the national anthem, "America The Beautiful," "This Land Is My Land," "Rudolph The Red-Nosed Reindeer," and "Moon River." Much of the singing elsewhere in the Dean's Office—for singing in Czechoslovakia always accompanies drinking—had stopped, and the other people in the tavern watched and listened to the American songs being sung less than 60 miles from the Russian border. A couple of times, I was told, they applauded. I'll just have to believe it, I guess, for I honestly don't remember.

This day in Presov, as I reflect upon it, was most unusual. I had learned a great deal about Czechoslovakia that day, and about what it meant to be a citizen of Czechoslovakia.

As I thought further about it, I also had probably learned a good deal more about what it meant to be an American. I thought about my country and its problems and I felt, that day in Czechoslovakia, that we in America could and would solve our problems. I felt good.

Czechoslovakia: Today and Tomorrow—IV

(By Donald E. Miller)

There is a big joke in Czechoslovakia these days that in Communist countries, "nothing works." And it's almost literally true. On the train from Bratislava to Presov, the central

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heating didn't work, and I froze. On another train, I saw one of the pullman beds completely collapse when a young guy jumped in too enthusiastically. The home water supply is equally erratic; now you have it in your apartment, now you don't. It's as mystifying as the magician's magic rabbit.

The funniest thing that "didn't work", though, occurred during the performance of "Madame Butterfly" in Bratislava. Butterfly's great love, the American naval officer, has just sailed his ship into the harbor and an ecstatic Butterfly, singing a beautiful aria, rushes over to the sliding Japanese door in her home overlooking the bay, so that she might see the ship for herself. She pushes open the door—or rather tries to, because it "didn't work." So she completed the aria leaning on the door which had only opened a few inches or so.

So, on and on. I would like to think that nothing *does* work in a Communist country—not even a Russian invasion. But, in fact, I do not know. It is still too early to tell. I can draw some conclusions, though, from what I observed among the people, and from what people themselves told me.

I'll never forget a news feature I saw in a movie in Presov. It described graphically the events of 1968 in Czechoslovakia, from the heady and happy days of the Dubcek liberalization drive through the Russian invasion. As Russian tanks poured across the border and through the Czechoslovak heartland, women were crying. I felt the tears well up in my eyes too.

Life on the street seems more or less normal. People laugh and smile again. Lots of them scowl, but it's not really so different anywhere else in the world. It's hard to tell that anything extraordinary happened in Czechoslovakia, much less a Russian invasion and occupation by half a million troops.

But when you talk with people, when you spend time with them in their homes, then you begin to realize the seriousness of their situation. For beneath the "normal" surface, it is evident that they are deeply worried, and more than a little frightened and concerned about their future and the future of Czechoslovakia.

They wonder when, not if, Dubcek will go. The most popular leader in Czechoslovakia since the days of its founder Thomas Masaryk, Dubcek is a legend almost in his own time—streets have been named after him, even a breakfast roll. Alexander Dubcek's days are numbered, and everyone in Czechoslovakia knows it. The only question is how many more days does he have left. It might happen by some miracle or other that Dubcek will be able to hang on and salvage his liberalization drive, but nobody I talked to in Czechoslovakia really believed it.

They wonder, too, how long it will take before the freedoms acquired during the Dubcek days will be totally taken away from them. For if, as I have said before, Czechoslovaks still seem as free to say what they think, they also seem more cautious when they speak. A Czechoslovak will talk to you quite willingly about the political situation in his country, on the street or in a train or in any other public place, but, as he does, he'll now glance over his shoulder from time to time. If he sees a policeman, and even if the policeman gets close enough to hear the conversation, he will go on talking. Perhaps, he'll say something about how stupid the police are; but the important thing, I think, is that he is thinking about them once again and is being conditioned little by little to their presence again.

In truth, the secret police are beginning to make their move again. They are not moving quickly; they are not moving effectively. Today, they are only a minor irritant more or less, and few seem really afraid of them. But tomorrow—it's hard to tell.

Most thoughtful and realistic Czechoslovaks think that little by little their freedoms *will* be taken away. Czechoslovakia today is not quite the place it was during the golden days of Alexander Dubcek. There is a difference. It's perceptible enough, and as time passes, the difference will be greater.

Not much time has passed since the Soviet invasion—not enough time to consolidate the conservative ends of the Russian invasion. There will be resistance to conservatism and it could be considerable. But few people think that the resistance can or will be strong enough to stop the inevitable return to more repressive days.

Czechoslovaks are considered a practical people. More than one forecast the doom of freedom in Czechoslovakia, not without a tear or two in their eyes. But this isn't the first time freedom has been crushed in Czechoslovakia, and if history is any judge, it won't be the last.

Czechoslovakia, however, does not exist in a vacuum. Where it goes from here depends not only upon itself and Russia, but also to a certain extent upon China and the United States.

The Chinese have never been terribly popular in Czechoslovakia—until now, that is. Czechoslovaks, it is evident, share many of the same color prejudices as Americans or Englishmen. There is little sympathy for the Negroes in America, for example. And the many students from Communist China who have come to Czechoslovakia to study have never really been accepted into the society. Heaven help the young Czechoslovak girl who brings home a Chinese date to meet Mom and Dad!

But now this has changed. Russia, Czechoslovaks realize, must contend on three fronts: Eastern Europe, China, and America. Now, Russia has its hands full in Eastern Europe (i.e. Czechoslovakia) and has the freedom to do what it feels necessary to secure its position there. America is still occupied in Vietnam, so will give the Russians little trouble—at least, until the Viet-nam conflict has been resolved.

But the Chinese—that is another story. The Chinese-Russian border, extending thousands of miles, now seems relatively quiet, although if you want to believe the rumors, there has been serious and bloody fighting along the border for many years. If this fighting does get worse, and Czechoslovaks consider this inevitable, then Russia would have to switch its military emphasis eastward, leaving Eastern Europe free to . . . Well, it's hard to say.

Today, then, Czechoslovaks look upon the Chinese as a kind of yellow saviour. Until now, the Chinese have been unsuccessful in gaining any kind of foothold in Eastern Europe—with the lone exception of tiny Albania. The Russian invasion of Czechoslovakia may have changed all that.

What about America? America has always been popular in Czechoslovakia. Over one million Czechoslovaks emigrated to the United States, and rare is the Czechoslovak family which doesn't have a relative or know people in America. Moreover, Woodrow Wilson, back in 1918, was in effect one of the founding fathers of the Czechoslovak republic.

There is a great reservoir of good will for America in Czechoslovakia—something I will discuss in greater detail in my next and last article. Nobody in Czechoslovakia expected America to come to her aid after the Russian invasion; but most Czechoslovaks believe that Russia informed America beforehand of the invasion, and that we said we would not oppose it. This is disturbing. It may even be true. Who knows?

Still, America's reaction, or inaction if you will, has not emptied this reservoir very much. Czechoslovaks are tied to America and Americans by strong emotional bonds. They admire us and would like to be more like us. America is Czechoslovakia's ultimate hope—in an emotional, not a political sense.

There are things we can do, under these present and difficult circumstances to help Czechoslovakia. First and foremost, Czechoslovakia's *door* on the West must be kept open—and widened if, and as far as, possible. The most important and critical wedge we have to do this is economic. Communism, in addition to everything else it has done to Czechoslovakia, has shattered its economy. One of the most prosperous nations in Europe, and in the world, between the two world wars, Czechoslovakia, under Communism, has plunged into an economic abyss. It has fallen so far, that it is now behind East Germany, Hungary, and Poland in Eastern Europe, in terms of its economic productivity. And this, for the proud people of Czechoslovakia, is humiliating.

One of the bases of the Dubcek reforms was, in fact, economic. Dubcek had promised to get Czechoslovakia moving again economically, a promise which brought him strong support from most segments of Czechoslovak society.

Today, as a result of the Russian invasion, Czechoslovakia remains in the economic doldrums, tied to Russia, with little hope of extricating itself. In such a situation, Western currency, especially American dollars, through trade, become highly desirable and important. Some may say that increased trade between Czechoslovakia and the United States can only help international Communism. This may be true in some few instances, but it is essentially a naive comment. Increased trade between Czechoslovakia and the United States, and increased economic contact will, in point of fact, open Czechoslovakia's door on the West wider. And if you want to consider this from a political and psychological standpoint, this helps us more than it helps international Communism.

Increased cultural exchanges and stepped-up student and faculty contacts and exchanges are of critical importance. Czechoslovaks hunger for contact and news from the West and from America, and such contacts supply them.

I save for last my thoughts that more travel by individuals to Czechoslovakia would be of great benefit to Czechoslovakia, to America, and to the individual. In my next article, I will give you a few hints on how to travel in Czechoslovakia. You won't have to know very much; just tell them you're American.

CZECHOSLOVAKIA: TODAY AND TOMORROW—V

(By Donald E. Miller)

If you have seen most of the world and are looking for a rewarding experience on your next trip—or if you have seen nothing and want to make your first big trip one to remember—why not consider a trip to Czechoslovakia. The country is beautiful beyond description and what is more, has not undergone the ravages of commercial tourism. Its people are hospitable to all visitors, but their interest, curiosity, and warmth for Americans is exceptional. American probably has no greater ally and supporter in the world than the people of Czechoslovakia, and American tourists in Czechoslovakia benefit greatly from this fact of Czechoslovak life. Let me give you a few examples.

In Bratislava, Czechoslovakia's second largest city, "Fiddler On the Roof" was being performed on stage. I was dying to see it. There was only one performance which I could attend, however, and it was completely sold out. Here's what happened when my friend Richard and I tried to get tickets:

Richard. Could we please have two tickets to tonight's performance of "Fiddler On The Roof?"

Ticket Seller. I'm sorry, but tonight's performance is sold out.

Richard. Isn't there anything? Standing room? This is our last night in Bratislava, and we'd like very much to see it.

Ticket Seller. I'm sorry, there's nothing left. We've had to turn away hundreds of people.

Me (aside): Richard, tell her I'm American.

Richard. Excuse me. I forgot to mention that my friend over there is American. He saw the play in New York and would like very much to compare it with this production here in Bratislava.

Me (in the Czech language). If it's possible, I would like to see "Fiddler On the Roof" please. Thank you.

This was already too much for one poor Czechoslovak ticket seller to take. She picked up the phone and talked with her boss. That night, Richard and I watched "Fiddler On The Roof" from two of the better seats in the house. It was a magnificent production.

Lest you think that example was the exception rather than the rule, here's what happened in Presov, when Richard wanted to buy for me some Czechoslovak records to take back to the United States:

Richard. I'd like to have a copy of "Massachusetts" (the biggest current hit in Czechoslovakia) on a 45 r.p.m., please.

Store Clerk (gruffly). So would fifty other people. We're out of it. We don't know when we'll have it in. (He then walked away.)

Richard. Excuse me. It's not for me. It's for my friend over there. He's an American and lives near Massachusetts.

Me (in the Slovak language). Hello. How are you?

Store Clerk. You're *American*! I have a brother in America. He lives near Chicago.

So, again, the defenses caved in. He left his other customers (there were six or seven of them, as I recall) and spent a half-hour with us. Not only did he "happen" to find a copy of "Massachusetts," but he selected five or six others "that I am sure you would enjoy listening to back in America."

It has been my experience, in my travels, that Americans do not often get "favored nation" treatment in many countries around the World. In Czechoslovakia, such treatment is regarded as our national, and natural, right.

Such treatment in a country which is literally a still undiscovered tourist paradise should make for an unforgettable vacation. Here are some of the things you might want to see on your trip to Czechoslovakia.

THE PRAGUE AREA

Prague, Czechoslovakia's capital and largest city, is the most beautiful city in Czechoslovakia, and perhaps one of the most beautiful cities in Europe. Wencelas Square, Prague's main street, is worth seeing in its own right. The fact that Wencelas Square has played a major role during and now, after the Russian invasion makes it for me the single most fascinating tourist attraction in Prague. On the Square are located the National Museum and the Statue of Good King Wencelas.

Of great beauty and interest in Prague, as well, is Hradcany Castle, high above the city. Hradcany Castle today is the seat of the Czechoslovak government and the home of the president of the republic. Also, see Charles Bridge. Spanning the Vltava River, which runs through Prague, Charles Bridge is one of the most beautiful, most interesting, and historic in all of Europe.

Just outside Prague is the small village of Lidice, scene of a German massacre in 1943. In retaliation for the assassination of the German governor of Prague, the Germans shot all the men and women of Lidice, buried them in a common grave, and sent the children of the town off to camps in Germany. They then levelled the town to the ground with bulldozers. After the war, the Czechs erected a monument in the former town and built a new Lidice nearby. A trip is a reminder of man's inhumanity to man—and a good one at that.

Not far from Prague are Carlsbad and Marienbad, two famous watering-spots of the past and two excellent vacation towns of the present. The famous spas of Carlsbad and Marienbad are just as good as ever.

South of Prague is the small city of Ceske Budejovice (in German, Budweis), one of the beer capitals of Czechoslovakia. Besides beer, there is history in Ceske Budejovice. It is called by many the Florence of Czechoslovakia and is considered one of the most beautiful Rennaissance cities in Eastern Europe.

Not far from Ceske Budejovice is Hluboka, a perfect reproduction of England's Windsor Castle in the heart of Southern Czechoslovakia. The grand tour of Hiuboka is interesting and great fun, as you have to shuffle around the castle in over-sized house slippers.

In the vicinity, too, is the town of Ceske Krumlov, one of the most beautiful little towns I have ever seen. The main attraction in Ceske Krumlov is a castle, but as far as I'm concerned, the whole town is the attraction.

Having covered the western part of the country, let's move east to *Slovakia*.

Slovakia, comprising over one-half of the country in area, is, I think, one of the more beautiful and varied tourist areas in Europe.

Bratislava, its caiptal, is, in effect, a river town on the Danube. High above Bratislava sits its castle, commanding a superb view of the city and the river. On a clear day, you can't see forever, but you can see Austria—not far away.

For skiers looking for something new, exciting, beautiful and cheap, why not try the High Tatras of Eastern Slovakia. The Tatras are called the Alps of Eastern Europe, the Tatra area, Little Switzerland. In 1969, the World Skiing Championships will be held in the Tatras, bringing this area to the attention of the ski world. The High Tatras are a year-round vacation resort.

In addition to visiting the main tourist attractions of Czechoslovakia, may I also suggest, after my own experiences, that you consider visiting one or two of the small towns. It is in the small towns and cities that you will have the best chances of meeting and talking with people.

I don't know if any, or how many, of you will actually visit Czechoslovakia. If you do, you'll enjoy it and you'll remember it.

And if you do, will you do me *one* favor: speak with the people. Try to get to know them. Your efforts will pay off one thousand fold—for you, for America, and for Czechoslovakia. In these days of rapid travel and instantaneous communication, person-to-person and face-to-face contact is still one of the most effective means of fostering international understanding, and each of us has the opportunity to be our nation's unofficial ambassador to the world.

A CORPORATE PATRIOT: THE DOW CHEMICAL CO.

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. HARVEY. Mr Speaker, perhaps more than any other American company, the Midland Dow Chemical Co., headquartered in Midland, Mich., has been a chief "whipping boy" by certain groups regarding its manufacturing of napalm for use by U.S. military forces in Vietnam. Dow Chemical has been maligned, criticized, belittled, and set upon.

In recent days, the courage of this company has been tested again. And, once again, Dow leadership placed their country above an easy way out. Other companies made napalm; other companies can make napalm. Dow also would forewarn all that there is no "profit" in serving the requests of our country and its need for napalm. Dow's President Herbert D. Doan told company stockholders last week:

> They say we are in this for profit. This is not true. It has cost us a thousand times more than the profit. We do it because it must be done.

I am enclosing a lengthy editorial on this entire subject which appeared in the May 9, 1969, edition of the Saginaw News, Saginaw, Mich. I believe that a vast majority of Americans will agree that, as the editorial stated:

> Nevertheless, if ever a company and its top officials merited the support and respect of the American people for patriotism and willingness to accept corporate sacrifice, Dow does.

I join this newspaper in saluting Dow Chemical Co. as a "corporate patriot of unquestioned courage."

The entire editorial follows:

A SALUTE TO DOW: COURAGEOUS CITIZEN

A dilemma, which in terms of suffering, conscience and duty has few equals on the modern scene, reached a new confrontation at Midland this week.

Each side has great and compelling arguments to offer.

Each side Wednesday spoke in reasoned debate. Yet even recognizing the strength of appeal of the other side, one still can offer support.

It is hard to argue against the words of the Clergy and Laymen Concerned About Vietnam: "We bitterly protest the use of chemical genius of American industry for making products that so terribly mutilate the human body as napalm does," they said.

Spokesmen for the group emphasized that the Dow Chemical Co., has been selected as a symbol, that it is not the only producer of napalm and war materiel. They obviously have chosen napalm because of its nature, for among the many horrible weapons of war it is one of the worst.

We sympathize totally with their reaction and we agree that Dow has become a symbol.

Nevertheless, if ever a company and its top officials merited the support and respect of the American people for patriotism and willingness to accept corporate sacrifice, Dow does.

The Clergy and Laymen Concerned About Vietnam are first and foremost an anti-war group. Napalm and Dow are merely handy targets—as they themselves say, symbols—of their basic desire to end the war in Vietnam.

We do not quarrel with the integrity of their belief nor the grounds upon which they base it. That is their right.

We happen to believe, however, that when a fire breaks out, you must have a fire department to fight it. All history has shown the ineffectiveness of war, yes—but history also has shown that no ideals survive the conqueror's heel.

There would be no United States of America today had there been no American Revolution.

Praying God that war will be abolished, that all of its weapons and all its symbols—not just napalm—will be rendered unnecessary, one still must ask: what is to be done when war is thrust upon you? Just give up?

We know the Vietnam protesters argue that this war was not thrust upon us. That's their opinion. We disagree. So have many able and distinguished Americans—men of both parties, in fact all the leadership faction of this country for the last 25 years—who have hewed to a policy that communism must be contained. So far, it should at least be noted, that policy has saved the world from nuclear destruction.

And, horrible as napalm is, is it that much worse than a bullet in the heart?

Every weapon of war has its own distinct and personal horrors. That mankind has succeeded in outlawing some, such as poison gas, and staving off the use of others, such as atomic bombs, is a mark of his recognition that those weapons endanger total existence over wide, wide areas—in the case of the nuclear bombs, the earth itself.

Napalm, like aerial bombs, like bullets, like shells, is primarily a target aimed at individual, specific objectives. Thus, it differs from weapons aimed at entire states and even continents. Maiming? Yes. So is an exploding grenade, a knife slash across the eyes that blinds. The horror is war itself and all its weapons.

We like napalm no more than the clergy-laymen group. But, if it is to be abandoned, their target must be those government policy makers who classify it as a usable weapon—not Dow Chemical Co.

We find it absolutely impossible to believe that, in a time when our country asks its young men to risk their lives in conflict, any company can refuse to serve as well.

Dow has stood fast on this principle. As its president, Herbert D. (Ted) Doan, said Tuesday:

"They say we are in this for profit. This is not true. It has cost us a thousand times more than the profit. We do it because it must be done."

Mr. Doan is absolutely correct. The American men in Vietnam must be supported.

If wrong is being done, if improper decisions have been made, the place to remedy them is at the source. Government would turn to chaos if each citizen—be he individual or corporation—had the power to accept or reject every governmental decision.

We recognize that the dissenters are seeking to publicize their philosophies and, as long as they do not interfere with the right of others, we support them fully in the voicing of their dissent.

But their continuing bitter attack on the Dow Chemical Co. makes it imperative that the rest of us recognize that this company is serving our country and our men in Vietnam by refusing to give in to their protest. As Mr. Doan said, it has cost them and cost them dearly—but that has always been the price of patriotism.

And in this case, Dow is corporate patriot of unquestioned courage. We salute the company and its officers.

POSITIVE MENTAL ATTITUDE OF W. CLEMENT STONE IS GUIDE TO SUCCESS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, May 12, 1969

Mr. RANDOLPH. Mr. President, if he never did anything else, W. Clement Stone, of Chicago, would have to be classified as a successful man. He achieved this success by starting humbly and building a fortune through his own diligence and ingenuity.

But, Mr. President, Stone deserves our attention and our respect because of a philosophy of life he has developed and which he willingly shares with others. He calls this positive mental attitude, and it has guided his own dynamic life as well as encouraged others to face their problems and go about the business of finding constructive solutions.

Clement has used a positive attitude in his own career and attributed much of President Nixon's political success last year to his—Stone's—book on the subject. He has given freely of himself in the spreading of his philosophy for good and as a leading figure in the Boys Clubs of America.

Napoleon Hill is credited by Stone for guidance and inspiration. I join in this appreciation to a writer-speaker-teacher who once lived in West Virginia. His book, entitled "Think and Grow Rich," has helped millions of men and women throughout the world.

I hold Mr. Stone in high personal esteem because the philosophy and outlook of this unique and successful business personality stresses a positive approach to all endeavors, and I believe this is the only rational outlook to have today.

A comprehensive discussion of Mr. Stone and positive mental attitude was published recently in the Washington Post. I ask unanimous consent that Marie Smith's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STONE AND SUCCESS: THE REASON NIXON IS WHERE HE IS?

(By Marie Smith)

CHICAGO.—A key to President Nixon's success, both in office and in winning the Presidency last year, according to one of his close friends, is his Positive Mental Attitude.

"PMA" is the term W. Clement Stone, Chicago centimillionaire uses for the Nixon attitude and philosophy that Stone claims can spell success to anyone who has it.

Stone, who has practiced it through the years while building a $100 investment into a $400 million fortune, is co-author of the book, *Success Through a Positive Mental Attitude* which, he says, Mr. Nixon has read.

A small advertisement in The London Observer recently credited the book with changing the "once defeated Republican candidate into the world's most powerful politician."

"There is no question, he has a positive mental attitude and has had for a long time; that is why he enjoys the presidency so much," Herbert Klein, a longtime Nixon aide said recently.

As for the book, Klein said, "It may be that he has read it, but I wouldn't give it all the credit that the ad does. I am sure Nixon got a copy and he may have read part of it, but I doubt that he read the whole book."

"I know he read it," said Stone whose coauthor was W. Napoleon Hill. "But in all fairness, I must point out that after Nixon went to New York he attended Marble-Collegiate Church where Norman Vincent Peale also preaches PMA (positive mental attitude)."

It was shortly after Nixon moved to New York in 1963, following his crushing defeat for Governor of California, that Stone sent him a copy of the book.

Since then the two men have had a close "Dick" and "Clem" friendship.

Already Stone and his wife have been guests at the White House twice since Jan. 20, and they were among the close "family friends" invited to the wedding of Julie Nixon to David Eisenhower last December.

Stone doesn't credit his book with changing Nixon's life, but he said. "those exposed to this type of literature can expect something to happen. It has changed the lives of countless Americans, and motivated them to help themselves."

"Nixon was emotionally naive in California, but he had the good judgment, or was influenced, to change his environment and move to New York," Stone explained, puffing on his ever-present cigar.

Some people think Nixon's bounce back from his second major political defeat began during a period of seclusion at a tropical estate immediately following the 1962 election.

The candidate, who two years earlier had been defeated in the presidential race, his family and his closest friend, Charles Gregory (Bebe) Rebozo spent two weeks on New York millionaire Huntington Hartford's estate in the Bahamas.

For hours on end, the deeply depressed Nixon and his consoling companion, Rebozo, walked the beach under the sun. Sometimes they talked, sometimes they strolled in silence.

Whether Nixon's decision to change his base—or environment—from California to New York came then or later is not clear, but some observers think it came shortly after the tropical hiatus.

At any rate, that was the beginning of Nixon's comeback, according to Stone.

And vigorously as Stone promotes PMA, he credits something else with Nixon's winning of the Presidency.

That something was Nixon's decision to succeed former President Herbert Hoover as head of the Boys Club of America. It was through this organization that Nixon and Stone, chairman of the board of the Chicago Boys' Club, came together.

"If Nixon had not become chairman of the Boys' Club of America, he wouldn't be President today," Stone asserts firmly.

As Stone tells it, three weeks before Herbert Hoover died, the former President asked Nixon to come to his apartment where he asked Nixon to accept the chairmanship should it be offered to him.

During the conversation between the former and future Presidents, Stone said, Hoover was asked to evaluate his life's works and say what efforts had given him the greatest satisfaction. "He said it was his work as head of the Boys' Club," Stone related.

"Nixon accepted the chairmanship and after that he changed his thinking to positive. You admire a man who changes his thinking," Stone continued.

Stone, who describes himself as a Republican who occasionally supports Democrats, admits he gave "in excess of $200,000" to the campaign. Some reports put the figure as high as $500,000.

But he expects nothing in repayment except that Nixon be a good President, and he thinks he is.

However, the 67-year-old Stone who still works a 16-hour day, would not be averse to accepting an Ambassadorship were it offered ("I could do the job," he said), although he wouldn't want it offered just as an "honorary thing." It "would have to be a job to be done," he said.

Talking about Nixon as President, Stone said "he has done a fantastic job. The big thing is to see the war ended . . . and if we weren't concerned with Russia and the Chinese starting a world war, we could wind it up in a hurry." He almost always uses the

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personal pronoun when referring to the Administration.

There is one thing Stone would like from President Nixon.

"What I'd like to see him do is let me talk to the powers that be and prove to them what we can do with PMA. I'd like to have the Federal Government encourage the states to use the techniques to accomplish what they want to do" in the field of rehabilitation and training of the hard-core unemployed and welfare recipients.

The "powers that be" to which he referred are Secretary of Health, Education and Welfare Bob Finch, Vice President Agnew and "whoever in the Pentagon is in charge of education" of the military.

"I want to give them an opportunity to see what it is all about. We're going to do it with or without Government aid," Stone stated emphatically.

The "it" to which he was referring is his main goal in life: "to change the world" through PMA.

Stone admits he built his fortune and success with PMA and has taught it to his executives and salesmen who do what he calls "cold canvassing"—soliciting in banks and office buildings for new insurance business—and in his work with the Office of Economic Opportunity trainees in Chicago and in Boys' Club work.

To develop PMA, Stone advocates repeating one or more of a variety of platitudes (he also calls them "mind conditioners or self motivators") 50 times each morning and night. Some of his favorite platitudes are "God is alway a good God," "Do it now," and "What the mind of man can conceive and believe, the mind of man can achieve." Or, if he is feeling low, he repeats "I feel happy, I feel healthy. I feel terrific."

"And I do," he added with a smile.

The platitudes become so firmly embedded in the subconscious mind, they pop into the conscious mind when needed, according to Stone.

PMA, he said, "is the solution to every problem, whether you want to make a million or end the war in Vietnam." He also has a formula for making $1 million in ten years. It's outlined in his book.

Stone said he wants the military to teach PMA to servicemen as a safeguard against brain washing by the enemy in case of capture. He wants penal institutions to teach it to criminals so "the urge to do the wrong thing may be superseded by the urge to do right"; he wants educators to use it to motivate students to achieve.

He also wants it used in diplomacy—between two warring factions such as the "Arabs and the Jews," he said, "but it can't be a one-sided thing; both sides must have it (PMA)."

Stone practices PMA 16 hours a day in the studio of his gray limestone Tudor house in Evanston, Ill., on the shore of Lake Michigan and just off the campus of Northwestern University.

He gets up at 6:30 a.m. and is ready to work when a secretary arrives at 8:30. At 5 p.m. that secretary leaves and another arrives to work until 8 p.m., when a third arrives to work until midnight. Stone calls the two hours between midnight and his 2 a.m. bedtime his "reading and thinking" time. He usually reads business reports and publications.

Stone who takes daily vitamins for a "healthy mind and body", takes frequent one-and-two-day vacations with his wife, Jessie, who was his high school sweetheart. These vacations usually occur at the end or beginning of trips in connection with his business.

He is happy that President Nixon takes frequent one-and-two-day vacations also for this is part of the technique for maintaining a positive mental attitude.

As he talked about PMA and cited one success story after another of its use Stone fingered a knuckle size black opal ring to which he whimsically attributes magical powers.

"I bought it in Australia eight years ago. If the rightful owner rubs it three times, he gets his wish, but if anyone steals it, that person will meet a violent death in three days," he said.

Stone, who sees images in the ring which changes colors with the light reflections, claims he saw Nixon's image in the ring before the election and knew he was going to win.

President of the Combined Insurance Company of America, Stone is also president of Hawthorn Books, Inc., New York, and Combined Registry Co., a Chicago publishing and distributing company, and editor and publisher of "Success Unlimited," a monthly inspirational magazine. He lectures frequently throughout the world on PMA and gives away thousands of his books including "The Success System That Never Fails" and "The Other Side of the Mind", written with Chicago reporter Norma Lee Browning.

Despite his practice of PMA, Stone admits he sometimes has a defeat, but he prefers to call it a "problem." When I do," he said, "I say that's good, we have a problem, now let's see how we can turn it into an advantage, and usually we do."

That's practising the platitude of "with every adversity there is the seed of an equivalent or greater benefit."

The Nixon Administration," he said with a smile, "is fortunate it has so many problems, for Nixon has the opportunity to become one of the great, if not the greatest, Presidents we've ever had."

THE MISSILE HASSLE

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. PELLY. Mr. Speaker, the Christian Science Monitor, in its issue of May 10, 1969, has an editorial which is objective and points out that the average individual may well wonder what to believe. However, it concludes that the proponents are under heavy obligation to show why an ABM system should be set in motion now, just before talks with Moscow.

My argument has been that a delay will not jeopardize our security. So far, no one has shown me that I am wrong.

Under unanimous consent, I include the editorial referred to above:

THE MISSILE HASSLE

The battle for and against deployment of the Sentinel antiballistic missiles wages fitfully in Congress and the public forums. Predictions suggest that the Nixon administration, favoring the ABM system, may win in the House and lose in the Senate, but no one is quite sure. Now the anti-ABM case is bolstered by the Wiesner-Chayes report, a lengthy analytical document which argues that the ABM system for destroying incoming missiles would be ineffective, unnecessary, and mainly a contribution to international tensions.

This 344-page report—by Jerome Wiesner science adviser to President Kennedy and Johnson; Abram Chayes, former State Department legal adviser; plus a group of scientific and academic experts—was in part politically inspired. Sen. Edward Kennedy commissioned it last February, when he decided to take up the cudgels against the administration's—and Pentagon's—ABM proposal. It will be referred to, and quoted from, a good many times from here on in the crescendoing debate.

The Pentagon has promptly retaliated with its own evaluation—by two scientific experts and Nathan Twining, former chairman of the joint chiefs—which brands the report as unscientific in method, inconsistent and full of errors.

The average individual will wonder what he should believe. Probably the most compelling argument by the Wiesner-Chayes document is its conclusion that there is no need for a decision, now, to deploy a missile defense system. In short, why go ahead with a new system when the United States is just about to engage in crucial arms-curtailment talks with the Soviet Union?

The impact of the report also is to cast further doubt on the testimony of Defense Secretary Melvin Laird, already disputed, that Moscow is seeking a "first strike" capability against the United States—an ability to knock out America's total defenses in a first devastating blow. Hence the report concludes that deployment, now, of an untried and controversial new defense line would not enhance, but would lessen, national security.

It is useful, to public debate and final decision, that this report is at hand. Dr. Wiesner was one of those who labored long to persuade Moscow that arms-cutback talks would be worthwhile. It is also useful to have the Pentagon's rebuttal which declares the ABM system to be workable and effective. Let the debate continue. But let the administration and Pentagon realize they are under heavy obligation to show why an ABM system would need to be set in motion now, only shortly before talks with Moscow begin.

THE JOB CORPS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. ANDERSON of California. Mr. Speaker, I believe President Nixon's recent decision to close 59 Job Corps training centers without equivalent expansion of other training opportunities for the disadvantaged is ill advised.

The Job Corps program has demonstrated considerable success. Since 1965, over 200,000 disadvantaged youths have participated in Job Corps activities. Approximately seven out of 10 Job Corps trainees are now either employed in civilian jobs, serving in the Armed Forces, or pursuing their education. A recent followup study cited in the Department of Labor's 1969 Manpower Report to the President found that those who were not employed included many who dropped out of the program, as well as women who withdrew to become housewives. Studies have also shown that average earnings are substantially higher after Job Corps enrollment. This is obviously a record accomplishment, particularly in view of the fact that Job Corps participants come from the most deprived sector of our population.

Government analyses of the Job Corps indicate that the benefits of the program far exceed its cost. One of the most significant benefits, which cannot be measured in dollar terms, is the opportunity the Job Corps has provided thousands of underprivileged young people to escape the vicious cycle of poverty. Another of the unique advantages of this program is the opportunity that the Job Corps centers provide for underprivileged youths to obtain valuable training in a new and improved environment.

As AFL–CIO President George Meany pointed out:

> To take away this option for a better life . . . would be a cruel blow directed at a group who have already known more than their share of failure and disappointment at the hands of the larger society.

I agree with President Meany, that indiscriminate closure of Job Corps centers should be avoided at this time. We must not scrap the efforts organized labor and others have made in training and placing young people in the Job Corps.

I strongly urge President Nixon reconsider the decision to close the 59 training centers and that he rescind the Job Corps cutbacks. I believe the Job Corps is a sound and worthwhile program. Shutting down these centers will deal a devastating blow to the program. Our economy cannot afford the burden of unproductive citizens, and the loss of a single potential contributor to our society.

POOR CHILDREN HAVE WEALTH OF AMBITION

HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. PERKINS. Mr. Speaker, recently members and staff of the Committee on Education and Labor were invited to attend what I consider an exciting and stimulating career seminar for sixth-grade students. The program, which was designed to encourage dialog between adults established in their careers and young boys and girls unknowing yet eager to know about the world of work, proved to be a most rewarding experience for both.

The "Why Work" Seminar was conducted at a local elementary school within the shadow of the Capitol, the Lenox Elementary School. I should like to take this opportunity to congratulate the principal of Lenox School, Mrs. Jennie Gross, for her foresight and dedication in providing these young students with a unique, yet practical experience and to share with my colleagues a recent news article describing the seminar. The article follows:

POOR CHILDREN HAVE WEALTH OF AMBITION

(By Wauhillau La Hay)

In the sixth grade at Lenox elementary school in one of the District's deprived southeast areas are boys and girls who know what they want to be when they grow up and start working.

Hopefully, there's an oceanographer, a brain surgeon, a chemist, a mathematician and a prima ballerina taking readin', writin' and 'rithmetic at Lenox and if their principal, Jennie Gross, has anything to do with it, they'll reach their goals.

For the second year, Mrs. Gross had a "Why Work?" all-day seminar in the school yesterday. She had more than 40 consultants representing as many different trades and professions, from a linguist to a barber, a doctor and a bus driver, a minister and a cook. And this reporter.

It is a rewarding experience—this being questioned by boys and girls, about 95 per cent of them black. "What's good about your job?" "How much schooling did you have to have?" "Do you really tell it like it is?"

"What would you write if you saw a black man being beaten up by a white cop?"

STIMULATES THINKING

They think, these kids. Many of them are from comfortable, clean, well-run homes with hard-working parents. And many of them live in slums and broken homes, with not enough food to eat or enough money for decent clothes.

They are concerned with money. "What does your job pay?" they invariably asked. "What's the starting salary?" They are concerned with being black and how their color will affect them not only in the working world, but in college.

"I want to go to college," said Catrina, primly tugging at her miniskirt. "But then I get scared and think maybe because I'm black nobody will be nice to me."

Valerie was torn between nursing and the Peace Corps. This 11-year-old in her neat print dress and bright hair ribbon whispered confidentially, "I like to read poetry. I read an awful lot of poetry. I have a library started in my home. Poetry makes me feel good."

A real estate man at Lenox as consultant asked one boy if he wanted to sell houses. "Nope," said the 12-year-old, "I'm going to be an oceanographer." Asked if he knew what that long word meant, the boy shrugged and said, "Of course I do. It is the study of the ocean's depths. You know, we eventually face overpopulation on the earth and we must know everything there is to know about the ocean."

TRANSPLANT BRAINS

The real estate man was dumbfounded, but not as much as a doctor when informed by an 11-year-old girl, "I've just got to be a brain surgeon. By the time I'm ready, the medical world will know how to transplant brains. That's what I've got to do."

The lawyer consultant said that a few of his visitors were interested mainly in "how to beat a rap."

"I told them they couldn't so they might as well look on the good side of the law. And they were interested, believe me."

A police officer admitted that quite a few of the boys he talked to wanted to know about police brutality. "I told them no policeman wants brutality, but sometimes a young officer will lose his temper and get rough. That's bad. We can't afford to lose our cool."

After the sessions with the boys and girls, the consultants met for a "feedback" on what they'd heard. The consensus was: This is good. This gets away from the sometimes bad influence of Black Power. They gave us their confidence. They talked freely.

There wasn't so much free talk when the children had their own "feedback." A little girl who had said earlier she wanted just one job—that of the President of the United States—was too shy to tell her fellow students her goal in life.

One of this reporter's three "converts," who told their classmates they wanted to get into the newspaper business, came up to say goodbye.

"Hold a job for me, ma'am," he said quite seriously. "I'm gonna make it!"

LOVE FOR AMERICA

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. ESHLEMAN. Mr. Speaker, there are times when this job of representing thousands of people in their Congress has its deeply personal moments. We, in our efforts to help constituents with a variety of problems, become involved with the happiness, grief, and even the dreams of many individuals. In each instance, our interest in the personal concerns of the people who entrusted us with this office provides us with a little deeper appreciation for that which all Americans hold most dear.

Recently, a saddening experience very poignantly brought this point home to me. A valued constituent, George Bobish, died 2 weeks before U.S. citizenship was to be conferred upon him. For 57 years Mr. Bobish strived to become a citizen and dreamed of the day that he would be able to take our oath of allegiance. On four separate occasions the redtape of the immigration process kept him from his goal. Finally, this year, long-lost records were found and it was arranged for George Bobish to complete the naturalization process on May 16. However, on May 5 Mr. Bobish died at age 87.

In all those years his struggle with the Government's administrative machinery never made him lose faith in his adopted country. In fact, there are probably few among us who love this Nation and its way of life more than did George Bobish. His daughter relates that he wanted to become a participant in the democratic processes of the United States so badly that in his later years the goal of obtaining citizenship pervaded much of his thinking.

So far as official governmental policy is concerned, Mr. Bobish died a citizen of his homeland, Austria. But his love for America, his contributions to his adopted home, and especially his dream of becoming a U.S. citizen, should not go unnoticed. In every respect but official recognition, George Bobish was a citizen, and I am proud that Pennsylvania's 16th Congressional District was a benefactor of his devotion to this country.

REPRESENTATIVE HENRY P. SMITH III ANNOUNCES RESULTS OF 1969 QUESTIONNAIRE

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. SMITH of New York. Mr. Speaker, last month I submitted a nine-part questionnaire to each family and boxholder in the 40th Congressional District of New York. This questionnaire deals with many of the critical domestic and international issues facing the Nation today.

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I am pleased and proud to report that to date I have received more than 28,000 completed questionnaires. In addition, I have received hundreds of letters accompanying the questionnaires in which the people choose to give additional comments and opinions on these issues. This overwhelming response is clear evidence of the sincere interest of 40th District residents in the affairs of their Government.

The many views and opinions I have received from the residents of the 40th District will be of inestimable value to me in deciding which course of action I will pursue in the months ahead.

Mr. Speaker, I am sure that the Members of this House will find the results of my questionnaire both interesting and helpful. The following is a percentage breakdown of the final tabulated results of my questionnaire:

RESULTS OF POLL OF HENRY P. SMITH III

(Answers in percentage breakdown)

1. Do you believe that the Paris peace negotiations will result in a conclusive settlement of the Vietnam war? Yes, 17; no, 79; no response, 4.

2. If the Paris talks are abandoned or reach a hopeless stalemate, would you then favor:

a. a sharp intensification of the total war effort. Yes, 41; no, 22.

b. unilateral withdrawal of U.S. troops. Yes, 31; no, 23.

c. a continuation of our present military strategies and tactics? Yes, 10; no, 25.

3. Do you believe an all-volunteer army can be established to replace the draft system after Vietnam? Yes, 37; no, 60; no response, 3.

4. Do you favor a Constitutional amendment to lower the voting age to 18? Yes, 47; no, 52; no response, 1.

5. Do you favor expulsion of students who violently disrupt the academic life of colleges and universities? Yes, 94; no, 5; no response, 1.

6. Viewing the economy as it stands today, would you favor renewal of the 10% income surtax when it expires on June 30? Yes, 30; no, 66; no response, 4.

7. Should the Electoral College be abolished and the President be chosen by direct popular vote? Yes, 85; no, 13; no response, 2.

8. Should the Federal Government be permitted to use wiretapping and electronic surveillance to fight organized crime? Yes, 90; no, 9; no response, 1.

9. Do you support the proposal to convert the Post Office into a government-owned corporation to operate on a self-supporting basis? Yes, 74; no, 19; no response, 7.

ROTC PROGRAM

HON. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. MONTGOMERY. Mr. Speaker, in recent months the ROTC program on some of our college campuses have been the object of student and faculty protests. This program is vital to the security of our Nation and we should not let it be destroyed by a militant minority. I commend to my colleagues the following statement from the advisory council of the National Society of Scabbard & Blade:

The Advisory Council of the National Society of Scabbard and Blade, representing 6,000 Army, Navy and Air Force honor cadets of Reserve Officer Training Corps units on 192 University campuses, has taken note of the challenge to continuance of ROTC at some institutions.

We have restated our philosophy contained in our Society's theme, "Military service is an obligation of citizenship."

We believe strongly in the Nation's tradition, upon which our national security rests, as stated nearly 200 years ago by George Washington that, "Every citizen of a free government owes his services in defense of it."

The Reserve Officer Training Corps is a vital part of the structure which supports this national tradition. We applaud the recent commitment of the Secretary of Defense, the Honorable Melvin Laird, to this principle, expressed in his statement that the Department of Defense will not see the Reserve Officers Training Corps degraded in any way.

We believe that a lessening of support for the Reserve Officers Training Corps would result in a weakening of our national defense structure, would constitute an invitation to aggression, and would endanger our very nation.

We urge all citizens to consider this matter seriously and to give support in every possible way to continuance of the Reserve Officer Training Corps programs of the military services.

PLOWSHARE DIALOG

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. HOSMER. Mr. Speaker, the Atomic Energy Act of 1954 contains provisions requiring our Government to facilitate peaceful applications of nuclear energy. The recently ratified Treaty on the Nonproliferation of Nuclear Weapons contains a clause requiring nuclear powers to furnish nonnuclear powers "nuclear explosives services" for peaceful purposes.

In a recent speech to the symposium on "Public Health Aspects of Peaceful Nuclear Explosives" I questioned whether the AEC has geared itself up to furnish such services on a truly commercial basis. That speech is found at page 8944 of this RECORD for April 14. It provoked a response from Dr. Michael May, director of the AEC's Lawrence Radiation Laboratory at Livermore, Calif., where the plowshare program is centered.

I believe Dr. May's response, contained in his speech delivered April 29, to the atomic industrial forum plowshare committee in Houston, is a good one. In it he also covers other subjects. It follows:

COOPERATIVE ROLES OF LRL AND INDUSTRY IN THE PLOWSHARE PROGRAM

(By Michael M. May)

I would first like to contrast the way a Plowshare nuclear explosion is currently carried out, as a joint industry-government experiment, with the way it might be carried out under conditions of commercial exploitation when that time comes. Second, I would like to mention what is needed from our point of view to get from here to there. In doing this I will discuss the role LRL now plays, the role it should play in the future when commercial applications are established, and the way it should help during the transition period.

TODAY'S EXPERIMENTAL PLOWSHARE APPLICATION

Let's look at a joint industry-government Plowshare experiment as it might be done today. The site must be carefully evaluated from two points of view. First of all, the geologic formations down to shot depth must be studied to determine the site's suitability from the standpoint of potential usefulness for the industry concerned. Second, the site must be investigated from the standpoint of safety. Such investigations are concerned with—among other things—the rock's ability to contain radioactivity produced by the shot, and with the possibility of damage to nearby structures from seismic ground motion resulting from the shot.

The device used will be either an old stockpile weapon or some existing tested nuclear design. It will emphatically not be a design that is optimized for use under the conditions of commercial exploitation. No prediction of the radionuclides to be expected from the explosion will be made publicly, although, as in Gasbuggy, statements may be made about radioactivity in the product of interest to industry. The debris resulting from the explosion will remain classified. The possible cost benefits of reducing the diameter of the device or the nuclear material content, or both, will not be known.

The firing system, the canister, the cables, all of the systems required to lower and fire the device will contain many improvements contributed by the Plowshare program and already tested in the field in nuclear shots for the Weapons program. Plowshare benefits a great deal from the fact that the Weapons program testing provides a large base of experience.

The cost savings from the Weapons program result from our ability not only to save on materials and labor, but also to standardize equipment. Such savings—based as they are on familiarity with an area—cannot be expected at the location of a first Plowshare experiment, however. The emplacement hole will very likely be the first large-diameter hole drilled in that area. As a consequence, many difficulties are likely to be encountered in drilling the hole. Downhole conditions will also be new.

The safety measures must be elaborate, and rightly so. The experiment being prepared is likely to be the first nuclear test in that State. It will surely be the first one in that locality. The neighboring residents, the regional and State leaders, and the local newspapers will all be very much aware of the event. There probably will be the usual fraction of local people and news media who will be more jittery than the facts warrant. Accordingly, everyone concerned, the AEC, the Laboratory, the company involved, will want to make sure as far as possible that nothing goes wrong. In case something should go wrong, they must be sure they know what it is and how they can trace and correct the trouble.

There will be extensive monitoring for radioactivity to check any possible leakage should it occur. There will be many operational trailers. Most of these trailers will be sent to the site by organizations that have little to do with the actual nuclear firing process but instead are concerned with safety aspects. With the trailers will be people, cars, and support facilities. Everyone will bend over backward not only to make sure the event goes exactly as predicted, but also to find the right time for the event, the right weather, the right safety situations, and any other conditions required for political or scientific reasons. This is all fitting and proper. Since such an event will be the first of its kind in the area, there are likely to be some surprises. Meeting such surprises will require the ingenuity of all participants.

After the detonation a great many things will need to be measured. To this date we have not properly measured more than one chimney and that one was not in a joint industry-government Plowshare experiment. Whenever we detonate in a different medium for the first time, the questions will arise: Did we get a chimney? Did we get a cavity? If we got a chimney, does it contain all one pile of rocks or several piles separated by impermeable regions: Did we get cracks? How far do they extend? How great was the shock pressure? Can we correlate the shock pressure with the existence or nonexistence of cracks? What is the temperature down there? Can we correlate that with the existence or nonexistence of a cavity? Where did the radioactivity go, not just the radioactivity that will wind up in the product, if any, but where did all of it go? Can we account for it? Can we answer questions regarding its eventual fate?

All of these questions and all of these measurements I have mentioned are entirely justified in the case of a first experiment in one region or one type of application. They all occurred on Gasbuggy. I believe they are going to occur on Rulison, and they will occur on Dragon Trail. They will take place whenever we go and do something for the first time. As a result of the work needed to resolve these and other questions, the experimental cost will be several million dollars. The high cost of the information obtained will be justified, however, by resultant savings on later applications.

TOMORROW'S ESTABLISHED PLOWSHARE APPLICATION

Let us now look at how a Plowshare nuclear detonation could be carried out in a future commercial exploitation. The emplacement hole is, let us say, the fifth or tenth in that area. The area is very well understood geologically. Of course, there is always some concern that not all the underground faults will be mapped which allows the possibility that some escape of radioactivity might occur. But we have had extensive experience with such ventings. They have been minor. We have always been able to control them without any danger to the surrounding area. Nevertheless, there will be residual concern any time we shoot under the ground, which is, after all, a heterogeneous and poorly known medium.

Since the hole will be one of many which have already been drilled in that area, drilling techniques will be known and understood. The nuclear device will have been optimized by joint industry-AEC-Laboratory study. In the case of gas stimulation at great depth, for instance, the device will be narrow in diameter to reduce the cost of drilling the emplacement hole. It will have a minimum of expensive material, and will be designed to minimize production of any radionuclides that would be difficult to deal with for that particular application. I am talking here about things that can be done within the state of the art—things we can undertake right now, given the funds to carry out one or two tests.

The outputs of the device—yield, radionuclides, neutrons, and so forth—will all be known in advance. The scientists and user organizations will be familiar with them and so will the Public Health personnel of the State involved. The debris will be classified. The downhole conditions will be known.

After emplacement of the nuclear device, a tractor will drive up towing one trailer with perhaps one or two people from a commercial organization to do the firing and a few NVOO personnel for physical control and safety of the device. Since the weather conditions will be well known for the site, a minimum of time will have to be spent in waiting for the right weather pattern. The device will be fired by a radio link; no cable will need to be laid from the firing racks to the top of the emplacement hole. There will be some measurements near surface zero to monitor for unexpected leaks. Otherwise, measurements will include only those necessary for product evaluation and for safety.

There will be no Laboratory people at the site. The operation will be handled on an industrial basis with the government being satisfied that appropriate safety and device security measures are being followed. Since it will be the fifth or tenth shot in that area, public reaction will be minimal.

GETTING FROM HERE TO THERE

What we need to do in going from here to there—from today's experimental application to tomorrow's established application—has been described in some of your papers, among others, in Ted Brown's paper on "The Legal Aspects of Plowshare." Former Commissioner Gerald F. Tape briefly analyzed the problem by commenting that all we need are two things—money and declassification. I think that, as a first measure, this is as good a summary as can be made. Money is needed from both industry and the AEC to develop and test the first few device designs; in addition, there is a need to further government participation in joint industry-government experiments. These include measurements of underground explosion effects, which are an essential part of learning about how to handle nuclear explosives in various media.

I think the government should pay for the device experimentation. The Nonproliferation Treaty states that devices will be provided to foreign countries without their having to pay for research costs, which include device design. Our own domestic companies should not have to pay for the cost of device research, either.

There will be an intermediate period for each field of application during which enough experiments will have to be done to give commercial exploitation a reasonable assurance of profit. How many experiments for each application, and how long the period will be, is clearly not something which can be forecast with any certainty. The number of experiments and the length of time it takes to do an experiment meaningfully will vary with each application. As a lower limit, the Rulison experiment, for example, could demonstrate within some months after completion that commercially profitable exploitation of the gas at either site is possible. This might be followed directly by exploitation of the gas-bearing areas in question. By contrast, it will more likely take several experiments to determine whether the exploitation of a gas field at great depth would be practicable. Several experiments also might be necessary to determine whether the mining of oil shale by nuclear explosions is feasible.

The one general principle of which I am confident is that the more carefully the experiment is done—the more intelligently and thoroughly the measurement program of a given experiment is carried out—the farther that experiment will go and the fewer experiments will be needed. In most fields of applied science it has been the regrettable experience that the original experiments planned were not complete enough to give as much information as they could have with the result that they essentially had to be done over again. For industrial uses of Plowshare, the one feature which we really are after is a pile of rubble underground. If we do not measure enough about it the first time around, quite a bit of the data is still there, down below waiting to be measured, and can be recovered. On the other hand, the radioactivity continually decays and has to be measured initially to a great extent.

During this intermediate period, LRL will have to be heavily involved in making the experiments as successful as possible. We can help both by making specialized measurements, principally in the areas of radiochemistry and shock motion, and by relating the data obtained to the properties of the earth media in which the shots are made. As described to you in symposia and talks by members of our Plowshare program—Glenn Werth, Gary Higgins, and others—these data include basically the measurements mentioned above involving physical dimensions and characteristics of the chimney and the radioactivity. Such data-taking is not particularly complex, and ordinarily it does not amount to more than 5 to 10 percent of the cost of the experiment. A more substantial part of the experimental cost concerns what has to be done to recover the product and to purify it. Here, of course, the same remarks apply, although this part of the experimentation will not be carried out by LRL, but rather by the industries involved.

I hope that, during this intermediate period of experimentation, we as a laboratory and you in the user industries can work closely together, and as openly as possible. I realize that there have been difficulties in communication in the past, difficulties which I think could perhaps have been expected, since your people and ours, by and large, came to the job with their different backgrounds of experience and different criteria for success. I think, however, that most of these communication difficulties are in the process of being eased. I think it is essential, both to you and to us, that they be eased and remedied.

There are many ways we can open the communication lines between the Laboratory and industries. Symposia, such as those for Gasbuggy, ought to be held frequently and informally on a regular basis in every area where experimentation is going on. Mutual visits and, most important of all, frequent informal direct contacts between the Laboratory and members of industry are necessary. I will be happy to help with all such means of communications.

One of the major hindrances, of course, has been classification. Both the Division of Peaceful Nuclear Explosives of the AEC and we at LRL are working very hard to remove as much as possible of that particular obstacle. We thoroughly believe that most of this barrier can be removed, and it must be removed before there is a fully successful program. We hope that action will be forthcoming sometime this year.

Other areas, referred to in Ted Brown's summary, have to do with insurance or legal requirements. These subjects are outside the scope of our particular competence, and I won't say any more about them.

When commercial exploitation, as distinct from experimentation, comes along, there are two fields where LRL should be permanently involved. Number one is the designing of appropriate nuclear devices and related fixtures for industrial and for commercial use. Your requirements for devices are different in detail than the requirements of the Army, Navy, and Air Force. You are likely to need, for applications at great depths, small diameter devices without regard for weight. You will require a minimum use of expensive materials, again without weight restrictions. You will want to minimize particular radionuclides that interfere with the end product. You will require as low cost a device as possible, as do the Services. You will want reliability, as do the Services. No firm, no agency wants to be stuck with an unexploded atom bomb 4,000 to 15,000 feet below the ground, with no way to get at it except drilling back. This has been done once or twice at the Nevada Test Site; it is painful and expensive. You will want assurance of yield within a reasonably specified range, as do the Services. You will place a

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heavy emphasis on lowering the cost of the fixtures necessary to emplace and fire the nuclear device, but at the same time you will of course want these fixtures to function well. You will probably not want to have diagnostic information on details of the device performance for every firing, and neither do the Services. Such diagnostics will not be incorporated in the future devices to be fired on a repetitive basis.

The design of industrial, commercially profitable devices is a major challenge to the Laboratory. It is one which we are prepared for, and one we believe we can accomplish. Work on Plowshare device requirements involved the same kinds of scientists and engineers as those who work on military requirements. We have devoted a great deal of thought to such devices, and where funds have made it possible, we have proceeded with tests and relevant engineering studies. Unfortunately, except in the case of the excavation explosive, not enough funds have been made available to mount an effective effort. As noted in a recent letter to Dr. Glenn T. Seaborg, we have felt strongly that the work should be done and have pushed very hard in that direction.

The design of nuclear devices—whether for Plowshare or weapons applications—relies heavily on supporting research and development programs, mainly in the field of materials, such as plutonium, tritium, and other special purpose materials, and in the field of computer code development. These programs all exist at the Laboratory, and support Plowshare as well as weapons development.

The Laboratory has a separate Plowshare group, which reports directly to me. It is not an adjunct of the Weapons group. Its device design teams work under its control. The Nevada Test program serves Plowshare in the same way it serves other groups at the Laboratory.

The second major area where I believe LRL should contribute over the long range is the understanding and prediction of underground effects. This is a part of the understanding of nuclear explosives, which is our major overall mission at the Laboratory. It is work to which we believe we have something to contribute. We know, in particular, that our codes for predicting the effects that various geological structure have on what happens after the explosion will be of significant use to industry. The Laboratory has a role to play in explaining the techniques we use and making them widely available to industry.

On the other hand, there are areas where I believe we should not be involved. When that truck with its trailer drives up with a few people to fire the device, I do not think we should be involved. That is not an R&D job. Where the devices are actually produced, we are not currently involved, and I do not believe we should be in the future. Again, that is a production job and not an R&D job. As for product measurement, while we would be happy to make available such counsel and expertise as we have, and to participate as needed, this again is primarily a job for industry. Private industries will be the ones who will have to meet the AEC regulations on purity of product. They are the ones who will have to make the measurements and design the plants.

I have outlined where LRL should and should not participate in the future. During the transition period for any particular application, our guiding principle will be to make it as rapid and as smooth as possible. Most of all, we will try to avoid those major mishaps and blind alleys which can be avoided, to permit identifying and following up the best opportunities. A successful application will do a great deal to integrate nuclear explosives into the basic fund of technological assets of the country. We feel this is a much needed development. Atomic devices have been considered an awesome black box far too long for all our good. We hope to help in every way to establish their usefulness as new tools of industry.

LESESNE STATE FOREST

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. POFF. Mr. Speaker, on Friday, May 16, some of the leading citizens of Virginia will meet to dedicate the Lesesne State Forest.

This ceremony marks an event of more than passing importance. By way of a brief explanation, I quote herewith an excerpt from the dedication program:

> The Lesesne State Forest is a gift to the Commonwealth of Virginia from Dr. and Mrs. Arthur De T. Valk, Jr., of Wilmington, Delaware.
>
> The new State Forest will be dedicated to the development of blight resistant strains of chestnut that have the many desirable qualities of the native American Chestnut destroyed by the fungus Endothia parisitica.
>
> Research has been and is being done in the field of hybridization and irradiation. On the Lesesne State Forest are some of the pioneer efforts in irradiation by Dr. W. Ralph Singleton, University of Virginia, and Dr. Albert Dietz of Wadsworth, Ohio.
>
> The hybridization research is the work of Dr. Richard A. Jaynes, Connecticut Agricultural Experiment Station.
>
> The Virginia Division of Forestry, Department of Conservation and Economic Development, is the custodian of the Lesesne State Forest and will serve as coordinator of the research project.
>
> The American Chestnut was once a major component of the mountain forests from New York to Georgia. The blight, introduced into America in 1904, spread like "wildfire" and destroyed, in two decades, all of the commercial stands of one of America's most valuable hardwood trees. Hopefully, the Lesesne State Forest research effort will one day be instrumental in "bringing back" the American Chestnut.
>
> The citizens of Virginia join hands in thanking Dr. and Mrs. Arthur De T. Valk, Jr. for their generous gift to the Commonwealth.

HELP TEENAGE ADDICTS

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. MONAGAN. Mr. Speaker, we are all well aware of the increasing problem of drug traffic and narcotics addiction, and there has been frequent discussion in the House directed at discovering ways to halt this illicit traffic and cut down this addiction. I have been active in attempting to improve the coordination of the efforts of Federal, State, and local narcotics control officials.

An area in this general field which has not had nearly enough attention is the rehabilitation of narcotic addicts. In many cases a drug addict is treated as any other criminal with little or no recognition of his particular needs. Ideally, our penal system should contain two elements, incarceration and rehabilitation. Unfortunately, the emphasis up to now has been focused on incarceration. Whatever the cause of this state of affairs, and I recognize that the sharp increase in the crime rate plays no small part in this, we should not lose sight of our goal of providing adequate rehabilitative facilities and programs to drug addicts.

A recent article by Ethel Beckwith entitled "No Help for Teenage Addicts" which appeared in the April 27 edition of the Connecticut Sunday Herald offers some insight into this problem, and I ask unanimous consent that this article be printed in the RECORD:

NO HELP FOR TEENAGE ADDICTS

(By Ethel Beckwith)

FAIRFIELD.—Here comes another teenage addict case and not a place in all Connecticut where he might get help.

Nineteen-year-old Vincent De Eramo of 14 Leonard Place, Trumbull, has a lot of law stacked up against him, when he appears next Tuesday in Bridgeport Superior Court. But not all the politicians and not all the king's men have provided a hospital.

They make sincere speeches. They have committees and task forces. The only solution they offer, however, when it comes to the nitty-gritty, is jail. For a variation, once in a while, a young addict gets sent to Fairfield Hills in Newtown which has no program for addiction.

What will the court do with Vincent De Eramo?

It is a question that many parents ask today with little optimism. Since The Herald told the story of Bridgeport's 16-year-old Lenny Forte, who was sent to jail for nine months after being called by the judge "a hardened criminal," parents from all over Fairfield County and of every social class have come out of their secret worry to look to this newspaper for some light.

It is not, of course, only Vincent and Lenny. Hundreds of adolescents in the twilight world of drugs have been in effect thrown to the garbage can. The idea of bringing them back to normal life is a matter too sensible or too hard for the average politico. "Off with their heads" is an easier way. In other words, the Bridgeport jail or Cheshire Reformatory.

Getting back to Vincent, like almost every other addict his departure from society has been linked with burglary.

GOT JAIL TERM

In his first court appearance he was sentenced to 30 days in jail when he pleaded guilty to stealing an electric fan. When he comes back Tuesday, it's heroin.

In jail the 19-year-old was kept in solitary, with no clothes on, and strapped down. One day when Vincent's devoted sister, Mrs. Gloria Northrop, tried to visit him, she was told she would have to talk to Dr. J. M. Lesko, psychiatrist.

What Gloria learned then was that Vincent had been taken to Fairfield Hills. When she went there, she fould that her brother was receiving no different treatment than at the jail. The "cure" was incarceration. This is not the fault of the hospital, which offers no addict treatment but may not refuse any committed patient.

The laugh—if one can in a pathetic situation—is that when Gloria asked if she could take her brother home the answer was "Of course you can." Treated for weeks as a dangerous criminal, strapped down, Vincent suddenly was going home in his regular clothes.

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More than the "rehab" side is being forgotten in the case of the young addict. It took Atty. Bernard Green from September to January to get the youth's larceny case to court. Fortunately for the prisoner he was spared those months of jail because his father, a mason contractor, was able to supply the bail.

Attorney Green says, echoed by many others today, "This state has no defined program for young addicts."

Such establishments as Renaissance in Westport and Daytop in New Haven appear to work with more mature men and women who have a will to "get back."

Shamed parents, who also were uninformed, used to accept jail or its alternative, Newtown, as the expected finale in the family's tragedy. To hear these days from awakened parents, they want a hospital, with possibly maximum security, where the very young will be treated first with therapy and secondly with punishment.

TO HONOR THE DEAD

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. **POLLOCK**. Mr. Speaker, today I have introduced a bill which would require that when the American flag is flown over a national cemetery it be flown at half staff.

Our national cemeteries are created to honor American veterans and, since the national cemeteries contain mainly American veterans, there is no reason why these persons should not be continuously honored by the flying of the American flag at half staff over their graves.

The cemetery itself is a place to honor the dead. The flag at half staff is to honor the dead.

Therefore, Mr. Speaker, I propose this legislation.

WE ARE FED UP

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. **ANDREWS** of Alabama. Mr. Speaker, the revulsion being felt by responsible taxpaying Americans at the reign of terror and anarchy being conducted on college campuses and in our churches across this Nation was never more pointedly and candidly expressed than in a recent editorial by Mr. J. C. Henderson, executive editor and publisher of the Alexander City, Ala., Outlook, an outstanding weekly newspaper in my State.

The people are saying that enough is enough, and this Congress, not the next one, or the next, had better listen—and act. Consider the timely words of the Outlook:

WE ARE FED UP

This newspaper has not been one to cry wolf everytime there is a disturbance in the bushes, nor has it been prone to see devastation in everything that deviates from the norm. We realize that the threat of communism to our form of capitalism is always prevalent, but we don't usually see an aggressor behind every shrub.

However, the time has come when we must say that we've had it. We've had it up to here, and we think it high time something is done to put a halt to the ridiculous schemes that are being worked in this nation.

It is time to put our senators and representatives on notice that we demand, not request, that we demand, they do everything they can to move with the national congress to quell rioting, looting, shooting and burning, fighting and every disturbance on our college and university campuses. Today it is quite clear that those who would disrupt the processes of higher education are doing so not out of a clear conscience of dissent, but for a deeper motive, a motive for stopping the processes that base the country's stability. We know now that these are no longer spontaneous outbursts, but organized moves to destroy in the end.

Now come black militants to more unbalance our national mores by demanding that churches turn over huge sums of money to "their cause" as set out in a "black manifesto." Sunday last, James Forman "crashed" a church service in New York, brushed the minister from the pulpit and told the 500 of the 1300 who did not walk out what he was "demanding."

The movements begin to take shape. First, destroy the processes of education, then throw into turmoil the theology of a country, pit clergy against clergy and member against member. Keep government in an uproar at home and abroad in a "police action" that can never be won.

Whether these events are directly linked with the workings of the Communists is inconsequential; they are so closely related to those tactics that they are serving the same purpose.

The Negro, too, is finding himself pushed farther and farther away from the society into which he once wanted desperately to be accepted. He called upon the courts of this nation to make him an equal part, and the courts responded vigorously in his behalf. Millions of individuals in this country bent over backwards to accept the Negro without being forced to do so. Now he comes demanding another kind of separation—black studies, black dormitories, black students to lead, black policy makers.

We must question. Does the Negro know what he really wants? By now he should, although it seems he is as the willow in the wind, always swaying, never stable. Then, we must surmise that he is working his ugly plan purposely and with profound cause. If so, it must cease for it has become unhealthy for all races, the Negro included.

So, we are fed up. We will make a few demands ourselves. In Washington we call upon our representatives to restore tranquillity to the campus; we urge college officials to fight back, relent to nothing that is demanded by coercion or force. And as far as black demands on the churches go, we feel certain that will be dealt with in a time far removed and certainly yet to come.

The time has come to put a foot down, to take a stand, to mop up and clean house. And our small, weekly voice says "Do it now!"

VETERANS' SALUTE TO BILL PEDERSEN

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. **BURKE** of Massachusetts. Mr. Speaker I would like to bring to the attention of my distinguished colleagues in the U.S. Congress the veterans' salute to William F. "Bill" Pedersen, the managing editor of the Tribune Publishing Co., Hyde Park, Mass. Bill will be honored at a dinner Saturday evening May 17, 1969 at Murray Hall—behind the Fargo Building. At this salute to Bill entertainment will be provided by an exhibition by the Swedish Folk Dance Club of Boston and music for dancing by Walter Barker's Scandia Orchestra.

Serving on the committee to honor Bill are: Chairman Tim Prendiville, Treasurer Carroll P. Sheehan, Ticket Chairman Joseph Alecks, and Head Table Chairman John J. Tierney, Jr. Others serving on the committee are:

Steve Allen, Commissioner Manny Aronis, Adm. Roy AS. Bension, Hon. Ted Buczko, Representative William Bulger, Hon. JAMES A. BURKE, Capt. Ralph H. Colson, Hon. Francis X. Davoren.

Representative Si Epstein, Judge Joseph Feeney, Representative M. Paul Feeney, Senator Sam Harmon, Sheriff Charles Hedges, Hon. Louise Day Hicks, S.C. John Kerrigan, Councillor Fed Langone.

Hon. JOHN W. MCCORMACK, Hon. Louis Musco, Hon. William F. Keenan, Representative Paul Murphy, Dr. William H. Ohrenberger, Hon. Thomas A. Sheehan, Judge Jerome Troy, Representative Joseph Walsh.

Charles Butts, Frank Baranowski, Dave Breadmore, Harry E. Carlson, Joseph Corcoran, Joseph Celata, Jim Conley, Dr. Vincent Connors, Joseph Drago, Jerry Feeney, Fred Foye.

Hank Fuoco, Thomas F. Gallagher, Gus Griffin, Phil Eshchuck, John Harold, Joe Harold, Jim Harrington, Ron Johnson, John Kiley, Kay Kyle, George Lynch.

Everett Mills, Francis Maher, Don McGill, Jeff Moulton, Francis X. Moynihan, Commissioner Tim O'Connor, "Dapper" O'Neil, Cliff Ornell, Laurence O'Sullivan, William Long.

Dr. Robert Sheehan, Francis X. Sheehan, Richard Sheehan, Louis S. Silvey, Vincent Sica, Commissioner Horace Still, Alexander Thomas, Frank Walsh, Herbert G. White, Louise Wills, and Draff Young.

Although not a veteran himself, William F. "Bill" Pedersen of Wollaston, Mass., has long been a friend of the veteran and has been cited on many occasions by various military and veteran groups for his zeal in promoting their common interests.

Bill is a graduate of the historic Mather School in Dorchester, Mass., and the world-famed Boston Latin School. He has been a newspaper man since 1935, and the managing editor of the Tribune Publications Co., Hyde Park, Boston, Mass., since 1938.

During World War II, Bill was frozen into his newspaper position. He edited moral-building newspapers for servicemen at installations at Fort Devens, Camp Edwards, the Boston Harbor defenses, Narragansett Bay defenses, Long Island Sound defenses, Stewart Field, the Wings of West Point at Newburgh, N.Y., and the Ordnance Depot at Fort Wayne, Ill.

Following the war he edited special

publications for Veterans' Administration hospitals in Boston, West Roxbury, Providence, R.I., Manchester, N.H., Newington, Conn., Orange, N.J., and the Fitzsimmons Army Hospital in Denver, Colo.

Bill's record in behalf of the military extends to actual ties with the services. Mrs. Pedersen, the former Alice C. Waite, enjoys the distinct honor of membership in the American Society of Sponsors of the U.S. Navy.

Mrs. Pedersen is a great, great, great grand-daughter of Gen. John Glover of Revolutionary War fame. The U.S. Navy selected her to be cosponsor of the U.S.S. *Glover*—AGDE-1—which she christened at the Bath Iron Works in Maine of April 1965. In November of that year Mrs. Pedersen assisted in the commissioning of the destroyer-escort research ship at the Boston Navy Yard.

Mrs. Pedersen is a sister of retired Navy Polar Scientist Amory H. "Bud" Waite, Jr., of Long Branch, N.J., who on the first of his 13 missions to the Antarctic was one of the three men who participated in the rescue of the late Adm. Richard E. Byrd from his lonely outpost in the Antarctic wilderness. For this feat Bud Waite was awarded the Congressional Medal of Honor.

Another brother of Mrs. Pedersen, Henry E. Waite was an Army medic at Fort Shafter in Hawaii, during the bombing of Pearl Harbor.

A brother of Bill's, Henry Pedersen, a naval shipyard rigger during World War II, was a member of the U.S. Coast Guard Reserve.

The Pedersen's son, William F. Pedersen, Jr., of Braintree, Mass., was a "Sailor of the Month" at Quonset Point Naval Air Station and served with the Atlantic Fleet.

Upon termination of his active service William Junior was presented the following letter of appreciation by his commanding officer.

> MAY 8, 1968.
>
> From: Commanding Officer, Helicopter Antisubmarine Squadron Five
>
> To: ADJ3 William F. Pedersen, Jr., USNR, 119 39 08
>
> Subj: Letter of Appreciation
>
> 1. As Commanding Officer of Helicopter Antisubmarine Squadron Five I wish to extend my sincere appreciation for the extraordinary manner and spirit with which you have fulfilled your responsibilities to the squadron and the Navy.
>
> 2. Since reporting to the squadron in December 1966 you have consistently demonstrated all the desirable traits of an outstanding petty officer. A measure of your performance and the high esteem in which you are held was your selection as Sailor of the Month for March 1968. The initiative and thoroughness with which you have pursued your duties as the leading petty officer for the First Lieutenant Division in the hangar area has resulted in the outstanding physical appearance of the Squadron.
>
> 3. Your personal integrity and pride is reflected in the manner in which you comport yourself with others. Your immaculate appearance and military bearing have served as an inspiration for all. You have every reason to be proud of your record in Service to your country.
>
> J. G. KAMRAD.

The Pedersen's daughter Nancy and her husband, Harold Jones, reside in Scituate, Mass. Harold also has a service record—he is a U.S. Air Force veteran.

Mr. Speaker, distinguished colleagues, for such an outstanding family and record, I believe Bill Pedersen is truly deserving of this veterans' salute.

AFRICAN TREK WALK FOR DEVELOPMENT

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. DIGGS. Mr. Speaker, in 1967, young people in Canada raised $1,165,000 in organized walks throughout the country. These young people were supporters of Oxfam, Canadian Operation Crossroads Africa, UNESCO, CARE, and other organizations dealing nationally and internationally with human welfare.

In 1968, they doubled their efforts and raised $2,974,543. During that year the American Freedom From Hunger Foundation five similar walks here in North Dakota, Wisconsin, Minnesota, and Colorado raised $113,530, of which about 20 percent was sent to help African programs.

Now Operation Crossroads Africa and the American Freedom From Hunger Foundation plan a walk in Washington.

The walk is scheduled for Saturday, May 17. The 25-mile route winds through Rock Creek Park, passing African embassies or ambassadors' residences. There will be decorated booths along the way representing most of the African countries accredited here. These booths will be manned by Crossroads alumni and African diplomats. Each hiker must find several sponsors who will promise to pay him so much for each mile he walks.

The money raised will fund four programs. It will send 10 young people from District of Columbia public and private high schools to Africa this summer with Operation Crossroads Africa. On behalf of their schools, they will establish contact with similar schools in 10 African countries. These relationships will be continued when they return home through the exchange of information and opinions.

The American Freedom From Hunger Foundation will send two or three graduate students in home economics from Howard University with Operation Crossroads Africa to do nutrition surveys of Liberia, Ghana, and Congo-Kinshasa. They will update surveys done previously by Dr. Flemmie Kittrell, head of the school of home economics at Howard University.

Third, the high school students who are helping to organize this program will choose an innercity project, such as a day-care center, one of the ongoing programs of Junior Village or the Children's Hospital, or one of the other private projects now being suggested by the local community, to receive 42½ percent of the proceeds.

Finally, 15 percent of the money raised will go toward Freedom From Hunger's accelerating efforts to alert American communities to their role in the fight against domestic and international hunger.

This walk is an excellent opportunity for the young people in the Washington area to show their concern for domestic and world hunger as well as their zeal for international understanding. The time and effort they spend on this project will, I think, be amply rewarded by their new or renewed acquaintance with our African friends.

At a time when so many seem somewhat cynical about the effectiveness of volunteer service programs abroad, it is gratifying to see that these high school students and the alumni of Operation Crossroads Africa wish so sincerely to communicate their enthusiasm for international service to the rest of their community.

I note that the Honorable Walter E. Washington, Mayor of the District of Columbia, in his endorsement of the walk says:

> Your program is uniquely capable of forging real understanding of the firm ties that bind the African continent and the U.S. together. At the same time, your capability of assisting to relieve hunger in Africa, and to apply the experience gained abroad in work in the inner-cities of our own country comes at a time of critical need.
>
> I wish you well in pursuing your program.

Mrs. John D. Rockefeller IV, national alumni chairman of Operation Crossroads Africa, underscores the same point in a statement to Washington, D.C. alumni:

> My summer with Crossroads Africa in 1966 was the most important and meaningful experience of my life. The personal friendships and ties between young Africans and young Americans will be a permanent bond between the two continents in the coming years.
>
> I urgently hope that the Africa Trek: Walk For Development, sponsored jointly by Operation Crossroads Africa and the Freedom From Hunger Foundation, will be a resounding success. . . . It is worthy of our total support.

Already, several Members of the House and Senate have identified themselves with the Africa Trek: Walk for Development, both as walkers and as sponsors.

I wish to commend the high school students and the staffs of Operation Crossroads Africa and the Freedom From Hunger Foundation who are promoting this constructive program in the Nation's Capital and to enjoin all the Members of this House to give all the practical support possible.

COLLEGES SHOULD EXPEL AGITATORS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. WYMAN. Mr. Speaker, there is nothing anti-academic-freedom in a clearly announced university policy that any student who willfully violates university regulations will be expelled. Perhaps

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it would help to also specify that in the event of expulsion that student's tuition will be defaulted for the school year and will be nonrefundable.

Most people do not understand why the colleges have not expelled the deliberate agitators in the student body who willfully refuse to obey school regulations, neither do most Members of Congress. In this connection, the column of James Kilpatrick appearing in yesterday's Washington Evening Star is interesting.

The column follows:

WHY AREN'T RINGLEADING STUDENTS EXPELLED?

(By James J. Kilpatrick)

NEW YORK, N.Y.—The student riots go unchecked, and the questions go unanswered. For the time being—but at a fearful price—some of our great institutions are quiet. But Columbia was violated again last week, and two campuses of the City University of New York had to be closed in the wake of violence.

A number of difficult questions will not yield to simple answers: What motivates the radical students? Where is the ultimate blame for revolution to be lodged? But one elementary question continues to baffle the ordinary layman: Why aren't the ringleading students expelled?

It is beyond comprehension. When students clearly are guilty of outrageous conduct—of violent and criminal conduct—why aren't they summarily tossed out of school? When non-students trespass upon private property, why aren't they prosecuted to the limit of the law?

Such a direct reaction, on the part of the university administrations, would appear to be automatic. Yet it almost never happens. In one instance after another, on college campuses across the country, student militants go scot free and non-students rarely get arrested.

It is not a matter of "due process." No question arises of "insufficient evidence." At Cornell, everyone knew precisely which black students were involved in the seizure of Willard Straight Hall. Their photographs appeared in every paper in the land. There they were, bandoleered with ammunition, bearing guns, flowering their defiance of the law. Why weren't these students expelled?

At Queens College last week, 40 black students marched through three buildings, smashing windows and overturning furniture. It is beyond belief that these students were not identified. Of course they were identified. Why, then, were they not booted out?

At City College on May 1, a band of black militants overturned card catalogues and broke windows in the faculty dining room. At Brooklyn College on May 2, student hoodlums broke down the door of the dean of faculty, Harry Albaum. "The handful of staff members inside locked desks and files and surrendered the building to the students." What is wrong with the college officials? Why weren't the students first expelled, then arrested, and then sent to jail?

Time after time, names are named. This from Cornell:

"In a show of contempt for President James A. Perkins and the trustees of Cornell University, members of the Students for a Democratic Society entered Barton Hall last night, taunted Army Reserve Officer Training Corps cadets at drill, and then broke into a restricted area to paint peace slogans on a three-inch Navy destroyer deck gun. . . . Some entered an R.O.T.C. office and tore military maps from the wall. They openly defied arrest. Charles S. (Chip) Marshall 3d spoke from the gun turret. . . ."

That was last Friday night. Why wasn't Charles S. (Chip) Marshall 3d expelled on Saturday morning?

The same questions cry out for answers at Columbia. An estimated 100 students and a handful of non-students seized and occupied Mathematics and Fayerweather Halls. Thirty of them were swiftly, positively identified. When they finally were ousted, Dr. Andrew Cordier, acting president, made an inspection tour.

Did Dr. Cordier institute expulsion proceedings at once? No, indeed. "It's most regrettable," he said, "that students see fit to mess up a hall this way. It's obvious they don't know the first rules of good housekeeping."

It is equally obvious, or so it seems to some of us, that Dr. Cordier and his fellow administrators don't know the first rules of keeping order. When it comes to summoning police, or to asking for help from troops, questions of judgment doubtless arise. Reasonably minded men may disagree on matters of timing and necessity. But the power to expel a disorderly student is something else. It should have been invoked long ago; and it ought constantly to be invoked today.

WASHINGTON STATE LEGISLATURE URGES CONGRESS TO ESTABLISH FISH AND SHELLFISH JURISDICTION OVER THE CONTINENTAL SHELF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. PELLY. Mr. Speaker, on the day that this 91st Congress convened, January 3, 1969, and as I had done in the previous 90th Congress, I introduced legislation (H.R. 506) to establish U.S. jurisdictional rights over all fish and shellfish existing in the coastal waters over the Continental Shelf of the United States. Under the International Convention on the Law of the Sea, this outer boundary would extend to the 200 meter depth contour. This legislation is needed in the interest of conserving fishery resources.

Therefore, Mr. Speaker, it was gratifying to note that the Washington State 41st Legislature, in its first extraordinary session last April, passed Senate Joint Memorial 15, petitioning the President and the Congress to enact legislation to establish this extended fishing jurisdiction.

Hereinafter, Mr. Speaker, under unanimous consent, I include the text of Washington State's Senate Joint Memorial 15:

SENATE JOINT MEMORIAL 15

To the Honorable Richard M. Nixon, President of the United States, and to the Senate and House of Representatives of the United States of America, in Congress assembled:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

Whereas, there are large and valuable stocks of fish and shellfish in the waters over the continental shelf of the United States; and

Whereas, these stocks of fish and shellfish will become more valuable to the United States as the population increases and the need for food products becomes greater; and

Whereas, in very recent years huge foreign fishing fleets containing hundreds of ocean-going fishing vessels, larger and more modern than our own, have been taking tremendous amounts of fish and shellfish from the waters adjacent to our shores and above the continental shelf; and

Whereas, such harvest of fish and shellfish by foreign fishing fleets has exceeded a a billion pounds annually; and

Whereas, such harvest has depleted and endangered certain stocks of fish and shellfish to the detriment of and loss to our own fishermen; and

Whereas, foreign fishing nations control and supply approximately 75 percent of the United States' fishery markets; and

Whereas, the United States has slipped to sixth place in the world as a fish-producing nation, being outranked by Peru, Japan, Red China, Russia and Norway;

Now, therefore, Your Memorialists, the Washington State Senate and House of Representatives, respectfully pray that the Congress enact legislation to give the United States complete and full jurisdiction over all fish and shellfish existing in waters over the continental shelf of the United States.

Be it resolved, That copies of this memorial be immediately transmitted to the Honorable Richard M. Nixon, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

Passed the Senate April 25, 1969.

JOHN A. CHERBERG,
President of the Senate.

Passed the House April 28, 1969.

DON ELDRIDGE,
Speaker of the House.

ULYSSES S. GRANT: A TRIBUTE

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. SCHWENGEL. Mr. Speaker, on April 27, 1969, Mr. Eldin Billings delivered an address on the late and influential Gen. Ulysses S. Grant. The occasion was the 147th anniversary of this great man's birth. Mr. Billings is an outstanding student of American History and especially of the Civil War period. He is well qualified to speak on any subject and on any person of that period. This speech is another of his very valuable insights into the life of a great man and helps us to better understand the man and the time. It is for that reason that I invite my colleagues to read this dissertation:

ULYSSES S. GRANT: A TRIBUTE

(By Eldin E. Billings)

Today we are met to commemorate the 147th anniversary of the birth of General Ulysses S. Grant, but I should like first to commemorate also his grandson, Ulysses S. Grant 3rd. Outwardly different, the two were alike in many characteristics. Both seemed to cling to life for one purpose—to complete their books. General Grant's struggle against death to complete his autobiography in order that he might provide a competence for his family, after a series of financial disasters, is well known. It is a moving story, full of pathos, yet it is a lesson to all in what perseverance and fortitude can accomplish. Two days after he finished his manuscript General Grant died.

The story of General Ulysses S. Grant 3rd is not widely known—save to a few intimate friends; yet it, too, has drama.

Many years ago, before his father's death in 1912, the later General Grant had promised him to finish what he had been unable to accomplish, a life of General Grant. Throughout a busy career the grandson had kept this promise in the back of his mind, but his life of service to others prevented fulfillment. Suddenly, as he said to me a number of years ago, and I quote almost his exact words as I remember them:

"Suddenly I realized that I was 80 years old and that I had not begun writing the promised life of my grandfather and that if I ever expected to live to complete the study, I had better begin immediately."

Let me say, parenthetically, that the General had been collecting for many years the material for the biography.

He began working steadily on the manuscript, devoting as much time to it as his busy life would permit. Despite his age, General Grant's daily schedule of activities was that of a man half his years.

My wife and I spent the last weekend of his life with him on his estate in Clinton, New York. He had just mailed to his publisher some last minute corrections and the maps to be included in his books. A great load seemed to be removed from his mind, although he still faced the problem of preparing the volume for publication. As was the case with his grandfather, so it was with him; other hands had to finish the task, for General Grant died in his sleep four days later.

A meticulous scholar, General Grant 3rd had spent countless hours analyzing the activities and unraveling many disputed points in the life and career of his grandfather. No incident was too small for consideration. Soon will be published a fitting memorial to today's subject in the book, "U.S. Grant: Warrior and Statesman".

Both Grants, despite their military training, were ardent advocates of peace. Over the entrance-way to General U. S. Grant's tomb on Riverside Drive in New York City are inscribed the words, "Let Us Have Peace", which were the same as he had chosen for his presidential campaign; in fact, those simple words might be said to have been the goal of his life. General U. S. Grant 3rd also worked staunchly for peace, and for a number of years he served as President of the American Peace Society.

Soldier, Engineer, Scholar, City Planner, Historian, General U. S. Grant 3rd was all of these. He will be sorely missed.

Now to the subject of today's memorial service:

In his relatively short life of 62 years, Ulysses S. Grant achieved worldwide fame. Best known for his military accomplishments he considered more important his contributions to peace.

Despite the fact that he received the highest military honors which our nation can give to an individual and the fact that he became world-famous as a military strategist and leader, Grant had a humble opinion of himself. In a letter to his family, he wrote:

"The truth is I am more of a farmer than a soldier. I take little or no interest in military affairs."

Nevertheless, Grant was dedicated to the principle of total subordination of military to civilian rule in a people's government. In a little-known passage, he wrote:

"So long as I hold a commission in the army I have no views of my own."

One of the greatest triumphs of the Grant administration was the establishment of the principle of arbitration as a method of settling international disagreements. At the meeting called primarily to settle claims made by the United States that Great Britain was liable in damages for losses caused by Confederate cruisers, which had been built in British shipyards during the Civil War, the ensuing Treaty of Washington also settled other problems between the two nations. Thus was laid the foundation for the long and close cooperation between Great Britain and the United States which still exists today.

Immediately after his service as President, General Grant, his wife, and son, Jesse, left for a European vacation. Before this family returned more than two years later, the trip had become a triumphal world tour. Wherever he traveled Grant emphasized that bonds of friendship must be extended between and among nations. He foretold the League of Nations and also the United Nations.

So moving, so modern are many of the passages in Grant's remarks to European peoples, that one is tempted to quote all or as much as possible of them to any audience. To one group Grant said (in part): ". . . nothing would afford me greater happiness than to know . . . that, at some future day, the nations of the earth will agree upon some sort of Congress, which shall take cognizance of international questions of difficulty, and whose decisions will be as binding as the decision of our Supreme Court is binding on us. It is a dream of mine that some such solution may be found for all questions of difficulty that may arise between nations."

Everywhere he traveled he carried his message of peace and good will; in fact, Grant seemed almost an unofficial ambassador seeking worldwide harmony and understanding. When he returned the world seemed much better as a result of his self-imposed mission. The soft-spoken, shy, taciturn general had become an outspoken advocate of world harmony.

Possibly he could have become our first three term president. In the 1880 convention a strong movement for his candidacy sprang up. Although he did not actively seek the nomination, Grant did not refuse permission for his supporters to present his name; his sense of duty precluded that. He had more pledges than any other candidate, but not enough for the nomination. John Sherman, a prominent candidate with enough votes to give Grant the nomination, agreed to withdraw in his favor in exchange for an appointment as Secretary of the Treasury. Grant's reply was characteristic of the man:

"It was my intention, if nominated and elected, to appoint John Sherman Secretary of the Treasury. Now you may be certain I shall not. Not to be President of the United States would I consent that a bargain should be made."

True to his ideals, Grant ended his political career as uncompromisingly honest as he began it.

In the few brief years left to him Grant fought the gallant fight to provide for his family. He died having lived as a soldier who was a pacifist, a failure who was a success, a man of action whose greatest and last victory was as a man of letters. Truly a life of contrast!

Today this statue gazes serenely over this city which he helped save. This second largest equestrian statue in the world, symbolizes the rise to the pinnacle of success of an unwilling soldier; also it perpetuates the memory of a man who achieved the greatest elective office which the American people can bestow. Finally, and in his eyes far more important. It honors a sincere advocate of world peace.

CLIFF ALEXANDER PUTS HEAT ON THE FAKERS

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. DIGGS. Mr. Speaker, under unanimous consent I include the following article:

CLIFF ALEXANDER PUTS HEAT ON THE FAKERS

When 35-year-old Clifford Alexander, Jr., the recently resigned chairman of the Equal Employment Opportunity Commission, first came to Washington, some of the black leaders wondered if he was truly committed to the cause.

The skepticism arose primarily because of his background. Cliff looks, talks and acts like an Ivy Leaguer all the way.

He attended an exclusive high school in New York's Riverside, went to Harvard for his college work and took his law degree at Yale. While at Harvard he was elected president of the Student Council and finished cum laude. He met his wife to be while she was attending Radcliffe college.

Cliff also had all the Ivy League mannerisms, softspoken, very polite and always wore those Brooks Brothers suits. As one black leader commented to me Cliff had "all the earmarks of Mrs. Charlie's boy."

In this big-mouthed militant period with everyone beating his breast like King Kong, trying to prove that he is blacker than the next guy, or feels blacker, an individual with Cliff's background and attributes has a problem.

What the skeptics overlooked was the fact that Cliff was born, brought up and lived all his life, prior to coming to Washington, in the middle of Harlem.

You have to have rocks in your head not to know and understand the ugly facts of racism if you live in Harlem.

Another point the skeptics overlooked is that the more intelligent a person becomes the more sensitive he becomes toward injustice. Our white friends who are worried about Negro militancy seem to be under the illusion that education will cool off restive, angry blacks. History, however, offers plenty of proof that the only way to control and keep people in a servile and subordinate position is to keep them ignorant.

The slave masters understood this well and that is why they often punished the blacks who were found trying to learn to read and write. I know of one story where the slave owner caught one of his slaves with a book and proceeded to put his eyes out.

As a matter of fact it is this fear of waking up blacks, along with sex obsessions, that lay behind the rigid segregation of the races after emancipation. The white racists insisted that the Negro was inherently inferior but they would not risk giving him any educational opportunities.

Clifford Alexander, Jr., for several years, first in the White House and later as chairman of EEOC, has been battling the biased bureaucrats in Washington and winning some of those battles.

The measure of his effectiveness was finally clear to the nation when, a few weeks ago, Senator Dirksen at a public hearing on Capitol Hill threatened to go to President Nixon to have him fired.

According to Dirksen, Cliff was harassing those big businessmen. Nixon didn't wait to get a call from Dirksen, according to the papers. The President's press aide let it be known that Cliff was going to be replaced as chairman of EEOC.

Still more recently Cliff, in a speech in

Washington, laid bare the scandalous racism in the U.S. Civil Service Commission which is the agency that hires and fires the 2,800,000 employees of the federal government. He also charged that President Nixon is using the Civil Service Commission as a clearing house for rewarding his political friends.

Under the administrations of Presidents Kennedy and Johnson, blacks opened many new doors in Washington, including the Supreme Court and the Cabinet. We called them beachheads in the war against racism in the federal establishment. A beachead, to be of any value, must be followed up by the regular troops. The Civil Service Commission represents the agency that can do that job. The problem is, however, this agency is almost lily white. Cliff pointed out that of the 43 super grades in the Civil Service Commission not a single one is black.

We know already the testing methods and procedures for employment are oriented toward middle-class whites. Negroes and Spanish speaking Americans have long complained about this problem.

It is such an agency as the U.S. Civil Service that we find what can be called institutionalized racism. The operation is structured to keep out blacks and others who are regarded as "unqualified."

It is our hope that Clifford Alexander sticks to his fight. He has the brains to checkmate the racists and expose their tricks. We must give young black Americans the opportunities they seek and deserve.

The phrase "equality of opportunity" has become one of the most overworked phrases in the English language. All the politicians and business leaders make certain they throw the phrase in whenever they make a public speech. They are getting so they even do it in the deep South.

Our corporations in their advertisements proclaim they are an "equal opportunity employer." Can a black man get a job for which he is qualified? Does a black employee have the opportunity to rise to the top of the corporation? That is what equal opportunity means.

Young Americans have been lied to so often by the establishment that they are now in almost open revolt. The least the establishment can do is stop lying.

REVENUE SHARING

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. GAYDOS. Mr. Speaker, the equitable distribution of tax revenues between Federal, State, and local governments is one of our major problems which does not readily lend itself to simple solution. State and local officials are finding it increasingly difficult to meet their financial responsibilities and must seek Federal aid to alleviate this chronic condition.

I submit for the RECORD and call the attention of my colleagues to an editorial by Earle Wittpenn, on the subject of revenue sharing from the Homestead Messenger:

> Among the tax reforms that we may hear more about as time goes on will be discussion of methods for achieving more equitable sharing of tax revenues between federal, state and local governments. A growing body of opinion of both conservative and liberal tendency appears to be developing with the view that the top-heavy federal establishment which collects two thirds of all taxes in the nation must in one way or another return some revenue and initiative to local government. This may sound illogical in the light of seemingly chronic federal financial difficulties, but the truth is local government is in potentially worse shape than the federal government due to the nature of the taxing system.
>
> According to an article in Fortune magazine on "The Enticing Logic of Revenue Sharing" by Mr. Lawrence A. Mayer, the income tax on which the federal government depends heavily ". . . harvests roughly a 15 per cent increase in revenues for every 10 per cent increase in the G.N.P. (Gross National Product), State and local governments, on the other hand, get 85 per cent of their revenues from property, sales, and other taxes, which tend to increase only in one-to-one ratio with the G.N.P. Since state and local spending goes up perhaps 8 to 9 per cent a year, a rate that is normally faster than the growth of the G.N.P., state and local governments can balance their budgets only by continually raising the rates on existing taxes or introducing new ones."
>
> Mr. Mayer outlines a number of proposals suggested for redistributing tax revenue. On the surface, the most appealing proposal is that urged by Governor Rockefeller of New York under which the federal government would automatically give a portion of its revenues to state and localities each year. One plan recommends that the federal government turn over to the states annually a specific percentage—as much as 2 per cent—of the amount reported as net taxable income by all individuals in the U.S. The funds would be distributed to the states on a per capita basis with supplemental funds going to the poorer states.
>
> In theory at least, tax sharing of this nature would take the place of the unbelievably complex grant-in-aid system, whereby the federal government has its finger in every pie in the country. However, as Mr. Mayer points out, the idea of abandoning the grant-in-aid feature of federal operations is far from popular with Congress. "Congressmen," he observes, "are naturally pleased with a situation that shows them to good advantage, getting federal money for the folks back home."
>
> Others oppose the revenue sharing idea on different grounds. Representative Wilbur Mills, chairman of the powerful House Ways and Means Committee, believes that those responsible for spending tax money should also be responsible for raising it. He appears to agree with the conservatives who prefer reductions in federal taxes in the hope that states and localities would increase their own taxes as they assume the burdens now borne by the federal government. It is clear that under any form of tax sharing, whereby taxes are collected by Washington and then returned to the states, ultimate control of how the funds are spent will remain with the federal government. Advocates of tax sharing offer a number of plans for minimizing such control and, at the same time, facilitating the modernization and streamlining of state and local government.
>
> The whole idea of strengthening the fiscal position of local government seems to be based on the premise that centralized government in a nation the size of the United States is simply unable to respond efficiently to local and regional needs. As Mr. Mayer concludes, "The remorseless arithmetic of state and local budgets is certain to heighten interest in some form of revenue sharing. The issue is not primarily ideological. Many liberals, disenchanted with big, centrally directed federal programs, are as anxious as conservatives to see a rejuvenation of state and local government. But governors and mayors will have to put on a lot of pressure if the reluctance of Congress is to be overcome."

ADMONITION TO EGYPT

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. PELLY. Mr. Speaker, as the New York Times says editorially, the Soviet Union's call for strict observance of the United Nations' call for a ceasefire in the Middle East implies an admonition to Egypt which has originated most of the Suez fighting.

Cairo indeed should heed Moscow's advice and urge Arab guerrilla groups, particularly the Syrian-backed Saiqah, to cease their activities in the interest of arranging peace talks between Egypt and Israel.

Otherwise, Nasser may provoke an all-out attack which might even include nuclear-bomb attacks such as we used in Japan to bring peace through force.

Mr. Speaker, it is a horrible thought, but all war is horrible.

Hereinafter, by unanimous consent, I offer for printing, the text of the editorial referred to above:

GOOD ADVICE FROM MOSCOW

> The Soviet Union's call this week for strict observance of the cease-fire in the Middle East is a welcome response to Secretary General Thant's recent warning that things were getting out of hand along the Suez Canal. This implied admonition to Egypt, which has originated most of the Suez action, is the nearest Moscow has come in a long time to an even-handed approach to the problems of the area.
>
> A decision by Cairo to heed Moscow's good advice and cool the canal front would add credence to the Russians' concurrent pledge to devote "all efforts" to promoting a political settlement. Such action could strengthen and speed the Big Four talks now taking place in New York and the Big Two talks in Washington. The harmony of these discussions has not been helped by the discordant clamor across the canal of Soviet guns fired by Egyptian troops, operating with Soviet advisers.
>
> Another threat to the talks that deserves urgent attention from the Russians and their Arab friends is the pressure currently being placed on Lebanon by Arab guerrilla groups, particularly the Syrian-backed Saiqah. The Syrian Government and various guerrilla leaders are avowed enemies of a negotiated settlement. If they should succeed in destroying the moderate Beirut regime or even in upsetting Beirut's prudent policy of non-confrontation with Israel, they could touch off repercussions that would wreck all prospects for peace.
>
> If Moscow and Cairo have any influence in Damascus and with the guerrilla chiefs, now is the time to use it before it is too late. Today the guerrillas pick on Lebanon because it is small and weak. Tomorrow they may be after bigger fry—not necessarily Israel.

DR. ONABANJO GETS VERY UPSET OVER BLACK ATTITUDES

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. DIGGS. Mr. Speaker, I include the following article for the perusal of Members:

XUM

Dr. Onabanjo Gets Very Upset Over Black Attitudes

(By Louis Martin)

My learned Nigerian friend who has become a keen student of America affairs, Dr. S. O. Onabanjo, is disturbed by the treatment given Tom Mboya of Kenya who spoke recently in Harlem.

It seems that some Harlem brothers came close to clobbering the Kenya statesman because he suggested that American Negroes stay in America and work out their own salvation rather than try to migrate to Africa.

"You black Americans," Dr. Onabanjo told me, "are not Africans and we Africans have enough trouble trying to help our own people. Now if black Americans can give us money and technical assistance as the American Jews provide for Israel, there would be no problem. But the few black Americans who have money and technical skills do not seem to be interested in coming to assist us."

Dr. Onabanjo seemed considerably upset. He continued: "You have many wonderful black orators but we don't need any oratory. We need scientists, teachers, manufacturers, tool and die makers, electricians, plumbers, physicians, dentists, bricklayers, carpenters, and highly skilled helpers."

I finally interrupted Dr. Onabanjo to tell him about the new wave of student interest in black studies and African history. After a few moments Dr. Onabanjo responded: "You black Americans are trying to find a past and we Africans are trying to find a future."

He added: "Of course, I understand the psychological needs of black Americans and I do not want to deal harshly with their needs. It is a pity you cannot ignore the white man."

I pointed out that considering the realities of American life, his suggestion did not seem very bright. This set him off again as follows:

"All you black Americans seem to do is react to the white man. You react instead of act. If all the whites in America dropped dead tonight, you would be confounded tomorrow. The only practical people you seem to be developing are those Muslims. They have some strange beliefs but at least they are practical about meeting basic needs."

Before I could comment he rushed on: "This is a cruel world we live in. You blacks have permitted white Americans to paralyze your minds. It is almost witchcraft. Instead of crowding the public libraries to learn from all those millions of free books, your young people are drowning their sorrows in pot, sex and hooliganism. In areas where you do have good educational opportunities, instead of mastering the arts and sciences you are trying to impress whites with your blackness or with your clothes or your hairdos. In cold reality you are obsessed with psychic retaliations against the white man. The white students snub you and you spent your time trying to figure out how to snub them back. You are playing the white man's game all the time. You are obsessed with getting even with whitey, as you call him.

"I told Dr. Onabanjo that many black students were seriously at work mastering their subjects and not all of them were psychologically crippled as he suggested. He brushed this off and continued:

"I know that the white man has been and remains the great oppressor in your society. He wants to keep you as a subject, colonial people I understand this mentality.

"The only way for him to do that, however, is to keep you ignorant, poor and helpless. Thus when you fail to take advantage of every opportunity to get an education, to become skilled, to mobilize your economic and political resources, you are playing into his hands.

"My argument is very simple. Stop playing around with silly, retaliatory, time-wasting, irrelevant, posturing and play-acting schemes. Stop eating your heart out because the white man does not love you. Love between people is a very difficult thing. As a matter of fact in my native Nigeria you know there is no love lost between some of our own tribes and we are all black."

Dr. Onabanjo has learned some American profanity and I felt I had to delete some of his words because this is a family newspaper. Anyway he continued: "The reason I am so anxious for you black Americans to become skilled, intelligent and wealthy, is a very selfish reason. The time may come when you may be able to help our struggling new nations in Africa. You may be able to do some of the things for us that the Jews, as mentioned earlier, are doing for Israel.

"Your country has moved slowly in providing you with opportunities but I feel so sad when I see how your psychological hang-ups prevent you from taking advantage of the opportunities that come your way."

Dr. Onabanjo finally ran out of steam. As we parted company, he asked me to find some beads and a drip-dry dashiki for his young son in Nigeria who wants to visit him here.

SCANDAL AT SBA-V

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. GONZALEZ. Mr. Speaker, these past days and weeks I have had the duty to inform the House of serious evidence that the special assistant to the Administrator of SBA, one Albert Fuentes, has misused and furthermore intended from the very beginning to misuse his office. I have called upon the Administrator to suspend this man from his duties pending an investigation, but the Administrator has only stated that an investigation is taking place; the press reports that Fuentes is still not suspended.

Mr. Speaker, not only have I evidence that this man abused his office and intended to do so from the beginning, but I also believe that by no stretch of the imagination was he ever qualified to perform his high office in the first place. I do not believe that even a routine investigation was made into his trustworthiness; and in fact I am compelled to the conclusion that a waiver of such an investigation was made by the Administrator. If such an investigation had been conducted the appointment probably would never have been made.

I wonder, what does a special assistant do at SBA? Is his job to process loans, or to help applicants with their loans?—and if he did help anyone it appears that a price was charged above and beyond the salary taxpayers provide. Or is he instead a sort of political handyman, hired to help with the difficult business of making sure that the political plums and hatchets fall in the proper hands and on the proper heads? Or is he a sort of secretary, to deal with the problems that bedevil any high official? Whatever he is, is he qualified for the job? What did, or does this man know that makes him so indispensable to the Administrator?

Mr. Speaker, I am awaiting answers from the Administrator, and thus far I have heard only an empty silence.

CONGRESS MUST ESTABLISH GUIDES FOR CONGRESSIONAL REDISTRICTING

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. DULSKI. Mr. Speaker, in view of the dilemma posed by recent Supreme Court decisions, I am convinced that the Congress must act promptly to set reasonable guidelines for congressional redistricting.

Since the Supreme Court did not set any standards in ruling invalid certain State reapportionments—including New York's of last year—it is essential and proper that Congress fill this gap.

Indeed, unless Congress acts to set some reasonable standards, these court challenges are going to continue indefinitely. As the situation is left by the Court, a variation of a single resident between congressional districts can be the basis for court challenge.

Until the Court's famous one-man, one-vote ruling several years ago, the States were left to their best judgment based upon "rules of thumb" which they believed would withstand challenge in court.

I have no intention here of criticizing the Court for its rulings. That is the Court's function and it acted upon the basis of existing laws. Further, I would not go along with those who would seek to limit the Court's jurisdiction.

ACTION IS IMPERATIVE

But I do feel it is imperative that Congress exercise its responsibility and set standards for redistricting.

Today I am introducing legislation which would prescribe standards for congressional redistricting, allowing a maximum variation from the State's average of 10 percent above or 10 percent below.

I think this is a reasonable variation to permit States to follow practical geographic—municipal or county—lines in drawing district lines.

The base for setting lines should be the decennial census and there should be no more than one redistricting within the decade.

The fallacy in redrawing the congressional district lines in New York State in 1968—or, as now decreed, again in 1970—is that the census data is now nearly 10 years old and completely out of date.

Let me use my own case as a glaring example—but, it is by no means the only example that could be cited.

LOOK AT MY CASE

As a result of the 1960 census, the lines for my 41st District were redrawn so that my district had a census population of 435,858. My neighbors had 436,022 in the

40th District and 435,077 in the 39th. The three districts together comprise two counties—Erie and Niagara—which form the Niagara frontier. The balance in population between the three districts was and is completely reasonable pending a new statewide census.

These three districts were not changed in the 1968 redistricting by the State. But the new Court order would require a change for the 1970 election because all three districts exceed the 1960 average for the State.

Today, my district is estimated to comprise only about 375,000 persons—nearly 61,000 less than in 1960. This is because of a loss of population as a result of urban renewal and major superhighway projects which have cut through my district. In contrast, the 39th District is now estimated to contain 515,000 persons.

CENSUS DATA 10 YEARS OLD

Yet, when the State follows the Supreme Court's edict and redraws the district lines for next year's election, it will be on the basis of a 1960 average of about 410,000 per district.

Since there has been no statewide census since 1960, that means my district will be reduced by about 26,000—down to an actual total of about 349,000 persons as of today. The 39th District will be cut by about 25,000 from its 1960 figure to an estimate as of today of about 490,000. Similar distortions will occur elsewhere in the State.

So where is the practicality of a novariation redistricting based on 1960 census data when it is simply going to compound the distortion rather than solve it?

The fault, of course, lies with the lack of standards. It is the job of Congress to fix the standards, particularly since the court did not take the opportunity to spell out its own views. Clearly, of course, this is a legislative function anyhow, and perhaps we can be glad the court did not set standards.

COSTLY EXERCISE IN FUTILITY

But it does set the stage for a completely ridiculous and wasteful exercise in futility in advance of the 1970 election.

Indeed, I am informed reliably that it will cost our already financially hardpressed New York State a million dollars to undergo another futile congressional redistricting for the 1970 election in order to comply with the Supreme Court decision.

The new population census will be taken next April, but the detailed breakdown in the larger cities, which is essential for redistricting, will not be available until the end of the year.

The 1970 population data will be used for the redistricting for the 1972 election, but Congress certainly needs to have set standards well in advance of that time if the States are to have the guidance they need and deserve.

MUST HALT HARASSMENT

If Congress fails in this responsibility, not only New York, but most all States, face continual harassment in the courts until such time as the Congress does act to clarify the rules.

In December 1967, Congress did take a step in the right direction by barring statewide at-large congressional elections because of challenges of State apportionments. That action was necessary at the time to prevent chaos in States where lines were challenged and a deadlock developed on redistricting.

Can you imagine the chaos that would result if the 41 New York seats were filled by statewide election?

Congress cannot leave the vague legal basis that now exists in view of the one-man one-vote edict. The Congress must exercise its responsibility and put guidelines into law so as to cut off harassment and nuisance challenges in courts after a State makes a good faith and responsible reapportionment.

CONVENTION ACTION UNLIKELY

If a State fails to meet the guidelines set by Congress, it still would be subject to court challenge, as is proper and necessary.

Actually Congress should go a step further than simply writing guidelines to apply to future redistricting. Congress also should seek to overcome the ridiculous and distortion-prone redistricting now ordered for next year's election in New York and other States.

I am fully aware of the pending call for a constitutional convention to deal with the one-man one-vote rule for reapportionments.

But, I think it would be a grave mistake to delude ourselves into thinking that such a convention—if, in fact, it ever is called—would set guidelines for congressional redistricting. This job, I repeat, is a job and a responsibility for Congress.

AN EXTRA STAFF MEMBER FOR EXCEPTIONALLY LARGE DISTRICTS

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. POLLOCK. Mr. Speaker, today I have introduced a bill which directly affects the 19 largest congressional districts in area. Of this number, Mr. Speaker, three represent entire States. According to the Library of Congress, the average size congressional district in the United States, and this excludes Alaska, is 6,972 square miles. My district is 586,400 square miles. I can give to each and every Congressman 1,345 square miles and still have a congressional district left over.

Mr. Speaker, my bill, as I mentioned, affects the 19 largest congressional districts. The total area in square miles of the 19 smallest districts is 226 square miles. The 18 largest districts excluding Alaska is 1,030,641 square miles. The largest 19 represent an area of 1,617,241 square miles.

Mr. Speaker, in my State the distance between the capital city and the largest city of the State is 884 miles by highway. The distance between the other two major cities in Alaska is over 500 miles. Mr. Speaker, these large districts and those Congressmen who represent entire States face unique problems that are not faced by the majority of our colleagues. Most of us have innumerable Federal programs and projects operating within our areas. We have problems of such a diverse nature that they cannot be totally appreciated by a man who represents 4 square miles.

In the 19 smallest districts that is one Congressman per 11.8 square miles. In the 19 largest districts including Alaska that is one Congressman per 85,117 square miles and even excluding Alaska the next 18 largest districts have one Congressman per 57,257 square miles.

My bill would authorize a Congressman who represents an area which is five times the size of an average district, and Mr. Speaker, including Alaska there are only 19 of us, one additional member for each staff and a base pay of $4,800. This body has recognized that a Congressman who represents a district which has more than 500,000 persons is entitled to an extra staff member and justifiably so. But in the same vein, those of us who represent the exceptionally large districts are also entitled to an extra staff member.

COLLEAGUE HARRY R. SHEPPARD, OUR CALIFORNIA CHAIRMAN

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. LEGGETT. Mr. Speaker, a book was closed last week with the departing of this life of our colleague, Harry Sheppard. Harry represented well his 27th San Bernardino District of California—witness his reelection for nearly 30 years when he voluntarily decided to step back out of history at the end of the 88th Congress at the age of 80 years.

Of diverse background, Harry, a Southerner by birth, was schooled in engineering at Georgia Tech, studied some law, worked for the Santa Fe Railroad, coppermined in Alaska, detectived in Fresno, developed Kings Beverage and Kings Laboratories. Over 30 years in Congress, Harry rose to vice chairman of the Defense Appropriations Subcommittee and chaired the Military Construction Subcommittee.

Most of all we younger Members revered Harry as the unpredictable melancholy chairman of our 38-member congressional delegation.

A sincere partisan voice for the Democratic Party, Harry's spirit will kindle future generations.

NEWSLETTER

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. SCOTT. Mr. Speaker, since coming to Congress, I have attempted to keep my constituents informed of my activi-

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ties as their Representative through a monthly newsletter. A copy of the May issue is inserted at this point in the Record for the information of my colleagues:

Congressman Bill Scott Reports

VISIT WITH THE PRESIDENT

Since the last newsletter, I have had the opportunity to confer with the President at the White House with regard to several matters of importance. In view of our long delay in obtaining relief for commuter traffic, I suggested that there should be a federal interest in getting government employees and others in and out of the Capital of our Nation in a reasonable manner. A second matter related to correctional institutions at Lorton and the manner in which the District of Columbia Government has handled disturbances by its prisoners within the State of Virginia with the suggestion that the U.S. Bureau of Prisons take over the operation of all of the District correctional institutions at Lorton. A third matter discussed was the concern of a number of school districts with federal direction of the operation of school systems. The President was attentive to all these concerns and directed his assistants to work with me to try to alleviate the problems insofar as possible. Regardless of the ultimate outcome, it is comforting to know that we have someone in the White House to whom these problems can be presented and who appears to have an interest in helping with solutions.

POST OFFICE AND CIVIL SERVICE

Retirement

HR 9825, a bill to strengthen Civil Service Retirement Fund financing and retirement benefits, mentioned in last month's newsletter has been favorably reported by the Full Committee and cleared for floor action by the Rules Committee, but the House Leadership has been reluctant to schedule it. It now appears, however, that it will be considered in the House in about ten days.

Postal reform

The Full Committee on Post Office and Civil Service has been conducting hearings for a number of weeks on various postal reform proposals. There is near uniformity of the Committee that partisan politics should be removed from the day-to-day operation of the Department and that appointments and promotions should be based upon the merit system except for top policy positions. However, wide differences of opinion exist on most other reform measures. Some would establish a public corporation to operate all phases of the Department; others would constitute a postal authority with power to borrow money and issue bonds to construct facilities and modernize machinery for the handling of the mail. Some would have a Postmaster appointed for a 12-year term and his principal assistants for 6-year terms on a non-partisan basis. This Department renders a vital service to the country, employs more that 700,000 people and I believe we should carefully consider all proposals including the recommendations of the Postmaster General before determining what action should be taken to strengthen and improve the postal service.

Postal rates

The President has recommended to Congress that postal rates be increased in order to cut the $1.2 billion deficit that faces the Post Office Department in fiscal year 1970. These recommendations include: (1) Increasing first class letter mail to 7¢ per ounce; (2) Adding a handling charge of $\frac{3}{10}$ cent per piece on second class mail—newspapers and magazines—mailed outside the county of publication; and (3) Increasing the bulk third class mail from its present level of 3.6¢ per piece to 4.2¢ per piece. Of course, Congressional action is necessary if these recommendations are to become law. Under the present rates, first class mail more than pays its way and I am inclined to oppose this feature. On the other hand, second and third class mail is handled at a loss and an increase may be warranted. It seems reasonable that users of the mail should pay for the service they receive, unless a subsidy is clearly in the public interest, and the rate increases in these two classes of mail which the President has recommended appears to be proper.

COLLEGE DISTURBANCES

The Committee on Education and Labor has been looking into the Federal Government's role in dealing with the growing number of disturbances on college campuses. Members are concerned with the adequacy of existing law involving federal funds for higher education. Current law does deny federal grants or loans to any student convicted in a court of a criminal act in connection with a disturbance. However, some institutions have been reluctant to file complaints and the age of offenders has sometimes protected them. Recent developments, however, raise the question as to whether federal laws must be strengthened and additional hearings are planned for the end of the month. It does seem, however, that the primary responsibility for handling campus disorders lies with college and local authorities, with the right to call upon state and Federal authorities when they consider it necessary.

YOUNG VISITORS

We enjoy having school groups visit the Capitol and are listing some of our recent visitors. If your group would like assistance in arranging a tour, please call us at 225-4376.

Gunston Elementary, Lorton; Wolftrap Elementary, Vienna; Hollin Hills Intermediate, Mt. Vernon; Burrows Elementary, Prince William; Dale City Elementary, Prince William; St. Louis Parochial, Mt. Vernon.

Fort Hunt High, Mt. Vernon; C. T. Smith High, Ladysmith; Woodson High, Fairfax; Fred M. Lynn, Woodbridge; Stonewall Jackson, Manassas; York Academy, Shacklefords.

NEW BILLS

In view of the increasing violence being portrayed on television, I have joined with a number of my colleagues in introducing a resolution, H.J. Res. 254 which directs the FCC to conduct a study and investigate the effects that television violence has on viewers. What may be another facet of the same problem is the pornography or "smut" literature that is being sent in great quantities throughout the nation. It is almost impossible to control the distribution of this material as long as there is a market for the smut-peddler's product; however, I have joined with other members co-sponsoring H.R. 6288 which prohibits the mailing of obscene matter to minors, and H.R. 10876 which will afford protection to the public from the offensive intrusion into their homes by sexually oriented mail.

PUBLICATIONS AVAILABLE

We have the following Agricultural bulletins available for distribution. Please let us know the names of any you would like to receive:

Simplified Clothing Construction.
A Guide to Budgeting for the Family.
Food for Families with School Children.
Calories and Weight.
Equipment for Cooling Your Home.
Making Basements Dry.
Removing Stains from Fabrics.
Fertilizers from Lawns and Gardens.
Exterior Painting.
Suburban and Farm Vegetable Gardens.
Sanitation in Home Laundering.
How to Buy Fresh Vegetables.
How to Buy Fresh Fruits.

SALEM CHURCH DAM

The revised budget of the President has included the sum of $150,000 for pre-construction planning for the Salem Church Dam and Reservoir. You will recall that this project, which has been the subject of interest for a number of years, was finally authorized by Congress last year and this initial funding will permit plans to be commenced for ultimate construction. The Appropriations Committee plans to conduct hearings on the matter on June 11.

WARSAW MAN RECOMMENDED FOR CARNEGIE MEDAL

Some constituents in Warsaw thought Charles Lewis had done a marvelous job of life saving last November when he rescued three men whose boat had been swamped in the Rappahannock River. They asked me to look into the possibility of his being awarded the Carnegie Hero's Medal for his bravery and this week the Carnegie Hero Fund Commission advised that in recognition of his heroism he is being recommended for their bronze medal. Let me add my congratulations.

CENSUS HEARINGS

The Subcommittee on Census and Statistics is continuing to hold hearings on the 1970 Census of Population and Housing both in Washington and in various localities around the country. One public hearing on the various proposals to reduce the size of the questionnaire or to eliminate its mandatory provisions will be held at 10 A.M. on Monday, May 26 in the Council Chamber of the Town of Vienna, 127 Center Street, S., Vienna, Virginia. Should you desire to testify, please let me know promptly and I will request the Subcommittee to issue an invitation to you.

HEARINGS ON PRINCE WILLIAM COUNTY LAND PURCHASE

The District of Columbia Committee commenced hearings on April 29 on legislation to authorize the City of Washington to convey 350.4 acres of land along the Potomac River just north of Neabsco Creek near Woodbridge to Prince William County to be used for a sanitary land fill, a sewage disposal plant and for recreational purposes. The portion initially to be used as a land fill also would ultimately be utilized for recreational purposes. There were some non-resident witnesses who appeared in opposition to the proposal but the County Board of Supervisors had unanimously requested me to introduce the Bill and apparently the acquisition is desired by people of the Woodbridge area to meet necessary governmental and recreational purposes in this fast growing area. The Subcommittee appears to be favorable to the legislation but Members have indicated a desire to make a personal visit to the property prior to taking final action upon the bill.

SOMETHING TO PONDER

Our real problem is not our strength today; it is the vital necessity of action today to ensure our strength tomorrow. Dwight D. Eisenhower, January 9, 1958.

RUMANIAN INDEPENDENCE DAY

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. TAFT. Mr. Speaker, May 10 marks the 83th anniversary of Rumania's independence from the old Ottoman Empire and her establishment as a separate nation in 1881. Four years earlier, on May 10, 1877, the Rumanian people had proclaimed their independence but had to fight on the battlefield to attain it and crown Charles I, King of Rumania. Charles had served as Prince of Rumania since May 10, 1866, when the Rumanian dynasty was established from the southern branch of the Prussian Royal Family.

May 10, therefore, marks three notable events in the history of the Rumanian people. They have remembered this date through the strife-torn Balkan wars, World War I, World War II, and the Soviet occupation. They remember it even though the Communist government shifted the official national celebration from May 10 to May 9 to mark the Soviet military victory in 1945.

On May 10 we salute these gallant and courageous people who have withstood the trials of hot and cold war alike. We extend national holiday greetings to those Rumanians who over the years have migrated to this country and to those who remain behind to await the day when full freedom will be restored to them.

POSTAL REFORM URGENT

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. DULSKI. Mr. Speaker, our Committee on Post Office and Civil Service has begun hearings on reform of the postal service. This is a most urgent and important matter and I want to commend my colleagues on the committee for the conscientious interest and attention which they are giving to this vital matter.

There is no question in my mind that the American public wants reform of the postal service. It is the Post Office Department which has the responsibility for providing mail service.

However, the Department never has been given the authority it needs to do the job, nor has the Department been released from the incredible financial and administrative shackles which have been imposed over the years.

Mr. Speaker, my attention has been called to a perceptive May 6 editorial in the Sacramento, Calif., Bee. Following is the text of the editorial:

U.S. POSTAL SYSTEM CRISIS DEMANDS OVERHAUL, SELF-SUPPORTING BUDGET

Overhaul of the US postal system along the lines of a measure proposed by Rep. Thaddeus J. Dulski, D-NY, chairman of the House Post Office and Civil Service Committee, is needed urgently if the system is not to suffocate in a paper blizzard of mail.

The system, which directly affects every citizen yet is taken so for granted, confronts the worst crisis in its history.

President Richard M. Nixon has recognized the gravity of the situation in his plan to institute basic reforms of postal rates.

Year after year the system's problems multiply, and solutions lag far behind. It is the prime government agency operating with a built-in deficit, predicted at more than $1 billion for the next fiscal year. It faces sharply rising costs, slowly rising revenue, mounting volume of mail and often erratic service.

Considering the Herculean task with which it is shouldered, the wonder is the system does not break down more often than it does—a notable example being that of Chicago a few years ago. The U.S. Post Office handles more than half the world's mail. There were 82 billion pieces handled last year and before long the figure will mount to an incredible 100 billion pieces.

Postmaster General Winton M. Blount put it bluntly: "The sort of breakdown that happened in Chicago could happen today in any one of a dozen places across the country—and it could happen in a lot of places at the same time."

One of the handicaps confronting the Post Office, according to many experts, is bureaucracy and its sidekick, political patronage.

It was to eliminate this that the Kappel Commission urged creation of a government-owned corporation to operate the postal service as a self-supporting business, free from politics. The commission's recommendations have been embodied in House and Senate measures.

Yet this would not be the best way to solve the problem in the long run. It would replace bureaucracy of government with the same self-serving structure of a semi-private corporation.

Dulski's proposal is in the right direction. It would overhaul the postal service, keep it as an executive department, but would require that it set its own budget and support itself from its own revenues. This approach should result in more responsive public service and distribute the costs among the populace more equably.

Mr. Speaker, now that the administration has come up with its proposal for a postage rate increase—buried as it was in an inadequate bill aimed at controlling obscene material being sent through the mails—a television station in my home city of Buffalo, N.Y., WGR–TV, has recalled an interesting editorial which it broadcast at the time of the last postage rate increase.

Following is the text of the WGR–TV editorial broadcast on April 28:

POSTAL RATE INCREASE NO. 2

It's almost as though we were looking into a crystal ball! The Postmaster General has made a request to Congress for a rate increase.

We broadcast this editorial in December of 1967 . . .

"Cast your mind into the future, way forward to say . . . the year 2 thousand and 15. The President of the United States has just announced the 85-cent postage stamp. In announcing the 85 cent stamp the President expressed his regrets that the 80 cent stamp just didn't work out, but with the extra billions that the additional nickel a stamp will bring he is sure that the postal department will solve its huge problems, including the minimum 4 week delivery time for first class letters.

The Chief executive went on to scoff at reports of an attempt to revive the Pony Express of frontier days. He also called laughable the "Mail Pools" that have sprung up in major cities across the U.S. where drivers are taking turns delivering the neighborhood mail on a private basis.

When reminded that through the years many experts had recommended streamlining the post office department, of installing more efficient methods borrowed from private industry, instead of continually raising postal rates, the President had no comment.

In response to a reminder that last years Christmas mail wasn't delivered until Valentine's Day, the President muttered darkly, "There's always the 90 cent stamp."

That editorial was broadcast 16 months ago. We still contend that a postal rate increase is not the answer to the problem . . . and that 85-cent stamp could become a reality.

VALUE OF DRAFT AND ROTC

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. FLOWERS. Mr. Speaker, much of the unrest prevailing on college campuses across our land has been generated by student protests against ROTC and the draft. Along with many other Americans, I am concerned at the prospect of the far-reaching effect if the protestors are successful in abolishing the draft and driving ROTC from all campuses.

No reasonable alternatives are suggested. Perhaps none are desired. Likewise, the protestors apparently have not carried the matter out to its logical conclusion.

I would like to offer for inclusion in the RECORD an editorial appearing in the May 8 edition of the Graphic, a newspaper published twice weekly in my hometown of Tuscaloosa. The editor and publisher of Graphic, Mr. Karl Elebash, Jr., has wide respect in our area for his editorial ability and policy, and regularly produces important, forthright and well-considered material for his readers.

The editorial, which follows here, contains much food for thought in establishing the value and importance of the draft and the ROTC program.

VALUE OF DRAFT AND ROTC

Opposition to the draft and Reserve Officers Training Corps system are given as reasons for some of the student protests around the country. They are popular targets of criticism since they easily lend themselves to emotional arguments against the war and militarism.

The arguments are far short of the mark. It would be a sad day for the basic principle of the citizen army that underlies defense thinking in the United States for either the draft or ROTC to be abandoned. They are keys to our overall defense program.

They prevent growth of a powerful military caste system in this nation. They insure that our services will be heavily leavened by civilians there solely to serve their country and not there for love of militarism.

A volunteer defense force would lose much of the special esprit de corps that a grousing civilian influence gives our present military organization. We have our doubts that a strictly volunteer service would give us the numbers of men needed. To build such a force would be to encourage the development of a military caste system, to create a separate group of people, largely mercenaries, with little in common with the traditional ideals of American freedom.

The ROTC system is the very heart of the leadership mechanism for our civilian defense force. Our service academies would have to be expanded and multiplied many times over to fill the demand for officers were there no ROTC. To eliminate ROTC—the means by which civilians are trained as officers—and replace it with powerful new service academies surely would be the way to creation of a new society of professional militarism in the United States.

We think the campus opponents of the draft and ROTC do not know what they want. In abolishing them they would create the militaristic society they profess to abhor.

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HEADSTART DELEGATION TO HEW

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. QUIE. Mr. Speaker, the air is filled with considerable concern about the delegation of Headstart to the Department of Health, Education, and Welfare, as well as about the value of Headstart itself.

Jude Wanniski's column, "This Week in Washington" places the controversy in good perspective and I draw it to the attention of persons genuinely interested in bringing the best possible education to all children.

THIS WEEK IN WASHINGTON: A LAGGING HEADSTART

(By Jude Wanniski)

The White House has known for some time that the Head Start program has not earned its widespread popularity. But instead of puncturing public euphoria by denouncing this Great Society effort as a failure, President Nixon has decided to have another go at making it work.

The dimensions of the program's shortcomings, revealed last week in a study undertaken for Head Start's parent, the Office of Economic Opportunity (OEO), suggest any new effort will have to start almost from scratch. Westinghouse Learning Corp., working with Ohio University, spent almost a year studying the impact of preschool "compensatory education" on deprived youngsters.

Their study, covering tests on 2,000 children, flatly asserts that Head Start youngsters have acquired no more learning ability than equally deprived children who did not go through the program. Some slight learning-ability improvement accrues to the children who participate for a full year rather than only a summer, but even these benefits of the full-year Head Start "cannot be described as satisfactory," the study concludes.

Not all those associated with the study, however, agree with its conclusions. Dr. William G. Madow of Stanford University, a leading statistician who was a consultant to OEO on the study, asked that his name be removed from the report. Government statisticians and other outside advisers also criticized the study, arguing that its design and interpretation were faulty.

The report did not measure the "spin-off" effects of Head Start, although these are considerable. By getting into school situations earlier than usual, poor children do get medical and dental attention, free lunches, and other beneficial extracurricular amenities. But it is difficult to justify a program that isn't meeting its primary objective: stimulation of the child's emotional, social, and intellectual development.

Because of the program's popularity in the nation and with Congress, the Westinghouse report had had a chilling effect in the Capital. From the day Head Start was unveiled in February 1965, it seemed an obvious solution to the problems of culturally deprived poor children. Sargent Shriver, then OEO director, announced it as an experimental program and put out a call to educators for 10,000 children. In three weeks, OEO had requests for 100,000 slots and in that first summer 576,000 children participated. Participation grew while it was assumed that Head Start was achieving a high degree of success. But as Head Start children moved through the lower elementary grades, there were signs that their early advantage had faded.

President Nixon and the Urban Affairs Council had advance knowledge of the Westinghouse findings and in February hinted of "mounting evidence that Head Start has not yet proved as effective as had earlier been thought." But rather than disparage the effort, Mr. Nixon stressed that "it is still experimental" and called for a "national commitment to provide all American children an opportunity for healthful and stimulating development durng the first five years of life."

As a result, Head Start will be pulled out of OEO on July 1 and transferred into a new Office of Child Development within the Department of Health, Education, and Welfare (HEW). In line with the Westinghouse recommendations, the summer Head Start will be terminated gradually, starting in 1970. This year there are 218,000 full-year slots and 476,000 summer slots, costing $1,050 per full-year student and $220 per summer student. Next year the number of summer students will be halved and the number of full-year students increased by 50,000.

More importantly, the program will lose some of the "institutional" status that it was acquiring through its popularity and revert in part to an experimental effort, albeit a vast and costly one. Educators and social scientists who had envisioned Head Start doubling in size and ultimately solving all the preschool deficiencies of the poor will now have to wait until HEW finds a formula that it believes will work. HEW Secretary Robert Finch now will require that 5 per cent of all Head Start funds going into bigger cities be earmarked for experiments. The Administration believes that with varying techniques being tried throughout the nation, some one will turn up a form of compensatory education that will stick.

Westinghouse suggests a model program: "Such an intervention program would begin prenatally, with education and medical help to the mother, followed by a program of infant education for the first two years, then a two-year Head Start program, and suitable kindergarten and elementary-grade school experience, all articulated and operating as part of one system." Such a scheme stops just short of installing infants in state-run nurseries as a means of breaking the poverty cycle.

After four years and the expenditure of $2 billion, Mr. Nixon suggests that the one clear lesson learned from the Head Start experience is that intervention in child development "is more complicated and difficult than had been expected, and more fraught with frustration." This difficulty, Mr. Nixon adds, tweaking social planners who offer pat solutions, is perhaps something "that mothers have always understood but that only men have failed to take notice."

UTAH COMMEMORATES THE DRIVING OF THE GOLDEN SPIKE

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. BURTON of Utah. Mr. Speaker, as you know, this past weekend at Promontory Summit in Utah there was a reenactment of the driving of the Golden Spike, commemorating the 100th anniversary of the thrilling occasion when East met West for the first time by rail. It was my privilege, along with some 16,000 others, to attend these ceremonies at which Secretary of Transportation John A. Volpe drove a golden spike at the same spot where Leland Stanford, the Governor of California and the president of the Central Pacific Railroad, and T. C. Durant, vice president and general manager of the Union Pacific Railroad, had driven it a century before. My feelings at this historic ceremony could not be better expressed than was done by the Christian Science Monitor in its editorial of Saturday, May 10, 1969, entitled "The Golden Link." The editorial follows:

[From the Christian Science Monitor, May 10, 1969]

THE GOLDEN LINK

In this day when the railroads are not all that they once were in the public eye, above all passengerwise, it is instructive to think back on the thrill which swept America exactly 100 years ago today. On that day, May 10, 1869, the famous "golden spike" was driven at Promontory Point, Utah territory, linking the Atlantic and Pacific coasts of the United States. An immense land, some 3,000 miles in width, had been spanned by thin steel rails, a crucial jumping-off point in America's steady movement to a position as the richest and mightiest nation on earth.

With the terrible travail of the Civil War behind it, the nation was able to turn its bursting and growing energies to the most romantic of its many sagas, the winning of the West. With vast numbers of Chinese coolies swinging pick and shovel from west to east, and with equal numbers of strong-backed Irish immigrants doing the same from east to west, the Central Pacific and the Union Pacific drove toward each other. And as they did, new economic blood surged behind them, opening fresh lands and building new industries.

Today, in many ways, the sense of America's physical immensity is being lost. The steady crushing of regional differences, the speed of jet travel, the influence of television and radio, all combine to bring people and areas nearer together mentally. That this is good in most ways is indisputable. Yet something has gone from national life which was present when the very thought of traveling from Boston or New York to New Orleans, to San Francisco, to Dallas was breathtaking and involved days in a railway coach. Perhaps if more of us would ride the rails transcontinentally we could recapture some of that old-time thrill.

SOME PEOPLE DO GET INVOLVED

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. FASCELL. Mr. Speaker, on Thursday I addressed some remarks to the need for public support in the Federal effort to combat organized crime. The need for the individual to "get involved" is also imperative if we are to stop the alarming trend toward street crimes which have been plaguing our Nation.

WTVJ-TV in Miami, Fla., has begun to make Good Newsmaker Awards to citizens who do get involved and who care enough to stop and help when they see a fellow man in distress. On April 28, 1969, this award was presented to 64-year-old Edward Whittlesey, a bond sales coordinator for the expansion of South Miami Hospital.

While driving near downtown Miami one late afternoon, Mr. Whittlesey saw three men attacking an old man. He

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stopped his car and ran to the aid of the fallen victim. The attackers released the old man, who ran away, and then beat and robbed Mr. Whittlesey.

This example might say to some, "all the more reason not to get involved." However, as Ralph Renick, of WTVJ, noted:

> Perhaps Mr. Whittlesey's courage and concern . . . will rub off on more of us. If it does, everything will be a lot better for it.

Mr. Speaker, I commend both Mr. Whittlesey for his heroic act and WTVJ for recognizing the need to support the good news as well as the bad by initiating these Good Newsmaker Awards.

A RESOLUTION

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, on March 20 I had included in the RECORD a resolution of the city of Cambridge opposing the anti-ballistic-missile system. It is my privilege today to request permission to include a resolution from the great and General Court of the Commonwealth of Massachusetts memorializing the President of the United States, the Secretary of Defense, and the Congress of the United States to suspend and halt the construction of the Sentinel anti-ballistic-missile system.

Mr. Speaker, there are several whereas phrases preceding the resolutions, and I would like to call my colleagues' attention to them. The great and general court understands that there is great doubt and disagreement within the scientific and political communities concerning the effectiveness of the ABM system. Besides this, there are great dangers in the ordering of priorities represented by a huge commitment of funds necessary for an ABM system rather than a commitment to the domestic needs of our Nation. There can be no doubt that a decision to begin an anti-ballistic-missile system will not end with a thin system. But, as the legislature says "will inevitably increase the pressure for the construction of an even costlier and more elaborate 'thick' anti-ballistic-missile system." The cost can only escalate and with it comes the escalation of the arms race and diminished chances for peace and security in a nuclear age.

Mr. Speaker, I include the resolution in the RECORD at this point:

RESOLUTIONS MEMORIALIZING THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF DEFENSE AND THE CONGRESS OF THE UNITED STATES TO SUSPEND AND HALT THE CONSTRUCTION OF THE SENTINEL ANTI-BALLISTIC-MISSILE SYSTEM

Whereas, The United States Army Corps of Engineers has temporarily suspended the construction of Sentinel anti-ballistic missile sites in the Lynnfield-Reading and North Andover areas of the commonwealth of Massachusetts pending further study; and

Whereas, There have been repeated reports emanating from the Department of Defense that the current study will not lead to the abandonment of the anti-ballistic missile system but merely to its redeployment in other less populated areas of the commonwealth of Massachusetts; and

Whereas, The entire concept of the deployment of a "thin" anti-ballistic missile system against the possible penetration of missiles from the Chinese communists is highly questionable and could substantially increase the risks of enemy attack to the citizens of Massachusetts without offering them any additional security or protection; and

Whereas, Considerable doubt exists within the scientific and political communities and among informed national leaders as to the wisdom, desirability and effectiveness of the Sentinel Anti-Ballistic Missile System; and

Whereas, The deployment of the anti-ballistic missile system will commit the United States to an extremely costly defensive system, and will inevitably increase the pressure for the construction of an even costlier and more elaborate "thick" anti-ballistic missile system, designed to intercept ballistic missiles fired at the United States from anywhere in the world, thus escalating the arms race; and

Whereas, The history of military strategy demonstrates quite clearly that defensive systems tend to become obsolete very rapidly, cannot achieve their purpose against offensive innovations and tend to encourage a false, Maginot Line sense of security; and

Whereas, The deployment of the anti-ballistic missile system in any form, including the so-called Safeguard System, would result in the further distortion of essential national priorities, particularly on the domestic scene, and would deprive the cities and states of this nation of the federal financial assistance which they desperately need in order to meet their pressing problems; therefore be it

Resolved, That the General Court of Massachusetts respectfully urges the President of the United States, the Secretary of Defense and the Congress to undertake appropriate action to suspend and halt the construction and deployment of the Sentinel Anti-Ballistic Missile System; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the State Secretary to the President of the United States, the Secretary of Defense, to the presiding officer of each branch of Congress and to each member thereof from the Commonwealth.

Senate, adopted, April 2, 1969.

NORMAN L. PIDGEON,
Clerk.

DECLARATION OF PEACE

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. BURKE of Florida. Mr. Speaker, I have always been a strong advocate of Israel independence, and during the 90th Congress I called attention to my colleagues in the House of the Soviet buildup in the Mediterranean and of the explosive conditions that then existed in the Middle East. These danger signs have by no means abated at the present time.

Today, Israel is a beacon light of freedom in the Middle East amid a group of Communist-dominated or Communist-influenced countries. We in this country owe a great responsibility to preserve the freedom of Israel.

A majority of my colleagues in the House signed the declaration of peace in the Middle East on the occasion of Israel's 21st birthday, which was presented by our colleague, EMANUEL CELLER.

Many Members of Congress were not advised that this declaration was available for signing. I was one of those, even though I had previously indicated my desire to join with my colleagues in such a declaration. I am therefore taking this opportunity now to express my wholehearted support of this declaration of peace and join now in toto with the intent and purpose of the full text as previously printed in the CONGRESSIONAL RECORD.

UNNECESSARY TAX AFFLICTION

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, Dr. Oscar E. Kiessling, a senior economist with the Government, has written an interesting proposal, which was printed in the Washington Post, Sunday, March 30, 1969, entitled "Unnecessary Tax Affliction: Withheld Funds From Summer Students' Wages Deemed Wasteful, Costly," which I thought might be of interest to the House during this time in which the Ways and Means Committee and the country are so concerned with tax reform. The article is as follows:

UNNECESSARY TAX AFFLICTION: WITHHELD FUNDS FROM SUMMER STUDENTS' WAGES DEEMED WASTEFUL, COSTLY

(By Oscar Kiessling)

Federal income tax time at our house causes not only the usual stir, but, as for many American families, it entails a special form of unnecessary affliction.

Let me explain that the Kiesslings are on the very last lap of putting 5 kids through college. Each of our five has always found paid summer work. But recapture of the income taxes excessively withheld from their short-term pay requires a formal report and request for a refund.

Excessive withholding comes about because an employer is required to deduct taxes at a rate that assumes the students are paid at the summer scale for full-time work the year round. So the old man not only has his own tax return to prepare, but he is called on to help the kids with their reports.

Some years back a couple of our brood did have a small amount of taxable income after personal exemption and deductions. But this has not been the case in recent years owing to more liberal allowance for deductions. Presently summer work has to bring in over $900 before a student owes taxes, and very few do that well.

Thus the entire operation—withholding money the kids do not owe and going through the paperwork involved in a refund—has now become an exercise in futility for the government and an unwarranted burden on our students.

CONSIDERABLE AMOUNT INVOLVED

What's involved isn't hay. The Office of Education reports that there are over 6 million college students in the country, and a

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large proportion have summer jobs with taxes withheld. There are in addition nearly 6 million students in the last 2 grades of high school, and many of these youngsters also work in the summer and have taxes withheld.

Multiplying these millions by a few pieces of paper going back and forth for each person makes it apparent that the annual tax hassle generates a mountain of costly and unproductive waste paper.

The tax overwithholding headache with regard to students could be largely cleared up without loss of revenue. If a student filed a form with his summer employer, he then would not withhold income taxes until summer pay totaled a certain figure, say $899 (the largest amount not taxable with one exemption and permitted nonitemized deduction).

Such a procedure, which has been used successfully in England for some time, was suggested to Sheldon S. Cohen, the previous Commissioner of Internal Revenue. However, the IRS has rejected this proposal, mainly on the ground that it would not be a universal solution for all tax overwithholding problems (particularly those of intermittent annual workers), and also because it "would set a dangerous precedent."

NOT ACCORD WITH REALITY

The IRS view that summer work of students cannot be separated, for tax purposes, from work done by fruit pickers, grain harvesters, field hands, and other itinerant and intermittent annual workers does not accord with reality.

For the bulk of the students, summer work has now become virtually a regular feature of life. Students are a clearly definable group, with a circumscribed employment pattern, that deserve to be accorded fair treatment with regard to tax withholding even though the IRS is not now able to come up with a broad solution to all tax overwithholding problems.

Moreover, as students work primarily to help pay current high education expenses, it is grossly unfair for the Federal Government to withhold for the better part of a year money that they need and do not owe.

It is hardly surprising that the IRS, regarded as reflecting the views of the Treasury, remains remarkably silent on a main issue in this matter—namely the very large amount of money that is withheld from students.

APPROXIMATE SCOPE

The scope of the student withholding can be appoximately delineated on the basis of conservative estimates. The Office of Education reports that in the 1966–67 school year there were 6,055,000 students in colleges and 5,881,000 in the last 2 years of high school. If half the college students (or about 3,000,000) and one-fifth of the senior high school students (or about 1,200,000) have summer jobs, a total of 4,200,000 students have taxes withheld. (This figure coincides closely with figures on student employment given in U.S. Department of Labor Special Labor Force Report No. 55).

On average 3-month summer earnings of $600 (our 5 kids have earned from $600 to $900), the amount of tax withheld per student would be about $60. Multiply this figure by the number of working students and the estimated total amount withheld from students' earnings comes to a startling $252,000,000.

The Government starts taking this money in June, pays no interest on it, and does not pay it back—and then only on request—until the following March or April.

Counting interest at 5 percent for three-fourths of a year on the funds so "borrowed from students," the Government use of the interest-free money represents a net saving in interest of $9,450,000.

Little wonder that stewards of the nation's purse strings find reasons for not changing this pattern. But what a shoddy way to treat the Nation's industrious youngsters!

Fortunately, some members of Congress are now aware of the students' tax situation and have indicated their support for corrective action. But archaic and blunderbuss tax procedures die hard. To get our students a fair tax shake will require broad support at grass roots.

DR. IRWIN I. TANAKA, FORMER HIGH SCHOOL DROPOUT, TO HEAD HAWAII'S NEW STATE LAW ENFORCEMENT AND JUVENILE DELINQUENCY PLANNING AGENCY

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. MATSUNAGA. Mr. Speaker, "From a dropout to a doctor" is a fitting tribute to Dr. Irwin I. Tanaka, the director of Hawaii's new anticrime agency, the State law enforcement and juvenile delinquency planning agency. Dr. Tanaka's life story is one which could inspire today's disturbed youth. Having distinguished himself in his work with disturbed and delinquent youngsters, he now directs the work of a State agency intended to help youngsters who find themselves in the same predicament in which he found himself in his youth. Recently, in an interview with Honolulu Star-Bulletin reporter Helen Altoon, Dr. Tanaka described his feelings toward these youngsters as "empathy for their plight":

> It really goes back to empathy for the plight of these kids—that I was one of them myself.
>
> I always look at it from their point of view. Through their eyes, you get a better perspective of things. Too often we turn this around and the perspective is out of focus . . .
>
> This is a subtle and yet important difference in approach. And I don't think too many people agree with me.

Perhaps Dr. Tanaka may not have too many takers on his approach to the problems of the disturbed and delinquent youngster, but it is this philosophy which has carried him from a high school dropout to the planner and coordinator of the State's new anticrime agency which he hopes will bring together existing services in law enforcement and juvenile delinquency.

As one of the keymen in the State's department of education. Dr. Tanaka has held a myriad of jobs within the department from the gifted children program and vocational education to many of the antipoverty projects. On leave from the department of education, to which he plans to return once the new agency is running smoothly, Dr. Tanaka does not expect his task to be easy.

He says:

> If any place can make it, we can. I am tremendously optimistic.
>
> I can see the odds. But hell, I'm a fighter.

Mr. Speaker, by way of congratulating and commending Dr. Tanaka, I take great pleasure in submitting his story, which appeared in the Honolulu Star-Bulletin of April 28, 1969, for inclusion in the CONGRESSIONAL RECORD:

HELD MYRIAD JOBS IN DOE—DROPOUT TO CRIME FIGHTER

(By Helen Altonn)

The head of the State's new anti-crime agency traveled a tough road to his $22,000 position—starting as a high school dropout.

"I was always a rebel at heart, I guess . . . never conforming," said Dr. Irwin I. Tanaka, named this month by Gov. John A. Burns to direct the State Law Enforcement and Juvenile Delinquency Planning Agency.

The highly respected 41-year-old educator pondered his past as he discussed his new responsibilities in still sparsely furnished offices at the Trustco Building.

"I would say the rebellion I exhibited, in principle, was no different than what kids are reacting against now," he mused. "I was really anti-establishment at that point.

"Naturally, coming from a Japanese home, I was a disgrace to my parents. I caused them a lot of sleepless nights."

He said he had trouble adjusting during his first year at McKinley High School because he balked at being ordered to do "voluntary pineapple work" to aid the war effort.

"I flunked an easy thing called Core Studies—a combination of English and social studies—one of the going things at the time. . . .

"Then I found my way to the Hawaiian Mission Academy, the last school on the rock I could find that would take me," he grinned. "Six weeks before graduation, I was informed that I wasn't going to graduate, so I was kind of pushed out."

At 17, he decided to go to work and obtained a job at Hawaiian Tuna Packers as an electrician's apprentice working on landing craft. But a few months later he was drafted into the Army.

During the next two years, he said, "I found I couldn't fight the system. The Army is a good place to learn—the hard way."

He continued his education through the Armed Forces Institute, obtained his diploma and even began a few University of Hawaii courses.

Immediately after his discharge he went to Michigan State University on the GI bill, earning a bachelor's degree in sociology and anthropology in 1950 and a master's degree in social work in 1951.

Returning home, he worked four years for the YMCA, assigned to the rural branch at Wahiawa—where he still lives with his wife and five children.

His wife, who teaches kindergarten in Wahiawa, was a high school sweetheart, Tanaka noted. "Even then," he recalled, "to show the kind of reputation I had, we planned to get married when I was out of the Army and her parents stopped it."

When he arrived at Michigan State, he said he urged her to join him. She did and they worked their way through college together. But her parents were still opposed. "I didn't blame them," Tanaka smiled.

He went to the Department of Education in 1955 and because of his experience with adolescents was hand-picked to teach disturbed youngsters in a pilot project at Kalakaua Intermediate School.

Distinguished for his work in that program and many others concerning disturbed and delinquent youngsters, Tanaka explained, "It really goes back to an empathy for the plight of these kids—that I was one myself.

"I always look at it from their point of view. Through their eyes, you get a better perspective of things. Too often we turn this around and the perspective is out of focus. . . .

"This is a subtle and yet important difference in approach. And I don't think too many people agree with me," he added.

When the Kalakaua project was completed in 1961, he said, "I decided I was too dumb and stupid yet, so I went back to Michigan

State for my doctorate in guidance and personnel services."

He also spent much time in seminars on delinquency and emotionally disturbed children.

Coming back to Hawaii in 1963 to do his dissertation, he took over the Juvenile Court's Detention Home for a year.

For the past five years he has been at the DOE handling a myriad of assignments from the gifted children program and vocational education to most of the anti-poverty projects.

The jobs falling in his lap as director of compensatory education would fill several pages and keep 50 people busy. But he tackled them with a five-man staff, including himself.

He is commuting now between his DOE and anticrime offices, helping to finish a plan by May 5 for a federally funded school dropout program.

His next big deadline is June 5 when a comprehensive State plan for law enforcement and juvenile delinquency must be prepared for federal approval.

"Unless we get more help, it's going to be awfully difficult," he said.

His staff is not fully organized yet, he pointed out, gesturing to the unoccupied offices. However, he said he's depending heavily on his deputy and longtime personal friend, Barry J. Rubin.

Working nights and weekends, even before their appointments to the new agency were announced, they put together a preliminary plan for crime fighting programs in all the Counties.

Tanaka sees his new role largely as a coordinator, to bring together existing services in law enforcement and juvenile delinquency. "The problem seems to be that each one operates separately," he said.

"Really, what we will do will be planning on a joint basis. We will actually sit together in dialogue and come out with a concrete proposal and plan of action."

Tanaka notes that he is only on leave from the DOE and has "full intention of going back" when the new agency is running smoothly.

He does'nt expect his task to be easy. But he said, "If any place can make it, we can. I am tremendously optimistic.

"I see the odds. But hell, I'm a fighter."

REV. LEON J. HUBACZ—CHRISTIAN AMERICAN CLERGYMAN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. RARICK. Mr. Speaker, in these confused times when one encounters a dedicated Christian clergyman, it is necessary to stop and comment.

Reading a South Carolina newspaper I came across a news report covering Reverend Hubacz, pastor of Blessed Sacrament Roman Catholic Church of Charleston, S.C.

I think that his pro-American statements are worthy of reading by all our colleagues. As for my comments on Abernathy, I make reference to the CONGRESSIONAL RECORD of May 6, 1968:

[From the Charleston (S.C.) Evening Post, May 9, 1969]

FATHER HUBACZ DEPLORES METHODS OF DISSIDENTS HERE

(By Jack Leland)

The Rev. Leon J. Hubacz is a big man with a firm voice and a very determined mind.

When he says: "Standing in the street and singing 'I am somebody' isn't going to make these children somebodies," he means it—literally.

So literally that the pastor of Blessed Sacrament Roman Catholic Church borrowed some money from a bank and took out a half-page advertisement in the Charleston newspapers. It chided the leadership of the present move to force union recognition for hospital workers at the Medical College of South Carolina.

Father Hubacz's immediate targets were the Rev. Ralph D. Abernathy, head of the Southern Christian Leadership Conference, and four Roman Catholic priests referred to in the advertisement as "Bill, Jim, Leo and Tom." These are the Revs. William Joyce, James Sauchelli, Leo Crogan and Thomas Duffy. Father Sauchelli is Father Hubacz's assistant at Blessed Sacrament.

Asked if he considered himself a "conservative", Father Hubacz demurred, saying he did not care for such labels. However, he agreed that, by comparison to the Committee of Concerned Clergy, that he was indeed a conservative and they were liberals.

"I would have to say that these priests consider themselves liberals. They believe, and probably honestly, that they have found the answer to all things that are wrong with our society. I disagree with their beliefs and, particularly, with the methods they use to gain the ends they believe will be achieved."

"If they, and the Rev. Abernathy, would go to Columbia and put their case before the General Assembly, I would contribute to their cause and support them in every way I can. Most certainly I am in favor of low-income people getting better wages so I cannot argue when they say that this is their goal.

"But is their goal something else. Apparently they want more than anything else to march in the streets and to obtain the fullest possible publicity. It's too much. Too much," he said.

"A priest is a priest wherever he goes. Catholic children have priests held up to them as examples. When they see or read that a priest is thrown into jail they are horrified. But when they find out that priest had broken a law, what is their reaction? I think it is one of disillusionment. I think they may reason that if it is all right for a priest to break a law, then it is all right for a child to do so," Father Hubacz said.

"It's somewhat like alcoholism. I never go to wedding receptions and drink because I'm afraid there might be an alcoholic there who might be tempted to take a drink because he saw me, a priest, do so.

"Just remember, that Jesus Christ never broke the law. He told his inquisitors, 'render unto Caesar, the things that are Caesar's'—in other words, pay the tax even if it appears unjust. Christ was tried unjustly and unjustly convicted but he didn't break the law and he asked that his persecutors be forgiven."

Father Hubacz charged the liberals with "wanting to be allowed to break other people's rules without permitting other people to break the rules they (the liberals) have agreed on."

Abernathy's publication of a half-page advertisement locally prompted Father Hubacz to answer in kind.

"When Mr. Abernathy stated that he and the so-called Concerned Clergy were trying to prevent violence, I had to answer. After all, was there any violence in Charleston prior to Mr. Abernathy's arrival? Of course there always is 'potential violence' anywhere you go but it didn't happen here until the SCLC appeared on the scene."

He said he was refusing the many offers of money to pay for the advertisement. His secretary was instructed to handle all calls and not refer them to Father Hubacz.

"I don't want to hear about it. It's something I felt I had to do and I did it. There's a time to keep quiet and a time to get on the rooftops and shout. This was one of those times.

"We confuse justice and charity in this country," he said, "We cheat people out of their just due and we give them handouts to make up for it. That's not right. We should give them their just due in the first place.

"We must fight for the rights of all persons and that's what I was talking about when I mentioned the rights of 200 kids who had to miss a band practice because of the marchers. Those kids have just as much reason to have their rights protected as the marchers.

"The answer is not marching in the streets. The answer can be found in one place only—the General Assembly in Columbia. It is that body that can decide what the law of this state will be. The governor is a creature of the state. He cannot do more than the General Assembly has laid out in the laws it has passed."

The 51-year-old priest was born and brought up in Boston, where he lived in an Italian neighborhood.

"They called us Polacks and we called them Wops or Guineas. The Irish were in control then, they were the glorious race in Boston with Curley as mayor and later governor. I understand discrimination. I grew up with it."

He has been in South Carolina more than 25 years, having spent three years in Columbia, one in Batesburg, one in Florence and 20 in the Charleston area.

Asked if he would mind his parochial school teachers joining a union, Father Hubacz said: "No. But they would have to work and teach the way I wanted them to. If they tried otherwise, out they would go. Life has to be lived by a set of rules and we cannot make those rules up as we go along. We can't try to rule the world on what our consciences might tell us from day to day.

"I'm convinced that people feel about towns the same way they feel about their homes. If you come into a town and tear it down, people are bound to react. You can't break up something simply because you happen not to like it."

Father Hubacz said he knew the Rev. James E. Groppi, the Milwaukee civil rights priest who was among those who broke into a Selective Service local board office and destroyed documents.

"I knew him as a sort of scapegoat martyr. His bishop allowed him to continue as long as he could take the abuse. Nothing happened. But once you tell people, by your actions, that it's all right to break into an office and destroy records, then the lay people begin to think they can do whatever they like. If you recall, people began interrupting church services conducted by priests. You cannot condemn the one without condeming the other."

And, he said, all priests feel the reaction that occurs when some priests join the demonstrations.

"We all wear the same uniform," he said, "Just two days ago a Sister at the orphanage asked me to pick up two kids at the County Hospital. First, a policeman told me I couldn't park on the street. Then as I walked along looking for those two kids, I could see passersby staring at me. It's a natural reaction, I suppose."

Just where is the duty of the priest?

"I won't answer that because I can't. But I'd like to point out what Father Quinlan has done in Kingstree. He's badly hurt by arthritis but he continues his work. Years ago he began getting second hand clothing from richer parishes. To preserve the pride of the Negro people, he didn't give them the clothes—he charged a dime or so. I know that many a Negro child continued going to school because that priest saw to it that he had proper clothing."

"You can't take me—a white man—and train me to associate properly with the people

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who live on The Battery because I don't understand their way of life. And you can't take a black man and raise him to other levels overnight without revolution," Father Hubacz said.

INTERNATIONAL BOYCOTT DAY

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. O'HARA. Mr. Speaker, last Saturday, May 10, was proclaimed International Boycott Day by the Delano grape workers. Consumers everywhere were called upon to withhold their patronage from stores selling table grapes.

When the Congress enacted the National Labor Relations Act over 30 years ago, agriculture workers were excluded from the provisions of this act. In effect, the Congress made second-class citizens of farmworkers by refusing to protect their right to form unions and to bargain collectively with their employers.

For the past 7 years, efforts on the part of the grape workers to bargain collectively have been largely ignored by the growers. Without the protection of the law, the workers had nowhere to go but to the public.

Two years ago, the farmworkers of California called upon consumers to boycott grapes in an effort to force the growers to recognize the rights of the workers and to bargain collectively with them. The boycott has been more and more effective as the public has become more and more aware of the plight of the farmworkers. By boycotting grapes, consumers tell growers that they will not purchase their product until they know that the workers who harvest it are assured of a just wage, humane working conditions, job security, and other employee benefits taken for granted by most working men and women in America.

Mr. Speaker, I insert the proclamation of the Delano grape workers for International Boycott Day at this point in the RECORD:

PROCLAMATION OF THE DELANO GRAPE WORKERS FOR INTERNATIONAL BOYCOTT DAY, MAY 10, 1969

We, the striking grape workers of California, join on this International Boycott Day with the consumers across the continent in planning the steps that lie ahead on the road to our liberation. As we plan, we recall the footsteps that brought up to this day and the events of this day. The historic road of our pilgrimage to Sacramento later branched out, spreading like the unpruned vines in struck fields, until it led us to willing exile in cities across this land. There, far from the earth we tilled for generations, we have cultivated the strange soil of public understanding, sowing the seed of our truth and our cause in the minds and hearts of men.

We have been farm workers for hundreds of years and pioneers for seven. Mexicans, Filipinos, Africans and others, our ancestors were among those who founded this land and tamed its natural wilderness. But we are still pilgrims on this land, and we are pioneers who blaze a trail out of the wilderness of hunger and deprivation that we have suffered even as our ancestors did. We are conscious today of the significance of our present quest. If this road we chart leads to the rights and reforms we demand, if it leads to just wages, humane working conditions, protection from the misuse of pesticides, and to the fundamental right of collective bargaining, if it changes the social order that relegates us to the bottom reaches of society, then in our wake will follow thousands of American farm workers. Our example will make them free. But if our road does not bring us to victory and social change, it will not be because our direction is mistaken or our resolve too weak, but only because our bodies are mortal and our journey hard. For we are in the midst of a great social movement, and we will not stop struggling 'til we die, or win!

We have been farm workers for hundreds of years and strikers for four. It was four years ago that we threw down our plowshares and pruninghooks. These Biblical symbols of peace and tranquility to us represent too many lifetimes of unprotesting submission to a degrading social system that allows us no dignity, no comfort, no peace. We mean to have our peace, and to win it without violence, for it is violence we would overcome—the subtle spiritual and mental violence of oppression, the violence subhuman toil does to the human body. So we went and stood tall outside the vineyards where we had stooped for years. But the tailors of national labor legislation had left us naked. Thus exposed, our picket lines were crippled by injunctions and harrassed by growers; our strike was broken by imported scabs; our overtures to our employers were ignored. Yet we knew the day must come when they would talk to us, *as equals*.

We have been farm workers for hundreds of years and boycotters for two. We did not choose the grape boycott, but we *had* chosen to leave our peonage, poverty, and despair behind. Though our first bid for freedom, the strike, was weakened, we would not turn back. The boycott was the only way forward the growers left to us. We called upon our fellow men and were answered by consumers who said—as all men of conscience must—that they would no longer allow their tables to be subsidized by our sweat and our sorrow: They shunned the grapes, fruit of our affliction.

We marched alone at the beginning, but today we count men of all creeds, nationalities, and occupations in our number. Between us and the justice we seek now stand the large and powerful grocers who, in continuing to buy table grapes, betray the boycott their own customers have built. These stores treat their patrons' demands to remove the grapes the same way the growers treat our demands for union recognition—by ignoring them. The consumers who rally behind our cause are responding as we do to such treatment—with a boycott! They pledge to withhold their patronage from stores that handle grapes during the boycott, just as we withhold our labor from the growers until our dispute is resolved.

Grapes must remain an unenjoyed luxury for all as long as the barest human needs and basic human rights are still luxuries for farm workers. The grapes grow sweet and heavy on the vines, but they will have to wait while we reach out first for our freedom. The time is ripe for our liberation.

RUMANIAN INDEPENDENCE DAY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. DINGELL. Mr. Speaker, in Rumania's long and eventful struggle for its people's freedom, May 10 stands out as a memorable landmark. On that day of 1877 Rumanians proclaimed the birth of their independent kingdom by the union of the two historic provinces, Moldavia and Wallachia. It is true that for more than a decade they had already become masters of their national destiny, but only after 1877 was their national independence officially recognized by the sovereign states of Europe and elsewhere.

The Rumanian people are among the oldest inhabitants of the Balkan Peninsula, and today, even after the breakup of their historic country by the Soviet Union at the end of the last war, they constitute the largest single ethnic element in the whole Balkan region, numbering close to 19 million. The tragedy of the Rumanian people is that for centuries they have been subjected to unwanted alien regimes.

In the middle of the 15th century Rumania was overrun by the Ottoman Turks, and for more than 400 years Rumanians suffered under the tyranny of callous Ottoman administrators. In the 19th century, when they succeeded in their attempt to secure their independence from the Turks, they were threatened by Russian aggression. Rumanians, however, managed to keep their country and their independence in the course of many wars. At the end of the First World War they even regained some of their lost provinces, but the last war brought them disaster and tragedy. Since 1945 they have been under Moscow-dominated Communist tyranny, even though in recent years Rumanian Communist leaders have asserted their independence from Moscow. Still, these gifted and courageous people, who have sacrificed much to freedom, are not allowed to enjoy it. Unhappily, they are not even free to celebrate the anniversary of their national independence.

Here in America, at least, friends and sympathizers of the Rumanian people can and do observe Rumanian Independence Day with due solemnity and respect, and thus honor the underlying patriotism and love of freedom of the Rumanian people.

JOAN MERRIAM SMITH-AMELIA EARHART AVIATION DAY

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, during the opening days of the 91st Congress, I again introduced a resolution, House Joint Resolution 237, to honor two of our Nation's most distinguished aviatrixes by proclaiming May 12 of each year as the Joan Merriam Smith-Amelia Earhart Aviation Day.

It is particularly appropriate, then, that I bring this legislative proposal to the attention of the Members of Congress and the American people today, May 12, which marks the anniversary of Joan Merriam Smith's historic solo flight around the world at the equator.

These two women, Joan Merriam Smith and Amelia Earhart, have made significant, lasting contributions to our aviation history, and their achievements well merit our official recognition.

Most Americans know the outstanding accomplishments of Amelia Earhart—the first solo flight across the Atlantic Ocean by a woman and the first solo flight by a woman from Hawaii to the mainland of the United States. Three times in the early 1930's she was awarded the prized Harmon International Aviation Trophy. As our first aviatrix and one with such noteworthy accomplishments, Amelia Earhart set an example of personal courage and dedication to the field of aviation.

Through her daring solo flight around the globe, Joan Merriam Smith also contributed to the distinguished accomplishments of American aviators, adding a new "first" to the growing history of important flights. In 1965, Joan Merriam Smith received the Harmon International Aviation Trophy, awarded posthumously.

Mr. Speaker, exactly 1 week ago the other body considered and adopted a similar resolution making May 12 a day of tribute to these women. I would urge this body also act promptly to memorialize Joan Merriam Smith and Amelia Earhart by designating an annual day in their honor.

CONGRESSMAN FRASER EXAMINES U.S. DEFENSE SPENDING

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. BINGHAM. Mr. Speaker, it is encouraging to note that the assumptions and programs of the American defense effort are coming under increasingly critical scrutiny by Members of the House and Senate. The Defense budget has long been regarded by Members of Congress with a degree of awe and reverence that has not always, in the long run, served the public interest. The new skepticism toward defense spending is long overdue, and promises to have a rationalizing influence on the entire matter of national defense, both in its own right and in relation to other national needs. In this regard, a most thoughtful review of defense assumptions and programs was preseted recently by our colleague from Minnesota (Mr. Fraser) in a speech before the Unitarian Church of Washington. This speech raises the kinds of questions that I think desperately need to be more carefully examined prior to the vote of the House on the fiscal year 1970 military authorization legislation. I am pleased to provide a copy of Congressman Fraser's speech for the Record:

Speech of Congressman Fraser at Unitarian Church, Washington, D.C., April 27, 1969

The federal government's expenditures for national defense are seen as very good or very bad, depending on one's point of view. You might say that defense spending is a many splendored thing—a stimulus to the economy or a drag on social progress; a prudent investment in security, or a spur to an arms race; a necessary element in a wise foreign policy, or a force that distorts our relations at home and abroad.

For the first time in many years a national debate over defense spending is in progress. Until last year the military budget was the sacred cow on Capitol Hill. Congressional committees worried about whether the Department of Defense had *enough* money, and for three successive years, 1965–67, gave their own answer by *increasing* the requested figure.

Actually, defense spending by the U.S. has not been growing as fast as some people have thought. Military spending since the mid-fifties—since the Korean War—has had a slower growth rate than other governmental spending. For the past 12 years, defense spending—including the cost of the Vietnam war—has consistently absorbed from 8% to 9% of our Gross National Product. In the same period, all other governmental spending—at the federal, state, and local levels—has increased from 18% to about 24% of our GNP.

Moreover, the military doesn't deserve sole blame for many past policies. The civilian leadership in our government developed and defined the basic assumptions upon which the U.S. has proceeded.

Nevertheless, I believe that a searching review of our military posture is justified. The $80 billion spent by the U.S. each year for defense is far more than is spent by any other nation. It approximates the annual productive wealth of all Latin American countries combined. It exceeds the total U.S. federal budget for 1950. At the same time, the U.S. has steadily lowered its economic and technical aid to the developing world. We were once number one in the share of our wealth we gave for development. Now we are fifth or sixth. Our military spending is twenty times our spending to help other nations. Moreover, unrest in the U.S. is more threatening to the strength of our nation than some of our external security concerns. The recent follow-up study one year after the Kerner Commission report told us our domestic problems are worse, not better, one year later.

For those who would like to adopt a constructive, though critical, stance in reviewing the military budget, answers are not easily found. Dr. Herman Kahn of the Hudson Institute appeared before a House subcommittee recently. He was asked whether or not an analytical framework exists which could aid us in determining what our security requirements are. He responded that too many judgments had to be made to permit such objective analysis. Other strategists and national security analysts concur.

Among the judgments which must be made are certain assumptions that our government has made about our security needs. At least three of these assumptions deserve closer scrutiny and I would like to discuss them with you this morning.

These are:

First, the assumption that the U.S. must always be prepared to fight two wars at the same time: one in Europe and one non-European war, larger even than the Vietnam war. Second, the assumption that Communist nations by their very nature pose continuing threats of physical military aggression and, third, that we must always have parity or superiority in the nuclear arms race.

Each of these assumptions may be wrong, and certainly each leads to sizeable defense expenditures. Yet, these assumptions are rarely reviewed as such by the Congress.

First, the two-war concept. How sound is it? The U.S. commitment to Western Europe deserves to be continued. The five divisions and supporting forces which the U.S. keeps in Europe cannot guarantee victory in a European war but they assure our involvement. Successful aggression against our NATO allies in Europe would involve a shift in the world balance of power. We should, of course, seek a gradual reduction in forces in Europe, but we cannot escape involvement in this area so vital to our national security. The risks in this area are not, however, as high as we commonly believe, as I shall shortly point out.

But how sound is our assumption that we must keep prepared for a concurrent second war? Where would that war be? War between China and Formosa or between North Korea and South Korea may be possible. In either of those cases, however, successful conventional aggression against our allies would not shift the power balance measurably against the United States. Then why should we intervene? I can see two arguments in favor of U.S. intervention to protect Formosa or South Korea if either were attacked. First, putting down aggression strengthens the collective security concept envisioned by the UN charter. Second, we should protect those who seek to exercise the right of self-determination. This is an ideological reason—framed in more affirmative terms than our usual slogan of anticommunism. I assume without argument here that both of these reasons might be applicable.

But neither of these reasons are central to the national security interests of the United States. In such a case are we not wise to pare down the forces kept in readiness for such a war? Both Formosa and South Korea have large armies and the capability of defending themselves. Time would be available to mobilize added U.S. forces if necessary.

A paring down of U.S. forces would certainly be beneficial if we don't need to keep ready to fight two wars at once. Our armed forces now number 3.4 million. Our pre-Vietnam forces were about 2.6 million.

These forces compare with Soviet strength of 3.2 million, and Chinese forces of 2.8 million. China and Russia feel the need for such large forces because they face each other and other potential enemies directly across thousands of miles of their borders. The United States, on the other hand, has friendly neighbors north and south, and oceans on its flanks.

A reduction in U.S. forces by 500,000 would save enough in personnel costs alone to more than double federal aid to all levels of education in the United States. The total savings from such a cut would be far higher.

The second assumption being used by the U.S. in deciding the size of our military budget relates to the nature of Communist expansionism. For many years it has been accepted doctrine that the Soviet Union by its very nature poses a continuing threat of physical military aggression. However, I recently heard the opposite view expressed quite convincingly by Professor Fred Neal of Claremont Graduate School in California. He says that there is considerable confusion about the relationship of the Soviet Union as a state, Communism as an ideology and a system, and revolution in general. Let me quote Professor Neal. "Soviet ideology, far from committing the USSR to military aggression, either for national expansion or expansion of Communism, commits it *against* such action. According to Lenin's concept of 'objective conditions' of revolution, it is both impossible to foment a revolution in the absence of such conditions and wrong to make the attempt."

Professor Neal continues, "Since Stalin, following Lenin's ideas, held that objective conditions for revolution were not present, Soviet policy under Stalin, no matter how uncooperative and unfriendly, was always inward-looking, defensive and even isolationist. The extension of Soviet influence into Eastern Europe—resulting from the Red Army's defeat of the Germans—is usually the evidence cited as proof of Soviet military aggressiveness. It was, in a sense, a type of political aggression, but certainly not physi-

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cal military aggression in the sense we have been taught to fear it. Our first major policy effort based on this fear, the Truman Doctrine, sought to save Greece from Soviet Communist domination. As has now become known, in fact Stalin not only did not support the Greek revolution but actively opposed it," says Professor Neal.

He continues, "With the new doctrine of coexistence evolved under Krushchev, the Soviet Union began to play an active, offensive foreign policy role—based on Stalin's idea of supporting nationalist movements of all kinds—but at the same time was committed to the idea that a *detente* with the United States was necessary to avoid thermonuclear war—not because the Soviet Union is especially "peace loving" but because it was decided that this was necessary for the interests of Communism and the USSR. It is necessary also, I think, for the interests of democracy and the United States." says the Professor.

"Despite these facts, the whole direction of American foreign policy since the end of World War II has been based on the idea that we face a constant threat of Soviet military aggression, that the Soviet Union is committed to the physical destruction of the United States. We now seem ready to repeat the whole process in regard to China. This assumption about the danger of military aggression from the Communist states has permeated our whole social fabric."

Finally, the nuclear arms race has been fueled by the third assumption that the U.S. had to be certain of superiority or at least of parity in nuclear weaponry. The catch is in the word "certain". Because of the long lead time in weapons systems development the most dire assumptions about the other side have become the point of departure.

The U.S. consistently has been well ahead of the Soviet Union. We have moved to successively higher plateaus of nuclear development and deployment. We have literally forced the Soviets to respond to us and then, assuming the worst, we have respond to them in turn.

Consider the reasoning advanced a few weeks ago for money for a new bomber called the new Advanced Manned Strategic Aircraft. The Air Force argued that improved Soviet air defenses made it harder for existing U.S. bombers carrying nuclear bombs to reach their targets in the Soviet Union. So the Air Force wants a more complex and expensive supersonic aircraft to carry nuclear bombs against the Soviets on the sole ground that our current bombers have caused the Soviets to build defense to such bombers. If we proceed with the new supersonic bomber, the Soviets will be forced to spend billions for an improved bomber defense or to acquire their own strategic bomber force which in turn will force us to spend more billions for new counter measures.

If the U.S. and the U.S.S.R. each keep trying for superiority or parity in numbers of nuclear warheads, we can be sure of wasting many billions more on MIRV's (multiple warheads) and anti-missile missiles. The MIRV program, as you may know, would place in the head of each of our missiles several nuclear bombs, each capable of being directed to a separate target. Under present U.S. plans for MIRV's we will have over 10,000 warheads deployed across Europe, the U.S. and the oceans. Each one of our 41 submarines will be able to destroy 160 Soviet cities. We will have an overkill capacity of 50 times.

It may be hearsay to say this, but we could afford to temporarily fall behind in the numbers game and still be safe. There is no political objective important enough to induce either nation to risk the loss of a single city—much less a whole nation. Thus, imbalances are not inherently dangerous, for even with substantial imbalances the risk of such losses would remain high. Adopting such a view would provide more safety in the long run than the breast beatings of the superpatriots whose uncritical demand for superiority threatens both us and the world.

Perhaps the arms control discussions scheduled to be held with the Soviets this summer will provide a way of slowing the arms race. The possibility of success may depend in part on the degree of certainty we require. Delay in starting these talks may make agreements far more difficult, for the MIRV programs will have become fully tested and operational in a short while.

These three assumptions which I have questioned: the requirement to be able to wage two wars at once, the nature of the Communist threat, and the need for certain nuclear parity or superiority, have not originated with the military establishment in the United States. These have been adopted as doctrine by the political and civilian leadership of the United States government. If these assumptions are in error, it would seem that responsible political leadership should accept the burden of questioning these assumptions and developing new positions which would accord more clearly with the security needs of the United States. It may well be that these assumptions and others of like nature are widely shared within the military establishment. But in the past, at least, they also have been widely shared in the Department of State and among those who have generally spoken out on the questions of security and the nature of American interests in the world.

Certainly it would help if there were more widespread discussion about these and other assumptions which underlie the military posture of the United States. A careful examination of these questions can lead to more prudent use of our resources, and lessen the dangers which come from the growing arms race across the world.

In the United States our unfinished tasks are taking on new urgency. The United States must solve its racial and related urban problems. With progress in meeting our domestic problems and a foreign policy which more closely reflects our moral concern for others in the world we shall be doing better than we are today. We will be advancing the cause of humanity of which we are, after all, a part.

JOB CORPS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, the administration decision to close 59 Job Corps centers by July 1, 1969, is an extremely serious action which will result in 16,500 less places for the training of unemployed young people in need of job training opportunities away from their home environment. In addition, it will utterly disrupt the lives of more than 4,000 youngsters now enrolled in the Job Corps program who will not have completed their training by the time of the scheduled closings.

In light of the misunderstandings surrounding the administration action and in view of the importance of the issue, I insert at this point in the RECORD a staff study prepared by the Democratic Study Group which summarizes the situation as it has developed and analyses the arguments for and against closing the centers:

JOB CORPS

On April 11, 1969, the Nixon Administration announced plans to close 59 Job Corps Centers serving 16,500 young men and women by July 1, 1969. This decision has generated considerable controversy in Congress as well as from public interest groups concerned with poverty and employment. This DSG Staff Study provides a summary of the action taken, background on the Job Corps, and a summary of the arguments for and against retaining the 59 Job Corps centers.

SUMMARY

On April 11, 1969, Secretary of Labor George Shultz announced that 59 of the 113 residential Job Corps centers would be closed by July 1, 1969. Responsibility for the remaining centers would be shifted from the Office of Economic Opportunity (OEO) to the Department of Labor. Of the centers to be closed, 50 are conservation centers located outside metropolitan areas, and the remainder are urban centers of which seven are for men and two for women. In all, they accommodate 16,500 youths.

Shultz said that the 59 centers would be replaced with 30 newly proposed centers to be located in or near urban areas. The 30 new centers would accommodate 4,600 youngsters when they are completed. However, they are not yet authorized and no funds may be appropriated for them. The Administration will seek $24 million for fiscal 1970 to launch the centers. Administration spokesmen believe construction of 10 of them could be underway this year. Therefore, the proposed centers will not alleviate the disruption in the training programs in which 16,500 young men and women are now participating.

Secretary Shultz has indicated that the Administration plan will allow a $100 million budget cut from the $280 million requested for the Job Corps by the Johnson Administration. However, House Education and Labor Committee staff estimates reveal that the cost of closing the 59 centers will total approximately $101.8 million. Included in this figure is $80 million spent on construction, renovation and equipment. The cost of terminating contracts and providing severance pay and transportation will be among the extra costs. Since there is no specific appropriation request for these costs, they would most likely be taken out of the $180 million appropriation request, thereby resulting in an additional program cutback.

Reaction to the proposal to close the Job Corps Centers has been sharp. The House Education and Labor Committee Task Force on Poverty and the Senate Labor and Public Welfare Subcommittee on Employment, Manpower and Poverty both summoned Secretary Shultz and other Administration officials to hearings. Testimony from public witnesses and Job Corps enrollees and personnel was also heard. Three resolutions, one in the Senate and two in the House, urge that administrative action to shut down any Job Corps centers be postponed while Congress conducts its review of antipoverty programs in connection with the Economic Opportunity Act extension amendments and the appropriations process. The Senate resolution, S. Res. 183, sponsored by Senator Cranston and 30 colleagues, was ordered reported by the Senate Labor and Public Welfare Committee on April 30 after a party line vote of 10–6. The resolution is scheduled to reach the Senate floor this week.

Resolutions urging delay by the Administration were also filed in the House. H. Res. 372 was sponsored by Rep. Rodino and all other Democratic representatives from New Jersey. H. Res. 381, 382 and 383, were sponsored by Rep. Ryan and 45 colleagues. There has not been any committee action on these resolutions.

BACKGROUND

The Job Corps was established by the Economic Opportunity Act of 1964. It provides a voluntary national residential training program for underprivileged young men and women. To be eligible for admission to a Job Corps center an applicant must be:

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(1) 14 through 21 years old;

(2) A U.S. citizen or permanent resident;

(3) A school dropout for three or more months;

(4) Unable to find or hold an adequate job;

(5) Underprivileged from having grown up in impoverished surroundings;

(6) In need of a change of environment in order to become a useful and productive citizen.

Six of every 10 Job Corps enrollees come from broken homes; 63% from homes where the head of household is unemployed; 60% lived in substandard housing; 64% were asked to leave school; 80% had not seen a doctor or dentist in 10 years. Only 60% ever held a job, full or part time. Their average annual salary was $639. Over half of the draft-age male recruits are unfit for military service for health or educational reasons.

Once admitted to the Job Corps training centers, the enrollees learn job skills and basic academic subjects and work on public resource conservation projects. Each enrollee receives room and board, medical and dental care, work clothing, a nominal allowance for dress clothing, a monthly living allowance of $30 less deductions and social security. In addition, each receives a readjustment allowance of $50 for each month of Job Corps service.

Enrollees are assigned to three types of centers;

(1) Conservation centers—located on public lands and operated by the Department of Interior and the Department of Agriculture or the States.

(2) Urban centers for men or women—these centers are operated under contract by businesses and universities and are located on demilitarized federal installations or leased land.

(3) Demonstration centers—which provide experimental programs.

Education

The Job Corps undertakes an intensive educational program unequalled by other federal manpower training programs. Over 85% of the Job Corps enrollees have not finished high school. The average grade completed is 9.6. Upon arrival at the Job Corps, the average enrollee is reading at a grade level of 5.4. Academic achievement levels are even lower for conservation center recruits. Their average reading level is grade 3.7 and only 6% read at grade 6 or above levels.

For every 10 months spent at the Job Corps, the average youngster gains one and one-half grade levels in reading and almost two grade levels in mathematics.

Job Corps reading and math programs have proved so effective that they have been adopted by Project 100,000, the Air Force program which trains airmen with inadequate reading and math proficiency. Lackland Air Force Base, Texas, reported that within an eight week course of study (120 hours), non-high school graduates showed an average reading level increase of 1½ years. In addition, 21 school systems have adopted some portion of the Job Corps-developed education materials.

Job training

Job Corps centers offer a wide variety of job training programs. These include training in the following areas: Automotive, building services, clothing services, computer operations, cosmetology, construction, education and social services, electrical and electronics, food services, graphic arts, health services, heavy equipment, landscape, machine trades, office and clerical, office machine repair and retail sales. Since 1967, the Job Corps has contracted with labor unions to provide training programs in such fields as carpentry, culinary and stewardship training for maritime jobs, painting, etc. These programs guarantee that a Job Corpsman who completes the program will be accepted for union apprenticeship.

There now are 49 union programs in effect or for which contracts have been signed. As a result of the planned closing of 50 conservation centers, 23 of these programs will be terminated or not undertaken. In some cases, program participants will be unable to complete the course designed to guarantee them union apprenticeship before the closing of the center.

Earnings

Job Corps trainees obtain and keep better jobs as the result of their Job Corps experience. The recently completed Louis Harris study of over 10,000 ex-Job Corpsmen, commissioned by OEO shows that annual earnings before and after the Job Corps for those not in school or the Armed Services increased 80% or $903 within six months of leaving the Job Corps. Similarly, 79% of those not in school or in the Army were employed. This figure compared favorably with the 62% working before their Job Corps experience at lower wage levels.

The Harris study also shows that the average hourly wage before the Job Corps was $1.41. Six months after the Job Corps experience it had increased to $1.79.

ARGUMENTS FOR AND AGAINST ADMINISTRATION DECISION

Administration reasons for closing the centers, as given by Secretary of Labor Shultz, and rebuttal arguments presented by critics of the proposal are as follows:

Need for the centers

Shultz argues that the centers are no longer needed. He maintains that in 1964 when the program was instituted existing manpower programs could accommodate only 27,000 trainees and can now serve 600,000. He argues that the 16,500 persons who will be turned out of the centers on or before July 1, can be placed in jobs or other training programs.

Shultz points to the Concentrated Employment Program (CEP) Job Opportunities in the Business Sector (JOBS), and ManPower Training Act (MDTA) programs as serving the same need. He also questions the necessity of residential programs for all Job Corps applicants.

Critics charge that the installations are essential because Job Corp provide the only comprehensive education and job skills learning program available to youths between the age of 14 and 21. They point out that the average age of participants in the JOBS program is 27 with only 20% of the participants under 22. In addition, they assert that since JOBS merely reimburses the employer for on-the-job training, it cannot provide the assistance needed for those who lack such basic skills as reading proficiency. They indicate that the CEP program, now underway in less than 100 communities, is an urban program providing only limited job skill training. Over half of the CEP participants are over age 22. MDTA programs are also considered to be of little use to most youngsters under 21 since the statute limits the number of enrollees under 22 to 25%.

The critics also charge that there are no available places in manpower programs in many communities and Job Corps recruits will simply not be able to get into programs in their locality. They argue that the effect of the disruption will also discourage those who might be eligible for other programs from applying. It is estimated that at least 4,000 persons now in the 59 centers will not have completed their training by July 1.

Opponents of the Administration decision also express particular concern that the residential and relatively isolated nature of the programs at conservation camps will be disturbed. They maintain that many youths will not thrive in their home communities in which they are subject to unfortunate influences. For these youths, the rural conservation corps are necessary. They therefore oppose the elimination of two-thirds of them.

Cost

The Administration claims its proposal will permit reduction of the Job Corps fiscal 1970 budget by $100 million from the $280 million requested by the Johnson Administration. The Johnson request was predicated on serving 35,000 youths. The Secretary of Labor argues that the cost of training at conservation centers is excessive—$8,000 per trainee. He argues that the proposed urban mini-centers will cut costs to approximately $5,200 per enrollee and that the JOBS program operates at less than half the cost of the Job Corps.

Opponents of the decision respond that the Secretary's per corpsmen figure are inaccurate. They cite the June 1968, *Jobs Corps Report,* published by the Office of Economic Opportunity, which indicates that the average direct operating cost per corpsman in fiscal year 1968 was:

Men's urban centers	$6, 990
Women's urban centers	7, 227
Conservation centers	6, 026

Opponents of the decision also argue that JOBS program costs are not comparable since that program does not provide a wide range of medical, educational and other supportive services and does not attempt to place youths who cannot read.

In addition, many argue that the poverty program is not an appropriate place to cut corners to curb inflation. They question the expenditure of billions for defense while young people are deprived of an opportunity for increased chance of success due to fiscal stringency.

Further, many question whether the closing of the centers will bring about a real saving. The House Education and Labor Committee staff estimates that it will cost over $101.8 million to close the centers. They point out that there is a high investment in construction and equipment, that contracts will have to be bought out and that severance pay and transportation costs will mount up.

Isolation

Shultz argues that the Job Corps has experienced problems because of the relative isolation of the conservation centers. He indicated that this factor has contributed to "their inability to retain enrollees for a period necessary to achieve significant improvements in educational and vocational skills." He charged that about 65% of the youths left the Corps before graduation, almost 40% left before 90 days, and most enrollees were retained for less than six months.

Opponents of the Administration decision argue that many youngsters need a change of environment in order to become useful and productive citizens. They claim that there are often too many distracting and unfortunate influences in the home environment.

In addition, they argue that Secretary Shultz' assumption that the length of stay is shorter in conservation centers than urban centers is incorrect. They cite a GAO report on Job Corps performance in fiscal 1968 which gives the average length of stay as 5.7 months in men's urban centers and 6.3 months in conservation centers. Job Corp data for the second quarter of fiscal 1969 shows that the average length of stay in both men's urban centers and conservation centers is six months.

Critics also point to the Harris study which reveals that Job Corpsmen who do not complete the program still show improvements in ability to attain a job and in their earning levels.

Education record

Shultz claimed that the 50 conservation centers would be closed because they have a "poorer record in improving a person's education than do urban centers. Corpsmen in

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conservation centers only increased their verbal grade level 80% as much as urban corpsmen; the increase in the arithmetic level was only 50% as great." He also scored lack of interest in the high school equivalency program.

Critics charge that the data used to develop these figures is misleading. It considers only the educational gains for corpsmen who complete the entire program in men's urban centers while the data used for conservation centers includes all corpsmen who terminate the program. The data therefore compares the top 40% of men's urban center Corpsmen who complete the program with all of the men who spend any length of time in conservation centers.

In addition, the Shultz statement fails to take into consideration the fact that until recently enrollees were assigned on the basis of educational ability. The top half of all entering recruits were sent to men's urban centers, the remainder went to conservation centers. About a third of the conservation corps enrollees cannot read or write when they enter the program. For this reason, the conservation centers have tended not to be overly concerned with the high school equivalency program.

Placement record

Shultz termed the placement record of the program as basic to any evaluation of success, he said that the conservation centers which are scattered in isolated places were unable to provide the necessary placement assistance. The conservation centers have not been able to take much responsibility in placing corpsmen after they leave the centers, he said.

Critics respond that under the present arrangement, the conservation centers do not have responsibility for placement. The Department of Labor through State Employment Agencies has placement responsibility under terms of contract with the Job Corps. Placement data for the first half of fiscal 1969 covering over 30,000 youths shows that 64% of all youths are placed. Of that total, the employment service places 20%, the Job Corps 8%, self placement 32% and community councils and others place the remaining 4%. Further, the Louis Harris study reveals that 85% of the ex-job corpsmen included in his sample who had been at conservation centers and were not in school or in the Armed Forces worked in the six months after they left the Job Corps either full or part time. Their earnings were up 80% over their earnings before the Job Corps experience.

Job training

Shultz states that the switch from conservation centers to the proposed urban centers will be accompanied by a shift in the training emphasis "from conservation work to industrial occupations." He said he doubted that "pure conservation work was a useful skill for youngsters who will return to industrial areas to find work."

Opponents of closing the centers respond that Shultz is misinformed as to the nature of the conservation center training programs. There is very little "pure conservation work" at the centers, they maintain. They point out that complete vocational training programs are provided for auto service mechanics, carpenters, cooks, bricklayers, cement masons, heavy equipment operators, welder and painters. These vocations are the basis for about 80% of all work projects at the centers. Further, critics argue that the union training programs in process at many of the centers to be closed provide guarantees of union apprenticeship to those who successfully complete the Job Corps union program.

Community impact

The Administration does not appear to have taken into consideration the impact of the conservation centers on the local communities. In many areas they are a key part of the economy of the community. For example 34 of the centers to be closed are located in EDA areas. Not only does the Job Corps hire people from these areas of high unemployment, they also often spend more than $1 million annually in each county on goods and services. The withdrawal of this source of revenue will be sorely felt.

CENTRALIZED PROCUREMENT

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. ANDERSON of California. Mr. Speaker, recent action by the Department of Defense to consolidate and centralize nonperishable and perishable commodity procurement gives me great concern. The implementation of such proposed action will further concentrate more and more activity into what is already a crowded, high-density eastern seaboard population area and will further remove procurement services from western suppliers.

Although all of this is apparently proposed in the interest of economy, I am not at all convinced that a case has been made. Furthermore, I doubt whether this transfer will result in any actual savings. In fact, the opposite may happen. Western suppliers burdened with added expenses and inconveniences and operating without close liaison with procurement officials may have to increase the cost of their commodities to the government.

Since the Defense Department has a sizable activity and involvement in the western part of the United States and a high level of activity in the Pacific theater, it does not appear consistent with good business practices to separate a major supply source from the procurement agency when the supply and consumption of the product are geographically close together. I include for the Record a copy of my letter to the Secretary of Defense and also a copy of a letter from Mr. John V. Vaughn, president of the Los Angeles Chamber of Commerce, to the Defense Supply Agency on the Department of Defense plan for consolidation of procurement functions:

Congress of the United States,
House of Representatives,
Washington, D.C., May 7, 1969.

Hon. Melvin R. Laird,
Secretary of Defense, Department of Defense, Washington, D.C.

Dear Mr. Secretary: Two recent actions by your Department involving the Defense Supply Agency gives me great concern for several reasons. Not only do I object to the apparent ever-increasing trend toward centralization and transferring of additional personnel and functions into compact areas, but I am also not convinced of any long or even short range economy. True, your analysis does indicate a calculated saving in both personnel and dollars, however, I have great doubt if your budget figures will so reflect in the years ahead.

Considering the Defense Department's sizeable activity and involvement in the western part of the United States and the level of military activity in the Pacific theater, it does not appear consistent nor in the realm of efficient planning to further consolidate and centralize activities on the eastern seaboard. I well appreciate that historically Philadelphia has been the home of the Army Quartermaster. Would it not seem that the Defense Department should follow the trend of industry and major corporations in the location and conducting of western-oriented business, close to the center of activity?

Your proposed centralization for procurement of non-perishable items in Philadelphia involves the removal of 67 personnel from the West Coast, 62 being from Oakland, California. This certainly appears to be a small number serving California bidders for non-perishable commodities. I certainly do not have to remind anyone in the Defense Department of California's production in canned fruit and vegetables as one category of items alone. It would appear that any purchaser would have an interest in maintaining much closer liaison with a major source of supply than your actions for consolidation and centralization reflect.

I am also concerned with your proposal to consolidate activities of the perishable subsistence headquarters of the Defense Supply Agency in Los Angeles to Oakland. I would suggest that you review certain statistics surrounding the Southern California area. I am confident that you will find that the purchase of meat and dairy products alone through your Los Angeles office in the last few years substantially exceeded purchases made in other California areas.

Therefore again, as I stressed above, I fail to see an economy or rationale for removing procurement personnel from vendors and suppliers who service an area. True, vendors can work through your proposed new centralized area office, but here again it would appear important that close liaison be maintained with suppliers in major areas. I am sure you appreciate that business establishment representatives, who must now travel, will incur an added expense which is only one item that will be reflected in higher costs to the Government and add to the complications of doing business on a day-to-day basis.

It is therefore my request, Mr. Secretary, that you cancel your plans for consolidation with respect to the non-perishable and the perishable subsistence procurement, as I fail to see where your analysts have made a case in the interest of economy, efficiency, or just plain practical distribution and customer relations.

Sincerely,
Glenn M. Anderson,
Member of Congress.

Los Angeles Area
Chamber of Commerce,
Los Angeles, Calif., May 2, 1969.

Brig. Gen. W. M. Mantz,
Commander, Defense Supply Agency Headquarters, Defense Personnel Support Center, Philadelphia, Pa.

Dear General Mantz: It has recently come to the attention of this Chamber and its members that the Department of Defense plans to consolidate the activities of the subsistence headquarters of the Defense Supply Agency at Los Angeles with the headquarters at Oakland, California.

Reviewing the statistics surrounding activities of the Los Angeles, Oakland and Seattle offices, the Los Angeles Area Chamber of Commerce believes that one can readily determine that the bulk of purchasing centers around the Los Angeles office. During fiscal year 1968, meat products purchased through the Los Angeles office represented $38.5 million, as opposed to $17.5 million for Oakland and $6.2 million for Seattle. Dairy products purchased through Los Angeles represented $21.1 million, contrasted to Oakland $11.3 million and Seattle $7.3 million. Figures displayed the same consistency in every category.

Los Angeles is now considered the financial

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capital of the West. It is also considered the manufacturing, distributing, wholesaling and retailing capital of the West. D.S.A. contracts with over 600 suppliers in Los Angeles, which total is almost double that of the Oakland office.

We seriously question the economic tradeoffs resulting from the eventual elimination of 22 civilian jobs when as a result of this consolidation the following can be expected to occur:

1. Deterioration of competition by moving away from the second largest market in the country.
2. High cost of doing business with D.S.A. in Oakland by businessmen in this area, who must travel to Oakland.
3. High cost imposed upon the government to service and inspect business establishments located in the Los Angeles area from the Oakland office.
4. Delivery and service delays as a result of this geographical separation from the nation's second largest market.

We are aware that D.S.A. from Oakland will attempt to continue to do business with more than 600 suppliers in the Los Angeles area. We are also aware that eventually this list will diminish in size because of the awkwardness of doing business on a day-to-day basis with an office no less than 450 miles from its major source of supply.

We strongly urge D.S.A. to cancel its plans to consolidate the Los Angeles office of D.S.A. into the Oakland office, in order that the business and industrial community of Southern California may continue to supply for the Armed Forces of the United States top quality products and services at the lowest possible cost and within the shortest possible delivery time.

Sincerely yours,

JOHN V. VAUGHN,
President.

THE RELATION BETWEEN CHURCH AND STATE RENDER UNTO CAESAR THAT WHICH IS CAESAR'S

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. MURPHY of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to insert the remarks by the Honorable Ross DiLorenzo, justice of the civil court of New York, at the Father and Son Holy Name Society Communion Breakfast, Precious Blood Church:

THE RELATION BETWEEN CHURCH AND STATE RENDER UNTO CAESAR THAT WHICH IS CAESAR'S

Most people who talk so glibly about the "separation of Church and State" haven't the least idea of what it means.

If you want people to read—then write articles on marriage problems, juvenile delinquency or sex.

The interesting problem facing us today is this "insidious doctrine of so-called separation of Church and State." Yet few know just what it means.

In the Southwest section of this country, a "phobia" still exists that the Catholic Church, if "once" given the power, would compel all Americans to become Catholics. Another section looks upon our Church as a monster which is bloodthirsty for world domination; another section claims that the Church wants to transfer Rome to Washington and make it all one government. This belief is the result of ignorance and malicious lies spread by enemies of our Church.

The intelligent Catholic recognizes the falsity of these representations. But how many are intelligent Catholics, with the necessary knowledge of religion, and therefore ready to answer and defend our Church. Some believe that being a member of the Holy Name Society automatically makes you a good Catholic; others believe that the Knights of Columbus opens the gates to Heaven. Such organizations merely give you a splendid opportunity, if used properly.

Our saintly Pope Pius XII restated the doctrine of the Church concerning its relations to the State, in no uncertain terms, as follows: "No one is to be forced to embrace the Catholic faith against his will, since the Church believes that one's convictions constitutes a reason for tolerance." To support this contention, Pope Pius XII further said that "there is no need for force because religion cannot be forced; that there is nothing more voluntary than religion; that sacrifice comes from the heart, and without the heart, there is no sacrifice which is so necessary for religion."

In 1942, Pope Pius, in a note to the Secretariate of State to the Legation of Yugoslavia stated "that conversion must be the result not of external constraint but an interior adherance of the soul to the *truths* taught by the Catholic Church, and readmission to the Church is permitted on condition that the person is fully aware of the meaning and consequence of the step he wishes to take."

We who know the origin and function of the Church *and* State, have no fears of the Church's motives. We know that all things originate from God. So does the State and Church. We know the Church's role is spiritual; the State is temporal. The purpose of the Church is to *save* souls; the purpose of the State is to *aid* the material and temporal happiness of its citizens. *That is the only separation that exists and should exist.* To make it more general would *then* deny that the Church and State *both* originate from God, and that *both* are concerned with the same subject—human beings.

Pope Leo XIII defined the limits of the two societies as follows: "the special and proximate end of the State is to care for man's earthly prosperity—while the Church is to procure their heavenly and eternal welfare. It is, therefore, ignorance or bigotry to state that Washington, D.C., may become a little Rome.

COOPERATION BETWEEN CHURCH AND STATE

The doctrine of "separation of Church and State" definitely has been promulgated by the irreligious or the bigot.

If both powers originate in God, they *must* be directed and sustained by their Divine author. While both are independent powers, they cannot ignore one another and still less-fight one another. They must cooperate in mutual understanding for the welfare of the people. With this understanding, the citizen then enjoys a good moral background, all to the benefit of the State. The State will profit from peace and harmony with the Church, when it recognizes that religion guarantees freedom of action within the teachings of God. This is an antidote to error.

CHURCH AND TOTALITARIANISM

Such a state is the enemy of God. It wants a Church that is silent and subservient in every manner, to the whims of human desires.

Against such terrorism of totalitarianism the Catholic Church will never permit herself to be shut up in four walls, and separate religion from life. Faith can produce a genuine and true democracy. A democracy without the rights of God. The dignity of the person would be defective and unsound, even from a political standpoint. The result can easily become totalitarianism, or perhaps authoritarianism—which means a one man rule.

RENDER TO GOD THE THINGS THAT ARE GOD'S—ETC. (TO CAESAR)

What does this really mean?

Money has always been a touchy subject. Our Lord never had much—for what little he had he gave to Judas for safekeeping—and Judas was a thief. God always scolded people gently for worrying over money.

Only twice did he take money seriously. Both times because of taxes. Once he stated he did not have to pay to enter the Temple because it belonged to God, and he was the Son of God. Yet, Peter had to pay because he was not the Son of God. The tax was for a good purpose—to support the Temple and Christ worshipped there—it was His Father's House.

What Christ took seriously was the question of money affecting others. During the last week of his life, his enemies were out to kill him. Israel had no government in our sense of the word. God was their government. The nation was a vast religious community dedicated to the service of God. Taxes were only to be paid to God. Political authority was obeyed because it was the voice of God. Therefore, what right did the Romans have to tax them. God alone had that right. So during this time, they saw an opportunity to embarrass Him and agreed to make a public spectacle of it. While our Lord was teaching publicly in the Temple they asked him if it is "lawful to give tribute to Caesar," he answered by saying "bring me a denarius to look at and tell me now whose image and inscription appears thereon." Caesar's was the answer, and our Lord then quoted the famous words "Render therefore to Caesar and, et cetera." This meant no more than "pay your debts." Our Lord told them that Caesar or the State and God had rights, but *separate rights*; that the Church's was spiritual and the State's was temporal; that the tax did belong to Caesar," who had built your roads, gave you police protection and improved your living conditions."

Our Lord never had any quarrel with men who wanted to run the world, but gave them permission to, with the right to collect taxes; yet, drew a line as to where their authority ended. Two thousand years later—we have the same problem—with the shoe on the other foot, with the question asked "has *God* any rights?"

THE TROUBLED WORLD OF TODAY

Who should decide whether divorce is good or bad? Should the State decide and regulate the control of our children? Should the State *alone* decide the immigration from overcrowded nations to this country? Should not the voice of the Church be heard—which voice is the interpreter of the law of charity. Who is going to provide charitable relief from public funds and taxes? Is this strictly a political question only? Are we going to tell God what He can do, or should we not ask Him for guidance, and what we can do. Can you separate one from the other?—Hardly! This is the result we are experiencing today. Disrespect for law and order because we fail to recognize and remember God.

At His trial before Pilate, Christ made the same point when He said "Pilate, fear not, I do not interfere with your authority for my kingdom is *not* of this world."

Separation means just that! That the State and Church are separate societies—both originating from God—for a singular purpose—the welfare of the people, and both *must* cooperate to that end.

When the authorities—both Church and State—will agree to that end—then we can enjoy the peace of mind that follows law and order. We can then pray and thank our Lord. We can again begin to walk the streets at night. We can then say power is the faith of God—not black—nor white—nor Catholic—nor Jewish—only God—for He is the origination of all and everything.

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FATHER ROBERT I. GANNON, PRESIDENT EMERITUS OF FORDHAM, ADDRESSES CATHOLIC TEACHERS ASSOCIATION OF BROOKLYN AND QUEENS

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. CAREY. Mr. Speaker, on April 19, the Very Reverend Robert I. Gannon, president emeritus of Fordham University, addressed a communion luncheon of the Catholic Teachers Association of the Diocese of Brooklyn and Queens.

Father Gannon's remarks were addressed to the question of the present and future status of Catholic colleges in the United States. I believe he stated the case in behalf of their support and continuation effectively as well as eloquently.

Since the support and funding of nonpublic institutions of higher education is of concern to all of us and will come before the Congress during the current session, I believe that Father Gannon's remarks are both timely and valuable.

So that our colleagues may have the benefit of his views, I include the full text of his address at this point in the RECORD:

REMARKS OF FATHER ROBERT I. GANNON

Mr. Toastmaster, you are so gracious, so extravagant you make me regret for the first time that I am the only one in New York City not running for Mayor.

May it please Your Excellency, Most Reverend Bishop, Right Reverend and Very Reverend Monsignori, Reverend Fathers, the two dear Sisters that I recognize and the other Sisters who may be here in disguise, Guests of Honor, Ladies and Gentlemen:

I am always delighted to come, first of all because I love teachers, that is, all the teachers I have ever known except the ones I had in class.

It has been a great pleasure sitting here talking with a happy Bishop. In these days you have to come to Brooklyn to find a Bishop who hasn't a care or trouble in the world. But even though he does not have to worry about the wonderful institutions in his own Diocese, he is quite aware how much this morning's topic means to all his brother Bishops. For we are going to try to answer the question: "Shall we scrap our Catholic Colleges?"

SHALL WE SCRAP OUR CATHOLIC COLLEGES?

Some may wonder what interest a teacher of primary or secondary school might have in scrapping our colleges? Actually, I think more interest than any citizen of the United States who doesn't happen to be a college teacher. As Americans, as educators and, especially, as Catholics interested in spreading the Kingdom of Christ, you are bound to have a very deep interest in the future of Catholic higher education.

The question suggests that we are doing a poor job again; that higher education is another failure of the old out-worn Church! It is no wonder that there is a wave of increasing criticism of everything Catholic rolling in from the Left. One source of this disturbance is a section of our liberal Catholic press; the section that is dominated by the so-called establishment—a name they have chosen for themselves. This is a group of journals and journalists whose most conspicuous members have refused to remove the word "Catholic" from their masthead, though their local Bishop had requested it. The principal target of these molders of thought is the Holy Father, and their boast is that they are responsible for the Berrigan uproar, for keeping alive the messy issues of celibacy and birth control, and for the disproportionate publicity given to stray priests and nuns.

They recognize, of course, that there is a link between Catholic higher education and the success of the Church itself—the success of the Church that we have known for 1900 years, the Church as established with its hierarchical structure and its Pope, who still insists on being more than a symbol.

So, naturally, our colleges and universities with their many problems are considered fair game. The parochial schools can be ignored. They are on the way out because of financial and vocational difficulties. But if the Establishment doesn't sound the alarm, the colleges may get by with public grants and loans. I was reading the other day that St. Peter's College over in Jersey City received last year in government grants $1,126,974, besides $155,000 from various foundations. Of course, that wouldn't mean anything to a rich place like St. Francis. But, if they don't sound the alarm, colleges like St. Peter's may get by, and if they get by it will slow down the elimination of the Institutional Church.

The official line of attack is this: Our attempt at higher education is an obvious failure so let us give it up. The evidence? We have never had in the United States our rightful share of Catholic intellectual leaders. After all these years, where are our Einsteins, where are our Oppenheimers? They never ask Harvard: where are your Michelangelos, where are your Beethovens, where are your Shakespeares? One important fact is always overlooked: from the beginning two-thirds of our Catholic students have always been in non-Catholic institutions, so if we lack intellectuals it is two-thirds the fault of the non-Catholic colleges and universities.

But keep on repeating a slogan: "If it isn't Dannon's it isn't Yogurt—You can take Salem out of the country BUT you can't take the country out of Salem"—just repeat that often enough and the public will eventually believe you. So, the Establishment keeps on saying that Fordham, for instance, is hopelessly outclassed and irrelevant. It is outclassed because it has only six computers, not one atom smasher, and less than one million books in the library. It is irrelevant because of changed conditions. Like all other Catholic colleges, they tell us, it must have been founded for destitute Irish immigrants whose fathers were rioting around the saloons at Five Points. The Italian immigrants behaved so much better! But today we don't need slum colleges any more. Catholics have advanced financially and they can afford lovely, dignified and cultured places like Columbia.

The number of computers and the number of books can wait until the next educational convention. But the irrelevance of Fordham, like that of Seton Hall, St. Joseph's, St. John's, Molloy, and the rest, concerns us today as educators. How did we get involved with them anyway? What was their original purpose and are they still needed?

To go all the way back to beginnings, our American colleges, Catholic and non-Catholic, were started with the same purpose in 1634. In that year the Puritan Fathers began a college in Newtown, Massachusetts, which was one day to become Harvard; while the Jesuit Fathers opened one in Newtown, Maryland which, after many vicissitudes and several suppressions, evolved into Georgetown. The motto of the first was "Christo et Ecclesiae" (for Christ and the Church), while the motto of the second was "Ad Majorem Dei Gloriam" (to the greater glory of God), and both sought to carry out the Medieval tradition of higher education derived by Harvard from Cambridge in England and by the Jesuits from the University of Paris. With the exception of the University of Virginia, all American institutions of learning were religious in their purpose until the middle of the last Century. They were founded to develop leaders, and especially church leaders.

This was less evident in the founding of our women's colleges. Their present popularity in America is one of the few encouraging changes brought about by modern conditions. Seminaries for females—don't you love that?—go way back to the 18th Century, but here in the United States women got into college first when co-eds invaded Oberlin in 1833. Vassar in 1861 was the first college set apart for women, while Notre Dame of Baltimore began our Catholic tradition in the late nineties.

When my sister, for example, went away in 1895 she entered what was then called Manhattanville Academy of the Sacred Heart. When she got out in 1899 there were a lot of things she could do. She could paint. It was still life—very still. I remember that we had oranges and lemons and pineapples and dead fish all over the house. But her diction was perfect; her French a little imperfect. She was a crack theologian, and I remember how I used to stand by the baby grand piano and listen to her play "Alice, Where Art Thou"?

In other words, in 1899 she was all ready for a wedding ring from the right man, or a nun's veil, or a normal school for teachers. She was not ready for a graduate school or the business world. Manhattanville Academy prepared young women for what was then considered leadership, and so did all the other Academies. When these evolved into colleges, the idea of leadership was broadened but the purpose remained the same.

So it was with Fordham. The Bishop of New York, the indomitable John Hughes, whom they used to call "The Lion of Judah", wanted a seminary with a college attached because, as he wrote, "Unless something is done in time to multiply the priesthood and provide Catholic education for our future leaders, thousands of souls must perish for want of the bread of life". So, instead of looking for a basement on Canal Street, he found a beautiful mansion under construction at Rose Hill near the Village of Fordham in Westchester County. He bought it with money he had begged all over Europe and finished it for a college before building a chapel and seminary nearby.

The first college catalog appeared in 1849 with the names of 75 boys. Divided into seven classes, they ranged in age from fourteen to twenty-one. The many boys from South America and the Deep South (there were 16 from Mexico and only 8 from Brooklyn) were probably wealthy, and the local boys in comfortable circumstances. They had to be. The fees they paid, $200 a year, look modest enough now until we realize that the average laborer before the Civil War earned about $300 a year. So they were paying eight months wages. In other words, considering equivalent values, we can say that the first generation of students at Fordham were paying what would be today more than $2500 for board and lodging. Undoubtedly there were many who could not pay and were taken in free. But still it is not the picture of a slum school that has to be phased out because it has become irrelevant.

Along the same lines, we cannot help wondering what became of the 79 boys whose names were in the earliest catalog. One hundred and twenty years later we can still identify a few of them. There was Robert Gould Shaw, who became Colonel of the first negro regiment in the Civil War. His statue is on the Boston Common. There was Thomas Connery, Managing Editor of the New York Herald, then Secretary to the American Legation in Mexico and, later, Editor of "Once a Week." This evolved into Collier's Weekly, which some of us can remember. Then, William Denman, who was Editor of

The Truth Teller. There was Judge Henry H. Dodge of Ohio, and the two O'Connors, one Lawrence, a well known architect, the other Michael P., a Congressman from South Carolina; and the artist, John LaFarge—all of them successful in after life.

Among those who became clerics there was Sylvester H. Rosecrans, first Bishop of Columbus; William Koegan, Vicar General of Brooklyn; James Hughes, Vicar General of Hartford; John A. Kelly, Vicar General of Trenton; William Plowden Morrough, Superior of the Ecclesiastical Seminary at Fordham, and several Pastors and common ordinary run-of-the-mill Jesuits, like David Merrick, who was President of St. Francis Xavier. All of this from a little school of 79 boys. Someone might still ask "Where are all the Oppenheimers?" But most of us, I think, would be satisfied.

These details are not mentioned in any spirit of snobbery but merely to show that our purpose has not changed. Our purpose has always been to train leaders, and that is what makes our colleges relevant today.

With regard to professional and graduate schools, the reasons for our involvement at Fordham, as elsewhere, are more varied and complicated. The reason was sometimes money, sometimes prestige, sometimes the public good, sometimes zeal for souls. And here, for the sake of perspective, we should keep in mind the national picture of a century ago.

Father Agustus Thebaud, twice President of Fordham, wrote as late as 1885: "In this country, very few people understand the immense difference between a university and a college. There are 343 educational institutions and 72 are called universities". His French upper lip curled a little bit as he added: "It is in all conscience ludicrous enough". He did not consider Harvard and Yale as "universities" in the sense that is attached to the word in Europe, where he had taken his own degree, and he thought Columbia had a great advantage over Princeton from the fact that there has always been connected with it a grammar school, whereas in Princeton the pupils are received from every quarter; consequently they haven't got the training.

Fordham plunged into the University ranks with very little preparation 65 years ago by suddenly opening schools of medicine and law. This perilous step, taken with the object of prestige, was announced with charming insouciance at the Commencement Exercises in 1904. It always reminds me of that celebrated scene that took place in the Church of St. Paul Outside the Walls when good Pope John turned to a group that was standing nearby and remarked, quite casually, that he thought he would convoke an Ecumenical Council. The Medical School folded in 1921, but the Law School still flourishes. The School of Pharmacy was, frankly, a financial venture; but the School of Education and the School of Social Service were really inspired by zeal for souls and concern for the needs of the Church. The same could be said for the Graduate School. Fifty years ago nuns and brothers who had been teaching successfully for a long time suddenly needed degrees, and one thousand showed up for appropriate courses. About the same time Catholic Charities was organized by the Archdiocese and pointed up the necessity of professional courses for those who cared for the needy.

That is how Fordham got involved and mutatis mutandis you will find this is the story in most of our universities. Some of us feel that our graduate and professional work has given great glory to God. Some are convinced that it would have been wiser to concentrate on our liberal arts colleges; but no one doubts that our institutions of higher learning have been an important part of that century which will soon be recognized as the Golden Age of the Church in America—1860 to 1960.

We should hesitate, therefore, to scrap our colleges and universities either because they are hopelessly outclassed or because, as slum projects, they are now irrelevant. The first reason represents lump thinking. Hundreds of places are lumped together as though they were equal whereas they are just as varied as their secular neighbors. The second reason ignores history.

But there is a third reason for closing our colleges that is never mentioned by our critics on the Left. So far, thank God, it is only a hypothetical reason and can be put this way: If the sad day ever comes when the present tendency to secularize our campuses achieves its goal, then indeed the time will have come to auction them off for industrial parks and give the proceeds to the foreign missions.

This tendency is frightening enough. In most cases it reflects financial uncertainty. Because of the large sums of money demanded for operation, the Holy Water in some places is beginning to disappear. The term "Christian" has taken the place of "Catholic", and even the religious on the faculty sometimes protest that they would never stoop to "indoctrination", as though the word indoctrinate implied a shot of L.S.D. All it means is to hand on doctrine or teaching; in religious matters, the teaching of the Church. What is so terrible about that?

The increased power of lay Trustees is not alarming, but some of the curricular changes and the abject surrender of authority by some administrators are quite another matter. Catholic educators have always protested, until recently, that the unique effect to be sought in a Catholic college came from the fact that the student absorbed a "Catholic way of life" from all his teachers and all his courses. A life-long attitude toward God and the universe was the expected result, and that compensated for some of our material disadvantages. Now with their eyes on public funds and non-Catholic foundations, some of our leaders are protesting that all our courses, except theology, should be just what you would find in Berkeley. Then when you check on theology in the catalog, you find that there is not too much difference even there. In some places that I know the student can graduate without having come in direct contact with any traditional Catholic theology. The courses are elective and only two are required: let us say, Indian Theology and Teilhard de Chardin.

I was his superior for four years, and I loved him; he was a very spiritual man, but you have to realize that Teilhard de Chardin was first a poet, then a scientist, then something of a philosopher and, incidentally, a theologian. I think a very fortunate element in his current success is the fact that his name wasn't Jim Mulligan. So many of his fans love to stand up and just pronounce the name: Teilhard de Chardin.

As for the surrender of authority, it has demoralized the student body and the faculty in those places that have not been blessed by having a Father Hesburgh as President.

So, then, we are involved in higher education and, for the glory of God we should remain involved. That we can do even if our fellow citizens in New York continue to deny us our share in the taxes we pay. We can survive if our friends are generous and our administrators and faculties will stop their liberal posturing, return in all simplicity to think with the Church and examine the reasons why Catholic parents will always prefer a real Catholic college, with all its financial problems, to just another cheap imitation of Harvard.

Thank you.

DISCIPLES OF DESTRUCTION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. ASHBROOK. Mr. Speaker, to those who have been following the many campus disruptions throughout the country, the name of Students for a Democratic Society—SDS—is no stranger. In response to the disruptions themselves, one school of thought prescribes a minimum of restraint, with the school administrations for the most part left to cope with the disorders. In contrast, others recommend a firm hand in enforcing and punishing violations of the basic laws involved. The taxpayers of the Nation are by no means disinterested bystanders in the controversy as many millions of their tax dollars are consumed by the institutions of higher learning. While sincere debate continues on the most prudent and effective approach to take, most fair-minded viewers agree that radical organizations such as the SDS cannot be allowed to foment trouble in our educational institutions with impunity.

The national news magazine, U.S. News & World Report, of May 12, featured an article on the radical nature and current activities of the SDS which provides a brief but adequate description of the threat posed by these young extremists. Illustrating the seriousness of the SDS movement, the article uses FBI Director J. Edgar Hoover to show that the SDS is motivated by an almost passionate desire to destroy, to annihilate, to tear down, and can truly be classified as anarchistic and constitutes a new type of subversion whose danger is great.

The above-mentioned article offers a current and convenient rundown on a militant force which seeks to tear down the educational system of our Nation, and for this reason I insert it in the RECORD at this point:

SPOTLIGHT ON "SDS"—CASE STUDY OF CAMPUS TURMOIL

Look behind almost any of the disturbances that are disrupting American colleges today and you will find a group that calls itself "Students for a Democratic Society."

In the school year now nearing its end, SDS has been involved in disputes with authorities on some 200 campuses.

Now SDS is branching out—moving into high schools and industrial plants as well as into colleges.

High schools in many cities are experiencing disruptions that follow patterns suggested by SDS.

SDS members teamed up with Negro workers to force a temporary halt in production at the Ford Motor Company plant in Mahwah, N.J., on April 28.

Plans have been drawn and instructions issued for a so-called "work-in" this coming summer. Strategy: SDS followers will get jobs in industrial plants in order to agitate among fellow workers.

WARNING FROM FBI

The Chamber of Commerce of the U.S., in its annual meeting on April 27, received a warning from William C. Sullivan, head of domestic intelligence for the Federal Bureau

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of Investigation. Discussing the activities of SDS and other groups now disturbing schools, he told the Chamber:

"Businessmen are next on the list. This summer they intend to test you."

Investigations of the SDS are getting under way in Congress.

Yet, for an organization that has done so much to stir public concern—and often outrage—SDS has remained little known or understood by many Americans.

IDEALISM, RADICALISM

Even parents of SDS adherents ask:

Just what is the SDS? How big is it? What does it really stand for? Is it Communist? Anarchistic? Or what?

There are no simple answers to such questions, because SDS is a loose organization of groups that differ from campus to campus and include many individual philosophies—ranging from youthful idealism to destructive radicalism.

The organization is held together by a few so-called "secretaries" and a national committee. Its income—small—is from donations, dues, and earnings of its publication, "New Left Notes."

SDS claims 6,000-dues-paying—$5 a year—"national members," plus about 35,000 members of local chapters. But those who follow the organization closely estimate that there are as many as 100,000 SDS "adherents" who will join its campaigns and back its causes.

Chapters of SDS are believed to exist on more than 225 campuses—and new ones are constantly being formed.

REVOLUTIONARY TREND

SDS is a growing organization. It is also becoming more revolutionary and more violent. Now SDS leaders talk openly of overthrowing basic American institutions.

Michael Klonsky, national secretary of SDS—the top official—told his organization's national committee at Austin, Tex., on March 30:

"Our primary task is to build a Marxist-Leninist revolutionary movement."

SDS leaders attack the U.S. as a capitalist, imperialist and racist state and describe the Vietnam war as "capitalist imperialism."

SDS tactics have changed from protest to outright resistance.

At the national convention of the SDS, held at Michigan State University in East Lansing in June, 1968, a panel discussed methods of committing sabotage and making bombs. SDS distributed literature giving detailed instructions.

The SDS is generally regarded as the extreme wing of what has come to be known as "the New Left."

FBI Director J. Edgar Hoover told a congressional committee:

"The mood of this movement, which is best typified by its primary spokesman, the Students for a Democratic Society, is a mood of disillusionment, pessimism and alienation. At the center of the movement is an almost passionate desire to destroy, to annihilate, to tear down.

"If anything definite can be said about the Students for a Democratic Society, it is that it can be called anarchistic."

SDS leaders admit that there are Communists in their organization.

National Secretary Klonsky, aged 25, is a son of a onetime official of the Communist Party-U.S.A. He describes himself as "a revolutionary communist"—spelled with a small "c." So does Bernardine Rae Dohrn, a 27-year-old lawyer who is organizational secretary.

The small "c" in the word communist is supposed to denote that they do not follow "old line" Communism—either that of Moscow or that of Peking.

DANGER IS GREAT

Mr. Hoover explained the difference in these words:

"The New Left should not be arbitrarily equated with the traditional old-line left. Although they become prey to the superior organizational ability and talents of the old-line subversive organizations, such as the Communist Party-U.S.A., the Socialist Workers Party and the like, to simply identify them as Moscow or Peking Communists would be missing the point.

"To put it bluntly, they are a new type of subversive and their danger is great."

Some of the SDS "accomplishments" attest to its power.

It was SDS, led by Mark Rudd, that spearheaded the attack on Columbia University in 1968 and closed down that institution for more than a week. On April 30, SDS renewed its attack on Columbia, seizing two buildings.

The SDS was instrumental in organizing the "march on the Pentagon" to protest the Vietnam war in 1967.

SDS helped to plan and lead the demonstrations in Chicago during the Democratic National Convention last year. Thomas E. Hayden, who was one of the organizers of SDS in 1962, was among those indicted on charges of conspiracy to incite riot in connection with the Chicago disorder.

SCOURGE OF CAMPUSES

SDS led in this spring's rebellion at Harvard and has had a hand in nearly every other recent disturbance on campuses all across the country.

In these campus rebellions, SDS often is able to mobilize several thousand students who are willing to seize buildings by force, hold college officials captive, rifle and burn official records, set fires and battle with police.

Yet SDS chapters are relatively small—sometimes only a few dozen members, seldom more than a few hundred. How can so few cause so much trouble?

MASTER TACTICIANS

The answer lies in SDS preparation and tactics, which are modeled on methods developed by Communist revolutionaries over many years in many countries.

SDS seizes on any issue that arises on a campus, exploits it and expands it, and stirs into action many students who normally would not become involved. When the group's tactics have aroused the students, the SDS feeds them suggestions that are actually carefully drawn plans designed to create a confrontation with college officials.

Favorite SDS issues include: the war in Vietnam, the military draft, the Reserve Officers Training Corps, campus recruitment by companies making war materials, military research projects.

The repeated harassment of Dow Chemical Company recruiters when they visited colleges was one of SDS's projects. Dow's manufacture of napalm for the war was used as a reason. Army recruiters and Selective Service officials have been harassed similarly.

Often the issue may involve nothing more than some regulation laid down by college authorities.

Sidney Hook, former head of the philosophy department at New York University, wrote in NYU's "Alumni News":

"On every campus there are always some grievances. Instead of seeking peacefully to resolve them through existing channels of consultation and deliberation, the SDS seeks to inflame them.

"Where grievances don't exist, they can be created. In one piece of advice to chapter members, they were urged to sign up for certain courses in large numbers, and then denounce the university for its large classes."

If university officials move to grant SDS demands, the demands are escalated. Another tactic is to lump some unreasonable demands with some valid demands—and then present the whole package as "nonnegotiable."

RIDICULE, HARASSMENT

A manual of tactics for taking over a university has been written by Carl Davidson, who is known as a "theoretician" of the SDS.

Once an instructor at the University of Nebraska, he has visited Cuba and once had a three-hour talk with Fidel Castro. He describes himself as "a Marxist but not an old leftist."

One of his suggestions is that students try to break down the "legitimizing authority" of campus institutions.

"This," he says, "is the purpose of singing the Mickey Mouse Club jingle at student-government meetings, of ridiculing and harassing student disciplinary hearings and tribunals, of burning the dean of men and/or women in effigy."

Mr. Davidson advises students to "work inside the system" but not "play by the established rules." He warns against backing reforms "which leave the basic rationale of the system unchallenged."

Also, according to Mr. Davidson:

"We should avoid all of the 'comanagement' kinds of reform . . . giving certain 'responsible' student leaders a voice or influence in certain decisionmaking processes. . . . We are not trying to liberalize the existing order, but trying to win our liberation from it. We must refuse the administration's rhetoric of responsibility.

"Ultimately," he says, "we have access to only one source of power within the knowledge factory. And that power lies in our potential ability to stop the university from functioning. . . .

"Throughout all of our on-campus organizing efforts we should keep this one point in mind: that sooner or later we are going to have to strike—or at least successfully threaten to strike."

DOCTRINE OF DESTRUCTION

A complaint made repeatedly by educators and officials is that SDS seems bent only on destroying the existing system, proposing nothing to put in its place. Mr. Davidson provides SDS members with a reply to such complaints. He writes:

"While it is true that 'abolition' is a negative reform, and while we will be criticized for not offering constructive criticisms, we should reply that the only constructive way to deal with an inherently destructive apparatus is to destroy it."

Representative Elford A. Cederberg (Rep.), of Michigan, who inserted two of Carl Davidson's manuals into the "Congressional Record" April 24, said this:

"The . . . two documents clearly indicate that the so-called Students for a Democratic Society is dedicated to the destruction of our democracy and should be called the Students for the Destruction of a Democratic Society."

WHO MEMBERS ARE

Most SDS members are white, from affluent or middleclass backgrounds.

Black students tend to form their own separate organizations on the campus.

However, the SDS often backs Negro demands, as it did recently during troubles at Cornell.

At the Ford plant in Mahwah, N.J., the SDS—led by Mark Rudd—moved in behind demands of the United Black Brothers (UBB) who were protesting alleged racist policies and demanding recognition of the UBB as a bargaining agent for Negro workers.

This incident may be a warning of what industry can expect next summer from the SDS work-in campaign.

The long-range goal of the work-in is to develop a revolutionary alliance of students and workers.

"Our goal is not to organize the U.S. working class in one summer," an SDS document says.

But, it adds:

"Hopefully, in the not too distant future,

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we may be instrumental in forming a new International Union of Revolutionary Youth."

SCHOOL FOR BOMB MAKING

In high schools, SDS encourages challenges of school authorities on issues such as dress regulations, study tracks and student voice in running the school. Senator Gordon Allott (Rep.) of Colorado, told the Senate on April 29:

"Across the nation, SDS has been moving into and organizing high-school students to initiate disruptions. . . .

"One has only to turn to the suburbs of Washington to find that the SDS prescription is being followed to the letter. The pattern is the same everywhere, of course, including in my own State of Colorado. In fact, I have in my possession an SDS document handed out recently at a Denver East High School basketball game instructing students on how to make home-made bombs. . . ."

One Government official who has observed SDS closely described its relations with the Communist Party this way:

"Even some SDS leaders who call themselves Marxists or small-communists regard the regular Communist Party as outdated. They reject party discipline. Their heroes are guerrilla types such as Cuba's late Ché Guevara or North Vietnam's Ho Chi Minh.

"Communist Party leaders, in turn, do not completely trust the SDS or approve of all its methods. But they use SDS at every opportunity."

Gus Hall, head of the Communist Party-U.S.A., has said:

"Fronts are a thing of the past. We don't need them.

"We've got the Du Bois Clubs, SNCC (Student Nonviolent Coordinating Committee) and SDS going for us."

A HARD LOOK AT THE U.S. TECHNOLOGICAL POSTURE

HON. ALEXANDER PIRNIE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. PIRNIE. Mr. Speaker, startling technological developments have highlighted recent decades. We have become accustomed to the wizardry of modern science. There is a real danger that we will be lulled into a false sense of security and not do those things required to achieve the potential of things to come. Complacency will be fatal. The protection and economic strength of our Nation will depend upon our keeping the pace. Insight will permit us to move ahead adequately and efficiently.

The Air Force Systems Command has as its mission the responsibility for advancing aerospace technology, adapting these advances into operational aerospace systems, and acquiring qualitatively superior aerospace systems and materiel needed to accomplish the Air Force mission

To accomplish this tremendous responsibility, the Systems Command, headquartered at Andrews Air Force Base, Md, directs the operations of a vast network of divisions, development and test centers, and laboratories. One of the branches of this great organization, the Rome Air Development Center, is located in my district.

The commander of the Systems Command, Gen. James Ferguson, is a well experienced military officer who possesses a most unusual background of practical experience in the technological development of military aircraft.

In these days of doubt about advancing the capabilities of our military might and the supporting of large national budgets for procurement of materiels of war, it is most timely to hear what this expert has to say about our technological development of aerospace systems.

The May issue of the Air Force Space Digest contains an article written by Edgar E. Ulsamer, in which very timely views of urgent import are expressed by General Ferguson. Because of his recognized stature in this field, I am sure my colleagues will find them deeply interesting and informative.

The article follows:

A HARD LOOK AT THE U.S. TECHNOLOGICAL POSTURE

(By Edgar E. Ulsamer)

Among paramount Air Force technology requirements are comprehensive upgrading of test facilities, which are "stretched to the breaking point at present," an infusion of about $300 million in advanced development work across the R&D spectrum, more modification of existing weapon systems, a hypersonic follow-on to the X-series of test aircraft, and "greater technological togetherness" of all sectors of government.

These views were expressed recently to AIR FORCE/SPACE DIGEST by the Commander of the Air Force Systems Command, Gen. James Ferguson, and some of his principal staff officers.

Rating the national technology posture as "not as good as it should be or could be," General Ferguson said a recent Air Force study of specific areas of laboratory-type technology in need of intensified exploration showed that "$300 million is the sum total—certainly not a staggering amount and only a fraction of what it costs to fight the war in Vietnam for a week—of all the items that we consider productive and worthy of effort, over and above what we are according them now."

The Achilles' heel of the US technology effort, in the view of AFSC, however, is the inadequate condition of US test facilities—a matter of concern not merely to the Air Force but to all components of the Department of Defense, as well as NASA, other government agencies, and industry.

In this area "we are literally stretched to the breaking point. We are using facilities that go back to Peenemünde [the German World War II missile center]. We had to put protective barriers around some of the compressors so that if they disintegrate, they won't injure everybody in the vicinity," General Ferguson explained.

The current test-facility crisis centers on large and costly aerospace facilities involving test ranges, scientific laboratories, space chambers, wind tunnels, shock tubes, instrumented aircraft, computerized analysis, advanced reentry vehicle test tools, and synthetic battleground test capabilities. Planning and constructing such facilities involve a five- to ten-year lead time. These facilities are the incubators and the ultimate pacing factor of future technological advance, according to General Ferguson, and should be viewed by the government as "capital investment" to assure this country's "continued ability to operate profitably and compete effectively."

What is needed, in General Ferguson's view, is the same kind of vision and boldness as the late Dr. Theodore von Kármán displayed in 1945 when he campaigned for a Mach 3 wind tunnel and associated test facilities, which turned out to be the very foundations of today's technology but which were derided at the time by the skeptics as extravagant and unnecessary.

"We need the willingness to support technology by exploring the unknown, to build something that isn't necessarily in direct support of an approved program. We need to do this not only for the sake of progress but because there are other people in this world who are doing just that. The probability is great that they eventually will force a breakthrough of immense usefulness . . . and we will have to cope with the full lead time to catch up," General Ferguson said.

The need for improved and modernized test facilities, to a large measure, hinges on cost considerations. The inability to test the C–5's engine, the TF39, in that portion of its performance envelop ranging from sea level to 5,000 feet because existing wind tunnels were inadequate for the massive airflow requirement, made it neecssary to use a modified B–52. This was not only costly but also disadvantageous because a much greater volume of data can be accumulated in a single hour of test cell operation than is generated by days of flight testing. (Similar test restrictions apply to the General Electric GE4 engine, slated to power the SST.)

The lack of adequate wind-tunnel facilities to test up to Mach 24, for instance, escalates costs of hardware like the Advanced Ballistic Reentry System (ABRES). In place of relatively inexpensive ground simulation, actual test firings are required during the preliminary phase of the program.

The absence of wind tunnels capable of testing V/STOL aircraft in all modes of operation, in the view of General Ferguson, explains in part why fifty-five different prototypes were built in the past few years, "all without sufficient success to justify production." A similar condition prevails with regard to WS–120, the proposed advanced ICBM, which is complicated by the absence of adequate rocket test cells.

Savings achieved by shortchanging the test facilities program may well prove penny-wise and pound-foolish. The Air Force believes, for instance, that the absence of advanced dynamic simulation facilities to test landing gears extracts a price substantially higher than the cost of building such an installation.

THE PROBLEM OF NATIONAL TEST FACILITIES

A number of special circumstances complicate, as well as intensify, the problem of national test facilities, according to General Ferguson. There are indications that Soviet efforts in developing sophisticated test facilities are progressing rapidly. The implication is, as he told the Preparedness Investigating Subcommittee of the House Armed Services Committee, that "the Soviets intend to develop new systems advanced enough to require these facilities . . . by itself a provocative realization." He added, "We must also recognize that Soviet development-to-development lead time will be effectively shortened, [for] facilities in their economy as in ours are long lead-time items, indispensable to the timely development of new systems."

He urged, therefore, an "imaginative, comprehensive, long-range plane for the design, development, and acquisition of those facilities that will be needed to provide the critical simulation environments, dimensions, and time durations for future systems. I feel such a plan is needed, just as surely as such facilities will be needed, and it must be national in scope."

"It occurs to me that when the Nation has to spend $50 million or more per facility [about $100 million for a wind tunnel to test engines of up to 60,000 pounds of thrust], then we should have a plan that spells out in order of priorities where and how the nation should allocate these funds." General Ferguson said. He added that an integrated

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facilities program should be formulated on an interagency basis to reflect the government-wide utility and national, resource character of advanced test facilities. AFSC presently administers test facilities and laboratories representing a capital investment of $1.5 billion. Total DoD facilities are valued at $2.2 billion, while the government-wide total represents an $11.2 billion investment.

General Ferguson advocated expansion of the concept of "technological togetherness" to include the aerospace industry in the sharing and development of test facilities. Without questioning industry's need for, and right to have, test facilities of its own, or proposing that "we should confine ourselves to just one facility of a kind in the nation," he suggested that "maybe we have gone too far in building separate facilities [in industry], for in the final analysis it is the government which directly or indirectly pays for them."

He, therefore, proposed that more government facilities be made available at adequate rates to industry, a practice already in effect with regard to some AFSC installations which are industrially funded.

"I can't see any other way of providing these massive facilities which have a primary defense orientation but also furnish invaluable service for the civilian sector," he said. "If you had to test, say, a 100,000-pound-of-thrust jet engine for a future commercial jet transport under ambient conditions," General Ferguson said, "the task would be colossal for industry to undertake on its own.

"Yet, if the company with such a need were to participate in extending our facility at [the Arnold Engineering Development Center in] Tullahoma, Tenn., I would think that we have a situation that is very much in the national interest. We have a precedent of sorts—although not with the private sector—because NASA paid $4 million toward extending the AEDC wind tunnel to test the upper stages of Saturn, with the result that both its own and the Air Force's capabilities are enhanced."

Other AFSC test facilities which also were used for non-DoD purposes are, in General Ferguson's words:

The 15,000-foot instrumented runway and excellent weight and balance facility at Edwards AFB, Calif., have been made available in support of the DC-8, DC-9, 727, and 737 jetliner certifications.

At the Inhalation Exposure Facility of our Aero-Med Laboratory, technicians are studying the implications of long-term exposure to common chemicals threatening pollution to the atmosphere. The findings of these studies will be applied to the federal standards being set for "clean air."

That same lab's Bio-Acoustic Research Facility is measuring possible effects of the sonic boom on communities, and collaborating with other federal agencies in auto crash research.

And at the Cape, Air Force tracking equipment has been used to track commercial communication satellites from launch to orbit.

General Ferguson stressed that parochialism has no place in orchestrating a national test facilities program, and that management of a given government facility should be exercised by the primary using agency. "This approach works well between us and NASA. For instance, NASA ran tests for the Air Force on the F-X effort; is now testing the F-111 in Sunnyvale, [Calif.]; and will be working with us on the F-15. NASA, of course, was also involved in the C-5 program, and will be in the F-12 effort," he said. As far as DoD's plans for test facilities are concerned, an *ad hoc* committee representing the three services is currently preparing a list of specific requirements for the 1970s.

THE NEED FOR POOLING TECHNOLOGY

Pooling of technology on a nationwide basis as a means of streamlining and also reducing costs in the R&D area was stressed by General Ferguson. The Air Force and NASA, the General pointed out, have held intensive discussions on "where we go from here, in space, for instance. . . . We expect to distill our common goals, determine what technologies are needed to achieve them, and decide on who has the best capability to undertake individual jobs." Among these goals, he said, "is the key to the future in space, the ability to shuttle back and forth between the ground and orbiting space vehicles, which requires exploration of new reentry methods and new hypersonic vehicles."

General Ferguson explained that in addition to the HL-10 and X-24 subsonic lifting-body vehicles currently under test, there is the need to develop hypersonic vehicles in the form of a new family of X-series aircraft. "Perhaps we don't need as many as we had before, but there is a categoric need for a follow-on effort to the X-15 beyond the small, inexpensive proposal that we have submitted jointly with NASA. But we should launch such an effort to explore the hypersonic performance envelope, even if it isn't tied to a specific program but rather as an insurance policy against technological surprise."

Intensified cooperation, he said, should also extend to such agencies as the Department of Transportation and its Federal Aviation Administration. General Ferguson said he planned to discuss with FAA Administrator John H. Shaffer the civilian potential of a number of Air Force projects, such as the long-term promise and "great national importance of the communications-navigation identification [CNI] project." Both military and commercial aircraft are overburdened at present, General Ferguson explained, with the "black boxes" which perform the CNI functions. The Air Force CNI system concept envisions a combination of satellites and ground computers with only one black box, weighing about fifty pounds and miniaturized into one cubic foot of space aboard each aircraft.

Aircraft incorporating this kind of equipment "could be under continuous air traffic control, and could, in all weather, without recourse to conventional ground and air navigation, determine their absolute position within 600 feet," an obvious boon to both military and commercial airspace utilization. Other promising technology areas with a civilian spinoff potential include heads-up displays, advances in electro-optical systems, and lightweight instrument landing systems (ILS).

General Ferguson said he felt that there are opportunities for "joint ventures" such as examining and treating the Air Force's Light Intratheater Transport (LIT) project "right from the outset in the light of both its military and civilian utility" (see AF/SD, July '68, "LIT—Flexible Airlift for the Front Lines"). Because of the LIT's proposed size, range, speed, and payload—which coincide closely with the commercial requirement—General Ferguson said, "I think both the military and the civilian applications can be worked out without compromise to either side. This, of course, doesn't mean that the military aircraft should be built to civilian specifications or vice versa. But perhaps it might be possible to build a military fuselage and civilian fuselage, or different wings."

The very least that suggests itself in terms of commonality, he added, is "a joint program involving the prototype from which either side can evolve its own final design." This, he said, applies also to the avionics system. "Obviously, LIT illustrates the opportunity for joint approaches and the concomitant substantial economies that could be realized," he said. "Without attempting to express a new national philosophy," he continued, "it seems to me that we could share in the funding" of such an effort. The Department of Transportation, General Ferguson suggested, might well be the agency to arrange the civilian aspect of the program, while DoD could be charged with "working out the military side of the bargain." He pointed out that the airline industry has already proved its willingness to advance money toward development of an aircraft deemed necessary. This has occurred in the US SST program, which is in part funded by the airlines.

FLEXIBLE DESIGN AND DEVELOPMENT CONCEPT

Historically, there has been a tendency toward stereotype, or, as Dr. John Foster, Director of Defense Research and Engineering, put it, "procrustean rather than innovative" approaches to the design, development, and procurement of sophisticated weapon systems. In General Ferguson's view, the inherent problem has been one of pendulum swings from the extremes of full hardware development on the one hand to all paper studies on the other. "Neither is necessarily a correct approach. The idea is to stop the pendulum somewhere halfway," he said, with the result that AFSC advocates in certain instances a concept formulation combined with hardware development or "competition with hardware" policies.

"The approach, of course, must vary depending on what it is you want to undertake, but there are a number of programs about to be launched that are amenable to the prototype approach," he said. Systems Command feels that these projects require carrying the development beyond the paper study to the point of proving out critical components, a combination of components, a new technology, a new material, or an entire system. General Ferguson pointed out.

"It is no more than good business to make sure that the $5 billion or $10 billion you spend on a major weapon system results in a product that gives you the longest life and the greatest productivity. This means taking a modicum of risk and making a moderate investment early in the program to assure that what you will produce at many times the cost and effort of the R&D phase will do what you want it to do, in a manner you want it to, and at a price you are willing to pay," General Ferguson emphasized.

He pointed out that SCAD (the subsonic cruise attack decoy) lends itself "to full prototype flyoff involving two or more contractors." The Light Intratheater Transport, he said, is also being examined with an eye toward the prototype approach, especially with regard to such sophisticated techniques as "stowed-rotor technology where we might want to test out several individual designs."

General Ferguson and his staff experts rated the temptation of dogmatic approaches and the "blind adherence" to one form of contracting and acquisition as the principal pitfall of the national R&D effort. The tendency to seek "panaceas" has encouraged total negation of "whatever previous approach you might have taken. As you eliminate what you consider a faulty element of your tactics, you are apt to discard all the good points along with it," one AFSC staff officer stressed.

The emergence of the initial-development concept as a prudent approach in certain cases, therefore, should not sound the death knell for total package procurement or any other technique. Nevertheless, General Ferguson feels that during the past eight years too much preference has been given the "paper-study" approach. "If you analyze the total costs of an intricate system, premised on a data base that is not validated, and compare them with one where you have proved out the more demanding hardware aspects, more often than not you will dis-

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cover that the latter is the cheaper and more efficient route to go," General Ferguson said.

"In the long run, it generally costs less to go slow in the initial program phase by uncovering technical difficulties, by solving them, and by eliminating the need to make changes downstream in the program when the price for change is much higher," he said. The political advantage of the study approach, of course, is that the initial costs are low and easily defensible in terms of fiscal policy.

General Ferguson cautioned that "we can't go back to the approaches used in the past when we were able to build, either in prototype or production form, thirty-three different fighter airplanes within a decade. The complexity and cost of modern systems make this impossible. But we must get back to a level [of hardware activity] where we can keep the irreplaceable design teams alive. We must intensify efforts to modify the current family of systems, especially aircraft, and periodically produce something that is clearly a step beyond what we have in service today," General Ferguson said.

General Ferguson emphasized that the French aircraft industry has shown exceptional resourcefulness and ingenuity in using modification of existing aircraft as a means to beget "whole families of aircraft, something on the order of what the US automobile industry has also been able to do."

Dassault, he said, "very cleverly parlayed" the original Mirage prototype into a nuclear bomber, a VTOL fighter, and a number of aircraft, by altering engine arrangements, using different wings, including variable sweep, while retaining a cohesive "family resemblance" in all of them.

"Whenever they had a system that was proved out, they didn't start from scratch but used it in the next model, often simply scaling to the new requirements. The French now have a range of aircraft that enables them to sell one type of plane to the Israelis, another one to the Peruvians, and a supersonic swing-wing version to the Japanese, all traceable to one prototype that has been incrementally improved and carried forward over a decade," he said.

The United States, by contrast, General Ferguson said, has done "very little with modification as a means to add to our inventory or our storage of knowledge. . . . With hindsight, it would seem that we should have done what the Russians did, such as experimenting with swinging just the outboard half of a variable-sweep wing. We also might further along if we had prototyped existing aircraft for more intensified work on variable camber, of the type which we plan to incorporate in the F-15," he said.

THE C–5—MISUNDERSTOOD AND MALIGNED

While not a categoric advocate of the total-package procurement concept, General Ferguson defends the performance of this approach in regard to the C–5 Galaxy without reservation and "without need for being protective or defensive about it. . . . Anything we have done in conjunction with this program," he stressed, "we are perfectly willing to go over step by step with any responsible group. The C–5 program is both very much misunderstood and maligned."

From the very outset, the AFSC Commander stressed, the contract, defined clearly through a specific formula that the government would make accommodations deemed necessary in conjunction with inflation, increased prices on the subcontractor level, competitive factors involving the suppliers as induced by the Vietnam requirements, and high engineering risks. "Therefore, we provided for a contract step between production run A and run B [first and second half of a total initial buy of 120 aircraft] to look at our experience, our real costs in engineering man-hours, and what really happened in the country as far as inflation is concerned and compare them to our original forecasts," he said.

While this phase has not yet been reached, the actual cost increase, over and above the increase induced by inflation and covered by the inflation clause, "is about ten percent above our forecast, and not 200 percent as claimed" in Congress and by the press, he pointed out.

In conjunction with the six-month slippage of the C–5 program (*see AF/SD, April '69, "Such a Nimble Giant"*), he said there has been a general overemphasis of "the sanctity of the IOC [Initial Operational Capability]" not just concerning the C–5, but other weapon systems as well. "It is much more important to create something that is reliable and based on solid engineering design before you commit yourself, and have something proved and useful when it does get into the inventory, than to meet a deadline set several years ago," he said.

General Ferguson made clear that the Air Force plans to continue to stress the utility and capability of the system to be acquired in all its procurement efforts, in conjunction with hard looks at IOC. "That way," the Commander of Air Force Systems Command said, "you are ahead in all respects."

HIGH SCHOOL STUDENT POLL IN TUCSON

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. UDALL. Mr. Speaker, the Tucson Daily Citizen, one of the major newspapers in my district, published on May 9 the results of an opinion survey among the high school students of the city.

More than 70 percent of the students voted in the survey, expressing their opinions on questions suggested by the students themselves.

I think the results of this poll of more than 12,000 Tucson high school students gives an interesting indication of how our younger people feel about some of the major issues of the day. Without objection, I will insert the results of this poll in the RECORD at this point:

Ballots cast: 12,035.

1. Does Tucson offer the opportunity for you to live and work in the area after your schooling is completed?

	Ballots	*Percent*
Yes	5, 128	43. 15
No	5, 423	45. 63
No opinion	1, 332	11. 20

2. Do you feel that your parents—

	Ballots	*Percent*
Overdiscipline	2, 179	18. 35
Underdiscipline	843	7. 10
Don't care	311	2. 61
Are fair	8, 540	71. 92

3. In the Mideast crisis, the U.S. should support—

	Ballots	*Percent*
Arabs	263	2. 21
Israel	2, 640	22. 18
Stay neutral	6, 829	57. 38
No opinion	2, 168	18. 21

4. For what would you rather have your tax money spent?

	Ballots	*Percent*
Education	4, 425	37. 46
Foreign aid	213	1. 80
Military	964	8. 16
Poverty	5, 161	43. 69
Space	1, 048	8. 87

5. For military forces the U.S. should rely on—

	Ballots	*Percent*
Lottery system	1, 155	9. 70
Present draft system	4, 484	37. 66
Volunteer system	4, 744	39. 84
No opinion	1, 522	12. 78

6. How should the President of the U.S. be elected?

	Ballots	*Percent*
Popular vote	7, 634	64. 14
Present electoral college	1, 484	12. 46
Revised electoral college	1, 753	14. 72
Don't know	1, 031	8. 66

7. Should we always defend our country even if its actions conflict with our own beliefs?

	Ballots	*Percent*
Yes	6, 992	58. 75
No	3, 594	30. 19
No opinion	1, 315	11. 04

8. At what school level should sex education begin?

	Ballots	*Percent*
Elementary	4, 564	38. 27
Junior high	5, 019	42. 09
High school	1, 989	16.68
None	352	2. 95

9. Are students justified in ditching school for mass protests or picketing?

	Ballots	*Percent*
Yes	3, 464	29. 04
No	7, 090	59. 43
No opinion	1, 374	11. 51

10. Should Arizona school districts adopt a 12 month school year.

	Ballots	*Percent*
Yes	1, 841	15. 44
No	9, 654	80. 97
No opinion	427	3. 58

11. Should black students be bused to predominantly white schools for the purpose of integration.

	Ballots	*Percent*
Yes	1, 983	16. 65
No	8, 467	71. 09
No opinion	1, 459	12. 25

12. Do you believe that riots, sit-ins and picketing by college students have any positive results?

	Ballots	*Percent*
Yes	3, 681	30. 83
No	7, 331	61. 40
No opinion	936	7. 75

13. Should capital punishment be abolished?

	Ballots	*Percent*
Yes	4, 098	34. 32
No	6, 686	56. 00
No opinion	1, 154	9. 66

14. Who should decide whether an abortion is justified?

	Ballots	*Percent*
Doctor	3, 964	33. 80
Clergy	408	3. 47
Legislature	617	5. 26
Persons concerned	6, 736	57. 44

15. Of 5 closest friends, how many have used illegal drugs or narcotics?

	Ballots	*Percent*
0	5, 891	50. 13
1	1, 478	12. 57
2	1, 047	8. 90
3	870	7. 40
4	500	4. 25
5	1, 965	16. 72

16. Where do you get most of your news of current affairs?

	Ballots	*Percent*
Newspapers	3, 251	28. 27
Radio	3, 345	29. 09
TV	3, 859	33. 56
Magazines	464	4. 03
School current events	578	5. 02

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ANTIUNION CONSPIRACY

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. MOLLOHAN. Mr. Speaker, I want to commend to my colleagues attention an editorial from my hometown paper, the Fairmont Times, that sets forth very clearly the controversy involving the United Mine Workers Union of America. Mr. William Evans, who edits this daily newspaper has been an astute observer of the mining economy for many years and his sound judgment and analysis of the industry has the respect of all the people involved with coal.

Over the years the Fairmont Times has rendered the city of Fairmont and Marion County the highly valuable service of giving the reader an indepth view of the news and the factors that cause it. Such is the editorial of April 29, 1969, entitled, "Anti-Union Conspiracy?" The editorial follows:

ANTI-UNION CONSPIRACY?

Ranking officials of the United Mine Workers of America admit they are at loss to understand the sudden surge of criticism of the union and its Welfare and Retirement Fund. Most of them, talking informally while on a visit to Fairmont over the weekend, declared the attacks are unjustified but are in the dark about their origin.

Some feel deeply and sincerely that a "conspiracy" is developing, although they cannot put their fingers on the underlying cause. Dissident members of the rank-and-file politicians and others with personal axes to grind and self-appointed guardians of the American coal miner they can accept, for experience has taught them that these elements are always present.

But what of a man like Ralph Nader, say, who has successively turned his attention to one industry after another in the interest of the consumer. The UMWA hierarchy knew all about Nader's letter to Sen. Ralph Yarborough long before it was released for publication Sunday afternoon and it concerned them.

They wonder, as will others, whose interests Nader is serving, since nothing he has said—and his letter to Yarborough was a summation of criticism of the mine union he has made on many previous occasions—indicates that the ultimate consumer would benefit if all his objections were satisfied.

George Titler, the UMWA vice president who was described at least twice during Sunday's rally here as having "spent more time in jail for the union than most men have on the picket line," was inclined to put the principal blame on the news media for the burgeoning criticism. He singled out a number of newspapers, including the Communist Daily World, by name as among those which have attacked the union.

If the papers he mentioned were all of the same "liberal" stripe, some sort of an ideological collaboration might be suspected. But the Wall Street Journal does not fit this category any more than the organ of the Communist Party, USA. So the pattern is not entirely clear.

Insurrection has reared its ugly head more than once in the United Mine Workers of America. Even the revered John L. Lewis—every mention of whose name drew cheers from Sunday's crowd—had to contend with it. Possibly the sentiment against his successor, Tony Boyle, is stronger, but that remains to be seen.

There is a feeling in some quarters that the unrest is simply another manifestation of the times, when all forms of the Establishment are under siege. Politics, race, education and a host of others areas are daily being more and more involved.

Most rank-and-file coal miners that we know could be classified as strictly antidisestablishmentarians. Yet each local union has its nucleus of dissenters and the Establishment, as represented by the district office and the international organization, is a handy, accessible whipping boy.

The union is doing the only thing it can to offset its growing number of critics. It is going into the coal fields to tell its own story and prove once again to the membership the advances that have been made through its current and previous leadership.

To what degree the campaign of counterinsurgency exemplified in the district rally here will be successful probably lies with the union's success in getting the mine safety, health and compensation legislation it seeks through Congress.

We believe it is only stating a fact to say that the high command of the union, ever since it reached its present place of eminence in the industry, has followed a policy of aloofness insofar as the ordinary coal miner is concerned. Its major contact with the men at the mines has been limited to conventions held every four years.

If the criticism has done nothing else, it appears to have broken down the barriers between the international offices and the ordinary dues-paying member. And it is only when they start working the same side of the street together that the goals they both seek will be attained.

LETTER TO PRESIDENT NIXON FROM PRESIDENT OF AMHERST COLLEGE ON CAMPUS DISORDERS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. CONTE. Mr. Speaker, the unrest on our college campuses has become one of the focal issues of our time. In the torrents of political rhetoric, however, too often the voices of reason go unnoticed.

Recently, the students and faculty of Amherst College set aside two days for discussion of the major issues confronting our society today. Instead of demands and violence, these issues were faced by rationality and debate.

As a result of these discussions, the president of Amherst College, Dr. Calvin H. Plimpton, has sent the following letter to President Nixon. Having received permission to revise and extend my remarks, I insert that letter into the RECORD.

AMHERST COLLEGE,
Amherst, Mass., April 29, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: The faculty and Students of Amherst College have just experienced an extraordinary two days. Our usual educational activities were replaced by debate, discussion and meditation which have given shape to our beliefs about the nature of higher education and the governance of educational institutions. It is clear that we have much to do to set our own house in order. We are convinced, and have shown during these days, that changes, even fundamental ones, can take place without physical duress. It will require all our care and energy in the months ahead to combine change with continuity, to provide students with a real and regular role in influencing their education and the College's government, and to honor both intellectual discipline and creativity. We have as a College emerged from these two days with a renewed sense of the urgency and seriousness with which we must attend to our primary purpose.

We have also as a College embraced a new sense of urgency of another kind. We believe that we must speak out to make clear that much of the turmoil among young people and among those who are dedicated to humane and reasoned changes will continue. It will continue until you and the other political leaders of our country address more effectively, massively, and persistently the major social and foreign problems of our society. Part of this turmoil in universities derives from the distance separating the American dream from the American reality. Institutions dedicated to the nurture, husbanding, and growth of critical intelligence, and to inquiry into basic problems cannot but open people's eyes to the shoddiness of many aspects of our society.

In yesterday's *New York Times* it is reported that five officers in your Cabinet "seemed to agree that the disorder was caused by a small minority of students." Our conviction is that such a view is seriously in error if it is taken to mean that no legitimate and important reasons exist for the anger and sense of importance felt by many students and faculty. The pervasive and insistent disquiet on many campuses throughout the nation indicates that unrest results, not from a conspiracy by a few, but from a shared sense that the nation has no adequate plans for meeting the crises of our society. To name only one issue of special concern to the students: since the Kerner Commission's report, there has been no decisive response to its recommendations.

We do not say that all the problems faced by colleges and universities are a reflection of the malaise of the larger society. That is not true. But we do say that until political leadership addresses itself to the major problems of our society—the huge expenditure of national resources for military purposes, the inequities practiced by the present draft system, the critical needs of America's twenty-three million poor, the unequal division of our life on racial issues—until this happens, the concern and energy of those who know the need for change will seek outlets for their frustration.

We realize that in writing this letter we have taken the unusual step of speaking publicly for our community on pressing issues of the moment. We do this out of an urgent concern to question the widely held view that university unrest is merely an internal problem, or at most fomented by an outside influence. More, we believe that if political leaders act on this mistaken assumption, their actions will serve only to widen the separations within the university and between the universities and society at large. If, however, this important element in student unrest is understood, it would be possible for you, Mr. President, to redirect youthful energy toward those more idealistic, creative and generous actions which reflect a concern for others. Your influence can provide that hope which encourages those visions to which young men so gladly dedicate themselves, and we will support those efforts.

I send this letter to you on behalf of an overwhelming majority of Amherst students, faculty and administration who attended the closing meeting of our days of inquiry tonight. Copies of this letter with the signatures of all those who wish to subscribe will follow as soon as possible.

Respectfully yours,
CALVIN H. PLIMPTON.

PROBLEM CREATED BY MAILING OF OBSCENE MATERIAL

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. HOGAN. Mr. Speaker, as a result of various Supreme Court decisions, many Americans have come to believe that they have no viable means to protect themselves from the flood of prurient and sex-oriented mail which comes into their homes, unsolicited and unwanted.

One of the most important parts of President Nixon's message to Congress on this subject is his desire to make the proposed legislation the vehicle for a citizens' crusade against the obscene.

I am pleased to be one of the cosponsors of H.R. 10876, which puts the President's recommendations into legislative form.

I also intend to comply in any manner possible with the President's request that Members of Congress aid in disseminating information on the means available to private citizens under the antipandering provision of Public Law 90–206 to curtail smut pandering. Few Americans seem to be aware of the fact that in 1967 Congress enacted a law which permits a person receiving this mail to determine for himself whether or not it is offensive and to obtain an order from the Postmaster General prohibiting the sender from making any further mailings to him or to his children. This order also requires the mailer to delete their names from his mailing lists.

More than 170,000 citizens have already requested the Post Office Department to initiate a judicially enforceable order to prohibit the senders of such literature from making any further mailings to your homes. This is ample evidence that the public wants the dissemination of this material curbed.

A second important recommendation in the President's plan for regulation of the mailing of sex-oriented materials deals with the sending of such material to young people. I am hopeful that such legislation will be enacted by Congress.

This proposed provision complements a bill which I recently introduced, H.R. 10076, to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 16 years.

The passage of strong antiobscenity legislation would go a long way toward establishing more effective regulation of the filth being foisted on our citizens.

I insert H.R. 10076 and H.R. 10876 to be printed at this point in the RECORD:

H.R. 10876

A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Offensive Intrusion of Sexually Oriented Mail Act of 1969".

Sec. 2. (a) The Congress finds—

(1) that the United States mails are being used for the indiscriminate dissemination of advertising matter so designed and so presented as to exploit sexual sensationalism for commercial gain;

(2) that such matter is profoundly shocking to many persons who receive it, unsolicited, through the mails;

(3) that such use of the mails subjects these persons to offensive and unwarranted intrusions upon their right to privacy; and

(4) that such use of the mails reduces the ability of responsible parents to protect their minor children from exposure to material which they as parents believe to be harmful to their children.

(b) On the basis of the foregoing the Congress determines that it is contrary to the public policy of the United States for the facilities and services of the United States Post Office Department to be used for the distribtuion of such materials to persons who do not want their privacy invaded in this manner or to persons who wish to protect their minor children from exposure to such material.

Sec. 3. (a) Chapter 51 of title 39, United States Code, is amended by adding at the end thereof the following new sections:

"§ 4011. Mailing of sexually oriented advertisements

"(a) Any person who mails or causes to be mailed any sexually oriented advertisement shall place on the envelope or cover thereof his name and address as the sender thereof and such mark or notice as the Postmaster General may prescribe.

"(b) Any person, on his own behalf or on the behalf of any of his children who have not attained the age of nineteen years and who reside with him, may file with the Postmaster General a statement, in such form and manner as the Postmaster General may prescribe, that he desires to receive no sexually oriented advertisements through the mails. The Postmaster General shall maintain and keep current insofar as practicable a list of the names and addresses of such persons and shall make the list (including portions thereof or changes therein) available to any person, upon such reasonable terms and conditions as he may prescribe, including the payment of such service charge as he determines to be necessary to defray the costs of compiling and maintaining the list, keeping it current, and making it available as provided in this sentence. No person shall mail or cause to be mailed any sexually oriented advertisement to any individual whose name and address has been on the list for more than thirty days.

"(c) No person shall sell, lease, lend, exchange, or license the use of, or, except for the purpose expressly authorized by this section, use any mailing list compiled in whole or in part from the list maintained by the Postmaster General pursuant to this section.

"(d) 'Sexually oriented advertisement' means any advertisement that depicts, in actual or simulated form, or explicitly describes, in a predominantly sexual context, human genitalia, any act of natural or unnatural sexual intercourse, any act of sadism or masochism, or any other erotic subject directly related to the foregoing. Material otherwise within the definition of this subsection shall be deemed not to constitute a sexually oriented advertisement if it constitutes only a small and insignificant part of the whole of a single catalog, book, periodical, or other work the remainder of which is not, primarily devoted to sexual matters.

"§ 4012. Judicial enforcement

"(a) Whenever the Postmaster General believes that any person is mailing or causing to be mailed any sexually oriented advertisement in violation of section 4011 of this title, he may request the Attorney General to commence a civil action against such person in a district court of the United States. Upon a finding by the court of a violation of that section, it may issue an order including one or more of the following provisions as the court deems just under the circumstances:

"(1) a direction to the defendant to refrain from mailing any sexually oriented advertisement to a specific addressee, to any group of addresses, or to all persons;

"(2) a direction to any postmaster to whom sexually oriented advertisements originating with such defendant are tendered for transmission through the mails to refuse to accept such advertisements for mailing; and

"(3) a direction to any postmaster at the office at which registered or certified letters or other letters or mail arrive, addressed to the defendant or his representative, to return the registered or certified letters or other letters or mail to the sender appropriately marked as being in response to mail in violation of section 4011 of this title, after the defendant, or his representative, has been notified and given reasonable opportunity to examine such letters or mail and to obtain delivery of mail which is clearly not connected with activity alleged to be in violation of section 4011 of this title.

"(b) The statement that remittances may be made to a person named in a sexually oriented advertisement is prima facie evidence that such named person is the agent or representative of the mailer for the receipt of remittances on his behalf. The court is not precluded from ascertaining the existence of the agency on the basis of any other evidence.

"(c) In preparation for or during the pendency of a civil action under subsection (a) of this section, a district court for the United States, upon application therefor by the Attorney General and upon a showing of probable cause to believe the statute is being violated, may enter a temporary restraining order or preliminary injunction containing such terms as the court deems just, including, but not limited to, provisions enjoining the defendant from mailing any sexually oriented advertisement to any person or class of persons, directing any postmaster to refuse to accept such defendant's sexually oriented advertisements for mailing, and directing the detention of the defendant's incoming mail by any postmaster pending the conclusion of the judicial proceedings. Any action taken by a court under this subsection does not affect or determine any fact at issue in any other proceeding under this section.

"(d) A civil action under this section may be brought in the judicial district in which the defendant resides, or has his principal place of business, or in which any sexually oriented advertisement mailed in violation of section 4011 has been delivered by mail according to the direction thereon.

"(e) Nothing in this section or in section 4011 shall be construed as amending, preempting, limiting, modifying, or otherwise in any way affecting section 1461 or 1463 of title 18, or sections 4006, 4007, or 4009 of this title 39, United States Code." (b) The table of contents of chapter 51 of title 39, United States Code, is amended by adding at the end thereof the following:

"4011. Mailing of sexually oriented advertisements.

"4012. Judicial enforcement."

Sec. 4. (a) Chapter 83 of title 18, United States Code, relating to offense against the postal service, is amended by adding at the end thereof the following new sections:

"§ 1735. Sexually oriented advertisements

"Whoever willfully uses the mails for the mailing, carriage in the mails or delivery of any sexually oriented advertisement in viola-

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tion of section 4011 of title 39, or willfully violates any regulation of the Postmaster General issued under such section.

"Whoever sells, leases, rents, lends, exchanges, or licenses the use of, or, except for the purpose expressly authorized by section 4011 of title 39, uses a mailing list maintained by the Postmaster General pursuant to such section shall be fined not more than $5,000 or imprisoned not more than five years, or both, for the first offense, and shall be fined not more than $10,000 or imprisoned not more than ten years, or both, for any second or subsequent offense.

"§ 1736. Restrictive use of information

"(a) No information or evidence obtained by reason of compliance by a natural person with any provision of section 4011 of title 39, or regulations issued thereunder, shall, except as provided in subsection (c) of this section, be used, directly or indirectly, as evidence against that person in a criminal proceeding.

"(b) The fact of the performance of any act by a natural person in compliance with any provision of section 4011 of title 39, or regulations issued thereunder, shall not be deemed the admission of any fact, or otherwise be used, directly or indirectly, as evidence against that person in a criminal proceeding, except as provided in subsection (c) of this section.

"(c) Subsections (a) and (b) of this section shall not preclude the use of any such information or evidence in a prosecution or other action under any applicable provision of law with respect to the furnishing of false information."

"1735. Sexually oriented advertisements.
"1736. Restrictive use of information."

SEC. 5. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

SEC. 6. The provisions of this Act shall become effective on the first day of the sixth month which begins after the date of enactment.

H.R. 10076

A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of sixteen years, to restrict the exhibition of movies or other presentations harmful to such persons, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 71 of title 18, United States Code, is amended by adding at the end the following new section:

"§ 1466. Exposing minors to harmful materials

"(a) It shall be unlawful for any person knowingly—

"(1) to sell, offer for sale, loan, or deliver in interstate commerce or through the mails to any minor—

"(A) any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct, or sadomasochistic abuse and which is harmful to minors; or

"(B) any book, pamphlet, magazine, printed matter however reproduced, or sound recording which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sadomasochistic abuse and which, taken as a whole, is harmful to minors, or

"(2) to exhibit to a minor a motion picture, show, or other presentation which—

"(A) has moved in interstate commerce or through the mails,

"(B) depicts nudity, sexual conduct, or sadomasochistic abuse, and

"(C) is harmful to minors.

"(3) to import with the intention of selling, offering for sale, loaning, or delivering to any minor—

"(A) any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct, or sadomasochistic abuse and which is harmful to minors; or

"(B) any book, pamphlet, magazine, printed matter however reproduced, or sound recording which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sadomasochistic abuse and which, taken as a whole, is harmful to minors.

"(4) to import with the intention of exhibiting to a minor a motion picture, show, or other presentation which—

"(A) depicts nudity, sexual conduct, or sadomasochistic abuse, and

"(B) is harmful to minors.

"(b) Whoever violates this section shall be fined not more than $5,000 or imprisoned for not more than five years, or both, for the first offense, and shall be fined not more than 10,000 or imprisoned for not more than ten years, or both, for any second or subsequent offense.

"(c) As used in this section—

"(1) The term 'minor' means any person under the age of sixteen years.

"(2) The term 'nudity' means the showing of the human male or female genitals, pubic area, or buttocks with less than a full opaque covering, the female breast with less than a fully opaque covering of any portion below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

"(3) The term 'sexual conduct' means acts of masturbation, homosexuality, sexual intercourse, physical contact with a person's clothed or unclothed genitals, pubic area, or buttocks, or, in the case of a female, physical contact with her breast.

"(4) The term 'sexual excitement' means the condition of human male or female genitals in a state of sexual stimulation or arousal.

"(5) The term 'sadomasochistic abuse' means flagellation or torture by or upon a person clad in undergarments, a mask, or bizarre costume, or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed.

"(6) The term 'harmful to minors' means that quality of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, which—

"(A) predominantly appeals to the prurient, shameful, or morbid interst of minors;

"(B) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and

"(C) is utterly without redeeming social importance for minors.

"(7) The term 'knowingly' means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry of—

"(A) the character and content of any material described in subsection (a) which is reasonably susceptible of examination by the defendent, and

"(B) the age of the minor."

(b) The table of sections for chapter 71 of title 18, United States Code, is amended by adding at the end the following new item:

"1466. Exposing minors to harmful materials."

SEC. 2. The amendments made by this Act shall take effect on the sixtieth day after the date of the enactment of this Act.

IN SUPPORT OF A FEDERAL SCHOOL CONSTRUCTION BILL

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. PUCINSKI. Mr. Speaker, Dr. George J. Collins, assistant commissioner for school facilities and related services for the Massachusetts Department of Education, has prepared an excellent analysis of the school needs of America.

Dr. Collins appeared earlier this week before the General Subcommittee on Education. His concise presentation was extremely helpful to the members of the subcommittee and I would like to share his remarks with my colleagues in the House. I believe Dr. Collins' impressive analysis of our present and future school needs deserve the widest attention of the Congress and the public.

Dr. Collins' statement follows:

STATEMENT OF DR. GEORGE J. COLLINS, ESQ.

First, and foremost Representative Carl D. Perkins from Kentucky should be commended for his recognition of the need and his efforts to introduce a far-reaching bill to eliminate our needs, to prepare us for future growth, and to provide Congressional leadership for improving the quality of education.

Mr. Chairman Roman C. Pucinski and members of this committee should also be applauded by their constituents and all the nation for studying our school construction needs during this period of mild increases in new children entering school. I say this because gentlemen this will be the last opportunity to prepare and construct schools for the upsurge in the number of school children we will have in the late seventies and to the year 2000 and beyond.

Today, gentlemen with your concurrence, I would like to divide my presentation into three parts.

First, I would like to emphasize the findings state by state of the deficiencies in school facilities found in the last study conducted by the U.S. Office of Education and reported by this committee in 1965.

Second, I would like to present an analysis of school construction needs. And finally, I would like to present some specific observations of H.R. 517.

Please feel free to ask any questions or to clarify or correct any of my remarks at any time.

Hearings before the General Subcommittee on Education reported the conditions of public school facilities. (Refer to page 13)

To eliminate overcrowdng off-site, nonpermanent and improvised facilities local officials have indicated that they need 187,000 classrooms. (Refer to page 17)

Local officials report a need for 108,500 additional rooms. State by state, the need to eliminate overcrowding is evident in every state. (Refer to page 24)

About 3 of every 4 students are in buildings with less than 2 of 9 building deficiencies. Local officials reported the number of students in nine types of building deficiencies surveyed:

1. Structural defects (1.3 million children).
2. Inadequate heating (2 million).
3. Inaudible fire alarms (2.5 million).
4. Non fire-resistive stairways (3.2 million).
5. Nonenclosed stairways (3.5 million).
6. Insufficient exits (1.7 million).
7. No sprinkler or fire detection systems (28 million).
8. Insufficient electrical service (1.8 million).

9. Lighting below 30 foot-candles (10.6 million).

(Refer to pages 30 and 31)

A report of deficiencies by state reveals that every state has a substantial number of buildings with deficiencies. (Refer to pages 37 and 38)

In addition to the nine building deficiencies, local officials reported the number of students that attend schools without five essential sanitary conditions.

1. Lack of water pressure (850,000).
2. No water in buildings (185,000).
3. Insufficient sanitary facilities (2.7 million).
4. Outdoor privies (518,000).
5. No hot water in lavatories (12.1 million). (Refer to pages 41 and 42.)

In addition to every state reporting deficiencies, urban, suburban and rural communities are burdened by inadequate schools. Our older urban centers are overburdened with older schools, more deficiencies and more overcrowding. (Refer to Table F, page 15 and to page 49.)

The 14 largest cities have critical problems in room and staff deficiencies. They have the highest percentage of older and combustible schools. They lack land, tax resources, and school construction funds from an unfairly discriminating Federal P.L. 815 and H.U.D. programs. (Refer to pages 79 and 80.)

For the second part of my presentation I would like to present an analysis and prediction of school planning needs.

NOW IT'S JOHNNY JR.

Years ago, the cry was "Johnny can't read, and Johnny can't write." Now that we've graduated Johnny with honors and without rioting, his son threatens to become the latest addition to the "Johnny" series. Unless major efforts are instituted to eliminate the present backlog of needed school rooms, the newest cat call will be "Johnny Jr. can't find a seat!"

The accelerating trend toward specialization in our society has placed greater requirements upon our educational institutions from the pre-kindergarten stage through the graduate level. Creative facilities are needed for innovative programs, special laboratories for science and languages, modern teaching stations for physical education, and specialized programs for the handicapped and the educationally disadvantaged are all part of the new modern scheme.

To meet these demands, we are urgently in need of teachers with the highest degree of technical competence to cope with individual students. We have passed the stage wherein as "single standard of performance" is universally applicable to a variety of students with individual emotional, social, and economic backgrounds. Thus an atmosphere where each student can receive proper guidance and attention to develop to his full potential has become an elemental factor in our public school system. Directly related to this goal of personalized education is the availability of funds for capital investment. When school facilities are inadequate, attention is diverted to that program, resulting in a sharp lag in educational programs.

Forecast of school construction needs. There are several factors which indicate that in the next decade, our nation will be faced with a critical shortage of school facilities. For purposes here, the need for additional instructional rooms is based primarily on the median class accommodations of the Nation for 1964–65. These are 27.4 students in an elementary classroom and 27.5 students in a secondary classroom. Most experts contend that a more desirable pupil-teacher ratio is 25:1 in elementary classes and about 20:1 in secondary classes. (Table I) Measures of need are presented for three different models of instructional accommodations. Additional spaces for team teaching would be required.

Birth rate: Expected enrollments are based on a growth rate of 1.5 percent annual increase to 1975 in the number of live births and trends in the birth rate. Birth rates are declining drastically, but inspite of the "pill," parents will generally seek to reproduce themselves and since the number of parents are greater, the number of births will be greater. Pupil increases from 1965–75 are expected to be at a lower rate than during the previous decade, but after 1975 the upsurge in pupil enrollment could easily surpass the baby boom of World War II.

Substantial backlog at a crucial time: Our present backlog is largely accounted for by inadequate and overcrowded conditions. Subsequently, an even greater population explosion is expected in the 70's when the number of women in their most fertile productive years will double the women of the post-World War II period. Unless there is immediate recognition of this problem, our school system will be faced with a trying period in attempting to meet the backlog and demands for population increases.

As of 1966, the backlog of classrooms for the model with median-pupil accommodations was 192,500 instruction rooms, on the basis that 70,000 rooms were constructed during 1966–67. (Table 2) On the assumption that over the next decade annual construction will continue to be 70,000 rooms, the backlog could be reduced to 163,500 rooms for the median accommodation model in 1976. (Tables 3 and 4) Hence, we will remain with a substantial backlog at a crucial time.

Enrollment increases alone during the next decade will not be the foremost consideration in analyzing the need for additional facilities. These increases, however, in conjunction with several other factors will contribute to the need for additional school rooms. These social and educational factors include:

1. Pressures to institute pre-kindergarten and kindergarten classes: With greater emphasis on the early education of children and the increase in the number of "working mothers," schools will be expected to undertake pre-kindergarten and kindergarten programs to accommodate eligible children in the future. Present estimates indicate that by 1975, over 3.15 million children will attend kindergarten classes in contrast to 2.12 million enrollments in 1964. Such programs also provide essential preparation for children who will partake in the new and richer framework of the public school system.

2. Efforts to encourage the completion of high school: In programs to deter potential dropouts provision has been made for more individualized attention for problem students, and improved school guidance techniques, so that more counselors and trained psychologists work with individual students. In addition, work study programs and the presence of more highly qualified teachers has encouraged students to complete their high school education. As a result, an enrollment of 11 million in grades 9 through 12 in 1964 will increase to 15 million by 1975.

3. Demands for more specialized programs: At present there is a shortage of specialized facilities for new programs. For example, the use of earphones and recording equipment in language courses provides excellent stimuli in learning pronunciation. Yet, there is a shortage of such equipment and more elaborate language laboratories which can be doubly effective. Similar problems exist in equipment and rooms for courses in science, physical education, shop, art and music at all levels.

4. Improvements of inadequate and obsolete buildings: No small wonder that so many students prefer the "corner pool room" to geography or intermediate algebra classes. A dismal looking school room provides a poor learning atmosphere. In most cases, money for remodeling and renovating schools in our older urban centers is cut from the budget because board members and taxpayers naturally place priority on instructional funds. In 1965, there were 230,000 unattractive, inadequate, and obsolete school rooms. Unless current efforts are substantially increased, 93,000 of these rooms will still be in use in 1975 along with subsequent obsolesence during the interim between now and 1975.

5. New programs for handicapped children: Concomitant with the new demands and goals of our educational system have been programs to revolutionize the treatment of the handicapped. Improved teaching techniques, a desire to reduce welfare dependency and emphasis upon the development of each child to his full potential have contributed to a new interest in the problems of the handicapped. However, special equipment and small classes are necessary to fulfill all the requirements to teach these children. Title VI of the Federal Elementary and Secondary Education Act should provide the incentive for much needed new educational facilities.

6. Legislative pressures: The Congress is taking unprecedented action to meet the needs of the public school system. As a result, legislative enactments for school capital will be increasingly prevalent. Libraries, facilities for the underpriveleged, school cafeterius, and language and scientific laboratories are receiving prime Federal scrutiny but limited financial consideration presently in competition with Vietnam, Defense, and a multitude of other federal programs.

7. Decline in nonpublic school enrollments: From the point of percentage increases needed and actual cutbacks.

8. Population movement to urban fringe areas: The migratory patterns of the population is one of the main factors contributing to school construction requirements. Statistics reveal that in the next decade urban fringe or suburban areas will be confronted with the greatest construction demands. These areas will have an increase from 34.0 percent of all public school pupils in 1966 to 37.2 percent in 1975 and a million additional children of school age. (Table 5) The problems of newly developing suburban areas are further complicated by difficulties in obtaining funds for school construction. For example, there are constraints on tax assessment practices and various statutory restrictions on debt-limits for the sale of school construction bonds. In the cities, redevelopment and urban renewal programs will offer some assistance to schools. Unfortunately these programs will fail to decrease the great backlog of obsolescent rooms by substantial amounts.

By 1975, the range of construction possibilities with companion costs—60,000 rooms for only the very necessary accommodations; 163,500 rooms for median accommodations; or 550,000 rooms for more desirable accommodations—will extend from a low of 3.4 billion dollars to an outside figure of 30.9 billion dollars. In addition, it is significant to note that the individual cost for constructing a classroom will probably increase to an average of $55,000 or $60,000 in contrast to $45,000 in 1965. Both figures include special and general use facilities. (Table 6) Increases in cost were 5% a year, now are exceeding 12% plus interest increases.

Sources of funding: One can only be pessimistic when viewing the prospects of obtaining the go-ahead funding for school construction programs in the next decade.

Initially, consider the main sources of revenue and the respective amounts allocated for public school construction. The Federal government in 1965 allocated $1 for every $4500 of total tax resources for school construction purposes, (today it is $1 for every $9600) the State, $1 for every $72; and local agencies, $1 for every $10 collected in taxes. (Table 7) While the disproportionate percentage is great, the proportion of available

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funds relative to total revenues is overwhelming. The Federal government devours the greatest portion of the tax dollar—64 percent, state 19 percent, local 17 percent. States have assumed greater responsibility for financing school construction since 1950, increasing grants from $43 million or 4 percent of expenditures to about $750 million or 19 percent.

A comparison of estimated expenditures in 1966 and anticipated expenditures in 1975 by source of revenue indicates these salient factors:

There will be a decline of $300 million from the 1966 total of $3.8 billion to the 1975 level of $3.5 billion in 1966 dollars. Construction will be limited to only the most necessary school needs, even though every factor considered points to more farsighted planning in Washington.

States will increase aid consistent with the trend during the past decade in response to the local need and the state responsibility for public education.

Local funds will decline as provisions for bonded school indebtedness reach higher levels of utilization thus exhausting the leeway needed to incur capital funds for schools.

Federal funds will become more available as a result of the *Elementary and Secondary Education Acts,* but the major portion of these funds will be used for pupils in areas with a concentration of low income families. (Table 8) The use of funds for construction, however, is still limited to extreme emergency situations by Federal administrators.

The majority of school capital financing is provided by tax-exempt bonds at all government levels. While a shift from local to more state participation is expected in the projected sources of revenue, the tax-exempt market will not decline appreciably since a large portion of state grants are similarly financed. (Table 9)

The sale of school bonds usually requires voter approval. As every local school administrator knows, this method of obtaining funds often receives the sharp brunt of voter discontent with rising taxes from other government taxing bodies. As a result only some 75 percent of bond issues proposed for school construction receive voter approval, and last year it was 65 percent.

Therefore, immediate long-range plans and programs must be undertaken to eliminate the deficit in necessary school rooms and consequential funding. If not, Johnny Jr. may have a difficulty in finding a room, let alone a seat!

Finally, I would like to present some specific observations and suggestions for H.R. 517.

First, I cannot praise Representative Carl D. Perkins, Chairman Roman C. Pucinski and members of this committee sufficiently for presenting and hearing this bill.

Millions of children need this bill. Our future children and grandchildren and their children need this bill. This is the last chance for us to work on the backlog, to improve the quality of our nation's schools, and to prepare for the population upsurge of the mid-seventies.

Local taxpayers are defeating necessary bond issues for schools at the highest rate in our history because of perceived overburdening taxes. This failure to construct necessary schools prevents children from using required facilities for a modern educational program and in the long run causes taxes to increase in the future because of inflationary upward spirals in construction costs.

This bill will induce and stimulate accelerated planning and construction to the benefit of taxpayers, children and our Nation.

TITLE II FOR LOW INCOME FAMILIES

1. Sec. 202. The provisions are commendable to make payments through state departments of education of grants to local districts.

2. Sec. 203(a) (2). Permits states with higher cost of living and larger expenditure requirements to receive more equitable grants (one-half of state average) and poorer states to obtain equalized grants (one-half of the national average).

3. Sec. 203(b) (1). Corrects the inequity of P.L. 815 by allowing larger districts to qualify by a number (100 students) instead of an overrestrictive percentage.

4. Sec. 203(c). Provides for a low-income factor of $2,000. In 1965 this was fairly satisfactory to states with higher costs of living in the North and West, but the cost of living has increased since then to at least $2,500.

5. Sec. 204(a) (1). Correctly specifies the use of grants for construction and permits special projects for children in private schools.

6. Sec. 204(a) (3). Helps states by requiring consistency with state plans.

7. Sec. 206(a) (1). Expressly authorizes state agency approval. Elimination of an extra layer of approvals would save time and money, federal as well as local.

8. Sec. 207(b). Provides compensatory payments for increased duties performed by state agencies.

9. Sec. 207(c) (1). Will not overly reimburse districts for construction because with interest the cost of a building is about 150 percent.

10. Sec. 207(a) (2). If the combined fiscal effort means current operating expenditures, it is innocuous. Capital expenditures fluctuate irregularly and should not be used.

TITLE II INCREASES IN ENROLLMENTS

Newly developed subdivisions create a burden on the wealthiest of local communities—some times the lag behind occupation of dwelling precedes credit on the tax rolls for capital borrowing by a year or more.

11. Sec. 203(3). "Minimum facilities", I assume means number of instructional spaces required; and not the minimal cost of construction in a state.

Although this section provides for growth, demolitions for redevelopment cause decreases in number of children and subsequent construction of replacement facilities and new facilities to accommodate population shifts.

12. SEC. 205 5(c) Provides a *new* eligibility of twenty children and at least 5 percent.

I recommend that P.L. 815, Sec. 203(b) (1) and Sec. 205(c) all have a similar eligibility requirement—preferably the lowest common factor 20 children or 3 percent.

May I reemphasize again that large cities are unjustly discriminated against by the percentage formula in P.L. 815. A minimal number, such as 500, or a percentage of enrollment provides small and large districts with equal opportunities to obtain federal assistance for students from federal activity Title I. For example, a city like Boston with 90,000-plus students needs an impact of 4,500 students when 5 percent is the criterion for participation. In 1969 this means about $16 million of local construction. A small district of 1000 students begins to qualify for federal assistance after 50 students or about $200,000 of local construction. The debt service limits in most states is usually less for the largest cities than other school districts. This doubly affects all students in large cities.

13. Sec. 207 Equitably provides for prorating children who attend less than full-time.

Title III authorizing funds for the construction of supplementary educational centers helps to provide long-term leadership to local educational programs.

Most local taxpayers are so short-sighted that a tremendous backlog of need exists. This title provides the quality spaces which exemplifies the necessary far-reaching leadership that many local taxpayers cannot provide.

Unfortunately, Winston Churchill was in the most part correct, when he said, "We shape our buildings and then they shape us." Local boards of education seldom accept recommendations for new staff members when no space is available or no special spaces for vocational and industrial arts are available. Once special spaces are provided, school boards generally staff and use the space. Staffing for a 60-year period is ten times the investment in capital construction.

Thank you gentlemen for your patience and inviting me. Please feel free to call or write me in the future, if I can be of service to you, the students in our elementary and secondary schools, and our children's children.

JACK DeMELLO, "FATHER OF THE NEW HAWAII SOUND," NAMED SALESMAN OF THE YEAR IN HAWAII

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. MATSUNAGA. Mr. Speaker, as pointed out by the Honolulu Advertiser in a recent editorial, the sound of Hawaii today is no longer the "single ukulele and 'grass shack' style of music which never really represented Hawaii." Instead, the music of aloha is just as contemporary as a ditty by the Beatles or a musical score by Leonard Bernstein. Often sophisticated, always relaxed and sensuous, the music of Hawaii also has a beat as rhythmic and pounding as the unceasing surf that beats upon the beaches of Hawaii.

The new image of Hawaii, represented through its music, is projected through the relaxed and polished performances of entertainers like Don Ho, Marlene Sai, Danny Kaleikini and reflected in the lyrics and music of the late Kui Lee and composer-arranger Jack DeMello.

Recently, Mr. DeMello, one of the island's outstanding advertising executives, was honored as Hawaii's "Salesman of the Year." The honor was bestowed upon Mr. DeMello not for his advertising image, but for his "soft sell" of Hawaii through his albums. He is acknowledged as the father of the "new Hawaii sound," and his albums reflect the true lyrical essence of Hawaii's aloha today. Countless albums of DeMello's wonderful world of aloha have been sold around the globe.

Mr. Speaker, I would like to share with my colleagues the editorial which first appeared in the Honolulu Advertiser of April 28, 1969, honoring Mr. DeMello as Hawaii's Salesman of the Year 1968":

SALESMAN DEMELLO

The selection of music man Jack DeMello as Salesman of the Year could hardly be more apt.

DeMello, who is acknowledged as father of the "New Hawaii Sound" has created a new image for the Islands through his full, lush and modern interpretation of Hawaii's music. The new image, portrayed in the millions of albums sold throughout the world, is one of sophistication combined with the relaxed and sensuous quality which is the essence of Hawaii's aloha today.

This is the best kind of selling. Gone is the single ukulele and "grass shack" style of music which never really represented

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Hawaii. What has replaced it is a new music, one that remains uniquely "Hawaii" yet is as modern as today's jet airplane.

DeMello has been in music since the age of 10, when he appeared as a cornet player in everything from classical concerts to a circus band. He went on to play in the big bands, radio and a stint as an Army conductor in Hawaii.

He finally moved to Hawaii, began composing Hawaiian music and moved into the local entertainment and communications scene.

Today, DeMello works in advertising, but his salesman image doesn't come from that. It comes from the "soft sell" of his albums around the globe. This is quality selling, promoting what is best about Hawaii today in a quality way.

More people should follow his example.

ZERO DEFECTS PROGRAM AT NAVAL AIR STATION ALAMEDA, CALIF.

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. MILLER of California. Mr. Speaker, in these times when efficiency in Government is so important to the achievement of our national goals, I am extremely pleased to see that a well conceived and executed program to achieve high standards of performance has been initiated at the Naval Air Rework Facility, Naval Air Station, Alameda, Calif., which is in my congressional district. This program is called the "zero defects" program.

The Naval Air Rework Facility provides aircraft repair and maintenance for our naval air fleet. In order to maintain the combat readiness and effectiveness of our naval air force, it is necessary to perform this mission with great dispatch and at the same time maintain high quality workmanship. To achieve this purpose, several programs involving the employees in the facility have been instituted, including the cost reduction program, the value engineering program, the incentive awards program, and most recently the zero defects program. The prime purpose of the zero defects program is to promote personal pride in doing every job right the first time thus increasing personal interest in tasks assigned while producing a better product at a lower cost. In that zero defects is motivational in nature and each and every employee must be given the zero defects message in order for the program to be successful, three kickoff rallies were held to launch the program. Posters, banners, newspaper coverage and management indoctrination have been used to sustain the tempo of interest and enthusiasm for zero defects generated by the rallies.

The involvement of all employees in the zero defects program is encouraged through the error cause removal—ECR—system, which has been established to provide a means for employees to communicate to management any conditions which they feel could be corrected to improve their ability to produce a defect-free product. It is a systematic method for identifying and removing barriers that prevent work from being done right the first time. Supervisors and their employees in most organizational levels at this facility have established goals that reflect an important function of the group and are charting progress toward attainment. Individual zero defects awards are presented to employees for their outstanding efforts toward elimination of errors. These nonmonetary awards provide recognition to those employees who demonstrate a high degree of defect-free performance and are an incentive to all employees to adopt the zero defects attitude.

The emphasis placed on the zero defects program's concepts by the commanding officer, Capt. Samuel T. Armstrong, and the acceptance of the program's challenge of craftsmanship by each employee are two of the motivating factors that help to assure that the Naval Air Rework Facility, Alameda, will continue to provide a high quality product, on time and at the lowest possible cost.

In connection with this program, a newspaper is published as a supplement to the usual naval air station employee newspaper, which is entitled Zero Defects Progress. Several articles which appear in a recent edition graphically portray the tremendous response by the employees to achieve its objectives.

I would like to call this to the attention of my colleagues and to salute the participating naval and civilian personnel for their contribution to the national effort. I therefore insert in the RECORD at this point the following articles from the Zero Defects Progress:

CO's MESSAGE

As the Commanding Officer of the Naval Air Rework Facility, I will probably be asked my feelings about the Zero Defects Program. Someone from an outside activity might ask: "In view of Alameda's good reputation, why do you feel you need a Zero Defects Program?" In answer to this question, I would first relate my understanding of the basic concepts which make up the Zero Defects Program.

The first premise of Zero Defects is that each individual is important to the success or failure of an organization. Nowhere is that statement more true than here at Alameda. Our work force is made up of more than 130 occupations: none of which can accomplish our complex mission independently. Only through individual responsibility, dedication, and teamwork can we achieve the vital end result of service to the Fleet.

Another concept of Zero Defects involves our tendency to expect perfection in our personal lives, but to accept something less on the job. Zero Defects attempts to change our attitude about the work we do. It is easy to rationalize our mistakes as evidence of our humanity. But can we afford this luxury? I say no. Our Facility, as one of the prime maintenance support facilities for Naval Aviation in the Pacific, has been given an awesome role in the struggle for National Security. The standards we apply to our job must be equal to this challenge.

The third premise of Zero Defects, which is easy to apply here at Alameda, is that excellence should be recognized. This Facility has enjoyed recognition as a center of excellence over the years. Individual accomplishments, far beyond the expected, are not unusual here at Alameda. With this understanding of the basic concepts of Zero Defects, I would explain that even though this is a good Rework Facility—we must be even better.

We are committed to a tremendous production schedule, now and in the foreseeable future. A high level of Fleet activity, causing heavy maintenance requirements, coupled with budgetary and ceiling restrictions, has placed the Facility in the position of having to accomplish more work with less resources. Zero Defects challenges each one of us to give our best effort to the task at hand. This is why I support Zero Defects. I am fully confident that by our fostering the concepts of Zero Defects, we can and will achieve all that we set out to do.

TWO PERCENT TO GO

(By Haydn Purvis, Production Department Head)

In the Bay Area, we are fortunate to have professional football, basketball, and baseball teams. There are many divergent opinions as to which is best and what contributes to winning or losing a ball game. Here at the Naval Air Rework Facility, we have as fine a team as there is in the Bay Area, or for that matter, in the nation. Our team is composed of people who are every bit as professional in their approach to their work as any professional athlete.

"Pro" sports provide an excellent example of Zero Defects attitudes in action. Like any professional team, Zero Defects has a special significance for all members of the Production department. I feel that each of us carries an awareness that much depends on the quality, quantity, and low cost of the products we produce. Our success or failure is not measured by numbers on a scoreboard; but rather, by the level of support and service we provide the Fleet.

It is gratifying for me to note the enthusiastic reception given by members of the Production Department to the Zero Defects Program. This acceptance is demonstrated by the fact that 98% of Production Department organizations have set goals for improving their operations; 38 members of the Production Department have been singled out for recognition as Zero Defects Craftsmen, and; 119 have submitted Error Cause Removals identifying problems potentially contributing to errors and defects.

It is a pleasure for me to voice my support of the ideals of Zero Defects, and ask all members of the Production Department to continue to participate in this very worthwhile program—let's get that last 2%!

MATCHLESS CREW LIGHTS UP

Match this one: When the smoke cleared away and the light was seen, it developed that a group NARF employees had made a highly original ZD contribution entirely on their own initiative. What we are talking about, of course, are the book matches with the ZD emblem which are circulating far and wide. The group had 150,000 match books printed, at their own expense, and have handed them out, not only at NARF but to servicemen shipping out. Through this means, the NARF Alameda ZD emblem on the matches has been spotted from NAS Quanset Point to Vietnam.

What started it all? Well, it began with a group of Division 5000 employees who have developed a fine esprit de corps as members of a field team. The men, Bernard Morgan, Raymond Reece, Ray Poole, Thomas Kilgore, Oliver Lanaux, Walter Mathews, Jesse Lewis and Herbert Dunbar have worked together in a close relationship for a long time, both in the NARF shops and on field assignments, at home and abroad.

They are all exceptionally proud of being part of a field team, and naturally, consider their team the best. It was on a field assignment to NAS Lemoore that they first got the idea of the matches. They killed two birds with one stone with the idea. They used an accident prevention message on the front of the book and the name of their field team on the back. It was a good plug for NARF Ala-

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meda and they did it because they were proud of their unit.

After NARF inaugurated its ZD program, they thought of the match publicity again. This was a good way to publicize a program in which they believe, since they are proud of their own work and also to reaffirm their pride in their team. The point that has impressed most people, though, is the fact that they did it all on their own initiative and gladly spent their own money for it. When this team gets behind a project, they believe in doing something about it.

HIGH BATTING AVERAGE

In writing about the ECR's turned in by Howard H. Hansford, Production Controller in Branch 516.2, any figures are bound to be obsolete by the time the story is printed. He is the champion suggestor and far ahead in the field.

Howard, at the time we went to press, had submitted 24 Error Cause Removal suggestions. Of that number, 19 had already been accepted and the others were in process. The range of ECR's, covering cost savings, storage space, utilization of equipment and safety, shows a mind alert to its surroundings.

Three of the accepted ECR's were turned in simultaneously as Beneficial Suggestions and have paid off there, too. He believes in submitting ideas which qualify as ECR's and Beneficial Suggestions at the same time because, during the time it takes to figure the cost savings for an Incentive Award, the ECR idea could be put into operation.

When Howard was asked where he got his ideas, he said, "Just by keeping my eyes open." He feels that the eyes have to be trained to see situations so that the mind can analyze the possibilities of improvement.

Howard hired in at NARF in 1947. He graduated from the apprentice program as an aircraft engine mechanic. At the same time, he completed two years of study at College of San Mateo and earned his Associate of Arts degree.

At NARF he has worked throughout Division 6000. Two years ago, as a member of a field team, he spent four months in the Philippines. He was made an Assistant Production Controller in December 1967 and Production Controller in April, 1968.

Howard was born in Alameda and grew up here, graduating from Alameda High School. After graduation, he joined the Air Force and spent two years in the South Pacific before coming to NAS Alameda. He and his wife, Linzie, live in Hayward. They have three daughters. He is the Treasurer of the Production Controllers Association.

STAMP COLLECTING HOBBY THREATENED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. RARICK. Mr. Speaker, postage stamp collectors in the United States were utterly flabbergasted with the Government's announcement that even Rhodesian postage stamps are embargoed and prohibited into the United States.

The hobby of stamp collecting is now to be threatened by international regulation? And with the directions from the Federal Reserve Bank?

Interesting enough the prohibited countries along with Rhodesia are listed as Red China, North Vietnam, North Korea, and Cuba—but not Russia, Yugoslavia, and so forth.

Of course, one must remember that this is not a U.S. embargo—rather the United States is subservient to the dictates of the U.N. Organization; so, should stamp collectors wish to retaliate they can voluntarily refrain from buying U.N. postage stamps.

But the American people need expect "no change" in our quasi-declaration of war against Rhodesia since the State Department under the present President has decided to continue to discriminate against Rhodesia as an "illegal regime."

In any event, I shall continue my hobby of stamp collecting—which will include every Rhodesian stamp I can get my hands on. I repudiate any U.N. manifestos as malarky and kindergarten spite play.

Mr. Speaker, a news article and a letter from the State Department follow:

[From the Chicago Tribune, May 11, 1969]

STAMP COLLECTOR—RHODESIA IS A NO-NO

(By John G. Ross)

The Government has embargoed the importation and distribution of Rhodesian postal materials issued after July 29, 1968, and the importation of any of Rhodesia's future stamps.

This means that dealers and collectors may not import such material even tho the source of supply may be from another country, such as Mexico. This places Rhodesian stamps in the same category as those of mainland China, North Viet Nam, North Korea, and Cuba.

The embargo does not restrain the trade with relation to material imported and on the market before the freeze was established, provided it was not obtained from a blocked national of Rhodesia.

Federal sanctions for violation of the embargo are heavy, and dealers and collectors are well-advised to refrain from dealing with these postal materials. Further information may be obtained by writing the Federal Reserve bank, Liberty street, New York City.

DEPARTMENT OF STATE,
Washington, D.C., April 21, 1969.

Mr. MICHAEL VAN HORN,
State Chairman, United Republicans of California, State Headquarters Office, Los Angeles, Calif.

DEAR MR. VAN HORN: The President has asked that I reply to your letter of February 28 regarding the issuance of a visa to Mr. Ian Smith who has been invited to speak at your Annual Convention Banquet on May 4, 1969. I also have for reply your letter to the Secretary of State on this subject.

Since Mr. Smith was refused a visa in March 1968, he has not reapplied and no definitive decision can be made until a new application is made. If he were to reapply at this time, our decision would have to be made in light of the mandatory United Nations Security Council Resolution of May 29, 1968, which binds the United States and all other States Members of the United Nations to "prevent the entry into their territories, save on exceptional humanitarian grounds, of any person travelling on a Southern Rhodesian passport . . ." and, further, to "take all possible measures to prevent the entry into their territories of persons whom they have reason to believe to be ordinarily resident in Southern Rhodesia and whom they have reason to believe to have furthered or encouraged, or to be likely to further or encourage, the unlawful actions of the illegal regime in Southern Rhodesia . . ."

Sincerely yours,

BARBARA M. WATSON,
Administrator, Bureau of Security and Consular Affairs.

TO OVERTHROW THE U.S. GOVERNMENT

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, a number of members of the Northern Virginia Builders Association, in my congressional district, have called my attention to a most unusual article which appeared in their "Footings" magazine for April 1996.

The article, written by a member of the association, Mr. A. W. Powell, Jr., describes in some detail a 40-year plan by a person or persons unnamed to overthrow the Government of the United States. Its message so impressed a number of association members that they felt it should receive more widespread distribution than that obtained in their limited mailing list, and they have therefore asked that I insert the full text in the RECORD.

The article reads as follows:

NVBA MEMBER WRITES 40-YEAR PLANS TO OVERTHROW U.S. GOVERNMENT

(By A. W. Powell, Jr.)

It was in 1946 that I determined to overthrow the government of the United States. It was a decision of some magnitude and was not a hasty one, for I had considered the possibility for several years. The obstacles to achievement of my objective were formidable indeed, but where the prize is great, so are the risks and work. We had just emerged from the second war to end all wars, national pride and patriotism were running high, agriculture and industry were well developed and financially sound, and a market of almost unbelievable proportions waited to be satisfied with the goods and services not available for five war years. For all of that, there were certain factors on my side.

AMERICANS TIRED OF FIGHTING—HUNGER FOR MATERIAL THINGS

Americans were tired of conflict, they had an insatiable appetite for material things to satisfy their comforts and pleasures; they had learned to know the world and wanted to help rebuild it in their own image, and eleven million men had to be absorbed into the labor force. Other segments also, would work in my favor. The United States is not a homogeneous society. The northeast was highly industrialized with strong labor organizations. The south was relatively poor economically, had a small-farm agricultural economy, still rankled over the War Between the States, and had a relatively huge population percentage made up of a readily identifiable minority race. The midwest was largely agricultural and the far west was emerging as a population and industrial area to rival the northeast. One thing almost all Americans shared was their open heartedness and their willingness to accept change. That would really be their undoing.

(I allowed forty years to accomplish my task.)

OVERTHROW PLANS ACCELERATE AFTER SLOW 1946 START

My plan to bring this about was not really very well developed in 1946. I knew that many phases would pass before accomplishment and that certain basics must be observed throughout. In a general sense the phases would be: (1) Informational—this would be the initial phase in which I would seek out power center leaders and influences of opinion. I would be available to assist them whenever needed and would be a large supplier of information slanted toward my point of view, or really any point of view different from that presently held in general.

CORRUPT COMMUNICATIONS MEDIA—A MUST

Special and continuing effort would be given to corrupt the mass communications media, especially the emerging television industry, the educators, and the clergy. At first my big push would be to glamorize internationalism at the expense of nationalism, emphasizing the plights of war-ravaged and primitive nations. Colonialism, of our friends only, would be decried, and our stationing of U.S. troops strategically throughout the world would be attacked as colonial in intent and unnecessary.

UP WITH GROUP INTEREST—DOWN WITH NATIONALISM

I urged the subordination of U.S. national interests to group interests of the United Nations, and ridiculed in public those who held contrary views. I urged on and on, higher and higher foreign spending programs for I realized two things. Poor people despise the rich giver of a gift and foreign giving would help destroy the financial stability of America.

PITS GROUP VS. GROUP

I capitalized on all existing differences between groups—poor vs. wealthy, uneducated vs. educated, non-white vs. white, nationality vs. nationality, region vs. region, radical vs. conservative, and so on. Special attention was given to creating labor unrest and this was relatively easy because many labor leaders were of the same persuasion as I.

GIVES GREAT ATTENTION TO NEGRO CHURCHES—ORGANIZATIONS

Great attention was directed toward Negro organizations already existing and the creation of new ones receptive to my views. The Negro churches were the means to the emotions of their members and most of their ministers were wholeheartedly cooperative. White church leaders became increasingly helpful because of natural affection for the less privileged and the international ecumenical wind that had begun to blow.

BACK-BREAKING WORK PICKS UP CO-CONSPIRATORS

The second phase was Organizational. My backbreaking efforts of the first few years had gained many active co-conspirators and far more sympathizers. Anything that is different from the norm will attract a certain following and my movement was no exception. Most people ignored me because they thought I would go away in time. My agents were placed anywhere they might do some good—newspapers, radio, television, magazines, schools, theological organizations, government, and even a few in the military. Unexpectedly, my cause received a tremendous platform from which to be displayed when the Korean War began. I played on the attitudes of all segments of the populace. I told the young men they should not be torn from their studies or their new jobs. I told parents that their children should not be taken from them at so tender an age. I told all that we should not be fighting another people's war and that we had no interests there to protect. I promoted the no-win, let's compromise, policy and pulled it off beautifully. Our troops in the battlefield could defend only—never attack. You can imagine what happens to morale under those circumstances.

MALE CONVERTS URGED INTO SENSITIVE MILITARY SPOTS

My young male converts were urged to enter military service and work into the most sensitive positions possible. I tried very hard to get at least one of my representatives into each Officer Candidate and Basic Officer course to sow the seeds of dissatisfaction and distrust. ROTC classes at universities were easily infiltrated and I was successful even in placing a few in top military academies. Some of my disciples were captured by the Chinese and North Koreans and helped to distort the thinking of their fellow POW's. They also learned new lessons well to bring back home with them.

PUTS AGENTS IN WAR PLANTS

Our agents in war plants tested their abilities to sabotage, on a very small scale at first; but much later in cutting off electrical power to the entire industrialized northeast. During the war period and especially in its aftermath I spent my energies on developing the command and administrative structures I would need for the ensuing Development phase. Only dependable revolutionaries would hold command positions but they would exert their influence through radicals who were acceptable to large identifiable groups.

WHATEVER IS MUST BE CHANGED

As our Negro population and student groups were most impressionable and the most vociferous, emphasis was centered on them while labor unions received somewhat less attention than before. Student and racial leaders became the voices with my message—"Whatever is, must be changed." Military cadres were formed within those groups, even to the point of building espirit with distinctively colored berets to indicate the type of unit, and necklace and pins to denote junior ranks. These cadres were given the responsibility to plan and to implement various disruptive programs in certain geographic areas.

"LET GEORGE DO IT" FORCES DEFICIT SPENDING

One other major organizational effort deserves particular mention as it has been particularly successful. I knew from the beginning that the U.S. could be forced to spend itself to defeat. I organized the "Let George do it" philosophy and my staff worked hard on the theme that no one likes to work, so none should have to work, and there is something tainted about honest labor. This coupled perfectly with our cry for ever bigger and better welfare payments, formation of welfare recipient's unions, and the deluging of legislators at all levels for direct or indirect handouts and bribes.

BY 1960 ACQUIRES OPINION LEADERS TO HELP

It was in the early 1960's that my movement evolved into the Development stage. I had acquired plenty of opinion leaders by this time. Entertainment idols in large numbers espoused my cause vocally and presented images of attractive immoral conduct to our young people.

PUTS AGENTS IN FEDERAL GOVERNMENT DEPARTMENTS

Federal government departments were well infiltrated with my agents, who promoted waste, inefficiency, conflicting activities, and supported my objectives with their influence. All elements of the communications industry were well on my side and some of the larger metropolitan dailies followed my line precisely. The dreamers of society were mine. Social justice over law, change over the proved way, the individual over society were the cries of the day. During the 50's laws to restructure American society had gone on the books and the 60's would see their broadening. Where there were no laws to suit me, the courts made laws—to suit me—by judicial legislation. I knew well that there are no checks on the judiciary except the refusal of a strong executive to implement their edicts, and certainly we had no strong executive to challenge me.

MANY FREEDOMS LOST—WON'T MISS OTHERS TO BE LOST

Americans had given up so many of their freedoms by degrees that they almost had not realized it and now didn't know quite what to do. The Justice Department could shut down whole local school systems and jail public officials who would not do its bidding. The IRS could intimidate any U.S. taxpayer simply by unvoiced threat of investigation which was backed by the presumption of guilty until proved innocent. The FCC entered the attitude control field in full force by using the threat of license revocation or denial to unfriendly stations or to those who would not program my party line. HEW used our own tax money against us in large doses as did similar agencies who paid money to the local governments.

USES MONETARY BLACKMAIL TO INTEGRATE SCHOOLS

Monetary blackmail was used to integrate schools, force cities into urban renewal, build highways to federal specifications. The armed services even went so far as to tell its members where they might not live. Property rights were eliminated as a basis of our democracy. These few examples had eroded the strong, vibrant America into a spongy mess? My disruptive sit-ins, assemblies in public places, marches on a multitude of public edifices all broke down a little more the fiber of America and gave my followers tangible evidence of their ascendancy.

"CIVIL DISOBEDIENCE"—LAW BREAKING SANS PENALTY

"Civil disobedience" became a concept of accepted lawbreaking without penalty. Wanton destruction of property and stealing were all right if done in the name of social justice. Legislative processes in states and in the Congress were disrupted with impunity. My demonstrators who rioted in the U.S. Capitol, intimidating national lawmakers and defacing a national shrine were fined $10 for their actions—those few who were arrested. Having an outdated auto inspection sticker will cost you $22.75.

LABOR STRIKES—CITY ADMINISTRATORS COWER

My labor organizations cower city administrations with strike threats. We don't need to control the top when we can cause sewer tie-ups, refuse to collect garbage, tamper with water supplies, immobilize mass transit vehicles, incapacitate the police and fire fighting forces, keep foodstuffs from the markets, close the schools, withhold medical assistance, and on and on and on.

MILD BEGINNINGS GIVE WAY TO BEATINGS, KILLINGS, BURNING, STEALING

As you now reflect on incidents of the past fifteen years you will note the pattern of events. The mild beginnings have given way to beatings, killings, burning, stealing—all the violent actions. All become a little more violent as time passes. We now have rendered the police forces of the nation relatively ineffective because of three things: (1) destruction of morale and restrictive regulations, (2) inability to hire qualified recruits and resultant lowering of acceptability standards to include the criminally convicted, and (3) loss of qualified men who want no part of today's attitudes toward law enforcement.

SOON TO RENDER NATIONAL GUARD INEFFECTIVE

Soon I shall render the National Guard just as ineffective if I am not successful in destroying it altogether. The regular military forces are now marginally undependable in a domestic use situation because of the large percentage of key non-coms and career enlisted men who follow my directives. That unreliability will increase as I destroy the military's control of its members by civilianizing the military functions and restricting the punishments available to commanders and

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military courts. We cannot again fight a foreign war because of our explosive domestic situation. This will allow my compatriots abroad to consume the remainder of mankind. Domestically my activities will increase in intensity. Public travel will become a nightmare of uncertainty, water supplies will be poisoned, all firearms will be collected from the populace, the police will become openly friendly to me and terrorize rather than protect, licensing of all kinds will be only to those friendly to me (imagine what cooperation I can get from you with a threat to revoke your auto operation privileges), taxes will be raised higher and higher and squandered to break America economically, the sick and elderly will suffer deprivation, starvation, and extinction through decline in purchasing power.

SHALL USE THE CARROT AND THE STICK

I shall use the carrot and the stick. My followers will be rewarded, my enemies crushed. Only a miraculously organized and strong opposition can possibly stop me now. I have no fear that it will arise as Americans are frightfully disorganized and are more concerned in conserving what little they have left, through further compromise, then in fighting for what they have lost. Cooperate in your downfall, give me your minds and your bodies, and I just may allow you to retain life. I am well ahead of schedule in my 40 year plan. By 1986 freedom, liberty and democracy will be gone from the face of the earth, and you are responsible.

LOLA BELLE HOLMES: PATRIOT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. RARICK. Mr. Speaker, the students at LSU in my district were treated to a rare and refreshing lecture last month when Lola Belle Holmes spoke on their campus. Her hard-hitting message was that the war in the streets about us, as yet undeclared, is planned in Moscow, and is being financed by the so-called war on poverty.

So that our colleagues can benefit from the dynamic message of this fearless American, I submit a flier covering her billing and the news release of her lecture from the Baton Rouge Morning Advocate for May 1, 1969, for inclusion in the Record, as follows:

Lola Belle Holmes: "The Revolution Is Planned"

"The revolution, with its bombs, riots, fires and death is being financed by the War on Poverty."

For every war there are heroes. When a need arises, unlikely people step to the fore to demonstrate unlikely courage, bravery and ability. Such a person is Lola Belle Holmes. She has known for a good while that there is a war in progress, one where a sinister conspiracy makes war against free people everywhere.

Lola Belle Holmes has been in the front lines of this war since 1956 when she infiltrated the Communist apparatus for the F.B.I. For seven long years she took orders from Moscow and reported all to the authorities. She rose to positions of prominence in the Communist-created Negro organizations and in the Communist Party itself. In 1963, she surfaced to give testimony before various government bureaus. -

She continues in the front lines of this war, though in a markedly different way. For now Lola Belle Holmes is trying to reach fellow Americans whom she maintains "are in the midst of a revolution of such magnitude that it is like a giant octopus with its entacles spreading into every walk of life." From her past associations, from continuous knowledge of the strategy of subversion and from an awareness that comes from front-line duty, she has pinpointed the source of the revolution—"The United States Government through its Office of Economic Opportunity is supplying our enemies with the means to destroy our country."

[From the Baton Rouge (La.) Morning Advocate, May 1, 1969]

Negro Woman Says Communists Spark Civil Rights Movement

(By Dick Wright)

Mrs. Lola Bell Holmes is a Negro woman from Louisiana who has been most of her life up North and doesn't go for civil rights movements because she says they are planned and fostered by the Communist Party.

And she said the "war on poverty" is financing a communist-inspired revolution in the United States today.

Mrs. Holmes also denounced Dr. Martin Luther King Jr. who she said "the Communist Party reached out and dumped on Negroes."

She declared that Communists planned and wrote the 1965 voting rights bill.

ONE MORE KNIFE

"The coming Negro trouble," she said, "is but one more knife" of the Communists in America.

Mrs. Holmes also predicted a depression "that could make the 1930s look like the good old days."

"I am a Christian and was raised a Christian. I believe in the American way of life," she said. She added that she believes in freedom and that "after analyzing communism, I came to the conclusion it was a detriment . . . to the Negro people."

Mrs. Holmes spoke at a meeting sponsored by the LSU Young Americans for Freedom. Mike Connelly, YAF president, introduced her as a woman who has spent six and a half years as a Communist for the FBI in Illinois.

DEPLORED STUDENT PAUCITY

Most of the crowd were what Connelly described as "townspeople" and deplored the fact that so few students were present to hear Mrs. Holmes.

"Every poster we put up (on campus) gets torn down by somebody," Connelly said. But there were some students there, some who strongly disagreed with Mrs. Holmes' view of civil rights activity. There were about half a dozen Negro students on hand.

During her speech, Mrs. Holmes denounced charges of police brutality as a Communist tactic. After her talk a Negro student asked her what she thought of policemen who supposedly shot a Negro boy who rode his bicycle into the area where a Montgomery church was bombed.

"Did you see it?" said Mrs. Holmes.

"Maybe the police thought the boy bombed the church I don't know the situation. How do I know that you are telling the truth?"

She suggested that maybe the boy refused to stop when ordered to do so.

Mrs. Holmes gave a major portion of her hour and a half speech to denouncing the Office of Economic Opportunity and how its money fosters allegedly communist front organizations. She also denounced rioting and burning in Negro ghettos acts which she said were in some cases abetted by antipoverty workers.

"When the smoke clears the OEO boys emerge to declare that the riots are caused by poverty" she said.

"After each new riot the public is treated to double talk."

She also scored the "riot commission" or "Kerner Report" and said it was a "big thick volume with lots of pictures and doubletalk."

She said that everything the report stated met agreement from Gus Hall (a leader in he American Communist Party.)

"I honestly believe Gus Hall cannot be duped," she said.

ADVOCATES NEGROES WORK HARD

Mrs. Holmes advocated that Negroes get jobs, work hard and get an education and she said she believed in American capitalism. The war on poverty, she declared, is providing "billions to finance the revolution, your destruction."

"You are in the midst of revolution," she said.

"It is like a giant octopus . . . financed by your dollars."

Asked how the people could stop the antipoverty program, when elected congressmen don't seem to pay attention to the voter, Mrs. Holmes said Americans still had the right to impeach elected officials. Another member of the audience stood up and said:

"Our congressman from this district is on our side and has been on our side all the time."

"Here's a man who you should support," Mrs. Holmes said.

Asked about the Students for a Democratic Society, Mrs. Holmes said she doesn't know too much about them, except that she had read in a report from FBI Director J. Edgar Hoover, that "they planned to blow up some government facilities."

She suggested to the audience they do all they could to keep an SDS chapter from forming at LSU. The SDS, she said, are getting worse than the W.E.B. DuBois Club," a Marxist-oriented group once popular on campuses.

Asked about her feelings on the Ku Klux Klan, Mrs. Holmes said. "I never heard them advocating the overthrow of the government." But she quickly added that she doesn't approve of violence.

Saying she knew little about the Klan, she added, "I can't go under the sheets and find out."

At one point in her talk, when she had been heckled briefly by some students, Mrs. Holmes told the group:

"If you kill me for telling the truth, then I don't care because I'll go home to my God and be free."

SENATE—*Tuesday, May 13, 1969*

The Senate met at 11:30 a.m., and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Trust in the Lord with all thine heart; and lean not upon thine own understanding. **Proverbs 3: 5.**

Almighty God, we thank Thee this day that Thou hast gathered our people into a great nation and established their freedom under Thy sovereignty. Let not our goodly heritage fade or the bright vision of service to all mankind be disowned. Deepen the root of our life in everlasting righteousness. Make us equal to our high trust; reverent in the use of freedom;

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just in the exercise of power; generous in the protection of the weak. May wisdom and morality be the stability of our times; and our deepest trust be in Thee, Lord of the nations and King of Kings. Amen.

ORDER OF BUSINESS

The **PRESIDENT** pro tempore. Under the order of yesterday, the Chair recognizes the distinguished majority leader, the Senator from Montana (Mr. MANSFIELD), for not exceeding 20 minutes. The Senator from Montana.

THE JOURNAL

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, May 12, 1969, be dispensed with.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

ABM

Mr. **MANSFIELD.** Mr. President, the debate on the Safeguard ABM that has occurred to date and the testimony that has been given have resulted in a conflict and not a consensus of views. No confluence of opinion has developed, no winnowing process has yet clearly divided the convincing from the confusing. As far as the technical merits of the Safeguard system are concerned, we do not yet have the lucid guidelines we need for a prudent judgment.

To be sure, there has been a consensus of sorts. There is virtual unanimity, for example, that an ABM system for the protection of cities would not be much good against an all-out nuclear attack and there is substantial agreement that, regardless of what decision is made with respect to deployment, research and development of antimissile defenses should continue.

The differences over the technical efficacy of Safeguard constitute, however, only one segment of the problem. More significant is whether our deployment of Safeguard will upset international stability, whether it will provoke an escalation in the arms race, and whether it will assist or handicap proposed negotiations with the Soviet Union on strategic delivery vehicles.

One of the critical questions for which we seek an answer is: Will the deployment of the Safeguard provoke another round in the arms race? Will it be escalatory? It has become virtually a truism that arms races are dangerous and can lead to war. It is even more significant that they can be very costly in terms of national resources and that, despite the cost, after each upward spiral is turned by the competitors in the race, the security of none is any greater. All too frequently, the rivals continue to balance each other, only at a more heavily armed and more expensive level. Arms racing, in short, can be an extravagant futility for all concerned.

The United States admittedly has at times been a victim of the temptation to dissipate its resources in arms racing. The "bomber gap" of the fifties and the "missile gap" of the early sixties are well-known instances in which the United States reacted to what were thought to be weapons advances on the other side but which later did not materialize. The Soviet Government, too, has frequently reacted by expansions of its strategic weapons with the aim of matching or even outrunning the United States. There is no evidence that the action-reaction syndrome has been purged from the psychology of either the United States or the Soviet Union. A provocative weapons advance on either side today can be expected to trigger very much the same kind of counterreaction as it did 5, 10, or 15 years ago.

Yet we slowly learn. One of the more encouraging aspects of the current Safeguard proposal is the conscious effort of American defense officials to devise a weapons system that is intended to be nonprovocative and nonescalatory. The President, the Secretary of Defense, and other officials have portrayed the installation of the Safeguard as a defensive, not an offensive, measure and have concluded, as the President has said, that "the Soviet Union cannot interpret this as escalating the arms race." Unfortunately, the conclusion does not necessarily derive from the premise.

Distinctions between so-called "offensive" and "defensive" weapons are often semantic, not real. During negotiations in the League of Nations in the 1920's and 1930's the attempt to distinguish between such weapons was a failure, one which contributed importantly to the stillbirth of those negotiations. Although "defensive," the Safeguard system is designed to protect and preserve an "offensive" weapon. How the Soviet Government chooses to react may hinge very little on whether it perceives the Safeguard system as "defensive" or "offensive" in a strictly military sense. The fact is it is another weapons system which has an impact on overall strategic and political relations. The Soviet Union may well conclude that it has to compensate for this American initiative, not so much because of military logic but because of broader political imperatives. All of our experience with the international interaction between national military establishments leads to the conclusion that we cannot be dogmatic in asserting that the Safeguard will not have an escalatory effect. Indeed, if we are calculating prudently, then we must anticipate the opposite. If it does, then, it could seriously prejudice endeavors to arrive at an understanding with the Soviet Government on limiting strategic armaments.

There is also a serious question whether the Soviet Government may not be engaged in a weapons deployment that could gravely prejudice the possibility of negotiating an agreement on strategic armaments. I refer to its deployment of the SS–9, an ICBM with a warhead reported to be as large as 20 to 25 megatons. The Secretary of Defense has sought to justify the Safeguard proposal on the grounds that the SS–9 deployment indicates the Soviet Union is striving for a first-strike capability against the United States. A certain portion of the Minuteman force must be safeguarded, he argues, in order to insure its survival and to maintain our capability for assured destruction against the Soviet Union.

I do not intend to take issue with the principle of assured destruction as the core of national deterrent policy. Nor, if the alleged Soviet threat is valid, do I necessarily quarrel with the thesis that it may be desirable to defend a portion of our offensive strike force in order to make certain we retain a capability of assured destruction. But the suddenness with which the threat of the SS–9 has been conjured up necessitates a close examination.

It is disconcerting that Mr. Laird's disclosures come close on the heels of another Department of Defense appraisal of the national strategic posture that was formulated in entirely different terms. It is disturbing that one Secretary of Defense can communicate to the Congress one intelligence conclusion regarding the Soviet Union and another Secretary of Defense, only 2 months later, presumably relying upon the same data, the same intelligence organization, and the same estimate, can arrive at a substantially different conclusion.

The last posture statement of Secretary Clark Clifford, which appeared in mid-January of this year, declares that "even against the highest Soviet threat" projected in the national intelligence estimate, the U.S. strategic forces programed over the next few years could destroy in a second strike more than two-fifths of the Soviet population and about three-fourths of their industrial capacity. This, the Secretary confirmed, was sufficient assured destruction capability to comprise an adequate deterrent.

The Secretary warned, however, that we must be prepared to cope with unexpected developments in the Soviet strategic threat and take appropriate actions to hedge against them. One of the unexpected contingencies foreseen by the Secretary was the possibility of development of a Soviet ICBM with a target kill capability that would be able to destroy a large number of U.S. land-based missiles in hard silos. But he saw no need to take countermeasures against this possibility until there was evidence that the threat was beginning to emerge. Yet in March, Secretary Laird perceived such a threat and decided to revamp the Sentinel system not only by changing the object of its defense from the cities to Minuteman, but also by placing the emphasis on the Soviet Union, rather than Communist China, as the principal adversary. The villain responsible for this switch in scripts was the SS–9 which was described as being deployed at a menacing rate.

But the SS–9 is nothing new. Its existence has been known for some years and its increasing deployment has been observed. Did some new element sud-

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denly stimulate the fears of the Defense Secretary? He mentioned evidence as recent as last December of Soviet deployment of the SS–9. But are we to believe that Secretary Clifford's assessment in January was not made with full awareness of the SS–9 deployment and its potential? If the Defense Department in January deemed that the Soviet deployment of SS–9's implied such a formidable threat to our offensive missiles, if they considered it a first-strike force, why did not Secretary Clifford's statement reflect that judgment? Was some radically new intelligence gained between January and March? Was a new estimate made by the intelligence community which dramatically enlarged the Soviet threat in those two intervening months? I do not find in Secretary Laird's public utterances claims of either significant new data or a new national intelligence estimate.

Since his first disclosure of the threat of the SS–9, the Defense Secretary has asserted he referred only to a Soviet capability and not to an intention. Moreover, the Secretary of State has disclaimed a belief that the Soviet Government intends a first strike against the United States. In any case the Defense Secretary is not referring to a Soviet first-strike capability that exists now but only to one which might exist in the mid-1970's, assuming that present trends of deployment continue over a period of years. He has, in a word, assumed just about the worst possible projection of Soviet deployment, and then has reacted as though it were certain to become a reality.

But we have seen these projections of Soviet capabilities go awry all too many times. Too many times before we have overreacted to a theoretical projection which never became a tangible fact. I have already cited the well-known bomber and missile gaps. I would also like to point out that when the Sentinel ABM system was proposed in 1967, it was predicated on projections of Chinese and Soviet deployments which did not materialize. It was then estimated that the Soviet ICBM deployment would level off. According to Secretary Laird, it did not. But now the Safeguard proposal is predicated on the assumption that it will continue. But what if it levels off?

There are many reasons to expect that it might. According to Under Secretary of Defense Packard the Soviet ICBM force has attained "parity" with our own, and it is reasonable to suppose that the Soviet Union might have sought this level as a precondition for negotiations on a strategic arms agreement with the United States. It would not be realistic on our part to expect they would agree to freeze armaments at less than parity. And they are not so unrealistic as to dream that we would accept a ratio that was unbalanced in their favor.

Both we and they should grasp and ponder the fact that we are at a decisive milestone. A state of approximate strategic balance now obtains between the two sides. Each has sufficiency of strategic power to deter the other. If at this critical moment either tries to gain an advantage by introducing new strategic systems or by substantially enlarging existing deployments, then the present stability could be upset. And there would be no prospect that it could be regained, at least not until another major round in the arms race had been completed, perhaps years hence and at dire economic, social, and political costs.

The immediate manifestation of the deployment or nondeployment of Safeguard will be its possible effects upon the long-pending negotiations on strategic delivery vehicles. I fear that the Safeguard proposal has already had a baleful effect upon the decision to start these parleys. The major survey of defense policy which the new administration apparently is now conducting seems to have become an obstacle to the diplomacy of "nonconfrontation and negotiation" which President Nixon established as the main thrust of his administration's foreign policy. "Late spring or early summer"—the announced time for beginning the talks—is a vague deadline which contrasts sharply with the urgency of the hard sell to win approval of appropriations for the Safeguard ABM in the fiscal year beginning July 1. The enthusiasms for building the weapon compares starkly with the dawdling pace of the preparations alleged to be necessary for U.S. entry into the talks. Actually preparations for strategic talks have been underway for several years—the United States first made the proposal for freezing strategic delivery vehicles in January 1964, and was ready to start negotiating in the summer of last year. Why should it be necessary to pull everything up by the roots again just to see if it is alive and well? Let us get on with the talks. Let us set a date—a date in early June. This will dispel suspicion that the United States is reluctant to undertake these talks and is more in favor of expanding than constricting the arms race.

On April 25, I inserted in the Congressional Record a chart comparing the relative nuclear strength between the United States and the Soviet Union. Shown rather graphically is the growth rate that has maintained this balance of nuclear terror; it is an ugly picture that has not changed significantly for years. In the same insertion, I suggested that in view of the questions raised about the feasibility of the system, its exorbitant costs, reliability, and so forth, rather than begin the Safeguard deployment even in a limited fashion it would be a better course at this time to hold off this phase pending a good-faith effort to open disarmament talks with the Soviet Union. At the same time I said our missile defense research and development efforts could go forward, thereby keeping viable the option to begin a deployment if and when it is clear that talks will not be productive and that the Safeguard system is technologically feasible.

The need now, it seems to me, is to move promptly on negotiations and to try to maximize the chances for their success. To that end, it might be helpful if talks were begun by the Soviet Union and the United States, with simultaneous declarations calling for an interim moratorium on further deployment of all strategic weapons. It would be my hope that this Nation would consider taking the initiative by inviting the Soviet Union to join us without delay in a temporary freeze of this kind pending talks which would be designed to make the freeze permanent. In that fashion both nations would underscore the mutuality of interest which can exist—which, in fact, does exist—in bringing to a close this costly, wasteful, and futile competition in nuclear armaments. It would by my further hope that the initiative, which is suggested, would be pursued by the executive branch before the consideration of the Safeguard deployment reaches a point of no return in the Senate.

Mr. COOPER. Mr. President, the majority leader, the distinguished Senator from Montana, has given us a statement on the implications that deployment of an anti-ballistic-missile system at this time would have for this country. He has struck at the key issues with clarity and wisdom.

Underneath the technical complexity and difficult judgments about missile technology lies a simple truth. It is this—we are at a moment in time, the first time in the quarter of a century of the nuclear age, where it may be possible to halt the nuclear arms race with all the danger it holds for all our people and for the world. Already, we are informed, the equivalent in nuclear power of more than 15 tons of TNT hovers over the head of every man, woman, and child on the earth.

We who oppose deployment of the ABM at this time are asking for a brief delay in the arms race during which the United States can enter into negotiations with the Soviet Union to determine whether it is possible—either by formal or tacit agreement—to halt the arms race, or whether it is necessary to go on as in the past, piling up more and more deadly nuclear weapons.

The United States can defer deployment of the ABM for three principal reasons:

First. It presently has an overwhelming retaliatory capability—an ability to destroy the Soviet Union. This capability can be maintained even if the Soviet Union continues the development of nuclear weapons at its maximum capacity through the mid-1970's.

Second. A reasonable analysis of the intelligence available is that there is no new or present danger to our deterrent.

Third. The ABM system proposed by the administration, is the subject of so much responsible doubt about its feasibility for missile site protection that a delay of deployment would serve the Nation well. The most effective strategic response to a real threat to our deterrent could be developed in the time our Government is seeking a halt in the nuclear arms race, rather than in haste to build and deploy an ineffective system.

In conclusion, it is my hope that the administration will heed the wise words of the majority leader. There is no desire of those opposed to the ABM deployment to confront the administration politically. Reasonable solutions are still possible. The United States can enter into negotiations with the Soviet Union

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with confidence in its existing and preponderant strength. The United States can do so with the knowledge that if negotiations fail, we have the resources and time to do what is necessary to insure the credibility of our deterrent and awesome, if uncertain, security.

It is my view that delay can be taken in safety. It is my view that a brief delay to determine if a halt in the nuclear weapons race is possible is the course of reason, the course of responsibility, and the duty of a great country.

Mr. MANSFIELD. Mr. President, I commend the distinguished Senator from Kentucky for the brief statement he has just made. He has said more in a few words than I said in many. He has stated the case better and more succinctly. I join with him in the postulate that this is not a political matter, that this is something in which we are all vitally interested regardless of politics, and that those of us who oppose the system do not doubt the honesty and integrity of those who are in favor of it.

It is a matter of judgment which must be faced up to and on which a decision must be made. I join the Senator from Kentucky in saying that we ought to undertake to start negotiations if it is at all possible, and that they ought to be undertaken in good faith. If results are not forthcoming and good faith is not displayed, then we ought to get busy and enlarge the deterrent.

I do not believe that a delay would cause any difficulty. I think it would yield much good. If an agreement to halt arms race can be brought about through the two superpowers, it would mean that in this country we would be able to divert funds to the needs of the cities and to the needs of various segments of our population which must be met and faced up to. In that way we shall bring about a balance in our sense of responsibilities, which in the long run will react to the welfare of this Nation as a whole.

I again commend the distinguished senior Senator from Kentucky, who has taken the leadership in this matter over several years and who has done a lot of good groundwork to bolster the case he has presented on occasion to the Senate.

I assure the Senator once again that this is not a political matter. It is not a matter of a gain or loss for either the Republican or Democratic Party. It is a matter in the best interest of the country. Regardless of its effect on either party or on any candidate, it is the issue which should have priority at all times.

Let us at least make an effort. Let us go ahead and see if we cannot do something which would benefit mankind; instead of continually building and building and acting and reacting with missiles and other systems, which can do nothing but bring destruction on mankind as a whole.

We have a great responsibility in the Senate. Let us face up to it and build for peace and not for disaster; or at least let us try to move toward the elimination of that which is designed to destroy people.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar under New Report.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER (Mr. GRAVEL in the chair). The nomination on the Executive Calendar will be stated.

DISTRICT OF COLUMBIA COURT OF APPEALS

The bill clerk read the nomination of Frank Q. Nebeker, of Virginia, to be an associate judge of the District of Columbia Court of Appeals.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

EDUCATIONAL TELEVISION AND RADIO AMENDMENTS OF 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 156, S. 1242.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (S. 1242) to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1242

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Educational Television and Radio Amendments of 1969".

FIVE-YEAR EXTENSION OF CONSTRUCTION PROVISIONS

SEC. 2. (a) Section 391 of the Communications Act of 1934 (47 U.S.C. 391) is amended by striking out "and" before "$15,000,000" and by inserting before the period at the end thereof ", and such sums as may be necessary for each of the next five fiscal years".

(b) The last sentence of such section is amended by striking out "July 1, 1971" and inserting in lieu thereof "July 1, 1976".

ONE-YEAR EXTENSION OF FINANCING OF CORPORATION FOR PUBLIC BROADCASTING

SEC. 3. (a) Paragraph (1) of subsection (k) of section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended by inserting "and for the next fiscal year the sum of $20,000,000" after "$9,000,000".

(b) Paragraph (2) of such subsection is amended by inserting "or the next fiscal year" after "June 30, 1969,".

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business with a limitation of 3 minutes for each Senator.

OUR ARMED FORCES SHOULD BE BROUGHT HOME FROM KOREA

Mr. YOUNG of Ohio. Mr. President, for more than 16 years since the end of the Korean conflict we have maintained thousands of GI's, marines, and airmen in South Korea. Today, there are more than 56,000 American servicemen stationed there, most of them along the demilitarized zone on the 38th parallel separating South Korea and North Korea. These men should be returned to the United States as soon as possible. I mean all of them except for a few thousand military advisers and observers.

In the years following the Korean conflict there was justification for our continuing a strong military presence in South Korea. It was obvious that the Armed Forces of the South at that time and for possibly 5 or 10 years would by themselves have been unable to repel a second attack from the North.

The fact is that today South Korea has a regular army of 550,000 men, the fifth largest standing army in the world. North Korea has a standing army of but 345,000 men. There are 17,000 men in the South Korean Navy and only 9,000 in that of North Korea. South Korea has 30,000 men trained as marines while North Korea has none. In addition, the reserve forces of South Korea number 2,550,000 men who drill at least twice a week. North Korea has a reserve force of but 1,200,000 men. The Republic of Korea—ROK—standing army and reserves are well equipped with the most modern weapons.

The only category of arms in which North Korea exceeds South Korea is in its air force of 30,000 men, 530 fighter planes, 60 light bombers, 20 helicopters, and 27 transport planes. The South Korean air force is composed of 23,000 men, 195 fighter planes, 10 reconnaissance planes, and 22 transport planes.

Furthermore, South Korea with 28,650,000 people is twice as populous as North Korea with its 11,400,000 people. Its economy is booming and the degree of its economic growth is tremendous as compared to that of North Korea, a poverty stricken nation.

Since 1951 the United States has given more than $3 billion in military assistance to South Korea. In addition we have given $4.6 billion in economic aid to that country. Its increasing prosperity is in large part a result of our help.

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South Korea is the only nation in the world to provide substantial armed forces to assist us in Vietnam. More than 53,000 Republic of Korea soldiers are now fighting in Vietnam alongside our forces. According to our military experts, they have fought hard and well. Many have been killed and wounded in combat. The famed ROK Tiger Division has earned the respect of its allies and foes as have other units in the ROK armed forces now in combat in South Vietnam.

Of course, these troops were transported to South Vietnam on American ships and planes and are maintained there entirely at the expense of American taxpayers. Of course, South Korea, in reality a client nation of the United States, was given hundreds of millions of dollars in addition to military and economic assistance as a quid pro quo for these troops we are paying and maintaining while they are rendering valuable assistance in helping maintain the Saigon militarist regime of Thieu and Ky in power. It is undisputed that the forces of the National Liberation Front in South Vietnam, or VC, has the support of a large majority, probably 80 percent, of the inhabitants of South Vietnam.

On two occasions in recent years I had the opportunity to visit South Korea. Compared to all we know about North Korea, it is a prosperous nation. Compared to the United States, it is a poor nation. North Korea in such a comparison would be regarded as a poverty-stricken backward nation. I visited with our GI's and marines along the 38th parallel at Panmunjom and elsewhere and saw for myself the hard conditions under which they live during their tour of duty. It is very questionable whether it is necessary that we continue to maintain any Armed Forces in South Korea.

It is clear that our involvement in the civil war in Vietnam will end in a matter of time. I am hopeful that President Nixon will order the withdrawal of sizable numbers of men from South Vietnam within the next few months. In any event, it is a question of a year or 2 years at the most before we withdraw completely from that ugly civil war in which we should never have become engaged in the first place.

At that time, and it should be much before then, the 53,000 South Korean troops in South Vietnam will also be returned to their homeland. There can then no longer be any justification whatever for our continuing to station thousands of young Americans in South Korea. They should be returned home immediately upon the return of ROK forces from South Vietnam, or before.

South Korea will then undeniably have the military and naval strength to defend itself against any possible attack from the north. In the very unlikely event of that occurring, our warplanes stationed in Japan and Okinawa are only a few minutes distant from Korea and could readily come to the assistance of the South Korean Air Force, if that assistance were required.

Administration officials, particularly those in the Defense Department, should begin immediate planning for withdrawal of our forces from South Korea and that withdrawal should be coincident with the return home of South Korean forces now in South Vietnam or at approximately the same time. This would be an important first step in reducing tensions in the Far East, in determining just what are our vital national interests in that part of the world and in the reevaluation of our entire Asiatic policy which must and will result with our disengagement from Vietnam. That disengagement and withdrawal should have been made before now. With the armed forces of the Soviet Union and Communist China fighting each other along their common border of more than 6,500 miles there is no longer any valid fear of a huge monolithic threat of aggression in Southeast Asia from the combined forces of the two great Communist powers.

Mr. President, the United States does not have a mandate from Almighty God to police the entire world. We saved South Korea from Communist aggression and in the years since we have enabled that little country to defend itself against any possible future attack. It is time for South Korea to stand on its own two feet.

ORDER OF BUSINESS

The **PRESIDING OFFICER.** Is there further morning business?

Mr. **BYRD** of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be recinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

CONSTITUTIONAL RESTRAINTS ON ACTION REGARDING SUPREME COURT JUSTICES

Mr. **ERVIN.** Mr. President, for the last 2 weeks, the Supreme Court has once again been the center of public discussion, as it has been so often in our history. There is general agreement that the situation which now exists amounts to a crisis for the Supreme Court of a seriousness rarely matched in our history. In such circumstances, the obligations placed upon each Member of Congress, on the President, and the Court itself require thoughtful consideration and a strict adherence to the Constitution.

Much is at stake. More is involved even than the reputation and integrity of the High Court. The very independence of the Court may be threatened. We must all rise above passing temptations and insure that however this matter is resolved, the damage to the Supreme Court will be minimized.

The Constitution provides that all Federal judges shall retain office during "good behavior," which means that judges have tenure for life. Excepting only resignation or retirement, there is only one method by which a Federal judge can be relieved of office—that is by impeachment according to article II, section 4.

Under the impeachment provisions, the House of Representatives must bring charges that a Federal official has committed "treason, bribery, or other high crimes and misdemeanors." The Senate has the sole power to try impeachments brought by the House, and a two-thirds vote is necessary for conviction. The responsibility placed upon the Senate is an awesome one. Only once before, in 1805, was a Supreme Court Justice brought to the well of the Senate. This was the impeachment of Justice Samuel Chase, who was charged with rendering decisions which his political opponents disliked. However, a Senate composed largely of his political enemies refused to convict Justice Chase. The precedent established was that judges could be impeached only for violations of law, and not for their political views or for decisions they handed down while on the bench. This precedent is a foundation stone of the independence of the Supreme Court. While the Court is not and never should be immune from criticism for its decisions, it should remain safe from retribution based upon partisan politics.

The responsibility of the Senate to sit in judgment in impeachment cases imposes an obligation to act in the highest traditions of judicial propriety. In such a proceeding, each Member sits as a judge, and care must be taken not to prejudge the issue, or to appear to prejudge it by taking a public position. In spite of the recent demands for investigations and inquiries, the Senate should move cautiously in view of its ultimate constitutional responsibility. In this matter, the Senate must await the action of the other body, for the Constitution gives to the House of Representatives the initiative in these matters.

The restraints placed upon the President by the Constitution are even more strict than those placed on the Senate. The Constitution gives the President the power to appoint Supreme Court Justices with the advice and consent of the Senate. But it confers no role on the President in matters of removal. A Federal judge is immune from action by the President, and care should be taken in all cases not to establish any precedent suggesting that the President has any power or influence to discharge a member of the judiciary from office.

Restraints are also imposed on the courts themselves. Each judge is an independent officer. His authority stems directly from the Constitution. Judges are not dependent for their positions on the good will or tolerance of their brethren on the courts. It would be most unfortunate if the independence of the judiciary were weakened by making judges subject to the opinions of other members of the judiciary. Courts are ill-equipped to discipline their own members, and it would be an unfortunate development if any court or judge—even the Chief Justice—had any role in resolving questions such as the one we now face.

This serious crisis will eventually be resolved, if not by voluntary action, then by operation of constitutional procedures. In the meantime, I would hope that every public official would carefully measure his public behavior by the dic-

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tates of his conscience and by the requirements of the Constitution.

Mr. HOLLAND. Mr. President, will the Senator yield to me?

Mr. ERVIN. I am delighted to yield to the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, I am glad that the distinguished Senator from North Carolina has brought out the point he has. I suppose every Senator has been questioned many times by members of the press and others as to what he thinks Mr. Justice Fortas should do under the present difficult situation which exists. The Senator from Florida has had one answer to all of those inquiries, and I think that answer has been in accord with the suggestion which is now made by the Senator from North Carolina.

The Senator from Florida has stated that since the Senate does have the duty under the Constitution of trying impeachments brought by the other House, and since at least two Members of the other House have publicly announced that they are considering offering a resolution of impeachment, the Senator from Florida would confine himself simply to stating that in his judgment the complained of action of Mr. Justice Fortas is unwise and that the matter of what he should do is primarily a matter for his conscience and his own decision at this time.

I thank the Senator from North Carolina for having brought out the point very clearly that the Senate is in the peculiarly difficult position of having to sit both as a jury and a judge in the event impeachment proceedings should be brought. I certainly have no information that they will be brought but as long as Members of the other body are talking about bringing them, I think we should be doubly careful in our expressions.

For that reason, I made the expressions which I have just indicated and thank the Senator for having made this matter one of public record in the CONGRESSIONAL RECORD. Again, I congratulate the Senator from North Carolina.

Mr. ERVIN. I thank my very good friend, the distinguished senior Senator from Florida, for his remarks.

The position stated by him is exactly the same as the position I undertook to express a moment ago.

THE URGENCY OF RATIFYING THE UNITED NATIONS HUMAN RIGHTS CONVENTION ON GENOCIDE

Mr. PROXMIRE. Mr. President, the crime of genocide is one that has plagued mankind since the earliest historical times. Mankind has consistently turned upon his fellow man and attempted to destroy his institutions, his customs, and often even to end his life. History is filled with examples of such actions, among them being the butchery by the Assyrian armies, the utter destruction of Carthaginian people by the Romans, the pillaging of the hordes of Attila and of Genghis Khan, and so on up to what can be termed the modern period.

During the last two centuries it appeared that mankind had at last became "civilized" and such horrible butcheries occurred with less frequency. Even the waging of war was governed by a certain set of codes and international laws.

Then, in this century, when a man felt he could at last turn to his neighbor and assure him that never again could such brutal savagery exist, genocide reared its ugly head on a scale of brutality never before equalled in the annals of history. The inhuman, efficient attempt of Hitler's Nazi Germany to completely eradicate the Jews occurred just in the last 30 years. The existence of the concentration camps is terrifying proof that genocide can again be practiced by a people that thinks it is civilized, and that responsible people must act to prevent any future action comparable to the unthinkable crime of the Nazi's.

It is to the credit of humanity that action was swiftly taken by the United Nations soon after the horror of Germany was revealed. The Human Rights Convention on Genocide was ratified by the United Nations before the decade of the forties was out, and since that time many nations have manifested their beliefs by ratifying the convention.

The United States was among those nations that bewailed the actions of the Nazis and was one of the powers that conducted the postwar trials at Nuremburg. Yet the U.S. Senate has not ratified this Convention which seeks to outlaw any such future occurrence. There is no excuse for any further delay on the part of the United States on such a crucial matter. Now is the time for the Senate to ratify the United Nations Human Rights Convention on Genocide.

PRESIDENT NIXON'S DRAFT REFORM MESSAGE

Mr. MURPHY. Mr. President, as a member of the Committee on Armed Services, and of the Labor and Public Welfare Subcommittees on Education, and Employment, Manpower, and Poverty, I applaud President Nixon's draft reform message. My position on these committees has given me a particularly good vantage point to see the military, manpower, educational, and human implications of the draft.

Like the President, I hope the day will soon come when the draft will be unnecessary. I am hopeful that the study by the President's Advisory Commission on an All-Volunteer Armed Force, which the President appointed on March 27, will prove the feasibility of moving to an all-volunteer army. Until we are able to end the war in Vietnam, the all-volunteer army appears unlikely. President Nixon has rightly made this difficult task the top priority of his new administration.

In the meantime, it is incumbent upon us to do everything we can to provide a draft system that is as equitable as possible. The President's message does just that. The message calls for the drafting of the youngest first, limits the period of time a young man will be vulnerable, provides for the selecting process through a random system, continues the undergraduate student deferments, allows graduate students to complete the full academic year, and calls for a thorough review of our guidelines and procedures for deferments and exemptions.

Mr. President, I ask unanimous consent that the text of the President's message be printed in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

[A release from the Office of the White House Press Secretary, May 13, 1969]

To the Congress of the United States:

For almost two million young men who reach the age of military service each year—and for their families—the draft is one of the most important facts of life. It is my conviction that the disruptive impact of the military draft on individual lives should be minimized as much as possible, consistent with the national security. For this reason I am today asking the Congress for authority to implement important draft reforms.

Ideally, of course, minimum interference means no draft at all. I continue to believe that under more stable world conditions and with an armed force that is more attractive to volunteers, that ideal can be realized in practice. To this end, I appointed, on March 27, 1969, an Advisory Commission on an All-Volunteer Armed Force. I asked that group to develop a comprehensive plan which will attract more volunteers to military service, utilize military manpower in a more efficient way, and eliminate conscription as soon as that is feasible. I look forward to receiving the report of the Commission this coming November.

Under present conditions, however, some kind of draft will be needed for the immediate future. As long as that is the case, we must do everything we can to limit the disruption caused by the system and to make it as fair as possible. For one's vision of the eventual does not excuse his inattention to the immediate. A man may plan to sell his house in another year, but during that year he will do what is necessary to make it livable.

Accordingly, I will ask the Congress to amend the Military Selective Service Act of 1967, returning to the President the power which he had prior to June 30, 1967 to modify call-up procedures. I will describe below in some detail the new procedures which I will establish if Congress grants this authority. Essentially, I would make the following alterations:

1. Change from an oldest-first to a youngest-first order of call, so that a young man would become less vulnerable rather than more vulnerable to the draft as he grows older.

2. Reduce the period of prime draft vulnerability—and the uncertainty that accompanies it—from seven years to one year, so that a young man would normally enter that status during the time he was nineteen years old and leave it during the time he was twenty.

3. Select those who are actually drafted through a random system. A procedure of this sort would distribute the risk of call equally—by lot—among all who are vulnerable during a given year, rather than arbitrarily selecting those whose birthdays happen to fall at certain times of the year or the month.

4. Continue the undergraduate student deferment, with the understanding that the year of maximum vulnerability would come whenever the deferment expired.

5. Allow graduate students to complete, not just one term, but the full academic year during which they are first ordered for induction.

6. In addition, as a step toward a more consistent policy of deferments and exemp-

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tions, I will ask the National Security Council and the Director of Selective Service to review all guidelines, standards and procedures in this area and to report to me their findings and recommendations.

I believe these reforms are essential. I hope they can be implemented quickly.

Any system which selects only some from a pool of many will inevitably have some elements of inequity. As its name implies, choice is the very purpose of the Selective Service System. Such choices cannot be avoided so long as the supply of men exceeds military requirements. In these circumstances, however, the Government bears a moral obligation to spread the risk of induction equally among those who are eligible.

Moreover, a young man now begins his time of maximum vulnerability to the draft at age nineteen and leaves that status only when he is drafted or when he reaches his twenty-sixth birthday. Those who are *not* called up are nevertheless vulnerable to call for a seven year period. For those who *are* called, the average age of induction can vary greatly. A few years ago, when calls were low, the average age of involuntary induction was nearly twenty-four. More recently it has dropped to just about twenty. What all of this means for the average young man is a prolonged time of great uncertainty.

The present draft arrangements make it extremely difficult for most young people to plan intelligently as they make some of the most important decisions of their lives, decisions concerning education, career, marriage, and family. Present policies extend a period during which young people come to look on government processes as particularly arbitrary.

For all of these reasons, the American people are unhappy about our present draft mechanisms. Various elements of the basic reforms which I here suggest have been endorsed by recent studies of the Selective Service System, including that of the Marshall Commission of 1967, the Clark panel of that same year, and the reports of both the Senate and the House Armed Services Committees. Reform of this sort is also sound from a military standpoint, since younger men are easier to train and have fewer family responsibilities.

My specific proposals, in greater detail, are as follows:

1. *A "youngest-first" order of call.* Under my proposal, the government would designate each year a "prime age group," a different pool of draft eligibles for each consecutive twelve-month period. (Since that period would not necessarily begin on January 1, it would be referred to as a "selective service year.") The prime age group for any given selective service year would contain those registrants who were nineteen years old when it began. Those who received deferments or exemptions would rejoin the prime age group at the time their deferment or exemption expired. During the first year that the new plan was in operation, the prime age group would include *all* eligible men from nineteen to twenty-six, not deferred or exempt, so that no one would escape vulnerability simply because of the transition.

2. *Limited vulnerability.* Each individual would experience maximum vulnerability to the draft only for the one selective service year in which he is in the prime age group. At the end of the twelve-month period—which would normally come sometime during his twentieth year—he would move on to progressively less vulnerable categories and an entirely new set of registrants would become the new prime age group. Under this system, a young man would receive an earlier and more decisive answer to his question "Where do I stand with the draft?" and he could plan his life accordingly.

3. *A random selection system.* Since more men are classified as available for service each year than are required to fill current or anticipated draft calls, Selective Service Boards must have some way of knowing whom to call first, whom to call second, and whom not to call at all. There must be some fair method of determining the sequence of induction for those available for service in the prime age group.

In my judgment, a fair system is one which randomizes by lot the order of selection. Each person in the prime age group should have the same chance of appearing at the top of the draft list, at the bottom, or somewhere in the middle. I would therefore establish the following procedure:

At the beginning of the third month after Congress grants this authority, the first of a sequence of selective service years would begin. Prior to the start of each selective service year, the dates of the 365 days to follow would be placed in a sequence determined by a random method. Those who spend the following year in the pool would take their place in the draft sequence in the same order that their birthdays come up on this scrambled calendar. Those born on June 21st, for example, might be at the head of the list, followed by those born on January 12th, who in turn might be followed by those born on October 23rd. Each year, a new random order would be established for the next year's draft pool. In turn those who share the same birthday would be further distributed, this time by the first letter of their last names. But rather than systematically discriminating against those who come at the front of the alphabet, the alphabet would also be scrambled in a random manner.

Once a person's place in the sequence was determined, that assignment would never change. If he were granted a deferment or exemption at age nineteen or twenty, he would re-enter the prime age group at the time his deferment or exemption expires, taking the same place in the sequence that he was originally assigned.

While the random sequence of induction would be nationally established, it would be locally applied by each draft board to meet its local quota. In addition to distributing widely and evenly the risk of induction, the system would also aid many young men in assessing the likelihood of induction even before the classification procedure is completed. This would reduce uncertainty for the individual registrant and, particularly in times of low draft calls, simplify the task of the draft boards.

4. *Undergraduate student deferments.* I continue to believe in the wisdom of college deferments. Permitting the diligent student to complete his college education without interruption by the draft is a wise national investment. Under my proposal, a college student who chooses to take a student deferment would still receive his draft sequence number at the time he first enters the prime age group. But he would not be subject to induction until his deferment ended and he re-entered a period of maximum vulnerability.

5. *Graduate student induction.* I believe that the induction of men engaged in graduate study should be postponed until the end of the full academic year during which they are first called to the military service. I will ask the National Security Council to consider appropriate advice to the Director of the Selective Service to establish this policy. At present, graduate students are allowed to delay induction only to the end of a semester. This often means that they lose valuable time which has been invested in preparation for general examinations or other degree requirements. It can also jeopardize some of the financial arrangements which they made when they planned on a full year of schooling. Induction at the end of a full academic year will provide a less damaging interruption and will still be consistent with Congressional policy.

At the same time, however, the present policy against general graduate deferments should be continued, with exceptions only for students in medical and allied fields who are subject to a later special draft. We must prevent the pyramiding of student deferments—undergraduate and graduate—into a total exemption from military service. For this reason the postponement of induction should be possible only once for each graduate student.

6. *A review of guidelines.* The above measures will reduce the uncertainty of young men as to when and if they may be called for service. It is also important that we encourage a consistent administration of draft procedures by the more than 4,000 local boards around the country. I am therefore requesting the National Security Council and the Director of Selective Service to conduct a thorough review of our guidelines, standards and procedures for deferments and exemptions, and to report their findings to me by December 1, 1969. While the autonomy of local boards provides valuable flexibility and sensitivity, reasonable guidelines can help to limit geographic inequities and enhance the equity of the entire system. The 25,000 concerned citizens who serve their country so well on these local boards deserve the best possible framework for their decisions.

Ultimately we should end the draft. Except for brief periods during the Civil War and World War I, conscription was foreign to the American experience until the 1940's. Only in 1948 did a peacetime draft become a relatively permanent fact of life for this country. Now a full generation of Americans has grown up under a system of compulsory military service.

I am hopeful that we can soon restore the principle of no draft in peacetime. But until we do, let us be sure that the operation of the Selective Service System is as equitable and as reasonable as we can make it. By drafting the youngest first, by limiting the period of vulnerability, by randomizing the selection process, and by reviewing deferment policies, we can do much to achieve these important interim goals. We should do no less for the youth of our country.

Richard Nixon.

The White House, *May 13, 1969.*

"CRISIS OF RELEVANCE," ADDRESS BY SENATOR WILLIAMS OF NEW JERSEY

Mr. EAGLETON. Mr. President, in an address delivered at the Kansas City Law Day banquet sponsored by the Kansas City Bar Association, the Lawyers Association of Kansas City, and the University of Missouri-Kansas City Law School, the distinguished Senator from New Jersey (Mr. Williams) ignored the customary platitudes which so often mark such ceremonies.

Instead he raised some important questions concerning the law—how it is made and how it is administered. But he went beyond this, to address himself to a crisis of relevance—not only of the law to the great multitude of people—but to a crisis of relevance which extends to every aspect of American life.

Senator Williams has raised important questions which we, as legislators and representatives of the people, must face. I ask unanimous consent that this important speech be printed into the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

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REMARKS OF SENATOR HARRISON A. WILLIAMS, JR., FOR LAW DAY AT UNIVERSITY OF MISSOURI LAW SCHOOL AND KANSAS CITY, MO., BAR ASSOCIATION, THURSDAY, MAY 1, 1969

Today, across the land, people are paying tribute to the institution known as the Law. Law Day—1969. But in other places and even here, now and in other times, May 1 is known as May Day.

Most writers believe that May Day's origin lies in the flower celebrations of ancient Rome. In England and in other European countries it has been celebrated for centuries by the gathering of flowers, primarily by children, but also by old and young alike, by people of high and low station. Merrymaking was the theme of the day. Some of us may still remember the Maypole around which we gathered as school children; the floral baskets we made.

As with many other celebrations, the tradition-bound theme of exultant joy and merrymaking had little relevance to the American and European working man in the late 19th century. In this country, in the 1880's, May Day became the vehicle for labor's demonstrations in behalf of an eight-hour day. May Day 1884 was the target date for a general strike, a strike out of which the Haymarket Riots in Chicago developed, with the attendant bombings, killing of seven policemen, and hanging of four of eight so-called "anarchists" after a trial which Governor Altgeld of Illinois subsequently held to be unfair.

In Europe it was also celebrated as a laborer's day. For a while it was converted into a political holiday by the Second Communist Internationale and more recently it has been used by the Soviet Union as an opportunity to display military might. I should note that neither Russia nor Czechoslovakia will parade their military hardware this year.

In a move prompted by the American Bar Association, John Kennedy, acting on a Congressional Resolution, proclaimed May 1, 1961 as Law Day. Lest we lose sight of the intended purpose of this day, let me quote briefly from President Kennedy's Proclamation:

"Law is the strongest link between man and freedom, and by strengthening the rule of law we strengthen freedom and justice in our own country and contribute by example to the goal of justice under law for all mankind. . . ."

"The objectives of Law Day, U.S.A., are to urge Americans to rededicate themselves to the ideals of equality and justice under law in their relations with each other and with other nations; to cultivate that respect for law which is vital in a Democratic society; and to foster a full understanding and appreciation of our liberties and of the legal and judicial institutions which protect them. . . ."

But as the merrymaking May Day of the 1880's had no relevance to America's working man, I greatly fear that Law Day and all it represents has lost relevance for the great multitude of people in 1969. In fact, I believe we have carelessly and thoughtlessly, through lack of resolve, entered into a crisis of relevance, not only in the law but in every aspect of American life.

If we open our eyes to what is there to be seen, not only what we want to see; if we open our ears to the crescendo of frustration, the cries of anguish, not only to the riotous sounds of violent rebellion; if we open our lips to taste the bitter dregs that make up the feast for 26 million Americans, not the tax free expense account luncheon martini; if we dip with our hands into the empty coffers of a migrant shack or a ghetto hovel, not into the unnumbered Swiss bank account; if we smell, with our nostrils, the stench of illness and disease which we cannot afford to cure, instead of the antiseptic odor of the biological germ warfare laboratory; if only we would sense in its entirety, the unabated misery that abounds in our lands instead of the deceptively rarified, though not purified atmosphere of our Tower of Babel, we would begin to be aware that American institutions, of every nature, all around us, are tumbling before the challenge of relevance.

It is this challenge of relevance which is peculiarly fitting for the concern of lawyers. Trained in distinguishing between the relevant and irrelevant, we lawyers must know as Holmes has taught us, that the rules by which men should be governed must be determined by the "felt necessities of the time."

Our Government, its method and substance is losing relevance, for it fails, on too many occasions, to respond to the full sweep of our country's needs. We close down Job Corps Centers where it cost six thousand dollars a year to train an unemployable, to redirect the tension of youth from destructive street activity, to constructive work, to salvage what once had been considered a youngster lost to society; but we won't hesitate to spend $7,000 a year to put and keep that man in prison if he is caught stealing or using narcotics to shelter himself from his world of misery the day after the Job Corps door is closed in his face. Can I put it any better than the youngster from New Jersey who told the Senate Poverty Subcommittee just last week—"You're not talking about saving $100 million dollars. You're messing with people's lives—lives—1500 lives."

We quibble about states rights and about impact on local economy, we masticate food stamp versus food grant programs at a cow's rate before we accept the reality of hunger and malnutrition and resolve that at all cost, no American can be suffered to go to sleep hungry or be eroded by malnutrition. The Under Secretary of Agriculture offered no greater hope when he told a House committee last week:

"We have been and are engaged in an in-depth review of all the food assistance programs—their administration, operation and funding. We expect to come up with some answers within a short time."

I read with dismay the statement attributed only this past weekend to a senior White House official:

"The hunger problem is on the shelf. There may be malnutrition in America, but real hunger on a substantial scale—I don't believe it."

I said that I read this with dismay. But what of the hungering people who now are told that they had better make room on their empty shelves because we plan to put the hunger problem there. Is such a Government relevant?

We are told that our Government is required to expend billions of dollars on an anti-ballistic missile. One day it is because of Russia's increased nuclear capability, then it's only to defend against China's developing capability and propensity; first it's to protect our cities, then it's to protect only our missile sites because our cities cannot be protected. We are assured by the military that it will work, though it has never been tested. They've turned out wrong on so many occasions with tested materials and projects. Can we assume on the law of averages that they must be right this time? Do we really have a choice? I think we do. Just last week, reports filtered through the press that an ABM compromise was under study. The compromise, as reported, would have involved changing the designation from ABM sites to "applied research sites." Is this semantic gift-wrapping relevant to the explosive, judgment-day issue of life or death to humanity? I hold that it is not and that we, as attorneys, have a responsibility to society to insist on a Government which is relevant. Should we not insist that a nation that can muster all its resources to win a war can do no less to win the peace.

The lack of relevance in our educational institution has led to nearly chaotic conditions on campuses in every part of this land. And in education the lack of relevance is double-edged; the system and its structure fails to respond to the needs of the student or to the needs of society into which he will emerge.

We send our youngsters to schools, from the youngest age, knowing full well that the schools will turn out carbon copies of us. And what are we, but carbon copies of the well-rounded educated homo-sapiens produced by seventeenth and eighteenth century liberalism. We have made strides in broadening the scope of education and the breed of man from which we selected our future educated class. But what do we draw from the well of twentieth century experience? Do we equip our youngsters with the ability to live with nuclear holocaust, a momentary possibility, or, even more important, do we prepare them to reverse the trend toward Armageddon that we have undertaken? Do we provide either the tools to combat and perhaps begin to eradicate the monumental social ills that plague us, let alone offer the opportunity to understand the ills and problematic cures? But more to the point, must we insist on blinding ourselves to the fact that our children have seen these problems and want to be part of an institution which deals with them? Are we too ashamed to admit that our children have seen what we have been too busy to let ourselves think about? We give our children deadly vehicles to play with at 15 and 16. We send them to war at 18 and 19. We finally have even started to consider letting them vote at the age of 18. But we turn a deaf ear to their plea to be heard on the campus. In fact, it is *we* who have turned *them* off. Once again, it is our responsibility as attorneys to promote a relevant educational institution. Mustn't we take to heart the admonition in Luke:

"Woe unto you, lawyers! For ye have taken away the key of knowledge: ye entered not in yourselves, and them that were entering in ye hindered."

And what of the professions? Is the practice of medicine or the medical institution relevant to our society? That depends on what society you mean. If by society you mean the financially comfortable American, then the medical arts to a greater or lesser degree are part of his equipment to survive in this world. If we mean the average American, we are talking about a man who cannot afford to need the medical specialist let alone hospitalization for any length of time. For a two-week hospital stay will cost the average American one tenth of his yearly income just for room and board. And what of the millions upon millions of Americans to whom the medical arts are as useful as black magic. Of what use is cancer research to the American infant who is subject to one of the highest infant mortality rates in the free world? Of what use is the medical tax deduction to a father who cannot afford to take his family to a doctor? Of what use is medicare and voluntary private health insurance to those who aren't aged or are underemployed or unemployed?

There are numerous other professions, as there are numerous other institutions such as industry, and communications, the relevance of which could be questioned. I will restrict myself to the Law.

However, before I do, a word is in order on the nature of the challenge of relevance. The challenge, at first manifested by disenchantment and distrust, has become one of disdain and disgust. This distrust, when quietly nurtured for generations, has ruptured into demonstrations, against the government, the university, industry recruitment; school lock-ins, lock-out, takeover and

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destruction; rent strikes; campus and product boycotts; and, the most explosive and uncontrollable, riots in the streets.

I do not condone the violent manifestations of the challenge. However, one must recognize their cause if one is to root out the infection. One must know the grounds of the challenge if one is to make the institutions relevant.

And now there is the Law. I fear Dickens, through Mr. Bumble, spoke for too many generations and too many people when he said,

"The law is a ass; a idiot." Worse yet is that to too many of our citizenry, young and old, black and white, urban and rural, rich and poor, the law, to answer Mr. Justice Holmes' question, is merely what is at the end of the policeman's stick.

As lawyers we tend to think only of fact and opinion in terms of relevance. We don't question the relevance of the law or the legal institution. But the public we serve, or should be serving not only questions the institution. It is in the process of laying down the direct challenge.

What is the law? Is the law that "Brooding omnipresence in the sky;" or, at the other extreme, is it merely what is at the end of the policeman's stick?

Are these descriptions of the law accurate? Need they be accurate? I think not. I hope not, for we, as members of this profession and as members of society cannot afford for them to be accurate.

The legal institution has as vital a role to play in responding to the felt needs of society as any of our institutions, perhaps even a more vital role. I say more vital because we can be the effective voice through which those felt needs gain expression. If we don't provide the effective voice, we will witness, on an even grander scale, the explosions of frustrated expression we've known these past years. We can, and we must, be the mouthpiece of those felt needs and each of us, as advocate or counsellor, teacher or student, lawmaker or judge, has a role to play and an obligation to be met. But initially, we must comprehend the two basic legal needs of the unrepresented part of our society.

First and foremost, they need to have their problems understood.

There are several aspects to this problem of understanding. There is, of course, the problem of language. There is also the problem of issue sensitivity. And then there is the need for patience and understanding.

Many of the unrepresented speak a dialect of English we find difficult to understand; whether it's soul talk, backwoods English, or campus slang. But we must make the effort to communicate. This applies primarily to the practitioners and judges among us. To the student, unless we permit him to represent indigents as is done in a few jurisdictions, the language problem is still theoretical. The lawmaker, unless his unrepresented constituency is also disenfranchised, learns very early to communicate in the language of the voters. The practitioners and judges must learn not to close their doors and ears to those of foreign tongue or of awkward speech. Remember, it cost Egypt ten plagues because Pharoah turned a deaf ear to the strange tongue of Moses.

All of us must become attuned to the issues facing the unrepresented in our society. Their lives are not free from legal problems merely because they don't need wills drawn, or because they have no intricate real estate transactions to undertake; because they don't plan any corporate mergers, and have no multi-faceted securities problems. To the contrary, they need protection for their property while they are alive, for they have none to will to the next generation; they need protection from the immoral and sometimes illegal landlord who does not provide a habitable residence in accordance with the lease; they need guidance to establish buyer's cooperatives to make their purchasing dollar stretch a little further; and they need, oh, how they need, protection against the ultra-usurious secured loans and credit so generously granted by the unscrupulous merchant. Yes, the unrepresented have their property problems, their merger problems, their securities problems; and countless others we are not even aware of.

Here the law schools can fulfill a greatly felt need. Room must be made in the curriculum, not for one elective in Law and Social Problems but for a full range of courses that explore the issues vital to our young, our poor, our discriminated against minorities. Some schools, and I think mostly prompted by the student body, have already taken the first steps in this direction. One school, for example, has recognized that labor law not only includes the law of industrial relations but also the minimum wage law. Some schools, like my Alma Mater, have begun to publish journals concerning law and social problems. But this is only a beginning.

Once the problems of the unrepresented are understood, we can begin to respond to their second felt need; we can begin to represent them.

We often think of representation for the unrepresented in terms of legal aid. To most of us that connotes criminal defense. But on this Law Day, U.S.A., let us recognize that the young, though they may not enter into contracts and may not vote, and the poor, though they too may not enter into many contracts and may not vote, for entirely different reasons, have the same broad range of representation needs as the rest of the society.

Of course, they need to be defended when accused of violating the law. I think we tend to sit back smugly comfortable knowing that most jurisdictions have established legal aid or public defender type programs. To the credit of some practitioners, they voluntarily participate in such programs. To the law schools and students go accolades for their participation in such programs. But how many of us have ever watched, not as an onlooker but as a critical analyst, the typical legal aid defense in operation. Have we noticed the unbelievably large number of criminal defendants represented in one day by the typical, harassed public defender. Can one man handle, in a responsible manner, fifteen to twenty pleas at one call of the criminal calendar. One even needs time to "cop a plea" effectively. Yet, they never are granted the luxury of time.

In this area of criminal defense, though we have a long way to go, we have at least taken first steps. What steps have we taken to respond to the other, more significant representation needs of the unrepresented society. They are, you know, frequently defendants in civil litigation. I say "you know." But why should you? They don't even know it until it's too late. How many hundreds of times each day, in courts across this land, are judgments confessed and liens foreclosed against the unrepresented. We can no longer sit back, shaking our heads with disapproval, while the unsuspecting, unsophisticated disadvantaged are dispossessed. And what of the would-be unrepresented plaintiff? They do have causes of action, unless we say no; unless the practitioner refuses to represent them in bringing suits against landlords or usurious creditors; unless the judge refuses to put aside the technical forms of pleading; unless the legislator refuses to legislate new causes of action if the judicial system fails to respond. Not to be unduly critical, I recognize that small claims statutes and courts do exist. One need not have a lawyer. But a price must be paid by the plaintiff in a small claims court, if he knows of its existence. He must be ready to accept rough justice. And he must be prepared to fight well-paid defense counsel. Surely we can improve our judicial system to make the rights of the unrepresented enforcible. Surely we must, if the institution is to be relevant.

Perhaps I have belabored the judicial system. What has been said about it is equally true of administrative proceedings.

But what of the legislator and regulator? We have established, by constitution, by statute and by regulation, a larger than life process for the promulgation of law which theoretically must permit the public to express itself. In the legislature we announce hearings on bills. Interested persons are invited to request permission to be heard. But is the unrepresented society heard? Rarely, at the most, unless, as in the area of migratory labor, the hearings are held in the migrant camps or the migrant is adopted by a well-organized church group.

The Administrative rule-making process is even more elusive to the unrepresented. What does the Federal Register mean to him? And what of the rules and regulations which may be promulgated without the need for permitting oral or written comment?

The Administrative Conference of the United States recognized the significance of this problem last year. It called upon the Government to adopt some measure to open up the administrative rule-making process to the unrepresented. To my knowledge, no satisfactory solution has yet been proposed. The unrepresented themselves made that same demand last year during the Poor People's March in Washington. No response to their need has yet come forth.

I say to myself as a legislator and as a lawyer, that I must find a way to make the institution of the law respond to these needs. I say to you as lawyers, judges, teachers and students, that you must find the way to make the institution of the law relevant to the unrepresented. For, what right do we have to expect there to be order, if the law is not relevant to millions of Americans. Our unrepresented society believes, as Oliver Goldsmith said: "Laws grind the poor, and rich men rule the law."

Society has had enough experience to know that we cannot fiddle on so precarious a roof. This nation was founded by men whose primary goal was to establish a representative government relevant to these shores, and institutions responsive to the needs of the new world. I cannot help but wonder whether the Jeffersons and Franklins would soulfully sing:

> "Is this the society we created
> Is this the young country we made
> We don't remember growing older
> When did they?"

I refuse, Mr. Jefferson and Mr. Franklin, to believe that representative government has grown so old that it no longer can be representative. I refuse to acknowledge that responsive institutions arthritically can no longer respond. I firmly, resolutely believe, with Mr. Justice Holmes, that the life of the law; is experience and that "the rules by which men should" and may I add *must* "be governed," must be determined by "the felt necessities of the time." And it is the legal institution above all which must respond. For, it is before that institution, to paraphrase Mr. Justice Black in a 1942 address to the Missouri bar, that every "phase of the struggle of society for its own improvement," every "aspect of the clashing relations of men to one another" comes for settlement.

With the indulgence of the bar, I would like to quote the harberdasher from Independence. Though he talked of only those with whom we disagree, it is equally applicable to those to whom we and our institutions are not relevant.

"If we do not defend their rights, we endanger our own."

And Mr. Truman knew, at first hand, the power of the people.

Must we relive the May Day of 1884? Must we endure bloodshed, and despondency before we, like the Governor of Illinois, recognize that we have been unfair.

As lawyers, and as leaders of our society, on this Law Day, we must rededicate ourselves and all Americans to the ideals of equality and justice under law. I call upon us to foster a full understanding and appreciation of our liberties and of the legal and judicial institutions which protect them by making those institutons relevant; by making them responsive to the felt needs of our time; by making the protections of the law a reality for our unrepresented society. Only by doing this can we cultivate that respect for law which is vital to our democratic society.

THE MILITARY-INDUSTRIAL COMPLEX—ADDRESS BY SENATOR COOK

Mr. COOPER. Mr. President, it is unnecessary to repeat here any of the warnings the late beloved President Eisenhower made in his final address in January 1961. Those prophetic words about the growing influence of the "military-industrial complex" are familiar to us all. On April 24, my esteemed colleague from Kentucky (Mr. Cook) presented a most timely and cogent speech on this subject. Many of the recommendations he made for restoring the balance of our national priorities deserve serious consideration. In a thorough and thoughtful way Senator Cook has made useful proposals how this problem should be faced by the United States. I ask unanimous consent that the text of his remarks before the annual banquet of the Amen Corner on April 24, 1969, be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks by Senator Marlow W. Cook

There were many topics I could have made the subject of my speech tonight: the perils of being a freshman Senator, the first few months of our Republican Administration, or even a collection of mountain stories accumulated over two years of campaigning in Kentucky. But there are two major issues before the country which need the benefit of public discussion—what to do about hungry people and the subject about which I will be speaking tonight.

Attention has been focused in recent months on what many have felt for some time was becoming an all pervasive influence on American policy—both foreign and domestic. I am speaking, of course, of what President Eisenhower called the "military industrial complex". The death of the beloved General caused many of us to remember these words of warning issued to future generations of Americans. Surely no one understood the military mind and motivation as Eisenhower did.

Recently another military man of stature, General David Shoup, formerly Commandant of the Marine Corps, has issued similar warnings in an article appearing in the April issue of The Atlantic Monthly. Last week my friend and colleague in the Senate, Barry Goldwater, in a speech on the floor, defended the military emphasis of our society as necessitated by what he called preserving the national security. Regardless of the point of view it can be said with certainty that the military industrial complex and what recently has become a microcosm of this larger issue—the ABM—is the paramount issue before the Congress and the country in 1969.

Since the death of President Eisenhower has focused attention on his most famous words, I think it is necessary to hear them again before we begin to examine the influence of the complex on our lives. In his final address to the nation January 17, 1961, the President said in commenting upon the defense structure which employed at that time 3.5 million persons:

"This conjunction of an immense military establishment and a large arms industry is new in the American experience. The total influence—economic, political, even spiritual—is felt in every city, every state house, every office of the federal government. We recognize the imperative need for this development, yet we must not fail to comprehend its grave implications, our toil, resources and livelihood are all involved; so is the very structure of our society.

"In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals so that security and liberty may prosper together."

Both friend and foe of the complex concede not only its existence but its origin. It is necessary to any understanding of the complex to begin with the period immediately subsequent to World War II and examine its beginnings, and its periods both of relative control and unbridled expansion. This kind of examination is mandatory if we are to understand Eisenhower's admonition and its meaning for the nation in 1969.

One thing World War II accomplished for almost all our people in terms of attitude about the world and the American role within the community of nations, was an abrupt end to widespread adherence to the concept of isolationism. The almost total lack of controversy over the formation of the United Nations and American participation in it contrasted greatly with the fate of the League of Nations after World War I. As Eric Goldman put it in his very excellent book, *The Crucial Decade*, in referring to American attitudes in 1946:

"For the first time during an American era of peace, it was next to impossible to discuss domestic problems coherently without having the points become entangled in foreign affairs."

The advent of a powerful Soviet Union and what we interpreted as a world-wide threat of Communist aggression denied to us the luxury of a return to the egocentric security of pre-war isolationism. On March 12, 1947, the Truman Doctrine was enunciated in a message to Congress:

"I believe that it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or outside pressures."

The term "Cold War" was coined by Bernard Baruch on April 16, 1947, in an address in Columbia, South Carolina. The Marshall Plan calling for $17 billion to be spent over four years beginning in 1948 to bolster the economies of the non-communist countries of Western Europe was announced by the Secretary of State in a speech at Harvard on June 4, 1947. In July of the same year, Kennan first put forth the Administration's heretofore nameless policy of containment of the Communist world. The Greek uprising, the Berlin crisis and the Korean War further drew the battle lines—the cold war became an omnipresent reality. Since the battle lines were drawn and we had assigned ourselves the task of protecting the free world, a high degree of military preparedness was, of course, required. It was in this atmosphere that the Defense Department and the civilian contractors which fed its endless appetites for new weapons, were nurtured to that degree of magnitude which many, including Eisenhower, felt was unhealthy for the nation.

One of my fellow Kentuckians, Fred Vinson, who later became Chief Justice, was appointed at the end of the War to be Director of the War Mobilization and Reconversion Agency, but it has become apparent that due to the continuation of an atmosphere of war, in a new "cold" version, reconversion never has occurred. No President since the beginning of the cold war has had much luck controlling the growth of the complex except Eisenhower. His final utterance warning us of its dangers was not his only effort to lessen the influence of the complex. The President said in 1958 that national survival rested on "security with solvency." To achieve the solvency to which he referred he said would take a major effort to combat the natural tendency of federal expenditures to rise, especially in the Defense Department. On April 25, 1958, when he was engaged in a battle with Congress over re-organizing the Defense Department he criticized the tendency to over-indulge in "sentimental attachments to outmoded military machines and concepts" and also the "noisy trumpeting about dazzling military schemes or untrustworthy programs."

Eisenhower realized that he was fighting a great many special interests including the Armed Services and their civilian suppliers. From the beginning when he cut the Air Force budget by $5 billion in 1953, the Services carried their arguments to Congress and the press. On June 3, 1959, he said "obviously political and financial considerations" rather than "strict military needs" were attempting to prevail. On March 11, 1959, in warning against undue military influence, he said "Everybody with any sense knows that we are finally going to a garrison state" if they are allowed to succeed. At his final press conference on January 18, 1961, he discussed widespread advertising by missile manufacturers and called it "almost an insidious penetration of our own minds that the only thing this country is engaged in is weaponry and missiles".

Defense spending reached a high of $50.4 billion during the Korean Conflict. Eisenhower had it down to $40.7 billion in 1955 and in the last year of his Presidency it was $45.7 billion. Defense spending during the Kennedy-Johnson years has almost doubled to approximately $80 billion. What happened during the last eight years? The beginnings of the meteoric rise in defense appropriations amounting almost to a blank check for the Military probably can trace its beginnings to 1958 when Senator Kennedy first began his campaign for the Presidency. It was in that year that he coined the phrase "Missile Gap" and stated, "The deterrent ratio during 1960–64 will in all likelihood be weighted against us". To the contrary, states Dr. Ralph Lapp in his recent book, *The Weapons Culture*, U–2 flights over Russia indicated no evidence of deployment of a single ICBM. The political campaign continued and in 1959 the Advisory Council of the Democratic National Committee published a report calling for a "crash effort" to bridge the missile gap and urged $4 billion more for that purpose. However, on February 7, 1961, after the campaign was over, the news broke that there was no missile gap. Nonetheless, the new Administration, keeping its campaign pledge, announced an added emphasis on our missile program and its first budget called for an increase of $3.6 billion in military spending. Years later on September 18, 1967, Secretary McNamara in a moment of candor observed:

"In 1961, when I became Secretary of Defense, the Soviet Union possessed a very small operational arsenal of intercontinental missiles."

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He proceeded to justify the Administration's decision to build more missiles, as a "conservative hedge", then added:

"Furthermore, the decision in itself—as justified as it was—in the end, could not possibly have left unaffected the Soviet Union's further nuclear plans. *Clearly the Soviet build-up is in part a reaction to our own build-up since the beginning of this decade.*"

In all fairness, some not insignificant arms control measures were accomplished during the last eight years with the creation of the U.S. Arms Control and Disarmament Agency and the passage of the Nuclear Test Ban Treaty during the Kennedy Administration but the inescapable fact remains that military expenditures doubled during this period.

After eight years of the benefit of an Executive and Legislative *Carte Blanche,* the military-industrial complex, presents an imposing figure looming over the new Administration. Successfully answering the question, "What can be done to reduce it to a size consistent with a free society in a relatively peaceful era?" is the key to the success or failure of the new Administration and the determining factor dictating the structure of our society for decades to come.

That, Gentlemen, is a brief history of the development of the military-industrial complex. But before any solutions to the problem can be suggested, we must understand just what is meant by the term military-industrial complex. Time Magazine aptly described it in its April 11th issue:

"The complex is not a well-organized, centrally directed entity. It is a vast, amorphous conglomeration that goes far beyond the Pentagon and the large manufacturers of weapons. It includes Legislators who benefit politically from job-generating military activity in their constituencies, workers in defense plants, the unions to which they belong, university scientist and research organizations that receive Pentagon grants. It even extends to the stores where payrolls are spent, and the landlords, grocers, and car salesmen who cater to customers from military bases. Any important shift of Defense spending thus affects many interests and individuals. In Fiscal 1968 the Defense Department contracted for $38.8 billion in goods and services, plus $6.5 billion for research and development, amounting to 5.3% of the 1968 GNP. These funds went to many thousands of prime contractors and sub-contractors. According to a recent estimate, 21% of skilled blue-collar workers and 16% of professional employees are on payrolls that rely on military spending. Entire communities depend almost totally on a military installation, defense plants or both. . . .

"The Defense Department spends almost $4,000,000 a year on Congressional Liaison, employing about 340 people for the task. One of their functions is to keep in close touch with Members of Congress, providing such information as announcements of new contracts or construction in a particular Member's bailiwick. . . .

"The big contractors find the Military an excellent source for . . . experts (on weapons systems). Senator Proxmire, one of the Pentagon's most persistent and effective critics, notes that 2,072 retired, highranking military officers are now on the payrolls of the 100 top defense contractors, a three-fold increase in the past ten years. While Proxmire does not charge any overt impropriety, he and others wonder whether an officer dealing with a particular company is going to drive a very hard bargain if he may go to work for it soon."

Now admittedly, our retired military officers have a perfect right to go to work for defense contractors. It is natural because they will continue to be dealing with matters about which they have acquired some expertise. And certainly private contractors should attempt to hire as many retired officers and acquire as many contracts as possible because they are in business to make money. This is perfectly normal behavior in a free enterprise society. It is to be expected that the military establishment and the private contractor would work hand in hand. Each is doing what my teenage daughter would call "his own thing". The real criticism should be directed at the Congress and the Executive for giving the complex virtually a free hand. What President Eisenhower was seeking was a balanced society. We would not have achieved this goal if nearly half of our national budget went to welfare or health or any other area and the same must be said of defense. For a military person or defense contractor to classify something a matter of national security does not necessarily make it so. This is a political decision to be properly made by the elected representatives of the people, not by bureaucrats or generals or defense firms. The President and the Congress must reassert their prerogatives to set goals and determine national priorities to bring defense back to its proper role in American society. As Senator Fulbright put it:

"Priorities are reflected in the things we spend money on. Far from being a dry accounting of bookkeepers, a nation's budget is full of moral implications; it tells what a society cares about and what it does not care about; it tells what its values are."

I am optimistic that defense will once again be relegated to a proper role in our society. A number of forces are at work militating against the continuation of our current level of military appropriations. The military establishment, confident of its secure position, has pushed for a number of ill-advised and hard to justify projects such as the TFX, F–111, AMSA, SST and of most significance, the ABM. Our society is inherently a great balancer. When any one component becomes too powerful, the other parts turn on it and bring it into line. The attempts to get these projects funded, and the ill-conceived seemingly endless War in Vietnam have solidified opposition in Congress and made adversaries of some former friends, the most conspicuous of which are General David Shoup and Senator Stuart Symington.

Shoup explained the acquiescence of the public to our increasingly military ways by astutely pointing out that "to the 14.9 million Veterans of World War II, Korea added another 5.7 million five years later, and ever since, the large peacetime military establishment has been training and releasing draftees, enlistees and short-term reservists by the hundreds of thousands each year. In 1968, the total living Veterans of U.S. Military Service numbered over 23 million, or about 20% of the adult population."

This vast number of citizens instilled with, at least, some degree of military thinking and discipline plus the various Veterans groups and service associations not to mention an armed force of 3.4 million backed up by a reserve force of 1.1 million form a powerful lobby in favor of acquiescence to military viewpoints. Awareness of the way our society has become is the great first step toward combating militarism, let me read you a statement which should help to awaken many Americans:

"Soldiering loses appeal for some of the relatively few who experienced the blood, terror and filth of battle; for many, however, including far too many senior professional officers, war and combat are an exciting adventure, a competitive game and an escape from the dull routines of peacetime."

This iconoclastic remark was not made by a long-haired campus radical of draft age, but the highly respected General Shoup, former Commandant of the Marine Corps and Medal of Honor winner.

Stuart Symington, the only man in Congress who sits on both the pro-military Armed Services Committee and the anti-military Foreign Relations Committee, has undergone a remarkable metamorphosis. The former Air Force Secretary was once a full-fledged Congressional exponent of the military establishment. Now he speaks in terms of our bloated economy and points out that the average tax on income in 1955 was 27 percent and that now it is 34 per cent. He adds that in 1949, our country owned $24.6 billion in gold, and owed $7 billion: Now it has $10.8 billion in gold and owes $35 billion. A correspondent recently quoted him as echoing the remarks of a friend that too many officials in Washington "can hear the sound of the farthest drum before the cry of a single cry in the streets".

Senator Symington and General Shoup are just some of many former advocates who are now urging Americans to heed President Eisenhower's prophetic warning. Many decry the existence of the complex but doubt we can de-emphasize such a significant aspect of our national economy. To these people let me say first that those of us who seek to return the military establishment to its proper role know it must be maintained at the level necessary to meet the contingencies of an uncertain world. But some steps can be taken consistent with a true national security. Tom Wicker of the New York Times reports that in the view of non-Pentagon students of military spending, it is an oversimplification to classify the $30 billion increase in defense spending since 1965 as attributable to the Vietnam War. In fact some believe the war may be costing as little as $10 billion a year. Even if that figure is just nearly correct says Wicker, the Pentagon has managed an expansion of $20 billion under the guise of financing the War. Therefore, we could take a great deal out of the defense budget without adversely affecting the current level of war expenditures. In solving the problem of how to make the cuts, several suggestions have been made, each of which I recommend and endorse tonight:

(1) A special joint committee of Congress whose sole function it would be to scrutinize the Defense Budget.

(2) A National Commission on the Defense Budget with a broad base bringing together major components of the private sector.

(3) Passage of the Bill to create a National Economic Conversion Commission, of which I am a Co-sponsor. This bill, if enacted, would create in the Executive Office of the President this Commission headed by the Secretary of Commerce and including the Secretaries of Defense, Agriculture, Interior, Labor, Health, Education and Welfare, Transportation, Housing and Urban Development, the Chairman of the Atomic Energy Commission and the Administrator of NASA and the Director of the Arms Control and Disarmament Agency. Its purpose would be to advance planning to encourage defense industries to convert to peacetime products with the least possible disruption to employment and community needs. Also it would require that all government defense contractors include provisions for conversion planning and employee retraining when submitting bids.

(4) Imposition of an arbitrary ceiling such as was imposed across the board last year by Congress before it approved the Administration's 10% surtax. Refusal to extend the surtax this year might be the appropriate leverage to bring about significant Defense reductions for the next Fiscal year.

Now is the time, this is the year, to begin to bring the military role in American life back within its proper sphere. Is missilery and the arms race which primarily feed the military industrial complex really inevitable today? I think the answer is no. Reconnaissance techniques with the use of electronic satellites are so improved both on the part of the Russians and ourselves that inspection, the prerequisite for meaningful arms limitation agreements, is now possible. Inspection, for the first time since someone conceived of the possibility of halting arms build-ups is now a practical reality. But we do not contribute to a more stable world by giving the military establishment a blank check to indiscriminately deploy obsolete or ill-conceived missile systems and advise us to become involved in Asian land wars. Walter Lippmann says there is a neo-isolationist sentiment alive in the land today. While a return to the old concepts of isolationism would certainly not be good for the country, I believe a new isolationism or neo-isolationism if you will, resulting from a great reluctance to intervene militarily about the world, will be a great step forward for America. The neo-isolationism I see, is not economic or cultural but military. This new feeling is born of a frustration with excessive militarism whether it take the form of costly missile systems which increase international insecurity or ill-advised unilateral intervention in foreign countries which take the lives of thousands of young Americans.

Certainly, I would not deny that international competition exists between ourselves and the Soviets and Chinese, and for that matter, between the Soviets and the Chinese themselves, but this competition need not be conducted in a military manner. To those skeptics who say that war will always be with us, I must reply that the Nuclear Age has re-defined traditional notions of war and peace. Only a country run by maniacs would seek nuclear war and, in a very real sense, this will be a strong deterrent to future use of force to settle international conflicts. It is supreme irony, but the spectre of nuclear devastation has become the most convincing argument against major wars the world has ever known and the greatest impetus to international cooperation.

However, security abroad will come only after we achieve the "balanced society" at home which President Eisenhower called for. The difficulty of that task was best described in *The Federalist Papers*:

> "In framing a government which is to be administered by men over men, the great difficulty lies in this; you must first enable the government to control the governed; and in the next place oblige it to control itself."

STOPPAGE OF FREE SCHOOL-LUNCH PROGRAMS

Mr. TALMADGE. Mr. President, I invite the attention of the Senate to a news article published in last Wednesday's Atlanta Journal and shall read portions of the article:

> The federal money which has been providing a free lunch each day to almost half of Washington County's schoolchildren will no longer be available as of 12:01 a.m. Thursday. . . .
>
> The loss of the $564,955.72 from the system's budget means free lunches and several programs for aiding handicapped children and training teachers will have to be discontinued next year. . . .
>
> The system serves 5,177 children and 2,045 of these are being fed what local officials believe is the only balanced meal they receive each day under the free lunch program. . . .
>
> Virtually all of the money goes to aid children of families who earn less than $3,000, the federally set poverty line.

Although the Department of Health, Education, and Welfare granted an extension of the Thursday deadline until 12:01 a.m. Sunday in the Washington County school desegregation case, the facts that I have just recounted remain the same. Today they are a harsh reality, providing a vivid example of an agency of the Federal Government in pursuit of its unwarranted policy of taking badly needed funds away from poverty level children.

In February, I wrote Secretary Finch to ask that every consideration be given the Washington County case in order to preserve the system's school lunch program which was benefiting more than 2,000 needy children, and probably also giving them the only nourishing meal they got each day. In April, I received a reply from Leon E. Panetta, director of the Health, Education, and Welfare Office for Civil Rights, who agreed with me that cutting off these funds would result in great human suffering, especially for hungry children. Then he went on to infer, however that HEW was probably going to cut the money off anyway.

And this is what it has done.

I submit that this practice of depriving school lunch money in areas where there are heavy concentrations of poverty-stricken youngsters contributes not only to the malnourishment of the children immediately involved, but also to the overall poverty problem in such areas.

I say that it must be stopped.

Last week, before a hearing of the Select Committee on Nutrition and Human Needs, Secretary Finch described this situation as "a vexatious dilemma." He acted as though he would like to remove himself from this dilemma. I can tell him how he can do it. Just stop taking away Education Act title I funds that are being utilized in lunch programs to feed needy schoolchildren.

The Secretary can do this very simply by adhering to the legislative history in both the letter and the spirit of the law under which he claims to be operating, title VI of the Civil Rights Act of 1964.

There is nothing in the law that authorizes the withholding of Federal school lunch funds in school desegregation noncompliance cases. In fact, the legislative history of the bill and subsequent pronouncements of Congress are to the contrary. During debate on the Civil Rights Act, we were all very much concerned about what was going to happen to school lunch programs under the enforcement of title VI. An amendment was offered to prohibit a cutoff of Federal aid to school lunch programs and we were assured by the floor managers of the bill that lunch programs would not be jeopardized by the law.

Senator Humphrey said he did not want to see school lunches cut off and that he would not support title VI if he thought it would have that result. The Senator from Rhode Island (Mr. PASTORE) has this to say, as appears in the CONGRESSIONAL RECORD of June 19, 1964:

> Let me advise Senators that the failure of a district court to desegregate the schools will not jeopardize the school lunch program; it absolutely will not. Even if a community does not desegregate, that will not jeopardize the school lunch program—unless in that particular school the white children are fed but the black children are not fed; and I refer Senators to page 33 of the bill, which states very, very clearly: "which shall be consistent"—in other words, the orders and rules—"shall be consistent with the achievement of the objectives of the statute authorizing financial assistance."
>
> We have a school lunch program, and its purpose is to feed, not to desegregate the schools; therefore, that would not be consistent. . . .
>
> So we must remember that the shutting off of a grant must be consistent with the objectives to be achieved. A school lunch program is for the purpose of feeding the schoolchildren. If the white children are fed but the black children are not fed, that is a violation of this law.

Insofar as I am able to determine, the school lunch fund cutoffs that have occured so far do not involve the feeding of only white children, or only black children. These lunch programs have been feeding all the children who need it and who cannot afford even the small price of a school lunch and, it is ironical indeed that in most instances these programs have been feeding severely deprived black children who need their education and nourishing food the most.

Thus, on the basis of such assurance from proponents of the bill such as Senators Humphrey and PASTORE, the amendment to specifically protect school lunch programs from cutoffs was defeated.

It is the height of inconsistency to consider the fact that Department of Agriculture school lunch program assistance is immune from title VI cutoffs while school lunch money derived from title I of the Elementary and Secondary Education Act—which was enacted for the exclusive benefit of underprivileged children—is terminated. During the last session of Congress, an attempt was made to rectify this inconsistency by providing in the Education Appropriation Act, Public Law 90–557, section 410:

> That notwithstanding any other provision of law, funds or commodities for school lunch programs or medical services may not be recommended for withholding by any official employed under appropriations contained herein in order to overcome racial imbalance.

It is my understanding that the Department of Health, Education, and Welfare interprets the phrase "to overcome racial imbalance" as applicable only to school systems outside the South. This again is contrary to congressional determination. In the Elementary and Secondary Education Amendments of 1967, Public Law 90–247, it is clearly stated:

> All such rules, regulations, guidelines, interpretations, or orders shall be uniformly applied and enforced throughout the fifty States.

This, then, is the way that Secretary Finch can relieve himself of the vexatious dilemma in which he finds himself. He can do so simply by adhering to the expressed intent of Congress and by going by the law. I hope that he will do so. Otherwise, I hope that Congress will see fit to act as soon as possible on my bill, S. 1472, to prohibit HEW from cutting off title I school lunch funds.

As for the Washington County situation, it is my understanding that the school lunch program there will be continued under the Agriculture Department's section 32 funds at least for the remainder of this school year, which is practically over. I am glad to know that the Department of Agriculture will step in to fill this area of human need that has been created by the Department of Health, Education, and Welfare.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

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[From the Atlanta Journal, May 7, 1969]

Funds Cut Off for Free Lunch: HEW Rejects School Plan Proposed by Washington County

(By W. Eugene Smith)

Sandersville, Ga.—The federal money which has been providing a free lunch each day to almost half of Washington County's schoolchildren will no longer be available as of 12:01 a.m. Thursday.

Washington County School Supt. W. B. Ouzts said Wednesday civil rights compliance officers in the Department of Health, Education and Welfare in Washington told him by telephone that all federal aid to the system would end as of that time because a last-ditch desegregation plan submitted by the county could not be approved.

The plan, carried in person by Ouzts and school board Chairman C. V. Smith to Washington last Friday would have consolidated black and white elementary schools in Sandersville and Tennille and placed Washington County High (white) and T. J. Elder High (black) under one name and administration.

The loss of the $564,955.72 from the system's budget means free lunches and several programs for aiding handicapped children and training teachers will have to be discontinued next year.

"We are going to feed these kids the rest of this year," Ouzts said, "but it will all have to be dropped next year."

The system serves 5,177 children and 2,045 of these are being fed what local officials believe is the only balanced meal they receive each day under the free lunch program.

Ouzts said Tuesday that many children are coming to school just for the lunches. "Our attendance levels have been running above 96 percent because of them," he said.

Virtually all of the money goes to aid children of families who earn less than $3,000 the federally set poverty line.

Ouzts said some teachers will have to be released immediately and all the federally funded programs will cease as of the end of school on May 26.

Involved are 15 special teachers who have been aiding regular teachers with individual students and the staff of a remedial reading center directed by Mrs. Lydia B. Pool.

* * * ready has closed a special school for mentally retarded children, and an experimental public kindergarten remains open only because parents are contributing to its support.

"One Negro woman gave me the only $1 she had," Mrs. Pool related, "and said she would send more each month when her check came on the 13th." Some parents have contributed as much as $16 per week for their children to stay in the school.

An in-service training program for teachers from Washington and nine surrounding counties also will be discontinued and 16 vocational education teachers whose salaries have been supplemented by federal money now face pay cuts of more than $100 per month.

The federal funds have made up more than 20 per cent of the system's $2.5 million budget.

Ouzts declared, however, that accreditation and the regular educational processes of the system will not be affected.

"Our people are determined to maintain quality schools," he said. "It's just the special programs which will suffer."

Word of the disapproval of the desegregation plan had come just hours before a Tuesday afternoon board meeting at which it was expected to be voted down anyway. Ouzts said federal officials did not say why the plan was turned down, and refused to grant his request for delaying the cutoff until May 20.

Asked what might have happened if the county board and HEW had gotten together on such a plan and it was implemented, the superintendent replied, "There wouldn't be a white child left in the public school system.

"White people simply will not send their children to Negro schools," he added. "They would set up a private school for them."

Of the funds cutoff, he commented, "Looks like we're out of the federal money business. If they'll just leave us alone now, we'll be happy."

AIR SAFETY NEED STRESSED

Mr. SCOTT. Mr. President, the Wall Street Journal took note on its front page this morning of a grave and perilous situation in our Nation's airways: A shocking lack of airport navigation aids in the face of mounting air traffic and recent fatal crashes. The foremost example of disaster cited by the Journal was that of Bradford, Pa., where two nearly identical crashes within 13 days claimed 31 lives. That twin tragedy has led me, and a good many men more expert in the field than I, to demand a sharp increase in the air safety capacity at our Nation's airports both large and small.

I have introduced a bill to establish a trust fund solely to provide the facilities and equipment which might have prevented seven out of eight recent airline approach crashes. As today's article states, "critics of airport facilities say there's ample reason to believe the lack or failure of modern navigational aids was largely to blame," for these recent crashes.

Mr. President, I hope that such articles as this one in the Wall Street Journal will encourage Congress to move to meet this need before more dramatic crashes take more lives and finally bring us to our senses. With that in mind, I ask uanimous consent that the text of the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, May 13, 1969]

Hazardous Landings: Lack of Navigation Aids Make Many Airports Dangerous, Experts Say; Critics Cite Recent Crashes in Urging a Reassessment of FAA Safety Priorities; Two Disasters at Bradford

(By Thomas L. Ehrich)

In the scramble to equip big-city airports to handle the explosive increase in air traffic, smaller commercial airports are getting short shrift. Many lack even basic navigational aids necessary for foul-weather operation—a situation that makes flying in and out of small airports not merely inconvenient but sometimes downright dangerous.

Such, at least, is the contention of a growing number of airline, airport and government officials who are pressing for a new look at the priorities of commercial airport safety. Though they acknowledge the need for the Federal Administration to add navigational facilities and manpower to untangle the air traffic jams at big airports, they argue that more help should also be given to long-neglected small airports.

Well over half of the 560 airports served by scheduled airlines in the U.S. fall into the underequipped category, experts say. That means they lack such facilities as radar, control towers, up-to-date instrument landing systems and, in some cases, even such basics as adequate runway lights and markers.

LOW ON PRIORITY LIST

Complaints about the lack of such facilities are nothing new, to be sure. Aviation men have been complaining for years that the lack of sophisticated equipment makes operations at small airports so uncertain in bad weather that passengers are constantly inconvenienced by flight cancellations, delays and diversions of flights to other airports. But because small airports account for less than 20% of U.S. passenger flights—and less than 5% of the passengers—FAA officials have argued that they rank low on the priority list.

But now the sensitive issue of safety has been added to the debate—after being dramatized tragically by two Allegheny Airlines crashes less than two weeks apart last winter near the same airport at Bradford, Pa. The crashes killed 31 persons. Both occurred at night in bad weather as the plane approached an airport that is typical of many small airports in its lack of advanced gear to guide planes down. Though the exact causes won't be known until Federal officials complete investigations of the crashes, one official confides that it wouldn't be "too far off" to blame Bradford's navigation system.

Moreover, in the past nine months six other commercial airliners also have crashed during airport approaches or landings—and in all but one instance either the airports lacked the most modern navigational aids or, in the case of some larger airports, the equipment wasn't functioning. Though the precise causes of all the crashes haven't yet been pinpointed, critics of airport facilities say there's ample reason to believe the lack or failure of modern navigational aids was largely to blame.

SEVERAL BILLS PENDING

To lessen the likelihood of more such crashes, critics urge that the FAA be given more money to spend on facilities and that a larger proportion be devoted to small airports. Several bills already have been introduced in Congress this year aimed at improving airport facilities and air traffic guidance. Democratic Sen. Warren Magnuson of Washington, chairman of the Senate Commerce Committee, has proposed setting up a trust fund to pay for both airport construction and improvement of navigation and control facilities. Republican Sen. Hugh Scott of Pennsylvania introduced a bill just last week that would set up a trust fund, financed by taxes on aircraft fuel, aimed solely at improving navigation and control equipment.

The key problem at most small airports is lack of an instrument landing system, or ILS, many experts believe. Developed in the 1940s, ILS is now standard at large airports but still absent at more than 300 smaller commercial airports in the U.S.

There are several components in a complete ILS, but the main element is a so-called glide slope mechanism that sends out a narrow radio beam slanting upward from the end of the runway. When a pilot approaches the runway in bad weather or in darkness, he "locks" onto the radio beam through instruments in his plane that show him visually where he is in relation to the proper flight path. Then he follows the beam down on a safe approach to the runway even in dense clouds.

At an altitude of 200 feet or so, the pilot resumes visual navigation, relying on high-intensity runway lights to show the way if weather is unusually bad.

TRICKY ALTIMETER READINGS

An older system, still in use at more than 340 airports, is known as the visual omnirange system, or VOR. It consists simply of a radio signal that is broadcast in all directions from an airport. The signal tells the pilot when he is getting close to the destination but gives him no guidance in approaching the runway. He must rely entirely on his altimeter and other instruments to bring him down safely to within view of the runway. Pilots complain that altimeter readings can sometimes be dangerously misleading,

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particularly in areas heavily forested with tall trees, or in hilly country such as that surrounding Bradford, which has no ILS.

ILS, on the other hand, provides an approach that safely routes planes past mountains or other obstructions and, in effect, brings the craft down a path pointed at the end of the runway.

The FAA contends that safety is not affected by the presence or lack of ILS because the visibility requirements at non-ILS airports have the effect of closing them in dangerously bad weather. But several recent crashes occurred despite cloud ceilings and general visibility that were substantially above the required minimums.

At Bradford on Jan. 6, for instance, the cloud ceiling was 500 feet (the required minimum was 400 feet), and visibility was one and one-half miles (a half-mile over the minimum). Yet an Allegheny Airlines propjet crashed on a golf course five and one-half miles short of the runway. Thirteen days earlier, on Christmas Eve, an Allegheny propjet approaching in similar conditions had crashed three miles short of the runway on a frozen marsh.

At Lebanon, N.H., the night of last Oct. 25, the ceiling was 2,000 feet and visibility was 10 miles when a Northeast Airlines plane crashed into a ridge on nearby Moose Mountain, killing 32. The airport has no ILS, and it's believed that its VOR system was malfunctioning.

It's possible, of course, to tighten the requirements for cloud ceiling and visibility. But the result, particularly in winter, is often a sharp curtailment of service to small airports.

After the Bradford crashes, for instance, Allegheny Airlines raised the minimums at the 25 non-ILS airports it serves to 1,000 feet and three miles from 400 feet and one mile. The minimums later were reduced somewhat, but they still remain above those in effect before January. The result: Allegheny completed only 55% of its scheduled flights in and out of non-ILS airports in January, 82% in February and 94% in March. Forty-nine flights were canceled in one five-day period at Bradford.

At Lebanon, N.H., where Northeast Airlines similarly raised its minimums after the October crash, no flights landed or took off at all during one 10-day period. Half the airport's flights were canceled in December.

WITH HAT IN HAND

Though the FAA bears primary responsibility for equipping airports with ILS and other navigational equipment, some airport managers say the FAA's program is so slow that they may have to buy their own—at a cost of as much as $200,000 per installation. "We may have to go out with our hat in our hands to ask for money to install equipment ourselves," says George Cricenti, manager of the Lebanon Airport. Such funds would have to come from the local communities served by the airport or from the state.

At least two airports already have installed their own ILS facilities. The airport at Appleton, Wis., installed one as part of the city's effort to attract new industry. The airport at Latrobe, Pa., reportedly got help from the wealthy Mellon family, which has extensive land holdings in the area, to install its ILS.

Most airports will have to wait for the FAA, however—and for some the wait may be many more years. The FAA has a long-range plan for 811 ILS installations during the next decade. But many of these will be additional installations at big, multi-runway airports that already have ILS.

AWAITING NEW FUNDS

Moreover, there's no guarantee the FAA will be able to afford the installations of ILS or many of the other navigation aids it has in its master plan. The FAA's proposed budget for fiscal 1970 asks $134 million for work on a computer-based, semiautomatic system for processing and displaying flight plan information at 20 air traffic control centers—but nothing at all for ILS installations. An additional $116 million in equipment funds is suggested in the budget—part of which would go for ILS installations—but it's contingent upon some new source of revenue being provided by Congress. And at the moment the future of the pending bills in Congress—and of another expected soon from the Nixon Administration—is regarded as highly uncertain.

This year, the FAA will let contracts for 100 ILS installations to be paid for with "carryover funds" from previous budgets, a spokesman says. But, he adds, the cost will "clean out" those funds leaving nothing for future years.

Small airport managers have observed one encouraging development in recent weeks, however. In apparent response to criticism after the Bradford crashes, the FAA has hastily added 10 ILS installations to those already planned for this year—one at Bradford and nine at other small airports that previously had ranked low on the ILS priority list.

EXTINCTION OF ENDANGERED SPECIES—LETTER FROM PEGGY STEVENS

Mr. HART. Mr. President, on May 14 and 15, the Subcommittee on Energy, Natural Resources, and the Environment, of which I am chairman, will hold hearings on the endangered species legislation.

In this connection, I wish to share with Senators a letter from Peggy Stevens of the fourth grade, Eagle Lake Elementary School, Edwardsburg, Mich. Accompanying Peggy's letter was a petition signed by 218 children and teachers, including, I understand, the mother of our distinguished colleague in the House, Representative JOHN BRADEMAS.

Peggy has some very original thoughts on the danger of extinction of alligators and crocodiles, and I commend her letter to all who are concerned with this problem.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EDWARDSBURG PUBLIC SCHOOLS,
Edwardsburg, Mich.

DEAR SENATOR HART: At Eagle Lake School we are getting up a petition to save the alligators and crocodiles from extinction. Too few people realize the danger of these reptiles becoming extinct.

Our librarian, Mrs. Ducey, told us about this decrease of reptiles of this type. For instance in Africa one chief said he would rather lose a woman once in a while to an alligator or crocodile when she wades in to get water than buy expensive tin cans to scoop out the water with. This amounts to at least three women per month to an alligator or crocodile.

I thought up some pretty good rules, (I think) to help people, crocodiles, and alligators;

1. Forbid the sale of baby crocodiles and alligators, (they usually die and anyway they don't breed in captivity.)

2. Make it illegal to ship baby alligators or crocodiles across even the state line.

3. Make it a law to keep alligators and crocodiles from getting a taste of human blood, (they get very blood-thirsty once they get a bite of human flesh.)

About 20 kids from our school brought home baby alligators from Florida and every single one died! Please help stress the point, help all of us who signed the petition, save the alligators from extinction.

Thank you very much.

PEGGY STEVENS,
Mr. Zielinski, Room 9, Fourth Grade Eagle Lake Elem.

PETITION

Pam Masten, Bev Rockenbaug, Betty Rockenbaug, Beth Gordon, Bryan Schuler, Joel Borsa, Donny Duncan, Bob Daluga, Mrs. Joyce Knoebber, Margo Runkle, Tammy Hcrremans, Jacquie Eaton, Laura Walters, Jeanna Weinberg, Sheila Ann Garl, Cherie June Garl, Julie Jaross, Gwen Fanderbush, Jerry Eaton, Wendie S., Frank S., Lisa Ratayski, Clint Hardy, Mrs. John Drucey, Alberta Shields, Louise Everest, Scott Bajham, Cliff Williamson, Tom Stubbs, Kenneth Rowe, Bill Coleman, Miss Landis, Gayla, Nancy Teague, Brian Kauder, Peggy Swift, Joan Robinson, Karen Teague, Shirley Teeter, Barbara Brady, Charlene Wainscott, Bonnie Hesey, Lori Johnson, Sherry Gould, Danny Elles, Michelle Beal, and Marjorie Neuerbrug.

Tom Knoebber, Andy Stevens, Jimmy Routson, Rex McKay, Andy Smith, Lance Sevenson, Frederick Nichols, Ilean Becraft, Shirlee Funderburk, Jennifer Kilburn, Antonia Frederick, Peggy Stevens, Tammy Bolin, Emily Hoover, Anne Allis, Lisa Allis, Lynne Nagy, Bobby Penrod, Pam Boepple, Greg Dick, Philip Van Vynckt, Scott O'Dell, Bill Gould, Karen R. Ronnebaum, Thaddeus Kraus, Jackie Stevenson, Gina Whiteaker, Lauriejayne, Bob Mastin, Craig Overmeyer, Richard Capps, Margie Tolbert, Lynne Duckwall, Shelly Davis, Phil A. Roth, Dawn Beal, Georgia Reese, Tom Kujawski, Jane Vanderbosch, David Olmstead, and Cora Underwood.

Gaila, Mrs. John Greenlee, Mrs. L. D. Lane, Mrs. Max Masten, Jr., Mrs. Robert Reed, Mrs. Jon Anderson, Mrs. Jack H. Hardy, Esther Wilson, Marian Watson, Beatrice Brademas, Dean Balyeat, Heidi Richmond, Mary Ann, Greg Price, Matthew Walters, Shelley Greenlee Julia Borsa, Rob Sisson, Scott Jarosz, David Kaufman, David Medford, Patty Reed, John Greenlee, William Zielinski, Mike Miller, Scott O. Hammontres, Jeff Dioczy, Alan Rockenlaw, Lenny Bloss, Robin Tisher, Patty Walters, Mrs. Gordon, Steven Mittan, Jerry Eaton, Bill Richmond, Kevin Dibble, Tim Davis, Billy Shields, James Ralph, and Mathew Borsa.

Colleen Whiteaker, Richey Black, Kevin Turner, Eddie, Brenda Parsons, Penny Frakes, Jim Hakala, Norman Nichols, Dede Wilson, Cindy Vaereunyck, Denise Weinberg, Cindy Kittleson, Christina Cummins, Debbie Cater, Karen Stupps, Shelia Davis, Bryan Dibble, Dauna Cummins, Tracie James, Esther Boniface, Jon Lynn, Steve Nagy, Tim Wise, Robert Wait, Lou Ann W., Thelma Wise, Jim M., Julie Stacey, Jim M., Dirk Spico, Tim Littman, Todd B., Bill Gould, and Terri Huffman.

Sandy A. Stewart, Tom Littman, Victoria Parks, Raetta Romine, Kandy Braddock, Paula Whiteaker, Bruce Ronnebaum, Linda Strasser, Doug Medford. Kathy Bell, Judy Tevlin, Brian Graves, Randy Winderigler, Karen Van Syckle, John L., Anita Fackelman, Mary Campbell, Marcia Cloud, Linda De Schepper, Carol Burema Carolyn Eckold, Lori Horne, Dawn Stevenson, Chris Hosler, Timmy Heramans, John Whited, Darlene Ward, Leonard Beal, Paul Coleman, Tom Leucas, Kathy Rea, James Matson, Cindy Rowe, Tammie Teeter, Susie Roberts, and C. R. Spice.

Lorinda Swinehart, Mary Yeakey, Julie Olmstead, Myrle Robinson, Charles Blass, Jon Stone, Jim Fackelman, Jim Mitchell, Ralph McDonald, Francis Vanderbosch, Mary Jane Hardy, Jamice Anderson, Chip Beadle, David N. Modes, Bruce Watts, Jonathan Quick,

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Robin Denney, Bobby Baucus, David Reed, and Linda Rodgers.

SDS BANNED FROM ST. BONAVENTURE UNIVERSITY

Mr. DODD. Mr. President, last Sunday, the president of St. Bonaventure University, Olean, N.Y., announced that the Students for a Democratic Society have been banned from campus, charging that the radical organization was "anti-democratic, anti-American, and anti-Christian."

The president, the Very Reverend Reginald A. Redlon, made the announcement to 1,000 mothers and fathers who were attending St. Bonaventure's annual parents' weekend.

According to an article published in yesterday's New York Times, Father Redlon said:

> The SDS is opposed to the ideals for which this university stands.

Mr. President, he is dead right about this. This is in the best tradition of St. Bonaventure University and institutions of its type, too many of which have ceased to have any reason for existence.

This is an educational tragedy. Great schools like St. Bonaventure have a philosophy of life that encompasses all of man's activities, a way of life that has to do with man's conduct, as well as with the development of his talents and skills, his behavior pattern as a decent human being.

Many of these institutions, which started out like the University of St. Bonaventure, have abandoned this philosophy, and do not have any philosophy of life, much less of education, today. As a consequence, they are lost, and it is my belief that they will not survive very long unless they find their way back soon.

So it is a mighty good thing to have the president of that great university reaffirm this philosophy of life.

I was privileged to deliver the commencement address there a few years ago, and I was honored to have an honorary degree conferred upon me. I am proud of it, and more so today.

What Father Redlon said ought to be read by all educators, but particularly by those who hold, or pretend to hold, or carry the ideas and ideals of Thomistic philosophy.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 12, 1969]

SCHOOL BANS SDS AS ANTI-AMERICAN—ACTION BY PRESIDENT OF ST. BONAVENTURE UNIVERSITY ASSAILED

OLEAN, N.Y., May 11.—The president of St. Bonaventure University today banned the Students for a Democratic Society from campus, charging that the radical organization was "anti-democratic, anti-American and anti-Christian."

"The S.D.S. is opposed to the ideals for which this university stands," the president, the Very Rev. Reginald A. Redlon, said in announcing the ban to 1,000 mothers and fathers here for the Roman Catholic institution's annual parents' weekend.

The ban on the student organization, which has been at the forefront of violent demonstrations on some other campuses, followed several weeks of more minor incidents here, including grumbling among the faculty and a brief student fast last month.

When Father Redlon announced the ban at the close of a special Mother's Day mass held in a gymnasium, the audience cheered. But disapproval came quickly from the dissident element that has increasingly disrupted the calm of this secluded 550-acre campus on the headwaters of the Allegheny River, 60 miles southeast of Buffalo.

TEACHER ASSAILS SCHOOL

"An atmosphere of repression has developed around Bonaventure, and this latest move is certainly typical of it. I've about given up hope for the place," said Lewis W. Roberts, an assistant professor of theology, who is leaving the 2,300-student Franciscan university at the end of this year out of "disgust."

A college spokesman said that the ban would simply mean denying the fledgling chapter of the S.D.S. the use of campus buildings, but that the several dozen students thought to be members would not be punished for their membership.

Father Redlon said that similar action would be taken against any group that opposed what the university stood for. He cited as an example the Ku Klux Klan, against which "this ban would likewise be leveled."

The conclusive proof that the S.D.S. was "opposed to all that our republic and our church and this institution stand for," the 47-year-old Father Redlon said, was some literature that students identified with the organization were passing out on campus last week.

A STUDENT'S OPINION

Mr. BENNETT. Mr. President, the forgotten American on the Nation's college campuses is the student who lives by the rules, who studies hard, respects authority, and is basically the all-American youth.

He will not be subpenaed to appear before a congressional committee. He probably does not have long, shaggy hair, nor is he a confused leftist. He has not made the headlines of our major newspapers, and he has not appeared on national television while in the process of tearing down our great scholastic institutions. He probably comes from a hard-working middle-class family where values are still meaningful and has been taught all his life that anything worth having takes a great deal of hard work. He is a student who believes in progress and, in fact, is in the process of participating in it simply because he is in college. He is a young man or woman who understands that riots and destroying the institutions of America cannot solve problems such as poverty, war, discrimination. Like his elders and the vast majority of his peers, he is slow to anger and is very tolerant, but he can take only so much nonsense and abuse. He does not have the SDS as his spokesman, nor is he the captive of any particular ideology. He has been quiet, and through his silence he has been victimized since the first disturbances began at Berkeley several years ago. He has stood back and watched his beloved Harvard, Columbia, California, Cornell, Wisconsin, Howard, or City College of New York closed down and its property, its records, and its reputation damaged and tarnished. He will tolerate much more before he gets really hot under the collar, but I think that that time is not too far off.

I recently received a letter from a young man at Harvard who has put into words the feelings of this vast group of young Americans. I am sure he speaks for them and to them, I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

A STUDENT'S OPINION

(By J. C. Helms)

Is Harvard through? Could the present crisis ruin this university? Yes, it could.

The forceful seizure of a building will not ruin Harvard. The use of police will not ruin Harvard. A student strike will not ruin Harvard. But continued leniency on the part of the Administration and the faculty, alike, *will* ruin Harvard.

On April 9 several hundred students seized University Hall by force. The community was startled.

But how can it surprise us that such an incident occurs, when 2 years ago Robert McNamara was humiliated and subjected to mob coercion, and the University did next to nothing? How can it surprise us that such an incident occurs, when last year a mob of students held an interviewer from Dow Chemical Company prisoner for 7 hours, and the University did next to nothing? How long will this administration, backed up by faculty and students, continue to be so lenient, so permissive, so indulgent toward radical students guilty of criminal acts?

These radicals are not striking peacefully, they are not protesting peacefully, they did not occupy University Hall peacefully. They did it violently. They ejected 6 deans forcibly, one with such vigor that he knocked down 3 bystanders on his way out. They physically beat an undergraduate in University Hall because he was not in sympathy with their action: he was alone, and 5 of them held his arms and his hands while 2 others beat him. This was Wednesday afternoon, SDS, long before the police came, yet you can tell us that it was the police who first used violence?

You yell "scab" when we go to classes, you call us fascists when we support the police, you deface private property with your slogans and placards, you rifle the personal files of the Dean and publish his letters, you incite the mob to pelt President Pusey's house with rocks, and you wonder why we think our rights have been violated?

I think it's time somebody called nonsense, nonsense. I think it's time somebody called nuts, nuts. Isn't this the generation that wants to tell it like it is? Why, then, is everyone mincing words? The students who occupied University Hall are violent people, they do not belong here. Their wrongdoing is not just youthful restlessness, it is not just misdirected idealism; it is a crime, and those who committed this crime should be expelled immediately and never allowed to return.

Why, then, does the Faculty hesitate? The Administrative Board exists to handle discipline and it could have dealt with the present case 9 days ago. Is it because there are no students on that board? So what? Student participation in the punishment of colleagues is a serious issue and must be considered when reason has returned. But how can the Faculty think it wise to abandon, in the middle of a crisis, proven and equitable procedures and grasp at the untried compromise of an elected punishing committee of 10 professors and 5 students? Yet this is what they've done.

And so they add confusion to confusion. Or do they suppose that elections held on

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one day's notice at a time of high emotion are going to select the best jury to pass judgment on the offenders? It is a travesty of justice, whatever the decision of this jury. But, in any case, that decision will most probably be lenient, for the watchwords of today are popularity and license, not rightness and order.

Or do you think we should be thankful to the students who have caused this mess? Do you think the mass-meetings and the television cameras and the bull-horns have made us better? It is loathsome to men of good sense to listen and listen and listen to people who talk about peace in Vietnam and make war here. It is loathsome to men of good sense to see these faceless mobs and committees and organizations all marching behind one banner, all wearing one ribbon, all chanting one song, all shouting one word: strike, strike, strike. Where are the individuals I hoped to find at Harvard, where are their individual thoughts, where are the careful distinctions, where are the subtle refinements? Nobody knows and nobody cares. Because all the fighters care about is victory, not truth.

And what is victory for SDS? They took a building. For weeks they told the Administration that they were going to take a building: all they were not sure about was, Why?

Now they know why, now they have their 8 Demands. O.K. In their present form these 8 demands are too extreme, but they are not without some merit. Nevertheless, whatever the demands of the SDS may be, there is still no justifying the use of force and violence. Not even a comparison with the Civil Rights movement can justify these tactics. It is true that good ends were attained in the Civil Rights movement by illegal means, but this achievement set a dangerous precedent, a very dangerous precedent, because such action opens wide the door to all sorts of selfish people, people who are only too willing to circumvent the law to attain their ends, ends which they invariably call good, but which are all too often bad.

Think it over, SDS. Just several days ago, one of your members told me in the Yard that if, by killing one, specific person, he could be guaranteed to end the war in Vietnam, he would kill that person. How about 2 persons, SDS? How about 10? How about Robert Kennedy, SDS, or Martin Luther King? Nobody likes the war in Vietnam, but how far will you go to achieve a goal, even if it's good?

And how far will the rest of us go in permitting a tiny minority to disrupt our lives and wreck our university? And how long will our faculty hesitate to expel these people? They hesitate because they are afraid, afraid that if the punishment is severe, there will be a serious student reaction. And they may be right: perhaps there will be.

So what?

It is time to call an end to playing politics with students. It is time to call an end to appeasement. It is time to call an end to making all decisions out of expediency. If there is one, large group in our society apart from organized religion that can and must still show the world that principles are preferable to politics, it is the teachers. Let businessmen and politicians be expedient, if they will, but let the spiritual leaders—and these are the teachers as well as the priests—let them proceed from principle, not politics.

And so I say: the violence of SDS, the use of police, the general student strike, will not ruin Harvard. But excessive indulgence toward things that are intolerable—this *will* ruin Harvard. We need change at Harvard—yes. We must free ourselves from outside control—yes. The students should play a more active role—yes. The University must have a greater concern for the community around it—yes.

But we need courage, too, as well as change, perception as well as compassion. If the Faculty fails to perceive the long-term effects of its decisions, if the Faculty loses its courage in the face of student disorder, if Harvard does not deal swiftly and severely with people who are bent on destroying American universities as a prelude to destroying all of American society, then Harvard is through.

DEATH OF FRANK GEORGE, NEZ PERCE INDIAN

Mr. MAGNUSON. Mr. President, on October 31, 1968, this country lost the services of a great American, Frank George. The death of this widely admired Nez Perce Indian, who devoted so much of his life for the benefit of others, leaves a void that will not be easily filled.

In recognition of his strong sense of public spirit, social involvement and personal unselfishness, I ask unanimous consent that the resolution drawn up in his memory by the sixth annual Idaho State Indian Conference be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION IN MEMORIAM

Resolved, That this conference take note of the passing of Frank George on October 31, 1968 to close a remarkable career in the service of his fellow Indians. Born 56 years before of Nez Perce parents on the Colville Indian Reservation to which a remnant of Chief Joseph's warring people had been banished, Frank began his service in the Colville Indian Agency, Nespelem, Washington, which he left to engage in far-flung activities until he was nationally known among Indians. Successively he became Executive Secretary of the Colville Tribal Office, Secretary of the Affiliated Tribes of Northwest Indians, Recording Secretary and Later Executive Director of the National Congress of American Indians, and representative innumerable times of the Colville Confederated Tribes and of Indians generally on various missions. For example, in 1962 he was Chairman of the Nationalities Division of the Democratic Party at its convention in Los Angeles and was responsible for the Indian plank that went into the Democratic platform. Prior to that, with G. Mennen Williams and others, he was a guest of John F. Kennedy at Hiannasport, Massachusetts. Gifted with the ability to express himself well verbably or in writing, he was always effective in his espousal of Indian causes, in the news media, in the halls of Congress, before the Departments in Washington, DC., as precinct committeeman of the Democratic Party, as delegative to Democratic State Conventions, as delegate of the Colville Confederated Tribes, or as representative of Indian organizations. He was responsible more than any one else for stalling the enactment of bills for the termination of the Colville Indians. If these bills had ever become law, it would have adversely affected Indian land titles and status on neighboring Indian reservations and would have set a bad precedent for Indians generally. Frank was blessed with a congenial personality and a cheery disposition. He was painstaking and persistent in his pursuits; above-aboard in his commitments; resourceful and thoroughly dependable—a standout man whom we admired, respected, and highly esteemed as a friend and associate. We dearly miss him and we cannot but assert that his era and ours are all better and brighter under the circumstances by reason of his dedication to our common problems in Indian affairs.

Resolved further, That a copy of this resolution be sent to his beloved wife, Mrs. Ann George, Box 151, Nespelem, Washington.

Attest:

OSWALD C. GEORGE.

LIBRARY MEMORIAL TO FORMER SENATOR CARLSON

Mr. DOLE. Mr. President, as most Senators know, Frank Carlson, a former Member of this great body, has a long and distinguished career of public service.

His record of service to his party, State, and Nation is indeed impressive. His activities in the area of humanitarianism are equally impressive.

Many great men have publicly acacclaimed his deeds and honored his character. The people of his community who know him most intimately have announced their intention to establish a lasting monument to this great and kind man. The Topeka Daily Capital of May 12 contains an editorial outlining the plans of Concordia, Kans., citizens to build a library honoring their fellow townsman. I ask unanimous consent that the editorial entitled "Best Sort of Monument," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Topeka (Kans.) Daily Capital, May 12, 1969]

BEST SORT OF MONUMENT

Concordia has taken appropriate action in deciding to build a library honoring the city's most illustrious citizen, Frank Carlson.

The 40 years he spent in public service, before his retirement in January, deserve recognition. Carlson is the only Kansan who has been a state legislator, congressman, governor and U.S. Senator. That he was elected and reelected to these offices without once suffering a defeat shows the admiration his constituents held for him.

Concordia's $200,000 building will serve a dual purpose as the city's public library and a museum for Carlson's official papers and other memorabilia.

The affection Concordians hold for Carlson is reflected in the fact they have decided to meet a 1-mill levy for 10 years to finance half of the construction costs, with the other half coming from federal funds.

A nationwide campaign will be conducted to finance furnishing the memorial library. Because of the esteem Carlson is held by thousands of citizens, this fund should be easy to raise.

The coincidence of Concordia having outgrown its library at the time Carlson retired will result in a suitable memorial to him at the same time providing citizens with greatly expanded library facilities.

PATRIOTISM AWARDS TO BEAUMONT, TEX., STUDENTS

Mr. TOWER. Mr. President, three high school students from Beaumont, Tex., were recognized May 6 at a national conference in Atlantic City, N.J., of Distributive Education Clubs of America for their efforts and achievements in a worthwhile project in behalf of patriotism in America.

The three youths are Kim Toomin, Calvin Williams, and Tom Combs, all students of Forest Park High School in Beaumont.

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I ask unanimous consent to have printed in the Record the text of a press release explaining the project, issued at the conference last week.

There being no objection, the press release was ordered to be printed in the Record, as follows:

Distributive Education Clubs of America, Inc., News Release

Atlantic City, N.J.—The Pitch for Patriotism came from deep Texas all the way to Atlantic City, N.J. before the SRO crowd of 3500 enthusiastic DECA (Distributive Education Clubs of America) teenage members in attendance at the 23rd Annual National Leadership Conference this Tuesday morning.

Three youths, Kim Toomin, Calvin Williams and Tom Combs, representing Forest Park High School, Beaumont, Texas, along with their fellow chapter members, have been pushing patriotism in their community for the past several months with spectacular results. Forest Park DECA has distributed thousands of American decal flags to citizens amazed to find a nucleus of young people who recall memories of "Stars and Stripes Forever."

With an avowed purpose of "showing the other side of the coin," these three youths, a Negro, Jew and Anglo-saxon, enthralled a representation of DECA's 100,000 students who practice civic-consciousness in communities in every state of the Union, Puerto Rico and the District of Columbia. The unique part of this program conducted by these students is the fact that they have not charged for the flags. Buying them through Reader's Digest ($30 a thousand), these business-minded free enterprise-directed students have refused payment on the grounds that "we don't want to capitalize on patriotism, it's a duty of every American."

Appearing on the same platform with the Forest Park group was another DECA Chapter from Kingman, Arizona that last fall won the title of the best "Get Out The Vote" group in the United States. Kingman DECA, represented by Cathy Yukas, explained how her Chapter induced more than 80% of Kingman's registered voters to vote in the November 4 Presidential election. This figure exceeded by 20% the next-best voter turnout for this country.

The Atlantic City Conference is being attended by over 3,500 Distributive Education delegates from the 50 states, the District of Columbia, Puerto Rico and the Virgin Islands.

DECA is a national organization of 100,000 high school and post secondary students who are preparing for careers in marketing and distribution through a program of classroom and on-the-job training.

THE LEAGUE OF WOMEN VOTERS' 50TH ANNIVERSARY YEAR

Mr. TYDINGS. Mr. President, as 1970 approaches, the League of Women Voters is preparing nationally and in communities throughout the country for an especially productive year. The year 1970 marks the league's 50th anniversary.

The league as we know it today evolved from the National Woman Suffrage Association. To it can be attributed innumerable triumphs for the public interest during this half century since adoption of the 19th amendment. For while the league is strictly nonpartisan, in function and objective it is an organization deeply immersed in the decisionmaking process of this democracy. Affecting public policy, from the grassroots to the national level, is its chosen work and I am certain that most if not all of my colleagues can attest to its effectiveness.

I invite attention to the public recognition that has been accorded the league in anticipation of the 50th anniversary nationally, and more specifically within the Washington, D.C., metropolitan area. I ask unanimous consent that the President's proclamation on the 50th anniversary of the League of Women Voters of the United States be printed in the Record, to be followed by the league's 50th anniversary campaign statement, "An Assignment From Society," and the list of the 50th anniversary campaign sponsors committee.

Also, I invite attention to editorials on the league's anniversary that were published recently in the Washington Post and the Evening Star and ask unanimous consent that they, also, be printed in the Record.

In the Washington, D.C., metropolitan area, there are seven leagues with a total membership of 3,500 women. The efforts of these groups within the last year have been prodigious and varied, as is shown in the metropolitan area 50th anniversary campaign statement. I ask unanimous consent, finally, that that statement and the list of the Washington, D.C., metropolitan area campaign sponsors committee also be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Fiftieth Anniversary of the League of Women Voters of the United States—A Proclamation by the President of the United States of America

A half century ago—more than a year before the 19th Amendment was ratified—women from states where they already had the vote met to establish a League of Women Voters. Their purpose was to promote political responsibility through informed and active participation of citizens in government.

For fifty years the League of Women Voters has provided Americans in every state with information on candidates and issues and it has furnished a non-partisan platform from which all candidates may be seen and heard. These activities have strengthened government and have helped to sustain the public weal.

Whether it be concern for our urban malaise or desire for better international cooperation, whether it be conservation of our natural resources or the revitalization of our State and local governments, the League of Women Voters deserves the cooperation and encouragement of all Americans.

Now, therefore, I, Richard Nixon, President of the United States of America, call upon all our citizens to join with the League of Women Voters of the United States in the observance of its fiftieth anniversary in 1970.

I urge all businesses, industries, foundations, and civic organizations to give the full measure of their support to the League and its activities.

In witness whereof, I have hereunto set my hand this seventeenth day of April, in the year of our Lord nineteen hundred and sixty-nine, and of the independence of the United States of America the one hundred and ninety-third.

Richard Nixon.

An Assignment From Society

Who knows what it will take to be a citizen—an effective citizen—in a continuously changing society? The challenges of the immediate future and the projected needs of the long-range view are staggering in their enormity, complexity, and intensity. Many citizens today are feeling increasingly powerless to influence their own destinies, and as a result, are detaching themselves from citizen responsibility. Others, with rising expectations, are feeling more and more intensely that they must be given the full rights of citizenship now.

Viewing the next 50 eyars, the League of Women Voters not only accepts the challenge of an all-out attack on citizen bewilderment and frustration, but also is ready to involve more citizens as enlightened participants in government.

To commemorate its 50th Anniversary in 1970, the League of Women Voters and its 150,000 members actively seek "an assignment from society"—

To help resolve the growing problems of our cities; to increase the political effectiveness of the citizen in the ghetto and to remove the ghetto itself.

To make citizens of this country aware of our responsibilities for international cooperation and to share with citizens of other countries the processes and techniques for strengthening an open society.

To increase citizens' ability to work for the improved management of our water, land, and air resources in the interests of an attractive, healthy environment.

To direct itself to the task of revitalizing and strengthening state and local governments.

To expand its Voters Service in clarifying issues and supplying non-partisan information on candidates, in increasing the numbers registered and voting, and in encouraging active party participation.

FIFTY YEARS OF A GREAT IDEA

From the faith of the women's suffrage movement and the shock of the first world war came a great idea—that a non-partisan organization could provide political education and experience which would contribute to the growth of the citizen which would help assure the success of the democratic experiment called the United States of America. Thus the League of Women Voters, from its founding in 1920, has been destined to play a unique role in our complex society. It has converted the political conscience of 150,000 women in 50 states and more than 1200 communities into an effective non-partisan force for improved local, state, and national government.

The League has become a nationally recognized institution of reliable research and information. Among its credentials are 50 years of knowledge and experience gained from learning-by-doing, persistent searching for facts, and patient campaigning for solutions. The League's assets include the dogged, dedicated, resourceful character of its organization, the patience, energy, skills and talents of its members, and total commitment to the development of our human and natural resources through citizen decision and action.

Through its Voters Service activities, the League has reached millions of citizens with information on candidates and issues, and has provided a non-partisan platform from which all political contenders may be seen and heard. Governments, at every level, recognize the League's foresight in focusing public attention and bringing non-partisan pressure to bear on the critical issues of a changing society.

A CHALLENGE TO BE MET

In striking contrast to its public commitment of citizen service, the League's own methods of operation and finance have not kept pace with change. Under-financed and intent upon immediate program objectives, the League has given too little time to the long-range planning needed to maintain a healthy, growing organization.

In 1966 a special committee was appointed to take a good, hard look at the League as an organization, and the committee was not

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satisfied with what it saw. The League had not capitalized on its nationwide character and assets. The League's financial resources—so proudly maintained through the diligent efforts of the members themselves—were no longer adequate to the challenge of the next 50 years. It is painfully obvious that at present the League lacks the means—in dollars and cents—to capitalize on its nationwide reputation or potential:

League members lack necessary tools and services;

State Leagues are squeezed between needs at the local and national levels;

National headquarters and the staff of resource and research experts have not grown in a decade;

Leaders at all levels are discharging their responsibilities only by taxing their physical endurance and by unrealistic financial sacrifice;

The League is hard pressed to serve those it has already reached; even more distressing, it has not reached all it could serve.

Standing still is not a viable choice for League members and certainly is an anathema to the spirit of the "great idea." The opportunity and necessity for service is compelling, for grappling with challenging situations is a League habit. Clearly, the League's 50th Anniversary is a time for vigorous expansion and development of its programs. But the program of service which the League envisions must be accompanied by financial resources adequate to the task. Over and above its customary revenues, the League of Women Voters will need from its constituency a development fund of $11,000,000. And the League's real constituency is the public citizens, communities, other voluntary organizations, businesses, foundations—all with a vested interest in keeping democracy a vital and living process.

IMPLEMENTING THE ASSIGNMENT

The League's traditional operation assures the collection and clarification of facts concerning governmental issues, the observation and monitoring of government-in-action, the broad communication of its findings, and educational services leading to effective citizen participation in government.

It is these basic services which the League proposes to expand and enrich, to apply to the emerging problems of our society. The League must reach more of the population—especially the alienated and disadvantaged. The purpose of the League's expansion campaign is to make it possible for the League to work to its capacity on the interrelated problems of our society.

The implementation of the League's objectives can be accomplished by:

More effective and far-reaching Voters Service.

More educational activities and services for the community at large; more conferences for citizens; more publications in more languages geared to more socio-economic groups.

More professional resources for research and counsel.

More support for innovative community projects and services to attack our most urgent social and economic problems.

More efforts to enlist more women to join the League forces and add their time and energy to an organized effort for progress.

More training tools and activities to enrich member capability, knowledge and effectiveness in her community.

More League members involved in conference and committee work for the National program.

More and improved avenues of communication with the League members.

An expanded organization of professional and administrative staff at the local, state, and national levels to ensure that the League remains a vigorous organization abreast of national problems and issues.

More time and supporting services made available to elected officers and boards of directors to plan and direct programs.

Stronger program and administrative services in state League offices. The League is the only "grass roots" organization that gives persistent and continuous attention to this level of government.

More opportunities for interchange of ideas and experiences among local Leagues; more opportunities for leadership training to develop resources for state and national League leadership, and to enlarge the League's pool of trained manpower for community services.

To provide income that will be applied to meet future growth needs of the League at the national, state, and local levels.

A LOOK AT THE FUTURE

Today, as the League of Women Voters prepares to enter its next 50 years of service, both the League and the entire country face a new awareness of the importance of the individual citizen. If individual League members continue to believe that their stated purpose—the promotion of informed and active participation in government—is vital for all citizens, then the necessary foundation of support for the League's goals and activities over the next 50 years will be a reality. The 50th Anniversary of a Great Idea will, indeed, become a celebration.

League of Women Voters of the United States, 50th Anniversary Campaign Sponsors Committee

In 1970 the League of Women Voters of the United States will celebrate fifty years of service to the nation. As part of this celebration, the League has embarked on an $11 million campaign to prepare for even more significant responsibilities in citizen participation in government in the decade ahead. The League is proud of those distinguished Americans listed below who endorse its past accomplishments and future plans through their membership on the Sponsoring Committee for the 50th Anniversary Celebration.

John W. Gardner, Chairman; Chairman, The Urban Coalition.

I. W. Abel, Pittsburgh, Pennsylvania; President, United Steelworkers of America.

Morris B. Abram, Waltham, Massachusetts; President, Brandeis University.

Vernon R. Alden, Athens, Ohio; Chairman of the Board, The Boston Company.

Clifford L. Alexander, Jr., Washington, D.C.; Chairman, Equal Employment Opportunity Commission.

Elmer L. Andersen, St. Paul, Minnesota; Former Governor of Minnesota.

Eugenie Anderson, Red Wing, Minnesota; Former Ambassador to Denmark.

Joseph A. Beirne, Washington, D.C.; President, Communication Workers of America.

Daniel Bell, New York, New York; Professor of Sociology, Columbia University.

Barry Bingham, Louisville, Kentucky; Editor and Publisher, Courier-Journal and Louisville Times.

Eugene Carson Blake, New Canaan, Connecticut; General Secretary, World Council of Churches.

Sarah Gibson Blanding, Lakeville, Connecticut; President Emeritus, Vassar College.

Catherine Drinker Bowen, Haverford, Pennsylvania, Author.

Howard R. Bowen, Iowa City, Iowa; President, The University of Iowa.

Jerome S. Bruner, Cambridge, Massachusetts; Professor of Psychology, Harvard University.

Ralph J. Bunche, New York, New York; Under Sec. for Special Political Affairs, United Nations.

Mary Ingraham Bunting, Cambridge, Massachusetts; President, Radcliffe College.

Frederick H. Burkhardt, New York, New York; President, American Council of Learned Societies.

Erwin D. Canham, Boston, Massachusetts; Editor-in-Chief, Christian Science Monitor.

Lisle C. Carter, Ithaca, New York, Visiting Prof., Graduate School of Business and Public Adm., Cornell University.

Margaret Clapp, New York, New York; Former Pres., Wellesley College.

Harlan Cleveland, Brussels, Belguim; United States Permanent Representative on the North Atlantic Council.

Charles W. Cole, Amherst, Massachusetts; Former Pres., Amherst College.

James B. Conant, New York, New York; Former Pres., Harvard University.

Andrew W. Cordier, New York, New York; Acting Pres., Columbia University.

Norman Cousins, New York, New York; President and Editor, Saturday Review of Literature.

Mrs. Edison Dick, Lake Forest, Illinois; Former member, U.S. delegation to the United Nations.

Paul H. Douglas, Washington, D.C.; Chairman, National Commission on Urban Programs.

David Dubinsky, New York, New York; President, International Ladies Garment Workers Union.

Thomas H. Eliot, St. Louis, Missouri; Chancellor, Washington University.

Edwin D. Etherington, Middletown, Connecticut; President, Wesleyan University.

Joseph L. Fisher, Washington, D.C.; President, Resources for the Future, Inc.

Arthur S. Flemming, St. Paul, Minnesota; President, Macalester College.

Mrs. George Gellhorn, St. Louis, Missouri; A founder of the League of Women Voters.

Murray Gell-Mann, Pasadena, California; Professor of Physics, California Institute of Technology.

Robert F. Goheen, Princeton, New Jersey; President, Princeton University.

Lincoln Gordon, Baltimore, Maryland; Pres., Johns Hopkins University.

Laurence M. Gould, Tucson, Arizona; Pres. Emeritus, Carleton College.

Frank Porter Graham, Chapel Hill, North Carolina; Former President, University of North Carolina.

Erwin N. Griswold, Washington, D.C.; United States Solicitor General.

John A. Hannah, East Lansing, Michigan; Administrator, Agency For International Development.

John D. Harper, Pittsburgh, Pennsylvania; Chief Executive Officer, Aluminum Company of America.

Fred Harvey Harrington, Madison, Wisconsin; President, University of Wisconsin.

Patricia R. Harris, Washington, D.C.; Prof. of Law, Howard University.

Helen Hayes, Nyack, New York; Actress.

Andrew Heiskell, New York, New York; Chairman, Time, Inc.

Walter W. Heller, Minneapolis, Minnesota; Professor of Economics, University of Minnesota.

Pendleton Herring, New York, New York; President, Social Science Research Council.

Rev. Theodore M. Hesburgh, Notre Dame, Indiana; Pres., University of Notre Dame.

Charles J. Hitch, Berkeley, California; President, University of California.

Paul G. Hoffman, New York, New York; Administrator, UN Development Program.

M. Carl Holman, Washington, D.C.; Vice President for Program Development, Urban Coalition.

Mildred McAfee Horton, Randolph, New Hampshire; Former Pres., Wellesley College.

Judge Philip C. Jessup, The Hague, Holland; International Court of Justice.

John H. Johnson, Chicago, Illinois; Publisher, Ebony Magazine.

Joseph E. Johnson, New York, New York; President, Carnegie Endowment for International Peace.

Edward M. Kennedy, Washington, D.C.; United States Senator.

Francis Keppel, New York, New York;

Chairman of the Board, General Learning Corporation.

James R. Killian, Jr., Cambridge, Massachusetts; Chm., Massachusetts Institute of Technology.

Philip M. Klutznick, Chicago, Illinois; Pres., Klutznick Enterprises.

Arthur Larson, Durham, North Carolina; Rule of Law Research Center, Duke University.

Mrs. Albert D. Lasker, New York, New York; Pres., Albert and Mary Lasker Foundation.

Mrs. Herbert H. Lehman, New York, New York; President, Lehman Foundation.

David E. Lilienthal, New York, New York; Chairman, Development and Resources Corporation.

Sol M. Linowitz, Washington, D.C.; U.S. Representative to the Organization of American States.

Ralph Lowell, Boston, Massachusetts; Trustee, Lowell Institute.

John J. McCloy, New York, New York; Former Chairman of the Board, Chase Manhattan Bank.

Ralph E. McGill,[1] Atlanta, Georgia; Publisher, The Atlanta Constitution.

Stanley Marcus, Dallas, Texas; President, Neiman-Marcus.

Benjamin E. Mays, Atlanta, Georgia; President Emeritus, Morehouse College.

George Meany, Washington, D.C.; President, AFL–CIO.

Dr. Karl A. Menninger, Topeka, Kansas; Chm. of the Board of Trustees, Menninger Foundation.

George S. Moore, New York, New York; Chm., First National City Bank.

John W. Nason, Northfield, Minnesota; President, Carleton College.

Alfred C. Neal, New York, New York; President, Committee for Economic Development.

Maurine B. Neuberger, Washington, D.C.; Chm., Advisory Council on Status of Women.

Allan Nevins, San Marino, California; Author.

Frank Pace, Jr., New York, New York; Pres., International Executive Service Corps.

Rosemary Park, Los Angeles, California; Vice Chancellor, University of California at Los Angeles.

Charles H. Percy, Washington, D.C., United States Senator.

James A. Perkins, Ithaca, New York; President, Cornell University.

Jacob S. Potofsky, New York, New York; Pres., Amalgamated Clothing Workers of America.

Don K. Price, Jr., Cambridge, Massachusetts; Dean, John F. Kennedy School of Government, Harvard Univ.

A. Philip Randolph, New York, New York; International Pres., Brotherhood of Sleeping Car Porters.

Esther Raushenbush, Bronxville, New York; Pres. Sarah Lawrence College.

Father Paul G. Reinert, S.J., St. Louis, Missouri; President, St. Louis University.

Walter P. Reuther, Detroit, Michigan; President, United Automobile Workers of America.

Walter Orr Roberts, Boulder, Colorado; Pres. University Corporation for Atmospheric Research.

William M. Roth, Washington, D.C.; President's Special Representative for Trade Negotiations.

James W. Rouse, Baltimore, Maryland; President, James W. Rouse and Co., Inc.

Rabbi Jacob P. Rudin, Great Neck, New York; President, Synagogue Council of America.

Bayard Rustin, New York, New York; Executive Director, A. Philip Randolph Institute.

Terry Sanford, Raleigh, North Carolina; President, Urban America Inc.

Frederick Seitz, Washington, D.C.; President, National Academy of Science.

R. Sargent Shriver, Paris, France; Ambassador to France.

Mrs. Harper Sibley, Rochester, New York; Former Pres., Rochester Area Council of Churches.

Asa T. Spaulding, Durham, North Carolina; Former President, North Carolina Mutual Insurance Company.

J. E. Wallace Sterling, Stanford, California; Former Pres., Stanford University.

Robert G. Storey, Dallas, Texas; Former President, American Bar Association.

Julius A. Stratton, New York, New York; Chairman of the Board, The Ford Foundation.

Charles P. Taft, Cincinnati, Ohio; National Chairman, Fair Campaign Practices Committee.

Willard L. Thorp, Amherst, Massachusetts; Former Chairman, Development Assistance Committee, Organization for Economic Cooperation and Development.

Marietta P. Tree, New York, New York; Former U.S. Representative to the UN.

James Vorenberg, Cambridge, Massachusetts; Professor, Harvard Law School, Former member, President's Commission on Law Enforcement and Administration of Justice.

George Wald, Cambridge, Massachusetts; Professor of Biology, Harvard University.

James P. Warburg, New York, New York; Author.

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W. Willard Wirtz, Washington, D.C.; Former Secretary of Labor.

Stephen J. Wright, New York, New York; Pres., United Negro College Fund.

Whitney M. Young, Jr., New York, New York; Executive Director, National Urban League.

[From the Washington (D.C.) Evening Star, Mar. 28, 1969]

FIFTY PRODUCTIVE YEARS

As a rule, the longevity of an organization is a notoriously unreliable basis for assessing its real worth. Once in a great while, however, a group comes along which grows progressively stronger year by year in its value and effectiveness. Such an organization is the League of Women Voters, which this week is marking the start of its fiftieth year of public service.

It has been a remarkable half-century. The premise of the league is that good government is a responsibility of the people, and the league's hallmark is a seemingly endless supply of reliable, nonpartisan information. In each election year, the focus is on factual analyses of candidates and issues. Between elections, the league's concern is with other elements of sound government. By now, local leagues are functioning in no less than 1,250 communities. The organization's strength is nowhere greater than here, in the seven locals of the Washington area.

No one should be surprised that the national league is observing its 50th anniversary not by looking backward, but by planning future expansions of service in voter education and information. These plans cannot be fulfilled, however, by voluntary effort alone. From its members, individual and corporate gifts and community campaigns, therefore, the league, in its first national fund-raising drive, is seeking this year to raise $11 million. It is a modest goal, deserving of support.

[From the Washington Post, Mar. 28, 1969]

THE LEAGUE IS 50 YEARS YOUNG

In case anyone is unaware of it, this is The Year of the League—not the League of Nations or the League for Industrial Democracy but the League of Women Voters. In a rare display of candor on this particular subject, the ladies acknowledge that their League is now 50 years old. It came into being in late March, 1919 at the suggestion of Carrie Chapman Catt, the formidable campaigner for woman suffrage, with the double purpose of finishing the fight for the 19th Amendment to the Constitution and of making the new right of suffrage meaningful in the life of the Nation.

But the ladies of the League are not merely basking in the sunshine of a jubilee year. There is not the slightest indication that their organization is feeling its age. On the contrary, they are busying themselves in thousands of civic, educational, recreational, and political chores. The League's idea of celebrating seems to be to intensify its activities to bring about wider participation of women in public life and to broaden its impact on the processes of public policy-making.

With seven active Leagues in the Washington Metropolitan Area and branches in all 50 states, the LWV has become a powerful influence in American political life. We can think of no other organization that is more consistently and progressively identified with the public interest. In the last ten years the League has issued more than 3.5 million publications on national problems in addition to vast quantities of reports on state and local issues. More important than the quantity of its output has been the quality. For the hallmark of the League is that it studies a problem before taking a stand and that its conclusions avoid partisanship, ideologies and popular faddism.

Millions of what the League calls "woman hours" have been devoted to informing voters as to candidates and issues, to studying constitutional revision, fair apportionment, sound fiscal policies and legislative programs. The Leaguers are well known at city councils, school boards and planning bodies all over the country. At the moment they are devoting a great deal of energy to a drive against water pollution, to work for equality of opportunity in education, employment and housing and to a study of the country's defective electoral system.

It is strange that no single group of men organized for public service has succeeded in matching the objectivity, zeal and persistence of the League of Women Voters. Without doubt the League has become one of the most constructive forces in our system of participatory democracy. As it launches into its second half century, it is entitled to a hearty salute from the country in general and to a deep bow from those who supposed, in the dim years of the suffrage fight, that votes for women would lead to emotionalism and corruption in American politics.

LEAGUE OF WOMEN VOTERS, WASHINGTON, D.C., METRO AREA 50TH ANNIVERSARY CAMPAIGN

(Alexandria, Arlington, District of Columbia, Fairfax, Falls Church, Montgomery County, and Prince Georges County)

The Seven Leagues of Women Voters of the Metropolitan Area with 3,500 members last year worked about 200,000 hours on Nonpartisan efforts for the Washington metropolitan community to provide voters' service which:

Distributed 747,250 pieces of voters' service material, including candidates' questionnaires, biographies, ward maps, ballots, explanation of issues and voting guides.

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[1] Deceased Feb. 3, 1969.

Sponsored public meetings for citizens to question candidates.

Supplied registration and voting information for new citizens at naturalization ceremonies.

Answered thousands of telephone calls with facts for puzzled voters.

Provided absentee voter information locally, overseas and to armed forces.

To provide through study and action programs:

Observers at hearings on local, state and national issues.

Testimony on issues in support of League views resulting from League studies.

Workshops and public forums for citizen discussion on local and metro concerns such as rapid rail transit, bond issues, state constitutional reforms, crime, welfare, tax revenues, and national studies such as China Policy.

A sampling of the action shows:

Alexandria League members, present and past, hold 27 of 60 slots now filled by women in elective or appointive public positions.

Arlington League sponsored public briefing by citizens and transit experts preceding mass transit hearings, and drew wide attention with its China Policy workshop.

District of Columbia League members produced a massive school board candidates' questionnaire with answers from 64 candidates for the District's first elected school board.

Fairfax League members played a key role in registration drive which resulted more than 50% of eligible citizens entered on voting lists . . . a first for Fairfax.

Falls Church League members prepared initial study on need for a local high school gymnasium and need for local civic center . . . then supported successful bond issues for these.

Montgomery County League members conducted citizenship course for 1,500 Girl Scouts. These were "know your government" briefings with exams to show girls what they'd learned.

Prince Georges County League, with a membership of only 276 women, distributed 375,000 pieces of voter information of different kinds. The school board purchased 10,000 copies of P. G. League's "Know Your County" pamphlets.

Metropolitan Washington Council of the League did a broad study and report on low and middle income housing in metro area. It sponsored public workshops on regional cooperation. Will soon bring out booklet, "Know Your Region", a study and description of all local governments.

These few examples are typical of what your area Leagues have accomplished under the handicaps of grossly inadequate facilities and equipment . . .

A Seven League boost is needed now so we may provide:

More public workshops on issues important to the Washington area and its various communities.

More reference materials for school and public libraries.

More non-partisan voters' service publications to help more citizens to vote and to make informed choices when they do.

More voter education to encourage responsible participation in government—particularly among citizens in inner city and disadvantaged areas.

To do these things and more—and to give us time to expand our skills in service to all citizens—*we need facilities* such as new office equipment, adequate office help, more telephones and perhaps some offices for those Leagues now operated out of their presidents' homes.

Some distinguished friends of the League comment:

Mr. Andrew Parker, President of Woodward and Lothrop, is Chairman of Business and Industry Sponsors for the 50th Anniversary Campaign says, "I am very pleased at this opportunity to assist the League of Women Voters in its efforts to promote responsible citizenship."

The Hon. Mills E. Godwin, Governor of Virginia, writes (to the Alexandria League on occasion of League's work in Northern Virginia on public rally for bond issues) ". . . thanking you for the splendid job you did . . . to see that voters of your area understood the bond proposals."

The Hon. Gilbert Gude, Member of Congress, Maryland, in the Congressional Record of March 18, 1969: ". . . I have been impressed by the personal depth of understanding these ladies have evidenced. . . . Their research is diligently pursued; their interests are broadly conceived and their participation is zealously lived."

Senator Wm. W. Proxmire, Chairman Sub-Committee on Appropriations for the District of Columbia on accepting a sponsorship for the 50th Anniversary Metro Campaign, "I have a high regard for the League of Women Voters."

Senator Charles MacC. Mathias of Maryland, on accepting a sponsorship, "I am honored to have been asked and I accept with pleasure."

An incomplete (as this is printed) list of other Business Sponsors in the Washington area includes Donald Bittinger, President, Washington Gas Light Co.; Austin Kiplinger, President, Kiplinger Washington Editors, Inc.; G. Dewey Arnold, Partner, Price, Waterhouse and Co.; Dr. John Menkart, President, Gillette Research Institute, Inc.; Sam Eig, Realtor, and O. L. Weir, President, Washington Board of Trade.

LEAGUE OF WOMEN VOTERS, WASHINGTON, D.C., METRO AREA 50TH ANNIVERSARY CAMPAIGN SPONSORS COMMITTEE

The League of Women Voters of the Washington Metropolitan Area are proud of the endorsement of the following distinguished citizens and grateful for their assistance.

CHAIRMAN, BUSINESS, AND INDUSTRY SPONSORS

Mr. Andrew Parker, President, Woodward & Lothrop.

SPONSORS

Rabbi A. Nathan Abramowitz, President, Washington Board of Rabbis.

The Honorable Dean Acheson, Former Secretary of State.

Mr. G. Dewey Arnold, Partner, Price Waterhouse & Company.

Mr. Frederick A. Babson, Chairman, Fairfax County Board of Supervisors.

Mr. Knox Banner, Executive Director, Downtown Progress.

Mr. Cleatus E. Barnett, President, Montgomery County Council.

Mr. Charles E. Beatley, Jr., Mayor, City of Alexandria, Virginia.

Mr. Donald S. Bittinger, President, Washington Gas Light Company.

Mr. David Carliner, President, Washington Home Rule Committee.

The Honorable William J. Driver, Administrator, United States Veterans' Administration.

Mr. Sam Eig, Realtor.

Dr. Frank Farner, President, Federal City College.

The Honorable Thomas W. Fletcher, Deputy Mayor, District of Columbia.

Dr. Isaac Franck, Executive Vice President, Jewish Community Council of Greater Washington.

Mr. Francis B. Francois, Vice Chairman, Prince George's County Board of Commissioners.

Mr. Aaron Goldman, President, The Macke Company.

Mr. Jackson Graham, General Manager, Washington Metropolitan Area Transit Authority.

Mrs. Katharine Graham, Publisher, The Washington Post.

Mr. Leo E. Green, Mayor, City of Bowie, Maryland.

Mr. William Greenhalgh, Secretary, Montgomery County Council.

The Honorable Gilbert Gude, Representative 8th District, Maryland, U.S. House of Representatives.

Mr. Theodore R. Hagans, Jr., President, District of Columbia Chamber of Commerce.

The Honorable Gilbert Hahn, Jr., Chairman, District of Columbia City Council.

Mr. Charles M. Hailey, Mayor, City of Falls Church, Virginia.

Mr. Albert M. Hair, Jr., City Manager, Alexandria, Virginia.

Mr. George A. Hamill, Mayor, City of Fairfax, Virginia.

The Honorable Philip G. Hammer, Chairman, National Capital Planning Commission.

Dr. Royce Hanson, President, Washington Center for Metropolitan Studies.

Dr. Milton Harris, Chairman, Board of Directors, American Chemical Society.

Mr. William Beasley Harris, Attorney.

Mrs. William Beasley Harris (The Honorable Patricia Roberts Harris), Professor, Howard University Law School.

The Honorable Royal Hart, Maryland State Senator.

The Honorable John W. Hechinger, President, Hechinger Building Materials.

The Rt. Rev. Msgr. George A. Higgins, Director, Division for Urban Life, Department of Social Development, United States Catholic Conference.

The Honorable Lawrence J. Hogan, Representative 5th District, Maryland, U.S. House of Representatives.

The Honorable Charles A. Horsky, Chairman, Board of Higher Education of the District of Columbia.

Mr. Bert W. Johnson, County Manager, Arlington County, Virginia.

Dr. Leonard Kapiloff, Publisher, The Montgomery County Sentinel.

The Honorable Leon H. Keyserling, Consulting Economist and Attorney.

Mr. Austin Kiplinger, President, Kiplinger Washington Editors, Inc.

Mr. Hans A. Klagsbrunn.

Mr. Walter B. Lewis, President, Washington Planning & Housing Association, Inc.

Mr. Schuyler Lowe, Executive Officer and Comptroller, Washington Metropolitan Area Transit Authority.

The Honorable Sherman J. Maisel, Member Board of Governors of the Federal Reserve System.

Mr. Frederick A. Marsteller, President, Washington Board of Realtors, Inc.

Senator Charles McC. Mathias, United States Senator, Maryland.

Mr. Walter F. McArdle, President, Metropolitan Washington Urban Coalition.

The Reverend Graydon McClellan, President, Council of Churches of Greater Washington.

Dr. John Menkart, President, Gillette Research Institute, Inc.

Mr. George M. Miller, Mayor, City of Takoma Park, Maryland.

Mr. Edward P. Morgan, Chief Correspondent, Public Broadcast Laboratory.

Mrs. Martha V. Pennino, Vice Chairman, Fairfax County Board of Supervisors.

The Honorable Stephen J. Pollak, Attorney.

Senator William W. Proxmire, Chairman, Subcommittee on Appropriations for the District of Columbia, United States Senate.

Mrs. William P. Rogers.

The Honorable William L. Scott, Representative 10th District, Virginia, U.S. House of Representatives.

Mr. Atlee Shidler, Director of Educational Program, Washington Center for Metropolitan Studies.

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The Honorable Carlton Sickles, Maryland Representative, Washington Metropolitan Area Transit Authority.

Mr. Edgar L. Smith, Mayor, City of Greenbelt, Maryland.

Senator William B. Spong, Jr., United States Senator, Virginia.

Mr. Philip Stern, Author.

Mr. Elwood Street, Welfare Consultant.

Ambassador Walter N. Tobriner, Ret.

Mr. Achilles M. Tuchtan, Mayor, City of Rockville, Maryland.

The Honorable Sterling Tucker, Vice Chairman, District of Columbia City Council.

The Honorable J. C. Turner, President, Greater Washington Central Labor Council, AFL–CIO.

Senator Joseph D. Tydings, United States Senator, Maryland; Chairman, Senate Committee on the District of Columbia.

Mr. Frank E. Wall, Jr., Manager of Community Relations, IBM, Washington, D.C.

Dr. Charles L. Warren, Executive Director, Council of Churches of Greater Washington.

Dr. Bennetta B. Washington, Director, Women's Centers, Job Corps.

The Honorable Walter E. Washington, Mayor, District of Columbia.

Mr. Glenn Watts, Executive Vice President, Communications Workers of America.

Mr. Raymond D. Watts, Counsel, Select Committee on Small Business, United States Senate.

Mr. O. L. Weir, President, Metropolitan Washington Board of Trade.

Dr. Elmer D. West, Executive Director, Consortium of Universities of Washington.

Mr. Martin R. West, Jr., Executive Vice President and Treasurer, Weaver Bros., Inc.

Mr. Thomas W. D. Wright, President, American Institute of Architects, Inc., Washington Metropolitan Chapter.

METRO CAMPAIGN COMMITTEE

Chairman, Mrs. Anthony Schwartz.

Community Campaign Co-Chairman: Mrs. Field Ogburn, Mrs. Arthur Yabroff.

Executive Committee: Mrs. John F. Lynch, Mrs. Herman Moeller, Mrs. Joseph Phillips, Mrs. Eric Wolf.

LOCAL LEAGUE 50TH ANNIVERSARY CHAIRMEN

Alexandria: Mrs. Brooke Schumm.
Arlington: Mrs. Benny L. Parker.
District of Columbia: Mrs. Betty Bower, Miss Josephine Thompson.
Fairfax: Mrs. Joseph Phillips.
Falls Church: Mrs. Owen Jones.
Montgomery: Mrs. Robert Levine.
Prince George's: Mrs. Milton Reeves.

WE MUST PROTECT THE PUBLIC INTEREST FROM THE FCC'S ERRATIC LICENSE RENEWAL PATTERN

Mr. BENNETT. Mr. President, I wish to express my complete support for S. 2004, introduced by the distinguished senior Senator from Rhode Island (Mr. PASTORE). The bill seeks to correct an erratic pattern of recent decisions by the Federal Communications Commission which has resulted in much consternation among our Nation's broadcasters—a pattern of decisions which do not serve the public interest.

A broadcaster is granted a license for a fixed period. Issuance is based upon a finding that the prospective licensee will operate in the "public interest, convenience, and necessity," to use the words of the Communications Act.

Renewal of this license is likewise based upon a showing by the licensee that he has operated in the public interest. In the past a showing of such station operation has entitled the broadcaster to license renewal for a new term. The confidence of renewal, upon a showing of serving the public interest, is important to the community and broadcasters who must make a very substantial investment if they are to provide the kind of service to which the public is entitled.

Apparently the FCC has now changed its policy regarding renewals. Recent far-reaching and potentially disruptive actions of the Commission indicate that the use of the word "renewal" is inappropriate. Now, it is intimated, it is not a "renewal" process, but an "issuance" process. This dramatic shift of policy was highlighted in a renewal proceeding involving a station in a major eastern market. Even though the existing licensee may have a good record, a new and unproven applicant may file for the license. Without involving myself in the merits of any particular case, I would like to comment briefly on the rationale of recent decisions and what it portends for the future, not only for broadcasters but for the healthy maintenance of a viable broadcasting system in the United States. We all know and recognize that the radio and television stations of the United States comprise the most advanced and far-reaching communications system in the world. No nation has achieved the competence, fairness, and completeness in news and public affairs. We all owe a debt to the many stations who responsibly fulfill their public interest obligations.

Prior to recent FCC decisions, station licensees assumed that prior record of service in the public interest would be of paramount importance in the license renewal process. Such an assumption apparently was incorrect. Now it appears, any newcomer may pit his "blue sky" promises against the performance of the existing licensee. Clearly, such a change is grossly unfair to the licensee who has adequately served his community. It is also unfair to the community to equate "mere promises" with "actual performance."

The proposed legislation seeks to correct this injustice by requiring that the FCC make a threshold determination with respect to the performance of the licensee. If the FCC finds that the licensee has been operating in the "public interest, convenience, and necessity," it should renew its license. If it finds that the licensee has not operated in the public interest, then opportunity will be offered to new applicants to apply for the facility which has been vacated.

I must emphasize that the bill does not seek to protect the unprincipled broadcaster in any way whatsoever—but it does recognize the importance of a long-term commitment and adequate investment to serve the public interest, and that is what the Communications Act of 1934 is all about. I heartily endorse the bill introduced by the distinguished Senator from Rhode Island and urge the Commerce Committee to schedule immediate hearings so we can get the legislative ball rolling. Time is of the essence. For the RECORD, the language of Senator PASTORE's bill is as follows:

A BILL TO AMEND THE COMMUNICATIONS ACT OF 1934 TO ESTABLISH ORDERLY PROCEDURES FOR THE CONSIDERATION OF APPLICATIONS FOR RENEWAL OF BROADCAST LICENSES

Section 309(a) shall be amended by adding the following after the final sentence thereof: "Notwithstanding any other provision of the Act, the Commission, in acting upon any application for renewal of a broadcast license filed under Section 308, may not consider the application of any other person for the facilities for which renewal is sought. If the Commission finds upon the record and representations of the licensee that the public interest, convenience and necessity has been and would be served thereby, it shall grant the renewal application. If the Commission determines after hearing that a grant of the application of a renewal applicant would not be in the public interest, convenience and necessity, it may deny such application, and applications for construction permits by other parties may then be accepted, pursuant to Section 308, for the broadcast service previously licensed to the renewal applicant whose renewal was denied."

ASSOCIATE JUSTICE ABE FORTAS

Mr. TOWER. Mr. President, a legitimate question of propriety has been raised concerning Associate Justice Abe Fortas: the question of whether it was proper for Mr. Fortas to accept a $20,000 fee from the family foundation of Mr. Louis Wolfson while Mr. Fortas was a member of the Supreme Court. Justice Fortas did return the money after Mr. Wolfson was convicted for criminal violation of the Securities Act, but Mr. Fortas has not denied a charge that he kept the money for some 11 months.

Last year the Senate was asked to confirm the nomination of Mr. Fortas as Chief Justice of the United States. Many of us believed the appointment unwise. One of the many reasons for this belief was the existence of several other questions of propriety regarding Mr. Fortas.

When a motion to end debate on the nomination of Mr. Justice Fortas was presented in this body, the required two-thirds majority vote could not be mustered and the nomination could not be confirmed.

Mr. President, I was among those Senators who voted against cloture. I feared the several questions of propriety surrounding Mr. Justice Fortas then, and now those fears have been renewed by this most recent additional question of propriety.

A few days ago, the distinguished Senator from Pennsylvania (Mr. SCOTT), the minority whip, called on the Supreme Court itself to conduct its own investigation to determine whether Mr. Justice Fortas committed an act of impropriety in accepting a fee from the Wolfson Foundation. In the alternative, Senator SCOTT suggested that the Court call on the last five presidents of the American Bar Association to conduct a similar inquiry.

I wish to associate myself with that suggestion. I think an inquiry either by the Court itself or by an eminent body selected by the Court would be both fair and proper.

SOIL STEWARDSHIP WEEK

Mr. BURDICK. Mr. President, Soil Stewardship Week is being observed this week by soil conservation districts across America. These observances emphasize man's obligation to God as a steward of the soil, water, and other resources.

This year's theme, "Confront the Issues," underscores the responsibility of citizens in dealing with current issues involving stewardship of renewable natural resources. Some 3,000 soil conservation districts in America are sponsoring this special observance week for the 15th consecutive year. A specially illustrated booklet places emphasis on confronting the issues in today's complex world.

Soil Stewardship Week is a significant recognition of the faith-man-nature tie. I believe its importance will greatly increase as we continue to become an even more urban nation. People living on the land are reminded of the importance of soil every day they work the fields. Urban people will need forceful, formal reminders that their stake in good stewardship is just as vital.

Today, most of the conservation measures used by farmers and ranchers make economic sense to them. Many of them beautify the land. The average good farmer may not talk about treating his land well because he loves it as a gift from God, but he will act this way. Conservation with staying power must include an attitude in which a man has the desire to keep his land in good repair. Any true conservationist becomes a steward when he recognizes that nature, to man, is both a "natural resource" and a natural responsibility.

The present shows many future goals for soil stewards. The true steward, conscious of his responsibility to God for the care of the wealth of resources He has placed at our disposal, will welcome the additional goals as an opportunity. He will see in the goals a test of his initiative and resourcefulness—and a clear chance to demonstrate, in word and deed, his allegiance to God's will.

NEW JOURNALISM INSTITUTE

Mr. FANNIN. Mr. President, the University of Arizona, in Tucson, has made what I consider to be a very significant announcement in the field of journalistic studies. Prof. Philip Mangelsdorf, head of the department of journalism, has announced the formation of the Arizona Journalism Institute to encourage excellence in Arizona journalism.

Because there are occasions when men in public office find themselves critical of our present news media, I think it is important that we recognize and applaud efforts—particularly those efforts that significantly involve the media themselves—to improve the quality of journalism.

I therefore ask unanimous consent to place in the Record a letter from Professor Mangelsdorf, in which he gives me information concerning the plans and goals of the Arizona Journalism Institute.

Just as I believe that our free press institutions are benefited in the free exchange of ideas within our society today—I even think the news media benefits from criticism now and then—I think that every effort to improve the quality and upgrade the standing of the journalistic profession should receive the proper recognition.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The University of Arizona,
Tucson, Ariz.

Hon. Paul J. Fannin,
U.S. Senate,
Washington, D.C.

Dear Senator Fannin: The Arizona Journalism Institute has been established by the University of Arizona Department of Journalism as a permanent center for study and conference among professional journalists within the state. It is located within the department's campus facilities in Tucson, Arizona.

Primary goal of the Arizona Journalism Institute is to encourage excellence in Arizona journalism through continuing education of the professional newsman. A secondary objective is to foster greater dialogue within the profession.

Several approaches will be explored to accomplish these goals.

The Arizona Journalism Institute will publish a regular journal entitled "The Arizona Journalist," which will describe trends and attempt to evaluate performance within the profession. In addition, "The Arizona Journalist" will contain news of statewide interest taken from various professional and trade journals. It is to be circulated in the hope of reaching every career journalist in the state.

In addition to the journal, the Institute is forming plans for a series of seminars for working newsmen and editors. These seminars will survey techniques within the field of journalism and provide a forum for backgrounding of the newsmen in other fields.

The Community Journalism Workshop, in which the Department of Journalism sponsors a one-day training seminar for journalists from smaller newspapers, will be incorporated as an activity of the Institute. This is an example of the type of projects the Institute will develop, although the range of undertaking could reach from workshops and speakers to higher-level meetings of editors for the exchange of ideas.

Also under consideration are international exchanges with journalists and educators from Mexico and Latin America.

The Arizona Journalism Institute also has plans to publish reference material in conjunction with the seminar program.

The Institute must develop new techniques and, perhaps, discard some old ones to insure its success. Coordination between professionals and educators now exists in many professions, including medicine, law, engineering and science.

Director of the Institute is George Ridge, Jr., a member of the journalism faculty, Ridge, a University of Arizona law graduate who teaches Law and Ethics of the Press, was a reporter and editor for 15 years in Arizona and overseas.

A 16-member Board of Governors, representing the varied specialties of journalists throughout the state, will act as an advisory and consulting body for AJI. Members of the board include Bob Allison, Phoenix Gazette sports editor; Platt Cline, president of the Arizona Daily Sun, Flagstaff; Frances Gerhardt, assistant editor of the Arizona Record, Globe; Hugh Harelson, Arizona Republic news editor; Frank Johnson, Arizona Daily Star managing editor; Donovan Kramer, editor and publisher of the Casa Grande Dispatch; Clyde Lowery, Tucson Daily Citizen managing editor; Jonathan Marshall, publisher of the Scottsdale Daily Progress; Ed McDowell, Arizona Republic editorial writer; Walter Meek, Arizona Republic reporter; J. Edward Murray, Arizona Republic managing editor; Jones Osborn, editor and publisher of the Yuma Daily Sun; Lowell Parker, Phoenix Gazette managing editor; Barbara Sears, Arizona Daily Star city editor; Tony Tselentis, assistant managing editor of the Tucson Daily Citizen; and C. R. Waters, president of the Mohave County Miner.

Very sincerely,

Philip Mangelsdorf,
Head of the Department.

TRAIN DERAILMENTS INCREASE—ACTION NEEDED

Mr. HARTKE. Mr. President, an editorial published recently in the Palladium-Item of Richmond, Ind., reflects a growing concern in this country about railroad safety. The number of rail accidents has increased dramatically in recent years, and major wrecks have visited damage and destruction on many communities. Already this year major accidents have taken several lives and endangered hundreds more.

In the last 16 months, two dangerous accidents occurred within 50 miles of Richmond, Ind. Both required evacuation of townspeople and both resulted in major fires and explosions. It is natural that the Palladium-Item should exhibit a special concern in this matter—a concern that ought to be shared by more and more Americans who face the potential damage that derailments can inflict.

The editorial concludes:

> It's quite clear that something must be done.

On May 20 and 21, the Subcommittee on Surface Transportation will begin hearings on rail safety legislation in the belief that something can be done.

I ask unanimous consent that the editorial, entitled "Train Derailments Increase," published in the May 5 issue of the Richmond, Ind., newspaper, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Train Derailments Increase

Increasing concern is being felt at national levels over the growing number of train derailments. It's a question of keen interest locally because this area has been the scene of two extremely dangerous ones in the past 16 months.

One which occurred a little over a week ago near East Germantown caused cars laden with chemicals to explode. Another took place a year ago last January at Dunreith. Property damage in each instance was high.

The most recent wreck has been blamed tentatively on a broken casting, a part of the undercarriage of a railroad car. It was not until a year later than an official report on the Dunreith pileup placed blame on a broken rail, but the cause still was listed as "probable."

That no lives were lost in either case is fortunate. But this fact does not take away from the extreme dangerousness of what happened, nor does it require much speculation as to how tragic the results easily could have been.

Sen. Vance Hartke, D-Ind., will use this latest wreck as a means to emphasize the

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need for a federal railway safety act. Railroad accident investigations, federally, now come under the jurisdiction of the National Transportation Safety Board, set up by the new Department of Transportation.

Civil Aeronautics Board (CAB) investigators now assigned to rail crashes have expressed surprise over the absence of what they call meaningful federal safety standards for railroads coupled with adequate procedures for "following up" accidents to determine their causes.

Joseph J. O'Connell, chairman of the National Transportation Safety Board, looks upon increasing train derailments as one of the country's "most serious" safety problems. There were 2,671 derailments in 1961. There were 5,487 in 1968, more than double those of seven years ago.

O'Connell has been quoted as feeling that the primary cause "lies in the field of maintenance" of railroad trackage and running stock.

A report on the Dunreith derailment was made public last Jan. 16. Just a little over a week later there was another derailment, this one at Laurel, Miss.

A wheel of a car carrying propane gas collapsed. Fourteen other cars, each also loaded with 30,000 pounds of the same gas, exploded. Two persons were killed; 33 hurt; 54 homes completely destroyed, 1,350 others damaged; two factories destroyed; six schools and five churches badly damaged.

Now the cause of that accident apparently has been found. It is being blamed on an irregularly machined component on the wheel which cracked under the stress.

Freight car pileups usually are costly only in the damage to what they contain, and to railroad property. But they become especially dangerous to entire communities when the cars are carrying flammable fuels or explosive, toxic chemicals.

Obviously it's a problem of which the railroads are aware. Admittedly a federal railway safety act won't automatically insure safety nor prevent all future accidents. But it may be able to set up guides and standards which, if followed, at least could reduce these accidents in number.

It's quite clear that something must be done.

SOCIAL CONSCIOUSNESS IN BUSINESS

Mr. JAVITS. Mr. President, all too often we hear of the lack of social responsibility and social conscience of many of our Nation's larger businesses. Certainly some of this criticism is justified; however, more often than not we hear only one side of the story and are not made aware of the positive contributions business is making. I ask unanimous consent to have printed in the RECORD an article entitled "Business Tackles the Ghetto," written by Richard Martin, and published in the May-June issue of the American Way. This factual article recounts numerous examples of how many of our Nation's leading corporations and their executives have taken a vigorous role in training and in employing our black and hard-core unemployed citizens.

It is my hope that making this article known to Members of Congress will inspire others to undertake similar activities and encourage those now active in this area to continue with even bolder programs.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BUSINESS TACKLES THE GHETTO

(By Richard Martin)

Big business is taking a major and growing role in the struggle of black men for economic equality. Corporations are making strenuous efforts to provide jobs for ghetto dwellers by recruiting and training the hard-core unemployed. Corporate money and manpower is being mustered for imaginative new efforts to improve the education, housing and recreation facilities of Negro communities. Companies are setting up new plants and subsidiaries in ghetto areas and are providing capital technical assistance and encouragement to Negro-owned enterprises in slum areas. The effort is massive and it is showing results.

Some of the impetus for the growing involvement of big business in the ghetto is self-interest, of course. Executives are quick to admit that if the nation's big cities continue to deteriorate, corporate investments will deteriorate right along with them. Alternatively, companies view America's poor as a vast potential market.

But among government officials and executives of the nation's major corporations there's a growing conviction that American business should do much toward easing the urban crisis because it has the talent and will to do so.

George Champion, chairman of Chase Manhattan Bank in New York, explained the growing corporate involvement in a recent speech: "Isn't it time somebody stood up and said business should participate because it's the right thing to do—the humanitarian, the moral, the Christian-like thing to do?"

Alfonso J. Cervantes, the mayor of St. Louis, is even more emphatic. He maintains that corporate involvement in the ghetto offers the only solution to the urban and civil rights crises. He says: "Ultimately it must be private industry that figures out ways to integrate the disadvantaged—especially the Negro—into the economy and to dissolve the slum, or it will soon be necessary to despair not only of the slums, but of the total central city."

Many of the most notable company efforts are going into providing jobs for Negroes. The proportion of black workers and employees from other minority groups has risen sharply over the past two years and is still growing rapidly. Companies of all sizes are hiring and training Negroes to fill entry-level jobs. More significantly, many companies are also striving to keep Negroes they train on the job by providing opportunities for them to earn promotions and climb well above the bottom rung of the corporate ladder.

Although the Federal Government underwrites much of the cost of training the hard-core unemployed, companies say their efforts to find, hire, train and retain such employees require the expenditure of considerable time and energy and are a constant source of frustration to corporate personnel men.

"One difficulty in motivating jobless people is that many have had a past record of failure—in school, at work, in family life—and tend to expect failure in applying for jobs at a technically oriented company such as ours," says Monroe V. Dill, director of industrial relations at Eastman Kodak Company.

Even the most highly motivated of the unemployed require special attention and some preferential treatment from personnel men and supervisors. In dealing with the hard-core, "It's necessary not only to reach out to get them, but also to dip into their personal lives" to keep them on the job, says Frank McClure, personnel vice president at Radio Corporation of America. Mr. McClure says RCA personnel men often go to the homes of newly hired hard-core employees who don't show up for work.

An RCA plant personnel man on such a visit found that an eager, hard-working youth's record of absenteeism was caused by an older, unemployed brother who kept stealing the young man's clothes. The problem was solved shortly afterwards when police jailed the older brother on other charges. One RCA man in New Jersey found that another worker was consistently late because he was spending more than an hour riding four different buses to get to work. The personnel man showed him where to catch a train that would take him to the plant in only 30 minutes.

Despite the obstacles, corporate efforts to hire and train the hard-core are making a dent in the problem. The National Alliance of Businessmen, now beginning the second year of its Job Opportunities program, had such success in its efforts to find and fill jobs last year that it has doubled its goals this year and is more than doubling the number of cities—to 125—involved in the program. More important, 85,000 of the workers who have been hired were still on the job at the beginning of this year, a retention rate of 68%.

Oil companies provide one example of the way job and training are made available through the NAB program. Humble Oil and Refining Company, chief domestic subsidiary of Standard Oil Company, New Jersey, has set up a training course to teach unemployed family men the service station business in four weeks of hard study at the company's Clifton, New Jersey, service station center. Mobil Oil Corporation is conducting a program to train hard-core unemployed as service station attendants in five cities and has made two big Mobil stations in the Watts section of Los Angeles available to a community action group for job training programs. Shell Oil Company has projects in six cities designed to select, train and place the hard-core unemployed in meaningful jobs, and last summer reserved 20% of its nonprofessional summer jobs for disadvantaged youths.

To hire the unemployed, companies have drastically revised their employment criteria, eliminating aptitude tests and high school degree requirements and ignoring police records in many cases. A spokesman for Westinghouse Electric Company says: "What we're requiring of the hard-core is that they pass a physical examination and be able to read safety regulations and plant rules."

Some of the most successful efforts to employ the formerly unemployable are being made by Detroit's auto companies. Since the riots that razed blocks of Detroit in 1967, no industry in the nation has worked as hard to provide jobs. In the last eight months of 1968 alone, General Motors hired 21,700 jobless men in its plants throughout the country. Ford Motor Company hired 9,300 and Chrysler Corporation took on 5,800 in the same period.

To turn trainees into productive employees, auto men sometimes go to their homes to roust them out of bed or arrange for a babysitter. They take elaborate steps to tell each employee which bus to catch to get to the plant and show them how to make use of social agencies to get everything from eyeglasses to financial advice. Like other companies, the auto makers are also setting up programs to teach reading and arithmetic to those who need it, and they are beginning to offer courses in the plants leading to high school equivalency certificates.

"Our experience with employment of the hard-core unemployed shows a good percentage can be made into productive employees," says GM's chairman, James Roche. But he adds, "I wouldn't say we have more than scratched the surface."

Probably the most ambitious effort of all is being undertaken by the nation's largest private employer, the Bell System. Four of American Telephone & Telegraph Company's operating entities—New Jersey Bell Telephone Company, Western Electric Company, Bell Laboratories and the Long Lines depart-

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ment—are combining their efforts to provide work for people from the central city areas of New Jersey where unemployment is high.

Western Electric has opened a factory in downtown Newark in a leased, three-story building that was formerly an automobile agency. The plant hires only persons who can't qualify for employment at other Western Electric plants. There is no pre-employment testing and normal educational requirements are waived. Only limited reading and writing ability is required. Medical standards have been relaxed. The company gives corrective safety glasses to employees who need them, and urges those with bad teeth to get them corrected.

The most significant aspect of Western Electric's program, however, is that it is designed to promote steady turnover in the Newark plant by preparing employees there to move into higher paying jobs. "Those who demonstrate ability to perform effectively in an industrial environment will be transferred to other company locations in Northern New Jersey," promises Paul A. Gorman, Western Electric president. "When this occurs, additional hard-core unemployed will be hired to take their places."

Big companies are making significant contributions to ghetto education. Consolidated Edison Company in New York hires high school students identified as potential dropouts for part-time jobs—with the stipulation that the youngsters stay in school and maintain passing grades. "Our primary objective with these kids is to give them a job so they'll have the money and the incentive to finish school," says a company spokesman.

In New York City, the Urban League and a handful of major corporations have set up 14 street academies to provide remedial instruction and counseling for ghetto school dropouts in an effort to get them back into the educational mainstream. "The objective is to pick up kids who may never have thought of going to college and prepare them for it," explains Paul Gibson, Jr., director of urban affairs at American Airlines.

American's street academy is scheduled to open this month. It will provide instruction and counseling for youngsters who otherwise might drop out of school. Between 7 p.m. and 9 p.m., after normal hours, American employees will staff the academy to provide special tutoring and counseling services for youngsters who have stayed in school and do wish to go on to college.

At American Airlines, even stewardesses are assisting the corporate effort. Among other projects, American is conducting personal grooming clinics, its American Youth Beauty Workshops, in cities throughout the country. The workshops, staffed by stewardesses, are to teach young ladies the good grooming methods necessary to find and hold jobs.

In Marion, Indiana, RCA hires regular public school teachers to teach classes at the plant after each work turn ends, enabling RCA employees who haven't finished high school to complete the requirements for their diplomas. In Harrison, New Jersey, RCA has sponsored after-hours machine shop classes in its plant for non-employees.

Ohio Bell Telephone Company offers ten-week Saturday courses in basic electricity for Cleveland high school seniors, paying them regular wages during the classes, and offering jobs after high school graduation to youngsters who qualify. Pacific Telephone Company in Sacramento, California, likewise is trying to encourage youngsters to make the most of their educational opportunities in high school by giving students, teachers and counselors firsthand looks at the company's operations. Thus, the youngsters will have a better idea of what their performance in school can mean in job opportunities after graduation.

Two Cincinnati high schools are trying out a new curriculum developed by GE to teach high school youngsters skills required of electrical appliance repairmen. The students take courses in basic electricity, electronics, air conditioning and other subjects, and receive on-the-job training at GE appliance dealers' shops.

In Detroit, Michigan Bell Telephone Company and Chrysler Corporation each have adopted ghetto high schools. Northern High School, with 1,800 students, 98% of whom are Negroes, calls on Michigan Bell for manpower, technical and management skills and training facilities. A Michigan Bell employment manager conducts a twelve-week night course at the school to teach youngsters about job interviews, application forms, employment tests, grooming, deportment and other skills that will help them find and hold jobs after graduation. Michigan Bell also provides part-time jobs after school for about 20% of the school's senior class.

Chrysler's parental interest in Northwestern High School includes much of the same kind of help. In addition, Chrysler last year installed a modern, $150,000 garage at Northwestern to train auto repairmen.

Aetna Life Insurance Company has adopted a high school in Hartford, Connecticut, as have Bell System Companies in Chicago and Milwaukee. Ford, GE, Avco and Procter & Gamble Company recently adopted the entire, 2,000-pupil school system of Lincoln Heights, Ohio, a mostly Negro suburb of Cincinnati.

Housing, too, is becoming a major focus of business involvement in the ghetto. In Camden, New Jersey, six companies, led by RCA, have set up a nonprofit group to provide low-cost homes for ghetto dwellers. Using a revolving fund of $500,000, the group rebuilds empty houses and sells them to families whose income doesn't exceed $4,400. By arranging local financing for the buyers, the organization has helped families move into reconditioned houses for as little as $200 down and $70 a month.

In a similar act of corporate citizenship, Warner & Swasey Company spent $134,000 renovating a filthy, 40-year-old apartment building in the Hough area of Cleveland to produce thirteen three-bedroom apartments. The effort provided experience in rehabilitation to a Negro contractor who had had no previous involvement in such work and encouraged other businesses and organizations to make similar efforts.

B. F. Goodrich Company launched a program in Akron to provide a sizable, interest-free revolving fund to serve as seed money to help finance housing for low-income families. Harry B. Warner, president, says the company "examined various alternatives for broadening Goodrich's role in helping to make Akron a still better city. The need for improved conditions for many families in depressed areas" prompted this effort.

Companies also are making efforts to funnel capital into Negro-owned enterprises. Southern California Edison deposits its income-tax withholding funds, amounting to about $50,000 a month, in the predominantly Negro Bank of Finance in Los Angeles. Safeway Stores, Inc. buys potatoes for some of its retail stores from a Louisiana cooperative made up of poor Negroes.

Western Electric buys products from Negro-owned and operated firms in Los Angeles and Chicago in "a deliberate effort to help nurture new businesses run by Negroes." In Boston, John Hancock Life Insurance company helped provide the initial financing to set up Unity National Bank, a multiracial bank in Roxbury.

American Airlines recently "asked employees to examine all of the company's local purchasing practices to look for ways in which we can buy more of our goods and services from Negro-owned or operated companies based in the cities in which we have facilities," says Mr. Gibson, the urban affairs director for the airline.

Many banks are liberalizing their loan requirements, especially for small businesses, to give Negro businessmen a break. Chase Manhattan Bank representatives have made block-by-block visits to black-owned businesses in Harlem looking for loan prospects; Chase officers and staff members are giving advice and encouragement to developing Negro businesses.

In Chicago, Swift & Company has helped Negroes establish ice cream parlors. Safeway, in several cities, is helping to sustain Negro cooperative supermarkets. One of them, in San Francisco, was on the brink of financial disaster when Safeway stepped in and provided management consulting services for the token fee of $1.

John Hancock is making available to black entrepreneurs a "skills bank" made up of lawyers, accountants, investment specialists and other experts who can provide their talents and services at little or no cost. Some Companies are encouraging local Community Fund officials to change their priorities in order to find new ways to better serve poor communities with money donated by businesses and employees.

"These are funds we as businessmen are raising and that our employees are contributing through payroll deductions," explains one corporate vice president. "We should see that they are judiciously distributed among those who need them the most."

There is no question that corporate efforts are making inroads into the deep-seated problems of the cities. But progress so far is too slight and too slow to satisfy many people. Robert H. Gudger, manager of personnel relations for American Airlines, complains: "The torrent of eloquence calling for action is equaled only by the flow of suggestions that committees be appointed, investigations be carried on and pilot projects started. These next-week warriors, willing to risk only a token force in the battle, miss the urgency of the war."

Corporate executives are spending a great deal of time working on civil rights and urban affairs. The National Alliance of Businessmen, business's own instrument for dealing with the crisis, draws on the talents of top management throughout the country. Other agencies, such as the Urban Coalition, an organization of business, civil rights, labor, religious and urban leaders, do likewise.

Urban affairs departments are being created in more companies, and lower level executives increasingly are encouraged to devote more of their time, both off and on the job, to work on local education, housing and small business projects.

At RCA, for example, Julius Haber, vice president of community relations, and San Convissar, manager of community relations, spend full time working on civil rights and urban problems. Much of their time is spent away from RCA's New York headquarters, encouraging executives and supervisors in outlying plants and offices to get out into Negro neighborhoods, read Negro newspapers and get to know black leaders.

The two executives spend much of their time talking to ghetto residents, Negro leaders and Negro newspaper editors in cities all over the country, keeping up to date. "At the same time we're keeping ourselves thoroughly informed, these people are often getting new insights, too," says Mr. Haber. "Sometimes it's a wrenching experience for these guys who have preconceived notions of white business attitudes."

The evidence is persuasive: American businessmen are tackling the ghetto, and they're doing it seriously and meaningfully.

THE PRESIDENT'S MESSAGE ON SELECTIVE SERVICE REFORM

Mr. KENNEDY. Mr. President, President Nixon deserves the accolades of all of us for his forthright recognition of the

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need for reform in our draft. This is a subject high in the minds of our young people; it deserves a place high on our agenda as well.

President Nixon has today sent to Congress a message of great significance—a message calling for basic reforms in the way we select young men for military service.

Most young people in the United States know that the draft we have today operates unfairly, unpredictably, and unevenly. They know that avoidance of the draft is not a difficult matter for those with the means—financial and intellectual—to seek out the loopholes. They know also that other young men do not have the means to avoid the draft, and that these young men may be fighting in the jungles of Southeast Asia, and dying there. The most persistent call for basic reforms in the draft comes from these young people themselves, and many educators have long pointed out the cynicism the present system and its resistance to change has engendered in the young people.

But most of those who have studied the draft in any depth, too, have recognized the need for drastic changes. The Burke Marshall Commission, particularly, prepared an eloquent call for reform in its 1967 report. The Senate passed in May of 1967 a bill extending the draft for 4 years which permitted the President to make most of the necessary reforms, but this farsighted bill did not survive the conference committee, and the extension bill which did pass the Congress in June of 1967 was harsh and restrictive, actually making matters worse than they were before Congress took up the extension bill.

President Nixon's proposals embody the reforms we most urgently need—moving to the youngest first, adopting random selection, reducing the period of exposure to the draft, insuring that educational deferments do not become de facto exemptions, and others. The proposals come warmly welcomed by those of us who have long urged these reforms. In February, I introduced an extensive bill making these reforms and others; a number of additional Senators and Representatives have done similarly. There is no reason whatever to delay approval of the President's recommendations, and perhaps to work other needed changes in the draft laws at the same time.

President Nixon, in his message, pointed out that we do not now know whether it is feasible to move toward an all-volunteer armed force. A part of the reason is—as I and others have pointed out—that we simply do not have enough information on the costs and implications of a professional army. Until we do, our wisest course is to move swiftly to make the draft fair, predictable, and even.

THE NUCLEAR WEAPONS RACE—ADDRESS BY SENATOR PERCY

Mr. COOPER. Mr. President, on April 17 the distinguished Senator from Illinois (Mr. PERCY) made an address at Shippensburg State College, Shippensburg, Pa. His speech contained a proposal that would help to bring a halt to the spiraling nuclear weapons race. Senator PERCY stated:

> While there may well be valid scientific reasons against deployment of the present ABM system, there are also without doubt compelling strategic reasons for deferment.
>
> What I believe is required in this still tense yet hopeful international season is a mutual freeze on the further deployment of strategic missiles, offensive and defensive, by the United States and the Soviet Union. A moratorium halting the arms race should be the first topic for discussion at the forthcoming talks on nuclear weapons with the Soviet Union.
>
> At a time when both the world's superpowers have "sufficiency" in nuclear weapons and when new weapons are being developed by both countries, it is essential that a halt be agreed upon at the outset of talks. Unless we take this step, it is likely that weapons deployment during extended discussions would undermine the prospects for a meaningful agreement and make it exceedingly difficult in subsequent years to halt deployment of ABM and MIRVs on both sides.

I believe that Members of Congress and the public will find Senator PERCY's statement both timely and valuable. I ask unanimous consent that his speech be printed in the RECORD.

There being no objection the transcript was ordered to be printed in the RECORD, as follows:

THE SEARCH FOR PEACE AND THE ABM

(A speech by Senator CHARLES H. PERCY, Republican, of Illinois, delivered at Shippensburg State College, Shippensburg, Pa., Apr. 17, 1969)

We are engaged in a great debate on nuclear arms control the outcome of which could well determine whether millions of people are to live or to die. On the result rests, as well, the course this nation will chart in the next decade—is it to be a path toward destruction or detente.

The most vital foreign policy problem facing President Nixon and his Administration—aside from the need to conclude the war in Vietnam and to prevent one in the Middle East—is a need to reach an effective accord with the Soviet Union to limit the further spread of nuclear arms. Thus, the current discussion in the Senate and in the country over deployment of an anti-ballistic missile system must be viewed in the broader context of global arms control and the search for peace.

Great risks are involved in seeking to negotiate an arms limitation agreement with the Soviet Union. The difficulties inherent in and the necessity to verify compliance; the continuing problem of China; the large numbers of tactical short-range delivery systems on both sides; and the shifting international climate and political tensions all pose high challenges that must be overcome. Yet all the risks we will encounter in trying to forge an effective pact with the Russians must be weighed against the risks that the lack of such an agreement will impose on us in the ensuing decade.

There are hopeful signs as well as problems ahead on both sides of the barrier that divides us and the Soviet Union.

With their rapid buildup in strategic forces within the past few years the Russians are able to enter negotiations without conceding inferiority or exposing themselves to the possibility of being frozen in an inferior position.

On the American side, there is an acceptance by the President and his chief advisers of the concept of nuclear "sufficiency." Our leaders realize fully that beyond a certain point additional nuclear force cannot be converted into useful political pressure—although the problem is that we are not all agreed on where that point should be set.

In my judgment, President Nixon has also accomplished a great deal in moving decisively away from an ABM system ostensibly geared to defend the cities against missile attack and capable of expansion, through the expenditure of untold billions of dollars into the full-scale illusion of a "thick" ABM to the extent that such a "thick" system is ever accepted as having achieved an effective screen against enemy missiles, it becomes an offensive weapon, since it releases our policy-makers from the restraints imposed by the Soviet second-strike counterforce capacity.

Moreover, the President has managed to move us away from the "thick" system without encountering any public outcry from the military and its partisans in Congress. For this he also deserves high credit and earnest praise.

Nevertheless, I vigorously oppose the deployment of the modified Safeguard ABM system at this time because *I firmly believe that deployment may escalate the nuclear arms race; that it will not increase—and may actually decrease—our national security, and that it represents a long-term commitment in energy and tax dollars that could be far better spent in the urgent task of nation-building at home.*

A wise scholar, once said: "Those who cannot learn from the mistakes of the past are forced to repeat them." Surely, then, we have something to learn from several previous efforts to deploy a defensive screen against Soviet striking power.

In the 1950s, the United States spent more than $30 billion on bomber defenses, in two systems that our military experts later admitted were obsolete and totally inadequate even before they were completed. That was $30 billion that might have been spent on better schools, on good housing, on adequate transportation and on the hundreds of other domestic tasks pressing urgently upon our society. Much of that expenditure now lies, frozen, useless and forgotten in the Arctic wasteland.

In the 1960s, the United States has spent another $20 billion on ABM research and development. But the Pentagon has abandoned emerging defense systems when it became obvious that, years before they could possibly be deployed, the hardware and electronic controls had been rendered useless by new strides in Soviet offenses and penetration technology. All admit now that if we had deployed Nike-Zeus at an estimated cost of an additional $20 to $40 billion it would have been a waste of resources. Of course, I do not question the dedication of the military to their task. But they are not infallible in their judgment.

The Pentagon's defense budget requests have been risen from $13.8 billion in 1950 to $40.8 billion in 1960 to $81 billion in the current fiscal year. And year after year, the Congress has granted these requests in full, and even increased them, often after only the most perfunctory debate on the Senate floor. According to the U.S. Arms Control and Disarmament Agency, global expenditures for military purposes have reached levels unprecedented in recorded history—from $132 billion in 1964 to $201 billion in 1968.

Are we truly safe from harm as a people and as a planet through this great outpouring of wealth for weapons of death and destruction?

The essential fact of nuclear life in our times is that for a decade and a half the world's two superpowers, the United States and the Soviet Union, have predicated their strategic moves upon a balance of power. This balance is based, in turn, upon the concept of mutual deterrence. Today, both we and the Russians possess "second-strike" capability: that is, if either side is attacked, even by surprise, it has the power to retaliate with sufficient force to inflict what sane men

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would regard as unacceptable damage to the other side.

Both great powers have amassed in their arsenals a sufficient number of thermonuclear warheads and the means to deliver them to devastate the habitable world several times over. While the United States holds a numerical edge in the number of missiles, this is not the same as nuclear superiority.

Nuclear superiority is the ability of one power to inflict an initial strike on another of such terrible force that the other lacks the means to retaliate and inflict unacceptable damage on the aggressor. Neither the United States nor the Soviet Union possesses anywhere near such power today. Therefore, our deterrent, and, for that matter, the Soviet deterrent, will remain credible, even under the most pessimistic Pentagon estimates, until at least 1972.

Into this equation of mutual terror have now come new digits that a concerned citizenry is striving to analyze: the massive Soviet SS-9 missile that Secretary of Defense Melvin Laird repeatedly referred to in his recent testimony on Capitol Hill and that was displayed in a Moscow parade on November 7, 1967; the plan by the United States to install multiple independently targetable re-entry vehicles (MIRVs) on our submarines and on our Minuteman missiles; and, finally, the plan to deploy the Safeguard ABM, which would be in partial operation by 1972 and fully operational at all 12 sites by 1975.

Because I speak as a public official and not as a nuclear scientist, it is not for me to prove conclusively that ABM cannot succeed in performing the mission that has been assigned to the system.

Suffice it for me to say that men of great repute in the world of science—including the chief scientific advisers to the last three Presidents and the immediate past Director of Defense Research and Engineering—feel that ABM from a scientific point of view, is a mistake.

Suffice it to add that all the Pentagon's estimates are associated with untested and unprecedented maintenance, electronic reliability and computer programming standards. Their estimates assume that the defense will work as planned in a nuclear environment that is, to put it mildly, unprecedented. Highly complicated computer programs, sensitive radars and missiles fitted with electronic equipment are supposed to shoot down hundreds of incoming missiles in a situation replete with radar-blinding fireballs, electronic-disrupting blast and X-ray effects and earth-shaking detonations.

The distinguished scientist, G. W. Rathjens, told a Senate subcommittee meeting on the ABM last month: "It would be surprising if such a design [the Safeguard-Sentinel] were optimal or even close to it considering that the interceptor missiles and radars were designed to protect very vulnerable cities rather than very invulnerable missile sites."

A near-miss on a missile-site target would not destroy the superhardened missile whereas a near-miss in an urban area would destroy the area nevertheless.

While there may well be valid scientific reasons against deployment of the present ABM system, there are also without doubt compelling strategic reasons for deferment.

What I believe is required in this still tense yet hopeful international season *is a mutual freeze on the further deployment of strategic missiles, offensive and defensive, by the United States and the Soviet Union. A moratorium halting the arms race should be the first topic for discussion at the forthcoming talks on nuclear weapons with the Soviet Union.*

At a time when both the world's superpowers have "sufficiency" in nuclear weapons and when new weapons are being developed by both countries, it is essential that a halt be agreed upon at the outset of talks. Unless we take this step, it is likely that weapons deployment during extended discussions would undermine the prospects for a meaningful agreement and make it exceedingly difficult in subsequent years to halt deployment of ABM and MIRVs on both sides.

Such a freeze should be acceptable to the Defense Department. Secretary Laird has testified that our missiles on land and under the seas as well as our long-range bomber force present an overwhelming second-strike array. If a freeze—fully verifiable by both nations through satellite reconnaissance as well as other intelligence sources—is put into effect, the U.S. deterrent will remain credible into the foreseeable future.

Such a freeze should also be acceptable to the Department of State which is moving rapidly toward early missile talks with the Soviet Union. In recent Congressional testimony, Secretary of State William Rogers said: "If the Soviet Union, when we start these talks, indicates that they want to get out of the defensive missile business we can get out of it very quickly."

The stated reason for emplacing ABMs is to protect our Minuteman missiles and our bombers against the fear of a new generation of Soviet weapons. But if there is to be no new generation, then there is no reason for ABM. The time to stop, however, is now—before ABMs and MIRVs are emplaced by both nations.

A moratorium on further strategic arms deployment is simple in principle, verifiable in fact, and relatively easy to agree upon in comparison to the more complex questions of general arms limitations.

This is a reachable first step and we should strive for it without any further delay.

The time has come in the history of nations to halt this wasteful, fruitless spiral of weapons systems. Such escalation can only bring the United States and the Soviet Union to a new plateau of terror in the next decade. The cost will be hundreds of billions of dollars to each without any real net gain in the security of either.

The real question for the 1970s is whether the national interest of the United States demands that we try to protect our land missile force against the low-probability threat of nuclear war, even if the chance of effective protection or effective destruction of the counterforce is itself small over the long run.

The real question is at what cost and for how long we will continue to bemuse ourselves with low-probability nuclear threats to our national security in a world where others uniformly have less security than we do.

I believe the time has come for us as a people to learn to distinguish between a legitimate interest in insurance—which we already possess in our offensive arsenal—and an obsessive concern with an unachievable total security.

If *you*—if the American people—sense the true meaning of security in a nuclear world—and if the Russians see it as well—I am confident that together we can halt the arms race. It is urgent that we try, for soon it may be too late.

ADMINISTRATION CUTS IN FUNDS FOR EDUCATION

Mr. HARRIS. Mr. President, none of the recommendations for budget modifications which President Nixon submitted to Congress recently have drawn such universal opposition as has his proposal to reduce or eliminate programs of Federal assistance to education.

I am told that other Senators also are receiving a heavy volume of mail from students, parents, teachers, and administrators, telling of the tremendous benefits which have come about through Federal programs of assistance such as those to school libraries and counseling and guidance services and programs designed to meet special equipment needs. They want such programs continued or expanded, in spite of the administration's recommendation that no money be appropriated for any of them.

President Nixon tells us that we should save $71 million by eliminating all library book and equipment programs. In explanation it is said:

> In the context of the total Federal program for education, special programs for books and equipment are considered low priority.

I find far more convincing the arguments of three Tulsa high school students. Jayme Jones wrote me that one-third of the books in her school library were purchased with funds allocated under title II, Elementary and Secondary Education Act. Her classmate, Mary Lou Bonaros adds:

> Good books with up-to-date knowledge are needed to keep the youth of today as well educated as President Nixon says we are.

A third high school student, Robert Frohnapfel, summarizes my concern when he wrote:

> Remember that, ultimately, money may be saved, but also, in the process, the students may be lost.

I am confident that Senators on committees reviewing authorizations and appropriations in the field of education will examine very carefully any recommendation which would eliminate or drastically reduce the funding for educational programs which are only now gaining the momentum needed to produce really significant results. In addition to the elementary and secondary education programs already mentioned, I would certainly include in this category programs of financial assistance to students attending institutions of higher education.

With the development of the college work-study program, the national defense loans program and the education opportunity grants program, many students, who otherwise could not do so, are able to find a way to gain an education beyond high school. Student aid officials at many Oklahoma colleges and universities are telling me that Federal funds allocated to them under these programs are scheduled to be cut from 35 to 50 percent. Unless Congress acts to raise the recommended funding of these programs, many young people will suffer.

Of course, the biggest single reduction recommended by the administration in an education program is a $113 million cut in funding for school districts in federally impacted areas. The crisis faced by impact area schools is even more serious than this figure would suggest, since the Nixon budget allocates only $187 million for such schools whereas an amount in excess of $520 million will be needed during the coming fiscal year just to continue the program as it now exists.

Each year, those of us in this body who represent States with many heavily impacted school districts have had to fight the battle to see that adequate Federal assistance is appropriated. I am confident that we can do so again this year.

Mr. President, of the hundreds of letters I have received concerning the education budget submitted by the Nixon administration, I have selected several

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which are representative of the thinking of Oklahomans on this subject. I ask unanimous consent that they be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Carnegie, Okla.,
May 2, 1869.

Hon. Fred Harris,
U.S. Capitol,
Washington, D.C.

Dear Sir: According to many news releases President Nixon proposes cutting federal funds to education. We ask that you seriously consider what this would do to Oklahoma school children before you cast your vote in favor of the president's financial cut to education.

We feel we have made great strides in reducing class size, providing library materials, and providing a guidance programs for Oklahoma boys and girls with the federal aid provided by Title III and V of NDEA and Title II of ESEA. Cutting or eliminating federal funds for these titles would set Oklahoma boys and girls back in education many years. We are sure you realize the state can't fund these programs as the federal government now does.

As you cast your votes, imagine your child in a classroom of fifty children, guided by a teacher who has no testing results or counselor to aid her in guiding the child in mental growth, and a very meager supply of library materials in which to enrich the child's learning.

Please consider Oklahoma boys and girls carefully! If education will not bring us to higher standards in this world, then what does the president propose that will? Welfare?

Sincerely yours,
Billy and Marietta Phillips,
Public School Educators.

Duncan Public Schools,
Duncan, Okla., May 2, 1869.

Hon. Fred Harris,
U.S. Senator from Oklahoma,
Senate Office Building,
Washington, D.C.

Dear Senator Harris: I have noted with regret that President Nixon has recently recommended that the funding for three of our federal programs, NDEA Title III, NDEA Title V, and ESEA Title II, be dropped to zero for the coming year. These programs have contributed much to the advancement of our educational programs in Oklahoma, and we would certainly urge and encourage your consideration of their continuation in spite of the President's recommendations in these areas.

Sincerely,
Bob Atterbury,
Superintendent.

Velma-Alma Public Schools,
Velma, Okla., April 30, 1969.

Hon. Fred Harris,
U.S. Senate,
Washington, D.C.

Dear Sir: During the past several years tremendous progress has been made in education as a result of the Federal Government's involvement in education. Public schools are now providing a quality of education that is completely beyond the expectations we held only a decade ago. Much of the progress is a result of the educational emphasis provided by the United States Congress. Therefore, it is essential that Congress not begin to abandon education by failing to fund Title III, Title V, and Title II of N.D.E.A.

I urge you to use your vote and influence to maintain the funding of these programs.

Thank you for your time and attention.

Cordially yours,
Jerry Morris,
Principal.

Carnegie Public Schools,
Carnegie, Okla., April 30, 1969.

Hon. Fred R. Harris,
U.S. Senator, Senate Office Building,
Washington, D.C.

Dear Sir: You well know the great needs of our youth in this area for every cultural help possible. With Indians numbering over one-third of our school enrollment we find that we need more and more books and audio-visual materials to interest them. Their record of use of all print materials is surprisingly high. You see the school provides their only opportunity to read a daily paper or a good magazine or books.

Here, all of the money provided by the Title II section of the Elementary and Secondary Education Act has been used to carefully build up our collections. We have given special emphasis to selecting pertinent and interesting books. With the extension of the Act must come funding to implement such legislation. Please, remember our boys' and girls' needs and work for the appropriation which we so sorely need. We shall appreciate every effort on your part.

Sincerely,
Leah H. Law,
Librarian.

Nowata, Okla.,
April 30, 1969.

Hon. Fred R. Harris,
U.S. Senate,
Washington, D.C.

Dear Sir: I write to you as a citizen, taxpayer, and parent of the state of Oklahoma. I know, as you do, that education is the key to growth and progress for our state and our nation.

The Administration's budget, presented to Congress on April 15, 1969, calls for zero funding of Title III of NDEA, Title V of NDEA, and Title II, ESEA. The elimination of funds from these three sources will vitally effect our schools in the areas of (1) Equipment and Supplies, (2) Guidance, Counseling, and Testing, and (3) Library resources.

Our Oklahoma Schools have used these funds to improve and enrich the quality of education in Oklahoma. In order to continue these programs, they must have these federal funds.

I urge your careful consideration of these three phases of the budget: Title III of NDEA, Title V of NDEA, and Title II, ESEA.

Thank you.

Yours truly,
Mrs. Jim E. Patton.

Claremore City Schools,
Claremore, Okla., April 29, 1969.

Senator Fred Harris,
Senate Office Building,
Washington, D.C.

Dear Senator Harris: I am concerned about the proposed cuts of three of our Federal programs that the Administration recommended in the budget, April 15, 1969. These include Title III of NDEA, Title V of NDEA, and Title II of ESEA. The last two Titles will be completely eliminated because of lack of funds or appropriations under the budget proposal.

As you know, schools not only in Oklahoma, but all over the nation, have benefited greatly under these programs and we have come to depend upon them in planning our schools' programs for the future. I hope you will review these bills carefully and recognize the benefits they provide for our nation's children and will work toward restoring the appropriations and the funding of them in this session of Congress.

If there is any information or data I can provide you that would be helpful to you in reaching your decision, please advise.

Yours truly,
Walter J. Leeper,
Superintendent of Schools,
Claremore, Okla.

Porter Public Schools,
Porter, Okla., April 30, 1969.

Hon. Fred Harris,
U.S. Senate,
Washington, D.C.

Dear Sir: I regret very much seeing any cut in funds for education. Surely there are other places where such cuts in funds would be less damaging.

Especially do I want to go on record as being very strongly opposed to any slowing up of our guidance and counseling program. A dollar spent for guidance and counseling services now will later save many dollars in institutional care. Please think this over. We cannot afford under any circumstances to hinder our guidance and counseling program.

Very truly yours,
Frank Beck, Jr.,
Principal.

Washington Public Schools,
Washington, Okla., April 30, 1969.

Hon. Fred R. Harris,
U.S. Senator,
Washington, D.C.

Dear Sir: President Nixon's proposed budget cuts in Title III, Title V and Title II will seriously affect our educational program. These Title programs have improved every phase of our school. Our students have, for the first time, received counseling because of Title V, our library is on a par with the better libraries in the state of Oklahoma because of Title II and our critical subjects are getting adequate equipment because of Title III. If there is anything that you can do about the proposed budget cuts in these areas I implore you to do so.

Sincerely,
Virgil R. Wells.

Blair Public Schools,
Blair, Okla., April 29, 1969.

Hon. Fred Harris,
U.S. Senate,
Washington, D.C.

Dear Senator Harris: President Nixon's budget that was presented to the Congress on April 15th called for elimination of Titles III and V of NDEA and Title II of ESEA. Title III alone will cut more than one million dollars from the schools in Oklahoma. Title V will not provide any funds for Guidance, Counseling and Testing in our schools.

Title II of ESEA is the Library Resources bill. This particular bill is the one that I have the most interest and concern. This particular bill provides money for our library. Most schools do not have adequate libraries and this is the one way to supplement and provide better library materials.

I oppose the complete elimination of Titles III and V of NDEA and especially Title II of ESEA. I am not in accord with the Administration's budget to reduce Federal aid to education.

I will appreciate your assistance in securing monies to finance our present NDEA and ESEA programs rather than eliminate them.

Sincerely yours,
Delbert Holt,
Superintendent.

Nowata, Okla.,
April 29, 1969.

Hon. Fred Harris,
U.S. Senate,
Washington, D.C.

Dear Sir: In the past few years Federally financed aid to education has promoted the advance of many vital programs that have previously been non-existent. These programs without extensive federal control have done a great deal for the schools of Oklahoma in improvement of library, the addition of much equipment and supplies, furtherance of Guidance, Counseling and Testing, reduction of class size and many other benefits.

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I urge your careful consideration of the administration's suggested budget recommendations of April 15, 1969, in regard to Title III and V of NDEA and Title II of ESEA. The recommendation is for no funding.

I feel these Federal programs are worthwhile and beneficial to the schools of our state and should be funded.

Yours truly,

Chester Price.

Konawa Public Schools,
Konawa, Okla., April 29, 1969.

Hon. Fred Harris,
U.S. Senate,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Harris: Education in Oklahoma and especially in the Konawa School District has been raised and made more meaningful to our students with the help of federal assistance programs of Title I, Title II, Title III of NDEA, Title V of NDEA, Head start, and other Federal Title Funds which have been available to the schools. We are happy for your support of this legislation of previous sessions of the National Congress and we urge you to continue this support during this session of Congress.

It seems that an effort is being made to stop the funding of three of these Federal Title Appropriations to the schools, I speak of: Title II ESEA, Title III of NDEA, and Title V of NDEA. If these are lost to our educational programs we will be forced to cut down on the purchase of equipment and supplies, Library books, and to slow down on the operation of Testing and Guidance work among our school students. The children of our state need these programs to continue the improvement of educational services.

The future of America lies in the development of the potential ability of her young people. We believe that the continued funding and operation of these Federal Title Programs are necessary if this improvement is to continue.

I urge you to support this legislation with your vote and to use the strength of your position as a leader in the U.S. Senate toward the continuance of these Title Programs. Thanks very much for your previous help toward the improvement of our educational problems and the elevation of education in general in our state and nation.

Yours very truly,

A. W. Barrett,
Superintendent.

Oklahoma City Public Schools,
Oklahoma City, Okla., April 30, 1969.

Senator Fred R. Harris,
U.S. Senate,
Washington, D.C.

Dear Senator Harris: I am writing in regard to the present hearings on the Elementary and Secondary Education Act. Please do everything in your power to see that the various titles are fully funded. The amounts should be increased, not decreased or eliminated!

As a school librarian in Oklahoma City, I have seen the vast difference that federal funds can make. Our elementary schools now have centralized libraries (media centers) and in most cases have clerical assistants to staff them. The number of elementary librarians serving these schools has been increased although we do not have one librarian per building. The secondary libraries have added many books, much audio-visual equipment, and a great portion of the filmstrips, records, maps, tapes, kits, and other non-book media that they presently have through the use of federal funds.

This year I came to a newly integrated junior high school. We have worked toward establishing a media center to replace our previous "books only" library. The ESEA has made much of our progress possible; we still have a very long way to go. Media and equipment are expensive. For example, a filmloop (8mm film in a cartridge) costs $16.00 to $23.00 while a projector costs $108.00. To meet the new NEA–ALA standards for school libraries, we should have a basic collection of 500 filmloops and 34 projectors; we have 34 filmloops and two projectors. Without federal assistance, I doubt that we will even approach the national standards. How disheartening it must be to work in some of our smaller and poorer school systems in Oklahoma!

As an individual and a taxpayer, I would prefer that a great portion of my tax dollar go toward strengthening our schools. The ESEA has made much progress possible, and I hope that the act will be extended, and allocations increased to full amount allowed. Much help is needed to make our school libraries what our children need and deserve. An excellent example of what can and should be done is Kennedy Elementary School in Norman; I hope that you will visit it soon.

Yours truly,

Mrs. Edith LaForge.

Ada Chamber of Commerce,
Ada, Okla., May 1, 1969.

Hon. Fred Harris,
U.S. Senate,
Washington, D.C.

Dear Senator Harris: All of us feel the economic pinch of inflation brought about by the war and excessive spending. We are all for economy in those areas in which we can intelligently forego expending public funds at this time.

Education is absolutely essential if we expect our economy to move ahead. We are more aware of the importance of education today than ever before. There are very few employment opportunities for an untrained person. A business that will survive and change with the times must have educated employees. I appeal to you on behalf of our community and area to use your strong influence to see that education continues to get adequate federal funds to supplement local and state funds.

Sincerely,

Hugh Warren,
President, Ada Chamber of Commerce.

Guymon Public Schools,
Guymon, Okla., May 2, 1969.

Dear Senator Hart: I am very concerned about the proposal to cut Title III and V of NDEA and Title II of ESEA funds to public schools. These titles have been a very much needed incentive for schools and administrators in allotting funds to the programs which they fund. There has been much progress in these areas since these funds have become available which possibly could never have taken place had it not been for them.

People concerned with education are just beginning to realize how these vital areas, counseling and library materials, can enhance the entire school program. To withdraw these funds would certainly by a crippling blow to our schools.

With all the social problems we are now facing, it is imperative that we reach personally as many students as possible and seek to help them develop an awareness of and understanding for the society in which they live. Both of the areas which I have mentioned are ones in which a student is able to receive individual attention. I am sure you are already aware of this fact.

I would like very much to seek your aid in maintaining these important programs in educating our people to the need for these important programs in educating our people to the need for these programs. If there is any way in which I can serve in this capacity, I will be glad to do so. Thank you for your interest and concern.

Sincerely,

Elton N. Stewart,
Counselor.

COMMENTS UPON THE SUPREME COURT DECISION SETTING THE BOUNDARY OF TEXAS

Mr. TOWER. Mr. President, on May 5 of this year, the Supreme Court of the United States arbitrarily redrew the boundary of the State of Texas in regard to its offshore land, in direct contradiction of an earlier Supreme Court decision on this same matter. By its action, the Court denied to the State of Texas a considerable amount of offshore land that had been Texas' since she joined the Union in 1846.

I have previously introduced a measure into the Senate to correct this situation, S. 1619, which would set for all time the boundary of the State at that point where it existed in 1846 when Texas entered the Union. This action is necessary in order that lands belonging to Texas are returned to her and in order to make certain that in subsequent decisions the boundaries are not again changed. A "floating" boundary such as the one defined by the Supreme Court is an intolerable situation which must be corrected at the earliest possible time. The current situation in which the boundary changes every time there is an erosion has been rejected by both the Court and competent international tribunals time and time again; the most recent instance of this being when the United States finally agreed to return some land in the Chamazal area of El Paso, Tex., to Mexico; this land had accrued to Texas when the Rio Grande, which forms the border in that area, changed its course. Both nations have now realized that boundaries must be based upon something more than the whim of the weather. It is now time for us to reassert this doctrine in regard to the boundaries of the constituent States of these United States.

PROPOSED ACQUISITION OF B. F. GOODRICH BY NORTHWEST INDUSTRIES — COMPANY VERSUS CONGLOMERATE

Mr. SAXBE. Mr. President, I recently expressed deep concern over the steadily increasing number of mergers and acquisitions of solvent companies by conglomerate giants. As I previously stated, when studies showing the number of mergers and acquisitions are viewed in context with the number of corporations holding the manufacturing assets of this country, the conclusion is inescapable that this Nation is headed toward a situation where a relatively small number of corporations will hold the bulk of the country's manufacturing assets. This would certainly be an unhealthy economic situation.

The administration has taken steps to establish a new antitrust policy utilizing section 7 of the Clayton Act to test conglomerate takeovers on the basis of substantial lessening of competition. I commend both the administration and the Justice Department on their attack against the acquisition of the Jones & Laughlin Steel Corp. by Ling-Temco-Vought and the merger of International Telephone & Telegraph with Canteen Corp.

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At this time, however, I would like to direct the attention of Senators to the proposed takeover of the B. F. Goodrich Co. by Northwest Industries. This pending transaction illustrates well what aggressive company management can do to stem the conglomerate tide that currently threatens our entire economy.

B. F. Goodrich, the Nation's fourth largest rubber producer, is headquartered in Akron, Ohio, and has a payroll of $126 million in that State alone. The company has seven major plants and a research center in Ohio, as well as plants throughout the United States and abroad. In short, Goodrich is a strong company with great business longevity managed by competent individuals concerned about its products, employees, and stockholders as well as its business image and position in the community.

Northwest Industries, on the other hand, has been in existence just over a year. The conglomerate was formed in April of 1968 by combining two companies with business operations in railroads as well as steel, chemical, and underwear manufacturing. Since its formation the conglomerate's operating earnings have declined, and it recently announced operating losses for the first quarter of 1969. Northwest's fight for control of the Rock Island Railroad has been faltering. Its bid for Home Insurance and an attempted merger with Swift & Co., also failed. By and large, the management of Northwest is primarily interested in diversification for tax shelter purposes and could add little to the growth of Goodrich. Thus, the tangible result of Northwest's acquisition would be to add new product lines and increase the power and influence of the conglomerate.

While the proposed acquisition came as somewhat of a surprise to Goodrich, its management soon rose to meet the challenge. Goodrich purchased Gulf Oil's 50 percent interest in Goodrich-Gulf for 700,000 new Goodrich shares, thus putting as many shares as possible into friendly hands. A temporary injunction was initiated against Northwest alleging violations of Federal security laws. This temporary order was later denied. Goodrich acquired Motor Freight Corp., and filed a petition with the Interstate Commerce Commission, asserting that this merger required Northwest to get ICC approval of their proposed takeover. Goodrich then prevailed upon the antitrust division of the Justice Department to ask Northwest to delay the proposed tender offer for Goodrich stock saying that the tentative acquisition would raise serious questions under section 7 of the Clayton Anti-Trust Act. The Department promptly complied with the company's request.

To date, Goodrich has been able to withstand the strain of lawsuits and stockholder pressure initiated by Northwest. The Goodrich management seems to have fought the attempted acquisition to a standstill.

It is encouraging to see a solid, reliable company withstand the predatory advance of a conglomerate. I applaud the efforts of the Goodrich directors and officers to keep the company from becoming a small part of yet another complex conglomerate. Goodrich has utilized every avenue of self-help. They have projected their fight into the courts. I sincerely hope the administration and the Justice Department will take note of the efforts of the Goodrich management to keep the company intact and study further possible action under section 7 of the Clayton Act to prevent his impending acquisition by Northwest Industries.

THE PESTICIDE PERIL—VII

Mr. NELSON. Mr. President, during the past 2 weeks the pesticide industry has stated its defense for the use of DDT in Wisconsin during hearings before the Wisconsin State Department of Natural Resources. A petition to ban DDT is being advocated by various citizens groups including the Citizens Natural Resources Association of Wisconsin, the Izaak Walton League, and the Environmental Defense Fund.

In the defense testimony, as much information critical of the use of DDT and other persistent pesticides has been made public as the amount of data to support their continued use.

Last Thursday's Madison Capital Times reported the testimony of Dr. Paul E. Porter, an exchange scientist for the Shell Development Co. at the Woodstock Educational Research Laboratory in Sittingbourne, England. Dr. Porter confirmed the fact that DDT does not remain in the soil, but that it has a great deal of mobility and persistence which enables it to infiltrate the atmosphere, the waters, and the total environment.

Another defense witness, Dr. Harry W. Hays, director of the pesticides registration division of the U.S. Department of Agriculture, admitted that the Government makes no effort to check industry claims before approving pesticides for use.

Also last week, the chairman of a six-member committee which studies DDT for the Swedish National Research Council, S. Goran Lofroth, testified that breast-fed babies ingest more than double the recommended maximum daily dose of DDT—a quantity which shows pharmaco-dynamical changes in laboratory animals. Sweden recently banned the use of DDT and related pesticides.

I ask unanimous consent that the article regarding Dr. Porter's testimony, published in the Madison Capital Times, and the article regarding Dr. Hay's testimony published in the Green Bay Press-Gazette, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Madison Capital Times,
May 8, 1969]

DDT DEFENDANT DELIGHTS PESTICIDE'S FOES WITH TESTIMONY ON RESIDUES

(By Whitney Gould)

He was a witness for the chemical industry in its defense of DDT, at the state Natural Resources Department's hearings on a petition to ban continued use of DDT in Wisconsin. But the petitioners found the testimony of Dr. Paul E. Potter today such a boost to their own case against the pesticide, that their attorney thanked him for coming, and didn't even bother to cross-examine him.

Porter, now an exchange scientist for the Shell Development Company at the Woodstock Educational Research Laboratory in Sittingbourne, England, has studied pesticide residues for the International Union of Pure and Applied Chemistry.

He told the department, which today wound up its second week of hearings in the DDT "defense," of the methods by which DDT is broken down into other compounds in the air, in plants and in animals.

Sunlight and oxygen help to degrade DDT in the atmosphere into less toxic compounds, Porter said. Rain, evaporation and the metabolic processes within plants themselves break the pesticide down when applied to crops. The chemical leaves the soil at the rate of about 20 per cent a year, he said. And it tends to attach itself to plants and animals in the mud at the bottom of lakes and other bodies of water.

Degradation is fastest in the absence of oxygen, he noted, and oxygen is very low in such muddy bottoms.

(The world environment is full of oxygen, however, and it is this fact which disturbs anti-DDT scientists. They acknowledge that DDT is degraded, but not fast enough to prevent harm to fish and birds.)

In mammals, Porter noted, the pesticide is partly converted to DDE, "which is reversibly stored in the fat," and eventually excreted. In birds, the chemist noted, the pesticide is also stored in the fat, but "I don't know what is actually excreted."

Other testimony from Porter this morning focused on the possible confusion of DDT and its breakdown products, with "PCB's," or plasticizing agents, in pesticide residue analyses.

He noted that PCB's sometimes interfere with the detection of DDT and its breakdown products in analyses with a gas chromatograph (the instrument used to plot such residues). But the PCB's can be separated out under further analysis, Porter said.

"The techniques are time-consuming, and are rarely used by commercial labs," Porter said, "because that would make them noncompetitive." As a result, most DDT and PCB detection tests made by commercial labs are probably in error, he said.

A chemist for one of those commercial labs, Francis B. Coon of the Wisconsin Alumni Research Foundation Institute, Inc., had insisted Wednesday that PCB's produced "peaks" on chromatograms similar to those of DDT and its relatives.

But under cross-examination by Victor J. Yannacone, attorney for the petitioners, Coon said he had not used a gas chromatograph for over a year, and in total, had done only about 100 of the 15,000 or so pesticide residue analyses made in the lab in the past few years. He also said he had not yet made further analyses to determine whether DDE residues detected in one fish had actually had PCB interference.

It is DDE which anti-DDT scientists have linked with upsets in the hormonal balance of several species of birds.

Yannacone pursued Coon's laboratory techniques doggedly, until he got from the chemist the admission that there was not enough PCB interference with his residue detections to warrant sending out a standard disclaimer to clients who had submitted samples for analysis.

Coon acknowledged that WARF Institute would be paid a fee for his appearance at the hearings, by the National Agricultural Chemicals Association, which is financing DDT's defense here. (A DDT-contaminated coho salmon submitted to WARF by the NACA was the source of Wednesday's debate over residue detections.)

Industry's ties with some elements in the scientific community are one of the issues in the Madison hearings. Shell Oil, employer of today's witness, Porter, is one of the largest manufacturer's of DDT. And at the end of today's testimony, Yannacone, re-establishing that fact, told Porter, "On behalf of the petitioners . . . we'd like to thank you for coming."

Another spokesman for the petitioners said later that Porter was "a splendid witness, who confirmed our position regarding the physical and chemical properties of DDT, its metabolites, and PCB's."

The hearings recessed until 9 a.m. Monday in room 144B in the Hill Farmers State Office Building.

[From the Green Bay Press-Gazette, May 1, 1969]

No Check on Pesticides, Official Admits

Madison.—A federal official admitted Wednesday the government makes no effort to check industry claims before approving pesticides for use.

The admission came from Dr. Harry W. Hays, U.S. Agriculture Department pesticides registration division director, under cross-examination by attorney Victor J. Yannacone, representing conservationists who have petitioned for a ban on DDT in Wisconsin.

Hays was the second witness called by the chemical industry in opposition to a ban on DDT. The hearings before the State Natural Resources Department began last December, recessed in January and resumed Tuesday.

Hays, who had testified earlier he believed the chemical was not harmful, said registration of pesticides requires evaluation of the manufacturers' claims about the chemical's composition, effectivness, dosage, persistence, migration, residues and other properties.

Yannacone also asked Hays if he was familiar with research done by scientists who had testified earlier in support of a DDT ban that the chemical was linked to reproductive failures in fish and birds.

"I haven't thoroughly reviewed all the data," Hays replied. He also said his division was not currently reviewing DDT.

EXPORT OPPORTUNITIES FOR AMERICAN BEEF PRODUCTS

Mr. TOWER. Mr. President, on Thursday, May 8, the distinguished Senator from Alabama (Mr. Sparkman) introduced S. 2079, a bill to establish an annual trade conference to discuss the possibilities and problems of expanding export opportunities for American beef products.

I am again privileged and pleased, Mr. President, to join with the distinguished Senator from Alabama as a cosponsor of this measure. When it is enacted, it will create numerous far-reaching benefits for the entire agricultural industry. As I was out of the city on Thursday, I would like to take this opportunity to comment briefly on the merits of Senator Sparkman's proposal.

Many serious problems confront our farming and ranching industry today. Even though this industry is vital to our very existence, it has not shared adequately in the prosperity and economic good fortune which has visited this country in recent years. It is time that the farmer and rancher have the opportunity to earn their fair share of the country's ever-increasing wealth. By meeting every year to discuss common problems, members of the beef industry can develop programs to enable them to improve their competitive position.

I believe that the beef industry has particular potential for growth and expansion. In recent years we have seen these producers overcome a serious threat from beef imports. They not only survived, but they continued to experiment, to innovate, and to develop the highest quality meats and byproducts available in the world.

I also believe that there are tremendous possibilities for trade expansion in all sectors of this industry. Given adequate opportunity, the American producer can and will successfully compete in the international market. Statistics have shown us the favorable response to American meat products in such areas as Western Europe. With the increasing potential for trade growth, it is time that we take concrete action to assist the beef industry in developing its resources, in gaining appropriate access to the international markets, and in solving the many problems and difficulties inherent in such a venture. S. 2079 does this.

Expansion of our beef exports has obvious benefits for this Nation. First, increased trade opportunities can only improve the economic position of an industry. Second, increased international trade will also lead to increased domestic trade. Growing prosperity in the beef industry, for example, inevitably affects and benefits many of the related industries. Thirdly, we find here an excellent opportunity to better our balance-of-payments situation.

Mr. President, the Senator from Alabama has offered a bill which would provide an effective channel through which our beef industry can expand and develop in an orderly, advantageous manner. In light of the many benefits and advantages to be gained, I urge Senators to support S. 2079.

AMALGAMATED MEAT CUTTERS AND BUTCHER WORKMEN CALL FOR AN END TO HUNGER IN THE UNITED STATES

Mr. McGOVERN. Mr. President, the Amalgamated Meat Cutters and Butcher Workmen, AFL–CIO, is the largest organization of food industry employees in the Nation and, perhaps, in the world. It is composed of 500,000 members organized in some 700 local unions throughout the United States and Canada. These men and women work in the production and processing of thousands of different foods.

The amalgamated has long realized its responsibility to consumers. It has been an initiator and leader in the fight for meat, poultry, fish, and other food inspection legislation and programs. It has also been active in social reform. It pioneered; for example, on farm labor reform.

Now the amalgamated is greatly involved in the fight against hunger and malnutrition. The executive board of the union has voted a powerful policy statement on this issue as a means of mobilizing its organization in the battle. I am delighted that we shall have the support of this important union.

I ask unanimous consent that the policy statement concerning hunger and malnutrition of the executive board of the Amalgamated Meat Cutters and Butcher Workmen, AFL–CIO, be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Policy Statement of the International Executive Board of the Amalgamated Meat Cutters and Butcher Workmen, AFL–CIO, Concerning the Fight Against Hunger and Malnutrition, April 29, 1969

There is real hunger in our land of plenty. Recent studies indicate that some 10 million Americans are hungry or desperately malnourished.

Testimony before the Senate Select Committee on Nutrition and Human Needs shows that some children are physically and mentally retarded for life because of the absence of adequate and nourishing foods. Urban and rural school officials state that youngsters fall asleep at their desk and are agressive and inattentive in class because of gnawing hunger. A survey by the U.S. Public Health Service estimates malnutrition to exist among 15 per cent of the population in some areas.

Remedy Available—The food necessary to overcome hunger and malnutrition is certainly available. U.S. producers are able to grow more than is necessary to feed every American adequately. In fact, they are subsidized to prevent them from growing as much as they can of many commodities. Our Union's members and food industry management can process an almost unlimited amount of wholesome and nourishing foods.

Hunger is probably the easiest of the poverty problems to solve. Its remedy involves no great and complex political, sociological or psychological problems, as do so many of the other anti-poverty efforts. Nor are the American people divided on what to do about hunger. There is tremendous public support for ending it—and ending it quickly.

Hunger can be wiped out in the United States if:

(1) Adequate funds are made available—especially by the federal government—to provide sharply expanded food programs, including the giving of free food stamps to the lowest income families.

(2) The administration by federal, state and local officials of the various existing food programs are reformed.

Progress Slow—Unfortunately, progress is slow in the fight to end hunger and success is not yet assured. The President has forced the hunger fight to take a back seat to the inflation battle. He has apparently shelved, at least for the time being, a proposal by his Department of Agriculture to increase sharply funds for the food stamp and school feeding programs. Instead, only a minor increase over President Johnson's budget estimate for food programs in fiscal year 1970 was proposed to Congress. Some conservatives in Congress also urge that the fight against hunger is too expensive, that it will increase the budget too much and that it will hold back the fight against inflation.

In addition, some Administration officials and some legislators refuse to admit that poverty-caused hunger truly exists. They attempt to blame existing malnutrition on the ignorance of diets and lack of desire to eat the proper foods.

Nonsense and Prejudice—The Amalgamated regards both of these contentions to be sheer nonsense and blind prejudices against poor people.

The Amalgamated believes the nation must afford the several billion dollars a year it will cost to wipe out hunger. What we cannot afford is to permit babies to go hungry in the midst of plenty or the brains and bodies of children to be stunted for lack of food while our national policies cut back agricultural production.

The Amalgamated also believes there is no question about the widespread existence of poverty-caused hunger in our nation. No one

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can disregard the hearings of the Senate Select Committee, the surveys of individual legislators, the findings of nationally known and respected medical people and the tentative conclusions of the very detailed U.S. Public Health Service study.

Union Policy—The Amalgamated believes that action to end hunger is needed and it is needed now.

We recognize that the Amalgamated, as the largest and strongest organization of food industry workers in the United States, has a special responsibility in the fight against hunger. It is the policy of our Union to play a leading role in the effort to secure adequate resources and effective administration to banish hunger completely from our nation.

We shall accelerate our present legislative efforts. We shall work on behalf of bills to liberalize, reform and increase the scope of the food stamp program, such as the measure proposed by Sen. George McGovern (D., S.D.), chairman of the Senate Select Committee on Nutrition and Human Needs. We shall support expansion of the school feeding programs and the removal of the ridiculous obstructions which now sharply limit its scope and effectiveness. We shall support efforts to use the direct food distribution program as a supplement to the other two programs.

In these activities, the Amalgamated is working and shall continue to work not only with other unions and civil welfare groups, but also with the managements of major food companies and food industry trade associations. There is a common enemy—hunger. Together, we shall defeat him quickly and permanently.

FAIR FEDERAL TAX PLAN

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record a resolution relating to a fair Federal tax plan, adopted by the county legislature of the county of Monroe, N.Y., on April 15, 1969.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution 119 of 1969—Fair Federal Tax Plan

Whereas, local taxpayers in this State and County have had to bear the burden of greatly increased taxes; and

Whereas, the taxpayers of this State will be paying an estimated $23.3 billion as their share of the Federal Budget for 1969–70, estimated at $195.3 billion; and

Whereas, the taxpayers of this State will have returned to them approximately $1.5 billion, or approximately 5 cents on every dollar; and

Whereas, judicial concepts of fairness have mandated such requirements as "One man, one vote" and have required representation on that basis; and

Whereas, it is of equal fairness in principle that there be $1.00 for 1 man and that New York State taxpayers receive a fair share of their Federal tax dollars on a basis of the population being cared for by this State and its political subdivisions;

Now, Therefore, Be it Resolved by the Legislature of the County of Monroe, as follows:

Section 1. That the Federal Administration be urged to apply a concept of fiscal fairness in the allocation of Federal tax return to this State and its political subdivisions, and that the program whereby New York State taxpayers get back only about 5c on every $1.00 paid to the Federal Government be drastically reevaluated with a view of fiscal and economic fairness.

Sec. 2. That copies of this resolution be sent to the President of the United States and to the Governor of this State, and to all our local State and Federal representatives.

CONTROVERSY OVER CALVERT CLIFFS

Mr. TYDINGS. Mr. President, in the past few months a proposal to construct a nuclear power plant at Calvert Cliffs on the west shore of Chesapeake Bay has raised considerable concern among the residents of Calvert County and others interested in environmental quality.

The proposal has brought forth for discussion basic issues of nuclear safety, thermal pollution, State responsibility, environmental planning and the like.

In a statement submitted to AEC hearings on the Calvert Cliffs plant, held in Prince Frederick, Md., I expressed the view that the Commission is not going to license an atomic reactor deemed unsafe. I also stated that thermal discharges of the cooling water cannot be permitted to endanger the ecology of the bay and that prudence requires consideration of the environmental impact of the facility prior to the approval of its site and design.

I ask unanimous consent that the text of my remarks and the editorial entitled "Nuclear Power and the Public Interest," published in the Washington Post of May 8, 1969, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Statement of Senator Joseph D. Tydings, Submitted to the Atomic Energy Commission Hearings on the Proposed Calvert Cliffs Nuclear Electric Power Generating Facility, Prince Frederick, Calvert County, Md., May 12, 1969

The Baltimore Gas and Electric Company's planned nuclear power station at Calvert Cliffs will be a two unit, 1.6 million kilowatt facility. It will use 5,000 cubic feet of water per second for cooling purposes. This water will be returned to the Chesapeake Bay at a higher temperature than that withdrawn.

The Calvert Cliffs plant will be in full operation by 1974. It will then be the tenth largest power facility in the nation.

The need for this plant cannot be doubted. Our nation has almost insatiable appetite for electricity. Since World War II production of electricity has doubled every ten years. This trend is expected to continue. Our nation's growth depends on an ample power supply being readily available.

This is particularly true for the Baltimore area which in the next decade will experience considerable growth. The Calvert Cliffs plant is designed to serve this area.

Yet with progress comes problems. The discharge of the cooling water affects the ecology of the receiving waters. Scientists consider temperature the primary control of life and report that fish are especially sensitive to changes in the thermal environment. They and other forms of marine life are often unable to adjust to even the most limited changes in temperature.

"For this reason there is growing concern among ecologists about the heating of aquatic habitats by man's activities. In the U.S. it appears that the use of river, lake, and estuarine waters for industrial cooling purposes may become so extensive in future decades as to pose a considerable threat to fish and to aquatic life in general." So writes John R. Clark in the March, 1969 issue of the *Scientific American.*

Thermal pollution must thus be recognized as an important problem, one which may block our achieving a quality environment.

By 1980, the electric power industry will use one-fifth of the total fresh water runoff of the U.S. for purposes of cooling. The scope of this potentially dangerous thermal discharge is therefore large.

The Chesapeake Bay is an invaluable natural resource of Maryland. Its quality cannot be tampered with. The AEC, the business community, and the state and local agencies involved must recognize the great importance of the Bay to the people of our state.

Thermal pollution simply must not be permitted to abuse its water quality.

The proposed facility at Calvert Cliffs will be nuclear powered. Atomic energy has been shown to be a safe and efficient source of future potential energy.

The Atomic Energy Commission proceeds with extreme caution when licensing atomic reactors. It is of course proper that they do so. I am confident that the Commission will exercise considerable and great care with the Calvert Cliffs reactor and that, upon their final approval, the facility will pose no danger of a nuclear nature to the area.

The responsibility of the AEC, however, extends only to issues of national security and health and safety. It has no jurisdiction over concerns of environmental quality. A January 13, 1969 ruling of the U.S. Court of Appeals for the First Circuit affirmed a lower court decision that the AEC did not err in refusing to consider the possibility of thermal pollution from a nuclear power facility. The Court held that the Commission simply did not have the necessary jurisdiction to involve itself in such an area.

This is a serious gap in the legislative authority of the AEC. I respectfully urge the Commission, on its own, to seek redress before the Congress. Thermal pollution is too serious a threat to permit an inactive position on the part of the AEC. Additionally, I urge the Commission to upgrade its informal, advisory contacts with the Department of Interior in order to insure maximum use of available expertise within that Department.

For my own part I am cosponsoring legislation, the Water Quality Improvement Act of 1969, which in part directs itself to this problem of thermal discharges by requiring certification, consistent with established water quality standards, of permits required for water withdrawals affected with a federal interest.

As a regulated public utility the Baltimore Gas and Electric Company has the responsibility to meet the present and future power needs of well over a million Marylanders. In general the company has served the people well. Their desire to build a plant at Calvert Cliff reflects their awareness of future power demands in the Baltimore area.

The company has often expressed their willingness to preserve and protect the Chesapeake Bay. I have no doubt of their sincerity and am aware of steps taken by Baltimore Gas and Electric to transform this willingness to action. One particular step that is significant is the extensive consultations that have taken place between the company and concerned state officials. These have resulted in design alterations which lessen the impact of plant operations on the cooling and receiving waters. Such action can only be applauded and recognized as an absolute necessity in the future.

There are, however, two disturbing aspects to this project. The first is the absence of public research on the environmental impact of the Calvert Cliffs facility. The state and the Atomic Energy Commission should not have to rely on company sponsored studies, with or without access to their data. They should be provided with the capacity to conduct independent studies of their own. My second concern involves the simultaneous nature of the research undertaken and actual construction at Calvert Cliffs. The latter suggests that the site is an accomplished fact and that no evidence brought forward by any research will alter it. Additionally, as the Washington Post suggests in a May 8 editorial, this lessens the importance of these hearings and lends credence to those who

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argue that local interests are in fact being overlooked.

An additional problem raised by the construction of new electric power generating stations is the routing of power lines. It is a problem here, as the B.G. & E. lines must go northwest to the Baltimore area, and elsewhere. Present technology does not permit such high voltage lines to be placed underground.

The industry as a whole must recognize that it has an obligation to minimize the environmental impact of these lines, and that this will cost considerable money. Power lines no longer can simply be strung in a straight path, representing the shortest distance between two points. Concern for aesthetics and history must be programmed into the routing. We do not need another Antietam affair. The industry must recognize that the additional expense incurred must be borne as a regular cost of doing business. The public interest does not ask the industry to do this. It demands it, and expects that it will be done.

In concluding, I would like to state that I believe that the proposed nuclear power plant at Calvert Cliffs is needed if Maryland's future electric demands are to be met. Equally necessary, however, is the responsibility of all of us to preserve and protect the Chesapeake Bay. The threat to the Bay from thermal pollution is a real one. To argue that all the nuclear facilities now in existence would raise the temperature of the Bay only one or two degrees is misleading. Thermal discharges are like some poisons: In small dosages they can be lethal. The overall temperature at the Bay may be only slightly affected but a specific portion, the receiving waters, may be severely damaged. I do not think we can be too careful.

We need electric power; we need environmental protection as well.

It is imperative that the appropriate state agencies act now to institute objective, State-sponsored scientific studies of each area of the Bay and its tributaries proposed to be used as a site for a power generating station during the next 20 years. We should determine long before construction plans are finalized whether the site selected by the power company is desirable from a conservation point of view. The study should determine further which areas of the Bay are best suited to absorb thermal discharges without injury to the ecology of the estuary.

[From the Washington Post, May 8, 1969]

Nuclear Power and the Public Interest

The storm that has blown up in Southern Maryland over the proposal to locate a nuclear power plant on the Calvert Cliffs at Lusby, Calvert County, is typical of many that will be brewing in the months and years ahead. People who live in the area are worried about the possibility of radiation and heat pollution in the Chesapeake Bay. Others are deeply concerned about the clutter of towers and wires that will be necessary for the transmission of 1,600,000 kilowatts of power to Baltimore. And many others whose lives will not be immediately affected see in this project an unwarranted assault on our natural environment.

As Hal Willard noted in an illuminating discussion of the problem in our Panorama Section on Thursday, 11 nuclear power plants are already under construction or in operation along the Atlantic Coast. Every one has been controversial, and the controversy is certain to mount as additional plants of this kind are planned and constructed. The outcome may cast a long shadow over the future.

It is not a question of whether or not the power companies are planning wisely. Calvert Cliffs, for example, was selected by the Baltimore Gas and Electric Co. from about 50 potential sites. Possibly it is the best location for a nuclear power plant that can be found in the area. It is also clear that elaborate precautions will be taken to make the plant safe and to minimize its impact on wildlife in the area, especially the fish in the Chesapeake Bay. Yet some vital changes in the environment will be unavoidable, and the results of these changes cannot now be fully known.

There is not much comfort in the assurance of one company official that if studies now being undertaken show that "the plant will have significant effects on the Bay then we will have to try to do something about it." When the plant is built and in operation, it will be too late to turn back. Some responsible body ought to be determining before the die is cast, whether the risk is tolerable and if so where the plant can be best located in the public interest.

It is interesting to note that the first public hearing on this project will be held by the Atomic Energy Commission on May 12, although excavation for the plant has been completed and the company has spent millions of dollars for right-of-way, equipment and so forth. The hearing will have the appearance of a mere ratification proceeding for a fait accompli. The company must also obtain a certificate of convenience and necessity from the Maryland Public Service Commission, but this too will seem to be a mere formality. Fortunately, the Maryland regulations will require site approval before construction of another such project can begin, but that does not change the unpalatable facts in the present situation.

The least the country can ask, in venturing into a new field of this kind which may vitally affect the environment, is that a competent and disinterested public body take a careful look at all the available facts before the leap is taken. The location of such plants ought to be a major issue before a Council on Environmental Quality, such as Senator Jackson has proposed. The hope for cheaper nuclear power must be weighed against long-range risks to all forms of life, and no private enterprise is competent to make such determinations by itself.

CRISIS ON THE CAMPUS

Mr. TOWER. Mr. President, there is a need to call the attention of every Senator to the crisis on our Nation's campuses. Every day we are assaulted by news of disturbances of varying magnitude on campuses across the country. This is beyond doubt a matter of grave concern to us all because of its implications for the future of higher education and consequently for the future of our Republic.

Many words have been spent in recent months in the analysis of the causes of campus upheaval. The blame has been placed variously on U.S. involvement in Vietnam, on the urban crisis, the generation gap, establishment hypocrisy, racial friction, the inability of a segment of students to meet the academic standards of their universities, television, world communism, atheism, Weltschmerz, or whatever other traditional hobgoblin the particular commentator might favor.

The problem might be more fundamentally expressed in terms of an observation that Aldous Huxley made. He observed that two-thirds of our human miseries spring from human stupidity and human malice, and that all too often misplaced idealism and dogmatic zeal were used to justify them. The true reasons for stupidity and malice, he argued, were "intellectual sins."

> We sin by attributing concrete signifiance to meaningless pseudo-knowledge; we sin in being too lazy to think in terms of multiple causation and indulging instead in oversimplification, over-generalization and overabstraction; and we sin by cherishing the false but agreeable notion that conceptual knowledge, and, above all, pseudo knowledge are the same as understanding.

The young are particularly susceptible to these sins, steeped as they are in conceptual knowledge, acquired in the midst of the learning process, for they have not yet undergone the maturing process which is prerequisite to true understanding.

But whatever the root causes of campus disorders, the issues which have been fought out—the proximate causes of strife—have been relatively frivolous. Students have demanded seats on the university boards of trustees, a voice in the hiring and firing of professors, a hand in curriculum development and generally the assumption of roles traditionally reserved for professional educators and administrators. Yet this has been the positive side of student unrest. I would not suggest that college faculties and administrators turn a deaf ear to the serious proposals of students. But when those proposals are framed as demands, when the attempt is made to force the assent to those demands through violence and threats of violence, the proposals, whatever their merit, are lost, and the only issue becomes the violent means of expression the students have chosen. It has been frequently said that the rebellious students are trying to tell us something. If this is so, I strongly suggest that they return to the classroom and emerge again only after they have acquired the intellectual wherewithal to express themselves in a manner more generally understood.

The rhetoric of the campus revolution with its vocabulary of bywords and catch phrases serves as an obstacle to true communication between student factions and college officials and exacerbates the rage of the general public. College administrators find themselves inundated by a plethora of "nonnegotiable demands" for "meaningful" curriculums injected with social "relevance." There is a faction of students and some faculty members as well who would have the university become the instrument of social activism. But the university has always been in the advance guard of social change as well as the chief keeper and perpetuator of traditional ideas and values. It has been a place for the free exchange of ideas, for a continuing dialog with the past and a reach for the future. And yet, now, there is a faction that would reduce this subtle mechanism to a deadweight, a bludgeon. How seriously can we take this rhetoric? Whatever value one may place on the vocabulary of student militancy, it is agonizingly clear that the actions—destruction, arson, the forcible occupation of classrooms, administrative offices, laboratories, and other buildings—are the negation of reason and are hostile to any imaginable concept of a university.

One effect of insurgency on the Nation's campuses has been the introduction in Congress and in many State legislatures of measures which would pro-

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vide for the fine and imprisonment of those found guilty of disrupting the orderly course of business in our colleges and universities. I sincerely hope that such measures will not prove necessary. The direct interference of government in academia would establish an atmosphere with connotations almost as disasterous to the conduct of intellectual pursuits as the rebellion which it seeks to quell. Existing statutes covering arson, trespassing, and so forth are sufficient if college and university administrators are willing to proceed with the requisite firmness of purpose to bring the order without which the basic problems at issue cannot be addressed. Administrative officials, if necessary with the assistance of local law-enforcement officials, have the experience, the ability, and the familiarity with the problems to deal most effectively with campus chaos. In the final analysis the responsibility is theirs.

ALCOHOLISM CARE AND CONTROL ACT OF 1969—PERSONNEL TRAINING

Mr. JAVITS. Mr. President, when I introduced for myself, for the Senator from Utah (Mr. Moss), and 43 other Senators from both parties, the Alcoholism Care and Control Act of 1969—S. 1997—the Department of Health, Education, and Welfare's required report on the administration of the Allied Health Professions Personnel Training Act of 1966 was not available for inclusion along with my remarks. In discussing manpower needs in relation to alcoholism, the report states:

> One of the most urgent needs in relation to coping more effectively with alcoholism is the overcoming of the acute shortage of trained personnel.

I ask unanimous consent that appendix F, the text of the report relating to manpower needs in relation to alcoholism be printed in the Record at the conclusion of my remarks.

Although we have made great strides forward and come to recognize alcoholism as a health problem, we have far to go to meet the sociomedical challenge in the treatment of alcoholism. As a health problem, alcoholism is confronted with the acute shortage of health manpower common to all areas of health care. The report reaffirms the urgent need for qualified personnel to provide treatment in the field of alcoholism—the Nation's fourth most serious health problem, and I consider it an endorsement of the proposed legislation. I believe the report makes quite clear that the Alcoholic Rehabilitation Act should be implemented by an intensified program of manpower and staff training, including not only the recruiting and training of new personnel, but also the improvement of the skills of persons already in the field of alcoholism health care—a specific purpose of the Alcoholism Care and Control Act through a provision which establishes fellowship grants to overcome the critical shortage of trained people in alcoholism and alcohol-related problems.

There being no objection, the appendix was ordered to be printed in the Record, as follows:

Appendix F—Manpower Needs in Relation to Alcoholism *

Recent years have seen an increasing awareness of both the magnitude of alcoholism and the neglect of this major problem area. There now is a realization of the immense impact of drinking problems on the health and well-being of millions of Americans and their families. Recent years also have been marked by a substantial change in public and professional attitudes towards alcoholism. Finally, strenuous efforts are underway in many parts of the country to find humane and more satisfactory ways of dealing with chronic alcoholics than the present "revolving door" system.

One of the most urgent needs in relation to coping more effectively with alcoholism is the overcoming of the acute shortage of trained personnel. This shortage has persisted because of the belief that alcoholism was not an illness and the myth that alcoholics could not be helped. Manpower needs can be divided into three principal areas: (1) the training of professional workers in fields such as medicine, nursing, social work, etc., (2) the training of nonprofessional and semi-professional alcoholism counsellors, and (3) the training of a small number of specialists in areas such as research, administration and teaching.

The bulk of training of personnel in relation to alcoholism should be provided by the professional schools. Most assistance for alcoholics will need to be given by personnel from the basic health and other helping professions. Information on the treatment and medical management of alcoholism should be included at several levels of medical training—classroom instruction, clerkship, internship, and residency training programs. This learning should occur in settings which do not perpetuate the attitudes of revulsion and therapeutic pessimism towards alcoholics than now characterize the educational experience of virtually all medical students. Psychiatric training should not be restricted to the provision of detoxification care in emergency services and should include supervised psychotherapeutic work with alcoholics and their families. Social work training should include both classroom work and practical field experience with clients who are problem drinkers. This can be either in a general, social, or psychiatric agency that provides assistance to these patients, or in a specialized alcoholism treatment facility.

Programs of continuing education, extension education, and postgraduate training in the fields of medicine, psychology, social work, nursing, corrections, and psychiatry should include appropriate attention to alcoholism. There also is a need for inclusion of material on alcoholism in the training of clergymen and police officials. Currently, very few teachers are qualified to be effective in relation to preventive alcohol education.

The training of mental health personnel such as psychiatrists, psychologists, social workers and psychiatric nurses is particularly important because community mental health centers are increasingly serving as key resources for the treatment of alcoholics and their families. By 1975, over 2,000 such centers will be in operation throughout the country.

While there is a major shortage of qualified personnel to provide treatment to alcoholics, there is also a severe shortage of other workers in areas such as education, community organization, and consultation. Such persons, functioning, for example as consultants, coordinators and "catalysts", would be familiar with many aspects of alcoholism and also with general trends in the fields of health and social welfare. Their educational background should include work in psychology and sociology, and in addition, they should have special training and experience in such areas as community organization and group dynamics.

The better utilization of semi- and nonprofessional workers is all the more urgent because of the continuing shortage of trained personnel in all the helping professions. There has been a tradition of using nonprofessional personnel, particularly recovered alcoholics, in many facilities. These workers can function most effectively if they have had some previous training. Such training should include: (1) orientation to professional approaches to alcoholism, (2) knowledge about different agencies and their functions, (3) supervised field experience, (4) emphasis on the importance of assessing each patient's needs, and (5) recognition of the potentialities and limitations of nonprofessional workers.

During an interim period—say five to ten years—substantial assistance will have to be provided to medical schools, schools of nursing, schools of social work and other training institutions to help them overcome this long standing neglect of alcoholism. Hopefully, at the end of such a period, training in relation to this major medical-social problem, will be an integral part of the training of all health and other "helping" professional personnel.

THE WAR IN VIETNAM

Mr. HOLLINGS. Mr. President, the May 1969 issue of Reader's Digest contains an article entitled "We Could Have Won in Vietnam Long Ago," written by Adm. U.S. Grant Sharp, U.S. Navy, retired. As commander in chief of the Pacific from June 30, 1964, to July 31, 1968, Admiral Sharp had charge of the largest American military command in the world. His principal activities obviously were oriented toward the war in Vietnam. I commend this article to the attention of the Senate as it underscores the basic reasons why the United States is losing in Vietnam. As Admiral Sharp stated:

> Vietnam is a classic example of how not to fight a war.

I believe Admiral Sharp's statement is a well-reasoned account of the drastic mistakes the United States has made in pursuing this conflict, and I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Springboard for Discussion: We Could Have Won in Vietnam Long Ago

(By Adm. U. S. Grant Sharp, U.S. Navy, retired)

(Note.—As Commander in Chief Pacific from June 30, 1964, to July 31, 1968, Adm. U. S. Grant Sharp had charge of the largest American military command in the world, covering an area extending from the West Coast of the United States to the Indian Ocean. During this period he personally directed the air war against North Vietnam. Though most of his 41-year career in the Navy was spent on surface ships—he was decorated for gallantry under enemy fire as the skipper of a destroyer in World War II—Sharp has long been a strong advocate of air

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*Prepared by the National Center for the Prevention and Control of Alcoholism, National Institute of Mental Health, Health Services and Mental Health Administration, Public Health Service, U.S. Department of Health, Education, and Welfare.

power. Now 63 years old, he lives in San Diego, Calif.)

During the four years I was deeply involved in the direction of the war in Vietnam, I faithfully carried out the orders of my superiors. Now that I am retired, I feel obliged to speak out, to warn the American people against the folly of conducting a major war on a piecemeal basis.

There is no need for the United States to be bogged down as it is in a seemingly endless struggle in Vietnam. We could have won the war long ago—perhaps by the end of 1967. We could have achieved victory with relative ease, and without using nuclear weapons or invading North Vietnam. All that we had to do to win was to use our existing air power—*properly*.

We had tremendous air power within easy striking range of North Vietnam—on aircraft carriers in the Gulf of Tonkin and at bases in Thailand and south Vietnam. Yet never in the entire course of the war have we used our air power to its full advantage. This tragic failure to do so is, in my opinion, perhaps the most serious error we have made in all of American military history. It has resulted in needless casualties. It has added billions of dollars to the cost of the war, and each month that passes causes our worldwide prestige to sink lower and lower.

For this failure, Robert S. McNamara, former Secretary of Defense, must take a large share of responsibility.

DEAD WRONG

I strongly support our American concept of civilian control of the military; it is one of the vital bulwarks of our system of government, and I would oppose any effort to change it. At the same time I believe wisdom dictates that the civilian authority should consider carefully the advice of his professional military advisers. In his handling of the air war, however, Secretary McNamara arbitrarily and consistently discarded the advice of his military advisers. His insistence that we pursue the campaign on a gradualistic basis gave the enemy plenty of time to cope with our every move. He was, I submit, dead wrong.

The primary purpose of the air campaign against North Vietnam should have been to disrupt the enemy's economy and thus destroy his ability to wage war. We could easily have done this. Instead, primary emphasis was put on seeking to cut down on the infiltration of men and matériel from North to South Vietnam. Now, you can slow infiltration with air power, and we did just that—but you can never stop it. To concentrate on infiltration and to refrain from hitting primary targets—as we were required to do—emasculated our war effort.

We were and are in this war for just one purpose—to convince the leaders of North Vietnam that they should cease their aggression, get out of South Vietnam and leave their neighbors alone. We said long ago that we would stop the bombing and withdraw our troops when their aggression ceased. Until North Vietnam does stop its aggression, I believe we should use the force necessary to win the war as rapidly as possible.

What my colleagues in the field and I wanted to do was to bring the economy of North Vietnam to a halt. That is one of the major functions of air power in warfare. Some argue that North Vietnam has an agrarian economy and that air power is thus less effective than it would be against an industrialized nation. North Vietnam's *is* an agrarian economy, but it functions around the hubs of Hanoi and Haiphong, and we could have brought that economy to a grinding halt. This would have deprived the enemy of his ability to support his forces in the south—and thus brought the war to a quick end.

Instead, what did we do? To take just one example: there are several railroad yards in the Hanoi area which are vitally important to the enemy's war effort. We should have hit them fast and hard, but we were never allowed at them. We were permitted to go in and peck at some less important yards on the fringes of the city. And then we were pulled off. This happened time and time again. We would get authority to go to Hanoi; the communists and their sympathizers would then push the propaganda buttons, and there would be a worldwide outcry. Washington would get nervous, and we would be pulled back.

Neither I nor my military colleagues ever favored hitting targets that would result in the deaths of large numbers of civilians. Indeed, we went to great lengths to avoid killing civilians, even though this often created extra risks for our pilots. Our air campaign was the most precise ever fought. It is worth noting that the communists observed no such restrictions; they have repeatedly lobbed rockets blindly into Saigon and other population centers. From 1957 through 1968, the communists killed more than 27,000 South Vietnamese civilians and kidnaped more than 52,000 others, most of whom have never been heard from again. There is no precise information on the number of civilians who may have been killed in our air raids over North Vietnam, but the North Vietnamese frequently published reports indicating the number of civilian casualties resulting from individual attacks. An analysis of these reports during a 7½-month period at the height of our air campaign in 1967 indicates that fewer than 400 civilians were killed.

When I was Commander in Chief Pacific, I submitted repeated requests to my superiors for permission to bomb additional military targets in order to make the air war really effective. I made these requests about once every two weeks. I have been given to understand that the Joint Chiefs of Staff supported my position 100 percent. But most of my requests were denied when they reached the office of the Secretary of Defense.

When McNamara visited Saigon in July 1967, he was briefed by Gen. William C. Westmoreland, the commander of U.S. forces in Vietnam, by Lt. Gen. William W. Momyer, commander of the Seventh Air Force, and by me. I emphasized what I thought ought to be done about the air war against the north. On several occasions I also talked with President Johnson about the problem. I thought he was receptive to the arguments of our military leadership, but the Secretary of Defense seems always to have prevailed.

It may well be that our civilian leadership believed that to use our military tools properly, to eliminate the enemy's ability to make war would have been to risk a nuclear confrontation with the Soviet Union. Personally, I believe the risk was minimal; in any case, a nation which is not willing to take calculated risks to achieve its objectives should never go to war in the first place. Further, I believe that once a political decision is made to commit American troops to battle, we are morally obligated to use our military power in such a way as to end the fighting as quickly as possible.

POWER ON A LEASH

Our first chance to win the war quickly came in February 1965, when we started bombing the north. At once, we should have launched a sustained, maximum-effort attack on all of the enemy's war-supporting industries, transportation facilities, military complexes, petroleum-storage depots. At that time, the enemy had no Soviet surface-to-air missile (SAM) sites installed, and his antiaircraft capability was practically nil. He could not have opposed us in any significant way, and we could have quickly broken North Vietnam's resistance.

If we had launched a maximum-effort air compaign—coupled with heavy pressure on the enemy's troops in South Vietnam—it would not have been long before he would have been forced to ask for negotiations. And it is important to note that these negotiations would have been conducted on terms favorable to us—instead of, as it turned out, our having to coax him to the negotiating table, more or less on his terms. It's also possible that under this extreme pressure the enemy's aggression in the south might just have faded away. Either way, it would have been a victory for us.

But what happened? From the start, our air power was kept on a tight leash, At first, when we sent even a reconnaissance plane over the north, Washington would tell us what route and altitude to fly. We started our operations close to the Demilitarized Zone and worked gradually northward about 30 miles at a time, always under Washington's close control. It was obvious to anybody plotting the course of events that the enemy could expect us eventually to move on up to the heartland of the country. Thus, the vital military elements of surprise and maximum impact were lost.

We also lost valuable time. Our policy of gradualism enabled North Vietnam to mount the most formidable air-defense system that has ever been used in combat history. The North Vietnamese began building SAM sites in 1965, and during that year were able to fire only 125 missiles. Eventually, the North Vietnamese had about 40 SAM battalions, and during 1967 they fired nearly 3,500 missiles at our aircraft. The result is that we have lost nearly 1000 planes over North Vietnam. Many of the pilots were killed or captured. Not only did we suffer this needless loss of men and aircraft, but the North Vietnamese were given time to disperse their factories and military installations. This made it all the more difficult to go after them later, and hence prolonged the war.

HAVEN IN HAIPHONG

Of all the things we should have done but did not do, the most important was to neutralize the port of Haiphong. During 1967, some 80 percent of North Vietnam's imports came in by sea, mostly through Haiphong. This included arms, ammunition, oil, trucks, generators, machinery, spare parts, steel and cement—all vital to the war. We should have blocked the approaches to the harbor with mines laid by aircraft. Closing an enemy harbor is customary and logical in warfare. This was the simplest and most effective measure we could have taken.

All along, our military leaders recommended that the port be neutralized. The recommendation was always vetoed. It was claimed that closing Haiphong would not affect the enemy's capability of waging the war in South Vietnam—that North Vietnam could sustain the war at the same level by means of rail, road and coastal shipments from China. But a reasonable evaluation of our intelligence convinced us that it was next to impossible to move that amount of materiel over North Vietnam's exceedingly limited transportation network. In my opinion, closing Haiphong would have shortened the war by many months.

Along with mining the approaches to the harbor, we should have destroyed the enemy's stockpiles of materiel on the docks at Haiphong and in the centers of the cities of Haiphong and Hanoi. The stockpiles were easy targets there—but the Defense Department ruled that we had to wait until the enemy moved this materiel away from the cities and scattered it for 300 to 400 miles along the trails into South Vietnam. Then it was extremely difficult to find, and much of it, including vast amounts of ammunition, reached South Vietnam, where it was used to kill American and other Allied soldiers.

LOST TARGET

Much earlier in the conflict, we should have gone after North Vietnam's most important bridge, the Paul Doumer span in Hanoi, which handles all rail traffic between

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Hanoi and Red China and Hanoi and Haiphong. We hit a lot of minor bridges in North Vietnam before we finally were allowed to go after the Doumer. Even then, we were allowed to hit it only for limited periods of time. Then it would be taken off the list, and the North Vietnamese were given time to build it up again! Whenever we struck anywhere close to Hanoi, people in Washington would complain that we were causing too much disruption in the city—which was exactly what we were trying to do.

We were never permitted to hit the docks along the Red River in Hanoi. We should have kept the Hanoi power station out of commission. We hit it several times. Inexplicably, after each strike it was taken off the target list, and the enemy would put it back into commission. Eventually, we were prohibited from making any more attacks on it—and this was long before the Johnson Administration ended all bombing of the north.

We also should have hit the Hanoi waterworks, which was next door to the power station, but we were never allowed to do it. We hit the railroad yard close to the town of Hongai once; then we were pulled off that. This is another thing that is hard to understand: we were allowed to do something, then two months later it would be off limits—and it stayed off limits for the rest of the air war.

PRIVILEGED SANCTUARY

But even with the restrictions, the air campaign was effective as far as it went. By early 1967, we had destroyed or disrupted about 50 percent of North Vietnam's war-supporting industry. The North Vietnamese were hurting far more than most people realized. We had intelligence reports that their morale was suffering. Their whole effort was weakened by the fact that they had to have more than 500,000 people working to rebuild their transportation network—plus 125,000 to man their anti-aircraft defenses. Thus, despite all the restrictions, we really had the enemy on the ropes by late 1967. If we had hit his war-making resources harder all along, he would have been knocked out by then. In my judgment, the war would have been over.

Once North Vietnam gave up, the Vietcong in the south would have had no choice but to follow suit. The Vietcong are directed and supplied by Hanoi. Vietcong combat units are now two-thirds North Vietnamese; they cannot fight without North Vietnamese regular forces in close proximity, and could not have continued on their own.

If there is no progress in the negotiations with the communists in Paris, and if the communists continue to wage their aggression in South Vietnam at either present or increased intensity, then we should resume the air war. If they are going to continue to fight, I don't think they should be granted the luxury of being able to conduct their aggressions from a privileged sanctuary. We should resume the air war, moreover, on an all-out basis and not in piecemeal fashion. We should finish the whole Vietnam war quickly.

Vietnam is a classic example of how not to fight a war. The "gradual" approach requires the expenditure of much more of one's manpower, resources and prestige than is necessary. Our prestige is by no means as high now as it would have been if we had gone in, cleaned the thing up and made our exit.

If we had fought World War II as we have fought the Vietnam war, we would still be fighting it—if we hadn't lost it.

DEATH OF FORMER SENATOR W. LEE O'DANIEL

Mr. TOWER. Mr. President, I learned with deep regret of the recent death of a former Member of this body who also served as Governor of the State of Texas, W. Lee O'Daniel.

Known to most Texans as "Pappy," Mr. O'Daniel was elected Governor in 1938, and in 1941 won a special election to become a Member of this body. He was reelected to a full 6-year term in his own right and then retired, choosing not to run for reelection in 1948. In this body, he held the seat I hold today—the seat once held by Lyndon B. Johnson.

My colleague, the senior Senator from Texas (Mr. YARBOROUGH), yesterday described the colorful campaigning and colorful history of "Pappy" O'Daniel.

I only wish to say that with him goes an endearing and charming part of Texas political history.

HOW TO IMPROVE MEDICAL CARE

Mr. JAVITS. Mr. President, the March 24, 1969, issue of U.S. News & World Report contains an interview with Walter J. McNerney, president of the Blue Cross Association.

We are becoming increasingly aware that the problems of the accessibility and cost of health care in America are becoming increasingly acute. Comprehensive medical care is difficult to obtain, even for Americans who have adequate incomes, while for the poor who live in isolated squalor in rural shacks or urban slums the problems are compounded. In one sense the issue is one of giving every American the financial means to "purchase" comprehensive medical care. But beyond that we must recognize that, for too long, we have ignored the problems of delivering health services, and our system of health care is poorly organized to respond to ever-increasing need and demand.

To all of these points Mr. McNerney speaks with great force and eloquence. He is one of the most creative and bold thinkers in the field of health care, and his position as president of the national Blue Cross Association gives him a uniquely qualified position from which to comment on the inadequacies of our health system. I commend this interview to the attention of the Senate. I hope that Congress can make progress in developing a program of comprehensive prepaid health coverage, and I look forward to joining with Mr. McNerney and others in that effort.

Mr. President, I ask unanimous consent that the interview with Mr. McNerney be printed in the RECORD.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

HOW TO IMPROVE MEDICAL CARE—INTERVIEW WITH THE HEAD OF THE BLUE CROSS ASSOCIATION

(NOTE.—Crowded hospitals . . . bigger bills . . . long delays in seeing a doctor . . . millions of Americans neglected—at a time when the nation spends 50 billion dollars a year on health. Is U.S. medicine itself sick? And if so, is the cure to be found in still more spending? Or in better organization of a confusing array of services?)

(To discover what's really wrong and how to improve the quality of medical care, members of the staff of "U.S. News & World Report" talked with an authority on the subject—Walter J. McNerney, president of the Blue Cross Association. This exclusive interview was held in the magazine's conference room.)

Q. Mr. McNerney, what would you like to tell President Nixon about this nation's health needs?

A. I would stress the fact that many of our current health problems on a national or local level cannot be solved without changes in our current pattern of delivering services. It is not enough to raise more money through taxes or voluntary prepayment. We must find better ways to translate knowledge into service.

In 1968, over 50 billion dollars was spent on health, and the increase over previous years was accounted for significantly by price rises. This situation cannot continue.

Reorganization must involve the Federal Government itself, which now has more than 80 agencies focused, in one manner or another, on health. Lacking internal co-ordination, the Government falls short of its full potential in setting objectives, establishing priorities and exploiting fully the assets of the private sector. With a tight budget coming up, this latter point takes on high importance. A public advisory committee working with the HEW [Health, Education and Welfare] Secretary's office would be helpful.

With better delivery systems, all of us would be in a sounder position to attack the problem of adequate financing although the two are always interrelated.

In this regard, an improved medicaid program is badly needed. Also every effort must be made to encourage management and labor in employed groups to put high priority on health benefits.

Hard on the heels of greater productivity and access to health services for the public come related problems of education and manpower and environmental health.

Grants and loans are needed to meet manpower demands, but they should be given with strings attached. For example, medical and allied studies should focus on administrative as well as clinical medicine, and experiments in various methods of rendering care should be stipulated.

Q. You seem to see a trend toward more state medicine in the U.S.—

A. If by "state medicine" you mean medical care provided by or financed by the Government—yes, I do see more ahead. But I'm one of those who feel quite strongly that we in this country are going to stay with a pluralistic system of providing and financing medical care—a system involving both Government and private operations.

There are hard reasons for this. There is a distinct danger of underfinancing when one source of funds is involved. We have a complex set of values in the United States: In one breath we want care for all, and less costs; we want greater independence and self-expression for the professional, and more co-ordination.

Added to this is the fact that we are a country of neighborhoods, as well as States or a nation. The safest way to assure innovation and progress, if not support, is to provide at least a minimal amount of selection.

Private institutions such as Blue Cross which reflect local as well as regional and national preferences—experienced in negotiating between providers and consumers, constantly experimenting with new forms—make a natural ally with the Government, whose resources are indispensable and whose tendency toward uniformity needs to be counterbalanced.

Q. What is the basic problem—the availability of health care, or its cost?

A. Costs are certainly a major problem, but the greater problem is providing better access to health care for all our citizens, rich and poor alike, by correcting the deficiencies that exist in our delivery system. In the process, we must solve the human as well as the economic problems.

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I think the new Administration is going to have to face some difficult decisons regarding the allocations of money.

What we've got to keep in mind is that expenditures for medical care itself, although essential, are not the only factors determining the health of people. A family's purchasing power, diet, housing, and family solidarity can be major determinants of health.

So those of us in the health field would applaud any measure to improve family income or living conditions. Adequate family incomes—with growing discretionary spending by the family—would do a great deal to improve the nation's health.

Q. Besides the patients who pay the bills, is anyone concerned about the rapid rise in medical costs?

A. I am concerned. Industry is concerned. Labor is concerned. And government is concerned. It is a national problem.

Q. How fast are medical costs actually rising?

A. In the hospital field, during the 1950s and the early 1960s, costs rose at an average rate of about 7 per cent a year. But in the last three years—1966, 1967 and 1968—the rise of hospital costs has approached 15 per cent a year.

Payments to physicians have also accelerated in recent years. During the 1950s and early 1960s, doctor costs rose at an average rate of 3 per cent a year. In the last two or three years, the rise approximated 6 per cent a year.

Q. Would you describe this as a "runaway" rise?

A. No. I think that overstates the case. If you look at the U.S. economy as a whole, you would find that the costs of many service institutions with high labor content have exceeded significantly the average as represented by the consumer price index.

For example, over the past 15 years the costs of education have gone up approximately the same as health costs. Our expenditures for education were 11.9 billion dollars in 1950 and 43.5 billion dollars in 1966. During the same period, our health expenditures rose from 12.1 billion dollars to 45 billion dollars.

I want to make it emphatically clear that I do think the extent of the rise in health costs calls for moderating measures, but I don't think we have seen a "runaway" situation—especially when one reflects on the fact that the scope and quality of medical services have been growing along with their cost.

We get more and better medical care today than we did 15 years ago. The revolutionary advances in medical science have necessitated costly equipment and manpower. As a result, in the case of many once-critical ailments, your odds of survival are infinitely greater.

WHERE HEALTH SUFFERS

Q. Are many Americans going without medical care because costs are so high?

A. Too many are. There is significance in American mortality and morbidity rates as compared with those in other countries. There are 15 countries with a lower infant-mortality rate than the U.S. And our country ranks something like twentieth in the world longevity.

With particular reference to the death rate among children, it's pretty clear that we have a problem. The infant-mortality rate among the poor in this country is about twice that of the well-to-do. The death rate among the black poor is likely to be three times the national average.

When one looks behind these figures—and others—and sees that the poor get much less prenatal and postnatal care, worse nutrition, worse housing, and less preventive and rehabilitative care than the average citizen, then one has to suspect strongly that costs are a major problem to certain segments of our population. Fifty per cent of the poor are not immunized against common childhood ailments. Sixty-four per cent do not see a dentist. And 45 per cent of the female poor who have babies do not get prenatal care.

Q. Is the answer increased spending?

A. I think the problem is less how much we are spending on health care, and more how we are spending this money.

In other words, while we are doing some things well—such as through our expenditures on research, education and treatment of certain acute illnesses—there are some things we are not doing well. For example, preventive care—needed to keep people from getting sick, whether through personal-health services or environmental services such as air and stream purification—is inadequate. And the productivity, or efficiency, of some aspects of our health-care system is too low.

Q. Why is medical efficiency so low?

A. The major productivity problem is that while we as a nation have changed significantly, both in terms of living conditions and in terms of medical science, we are still, in too many sections, using the health-care apparatus that we had in the 1930s and 1940s.

Today we are more urbanized, and the pressures of urban living are different from those of a rural economy—resulting in different demand and delivery problems. Medical science has vastly proliferated the numbers and variety of health services that need to be provided. To meet these and other changes, we need a reorganization of our health services.

Q. How would you change the system?

A. In broad terms, we need to bring all major health services together on what might be termed "health campuses." Further, the various services involved must be more closely co-ordinated—for example, doctors' offices, hospitals, extended-care facilities, public-health programs and home-care programs. Also, the physician must become better integrated in the total range of services.

Today, agencies and services are so fragmented it is difficult for the patient to know how to enter and then use the system intelligently. And, obviously, co-ordination problems arise which have cost implications.

In some depressed areas, where ability to travel is limited or knowledge of health services is minimal, there is often a lack of services—compounding the matter of fragmentation.

Q. Should these health centers be developed with government funds, or private money?

A. It will take both. It will take government help to build expensive hospital beds—or, better still, to modernize those beds. It will take significant government help to build or modernize some of the allied facilities and those for education and research The help will be in the form of grants and loans.

On the other hand, a fair amount of private funds, primarily through prepayment and insurance, can be involved in paying for the services that are provided in these facilities and for assuming some of the capital expenditures that will be required.

To keep these costs as low as possible, however, meaningful control and incentive mechanisms must be applied. For example, planning of physical facilities must be done carefully to avoid costly duplication and needless overspending. There should be some effective system of areawide planning to fit health facilities to the needs of the community.

NEEDED: BROADER INSURANCE

Q. Are changes needed in health insurance?

A. We are going to have to provide more comprehensive health care by having prepayment and insurance pay for a broader range of benefits.

At present, prepayment and insurance pay for only one-third of the medical-care dollar. This should be increased to 85 or 90 per cent as soon as possible, for the cost of even one large health-care item—such as drugs or a hospital stay—can handicap a family severely.

The scope of benefits widely available should be extended very quickly to include such out-of-hospital costs as dental care, prescribed drugs, home care, and particularly preventive care, so that nobody is left in grave danger as far as financing his family's medical care is concerned.

The broadening of benefits would also serve to help reduce the use of our most expensive service—that is, the hospital.

For example, preadmission testing, now in effect in 22 Blue-Cross plan areas, makes it possible for a patient to get his X-ray and lab tests in the outpatient department of the hospital several days or weeks before he's admitted, without spending needless time in a hospital bed.

Potential savings from this kind of testing in one State have been estimated as high as 7.5 million dollars. For convalescing patients, home care, now in effect in 17 Blue Cross plans, costs as little as $10 a day—a fraction of the cost of a hospital stay.

Q. Would you expand federal, or private insurance?

A. The broadening must be done in both sectors—public and private.

In the private sector, labor and management must recognize that as high a priority must be placed on comprehensive health benefits as on such things as more take-home pay, reduced workweeks, longer vacations and other fringe benefits. Not only do broad benefits have incentive value, but the payoff of a healthy working population with minimal medical indigency and dependence on tax sources is potentially great.

In the automotive industry, for example, we already find that such things as outpatient psychiartic care, treatment in nursing homes and other extended-care facilities, and prescription drugs are now part of their standard health-insurance contracts. This is an encouraging trend.

In the public sector, the Government should help provide benefits for those who cannot afford them. It will become less and less defensible for the Government to ignore the needs of the poor.

HOW TO HELP THE POOR

Q. How would you reach those poor people? Would you simply extend the Government's system of medicare to include people of all ages, instead of just the elderly?

A. It would be well to leave medicare focused primarily on the aged, as it is now. In addition, the totally and permanently disabled could be brought into medicare regardless of age—as well as State retirees.

To make medical care more available to the poor who are outside any of the above categories, we should strengthen considerably our medicaid program. Several points come to mind:

The Federal Government could increase its aid to the States under the medicaid program from the present 55 to 83 percent up to 70 to 90 per cent, if necessary. A major problem to date has been the inability of States to provide adequate matching funds. State tax resources are considerably less than federal, and increasingly the problem of the poor is becoming a national—as opposed to a local—problem

I would do away with the current undignified and needlessly complicated system of need determination, which is too subjective and too subject to inequitable interpretation by states and localities. Instead, let a person declare his home on a short form to the Internal Revenue Service.

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Presumably, all welfare-cash beneficiaries would not be working and would receive 100 per cent help. For those who work, if their income is below a certain figure—they would get something less than 100 per cent help. Persons in lower income categories might get 50 per cent, others 25 per cent, and those above a certain income level would get no help at all.

But these income levels should be re-examined periodically, over all. Federal guidelines should be promulgated as a condition of participation in federal aid—for example, who should be eligible, what evaluative data are to be kept, and the actuarial value of minimum benefits.

Also, the Federal Government should require that the income limits be relatively uniform among the States—taking into account the different costs of living in different areas.

This would be a simpler, more flexible system. If the nation's economy should improve, that could be taken into account. It would reduce demands on already burdened local tax revenues needed for many social purposes like education. It would avoid the regressive aspects of a uniform payroll tax.

Further, the States participating in this plan could purchase their medical care through private carriers which would be responsible for performance under clearly stipulated conditions.

Q. Do you believe in compulsory, tax-paid health insurance for everybody?

A. The States should have some elbow room to work out their own plans. If a State wanted to, it could use a plan like Governor Rockefeller's in New York—which in its original form involved a payroll tax shared jointly by the employer and employe in support of a minimum-benefit package for the working population, and the use of private carriers to administer the benefits. Those on welfare rolls would still need direct government assistance.

Q. Do you have any estimate of what such a program would cost—in taxpayers' money?

A. No, I don't. It has been estimated that it would cost about $250 a year per person to render comprehensive health services under today's health system. The cost of either program would depend, in the last analysis, upon what benefits were included, who was included, and so on.

Q. Speaking of costs, what has caused this sudden jump in hospital and doctor costs?

A. On the hospital side, it is important to note that labor costs account for about 70 per cent of the average hospital's budget.

For a long time, wages paid hospital employees were far below the wage standards in most industries for workers of comparable skills. But in recent years, nurses and other hospital employees have begun demanding wages comparable to those paid other workers. In some places, hospital employees have gone on strike; in other places, they have made strong demands. All this, plus the fact that hospital employes were placed under the federal minimum-wage law in 1966, have caused labor costs to accelerate.

So a large amount of the recent rise in hospital costs represents hospital labor catching up on wages.

WHY COSTS WILL GO HIGHER

Q. Have hospital workers now caught up, or is this rapid rise to go on in the future?

A. I would say that the pay of the average hospital employe is still behind that for comparable skills in the community. Therefore, we can look for two or three years more of an exceptional rise. Then it should start to moderate.

Other factors in rising hospital costs include expensive new equipment, new services and the public's rising demand for these services, as well as expensive laboratory tests.

There can also be no doubt that overuse is a factor that is contributing to high hospital bills. In the absence of broad benefits and well co-ordinated allied services, the hospital can become the site of care which can be rendered more economically elsewhere.

Q. How about doctors? Are they making fortunes, as many people believe?

A. The average doctor nets perhaps something like $33,000 a year, according to recent figures. Of course, there are some doctors who make considerably more than that. But I don't think the average income of doctors is too high, considering the cost and long years of their education and their relatively short productive working lives. Whether the doctor is able to be fully productive in today's system is another matter.

Q. A recent report covering the greater metropolitan area of Washington said that in a 10-year period the number of hospital beds in this area had increased by 25 per cent, but the number of hospital employes had increased in the same period by 75 per cent. This indicates a decrease in productivity per man. Why is this?

A. It's directly relatable to the fact that medical science is getting much more complicated. If you were to examine the number of procedures that are performed in a hospital, the variety of drugs that are administered, the types of operations that are performed, you would find that the equipment and technical processes of the medical profession expanded significantly in the last 10 years.

Q. Doesn't all this new equipment help to reduce labor costs in treating illness?

A. On the contrary, much of the new equipment actually requires more people. For example, the complicated equipment used in open-heart surgery might require the services of from 10 to 15 people during the course of an operation.

Similarly, a cobalt-radiation unit used in the treatment of cancer, and kidney-dialysis machines have created a new need for manpower where none existed before. As a result, the average hospital today requires 2.5 employes per patient, compared with an average of 1.5 twenty years ago.

Furthermore, much of the new equipment is additive; too rarely does it substitute for a significant number of the simpler procedures preceding it. Automation, for example, of laboratory tests, or monitoring life's vital functions, holds promise, but we are only at the initial demonstration stage of this development.

BENEFITS TO THE ECONOMY

Q. You have also said that certain segments of the population are not getting the care that they should. Do you foresee a big increase in the number of people getting medical care or in the extent of medical care that they get?

A. Yes—and it should be recognized that this care is viewed as a right rather than a privilege. Health care for everyone must be regarded as a necessary and vital element of our society.

Apart from the moral issues involved, good health makes good economic sense, as I suggested earlier. It has been estimated, for example, that 10 per cent of the nation's income growth over the past 50 years has been due to the declining death rate, resulting in a larger labor force.

It is also estimated that every dollar spent on research into arthritis or rheumatism gives us a potential return of $39 by keeping a person out of bed and having him at work as a taxpayer rather than a drag on our economy. Similar examples could be cited for other debilitating diseases.

It is foolish to pay to keep a lot of sick, unproductive people on welfare when, by the judicious expenditure of little or no more money, we can keep these same people on their feet as working and contributing members of society.

In essence, there is reason to increase the percentage of our gross national product spent on health care, because this in turn may increase even more the size of our gross national product—assuming a reasonably productive delivery-of-care system.

Q. You have suggested how reorganization of our medical system can bring better care. But how would it stem the rise in medical costs—or would it?

A. First of all, I think that costs in the health field, like those in the education field, are always going to go beyond the rise in prices generally—the consumer-price-index rise—for the foreseeable future, essentially because medical services involve so much labor.

In medicine, there is minimum opportunity to substitute machines for men. So what we are talking about is a moderation of a cost rise, rather than actually bringing it down completely into line with other cost rises.

But I believe that if we do more program-and-facility planning, and if we reimburse medical institutions on an incentive basis instead of simply paying their charges or costs uncritically, we can then begin to moderate the medical-cost rise. In an essentially uncompetitive economy, both are necessary as well as promising.

WAYS TO PARE EXPENSES

Q. What do you mean by paying on an "incentive basis"? How would such a payment system work?

A. Well, let's take the hospital, for example. At present a lot of hospital care is paid for on a daily-charge or cost basis: The amount a hospital charges or states as cost is paid—or considered a bad debt. This system does too little to encourage efficiency.

Now, the Blue Cross and some other prepayment plans, and the Department of Health, Education and Welfare are experimenting with other methods of paying hospitals.

One idea being considered is to negotiate contracts with hospitals and pay each a rate based on an agreed-on budget or target. Another approach is to pay a hospital on the basis of the average cost of all similar hospitals in their area. If a hospital can keep its costs below this average, it would get to keep some of the difference—while, if its costs exceeded the average, it would be penalized some of the difference.

It is assumed that hospitals could reduce costs through the greater application of industrial-engineering techniques, use of more shared services with other hospitals, better corporate planning, and stronger over-all administration.

What must be kept in mind is the temptation to lower costs through compromises with quality. To guard against this, measures of effectiveness are needed as reference points. Some are coming.

In Southern California, under CASH—Commission for Administrative Services in Hospitals, a program we helped sponsor—90 hospitals are finding many new ways to improve services to the point where they expect to save a total of from 12 million to 16 million dollars annually. Following CASH suggestions, some hospitals now show a more than 20 per cent improvement in the utilization of nursing personnel, based on carefully formulated work standards and intensive in-service education.

RUMANIAN NATIONAL IDENTITY

Mr. TOWER. Mr. President, the 10th of May is a traditional national holiday of the Rumanian people and marks the anniversary of three important events in the history of Rumania. Charles, Prince of Hohenzollern-Sigmaringen, was proclaimed Prince of Rumania on May 10, 1866. Eleven years later, Rumania declared her independence from the Otto-

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man Empire and decided the issue on the battlefields south of the Danube, where, in alliance with the Russian czarist army, the Rumanian forces defeated the Turks. Then, in 1881, on the 10th of May, Charles I was crowned King of Rumania. With a sense of national pride, Rumanians have long cherished this day of triple significance in their history. But, the oppressive alien regime that now holds sway over Rumania will not countenance the free celebration by the people of their traditional national holiday. Instead, May 9, the anniversary of Soviet victory, is an official occasion for celebration. But it is an empty occasion for the Rumanian people who in the depth of their being held fast to their national identity and look for the day when they may once again be free to guide the destiny of their country.

BIOGRAPHY OF THE ABM

Mr. TYDINGS. Mr. President, 2 weeks ago I spoke at some length in the Chamber regarding the waste and dangers implicit in the President's decision to deploy the so-called antiballistic missile

The New York Times magazine of May 4, 1969, contains a fascinating article written by Dr. Ralph E. Lapp, the noted nuclear physicist, who, among a great number of prominent physicists, believes the deployment of antiballistic missiles is a grave national mistake.

Dr. Lapp's article, entitled "A Biography of the ABM," traces the history of this project from the earliest days of the development of antiaircraft rockets. I commend Dr. Lapp's historical review of this dubious defense hardware to the reading of every citizen concerned with our national defense. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FROM NIKE TO SAFEGUARD: A BIOGRAPHY OF THE ABM

(By Ralph E. Lapp)

Four U.S. Presidents have been confronted with decisions on deploying antiballistic-missile systems. Four species—Nike-Zeus, Nike-X, Sentinel and Safeguard—all replete with heroic names and confusing acronyms, have puzzled Presidents and laymen alike.

President Eisenhower's hand was forced during his last year in office when Congress approved funds for producing Nike-Zeus, but he stubbornly—and wisely, in the light of subsequent developments—refused to spend the money after his science advisers told him that neither the Zeus missile nor its radar system could cope with a serious attack.

President Kennedy took the advice of his defense chief, Robert S. McNamara, and turned back demands to deploy ABM defenses even though the "military-industrial complex" applied pressure and politicians on Capitol Hill produced frightening "evidence" of Soviet nuclear strength. Again, the hardware—the missiles, radar and computers—did not measure up to White House advisers' standards.

President Johnson, on the other hand, did not take the advice of McNamara, who had prepared scores of computer print-outs showing that an ABM defense promised no security whatever because a Soviet reaction to it could easily cancel any advantage it might provide. McNamara was forced to back down, however, and, as one Pentagon expert told me, "for the first time went against the numbers" by announcing in September, 1967, plans for a "thin" ABM defense against the threat of nuclear missiles hurled from Red China. Congress went along on the plan, which became known as the Sentinel system.

President Nixon asked his Secretary of Defense, Melvin Laird, and Laird's deputy, David Packard, to take a new look at Sentinel, which had run into spirited opposition. On March 14, Nixon announced his Safeguard program, an ABM system designed primarily to protect missiles, not people. This change, made to end city-dwellers' opposition to Sentinel, has opened up a searching inquiry into U.S. nuclear policy.

Safeguard is being bitterly contested in the Senate and a close vote is expected in June, when the Defense Department authorization bill comes up for approval. Senator J. W. Fulbright's Foreign Relations Committee has taken the bit in its teeth and, through Senator Albert Gore's subcommittee, examined the ABM issue in nationally televised hearings. What is on trial in this mounting debate is more than the fate of a missile system. As Senator Mike Mansfield expressed it: "I see no safety for this nation in bristling and burnished missiles whether they stand tall around deteriorating cities or rise in the empty fields of an impoverished rural society." It is, in brief, a matter of national priorities—of attending to urgent domestic needs so long neglected because of the dominance of military spending.

The ABM issue is neither singular nor simple. It has become highly technical and complex, complicated by shifting defense justifications and increasingly polarized on the Nixon-Kennedy political axis. Thus the national debate will sorely test the ability of a democracy to grapple with techno-military matters heavily underlaid with political intrigue. Given this prospect, it is appropriate to view the ABM problem in perspective—to examine it piece by piece as it has evolved over the years.

American research on ballistic defense began with Army Ordnance Contract No. W30-069-ORD-3182, placed with Western Electric's Bell Telephone Laboratories on Feb. 8, 1945. This agreement underwrote "investigations, research experiments, design, development and engineering work required to produce a suitable antiaircraft missile." It marked the birth of the Nike missile, which over the years graduated from defense against bombers to interception of intercontinental ballistic-missile warheads.

Western Electric, the manufacturing arm of A.T.&T., has remained for a quarter-century the prime contractor of the Army's antimissile program. Through the latter half of the nineteen-forties, Nike development cost about $3-million a year as the first Army fledgling, dubbed Nike-Ajax, tried out its stubby fins. In November, 1951, Nike-Ajax soared into the clear air over the White Sands Proving Grounds in New Mexico and knocked down a drone aircraft.

The 21-foot Nike-Ajax, boosted by a solid-fueled first stage and a liquid-fueled upper stage, attained a speed of 2,000 miles an hour, a range of 25 miles and a ceiling of 10 to 12 miles. This performance was impressive enough to warrant its deployment around U.S. cities and air bases as a bomber defense. But it mounted a warhead of ordinary high explosives and the Army decided to push on to a second-generation Nike, one that would "go nuclear" and have greater range and speed.

A nuclear-tipped Nike-Hercules, standing 41 feet high, emerged as an operational missile in 1958, after five years of development. The Hercules, with a range of 75 miles and a speed of 2,200 miles an hour, replaced the Ajax in some 80 antiaircraft batteries around the country. A total of 3,000 Hercuels missiles came off the production line to protect American cities against bomber attacks.

While Hercules was incubating, a missile specifically designed for use against other missiles—ICBM's—was under study. The Army initiated in 1955 a Bell Telephone Labs study of ABM, the first true antimissile missile. No one can trace the origin of this term, though the antimissile idea probably occurred to the British when the first V-2 crashed on London in September, 1944. The Army's antimissile project was undertaken against a background of two technological breakthroughs. One was the U.S. development of the H-bomb, with a matching Soviet achievement only a pace behind; the other was the mounting evidence that the intercontinental ballistic missile was just below the horizon. (The ICBM was initially called IBM in the Pentagon, but the International Business Machines Corporation strongly objected to the purloining of its initials.)

On August 26, 1957, Tass, the Soviet press agency, reported the successful test of a "very-long-range ballistic missile," the TR-3, and within six weeks Sputnik I dramatized Soviet rocket prowess. The Air Force's development program for the first American ICBM, the Atlas, a 100-foot liquid-fueled rocket, was nearing fruition. The first successful test came in November, 1958. The Army, meantime, was quick to capitalize on the potential Soviet threat. On Oct. 28, 1957, Gen. Maxwell Taylor fired the first Army gun to promote ABM. "We can see no reason why the country cannot have an antimissile defense for a price that is within reach," he said, adding: "I am sure many of you have heard the statement that the dollar requirements for this kind of defense are astronomical and that the whole concept is beyond consideration. I can assure you that the studies I have seen lead me to a different conclusion."

Taylor knew the problems the Army's ABM faced. There was a widespread belief that the ICBM was unstoppable—that no defense was possible. There was apprehension about the cost of the ABM proposal, and there was competition from the Air Force, which had been the big spender in air defense.

The Army was confident that it could successfully intercept and destroy an "adversary" warhead on the test range and thus win the argument over whether an ICBM could be stopped. It was not deeply concerned either about the cost problem. Since the Pentagon had already spent $25-billion on postwar air defense, the Army was not inclined to think that similar expenditures for missile defense were out of the question.

The Air Force was a stickier matter. While the Army was giving Western Electric the go-ahead to develop Nike-Zeus, the third-generation missile in the series, the Air Force had deployed rocket-launched ramjets, called Bomarc, around the United States and Canada and was developing an antimissile called Wizard as a competitor to Nike-Zeus. Eisenhower's Secretary of Defense, Neil McElroy, stepped into the battle in January, 1958, dividing responsibility for ballistic-missile defense between the contestants but giving the Army a clear priority in the ABM program. McElroy followed up his decision by creating the Advanced Research Projects Agency (ARPA). Its main mission turned out to be Project Defender, a $100-million-a-year program concerned with all phases of ballistic-missile defense.

Though the Army had other cards—Werner Von Braun's intermediate-range Jupiter program, for instance—the 50-foot Nike-Zeus antimissile missile became its trump card in the battle for a share of the U.S. missile program. Launched with a powerful 450,000 pounds of thrust, the three-stage, solid-fuel Zeus soon began to take a sizable portion of the Army research budget. Zeus expenditures were $12-million in fiscal 1957, quadrupled the next year and in fiscal 1959 soared to $210-million. Although the missile was still two years from flight-testing, the Army tried to use a power play: in 1960 it asked for $400-million to begin production. Secretary McElroy batted back the request,

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but Congress stuffed the money into the budget anyway. McElroy held his ground and refused to spend it. He summoned White House science advisers to the Pentagon and balanced their analyses of ABM effectiveness against the Army's claims and studies by other scientists.

The Army failed in its big push to go into production on an ABM, but it won a consolation prize—increased research and development funds.

The Nike-Zeus program, as it stood in 1959, had two huge deficiencies. Its Zeus Acquisition Radar, or ZAR, could not distinguish between a real and a decoy warhead, and it could not cope with a large number of attacking missiles. Essentially, these fatal flaws grew from the fact that the "eye" of the radar system rotated and could therefore take only a periodic peek at incoming objects rather than fixing them with a steady stare. The short look severely limited the amount of information the system could gather about an approaching target. It meant that the Zeus, with its impressive missile punch, was a near-blind giant; it couldn't hit what it couldn't see.

President Kennedy felt pressure for the ABM almost from the day he took office, but his nimble Defense Secretary, Robert McNamara, was more than a match for the Army-industrial-political phalanx. Again, ABM went back into the research-and-development oven, but this time the heat was turned up. Nike-Zeus, a missile almost as big as the six-story-high Minuteman ICBM itself, was about to overcome its growing pains. The Thiokol Chemical Corporation had licked the problems of casting a huge solid propellant. Douglas Aircraft mated the three stages together, and an assembly of individual radars was concocted to provide sharper vision for the system. Late in 1961 the Nike-Zeus achieved its first test-firing. Then in the spring of 1962 all three stages worked perfectly and on July 19 Zeus was readied to intercept the nose-cone of an ICBM.

An Atlas launched from Vandenberg Air Force Base, Calif., streaked westward toward a target 5,000 miles down range. Poised in an underground cell on Kwajalein Island, in the Marshall chain southwest of Hawaii, was a Nike-Zeus on alert. Could a bullet hit a bullet in the inky darkness of space? Here was a crucial experiment. A set of elaborate radars picked up reflected signals from the oncoming Atlas, fed data to computers and determined the intercept point. A separate radar was given this vital information and took over; a computer commanded the Zeus to launch. With a mighty roar it zoomed upward, burning out and discarding its first stage, then shucking off the second stage after consuming its propellant. High above the Pacific, the last stage of the Zeus arced toward its target, guided by the sensitive radar on the ground. The Zeus scored a hit. Had it been the real thing, a nuclear explosion would have "killed" the hostile warhead.

Some skeptics remained unconvinced, calling the demonstration a "turkey shoot," a controlled experiment rather than a combat test; they said that in a real attack the Zeus crew would not know when or from what direction the attacking missile would come. But it was a landmark for the Army antimissile effort and the over-all program was accelerated.

The Kwajalein missile intercept came hard on the heels of a high-altitude test of a two-megaton warhead. The blast took place about 200 miles above Johnston Island, a small chunk of real estate southwest of Hawaii. It was a spectacular sight that lit up the night skies over much of the Pacific, allowing an enterprising photographer on Oahu to catch Diamond Head bathed in light from the explosion 800 miles away. A nuclear explosion in the vacuum of space is a strange event. It takes place in one-ten-millionth of a second—a silent flicker of radiation. Yet in this infinitesimal moment energy equal to two million tons of TNT is released. Almost none of it, strange to say, is emitted as visible light. Most of it flashes out as an immense burst of X-rays—rather weak X-rays, at that—less powerful than those used by a dentist photographing a patient's teeth, but of such vast quantity that their impact energy can destroy an ICBM warhead in space.

The Army's ABM program, guided from on high by advice from the Research Projects Agency, was once again reshuffled. There emerged a new program, code-named Nike-X, aimed at protecting all of the United States against nuclear attack from the Soviet Union. Nike-Zeus remained the space killer, but new radars were added and—most important—a brand-new missile, the Sprint, was born. Still, the White House gave no indication that it would fund an ABM program.

Nike-X's strategy was to meet incoming missiles with a one-two punch. Nike-Zeus would supply the long-range jab, 100 miles or so above the earth's surface. Sprint would be the short-range, solid punch aimed at objects that had dropped into the earth's atmosphere. Here the retarding effect of the atsmosphere would, so to speak, sort out the real and decoy warheads because the real ones, which are heavier, would sink faster. (It is not practical to include heavier decoys in a missile's payload because the extra weight robs the missile's real warhead of its explosive power.)

In March, 1963, Martin Marietta was awarded the contract to develop Sprint. Components were tested that year and the new ABM, which could jet itself to a mile-high altitude in a few seconds, was tested in 1965 and lived up to its designers' expectations. Equipped with a warhead only a tenth as powerful as the bomb that destroyed Hiroshima, the 27-foot Sprint is the backbone of the Army's hopes for fending off a massive nuclear attack. To date, the Army has tested about 30 Sprints, and it remains confident that the conical missile will perform as specified.

Meanwhile, Nike-Zeus was undergoing a metamorphosis designed to extend its range. This was vital if the Nike-X system was to be economically feasible. If the range were not increased, a large number of expensive missile farms and radars would have to be spread out over the nation. Cost was all important; a cost-minded Secretary McNamara told a Congressional committee:

"It is worth noting that had we produced and deployed the [obsolete] Nike-Zeus system proposed by the Army in 1959 at an estimated cost of $13-billion to $14-billion, most of it would have had to be torn out and replaced, almost before it became operational, by the new missiles and radars of the Nike-X system."

In 1966 the Joint Chiefs of Staff decided that Nike-X was ready to deploy. McNamara disagreed, saying that the deployment would only provoke the Russians into a similar move that would nullify the effectiveness of Nike-X. Nonetheless, Congress came to the aid of the Army by appropriating funds to begin production of the Nike-X hardware. At this point the Army got a big assist from the Soviet Union. Although legislators and generals had been asserting for some time that the Russians were about to deploy their own ABM system, the first part of the sixties passed with no convincing evidence of Soviet deployment. To be sure, Premier Nikita Khrushchev boasted to American newspaper editors in the summer of 1962 that his nation had antimissile missiles that "could hit a fly in outer space," but it was not until Nov. 7, 1964, that any solid proof of an ABM appeared. It came in the form of a 65-foot, cigar-shaped metal container trundled across Moscow's Red Square by a long tractor-trailer combination. This marked the debut of Balosh, the missile's NATO code-name, and within two years U.S. spy satellites discovered that these Nike-Zeus-type defensive missiles were being deployed around Moscow.

Until the deployment of the Galosh missiles, McNamara had adamantly held the line against recommending a Nike-X deployment. He knew that it would cost at $20-billion—and possibly two or three times that amount—to build an ABM defensive shield to protect against a determined Soviet attack. The dollar outlay was by itself not critical, but McNamara was certain that Nike-X would provoke the Soviet Union into another round in the arms race and that when this was run the United States would be no better off, possibly worse off, than before the building of the Nike-X defense.

Although the intelligence report on the Galosh deployment was top secret and available to only a very few high-level Government officials, McNamara knew that it would be leaked to the press before 1966 was out. He therefore decided to take matters into his own hands and release the news before it could be leaked by others, creating the impression that he had been withholding information. On Nov. 10 the Defense Secretary held a news conference at Johnson City, Tex., and disclosed that an ABM ring was being built around Moscow.

McNamara was aware that arms advocates in industry, in Congress and in the Pentagon would press for some response to the Soviet move. He also knew that the U.S. nuclear strike force more than measured up to the Galosh ring around Moscow and that programed additions to strategic strength in the seventies would multiply U.S. power to an awesome degree. Though one can understand the Russian defensive mentality—a heritage imposed by Napoleon and Hitler—there can be no question that the Soviet initiative stepped up the arms race.

At this point we must depart from a consideration of purely defensive forces and examine the power of the strategic offense and, in particular, the potential of multiple warheads. Long before there was any real evidence that the Soviet Union was making headway in ABM development, the U.S. set out on a course that now sorely complicates attempts to reach agreement on arms limitations. The complication is summed up by another of the acronyms that plague the postwar period—MIRV. This stands for Multiple, Independently Targeted Re-entry Vehicle. Translated from Pentagon gobbledegook, it means packaging more than one nuclear warhead in an ICBM nosecone and equipping each warhead so that it can be dispatched to a separate target. Although MIRV broke into public print shortly after McNamara's disclosure of the Soviet Galosh ring, it had been under development for many years. This is evident from an exchange in July, 1968, between Senator Mansfield and Dr. John Foster, the Pentagon's research chief.

MANSFIELD. "Is it not true that the U.S. response to the discovery that the Soviets had made an initial deployment of an ABM system around Moscow and possibly elsewhere was to develop the MIRV system for Minuteman and Polaris?"

FOSTER. "Not entirely. The MIRV concept was originally generated to increase our targeting capability rather than to penetrate ABM defenses. In 1961–62 planning for targetting the Minuteman force, it was found that the total number of aim points exceeded the number of Minuteman missiles. By splitting up the payload of a single missile [deleted] each [deleted] could be programmed [deleted] allowing us to cover these targets with [deleted] fewer missiles. [Deleted] MIRV was originally born to implement the payload split-up [deleted]. It was found that the previously generated MIRV concept could equally well be used against ABM [deleted]."

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While it is interesting to speculate on why the 800 Minuteman scheduled at the time were inadequate for hitting the chosen "aim points," we are primarily concerned with U.S. retaliation, not with a U.S. strike at Soviet missile sites. In a subsequent question, Senator Mansfield asked if the U.S. strategic power might add up to "a capability to throw 10,000 warheads at an aggressor" by 1973. Foster replied that this was possible. (One strategic program in 1969 calls for the deployment of 11,000 nuclear warheads by the mid-seventies.)

While this colloquy, buried deep in the fine print of 2,528 pages of a green-jacketed record of appropriations hearings, may seem technical and obscured by the deleted remarks, it penetrates to the core of the current debate over President Nixon's Safeguard system, which had its beginnings in 1967 as McNamara pondered a response to the Soviet Galosh deployment.

Pressure built up early in 1967 for the U.S. to counter Galosh by deploying the Nike-X system. The Congressional Cold Warriors, twice denied an ABM victory, scented success and pressed for immediate action on Nike-X. The Joint Chiefs of Staff came up with a unanimous decision to deploy Nike-X on a two-step plan: (1) a $9.9-billion program to provide 25 cities with ABM defense; and (2) a $19.4-billion program to extend this defense to 25 more cities and add more Sprints to thicken the defenses of the largest 25 cities.

Senator Richard B. Russell, the venerable former chairman of the Armed Services Committee, backed this program, saying that the first step would save 80 million Americans and the second step would extend this protection to a total of 90 million citizens. "It seems to me that the objective in defense should be to prepare to save all that you can," he argued, "even if you are unable to save everything and everyone." Russell pointed out that his committee had initiated the action in 1966 to add production funds for Nike-X and that these had not been used because of McNamara's doubts about the system. He said they could now be applied to getting Nike-X started.

The heat was turned on McNamara in the spring of 1967. His annual statement on the nation's defense posture had neatly incised the issue that year. He agreed that Nike-X could save 80 million or 90 million lives—although it might cost, according to his calculations, $40-billion to do so—but he made two observations that cast Senator Russell's people-saving optimism in a different light.

First, the defense chief made the point that 80 million lives might be saved, but 30 million Americans would inevitably die in a missile attack. Second, 30 million is a rock-bottom estimate based on the assumption that the Russians would do nothing to respond to the U.S. deployment of a massive ABM system like Nike-X.

"It is a virtual certainty," the Defense Secretary emphasized, "that the Soviets will act to maintain their deterrent, which casts grave doubts on the deploying of the Nike-X system for the protection of our cities against the heavy, sophisticated missile attack that they could launch in the nineteen-seventies."

That, in essence, is what the great debate over ABM systems is all about.

The controversy then took a new turn. The Republican National Committee issued a 55-page pamphlet titled "Is LBJ Right?" The question had to do with President Johnson's foot-dragging on deploying the Nike-X. Now the issue was cast in partisan terms—at a time when the President was still running for re-election. One commentator observed that Nike-X was now aimed at Republican, not Soviet, missiles.

So the ABM battle was at last joined; sometime during the late summer of 1967 McNamara had to surrender to the massive pressure to respond in kind to the Soviet Galosh venture. On Sept. 18, he announced a plan to begin the deployment of what became known as the Sentinel system. It was an incredible speech that was replete with defense heresy and nuclear brimstone:

". . . technology has now circumscribed us all with a conceivable horizon of horror that could dwarf any catastrophe that has befallen man in his more than a million years on earth . . . Our current numerical superiority over the Soviet Union in reliable accurate and effective warheads is both greater than we had originally planned and, in fact, more than we require. . . . In the end, the root of man's security does not lie in his weaponry."

Perhaps the most astonishing thing about Sentinel was that it was keyed—and no one seems quite sure how this happened—to an irrational nuclear ICBM attack from Red China. But when the military authorization came before the Senate, there was little doubt that the Senators were thinking of something else. As Senator Russell said in an interview in Atlanta Magazine:

"It's a base for a system throughout the whole nation. I didn't deceive anybody. When we brought it up they tried to dress it up as being designed to protect us from China. But I stated very frankly on the floor of the Senate that I consider it the foundation of a complete antimissile system that would save at least 80 million Americans against any atomic attack, however drastic."

The Sentinel debate raged for months in the Senate, but the deciding vote was cast by Moscow. The invasion of Czechoslovakia eliminated any doubt about approval for the ABM system. But at least McNamara managed to trim back the Nike-X deployment into a half-price Sentinel system. This $5.5-billion program featured a nationwide system of about 14 sites for the Spartan missile (the new, extended-range Nike-Zeus) designed to provide "thin" continental umbrella protection. Across the top tier states would be five installations equipped with Spartans and perimeter Acquisition Radars (PAR's) as well as Sprint missiles and Missile Site Radars (MSR's). PAR scans the northern skies out to a distance of 1,500 miles, alerts the Spartan interceptors and relays its data to MSR, which in turn directs the missiles to a "kill point" in space. Sprints, the short-range missiles, are added to protect the all-critical radars; if the radars were hit by an attacking warhead, the system would be sightless and ineffective.

Scientists attacked the Sentinel system as a futile effort, arguing that Spartan could easily be outwitted by a clever foe using a combination of deceptive techniques—such things as radar-reflecting balloons, decoy warheads, bundles of fine metallic slivers so reflective that the radar would be blacked out, or even fragments of the rocket's final stage. But as long as the Red Chinese threat was associated with the Sentinel, arguments against it were futile.

The five northern-tier Sentinel posts included Seattle; Great Falls, Mont.; Grand Forks, N.D.; Detroit, and Boston. Presumably the Montana and North Dakota bases, in addition to filling gaps in the radar chain across the nation, were to provide the 350 Minuteman ICBM's in those areas with a thin ABM defense. The rest of the Sentinel sites were to be Spartan-MSR bases scattered across the country so that their areas of effectiveness formed an overlapping pattern covering the whole nation.

Sentinel ran into trouble when the Army started to select sites in such big cities as Seattle, Chicago and Boston. The citizens of suburban Chicago took exception to a plan to put a Spartan base near Libertyville, Ill. Congressman Sidney R. Yates protested the selection, saying that the site could be located at Bong Air Force Base, 125 miles to the north in Wisconsin. The Spartan's coverage area extended into Canada, so there was no compelling reason to choose Chicago as a site—unless, as some people suspected, the Army planned eventually to install a short-range Sprint defense as part of a "thick" system to protect Chicago. Citizens wished to have less monstrous neighbors than the Spartan. Lieut. Gen. Alfred Starbird, West Point-trained and a man schooled in nuclear technology through years of service at the Atomic Energy Commission's Washington office, had been named Sentinel systems manager and he rushed to the rescue. "There cannot be an accidental nuclear explosion," asserted General Starbird, a member of the 1936 U.S. Olympic team, and he gave his personal assurance that there would be no such accident.

The Army's run-in with distressed citizens in Chicago was repeated in other cities, especially in Boston, where Senator Edward Kennedy got into the act. By this time Richard Nixon had been elected and attention had focused on Kennedy as his opponent in 1972. Therefore the Sentinel encountered one more complication—that it would become a political bone chewed over by Nixon and Kennedy.

As a Presidential candidate in 1968, Nixon took a hard line on nuclear issues and backed an ABM program. In a late October radio broadcast, he warned that U.S. defenses were close to the "peril point" and came out strongly for "clear-cut military superiority over the Soviet Union." As President, Nixon took note of the rising urban opposition to Sentinel and ordered a complete review of the ABM issue. For two months Defense Secretary Laird and Deputy Secretary Packard, a multimillionaire West Coast electronics executive, studied the problem, while construction work on the city sites was halted.

Nixon abandoned the Johnson Administration's $5.5-billion Sentinel system and on March 14 introduced a new Safeguard system, designed primarily to protect the 350 Minuteman ICBM silos in Montana and North Dakota. Although billed as a "sharply cut-back" program, it called for the expenditure of $7-billion in a phased effort. Phase I involves $2.1-billion for installing two PAR radars and two MSR radars, along with Spartans and Sprints, to protect the Minuteman fields at the Malstrom and Grand Forks Air Force Bases. Phase II of Safeguard may extend the protection to 650 more Minutemen at bases in South Dakota, Missouri and Wyoming. When Nixon unveiled Phase I, public reaction seemed favorable. According to the Safeguard timetable, no bases would be located in cities; this defused the urban opposition, but Senator George McGovern, the South Dakota Democrat and an outspoken ABM critic, said in an interview:

"U.S. defense policy on ballistic-missile defense is about as confused as anything can get. No weapons system in recent history has pursued such a random course of changing objectives and shifting justifications."

The confusion had not reached its maximum, however. It remained for Secretary Laird and his deputy to widen the credibility gap. To justify the abrupt shift from a people-saving Sentinel to a missile-saving Safeguard, the new boss at the Pentagon spoke of the "first-strike" threat posed by the continuing deployment by the Russians of a heavyweight missile, the SS–9. A first strike is defined as a blitz attack designed to devastate an opponent's ability to mount an effective response, or second strike.

The Soviet Union, Laird disclosed, had deployed more than 200 SS–9's, and intelligence estimates projected a total force of 500 such ICBM's by 1976. "As we look over the development in the current deployment of the SS–9," Laird said, "it leads me to the conclusion that with their big warhead, and the testing that is going forward in the Soviet Union, this weapon can only be aimed at the destroying

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of our retaliatory force." Nixon's defense chief described the SS–9 as a first-strike weapon and concluded: "There is no question about that . . ." but this served only to raise more questions.

Actually, Laird's contention would not hold water. The Minuteman force deployed in hardened underground silos numbers 1,000, and any Soviet first strike would have to knock out a very high percentage if the return fire were not to produce clearly "unacceptable" damage in the Soviet Union. Furthermore, as Senate critics were quick to point out, our own missiles were being equipped with multiple warheads and the total firepower in the future would add up to 10,000 or 11,000 warheads. These would be distributed among continentally-based ICBM's and B–52 bombers, intermediate-range missiles in Europe, bomber craft based in Europe or on board aircraft carriers, and submarines. No aggressor, the critics argued, could hope to get away with a blitz attack against such a diversified deterrent.

Of course, no one knew just what Soviet decision-makers would regard as "unacceptable damage," but one of McNamara's last official acts had been to spell out the mega-statistics of nuclear destruction. He disclosed that a U.S. retaliatory strike at Soviet targets, using the Minuteman's one-megaton warheads and assuming them to be well-aimed, would produce the following damage:

Number of warheads	Soviet fatalities		Industrial destruction percent of capacity
	Millions	Percent	
100	37	15	59
200	52	21	72
400	74	30	76
800	96	39	77
1200	109	44	77
1600	116	47	77

This neat but ghastly summary, supplied by the Pentagon's computers, explains the grim mathematics of deterrence. Only if the Russians could confine a U.S. retaliatory strike to fewer than 200 warheads could they hope to preserve more than 28 per cent of their productive capacity and, obviously, their present society. Considered against the Pentagon's plan to have 11,000 warheads deployed in a few years, this seems an impossible assignment: Laird's own estimate is that Moscow will have only 500 SS–9's by 1976. The experience of American experts, who consider the Russians to be their equals, has indicated that only 80 per cent of the missiles fired ever launch properly (the others fail to fire, explode or otherwise malfunction). That means that only 400 Soviet missiles could actually pose a threat to the United States. Once more using American performance as a guide, one can estimate that only 80 per cent of the 400—320 missiles—would land within a mile of their targets. And the concrete silo of the Minuteman, with its 70-ton lid, is designed to withstand the blast of a 25-megaton SS–9 1.1 miles away. After a Soviet first strike, therefore, about 680 Minutemen would remain operable. Allowing for the average failures on blastoff, more than 540 Minutemen would destroy their objectives in the Soviet Union on the second strike. (Since their targets are cities rather than underground silos, their effectiveness is insured at distances much greater than 1.1 miles.) The toll would be a third of the Russian population and more than three-fourths of the industrial capacity.

But Secretary Laird, after 60 days in the Pentagon, saw a more fearsome threat in the SS–9's potential for the use of multiple warheads. His deputy, David Packard, told the Foreign Relations Committee's task force under Senator Gore that the SS–9 was being adapted to mount three warheads, and on April 21 Secretary of State William P. Rogers announced that the Russians had conducted in the Pacific long-range tests of an SS–9 with multiple warheads.

At first glance it might seem that the 1,500 warheads produced by mounting three on each of the 500 SS–9's would be sufficient to destroy our 1,000 Minutemen, but this Simple Simon arithmetic will not hold up when the problem is put to careful analysis, for accuracy becomes a critical matter.

The total destructive power of the SS–9 is reduced with multiple warheads because of the extra weight of packaging. While it can carry a single 25-megaton weapon, if three warheads are used they must be limited to four megatons each. The Minuteman silo can withstand a four-megaton blast five-eighths of a mile away. Once more, 20 per-cent of the SS–9's would never get off the ground. And—again according to the American experience—20 per cent of the warheads launched would be lost through MIRV malfunctions. That means that only 960 of the original 1,500 warheads would pose a threat to the United States. But it's much more difficult to hit a target with a radius of five-eighths of a mile than one with a 1.1-mile radius; only 25 to 50 per cent of the 960—240 to 480 warheads—would make it. This would leave about 500 to 750 operable Minutemen. Allowing for predictable losses on blast-off, 400 to 600 Minutemen would hit their Soviet targets on the American second strike, killing a third of the population and destroying three-fourths of the productive capacity.

Secretary Laird, in a further attempt to buttress his case for the Safeguard, said on April 25 that the Soviet Union could have a two-to-one edge over the United States in long-range missiles by 1975. He failed to note, however, the fundamental differences between the first strike, in which the targets are hardened missile silos, and the second strike, which is aimed at cities and production centers, Laird's statement also ignored the potential capability of the U.S. strategic strike force to mount 10,000 warheads by the mid-seventies.

Senator Gore's examination of the need to defend Minuteman sites opened up the whole concept of "nuclear sufficiency," which Nixon had highlighted in his first news conference. Senators who previously took it for granted that the Armed Services Committee knew what it was doing began to ask questions that struck at the heart of nuclear deterrence.

Senator Stuart Symington of Missouri, a former Secretary of the Air Force, raised the issue of U.S. policy in the event that radar revealed a massive first strike aimed at Minuteman bases. Would the Minutemen be fired before Soviet warheads began digging into the U.S. soil? If so, Soviet missiles would be hitting empty holes. (As Senator Fulbright pointed out, empty holes may be our most powerful deterrent weapon.) Pentagon spokesmen were confused in their replies to the launch-on-warning issue and, again, more questions were raised than answered.

Though the Armed Services Committee was, until recently, reluctant to hear experts who differed with the Pentagon, Senator Gore's group called paired witnesses to argue for and against the ABM proposal. Some scientists who opposed the latest system could not be faulted on grounds of competence or familiarity with the technology. Some, like Dr. Herbert York, had held high defense posts and could argue technical points on a thoroughly informed basis. Since the hearings got live, nationwide television coverage, they raised public doubts about the necessity for and the adequacy of the Safeguard system.

The Pentagon's case for Safeguard appeared to suffer from hasty preparation. But even the best-prepared case would have run into trouble for the simple reason that the American people were wearied by the war in Vietnam, dismayed and disturbed by the North Korean capture of the intelligence ship Pueblo and resentful of the continued diversion of dollars from the domestic front to defense. President Eisenhower's warning as he left office that the "military-industrial complex" was growing too powerful assumed new meaning. Senator William Proxmire, for example, turned up a new study of the role of retired officers in the defense industry. The Wisconsin Democrat disclosed that the top six defense contractors for the ABM system (McDonnell Douglas, General Electric, Hughes Aircraft, Martin Marietta, Raytheon and Sperry Rand) employed 400 retired officers at or above the rank of Army colonel and Navy captain. Senator Proxmire made no attempt to disguise his concern about this influence. "The problem of defense spending is out of control," he said in a Senate speech. "The system is top-heavy. The 'military-industrial complex' now writes its own ticket."

It seemed that each day's news disclosed another instance in which costs outran estimates for weapons systems. The mammoth C–5A supercargo carrier, built by Lockheed in Senator Russell's home state, Georgia, was initially priced at $15-million; by this spring the cost had nearly tripled. To cost was added technological complexity, illustrated by the F–111, built by General Dynamics in Texas. The military establishment was shaken by a growing lack of public confidence, and the displeasure was bound to be greatest over the most complex and potentially the most costly of all weapons systems—ABM.

When the U.S. deploys an ABM defense, the Russians must assume—as the U.S. did after the Galosh deployment—that it will be effective. Further, they must assume that the defenses will be thickened around the largest U.S. cities. This is simply another way of saying that the Soviet Union must assume that the Safeguard system will expand into a full-blown Nike-X system. Such an expansion would jeopardize the deterrent capacity of the Soviet second-strike force and compel an increase in Soviet missile deployment just as Galosh brought a response from Washington. Thus the arms race gathers momentum.

President Nixon has recognized the danger of this situation and he has ordered that the Safeguard program be divided into phases that will be preceded by periodic reviews. Many thoughtful analysts doubt, however, that an ABM system, once begun, can easily be stopped. They point out that Phase I of Safeguard, a $2-billion program to protect a third of the Minuteman force to a limited degree, can easily triple in cost if full protection is sought. It can triple again—to $18-billion—if the protection is to be extended to all Minutemen. They believe that in substance the $2-billion first phase is really a pilot operation to see if the system will work. If it does, they contend, it will be expanded to all ICBM sites and ultimately to protect major U.S. cities as well. Inexorably, these analysts say, once this "technological Maginot Line" is started, it will expand until it stretches from border to border, defining the ramparts of Fortress America.

In this 24th year of the Atomic Age, the United States faces a truly momentous decision—whether to seek, through a system of international control, a way out of the nuclear dilemma or to continue toward what President Eisenhower called "the hopeless finality of a belief that two atomic colossi are doomed . . . to eye each other indefinitely across a trembling world."

ADDRESS BY THE HONORABLE RALPH W. YARBOROUGH ON "THE HEALTH CRISIS IN AMERICA TODAY"

Mr. KENNEDY. Mr. President, last Thursday Senator Ralph W. Yarborough delivered a highly significant

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speech entitled "The Health Crisis in America Today." Speaking at ceremonies for the 20th anniversary of the Albert Lasker Medical Journal Awards, Senator YAROROUGH discussed why the field of health care and services presents perhaps our biggest domestic problem at the present time.

He noted, for example, that 15 other countries have lower infant mortality rates than ours. Twenty countries have higher life expectancy rates for males than we do, and 11 countries have higher rates for females. While the health industry is one of our biggest—with over $53 billion spent by the American public last year on medical care and treatment—the Nation has not yet dedicated itself to sound health care as a national goal.

Senator YARBOROUGH recognized the urgent need to move ahead to meet our seniors' health needs. Among priorities he stressed were: A significant increase in our Federal support of medical research; programs to meet overwhelming shortages of health manpower; and vast improvement in delivering health care to those who need it the most. He discussed many of the other shortcomings and needs and challenges in the field of health care, and he pointed the way to action by Congress.

Mr. President, Senator YARBOROUGH has served for 11 years on the Subcommittee on Health. He is presently the chairman not only of that subcommittee, but of the full Committee on Labor and Public Welfare. He has devoted much of his work in the Senate to critical issues concerning health. In his recent speech, he reaffirmed an ambitious, foresighted, and absolutely necessary program for meeting the needs of the present and of the future.

I think that his speech will be of great interest and value to my colleagues here in the Senate and to anyone interested in health care. I ask unanimous consent that Senator YARBOROUGH's speech, "The Health Crisis in America Today," appear in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE HEALTH CRISIS IN AMERICA

(Speech by Senator RALPH W. YARBOROUGH, chairman, Senate Labor and Public Welfare Committee, 20th anniversary Albert Lasker Medical Journal Awards Luncheon, Thursday, May 8, 1969, St. Regis Hotel, New York City)

Mrs. Lasker, Dr. Rusk, Distinguished Guests: Since it is my understanding that the communications industry is heavily represented in this audience, you will appreciate an experience I had on a television station just a few weeks ago.

I had a very sharp interviewer who asked me why, with my life-long interest in education represented in the sponsorship and passage of a number of major bills in the Congress in the last eleven years, I chose the chairmanship of the Health Subcommittee when the Education Subcommittee was open to me. I didn't regard the query as unfriendly—but I think I know the kind of question he would have put to me if we were not on the air. It would have gone something like this:

"Senator, are you out of your mind? Over a period of 12 years in the Senate you have been identified as a major spokesman for education, and you have also headed a Senate Subcommittee on Labor. What makes you think you can do anything about health? Besides, Senator Lister Hill headed the Health Subcommittee for 14 years; anyone who follows the act of that great statesman for health faces an impossible challenge."

I replied that over the past decade the Congress has done a remarkable job in helping to improve the educational system in our country. Not everything has been solved, but I do believe that we lead the world in providing educational opportunities for our children. In my opinion we have the best educational system in the world, with 7.6 million students in college—3.8 per cent of our total population.

I also told the reporter that I was not exactly a babe in the woods in the field of health legislation. For the past eleven years I had served on the Health Subcommittee under Lister Hill, most of the time as ranking Majority member; I pointed out that daily contact was bound to rub off and told him that I took the Health Subcommittee because America lagged behind many modern nations in health.

And the major reason I appear here in New York before you today as chairman of the Senate Health Subcommittee, is that I want to tackle what I believe to be the biggest domestic problem in this country today.

We are the richest nation in the world—we supposedly have the highest level of medical competence—yet we trail most major nations in a number of key indices of health. For example, we are sixteenth among the countries of the world in infant mortality rates. In other words, 15 other countries, including France, England, West Germany, Japan, the Scandinavian countries and so on, have lower infant mortality rates than ours, compared with only seven countries with lower rates 15 years ago. In terms of life expectancy, 20 countries have higher life expectancy rates for males than we do, and 11 countries have higher rates for females.

Infant mortality and life expectancy rates don't tell the whole story. For instance, the American male is a bad insurance risk. The 1966 Demographic Yearbook of the United Nations points out that more American males will die between the ages of 40 and 50 than in all 17 countries listed, except for the Soviet Union. In this age category, we have the highest incidence of death from heart disease of every major country reporting to the United Nations.

And yet we are told—and we know—that the medical care and treatment, or health industry, has become big business in this country. Last year the American people, through public taxation and private payments, spent 53 billion dollars to fuel this industry out of a GNP of 900 billion dollars. The American health service industry, one of the fastest growing in the nation, employs more than 3,500,000 persons, exclusive of another million engaged in the manufacture and distribution of drugs. The health industry is currently exceeded in employment only by agriculture and construction. A recent projection by the United States Public Health Service indicates that, in the early 1970's, health services will be the nation's largest consumer of manpower. In America we have a concept of a health industry, not health care. The nation has not yet accepted a concept of health care for our people; the question of illness is treated as a business for profit.

As chairman of the Senate Health Subcommittee, I intend to dig deeply into all of the ramifications implicit in the foregoing statistics, and to conduct full-scale hearings this year and next year to find out how we can make good health a major national goal of this democracy.

I am not speaking in generalities. For example, why can't we set, as a short range goal, an average life-span of 75 years. In 1900, the life expectancy of the average American was 49 years; the remarkable increase in longevity over the past half century has been primarily due to the medical research conquest of the infectious diseases and the rapid application of these findings to large masses of our people—vaccinations against Polio, Measles, Smallpox, Diphtheria, etc.; drugs against Tuberculosis; antibiotics against Pneumonia and other respiratory infections.

We must develop the same sense of *urgency* with regard to the chronic long-term killers and cripplers.

We cannot achieve even this limited objective without a significant increase in our support of medical research. Over the past three years, Federal budgets for medical research have shown little or no dollar increases, and the revised budget for the National Institutes of Health submitted by the new Administration on April 15th is the worst I have seen in my 12 years in the Senate. It cuts NIH appropriations approximately fifty million dollars under the hold-the-line budget submitted by President Johnson in January of this year. In recent years, sitting alongside of Lister Hill, I have listened to some of the most distinguished medical authorities in the country testify that a standstill research budget means a cut of ten to fifteen percent in research activity because of the rising cost of equipment and personnel. Each year since 1966, the number of new research projects supported by the National Institutes of Health has declined appreciably; with the new slashes projected by the Nixon Administration, our great universities and our medical schools will be forced to curtail budgets and release significant numbers of faculty members, at a time of catastrophic shortages in medical personnel in the nation.

How do we justify this? Do we have the answers to heart disease, which kills one million Americans every year? The Administration must think we do, because it has cut the budget for the National Heart Institute six million dollars under last year's inadequate figure. Can we make any progress when the proposed budget for the National Heart Institute for fiscal year 1970 is four million dollars under the amount appropriated for that Institute three years ago? Dr. Michael DeBakey, that magnificent surgeon who honors Texas and the entire nation by his tremendous dedication, has visited with me several times this year; he has informed me that his colleagues in the field of cardiology all around the country are demoralized by these recent budget cuts.

Do we have the answer to cancer, which kills one American man, woman or child every two minutes? We know we don't, and yet the budget proposed for the National Cancer Institute for the coming year is approximately five million dollars less than the amount appropriated for the Institute last year. My good friend, Dr. R. Lee Clark, Medical Director of the M. D. Anderson Hospital in Houston, has stated publicly that most major forms of cancer could be conquered by the year 1976—the 200th anniversary of the founding of this great Republic—if we would but make it a national goal. Dr. Clark recently told a finance committee of the Texas Legislature:

"Doctors are close to a cure for cancer—as close as scientists were to development of atomic energy in 1939."

Less than a decade ago, we set a national goal of getting a man on the moon. We appropriated billions of dollars and we had magnificent administrators such as Jim Webb, the long-time head of the National Aeronautics and Space Administration, determined to achieve this goal. Many people on this planet of ours will cheer when the first man lands on the moon, but how many millions would cheer and how much more it would mean to mankind if America discovered a cure for cancer, which has cursed the family of man since the beginning of

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time and takes two million lives in all parts of the world each year.

Our Committee also intends to look deeply into the critical shortages in the field of health manpower.

The shortage of doctors in this country is a national scandal. In this country today, there is a joke that it is easier to rob a bank than to find a doctor—and some even try to rob a bank to pay the doctor *if* they find him. Each year, this great and affluent nation imports 2,000 doctors from foreign countries to make up for the demanding deficiencies in our health education system. Today, over 20 percent of the interns, and over 30 percent of the residents, in our hospitals and medical schools are products of foreign medical schools. In some of the mental hospitals in this country, 75 percent of the medical staff is made up of foreign doctors.

What is the reason for this? Is it because our young men and women don't want to become doctors? In my own State of Texas, a very tough medical examining board last year found 1,300 young men and women eminently qualified to enter medical school. However 900 of these were turned away because of the limited capacity of the four medical schools in Texas, and only 400 were admitted.

Where will some of these rejected students go? Well, the University of Guadalajara, south of the border in Mexico, admitted 1,500 medical students in its first year class last September, including 600 American students. It is obvious that they won't get the same quality of training which could be obtained here, but most of them will graduate, they will come back to the United States, and we will welcome them eagerly because we cannot staff our 7,000 hospitals with American trained doctors.

Yet we fumble along because we do not have a national goal. It may seem incredible, but we have never stated how many doctors we really need. By way of contrast, the Soviet Union has 600,000 doctors—twice the number we have—and its new goal is 700,000 doctors by 1975. The Soviet Union exports 2,000 doctors to the under-developed countries of the world each year, while we import 2,000 for under-developed America each year.

Without prejudging the case, it is obvious to me, after listening to testimony before the Health Subcommittee over the past five years on the scarcity of doctors, that we need at least 200 medical schools in this country, whereas we are now staggering slowly toward a limited goal of 100 medical schools. Time does not permit a listing of comparable shortages of nurses, dentists, laboratory technicians and allied health personnel.

Finally, in our scheduled Senate hearings we intend to give major attention to our failure to deliver health care to those who need it most. This country needs to adopt health care as a national goal. Our present system is merely one of medical treatment.

Despite three decades of effort by our commercial insurance companies and Blue Cross-Blue Shield, thirty million Americans still have no health insurance at all. In their publicity, the insurance spokesmen make much of the fact that four-fifths of the population has health insurance of one description or another, but they do not point out that *two-thirds of the costs* of personal health care in America are still uninsured.

"What we have, in fact, is a disorganized, disjointed, antiquated, obsolete, non-system of health care," Walter Reuther told the American Public Health Association just a few months ago.

Last year the Blue Cross Association, concerned with mounting public criticism of the inadequacies of health insurance commissioned the pollster Lou Harris to do an in-depth sampling of the American people to either validate or refute these criticisms. The Harris survey was the most complete of its kind ever conducted in this country, including home interviews with more than one thousand people in all parts of the land.

The results of the Harris survey, as published last December by the Blue Cross Association, can only be described as shocking. Most of the respondents to the inquiry, whether poor or affluent, felt themselves isolated from good medical care. A majority reported they would not know where to turn in the event of a serious illness in the family. From all of the accumulated evidence, the Harris survey concluded:

"Now in the affluent 60's . . . it can truthfully be said that over one-third of this nation feels ill-cared for in its medical needs."

In the public sampling, more than half of the American people gave health a higher priority than having a good job and, among poverty groups, 72 percent of poor whites and 59 percent of poor blacks rated good health over a job or money.

Large segments of our population exhibit the deepest anxieties and frustrations when asked about the accessibility of good health care. Two-thirds of the general public feel that you can't get a doctor in an emergency; 40 percent of the general public, and two-thirds of the poor, worry that they will be unable to pay a doctor if they can locate one, and more than half of the general public and two-thirds of the poor told interviewers that they were terrified of a serious illness which would disable the breadwinner and wipe out all family savings.

The section on health care of the poor should be read, and re-read, by every member of this audience.

"The health of the poor in the United States is a national disaster," says Dr. Jack Geiger, Professor of Preventive Medicine at Tufts University School of Medicine. Dr. Geiger runs an OEO Health Center in Mound Bayou, Mississippi, where the local pharmacy dispenses food as prescription medicine at Dr. Geiger's insistence.

According to a recent report of the National Center for Health Statistics, which sampled the incidence of illness among 45 million Americans at or below the poverty line, these people had four times as many heart conditions as those in the highest income groups; six times as much mental and nervous trouble; six times as many cases of high blood pressure, and so on.

Along with my colleagues in the Senate, I fought the long battle for Medicare, and I regard the 1965 law as the first Congressional step in bringing medical care within the reach of all of our people. However, because of deductible, co-insurance, limitation of benefits, and non-coverage of drugs outside the hospital, even Medicare pays only 40 percent of the total medical bills of the average elderly person.

I won't spend much time on Medicaid. Theoretically, it is supposed to cover the medically indigent of all ages who are not necessarily on welfare, but whose low incomes make it impossible for them to afford the soaring costs of medical care. In actual practice, it has been converted into another aspect of welfare medicine. As a matter of fact, in most states today it is only covering people on welfare and, in quite a few areas, is doing it less adequately than the former categorical medical assistance programs. Furthermore, as a result of a 1967 Congressional limitation, which I strongly opposed, medical indigence is now defined as 33 percent above a state's average welfare payment.

All of these facts were available to the new Administration, but instead of beefing up this ailing invalid it has chosen to propose a fantastic cut of more than 500 million dollars in the Federal matching contribution to the Medicaid program. I am informed by the administrators of the program that this meat axe slash will fall hardest upon those who have no lobby and cannot speak for themselves—the mentally ill in our 300 state mental hospitals.

I don't have to tell you here in New York what a disaster Medicaid is. As a result of the 1967 Congressional limitation, more than one million people were removed from the Medicaid rolls, and I understand that further cuts exacted by the current New York Legislature will force additional hundreds of thousands off the Medicaid rolls in this one state alone.

Let me give you one statistic that brings the point home—of 45 million people at or below the poverty line, only about 7½ million received Medicaid assistance in 1968.

Granting that health is important to all of our elderly citizens, is it not even more urgent to bring the boon of decent health care to millions of young mothers and children excluded from the present system?

If we can afford a war in Vietnam that is costing us 36 billion dollars a year, then we can surely afford some sort of national health insurance for all of our people. Good health is not a luxury—it is as basic as food, clothing and shelter, and it should be guaranteed to every American through a national program of health insurance.

In a recent interview, after discussing some of these views, a highly respected Congressional correspondent asked me why we hadn't been able to glamorize health care in the way, for example, the space program had been dramatized and sold to the American people. Why weren't more Congressmen interested in the health of the American people, he asked.

I answered him quite frankly. There are no big, fat hundred million dollars involved in contract after contract for health programs—like the Defense Department hands out; nothing like the contracts in the hundreds of millions for space launchers or missiles. This program is only about people; we have got to stir people up to demand it.

This is where you people in the communications field come in. We in the Congress need some real *crusading* journalism to help us to arouse public opinion on this issue.

There is a tremendous amount of sympathetic material in this yearning of the American people for good health for themselves and for their loved ones. There are case histories in the Lou Harris survey which wrench your heart, yet this report has received very little publicity. For example, Willie Jefferson, a Negro sharecropper in Columbia, Mississippi, interviewed about the state of health as he sees it, shook his head sadly and concluded:

"People just didn't used to be sick as much as they are today. They died when they got sick, and didn't live sick." From the Director of the Santa Clara California Migrant Clinic:

"More money is spent conserving migratory birds than on the health of migratory workers."

I intend, as long as I am a member of the Senate and as long as I remain on this good earth, to fight for the day when good health care for all Americans will be a major national goal. I cannot do it alone, nor can the Congress do it alone. We will not succeed until the American people support us, demand that we allocate money to health as we are now allocating it to space and to the arms race. You in this audience who are skilled in the art of communication can be the bridge for that kind of understanding.

I beseech your help.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

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DRAFT REFORMS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91–116)

The **PRESIDING OFFICER** laid before the Senate the following message from the President of the United States, which was referred to the Committee on Armed Services:

To the Congress of the United States:

For almost two million young men who reach the age of military service each year—and for their families—the draft is one of the most important facts of life. It is my conviction that the disruptive impact of the military draft on individual lives should be minimized as much as possible, consistent with the national security. For this reason I am today asking the Congress for authority to implement important draft reforms.

Ideally, of course, minimum interference means no draft at all. I continue to believe that under more stable world conditions and with an armed force that is more attractive to volunteers, that ideal can be realized in practice. To this end, I appointed, on March 27, 1969, an Advisory Commission on an All-Volunteer Armed Force. I asked that group to develop a comprehensive plan which will attract more volunteers to military service, utilize military manpower in a more efficient way, and eliminate conscription as soon as that is feasible. I look forward to receiving the report of the Commission this coming November.

Under present conditions, however, some kind of draft will be needed for the immediate future. As long as that is the case, we must do everything we can to limit the disruption caused by the system and to make it as fair as possible. For one's vision of the eventual does not excuse his inattention to the immediate. A man may plan to sell his house in another year, but during that year he will do what is necessary it make it livable.

Accordingly, I will ask the Congress to amend the Military Selective Service Act of 1967, returning to the President the power which he had prior to June 30, 1967, to modify call-up procedures. I will describe below in some detail the new procedures which I will establish if Congress grants this authority. Essentially, I would make the following alterations:

1. Change from an oldest-first to a youngest-first order of call, so that a young man would become less vulnerable rather than more vulnerable to the draft as he grows older.

2. Reduce the period of prime draft vulnerability—and the uncertainty that accompanies it—from seven years to one year, so that a young man would normally enter that status during the time he was nineteen years old and leave it during the time he was twenty.

3. Select those who are actually drafted through a random system. A procedure of this sort would distribute the risk of call equally—by lot—among all who are vulnerable during a given year, rather than arbitrarily selecting those whose birthdays happen to fall at certain times of the year or the month.

4. Continue the undergraduate student deferment, with the understanding that the year of maximum vulnerability would come whenever the deferment expired.

5. Allow graduate students to complete, not just one term, but the full academic year during which they are first ordered for induction.

6. In addition, as a step toward a more consistent policy of deferments and exemptions, I will ask the National Security Council and the Director of Selective Service to review all guidelines, standards and procedures in this area and to report to me their findings and recommendations.

I believe these reforms are essential. I hope they can be implemented quickly.

Any system which selects only some from a pool of many will inevitably have some elements of inequity. As its name implies, choice is the very purpose of the Selective Service System. Such choices cannot be avoided so long as the supply of men exceeds military requirements. In these circumstances, however, the Government bears a moral obligation to spread the risk of induction equally among those who are eligible.

Moreover, a young man now begins his time of maximum vulnerability to the draft at age nineteen and leaves that status only when he is drafted or when he reaches his twenty-sixth birthday. Those who are *not* called up are nevertheless vulnerable to call for a seven-year period. For those who *are* called, the average age of induction can vary greatly. A few years ago, when calls were low, the average age of involuntary induction was nearly twenty-four. More recently it has dropped to just about twenty. What all of this means for the average young man is a prolonged time of great uncertainty.

The present draft arrangements make it extremely difficult for most young people to plan intelligently as they make some of the most important decisions of their lives, decisions concerning education, career, marriage, and family. Present policies extend a period during which young people come to look on government processes as particularly arbitrary.

For all of these reasons, the American people are unhappy about our present draft mechanisms. Various elements of the basic reforms which I here suggest have been endorsed by recent studies of the Selective Service System, including that of the Marshall Commission of 1967, the Clark panel of that same year, and the reports of both the Senate and the House Armed Services Committees. Reform of this sort is also sound from a military standpoint, since younger men are easier to train and have fewer family responsibilities.

My specific proposals, in greater detail, are as follows:

1. *A "youngest-first" order of call.* Under my proposal, the Government would designate each year a "prime age group," a different pool of draft eligibles for each consecutive twelve-month period. (Since that period would not necessarily begin on January 1, it would be referred to as a "selective service year.") The prime age group for any given selective service year would contain those registrants who were nineteen years old when it began. Those who received deferments or exemptions would rejoin the prime age group at the time their deferment or exemption expired. During the first year that the new plan was in operation, the prime age group would include *all* eligible men from nineteen to twenty-six, not deferred or exempt, so that no one would escape vulnerability simply because of the transition.

2. *Limited vulnerability.* Each individual would experience maximum vulnerability to the draft only for the one selective service year in which he is in the prime age group. At the end of the twelve-month period—which would normally come sometime during his twentieth year—he would move on to progressively less vulnerable categories and an entirely new set of registrants would become the new prime age group. Under this system, a young man would receive an earlier and more decisive answer to his question, "Where do I stand with the draft?" and he could plan his life accordingly.

3. *A random selection system.* Since more men are classified as available for service each year than are required to fill current or anticipated draft calls, Selective Service Boards must have some way of knowing whom to call first, whom to call second, and whom not to call at all. There must be some fair method of determining the sequence of induction for those available for service in the prime age group.

In my judgment, a fair system is one which randomizes by lot the order of selection. Each person in the prime age group should have the same chance of appearing at the top of the draft list, at the bottom, or somewhere in the middle. I would therefore establish the following procedure:

At the beginning of the third month after Congress grants this authority, the first of a sequence of selective service years would begin. Prior to the start of each selective service year, the dates of the 365 days to follow would be placed in a sequence determined by a random method. Those who spend the following year in the pool would take their place in the draft sequence in the same order that their birthdays come up on this scrambled calendar. Those born on June 21st, for example, might be at the head of the list, followed by those born on January 12th, who in turn might be followed by those born on October 23rd. Each year, a new random order would be established for the next year's draft pool. In turn those who share the same birthday would be further distributed, this time by the first letter of their last names. But rather than systematically discriminating against those who come at the front of the alphabet, the alphabet would also be scrambled in a random manner.

Once a person's place in the sequence was determined, that assignment would never change. If he were granted a deferment or exemption at age nineteen or twenty, he would re-enter the prime age group at the time his deferment or exemption expires, taking the same place in the sequence that he was originally assigned.

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While the random sequence of induction would be nationally established, it would be locally applied by each draft board to meet its local quota. In addition to distributing widely and evenly the risk of induction, the system would also aid many young men in assessing the likelihood of induction even before the classification procedure is completed. This would reduce uncertainty for the individual registrant and, particularly in times of low draft calls, simplify the task of the draft boards.

4. *Undergraduate student deferments.* I continue to believe in the wisdom of college deferments. Permitting the diligent student to complete his college education without interruption by the draft is a wise national investment. Under my proposal, a college student who chooses to take a student deferment would still receive his draft sequence number at the time he first enters the prime age group. But he would not be subject to induction until his deferment ended and he reentered a period of maximum vulnerability.

5. *Graduate Student Induction.* I believe that the induction of men engaged in graduate study should be postponed until the end of the full academic year during which they are first called to military service. I will ask the National Security Council to consider appropriate advice to the Director of the Selective Service to establish this policy. At present, graduate students are allowed to delay induction only to the end of a semester. This often means that they lose valuable time which has been invested in preparation for general examinations or other degree requirements. It can also jeopardize some of the financial arrangements which they made when they planned on a full year of schooling. Induction at the end of a full academic year will provide a less damaging interruption and will still be consistent with Congressional policy.

At the same time, however, the present policy against general graduate deferments should be continued, with exceptions only for students in medical and allied fields who are subject to a later special draft. We must prevent the pyramiding of student deferments—undergraduate and graduate—into a total exemption from military service. For this reason the postponement of induction should be possible only once for each graduate student.

6. *A review of guidelines.* The above measures will reduce the uncertainty of young men as to when and if they may be called for service. It is also important that we encourage a consistent administration of draft procedures by the more than 4,000 local boards around the country. I am therefore requesting the National Security Council and the Director of Selective Service to conduct a thorough review of our guidelines, standards and procedures for deferments and exemptions, and to report their findings to me by December 1, 1969. While the autonomy of local boards provides valuable flexibility and sensitivity, reasonable guidelines can help to limit geographic inequities and enhance the equity of the entire System. The 25,000 concerned citizens who serve their country so well on these local boards deserve the best possible framework for their decisions.

Ultimately we should end the draft. Except for brief periods during the Civil War and World War I, conscription was foreign to the American experience until the 1940's. Only in 1948 did a peacetime draft become a relatively permanent fact of life for this country. Now a full generation of Americans has grown up under a system of compulsory military service.

I am hopeful that we can soon restore the principle of no draft in peacetime. But until we do, let us be sure that the operation of the Selective Service System is as equitable and as reasonable as we can make it. By drafting the youngest first, by limiting the period of vulnerability, by randomizing the selection process, and by reviewing deferment policies, we can do much to achieve these important interim goals. We should do no less for the youth of our country.

RICHARD NIXON.

THE WHITE HOUSE, *May 13, 1969*.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate sundry messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Report of National Aeronautics and Space Administration

A letter from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, a report listing certain information on contracts negotiated for the period July 1, 1968, through December 31, 1968 (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

Proposed Amendment of the Military Selective Service Act of 1967

A letter from the Director of Selective Service, transmitting a draft of proposed legislation to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such act (with an accompanying paper); to the Committee on Armed Services.

Publications of the Federal Power Commission

A letter from the Chairman, Federal Power Commission, transmitting copies of the following Commission publications: "Gas Supplies of Interstate Natural Gas Pipeline Companies, 1967"; and "Sales by Producers of Natural Gas to Interstate Pipeline Companies, 1967" (with accompanying publications); to the Committee on Commerce.

Proposed Legislation To Establish a Commission on Government for the District of Columbia

A letter from the Director, Bureau of the Budget, transmitting a draft of proposed legislation to establish a Commission on Government for the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

Proposed District of Columbia Delegate Act

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to establish, in the House of Representatives, the office of Delegate from the District of Columbia, to amend the District of Columbia Election Act, and for other purposes; to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A memorial of the House of Representatives, State of New Mexico; to the Committee on Agriculture and Forestry:

"House Memorial 21

"A memorial requesting the Congress of the United States to amend the Agricultural Marketing Act to make funds more readily available to New Mexico farmers to organize agricultural marketing associations

"Whereas, since 1959 economic growth and activity in New Mexico has lagged behind the growth in the national economy; the rate of unemployment in New Mexico has been above the national average; total income received by residents of New Mexico has increased less than the national average; and

"Whereas, in 1967 New Mexico ranked forty-first in per capita income in the United States with a per capita income of only two thousand four hundred sixty-two dollars ($2,462); and

"Whereas, New Mexico's economy is based to a large extent on agriculture; and

"Whereas, it is essential to the economic survival of the individual farmer that he be able to effectively market his products; and

"Whereas, agricultural marketing cooperatives are a means by which the individual farmer can effectively market his products; agricultural marketing cooperatives place the agricultural industry and the individual farmer on a basis of economic equality with other industries; agricultural marketing cooperatives minimize speculation and reduce the use of ineffective and wasteful methods of product distribution; agricultural marketing cooperatives maintain stable, advantageous domestic markets and prevent undue and excessive depressions in agricultural prices by controlling the production and distribution of agricultural products; and

"Whereas, New Mexico farmers, particularly orchard farmers, lose millions of dollars each year because they do not have an effective means to market their products; and

"Whereas, the organization of agricultural marketing cooperatives in New Mexico will stabilize and increase farm incomes and stimulate New Mexico's economy; and

"Whereas, farmers in New Mexico do not have sufficient economic resources to finance the organization of agricultural marketing cooperatives and must rely on the federal government for financial assistance; and

"Whereas, the farm credit administration cannot, under the Agricultural Marketing Act, loan agricultural marketing cooperatives amounts in excess of sixty percent of the appraised value of the security for the loan; and

"Whereas, New Mexico farmers who would benefit most by organizing agricultural marketing cooperatives cannot finance forty percent of the construction or acquisition of facilities as required by federal law;

"Now, therefore, be it resolved by the House of Representatives of the State of New Mexico that the Congress of the United States is requested to study and make necessary changes in the Agricultural Marketing Act to assist and encourage New Mexico farmers to organize and finance agricultural marketing cooperatives; and

"Be it further resolved that the Congress of the United States is specifically requested to assist New Mexico farmers organize and finance agricultural marketing cooperatives by amending the Agricultural Marketing Act to remove the limitation on the amount the farm credit administration may loan for the construction or acquisition of facilities by agricultural marketing cooperatives and to limit the rate of interest on federal loans under the Agricultural Marketing Act to four percent a year; and

"Be it further resolved that copies of this memorial be sent to the President of the United States, to the United States Department of Agriculture, to the leadership of the Congress of the United States and to the members of the New Mexico delegation to the Congress of the United States.

"DAVID L. NORVELL,
"Speaker, House of Representatives.
"ALBERT ROMERO,
"Chief Clerk, House of Representatives."

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Agriculture and Forestry:

"ENROLLED JOINT RESOLUTION 14

"Memorializing Congress and the U.S. department of agriculture to rescind the ban on the use of lean pork in venison sausage

"Whereas, one of Wisconsin's most significant industries is based on its great deer herd which provides enjoyment and employment for thousands of persons; and

"Whereas, a substantial part of this industry is the production of some 4 million pounds of venison sausage each year; and

"Whereas, venison sausage sometimes involves the use of one-third lean pork, of which 600 tons is used for this purpose annually; and

"Whereas, the U.S. department of agriculture has approved regulations to become effective in 1969 which will allow only fat to be added to venison in venison sausage; and

"Whereas, this regulation will seriously affect the quality of venison sausage to the detriment of this fine Wisconsin industry; now, therefore, be it

"Resolved by the assembly, the senate concurring, That the Wisconsin legislature urges the U.S. department of agriculture to rescind the regulation prohibiting lean pork in venison sausage; and, be it further

"Resolved, That the Wisconsin legislature urges Congress to enact legislation which will overturn the regulation of the U.S. department of agriculture which will prohibit the use of lean pork in venison sausage if the department fails to rescind it; and, be it further

"Resolved, That duly attested copies of this resolution be transmitted to the secretary of the U.S. department of agriculture, the secretary of the senate of the United States, the chief clerk of the house of representatives and the members of Wisconsin's congressional delegation.

"HAROLD V. FROEHLICH,
"Speaker of the Assembly,
"WILMER H. STRUEBING,
"Assembly Chief Clerk,
"WILLIAM P. NUGENT,
"Senate Chief Clerk."

A joint memorial of the Legislature of the State of New Mexico; to the Committee on Finance:

"HOUSE JOINT MEMORIAL 24

"A joint memorial requesting the Congress of the United States to increase the income tax exemptions for individuals and their dependents to one thousand dollars ($1,000) for each such individual and requesting the support of the New Mexico delegation to any legislation proposing such an increased exemption

"Whereas, the family is the center of our American way of life and its children are the country's greatest resource; and

"Whereas, the greatly increased cost of living has fallen most heavily on families with children or other dependents; and

"Whereas, it is to the benefit of the country to foster family life and provide minimum standards for sustenance and healthful living; and

"Whereas, the present six hundred dollar ($600) exemption for dependents is not a realistic amount for the proper support of a dependent in relation to the greatly inflated prices of these times;

Now, therefore, be it resolved by the Legislature of the State of New Mexico that the congress of the United States be requested to increase the income tax exemption for taxpayers and their dependents from six hundred ($600) to one thousand dollars ($1,000) each; and

"Be it further resolved that the New Mexico congressional delegation be urged to support any proposed legislation designed to increase the personal exemption and the exemption for dependents to one thousand dollars ($1,000); and

"Be it further resolved that copies of this memorial be transmitted to the president of the United States senate, to the speaker of the United States house of representatives and to each member of the New Mexico congressional delegation.

"DAVID L. NORVELL,
Speaker, House of Representatives.
"ALBERT ROMERO,
Chief Clerk, House of Representatives.
"E. LEE FRANCIS,
President, Senate.
"JUANITA PINO,
Chief Clerk, Senate."

A concurrent resolution of the Legislature of the State of Iowa; to the Committee on the Judiciary:

"SENATE CONCURRENT RESOLUTION 13

"Senate concurrent resolution proposing an amendment to the Constitution of the United States and making application to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States, to allow the people of each state greater freedom of choice in the apportionment of their state legislature and local governing bodies

"Whereas, the people of each state should have greater freedom of choice in the appointment of their state legislature and local governing bodies; now therefore,

"Be it resolved by the Senate, the House of Representatives concurring, of the sixty-third General Assembly of Iowa, That this legislature respectfully requests and makes application to the Congress of the United States to propose the following article as an amendment to the Constitution of the United States or, in the alternative, to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE —

" 'SECTION 1. The people of a state may apportion one house of a bicameral legislature using population, geography, and political subdivisions as factors, giving each factor such weight as they deem appropriate or giving reasonable weight to the same factors in apportioning a unicameral legislature, if in either case such plan of apportionment has been submitted to a vote of the people in accordance with law and with the provisions of this Constitution and has been approved by a majority of those voting on that issue. When a plan of apportionment based on factors of population, geography, and political subdivisions is submitted to a vote of the people under this section there shall also be submitted, at the same election, an alternative plan of apportionment based upon substantial equality of population in both houses of the bicameral legislature."

" 'SEC. 2. Any plan of apportionment which has been approved under this article shall be resubmitted to a vote of the people, or another plan may be submitted under the provisions of section one, at the November general election held two years following each year in which there is commenced any enumeration provided for in section two of Article 1, and upon approval by a majority of those voting thereon, such plan of apportionment shall continue in effect until changed in accordance with law and with the provisions of this Constitution.

" 'SEC. 3. Nothing in this Constitution shall prevent a state from apportioning membership of governing bodies of its subordinate units using population, geography, and political subdivisions as factors, giving each factor such weight as the state deems appropriate.'

"Be it further resolved, That the Congress of the United States is respectfully requested to submit said amendment in such manner that it shall be valid as part of the Constitution when ratified by the legislatures of three-fourths of the several states within seven years of its submission to the states by the Congress, provided that each such legislature shall be apportioned on the basis of substantial equality of population in accordance with the most recent enumeration provided for in section two of Article I of the Constitution of the United States.

"Be it further resolved, That a duly attested copy of this resolution shall be valid as part of the Constitution when ratified by the legislatures of three-fourths of the several states within seven years of its submission to the states by the Congress, provided that each such legislature shall be apportioned on the basis of substantial equality of population in accordance with the most recent enumeration provided for in section two of Article I of the Constitution of the United States.

"Be it further resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and each member of the Congress from this state.

"ROGER W. JEPSEN,
"President of the Senate.
"WILLIAM H. HARBOR,
"Speaker of the House.

"Attest:

"CARROLL A. LANE,
"Secretary of the Senate."

A joint memorial of the Legislature of the State of New Mexico; to the Committee on Labor and Public Welfare:

"HOUSE JOINT MEMORIAL 10

"A joint memorial relating to Federal funding of public welfare expenditures

"Whereas, the United States congress has enacted legislation over the years requiring mandatory financial participation by the states in welfare programs, and

"Whereas, these welfare programs have been expanded by congressional action and supreme court decision until the welfare programs in many states are becoming an intolerable financial burden for these states, and

"Whereas, it is extremely unlikely that the federal government will diminish, or rescind, the presently inaugurated programs, and

"Whereas, it is increasingly apparent that a state, such as New Mexico with its low per capital income, will soon reach a point where no money can be raised, and

"Whereas, the State of New Mexico does not endorse the present welfare system, but urges the federal government to implement programs with incentives;

"Now, therefore, be it resolved by the Legislature of the State of New Mexico that the United States congress is requested to withdraw the requirement that the states

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must participate with state funds in the various welfare programs, and

"Be it further resolved that the United States congress is requested to allow state control of welfare programs and to provide for one hundred percent federal funding of all welfare programs, and

"Be it further resolved that copies of this memorial be sent to the president pro tempore of the United States senate, to the speaker of the United States house of representatives and the New Mexico congressional delegation.

"DAVID L. NORVELL,
Speaker, House of Representatives.
"ALBERT ROMERO,
"Chief Clerk, House of Representatives.
"E. LEE FRANCIS,
"President, Senate.
"JUANITA PINO,
"Chief Clerk, Senate."

A memorial of the House of Representatives of the State of New Mexico; to the Committee on Labor and Public Welfare:

"HOUSE MEMORIAL 24

"A memorial memorializing the Congress of the United States to allow a State plan of education to consider Federal aid to school districts under Public Law 874 as a payment in lieu of local taxes for the support of education, and to consider such Federal aid as a local resource in ascertaining the ability of a local educational agency to provide a minimum education program.

"Whereas, federal payments to local school districts which educate the children of certain federal employees will be unable to be used in computing state support for local school districts under the provisions of Public Law 874; and

"Whereas, in New Mexico this requirement will force a further dilution of funds available to local school districts by forcing an equal financing of each district regardless of needs; and

"Whereas, distribution of state finances on an equal basis, without regard to actual need, will deprive many poorer districts of funds which will go to provide non-essential programs to the richer districts with Public Law 874 funds; and

"Whereas, the forced frivolous use of state funds for non-essential programs in certain school districts will deprive other districts of needed financing for minimal educational program;

"Now, therefore, be it resolved by the House of Representatives of the State of New Mexico that the congress of the United States be respectfully memorialized to amend Public Law 874 so as to allow federal aid under Public Law 874 to be considered as payments in lieu of local taxes for educational support, and to allow such federal aid to be considered as a local resource in ascertaining the ability of a local educational agency to provide a minimum educational program; and

"Be it further resolved, that copies of this memorial be sent to the President of the Senate, the Speaker of the House of Representatives and to the members of the New Mexico delegation to the congress of the United States.

"DAVID L. NORVELL,
"Speaker, House of Representatives.
"ALBERT ROMERO,
"Chief Clerk, House of Representatives."

A joint memorial of the Legislature of the State of New Mexico; to the Committee on Post Office and Civil Service:

"HOUSE JOINT MEMORIAL

"A joint memorial requesting the United States Congress to enact legislation regarding the 1970 Census

"Whereas, it is a basic concept of American democracy that the people have an inherent, inalienable right to lead their lives in privacy; and

"Whereas, the need of the federal government to conduct a census of its people and to thereby gather information that is essential and necessary for all governmental units in the country is readily understood and accepted; and

"Whereas, this essential and necessary information consists solely of the following answers to a census questionnaire:

" 'A. name and address;

" 'B. relationship to the head of the household;

" 'C. sex;

" 'D. date of birth;

" 'E. race or color;

" 'F. marital status; and

" 'G. visitor in home at the time of census'; and

"Whereas, further questions regarding a person's living habits and possessions are an unnecessary and unwarranted invasion of the privacy of that person;

"Now, therefore, be it resolved by the legislature of the State of New Mexico that the congress of the United States be requested to enact legislation to direct the bureau of the census to limit the 1970 census of the population to those questions described here as being essential and necessary; and

"Be it further resolved that copies of this memorial be sent to the president pro tempore of the United States senate, the speaker of the United States house of representatives and to each member of the New Mexico congressional delegation.

"DAVID L. NORVELL,
"Speaker, House of Representatives.
"ALBERT ROMERO,
"Chief Clerk, House of Representatives.
"E. LEE FRANCIS,
"President, Senate.
"JUANITA PINO,
"Chief Clerk, Senate."

REPORT ENTITLED "THE FEDERAL JUDICIAL SYSTEM"—REPORT OF A COMMITTEE (S. REPT. NO. 91–170)

Mr. TYDINGS, from the Committee on the Judiciary, pursuant to Senate Resolution 239, 90th Congress, second session, submitted a report entitled "The Federal Judicial System," which was ordered to be printed.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Victor Cardosi, of New Hampshire, to be U.S. marshal for the district of New Hampshire.

Mr. STENNIS. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably the nominations of 19 flag and general officers in the Army, Navy, and Marine Corps and ask that these names be placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered placed on the Executive Calendar, are as follows:

Maj. Gen. Louis B. Robertshaw, U.S. Marine Corps, for commands and other duties determined by the President, for appointment to the grade of lieutenant general while so serving;

Lt. Gen. William Bradford Rosson, Army of the United States (brigadier general, U.S. Army), to be assigned to positions of importance and responsibility designated by the President, for appointment to the grade of general while so serving;

Maj. Gen. Julian Johnson Ewell, U.S. Army, to be assigned to positions of importance and responsibility designated by the President, for appointment to the grade of lieutenant general while so serving;

Lt. Gen. Marshall Sylvester Carter, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general;

Vice Adm. Ray C. Needham, for appointment to the grade of vice admiral on the retired list;

Brig. Gen. Oscar Elliott Ursin, Medical Corps, U.S. Army, and sundry other Medical Corps officers, for temporary appointment in the Army of the United States;

Col. David Edward Thomas, Medical Corps, U.S. Army, and sundry other officers, for appointment in the Regular Army of the United States; and

Lt. Gen. John Joseph Davis, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general.

Mr. STENNIS. Mr. President, I also report favorably 918 appointments in the Army in the grade of colonel and below; 4,451 promotions in the Navy in the grade of captain and below; 144 appointments in the Marine Corps in grade of captain and below; and 1,096 appointments in the Air Force in grade of captain and below. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Joseph P. Madden, and sundry other persons, for appointment in the Regular Army, by transfer;

Anthony J. Gieber, and sundry other persons, for appointment in the Regular Army of the United States;

Kenneth W. Robey, and sundry other scholarship students, for appointment in the Regular Army of the United States;

Felton Page, and sundry other distinguished military students, for appointment in the Regular Army of the United States;

Jeffrey W. Oster, and sundry other officers, for promotion in the Marine Corps;

Joseph Rohrich, Jr., for reappointment to the active list of the Regular Air Force, in the grade of colonel, from the temporary disability retired list;

Orley B. Caudill, for reappointment to the active list of the Regular Air Force, in the grade of lieutenant colonel, from the temporary disability retired list;

James D. Stone, and sundry other officers, for appointment in the Regular Air Force;

Darrell J. Ahrens, and sundry other Air Force officers, for appointment in the Regular Air Force;

Robert M. Barrett, Jr., and sundry other distinguished graduates of the Air Force Officer Training School, for appointment in the Regular Air Force;

Albert A. Acri, and sundry other staff noncommissioned officers, for temporary appointment in the Marine Corps;

Earl A. Blevins, and sundry other Naval Reserve Officers Training Corps officers, for permanent appointment in the Marine Corps;

Dennis A. McConaghy (Navy enlisted scientific education program), for permanent appointment in the Marine Corps;

Robert Barber, Jr., and sundry other warrant officers, for temporary appointment in the Marine Corps;

John L. Croston, and sundry other staff noncommissioned officers, for temporary appointment in the Marine Corps;

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James A. Neserschmidt, and Juan C. Nogueira (Platoon Leaders Class), for permanent appointment in the Marine Corps;

Lynn "W" Adams, and sundry other officers, for permanent promotion in the Navy;

James R. Abbott, and sundry other cadets, U.S. Air Force Academy, for appointment in the Regular Air Force;

John M. Andrews, and sundry other cadets, U.S. Military Academy, for appointment in the Regular Air Force;

O. Glenn Goodhand, for reappointment in the active list of the Regular Army, from the temporary disability retired list, in the rank of colonel;

George S. Harrington, and sundry other persons, for appointment in the Regular Army, by transfer;

Roger M. Pezzelle, and sundry other persons, for appointment in the Regular Army of the United States;

Richard B. Alexander, and sundry other scholarship students, for appointment in the Regular Army of the United States;

Riley T. Griffin, and Jack H. Thrasher, cadets, graduating class of 1969, U.S. Air Force Academy, for appointment in the Regular Army of the United States; and

Lloyd M. Abbott, Jr., and sundry other distinguished military students, for appointment in the Regular Army of the United States.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RIBICOFF:

S. 2145. A bill to authorize the use of the vessel *Mouett* in the coastwise trade; to the Committee on Commerce.

By Mr. PROXMIRE (for himself, Mr. Hughes, Mr. Mondale, Mr. Nelson, Mr. Pell, and Mr. Young of Ohio):

S. 2146. A bill to encourage the flow of credit to urban and rural poverty areas in order to stimulate the rate of economic growth and employment in those areas, and to provide the residents thereof with greater access to consumer, business, and mortgage credit at reasonable rates; to the Committee on Banking and Currency.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. EAGLETON:

S. 2147. A bill to consider children living in federally assisted public housing as federally connected children for purposes of educational assistance to federally impacted areas; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Eagleton when he introduced the above bill, which appear under a separate heading.)

By Mr. SPONG:

S. 2148. A bill to amend the Merchant Marine Act, 1936, to encourage shipbuilding, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Spong when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 2149. A bill for the relief of Alexander Kalnoki Bedo; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 2150. A bill to repeal section 372-1 of title 25, United States Code, relating to the appointment of hearing examiners for Indian probate work, to provide tenure and status for hearing examiners performing such work, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. YARBOROUGH (for himself and Mr. Montoya):

S. 2151. A bill to amend the Economic Opportunity Act of 1964 in order to establish a southwestern human development program; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 2152. A bill to amend the National School Lunch Act with regard to surplus dairy products and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 2153. A bill for the relief of Benigno Domlao Jacinto;

S. 2154. A bill for the relief of Radegundis J. Agsalud; and

S. 2155. A bill for the relief of Ching Cheung Kwong; to the Committee on the Judiciary.

By Mr. HART:

S. 2156. A bill relating to the income tax treatment of treble damage payments under the antitrust laws; to the Committee on Finance.

S. 2157. A bill to amend section 5(a) of the Clayton Act with respect to the evidentiary effect of judgments and degrees entered in proceedings instituted by the United States under the antitrust laws; to the Committee on the Judiciary.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS:

S. 2158. A bill to permit positions primarily concerned with the behavioral and social sciences to be classified at GS–16, GS–17, and GS–18, without numerical limitation; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Harris when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLINGS:

S. 2159. A bill for the relief of Cheung Kin Wong; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 2160. A bill to provide for highway construction in economic development regions established under title V of the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE (for himself and Mr. Bellmon):

S. 2161. A bill to aid the United States postal establishment in providing for the accumulation, analysis, and dissemination of reliable and meaningful financial, statistical, and accounting information in regard to all third class mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS (for himself, Mr. Magnuson, Mr. Pastore, Mr. Hartke, Mr. Hart, and Mr. Inouye):

S. 2162. A bill to amend the Federal Hazardous Substances Act to provide for child-resistant packaging to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting any hazardous substance, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY:

S. 2163. A bill to establish, in the House of Representatives, the office of Delegate from the District of Columbia, to amend the District of Columbia Election Act, and for other purposes; and

S. 2164. A bill to establish a Commission on Government for the District of Columbia; to the Committee on the District of Columbia.

(See the remarks of Mr. Prouty when he introduced the above bills, which appear under a separate heading.)

By Mr. RIBICOFF:

S.J. Res. 110. A joint resolution to amend the joint resolution entitled "Joint resolution to establish the first week in October of each year as National Employ the Physically Handicapped Week," approved August 11, 1945 (59 Stat. 530), so as to broaden the applicability of such resolution to all handicapped workers; to the Committee on the Judiciary.

S. 2146—INTRODUCTION OF THE COMMUNITY CREDIT EXPANSION ACT

Mr. PROXMIRE. Mr. President, today I am introducing a community credit expansion bill to get more private funds moving into our troubled inner cities and depressed rural communities. The bill seeks to increase the availability of consumer credit, mortgage credit, and business credit in urban and rural poverty areas. The bill also attempts to expand the opportunities for business ownership by the residents of these areas. This would be accomplished, first, by establishing a new kind of private financial institution to specialize in investments in poverty areas; second, by amending the various banking laws to remove restrictions on such investments by existing financial institutions; and, third, by providing Federal guarantees to encourage the flow of private credit into poverty areas.

The bill is long and complex, with 12 titles, and there may be objections to some of its many provisions by certain groups. While I believe the basic thrust of the legislation is sound, I am not necessarily wedded to each and every detail in the bill and I would be glad to consider reasonable modifications.

In that connection, I plan to send copies of the bill to various interested groups to obtain their comments and recommendations prior to formal committee hearings. Following this review, I would expect that we would incorporate as many recommended changes as possible in a revised bill for consideration by the Banking and Currency Committee. Thus, the bill being introduced is an interim proposal to serve as the basis for discussion by interested parties.

Private financial institutions are now supplying nearly $70 billion in new capital each year and have total assets of more than $900 billion. These resources far exceed the amount of Federal funds likely to be available for urban problems. The collective day-to-day decisions of private financial institutions determine which communities grow and which communities decline. If we can redirect and rechannel the flow of private credit into urban ghettos and depressed rural areas, we can have a substantial impact on the economic and social problems arising

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from these areas and without adding to the Federal budget.

In order to develop a discussion of these ideas, last October my Subcommittee on Financial Institutions of the Banking and Currency Committee held 1 week of hearings on Financial Institutions and the Urban Crisis. We were interested in finding out what private financial institutions were doing and could do to channel more private investment into urban poverty areas. Some of the questions focused on by the hearings include the following:

First. What are financial institutions doing now to help alleviate the problems of our cities?

Second. What is the proper role of Government and private financial institutions in meeting urban problems? Are new types of governmental or quasi-governmental agencies needed, or can private institutions do the job?

Third. What are the existing constraints which impede the flow of credit into the ghetto?

Fourth. To what extent do existing regulations, examination procedures and laws restrict the flow of credit into ghetto areas? Can these restrictions be eliminated or modified?

Fifth. To what extent would broader investment powers of financial institutions result in additional flows of credit into the ghetto?

Sixth. Have Federal chartering policies made it difficult to establish Negro-owned financial institutions in ghetto areas?

Seventh. Have examination practices been overly critical of investments in ghetto areas?

Eighth. What kinds of governmental inducements would stimulate financial institutions to channel more capital into the ghetto?

Ninth. To what extent are governmental subsidies needed and to what extent are self-liquidating, guarantee type approaches adequate?

Tenth. What would be the effect of legislation requiring financial institutions to allocate a certain percentage of their resources to inner city areas or to investments which benefit residents of ghetto areas?

Eleventh. To what extent are new kinds of financial institutions called for to specialize in investments in the ghetto? Can such institutions be operated as subsidiaries of existing institutions?

THE CREDIT GAP

As a result of these hearings and other evidence, it has become clear that a credit gap exists in our poverty areas. This gap has three dimensions.

First. Consumer credit: A number of recent investigations have pinpointed the lack of consumer credit in the Nation's inner cities. Ghetto residents are frequently denied credit at the more reputable downtown stores and are forced into credit purchases from ghetto merchants, frequently at exhorbitant prices.

A recent study of retail credit practices in the District of Columbia showed prices in the ghetto stores were 60 percent higher than the prices in middle class stores. The Kerner Commission listed exploitation by ghetto merchants as one of the principal causes of riots and urban unrest.

While creditors hesitate to extend credit to ghetto residents because of the higher risk involved, it is also true that many residents of the ghetto are excellent credit risks. Rather than discriminate against an entire class of neighborhood, creditors need to be more selective and make credit available to those inner city residents who can pay it back.

Second. Mortgage credit: While the 1968 Housing Act made great strides in expanding our programs for low- and moderate-income housing, the success of the program depends upon the supply of mortgage credit. The recent reports of both the Douglas and Kaiser Commissions have cautioned that the unavailability of mortgage credit can block the achievement of our housing goals. To the extent we have periodic episodes of tight money such as we had in 1966, housing starts will be severely curtailed and low- and moderate-income housing will be curtailed the most. Just as Negroes are the first fired during a recession, low-income housing is the first to suffer during a credit shortage. We must develop new institutional arrangements to free our low- and moderate-income housing programs from the ups and downs of the mortgage market.

There has also been ample evidence that many investors "red line" entire neighborhoods in the inner city and refuse to make mortgage loans in those areas or to the residents thereof regardless of the credit worthiness of the individual borrower. This makes it extremely difficult for ghetto residents to obtain mortgage credit. One consequence has been the development of the notorious "speculator system" recently exposed by the Washington Post. Under this system, predatory speculators obtain homes at low prices and resell to ghetto residents at exhorbitantly high prices.

Third. Business credit: A number of recent phrases—"black capitalism," "compensatory capitalism," "minority enterprise," and "a piece of the action"—all serve to dramatize the need for business ownership in poverty areas. The former Administrator of the Small Business Administration, Howard Samuels, has launched a new program called "Project Own" to stimulate minority business ownership. According to his figures, less than 3 percent of the Nation's 5 million business establishments are under nonwhite ownership.

But new businesses require credit and the supply of private credit for minority enterprise has not always been forthcoming. A number of commercial banks have recognized their responsibilities in this field and have started special loan programs for ghetto businesses. However, the uncertainties have been great, and because of institutional rigidities, progress has been slow and difficult.

Another difficulty in stimulating business ownership in poverty areas is the lack of equity capital. Commercial banks, which have been the traditional source of credit for small businesses, are forbidden by law to engage in equity financing. This makes it exceedingly difficult for new business establishments to get started in the ghetto.

THE ROLE OF CREDIT

In surveying the financial problems of urban and rural poverty areas, one must be careful to avoid a tendency to overgeneralize or oversimplify. It is possible to err in two directions:

On the one hand, we should not be misled into thinking that private financial institutions can solve all our difficulties. The unavailability of credit is merely one aspect of an extremely complicated problem. Our urban problems will not magically disappear by increasing the supply of credit. Nor can we force feed credit into the ghetto if there is a lack of genuine investment opportunities or management potential.

On the other hand, neither should we become victims of an extreme dispersal theory which holds that all investment in the ghetto is economically unviable and that the ghetto should be disbursed into suburbia. According to this view, any attempt to channel funds into inner-city areas is labelled as "gilding the ghetto" which will inevitably lend to economic failure.

There is no doubt that in the long run we must work toward the dissolution of the ghetto on moral as well as economic grounds. But in the short run we must deal with the problems at hand and in this context some increase in private investment is warranted.

To the extent that lack of credit in poverty areas is due to the lack of investment opportunities, Federal guarantees and other devices will not be particularly successful without massive subsidies. But to the extent the lack of credit is due to a misperception of risk or uncertainty by the financial community, Federal guarantees can be effective in stimulating additional private investment.

There is ample evidence that many investors "red line" entire neighborhoods and refuse credit to residents of those neighborhoods regardless of the credit worthiness of the individual borrower. In time, the practice of red lining becomes a self-fulfilling prophecy. The flight of capital induces neighborhood decline, which in turn increases investment risk which results in the flight of still more capital.

We need to break this vicious cycle and rechannel credit and investment back into the inner city and our depressed rural communities. While no single investor can afford to undertake the risk, a program of Federal guarantees can encourage a greater flow of private investment. To the extent the added investment begins to rebuild the community by providing jobs and decent housing, and by making it a better place in which to live, the risk which deterred the original investor will gradually be reduced.

With this background in mind and as a result of the evidence and suggestions presented during the hearings of my subcommittee, I have drafted a bill called the Community Credit Expansion Act to encourage the greater availability of credit in urban and rural poverty areas. I would like to outline briefly for

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the Senate the main provisions of this bill.

TITLE I—DECLARATION OF POLICY

Title I of the bill declares it a matter of national policy to increase the flow of consumer, business, and mortgage credit to benefit the residents of urban and rural poverty areas and to expand the opportunities for business ownership by the residents of such areas.

TITLE II—ELIGIBLE AREAS

Areas eligible for assistance would be designated by the Secretary of Commerce. These areas would include:

First. Redevelopment areas designated by the Economic Development Administration—EDA—under the Public Works and Economic Development Act with a population of less than 250,000. Such areas are designated on the basis of high unemployment or low median family income and must encompass an entire county or "labor market area"—as defined by the Secretary of Labor—or an entire municipality over 250,000 in population or an Indian reservation. Under these criteria, it is not possible to designate a portion of a municipality as an eligible area. Approximately 828 areas have been designated eligible by EDA, most of which are in rural areas.

Second. Urban poverty areas within metropolitan areas designated by the Secretary of Commerce. Such areas must have a population of at least 25,000. The factors to be considered by the Secretary of Commerce in designating such areas are the rate of unemployment, median family income, educational level, housing conditions, and welfare incidence. Upon designation, such areas would also become eligible areas under the EDA Act.

While recent attention has focused on urban poverty areas, we must not forget that rural poverty is closely related to our urban problems. The lack of adequate economic opportunities in our rural areas has caused a vast migration of rural residents into our already overcrowded central cities. By advancing the rate of economic development in rural poverty areas, we can retard the rate of urban migration and alleviate some of the pressure on our overcrowded central cities.

TITLE III—NATIONAL DEVELOPMENT BANKS

This title establishes a new kind of financial institution chartered and supervised by the Comptroller of the Currency called national development banks. The banks would be privately owned, either by their stockholders or by existing banks operating such National development banks as subsidiaries. The banks would be ordinary profitmaking, private institutions, although the Comptroller of the Currency would be able to limit their dividends to rates consistent with the banking industry as a whole. At least one-third of the Bank's directors must reside in eligible areas.

National development banks would have all of the standard powers for carrying on the business of banking now possessed by national banks under the National Banking Act. However, national development banks would be required to allocate at least 80 percent of all their loans and investments for the benefit of the residents of eligible urban and rural poverty areas. The kind of loans and investments which would meet the 80-percent test are as follows:

First, consumer loans to the residents of eligible areas;

Second, mortgage loans on property within eligible areas;

Third, single family mortgage loans on residences outside eligible areas if the buyer is from an eligible area and the mortgage does not exceed the limits established under section 235 of the National Housing Act for low and moderate income housing;

Fourth, multifamily mortgage loans on apartment projects outside eligible areas provided at least 50 percent of the tenants during the first two years are from eligible areas and the mortgage does not exceed the limits established under 221(d)(3)(ii) of the National Housing Act for moderate income housing;

Fifth, business loans to residents of eligible areas;

Sixth, business loans to corporations in which at least 50 percent of the stock is owned by the residents of eligible areas;

Seventh, business loans to firms which employ at least 50 persons of whom at least three-fourths are residents of eligible areas;

Eighth, loans to nonprofit or limited dividend organizations whose principal purpose is to serve the residents of eligible areas;

Ninth, equity investments in business enterprises which are at least 50 percent owned by the residents of eligible areas.

The investments financed by a bank would not necessarily have to be in the poverty area as long as they benefited poverty area residents. For example, mortgage credit extended by a national development bank would not be confined to housing in the ghetto. Those who live in the ghetto should be helped to find housing wherever they wish to live including locations outside the ghetto. Likewise, ghetto residents could obtain business loans from national development banks for business establishments operated outside the ghetto. We cannot foster "black entrepreneurship" if we limit its operations solely to the ghetto.

SPECIAL AUTHORITIES OF NATIONAL DEVELOPMENT BANKS

In return for concentrating 80 percent of their loanable funds for the benefit of poverty areas, national development banks would be given a number of special authorities and a favorable access to funds. The special authorities would include the following provisions:

Liberalized entry provisions: In order to obtain Federal deposit insurance, a prospective national development bank would have to meet the standard criteria imposed on other banks, namely, that it has the requisite capital, that it has adequate management, and that it has a reasonable chance of success. But such a bank would not have to prove that the "convenience and needs" of the community requires a new bank. This restriction has often made it difficult for new banks to obtain charters, particularly in those communities where existing banks are not providing adequate service.

Lower reserve requirements: The Federal Reserve Act requires member banks to maintain cash reserves at Federal Reserve District banks. Since these reserves do not earn interest, bank earnings are reduced. National development banks would be permitted to maintain reserves against demand deposits at a rate 4 percentage points below the rate established for country banks. At the present time, the rate for country banks with demand deposits under $5 million is 12½ percent. In addition, reserves required against time deposits would be at one-half of the rate established for other banks, which at the present time is 30 percent on ordinary savings deposits.

The lower reserves requirements will permit national development banks to have a greater percentage of their assets invested in interest earning obligations. This in turn will enable such banks to make risk loans in eligible areas on more reasonable terms. Moreover, the safety of deposits would not be jeopardized by lower reserve requirements since the funds so released could be invested in short-term Treasury bills or similarly safe liquid instruments. It is expected that the ordinary examination procedures of the Comptroller's office will ensure that national development banks maintain adequate reserves of liquid investments.

Equity investments: National development banks would be permitted to put up to 10 percent of their funds in equity investments in businesses which are at least 50 percent owned by eligible area residents. The shortage of equity capital is one of the most critical problem in establishing or expanding ghetto-owned businesses, hence this provision will permit national development banks to fill a pressing need.

Ample precedent can be found for this approach in the Edge Act which enables U.S. banks to operate foreign subsidiaries engaging in equity financing. There is no good reason why the same approach cannot be applied on home soil where the needs are at least as great as has been recently suggested by Governor Brimmer of the Federal Reserve Board.

The authority to make equity investments with a potentially higher yield should also enhance the flexibility of a national development bank to extend regular credit on more reasonable terms.

Management services: National development banks are given the authority to provide management counseling, technical assistance, bookkeeping, computer, and other services for the benefit of eligible area residents. This will enable such banks to function as true development banks by working with the community to help establish and expand new businesses.

The role of a development bank is not passive but active. A good development bank will not passively await the submission of loan requests. Instead, it will work with businessmen or potential businessmen in the area to launch new business ventures. In short, much of the demand for development bank credit will be inspired by the development bank itself. In addition, it will supply the coun-

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seling and other business services needed to make these new ventures a success.

Guarantees: National development banks would be given the authority to guarantee loans and extend letters of credit on behalf of eligible area residents. A fee would be accepted for the guarantee and reserves would be established to cover losses. Loan guarantees permit a national development bank to obtain outside credit for eligible area residents when its own funds are not sufficent to meet all demands. The Comptroller of the Currency would issue regulations setting forth reasonable limitations on the extent of such guarantees and on the amount of reserves required.

Real estate loans: National development banks would be given more liberal authority for making real estate loans compared to existing authority now accorded national banks. These more liberal authorities include the following:

First. The maximum loan-to-value ratio on 5-year nonamortized loans would be increased from 50 percent to 66⅔ percent;

Second. The maximum loan-to-value ratio on conventional mortgage loans would be increased from 80 percent to 90 percent and the maximum term would be increased from 25 to 35 years;

Third. The maximum term for construction loans would be increased from 3 to 5 years.

Fourth. Second mortgage financing would be authorized provided the combined first and second mortgage did not exceed the applicable loan-to-value ratios;

Fifth. Investments in mortgages guaranteed or insured by a Federal agency would be exempt from limitations on the total amount of mortgage loans and from the applicable loan-to-value ratio and maximum maturity;

Sixth. Guaranteed debentures of 5 or more years maturity issued by national development banks could be counted as capital in computing the ceiling on the total amount of mortgage loans outstanding.

SOURCES OF FUNDS FOR NATIONAL DEVELOPMENT BANKS

Mr. President, in order to increase the amount of funds available to national development banks for their lending activities, the legislation would enact a number or provisions giving such banks a favorable access to funds. These include the following:

Lower discount rate: National development banks could borrow from Federal Reserve banks at a rate 1 percentage point below the rate established for other banks. The Federal Reserve could, of course, offset such borrowing through general open market operations in order to maintain the same aggregate level of bank reserves. Thus, the lower rate accorded national development banks would in no way impede the execution of monetary policy. At the same time, the 1 percentage point differential should give such banks access to low costing credit and thus enable them to extend credit to poverty areas on more reasonable terms.

Federal Reserve credit: The Federal Reserve would be directed to discount to the maximum extent feasible federally guaranteed loans made by national development banks without regard to maturity and not to exceed 25 percent of the total amount of Federal Reserve credit supplied in any 1 year.

The Federal Reserve System has supplied an average of $4 billion of credit a year to the banking system over the last 5 years, hence if this provision is fully implemented, national development banks could receive $1 billion a year of new funds through the Federal Reserve System. Such advances would, of course, be offset by fewer open market Government security purchases in order to maintain the same aggregate monetary effect. As in the case of lower discount rates, monetary policy would not be adversely affected.

Guaranteed debentures: National development banks could issue federally guaranteed debentures in amounts up to five times their capital. Such debentures could be issued directly to a national development financing corporation—established under title IV—which in turn could raise funds by issuing consolidated debentures, thereby achieving economies of scale in the flotation of securities. Through this device, national development banks should be able to tap the money and capital markets for funds at favorable rates. The Federal Government would collect premiums for the guarantees which would be used for the payment of any losses so as to administer the program on a self-liquidating basis.

Treasury deposits: The Secretary of the Treasury would be directed to maintain Treasury deposits—tax and loan accounts—at national development banks in an amount equal to 10 percent of all other demand deposits at such banks. In addition, the Treasury could draw down deposits at national development banks only after it had drawn down its deposits at the national development banks. Treasury deposits comprise only 2 to 3 percent of the demand deposits at the average bank, thus by maintaining Treasury deposits at 10 percent, national development banks are given a substantial additional source of funds at zero interest costs.

State and local deposits: Deposits of State and local funds in national development banks would be provided with unlimited FDIC deposit insurance provided the public depositor agreed to draw down such deposits only after all other bank deposits had been fully drawn down. Most State laws require public deposits to be either fully insured by the FDIC or to be collateralized with Treasury obligations. By providing unlimited deposit insurance plus the "first-in, last-out" withdrawal procedure, national development banks are given a source of highly stable funds which can be used for community purposes. Total State and local deposits average $31 billion, hence a reallocation of even a small portion of these funds to national development banks can have a sizable impact.

Deposit rate differentials: The Federal financial supervisory agencies would be directed to maintain appropriate differentials in the maximum rates payable on time deposits by commercial banks, savings and loan associations and national development banks in order to assure an adequate flow of savings deposits to national development banks. Given a rate advantage on savings deposits, national development banks would be able to compete effectively for funds with established financial institutions.

FORMATION OF NATIONAL DEVELOPMENT BANKS

Under the terms of the bill, national development banks could be owned and operated by new individuals or they could be started as subsidiaries of existing banks. However, in all cases at least one-third of the Bank's directors would have to be residents of eligible areas.

Because of the general shortage of capital and managerial resources, existing banks will be the logical organizers for many of the new national development banks. But new banks organized by community residents could also be established. Moreover, subsidiary banks could in time be sold to community residents. In addition, the resident employees of subsidiary development banks could start their own bank once having obtained the requisite managerial expertise.

The concept of creating specialized financial institutions has ample precedent in the history of American financial legislation. Congress has established an elaborate agricultural credit system designed to make credit more available to farmers. Within the system, a number of specialized financial institutions have been established including Federal land banks and Federal land bank associations for providing long-term mortgage credit; Federal intermediate credit banks and production credit associations for providing short and medium-term operating loans; and banks for cooperatives for providing credit to farmer-owned purchasing or marketing cooperatives. Over $9 billion in credit is currently outstanding to farmers through this system.

Congress also recognized the need for more consumer credit when it passed the Federal Credit Union Act in 1933. As a result of this legislation, over 12,000 federally chartered credit unions have been chartered with assets of $6.6 billion and a total membership of more than 12 million people.

Likewise, Congress provided deposit insurance, borrowing facilities and Federal charters for savings and loan associations in order to promote homeownership. Under the impetus of Federal legislation enacted in the 1930's, the savings and loan industry has grown from a mere $5 billion in deposits in 1933 to over $130 billion today. The percentage of families owning their own homes increased from 43 percent in 1940 to nearly 64 percent in 1967.

The Small Business Investment Act represents the latest effort to establish a specialized financial institution for supplying equity capital to small business.

Just as Congress has created new financial institutions to meet the problems of other periods, so it needs to create specialized institutions to meet the problems of the 1970's. In the past new insti-

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tutions have specialized in a particular kind of credit—that is, consumer credit, mortgage credit, or business credit. By way of contrast, national development banks would be completely diversified in the kind of credit they could provide and would specialize instead in a particular geographic area where credit needs are unique and urgent.

Thus, the establishment of specialized financial institutions is not a radical or unprecedented innovation but rather a continuation of the approaches contained in previous financial legislation.

TITLE IV—NATIONAL DEVELOPMENT FINANCING CORPORATION

This title establishes a private corporation chartered under the District of Columbia Business Corporation Act to act as a borrowing agent for national development banks chartered under title III. The corporation would purchase federally guaranteed debentures issued by national development banks and reissue consolidated debentures fully collateralized by individual national development bank debentures. The ultimate borrowing cost to the national development banks would be governed by the rate on the corporation's consolidated debentures and because of economies of scale, should be less than if each national development bank were to sell its debentures directly to the market.

The corporation would be a strictly private organization, wholly owned by the national development banks which in turn would be required to purchase stock in the corporation in an amount equal to between 1 to 2 percent of each debenture sold to the corporation.

The initial board of directors would be appointed by the President, but subsequent directors would be elected at periodic intervals by the national development banks. The initial expenses of the corporation for the first 3 years would be paid by the Comptroller of the Currency, not to exceed $1 million. The corporation's dividends would be limited to 6 percent and not more than $1 billion stock could be outstanding.

In addition to acting as a borrowing agent for national development banks, the corporation would also be empowered to extend technical assistance to such banks.

TITLE V—INCENTIVES TO EXISTING BANKS

Mr. President, in addition to providing for the establishment of national development banks, the act would also provide incentives for existing banks to allocate more of their loans and investments toward the benefit of eligible area residents. There may be a number of communities in which the establishment of a national development bank is not possible for one reason or another. In such cases, incentives to existing banks would provide a source of new credit for eligible poverty areas. Even in communities which do establish a national development bank, a credit shortage in the eligible poverty area is likely to persist. Thus, the added incentives given to existing banks can help to stimulate additional credit flows to supplement the funds provided by the National Development Bank. The following changes in banking law are effected:

Equity investments: National banks would be permitted to make equity investments in development corporations serving eligible areas and in business concerns at least 50 percent owned by eligible area residents. Such investments could not exceed 2 percent of the bank's total loans and investments. This provision would provide a potential reservoir of more than $4 billion for equity investments in the ghetto and in depressed rural areas.

Guarantees: National banks would be given authority to guarantee loans extended by other lenders to eligible area residents. In this way, a local bank lacking loanable funds of its own would be able to tap funds outside the community for credit worthy investments in the ghetto. It would be one way in which local banks could mobilize the substantial financial resources of large institutional investors such as life insurance companies and pension funds to help meet the credit needs of the ghetto.

Mortgage loans: National banks could be given the same liberalized mortgage lending authority available to national development banks, provided the loan was for the benefit of eligible area residents. These liberalizations include increasing the maximum loan-to-value ratio on conventional mortgages from 80 percent to 90 percent and increasing the maximum maturity from 25 to 35 years.

Lower reserve requirements: Banks which are members of the Federal Reserve System would have their reserve requirements reduced up to a maximum of 4 percentage points to the extent that they increased the percentage of their loans and investments benefiting eligible areas. Such loans and investments would be defined by the 80 percent test required of national development banks under title III.

A reduction in reserve requirements offers a powerful incentive for a bank to increase its poverty area loans since such reserves do not earn interest. To illustrate how this provision would work, let us assume a bank had $1 billion in demand deposits, and $1 billion in total loans and investments of which $1 million was in poverty area loans on June 30, 1969. Let us further assume that demand deposits and total loans and investments grow to $1.1 billion by June 30, 1970 and that poverty area loans grow to $2.1 million.

If the bank had continued to allocate only 1 percent of its funds to poverty areas as it had in 1969, it would only have had $1.1 million in poverty area loans instead of the $2.1 million actually made by 1970. Thus, the bank has increased its relative allocation to poverty areas by $1 million.

In recognition of this increase, the Federal Reserve Board might decrease the bank's required reserves against demand deposits from 17.5 percent to 17.45 percent. This would have the effect of reducing deposits at the Federal Reserve by $500,000. The bank could invest these funds in Treasury bills at a 6-percent return. The effective yield obtained by the extra $1 million in ghetto loans would be increased by the extra interest earned through the reduction in reserve requirements. In the example given, the effective yield on an additional ghetto loan would be raised by 3 percentage points, thus giving the bank a strong incentive to increase the total volume of such loans.

Any increase in bank reserves through this provision could be offset by Federal Reserve open market operations in order to maintain the same aggregate monetary effect.

TITLE VI—SAVINGS AND LOAN ASSOCIATIONS

This title amends existing law affecting savings and loan associations to encourage more investments for the benefit of eligible areas.

Consumer loans: Federally chartered savings and loan associations are permitted to make consumer loans to the residents of eligible areas. The rates on such loans would be limited to 1 percent per month, or 12 percent per year, their maturities to 5 years, and their aggregate volume to 15 percent of total assets.

Long term advances: A second window would be established at the Federal home loan banks for the purpose of making long term advances to member associations provided the proceeds are used to make mortgage loans meeting the criteria established for national development banks under title III. The home loan banks would raise such funds in the usual manner through the issuance of consolidated debentures. Existing advances from the home loan banks are generally short-term and are limited to meeting temporary liquidity problems. However, the amendment contemplates using the home loan bank system as a vehicle for raising permanent capital for investing in low- and moderate-income housing.

Advances under this title would also be exempt from the following restrictions placed on existing advances:

First, advances would cover 100 percent of a conventional mortgage securing an advance, whereas existing law is limited to 65 percent;

Second, maturities on conventional mortgages offered to secure advances could run to 45 years instead of 30 years as under existing law; and

Third, such advances would not be limited to 12 times the amount of home loan bank stock owned by the association.

TITLE VII—FEDERAL CREDIT UNIONS

This title amends the Federal Credit Union Act to increase the amount of consumer credit supplies to residents of eligible areas.

Guarantees on loans to low-income credit unions: Existing law prohibits federally chartered credit unions from borrowing more than 50 percent of their savings shares. This limitation could be waived by the Director of the Bureau of Federal Credit Unions for credit unions which predominately serve the residents of eligible areas. In addition, the Director could guarantee loans extended by other lenders to such credit unions. This provision is expected to facilitate the movement of funds from relatively affluent credit unions with surplus funds to credit unions serving low-income groups where loan demand far exceeds savings capital. At the present time, credit unions have more than $2 billion in idle funds not on loan to members.

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The Director of the Bureau of Federal Credit Unions would charge a premium for the guarantee in order to establish a reserve for losses. Treasury borrowing authority would back up such reserves if necessary.

Guarantees on member credit: Even though Federal guarantees on loans to low-income credit unions will increase their loanable funds, it is expected that loan demand will still exceed available funds in many cases. In order to increase the leverage of credit unions serving the residents of eligible areas, such credit unions are empowered to guarantee credit extended to their members by other creditors such as retail merchants. This will enable the members of such credit unions to bypass the high cost ghetto merchant and obtain items on credit from legitimate merchants at lower prices without tying up the limited funds of the credit union.

The credit union would collect a premium for its guarantee which would go into a loss reserve. The credit union could also purchase reinsurance from the Bureau of Federal Credit Unions in order to protect itself against heavy loss. The Bureau would collect a premium for its reinsurance and would have Treasury borrowing authority in the event such premiums were insufficient to repay losses.

TITLE VIII—CONSUMER CREDIT GUARANTEES

In order to increase consumer credit availability to residents of eligible areas who are not members of credit unions, a separate guarantee program is authorized under the administration of the Secretary of Housing and Urban Development. The Secretary would be empowered to guarantee up to 80 percent of consumer credit loans extended by banks and other creditors to the residents of eligible areas not to exceed the rate of interest established by the Secretary. The Secretary would also be authorized to utilize a blanket guarantee approach in which HUD would automatically back each loan extended by an approved lender with an 80-percent guarantee without governmental review. HUD and the GAO would, however, periodically review the entire activities of creditors under the guarantee program to insure that proper procedures were being followed. This technique is similar to Export-Import Bank guarantees which have proven workable and which reduce redtape to a minimum.

The Secretary would collect premiums for such guarantees for deposit in a loss reserve. Treasury borrowing authority is provided in the event losses exceed reserves.

TITLE IX—EDA LOAN AND LEASE GUARANTEES

This title amends the Public Works and Economic Development Act to provide the Economic Development Administration with authority to guarantee loans and leases entered into by business firms locating in areas which provide jobs for eligible area residents. Although EDA has a direct lending program to assist businesses to expand in such areas, it has never received adequate funding. The guarantee authority should permit the agency to have far greater leverage with a minimum Federal outlay.

The guarantees provided under this title can be for land acquisition, facility construction or rehabilitation, machinery and equipment purchase, and the provision of working capital.

Loan guarantees could not exceed 90 percent of project cost and would be limited to 30 years.

Lease guarantees would be limited to 30 years and could not exceed 90 percent of the remaining unpaid rental payments. It is expected the lease guarantee program would be particularly attractive to private shopping center or industrial park developers who could first obtain a lease guarantee from EDA and use such guarantee as collateral to secure private financing.

EDA would collect a premium for its guarantees to build up a loss reserve and would have available Treasury borrowing authority to cover any losses in excess of reserves.

TITLE X—SMALL BUSINESS LOAN GUARANTEES

This title streamlines the existing SBA loan guarantee program for loans to residents of eligible areas. SBA would be empowered to use a blanket guarantee approach whereby it would automatically provide 90 percent guarantees for all loans made by approved lenders without further processing by SBA. SBA would establish the general criteria to be followed by lenders and would periodically review each lender's operations to ensure conformance to established procedures. This technique is expected to reduce redtape and increase lender participation.

In addition, SBA would establish a separate fund to collect premiums and pay losses pursuant to such guarantees. The fund would be backed up by Treasury borrowing authority in the event the reserves in the fund were inadequate to cover losses. This procedure avoids the need to use appropriated funds to build up reserves. Under current SBA procedures, each loan guarantee must be backed by appropriated funds equal to 10 percent of the guarantee. Thus, scarce appropriated funds are diverted from more essential uses—such as direct loans—and the ability to guarantee private loans is made subject to the availability of appropriated funds. These difficulties would be overcome through the use of a Treasury backup.

TITLE XI—GOVERNMENT-INDUSTRY FINANCIAL PLANNING COUNCIL

This title establishes a 25-member joint Government-Industry Financial Planning Council to be appointed by the President. Not more than five members could be employees of the Federal Government.

The purpose of the Council would be to periodically review the credit needs of eligible areas, to recommend reasonable investment goals to the business and financial community, and to serve as an information clearing house on the financial and credit problems of eligible areas. The Council would also report annually to the President and Congress including its recommended legislative and administrative actions needed to achieve the purposes of this act.

It is expected that this council would establish workable poverty area investment programs similar to the $1 billion ghetto investment program announced by the life insurance industry in 1967. With the participation of the entire financial community, this kind of effort could be multiplied many fold.

TITLE XII—SUPERVISION OF, AND REPORTS CONCERNING, FINANCIAL INSTITUTIONS

This title broadens the existing concepts of financial institution supervision which has heretofore been predominately concerned with deposit safety. In addition to deposit safety, the Federal financial supervisory agencies would also be required to review the adequacy of a financial institution's community service and particularly service to eligible areas. All too often, banks which desire to increase their ghetto loans are criticized by the bank examiners for assuming too much risk. Thus, this section is intended to strike a better balance between safety and community service in the bank examination process.

Each agency would also provide annual statistics to Congress on the volume and type of credit extended to eligible areas by the financial institutions under their supervision.

Mr. President, I send the bill to the desk for appropriate reference, and ask unanimous consent that a copy of the bill and its summary be printed in the RECORD at this point.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD.

The bill (S. 2146) to encourage the flow of credit to urban and rural poverty areas in order to stimulate the rate of economic growth and employment in those areas, and to provide the residents thereof with greater access to consumer, business, and mortgage credit at reasonable rates, introduced by Mr. PROXMIRE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2146

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Community Credit Expansion Act".

TITLE I—DECLARATION OF POLICY

FINDINGS AND PURPOSE

SEC. 101. (a) The Congress finds that there are acute shortages of business, consumer, and mortgage credit at reasonable rates in urban and rural poverty areas of the United States. Such shortages limit the economic development of such areas, create unemployment and underemployment with the social ills connected therewith and produce distortions in the national economy.

(b) It is the purpose of this Act—

(1) to increase the flow of credit to urban and rural poverty areas;

(2) to accelerate economic growth and employment opportunities in such areas;

(3) to provide increased access to consumer, business, and mortgage credit on behalf of the residents of such areas;

(4) to expand the opportunities for business ownership by the residents of such areas; and

(5) to provide for the establishment of new financial institutions, and encourage existing financial institutions, to increase the flow of credit to such areas.

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TITLE II—ELIGIBLE AREAS

DESIGNATION OF AREAS

SEC. 201. (a) Section 401(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161 (a)) is amended—

(1) by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon; and

(2) by adding after paragraph (5) a new paragraph as follows:

"(6) those additional areas which are identifiable sections within standard metropolitan statistical areas in which the Secretary determines that there is a high incidence of poverty. In making such determination the Secretary shall consider the extent to which the area is characterized by a low median family income, a high rate of unemployment among all males or among males between the ages of fourteen and twenty-five, a low level of education, a relatively high percentage of substandard housing, and a relatively high percentage of persons receiving public welfare."

(b) Section 401(b)(3) of such Act (42 U.S.C. 3161(b)(3)) is amended—

(1) by inserting "(A)" after "except that"; and

(2) by striking out "; and" and inserting the following: ", and (B) areas designated under subsection 401(a)(6), shall have a population of not less than twenty-five thousand persons; and".

(c) Section 401(b)(4) of such Act (42 U.S.C. 3161(b)(4)) is amended—

(1) by striking out "and (a)(4)" and inserting in lieu thereof ", (a)(4), and (a)(6)"; and

(2) by adding at the end thereof a new sentence as follows: "Any area designated under subsection (a)(6) may combine more than one section of a larger urban area, if such sections are contiguous or are separated only by the central business district of a larger urban area."

DEFINITION

SEC. 202. As used in this Act, the term "eligible area" means any area which is a redevelopment area under section 401 of the Public Works and Economic Development Act of 1965 and except for areas designated under section 401(a)(6) for such Act, has a population of less than two hundred and fifty thousand persons.

TITLE III—NATIONAL DEVELOPMENT BANKS

CHAPTER 1—GENERAL PROVISIONS

ADMINISTRATION AND SUPERVISION BY THE COMPTROLLER OF THE CURRENCY

SEC. 301. (a) The Comptroller of the Currency (hereinafter referred to as the "Comptroller") shall prescribe regulations to carry out the provisions and puposes of this title.

(b) The Comptroller shall exercise supervision over national development banks, chartered under chapter 2 of this title, and shall conduct at least one annual examination of each such bank to determine the lawfulness and safety of its operations, and the extent to which the bank is providing the type of service for which it was established in furtherance of the purposes of this Act. If any such bank fails to implement corrective procedures indicated by any such examination and supervision within a reasonable time after notice to it by the Comptroller, the Comptroller may assess such fine (not to exceed $1,000 for each day of noncompliance) against such bank as he may deem appropriate.

(c) Regulations prescribed by the Comptroller under this section may include requirements with respect to the maintenance by national development banks, chartered under chapter 2 of this title, of such special liability reserves as may be necessary or appropriate to limit the funds available to any such bank from which dividends are payable with a view to preventing a substantially higher part of the net earnings of such bank from being paid out in the form of dividends than is the general practice of other banking institutions.

ANNUAL REPORT

SEC. 302. Within sixty days following the close of each fiscal year, the Comptroller shall transmit to the President and the Congress a report describing his activities under this title for such year, including such statistical material as may be appropriate on the operations of national development banks. The Comptroller may, in furtherance of this section, require such reports and statistical data from each national development bank established under this title as he may deem appropriate.

CHAPTER 2—CHARTERING OF NATIONAL DEVELOPMENT BANKS

ORGANIZATION OF BANKS

SEC. 310. (a) A national development bank may be formed by any number of natural persons, not less in any case than five. They shall cause to be executed on its behalf articles of association which shall state that the bank is formed for the purpose of carrying on the business of banking in one or more eligible areas with powers conferred by this chapter. The articles may also contain other provisions, not inconsistent with law, which the bank may see fit to adopt for the regulation of its business and the conduct of its affairs. The articles shall be signed by the persons uniting to form the bank and a copy thereof shall be forwarded to the Comptroller to be filed and preserved in his office.

(b) Except as otherwise specifically provided by law or by its articles of association, the articles of association of a national development bank may be amended with respect to any lawful matter, and any action requiring the approval of the stockholders of such bank may be had by the approving vote of the holders of a majority of the voting shares of the stock of the bank obtained at a meeting of the stockholders called and held pursuant to notice given by mail at least ten days prior to the meeting or pursuant to a waiver of notice given by all stockholders entitled to receive notice of the meeting. A certified copy of every amendment to the articles of association adopted by the shareholders of a national development bank shall be forwarded to the Comptroller, to be filed and preserved in his office.

ORGANIZATION CERTIFICATE

SEC. 311. (a) The persons desiring to form a national development bank shall prepare an organization certificate, which shall specifically state—

(1) the name assumed by the bank, which name shall include the words "national development bank" and be subject to the approval of the Comptroller;

(2) the place where its operations are to be carried on, designating the eligible area or areas to be served by the bank;

(3) the amount of capital stock of each class and the number of shares into which the same is to be divided;

(4) the names and places of residence of the shareholders and the number of shares subscribed for by each of them; and

(5) the fact that the certificate is made under the provisions of this chapter.

(b) The organization certificate shall be acknowledged before a judge of some court of record, or notary public, and shall be, together with the acknowledgment thereof, authenticated by the seal of such court or notary and transmitted to the Comptroller, who shall record and carefully preserve the same in his office.

CAPITAL REQUIREMENTS

SEC. 312. No national development bank shall be organized with less capital than $100,000, *Provided*, That this amount may be reduced to not less than $50,000 if the Comptroller determines that such reduction is necessary to establish a national development bank for the benefit of the eligible area.

AUTHORIZATION TO COMMENCE BANKING BUSINESS

SEC. 313. (a) Whenever a certificate is transmitted to the Comptroller as provided in this chapter, and the national development bank transmitting the same notifies the Comptroller that all of its capital stock has been duly paid in, and that the bank has complied with all the provisions of this chapter required to be complied with before the bank shall be authorized to commence the business of banking, the Comptroller shall examine into the condition of the bank, ascertain especially whether all of the capital of the bank has been paid in, the name and place of residence of each of its directors, and generally whether the bank has complied with all the provisions of this chapter required to entitle it to engage in the business of banking; and shall cause to be made and attested by the oaths of a majority of the directors, and by the president or cashier of the bank, a statement of all the facts necessary to enable the Comptroller to determine whether the bank is lawfully entitled to commence the business of banking.

(b) If, upon a careful examination of the facts so reported, and of any other facts which may come to the knowledge of the Comptroller, whether by means of a special commission appointed by him for the purpose of inquiring into the condition of such association, or otherwise, it appears that such association is lawfully entitled to commence the business of banking, the Comptroller shall give to such association a certificate, under his hand and official seal, that such association has complied with all the provisions required to be complied with before commencing the business of banking, and that such association is authorized to commence such business. But the Comptroller may withhold from an association his certificate authorizing the commencement of business, whenever he has reason to suppose that the shareholders have formed the same for any other than the legitimate objects contemplated by this chapter.

(c) Upon the issuance by the Comptroller of a certificate under this section, the national development bank shall become a body corporate with all of the rights and powers and subject to all the limitations and duties prescribed by this chapter.

(d) A national development bank shall cause the certificate issued under this section to be published in some newspaper printed in the city or county where the bank is located, for at least thirty days next after the issuing thereof; or, if no newspaper is published in that city or county, then in the newspaper published nearest thereto.

PLACE OF BUSINESS

SEC. 314. The business of each national development bank, and any branch established by it with the approval of the Comptroller, shall be located within an eligible area; except that any such bank may be located outside an eligible area if it provides substantial services to at least two or more eligible areas.

CAPITAL STOCK

SEC. 315. (a) The capital stock of each national development bank shall be divided into shares having a par value of $10 each, and shall be issued only at par to the original organizers, to residents of an eligible area served by the bank and to any national or State banking association.

(b) Any national development bank may issue preferred stock of one or more classes subject to the approval of the Comptroller.

(c) The stock of each national development bank shall be represented by certificates bearing the name and location of the bank, the name of the holder of record of the stock represented thereby, and the number of shares which the certificate represents. Such stock may be transferred on the books of the bank in such manner as may be prescribed in the bylaws or articles of associa-

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tion. Every person or organization becoming a shareholder by transfer shall, in proportion to his shares, succeed to all rights and liabilities of the prior holder of the shares. No change shall be made in the articles of association by which the rights, remedies, or securities of the existing creditors of the bank shall be impaired.

CAPITAL IMPAIRMENT; NO ASSESSMENTS ON STOCKHOLDERS

SEC. 316. (a) If any part of the capital of a national development bank consists of preferred stock, the determination of whether or not the capital of the bank is impaired and the amount of impairment shall be based upon the par value of its stock even though the amount which the holders of preferred stock shall be entitled to receive in the event of retirement or liquidation shall be in excess of the par value of the preferred stock.

(b) The holders of stock in a national development bank, the subscription price of which has been fully paid, shall not be held individually liable as holders for any debts, contracts, or engagements of such bank and shall not be liable for any assessments to restore impairments in the capital of such bank.

WITHDRAWAL OF CAPITAL

SEC. 317. No national development bank shall, during the time it shall continue its banking operations, withdraw or permit to be withdrawn, in the form of dividends or otherwise, any portion of its capital.

INCREASE OR REDUCTION OF CAPITAL

SEC. 318. (a) Any national development bank may, with the approval of the Comptroller, and by a vote of shareholders owning two-thirds of the stock of the bank, increase its capital stock to any sum approved by the Comptroller, but no increase in capital shall be valid until the whole amount of the increase is paid in and notice thereof has been transmitted to the Comptroller and his certificate obtained specifying the amount of increase in capital stock and his approval thereof, and that it has been duly paid in as part of the capital of the bank.

(b) Any national development bank may, by the vote of shareholders owning two-thirds of its stock, reduce its capital to any sum not below the amount required by this chapter; but no such reduction shall be made until the amount of the proposed reduction has been reported to the Comptroller, and the reduction has been approved by the Comptroller. No shareholder shall be entitled to any distribution of cash or other assets by reason of any reduction of the common capital of any such bank unless the distribution has been approved by the Comptroller and by the affirmative vote of shareholders owning at least two-thirds of the stock of the bank.

STOCKHOLDERS LIST

SEC. 319. Each national development bank shall at all times have a full and accurate list of the names and addresses of all shareholders and the number of shares in the bank held by each. Such list shall be available during business hours for inspection by all shareholders, creditors, and State officials authorized to assess taxes, and a copy shall be furnished to the Comptroller upon his request.

DIRECTORS

SEC. 320. (a) The affairs of each national development bank shall be managed by not less than nine or more than fifteen directors who shall be elected by the shareholders at a meeting to be held at any time before the bank is authorized by the Comptroller to commence the business of banking, and afterward at the regular annual meeting of the shareholders as specified in the bylaws. At least one-third of the directors so elected shall be residents of the eligible area or areas to be served by such bank. Directors shall hold office for one year or until their successors are elected and have qualified. If any such bank violates this section and continues such violation after thirty days' notice from the Comptroller, the Comptroller may appoint a receiver or conservator therefor.

(b) Each director of a national development bank shall, during his whole term of service, be a citizen of the United States and own not less than ten shares of the capital stock of the bank purchasable at par from the bank.

(c) Each director of a national development bank shall be responsible for the honest administration of its affairs in accordance with the provisions of this Act and shall be subject to such other specific duties and liabilities as the Comptroller may by regulation prescribe.

(d) Any vacancy in the board of directors of a national development bank shall be filled by appointment by the remaining directors, and any director so appointed shall hold his office until the unexpired term to which he was appointed has been completed.

(e) The president of a national development bank shall be a member of the board of directors of the bank.

REMOVAL OF DIRECTOR OR OFFICER

SEC. 321. Whenever, in the opinion of the Comptroller, and director or officer of a national development bank shall have continued to violate any law relating to the bank, or shall have failed to carry out the purpose of this Act, or shall have continued unsafe or unsound practices in conducting the business of the bank after having been warned by the Comptroller to discontinue violations of law or unsafe or unsound practices, the Comptroller may cause notice to be served upon the director or officer to appear before him to show cause why he should not be removed from office. A copy of the order shall be sent to each director of the bank affected by registered mail. If, after granting the accused director or officer a reasonable opportunity to be heard, the comptroller finds that he has continued to violate any law relating to the bank, or has continued unsafe or unsound practices in conducting the business of the bank, after having been warned by the Comptroller to discontinue violation of law, or unsafe or unsound practices, the Comptroller in his discretion may order that the director or officer be removed from office. A copy of such order shall be served upon the director or officer. A copy of such order shall also be served upon the bank of which he is a director or officer, whereupon the director or officer shall cease to be a director or officer of the bank: *Provided*, That the order and the findings of fact upon which it is based shall not be made public or disclosed to anyone except the director or officer involved and the directors of the bank involved, otherwise than in connection with proceedings for a violation of this section. Any director or officer removed from office as herein provided who thereafter participates in any manner in the management of the bank shall be fined not more than $5,000, or imprisoned for not more than five years, or both, in the discretion of the court.

GENERAL POWERS OF NATIONAL DEVELOPMENT BANKS

SEC. 322. Upon issuance by the Comptroller to a national development bank of an organization certificate the bank shall have power—

(1) to adopt and use a corporate seal;

(2) to have succession from the date of its organization until such time as it be dissolved by the act of its shareholders owning two-thirds of its stock, or until its franchise becomes forfeited by reason of violation of law, or until terminated by either a general or a special Act of Congress, or until its affairs be placed in the hands of a receiver and finally terminated by him;

(3) to make contracts;

(4) to sue and be sued, complain and defend, in any court of law and equity, as fully as natural persons;

(5) to elect or appoint directors, and by its board of directors to appoint a president, vice president, cashier, and other officers, define their duties, require bonds of them and fix the penalty thereof, dismiss such officers or any of them at pleasure, and appoint others to fill their places;

(6) to prescribe, by its board of directors, bylaws not inconsistent with law, regulating the manner in which its stock shall be transferred, its directors elected or appointed, its officers appointed, its property transferred, its general business conducted, and the privileges granted to it by law exercised and enjoyed;

(7) to exercise by its board of directors or duly authorized officers or agents, subject to law, all such incidental powers as shall be necessary to carry on the business of banking; by discounting and negotiating promissory notes, drafts, bills of exchange, and other evidences of debt, including the incurring of secondary liability in connection therewith; by receiving demand and time deposits; by issuing certificates of deposit; and by loaning money and extending credit subject to the provisions of this chapter;

(8) to purchase for its own account investment securities under such limitations and restrictions as the Comptroller may by regulation prescribe; but in no event shall the total amount of the investment securities of any one obligor or maker, held by the bank for its own account, exceed at any time 10 per centum of its capital stock actually paid in and unimpaired and 10 per centum of its unimpaired surplus fund, except that this limitation shall not apply to investments in direct obligations of, or obligations guaranteed as to principal and interest by, the United States;

(9) to purchase, hold, and convey real estate for the following purposes and for no other—

(A) as shall be necessary for its accommodation in the transaction of its business;

(B) as shall be mortgaged to it in good faith by way of security for debts previously contracted;

(C) as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings; and

(D) as it shall purchase at sales under judgments, decrees, or mortgages held by the bank or shall purchase to secure debts due to it; but no national development bank shall hold the possession of any real estate under mortgage, or the title and possession of any real estate purchased to secure any debts due to it, for a longer period than five years.

LIMITATION ON LENDING POWERS OF NATIONAL DEVELOPMENT BANKS

SEC. 323. At least 80 per centum of the total amount of loans and investments made by a national development bank shall be for the benefit of eligible areas. For the purpose of applying this limitation, the following types of loans shall be considered for the benefit of eligible areas:

(1) Unsecured loans with maturities not exceeding five years to individuals who at the time such loans are made are residents of eligible areas for provident or productive purposes.

(2) Loans to finance the acquisition, construction, modernization, repair, or rehabilitation of real property situated in an eligible area and upon the security of mortgages secured by such property.

(3) Loans upon the security of—

(A) mortgages secured by single-family residential property situated outside an eligible area and involving principal obligations not in excess of the limits applicable to mortgages insured under section 235(i) of the National House Act, if (i) the mortgagor under any such mortgage is a resident of such an area at the time of the execution of the mortgage and had been such a resident for a period of not less than one year immediately preceding the execution of such mortgage, and (ii) the property covered by such mortgage is not sold to a person who is a nonresident of such an area for a period of at least two years after the execution of such mortgage; and

(B) mortgages secured by multifamily residential property situated outside an eligible area and involving principal obligations per family units not in excess of the limits specified in section 221(d)(3)(ii) of the National Housing Act: *Provided*, That not less than 50 per centum of the residents of such property during a period of at least two years after the execution of the mortgage are persons who were residents of an eligible area at the time they became occupants of such property.

(4) Loans to any business enterprise which—

(A) is a sole proprietorship or partnership wholly owned by a resident or residents of an eligible area;

(B) is a corporation in which at least 50 per centum of the outstanding stock having voting rights is held, at the time the loan is made, by residents of eligible areas; or

(C) is a business concern which does not qualify under (A) or (B), but which (i) employs on a full-time basis not less than fifty persons and at least three-fourths of whom are residents of eligible areas, or (ii) enters into an agreement (as a condition to the granting of the loan) to meet the employment requirements specified in clause (i) not later than one year after the execution of the loan agreement.

(5) Loans to nonprofit or limited dividend organizations whose principal purpose is to provide assistance or services to residents of eligible areas.

(6) Equity investments meeting the requirements under section 343.

LENDING LIMITS

SEC. 324. The total obligations to any national development bank of any person, copartnership, association, or corporation shall at no time exceed 20 per centum of the amount of the capital stock of the national development bank actually paid in and unimpaired and 20 per centum of its unimpaired surplus fund. The term "obligations", as used herein, means the direct liability of the maker or acceptor of paper discounted with or sold to the bank and the liability of the endorser, drawer, or guarantor who obtains a loan from or discounts paper with or sells paper under his guaranty to the bank, and includes, in the case of obligations of a copartnership or association, the obligations of the several members thereof, and, in the case of obligations of a corporation, all obligations of all subsidiaries thereof in which such corporation owns or controls a majority interest. Such limitation of 20 per centum shall be subject to the same exceptions as are applicable to national banks under section 84 of title 12 of the United States Code.

VENUE OF SUITS AGAINST NATIONAL DEVELOPMENT BANKS

SEC. 325. Suits, actions, and proceedings against any national development bank may be had in any circuit, district, or territorial court of the United States held within the district in which the bank may be established or in any State, county, or municipal court in the county or city in which the bank is located having jurisdiction in similar cases.

VIOLATIONS OF LAW; FORFEITURE

SEC. 326. If the directors of any national development bank shall knowingly violate, or knowingly permit any of the officers, agents, or servants of the bank to violate any of the provisions of this chapter, all the rights, privileges, and franchises of the bank shall be thereby forfeited. Such violation shall, however, be determined and adjudged by a proper court of the United States, in a suit brought for that purpose by the Comptroller in his own name, before the bank shall be declared dissolved. In cases of any such violation, every director who participated in or assented to the same shall be held liable in his personal and individual capacity for all damages which the bank, its shareholders, or any other person, shall have sustained in consequences of such violation.

INSOLVENCY, RECEIVERSHIP, AND LIQUIDATION

SEC. 327. (a) Whenever any national development bank is dissolved and its rights, privileges, and franchises declared forfeited as prescribed in this chapter; or whenever any creditor of such bank shall have obtained a judgment against it in any court of record and made application accompanied by a certificate from the clerk of the court, stating that the judgment has been rendered and has remained unpaid for the space of thirty days, or whenever the Comptroller shall become satisfied of the insolvency of such bank, he may, after due examination of its affairs in either case, appoint a receiver who shall proceed to terminate the affairs of such bank. The receiver so appointed shall exercise the powers and be subject to the restrictions of receivers of national banks; and the Comptroller shall have the same powers and duties in connection with the administration of the receivership as he has in reference to the receivership of national banks.

(b) Shareholders' agents for shareholders of national development banks may be appointed in the same manner, have the same general powers and duties, and be subject to the same restrictions as shareholders' agents of a national bank.

(c) Any national development bank may, with the approval of the Comptroller, go into liquidation and be closed by the vote of its shareholders owning two-thirds of its stock. Whenever a vote is taken to go into liquidation it shall be the duty of the board of directors to cause notice of this fact to be certified under the seal of the bank by its president or cashier to the Comptroller and publication thereof to be made for a period of two months in a newspaper published in the city or town in which the bank is located, or if no newspaper is there published, in the newspaper published nearest thereto, that the bank is terminating its affairs and notifying the creditors to present their claims against the bank for payment. All such claims shall be presented to and approved by a liquidating agent to be appointed by the board of directors of the bank, with the approval of the Comptroller, and the affairs of the bank shall be liquidated by such agent and under the supervision of the Comptroller.

APPLICATIONS OF OTHER FEDERAL BANKING LAWS

SEC. 328. Except as otherwise provided in this title, provisions of law applicable to national banking associations shall be applicable to national development banks chartered under this chapter.

CHAPTER 3—SPECIAL AUTHORITIES OF NATIONAL DEVELOPMENT BANKS

ENTRY PROVISIONS

SEC. 340. Section 6 of the Federal Deposit Insurance Act (12 U.S.C. 1816) is amended by inserting after the word "management", the following: "and except in the case of national development banks to be chartered under title III of the Community Credit Expansion Act,".

LOWER RESERVE REQUIREMENTS

SEC. 341. Section 19(b) of the Federal Reserve Act (12 U.S.C. 461(b)) is amended by adding at the end thereof a new paragraph as follows:

"(4) Notwithstanding the foregoing provisions, the reserve ratio for national development banks (established under title III of the Community Credit Expansion Act), regardless of location, shall be at a rate of 4 percentage points below that established under paragraph (2) for demand deposits and one-half of the rate established under paragraph (3) for deposits other than demand deposits."

EQUITY INVESTMENTS

SEC. 342. A national development bank shall have power, subject to rules and regulations of the Comptroller, to provide equity capital to business enterprises in which at least 50 per centum of the voting power and beneficial interest is owned by residents of eligible areas: *Provided*, That the total amount of investments made under this section by any such bank shall not exceed 10 per centum of the total outstanding principal amount of loans and investments made by it under section 322.

MANAGEMENT SERVICES

SEC. 343. A national development bank shall have power, subject to rules and regulations of the Comptroller, to provide management counseling, technical assistance, bookkeeping, computer, and other services to persons and organizations to which the bank is authorized to extend credit under section 323 and to make reasonable charges therefor.

LOAN GUARANTEES

SEC. 344. A national development bank shall have power, subject to such limitations as the Comptroller may by regulation prescribe, to extend letters of credit to residents of eligible areas and to guarantee loans made to such residents, to charge fees therefor, and to establish appropriate reserve to cover losses arising in connection therewith.

REAL ESTATE LOANS

SEC. 345. A national development bank shall have the power, subject to the rules and regulations of the Comptroller, to make any loans secured by liens upon real estate which a national banking association may make pursuant to the provisions of section 24 of the Federal Reserve Act (12 U.S.C. 371) subject, however, to the same limitations on the aggregate sum of such loans as are contained in said section 24 (except that for the purposes of making computation of such aggregate limitation, there shall be included within the capital and surplus as said terms are used in said section 24, an amount equal to 100 per centum of the outstanding bonds, debentures, notes, or other capital obligations, maturing not earlier than five years, which are issued by the bank pursuant to section 362(a) of this Act), and, in addition thereto, to make loans secured by liens upon real estate as follows:

(1) loans upon improved or unimproved real estate not exceeding 66⅔ per centum of the appraised value of such real estate for a term no longer than five years;

(2) loans upon improved real estate not exceeding 90 per centum of the appraised value of such real estate for a term no longer than thirty-five years if the loan is secured by an amortized mortgage, deed of trust, or other such instrument under the terms of which the installment payments are sufficient to amortize the entire principal of the loan within a period of not more than thirty-five years; and

(3) loans made to finance the construction of industrial, commercial, residential, or farm buildings, not exceeding the full appraised value of such real estate where there is a valid and binding agreement entered into by a financially responsible lender to advance the full amount of the bank's loan upon completion of the buildings (or not exceeding 80 per centum of such appraised value where there is no such binding agreement) for a term no longer than five years, which loans may be combined with loans under paragraph (B) above, for a combined total term not to exceed thirty-five years.

Any loan made pursuant to paragraphs (1), (2), or (3), above may be secured by a lien which is not a first lien upon the real estate

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provided that the amount of such loan when added to the amount of the unpaid principal balance of all loans secured by prior liens upon such real estate shall not exceed the respective percentages of the appraised value of such real estate set forth in said paragraphs. The aggregate sum of loans made pursuant to paragraphs (1) and (2), above, shall be added to the aggregate sum of loans made pursuant to the first paragraph of section 24 of the Federal Reserve Act (12 U.S.C. 371) in applying the limitation on the aggregate sum of loans set forth therein. The aggregate sum of loans made pursuant to paragraph (3), above, shall be added to the aggregate sum of loans made pursuant to the third paragraph of section 24 of the Federal Reserve Act (12 U.S.C. 371), in applying the limitation on the aggregate sum of loans set forth therein. (In making the computation of aggregate loan limits as required by this paragraph, there shall be included within the capital and surplus, as said terms are used in section 24, an amount equal to 100 per centum of the outstanding bonds, debentures, notes, or other capital obligations, maturing not earlier than five years, which are issued by the bank pursuant to section 362(a) of this Act.) None of the limitations set forth in this section, or in section 24 of the Federal Reserve Act (12 U.S.C. 371), including the limitations on the aggregate sum of loans, shall apply to any loan which is insured or guaranteed by any agency of the Federal Government to the extent of the amount so guaranteed or insured by any such guarantee or insurance.

CHAPTER 4—SOURCES OF FUNDS FOR NATIONAL DEVELOPMENT BANKS

LOWER DISCOUNT RATES

SEC. 360. (a) The second sentence of the eighth paragraph of section 13 of the Federal Reserve Act (12 U.S.C. 347) is amended by inserting before the period the following: ": *Provided*, That the rates applicable to advances made to national development banks, chartered under title III of the Community Credit Expansion Act, shall be one percentage point below that established for all other member banks".

(b) Section 14(d) of such Act (12 U.S.C. 357) is amended by adding at the end thereof a new sentence as follows: "The rates of discount applicable to paper presented by national development banks, chartered under title III of the Community Credit Expansion Act, shall be one percentage point below that established for all other member banks under this section."

FEDERAL RESERVE CREDIT

SEC. 361. Section 13 of the Federal Reserve Act is amended by adding at the end thereof a new paragraph as follows:

"Upon the endorsement of national development banks chartered under title III of the Community Credit Expansion Act, the Federal Reserve banks shall to the maximum extent feasible discount notes held by national development banks to secure loans meeting the requirements of section 323 of such Act and guaranteed or insured by the United States, or any agency thereof, without regard to the maturity thereof, in amounts not to exceed 25 per centum of the total Federal Reserve bank credit created in any one year."

ISSUANCE OF BONDS, DEBENTURES, NOTES, AND OTHER CAPITAL OBLIGATIONS

SEC. 362. (a) Each national development bank shall have power, subject to the limitations and requirements of this chapter and to rules and regulations prescribed by the Comptroller, to issue bonds, debentures, notes, and other capital obligations, but no such obligation shall be issued by any bank for a term in excess of twenty years. The aggregate amount of capital obligations authorized to be issued under this section shall at no time exceed an amount equal to five times the unimpaired capital and surplus of the bank issuing such obligations.

(b) If at any time a national development bank is unable to pay when due, out of its accumulated reserves, capital, surplus, or other available funds, the principal of or any interest on a capital obligation issued under subsection (a), or if at any time the Comptroller appoints a receiver of or for a national development bank, the Secretary of the Treasury, upon appropriate certification by the Comptroller, shall pay to the holder of the obligation from the assets of the guaranty fund, established under subsection (e) of this section, the amount of principal and interest due and unpaid on the obligation. The Comptroller, by regulation, shall make reasonable provision for the filing of proofs of claim under this subsection and if in any case he is not satisfied as to the validity of any claim, he may require the final determination thereof by a court of competent jurisdiction. Upon payment of any claim, the Secretary of the Treasury shall succeed to all the rights of the holder of the capital obligation so paid to the extent of the payment.

(c) Each national development bank shall pay into the guaranty fund, as a guaranty fee, such percentage of the face value of all obligations issued and sold by it under subsection (a), or such other fixed amount, as is determined by the Secretary of the Treasury.

(d) In order that each national development bank may have available forms of capital obligations for issuance under this section, The Secretary of the Treasury is authorized to prepare forms suitable for that purpose and hold the same subject to the request of any such bank accompanied by written approval from the Comptroller. Engraved plates, dies, bed pieces, and other material needed for these purposes shall remain in the custody of the Secretary of the Treasury. The Secretary of the Treasury may charge any national development bank requesting forms a reasonable fee related to the cost incurred in the preparation, custody, and delivery of capital obligation forms.

(e) (1) There is hereby established in the Treasury a national development bank debenture guarantee fund to be administered by the Secretary of the Treasury. The fund shall be used only for the purpose of the guarantee program authorized by this section, including the payment of administrative expenses. All fees paid in connection with such program shall be credited to the fund. Moneys in the fund not needed for current operations shall be invested in bonds or other obligations of or guaranteed by, the United States.

(2) Upon the establishment of the fund, the Secretary of the Treasury shall transfer to the fund the sum of $1,000,000 and for that purpose he may use as a public debt transaction the proceeds from the sale of securities issued under the Second Liberty Bond Act, and the purposes for which such securities may be issued under such Act are extended to include such transfer to the fund. Sums so transferred shall be repaid from time to time, at a rate of interest to be determined by the Secretary of the Treasury, from fees credited to the fund.

(3) In the event that there are insufficient moneys in the fund to meet obligations of the fund, the Secretary of the Treasury shall transfer to the fund such sums as may be necessary to fulfill such obligations. The Secretary may use, for the purpose of making any such transfer, the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which such securities may be issued under such Act are extended to include such transfers to the fund. There is authorized to be appropriated to the Secretary of the Treasury such sums as may be necessary to repay such transfers. Interest on sums so transferred shall be paid from time to time, at a rate determined by the Secretary, from fees credited to the fund.

TREASURY TAX AND LOAN ACCOUNTS

SEC. 363. Section 8 of the Act of September 24, 1917, as amended (31 U.S.C. 771), is amended—

(1) by inserting "(a)" after "SEC. 8." and

(2) by adding at the end thereof a new subsection as follows:

"(b) In the exercise of the authority conferred by subsection (a) and section 6302(c) of the Internal Revenue Code of 1954, the Secretary of the Treasury shall—

"(1) designate national development banks, chartered under title III of the Community Credit Expansion Act, as special depositaries of public money;

"(2) subject to the fiscal requirements of the Government, and not to exceed in the aggregate the sum of $1,000,000,000, maintain in a Treasury tax and loan account in each such bank an average balance which is not less in any calendar quarter than 10 per centum of the average balance during the preceding calendar quarter of all demand deposits held by such bank in accounts other than such Treasury tax and loan account; and

"(3) cause the withdrawal of deposits held in Treasury tax and loan accounts in special depositaries other than national development banks to be made prior to calling for the withdrawal of deposits in such accounts held in national development banks."

STATE AND LOCAL DEPOSITS

SEC. 364. (a) All national development banks shall be depositaries of public money, under regulations prescribed by the Secretary of the Treasury, and may be employed as financial agents of the Government. Such banks may also receive deposits of State and local funds.

(b) Section 3(m) of the Federal Deposit Insurance Act (12 U.S.C. 1813(m)) is amended—

(1) by inserting "(1)" after "(m)";

(2) by striking out "The term" and inserting in lieu thereof "Except as provided in paragraph (2), the term"; and

(3) by adding at the end thereof a new paragraph as follows:

"(2) The term 'insured deposit' means the net amount due any State or local government for deposits in an insured national development bank, chartered under title III of the Community Credit Expansion Act, if there is in effect a binding agreement (as determined by the Corporation) between the depositor and the Corporation under which the depositor has agreed, in consideration of the additional insurance coverage authorized by this paragraph to withdraw any such insured deposit only after all other deposits credited to such depositor in banks other than national development banks have been withdrawn. Any such agreement may be terminated by the depositor only upon the expiration of one year after written notice of intent to terminate has been given to the Corporation in accordance with regulations prescribed by the Corporation."

DEPOSIT RATE DIFFERENTIALS

SEC. 365. Section 1 of Public Law 89-597, approved September 21, 1966 (80 Stat. 823), is amended by adding at the end thereof the following: "In the exercise of such powers the foregoing officers and agencies shall maintain appropriate differentials between the rates of interest payable by national development banks, chartered under title III of the Community Credit Expansion Act, and by other banks and financial institutions with a view to insuring an adequate supply of funds to national development banks in furtherance of the purposes of the Community Credit Expansion Act."

CHAPTER 5—TECHNICAL AMENDMENTS

NATIONAL BANK ACT

SEC. 380. (a) Paragraph "Seventh" of section 5136 of the Revised Statutes (12 U.S.C. 24) is amended by adding at the end thereof the following: "Notwithstanding any other

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provision of this paragraph, the association may purchase for its own account shares of stock issued by a national development bank chartered under title III of the Community Credit Expansion Act, and may deal in, underwrite, and purchase for its own account debentures and other debt obligations issued by any such bank.".

FEDERAL RESERVE ACT

SEC. 381. (a) The first sentence of paragraph 8 of section 4 of the Federal Reserve Act (12 U.S.C. 301) (par. (3)) is amended—

(1) by striking out "and" after "credit conditions,"; and

(2) by inserting before the period the following: ", and the provision of adequate credit to eligible areas (as defined in section 202 of the Community Credit Expansion Act)".

SECURITIES ACTS

SEC. 382. (a) Section 3 of the Securities Act of 1933, as amended (15 U.S.C. 77c), is amended by adding at the end of subsection (a)(2) the following: "or any security issued by a national development bank, chartered under title III of the Community Credit Expansion Act;".

(b) Clause 1 of section 12(i) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78l(i)), is amended by inserting after "national banks" the following: ", national development banks (chartered under title III of the Community Credit Expansion Act),".

TITLE IV—NATIONAL DEVELOPMENT FINANCING CORPORATION

CREATION OF CORPORATION

SEC. 401. There is hereby authorized to be created a private corporation, to be known as the "National Development Financing Corporation" (hereinafter referred to as the "Corporation"). The Corporation shall not be an agency or establishment of the United States Government, but shall be subject to the provisions of this title and, to the extent consistent with this title, to the District of Columbia Business Corporation Act (D.C. Code sec. 29–901 et seq.).

PROCESS OF ORGANIZATION

SEC. 402. (a) The President shall appoint incorporators of the Corporation, one of whom shall be designated by the President to serve as chairman.

(b) The incorporators shall take whatever actions are necessary or appropriate to establish the Corporation, including the filing of articles of incorporation as approved by the President.

CAPITAL STOCK

SEC. 403. The Corporation shall have power to issue capital stock in series and amounts approved by the board of directors of the Corporation, but in no case shall more than $1,000,000,000 of such stock be outstanding at any one time. Such stock may be sold or transferred to any person or organization (other than the United States), subject to the approval of the Corporation, and shall be issued at its fair book value not exceeding par as determined by the bank. The Corporation may pay dividends of not to exceed 6 per centum per annum on such stock, but such dividends shall not be cumulative. Each person or organization holding one or more shares of such stock shall be entitled to one vote for each share held.

PURCHASE OF STOCK BY NATIONAL DEVELOPMENT BANKS

SEC. 404. Each national development bank, chartered under title III of this Act, shall purchase stock of the Corporation in an amount equal to not more than 2 per centum or less than 1 per centum of the sums borrowed from the Corporation by such bank, as determined by the Corporation.

INITIAL EXPENSES

SEC. 405. In order to facilitate the initial operations of the Corporation, the Comptroller of the Currency is authorized to pay initial organizing and operating expenses for a period of three years from the date of enactment of this Act. For the purpose of making such payments the Comptroller is authorized to use not to exceed $1,000,000 of the funds held in the Comptroller's equity account.

CONSOLIDATED BONDS AND DEBENTURES

SEC. 406. The Corporation is authorized to—

(1) issue consolidated bonds or debentures backed by collateral at least equal in value to the amount of bonds or debentures outstanding and which shall consist of the bonds or other debt obligations of national development banks issued pursuant to section 325 of this Act, and approved by the Comptroller of the Currency for this purpose.

(2) invest funds not needed in its financing operations in such property and obligations as it may determine; and

(3) buy and sell securities it has issued or in which it has invested.

EARNINGS

SEC. 407. At the end of each fiscal year, the Corporation shall determine the amount of its net earnings after paying or providing for all operating expenses (including reasonable valuation reserves and losses in excess of any such applicable reserves) and shall apply such earnings as follows:

(1) To the restoration of the amount of the impairment, if any, of capital stock, as determined by its board of directors.

(2) Fifty per centum of any remaining earnings shall be used to create and maintain a surplus account.

(3) Reasonable contingency reserves may be established.

(4) Dividends on stock may be declared at a rate not in excess of 6 per centum of the par value of such stocks.

DIRECTORS

SEC. 408. (a) The Corporation shall have a board of directors consisting of nine individuals who are citizens of the United States, of whom one shall be elected annually by the board to serve as chairman. The initial members of the board shall be appointed by the President of the United States, by and with the advice and consent of the Senate. The terms of directors so appointed shall expire, as designated by the President at the time of appointment, three at the end of two years, three at the end of three years, and three at the end of four years after such date; and any director so appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. Members of the board who are otherwise compensated by the United States for full-time service shall serve without compensation in addition to that received for their full-time service. Other appointed members of the board shall receive compensation at the rate of $100 per day for each day engaged in the performance of their duties as directors. All appointed directors shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law.

(b) Upon the expiration of the term of office of any appointed director of the Corporation, the vacancy shall be filled in the manner prescribed in section 409.

MEETINGS AND SHAREHOLDERS LIST

SEC. 409. Not more than ninety nor less than sixty days prior to the expiration of the terms of appointed directors specified under section 408(a), the board of directors of the Corporation shall cause to be published a current statement of the stockownership of the Corporation, showing the amount and value of shares held by each stockholder, setting forth his name and address. The board shall then call a stockholders meeting to be held at the principal office of the Corporation not more than thirty nor less than twenty days prior to the expiration of the term of the directors to be replaced, and shall, by registered mail, notify all such stockholders of same, and of the number of votes they are entitled to cast. Any stockholder shall be entitled to propose nominees for election as director prior to and at such stockholders meeting, and proxy voting shall, with proper verification, be permitted. A nominee for director must receive a majority of all votes cast at such meeting to be elected. The board shall have the power to make such rules as may be reasonable and necessary to carry out the purposes of this section.

OFFICERS

SEC. 410. The board of directors of the Corporation shall appoint a president of the Corporation and such other officers and employees as it deems necessary to carry out the functions of the Corporation. The president shall be an exofficio member of the board of directors and may participate in meetings of the board, except that he shall have no vote except in case of an equal division. No officer of the Corporation shall receive any salary, other than a pension, from any source other than the Corporation during the period of his employment by the Corporation.

OPERATIONS AND POWERS

SEC. 411. (a) The Corporation is authorized to discount for, or purchase from, any national development bank, organized under title III of this Act, with its endorsement, any note, draft, or other such obligation presented by such bank, and to make loans and advances to any such bank from the proceeds of consolidated bonds or debentures issued by it under section 406(a).

(b) The Corporation is authorized to provide technical assistance to any national development bank in the carrying out of its financial operations.

(c) To carry out its operations, the Corporation shall have such additional powers as are conferred upon a stock corporation by the District of Columbia Business Corporation Act.

TAX EXEMPTION

SEC. 412. The Corporation, its property, its franchise, capital, reserve, surplus, security holdings, and other funds and its income shall be exempt from all taxation now or hereafter imposed by the United States or by any State or local taxing authority; except that (1) any real property and any tangible personal property of the bank shall be subject to Federal, State, and local taxation to the same extent according to its value as other such property is taxed, and (2) any and all obligations issued by the Corporation shall be subjected both as to principal and interest to Federal, State, and local taxation to the same extent as the obligations of private corporations are taxed.

OBLIGATIONS AS LAWFUL INVESTMENTS, ACCEPTANCE AS SECURITY

SEC. 413. All obligations issued by the Corporation shall be lawful investments and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under authority or control of the United States or of any officer or officers thereof. All stock and obligations issued by the Corporation pursuant to this Act shall be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission, to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States.

ANNUAL REPORT

SEC. 414. The Corporation shall, not later than January 20 of each year, transmit to the President and the Congress an annual report of its operations and activities.

AMENDMENTS TO OTHER ACTS

SEC. 415. (a) The sixth sentence of the seventh paragraph of section 5136 of the

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Revised Statutes, as amended (12 U.S.C. 24), is amended by inserting "or obligations of the National Development Finance Corporation," immediately after "or obligations, participations, or other instruments of or issued by the Federal National Mortgage Association or the Government National Mortgage Association,".

(b) Section 5200 of the Revised Statues, as amended (12 U.S.C. 84), is amended by adding at the end thereof the following new paragraph:

"(14) Obligations of the National Development Finance Corporation shall not be subject to any limitation based upon such capital and surplus."

(c) The first paragraph of section 5(c) of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1464 (c)), is amended by inserting "or in obligations of the National Development Finance Corporation," in the second proviso immediately after "any political subdivision thereof;"

(d) Paragraph (2) of section 14(b) of the Federal Reserve Act, as amended (12 U.S.C. 355), is amended by inserting ", or any obligation of the National Development Finance Corporation" immediately before the period at the end thereof.

TITLE V—INCENTIVES TO EXISTING BANKS

EQUITY INVESTMENTS

SEC. 501. Paragraph "seventh" of section 5136 of the Revised Statutes (12 U.S.C. 24) is amended by adding at the end thereof the following: "Notwithstanding any other provision of this paragraph, the association may (1) purchase for its own account shares of stock issued by any development corporation (meeting criteria established by the Comptroller) which serves one or more eligible areas, as defined in section 202 of the Community Credit Expansion Act, or by any business concern in which at least 50 per centum of the outstanding stock having voting rights is held by residents of such areas, and (2) make investments in any business concern in which the other joint owners are residents of such areas; except that the total amount of purchases or other investments made and outstanding by the association under the authority of this sentence shall not exceed at any time 2 per centum of the total outstanding principal amount of all other loans and investments made by it."

GUARANTEES

SEC. 502. Section 5136 of the Revised Statutes (12 U.S.C. 24) is amended by adding at the end thereof a new paragraph as follows:

"Ninth. To guarantee, or to associate with other national banking associations under a pooling or other arrangement (conforming to criteria prescribed by the Comptroller) to guarantee, the payment of principal and interest on loans and advances of credit made for the benefit of eligible areas, and, for the purposes of this paragraph, loans and advances of credit meeting the requirements of section 323 of the Community Credit Expansion Act shall be considered to be for the benefit of eligible areas. Guarantees under this paragraph shall be made on such terms and conditions and subject to such requirements with respect to reserves to cover losses as the Comptroller shall by regulation require."

REAL ESTATE LOANS

SEC. 503. Any national banking association may make any loan which a national development bank may make pursuant to paragraphs (1), (2), or (3) of section 345 of this Act subject to the limitations on said loans set forth in said section provided that such loan, if made by a national development bank, would be considered as a loan for the benefit of an eligible area as defined in paragraph (2) of section 323 of this Act.

RESERVE REQUIREMENTS

SEC. 504. Section 19(b) of the Federal Reserve Act (12 U.S.C. 461(b)) is amended by adding after paragraph 4 (added by section 354(d) of this Act) a new paragraph as follows:

"(5) Under regulations to be prescribed by the Board, the reserve ratios established under paragraphs (1) and (2) shall be reduced by not more than 4 percentage points, and the reserve ratio established under paragraph (3) shall be reduced by not more than 2 percentage points, in the case of any member bank (other than a national development bank the reserve ratios for which are established under paragraph (4)) carrying out a program (in accordance with criteria established by the Board) to increase the percentage of loans and investments made by it for the benefit of eligible areas beyond such percentages which existed as of June 30, 1969. For the purpose of this paragraph, loans meeting the requirements of section 323 of the Community Credit Expansion Act, and investments in national development banks, shall be considered to be for the benefit of eligible areas. Within the limitations hereinabove prescribed, the precise percentage points by which such reserve ratios shall be reduced in the case of any member bank shall be determined on a sliding scale, under regulations of the Board, designed to provide the maximum benefit under this paragraph to those banks which demonstrate the greatest relative increase in such loans and investments."

TITLE VI—FEDERAL SAVINGS AND LOAN ASSOCIATIONS

CONSUMER LOANS

SEC. 601. Section 5(c) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(c)) is amended by adding immediately before the last paragraph the following:

"Without regard to any other provision of this subsection, but subject to such limitations and conditions as the board may by regulation prescribe, any such association may make unsecured loans with maturities not exceeding five years to residents of eligible areas, as defined in section 202 of the Community Credit Expansion Act, for provident or productive purposes at rates of interest not exceeding 1 per centum per month on unpaid balances, inclusive of all charges incident to the making of the loan. The aggregate amount of loans made by any such association under this paragraph which are outstanding at any one time shall not exceed 15 per centum of the assets of such association."

LONG-TERM ADVANCES BY FEDERAL HOME LOAN BANKS TO MEMBER ASSOCIATIONS

SEC. 602. (a) The Federal Home Loan Bank Act is amended by adding after section 10b. a new section as follows:

"SEC. 10c. Each Federal home loan bank is authorized to make long-term advances (not to exceed twenty-five years) to its members or to national development banks chartered under title III of the Community Credit Expansion Act upon the security of—

"(1) mortgages secured by property situated in an eligible area (as defined in section 202 of the Community Credit Expansion Act);

"(2) mortgages secured by single-family residential property situated outside an eligible area and involving principal obligations not in excess of the limits applicable to mortgages insured under section 235(i) of the National Housing Act, if (A) the mortgagor under any such mortgage is a resident of such area at the time of the execution of the mortgage and had been such a resident for a period of not less than one year immediately preceding the execution of such mortgage, and (B) the property covered by such mortgage is not sold to a person who is a nonresident of such an area for a period of at least two years after the execution of such mortgage; and

"(3) mortgages secured by multifamily residential property situated outside an eligible area and involving principal obligations per family units not in excess of the limits specified in section 221(d)(3)(ii) of the National Housing Act: *Provided*, That not less than 50 per centum of the residents of such property during a period of at least two years after the execution of the mortgage are persons who were residents of an eligible area at the time they became occupants of such property.

No such advance shall be in an amount in excess of the unpaid principal of the mortgage loan. The provisions of subsections (b), (c), and (d) of section 10 shall be applicable to advances made under this section; except that (A) any such mortgage loan may have more than thirty years (but not more than forty-five years) to run to maturity, and (B) advances made under this section shall not be considered for purposes of applying the limitations set forth in the second sentence of such subsection (c)."

(b) Section 11 of such Act (12 U.S.C. 1431) is amended—

(1) by inserting "(1)" after "(b)" in subsection (b);

(2) by striking out "section 10(a)" in the last sentence of subsection (b) and inserting in lieu thereof "sections 10(a) and 10c."; and

(3) by adding at the end thereof a new paragraph as follows:

"(2) Each Federal Home Loan Bank shall establish a Low Income Housing Fund for the purpose of making advances to its members under section 10c in order to aid in achieving the purposes of the Community Credit Expansion Act. Such fund shall be managed under rules and regulations prescribed by the Board in furtherance of the purposes of such Act, and the proceeds from the sale of debentures issued under this subsection shall be made available to any such bank, as needed, for the purpose of establishing and maintaining such fund"

TITLE VII—FEDERAL CREDIT UNIONS

POWERS OF FEDERAL CREDIT UNIONS

SEC. 701. (a) Section 8(10) of the Federal Credit Union Act (12 U.S.C. 1757(10)) is amended by inserting after "*Provided*, That," the following: "the foregoing limitation may be waived, under rules and regulations prescribed by the Director in the case of any Federal credit union the members of which are predominantly residents of eligible areas, as defined in section 202 of the Community Credit Expansion Act: "*Provided further*, That".

(b) Section 8 of such Act (12 U.S.C. 1757) is amended by adding after paragraph (5) the following new paragraph:

"(5A) in the case of any Federal credit union the members of which are predominantly residents of an eligible area (as defined in section 202 of the Community Credit Expansion Act), and subject to such limitations as the Director may by rules and regulations prescribe, to guarantee persons, firms, or organizations regularly engaged in extending credit in the form of loans or in connection with the sale of property or services against losses which they may sustain as a result of advances of credit made by them to the members of any such Federal credit union, and to charge such fees for any such guarantee and to establish such reserves to cover losses arising in connection therewith as the Director shall by regulation prescribe;".

GUARANTEE OF LOANS; INSURANCE AGAINST LOSSES ON LINES OF CREDIT EXTENDED BY CERTAIN FEDERAL CREDIT UNIONS

SEC. 702. (a) Section 21(f) of the Federal Credit Union Act (12 U.S.C. 1766(f)) is amended by adding at the end thereof a new paragraph as follows:

"(3)(A) To assist Federal credit unions the members of which are predominantly residents of eligible areas, as defined in section 202 of the Community Credit Expansion Act, the Director is authorized, in accordance with rules and regulations prescribed by him, to guarantee loans made to any such credit union, and to establish reasonable fees or charges for guarantees granted hereunder.

"(B) The Director is further authorized, in accordance with rules and regulations prescribed by him, to offer to any Federal credit union insurance against losses which it may sustain in connection with the guarantee program authorized by paragraph 5(A) of section 8 of this Act, and to charge reasonable premiums or fees for insurance granted hereunder.

"(C) (i) All funds obtained by the Director in connection with the guarantee or insurance programs authorized under subparagraphs (A) and (B) shall be deposited in a revolving fund (hereinafter referred to as the 'fund') which is hereby established in the Treasury of the United States. The fund shall be used only for the purposes of such programs including the payment of administrative expenses. Moneys in the fund not needed for current operations (including but not limited to funds held in reserve for losses) shall be deposited with the Treasurer of the United States to the credit of the fund or invested in bonds or other obligations of, or guaranteed as to principal and interest by, the United States.

"(ii) Upon the establishment of the fund, the Secretary of the Treasury shall transfer to the fund the sum of $1,000,000, and for that purpose the Secretary of the Treasury may use as a public debt transaction the proceeds from the sale of securities issued under the Second Liberty Bond Act, and the purposes for which such securities may be issued under such Act are extended to include such transfer to the fund. The Director shall, whenever feasible, having regard to the current operation of the fund, repay, from time to time, sums so transferred. Insterest on sums so transferred shall be paid from the fund at a rate determined by the Secretary of the Treasury.

"(iii) In the event that there are insufficient moneys in the fund to meet obligations arising under subparagraph (A) or (B), the Secretary of the Treasury shall, upon request by the Director, transfer to the fund such sums as may be necessary to fulfill such obligations. The Secretary of the Treasury may use, for the purpose of making any such transfer, the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which such securities may be issued under such Act are extended to include such transfers to the fund. There is authorized to be appropriated to the Director such sums as may be necessary to repay such transfers. Interest on sums so transferred shall be paid from the fund at a rate determined by the Secretary of the Treasury."

TITLE VIII—CONSUMER CREDIT GUARANTEES

AUTHORITY TO GUARANTEE

SEC. 801. (a) The Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to guarantee creditors, which the Secretary finds to be qualified by experience and facilities and approves as eligible for guarantees under this section, against losses which they may sustain as a result of loans and extensions of credit made to persons of low income residing in eligible areas, subject to the following limitations:

(1) Any such loan or extension of credit must be for personal, family, or household purposes.

(2) The rate of interest charged on any such loan or extension of credit shall not exceed the ceilings established by the Secretary to facilitate the purposes of this Act.

(3) The prices charged for goods or services sold on credit guaranteed under this title must generally conform to prices available to persons who are not residents of eligible areas.

(4) The person to whom credit is extended under this section does not qualify for credit under the customary credit standards maintained by the creditor at the time the credit was extended or at the time of the enactment of this Act.

(5) There shall be reasonable assurance of repayment, in accordance with such criteria as the Secretary shall by regulation prescribe having due regard for the purpose of this Act, with respect to any such loan or extension of credit.

(6) The amount of any claim for loss on any such loan or extension of credit paid by the Secretary under this title to any creditor shall not exceed 80 per centum of such loss.

(b) Guarantees issued under this section shall, insofar as practicable, apply to all loans or extensions of credit, meeting the requirements of this section and regulations prescribed thereunder made after the date of enactment of this Act by approved creditors without requiring the approval of the Secretary of each such loan or extension of credit.

(c) The Secretary shall make such reasonable charges for or in connection with guarantees under this section as he determines to be appropriate. Such charges shall be fixed with a view to obtaining income which will be sufficient, having due regard for the purposes of this Act, for a self-supporting program.

FINANCING

SEC. 802. (a) All funds obtained by the Secretary in connection with the guarantee program authorized by this title shall be deposited in a revolving fund to be known as the consumer credit guarantee fund (hereinafter referred to as the "fund") which is hereby established in the Treasury of the United States. The fund shall be used only for the purposes of the program authorized by this title, including the payment of administrative expenses. Moneys in the fund not needed for current operations (including but not limited to funds held in reserve for losses) shall be deposited with the Treasurer of the United States to the credit of the fund or invested in bonds or other obligations of, or guaranteed as to principal and interest by, the United States.

(b) Upon the establishment of the fund, the Secretary of the Treasury shall transfer to the fund the sum of $1,000,000, and for that purpose the Secretary of the Treasury may use as a public debt transaction the proceeds from the sale of securities issued under the Second Liberty Bond Act, and the purposes for which such securities may be issued under such Act are extended to include such transfer to the fund. The Secretary shall whenever feasible, having regard to the current operation of the fund, repay from time to time sums so transferred. Interest on sums so transferred shall be paid from the fund at a rate determined by the Secretary of the Treasury.

(c) In the event that there are insufficient moneys in the fund to meet obligations arising under guarantees issued under this title, the Secretary of the Treasury shall, upon request by the Secretary, transfer to the fund such sums as may be necessary to fulfill such obligations. The Secretary of the Treasury may use, for the purpose of making any such transfer, the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which such securities may be issued under such Act are extended to include such transfers to the fund. There are authorized to be appropriated to the Secretary such sums as may be necessary to repay such transfers. Interest on sums so transferred shall be paid from the fund at a rate determined by the Secretary of the Treasury.

AUDIT BY GENERAL ACCOUNTING OFFICE

SEC. 803. Insofar as they relate to loans or extensions of credit guaranteed under this title, the financial transactions of creditors approved for guarantees under this title may be audited by the General Accounting Office under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the General Accounting Office shall have access to all books, accounts, records, reports, files, and other papers belonging to such creditors pertaining to such financial transactions and necessary to facilitate the audit.

GENERAL PROVISIONS

SEC. 804. In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Secretary shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties set forth in subsections (c), (d), (g), and (h) of section 2 of the National Housing Act, and any reference in such subsections to insurance granted by the Secretary shall be deemed, for the purposes of this section, to refer to guarantees granted by the Secretary.

TITLE IX—COMMERCIAL OR INDUSTRIAL LOAN AND LEASE GUARANTEES

AMENDMENT TO TITLE II OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

SEC. 901. Title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141–3143) is amended by adding at the end thereof the following new sections:

"COMMERCIAL OR INDUSTRIAL LOAN AND LEASE GUARANTEES

"SEC. 204. (a) The Secretary is authorized (1) to guarantee the payment of loans or other evidence of indebtedness or lease rentals in order to assist in financing any project located within a redevelopment area or outside such area if the project is primarily for the benefit of such an area for the purchase or development of land and facilities (including machinery and equipment) for industrial or commercial usage, including the construction of new buildings, the rehabilitation of abandoned or unoccupied buildings, and the alteration, conversion, or enlargement of existing buildings; and (2) to guarantee loans or other evidence of indebtedness for working capital made to private borrowers by private lenders in connection with projects assisted under clause (1), upon application of the lender or lessee and upon such terms and conditions as the Secretary may prescribe: *Provided, however*, That no such working capital loan guarantee shall at anytime exceed 90 per centum of the amount of the outstanding unpaid balance of such loan.

"(b) Guarantee assistance under this section shall be on such terms and conditions as the Secretary determines, subject, however, to the following restrictions and limitations:

"(1) Such guarantees shall not be made to assist establishments relocating from one area to another or to assist subcontractors whose purpose is to divest, or whose economic success is dependent upon divesting, other contractors or subcontractors of contracts theretofore customarily performed by them: *Provided, however*, That such limitation shall not be construed to prohibit guarantee assistance for the expansion of an existing business entity through the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary finds that the establishment of such branch, affiliate, or subsidiary will not result in an increase in unemployment of the area of original location or in any other area where such entity conducts business operations, unless the Secretary has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operation of the existing business entity in the area of its original location or in any other area where it conducts such operations.

"(2) The project for which guarantee assistance is sought must be reasonably calculated to provide more than a temporary alleviation of unemployment or underemployment within a redevelopment area.

"(3) No guarantee shall be made hereunder unless the funds required for such project are not available without such guarantee from private lenders on terms which in the opinion of the Secretary will permit the accomplishment of the project.

"(4) No loan, lease, or working capital loan shall be guaranteed unless it is determined that there is reasonable assurance that the obligations guarantee will be met.

"(5) No guarantee under this section shall be made for a period exceeding thirty years.

"(6) The Secretary may make such charges for or in connection with guarantees as he may deem appropriate.

"(7) No lease guarantee under this section shall exceed 90 per centum of the amount of the remaining unpaid rental payments for the terms of the guarantee.

"(8) No loan guarantee under this section shall at any time exceed the amount of the outstanding unpaid balance of such loan.

"(9) No loan for a principal sum in excess of 90 per centum of the actual cost of a project, as determined by the Secretary shall be guaranted or secured by a lease guarantee under this section.

"(10) No such guarantees shall be made unless there shall be submitted to and approved by the Secretary an overall program for the economic development of the area and a finding by the State, or any agency, instrumentality, or local political subdivision thereof, that the project for which guarantee assistance is sought is consistent with such program: *Provided*, That nothing in this Act shall authorize guarantee assistance for any project prohibited by the laws of the State or local political subdivision in which the project would be located, nor prevent the Secretary from requiring such periodic revisions of previously approved overall economic development programs as he may deem appropriate.

"(c) All loan, lease, or working capital loan guarantees issued under this section shall be considered contingent liabilities backed by the full faith and credit of the United States.

"GUARANTEE FUND

"SEC. 205. (a) Notwithstanding the provisions of section 203, all funds obtained by the Secretary in connection with the loan and lease guarantee program authorized under section 204 shall be deposited in a revolving fund to be known as the commercial or industrial guarantee fund (hereinafter referred to as the 'fund') which is hereby established in the Treasury of the United States. The fund shall be used only for the purposes of the program authorized under section 204, including the payment of administrative expenses. Moneys in the fund not needed for current operations (including but not limited to funds held in reserve for losses) shall be deposited with the Treasurer of the United States to the credit of the fund or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States.

"(b) Upon the establishment of the fund, the Secretary of the Treasury shall transfer to the fund the sum of $2,000,000, and for that purpose the Secretary of the Treasury may use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which such securities may be issued under such Act are extended to include such transfer to the fund. The Secretary shall from time to time repay such transfer to the Secretary of the Treasury to the extent feasible under the current operations of the fund. Interest on funds so transferred shall be paid by the fund at a rate determined by the Secretary of the Treasury.

"(c) In the event that there are insufficient moneys in the fund to pay upon demand any sum due under the loan and lease guarantees issued pursuant to section 204, the Secretary of the Treasury shall, upon notification by the Secretary, transfer to the fund, out of any money in the Treasury not otherwise appropriated, sufficient funds to make the necessary payments. The Secretary of the Treasury may use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which such securities may be issued under such Act are extended to include such transfers to the fund. There is hereby authorized to be appropriated to the Secretary of Commerce such sums as may be necessary to repay such transfers. Interest on funds so transferred shall be paid by the fund at a rate determined by the Secretary of the Treasury."

CONFORMING AMENDMENTS

SEC. 902. (a) Section 701 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3211) is amended by inserting in paragraph (4) after "loans", the first place it appears, "or guarantees"; and by inserting in such paragraph after "loans", the second place it appears, ", guarantees,".

(b) Section 701 (5) of such Act is amended by inserting after "maturity" the words "or term"; by inserting after "loan", the first place it appears, "or guarantee"; by inserting after "loan", the second place it appears, ", guarantee," and by inserting after "loan", the third place it appears, ", guaranteed obligation,".

(c) Section 701 (6) of such Act is amended by inserting after "loans" the words "or guarantees".

(d) Section 701 (7) of such Act is amended by inserting after "loans", each place it appears, "or guarantees".

(e) Section 701 (8) of such Act is amended by inserting "204", after "202,".

(f) Section 701 (9) of such Act is amended by inserting after "loans" the words "or guarantees".

TITLE X—SMALL BUSINESS LOAN GUARANTEES

AMENDMENT TO SMALL BUSINESS ACT

SEC. 1001. Section 7 of the Small Business Act (15 U.S.C. 636) is amended by adding at the end thereof a new subsection as follows:

"(g)(1) The Administration is also empowered to guarantee banks and other lending institutions, which the Administration finds to be qualified by experience and facilities and approves as eligible for loan guarantees, against losses which they may sustain as a result of loans and advances of credit, and purchases of obligations representing loans and advances of credit, subject to the following limitations:

"(A) Any such loan or advance of credit must be one which the Administration is empowered to make, or purchase a participation in, under subsection (a).

"(B) The purpose of any such loan or advance of credit must be to assist, in conformity with criteria specified in regulations prescribed by the Administration, in the development or operation of small business enterprise in eligible areas (as defined in section 202 of the Community Credit Expansion Act) by the residents thereof.

"(C) No such loan or advance of credit shall be eligible for guarantee under this subsection unless there is reasonable assurance of repayment in accordance with such criteria as the Administration shall by regulation prescribe having due regard for the purpose set forth in section 1 of the Community Credit Expansion Act.

"(D) The amount of any claim for loss on any such loan or advance of credit paid by the Administration under this subsection to any bank or other lending institution shall not exceed 90 per centum of such loss.

"(2) Guarantees issued under this subsection shall, insofar as practicable, apply to all loans or advances of credit, meeting the requirements of this subsection, and regulations prescribed thereunder, made after the date of enactment of the Community Credit Expansion Act, by approved banks or other lending institutions without requiring the approval of the Administration of each such loan or advance of credit.

"(3) The Administration shall make such charges for or in connection with guarantees under this subsection as he determines are appropriate having due regard for the purposes sought to be achieved by this subsection.

"(4)(A) All funds obtained by the Administration in connection with the guarantee program authorized under this subsection shall be deposited in a revolving fund to be known as the small business loan guarantee fund (hereinafter referred to as the 'fund') which is hereby established in the Treasury of the United States. The fund shall be used only for the purposes of the program authorized by this subsection, including the payment of administrative expenses. Moneys in the fund not needed for current operations (including but not limited to funds held in reserve for losses) shall be deposited with the Treasurer of the United States to the credit of the fund or invested in bonds or other obligations of, or guaranteed as to principal and interest by, the United States.

"(B) Upon the establishment of the fund, the Secretary of the Treasury shall transfer to the fund the sum of $2,000,000, and for that purpose the Secretary of the Treasury may use as a public debt transaction the proceeds from the sale of securities issued under the Second Liberty Bond Act, and the purposes for which such securities may be issued under such Act are extended to include such transfer to the fund. The Administration shall whenever feasible, having regard to the current operation of the fund, repay from time to time sums so transferred. Interest on sums so transferred shall be paid from the fund at a rate determined by the Secretary of the Treasury.

"(C) In the event that there are insufficient moneys in the fund to meet obligations arising under guarantees issued under this subsection, the Secretary of the Treasury shall, upon request by the Administration, transfer to the fund such sums as may be necessary to fulfill such obligations. The Secretary of the Treasury may use, for the purpose of making any such transfer, the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which such securities may be issued under such Act are extended to include such transfers to the fund. There is authorized to be appropriated to the Administration such sums as may be necessary to repay such transfers. Interest on sums so transferred shall be paid from the fund at a rate determined by the Secretary of the Treasury."

TITLE XI—GOVERNMENT-INDUSTRY FINANCIAL PLANNING COUNCIL

ESTABLISHMENT OF COUNCIL

SEC. 1101. (a) There is hereby established a Government-Industry Financial Planning Council (hereinafter referred to as the "Council").

(b) The Council shall consist of twenty-five members to be appointed by the President, by and with the advice and consent of the Senate. Not more than five persons nominated for appointment as members of the Council shall be officers or employees of the Federal Government. All other persons so nominated shall be from private life and shall be selected for their qualifications in financial, consumer, and business affairs.

(c) The term of office of each member of the Council shall be four years, except that (1) the terms of the members first appointed shall expire, as designated by the President, five at the end of one year, five at the end of two years, five at the end of three years, and ten at the end of four years; and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed.

(d) Members of the Council who are appointed from the Government shall not receive additional compensation by reason of their service on the Council. Other members of the Council shall receive compensation at the rate of $100 for each day engaged in the business of the Council. All members of the Council shall be allowed travel expenses as authorized by section 5703 of title 5, United States Code.

(e) The President shall call the first meeting of the Council and designate an Acting Chairman. The Council shall, from time to time thereafter, select one of the members from private life to serve as Chairman of the Council.

(f) The Council shall meet at the call of the Chairman, but not less often than once every six months.

FUNCTIONS

SEC. 1102. (a) The Council shall—

(1) determine the needs of eligible areas for additional sources of credit in furtherance of the purposes of this Act;

(2) recommend reasonable investment goals to the various segments of the business and financial community in meeting the credit needs of eligible areas;

(3) review annually the extent to which private capital is being invested in the redevelopment of eligible areas and the extent to which credit is flowing into such areas; and

(4) serve as a clearinghouse for information on the availability of private financing and credit in redeveloping eligible areas and meeting the credit needs of its residents.

(b) The Council shall submit an annual report, and such interim reports as it deems advisable, to the President and the Congress with respect to the administration of its functions under this section, and setting forth such recommendations for administrative and legislative actions as it determines to be desirable in furtherance of the purposes of this Act.

GENERAL AUTHORITY

SEC. 1103. The Council may—

(1) appoint and fix the compensation of such personnel as may be necessary to enable it to carry out its functions without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates; except that the salary of any person so employed shall not exceed the maximum salary established by the General Schedule under section 5332 of title 5, United States Code;

(2) obtain the services of experts and consultants from private life in accordance with the provisions of section 3109 of title 5, United States Code;

(3) receive money and other property donated by private nongovernmental sources, without condition or restriction other than it be used for the purposes of the Council; and to use, sell, or otherwise dispose of any such property in carrying out its functions; and

(4) make other expenditures necessary to carry out its functions.

APPROPRIATIONS

SEC. 1104. Such sums as may be necessary to carry out the provisions of this title are hereby authorized to be appropriated. Sums so appropriated shall remain available until expended.

TITLE XII—SUPERVISION OF, AND REPORTS CONCERNING, FINANCIAL INSTITUTIONS

DEFINITION

SEC. 1201. As used in this title the term "Federal supervisory agency" means—

(1) the Comptroller of the Currency with respect to national banks and district banks;

(2) the Board of Governors of the Federal Reserve System with respect to Federal Reserve banks and State banks which are members of the Federal Reserve System;

(3) the Federal Deposit Insurance Corporation with respect to State banks which are not members of the Federal Reserve System but the deposits of which are insured by the Federal Deposit Insurance Corporation;

(4) the Federal Home Loan Bank Board with respect to Federal savings and loan associations, and institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation; and

(5) the Director of the Bureau of Federal Credit Unions with respect to Federal credit unions.

ADEQUACY OF FINANCIAL SERVICE TO ELIGIBLE AREAS

SEC. 1202. (a) Each Federal supervisory agency shall, in the exercise of its examination or other supervisory functions with respect to the financial institutions indicated in section 801, determine the extent to which each such institution is providing adequate service to the community, with particular reference to any community which is an eligible area.

(b) Each such agency shall report annually to the Congress and to the Government-Industry Financial Planning Council established under title XI of this Act concerning the extent to which institutions under its supervision, located geographically so as to be able to provide financial assistance to persons and projects in eligible areas, are making loans or investments in such areas, together with such recommendations as such agency may deem appropriate.

The summary, presented by Mr. PROXMIRE, is as follows:

BRIEF SUMMARY OF THE COMMUNITY CREDIT EXPANSION ACT

Title I. Purpose.—The purpose is to increase the flow of private consumer, mortgage and business credit to urban and rural areas.

Title II. Eligible Areas.—Urban and rural poverty areas would be designated by the Secretary of Commerce on the basis of income, employment, educational levels, housing conditions and welfare incidence.

Title III. National Development Banks.—Establishes a new system of privately owned and operated financial institutions called National Development Banks chartered by the Federal Government. Such banks would have powers similar to national banks, but would be required to invest 80% of their funds to benefit poverty areas. In return, they would receive more flexible authorities including lower reserve requirements and a more favorable access to funds including the right to issue guaranteed debentures. Such banks could be owned by individuals or operated as subsidiaries of existing banks.

Title IV. National Development Financing Corporation.—Establishes a private corporation to act as a borrowing agent for National Development Banks by purchasing their debentures and reissuing consolidated debentures.

Title V. Incentives to existing banks.—Provides incentives for other banks to invest in poverty areas by authorizing equity investments and banks guarantee authority, by liberalizing terms on mortgage loans, and by reducing reserve requirements.

Title VI. Savings and Loan Associations.—Authorizes Federal Savings and Loan Associations to make consumer loans in poverty areas and authorizes the Home Loan Bank System to provide long term loans to member associations on the condition the funds be used to make mortgage loans benefitting poverty areas.

Title VII. Federal Credit Unions.—Establishes a new program for guaranteeing loans to credit unions serving poverty areas. Authorizes such credit unions to guarantee credit extended to their members, backed by Federal reinsurance.

Title VIII. Consumer Credit Guarantees.—Authorizes a new consumer-credit guarantee program under the administration of the Department of Housing and Urban Development for credit extended to residents of poverty areas.

Title IX. EDA guarantees.—Authorizes the Economic Development Administration to extend loan and lease guarantees to aid firms creating new jobs for the residents of poverty areas.

Title X. SBA guarantees.—Streamlines the SBA business loan guarantee program by authorizing blanket guarantee procedures to cut processing time and by removing the requirement to use appropriated funds to build reserves.

Title XI. Financial Planning Council. Authorizes a government-industry financial planning council to review credit needs of poverty areas and recommend private investment targets.

Title XII. Bank Supervision.—Broadens bank examination procedures to take into account service to poverty areas. Requires periodic reports to Congress on the extent of private investment in poverty areas.

S. 2147—INTRODUCTION OF A BILL TO AMEND THE IMPACTED AREAS ACT

Mr. EAGLETON. Mr. President, the present administration has decreed that the 1960's conclude in an era of consolidation and coordination.

It is important however, that consolidation and coordination mean tuning up, not toning down—that we expand our domestic programs where necessary as well as contracting them where warranted. And in education especially, we must surely do more as well as doing it better.

A century ago, Horace Mann called education "the great equalizer of the conditions of men—the balance wheel of social machinery."

This balance wheel is inoperative for a great many poor Americans today.

To continue to tolerate a situation in rural and urban slum areas where 40 to 60 percent of sixth graders perform at second grade level, where 30 percent do not finish high school, is to insure that the cycle of poverty, futility, nonproductivity, and waste which afflicts too many Americans today will be with us indefinitely.

And our opportunity to interrupt the cycle of poverty may soon disappear.

Everywhere in our society, rapid changes are taking place. Science and technology are being utilized by agriculture, industry, business, the armed services, and the health services as never before—putting new and profoundly different demands on the U.S. labor force.

As we move ever more rapidly into the technological age, with its concomitant demands for better education and constant adjustment to rapid change, we

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may irrevocably forfeit the last opportunity to deal with poverty.

A noted educator, writing of disadvantaged children in a Brookings Institute study published in Agenda for the Nation, stated:

> Lack of education is not a new phenomenon, but it is much more serious now than a few decades ago and is not likely to be balanced by other kinds of opportunities for learning, for employment, and for enhanced personal satisfaction. For most of these children and youth, education is the only means available for advancement, and they don't get it.

It is time to see that America's children do get the education they need, and especially those who need it most.

The Constitution of the United States grants Congress the power to legislate and to appropriate. In so doing, it places upon us a large share of the responsibility to set national priorities and channel national resources toward national goals.

I urge that the 91st Congress make education first among these, and pledge the full faith and credit of the American people to guarantee a full and excellent education to every American child.

And toward this end I wish to introduce a bill on behalf of myself and 20 colleagues to include federally financed public housing in the definition of impacted areas eligible to receive Federal education assistance.

The U.S. Housing Act of 1937 was among the earliest and most enlightened strategies in America's continuing war on poverty. Since its passage, over 698,000 housing units for poor people have been constructed, and an additional 238,000 units are now planned or under construction. They are located in over 3,000 communities in all 50 States, the District of Columbia, Puerto Rico and the Virgin Islands. Over 75 percent of the units are located in cities over 25,000, and over 50 percent in the 46 largest cities in the United States.

I ask unanimous consent that a State by State summary of Federal housing be printed in the Record at this time.

There being no objection, the summary was ordered to be printed in the Record, as follows:

STATE SUMMARY OF HAA-AIDED PUBLIC HOUSING PROGRAM OPERATED BY LOCAL HOUSING AUTHORITIES AS OF DEC. 31. 1967

State	Number of local authorities	Number of housing units, by status					Number of projects by status			
		Total	Under reservation	In preconstruction	Construction	Under management [1]	Total	In preconstruction	Under construction	Under management
Alabama	134	35,816	1,998	3,875	2,072	27,871	394	37	18	339
Arizona	20	4,585	590	596	348	3,051	62	14	11	37
Arkansas	89	9,996	548	1,629	1,120	6,699	157	33	13	111
California	50	37,680	1,876	4,256	266	31,282	247	14	5	228
Colorado	14	4,774	58	266	140	4,310	36	6	2	27
Connecticut	25	16,198	1,847	1,417	501	12,433	92	16	5	72
Delaware	3	2,265	266	381	122	1,496	12	1	2	6
Florida	60	27,843	2,386	4,847	441	20,169	211	27	7	176
Georgia	193	47,000	6,164	3,470	1,290	36,076	614	37	15	568
Idaho	6	389	30	40	60	259	13	3	3	1
Illinois	76	66,044	4,193	8,405	2,866	50,580	382	43	33	309
Indiana	26	14,225	1,375	4,215	1,910	6,725	87	29	12	47
Iowa	15	965	160	281	446	78	14	3	9	6
Kansas	23	4,095	625	1,960	467	1,043	30	20	4	2
Kentucky	101	20,124	1,792	2,259	1,999	14,074	193	33	21	139
Louisiana	75	27,119	4,427	3,132	871	18,689	188	29	11	146
Maine	6	1,171	293	175	307	396	10	2	2	6
Maryland	14	16,983	1,801	2,639	342	12,201	60	10	4	46
Massachusetts	36	32,765	4,218	5,171	1,305	22,071	145	28	10	107
Michigan	72	23,835	5,651	3,443	1,742	12,999	120	32	22	66
Minnesota	32	14,091	1,060	5,047	1,280	6,704	87	25	14	48
Mississippi	38	7,209	576	468	67	6,098	120	7	2	111
Missouri	53	17,171	980	2,793	1,571	11,827	74	23	10	41
Montana	13	1,437	205	100	165	967	32	5	9	18
Nebraska	75	7,689	1,532	1,532	279	4,346	81	8	10	63
Nevada	10	1,925	20	315	185	1,405	20	3	3	14
New Hampshire	11	3,035	591	854	---------	1,590	25	8	---------	17
New Jersey	62	46,117	3,177	4,040	3,482	35,418	224	24	14	186
New Mexico	27	2,644	420	1,013	164	1,047	46	18	3	25
New York	62	108,450	8,424	14,775	6,329	78,922	252	68	17	167
North Carolina	63	23,731	3,592	3,410	748	15,981	173	32	9	132
North Dakota	8	766	170	---------	180	416	15	---------	4	11
Ohio	23	37,923	2,723	6,677	1,667	26,856	142	30	12	100
Oklahoma	73	9,126	3,918	4,042	276	890	66	57	6	3
Oregon	9	4,232	290	1,282	142	2,618	38	5	3	30
Pennsylvania	52	68,521	7,326	12,724	2,067	46,404	323	67	25	231
Rhode Island	21	9,050	887	960	608	6,595	44	8	5	31
South Carolina	16	9,505	1,121	1,353	286	6,745	111	7	2	102
South Dakota	5	716	50	70	168	428	17	2	5	10
Tennessee	74	31,597	3,316	2,838	907	24,536	281	34	12	235
Texas	281	46,844	3,745	4,265	1,474	37,360	517	58	30	429
Utah	1	30	---------	---------	---------	30	2	---------	---------	2
Vermont	6	752	427	87	60	178	6	1	1	4
Virginia	17	16,099	839	1,434	219	13,607	67	4	3	60
Washington	22	11,454	741	2,637	387	7,689	88	30	8	50
West Virginia	23	4,608	1,060	645	330	2,573	34	7	4	23
Wisconsin	33	6,866	426	610	1,614	4,216	56	10	20	26
Wyoming	1	40	---------	---------	20	20	3	---------	2	1
District of Columbia	1	12,709	460	1,708	485	10,056	51	9	4	38
Alaska	2	729	10	99	103	517	19	6	2	11
Hawaii	1	4,410	329	816	151	3,114	31	7	1	23
Puerto Rico	1	40,176	1,254	4,008	4,616	30,298	163	20	19	124
Virgin Islands	1	2,422	64	866	198	1,294	14	5	2	7
Guam	1	250	---------	250	---------	---------	1	1	---------	---------
Total	2,156	946,196	90,031	134,175	48,843	673,147	6,290	[2] 1,008	468	4,815

Note. Excludes 1 PWA project (80 units) directly operated.

[1] Includes completed units under construction.

[2] Includes 42 projects (6,017 units) ACC approved not yet executed.

Mr. EAGLETON. Mr. President, federally built public housing has been a boon to millions of poor families over the years, and an increasingly insupportable burden for the communities where it is located.

For these units are not taxable by local government and their residents pay little in taxes as well. Yet these are the people whose requirements for public services are greatest.

The initial imbalance between local needs and available resources is not static; it has tended to escalate. Federal public housing policy—like many other Federal welfare policies—lures the rural poor to cities large and small. At the same time, medium- and high-income taxpayers, along with more and more industry and businesses, are moving out of the central cities. And the result is that more and more cities have less and less resources to deal with the human problem of poverty whichever more urgently demands solution.

It is the impact of this syndrome on education that concerns me today.

An excellent education is the one opportunity most likely to save this generation of public-housing children from becoming the parents of the next. They need it most, and they are not getting it in large part because school districts in which the Federal Government has chosen to locate its public housing projects cannot afford to provide it.

Testimony presented before the House General Subcommittee on Education indicated that enrollment in certain surveyed areas doubled because of immigration with the construction of federally financed housing—but nobody offered to pick up the tab for doubling the number of classrooms.

Children from nonpublic housing in the district can suffer as well. They attend the same crowded and financially overburdened schools. Their parents are forced to bear a heavier tax burden for education, receive less for their money, and look for ways to escape to the suburbs. The cycle of fiscal decline continues—presumably in an atmosphere of increasing frustration and bitterness between public housing residents, local citizens, and local government.

The estimated per pupil expenditure in the United States for the 1968–69 school year has risen to $895. With local governments contributing about half the cost of public elementary and secondary education, this places an average burden of about $450 on local tax sources.

I ask unanimous consent that a table containing the estimated public school revenue per pupil and percent of education costs borne by local, State, and Federal governments for the 1968–69 school year be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Total public school revenue per pupil in ADA, 1968–69

1.	New York	$1,500
2.	Alaska (7–$1,066)	1,421
3.	New Jersey	1,115
4.	Maryland	1,105
5.	Delaware	1,099
6.	Connecticut	1,086
7.	Oregon	1,070
8.	Vermont	1,015
9.	Michigan	991
10.	Nevada	981
11.	Wisconsin	976
12.	Illinois	973
13.	California	959
14.	Hawaii	943
15.	Kansas	929
16.	Minnesota	918
17.	Massachusetts	914
18.	Pennsylvania	908
19.	Rhode Island	899
20.	Washington	897
	United States	895
21.	Wyoming	892
22.	Indiana	865
23.	New Hampshire	861
24.	Montana	856
25.	Arizona	851
26.	Louisiana	844
27.	Iowa	834
28.	Colorado	823
29.	Florida	804
30.	New Mexico	796
31.	Virginia	794
32.	Ohio	785
33.	Missouri	783
34.	North Dakota	752
35.	Texas	717
36.	Kentucky	699
37.	Nebraska	695
	Utah	695
39.	South Dakota	678
40.	Oklahoma	677
41.	Maine	670
42.	Idaho	642
43.	North Carolina	631
44.	Georgia	$625
45.	West Virginia	613
46.	Tennessee	611
47.	Arkansas	603
48.	Mississippi	588
49.	South Carolina	583
50.	Alabama	484

Estimated percent of revenue for public, elementary and secondary schools from local governments, 1968–69

[In percent]

1.	New Hampshire	86.0
2.	Oregon	75.6
3.	Nebraska	74.8
4.	South Dakota	73.7
5.	Massachusetts	70.7
6.	Wisconsin	69.4
7.	Colorado	68.9
8.	Illinois	68.1
9.	New Jersey	67.9
10.	Vermont	66.2
11.	North Dakota	66.0
12.	Montana	65.4
13.	Connecticut	64.3
14.	Iowa	63.2
15.	Kansas	63.0
16.	Indiana	61.1
17.	California	59.9
18.	Ohio	59.8
19.	Rhode Island	59.7
20.	Missouri	59.4
21.	Maine	58.0
22.	Maryland	56.0
23.	Oklahoma	55.4
24.	Nevada	54.0
	Wyoming	54.0
	United States	51.9
26.	Michigan	51.7
27.	Minnesota	50.1
28.	Virginia	50.0
29.	Idaho	49.7
30.	Pennsylvania	49.3
31.	New York	47.9
32.	Utah	41.9
33.	Texas	41.3
34.	Tennessee	39.4
35.	West Virginia	37.6
36.	Arizona	36.4
37.	Arkansas	36.4
38.	Florida	33.3
39.	Kentucky	32.8
40.	Washington	32.5
41.	Alaska	29.6
42.	Louisiana	26.9
	Mississippi	26.9
44.	Georgia	25.7
45.	South Carolina	24.3
46.	Alabama	24.1
47.	New Mexico	23.1
48.	Delaware	19.9
49.	North Carolina	19.8
50.	Hawaii	5.2

Estimated Percent of Revenue for Public Elementary and Secondary Schools From State Governments, 1968–69

[In percent]

1.	Hawaii	84.8
2.	Delaware	72.7
3.	North Carolina	67.3
4.	South Carolina	63.6
5.	Georgia	63.2
6.	Louisiana	62.8
7.	New Mexico	61.8
8.	Washington	60.8
9.	Alabama	60.0
10.	Florida	56.5
11.	Arizona	55.2
12.	Mississippi	53.1
13.	Utah	52.0
14.	Kentucky	51.3
15.	West Virginia	50.2
16.	Tennessee	48.7
17.	New York	47.8
18.	Texas	47.1
19.	Arkansas	46.7
20.	Pennsylvania	45.2
21.	Alaska	44.7
22.	Michigan	44.3
23.	Minnesota	43.3
24.	Idaho	40.9
	United States	40.9
25.	Virginia	40.7
26.	Nevada	38.8
27.	Maryland	37.3
28.	Ohio	34.9
29.	Maine	34.7
30.	California	34.3
	Missouri	34.3
32.	Indiana	34.0
33.	Rhode Island	33.6
34.	Oklahoma	32.7
35.	Iowa	32.6
36.	Connecticut	31.3
37.	Vermont	29.7
38.	Kansas	29.2
39.	Montana	27.6
40.	New Jersey	27.5
41.	Illinois	26.7
42.	North Dakota	26.1
43.	Wisconsin	26.0
44.	Wyoming	25.4
45.	Colorado	24.0
46.	Massachusetts	22.4
47.	Oregon	17.7
48.	Nebraska	17.6
49.	South Dakota	11.4
50.	New Hampshire	9.1

Estimated percent of revenue for public elementary and secondary schools from the Federal Government, 1968–69

[In percent]

1.	Alaska	25.7
2.	Wyoming	20.6
3.	Mississippi	20.0
4.	Arkansas	16.9
5.	Alabama	15.9
6.	Kentucky	15.8
7.	New Mexico	15.1
8.	South Dakota	14.9
9.	North Carolina	12.9
10.	West Virginia	12.2
11.	South Carolina	12.1
12.	Oklahoma	11.9
	Tennessee	11.9
14.	Texas	11.6
15.	Georgia	11.0
16.	Louisiana	10.3
17.	Florida	10.2
18.	Hawaii	10.0
19.	Idaho	9.3
	Virginia	9.3
21.	Arizona	8.0
22.	North Dakota	7.9
23.	Kansas	7.8
24.	Nebraska	7.6
25.	Delaware	7.4
	United States	7.3
26.	Maine	7.2
	Nevada	7.2
28.	Colorado	7.1
	Montana	7.1
30.	Massachusetts	6.9
31.	Maryland	6.7
	Oregon	6.7
	Rhode Island	6.7
	Washington	6.7
35.	Minnesota	6.6
36.	Missouri	6 3
37.	Utah	6.1
38.	California	5.9
39.	Pennsylvania	5.5
40.	Ohio	5.3
41.	Illinois	5.2
42.	New Hampshire	4.9
43.	Indiana	4.8
44.	New Jersey	4.6
	Wisconsin	4.6
46.	Connecticut	4.4
47.	Iowa	4.2
	New York	4.2
	Vermont	4.2
50.	Michigan	3.9

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Mr. EAGLETON. Mr. President, because Federal housing is tax exempt and adds nothing to local school revenue, housing authorities usually make small payments in lieu of taxes. A recent U.S. Office of Education survey of our 35 largest cities found that the average payment for education under this arrangement was $11.61 per child.

One need only subtract the average payments in lieu of taxes from the local cost of education per pupil, to realize the staggering problem faced by local school districts dependent on local tax sources.

Mr. President, it is time for the Federal Government to meet its obligations—to step in and rescue these children and these school districts—unless we are prepared to pay the awful cost in idleness, welfare, and waste for generations to come.

I am therefore introducing for myself and Senators Inouye, of Hawaii; Magnuson, of Washington; Bayh, of Indiana; Nelson, of Wisconsin; Dodd, of Connecticut; McGee, of Wyoming; Hatfield, of Oregon; Metcalf, of Montana; Hartke, of Indiana; Hollings, of South Carolina; Stevens, of Alaska; Hart, of Michigan; Brooke, of Massachusetts; Williams of New Jersey; Kennedy, of Massachusetts; Tydings, of Maryland; Harris, of Oklahoma; McCarthy, of Minnesota; Gravel, of Alaska; and Montoya, of New Mexico, a bill to amend the definition of "Federal property" in Public Law 81-874 to include low-rent housing assisted under the Federal Housing Act of 1937, thus entitling children living therein to be considered "federally connected children," and to receive the benefits of educational assistance to federally impacted areas.

Under this amendment, children living in public housing would be considered "B" students under Public Law 874, meaning that local school districts would be reimbursed for approximately one-half of the local cost of education for each pupil in the school district living in public housing.

Aid under this amendment would be given to the local school districts for use in their general operating budgets and would be administered by the U.S. Commissioner of Education under authority vested in him.

This would enable school districts to use the money as they saw fit and to provide much needed assistance without creating yet another new agency and without the further proliferation of bureaucratic red tape.

In fiscal year 1970, approximately $226,916,000 would be required, an average of $198 for each of the estimated 1,144,908 children living in Federal housing, in addition to the estimated entitlement of $662,246,000 under the impacted areas law as it now stands.

I ask unanimous consent that a table listing the number of Federal housing units by congressional district, the estimated number of eligible students in each district, and the estimated entitlement, based on one-half of the estimated 1970 state average "A" rate, be printed in the Record at this point.

There being no objection, the table was ordered to be printed in the Record, as follows:

ESTIMATED ENTITLEMENTS, BY CONGRESSIONAL DISTRICT, FOR LOW-RENT HOUSING PROGRAM

[Based on number of units completed as of June 30, 1968]

State and congressional district	Number of units	Number of pupils	Entitlement (based on ½ estimated 1970 State average "a" rate)
Alabama:			
Total	29,532	48,431	$7,265,000
1	3,870	6,347	952,000
2	2,941	4,823	724,000
3	3,513	5,761	864,000
4	2,662	4,366	655,000
5	3,371	5,528	829,000
6	5,857	9,605	1,441,000
7	3,807	6,243	936,000
8	3,511	5,758	864,000
Alaska, at large	532	872	349,000
Arizona:			
Total	3,432	5,629	903,000
1	1,954	3,205	514,000
2	497	815	131,000
3	981	1,609	258,000
Arkansas:			
Total	7,229	11,856	1,778,000
1	2,274	3,729	559,000
2	2,198	3,605	541,000
3	1,801	2,954	443,000
4	956	1,568	235,000
California:			
Total	30,080	49,331	9,106,000
1	496	813	150,000
2	170	279	51,000
3	1,328	2,178	402,000
4	505	828	153,000
5	5,382	8,826	1,629,000
6	1,354	2,221	410,000
7	1,292	2,086	385,000
8	650	1,066	197,000
11	40	66	12,000
12	326	535	99,000
13	1,060	1,738	321,000
14	2,155	3,534	652,000
15	1,460	2,894	442,000
16	1,761	2,888	533,000
17	1,564	2,565	473,000
18	938	1,538	284,000
21	3,326	5,455	1,007,000
22	448	735	136,000
26	601	986	182,000
29	489	802	148,000
30	2,421	3,970	733,000
32	712	1,168	216,000
33	1,131	1,855	342,000
38	491	805	149,000
Colorado:			
Total	4,310	7,068	1,671,000
1	3,596	5,897	1,394,000
3	660	1,082	256,000
4	54	89	21,000
Connecticut:			
Total	13,059	21,417	$5,544,000
1	3,184	5,222	1,352,000
2	827	1,356	351,000
3	2,770	4,543	1,176,000
4	4,373	7,172	1,856,000
5	855	1,402	363,000
6	1,050	1,722	446,000
Delaware, at large, total	1,614	2,647	489,000
District of Columbia, total	9,665	15,851	2,859,000
Florida:			
Total	20,493	33,609	5,041,000
1	1,436	2,355	353,000
2	902	1,479	222,000
3	1,827	2,996	449,000
4	1,447	2,373	356,000
5	2,245	3,682	552,000
6	3,892	6,383	957,000
7	1,190	1,952	293,000
8	612	1,004	151,000
9	1,554	2,549	382,000
10	540	886	133,000
11	3,616	5,930	890,000
12	1,232	2,020	303,000
Georgia:			
Total	36,513	59,880	8,982,000
1	4,032	6,612	992,000
2	3,317	5,440	816,000
3	3,313	5,433	815,000
4	3,186	5,225	784,000
5	7,188	11,788	1,768,000
6	3,391	5,561	834,000
7	2,816	4,618	693,000
8	2,903	4,761	714,000
9	2,220	3,641	546,000
10	4,147	6,801	1,020,000
Hawaii, total	3,124	5,123	809,000
Idaho:			
Total	259	425	82,000
1	95	156	30,000
2	164	269	52,000
Illinois:			
Total	52,915	86,780	21,741,000
1	13,122	21,520	5,391,000
2	2,479	4,066	1,019,000
3	2,395	3,928	984,000
4	563	923	231,000
5	912	1,496	375,000
6	151	248	62,000
7	9,784	16,046	4,020,000
8	1,039	1,704	427,000
9	4,382	7,186	1,800,000
10	127	208	52,000
12	455	746	187,000

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ESTIMATED ENTITLEMENTS, BY CONGRESSIONAL DISTRICT, FOR LOW-RENT HOUSING PROGRAM—Continued

[Based on number of units completed as of June 30, 1968]

State and congressiona ldistrict	Number of units	Number of pupils	Entitlement (based on ½ estimated 1970 State average "a" rate)
Colorado—Continued			
14	749	1,228	$308,000
15	576	945	237,000
16	660	1,082	271,000
17	1,010	1,656	415,000
18	2,149	3,524	883,000
19	1,070	1,755	440,000
20	1,831	3,003	752,000
21	3,302	5,415	1,357,000
22	1,191	1,953	489,000
23	1,359	2,229	558,000
24	3,609	5,919	1,483,000
Indiana:			
Total	7,442	12,204	2,521,000
1	1,819	2,983	616,000
3	612	1,004	207,000
4	423	694	143,000
5	200	328	68,000
7	496	813	168,000
8	1,932	3,168	655,000
9	300	492	102,000
10	464	761	157,000
11	1,196	1,961	405,000
Iowa:			
Total	504	827	198,000
1	20	33	8,000
3	80	131	31,000
4	230	377	90,000
6	40	66	16,000
7	134	220	53,000
Kansas:			
Total	1,363	2,235	397,000
1	60	98	17,000
2	229	376	67,000
3	474	941	167,000
4	500	820	146,000
Kentucky:			
Total	15,114	24,787	3,719,000
1	2,299	3,770	566,000
2	1,198	1,965	295,000
3	5,297	8,687	1,303,000
4	1,483	2,432	365,000
5	1,106	1,814	272,000
6	3,109	5,099	765,000
7	622	1,020	153,000
Louisiana:			
Total	19,489	31,961	4,795,000
1	6,900	11,316	1,697,000
2	5,856	9,604	1,441,000
3	1,263	2,071	311,000
4	977	1,602	240,000
5	786	1,289	193,000
6	820	1,345	202,000
7	2,291	3,757	564,000
8	596	977	147,000
Maine:			
Total	396	650	138,000
1	270	443	94,000
2	126	207	44,000
Maryland:			
Total	12,419	20,367	3,825,000
1	753	1,235	232,000
3	6,533	10,714	2,012,000
4	3,160	5,182	973,000
6	1,246	2,043	384,000
7	587	963	181,000
8	140	230	43,000
Massachusetts:			
Total	24,589	40,325	12,748,000
1	927	1,520	480,000
2	1,107	1,815	574,000
3	100	164	52,000
4	1,315	2,157	682,000
5	2,183	3,580	1,132,000
6	776	1,273	402,000
7	1,149	1 884	596,000
8	3,507	5,743	1,815,000
9	10,428	17,102	5,406,000
10	1,722	2,824	893,000
11	480	787	249,000
12	900	1,476	467,000
Michigan:			
Total	13,413	21,997	3,536,000
1	200	328	53,000
2	120	197	32,00
3	240	394	63,000
4	510	836	134,000
5	60	98	16,000
6	23	38	6,000
7	32	52	8,000
8	883	1,448	233,000
9	200	328	53,000
10	170	279	45,000
11	432	708	114,000
Michigan—Continued			
12	362	594	$95,000
13	4,244	6,960	1,119,000
14	1,820	2,985	480,000
15	540	886	142,000
16	698	1,145	184,000
17	2,316	3,798	611,000
18	163	267	43,000
19	500	656	105,000
Minnesota:			
Total	7,553	12,388	2,073,000
1	199	326	55,000
3	245	402	67,000
4	2,718	4,458	746,000
5	3,003	4,925	824,000
7	379	622	104,000
8	1,009	1,655	277,000
Mississippi:			
Total	6,165	10,111	1,517,000
1	1,009	1,655	248,000
2	906	1,486	223,000
3	700	1,148	172,000
4	1,250	2,050	308,000
5	2,300	3,772	566,000
Missouri:			
Total	12,437	20,397	3,590,000
1	5,077	8,326	1,465,000
3	3,055	5,010	881,000
4	200	328	58,000
5	2,376	3,897	686,000
8	543	891	157,000
9	432	708	125,000
10	754	1,237	218,000
Montana:			
Total	1,069	1,753	391,000
1	634	1,040	232,000
2	435	713	159,000
Nebraska:			
Total	4,154	6,812	1,592,000
1	833	1,366	319,000
2	2,358	3,867	904,000
3	963	1,579	369,000
Nevada, at large	1,815	2,977	480,000
New Hampshire:			
Total	1,750	2,870	732,000
1	1,470	2,411	615,000
2	280	459	117,000
New Jersey:			
Total	36,282	59,502	15,423,000
1	2,134	3,500	907,000
2	1,533	2,514	652,000
3	1,831	3,003	778,000
4	2,407	3,947	1,023,000
5	424	695	180,000
6	211	346	90,000
8	2,890	4,740	1,229,000
9	784	1,286	333,000
10	5,109	8,379	2,172,000
11	6,886	11,293	2,927,000
12	248	407	105,000
13	5,674	9,305	2,412,000
14	4,025	6,601	1,711,000
15	2,126	3,487	904,000
New Mexico, total	1,187	1,947	292,000
New York:			
Total	84,641	138,812	38,201,000
2	40	66	18,000
3	40	66	18,000
5	295	484	133,000
7	1,447	2,373	653,000
9	3,149	5,164	1,421,000
10	4,235	6,945	1,911,000
11	8,117	13,312	3,663,000
12	8	15	4000
13	1,402	2,299	633,000
14	7,516	12,326	3,392,000
16	2,100	3,444	948,000
17	2,324	3,811	1,049,000
18	15,029	24,648	6,783,000
19	6,333	10,386	2,858,000
20	1,153	1,891	520,000
21	7,007	11,491	3,162,000
22	5,007	8,211	2,260,000
24	3,762	6,170	1,698,000
25	2,253	3,695	1,017,000
26	511	838	231,000
27	12	20	6,000
28	215	353	97,000
29	2,975	4,879	1,343,000
30	475	779	214,000

ESTIMATED ENTITLEMENTS, BY CONGRESSIONAL DISTRICT, FOR LOW-RENT HOUSING PROGRAM—Continued

[Based on number of units completed as of June 30, 1968]

State and congressional district	Number of units	Number of pupils	Entitlement (based on ½ estimated 1970 State average "a" rate)
New York—Continued			
31	572	938	$258,000
32	405	664	183,000
33	549	900	248,000
34	1,659	2,721	749,000
35	170	279	77,000
36	178	292	80,000
38	34	56	15,000
39	26	43	12,000
40	1,309	2,147	591,000
41	4,334	7,108	1,956,000
North Carolina:			
Total	16,409	26,912	4,036,000
1	1,253	2,055	308,000
2	1,362	2,234	335,000
3	1,195	1,960	294,000
4	1,699	2,786	418,000
5	2,690	4,412	662,000
6	2,237	3,669	550,000
7	2,130	3,493	524,000
8	2,195	3,600	540,000
9	542	889	133,000
10	226	371	56,000
11	880	1,443	216,000
North Dakota:			
Total	536	879	157,000
1	356	584	104,000
2	180	295	53,000
Ohio:			
Total	27,152	44,530	6,720,000
1	423	694	105,000
2	5,676	9,309	1,405,000
3	2,334	3,828	578,000
6	475	779	118,000
7	330	541	82,000
9	1,953	3,203	483,000
10	190	312	47,000
12	1,903	3,121	471,000
13	651	1,068	161,000
14	968	1,588	240,000
15	1,396	2,289	345,000
16	196	321	48,000
17	324	531	80,000
18	500	820	124,000
19	1,376	2,257	341,000
20	2,822	4,628	698,000
21	4,830	7,921	1,195,000
22	272	446	67,000
24	533	874	132,000
Oklahoma:			
Total	582	955	152,000
1	80	131	21,000
2	51	84	13,000
3	28	46	7,000
5	423	694	111,000
Oregon:			
Total	2,328	3,819	935,000
1	640	1,050	257,000
2	68	112	27,000
3	748	1,227	301,000
4	872	1,430	350,000
Pennsylvania:			
Total	46,845	76,823	15,808,000
1	4,407	7,227	1,487,000
2	3,854	6,321	1,300,000
3	4,525	7,421	1,527,000
4	1,036	1,699	350,000
5	1,253	2,055	423,000
6	1,328	2,178	448,000
7	424	695	143,000
8	239	392	81,000
9	1,789	2,934	604,000
10	1,214	1,991	410,000
11	150	246	51,000
12	580	951	196,000
13	307	503	103,000
14	6,264	10,273	2,113,000
15	2,524	4,139	852,000
16	199	326	67,000
17	2,130	3,493	719,000
18	246	403	83,000
19	400	656	135,000
20	5,263	8,631	1,776,000
21	688	1,128	232,000
22	1,241	2,035	419,000
23	98	161	33,000
24	1,702	2,791	574,000
25	1,674	2,745	565,000
26	1,854	3,041	626,000
27	1,456	2,388	491,000
Rhode Island:			
Total	6,517	10,688	2,516,000
1	3,719	6,099	1,436,000
2	2,798	4,589	1,080,000
South Carolina:			
Total	6,951	11,400	$1,710,000
1	2,033	3,334	500,000
2	1,409	2,311	347,000
3	875	1,325	215,000
4	1,906	3,126	469,000
5	528	866	130,000
6	200	328	49,000
South Dakota:			
Total	526	863	175,000
2	526	863	175,000
Tennessee	25,079	41,130	6,169,000
1	1,867	3,062	459,000
2	3,002	4,923	738,000
3	3,303	5,417	813,000
4	2,677	4,390	659,000
5	4,904	8,043	1,206,000
6	1,556	2,552	383,000
7	1,153	1,891	284,000
8	1,554	2,549	382,000
9	5,063	8,303	1,245,000
Texas:			
Total	37,976	62,280	10,805,000
1	1,754	2,877	499,000
2	1,116	1,912	332,000
3	4,105	6,732	1,168,000
4	1,374	2,253	391,000
5	2,267	3,718	645,000
6	758	1,243	216,000
7	1,990	3,264	566,000
8	210	344	60,000
9	2,120	3,477	603,000
10	1,494	2,450	425,000
11	1,853	3,039	527,000
12	1,184	1,942	337,000
13	1,335	2,189	380,000
14	2,087	3,423	594,000
15	2,349	3,852	668,000
16	1,684	2,762	479,000
17	1,286	2,109	366,000
18	352	577	100,000
19	424	695	121,000
20	5,829	9,560	1,658,000
21	382	626	109,000
22	564	925	160,000
23	1,409	2,311	401,000
Utah:			
Total	30	49	7,000
1	30	49	7,000
Vermont, at large	178	292	50,000
Virginia:			
Total	13,771	22,584	3,884,000
1	1,802	2,955	508,000
2	5,627	9,228	814,000
3	2,885	4,731	814,000
4	466	764	131,000
5	500	820	141,000
6	700	1,148	197,000
7	226	371	64,000
9	431	707	122,000
10	1,134	1,860	320,000
Washington:			
Total	7,999	13,118	2,196,000
1	3,220	5,281	884,000
2	500	820	137,000
3	422	692	116,000
4	501	822	138,000
6	1,510	2,476	414,000
7	1,846	3,027	507,000
West Virginia:			
Total	2,311	3,789	568,000
1	757	1,241	186,000
2	250	410	62,000
3	574	941	141,000
4	550	902	135,000
5	180	295	44,000
Wisconsin:			
Total	4,549	7,460	1,659,000
2	368	604	134,000
3	150	246	55,000
4	180	295	66,000
5	2,946	4,831	1,074,000
6	50	82	18,000
7	97	159	35,000
8	26	43	10,000
10	732	1,200	267,000
Wyoming total	30	49	13,000
Puerto Rico, total	32,455	53,226	6,121,000
Virgin Islands, total	1,354	2,221	447,000
Grand total	698,117	1,144,908	226,916,000

Mr. EAGLETON. Mr. President, I also ask that the estimated entitlements for cities which contain the largest number of public housing units be printed in the RECORD at this point, along with the estimated entitlements for each city and the responses from various mayors of such cities.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LOW-RENT HOUSING—1970 ESTIMATED ENTITLEMENTS

[Based on number of units completed as of Dec. 31, 1967, in 35 cities, national average of 1.64 pupils per unit, and ½ estimated 1970 local contribution rate]

City	Units	Pupils	Entitlement
New York City, N.Y	64,633	105,998	$43,919,000
Chicago, Ill	32,960	54,054	12,973,000
Philadelphia, Pa	15,719	25,779	5,800,000
New Orleans, La	12,270	20,123	3,018,000
Boston, Mass	10,973	17,996	4,859,000
Newark, N.J	10,891	17,861	4,483,000
Baltimore, Md	10,335	16,949	3,814,000
Washington, D.C	10,056	16,492	3,051,000
Los Angeles, Calif	9,287	15,231	2,894,000
Pittsburgh, Pa	9,234	15,142	3,104,000
Atlanta, Ga	8,892	14,730	2,210,000
Detroit, Mich	8,180	13,415	2,696,000
Cleveland, Ohio	7,458	12,231	2,691,000
St. Louis, Mo	7,245	11,882	2,388,000
Dallas, Tex	6,372	10,450	1,568,000
Cincinnati, Ohio	6,146	10,079	2,217,000
San Francisco, Calif	5,883	9,648	1,833,000
San Antonio, Tex	5,563	9,123	1,368,000
Birmingham, Ala	5,523	9,058	1,359,000
Memphis, Tenn	5,045	8,274	1,241,000
Louisville, Ky	4,962	8,138	1,221,000
Nashville, Tenn	4,888	8,016	1,202,000
Miami, Fla	4,508	7,393	1,109,000
Buffalo, N.Y	4,370	7,167	1,792,000
Jersey City, N.J	3,804	6,239	1,556,000
Norfolk, Va	3,720	6,101	1,220,000
Tampa, Fla	3,692	6,055	908,000
Denver, Colo	3,596	5,897	1,474,000
Seattle, Wash	3,520	5,773	924,000
Mobile, Ala	3,403	5,581	837,000
Providence, R.I	2,972	4,874	1,219,000
Richmond, Va	2,885	4,731	804,000
Columbus, Ohio	2,881	4,725	1,040,000
Bridgeport, Conn	2,678	4,392	878,000
Chattanooga, Tenn	2,633	4,318	648,000

CITY OF PITTSBURGH,
April 25, 1969.

Hon. THOMAS F. EAGLETON,
U.S. Senate,
Washington, D.C.

DEAR TOM: Your letter of April 22 is extremely timely. As you know, all school systems within our central cities are on the verge of bankruptcy and are totally unprepared financially to provide improved education programs for the increasing number of poor youngsters in our central city areas.

We presently have about 10,000 public housing units within the City of Pittsburgh, and we are under great pressures to increase this supply. As we continue to develop additional low-income housing on scattered sites in other parts of our city to meet Title VI Civil Rights regulations of the Department of Housing and Urban Development, the most urgent development problem that confronts us is that we are inflating school populations in already overcrowded schools and increasing the capital and operating budget requirements of the Pittsburgh school district.

Our school board has been unable to keep up with the population mobility and is struggling to add temporary structures and shift teachers from school to school. In addition to the construction of housing in new locations, we face the dilemma that the Catholic school system, because of economic circumstances, is closing its schools and thrusting the education burden on the public school system at an accelerated rate. Catholic schools until recently have accommodated approximately half our school children.

These two factors—the population shifts because of the redistribution of housing opportunities for Federally-assisted housing for low- and moderate-income families and the closing of Catholic schools—have helped to exacerbate an already serious financial crisis which, in our judgment, must be met with increased State and Federal assistance.

I feel it is urgent that the Federal Government provide some measure of financial relief, and your proposal would be a significant step in that direction. I also agree with your comment that this aid should be provided directly to the school districts, without the usual restrictions and red tape that normally accompany Federal grants.

In effect, Congress would be recognizing that "payments in lieu of taxes" which we are receiving from our existing public housing communities are insufficient to meet the problem of improving community services for low- and moderate-income families.

Education of the young in underprivileged families must be one of our highest priorities in breaking the poverty cycle and dependence on governmental funds in the future.

You can be assured of my support in your innovative proposal.

Very truly yours,

JOE BARR, *Mayor.*

OFFICE OF THE SECRETARY OF TRANSPORTATION,
Washington, D.C., April 25, 1969.

Hon. THOMAS F. EAGLETON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR EAGLETON: Your letter of April 22, 1969, addressed to me as Mayor of the City of Seattle, has been forwarded and was received here yesterday. I resigned my office as Mayor of the City of Seattle on March 25th and reported as an Assistant Secretary in the Department of Transportation on April 1st.

Since the time of the introduction of your bill is quite close, I am going to take the liberty of commenting as though I were still serving as Mayor of Seattle. If this were the case, I would, of course, confer with our local School Board, but certainly see no reason why the type of legislation you propose should not receive full support from that body. It appears to me that the general idea of your legislation is sound and would provide practical and workable support to the hard-pressed school districts affected.

I look forward to meeting you at some time to discuss the problems facing the Department of Transportation in the field of urban systems and environment, which is my particular assignment here in DOT.

Best personal regards.

Sincerely,

J. D. BRAMAN,
Assistant Secretary for Urban Systems and Environment.

NEWARK, N.J., *April 29, 1969.*

Hon. THOMAS F. EAGLETON,
U.S. Senator,
U.S. Senate,
Washington, D.C.

DEAR SENATOR EAGLETON: Your bill to amend the definition of "Federal property" to include low rent housing, thereby permitting cities with a major commitment to low rent housing to be eligible for additional federal aid, is a wise and much needed action.

I believe the amendment is entirely within the concept of a strengthened federal-local partnership to aid our neediest citizens. Newark, as you know, has one of the highest percentages of persons living in public housing units in the nation. We should not be penalized, but assisted for pursuing the goal of providing decent housing for low income families. This amendment provides that assistance and its passage would provide a much needed increase in our financial resources.

If I can be of any help in testifying in behalf of your bill, please let me know.

Warmest personal regards,

HUGH J. ADDONIZIO,
Mayor.

NEW ORLEANS PUBLIC SCHOOLS,
April 29, 1969.

Hon. THOMAS F. EAGLETON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR EAGLETON: I have been asked to acknowledge your April 22, 1969 letter to Mayor Schiro in which you request comment re proposed legislation which if enacted would provide local school districts with partial reimbursement for the costs of educating children who reside in public housing. This legislation, if passed, will be most helpful to New Orleans. I hope it will receive favorable consideration in Congress.

To further detail the extent of the educational needs created by the high incidence of public housing in New Orleans, I am enclosing an expanded statement with this letter. I hope this information will be pertinent and will assist in the favorable consideration of the legislation you propose.

Sincerely,

THOMAS W. PAYZANT,
Administrative Assistant to the Superintendent.

PUBLIC HOUSING AND EDUCATIONAL DEPRIVATION IN NEW ORLEANS

The incidence of educational deprivation in New Orleans is found to be extremely high particularly where heavy concentrations of the predominantly black urban poor are channeled by common characteristics of poverty into densely populated public housing projects. The growth and development of these projects has required the building of neighborhood public schools which of necessity serve the large influx of children that comes with the opening of the projects. Since 1954, seventeen public schools, which almost exclusively serve housing project children, have been built in New Orleans. In several instances more than one school has been constructed to serve a single public housing project. The largest housing project in New Orleans, Desire, serves approximately 15,000 residents. More than 7,500 children from this project attend three elementary schools, a junior high school, and a senior high school that serve only this small geographical area.

The educational deprivation apparent in large numbers of children who live in public housing projects takes several forms. Speech patterns and oral communications skills are poorly developed. Reading and arithmetic achievement are well below city and national norms. Children are motivated, if at all, toward activities or interests not customarily considered appropriate for the formal school setting and traditional patterns of learning. Factors of poverty, such as, malnutrition, unstable and emotionally depressing family conditions, and transiency make education all the more pressing but difficult for the deprived child.

Such conditions of educational deprivation point to the need for new educational approaches that can effect learning situations relevant to the special needs of the deprived child. Smaller classes, specially trained teachers, teacher aides, social workers, individualized instruction, food services, medical attention, additional materials, and new and more expensive types of equipment are required to make possible a learning environment which can help to eliminate educational deprivation. The addition of such necessary resources and services raises significantly the per student cost for the education of the educationally deprived child. The number of educationally deprived children is exacerbated by the high incidence of public housing in New Orleans. Public housing per capita in New Orleans is above the average for cities of equivalent size. Sixteen housing projects with approximately 13,000 housing units are now in operation. During the 1967-68 school year 894 white children or 2.43 per cent of the white public school student population lived in public housing projects in New Orleans;

17,767 Negro children or 24.67 percent of the Negro public school population lived in public housing projects.

The Housing Authority of New Orleans is planning additional public housing in the city, which will place additional demands on the public schools in the future. The New Orleans Public Schools have received small relief in terms of payments in lieu of taxes or other financial benefits from the Housing Authority. In lieu of taxes, the Housing Authority remits to the City of New Orleans a payment equal to ten percent of shelter rental income less utility costs. These payments are intended to defray the cost of services such as police and fire protection, garbage collection, public street maintenance and other municipal services. The New Orleans Public Schools function as an independent agency and receive no direct payments in lieu of taxes from the Housing Authority for education services. The school system does receive a small portion of the city's revenue received from the Housing Authority.

In fiscal 1968 the school system's share amounted to $124,828.09. With a 13 mill property tax for schools in New Orleans this amount is roughly equivalent to that which could be raised on $9½ million of assessed valuation, or property with a market value in New Orleans of approximately $38 million. More than $120 million has been spent on the construction of public housing in New Orleans over a twenty year period. Of course the actual value of Housing Authority property far exceeds $120 million. In short, payments in lieu of taxes based on rental income from housing units do not come close to meeting the tax revenue producing potential of Housing Authority property if it did not have tax exempt status.

For the 18,661 children who lived in public housing units during the 1967–68 school year and attended public schools, the $124,828.09 which was received from the Housing Authority to help offset the cost of their education, provided an average of $6.63 per child. $6.63 per child is far short of the fair share financial contribution which is required to meet the challenges of alleviating educational deprivation among the high concentrations of the urban poor who live in public housing projects and attend the public schools in New Orleans.

The New Orleans Public Schools must have additional financial resources to meet the needs of many educationally deprived children who know only the limited environment of the densely populated housing project and the school that serves it. With additional resources the public schools will be better able to alleviate some of the factors contributing to educational deprivation which negatively affect learning opportunities for children.

City of Chattanooga,
April 25, 1969.

Hon. Thomas F. Eagleton,
U.S. Senate,
Washington, D.C.

Dear Senator Eagleton: I was delighted to receive your letter of April 22, 1969 concerning your intention to introduce a bill which would assist school districts in cities where federally financed public housing is located.

I believe that your proposal has great merit for the cities where federally financed public housing is located. Clearly there is a need for additional education assistance in benefits for many of the children living in public housing. The proposed method by which funds would be available to the local school districts is in my judgment the most practical and acceptable one available at this time.

Let me congratulate you upon your proposal and extend my full and wholehearted support to the legislation.

If I can be of assistance to you at any time, please feel free to contact me.

Sincerely,
A. L. Bender,
Mayor.

Chattanooga Public Schools,
Chattanooga, Tenn., May 1, 1969.

Hon. Thomas F. Eagleton, .
U.S. Senate,
Washington, D.C.

Dear Senator Eagleton: Mayor Bender of Chattanooga has shared with me your letter of April 22 telling me of your proposed bill which would assist school districts in cities and towns where federally financed public housing is located.

I am delighted to know of your proposal and wish to commend you for it. Such financial assistance which could be added to our operating budget where it is needed would certainly be welcome, and I think your proposal to make funds available in this manner is good.

Sincerely yours,
Jack D. Lawrie,
Superintendent.

City of Baltimore,
May 1, 1969.

Hon. Thomas F. Eagleton,
U.S. Senator, Senate Office Building,
Washington, D.C.

Dear Senator Eagleton: I want to take this opportunity to wholeheartedly endorse your proposal for expanding the definition of "Federal property" to include low-rent housing assisted under the Federal Housing Act of 1937.

This idea certainly makes a good deal of sense and it quite naturally would bring some badly needed educational assistance to Baltimore. What I find extremely attractive is that the provision would enable school districts to use the money as they saw fit.

You might be interested to know that I have forwarded your proposal for further revenue, to Mr. Francis D. Murnaghan, Jr., President of the Board of School Commissioners, and to Dr. Thomas D. Sheldon, Superintendent of Public Instruction of the Baltimore City Schools. Should you have any specific questions concerning local educational problems, please feel free to contact either of these gentlemen at your convenience.

Sincerely,
Thomas J. D'Alesandro III,
Mayor.

Office of the Mayor,
San Francisco, April 25, 1969.

Hon. Thomas F. Eagleton,
U.S. Senator, Senate Office Building, Washington, D.C.

Dear Senator Eagleton: This letter serves to acknowledge receipt of your letter of April 22, 1969.

I am delighted to prepare comments and will forward them to you at my earliest opportunity.

The legislation you propose would meet a grave need in the city of San Francisco.

Thank you for your courtesy in informing me about this legislation.

Sincerely,
Joseph L. Alioto,
Mayor.

Board of Education,
Buffalo, N.Y., April 30, 1969.

Hon. Frank A. Sedita,
Mayor, City of Buffalo,
Buffalo, N.Y.

Dear Mayor Sedita: In regard to your letter dated April 22 and attachment from U.S. Senator Thomas Eagleton, my office has reviewed the information we have to date concerning P.L. 874 and public housing. Attached are comments you may wish to incorporate in your response to Senator Eagleton.

In view of present fiscal constraints in Buffalo, we would urge federal authorization and funding of such legislation to provide general operating aid without further red tape or categorical restrictions. It is important, however, that the Senator be advised that the method he suggests has some shortcomings, as noted attached.

Yours sincerely,
Joseph Manch,
Superintendent of Schools.

Board of Education,
Bridgeport, Conn., April 29, 1969.

Senator Thomas F. Eagleton,
U.S. Senate,
Washington, D.C.

Dear Senator Eagleton: Your amendment to PL-81-874, relative to allowance for children living in public housing, makes more sense and, incidentally, more dollars than any suggestions we have heard. The money that is absolutely needed in the cities will go directly where the need is greatest, without bureaucratic frustrations.

Please persist in your efforts. Any assistance this office can provide is yours.

Very truly yours,
Lester Silverstone,
Superintendent of Schools.

City of Buffalo,
May 5, 1969.

Hon. Thomas F. Eagleton,
U.S. Senate,
Washington, D.C.

Dear Senator Eagleton: Your letter of April 22 concerning city school districts was sent by me to our Superintendent of Education. I am attaching a copy of his response. I hope this will be useful.

Sincerely,
Frank A. Sedita,
Mayor.

City and County of Denver,
Denver, Colo., May 1, 1969.

Hon. Thomas F. Eagleton,
U.S. Senator,
Washington, D.C.

Dear Senator Eagleton: The administration of the City and County of Denver certainly favors the bill to amend the definition of "Federal property" to include low rent housing as outlined to me in your letter of April 22nd.

The Board of Directors of our Denver Housing Authority also favors this change since, by the Board's calculation, it would mean considerable financial assistance to the Denver School Board.

I would suggest, however, that School Boards who would benefit from this financial assistance should be required to use the additional Federal monies in the disadvantaged areas where generally the quality of education and the physical facilities many times are inferior to that in more affluent areas. In Denver, at least, our public housing is located in these disadvantaged areas.

Sincerely yours,
W. H. McNichols, Jr.,
Mayor.

City of Memphis, Tenn.,
May 2, 1969.

Hon. Thomas F. Eagleton,
Senate Office Building,
Washington, D.C.

Dear Senator Eagleton: I appreciate very much being afforded the opportunity to comment on your proposed Bill, which would amend P.L. 81–874 to qualify children living in federally financed public housing as Category "B" students in our public schools.

The Memphis City School System qualified for 874 funds when the guidelines lowered the qualification requirement to 3 per cent. All of our students that are qualified are Category "B" students; therefore, we particularly like that feature of your Bill. We are hopeful of receiving approximately $900,000 under 874 next year. I am sure that you are aware of a strong movement in the Congress to raise the qualification requirements to 6 per cent and appropriate funds only for Category "A" students. An amendment of this nature would disqualify Memphis—we would not get a dime. You are, no doubt, also knowledgeable of H.R. 514 passed by the House of Representatives on April 23, 1969. This Bill amends 874 by adding a new Category "C" which includes all pupils living in public housing.

Memphis, like all other large cities, is experiencing great difficulty in financing the services and capital improvements which its citizens desire and deserve. If your Bill passes and is fully funded, it would benefit us greatly.

Speaking for the Memphis City Government and the Board of Education, with whom I have discussed this matter, we strongly endorse your proposed Bill and wish you success in getting it accepted by the Members of the Senate and House of Representatives.

Sincerely,

Henry Loeb.

Office of the Mayor,
Jersey City, N.J., May 1, 1969.

Hon. Thomas F. Eagleton,
U.S. Senator,
Senate Office Building,
Washington, D.C.

Dear Senator Eagleton: Thank you for your recent letter regarding your intention to introduce an amendment to the definition of "Federal property" for P.L. 81–874 and the explanation of the commendable effect it would bring to bear on urban areas such as Jersey City.

Your proposed amendment is imaginative and constructive and aims toward the solutions so sorely needed today for the complex crises confronting the nation's larger cities.

I wish you success in your venture.

Sincerely,

Thomas J. Whelan,
Mayor.

Metropolitan Government of
Nashville and Davidson County,
Nashville, Tenn., May 2, 1969.

Hon. Thomas F. Eagleton,
U.S. Senate, Committee on Labor and Public Welfare, Washington, D.C.

My Dear Senator Eagleton: I have your letter of April 22 and certainly agree with you that the children in the housing projects constitute a heavy burden upon the local school operations. Your approach to helping solve this problem would be most beneficial to the local governing body operating the school system, as well as giving us an opportunity to, perhaps, give a better education to these children who are the ones who most desperately need the educational process.

I shall be in touch with our staff people to determine in what ways we can be of assistance in carrying out the thrust of your Bill. In addition to this, I shall talk to our Congressional group in Washington, as well as your colleagues in the Senate.

Thanking you very much for this information, I am

Very truly yours,

Beverly Briley,
Mayor.

City of San Antonio,
San Antonio, Tex., May 6, 1969.

Hon. Thomas F. Eagleton,
U.S. Senate,
Washington, D.C.

Dear Senator Eagleton: Although the School Districts in San Antonio are not directly under the City of San Antonio, your proposed Bill would certainly be most beneficial to them and I sincerely hope that it receives favorable consideration by both the House and the Senate.

Sincerely,

Gerald C. Henckel, Jr.,
City Manager.

Office of the City Manager,
Richmond, Va., May 5, 1969.

Senator Thomas F. Eagleton,
U.S. Senate,
Washington, D.C.

Dear Senator Eagleton: The Administration of the City of Richmond offers its wholehearted support to your proposed bill which would offer financial aid to school districts where federally financed public housing is located.

The superintendent of the Richmond Public Schools, Dr. H. I. Willett, estimates that the current enrollment in the local school system of children living in public housing units is 5,936. Based on a total enrollment of 42,384 the students living in public housing units constitute 14% of the total enrollment. The necessity of public housing increased the concentration of students in school facilities and has increased the cost per pupil facilities due to the socio-economic background of the students. This extra financial aid from the Federal government would be most welcome at a time when municipal expenditures are increasing faster than revenue receipts.

Although Richmond is a progressive city, it is an old one. Typical of our Nation's central cities, Richmond suffers from the flight of affluent citizens to the suburbs. The plight of our central cities has been the subject of many recent publications. The March, 1969, issue of *Nation's Cities*, published by the National League of Cities, is devoted to the subject, "Financing our Urban Needs". The opening lines of this Report pointedly express the fiscal crises we face:

> Central city governments are being burdened with far more than their share of urban costs.
>
> They are burdened with more than their share of welfare costs, education costs, and regional facility costs. They are paying costs that should more properly be borne by the federal government, paying costs that should more properly be borne by the state governments, paying costs that should at least be shared by their suburbs, paying many costs that should be met by private enterprise and should not be subsidized by any level of government—federal, state or local.
>
> They are burdened with *far* more costs than they can meet with their present taxing powers or their present tax resources, more costs than they can meet under today's state-imposed restrictions on their taxing authority, more costs than they can meet without pushing their tax rates so high that they would drive still more people and more business to lower-tax shelters outside the city line.

I respectfully recommend this issue of *Nation's Cities* to your attention. It is an excellent investigation and report on our present day urban ills. Pages 30 through 34 specifically deal with State and Federal aid to education and welfare problems in our central cities. I am sure that I can speak for Dr. Willett and the Richmond School Board in offering to furnish any further information which you may find helpful in securing passage of this bill.

Sincerely,

Alan F. Kiepper,
City Manager.

Office of the Mayor,
St. Louis, Mo., April 24, 1969.

Hon. Thomas F. Eagleton,
U.S. Senator,
Senate Office Building,
Washington, D.C.

Dear Tom: The bill you propose to help school districts in cities and towns where federally financed public housing is located would, I believe, provide an important assist to the Saint Louis Board of Education in its efforts to provide quality education to children living in public housing.

I am certain that the Saint Louis Board of Education would be able to make good use of the $2,388,000 it could receive for the 11,882 public housing children it serves or will serve.

As you well know, it is extremely vital that we intensify our efforts to provide the highest level of education possible to children with disadvantaged backgrounds because they, perhaps more than children from middle-class backgrounds, demand specially tailored, high caliber instructions.

In a related area I think consideration must be given to methods of providing improved physical facilities for the education of children from public housing areas. The money currently available for the funding of modern housing for low- and moderate-income families could be supplemented by funds to aid in the construction of new school facilities concurrent with the construction of such housing.

I am certain that the Board of Education and the citizens of Saint Louis appreciate your efforts to help provide the means to make a quality education possible for all our children.

If I may be of further assistance, you are assured of my cooperation.

Sincerely,

Alfonso J. Cervantes,
Mayor.

Mr. EAGLETON. Mr. President, I ask unanimous consent that the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2147) to consider children living in federally assisted public housing as federally connected children for purposes of educational assistance to federally impacted areas, introduced by Mr. Eagleton, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2147

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the second sentence of section 303 (1) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "and (C)" and inserting in lieu thereof", (C) low-rent housing assisted under the United States Housing Act of 1937, and (D)".

(b) The fourth sentence of such section is amended by striking out "the United States Housing Act of 1937,".

(c) The amendments made by this Act shall become effective July 1, 1969.

S. 2148—INTRODUCTION OF A BILL TO AMEND THE MERCHANT MARINE ACT OF 1936 TO ENCOURAGE SHIPBUILDING

Mr. SPONG. Mr. President, I introduce, for appropriate reference, a bill to amend the Merchant Marine Act of 1936 to give to unsubsidized shipowning companies the same tax deferments as have been available to subsidized companies for more than 30 years.

It would be my hope that testimony on this measure will be received in conjunction with hearings on a bill (S. 1915) introduced on April 22 by the distinguished chairman of the Commerce Committee to provide a broad new program to revitalize our deteriorating merchant fleet. The chairman (Mr. Magnuson) is to be commended for his longstanding concern over the state of our merchant marine, and his continuing efforts to strengthen our maritime strength.

XUM

Under present law, any earnings of a shipping company receiving an operating subsidy that are deposited in reserve funds to be used for the construction of new American ships are exempt from Federal taxes. In reality, the exemption is a deferment, because the depreciation base of new ships built with these deposits is reduced by the amount of deferred deposits. As a result, the taxes which have been deferred on the first ships are recovered through lesser depreciation deductions on the new vessel. This means that earnings of subsidized vessels can be used to their full amount to build new ships without first having to pay taxes on those earnings. The deferment has effectively doubled the amount of equity money available for subsidized ship construction.

But the situation is different under present law for the unsubsidized shipowner. He may establish a construction reserve fund and deposit his earnings in it, but he may not defer taxes on these earnings even though they are used for new ship construction. As a result, the amount of money available for ship construction to the unsubsidized operator is substantially less than that to the subsidized operator from the same amount of earnings.

The program does not reduce the amount of tax revenue to the Government; it only delays collection. In addition, it has the beneficial effect of generating shipyard and seafaring jobs, shipyard profits, and, ultimately, new ship operating profits. All of these of course, are subject to tax. I am reliably informed that the passage of legislation extending tax deferments to unsubsidized operators would generate many millions of dollars worth of new construction in U.S. shipyards. In my judgment, the bill will provide a common ground on which industry, labor, and Government can unite.

There is no question as to the urgency of solving the problems of our merchant marine. The age and condition of our fleet has deteriorated to the point where we can no longer afford the luxury of subserviating this aspect of our national security and defense. In World War II, we built and operated the world's largest merchant fleet. Three-fourths of our existing Navy and merchant fleets were built during that crash shipbuilding program. Today, 80 percent of the Soviet merchant fleet is less than 10 years old, while 70 percent of all U.S.-flag cargo ships are more than 20 years old.

As is evident from our situation in Vietnam, a strong merchant marine is vital for the deployment and maintenance of our military forces, and for the logistical support of military operations. More than 90 percent of our military supplies and 65 percent of our personnel in Vietnam are transported by ships. We are operating the largest and longest sealift operation in history.

But with the preponderant part of our existing Navy and merchant fleet approaching the age of 25, we cannot afford much longer to postpone the inevitable. We either must expand our shipbuilding program to offset deficiencies of previous years, or we must accept the fact that we are destined to become a second-rate sea power. With the United States standing virtually alone as the leader of the free world, I cannot imagine the American people accepting such a fate.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 2148) to amend the Merchant Marine Act, 1936, to encourage shipbuilding, and for other purposes, introduced by Mr. SPONG, was received, read twice by its title, and referred to the Committee on Commerce.

S. 2151—INTRODUCTION OF THE SOUTHWESTERN HUMAN DEVELOPMENT ACT

Mr. YARBOROUGH. Mr. President, in the Southwestern part of the United States—bordered by my State of Texas on the east, California on the west, and reaching to Colorado in the north—there exists, as in the rest of the country, some claim that we have achieved equality of economic opportunity, that everyone has an equal chance to get ahead.

The reality lurking under this claim is that for a group of 3,465,000 persons, 12 percent of the population of the Southwestern States, equality of economic opportunity awaits the future. It is a myth, and not a reality, today for the Mexican-Americans of the Southwest.

The Spanish-speaking people of the Southwest at one time greatly outnumbered the English-speaking people in the area. By 1790 the white population had reached 23,000 and was practically all Spanish. But by 1848 all the land in the Southwest—except for a strip later added by the Gadsden Purchase—had been acquired by the United States, and the one-time majority of Spanish-speaking people became a minority in the face of the influx of English-speaking people who flocked to the land.

With minority status came economic disadvantage. And exploitation. And discrimination. But throughout all these years the Mexican-American people have lived their lives with patience and courage. Equality of opportunity has not been theirs, yet they have been good citizens, good parents, have fought for democracy in our wars, and lived their lives as best they could. I might add that with respect to the number of Congressional Medals of Honor awarded, their percentage per population is the highest in the Nation.

I believe the time has come when we can no longer ignore the fact that 12 percent of the people of the southwestern United States do not have equal access with the rest of the population to economic advancement. The time has come when we must do something about the poor schooling, low health standards, job discrimination, and the many other artificial barriers that stand in the way of the advancement of the Mexican-American people along the road to economic equality.

The most promising area for progress is in the field of education. We have already made a significant step toward providing education for Latin Americans with the passage of the Bilingual Education Act which I sponsored in the 90th Congress. Now it is our task to provide adequate funding to carry out the aims of this program.

In addition to the problem of the proper education of the young, there is the larger problem of what to do about the heritage of human exploitation. As Ronnie Dugger has noted in the Texas Observer:

> The Mexicans in America have done the dirty work of the Southwest.
>
> I'm still appalled by some of the things I saw out there.

Said Bill Crook, former regional director of the war on poverty, after returning from a tour of the Big Bend country of Texas:

> The way of life endured by some Mexican American citizens here in Texas is incredible—something out of the 18th century. A separate culture and different language has resulted in a lack of communication between the Mexican-Americans and the anglo community along the border which fosters public apathy and indifference to the plight of this minority. Texans would gag on their food if they could witness the kind of poverty I saw on that tour. It's shameful and stupid that nearly 700,000 families—29% of the population—should be hopelessly locked in poverty in this prosperous and progressive state. There are human beings existing in the indescribable . . . cruel as can be found anywhere in the world. . . . It would be criminal for a civilized people aware of such misery to remain inactive.

So that we do not remain inactive in the face of poverty existing amidst plenty, I am introducing today the Southwestern Human Development Act of 1969. The bill authorizes $100 million to be used for programs of education, training, health, leadership, citizenship, and programs designed to assist the Mexican Americans of the Southwestern United States to overcome the special barriers they have encountered, so that through self-help they may achieve equality of economic opportunity with the rest of the population.

The bill states that the programs "shall be directed toward the elimination of poverty and the achievement of individual economic independence through cultural adjustment, the development of employment opportunities, improved human performance, motivation and productivity, or the betterment of the conditions under which people live, learn, and work."

The philosophy behind this program is self-help. If it is successful, it will be because it makes contact with the natural instinct toward self-reliance and independence that exists in every human being. Therefore the bill specifies that the programs "shall be conducted so as to emphasize self-help and individual responsibility among the participants," and that they "shall, to the maximum extent possible, actively involve the participants, or representatives of the participants in positions of responsibility in the planning and administration of the programs."

This is a regional development program. It is authorized to operate in the Southwestern States. There is precedent for such a regional approach in the Appalachian Regional Development Act. Only in this case we concentrate upon the development of human productivity rather than the physical environment.

A program of this magnitude is a necessity if our words about equality of economic opportunity are ever to lose their hollow ring. In Texas in 1959, the median income of Mexican Americans was only 57 percent that of Anglos. More than one-half of Mexican-American families exist on an income of less than $3,000 per year.

I introduce this bill today with the hope that Congress will see the justice and the necessity of taking affirmative action. We can no longer sit idly by and engage in the hypocrisy of saying that this is a land in which every American has an equal chance to get ahead. But we have the wealth to make our country truly a land of equal opportunity, and from our folklore we have the tradition that it should be so. Let us begin to make the myth of equality of opportunity a reality for the Mexican Americans of the Southwest.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2151) to amend the Economic Opportunity Act of 1964 in order to establish a southwestern human development program, introduced by Mr. YARBOROUGH (for himself and Mr. MONTOYA), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Economic Opportunity Act of 1964 is amended by inserting at the end thereof a new title, as follows:

"TITLE IX—SOUTHWESTERN HUMAN DEVELOPMENT

"SHORT TITLE

"SEC. 901. This title may be cited as the 'Southwestern Human Development Act of 1969'.

"FINDINGS AND STATEMENT OF PURPOSE

"SEC. 902. The Congress hereby finds and declares that the Mexican-Americans of the Southwestern United States, while blessed with a long and distinguished history and a rich cultural heritage, have not shared properly in the Nation's prosperity. It is the purpose of this title to assist such persons to overcome the special barriers they encounter, so that through self-help they may achieve equality of economic opportunity with the rest of the population.

"PROGRAMS AUTHORIZED

"SEC. 903. The Director is authorized to enter into agreements with any Federal, State, or local government agency or any other public agency or with any private organization for the establishment and operation of education, training, health, leadership, citizenship, and other programs designed to carry out the purposes of this title. Such programs—

"(1) shall be directed toward the elimination of poverty and the achievement of individual economic independence through cultural adjustment, the development of employment opportunities, improved human performance, motivation, and productivity, or the betterment of the conditions under which people live, learn, and work;

"(2) shall, to the maximum extent possible, actively involve the participants or representatives of the participants in positions of responsibility in the planning and administration of the programs;

"(3) shall be conducted so as to emphasize self-help and individual responsibility among the participants; and,

"(4) shall be of such size, scope, and design as will make a substantial impact toward achieving the purposes of this title.

"SEC. 904. The Director shall prescribe regulations to prevent programs under this title from displacing presently employed workers or the impairment of existing contracts for services.

"INFORMATION, PLANNING, AND ADMINISTRATIVE ASSISTANCE

"SEC. 905. (a) The Director shall inform leaders of the people intended to be assisted by this title of programs which may be carried out pursuant to this title.

"(b) The Director may provide assistance in the planning and administration of programs being carried out pursuant to this title.

"ALLOTMENTS

"SEC. 906. From the sums appropriated pursuant to section 908 for each fiscal year the Director shall allot an amount to each Southwestern State based upon the number of persons with Spanish surnames in such State and the per capita income in such State, in such manner as he determines will best carry out the purposes of this title. The Director shall establish criteria for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of the geographic distribution of persons with Spanish surnames within the State and the relative need of such persons in different geographic areas within the State for assistance under this title. The Director shall define the term 'Southwestern State' for the purpose of this title.

"NATIONAL ADVISORY COUNCIL

"SEC. 907. (a) The President shall within ninety days after the enactment of this title, appoint a National Advisory Council on Southwestern Human Development for the purpose of reviewing the administration and operation of this title, including its effectiveness in bringing about equality of economic opportunity for Mexican-Americans of the Southwest, and making recommendations for the improvement of this title and its administration and operation.

"(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of eight persons. The Director shall engage such technical assistance as may be required to carry out the functions of the Council, and the Director shall make available to the Council such secretarial, clerical, and other assistance as it may require to carry out such functions.

"(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President not later than March 31 of each calendar year after the enactment of this title. The President shall transmit each such report to the Congress together with his comments and recommendations.

"(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in Government service employed intermittently.

"AUTHORIZATION

"SEC. 908. There is authorized to be appropriated the sum of $100,000,000 to carry out the provisions of this title."

SEC. 2. Section 601(a) of the Economic Opportunity Act of 1964 is amended by—

(1) striking out "four" in the third sentence thereof and inserting in lieu thereof "five"; and

(2) by adding at the end thereof the following new sentence: "One such assistant director shall have the title 'Assistant Director for Southwestern Human Development', and shall be responsible for carrying out, subject to the direction of the Secretary, the provisions of title IX of this Act."

SPANISH-SPEAKING CITIZENS OF THE SOUTHWEST

Mr. MONTOYA. Mr. President, the economic oppression suffered by many of our Spanish-speaking people in the Southwest needs little documentation. It is common knowledge that the American goal of economic opportunity for all of our citizens has not been achieved. Nor is it likely that we will achieve this goal in the days ahead given the present intensity of our National effort in this direction. No group of our citizens is more aware of the need to increase the national effort than the 8 million persons in the Southwest living in poverty. We can no longer ignore the artificial barriers that disadvantage our Spanish-speaking people and inhibit their economic health.

Mr. President, I am pleased to join today with the distinguished Senator from Texas (Mr. YARBOROUGH) in sponsoring proposed legislation to amend the Economic Opportunity Act of 1964. The bill, the Southwestern Human Development Act, would authorize $100 million to be used for programs of education, training, health, leadership, citizenship, and other activities designed to assist the Spanish-speaking people in our Southwestern States to overcome the barriers they encounter, so that through self-help they might achieve equality of economic opportunity with the rest of the population. Prompt consideration and enactment of the bill would demonstrate an awareness on the part of the Congress of the special problems facing the Spanish-speaking people of the Southwest.

I reemphasize that this program has as its underlying philosophy the character trait of self-reliance. The programs to be conducted in accordance with this bill will emphasize self-help and individual responsibility among the participants. Those individuals directly involved, either as participants or as representatives of participants, will occupy positions of responsibility in the planning and administration of the programs.

The responsibility of Congress to those individuals in this land not enjoying full participation in our society is clear; the Southwestern Human Development Act affords an opportunity to act in accordance with this responsibility. Let us not permit the needs of our Spanish-speaking population to continue to go unanswered.

S. 2152—INTRODUCTION OF A BILL ASSIGNING TOP PRIORITY TO SCHOOL CHILDREN FOR SURPLUS DAIRY PRODUCTS

Mr. NELSON. Mr. President, today, I am introducing legislation to assure that schoolchildren receive top priority for surplus dairy products.

XUM

This proposal would enable the national school lunch program to receive first call in the distribution of butter, cheese, dry milk, and other dairy products obtained by the U.S. Department of Agriculture through price-support programs.

Only 18 million of the 50 million American children attending public schools today have a school lunch program available at their schools.

This leaves many children, including more than four and a half million undernourished children from poverty homes, without a mid-day meal away from home.

Dairy products form the nutritional base of our national school lunch program. This legislation will give the health and well-being of millions of American children top priority in our efforts to eliminate hunger from our country.

Currently, surplus commodities held by the Agriculture Department are initially earmarked for domestic commercial trade or foreign export. The products are only available for the school lunch program after these distribution channels are exhausted.

This bill would also enable the Department to purchase dairy products at market prices from regular commercial sources when surpluses on hand do not meet the full needs of the school lunch program.

I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2152) to amend the National School Lunch Act with regard to surplus dairy products and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 2152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 9 of the National School Lunch Act (42 U.S.C. 1758) be amended by adding at the end thereof the following:

"Dairy products acquired by the Commodity Credit Corporation through price support operations shall, insofar as they can be used in domestic nonprofit school lunch programs, be accorded top priority for that purpose over any other disposition and so donated and used without regard to the possibility of domestic or export sale. To the extent that Commodity Credit Corporation stocks of dairy products are not adequate to supply the full needs of the domestic nonprofit school lunch programs additional supplies shall be provided through purchases at market prices."

S. 2156 AND S. 2157—INTRODUCTION OF THE NOLO CONTENDERE AND IRS TREBLE DAMAGE BILLS

Mr. HART. Mr. President, on Monday taxpayers were able to rejoice a bit at the news that local government treasuries likely would be enriched by several million dollars in reimbursement for excessive prices paid due to a price-fixing conspiracy in plumbing ware.

What may come to be the most expensive price-fixing case in history concluded Friday with the conviction of three companies. Twelve others earlier had pleaded nolo contendere—no contest—in the Government antitrust suit.

However, the taxpayers' joy would have been modified if they knew that they would subsidize about half of the millions in damages likely to follow this suit. Or, if they knew that acceptance of the nolo plea from the 12 companies may cause hundreds of thousands of dollars of needless expenditures by local governments attempting to collect damages.

Today I would like to reintroduce—making the third time on the track for each—two bills which would change this situation.

First is the proposal to amend an Internal Revenue Service ruling of 1964 which allows violators of the antitrust laws to deduct their penalties as "necessary business expenses." This ruling—which came in the wake of the electrical price-fixing cases and which was a flip-flop from what had been considered to be the IRS position—thus far is estimated to have saved two corporations alone more than $170 million in taxes. New information just compiled by the Subcommittee on Antitrust and Monopoly shows that 19 electrical companies paid more than $405 million in damages in those cases—or escaped more than $200 million in taxes.

Needless to say, that money had to be made up by someone—and unfortunately that someone has been the individual taxpayer.

Tax reform is a popular issue these days. Most likely this is because the average middle-income taxpayer has made it clear that he is fed up with paying more than his fair share of taxes.

And I think there is no tax burden shifted to the smaller taxpayer that is more onerous than this one. For it means that he is subsidizing law violators and, therefore, lessening the economic penalties the law had imposed.

A small man may not deduct a traffic ticket as a "necessary business expense," and I do not wonder that he cannot see why a company should be allowed to deduct penalties for criminal violations. I cannot understand it either.

The immediate need for tax reform across the board is evident. However, the urgency is even greater that we pass this bill promptly. For not only are the millions of dollars involved in the 300 private suits in the plumbing case involved, but settlement is imminent in the drug cases. Published reports are that five leading drug firms who were convicted of fixing the prices of antibiotics are trying to settle the private suits for $120 million. If the present IRS regulation is allowed to stand, that vast sum will be deducted on the companies' tax returns—saving them approximately $60 million in taxes.

The second measure I reintroduced today is aimed at eliminating a quirk in the law that causes an inequity in the treatment of antitrust violators—and makes it difficult for local governments and small businessmen to collect for damages.

In the plumbing case, as I said, 12 companies pleaded nolo contendere. In the eyes of the law that plea allows the same punishment as if the plea had been guilty. In fact, four executives of those 12 companies were given jail terms by U.S. District Court Judge Louis Rosenberg.

However, as the law now stands, anyone who thinks he was damaged by price fixing on the part of the companies pleading nolo will have to repeat the Government's extensive—and expensive—discovery work to prove a crime was committed before they can claim damages.

Private litigants suing the companies found guilty need only prove damages to collect.

My bill would allow the court to accept a company's plea of nolo in a Government antitrust suit as prima facie evidence that the law has been violated—giving a nolo plea the same treatment as a guilty plea. This would eliminate repetition of the Government's work—and allow many who were damaged but do not have the funds to prove a law violation to collect what is due them.

This bill also would surely reinforce the "private treble damage suit" deterrent to violating the antitrust laws which Congress conceived when enacting the laws.

I call the attention of those interested to these hearings, and I ask that the complete text of the bills be printed in the RECORD at the conclusion of my remarks, as well as the tabulation of settlements in the electrical cases.

One more note: as drafted, the IRS bill most likely will be referred to the Committee on Finance, headed by the Senator from Louisiana (Mr. LONG). Knowing of that able committee chairman's deep interest in this area—exemplified by his own bill in the last Congress—I am most hopeful we will have early hearings so that Congress may work its will on this bill soon. I introduce the two bills and ask that they be appropriately referred.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills and tabulation will be printed in the RECORD.

The bills (S. 2156) relating to the income tax treatment of treble damage payments under the antitrust laws, and (S. 2157) to amend section 5(a) of the Clayton Act with respect to the evidentiary effect of judgments and degrees entered in proceedings instituted by the United States under the antitrust laws introduced by Mr. HART, were received, read twice by their titles, referred to the Committee on Finance and the Committee on the Judiciary respectively and, ordered to be printed in the RECORD, as follows:

S. 2156

A bill relating to the income tax treatment of treble damage payments under the antitrust laws

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) section 162 of the Internal Revenue Code of 1954 (relating to deduction of trade or business expenses) is amended by redesignating subsection (f) as subsection (g), and

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by inserting after subsection (e) the following new subsection:

"(f) Treble Damage Payments Under the Antitrust Laws.—No deduction shall be allowed under subsection (a) for two-thirds of any amount paid or incurred on any judgment entered against the taxpayer or in settlement of any action by reason of anything forbidden in the Sherman Act (Act of July 2, 1890, c. 647, 26 Stat. 209, as amended) brought against the taxpayer under section 4 of the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes', approved October 15, 1914 (38 Stat. 731; 15 U.S.C. 15), by reason of anything forbidden in the antitrust laws."

(2) That part III of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by inserting at the end of part III the following new section:

"Sec. —. Treble Damage Payments Received Under the Antitrust Laws.—Gross income does not include two-thirds of any amount received during the taxable year on any judgment entered for treble damages or in settlement of any action by reason of anything forbidden in the Sherman Act (Act of July 2, 1890, c. 647, 26 Stat. 209, as amended) brought by the taxpayer to recover treble damages under section 4 of the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes', approved October 15, 1914 (38 Stat. 731; 15 U.S.C. 15), by reason of anything forbidden in the antitrust laws."

(3) The amendments made by this Act shall be applicable only with respect to amounts paid or incurred, or received after the date of the enactment of this Act.

S. 2157

A bill to amend section 5(a) of the Clayton Act with respect to the evidentiary effect of judgments and decrees entered in proceedings instituted by the United States under the antitrust laws

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(a) of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (38 Stat. 731, as amended; 15 U.S.C. 16), is amended as follows:

Substitute a colon for the period at the end of section 5(a), and add following the colon these words: "And provided further, For the purposes of this section, a final judgment entered after a plea of nolo contendere in a criminal proceeding brought by or on behalf of the United States under the antitrust laws shall be given the same effect as a final judgment entered after a plea of guilty."

The tabulation, presented by Mr. Hart, follows:

TREBLE DAMAGE SUITS IN ELECTRICAL EQUIPMENT PRICE FIXING CASES

Company sued	Number of cases	Number settled	Number litigated	Total paid or agreed to
GE	1,782	1,782	5	$227,057,000.00
Westinghouse	[1] 1,775	1,775	([2])	[1] 126,000,000.00
Allis-Chalmers	1,006	1,003	3	[3] 34,346,556.00
Allen-Bradley	54	54	0	113,990.00
Carrier Corp	75	75	0	1,385,000.00
A. B. Chance	162	162	0	208,596.82
Cornell-Dubilier	69	69	1	10,770.00
Federal Pacific	411	411		1,697,422.74
Cutler-Hammer	102	102	0	106,000.00
Foster Wheeler	29	28	1	750,000.00
Ingersoll-Rand	83	83	0	1,000,141.82
I-T-E-Circuit Breaker	209	208	1	[4] 5,564,274.71
Joslyn	293	293	0	[6] 692,612.28
Kuhlman Corp	127	127	0	([5])
McGraw				
Moloney Electric	391	391	0	1,470,035.59
Ohio Brass	234	234	0	[1] 852,000.00
Porter, H. K	277	277	0	1,418,941.11
Sangamo Electric	258	258	0	([5])
Southern States	164	164	0	[1] 216,600.00
Square D	50	50	0	66,075.00
Wagner Electric	[1] 357	357	5	[1] 2,214,000.00
Worthington Corp				
Total				405,274,016.07

[1] Approximate.
[2] Few.
[3] Plus interest of $1,673,866.
[4] Plus interest.
[5] Not supplied.
[6] Includes Porcelain Insulator.

S. 2158—INTRODUCTION OF A BILL AUTHORIZING SUPERGRADES FOR BEHAVIORAL AND SOCIAL SCIENTISTS

Mr. HARRIS. Mr. President, the marked expansion of scientific activities within the Federal Government in the past decade has created a severe shortage in a variety of scientific specialties. The Civil Service Commission has been responsive to this situation in the physical and natural sciences by providing extra incentives for recruitment and retention of civil servants in those categories. This includes the availability of unrestricted supergrades for scientists in the physical and natural sciences. However, behavioral and social scientists have not been included in the categories eligible for these unrestricted supergrades.

With over 70 pieces of major legislation in the field of social welfare since 1961, the need for competent behavioral and social scientists to help administer these programs is obvious. However, all agencies, and especially those within the Department of Health, Education, and Welfare, involved in these new programs have found it extremely difficult to recruit new senior staff because of the severe limitation in the number of supergrades.

Earlier this session I introduced the National Social Science Foundation Act of 1969. Since 32 Senators joined me as cosponsors this year, it is logical to assume that favorable action on this legislation soon will be forthcoming. Should the National Social Science Foundation be established, the need for additional senior administrative staff from the behavioral and social sciences would be increased.

This legislation I now introduce, in and of itself, creates no new Federal positions. It merely makes it possible for such positions to be created as they are needed. It is time for Congress to act so that legislation that we have passed may be implemented without arbitrary limits on needed scientific personnel from the behavioral and social sciences.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2158) to permit positions primarily concerned with the behavioral and social sciences to be classified at GS-16, GS-17, and GS-18, without numerical limitation, introduced by Mr. Harris, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 2160—INTRODUCTION OF A BILL PROVIDING FOR HIGHWAY CONSTRUCTION IN ECONOMIC DEVELOPMENT REGIONS

Mr. MONTOYA. Mr. President, I introduce a bill to provide for highway construction in economic development regions established under title V of the Public Works and Economic Development Act of 1965.

Regional economic development is a vital concept—not only for rejuvenating some of this Nation's most depressed areas, but for rejuvenating progressive and constructive federalism. The Appalachian regional development program's success, which is hard to measure economically because of its long-range nature, can be measured in a governmental sense. In Appalachia, 13 States have involved themselves in a working partnership with the Federal Government so that a once-prosperous region, can again both share and contribute to the Nation's prosperity.

There is another vital lesson to be learned from regional economic development in the Appalachian region. That program has spent the majority of State and Federal funds committed to it on new highways that are designed to open up the region for the commerce and industry that are the key to the new jobs and higher incomes for its people. This, obviously, is not a new idea. We have seen what the Interstate Highway System can do economically for an area—where a single interchange can lead to large-scale development which in turn can generate millions of dollars for the local economy.

However, as we have seen in Appalachia, there are depressed areas of this Nation which the Interstate System only traverses and does not develop by its mere presence. In such areas highways and local access roads leading to new plant sites and to jobs and markets are the key to economic development.

The Public Works and Economic Development Act of 1965 authorized the establishment of regional economic development commissions, similar to that for Appalachia. Since 1965, five of these title V commissions have been designated and funds have been appropriated for their organization, initial planning and for limited research, technical assistance, and public facility supplementation.

This spring, my Economic Development

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Subcommittee of the Public Works Committee has been holding extensive hearings both here in Washington and in the various regions, in order to determine what next is required to make these regional programs a reality. There have been a number of bills introduced in both Houses of the Congress to extend and revise the work and the programs of these commissions.

However, none of these bills has been directed specifically at this issue of highways being the principal tool of economic development. Therefore, I am today introducing a bill which would authorize $10 million for each of the title V regional commissions for each of the next 2 fiscal years. These funds could be used for initial planning, engineering, right-of-way, and construction of developmental highways and local access roads.

I am fully aware that this amount of money will not buy a great many miles of highway in, for example, a region the size of my native Four Corners area. But because of the long leadtime required between planning and construction, it is important to start now. All of the commissions have undertaken research and studies in the field of transportation. All have called for the provision of additional highway funds to open up their depressed areas for commerce, industry, tourism, recreation, and full development of their resources.

We have dramatically seen in Appalachia how a new developmental highway can cut driving times between urban centers, enlarging the commuting radius so that those once isolated from jobs can get to them easily. Such highways also extend the service area for vital public facilities such as hospitals, colleges, vocational schools, and airports. We have also seen how a local access road can result in a new industrial park, a new recreation area, or a new low- and moderate-income housing project.

These are the things which have been done for one regional economic development area and must be started now for them all. Research, technical assistance, supplemental grant funds, and the commissions themselves can only do so much. The real basic program funds must be provided if these regions are going to proceed properly with economic development. This is what my bill attempts to do.

I ask unanimous consent that the text of my bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2160) to provide for highway construction in economic development regions established under title V of the Public Works and Economic Development Act of 1965, introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 2160

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title V of the Public Works and Economic Development Act of 1965 is amended by redesignating section 510 as section 511, and inserting a new section 510 as follows:

"Sec. 510 (a) The Secretary of Transportation (hereafter in this section referred to as 'the Secretary') is authorized to assist in the construction of development highways and local access roads serving economic development regions established under this title which will further the purposes of this Act. The provisions of title 23, United States Code, that are applicable to the construction and maintenance of Federal-aid primary and secondary highways and which the Secretary determines are not inconsistent with this Act, shall apply, respectively, to such development highways and local access roads.

"(b) The Commissions shall transmit to the Secretary designations of (1) the general corridor location and termini of the development highways, (2) local access roads to be constructed, (3) priorities for the construction of segments of the development highways, and (4) other criteria for the program authorized by this section. Before any State member participates in or votes on such designations, he shall have obtained the recommendations of the State highway department of the State which he represents.

"(c) No project authorized under this section shall be implemented until (1) applications and plans relating to the project have been determined by the Secretary to be compatible with the provisions and objectives of title 23, United States Code, that are not inconsistent with this Act; and (2) the regional commission involved has approved such project and has determined that it will contribute to the development of the region, which determination shall be controlling.

"(d) On its completion, each development highway not already on the Federal-aid primary system shall be added to such system and each development highway and local access road shall be required to be maintained by the State as provided for Federal-aid highways in title 23, United States Code.

"(e) Federal assistance to any construction project under this section shall not exceed 50 per centum of the costs of such project, unless the Commission determines that assistance in excess of such percentage is required in furtherance of the purposes of this Act, but in no event shall such Federal assistance exceed 80 per centum of such costs.

"(f) There is hereby authorized to be appropriated for each of the regional commissions for the purposes of this section, to be available until expended, the sum of $20,000,000 for the two-fiscal-year period ending June 30, 1971."

S. 2161—INTRODUCTION OF A BILL TO AID THE POSTAL ESTABLISHMENT TO GATHER CERTAIN INFORMATION ON THE THIRD-CLASS MAIL CATEGORY

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a bill which will aid our Postal Establishment in gathering meaningful financial, statistical and accounting information on mail matter falling within the third-class category.

The more than 20 billion pieces of advertising sent through the mails are used by tens of thousands of small businessmen to generate billions of dollars of sales annually. Unfortunately, the Congress has never had before it, when considering postal rate legislation, factual data on the six subclasses which make up the third-class category. As a result, we very often have been legislating postal rates in the dark.

When the information provided for in this bill has been gathered, the Post Office Department and the Congress, will have a greater understanding of the vexing postal rate problems which confront all of us today.

I am pleased to have my able colleague, the junior Senator from Oklahoma (Mr. Bellmon) join me in cosponsoring this legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2161) to aid the U.S. Postal Establishment in providing for the accumulation, analysis, and dissemination of reliable and meaningful financial, statistical, and accounting information in regard to all third-class mail matter, and for other purposes, introduced by Mr. Hartke (for himself and Mr. Bellmon), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 2162—INTRODUCTION OF THE POISON PREVENTION PACKAGING ACT OF 1969

Mr. MOSS. Mr. President, I introduce, for appropriate reference, the Poison Prevention Packaging Act of 1969. This bill amends the Hazardous Substances Act and gives the Secretary of Health, Education, and Welfare authority to require safe packaging of hazardous substances—safe packaging which will help us to control a pressing medical problem, the accidental poisoning of our children.

At this very moment some small child is innocently exploring the universe of heights, sounds, and tastes in the limited environment of his home. In the process of this exploration he is poking into the medicine cabinet, reaching into his mother's purse, crawling under the kitchen or bathroom sink, or rummaging in the garden shed and possibly swallowing a potential poison. As many as a million children a year fall victim to accidental ingestions. As many as 400 tragic deaths result; more than 40,000 children under 5 are hospitalized. This is a precious price to pay for curiosity, agility, and innocence.

The high human costs of accidental poisoning in terms of death and suffering are matched by high economic costs. Recently a young boy who swallowed some lye was hospitalized for almost a year. The total cost for his care was about $7,000. Although this was an extreme case, over 27 percent of all poisoning cases require extended medical care beyond the date of the accident.

Under existing Federal statutes, there are but two avenues of protection open to those who wish to prevent accidental poisonings. First, labeling of dangerous goods can be required. Second, particularly dangerous substances can be banned from the marketplace. Unfortunately neither of these two approaches adequately protects against accidental poisonings. Meaningful labels are important because they alert adults to potential dangers lurking within harmless looking packages. But even the most vigilant parent cannot keep a 24-hour watch over his offspring; and to the curious child who has momentarily eluded the inhibitive parental eye, writing on a label is a meaningless danger signal. Likewise, banning is not a feasible preventative approach. Most of the products which cause injury to the innocent child are indispensable to the modern household. How can such things as aspirin, soaps and detergents, cleaners, vitamins, and insecticides be banned from the market? Obviously they cannot.

The best approach to preventing accidental poisonings is to provide for the safe child-resistant packaging of hazardous household substances. The effectiveness of this approach has recently been demonstrated. One type of child-resistant device has been tested in Canada over a 1½-year period with startling results: accidental poisonings from substances dispensed in the container were drastically reduced from 2,000 a year to three. The same compelling results were achieved at Madigan General Hospital in Washington State, where accidental childhood poisonings were slashed 97 percent.

The bill I am introducing today amends the Hazardous Substances Act to authorize the Secretary of Health, Education, and Welfare to require the safe packaging of hazardous household substances. In promulgating these rules, the Secretary will consult with an advisory committee to ascertain the state of the art in safety packaging, and will consider existing package technology and the benefits such technology can bestow upon the children of our Nation.

The passage of this bill will lead to the prevention of thousands of unnecessary poisonings each year. If safe packaging requirements are coupled with present education efforts, new labeling requirements, and curative poison control center programs, the number of accidental poisonings which lead to serious injury or death can be markedly reduced. Human and economic savings will be immeasurable.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the Record at the conclusion of my remarks along with a letter which I have sent to Secretary Finch asking him to revise the existing labeling requirements for hazardous household substances.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 2162), a bill to amend the Federal Hazardous Substances Act to provide for child-resistant packaging to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting any hazardous substance, and for other purposes, introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2162

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Poison Prevention Packaging Act of 1969."

Sec. 2. (a) Section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)) is amended to read as follows:

"(2) The term 'hazardous substance' shall not apply to economic poisons subject to the Federal Insecticide, Fungicide, and Rodenticide Act, nor to foods, drugs, and cosmetics subject to the Federal Food, Drug, and Cosmetic Act, not to substances intended for use as fuels when stored in containers and used in the heating, cooking, or refrigeration system of a house, but such term shall apply to any such substance for purposes of child-resistant packaging as authorized by this Act. The term 'hazardous substance' shall apply to any article which is not itself an economic poison within the meaning of the Federal Insecticide, Fungicide, and Rodenticide Act but which is a hazardous substance within the meaning of subparagraph 1 of this paragraph by reason of bearing or containing such an economic poison."

(b) Section 2 of such Act is amended by adding at the end thereof the following:

"(r) The Term 'package' means any container or wrapping in which any hazardous substance is contained for consumption or use by individuals for purposes of personal care or the performance of services ordinarily rendered within or about the household, but does not include—

"(1) shipping containers or wrappings used solely for the transportation of any consumer commodity in bulk or in quantity to manufacturers, packers, or processors, or to wholesale or retail distributors thereof, or

"(2) shipping containers or outer wrapping used by retailers to ship or deliver any commodity to retail customers unless it is the only such container or wrapping.

Sec. 3. Section 3 of the Federal Hazardous Substances Act (15 U.S.C. 1262) is amended by redesignating subsection (d) as subsection (e) and by adding immediately following subsection (c) the following new subsection (d):

"(d)(1) If the Secretary finds that, notwithstanding cautionary labelling or any other requirements made pursuant to this Act, the Federal Insecticide, Fungicide, and Rodenticide Act, or the Federal Food, Drug, and Cosmetic Act, or any other provision of Federal law, the degree or nature of the hazard involved in the presence or use of any hazardous substance in or around households is such that the objective of the protection of the public health and safety of children requires the special packaging thereof, he may, after consultation with the members of the technical advisory committee provided for in paragraph (2) of this subsection, and subject to the procedures set forth in paragraph (2) of subsection (a) of this section, establish, by regulation, standards for the child-resistant packaging of such substance. Standards established under this subsection shall be designed to prevent or substantially reduce the hazard of serious injury or serious illness to children likely to handle, use, or ingest such substance.

"(2) For the purpose of assisting in developing such standards, the Secretary shall appoint a technical advisory committee composed of not more than 15 members who are equally representative of the Department of Health, Education, and Welfare, manufacturers of household consumer products and widely recognized independent packaging consultants. The Secretary shall consult with the members of the technical advisory committee before finally establishing any standards pursuant to this subsection."

"(3) Members of such technical committees who are not regular full employees of the United States shall, while attending meetings of such committee, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

Sec. 4. (a) Section 4 (a) of the Hazardous Substances Act (15 U.S.C. 1263 (a)) is amended to read as follows:

"(a) The introduction or delivery for introduction into interstate commerce of any misbranded hazardous substance, banned hazardous substance or hazardous substance in a package failing to comply with standards established pursuant to section 3 (d)."

(b) Section 4 (c) of such Act is amended to read as follows:

"(c) The receipt in interstate commerce of any misbranded hazardous substance, banned hazardous substance or hazardous substance in a package failing to comply with standards established pursuant to section 3 (d) and the delivery or proferred delivery thereof for pay or otherwise."

(c) Section 4 (g) of such Act is amended to read as follows:

"(g) The manufacture of any misbranded hazardous substance, banned hazardous substance or hazardous substance in a package failing to comply with standards established pursuant to section 3 (d) within the District of Columbia area or any area not organized with a legislative body."

Sec. 5. The amendments made by this Act shall become effective on the date of enactment of this Act except that the amendments made by section 4(a) shall become effective on the first day of the second month after regulations have been established pursuant to the amendments made by section 3 of this Act.

The letter, presented by Mr. Moss, follows:

March 19, 1969.

Hon. Robert H. Finch,
Secretary of Health, Education, and Welfare,
Department of Health, Education, and Welfare, Washington, D.C.

Dear Mr. Secretary: President Nixon has proclaimed the week of March 16 through the 22nd as Poison Prevention Week. Each year there are over 80,000 accidental ingestions of household substances. More than 30,000 children under the age of 5 are hospitalized because their basic curiosities cause them to explore their home environments and place in their mouths accessible objects or substances. Most of these ingestions can be prevented.

Parents can and should take precaution to place dangerous substances out of the reach of the curious youngster. Under the Federal Hazardous Substances Act the manufacturers of hazardous household substances are required to label their products so that parents will be apprised of the dangers the products present. Unfortunately, the present labeling requirements are not reducing the number of accidental ingestions. Further labeling requirements are needed.

To that end I am urging you, Mr. Secretary, under authority of Section 3(b) of the Federal Hazardous Substances Act to establish additional label requirements. Every hazardous household substance should have a uniform symbolic designation—a modern day skull and crossbones type symbol—which immediately alerts the buyer of the product to its potential dangers. Such a symbol should be predominantly displayed in a uniform place on the package containing the hazardous substance. In this way parents of small children will immediately know which products are dangerous and place them out of the reach of children. As children mature, the symbol will serve as a useful teaching aid for parents; mothers and fathers will be able to teach children to avoid coming in contact with any object displaying the uniform danger symbol.

Of course the above labeling requirement I am urging will only partially prevent the needless poisoning of our children. The curious child, not always supervised by his parents, will not follow predictable behavior patterns. His search for knowledge in a limited environment will bring him to the most unexpected places—even places allegedly out of the reach of children. And too, parents will not always heed even the obvious symbolic warning label.

To provide additional necessary protection for our children, I will shortly introduce leg-

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islation giving you, Mr. Secretary, authority to pass safe packaging regulations for those products that present an unreasonable risk of harm to children because of the high incidence of ingestion. Such authority will do much to prevent the accidental poisoning of our children.

Thank you for considering my urgent request.

Sincerely,

Frank E. Moss,
U.S. Senator.

S. 2163 AND S. 2164—INTRODUCTION OF BILLS CONCERNING IMPROVEMENTS IN THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

Mr. PROUTY. Mr. President, I introduce, for appropriate reference, two bills. The first bill provides for the creation of a commission to examine the feasibility and desirability of various methods by which the structure of the District of Columbia government may be improved and by which the District of Columbia may achieve a greater measure of self-government than presently exists. The other bill provides the District with a nonvoting delegate in the House of Representatives.

The first bill establishes a 15-member commission which would submit to Congress and the President a comprehensive report of its findings and recommendations. The 15-member commission would be comprised of two members of the House of Representatives, two members of the Senate, five members appointed by the President, four members elected by the people of the District, and the commissioner of the District of Columbia and chairman of the City Council shall be ex officio nonvoting members of the commission.

I am aware, as I know everyone else is, that local self-government for the District is a most complicated, confusing, and controversial issue. There is as much controversy over the form of government the District should have as there has been over home rule itself. Many agree with the principle, but are in total disagreement with the methods.

The Senate has passed home rule legislation in six Congresses since 1949, but still the District does not have self-government. I do not believe we can attain the goal of self-government by taking a step backward and rehashing again some warmed-over proposal which would be doomed to certain failure. The path which we have traveled so often in the past is now a deep rut leading to oblivion. If home rule is ever to get off the ground, we should forget past failures, admit we must take a new approach, and get on with it. The 850,000 disenfranchised citizens of the District deserve better than our reconsidering rejected plans which will only result in another exercise in futility.

The problem is not in wanting to do it, but getting it done. A commission on government for the District of Columbia is the most practical, realistic, and orderly means of obtaining the best form of government for the District. The commission could draw upon the knowledge of nationally known experts in the fields of municipal administration, finance, and urban development. It could give thorough consideration to the many alternative plans which have been presented over the years to arrive at the very best possible form of government for the District. The citizens of the District, through their elected representatives on the commission, would have a direct participation in the formation of a proposal. Those who are to be governed would have a voice in what form that government would take.

The second bill, Mr. President, provides for a nonvoting delegate from the District of Columbia in the House of Representatives. The delegate would be elected by the voters of the District and would be equal in every way to the other Members of the House of Representatives except that he would not vote.

Those who must obey the law should have a share in making the law. The people of the District carry all the responsibilities of citizenship yet they are denied the fundamental right of representation. To amend the Constitution to give the District voting representation in Congress is a long and difficult process. An important and expeditious first step to be taken now to reach that eventual goal is to provide the District with a nonvoting delegate. This first step would establish a much needed link between the people of the District of Columbia and the Congress.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills (S. 2163) to establish, in the House of Representatives, the office of delegate from the District of Columbia, to amend the District of Columbia Election Act, and for other purposes; and (S. 2164) to establish a Commission on Government for the District of Columbia, introduced by Mr. Prouty, were received, read twice by their titles, and referred to the Committee on the District of Columbia.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Mississippi (Mr. Eastland), I ask unanimous consent that, at its next printing, the name of the Senator from Delaware (Mr. Boggs) be added as a cosponsor of the bill (S. 2076) to provide for the establishment and administration of a National Wildfire Disaster Control Fund.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 2036) to provide educational assistance to veterans attending elementary school.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURDICK. Mr. President, the name of the senior Senator from Iowa (Mr. Miller) was inadvertently omitted as a cosponsor of S. 2094 when the bill was introduced on May 8. I ask unanimous consent that Senator Miller be added as a cosponsor, and that his name be included as a cosponsor at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Maine (Mr. Muskie) be added as a cosponsor of the bill (S. 1519) to establish a National Commission on Libraries and Information Science.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania (Mr. Schweiker) be added as a cosponsor of the bill (S. 2068) to amend the Labor-Management Relations Act to permit employer contributions to trust funds for scholarships and day-care centers.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I ask unanimous consent that, at their next printing, the name of the Senator from Georgia (Mr. Talmadge) be added as a cosponsor of the bill (S. 1933) providing for Federal railway safety and of the bill (S. 1938) to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Indiana (Mr. Bayh) be added as an additional cosponsor of the bill (S. 1189) to improve educational quality through the effective utilization of educational technology.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senators from Hawaii (Mr. Inouye) and West Virginia (Mr. Randolph) be added as cosponsors of the bill (S. 1808) to prohibit harmful employment of children in agriculture.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CANNON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California (Mr. Murphy) be added as a cosponsor of the bill (S. 819) to exempt senior citizens from paying national parks and forests entrance, admission, or user fees.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Rhode Island (Mr. Pastore) be added as a cosponsor of the bill (S. 8) to make the National Labor Relations Act applicable to the agriculture industry.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, at the request of the Senator from Oregon (Mr. Hatfield) I ask unanimous consent that, at its next printing, the name of the Senator from Oregon (Mr. Packwood), be added as a cosponsor of the bill (S. 1937) to supplement and strengthen voluntary youth service and learning opportunities supported or offered by the Federal Government by establishing a National Youth Service Council and a National

Youth Service Foundation, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, at their next printing, the names of the Senator from West Virginia (Mr. RANDOLPH) and the Senator from Delaware (Mr. BOGGS) be added as cosponsors of the bill (S. 2073) to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; and the bill (S. 2074) to prohibit the use of interstate facilities including the mails for the transportation of salacious advertising.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, at the request of the Senator from Washington (Mr. JACKSON), I ask unanimous consent that, at its next printing, the names of the Senator from Utah (Mr. BENNETT), the Senator from North Carolina (Mr. ERVIN), the Senator from Montana (Mr. METCALF), the Senator from Minnesota (Mr. MONDALE), the Senator from Utah (Mr. MOSS), the Senator from Rhode Island (Mr. PELL), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Alaska (Mr. STEVENS), and the Senator from Ohio (Mr. YOUNG) be added as cosponsors of the bill (S. 1708), the "Federal Lands for Parks and Recreation Act of 1969."

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. STEVENS) be added as a cosponsor of the bill (S. 438) to amend section 8332 of title 5, United States Code, to provide for the inclusion in the computation of accredited services of certain periods of service rendered States or instrumentalities of States, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Washington (Mr. MAGNUSON) be added as a cosponsor of the bill (S. 2045) to establish an Office of Consumer Affairs in order to provide within the Federal Government for the representation of consumers' interests and to undertake studies designed to achieve superior implementation of consumer programs throughout the Federal system.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Nevada (Mr. CANNON), the Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. BAYH), and the Senator from Oklahoma (Mr. HARRIS) be added as cosponsors of the bill (S. 937) to amend title 5 of the United States Code to provide training opportunities to congressional employees, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, at the request of the Senator from Washington (Mr. JACKSON), I ask unanimous consent that, at its next printing, the names of the Senator from Nebraska (Mr. HRUSKA) and the Senator from Maine (Mr. MUSKIE) be added as cosponsors of the bill (S. 1076) to establish a Youth Conservation Corps in the Departments of Interior and Agriculture.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF A JOINT RESOLUTION AND RESOLUTION

Mr. CANNON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Michigan (Mr. HART) be added as a cosponsor of the resolution (S. Res. 32) to create a standing Committee on Veterans' Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, at the request of the Senator from Vermont (Mr. PROUTY), I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. STEVENS), be added as a cosponsor of the resolution (S. Res. 30) to amend the Standing Rules of the Senate relative to the Select Committee on Small Business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, on behalf of the Senator from Arizona (Mr. GOLDWATER), I ask unanimous consent that, at its next printing, the name of the Senator from Delaware (Mr. BOGGS) be added as a cosponsor of the joint resolution (S.J. Res. 85) to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week".

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. I ask unanimous consent that, at its next printing, the name of the Senator from Michigan (Mr. HART) be added as a cosponsor of the joint resolution (S.J. Res. 101) to authorize the President to issue a proclamation designating the last full calendar week of April of each year as "National Secretaries' Week."

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS ON CRIME

Mr. SPARKMAN. Mr. President, on behalf of the chairman of the Senate Select Committee on Small Business, Senator BIBLE, I announce that hearings before that committee on crime and its $1½ billion annual cost to the American small businessman will begin May 21 at 11 a.m. in room 318 of the Old Senate Office Building. The hearings will continue May 22 and 23.

The hearings will center on the Small Business Administration's report, "Crime Against Small Business," such study ordered by the Congress by the Small Business Protection Act of 1967. The small businessman's stake in the problem of cargo theft and pilferage at airline terminals, marine docks, and from trucks, will also be examined.

Anyone wishing to appear should notify the Small Business Committee staff.

NOTICE OF HEARINGS ON TWO OIL BILLS

Mr. MOSS. Mr. President, I announce that the Subcommittee on Minerals, Materials and Fuels of the Interior Committee has scheduled public hearings for May 20 on Senate Journal Resolution 54, a measure to grant the consent of Congress to an extension of the Interstate Oil Compact, and S. 1193, to authorize the Secretary of the Interior to prevent termination of certain Federal oil and gas leases under particular circumstances.

Both of these measures are sponsored by the distinguished Senator from New Mexico, Mr. ANDERSON.

The hearing on these measures will open at 10 o'clock in the Interior Committee room, 3110 New Senate Office Building.

The subcommittee, of which I am chairman, will welcome the views of any Senator or member of the public on either of these measures.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the two pending treaties.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, with the understanding that it be called off at 12:30 o'clock p.m.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

A RESOLUTION TO EXPRESS THE SENSE OF THE SENATE IN REGARD TO CHANGES IN THE JOB CORPS PROGRAM—UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, the hour of 12:30 o'clock not having arrived, let me say that after discussing the matter with the distinguished minority

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leader and the managers of the resolution on both sides of the aisle, I should like to make a unanimous-consent request that at the conclusion of the vote on the pending treaties, and after a reasonable period for the transaction of routine business there be a 2-hour limitation on debate on the resolution, the time to be equally divided between the Senator from New York (Mr. JAVITS) and the Senator from California (Mr. CRANSTON), with 1 hour on each amendment thereto.

Mr. JAVITS. Mr. President, reserving the right to object, this request is rather new to me.

Mr. MANSFIELD. I thought the Senator had agreed to it yesterday.

Mr. JAVITS. No; I did not.

Mr. MANSFIELD. Mr. President, I withdraw the request, because the hour of 12:30 has arrived.

EXECUTIVE SESSION

The Senate resumed the consideration of executive business.

CONVENTION ON OFFENSES COMMITTED ON BOARD AIRCRAFT—AGREEMENT WITH CANADA ON NIAGARA RIVER DIVERSIONS

The PRESIDING OFFICER. Under the unanimous-consent agreement of yesterday, the Senate will now proceed to vote on the resolution of ratification of Executive L (90th Cong., second sess.), a convention on offenses committed on board aircraft; to be immediately followed by a vote on the resolution of ratification of Executive C (91st Cong., first sess.), an agreement with Canada on Niagara River diversions.

The yeas and nays have been ordered on both the convention and the agreement, and the clerk will call the roll on Executive L.

CONVENTION ON OFFENSES COMMITTED ON BOARD AIRCRAFT

Mr. MAGNUSON. Mr. President, is it possible to ask one or two questions under the rule, before the roll is called?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that that be done.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Is the Senator from Alabama handling this matter?

Mr. MANSFIELD. No; I am, temporarily.

Mr. MAGNUSON. The Senator from New Hampshire (Mr. COTTON) and I—and I know this is so of every Member of Congress, and particularly the members of the Senate Commerce Committee—have been concerned with the question of hijacking. I understand that this treaty follows the usual procedure—that an offense committed on an aircraft should be tried by the country in which the aircraft is registered.

Mr. MANSFIELD. That is correct.

Mr. MAGNUSON. But it does not go to the question of the hijacking, because, as I understand the testimony, and from the questions asked of the officials of the State Department, Cuba has not signed the treaty. I do not know whether Cuba has any intention of signing it. The Soviet Union also did not enter into it.

Mr. MANSFIELD. That is correct.

Mr. MAGNUSON. What bothers me about that problem is that we have an airline that flies from New York to Moscow, which service has just been inaugurated. Was there any testimony that the Soviet Union would become a party to this treaty?

Mr. MANSFIELD. As I recall, the distinguished chairman of the committee on yesterday indicated that that was a possibility, and also that Cuba, at some future time, might join, although it was brought out that this was not the appropriate vehicle to consider the question of hijacking.

Mr. MAGNUSON. It would seem to me that the Soviets would welcome a treaty like this because of the inauguration of the American-Soviet service to Moscow.

Mr. MANSFIELD. I believe the service is twice a week. I hope its inauguration will lead to their signing a truce treaty provision.

Mr. MAGNUSON. Twice a week, I think. If something could be done to convince the Cubans to enter into the treaty, I think it would be well. The problem involves Cuba. Many airlines move into and out of Cuba with airplanes that do not belong to the United States. If Cuba entered into the treaty, perhaps we could do something about the hijacking. The Senator from New Hampshire (Mr. COTTON) and I are only two members of the committee, but we think the best way to get at it would be to have a treaty for extradition from Cuba.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. COTTON. It is my understanding that the treaty makes it mandatory that there shall be legislation on the subject following the ratification of the treaty, which I assume——

Mr. FULBRIGHT. No; it is not mandatory.

Mr. COTTON. Which I assume would come from the Commerce Committee.

Mr. MAGNUSON. To implement the treaty.

Mr. COTTON. I had some reservations that we were obligating ourselves to legislation and the Commerce Committee has had no opportunity to consider the treaty.

Mr. FULBRIGHT. The Senator's committee will handle that legislation.

Mr. COTTON. I understand that, but the treaty obligates us to produce something. What happens if we fail to agree?

Mr. FULBRIGHT. It does not obligate the Commerce Committee. It is in the discretion of that committee to approve or disapprove the implementing legislation proposed by the administration.

Mr. COTTON. But we have a treaty obligation to produce a bill.

Mr. FULBRIGHT. Not necessarily. We do not really have to do anything. This country is so big that it can thumb its nose at anybody; but, in fairness, the treaty contemplates legislation.

Mr. MAGNUSON. We are not trying to thumb our nose at anybody, but we are trying to stop the hijacking.

Mr. FULBRIGHT. This treaty does not undertake to stop hijacking.

Mr. MAGNUSON. That is something we will have to do later.

Mr. FULBRIGHT. This treaty does not undertake to do that.

Mr. COTTON. I have reservations about putting ourselves in the situation where we are morally bound to produce legislation and the burden of inaugurating it would be on the Commerce Committee, and yet the Commerce Committee did not have any opportunity to examine this treaty before we obligated ourselves.

Mr. FULBRIGHT. I would have no objection to the Commerce Committee's taking a look at the treaty, in the same way that the Armed Services Committee looked at the Nonproliferation Treaty. I do not mean to be giving up our jurisdiction over it, but it would be fine for the Commerce Committee to give it consideration. We have often done that with respect to treaties relating to taxes.

There was no objection to this treaty. The administration and the Airline Pilots Associations representing nearly all the pilots in America, are for it. I know of no one who opposes it. It is a relatively simple treaty, but it is not designed to deal with the difficult problem of hijacking. It was thought that an agreement dealing with hijacking could not be obtained at this time which would be effective, much as we would like to have one. I have no disposition to urge it. If the Commerce Committee wants to look at it, that is satisfactory with me.

Mr. COTTON. I do not ask to do that at this late hour. However, I hope this action will not establish a precedent.

Mr. FULBRIGHT. It does not really do very much. The legislation will be up to the Commerce Committee.

Mr. MAGNUSON. It is a step forward, but we have to do something to implement it.

Mr. MANSFIELD. Hopefully.

Mr. JAVITS. This will be the framework. It is a frame of reference for something that could be ultimately productive; even a hijacking.

Mr. FULBRIGHT. Exactly.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the State Department on the subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMMUNIST COUNTRY ATTITUDE TOWARD TOKYO CONVENTION

We have no reason to believe that there is serious U.S.S.R. or other Communist country objection to the Tokyo Convention which would prevent them from adhering if a substantial number of other countries were to adhere to it.

Cuba, Hungary, Poland, Romania, the U.S.S.R., and Yugoslavia participated in the International Conference on Air Law in Tokyo at which the final negotiation and the adoption of the Convention took place.

The text of the Convention was finally adopted at Tokyo by a margin of 36–0 with one abstention. That one recorded abstention was the U.S.S.R. The delegate of the U.S.S.R., in a fairly mild statement, called the work of the conference "positive" and noted that the conferees had cooperated successfully to resolve a number of problems. He criticized Article (1) for applying to all penal offenses rather than being limited to acts which jeopardize safety or good order and discipline on board, Article 6(2) for per-

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mitting passengers to take preventive action without the captain's authority in certain cases, and Article 17 for possibly dangerous vagueness and he attributed his delegation's abstention on the text of the Convention to these "inadequacies." A more extensive summary of this statement may be found in ICAO Document 8565–LC/152–1, Minutes of the International Conference on Air Law, Tokyo, September 12, 1968.

Bulgaria, Cuba, Czechoslovakia, Poland, Romania and Yugoslavia participated in a meeting of the ICAO Assembly in Buenos Aires which, on September 28, 1968 adopted without objection a resolution urging all States to become parties to the Tokyo Convention.

Mr. MAGNUSON. This treaty gives us a framework within which to work.

Mr. MUNDT. Mr. President, the Tokyo convention should be promptly ratified by the U.S. Government. It makes many desirable changes in the legal situation concerning offenses and other acts threatening civil aircraft.

First, to date, the competence of the state of registry to apply its criminal jurisdiction to acts aboard its aircraft in flight anywhere in the world has not been as solidly established by international practice as law of the flag jurisdiction has for ships at sea. The convention would confirm that competence. Second, the acts of a pilot or crewmember in restraining of off-loading a passenger whose conduct threatened an aircraft's safety might today be judged by potentially different laws depending upon the jurisdiction in which the aircraft was flying at the time the measure was taken but under the convention, those acts would be judged by the rules of the convention.

Another improvement relates to extradition. Presently, many extradition treaties only permit extradition for an offense which was committed in the territory of the requesting state. The convention would allow crimes committed aboard aircraft to be extraditable by providing that those crimes are considered as having been committed in the territory of the state of registration.

A further and most significant improvement on the present legal situation is in the protection guaranteed by the convention to passengers in civil aviation who might be accused of offenses and subjected to measures of restraint, off-loading, or delivery to foreign authorities. Under the convention, such a passenger could not be carried involuntarily under restraint beyond the next point of landing. If taken off the plane at a foreign airfield, the passenger would be entitled to assistance in immediate communication with his country's authorities, to an immediate factual inquiry, and to at least favorable treatment as that country's own nationals receive.

As sound as this convention is, it does not assure punishment or extradition of hijackers. It does, however, obligate states party to expedite the onward passage of a hijacked plane's passengers and crew and to return the plane and cargo to their lawful owners. Ratification of this convention should be viewed as a good but partial step toward meeting the hijacking problem. I believe that it would facilitate the taking of further and necessary steps.

The convention deserves ratification for what it does do on the subject of hijacking as well as for the sound rules it establishes in regard to criminal jurisdiction, the authority of the pilot and crew, extradition treaties, and the protection of accused passengers. It is the first multilateral convention to deal with hijacking and, as such, it constitutes a recognition that dealing with hijacking is a responsibility of the international community as a whole.

I ask unanimous consent that a background sheet on this convention be printed in the RECORD.

There being no objection, the factsheet was ordered to be printed in the RECORD, as follows:

TOKYO CONVENTION—FACT SHEET

BACKGROUND

The Convention on Offenses and Certain Other Acts Committed on Board Aircraft was developed in the International Civil Aviation Organization (ICAO) over a 13 year period of study and negotiation begun in 1950. It was signed at Tokyo on September 4, 1963 after approval by a diplomatic conference, and transmitted to the Senate on September 25, 1968.

Scope.—The Convention is applicable to all aircraft (except those used in military, customs, or police services) while in flight or while on the surface of the high seas or other areas outside national jurisdiction. Nothing in the Convention would apply to a flight of an aircraft wholly within the territory of its state of registration.

Purpose.—Its aim is to promote the safety of civil aviation.

Major features.—It establishes the competence of a state to extend its criminal jurisdiction to acts aboard aircraft of its own registry in flight anywhere in the world. It authorizes the pilot, crew and passengers to take certain actions to preserve safety or good order and discipline on board the aircraft, and grants legal immunity for actions taken within that authority. Significant protection is given to persons who might be subject to measures of restraint, off-loading from the aircraft, or delivery to foreign authorities. The Convention obligates states to permit the onward passage of the crew and passengers of a hijacked craft as soon as possible, to return the aircraft and crew to the rightful owner, to make a factual inquiry into the hijacking, and to report thereon to the State of registry. If an offense would be extraditable under a treaty but for the fact that it did not occur in the territory of the requesting State, the Convention would cure the defect.

The Convention does not itself make any act a crime and does not require extradition or prosecution of an offender.

Status of Convention.—It has been signed by the following 33 countries:

United States, Canada, China, Congo (Brazzaville), Denmark, Germany Fed Rep., Guatemala, Holy See, Indonesia, Ireland, Italy, Japan, Korea, Liberia, Netherlands, Nigeria, Norway, Pakistan, Panama, Philippines, Portugal, Saudi Arabia, Senegal, Spain, Sweden, United Kingdom, Upper Volta, Venezuela, Yugoslavia, Israel, Colombia, Belgium, Mexico.

It has been ratified by the following 9 countries:

China, Denmark, Italy, Norway, Philippines, Portugal, Sweden, United Kingdom, Mexico.

Ratification by any 12 States will bring it into force.

Implementing legislation.—Legislation has been submitted to assure that U.S. criminal jurisdiction applies to acts aboard U.S. registered aircraft in flight anywhere in the world.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification of Executive L (90th Cong., second sess.), a convention of offenses committed on board aircraft? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. BIBLE) is absent on official business.

I also announce that the Senator from Tennessee (Mr. GORE) and the Senator from Rhode Island (Mr. PASTORE) are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee (Mr. GORE) and the Senator from Rhode Island (Mr. PASTORE) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Massachusetts (Mr. BROOKE), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

If present and voting, the Senator from Massachusetts (Mr. BROOKE) would vote "yea."

The yeas and nays resulted—yeas 93, nays 1, as follows:

[No. 29 Ex.]

YEAS—93

Allen
Allott
Anderson
Baker
Bayh
Bellmon
Bennett
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cook
Cooper
Cranston
Curtis
Dirksen
Dodd
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Goodell
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Murphy
Muskie
Nelson
Packwood
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—1

Cotton

NOT VOTING—6

Aiken
Bible
Brooke
Gore
Mathias
Pastore

The PRESIDING OFFICER. On this vote the yeas are 93 and the nays are 1. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

AGREEMENT WITH CANADA ON NIAGARA RIVER DIVERSIONS

Mr. JAVITS. Mr. President, I wish to make clear my strong support for the pending agreement which will be of tangible benefit to the Nation and to the State of New York. The erosion of the American Falls at Niagara has been a matter of serious concern to conservationists—particularly in New York State—for many years. At last, we have before us for approval an important and technically feasible first step toward a

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lasting solution for the preservation of the American Falls through advanced hydroengineering techniques.

The work which is proposed to be undertaken not only will seek to save—and correct past damage to—a great natural wonder and world-famous tourist attraction. The Niagara Falls are also an important source of hydroelectric power which is vital to the economic well-being of, particularly, the northern regions of New York State. The New York State Power Authority has cooperated in the preparation of these plans and fully supports them. Here we have a happy union of the conservationists cause and enlightened economic exploitation of hydropower.

In addition, we must not, in my judgment, overlook a most crucial aspect of this proposed legislation—the fact that it is a cooperative agreement between the United States and Canada. As such, it is a good example of the kind of mutual planning and cooperation which must continue to be the hallmark of United States-Canadian relations.

The PRESIDING OFFICER. In accordance with the order of yesterday, the next question is, Will the Senate advise and consent to the resolution of ratification of Executive C (91st Cong., first sess.), an agreement with Canada providing for additional temporary diversions from the Niagara River for power production purposes?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. Mr. President, I announce that the Senator from Nevada (Mr. BIBLE) is absent on official business.

I also announce that the Senator from Tennessee (Mr. GORE) and the Senator from Rhode Island (Mr. PASTORE) are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee (Mr. GORE) and the Senator from Rhode Island (Mr. PASTORE) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Massachusetts (Mr. BROOKE), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

If present and voting, the Senator from Massachusetts (Mr. BROOKE) would vote "yea."

The yeas and nays resulted—yeas 94, nays 0, as follows:

[No. 30 Ex.]

YEAS—94

Allen
Allott
Anderson
Baker
Bayh
Bellmon
Bennett
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dirksen
Dodd
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Goodell
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
McCarthy
McClellan
McGee,
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Murphy
Muskie
Nelson
Packwood
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—6

Aiken
Bible
Brooke
Gore
Mathias
Pastore

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

A RESOLUTION TO EXPRESS THE SENSE OF THE SENATE IN REGARD TO CHANGES IN THE JOB CORPS PROGRAM—UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of 3 hours on the pending resolution, the time to be equally divided between the distinguished Senator from California (Mr. CRANSTON) and the distinguished senior Senator from New York (Mr. JAVITS); and 1 hour on any motion or amendment, the time to be equally divided between the Senator who makes the motion or offers the amendment and a Senator on the opposing side, who is to be designated at the time.

Mr. JAVITS. It being understood that the printed substitute, which is in two parts, will be in order notwithstanding the rule of germaneness.

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

By unanimous consent, the following additional routine morning business was transacted:

ALABAMA-COUSHATTA INDIANS ARE INTEGRAL PART OF BIG THICKET STORY

Mr. YARBOROUGH. Mr. President, the Big Thicket area in southeast Texas is known for its biological value and unique natural beauty. It is also noted for its great historical significance. Many of the most exciting and significant events of Texas history took place in and around the Big Thicket.

My bill, S. 4, to estabilsh a Big Thicket National Park of not less than 100,000 acres, seeks to protect these various resources for future generations to enjoy.

Mr. President, deep within the Big Thicket is located the Alabama-Coushatta Indian Reservation. These proud and skillful people are very much a part of the Big Thicket story, having lived in Texas since the early 19th century. They were friends of Sam Houston—one tribe that remained friendly despite great injustice. The people of Texas are very proud of them.

I ask unanimous consent that an article published in the Sunday, January 12, 1969, edition of the Houston Post, entitled "The Pendulum of Life," which describes the life of the Alabama-Coushatta Indians, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALABAMA-COUSHATTA INDIANS—THE PENDULUM OF LIFE

(By Nora Louise Krisch)

The pendulum of life has brought the Alabama-Coushatta Indian woman back to the chores her ancestors were cultivating some 200 years ago.

Crafts such as dyeing wool with tree bark, berries and fruit stains, weaving colorful belts and blankets with the same primitive frames used before the white man came, and making pottery are again part of the woman's life after being neglected and almost forgotten for many decades.

But for the Alabama-Coushatta these steps backward are really paving the avenue for their future existence.

Less than a decade ago the Indians were struggling for survival when the Indian Village tourist playground became a reality. But in order to attract the tourists the Indians had to revive the crafts and dances of their ancestors.

The Alabama-Coushatta Indian reservation is 4,351 acres located in the Big Thicket of East Texas near Livingston (some 90 miles from Houston).

Along with the women, the men have become involved in the transition to the past.

The menfolk switched from their pulpwood cutting, which was the main occupation of the Indians in this area, to show business. Indians from other reservations in other states were brought in to teach the Alabama-Coushatta tribal dances.

The art of making hunting implements such as the blowguns used to kill small game was revived.

More than 80 families make up the almost 600 tribal members, and until 1965 the average income for each family was slightly more than $1,000 a year.

The older men and women who remember how to perform the lost arts learned in their childhoods teach the young girls and boys. The baskets are woven with pine needles from long leaf pines and strips of river cane native to the Big Thicket.

When pottery making was revived commercial clay was ordered, but the Indians prefer the good clay deposits found on the reservation.

Commercial clay will crack if it is not kiln fired. The other is fired by piling hot coals around bowls and continuing the fire until the clay is hard-baked.

Interest in gardening has been rekindled since it was the Indian who introduced squash, watermelons, corn, wild rice and potatoes to the white man.

On the reservation the booths are in the shape of teepees but only because it is expected. The Alabama and the Coushatta Indians were woodland Indians and have always lived in log cabins. Only plains Indians built teepees.

One of the first problems faced when the tribal dances were revived was that when the Indians were converted to Christianity dancing was forbidden. Until recently there was no dancing on Sunday.

In 1881 Presbyterianism reached the pine forests of East Texas and the stomp and jangle of native dances had no place in their pattern of religion.

The small frame houses the Indians live in now (generally two families to one house) were built during the 1920's and 30's. Only in recent years have the dwellings been equipped with running water and indoor toilets.

The houses are well-kept and clean but are crumbling with age and the Indian is reaching back to his past to financially support him today and hopefully tomorrow.

The teenage girl may quietly weave baskets for the tourists but when not on view she is very average. She is interested in the mod age but her approach is a bit more subdued.

And although her skirts may not be mini she is not hindered in doing the latest dances and sharing that universal love for rock music.

On the reservation there is a school for elementary students. Teenagers attend Livingston High School.

And the dreams of higher education become reality at Pan American College in Edinburg, Haskell College in Lawrence, Kan., or at the vocational school in Fort Sill, Okla.

The young do not always return to the reservation after completing their education as many prefer not to return to a small town because there are not enough job opportunities.

Operation Head Start began on the reservation three years ago for the four and five year olds. Most of the children speak Alabama or Coushatta dialects for which there is no alphabet or symbol language.

English is the first written language these children are taught, and the program is sponsored by the Office of Economic Opportunity and the Indian Tribal Council on the reservation.

The Alabama first appeared in 1541 when Hernando De Soto attacked the village of Alibamo in northwest Mississippi. During the same time he visited the Coushatta village on the Tennessee River.

For 160 years there was no record of them until they appeared in 1702 on the upper course of the Alabama River, and in 1807 they moved into Texas.

Although they knew unhappy years they always held firm to Texas soil. They did not fight as did other tribes and remained at peace with not only their neighbors but with the various governments of Texas.

When the reservation system failed and the other tribes were removed to the Indian Territory in 1875 the Alabama-Coushatta were not.

The Alabama and Coushatta tribes have been traditionally and historically related. An old legend has it that each came out of the earth on opposite sides of the root of a certain tree and settled there in two bodies.

Although differing somewhat in language they have always lived near one another.

The word Alabama is believed to be from Choctaw "alba ayamule," which means "I open or clear the thicket." The word Koasati or Coushatta (the form generally used by neighboring whites) signifies "white cane."

RECESS

Mr. **CRANSTON**. Mr. President, I move that the Senate stand in recess subject to the call of the Chair, but not later than 1:30 p.m.

The **PRESIDING OFFICER**. Is there objection? The Chair hears no objection, and it is so ordered.

Thereupon (at 1 o'clock and 14 minutes p.m.) the Senate took a recess.

The Senate reassembled at 1:30 p.m., when called to order by the Presiding Officer (Mr. MONTOYA in the chair).

SUPPORT FOR THE PRESIDENT'S PROPOSAL ON MILITARY SELECTIVE SERVICE

Mr. **FONG**. Mr. President, President Nixon today asked Congress to amend the Military Selective Service Act of 1967, returning to the President the power which he had prior to June 30, 1967, to modify callup procedures.

He has requested this power to make the following alteration in the current draft laws:

First. Change the order of callup so that the youngest would be drafted first.

Second. Limit the period of vulnerability to the draft to 1 year.

Third. Institute a random selection system for those who are actually drafted.

Fourth. Continue the college deferment with the understanding that the year of maximum vulnerability would come when the deferment expired.

Fifth. Standardize and make the policy of deferment and exemptions consistent throughout the Nation.

The President's proposals are designed to reduce the impact of the military draft on the almost 2 million men who reach draftable age each year. They are designed to make the draft more equitable and will bring a sense of justice and fairness to our draft system.

I am certain that the reduction of the period of vulnerability from 7 years to 1 year will minimize the impact of the draft on our young men and allow them to plan for the future. The changes proposed to institute a random selection process and to standardize the deferment and exemption policy throughout the Nation will reduce much of the current dissatisfaction with the present system. These changes will make our draft system more equitable, reasonable, and just.

I wholeheartedly support the President in this effort to reform the present draft system.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER**. The hour of 1:30 p.m. having arrived, morning business is concluded.

A RESOLUTION TO EXPRESS THE SENSE OF THE SENATE IN REGARD TO CHANGES IN THE JOB CORPS PROGRAM

The **PRESIDING OFFICER**. The Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A resolution (S. Res. 194) to express the sense of the Senate in regard to changes in the Job Corps program.

The Senate resumed the consideration of the resolution.

THE JOB CORPS PROGRAM SHOULD NOT BE CUT BACK

Mr. **YARBOROUGH**. Mr. President, I wish to speak in support of the resolution of the distinguished junior Senator from California (Mr. CRANSTON).

I am deeply concerned over the Department of Labor's announcement to close 59 of the 109 Job Corps conservation centers. From reading the testimony taken during 3 days of hearings before the Senate Subcommittee on Employment, Manpower, and Poverty, I am concerned that the valuable work which has been performed at the conservation centers, will be wasted because of the premature shutdown of facilities.

WHAT IS THE PURPOSE OF THE JOB CORPS?

What is the Job Corps all about? The Job Corps is a unique program, and not, as the Department of Labor seems to contend, merely one in the long series of manpower programs that are interchangeable. Job Corps enrollees are those young men and women who have dropped out—they have dropped out of school, and in many cases dropped out of our normal society. They are unemployed, uneducated and unskilled. Their environment is poor and many of them either have police records, or they are about to join the number who do. Many are on the edge of becoming narcotics addicts. The Job Corps takes them out of their environment—an environment which is unproductive and whose values may be antithetical to those of the society in general—and places them in Job Corps centers where they can, free from the pressures which have inhibited them, make a new beginning. It is important to note that the Job Corps program is not merely another form of job training. The young men and women who come to the Job Corps do not have the basic skills needed to undertake normal job training. As a matter of fact, the Department of Labor in their selection criteria for shutting down Corps centers uses as two of six tests the success the Job Corps center has had in improving reading and mathematics skills of Job Corps enrollees. None of the other job training programs manpowered under the Manpower Development and Training Act, or other programs such as JOBS have the educational training requirements that the Job Corps does. None of the other programs spend virtually half of the working time in educating the young men and women. So, the Job Corps must be considered a unique program; one which does a job that no one else has tried.

WHY SUCH A SPEEDY CLOSING?

In my opinion, one of the basic problems of this plan for closure is that the Department of Labor did not have sufficient time to think through what they were doing. The officials of the Labor Department, through their own actions, have in effect admitted this. One example is the announcement of the recent closing of Koko Head Job Corps Conservation Center in Hawaii. Through haste or bad advice, the Department of Labor announced the shutdown of the Koko Head Center and the plan to replace it with a minicenter in downtown Honolulu. But when a member of the House Education and Labor Committee informed the Department of Labor that the present Job Corps center is only 15 minutes from downtown Hawaii, the

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Department decided to go out and take a look. Upon investigation, the Department of Labor discovered the center was not just a work camp out in the woods and reinstated it. So, I mention this to point out the fact that if more evaluation teams were sent out, I am sure different conclusions and more reasonable conclusions would have resulted.

Another Job Corps center that is to be closed down is the New Waverly, Tex., Job Corps Conservation Center. It offers vocational skills training in painting, automotive service, mechanic, carpentry, cooking, cement masonry, bulldozer operating, motor grader operating, and welding.

FACTORS TAKEN INTO ACCOUNT

The Department of Labor set forth six factors which were considered in deciding which Job Corps center should be shut down. They are:

First. Average operating cost of the center per enrollee man-year.

Second. The average length of stay, in months, of enrollees at the center.

Third. The 30-day dropout rate at the center.

Fourth and fifth. Average reading and math gains by the enrollees. Sufficient information was not available from the women's centers to permit valid comparison, however.

Sixth. The percent of enrollees that were placed 90 days after leaving the center. This criterion was given twice the weight of the others because it measures the end product of the centers' efforts.

Aside from sending teams to receive a first-hand account of the progress being made at the centers, there are several factors which the Department of Labor should have considered. I want to discuss some of these factors and how they would relate to the New Waverly Conservation Center, the only conservation center located in Texas, which Secretary Shultz has announced he will close before July 1 of this year.

LOCATION OF CENTER NOT CONSIDERED

First, there was no consideration given to the center's geographic location as it directly relates to the population that the center serves. Critics, as well as proponents, of the Job Corps questioned the transfer of enrollees great distances across the country. The Job Corps statistics show that 41 percent of all Job Corps enrollees come from the southern part of our country.

Yet the only conservation center located in the South is the New Waverly center located in my State. Apparently, the Department of Labor overlooked this important fact because the plan now is to close the only conservation center in the area where the need is most severe. While there is talk of establishing some of the "minicenters" in this area, these new plans will do nothing to meet the needs of the "poorest of the poor" at the present time. It is true that we have outstanding vocational educational schools in this area, but contrary to the reports, these vocational schools simply are not geared to serve the Job Corps youngster who is in fact a pre-vocational-education youngster.

In addition, the New Waverly center is located near a major metropolitan area, Houston-Galveston. This location is not only ideally located from the standpoint of corpsman off-center leisure time and cultural benefits, but this metropolitan area has a supporting minority population and a job market readily available to provide job opportunities for the youngsters. And again, my staff has investigated to find that one of the centers left open is isolated from any metropolitan area and has no ready job market near the center. This center does not have the supportive minority population that New Waverly has either. These are factors which do not fall out on charts and out of computers, but we are dealing with human lives and basic commonsense would dictate that these factors should be considered when the centers are compared.

WEATHER AT CENTER NOT CONSIDERED

Another factor that should be mentioned and apparently was not considered is the climatic conditions near the center. At first, one might conclude that this is not very important but an understanding of how a conservation center operates would cause one to look carefully at the climatic conditions. These young men have a great deal of their vocational training outdoors. Obviously, you can't expect young men to learn to operate a bulldozer inside a classroom. At New Waverly, heavy equipment is taught, using bulldozers and motor graders. And also, the congressional intent of conservation improvements cannot be completed if the climate is not conducive to outdoor activity. At the New Waverly center, the climatic conditions permits year-round outdoor activity.

WHAT HAS BEEN DONE AT CONSERVATION CENTERS?

Another reasonable approach, if you are determined to close the centers, would be to consider the conservation improvements performed and the potential conservation improvements remaining. Section 106 of the Economic Opportunity Act clearly states the conservation center enrollees are to be assigned to centers "where their work activity is primarily directed to the conservation, development, or management of public natural resources." At a time when there is great concern for our environment in this country, this is a factor that the Department of Labor has again failed to put in their computer. Since the Job Corps conservation centers were created—under the competent direction of the Departments of the Interior and Agriculture—this country has received from the Job Corps conservation enrollees conservation improvements valued at over $66 million.

In my opinion, a survey should be made to determine if there is in fact conservation work left for the young men at the centers to perform. The New Waverly Conservation Center is located in the Sam Houston National Forest which consists of over 150,000 acres of forested land in east Texas. The New Waverly center is located within the project area with short travel distance to conservation projects and there is unlimited expansion area and years of conservation work yet to be done at the New Waverly site. Again, I am informed by authoritative sources that some centers are slated to be left open which have limited expansion for conservation work. We are talking here about the future—the work that is yet to be performed—but the Department of Labor again did not consider another important factor, which, if considered, would result in New Waverly being among the top for conservation yet to be completed.

NEED FOR CONSERVATION WORK IN TEXAS

On April 24 of this year, I received a telegram from L. C. Walker, dean of the School of Forestry, Stephen F. Austin State College, in Nacogdoches, Tex. This is not a big university, but it is one of the leading schools of forestry in all the Southern States. In certain aspects of the pine forest research, this school does work that affects all of the pine forests of the United States. Dean Walker sent a telegram and here is part of what he said:

> New Waverly Job Corps Center is the only unit in the Gulf South in conservation work enabling year-round outdoor opportunities for Texas and Louisiana men. Presently they are building a new work center at Yellow Pine while housed in college forestry summer camp near Milo. Five-year plan for building work centers and forest recreation facilities will be disrupted if the program is abandoned.
>
> Also, training road and logging equipment operators. Discipline problems minimal. Recommend this center be retained.

That comes from the dean of the School of Forestry of Stephen F. Austin State College—Dean Walker is widely respected in his field and he has been called to Washington many times to discuss a variety of subjects. I mention his telegram and his praise of the New Waverly center to illustrate that it would be better to consult men of Dean Walker's stature to determine exactly how each center is carrying out the important purpose of conservation improvements along with training the young men before making any decision to shut down a particular center. The New Waverly center, I should note, ranks fourth in the Nation in the appraised value of work projects completed this year.

NEW WAVERLY DOES NOT HAVE RECRUITMENT PROBLEMS

Another important point is the Job Corps center's ability to maintain its enrollee strength. On April 23 of this year, I received a resolution commending the New Waverly center, passed by the San Augustine, Tex., Chamber of Commerce. The resolution reads:

> The New Waverly Center operates a high level of efficiency by maintaining its corpsmen strength at near maximum level. During the second quarter of the current fiscal year, all other 224 man centers maintained an average strength of 186 corpsmen compared to 220 in New Waverly.

These are the very latest statistics available. I am informed the Department of Labor used the data for calendar year 1968 and it would seem to me that the most recent statistics should be used. If I am going to evaluate anything or compare any enterprise with another, the first thing I would want would be the very latest statistics. Otherwise, centers are going to be penalized for improving in the past recent months. As to the length of stay of the enrollee, the number of months the average enrollee stays in the Job Corps, New Waverly is near the national average. In fact, the latest statistics show that New Waverly's length of stay is increasing whereas the national average is in fact decreasing.

For example, the length of stay—fiscal year to date shows the national average to be 5.9 months and New Waverly's length of stay is 5.7. The second quarter of fiscal year shows the length of stay on a national average to be 5.7 and New Waverly's length of stay to be 6.7, which is 1 month longer than the national average.

UNION PREAPPRENTICESHIP PROGRAMS

In 1968 the Job Corps and outstanding organizations such as the United Brotherhood of Carpenters and Joiners of America, AFL–CIO, Marine Cooks and Steward Union, the Brotherhood of Painters, Decorators, and Paperhangers of America joined together in an effort to salvage disadvantaged youths by establishing preapprenticeship training programs at 49 conservation centers throughout the Nation. The New Waverly Center has an arrangement with the Brotherhood of Carpenters and Joiners to provide a carpentry preapprenticeship program with followup placement. Also, in addition to the ongoing carpentry program, the New Waverly Center would have received the Brotherhood of Painters, Decorators, and Paperhangers program if Secretary Shultz had not announced his decision to close the center before July 1. Many other centers the Department of Labor plans to keep open do not have existing arrangements with these outstanding organizations to provide apprenticeships for these youngsters. Some centers slated to remain open are so located that staff recruitment is a problem. And yet, New Waverly has no staff problems and, in addition, New Waverly has the existing arrangements that I have mentioned.

It is indeed unfortunate that Secretary Shultz did not consider the arrangements that exist between Job Corps and the unions before he caused an abrupt halt to progress because those arrangements were virtually a breakthrough that I consider most significant. I am convinced that with the assistance of instructors from organizations such as the Brotherhood of Carpenters and the Brotherhood of Painters, Decorators, and Paperhangers, the placement rate at New Waverly would have increased considerably this year. The overall placement of New Waverly is 66 percent according to the very latest statistics available. The graduates are averaging $2 per hour. How many high schools do as well?

JOB CORPS DOES BASIC EDUCATION

The placement figure is quite high when you consider over a third of the youths entering Job Corps Centers read below the third-grade level. Many of these young men had given up the attempt to learn to read. The average entering enrollee reads at a 3.7-grade level and only 6.8 percent enter with reading levels over the sixth-grade level. There are 37.3 percent of the Conservation enrollees who are illiterate, 55.9 percent of the enrollees are semiliterate, which leaves only 6.8 percent who are literate. It is amazing to me that the Job Corps can place 70 percent of all those who enter. It is because of the intensive ready and matter courses given at the Job Corps. And I am sure that if the United Brotherhood of Carpenters and the Brotherhood of Painters, Decorators, and Paperhangers of America were just given a chance at New Waverly, the placement record would be even higher.

LOWEST COST CENTER CLOSED

Secretary Shultz has emphasized cost in his discussion about the Job Corps. We have all heard that the closure of these centers is an economy move. But yet when they started to plan to close centers, they closed the most efficient center in terms of cost, that we have in the United States. That is the New Waverly Center, the lowest cost center in the country. The data used by the Labor Department shows New Waverly operating at $3,436 per enrollee. The latest statistics for this fiscal year show an improvement in that low figure.

Now New Waverly is operating at $3,380 per corpsman man-year. This figure is the lowest in the Nation; some of the centers left open operate at twice this cost. It is irrational to close the most efficient camp in the Nation, in terms of cost and then brand the whole plan as an economy move. I mentioned this to Secretary Shultz when he appeared before the Senate Subcommittee on Poverty and he said the figure did not include the transportation. But even if you add the transportation cost that the enrollees incur in traveling from home to the New Waverly center, the figure will be the lowest in the Nation because as I have already mentioned New Waverly enrollees, on the whole, are closer to home than the enrollees at any other center. So I urge the Secretary and his cost analysts to review the figures and take into account the most efficiently operated Job Corps center that exists today.

Finally, I would like to read from an editorial appearing in the March 10, 1969, San Angelo Standard-Times:

> Those participating as Job Corps trainees are those young people with little prospect otherwise for successful lives. They lack job training: Many also lack homes which can provide them with both the material and intangible necessities. The Job Corps is in large part a salvage operation: When the "salvage" is a success, society is rewarded with a citizen trained to support himself and his family. He can become, in other words, a contributing member of the community. Without the Job Corps, at least some never rise above their circumstances. They would become drains upon the community—either through criminal activity or society-dependent poverty. And their liabilities would be passed along to succeeding generations. Given the "without hope"—or very nearly so—young persons with which it deals, it is not surprising that the job corps track record of success is less than 100 percent. It would be a marvel indeed if it were otherwise. The expectable failures, however, do not diminish the value of its successes—nor decrease their benefit to the nation. For many young people the Job Corps today offers hope where none other exists."

Mr. President, this sums up what we all know. The testimony taken in the House and Senate indicate that there is no other place for the youngsters to receive their training. We have heard of the blueprints for the future but that does not serve the youngsters now who are presently enrolled. This idea of shipping kids back home with broken dreams, is totally unacceptable to me. I asked Secretary Shultz and Assistant Secretary Weber both when they appeared before my committee for confirmation that these Job Corps centers should not be touched until Congress had time to consider this program. We all read the President's message of February 19, and he made a promise to us that full discussion from both sides would be considered. But the reverse has occurred. The Department of Labor has chartered a course which to me is unwise. Some of the best centers are being closed. I have tried to point out some very important factors that reasonable men should consider before such drastic decisions are made. So I urge the administration to halt these closings, at least until Congress can investigate to determine in a rational manner the future of the Job Corps—a most vital and successful program which is the only program that handles youngsters who are the "poorest of the poor."

Mr. President, I ask unanimous consent to have printed in the Record some of the letters I have received in regard to the closing of the New Waverly Job Corps Center, an article which was published in the Houston Post of April 26, 1969, and a factsheet concerning the New Waverly Civilian Conservation Center.

There being no objection, the material was ordered to be printed in the Record, as follows:

Temple Industries,
Diboll, Tex., April 23, 1969.

Senator Ralph Yarborough,
Senate Office Building,
Washington, D.C.

Dear Senator Yarborough: I want to go on record as opposing the administration's plan to close our New Waverly Civilian Conservation Center in Walker County. This center is providing underprivileged young men with the education they need and vocational training.

The recreational potential of this area is great. The Corps men are doing much needed work in parks, forests, and other public reservations, and their contribution will enable us to realize our recreational potential.

I sincerely hope that the New Waverly Civilian Conservation Center will be maintained.

Sincerely,

Arthur Temple.

Huntsville Chamber of Commerce,
Huntsville, Tex., April 22, 1969.

Senator Ralph Yarborough,
U.S. Senate,
Washington, D.C.

Dear Senator Yarborough: Enclosed herewith is a copy of a resolution adopted by the Huntsville-Walker County Chamber of Commerce on April 14, 1969.

We respectfully request your favorable consideration reference this resolution

Sincerely,

Harry Howard,
Executive Vice President.

Resolution

Whereas: The New Waverly Civilian Conservation Center is the only Conservation Center in the State of Texas; and

Whereas: The operating cost of the New Waverly Center has consistently been well below the national average; and

Whereas: The Center has operated efficiently and effectively as substantiated by its high on-board Corpsman strength ranking and by its high ranking in appraised value of completed work projects; and

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Whereas: The New Waverly Center has enjoyed good community relations and received strong local support;

Now therefore be it resolved: That the Board of Directors of the Huntsville-Walker County Chamber of Commerce, assembled in regular session this 14 day of April, 1969, hereby supports the continuance of the New Waverly Civilian Conservation Center so long as the Job Corps program exists.

Attest:

HARRY HOWARD.
JOLLY O. BENSON,
President.

WALKER COUNTY,
Huntsville, Tex., April 23, 1969.

Senator RALPH YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: The New Waverly Civilian Conservation Center is one of the centers listed for closure in the near future. This center has been reasonably successful in the past. Operating costs have been low, needed projects of great benefit to the public have been done, community problems have been minimal and local support has been good. More importantly, the trainees are being taught job skills that are slanted heavily toward construction and which are now in such great demand. At the same time intensive attention is directed toward improving attitudes and developing social skills and citizenship.

I support the New Waverly Civilian Conservation Center and I request that you do everything that you can to insure the continuance of the Center.

Sincerely,

AMOS A. GATES,
County Judge.

SAN AUGUSTINE CHAMBER OF COMMERCE,
San Augustine, Tex., April 25, 1969.

Hon. RALPH YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: We wanted you to be informed of our recent action in behalf of the New Waverly Civilian Conservation Center, New Waverly, Texas. Enclosed is a copy of the resolution wired to Senator Gaylord Nelson, chairman of the Manpower Sub-Committee, Labor and Public Welfare.

With all good wishes, I remain,

Sincerely,

K. JOE DIMAGGIO,
President.

RESOLUTION

Be it Resolved that we the undersigned members of the board of directors of the San Augustine Chamber of Commerce do, by our signatures, urge the Manpower Sub-Committee, Labor and Public Welfare, under Senator Gaylord Nelson, Chairman, to reconsider the closing of the New Waverly Civilian Conservation Center of New Waverly, Texas, in lieu of the following reasons:

1. A national closing of all such centers is not under proposal, only the closing of selected centers including New Waverly;

2. New Waverly is the only Civilian Conservation Center within the state of Texas, one of the most populous states in the Nation;

3. And further New Waverly is the only Civilian Conservation Center within the Deep South;

4. There is a large volume of work projects on the National Forest which makes ideal corpsman projects and the climate permits year-round outside work on projects;

5. The Center enjoys a very favorable logistical location being very close to a large segment of its target population—underprivileged youth;

6. The operating costs of the New Waverly Center has consistently been well below the national average to the extent that it can train a corpsman for approximately $540 LESS than the nationally averaged Centers per year (taken from last fiscal yearly figures);

7. The Center operates at a high level of efficiency by maintaining its corpsman strength at near-maximum level:

Example: During the second quarter of the current fiscal year (Oct., Nov., Dec., 1968) all other 224 man Centers maintained an average strength of 186 corpsmen compared to 220 in New Waverly (latest statistical figures available);

K. Joe DiMaggio, President; Sam Malone, Director; Charles L. Samford, Director and Mayor, Wyatt C. Teel, LeRoy Sparks, Ray N. McEachern, Glynn Purdy, Director and Treasurer; James D. De Zelle, Henry E. McLemore, E. C. Moon, Matthew J. Buchele, E. E. Benefield, J. P. Mathews, Directors.

BEAUMONT, TEX.,
April 25, 1969.

Senator RALPH YARBOROUGH,
Senate Office Building,
Washington, D.C.:

The Deep East Texas Development Association, comprised of leading citizens of 8 deep east Texas counties, urge the retention of the New Waverly Civilian Conservation Center at New Waverly, Tex. This center is providing valuable training to 220 disadvantaged youths of the exact kind needed to make these youths desirable productive citizens. The carpentry and paintings programs in cooperation with national unions are especially effective. As well as providing valuable training these programs result in much needed recreation construction in the national forest areas around Sam Rayburn and Toledo Bend Reservoir we ask your help in keeping this center in operation.

LEROY SPARKS,
President.

HUNTSVILLE, TEX.,
May 5, 1969.

Senator RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.:

The conservation Job Corps Center in New Waverly, Tex., has been an effective program for the training character and vocational training. They also contributed to the conservation of natural resources in a large area of East Texas. Your help in assisting this program to continue will be good for Texas and especially for a group of American youth.

W. E. LOWRY,
Sam Houston State College.

[From the Houston (Tex.) Post,
Apr. 26, 1969]

AT NEW WAVERLY: YARBOROUGH FIGHTS JOB CENTER CLOSING

WASHINGTON.—Sen. Ralph W. Yarborough, D-Texas, urged the Nixon administration Friday to reconsider the decision to close the Job Corps Conservation Center at New Waverly, 60 miles north of Houston.

Yarborough told Secretary of Labor George P. Shultz the New Waverly center had the lowest cost per man for training in the Job Corps program.

Shultz, appearing before a Senate labor subcommittee to defend the administration's decision to close 59 Job Corps centers this summer, said that every Job Corps trainee whose center is closed will get a chance to go to another center or take part in a different job training program.

"I realize that reasonable men may differ on their evaluation of the Job Corps program as well as to which centers should be closed," Yarborough said. "However, the New Waverly center has an enrollee cost of $3,436, which makes it the lowest-cost center in the entire program."

Shultz told Yarborough the administration used several standards in reaching its decision and the average operating cost of the centers was only one factor.

Yarborough introduced letters and telegrams he received from Texas urging the government to keep the New Waverly center open.

Shultz made two main points in his testimony before the subcommittee:

(1) The Job Corps has done a poor job of meeting the needs of many poor youths, although it does meet some needs and about 50 per cent of the centers will remain open.

(2) The Labor Department uses a broad range of effective training programs for the poor and these will easily offset the reduction of 17,200 training positions which the Job Corps closings will cause.

Meanwhile, Yarborough joined in sponsoring a resolution introduced by Sen. Alan Cranston, D-Calif. calling for no shutting down of Job Corps centers until the Senate can evaluate the program and the decision.

"I do not believe that full debate and discussion are possible when the decision over which debate is to occur has already been taken," Yarborough said.

"I am co-sponsoring this resolution in the hope that the administration will reconsider its decision to close the Job Corps centers and allow proper hearings by the Congress on the scope and size of the Job Corps program."

CONROE, TEX.,
April 29, 1969.

Senator RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: I would like to protest the closing of the New Waverly Job Corps Center, New Waverly, Texas.

It is not that I disagree with the judgment and the authority to close some of the centers, but why close a center that has such a high level of efficiency as this particular one.

Enclosed you will find a complete fact sheet compiled on the New Waverly Job Corps Center, showing its merits.

Your consideration in this matter will be appreciated.

Yours truly,

GUS W. DERRICK, D.D.S.

NEW WAVERLY CIVILIAN CONSERVATION CENTER FACT SHEET

1. New Waverly is the only Civilian Conservation Center in Texas.

2. It is the only Civilian Conservation Center in the deep South.

3. The climate permits a year-round outside work program.

4. There is a large volume of work projects on the National Forest which make ideal corpsman projects.

5. The New Waverly Center has good community relations and support.

6. The Center is located close to a large segment of its target population—underprivileged youth.

7. The Center is in a very favorable location logistically.

8. The Center is near the city of Houston and is ideally located from the standpoint of corpsman off-Center leisure time outlets.

9. The Centers' union affiliated (United Brotherhood of Carpenters and Joiners) apprenticeship training program has been highly productive from both the standpoint of tangible benefits to the public and benefits in skills training to corpsmen.

10. The operating costs of the New Waverly Center has consistently been well below the national average.

Example: Cost/corpsman man-year (Fiscal Year to date): National Average, $4,920; New Waverly, $3,380.

11. The Center has operated at a high level of efficiency by maintaining its corpsman strength at near-maximum level.

Example: During the second quarter of the current fiscal year (the latest statistics available) all other 224-man Centers maintained an average on-board strength of 186 corpsmen. New Waverly maintained 220.

12. New Waverly's length-of-stay (number of months the average corpsman stays) is very nearly at the national average. Latest statistics show that New Waverly's length-of-stay is increasing whereas the national average is in fact decreasing.

Example: Length of stay (fiscal year to date): National average, 5.9 Mos., New Waverly, 5.7 Mos. Second quarter of fiscal year: National average, 5.7 Mos., New Waverly, 6.7 Mos.

13. New Waverly ranks tenth in the Nation in appraised value of completed work projects ($791,055).

New Waverly ranks fourth in the Nation in the appraised value of work projects completed this fiscal year ($186,230).

Mr. CRANSTON. Mr. President, I suggest the absence of a quorum and request unanimous consent that the time for the quorum call be charged equally to both sides.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I yield myself 25 minutes on the resolution.

The PRESIDING OFFICER. The Senator from California is recognized for 25 minutes.

Mr. MURPHY. Mr. President, I have listened with a great deal of interest to most of the dialog and debate regarding the suggested resolution proposed by my distinguished colleague from California (Mr. CRANSTON), and I rise at this point to make certain that all my colleagues in the Senate will have as clear a picture of the problem as possible before they vote on this resolution. At the outset, I would like to point out I have served on the Labor and Public Welfare Committee for the past 4½ years, and have watched with great interest the progress of the many separate programs which went to make up the complex picture bearing the title of the "War on Poverty."

The original idea and the stated purpose of this highly publicized, criticized, and sloganized war on poverty was, in my opinion, a most worthy one. I have been enthusiastic in supporting its objectives, but the planning, or lack of it, the organization and administration generally, I believe, have resulted in a dismal failure. Plans were promulgated which were not practical. Promises were made which were never kept. Bureaus were piled high with personalities whose performances often indicated their own self-interest rather than a true desire to help our less fortunate brothers.

Sometimes problems were created where no trouble had existed before. Tensions were intensified rather than relieved. Taxpayers' dollars, under the euphemistic term "Federal money," were squandered and wasted, and sometimes even stolen. The entire misadventure was cloaked in a sort of sacrosanct aura which called down the collective wrath of many of the self-styled professional liberals in our society if one dared even to criticize or to suggest changes which might result in improvement.

From the very outset, this badly needed, universally backed war on poverty was off to a bad start on a very stormy voyage. From the very beginning I urged, and have continued to urge, that politics be removed from the program completely.

I was fortunate enough to get an amendment to the bill back in 1965, when I first came to the Senate, to remove politics from it. The amendment stated that community action program personnel and VISTA volunteers receiving the principal part of their income from poverty funds would be put under the Hatch Act. It was deleted, however, by the House. In subsequent legislation, I am glad to announce, it was enacted into law.

I am hopeful this will serve as an example and I will patiently continue to seek new means by which to eliminate politics from the program. These funds, designed for the poor, should not be used for political purposes. I have said it up to now—I will continue to say it—to do thus, as far as I am concerned, is a dishonest use of the money.

One of the programs of the entire package which has had probably as unfortunate a childhood as any has been the Job Corps, which was proposed to seek out those unfortunates who, for one reason or another, were not employed or were considered to be unemployable.

It was known that the educational capabilities of a great number of these unfortunate young people precluded their chances of ever getting any sort of employment other than the lowest grade of menial jobs. So it was proposed that they would be educated to fulfill the minimum need—I think the fifth grade in reading, English, and mathematics. At the same time, they were to be trained in a skill which would make it possible for them, upon graduation, to get and retain a job in competition with their fellows.

I enthusiastically supported this premise because, again, from the very beginning I have felt, and have so stated, that our primary responsibility was to provide jobs for all as the first step toward making self-respecting, self-sufficient citizens of all of our people. There should be no second class citizens in this great Nation of ours.

I have consistently sponsored and supported all programs which seemed to me to be capable of providing realistic and responsible approaches to this concept. I have watched carefully the development of the Job Corps and its experience and have been disturbed by some aspects of it over the past 2 years. I have felt that from the first the recruiting and screening have not been properly guided and have not been properly carried out or planned. Proof of that seems to be, apparently, in the figures presented by Secretary Shultz to the Subcommittee on Employment, Manpower, and Poverty, which disclosed that 26 percent of those screened and signed to contracts to enter the Job Corps never appeared. Obviously, there is something wrong—and it should have been remedied.

The next matter of great concern to me is the fact that, within 30 days of those trainees who did appear, another 16 percent left the program.

And then, within the following 60 days, another 13 percent decided not to continue. The reasons given have led me to conclude that quite possibly much of the original thinking and planning was in great error. It was a fine idea, but the development was uncertain and unsound. Many of the boys and girls who left felt that they had been oversold. They felt that the sales pitch had been a little too strong for them.

Many left because of homesickness, and a great number because of fear. I underscore the word fear, because from the very outset I have felt that it was a mistake to mix a group of young boys who were having academic trouble and were in need of special instruction, in a large camp with some who had questionable records, and some, may I say, who had obvious records of development indicating hard-core criminal tendencies.

This first came to my attention about two and a half years ago, when I met a young man flying on an airplane at night, who told me he was running away from a camp because he feared for his life. He said another trainee had knocked him down the night before, sat on his chest, and held a knife at his throat.

I do not believe that, even in the hope of improving social justice, we have the right to subject young men to this sort of extraordinary atmosphere. In some cases, young people who are frightened to death of their associates will leave. Others might be started off on what may become a life of unfortunate crime, through no fault of their own but rather through the use of bad judgment and bad planning on our part.

I have always felt that this attempted mixing was a dangerous procedure, which might in the long run actually do more harm than good, and that it certainly would be unfair to a lot of youngsters to expose them in this sort of atmosphere. I know something of this, Mr. President, because in growing up I had the misfortune to be forced to live in all sorts of areas and atmospheres during my young lifetime, and I know what I am talking about. It would be my wish that all youngsters could be protected from that sort of fear and terror.

During the first couple of years, the reports indicate that in many communities the Job Corps camps created local problems and disturbances, which did not help the progress of the program. This was unfortunate. The preparation in the communities was badly done. The public relations, if you please, were badly handled. I recall discussions even about contracting for hotels and buildings and from the very outset the amounts of money that were made available came under general and constant criticism.

In spite of that, many of us felt that the growing pains were normal, and that as time went on, answers to the problems would be found, so that generally the program would finally accomplish what it had set out to do.

Two years ago, I asked the Director, Sargent Shriver, to please inform me and the members of the committee as to the actual progress of the Job Corps—how many boys and girls were benefiting, how many were getting jobs, how many were believed to be permanently employed and the average rate of pay they were receiving. In other words, I requested that he merely tell us, the Members of Congress responsible for the matter, what was happening, so we could decide whether the program was a success or failure.

This information was not forthcoming. But finally, at long last, we received a report from the General Accounting Office which seems to indicate that the success of the Job Corps is very questionable, and that it would be very difficult to make a case for further continuance of expenditures of large sums of money, unless drastic changes were made.

So, Mr. President, this is not a new consideration. I am sure there are many Members of this body who have not had a great deal of knowledge about the problem, but I am sure that most Members from time to time have had mail from home expressing concern about the program. There always has seemed to be a lack of discipline, a lack of control, and a lack of complete understanding of the conditions and problems existing and the people involved; That, in my opinion, can be very dangerous.

I know it was wrong to pack up youngsters and transport them clear across the country, merely to get them out of an environment or a bad or broken home life. This was the original design. I never agreed with it. I never thought that it was needed, or proper, or that it would work. Evidence seems to show that in spite of the fact that the recruitment program spent more than three times as much money as the job placement program, much of the blame can be placed on recruitment, and in my opinion, on the original screening and the way the trainees were selected and processed.

I think it is shocking that after all the preparations, interviews, publicity, and salesmanship, 26 percent of those who applied and were accepted never appeared at the camps. This would indicate, at the outset, that there was something drastically wrong.

I am also concerned by the reasons stated in the GAO report for trainees leaving the camps. I would have thought that those in charge would have been able to find some way to change the conditions, and properly motivate the trainees so that they could stay in camp long enough to get the advantage of the training they so badly needed, and which we all so urgently wished to provide for them.

These are some of the reasons why I have opposed, on occasion, and am worried presently about the future of the Job Corps. Along with the reasons I have stated, there is the cost in taxpayers' dollars. It seems that an inordinate amount has been spent, and will continue to be spent if we continue the program as it now exists. I simply cannot find it possible to explain such unproductive uses of taxpayers' dollars to my constituents. It is difficult to explain to a man whose salary is $12,000 to $15,000 a year, who is trying to send two of his children through college at his own expense, why he should pay taxes in order to provide training to individuals at a cost of $8,300 per person.

I think there is a better way to do it. The great majority of trainees do not stay in the program long enough to gain any advantage whatsoever. Almost half leave before any advantage has been gained. There seems to be general agreement that 6 months is the minimum time needed. As I have already said, about half have left by the end of 90 days. Those who do stay for the full course gain a very questionable advantage, according to the reports. It would therefore seem to me that the entire approach might properly be greatly improved. Certainly the performance to date could not be hurt too much by any changes that might be made.

I should like to point out something which seems to get lost from time to time in a consideration of the job camps and in the debate. There is no desire or design to close the entire Job Corps program. There is no desire or design to push the young trainees off into the streets, back into their communities or ghettos, without a chance to continue their studies, their improvement, their job training, and all the other influences which are at present being provided for their betterment.

The suggested plan calls for the closing of only one-half of the Jobs Corps camps, and then on a selective basis. Those camps with the worst records will be closed and those with better records will be retained, in the hope that those having better records may be further improved.

I can see no reason why Senators, after the period of time in which the Job Corps program has been in existence, should object to a change of approach for at least one half of the camps. Their attitude does not make sense to me. I think it is way past the time when changes should have been made. I know that many emotional appeals were made before the committee and in the Senate Chamber. They seem to have been based on the fact that the young people would be denied completely any chance to help themselves in the future. This is just not the case. Secretary of Labor Shultz has specifically stated that it is not the case, and that no trainee would be put out on the streets without a proper, carefully selected program to go to.

In the hysteria and the obviously organized reaction to the announcement of the closing of some of the camps, at least one camp in California allegedly barred its gates to representatives of the U.S. Employment Service who had been sent there for the distinct purpose of interviewing trainees, in order to find out their desires, their needs, their dispositions, so that they might be transferred to other training programs, or to other existing Job Corps camps. There was almost an organized insurrection, I am told, and the Government representatives were not permitted to enter the camps.

I have heard it said that an attempt would be made to snatch these poor people and move them to other locations. Sometimes, surprisingly enough, such statements were made by persons who thought at the outset that it would be a splendid idea to take a boy from North Carolina and send him to a camp in Oregon, or to take a boy from California and move him to a camp on the east coast, in order to get him away from an environment in which he was having difficult problems.

Next, I point out that the cost factor involved has always been a problem as far as I am concerned. At the outset we used a rough figure of approximately $12,000 per trainee. We thought it was high. We said so. We were assured that this was an extra cost because of tooling up, getting the program started, and that then it would be cut tremendously with time and experience.

There were editorials and remarks to the effect that one could send a couple of boys to Harvard or Princeton for that amount of money. Of course, that is not the point. And those remarks were ill-founded and not fitting to those particular situations because these are special cases, and they do need special treatment. They need special consideration, and we want to see that they get it. But as far as I am concerned, I want to see that they get it in a practical, favorable, and productive manner.

I have always felt, as do most of my colleagues with whom I have discussed the Job Corps, that the cost has been out of line, that it has been unnecessarily high, because of bad planning, duplication of effort, and needless waste in administration. That, combined with the fact that the net result of the training program in my opinion has generally been a failure. It has never come up to the level of success I believe it was supposed to.

Still, at this late date, this program has a completely indefensible record, and after careful scrutiny, it should force us all to say that there must be a better way to accomplish this most needed job.

I have not touched on many of the reports, some of which have been mentioned, about the widespread problems within the camps, of homosexuality, the use of narcotics, and all of the rest.

I have not been an expert in these matters, nor do I intend to be. I leave that to others of my colleagues. My point is that this program, enthusiastically launched with great hopes, has just not worked the way it should.

I was told, for instance, that in one camp in California, the trainees had broken $22,000 worth of windows the year before. That is very difficult to explain. I find it unacceptable. I know that many of my colleagues find all sorts of excuses for this condition, but until I can see a better system of discipline in these camps than I have seen in the past and greater progress than I have seen, I cannot continue my enthusiastic support. I have not seen the improvement that I look for.

I do not think the performance of the program has or will improve. Therefore, I think we must look to another method to accomplish the purpose. I think our obligation to the young people who need this training commands us to do this.

Mr. President, I would like to talk for a moment about the proposals made by Secretary of Labor Shultz and find whether any great damage is being done to the existing program or whether quite possibly the newly proposed program might do a better job for more people

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in a more practical way and, may I say, at a smaller expenditure of money per individual.

Mr. President, I fully agree that we have an obligation to the youth of the country who need this training which I do not believe we are fulfilling adequately. By the same token, we have a commitment to the Nation's taxpayers—who, in my opinion, are already bearing too great a burden—to spend their tax dollars prudently and wisely so as to make certain that they receive the greatest possible return for their money.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MURPHY. Mr. President, I ask unanimous consent that I be recognized for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I do not believe we have been fulfilling either of these obligations.

I would like now for a moment to look realistically at the new program suggested by the Secretary.

The administration has not asked that the entire program be eliminated, but only that the least effective centers be closed and that the young men and women enrolled in these training centers be given an alternative course to follow—either in other centers or in other manpower training programs.

It is true that many of these trainees have received help—job training, education, better health care, more nutritious food, and maybe for the first time in their lives some semblance of discipline and a variety of supportive services.

At the same time, I see no reason why we should conclude that this is the only way that these important elements can be given to the trainees. I believe there are other ways.

I completely agree with the Secretary that in the smaller urban training centers greater progress could be achieved in a shorter period of time and at a greatly reduced cost.

I agree that in many cases the educational level has been raised and that their skill in reading and math each year has been improved. However, I see no reason why this could not be done better in the newly proposed program.

As a matter of fact, I have seen some of the skill centers in Los Angeles, and I can attest that this is possible and practical.

Mr. President, in looking at the new program, certain things seem obvious to me. These proposed centers must be made to work. We must perform the job we have decided on. The boys not so far from home, in an atmosphere where they will be working, may be better off. Maybe we will eliminate one of the reasons of homesickness. Maybe we had better let them go home on week ends and not go through the attempt to completely break up a family unit. Maybe better counsel and closer supervision could be provided. Perhaps new and better jobs could be provided at the end of their training. Cooperative education can be tested. I think it will work. It has been in evidence in our country for over 50 years. Seventy-five thousand boys now enjoy the benefits of it in our great country. We could cut out the unnecessary travel, integrate all the job training programs into one, and make the total facilities of this great government available to these young people.

Let us forget for a moment the emotional approach. I am as emotional as anyone in this Chamber, but I say there is a time when the practical approach must be tested and tried. We should stop telling these young people that they are different and start telling them that they are not different. They are citizens of this great Nation who just got off to a slow start; that is the only difference. We can help them and see that they run on a faster track and catch up with the rest. As to those who would be inclined to be spoiled, it is time to stop pampering them. Let them understand that they must take on some of the responsibilities for themselves, as most of us have to do, as the Founding Fathers of this great Nation did.

Certainly, there will be special cases. They should be treated as special cases, with special treatment. Certainly, there will be hard-core criminal cases, and they should be approached in a special way, not denied at all. They should be given extra care and treatment, in the hope of getting their training started and getting them started in society.

I wonder sometimes whether there are political aspects to this attempt. I say to my colleagues that it certainly would be unworthy to make a political football of an important matter of this kind. I do not believe that is the case. I sincerely hope it is not, and I am certain nobody will want to embarrass the new administration or the new Secretary of Labor. On the contrary, I am certain that all my colleagues would rather help him to find the solution to these problems.

So why not afford the new plan the same enthusiasm and the opportunity that was given to the old? Why not permit the new administration the right to attempt to improve? If they fail, then we will call them to task and change again, to make certain that this badly needed effort is not dropped simply because the beginning was wrong and the first turn was a bad one.

So I urge that the resolution proposed by my distinguished colleague, the Senator from California, be defeated. I believe the new program would do much more good than it would do harm; and I sincerely hope it will be given a fair chance and a fair trial, in the hope that it may succeed.

Mr. MONTOYA. Will the junior Senator from California yield me 2 minutes?

Mr. CRANSTON. I yield 2 minutes to the Senator from New Mexico.

Mr. MURPHY. I would be glad to yield extra time on the bill, so that the Senator from California will not be denied his full time.

The PRESIDING OFFICER. The junior Senator from California yields 2 minutes to the Senator from New Mexico.

Mr. MONTOYA. Mr. President, I have listened attentively to the remarks of the senior Senator from California, and now I should like to elicit from him a little more clarification.

The senior Senator from California made a statement about some of the enrollees in the Job Corps camps having criminal records.

Mr. MURPHY. Yes.

Mr. MONTOYA. Did the Senator mean to imply that most of the enrollees are in this category, or are the individuals about whom he speaks only isolated cases?

Mr. MURPHY. I am glad that my distinguished colleague has asked the question, because it gives me the opportunity to specifically nail it down. These were not the majority; far from the majority. I believe the figure is in the area of 6 or 7 percent, or perhaps even less. It was not my intent to imply that this was the majority; not at all. But I do feel that in some cases a small minority within some of these camps has taken over the inside administration and has formed gangs and has threatened and scared some of the other youngsters who have been exposed to that.

Mr. MONTOYA. The Senator also mentioned that there were some instances of sodomy or attempted sodomy.

Mr. MURPHY. I beg the Senator's pardon. I did not say "sodomy." I believe the RECORD will show I did not use that term.

Mr. MONTOYA. Well, did the Senator use the word "homosexuality"?

Mr. MURPHY. I did, yes.

Mr. MONTOYA. And what statistics does the Senator have in this respect?

The PRESIDING OFFICER. The time of the Senator has expired.

Does the Senator from California yield additional time?

Mr. CRANSTON. I yield an additional 5 minutes on the bill.

Mr. MURPHY. I think we can get more time on the bill. I believe the majority leader will provide it.

Once again, I call my distinguished colleague's attention to the fact that I mentioned this only in passing, and stated that I had no intention to go into this matter or to stress it. I was not interested in these particular reports, which I have seen from time to time.

Mr. MONTOYA. I ask the Senator from California to be a little more specific. Does he have information with respect to the incidence of homosexuality in these camps?

Mr. MURPHY. As I have just explained to my colleague, I had no intention—and the RECORD will indicate that I so stated—of going into this matter or making anything of it.

I will attempt to get whatever reports I can. As I said in my statement, I have not read them; I have paid no attention to them. I have mentioned in passing that they exist. I do not believe this was the intent or the thrust of my remarks. My remarks were based on the fact that this program has been tried and it has been found wanting.

Mr. MONTOYA. Will the Senator yield me some more time, because he has consumed the little time that has been allotted to me?

Mr. MURPHY. I would be glad to yield. How much time does the Senator desire?

Mr. MONTOYA. Five minutes.

Mr. MURPHY. I yield 5 minutes.

The PRESIDING OFFICER. The Senator from California yields 5 minutes to the Senator from New Mexico.

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Mr. MONTOYA. I am glad the Senator has answered this question, because the state of the record indicated or implied that most of these boys had bad backgrounds and that they would spoil the good boys who come into these camps.

I have had quite an investigation made in the four Job Corps camps in New Mexico. They are run by the Forest Service. We have had good experience with these enrollees. When they have finished their matriculation at the Job Corps camp, they have gone out, and we have placed more than 60 percent of these enrollees. We have had very little trouble with them on Saturday nights or during their service in the camps. But the most important thing has been that they have contributed greatly to the conservation of our natural resources in the areas where they have been working.

I should like to elicit from the senior Senator from California some expanded views and more detail on the alternatives he has expounded upon; namely, the manpower training by the Labor Department as an alternative. I presume he is also thinking about on-the-job training.

I want to relate my experience to the Senator with respect to on-the-job training in the State of New Mexico. I have worked with different business people in the State of New Mexico, to try to start on-the-job training within the businesses, and we have met with frustration. We have met with insurmountable redtape and bureaucratic indecision with respect to on-the-job training.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. MONTOYA. If I may be permitted to terminate.

With respect to manpower training, I would like to relate another experience. Under the rules of the Labor Department, before a manpower training project can be launched or approved, a survey must be made in the particular area, and then a determination must be made as to whether or not the trainee, after he finishes training, will be able to find a job in the particular area. If those criteria are not satisfied, the manpower training project is not approved. Therefore, I would assume that if these boys are relegated to on-the-job training programs or manpower training programs, they are going to meet with complete indecision in the matter.

Mr. President, that is the point I wanted to make to the senior Senator from California.

Mr. MURPHY. I thank my distinguished colleague. I might say that hopefully under the new administration some of the burgeoning redtape that made it so difficult in the past will be removed. I would also point out that in many of the training programs tried in the State represented by the proponent of the resolution and the present speaker we had some very good experiences. I would also like to compliment the Senator on the experience which has been had in his State in the Job Corps camps. I wish that generally that had been the record. The opinions I have expounded here are not my own. They came from reading. I suggest if the Senator has not read the GAO report, it is most interesting. There are reports on each of the poverty programs.

Mr. MONTOYA. I might state to the Senator from California that——

Mr. MURPHY. Mr. President, I cannot provide this on my time.

The PRESIDING OFFICER. The Senator from California has the floor.

Mr. MURPHY. Other Senators also wish to speak and I do not have the right to use their time.

Mr. CRANSTON. Mr. President, I yield 2 minutes to the Senator from New Mexico.

Mr. MONTOYA. I thank the Senator.

Mr. President, I might state to my good friend from California that the information I have imparted here today with respect to our experience in New Mexico is not only the result of my own personal investigation, but also 2 weeks ago, as chairman of the Subcomittee on Economic Development of the Committee on Public Works, I called in the Forest Service people at the hearing in Albuquerque. There I was apprised of the good work of the Job Corps and the good experience had by the Forest Service with respect to these boys and the job placement that took place after these enrollees were trained in a very good educational program.

Therefore, I assure my good friend from California that the information I have inserted in the RECORD is based on these hearings and my personal investigations in New Mexico.

Mr. MURPHY. I congratulate my colleague. I am more than pleased. It would be my sincere hope that under the recommendation of the Secretary of Labor all those camps in New Mexico that achieved a good record may be kept up and serve as good examples for the rest of the country.

Mr. President, I suggest——

Mr. MONTOYA. Well, I might say that these Job Corps camps——

Mr. MURPHY. Mr. President, the Senator——

Mr. MONTOYA. Mr. President, the Senator is speaking on my time.

Mr. MURPHY. I did not understand that. I thought the time had been signaled as having expired.

Mr. MONTOYA. I might state to my good friend from California that the cost per enrollee is among the lowest in the four Job Corps camps in New Mexico.

Mr. MURPHY. I hope my distinguished colleague will be available to explain how this is achieved so it will benefit others, because this is one of the problems that we have with the Job Corps.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. To whom is the time to be charged?

Mr. MURPHY. I ask unanimous consent that the quorum call be made in order to accommodate the next speaker without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I yield 20 minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado for 20 minutes.

Mr. DOMINICK. Mr. President, I thank the senior Senator from New York.

Mr. President, the nature of this particular resolution, with amendments thereto, is of significant importance to the Senate, to the Nixon administration, and to the country. I participated in the Senate hearings and would like to express my position and some of the reasons for it.

Mr. President, I shall support the Nixon administration in its decision to reorganize the Job Corps and bring it into a coordinated overall manpower program.

Before turning to the substance of that decision and the pending resolution, I would like to make some preliminary observations for the RECORD.

First, as a Senator from Colorado, I would point out that we have two Job Corps conservation centers in my State. One, at Collbran, Colo., ranked eighth highest in performance in the Labor Department report, and was also one of those to be examined by the General Accounting Office. It is to remain open. The other, at Pagosa Springs, ranks 63d and is designated to be closed.

Second, although the sponsors of the pending resolution contend they have an open mind regarding the value of the Job Corps program as presently constituted, the resolution originally introduced by the Senator from California (Mr. CRANSTON) concluded that "irreparable damage" to the lives of thousands of disadvantaged youth "will be caused" by the reorganization. When I pointed out in committee such a conclusion does not fit an open mind, new language was developed and the sponsors reported the original resolution now before us.

Third, I think the RECORD should reflect the rather irregular procedure in bringing this resolution to the floor. The subcommittee voted along strict party lines on Tuesday, April 29, and the full Committee ordered it reported on April 30, just 48 hours before—and I emphasize the word "before"—the Comptroller General was scheduled to testify concerning the report of the General Accounting Office. When it acted on the resolution, the Commission had received testimony on only one of the two major studies of the Job Corps, that of pollster Lou Harris.

The Harris survey was contracted for by OEO just prior to the inauguration of President Nixon and cost the American taxpayer over a quarter of a million dollars. Mr. Harris obviously has quite an interest in the Job Corps. I ask unanimous consent that a list of Harris contracts with OEO be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOMINICK. Mr. President, this list shows that he has done 11 different "work efforts" for OEO—for a "grand total" of $808,650 paid to the Harris organization by the American taxpayers.

Fourth, while I am delighted to assist in gathering facts on Job Corps performance, I don't recall any Senate hearings being conducted when the Democratic administration dropped 17 Job Corps centers in 1968. They did that without any hearings whatsoever.

My final preliminary observation is that it seems a little strange to be debating this resolution on the floor without having received testimony from William Kelly, the man who has been director of the Job Corps the past 2½ years. I know that the chairman of the subcommittee invited him and he refused. Today, a letter from Mr. Kelly was placed in the hearing record on the nomination of Representative Rumsfeld to be director of OEO.

Mr. Kelly also has a self-serving statement in the hearing record on the Job Corps, but I suspect his refusal to appear personally stems more from a reluctance to be questioned about the Job Corps performance than from the fact that he is a holdover from the previous administration.

Aside from the genuine interest expressed by some in learning further details about the Job Corps reorganization, others have chosen to engage in some emotional wailing and some half-truths. It has been charged, for example, that the decision is arbitrary, that the Job Corps will be destroyed, whatever its value, and thousands of enrollees will be sent back to the streets. Nothing could be further from the truth.

The Secretary of Labor testified:

> We do not anticipate the demise of the Job Corps, rather we seek to improve its quality and relevance to the realities of the labor market.

And the Assistant Secretary of Labor for Manpower said:

> We are not dismantling the Job Corps. We hope we can improve its effectiveness by relating it more closely to existing manpower programs.

The Nixon administration has determined that complete residential services are not essential for all Job Corps enrollees, that training is not always best provided at a great distance from the enrollees home, and that Job Corps centers should not be operated as isolated entities divorced from other manpower programs and services.

We have heard a great deal about the $100 million budget reduction in the Job Corps, but there are substantial increases in youth opportunities in the overall manpower program, of which the Job Corps is only a small part. For example, there is a $200 million increase in the private industry/Government program for hard-core disadvantaged, Job Opportunities in the Business Sector—(JOBS—which increases training slots for out-of-school youth in that program alone from 28,800 in fiscal 1969 to 60,500 in fiscal 1970—an increase, if my mathematics are any good, of about 31,700.

I think we should also take note of the fact that when the Job Corps was created in 1964, there were only 27,000 training opportunities for youth in all our manpower programs, but the Nixon administration fiscal 1970 budget contains 368,600 training slots in a variety of programs for out-of-school youths.

Statements that youth now enrolled at the centers to be closed will be "turned into the streets" are without foundation in fact. Secretary Shultz testified he would make "an absolute flat guarantee" that the affected enrollees would have an opportunity to transfer to another Job Corps center, would receive full assistance in job placement, or would be given "priority" if they chose to go into another manpower program. In fact, $1 million was set aside just to assist in this transition. Some measure of the earnestness of the Secretary can be gathered from his testimony before the House Committee just last week. As of April 11, here were 16,300 enrollees in the centers to be closed. Five-thousand-four-hundred have already chosen other manpower programs, and 5,000 have either already been transferred or are scheduled to be transferred to other Job Corps centers. He also stated there will be more vacancies in the Job Corps centers remaining open than individuals transferring from the closed centers, and that the Department will probably recommend the renewal of Job Corps recruiting in July.

Frankly, I am delighted that when recruiting resumes, it will be under a reorganized Job Corps program.

The Job Corps has cost the American taxpayer $1 billion to date. While, no doubt, some have benefitted, the results are hardly encouraging. For example, in fiscal 1968:

Forty percent dropped out within 90 days, and 26 percent of those selected for the Job Corps did not show up at all.

Only 24 percent of conservation center enrollees completed the program, and only 43 percent of men's urban center enrollees and 38 percent of women's urban center enrollees completed it.

In my judgment, the report of the General Accounting Office supports the decision of the Nixon administration to take the action that it has with respect to the Job Corps. That report was based on an investigation conducted over a 14-month period, almost all of which, I might add, took place under the previous administration. It did take place as a result of an amendment, as I recall, placed into the act during the last Congress by the Senator from Vermont (Mr. PROUTY), the No. 2 Republican on the Labor and Public Welfare Committee. Not only the professional staff of the General Accounting Office were involved, but the Comptroller General also contracted with several independent firms and a number of specialized individual consultants. These are listed at pages 452–454 of the hearing record. I think this is a rather impressive weight of authority.

Also significant is the fact that the GAO report contains a control group—individuals who did not go to Job Corps—for comparison purposes. My discussion with Mr. Harris on this point regarding his survey was as follows:

> Senator DOMINICK. It is my understanding that you did not have any so-called control group. In other words, you did not take a group of people who had not gone to the Job Corps and use their statistics for the purpose of comparison. Is that correct?
>
> Mr. HARRIS. That is correct, Senator. The nearest thing we have to a control group is the category III, people who did not receive very much Job Corps exposure. The aging is controlled, we have that, but we don't have that group that we would dearly love to have.

The GAO report does have a control group, even though the actual exactitude of statistics between those who went into the Job Corps and those who did not was a subject of debate.

While all of my colleagues will not agree on the value of the control group, I think the General Accounting Office is to be commended for at least trying this approach.

Unlike Mr. Harris, who testified he was reporting statistics but not making a judgment on the value of the Job Corps, the Comptroller General was directed by the 1967 amendments to determine "the extent to which such programs and activities achieve the objectives set forth in the relevant part or title of the Economic Opportunity Act of 1964 authorizing such programs or activities."

Again, I want to emphasize that the pending resolution was ordered reported out of the full committee before the subcommittee even received the testimony from the GAO.

Let me refer to some of the conclusions of GAO:

> On an overall basis, it appears that the Job Corps had achieved only limited success in fulfilling its primary purpose. . . .
>
> On the basis of studies by our contractor and ourselves relating to post-Job Corps experience, it is questionable whether Job Corps training has resulted in substantial economic benefit thus far for those youths who participate in the program, although our tests show that employment and earning power were somewhat greater after Job Corps experience than before.
>
> We believe that increased employment and earning power among those included in our sample can be attributable, for the most part, to the greater employability of youths due to the process of growing up and the higher employment and wage levels.

I continue with the quotation:

> It also appeared that Job Corps terminees had not done materially better than the other eligible youths who had applied to enter the program and then chose not to participate.
>
> In summary, we believe that a valid need can be documented for residential training of the type envisioned in Job Corps for *a certain number* of youths whose needs, because of environmental characteristics or because of geographic location, cannot be well served through other programs operating in or near their home communities. We have doubt, however, that, in light of our findings and the cost of this type of training, the resources now being applied to the Job Corps program can be fully justified.
>
> Our doubt in this regard is especially applicable to the Conservation Center component of the program, particularly in consideration of the significant changes which appear necessary in this component to upgrade its effectiveness in achieving training program objectives.
>
> In accordance with the foregoing conclusions, we recommended in our report that the Congress consider whether the Job Corps, particularly with respect to Conservation

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> Centers, is sufficiently achieving the purposes for which it was created to justify its retention at present levels.

In deciding which centers were to be closed, the Department of Labor used six criteria: cost, length of stay, dropout percentages, reading gain, math gain, and placement. While there has been some criticism of these criteria, the record should reflect that these were developed and used by OEO in deciding which centers were to be closed in 1968, and the data used in these criteria by the Department of Labor were compiled by the OEO.

I think it is important, when discussing the list showing test results for all the centers, to keep in mind that the cost figure is for operating costs and does not include enrollee pay and allotments, transportation, conservation work project supplies and equipment, or center capital investments. The GAO report brings these figures back into perspective, stating that direct cost per enrollee man-year for fiscal year 1968 were $6,600, but when indirect costs were included, the figure rose to $8,300.

In view of the dropout rate I have previously referred to, I may add that this is an unbelievably astronomical cost to the taxpayer, at a time when we are suffering from problems involving revenues, in order to get rather unproductive training for people who need jobs and opportunity.

In my judgment, the key question in the entire Job Corps controversy is not whether residential training should be part of the manpower program, but the extent of the need for residential training and the form it is to take.

The GAO report, and the report and testimony of the Secretary of Labor all concur in the premise that residential training for "some" youth is sound and should be retained as an essential element in manpower programing. They also agreed that all of the youths in the Job Corps do not need residential training.

The **PRESIDING OFFICER**. The Senator's time has expired.

Mr. **DOMINICK**. Mr. President, I ask unanimous consent to proceed for anothers 5 minutes.

The **PRESIDING OFFICER**. Does the Senator ask that the time not be charged to either side?

Mr. **DOMINICK**. No; I ask that it be charged to our side.

The Senator from New York (Mr. Javits) is not present at this time; neither is the Senator from Vermont (Mr. Prouty). I am the ranking Republican member of the committee present. May I yield myself 5 minutes?

The **PRESIDING OFFICER**. The Senator yields himself 5 minutes.

Mr. **DOMINICK**. There are currently 37,469 beds in Job Corps camps, of which 17,805 will be phased out. However, the new forms of residential centers will house approximately 4,625 people. Consequently, there is a net reduction of 13,180 beds, although nonresidential training opportunities for disadvantaged youth are being increased many times that amount.

In addition to retention of 32 conservation centers, it is my understanding the new residential program will involve the following:

First, 15 regional residential centers for those whom full-time residence away from home is necessary;

Second, 10 near-city residential centers for work-week residence away from home, permitting easy weekend commuting home; and

Third, two types of inner-city residential centers—one, a training facility with attached residential support; the other, a small residence with no training facilities for those enrolled in other training programs.

Many have expressed alarm that the new residential centers will not all be operational at the time activities will terminate at those Job Corps centers slated to be closed. Frankly, this concern misses the mark since a major theory of the reorganization is that not all those presently enrolled in the Job Corps are in need of a full-scale program as distinguished from other training alternatives.

In fact, Secretary Shultz testified before the House Committee last week that the new residential centers were not proposed in the context of immediate availability for all those now at Job Corps centers which will be closed. He did state, however, that about half of the new residential centers will be funded this summer, the remainder by fall, and most, if not all, will be fully operational by late winter or early spring.

Since the judgment has been made by the administration that some, but not all, Job Corps enrollees need a full-scale residential program a number of present enrollees in centers scheduled to be closed can obviously be placed in nonresidential alternative programs.

When Assistant Secretary Weber was before the subcommittee, he testified as follows regarding the number of training opportunities for young people:

> On the chart that the Secretary drew up he indicated that we hope to have next year approximately 386,600 training opportunities for young people out of school, and a rough calculation, looking at the statutory orientation of the programs involved, would be that approximately 338,000 would be focused on so-called disadvantaged as measured by income criteria, education, unemployment, and other relevant factors.

Mr. President, at my request the Department of Labor prepared a table entitled, "Enrollee Eligibility Standards for Manpower Programs." In order to assist in making the record on this subject as complete as possible, I ask unanimous consent that the table be printed in the Record at the conclusion of my remarks as exhibit 2.

The **VICE PRESIDENT**. Without objection, it is so ordered.

(See exhibit 2.)

Mr. **DOMINICK**. In addition, the Department of Labor has provided a table entitled, "Man-Year Costs and Selected Characteristics of Participants in Manpower Program—Fiscal Year 1968," and I ask that it be printed in the Record at the conclusion of my remarks as exhibit 3.

The **VICE PRESIDENT**. Without objection, it is so ordered.

(See exhibit 3.)

Mr. **DOMINICK**. In interpreting the latter table, it is important to keep in mind that the total number of participants has changed considerably in the projection for fiscal 1970, as shown by the list in the hearing record at page 225. It is significant that the fraction of individuals who did not complete high school is at least 50 percent in each program and ranges up to 75 percent in the concentrated employment program—CEP—of fiscal 1968. Of course, the man-year operating cost for those under 22 years of age is considerably less in each program than in the Job Corps.

During the hearings, much was made by some of my colleagues of the reading and math levels of Job Corps being below their average educational attainment of ninth grade. According to the testimony of Secretary Shultz, ninth grade education is "not far off the mark" of those enrolled in the job opportunities in the business sector—JOBS—program. I understand that reading and math levels, however, are not available for JOBS or other programs since tests were not broken down beyond educational grade level.

The **VICE PRESIDENT**. The Senator's additional time has expired.

Mr. **JAVITS**. Mr. President, may I inquire how the time stands?

The **VICE PRESIDENT**. The Senator has 28 minutes remaining.

Mr. **DOMINICK**. Mr. President, I ask unanimous consent that I may have 5 additional minutes, on the resolution if necessary.

Mr. **JAVITS**. Mr. President, I yield myself 30 seconds.

I shall yield 5 additional minutes to the Senator from Colorado, and I hope that we may be able to work out with the majority either some agreement for additional time, or perhaps they, if they will not use all their time, will yield us some, because we are running short.

I yield 5 additional minutes to the Senator from Colorado.

Mr. **DOMINICK**. Since so much emphasis has been placed on reading and math levels, and I agree they are important factors, let us keep in mind that the written statement filed by the Director of the Job Corps shows that only 6.8 percent of enrollee cost is devoted to basic education, and only some 9.9 percent to vocational training. However, the representatives of the Labor Department testified that all of these alternative programs have education assistance in their supporting services. Indeed, nearly every one of the alternative programs contains prevocational education as well as basic education and vocational training. The table on page 384 of the hearing record lists these in detail, and I ask unanimous consent that it be printed in the Record at the conclusion of my remarks as exhibit 4.

The **VICE PRESIDENT**. Without objection, it is so ordered.

(See exhibit 4.)

Mr. **DOMINICK**. I hope my colleagues on the other side of the aisle are not taking the position that supplementary reading and math can only be provided in the Job Corps approach.

In looking through the manpower report of the President for 1969, I was interested to find the following comment regarding the educational disadvantages, both in terms of nature and frequency, of those enrolled in the on-the-job training component:

> On-the-job training of workers with *severe* educational and cultural handicaps has been aided by the development of "coupled projects" which combine skill training with basic education and help in developing communication skills and acceptable attitudes toward work. More than one-third of all OJT enrollees during Fiscal 1968 were in "coupled projects."

I also noted in the manpower report the following relevant data on the characteristics of the 61,000 people hired in the JOBS program in the late fall of 1968: 23 percent were under 20 years of age, average level of education was 10th grade or below, and unemployment averaged 23.7 weeks in the last year. As I mentioned before, the portion of the JOBS program dealing with out-of-school youth has been increased by President Nixon to 60,500 for fiscal 1970, nearly as many as the total number of enrollees of all ages just last fall.

This shift to greater emphasis on development of programs with private industry is also in line with a study recently completed by Dr. Larry Singell, associate professor of economics at the University of Colorado. The Denver Post reported on his study with the following statements:

> Singell's study found that training efforts undertaken by private industry on its own initiative are far more successful than those offered by public and nonprofit agencies, considered as a whole. . . .
>
> He recommended that expansion of job training efforts be concentrated on subsidizing private industry on-the-job training programs, in that they have proved to be the most successful. . . .
>
> He attributed the success of private industry training—compared with the institutional type provided by the public agencies—to its immediate provision of a better job. . . .
>
> His study revealed that the over-all dropout rate in the private industry programs was 22 percent, but was 54 percent for those run by public and nonprofit agencies.

I ask unanimous consent that the articles to which I have referred, dated April 22, 1969, be printed at this point in the RECORD as exhibit 5.

The **VICE PRESIDENT**. Without objection, it is so ordered.

(See exhibit 5.)

Mr. **DOMINICK**. Mr. President, I consider the pending resolution to be a thinly disguised veil, anchored in political motivation, and aimed at placing black hats on the Nixon administration by casting it as being unconcerned with disadvantaged youth. How else can one reasonably interpret a situation where no Senate hearings were held by the Democratic majority when the Johnson administration closed 17 Job Corps centers last year, and the subcommittee and full committee order this resolution reported to the floor 48 hours before testimony is to be received from the General Accounting Office?

I also think it is ridiculous that the Director of the Job Corps refused to appear and testify. If he cannot make a meaningful contribution to the subcommittee investigation, then he has outlived his usefulness in my book, and should either resign or be replaced at once.

I urge my colleagues to join with me in opposing the Cranston resolution.

I appreciate the courtesy of the Senator from New York in yielding this additional time.

EXHIBIT 1

JOB CORPS CONTRACTS AWARDED LOUIS HARRIS ASSOCIATES

Contract No.	Contract	Amount	Purpose
OEO-2375 [1]	Basic	$44,600.00	Study of dropouts and discharges, November 1966.
	Supplemental agreement No. 1	69,000.00	Study of August 1966 terminees, $40,000; study of "no shows," $29,000.
	Supplemental agreement No. 2	41,500.00	Reinterview of August 1966 terminees 12 months after termination.
	Supplemental agreement No. 3		
	Total	155,100.00	
OEO-4076 [1]	Basic	13,700.00	Interview and report on 324 women Job Corps graduates from Los Angeles and Charleston Job Corps Centers.
OEO-4089 [1]	do	212,400.00	Continuing study of terminees 6, 12, and 18 months after termination.
	Supplemental agreement No. 1	−6,900.00	Cancel portion because of repetition.
	Total	250,500.00	
B89-4470 [1]	Basic	89,750.00	Pilot study on feasibility of conduct in followup on 100-percent terminees.
B89-4616 [1]	do	22,500.00	Study of "no shows."
B89-4617 [1]	do	50,000.00	Sample of Job Corps terminees for fiscal year 1968 from 8 selected centers plus 1,200 reference interviews.
	Supplemental agreement No. 1	15,000.00	
	Total	65,000.00	
B99-4771 (open).	Basic	257,100.00	5,000 samples 6 months after termination and 5,000 samples 12 months after termination plus 1,800 reference interviews.
	Paid to date	105,036.40	
	Balance	152,063.60	
	Total	257,100.00	
	Grand total	[2] 808,650.00	

Note: Concurrence on the authenticity of these figures was obtained from Sam Holman, accountant, of Louis Harris Associates.

[1] Work has been completed and the contract closed out.

[2] For 7 contracts and 4 additional efforts to (²) the basic contracts or 11 different work efforts.

EXHIBIT 2

ENROLLEE ELIGIBILITY STANDARDS FOR MANPOWER PROGRAMS ADMINISTERED BY THE DEPARTMENT OF LABOR

	Age requirements	Must enrollee be below poverty level?	Other requirements
Economic Opportunity Act:			
Neighborhood Youth Corps:			
In school	14 and above	Yes	In 9th to 12th grade or equivalent age.
Out of school	16 and above	Yes	Primarily for dropouts.
Summer	14 and above	Yes	None.
Operation Mainstream	22 and above. Emphasis on those 55 years old or older.	Yes	Unemployed or underemployed.
Manpower Development and Training Act:			
Institutional	16 and above for training only; 17 and above for training and allowances. No more than 25 percent of those receiving allowances can be below 22.	65 percent must be below poverty level.	Emphasis on unemployed, but underemployed accepted. Emphasis on youth and older workers. Must be out of school 1 year to receive allowances. 65 percent must be "disadvantaged" as defined in Manpower Administration Order 1-69.
OJT	Applicable State minimum age law. Emphasis below 22 and above 45.	do	65 percent must be "disadvantaged."
Social Security Act: Work incentive program	16 and above	No	Must be on AFDC.
Jointly funded from MDTA and EOA:			
CEP	None	Yes	Must reside in CEP target area. Must be "disadvantaged."
JOBS	Applicable State minimum age law. Emphasis below 22 and above 45.	Yes	Must be "disadvantaged."

EXHIBIT 3

MAN-YEAR COSTS AND SELECTED CHARACTERISTICS OF PARTICIPANTS IN MANPOWER PROGRAMS, FISCAL YEAR 1968[1]

Characteristic	MDTA		NYC						
	Institutional	On-the-job	In-school and summer	Out-of-school	Operation Mainstream	New careers	CEP[2]	JOBS[3]	WIN[4]
Total number participants	140,000	125,000	373,500	93,800	12,600	4,300		13,600	
	Percent distribution[5]								
Percent	100	100	100	100	100	100	100	100	100
Sex:									
Male	55	68	54	49	84	37	49	70	49
Female	45	32	46	51	16	63	51	30	51
Color:									
White	51	64	54	50	60	25	16	10	62
Nonwhite	49	36	46	48	40	75	84	90	38
Negro	(45)	(33)	(42)	(45)	(25)	(74)	(79)	(77)	(33)
Other	(4)	(3)	(4)	(4)	(15)	(1)	(5)	(13)	(5)
Education:									
8th grade or less	19	16	13	28	57	15	23	14	17
9th to 11th grade	40	34	86	65	26	47	52	63	49
12th grade and over	40	50	1	7	17	38	25	33	34
Age:									
Under 19 years	15	12	94	61	4	1	36	13	13
19 to 21 years	24	33	6	37				30	
22 to 44 years	51	54			52	85	55	48	78
45 years and over	11	11			45	14	9	8	9
Duration of unemployment:									
14 weeks or less	55	65	64	73	61	62	52	36	
15 to 26 weeks	16	12					17	24	
27 weeks and over	29	23	36	27	39	38	31	41	
Head of household or family	55	54	1	10	63	62	55	(6)	95
Public assistance recipient[7]	12	5	28	28	16	33	19	(6)	100
Man-year operating cost (for those under 22)	$1,885	$660	$1,486	$2,800	$3,820	$4,200	$1,090	$3,110	$1,500

[1] Except as noted.
[2] Cumulative from beginning of program in each city through September 1968.
[3] Cumulative from beginning of each contract through January 1969.
[4] Cumulative from beginning of program through December 1968.
[5] Data for NYC, Operation Mainstream, and New Careers cover September 1967 through August 1968.
[6] Information not available.
[7] Participant or his family.

Note: Items may not add to 100 percent due to rounding.

EXHIBIT 4

Program	Target population	Program offerings
MDTA institutional	Adults and youths unemployed underemployed, low-skilled, disadvantaged, obsolescent-skilled.	Vocational training,[1] prevocational education, basic education.
MDTA, part-time and other-than-skill	do	Do.
MDTA, on-the-job training (OJT)	do	Vocational training.
MDTA, coupled	do	Vocational training,[1] prevocational education, basic education.
MDTA, experimental and demonstrative (E. & D.).	Hard-to-reach; disadvantaged youth, hardcore unemployed; older workers; minority groups.	Vocational training, prevocational education, basic education, other supportive services.
MDTA, training for redevelopment area residents.	Adults and youths, unemployed and underemployed in redevelopment areas.	Vocational training,[1] prevocational education, basic education.
Concentrated employment program (CEP)	Adults and youths, hard-core unemployed, and disadvantaged in selected areas.	Vocational training, prevocational education, basic education, other supportive services.
Special impact (Kennedy-Javits)	Adults and youths, unemployed and below poverty level in urban poverty areas.	Vocational training, work experience, other supportive services.
Job Corps	Disadvantaged youth 14 to 21	Basic education, prevocational education vocational training, work experience other supportive services.
Neighborhood Yourth Corps (out-of-school)	Dropouts age 16 and over, poverty families.	Basic education, prevocational education, vocational training, work experience,[1] other supportive services.
Vocational education	Anyone who can benefit from vocational education.	Vocational training,[1] prevocational education, basic education.
Work incentive program (WIN)	AFDC recipients 16 and over who are not in school.	Vocational training, prevocational education, basic education, work experience, other supportive services.
Job opportunities in the business sector (JOBS).	Poor persons not having suitable employment and who are one of the following: (1) school dropouts, (2) under 22, (3) 45 years and over, (4) handicapped, and (5) subject to special obstacles.	Vocational training, basic education, other supportive services.

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[1] Indicates primary offerings, if any.

EXHIBIT 5

[From the Denver (Colo.) Post, Apr. 22, 1969]

CU PROFESSOR'S FINDING: MOST HARD-CORE JOBLESS NOT IN TRAINING PROGRAMS

(By Richard O'Reilly)

Fewer than half of the Denver-area hard-core disadvantaged who need training to get jobs are receiving such training, and efforts are falling further behind all the time.

Those are the findings of a new study completed by Dr. Larry D. Singell, associate professor of economics at the University of Colorado.

Singell's study found that training efforts undertaken by private industry on its own initiative are far more successful than those offered by public and nonprofit agencies, considered as a whole.

In the three-month study undertaken this year, Singell determined there are 8,300 hard-core disadvantaged persons in the Denver area who need job training if they are ever to work their way out of poverty.

Another 4,000 are being added to that number each year, primarily high school dropouts, Singell reported.

But at a maximum, training programs aimed at such persons are helping only 3,400 of them yearly.

Thus, if these programs aren't expanded and if the dropout rate continues, there will be 15,000 disadvantaged persons in need of training by 1975 and 20,000 by 1980, according to Singell's study.

He recommended that expansion of job training efforts be concentrated on subsidizing private industry on-the-job training programs, in that they have proved to be the most successful.

Most firms engaged in such programs now pay for their efforts themselves, because government subsidies are too difficult to obtain and involve too much red tape, the study revealed.

Although the private industry training was the most successful, it helped only 3 per cent of those needing training.

Singell concluded that society can't expect private industry to train a more significant number of persons unless society pays the bill, because the profit motive must govern the number of hard-core unemployed for whom industry will finance training.

He attributed the success of private industry training—compared with the institutional type provided by the public agencies—to its immediate provision of a better job.

Most private industry trainees are hired by the companies when they start the training, and their futures are more assured than that of trainees who must seek a job after completing training, as in most of the public and nonprofit programs.

His study revealed that the over-all dropout rate in the private industry programs was 22 per cent, but was 54 per cent for those run by public and nonprofit agencies.

Mr. HART. Mr. President, I rise reluctantly to put to rest a myth which has existed for some time in certain political circles.

I realize that with the youth of today puncturing so many myths held dear by persons over 30, one should go slow in adding to the discomfort of those on the long side of the generation gap.

However, after some contemplation, I decided that a commitment to our youth was more important than ease of mind for the middle-aged.

The myth in question holds that every so often the Nation needs a Republican administration to consolidate and organize through good business and planning techniques innovations enacted under Democratic rule.

Mr. President, that myth went the way of all myths when the administration announced the closing of 59 Job Corps centers.

It was the Earl of Chesterfield who observed:

> Dispatch is the soul of business.

That may be true for business, but it is not true for government when dispatch means shattering the hopes and aspirations of thousands of young people seeking to better themselves.

It is not even true for business when dispatch results in acting without proper advance planning.

Mr. President, I understand that five of the 59 centers originally scheduled to be closed now will remain open.

Whether that change is a result of public and congressional pressure or of reevaluation, it points out that the decision to close the centers was not well thought out.

Who can measure the effect of the off-again, on-again decision on the youth at those five centers?

More important, who can measure the effect of the center closings on those men and women who will be transferred to different training programs at new centers in new areas?

And can we expect the youth of our ghettos to keep faith with a system which, in the name of fighting inflation in an affluent society, breaks faith with them?

Unless thought was given to those aspects of the decision—the decision, with or without dispatch, was without soul.

But merely from a good business point of view, the decision casts a shadow on the professional competence of those who made it.

Let me cite several points to emphasize that observation.

The closing comes at a time when Congress is reviewing studies on the effectiveness of the program. One survey indicates that persons completing a Job Corps program earn more money than before they entered the center, which is what the program is all about.

Further surveys indicate that graduates of conservation centers earn more than graduates of urban centers, yet two of the three centers to be closed in my State are conservation centers.

Even without those encouraging statistics, does it really make good business sense for management to close a project before the board of directors has had a chance to complete a review already in progress?

The validity of an announcement that some 62,000 openings in other training programs would be available for Job Corps participants was put in doubt when it was pointed out that the programs were not equipped to handle persons of the age and low educational achievement of youths eligible for the Job Corps.

That mistake, I am sure, was a result of lack of study and not of an intention to mislead.

At the time the closings were announced, the administration also said it would open a series of mini-Job Corps centers. No dates were given, but it now appears that the first of these minicenters will not open until the fall, and the last, not until next summer.

Is anyone willing to take the blame for those youths who might have gone to Job Corps centers this summer, but because openings will not be available may, for one reason or another, never seek admission?

One final point. I understand that recent estimates indicate that 66 percent of the Job Corpswomen and 20 percent of the Job Corpsmen who wish to remain in the program will not be placed in comparable training assignments.

What planning went into a decision that either will leave large numbers of persons half trained or will extend, at Government cost, their training periods?

Mr. President, these points emphasize the importance of approving Senate Resolution 194, which asks that action to close any Job Corps center be delayed until Congress has had an opportunity to review the program.

One might call this a good-business resolution, and if dispatch can be the soul of business, let us pass it with dispatch.

Mr. JAVITS. I now yield 5 minutes to the distinguished Senator from South Carolina.

Mr. THURMOND. Mr. President, in these days and times, it is incumbent—in fact, it is vitally urgent—upon us to take every possible action that can be taken toward solving the enormous problems that beset this great land of ours. Each of us in this lawmaking body, I feel sure, has at heart what he considers the best interests of the Nation when he passes upon any action that comes before us for our judgment.

Mr. President, we now have a proposal to realine the Job Corps: to eliminate those features which have been shamefully wasteful and unproductive. Now I want you to bear in mind some pertinent and indisputable facts, because this Job Corps proposal has become a bone of contention among us, far out of all proportion to what is logical and what is sensible. Those who oppose the realinement claim that they do not want to see the elimination of this opportunity for certain of our young people. Those who support the realinement claim that the realinement is necessary to provide more and better opportunity for certain of our young people.

It is high time this Job Corps controversey be put into the proper perspective, and without mincing any words, that is what I am going to try to do. I want to emphasize facts, not illogical emotion and not partisan politics. The truth is this unwieldy and largely unproductive monstrosity which has evolved from our Job Corps legislation is seriously in need of extensive revamping.

Mr. President, every program that gives the disadvantaged, the unemployed, the discouraged, a chance to get back into the mainstream of our society and to become productive citizens is important. What is at issue is whether the program as presently set up is doing the job it was set up to do and whether or not the new proposal would do it better.

Mr. President, the essential fact is in spite of much misinformation to the contrary the Job Corps has cost a lot of money and produced very few results. I should like to read several excerpts from the individual views of the Senator from Vermont (Mr. PROUTY) and the Senator from California (Mr. MURPHY) concerning this resolution:

> We believe this is a sound approach and we endorse it. Last year over $318 million was spent on operation of the Job Corps program. This money was paid by the taxpayers of this country, both large and small, and averages out to somewhere in excess of $8,000 per trainee. We do not believe the American people would object to these expenditures of their tax moneys if the job was being done. It is senseless, however, to continue the waste of tax money where results are small when it appears that for many, much more lasting benefits may be obtained in different types of programs.

Mr. President, it is incredible that this program has cost the taxpayers more than $8,000 for each individual enrolled. The expense is bad enough but what is worse the money has not been spent wisely. The number of individuals who have become placed in full time, productive jobs after Job Corps enrollment is most disappointing. In this regard I should like to read another excerpt from the views of Senators PROUTY and MURPHY:

> As pointed out by Mr. Staats, however, the GAO study and the Harris eight-center study counted former trainees as placed who were in the armed services, ill, married or imprisoned, as well as those who were working, while the Harris OEO study, in addition to these, counted as placed those young people who, 12 months after leaving Job Corps Training had been accepted and were still waiting to enter the Armed Forces or school and also females who were not working because they were fulfilling full-time family responsibilities.
>
> The carryover effect of this, of course, was to drastically increase the reduction in unemployment after Job Corps training reflected by the Harris OEO study.

Mr. President, it is obvious that an overhauling of the Job Corps is long overdue, and I have nothing but praise for the administration for coming forward with a plan to improve this program. The proposal is to strengthen the services, performance, and the results of the Job Corps for those young people who need this type of assistance.

The Department of Labor has recommended that 50 Job Corps conservation centers, along with seven women's centers and two men's urban centers, be closed and that 54 centers, including 32 conservation centers, remain in operation. And that new urban residential centers will be established in 30 cities, and that all of the centers will be integrated into the Nation's comprehensive manpower program.

Mr. President, how in the world can anyone find reason to call this an abolishment of the Job Corps? Where there has been a total number of 104 centers—some of them in remotely rural areas far removed from the homes of the trainees and from the industrial job markets—under the proposal there will be a total of 80 and at least 15 of the new centers will have much larger capacity than any of the conservation centers being closed.

Now for another fact. Bed capacity in the Job Corps 104 centers has been about 35,000—though this capacity is a dream because three out of every 10 youths that have been tediously recruited for the Job Corps have never shown up at the center, and nearly 40 percent of those who did get to the centers dropped out before graduation. And of those who graduated, only 60 percent were placed in jobs.

Mr. President, these statistics are enough to send us searching for a better way. Now when we speak of the Job Corps, we are speaking of a program that provided residence for 35,000 if all the beds could be filled and kept filled. We speak of a program that has cost some $8,000 per year for every young person who has been accommodated, with extremely dubious results to show.

Mr. President, just keeping the Job Corps centers filled has been like the revolving doors of a department store on bargain day. Ten million dollars had to be budgeted this year to recruit enough youths to keep 35,000 Job Corps beds filled, while only $3 million was budgeted for placing them into jobs.

The U.S. Navy only spends $17 million

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a year to recruit from 125,000 to 150,000 youths into military service.

The Department of Labor's manpower programs actually enrolled about 1⅓ million individuals in its principal training and work-experience programs in each of the last 2 fiscal years, and a similar number are enjoying the benefits of these programs in the current fiscal year. There are approximately 362,000 training opportunities a year now for youth in the manpower programs. This is more than 10 times the total capacity in the Job Corps.

Mr. President, recruitment for the Job Corps was never done on the basis of a youngster's need for live-in, around-the-clock residential service. Secretary Shultz does not believe that complete residential services are essential for all disadvantaged youngsters. The General Accounting Office carefully studied the Job Corps, and said:

> A significant portion of Corps members have not met the qualifications considered necessary for participation in the program; and the alternative of enrolling applicants in other, less costly and possibly more suitable training programs, apparently was not always considered.

Secretary Shultz has made it quite clear that he supports the contention that residential services are essential for certain youths, and that comprehensive and intensive supportive services must be a part of any such program. In fact, the new Job Corps structure proposed by the Labor Department will provide a residential bed capacity for 22,000 youngsters. The disadvantaged youth of this country will get better, far better service under the new structure. Only those youngsters who really need a home away from home will be assigned to residential centers.

The 30 new urban residential centers to be established to supplement the remaining 54 Job Corps centers which will be kept in operation will all be alined with the Nation's comprehensive manpower program. Emphasis will be put upon helping the youngster to become employable and then upon placing him into a productive job, the most serious lack in the present program.

Mr. President, under the new plan the Job Corps will be supported by, and will lend support to, all other manpower programs, instead of standing off by itself. The Labor Department is maintaining flexibility in its planning so that each new facility can be adjusted to the specific needs of the community in which it is located and can be closely coordinated with that community's existing manpower services.

Mr. President, two other pertinent facts need to be stated: One concerns service to rural residents. Because young men and women living in the country and small towns usually do not have access to formal training in their home communities, the Job Corps centers that are being retained and the new urban centers will be open to rural youth. Bear in mind that there will still be 32 conservation centers operating throughout the Nation.

The other pertinent fact is that Secretary Shultz has stated unequivocally and publicly that not a single youngster in the camps being closed will be denied continued training and education. Employment and training counselors have been assigned to those camps to help the youngsters shift to one of the remaining 54 camps or to continue their training in another manner. As for the centers that are to be closed, proposals are being considered for converting the property to uses that will benefit the public and the communities in which the camps are located.

Mr. President, what the administration's proposal does is to eliminate the wasteful and unproductive aspects of the Job Corps and associate it with other manpower programs so that disadvantaged youths can be given their greatest possible chance to raise their education level, learn a job skill, and get a job. Those Job Corps features that have proved successful will be retained, strengthened, and expanded.

Training emphasis will be shifted to learning industrial skills and getting youths into jobs.

Mr. President, more and better services will be provided for all youth, under an experienced administering agency. No youth now in a Job Corps center will be deprived of continued training and the opportunity to make something of himself.

Mr. President, for the reasons I have outlined I cannot go along with the pending resolution. I have long been a supporter of technical education and job training as the best answer for helping the poor, but that has not been done in the Job Corps as it has been operated. This is one more area in which performance did not measure up to promise, and I urge that this resolution be defeated.

Mr. TOWER. Mr. President, in recent days there has been an effort to categorize President Nixon's effort to reform the various manpower training programs under the Economic Opportunity Act as a step backward. Critics of Mr. Nixon's proposed changes have tried to convince the public and Members of this body that the purpose of the changes is to retard the manpower training program pursuant to some political motive.

A full examination of the facts surrounding the Secretary of Labor's decision to close some of the Job Corps training centers shows that there is no relation between the facts and the criticisms leveled against the decision by the supporters of the resolution now under consideration.

The criticism leveled against the closings are ostensibly based on two main considerations.

First, it is argued that the changes were done suddenly, in a manner attempting to evade congressional inquiry.

In reality, the Secretary of Labor and his Assistant Secretary for Manpower appeared before the Committee on Labor and Public Welfare and did a remarkable job of presenting all the relevant facts. They quite clearly and directly explained that the Job Corps program would be cut back in order to improve the effectiveness of the overall effort in manpower training. They further showed why individual camps were selected for closing and why others were left open.

According to the distinguished Senator from California (Mr. Murphy) and the distinguished Senator from Vermont (Mr. Prouty), the committee heard more facts concerning various facets of the Job Corps camps and the manner in which they are operated during this 1 day of the Labor Department testimony than they had been able to get from the previous administration in the last 4 years.

While I am pleased to observe that some Senators on the other side of the aisle are interested in securing adequate testimony on the Job Corps program, I am moved to wonder why this awakening of interest did not occur until a Republican entered the White House.

The second argument made by the proponents of this resolution is that the closing of the Job Corps camps is an effort by the Nixon administration to retreat in the manpower training field. There will be wholesale elimination of opportunity for those who are now enroled in programs in the Job Corps centers.

In fact, this is just not the case. As Senators who attended the committee hearings well know, Secretary Shultz pledged to "work with each individual" now in a camp designated for closing and has already taken steps to insure that each is provided equivalent educational, vocational, and related training opportunities.

I need not spell out the details of those steps and plans: they are explained in detail in the Secretary's statement before the Committee on Labor and Public Welfare. They stand by themselves.

The underlying motive for the attacks on the closing of some of the Job Corps camps stems from neither of the above reasons, although they are the ones most often given. Instead, the attacks appear to represent an unwillingness to examine the effectiveness of the role of the Job Corps camps have played in the manpower training effort. Furthermore, there seems to be a reluctance to allow the Secretary of Labor to analyze the role which the Job Corps should play in the overall program.

Some people seem unwilling to let the fresh thought and cleansing initiative of the new administration rearrange the Job Corps. Some seem more concerned with justifying the mistakes of the past than with allowing the changes which might save a very good concept to go into effect.

Mr. McGEE. Mr. President, will the Senator yield me 3 minutes?

Mr. CRANSTON. Mr. President, I yield 3 minutes to the Senator from Wyoming.

The VICE PRESIDENT. The Senator from Wyoming is recognized for 3 minutes.

Mr. McGEE. Mr. President, I point out in these 2 or 3 minutes that I fear the Members of the Senate are losing themselves in numbers and counting sometimes irrelevant statistics.

My point is that the pending legislation involves people. It involves individual persons. It involves rehabilitation.

The problem is: What can Congress do to contribute to aiding those in our ghetto areas, and in other areas where they have great problems, in finding themselves and finding a place for themselves in American society?

I think that the point of the resolution lays bare one of the blind spots in

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the present administration's recommendation. It tried to run the calculations on the Job Corps through a computer. It tried to reduce the program to a statistic. And every time one does that, he squeezes out the blood of compassion, and the warmth of humanity. This is what it is all about.

I think this is pointed up when one examines the central focus of the shutdowns in the program—the shutdowns of the camps out in the remote areas of the land in comparison to the ghettos in the larger cities in the East, for example.

Those closures were proposed at the expense of giving to those young men and young women a chance, in the wide open spaces of the land, to find their soul, or, to use a term from the modern vernacular, to find themselves.

How much money is it worth if a young person out in the open air of the vast spaces of the West discovers that he is an individual and addresses himself to fitting himself into his social, contemporary, society? The answer is that it is almost limitless in price. And that price never appears in the statistical runs that are being engineered to try to "evaluate" the Job Corps program.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. CRANSTON. Mr. President, I yield an additional 2 minutes to the Senator from Wyoming.

The VICE PRESIDENT. The Senator from Wyoming is recognized for an additional 2 minutes.

Mr. McGEE. Mr. President, it is this aspect of the Job Corps program that is the blind side of the administration's attempt to try to restructure the approach to this problem.

I think that on all sides of the question we stand with a single dedication. We want to do something, and we hope that something is the right thing. But, I submit that we cannot do that right thing if we leave out the people and generalities so deeply involved. We dare not reduce this to a ledger turned out by the Bureau of the Budget, one with no humanity and devoid of compassion.

This is where the Job Corps centers, scattered throughout the West, made a contribution that does not appear in dollars and cents on a ledger. These conservation camps did register in the ledger of humanity in the adjustment and the discovery of individuals.

Those who went through this experience, even in the old days of the Civilian Conservation Corps camps in the pre-World War II period, can testify to the meaning of an individual discovering himself in relation to the natural environment around him.

I think this is what is hanging in the balance in terms of opportunities for these young people in the Job Corps camps that are now proposed to be closed in the West. I make the petition that the administration reconsider this severe cutback at a cost far greater than dollars, and that the pending resolution be agreed to.

Mr. CRANSTON. Mr. President, I yield 5 minutes to the Senator from New Jersey.

The VICE PRESIDENT. The Senator from New Jersey is recognized for 5 minutes.

Mr. WILLIAMS of New Jersey. Mr. President, it is becoming increasingly difficult to keep up with the administration's statements on the Job Corps closings. Yesterday's rumor may or may not be today's policy; today's determinations are likely to be tomorrow's unfounded allegations.

And in the midst of all this confusion and doubletalk, the administration is resolutely pressing ahead with closings. Whatever the President meant by his February 19 promise to "provide time for full debate and discussion" on antipoverty programs, it has apparently gone by the board with the Job Corps.

Announcement of the Job Corps closings was made on April 11—less than 2 months after President Nixon's "full debate" pledge—and as of last Friday, we learned that 1,400 trainees have already been transferred out of Job Corps centers. Some 4,000 more are due to be phased out in a matter of weeks.

As of yesterday, statistics that reached me were that, nationwide, 4,500 young men have dropped out since the closing orders were issued. I know that the figure at Camp Kilmer, in New Jersey, yesterday showed that approximately 450 trainees have quit because of the closings. Since the announcement of the closings, Camp Kilmer has lost nearly one-third of its trainees through dropout. They have given up and gone home, according to a Kilmer spokesman.

The resolution offered by the distinguished junior Senator from California is a bid for time—time to study the Job Corps programs, and time to make plans if change is needed. The situation reminds me of a paraphrase on the old saying:

> Act in haste: repent at leisure.

I am afraid that if we allow the administration to act in haste, we will indeed repent—but in despair.

This resolution asks for time to study the Job Corps program. There is no justifiable reason to deny that time; no valid reason for the administration to shut down Job Corps centers so arbitrarily and so abruptly.

The Nixon administration estimates that closing down Job Corps centers will save $100 million a year. In view of our national budget, $100 million certainly is not an enormous sum; not an enormous sum in a nation that talks about spending $7.8 billion on an anti-ballistic-missile system.

To delay a decision on the Job Corps for several months would involve a relatively small amount of money; a very small amount considered in terms of what the Job Corps has done.

If we rush ahead with these helter-skelter closings, the damage which will occur will be irreparable.

I would like to quote from the hearings before the Subcommittee on Employment, Manpower and Poverty on the Economic Opportunity Amendments of 1969.

Arnold Weber, Assistant Secretary of Labor, appeared at that hearing. The committee extended me the privilege of questioning him.

I asked Mr. Weber if all of the young people at Job Corps centers now being shut down were to be transferred to other slots.

His answer was, "No, sir."

Later, I asked Mr. Weber if there was a place at other Job Corps centers for every man at Camp Kilmer, the center in my own State of New Jersey, which has been marked for closing.

His answer was:

> We would hope to arrange this in such a way that people would be moved out in stages. In other words, it would not be, bang! somebody puts a "for sale" sign up on the camp.

I should think that an administration that announces a drastic decision such as shutting down Job Corps centers would have made these arrangements in advance; particularly when that administration announced that there would be places for all Job Corpsmen at centers now being phased out.

Furthermore, in view of the time period involved in this phaseout, I think the action is nothing short of "bang; somebody puts a 'for sale' sign upon the camp."

In any event, the confusion was further compounded. I asked Mr. Weber if he was sure of the fact that an orderly phaseout system had been arranged.

He said that all he knew is that he had directed his people to work with the Office of Economic Opportunity to develop a deactivation chart for each of the camps that are involved in the shutdown.

This confused and incomplete picture of phaseout planning expressed by Mr. Weber stands in marked contrast to the straightforward declaration made by Secretary Shultz on April 25. At that time, Secretary Shultz said:

> Insofar as the individual people in the Centers are concerned, we have taken steps to look after their interests.

Have there been adequate steps? What are the plans? Or, as it seems, did the administration move to close the Job Corps centers and then begin planning for placing the trainees who were squeezed out?

Obviously, the administration made its decision without even planning for the orderly shutdown of centers. We must never forget that when we refer to centers, we are really talking about the human beings at those centers. We are toying with human lives. To make a decision without regard for those lives, is absolutely cruel and heartless.

That is why we need this resolution; that is why we need time to explore this decision fully and factually.

There are other signs of haste. I asked Mr. Weber about the future of the Police Training School at Camp Kilmer.

Camp Kilmer is the only Job Corps site which has a police training school. We are all familiar with that operation: we have 11 graduates of that school on the Metropolitan Police Department here in Washington; 10 are now serving on the Baltimore force; 15 others are on the police waiting list in New York.

They are ghetto youths, many of whom started with a hatred of policemen. Now they are policemen themselves, going back into the community. It is an obvious step forward toward solving the crucial problem of police-community relations. It is a step forward toward solving

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the equally critical problem of meeting the manpower needs of our urban police departments.

I asked Mr. Weber about the plans for the future of the police training school. He assured me that the police training school would be continued, but he could not assure me that it would be picked up immediately when Camp Kilmer is shut down.

"We will discuss the situation," he said, "and, as I have indicated, have started to—with Job Corps officials—work out a transfer of that program." Time passes, but plans are not forthcoming. On Friday, Secretary Shultz said that "negotiations are underway" for the future of the Kilmer police academy.

Act in haste; repent at leisure. We have an enormously effective program. The Job Corps shutdown is announced and then the administration starts discussing what to do with the human beings and the programs.

We need time to talk these things over.

Secretary of Labor George P. Shultz also appeared at the April hearings. He told of the criteria involved in deciding which camps would be closed. No. 1 on the list offered by Secretary Shultz was "Average operating cost of the center per enrollee man-year."

Yet last Friday, in testimony before the House Education and Labor Committee, Secretary Shultz said that "a desire for cost reduction was not the prime consideration in the establishment of the new centers."

Is cost a meaningful criterion? Can the cost-effectiveness standard be set aside for some centers, maintained for others? There are far too many unanswered questions in this regard.

Mr. Shultz also talked about changes in the criteria. He dropped two of the criteria which the Office of Economic Opportunity had used in rating Job Corps centers.

One of those was community relations. He called that "a difficult criterion to work with." I cannot help but wonder if criteria were dropped or inserted solely for the purpose of making a case against certain centers.

At Camp Kilmer, the community relations criterion would have to be dropped if a case were to be made for its closing.

After all, the Edison Junior Chamber of Commerce, a group representing the community where Camp Kilmer is located, saw fit to award the camp its "Good Neighbor of the Year Award."

The camp has been cited by such organizations as the National Council of Christians and Jews, the League of Women Voters, the Urban League, the NAACP, the Boy Scouts of America, Columbia University, New York University, and the City College of New York.

Community relations is a difficult criterion to apply when all you want to do is to close down centers.

It is even more difficult when you consider that the Kilmer Job Corps Center was the subject of praiseworthy articles that appeared in Newsweek, Time, the Saturday Review, the Wall Street Journal, the London Observor, and many other publications. Those are publications which sent reporters to the Kilmer Center. They looked, listened, questioned, and then praised the center.

We all have read the reports that a so-called confidential file was leaked to the press. That file concerned alleged misconduct at the Job Corps centers.

Those files revealed that in the first 6 months of 1968 there were 22 cases involving narcotics at Camp Kilmer. During those 6 months there were about 2,000 young men at Camp Kilmer.

Such statistics are really meaningless. In fact, the arrest record at Camp Kilmer is only 2.8 per 100 Job Corpsmen-year, and the conviction rate is 1.7 per 100 Job Corpsmen-year. When you consider that the Job Corps is dealing with the graduates of the most vicious "college of hard knocks" our Nation knows, I think the Camp Kilmer record must be regarded as excellent. It is a record which compares favorably with the overall national average of all young people.

Secretary Shultz talked about another change in criteria. He said the weight of placement rate had been doubled in considering which centers to shut down.

Does the Secretary know that placement is not the sole responsibility of the Job Corps? Does he know that placement also is handled by other agencies?

Has the Secretary looked at the positive side of the figures?

Camp Kilmer, for instance, placed 47 percent of its graduates. What would we say about an administration that closed down a cancer hospital because it only saved the lives of 47 percent of its patients?

Secretary Shultz mentioned average gains in reading and math as another criterion.

Again, I must ask if the Secretary, or the people who compiled his statistics, looked behind those figures. At Camp Kilmer, 83 percent of the Job Corpsmen are nonwhite and educationally handicapped. When we impose standard criteria on this group, it is like asking a man to run the 100-yard dash by starting 20 yards behind everyone else.

I think the overreliance on statistics again indicates that the administration is forgetting that they are dealing with human beings, and not just facts and figures.

Mr. Shultz included in his criteria the average length of stay. Did he take into consideration the length of training programs? Some are more involved than others and require more time. No allowance for that fact appeared in the administration's statements.

Mr. Shultz talked about costs, but he did not talk about the cost to society of a person whose life is spent in prison or in crime or on welfare.

I believe the Job Corps actually is a profitmaking enterprise. It has been estimated that the price of a wasted life to society is $100,000. When you consider that it costs $7,000 a year to keep a man in the Job Corps, and you weigh the fact that Camp Kilmer alone has graduated more than 5,000 men, I think that we are getting a bargain. Just multiply $100,000 times the 5,000 Camp Kilmer graduates.

Of course, Mr. Shultz is something of a magician when it comes to figures. He intends to trim $100 million from a program and then enlarge and improve it. I do not know what fish and loaves he is using.

But, again, we must not restrict ourselves to facts and figures. What is the value of saving one human life, let alone 5,000? Who can put a price tag on that statistic?

Mr. Shultz and Mr. Weber were not the only persons to testify at the hearing. Four young men from Camp Kilmer also appeared. They certainly told it "like it is." Their reasoning was persuasive.

They made clear that the Job Corps is much more than just a job training center; it is a concept far different from some of the rumored and unclear alternatives that the administration wants to use to replace the Job Corps.

Walter Francis, a corpsman from Massachusetts, explained:

> You see, Job Corps is a place where you come in by yourself and say, "I want to try to mature and be a man in society." So Job Corps starts to develop your body, mind, and spirit. It develops your mind in the sense of thinking positive, thinking more or less: "Well, I am going to go out and achieve something in life, where I have failed in society before I came to the Job Corps."

That was a dropout talking. When Mr. Shultz talks about the dropout record at Job Corps centers, he should always remember that the Job Corps deals with young men who were forced to "dropout" of society. The Job Corps gives them a chance to get back into the mainstream.

An interesting aspect of this "dropout factor" came to light in last Friday's statement by Secretary Shultz. He testified that the new residential "minicenters" are being planned to combat the dropout rate by mitigating "the normal feeling of loneliness and homesickness young boys or girls may feel when they are in unfamiliar surroundings."

I am afraid the Secretary's misconceptions are showing. In many cases—some would say most cases—the neighborhood life of the Job Corps trainee does not inspire fond memories and the "faraway blues." In many cases, "home" for the trainee means the street: tough, dirty, violent, poor, aimless, unproductive, splintered, and decaying. There are few corpsmen who pine away for a mother's home cooking and a father's loving comradeship; most corpsmen tell quite the opposite story—home was a trap to escape, not a lure to draw them back.

I would like to quote from the testimony of David Walker, a corpsman from the Bedford-Stuyvesant section of Brooklyn.

He told what the Job Corps did for him in areas remote from job training.

He said:

> When I first came to Kilmer, I had a lot of problems, familywise, like I kept to myself, you know. But soon I learned that in my group meetings, if I bring out my problems, I find out that other Corpsmen have the same problems.
>
> By our having the same problems, coming from the same environment and all, we can solve our problems within our group under the leadership of our group leaders.
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> Group living is the best thing in the world, I have found that out. It changed my way of thinking. When you are in a block, you think about getting the next man, but when you are in Kilmer, it is different.

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I do not know where David Walker would be today without the Job Corps. He probably does not know himself. But we know where he is. And, that is because of the Job Corps.

The administration has said that the residential concept is not valid for all Job Corps. The administration wants to move the Job Corps back into the city, back to training centers.

The young men from Camp Kilmer have a different tale to tell.

Take Mr. Francis, for instance. He described it this way:

> Everyone is benefitting by Kilmer. That is a place where you go and develop. You mature when you go away from home. If you have a girl friend on the block and you have this residential thing, you are not going to the school that the Government puts in the city. You are going over to your lady's house every chance you get.

Mr. Walker talked about what it is like in cities where young people indulge in "alcohol, dope, marihuana—these kinds of things." Then he added that a young man comes to the Job Corps and "breaks away from this kind of thing and develops himself into going back to society to work."

After listening to the witnesses, at the hearing, I am for the Job Corps more than ever.

While the closing of any centers deeply distresses me, I am particularly concerned at the closing of Camp Kilmer.

It is the only center in the Northeast, the teeming megalopolis of our country. There is no section of the Nation which needs a Job Corps center more or which obtains greater benefits.

Sixty-five percent of the men at Camp Kilmer come from the New York metropolitan area. Most can return home within an hour at a cost of less than $1.

Now, the administration is asking these men to go to distant points. Those in the program now do not want to go and I am sure that they reflect the attitude of potential corpsmen.

They benefit from the residential concept, but they are in a place where they can return home for visits.

The other Job Corps centers are more distant from cities. The young men at Kilmer are used to the excitement of the cities. They do not want to go to small towns on weekends, and in many instances, smaller towns out of the metropolitan area are not particularly eager to have corpsmen in the community.

I might also point out that Camp Kilmer is the center of the New Jersey Urban Education Corps. That is a program aimed at training teachers for ghetto areas.

At Camp Kilmer, the Urban Education Corps trainees get a chance to work with the Job Corpsmen. They see how they live. They really get to know these young men. They learn how to make a connection with young people who have been hostile to our traditional educational system.

The Urban Education Corps interns are taught by the group leaders at Camp Kilmer. In return, they assist in the teaching program.

The precipitate closing of Camp Kilmer now endangers that program. There simply is no other facility in New Jersey which offers all the elements needed in that program: space, students, and a workshop atmosphere.

The teachers trained by the Urban Education Corps someday will make programs like the Job Corps unnecessary. But now the urban education effort in New Jersey is at the very least seriously endangered.

No matter how it is viewed, the closing of the Job Corps is a national calamity. The April unemployment statistics show that while the rate of joblessness for whites remained steady at 3.1 percent, the rate for nonwhites soared from 6 to 6.9 percent.

The great majority of job corpsmen are nonwhite. As I mentioned earlier, the figure at Camp Kilmer is 83 percent.

The Job Corps is a program aimed at ending the disgraceful condition of a nonwhite unemployment rate being twice that of the white population.

There is no reason why the administration cannot delay its decision. If they do not, they will effectively bar Congress from expressing its intentions. Do they want these centers out of business before we can act?

I urge my Senate colleagues to support this resolution. There are too many unanswered questions about the administration's planning; too many gaps in the network of policy and procedure. Congress must be given the opportunity to conduct a thorough review of the role of the Job Corps. Hasty, precipitous action has simply got to give way to rational investigation. All the information must be gathered, all the alternatives explored, before any Job Corps centers are shuttered and abandoned. Let us endorse this resolution, and by so doing, affirm our belief in the processes of congressional review and comprehensive investigation. We are dealing in thousands of lives, and those lives deserve no less than complete attention.

I believe that the hearings of the Committee on Labor and Public Welfare graphically describe, in human terms, what it means for a youngster, from the most abject kind of poverty, to have an opportunity for a new life, a life of productivity and promise, as the result of starting on a new life in the Job Corps.

Mr. JAVITS. Mr. President, I yield myself 1 minute.

I yield to the Senator from Vermont for the purpose of making a motion.

MOTION TO RECOMMIT

Mr. PROUTY. Mr. President, I move that Senate Resolution 194 be recommitted to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The question is on agreeing to the motion to recommit Senate Resolution 194.

Under the previous order, debate on the motion will be limited to one-half hour on each side, the time to be controlled by the Senator from Vermont and the junior Senator from California.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Will the Senator explain whether the time for the quorum call is to come out of the time on the resolution?

Mr. JAVITS. I ask unanimous consent that the time for the quorum call be charged equally to both sides.

Mr. PASTORE. Mr. President, reserving the right to object, is this going to be a live quorum?

Mr. JAVITS. No.

Mr. PASTORE. I have no objection.

The VICE PRESIDENT. Does the Senator wish the time to come out of the time for debate on the resolution?

Mr. JAVITS. The debate on the resolution.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Packwood in the chair). Without objection, it is so ordered.

Mr. PROUTY. Mr. President, I yield myself 5 minutes.

Senate Resolution 194 reads in part as follows:

> That it is the sense of the Senate that any action to shut down Job Corps centers and camps should be deferred until the Congress has had an opportunity to review the Job Corps program.

I call attention to the fact that over a period of more than 14 months, the General Accounting Office made a very detailed study of the Job Corps and other programs under the direction of OEO, and submitted its report to Congress in March of this year.

This is the most factual and in-depth study that has been made of OEO and of the Job Corps program. I remember our 1967 hearings on poverty programs when many of us on the Labor and Public Welfare Committee were frustrated over our inability to ascertain specifics and facts with respect to the operation and administration of many of these programs. Generally, the people who appeared before us as witnesses said, "Give us more money and we will do a better job."

This study by the General Accounting Office, which incidentally was undertaken as the result of an amendment I offered on the floor of the Senate, included not only personnel of the General Accounting Office but also numerous other individuals, as well. I shall not undertake to read all of their names, but they appear in the GAO report to Congress. To assist in this examination the General Accounting Office engaged the services of three firms under contract: Resource Management Corp., of Bethesda, Md., Peat Marwick, Livingston & Co., of Washington, D.C., and Trans Century Corp., of Washington, D.C., and many individuals, all of whom had great expertise in various related fields.

Mr. President, I ask unanimous consent to have printed in the Record the names of these individuals.

There being no objection, the names were ordered to be printed in the Record, as follows:

Benjamin Aaron, Professor of Law, University of California at Los Angeles.

Peter S. Bing, M.D., Los Angeles, Calif.; formerly, Office of Science and Technology, Executive Office of the President.

Urie Bronfenbrenner, Professor, Department of Child Development and Family

XUM

Relations, The New York State College of Home Economics, Cornell University, Ithaca, N.Y.

Glen G. Cain, Associate Professor of Economics, University of Wisconsin; on staff of Institute for Research on Poverty at the University of Wisconsin, Madison, Wis.

John J. Corson, Consultant, Washington, D.C.

Educational Testing Service, Princeton, N.J.

Roger O. Egeberg, Dean, School of Medicine, University of Southern California, Los Angeles, Calif.

John Forrer, Bureau of the Budget, City of New York; formerly, Office of Economic Opportunity; formerly, Bureau of the Budget, Executive Office of the President.

Arthur M. Harkins, Director, Training Center for Community Programs, University of Minnesota, Minneapolis, Minn.

Robert A. Levine, Urban Institute, Washington, D.C.; formerly, Office of Economic Opportunity.

Sar A. Levitan, Center for Manpower Policy Studies, The George Washington University, Washington, D.C.

Colin M. MacLeod, Commonwealth Fund, New York, N.Y.; formerly, Office of Science and Technology, Executive Office of the President.

Garth L. Mangum, Center for Manpower Policy Studies, The George Washington University, Washington, D.C., and Professor of Economics and Director of Human Resources Institute, University of Utah, Salt Lake City, Utah.

Rufus E. Miles, Princeton University, Princeton, N.J.; formerly, Department of Health, Education, and Welfare.

Robert N. Moore, Robert N. Moore Company, management, marketing, and governmental consultants, Nashville, Tenn.

Joseph N. Reid, Child Welfare League of America, New York, N.Y.

Rosemary C. Sarri, School of Social Work, University of Michigan, Ann Arbor, Mich.

James L. Sundquist, The Brookings Institution, Washington, D.C.; formerly, Department of Agriculture.

Sidney E. Zimbalist, Welfare Council of Metropolitan Chicago, Chicago, Ill.

Mr. PROUTY. Mr. President, as I suggested yesterday in a rather lengthy statement, none of us in Congress are opposed to the objectives which we established when we set up the Job Corps program in 1964. We are concerned, however, because those objectives are not being met, and we have ample statistics and facts to justify that conclusion.

For example, OEO data supplied to the Department of Labor on Job Corps dropouts for calendar 1968 indicates that the number of trainees completing training was 20 percent; that the number of trainees who received more than 90 days' training was 21 percent; that the number of trainees who received less than 90 days' training was 32 percent; and that the number of individuals recruited for the Job Corps who signed up but never reported to camp was 27 percent.

Then we see from the GAO report that about 40 percent of these young people dropped out of camps during the first 90 days in fiscal year 1968. It is clear that they cannot hope to obtain the training that is so vital to their futures if they are going to become self-supporting citizens from such attendance at the camps.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROUTY. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 3 additional minutes.

Mr. PROUTY. Mr. President, I now wish to compare the overall completion rates given by the Secretary of Labor for the Job Corps program and for other training programs. The overall completion rate for the Job Corps in calendar year 1968 was 36 percent; for men's centers it was 43 percent; for women's centers it was 38 percent; and for conservation centers it was 24 percent. That compares to a training completion rate of 68 percent for institutional training under the Manpower Development and Training Administration; to a training completion rate of 60 percent for on-the-job programs under MDTA; and to a training completion rate of 67 percent for the job opportunities in the business sector program known as JOBS.

The argument has been made that many of these trainees contributed immeasurably to conservation programs of one kind or another. I admit that is true, but submit that we are not operating the type camps which prevailed in the CCC days during the depression. Then it was a case where we had a massive depression and it was necessary to make work of some sort to take care of a very acute problem.

The objective of the Job Corps is to create jobs training to enable these young men and women to acquire the skills to make them productive citizens. The fact that so many of them fail to complete their courses and the fact that they have been unable to keep 40 or 42 percent in the camps beyond 90 days suggest without question that we have failed and failed miserably.

If we have many men and women who are unemployable and who cannot be trained for useful occupations, perhaps the Federal Government should become the employer of last resort and give these people, particularly the men, a chance to work in conservation programs. That is not the objective of the Job Corps program, however, and thus far we have not succeeded very well in training these youngsters for future employment.

The PRESIDING OFFICER. The additional time of the Senator has expired.

Mr. PROUTY. Mr. President, I reserve the remainder of my time.

Mr. CRANSTON. Mr. President, I yield 5 minutes to the Senator from Texas, the chairman of the committee that considered this matter.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. YARBOROUGH. Mr. President, I rise in connection with the motion to recommit the resolution. We were warned in committee that the distinguished Senator from New York might have a substitute resolution but not that there would be an attempt to recommit the original resolution. This resolution, Senate Resolution 194, as reported is an amended resolution, including suggestions offered by the distinguished Senator from Vermont; particularly the wording was changed to be more mild at the suggestion of the Senator. Therefore, I am surprised and I consider this motion entirely without merit.

When the resolution was introduced and referred to the proper subcommittee of the Committee on Labor and Public Welfare, proper notice was given and hearings were held by the Subcommittee on Employment, Manpower, and Poverty. It was thereafter debated in the subcommittee and reported with a live quorum present to the full committee. The matter was debated for hours with a quorum present and the measure was reported to the floor of the Senate.

Mr. President, that resolution was submitted with the support of 32 Senators, which is almost one-third of the membership of this body. This is not a one-man resolution or a one-man idea. It had the support of 32 Senators, including Senators from the party across the aisle. It was submitted with that strong support to begin with. Hearings had started in April and ran over into May. We have the volume of hearings here on the closing of the Job Corps centers. The resolution does not provide that the President has to keep the Job Corps. It was the committee's understanding that no effort would be made to shut the centers down until the Senate had completed its work. However, in the midst of the hearings the administration has attempted to close 59 centers, including 50 of the 82 conservation centers, and they said this was on an economy basis. They said they had taken the most costly and wasteful and were closing them down.

Mr. President, I am very familiar with one center in my State of New Waverly, Tex. There the average cost per trainee is $3,400 a year, which is one-half the cost in some other centers. Yet they wish to close this camp which is in the Sam Houston National Park. At least 31 percent of the trainees who go there are from the minority races. It is near the center of Houston and it draws the unemployed and trains them in forestry procedures. We have a letter from the dean of the Forestry Service there. There are nine spots there where they use these people to learn a new way of life. When they come there, 37 percent of these people are illiterate, and 55 percent are partially illiterate, so that only 6 percent were literate. They are given concentrated courses in reading and mathematics. I visited one urban center and found they take people who are illiterate and teach them to read. They have mathematics books without a figure in them. Sometimes they receive the equivalent of 5 years of mathematics. They are given several years of reading and the equivalent of 5 years of mathematics. Mathematics without a written word. They can see the figures. What the Job Corps is doing is taking boys and girls from the ghettos and teaching them to assimilate the learning they failed to get while in school. It would be tragic to close them down now. If the resolution is recommitted as the able and distinguished Senator from Vermont (Mr. PROUTY), wishes, the Senate will not have considered whether it should be consulted in the closing of the Job Corps centers. The Senator with whom I have served for years, who is an able man and made a great contribution toward vocational education and I admire him greatly.

I regret the motion to recommit offered by him. With all due respect to his great ability, I believe it is ill-advised to send this resolution back when all the work has been done on it. We had a larger attendance than normal in the committee, with more careful consideration.

All the resolution says is that it is the sense of the Senate that any action to shut down Job Corps centers or camps should be deferred until Congress has had an opportunity to review the Job Corps program and decide upon the legislation which would extend the Economic Opportunity Act of 1964, as amended, and the appropriations for that program. The administration would cut out the Job Corps without consideration of what it would cost. It says the Job Corps is costing too much and yet it picks out the most economical centers in the Nation to close down.

This shows that the speedup and the rapidity of the action of the administration is not based upon the realities of the situation. We have taken these young people out of the ghettos and given the promise of job opportunities. This promise should not be cut off. With thousands dropping out of the program because they fear it will not continue, it will wreck their morale and destroy their trust that the rest of the Nation wants to help them help themselves out of poverty.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to proceed for 30 additional seconds.

Mr. CRANSTON. Mr. President, I yield 1 full minute to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 1 minute.

Mr. YARBOROUGH. That is doubling my request. I thank the Senator for his generosity in doubling my time.

I want to say in closing, Mr. President, that I think the motion to recommit is unusual where the resolution in question has received careful consideration by both the subcommittee and the committee. It was reported in executive session with a live quorum, and was carefully considered for hours in full committee. All it says do is to hold this in the status quo until Congress has an opportunity to review the Job Corps program. As a coequal body of government, the executive branch should do that voluntarily. But it is not doing it. It is placing the onus upon us. All we do in courtesy is to tell the Executive that it is the sense of the Senate that they should be giving us an opportunity to study the matter.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. I thank the distinguished Senator from California for his courtesy.

Mr. PROUTY. Mr. President, I yield 10 minutes to the distinguished Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 10 minutes.

Mr. BYRD of West Virginia. Mr. President, I support the administration's decision to close 59 Job Corps centers. I am wholeheartedly convinced that no other action could have been taken in connection with a program which is as poorly structured, badly administered, wasteful, and ineffective as the Job Corps. These judgments are not mine alone but have been officially stated by every reputable study of the program and its participants. By examining the Job Corps recruitment and screening activities, its center operations, training programs, and disciplinary problems, and by looking at the post-program employment experience of enrollees, we are easily able to see that almost no judgment of the Job Corps could be too harsh.

The recent Comptroller General's report on the Office of Economic Opportunity programs, the Job Corps among them, stated that, in the matter of Job Corps recruitment, it has been estimated that 900,000 youths are eligible for the program but that even the fiscal 1968 quotas of 82,000 youths was not met and that only 73,000 entered the program. The recruiting agencies provided the General Accounting Office with reasons for their inability to meet quotas, among which was "disinterest of eligible youths in the program" and "discouraging reports on the Job Corps program by returning, terminated corpsmen." I maintain that a program that can neither stimulate interest among those who are supposedly in need of its benefits nor excite even the most minimal loyalty among those who have been through it—I maintain that such a program is, to put it plainly, a flop.

But let us look further. The GAO report also states that in a large number of cases—33 percent in one study, 22 percent in another—important eligibility criteria are often waived and enrollees are admitted into the Job Corps, some of whom did not meet certain behavior standards and others of whom had "a history of serious criminal or antisocial behavior." In other words, the Job Corps sets up standards and rules which it often ignores. A program that does not abide by its own rules cannot teach and will have difficulty in teaching youngsters to abide by society's rules. Moreover, there s litle opportunity for an able youth to escape the damaging culture of the streets—and that is, after all, the purpose behind the Job Corps—if the worst elements of the streets are allowed to accompany him into the program, as apparently they often are.

The suspicion that the Job Corps centers are unwholesome places becomes a certainty when we see in the GAO report that large numbers of enrollees do not manage to stay in the Job Corps even for the 6-month minimum recommended by the program. Of 73,500 Job Corps members who left the program in fiscal 1968, only 26,300 were classified as graduates. Of the remaining 47,200 youths, 18,200 had remained over 90 days and 29,000 less than 90 days at the centers. The Secretary of Labor, in his recent report on the restructuring of the Job Corps, says that only about 35 percent of the youths that left the Job Corps in fiscal 1968 were graduates, and almost 40 percent left before 90 days. The reasons for leaving most readily identified by the centers and most frequently expressed by the terminees interviewed by the GAO investigators were, first, dissatisfaction with the center or Job Corps as a whole; second, homesickness; third, the inability to obtain desired vocational training; and fourth, the fear of bodily harm.

After reading this shocking and depressing list of reasons, I find myself wondering how the framers and administrators of this program can imagine that it is helping the enrollees.

Let us turn for a moment to the operations of the Job Corps centers themselves, first the conservation centers. These centers seem, in many instances, to be almost total failures. They supposedly provide on-the-job training in work conservation projects, but, as GAO tells us:

> The nature of the projects limit[s] the opportunities for intensive vocational training. Projects such as cleaning debris from beaches and parks, cleaning out undergrowth in forests, and seeding barren areas call primarily for common labor. Projects such as building and road construction, while providing greater potential for skills training, were not required to the extent necessary to allow the centers to provide intensive and progressive vocational training.

In other words, the Corpsmen at conservation centers were not being trained for any future jobs but were just being used as common laborers. In fact, GAO reports:

> At some centers, the emphasis placed on the need to accomplish conservation work projects appeared to have adversely affected in varying degrees the training program and resulted in the instructors performing the role of foremen rather than teachers.

Regarding the academic programs, the GAO found that "few Corpsmen achieved the program goals established by Job Corps for conservation centers that were equivalent to about a seventh-grade public school level." On every level, it seems, most of the conservation centers have failed: the work done by the Corpsmen was not at all to their future advantage and their classroom performance was allowed to remain negligible. After reviewing this dismal record, we can clearly see why the Department of Labor is closing 50 conservation centers.

With regard to the men's and women's urban centers, the picture is not much more helpful. GAO reports that at the time of its review there were no uniform criteria for graduation. The report says:

> Consequently, a number of Corps members were classified as graduates, although it did not appear that they have developed the necessary attributes required for employment in the area of their vocational training.

There were academic requirements in the urban centers but GAO says that most of the centers it reviewed did not enforce the requirements. As a result, many Corps members had not reached an acceptable academic level. Nevertheless, such Corps members were often listed as graduates, a classification which may initially help the terminee obtain employment but will certainly also, as the GAO says, "increase the possibility of—the terminee—losing the job obtained because of his or her inability to perform satisfactorily and may have an adverse effect on attempts to place future graduates."

The Job Corps centers also generally showed themselves incapable of placing very many of their graduates in jobs. The GAO investigators report:

> Although some confirmations of initial placements were made by all centers, we found that reports of placements were not fully accurate. One center reported placements solely on the basis of confirmations that interviews were scheduled between terminees and prospective employers.

Follow-up procedures were found to be equally inadequate and misleading.

Now let us examine the crucial part of any kind of job training program: the post-training employment experience. Have Job Corps terminees obtained employment? Are their jobs in the areas for which the Job Corps trained them? Have their earnings been better than they would have been without the Job Corps experience? Have employers been pleased with the performance of the terminees? Have the terminees remained employed? The chief answer to every one of these questions is "no."

A report done for the U.S. Chamber of Commerce included an evaluation of the Job Corps and its effectiveness. Its conclusions regarding post-Corps job experience is:

> Although a significant number of Job Corps graduates are initially employed, their employment, for the most part, is not a direct result of the vocational training received in the program. Seventy-two percent of those surveyed who were employed, were not employed in the skill for which they were trained. It may be assumed that for the most part current economic conditions are more responsible for the graduates' employment than their Job Corps training.

The GAO report comes to similar conclusions in this area when it reports that of the August and September 1967 terminees surveyed, 22 percent had never worked for the employers they were reported to have been hired by upon termination. Of the remaining terminees who had worked for the reported employers, 75 percent had left their jobs and only 25 percent were still employed at the time of the GAO inquiry. The GAO study also reported:

> It appeared that Job Corps terminees had not done materially better than the other eligible youths who had applied to enter the program and then chose not to participate. It is questionable whether Job Corps training has resulted in substantial economic benefit thus far for those youths who participated in the program.

The GAO study shows that the average wage for terminated corpsmen was $1.87 an hour as opposed to the $1.90 an hour earned by the average youth who applied for the Job Corps and then decided not to join it—a shockingly small return on an exorbitantly expensive program. I will discuss the costs of the Job Corps a bit later.

The chamber of commerce study included a survey of the employers of Job Corps terminees. The employers surveyed rated the majority of the graduates as only "poor" or "satisfactory" in the three categories for which opinion was solicited—training, skill level, and work habits.

The report maintains that employers have a low opinion of the Job Corps' ability to train enrollees and gives examples:

> One welder hired three graduates at $3.10 an hour, two of whom were laid off because they "were not capable of doing work required" and the third quit.
>
> One electrical firm hired 12 graduates, 10 of whom "resigned" and two of whom were laid off.
>
> A manager of a refrigeration repair service hired three graduates who quit after several months. He indicated that they "did not have enough training" and should have been "assigned to service shops for additional training."

The GAO investigation also found that the employers who discharged the former Corps members gave multiple reasons for doing so, by far the most frequently cited of which was "failed to perform duties adequately."

Mr. President, from initial misconceptions in planning the program to continuous miscalculations in administering the program, the Job Corps has misused deprived youths by not training them adequately—it has misused some of our Nation's business leaders by encouraging them to hire corpsmen—and it has wasted and misused the taxpayers' money.

There are a number of cost estimates per enrollee in the Job Corps—all of the estimates are intolerably high; not even the most misguided partisan of the program has denied its enormous costs. The recent GAO report says that "enrollee man-year costs for fiscal 1968 were $8,300." That is enough to support a student in the best college in the Nation, an anomaly which has been pointed out by the Congress to the Job Corps administrators ever since the program began but which they have apparently been unable to alter. A lower, but equally devastating, figure appeared in a 1967 joint publication of the Institute of Labor and Industrial Relations with the National Manpower Policy Task Force, by Garth L. Mangum and Lowell M. Glenn. They report that the Job Corps cost $6,880 per enrollee, almost $4,000 higher than the next expensive job-training program—the Neighborhood Youth Corps—and a full $6,370 higher than the vocational rehabilitation program. The same information tells us that of the percentage who completed the various job-training programs, the Job Corps had the lowest—22 percent. I could go on in this vein, illustrating by means of statistics and conclusions from respected sources how the Job Corps has failed, but I feel that the point has been made.

I have hitherto shown that the Job Corps has failed in its declared task of providing dropouts with job training. But it has failed additionally in the job of instilling even a modicum of discipline in many of its centers. From the program's inception, we in the Congress have received continuous reports of crime and disorders created by the presence of Job Corps members in the cities and towns adjacent to the centers.

In 1966 in Kalamazoo, Mich., a group of Job Corps trainees clashed with a rival group in a riot that spread over several city blocks and required 500 policemen to quell; in Kentucky, 150 enrollees wrecked the Breckinridge Center in a riot set off because of a protection racket run inside the installation; in Camp Kilmer, N.J., complaints were made in nearby towns about the rising crime rate, which was blamed on the corpsmen; in my own State of West Virginia at the Charlestown Women's Job Corps Center there were reported drunken fights, thievery, and immoral conduct. In 1967 the reports were similar: April disturbances in Tomah, Wis., and Evansville, Ind., resulted in enrollees from nearby centers being temporarily barred from those cities; in New Bedford, Mass., corpsmen in July threw rocks at policemen and in October engaged them in a scuffle of near-riot proportions; Astoria, Oreg., and Yakima, Wash., were declared off-limits to local Job Corps trainees because of disturbances. In 1968 and now in 1969 we have heard less about Job Corps outrages, signifying, perhaps, that certain overdue reforms were instituted.

As to internal discipline problems in Job Corps centers, such as thievery, alcoholism, drugs, and the like, it is difficult to be specific about them, since newspaper reports are sketchy. I would hope that the November 1967 GAO report on the Parks Job Center, in Pleasanton, Calif., is not typical. It stated that during a 60-day period in 1966, the Parks Center Review Board dealt with 45 cases of various infractions of discipline, the most prevalent of which was sodomy, carried out with assault, fighting, drunkenness, or threats of violence. Other incidents included the selling, possession, or use of marijuana, assaults, robbery, being AWOL, and extortion.

In my view, the Job Corps program is indefensible from every angle: It does not do its job—it may even be negatively effective; it is outrageously expensive; its side effects, on surrounding communities and perhaps on the trainees themselves, are damaging. Surely it makes no sense to continue a totally inadequate program merely because it exists; surely the Congress is not so unimaginative in outlook that it would rather retain a familiar failure rather than make way for an untried program with possibilities. I say nothing at this time about the small inner-city Job Corps centers the administration is planning: I would perhaps have preferred to see the total abolition of the Job Corps. But the Labor Department thinks that by closing many of the large isolated centers and opening a few small inner-city centers, it can make the Job Corps work and I am willing to reserve judgment on that. But I am as persuaded of the folly it would be to allow the Job Corps to continue as it has been doing, as I am convinced of the wisdom in phasing it out.

The Job Corps is a program which has failed its creators, its administrators, its advocates, its well-wishers, and its enrollees. Nothing good can come of continuing up a path that leads nowhere; only good can come of stopping, turning around, and going back. Let us support the President in his wise decision to cut back the unsound, inefficient, deleterious, money-losing operations of this aberration of a program known as the Job Corps.

The idea of the Job Corps was basically good. But the effort to project that idea into a workable program has been a dismal failure.

We need manpower training programs which will adequately prepare trainees for jobs that actually exist. And we need programs with adequate followups to to determine how well the trainees are adapting to their new jobs, how efficiently they are performing, and how long they are staying on the job. Such was not the case with the Job Corps.

I shall vote to recommit the resolution.

I ask unanimous consent to insert in the RECORD pertinent material.

There being no objection, the material was ordered to be printed in the RECORD as follows:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 11, 1969.

Hon. ROBERT C. BYRD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BYRD: I am replying to your request for financial data relating to operation at the Women's Urban Job Corps Center in Huntington, West Virginia, and the Job Corps Conservation Camp at Anthony, West Virginia.

Enclosed is financial data on the operating and staff expenses of these two installations from the period July 1, 1967 to June 30, 1968 (FY 68).

For FY 1968 the cost per man-year including total center and enrollee direct costs at the Anthony Conservation Camp was $6,566. For the Huntington Women's Urban Center the FY 68 total center and enrollee direct cost was $7,170.

I would like to point out that these costs do not reflect capital investment for the two Job Corps Centers. In the case of Anthony, total capital investment (cumulative from inception) amounts to $1,048,255, and for the Huntington Center the capital investment was $898,018.

Sincerely yours,
WILLIAM L. GIFFORD,
Special Assistant for Legislative Affairs.

JOB CORPS CENTER FINANCIAL DATA PERIOD FROM JULY 1, 1967, TO JUNE 30, 1968

HUNTINGTON, W. VA.

Activation date	Jan. 11, 1966.
Type of center	Women's urban.
Man-years	320.
Capacity	345.
End of period enrollment	323.
Capital investment (cumulative from inception)	$898, 018.
Construction and rehabilitation	$650, 119.
Equipment (including Government furnishings)	$247, 899.

Name and address of contractor or agency: Xerox Inc., Rochester, N.Y.

	Total costs Fiscal year 1968 to June 30, 1968	Cost per man-year
Center operating expenses:		
A. Enrollee expenses:		
1. Clothing	$48, 458	$151
2. Subsistence	109, 154	341
3. Medical and dental fees, supplies and services	9, 913	284
4. Educational supplies, services and rentals	36, 443	114
5. Vocational supplies, services and rentals	3, 696	12
6. Morale, recreation and welfare supplies, services and rentals	0	0
7. Enrollee transportation	36, 029	113
Total enrollee expenses	324, 693	1, 015
B. Operations and maintenance:		
1. Motor vehicle operations and maintenance	0	0
2. Other general purpose equipment operation and maintenance	0	0
3. Center facilities maintenance	67, 454	211
4. Communications	29, 460	92
5. Utilities and fuel	40, 416	126
6. Center administration supplies and services	120, 825	377
7. Legal and accounting services	189	1
8. Insurance	13, 789	43
Total operations and maintenance	272, 133	850

JOB CORPS CENTER FINANCIAL DATA, PERIOD FROM JULY 1, 1967, TO JUNE 30, 1968—Continued

HUNTINGTON, W. VA.—Continued

	Total costs Fiscal year 1968 to June 30, 1968	Cost per man-year
Center operating expenses:		
C. Other operating expenses:		
1. Lease costs	132, 570	414
2. General and administrative expenses	88, 838	278
3. Contractor's fee	83, 733	262
Total other operating expenses	305, 141	954
Center staff expenses:		
A. Staff salaries, wages, and benefits:		
1. Managerial and support personnel	326, 842	1, 021
2. Educational program personnel	229, 854	718
3. Vocational program personnel	125, 976	394
4. Safety and recreational program personnel	41, 577	130
5. Guidance and counseling personnel	127, 254	398
6. Medical and dental personnel	65, 365	204
7. Work project personnel	0	0
Total salaries, wages, and bedefits	916, 868	2, 865
B. Staff travel:		
1. Training	9, 338	29
2. Other	11, 580	36
Total staff travel	20, 918	65
C. Staff training	2, 675	8
Total center staff expenses	940, 461	2, 938
Total operating and staff expenses	1, 842, 428	5, 757
Less income	1, 462	5
Subtotal center costs	1, 840, 966	5, 752
Enrollee direct costs:		
A. Pay, allowances, allotments	$380, 480	$1, 189
B. Travel	73, 280	229
Total center and enrollee direct cosfs	2, 294, 726	7, 170
Work project costs:		
A. Work project supplies	(1)	(1)
B. Work project equipment, O. & M	(1)	(1)
Total work projects costs	(1)	(1)
Gross cost to appropriation	(1)	(1)
Less appraised value of work projects	(1)	(1)
Net cost	2, 294, 726	7, 170

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[1] Not available.

JOB CORPS CENTER FINANCIAL DATA PERIOD FROM JULY 1, 1967, TO JUNE 30, 1968

ANTHONY, W. VA.

Activation date, Aug. 10, 1965.
Type of center, Federal conservation.
Man-years, 154.9.
Capacity, 168.
End of period enrollment, 152.

Capital investment (cumulative from inception)	$1, 048, 255
Construction and rehabilitation	813, 922
Equipment (including Government furnishings)	234, 333

Name and address of contractor or agency: Department of Agriculture, Neola, W. Va.

JOB CORPS CENTER FINANCIAL DATA, PERIOD FROM JULY 1, 1967, TO JUNE 30, 1968—Continued

ANTHONY, W. VA.—Continued

	Total costs Fiscal year 1968 to June 30, 1968	Cost per man-year
Center operating expenses:		
A. Enrollee expenses:		
1. Clothing	$40,770	$263
2. Subsistence	84,963	548
3. Medical and dental fees, supplies and services	56,185	363
4. Educational supplies, services and rentals	13,344	86
5. Vocational supplies, services and rentals	6,038	39
6. Morale, recreation and welfare supplies, services and rentals	21,031	136
7. Enrollee transportation	(1)	(1)
Total enrollee expenses	222,331	1,435
B. Operations and maintenance:		
1. Motor vehicle operations and maintenance	13,931	90
2. Other general purpose equipment operation and maintenance	N/A	N/A
3. Center facilities maintenance	68,623	443
4. Communications	9,884	64
5. Utilities and fuel	18,934	122
6. Center administration supplies and services	45,168	292
7. Legal and accounting services	N/A	N/A
8. Insurance	N/A	N/A
Total operations and maintenance	156,540	1,011
C. Other operating expenses:		
1. Lease costs	(1)	(1)
2. General and administrative expenses	(1)	(1)
3. Contractors' fee	(1)	(1)
Total other operating expenses	(1)	(1)
Center staff expenses:		
A. Staff salaries, wages, and benefits:		
1. Managerial and support personnel	$90,324	$583
2. Educational program personnel	70,931	458
3. Vocational program personnel	10,619	69
4. Safety and recreational program personnel	10,420	67
5. Guidance and counseling personnel	117,006	755
6. Medical and dental personnel	8,031	52
7. Work project personnel	87,682	566
Total salaries, wages, and benefits	395,013	2,550
B. Staff travel:		
1. Training	4,758	31
2. Other	17,515	113
Total staff travel	22,273	144
C. Staff training	952	6
Total center staff expenses	418,238	2,700
Total operating and staff expenses	797,109	5,146
Less income	(1)	(1)
Subtotal, center costs	797,109	5,146
Enrollee direct costs:		
A. Pay, allowances, allotments	184,486	1,191
B. Travel	35,472	229
Total center and enrollee direct costs	1,017,067	6,566
Work project costs:		
A. Work project supplies	106,563	688
B. Work project equipment, O. & M.	21,024	136
Total work projects costs	127,587	824
Gross cost to appropriation	1,144,654	7,390
Less appraised value of work projects	178,965	1,155
Net cost	965,689	6,235

[1] Not available.

JOB CORPS EXPERIMENTAL AND DEVELOPMENT CENTERS COST DATA, FISCAL YEAR 1968

	Capitol Job Corps Center, Washington, D.C.	Chicago Job Corps Center, Chicago, Ill.	Blue Ridge Job Corps Center, Marion, Va.	Data for 3 centers
Center operator	Westinghouse Learning Corp.	Brunswick Corp., Community Resources Division.	Brunswick Corp., Community Resources Division.	
Activation date	Sept. 17, 1965[1]	Sept. 12, 1966	Nov. 29, 1967	
Total center and enrollee direct costs	$640,835	$1,311,934	$857,872	$2,810,641
Man-years of training	58	105	79	242
COSTS PER MAN-YEAR				
Center and enrollee direct costs	$11,049	$12,495	$10,859	$11,614
Amortization of capital investment[2]	276	276	276	276
Allocation of recruiting, placement, headquarters and regional office expense	772	772	772	772
Total costs per man-year	12,097	13,543	11,907	[3] 12,662

[1] This center was operated directly by Job Corps until Sept. 15, 1966, when the contractor assumed responsibility for operations. The center was closed June 20, 1968.

[2] Represents fiscal year 1968 amortized portion of capital investment which from activation of the centers to June 30, 1968, was as follows:

	Construction and rehabilitation	Equipment	Total
Capitol Job Corps Center		$6,177	$6,177
Chicago Job Corps Center	$74,493	90,678	165,171
Blue Ridge Job Corps Center	156,611	30,286	186,897
	231,104	127,141	358,245

[3] This amount of $12,662 includes costs for the Blue Ridge Job Corps Center; however, Job Corps reported an average cost of $13,028 per man-year which does not include the center because it had been in operation less than 9 months as of June 3, 1968.

COMPTROLLER GENERAL,
OF THE UNITED STATES,
Washington, D.C., May 7, 1969.

Hon. ROBERT C. BYRD,
U.S. Senate.

DEAR SENATOR BYRD: This is in response to an inquiry from your office on May 6, 1969, requesting verification of your understanding of maximum costs per enrollee in the Job Corps program.

According to Job Corps records the highest cost per enrollee has been incurred in its experimental and developmental centers. During fiscal year 1968 three such centers were in operation. Data concerning these centers as furnished by Job Corps for fiscal year 1968 are enclosed.

We trust that the information will be of assistance to you.

Sincerely yours,

ROBERT F. KELLER,
Acting Comptroller General of the United States.

Mr. PROUTY. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. CRANSTON. Mr. President, I yield myself 10 minutes.

Mr. President, the debate on the resolution from both sides, from those for and against the resolution, for and against the motion to recommit, has drifted away from the intent of the resolution to the merits and the demerits of the Job Corps program itself.

The intent of the resolution, as the report from the committee indicates, is to preserve the right and the prerogative of the Congress to consider an ongoing program, through authorization and appropriation processes, before action is taken. This in effect would provide fulfillment of a pledge given by the President when he sent a message to Congress on February 19 telling Congress, the poor, and others, they would be given a full opportunity to be heard before any action is taken changing the nature of the OEO.

We have heard repeatedly from Senators who are opposed to the resolution, quoting from the report of the Comptroller General on the Job Corps. I should like to read what is the most significant aspect of that report. It relates directly to the intent of this resolution. I read from page 66, under the heading "Recommendation." This recommendation follows certain conclusions which indicate there is room for improvement in the Job Corps; that the program should be modified, as all agree who have participated in debate, regardless of their point of view:

> Recommendation: In accordance with the foregoing conclusions, we recommend that the Congress consider whether the Job Corps program, particularly with respect to conservation centers, is significantly achieving the purposes for which it was created to justify its retention at present levels.

The Comptroller General recommends, not that the administration proceed to cut back the Job Corps, but that Congress, in light of this and whatever other information may be available, consider the matter.

We have also heard repeatedly from Senators opposed to the resolution what was referred to today on the floor as an absolute, flat guarantee from Secretary Shultz that every young man and every young woman in the Job Corps now in a camp about to be closed would be given the opportunity for training in an equivalent program if these orders are carried out.

I know that those pledges and those guarantees were made in perfect good faith by the Secretary of Labor. I know, of course, also, that they are accepted in full good faith by those who are opposing the current resolution. The fact, however, is that the Secretary of Labor himself is out of touch with what is actually happening in the Job Corps centers, and he is unable to provide the assurances which I feel we need and which others feel we need if the pledge, that there will be an opportunity for every young man and every other woman, is to be fulfilled. They have never indicated that there would be an early opportunity, nor necessarily any opportunity, for those who are waiting in line to go to camps. Indeed, the Secretary of Labor has failed to answer a telegram asking how many were shut off at that stage of the process.

But going now to these pledges, let us see what is actually happening in the camps.

In order to ascertain what is happening in the camps which have received the closing orders, a wire was sent, on May 2, to the heads of all 54 camps facing total closure—not partial closures, or those saved by subsequent second-thinking—but the 54 which face total closure.

Replies came back from 52 of those 54 camps, responding to the following questions:

> 1. Has a team from the Employment Service visited your center subsequent to the announcement that it was to be closed?
>
> 2. How many of your enrollees have they personally interviewed?
>
> 3. Have they, at this point, developed specific alternative plans for each youngster which will enable him to continue training either at another Job Corps Center or in some other Manpower program?
>
> 4. What is their advice to the youngsters who indicate they are returning home? Do they have a specific plan worked out for them?

Mr. President, the answers to those wires were shocking. They show that there are no adequate answers to those questions to meet the needs, the hopes, the dreams, and the careers of those who were seeking training in Job Corps centers.

Why is that happening? Why are there no good answers?

The reason is there is no real possibility of rendering such answers.

These wires come from a geographical spread, all across the Nation. They indicate that there is total chaos, that there has been no planning, that there is absolutely no way in which the pledge of the Secretary of Labor, accepted in good faith by many Senators, can be fulfilled.

I shall now read from some of the telegrams. These are a representative cross section of what is contained in all of them:

One wire says:

> It is interesting to note that most corpsmen do not meet entrance criteria for Manpower Development and Training Act programs. Also, these programs seem to be filled. Employment Service staffs in the corpsmen's home towns seem extremely reluctant to make any firm commitments as to placement. The usual extent of the phone call is that (1) the home town employment service man will say, "Have the boy stop in when he gets home and I will talk to him." It has been difficult to get more definite statements. The problem seems to be in the corpmen's home towns.

Another wire:

> Training programs either do not exist, are filled, or are not designed for the segment of the poverty population that is in the Job Corps.

Another wire:

> The Employment Service team has no specific plans to implement upon arrival at the center. They informed the corpsmen that the Employment Service had nothing to do with transfers to other centers, and that it was very doubtful if any Federal training program would be available to them at this time. The corpsmen returning home were told (a) to report to the local Employment Service with a Form 511; (b) that it was doubtful if any MDTA or other training programs are available at this time; and (c) it was doubtful that those who were still unskilled and without a GED certificate will be able to find further employment at this time. There is definite confusion and uncertainty on the part of the Job Corps terminee.

Another wire:

> Neither the Employment Service counselor nor I have received any instructions or information about vacancies that are now open in other Manpower Training programs. At this time we are doubtful that enough vacancies will occur to accommodate all corpsmen wishing to transfer. The only advice we can give the exiting corpsmen, with the limited information available, is to tell them to report to the local Employment Service office. We cannot guarantee them a job or placement in another training program. Our outlook is dim that we will be able to accomplish this goal before our closure on June 30.

I could go on reading these telegrams at great length and find the same thoughts. All of them indicate exactly the same thing: That these promises cannot be kept, that there is great confusion and uncertainty on the part of the administrators of the Job Corps centers that are being closed as well as the enrollees, and an almost total dashing of the hopes that these young men and young women have that they will have an opportunity to continue their training.

It is for these reasons that many of us believe this resolution should be adopted and that the commitment resolution should be defeated. We seek to insure that there will be adequate time for these people to be taken care of; to preserve the right of Congress to deal, through its appropriation and authorization processes, with matters of this import, with programs which have been created by acts of Congress.

Mr. President, I ask unanimous consent that the 52 telegrams I have referred to be printed in the RECORD at this point.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

MAY 2, 1969.

Would deeply appreciate your responding to a few questions for me.

1. Has a team from the Employment Service visited your center subsequent to the announcement that it was to be closed?

2. How many of your enrollees have they personally interviewed?

3. Have they, at this point, developed specific alternative plans for each youngster which will enable him to continue training either at another Job Corps Center or in some other Manpower program?

4. What is their advice to the youngsters who indicate they are returning home? Do they have a specific plan worked out for them?

The answers to these questions will be most helpful to the Committee. We would appreciate a speedy reply—by telegram if possible.

ARIZONA

KINGMAN, ARIZ.,
May 5, 1969.

In reply to your May 2nd telegram received 5/5, the following information is furnished:

1. Yes, Tom Landa, from Phoenix ES office.

2. All who want to return home upon closure, 79 corpsmen.

3. No, job opportunity listings have not been furnished E. S. counselors.

4. He has taken names and home addresses and is advising C/M to report to nearest E.S. office, giving them the address. He is instructing corpsmen to inquire at the E.S. office in their home town by any Manpower Training programs. He is instructing C/M that their readjustment allowance will be picked up in the same E.S. office for C/M staying in Job Corps over six months. Readjustment allowance for those staying less than six months will be determined by Job Corps. E.S. counselor will furnish list of names to local E.S. agencies so that they will be expecting Corpsmen.

BEN MURDOCK,
Center Director, Kingman Civilian Conservation Center.

WINSLOW, ARIZ.,
May 6, 1969.

COMMISSIONER, BUREAU OF INDIAN AFFAIRS,
Washington, D.C.:

In response to your telegram received Winslow Job Corps Civilian Conservation Center, May 3, 1969. Arizona State Employment Service representative started interviews of corpsmen, April 28. Thirty-two interviews completed as of May 1st. Interviews continue. This Center has not been advised of alternatives for corpsmen to continue training at another center or manpower program.

The employment service representatives are advising corpsmen returning home, to contact their local employment service office. Local employment office being so noti-

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fied. Indications are that corpsmen will be given priority in placement in MDTA. Neighborhood Youth Corps. NABS programs.

PAUL BARNES,
Center Director, Winslow Job Corps Civilian Conservation Center.

GLOBE, ARIZ.,
May 4, 1969.

The following are answers to your telegraphic inquiry Saturday, May 3, 1969, regarding follow up placement for corpsmen in training at this Center.

1. One E.S. counselor visited this Center part of the week of April 28th.

2. Approximately ½ (one half) of 40 corpsmen who want to terminate as a result of the announced closure.

3. No specific placement plan has been developed for the terminating corpsmen from the San Carlos Job Corp Center.

San Carlos corpsmen have been instructed by the E. S. counselor to report to the screening agency in their home town responsible for their induction into the Job Corps.

4. Corpsmen are told by the E. S. counselor to report to their home town screening agency. No known follow up placement plan has been developed for departing corpsmen at this Center, except to report to their screening agency. The E. S. counselor told the Center he did not know what was planned for the future training and or placement of corpsmen.

Chairman Perkins: As you may already know, San Carlos J. C. center is rated 9th in the Nation. Only 7 centers operate at a lower cost per corpsman man year. San Carlos has a unique Spanish to English language program involving 25/35 corpsmen at all times who do not speak English when they arrive. These young men are extremely worried about what is to happen to their future. San Carlos consistently enrolls 15/30 Indian corpsmen. San Carlos has a very good racial balance of corpsmen and staff; Negro, Indian, Mexican American and Caucasian. It is good business to keep the best located. Most effective, and efficient center in operation—and this Center has a four season working climate.

CLYDE J. STIMPSON,
Center Director, San Carlos Job Corps Civilian Conservation Center.

CALIFORNIA

REDDING, CALIF.,
May 4, 1969.

Reply per your request.

1. Yes, on April 29 a team of one.

2. 80 percent of the 105 on board. 50 enrollees resigned or were discharged during the first two weeks after closure announcement—a very unusual loss.

3. No, 20 percent to be interviewed. Team member has encouraged enrollees to remain in Job Corps and wait for assignment to another Job Corps center.

4. Team member advises those enrollees who wish to return home that she can only guarantee eventual assignment to another Job Corps center. It appears there are no identifiable specific plans at this time.

GRANVILLE W. TILGHMAN,
Toyon Job Corps Civilian Conservation Center.

RIVERSIDE, CALIF.,
May 4, 1969.

In response to your telegram of 5-3-69 I am also deeply concerned about the future of Job Corps enrollees particularly those here at the Los Pinos Conservation Center. The following is in response to your questions.

1. Mr. Joe McDonald employment service counselor arrived on center April 29th. He plans to remain on center until our job is completed. His cooperation and assistance has been good. However he is limited in the assistance he can give due to the lack of direction he has. For your information to clarify our response to questions 2, 3, and 4 we proceeded upon receipt of the official word of closing to establish a plan of action designed to deal reastically with our corpsmen and staff. Corpsmen through their corpsmen advisors (staff members) made the initial basic decision to remain in the program or to terminate their enrollment. These decisions were reviewed by my key staff and some corpsmen were further counseled. Therefore at the time the E. S. representative appeared on center we were able to furnish him with a total roster of our population subdivided into the following catagories: 1, going home, 2, transfer to another center. Many corpsmen chose to resign rather than transfer to another center.

2. As indicated above Mr. McDonald could not see where he could improve on the interviews already accomplished by our staff. Therefore he is assisting our conselor to exiting corpsmen. All exiting corpsmen are interviewed before their departure.

3. All corpsmen that wish to remain in Job Corps are remaining on center until an opening occurs at another center. To date 20 corpsmen have been offered transfers to other centers. Neither Mr. McDonald nor I have received any instructions or information of vacancies that are now open in other manpower training programs. At this time we are doubtful that enough vacancies will occur to accommodate all corpsmen wishing to transfer.

4. The only advice we can give for exiting corpsmen with the limited information available is to report to their local employment office. We cannot guarantee them a job or placement in another training program.

We should note that the E. S. counselor and my staff and I will do everything possible to obtain jobs for other training programs for our corpsmen. As stated above our outlook is dim that we will be able to accomplish this goal before our closure on June 30th.

PAUL C. SWEETLAND,
Center Director, Los Pinos Job Corps Center.

PALMDALE, CALIF.,
May 5, 1969.

Replying to your telegram dated 5-3-6, answers to your numbered questions are as follows: (1) Yes, two State employment counselors were here Tuesday through Friday, April 29–May 2. (2) They personally interviewed 29 enrollees out of about 119 on board; 29 is the number of enrollees at our center who indicated a preference to return home after careful interviewing by our own vocational committee. (3) Generally, no; they have developed alternative proposals. Approximately 12 corpsmen returning to the area under the counselors' jurisdiction. However, none of these proposals are so specific as to be a firm commitment for further training, due mostly to prior commitments to adults in local area. Transfers to other Job Corps centers are so far being handled by TWX from R. J. Conroy, associate director, Job Corps CCC. We have been authorized 10 transfers to Gary, Tex., and 10 transfers to Clearfield, Utah, urban centers within the next few days. (4) They can only advise corpsmen returning to States other than California to report to the corpsmen local employment service office, where counselors are supposed to have the information necessary to assist the corpsmen further. (5) They are unable to make specific plans for corpsmen returning home in the local area. This appears to be prior commitments. In States other than California, this is due to the fact that ES counselors reporting to us have no jurisdiction or information relating to specific opportunities, placement, or training outside their own area.

STANLEY LYNCH,
Fenner Canyon Job Corps Conservation Center.

SONORA, CALIF.,
May 5, 1969.

Re your telegram May 3, 1969, following are our answers:

1. Yes—Mrs. Little from YOC in Stockton visited center for two days, on April 29 and April 30, 1969.

2. 23 corpsmen had indicated intent to return home. All 23 were interviewed.

3. There were no manpower training plans known to the interviewer for these corpsmen who wished to return home. There were no definite job placements known.

4. Corpsmen were advised to report to YOC or employment office in their home area. Employment services would try to work out something. There was no specific plan developed for them at this time.

Director ROBERT L. ROYER,
Five Mile Job Corps Civilian Conservation Center.

YUCAIPA, CALIF.,
May 3, 1969.

The following are answers to your questions by telegram received at this center 0900 hours Saturday May 3.

1. Yes. Mr. William Capron and Mr. William Ashcroft from Colton WOC interviewed Corpsmen at this center on April 22.

2. They personally interviewed 41 Corpsmen. Some have already transferred to other centers. They did not interview those Corpsmen who had elected to transfer to other centers.

3. No specific plans were communicated to Corpsmen or center staff by the team.

4. The team advised the Corpsmen who are returning home to report to their local WOC and employment service office for interviews. No specific plans have been worked out for them.

JOE E. GRIGGS,
Center Director, Oak Glen Job Corp Center.

WILLOWS, CALIF.,
May 3, 1969.

In reply to telegram of May 3, 1969.

1. Yes, one man arrived 4-29-69 thru 5-1-69.

2. Interviewed: 46 Corpsmen who wanted to go home out of 141 present at center 4-29-69—11 out of 46 decided to stay with Job Corp after interview.

3. No. Employment Service representative was not given direction to develop specific alternatives.

4. Most were advised to contact employment service office when arrived home. No specific plans.

DEAN LLOYD,
Director, Alder Springs Job Center.

PLACERVILLE, CALIF.,
May 5, 1969.

The following in reply your telegram dated May 3.

1. One man half day for two days one man and two women three quarters of third day.

2. None.

3. None, Any alternative plans for our Corpsmen have been done by center staff only.

4. None, as result of answer to your question number two.

WILLIAM O. COTTER,
Center Director, Sly Park Civilian Conservation Center.

PLEASANTON, CALIF.,
May 6, 1969.

Per your telegram of May 2, 1969 the following is in response to your questions:

1. Yes employment service arrived approximately April 28.

2. Twenty-six corpsmen interviewed. These were corpsmen who were resigning.

3. Employment service representatives are making copies of information received from resigning corpsmen, during their interview,

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relative to their training interests. A copy of this information is then sent to his hometown screener.

4. Advice given by employment service representatives to corpsmen interviewed is to report to the local department of employment upon returning home.

Eugene R. Allen,
Center Director, Parks Job Corps Center for Men.

COLORADO

Pagosa Springs, Colo.

Reurtel, May 2. Center received official closure notice April 25. E S counselor team visited center on April 28–29. At my request they interviewed only 38 corpsmen (those who elected to return home). Transfers to other centers being arranged by Washington OEO/Job Corps. No action necessary from E S on those individuals. E S did not work out an individual plan for each terminee but did prepare résumé of individuals qualifications for submission to his local E S office. Also referred terminee to his local E S office for possible placement in job MDTA, NYC, etc.

Randall R. Hall,
Center Director, Pagosa Springs Job Corps Center.

IDAHO

Mountain Home, Idaho,
May 6, 1969.

Following are the answers to the questions contained in your wire of May 2:

1. A team from the Employment Service has visited the center subsequent to the announced closure. They were here on April 29, 30, and May 1.

2. A total of 67 enrollees were interviewed.

3. I do not at this time have any knowledge of specific plans developed for each youngster which would enable him to continue in other manpower programs. Enrollees desiring to remain in Job Corps are being transferred to centers remaining open.

4. Enrollees returning home are being advised to contact the Employment Security Office nearest their home. I do not have any knowledge of a specific plan worked out for them.

John S. Boyles,
Center Director, Mountain Home Job Corps Civilian Conservation Center.

Grangeville, Idaho,
May 5, 1969.

1. Team of 3 Employment Service representatives and 1 OEO representative visited our center for two days subsequent to the announcement.

2. They personally interviewed 66 CM.

3. They had not developed any plans for placing CM at other centers or in other programs. They interviewed only those who planned to separate from the JC. MDTA is not applicable because most of our CM do not meet the age requirement and are from areas where no MDTA is available. Jobs and training possibilities are not available. Chief Employment Service representative stated that CM would receive letters from their Employment Service advising them to remain in the Job Corps.

4. No plan worked out and no advice given to CM returning home except to remain in JC.

5. Almost all CM are depressed at thought of returning to their home environment. Letter follows.

Paul McNutt,
Center Director, Cedar Flats Job Corps Center.

ILLINOIS

Carterville, Ill.,
May 5, 1969.

In reply to your telegram that was received May 3, 10:30 a.m., the local Employment Service contact the center by phone subsequent to the announcement of closure to ask if they could be of help. However, by the time of this contact all corpsmen who wished to terminate from the program had already been sent home. The reason for this early termination was due to the public announcements by radio and TV and newspaper. There was a great deal of unrest among the corpsmen to return to their homes. All Job Corps procedures were followed in regard to terminating. Corpsmen with reference to the Employment Service in their home area. The center director indicated that if in the future the center needed help he would contact the local Employment Service office.

Eugene Stevenson,
Center Director, Crab Orchard Job Corps Civilian Conservation Center.

IOWA

Clinton, Iowa,
May 3, 1969.

In reply to your May 3 wire regarding placement of terminating Corps women we appreciate you continuing concern for their welfare answering your specific questions.

1. Two representatives from the Employment Service Office are on center each day Monday thru Friday.

2. To date have interviewed 43 of the 760 Corps women on board.

3. Employment Service teams are attempting to formulate plans by phoning Corps women's home area Employment Service Offices examples of plans—XXA—Boys jobs limited to domestic work training not available due to small size community. Will have to relocate when babies health permits.

B—Returning to high school.

C—Contact Employment Service Office no commitment.

D—MDTA business program open if she can pass test. No MDTA for nursing, which was her Job Corps vocational area DA.

E—MDTA business program open if she can pass entrance test. No MDTA for nursing, which was her Job Corps vocational area.

3—Report to Opportunity Center. Clerical jobs appear plentiful.

F—Report to Employment Service Office. No commitment over phone, no training program opened now.

G—CEP, Charles Edgar Paul program, can probably place in employment.

H—Eligible win program.

I—Report to ES Office.

FM—No training program, but possibly employment as nurse aid.

J—Report to YOC very little in training programs, but might be able to place as nurse aid.

K—Go to ES Office; they will get into MDTA or another training program.

L—Planning to open child care center in priority area. Might be opening there.

4. Employment Service advise for Corps women to report to local Employment Service Office or YOC when they return home. Very few specific commitments as above examples indicate. We sincerely hope this information will be valuable and informative to your committee. We are grateful for your continued interest.

Dr. William A. Atkins,
Director Job Corps Center for Women, Clinton, Iowa.

KENTUCKY

In reply to your telegram May 3, 1969 addressed Center Director, Cumberland Gap, he advises me as follows:

"1. Three representatives of the employment service reported to the Center on Wednesday, April 30.

"2. Our counselor states that they have talked with approximately 20 corpsmen.

"3. We are handling all transfers through Mr. Conroy's OEO office. The employment counselors have been very cooperative.

"4. At this point no definite plan has been worked out for any corpsmen. Many of our corpsmen are 16 and 17 years of age and are not eligible for manpower training programs. The counselors also feel that all opportunities for training are filled until FY 70. Approximately 43 are transferring and 60 are returning home.

"Cumberland Gap Job Corps Civilian Conservation Center,
"Cumberland Gap, Ky."

Charles S. Marshall,
Acting Regional Director, National Park Service, Richmond, Va.

Frenchburg, Ky.,
May 5, 1969.

1. Yes.
2. 26.
3. Yes.
4. To report to specific referral organization in their home area in order that other training programs can be made available to them part.

Question 4. Yes in all cases except where a termination corpsman desires to check out his personal possibilities.

Dale Fisher,
Center Director, Frenchburg Job Corps Civilian Conservation Center.

(For Cumberland Gap Center, see Virginia.)

MAINE

Poland Spring, Maine,
May 5, 1969.

In response to your your telegram of May 2 asking questions concerning employment service representatives, the following answers are submitted: 1. Representatives from employment services have been present at this center since April 24. 2. They have interviewed approximately 15 enrollees who have elected to resign from Job Corps rather than transfer to another Job Corps center. 3. The employment services teams have the responsibility only for arrangements concerning enrollees not wishing to remain in Job Corps. The center, with assistance of Job Corps Headquarters, has the responsibility for arranging transfers of corpswomen to other Job Corps Centers. In other words, employment services representatives will be working only with those young women who choose to resign from Job Corps. It appears that employment services representatives are encountering difficulties in either finding programs or in counseling enrollees to take advantage of available programs. Thank you for the opportunity of testifying before your committee.

Robert G. Lake,
Center Director, Poland Spring Job Corps Center for Women.

Bar Harbor, Maine,
May 6, 1969.

The following is furnished in answer to your telegram of May 2.

1. One employment service representative was on the center April 28 to May 2nd.

2. Twenty one corpsmen were interviewed.

3. Since interviewed fourteen of these corpsmen were returned home at their request. Two were transferred to Breckenridge Job Corps Center and five remain on center.

4. Corpsmen are advised to contact their local employment service office.

No specific plans known.

Clarence O. Densing,
Center Director, Acadia Job Corps Civilian Conservation Center.

MARYLAND

Hagerstown, Md.,
May 5, 1969.

Ref your telegram info request herewith. (1) 3 members Md. Dept. Employment Security visited center April 28th. They did not have info on placement opportunities avail. Arranged to return on May 6th, asked staff for full résumé of progress of each corpsman from Maryland. (2) None. (3) None to our knowledge. (4) None to our knowledge.

Glenn Hill,
Catoctin Job Corps Civilian Conservation Center.

XUM

MASSACHUSETTS

SOUTH WELLFLEET, MASS.,
May 6, 1969.

Reyrtel May 2nd answer to your questions are:

1 A Yes.

8 A QR.

3 A No, referring to employment organizations at home.

4A—Same as 3.

4B—No.

ROSS D. HARRISON, JR.,
Acting Center Director, Wellfleet Job Corps, Civilian Conservation Center.

MICHIGAN

MARENISCO, MICH.,
May 5, 1969.

Following is the reply to your questions about employment service assistance to Ojibway:

1. Three people from the employment service spent a total of 4 man days at Ojibway between April 30 and May 2.

2. They interviewed a total of 28 corpsmen.

3. No specific plans were developed since the employment service people who came here said they did not have sufficient available information on other programs.

4. Advice to youngsters returning home is to contact their original screener of the employment service there. No specific plans were worked out for individuals.

These employment people left on May 2 and indicated they were thru here.

JAMES R. LIST,
Center Director, Job Corps Center Civilian Conservational Center.

CADILLAC, MICH.,
May 3, 1969.

1. Yes, an employeemnt team has visited Hoxeyville.

2. 32 Enrollees have been interviewed.

3. The team has been primarily interested in enrollees resigning from the center and have not contacted any that are transferring to other centers.

4. Each enrollee returning home has completed an application form for personal interview, has been instructed relative to location of employment officer in his immediate home area, has been counciled and has been presented a card introducing him to employment counselors. Information is also being mailed to each employment agency involved and a Job Corps form 75 is included. Information has also been requested by the employment service members pertinent to all resignees and all AWOL discharges on and after 4-21-69. They will also receive a copy of JC 75 and this information will also be mailed to employment agencies in area concerned.

FLOYD MARITA,
Center Director, Hoxey Job Corps Civilian Conservation Center.

MINNESOTA

CASS LAKE, MINN.,
May 5, 1969.

Your telegram asking for specific information concerning this dislocated corpsman has been received in as much as I have been directed to respond to request for information thru normal forest service channels I must inform you that a reply will be prepared expiated thru these channels shortly.

WILLIAM MORDEN,
Director, Lydick Lake Civilian Conservation Center.

CASS LAKE, MINN.,
May 6, 1969.

The information below is in response to your telegram to Wm. D. Morden, Center Director, Lydick Lake, concerning corpsmen displaced by the closure of the center:

"1. One man from the Minnesota State Employment Security Commission visited the center subsequent to the closure announcement.

"2. All necessary paperwork was completed by center staff prior to the visit. No personal interview was conducted.

"3. ES Representative is referring all corpsmen not from Minnesota to the ES people nearest their home. Those from Minnesota are being handled by the Minnesota Employment Security Commission.

"4. We are not knowledgeable of any specific plans for dislocated corpsmen when they return home. Each corpsman is directed to contact his local ES Representative upon his arrival home.

"LYDICK LAKE JOB CORPS CIVILIAN CONSERVATION CENTER."

CHESTER H. OLSON,
Job Corps Coordinator, U.S. Forest Service, Milwaukee, Wis.

ROCHERT, MINN.,
May 5, 1969.

In reply to your telegram dated May 23rd, the following answers to your questions are: No. 1, yes, No. 2 none, No. 3 (a) specific plans for corpsman wishing to transfer to other Job Corps centers have been made, (b) ES Counselors indicated they could not offer specific programs for corpsman returning to State other than Minnesota. No. 4 (a) they will advise corpsmen who are returning home to report to the local employment security office, (b) no.

DOYLE A. HUGHES,
Center Director Tamarac Job Corps Civilian Conservation Center.

MISSOURI

ST. LOUIS, MO.,
May 3, 1969.

In reply to your telegram dated May 3, 1969, answer to questions follow: question #1, yes, two people, both are recruits; question #2, 35 enrollees from Tuesday, April 29 to Friday, May 2; questions #3 and #4, St. Louis centers counselors handle transfers. So far no specific alternative plans for the enrollees that are terminating has been worked out. A few girls that desire to relocate have been driven to local gatehouse. No significant results.

ALOYSIUS ANDROLEWICZ,
Director,
St. Louis Job Corps for Women.

POPLAR BLUFF, MO.,
May 3, 1969.

The answers to your questions in reply to your telegram received today: 1. Yes. 2. 57 to date. 3. 70 of our 200 enrollees will transfer to other Job Corps Centers, the rest will return home. No placement in alternative programs have been made by E.S. at this time. 4. Advice consists of referral to home town E.S. office for hope of placement on U job or other training. No special plans worked out for them. No definite referrals or placements for any youngsters returning home. Our information from a Twx received from O.E.O. office in Kansas City May 2 indicates only five placements of displaced corpsmen as a result of interviews at eight centers.

E. J. VANDERMILLEN,
Center Director, Poplar Bluff Job Corps Civilian Conservation Center.

NEBRASKA

OMAHA, NEBR.,
May 5, 1969.

Reference your telegram of May 3 re future of Job Corps enrollees. . . . Replies to your questions follow:

1. No; however, the director for unemployment for the State of Nebraska, Mr. Keith Myers, has volunteered whatever support is needed to make the transition orderly. One representative from his office is available to counsel students who elect to return home rather than be transferred to other Job Corps centers.

2. Twenty-six as of this date.

3. The ES representative talks mainly to those electing to leave the Job Corps program. He acquaints each departee with the local manpower program available in her community. The center, as a representative of the OEO has been handling all transfers to other JC centers.

4. Each is handled on an individual basis as previously stated, they advise them concerning job opportunities available in their home community and other federally sponsored manpower programs for which they are eligible.

L. H. GLAAB,
Acting Center Director, Omaha Women's Job Corps Center.

NEVADA

CARSON CITY, NEV.,
May 3, 1969.

The following information is submitted in response to your telegram to the Clear Creek Job Corps Center, Carson City, Nevada, regarding employment service assistance to relocating corpsmen because of center closures.

1. Clear Creek has had excellent relations with employment service personnel since 1965. Employment service personnel have visited the center on several occasions but specific visits were not made to the center immediately prior to or after our announced closure.

2. A person from employment security has been on the center during the past week. I estimate he has personally interviewed about 80 youths.

3. It is my understanding that the development of specific alternatives for each youth departing the center presents a complex situation to local employment service personnel. I am confident that at this time specific alternative plans for all individuals concerned have not been formed relative to actual placement in other manpower programs or transfers to other Job Corps centers. For corpsmen wishing to transfer to other Job Corps centers I anticipated some difficulties in matching a youth current training area and interests with comparable opening in receiving centers.

4. Resigning youths are being advised to go to their local employment service offices when they arrive home for placement in other training programs. I am not aware of the extent of the training programs available in a youth's home area nor the time factors which might be involved in actual placement if openings are available. To my knowledge local employment service personnel who are working with us do not know what actually is available to the youth when he returns home in most cases because of the number of areas involved. If we can be of further assistance please advise.

GEORGE M. SMITH,
Center Director, Clear Creek Job Corps Civilian Conservation Center.

NEW JERSEY

EDISON, N.J.,
May 5, 1969.

We are pleased to supply the following in answer to your questions:

1. Yes, they arrived and began work on April 29th with a daily average of 8 persons interviewing, departure date is unknown.

2. Team has interviewed 275 graduates to date out of a possible 471 corpsmen those are to graduate Kilmer during May they are giving graduates priority in interview since many of those terminating choose not to be interviewed by employment service they have only seen 62 out of 137 who have chosen not to transfer and are not eligible to graduate 200 corpsmen are presently AWOL most of whom will possibly not return for interview by employment service.

XUM

3. OEO is offering corpsmen transfer to Atterbury or Breckinridge employment services main interest is in placing May graduates they are referring terminees other than graduates to local employment services offices for future placement effort.

4. They are urging each corpsmen returning home to contact employment service representatives as soon as possible after arrival.

I trust these answers will be of value if I can be of other service please let me know.

Webber,
Center Director, Kilmer Job Corps Center for Men.

NEW MEXICO

Grants, N. Mex.,
May 5, 1969.

In reference your telegram this date;

(1) Yes.

(2) 30 enrollees personally interviewed.

(3) No.

(4) They have set up interviews with employment service vocational counselors when they return home.

Thank you for your concern,

D. M. Bird,
Center Director, Grants Job Corps Civilian Conservation Center.

Las Vegas, N. Mex.,
May 3, 1969.

In reply your telegram May 2, 1969:

1. Yes.
2. Twenty-two corpsmen they did interview.
3. No only to one corpsmen.
4. Their advice was to stay in Job Corps program. No specific plans worked out.

Maurice Marchbanks,
Luna Job Corps Civilian Conservation Center.

Mountainair, N. Mex.,
May 6, 1969.

Re your telegraphic request of May 2 1969. 1. yes, a team of three members from New Mexico State Employment Service spent six days on this center. 2. the esp personally interviewed 38 enrollees. 3. no. 4. the esp has encouraged all corpsmen to remain in job corp. Corpsmen who do not want a transfer and would be terminated were interviewed and a card filled out for the es office.

They do not have precise plans for the terminating corpsmen.

Charles R. Hartgraves,
Center Director, Mountainair Civilian Conservation Center.

Mescalero, N. Mex.

Reference your telegram to me dated May 2, 1969. The information you requested is furnished below in the same sequence as the questions asked:

1. A team of two interviewers and one counselor visited the 8-canyon center subsequent to the announcement of its closure.

2. All enrollees at the center ie 128 have been personally interviewed.

3. Specific alternative plans which would enable youngsters to complete training at another job corps center or some other manpower program have not been developed because suitable openings are not available.

4. Advice given to youngsters who have indicated interest in returning home is to stay in job corps and transfer to another center. They have advised corpsmen who prefer to return home to enroll in a manpower program, if possible, or attempt to find a job.

Specific programs have not been worked out for corpsmen returning home.

Copies of this wire have been furnished bureau of Indian affairs area and Washington offices.

Clark Stanton,
Center Director,
Eight-Canyon Job Corps.

NORTH DAKOTA

Dickinson, N. Dak.,
May 6, 1969.

I have received your request for information on phasing corpsmen out of the Job Corps program. The following answers to your questions are given so that you may evaluate the progress being made in placement of corpsmen either in other training programs or specific development plans. (1) A B team from the employment service has visited the center and worked with corpsmen who do not want to continue Job Corps training, during the past week they have interviewed nine corpsmen for additional training or job replacement outside the Job Corps. In all cases no specific plans for placement have been developed. They are to continue with these interviews on May 5. It is hoped that remaining 50 will be interviewed for placement and development of specific plans this week.

Edwin R. Butler,
Acting Center Director.

OHIO

Pedro, Ohio,
May 5, 1969.

Reference your telegram 5/2:

1. Team from Ohio employment service is scheduled to visit the center beginning noon May 5th.

2. Expected that they will interview approximately forty Corpsmen.

3. A Mr. Curtin from Columbus office has informed me by phone that they will only be able to place Ohio Corpsmen. They will send information on out of State Corpsmen back to local employment offices.

4. I am not able to answer this at this time if you wish I will keep you informed on this point in item 3 as interviews are held and information becomes available.

Paul R. Natale,
Vesuvius Job Corps Civilian Conservation Center, Pedro, Ohio.

Port Clinton, Ohio,
May 5, 1969.

Reference to telegram, May 3: 1. One Job Corps screener out of Cleveland, Ohio; three State of Ohio mobile employment unit workers and one State of Ohio Job Corps coordinator were here on center April 29 thru May 2nd. The Job Corps screener and the three mobile employment unit workers will return on Monday, May 5th. 2. This team has personally interviewed 41 enrollees of the 78 scheduled to terminate. 3. Each team member has made contact with the Employment Service office in each enrollees hometown. Request for allotment of specific training and/or vocational rehabilitation slots have been channelled thru the Employment Service in each enrollees hometown. This procedure has been followed also where specific job contacts have been made transfers are being channelled by O.E.O. 4. Enrollees under 18 years of age have been advised to enter a program at home or return to school. Efforts are being made to obtain jobs for those enrollees 18 years and over. 4A. There was no significant plan arranged for placement of young men, especially those outside of the State of Ohio, altho they contacted the screeners of all corpsmen who desired to go home or be placed. There was fair success in finding placement. To get an overall picture other centers should be contacted.

John L. Fulbright, Jr.,
Center Director, Ottawa Job Corps Civilian Conservation Center, Port Clinton, Ohio.

OKLAHOMA

Sulphur, Okla., *May 5, 1969.*

1. Team from E. S. here seven working days. A conscientious team, concerned about what to do with C/M and staff.

2. No. C/M originally desiring to go home 26 team interviewed approx.—20 gone or going home as a result—10 all other C/M desire Job Corps program.

3. No C/M going home must contact local E.S. for jobs or training. Only local E.S. knows availability of such local opportunities. Above calls made. Nothing firmed up. Local E.S. agreed to provide usual service with preferential treatment.

2. No. Their only advice was to contact local E.S. counselor when they arrive home.

Thanks for your interest in worthwhile program. Program successful by showing it has corrected many deficiencies but has been treated by unfavorable political action at all levels. Center has 93 C/M Friday AM—Center placed one C/M on job Friday. Present now at Center 92.

Result of closure announcement: Lost or AWOL—13; resignations—4; medical discharges—2.

Edward C. Rodrigueze, Jr.,
Arbuckle Job Corps Civilian Conservation Center, Sulphur, Okla.

Heavener, Okla., *May 5, 1969.*

Here are the answers to your questions concerning assistance rendered terminating our corpsmen:

1. Yes.
2. 45, a number of these have decided to stay in Job Corps.
3. No.
4. (A) To report to the local employment office at home when specific plans can be formulated. (B) No.

We appreciate your interest and concern for the future of these boys.

Bennie R. Woods,
Center Director, Hodgen Job Corps Civilian Conservation Center, Hodgen, Okla.

OREGON

Tillamook, Oreg.,
May 5, 1969.

Below are answers to questions in your telegram of May 2, 1969: 1. Employment Service team arrived Tuesday April 29th. Center received a call on Friday April 25 for arrangements to visit following week. Concerning closure we have not received any official statement from the Department of the Interior. The situation is confusing. Center received telegram from Secretary of Labor indicating plans for closure. Mr. Peet (Manpower Admin.) telegram indicated 5 urban centers to be closed, and E.S. counselors to arrive at urban centers. At bottom of this telegram statement indicated conservation centers would receive notification on May 1st. OEO informed centers of proposed visit by Employment Service team. Specified team should talk only to corpsmen desiring not to transfer.

First two paragraphs of Kenneth Robertson, regional Manpower Admin. to Russ Morgan, Commissioner, Dept. of Labor, Salem, Oregon, were as quoted "The following Job Corps centers are now in the process of being deactivated and are scheduled to close in three weeks: Alpine, Kingman, San Carlos, Sly Park, Toyon, Los Pinos, Koko Head, Cedar Flats, Mountain Home, Clear Creek, Malheur, Tillamook, Cispus, and Moses Lake. Department of Labor commitment for services to Job Corps enrollees in centers being deactivated is now modified to provide transfer to another center for any Job corpsman who desires it even if this necessitates providing additional bed capacity in remaining centers.

"Therefore you are requested to immediately provide as counselor teams to report for duty in the above centers no later than Thursday morning, April 24. Counselor teams should be instructed as follows: "Tillamo Center was made a conference call with Employment Service representative present to

XUM

Job Corps headquarters on April 29 to clarify situation. Job Corps headquarters stated: "Headquarters office was handling all transfer of 448 vacancies 447 filled and would inform centers as vacancies occurred."

2. 37 enrollees interviewed on Tuesday, April 29 thru Thursday, May 1st. The Employment Service team departed the center Thursday, May 1 when it was mutually agreed upon that their exact function was certainly unclear.' The Employment Service team was willing to delay any of their activities with corpsmen until the center director was informed as to their exact reason for being sent to the Job Corps center.

3. This question certainly makes clear the role that the center director had in mind for the employment service team to be concerned with; however the employment service team had no specific plans to implement upon arrival at the center. They informed the corpsmen that the employment service had nothing to do with transfer to other centers and that it was very doubtful if any federal training program would be available to them at this time.

The employment service teams only plan upon arriving on the center was to interview corpsmen who were terminating and filling out a Form 511 which is the regular job application used in applying for work with the employment service. No definite referrals were made, and the corpsmen are told to report to the employment service for job assistance when arriving home.

4. The corpsmen returning home were told (A) report to the employment service with Form 511. (B) it is doubtful if any M.D.T.A. or other training programs are available at this time. (C) it is doubtful if unskilled Job Corps returnees without a G.E.D. certificate will be able to find sound employment at this time.

No specific plan—except for the definite confusion, and uncertainty on the part of the Job Corps terminees and the center staff who feels a responsibility to the corpsmen.

It should be noted that the employment service team were definitely sympathetic about the decision to close Job Corps centers, because they had functioned as Job Corps screeners for the past seven years. They expressed regret as to the assignment they had been given.

RICHARD W. SCHLACHTER,
Director, Tillamook Job Corps Civilian Conservation Center, Tillamook, Oreg.

BURNS, OREG.,

This replies to your communication of 5–3–69. Advised all congressional inquiries relating to legislation must be coordinated through the Secretary of Interior. Would appreciate submitting your requests to that office.

MALHEUR JOB CORPS CIVILIAN CONSERVATION CENTER.

PENNSYLVANIA

WARREN, PA.,
May 5, 1969.

Reference your telegram to Blue Jay Center Director William Erickson. As of May 5 no employment service personnel have visited Blue Jay subsequent to closure announcement. Consequently replies to all other questions are negative.

RALPH H. FREEMAN,
Supervisor, Blue Jay Job Corps Civilian Conservation Center, Warren, Pa.

TENNESSEE

TOWNSEND, TENN.,
May 5, 1969.

Regarding your telegram of May 2, 1969:

1. A team from the employment service composed of five members has visited our center.

2. Interviewed approximately thirty corpsmen.

3. Have not developed specific alternative. O.E.O. is making provisions for transfer of corpsmen who wish to transfer.

4. Very little advice to youngsters returning home. Did take applications and gathered information about the corpsmen's interest and ability.

To date they have placed one corpsman.

CARROLL OGLE,
Center Director, Tremont Job Corps Civilian Conservation Center, Townsend, Tenn.

TEXAS

CONROE, TEX.,
May 5, 1969.

Your inquiry by telegram received on May 5 is answered accordingly:

1. Yes.

2. 23 corpsmen have been interviewed.

3. No, they are being referred to menial type jobs in accordance with the type of training they have had. Many are not employable.

4. They are advising the corpsmen to stay in the program.

No. They are only referring these corpsmen to local employment services, no specific plan of action is being worked out.

NEW WAVERLY JOB CORPS CIVILIAN CONSERVATION CENTER.

UTAH

WASHINGTON, D.C.,
May 6, 1969.

In reply to your telegram of May 3, 1969:

1. Employment service personnel visited our center.

2. They interviewed forty-six out of 90 corpsmen who expressed interest in terminating from Job Corps. They have scheduled interviews for the remaining corpsmen prior to their departure from our center.

3. No, specific plans have not been developed which will enable corpsmen to continue their training. Employment service staff have made contact with corpsmen's home town employment office but only about five actual placements have been made. The majority of these have been to the neighborhood youth corps which is primarily financial assistance rather than training. So far, OEO has been scheduling transfers to other Job Corps centers adequately. It is interesting to note that most corpsmen do not meet entrance criteria for manpower development training act programs. Also, these programs seem to be full. Employment service staff in corpsmen's home towns seem extremely reluctant to make any firm commitments as to placements. One man, in fact, refused to give his name to the E.S. man who was working here. The usual extent of the phone call is that (1) the hometown employment service man will say, "Have the boy stop in when he gets home and I'll talk with him." It has been difficult to get more definite statements. Referrals then are just the name of an employment service man the corpsman is to see when he arrives home.

4. The employment service people working at our center have been cooperative. They have attempted to effect placement for corpsmen who want to terminate. They have also encouraged all corpsmen to stay in Job Corps and transfer to a surviving center. The problem seems to be in the corpsmen's home communities. Training programs either do not exist, are full, or are not designed for the segment of the poverty population that is in Job Corps.

EARL G. INGRAM,
Center Director; Castle Valley Job Corps Civilian Conservation Center, Utah.

WASHINGTON

MOSES LAKE, WASH., *May 5, 1969.*

I should be happy to answer in as far as possible the question you put to me on May 2 in your telegram concerning employment services actions centered around the closure of this center. Employment office personnel from Moses Lake and Spokane have met with me to discuss their instructions concerning what part they should play in the closure of the center. Their instructions are similar to the instructions sent to us by J. N. Peet, manpower administrator. The main exception was that the following paragraph was deleted from their teletype instructions:

Department of Labor commitment for services to Job Corps enrollees in center being deactivated is now modified to provide transfer to another center for any Job Corpsman who desires to even if this necessitates providing additional bed capacity in remaining centers.

Additional references to the Department of Labor commitments to assure transfers to another center for each trainee who desires it were deleted from their instructions. My discussions with Labor representatives center around theirs and my general lack of knowledge concerning the placement of Job Corpswomen in training programs in or near their homes. Our corpswomen wish to stay in Job Corps and volunteered when they signed up to complete their training. The agreement we reached was that I would let them know when they should return to the center to carry out instructions they received from their regional office.

Employment services personnel have not interviewed any enrollees because we had not received specific notification via our contracting officer that the contract to operate the Moses Lake Job Corps Center for Women had in fact been terminated 3/4. Employment services personnel were quite in the dark and agreed with me that no plans should be made until more specific instructions, plans and tentative solutions to the dilemma had been ascertained.

As a matter of interest to you and the committee, we have had no more than normal attrition since the garbled announcements and information first started on April 17 until May 1. We have had 4 medical terminations, 8 transfers to JC/YW throughout the country, 2 transfers to other centers, 8 graduates, 5 disciplinary discharges, 1 administrative discharge, 38 voluntary terminations per request of the parents. We normally have an input and output of 60 per month.

If you require further information please feel free to contact me and I will try to supply what I can.

NEIL W. SHERMAN,
Center Director, Moses Lake Job Corps Center for Women, Moses Lake, Wash.

RANDLE, WASH.,
May 5, 1969.

Ref your wire of 5–5–69 we share your concern for the corpsmen who will be displaced by the closure of Cispus. We are actively working with responsible federal and state agencies to minimize this impact. Answers to your specific questions are as follows: 1. Yes. 2. All corpsmen at the center have been counseled and advised by the counselors assigned from the State employment service. 3. No, they were unable to develop a specific plan for each individual due to the uncertainty of available program in corpsmen's home area or the specific training program vacancies available at other Job Corps centers. 4. Each corpsman was advised to contact his local employment service representative upon returning home. Again they were unable to work up a specific plan for each corpsman.

LARRAYA FELLOWS,
Center Director, Cispus Civilian Conservation Center, Randle, Wash.

WEST VIRGINIA

WHITE SULPHUR SPRINGS, W. VA.,
May 5, 1969.

Reference your telegram to George Kreger May 3, 1969. Following information is submitted.

XUM

Question 1. Has a team from the employment service visited your center subsequent to the announcement that it was to be closed.

Answer. On April 29, 1969 two persons from W. Va. Bureau of Employment Security visited center to interview W. Va. terminees. A total of 7 corpsmen were involved.

Question 2. How many of your enrollees have they personally interviewed.

Answer. A total of seven corpsmen have been interviewed.

Question 3. Have they at this point developed specific alternative plan for each youngster which will enable him to continue training either at another Job Corps center or in some other manpower program.

Answer. The corpsmen interviewed were encouraged to accept transfer to another center because neither jobs nor other program placements were available. The corpsmen were told that finances were not available to support manpower programs.

Question 4. What is their advice to the youngsters who indicate they are returning home. Do they have a specific plan worked out for them.

Answer. They were advised to stay at Job Corps because no other programs were available.

GEORGE F. KREGER,
Center Director, Anthony Job Corps Civilian Conservation Center, White Sulphur Springs, W. Va.

HUNTINGTON, W. VA.,
May 5, 1969.

Re your telegram 5-3-69 a team of U.S.E.S. personnel were in Huntington center last week interviewing graduates and corpswomen who did not want to transfer to another center. Only thing done was to fill out a Form 511 work application and a resume which will be sent back to uses in corpswomens home area the corpswomen were instructed to contact local uses office upon return hopefully, but questionably efforts would be made to place either in work situation or other labor department programs. Majority of corpswomen are being transferred to other job corps centers. We are handling this ourselves 55 graduates were to have been interviewed by U.S.E.S.

WILLARD H. DUETTING,
Center Director, Huntington Womens Job Corps, Huntington, W. Va.

WISCONSIN

PARK FALLS, WIS.,
May 5, 1969.

The following is in reply to your request for information of employment service:

1. A team of seven men from Wisconsin State Employment Service visited center on April 24, 25, 28 & 29.

2. State employment interviewed approximately 70 Corpsmen planning to terminate Job Corps program.

3. Tentative plans were developed for all Corpsmen terminating for either other training programs such as MDTA or possible employment. In most cases Corpsmen were advised to continue Job Corps training. However majority interviewed chose to return home.

4. Specific plans were difficult to prepare due to the lack of information on training programs or possible employment in other States. Employment Service counselors prepared necessary forms and contracted employment service in the youths home town.

R. F. MUMMU,
Center Director, Clam Lake Job Corps Civilian Conservation Center, Clam Lake, Wis.

WYOMING

CASPER, WYO.,
May 5, 1969.

The following are answers by number to your question received via Western Union May 5, 1969:

1. Yes.

2. 17 to date.

3. MDTA referent—2 employment possibilities good—7 number training program available—7 return to public school—1 rest of corpsmen remain at center pending disposition.

4. A. Make immediate contact with employment service, Gatehouse, or YOC; B. Specific plans listed in three.

J. D. ANDERSON,
Center Director, Casper Civilian Conservation, Casper, Wyo.

Mr. CRANSTON. I should like to add that I have here copies of each of the 52 telegrams, and I invite any Senator who wishes to examine them.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CRANSTON. I yield back all remaining time except for 2 minutes, which we shall hold in reserve.

The PRESIDING OFFICER. Who yields time?

Mr. PROUTY. Mr. President, I yield myself 2 minutes.

I think that the wires which the distinguished Senator from California has alluded to are quite understandable, and are not unusual. These people are administrators and employees in some of the camps being closed and obviously they feel that their jobs may be at stake. That is a perfectly normal reaction.

The point is, as I have suggested before, Mr. President, and in great detail on the floor of the Senate yesterday: We are not doing the job. We have had difficulty; in fact, the quotas have not been filled.

In 1968, 90,000 youths were recruited; 73,000 entered the Job Corps program, but 17,000 never even showed up at a camp. The eligibility criteria were unavailable for 27,000 of the remaining 73,000 trainees. Of the 46,000 for whom data was available, however, approximately 10,000 did not meet Job Corps own eligibility requirements.

This shows that 22 percent of Job Corps trainees last year did not meet the eligibility requirements. Even so, however, only 68 percent of the quotas for mens' camps were filled.

It seems to me that these are very important facts for us to consider. I should like to point out also that the funds for manpower training programs administered by the Department of Labor will be increased from $1.9 billion to a proposed $2.3 billion in fiscal 1970. This is so even though $100 million is being taken away from the Job Corps program.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PROUTY. I yield myself 30 seconds.

I should also like to point out that the Secretary of Labor has made it very clear that, even with the reduced level at the Job Corps program, 5,700 more slots will be available in manpower training programs for out of school youth in fiscal 1970 than were available in fiscal 1969.

Mr. President, I reserve the remainder of my time.

Mr. MONDALE. Mr. President, on Monday of last week I made a statement on the floor of the Senate listing my reasons for supporting Senate Resolution 194, which expresses the sense of the Senate that any action to close Job Corps camps should be deferred until Congress has had an opportunity to review the Job Corps program and decide upon legislation which would extend the Economic Opportunity Act of 1964, as amended, and appropriations for that program.

I rise today to discuss more fully one of the reasons I listed at that time. That reason concerns the inadequacies of alternative manpower programs that the administration proposes for young men that previously would have gone to Job Corps centers. As I pointed out in my statement last week, and during the hearings that the Subcommittee on Employment, Manpower, and Poverty held on the closing of the Job Corps centers, the alternative manpower programs are serving people who, on the average, are older and better educated than those who are going to Job Corps conservation centers. For example, 60 percent of the MDTA trainees are aged 22 and above, compared to only 5 percent of the conservation corpsmen, and 45 percent of the MDTA trainees have a 12th grade education or more compared to only 7 percent of the conservation corpsmen. Similarly, in the Concentrated Employment Program (CEP) 64 percent of the participants are 22 years old or older, compared to 5 percent of the conservation corpsmen, and 25 percent of the CEP participants are high school graduates compared to only 7 percent of the Job Corpsmen. Statistics for the JOBS program show the same picture—56 percent of the participants are aged 22 or above, compared to only 5 percent of the conservation corpsmen, and 33 percent of the JOBS participants are high school graduates, compared to only 7 percent of the conservation corpsmen.

This information, and an understanding of the limited services provided by these alternative manpower programs, strongly suggest that these programs simply are not equipped, or accustomed to, dealing with the hard-core deprived young man who needs Job Corps training.

Moreover, the hearings of the Subcommittee on Employment, Manpower and Poverty revealed that very important information concerning the effectiveness of these alternative manpower programs simply does not exist. When Secretary Shultz appeared before the committee, he used statistics concerning the retention rate of the Job Corps, and the placement rate of the Job Corps program. I asked him at that time if he could provide us with similar information for all the other manpower programs administered by his Department, so that we could get an idea of how they compare with the Job Corps.

The information he was able to supply for the record unfortunately is incomplete. Data was not available regarding the retention rate of three of the alternative manpower programs—New Careers, Work Incentive Program, and Concentrated Employment Program—and information was not available on the placement success record of six of the alternative manpower programs—the In-School Neighborhood Youth Corps, Operation Mainstream, New Careers, Work Incentive Program, Concentrated Employment Program, and the JOBS program.

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I asked a similar question of the Honorable Elmer B. Staats, Comptroller General of the United States, when he testified before the subcommittee concerning the GAO review of the Job Corps program. The information he supplied for the record was even more incomplete. It contained no factual information on the effectiveness of any of the alternative programs. It was simply a description of the goals of these programs. I ask unanimous consent that that portion of his reply directed to my question concerning the effectiveness of alternative programs for dealing with hard-core deprived children appear at this point in my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

CHARACTERISTICS OF OTHER TRAINING PROGRAMS

We believe that a valid need can be documented for residential training of the type envisioned in Job Corps for a certain number of youths whose needs, because of environmental characteristics or because of geographic location, cannot be well served through other programs operating in or near their home community. On the other hand we also believe it possible that a certain number of youths of the type that have been served by Job Corps could be as well served and possibly at a lower cost by one of the various other manpower training programs designed to assist the underemployed or unemployed, low skilled and disadvantaged. A schedule of program characteristics for selected training programs administered by the Department of Labor, and of Health, Education, and Welfare, and the Office of Economic Opportunity follows:

Program	Target population	Program offerings
MDTA institutional	Adults and youths unemployed under employed, low skilled, disadvantaged obsolescent skilled.	Vocational training[1], prevocational education, basic education.
MDTA, part-time and other than skill.	do	Do.
MDTA, on-the-job training (OJT)	do	Vocational training.
MDTA, coupled	do	Vocational training,[1] prevocational education, basic education.
MDTA, experimental and demonstration (E. & D.).	Hard-to-reach; disadvantaged youth, hardcore unemployed; older workers; minority groups.	Vocational training, prevocational education, basic education, other supportive services.
MDTA, training for redevelopment area residents.	Adults and youths, unemployed and under employed in redevelopment areas.	Vocational training,[1] prevocational education, basic education.
Concentrated employment program (CEP).	Adults and youths, hard-core unemployed, and disadvantaged in selected areas.	Vocational training, prevocational education, basic education, other supportive services.
Special impact (Kennedy-Javits)	Adults and youths, unemployed and below poverty level in urban poverty areas.	Vocational training, work experience, other supportive services.
Job Corps	Disadvantaged youth 14 to 21	Basic education, prevocational education, vocational training, work experience, other supportive services.
Neighborhood Youth Corps (out of school).	Dropouts age 16 and over, poverty families	Basic education, prevocational education, vocational training, work experience,[1] other supportive services.
Vocational education	Anyone who can benefit from vocational education.	Vocational training,[1] prevocational education, basic education.
Work incentive program (WIN)	AFDC recipients 16 and over who are not in school.	Vocational training, prevocational education, basic education, work experience, other supportive services.
Job opportunities in the business sector (JOBS).	Poor persons not having suitable employment and who are one of the following: (1) school dropouts, (2) under 22, (3) 45 years and over, (4) handicapped, and (5) subject to special obstacles.	Vocational training, basic education, other supportive services.

[1] Indicates primary offerings, if any.

Mr. MONDALE. Mr. President, in view of the lack of information about the effectiveness of alternative manpower programs for those now served by the Job Corps, the administration's decision to close 59 Job Corps centers is premature. For this reason, and for the other reasons I described in my statement last Monday, I urge passage of the Senate Resolution 194.

Mr. MOSS. Mr. President, I believe very strongly that President Nixon is making a tragic error in closing 59 of the 109 Job Corps centers. One of the centers to be closed is located in the State of Utah—the Castle Valley Conservation Center, near Price. It is a good center doing a good job.

The question at issue it: Is this Nation more anxious to save a few dollars than it is to save young people?

The young people for whom the Job Corps program was designed are among the most disadvantaged in our society. The Job Corps has been their chance to climb up from the lowest rung—without such help most of them will be returned to their life of hopelessness and despair and some of them undoubtedly to a life of crime. These citizens might well be more costly to society in the long run as welfare recipients and as criminals than they ever would as Job Corps enrollees. With Job Corps training many of them would become contributing members of society—paying us through the jobs they do and the taxes they pay for our investment now in the Job Corps.

The Nixon administration says it hopes the 13,000 trainees who will be thrown back on society with no training by reason of the closing of the Job Corps centers will be absorbed into existing manpower training programs. This is faulty reasoning. The manpower training programs were established mainly for those who once had jobs, but have been displaced by technology or for some other reason, and need new training and skills. The Job Corps, on the other hand, as the Washington Post has so well pointed out, "is a human renewal program, a last stand try at reclaiming the broke and broken youth when other programs cannot or would not take over."

I am almost willing to predict that if we close down our Job Corps camps now, we will soon be looking for some other means of helping the most deeply disadvantaged youth in our society. We cannot turn our backs upon them—not on humanitarian grounds and not on economic grounds. It is in our best interests to try to turn them into contributing members of our society. We have a great problem here to solve and we might as well face up to it now.

I support Senate Resolution 194.

In conclusion, I ask unanimous consent to place in the Congressional Record some of the letters I have received from the State of Utah protesting the closing of the Job Corps centers generally and Castle Valley Job Corps Center near Price, Utah, specifically. They speak more eloquently than I could of how seriously these closings will affect both the enrollees and the communities nearby.

There being no objection, the letters were ordered to be printed in the Record, as follows:

STATE OF UTAH,
DEPARTMENT OF HEALTH AND WELFARE,
April 17, 1969.

Hon. FRANK E. MOSS,
Senate Building,
Washington, D.C.

DEAR SENATOR MOSS: Through the news media we have learned that the Castle Valley Job Corps at Price, Utah is to be closed down in the very near future along with other camps. While the Job Corps has been here, I have had the opportunity to personally observe many of the Corpsmen.

The general public does not understand that these young men come from very deprived situations. When they arrive, the majority are unable to read, but if they can, they read on a second or third grade level, They have already miserably failed in the regular schools. They have a low self-image and have had very few satisfying experiences in life. These Corpsmen come from homes with all kinds of social problems; parents with emotional problems or mental illness, parents who are mentally retarded, parents with alcoholic problems, parents with inadequate personalities, or parents who are living in extreme poverty. These parents have been unable to raise their children, unable to provide a healthy, normal life so that they can become contributing members of society.

Because of these problems, it is necessary to place these youth in a special program where they can be taught personal cleanliness, how to dress appropriately, how to get along with their peers, how to accept responsibility, how to work, etc.

I realize that it is expensive to operate the Job Corps, but it is always costly to educate, train, and rehabilitate underprivileged, deprived individuals. It takes employees who have patience, understanding, who can demand respect, but are able to establish a relationship with these youth who may have never found it possible to feel close to or trust anyone. It requires personnel who recognize human dignity and the ultimate potential of the deprived individual.

Even with this type of program it still is not possible to reach and rehabilitate every person, but I believe that the percentage has been fairly good at the Castle Valley Camp. I have observed the changes in behavior and attitude of these young people after a few months. The Corpsmen always look clean and well dressed when they come to town. They have done many beneficial things for the community such as clean up programs, painting, and cleaning churches, fighting fires, etc. As they have been able to accomplish, win awards, or approval, they have gained self-respect. One year the youth contributed from their meager earnings and prepared and delivered Thanksgiving food baskets to eighteen of our Welfare families. I feel that the Job Corps has been fairly well accepted by our community although at the beginning, there was much opposition to the program.

I feel that we should provide preventive programs for younger children such as the Head Start Program is doing, but I also feel we cannot forget about the youth the Job Corps has been working with. These are problems that the public cannot afford to overlook because if they are ignored now, society will eventually pay by supporting these individuals as they get involved in crime, marry and they end up on Welfare rolls, in prisons, or in mental hospitals, etc.

Will you please do what you can to keep the Job Corps from being eliminated as the Program has been proven in helping many young people from deprived minority groups as well as those who come from economically and emotionally impoverished homes. I would suggest an evaluation to see if elimination of waste or better methods of management might reduce expenses yet still provide the Corpsmen the necessities and allowing them to live as other young people in the community.

Respectfully submitted,
Evelyn Roberts,
Director, Carbon County Welfare Division.

Board of County Commissioners,
Price, Utah, April 14, 1969.

Hon. Frank E. Moss,
Senate Building,
Washington, D.C.

Dear Senator Moss: We, the Board of County Commissioners of Carbon County, strongly object to and protest the phasing out of the Job Corps Conservation Centers and especially the Castle Valley Center located near Price. This center has been very valuable both to conservation programs of the Bureau of Land Management and assistance to local governments, cities, towns and counties in their recreation and public works programs. They have been especially valuable to Carbon County on the development of our local recreation projects such as rodeo grounds, race tracks, fair grounds and recreation area at Scofield Reservoir, and they have advised of their willingness to help in other contemplated projects. They have assisted the cities and towns in all their conservation programs such as Price City in reclaiming land for cemetery extension and in drainage in the south part of Price which is a mosquito infested area.

We strongly feel that the discontinuance of this program is ill-timed and will cause a sending back and retention of many young dropouts in their troubled community which to us seems to be an invitation to further the disastrous conditions in our cities and an insult to the young Americans that are trying to improve their lot so that they can secure employment in private enterprise.

We believe that everyone in the Congress should take a strong look at this program and continue with the good work which has been experienced with the local Castle Valley Job Corps Center.

Sincerely yours,
J. Arnold Mathis, *Chairman.*
Walter H. Maynard, *Commissioner.*
Hector Chiara, *Commissioner.*

Carbon County
Chamber of Commerce,
April 15, 1969.

Hon. Senator Frank E. Moss,
U.S. Senate,
Washington, D.C.

Honorable Sen. Moss: The Board of Governors of the Carbon County Chamber of Commerce wish to protest the removal of the Castlevalley Job Corp from this area.

Since it's beginning the Castlevalley Job Corp has designed it's programs to fit into the needs and responsibilities of the community. This cannot be done successfully in an urban center.

The economic effect the removal of this camp would have on the people of this area would at this time be disastrous. There is no industry here that would be able to handle the thirty or more families this would directly effect. The absorption of the rest of the governmental staff would create a problem in itself. Where would these boys find a camp with the proper American ideals taught and displayed here? We feel that this camp has been a valuable example of the personal growth and development of the young men whom a tired society has almost forgotten.

We cannot believe that the removal of camps such as the Castlevalley Job Corp is the solution to a hundred million dollar problem. We feel that a more detailed study of the different camp situations would alleviate much of the expensive mistakes now being made and that a more realistic viewpoint on the wages paid in accordance to the surrounding areas would make a smaller financial cost to each camp program.

Yours very truly,
Mack A. Johnson,
President, Carbon County Chamber of Commerce.

Price Municipal Corp.,
Price, Utah, April 15, 1969.

Hon. Frank E. Moss,
U.S. Senator,
New Senate Office Building,
Washington, D.C.

Dear Senator Moss: I am writing the following letter to you to express my own concern and the unanimous feeling of the other members of the City Council of Price City, Utah.

The last few days we have heard over the T.V. broadcasts and read in the newspapers of the curtailment of the Job Corps program throughout the United States. Our concern is with the proposed closing of the Castle Valley Job Corps Center located near Price, Utah.

The Job Corps camp near Price, Utah, has been completed, in its construction, and has been handling in excess of 200 Job Corps trainees. When this camp was first proposed and established, I, like other people of this community, had certain misgivings concerning such a camp; however, since its initiation we have observed the results with considerable satisfaction. Beyond any question the program has been worthwhile in training some of the more unfortunate youths of our society. We would strongly endorse the retention of this camp.

It appears that the proposal contemplates closing down certain camps and opening and constructing new ones near urban centers. This would certainly be a gross waste of money in view of the large expenditure made in constructing and completing the present camp near our City.

The other matters that concern us in our area by the contemplated closing of this camp would be the economic impact that its closing would have on our area. You no doubt recall the many meetings that we have held in order to develop some industry in this area to alleviate our depressed economic condition. The establishment of the Job Corps camp in our area contributed greatly in alleviating that economic condition. There are 37 full time employees at said camp who are local residents. In addition, there are approximately 15 more who came in from other localities but who presently reside in this area. In addition the purchases made from local merchants of materials and supplies for the operation of said camp and the expenditures of camp trainees while in town all have gone towards stabilizing the economy of this area. Though we are still classified as a depressed area the above camp has assisted greatly in creating a little economic stability. The closing of said camp would again start us down the road of decline economically.

I ask your assistance in doing whatever may be possible to retain the Castle Valley Job Corps Training Center in this area.

Respectfully yours,
Murray Mathis,
Mayor.

Salt Lake City, Utah,
April 13, 1969.

Hon. Frank E. Moss,
Senate Office Building,
Washington, D.C.

Dear Senator Ted: For months, I have intended to write you a note, telling you of my personal approval and satisfaction of your conduct as my Senator. I am proud of the way you represent my interests, and hereby pledge my active support to your expected reelection next year.

The reason for this note at this moment is to express my intense concern over the "Nixonizing" of Job Corps the past few days. Today, I listened to Dr. Arthur Burns pontificate over CBS, which raised my blood pressure considerably.

The truth is that the Nixon crowd have almost no comprehension of the problems Job Corps is handling, and the human problems of the Corpsmen who are assigned to Conservation Centers such as Castle Valley, in Price. I know the problems, for I worked with these young fellows for 24 months, before returning to the University last September.

In case any hearings are held by the Senate concerning this destruction of so much of Job Corps, I would like to make my views and experiences known. If hearings are in this part of the country I would be happy to testify in person, in favor of Job Corps in general, and Castle Valley specifically. If it weren't for the costs of transportation (which, as a student I cannot afford), I would be happy and eager to testify in person in Washington.

Dr. Burns today indicated that conservation centers didn't do vocational training. That is a false charge! Half the time of the Corpsman is devoted to developing work skills; the other half to education. Dr. Burns and his cohorts are apparently assuming that the basic work habits and education of Conservation Center Corpsmen is far higher than they are. These critics seem unable to comprehend that we have to spend a great deal of time teaching the elementary, basic work habits, such as report to work on time, and properly dressed, before we can work on a skill. We have to teach a third of the Corpsmen individual letters and sounds before we can teach them how to read simple, three letter words!

In my opinion, the taxpayer has received an excellent return for his monetary investment in the Job Corps Conservation Centers. Some has been in construction of conservation projects, of which you are well aware. Much more has been in the orientation of so many of these young men into participation in our American Way of life. When these young men arrive, many of them are bitter over the treatment they have had in their home communities. The are well educated in how to destroy; we have tried to reeducate them into becoming useful, constructive citizens who believe in the American Way, a tremendous accomplishment in itself.

Few of the Corpsmen we received at Castle Valley, and at Kingman, were able to qualify by education or experience for the urban centers such as Clearfield. Physically, most of them were malnourished upon their arrival, yet in far superior health at the end of their stay. I grant that there are many problems with these young fellows, but I can assure you that none of them are the same upon returning home, even those who stay the briefest of stays.

Another contribution of OEO in this area is the development of education materials best suited for the disadvantaged. These materials are widely used, and more widely used each year. Many schools, including some in Utah, are using these OEO developed educational materials to advantage. Few critics realize the quality and the quantity of these new materials, nor do they comprehend the tremendous contribution they will make (and are making already) to educational improvements.

I could carry on at length, and with conviction, concerning the many values of Job Corps, particularly the Conservation Centers. You are convinced, thank goodness; somehow, may we be able to help convince enough of your intelligent colleagues to inquire and investigate deeply into the values of Job Corps, and the implications in human terms of this closing of so many Centers. I view it as a tragedy to a million disadvantaged young people at the bottom of the economic and social ladder, people who feel they have no stake in American life, who have little reason not to destroy, when one of the most constructive programs of human development is so sharply curtailed by an insensitive executive administration.

If there is anything I can do as a concerned private citizen, to help reverse this destruction of Job Corps, do let me know.

Meanwhile, I feel confident you will do all you can to help restore the Job Corps Conservation Centers to the level of performance they were experiencing before being "Nixonized".

Keep up your great work!

Sincerely Concerned,

ROBERT D. GOFF.

PRICE, UTAH,
April 13, 1969.

Hon. FRANK MOSS
U.S. Senate,
Washington, D.C.

DEAR SENATOR MOSS: Thank you for protesting the closure of the Castle Valley Job Corps Center. I am sure you have been informed of what a bad effect this closure will have on the economy of Carbon County.

I am afraid not nearly enough has been said about the disadvantaged young men who will be sent back to their homes to go again on the welfare rolls. This will be another injustice they can add to the already long list of injustices which have been committed against the poverty stricken. Most of these young people are in their particular plight through no fault of their own. It is a sad thing when our administration does not care. These people are also citizens.

I am outraged by the fact that the closure is done in the name of economy. Fifty-nine centers will be closed and thirty new ones constucted! This is economy?

A great percentage of the Negro enrollees have left Castle Valley with a completely different outlook on life, their responsibilities to their families and their country, and a respect for white people. They have been treated with respect and have returned this respect.

I realize a small percentage have not benefitted, but most have greatly. A certain number stay with the simpler trades simply because they do not have the mentality to do more. At least they have been removed from the welfare rolls and some good has been accomplished.

Someone must speak for these people and for our county. I appreciate your help and concern and hope you will continue.

Sincerely,

VIRGINIA HANKS.

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA,
April 11, 1969.

Hon. FRANK E. MOSS,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR MOSS: We have been advised that a severe curtailment of the Job Corps Program is being considered.

Since May of 1968, we have had the opportunity of working very closely with the Job Corps Conservation Centers Program through the Department of Agriculture Forest Service and more recently with the Department of Interior in the operation of seven (7) Carpentry Programs wherein we are providing related and manipulative experience to sixty (60) of the underprepared and underprivileged youth in each of the seven (7) centers.

Although none of our programs have run the full cycle, we have already placed fifty two (52) young men that we were able to qualify into our apprenticeship programs throughout the country and we expect to place all of the young men now in our programs in the industry upon the completion of their program, some of which will be completed in June, 1969 and others in July, 1969.

Therefore, we request that serious consideration be given to the continuance of the Job Corps Conservation Centers in that we feel an excellent job is being done in the training and placement of young men in gainful employment who will take their place in the community as active citizens and workers in the industry who, otherwise, will be returned to their home community as unskilled workers and thus become a burden, as well as a problem for society.

If curtailment is essential of some of the Conservation Centers, it should be done on a selected basis after full investigation of the quality of training and job placement that has been accomplished at each center.

Sincerely yours,

M. A. HUTCHESON,
General President.

OGDEN, UTAH, *April 8, 1969.*

Hon. FRANK E. MOSS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MOSS: I am writing to inform you of some information and concerns that I have about a program with which I am familiar. I am referring to the Job Corps where I have been a Psychiatric Consultant for a couple of years. During that time I have gotten to know some things about the Job Corps which I think are of a vital concern to us as a nation.

I think it would be a mistake to try to evaluate the Job Corps in terms of job training. I think the experience that the Job Corps provides for many of these deprived youngsters far exceeds the benefit of just the job training. These are youngsters who often times come from an atmosphere of gloom, failure, and chronic defiance of the authorities, etc. Frequently their experiences in the Job Corps demonstrate that there are people who are interested in their welfare. They learn individual and group responsibility and a sense of feeling worth while. The ultimate gain to these people in society as future citizens in our country far outweighs, I think, the benefit that they may receive only by the job training.

I am quite concerned about reports that the current administration is considering drastic cutbacks in the Job Corps. I am aware the nation has certain limitations as to what it can do with its resources and finances, and I do recognize that my association with the Job Corps naturally describes an interest in the Job Corps per se. However, I think that beyond that I have some objectivity that permits me to recognize and be concerned about the welfare of our nation as a whole. I would be quite willing to junk the Job Corps if I felt that this was to the best interes of the nation. However, I am in a position where I do have information and knowledge about this program. I would feel derelict if I didn't pass it on to people who are responsible for the continuance or discontinuance of this program. It is a vital matter to this country that it maintain his basic srength of its citizens as far as possible. I would hate to see the under-privileged find one more door shut in their face. I am hopeful that you and your colleagues will become well informed about the Job Corps and use your influence to further the welfare of our less privileged citizens.

Incidentally, I realize that in my income bracket I am paying more for the maintenance of these programs than is the average citizen. This is one program where the expenditure, expensive as it is, is justified. I have seen youngsters respond who I doubt would have, if they were left in their home environment. A positive influence in the life of a 17 year old may influence more than just one person as he later marries and has children.

Sincerely yours,

N. BLAINE BELNAP, M.D.

BRIGHAM CITY, UTAH, *April 29, 1969.*

Hon. FRANK E. MOSS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MOSS: The speed with which the Job Corps centers are to be closed and thirty urban skill centers established as replacements seems unduly abrupt and impracticable.

I urge you to vote against the immediate closing of the 59 Job Corps centers.

Perhaps there is a more efficient way of training the severely disadvantaged at less cost and higher rate of job placement than Job Corps. Possibly the small urban centers can do just that. But surely that cannot be ascertained, much less become a functioning program by July 1. The "mini" centers as now proposed will leave thousands unprovided for that were covered in the 59 centers to be closed.

My involvement with other poverty programs, particularly the education and training programs for migrants in Box Elder County has made me acutely aware that such programs require time for planning and development. The major single factor in hindering such programs is the fluctuation and uncertainty of funding and policy from the federal government.

The Job Corps trainees at Thiokol's Clearfield center, the women trainees in Kansas City are people I have met with a whole new world before them, not neutral statistics of success or falure. How can we once again dash such hopes, increase frustrations by closing down centers without adequate facilities for replacement? Frustrations and mounting violence are too evident now without deliberately adding more to the turmoil, and certainly more to the welfare costs.

The fact that Job Corps has, according to one survey, made the lifetime earnings of enrollees average a gain of $18,075 which means less welfare support and more tax producers rather than tax consumers. Rural conservation centers have produced work that was valued at $56 million by 1968. Such financial productivity must be a meaningful plus for the Job Corps experiment.

Because of your long standing concern for rights of all people this lengthy letter was probably not necessary. But I wanted you to know of the depth of concern felt by many for the future of equal opportunity programs. Such precipitous closing of Job Corps centers can waste the human investment already made. Please work to delay closing of centers.

Sincerely,

Mrs. JOSEPH P. GURRISTER.

The PRESIDING OFFICER. Who yields time?

Mr. PROUTY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 6 minutes.

Mr. CRANSTON. Mr. President, I yield 5 minutes to the Senator from New York.

The PRESIDING OFFICER. On the resolution?

Mr. CRANSTON. On the resolution.

Mr. JAVITS. Mr. President, I am grateful to the Senator from California. We had agreed that if the minority ran short of time, we would work it out, and I am sure that we will.

Mr. President, I rise especially to speak on this motion to recommit, which I commend to the Senate, because I think it is a way out of the dilemma which we face.

If we recommit, the resolution remains pending before the committee. Then the committee will be in a position, at any time that it feels that the matter is being run incorrectly, or that Job Corps people are being dealt with summarily or improperly, to recast the resolution, send it back to the floor, and seek immediate action. It does give the committee a means by which to exercise its legislative oversight in a very effective way, and I think that this is undoubtedly the right technique, in view of the following situation:

This is a new administration, and we have all learned the hard way that the Executive has certain prerogatives. I received a salutary lesson on that point myself, Mr. President. I was one of those who sought to give President Truman money he did not want for bombers, time and again. He just left it in the bank, and there was nothing we could do about it but whistle.

This administration feels that it wants to recast the manpower training programs; that is really what is at stake here.

The Senator from Wyoming (Mr. McGee) was absolutely right when he said:

> Let us look at this thing through the right side of the telescope.

The question is not about 23,000 slots in the Job Corps. The question is about 23,000 training slots and how we will manage them.

The administration represents to us—and I think it carries weight because there are a good many facts to back up its representation—that it will redistribute the job training opportunities and give us a list. Also, it will favor heavily the JOBS program, the program in which private business is involved and under which the youth has a job at the end rather than training, which is the best we can say for the Job Corps. We must also consider the cost-benefit ratio—that is the price tag and what it does—and the dropout rate, which is enormous. All of these things have been debated here. It is more prudent and economical to reallocate and redistribute the available money.

With respect to the charge—and I have made it myself—that if we deduct $100 million from the Job Corps, how can we give more special training, the answer is that we add more than $200 million to the JOBS program. So we are not dealing with the situation of putting the dollar above the man. We are dealing with a new administration which says, "Give us a chance to show that we can do a better job, and train more people to greater effect and at a lower cost ratio for this number."

I cannot help the group that follows the Senator from California (Mr. Cranston) with the argument that it should not be done now. I say we have to give the administration this opportunity based upon this showing. However, what I can help them with is the fact that the committee will maintain a continuing jurisdiction and surveillance. The administration promises will be carried out with respect to the dismantling of a given number of the centers and the redistribution of the people who want training to better effect than now.

The motion to recommit makes sense to me, without arguing all of the detailed figures which have been argued time and again.

We should look the thing over. This is the sensible way in which to get results and give the administration the opportunity to deliver on its promise to the American people. They have said, "We will give you a better job and more people and more assurance of getting jobs in the end."

The Senate should let us do it and say, "Let us keep a hand on the situation with respect to the way in which this closing is administered." That opportunity is given precisely by the motion to recommit.

It is for that reason that I hope the Senate will act in this way. I think it is the most prudent way we can act in a situation which, on the one hand, seeks to give an analysis upon this showing and, on the other hand, results in excess and inefficiency in the way in which the job is done.

Mr. CRANSTON. Mr. President, I yield back the remainder of my time.

Mr. PROUTY. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. PROUTY. Mr. President, I quite agree with what the distinguished senior Senator from New York has just said.

The Committee on Labor and Public Welfare will retain oversight over the Job Corps program. The GAO has made massive studies of nine individual camps. Each will be reported on in depth for our consideration.

The cost of operating these nine camps runs between $8,001 and $10,071 per trainee man-year compared to the national average of $8,300.

When we have the advantage of perusing this material we will have greater additional information. But I point out that the conclusion reached by the GAO and Mr. Harris is that basically the Job Corps programs are not working as now being conducted.

Mr. HARRIS. Mr. President, as a cosponsor of Senate Resolution 194 and as one who has observed firsthand the operation of Job Corps camps in my own State and in other parts of the Nation, I feel that the recent decision of the administration to close arbitrarily some 59 Jobs Corps centers should be withdrawn and that these centers should be continued in operation pending a further study of the Job Corps program both by Congress and the executive branch.

I, of course, realize and appreciate the importance of reducing expenditures. Yet while the administration's proposal to discontinue these Job Corps centers will result in a net reduction of 14,413 residential training positions, it does not guarantee a reduction in expenditure of Federal funds. It is not a question of whether to spend this money on Job Corps training camps or not at all, because if we are not utilizing these funds to train underprivileged youths, we may be spending more for welfare, crime control, narcotics control, and other less productive programs. Thus, I contend that the announced plans of the administration to close these Job Corps facilities is actually false economy and results in the denial of opportunities to young men and women to become productive members of our society.

The resolution under consideration today does not preclude the possibility that some changes in the operation of the Job Corps program are desirable. However, it does provide an opportunity for both Congress and the executive branch to study further the entire Job Corps program and to make careful and well-thought-out decisions rather than somewhat hasty and arbitrary decisions about its future operation.

Two of the facilities proposed to be discontinued are located in my own State of Oklahoma at Sulphur and Hodgens. These facilities have proved to be very effective, and more than 1,000 trainees have completed programs in each of these facilities since they opened. A substantial percentage of these trainees are now gainfully employed and are useful, productive members of this community. Local citizens have voiced overwhelming support for these training facilities both from the standpoint of the good which they have done for the community and from the standpoint of the training they have afforded the enrollees.

Mr. President, I feel that our efforts to train these previously untrained young men and women represent sound national policy, and I feel that the human investment we are making through the Job Corps is sound. I therefore hope that the resolution will be adopted and that the proposed closing of Job Corps facilities will be delayed until a great deal more study and consideration has been given to the decision. Mr. President, I also had submitted for the Record my remarks on the need to delay this decision on Thursday, May 8. My remarks at that time appear on page 11736 of the Congressional Record.

I very strongly urge that the Senate reject the motion to recommit and adopt the resolution.

Mr. RANDOLPH. Mr. President, I strongly support the resolution to declare it the sense of the Senate that "any action to shut down Job Corps centers and camps should be deferred until the Congress has had an opportunity to review the Job Corps program and decide upon the legislation which would extend the Economic Opportunity Act of 1964." I oppose the motion to recommit.

I am aware that the Washington Post editorial of Wednesday, May 7, "Tread Softly on the Job Corps," has been quoted and has been inserted in the Record. Persons who have followed this issue certainly have had the opportunity to read this cogent analysis of the faultiness of the decision to close 59 Job Corps centers, involving 16,500 youths. Nevertheless, there are portions of the editorial worth repeating and emphasizing—time and again. The opening sentence goes to the heart of the substantive

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issue involved in the closing order. I quote:

> The basic mistake the Nixon Administration may be making about the Job Corps, as it seeks to close 59 of the 109 centers and to shift the rest from OEO to the Labor Department, is in assuming that it is only a job-training program.

It is my feeling that this is the assumption that has been made. I say this in view of the many criticisms related to cost of the program and in view of the statements by the administration witnesses on how they are actually to provide more training opportunities for disadvantaged young people. They seem to have failed to realize the degree to which the young persons in Job Corps require attention. I do not argue that Job Corps at this stage is able to assume the responsibility of training all of our "hard core" disadvantaged young people. I do maintain that it is misleading to propose the shifting of this task to the general manpower and training program we have today. Almost 40 percent of the Job Corps enrollees have an eighth grade education or less. But the average enrollee reads at only a fourth-grade level. Ninety-five percent read at an eighth-grade level or below. Sixty-three percent of them have failed to qualify for the draft. Eighty percent of the enrollees have not seen a doctor or dentist in the last 10 years. Experiences have been brought to my attention where enrollees do not even have knowledge of the daily routine health care practices which are thought to be second nature. This information is not new. It has been repeated on many occasions in hearings, reports, and now during this debate. I seriously question how such persons can be incorporated into the regular manpower programs.

The administration did not outline a plan through which the training opportunities would be made available for such persons. They have not done this. Their figures do not provide the answer.

Many opponents of the pending resolution have voiced their commitment to programs for training of the out-of-school youth, as has the administration through the Labor Department. They agree on the need. But the point is, a feasible plan has not been submitted. And until there is such a plan and until there are provisions for an orderly transfer we should maintain the Job Corps at the existing level. Let us not perpetrate a cruel hoax on the many young people who in good faith and with desire to learn have entered the program. To move forward with the planned shutdowns would be a cruel hoax—witness the 4,539 enrollees who have quit the closed centers since the closing orders were issued.

Mr. President, February 19, the President of the United States, in his message to the Congress on the poverty program, stated:

> By sending my proposals well before the Act's 1970 expiration, I intend to provide time for full debate and discussion.

This statement was encouraging. I feel the President was saying that we would have a cooperative effort of the executive branch and the Congress in reviewing OEO with sufficient time for an exchange of views. The action to close the Job Corps centers is certainly not in line with the President's statement.

But even if the President had not made such a statement, it is my firm belief that a decision to close the Job Corps installations—installations authorized and funded by the Congress—should not be concluded without the opportunity for Congress to participate in the decision-making process. More importantly, the Job Corps decision involved a major redirection of policy in job training—the issue of the number of positions in residential-type training centers. Such an issue can be resolved. But the Congress must participate.

Mr. President, there are two Job Corps centers in West Virginia located in Huntington and Anthony which are scheduled for closing. The Huntington Center is for women. The installation at Anthony is a conservation center. Even if the West Virginia closings were not involved I would oppose the action by the present administration.

The Huntington Job Corps Center for Women since opening in January of 1966 has graduated 831 young women and has attained a placement rate of 75 to 80 percent. This record is above average. The average length of stay for all enrollees at Huntington is 5.8 months—graduates have averaged 9 to 10 months. The cost per person for this fiscal year is $5,018. Graduates are earning an average of $1.60 per hour. This center offers training programs for nurses' aides, clerk typists, business machine operators, institutional aids, graphic arts, IBM keypunch operators, file clerks, general office assistants, and retail sales.

The Anthony Civilian Conservation Center has enrolled 1,047 young men in its 4-year history. Last year the cost per enrollee was $5,200. It is significant that 54.2 percent of all enrollees have made successful exits, being placed in jobs, transferred to other centers, or placed in school. Of those who have resigned 60 percent have later requested readmission. Nine training programs are offered at Anthony including carpentry, union carpentry, automotive, culinary arts, union painting, maintenance, medical aids, heavy equipment operators, and warehouse maintenance. Two contracts are currently in force with unions providing for a number of placements of graduates. The first, which began last June for a duration of 1 year, is with the International Carpenters Union. They agreed to accept 60 trained corpsmen as carpenter apprentices. Although the contract called for 1 year of training, 26 young men have already been placed and are receiving wages averaging more than $3 an hour. They are now ready to place approximately 25 additional young corpsmen. In April 1969, a contract was entered into with the Plasterers, Painters, and Interior Decorators Union to accept 16 painter apprentices. The work accomplished by the Anthony Job Corpsmen on our public lands is significant. They have constructed, for example, 2- and 3-bedroom houses, warehouses, bridges, and sewage systems. I insert in the RECORD a partial listing of their work, as follows:

ANTHONY CIVILIAN CONSERVATION CENTER, UNION CARPENTRY PROGRAM

Completed: 10 Adirondack Shelters at $2,000 each—total $20,000.00.

For the three southern Districts of MNF as follows: 5—Gauley, 4—Marlinton, 1—White Sulphur.

1—Four unit flush toilet (Sherwood Lake).

2—7 unit toilets (Sherwood Lake).

Built mess loading dock at Center.

Remodeled Office and storage space for Union office, eliminating the need for contracted work.

Completed $20,000 3 bedroom residence at Sherwood Lake; $15,000 garage-work shop at Sherwood Lake; $1,500 oil house at Sherwood Lake; $20,000 3 bedroom residence at Bartow.

Planned $100,000 office building in Bartow to be started before the end of FY 1969.

Planned FY 1969: Garage work-shop; Vehicle Storage shop; VIS Contact Station—Sherwood Lake.

Total cost of completed projects, $76,500.00.

NOTE: This does not include estimated cost for building of the mess loading dock and setting up the Union Carpentry Office.

Anthony Civilian Conservation Center: Conservation and building—Regular work program

Added value to community project and forest projects (Sherwood Lake, Blue Bend, etc.).

(Appraisal made by non-center personnel)

Fiscal year 1967	$274,300
Fiscal year 1968	201,600
Fiscal year 1969	275,000
Fiscal year 1970	570,850
Total	*1,321,750

*This does not include $3,000,000 worth of projects requested by Ranger districts that are on record for the future.

Mr. President, it is my genuine hope that the motion to recommit will be defeated and that the Senate will approve Senate Resolution 194.

Mr. PROUTY. Mr. President, I yield back the remainder of my time and I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the motion to recommit. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOLLINGS. On this vote I have a live pair with the Senator from Tennessee (Mr. GORE). Were he present and voting, he would vote "nay." Were I at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

Mr. McCLELLAN. I have a pair with the Senator from Nevada (Mr. BIBLE). If present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. BIBLE) is absent on official business.

I also announce that the Senator from Tennessee (Mr. GORE) is necessarily absent.

Mr. SCOTT. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Massachusetts (Mr. BROOKE), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

If present and voting, the Senator from Massachusetts (Mr. BROOKE) would vote "yea."

The result was announced—yeas 46, nays 47, as follows:

[No. 31 Leg.]

YEAS—46

Allen
Allott
Baker
Bellmon
Bennett
Boggs
Byrd, W. Va.
Case
Cook
Cooper
Cotton
Curtis
Dirksen
Dole
Dominick
Eastland
Fannin
Fong
Goldwater
Goodell
Griffin
Gurney
Hansen
Hatfield
Hruska
Javits
Jordan, Idaho
Miller
Mundt
Murphy
Packwood
Pearson
Percy
Prouty
Russell
Saxbe
Schweiker
Scott
Smith
Stennis
Stevens
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—47

Anderson
Bayh
Burdick
Byrd, Va.
Cannon
Church
Cranston
Dodd
Eagleton
Ellender
Ervin
Fulbright
Gravel
Harris
Hart
Hartke
Holland
Hughes
Inouye
Jackson
Jordan, N.C.
Kennedy
Long
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Sparkman
Spong
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Hollings, for.
McClellan, for.

NOT VOTING—5

Aiken
Bible
Brooke
Gore
Mathias

So the motion to recommit was rejected.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the motion was rejected.

Mr. PROUTY. I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MANSFIELD. Mr. President, does the distinguished minority leader, because of his vote, have the right to ask for reconsideration?

The VICE PRESIDENT. The Senator did not vote with the prevailing side, so he does not have the right to move for reconsideration.

AMENDMENT NO. 20

Mr. JAVITS. Mr. President, I call up my amendment No. 20 and ask that it be stated.

The VICE PRESIDENT. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment in the nature of a substitute, ordered to be printed in the RECORD, is as follows:

Strike out all after the resolving clause and insert in lieu thereof the following:

That it is the sense of the Senate that—

(1) any phasing out of Job Corps centers shall be carried out in a manner that will insure that equivalent educational, vocational, and related training opportunities are provided for each trainee who is enrolled in any such center and wishes to continue his training, and

(2) the aggregate of opportunities for job and related training available to disadvantaged youth under Federal manpower training programs shall in no event be less than that for fiscal year 1969.

Mr. JAVITS. Mr. President, if I may have the attention of the Senate, it is my judgment that we can settle the problem before us in less than 20 minutes.

I yield myself 5 minutes.

The VICE PRESIDENT. The Senator from New York is recognized for 5 minutes. Let us have order in the Senate and in the galleries, please.

Mr. JAVITS. Mr. President, the essence of the difference between the two sides, which are so closely matched, is whether or not to actually stop the administration from going ahead with the closings of the Job Corps camps as they have been undertaken.

In my judgment there may be a majority view in the Senate. We will soon find out because this matter will be tested upon this particular amendment, which is in the nature of a substitute, there may be a majority which feels that it will allow the administration to go ahead with its program of manpower training with the precaution that in going ahead it does not ride rough shod over the rights of those now in that training, in the Job Corps camps.

The purpose of the substitute, in effect, is to put in the resolution the promises made by the administration, which, if carried out, would assure complete equity and justice to those now in the Job Corps camps that are being phased out. This ties into the broader objective of a more comprehensive and more effective manpower training program, which the administration in my judgment, has now presented.

This is the basic matter involved in the substitute.

I know there are a great many Senators who feel very strongly with the junior Senator from California (Mr. CRANSTON), just as there are a great many Senators who feel strongly with us. However, it seems to me that on a sense resolution—which is what we are dealing with here—it may be possible to fashion a more decisive majority for this position which will lock in the promises of the administration and at the same time enable the administration to go forward with its manpower training plan.

Now, that said, here is the factual situation. There are some 32,000 young men and women in these Job Corps camps. The administration proposes to reduce that number by some 16,000 people and to phase out those 16,000 into the following three categories: Those who go to other camps, those who take other forms of training, and those who go to centers which will also be residential as well as closer to areas where there actually will be jobs, rather than out in widely distributed areas of the country more suited for conservation than for direct jobs for which the young people are being trained. The administration has assured us and has put up $1 million to back up that assurance.

The PRESIDING OFFICER (Mr. PACKWOOD in the chair). The time of the Senator from New York has expired.

Mr. JAVITS. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 3 additional minutes.

Mr. JAVITS. Mr. President, hence, the substitute which I have proposed provides first that any phasing out of Job Corps centers be carried out in a manner that will insure that equivalent—I emphasize the word "equivalent"—educational, vocational, and related training opportunities are provided for each trainee who is enrolled in any such center and wishes to continue his training; second, that the aggregate of opportunities for job and related training available to disadvantaged youth under Federal manpower training programs shall, in no event, be less than that for fiscal 1969.

The administration has presented a program which includes the closing of 59 camps. They still plan to add 6,000 slots. There are a number of manpower training slots available. Let us remember that the entire Job Corps, even at the present rate, represents less than 10 percent of the total manpower slots for training available which is in the area of 360,000.

It seems to me that a new administration should be given the opportunity to embark upon a new approach and a new program. The new approach comes down to a trade off: What we give up in the Job Corps training camps, we gain in other opportunities. Remember, we are not God. We cannot choose child A as against child B. We must develop a national policy which gives voice to the national interest. It will help two or three children. It might be less advantageous for one or two others. That is to be expected. We cannot run it any other way. But what we trade off for the Job Corps slots is over 20,000 additional new slots in the JOBS program, which has the great advantage, in my judgment, of giving jobs at the end of the road. The real problem of the Job Corps is that no matter how we argue the desirability of training and getting people out of doors and taking them off the streets, the facts are that their training has not demonstrably resulted in jobs for them at the end of the road.

On the contrary, the attrition aside from all the other difficulties associated with the camps, has been unbelievable—about three-quarters of youths originally enrolled either do not attend or do not show up at all. Fifty percent fall by the wayside.

While $8,300 is the figure put on the Job Corps training, the cost of an inresidence young person near a place where he can get a job, comes to somewhere between $5,500 and $6,000. It seems to me that it is simply nonproductive to bullheadedly persevere along the old line because, once upon a time, in the depression, over 35 years ago, we had the CCC camps.

That is what it really comes down to.

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The **PRESIDING OFFICER**. The time of the Senator from New York has expired.

Mr. **JAVITS**. Mr. President, I yield myself 2 additional minutes.

The **PRESIDING OFFICER**. The Senator from New York is recognized for 2 additional minutes.

Mr. **JAVITS**. Mr. President, the substitute resolution would give this majority—which we must recognize is not of the President's party—an independent voice to be asserted in respect to what Congress does and what the President does.

In the first place, the resolution is something that perhaps normally we would not have. The President would make a decision of this kind, the Senate would not overturn it, and then that would be it. But we do have a resolution if we adopt the substitute, and it would lock safeguards into that resolution so that the plan as administered would be truly treating with justice, equity, and equivalency those affected now—to wit, those in the camps who will be released from the camps being closed, and the substitute would give assurance that over all, the total number of slots will not suffer. On the contrary, they will be upgraded. That is the purpose of the substitute resolution.

I would hope, upon this basis, that we could hold the administration's feet to the fire, which is its purpose, and, secondly, work out a situation where they can go forward with an effort which is a different effort from that made by the previous administration. It is different because it has a different character—to wit, the effort to profit from the relationship to the private enterprise system, and stimulate the private enterprise interest, in order to assure the job trainee a job at the end of the road. That is the purpose and intent of this particular substitute.

Mr. President, the substitute was presented in the committee. It was considered by the committee and it failed there. But I hope very much that we can, on the basis of the arguments which I have made, achieve a majority—and secure legislation for this approach on the floor of the Senate.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. **CRANSTON**. Mr. President, I wish to speak very briefly; I ask my colleagues to look at the statement on their desks which contains excerpts that are totally representative of telegrams received from heads of Job Corps centers indicating that they cannot do for the displaced corpsmen what the substitute resolution assumes can be done by the Job Corps and the Department of Labor.

Wire after wire after wire has come in from heads of Job Corps centers, in response to several questions, indicating that there is no program, that they are sending the enrollees back home, that they are telling them to get in touch with their Employment Service, and that then perhaps something can be found for them.

Others say there is no comparable program and no place they can be put.

If we fail in this effort, if the substitute motion is adopted, there will continue to be chaos, confusion and heartbreak which they will face, those who have been in the camps that are now closing down.

Quite briefly, I would also say this about the role of the Senate:

It was on April 11 that Secretary Shultz announced the closing. It was on April 25, following efforts individually, private and public, by Senators and others, to persuade the administration to reconsider. After talk had failed, the resolution was introduced, calling upon the President to wait until Congress could consider the matter. On April 29, the resolution was reported favorably by the appropriate subcommittee. On April 30, it was reported favorably by the full committee. Four hundred and fifty pages of testimony were printed and considered by those who chose to read them. Some 3 full days of hearings were held. Eighteen pages of the committee report reflected the views of the minority and the majority, and they were printed and made available.

Today, May 13, the Senate is now voting on this matter. I found it extremely gratifying that the Senate's processes and the body itself is able to respond expeditiously to the challenge it faces. This swift and responsive senatorial performance seems to me a stirring declaration that the legislative branch has a vital role to play on this question, and on like questions where public interest and congressional prerogatives are concerned, and that the legislative branch is prepared to fulfill that role.

This resolution calls simply for that opportunity, an opportunity for the Senate to participate fully in the processes of Government in accordance with traditions and precedent relating to our authorization and appropriation procedures and prerogatives. That opportunity can be afforded by rejection of the substitute motion and by adoption of the pending resolution.

Thus, I urge the Senate to reject the substitute so that we may proceed to consider adoption of Senate Resolution 194 which permits us to express our insistence upon orderly processes and upon the protection and preservation of our constitutional role in marking out Government programs for the executive branch to execute.

Mr. President, I yield back the remainder of my time.

Mr. **JAVITS**. Mr. President, I yield myself 5 additional minutes.

I ask unanimous consent that there be incorporated in the RECORD the statement by the Senator from Massachusetts (Mr. BROOKE) favoring the substitute.

There being no objection, the statement by Senator BROOKE was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR BROOKE

Mr. BROOKE. Mr. President, I was originally a cosponsor of the Cranston resolution. I believed at the time that the Administration acted unwisely and prematurely in announcing its decision without prior consultation with the Congress. And I believed that it was unfair to enrollees in the program to terminate their training in midcourse.

However, I have also been critical of the program in the past, and would be among the first to admit that in terms of cost-effectiveness, as well as actual placement, it appeared to be one of our less productive efforts.

The Administration's decision was taken with these two considerations in mind. Regardless of whether we approve of the way in which the decision was announced, the fact remains that over a month has passed since the decision was put into effect. More than 6,700 trainees have either graduated, been transferred to other programs, or been slotted for transfer. The cost of reversing this process at this time would be prohibitive in terms of further disruption of human lives, not to mention the financial costs of reopening and maintaining the 59 centers themselves. Furthermore, I question whether such a reversal would be wise given the conscientious and commendable efforts of the Administration to provide counselling and appropriate placement for all those affected by the closings.

The Cranston resolution has made a major contribution to the Job Corps debate. It has put the Congress on record as being firmly in favor of job training for the young, and our consideration of it has made clear our deep concern that human concerns be placed above financial ones. But I believe that the passage of a resolution which would call upon the Administration to reverse its decision until the Congress has had an opportunity to evaluate the program is no longer a wise or timely course of action. Therefore, I believe the Javits substitute amendment, which states the sense of the Senate that equivalent training be provided for each affected trainee, is the most constructive action for the Senate to take at this time.

Mr. **JAVITS**. Mr. President, I announce that the Senator from Illinois (Mr. PERCY) and the Senator from Pennsylvania (Mr. SCHWEIKER) have joined me as cosponsors of the substitute resolution.

I wish to address myself to the very interesting argument made by the Senator from California (Mr. CRANSTON). I think there is a pretty grave question as to whether this is a constitutional prerogative which the Senate is now carrying out in the sense of the Senate resolution, or whether it does not really, at a very early stage of the new administration, invite the kind of confrontation which, at the very least, is premature, and which, at the very most, is highly undesirable.

The right to administer the laws has been exercised by both Democratic and Republican Presidents to give them the right to decide when they will or will not spend money appropriated by the Congress. There is nothing that gets up the back of a President more than to ram such a decision down his throat.

That is exactly what the resolution would do. It would be the first evidence of real partisanship which has so far come on the scene, in that the Democratic majority would, in effect, be saying to the President, "You have made an Executive decision, but we tell you not to carry it through."

That is essentially what the argument amounts to. I do not say we do not have any power to pass it. Obviously we do. But I think we ought to have clearly in mind that, at the very beginning of this new administration, we are proposing to abort the administration's plans with re-

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spect to manpower training, rather than give it the opportunity—and I think, on a showing, an effort to do so would be made—to do a different but better job than has been done before.

After all, why did the American people elect a new administration? I beg my colleagues to have in mind that if real shambles result from this resolution, if it is adopted, the responsibility will definitely be off the back of the President, and if manpower training is thwarted and is less, and if the money that is spent for it is spent less usefully, it is not going to be the President's fault. I am not so sure that is very smart politics.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HARRIS. The Senator raises a partisan issue, but it seems to me that it is only on the Senator's side of the aisle that 100 percent partisanship is shown here.

Mr. JAVITS. I do not raise a partisan issue. I am sorry to disagree with my beloved friend. I am only pointing out that to make this a partisan issue—and it looks that way from the vote—is not very good politics.

Mr. HARRIS. Will the Senator yield further?

Mr. JAVITS. I yield.

Mr. HARRIS. Does the Senator feel that one side of the aisle is indicating more partisanship than the other?

Mr. JAVITS. No, but I feel that, on occasion, one side shows it less wisely than the other.

Mr. HARRIS. Which side?

Mr. JAVITS. I think on this occasion it is the Senator's side. [Laughter.]

Mr. President, to complete the point, the administration has come forward with a program which gives, in my judgment, on the record at least, a new start, a new direction, a new basis for going forward with manpower training by balancing out differently than it has before the job training slots. That is what it comes down to.

I have been frank about the purport of the substitute itself. It is only to hold the administration to its promise. The fundamental point still remains that each Member of the Senate shall decide on his own that he does or does not wish to seek to inhibit the administration from out its proposed plan with respect to manpower training.

I cannot hope to win to the substitute those who wish to say to the administration, "Do not shut down any Job Corps training camps," but I am appealing to Senators who want to give the administration, on this showing, an opportunity to carry out a program which looks promising with the insurance that, in carrying out that program, it will do justice by those who are in the camps and those who are released from the camps and that it will do overall justice to all Job Corps trainees, because it will afford more slots, with greater opportunity for individuals to get jobs at the end of the road.

I, myself, supported the Job Corps. I voted for it notwithstanding hot arguments against it. But I am persuaded now that there is a more useful way to spend money than at $8,000 a head in the Job Corps, and that more youths can get an opportunity, than if we continued it at the present cost-benefit ratio.

With the plan of the administration, I think we are presented with a viable alternative. I do not necessarily take their word for it. Let us see if they will administer the program differently and fairly.

I heard the argument of the distinguished Senator from California. I yield to no one in my solicitude for the individuals concerned, live boys and girls who are entitled to the very direct help given them; but I do feel that the situation ought not to be obscured by the normal confusions which surround an operation of this character. The fact is that one can get many individual cases, through telegrams, which show that this particular boy or girl, or half a dozen of them, have been badly used, as they feel.

Representations have been made to us as to precisely how the number will be handled. It looks legitimate and right on its face. The substitute commits the administration to that. That is its purpose. I think it is the best way in which to handle the situation.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. JAVITS. Before I do so, the Senator from California was very kind in yielding back his time. I shall yield to him if he needs time.

I yield 2 minutes to the Senator from Illinois.

Mr. PERCY. Mr. President, I would like to comment on the remarks of the distinguished Senator from New York. I believe this resolution is important not only to give the administration a chance to carry out its new program, but also as a vote of confidence for the Secretary of Labor.

I attended the confirmation hearings of the Secretary-designate before the Labor and Public Welfare Committee. I cannot ever recall hearing so many fine comments about a distinguished citizen of this country. He was lauded by industry. He was lauded by organized labor. He was lauded by almost everybody, Democrat and Republican.

Since his confirmation, he has shown promise of being one of the most distinguished Cabinet officers ever to serve his Government.

Mr. President, it is a question of judgment. Congress has made it eminently clear that we want to do as much for the American taxpayer as we can. We have also made it clear that we want to help to give the disadvantaged an opportunity. But we have also made it eminently clear that we want efficiency in Government. Unfortunately we all know there has been a certain amount of waste in the Job Corps.

This program is not one that has shown the highest yield on the dollars expended, although we admit it is a difficult area and that we have worked with the most difficult disadvantaged youth in the country. But I think it is a matter of judgment now as to whether the Secretary charged with the mandate of carrying out this program should be given authority to go ahead and see what he can do with a given amount of dollars to maximize the equality of opportunity for our disadvantaged youth.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield 1 minute to the Senator from Illinois.

Mr. PERCY. By this sense of the Senate resolution, as pointed out by the distinguished Senator from New York, we are simply assuring now, backed by the authority of this body, that what the Secretary has said will be carried forward.

I have no doubt it would be carried forward anyway, but the Javits proposal would seek to assure that no youth in these programs would not be offered an alternate method of continuing his education and training, to make him qualified to take his role in modern industrial society.

This would place a responsibility on the Secretary, and one that he wanted to assume, to try to use the available money more effectively and efficiently.

Therefore, I say I would vote for it simply to give a new Secretary of Labor the chance to carry forward a program—a man who is an expert in this field, and one in whom we all have the greatest confidence.

Mr. JAVITS. Mr. President, I yield 2 minutes to the junior Senator from New York, and ask unanimous consent that, at its next printing, his name appear as a cosponsor of the substitute resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOODELL. Mr. President, I speak as one who served in the House of Representatives, on the committee that wrote the poverty legislation on that side. I speak as one who, since 1961, has urged residential skill training for 16- to 21-year-old young men and women in our country.

I think this comes down, at this stage, to a very simple proposition. There can be no one in this body who does not now recognize that there have been many inefficiencies in the Job Corps. Perhaps the greatest has been the inability of the Job Corps to connect the young graduates with jobs at the end of the line.

Part of the reason for that has been the arbitrary and inflexible structure of the Job Corps; but the biggest reason has been our failure to integrate this problem in a continuity from beginning to end, so that when a youngster goes in he receives relevant training, and when he gets out at the other end, there is a job waiting for him.

After 3 years of the Job Corps, we had before us the specific facts that only about 11 to 15 percent of the youngsters who graduated got any help at all from the Job Corps in getting a job. Many of them were sent back to local employment offices with no real chance at all. A chit was sent there, saying, "Will you please help this youngster get a job?"

The difference between the Javits resolution and the Cranston resolution is very simple. The Javits substitute would give flexibility, to make it more workable; and the Javits substitute would do what the Cranston resolution tries to do: Assure that they will all have the op-

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portunity to continue, as they are now, in the Job Corps, to be provided some kind of training, and that they will not just be dropped and sent home. That is essential, and it would be accomplished as much by the sense-of-Congress resolution submitted by Senator JAVITS as by the sense-of-Congress resolution submitted by Senator CRANSTON.

Are we going to freeze the Secretary of Labor and the Job Corps into the present situation until Congress makes overall decisions, or are we going to provide the flexibility for the Secretary of Labor to begin to make the system more workable now?

I think we should adopt the Javits substitute.

Mr. JAVITS. Mr. President, I think that the argument has been made to enable the Senate to judge the merits and vote accordingly. I am very grateful to the junior Senator from New York (Mr. GOODELL) and the Senator from Illinois (Mr. PERCY) for their support, with the Senator from Vermont (Mr. PROUTY), the Senator from Massachusetts (Mr. BROOKE), and others who had joined in this substitute.

Mr. President, I am prepared to vote.

Mr. MANSFIELD. Mr. President, will the Senator yield himself 1 additional minute, so that the amendment can be read?

Mr. JAVITS. Mr. President, I yield myself 1 additional minute, and ask that the clerk read the proposed amendment.

The PRESIDING OFFICER. The clerk will read the amendment.

The legislative clerk read as follows:

AMEDMENT No. 20

Strike out all after the resolving clause and insert in lieu thereof the following:

"That it is the sense of the Senate that—

"(1) any phasing out of Job Corps centers shall be carried out in a manner that will insure that equivalent educational, vocational, and related training opportunities are provided for each trainee who is enrolled in any such center and wishes to continue his training, and

"(2) the aggregate of opportunities for job and related training available to disadvantaged youth under Federal manpower training programs shall in no event be less than that for fiscal year 1969."

Mr. SCHWEIKER. Mr. President, I rise in support of the amendment being offered by the distinguished senior Senator from New York.

I cosponsor this amendment because it will express the strong concern of this body, which I definitely share, that we not reduce the overall number of manpower training slots in Federal programs for disadvantaged young men and women.

This amendment will, in addition, make it clear that the Senate expects the Department of Labor to offer each Job Corps trainee affected by the reorganization a chance to receive equivalent training opportunities elsewhere in the Federal manpower training network.

But with these two important safeguards, the amendment will nevertheless permit the President to go forward with his restructuring of the Job Corps and his integration of the Job Corps into the entire network of Federal manpower programs.

The pending resolution, Senate Resolution 194, would stall this vital Executive action at a time when we can no longer afford inaction in the long-overdue reshaping of Federal job training resources.

The President and the Secretary of Labor are to be congratulated for their determination to make manpower training one of the priority accomplishments of the new administraion. There is much that needs to be done, and there is little time in which to do it. New Federal resources must be committed to the task of job training, and resources already deployed in job training must be redirected to areas where they will do the most good for the largest number of job trainees at the lowest cost.

More than a year ago the National Advisory Commission on Civil Disorders issued its report, in which one of the key recommendations was the consolidation, expansion, and concentration of employment training efforts. That same report charged that Federal efforts to aid the poor were scarcely reaching the people most in need of help in our major cities.

Thus it should be with a keen sense of the urgency of our manpower training problems that we look at what the administration is proposing. At a time when Federal manpower programs are so important to the well-being of the Nation, and yet are bogged down in so many spots by ineffective use of resources and high dropout rates, the administration has shown to my satisfaction that it should be allowed to go forward in carrying out its plans. There must be safeguards imposed on what the administration does, and these are embodied in the amendment which I am cosponsoring. But once the safeguards are clearly enunciated by this body, then it is time to give the administration its chance to improve the Federal job training apparatus without further delay.

The Secretary of Labor, in his testimony before the Subcommittee on Employment, Manpower, and Poverty, has pledged that the Department will "work with each individual" now in a camp designated for closing. Each corpsman will receive continued training in another Job Corps center or in another Department of Labor manpower program.

The Secretary also has reported on the administration's plan to provide 368,600 job training slots for out-of-school youth in fiscal year 1970—a figure which is 5,700 more than the current fiscal year. While the Job Corps enrollment would be down from 70,000 this year to 47,000 next year, the number of out-of-school youth in the JOBS program—job opportunities in the business sector—the program conducted with private employers by the National Alliance of Businessmen, will rise from 28,800 to 60,500. This will come about, incidentally, as the administration plans to put JOBS programs in 125 cities, rather than the existing 50 cities.

And, as it has been said many times, the administration is not dismantling, or even emasculating, the Job Corps itself. The Job Corps will be gaining 30 centers it never had before, located in or near large cities, that are expected to combat the high dropout rates caused in the past by long travel distances and homesickness once the trainees reached the camps.

Mr. President, the administration should be permitted to carry out its planned restructuring of the Job Corps without delay. I consider it most unwise for this body to pass Senate Resolution 194 and I urge that it accept instead the substitute amendment of the distinguished senior Senator from New York.

THE ADMINISTRATION AND THE JOB CORPS

Mr. MONTOYA. Mr. President, yesterday and on earlier occasions I have addressed myself to the very serious implications of closing a series of Job Corps centers throughout the Nation.

I should like to add to my previous remarks that I regard as ominous this tendency on the part of the administration to go its separate way on this crucial program. We in Congress must be enabled to determine the full magnitude of our critical poverty programs upon which millions of dollars and limitless hours of work have been expended. For how else can we determine whether these expenditures have been worthwhile or how they may be enabled to become more effective?

I am at a loss to understand, too, why the administration waited until Congress was out of session before making its announcement on closure of the Job Corps installations. This only demonstrates to me a weakness on the part of the Nixon administration; certainly it cannot be called an effort to aggressively secure knowledge about serving human needs most effectively.

What concerns all of us here is the need for eliminating gaps in services to our severely deprived youth. Until they attain another status, they are and must be entitled to the fullest presumption of remedial potential. In short, unless the administration can evolve more creative and dynamic means than the Job Corps for dealing with and assisting these young people, we cannot permit reduction of the program.

I call upon my colleagues to adopt Senate Resolution 194 and reject any attempts to weaken its thrust by substituting for its provisions meaningless language that would say nothing more than that we approve of what the administration is doing. I urge that this issue not become one of for or against the administration, but rather one of for or against the underprivileged youth of this Nation. I urge adoption of Senate Resolution 194 as reported by the committee.

It is my fervent hope that the administration will take into full consideration the sense of the Senate as expressed in Senate Resolution 194, and postpone this very serious and drastic action until we here have had an opportunity to review the program in depth.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute submitted by the Senator from New York. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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Mr. TALMADGE (when his name was called). Mr. President, on this vote I have a pair with the Senator from Tennessee (Mr. GORE). If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. BIBLE) is absent on official business.

I also announce that the Senator from Tennessee (Mr. GORE), and the Senator from Indiana (Mr. HARTKE), are necessarily absent.

I further announce that, if present and and voting, the Senator from Nevada (Mr. BIBLE), and the Senator from Indiana (Mr. HARTKE), would each vote "nay."

Mr. SCOTT. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Massachusetts (Mr. BROOKE), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

If present and voting, the Senator from Massachusetts (Mr. BROOKE) would vote "yea."

The result was announced—yeas 40, nays 53, as follows:

[No. 32 Leg.]

YEAS—40

Allott
Baker
Bellmon
Bennett
Boggs
Case
Cook
Cooper
Cotton
Curtis
Dirksen
Dole
Dominick
Fannin
Fong
Goldwater
Goodell
Griffin
Gurney
Hansen
Hatfield
Hruska
Javits
Jordan, Idaho
Miller
Mundt
Murphy
Packwood
Pearson
Percy
Prouty
Saxbe
Schweiker
Scott
Smith
Stevens
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—53

Allen
Anderson
Bayh
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Cranston
Dodd
Eagleton
Eastland
Ellender
Ervin
Fulbright
Gravel
Harris
Hart
Holland
Hollings
Hughes
Inouye
Jackson
Jordan, N.C.
Kennedy
Long
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Russell
Sparkman
Spong
Stennis
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Mr. Talmadge, for.

NOT VOTING—6

Aiken
Bible
Brooke
Gore
Hartke
Mathias

So Mr. JAVITS' amendment in the nature of a substitute was rejected.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President, is time allocated on the resolution?

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, how much time remains on the resolution?

The PRESIDING OFFICER. The Senator from California (Mr. CRANSTON) has 66 minutes remaining. The Senator from New York (Mr. JAVITS) has 11 minutes remaining.

Mr. CRANSTON. Mr. President, I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, I think this has been a very unfortunate 2 days that we have spent on this measure because we have been arguing between various expressions of the sense of the Senate, not advice of the Senate under the advice-and-consent clause. It simply involves the sense of the Senate as to what the Executive should or should not do.

Mr. MANSFIELD. Mr. President, I most respectfully request that the Chamber be cleared except for Senators and those attachés who have business in the Chamber.

The PRESIDING OFFICER. At the request of the majority leader, the Senate Chamber will be cleared except for Senators and those aides who have immediate business with Senators.

Mr. YOUNG of Ohio. Mr. President, I ask that the Sergeant at Arms clear the aisles immediately so that the Senator may proceed.

The PRESIDING OFFICER. The Chair so directs.

Mr. HOLLAND. Mr. President, I hope that my 5 minutes can start now.

I think we have wasted 2 days talking about what may be the sense of the Senate. We have divided on almost strictly partisan lines on these various proposals. We did it first in the committee report, which shows all the Democrats on one side of the report and all the Republicans on the other side of the report, except for one. I believe the Senator from Oklahoma was not present on that day.

Mr. President, it is my feeling that this ought not to go down in history as a partisan division. This is not a partisan matter as far as I am concerned.

I am against this kind of expression of the sense of the Senate when I think the Executive has done its duty in trying to perfect a program that has proven to be an abysmal failure in many parts of the Nation—certainly in my own State—and incidentally save $100 million while doing it.

As far as I am concerned, I want to approve the way in which the President has handled the matter.

Aside from that, I do not think that anything of this kind will affect the judgment of the President. It ought not to. We have divided almost evenly here on the various votes that we have taken, and there could not be any strong exhibit of feeling out of the Senate under that kind of condition.

When the General Accounting Office, which is our arm, tells us there are many things about this program, as it has—and I have read its report very carefully; when it is costing approximately $8,300, on the average, for each boy or girl, much more than enough to send the boy or girl through Harvard if they were able to go; when such a small percentage of them have gotten employment afterward or stuck to it; when so many of them have proved to be personal failures, then, so far as the Senator from Florida is concerned, he welcomes the effort to turn this program into a little more effective effort, and he wants to make that clear at this time.

Mr. President, so far as my own State is concerned, we had one Job Corps center at St. Petersburg. It cost $9,600 per year per girl. It was begun there during 1965 and 1966. It was practically run out of town, for reasons which I shall not discuss here. They tried to go to Miami, to take over one of the better hotels there, and people rose up in arms, because they thought the judgment of the administrators was so very poor, as it showed itself to be in so many phases of this program.

Mr. President, I think it is a useless and futile thing for us to have divided so closely for 2 days on a matter of this type which, after all, if it should be agreed to, is nothing but a pious expression of a small majority of the Senate. I do not believe it will have any effect. I do not believe it should have any effect.

In conclusion, just let me say this: The Senator from Florida voted against the motion to recommit because he wanted to vote on the merits. He voted against the substitute amendment because that, too, was an expression of a sense of the Senate supported only on one side of the aisle. But he is going to vote—and he told his friend the Senator from California, before this debate started, that he was going to vote—against this proposal, because he thought that it was unwise, that it would be futile, and that it would put the Senate in a very false position if it should pass.

Are we for improving this program? Are we for holding up the hands of the Executive if he tries to do an effective thing? Are we for holding up the hands of the Executive when he tries to save a hundred million dollars? So far as the Senator from Florida is concerned, he is for the President in those respects, and I want to be recorded on the merits of this matter and against the pending resolution.

The Senator from Florida thanks the Senator from California for yielding to him. I told him before he yielded that I would not be on his side. He was very gracious and very generous in yielding to me.

I hope the Senate will reject the resolution.

The VICE PRESIDENT. Do Senators yield back the remainder of their time?

Mr. CRANSTON. I yield back the remainder of my time.

Mr. DIRKSEN. I yield back the remainder of my time.

The VICE PRESIDENT. All time has been yielded back.

The question is on agreeing to the resolution. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ELLENDER (when his name was called). On this vote I have a pair with the senior Senator from Nevada (Mr. BIBLE). If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

Mr. TALMADGE (when his name was called). On this vote I have a pair with the distinguished senior Senator from Tennessee (Mr. GORE). If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

The assistant legislative clerk resumed and concluded the call of the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. BIBLE) is absent on official business.

I also announce that the Senator from Tennessee (Mr. GORE) and the Senator from Indiana (Mr. HARTKE) are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana (Mr. HARTKE) would vote "yea."

Mr. SCOTT. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Massachusetts (Mr. BROOKE), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

The result was announced—yeas 40, nays 52, as follows:

[No. 33 Leg.]

YEAS—40

Bayh
Burdick
Cannon
Church
Cranston
Dodd
Eagleton
Ervin
Fulbright
Gravel
Harris
Hart
Hughes
Inouye
Jackson
Jordan, N.C.
Kennedy
Magnuson
Mansfield
McCarthy
McGee
McGovern
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Sparkman
Spong
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—52

Allen
Allott
Anderson
Baker
Bellmon
Bennett
Boggs
Byrd, Va.
Byrd, W. Va.
Case
Cook
Cooper
Cotton
Curtis
Dirksen
Dole
Dominick
Eastland
Fannin
Fong
Goldwater
Goodell
Griffin
Gurney
Hansen
Hatfield
Holland
Hollings
Hruska
Javits
Jordan, Idaho
Long
McClellan
McIntyre
Miller
Mundt
Murphy
Packwood
Pearson
Percy
Prouty
Russell
Saxbe
Schweiker
Scott
Smith
Stennis
Stevens
Thurmond
Tower
Williams, Del.
Young, N. Dak.

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Mr. Ellender, against.
Mr. Talmadge, against.

NOT VOTING—6

Aiken
Bible
Brooke
Gore
Hartke
Mathias

So the resolution (S. Res. 194) was rejected.

Mr. LONG. Mr. President, I make a motion to reconsider.

It is my hope and my sincere prayer that President Richard Nixon will be one of the greatest Presidents in the history of our country. I do not say that because necessarily I am in favor of Richard Nixon; I am in favor of America.

I would hope that on matters of this sort, the President would be willing to sit down with men who have actually been in these camps and slept on the ground with these boys, men who have been there and checked it out, and men who have seen what happened. I hope that it would be analyzed on that basis.

One reason I make that suggestion is that the President has been most kind and generous to this Senator. He suggested that I come down to talk to him about tax matters. During that conference, something came up concerning inflation and I had occasion to say, "If you want to do something about inflation, repeal the investment credit." His message came down, and there it was.

This is a very honorable and decent man. This man does not play partisan politics when the Nation's welfare is at stake. If I do say so, this is a man who wants to rise above small politics, and we should match him in being the same way.

All this resolution is asking for is the right to take a look to see what has been accomplished and what has not been accomplished, and having considered all of that, then to say: "All right. Now, here is what I would like to do, having considered that."

In my judgment, the President is a great man, but somebody must be his friend. On the ABM matter I will be one of his strongest supporters, and that will be one of our most difficult issues.

I hope our friends on the Republican side of the aisle and on the Democratic side of the aisle will separate themselves from any prejudice that might possess them at this moment and be willing to sit down with people who know the program better and who consider it their business.

The President has been willing to do that with people like RUSSELL B. LONG, the chairman of the Committee on Finance, and he has been willing to consider our suggestions. I am honored and proud that he did consider one of my suggestions, which was a good one. It is not going to get me any votes but the point is that he is a courageous and decent man.

Mr. President, this particular matter involves the future of about 18,000 children, youngsters who are about 18 years old. Perhaps the President is 100 percent right, but I have talked to the Secretary of Labor and that is where the recommendation came from. I think the Secretary is completely wrong on this issue.

If the President had thought about this matter and carefully considered it, and had taken all things into consideration, I am satisfied that it would not have been necessary for us to have this measure on the floor today. He would not have accepted the recommendation of his secretary.

Let me tell my Republican friends—I know how these things operate, because I used to be a whip a little while ago. I address myself to them this way: If you are ever going to give me a vote, vote for me this time.

If the Republicans think that they are getting some "Brownie points" by voting with the President on this, they can just forget about it. Frankly, he really does not care. This one is not important.

If you Republicans vote with him on the ABM, that would be a very important vote. He thinks that involves the survival of this country, no matter who is the President when the showdown comes. But, Mr. President, this is one thing where the Senator from California is asking for nothing more than the right to have the case heard. That is all he is asking for. He is saying: "Just hear my case."

I know some of these young people. The idea of taking young people headed for a life of crime and doing something for them is important. Many people have worked their hearts out to try to rehabilitate them and make good citizens out of them. This is what this resolution is all about.

The Secretary of Labor, I am afraid, does not realize what he is recommending. All we are asking is to hear the case. I will make a suggestion: Is there anyone here who can tell me if the Secretary of Labor has ever spent a night in a poverty camp? Stand up. The point is that GAYLORD NELSON, the distinguished Senator from Wisconsin, and a good man, has slept on the ground with those children. He knows what the problem is. He understands it. All we are really asking is just for the President to consider it, to hear both sides of the argument. He did that with the tax bill. That is important. That involves $10 billion.

All we are talking about here are 10,000 little children. It is their future. It is their life. It is everything there is.

Now I voted against the Senator from California for one good reason, I wanted to position myself so that I can move to reconsider.

Mr. President, I would like to plead with my Republican friends, Please do not ruin this sanctuary of the wretched and the poor. You will regret it, if you do.

If I do say so, you Republican people have been very good to me. As good as they have been to me, I should like to return the favor by saying, Do not make this a partisan issue. Why not hear the facts?

I want to ask the Senator from California this question: Is he on the committee?

Mr. CRANSTON. I am on the committee.

Mr. LONG. Have the facts been presented?

Mr. CRANSTON. The facts have been presented in part but not in total. We do not know what we should about the Job Corps or other portions of the war on poverty at this time. We do not have the administration's alternative plans before us to consider.

Mr. LONG. The future of 18,000 children could be one dedicated either to crime or to being good citizens.

Let me ask the Senator from California, Have there been any uprisings, Communist inspired, in any one of these camps?

Mr. CRANSTON. There have been no riots since the Job Corps closing order was issued. On the other hand, there have been many riots on many campuses where other people are receiving an education.

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Mr. LONG. Mr. President, the Senator from Wisconsin (Mr. NELSON) is chairman of that committee, and I think he understands the question as much as anyone here.

Is he here? I regret to say that he is not here.

The point is, he made an eloquent speech to an empty Chamber. No one heard him—that is, no one except possibly half a dozen people. I was there. All the Senator is asking is for the right to have his case heard.

I know this about the President of the United States. If this resolution is voted here tonight, he would be glad to consider it on its merits and be for it, or if it has no merit, then his answer would be accordingly.

I would like to urge Senators, if you have never been there and never slept on the ground with these boys, if you have never seen what it means to take a boy potentially dedicated to a life of crime and make him a good citizen of the United States, you should, at a minimum, be willing to consider the program.

Mr. President, I ask unanimous consent to withdraw my motion to reconsider.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. LONG. Mr. President, I think that the Senator from California has made a very noble effort on behalf of the poor and the tempest tossed, those people who are lost as a part of our society. I voted against him for one simple reason, that I wanted to be in a position to make a motion to reconsider.

Mr. CRANSTON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. CRANSTON. Mr. President, I want to express my gratitude to the Senator from Louisiana for all the valiant work that he has done on behalf of this resolution as well as for many other things I admire that he has done. I appreciate his friendship and his support in this. I thank all others who supported the resolution which I introduced. I also thank those who opposed it, especially for their fairplay and sportsmanship during this entire debate.

I regret that it did become a partisan effort. I think all those on the Republican side of the aisle know that I did my best to prevent this. I talked to the minority leader and the minority whip and to every other Republican Senator about this resolution stating why I was proposing it and urging that it not become a partisan battle—which it would not have become, of course, if they supported me in my efforts. But I intended it not to become a partisan issue, for I thought it would have a better chance for adoption and would help more people in the Job Corps if bipartisan support could be achieved.

We won two victories this afternoon. I recognize that we are not likely to win a third. I am reluctant to see the Senate tied up for a substantial amount of time in a losing battle for reconsideration.

But we do want to impress upon the President and the Secretary of Labor the position of the Senate. It is a position shared by every Senator, that the people in the Job Corps be taken care of to the maximum degree possible and those who were about to enter the Job Corps be taken care of to the maximum degree possible.

I say, "to the maximum degree possible," because I recognize that all of them cannot be, and have not been, taken care of. Many of the training positions have been destroyed. Many of the enrollees will be back in and out of school. But perhaps with a renewed effort on the part of the administration or by a greater demonstration of interest, more people will be saved. I sincerely hope that they will be. For those reasons, and with those hopes in my heart, I urge the Senator from Louisiana not to ask for a reconsideration of the vote. And I urge the President of the United States, on behalf of all here, to do all that can be done through his administration to aid these young people.

Finally, I want to thank all those who have been involved on both sides of the aisle.

Several Senators addressed the Chair.

Mr. LONG. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I want to thank the distinguished Senator from California for the very fine, gracious, and manly way in which he has handled himself not only throughout this matter, but also just now.

I remind all Senators that we have to pass on this question through the consideration of legislation very shortly. Certainly the President knows that this body is closely divided on the question of what centers there will be. I think that the Senator from California has suggested the appropriate handling of this matter and I hope that his suggestion will prevail. I think he has made enough of an effort that has been amply worth it. So far as I am concerned, I did not think so because I thought we were talking about a pious expression that seemed to indicate it would not bring good results. But I hope that every one here will remember that we have got to face up to this matter through legislation very shortly, and then is the time for us to look at the whole picture again.

Mr. JAVITS. Mr. President, will the Senator yield to me momentarily?

Mr. LONG. I yield.

Mr. JAVITS. Mr. President, I should like to express my appreciation to the Senator from California (Mr. CRANSTON). He was very effective and gallant. May I assure him that I will join with him in every effort to see to it that the administration will do everything it has said it will do and that the maximum solicitude is shown for these young people. I have deep faith that the Secretary of Labor and the President will join us in doing just that.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. RANDOLPH. I want to clarify one point, and I am happy to have the opportunity to speak for 1 minute. I have no argument with Senators who have expressed the thought that when the Congress of the United States—the Senate in this instance—expresses the sense of the Congress or of the Senate, it does not have a bearing upon the administration or the President of the United States.

I would remind the Members of this body that the Senate of the United States did express its sense of disapproval of the course followed by President Johnson when he cut back funds for the construction of the Interstate System.

During the fall of 1968, authority to obligate funds was withheld so that expenditures for highway construction could be curtailed $200 million for fiscal year 1969. On December 1, 1968, full obligational authority was restored and the highway program is being carried forward at the level authorized by the Congress. Early this year there was some suggestion that highway funds might again be withheld and I think that the sense-of-the-Congress opposition to such cutbacks contained in the Federal-Aid Highway Act of 1968, had an impact on the final decision not to make such a cut.

I only mention that as we finish the debate this afternoon because it would be wrong to say that what we do here in the Senate, in a sense-of-the-Senate or a sense-of-the-Congress resolution, has no effect upon the administration. It has had an effect, and I think it will have an effect again.

I think the debate on this matter has been helpful and wholesome and that the matters which have been discussed will bring to the President of the United States and the administration that he heads the realization that, although the resolution may be lost, as it has been, there is a real feeling on the part of Members of the Senate, regardless of party, that the Congress of the United States, as well as the executive branch, has a very definite responsibility in matters of this kind.

Mr. LONG. Mr. President, the President of the United States is an honorable and decent man, seeking to serve this Nation as the good Lord gives him the light, and I am sure that he will act as mercifully as the good Lord will permit him to do so. I think the President was fully advised on this matter. At the same time, he can read the RECORD; and if he does not read it, I think he has someone who will and report to him.

The Senator from California has made a noble fight and has explained his position so no one can misunderstand it. The Senator from Wisconsin (Mr. NELSON) also explained his position. I think they were right.

I suppose I am a poor loser. I feel that, as long as there is a chance to win, one should keep fighting. The Senator from California has persuaded me that we have been defeated. Therefore, I will not press the issue further. I withdraw my motion to reconsider.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the resolution was rejected.

Mr. SCOTT. Mr. President, I move to lay that motion on the table.

The **PRESIDING OFFICER.** The question is on agreeing to the motion to lay on the table.

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The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I wish to add my commendation to the warm expressions of praise already extended to the Senator from California (Mr. Cranston). The flawless manner in which he presented this measure to the Senate certainly points the way to what I am sure will be a number of outstanding contributions by him in the future.

This first effort by Senator Cranston has already demonstrated that in choosing him to represent their State, the people of California have selected an advocate of exemplary skill and ability. In the final analysis, the vote may have been against the resolution bearing his name; but there is no mistaking the fact that he made his position clear, he urged it with great persuasiveness, and his views with respect to the Job Corps, I am confident, will be taken by all with the deepest consideration. Senator Cranston has certainly marked the beginning of his role as a leader of legislation with great distinction.

I also wish to commend the strong efforts of the Senator from Wisconsin (Mr. Nelson), the Senator from Texas (Mr. Yarborough), the able and distinguished chairman of the Committee on Labor and Public Welfare, and the ranking minority member, the Senator from New York (Mr. Javits).

These Senators and others joined to assure the disposition of this matter in an orderly and efficient fashion, and the Senate is grateful.

PROGRAM

Mr. DIRKSEN. Mr. President, I would like to ask the Senator from Montana about the schedule for tomorrow or about any succeeding day about which he knows.

INCREASED PARTICIPATION BY THE UNITED STATES IN THE INTERNATIONAL DEVELOPMENT ASSOCIATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Order No. 155, H.R. 33. I do this so that it may be the pending business tomorrow.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 33) to provide for increased participation by the United States in the International Development Association, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, no action will be taken on this matter tonight, unless Senators want to speak on it, which I doubt.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, that is the best I can do at this time in response to the question of the distinguished minority leader.

MR. JUSTICE FORTAS

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the body of the Record three letters: the first addressed to the Chief Justice of the United States under date of May 6, 1969; the second, bearing the same date, addressed to the Attorney General of the United States; and the third, dated the following day, May 7, addressed to Mr. William T. Gossett, president of the American Bar Association.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., May 6, 1969.

The Chief Justice,
The Supreme Court,
Washington, D.C.

My Dear Mr. Chief Justice: In this week's Life magazine there appears an article raising a serious question as to the propriety if not the legality of Justice Fortas' having accepted a $20,000 fee from a private foundation controlled by Louis Wolfson, who at the time was under active investigation by agencies of the United States Government, including the Department of Justice.

It is a serious matter when the integrity of our courts is challenged, and for this reason I am asking that after you have examined the allegation as contained in this article you advise whether in the opinion of your Court the acceptance of the $20,000 fee by Justice Fortas under the circumstances as outlined was a violation of the standard of conduct the American people have a right to expect of a man holding membership on the Supreme Court.

Yours sincerely,
John J. Williams.

U.S. Senate,
Washington, D.C., May 6, 1969.

Hon. John N. Mitchell,
Attorney General,
Washington, D.C.

My Dear Mr. Attorney General: In this week's Life magazine there appears an article raising a serious question as to the propriety if not the legality of Justice Fortas' having accepted a $20,000 fee from a private foundation controlled by Louis Wolfson, who at the time was under active investigation by agencies of the United States Government, including the Department of Justice.

After examining the allegations as contained in this article will you please advise me:

1. Was the acceptance of this fee by a member of the Supreme Court under such circumstances a violation of the law?

2. If not an actual violation of the law, does the Department consider it a violation of the standards of conduct expected of a man holding that high position?

Yours sincerely,
John J. Williams.

U.S. Senate,
Washington, D.C., May 7, 1969.

Mr. William T. Gossett,
President, American Bar Association,
Chicago, Ill.

Dear Mr. Gossett: Canons 4 and 24 of the Judicial Ethics of the American Bar Association read as follows:

"Canon 4: A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach."

"Canon 24: A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official functions."

In this week's Life magazine Justice Fortas is charged with having accepted a $20,000 fee from a private foundation controlled by Louis Wolfson, who at the time was under investigation by various agencies of the United States Government, including the Department of Justice.

I am sure that the American Bar Association has read both the charges as outlined in Life as well as Justice Fortas' answer thereto; therefore, I am asking the question: Does Justice Fortas' acceptance of this fee under circumstances as outlined violate the Canons of Judicial Ethics of the American Bar Association?

Yours sincerely,
John J. Williams.

Mr. WILLIAMS of Delaware. Mr. President, yesterday I received a call from Mr. Gossett of the American Bar Association, acknowledging receipt of his letter and promising a reply within a few days.

As yet, I have not received any answer from the Chief Justice or the Attorney General; but we are confronted with persistent rumors that Justice Fortas' resignation is imminent, and a suggestion has been made that this may close the case.

Mr. President, I do not think that Justice Fortas has any choice except to resign, but under the circumstances his resignation will not suffice to answer the questions raised in these letters.

A strong inference has been made through the press media that the Department of Justice has additional evidence which if presented may go beyond the question of propriety and involve a legal question.

In fairness to Justice Fortas this inference of additional charges should not be left hanging in abeyance. If there is further evidence a resignation would not justify its being "brushed under the rug"; rather it should be openly presented, and the accused given an opportunity to refute it.

On the other hand, if there is no additional evidence it should be so stated and not left dangling as an additional cloud over a man who is already in enough trouble.

For this reason I reiterate that while I think Justice Fortas has no choice but to resign in the light of the charges already presented, nevertheless, regardless of developments I shall insist upon answers to these letters.

I ask unanimous consent that an editorial be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, May 13, 1969]

Fortas and the Court

The visit by the Attorney General to Chief Justice Warren last week, a visit now confirmed by both men, presumably was made in the hope that the case of Justice Abe Fortas could be satisfactorily resolved without fur-

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ther embarrassment to the justice or to the court.

It hasn't worked out that way. At first, neither Attorney General Mitchell nor the Chief Justice would comment on Newsweek's report of the visit. But yesterday, as the complaints against Fortas mounted, the confirmation came through.

Mitchell said that he had sought the meeting with the Chief Justice and that they met in the latter's chambers last Wednesday. "As a courtesy to the Chief Justice," Mitchell said, "I felt it incumbent upon me to inform him of certain information known by me which might be of aid to him." The Chief Justice has said nothing about the substance of their conversation. The reasonable inference is, however, that he knew the Attorney General would issue the statement he did issue, and that it is an accurate statement.

Another inference, and the only rational inference, is that the "certain information" conveyed to the Chief Justice was more damaging to Fortas than anything which has been made public to date. The Department of Justice acknowledged at the outset that the Fortas case was "under consideration," which surely means investigation although that word was not used. Furthermore, it is almost inconceivable that Mitchell would seek a meeting with the Chief Justice on a matter involving a member of the court unless he was satisfied that the information in his possession went beyond what was already in the public record.

In this situation, the Fortas case takes on a new dimension. There is quite obviously an added embarrassment to the court, and this just as the Chief Justice is preparing to step down after 16 years as head of the tribunal. It must also add to the embarrassment of Justice Fortas, who has acted as though he thinks he can ride out this storm without amplifying his earlier inadequate statement.

We do not believe this is possible. Justice Fortas should give a full explanation of the Wolfson affairs, and of any other matters that might be involved. If he is not willing to do this he can resign. If he is unwilling to take either of these steps, then it seems to us that the public has a right to all of the information bearing upon the activities of Justice Fortas which is in the hands of any government agency. Publicizing such information might serve further to prejudice the court. But in any event this can hardly be avoided. The damage has been done.

THE ABM AND EQUAL TIME

Mr. **DODD**. Mr. President, I have not reached a final decision on how I will vote on the ABM, and I know there are many other Senators who are also undecided.

In order to enable Senators to cast their vote intelligently, I consider it important that they have available for their guidance the most expert independent testimony, more or less evenly divided between those who support and those who oppose the ABM.

Unfortunately, the press coverage, the hearings, and the TV coverage have thus far been heavily on the anti-ABM side. This lopsidedness makes it far more difficult for those of us who are trying to make up our minds in a conscientious manner.

In his recent article in Foreign Affairs, Dr. Donald Brennan of the Hudson Institute, pointed out that the great majority of the articles on the ABM controversy which have appeared in the American press have been anti-ABM. It is my understanding from several experts who have followed the literature carefully that the anti-ABM articles have probably outnumbered pro-ABM articles by as much as 5 to 1. This was so simply because a majority of the editors are disposed against the ABM, and ordered their articles accordingly.

During the month of March, the Senate Subcommittee on International Organizations and Disarmament Affairs held extensive hearings on the ABM. Secretary Laird and several other witnesses testified for the Administration. But of the 12 nongovernmental witnesses called before the committee only two testified in support of the ABM. Because I considered this imbalance most unfortunate, I wrote to the subcommittee chairman (Mr. GORE) on March 21 and again on April 18, proposing that in the interest of a more balanced presentation, a number of expert witnesses who are disposed to support the ABM system be called before the subcommittee.

In my second letter I listed 16 such witnesses who could testify on the technological, strategic, and political implications of the ABM system.

I ask unanimous consent, Mr. President, to insert in the RECORD at the conclusion of my remarks the full text of my two letters to the subcommittee chairman.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DODD. Mr. President, roughly 2 weeks ago I was informed that the subcommittee planned to call Dr. Edward Teller and Dr. Eugene Wigner, the two experts who headed the list of names I had proposed.

Although the plan is to couple Dr. Teller and Dr. Wigner with new anti-ABM witnesses, this decision nevertheless does represent a move in the right direction, and I welcome it as a further evidence of the chairman's basic fairness.

Dr. Teller is scheduled to appear tomorrow morning, paired with Dr. Jerome Wiesner, of MIT.

This morning I learned that the NBC Television Network, which had covered much of the previous hearings live, including the adverse testimony of Drs. Killian, York, and Kistiakowsky, plans no live coverage or special treatment of the Teller-Wiesner confrontation before the subcommittee tomorrow morning.

I feel that this is most unfortunate, because the American public is entitled to a balanced presentation.

I therefore sent off a telegram to Mr. Julian Goodman, president of the National Broadcasting Co., urging NBC "to reconsider this decision in the interest of fair presentation on both sides of this highly complex and controversial subject."

I ask unanimous consent to insert the entire text of this telegram into the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. DODD. Mr. President, I want to repeat that I have not made up my mind on the ABM. There are many Members of Congress and countless thousands among the general public who are in the same position. My essential point is that we are all entitled to an evenhanded presentation on this issue, pro and con.

I earnestly hope that we will have the benefit of such a presentation from now on.

EXHIBIT 1

U.S. SENATE,
Washington, D.C., March 21, 1969.

Hon. ALBERT GORE,
U.S. Senate,
Washington, D.C.

DEAR ALBERT: I believe that the hearings which your Subcommittee is holding on the question of the ABM have already performed a real service in helping to throw light on certain aspects of this difficult and troublesome problems. I want to compliment you, too, on the impartial manner in which the Subcommittee has conducted the hearings despite the very strong personal views which some of the members have on the issue of the ABM.

In the interest of providing Senators with the broadest possible expert opinion on which to base their judgment, I would like to propose that the Subcommittee invite the following additional witnesses to testify on the ABM:

1. Dr. Edward Teller.
2. Dr. Donald Ling, Vice President in Charge of Systems, Bell Laboratories.
3. Dr. Richard Foster, Director of Strategic Studies, Stanford Research Institute.
4. General Harold K. Johnson, Retired Army Chief of Staff.
5. Dr. Eugene Wigner, Nuclear physicist and Nobel Prize laureate, Princeton University.
6. Dr. Albert Wohlstetter, (For many years one of the top strategic analysts for the Rand Corporation; author of the "Fail Safe System"; at present at the University of Chicago).
7. Professor Zbigniew Brzezinski, former foreign policy consultant to President Johnson and Vice President Humphrey.

Collectively this group of proposed witnesses can, I am certain, provide valuable testimony covering the technological, strategic, and foreign policy considerations that must enter into the making of our decision on the ABM.

With every best wish, and with my congratulations again on the service you are performing,

Sincerely,

THOMAS J. DODD.

U.S. SENATE,
Washington, D.C., April 18, 1969.

The Hon. ALBERT GORE,
U.S. Senate,
Washington, D.C.

DEAR ALBERT: Because I had heard something of the sharp division among the experts on the question of the ABM, I wrote to you on March 21, proposing that, in the interest of balance, the Subcommittee on International Organization and Disarmament Affairs call seven expert witnesses who, according to my information, were disposed to support the ABM system and were in a position to make an important contribution to the hearings then being conducted by the Subcommittee.

In renewing the matter at this point, I want to make it clear that I myself have not reached a final decision on how I will vote on the ABM. I know there are many other Senators who are also undecided. In order to enable Senators to cast their vote intelligently, I considered it important that they have available for their guidance the most expert independent testimony, more or less evenly divided between those who support and those who oppose the ABM.

As matters turned out, only two of the twelve nongovernmental witnesses who appeared before the Subcommittee testified in support of the ABM. (Dr. Hans Bethe, it is true, did concede that there might be some

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point to the modified Safeguard System recommended by the President. But he has been a consistent opponent of anti-missile defense in the past, and his testimony on this occasion could certainly not be characterized as a ringing affirmation of belief in the need for anti-missile defense.)

Dr. Brennan and Dr. Fink, who testified in favor of the ABM, are men of outstanding competence who, according to my information, have closely followed the entire ABM development program and have up-to-the-minute knowledge of its present status. But their testimony was heavily overshadowed by the testimony against the ABM system because their names do not command the same kind of wide recognition as do the names of Dr. James Killian, Dr. George A. Kistiakowsky, Dr. Herbert York and some of the other witnesses who testified against the ABM.

In a letter which I received the day before the Easter recess, you informed me that my proposal would be discussed with the Subcommittee when Congress reconvened. I was therefore surprised to learn that the Subcommittee now plans to publish the body of the testimony which it took on its recent hearings early this coming week.

While it may be the intention of the Subcommittee to call other witnesses and print their testimony at a later date, I do believe it would have been preferable if this first volume of printed testimony could have been divided more or less evenly between witnesses on the pro and con side of the ABM debate. I say this because, by the nature of things, this first volume of testimony is bound to be considered a basic reference source in every Senate office over the coming weeks.

I therefore propose that the Subcommittee move as rapidly as possible to call before it the following list of expert witnesses who can testify on the technological, strategic and political implications of the ABM system:

1. Dr. Edward Teller: Recognized as one of the world's foremost nuclear physicists, Dr. Teller served as the founding director of the Livermore Laboratory. It is worth recalling that it was Dr. Teller more than any other person who succeeded in persuading President Truman to proceed with the hydrogen bomb, overruling the unanimous adverse recommendation of the distinguished scientists who composed the General Advisory Committee of the Atomic Energy Commission.

2. Dr. Eugene Wigner: Princeton University nuclear physicist and Nobel Prize laureate; recognized as one of the country's foremost authorities on civil defense.

3. Dr. Harold M. Agnew: Nuclear physicist; deputy director of the Weapons Division at Los Alamos Laboratories; former scientific adviser to Supreme Allied Command Europe; generally recognized as one of our leading experts on both nuclear weapons and the effects of nuclear weapons.

4. Dr. Alvin Weinberg: Nuclear physicist, director of the Oak Ridge Laboratories. Also one of this nation's leading experts on nuclear weapons.

5. Dr. John Wheeler: Princeton University nuclear physicist; co-author with Niels Bohr of the original paper on the mechanics of nuclear fission; recipient of the Fermi Award for nuclear physics.

6. Dr. Freeman Dyson: Nuclear physicist, Institute for Advanced Studies, Princeton University. Dr. Dyson, a prolific writer on various aspects of nuclear problems, is generally regarded by his peers as a particularly thoughtful analyst with a broad knowledge in other disciplines than nuclear physics.

7. Dr. Richard Latter: Nuclear physicist, Rand Corporation; participant in the Geneva test ban negotiations; member of the Air Force Science Advisory Committee.

8. Dr. Willard Libby: Nuclear physicist. Former member of the Atomic Energy Commission. Dr. Libby is not only an expert on nuclear weapons but also on the effects of nuclear weapons and defensive systems.

9. Dr. Albert Wohlstetter: For many years one of the top strategic analysts for the Rand Corporation; author of the "Fail Safe System"; at present at the University of Chicago.

10. Professor Zbigniew Brzezinski: Soviet expert, Columbia University; former foreign policy consultant to President Johnson and Vice President Humphrey.

11. Dr. Philip Mosely: Director of the European Institute, Columbia University. Also widely regarded as one of our foremost Soviet experts.

12. Dr. William R. Kintner: Deputy Director, Foreign Policy Research Institute, University of Pennsylvania. Co-author of "Protracted Conflict". Author of numerous books on various aspects of strategic problems. His most recent book is "Peace and the Strategy Conflict."

13. Dr. Richard Foster: For many years director of Strategic Studies at Stanford Research Institute. In charge of continuing study of defensive systems for the past 15 years.

14. General Harold K. Johnson: Retired Army Chief of Staff.

15. General Bernard A. Schriever: Former Commander, Air Force Systems Command.

16. Dr. Donald Ling: Vice President in Charge of Systems, Bell Laboratories. Has for many years participated prominently in technical evaluation of both U.S. and Soviet defensive systems.

I could expand this list substantially, but because the time of the Senate is limited, I have sought to confine myself only to those potential witnesses who are generally recognized as men of outstanding expertise.

Clearly, this is a situation where all the independent expertise is not on one side; and my argument is that, having heard one side, we should now hear the other.

As one Senator, I would like to hear what these ranking experts have to say about the ABM before I am called upon to cast my vote. I therefore hope that the vote on the appropriation for the Safeguard System will be deferred until the testimony of the experts I have here listed has been taken and printed, and until Senators have had an opportunity to study this new body of testimony for at least several weeks.

There is one final observation I would like to make. An effort has been made in certain quarters to characterize the debate on the ABM as a conflict between conservatives and liberals. Because I have always admired your nonpartisan approach to problems, I know you will agree that nothing could be further from the truth. The fact is that there are conservatives and liberals on both sides of this question; and the attempt to depict the division over the ABM as a liberal-conservative conflict only serves to confuse the issue rather than clarify it. Like so many other problems of our time, it is clear that this is an issue over which men of equal intelligence and equal integrity can sharply disagree.

Sincerely,

THOMAS J. DODD.

EXHIBIT 2

MAY 13, 1969.

Mr. JULIAN GOODMAN,
President, National Broadcasting Co.,
New York, N.Y.:

Have just learned that the NBC Network plans no live or special coverage of Teller-Wiesner testimony on the ABM before Gore subcommittee tomorrow.

I hope it is not too late to reconsider this decision in the interest of fair presentation on both sides of this highly complex and controversial subject to the national television audience. Confrontation of two-best-known experts on pro and con side is certainly news by any standards.

As matters now stand, the sum total of NBC television coverage of the ABM hearings is heavily stacked against the ABM. Drs. Killian, York and Kistiakowsky, the three outstanding opponents of ABM and who testified before Gore committee, were televised live. Dr. Jack Ruina and several other anti-ABM witnesses were teletaped and carried on half-hour afternoon specials. So far there has been no such generous treatment for prominent nongovernmental pro-ABM spokesmen.

I raised the matter of the one-sided nature of the witness roster in two letters to chairman Gore, the first written on March 21 and the second on April 18. In these letters I pointed out that I myself have not yet reached decision on how I would vote on ABM. "In order to enable Senators to cast their vote intelligently," my letter said, "I consider it important that they have available for their guidance the most expert independent testimony, more or less evenly divided between those who support and those who oppose the ABM."

In order to rectify the balance, I submitted a list of sixteen experts who, according to my information, are disposed to support the ABM system. In part as a result of my letter, Senator Gore has now decided to call before the subcommittee two of the witnesses I proposed, Dr. Teller and Dr. Wigner. This does not completely rectify the serious imbalance that now exists, because Dr. Teller and Dr. Wigner will be offset by new anti-ABM witnesses. However, it does represent a move in the right direction.

NBC decision not to cover Teller-Wiesner hearing, and presumably Wigner hearing, represents a move in the wrong direction. Networks have great power over public opinion. On the whole, I believe they have sought to use this power fairly. But decision to cut off live coverage and special programs at the point where Dr. Edward Teller, most prestigious of all the pro-ABM witnesses, takes the witness stand, would violate tenets of intellectual fairness and would be serious disservice to American people.

Earnestly hope that NBC will reconsider its decision and will cover Teller hearings live. Believe public interest in Teller-Wiesner confrontation would more than justify special treatment.

THOMAS J. DODD.

THE FORTAS AFFAIR

Mr. TYDINGS. Mr. President, ever since I entered puplic office I have been concerned with improving the operation of our judicial system. In 1968, after 2 years of hearings, I introduced the Judicial Reform Act which would require judges to disclose their financial interests and which would create machinery within the judiciary to deal with judges who, through their actions, have failed to meet the standard of "good behavior" required by article III of the Constitution, or who are unable to perform judicial duties because of disabling mental or physical infirmities.

My concern in this area is caused by the very real fact that our judiciary is the most sensitive and fragile branch of Government. It has neither the power of the purse nor the power to administer. Its ability to act as an effective instrument of government depends on its powers of reason and persuasion. It is for this reason that the judiciary takes upon itself certain restraints. Among these restraints are the Canons of Judicial Ethics which clearly state that a judge's official conduct should be free not only from impropriety but even from the appearance of impropriety, and that a judge's personal behavior both on the Bench and off should be beyond reproach.

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I ask unanimous consent that canon No. 4 of the Canons of Judicial Ethics be printed in the Record at this point.

There being no objection, the canon was ordered to be printed in the Record, as follows:

> 4. AVOIDANCE OF IMPROPRIETY
>
> A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach.

Mr. **TYDINGS.** It is significant that the apperance of impropriety is a violation not only of the spirit but of the letter of the Canons of Judicial Ethics. Courts, like all public institutions, are bodies of men, and the confidence they inspire depends upon the human qualities of these men. The American people have maintained their confidence because the members of the Federal judiciary have continued to inspire it. The strength of our courts can be only as great as the strength of those who have manned them.

We now find ourselves faced with a most unfortunate dilemma. Mr. Justice Fortas, an able lawyer and judge, received a $20,000 check from the Wolfson Family Foundation at a time when Louis Wolfson and others associated with him were under investigation for possible criminal activity. That check was held until after Mr. Wolfson was indicted and was only then returned. During the time he held the check, Mr. Justice Fortas was serving on our Supreme Court. The facts of this transaction were brought to the public's attention more than 10 days ago.

On May 9 I wrote a personal letter to the Justice explaining to him my grave concern with published reports. I urged him to further publicly explain his role in the Wolfson transaction so that the cloud of impropriety which now hangs over his integrity and, indeed, over the entire judicial system, could be removed. I urged him to make that explanation immediately or if he were not able to explain further to resign forthwith.

In fact, the cloud over the Court has been darkened even further by the revelation of certain actions and statements by the representatives of the Department of Justice in this case. With every passing hour, the honor of the Federal courts, particularly the Supreme Court, is further impaired.

I believe the Fortas situation has deteriorated beyond recall. I have concluded that no explanation at this point can remedy the damage which has been done to the Court and to our entire judicial system.

For my part I will move forward to earliest possible enactment of the Judicial Reform Act and its judicial financial disclosure provisions.

But the course Mr. Justice Fortas must pursue is equally clear. The confidence of our citizenry in the Federal judiciary must be preserved. Mr. Justice Fortas must resign. He must resign immediately.

Mr. **BYRD** of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADJOURNMENT

Mr. **BYRD** of West Virginia. Mr. President, if there be no further business to come before the Senate today, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 50 minutes p.m.) the Senate adjourned until Wednesday, May 14, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate May 13, 1969:

Diplomatic and Foreign Service

J. William Middendorf II, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of the Netherlands.

In the Coast Guard

The following-named graduates of the Coast Guard Academy to be permanent commissioned officers in the Coast Guard in the grade of ensign.

Peter Thomas Aalberg.
Robert McFarlane Acker, Jr.
Frederick Robert Adamchak.
Andrew Warren Anderson.
David Burtis Anderson.
Russell Allen Askey.
Richard Clayton Barlow.
Robert Clayton Belote.
Bruce Arnold Bergmann.
Alan "R" Berry.
Michael (n) Billingsley.
William Kenneth Bissell.
Michael Thomas Black.
David Harold Blomberg.
Paul Jay Bodenhofer.
George Devereaux Bond II.
William Russell Bowen.
Douglas Brisbin Brown.
James Bernard Buckley III.
James Dale Burk.
Richard Edward Burke, Jr.
James Alan Cain.
Gary Richard Calverase.
Edward Michael Carapezza.
Daniel Leo Carney.
Timothy John Cenna.
Joseph James Clarke.
Warren Edward Colburn, Jr.
Jeffrey John Cottner.
John Frederick Curtis.
John Gregory Cwiek.
Donald Homer DeBok.
Ronald Edward DeMello.
James Thomas Doherty, Jr.
Robert Edward Donnee.
David Claude Debois.
George Alexander Flanigan.
Joseph Frank Flayer.
Richard Edward Ford, Jr.
David Dexter Frydenlund.
James Daniel Garrison.
Paul Halpin Garrity.
Dale Howard Gebhardt.
Andrew Lotz Gerfin, Jr.
Robert Thomas Glynn.
Robert Carl Gravino.
Ronald Joseph Greto.
Bruce Evans Griffiths.
Wayne Robert Gronlund.
Donald Richard Grosse.
Richard Francis Gupman.
James William Gynther.
Gerald Lynn Hale.
Thomas Rupert Hamblin.
James Robert Hartney.
Phillip William Hawkins.
Robert William Henry.
George Forest Hetland, Jr.
Charles Hilton Hill.
Richard Lawrence Hilliker.
Alexander John Hindle, Jr.
Charles Arnette Huber, Jr.
James Donald Hull.
David Hurlbert Humphreys.
Steven Edward Hungness.
Robert Stephen Illman.
Timothy William Josiah.
William Robert Jurgens.
Barry Paul Kane.
Gerald Hoag Kemp.
Wenceslaus David Kinal.
John Richard Kissinger, Jr.
Christopher Gene Kreiler.
Gregory James Labas.
Mark Lawrence Lavache.
Richard Alan Leclerc.
Peter Anthony Lenes.
Richard John Losea.
Thomas Raymond Lynch.
Gregory Hathaway Magee.
Robert Arling McCoy.
Walter Wingate McDougall, Jr.
John Francis McGowan.
Michael Joseph Mierzwa.
Eugene Anthony Miklaucic.
Eric William Miller.
John Kennedy Miner.
Michael Eugene Moore.
Charles Winwright More.
George Nicholas Naccara.
Glen Paul O'Brien.
Robert Clarence Olsen, Jr.
Gary Lee Pavlik.
James Walter Pennington.
Benjamin Blayne Peterson.
Robert Lawrence Pokress.
Mark David Present.
Paul Jeffrey Prokop.
Fred William Pryor.
Stanley Leon Renneker.
Mark Allen Revett.
Jeffrey Edward Robbins.
James Lee Robinson.
Pablo Moya Rodriguez.
Thomas Edward Rutenberg, Jr.
Daniel David Ryan, III.
Frederick Joseph Schmitt.
Roderick Anders Schultz.
Gregory Leonard Shaw.
Donald Raseley Shrader.
James Edward Smith, Jr.
Jay Mackenzie Snyder.
Chester Michael Sprague.
Dwight Randall Squires.
Elwood Edward Stoeger.
John Frederic Stumpff.
Robert Wilmot Thorns.
Richard Charles Vlaun.
Charles William Wadey.
Darryle Mondart Waldron.
Edward Donald Walsh, Jr.
Howard Charles Waters.
Harold Franklin Watson.
Robert John Wenzel.
Larry Felix Wheatley.
Stuart Norman White.
Theodore Greenlief White, III.
Frederick Nathan Wilder.
George Michael Williams.
Bruce David Wintersteen.
Robert Clifford Wise.
John Vincent Zeigler.

In the Marine Corps

The following-named (U.S. Naval Academy graduates) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Allen, John E.
Anderson, Scott D.
Arbacas, William V., Jr.
Macharach, Howard R.
Balsly, Jeri D.
Beaulieu, Stephen A., III

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Berry, William D.
Bessey, James P.
Boese, William J.
Boyer, Michael F.
Briggs, Richard H.
Brixey, Stephen A.
Buell, David G.
Bush, Richard P.
Buttrill, William S.
Campbell, Richard W.
Carlin, Stanley E.
Carr, Emerson F.
Chopek, Joseph B.
Clarke, Robert D.
Cohen, Larry D.
Conrad, Michael D.
Comiskey, Stephen W.
Cooley, Joel L.
Corrigan, Robert M.
Costello, Martin J.
Covey, John K.
Cowin, Robert W.
Creed, Jerry L.
Cross, Michael "J"
Denight, Terrence M.
Doig, William A., Jr.
Doolittle, John P.
Dunham, George R.
Dunn, Perry R.
Edwards, Stephen A.
Eikenberry, Robert C.
Estes, Kenneth W.
Estey, Donald H., Jr.
Farrow, Jerry M.
Fawcett, Robert J.
Fender, Robert G.
Fisher, Charles S.
Garland, William R.
Garner, Robert D.
Gass, James E., Jr.
Geary, Robert W.
Gray, John H.
Hagel, Lawrence B.
Hannemann, James R.
Hood, Ronald C., III
Horton, David S.
Hough, Michael A.
Jiminez, Jose L.
Johanson, Erick T.
Jones, William R.
Kendig, Edward S.
Ketchie, Scott D.
Kollay, Daniel P.
Kopp, William J.
Kuck, George V. H., Jr.
Langston, Edward R., Jr.
Lasher, John R., Jr.
Lees, Robert B.
Leonard, Edward M.
Linder, Stephen T.
Long, Daniel J.
Lottie, Richard C.
McBrier, Timothy A.
McDonough, Robert C. Jr.
McGee, Michael P.
Miller, Douglas L.
Mize, David M.
Morgan, William, Jr.
Normand, Andrew L.
O'Neill, Hugh J.
Pace, Nat M., Jr.
Pasquale, Thomas D.
Pitman, Thomas J.
Pomroy, Geoffrey W.
Porter, Charles R.
Post, John H., III
Provini, Charles R.
Rayburn, Ros (n)
Red, Richard P.
Ribalta, Charles (n)
Riggs, Jeoffrey L.
Rogers, William C.
Rose, Michael P.
Russell, David P., III
Sandberg, James R.
Sciba, William L., Jr.
Snakenberg, John D.
Stromberg, Russel M.
Tanaka, Donald H.
Timperlake, Edward T.
Todd, James L.
Tolmie, John S., Jr.
Ture, Kenneth M.
Turner, James T., Jr.
Tyler, Thomas W.
Uhlemeyer, Arthur F.
Van Pelt, James S.
Ward, Stephen A., III
Wellington, Joseph A.
Wild, Edward B.

The following-named (U.S. Air Force Academy graduates) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Jones, Perc L.
Reid, Viet S.

The following-named (U.S. Military Academy graduates) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Bosshard, Steven A.
Heath, John W.
Leppig, William H.

The following-named (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Gilbert, Ronald M.
Markle, Herbert H.

The following-named (Navy Enlisted Scientific Education Program) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Force, Allen L.

The following-named (staff noncommissioned officers) for temporary appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Anderson, Joseph N.
Bode, Victor H.
Chovanec, Barbara J.
Dobson, Jesse A.
Epps, Robert R.
Jones, Ronald L.
Laws, Thomas L.
Richardson, Coy W.
Rush, John F.
Shewmake, David F.
Smith, Wharton S., Jr.
Stafford, Herbert B.
Thomas, Gary G.
Thompson, Wayne L.
Ward, Cecil E.
Wilson, John T.

CONFIRMATION

Executive nomination confirmed by the Senate May 13, 1969:

DISTRICT OF COLUMBIA
COURT OF APPEALS

Frank Q. Nebeker, of Virginia, to be an associate judge of the District of Columbia Court of Appeals for the terms of 10 years.

HOUSE OF REPRESENTATIVES—*Tuesday, May 13, 1969*

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let us draw near with a true heart in full assurance of faith.—Hebrews 10: 22.

God of our fathers and our Father God, who art sending Thy spirit into the hearts of men seeking to bring justice and peace to our world, may we with open minds and receptive hearts receive Thy spirit and with Thee strive to make justice and peace a reality in our day.

Give us grace to take to heart the dangers involved in our unhappy divisions and our unhallowed differences. Remove from us all that hurts our unity of spirit and all that hinders our forward march together. Kindle in us the fire of Thy redeeming love, strengthen us by Thy power and draw us closer to one another.

To Thee and to our country we consecrate the work of this day.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on May 2, 1969, the President approved and signed a bill of the House of the following title:

H.R. 3832. An act to amend title 10, United States Code, to provide the grade of general for the Assistant Commandant of the Marine Corps when the total active duty strength of the Marine Corps exceeds 200,000.

APPOINTMENT TO THE JOINT COMMISSION ON THE COINAGE

The SPEAKER. Pursuant to the provisions of section 301, Public Law 89–81, the Chair appoints as a member of the Joint Commission on the Coinage the gentleman from Idaho, Mr. MCCLURE, to fill the existing vacancy thereon.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO SIT TODAY

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that the Select Subcommittee on Education of the House Committee on Education and Labor may be permitted to meet this afternoon in markup session, while the House is in session. The subcommittee will be marking up amendments to the Older Americans Act of 1965. This request has been cleared with the ranking minority members of the subcommittee and the full committee.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CAMPUS UNREST AND SCHOOL GUIDELINES

(Mr. SIKES asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SIKES. Mr. Speaker, there is room for apprehension over the varying viewpoints expressed by administration officials on a policy of dealing with campus unrest. Most people, long dismayed by lack of action in dealing with these problems, were relieved when Vice President AGNEW and Attorney General Mitchell spoke out strongly against what is happening to American colleges. There is no question but that their statements reflected the overwhelming desire of the American people for a return to sanity, a lessening of unrest, and a firm attitude by college presidents.

Now Secretary Finch, of the Department of Health, Education, and Welfare, has tipped the scales the other way by indicating his belief that the Federal Government can have only a very limited role in stemming the current disorders. He places a great share of the blame on the failure of American universities and suggests a commission to study the problems of change on campuses. This is a disconcerting development and one which it is hoped will not progress. There is nothing the United States needs less than another commission. We have had more than our share of commissions, which wasted the taxpayers' money and contributed nothing. The Government cannot fail to accept responsibility for preserving law and order if duly constituted local authorities fail to do so. Present day problems will not wait.

Secretary Finch also stated there is no room for change in Federal desegregation guidelines unless changes are dictated by the courts. This is directly contrary to campaign commitments by the President. The guidelines have long been the source of greatest agitation in antisegregation problems. Time and again they have gone beyond the letter of the law and reflected the whim of race mixers rather than sound policies intended for the betterment of education. Needed schools have been closed without reason because they did not show a racial mix that satisfied HEW officials.

The need to resolve the problems of campus unrest and school guidelines are among the major concerns of the American people. Failure to cope realistically with them will do serious damage to the image of the Nixon administration.

ARMY'S DUMPING OF GAS BOMBS THREATENS MARINE LIFE

(Mr. **PELLY** asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. **PELLY**. Mr. Speaker, the Army's plan to dump deadly nerve gas into the Atlantic Ocean 250 miles off the east coast of the United States presents a grave problem which I do not believe should be decided by the Department of Army alone. I understand that the Army has not even considered bringing in for consultation the Departments of Interior, Transportation, or State, yet these three Departments could have valuable advice to give and possibly a solution for disposal of such dangerous gases that is far superior to the plan the Army wants to use.

Even if the gas is transported safely to the dumping area, what of the threat to marine life in future years should corrosion open one of these tanks?

I have been told by Mrs. C. Gaye Floyd, a member of the ocean physics group, Applied Physics Laboratory, University of Washington, that significant pollution potential exists, and that dumping these gas bombs into the ocean does not destroy the gases but could cause inestimable destruction and contamination of marine life which is becoming more and more a necessary source of nutrition for the entire world's population.

Mr. Speaker, as a member of the Oceanography Subcommittee of the House Merchant Marine and Fisheries Committee, I urge a complete review of the Army's gas disposal programs and reports from the Interior, Transportation, and State Departments on their views of such disposal methods.

SELECT COMMITTEE ON HOUSE BEAUTY SHOP

Mrs. **GRIFFITHS**. Mr. Speaker, I offer a resolution and ask unanimous consent for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 404

Resolved, That the Clerk of the House of Representatives is authorized and directed to accept and deposit to the credit of the contingent fund of the House such sum not in excess of $7,500 as the Select Committee on the House Beauty Shop, created by House Resolution 258, Ninety-first Congress, may tender to the Clerk in final repayment to the contingent fund of the House of amounts paid from that fund, pursuant to section 2 of House Resolution 1000, Ninetieth Congress, to cover certain expenses in connection with the operation of the House Beauty Shop.

The **SPEAKER**. Is there objection to the request of the gentlewoman from Michigan?

Mr. **GERALD R. FORD**. Mr. Speaker, reserving the right to object, I wish to compliment the distinguished gentlewoman from Michigan and her committee associates for running that operation successfully and profitably. They deserve a great deal of credit.

Mr. **ALBERT**. Mr. Speaker, will the distinguished minority leader yield?

Mr. **GERALD R. FORD**. I yield to the distinguished majority leader.

Mr. **ALBERT**. Mr. Speaker, I wish to associate myself with the remarks of the distinguished minority leader. Not only have they operated it effectively and profitably, but they have performed a worthwhile public service in taking over this operation.

Mr. **GROSS**. Mr. Speaker, will the gentleman yield?

Mr. **GERALD R. FORD**. I yield to the gentleman from Iowa.

Mr. **GROSS**. Mr. Speaker, I want to associate myself with those who have complimented the gentlewoman from Michigan (Mrs. GRIFFITHS) and her associates on the committee, Mrs. GREEN and Mrs. MAY, and say that this repayment should be a lesson to other areas of Government including the Congress.

Mr. **GERALD R. FORD**. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE DRAFT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-116)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and referred to the Committee on Armed Services and ordered to be printed:

To the Congress of the United States:

For almost two million young men who reach the age of military service each year—and for their families—the draft is one of the most important facts of life. It is my conviction that the disruptive impact of the military draft on individual lives should be minimized as much as possible, consistent with the national security. For this reason I am today asking the Congress for authority to implement important draft reforms.

Ideally, of course, minimum interference means no draft at all. I continue to believe that under more stable world conditions and with an armed force that is more attractive to volunteers, that ideal can be realized in practice. To this end, I appointed, on March 27, 1969, an Advisory Commission on an All-Volunteer Armed Force. I asked that group to develop a comprehensive plan which will attract more volunteers to military service, utilize military manpower in a more efficient way, and eliminate conscription as soon as that is feasible. I look forward to receiving the report of the Commission this coming November.

Under present conditions, however, some kind of draft will be needed for the immediate future. As long as that is the case, we must do everything we can to limit the disruption caused by the system and to make it as fair as possible. For one's vision of the eventual does not excuse his inattention to the immediate. A man may plan to sell his house in another year, but during that year he will do what is necessary to make it livable.

Accordingly, I will ask the Congress to amend the Military Selective Service Act of 1967, returning to the President the power which he had prior to June 30, 1967, to modify call-up procedures. I will describe below in some detail the new procedures which I will establish if Congress grants this authority. Essentially, I would make the following alterations:

1. Change from an oldest-first to a youngest-first order of call, so that a young man would become less vulnerable rather than more vulnerable to the draft as he grows older.

2. Reduce the period of prime draft vulnerability—and the uncertainty that accompanies it—from seven years to one year, so that a young man would normally enter that status during the time he was nineteen years old and leave it during the time he was twenty.

3. Select those who are actually drafted through a random system. A procedure of this sort would distribute the risk of call equally—by lot—among all who are vulnerable during a given year, rather than arbitrarily selecting those whose birthdays happen to fall at certain times of the year or the month.

4. Continue the undergraduate student deferment, with the understanding that the year of maximum vulnerability would come whenever the deferment expired.

5. Allow graduate students to complete, not just one term, but the full academic year during which they are first ordered for induction.

6. In addition, as a step toward a more consistent policy of deferments and exemptions, I will ask the National Security Council and the Director of Selective Service to review all guidelines, standards, and procedures in this area and to report to me their findings and recommendations.

I believe these reforms are essential. I hope they can be implemented quickly.

Any system which selects only some from a pool of many will inevitably have some elements of inequity. As its name implies, choice is the very purpose of the Selective Service System. Such choices cannot be avoided so long as the supply of men exceeds military requirements. In these circumstances, however, the Government bears a moral obligation to spread the risk of induction equally among those who are eligible.

Moreover, a young man now begins his time of maximum vulnerability to the draft at age nineteen and leaves that status only when he is drafted or when he reaches his twenty-sixth birthday. Those who are *not* called up are nevertheless vulnerable to call for a seven-year period. For those who *are* called, the average age of induction can vary greatly. A few years ago, when calls were low, the average age of involuntary induction was nearly twenty-four. More recently it

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has dropped to just about twenty. What all of this means for the average young man is a prolonged time of great uncertainty.

The present draft arrangements make it extremely difficult for most young people to plan intelligently as they make some of the most important decisions of their lives, decisions concerning education, career, marriage, and family. Present policies extend a period during which young people come to look on government processes as particularly arbitrary.

For all of these reasons, the American people are unhappy about our present draft mechanisms. Various elements of the basic reforms which I here suggest have been endorsed by recent studies of the Selective Service System, including that of the Marshall Commission of 1967, the Clark panel of that same year, and the reports of both the Senate and the House Armed Services Committees. Reform of this sort is also sound from a military standpoint, since younger men are easier to train and have fewer family responsibilities.

My specific proposals, in greater detail, are as follows:

1. *A "youngest-first" order of call.* Under my proposal, the government would designate each year a "prime age group," a different pool of draft eligibles for each consecutive twelve-month period. (Since that period would not necessarily begin on January 1, it would be referred to as a "selective service year.") The prime age group for any given selective service year would contain those registrants who were nineteen years old when it began. Those who received deferments or exemptions would rejoin the prime age group at the time their deferment or exemption expired. During the first year that the new plan was in operation, the prime age group would include *all* eligible men from nineteen to twenty-six, not deferred or exempt, so that no one would escape vulnerability simply because of the transition.

2. *Limited vulnerability.* Each individual would experience maximum vulnerability to the draft only for the one selective service year in which he is in the prime age group. At the end of the twelve-month period—which would normally come sometime during his twentieth year—he would move on to progressively less vulnerable categories and an entirely new set of registrants would become the new prime age group. Under this system, a young man would receive an earlier and more decisive answer to his question, "Where do I stand with the draft?" and he could plan his life accordingly.

3. *A random selection system.* Since more men are classified as available for service each year than are required to fill current or anticipated draft calls, Selective Service Boards must have some way of knowing whom to call first, whom to call second, and whom not to call at all. There must be some fair method of determining the sequence of induction for those available for service in the prime age group.

In my judgment, a fair system is one which randomizes by lot the order of selection. Each person in the prime age group should have the same chance of appearing at the top of the draft list, at the bottom, or somewhere in the middle. I would therefore establish the following procedure:

At the beginning of the third month after Congress grants this authority, the first of a sequence of selective service years would begin. Prior to the start of each selective service year, the dates of the 365 days to follow would be placed in a sequence determined by a random method. Those who spend the following year in the pool would take their place in the draft sequence in the same order that their birthdays come up on this scrambled calendar. Those born on June 21st, for example, might be at the head of the list, followed by those born on January 12th, who in turn might be followed by those born on October 23rd. Each year, a new random order would be established for the next year's draft pool. In turn those who share the same birthday would be further distributed, this time by the first letter of their last names. But rather than systematically discriminating against those who come at the front of the alphabet, the alphabet would also be scrambled in a random manner.

Once a person's place in the sequence was determined, that assignment would never change. If he were granted a deferment or exemption at age nineteen or twenty, he would re-enter the prime age group at the time his deferment or exemption expires, taking the same place in the sequence that he was originally assigned.

While the random sequence of induction would be nationally established, it would be locally applied by each draft board to meet its local quota. In addition to distributing widely and evenly the risk of induction, the system would also aid many young men in assessing the likelihood of induction even before the classification procedure is completed. This would reduce uncertainty for the individual registrant and, particularly in times of low draft calls, simplify the task of the draft boards.

4. *Undergraduate student deferments.* I continue to believe in the wisdom of college deferments. Permitting the diligent student to complete his college education without interruption by the draft is a wise national investment. Under my proposal, a college student who chooses to take a student deferment would still receive his draft sequence number at the time he first enters the prime age group. But he would not be subject to induction until his deferment ended and he re-entered a period of maximum vulnerability.

5. *Graduate Student Induction.* I believe that the induction of men engaged in graduate study should be postponed until the end of the full academic year during which they are first called to military service. I will ask the National Security Council to consider appropriate advice to the Director of the Selective Service to establish this policy. At present, graduate students are allowed to delay induction only to the end of a semester. This often means that they lose valuable time which has been invested in preparation for general examinations or other degree requirements. It can also jeopardize some of the financial arrangements which they made when they planned on a full year of schooling. Induction at the end of a full academic year will provide a less damaging interruption and will still be consistent with Congressional policy.

At the same time, however, the present policy against general graduate deferments should be continued, with exceptions only for students in medical and allied fields who are subject to a later special draft. We must prevent the pyramiding of student deferments—undergraduate and graduate—into a total exemption from military service. For this reason the postponement of induction should be possible only once for each graduate student.

6. *A review of guidelines.* The above measures will reduce the uncertainty of young men as to when and if they may be called for service. It is also important that we encourage a consistent administration of draft procedures by the more than 4,000 local boards around the country. I am therefore requesting the National Security Council and the Director of Selective Service to conduct a thorough review of our guidelines, standards and procedures for deferments and exemptions, and to report their findings to me by December 1, 1969. While the autonomy of local boards provides valuable flexibility and sensitivity, reasonable guidelines can help to limit geographic inequities and enhance the equity of the entire System. The 25,000 concerned citizens who serve their country so well on these local boards deserve the best possible framework for their decisions.

Ultimately we should end the draft. Except for brief periods during the Civil War and World War I, conscription was foreign to the American experience until the 1940's. Only in 1948 did a peacetime draft become a relatively permanent fact of life for this country. Now a full generation of Americans has grown up under a system of compulsory military service.

I am hopeful that we can soon restore the principle of no draft in peacetime. But until we do, let us be sure that the operation of the Selective Service System is as equitable and as reasonable as we can make it. By drafting the youngest first, by limiting the period of vulnerability, by randomizing the selection process, and by reviewing deferment policies, we can do much to achieve these important interim goals. We should do no less for the youth of our country.

RICHARD NIXON.

THE WHITE HOUSE, *May 13, 1969.*

DRAFT REVISION

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GERALD R. FORD. Mr. Speaker, in wartime—and we are at war—there is no issue more important to a young man and his parents than the draft.

The draft is necessary as long as the Vietnam war continues. It is vital, therefore, that the draft be made as fair as possible. It is also vital that the uncertainty which clouds the lives of young American men under the present Selective Service System be eliminated.

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To make the draft fair and to wipe out uncertainty, Congress must reform the present draft law.

President Nixon today has outlined for Congress the reforms needed to achieve equity and certainty.

The only way to make the draft fair is to spread the risk of induction equally among all who are eligible. The President's proposals would do this.

The only way to eliminate uncertainty is to let it be known at an early age whether or not a man has been chosen to serve sometime during his draft-eligible years. The President's reform plan also would do this.

The most important feature of the President's suggested reforms is the plan for choosing by lot those who are actually drafted. Actually, this is the only change which the President does not now have the power to make on his own. It is essential that this power be restored to him, for without this change the others he suggests would not be feasible.

Why not? Imagine for a moment that the President has set up a system in which the prime age group contains younger men and in which each man stays in that vulnerable status for only a 1-year period, when he is 19 or 20. How do you then decide who will be called first and who will be called last? Who will be at the top of the draft list and who will be at the bottom? The present law would force the Government to list men for this purpose in the order of their birth dates.

Now, suppose that there were 500,000 men available in 1970 but that we only needed 250,000. The only way we could pick out those who would be inducted would be to start with those born on January 1, go next to those born on January 2, then take those who were born on January 3 and so on. Everyone born in January and February would always be taken. And no one born in November or December would ever be taken. Those who were born in March and April would run a much, much greater risk each year than those born in September and October.

Now someone will say, "No, we can do it on a month-by-month basis." But once again the same problem arises. All those born on the first, the second, or the third day of each month would always be called up. Nobody whose birthday is on the 28th or the 29th or the 30th would run a very great risk ever. Moreover, since draft calls are almost always higher in some months than in others, those who happened to have their birthdays in high-call months would be systematically discriminated against.

In the present oldest-first system, these problems are somewhat obscured because everyone who is passed over by the draft during one month or one year moves higher and higher on the list as time passes. But that system has the overwhelming disadvantage of prolonging the time of vulnerability and uncertainty. A youngest-first, limited vulnerability system corrects this evil and, in addition, it provides more easily trained personnel.

But the only way such a system can work sensibly is if the risk of induction is equally distributed among all who are eligible. This cannot be done unless we change from the order of birth-date system to a random system, as the President proposes.

The draft as it presently operates is terribly disruptive of a young man's life. It generates tensions and divisions within our society. I believe reform of the present Selective Service System as proposed by President Nixon is an absolute necessity.

Mr. ARENDS. Mr. Speaker, young people are prone to say these days that established institutions sometimes treat them in an unfair and arbitrary manner. But their sweeping condemnation is often based on a very particular example: the Selective Service System. Though that System has many strengths, and though it is staffed with dedicated men and women, the procedures under which it works at present are anything but equitable.

Some would answer such a charge by saying that the draft is inherently unfair. When some are called and some stay home, they argue, that is inequitable on the face of it, and there is no point in trying to pretend otherwise. In my view, they are correct in that judgment as far as they take it. But the mere fact that some inequity may be unavoidable does not mean that all inequity should be tolerated. It is our job not to compound injustice but to confine it. And this will be the impact of the President's recent proposals for reforming the Selective Service System.

Congress and the Senate have already deliberated at great length on this problem. The Armed Services Committees of both Houses have already endorsed the principle which the President advocates. So have other prestigious groups which have studied the draft. Now President Nixon has added his own plea for change to those we have already heard. The time has come for congressional action.

We are, after all, asking thousands of young men to give 2 years of their lives to their country. We are asking them to place a high priority on national needs as they plan their education, their careers, their marriages and families. In some cases, we are asking them to sacrifice life itself. The least that the Congress can do is to take decisive action to make the system which calls them to service as fair as possible. That is our obligation. We owe that much to the young men of whom we are asking such great sacrifices.

We recognize that a draft is repugnant to our philosophy of government. We recognize that no practical system can be devised, however much we try, that would be fair and equitable in all respects. But we have no workable alternative than to continue with a draft and, at the same time, to insure that it has a minimum of impact on the lives of our youth. This is the primary purpose of the President's recommendations.

Mr. RHODES. Mr. Speaker, in recent years we have all heard criticisms of the draft. We have heard these criticisms from young and old alike. But no criticism of the current selective service procedures has been more just or more severe than that which speaks of the uncertainty of young Americans as they wait for their draft call.

Uncertainty is never very pleasant. But it is particularly unpleasant at a time in your life—roughly from age 18 to age 26—when you are eager to start a career or learn a trade or go to school. And these are the years of uncertainty which now plague American young men. These are young men who are eager to serve their country, but equally eager to build their own lives.

Uncertainty as to when they will be called hangs over their lives. In many cases it is this uncertainty—not any lack of respect for flag or country—which drives some young men into extreme positions and even into unjustifiable evasions of the draft law.

The system of selection proposed by the President will limit the time of uncertainty to one year, usually beginning when a young man becomes 19 and ending when he becomes 20. Surely it would be better for our Nation and for the world if we didn't have to have a draft at all. But we do, and since we do, we should make it as fair as possible. The President's message has fairness as its goal.

Mr. TAFT. Mr. Speaker, I am particularly pleased to see one part of the President's generally excellent message. I refer to the section in which he states that he will ask the National Security Council and the Director of Selective Service to review all guidelines, standards, and procedures in the area of deferments and exemptions and to report to him their findings and recommendations. While our objective should ultimately be an all-volunteer Army, we cannot delay much-needed corrections in the existing system.

The genius of the United States has long been the ability to make the system fit the person and not the other way around. One of the ways in which this concern for individual differences has been shown is the deferment and exemption procedures built into the Selective Service System.

But even the most humane and the most intelligent concern for the individual cannot overcome cumbersome and often inadequate standards and procedures used in practice. The President's message makes it clear that justifiable deferments and exemptions will still be a part of the system, as they must be, but they will be examined and, where necessary, changed by fairer and more efficient regulations.

Mr. BROCK. Mr. Speaker, I join today in applauding President Nixon's decision to amend the Military Selective Service Act to make the draft more equitable. This legislative proposal will go a long way toward ending the uncertainty which has dominated the lives of many young people between the ages of 19 and 26. At last, an individual will have the opportunity to plan his future and to make commitments without the constant threat of being drafted.

The lottery system suggested by the President will begin to alleviate the basic unfairness of the present method. A method which, in effect, penalizes those less fortunate because it takes only the young men who do not have the ability, financial or otherwise, to go on to college. Even more unfairly it allows those young men to come out of high school,

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wait for 2 or 3 years with mounting hopes, finally marry, perhaps have a child and just get started in business, only to have the draft notice arrive. I can hardly blame those who challenge this approach and am encouraged to note that the ultimate objective of the President is to completely end the peacetime draft.

This willingness to revise the system points out once again President Nixon's deep interest in the young people of this country; their lives, and their futures. I urge immediate congressional approval.

Mr. STEIGER of Wisconsin. Mr. Speaker, for the past several years there has been a good deal of discussion about the inequities built into the present Selective Service System. We have had a number of studies and commissions of the system and a great many recommendations for changing it. None of these has been implemented.

President Nixon has taken up the challenge and urged the Congress to amend the Military Selective Service Act of 1967, in order to permit him to bring greater rationality and equity to our procedures for calling up young men to serve in the Armed Forces. Such reform is long overdue and the President's forthright and imaginative proposal deserves the support of every Member of the Congress.

The alterations to be made in the program make eminent sense in terms of meeting the needs of the Nation and reducing the uncertainties which now plague our young men for up to 7 years of their lives. The administration's proposals will permit a change to a youngest-first order of call, reduce the period of prime draft vulnerability, provide for random selection, continue undergraduate deferments, and provide more equity for calling graduate students.

The need for an indepth study of selective service guidelines, standards, and procedures is obvious. The President has called upon the Director of the Selective Service and the National Security Council to undertake just such a study which will hopefully result in meaningful reforms, insuring that future generations of young Americans will be treated in the fairest possible manner when called upon to serve.

In the past the Selective Service System has been geared primarily to supplying a quota of men each month needed by the armed services. While efforts have been made to satisfy other requirements such as the nonmilitary manpower needs of the Nation, not enough attention has been given to insuring that all individuals run the same risk of being called and that all groups in our society bear equally, in proportion to their number, the burdens of military service. Students who were fortunate enough to attend college could count on an indefinite deferment, while others who were less fortunate were forced to bear the heaviest burdens.

President Nixon's proposals are sound and will serve to eliminate many of the present inadequacies in the System. They will insure an adequate supply of young men while guarantying that no individuals are unfairly discriminated against. Certainly the Congress has the obligation to cooperate in every way possible to aid the President in achieving his praiseworthy goal.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD on the subject of the President's message.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

DREW PEARSON, A LIFELONG SERVANT OF SUBVERSIVES

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. RARICK. Mr. Speaker, during my last primary campaign in the spring of 1968, Drew Pearson, the alleged columnist, charged me with Nazi leanings. I stood up before the electorate of my district and pointed out that I had been a U.S. Army rifleman captured during the Battle of the Bulge and imprisoned in a Nazi prisoner of war camp. I escaped only after three previous attempts.

Now I read in this morning's Washington Post that this same blackguard is accusing Otto Otepka, one of the Government's finest security officers of being a "neo-Nazi." Within the past several weeks he also accused a man who once wrote a book about him of "neo-Nazism." The author of the book, according to the New York Times Index, saw action against the Herman Goering Division and was on Adolf Hitler's personal blacklist. Pearson has accused the minority leader of the other body of assisting "neo-Nazism."

Why does this mud-slinger call those he wants to attack "Nazis." Well, let us remember this same Drew Pearson was connected with the Barnes Red "cell" in World War II, a connection widely known and documentable. Drew Pearson took Chief Justice Earl Warren to the Crimea for a secret meeting with Nikita Khrushchev, who praised this same Drew Pearson in a public speech in Moscow.

Now I suppose it is only to be expected that a man who has been a consistent tool of communism would cry "Nazi" against any who disagree with him or his friends. We should remember that Drew Pearson attacked every chairman of the House Un-American Activities Committee from the start of that committee on.

How long are the editors of this country going to publish Pearson, a lifelong servant of subversives? Every newspaper carrying the column only sullies itself.

EXTENSION OF TEMPORARY DUTY SUSPENSION ON CERTAIN CLASSIFICATIONS OF YARN OF SILK

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 2718) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object—I yield now to the gentleman from Arkansas for a brief explanation of the bill.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 2718, as reported by the Committee on Ways and Means, is to continue until the close of November 7, 1971, the suspension of duties on certain classifications of spun silk yarn which expired on November 7, 1968.

The duties on certain classifications of spun silk or schappe silk yarn were initially suspended by Public Law 86-235, effective November 8, 1959, and the suspension has been continued on a temporary basis until November 7, 1968. H.R. 15798 of the 90th Congress, similar to H.R. 2718, was approved by the House on June 4, 1968. The substance of that bill was also approved by the Senate, but H.R. 15798 was not enacted due to a failure of the two Houses to agree on a Senate amendment unrelated to the bill as passed by the House.

The suspension of duty was made in order to lower the cost of imported fine silk yarn to domestic producers of fine-yarn fabrics who compete with imported fine-yarn fabrics. The Committee on Ways and Means is advised that the same reasons which justified the original suspension of duties justify the continuation of the suspension.

The committee amended the bill to provide that upon the filing of an appropriate request, import entries made after November 7, 1968, the termination of the last duty suspension, and on or before the date of enactment, may be liquidated or reliquidated as if they had been made after the date of enactment.

No objection to the bill as reported has been brought to the attention of the Committee on Ways and Means.

Mr. Speaker, before concluding, permit me to point out a printing error in the first sentence of the fourth from the last paragraph in the committee report. The date "November 7, 1988" should read "November 7, 1968."

The committee unanimously recommends enactment of H.R. 2718 as reported.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. Could the gentleman from Arkansas say what country or countries are the principal sources of this yarn and what the dollar value of these imports has been?

Mr. MILLS. It is Italy, France, and Japan, primarily, that ship these to us. The gentleman asked for the value of the imports?

Mr. GROSS. Yes.

Mr. MILLS. It is under $2 million annually.

Mr. GROSS. This is yarn which is not in adequate supply in this country?

Mr. MILLS. That is right. It is, of course, to produce a fabric that is likewise imported into the United States.

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Mr. BYRNES of Wisconsin. Mr. Speaker, I support H.R. 2718, a bill to extend for an additional temporary period the existing suspension of duties on certain classifications of silk yarn. Since September 8, 1959, when Congress enacted Public Law 86–235, the duties on spun silk yarn have been suspended for 3-year periods periodically renewed by legislation enacted by Congress. The suspension of the duties was intended to enable domestic producers to import fine silk yarn duty free in order to make it more economical to produce fine yarn fabrics that compete with similar imported fabrics.

In the last Congress, the House unanimously passed H.R. 15798, a similar bill to the one now before the House, and this bill in substance was approved by the Senate. However, due to a failure of the conferees to agree on an unrelated Senate amendment, the bill was not enacted.

It is my understanding that the reasons justifying the original suspension of this duty on these classifications of spun silk yarn still exist. No objection to the continuation of this suspension has been brought to the committee's attention, and the committee unanimously recommended this legislation.

Mr. Speaker, I withdraw my reservation.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2718

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the appendix to title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, page 432, Aug. 17, 1963; 19 U.S.C., 1202) is amended (1) by striking out the termination date applicable to items 905.30 and 905.31, namely, 11/7/68 and (2) by inserting in lieu thereof, the termination date "11/7/71".

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That the matter appearing in the effective period column for items 905.30 and 905.31 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202, items 905.30 and 905.31) is amended by striking out '11/7/68' and inserting in lieu thereof '11/7/71'.

"Sec. 2. (a) The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

"(b) Upon request therefor filed with the customs officer concerned on or before the one hundred and twentieth day after the date of the enactment of this Act, the entry or withdrawal of any article—

"(1) which was made after November 7, 1968, and on or before the date of the enactment of this Act, and

"(2) with respect to which the amount of duty would be smaller if the amendment made by the first section of this Act applied to such entry or withdrawal, shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the day after the date of the enactment of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF TEMPORARY DUTY SUSPENSION ON HEPTANOIC ACID

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 4229) to continue for a temporary period the existing suspension of duty on heptanoic acid, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object—I do so only to yield to the gentleman from Arkansas for a brief explanation.

Mr. MILLS. I thank my friend for yielding.

Mr. Speaker, the purpose of H.R. 4229 as reported by the Committee on Ways and Means is to continue the existing suspension of duty on imports of heptanoic acid until the close of December 31, 1970. The bill was introduced by our colleague on the Committee on Ways and Means, the Honorable Hale Boggs, of Louisiana. The duty on heptanoic acid has been temporarily suspended since September 15, 1960. The existing suspension of duty is scheduled to expire on August 8, 1969.

Heptanoic acid is used principally in the making of special synthetic lubricants and brake fluids particularly for the military and the aerospace industry. At the time of the original suspension of duty and its subsequent extensions on a temporary basis, there was no domestic commercial production of heptanoic acid.

The Committee on Ways and Means is informed that there is still no domestic commercial production of heptanoic acid. However, one domestic chemical producer is planning to further increase its plant capacity for producing an acid considered by some to be suitable for uses similar to those of heptanoic acid.

In calling to the attention of the committee the plans of this domestic producer to increase its productive capability for an acid similar to heptanoic acid, the Department of Commerce suggested that the 3-year extension of the duty suspension originally provided in H.R. 4229 be shortened from August 8, 1972, to December 31, 1970.

Since the shorter period of duty suspension will provide an earlier opportunity for the Congress to review the domestic supply situation for this acid important to the military and the aerospace industries, the committee amended the bill in line with the suggestion of the Department of Commerce.

There was no objection on the part of the interested departments and agencies to the bill as amended.

The Committee on Ways and Means is unanimous in recommending the enactment of H.R. 4229, as amended.

Mr. BYRNES of Wisconsin. Mr. Speaker, I support H.R. 4229, a bill to extend the existing suspension of duty on heptanoic acid for an additional temporary period. Since 1960, when the duty on heptanoic acid was suspended by Public Law 86–795, heptanoic acid has been admitted duty free pursuant to 3-year renewal periods enacted by the Congress. Under present law, the duty suspension will terminate as of August 8, 1969.

The principal use of heptanoic acid is in making special synthetic lubricants and brake fluids. These products are used by the military and aerospace industries. During the period that the duty on heptanoic acid has been suspended, there has been no domestic production and increased demand in the United States for the product was dependent upon imports.

However, the committee has been informed that one of our domestic chemical producers is planning to increase his plant facilities in order to produce an acid that is adaptable to the same uses as heptanoic acid. In light of this information, the committee has decided to recommend that the renewal of duty-free treatment be extended only until December 31, 1970, rather than for the 3-year period originally provided for in H.R. 4229. This will give Congress an opportunity to evaluate at an early date domestic needs in light of any available domestic production of comparable products that may develop.

The interested executive agencies have no objections to enactment of this legislation, and the committee was unanimous in reporting the bill.

Mr. Speaker, I withdraw my reservation.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That item 907.30 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "On or before 8/8/69" and inserting in lieu thereof "On or before 8/8/72".

With the following committee amendment:

On page 1, line 6, strike out "8/8/72" and insert in lieu thereof "12/31/70".

The committee amendment was agreed to.

This bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIMINATION OF MULTIPLE CUSTOMS DUTIES ON HORSES TEMPORARILY EXPORTED FOR USE IN RACING

Mr. MILLS. Mr. Speaker I ask unanimous consent for the immediate consideration of the bill (H.R. 4239) to amend item 802.30, Tariff Schedules, so as to prevent payment of multiple customs duties by U.S. owners of racehorses purchased outside the United States, which was unanimously reported to the House by the Committee on Ways and Means.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

Mr. **BYRNES** of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object—I do so in order to yield to the gentleman from Arkansas, the chairman of the committee, for a brief explanation, and I yield to the gentleman.

Mr. **MILLS**. Mr. Speaker, the purpose of H.R. 4239, as introduced by our colleagues on the Committee on Ways and Means, the Honorable JAMES A. BURKE of Massachusetts, and as reported by the committee, is to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing.

A bill, H.R. 15003 of the 90th Congress, identical to the bill as reported by your committee, was approved by both Houses of Congress. However, H.R. 15003 was not enacted due to the failure of the two Houses to agree on a Senate amendment to the bill unrelated to the substance of H.R. 15003, as passed by the House.

Under existing customs practice, as the result of a Customs Court ruling, horses imported from abroad on which the duty has been paid, when exported for the purpose of racing, are denied duty-free reentry on each reimportation. Special provisions of the tariff schedules do permit other foreign articles duty-free reentry when exported for use temporarily abroad for exhibition or other specified purposes and under certain conditions.

The bill as reported provides a separate line item in the tariff schedules for the duty-free reentry of horses purchased abroad upon which the duty has been paid and which have been exported solely for the purpose of racing.

Favorable comments on this legislation have been received from the Departments of State, Treasury, Labor, and Commerce. An informative comment was received from the Tariff Commission.

The Committee on Ways and Means unanimously recommends enactment of H.R. 4239.

Mr. **GROSS**. Mr. Speaker, will the gentleman yield?

Mr. **BYRNES** of Wisconsin. I yield to the gentleman from Iowa.

Mr. **GROSS**. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania (Mr. WATKINS) be permitted to extend his remarks prior to the passage of this bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. **BYRNES** of Wisconsin. Mr. Speaker, I support H.R. 4239, a bill to amend the tariff schedules to prevent the payment of multiple customs duties by owners of racehorses purchased outside the United States. Under present law, racehorses imported from abroad and subsequently exported for racing purposes are dutiable when they are returned again to the United States. The payment of double duty in the case of horses exported for the sole purpose of racing is an inequity which should be removed from the tariff schedules.

The present tariff schedules provide for duty-free reentry of foreign articles that are exported temporarily for exhibit at any public exposition, fair or conference, when they are returned to the United States for the account of the person who exported them. However, the Customs Court has ruled that reentry of racehorses exported solely for racing purposes is not within the purview of this statute. The action taken by the committee simply extends the philosophy of this longstanding provision of existing law to the situation involving racehorses.

Favorable reports on this legislation were received from the Departments of State, Treasury, Labor, and Commerce. The Committee on Ways and Means was unanimous on reporting this bill.

Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4239

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part 1 of schedule 8 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after item 802.30 the following new item:

“802. 40	In the case of horses, use for racing.	Free	The column 2 rate applicable in the absence of this item. ”.

With the following committee amendment:

Strike out the matter immediately after line 5 on page 1 and insert in lieu thereof the following:

“802. 40	In the case of horses, use for racing----	Free	The column 2 rate applicable in the absence of this item. ”.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: “A bill to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing.”

A motion to reconsider was laid on the table.

Mr. **BYRNES** of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks prior to the passage of the various bills brought up from the Committee on Ways and Means.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

TEMPORARY SUSPENSION OF DUTY ON CERTAIN COPYING SHOE LATHES

Mr. **MILLS**. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 5833) to continue until the close of June 30, 1972, the existing suspension of duty on certain copying shoe lathes, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

Mr. **BYRNES** of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object—I do so in order to yield to the chairman of the committee for a brief explanation.

Mr. **MILLS**. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, the purpose of H.R. 5833 is to continue for 3 years the existing suspension of duty on copying shoe lathes.

Since 1956, the duty on imports of copying lathes used for making rough or finished shoe lasts from models of shoe lasts and capable of producing more than one size shoe from a single size model of shoe last has been suspended. The suspension of duty on these lathes was initially made and has been continued in order to make available to domestic shoe-last manufacturers highly specialized and expensive copying lathes on a duty-free basis. The Committee on Ways and Means is advised that such lathes can only be obtained from foreign sources.

The bill would extend the existing suspension of duty which will expire on June 30, 1969, for 3 years to the close of June 30, 1972.

No objection to the proposed extension of the duty suspension was received from the interested departments and agencies or from any other source.

The Committee on Ways and Means is unanimous in recommending enactment of H.R. 5833.

Mr. **BYRNES** of Wisconsin. Mr. Speaker, I support H.R. 5833, a bill to continue the existing suspension of duty on certain copying shoe lathes until the close of June 30, 1972. Pursuant to periodic extensions, the duty on these copying shoe lathes has been suspended since August 6, 1956, when Congress enacted Public Law 84–1012.

These shoe lathes are used for making rough or finished shoe lasts that are capable of producing more than one size of shoe from a single size last. Suspension of duty on these lathes makes available to domestic shoe-last manufacturers these highly specialized and expensive copying lathes on a duty-free basis.

The committee has been advised that these lathes are not available from a domestic source. The interested departments and agencies have filed favorable comments on this bill with the committee and no objection has been received by the committee to the extension of this duty-free treatment. The committee was unanimous in recommending enactment of H.R. 5833.

Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 5833

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 911.70 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "On or before 6/30/69" and inserting in lieu thereof "On or before 6/30/72".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1969.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY ON PARTS OF STETHOSCOPES

Mr. **MILLS**. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 7311) to amend item 709.10 of the Tariff Schedules of the United States to provide that the rate of duty on parts of stethoscopes shall be the same as the rate on stethoscopes, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

Mr. **BYRNES** of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object—I do so, however, Mr. Speaker, in order to yield to the chairman of the Committee on Ways and Means, the gentleman from Arkansas, for a brief explanation of the bill.

Mr. **MILLS**. Mr. Speaker, I thank the distinguished gentleman from Wisconsin for yielding.

Mr. Speaker, the purpose of H.R. 7311, as reported by the Committee on Ways and Means, is to provide that the rate of duty on parts of stethoscopes shall be the same as the rate of duty on stethoscopes.

Stethoscopes are presently dutiable under Tariff Schedule item 709.10 at 15 percent ad valorem, the second of a five-stage duty reduction from 19 percent to 9.5 percent ad valorem pursuant to the Kennedy round of trade negotiations.

Parts of stethoscopes are presently dutiable under item 709.27 to 28.5 percent ad valorem, the second stage of a five-stage duty reduction from 36 percent to 18 percent pursuant to the Kennedy round agreement.

H.R. 7311, as reported, would provide the same rates of duty on parts of stethoscopes as would be applicable to stethoscopes by adding "and parts of stethoscopes" to the item description of item 709.10 of the Tariff Schedules. As a result, parts of stethoscopes will be subject to the same staged duty reductions agreed to for stethoscopes in the Kennedy round.

The existing differential between the dutiable status of stethoscopes and parts of stethoscopes was created by the Technical Amendments Act of 1965 under which the rate of duty on stethoscopes of 36 percent was reduced to 19 percent ad valorem in conformity with a U.S. Customs Court decision. The same provision was not made for parts of stethoscopes in the act of 1965. This matter was considered in the 90th Congress when H.R. 6909, a bill similar to H.R. 7311, was unanimously approved by the House on September 30, 1968. However, H.R. 6909 was not acted on by the Senate prior to adjournment of the 90th Congress.

As introduced, H.R. 7311 provided that import entries of parts of stethoscopes made after August 30, 1963, and on or before the date of enactment would be permitted to be liquidated or reliquidated at the lower rate of duty upon a request therefor filed with the customs officer concerned on or before 120 days after enactment. Due to the lack of information indicating that such a retroactive provision for import entries for parts of stethoscopes is warranted, the committee amended the bill to delete that provision.

The Committee on Ways and Means also amended the bill to provide that the dutiable status of parts of stethoscopes established by the bill shall be considered as having been proclaimed by the President pursuant to his trade agreement authority. The purpose of this amendment is to make clear the tariff concession status of parts of stethoscopes in relation to the applicability of the various provisions of trade agreement law, including the trade adjustment provisions of title III of the Trade Expansion Act of 1962.

The Committee on Ways and Means received favorable comments on the bill, as amended, from the interested departments and agencies.

The committee unanimously recommends the enactment of H.R. 7311 as reported.

Mr. **BYRNES** of Wisconsin. Mr. Speaker, I support H.R. 7311, a bill which will provide that the rate of duty on stethoscope parts will be the same as the rate on stethoscopes. This legislation is similar to H.R. 6909, which passed the House in the last Congress on September 30, 1968, but was not acted upon by the Senate.

This bill will provide for a uniform rate of duty on the importation of stethoscopes and parts of stethoscopes. At present, parts for stethoscopes are subject to a higher rate of duty than the stethoscope itself. While both the stethoscope and it components were subject to negotiation in the so-called Kennedy round of tariff reductions, because the components started out at a much higher rate of duty than was applied to the stethoscope itself, the negotiators could not achieve a uniform rate of duty applicable to both.

Favorable reports were received on this legislation from the Departments of State, Treasury, Labor, and Commerce. The committee was unanimous in recommending this legislation.

Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 7311

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the article description for item 709.10 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended to read as follows: "Percussion hammers, stethoscopes, and parts of stethoscopes".

(b)(1) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

(2) Upon request therefor filed with the customs officer concerned on or before the one hundred and twentieth day after the date of the enactment of this Act, the entry or withdrawal of any article—

(A) which was made after August 30, 1963, and on or before the date of the enactment of this Act, and

(B) with respect to which the amount of duty would be smaller if the amendment made by subsection (a) applied to such entry or withdrawal,

shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated though such entry or withdrawal had been made on the day after the date of the enactment of this Act.

With the following committee amendment:

On page 1, strike out line 7 and all that follows down through line 13 on page 2 and insert in lieu thereof the following:

"(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

"(c) The rates of duty in rate column numbered 1 for parts of stethoscopes under item 709.10 of the Tariff Schedules of the United States, as amended by subsection (a), shall be treated as not having the status of a statutory provision enacted by the Congress, but as having been proclaimed by the President as being required or appropriate to carry out foreign trade agreements to which the United States is a party."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed, and a motion to reconsider was laid on the table.

LIMITATION OF DUTY ON CRUDE CHICORY ROOTS

Mr. **MILLS**. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8644) to make permanent the existing temporary suspension of duty on crude chicory roots, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

Mr. **BYRNES** of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object—I do so in order to yield to the gentleman from Arkansas, the chairman of the Committee on Ways and Means, for an explanation of the bill.

Mr. **MILLS**. Mr. Speaker, I thank my friend, the gentleman from Wisconsin, for yielding.

Mr. Speaker, the purpose of H.R. 3644,

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as introduced by our colleague on the Committee on Ways and Means, the Honorable HALE BOGGS, of Louisiana, is to make permanent the existing temporary suspension of duty on crude chicory roots.

Since April 16, 1958, the duty on imports of crude chicory has been temporarily suspended and the duty on imports of ground or prepared chicory has been temporarily reduced to 2 cents per pound.

No chicory has been grown in the United States since 1954, and domestic processors of chicory depend on imports of crude chicory. The temporary suspension of duty on crude chicory and the temporary reduction in duty on ground chicory originally provided in Public Law 85–378 and the extensions thereof have provided domestic producers of ground chicory with a 2-cents-per-pound rate differential between imports of crude chicory on which they depend and imports of ground chicory with which they must compete. This temporary duty treatment for crude and ground chicory will terminate on June 30, 1969.

As a result of the Kennedy round of trade negotiations, the regular rate of duty on crude chicory under item 160.30 of the tariff schedules is being reduced from 1 cent per pound to 0.5 cent per pound in five annual stages. Likewise, the regular rate of duty on ground chicory under item 160.35 of the tariff schedules is being reduced from 2.5 cents to 1.5 cents per pound in five annual stages. The last stage of these duty reductions is scheduled to become effective on January 1, 1972.

Thus, under the duty reductions agreed to in the Kennedy round, the regular rates of duty for crude chicory of 0.5 cent per pound and for ground chicory of 1.5 cents per pound would constitute a narrowing of the rate differential to 1 cent per pound.

With the enactment of H.R. 8644, at least part of the existing 2-cent-per-pound rate differential between crude and ground chicory will be preserved. If, as proposed in H.R. 8644, the duty on crude chicory is permanently suspended, the rate differential will be reduced from the existing 2 cents per pound to 1.5 cents per pound, the final stage of the duty reduction on ground chicory, effective January 1, 1972.

No objection to H.R. 8644 was received from any of the interested departments or agencies, and the Committee on Ways and Means is unaware of any other objection to this bill.

The committee unanimously recommends the enactment of H.R. 8644.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would say to the gentleman from Arkansas that I was drowned in all those figures, and I cannot figure out whether we are going to get back in the business of producing chicory roots or not.

Mr. MILLS. If the gentleman will yield further, I would say to the gentleman from Iowa that no, it is not that. No one has produced any chicory in the United States since 1954, and I would doubt that anyone would undertake to do so.

Mr. GROSS. Is the reason because it is not profitable?

Mr. MILLS. It has been uneconomical.

Mr. GROSS. Or because they are being shipped in from other countries?

Mr. MILLS. I understand that it was an uneconomical operation here in the United States, but what we want to do is preserve as much as we can of the 2-cent differential between the crude chicory and the ground chicory. It is the ground chicory that is competitive when imported into the United States, but crude is not.

Mr. GROSS. This is used in the flavoring of coffee; is that correct?

Mr. MILLS. In some sections of the United States it is a necessity to add it to coffee.

Mr. GROSS. Do they use any coffee at all in New Orleans, or is it all chicory?

Mr. MILLS. It has been some time since I have had New Orleans coffee, but it is my recollection that it does have a large amount of chicory in it.

Mr. GROSS. The gentleman believes that this legislation is necessary?

Mr. MILLS. I do, to protect our own producers of the ground chicory.

Mr. GROSS. I thank the gentleman for yielding.

Mr. BYRNES of Wisconsin. Mr. Speaker, I support H.R. 8644, a bill to make permanent the existing temporary suspension of duty on crude chicory roots. No chicory has been grown in the United States since 1954 and domestic producers of chicory are entirely dependent on imports of crude chicory.

The duty has been suspended on crude chicory since legislation first enacted in 1958 and periodically renewed through the years. The present temporary suspension will terminate on June 30, 1969.

As part of the temporary suspension of the duty on the importation of crude chicory, the duty on prepared chicory—ground or otherwise—has been maintained at 2 cents per pound. This treatment has provided domestic producers of ground chicory with a 2-cent-per-pound differential between imports of crude chicory which they process and on imports of ground chicory with which they compete. The present bill would maintain this 2-cent differential.

No objection was presented to the committee to the enactment of this bill and the committee was unanimous in recommending this legislation.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 8644

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Tariff Schedules of the United States (19 U.S.C. 1202) are amended as follows:

(1) Item 160.30 (relating to crude chicory roots) is amended by striking out "0.8¢ per lb." and inserting in lieu thereof "Free".

(2) Item 903.20 (relating to crude chicory roots), item 903.21 (relating to chicory roots ground or otherwise prepared), and the article description immediately preceding such items are repealed.

(b) The rates of duty for item 160.30 in rate column numbered 1 of the Tariff Schedules of the United States, as amended by subsection (a), shall (1) be treated as not having the status of statutory provisions enacted by the Congress, but as having been proclaimed by the President as being required or appropriate to carrying out foreign trade agreements to which the United States is a party, and (2) supersede the staged rates of duty provided for such items in annex III to Proclamation 3822, dated December 16, 1967 (32 Fed. Reg., No. 244, pt. II, p. 19037).

SEC. 2. The first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after June 30, 1969.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF TEMPORARY SUSPENSION OF DUTY ON ELECTRODES FOR THE USE IN PRODUCING ALUMINUM

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10015) to extend until July 15, 1971, the suspension of duty on electrodes for use in producing aluminum, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object—I do so for the purpose of yielding to the gentleman from Arkansas for a brief explanation of the bill.

Mr. MILLS. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, the purpose of H.R. 10015 as reported by the Committee on Ways and Means is to continue until the close of December 31, 1970, the suspension of duty on electrodes imported for use in producing aluminum. This bill was introduced by our colleague on the committee, the Honorable RICHARD FULTON, of Tennessee.

The duty on electrodes imported for use in producing aluminum has been suspended on a temporary basis since October 7, 1965. The existing suspension of duty is scheduled to terminate on July 15, 1969.

The electrodes of the type covered by this bill usually are manufactured by the aluminum producers themselves. They are consumed in great quantities in the electrolysis process of transforming alumina into aluminum. One small aluminum plant which has been importing electrodes due to an insufficient aluminum production to permit manufacture of electrodes at its plant is beginning the construction of a facility to produce its own electrodes.

The Committee on Ways and Means was informed, however, that this com-

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pany is not as yet in a position to supply its own needs. In view of the fact that there is some question as to when the small aluminum producer will be able to produce an adequate supply of its own electrodes, the committee amended the bill to provide for a 1-year extension of the duty suspension rather than the 2-year extension provided in H.R. 10015 as originally introduced.

Your committee believes that an extension of the temporary suspension of duty on electrodes imported for use in producing aluminum for a 1-year period as provided in H.R. 10015, as amended, is warranted.

The committee is unanimous in recommending the enactment of this bill as reported.

Mr. **FLYNT**. Mr. Speaker, will the gentleman yield?

Mr. **BYRNES** of Wisconsin. I yield to the gentleman from Georgia.

Mr. **FLYNT**. Mr. Speaker, I thank the gentleman for yielding to me, and I ask the gentleman to yield in order that I might make certain inquiries of the distinguished chairman of the Committee on Ways and Means.

My first question is, Am I correct in understanding that the basic purpose of this bill is to extend the time during which electrodes for use in producing aluminum will be admitted duty free?

Mr. **MILLS**. Yes; the basic purpose of the bill is to continue the duty suspension on electrodes provided for in item 517.61 of the tariff schedules when imported for use in producing aluminum.

Mr. **FLYNT**. My second question relates to the definition of the word "electrode," as used in the report which accompanies H.R. 10015.

The term "electrode" as commonly used in the physical sense includes both cathodes and anodes. According to both technical and basic dictionary sources, the term "cathode" is defined as the negative electrode of an electrolytic cell or vacuum tube. The same sources define the term "anode" as the positive electrode of an electrolytic cell or vacuum tube.

My second question is, For the purposes of the legislation, is it the intent of the Committee and the Congress that the term "electrode" shall include both cathodes and anodes?

Mr. **MILLS**. A check of the legislative history of the duty suspensions on this item would, clearly, indicate that it was the intent of Congress to suspend the duty of those electrodes which would normally be dutiable under item 517.61 of the Tariff Schedules and the description of which reads "electrodes, in part of carbon or graphite, for electric furnace or electrolytic purposes." While there has not been a detailed discussion of anodes and cathodes in either the committee reports or the floor statements when past duty suspensions were being considered, it was generally understood by the committee that electrodes do include both the anodes, which are usually cylindrical rods and are positive electrodes, and cathodes, or negative electrodes, usually molded in the characteristic shape of the furnace or pot.

Mr. **FLYNT**. I have raised these questions because I have been informed that the staff of the Bureau of Customs does not consider cathodes to be electrodes when they are used in the production of aluminum. The Bureau has reportedly prepared an administrative directive which excludes cathodes used in the production of aluminum from the exemption enacted by Congress, and has instructed customs officials at ports of entry to admit anodes duty free but to exact a tariff duty on carbon blocks to be used as cathodes on the spurious theory that, while the anode blocks are electrodes, the cathode blocks used in producing aluminum have ceased to be electrodes, even though physicists and aluminum engineers have always considered a cathode as essential to an electrolytic cell as the anode. I am informed by qualified and reliable physicists and aluminum engineers that there have been no recent scientific developments which would authorize anyone to exclude carbon cathode blocks from the generic term of electrodes.

It is my purpose to establish the legislative history that it is the intent of Congress that upon the enactment of H.R. 10015 that all carbon blocks to be used as electrodes in producing aluminum whether they be used as anodes or cathodes, are to be included in the class of duty-free electrodes.

Mr. **MILLS**. I would say to the gentleman that it is the intent of the committee in reporting H.R. 10015 that the existing duty suspension be continued for 1 year on electrodes provided for in item 517.61 when imported for use in producing aluminum. As I understand it, both anodes and cathodes have been imported under item 517.61. I would say that the intent of the bill is to provide duty-free treatment for both cathodes and anodes so long as they may be otherwise classified under item 517.61 of the Tariff Schedules.

Mr. **FLYNT**. If the gentleman from Wisconsin will yield further, I would like to thank the chairman of the Committee on Ways and Means for the explanation which he has given.

Mr. **BYRNES** of Wisconsin. Mr. Speaker I support H.R. 10015, a bill to continue until December 31, 1970, the existing temporary suspension of duty on electrodes used in producing aluminum.

The electrolysis process by which aluminum is produced requires heavy consumption of electrodes. Most of the major aluminum manufacturers produce their own electrodes at the site where aluminum is produced. There is one small aluminum manufacturing plant which has produced an insufficient amount of aluminum to warrant the production of its own electrodes in the past. However, the committee has been advised that this plant is in the process of constructing facilities for the manufacture of its own electrodes. This legislation will continue the existing temporary suspension of duty for a period of a little more than a year at which time the committee can again take a look at the situation.

The committee was unanimous in recommending this legislation and I urge the House to give it favorable consideration.

Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 10015

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the matter appearing in the effective period column for item 909.25 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "7/15/69" and inserting in lieu thereof "7/15/71".

SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

With the following committee amendments:

On page 1, line 6, strike out "7/15/71" and insert in lieu thereof "12/31/70".

On page 1, lines 9 and 10, strike out "on or after the date of the enactment of this Act" and insert in lieu thereof "after July 15, 1969".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to extend through December 31, 1970, the suspension of duty on electrodes for use in producing aluminum."

A motion to reconsider was laid on the table.

TEMPORARY SUSPENSION OF DUTIES ON METAL SCRAP

Mr. **MILLS**. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10016) to continue until the close of June 30, 1971, the existing suspension of duties for metal scrap, which was unanimously reported to the House by the Committee on Ways and Means.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

Mr. **BYRNES** of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object—I do so to yield to the gentleman from Arkansas, the chairman of the Ways and Means Committee, for a brief explanation.

Mr. **MILLS**. Mr. Speaker, I thank my friend.

Mr. Speaker, the purpose of H.R. 10016, which was introduced by our colleagues on the Committee on Ways and Means, the gentlewoman from Michigan, the Honorable MARTHA W. GRIFFITHS, is to continue for 2 years, until July 1, 1971, the existing suspension of duties on certain metal waste and scrap.

Legislation for the temporary suspension of duties on various metal scrap was first enacted in 1942. With various changes, the suspension of duties has been continued from time to time, depending on the scarcity of the particular metals at the time.

This bill would continue for 2 years the temporary suspension of duties on certain metal waste and scrap, principally iron and steel, aluminum, mag-

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nesium, nickel, and nickel alloys waste and scrap.

Imports of such scrap have not in the past few years constituted important components of the total supplies of such metals. Imports in some cases, however, have represented important sources of metals for limited numbers of consumers of such metal in some sections of the country.

The U.S. Tariff Commission has indicated to the Committee on Ways and Means that conditions which prompted the initial temporary suspension of duties on metal scrap and the continuation thereof have not materially changed. There is no objection to this bill from the interested departments and agencies; nor was objection received from any other source.

The committee is unanimous in recommending enactment of this legislation.

Mr. BYRNES of Wisconsin. Mr. Speaker, I support H.R. 10016, a bill extending for a 2-year period—until June 30, 1971—the existing suspension of duties on scrap metals. The continuation of the suspension of duty on metal scrap provided by this bill applies principally to metal scrap of iron and steel, aluminum, magnesium, nickel, and nickel alloys.

The scrap of nonferrous metals—whether domestic or imported—represent a very small part of the supply of such metals. Scrap of ferrous metals—iron and steel—are utilized by the domestic iron and steel industries for the production of steel by the open-hearth process. The U.S. Tariff Commission has advised the committee that the conditions upon which suspension has been based throughout the years in the case of scrap metals have not materially changed. The continuation of present rules is therefore advisable. The committee received no objections to the legislation from the interested departments and was unanimous in recommending enactment of the bill.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 10016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 911.12 (relating to articles other than copper waste and scrap and articles of copper) of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "6/30/69" and inserting in lieu thereof "6/30/71".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1969.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF TEMPORARY DUTY SUSPENSION ON CERTAIN ISTLE

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10107) to continue for a temporary period the existing suspension of duty on certain istle, which was unanimously reported to the House by the Commitee on Ways and Means.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object—I do so in order to yield to the gentleman from Arkansas, the chairman of the Ways and Means Committee, for a brief explanation. I yield to the gentleman.

Mr. MILLS. I thank my friend for yielding.

Mr. Speaker, the purpose of H.R. 10107 as introduced by our colleagues on the Committee on Ways and Means, the Honorable JAMES B. UTT, of California, and the Honorable JACKSON E. BETTS, of Ohio, is to continue until the close of September 5, 1972, the existing suspension of duty on processed istle fiber. Istle fiber is one of the best known and most widely used of all vegetable brush fibers.

The duty on processed istle fiber has been suspended on a temporary basis since September 4, 1957. At the time of the initial suspension of duty, there was no domestic production of raw istle fiber and an insignificant production of the processed fiber from imported raw fiber. The objective of the suspension of the duty was to reduce the burden of higher prices on domestic users of the fiber and of the finished product.

The Committee on Ways and Means is informed that conditions continue to warrant the suspension of this duty.

The committee has received no objection to the 3-year extension of the duty suspension on processed istle fiber.

The committee is unanimous in recommending the enactment of H.R. 10107.

Mr. BYRNES of Wisconsin. Mr. Speaker, I support H.R. 10107, a bill to continue for a 3-year period—until September 5, 1972—the existing suspension of duty on processed istle fiber. In the absence of this bill, the present suspension of duty on processed istle fiber will expire on September 5 of this year.

Istle fiber is a vegetable brush fiber used principally in the United States in the manufacture of brushes. Crude istle fiber has been admitted duty free since the Tariff Act of 1930. Processed istle fiber is subject to a 20-percent ad valorem duty under the Tariff Act, but that duty has been suspended pursuant to legislation enacted in 1957 and periodically renewed since then.

Since the suspension of duty on istle fiber in 1957, there has been no production of crude istle fiber in the United States and an insignificant production of the processed fiber from imported crude fiber. This situation continues to prevail today. The purpose of duty free treatment in this case is to reduce the prices of brushes and products made from istle fiber to consumers in the United States. In order to continue to attain these objectives the committee unanimously recommends enactment of this legislation. No objection was received from the interested departments and agencies to this legislation and I recommend its favorable consideration by the House.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 10107

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 903.90 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202, item 903.90) is amended by striking out "9/5/69" and inserting in lieu thereof "9/5/72".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after September 5, 1969.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COLLECTION OF FEDERAL UNEMPLOYMENT TAX

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 9951) to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object—I do so in order to yield to the gentleman from Arkansas, the chairman of the Committee on Ways and Means, for an explanation of this bill. I yield now to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, I thank my friend, the gentleman from Wisconsin, for yielding.

Mr. Speaker, the purpose of H.R. 9951 is to provide relief for an immediate problem with respect to funding the operation of the employment security program. This program carries out the dual operation of administering the unemployment insurance system and the employment service.

Although Congress determines the actual amounts that may be spent by Federal and State agencies in administering the unemployment insurance and the employment service programs through annual appropriations, the source of funds to pay these expenses is limited by law to a portion of the Federal unemployment tax.

According to estimates of the Department of Labor, the program's administrative expenses, under President Nixon's revised budget for fiscal year 1970, will exceed revenues from the Federal

Unemployment Tax Act available to finance these operations by about $26 million.

The bill we are now considering would provide temporary relief for this problem by means of a permanent change in the law which I believe is desirable in itself. The bill calls for a shift from the present method of collecting unemployment taxes on an annual basis at the end of each year to quarterly collections during the year.

The bill specifically exempts from the quarterly payment requirement any employer whose tax liability for a collecting period does not exceed $100. Thus, no employer would be required to make a quarterly payment until he owes more than $100 in Federal unemployment taxes.

The changeover from annual to quarterly payments would be gradually phased-in over a 3-year period under the bill in order to ease the financial impact on employers. In the first year, an employer with a tax liability in excess of $100 would deposit only one-third of his quarterly tax at the end of the first three quarters and would pay the remainder of his tax with his annual return at the end of the year. In the second year, the quarterly tax payment would be increased to two-thirds of the quarter's tax and beginning in the third year and thereafter, the full quarterly amount would be paid at the end of each quarter.

Mr. Speaker, this legislation will not result in increasing the unemployment tax liability of employers. It will, however, through the speeding up of collections, provide additional funds to finance the employment security program during the next 3 years. During that time, Congress will have an opportunity to explore the alternatives for achieving a more permanent solution to the problems of funding the program. Indeed, this is a matter which I have discussed at some length on several occasions with representatives of the Interstate Conference of Employment Security Agencies, and one which they are continuing to study in cooperation with the U.S. Department of Labor.

Mr. Speaker, the committee unanimously recommends enactment of this legislation.

Mr. **BYRNES** of Wisconsin. Mr. Speaker, I support H.R. 9951, a bill to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year, and to provide for the use of additional funds resulting therefrom.

The administrative costs attributable to the Federal-State employment security program have been increasing along with other costs in recent years. In the near future, Congress will have to consider the long-range financing needs of the Federal-State unemployment system, and in that connection will want to carefully review the various administrative costs of the unemployment system to which the Federal unemployment tax is devoted. However, the system is presented with an immediate problem in that the program's administrative expenses will exceed the revenues from the Federal unemployment taxes by about $26 million in fiscal year 1970, and the deficiency will increase in succeeding fiscal years.

The present bill will resolve the problem for fiscal years 1970 through 1972 by requiring that the Federal tax be deposited quarterly by covered employers. Under present law the employer pays the tax for the entire calendar year when he files his return for that year in the following January. This legislation would require employers whose tax in a calendar quarter exceeds $100 to deposit the amount of tax due on a quarterly basis. However, the employer would continue to file his return annually in the January following the close of the calendar year.

As in the past when the committee has enacted legislation to make taxes payable on a more current basis, the committee has phased in the new rules. Under this bill an employer will pay only one-third of his taxes on a quarterly basis in 1970, two-thirds of his taxes on a quarterly basis in 1971, and not until 1972 will all of his Federal unemployment taxes be paid on a quarterly basis. During this period the amount not paid on a quarterly basis during the calendar year will be due when the Federal unemployment tax return is filed in the following January.

This legislation represents an improvement in the law that will insure that our Federal-State unemployment system is adequately financed in the near future. I urge that the House take favorable action on this bill.

Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 9951

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3306(a) of the Internal Revenue Code of 1954 (relating to definition of employer) is amended to read as follows:

"(a) EMPLOYER.—For purposes of this chapter, the term 'employer' does not include any person unless on each of some 20 days during the taxable year or during the preceding taxable year, each day being in a different calendar week, the total number of individuals who were employed by him in employment for some portion of the day (whether or not at the same moment of time) was 4 or more."

SEC. 2. COLLECTION OF FEDERAL UNEMPLOYMENT TAX ON QUARTERLY OR OTHER TIME PERIOD BASIS.

(a) QUARTERLY PAYMENT OF FEDERAL UNEMPLOYMENT TAX.—Subchapter A of chapter 62 of the Internal Revenue Code of 1954 (relating to place and due date for payment of tax) is amended by redesignating section 6157 as 6158, and by inserting after section 6156 the following new section:

"SEC. 6157. PAYMENT OF FEDERAL UNEMPLOYMENT TAX ON QUARTERLY OR OTHER TIME PERIOD BASIS.

"(a) GENERAL RULE.—Every person who for the calendar year is an employer (as defined in section 3306(a)) shall

"(1) if the person in the preceding calendar year employed 4 or more employees in employment (within the meaning of section 3306 (c) and (d) on each of some 20 days during such preceding calendar year, each such day being in a different calendar week, compute the tax imposed by section 3301 for each of the first three calendar quarters in the calendar year, and

"(2) if paragraph (1) does not apply, compute the tax imposed by section 3301—

"(A) for the period beginning with the first day of the calendar year and ending with the last day of the calendar quarter (excluding the last calendar quarter) in which such person becomes such an employer, and

"(B) for the third calendar quarter of such year, if the period specified in subparagraph (A) includes only the first two calendar quarters of the calendar year.

The tax for any calendar quarter or other period shall be computed as provided in subsection (b) and the tax as so computed shall, except as otherwise provided in subsection (c), be paid in such manner and at such time as may be provided in regulations prescribed by the Secretary or his delegate.

"(b) COMPUTATION OF TAX.—The tax for any calendar quarter or other period referred to in paragraph (1) or (2) of subsection (a) shall be computed by multiplying the amount of wages (as defined in section 3306(b)) paid in such calendar quarter or other period by the number of percentage points (including fractional points) by which the rate of tax specified in section 3301 exceeds 2.7 percent.

"(c) SPECIAL RULE FOR CALENDAR YEARS 1970 AND 1971.—For purposes of subsection (a), the tax computed as provided in subsection (b) for any calendar quarter or other period shall be reduced (1) by 66⅔ percent if such quarter or period is in 1970, and (2) by 33⅓ percent if such quarter or period is in 1971."

(b) ASSESSMENT AUTHORITY.—Section 6201 (b) of such Code (relating to assessment authority) is amended to read as follows:

"(b) AMOUNT NOT TO BE ASSESSED.—

"(1) ESTIMATED INCOME TAX.—No unpaid amount of estimated tax under section 6153 or 6154 shall be assessed.

"(2) FEDERAL UNEMPLOYMENT TAX.—No unpaid amount of Federal unemployment tax for any calendar quarter or other period of a calendar year, computed as provided in section 6157, shall be assessed."

(c) TREATMENT OF QUARTERLY PAYMENT OF FEDERAL UNEMPLOYMENT TAX.—Subchapter B of chapter 64 of such Code is amended by adding at the end thereof the following new section:

"SEC. 6317. PAYMENTS OF FEDERAL UNEMPLOYMENT TAX FOR CALENDAR QUARTER.

"Payment of Federal unemployment tax for a calendar quarter or other time period within a calendar year pursuant to section 6157 shall be considered payment on account of the tax imposed by chapter 23 of such calendar year."

(d) TIME TAX CONSIDERED PAID.—Section 6513 of such Code (relating to time return deemed filed and tax considered paid) is amended by adding at the end thereof the following new subsection:

"(e) PAYMENTS OF FEDERAL UNEMPLOYMENT TAX.—Notwithstanding subsection (a), for purposes of section 6511 any payment of tax imposed by chapter 23 which, pursuant to section 6157, is made for a calendar quarter or other period within a calendar year shall, if made before the last day prescribed for filing the return for the calendar year (determined without regard to any extension of time for filing), be considered made on such last day."

(e) INTEREST ON UNDERPAYMENTS OR NONPAYMENT OF TAX.—Section 6601 of such Code (relating to interest on underpayment or nonpayment of tax) is amended by redesignating subsection (k) as subsection (l) and by adding a new subsection (k) to read as follows:

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"(k) Exception as to Federal Unemployment Tax.—This section shall not apply to any failure to make a payment of tax imposed by section 3301 for a calendar quarter or other period within a taxable year required under authority of section 6157."

(f) Technical and Clerical Amendments.—

(1) The table of sections for subchapter A of chapter 62 of the Internal Revenue Code of 1954 is amended by striking out

"Sec. 6157. Payment of taxes under provisions of the Tariff Act."

and inserting in lieu thereof

"Sec. 6157. Payment of Federal unemployment tax on quarterly or other time period basis."

"Sec. 6158. Payment of taxes under provisions of the Tariff Act."

(2) The table of sections for subchapter B of chapter 64 of such Code is amended by adding at the end thereof the following:

"Sec. 6317. Payments of Federal unemployment tax for calendar quarter."

Sec. 3. Employment Security Administration Account.

(a) Paragraph (3) of section 901(c) of the Social Security Act is amended to read as follows:

"(3) For purposes of paragraph (1)(A), the limitation on the amount authorized to be made available for any fiscal year is an amount equal to 95 percent of the amount estimated and set forth in the budget of the United States Government for such fiscal year as the net receipts during such year under the Federal Unemployment Tax Act; except that this limitation is increased by any unexpended amount retained in the employment security administration account in accordance with section 901(f)(2)(B). Each estimate of net receipts under this paragraph shall be based upon a tax rate of 0.4 percent."

(b) Paragraph (2) of section 901(f) of such Act is amended (1) by striking out "The" and inserting in lieu thereof "(A) Except as provided in subparagraph (B), the", and (2) by adding at the end thereof the following:

"(B) With respect to the fiscal years ending June 30, 1970, June 30, 1971, and June 30, 1972, the balance in the employment security administration account at the close of each such fiscal year shall not be considered excess but shall be retained in the account for use as provided in paragraph (1) of subsection (c)."

Sec. 4. Effective Date.

(a) The amendments made by the first two sections of this Act shall apply with respect to calendar years beginning after December 31, 1969.

(b) The amendments made by section 3 shall take effect upon enactment of this Act.

With the following committee amendments:

On page 2, beginning in line 13, strike out "redesignating" and all that follows through line 15, and insert: "striking out section 6157 and by inserting in lieu thereof the following:".

On page 3, lines 17 and 18, strike out "subsection (c)," and insert: subsections (c) and (d),

On page 4, strike out the quotation marks at the end of line 9 and after line 9 insert:

"(d) Special Rule Where Accumulated Amount Does Not Exceed $100.—Nothing in this section shall require the payment of tax with respect to any calendar quarter or other period if the tax under section 3301 for such period, plus any unpaid amounts for prior periods in the calendar year, does not exceed $100."

On page 5, line 4, strike out "time".

On page 6, strike out the last line of the matter following line 9 and insert quotation marks at the end of the preceding line in such matter.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TAX TREATMENT OF INDIVIDUALS SERVING ON U.S.S. "PUEBLO"

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8654) to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by North Korea shall be treated as serving in a combat zone, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object—and I certainly do not intend to object—I do so in order to yield to the gentleman from Arkansas, the chairman of the Ways and Means Committee, for a brief explanation.

Mr. MILLS. Mr. Speaker, I thank my friend, the gentleman from Wisconsin, for yielding.

Mr. Speaker, the purpose of H.R. 8654, as reported by the Committee on Ways and Means, is to afford members of the crew of the U.S.S. *Pueblo*, who were illegally detained by North Korea, the same treatment for purposes of the tax laws as if they had served in a Presidentially designated combat zone during the period of their detention by North Korea.

Mr. Speaker, under present law four tax benefits are provided for members of our Armed Forces who are in active service in a Presidentially designated combat zone:

First, section 112 of the Internal Revenue Code presently provides an income tax exclusion for pay received for active service by a member of the Armed Forces for any month during which he either served in a combat zone or was hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone. In the case of an enlisted person, the exclusion applies to all his pay. In the case of a commissioned officer, the exclusion applies to up to $500 per month of his pay.

Second, section 692 of the code presently provides for a waiver of income tax of a member of the Armed Forces who dies while in active service in a combat zone or as a result of wounds, disease, or injury incurred while in service in a combat zone. This waiver applies to the taxable year in which the death occurs and also to any income tax for any other years which is unpaid at the date of his death.

Third, section 2201 of the code now provides an exception from the Federal estate tax—except that part against which a credit for State death taxes may be taken—for any member of the Armed Forces who is killed in action while in active service in a combat zone or who dies as a result of wounds, disease, or injury suffered while in active service in a combat zone.

Fourth, and finally, Mr. Speaker, present section 7508 of the code provides for an extension of time for performing various actions such as filing tax returns, paying taxes, or filing a claim for credit or refund of tax applicable to any individual who is serving in the Armed Forces or in support thereof in a combat zone or who is hospitalized outside of the United States as a result of an injury received while serving in a combat zone.

Mr. Speaker, the applicability of the four provisions I have just enumerated is conditioned on the person being in service in a combat zone. A combat zone under present law is defined as an area which the President designates by Executive order as an area in which the U.S. Armed Forces are engaged in combat. Vietnam and adjacent waters is the only area currently designated by the President as a combat zone. As a result, the four tax provisions discussed above currently are applicable only with respect to service in Vietnam or adjacent waters.

Mr. Speaker, in view of the hardships, maltreatment, and loss of life incurred by the *Pueblo* crew during their detention by North Korea and the obvious comparability of the hazards of combat to the risks to which they were subjected, the Committee on Ways and Means believes it is appropriate to extend to the *Pueblo* crew the same tax benefits which are available with respect to service in a combat zone. H.R. 8654, therefore, provides that the crew of the *Pueblo* are to be treated as serving in a Presidentially designated combat zone during the period that they were illegally detained by North Korea. They therefore would receive the four tax benefits that presently attend service in a combat zone.

Mr. Speaker, the Committee on Ways and Means is unanimous in recommending approval of H.R. 8654 by the House.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield to the gentlewoman from Washington (Mrs. May).

Mrs. MAY. Mr. Speaker, I rise in support of H.R. 8654, to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone.

As author of a similar measure, H.R. 8653, I wish to commend the esteemed chairman of the Committee on Ways and Means for introducing this measure and setting aside the tax reform hearings long enough to take up and approve this legislation for the personnel of the U.S.S. *Pueblo*.

H.R. 8654, Mr. Speaker, will not only correct an injustice, but it will also provide the officers and crewmen of the *Pueblo* a pecuniary award as a visible token of our country's gratitude for their service and as partial compensation for the hardships they endured at the hands of the North Koreans.

I should like to briefly outline the reasons for my introduction of legislation in this area and to explain the reasons this special legislation is necessary.

I first became aware of the situation in March of this year when I received a letter from the father of one of the returned crewmembers. A few telephone calls to the Navy Department and the Internal Revenue Service verified what the sailor's father had told me. The 82-member crew of the *Pueblo* had discovered that after an 11-month captivity, Uncle Sam had to levy tax on their pay which they earned during the period of their ordeal in North Korea.

It was a quirk of fate that the crew members had found themselves in this quandry, because had they been officially designated as prisoners of war, or had they been in Vietnam at the time of their capture, they would not have been subjected to such taxation.

However, because they happened to be assigned to North Korean waters and not to Vietnam, under the law they were not legally classified as having served within a combat zone. The members of the *Pueblo* crew, therefore, were not subject to the special tax treatment that would have been theirs had they been in a hostile war area like Vietnam. Yet, these crewmembers have been unfortunate enough to have undergone continuing torture just as though they had been prisoners of war in a combat zone.

To my way of thinking, Mr. Speaker, a lessening of their tax burden is a very small thing for us to do for them in return.

H.R. 8654 will provide the crew members of the *Pueblo*, during the period of their captivity in North Korea, the same Federal tax treatment that is accorded members of our Armed Forces who serve in officially designated combat zones. Its enactment, it seems to me, is the least we can do for the gallant officers and men of the *Pueblo*.

Mr. BYRNES of Wisconsin. Mr. Speaker, I support H.R. 8654, a bill to extend to the crew of the *Pueblo* certain income tax benefits that are available to members of the Armed Forces serving in a combat zone.

Under present law, the military pay received by enlisted members of the Armed Forces is excluded from taxable income for months during which they served in a combat zone. A similar exclusion limited to $500 a month is made applicable to officers serving in a combat zone. Additionally, income taxes due when an individual dies while in active service in a combat zone or as a result of wounds, disease or injury incurred in a combat zone and not paid at the date of death are waived. A similar exception is provided for Federal estate tax. Finally, individuals are granted an extension under present law for filing tax returns, paying taxes, or filing a claim for credit or refund while they are serving in a combat zone or convalescing from injuries received in a combat zone and for 180 days thereafter.

Under the law, a combat zone is any area designated by the President by executive order as an area in which the Armed Forces of the United States are engaged in combat. Vietnam and adjacent waters is the only area currently designated as a combat zone.

The risks and sacrifices endured by the *Pueblo* crew during their incarceration required a sacrifice on behalf of both the crew and their families that was as great as any they would be subjected to if the crew had served in a combat zone. The circumstances under which the *Pueblo* crew was imprisoned in Korea are the kind of circumstances that are contemplated by the combat pay exclusion, but the benefits of the law are not afforded the crew due to the definition of a combat zone. This legislation will provide that the *Pueblo* crew will be considered to have served in a combat zone during the period of their detention in North Korea. The bill will extend the intent and philosophy of the combat pay exclusion to the members of the crew of the U.S.S. *Pueblo*. I strongly urge my Colleagues to join me in supporting this legislation.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 8654

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for purposes of sections 112, 692, 2201, and 7508 of the Internal Revenue Code of 1954, individuals who were illegally detained (or who died while being illegally detained) by the Democratic People's Republic of Korea at any time during the calendar year 1968 shall be treated while so detained as serving in an area designated by the President of the United States by Executive order as a combat zone for purposes of section 112 and during the period designated by the President by Executive order as the period of combatant activities in such zone for purposes of such section.

SEC. 2. The provisions of this Act shall apply—

(1) for purposes of section 112 of such Code, with respect to compensation received for periods of active service after December 31, 1967, in taxable years ending after such date;

(2) for purposes of sections 692 and 2201 of such Code, with respect to decedents dying after December 31, 1967; and

(3) for purposes of section 7508 of such Code, with respect to individuals who were detained after December 31, 1967.

With the following committee amendment:

On page 1, line 4, after "were" insert: "removed from a United States vessel and".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMISSION TO REVISE AND EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that I may be permitted to revise and extend the remarks I made in connection with the bills just passed and also that the sponsors of the bills desiring to do so may be permitted to include their remarks prior to the passage of each of the bills.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

THE MYSTERY OF THE 77-DAY SALE OF SECRETARY KENNEDY'S STOCK OPTION

(Mr. PATMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the Treasury Department has created as much confusion as possible about the Secretary's $1.2 million stock option with the Continental-Illinois National Bank.

Through the Treasury's General Counsel, Paul W. Eggers, the Treasury Department has dropped a heavy curtain of fog in hopes that the press and the Congress will be fooled about the true nature of this most amazing transaction.

At the time of his confirmation, Secretary Kennedy attempted to indicate that he would either exercise or relinquish the option to buy 30,855 shares of Continental-Illinois National Bank stock before he took the oath of office. The fact is that Secretary Kennedy exercised this option after he became Secretary.

The Treasury's General Counsel issued this statement April 29 in an effort to confuse what has happened on the stock option:

> Mr. Kennedy exercised the option and within a few days thereafter sold all the shares so acquired. From my discussions with the people who handled this sale, I determined that this was an arms-length transaction. Mr. Kennedy has completely divested himself of any interest whatsoever in this stock.

The Wall Street Journal, of Friday May 9, has thrown some important new light on Mr. Eggers' statement.

The Wall Street Journal quotes a Treasury official as saying that Mr. Kennedy sold his 30,855 shares on April 9.

Mr. Speaker, I know from other sources—and this cannot be contradicted—that Secretary Kennedy notified the Continental-Illinois National Bank late in the afternoon of January 22 that he had decided to exercise his option on this stock. In other words, on January 22, Mr. Kennedy cemented his legal right to that block of stock.

After that date—January 22—the value of the bank stock became of utmost importance to David M. Kennedy.

Any time after January 22, the Secretary had control of those 30,855 shares. They were not in a trust. They were controlled in such a manner as to give Mr. Kennedy a direct pecuniary interest in the shares while he served as Secretary of the Treasury.

Now the Wall Street Journal of last Friday reveals, from a Treasury source, that this stock was actually not disposed of until April 9. Mr. Kennedy had the right to that stock and the actual control of it for 77 days while he served as Secretary of the Treasury in the Cabinet of President Nixon.

Mr. Paul W. Eggers was engaging in a blatant and disgraceful effort to mislead the Congress and the American pub-

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lic when he issued his news release on April 29. Mr. Eggers said:

> Mr. Kennedy exercised the option and within a few days thereafter sold all the shares so acquired.

Now what Mr. Eggers was pulling was a fast shuffle of dates. He was using some of the technical aspects of the stock transaction to indicate that Secretary Kennedy had legal right to the 30,855 shares for only a few days. What Mr. Eggers was referring to was an actual physical delivery of the option on April 7 and the actual sale on April 9.

But, what Mr. Eggers leaves out—in an attempt to mislead—is that Secretary Kennedy decided to exercise that option on January 22 and so notified the bank by telegram. He did not sell that stock "a few days thereafter" the January 22 date as alleged by Mr. Eggers. He sold it 77 days later.

Why does Secretary Kennedy persist in playing this misleading game with the Congress and the public? Why does he not tell all the facts with dates, places, and times? And most important, why does he not tell us who handled the transaction and who bought the stock?

This is a very large block of bank stock. It is many more times what is normally traded on any given day. Therefore, it was undoubtedly a negotiated sale. And, if this is the case, it is essential that we know all the facts about the negotiations.

Mr. Speaker, it is also important that we have firm information about the actual date that Secretary Kennedy sold this stock. The Wall Street Journal quotes an anonymous Treasury source about the April 9 date. This may be the correct date but this can be determined only if we are furnished essential papers involved in the transaction. In light of the recent statements that have been issued by the Treasury Department, it would be foolish to accept the report of a "Treasury source" as the final word. We must have more evidence than this.

I think it is obvious that Secretary Kennedy is fearful of making the facts known because he realizes that the holding of the legal rights to this stock constituted a violation of section 208 of title 18 of the United States Code, because he was able to affect its value through official acts.

The penalty for violation of this section is a fine of not more than $10,000 and a prison term of not more than 2 years or both.

He also knows that the exercising of the option and the buying and the selling of the stock and other activities he has engaged in are questionable practices under section 1003 of title 31 of the United States Code. A person violating this section "shall be deemed guilty of a high misdemeanor and forfeit to the United States the penalty of $3,000, and shall upon conviction be removed from office, and forever thereafter be incapable of holding any office under the United States." This section is traced directly back to the original act of September 2, 1789, which created the Treasury Department and which set out provisions to prevent conflicts of interest in that Department.

Mr. Speaker, I do not think that this Congress can allow a Secretary of the Treasury and his General Counsel to engage in hoodwinking the public about these issues without some sort of specific accounting. I intend to get to the bottom of this matter and to learn all the facts about this stock option. I hope these facts come to the Banking and Currency Committee on a voluntary basis and I hope that President Nixon will do whatever is needed to see that this information is furnished.

Mr. Speaker, today I have discussed only the stock option which Secretary Kennedy has engaged in since he took office. As I have noted elsewhere, the Secretary has many other ties to the Continental-Illinois National Bank. All of these ties should be severed if he desires to continue as Secretary of the Treasury.

THE PARAMOUNT IMPORTANCE THAT JUDICIAL INTEGRITY OF THE SUPREME COURT BE ENTIRELY ABOVE SUSPICION

(Mr. BUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUSH. Mr. Speaker, at a time when our entire system is subject to severe strain, it is of paramount importance that the judicial integrity of the Supreme Court, and each of its members, be entirely above suspicion. Justice Fortas is no longer above justifiable general suspicion; therefore, I think, it is proper for us to expect him to resign.

Though my personal views may be contrary, for the purposes of argument, let us assume that Justice Fortas sincerely believes in the propriety of his actions and that they were motivated by sincere ideals or beliefs. He has still exercised careless judgment and this is not a valid defense to the charge that he has by his injudicious actions compromised the integrity of our Supreme Court in the mind of the public.

It is more accurate to say that as of now he has compromised only one Justice, but if he remains on the bench barring reprimand by the Court itself, he will compromise the whole Court because the public will feel—and with some justification—that he remains there only because the rest of the Court allowed him to do so.

To the average American reading a magazine or newspaper article on the situation, it will seem a natural conclusion that the Court is crooked. The intricacies of the Constitution and the judicial system will not appeal to him. And later when he reads that the Justice is still there he will again conclude that the Court is crooked, but this time with stronger doubts about the system and the correctness of his own ethical standards. And I find this possibility extremely disturbing.

By admitting that he accepted money he should not have, Mr. Fortas admitted that he was guilty of a judicial impropriety which, when it becomes public knowledge, requires his resignation regardless of any question of actual illegality.

Not many of us consider money deposited in a bank account and 11 months later "returned" or repaid in equal amount to be money that was "not accepted." The distinction between "tendered" and "accepted" is one that does not make sense to me or to the public. Whether or not Justice Fortas' statement represents an accurate portrayal of his subjective thought processes is immaterial, because millions who read it are generally convinced that he is not telling the truth. And I am convinced that we cannot afford, or at least we need not afford, to have a man sitting on the Supreme Court whom the general public believes to be untruthful.

Unfortunately, experience has proven that our society and present institutions can withstand general public awareness of impropriety and even illegality on the part of prominent members of the executive and legislative branches. I have never felt that we should accept this and have fought for higher ethical standards since my election to the House of Representatives. Now at a time when the Supreme Court, the highest symbol of law and order, is under attack—at a time when the concept of law and order itself is under attack—it seems to me that it is fair to ask whether or not we can afford a general suspicion of the judicial integrity of the Supreme Court. It seems to me that every high official in this country should be very careful about his legal and moral obligations. This is simply not a good time to be careless or to let impropriety go unnoticed.

This incident will cause harm to this country however it goes. I think a prompt resignation would tend to minimize the harm. It is true that the public will in time forget the details of this unhappy case, but if no action is taken there will remain a residual decrease in the general adherence to the principle of the rule of law, the ultimate effect of which no one can accurately forecast or calculate.

Mr. Speaker, I call upon Justice Fortas to promptly resign from the Supreme Court.

LADY CABINET OFFICERS

(Mr. FULTON of Tennessee asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. FULTON of Tennessee. Mr. Speaker, some time ago Assistant Secretary of Health, Education, and Welfare, Patricia Hitt, is alleged to have told a news conference:

> I would not today give you the name of a single woman who would have the background, training and ability to head a Cabinet department—and who would also be free to do the job.

Mr. Speaker, as you may no doubt have guessed, this remark, whether taken in or out of context, immediately drew the ire of hundreds of thousands of American women who know full well that there are very many able and distinguished women in this country who are as well-qualified and could do as well a job in the Cabinet or at any level of government as any man.

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One of those who protested Secretary Hitt's comment was Mrs. Drue Smith. Mrs. Smith voiced her views in a letter to the editor of the Washington Evening Star which was printed on Friday, February 21, 1969.

Mr. Speaker, under unanimous consent, I include Mrs. Smith's letter in the Record at this point, and commend it to the attention of my colleagues, particularly those female colleagues who we are also privileged to have here in the House of Representatives and who serve so ably, with such dedication and with such ability:

Lady Cabinet Officers

Sir: I hesitate to disagree with one so charming as Assistant HEW Secretary Patricia Hitt, but I am compelled to speak out on behalf of "my fellow women." I was shocked at her statement, as quoted in the press: "I could not today give you the name of a single woman who would have the background, training and ability to head a Cabinet department—and who also would be free to do the job."

From wide ranging and long observation of groups such as Business and Professional Women, Radio and TV Women, Newspaper Women, the National Council of Negro Women, women in government and political parties and from serving on the Defense Advisory Committee with distinguished women from 50 States, I can tick off names which jump to mind without time for research.

For instance, from the House (the same dome from which sprung Melvin Laird) there are Reps. Leonore Sullivan, Charlotte Reid, Patsy Mink, Catherine May, Margaret Heckler, Martha Griffiths, Florence Dwyer, Edith Green, Shirley Chisholm, and Julia B. Hansen. From the Senate: Margaret Chase Smith.

From successful business empires: Olive Beech (Beech Aircraft), Joan Crawford (Pepsi Cola), Lucille Ball (Desi-Lu), Mildred Custin (Genesco), Mary Wells (who got a whole airline off the ground), Gwen Cafritz, Jacqueline Cochran, and Senator Louise Gore (combination of government and business).

True, many of these outstanding women are already too involved in their field they may have no free time. But, would they serve their country, if asked? Robert McNamara did, and, more recently, Winton Blount.

From the arts: Marya Mannes, Shirley Temple Black, Susan Sontag, Gloria Vanderbilt. From government councils: Marietta Tree, Eva Adams, Eleanor Guggenheimer, Esther Peterson (also Labor). From the political arena: Mary Brooks and Elly Peterson.

From education: Dr. Bennetta Washington and Dr. Margaret Mead; from the law, Patricia Harris; from publishing, Katherine Graham and Ruth Sulzberger Golden; from communications, Pauline Frederick, Liz Trotta, Fay Wells, and Nancy Dickerson, and from Defense Services, Col. Elizabeth Hoisington, USA, and Capt. Rita Lenihan, USN.

The list is growing off the page, but there are still Dorthy Height, Mary Lasker, Coretta King, Mrs. Lyndon Johnson, judges, doctors, scientists, community leaders ad infinitum. And let us not forget those long time "Washington Watchers," Mary McGory, Marie Smith and Sarah McClendon, who would be qualified to quote Mrs. Hitt, "by background, training and ability." They would certainly have needed no orientation or transition period.

The women mentioned are the highly publicized ones who come to mind instantly. There are many just as capable, who are known only by the people with whom they work in their field or specialty. They should be ferreted out by recommendations of their colleagues, the way many men are chosen. Where did they find a Pat Hitt or an Esther Peterson in the first place?

The sad thing is that Mrs. Hitt is now in a position to recommend but instead of uncovering talented members of her sex she states they are "not qualified for cabinet positions." I strongly disagree. They are as well qualified as George Romney, Walter Hickel and others.

This foot-in-the-mouth statement cannot be blamed on Spiro T. Agnew.

Drue Smith.

REGIONAL TRANSPORTATION: RELIEF OF INNER CITY ISOLATION

(Mr. GUDE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. GUDE. Mr. Speaker, Mayor Walter Washington has proclaimed this week of May 11 as District of Columbia Transportation Week, it is indeed appropriate that today legislation supported by President Nixon is being introduced in the House which will authorize the 97-mile regional rapid rail transit for Metropolitan Washington.

This legislation of which I am a cosponsor calls for the Federal support of this regional transit system in the amount of $1.047 billion for the remaining Federal share for the proposed Washington area subway, with funds to be appropriated over a 12-year period. The local jurisdictions of Maryland and Virginia and the District participating in this regional compact authority, have already committed themselves to $573.5 million support for their local share. With the Federal share this will make possible the funding for the badly needed rail transit system here.

However, enactment of this legislation will be of little consequence unless the local District of Columbia government discards its tragic policy of isolationism as demonstrated by its failure to implement long-held regional transportation plans. I am deeply troubled with the continuing course of the city government to isolate the city from the metropolitan area by its refusal to support the concept of regional freeways. The area's burgeoning suburban counties, faced with the demands of growth and for the movement of goods and people, will be looking to lateral and not radial transportation routes to the growing commercial and residential satellites in the 30-mile radius of the Capitol. One of the first effects of this will be an ever-increasing tax base for the suburbs, and an ever-diminishing tax base for the District.

At the present time only about 30 percent of Montgomery County's wage-earners work in the District, and about 25 percent of Prince George's wage-earners do likewise. From this it is easy to see that the majority of the Maryland wage earners make their livings in their own counties. With the prevailing and apparent continuing pattern of transportation planning implementation in the city, it would appear that "the donut" around the city will continue to grow at the expense of the city.

The Washington Sunday Star editorial of May 11, 1969, sets forth the challenges facing the National Capitol region and the administration to resolve Washington area transportation problems. I commend it to the attention of my colleagues and everyone concerned with a solution. The article follows:

Toward an Area Transportation Compromise

The most sensible assertion to emerge from the recent tumult and shouting at the District Building over Washington's transportation controversy was a wry comment by Deputy Mayor Fletcher. Someone else, he observed in a moment of frustration the other day, is going to have to step into the picture and resolve the issue. He is right.

The current political deadlock between Congress and the city government is blocking the construction of both freeways and the area's rail transit program. In brief, Congress has put a hold on further transit appropriations until the District complies with a 1968 law which ordered an immediate start on a moderate degree of freeway construction. City officials, responding to anti-highway protests from the community, have refused to budge.

Fletcher's own efforts to seek a rational way out of this absurd impasse through conversations with House members fell apart last week. Mayor Washington, returning from an out-of-town trip, had nothing of value to add. City Council Chairman Gilbert Hahn's contribution was a series of anti-highway pronouncements which served merely to compound the confusion. For the moment, Congress is awaiting further developments.

This destructive stalemate, which has prevailed for months, might well be a hopeless standoff if the scenario involved the same old characteristics who held the stage in the Johnson administration.

Fortunately, the cast is not the same. The notable new face is President Nixon's Secretary of Transportation, John A. Volpe, who thus far has not tipped his hand as to his position in the dispute.

His firm obligation, however, is to see that it ends. As a newcomer to the scene, Volpe is bound by none of the policies of his predecessor. Owing no commitments to anyone, he is free to move on his own toward a realistic compromise. There are three lines of activity that he ought to pursue.

As a first order of business, Secretary Volpe should use the full weight of his office to try to persuade Congress to release, immediately, the rapid transit funds which are being held hostage. He should couple this action with assurances to Congress that the administration is determined to see freeway construction resumed. And he should assure the community, finally, that the highways involved will be built in a manner to enhance the values of the city rather than destroy them.

This triple undertaking is formidable, but when the facts are viewed in perspective, surely not impossible. One major problem is that too many aspects of the controversy by now are almost totally obscured by emotionalism.

The myth persists, for example, and indeed it is being nurtured by those who oppose "another inch" of freeways in Washington, that the real choice is between freeways and subways. The truth is that the two systems of transportation have been carefully planned as parts of a single program, each dependent on the other, neither sufficient alone. By permitting the rail transit program to proceed now, Congress can defuse the emotionalism on this point at least.

There is a more important reason, however, for unfreezing the rapid-transit money. Construction costs have escalated to such a point that a further delay of any consequence could wreck the financial structure of the entire project. Thus far, about $44.5 million has

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already been spent to pull together the transit plan, which has the support of the whole region. Actual construction could begin within 75 days of the date Congress releases the funds. This program must be allowed to go ahead.

In the effort to revive the highway program, there are other distortions and misunderstandings which also need to be set straight.

Council Chairman Hahn has been saying, for instance, that the "real issue" posed by Congress' 1968 directive is between freeways and housing, the implication being that the city must choose one or the other. On the same theme he says that the council's main concern is the proposed North-Central road between the District and Maryland.

But the fact is that two of the four projects which Congress ordered last year involve no housing displacement—and a third is already under way. As to the North-Central proposal, Congress specifically authorized a period of further study. Its construction at the moment, in other words, is not even at issue.

The freeway opponents make one point, especially relating to housing, which is valid, and with which we agree. For too long, urban freeways have been built merely to serve the single purpose of moving vehicular traffic. But there is no reason why modern freeways need be merely ribbons of concrete. Indeed, properly planned, they need not decrease the total supply of city housing by a single dwelling unit. Through the utilization of air space, through ingenious architectural design and through the coordination of public highway and housing programs, new freeways have the potential to produce positive social and economic values which cities desperately need. This thought, which is not new, has been very slow in maturing. But it is not too late for Secretary Volpe, if he will do it, to use the vast technological resources available to Transportation Department to develop and apply this concept in the Washington area.

The first responsibility of the administration, however, is to pull together a proposal which will enable the Washington area's circulatory system to develop as it should.

Chairman Hahn argues, quite absurdly, that the District government is powerless to comply with Congress' freeway directive since the City Council and the National Capital Planning Commission formally adopted a thoroughfare plan last December which specifically rejected some of the projects ordered by Congress. He cites, in partial defense of this claim, a provision of a 1962 federal highway law requiring that freeways must comply with "comprehensive" plans.

One fallacy of that argument is that the 1962 requirement related specifically to plans of a regional nature in urban areas, not to those of central cities alone. Last February, in fact, the Washington area's duly constituted regional transportation planning agency adopted a resolution accusing the District council and planning commission of improperly precluding regional review of their December plan. And in mid-March, the Department of Housing and Urban Development—whose grants to the District and other local areas are supposed to be contingent on compliance with regional plans—also questioned the legality of the council plan.

Whatever the facts may be as to the legal argument, however, the council's plan is wrong in concept.

It is based essentially on the supposition that, if no more freeways are built, no more automobiles will come into the District. A lack of freeways, of course, would not stop the automobiles. They would continue to flow in, and they would saturate existing city streets to the inevitable detriment of established residential and commercial neighborhoods.

The greatest error of all in this destructive idea, however, is the apparent notion that the inner city does not have to worry about its communications with the suburbs. Actually, the future well-being of Washington depends upon a steadily increasing degree of regional cohesion—in transportation no less than in housing and employment. The District cannot survive in isolation.

A COMMISSION ON GOVERNMENT FOR THE DISTRICT OF COLUMBIA

(Mr. NELSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NELSEN. Mr. Speaker, today I am introducing for the entire Republican membership of the District of Columbia Committee and for our distinguished minority leader, the gentleman from Michigan (Mr. Gerald R. Ford), a bill to establish a Commission on Government for the District of Columbia. This is the proposal referred to by President Nixon in his message to the Congress laying out his program for the District of Columbia.

It is the purpose of our bill to establish this Commission with the duties and responsibilities to study and determine ways in which the structure of the government of the District of Columbia may be improved and the methods by which the residents of the District of Columbia may achieve a greater voice and responsibility in their local government. This purpose is in accord with the statement in the President's message wherein he said:

> My aim is to increase the responsibility and efficiency of the District of Columbia's new government which has performed so ably during its first perilous years.

Our Nation's Capital City is certainly unique among cities in the Nation in that it is constitutionally the seat of our National Government. This fact in itself results in peculiar problems and conditions which are of interest and concern to the Congress and to all citizens who recognize Washington as their Nation's Capital. Naturally, this Federal interest contributes to the unique problems of the government of the District of Columbia. It is in this area that the Reorganization Plan of 1967 left some questions unanswered, and I trust that this Commission when it is established will do a complete study of the conflicting agencies and authorities which have been established independent of the District Government itself and the proper role they should play in the affairs of our city. These would include such agencies as the National Capital Housing Authority, the National Capital Planning Commission, the National Capital Transportation Agency, the Redevelopment Land Agency, just to name a few.

Unique as our National Capital City may be in some respects, I am sure we all recognize that it is not unique at all in the various metropolitan problems which do exist here. We know something of the crime rate here, of the problems of the educational system, the transportation system—or lack of it—housing problems and various other municipal matters which are common to all the major cities in the Nation today.

I point up these matters to indicate that a Commission on Government for the District of Columbia has a huge task ahead of it and to point up the fact that our primary purpose in establishing such a Commission is to seek the best and most responsible government possible for our Nation's Capital City. To make it possible for the Congress to act in the public interest, we are asking this proposed Commission to take a broad-based view of the present government of the District and to recommend to us structural changes that would complement its proposals for a greater degree of responsible self-government. The citizens of the District of Columbia should have a meaningful voice in the affairs of our city government, but I know we all recognize that the mere provision for self-government is no end in itself, and to accomplish our overall objectives we must emphasize the broad approach to the question of how to provide the best, the most efficient, and most responsible government possible for Washington, D.C.

JOINT MEETING ON SPECIAL COMMITTEE ON SCIENCE POLICY OF THE CANADIAN SENATE AND MEMBERS OF THE COMMITTEE ON SCIENCE AND ASTRONAUTICS

(Mr. MILLER of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. MILLER of California. Mr. Speaker, I deem it well worth noting that on last Thursday, May 8, a joint meeting took place between 15 members of the Special Committee on Science Policy of the Canadian Senate and members of the Committee on Science and Astronautics, which I have the honor to chair.

So far as is known this was the first meeting of its kind, although it was not a formal proceeding of the Congress.

The Canadian committee was headed by Chairman Maurice Lamontagne, of Quebec, and met with the Science Subcommittee of the House Committee on Science and Astronautics, headed by the gentleman from Connecticut, Representative Daddario, and other members of the committee.

The legislators of the two committees discussed a variety of mutual problems as well as legislative mechanisms for handling the great potentials and dangers posed by a rapidly developing technology. I should like to emphasize my belief that, as this meeting and our space efforts have shown, the unique character of science makes it a useful tool for the assistance of diplomatic missions as well as for intrinsic merit.

Sir Hugh Enor, Secretary of the Department of Education and Science of Australia, also attended the meeting, and we were most grateful that our distinguished minority leader, the gentleman from Michigan (Mr. Gerald Ford), took time out from his busy schedule to join with us.

The meeting evolved from a series of informal discussions held with Canadian and State Department officials over the past several years—and is the first time

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a Canadian Senate committee has conferred outside its own country as a group.

Members of Parliament present were Maurice Lamontagne, committee chairman; Donald Cameron, vice chairman; Rheal Belisle, Maurice Bourget, Chesley Carter, Allister Grosart, Mary Kinnear, Louis Giguere, James Haig, Frederick McGrand, Orville Phillips, Joseph Sullivan, and Paul Yuzyk.

Committee Research Directors Gilles Pacquet and Philip Pocock accompanied the group, as well as Patrick Savoie, committee clerk.

We regretted very much the fact that the Speaker was prevented from joining us due to the untimely death of a loyal friend and servant who served with you for so many years. With the permission of the House, I should like to include in the Record at this time the remarks which the Speaker had planned to make at this occasion and which were presented to the Canadian group on his behalf:

Statement by Speaker McCormack

Mr. Chairman and my colleagues of the House: I am indeed delighted to be here this morning and to join with you in welcoming our fellow legislators from the great nation of Canada to this meeting of the members of our Committee on Science and Astronautics and the Senate Committee on Science Policy of the Canadian Parliament. I also want to extend a warm welcome to Sir Hugh Enor, Secretary of the Department of Science and Education of the Australian Parliament, who is going to sit with us today.

I am particularly pleased by the fact that an international meeting of political leaders deeply concerned with the relationship of science and government is taking place. It is an indication of steady growing awareness throughout world on the part of government leadership of profound importance in scientific research and applied technology to the welfare and continued progress of people everywhere.

I think it is singularly apropos to our time in history and the deep social unrests of society we are witnessing that we join together here in a serious discussion how best to bring the great benefits of science to our fellow citizens. The tasks involved in such an endeavor for your country and mine are indeed of enormous dimension and extreme complexity, and they will ever be insofar as we can perceive the future.

Science has given us enormous power. It has given us a wealth of knowledge which cannot possibly be fully comprehended. No nation can morally justify the hoarding or the withholding of that knowledge from other peoples who wish to lift themselves up out of poverty, disease and despair. Meetings such as these are the first steps that can be taken by enligtened governments such as yours and mine to attack the problem of establishing intelligent and workable policies that can be formulated in establishing the role of government in the use and application of science.

For many years during my tenure in the House, I have been deeply concerned with such meetings. I can look back over long and often difficult periods in which this country has been confronted by the awesome responsibility of world leadership. It has been our tremendous strength made possible by industry through science that has thrust that leadership upon us. As a legislator and a Member of the House of Representatives for 44 years, I have had the duty of participating in the creation and passage of many Acts of Congress that have had a direct bearing on the creation of that power, and I assure you gentlemen, that I have been keenly aware of how heavy that responsibility can be. I believe that we have used science and its products as responsibly as frail and fallible men could possibly do. I also believe that Americans, Canadians, Australians and the other nations of our world community must continue the never-ending search for knowledge on how our governments can turn the fruits of research toward the creation of a world filled with hope and blessed by peace.

SUPREME COURT PROBLEMS EMPHASIZE NEED FOR A COURT OF ETHICS FOR ALL GOVERNMENT SERVICE

(Mr. BENNETT asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. BENNETT. Mr. Speaker, I have for several years supported the idea of establishing a Court of Ethics to make decisions on alleged improprieties in Government—legislative, executive, and judicial.

Theoretically, cases of serious misbehavior are supposed to be handled by impeachment. As a practical matter, only questions of very grave consequence are usually so handled; and it has become almost customary to consider impeachment to be limited to cases of moral turpitude. The American people deserve better oversight of the deportment of Government officials than that.

Problems now present in the Supreme Court are in my opinion of the sort that should be handled by a Court of Ethics such as I have suggested in House Joint Resolution 116, which reads as follows:

H.J. Res. 116

Joint resolution to establish a Court of Ethics to hear complaints of unethical conduct in Government service

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby affirms and declares that public office is a public trust which requires the exercise of high ethical standards in the official conduct of Federal employees and officeholders. To achieve and maintain the ethical standards in Government to which the American public is entitled, there is need for a permanent court charged with the responsibilities specified in this joint resolution.

ESTABLISHMENT OF A COURT OF ETHICS

Sec. 2. The President shall appoint, by and with the advice and consent of the Senate, a chief judge and two associate judges who shall constitute a court of record known as the United States Court of Ethics. Not more than two of such judges shall be appointed from the same political party.

TENURE AND SALARIES OF JUDGES

Sec. 3. Judges of the Court of Ethics shall hold office during good behavior. Each shall receive a salary of $30,000 a year.

DUTIES OF CHIEF JUDGE; PRECEDENCE OF JUDGES

Sec. 4. (a) The chief judge of the Court of Ethics, with the approval of the court, shall supervise the fiscal affairs and clerical force of the court. The chief judge shall assign or reassign, under rules of the court, any case for hearing, determination, or both; and promulgate dockets.

(b) The chief judge shall have precedence and preside at any session of the court which he attends. If he is temporarily unable to perform his duties as such, they shall be performed by the judge in active service, who is present, able and qualified to act, and next in precedence.

(c) Judges shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age.

DUTIES OF THE COURT

Sec. 5. (a) The court shall hear complaints of unethical conduct by Federal officers and employees if it determines that such a hearing is of sufficient public interest and importance to be warranted. Such complaints shall be based on standards of conduct established by law or resolution, including those provided in title 18, United States Code, and in the concurrent resolution passed July 11, 1958 (72 Stat. B12). After hearing a complaint of unethical conduct in the Government service, the court shall render a decision on whether proper ethical principles have been violated and shall state all of its findings of fact, opinions, and the reasons for such decision. If the court determines there is probable cause for believing that any person is guilty of an act or omission which constitutes a violation of any law of the United States it shall forward a copy of its decision and all facts pertinent thereto to the Attorney General of the United States.

(b) If the court determines that ethical principles have been violated (1) by an officer or employee of an agency of the Federal Government it shall forward a copy of its decision to the head of such agency; (2) by a Member of the House of Representatives or an officer or employee thereof it shall forward a copy of its decision to the Speaker of the House of Representatives; (3) by a United States Senator or an officer or employee of the Senate it shall forward a copy of its decision to the President of the Senate; (4) by an officer or employee of the judicial branch of the Federal Government, it shall forward a copy of its decision to a judge of the court concerned; (5) by a person who may be impeached it shall forward a copy of its decision to the Speaker of the House of Representatives.

(c) Each person advised of a violation of ethical principles under this subsection may take such disciplinary action with respect to the officer or employee guilty of such violation as such person may deem appropriate and as is permitted by law.

(d) The court may render advisory opinions when requested to do so by the head of any Federal agency.

As used in this subsection—

(A) the term "agency of the Federal Government" includes any department, agency, independent establishment, commission, administration, authority, board, a bureau of the United States, or a corporation in which the United States is a majority stockholder; and

(B) the term "Member of the House of Representatives" means a Member of the United States House of Representatives and the Resident Commissioner from Puerto Rico.

SESSIONS

Sec. 6. The Court of Ethics may hold court at such times and places as it may fix by rule.

QUORUM

Sec. 7. Two judges of the Court of Ethics constitute a quorum. The concurrence of two judges is necessary to any decision of the court.

RULES OF PROCEDURE

Sec. 8. The proceedings of the Court of Ethics shall be conducted in accordance with such rules of practice and procedure as the Court of Ethics may prescribe and in accordance with the rules of evidence applicable in trials without a jury in the United States District Court for the District of Columbia.

PUBLICATION OF DECISIONS

Sec. 9. All decisions of the Court of Ethics shall be preserved, published, and open to inspection.

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COURTS OF REVIEW

SEC. 10. The United States Courts of Appeal shall have exclusive jurisdiction to review the decisions of the Court of Ethics, except as provided in section 1254 of title 28 of the United States Code, in the same manner and to the same extent as decisions of the district courts in civil actions tried without a jury; and the judgment of such court shall be final, except that it shall be subject to review by the Supreme Court of the United States upon certiorari, in the manner provided in section 154 of title 8 of the United States Code.

EXPENSES OF THE COURT

SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out this joint resolution.

LEASING OF MANNED SUBMERSIBLES

(Mr. **ROGERS** of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. **ROGERS** of Florida. Mr. Speaker, in reviewing the proposed budget for the Defense Department, I was both surprised and concerned to find that the entire program for leasing of manned submersibles has been eliminated.

In the way of background, the Office of Naval Research requested $3 million to be used for leasing of submersibles for oceanographic work for fiscal year 1970. I would point out that this sum is not for use by Navy programs alone. The money represents a common pool and was to be used for all Government departments and agencies in addition to universities and private institutions, as well. Through this type of pool arrangement, the money and programs involved would be more coordinated and effective. Duplication, we had hoped would also be minimized if not eliminated.

Within 30 days after the notice of intent went out, more than 1,600 requests were filed with the Office of Naval Research. Even with the $3 million, it is estimated that only between 300 and 400 dives could have been made.

I think we all agree that tight budgetary measures are needed in all areas of the Federal Government.

But in the case of the submersible pool, the budget does not cut to the proverbial bone, the budget amputates an entire limb which is vitally needed to the present and future development of oceanography and marine-related programs.

As we moved to unify our oceanographic efforts, we found that programs relating to oceanography were scattered in more than 20 governmental agencies and departments. The common submersible leasing pool was one of the first efforts to unify and consolidate these efforts.

This program is not a subsidy program. It is not research and development for the sake of improving industry's capability in the area of manned submersibles. Nor is it to be considered a pilot project as the Government and universities have been leasing submersibles for some time now.

Indeed, industry has invested more than $100 million since 1962 in the area of developing manned and unmanned submersibles. Industry has done this because of its confidence in the future of oceanography. And I might add that this investment and this confidence has grown despite the Federal Government's lack of aggressive nature in the field of oceanography.

But now even the $3 million set aside for leasing of submersibles apparently is marked for the chopping block. I think this will have an adverse effect on industry's faith in the Federal Government's interest in ocean work. The $3 million will not make nor break any of the almost 20 companies which now have submersibles for lease. That is not the question.

It would mean that the Government is canceling all marine work which involves the use of submersibles other than those which the Navy now has outside of lease arrangements.

There is a great demand for the use of submersibles, as witnessed by the requests of more than 1,600 for the common lease pool funds. The Government is engaged in many activities which need the service of submersibles and we should not completely terminate our efforts.

I feel it would be a grave error to allow all funding to halt in this area. When the Government should be taking strides to move our oceanographic effort, this budget cut represents a giant step backward.

It would mean, in theory, that when we are prepared to resume Sea Lab III operations, the Government would be without funds for a submersible to survey and monitor those operations. And I would remind that the Deep Star 4000 was the first to spot the helium leak in earlier Sea Lab III operations.

And it was Government-leased submersibles which helped find the lost bomb off the coast of Spain. Industry has developed these vehicles because there are definite needs.

If we are to look into the condition of oil pipelines in the Gulf of Mexico and off the coast of California, what will the Department of the Interior use if there are no funds for leasing of submersibles?

The United States presently is the undisputed leader in deep ocean work and the development of submersibles. We have arrived at this point because of the investment and confidence of industry in the future of oceanography.

Mr. Speaker, I think that the program of leasing submersibles is a vital one and I am writing the President, the Secretary of Defense, and the Vice President, who as Chairman of the Council on Marine Science, Engineering, and Resources, is in a position of leadership, urging they closely examine and reconsider the proposed elimination of this program from the budget.

RAPID RAIL TRANSIT SYSTEM

(Mr. **BROYHILL** of Virginia asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and include extraneous matter.)

Mr. BROYHILL of Virginia. Mr. Speaker, I rise to support, as a cosponsor, legislation introduced by my colleague, the gentleman from Florida (Mr. FUQUA), that has been a long time in preparation and a long time in the planning stage. Now, finally, this bill represents the climax of a program that has, in one form or another, been consistently approved by Congress since 1958. That program is for the construction of a rapid rail transit system within the District of Columbia and the adjoining States of Virginia and Maryland, forming the area known as the National Capital region.

I do not believe that I need to tell you today why this legislation is important. I am sure that each and every Member of this House who drove to Capitol Hill this morning saw for himself the reasons why it is essential to build a rapid rail transit system. As we looked around us this morning we saw thousands upon thousands of motor cars attempting to squeeze through the traffic bottlenecks surrounding the center city, then trying to drive on the bottlenecks that we call city streets. Let us not forget that this city, our Nation's Capital, is slowly but surely being strangled by traffic congestion. Your Nation's Capital suffers as almost no other urban area in this land suffers from congestion; not alone does it have the normal work-hour peak loads of traffic but all through the day, particularly at this season of the year and continuing until the late fall, you will see constant streams of buses and visiting cars from every district in the Nation. People come here to their Nation's Capital wishing to enjoy it, wishing to take home with them a spiritual reawakening for having come to the heart of their homeland. Only too frequently do these visitors, people from your district and my district, go home disillusioned and disappointed because the streets of their Nation's Capital have become little more than one great series of slow-moving parking lots. This is what we must correct. This is our responsibility. The Congress must correct this.

Resulting also from this congestion is the new city disease called urban blight. The center city cannot long maintain its growth when transportation breaks down. The center city is not just a place where people work. It is not just a place to which people come in the morning and from which they go at night. The center city is a place where other thousands live and work, where they have their homes, where they seek their recreation, where their children must go to school in an atmosphere that is strangled by a transportation breakdown. And of course what so seriously affects the center city will spread into the surrounding suburban areas as well.

Oh, to be sure, traffic congestion—traffic problems are not the sole cause. No indeed. But the failure to solve traffic congestion is a major contributing factor to the breakdown of the city. The purpose of this bill is to create a 97.7-mile rail rapid transit system including 37.7 miles of service in the District of Columbia, 29.9 miles in Maryland and 30.1 in Virginia. The system has 86 stations, 44 in the District, 22 in Maryland, and the remaining 20 in Virginia. Forty-seven miles of the system, mostly in the highly developed central portion, will be in subway. The balance will be on grade or elevated.

This legislation will authorize a Federal grant to construct the rail rapid transit system to be matched on two-thirds/one-third basis by local money coming from taxes levied upon the citizens of this area and from the fare box. These fare box revenues that will support the bonding program together with the local tax contributions will provide approximately 55 percent of the gross cost of the subway system. The Federal Government would provide the remaining 45 percent through grants.

The Federal Government has a very real commitment to the welfare of the Capital City and when I say Capital City I am referring in the broadest sense to the National Capital region. In this area are the people who work in Government and thousands upon thousands of people who support the people who work in Government, the research group, the legal people, the grocers, the doctors, the lawyers, all the many persons necessary to create a working seat of Government.

Every citizen of this Nation must be proud of his Nation's Capital but in one respect this Capital of the most prosperous nation on the earth lags behind, way behind. Most of the capitals of the nations of the world have for many years enjoyed rail rapid transit both in subway and on the surface. London, Paris, Rome, Madrid, Tokyo, and Moscow are among them. However, we in the Capital of these United States have talked for many years but have not built. The time has come now to build and with the passage of the legislation introduced today for that purpose we will be on the way to catch up with other capitals of the world. While we have been talking about beginning to build, most of these systems have even been modernizing and going ahead into the future as in Canada, in Montreal, in Toronto.

Mr. Speaker, we owe it to our Nation to provide its Capital City with a modern transportation system. We have not hesitated to spend billions of dollars to carve out a path to the moon and to other stars but, Mr. Speaker, we need to carve out a path for the people who, right here on earth, every morning and every evening spend so much time traveling to and from work. We must indeed bring the space age back out of the heavens onto the ground for the benefit of each of us who must accomplish the simple chore of going to and from work in ever-increasing traffic congestion.

The President in his April 28 message to the Congress on the District of Columbia said:

> I urge that Congress promptly enact the necessary authorizing legislation for the 97-mile system.

He has said that the local governments of Virginia and Maryland have already passed bond referendums or taken other appropriate action to finance their contributions of $347 million. But action by Congress is needed to authorize grants sufficient to cover the $1.1 billion Federal two-thirds share of the net project cost and capital contribution of $216 million for the District portion of the local one-third share.

The President and all of the other residents of the National Capital region are looking at us today and urging us to provide them with a modern rail rapid transit system so that our Nation's Capital can join the other nations of the world who have progressed so far in the field of urban transportation.

I urge early consideration and adoption of this bill.

ARMS CONTROL TALKS BETWEEN THE UNITED STATES AND THE SOVIET UNION

(Mr. BINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BINGHAM. Mr. Speaker, I was very happy to see in this morning's Washington Post a press report by Chalmers Roberts to the effect that the U.S. Government plans to undertake arms control talks with the Soviet Union starting this summer.

I believe that this is a matter of the utmost urgency particularly because of the rapid development of the so-called MIRV, or multiple independently targeted reentry vehicles.

If this weapon is brought to operational readiness it will make virtually impossible an arms control agreement without on-site inspection.

At the present time there is a good chance for effective arms control agreements because of the general state of the balance that exists between the two major powers and because of the possibility of satellite surveillance of missile deployment.

Further development of the MIRV by the United States at this time risks the very real possibility that the Soviets will conclude before talks get underway that the United States already has an operational MIRV system. Such a mistake on the part of Soviet leaders would make it inevitable that they would proceed with their own MIRV development, producing further escalation of the arms race. An immediate freeze on U.S. development of MIRV's, on the other hand, would eliminate the possibility that potential United States-Soviet arms talks could be subverted in this way, and would make our stated desire to reach mutual arms control accord more credible.

In my view, the time is most propitious for Soviet-American arms control talks, and we cannot afford to risk losing the opportunity. I hope, therefore, that the reports that the Nixon administration is preparing to approach the Soviets to get such talks underway are accurate, and that a mutual freeze on MIRV's will be the first order of business at any such talks.

For these reasons, Mr. Speaker, I am circulating among various Members of the House a resolution calling for immediate deferment of further development and testing by the United States of MIRV's until every effort has been exhausted to reach a mutual MIRV freeze agreement with the Soviets. I intend to introduce this resolution with cosponsors shortly. In the belief that it will be of interest to a substantial number of Members, a copy of the draft resolution is included below.

Draft of Arms Control Resolution

Whereas the present is an especially propitious time for Soviet-American arms control negotiations because of (1) the approximate state of balance that exists through mutual deterrence, (2) the existing techniques of surveillance by satellite that make it possible for each side to keep track of the other's missile capabilities without on-site inspection, and (3) the present non-belligerent attitude of the Soviets as evidenced by their unprecedented cancellation of the traditional display of military power in their May Day parade; and

Whereas the successful development of a multiple, independently targeted reentry vehicle (MIRV) weapons system by either the United States or the Soviet Union would not only threaten the present balance, but make much more difficult the achievement of a missile arms control agreement by making it impossible to check on warhead deployment without on-site inspection; and

Whereas both the United States and the Soviet Union are currently pressing ahead with efforts to develop a MIRV system, and the United States is reportedly more advanced with its development program; and

Whereas effective nuclear arms control offers the best, if not the only, hope of preventing a continuing arms race between the United States and the Soviet Union at disastrous cost to both sides and with no security for either: Therefore be it

Resolved by the House of Representatives (*the Senate concurring*), That it is the sense of Congress

(1) that the President should proceed with efforts to convene nuclear arms control negotiations with the Soviet Union with utmost urgency; and

(2) that the United States should defer further MIRV development and testing until every effort has been made to achieve a mutual freeze on MIRV development; and

(3) that such a mutual freeze should be a part of more comprehensive arms control agreements respecting both offensive and defensive missiles; but should not be delayed pending the working out of all aspects of such comprehensive agreements.

PIRNIE AND GOODELL CONTINUE FIGHT FOR JUSTICE IN CASE OF DISCHARGED AMERICAN LEAGUE UMPIRES

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. Pirnie) is recognized for 15 minutes.

Mr. PIRNIE. Mr. Speaker, for 8 months I have been working closely with the distinguished junior Senator from New York, Mr. Goodell, on a matter of vital importance and because of the widespread interest in our efforts it is our desire to provide our colleagues with a report on the status of the case and our intended course of action.

Reluctantly, but with sincere conviction and firm resolve, we are today launching a new phase in our pursuit of justice for former American Baseball League umpires Al Salerno and Bill Valentine.

Following this statement we will—

First, commence an intensive campaign to enlist additional congressional support for the effort to obtain reinstatement of Salerno and Valentine;

Second, undertake an immediate study to determine if congressional review of baseball's "privileged" status is warranted; and

Third, endeavor to bring to the attention of the American people, through factual disclosures, the plight of two men whose professional careers were abruptly halted because they sought,

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through an orderly process, to unify their colleagues in the quest for improved working conditions.

We follow this course confident that the American sense of fairplay will prompt many others to share our indignation about the manner in which umpires Salerno and Valentine have been treated. However, we are realists. We know that despite the important principle involved—the right of workers to organize for the purpose of collective bargaining—a groundswell of public opinion in support of this cause is unlikely.

Umpires are nameless men in blue who are always wrong when they call a decision against the home team. They are constantly low men on the popularity totem pole. They are frequently subjected to verbal, even physical, abuse. They must work under constant pressure and, like all of us, are far from perfect.

All this is no secret to millions of baseball fans across the country. We count ourselves in that number and therefore recognize from the beginning that what we are doing—championing the cause of two umpires who find themselves on the receiving end of a "bum decision"—will probably serve only to develop an awareness of the merit of this effort. We ask no more than that.

Before proceeding with our narrative, we wish to stress that we have no desire to be interventionists with respect to the day-to-day operations of organized, professional baseball.

It has been suggested by at least one noted columnist that by mentioning the possibility of congressional hearings to consider baseball's exemption under antitrust laws, we are threatening those from whom we seek a favorable decision on our bid for the umpires' reinstatement. As this sword of Damocles version goes, the two factors are totally unrelated, hearings are warranted or they are not warranted; the unjust dismissal of Salerno and Valentine should not be a consideration. We disagree.

In the past, each of us, at one time or another, has been closely identified with baseball. We remain ardent fans. Our understanding of the game and our appreciation of its unusual business aspects under normal circumstances would lead us to conclude that organized, professional baseball is unique and therefore deserving of its "privileged" status.

The case in question does not involve normal circumstances. It is our feeling that the exemption from coverage under our antitrust laws is merited only as long as the problems that arise within baseball are resolved without disregarding the rights of the individual. Human values are most important. We cannot close our eyes and permit the blatant disregard for those rights knowing that if a "privileged" exemption under the law did not exist those rights would be protected.

The summary firing of umpires Salerno and Valentine was the lead sports story for all news media last September 17. The "incident" had special interest to rate such extensive coverage. It was so much more than just another report of men losing jobs. Such accounts, unfortunate though they may be, are seldom of sufficient national interest to warrant coast-to-coast attention.

The Salerno-Valentine case was different. These two men were leading an effort to organize their American League colleagues in the formation of an Umpires Association similar to one established by their National League brethren in 1963. Just 3 days prior to the astounding dismissal announcement from League President Joe Cronin, Salerno had met with the National League umpires group to lay the foundation for an identical venture in his league.

It did not require a sixth sense to recognize the journalistic value of the firing episode. Veteran reporters knew that a hot pennant race with an uncertain outcome was headed for the wire, a situation requiring experienced men in blue. They also knew that Salerno had been a big league umpire since 1961; Valentine since 1962. And they realized that the season—and the expiration of the umpires' contract—was only 2 weeks away. All this combined to prompt incredulous writers to question the motive for long-distance telephone calls from the league president to tell two of his senior men they were through. Not just for the season. Through. Period.

Quickly Salerno's organizing activities and Valentine's forthright support of those activities were discovered. Further checks revealed the widespread disparities in the compensation received by umpires in the two leagues, with the American League crew coming out on the short end of every comparison.

Interviews unearthed more pertinent information. The organizing effort had been a topic of discussion among American League umpires for several months, but no major step in that direction had been taken until Salerno's move, 72 hours before the click of a telephone receiver put an end to his 7-year career.

The immediate reaction was to go to the source, Joe Cronin. The twofold question asked of him: "Why the sudden dismissals and did they relate to the organizing activities?" His reply: "They were inefficient, no." The American League president claimed the organizing effort was "news" to him. He further observed that he did not know what the National League umpires were making.

In short, inquiring reporters were told the firing and the organizing activity were completely unrelated, a coincidence. To put it in the mildest of terms, we find the so-called coincidence extremely hard to accept. Locker room jargon would probably put it in more colorful, less diplomatic language.

The initial shockwave created by the questionable dismissal of Salerno and Valentine made interesting copy for a few days but the excitement of the pennant race and the thrilling World Series eventually forced the sequels to less prominent positions. Soon football and basketball took over and the umpires, like the spikes and gloves, were put on the shelf.

A grave injustice to another, especially someone far removed, is soon forgotten. Although the American League's Umpires Association for which they fought was to become a reality, the martyred Salerno and Valentine were still on the outside looking in. It was during this period, what we refer to as our first phase of quiet representations, that behind-the-scenes efforts were made in an attempt to obtain the only fair settlement of this dispute—the reinstatement of the two umpires.

We were after headway, not headlines. Statements to the news media were intentionally avoided because we recognized Mr. Cronin's position. Obviously, if we hammered away by focusing continuing attention on what we feel was his unwise and unfair decision, it would have made it more difficult for him to reverse that decision. We were searching for an "understanding," one that would allow certain individuals to save face and yet accomplish the desired result in the form of reinstatement for Salerno and Valentine.

Unfortunately, the American League president summarily dismissed our interest in the case in much the same way he discharged the two umpires. We then had but one alternative and that was to take the matter to the commissioner of baseball.

The commissioner's post was vacant for several weeks and it was not until early this year that there was someone with whom a dialog could be initiated.

In the interim, the attorney for the Umpires Association, Mr. John Reynolds, contacted the American League president's office on several occasions. Attempts were made to secure provisional reinstatement for Salerno and Valentine. The appeal was simple: give them a trial, if they perform, fine, if not, that is it, no complaints. The response was negative.

However, apparently someone in Boston began to have second thoughts on the matter. Perhaps conscience prompted the offer, no one really knows, but soon a counteroffer, involving only Salerno, was forthcoming. It was suggested that he might be an effective American League umpire scout, one that could search the minor leagues for needed talent. This was an unusual development—a man who was told he was fired because he was "inefficient" suddenly was adjudged the proper candidate to determine the efficiency of other men competing for the job from which he was discharged. And the offer came from the man who dismissed him in the first place.

Salerno, maintaining that he was improperly discharged and hoping that his claim would eventually be judged on its merits, thereby permitting his return to the umpire ranks, declined the offer.

Finally, reaching an impasse, counsel advised the umpires to bring their case to the National Labor Relations Board where it is now pending. NLRB proceedings are lengthy and involved, and anyone familiar with the Board's history knows that baseball has long had a privileged status in connection with its responsibilities under Federal statutes.

With this in mind, we continued our efforts to contribute to an early and satisfactory settlement, one that would not tarnish the image of our national pastime, but yet one that would bring justice to the fore.

The new baseball commissioner, Bowie

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Kuhn, was on the job and we stressed to him, through several telephone conferences, the sincerity of our conviction and the firmness of our resolve. We requested, for the good of baseball, that he become personally involved and lend the weight and prestige of his office to our effort.

On Tuesday, April 29, in my office, we conferred for more than an hour with the commissioner and his counsel, Mr. Paul A. Porter. We stressed to these two gentlemen our position in the case and urged the commissioner to thoroughly review all of the facts and take decisive steps which would lead to the reinstatement of the two umpires. The commissioner was noncommital, but he agreed to contact us "in a day or two."

Regretfully, Mr. Kuhn elected to remain detached and not become involved. We learned of his decision through a telephone report from Mr. Porter.

These are but the highlights of what has happened during these past months. There is more to the story that would not be appropriate to reveal at this time. Subsequent statements will be issued as the occasion warrants.

We conclude by reemphasizing the sincerity of our conviction and the firmness of our resolve. In the interest of justice, in the interest of baseball, Salerno and Valentine should be reinstated.

THE CASE FOR A COMPREHENSIVE MANPOWER POLICY

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER) is recognized for 30 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, on May 5, I introduced the Comprehensive Manpower Act of 1969 into the RECORD together with a section-by-section analysis and additional explanatory material. Today I rise to elaborate further upon some current problems encountered in the development and implementation of an effective national manpower policy and the remedies I propose in my bill to offset those problems.

PROBLEMS CONFRONTING OUR CURRENT MANPOWER EFFORTS

The rapid development of new manpower programs in recent years has generally reflected a healthy period of innovation and progress in the manpower field. We have identified and to some extent explored the needs of groups outside the labor force, developed more effective educational techniques to prepare trainees for today's, rather than yesterday's jobs, and provided a whole gamut of services for those applicants whose needs extend beyond matching the man and the job. At the same time we have now reached a point where program proliferation is interfering with the development of long-range manpower planning, hampering the efforts of State and localities to adapt national programs to the widely differing circumstances within each community, and acting as a barrier to the effective linking together of educational, manpower, health, and other services needed by numerous individuals prior to employment.

A. PROGRAM PROLIFERATION AND THE ABSENCE OF LONG-RANGE MANPOWER PLANNING

Despite congressional enactment and Federal budgetary support, it is misleading to speak of Federal manpower programs. As Garth Mangum points out in "The Emergence of Manpower Policy"—forthcoming—with minor exceptions, manpower programs are initiated and administered by State and local agencies. The manpower development and training program and the Vocational Education Act of 1969 are administered by long-established State agencies. The MDTA experimentation and demonstration and the Economic Opportunity Act programs have bypassed the States and local government agencies, showing a preference for ad hoc community groups and private nonprofit organizations. Each Federal funding source, in turn, has generated its own local constituency encouraging proliferation at that level.

Competition among agencies in the development and implementation of programs can stimulate improvement in the quality of services provided to the individual. Until recently such competition in the manpower field has proven beneficial. There comes a point however where excessive duplication of services endangers program effectiveness and where the costs in economy and efficiency of implementation outweigh the benefits of competition among programs. The advantages of such competition are particularly questionable when administrative and legal obstacles prevent agencies from competing on an equitable basis but at the same time do not prevent any of the agencies involved from thwarting development of a national manpower policy.

Various combinations of Federal, State, and local agencies are now entangled in a confusing and frustrating competition to serve the same manpower clientele. Funds from the older programs are distributed by Federal agencies to the States on the basis of fixed formulas, but the budget of the Economic Opportunity Act program is disseminated largely at administrative discretion. Even with fixed formulas, Mangum observes, some of the laws provide that unused funds available under programs requiring initial local application can be redistributed at the discretion of Federal administrators. Furthermore, some communities receive more than their share of funds on the basis of their population and need, while others, less skilled at "grantsmanship," have difficulty gaining equal access to available funds. At the same time, where formulas are fixed and appropriations not reallocable, allocations to unaggressive—though not less needy—States have often remained unused. Those communities adept at hauling in Federal moneys have proven considerably less skillful in using those funds to piece together effective and comprehensive local manpower programs.

Project-by-project approval of these new programs remains cumbersome and time consuming. Delays have discouraged State and local program development and caused the curtailment of well-conceived projects because of the loss of scarce instructors and other personnel unwilling to work in an atmosphere characterized by uncertainty and tension. Without the project-by-project approach however the Federal Government has little means of controlling the quality of services and assuring that the target population is served. As a result of these concerns, funds for outreach can now be sought from nine manpower program sources, adult basic education from 11 funding groups, prevocational and skill training from five programs, and supportive services from nine sources.

Just as there are numerous Federal sources for funding each manpower service, no State or community has a unified manpower planning or operating organization. The development of State and local projects has depended upon the initiative of a diverse group of agencies, and all services have emanated from a bewildering assortment of sponsors. It may be that all of the participating agencies are making valuable contributions through their manpower efforts, but it seems clear that the talents and energies of all these agencies would be far better utilized if they were part of a systematic plan spelling out the manpower needs and goals of the community and how each program would help to achieve those goals.

B. PROGRAM PROLIFERATION AND THE NEEDS OF THE COMMUNITY

The proliferation of programs at the national and local levels is also encouraged by a number of widely divergent views on the appropriate responsibilities and relationships of Federal, State, and local governments in social policy. Mangum has described six models of Federal-State-local relationships mutually coexisting in the administration of manpower programs. They are: First, the vocational educational-vocational rehabilitation grant-in-aid model providing Federal funds for discretionary State use within legislatively prescribed limits but with little Federal guidance or control; second, the Employment Service trust fund model with full Federal funding but State operation, though with somewhat more stringent Federal guidelines for allocation of funds; third, the MDTA model consisting of Federal determination of objectives and guidelines but State initiative in planning projects for Federal approval, allocation of funds by formula but reservation of a portion for Federal discretion and the right to recover and reallocate funds not committed within a prescribed length of time; fourth, the OEO model bypassing the States and often local governments to make grants and contracts with ad hoc community organization; fifth, the CEP model with Federal choice of target areas deserving priority and Federal determination of available funds but considerable local, and no State, discretion in their use; and, sixth, the work incentive model which apparently will involve a federally specified package of services which State and local agencies will deliver as nondiscretionary contractors.

Much of the impetus for this proliferation of programs and models stems from the dilemmas which confront a Federal agency, as it attempts to deal with State

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and local jurisdictions. On the one hand, disbursement of funds through State governments reduces the number of required Federal contact points and the need to become directly involved in local problems; on the other hand, a number of States have proved disappointing in their lack of responsiveness to community, particularly large urban, problems. On the one hand, funding on a project basis often excludes communities with the greatest need but the least energetic leadership; on the other hand, formula allocation may tie up limited funds in the hands of the apathetic while the more capable and aggressive States are neglected.

On the one hand, project-by-project funding provides a Federal agency with leverage to force appropriate action and in some cases to bypass various layers of State and/or local bureaucracy; on the other hand, the vast number of cities, counties, and other jurisdictions far exceeds the limited capacity of Federal agencies to negotiate, monitor, and evaluate contracts.

These dilemmas will not even begin to be resolved until we begin asking the questions: "What can Federal, State, and local governments and related private agencies each do best?" and "How can we strengthen the capacity of each level of government to perform its role more effectively?" Authority and funds must be placed in the hands of State and local public and private agencies. More extensive training must be conducted to prepare additional personnel to administer and work in State and local manpower programs. The concept behind the cooperative area manpower planning system, consisting of area, State, and regional coordinating committees working closely with the Secretary of Labor and with the Secretary of the Department of Health, Education, and Welfare on educational matters is sound, but until funds, staff, and decisionmaking responsibility are vested in such groups, the resulting agreements will serve merely as paper documents which alienate those State and local officials who took them seriously from working in the future on such program plans with the Federal Government. Program proliferation is in part a reaction to the inability of some States and localities to tailor a series of programs well designed to meet the particular needs of a community. But program proliferation has itself now become so great in the manpower field, that it stands as a major barrier to the development of a concerted, flexible Federal-State-local response to the demands and needs of the local community.

C. PROGRAM PROLIFERATION AND THE NEEDS OF THE INDIVIDUAL

The ultimate consideration in the structure and administration of manpower programs must be the packaging and delivery of all services needed by the individual. These needs will vary by community, target group, and individual, and rapid changes may occur both in the intensity and the nature of manpower problems. The unemployment rate may shift rapidly or concern may in a short period of time shift from the plight of the worker displaced by automation to the needs of the hard-core unemployed. We cannot continue to treat each such fluctuation as signaling the need for yet another program. At some point we must come to grips with the nature of the delivery system itself.

It is difficult to think of any manpower service which could not be found somewhere within the complex structure of current laws and practices. Yet only in the vocational rehabilitation program, do we even make available to a particular client all of the services for which he is eligible. Until all manpower programs are dissolved into a single program encompassing all budgets without earmarking for particular services, the necessary flexibility will not be achieved.

If services are to be available to clients in accord with their need, then Mangum is fully justified in concluding:

> National decisions cannot be made which arbitrarily fix the combinations of services to be available in states and communities.

Small nonindustrial States may have little use for on-the-job training but might benefit from an expanded institutional training program. Cities with considerable heavy industry and high demand for semiskilled workers have different needs from those urban areas which are predominantly white collar. In adapting manpower programs to the needs of the particular State, city, and individual, there is no substitute for a State and local manpower planning and implementation mechanism.

THE CHALLENGE OF A COMPREHENSIVE MANPOWER POLICY

According to the national manpower policy task force:

> The present challenge is to apply the lessons of the early 1960s to develop a coherent manpower policy, not just for the moment but for the 1970s and beyond.

It is time now to build upon the trends already underway to strengthen the capabilities of communities and States to plan their own manpower programs to implement national objectives with the financial support and technical assistance of the Federal Government.

The central administrative question remains however, as James Sundquist points in the Brookings Institution's "Agenda for a Nation":

> Whether the federal government will allow any local system to work. So far, it has followed an ambiguous course.

On the one hand, local decisionmaking mechanisms such as the CAA's, CAMPS, and CEP's are instituted to coordinate program activities at the community level. On the other hand, programs are launched at the same time which bypass these structures and make many of the essential decisions without prior consultation or clearance.

As Sundquist stresses:

> The federal government cannot have it both ways.

It must decide whether the complex of manpower and related programs is to be conceived and operated as a predominantly national system or whether those programs are to be treated as federally aided community programs that have to be meshed by local and State leadership into community systems. The choice is patently clear. It is in the communities that the manpower institutions operate; it is there that they must be designed in relation to the economy they serve.

But the challenge extends beyond the development of community manpower systems as the primary objective of a comprehensive manpower policy. If such a policy is to succeed, new administrative approaches must be adopted. Uniformity in the design of local programs must give way to flexibility. Federal agencies must shift their emphasis from a reviewing and approving role to a consultative role. Federal agencies must find ways to feed into the State and local planning process their general advice and technical information, their more cosmopolitan perspective, and their evaluation data on local experiments. The focus of Federal concern must be upon the procedures comprising State and local program planning and operation thus assuring that all relevant interest groups are involved in the decisionmaking process and that adequate technical and planning capacity are available. The substantive content of programs however must remain strictly within the area of local and State jurisdiction.

A COMPREHENSIVE APPROACH TO A NATIONAL MANPOWER POLICY

A single comprehensive manpower bill would not solve all of these administrative problems but it would alleviate many of them.

The authority and budgets included in the Comprehensive Manpower Act of 1969 would be the total of those funds currently allocated to the remedial manpower programs—those programs addressed to the problems of people already through school and in or on the verge of entry into the labor market. This would encompass the present MDTA and the manpower programs under the Economic Opportunity Act, a total of $1 billion in fiscal year 1969. Vocational education, though a vital part of a national manpower policy is essentially preventive rather than remedial and coordination of vocational education with remedial manpower program is left, therefore, to the discretion of the States and localities.

In response to the problems confronting our current manpower efforts, the objectives of the Comprehensive Manpower Act of 1969 are: First, to facilitate long-range planning; second, to adapt the manpower program mix to community circumstances; and, third, to allow packaging of services according to individual need. The legislation proposes an administrative policy which would strengthen the State and local role while maintaining Federal guidance.

The Federal agency would issue guidelines each year much as is presently done under the cooperative area manpower planning system—CAMPS. The guidelines would undertake to detail the outlook for the year ahead and provide overall employment estimates for the next 3 years. They would estimate the total manpower funds available throughout the Nation and by State. They would forecast the economic climate, describe the existing and foreseeable manpower situation, and identify national manpower priorities for the coming year and for the next 3 years. Important considerations concerning such matters as target groups and program mix would be included along with the criteria by which program performance would be judged. Performance would be evaluated annually and the following year's budget would vary according to the extent to which State and community objectives were achieved. Funds are allocated to the States by formula but with the provision that where a State has failed to come forward with an acceptable plan, the money should be spent within the State by the Federal agency using either State or local public agencies or private institutions as contractors to provide the desired services.

The guidelines would be implemented by a State planning group, appointed by the Governor with Federal approval of the structure but not the personnel. This planning group would have staff and budget supplied from the manpower program allocation. Included among the planners would be representatives of all State agencies involved in the delivery of services under the federally funded manpower programs, closely related private agencies, representatives of labor and management and the public and the Governor's designees. However, the decisions of the Governor would prevail in the absence of consensus. The State planning group in turn would prepare similar guidelines for the local communities.

Community and neighborhood centers would bring representatives of all participating agencies within reach of client groups. The relative assignments to various agencies would be determined by the State plans, requiring only that at least one agency in each city and in the State have the responsibility for giving personal counseling to and developing an individualized plan for each client. This agency need not be responsible for delivery of services to that client, though it should be his advocate in assuring the quality of the services provided. That agency would probably, in most cases, be the Employment Service, but that decision would be left largely in the hands of the Governors and would presumably depend upon what agencies are providing manpower services most effectively.

The differences between this approach and the current manpower policy are incremental but important. Federal guidelines are currently issued under CAMPS but they are so detailed in terms of characteristics of enrollees and program mix that they leave few decisions to be made at the State and local levels. The Federal agencies currently enjoy considerable discretion in the amount of money flowing to a particular State but there is little coordination among them in determining a sensible allocation of these program funds within the State.

There are area CAMPS—usually in large metropolitan areas—but they also have little discretion. The essence of this proposal is to move from a program to a functional approach, allow the States to determine, with Federal approval, what mix of functions or services they prefer to provide with their allocated funds, and encourage an individualized approach to the needs of each client. The reservation of a large proportion of the funds—30 percent—would preserve the Federal role in research and demonstration and allow funding of interstate, regional, and national programs. Where a State fails to meet its responsibilities, the resulting program vacuum would be filled by the Federal Government using the State's allocation but channeling it through public and private contractors.

The impetus behind the Comprehensive Manpower Act of 1969, Mr. Speaker, is my conviction that if we did things a little more rationally, they would turn out a little more rationally.

ABM "NONEXPERTS" SHOULD HEED PHYSICIST

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. GERALD R. FORD) is recognized for 5 minutes.

Mr. GERALD R. FORD. Mr. Speaker, it is highly disturbing to me that opposition to President Nixon's Safeguard missile defense system has taken on the nature of a movement in which little or no attention is being paid to the great weight of distinguished scientific opinion favoring deployment of the Safeguard system. Instead, we find that many nonexperts are seeking to persuade the American people that their judgment is "the last word" on the subject of missile defense. Columnist Richard Wilson has done an excellent commentary on this situation. I invite all of my House colleagues to read his column as it appeared Monday, May 12, 1969, in the Washington Evening Star.

The column follows:

ABM "NONEXPERTS" SHOULD HEED PHYSICIST

(By Richard Wilson)

It is puzzling why Congress and the country listen to nuclear non-experts like Sen. Edward M. Kennedy and Hubert H. Humphrey on the ABM issue and pay no attention to a very substantial body of expert scientific opinion on the other side.

By all indicators the country is quite exercised on this issue, equating the ABM with the Vietnam war as a disgraceful manifestation of American militarism which is outraging world opinion and robbing the nation of desired social gains. Therefore, it should do no harm to know that there are very able men, equally as "involved" as Kennedy's team of scientists, who firmly state views exactly opposite and vigorously support deployment of the Safeguard system.

One of them is a Nobel prize winner and the only physicist to have been awarded the four highest honors a physicist can receive: the Nobel prize for physics, the National Medal of Science, the Fermi Award, and the Atoms for Peace award. He is Prof. Eugene Wigner of Princeton University.

Recently in Washington Dr. Wigner engaged in a debate with Prof. Hans A. Bethe, Nobel laureate of Cornell University, and Prof. George Rathjens, former director of the weapons system evaluation division, Institute for Defense Analysis, Massachusetts Institute of Technology. Dr. Donald Brennan of the Hudson Institute also took part in the symposium on the same side of the issue as Dr. Wigner. Dr. Wigner devoted part of his presentation to demolishing Dr. Bethe's arguments as scientifically erroneous, which saddened him because of his regard for Dr. Bethe.

Dr. Wigner also recalled another painful incident some years ago in which the distinguished scientist, Nils Bohr, had convinced most of his audience that a nuclear chain reaction could not be established and had very sound reasons for this view which have, of course, been proved entirely erroneous.

Dr. Wigner might have noted also, but did not, that Dr. Robert Oppenheimer, the "father" of the atomic bomb, did not believe in the feasibility of the thermonuclear reaction of the hydrogen bomb largely because in his heart he hoped it could not be made to work.

The Princeton physicist could have recalled also, but he did not, that a large part of the scientific community saw no sense in the Russian development of the fantastically destructive 50 megaton warhead. But the utility of that warhead is now seen in its capability of destroying American Minuteman missiles sites.

Dr. Wigner's arguments were profound and well beyond the comprehension of the average layman or the average congressman. But he made two very strong points which can readily be understood.

First, the Soviet Union is overtaking us in general nuclear capability, not withstanding the soporific statements of two Democratic secretaries of defense, Robert S. McNamara and Clark M. Clifford. Russia is moving into that range of nuclear capability which could cause its more extreme leaders to think that they could win an all-out nuclear confrontation with the United States. This condition is brought about in large part by its own nuclear defenses, not alone its ABM deployment, but its extensive and massive plans, and training in civil defense which extend down to the lowest levels in the public school system and which are unknown in this country.

Second, the assumption that the deployment of a defensive system by the United States would serve as a provocation to the Soviet Union is illogical to a dangerous degree and contrary to the official position of the Russian government that defensive measures do not accelerate the arms race.

"One could almost claim," said Dr. Wigner, "that the absence of true defense is considered provocative by the USSR. Doing nothing in the face of the by-now alarming USSR military buildup would give the impression that the leadership of the country does not consider defense to be important."

We have become accustomed in this country to think of ourselves as having nuclear superiority over the Russians. This is thought of as our ultimate protection. All that has changed during the period since Stalin's death when every American president, dating back to 1953, has sought a new era in Russian relations. The nuclear balance has shifted toward the Russian side during this period and now we are faced by new and ominous conditions.

AMERICANIZATION DAY CELEBRATION

The SPEAKER. Under a previous order of the House, the gentleman from New Jersey (Mr. DANIELS) is recognized for 10 minutes.

Mr. DANIELS of New Jersey. Mr. Speaker, one of the great events in Jersey City, N.J., is the annual Americanization Day celebration which is jointly sponsored by the Clinton E. Fisk Post No. 132, of the Veterans of Foreign Wars of the United States and the city of Jersey City.

This year's celebration was held on April 27, 1969, and the grand marshal was the Honorable John V. Kenny, former mayor of Jersey City and presently leader of the Democratic Party in Hudson County.

I include following my remarks, a

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speech made by Maj. Gen. John G. Cassidy, commanding general of the 78th Division, U.S. Army Reserve on the occasion of the 38th annual Americanization Day parade, and two news stories which appeared in the Hudson Dispatch and the Jersey Journal, two leading newspapers published in the 14th District of New Jersey.

Mr. Speaker, as a citizen of Jersey City, I am very proud to associate myself with this great event and look forward each year to participating in it. It is a great day for all of us from Hudson County, N.J., and it shows that old-fashioned patriotism still exists in our part of the Nation. My constituents came from every part of the world. The only real common denominator is that they all love this Nation and its traditions and are proud to be Americans.

I salute the Fisk Post and the city government for its part in making April 27, 1969, a great day for Jersey City.

The material referred to follows:

REMARKS BY MAJ. GEN. JOHN G. CASSIDY, COMMANDING GENERAL OF NEW JERSEY'S 78TH DIVISION, U.S. ARMY RESERVE, ON THE OCCASION OF THE 38TH ANNUAL AMERICANIZATION DAY PARADE IN JERSEY CITY, N.J., APRIL 27, 1969

Honorable Grand Marshal Mayor John V. Kenny, Reverend Clergy, distinguished people on the dais, friends and loyal Americans all. It is my extreme pleasure to be here today to again participate in this magnificent display of patriotism and loyalty to our country, the greatest country in the world, the United States of America.

As a past grand marshal in the Americanization Day parade I feel doubly proud to act today as an aide to the grand marshal of this 38th annual Americanization Day parade, Mayor John V. Kenny of Jersey City. He is a true patriot and a fighter for the rights and freedoms of all peoples. As a former resident of Jersey City and Union City, I can remember vividly his courageous fight in May of 1949. He won that battle and has been victorious ever since.

I salute you, John V. Kenny, as a man who has fought for the rights and liberties of peoples and for the veterans of our country and for our flag for these more than 50 years. Congratulations to the Capt. Clinton E. Fisk Post, 132 of the VFW and the city of Jersey City for once again producing the most spectacular display of patriotism and loyalty to flag and country ever in the country. You can feel justly proud.

I would also like to thank the city of Jersey City and the Fisk Post Parade Committee and in particular my friend Sam Bardach, the Parade's general chairman and Mayor Thomas J. Whelan of Jersey City—for dedicating this 38th annual Americanization Day Parade to the "Army Reserve's April Community Month" program and the Army Reserve's 61st anniversary. The members of the Army Reserve and New Jersey's 78th Division (training) also express their deep gratitude.

This weekend, as on almost every other weekend of the month, men and women who have spent their weekdays at desks, drawing boards, behind store counters and in classrooms and factories will gather in groups in cities and towns all over the country.

These gatherings won't be for weekly bowling sessions, friendly poker games or to discuss the stock market or the baseball team.

These men and women are citizen-soldiers who, because of their dedication to the preservation of the nation's defense, are members of the United States Army Reserve, this nation's largest Reserve component.

They are also your neighbors . . . your employees . . . your fellow businessmen . . . and your fellow taxpayers. In Jersey City there are 2,000 men and women in Army Reserve units. You probably know some of them. Majors Carmine P. Giordano and J. Leonard Hornstein.

This month is a special occasion for us. We are celebrating Community Month in April to pay tribute to the communities in which we live, to our employers and our families, neighbors and friends.

We feel that people are paying tribute to us throughout the year by accepting the inconveniences caused by our being members of the Army Reserve. Our friends and families, for example, often have had to hold reunions and barbecues without us because we were spending a weekend training at (mention name of training site). Our employers have had to operate shorthanded, at times, because we had to be away during a particular two-week period for annual training.

We appreciate everyone's support and want to salute them this month.

While the general store has given way to the supermarket and shopping center . . . and the town green as a communications center has been made obsolete by mass media, the tradition of the citizen-soldier has probably taken on greater significance during the past three decades than ever before in America's history.

A shrinking world . . . together with an increasing amount of greed on the part of certain nations . . . have combined to make the threat to national security an everyday matter of concern. As a nation, however, we have continued to adhere to our principle of fielding a relatively small standing Army with strong dependence upon Reserve forces in times of emergency.

Since 1941, the United States Army Reserve has responded four times to the call of the national emergencies.

During World War II, 26 out of the 82 divisions formed for combat were mobilized from the ranks of the Army Reserve.

Almost a quarter of a million men of the Army Reserve were called to active duty during the Korean Conflict.

During the Berlin Crisis of 1961, 75,000 Army Reservists were mobilized. And, during 1968, with the Vietnam build-up, thousands of members of the Army Reserve were called to active duty by the President. In addition, almost 80 percent of the officers and warrant officers serving in Vietnam today hold Army Reserve commissions or warrants.

I am proud to say that both local members and units of the Army Reserve have responded to our nation's call to duty during these four build-ups.

You might think that the almost continuous threat to our national security . . . with frequent call-ups . . . might discourage men and women from joining and remaining in the Army Reserve and might affect the readiness of our units.

Nothing is further from the truth.

Today, the nation can boast of having the strongest, best trained and best equipped Army Reserve force in its history. It is more than one million strong. Forming the nucleus of the Army Reserve are 3,478 highly trained Ready Reserve units which includes 45 units mobilized in May 1968. More than 260,000 men and women are members of these units which vary in type to include combat, combat support and combat service support. These include training divisions, maneuver area commands and infantry brigades, organized and equipped to fight in sustained combat in any part of the world.

An additional 738,000 men and women are assigned to the Individual Ready Reserve and, in case of war, would be used to reinforce units of the Army, Army Reserve and Army National Guard. Some of the officers assigned to the Individual Ready Reserve have been pre-selected, because of civilian specialty or military training, to fill an authorized position at a selected Army headquarters. These officers, called mobilization designees, serve two weeks each year at the headquarters, in the position they would fill in case of war.

Rounding out the Army Reserve strength are the 262,000 members of the Standby and 235,000 members of the Retired Reserve. These men and women, who do not train with any units, can be called to active duty in time of war or national emergency declared by Congress.

Perhaps the most outstanding characteristic of the men and women in the Army Reserve is the large reservoir of special skills and experience they represent. Many officers and non-commissioned officers, as well as many enlisted men in the lower grades, hold civilian occupations that correlate with their military duties. This is evident right here in our community.

At the beginning of this talk, I mentioned the fact that we in the Army Reserve are celebrating the month of April as Community Month. We hope that you will join us in this celebration by visiting the Army Reserve Training Center so that you can see, in person, who we are . . . what we do . . . and with what equipment we train. We hope that you will also join us in other activities we will be voluntarily sponsoring during this month.

In closing, I would like again to thank you—our neighbors, our employers, our families and friends—for your support and encouragement throughout the year.

We in the Army Reserve are dedicated to the proposition of providing strength to our national security through a strong Army Reserve. Without hesitating we make personal sacrifices to meet this commitment. And, we hope, as a result, this will be a better world . . . a better nation . . . a better community in which to live.

[From the Hudson (N.J.) Dispatch, Apr. 28, 1969]

SOME 30,000 PARADE FOR UNITED STATES OF AMERICA

Former Mayor John V. Kenny yesterday led a stirring demonstration of patriotism and loyalty to country and flag as the grand marshal of the 38th annual Americanization Day Parade in Jersey City. More than 30,000 marched and nearly 75,000 lined the streets cheering every contingent enthusiastically.

Sponsored by Capt. Clinton E. Fisk Post 132, Veterans of Foreign Wars, and the City of Jersey City, the parade was hailed as "a tremendous display of patriotism and a tribute to Mayor Kenny and Jersey City," by Brig. Gen. William C. Doyle, national commander of American Legion. Others who called the parade "the greatest ever" included Maj. Gen. John G. Cassidy, the commanding general of 78th Division (Training), U.S. Army Reserve; Rep. Dominick V. Daniels, Mayor Thomas J. Whelan and State Sen. Frank J. Guarini Jr.

The day was perfect as 30 bands and marching units took part. The assembly point was at Kennedy blvd. and Belmont av., Jersey City, and then along the boulevard to the reviewing stand at Pershing Field. At the reviewing stand, more than 5,000 were present as Kenny reviewed the parade. He also presented trophies to band groups.

Kenny, who addressed a luncheon crowd of 250 at the Holiday Inn, Jersey City, prior to the parade, said he was deeply honored to be named grand marshall and called the assignment "one of the cherished highlights in his life."

In his address, Kenny added, "In this day of rebellion against the principles of democracy, we, in Jersey City, will prove today to the nation that patriotism and loyalty to country and flag still exist. We are a freedom-loving people and America is the greatest country, today, tomorrow and forever."

WITH WOLFE, HAHN

Kenny rode in a car from the assembly point with Freeholder Walter W. Wolfe and Judge Frank G. Hahn of Union City. Preced-

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ing him in the line of march were Jersey City's mounted police, state police escorts, the 730th Air Force Band from McGuire Air Force Base, a Hercules missile and a Marine color guard. Directly behind the grand marshal were his aides: Medal of Honor recipients John "Chuck" Meagher, Jersey City, Steve Gregg, Bayonne, and Nick Oresko of Bergenfield; Gens. Cassidy and Doyle, Lt. Col. Charles F. Kenny, Maj. Carmine P. Giordano, Lt. Col. Philipp Kunz and Maj. Erwin E. Pollack.

Judge Hahn acted as master of ceremonies at the luncheon where the grand marshal was the guest of honor. Guests at the luncheon included notables from the state.

They included the grand marshal's aides, Thomas Flaherty, president of Jersey City Council, and Councilmen Evelyn Holender, Fred Martin, Frank Culloo, John Kelaher, Thomas McGovern, Thomas Maresca, Surrogate Joseph H. Kenny, Mr. and Mrs. Paul J. Hanly, the grand marshal's daughter and son-in-law; Mrs. Charles F. Kenny, William Killen, secretary to Surrogate Kenny, Sheriff Bonelli, Police Director George Whelan and Fire Director Grover Enny, state senator William F. Kelly, Brig. Gen. David B. Kelly, state police superintendent, Superior Court Judge Joseph Hanrahan, James Fitzgerald of North Bergen, state commander of VFW; various other veteran's organizations commanders, HADM Arthur H. Padula, Col. Frank B. Chapman, Jack W. Kuepfer and Gabe Gaetano, aide to Bonelli. Rev. Chester A. Wing of Second Reformed Church, Jersey City, said the invocation and Rev. George O'Gorman of Our Lady of Fatima Church, North Bergen the Benediction.

Outstanding marching units included the 78th Division (Training) band, led by S/Sgt. Richard Pinter, 50th Armored Division Band, Second Brigade of the 78th Division (Training), commanded by Lt. Col. George Van Leuven of Dumont; first battalion Jersey City's 113th Infantry, New Jersey National Guard, commanded by Col. Kunz; United States Naval Reserve and Gold Star Mothers.

Departments of Connecticut, New Jersey, Maine, Pennsylvania and New York of the Veterans of Foreign Wars, 23 posts from the American Legion, Thunderers, Greenlanders, Meadowlarks, Vagabonds, Imperial Guardsman, Jersey City Lassies, Audubons, Jersey City Elks, Veterans of World War 1, and St. Aloysius Bell and Drum Corps from Ridgewood, N.Y.

Col. Kenny, a past grand marshal and Hudson County's coordinator of civil defense, summed up the thoughts of those who participated in the parade and spectators along the route, when he said: "Today's outpouring of people is a tribute to the ideals of America and a salute to John V. Kenny as grand marshal, a true patriot. Sam Bardach was the parade's general chairman for the 10th straight year. He was assisted by Evelyn Dovey, Arthur Dovey, Wilbert Phelps, commander of Fisk Post, A. Pat Menendez and his wife, Nora.

The parade was dedicated to the 50th anniversary of American Legion and a salute to the Army Reserve's April Community Month.

[From the Jersey Journal, Apr. 28, 1969]

AMERICANIZATION DAY PARADE: 35,000 JOIN LOYALTY MARCH

Former Mayor John V. Kenny led Jersey City's demonstration of patriotism as the grand marshal of the 38th annual Americanization Day parade yesterday afternoon.

More than 35,000 marched behind the grand marshal as nearly 100,000 people lined the streets cheering enthusiastically every contingent.

Sponsored by the Capt. Clinton E. Fisk Post, 132 of the Veterans of Foreign Wars and the City of Jersey City, the parade was hailed as the "most outstanding display of patriotism ever shown" by Brig. Gen. William C. Doyle, national commander of the American Legion. He was a speaker.

Others who hailed the parade included Maj. Gen. John G. Cassidy, commanding general of the 78th Division (Training), U.S. Army Reserve; Rep. Dominick V. Daniels, Mayor Thomas J. Whelan, and State Senator Frank J. Guarini, Jr.

It was bright and sunny as 30 bands blared in spectacular fashion along the parade route which began at Belmont and Kennedy Boulevards and proceeded north along the Boulevard to the reviewing stand at Pershing Field. Kenny reviewed the parade at Pershing Field.

Kenny, addressing a luncheon crowd of 300 at the Holiday Inn in Jersey City prior to the parade, said he was never before so honored. He called his grand marshal assignment "one of the cherished highlights of his life." "In this day of rebellion against the principles of our democracy and the revolt of dissendent groups, we, in Jersey City, have proved to the nation that patriotism and loyalty to country and flag still exists."

In the line of march were Jersey City mounted police, State Police escorts, Hudson County Sheriff George M. Bonelli escorts, 730th Air Force Band from McGuire Air Force Base, U.S. Marine Color Guard from New York; a Hercules Missile from the 52nd Artillery Brigade, Fort Hancock, Medal of Honor winners John Meagher, Steve Gregg and Nick Oresko; Rep. Daniels, Gen. Cassidy; Gen. Doyle, Lt. Col. Charles F. Kenny; Mayor Whelan, Freeholder Walter W. Wolfe and Judge Frank G. Hahn.

Judge Hahn acted as master of ceremonies at the pre-parade luncheon.

Other units which paraded included: the 78th Division (Training) band led by SSG Richard Pinter and the division's Second Brigade from Lodi: Commanded by Lt. Col. George Van Ledven of Dumont, 113th Infantry, 1st Battalion commanded by Lt. Col. Phillipp Kunz, New Jersey National Guard from Jersey City; St. Aloysius Bell and Drum Corps, United States Naval Reserve Training Center, Jersey City; Jersey City Fire Department, Boy Scout troops. Girl Scout groups, Jersey City Lassies, Meadowlarks of Secaucus, Brownies of America, Imperial Guardsman Drum and Bugle Corps, Vagabonds, Greenlaners, Thunderers and American War Mothers.

Also, Gold Star Mothers', Departments of New York, Pennsylvania, Maine, Connecticut, VFW, Audubon band from Audubon; 23 American Legion posts from Hudson County; Amvets and Catholic War Veterans and Disabled American Vets; Jewish War Veterans', St. Francis Hospital Student Nurses', Jersey City Elks', Sabre Cadets and labor groups. Mayor Kenny awarded trophies to band groups at Pershing Field.

Floats and the military units were resplendent in their neat attire added to the colorful procession.

Dignitaries participating in the luncheon and parade activities included Thomas Flaherty, Jersey City Council president, members of the city council; Brig. Gen. George Whelan, director of Jersey City Police; Grover Enny, director of Jersey City's Fire Department. Mr. and Mrs. Paul Hanley, Mr. and Mrs. Bernard F. Kenny, William Killeen secretary to Surrogate Kenny and Mr. and Mrs. Charles Sarno, Gabe Gaetano, Jack Kuepfer of Clifton, State VFW Commander, James Fitzgerald of North Bergen, State Commander of the VFW; State Senators William F. Kelly and William V. Musto; Rep. Cornelius E. Gallagher, Rev. Victor R. Yanitelli, president of St. Peter's College and Marion Glendinning, president, Dept. of New Jersey VFW Auxiliary.

Also, Admiral Arthur H. Padula of the U.S. Naval Reserve; Comdr. William Stuhr of Weehawken, Col. Frank B. Chapman of Jersey City, and Brig. Gen. David B. Kelly, Surrogate Joseph H. Kenny, and Sheriff Bonelli and Jim Deevy.

The parade was dedicated to the 50th anniversary of the American Legion and April U.S. Army Reserve Community Month. Sam Bardach was the parade's general chairman for the 10th straight year. Assisting was Arthur and Evelyn Dovey, Commander Wilber Phelps, Michael Berger of the Fisk Post. Sgt. George Bradley and Sgt. Michael Berger assisted the grand marshal. Rev. Chester A. Wing of the Second Reformed Church, Jersey City said the invocation and Rev. William O'Gorman of Our Lady of Fatima North Bergen gave the benediction at the luncheon.

THE UNITED STATES—A MORE GENEROUS CREDITOR TO FOREIGN NATIONS THAN TO AMERICAN CITIZENS

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, I am today introducing a concurrent resolution which would, if approved, express it as the sense of Congress that France should be required to repay her World War I debt to the United States. Although this obligation now exceeds $5 billion, France has the resources to meet it, and the French Government has never contested the validity of this debt. It is not unreasonable, therefore, to require that these loans, made to support the French war effort and immediate postwar rehabilitation, be repaid. The resolution which I am introducing would provide for payment in 20 annual installments, and I feel that this is a fair and workable plan.

What is not generally known about this obligation is that the United States has been extremely generous in dealing with the French about payment. Originally, the loans bore a 5-percent interest rate and were payable upon demand, with the exception of $407 million which was due 10 years after the loan was made. To ease the burden for the French, the U.S. Congress in 1922 approved the conversion of these loans to long-term indebtedness. Even more important, the debt was made interest free until 1930, at which time the interest rate was to increase gradually from 1 percent in 1931 to 3½ percent in 1966 and later years. This agreement, approved by France, was indeed generous, and for practical purposes resulted in a writeoff of about 60 percent of the overall indebtedness.

After Germany renounced her World War I reparations payments, France failed to service her debt, even though the United States has never recognized any connection between German reparations payments and France's World War I obligations. For over 35 years, therefore, France has made no payments on either principal and interest, and for almost 20 years the United States has made no substantial effort to secure payment of the debt. Still, this obligation is carried on the active books at the Treasury Department where necessary adjustments are regularly made as each unsatisfied payment comes due.

It seems inconsistent that our Government, which is so diligent in collecting debts of American taxpayers, is so remiss in requiring satisfaction of this obligation by a wealthy foreign nation. It also seems unfair to Finland, which has made regular payments on its debt, as well as to the American people who

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have paid their share of the cost of World War I, through loss of life, military expenditures during the war, and the long term of payment and low rates of interest allowed on the French debt. I might add in this connection, that many Americans would be more than glad to borrow money at the 3½-percent interest rate which applies to the French debt.

This situation should not be allowed to continue—it is hypocrisy to carry on our books obligations incurred more than a half century ago on which no payments have been made in more than three decades, and our citizens have a right to expect the same diligence in collection of foreign debts as in the satisfaction of domestic obligations.

Over $16 billion is outstanding in World War I loans to foreign nations, and it is my hope that the approval of a resolution such as I am introducing will not only result in prompt action to settle the French debt, but the obligations of the 11 other sovereign countries which are in arrears on their World War I obligations.

RESOLUTIONS TO COLLECT FRENCH WORLD WAR I DEBT

House Concurrent Resolution 9, by Hon. ELIGIO DE LA GARZA, of Texas.

House Concurrent Resolution 13, by Hon. JOSHUA EILBERG, of Pennsylvania.

House Concurrent Resolution 16, by Hon. O. C. FISHER, of Texas.

House Concurrent Resolution 23, by Hon. JERRY L. PETTIS, of California.

House Concurrent Resolution 27, by Hon. JOHN R. RARICK, of Louisiana.

House Concurrent Resolution 32, by Hon. ROBERT L. F. SIKES, of Florida.

House Concurrent Resolution 33, by Hon. M. G. SNYDER, of Kentucky.

House Concurrent Resolution 37, by Hon. JOE D. WAGGONNER, JR., of Louisiana.

House Concurrent Resolution 51, by Hon. DON FUQUA, of Florida.

House Concurrent Resolution 120, by Hon. CLAUDE PEPPER, of Florida.

All these resolutions were referred to the Committee on Ways and Means.

Seventeen nations have total World War I indebtedness to the United States of over $16 billion. Finland is the only country making regular payments on its debt. Four nations are no longer sovereign entities which received U.S. World War I payments—Latvia, Estonia, Lithuania, and Armenia.

NOT OKINAWA TOO

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, sometimes it is difficult to understand that the U.S. State Department and the U.S. Department of Defense are parts of the same Government working for the same objectives. In its zeal to be nice to everyone the State Department sometimes seems too easily swayed by foreign governments. Particularly has this been the case in nations where the United States has operated military bases.

The Russians are constantly agitating in those countries openly or behind the scenes for removal of U.S. forces. When this provokes local demand for base closure, it is seldom that the State Department has taken a hard position for retention or that it has been willing to pay a price which military leaders believe justifiable. As a result, all over the world, U.S. bases, which once ringed the perimeter of Communist countries, have been closed.

The United States now appears to be on the verge of giving up its important base in Pakistan, a base which could have been held had we recognized the importance of Pakistan's friendship rather than siding with India, a perennial ingrate.

The Spanish base question is far from settled, in part because some State Department officials are impressed with the Socialist governments of a number of European countries and are opposed to Franco's hardline conservatism.

But the latest in this series of base problems may be the most important of all. It has to do with Okinawa. Japan wants Okinawa returned. Japan also is reluctant to give the necessary guarantees for the use and operation of military installations by the United States on Okinawa. A glance at the map will show the essentiality of Okinawa as a U.S. bastian and increasing problems with leftist militants in Japan have caused the removal of much of our military strength from Japan, and U.S. commanders foreseeing the inevitable weak Japanese Government are making plans for further shifts away from Japan.

A return of Okinawa to Japan would simply transfer the agitation for the closing of U.S. bases to that island. Japan has been put on its feet through lavish American help and now is one of the principal competitors with U.S. manufacturers for trade even here at home. Yet, Japan has contributed virtually nothing to the common defense and little to a strong anti-Communist policy.

It would cost $3 billion to rebuild U.S. bases now in Okinawa even if there were a place to build them, and there is not. Okinawa has been involved in the Vietnam war from the start principally as a logistics base supporting air and sea shipments to the war theater. The same situation will be true in any involvement of American forces in the Far East. The strategic position of Okinawa places U.S. forces there in striking distance of every danger area in the area. The United States simply cannot afford to relinquish its control over these installations. The easiest way to avoid future confrontations on the subject will be to maintain complete control by the United States over Okinawa itself.

The United States is now undergoing one of its periods of aversion to war and it is during these periods that the problems of maintaining an adequate defense are the greatest. It is also during these periods that the pacifists in and out of the State Department exercise the greatest influence. They can do the United States and world freedom great harm by pushing for a return of Okinawa to Japan.

PAPAYA MARKETING ORDER BILL

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, today I introduce legislation designed to increase the market for Hawaiian papayas.

As anyone who has tasted them will agree, papayas are one of the most delicious and succulent fruits on earth—they are rivaled only by such products as Hawaiian pineapples. Because of the expanding public demand for our papayas, the industry forsees a greatly increasing market in the continental United States. Already, large shipments of papayas are being flown to cities on our east coast for the enjoyment of large numbers of people. As more people learn about our papayas, this trend toward increased consumption should continue.

Because of the growth of their industry, Hawaii's papaya growers now seek coverage under a Federal marketing order as provided for in the Agricultural Marketing Ageement Act of 1937, as amended. The required number of growers have already indicated their desire to participate in such a system, which will insure orderly marketing of mature, high-quality fruit.

No legislation is required to allow a marketing order to be issued for papayas, but the growers want their order to include authority for the advertising and promotion of Hawaiian papayas. Since the 1937 act does not provide for automatic inclusion of this authority in each marketing order, a special amendment must be added for each commodity whose producers desire the right to promote their product in this manner. Previously, such authority has been granted by Congress to producers of nectarines, California olives, Tokay grapes, and Texas citrus. My legislation would simply add Hawaiian papayas to the list of commodities now covered by such amendments.

This bill is noncontroversial in that it has the overwhelming support of the growers, the only group which will vote on whether to be included under a marketing order. Since they are taking this step to insure high-quality standards of their products, they simply want the right to inform the public of these advances.

I believe that our consumers are entitled to have luscious, high-quality Hawaiian papayas, and my legislation would allow growers of this fruit to "tell their story" to the public. Thus, this bill would benefit both the industry and the consumers of this popular commodity.

THE NATION REQUIRES A NATIONAL MASS URBAN TRANSIT PLAN AND PROGRAM

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, America is choking on city traffic and accompanying pollution. Masses of vehicles, evergrowing in quantity, are clogging arteries of commerce, communication, and individual movement. As this phenomenon mounts in volume, menace, and intensity, we turn our backs upon our only possible solutions.

Detroit will never give us an answer.

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Denials of auto pollution are still emanating from automakers. Do autos, buses, and trucks cause air pollution? How could we even think such a thing? Look at the skies over Los Angeles. Remember the last time you rode behind a diesel truck or bus. Their stench and clouds of filthy smoke are unmistakable as well as unbearable.

In order to accommodate this ever-increasing flood of vehicles powered by internal combustion engines, America is falling in love with low-grade asphalt and concrete. The liver and lights of scores of cities have been torn out and trampled in the name of expressways, freeways, and other transportation disasters accommodating vehicles at expense of people, quality of urban life, and destruction of taxable property and historical sites.

As air pollution mounts, so do waste problems at the other end of this cycle. Autos are being junked in ever-increasing numbers. Their eventual disposal has created major difficulties—clutter and ugliness among them.

There is deliberate ignoring of answers immediately available to us by those who can implement solutions. Instead of urban mass transit, the ultimate and only answer, we hear arguments in favor of Government subsidization of the SST, complete with sonic boom—at expense of other social needs. Do we propose to reform transport by placing the jackass into the cart? Instead of preposterous belchings, there must be action to appreciably alter or alleviate our situation. America must enunciate a clearly defined transportation policy, setting forth priorities which cater to cities. Foremost on such a list must be urban mass transit, both above and below ground.

For years, builders of highways have been able to proceed with our now almost completed Interstate Highway System because of the Federal Highway Trust Fund. Now overseen by the Department of Transportation, it thrives because of contributions in form of user taxes. Money is doled out to each State on a quarterly basis; in turn allocated through appropriate authorities to various projects underway. In this manner, our entire Interstate System has reached a point of near completion. Why can we not create a trust fund for urban mass transit exactly like or similar to the existing one? Such a measure has already been introduced in this House, and I have joined in sponsoring it with my distinguished colleague, the gentleman from New York (Mr. Koch).

Mr. Speaker, it seems Government has yet to realize that our cities are immutable facts, containing a growing, overwhelming majority of our people, struggling to live in them. Rural America bulges with public works and subsidies obtained through Federal favor. Watershed projects, dams, roads, access arteries, subsidized crops, direct payments for nonuse of land and innumerable Federal installations. Special committees cater to it on a Federal level in both Houses of Congress. Such is not the case with cities.

Yet it is our cities which produce most of our wealth, providing Government with most of its annual revenue—in particular cities in a few States. Why then must cities sit silently in patronized isolation, begging for a jot and tittle of their own money? The people that our cities represent are in the national majority and deserve power, influence, and catering to their interests.

My home State of New York pays more than $23 billion annually to the Federal Treasury, receiving in return a shade under $2 billion annually in Federal moneys. New York City contains 8 million Americans, and cannot obtain adequate Federal aid for its mass transit system. We must end such an intolerable situation.

Urban Congressmen have gone along with too many noncity programs without a murmur. They have begged and pleaded for too long in vain. Certainly I see no reason to approve or even tolerate an SST or emphasis on an airport plan which will immediately have the effect of shoving mass transit to the bottom of our list of national transportation priorities.

We must have significant Federal subsidization of subways and high-speed trains, as well as upgrading of already existing modes and routes of mass transit. Creaking buslines would also be upgraded, and VTOL and STOL aircraft should be commercially developed. The list is as endless as our needs. I might also note that construction of mass urban transit systems will be as long term and profitable as creating highways.

Money now being siphoned into the existing fund for highway construction could well be partially diverted into this new trust fund. Most of all, there must be a sense of public and national urgency. Time grows short in which we can bask in the luxury of hesitation and procrastination. Instead of unneeded plans and preposterous public posturing, let there be action. We know the problems, which have been studied to death. We possess solutions, which are instantly at hand. There is no further need to torture facts to death.

I would compare cities, suburbs, and rural areas to three people tied together and thrown overboard. Without cooperation, all will drown. So unless one or two of them can breathe under water, I suggest they work together. It would be the best form of travel ever discovered.

FROM COMPLEX TO MIND TO STATE—IN THE NAME OF WHAT?

(Mr. PODELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, we must dig under the acrimonious debate now raging in our Nation over the military-industrial complex, as it has been called. We must look beyond the frontline battle of ABM, C–5A, poison gas, biological warfare agents, Korean intelligence-gathering missions, Vietnam, and overkill. It is the very essence of our Nation which we must seek to examine, because I feel it is endangered.

First I offer a word of respect for our military. They have become objects of attack because they are visible and seeking to do either their jobs or protect legitimate interests.

A time has come, however, when we must choose what kind of an America we wish, both internally and in terms of the image we project to the world, allies, neutrals, and enemies alike.

America has not been, until Korean war times, a military state with a massive standing armed force in peacetime. Yet since 1953 we have become possessed by an ethic that seems to demand we maintain a military capability to fight both an Asian and European conflict. Thrown into this equation has been the capability to deal with at least one limited conflict somewhere. This has in turn necessitated a massive and ever-present American military presence, complete with accompanying bases and intelligence gathering efforts, almost everywhere in the world. Our flag fllies in every sphere, and our young men serve under it. This is fact, not conjecture.

Our presence is at times provocative in many areas of the world. We become a convenient target. When struck at, we are forced to react or look less than militarily omnipotent. National pride and its symbols immediately follow the flag, wherever we choose to commit it. Thus, we become embroiled in local nationalisms, regional alliances and civil conflicts, which at times demand commitment of armed forces. This inexorably leads to executive action which in turn erodes congressional authority. For none of these innumerable brushes require declarations of war

Finally, and most fraught with peril for our country, is the fostering of a military ethic as a way of life. It is natural for major armaments industries to grow up in such an atmosphere, dominating individual political constituencies. What is fraught with greatest long term menace for our country is an all-pervasive, eternal military cast of thought we have been fostering and gently foisting upon the vast majority of our people.

Military production becomes an economic necessity. A state of war evolves into a state of mind. A state of mind becomes a state of seige. Our mentality as a nation is evolving into a frightening military cast of national thought. Military solutions are instantly preferred in response to political challenges. War is rapidly becoming a way of life to many of our people. Peace is recalled as a mere interlude between conflicts. We are raising our children increasingly within a military framework of reference. Our society is becoming permeated with military symbols, military usage and military activities. Is this the America of our past? Is this that peaceful land which was always last to draw its sword? Would Franklin recognize it, Jefferson sympathize with it, or Carl Schurz love it? Is this why Lincoln saved the Union or why we fought "over there"? Is it why Jane Adams founded Hull House or men fought to unionize?

Preparedness for combat in time of peace is, of course, necessary. Yet must we enshrine and turn it into a national fetish, adorning it with our symbols and rationalizing acts in its name which would shame our heritage and disgrace our fathers? I think not.

Is it not time for us to rethink our priorities as a national state, taking into

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consideration our goals as a republic? Is this not a worthy exercise as well as criticizing wars, excess military expenditures, and our military-industrial complex?

Our military people are not monsters. They are simply carrying out national policies we have allowed to become our order of the day. They are not happily seeking to kill or intrude into daily lives of foreign states and their people. They are merely carrying out strict directives and treaty obligations we as a nation have freely entered into. Military contractors are not monstrous ogres stalking a tortured earth with blood dripping from their fingertips. They are simply businessmen catering to and profiting from a need our national policies and their execution have fostered and created.

I think it is time to deescalate the process of evolution of the United States into a military state. In my humble opinion, we are not endowed with the luxury of taking our time about this exercise.

Existing missile and thermonuclear technology obviates the need for such massive standing forces of a conventional nature as we now possess. We only invite instant Soviet competition. What we have in the shape of shiny new military toys of any kind, they too must have. By all means, let us insure that in the basic defense of our Nation, we are even or ahead of them. Then, however, let us call a halt. We do not require striking forces to take us into every nook and cranny of God's earth.

Massive forces such as these eventually acquire a life all their own, becoming factors in and of themselves in our national power equation. They capture us, become prime movers, and can destroy us. We must reassert our mastery over them.

America has always been a light to the world. Her institutions and ideals have always found noblest expression, even when we went to war. An unnecessary presence leading to a useless conflict only denigrates our ideals as well as consumes our substance and wastes the lives of our young men. There are too many widows, orphans, and cripples in our country, and they are a strange, unnerving sight to me. Also, they are a message to each of us.

We must, without indulging in the futile exercise of isolationism, seek a new balance within our Nation between military and civilian influences. We must reemphasize our civilian nature as a nation, as well as reassert ourselves as a peace-loving state. We can easily reduce our presence and resulting provocativeness in many areas of the world. Sums of money saved in this manner, and they would be vast, indeed, could be put to work here at home, where they are so badly needed.

A time is at hand when we must choose where we are going and what identity we shall assume as a power in the world. Bristling with weapons and in evidence everywhere, we shall continue along the same nasty road. It leads to national disaster and protofascism here at home. We must, at all costs, evade this fate.

Let us instead, emulate those who created our Nation. Their message is still vibrantly clear and enormously relevant. They were strong, yet did not parade it in the eyes of the world. Ever ready for war, they practiced peace, never making a fetish of preparedness or parade of might. It would behoove us to choose that road, which is open and beckoning to us as a nation. Let us but follow it.

Men forever curse bringers of war, and remember best and with reverence practitioners of peace. I would rather that a man a thousand years hence should say to his son, "Look at that piece of work. It was built by the Americans to help uplift and upgrade the lives of people. What an amazing nation of builders and workers for all that is good in man—those Americans."

REPRESENTATIVE ROTH INTRODUCES BILL TO REMOVE TAX-EXEMPT STATUS FROM PRIVATE FOUNDATIONS ENGAGED IN QUESTIONABLE PROPRIETY WITH OFFICIALS OF THE FEDERAL GOVERNMENT

(Mr. ROTH asked and was given permisson to address the House for 1 minute, to revise and extend his remarks and include extraneous material.)

Mr. ROTH. Mr. Speaker, I am today introducing a bill to remove the tax-exempt status from private foundations which engage in transactions of questionable propriety with officials of the Federal Government. The bill is identical to S. 2075 introduced in the other body last week by the senior Senator from Delaware (Mr. WILLIAMS).

The bill, if enacted, would also impose a tax of 100 percent on all income received by Government officials from such tax-exempt foundations.

Quite frankly, Mr. Speaker, this proposal is the result of the serious allegations made against Associate Justice Abe Fortas. I do not, however, believe that Congress should impose higher standards of conduct on officials of the executive and judicial branches than Congress itself lives under. Accordingly, this bill applies to Congress as well as to high officials of the administration and the courts.

The acceptance by Justice Fortas of $20,000 from the Wolfson Family Foundation, even though temporary, is a most serious blow to the dignity and integrity of the Supreme Court. As such, the Nation is faced with a much broader question than Mr. Fortas' suitability to continue to serve on the Court. The specific case involving Justice Fortas should be dealt with separately from the issue of judicial ethics and conduct.

Last Tuesday, I wrote the able and distinguished chairman of the Committee on the Judiciary urging that the committee conduct hearings on the subject of judicial ethics. Out of these proceedings I hope will come responsible and enforceable standards of ethics and conduct applicable to the Federal judiciary.

Mr. Speaker, I would like to insert a copy of my May 6 letter to Chairman CELLER at this point in the RECORD:

HOUSES OF REPRESENTATIVES,
Washington, D.C., May 6, 1969.
Hon. EMANUEL CELLER,
Chairman, House Committee on the Judiciary, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: I strongly urge the Committee on the Judiciary to conduct hearings as soon as possible on ethics and conduct of Justices of the Supreme Court and judges of lower Federal courts. The controversy surrounding Associate Justice Abe Fortas—the second in less than a year—raises in the mind of the public serious questions that threaten the dignity of the Court. Indeed, there are those who would use this issue to attack the Supreme Court as an institution.

I feel there should be three objectives of hearings before the Committee:

First, hearings should focus on the question of proper conduct for members of the Bench. An effort should be made to define what is and is not acceptable conduct for individuals possessing the immense prestige, power, and responsibility of serving on the courts of the United States.

Second, the Committee should give careful attention to the matter of judges serving in positions of responsibility not directly related to their court functions. The appointment of Chief Justice Warren to head the Commission investigating the assassination of President Kennedy is the best example of both potential conflict of interest and possible violation of the Constitutionally outlined separation of powers.

Third, the Committee would be wise to consider the difficult question of members of the courts serving in quasi-official or informal advisory capacity to other government officials. The reported involvement of Justice Fortas in preparing the 1968 law providing Secret Service protection to Presidential and Vice-Presidential candidates is, in my judgment, contrary to the doctrine of separation of powers and flies in the face of the long-standing tradition against members of the courts rendering advisory opinions.

While the present controversy centers on Mr. Fortas, I am more concerned with the dignity and independence of the Supreme Court. Mr. Fortas' conduct has cast a dark shadow over his stature as a Justice, but this is a problem that must be dealt with separately. By his actions, however, he has brought into focus a wide range of important public policy issues demanding answers.

It may well be that all of these issues do not lend themselves to statutory or other Congressional remedies. Even if this is the the case, I nevertheless feel that the House, through its Judiciary Committee, has a duty to explore the matter thoroughly. Hopefully, these hearings could result in promulgation of an officially recognized and enforceable code of conduct, applicable to the Federal judiciary.

Sincerely,

WILLIAM V. ROTH, Jr.

INVESTIGATION OF CIVILIAN REACTOR PROGRAM

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, in view of a recent statement by Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, I would suggest that still more of my colleagues may wish to join those of us who have sponsored resolutions to investigate the nonmilitary activities of the AEC.

I quote the following paragraphs from

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Air/Water Pollution Report for April 28, 1969:

> AEC TELLS MINNESOTA POLLUTION AGENCY IT CANNOT REGULATE RADIOACTIVE WASTE DISCHARGES
>
> States do not have authority to regulate the discharge of radioactive waste from nuclear power plants, Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, told a press conference at the American Chemical Society meeting in Minneapolis. Seaborg said that the problem is "primarily a legal one," when questioned about Minnesota Pollution Control Agency's pending decision on Northern States Power Company's application for permit to discharge radioactive wastes into the Mississippi River at its nuclear generating plant at Monticello, Minnesota.
>
> Seaborg said that AEC told the state agency that since Congress has given AEC regulatory authority over radioactive discharges, the state cannot also regulate such discharges.

Mr. Speaker, in this posture, the Federal Government is guilty of a conflict of purpose in its air and water pollution control programs. Under the Water and Air Quality Acts, individual States have every right to set more rigid standards than whatever criteria may be established by Federal authority.

Section 107(b)(1) of the Air Quality Act of 1967 states:

> The Secretary shall, after consultation with appropriate advisory committees and Federal departments and agencies, from time to time, but as soon as practicable, develop and issue to the States such criteria of air quality as in his judgment may be requisite for the protection of the public health and welfare.

The following paragraphs are from Water Quality Standards, a pamphlet just published by the Federal Water Pollution Control Administration:

> If the Secretary of the Interior finds some standards adopted by a State unacceptable or that none has been set by a State for an interstate stream, he may under the law prepare new or revised standards after giving reasonable notice of his intention.
>
> Then, if the State does not submit acceptable standards within six months or petition for a public hearing, the Secretary may put these standards into effect.

In neither case has the Secretary of Health, Education, and Welfare or the Secretary of the Interior stated or indicated that standards more exacting than Federal criteria should be considered unacceptable. On the contrary, any such exceptions would likely be looked upon as national goals, with other States encouraged to attain the same quality of air or water in the shortest possible time.

Why, then, should another agency of Government be able to deprive States and communities of setting limits on the discharge of the most feared contaminant—radioactive waste?

At this point I should like to quote from a news story by Fred Jones, Pittsburgh Press conservation editor, appearing in the issue of Friday, May 2:

> HARRISBURG.—Pennsylvania conservation forces turned their big guns away from the coal industry today and trained them on "the far greater danger of pollution from atomic energy plants."
>
> Leonard A. Green, first vice president of the Pennsylvania Federation of Sportsmen Clubs, said the conservation problems caused by the coal industry "look like small potatoes compared with those we face in the future."
>
> Speaking at the annual Pennsylvania Environment Improvement Conference sponsored by the State Chamber of Commerce, Mr. Green called for added safeguards against nuclear disaster.
>
> "Despite the reassuring words of the Atomic Energy Commission (AEC) and private industry promoting the construction of atomic energy plants, there is a clear and present danger of not only pollution but of accidents that could wipe out the lives of thousands of people," he said.
>
> Mr. Green said AEC files contain reports of accidents at atomic power plants where utter disaster was averted "only by seconds and the grace of God."
>
> "In the rush to develop atomic power, both national and state governments have been ignoring these dangers and gambling with lives of thousands of people.
>
> "The general public has been lulled into a sense of false security by the failure of government and private industry to tell us just what we are letting ourselves in for when we build atomic power plants in our State," he added.
>
> Mr. Green said that if the State and Federal authorities fail to make these facts known and set up proper safeguards, conservationists should and would make these facts public.

Mr. Speaker, it is reassuring that the conservationist groups in Pennsylvania are undertaking to diffuse the AEC propaganda and to demand the right for people to protect themselves not only against exposure to the deadly effects of air and water pollution from nuclear reactors, but also against the catastrophic potential of an incident in the operation of an atom plant.

The State of Pennsylvania was also involved in a plan contrived by the AEC to subject an area to an underground detonation of immense proportion. I commend to my colleagues' attention an article, "Blasts Can Start Quake, Nuclear Scientist Says," from the Washington Star of the past April 26.

I should also like to refer my colleagues to the publication, "Peaceful Use of Nuclear Explosives—Some Economic Aspects," which was sent to me by Resources for the Future, Inc. Its authors are David B. Brooks and John V. Krutilla. The following paragraph is extracted from the chapter on "Safety Considerations":

> It may well be that ground shock and air blast will, in the end, set the limits on the maximum yield of individual detonations, but it is radiation which arouses most concern. Radiation is derived largely from the fission trigger of a thermonuclear device, but is also inducted in surrounding materials by the thermonuclear blast itself. Thus, even the cleanest device will distribute some radioactivity. And if the explosive device is large enough to be economically feasible in excavation applications, it is very likely (despite improvements in excavation technology) to cause fallout over an area of several hundred square miles. The fallout problem is particularly serious because certain of the most worrisome isotopes (strontium-90 and cesium-137) have gaseous precursors and are therefore widely distributed.

Mr. Speaker, the many other ramifications of utilizing the atom to blast out underground storage space for natural gas are carefully outlined. I suggest you consider them before agreeing to further AEC expenditures on such projects or before subjecting your own congressional districts to such experimentation. Conceding that projects likely to be tested in the near future show a "reasonable probability of proving at least marginally economic," Brooks and Krutilla conclude:

> However, it appears that really significant net returns from peaceful application of nuclear explosives can only come when they are detonated in large blasts. It is obvious that such blasts raise all of the uncertainties and potential for adverse effects (to say nothing of political considerations) to positions of primary importance. Thus, assuming that the Plowshare program is to continue—a question that is ultimately political rather than economic—there is great need for investigating the economics of such projects in the broadest terms, including as many influences and factors as possible, rather than treating them as 'geographic engineering' feats. Clearly, a more than marginal reorientation of research effort toward the sorts of questions posed above is called for.

To me, Mr. Speaker, the Brooks-Krutilla study is further evidence that AEC is desperately seeking out ways to keep its bureaucracy booming at any cost. Whether the disclosure of earthquake danger will bring any hesitation in the underground blasting program is yet to be determined, but you can be certain that residents of the Lock Haven, Pa., area are thankful that the subterranean bomb project near that community was not carried out. Their protest was directed at air and water hazards, but the staggering news about underground explosions and earthquakes emphasizes another dread consequence that might have come had the program materialized.

House Joint Resolution 83 provides for a complete investigation of the Nation's civilian reactor program. Through it we can also determine the AEC's intentions with respect to subsurface explosions and other programs that may be imperiling life and property. In addition, I am confident that the study of the Commission's nonmilitary activities can result in annual savings of millions of dollars so desperately needed for other Federal programs.

FUTURE U.S. TRADE POLICY

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, earlier this year the President's special representative for trade negotiations issued a report entitled "Future U.S. Trade Policy." It was heavily endorsed, with few dissenting opinions, by a public advisory committee on trade policy of 36 members.

Since the appointment of Carl Gilbert as the President's special trade representative foreshadows a continuation of the trade policy pursued by his predecessor, William Roth, the report of the Advisory Committee on Trade Policy remains a document that may be regarded as a guide to current and projected trade policies of this country.

It is for this reason that I offer a critique of the report prepared by O. R. Strackbein, who is president of the Nation-Wide Committee on Import-Export Policy. The Nation-Wide Committee is composed of industries, agricultural and labor groups that bear the brunt of rising import competition and would suffer the consequences of further trade liberalization.

The author examines critically some of the fundamental assumptions and notions that support the free-trade position. He not only finds them falling short of their supposed value as guides but sees them as mischief makers in the form underlying assumptions. He illustrates the fallacy of these assumptions in the controlled and regulated economies such as are characteristic in the world today. In so doing he demonstrates the competitive disadvantage under which numerous American industries operate in the face of imports that derive their competitive advantage, not from greater efficiency, but from lower unit wage costs.

Mr. Speaker, I commend the reading of Mr. Strackbein's analysis to all Members who are interested in our foreign trade policy, and include it in the RECORD immediately following these remarks:

FUTURE U.S. TRADE POLICY

(By O. R. Strackbein)

The President's Special Representative for Trade Negotiations issued a Report to the President, dated January 14, 1969 under the title "Future United States Trade Policy."

The Report was reviewed by a Public Advisory Committee on Trade Policy, consisting of 36 members. The Committee approved the Report but some members dissented at various points and their observations were printed as footnotes in the pertinent sections of the Report.

It is the purpose of this paper to comment on the general philosophy and assumptions that shaped the conclusions and recommendations of the Report.

BASIC PHILOSOPHY OF THE REPORT

The Report is oriented to freer trade, and uncritically accepts the notion that the dismantlement of trade barriers represents the supreme economic good in the field of international trade. In doing so it accepts the Adam Smith economic philosophy of two centuries ago as the gospel.

Unfortunately such uncritical acceptance led also to tacit if not express assumptions that go hand-in-hand with the free-trade philosophy. This philosophy in its turn rests for its effectiveness on certain assumptions without which it would be without integrity.

Free trade among the nations, for example, for its proper operation, presumes a free enterprise system based on uninhibited interplay of prices and other economic forces under the sway of competition. The competing forces must be free so that unhealthy commitments of land, capital and labor must soon show their folly by being forced out of profitable operation by competition.

In this respect only the economically most fit enterprises would survive. The unfit ones would fall by the wayside. Thus would the productive resources and energies of the different countries be driven into the most fertile and productive enterprises. Capital and labor would be blessed with the highest possible compensation in the form of produced wealth.

The simplest example is usually found in the obvious advantage possessed by the tropical regions in the production of tropical fruits, spices and similar items that thrive in the torrid zone. The cooler climes should devote their land and energies to plant and animal life that in turn thrive in the temperate zone. By such specialization each area would achieve the maximum benefit from its climate and natural resources.

The natural basis of trade lies in such comparative productivity among different countries or areas of the world. A free exchange of goods would rebound to the mutual benefit of all concerned. Coffee-growers would do well to pursue coffee-growing while buying their wheat from areas that do best with that crop. Wheat growers on their part should not grow coffee since that represents economic inefficiency. They should buy their coffee from the tropical lands.

By extrapolation the same principle is then extended to industrial products, minerals, etc.

Such a theory, of course, was Heaven-sent for England as a guide during and after the Industrial Revolution. Her colonies were to supply raw materials to the mother country, which, because of her advantage, could manfacture more cheaply than the colonies, while they in turn because of their natural resources of soil and climate could produce the raw materials more advantageously than England. Thus free-trade was a godsend to the colonial system, with England at the apex. The colonies could enjoy lower-priced manufactured goods while England obtained her needed raw materials at low cost.

The American colonies were the first to revolt. The War of 1812 confirmed the need for manufacturing in this country if we were to maintain a viable republic.

The free-trade theory has persisted, inculcated in our students of economics in our colleges and universities.

Adherence to the principle of free trade by industries and agricultural pursuits that benefit handsomely from exports, and by importers, is, of course, not surprising. A direct economic benefit such as theirs usually prevails over objective philosophy but yet frequently insists on donning the robes of objectivity in public utterances.

The members of the Advisory Committee were overwhelmingly from the sectors that gain most from enlarged foreign trade.

As for the Office of the President's Special Representative for Trade Negotiations, it would be useless to expect a contrary philosophy from that source. Therefore, with the exception of a few clear dissents from the handful of members of the Advisory Committee of a different persuasion, the Report was faithful to the free-trade philosophy. This fact, of course, weighs heavily against its value as a guide to national policy.

We shall examine some of the tacit assumptions on which the Report is based through its fidelity to the philosophy of free trade.

FALSE ASSUMPTIONS

To repeat, if free trade is to perform its function, a *laissez-faire* economic regime must prevail. Competition must be free to the maximum extent compatible with public health and safety if free trade is to work its benefits. Free trade cannot countenance substantial interference with economic forces. This taboo extends to State or political interference with such economic forces as wages, hours of work, the free movement of labor, including immigration and emigration, bargaining between employers and the work force, welfare and social security payments and much else that would interfere with the play of natural economic forces. To the extent that the economic forces are restrained, controlled, modified or diverted free trade is distorted and denied its theoretical goals.

It has been a characteristic of the assumptions of free-trade or freer-trade advocates that international trade barriers are the principal culprits destroying the benefits of free trade, and that if these barriers were removed free trade could flourish.

Yet upon examination of the conditions on which free trade rests we may see that free trade may encounter its death knell *within* individual economies. *Free trade among nations represents only one aspect of free trade, and really the smaller part of it. Domestic policies within nations may so interfere with economic forces that free international trade becomes untenable as a practice.*

Usually it is internal political factors that generate domestic measures incompatible with free international trade; or it may be national aspirations that become political factors, such as the National Socialism of the Nazis.

Ironically, as this country moved toward ever tighter interference of the government with the domestic economy during and after the Great Depression, bringing many economic operations and activities under regulation and thus moving farther and farther away from free enterprise or *laissez-faire* economics, it insisted on moving in the opposite direction in respect of trade policy. As we interfered successively with farm prices, wages and hours of work, collective bargaining, bank deposits (in the form of insurance), money and interest rates, stock-market operations, unemployment and much else, thus stifling specifically and categorically the natural competitive forces, we began dismantling the tariff and thundered against import quotas as if such interferences with the free flow of economic forces were anathema.

It was indeed a strange performance. As we upheld farm prices against the downward pressure exerted by competition, and established minimum wages; and as we set up unemployment compensation, however justified these measures may have been under the ruling political climate, we were abandoning wholesale the principles of free trade and free enterprise. *In so interfering we made a shambles of the principle of international free trade.* Yet we insisted on our topsy-turvy policy to the extent of enshrining liberalized trade as a cornerstone of national policy. This is the tribute we paid to the mental economic conditioning dispensed over several generations by our colleges and universities which in turn could not resist the Adam Smith philosophy because it was so crystal clear and beautiful.

A FEW SPECIFICS

In the full knowledge that it is virtually hopeless to go against the citadel of conditioned thought, it seems nevertheless worth pointing to a few incontrovertible evidential data that cannot be brushed aside without doing violence to economic reality.

The classical economists, the time-honored apostles of free trade, *maintain that significant international differentials in unit cost of production cannot persist because of competition.* Therefore it follows that those who contend that American costs of production in many lines of products are higher than their foreign counterparts must be wrong, the victims of shallow economic thinking.

The difficulty in the premises of those who bring the indictment is that they assume a world such as free-trade pictures and such as is dearest to its devotees' hearts but that does not exist, indeed has never existed and is not likely to exist in the foreseeable future.

That international cost differentials do exist and do persist year after year has been common knowledge among practical people. Free trade would level the differentials by driving out the higher cost enterprises. It is in this way that maximum world productivity of capital investment, land and labor would be achieved. World-wide specialization would be the rule. The underdeveloped countries would remain forever the raw material producers for the industrialized countries. The colonial system would be perpetuated.

Unfortunately for the theory governmental interferences with economic forces have been eagerly multiplied throughout the world during the past generation and free competitive forces have been the victim. They have been stifled in deference to national economic planning and other motives.

THE AMERICAN MERCHANT MARINE AS AN EXAMPLE

The American merchant marine offers a prime example of a persistent cost-differen-

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tial between domestic and foreign enterprise, both in ship construction and ship operation. We have recourse to this example because in this instance Federally-substantiated cost data resulting from surveys provide us with concrete evidence. Our government makes wage and cost surveys both at home and abroad as a guide for the Federal maritime subsidy, without the existence of which no American flag ships could ply the high seas as competitors in ocean transport.

The difference in costs is revealed to be a little over 100%, our costs being a little more that double the foreign. The source of the differential lies, of course, in the higher U.S. wages. That we are actually more productive per man than our foreign maritime competitors follows from the fact that our costs are not as far above the foreign as our wages tower over foreign wages. Thus while our wages are three to five times as high as the foreign our costs are only a little over twice as high. Were we not more productive per man-hour or man-year our costs would be three to five times as high as the foreign.

In the ten-year period of 1955–65 the differential widened some 10% rather than narrowing or disappearing as the assumptions of the classical economists would demand.

Here is solid evidence of the persistence of cost differentials despite the international competition that American ships encounter. It will be said immediately that the subsidies cause the persistence of the differential; and that is indeed true; but the subsidy did not generate the differential. It represented an effort to offset the effects of cost-increasing governmental interferences and burdens laid on the domestic industry but not borne by the foreign competitors.

It is precisely such internal interferences of a great variety on a broad scale that upset the free-trade doctrine.

While in this instance the governmental subsidy makes possible a minimal American participation in ocean shipping, it was previous interferences with wages, principally indirectly through a variety of national legislative enactments, including obligatory collective bargaining, and other cost-enhancing measures, that destroyed our competitive capability in the first place. It was the general interference with the rough forces of relentless competition, to create a more humane economy, or call it what you will, that made of *free international trade* in shipbuilding and ship operation a lethal luxury that we could not face as a national policy.

Those who would abolish the subsidy would say that our inability to compete is attributable to relative inefficiency; but such an indictment, we have seen, would fly in the face of the demonstrable facts. The free-trade philosophers would turn their backs on the merchant marine and abandon it as a sacrifice to the free-trade ideal while they themselves as voters very likely supported the national policies that caused our competitive lag. In their compartmentalized thought they fail to link their contribution to the cause with its unwelcome effect.

BENZENOID CHEMICALS AND THE AMERICAN SELLING PRICE

Another measure of the persistence of a cost differential is available in the comparative cost of foreign and domestic synthetic chemicals, usually referred to as the benzenoids.

Because the tariff on such chemicals is based on the American manufacturers' selling prices rather than the foreign value of imports, and because steps were taken looking toward elimination of this basis for levying the duty (virtually all other products being dutiable on their foreign rather than their American value), the United States Tariff Commission was called upon for a survey to determine the difference between the American selling price and foreign value of the competing chemicals. In a report made in 1966[1] the Commission tabulated the 1964 imports of 84 classifications of *competitive* benzenoid chemicals and reported the differentials then existent. In only 6 classifications was the foreign value higher than the American selling price. The remainder were all at lower levels. The arithmetical average of all 84 classifications showed the American selling price 86% above the foreign value.

This differential is somewhat lower than that prevailing in the maritime industry, as set forth above, but yet very impressive. It does demonstrate once more the persistence of cost differentials, inasmuch as the American selling price basis for levying the duty was established in 1922.

To say that the American tariff caused the differential and perpetuated it would be tantamount to saying that European costs of producing these chemicals were determined by the American tariff. This would be a very unlikely explanation since employee compensation, except under monopoly conditions, represents by far the preponderant element of cost of production. The cost of producing chemicals in Europe could be only marginally dependent on exports to the United States. Their lower costs arose from other sources, such as the lower wages prevailing in their plants and in the supporting industries.

It might also be said as is so often asserted in similar instances that the American tariff makes it possible for the American manufacturers to charge higher prices to the customers than they *could* if there were no tariff. Undoubtedly this is true. The alternative would be lower prices, in order to remain in production, and therefore lower profits or possibly a loss. Lower profits would indeed produce the effects asserted of free trade. Either the manufacturers would leave the field to imports and turn to other products or would accept the lower profits or the loss, as the case might be. They might, of course, strive to reduce their own costs in order to become competitive. This alternative again is one of the benefits attributed to free trade. However, if they had success in this endeavor imports would be squeezed no less than by a tariff. Our market would offer no better prospect to foreign exporters than it would if a cost-equalizing tariff were in effect. The effect on imports would be no less restrictive.

If we examine these alternatives we may come upon the implications of free trade for American industry.

First, let us examine the equity in the premises. If American costs are higher the legitimate question is why they are higher. It is because of relative inefficiency of domestic producers, which is to ask whether they produce less per man-hour or man-year than their foreign competitors? In the chemical industry (the benzenoids) just now reviewed, there is no sure measure. In other industries comparative measures of productivity are on clearer ground.

THE STEEL INDUSTRY AS AN EXAMPLE

In the steel industry output per man per year is measurable in tonnage. In 1964 the output per man in the United States was 248 tons per production worker, compared to 181 tons in West Germany, 151 tons in France, 174 tons in Italy, and 156 tons in Japan (up from 112 tons in 1960). (European Coal and Steel Community, General Report, March 1964; Basic Statistics of the Community, 1965, Table 10, p. 28.)

Despite this lead in productivity the American steel industry is often accused of inefficiency because imports have risen rapidly since 1958 while exports have dropped sharply. If we examine the relative levels of employee compensation, it is readily understood why the foreign countries enjoy a competitive advantage—one of sufficient magnitude to overcome the cost of ocean transportation and other export expenses.

Steel wages in our industry were at a level of $3.36 per hour in 1963 or at an annual rate of about $6,600. This compares with average annual net earnings of steelworkers also in 1963 (without free accommodations) with a family of two, of $1,970 in West Germany, $2,264 in France, $2,516 in Belgium, $2,146 in Holland, $1,834 in Italy and $1,380 (with bonus) in Japan (U.S. Wages: Current Survey of Business, U.S. Department of Commerce, April 1966; European: Statistical Office of the European Communities, Basic Statistics of the Community, 1965, Table 92, p. 138; Japanese wages: Monthly Report of Iron and Steel Statistics, Iron and Steel Federation, Japan).

Once more it is clear that our competitive *dis*advantage, which is the same as the foreign advantage, in our market did not arise from our comparative inefficiency. Our productivity was merely not *sufficiently* ahead of that of our competitors to offset the lower wages they paid. Moreover, in many industries our lead is narrowing because of foreign technological advancement.

If our steel industry is to increase its productivity sufficiently to overcome the cost differential, drastic reductions in employment must be made. There is no other source of cost reduction remotely comparable to employee compensation. Since wages cannot be reduced, worker displacement by technology represents the only recourse for achieving substantially lower costs. This follows from the fact that employee compensation represents very close to 80% of corporate production costs in the United States. (Statistical Abstract of the United States, 1968, Table 463, p. 317, National Income by Sector). This is a very important fact.

COLLAPSE OF THE INDICTMENT OF INEFFICIENCY

Should the free-trade economists trouble themselves to investigate relative productivity between domestic producers and their foreign competitors they would lose their most effective and persuasive contention, which is that American industry needs protection because of its relative inefficiency. The indictment does not stand and cannot be substantiated simply because facts do not support it. Nevertheless these beleaguered economists will not accept relatively low employee compensation in other countries as a source of their competitive advantage. To do so would upset their free-trade teachings.

Whereas the export industries, the importers and the financial and service industries that have a heavy stake in foreign trade, have selfish interests as a source of motivation for continuing to sing the false notes, the economists are principally motivated by vested intellectual interests. Having become intellectually anchored to a particular philosophy their defense of position is often more sublimely stubborn than that of their more pragmatic commercial counterparts.

These defenders of the faith, moreover, have not yet explained the difference in effects between a trade restriction in the form of a tariff or an import quota in terms of their reducing trade, on the one hand, and increased efficiency of our industries as a means of warding off imports, on the other. In either event foreign exports are held off.

No doubt they would feel better if our greater efficiency accomplished the limitation of imports. Our consumers would then presumably reap the benefits in the form of lower prices.

However, before giving way to unrestrained glee over the prospect, it may be sobering to turn to yet another piece of irrefutable evidence supported by official statistics.

THE EXPERIENCE OF THE COAL INDUSTRY AND THE MINE WORKERS

Before we worship too ardently at the altar of industrial efficiency we would do well to look about us. We have good cause to question productive efficiency as the supreme social good, no less than the forces that press

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[1] T. C. Publication 181, July 1966. See pp. 6–16.

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relentlessly in that direction, including low-cost imports.

The coal industry in the early 'fifties found itself beset by lethal competition from several sources, especially diesel oil, residual fuel oil and natural gas. The industry was faced with a peremptory competitive demand to reduce costs substantially or see itself evicted from the fuels field. The "short and simple annals of the poor" have seldom recorded a more tragic economic cataclysm or one about which less was made in the form of heart-rending news accounts than the inhabitants of the area known as Appalachia from 1950–65.

The coal industry achieved competitiveness both at home and abroad and has recovered most of its lost ground in terms of coal tonnage produced annually. *In so doing the industry, however, demonstrated what is involved in terms of employment in the process of reducing costs of production.*

The output of coal per man-year was 1,159 tons in 1950. In 1965 an output more than three times as great was reached, or 3,697 tons per year per miner. Employment of miners slid at a dizzying pace, dropping from 483,000 in 1950 to 142,000 in 1965. This was a drop of 341,000 jobs, or two jobs of every three!

True, only a part of the cause was the imports of residual fuel oil; but the principle is the same. The cost of productive efficiency was revealed in its drastic exaction. The cost of rehabilitating Appalachia at many hundreds of millions of dollars has not yet accomplished the readjustment, while human misery continues on a scale that demonstrates the intractable nature of industrial disruption induced by a peremptory program of greater efficiency.

THE EXAMPLE OF AGRICULTURE

While the experience of the coal industry was dramatic, American agriculture has contributed a lion's share to the casualties of efficiency. From 1950 to 1965 (the same period as that of the coal example) the index of output per farm worker per hour increased from 61 to 155 or an increase of more than 2½ times, a phenomenal burst, even if somewhat short of the coal achievement. (Stat. Abs. of the U.S., 1968, Table 927, p. 614.)

During the same period farm employment dropped from 9.9 million to 5.6 million, for a decline of over 4 million, large numbers of whom migrated to the urban centers where they added their distress to the ghettos and greatly aggravated our urban problems and the civil rights disturbances. Since 1965 the efficiency index of farm labor has risen further, from 155 to 167 and the number of workers has declined another million. (Stat. Abs. of the U.S., 1968, Tables 927 and 340.)

THE TOLL OF PRODUCTIVE EFFICIENCY

These recitations throw a revealing light on the cost of rising productive efficiency. We have worshipped so long at this shrine that a counsel of moderation risks falling on deaf ears. The cost, however, has not been confined to labor displacement. In our hurry we did not dispose properly of wastes and thus have poisoned our streams and the air and stripped much of our land.

Today we begin to demand costly steps to avoid further contamination and poisoning, and these call for expensive undertakings that will raise costs even beyond their present levels. These costs will be proportionately higher in this country than abroad, thus adding a further margin of competitive disadvantage on our side of the account.

That relatively higher productive efficiency does not lift us out of the reach of imports has been demonstrated frequently in recent years. The long-time chorus of the free-trade economists, chanting the theme that our most efficient industries, while paying the highest wages, were also our leading exporters, has nevertheless not been silenced. The obsolete litany continues even though the automotive industry, the steel industry, the electronic industry, the manufacturers of typewriters and footwear, sewing machines and other mass producers are now on the import-vulnerable list. Yet some of them are among the highest wage payers in this country and among the most efficient.

Yet we find that in Chapter V, p. 41, of the Report to the President, the statement that "the United States must offset the lower standards of others by higher productivity and by other cost advantages—by innovation, style and design, and better distribution and marketing." In other words, we must be sharper merchandisers. Yet, style and design are unstable and ephemeral bases for competitive leadership. To equate them with employee compensation which represents approximately 80% of production costs does little credit to the Report.

After recognizing that "differences in labor standards that affect unit labor costs will play a greater role in determining the flow of trade," the Report nonetheless says that "the United States should neither use its fair labor standards as a protective device nor require that others match ours in absolute terms." Evidently industry and labor are to pay the price of our free-trade inebriation.

The Report completely ignores the many other legislative measures of the past generation that have also reduced our international competitive flexibility.

Because of the disrepute in which protectionism was held, because we needed a scapegoat to explain the 1929 debacle, the numerous measures designed to create full employment, high consumer income and welfare, were given little thought as boosters of costs. Our mass-production economy, unlike other world economies until recently, did indeed require a high consumer income to absorb the vast output of our farms and industry; and high wages supplied the high consumer income; but in raising costs of production we overlooked our competitive position. *As voters we laid heavy handicaps on our producers and then as consumers we looked eagerly abroad for bargain prices!* We found them in rising volume as other countries, with wage-costs lagging as productivity advanced, found our market an easy mark. Meantime we continue to cut our tariff and to preach free trade's virtue.

We properly helped the other countries to rebuild their economies and extended much technological assistance. Now, with growing evidence that we have over-exposed ourselves, the other countries threaten retaliation if we try to make some corrections and adjustments!

We have culpably even hidden the truth from the public by disseminating false official measures of our position in world trade. We have padded our exports by including all the Foreign Aid, Food-for-Peace and similar shipments as exports, thus showing comfortable surpluses of exports over imports, when in fact we have experienced deficits for several years in terms of commercial competitive exports.

The Report to the President did nothing to expose the deceptive practice; and that fact of itself is sufficient to condemn it.

The free-trade goal accepted by the Report is incompatible with the internal interferences we pursue, and would work at cross purposes with their objectives. Regulation of imports is not only consistent with our internal economic practices but indeed becomes necessary if we insist on adhering to the interferences.

Altogether the Report was an assemblage of data and superficial judgments that were ordained to a foregone conclusion. The public is not justified in accepting it as a serious examination of the factors, forces and trends that should shape our national trade policy.

THE MANNED SUBMERSIBLE SAFETY ACT

(Mr. ROGERS of Florida asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing legislation to promote safety in the operation of manned submersible vessels.

This legislation would be known as the Manned Submersible Safety Act and would permit the Secretary of the department in which the U.S. Coast Guard is operating to prescribe regulations and procedures for the safety in design and operation of these manned submersible vessels.

As a member of the Subcommittees on Oceanography and the Coast Guard of the House Committee on Merchant Marine and Fisheries, I have for many years taken an active interest in the research and development of our ocean resources, and I have also been particularly interested in the activities of the Coast Guard and have worked to increase the effectiveness of the Coast Guard in promoting marine safety.

This legislation is not intended to inhibit or impede the active research and development of submersible vessels that is now, and will be, undertaken. Indeed, there is specific language which would permit the Secretary to exempt a submersible vessel from the requirements of this act if he determines that the submersible vessel is being constructed or operated for developmental, experimental, or research work.

Research and experimentation with new designs and materials must be encouraged, not hindered, if we are to take full advantage of the treasures beneath the sea.

The language in this bill looks to the future as well as the present; research will bring new knowledge into the field of manned submersible activity, and the Secretary is permitted to change any regulations accordingly.

Since 1961, at least 30 submersibles have been built and are now operating; by 1975, more than 100 such vessels of varying shapes, sizes, and construction will be in operation.

Over 2,000 deep dives have been made to date by all American submersibles.

Submersibles are being built which will be sufficiently inexpensive to become available to the weekending mariner. We are only a few short years away from the day when any individual will be able to rent a manned submersible vehicle on a daily or hourly basis for recreation and relaxation beneath the water.

Due to the high quality of workmanship and competence of the manufacturers and pilots there have been, fortunately, no serious accidents to date. However, as new companies and individuals enter this field, the present record may not stand.

I urge prompt action on this legislation in order to insure realistic safety measures in this rapidly growing industry.

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CAMPUS UNREST

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the Record and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, the specter of campus unrest which has so relentlessly pursued our society in recent months has left the American public bewildered and disturbed. With references to our democratic society and a generation gap, many of our more radical youth have attempted to eradicate what they consider the gross flaws in our society in an attempt to establish their own utopian ideal.

In the prevailing confusion, one is reminded of the words of folksinger Bob Dylan:

> There's something going on here but you don't know what it is, do you, Mr. Jones.

But "Mr. Jones" is wising up. After the initial disturbances and destruction he determined that naivete was no answer and an understanding smile did not prove to be much of an umbrella when protest hit the campus. The very real and pressing dangers to our educational system are apparent to all observers. While opinion must be respected and legitimate interests accommodated, we do not respect violence and we will not accommodate anarchy.

The "wising up" process has been a slow and painful one, but it is coming to fruition. It is impossible to understand why some individuals in our society are so willing to throw away what seems to us to be the hard won gains in a civilization that is our 4,000-year-old heritage. We know our civilization is not perfect, that changes are necessary. We not only know this: We have accomplished change and continue to seek it. However, none of us is willing to throw aside what we now have because it is less than perfect. We indict those in our society who exhibit only intolerance and a willingness to destroy what we have when they have no replacement to offer.

Much time has been given to analyzing and explaining the causes of the phenomenon of unrest on our campuses. In a real sense the whole country has been participating in a learning seminar on the subject. The Special Subcommittee on Education has been particularly privileged in that in the course of holding hearings on the problems on campus unrest, many excellent statements have been presented to us by articulate and informed witnesses. So that others may also benefit from these remarks, I am submitting for the Record today some of the statements presented to our subcommittee, along with several outstanding articles which have appeared in the news media relative to this matter:

[From the New York Times, Mar. 12, 1969]

Who Defends the University?

The warning by a hundred members of the Columbia faculty that it is the university's own obligation to defend itself against student disruption comes at a critical moment in the history of the American campus.

The crisis is nationwide. It stems from the adoption of terroristic methods as a substitute for rationality in the pursuit of greater student power. At Rutgers University vandals sprayed academic buildings with noxious liquids, forcing the abandonment of most instruction. At Pomona College in California a staff member was severely injured by a bomb placed in a mail depository.

Cornell's president, James Perkins, was physically pulled off a platform during a campus discussion. At San Francisco State College, a student who apparently was in the process of placing a home-made explosive device was blinded and otherwise horribly maimed. On scores of other campuses the avoidance of serious injury has been a matter of luck rather than restraint by the dissidents.

The inevitable reaction to the escalating violence is an intensifying threat by Federal and state authorities to move in on the disciplinary authority that should be—but rarely is—exercised by the academic community itself. The imminence of such intervention is reflected in Justice Department notice that professional agitators are touring the campuses to incite discord and must be stopped by Federal prosecution.

These charges parallel Mayor Lindsay's complaint that outside forces are responsible for much of the upset in city schools, but there is one significant difference. The maintenance of order in the elementary and high schools is clearly a local police function when teachers cannot maintain control. But it would be a confession of intellectual bankruptcy for the nation's colleges and universities to have to acknowledge the necessity for surrendering their independence to police patrols or "law and order" vigilante groups.

The Columbia faculty group recognizes what an academic tragedy such as acknowledgment would be, just as did the Rev. Theodore M. Hesburgh, president of the University of Notre Dame, in his earlier warning that public revulsion against the inability of universities to police themselves might bring "a rebirth of Fascism."

Among the proudest elements in the academic traditions is its devotion to nonviolence, to the substitution of reasoned argument for blind passion. The abandonment of that tradition by a small but imperious segment of academia and the tendency of a far larger segment to condone or explain away the attendant excesses as a temporary therapeutic phase menace the survival of academic freedom and the capacity for internal reform.

The Columbia group rightly warns that it is up to the academic community to "demonstate the will to act." The extent of that demonstration on campuses everywhere will provide an important measure of the universities' ability to insure their survival in freedom.

[From the Washington (D.C.) Sunday Star, May 4, 1969]

Campus Riots: A Real and Present Danger

Five years ago a band of student radicals at Berkeley, demanding a change in university regulations, staged a sit-in that succeeded in its primary aim of disrupting campus life. Columnists, commentators, editorialists and other spokesmen for the reasonable side of the generation gap reacted with predictable outrage. Just how far, we demanded to know, was this permissive nonsense going to be carried?

Today, that question has answered itself. The peevish display of bad manners that shook the campus at Berkeley and shocked the nation now seems a nostalgic relic of the good old days. In the space of those five short years, student demands and student violence have escalated from the sit-in to the seizure of administrative offices, from the angry protest to the armed confrontation. The spark from the Berkeley campus has spread like an unchecked prairie fire across the continent, until most of America's 2,500 university and college campuses have felt its searing heat.

Today, the most permissive educator, the most liberal and detached viewer of the national scene, faces one unavoidable fact: Higher education in the United States is in serious danger. Destruction of the system is no longer a nightmare possibility or the distant goal of a handful of nihilistic idealists. It is a very real and immediate threat.

The result of this escalating violence is an inevitable wave of reaction. In Congress, plans are being made for investigations by Senate and House committees. Senators and congressmen, including some who up to the present have argued that the academic community should be free from federal interference, now thunder denunciations of the university surrender to radical students and demand federal laws to deal with the violence. The President of the United States issues a sharp public warning against disruptive protests. The attorney general announces "an end to patience." Liberal members of the university fraternity recoil in horror at the excesses of the student protest, as evidenced in the article by Dr. Dwight L. Dumond on page 3 of this section today. This reaction to the violence, perhaps as much as the violence itself, threatens universities and colleges. Currently, according to a survey by "The Chronicle of Higher Education," some 70 universities are shopping frantically for chief executives—a leadership gap that can, in large measure, be traced directly to the agony on campus. And the colleges are threatened as well at their most vulnerable point: Their finances.

There is no shortage of students. But tuition charges do not pay the cost of operating a university or college. The tab is finally handed to the affluent graduates, to the state legislatures or to Congress. All the evidence points to a growing disinclination on their part to pick it up.

Quite obviously something must be done to curb the violence and to restore to the disrupted campuses an atmosphere in which the pursuit of learning can be carried on. That something should not be federal intervention or the indiscriminae use of local police power. The restoration of order should come instead from within the academic community itself. It should result from a determination on the part of university and college administrations to enforce their own rules of student behavior. Those who break those rules—whatever the claimed justification may be—should be disciplined. Those who persist in their determination to destroy the system should be expelled.

Such a formula is admittedly not an easy one to follow. Extreme criminal behavior, involving danger to the well-being or to the lives of others, would make police intervention mandatory. And even if this final step can be avoided, a crackdown by university authorities will itself almost certainly result in an intial increase in the disruption of campus life by transforming some onlookers into active sympathizers in the protest.

For all that, there must be a crackdown. Nearly 7 million students are now enrolled in institutions of higher learning. Their rights to an education cannot be denied by the few radical activists—estimated at 2 percent of the student body—who have taken it upon themselves to identify every wrong in today's academic system and who have assigned to themselves the task of correcting these ills overnight. And the very real gains in recent years in the enrollment of Negroes in the leading colleges and universities must not be sacrificed in a convulsive rage over the actions of a handful of disoriented militants.

To date, the response of academic administrations to campus violence has fallen into two broad categories. The first, as in the case of Columbia last spring, has been a quick call for the police—over whose performance the university has no control. The result has been a rapid spread of the violence. The second route, which was undertaken by Cornell this spring, has been an attempt to buy peace by acceding to the demands of the militants without any serious regard for the consequences. The result has been seemingly limitless escalation of the demands, a growing resentment in the rest of the campus community and a threat of mass resignations from the faculty.

Between these extremes lies the largely untrodden way of firm, impartial and strict application of the institution's own code of conduct. Suspension of the rules is, in reality, a great disservice to the activist students. College life is, after all, supposed to provide some preparation for real life. And although some academic communities have demonstrated a tolerance that threatens the destruction of the institution, society will not greet the graduate with any such permissive attitude.

Perhaps the major tragedy of the present agony on America's campuses is that the violence has drawn attention away from the fact that grievances do exist. There is a danger that the entire focus of concentration will be on the ugly and dangerous symptoms while the causes are neglected. If that happens, then regardless of how effectively the violence is curbed today, tomorrow will bring a repetition.

The university and the college should properly be a place where a full and frank interchange of opinions between the generations can take place. The students, who have reached their physical and in many cases their mental maturity, should be active participants in the total life of the community.

And yet, in too many cases, the young men and women are treated as children. The size of the big universities has too often reduced the student to a punch card for the institution's computer system. The questions of this most inquisitive and doubting of generations go unanswered. The sense of alienation grows.

Today the academic world is ablaze. The first order of business must be to bring that conflagration under control before the system is destroyed. But putting out the fire should not entail quenching sparks of honest dissent. There is room for improvement in our institutions of higher learning, and students have a proper and constructive part to play in bringing about the needed changes.

[From the Washington (D.C.) Sunday Star May 4, 1963]

AN ANGRY SCHOLAR SPEAKS OUT ON CAMPUS RIOTING

(By Dwight L. Dumond)

NOTE.—The author of this article is a distinguished professor emeritus of history at the University of Michigan. He specialized in the history of the American South and taught that subject at Michigan for 35 years.

As a student of Southern slavery and its aftermath, Dr. Dumond was a liberal pioneer in the fight for freedom of the black man in America. He has written several definitive works on the abolitionist movement and the anti-slavery origins of the Civil War.

He is now professor of American Institutions at Colgate University.

The article first appeared in the Detroit News Sunday "Passing Show" section.

Rioting on college campuses in the United States has now become such a disgrace that we may well be caught in the tentacles of worldwide revolution.

We are dealing with a unique institution: It is the most precious establishment in a democratic society, so fragile as to be an alluring temptation to every would-be dictator and propagandist spawned in a free society.

It consists of two essential elements: professors and students. But if present disruptions continue, we may have to turn more and more to research institutes, unburdened and unencumbered by hordes of students.

There is a deep cleavage between administrators and professors. It worries the administrators, annoys the professors, confuses the students and destroys morale.

The arrogance and power of administrative officers depends largely upon their control of finances. There is enormous competition between deans for larger budgetary allowances for their colleges, between chairmen of departments in division of college funds, and between professors for ever higher salaries. Great inequities exist in all areas.

Herein lies the deadly virus that has done more to weaken and destroy independent teaching and research than all other things combined.

There never has been a revolt without the encouragement and assistance of a portion of the faculty. It is precisely in those areas which have been neglected and suffer the inequities that trouble starts.

Today, students, who know nothing at all about anything much, also are demanding and are getting membership on all policy-making boards and committees.

UNWIELDLY MASS

Disaster first struck when we were compelled to educate, or try to educate, a great unwieldy mass of young men and women who had no definite objective in a system designed, organized, operated with reasonable success for an intellectually elite or at least culturally oriented and carefully selected minority.

Barriers dropped or requirements lessened perceptibly. Students came without language equipment, without any ability to write intelligent English, without adequate preparation in subject matter, and worst of all without manners.

Almost before anyone knew what was happening, a group generally considered riffraff showed up. Disreputable characters who dressed like tramps, smoked incessantly, used drugs, seldom bathed. They had no apparent respect for themselves, for anything, or for anybody.

They had nothing in fact, did nothing useful, but wanted every experience in life in a day and a night and took what they wanted. They thought no one before them ever had any problems or any experience, ever did very much, or ever did anything right.

What we soon had to deal with was an oligarchy of ignorance, conceit and plain immorality.

The second area of conflict embraced personal conduct. The age of drug addiction, sexual promiscuity, and nudity was upon us. The demand was for all restraints by faculty or administrative officials pertaining to student behavior to be abandoned.

If they wanted to have sexual relations in lounges or university buildings or in the rooms of men's dormitories; if they wanted to use drugs to release all inhibitions; if they wanted to hurl obscenities at professors; if they wanted to come to class half naked; or if they wanted to put on plays while nude or show publicly films formerly found only in bawdy houses or stag parties—if these or other acts ordinarily considered immoral and degrading pleased them, then no one should interfere.

They said that God was dead and religious tenets were no longer respectable.

WAR PROTEST

The third area of conflict was that of foreign and domestic policy as related to the Vietnam war. This was a legitimate, perhaps compelling subject for investigation and discussion in the halls of learning at the proper time and place.

We started out with proper seminar discussions, but degenerated to desecration of the flag, insults to and about men who had died in the service of their country, demands for the end of ROTC training, cancellation of all recruitment and research, obstruction of the shipment of war supplies, invasion of official conferences with government authorities, and sit-downs in court rooms and legislative halls.

All of this, vulgar as it was, pales into insignificance beside the source and purpose of the initial agitation.

Not all, but a substantial part of the entire business bore a direct relation to civil rights. Two premises will haunt professors of history from now until eternity if they do not recognize and deal with them:

1. The bitter crusade of deunciation and vilification of President Lyndon B. Johnson and his Vietnam policy was begun by men who had never lifted their voices in support of civil rights, who were suspected of strong racist tendencies, and who aimed at confusing and confounding the entire civil rights movement.

2. They were aided and abetted by pseudo-liberals, who were frightened by progress of the crusade for equality of Negroes and whites, dared not openly oppose it, and sought to retard it by attacking the President who had done more in six years for the Negro and the poor and the underprivilged than all the other Presidents combined since the founding of the Republic.

We might have tried with as much success to brush back the tides with whisk brooms as to bring order out of the chaotic situation at that point, and the worst was yet to come. We were entering the fourth area of conflict. The black militants were on the march.

Negro students began with a demand for full integration, passed to a demand for courses in Negro history, and ended with a demand for autonomy and separation. Along the way they made many demands conforming to the various stages of the power struggle going on among the Negro population.

Black power is the battle cry: Black colleges in the cultural complex of a university; black professors; courses designed for and by black students; admission without requirements, as if blackness removed all handicaps to the understanding of higher mathematics, political theory, or genetics.

They had no program but shifted from one demand to another day by day. They had no proposed curriculum of studies and wanted none.

They wanted to invade and participate in faculty meetings. They wanted college and university funds to spend running around from one campus to another, to import speakers, many of whom have deliberately violated the law and thumbed their noses at the courts, and to publish and distribute propaganda.

They wanted separation but white money. They wanted autonomy but the benefits of university degrees. They were supported in all of these demands by a small but violent minority of white students and intruders on the campus.

MISLED AND DECEIVED

Who are these youngsters that demand the very segregation and alienation that generations of their forebears fought to overcome? Most of them know little or nothing about the work of Walter White, or Roy Wilkins, or Thurgood Marshall. They know of Martin Luther King because in their impetuous ignorance they destroyed him and abandoned his philosophy of nonviolence.

They know nothing about how black and white men working together in mutual respect and understanding overcame lynchings, secured abandonment of segregation by law in education, in housing, in public accommodation, or about the painful struggle for support of Negro colleges in the South.

They have been misled and deceived. They demanded black colleges, black teachers, and black studies—other names for subordination, ghettos and apartheid.

Black power is not a thing of virtue. The true basis of power is economic, political, intellectual, moral. The highways to achievement run along these lines. There are no other roads. Division of the country or any part of it, or any of its institutions on the basis of color, is no more possible than division of freedom.

There is no such thing as black freedom, or white freedom. Everyone is going to have

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it or no one is. No person ever was accepted, or evaluated, or elevated to power for long because he belonged to a group—only on the basis of ability, knowledge, and individual achievement.

I am not an amateur in the writing or teaching of history, or on the lecture platform, and few men have done more in the area of human relations or for the cause of racial equality, but a leader of the militants at Howard University dared to say to me in the classroom, "I don't want to hear any more about your constitutional democracy"; and, after a public lecture at Colgate University, one white student called me a "damned radical" and a black student called me "another one of those —— liberals."

This is what we have come to in our universities: a composite of intolerance and ignorance.

Rejecting integration, young Negroes talk of black history, art, economics, political action, leadership, nationalism and capitalism. They say they will go it alone. Black racism and white racism are equally bad and both are beyond the pale of respectability.

The young Negroes in the universities are being misled by power-hungry men who exploit their gullibility for personal reasons of money and power.

The demands of black militants are supported by many white students through ignorance, a desire for segregation, an impulse to help a minority group regardless of merit, or their own gain. It may have elements of exaggerated self-pride, of inferiority complex, of narcissism, of budding masculinity.

They talk about doing their "thing", thus revealing an intellectual poverty and subservience to ignorant leadership.

They want power without knowledge. Those who come from wealthy homes, and many do, say over and over again that they never have to work if they don't want to, and intend to create such widespread fear by rioting and destruction that people will get down to the serious business of creating the kind of society they, themselves, want. They are adventurers and revolutionaries, and happily so.

University administrators, totally unprepared and uninformed, were paralyzed into inactivity when the rioting began. Students who seize university officials and buildings, disrupt faculty meetings and conferences, resort to arson and bombings, and make it impossible for law-abiding students to go about the business of getting an education for which they paid, are guilty of crimes sufficient to send them to prison for life.

Every one of them who attacked police, security officers, and National Guardsmen with weapons could have been killed in the melee and it would have been due process of law.

I am not saying that severe repression is wise, or advocating resort to it, but facts are facts; and when law enforcement officials are called upon to perform their primary function of protecting persons and property someone is certain to get hurt.

RULE OF LAW

In many respects the situation is more serious than crime on the streets. In every case, militant students have demanded complete immunity from law enforcement: No one should be arrested, offenders should be released from jail, excused from trials, and reinstated in school without being disciplined. This is anarchy, and when mobs attack public officials it approaches planned insurrection or treason.

Universities alone cannot handle this problem of law enforcement, but they can expel those students who are involved and dismiss participating faculty members. Law enforcement agencies have their responsibilities as do parents.

Students do not lose their rights as individuals when they enter a university, but neither do they shed their obligation to obey the law. In fact one of our most precious rights is to live under the rule of law.

To make martyrs out of men who violate the law is to invite anarchy. The legal principle must be sustained on the college campus as elsewhere. Why, then, has there been so much delay in correcting this serious and disgraceful business?

Agitators are not interested in discussion or reform, but in destruction and domination. They have no intention of making the educational process a continuing and ever-changing one.

The idea is to create havoc, confusion, destruction. Whether the basic motives can be classified as communist, facist, or plain anarchy, the actual program is plainly identifiable as destruction of educational institutions rather than reform of educational processes.

The militants follow a practice of staying away from classes and public lectures; and of mutilating books, magazines, and manuscripts which do not conform to their momentary mood.

They check out thousands of books to disrupt the learning process, but never bring a precious tome to class; instead, they bring coffee and doughnuts, hamburger sandwiches and soft drinks. Some of them come to classes in pajamas, and with everything from garlic to cigarettes on their breath.

They cannot speak without obscenities. They cut great holes in desks, write erotic notes on desks at which decent people have to sit after them, and burn holes in the carpets and cork floors. They have revolted against everything that is decent and respectable. Their study habits are irregular or nonexistent.

Faculty members have become so accustomed to these things and so intimidated by colleagues who go along with the students' behavior that they cease to be concerned if someone throws a brick through the window.

Professors have a long tradition of concern for the dignity and security of the students and educational process. They know that some of the students' complaints are legitimate. In fact, they know more about that than anyone is willing to admit.

Too many administrators and faculty members, also, have been more interested in their own security and advancement than in the students.

Just as some of the problems of the cities lie in the poverty and illiteracy of the rural South whence the immigrants came, so do the problems of the universities lie in the homes, the public schools, and the churches. Youngsters coming to college have never been disciplined. This is a permissive society. Our cultural level is in steady decline.

Children have never been failed in public schools, since there are no standards for promotion from year to year. They have never been taught respect for persons and property. Universities cannot in a few months make up the deficiencies of parents, schools, churches, and public officials over a period of 16 to 18 years; and they have more sense than to try to do it by repression.

Governors, legislators, even congressmen and the President shun the problem and find justification for their inaction in the peculiar nature of educational institutions, or in the structure of the federal system which lodges police power in state and local government.

This is not a local matter. There is revolution involved, and the campus disorders are calculated, whether by design or not, to contaminate the vast reservoir of moral and intellectual power which is the great strength and security of a democracy.

The right to dissent does not mean the dissenters' views must prevail. Militant students say it does, that their demands are not negotiable. It does not include a right to destroy property, to prevent by obstruction, noise, physical violence, the vast majority of the students from going about their business of getting an education.

Militant students who call themselves Afro-Americans are devotees of black power. To many it means unity in everything: to act as a black person though elected as a delegate to a political convention, appointed to a teaching position, given public office, and so forth.

It means no longer to be a responsible person but a member of a group in politics in business, in education, in religion. Their professed objective is a worthy one, of giving to black people a sense of dignity, of belonging, the need of which may well be overemphasized, but the value of which cannot be denied.

What then has been the result of these campus disorders? What has it all gained? What are the losses?

Those things which militants among the students want are not within the province of anyone to give. The structure of a university cannot be changed overnight, in all probability should not be changed at all.

Teaching methods, the content of admission requirements, the intellectual attainments which justify conferring degrees—all of these elements in the educational process are constantly under scrutiny and revision by college faculties. There is always intellectual ferment, though not always change because change does not always denote progress.

EXTREME REACTIONARIES

The militants are not progressives, not liberals. They are reactionaries of the most extreme sort. They seek to destroy, not to build, and they are achieving little except chaos and retardation. When the revolution has consumed its leaders, as always happens, and the wreckage is cleared away, we will be about where we were before the trouble started.

Those responsible have:

Destroyed academic freedom.

Betrayed the educational process by seeking objectives through ultimatums, threats of force, and destruction of property.

Infringed upon the rights of others to improve their talents and skills.

Greatly retarded understanding and peace between people of different colors by demanding separation instead of integration.

Fostered in their own minds and others a false idea of achievement, inculcating the idea that the road to progress is obstruction. destruction, threats of fear.

Allowed themselves to resort to mob action, planned and well coordinated, until no one knows whether the upheaval, with its overtones of racism, portends social revolution or war; or whether the disorders are evidence of smoldering emotions or first steps in a specific program of world-wide revolution.

Insured a level of mediocrity in the education of blacks and whites alike by demands for adoption of pass-fail, abolition of requirements for admission and graduating, and appointment of professors on other bases than quality.

Strangled financial support for higher education from private donations and taxes.

Turned distinguished scholars and administrators away in utter disgust.

It takes 100 years to build a university faculty of distinguished scholars, even longer to establish for it a reputation which merits the full support and affection of the people.

Schools like Harvard and Michigan and California belong to the world. They are the most precious institutions of a people's culture, reaching far into the distant past and on into an endless future. They can be destroyed in a day, and I wonder how close it is, for Robinson Jeffers must have been thinking about what I am thinking now, when he wrote:

"The day will come when the earth will scratch itself and rub off humanity, and then the world will blossom with passionate stars, sunset rocks and uncontaminated grass, the pure and impersonal 'beauty of things which is the face of God,' although there will be none to recognize it."

[From the Washington (D.C.) Evening Star, May 2, 1969]

Rustin Raps "Soft" Colleges

(By Brian Sullivan)

New York.—Bayard Rustin, long-time Negro civil rights leader, says colleges are taking a cheap way out by agreeing to Negro students' demands for black studies programs.

Instead, he says, colleges need to develop massive—but expensive—remedial projects to improve the scholastic level of Negro students and to enable them to make their academic way.

In a question-and-answer session with a reporter on Negro unrest on the campus, Rustin deplored violent protests and said it was humiliating to see college administrators and faculty submitting to Negroes with guns.

They wouldn't submit to "Ku Klux Klansmen coming on campus with guns," he said, and suggested this indicated the college officials didn't really consider Negroes equal to whites.

"They say, well, it's only Negroes behaving that way. They wouldn't tolerate this from white students," he said.

Rustin, who organized the March on Washington in 1963 and now is executive director of the A. Philip Randolph Institute, said Negroes had made substantial gains in educational opportunities.

"It is therefore all the more tragic that instead of taking advantage of the opportunity for learning, they are reducing the situation to a series of courses that cannot really prepare them for the kind of life they have to live."

The interview ranged over a spectrum of Rustin's views on campus problems, Negro militancy, and faculty reactions and concessions. The questions and answers:

"Q. How do you view the efforts to establish separate black studies departments?

"A. I am very much opposed to separation under any circumstances and I'm also opposed to black studies. And I believe it is a grievous mistake that there has not been the study of Negro culture history, but I'm opposed to it as black studies, because I believe there should be the integration of Negro contributions into the American historical forces, into the economic forces, and into other forces. For example, I don't think you should study the American Revolution without studying Crispus Attucks.

"But in this country, to try to separate the black experience from the American experience, is ridiculous.

"Q. Do you think that the college militants, black or white, have a valid protest?

"A. I think there are valid reasons for protesting. I think administrations have been insensitive to the needs of college students. I think that in a society where we have war, racism and poverty, young people are justified in protesting.

"Q. What kind of demonstration would you lead on a campus in a protest you consider justified?

"A. I believe people have the right to withdraw. They have the right to go on strike, but not to interfere with other people. They have the right to refuse to get to classes, they have the right to carry on any form of nonviolent protest.

"Q. Do you think Negroes have made significant gains in the past few years, within the education system?

"A. I think there has been a number of important gains. The U.S. government expects that by 1975 there will be 400,000 Negro college students. The fact is in 1969 there are over 400,000. We are way ahead of schedule—largely because of the education bill which President Johnson introduced and Congress passed. There are many, many campuses where only three or four years ago Negro students did not have an opportunity to attend. Now they have been offered scholarships, or special cases have been made to encourage Negro students to come on campus.

"It is therefore all the more tragic that, instead of taking advantage of the opportunity for learning, they are reducing the situation to a series of courses that cannot really prepare them for the kind of life which they have to live when they get out of college. Now here again I'm all for studying in an integrated manner. Just as I'm for integrating whatever contributions Jews and Irish and Italians made into our whole history, I'm for integrating the contributions of blacks. However in the long run, what one has to come out of college with, is a degree which prepares one to do something significant in the society. We need doctors, we need lawyers, we need people with degrees in economics and sociology and a myriad number of things. People ought to use their time in college really to specialize and to be able to make a contribution.

"Q. There were reports that black students at Cornell armed themselves from fear of an imminent attack by some white students. You mentioned psychological stress that the ghetto student is under when he is dropped into an Ivy League school. How are you going to resolve this?

"A. That is a police matter or, better still, a matter for the university to take care of. If the university cannot take care of it, then it's a police matter. I think there's been brutality to Negroes for centuries. We have been able to mount a concern about brutality to Negroes precisely because people were fairly convinced that Negroes were not engaged in aggressive violence.

"It's going to be increasingly difficult now when people see pictures of young Negroes carrying guns for us to get attention called to that degree of brutality which is still left in our society. People will get the notion that Negroes are engaged in aggressive violence, and therefore, that the brutality may be justified. So I think these people are doing us a grave disservice with these guns. And I simply do not believe that there are organized groups of white college students on campus, at this point, which are prepared to attack Negro students with violence and guns. If Negro students continue to carry guns, that may very well happen later.

Q. How are we going to resolve this, given the feelings of the black militants?

A. The college administrations will have to be honest with themselves, and first of all, believe that Negroes are equal to other people and treat them accordingly. If Negroes and any other students engage in this kind of behavior, something must be done to prevent it.

And I think the college administration needs to stop playing young Negroes cheap. Now everybody knows that the ghetto schools and high schools are basically inferior. Efforts to get more youngsters into college and through college is a good idea, but it must not be done in a cheap way. . . .

"Let me put it another way. There is no Italian history of the United States. There's no Jewish history, there's no black history, there is American history and whatever role Jews, Italians and blacks have played in it ought to be written as it occurs and integrated into the whole picture. Therefore, you have American history. The problem is we have not yet had American history, because blacks have been excluded. You don't deal with that problem of American history by doing the opposite thing now.

"Q. In summary, what's the root of the campus problems?

"A. One of the problems is that young Negroes are facing the shock of integration. They have been partially integrated, but there is a distance in their minds between what they aspire to be and what the conditions they have lived under makes it now possible for them to be. The conflict between this aspiration and ability creates many internal confusions.

"Therefore one is often tempted, instead of fighting that conflict through to revert to one's self, to look inward. . . . So that if I set up courses myself I'll set them up so I can pass them. And that, you see, is what I mean when I say there should be lots of money and energy spent in helping the young Negro over the psychological barrier. There's only one way to do that. That is to give him enough tutoring, enough remedial work so that when he does finish college, he will finish on a par with all other students."

[From the U.S. News & World Report, May 19, 1969]

The Real Crisis on the Campus: A Noted Educator Sounds a Warning—Exclusive Interview

(Note.—Sidney Hook, professor of philosophy and formerly department head at New York University, is regarded—at home and abroad—as one of the leading American philosophers of his time. Now 66, Dr. Hook has championed civil liberties and left-wing causes, in writings and speeches, since the late 1920s.)

Q. Dr. Hook, have campus disorders brought universities to a turning point in their history?

A. Yes. Recent events on American campuses have precipitated a genuine crisis in higher education. Because of events at Harvard, Cornell and other institutions, it is no exaggeration to say that American higher education is confronted with the most fundamental challenge to its basic principles in history. And by its basic principles, here, I mean the principles of academic freedom.

After all, the demand on the part of students to determine not only the nature of the curriculum but who is to teach them, and who is to be hired and fired, implies an abandonment of the traditions of academic freedom.

Q. Just how do you define academic freedom?

A. It is the freedom of professionally qualified individuals to inquire, to discover, to publish and teach the truth as they see it, independently of any controls except the standards by which conclusions or truths are established in their discipline.

Therefore, the principles of academic freedom require that, once a teacher is certified by his peers as professionally competent, there should be no interference with his right to reach and teach any conclusions in the field in which he is an expert. This principle obviously no longer applies with respect to black studies, because it is quite clear that, if black students disagree with the position of the teacher, they have the right to veto him. They have already moved in that direction in several institutions.

A year ago at Cornell, black students invaded the office of the chairman of the department of economics and demanded an apology, and later dismissal, of a lecturer because he expressed conclusions about Africa of which they disapproved. At UCLA [University of California at Los Angeles], a course in race was canceled at their demand.

Now, if this right to determine the nature of a black-studies curriculum and to select its teachers is given to black students, the natural thing will be to give white students the same right. Otherwise, it's an expression of racism. Otherwise, the implication would be: "Well, black studies are so unimportant, one can let black students determine what they want to be taught. But where white students are concerned, one must recognize traditional standards." This would be not only absurd but invidious.

If the practice is legitimate with respect to black students, why not for white students?

This demand is already part of the program of the Students for a Democratic Society. A few years ago it issued literature

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demanding that students have equal rights with the faculty in determining what should be taught and who is to teach it. Later on, in some places, it contended that students should have preponderant power.

Now that Harvard has recognized the principle that students can determine the content and personnel of instruction, the demand is sure to be made by white students in various fields. Only a few days ago, at the University of Colorado, an assembly of students passed a resolution condemning a professor of anthropology for having published an article on the American Indian which they regarded as racist. They rebuked him. Some demanded his dismissal.

It is quite clear that the epoch-making decision Harvard took will bring in its wake a demand by white students to control *their* curriculum and teachers.

However, this is only the beginning. What happens next will parallel what has happened with respect to black studies. The control of black studies today in most institutions is in the hands of black nationalists who are committed to separatism. They denounce people like Roy Wilkins, A. Philip Randolph and Bayard Rustin. In controlling what should be studied, they explicitly say that the curriculum must be organized in such a way as to reinforce the truth of black nationalism.

In other words, black studies have been politicalized. Partly by threats and partly by actual coercion, in various places where black studies are being taught and controlled by black students we find only one point of view expressed.

This was already prefigured at a meeting at Yale University in May, 1968, when Ron Karenga and Nathan Hare [black militants] indicated that "genuine" black studies must be organized and taught by blacks—and only by blacks committed to the ideals of black nationalism. This is equivalent to saying that if there are Jewish studies on campus, they must be taught only by Zionists and not by any other Jews or by gentiles.

Now, when white students take over and demand the same rights, the SDS or the Peace and Freedom Party will demonstrate—as they already have in some places—against some teacher of economics or history or anthropology or even some scientist on the ground that his conclusions, in their exalted wisdom, are "imperialist" or "class-biased." They will then demand he be dismissed.

This will definitely spell the end of academic freedom. If the faculties of this country do not organize themselves now to resist this mass assault against the principles of academic freedom, the end result will be the politicalization of the American university in the style of the universities of Asia and South America, many of which have been politicalized to a point where little study actually takes place.

It's not accidental that when South American and Asian students want a thorough education in any particular field they go to other countries. What they can get at their own institutions is a political education—and a partisan one at that.

Maybe something can be said for the politicalization of universities in authoritarian countries where there is little opportunity for political opposition. But in our own country, where opportunities abound for the expression of differing political points of view, to make the university a political instrument is educational genocide.

What I am saying is that the tendency legitimized by Harvard and by Cornell may result in a continuous purge of universities by students who have become politicalized. Even the high schools are becoming affected.

At the moment we hear a great deal from "revolutionary" or "left" students. But before long there will be a reaction to these students, and we will hear demands for politicalization from the "right." This backlash may be even more severe than the threat from the so-called "left."

Q. Does this point to civil strife—even gun battles—ahead on the campus between competing factions?

A. I am not convinced that there will be civil war on the campuses. The failure of the educational authorities to implement their own rules will probably lead the civil authorities to step in. If universities refuse to govern themselves, the government will have to take over. It cannot permit assault, arson, possible loss of life merely because administrators—and the faculties—are cowardly.

The betrayal by the faculties, particularly at Cornell, of the principles of liberalism is what is so significant. It goes to the very heart of our agony, of our tragedy. The faculty at Cornell originally repudiated the capitulation of its dean and president in the face of armed threat, and upheld the earlier decision made by a regularly constituted committee of faculty and students to censure certain students for violent acts.

They then reversed themselves. In what did this betrayal consist? In the fact that these faculty members subordinated the processes of deliberation and justice to an opportunistic decision designed to get them off the hook.

Now, the essence of liberal civilization is the belief in due process. It is belief in the importance of rational consideration and evaluation of evidence in the hope of reaching a just conclusion. We have always taught that the process by which we reach conclusions is much more important than any specific conclusion—just as in science, the method is more reliable than any particular conclusion, because the method of science is self-corrective. We have always held that although man may be wrong in his belief, so long as the rational process is not tampered with, so long as the evidence is not "cooked," so long as there is honest inquiry, in time he will reach truth.

Similarly, for the administration of justice: We have believed that once we follow due process, we can correct any inequity that develops. The alternatives are mob rule and lynch law.

But the Cornell faculty abandoned the process by which its own committee reached a conclusion. On a Monday, it sustained its committee; on a Wednesday it reversed—on the very same evidence.

Secondly, what is unforgiveable in the action of the Cornell faculty is the reason it reversed itself—and yielded to force. It acted in panic, out of sheer fear of the consequence of adhering to its own principles.

Finally, what kind of example did this yielding to the threat of terror set their students? These men are supposed to represent the rational life and its integrities. Instead they sacrificed principle for safety. What kind of example was this to set their fellow citizens who subsidize education, pay them their salaries because they look to the university as the center of courageous objectivity—only to witness the faculty panic in cowardly folly?

This bodes ill for the future of higher education. It will contribute to a growing discontent on the part of citizens with universities and faculty members. It will intensify antiintellectualism in the country. Already too many bills to curb campus disruption have been introduced in State legislatures.

Q. Does academic freedom extend to students?

A. When we talk about "academic freedom for students," the problem is to give it some acceptable meaning. It could mean the right to go to school or not to go to school, which they have; the right to go to one college or another college, depending upon their interests; or the right to choose one course of study rather than another within any particular college. By and large, students have this right.

Academic freedom could also mean the right to question, to dissent, to develop points of view of their own. And, by and large, I should say that students in this country are freer with respect to the right to dissent than they ever have been in the history of the country. They're freer here than they are in most other countries.

Recall the students who wrote and produced "MacBird." That was a play in which the President of the United States was accused of complicity in a conspiracy to assassinate his predecessor. Now, there isn't a single country in the world where students would have been permitted to publish or produce a play of this sort. And yet, on American campuses they have complete freedom to do so.

However, "academic freedom for students" might be defined as freedom to acquire an education. To this freedom there may be great obstacles: prejudice, poverty, absence of educational facilities. Their removal is the task of all citizens of a democratic community.

Traditionally, we have looked to the university as the source of nonpartisan authority—as an institution that studies and illumines problems and proposed solutions, but does not enlist itself in behalf of any partisan outcome. If it becomes a partisan political institution, it cannot escape political retaliation when it backs political proposals rejected by the community.

Q. Is "nonviolence" an excuse for such actions?

A. The forcible occupation of a building is a lawless action, and is always accompanied by the threat of violence. It really is immaterial whether the violence is actual or whether the violence is threatened. At Harvard, the spectacle of deans being carried out on the shoulders of students as though they were so many sacks of potatoes was grim evidence of violence. At other places, like San Francisco State, much worse has occurred—arson, bombing, maiming for life.

Q. Have faculties in many places aided disorders?

A. The truth is that the faculty has the power to curb and to prevent student violence and the attendant outrages against academic freedom.

The faculties have more power over educational curriculum and, ultimately, over discipline than any other group on the campus. But the faculties of this country, by and large, have been loath to exercise it. Notice how few the expulsions have been for actions far worse than actions in the past that brought expulsions for offending students.

At the University of California at Berkeley, the faculty voted down motions that condemned the forcible occupation of Sproul Hall. Therefore, students elsewhere were encouraged to emulate this lawlessness.

At Columbia, the faculties have, in effect, amnestied the students for actions that were criminal in character.

Now it is obvious—especially after what has happened at Cornell—that the faculties, by and large, have been trying to buy peace by capitulating to threats of violence and to the forces of unreason. They will discover that the logic of appeasement is the same in education as it is in politics: It only whets the appetite of the students to make more and more unreasonable demands.

If Harvard is the "Munich" of American education, Cornell is its "Pearl Harbor."

Of course, what I'm saying is not true for all members of the faculty. I must confess, however, to intense disappointment with my colleagues, since I believe in the principle of faculty control. I had hoped that faculties would have more gumption and guts than they have displayed in many institutions, and especially at Harvard and Cornell.

At the turn of the century, there was an English lecturer who, having visited the American universities, returned to England with the observation that there were three

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sexes in America: men, women and college professors. He obviously meant to call attention to the absence of simple moral courage on the part of the faculties.

I had assumed that this failing—if it ever existed—had been overcome. Alas, there is heart-sickening evidence that many faculties are more interested in buying peace at any price than in defending academic freedom.

The great irony is that American faculties often condemned German faculties that refused to stand up to those who trampled on academic freedom when resistance might have meant the loss of their lives and those of their families. But, in the United States—confronted with a threat that doesn't begin to compare in seriousness with the threat of totalitarians—faculty members have yielded in the hope that, if they gave the students what they demanded, the students would be "reasonable." They only get kicked harder.

THE WORST EXCESSES

Q. Is the present structure of the university as an institution outmoded—especially the large, so-called "multiversities"?

A. What has happened has happened not only at large universities but at small. Look what occurred at Swarthmore, a small college where the president died of a heart attack in the midst of student turmoil. Look what happened at Oberlin, where students got out of hand and violated the procedures established by faculty-student committees.

No. It is interesting to observe that the worst excesses have occurred at the most liberal universities, large or small. This is overlooked by some people in positions of political authority whose academic qualifications are rather dubious.

For example, here is Robert Finch, our Secretary of Health, Education and Welfare, who maintained that many universities have brought troubles on themselves because of rigid administrative procedures and outmoded attitudes and because they pay too little attention to students.

This is true of some institutions, but is it the cause of student disorders? If Secretary Finch were right, the worst disorders and excesses would have occurred at the most authoritarian universities. But this is not the case. Secretary Finch is talking through his hat.

The truth is that at Harvard, Cornell, San Francisco State the administrations were very much concerned with students. There existed committees on which faculty and students were represented. Yet it was there that the students were guilty of some of the worst excesses. At Columbia the situation worsened after vast reforms. At Cornell, it was a faculty-student committee that decided, horror of horrors, that three Negro students were to be censured—*censured!* Some punishment! Yet the result was a resort to arms.

Secretary Finch's remarks imply that because none is free from fault, all are equally guilty—that student violence can be equated with administrative ineptitude.

Now that the season for political silliness is over, we are in for its educational variant.

In New York City, Mayor John V. Lindsay has denounced student violence in the high schools and has vowed that he would prevent it. Hurrah for him! But it is the same Mayor Lindsay who in a speech at Princeton University two years ago hailed the "Berkeley rebels," at the University of California, as providing a pattern for the rest of the students in the country to emulate. They have.

Whoever wrote that speech for Mayor Lindsay was actually putting words in his mouth to encourage students to do precisely the things that they're doing today—in high schools, too—which he is deploring. What makes Mayor Lindsay an authority on the colleges?

Scientists often rush in to talk about these matters as if they wish to illustrate that there is no transference of training from one field to another. A famous biologist and Nobel Prize winner at Harvard claims that, if adults would be aroused about social and political affairs, then youth would not be aroused. This is demonstrably false. After all, adults today are more aroused about social and political affairs than they ever have been in the past, but students are not less violent but more.

Secondly, he fails to explain why, in the past, when adults were not aroused, youth was apathetic. Aging scientists, their creative work behind them, like aging business tycoons become "elder statesmen"—and with the same qualifications.

The trouble with such "statesmen" is that they don't bring to the consideration of social and political affairs the same conscientiousness, the background of knowledge, and sense of logical form and evidence that is second nature to them when they are in the laboratory.

But not only scientists wander afield. Take a theologian like Robert McAfee Brown of Stanford, who maintains that, in the name of human freedom, academic freedom should be sacrificed. He seems unaware of the fact that academic freedom is a human freedom, too. Robespierre might have spoken in the vein that Dr. Brown did when the French Revolutionary terrorist decreed the guillotining of Condorcet [progressive philosopher], for Robespierre identified human freedom with "the health of the Revolution."

One would have expected a theologian with insight to have recognized that academic freedom is so fundamental because the real problem is the conflict of freedoms. The reason we've stressed academic freedom is that we believe that the knowledge, the detachment, the objectivity which flows from academic freedom helps us expand other human freedoms as well as resolve the conflicts among them more readily.

HOW AMERICA HAS CHANGED

Or take those who in discussing student violence always refer to the violence of the American Revolution to prove how authentically American violence is. Someone should tell them we've already won the American Revolution—that we already had our Boston Tea Party. And we had them because at the time there did not exist the political institutions by which we could settle grievances peacefully.

Today we have them. We can settle our political differences through the ballot rather than through riots. And what nonsense to hear otherwise intelligent men cite approvingly Rap Brown's discovery that "violence is as American as cherry pie"—as if that made violence or everything American as good as cherry pie. Lynching is American, too. But does that make it good?

Examine remarks like those made by John D. Rockefeller III who, in a recent speech, called down blessings upon the young because of their concern with social and political affairs. I don't know where John D. Rockefeller III gets his information about what's happening on American campuses. Whoever supplies it to him obviously can't distinguish between intellectual dissent and the exercise of violence.

The Nazi students in the '30s were also "concerned" with social and political matters when they trampled on the rights of Jewish and socialist professors. But anybody who merely or mainly praised them for their "concern" at that time would either have been considered a Nazi sympathizer or a political cretin. And to find somebody today who praises violent disrupters because they're "concerned" with social and political issues, who doesn't understand that their violent methods are far more important than any "concern" they are showing, seems to me to be irresponsible—to put it very mildly—because it encourages violence by the "concerned."

Q. What about the claim of the "New Left" philosopher Herbert Marcuse that authority in today's society is so diffuse and so powerful that peaceful methods won't work?

A. No, Marcuse is simply muddle-headed. What he is saying is this: Democracy has failed because people choose things of which Marcuse disapproves. He is a Prussian type who believes that we should force people to be free, force them to love each other. Marcuse has publicly declared that he would rather that Negroes didn't have the right to vote than choose wrongly by voting like white workers for the values of a consumer society. Credit where credit is due! He certainly has the courage of his confusions.

For Marcuse, error has no rights. This goes back to Augustine's dictum. Those who believe they have the absolute truth, you see, don't accept the experimental methods of democracy, which is skeptical of absolute truth. The "right to be wrong" is not only necessary in order to be a person; it sometimes is necessary in order to reach the truth. In science, we make progress by eliminating errors. Very often the hypothesis which is refuted furthers our knowledge.

DEMONSTRABLE NONSENSE

Q. What about statements that we should listen to the students—that they are trying to tell us something?

A. Of course, we should listen to students—and the truth is that we have been listening to students. But the best way to communicate what one wants is through words, arguments, programs—forms of demonstration that are reasoned and reasonable.

A blow never communicates when we reach for understanding. Power may come out of a gun barrel—not insight or truth. Those who say students are merely "trying to communicate" are unaware of the fact that they have communicated quite well. But some students' conception of whether they're listened to is simply whether faculties will yield to any demands they make.

When students say that they want to determine the nature of the curriculum and have the right to hire and fire professors, we understand very well what they are saying. What they are saying is demonstrable nonsense, because to make such a demand is to equate experience and inexperience, maturity and immaturity, knowledge and ignorance.

If a student wants to learn medicine to be a doctor, the fact that he wants to learn indicates that he hasn't got the authority to determine what he should study in order to become a good doctor. There is an authoritative, as distinct from an authoritarian, aspect to the teaching relationship which flows from the superior knowledge, the tested methods, the objective evidence which the teacher relies on. This is true even if you consider the student as an apprentice teacher—or assume even that every student some day will be a professor, which is a very large assumption. After all, in what field does the apprentice have the same authority as his teacher to determine what he should learn in order to become a master journeyman?

What the students are trying to communicate when they make these demands is something which is absurd on its face, and even more absurd upon analysis. But, having communicated this and having failed to convince any reasonable person that this is desirable, they then resort to occupation of buildings, to assault, to the language and violence of the gutter. If their argument wasn't persuasive before they used violence, what makes it more persuasive—the violence? Is might going to determine not only what is right, but what is true? This goes beyond the Orwellian world of 1984.

The issue is not the ideals mouthed in the easy rhetoric of the students, but the means they use to achieve these ideals.

As John Dewey [educator and philosopher] pointed out, "Anybody can proclaim high and mighty ideals, but the world that comes into existence is a consequence only of the means used to achieve these ideals." When black

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students and SDS radicals use the same methods Nazi students employed to destroy the Weimar Republic and trample into the dust traditional ideals of academic freedom, then no matter how different their rhetoric may be, fundamentally both are enemies of the rational process and of those values of civilization which have developed over the centuries against the forces of obscurantism and barbarism.

WHY STUDENTS ARE DELUDED

Q. Are students especially honest and moral people rebelling against dishonest and immoral elders?

A. This view that the students are suffering from an excess of virtue, whereas their elders are intellectually dishonest, is a lot of horsefeathers. The truth is that the students are completely unhistorical. They have no perspective upon events. They do not compare the situation today with what it was like in the past. They expect overnight transformations which in the nature of the case can't take place if one understands history and the elements of human psychology.

In my own lifetime, I have seen changes in the position of the Negro and in the position of the worker which I would have regarded as almost fantastic in the 1920s. Because there are still abuses, discrimination, problems created in virtue of past progress, doesn't mean that the progress made in 30 or 40 years is minimal or immaterial. After all, our judgment of a situation should rest on whether it is growing better or growing worse—not whether it is absolutely good or absolutely bad.

These students who claim that they are opposed to hypocrisy because they demand all injustices to be abolished overnight probably would denounce those who wrote the Declaration of Independence as hypocrites. Why? Because slavery existed at the time.

Now, would you call those who wrote the Declaration of Independence hypocrites when they proclaimed all men were born free and equal at a time when some had slaves? No. The significant thing is that this principle was enunciated—at a time when all other countries of the world accepted the practices of elite rule and leadership. The new principle had a powerful role in the ultimate abolition of slavery.

Those who think like unhypocritical students would have rejected not only the Declaration of Independence but the Magna Charta, which is regarded as the charter of English liberties.

If one reads the Magna Charta, he finds explicit discrimination against Jews and against women. The students would say this makes it a hypocritical document. But anybody with a knowledge of history and context, and with common sense, would say that the Magna Charta recognized principles that were new at their time—that became the basis for expanding liberties in England, even though they were wrung from King John by barons for their own interest.

You see, the student radicals pass judgment on social and political affairs as if they were born yesterday. In effect, they are saying that they can understand social and political affairs because they are "sincere." But it is not sincerity, it's foolishness to overlook the fact that you cannot escape history. And the history of the United States has been a history of slavery, of the Civil War, of Reconstruction. It has also been a history of fanaticism—for example, of people who, thinking like these students, prevented the adoption of Lincoln's proposal for the liberation of slaves by purchase as an alternative to the Civil War and its more horrible and continuing costs.

Politics is usually the choice of the lesser evil. Those who glorify the students because they are not hypocrites are actually saying it is hypocritical to choose the lesser evil. But why? Lesser evil, in a sense, may be the greater good. There is no sane political alternative to the policy of the lesser evil.

Q. Are many Americans tending to look on student rebels as being somehow pure and innocent? Is a kind of youth worship causing some to condone student violence?

A. There is a large measure of truth in this. There are people who seem to believe that youth can do no wrong—perhaps because they hope thereby to recapture their own youth. Foolish parents coddle their darling young rebels in a vain hope to keep them from flying the nest.

In my experience, there is nothing intrinsically wise about age. There is nothing intrinsically virtuous about the young. What is more important than youth or age is intelligence—intelligence tested by experience.

After all, it was the young Nazis who burned books, marched into battle, constituted the elite of the SA and SS [Brown Shirts and Black Shirts].

Lewis Feuer's masterly book on "The Conflict of Generations" proves that most youth movements have aided reaction. And the Fascist hymn, "Giovinezza"—or "Youth"—is a very good illustration of the fact that the glorification of youth can blossom into a glorification of cruelty and arrogance.

This, I think, is profoundly true today, especially in the United States. Those who uncritically identify with the young overlook its callowness, its insensitiveness. They tend to become apologists for brutality and terror.

BATTLE IS NOT YET LOST

Q. Is there a possibility that many professors, rather than continuing to teach in situations like those at Cornell or Harvard, will become discouraged and leave the teaching field and go to other fields, such as foundations?

A. There is no doubt that many people will leave the academy rather than teach under existing conditions.

But I think that they would do better to stay and fight. The battle is going against us, but it is not yet lost. I still have faith that, if we keep on fighting, our colleagues will rally to us. That is why we have organized University Centers for Rational Alternatives and are soliciting support from all who wish to defend the free university.

If our good faith is a vain hope, then we have to go down fighting. For freedom and self-respect are nonnegotiable.

CIVIL DISORDER IN ACADEMIC COMMUNITIES

(By Assistant Director William C. Sullivan, Federal Bureau of Investigation, at the fifth national conference, Associated Student Governments of the United States of America, Washington, D.C., Nov. 27, 1968)

J. Edgar Hoover: "Dissent is one of this Nation's priceless values. It must be protected at all times and in all areas of thought and action, be it in time of peace or in time of war. But this dissent, of its very nature, requires law for both its expression and its preservation."

At the center of my remarks tonight lies a concern for the growing incidence of civil disorder in the American educational community. Civil disorder, as it applies to the academic community, may be defined as the actions of certain college-oriented elements[1]—young as well as old—which are deliberately committed and aimed at disrupting not only the functions of educational institutions but also the functions of our social system.

At this point, I would also like to refer to the observation that the current shock of our age is the discovery that concepts and patterns of action of a more secure past no longer fit present reality.

Why is this true as I believe it is? It is true because of what might be called the three "C's"—Change, Challenge, and Conflict. There is no status quo in human relations and institutions *per se*.

AGE OF FLUX

Who will deny that we live in an era marked by profound changes in diverse areas of human living? Changes in the world scene, for example, have brought about the establishment of 65 new nations since the end of World War II, for a total of 136 nations in the world today. This political and geographical flux in itself has given more than a billion people the possibilities of deciding their own destinies. Within the underdeveloped countries of the world the people are increasingly aware that the other half of the world's population enjoys the benefits of scientific, political, economic, and educational progress. They rightfully wish to share in the progress, and a social upheaval known as the revolution of rising expectations is expressing that desire.

Another vast change is called the knowledge explosion. It has been estimated that, starting with the time of Christ, the first doubling of knowledge occurred in 1750; the second in 1900; the third, 50 years later, in 1950; and the fourth only ten years after the third, in 1960. This knowledge explosion has had its impact on our daily lives, in our schooling, in our occupations and professions, on the streets, and even in the privacy of our homes. Much more is yet to come. Scientists advise they will learn as much in the next 15 years as in all preceding centuries, so that scientific developments will rapidly influence living in the future.

We have with us also as a change-producing force, the population explosion. It has been estimated that by the year 2000 the world's population will have jumped from its 3 billion mark to 7 billion. As a result of this dramatic increase, there will be need of expansion in our resources relating to food, education, medicine, science, housing, employment, and religious and social institutions.

Changes, of their very nature, produce challenges, and today on the international level we see a foremost challenge from the Soviet and Mao versions of communism. On the national level we are also facing challenges to our freedoms, traditional principles, accepted values and historic goals. These challenges come from various groups beyond the pale of the vital center of moderation in our land. The strident strivings of the extremist left, black nationalist, and white hate groups present a threat that our society may be polarized ino a confusion of bitter, hatred-ridden, and barbaric segments. The confrontation and conflict between ideas and people—that we in this country have been suffering for some years—have as we all know brought varying degrees of civil disorder in academic communities in the United States.[2]

MAJOR ISSUES

The major issues underlying civil disorder fall into three categories, each of which has several related questions.

The first category is university reform. This relates in the main to the right of students to share in all administrative functions of the university, including the drawing up of school budgets and the planning for future expansion. The right to sponsor campus speakers; to distribute any type of literature on campus; to publish any paper or other literature free of censorship; and to have a voice in the hiring and firing of teachers and the admissions policies for students are also points at issue, as are demands that university student files be closed to all agencies, unless student permission is provided for their review; that students' rooms not be searched; that dormitories be open to both male and female students; and that local

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[1] Civil disorder at the high school level will not be included in the scope of this lecture.

[2] Civil disorders outside of academic communities are of even graver concern. However, they are also beyond the scope of this lecture

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police departments not be allowed on the campus. There is strong opposition to lectures, to the grading and examination systems and to the view that teachers are arbiters of the truth.

Students also complain that their needs are not being given equal consideration with the needs of faculty members; that there is too much research and too little good teaching; that there are too many narrow specialists among faculty members and too few model professors to emulate; and that educational institutions and their faculties are "self-serving, self-justifying, and self-enclosed." They further charge that the current educational system places them in a position of "debilitating dependence" and that the system is more concerned with preparing them to earn a living than it is with making their "lives."

The second category is opposition to the war in Vietnam. This has served as a catalyst in drawing together student protestors who have demanded that the U.S. withdraw from the war in Vietnam; that the universities and colleges end defense-related research; that the universities refuse to cooperate with the Selective Service System; that universities publicly disclose details of all contracts with the United States Government; that military and other Government recruiters not be allowed on the campus; that the Reserve Officers' Training Corps be abolished; and that firms engaged in defense-related research or manufacturing be barred from the campus.

The third category deals with social problems such as university construction in ghetto areas and the demands of minority student groups on campuses. These minority demands have been concerned with the establishment of separate facilities, the teaching of courses of special interest; admission of minority group members as students, regardless of qualifications; and the hiring of large numbers of instructors from these minority groups. In addition, at some predominantly black schools, there have been demands for the creation of black campuses by the exclusion of all white students and faculty members, thereby creating another form of segregation.

Many of the demands made in the above categories have been advocated in terms of legitimate and orderly dissent. However, much of that dissent has changed drastically through the irrationality of many students and sympathizers in recent years. Now, much of the protest movement involving students—the so-called new left—have been transformed into emotional and at times fanatical, resistance-type elements that openly espouse disruption, nihilism, and violence as shown in their statements and actions.

STATEMENTS ON CAMPUS ISSUES

The record reveals numerous statements by new left spokesmen relating to reforms in the academic community, the war in Vietnam, and social issues of today. A representative sampling will indicate that they advocate disruption and even violence to achieve their ends.

The Students for a Democratic Society (SDS), a nationwide group that shows a propensity for disruption, violence, and semi-anarchy, has urged for several years that universities must be reconstructed because they are part of the "corporate liberal society." Student power has been advocated in terms of the abolition of the grading system, disruption of student government meetings, and the creation of student unions which would set rules for campus conduct.

In a speech at the University of Illinois in 1967, an SDS spokesman, Carl Davidson, stated that students could not free their universities without freeing all of society and that anything destroying the "United States system" would be beneficial. He told the student listeners that one weapon was to shut down "this place."

Mark Rudd, an SDS leader in the riots at Columbia University in April, 1968, stated in a letter dated April 12, 1968, to the President of Columbia University "You are quite right in fearing that the situation is potentially dangerous. If we win, we will take control of your world, your corporation, your university and attempt to mold a world in which we and other people can live as human beings. We will have to destroy at times, even violently, in order to end your power and your system—but that is a far cry from nihilism." It is noted this letter was written before the actual riots took place at Columbia University.

Thomas Hayden, a founder of SDS, in an interview on May 21, 1968, stated among other things, that if college administrators do not make themselves subordinate to students "We will close them (the colleges) all down." Hayden stated that rather than ending the war in Vietnam or furthering civil rights, the true aim of the campus disruption is student control of universities.

Michael Klonsky, an SDS official speaking at Western Michigan University on October 21, 1968, stated that students should tear down the power structure and replace it with "people power." In addition, he proposed that students would then control the universities and workers would operate the factories. To destroy the old system, Klonsky stated, it would be necessary to develop a worldwide movement.

In 1967, at a rally sponsored by the anti-war Vietnam Day Committee at the University of California at Berkeley, Bettina Aptheker Kurzweil, a Communist Party, USA, national committee member, condemned cooperation between the university, the FBI, and CIA. She called on professors to join the campaign to "drive them off the campuses." An SDS spokesman later in 1967 discussed the SDS nationwide effort to prevent recruiters from the military services, CIA, and the Dow Chemical Corporation from entering campuses. In addition, he stated that SDS also sought an end to research on campuses for Government-sponsored projects on war-related subjects.

At a rally sponsored by the Student Mobilization Committee in New York City on April 15, 1967, Nick Egleson asked the audience to refuse to go to war and "join us in acts of disobedience if the war continues."

Shortly prior to the October 21–22, 1967, demonstration at the Pentagon at Washington, D.C., Jerry Rubin, former cochairman of the Vietnam Day Committee and coordinator of the demonstration stated "the peace movement is no longer one of mere protest and demonstration. We are now in the business of wholesale and widespread resistance and dislocation of American society. We, the American people, are going to have to close down the Pentagon, the universities, the banks—all the institutions that use and destroy human beings and values."

Michael Klonsky, of SDS, in his October, 1968, speech at Western Michigan University, stated that there must be an armed struggle for personal liberation and that the heart of American fascism is the military establishment. Instead of avoiding military service, radicals should go into the military and "split" taking with them any servicemen who could be persuaded to desert.

Greg Calvert, an SDS spokesman who has traveled in the Midwest to speak before various SDS chapters, was quoted as describing SDS motives and goals in society today in the following statement: "We are trying to build a guerrilla force in an urban environment; we are actively organizing sedition."

It is of interest to note that several leaders of the new left movement have made trips to Czechoslovakia, Sweden, North Vietnam, and Cuba, where they have engaged in various conferences and discussions.

VIOLENT CAMPUS PROTEST

Civil disorders on the Nation's campuses in recent months have taken many forms. Some have been marked with violence against persons or property. Many have been initiated or sponsored by the Students for a Democratic Society. Probably the most widely publicized campus disorder in 1968 was the student take-over at Columbia University in April. Led by Mark Rudd, head of the SDS chapter at Columbia, "activists"—both student and nonstudent—seized five campus buildings and held them for eight days. The demonstrators demanded that Columbia stop construction of a new gymnasium in a nearby ghetto area; end its ties with the Institute for Defense Analysis; grant amnesty to all demonstrators; revoke the prohibition against demonstrations; and hold public hearings on disciplinary actions.

University officials were forced to utilize the New York City Police Department to clear the seized campus buildings. The demonstrators resisted this action, with the result that 109 demonstrators and seventeen police officers were injured. During the Columbia disorders, 696 persons were arrested and the demonstrators caused an estimated $250,000 damage to university property.

With regard to the part played by Mark Rudd in the Columbia disturbances, it is interesting to note that in October, 1967, he prepared a position paper on disruptive activity at Columbia which called for a sit-in and a general university strike.

Civil disorders on campuses have occurred from one end of the country to the other. At Brooklyn College in New York, for example, fifty persons who were identified as members of the Student-Faculty Coalition Against Racism staged a sit-in in the Registrar's Office in May, 1968. This group of demonstrators, which included members of the SDS and the W.E.B. DuBois Clubs of America, a communist youth group, demanded admission of Negro and Puerto Rican students to the College by the Fall of 1968 and the hiring of minority group faculty members. Forty-two of the demonstrators were arrested and expelled from the College when they refused to leave the Registrar's Office. Also, the University of Hawaii chapter of the SDS in may, 1968, staged a sit-in to demand that a University professor who had been active in protest activity be granted tenure.

A sit-in was held at American University here in Washington, D.C., under the sponsorship of the SDS in May, 1968. The demonstrators, who consisted of a very small minority on the campus, demanded personal privacy for students, the abolishment of curfew regulations and mandatory University housing, and a student voice in all policies concerning academic action and faculty assignment and dismissal. And at California State College, Long Beach, California, on June 3, 1968, the SDS sponsored a demonstration to protest the refusal of California authorities to allow an exhibit of obscene sculptures. One hundred fifty persons entered the administration building of that college and demonstrated for approximately one hour.

Kent State University, Kent, Ohio, was the scene of a sit-in demonstration on November 13, which was called by the SDS and a group known as the Black United Students. The purpose of this demonstration was to protest campus recruiting by two police officers from the Oakland, California, Police Department. The demonstrators prevented the officers from leaving the University placement office for several hours.

Student protests against the war in Vietnam have been widespread, and have led, in some instances, to confrontations with prominent governmental figures. For example, in November, 1966, then Secretary of Defense Robert McNamara was blocked in his car at Harvard University by student protestors who refused to allow him to leave the area until he debated with them. In the same month, General Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, spoke at Pembroke College, Providence, Rhode Island. After the speech, a group of students charged the platform in an apparent at-

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tempt to reach General Wheeler. Police blocked the students from the platform while officers quickly ushered Wheeler out a side door. And at Howard University, Washington, D.C., in March, 1967, Lt. General Lewis B. Hershey, Director of the Selective Service System, was forced to cut short a speech appearance due to threatened student violence.

On November 14, 1968, fifteen persons, including members of the SDS, were arrested at Colorado State University, Fort Collins, Colorado, because they had engaged in a sit-in to protest campus recruiting by the Dow Chemical Company. And at the University of Pennsylvania in Philadelphia, student protestors forced the University to end its defense-related research.

Black student protests have occurred at a number of schools. On November 21, 1968, about 100 students including ten whites, were arrested at Wisconsin State University, Oshkosh, Wisconsin, when they broke windows and damaged furnishings in the administrative offices of that school. This disturbance occurred after the president of the University refused to sign a list of demands presented by a group of students who sought funding for black students, the hiring of black instructors, removal of a professor and institution of black cultural courses.

In protest over the suspension of George Mason Murray, an instructor at San Francisco State College, approximately 250 students at that school disrupted classes on November 7, 1968. Murray, Minister of Education for the Black Panther Party, was suspended after he urged militant action by black students to force officials of San Francisco State College to meet their demands. Disturbances have occurred on that campus almost daily since November 7, and classes have been suspended. On November 22, 1968, a number of black students gathered on the campus armed with bricks, baseball bats, and other objects. Seven plain-clothes police officers on duty in the campus area were recognized by members of this group and were harassed and chased from the area.

BOMBING AND ARSON INCIDENTS

During the past nine months, a number of bombing and arson incidents have occurred throughout the country on or near college campuses. They include the following:

In February, 1968, a Naval ROTC building at Stanford University was damaged by arson to the extent of $2600. In May, 1968, the building was burned to the ground. One SDS member boasted "they" did it. In July, 1968, a fire at the office of the president of Stanford resulted in about $300,000 damage.

In September, 1968, arson caused over $7900 damage to ROTC equipment at the University of Delaware.

In September, 1968, the Naval ROTC facility at the University of Washington was damaged by arson with $90,000 damage. The facility had previously been mentioned as a target by a local SDS group.

In September, 1968, the Navy and Marine Reserve Center, at Eugene, Oregon, was bombed in an incident believed related to a November, 1968, bombing of Cherney Hall on the University of Oregon campus.

While Jerry Rubin, Youth International Party leader, spoke at The George Washington University in protest of hearings on the new left by the House Committee on Un-American Activities, a fire was apparently set in an underground hallway between two buildings on the campus.

On November 7, 1968, a Nigerian student was arrested for possession of explosives at San Francisco State College after numerous fires had been set in apparent support of demonstrating Black Student Union members and white supporters.

In addition, various offices and records of the Selective Service System have been damaged or destroyed by various protest groups including student elements of the new left. In the Baltimore area several Roman Catholic priests were among draft resisters who poured blood on draft records on one occasion and set fire to draft records after another invasion of a Selective Service office. In Milwaukee other antiwar activists destroyed thousands of files from five Milwaukee and suburban draft boards by a public burning.

In an incident involving a CIA office, the SDS at the University of Michigan and other new left elements have claimed credit for the bombing of the CIA office in Ann Arbor.

THE PARALLEL

There is a parallel to be drawn between the attitudes[3] of some student "activists" alluded to and the well-known attitudes of fascists and communists. They all believe the end justifies the means. All are militant and intolerant toward those who do not believe entirely as they do. Their rationale for disorder is both national and international. They have little or no faith in the democratic process. Their views on legitimate authority and just laws are uniformly negative. Arrogance, insolence, and conceit are common among them. Almost without exception, all fail to recognize and understand human limitations—including their own. All look for ideas, encouragement and support from professors—and receive them from a small but sometimes significant percentage.

THE PROBLEM

The problem of serious civil disorder in academic communities today is not to be attributed to the need for change and improvement, for all social institutions (not educational ones alone) are daily in need of this. The problem is not that students want more of a share in the processes which shape their personal future and that of colleges and universities. They should have this, commensurate with their experience, knowledge, ability, and accomplishments. The problem is not the "divine dissatisfaction" of students, for without this no substantial progress can be made. The problem is not that of serious student concern with the defects of our social order—for which they should be praised (and it is hoped they are equally concerned about their own individual defects).

The problem is irrational thinking and behavior. It is this which is at the root of civil disorder in our academic communities. While we have always rightly opposed the tyranny of the majority, we now are faced with the tyranny of a small irrational minority. Of the typical member of this minority, it may be said: "To him who looks upon the world irrationally, the world in turn presents an irrational aspect. The relation is mutual."

THE PERMANENT SOLUTION

What is the permanent solution to this problem of civil disorder in our academic communities? First of all, I hasten to say that I do not know for certain what the solution is. For your consideration, for your acceptance or rejection, however, may I suggest two things? First, where the permanent solution will not be found, and second, where, perhaps, it may be found.

I suggest that the *permanent* solution to the problem of civil disorder in academic communities will not be found on television or radio programs or in books, or in the kind of speech that you are listening to this evening because what *we are* day in and day out is infinitely more decisive in determining the future than what we see, listen to or read. Nor will the permanent solution to such civil disorders be found in legislation *per se*, or law enforcement alone, for these are emergency measures, not designed to effect a permanent solution to a thoroughly complex academic social problem. If then the permanent solution is not to be found in these important areas, where is it to be found?

May I suggest that the clue to the solution might be found in the thinking expressed in the lines of Matthew Arnold years ago. He wrote ". . . man hath all which nature hath—but more, And in that more lie all his hopes of good."

Of what does this "more" consist? It is suggested that this "more" consists of six indispensable human capacities. These six human capacities are:

First, there is the capacity of every individual student to think—to reflect, weigh, evaluate, interpret, and analyze. It is his capacity to perceive, to sit down before a set of facts, study them and draw from them correct conclusions. As Blaise Pascal said: man is weak, he is a reed—but a thinking reed and this makes all the difference. Civil disorder will not be prevented or even reduced unless all students express their capacity to think much better than has been done in recent years. Those who create disorder and some of those who oppose it are not immune to the negative emotional content of conflicting slogans and cliches. But decisions based on such are not the product of thought. No thinking person can fail to recognize and apprehend the relationship between violence and illegality and shallow irrational thinking. It is the responsibility of the great majority of students to provide the rational thought and leadership which will put an end to civil disorders on campus!

Second, is the capacity of every student for freedom. But freedom is not the result of an anarchial conscience. Rather, freedom is the result of an inner restraint and an outward implementation of democratically formulated laws. It can be a freedom only under law—freedom of thought, conscience, expression, worship, assembly, inquiry, dissent, and experimentation and freedom of education. Those persons in our Nation, young and old, black and white, educated and uneducated, who deliberately break our laws and create civil disorder on campuses to achieve an objective are not seeking freedom. What they seek is to impose their tyrannical wills over the student majority. Civil disorder, therefore, is directly related to the suppression of freedom. This is as true of the seizure of buildings at Columbia University and at other educational institutions as it is of efforts to shatter the Democratic Convention in Chicago. We would do well to ponder James Anthony Froude's conclusion: "Just laws are no restraint upon the freedom of the good, for the good man desires nothing which a just law will interfere with."

Third, is the student's capacity for self-discipline. The evidence pointing to a deterioration of self-discipline in this country is too impressive to be taken lightly. Our homes, schools, colleges, churches, and mass media are not without blame here. A permissive psychology has eaten deep into our national life. Without self-discipline there can be no peace, no justice, no order either on or off campus. We can recall with benefit Edmund Burke's observation that unless people learn to discipline themselves from within they will be ruled by dictators from without.

Fourth, is the student's capacity to be self-governing in certain areas of academic life. However, not being an isolated capacity it depends for success on the capacities alluded to previously. Members of the new left who today attack all authority, who see in every institution a pillar of "The Establishment"—which they openly declare must be utterly destroyed through civil disorder leading to revolution—do not believe in the capacity of the ordinary student to be self-governing. They have no faith in the democratic process. Their faith is in their own disordered egos which impel them to dogmatize that they alone have "the truth" and that they alone have the only correct answers to all profound questons. Should such people come to power in a university any self-governing process would be impossible, for we can rightly raise the relevant question asked years ago by

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[3] This is not to be confused with ideology, which is not being discussed in this lecture.

Oliver Goldsmith: "Who can direct when all pretend to know?" To be self-governing is to recognize, among other things, our own limitations. It is to recognize the rights of others, so necessary to civil order.

Fifth, is the student's capacity to be educated—not only intellectually, but morally and spiritually. It is suggested that only a *balanced* education can make any substantial contribution to preventing civil disorder on campus. In fact, it can be maintained that certain inadequacies in various educational institutions have created mentalities and conditions facilitating the development of civil disorder. I am reminded of a contemporary American philosopher who has opined that for many years in the field of education we have staked everything on the intellect only to learn painfully now that it is integrity, character and rational conduct which win in the end, and without which no nation can endure.

Sixth, is the student's capacity for ceaseless, dynamic individual development. There will be no solution to the problem of civil disorder in our academic communities without the realization that ultimately all depends on individual development and growth in keeping with the values of a law-oriented but free and open society. No person expressed this truth more succinctly than did Justice Louis D. Brandeis: "What are the American ideals? They are the development of the individual for his own and the common good; the development of the individual through liberty and the attainment of the common good through democracy and social justice." The importance of these American ideals to the solution of the problem of civil disorder has been most perceptibly summed up in the lines of Edwin Markham:

> "We are all blind until we see
> That in the human plan
> Nothing is worth the making
> If it does not make the man.
>
> "Why build these cities glorious
> If man unbuilded goes?
> In vain we build the world
> Unless the builders also grow."

Will the student builders grow? This is the question. Are students destined to dream great enterprises and see these dreams shattered because of lack of growth in themselves? Will the rise and decline of their accomplishments be always attributed to the failure of the individual student to deepen, to broaden, to grow in integrity and vision? "For where there is no vision, the people perish."

Of course, only the future contains the final answer to this question. I have mentioned the word "future." Do you not agree that it is an intriguing word? Why? I suggest that it is intriguing because the word future calls to the mind of every student the fascination of uncertainty, the quest of the unknown, the lure of distant horizons, the challenge of high peaks as yet unscaled—intellectual, moral and spiritual—and the dangers inherent in the ascent.

In the word "future" is packed all the drama and excitement of youth, of student existence.

You know what the past has been. You know what the present is, but you do not know what the future is going to be from one hour to another. Yet, you cannot ignore or flee from your future. You must face it every moment and make an individual decision as to how to embrace it and mold it and give to it the direction you believe in the depth of your being it should have.

Because civil disorder in our academic communities is a serious and wasteful problem today, because it stands astride of your academic road to the future, it is incumbent upon the great majority of students to make rationality prevail over irrationality, legality over illegality, peace over violence, order over disorder, freedom over oppression, tolerance over intolerance, good will over hatred, and to make the reasoned thought and conduct of the majority of students prevail decisively over the fanaticism of a tyrannical academic minority.

If this is achieved—and it can be—students, professors, and administrators will then be able to say to each other: "Come now, and let us reason together . . ." This is the fundamental requisite for all progress, justice, tranquility, and mutual understanding.

OUTLINE OF STATEMENT ON UNIVERSITIES, BY JACQUES BARZUN, THE UNIVERSITY PROFESSOR, COLUMBIA UNIVERSITY, MAY 9, 1969, BEFORE THE SPECIAL SUBCOMMITTEE ON EDUCATION

I

Among the causes of unrest today, it is impossible to overlook the general disaffection with society which exists in the western world. It is based on a sense of futility and stagnation in the face of social difficulties, urban, racial, international. The contrast between the immense power that man can wield—theoretically—and his apparent powerlessness to cope with urgent needs stirs up and feeds blind resentments.

On this account, many adults who are not consciously radical or destructive, are *un*consciously favorable to the student rebels, and enjoy seeing something being smashed. In other words, the frustrations arising out of industrial-democratic life, when the individual is surrounded by "big impersonal bureaucracies" are relieved by seeing an institution defied and destroyed. It is thereupon assumed that it too was big and impersonal and a bureaucracy, that it was full of abuses and needed reform. What are the facts?

II

The American University was perhaps the freest institution ever concevied, and its history for the past 75 years is a record to be proud of. To maintain the proper conditions for science and scholarship, all legitimate freedoms were protected. Faculty tenure protected scholars from trustees and administration and from one another. Students had freedom too: they enjoyed easy and informal access to faculties, had a wide choice of programs, were saved from wasted time and energy by the transferability of credits, and had the right to publish, criticize, and hear outside opinions ad lib. The administration served and did not command; it was the buffer between trustees and faculties, interpreting each to the other, and both to the alumni. It worked largely with faculty advice and consultation. We should note the great cases of presidents defending threatened teachers, from Lowell of Harvard in 1916 to Brewster of Yale in 1968. University administrators came from faculty ranks for the most part and were responsive to faculty needs. In conflicts, the American Association of University Professors could be counted on to intervene and protect academic freedom.

The American University, in short, was governed by influence, not power. Its acts did not spring from arbitrary decision-making but from *deference* to the common interest. Its principles were rationality and civility. All this was shattered when the first bullhorn was heard on the campus.

III

How did the deterioration take place? In the first instance, by the university's own mistaken desire to enlarge its role in the public service. Inevitable in time of war, this enlargement continued after 1945. It turned the university into a catch-all institution, ready to do what government, industry, foundations, and private donors wanted. With the best intentions, faculty members became globe-trotters and project-directors. The end-results were unexpected: on the one hand, the university's true service to society was obscured and damaged by these new and multiplying services; teaching was neglected; buzzing activity replaced quiet thought. And on the other hand, the new activities subjected the university to the normal criticism that the public has a right to level at its service centers. The university became a common target, an object of complaint, pressure, and demand. By its nature, it could not fight back. It was vulnerable and it fell.

IV

What, then, is the true idea of the university? How does it best serve society? By sticking to its double role: to learn and to teach. Students learn; teachers teach and learn more. The idea of the university is *study*. There is no limit to what can be studied at a university, provided the subject is capable of being reduced to principles, which can then form the basis of training. The university produces trained minds, and they of course can go and apply concretely and usefully to all sorts of problems what they have learned from the broadest and deepest possible survey of reality. If, for example, there are rational solutions to urban and minority problems, they will arise from study of this kind.

They are not likely to come by asking universities to improvise action centers made up of scholars and scientist, no matter how much foundation money is behind them. The desire to do something, at once, without forethought, is the very opposite of the idea of a university. Yielding to this impatient desire for the last 25 years has weakened the fabric of the universities and laid the ground for their present destruction. Note in passing that asking universities to serve immediate purposes is the exact parallel to students demanding Relevance.

V

What about these student demands—justified, unjustified? The demands they do not make or make only in passing are the justified ones: better teaching, a stronger grip on their minds and emotions by the tasks set before them.

The demand for student power or even participation—whatever that may mean—seems to me rooted in a tangle of misconceptions and impracticalities. To suggest only one: if a student is in fact capable of framing curricula, he should be given a diploma, not a voice.

Besides, this and other demands they make are vitiated by the way they make them. For example, anything having to do with curriculum or faculty appointments cannot be dealt with by physical obstruction and destruction, nor can they be worked out or agreed upon overnight. The method of the ultimatum and the sit-in yield nothing but disaster. The very term "nonnegotiable" defines the protesters as what they are in fact: people who hope to gain their ends by intimidation and blackmail. Anyone who thinks this can lead to a better life for students and a better university does not know what a university is.

As for demands for changing the world *via* the university, they are equally unreal. The university has no such power except through study, discovery, the slow work of mind upon difficulty, which requires peace and quiet and which is stopped by guerrilla warfare. Youthful idealism is no excuse for the lack of imagination which fails to take what the conditions of solid work are, have been, and always will be.

There are those, finally, who plan revolution and think they are beginning the overthrow by toppling colleges and universities. These rebels too are going about it in an irrelevant way in an irrelevant place. They can bring about the shutdown of every university in the land; but they will still face the showdown with troops on the streets and the hillsides. The terrorization of the University of Tokyo led to nothing but the elimination of a seat of learning.

VI

Are there remedies to the American situation that may avert comparable results

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here? They are not as clear as the diagnosis, and those that suggest themselves are not pleasant to take. But first one thing must be clear. Talking of remedies implies that this country wants to save its colleges and universities. If it does not, the simplest thing to do is to let events go on as they have. When people make no move to save what they care for, they must not complain when it is torn to pieces in front of their eyes.

If a rescue operation is to be undertaken, it must aim at restoring on the campus its characteristic way of life—the way of discussion, civility, and decent behavior. It is not true that campus disruption is a lawful parallel to labor disputes, even though many people, including a former Solicitor General of the United States, believe the analogy correct. The relationships are utterly different. It is not true that the tyrannical misdeeds of universities justify any amount of vandalism by students. What are these misdeeds and tyrannies? Where has a list of them appeared? The promiscuous name-calling and the imputation that universities abet the world's evils do not fulfill the specification of a list of grievances.

Rather, the grievances are on the side of the universities and colleges—work disrupted, property defaced, libraries damaged, scholars manhandled, their research papers burned, the thought and speech of *everyone* contaminated and debased; these are offenses that cannot be condoned as a lark or accepted as a legal form of free expression. The American universities will not recover from these blows for decades, but if they are to last that long, it will have to make use of strong means, even if—as the Declaration of Independence says, it entails "organizing its powers in such form as to them shall seem most likely to effect their safety and happiness." Under the new student despotism, "it is their right, it is their duty, to throw off such governance and to provide new guards for their future security." I quote the Declaration of Independence, because I believe in independent universities.

Statement of Dr. Bruno Bettelheim, Before the House Special Subcommittee on Education, March 20, 1969

The problems to society which originate in the students' rebellions are so manifold and have such far reaching implications that in a short presentation only a very small selection of them can be alluded to. I shall, therefore, concentrate (1) on the parallels to the German situation before Hitler; (2) on a few of the factors which contribute to the widespread unrest among relatively large numbers of students, black and white; (3) on the small group of leaders who, by making skillful use of the general unrest, succeed in doing damage way beyond the importance of this group because of their tactics of intimidation and coercion and due to the publicity they receive; (4) the particular difficulties of some black students which are exploited by the SDS; (5) the fascination with extreme positions, and (6) what all this does to the universities and higher education.

1. While history does not repeat itself, and while the present U.S. situation is radically different from that of pre-Hitler Germany, given these vast differences, some of the similarities between the present student rebellion and what happened in the German universities which spearheaded Hitler's rise to power are striking. Of course, the German student rebels embraced politically the extreme right, while here they are of the extreme left, but what is parallel is the determination to bring down the establishment. In Germany the philosophy which gained them a mass following was racist and directed against a discriminated minority (the Jews), while here the radical students intend to help a discriminated minority. While this is an important difference, it does not change the parallel that universities then and now were forced to make decisions in respect to the race of students, rather than on the basis of disregard of racial origin. To use only one example, German universities began to cave in when students coerced faculties to appoint professorships in *Rassenwissenschaft*, that is, professorships devoted to teaching the special aspects, merits, achievements, of one race versus others, rather than concentrating in their teaching on contributions to knowledge, whatever the origin of the person who made the contribution.

Professor Laqueur (2) says, "National Socialism came to power as the party of youth." Its cult of youth was as pronounced as that of Italian fascism whose very hymn was called "Youth" (*Giovinezza*). Hitler insisted all along that his movement was a revolt "of the coming generation against all that was senile and rotten with decay in German democratic society." Professor Gay (1) stresses the prevalence in pre-Hitler days of an ideology that pitted the sons against the fathers, an insistence that the generations cannot understand each other, are deadly enemies; in short, in this respect they said exactly the same as do our rebellious students who insist that nobody over thirty is trustworthy.

Thus, then as now, these rebellious students were pictured as the new generation, disgusted with the complacency of their parents, fighting courageously for a better world. And what were then the mass media often depicted them as idealists, as young people concerned with the real issues of society. In short, they were in their time the wave of the future. And leftist student activists in 1968 burned books they did not like in the same manner and at the same place, Berlin, as did Hitler's equally youthful followers in 1933.

After having stressed these parallels, and some others which I shall mention at the end, one must recognize the vast differences between the present student rebelliousness, and that of pre-Hitler Germany. It is these differences which should permit us to work towards an entirely different outcome.

If I read the signs of the time correctly, I do not think that the rebellious students in and by themselves are a serious danger to the country, though they are a real danger to the universities.

The danger I fear is rather an opposite one: that the disgusting behavior of a very small group of students—the overwhelming majority of our students are sound, and wish nothing more than to take advantage of the opportunities higher education offers them—will arouse a severe counter-reaction, so much so that their left radicalism may lead to a fascist type of backlash. This I believe is the greatest danger inherent in their efforts to create chaos. In desperation—and they try to test and exhaust the patience of what they call the establishment and thus do succeed in creating desperation—and to prevent such chaos, repressive measures might be embraced which would be dangerous to our democratic institutions. It is because of this danger that I believe the student rebellions must be dealt with in the best interest of all of society, including that of the rebelling students themselves. But they can be dealt with intelligently and constructively only if the measures taken are designed to do away with the cause of the widespread discontent of college students.

2. In order to understand this discontent one has to realize that so many more go to college than ever before, and hence many more are much less well prepared for this experience. Taking advantage of college, and being satisfied with this experience rather than being defeated by it, requires a considerable amount of self-discipline, and a high degree of satisfaction with what can be derived from developing one's intellect. Present day education both in home and school teaches very little self-discipline compared to even very recent times. The expectation is that education can hand over knowledge and skills, and this nearly instantly. There is widespread feeling that if students do not do well in school, this is the failing of the educational system, not due to their lack of application. With each year in school, this feeling becomes stronger in those who do not do well academically. And with it, the system becomes the enemy which deliberately withholds from them which they believe could so easily be given to them by it, hence the hatred of the system.

To understand why pressures erupt in adolescence on a growing scale nowadays, and why controls seem to grow weaker, we must recognize that adolescent revolt is not a stage of development that follows automatically from our natural makeup. What makes for adolescent revolt is the fact that a society keeps the next generation too long dependent in terms of mature responsibility and a striving for independence.

Years ago, when schooling ended for the vast majority at fourteen or fifteen, and thereafter one became self-supporting, got married and had children, there was no need for adolescent revolt. Because while puberty is a biological given, adolescence as we know it with its identity crises, is not. All children grow up and become pubertal. By no means do they all become adolescents. To be adolescent means that one has reached and even passed the age of puberty, is at the very height of one's physical development—healthier, stronger, even handsomer than one has been, or will be, for the rest of one's life—but must nevertheless postpone full adulthood till long beyond what any other period in history has considered reasonable. And their educational experiences in the home and school prepare only a small minority well for such a prolonged waiting, for being able to control their angry impatience while engaged in such waiting.

And it is this waiting for things—for the real life to come—which creates a climate in which a sizable segment of students can, at least temporarily, be seduced into following the lead of the small group of militants. It seems to give them a chance to prove themselves as real men. Thus it is an empty waiting for real life to come, which makes for student rebellions. This can be seen from the fact that most rebellious students, here and abroad, are either undergraduates, or those studying the social sciences and humanities. There are no militants among students of medicine, engineering, the natural sciences. They are busy with doing things that are important to them, they are working in the laboratory and at their studies. It is those students who do not quite know what they are preparing themselves for, and why, the students who sit around waiting for examinations rather than doing active work, which form the cadres of the student rebellion.

One example may stand for many: In a class I am presently teaching, a student was close to the activists. He gave me a very hard time in class at first. Two months later he was one of the most interested, cooperating students. I asked him what happened. He answered: "A few weeks ago I got a job which interests me, and I also began to be interested in my classes; that did it."

In my opinion there are, today, far too many students in the colleges who essentially have no business to be there. Some are there to evade the draft, many others out of a vague idea that it will help them to find better paying jobs, though they do not know what jobs they want. And again many go to college because they do not know what better to do and because it is expected of them. Their deep dissatisfaction with themselves and their inner confusion is projected against the institution of the university first, and against all institutions of society secondarily, which are blamed for their own inner weakness.

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To make matters worse, our institutions or higher learning have expanded much too fast, have under public pressure for more education for everybody increased enrollment beyond reason. The result is far too large classes. Many classes in our large universities are taught by teaching assistants some of whom, out of their own inner dissatisfaction and insecurity, tend to side with the rebellion. All this led to the anonymity, the impersonal nature of student faculty contacts about which many students rightly complain. And since many of them are essentially not interested in the intellectual adventure, the knowledge which the faculty can convey to them is not what they want. They want essentially group therapeutic experiences which will help them to become mature, secure, to find themselves. But colleges are not mass therapeutic institutions, and hence disappoint the students where the greatest need lies.

In addition because of such vast expansion in numbers, the old methods to give coherence to the college experience, and to offer students a life geared to the needs of the late adolescent age group have disintegrated. This the fraternities and sororities used to do, which group homes easing the transition from home to society at large. They no longer can contain the vast number of students. And here the demands of some black students for separate black housing, etc. has to be understood as the consequence of their feeling lost in the anonymous mass of students. Only most of the white students are similarly lost until such time as they find themselves in their work and study experience.

Also, the old rituals which enhanced student life and bound them to each other, and to their college, such as football rallies, homecomings etc., all have lost most of their meaning and have not been replaced by anything but the excitement the sit-ins and rebellions provide. The spirit of intimate comradeship that used to prevail in a fraternity house is now found by all too many students in their sit-ins, where they feel closely bound together, important as at no other time, doing things together which they deep down know they do also for the emotional satisfactions they derive from such being together, whatever high sounding issues they think are motivating their actions.

In this context, the symbolic meaning should not be overlooked of students' invading the dean's or president's office, violently, or by means of sit-ins, big in age and size, who inwardly feel like little boys, and hence need to play big by sitting in papa's big chair. They want to have a say in how things are run, want to sit in the driver's seat, not because they feel competent to do so, but because they cannot bear to feel incompetent.

I think it is unnatural to keep a young person for some 20 years in dependency, and attending school. This might be a way of life for that small elite which always in the past went to universities. They were those who could go to school for 20 years. But they were never more than a small percentage of the population. In the past, the vast majority of young people were actively meeting life, proving themselves as men or women. And in this way they found themselves as real, strong human beings. Now the tremendous push that everybody should go to college has brought an incredibly large number into the university who do *not* find their self-realization through study, or through the intellectual adventure. But they still need to find their early manhood. They try to change the university to something where they can find it through engaging in an active, sometimes even violent battle against the existing order or all of society. Only that would change the university so that it would be no longer an institution dedicated to the intellectual virtues, to the frontiers of knowledge, but one dedicated to a belligerent reshaping of society. And this is exactly what the militants want—not to engage in study and research, but in political battles.

The reason we didn't have student revolts before is partly because only those went to college who wanted to be educated, and partly because those students who had to put themselves through school, by the very fact that they could *do* that, of their own strengths, could prove their early manhood—at least to some degree.

I think many of the rebellious students are essentially guilt-ridden individuals. They feel terribly guilty about all the advantages they had. And there's also the guilt of their exemption from the draft, which is a serious guilt. Only again, they cannot bear to live with their guilt. They try to destroy society or certain institutions rather than deal with their own inner guilt, because they have it so good.

I think, from these remarks, it should be obvious which, I believe, may be some of the remedies. Firstly, all too many who now go to college have little interest, ability, and use for what constitutes a college education. They would be better off with a high level vocational education which is closely linked to a work program which gives scope to their needs for physical activity and visible, tangible achievement. The complaint of many of these students is that nobody needs them. They feel parasites of society, and hence come to hate a society which they think makes them feel this way. Here we should not be beyond learning from the communist countries where studies are combined with work in factories and in the fields. I believe this to be a much better arrangement for all those who do not feel a deep commitment to the intellectual enterprise, that is to study and research, and these will always be only a relatively small segment of this age group.

As a matter of fact, I would suggest a youth service program (civilian peace corps, or such) of a couple of years' duration where young people work on socially significant projects while earning pay for it, and receiving at the same time, higher vocational training. After this period only those would go to universities who really wish to do so, while the rest would feel a much greater stake in a society that they helped rebuild. At the least, because of the training they received, they would be well prepared for permanent jobs.

While a need for an army draft exists, such program should be an alternative to it: only those young men who wish to do so should serve in the armed forces, which then would be a voluntary army. And I am convinced if every able-bodied person would have to serve two years in some such program, there would be no scarcity of those who wish to spend these two years in the armed forces instead, particularly if they would, for example, receive some advantages in pay, or other special advantages such as at the end of armed service. This would also do away with the exemption of college students which, in connection with the war in Vietnam, is behind so much of the student unrest. For example, if I am exempt from service when others are not, I can live in peace with myself only if I am convinced this is a vile war.

3. I feel I can be shorter about the very small group of leaders of the student rebellion because were it not for the widespread student discontent which I discussed above, they would find scant following, and if they should break the law, without such followers, they could be readily dealt with. It is the mass following they can arouse because of the widespread discontent which alone makes them dangerous. I therefore think we should concentrate in our thinking and planning not on these very few, but on what needs to be done so that they won't find ready followers.

There were always a small percentage of persons bent on destroying society, and on fomenting a revolution. In previous generations they were the Wobblies, later there were the campus communists. The reason why the present brand of campus revolutionaries, who are of anarchist and nihilist persuasion, are so much more dangerous is that they can point to success after success of their disrupting tactics. Here, too, nothing succeeds like success. As early as 200 years ago Immanuel Kant warned that we shall never be able to control violence if it is rewarded. "It is far more convenient," he wrote, "to commit an act of violence, and afterwards excuse it, then laboriously to consider convincing arguments and lose time in listening to objections. This very boldness itself indicates a sort of conviction of the legitimacy of the action, and the God of success is afterwards the best advocate." The greatest danger, then, is presently the readiness with which violence is afterward excused, and the seemingly convincing arguments which are brought forth to justify it before and after the act. Worst and most dangerous of all, there seems to be a tendency in our society to legitimize the results of violence so that, as Kant put it, the God of success afterwards serves as advocate for the violent action that preceded it and suggests its future use. On our campuses those committed to violence, (to quote Kant again) "lose no time on considering arguments, or on listening to objections." They simply refuse to be rational about their grievances and through using violent means insist on having their way, no matter what. And if they get their way, as Kant already knew, their success then legitimizes their disruptive actions.

And they gain their success by arousing a sizeable number of students through the tactics of confrontations, and by universities' fear of such confrontations. Confrontations have one important aim—to use the reaction of those they provoke to generate a feeling of new unity among the demonstrators. This has been used in its most direct form by militants, who stand in front of policemen and denounce them as pigs and wait until the man in uniform hits out. The art of demonstrating then lies in seeing that the blows are directed against the less committed demonstrators and, if possible, against completely uninvolved persons. This then provides the mass following they need for their success. A whole system of provocations has been worked out for this purpose.

Speaking of the small group of leaders of the radical left, it has been observed that most of them come from well educated, very liberal families. From my own observations I would like to add that those whom I got to know might be characterized by having had their intellectual abilities developed very highly at much too early an age, but at the expense of their emotional development. Very bright as they often are, emotionally some of them remained fixated at the age of the temper tantrum. It is this discrepancy between great intellectual maturity and utter emotional immaturity which is so baffling, often even to the universities, where some members of the faculty fail to see behind the obvious intelligence the inability to act rationally, and most of all, the inability to act responsibly. It is one of the weaknesses of university faculties that, as persons committed to value most highly intellectual abilities, they are captivated by the intelligence of these students to the degree as to be ready to excuse, or make little, of their disruptiveness and intellectual arrogance.

As for these students themselves, psychologically I always found them hating themselves as intensely as they hate the establishment, a self-hatred they try to escape by fighting any establishment. Obviously they need help in overcoming their emotional difficulties, and punishing them is hardly the way to do it. If we bring them to the universities, we should provide facilities for helping them. I believe it is their emotional immaturity that explains both their call for immediate action, and the retreat of the dropout and the hippy into utter non-action, because each one masks an inability of these very intelligent young people to take time to think things out first. Essentially these militants must want to destroy the universities because they do not want to be students. Because to be a student means to prepare oneself to do something more worthwhile in the future. The militant student's cry is for action now, not preparation for action later. In this real sense he is no longer a student at all, since he clearly rejects knowledge as a precondition of any meaningful activity. Truth, moreover, is no longer sought, but "revealed"; the contempt for free speech and free thought is demonstrated as much in his actions as in his words. Were he ever to capture the university, it would cease to be a university at all.

In their inability to think things out because they cannot delay action for thought, both right and left extremists, the militants of all colors, are brothers under the skin. This is among the reasons why in history it happened that the young followers of the extreme right can very easily become those of the extreme left, or the other way round. Because the mainspring of their action is their wish to prove themselves strong, and less any particular political conviction, which is super-imposed on their self-doubt and a hatred of a society that they feel left them out in the cold. There were reasons why, in Germany, the National Socialists and the Communists voted together, worked together to bring down the democratic Weimar government. There is a reason why former Nazis could easily become active in the Communistic government of Eastern Germany.

But there is also reason why mainly the children of leftist parents become hippies, or student revolutionaries in our society, as in other places or times the children of conservative parents, when the similar emotional conditions prevailed in their families, spearheaded rightwing radicalism. It was the children of conservative German parents, for example, who first embraced the Emperor's War and enthusiastically went to their death, because they felt a need to lay "their bodies on the line," as it were, for ideas their parents had only lukewarmly held. This way they could prove themselves strong, while at the same time proving their parents weak, wishy washy, not worthy of true respect. They felt, too, this was a rebirth, a way to revitalize an ossified society, to create a new society, one of true authenticity and confrontaiton. All these were the main tenets of academic Hitler youth, as they are now those of our student left.

Thus, while the emotional constellations which make for very different student revolts are strangely familiar, the specific political content of a student revolt depends to a very large degree on the beliefs of their parents. Because in many ways, it is a desperate wish to do better than the parent, exactly where he seemed weak in his belief. In this sense it is also a desperate desire for parental approval. But even more it is a desperate wish that the parent should have been strong in his convictions that motivate many of their actions. This is the reason why so many of our radicals embrace Maoism, why they chant in their demonstrations "Ho Ho Chi Minh" exactly as another generation of students chanted at their football rallies. These are strong fathers, with strong convictions, who powerfully coerce their children to follow their commands. While consciously they demand freedom and participation, unconsciously their commitment to Mao and other dictatorships suggests their desperate need for controls from the outside, since without it they are unable to bring order into their inner chaos.

Thus while these militant students need controls, such controls must not be imposed punitively, nor for the benefit of others. They must be controls that clearly and definitely benefit the person himself, so that he will eventually make them become his own inner controls.

It is this, their inability to wait and work hard for long range goals, which marks these militants as emotionally disturbed, as does their hatred for their parents who failed to give them direction, set them against the world, by exposing their immature minds to criticism of all that could have given meaning to their lives.

It is their hatred of society that makes it so easy for the small group of militant leaders to make common cause with another small group that provides temporary leadership for some of the rebellions: outright paranoid individuals. I do not believe the number of paranoids among students is greater than their number would be in any comparable group of the population. They become dangerous again because of their high intelligence, which permits them to hide more successfully the degree of their disturbance from the nonexperts. Having worked professionally with some of them for years, I know that student revolt permits them to act out their paranoia to a degree that no other position in society would permit them. How understandable, then, that all paranoids who can, do flock into the ranks of these militants. Unfortunately, most nonexperts do not know how persuasive paranoics can be, at least for a time, until they are recognized as such. The persuasiveness of a Hitler or Stalin is now recognized as the consequence of their own paranoia, and their unconscious appeal to the vague paranoid tendencies that can be found among the immature and disgruntled. I have no doubt that the ranks of the militants contain some would-be Hitlers and Stalins, hence again their dangerousness.

(4) Paranoics always make a persuasive appeal to any group of the population who rightly or wrongly feel persecuted, and they seek out such groups because they are most likely to view their paranoia as true understanding of this group's particular predicament. Which brings me to the particular problems of some of the black students who, fortunately, seem to recognize ever more than the SDS is using them, rather than helping them. They are not quite as successfully to see through the motives of some of the paranoid student leaders. Their feeling persecuted because of their emotional disturbance "feels" more congenial because of the black students' experience with discrimination.

Still, the overwhelming majority of the black students desire exactly the same for themselves as does the overwhelming majority of the white students: a rightful place in this society. And only a very small minority of them wishes to destroy it, as do the few rebellious white students. Thus if they could be convinced that there is a good place for them in society, their attitude would change and they all would part ways with the SDS, as many of them have already done. But here the difficulty is that many of the black students, just because of the nature of the commitment of the university, do not feel that being a student is necessarily the best way for them to find their rightful place in society. Here our wish, and theirs, that they should become part of the elite, runs afoul of what for many of them is their reality. Many of the black students who are brought into our colleges are often ill-prepared academically, and lacking in the skills required for making a go in college. At the same time they have been imbued with the notion that it is the fault of the establishment that they are disadvantaged. While this is true to some degree, being aware of such truth is an easy way out if one does not succeed.

All students find the transition from home to college difficult. In past times this was blamed by the student on himself, and most of them therefore tried to do something about themselves and sooner or later succeeded. Today both white and black students tend to blame the faculty for the difficulties they encounter in adjusting to a different way of life and study.

The demand for black study programs originated not only in the justified feeling that one must be familiar, and proud of one's own background, but to a large degree in the feeling that such studies would be easier, that such faculty would have greater understanding for this difficulty.

The fact is that some black students are induced to go to college whose preparation for it is inferior to that of the majority of the college population. While the faculty is ready to make allowances for this, it runs counter to the self-respect of the black student, who rightly does not wish to be made to feel like a second class citizen. But if he cannot compete successfully with those students who had had so many advantages educationally and socially, he is in a terrible conflict. He was brought to college to do as well as the others, but if he fails to do so, his background does not permit him to accept that this is because of his lack of preparation, because this would make him feel second class, while he is in college to get out of such a position. So when because of lack of background and preparation—though intellectually able to make the grade—he has difficulty in adjusting, he feels that the very place that promised to make him equal fails to do so. Disappointed, he rages against the institution that makes him once more feel inferior. And efforts to help him by means of special programs only makes this inferiority even more obvious. The many black students who are well able to hold their own with the best of the rest feel they must not desert their fellow black comrades and hence feel obliged to make their burden their very own.

I believe the answer to this problem does not rest with the colleges and universities. If we want to bring a large number of black students into our universities, as we should, I am convinced we have to start much earlier. I believe from high school age on, it would be necessary to educate a larger number of them, together with white youngsters from culturally deprived background, in true prep schools, so that they will enter college in every respect as well prepared academically and socially as the rest of the college population.

(5) There is a fascination in society at large with sex and violence, with drugs and insanity which both influences the student militants and provides them with a noteworthiness which they exploit to the full. If students protest because of an idea or position and do so in orderly and rational form, they do not receive much public attention. But if they shed all their clothes and walk around naked, this makes news all over the nation, whatever the case they may, or may not have had. It is part of a dangerous fascination with youth and its extreme positions. What passes for modern literature which these youngsters read already in junior high school intoxicates their minds with the appeal of drug induced madness, with sexual acting out and with violence.

The universities, because of their intellectual prestige, give the student activists a prestige for their revolutionary claims which they otherwise could never achieve. For example, for days not more than some 20 to 30 students occupied the administration building of the University of Chicago. They got headlines everyday, and were prominently featured on radio and TV. If some 30 people would have demonstrated in any other place, they would have found no attention whatsoever. This the SDS knows, that is why it concentrates on the universities. The contrast between an institution devoted to the highest achievements of reason, and the obscenity and violence perpetrated there, makes it all the more fascinating. It is this fascination on which they try to build their revolutionary success. An idea in itself may be next to nothing, but it becomes news by interfering with something else which is considered, for one reason or another, to be of public importance. In themselves a couple of hundred demonstrators, somewhere in

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New York or Chicago would mean very little, but if some fifty students march into a large lecture hall, take control of the podium, and broadcast their ideas to people who came to hear something quite different, then they have made news.

Here, too, is where the function of political phraseology becomes operative. If someone advocates urinating on graves as the Fugs did, or if a few girls dress up as witches and put curses on professors, as they did in Chicago, if they would do so without reference to politics, people would rightly wonder about their sanity; but if they do so as a condemnation of the Viet Nam war, or take clothes off while claiming to be demonstrating for some good progressive cause, they have the support of many of the older liberals and enlightened radicals, who will inevitably consider it all to be very socially significant. If you are a teenager wrestling with the police and you say you are doing it because of the moral superiority of a future social order, you cannot fail to get the sympathetic attention of the editors of radio and TV stations rather than psychiatrists. The ritualistic invocation of ideology is thus both an alibi and a defense.

(6) Perhaps it all has made too many headlines, perhaps it has been talked about too much for people to accept the fact: but the truth of the matter is that these rebellions can and do paralyze the universities.

And they do this not only because classes are interrupted and buildings occupied, not only because faculty must devote all their energies to calming things down, but much more so because all the time and energy which should be devoted to more lasting achievements has to be concentrated on preparing for and on forestalling new confrontations. Here a last comparison with pre-Hitler days: Then in Germany, as Professor Mosse (3) puts it "professors tended to be either scholars who withdrew into their own speciality, taking scant notice of the world around them, or men who attempted to play the role of prophets. The first kind of academic wanted only to be left in peace . . . The professor as prophet, with very few exceptions indeed, was to be found on the side of the revolting students." Of the students he says, "They had found a basis for action that opposed existing authority yet remained independent of any political movement directed by their elders." And of the faculties that they "failed to provide any opposition, failed to use administrative powers, and failed to organize effective alternative groups of students. At best they displaced a detached passivity . . . at worst they joined in the harassment."

Like in pre-Hitler faculties, so in our universities today we can see efforts of faculty members to remain aloof from it all, while others try to anticipate even the most radical student demands, so as to avoid confrontations. Worse, there are no efforts made to organize effective alternative groups of students. And most of all, many are so intimidated that they cave in even before the students exercise any pressures. It is the continuous worry about what the militant students may do next, the anxious efforts to give them no offense, which saps the universities of their strength so that they become paralyzed. This anxious avoidance of taking a firm stand gives not only these militants, but also many non-committed students the feeling that they have the faculty on the run, because these adults are not sure about their values.

If the colleges and universities would feel sure about themselves, take a determined stand against any coercion and intimidation—though always not only open to, but inviting, reasonable, non-coercive discussion about how things could be improved (and much improvement is needed, as I suggested all along)—then I believe student rebellions could be so reduced as to no longer threaten the universities and, because of the consequences, possibly even all of society.

Thus I believe efforts should be concentrated on strengthening the will of the colleges and universities to resist disruption and coercion. If we succeed in doing so, I believe we shall have little need to take recourse to punitive measures; beyond setting into practice that those who do not wish to have any part of our universities should have their will: they should not be permitted to be, live and work at a place they hate, not as a punishment, but because to remain at a place they hate and despise serves no good purpose, and is detrimental to their emotional well being.

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2. Laqueur, Walter Z. *Young Germany*. New York: Basic Books, 1962.

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Statement by Nathan M. Pusey, President of Harvard University, Before the Special Subcommittee on Education, May 8, 1969

In my judgment there is little likelihood that the current disturbances and ills which plague college and university campuses can be helped by new legislation at the local, state or federal levels. I have believed strongly—and nothing that has happened at Harvard in recent weeks has caused me to change my opinion—that a correction for our manifold present difficulties can only come from within the academic communities themselves. Let me hasten to agree, however, with what I take to be the view of many concerned people outside the universities, that a correction is clearly overdue.

Very serious injury is being done to the academic enterprise in this country as in many other countries, by the disruptions now being experienced in university communities. In the very period of the world's greatest need for education, the number of institutions of higher learning being shut down, or in which scholarly work is made virtually impossible, for varying periods of time here and abroad, is a scandal. The hours and days and terms wasted in turmoil and emotional distress by students and faculty are beyond calculation. On many campuses for long periods of time learning has almost ceased; and research if it has moved at all, has only limped along. Serious intellectual work cannot be accomplished in a violent revolutionary atmosphere. We need serious intellectual work. And we need those serious people—happily there are still many—who have not lost their faith and interest in this kind of activity and want to get on with the job. In the offing too are the new generations of young people waiting and needing to learn. In the light of these considerations the one unblinkable conclusion, which I take it I share with you, is that the turmoil and violence on our campuses must stop.

My firm conviction is that the campus communities themselves are the only instruments by which the desired end can properly be effected. If the desired result is to be achieved, students, faculties, administrative officers, governing boards and alumni all together must now say, "Enough is enough," and beyond this, they must mean it and show by their actions that they mean it. And—though some of you will find it hard to believe—it is my opinion that academic communities are going to measure up to this task. Signs are multiplying of a growing readiness on the part of faculty and students to assume this strange, unexpected and unwanted responsibility.

What has been happening on our campuses is both difficult and not difficult to understand—difficult in its deeper causes, not reasonably clear as revealed in the surface events which engender disruption. There are small groups of active revolutionaries on most campuses who have given up on American society and its institutions. Many of these are unimaginative, and not untypically rather fanatical young people whose professed aim is to bring down the "Establishment" as a preliminary to ushering in—they believe—a new and better order of individual freedom and gratification. These groups and their atrocious activities constitute the source of our immediate problem. Though their numbers are not great, they have managed to bring about an incredible amount of disturbance. Yet is not they, so much as the response they have won from other young people who should refuse to follow their lead, which constitutes the most serious problem.

This latter problem—which is, I think, basic—can be dealt with only quietly in reasonable analysis and discourse, over a long period of time. The immediate task, therefore, is to make clear within academic communities that revolutionaries insofar as they insist on using tactics of violence, disruption and coercion in pursuit of their goals have no rightful place, and will not be tolerated. If academic communities are to survive—or at any rate are to survive healthy and free—they must insist on this primary requirement of their existence.

Militant radicals have been winning varying degrees of sympathy from a much wider group of concerned and troubled young people. The amount of support the latter give changes with the issues—goes up and down almost from day to day. The revolutionaries search continuously for issues to win support from their nonmilitant colleagues in order to increase their own following and to achieve their basic purpose, which they acknowledge quite frankly is simply to extend "the movement." By this they mean to foster a revolution which they assume they are leading. They have been fairly successful in recent years in finding issues and so have gained not only tolerance but a great deal of active sympathy for themselves.

But if we are to understand this latter lamentable phenomenon we must recognize and keep in mind that young people do have legitimate cause for worry and dissatisfaction. They have suddenly become acutely aware of many blemishes in American life, within universities and even more in the world outside. They cannot understand why adults in our society—their parents, you and I—do not appear to be equally concerned, nor why we have not already made substantial advances toward correcting the many abuses of which they have become conscious—such abuses as the war, poverty, blighted cities, distorted values for living, and overconcern with getting and gaining, an absence of loving and caring—these and others.

It is easy to say these young people with their lack of experience as to the true world situation and of the conditions of adult life, have an inadequate understanding of how difficult it is to effect constructive change, of how slowly substantial improvements are won when they are won, how much effort, concern, dedication and patience are required, how much knowledge and trained skill are needed, and how many conscientious efforts have been and are even now being made. It is also easy to fault the revolutionaries among them for such things as their manifest egotism and self-righteousness, their unwillingness to listen, the impatient orthodoxy of their so-called radicalism, their superior moral attitude, the tendency of the quickest among them to equate brightness with wisdom and articulateness with understanding, their failure to see that the business of living is essentially a compromise with imperfectibility, their arrogance and shameless vulgarity, and their belief that action is more important than competence, and feeling (they call it "caring") more important than understanding.

But the present militant young will not listen to explanations or accept excuses from us. They want results; and they want them now. The mood is widespread. And were it not for its impatience, and the lack of charity it engenders because of its imperfect understanding, who can deny that it is a good thing? The statement painted by youthful revolutionaries on a building at the London School of Economics, "We want the world, and we want it now" is only an expression of a deep-rooted concern and an insistence on change which springs from valid sources of strength in contemporary society.

There are real troubles in society and in the human heart which foster disturbances on campuses, and we have a gigantic task to face up to them, if we are to move toward the eradication or amelioration of the manifold blemishes of our society in such a way as to recall the distressed and angry, young and old, to work patiently and seriously together, charitably, and reasonably, and on a basis of knowledge, in a fresh effort to build a satisfying society that will stir and elicit loyalty.

I cannot say how this is quickly to be done. This long-range aim is what education is all about. Members of faculties, able and devoted teachers will have to do the job. I can only ask that the public outside the universities recognize that the present problem is deep and difficult, and entreat their legislators not to seek to effect correction by hasty enactments which cannot reach to the root of the difficulty and will in all probability only spread the discontent.

I would like to assure the Congress and the public from my own experience that we within the universities are not unaware of the serious implications of the disturbances with which we are now confronted—how venomous and threatening they are. I would like the Committee to believe that we are seeking to understand them and to find ways to contain those relatively few individuals who are most immediately responsible. Toward this end we must enlist the cooperation of the many other young who truly want to build a better society. It is for this reason that I urge you to refrain from precipitate legislation at this time, though recognizing your desire to be helpful. Clarification is on the way. Wills and resolve are stiffening. Those who understand learning and care for it are coming together. Academic communities move slowly to defend themselves. They are almost endlessly tolerant. But the new barbarism will be repulsed. Our institutions will not be surrendered. In a sense universities live for dissent. In less anxious times they encourage and welcome it. But they are not so complacent or other-worldly that they do not know when their lives are threatened, and I am confident as they come to recognize the evil which has recently been permitted through indulgence to grow in their midst they will respond, and again assert the university's true character.

My plea is that in the interest of our national well-being you retain faith in the vast majority of our young people and permit the institutions which exist to foster their education to get on with their very difficult task in ways which will seem to them appropriate, and which alone, I believe, can be counted on to be productive.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Kee (at the request of Mr. Slack), for May 13 through May 16, on account of official business in his congressional district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Ruppe) and to revise and extend their remarks and include extraneous matter:)

Mr. Steiger of Wisconsin, for 30 minutes, on May 13.

Mr. Gerald R. Ford, for 5 minutes, on May 13.

Mr. Daniels of New Jersey (at the request of Mr. Caffery), for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Belcher and to include extraneous material.

(The following Members (at the request of Mr. Ruppe) and to include extraneous matter:)

Mr. McDade.
Mr. Schadeberg.
Mr. Brown of Ohio in two instances.
Mr. Quie.
Mr. Wyatt.
Mr. Winn.
Mr. Sebelius.
Mr. Robison in three instances.
Mr. Derwinski in three instances.
Mr. Duncan in two instances.
Mr. Utt.
Mr. Pettis.
Mr. Bell of California.
Mr. Zwach.
Mr. Halpern in two instances.
Mr. Hosmer.
Mr. Taft.
Mr. Denney.
Mr. Cowger.
Mr. Cunningham.
Mr. Coughlin.
Mr. Ashbrook.
Mr. Schneebeli.
Mr. Collins.

(The following Members (at the request of Mr. Caffrey) and to include extraneous matter:)

Mr. Biaggi in two instances.
Mr. O'Hara in two instances.
Mr. Addabbo in two instances.
Mr. Boland in two instances.
Mr. Flowers in three instances.
Mr. Kastenmeier.
Mr. Dingell in two instances.
Mr. Charles H. Wilson in two instances.
Mr. Giaimo.
Mr. Vanik in two instances.
Mr. Podell in three instances.
Mr. William D. Ford.
Mr. Eilberg.
Mr. Edwards of California in two instances.
Mr. McFall.
Mr. Conyers in three instances.
Mr. Rarick in three instances.
Mr. Gonzalez in three instances.
Mr. Gibbons in three instances.
Mr. Shipley.
Mr. de la Garza in three instances.
Mr. Matsunaga.
Mr. Feighan.

ADJOURNMENT

Mr. CAFFERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 14, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

758. A letter from the Attorney General, transmitting a draft of proposed legislation to establish, in the House of Representatives, the office of Delegate from the District of Columbia, to amend the District of Columbia Election Act, and for other purposes; to the Committee on the District of Columbia.

759. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to establish a Commission on Government for the District of Columbia; to the Committee on the District of Columbia.

760. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

761. A letter from the Assistant Secretary of the Interior, transmitting a request for the withdrawal of the application by the Cameron County Water Improvement District No. 2 of San Benito, Tex., for a loan under section 4(c) of the Small Reclamation Projects Act, pursuant to the provisions of that act; to the Committee on Interior and Insular Affairs.

762. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide for the alteration, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government-owned airports under the jurisdiction of the Secretary of Transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

763. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the act of September 7, 1950 (relating to the construction of a public airport in or near the District of Columbia), to authorize arrests for offenses committed on Federal lands acquired to provide access to the airport, and for other purposes; to the Committee on Interstate and Foreign Commerce.

764. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the act of October 9, 1940 (54 Stat. 1030), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes; to the Committee on Interstate and Foreign Commerce.

765. A letter from the Director, Office of Science and Technology, Executive Office of the President, transmitting a report on the national atmospheric sciences program; to the Committee on Interstate and Foreign Commerce.

766. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Federal Communications Commission as of March 31, 1969, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

767. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report listing certain information on contracts negotiated under 10 U.S.C. 2304(a) (11) and (16) during the

period July 1 through December 31, 1968, pursuant to the provisions of 10 U.S.C. 2304 (e); to the Committee on Science and Astronautics.

768. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report on the operation of section 201(g) of the Revenue and Expenditure Control Act of 1968 on the number of civilian officers and employees in the executive branch of the Government for the quarter ended March 31, 1969, and for the period of the law's operation to that date, pursuant to the provisions of that act; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CAHILL: Committee on the Judiciary. H.R. 3666. A bill to amend section 336(c) of the Immigration and Nationality Act (Rept. No. 91–215). Referred to the House Calendar.

Mr. RODINO: Committee on the Judiciary. H.R. 3667. A bill to amend section 312 of the Immigration and Nationality Act; with amendment (Rept. No. 91–216). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 406. Resolution for consideration of S. 1011, an act to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes (Rept. No. 91–237). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. Resolution 407. Resolution for consideration of H.R. 4152, a bill to authorize appropriations for certain maritime programs of the Department of Commerce (Rept. No. 91–238). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DENNIS: Committee on the Judiciary. H.R. 1462. A bill for the relief of Mrs. Vita Cusumano (Rept. No. 91–217). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. H.R. 1707. A bill for the relief of Miss Jalileh Farah Salameh El Ahwal; with amendment (Rept. No. 91–218). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 1948. A bill to confer U.S. citizenship posthumously upon Pfc. Joseph Anthony Snitko (Rept. No. 91–219). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. H.R. 2208. A bill for the relief of James Hideaki Buck; with amendment (Rept. No. 91–220). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 2224. A bill for the relief of Franklin Jacinto Antonio; with amendment (Rept. No. 91–221). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 2536. A bill for the relief of Francesca Adriana Fatta (Millonzi); with amendment (Rept. No. 91–222). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 2890. A bill for the relief of Rueben Rosen (Rept. No. 91-223). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 3165. A bill for the relief of Martin H. Loeffler (Rept. No. 91–224). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 3166. A bill for the relief of Aleksandar Zambeli (Rept. No. 91–225). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 3167. A bill for the relief of Ryszard Stanislaw Obacz (Rept. No. 91–226). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. H.R. 3172. A bill for the relief of Yolanda Fulgencia Hunter; with amendment (Rept. No. 91–227). Referred to the Committee of the Whole House.

Mr. DENNIS: Committee on the Judiciary. H.R. 3188. A bill for the relief of Cho Johnny; with amendment (Rept. No. 91–228). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 3376. A bill for the relief of Maria da Conceicao Evaristo (Rept. No. 91–229). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 3560. A bill for the relief of Harry Bush; with amendment (Rept. No. 91–230). Referred to the Committee of the Whole House.

Mr. DENNIS: Committee on the Judiciary. H.R. 5107. A bill for the relief of Miss Maria Mosio; with amendment (Rept. No. 91–231). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 6389. A bill for the relief of Visitacion Enriquez Maypa; with amendment (Rept. No. 91–232). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 9979. A bill for the relief of Choi Sung Joo; with amendment (Rept. No. 91–233). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 256. An act to confer U.S. citizenship posthumously upon Lance Cpl. Theodore Daniel Van Staveren (Rept. No. 91–234). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 537. An act for the relief of Noriko Susan Duke (Nakano) (Rept. No. 91–235). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 648. An act for the relief of Ernesto Alunday (Rept. No. 91–236). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By **Mr. ADAMS** (for himself, Mr. Diggs, Mr. Fraser, Mr. Hungate, Mr. Jacobs, and Mr. Kyros):

H.R. 11170. A bill to establish a Commission on Government for the District of Columbia; to the Committee on the District of Columbia.

By **Mr. ANNUNZIO**:

H.R. 11171. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By **Mr. BELL** of California:

H.R. 11172. A bill to authorize the appropriation of additional funds necessary for acquisition of land at the Point Reyes National Seashore in California; to the Committee on Interior and Insular Affairs.

By **Mr. BIAGGI**:

H.R. 11173. A bill providing for the issuance of a special postage stamp in honor of, and as a tribute to, the courageous men who served on the U.S.S. *Pueblo;* to the Committee on Post Office and Civil Service.

H.R. 11174. A bill to amend the Internal Revenue Code of 1954 to make extensive reforms in the income tax law, with emphasis on reforms which will be of particular benefit to middle- and low-income individuals and families; to the Committee on Ways and Means.

H.R. 11175. A bill to permit the States and District of Columbia to deny welfare assistance to persons who have not resided within the State or District from which they seek assistance for at least 1 year preceding their application for assistance; to the Committee on Ways and Means.

H.R. 11176. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 11177. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means:

By **Mr. BINGHAM**:

H.R. 11178. A bill to amend chapter 89 of title 5, United States Code, relating to enrollment charges for Federal employees' health benefits; to the Committee on Post Office and Civil Service.

H.R. 11179. A bill to amend the Internal Revenue Code of 1954 to provide a basic $5,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

H.R. 11180. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By **Mr. BRASCO**:

H.R. 11181. A bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By **Mr. BURKE** of Massachusetts:

H.R. 11182. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects; to the Committee on Education and Labor.

By **Mr. CELLER**:

H.R. 11183. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By **Mr. COLLIER**:

H.R. 11184. A bill to adjust the postal revenues and to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11185. A bill to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

By **Mr. CORMAN**:

H.R. 11186. A bill to authorize appropriations for the Civil Rights Commission; to the Committee on the Judiciary.

H.R. 11187. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By **Mr. DELANEY**:

H.R. 11188. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By **Mr. EDWARDS** of California:

H.R. 11189. A bill to increase the availability of guaranteed home loan financing for veterans and to increase the income of the national service life insurance fund; to the Committee on Veterans' Affairs.

By Mr. ESCH:

H.R. 11190. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FALLON:

H.R. 11191. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. FOLEY:

H.R. 11192. A bill to authorize the Secretary of Agriculture to make indemnity payments to certain beekeepers; to the Committee on Agriculture.

By Mr. FUQUA (for himself, Mr. Nelsen, Mr. Broyhill of Virginia, Mr. Hagan, Mr. Fraser, Mr. Horton, Mr. Adams, Mr. Cabell, Mr. Gude, and Mr. Hogan):

H.R. 11193. A bill to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89-774 (80 Stat. 1324); to the Committee on the District of Columbia.

By Mr. GIBBONS:

H.R. 11194. A bill to amend title II of the Social Security Act to provide under the retirement test a substantial increase in the amount of outside income permitted without loss of benefits, but with a requirement that income of all types and from all sources be included in determining the amount of an individual's income for purposes of such test; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 11195. A bill to enable citizens of the United States who change their residence to vote in presidential elections, and for other purposes; to the Committee on House Administration.

By Mr. HALPERN:

H.R. 11196. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects; to the Committee on Education and Labor.

H.R. 11197. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMMERSCHMIDT:

H.R. 11198. A bill to amend chapter 73 of title 38, United States Code, to make a career in the Department of Medicine and Surgery more attractive, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. JACOBS:

H.R. 11199. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

By Mrs. MINK:

H.R. 11200. A bill to amend the Agricultural Marketing Agreement Act of 1937 to authorize marketing agreements providing for the advertising of Hawaiian papayas; to the Committee on Agriculture.

By Mr. MIZE:

H.R. 11201. A bill to amend title 5, United States Code, to authorize consolidation of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. MOLLOHAN:

H.R. 11202. A bill to amend the Federal Meat Inspection Act to require that imported meat and meat food products made in whole or in part of imported meat be labeled "imported" at all stages of distribution until delivery to the ultimate consumer; to the Committee on Agriculture.

H.R. 11203. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11204. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

H.R. 11205. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. MORGAN:

H.R. 11206. A bill to increase the increase limitations governing payment of pensions under the Veterans' Pension Act of 1959; to the Committee on Veterans' Affairs.

By Mr. MORSE:

H.R. 11207. A bill to authorize the Secretary of Housing and Urban Development to make loans for the provision of urgently needed nursing homes; to the Committee on Banking and Currency.

H.R. 11208. A bill to amend title I of the Housing Act of 1949 to authorize loans to assist older persons who have been displaced from their homes by urban renewal projects to purchase comparable homes, free of additional debt; to the Committee on Banking and Currency.

H.R. 11209. A bill to prohibit arbitrary discrimination in employment on account of age, and for other purposes; to the Committee on Education and Labor.

By Mr. MOSS:

H.R. 11210. A bill to amend titles 10 and 37, United States Code, to provide equality of treatment for married female members of the uniformed services; to the Committee on Armed Services.

H.R. 11211. A bill to amend the Civil Rights Act of 1957 to extend the duties of the Civil Rights Commission; to the Committee on the Judiciary.

H.R. 11212. A bill to provide equality of treatment for married women employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11213. A bill to amend the Civil Service Retirement Act to provide equality of treatment with respect to widows and widowers of certain employees who die in service; to the Committee on Post Office and Civil Service.

H.R. 11214. A bill to amend title 38 of the United States Code to provide equality of treatment for married female veterans; to the Committee on Veterans' Affairs.

By Mr. NELSEN (for himself, Mr. Gerald R. Ford, Mr. Springer, Mr. O'Konski, Mr. Harsha, Mr. Horton, Mr. Broyhill of Virginia, Mr. Winn, Mr. Gude, Mr. Steiger of Arizona, Mrs. May, and Mr. Hogan):

H.R. 11215. A bill to establish a Commission on Government for the District of Columbia; to the Committee on the District of Columbia.

By Mr. NELSEN (for himself, Mr. Gerald R. Ford, Mr. Springer, Mr. O'Konski, Mr. Harsha, Mr. Horton, Mr. Winn, Mr. Gude, Mr. Steiger of Arizona, Mrs. May, Mr. Hogan, and Mr. Quie):

H.R. 11216. A bill to establish, in the House of Representatives, the office of Delegate from the District of Columbia, to amend the District of Columbia Election Act, and for other purposes; to the Committee on the District of Columbia.

By Mr. PATTEN:

H.R. 11217. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 11218. A bill to amend part B of title XVIII of the Social Security Act to include drugs requiring a doctor's prescription among the medical expenses with respect to which payment may be made under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. RHODES:

H.R. 11219. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

H.R. 11220. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROTH:

H.R. 11221. A bill to deny tax-exempt status to private foundations and organizations engaging in improper transactions with certain Government officials and former Government officials, and impose an income tax of 100 percent on income received by such officials and former officials from such foundations and organizations; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 11222. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H.R. 11223. A bill to amend the Public Health Service Act to extend for 3 years the programs of assistance for medical libraries; to the Committee on Interstate and Foreign Commerce.

By Mr. STEIGER of Arizona:

H.R. 11224. A bill to amend title 13, United States Code, to increase the penalties for wrongful disclosure of information by employees of the Bureau of the Census; to the Committee on Post Office and Civil Service.

By Mr. TAFT:

H.R. 11225. A bill to provide Federal financial assistance to opportunities industrialization centers; to the Committee on Education and Labor.

By Mr. UTT:

H.R. 11226. A bill to prohibit mineral leasing and geologic or geophysical surveys of certain submerged lands on the Outer Continental Shelf off the coast of California; to the Committee on Interior and Insular Affairs.

By Mr. UTT (for himself and Mr. Bob Wilson):

H.R. 11227. A bill providing an exemption to the Revenue and Expenditure Control Act of 1968; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 11228. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WINN:

H.R. 11229. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

XUM

By Mr. WYATT:

H.R. 11230. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. ANNUNZIO:

H.J. Res. 715. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FOLEY:

H.J. Res. 716. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. JACOBS:

H.J. Res. 717. Joint Resolution authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week"; to the Committee on the Judiciary.

By Mr. VANIK:

H.J. Res. 718. Joint resolution to authorize the President to proclaim the first week of August of each year as "American Youth Week"; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. Con. Res. 250. Concurrent resolution relative to the orderly withdrawal of troops from South Vietnam; to the Committee on Foreign Affairs.

By Mr. PATMAN:

H. Con. Res. 251. Concurrent resolution to require France to pay its World War I debt; to the Committee on Ways and Means.

By Mr. PATTEN:

H. Con. Res. 252. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. WILLIAMS:

H. Con. Res. 253. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. PERKINS (for himself, Mr. THOMPSON of New Jersey, Mr. DENT, Mr. PUCINSKI, Mr. DANIELS of New Jersey, Mr. BRADEMAS, Mr. O'HARA, Mr. CAREY, Mr. HAWKINS, Mr. WILLIAM D. FORD, Mr. HATHAWAY, Mrs. MINK, Mr. SCHEUER, Mr. MEEDS, Mr. BURTON of California, Mr. GAYDOS, Mr. STOKES, Mr. CLAY, and Mr. POWELL):

H. Res. 405. Resolution to express the sense of the House regarding the shutdown of Job Corps installations before congressional authorization and appropriation actions; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

163. By the SPEAKER: Memorial of the Legislature of the State of Washington, relative to restoration of funds to implement construction of a pilot plant to determine the engineering and financial feasibility of building two commercial plants to process bituminous coal from the State of Washington; to the Committee on Appropriations.

164. Also, memorial of the Senate of the State of Washington, relative to the closing of the Crispus Job Corps Center, Randle, Wash.; to the Committee on Education and Labor.

165. Also, memorial of the Legislature of the State of Hawaii, relative to automatic increases in annuities for retired civil service employees; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of the rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COWGER:

H.R. 11231. A bill for the relief of Surjeet Singh Dhanjal; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 11232. A bill for the relief of Michael R. Marino; to the Committee on the Judiciary.

By Mr. HALL:

H.R. 11233. A bill for the relief of Dr. Eligio C. Cruz; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 11234. A bill for the relief of Lino Veramessa; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

106. By Mr. MIZELL: Petition of the Board of Aldermen, city of Winston-Salem, N.C., opposing any Federal legislation which would deny or limit tax exemption of municipal bonds; to the Committee on Ways and Means.

107. By the SPEAKER: Petition of County Council, county of Hawaii, State of Hawaii, relative to the antiballistic-missile system; to the Committee on Armed Services.

108. Also, petition of Antonio Escalera, Santurce, P.R., relative to redress of grievances; to the Committee on the Judiciary.

109. Also, petition of Edward Vieira, Jacksonville, Fla., relative to a memorial of the Legislature of the State of Florida; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

ACCELERATED PROGRAM FOR REBUILDING RIOT DAMAGED AREAS

HON. HOWARD H. BAKER, JR.

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Tuesday, May 13, 1969

Mr. BAKER. Mr. President, it has come to my attention that a spokesman for the Nation's timber and forest products industry has spoken out in strong support of President Nixon's accelerated program for rebuilding areas of our major cities damaged by riots in recent years.

During the past few years we have all become increasingly aware that the major domestic problems confronting this Nation cannot be solved by Government action alone. The vigorous support of all elements of the private sector are essential to an effective attack on those problems. I am delighted to see this evidence of vigorous involvement on the part of timber-related industries.

I ask unanimous consent that an April 9 release reporting the remarks of Mr. R. R. Edgar be printed in the Extensions of Remarks.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF R. R. EDGAR

WASHINGTON, D.C., April 9.—A spokesman for the Nation's timber and forest products industry today gave strong support to President Nixon's order for Federal assistance in rebuilding riot-damaged areas of 20 major American cities.

Speaking for the Forest Industries Council—FIC—R. R. Edgar said—

"The Forest Industries Council strongly supports the statement by the President of the United States in which he placed a new emphasis on rebuilding the scarred neighborhoods of our major cities. President Nixon has forcefully reminded the Nation of its responsibilities to provide all citizens with decent shelter and environment. The Forest Industries Council, composed of the four major national timber and forest products associations, believes in allocating our energies and resources so that our fellow Americans who are in most need gain our first attention. The council will do whatever is appropriate in this great effort. We are alerting all our member companies at the local and regional levels to heed President Nixon's call of concern."

The FIC is a coordinating committee representing four major national associations—the National Forest Products Association, the American Paper Institute, the American Pulpwood Association, and the American Forest Institute.

In recent weeks Mr. Edgar and other industry representatives in testimony before House and Senate committees urged an increase in the availability of federally-owned timber and long range programs that would assure adequate continued support for Federal and State forest services.

Mr. Edgar, president of the American Pulpwood Association and vice president of Bowaters U.S. Corp., Calhoun, Tenn., said the FIC is vitally concerned with all proposals that aid the country in meeting its housing goals.

GRAND MASTER WILLIAM F. BOOTH

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. GIAIMO. Mr. Speaker, I am proud to report that William F. Booth, a native son of New Haven, Conn., has been installed as Grand Master of the Grand Lodge of Masons in the State of Connecticut.

Affectionately known as "Billy," Mr. Booth is the brother of legendary Yale football star Albie Booth, but this fact has not dimmed the luster of his own accomplishments. As a fitting tribute to the dedication and sacrifice this man has shown in his 40 years as a Mason, I should like to include his biography, as printed in the May 1969 issue of Connecticut Square and Compasses, in the RECORD at this point.

The article is as follows:

HOW PROUDLY WE HAIL

Every community has a handful of people it treasures—people who have done more than make their own way. There are people who have been unafraid to cut through to the core of a problem and then do something about it. There are people who have cherished their Masonic heritage and have borne it to others as a gift.

It is not necessary to write a book to introduce Most Worshipful Grand Master, William F. Booth, to the people of Connecticut, because there is no remote village in this State in which his name is not a household word. But it is well that Masons, who know him as "Billy", should be made aware of the background and personal achievements which have made him one of the prime possibilities for the election to the highest office in the gift of our member Masons. If one were to seek out and state the attributes which make him the personage he is, it would be necessary to number among his abilities the power to analyze events and to reach sound conclusions from facts, as they present themselves. It is not enough that a leader should be endowed with these qualities if he is to rise high in public estimation and affection. He must also number among his possessions the ability to draw to himself the affection even to persons who have not enjoyed the privilege of his personal acquaintance.

It is to be doubted if, in all our history, there has existed a more diligent worker for Masonry which he honors by membership—nor a more sincere preaching of those high ideals which he believes will preserve the honor and stability of our Institution which he reveres.

The character, personality and intelligence of William F. Booth, have made it not only possible but actual, that he will one day sit in the Oriental Chair of the Most Worshipful Grand Lodge of Masons in the State of Connecticut.

The word "Integrity" is not lightly to be bandied about—nor promiscuously be applied to this person or that person, because even the most exalted do not always bring to the furtherance of their ambitions clean hands. The word can be applied to the Most Worshipful William F. Booth, because the conduct of his life has earned it.

"Billy" as he is affectionately called, received the degrees in Olive Branch Lodge No. 84, A.F. & A.M., and served as its Master for the year in 1944.

The Elm City Grand Master was born in New Haven, May 18, 1904, the son of Albert James Booth, Sr., and Mary Frank Booth. He was born near the home of Winchester Repeating Arms in Newhallville, and was raised in the city of Elms. The Booths were people of "Independent and Comfortable means", and like so many other average Americans, were refined and cultured. His father, Albert James Booth, at the time Bill was born, was foreman at Winchester Repeating Arms, and was esteemed as a man of sound judgment with integrity and great ability.

During the formative period of life the influence of Bill's mother was particularly strong. She stimulated his youthful intellect, taught him high moral principles and left a profound impression upon his spiritual life. His school training was received at the Public Schools in New Haven. He attended Hillhouse High School, and after graduation in 1921, he entered Collegeate Prep School and graduated in 1923, then entered Yale University, from which he graduated in 1927, and received his B.S. degree.

His mother, a superior woman, intellectually, directed his early life in the way of her own example and encouraged him to work and study. The financial needs of the family forced the necessity of labor and his school attendance during his boyhood days. Bill was a sturdy, vigorous and active youngster, whose special tastes were for athletic sports. He loved coaching with the Boys' Club and other Youth Groups.

Bill is the oldest of three children; Albert J. Booth, and Frederick Austin Booth, began to take on personal responsibilities at an early age, at the death of his father. He began to earn his own living by peddling milk for the New Haven Dairy Company, to supplement an income for the education of his famous brother—Albie James Booth.

Albert James Booth (Albie) famous Yale football star and now deceased, grew up in Newhallville with actor Victor Borgnine, also Massachusetts Governor Foster Furcolo and the Rev. Robert Keating. Albie weighed 125 pounds—at Hillhouse High School, and later was star athlete at Milford Prep School. He was a football, baseball and basketball captain at Milford, and later a football and basketball captain at Yale. Although he was a National hero for scoring all 21 points as Yale defeated Army 21–13, at the Bowl in 1929. Few would turn their backs on the temptation to be admired. Albie did that. He made his choice. He must be respected for it. "A legend and idol" and an inspiration were some of the words used by civic and sports leaders of yesterday. Seldom does fame knock at the doorstep of one such as the Albie of college days. He took his defeats as well as the victories with a wonderful spirit. He was a dangerous and explosive back. Albie Booth, Yale's immortal Mighty Atom, was "always" a great competitor.

Love is not an easy feeling to put into words. Nor is loyalty to family, or trust or joy. His youngest brother, Frederick, was left under his guidance. While under Billy's wings, he attended the Milford's Prep School for three years. Thereafter enrolled at Yale University for further education. Week-ends he helped with his brother's route by peddling milk.

Frederick Austin Booth is a member of Olive Branch Lodge No. 84, New Haven, and is active in the Fraternity. He received his Masonic wages for Meritorious work in the Scottish Rite and other Bodies. He is a Past Thrice Potent Master of E. G. Storer Lodge of Perfection; present Senior Warden, New Haven Chapter Rose Croix. Elected and serving as High Priest of Pyramid Shrine, A.A.O.N.M.S. at the Bridgeport Mosque.

Paralleling an exemplary and successful career in Public Relations with an astoundingly and strikingly effective career, Bill has filled his days and years with unceasingly devoted service to his family. His career and attainments are best summarized by his own words: "It has been said that the world can be divided into three classes of people. There are the few who make things happen, the many who watch things happen, and the overwhelming majority who don't know what is happening."

In community and civic affairs, our new Grand Master is a member of many Clubs and Service organizations. Among them: New Haven Boy's Club Alumni Association, Yale Alumni Association of New York, Wallingford Country Club, and Norwalk Club. In business, he is President of the Gaeta Travel Bureau, Inc., of Norwalk, Conn.

In May 1933 he married a podiatrist, Doctor Marion A. Norton. The couple have no children. Wife still practicing podiatry in New Haven. Home influence has been a strong factor spiritually. Brother Bill was reared a Lutheran. No man has a finer code of honor and no man has tried harder to guide his life by his faith. In the words of his own: "I am grateful for each day . . . and my wife—and I will take them and enjoy them one by one, with a second glimpse for a challenging tomorrow."

A clergyman once commented that Brother Bill, also seemed to have acquired traits of the Methodists and Episcopalians as well. To this he responded extemporaneously: "I believe in the Fatherhood of God, the brotherhood of man, in the teachings of the great light of Masonry, which rests upon every Masonic altar. The roof of my church is the stardecked heaven, which covers the world. I consider all men my brethren . . . I am a firm believer in what I have been pleased to call the Eleventh Commandment, given by the Redeemer of the world Himself, and that is 'Love thy neighbor as thyself!'."

Most Worshipful William F. Booth's Masonic accomplishments are as follows: Raised in Olive Branch Lodge No. 84, in New Haven on April 19, 1928; Served as Master in 1944; Received in Franklin Chapter No. 2, R.A.M., on January 5, 1943; Served as High Priest in 1949–1950; Received and greeted in Harmony Council No. 8, Royal and Select Masters on May 11, 1943; Served as Thrice Illustrious Master in 1947–1948; Knighted in New Haven Commandery No. 2 on June 2, 1944; Served as Eminent Commander in 1959–1960; Elected in E. G. Storer Lodge of Perfection, A.A.S.R., January 29, 1945; Served as Thrice Potent Master in 1957; Elected in Elm City Council, Princes of Jerusalem, March 5, 1945; Served as Sovereign Prince in 1959; Elected in New Haven Chapter of Rose Croix on March 25, 1945; Now serving as Most Wise Master; Elected as a Sublime Prince in Lafayette Consistory in May 1945.

Honors conferred: Received the Arthur M. Brown Meritorious Service Award from the Council of Deliberation, A.A. Scottish Rite, N.M.J., in June 1960, Coronated an Honorary Member of the Supreme Council 33° Masons September of 1965; Appointed as District Deputy in 1961 and again in 1962; Appointed Grand Junior Deacon in 1963; Received the Purple Cross of Honor from the Sovereign York Rite College of North America in 1963.

Only two Masons in the State of Connecticut, have received the honor of being Coronated a 33° Mason and Crowned with the Purple Cross of Honor. Both honors are for distinguished service in the Scottish Rite Bodies and in the York Rite Bodies.

Affiliated bodies—Masonic: Member of Hejaz Grotto, M.O.V.P.E.R. of New Haven, Conn.; Created a Noble in Pyramid Temple, A.A.O.N.M.S., in June 1944; Served as Potentate in 1954; Recorder of Pyramid Temple since 1955; Member of Royal Order of Jesters; Royal Order of Scotland; Order of Amaranth; Past Patron, Ethel Chapter No. 28, O.ES.; Conn. Priory No. 28, Knight of the York Cross of Honor; Conn. York Rite College No. 17, and presently Secretary; Holy Royal Order of High Priests; Past Commander of New Haven Commandery; Past President, Olive Branch Lodge No. 84, Past Masters Association; Member of Cabiri, National Association of Past Potentates; Member of Board of Managers of Masonic Temple Association of New Haven.

Biography would appear to be a useful approach describing the interplay between individual and society, between character and environment in creating an image of personality clearly. Few things are as instructive as experience, and we are here permitted to watch men of our own generation adjust to or rebel against, but in every case make a valuable contribution to the world that has shaped our destiny.

It is fairly simple to write the biography of Most Worshipful Grand Master William F. Booth, or trace the life of this important figure who made his mark in the wider community—especially active, in Masonry. Now, in the prime of his life, he holds the highest office within—the gift of the Masonic circle, in the State of Connecticut. When his present term expires, he will take his place among the foremost of Connecticut Masons.

It is hoped, this biography widely read as it richly deserves to be, and that the study of the events of his life will add full measure to the admiration, esteem and affection in which we Masons hold for Most Worshipful Grand Master for Connecticut, William F. Booth.

"A GREAT YOUNG AMERICAN," BY GEN. BRUCE C. CLARKE, U.S. ARMY, RETIRED

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 13, 1969

Mr. THURMOND. Mr. President, it is a pleasure for me to invite the attention

of Senators to a success story of "A Great Young American," written by Gen. Bruce C. Clarke, U.S. Army, retired. This inspiring story of a young North Korean who no longer could tolerate communism is particularly appropriate in the face of so much antipatriotims, anti-Americanism, and antiservice to their country today by militant youth.

Mr. President, General Clarke writes about his personal knowledge of a boy known as Chiisi who later became 2d Lt. Link S. White, U.S. Army. Link defected from North Korea during the war. He was adopted by an Army family. After officer candidate school, he served his country in Vietnam. He will graduate from college next year.

Mr. President, here is a young man who appreciates his new country and life, liberty, and the pursuit of happiness. He knows what life is under communism and he was glad to fight for his country against it. He is making his place in a free society as a good citizen. He voluntarily contributed his service to his country.

Mr. President, Link's story puts to shame those in our society today who would destroy our institutions and refuse to serve our country against Communist domination of the world. This love of freedom and service to country should serve as a notice and a challenge to those who make a mockery of the flag, military service, and the cause of freedom.

Mr. President, I ask unanimous consent that the story of 2d Lt. Link S. White be printed in the Extensions of Remarks.

There being no objection, the story was ordered to be printed in the RECORD, as follows:

A GREAT YOUNG AMERICAN

(By Gen. Bruce C. Clarke, U.S. Army, retired)

When the United Nations Armies recoiled from the Yalu River in the Korean War they brought back with them many thousands of North Koreans who did not again want to live under Communism.

One of them was a ten year old boy who for two years had been the sole support of his family. His name was Chiisi (Cheesy). Let's follow Chiisi for the next eighteen years.

Chiisi obtained work in the X U.S. Corps General's Mess as a handy mess boy. He worked also in the N.C.O. Mess. His pay was food and a place to sleep and such tips as the officers and NCO's gave him—this money he very carefully saved.

I became the X Corps Commander, located in central Korea at Kwandari, in December 1953. I met and took a liking to Chiisi. I had a couple of boys at home who were about Chiisi's age.

Later I left this assignment and Chiisi.

Subsequently I learned that a Sergeant White had brought Chiisi home with him, adopted him, sent him to school and then to Muhlenberg College in Allentown, Pennsylvania.

Sergeant White subsequently died. Chiisi was broken up. Under his adopted name: Link S. White, he enlisted in the United States Army. He was selected for officer candidate school and graduated with a commission as 2nd Lt., U.S.A. Res. and was sent to Vietnam in 1967.

In February 1968 I was visiting the troops in Vietnam at the request of General Westmoreland. While visiting in the Delta, a smart young 1st Lieutenant came up to me, saluted, and said "Do you remember Chiisi?" I cannot adequately describe my reaction at our reunion after fourteen years.

Chiisi finished his Army tour with credit and returned to Muhlenberg College, where today (May 1969) he is a Junior. He will graduate in the Class of 1970.

This is the story of a young boy from behind the Bamboo Curtain who by work, determination, and devotion sought and found a better way of life than under Communism. He has served his new country well, both in peace and in war. He is a proud American citizen. He is appreciative of what America has to offer and will continue as a good citizen in his new homeland. We need more of such in our country today.

MANHATTAN BOROUGH PRESIDENT ADDRESSES McGOVERN COMMISSION

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. BINGHAM. Mr. Speaker, on May 3 the distinguished borough president of Manhattan, the Honorable Percy E. Sutton, made a penetrating and provocative statement before the Democratic Party's Commission on Party Structure and Delegate Selection chaired by Senator GEORGE McGOVERN. In the thought that President Sutton's statement should be read and pondered, not only by all thoughtful Democrats, but by all who care about the vitality of our political system, I am including it in the RECORD herewith by unanimous consent.

STATEMENT BY MANHATTAN BOROUGH PRESIDENT, PERCY E. SUTTON BEFORE McGOVERN COMMISSION, MAY 3, 1969

I am happy to have the opportunity to discuss with you today the ways in which I believe the Democratic Party should restructure its organization and reorient its policies and goals.

The nation is in a state of deep crisis, perhaps more serious than any it has faced since the Civil War. We are in a revolution—a revolution of rising expectations and rising hopes. And unless our social and economic structure here in America undergoes *rapid, far-reaching change,* the very survival of our society is challenged. And, unless the Democratic Party's structure undergoes equally *rapid, far-reaching changes* a prime political instrument for ensuring the survival of our society faces convulsion and death.

Unhappily many view the Democratic Party as it now functions as a basically conservative party, which is too often unresponsive to the forces seeking change—the poor in the urban ghettos and rural areas; the Blacks, Puerto Ricans, the Mexican Americans, the Indians and the other oppressed minority groups; the life styles of the young on our college campuses and in our high schools. Nor has the Democratic Party properly addressed itself to the problems of the new urban-suburban middle class and the militant and new type labor unions.

Earlier in this century, the Democratic Party was the principal architect of social progress in America. Our Party was a coalition of interests which emerged in response to the terrible pressures of the Depression. Our party was a party forged in battle, a party that achieved great victories for each member of the coalition.

The coalition included principally liberals, intellectuals, labor, farmers, minority groups and the urban poor. I need not specify the forms of governmental aid and public assistance received by each member of the coalition; it ran the gamut from the Wagner Act to price supports to public works programs to Social Security. Suffice it to say that all elements of the Democratic Coalition were successful in opposing the forces standing in the path of social progress—the elements of the Republican coalition: big business, the wealthy upper and suburban and rural middle classes.

But now the years have passed and many of the Democratic Party's hard battles of the thirties have been won and the beneficiaries of the battle now seem no longer alert to the problems or committed to the wars yet unwon—they are now virtually supporters of the status quo and they either ignore or oppose the movements for basic social change—movements which are growing in numbers and strength.

If we as a party are to survive we must take on the new battles that are dividing our nation—the battle to make the tax system truly progressive; the battle to end, not merely curb, unemployment; the battle to house and feed every American adequately; the battle to give every citizen proper medical care; the battle to create an educational system that will enliven, not deaden, the minds of our schoolchildren; the battle against urban congestion and pollution; the battle to end our national commitment to spending more and more money preparing for and carrying out a military-dominated foreign policy.

In essence, if the Democratic Party is to survive the Democratic Party shall have to give up its complacency. The Democratic Party shall have to move meaningfully to end the racism written in its ranks. The Democratic Party shall have to reach outside its white sanctuary to its Black, Mexican, Puerto Rican and Indian constituency who now feel no meanginful power within the national party structure.

The "establishment" structure within the Democratic Party must be broken up and its power equitably distributed among all races and all people, so that the impoverished and the ethnic minorities and all the elements now left out of the Democratic Party coalition might enter the party structure and there within the Party wield political, economic and social power proportionate to their growing numbers and overwhelming needs.

The Democratic Party is not exempt from an urgent need for decentralization of power and equitable sharing of power among all its groups. Indeed, the Democratic Party to prosper *must* be in the forefront of those institutions adjusting to meet the new goals and new interest groups of the 1970's.

The new coalition of the poor, the oppressed minority groups, the young, the liberals, and the new day-new type labor unions must be embraced by the Democratic Party within a new form of Democratic Party structure, one which will supplant the present political club structure.

The New Democratic Coalition in New York, which is holding its first statewide meeting in Albany tomorrow (Sunday), has proposed a new Party framework whereby the alienated and oppressed will become part of the Democratic party decision-making structure. The Party will give full membership, voting rights and participatory powers in the Democratic Party organization to all groups fighting for the goals that the Party should stand for. Thus progressive labor unions, school community control groups, anti-poverty groups, peace groups, civic improvement groups—all these would have a say in who the primary candidates are instead of merely voting in the primaries; they would have a say in who convention delegate candidates are, instead of merely voting for them. In short, they would be full participants in the organizational structure of the Democratic Party.

The kind of change I am suggesting in the structure of the Democratic Party is clearly not in the interests of the political bosses who are afraid of losing their power, prestige and patronage to the new insurgents. Those forces in the Party perpetuating the status

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quo will surely fight hard against organizational changes, but the more progressive of us must fight tooth and nail to push our reforms through—for the sake of the Party and the nation.

Another reform I strongly urge is that the Party make it a matter of the very highest priority to seek out and register hundreds of thousands of semi-literate, poor, Black and Spanish-speaking citizens. Last year, those in control of the Democratic National Committee tried to pigeonhole over $1 million in funds for political education and voter registration. These elements saw, quite rightly, that their own power was jeopardized by enrolling new voters, especially the poor and all of those who have up to now been excluded from the political system.

Also last year, the New York Democratic Party State Committee saw fit not to include a single Black man or Puerto Rican among 28 delegates-at-large with full voting powers at the Democratic National Convention. They finally were forced to back down from their outrageous position only through the hard efforts of Bronx Borough President Herman Badillo, myself and others.

This type of elitism and political colonialism must cease.

Another specific issue which troubles me, as an elected Black official, is the relative powerlessness of Black and Puerto Rican officials within the party Structure and within the national political power structure. They are largely confined to their own constituencies and rarely given the chance, let alone support, to run for city-wide or state-wide or nation-wide offices in which their own particular ethnic group will not constitute the majority of constituents. The Democratic Party has not yet accepted the basic assumption of politics—that an elected official pledges to serve his entire electorate. I am the Borough President for 1,700,000 New Yorkers. When I speak I do so as a Black man, of course, but more importantly as the elected official of *all* New Yorkers, black and white.

Black and Spanish-speaking officials must be given the same consideration for political office as officials of Irish or Italian or Jewish or any other ethnic origin.

Black office-holders labor under another severe handicap. Only by strong personal commitment and personal projection are they listened to with the same attentiveness given to the white public or party official.

Indeed, the problems of the Blacks and Puerto Ricans are so enormous that only a massive, vigorous commitment by our Party and our government will *begin* to put a dent in these problems. If Black Party members and Black office-holders are ignored and not given support for the urgent programs they advocate, then Black office-holders will be driven out of office as ineffectual politicians and others with no commitment to the Party and to democracy will take their place. And I think you ought to know that the bomb-thrower of tomorrow is not going to be the *shirtless one;* or the *slum resident;* but he will be the disenchanted son of the middle class Black, the young fellow who went to Yale or Harvard and wore Brooks Brothers clothes but later discovered that despite all his training and his willingness to work "within the system", *the system* was not willing to work with him.

I have been talking about the broad question of participation in the Democratic Party on the basic, organizational grass-roots level. I do not intend to go into specifics about my ideas on the abolition of the electoral college and the direct primary election of presidential candidates. Many of those testifying today will, I am sure, advance these ideas in greater detail.

The main message I have wished to bring to you is this. America is in urgent need of broad social change, a change which is demanded *now* by a new coalition of dissatisfied, alienated groups in our nation. Regretfully, the Democratic Party is now dominated by an old coalition which is opposed to this change. I pray that our Party will have the vigor, the intelligence and the political wisdom now, while there is time, to restructure itself, to share with these new groups the voice they deserve in the running of the Democratic Party. Only *then* will the groups of this "new coalition" be able to turn the policies of this nation around and not be forced to resort to massive violent disorder as a method of social change.

THE ABM

HON. BARRY GOLDWATER

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 13, 1969

Mr. GOLDWATER. Mr. President, on the evening of May 12 of this year, Dr. John Foster, Jr., who is Director of Defense Research and Engineering, spoke before the Aviation Space Writers Association in Dayton, Ohio. In his address he made some very pertinent and wise observations relative to some of the opposition which has surfaced against the ABM. He particularly pointed out some inconsistencies in the report written for one of our colleagues by a number of professors, scientists, and lawyers. Because I feel so strongly about the importance of this issue, I want Members of Congress to have the benefit of both sides of this argument, so I ask unanimous consent that the address be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY DR. JOHN S. FOSTER, JR., DIRECTOR OF DEFENSE RESEARCH AND ENGINEERING

This evening I would like to discuss the Safeguard Ballistic Missile Defense System. My purpose is to describe briefly why we need it; the issue before Congress and what is turns on; and then to attempt to set the record straight on some of the technical questions that have tended to dominate public debate. I'm certain you have not failed to note the great number of writers that are now experts in your business.

First the "whys" of Safeguard. During the last four years we have observed a rapid growth in the Soviet Union's strategic forces. This growth has resulted in an improvement and expansion of their already massive anti-aircraft defenses, the deployment of a small ABM system, the start of more than 1000 ICBM launchers, and the rapid deployment of more advanced nuclear submarines,—both attack and ballistic missile launching. The expansion is continuing.

As we have watched this expansion during the last few years, most of us assumed that the Soviet Union was attempting, logically, to gain strategic parity with the U.S. We, ourselves, have not significantly expanded our forces during this period.

However, more recently the character and number of Soviet offensive weapons have tended in directions which cause us now to doubt most seriously our previous less disturbing assumptions. A continuation of these trends could constitute a threat to our strategic forces,—to our land-based ICBM's and to our strategic bombers. The phased deployment of Safeguard is intended to give us a minimum necessary "hedge" to protect against these contingencies.

Phase I of this deployment is limited to the location of Safeguard components at two Minuteman wings. Deployment of these two sites provides an opportunity to "shakedown" such a system—to find and remove those technical and operational bugs which are not likely to show up in research and development efforts. We will be prepared to move to Phase II should the threat continue to increase. We could move in the direction of giving greater coverage to the ICBM force, or to protect our alert B–52's against an SLBM attack, or to protect the National Command Authority or to protect our population against a Communist Chinese ICBM attack, or some combination of these options.

It is extremely important that we understand clearly the issue before the Congress, and the consequences of its decision one way or the other.

The question of Phase I deployment rests on three key points. First, is the matter of incremental funds association with deployment. We are requesting just under $900 million in FY 1970 to continue development, test, and deployment. Of this, about half of the money is for development, test, and the necessary supervision; and the remainder for deployment. So the deployment decision involes the authorization and appropriation of an incremental, $450 to $500 million—less than 1% of the DoD's budget request. In fact, expenditures for FY 1970 would be reduced by only about $250 million, but the ultimate over-all DoD cost for the completed Phase I would increase some $250 million.

Second, it is important to maintain continuity of this hedge against the still evolving threats. You should realize that ever since the approval by Congress, and Secretary McNamara's decision in 1967, we have been building up our capability to produce and deploy these components. If authorization to continue deployment were delayed until next year, the current capability would decay, and we would lose not just one year but two or more years. Without authority for production and deployment, we would have to close our developmental production lines, discharge our production personnel and cease our engineering on sites. Later, when authority was granted to reinitiate production, site acquisition, and onsite engineering and construction, we would re-engage the necessary personnel and train them before productive work could be accomplished. This means that the first two sites could not be in operation until 1976 at the earliest, instead of 1974. If at the same time, the Soviets continue on their present course, they could have another hundred SS–9 missiles making a total perhaps of 600, with up to 1800 warheads to attack our 1000 Minuteman. We would then be defending with too little too late.

The third and final key point on which the ABM issue rests is our desire to negotiate with the Soviet Union and end the strategic nuclear arms race. President Nixon has been quite clear on this point. He said—

> "I have taken cognizance of the view that beginning construction of a U.S. ballistic missile defense would complicate an agreement on strategic arms with the Soviet Union.
>
> "I do not believe that the evidence of the recent past bears out this contention. The Soviet interest in strategic talks was not deterred by the decision of the previous administration to deploy the Sentinel ABM system—in fact, it was formally announced shortly afterwards. I believe that the modifications we have made in the previous program will give the Soviet Union even less reason to view our defense effort as an obstacle to talks. Moreover, I wish to emphasize that in any arms limitation talks with the Soviet Union, the United States will be fully prepared to discuss limitations on defensive as well as offensive weapons systems."

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In summary, then the President has decided that we should take this minimum step consistent with preserving our security and enhancing the chances for meaningful negotiation with the Soviet Union. Failure to take the step could not only endanger our security in the mid-seventies, but also weaken our negotiation position in the immediate future.

The Safeguard issue is complicated by genuine uncertainties over Soviet intentions, and unnecessary confusion over technical and tactical problems. What is most remarkable in the public debate is the high level of confusion and misunderstanding which exists in the minds of some professionals as well as some non-professionals. For example, regarding the Soviet threat, the following quotation is from the recent book "ABM" edited by Professors Chayes and Wiesner.

"It is important to understand that these assertions by Secretary Laird are not based on any intelligence about new Soviet weapons systems. They represent his interpretation of facts that have, in the main, been known for some time, but have not been viewed heretofore by the responsible officials as signaling a Soviet attempt to attain a first-strike capability."

Secretary Clifford concluded in his January 1969 Posture Statement:

"It is quite apparent from the foregoing review of the threat that the Soviet Union is moving vigorously to catch up with the United States at least in *numbers* of strategic missiles—both land-based and sea-based."

Implicit in Secretary Clifford's conclusion is that the Soviets would level off when they "catch up." The subsequent evaluation of intelligence obtained earlier than his statement and intelligence received subsequently reveals both that the Soviets are moving even faster than anticipated and that, having passed the assumed leveling off point, their expansion programs are continuing unabated.

Mr. Laird's statements are based upon agreed intelligence data. I know of no disagreement on the approximate number of SS-9's being built by the Soviet Union, nor of any significant issue in size of its payload. We all agree upon the existence of new submarines and upon their approximate rate of deployment. No person who has seen the data objects to the conclusion that the SS-9 has been tested with multiples and the community agrees upon an approximate weight of the RV's.

We do not know just how effectively these RV's could attack Minuteman silos since we do not know precisely their accuracy. Indeed, their testing is continuing.

Further we do not know how many SS-9's the Soviets will finally build. Perhaps the Soviets themselves haven't decided. But, we do have a good idea of the number they could build in any given time at the recent rate, and we do have a good idea of the accuracy they might achieve.

President Johnson and Secretary McNamara saw only the beginning of the SS-9 buildup when the Sentinel system was started 2 years ago, but even at that time the option to defend Minuteman was designed into that deployment. To quote Mr. McNamara in September 1967:

"Further, the Chinese-oriented ABM deployment would enable us to add—as a concurrent benefit—a further defense of our Minuteman sites against Soviet attack."

Mr. Clifford requested, and the Congress granted, funds to maintain that option.

Other statements in the ABM book seem to play a strange numbers game. At one point the book states:

"With our Minuteman in hardened silos, it would take at least two attacking ICBM's to be reasonably sure of destroying one Minuteman."

An ICBM with three independently aimed warheads can attack three silos. The U.S. has designed, but not deployed, a system which allows a missile to signal the launch-control point if it has launched its re-entry vehicle properly. With this system, the control point could reprogram another missile to make up for failures. For example, a missile system having a 20% failure rate and carrying 3 re-entry vehicles per missile, would require only 420 missiles to attack 1000 silos. If the yield of each re-entry vehicle was a reasonable 5 MT and the accuracy a reasonable ¼ of a mile, about 95% of the silos could be destroyed. This would mean 50 of the 1000 Minutemen survive. It would be foolish to attack half of the silos twice as the book advised, rather than all of them once.

The same strange numbers game is played relative to defense. To quote again,

"It would take three missiles with 30 percent failure probability to destroy an incoming warhead with 97 percent certainty. Some such requirement must be incorporated into the firing doctrine for any ABM defense of cities, radars or bomber bases, and this uses up the defensive missiles at a fearsome rate."

Professor Weinberg indicates in his contribution to this book that sequential firing of the interceptors would eliminate this problem. He considers this very difficult. However, this is just the tactic which we will use and we have planned to use for many years. It is feasible. Furthermore, we expect missile failure rate considerably less than his assumed 30%, and results of firings to date support our expectation. Of those missiles that fail, almost all occurs early in flight. Should one fail, we would fire another. Sufficient time is available.

We also find the statement:

"But that system (Sentinel) was designed for a wholly different purpose. . . ."

This quotation is part of a much longer charge implying that the Safeguard components were not designed to defend Minuteman. This is just not true. The Nike-X R&D program upon which both Sentinel and Safeguard were based, always had a Sprint missile for point defense of targets, specifically Minutemen and cities. We have, from time to time, examined specialized systems, designed only to hard point defense, with the hope that we could find something much cheaper or much better, But we haven't found it.

Another statement reads:

"It has been authoritatively suggested that it just may be impossible during the next years to write a computer program for dealing with the various forms of attack that can be anticipated."

Programming of large computer-controlled systems is difficult. We have had considerable relevant experience, and our experience shows us that it can be done. The systems cited as horrible examples were pioneering new ground, but they eventually worked quite well. A recent example is the Air Force Space Track radar recently completed. It is very similar to the PAR radar in its operation, it has one of the largest real time computer programs ever written and contains almost a million instructions. It was built on schedule and within cost estimates—including the computer programming. The radar and its computer program are now operational, and the system is being operated and maintained by Air Force crews. In the case of Safeguard, we are allowing a year for shake down of the Phase I installations.

The book in many spots also claims that the defense can be easily countered by simple penetration devices or by "blackout" attacks.

These "simple" devices simply are not simple. We know that the United States has attempted to field operational penetration aids for the last decade, and we are only now beginning to have workable ones in our forces. We use them to force the Soviets to install a complicated and more expensive defense—we do not depend on them to assure our penetration capability. The devices—and the tactics—will require more resources than the Communist Chinese will have available for a considerable time.

With regard to the Soviets, the penetration tactics are not very useful for an attack upon the Minuteman force, and for that reason the Soviets would be wasting their time with them. Light penetration aids and the extensive high altitude blackout do not have much effect on a Sprint defense which takes place in the atmosphere.

With regard to the Chinese, they have yet to achieve their first generation ICBM. They don't know and don't yet have what it takes to develop and deploy penetration aides and tactics against the Safeguard system.

Professor Panofsky has asked recently how many Minutemen could be saved by Phase I of Safeguard.

There are attacks for which Phase I will save a respectable number of missiles. The maximum number is associated with the number of interceptors—a number which is classified for obvious reasons. However, I think it is a mistake to consider Phase I in just such terms. Phase I has two basic functions. It is first a step which will prepare us to react rapidly to a further development of the threat. It prepares sites and production facilities for increasing the number of interceptors and possibly radars, if a threat continues to develop.

Secondly, it provides a checkout, a shakedown of an integrated ABM system. Our first opportunity for such experience. What we learn here will affect future improvements of the system.

Professor Panofsky recently inquired whether the Safeguard system forms an economically feasible defense against a heavy threat to the Minuteman force. Various estimates of the cost of an interceptor including its assigned fraction of the radar and other systems cost have varied between $2.5M and $7M. The present cost to the U.S. and probably the Soviet Union for an offensive R/V is an excess of $10M. The advances which we expect in our forces over the next few years may reduce these to about $3M. There is little hope they will ever get as low as $2M. In other words, the cost to attack and to defend in the 1970 time frame are roughly one to one. Whether or not it turns out in, say 1975, to favor the offense or the defense depends on just what improvements the Soviets achieve as well as our own experience with the actual production and operation of our defensive system.

The Safeguard system has been designed by competent people, and the best that are available. Its design has been reviewed by outside experts. Those who do, in fact, study the aspects of the system that are within their area of technical expertise are convinced it will do what it is designed to do. There are some eminent scientists who, for one reason or other claim it won't work. On that, I'd like to say, first, that they have offered no problem which we have not long since addressed and resolved. Second, I want to point out that one does not obtain a meaningful technical judgment by taking a vote of the scientific community or even of Nobel Laureates. This would go to the second warning against misplaced power mentioned by President Eisenhower in his often quoted Farewell message—

"Yet, in holding scientific research and discovery in respect as we should, we must also be alert to the equal and opposite danger that public policy could itself become the captive of a scientific-technological elite."

I have attempted to treat some technical objections which have been raised; I have not treated all of them. Perhaps you have found or read objections which you consider more serious. If so, I would welcome an opportunity to answer them here and now.

RUSTIN ON CAMPUS CONFLICT

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. COHELAN. Mr. Speaker, recently Mr. Bayard Rustin, executive director of the A. Philip Randolph Institute, commented on the violence which currently is so prevalent on campuses and in civil rights protests.

At a time when it is not fashionable for black civil rights leaders to condemn extremism, separatism, and violence, Mr. Rustin, in a forthright assessment, reminds us that while there are valid causes for protest in our society—against the war, poverty, racism, and unresponsive educational institutions—there is no justification for violence. He deplores the pressures toward separatism and toward lowering the standards of attainment for Negroes. He urges instead recognition and integration of Negro contributions into the pluralistic forces of American society.

A consistent and militant fighter himself for civil rights, Mr. Rustin recognizes the tragic polarization and inherent dangers in contemporary violence and separatism.

Mr. Speaker, I request permission to insert Mr. Rustin's remarks, as reported in the Evening Star last week, and call them to thoughtful attention of my colleagues:

[From the Evening Star, May 3, 1969]

RUSTIN RAPS "SOFT" COLLEGES

(By Brian Sullivan)

NEW YORK.—Bayard Rustin, long-time Negro civil rights leader, says colleges are taking a cheap way out by agreeing to Negro students' demands for black studies programs.

Instead, he says, colleges need to develop massive—but expensive—remedial projects to improve the scholastic level of Negro students and to enable them to make their academic way.

In a question-and-answer session with a reporter on Negro unrest on the campus, Rustin deplored violent protests and said it was humiliating to see college administrators and faculty submitting to Negroes with guns.

They wouldn't submit to "Ku Klux Klansmen coming on campus with guns," he said, and suggested this indicated the college officials didn't really consider Negros equal to whites.

"They say, well, it's only Negroes behaving that way. They wouldn't tolerate this from white students," he said.

Rustin, who organized the March on Washington in 1963 and now is executive director of the A. Philip Randolph Institute, said Negroes had made substantial gains in educational opportunities.

"It is therefore all the more tragic that instead of taking advantage of the opportunity for learning, they are reducing the situation to a series of courses that cannot really prepare them for the kind of life they have to live."

The interview ranged over a spectrum of Rustin's views on campus problems, Negro militancy, and faculty reactions and concessions. The questions and answers:

Q. How do you view the efforts to establish separate black studies departments?

A. I am very much opposed to separation under any circumstances and I'm also opposed to black studies. And I believe it is a grievous mistake that there has not been the study of Negro culture history, but I'm opposed to it as black studies, because I believe there should be the integration of Negro contributions into the American historical forces, into the economic forces and into other forces. For example, I don't think you should study the American Revolution without studying Crispus Attucks.

But in this country, to try to separate the black experience from the American experience, is ridiculous.

Q. Do you think that the college militants, black or white, have a valid protest?

A. I think there are valid reasons for protesting. I think administrations have been insensitive to the needs of college students. I think that in a society where we have war, racism and poverty, young people are justified in protesting.

Q. What kind of demonstration would you lead on a campus in a protest you consider justified?

A. I believe people have the right to withdraw. They have the right to go on strike, but not to interfere with other people. They have the right to refuse to get to classes, they have the right to carry on any form of nonviolent protest.

Q. Do you think Negroes have made significant gains in the past few years, within the education system?

A. I think there has been a number of important gains. The U.S. government expects that by 1975 there will be 400,000 Negro college students. The fact is in 1969 there are over 400,000. We, are way ahead of schedule—largely because of the education bill which President Johnson introduced and Congress passed. There are many, many campuses where only three or four years ago Negro students did not have an opportunity to attend. Now they have been offered scholarships, or special cases have been made to encourage Negro students to come on campus.

It is therefore all the more tragic that, instead of taking advantage of the opportunity for learning, they are reducing the situation to a series of courses that cannot really prepare them for the kind of life which they have to live when they get out of college. Now here again I'm all for studying in an integrated manner. Just as I'm for integrating whatever contributions Jews and Irish and Italians made into our whole history. I'm for integrating the contributions of blacks. However in the long run, what one has to come out of college with, is a degree which prepares one to do something significant in the society. We need doctors, we need lawyers, we need people with degrees in economics and sociology and a myriad number of things. People ought to use their time in college really to specialize and to be able to make a contribution.

Q. There were reports that black students at Cornell armed themselves from fear of an imminent attack by some white students. You mentioned psychological stress that the ghetto student is under when he is dropped into an Ivy League school. How are you going to resolve this?

A. That is a police matter or, better still, a matter for the university to take care of. If the university cannot take care of it, then it's a police matter. I think there's been brutality to Negroes for centuries. We have been able to mount a concern about brutality to Negroes precisely because people were fairly convinced that Negroes were not engaged in aggressive violence.

It's going to be increasingly difficult now when people see pictures of young Negroes carrying guns for us to get attention called to that degree of brutality which is still left in our society. People will get the notion that Negroes are engaged in aggressive violence, and therefore, that the brutality may be justified. So I think these people are doing us a grave disservice with these guns. And I simply do not believe that there are organized groups of white college students on campus, at this point, which are prepared to attack Negro students with violence and guns. If Negro students continue to carry guns, that may very well happen later.

Q. How are we going to resolve this, given the feelings of the black militants?

A. The college administrations will have to be honest with themselves, and first of all, believe that Negroes are equal to other people and treat them accordingly. If Negroes and any other students engage in this kind of behavior, something must be done to prevent it.

And I think the college administration needs to stop playing young Negroes cheap. Now everybody knows that the ghetto schools and high schools are basically inferior. Efforts to get more youngsters into college and through college is a good idea, but it must not be done in a cheap way. . . .

Let me put it another way. There is no Italian history of the United States. There's no Jewish history, there's no black history, there is American history and whatever role Jews, Italians and blacks have played in it ought to be written as it occurs and integrated into the whole picture. Therefore, you have American history. The problem is we have not yet had American history, because blacks have been excluded. You don't deal with that problem of American history by doing the opposite thing now.

Q. In summary, what's the root of the campus problems?

A. One of the problems is that young Negroes are facing the shock of integration. They have been partially integrated, but there is a distance in their minds between what they aspire to be and what the conditions they have lived under makes it now possible for them to be. The conflict between this aspiration and ability creates many internal confusions.

Therefore one is often tempted, instead of fighting that conflict through to revert to one's self, to look inward. . . . So that if I set up courses myself I'll set them up so I can pass them. And that, you see, is what I mean when I say there should be lots of money and energy spent in helping the young Negro over that psychological barrier. There's only one way to do that. That is to give him enough tutoring, enough remedial work so that when he does finish college, he will finish on a par with all other students.

OUR PORT: PROSPER OR PERISH

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1969

Mr. BOGGS. Mr. Speaker, America is a maritime nation. Since the earliest days of our Republic, our people have looked to the oceans for communication and transportation, for defense and trade. It is no accident that the great cities of this country are either inland ports or seaports. The oceans have helped to make us the wealthiest, most powerful Nation the world has ever known.

Yet, somewhere along the way, amid our many national priorities, we have neglected to maintain and modernize our seaports.

The great seaports of this Nation can no longer afford to dwell on their past glories. The old piers built during the 1920's must be eliminated and terminals built to incorporate the latest developments in cargo handling.

There is a definite trend toward fewer ports. We must take steps to make certain that those surviving will be able to meet the rigors of competing with the modern ports of other nations.

It is essential that all levels of government in this country provide financial aid to seaports in their efforts toward modernization.

This will not be money wasted—it will be an investment in the future of this Nation and in the economic progress of its people.

Recently, in a series of 12 articles, Paul Atkinson, a reporter for the New Orleans Times-Picayune, made an in-depth analysis of the need to modernize our ports.

Mr. Atkinson's articles deal with the problems of the port of New Orleans, the Nation's second-largest port, but because this is a national and not just a regional or local problem, I am now calling Mr. Atkinson's articles to the attention of my colleagues:

[From the New Orleans (La.) Times-Picayune, Apr. 13, 1969]

OUR PORT, PROSPER OR PERISH: CITIZENS HERE SELDOM KNOW OF GREAT ACTIVITY, DAILY HUM—WARNING OF NEEDS GIVEN 30 YEARS AGO

(By Paul Atkinson)

"When a city has been a great port as long as New Orleans, its people are naturally inclined to take that fact for granted and to lack the driving enthusiasm of the people of a city that has just achieved port standing.

"Our people—and I mean every man, woman and child in this city—should be more port conscious and aroused to the need of educating our present and future citizens to just how much our city's progress is dependent on the greatest possible development of our port's potentialities."

Those could easily be the words of Dock Board President Robert R. Barkerding, who early this year began a massive campaign to alert New Orleans and Louisiana to the port of New Orleans' needs.

But that warning about the port of New Orleans was voiced 30 years ago by attorney-public utility counsellor Francis Williams in a report on problems of the Port of New Orleans.

This series is designed to inform the average citizen of New Orleans and the state of Louisiana of just what this port—ranked second largest in the nation—means to him personally.

It is not easy to know of the activity that hums daily within the confines of the Port of New Orleans, mainly because few citizens go there and observe. Many residents of the French Quarter, for instance, though living as close as anyone in New Orleans to the docks and wharves, do not even realize that the port of New Orleans lies only three or four blocks away.

Capt. Henry Joffray, in charge of the docks and wharves, talked about this very same subject.

"The average citizen never sees all this activity going on," said Joffray, on a recent tour of the port. "You ask him about the Plaza Tower, the 225 Baronne Building or the International Trade Mart and he knows exactly what you are talking about because he sees it.

VIEW BLOCKED

"But visually he has no idea there are 5,000 ships out here moving, there are seven million tons of cargo going by and about 60 cents out of every dollar going in his pocket can be attributed to the port of New Orleans. But he has either a levee wall or a shed obliterating his view. So unless he gets up on the Mississippi River Bridge or on top of the International Trade Mart, this is the only thing he sees.

"Now in San Francisco, you have a real knowledgeable citizenry. They live up on the hills, and as a guy gets up in the morning he is always looking at the port. He sees the Golden Gate Bridge and all the ships moving around. So he has an awareness.

"We can't jack up the city for New Orleans people to see the port. But we have to do it with visual aids, take our story to as many people as possible."

Newsmen on the tour were amazed at the activity that does go on in the port of New Orleans. It was just after conclusion of the dock strike; and cargoliners, freighters, barges, tugs and towboats abounded.

Yet for all its impressiveness, there are chinks and flaws. Riding downriver from the Henry Clay ave. wharf, these flecks can be seen in old, outmoded wharves with pilings in need of repair. Aprons are too small for today's modern loading and unloading.

But worst of all, there are no container wharves. Container ships are the water transportation mode of the future—and present—and New Orleans has no container wharf. Some containers, though, are unloaded from ships that call in New Orleans using ship's gear or barge with a crane on it.

SUM OF $60 MILLION SOUGHT

The Dock Board is seeking a minimum of $60 million from the state Legislature during the next four years to finance a capital improvement program. It would include two or three container berths in a new France rd. terminal near the Industrial Canal and the Mississippi River Gulf Outlet.

The Legislature has already approved the capital improvements program. But it failed to do one thing—it didn't fund it.

In future parts of the series, we will look closer at this Port of New Orleans that apparently few citizens really know. We will examine new modes of water transportation that has put a squeeze on the Dock Board—namely, container ships, lighter aboard ships (LASH), and the Seabarge clippers.

And we will learn of modernization needs of the Port of New Orleans and the new Industrial Canal lock that is needed so desperately but appears to be six to seven years away at the earliest; how inland waterways carriers contribute to the port's economy; and how other cities and harbor boards have financed their capital improvements programs.

The series will also document how large the labor force is that is involved in water transportation in Greater New Orleans. New figures show just how strong an economic factor the venerable old port really is to New Orleans and to Louisiana.

A longshoreman will tell us just how he spends his money, and business leaders will tell of the effect of the recent dock strike on the area's business.

And we will look closely at the Dock Board and its facilities, with a complete list of present wharves and their ages. It may surprise many citizens to know that some wharves still in use were built in 1903.

Barkerding, who has grabbed the Dock Board dilemma by the horns, will also give an insight into the board's problems and will comment on such diverse topics as containers, the domed stadium and the port and prospects for the future of the Port of New Orleans.

In short, we hope to alert readers to the needs of the Port of New Orleans. Because if New Orleans citizens don't become aware of the value of the port, then the port will perish instead of prosper. The economic fate of New Orleans citizens and business hang in the balance.

[From the New Orleans (La.) Times-Picayune, Apr. 14, 1969]

OUR PORT, PROSPER OR PERISH: CITY COULD BE IN TROUBLE, SAYS DOCK BOARD LEADER—BUT IT'S NOT TOO LATE YET—BARKERDING

(By Paul Atkinson)

"I'm going to find out whether people want this port.

"And if they don't want it, I want them to say they don't want it. About the most final way they can say they don't want it is when his matter comes up in the Legislature.

"If this Legislature—or another one, and by that time we will be well down the road to trouble—doesn't say let's go with the Port of New Orleans, I think New Orleans is in very, very serious trouble."

These were the words of Dock Board president Robert R. Barkerding, who has finally galvanized New Orleans into doing some serious thinking about the future of its port. Recently, he slowed down long enough from his activities on behalf of the Dock Board to discuss the port's situation.

Barkerding and a Times-Picayune reporter sat down at a tape recorder, and here's how it went:

"Q. How much longer do you give New Orleans as a major port?

"BARKERDING. I think you would have to put that in some sort of relative state. It depends on how fast the other ports go in relation to how slow we go. I wish I could be more precise, but let's just say if we don't have these new container terminals in two or three years, than the character of the Port of New Orleans will change. This will become a pushbutton port, dealing in commodities that don't require a lot of people to work.

"Q. Is it now too late for the Port of New Orleans?

"BARKERDING. No, I don't think it is from my personal knowledge of going around and speaking to shippers. Our consulting engineers who are dealing all over the world in these situations also don't feel it is too late. This corroborates our views. But we certainly have to make up a lot of lost time.

"Q. One of the major portions of the Dock Board's capital improvements program calls for a number of container berths. How quickly should the Port of New Orleans get into containers?

"BARKERDING. We should be in containers now because there are already hundreds and hundreds of containers moving through the Port of New Orleans every month. For example, Lykes Brothers has the contract with the United States government for overseas shipments of household goods and personal effects. This runs into the hundreds annually.

"We are handling hundreds of containers, but we are not handling them in the concept with which they are supposed to be handled—mainly at a container berth on a container ship. We are handling containers in an expensive way, which is no good for the ship owner and certainly doesn't attract to the port the full container ships which you can attract by building these berths. If you don't have the berths, they are not going to come. It's like not having a telephone; no one is going to call you.

"Q. What do you think about the recent idea of Mayor Victor H. Schiro suggesting a $60 million statewide bond issue to finance the port's needs?

"BARKERDING. That, if feasible, would be about the simplest thing because if the state would float such a bond issue to the tune of $60 million at once, you might say mathematically we could go three to four times faster than we expect to if we are only dealing with $15 million a year.

"Additionally, it wouldn't interfere with our bonding capacity which is $95 million. That means we could get revenues through the Dock Board. Our limit is $95 million and we have spent $73 million. We would have another $22 million to spend. We would like this very much.

"Q. Will the rough seas that the domed stadium project has encountered recently indirectly help the port in its bid for money?

"BARKERDING. I think it is unfortunate, first of all, that the domed stadium failed, because I think it is a completely separate situation. The Dock Board is apples, the domed stadium is bananas, if you try to compare the two. I think they are completely different. The stadium's efforts and revenues were based on a completely different situation than we are faced with.

"I think it is further unfortunate the atmosphere of both of these huge endeavors going on at the same time may have had some bearing on each other. It's entirely possible.

"That's a personal opinion.

"Q. One North Louisiana senator recently suggested at a hearing on the domed stadium that it was more or less a choice; the port or the domed stadium.

"Barkerding. I have heard various statements but I don't think they have a basis in fact because the supply of funds for the two projects comes from two different situations and I don't see why they should be linked together.

"They are both commendable efforts and both should be done. Now if there is a choice to be made, only one could be done, then certainly the port would take precedence. I don't think anyone would dispute that. But I repeat I don't think they have any relationship.

"Q. Do you realize that at the special session of the Legislature in November, it was a number of members of the Orleans Parish legislative delegation who defeated Gov. John J. McKeithen's tax package that was earmarked partly for the Dock Board and its needs?

"Barkerding. That was just the trouble . . . It was a tax package. We certainly don't want to become a part of any tax package this time, and if the Port of New Orleans is going to be included in a tax package, then we might just as well forget it. Legislation for this Dock Board and the funds it needs must be on its own bottom.

"Q. Realistically, knowing Louisiana politics, can it be that way?

"Barkerding. Well, we are certainly going to make every effort to make it that way.

"Q. How can we get the average citizen of New Orleans and Louisiana to see and realize the value of the Port of New Orleans? Is there a lack of communication between the Dock Board and the citizens?

"Barkerding. I definitely think so. In New Orleans and Louisiana, there are too many of these sacred cows, ivory towers. These come about for several reasons. Many people, many organizations—I'll even say the Dock Board—play things close to the vest too much.

"There definitely has been a lack of communication. There is no doubt about that. But that time is long past now. We want to put it all on the top of the table, which we are doing. We are in a bird cage. Anyone who wants to look at us, criticize us, help us, come on."

[From the New Orleans (La.) Times-Picayune, Apr. 15, 1969]

Our Port, Prosper or Perish: New Orleans Wharves Obsolete, Need Repairs—Weak Points Are Seen in Tour of Facilities

(By Paul Atkinson)

Many New Orleanians cross the Mississippi River Bridge every day and see the Port of New Orleans' wharves. From above, they look sturdy, fairly modern and serviceable.

But a tour of the port by automobile and boat shows otherwise. Such a tour shows why the Dock Board must annually pour untold thousands of dollars into repairs on a port that, in some instances, is literally falling into the river.

We took such a tour recently with Capt. Henry G. Joffray, who is in charge of the wharves and sheds. His station wagon took us into the Poydras st. wharf, built in 1929 and renovated in 1958.

"Look at all the column supports you have in this shed," said Joffray, pointing at the many columns. "This was okay years ago when you were pushing cargo around with a hand truck inside, but now with modern fork-lift and mechanized equipment, it hampers your operation. You don't have the maneuverability that you require to effectively handle the cargo.

"In the newer wharves, you try to go into overhead suspension or a minimum of columnar support to give you unimpeded dock space."

WHARVES OUTMODED

As we weaved in and out of the sheds, Joffray mentioned other points that show how outmoded some of the Dock Board's wharves are.

"There is poor lighting in some of the older wharves," he said. "We could spend about $500,000 on modernizing the lighting alone.

"Some of these wharves also have numerous curtains (doors). We spend $250,000 a year just repairing them where the fork-lift trucks have hit them. When you build new terminals, you wouldn't put in this many doors.

"Look at the wooden decking in this shed. The section of that is over water, you can only put 250 pounds per square foot. The section we are driving on now is over land and you can accommodate 1,000 pounds per square foot. For a modern facility, you have to have 750 to 1,000 pounds per square foot capacity to handle the heavy cargo that crosses your wharves."

Our driver barely squeezed through traffic on one of the back aprons of a wharf. "See what is happening here," said Joffray, "they are working cargo out of the rails, and then this is compounded by truck traffic. It's just too congested. With modern day methods, you need a terminal with plenty of backup space. There is only 30 feet along here.

"But some of the front aprons where the ships are unloaded are even smaller. Some are only 14 feet.

NO BACKUP LAND

"The city has just grown into the wharves. You can't carry on a modernization plan because the backup land is not there. You are trying to do things with wharves they weren't orginally constructed to do."

As we toured the port by boat, Joffray pointed to pilings under some of the older wharves. They looked in ill repair and old.

"That is an area that doesn't show," said Joffray. "But you could spend a couple of million dollars replacing the old and putting in new piles."

It would be good if those defects were in the minority of port facilities, but this is not so.

The Dock Board has released figures which show that 45 per cent of the general cargo wharves are obsolete, another 26 per cent are termed usable, and only 29 percent are labeled modern. Part of the $60 million sought by the Dock Board would be used to renovate and rebuild some of the older wharves.

The tour of the port was delayed in the afternoon because our boat—like many others—was late in getting through the Industrial Canal lock.

This shipping albatross, according to coport director Col. W. H. Lewis, must be replaced in the future by a new, modern and larger lock. Most of the cost will be borne by the federal government, but some of it will fall on the Dock Board.

PLANS FOR LOCK

Lewis said current planning by the U.S. Army Corps of Engineers is to complete plans for the lock in three years and then to construct it in another three and one-half years. It would be adjacent to the present lock and cost about $125 million.

"The existing lock is over 40 years old and is completely inadequate," said Lewis. "It has a width of 75 feet where many vessels are much in excess of that, and it has a length of 680 feet and a depth of 31½ feet. It is too shallow, too short and too narrow.

"It is heavily congested and now operated at its maximum capacity for both inland and seagoing craft. It has reached the point where there are many hours of delay. Barge companies moving barges through the lock are charging premium costs. Additionally, the towboats, the tugs and the cranes that must serve boats in the harbor are charging premium rates because of the delays."

REPORT BY GSRI

Before the ill-fated special session of the Legislature that refused to fund the Port of New Orleans' capital improvement program last year, the Gulf South Research Institute studied the port's needs minutely. The following paragraphs are still timely:

"Shippers required to use these facilities must absorb handling costs that are higher. While it is not posible to state precisely the effect this condition has on the volume of the port, it will effect the shipper's decision on whether to move marginal business between New Orleans and other Gulf ports. It is in the best interests of New Orleans and the State of Louisiana to replace these obsolete facilities as soon as possible.

"The need to accomplish port modernization programs was understood by Alan S. Boyd, then United States Transportation Department secretary, when he stated:

"'It has taken a force almost as powerful as the atomic bomb to get these ports (old timers Boston, Manhattan, Philadelphia, Baltimore and Norfolk) to begin to invest money in order to stay alive. Slowly they are coming around. Those who don't make 180 degree turns soon are going to be shut out completely because efficiency and economy are the goals of marine terminals of the future.'

"General cargo facilities at the port of New Oreans requiring replacement represent 2.4 million tons per year of the capacity of the Port. With total general cargo capacity rated at 5.6 million tons per year, this leaves a residual capacity of 3.2 million tons per year.

"Thus, the port of New Orleans is confronted with a pressing need to replace obsolete, unfunctional facilities while at the same time adding capacity to accommodate future gains in port volume and technological changes in the shipping industry. If the capital facilities program is not fully implemented, the port of New Orleans cannot maintain its competitive position."

[From the New Orleans (La.) Times-Picayune, Apr. 16, 1969]

Appropriations and Tax Funds Are Widely Used—Dilemma Here Reported by GSRI Last Year

(By Paul Atkinson)

A survey indicates that substantial governmental subsidies presently are being furnished to most American ports.

This was reported last year by the Gulf South Research Institute (GSRI) in a report on the Port of New Orleans and its dilemma in finding means to finance a $60 million capital improvements program.

The GSRI report concluded:

"Public funds from direct appropriations by state legislatures and dedicated tax revenues to support general obligation bond issues are universally used in financing facilities development programs at ports throughout the United States."

The Port of New Orleans, aside from its operating revenues, is the beneficiary of a portion of the state gasoline tax. Originally, the Dock Board was receiving 9-20ths of one per cent, but this was reduced substantially in 1952.

At present, the Dock Board receives a flat $500,000 annually plus interest and principal payments on all outstanding bonds of the board issued before 1952. These bond requirements expire in 1978, which means that thereafter the Dock Board will get only $500,000 yearly to aid in capital improvements or as it sees fit.

Now, let us take a look at how competing ports obtain financing for capital improvement programs and operating funds:

XUM

Houston—During the past 12 years 46 per cent of all bonds issued, measured in dollar value, to finance the capital improvements program of the Port of Houston have been tax-supported. Prior to 1958, county general obligation bonds, supported by county taxes, were used by the port to finance capital improvements. Officials of the port say that all future bond issues will be supported by county taxes rather than port-generated revenues.

Additionally, the port of Houston receives county property tax funds based on a millage rate which fluctuates according to the general obligation bonds outstanding. These tax receipts were $690,512 for the calendar year 1966.

Mobile—A state agency, this port presently gets most of its principal and interest requirements for debt service from operating revenues. But the original port facilities, built in 1928, were financed from the proceeds of a $10 million state general obligation bond issue. All but six of the present 33 dock berths were constructed with non-revenue supported bonds.

Indiana Port Commission—New to the port scene, this commission received $2 million from the Indiana State Legislature in 1962 to purchase about 450 acres of land, including a mile of frontage on Lake Michigan. Then in 1965, the Indiana Legislature appropriated $25.5 million to construct the harbor portion, and it should be completed this year. Any further development of the site, though, must be financed from the operating and lease revenues of the port.

Philadelphia—owned by the City of Philadelphia, this port had been obtaining approximately $600,000 a year from the city and another $370,000 a year from the Commonwealth of Pennsylvania until 1965. Modernization of facilities was accomplished through financing by general state authority bonds and city loans on a self-sustaining basis. The city leased its terminals and facilities to private concerns, with the proceeds of the lease agreements designed to cover only interest and amortization of the loans.

But in 1965, the non-profit Philadelphia Port Corporation was formed which entered into an agreement to lease most port facilities from the city. The City of Philadelphia and the Commonwealth of Pennsylvania will provide $1.2 million in matching funds annually for operating purposes for a period of about 12 years.

The City plans to construct and lease to the Philadelphia Port Commission approximately 15 ship berths at a cost of about $71 million. The board expects the leases with private terminal concerns to cover some maintenance and overhead costs in addition to debt service requirements. The board is designed to reflect a partnership between the city's business community and the city and state government.

Baltimore—The Maryland Port Authority receives 10 per cent of the state corporate income tax—approximately $4 million in fiscal 1967–1968. These funds are first earmarked for the payment of principal and interest on general obligation bonds of the state issued by the port authority for capital construction projects.

Revenues accruing from the operation of the authority's terminals are estimated at approximately $2 million. Thus, tax revenues are more than twice as great as revenues from port users. The authority is authorized to issue $88 million in general obligation bonds, of which approximately $35 million had been issued in early 1968.

Gulfport—Bonds issued by this state-owned port are full faith and credit general obligations of the state of Mississippi. It receives an annual county ad valorem tax which in 1966 amounted to just over 20 per cent of the total port revenues. The port also receives revenues from cargo handling activities—something not available to the Dock Board here.

Lake Charles—Created as a political subdivision of the State of Louisiana in 1924, the port district is governed by a board of commissioners which has the power to issue general obligation bonds subject to approval by referendum. These bonds are secured by unlimited ad valorem taxes. In addition, the board may levy without voter approval a special ad valorem tax not to exceed two and one-half mills annually.

Thus, Lake Charles receives public tax revenues from three sources: state gasoline taxes (1-20th of one cent per gallon), which yielded $584,497 in calendar year 1966; port district ad valorem taxes (three mills), which brought in $443,715 in 1966; and severance taxes, $9,537, for a total of 46 per cent of the port's revenues for that year.

Baton Rouge—An agency of the State of Louisiana, this port received a general appropriation in 1966 of $150,000. The port sustains a deficit each year from its operations and debt service requirements. As of Oct. 31, 1966, bonded indebtedness stood at $38.7 million. In addition, a $1.3 million unsecured three per cent note, payable to the Treasurer of the State of Louisiana, was outstanding.

Portland—The Port of Portland can issue general obligation bonds against the tax rolls of the City of Portland, but each issue requires authorization from Portland voters. Revenue bonds may be issued to finance construction of marine facilities.

New York—This conglomerate operation funds the transit system, including rail and bus, four airports and two heliports, six vehicular tunnels or bridges, a World Trade Center under construction, as well as the marine facilities under aegis of the Port of New York Authority. Early in 1968, the total operating revenues were approaching $200 million annually. There are no direct sources of taxes; however, certain assets of the authority have been fully depreciated, especially tunnels and bridges, and these, in effect, serve as a source of revenue for other departments which require greater facility construction funds.

Sen. Theodore M. Hickey recently said that the State of Louisiana may authorize such an authority for Greater New Orleans, bringing the Aviation Board, the Dock Board, the Orleans Levee Board, the Public Belt Railroad and possibly the two bridge authorities under one central authority. He said he believes the idea has strong merit.

Nevertheless, armed with the knowledge of how other ports finance capital improvements, it is evident that the Dock Board is on strong ground in seeking state funding of its $60 million capital improvements program. That is how others are doing it.

[From the New Orleans (La.) Times-Picayune, Apr. 17, 1969]

NEW ORLEANS BARGE TRAFFIC VALUABLE

(By Paul Atkinson)

Two recent surveys on inland water transportation in Greater New Orleans turned up a startling statistic. On both occasions, 10 per cent of the nation's barge fleet was in the New Orleans area.

In round numbers, an American Waterways Operators Inc. spokesman said, that is 1,700 barges. "It is now accepted as a truism that 10 per cent of the nation's barges can be found in New Orleans on any given day," said the spokesman.

Just how important is inland water transportation to the Port of New Orleans? Barges and tugs and towboats are generally overlooked as contributors to the city's economy, overshadowed by massive freighters, tankers and cargoliners that ply the water between here and the Gulf and ports of Europe and Asia.

But how else would New Orleans be the nation's largest grain port if it were not for barges slicing through the Mississippi River from such points as Clinton, Davenport, and Keokuk, Iowa, to mention a few grain stops?

Official U.S. Army Corps of Engineer figures show inland water transportation figures have grown during the past 21 years. In 1946, the Port of New Orleans received and shipped internally about 12 million short tons of cargo. But by 1967 that had grown to 50.4 million tons.

In 1946, the Port of New Orleans received only 54,912 short tons of corn. This traffic increased to 6,634,868 short tons in 1967. Wheat increased from 123,271 short tons in 1943 to 2,131,352 short tons in 1967. And the soybean commerce grew from 21,744 short tons in 1946 to 3,158,000 in 1967.

Just what do those 1,700 barges mean to New Orleans' economy, and why should the average citizen be impressed? He likely will reason that barges do not consume any goods, but tugs and towboats that push and pull them do.

Lindsey Williams, president of the Seafarer's International Union of North America local, said recently that he numbers about 600 tugboat employees on his roster. Williams estimates they earn about $8,000 a year and put into the city's economy about $4.8 million a year.

The American Waterways Operators Inc. in its book, "Big Load Afloat," estimates that "approximately half of the total commerce which utilizes the extensive wharves of the Port of New Orleans is inland waterway traffic." That may be high, some port experts feel, yet it is indicative of the impact of inland water transportation.

The waterways group also estimates there are 80,000 people working nationally on the 3,000-plus tugs and towboats and another 80,000 ashore directly connected with inland fleet operations—office personnel, terminal operators, service personnel and shipbuilding and repair personnel.

New Orleans' position at the crossroads of the Mississippi River and the Gulf Intracostal Waterway makes it one of the most popular inland waterway shipping points in the country.

For towboats and tugboats that operate out of New Orleans, and a Dock Board spokesman estimates the number of companies at 155, operators shop in the city for supplies, such as food, gasoline, oil, TV sets, stoves, air-conditioning units, ropes, electronic equipment, and walkie-talkie telephones.

Braxton B. Carr, president of the American Waterways Operators Inc., Tuesday told the Propellor Club of New Orleans:

"Barging has achieved a position of importance in U.S. transportation in a relatively short time and to some extent relatively unnoticed. The importance of oceangoing ships, the services they perform, their contributions to the economy, and their impact on port movements is understandably more clearly imprinted on the public mind than is the role of barges. But note with me that 50 per cent of the traffic through the Port of New Orleans is handled by barge.

"I do not have figures at hand but I suspect that of all modes of transportation, the barge and towing industry has more individual companies, more offices and more personnel home based in New Orleans than any other. I suspect the barge and towing industry payroll is the largest of any mode of transportation in New Orleans. I suspect the cumulative effect of the barge and towing industry on the general economy of New Orleans is greater than any other single mode of transportation.

"New Orleans is the leading U.S. port for the export of grain. It is the leading Gulf port in the handling of waterborne commerce both with respect to tonnage and value of foreign trade. Barges make a significant contribution in both respects, especially to New Orleans' export grain trade.

"So you can see why no other coastal port in the United States has as big a stake in barge transportation as the Port of New Orleans."

[From the New Orleans (La.) Times-Picayune, Apr. 18, 1969]

Dock Board Works Are Vast

(By Paul Atkinson)

Three ports in one.

This is what the Dock Board oversees in the Port of New Orleans.

Traditionally, it is believed that the port is only wharves, sheds and docks along the Mississippi River. But this is only a part of the vast 9.3 miles of publicly owned works under the wing of the Dock Board.

The second port consists of works along the Industrial Canal. Many of them are privately owned; but the Morrison Yard wharves, built in 1960, are considered top notch, and were brought into considerable use in the aftermath of the recent longshore strike that stacked up ships like so many cords of firewood.

A third port is located along the Mississippi River-Gulf Outlet. At present, there is only the Public Bulk Terminal to entice business to the outlet, but this is the port of the future in the thinking of the Dock Board.

Col. W. H. Lewis, co-port director, said of the MRGO, "I think it has the highest potential. It will become the center of our port of tomorrow. Why? Because of the pressures of a growing city against a growing port. We must develop new areas in which the space is available for expansion.

"There has recently been mention of industrial parks. In a new port area, you would want to have industries adjacent to the port and this could be found only in new port areas. The justification of the Gulf Outlet was not to give us an additional channel to the Port of New Orleans, but to give us a channel along which the expansion of port facilities could be permitted.

"I don't mean the river won't play an important role in the port. It will continue to play an important role perhaps for the indefinite future."

The presently constituted port contains berth space for 107 vessels.

Included are works for handling bananas, coffee, bulk molasses, newsprint, cotton, raw sugar, and a cold storage. In addition, private industry operates a special plant for handling soybean meal.

Public works also include five repair berths, heavy duty open wharves for heavy lift cargoes, an automobile unloading wharf, scrap iron unloading wharf and four bulk grain elevator shipping berths.

Wharves are of all ages and conditions. They range from the Celeste st. wharf which was built in 1903 and rebuilt in 1924, 1929 and 1949, to the Henry Clay ave. and Napoleon ave. wharves, which were completed in 1964.

One of the newest plants is one of the busiest. That is the Public Bulk Terminal, which cost $18 million.

It consists of three ship berths, three gantry-type unloading cranes, one ship loader, a rail car loading station, a rail car dumping pit, 10 storage tanks, two open and one closed storage pads, rail and truck scales and a high speed conveyor. The wharf is 1,800 feet long.

During the fiscal year ending June, 1968, the terminal handled 970,333 tons of cargo. Henry Joffray, supervisor of dock and sheds for the Dock Board, believes the terminal will handle four million tons in the foreseeable future. Long-range plans call for $12 million more in installations.

TANKS SOUGHT

Joffray said it is particularly hoped to install more storage tanks. "We would have no trouble getting business for them," said Joffray.

The Public Bulk Terminal has handled sugar, iron ore, gypsum rock, pig iron, salt, phosphate rock. About 50 employes maintain around-the-clock operations.

The Dock Board also leases out a 200,000-square-foot shipside refrigerated cargo handling plant in the Nashville ave. wharf complex. Built at a cost of $2 million, the building accommodates more than 25 million pounds of freezer and cooler products and stores them in eight separate rooms.

The site of the warehouse was selected to enable it to handle direct cargo transfer from both the Nashville ave. and Henry Clay ave. wharves.

Though leased to a private firm, the Public Grain Elevator is another of the Dock Board's works. The 7,200,000-bushel elevator provides four marine legs for unloading barges. Bulk grain may be loaded on vessels at the three berths at the rate of one million bushels per day.

One feature of the port's plants is Foreign Trade Zone No. 2, an area in which foreign materials and merchandise may be brought in without formal customs entry and payment of duty.

The zone covers about 20 acres, with space for storage, milling, reconditioning, grinding, packaging, sorting, cleaning, drying and blending imported products. Cargo unloaded anywhere in the port, or at the airport, may be transferred by bonded carrier to the zone, and foreign identity of merchandise is maintained.

Public Commodity Warehouse wharves provide 2,512 feet of berthing at which foreign and domestic cargo are handled. In the rear of these are located the Public Commodity Warehouse with 505,318 square feet of covered space, 218,026 square feet of open area for a total of 723,344 square feet of storage and manufacturing space for the handling of export-import commodities.

In addition, the board leases out the area adjacent to the Industrial Canal.

Just what does the Dock Board do?

The State Constitution sets out the board administers the public wharves docks, sheds and landings of the port of New Orleans that are owned and operated, or which may be purchased, acquired or operated by the board.

It is the board's legal duty to construct new wharves and other structures when necessary; to maintain the public works in good condition; to maintain proper depths of water at all such wharves and landings; to provide for machines for use of them; to provide light, water, police protection, and other services for such wharves and landings and sheds that it may deem advisable; to finance, erect and operate all basins, locks, canals and warehouse elevators; to charge for use of such wharves, sheds and other structures and plants administered by it as well as for services rendered, such fees, rates and other levies as it may establish.

The board provides only terminals at the waterfront. Private enterprise supplies all stevedoring, carloaders, pilots and other shipping workers.

Administration of the port is carried out by a professional fulltime staff under supervision of the director of the port. Currently, there are co-directors of the port, E. S. Reed and Lewis, pending appointment of a new director.

Immediately subordinate to the port director—when he is chosen—are three deputy directors of the port and members of the executive staff and heads of departments. These include the following: Deputy director for port operations; deputy director for planning and engineering, deputy director for administration, port counsel, attorney and director of engineering, trade development director, personnel director, assistant treasurer, controller, superintendent of docks, supervisor of the Public Bulk Terminal, manager of the Foreign Trade Zone and superintendent of the Public Commodity Warehouse, traffic manager, assistant traffic manager, publicity manager, safety counselor, and chief of harbor police and marine fire division.

All told, the Dock Board is staffed by about 625 employes. Dock Board figures showed that as of June 30, 1968, the annual payroll was $3.9 million.

Members of the Dock Board are appointed by the governor for a term of five years. As a vacancy occurs, seven civic organizations—the Chamber of Commerce of the New Orleans Area, New Orleans Board of Trade, New Orleans Clearing House Association, New Orleans Cotton Exchange, New Orleans Steamship Association, the West Bank Council of the Chamber of Commerce and International House—nominate two persons, and the governor selects one from the list of 14 names.

Robert R. Barkerding, president; Dr. Joseph S. D'Antoni, Richard B. Montgomery Jr., J. Melton Garrett and Eads Poitevent are currently, members of the board.

[From the New Orleans (La.) Times-Picayune, Apr. 19, 1969]

Three Container Wharves Sought

(By Paul Atkinson)

A man sat on the bank of the Industrial Canal holding out a fishing pole. "Where that man is," said the Dock Board's Capt. Henry Joffray, "is where the No. 1 container berth will go."

As our boat sliced through the water, the area did not look impressive. There is nothing but open space there now, but that is why the Dock Board in effect is staking its future on that desolate-looking island-like affair.

"It's the only area where we had enough backup land to construct these plants," said Capt. Joffray, who was conducting the tour of the Port of New Orleans. "We have been filling it in and grading it. There is close to 240 acres out there.

"You'll note there is good access from France rd. And you are only five minutes from the I–10 complex."

The Dock Board hopes to obtain $60 million during the next four years from the State of Louisiana, and a prime recipient of this money would be a new France rd. terminal that will include three container berths. Containers, in the language of today, are where the action and money are.

There are other new modes of transportation rising on the horizon, such as the Lighter Aboard Ship (LASH) and the Sea Barge. But neither of these two really has taken hold of the Dock Board such as the container method.

IDEA SIMPLE

The container idea is simple. Wrapping a single object or several smaller units into one, simple, easy-to-handle, easy-to-store package is fundamental, but already one generation of containers has passed by the Port of New Orleans.

Col. W. H. Lewis, a co-port director, believes the Dock Board is profiting in a measure from going slow with containers. "The second generation of containers," he said, "is going to have requirements the first generation didn't have, such as berth length, cargo cranes, marshaling areas and backup plants. Those that are set up for the first generation are going to be cramped for the second generation. So we are able to move one step ahead."

Lewis firmly believes there will be only one major container port in the Gulf area. "Which one it will be is still a question," said Lewis. "I say it is the one that gets there first with the most and is able to serve the trade."

Concerning Houston's container plans, Lewis said, "I didn't know of any Houston plans specifically to build a full container port. But Houston has in its complex one wharf equipped with a container crane. They have been building new wharfs in a pattern that lends itself to handling of container ships.

"I say the field is wide open, but I don't think it will be open long. If we get the money soon, we may be able to put into service a container berth in 18 months. But a more realistic time is two years."

Steamship people constantly urge New

XUM

Orleans to get a container berth. Recently, Delta Steamship Lines Inc. president Capt. J. W. Clark announced he submitted a formal application to the United States Maritime Administration to construct three giant container ships, each of which will have a capacity of 1,200 containers. They would sail to Argentina and Brazil, and Delta has already entered into agreement with those two governments to build container berths there.

READY TO GO

"They are ready to go . . . at their own expense," said Capt. Clark.

But to get that business, New Orleans, he said, must join the container revolution.

"Without containerization here," said Capt. Clark, "business will go somewhere else . . . it will pass us by."

Dock Board president Robert R. Barkerding doesn't believe that containers will put anyone out of work. "It hasn't put anyone out of work at the ports which have containers," said Barkerding. "As a matter of fact, if you lose cargo because you don't have containers or container wharves here, you are going to put more people out of work that way.

"The thing to do is to put the proper wharves in here to attract your container cargo and preserve the work force through that method. There is one thing for sure, if you don't do it, there will be people out of work.

"New Orleans has an interesting situation regarding containers. You don't really have any industries here which would automatically create container business. New Orleans would have to get into the hinterlands and develop this traffic to fan down our way.

"This is going to take the cooperation of the railroads, the barge lines, trunk and truck lines, these people and items of cost are beyond the Dock Board's control. And, there will have to be salesmanship, of course. All that is why falling farther and farther behind the parade is going to make it tougher to get that business back."

Container berths will not come cheap. It is estimated that one berth will cost $3.5 million to $4 million, with another $750,000 for a dockside container crane.

Joffray said that containers now are being used for high-value cargo, such as television sets, electronic equipment, surgical instruments, and furniture. Containers are boxes, in effect, that can range in size from 8x8x8 to 8x8x20 to 8x8x40.

New Orleans is already handling container traffic with the use of a floating derrick. But none of the ships coming into the port are strictly container ships, but rather ships capable of handling general break-bulk cargo and containers.

With certain limitations, stated Lewis, there are more than 20 berths at which mixed cargo (containers and break bulk) may be handled.

Recently, Barkerding put containers and the Port of New Orleans into this sharp focus.

"Experience and information now show that the future of the Port of New Orleans is wedded to this container-type operation," said Barkerding to a group of Greater New Orleans legislators, "plus even more radical sea-barge vessels now under construction and following slightly behind.

"It's just fundamental that these ships are not going to call here if container berths are not available. I am dwelling on this point carefully, to explain where this good cargo is going in ever increasing quantities. Also, because our engineering surveys show that almost one-half of New Orleans' annual cargo will be containerized by 1978—if we have suitable facilities."

With those ominous words, it is certain that the man fishing from what is to be New Orleans' first container berth had better make way. If he or some other fisherman is still sitting on that bank in the next three or four years, New Orleans is in trouble.

[From the New Orleans (La.) Times-Picayune, Apr. 20, 1969]

LASH, SEABEE COMING TO NEW ORLEANS

(By Paul Atkinson)

If containers are where the action is now, the next shipping revolution will come in LASH (lighter aboard ship) type vessels and Seabees (Sea Barge Ships).

Port of New Orleans co-director Col. W. H. Lewis feels strongly that LASH vessels and Sea Barge clippers "are going to have a greater impact on ports and shipping than the now-recognized container ships. They are particularly well adapted to an area such as ours that is served with abundant waterways and waterways connections to the entire mid-continent area."

Lewis said there are no plans on the drawing board for special plants for either LASH or Sea Barge ships. "The reason is that operators of these ships are still crystallizing their ideas as to what the terminals' abilities should be in regard to specialized works," explained Lewis. "You are talking about a lot of money, and I think all of us—port operators and steamship companies—would like to feel our way."

Lash services will be instituted in the Port of New Orleans by the end of 1969, he said, Central Gulf Steamship Company will handle it.

Present plans indicate Central Gulf will have two Lash ships—they are now under construction in Japan—which can carry 73 barges apiece, 400 tons of cargo.

TO LOAD BARGES

The mother ship's 500-ton-capacity crane will lift loaded barges on or off at the ship's home port. These barges can then be sent to inland river points to load or discharge their cargoes.

The barges, which can be interchanged into any standard river tow, are being built here by Equitable-Higgins Shipyard. The shipyard has a $5.2 million contract to build 233 lighters, and is seeking to complete the contract by October, 1969.

The mother ship will be 860 feet long and will weigh 43,000 tons. The lighters and the LASH ship were designed by New Orleans naval architects, Friede and Goldman.

After off-loading in European ports, the lighters will move over inland waterways of Europe and will provide what amounts to "door-to-door" service and high speed delivery.

Lewis said LASH and Sea Barge systems are designed so that it is not necessary to have extensive shore-based plants.

"They can serve unsophisticated ports, though not on the most efficient basis," he explained. "The economy of the operation, as I understand it, entails a rapid turn-around of mother ships. They can discharge their barges, let them be floated ashore and pick up a new set of brages and return."

LASH ships, he said, will use the Port of New Orleans' existing works, "excepting for the fact that we are cramped for room." He said they can operate from a conventional berth with a mooring area for their barges near by.

"This must of necessity be along the Mississippi River," Lewis continued. "The draft on these LASH vessels will be at times 37 feet, and our Mississippi River Gulf Outlet goes only 36 feet."

ADVANTAGES LISTED

James W. Martin, Dock Board director of trade development, said recently that advantages of the LASH type ship are "rapid delivery, through bills of lading, reductions in shipper inventory requirements, elimination of pilferage, cargo care and damage control."

Seabees will not become a reality until 1971. Lykes Brothers Steamship Co. of New Orleans has contracted for three Seabee Clippers to be delivered between May and November of 1971.

The largest common carrier freight transports ever built anywhere, they will carry 38 cargo barges of 850-long-ton capacity. The crane to lift them on and off the Seabee Clipper is a huge 2,000-ton-capacity unit. It will have a sea speed of more than 21 knots.

Martin said, "Seabee units will double the presently available cubic vessel space to North Europe and the United Kingdom from New Orleans, and they will operate as a general cargo liner service, holding themselves out to carry any size parcel, and any type cargo including bulk liquids, reefer, less-than-barge-load-lots and containerized cargo.

"Like LASH, Seabee barge units can be integrated into standard river tows. The essential difference between the two systems is that Lash is committed to one cargo eastbound, while Seabee will operate a common carrier in both directions.

"Three Seabee Clippers will take the place of 15 conventional Lykes vessels and will operate on a regular schedule of one sailing every 10 days, with an ocean transit time of 10 days."

The three Seabees on order will cost $37 million each, including the 266 barges required to service the three ships. The ships can handle roll-on-roll-off vehicles and unitized loads with equal facility.

AMOSS SPEAKS

At a recent meeting called by the Dock Board to inform legislators and other business leaders of the port's plight, W. J. Amoss Jr., a vice-president of Lykes Brothers, pretty well told how the port now finds itself in such dire need of modern berths to handle containers, LASH and Seabee innovations.

"One point that might be lost or obscured is how we just suddenly came to be involved in these deep concerns with our outmoded facilities and our dire need to provide these new and modern facilities," said Amoss. "My company (Lykes) is one that is changing its mode of operation, and changing rapidly.

"We have a barge-carrying ship concept that will be in service in 1971. We happen to feel that this is the concept that fits the problems of this area. It is one somewhat like the containerization concept.

"But these new approaches in transportation change the whole need in the port. It is a phenomenon that burst on the world in less than 10 years. Just 10 years ago, the facilities in the Port of New Orleans were the best in the world and combined with the excellent labor and the abilities of the people in this area, we had something that was unparalleled anywhere else.

"But in that short space of time we have had all these new technical developments and they suddenly cause us to need all these capital improvements. They don't render our facilities obsolete in themselves, but present us with new challenges and new problems.

"And that, rather than any neglect on the part of any people who have served on the Dock Board, is the reason we are presented with this problem. There is an overtone that New Orleans has just sat back and let the world slide by. As a matter of fact, the world stepped on a jet just a few years ago and we have to do the same ourselves."

[From the New Orleans (La.) Times-Picayune Apr. 21 1969]

PREVENTED FROM KEEPING PACE, WARNS BARKERDING—CAN'T MUSTER REVENUE FOR IMPROVEMENTS

(By Paul Atkinson)

Just what is the Dock Board's financial situation? Why is it asking the State Legislature for $60 million over four years for capital improvements?

Dock Board president Robert R. Barkerding recently told area legislators the exact situation:

"We can, therefore, say that the port is broke, ailing and going backward; only insofar as upgrading our dilapidated facilities and building new specialized wharves are concerned.

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"Thus, we are prevented from meeting the demands of growth in traffic and revolutionary changes in cargoes and vessels in the shipping industry. The need has never before been more critical than it is today.

"And we are obviously dying out as a major port; meaning we can't continue as a major city and state—unless our plight is remedied."

The Dock Board is by no means operating at a deficit. It just cannot muster enough excess revenue to meet the stiff price that a huge capital improvements program would cost.

PLOWED BACK

A statement of revenue and expenses for the last 16 years shows that the least the Dock Board made was $1,667,189 in fiscal 1963. In fiscal 1968, the Dock Board was $2,076,804 to the good after meeting its bonded debt service.

But all of this excess money has been plowed back into port improvements. During the same period of 1952 to 1968 funds in the amount of $130,852,195 were spent for construction of new property, rehabilitation of existing property for major maintenance. The funds came from operating gains and proceeds of the Oct. 1, 1955; Jan. 1, 1961; July 1, 1962, and Jan. 1, 1966, bond issues.

The Dock Board showed revenues from two sources in fiscal 1968—operating revenue and the State of Louisiana gasoline tax. Operating revenues brought in $11,060,259, while the gasoline tax produced $1,023,050.

This gasoline tax situation rankles many people, for at one time the Dock Board was getting considerably more in proceeds. Originally, in the 1921 State Constitution, the Dock Board was to receive nine-twentieths of one cent from gallon tax.

SLASHES PROCEEDS

But in 1952, at the insistence of Gov. Earl Long, the Constitution was changed and the Dock Board's proceeds from the gasoline tax were slashed considerably.

The new amendment provided that the Dock Board should receive an amount equivalent to the requirements for the interest and principal payments on all outstanding bonds of the board "heretofore issued, less amounts received from the Orleans Levee Board and the Public Belt Railroad (special contracts to assure the construction of the Industrial Canal which expired in 1960)" and $500,000 additionally.

A portion of the money that the Dock Board surrendered was transferred to build the approaches to the Greater New Orleans Mississippi River Bridge.

The Dock Board, had it not surrendered its original portion of the gasoline tax, would have received this much more over the past seven years: 1961, $3,410,470.23; 1962, $3,019,458.07; 1963, $3,173,898.65; 1964, $3,366,476.80; 1965, $3,647,785.88; 1966, $4,037,474.45, and 1967, $4,326,346.30. That is over $24.5 million.

As noted, the Dock Board received $1,023,050 from the gasoline tax in fiscal 1968; yet as the bond requirements in effect in 1952 dwindle, the board will receive less and less. In 1978, the bond requirements will be paid in full and the board will receive only a flat $500,000 yearly allotment thereafter.

CHITTENDEN CRITICAL

At that same meeting with the legislators, Alfred F. Chittenden, president of International Longshoremen's Local No. 1418, criticized the past Dock Board which allowed that money from the gasoline tax to get away. "I understand that since 1952 you could have had $60 million to $100 million to put into the docks," said Chittenden.

Clarence "Chink" Henry, president of ILA Local No. 1419, also alluded to that 1952 Dock Board, saying "You are admitting now you need help, but sometime back the other people on the Dock Board didn't ask for help.

"It is true that little ports like Gulfport and Mobile and others have made progress while we stood still. I'm not blaming anyone on the Dock Board but years back when they could have gotten state aid they didn't want it because they didn't want to get involved in politics. I don't know whether it is politics or not, but all these other ports are getting state aid."

Chittenden also criticized the Dock Board for taking on the Rivergate Convention Center project, which will cost eventually $14 million to $15 million.

HAS CUT BACK

How about economies and efficiencies to provide the Dock Board more money? Actually, the Dock Board has cut back in recent years. Consider these efficiencies:

Slashed the payroll from 1,122 employes in 1960 to approximately 600 in 1968. Further in 1960, the port payroll was equal to 76.2 per cent of the total operating expenses, and pay per worker averaged $4,938. In 1966 the payroll represented only 66.6 per cent of operating expenses while the average wages of employes had risen to $6,014.

Closed the South American office.

Phased out the Dock Board's harbor inspection vessel, the Good Neighbor.

Reduced the port's advertising budget.

Leased the Public Grain Elevator.

All construction funds awaiting disbursement are invested in short term instruments at highest yields attainable with maximum security. Interest income in the fiscal year ending June 30, 1967, totalled $870,770.

NO CHOICE

Barkerding's closing remarks to the legislators at the March 25 meeting are appropriate in summing up why the Dock Board is going to the Legislature:

"There are important instances of demands by the State on the board's time and treasure. These have been financially detrimental and strapped us badly—and in these matters we had no choice in regards to complying.

"As a state agency we are bound to do whatever is asked, to the limit of our ability. But now we have arrived at a critical point. Our functions and future for the state are becoming almost worthless—lacking necessary funds.

"Accordingly, we must have this financial aid immediately. We beg everyone, especially you gentlemen of the Legislature, to heed these latest warnings. Please help us set the machinery into motion to assist this board in preventing a disaster and mediocrity, which will depreciate the welfare and livelihood of Louisiana citizens in all walks of life."

WHERE PROPOSED $60,000,000 WOULD GO

Item number and project title	Total State funds requested	1969-70	1970-71	1971-72	1972-73
1. France Rd. terminal (formerly Delta terminal). Construction of berths 1 and 2 and container terminal facilities	$9,600,000	$9,600,000			
2. Structural rehabilitation of existing wharves at selected locations	1,494,000	1,494,000			
3. Roof rehabilitation of existing wharf transit sheds at selected locations	340,000	340,000			
4. Structural modifications and additions to Napoleon Ave. wharves for handling containerized cargoes	915,000	915,000			
5. Public bulk terminal, additions and improvements	1,430,000	1,430,000			
6. Public commodity warehouse and Foreign Trade Zone No. 2, electrical modifications	106,000	106,000			
7. Electrical modification of existing wharves at selected locations	176,000	176,000			
8. Protection of substructure of Galvez St. wharf	1,000,000	1,000,000			
9. Additions to Henry Clay and Nashville Ave. wharves for handling containerized cargoes	380,000	380,000			
10. Enlargement and conversion of sacking plant wharf for general cargo handling operations	478,000		$478,000		
11. France Rd. terminal (formerly Delta terminal), construction of berth No. 3 and container terminal facilities, and land fill behind berths 3 through 7	5,602,000		5,602,000		
12. Enlargement and modernization of 1st St. wharf	2,520,000		2,520,000		
13. Pile protection of existing wharves at selected locations	275,000		275,000		
14. Public bulk terminal, permanent open storage	2,850,000		2,850,000		
15. Construction of new terminal facilities, Michoud Canal area, acquisition of land	500,000		500,000		
16. Mississippi River-gulf outlet, rights-of-way acquisition in connection with Federal project for new lock construction	2,231,000		2,231,000		
17. Construction of new terminal facilities, Michoud Canal area	4,250,000			$4,250,000	
18. Improvements at Henry Clay and Nashville Ave. wharves for handling containers	445,000			445,000	
19. Construction of New France Rd. terminal, berths 4 and 5 and related site improvements	10,850,000			10,850,000	
20. Perry St. wharf, pile protection	1,000,000				$1,000,000
21. Public bulk terminal, additions and improvements	2,125,000				2,125,000
22. Construction of New France Rd. terminal, berths 6 and 7 and related site improvements	11,100,000				11,100,000
23. Mississippi River-gulf outlet, roadway access to board property west of public bulk terminal	333,000				333,000
Grand total	60,000,000	15,441,000	14,456,000	15,545,000	14,558,000

DOCK BOARD PROJECT EXPENDITURES SHOWN

	Mississippi River projects	Grain elevator projects	Navigation canal pfojects	Bulk terminal and MR-GO projects	Rivergate and other projects	Total
1952-53	$1,530,514	$4,814,544	$627,951		$157,553	$7,130,562
1953-54	880,309	2,478,950	323,088		246,017	3,928,364
1954-55	751,568	443,759	588,612		46,366	1,830,305
1955-56	2,951,729	140,305	544,804		195,740	3,832,578
1956-57	3,513,327	222,387	1,223,834	$440	245,550	5,205,538
1957-58	4,466,015	266,167	1,177,588	835,402	319,348	7,064,520
1958-59	2,702,357	2,024,047	686,645	802,473	125,560	6,341,082
1959-60	1,085,598	4,845,814	143,023	1,418,019	61,071	7,553,525
1960-61	4,104,756	2,354,082	52,917	1,824,300	105,523	8,441,677
1961-62	7,195,278	2,510,012	86,679	1,336,721	229,996	11,358,686
1962-63	3,316,616	1,067,152	251,066	572,683	769,888	5,977,405
1963-64	6,627,534	536,131	(171,954)	2,097,667	1,557,959	10,647,337
1964-65	4,650,259	119,093	2,087,917	4,625,534	2,764,236	14,247,039
1965-66	2,000,160	1,796,173	2,765,344	3,049,125	4,710,125	14,320,927
1966-67	3,593,186	86,661	1,873,295	5,519,015	2,606,589	13,678,746
1967-68	3,760,046	128,728	385,079	1,607,003	3,413,048	9,293,904
Total	53,129,252	23,834,005	12,645,888	23,688,481	17,554,569	130,852,195

DOCK BOARD REVENUE, EXPENSE FOR THE 10-YEAR PERIOD FROM JULY 1, 1959, TO JUNE 30, 1968

	Fiscal years ended June 30—									
	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968
Revenue:										
Operating revenue [1] [2]	$10,164,118	$10,548,988	$10,582,054	$10,216,550	$9,625,098	$11,062,580	$8,084,487	$9,289,902	$9,901,853	$11,060,259
State of Louisiana gasoline tax [3]	1,174,100	629,206	500,000	1,022,988	1,023,981	1,024,262	1,023,819	1,022,650	1,020,769	1,023,050
Orleans Levee Board contract payments	925,000	610,139								
Public Belt Railroad contract payments	50,000	32,981								
Compromise settlement of Michoud condemnation proceedings [4]							3,194,465			
Total revenue	12,313,218	11,821,314	11,082,054	11,239,538	10,649,079	12,086,842	12,302,771	10,312,552	10,922,622	12,083,309
Expense:										
Operating expense, exclusive of depreciation	7,051,254	6,879,050	7,268,297	7,216,695	6,443,295	6,875,199	5,252,533	4,903,960	5,399,140	6,361,877
Provision for depreciation [5]	1,623,917	1,706,112	1,786,206	1,963,908	2,285,699	2,302,442	2,354,063	2,629,503	2,622,946	2,714,789
Provision for contingencies [4]							1,000,000			
Provision for major maintenance [4]							611,843			
Bond interest expense	615,794	554,599	772,038	1,146,014	2,023,595	2,005,499	1,984,121	2,363,931	2,749,140	2,709,628
Total expense	9,290,965	9,139,761	9,826,541	10,326,617	10,752,589	11,183,140	11,202,560	9,897,394	10,771,226	11,786,294
Net gain or (loss)	3,022,253	2,681,553	1,255,513	912,921	(103,510)	903,702	1,100,211	415,158	151,396	297,015
Add depreciation	1,623,917	1,706,112	1,786,206	1,963,908	2,285,699	2,302,442	2,354,063	2,629,503	2,622,946	2,714,789
Net gain, before depreciation	4,646,170	4,387,665	3,041,719	2,876,829	2,182,189	3,206,144	3,454,274	3,044,661	2,774,342	3,011,804
Deduct bond redemptions	1,723,000	1,197,000	1,025,000	570,000	515,000	535,000	555,000	860,000	900,000	935,000
Net gain, before depreciation, after present bonded debt service (available either for capital improvement or coverage for additional debt service)	2,923,170	3,190,665	2,016,719	2,306,829	1,667,189	2,671,144	2,899,274	2,184,661	1,874,342	2,076,804

[1] Include accruals of $240,000 in fiscal 1966 representing the estimated proceeds of the Dock Board's business interruption insurance resulting from Hurricane Betsy, which occurred in September 1965.

[2] Include an accrual in June 1967, of an estimated $100,000 of interest income relative to a financial agreement for the construction of a specialized facility.

[3] Revenue from State gasoline tax provided under art. VI–A, sec. 5, of the Louisiana Constitution, is allocated by law irrevocably pledged in the contract with bondholders for requirements for the payment of bond maturities and interest.

[4] In December 1964, the Board received a cash payment of $2,750,000 and other considerations from the United States in compromise settlement of the Michoud Industrial Facilities condemnations proceedings. Portions of the settlement were used to create a reserve for contingencies of $1,000,000 and to provide additional reserve for major maintenance of $611,843. The remainder of $1,582,622 is reflected as net nonrecurring revenue.

[5] Increase in fiscal 1955 was due to readjustment of depreciation rates in the amount of $570,116.

[From the New Orleans (La.) Times-Picayune, Apr. 22, 1969]

PORT'S EMPLOYEES PUMPING DOLLARS INTO CITY ECONOMY—FIGURES SHOW $1 MILLION DAILY BOOST

(By Paul Atkinson)

The number of people directly and indirectly involved in keeping the Port of New Orleans humming at a feverish economic pace is monumental.

Recently, the Louisiana Department of Employment Security (LDES) released figures that showed there was an average of 21,100 people engaged in water transportation in 1968 in Greater New Orleans (Orleans, Jefferson, St. Bernard and St. Tammany parishes).

The LDES said another 12,000 were in shipbuilding, ship repair and 3,400 more in rail transportation—a direct link to the port of New Orleans for shippers.

Put those figures together and you get 36,500 people employed directly of indirectly in port-related jobs. And this doesn't include bank foreign departments, marine insurance underwriters, consulates and marine surveys who could easily account for another 5000 employes.

SOME 37,000 EMPLOYED

Roughly, then, you have 37,000 employes directly and indirectly involved in the Port of New Orleans.

And if you give each one of these employes an average yearly salary of $5,500—which isn't too high in these inflationary days—you can see this means $201,500,000 to the New Orleans economy.

Some economists say that the dollar turns over eight times before it comes to rest. If that is so, then these $201 million are really worth $1.6 billion to New Orleans.

Recently, the U.S. Department of Commerce estimated that the 17,334,823 short tons of foreign waterborne commerce cargo handled by the Port of New Orleans benefitted the port to the tune of $166,569,248.

The Dock Board estimated that salaries and wages to employes directly connected with port operations constituted 58.4 per cent of the total port benefits, meaning that he impact from salaries and wages was $97,276,453.

Using the formula that a dollar turns over eight times before stopping this meant that the $97,276,453 in wages was really worth $778,211,624 to the New Orleans economy in 1967. The Dock Board noted that the port salaries and wages used in the estimate did not include secondary wages and salaries which would be represented by such activities as foreign banking departments, marine insurance, draying, warehousing, forwarding, custom brokerage, that portion of transportation freight bills that would be spent in New Orleans or other similar port-related activities.

SOLID EMPLOYER

The port of New Orleans has been a solid employer through the years. Figures compiled by the LDES show this to be true. From 1950 through 1968, total employment in water transportation, rail transportation and ship repair and building has never dipped below 26,900. It hit that low point in 1962, but since has gained nearly 10,000 employes in a six-year span.

From additional LDES figures, it can be determined that Greater New Orleans water transportation employes were paid over $130 million in wages in 1967; nearly $130 million in 1966; and about $110 million in 1965.

Let's break down some of these employment and benefit figures.

One of the least known is the Gulf Outport, an arm of the Department of the Army. It has a work force of 160 military and civil service personnel and another 650 contractual employes.

A Gulf Outport spokesman said the Army estimates that it pumped $19 million into the New Orleans economy during fiscal 1968.

Then there is the U.S. Coast Guard in New Orleans. It had an approximate strength of 725 men and a payroll of $5.4 million annually.

U.S. Customs office, which handles port activities, has 172 employes for a payroll of $1.7 million.

The U.S. Army Corps of Engineers has approximately 300 employes who deal in the port area alone with a payroll of $1.5 million. Another $5 million is spent annually on contracts to improve navigation in the port of New Orleans.

Of course, there are 640 employes of the Dock Board—including 80 harbor policemen and 50 harbor firemen—who are paid $3.9 million annually.

And 8,000 to 10,000 longshoremen who drew over $50 million in wages and benefits from the New Orleans Steamship Association in 1968.

From these figures, it is easy to see why the Chamber of Commerce of the New Orleans Area estimates that the port produces $1 million a day for the New Orleans economy.

[From the New Orleans (La.) Times-Picayune, Apr. 23, 1969]

LOUISIANA PRODUCTS FIND MARKET THROUGH EXPORT—ORLEANS OUTLET BENEFIT ENTIRE STATE

(By Paul Atkinson)

Plastic cups from Shreveport . . . catfood from Golden Meadow . . . sausage from Ferriday . . . ammunition containers from Minden . . . cement spreaders from Alexandria. Mobile homes from Vivian . . . accordians from Eunice . . . rice from Kaplan . . . wooden lockers from Lecompte.

These and hundreds of other products from the soil and factories of Louisiana find additional markets because of exports through the Port of New Orleans.

That's one way the Port of New Orleans benefits the whole state of Louisiana. With additional markets, these factories will employ additional people, and that means additional dollars for the butcher, grocer, service station owner in Shreveport, Golden Meadow, Ferriday, Minden, Alexandria, Vivian, Eunice, Kaplan, Lecompte, and other cities.

In a study of port figures, the Gulf South Research Institute (GSRI) estimated that the Port of New Orleans produced for the state of Louisiana $16.9 million in state income and sales tax.

GSRI further estimates that 10,700 manufacturing jobs in Louisiana with payrolls approximating $62.5 million can be attributed solely to the Port of New Orleans.

The research institute further estimates that 19,800 agricultural jobs in Louisiana can be attributed to acivity at the Port of New Orleans. It said another 12,000 persons were employed in associated support industry.

GSRI notes that 54,000 jobs statewide directly depend on the export of manufactured and agricultural products. It concludes, "The Port of New Orleans is realistically linked to 56.5 per cent, or 30,500, of the jobs in agriculture and manufacturing in the state."

GSRI polled establishments that reported international distribution of their products, and found that 52 of the state's 64 parishes distribute internationally.

Manufacturing, food and kindred products industries, paper and paper products industries, fabricated metal products industries, lumber and wood products industries, chemical industries, petroleum industries, machinery (except eletcrical) industries were polled, and in a special compilation The Times-Picayune shows in the accompanying map employment from establishments with international distribution.

East Baton Rouge Parish is No. 1 with 37,519 employes; Orleans Parish, second with 33,976; Caddo Parish, third with 17,732.

Rounding out the first 10 are Washington Parish, 9,000; Ouachita, 8,060; St. Bernard, 5,914; Rapides, 5,575; West Feliciana, 4,750; Calcasieu, 4,574; and Iberia, 3,947.

Certainly these 200,000-plus jobs can't be attributed solely to the Port of New Orleans, but either indirectly or directly the port is responsible for a sizable number of jobs throughout the state.

United States Rep. Edwin W. Edwards of Crowley realizes the value of the Port of New Orleans to the state's economy. But he said he doesn't feel the average citizen in Louisiana knows the true value of the sprawling port.

Edwards said he believes that the people of New Orleans and the Dock Board have missed a golden opportunity to tell the rest of the state how valuable the port is to Louisiana's economy. "I think they should take one day a month and go around to Monroe, Shreveport, Alexandria, all cities of the state, and tell the story of the port," said Edwards.

The port, he said, should have the highest priority. "Certainly we can't allow the port to slide backwards," said Edwards.

"It goes without saying that anyone who has an interest in the state recognizes the importance of the port not only to New Orleans but to the state in general. The overflow from this facility helps the general revenue of the state. You just can't draw an arbitrary line and say here is where the wealth from the port ends."

Edwards' district includes the Port of Lake Charles, and he knows the value of ports to the state's economy. And he likes the idea of the port directors of New Orleans, Lake Charles and Baton Rouge sitting down and "looking at the overall picture."

[From the New Orleans (La.) Times-Picayune, Apr. 24, 1969]

Strike Effects Are Felt by Everyone's Customers—Tremendous Payroll Is Generated Here

(By Paul Atkinson)

W. J. McMahon knows the value of the Port of New Orleans. So do Robert Sonfield, J. B. Coincoin, Edward LaBruyere, Joseph Velcich and Vincent Saia.

McMahon is a salesman for the Radio Center; Sonfield, president of Maison Blanche; Coincoin, director of operations for Schwegmann's; LaBruyere, Jefferson Parish finance director; Velcich, owner of Joe's Jungle Bar; Saia, former president of the Louisiana Motor Transport Association and owner of Saia's Motor Freight Lines.

Recently, they told what the port really means in dollars and cents to them and new Orleans. All were talking following New Orleans' prolonged dock strike that hit in late December and carried through to February. Often, people don't realize what they have until it—in this case—the port—grinds to a stop.

"Does such a strike affect us as a salesman?" McMahon repeated a question. "Oh, definitely, it does. It affects our overall earnings. They were down in 1968, as an example, and I think much of this was due to the dock strike."

McMahon is a salesman for the Claiborne ave. store, only a few blocks from the International Longshoremen's Association Local No. 1419 hall. "The folks who are not working obviously don't have the finances to buy appliances," explained McMahon.

McMahon is one who does not believe the general public really appreciates the Port of New Orleans. "I don't think they understand the tremendous payrolls generated by the dockworkers and the associated industries," continued McMahon. "On the overall picture, you have so many associated industries—trucking, shipping and cartage—all of this is affected when the ships don't move. Those are everybody's customers—the grocer, baker, appliance man, automobile dealer."

STRIKE FELT

Sonfield said the dock strike "affected our sales pattern downward." Late in March, Sonfield said, "we are still feeling the strike's effect and will for several months.

"I have heard that roughly 55 cents out of every dollar is related to the port of New Orleans. If the port is closed down about 70 days, it has to have a drastic effect on our economy.

"I am not sure that the average citizen knows this until he feels it in his pocketbook. I've got a feeling that many are feeling it now."

"Looking over his profit and loss ledger, Coincoin said, "The strike hit us hardest at our Annunciation and St. Claude stores. Their growth was retarded about six percent."

Coincoin explained that the Annunciation store is only two blocks from the longshoremen's hiring hall. "Our gasoline business there was off a lot," said Coincoin.

"Six per cent sounds small. But in dollars and cents, it is pretty big."

Coincoin said the firm's major appliance business was off 15 to 20 per cent. "We had expected that the TV business would be good, that people would be getting another one," said Coincoin. "But during a strike that's the last thing they would buy."

LaBruyere sees the Port of New Orleans' activity hum from his window in the Gretna courthouse. It overlooks the Mississippi River and the wharves.

"When I look out that window and see there is no activity in the port," he said, "I know Jefferson is getting hurt. I am acutely aware of what that port means to all of us—Orleans, Jefferson and St. Bernard parishes."

TAXES AFFECTED

LaBruyere said the only indicator of how the strike hurt Jefferson Parish would be in sales tax collections.

"Our January collections were up nine per cent over January, 1968," said LaBruyere. "But our January, 1968 sales tax collections were up 20 per cent over our January, 1967, collections. So that slowdown in growth of the sales tax collections could be attributed to the dock strike."

Velcich stunned the Dock Board and president Robert R. Barkerding April 15 by sending a check for $5,000 to aid in securing funds for the port.

For more than 36 years, Velcich has befriended longshoremen and river workers and what has been happening to the port worried him considerably.

But why did he decide to make this generous contribution?

"Because this port means everything to me and my family," answered Velcich last week. I own my home and business, and I know that if this port deteriorates, it all won't be worth a darn. I call this contribution my insurance policy.

"I can't find anybody the port doesn't involve . . . it helps the whole state."

Velcich concluded, "This port has been in bad shape a long time. I wrote that check to start something. When I saw the way Mr. Barkerding was fighting for the port, I thought I should do something."

TRUCKS HALTED

Saia felt the crunch of the port strike when his trucks did not roll with valuable goods. "I was able to retain my work force," he said, "but others had to let people go." He estimated that trucking firms were forced to let 300 to 400 employes go during the prolonged strike.

Th Louisiana Department of Employment Security said that more than 7,000 people were idled locally by the strike in the four-parish metropolitan area.

In this and preceding chapters, we have attempted to tell the story of the port of New Orleans and its value to everyone. But all the words on paper and spoken on radio and television won't do any good, unless there is A-C-T-I-O-N.

Barkerding has done a superb job in rallying many groups around th port's plight. But the test—when the Legislature votes on a $60 million capital improvements program—is yet to come.

Sunday, Barkerding said current strategy calls for the Dock Board to seek to get a concurrent resolution from the Legislature at the May fiscal session of the Legislature, then come back in the fall or late summer for a special session to fund the capital improvements program. No new taxes can be voted at the May session.

He said chances are good for securing a concurrent resolution. Legislators all over the state are saying that the port of New Orleans should have top priority.

SHERIDAN LEWIS: "MR. BOYS CLUB"

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, May 13, 1969

Mr. YARBOROUGH. Mr. President, the Sunday, March 23, 1969, edition of the Corpus Christi Caller-Times, on page 14B, contains an article entitled "Lewis Is City's 'Mr. Boys Club.'" The article points out the magnificent work which Sheridan Lewis, of Corpus Christi, has done on behalf of the youth of that city.

Because of his unselfish contribution to the community, I ask unanimous consent that the article describing Sheridan Lewis' great work, be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEWIS IS CITY'S "MR. BOYS CLUB"

(By Jim Wood)

Twelve years ago S. C. Lewis went to see Police Chief R. T. Runyan and asked him where the toughest boys in the city lived.

Runyan said La Armada Housing project on Ayers was the most concentrated trouble spot in town.

It was there that Lewis founded the Corpus Christi Boys Club, the first local chapter of the national organization that is devoted to helping boys grow into responsible men.

Last week, Lewis helped turn the first spade of dirt for the Boys Club Community Center, a $333,000 project that will be built on Greenwood Drive on a 15-acre Boys Club tract near the Greenwood Branch Library.

"It is certainly a high point for the Boys Club and for the community," commented Lewis, a still vibrant, articulate man who will be 80 on June 7.

The community center, which will be operated by the Boys Club under contract with the city, will be able to accommodate 3,000 persons. There will be a library, study center, gymnasium, exercise and shower rooms, meeting rooms and athletic fields outside.

It is being financed with a federal grant covering two-thirds of the cost. Lewis has signed on the line to provide the local one-third share. The city government is the contracting agent for the project.

It has been estimated that Lewis, an oil and gas man who is president of Southern Community Gas Co. and Southern Coast Corp., has spent $200,000 of his own funds for Boys Club activities during the 12-year life of the organization. His investment in youth will be much higher when the one-third local cost of the new project is paid. The new facility is expected to be completed by the end of the year.

The idea of the new community center was conceived when Lewis was president of the Community Committee on Youth Education and Job Opportunities, a local organization formed to work with high school dropouts and to find employment for young people. It was later designated by the federal Office of Economic Opportunity as the local community action agency to carry out the War on Poverty, of which the Boys Club was an integral part.

Letters, telephone calls and trips to Washington and Fort Worth (site of the regional office of the Department of Housing and Urban Development which funded the project) eventually resulted in the grant, one of the first of its kind to be approved.

When the building is completed the Boys Club activities will be moved from its site at Port and Prescott. The club moved there a couple of years ago when quarters in La Armada became overcrowded.

The club now has about 1,500 boy members and conducts an after school study center for 450 boys and girls.

Lewis estimates that some 15,000 boys and girls have been involved in either club or study center activities since the club's start. Some 150 persons now serve, at various times, as tutors for the after school study center.

Lewis said the center has been effective not only in encouraging students to stay in school but in curtailing truancy.

"I think a great deal more can be done by the schools. Instead of bemoaning the dropout problem and sending out the truant officer, they ought to be trying to find out why the kid's aren't in school," he said.

During the first two years the club was in existence Lewis underwrote all the expense of operation. It was accepted by the United Fund in 1959 and the UF has borne the bulk of the operating cost since then.

Reflecting on the state of the area around La Armada, then and now, Lewis said the delinquency rate, once among the highest, is now among the lowest.

And, he added, not a drinking or marijuana case has been reported involving a Boys Club member.

JUST TOO MUCH

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. UTT. Mr. Speaker, an editorial appearing in the Oceanside, Calif., Blade-Tribune, May 8, 1969, needs to be read by every one of our colleagues particularly, and by every voter who selects us to represent him in this body.

We already have second and third generation welfare recipients. Is it not time that we profit from the mistakes of the past? Is it not time that we recognize the fallacy of ignoring the incentive to laziness, to indolence, to downright dishonesty that giving welfare to able-bodied people provides?

As the editorial cleverly and effectively points out, Secretary Robert Finch's proposal to give cash outright, rather than to provide necessities for the needy, will simply accelerate the rate at which the welfare rolls will grow, while decreasing the beneficial use of the welfare funds.

I urge everyone to read the following article:

JUST TOO MUCH

> Well, those great big politicians who are giving away our hard-earned money are at it again.
>
> This time they've taken the most ludicrous step of all: They're going to give our money to the poor.
>
> They aren't going to give them food stamps.
>
> They aren't going to give them food.
>
> They aren't going to help pay their rent.
>
> They aren't going to help pay medical costs.
>
> They are going to give our money away.
>
> To be sure this plan will help a fraction of the nation's poor who are poor and honest enough to spend the money on food.
>
> But every single one of those freeloading slobs who are on the welfare rolls, and who are too lazy to get a job, will also get our money.
>
> And every one of those baby-factory types who crank out children in a steady stream to get more welfare help, will also get our money.
>
> These slobs who manage to stay out of work and yet drive big cars and have a television set and a new refrigerator will get our money.
>
> Those bums who don't deserve anything more than a kick in the seat of the pants, instead of more federal coddling, will be getting our money.
>
> They won't get food stamps or food, which we can reasonably assume are converted into food for their children, but they will be getting cold, hard cash out of our pockets.
>
> The poor who really need help, and who can't help themselves, will be greatly assisted by President Nixon's expanded food stamp plan, which will cost the nation $2.5 billion a year.
>
> But let's stop helping the undeserving.
>
> Secretary of Health, Education and Welfare Robert Finch says cold hard cash will "preserve the dignity and freedom of choice" of the poor.
>
> What about the dignity and freedom of the hard-working industrious Americans who are working their fannies off to pay their taxes so the government can give it away?
>
> Don't we count any more in America? Or do you have to be from a broken home or a lazy home or a I-don't-give-a-damn home to count?
>
> I can just see what our money will be going for:
>
> Booze for the drunks.
> Cigarettes for the smokers.
> Car payments for the poor.
> Installment loan payments for the "poor."
> Narcotics for the addicts.
> Et al.
> My eye!
>
> I'll be damned if I'll sit idly by while Secretary of Health, Education and Welfare Robert H. Finch gives my money away to the lazy slobs of this nation.
>
> Write—right now—to Sen. George Murphy, Sen. Alan Cranston, President Nixon and Mr. Finch and tell them to stop this lunacy.
>
> It's time the decent people of this nation get a fair shake instead of this continual nurturing of welfare recipients who are too lazy to help themselves.

LAW AND ORDER

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 13, 1969

Mr. THURMOND. Mr. President, when Richard Nixon was campaigning for the Presidency, one of his principal themes was "law and order." This theme struck a deep note with the American people. As I travel about the country, I find that one of the things that our citizens are most alarmed about is the threat of anarchy. They are especially alarmed about the disorder and disruption occurring on our Nation's campuses among the supposedly privileged section of our society.

Because of these concerns, many people have told me that they are pleased with the firm attitude toward student riots taken by the Nixon administration, particularly by Justice Department officials in their recent series of "Law Day" speeches. It was most encouraging to see U.S. Attorney General John Mitchell give a reasoned and temperate argument for taking a firm approach toward those who violate the law and cause violence in the name of "dissent," and interfere with the rights of others.

Attorney General Mitchell pointed out that the Federal Government has a clear mandate where a national movement seeking national disruption is concerned. He said:

> The clearest mandate we have, so far, is the anti-riot provisions of the 1968 Civil Rights Act. It prohibits persons from crossing state lines with intent to incite riots.
>
> We have substantial information confirming the widely accepted belief that several major university disturbances have been incited by members of a small core or professional militants who make it their tragic occupation to convert peaceable student dissatisfaction into violence and confrontation.
>
> These circumstances can only lead to the conclusion that this hard core is bent on the destruction of our universities and not on their improvement.
>
> You can be assured that these violence-prone militants will be prosecuted to the full extent of our Federal laws.

XUM

These were the words of the U.S. Attorney General. He also pointed out the duty of the university officials to take proper steps to see that local law-enforcement officials were allowed to enforce the law. He said:

> University officials are not law enforcement experts or judges. When a violent outbreak occurs, they should not take it upon themselves to decide how long the violence should endure and what rights should be trampled upon until local government is called in. For minor demonstrations, which involve no serious disruptions, the university should have the viability to decide for itself what the best solution may be.
>
> But when people may be injured, when personal property may be destroyed, and when chaos begins, the university official only aids lawlessness by procrastination and negotiation. The university is not an extraterritorial community and its officials have the obligation to protect the rights of the peaceful students on its campus by use of the established local law enforcement agencies and the courts.

Mr. President, American citizens rest easier when they hear words like these. I congratulate the Attorney General for his calm and balanced outlook at a time of domestic crisis and turmoil, and I know that all men of good will join in these sentiments.

Mr. President, I ask unanimous consent that the speech by U.S. Attorney General John Mitchell entitled "What Kind of a World Do You Want?" be printed in the Extensions of Remarks at the conclusion of my comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. It is especially reassuring to see the Attorney General backed up by his subordinates. On the same day, the Deputy Attorney General Richard Kleindienst spoke in a similar vein at "Law Day" ceremonies at the Department of Defense. Mr. Kleindienst described these young rioters as "ideological criminals"; that is, they are motivated to perform criminal acts of violence because of their ideological hatred for their own country.

In a similar vein, Assistant Attorney General William H. Rehnquist spoke before the Newark, Del., Kiwanis Club, describing the rioters as "the new barbarians." Mr. Rehnquist sharply criticized those who deplore violence, without deploring disobedience. He said:

> To deplore only violence, by whomever used, obscures the fact that the law must be enforced against all those who disobey it, regardless of the means by which such disobedience is accomplished. Force as a last resort in support of the enforcement of the law cannot rationally be equated with force used in disobeying the law. The former, when milder means have proved unavailing, is a necessity which has been recognized for centuries, both by common law and by statute; the latter is impermissible, not merely because it is violent, but more basically because it is disobedient. An officer of the law may shoot and kill, if necessary, a fleeing felon in order to prevent his escape, but the fleeing felon is not given a similar right against the officer of the law.

Mr. President, I ask unanimous consent that excerpts from the speeches of Mr. Kleindienst and Mr. Rehnquist be printed in the Extensions of Remarks at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

WHAT KIND OF WORLD DO YOU WANT?

(Address by Attorney General John N. Mitchell, before the annual Law Day dinner of the Detroit Bar Association, Raleigh House, Detroit, Mich., May 1, 1969)

INTRODUCTION

It is a great pleasure to come to the City of Detroit to speak to your bar association on Law Day.

As you may know, while I was born in Detroit, I have spent most of my life in New York and now in Washington—one the center of financial power and the other the center of political power. But their very peculiarities tend to insulate those who live there from the real problems of America. That is why I enjoy coming to a great industrial center like Detroit on this occasion.

This evening, I would like to talk to you about a serious threat to our system of law, a threat which is as disturbing as the violence in our cities. It is the violence and dissatisfaction on our college campuses.

Campus disorders are basically a local problem to be solved at the local level and not by the federal government. But as Attorney General—as the senior law enforcemnt officer in the nation—I believe that I have the responsibility to comment on national problems which affect the administration of justice even though my legal jurisdiction may be limited.

I also come to you tonight as a fellow citizen, as a parent with two children recently graduated from college and as a grandfather concerned about the future.

An eminent Nobel laureate said last month in Boston: "What we are up against is a generation that is by no means sure it has a future." I disagree with that assessment.

I suggest that this generation has the most promising future world of any generation of Americans.

But I must pose to them the query of Mr. Justice Holmes:

"Behind every scheme to make the world over lies the question, what kind of world do you want?"

What kind of world do our students want? Do our university officials want? Do our teachers want? Do our citizens want? And I must remind you that when we talk about our students we are not talking about an alien people—we are talking about our own sons and daughters and about the type of nation we are making for them to inherit.

I. The facts

Let me quote briefly to you a capsulized dispatch issued by the Associated Press at 10:15 a.m. EST on April 24:

Washington—Student militants seize buildings at American University and George Washington University.

Ithaca—Cornell University faculty members agree to demands of students who seized college buildings armed with guns.

Kent Ohio—Kent college students create physical disturbances.

New Orleans—Southern University students lower the American flag.

Cambridge—Harvard professor resigns in the wake of police-student clash.

Princeton—Sixty students block doorways to a research facility.

New York—One hundred-fifty students and faculty stage a sit-in at Fordham University.

College Park, Maryland—University of Maryland protestors attempt to block entry to a science center.

New York—Two Brooklyn high schools forced to close after three days of student unrest.

That is one day of what kind of world some of our students have. In the current academic year, there have been demonstrations on over 200 college campuses throughout the nation. This has resulted in more than 2300 arrests and property damage in excess of an estimated $2.2 million.

Since January 1, 1969, the protest movement has escalated its tactics. For example, in the State of California:

At San Francisco State a bomb permanently blinded one student and a second bomb was discovered before it exploded.

At Pomona College in Claremont, a secretary was blinded in one eye and lost two fingers when a bomb exploded as she was removing it from a college mailbox.

At the University of California in Santa Barbara, a custodian at the Faculty Club died from burns when he picked up a firebomb.

At Berkeley, in the last eight months, there have been four arsons and two bombings, and $1.1 million in property damage.

This Administration has tried to be patient in the hope that students, faculty, and local officials, working together, would put an end to this chaos.

But the time has come for an end to patience. The time has come for us to demand, in the strongest possible terms, that university officials, local law enforcement agencies and local courts apply the law.

I call for an end to minority tyranny on the nation's campuses and for the immediate reestablishment of civil peace and the protection of individual rights.

If arrests must be made, then arrests there should be. If violators must be prosecuted, then prosecutions there should be.

It is no admission of defeat, as some may claim, to use reasonable physical force to eliminate physical force. The price of civil tranquillity cannot be paid by submission to violence and terror.

II. The idea of the university

The American university educational system is one of our proudest achievements.

Perhaps, it is that our current generation does not appreciate the toil that has gone to build it. Starting with one small donated library in 1636, our university system now numbers more than 2,000 public and private institutions with 6.9 million students. The concept that we have in this nation that all who are qualified deserve an education, has been one of our unique contributions.

James Russell Lowell noted:

"It was in making education not only common to all, but in some sense compulsory on all, that the destiny of the free republics of America was practically settled."

Another cherished concept of our university is—as the Commission headed by former Solicitor General Archibald Cox reported—

"A university is essentially a free community of scholars dedicated to the pursuit of truth and knowledge solely through reason and civility . . . resort to violence or physical harassment, or obstruction is never an acceptable tactic for influencing decisions in a university."

III. The student movement

To date, we have had disturbances on more than 200 campuses—about nine per cent of the colleges in the country. In only a small number of such disturbances was there any severe physical violence and bloodshed reported. The total arrest rate, of 2300, is less than four-tenths of one per cent of all of our students.

While accurate statistics are not available, it is believed that less than two per cent of our students have engaged actively in any disruptions causing physical or property damage.

XUM

It might be convenient to look at these statistics and suggest that the situation has been exaggerated. I think not.

Society has a way of selecting symbols and it is no accident that some of the most violent demonstrations have occurred at some of our most highly regarded universities—California, Wisconsin, Harvard, Cornell, Duke, Columbia—the universities to which we point with pride as among the leaders of our higher educational system.

Furthermore, it is undeniable that, while violence-prone activists represent a small percentage of our students, some of their actions have struck a responsive chord to a whole generation: so responsive, in fact, that the activists receive at least tacit support or neutrality from many other students.

As Professor Freund said prophetically, a year ago, our students accuse us of hypocrisy: that our laws, while pretending to be equal, give preference to the rich; that our politics, while pretending to be honest, are tools for the influential; that our scientists, while pretending to be humanitarian, build machines of war; that our economic prosperity, while pretending to affluence, leaves some citizens hungry; that our religion, while pretending to be pious, is conveniently indifferent.

I would be less than candid with you if I did not admit that their accusations are sometimes true. I cannot deny that the world of my generation may appear hypocritical to the generation of our sons. Neither do I deny that my father's generation appeared hypocritical to me as his father's did to him.

What our sons must remember is that we have today in this nation more equality in the law, more honesty in politics, more ethics in science, more people employed and less people hungry, and more religious dedication to the problems of society than at any other period in our history and than in any other nation in the world. Our progress may be too slow for our sons. But it is good faith progress; and cautious advancement is no justification for destruction.

A decade ago we saw the "silent generation" going quietly from the university to earning a living. Today, we have the "involved generation" who are interested in the problems of our society. They are active in civil rights, in poverty, in hunger, in education for the poor, in job retraining, and in partisan politics. I welcome this generation's demand that the university not be an extraterritorial community removed from society, but that it and its members deeply involve themselves with the problems of the day.

But if they are to assume a role as adult activists in a community, they must also assume the obligations that go with adult citizenship. And one of the primary obligations upon which we exist is a simple maxim, carved above an entrance of the Justice Department in Washington, which says:

"Law alone can give us freedom. Where law ends, tyranny begins."

Campus militants, directing their efforts at destruction and intimidation, are nothing but tyrants. But there are others who share the blame by failing to act—university administrators must take firm and immediate action to protect the rights of faculty members to teach and of other students to learn. Faculty members should stop negotiating under the blackmail threat of violence. Apathetic students should stand up for the rights of those who wish to pursue civility and scholarship in the academic community. To the extent that they remain neutral or refuse to act, they are all accessories to the tyranny we are now witnessing.

IV. The constitutional right to dissent

The genesis of our current student problems is thought to lie in our encouragement of lawful dissent.

The right to express disagreement with the acts of constituted authority is one of our fundamental freedoms. The First Amendment expressly protects "the freedom of speech" and "of the press" and "the right of the people peaceably to assemble, and petition the Government for a redress of grievance."

As one Supreme Court Justice has described it:

"The right to speak freely and to promote the debate of ideas is . . . one of the chief distinctions that sets us apart from totalitarian regime."

Recognizing this, the Supreme Court has construed the First Amendment to protect the right of a citizen to speak, to write and to disseminate his ideas by peaceful methods.

Citizens have the right to use the streets and other public grounds, to conduct reasonable demonstrations, to distribute handbills and to quietly picket.

Furthermore, schools should be encouraged to abide by First Amendment principles.

As Mr. Justice Brennan has said:

"The vigilant protection of constitutional freedom is no where more vital than in the community of American schools. The class room is particularly the 'market place of ideas'."

While this description was applied to the public, tax-supported school, it would seem to me that First Amendment ideas should apply equally to all universities, both public and private.

V. The limits of dissent

But there are definite limits beyond which these First Amendment guarantees may not be carried.

The Supreme Court has flatly rejected the argument "that people who want to propagandize protests or views have a constitutional right to do so whenever and however they please."

As Mr. Justice Goldberg has said:

"We also reaffirm the repeated decisions of this Court that there is no place for violence in a democratic society dedicated to liberty under law. . . . There is a proper time and place for even the most peaceful protest and a plain duty and responsibility on the part of all citizens to obey all valid laws and regulations."

The Supreme Court has explained that demonstrators do not have a constitutional right to cordon off a street, or to block the entrance to a building, or to refuse to allow any one to pass who will not listen to their exhortations.

The question remains, of course, whether the rights of students to protest on a university campus are to be greater or the same as the rights which the ordinary citizen enjoys under the First Amendment.

Only two months ago the Supreme Court ruled that the right of students to engage in peaceful protests does not include the right to disrupt the educational process.

If we are to be consistent, I believe that students on campus should enjoy at least the minmum protections for freedom of speech specified by the Constitution. In certain circumstances it may be appropriate for university authorities to offer additional rights. Exaggeration and bizarre behavior, romanticism and intellectual rebellion are traditional among our youth. The scope of these additional rights, if any, should be decided by each individual university authority.

But let me make one thing clear: students do not enjoy any special prerogative to interfere with the rights of other students or, as the Supreme Court has said: ". . . conduct by the student in class or out of it . . . is . . . not immunized by the constitutional guarantee of freedom of speech."

The right to be a student carries other fundamental rights than the right to dissent. Among these valuable rights which must also be protected, are the right to use research facilities, free from occupation by demonstrators; the right to use libraries free from seizure by dissidents; the right to consult with administrators free from having one's personal file and records destroyed; the right to study in an atmosphere of "reason and civility."

VI. The moral right to dissent

In any honest discussion on student protests, one must meet the claim that civil disobedience is an accepted tradition in American society.

This is especially true among our student population who claim that their seizures of university buildings and imprisonment of university officials are legitimate acts of civil disobedience similar to their participation in the civil rights protests.

I disagree. First: traditionally, civil disobedience has involved an issue of universal or fundamental morality—such as the equality of the races. No such issue has been involved in the current student protests.

Second: organized disobedience in the civil rights movement has rarely involved violence or bloodshed. It has concentrated, rather, on non-violence and on symbolic action which offered no substantial deprivation of rights to anyone else. One can hardly equate a sit-in at a bus terminal with throwing a student out of a second story window.

Third: in this country, the historical key to civil disobedience has been its amenability to arrest and prosecution. Indeed, it has always been considered, as Thoreau told Emerson, that the moral righteousness of breaking a law was in the punishment that the law meted out.

Today's militants also reject that concept. They physically resist arrest and they are unwilling to submit the merits of their cause to any tribunal other than their own self-determination.

VI. What should be done?

Having defined the problem, I feel obligated to offer a few suggestions on what can and should be done to resolve it.

My jurisdiction, as you well know, is limited to the application of federal law. Our concept has always been that, unless we in the federal government have a clear mandate, we permit the states and the municipalities to deal with law enforcement problems. The clearest mandate we have, so far, is the anti-riot provisions of the 1968 Civil Rights Act. It prohibits persons from crossing state lines with intent to incite riots.

We have substantial information confirming the widely accepted belief that several major university disturbances have been incited by members of a small core of professional militants who make it their tragic occupation to convert peaceable student dissatisfaction into violence and confrontation.

These circumstances can only lead to the conclusion that this hard core is bent on the destruction of our universities and not on their improvement.

You can be assured that these violence-prone militants will be prosecuted to the full extent of our federal laws.

We are also collecting a great deal of information about student disorders and those who cause them.

We are offering this information to state and local law enforcement officials operating in jurisdictions where campus disorders may occur.

No society, including an academic society, can survive without basic agreement by a great majority of its members as to the fundamental precepts upon which it operates.

The first precept for any academic community must be to outlaw terror.

The second premise is that students, faculty and administration officials should all participate, in some measure, in the decision-making process. What this means, at a minimum, is that university administrators must offer a serious forum for responsible student criticism—and more than that, it must be clear to the students that their

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grievances will be honestly considered and will not be lightly dismissed under the procedural ruse of an artificial dialogue.

Third: universities must prepare for prospective violence. It is no longer acceptable for a university administration to claim, after the events of this year, that they were taken unawares—that they acted in panic and that their mistakes can be blamed on the alacrity with which the demonstration developed.

Here, too, the entire university community should be consulted since it is the censure or approbation of a majority of this community which will determine the course of student violence.

If, as has been done at some universities, the majority overwhelmingly rejects minority violence, the militants are left isolated except for brute physical power. Since the entire concept of confrontation is to attract the sympathy of the majority—and sometimes the sympathies may be forthcoming because of inappropriate reactions—this major avenue of support for violent demonstrators should be substantially diminished.

In any event, the university administrator should, in anticipation of the outbreak of a disturbance, consult with local law enforcement officials on the methods of handling various disturbances. Preparation and coordination by these parties may well eliminate the disturbance and will assure the timely application of any required counter-force.

Fourth: if all else fails and a disturbance does occur, university officials should consider applying immediately to a court for an injunction. This tactic has proved fairly successful in the past. It takes the university out of the law enforcement business, where it does not belong, and replaces it with the court which is better suited for this purpose.

Let me be specific: University officials are not law enforcement experts or judges. When a violent outbreak occurs, they should not take it upon themselves to decide how long the violence should endure and what rights should be trampled upon until local government is called in. For minor demonstrations, which involve no serious disruptions, the university should have the viability to decide for itself what the best solution may be.

But when people may be injured, when personal property may be destroyed, and when chaos begins, the university official only aids lawlessness by procrastination and negotiation. The university is not an extraterritorial community and its officials have the obligation to protect the rights of the peaceful students on its campus by use of the established local law enforcement agencies and the courts.

I should like to conclude this address by asking our sons and daughters to consider the words of Rousseau:

"If force creates right, the effect changes with the cause: every force that is greater than the first succeeds to its right. As soon as it is possible to disobey with immunity, disobedience is legitimate; and the strongest being always in the right, the only thing that matters is to act so as to become the strongest. But what kind of right is that which perishes when force fails?"

Ladies and Gentlemen: "Behind every scheme to make the world over, lies the question: what kind of world do you want?"

Exhibit 2

Address by Deputy Attorney General Richard Kleindienst, on May 1, 1969, at the Department of Defense, in Commemoration of "Law Day U.S.A."

The first day of May of each year has been designated by the Congress to be "Law Day, U.S.A."

* * * * *

The President stated that this "is an occasion for rededication to the ideals of equality and justice under law." He then stated that:

"There was never a greater need for such rededication. Events of recent years—rising crime rates, urban rioting, and violent campus protests—have impeded rather than advanced social justice.

"We must reverse the upward trend of lawlessness in our land. We must bring forward in America our faith in ourselves and in our country and its future. We must move forward to a new era of peace and progress in which our great resources can be utilized to end poverty and injustice and to achieve greater opportunities for all Americans.

"Achievement of these goals does not depend upon the acts of government alone; it depends in substantial part upon the attitude and actions of each of us. We must recognize a clear duty to obey the laws, to respect the rights of others, to resolve controversies by lawful means, to become responsive and responsible citizens.

"Unequal justice is no justice at all, unenforced laws are worse than no laws at all; that is why equal justice under law is the bedrock of the American system."

With these perceptive thoughts of the President in mind, I would like to direct our attention for a few moments today to an unusual phenomena that exists in our land. That is the matter of violent campus protests.

I suggest that it might be worthwhile to, first, describe the kind of person who leads and provokes violent protests, in our colleges and universities. Secondly, we might then re-examine the fundamental principles upon which our country was founded. Finally, I hope to draw appropriate conclusions for our consideration, not only with respect to a determination of relative values, but also with respect to suggested courses of action which might be taken.

Who and what is this person about whom we read who is violent in his protest?

William A. Stanmeyer, Assoc. Professor of Law at Georgetown University Law Center, in the April issue of the American Bar Association Journal, had this to say:

"The violent New Left, those who would instigate guerrilla warfare, who condone or encourage bombings and arson, who premeditate the seizure of private property or forcefully prevent legitimate business or government activities, whose heroes are Che, Mao and Lenin—this violent New Left is unique in American experience. It produces a type of person who can only be called the ideological criminal."

Professor Stanmeyer then observed that the ideological criminal is characterized in part by the following traits:

He "violates the law for a political purpose".

He "seeks maximum publicity for his actions but often does not care whether he attains his goals".

He is "driven by a vision"—a vision that "his destructive action will bring about a better world".

He is part of a movement—a movement which some evidence would indicate exists nationwide.

He is self righteous.

He has "blind confidence in the constructive power of tearing things down".

He "spouts hatred for an economy that lavishes on him more comforts than earlier societies bestowed on their Kings".

"He is a threat to law and the values law protects".

Many of us here today consider ourselves fortunate indeed to have been able to acquire—in some cases with sacrificial effort of self and family—a higher education. Many here today who have not been so fortunate nevertheless appreciate and understand the basic value of higher education in a free society. Is there a legitimate interest in favor of our modern ideological criminal in today's world that is deserving of protection? What should our attitude and response be today with respect to those who seek to use the vestiges of freedom—free speech, freedom of assembly, protection from self incrimination, trial by jury, equal protection of the law—as a means by which they would destroy the society—the society of law—that has first produced and then safeguarded these very freedoms.

* * * * *

Incredible efforts have been put forth by our forefathers and by ourselves to secure and maintain these rights. The ideological criminal on our campuses, on the other hand, have uttered, to quote Professor Stanmeyer again, such slogans as:

"Old Societies pregnant with the new can give birth only when violence is the midwife" or "Dialectical thinking reveals that an intrinsically evil society can be smashed only by means which that society believes evil" or "the system is so bad now that maybe if it's destroyed something good will take its place."

Let us ask ourselves whether in fact, something new is in being of such value today to merit its birth by violence? Is our society so intrinsically evil to warrant its being smashed by means which many of us would consider evil? Does the long history of our country suggest that we dare indulge ourselves in the fantasy that if we stand by while it is being destroyed something better might just happen along to take its place?

None of us here today would pretend that our government of law—not of men—is perfect. But nearly all of us would rejoin, I believe, that it is the most nearly perfect government which civilization has produced. If this is so—and I believe it to be so—then our answers to these questions must be clear, concise and plain. The answer is that nothing new exists to merit its birth in violence—our society is not so intrinsically evil to warrant its smashing by evil means—in terms of man's fight for individual freedom something good just doesn't happen accidentally.

As we observe Law Day, U.S.A., this afternoon, we should finally ask ourselves—what must we do if our answers to these questions are correct?

It seems to me that there are many things we must do. To mention a few:

We must reaffirm constantly our commitment to the law. Every day, in one way or another, must be Law Day, U.S.A.

We must insist that those in our society who, by violence and unlawful means, would seek to destroy our country based as it is upon the law, are promptly and effectively prosecuted under the law.

We must insist that the administrators of our colleges and universities first understand that they are but trustees of an essential part of a free society and, secondly, that they respond to their fiduciary duty by guaranteeing that the criminal acts of a few do not interfere with the legitimate aspirations of the many in their pursuit of a meaningful education.

The Law: Under Attack From the New Barbarians

(Address Given by William H. Rehnquist, Assistant Attorney General, before the Newark Kiwanis Club, May 1, 1969)

There may have been a time in this country, not too long ago, when the customary injunctions to obey and respect the law that are traditionally heard on Law Day might have seemed mere statements of the obvious. That is not the case today, however. The very notion of law, and of a government of law, is presently under attack from a group of new barbarians. They are found today on university campuses, in various public demonstrations and protests, and elsewhere, though they represent only a small minority of the numbers participating in these movements. Just as the Barbarians who invaded the Roman Empire neither knew nor cared about Roman government and Roman law, these

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new barbarians care nothing for our system of government and law. They believe that the relatively civilised society in which they live is so totally rotten that no remedy short of the destruction of that society will suffice.

Reform groups in the past, however disillusioned they may temporarily have become with the society in which they lived, have directed their attention to the passage or repeal of particular laws or groups of laws. In so doing they have been willing to abide by the rules of popular government. The new barbarians, however, disclaim any such moderate tactics. "Bring down the system" is their cry. Notwithstanding their small numbers, they demand not only to be heard, but to be heeded. Failure to both hear and heed, on the part of the majority, brings in response not merely rhetoric, but willful and studied violations of the law—lying on the railroad tracks in front of a troop train, blocking workmen from entering a job site, occupation of university buildings against the will of university officials.

I suggest to you that this attack of the new barbarians constitutes a threat to the notion of a government of law which is every bit as serious as the "crime wave" in our cities. Because of this, the occasion of Law Day, 1969, calls for something more than the traditional encomiums to a government of law.

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The barbarians of the New Left have taken full advantage of their minority right to urge and advocate their views as to what substantive changes should be made in the laws and policies of this country. Almost without exception, their views have not prevailed. They have likewise urged at great length in various colleges and universities of this country the numerous changes which they believe that circumstances there require. Here their efforts have been more successful, though still short of complete achievement. To the merits of their various proposals I do not propose to address myself; I shall address myself to the tactics which they have employed where persuasion has proved initially unsuccessful. These tactics have time after time involved willful and studied disobedience of the law.

Such tactics can be rationally justified only by turning on its head the notion of a government of law. One would have to argue that the dissatisfied minority has not only the right to be *heard* with respect to its views, but also the right to be *heeded* with respect to those views. Such a right cannot be accorded to the minority, however, without totally divesting the majority of its right to govern.

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We are thus brought to the question of what obligation is owned by the minority to obey a duly enacted law which it has opposed. From the point of view of the majority, and of the nation as a whole, the answer, is a simple one: the minority, no matter how disaffected or disenchanted, owes an unqualified obligation to obey a duly enacted law. Government as we know it could not survive for a day if it permitted any group to choose the laws which it would obey, and those which it would not obey. Such right of choice would necessarily extend to other and less vociferous groups, who would doubtless choose to disobey different laws. The result would be anarchy. Neither idealism of purpose nor self-proclaimed moral superiority on the part of the minority qualifies in the slightest way its obligation to obey the law.

In insisting that a law be obeyed, and that disobedience be punished, society places its imprimatur not only on the particular law in question, but on the whole system of law which is the keystone of our civilization. It was Thomas Hobbes who said that life in the state of nature would be "nasty, brutish, and short"—a description with which many of us today would be disposed to agree. Yet this is the prospect which awaits us down the road if we permit the system of law and obedience to the law to be torn down by the new barbarians.

So much for the position of the majority, or of society, with respect to disobedience to law. What is the question that must be answered by the disaffected individuals? One hears much these days of "matters of conscience", and it is doubtless correct to say that in the last anhlysis each individual must determine for himself whether a law is so odious that it cannot be obeyed. But while no one can presume to decide this question for another, from an individual point of view, surely it is not too much to expect that rational consideration of the question will embrace the following points:

First, that it is nonsense in a nation of 200 million people to speak in any realistic way of the majority enforcing its will against the intransigence of even a small but determinéd minority. One need only consider the system of traffic regulation which obtains on our highways, or the system of self-determination of income tax liability which results in the filing of some 60 million returns with the federal government each year, to realize that the continuation of any system of government in a complex society depends in a very real sense, not only upon the consent of the majority, but on the consent of the minority as well.

The deliberate law breaker does not fully atone for his disobedience when he serves his sentence, for he has by example undermined respect for the legal system itself. William Evarts, a New Yorker who served both as Attorney General and Secretary of State in the latter part of the 19th century, once made an address in which he urged obedience to a particularly unpalatable law which had just been passed by Congress. In the course of the address, he made the comment that "he who strikes at *a* law strikes at *the* law." His observation is as true today as when it was made.

Second, that just as the minority has it within its power to frustrate the governance of the majority, so a large majority by process of constitutional amendment has it within its power to deny the right of free speech and free discussion to the minority. Rational citizens expect the majority to restrain itself in order to keep open the avenues of public discussion; so likewise should rational citizens expect the minority to restrain itself in order not to bring the wheels of government to a halt.

Third, that there is a certain amount of arrogance in insisting that one's own personal predilections will not permit him to obey a law which has been duly passed by the legislative authority having jurisdiction over him. This arrogance is compounded by the reflection that the privilege claimed for conscientious disobedience is one that cannot be granted to the citizenry at large without bringing chaos; it is therefore, by implication, a privilege reserved to those with articulate and hyperactive consciences. The claim for conscientious disobedience is at war with the basic premise of majority rule.

Certainly those of us who are members of the legal profession, and those non-lawyers who are interested in the way that the nation is governed, need no reminder of their duty to speak up for the law—for the law not as a group of substantive regulations, but as a process by which a great nation is governed, if it is to be governed at all. We have recently witnessed examples of assault by the new barbarians on the rules and regulations which govern many of our colleges and universities, as well as on the system of public law in the country. To the extent that many breaches of university regulations do not constitute a violation of public law, the question posed by breaches of the former is not identical with that posed by breaches of the latter. And to the extent that private universities are governed in accordance with charters and bylaws, rather than in the manner of political subdivisions, such institutions are not subject to the same general canons of government as are the latter. Nonetheless, major disturbances in our universities frequently culminate in violations of the law, and since the universities presumably intend to conform to some rational standard in enforcing their own rules and regulations, it may be profitable, if not encouraging, to see what lessons may be drawn from these recent disturbances.

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Because many recent demonstrations and protests, at the universities and in the streets, have involved violence, it has become the fashion to deplore violence, without likewise deploring disobedience to law whether violent or nonviolent. But this approach misses a large part of the point. To deplore only violence, by whomever used, obscures the fact that the law must be enforced against all those who disobey it, regardless of the means by which such disobedience is accomplished. Force as a last resort in support of the enforcement of the law cannot rationally be equated with force used in disobeying the law. The former, when milder means have proved unavailing, is a necessity which has been recognized for centuries, both by common law and by statute; the latter is impermissible, not merely because it is violent, but more basically because it is disobedient. An officer of the law may shoot and kill, if necessary, a fleeing felon in order to prevent his escape, but the fleeing felon is not given a similar right against the officer of the law.

Though I do not presume to speak for, or even to, the universities on this point. I do offer the suggestion in the area of public law that disobedience cannot be tolerated, whether it be violent or nonviolent disobedience. I offer the further suggestion that if force or the threat of force is required in order to enforce the law, we must not shirk from its employment.

We have recently been treated to counsels, perhaps more directed to universities than to governments, which urge that we not "polarize the moderates", to employ a currently popular phrase, by using force or the threat of force to enforce rules and regulations. But "moderates" who shirk from the use of necessary force to compel obedience to valid regulations or laws are not moderates in any normal sense of that word. Instead they are persons who are either unable or unwilling to sensibly analyze the situation which confronts them.

COLLINS GIVES TEXAS SALUTE: FBI CHIEF, J. EDGAR HOOVER

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. COLLINS. Mr. Speaker, because of my strong stand for law and order in this day when we have declared crime in the streets as our Nation's most pressing domestic problem, I should like to salute J. Edgar Hoover. The concerned citizens of Texas join me in support of our all-out law-enforcement efforts.

J. Edgar Hoover's 45 years of service to the Federal Bureau of Investigation and to the American people has been outstanding. His keen awareness of the crime problem and his ardent desire to improve the caliber of law enforcement in this country are two excellent reasons for his continued service as our FBI Director.

Mr. Speaker, all Texans, and Americans everywhere, are justly proud of Mr.

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Hoover's many accomplishments. As our bulwark of law enforcement, J. Edgar Hoover means security in the knowledge that our children are safe in the streets and in that our country must function under a blanket of stability and order. I salute him and his record in the years to come.

I recently sent a questionnaire to my constituents in Texas' Third Congressional District and asked them 10 vital questions. One question is as follows:

> Do you believe we should support our local police forces more strongly at this time?

Mr. Speaker, the positive response was overwhelming. Ninety-six percent of our young people, age 18 to 20, answered yes; 92 percent of our young adults, age 21 to 24, answered yes; 94 percent of our adults, age 25 to 44, answered yes; 97 percent of our mature adults, age 45 to 64, answered yes. And 97.3 percent of our wonderful senior citizens, age 65 and over, answered yes.

There is no question that the Third Congressional District of Texas gives J. Edgar Hoover our mandate for law and order.

WORDS OF WISDOM

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. COHELAN. Mr. Speaker, a number of our colleagues know Mrs. Ruby G. Martin by reputation. Until recently, she was the Director of the Office for Civil Rights, the title VI compliance agency, at the Department of Health, Education, and Welfare. I am pleased to report that Mrs. Martin is continuing her efforts to bring about equality of opportunity from her new position outside the Government.

On Monday of last week, she spoke at a meeting of the Mississippi Council on Human Relations in Jackson. What she had to say was and is important, especially to those of us who have participated in the enactment of some of the major legislation of the last few years—laws such as the Civil Rights Act of 1964 and the Elementary and Secondary Education Act of 1965.

Mr. Speaker, Mrs. Martin made the point in her speech that there is a necessity to make the system more responsive to the needs of the poor and disadvantaged of our Nation. And this is an effort in which we—as legislators—should be particularly concerned. The words of Mrs. Martin are words of wisdom—words which should be heeded—and I commend her speech to the attention of Members of Congress. I include the speech at this point in the RECORD:

REMARKS OF MRS. RUBY MARTIN TO THE MISSISSIPPI COUNCIL ON HUMAN RELATIONS, APRIL 28, 1969, IN JACKSON, MISS.

Last week I spent four days in serious discussion and soul searching with a group of young black students and Mexican-American (*chicanos* they call themselves) students at the University of California at Berkeley. These were not the Berkeley students who have captured the national headlines during the past few months by their constant confrontations with University officials. These young people were not the so-called way out militants or separatists, not at all. Rather, they were young men and women genuinely and gravely concerned about meaningful survival—concerned about being productive human beings—concerned about their own future and the futures of all black people and other minorities in America. And these young people are literally being torn apart inside by what's going on around them and what's happening to them personally—the war, the threat of being drafted into a war that they do not understand and do not like, the crisis in the cities and the crisis at the universities across the nation, grave problems of hunger, poverty, racism (black and white), segregation, racial and ethnic discrimination, and unequal opportunity, the denial of a job, a house, the right to participate fully in the wealth of this great nation because of arbitrary factors of race, color, and national origin.

In an effort to come up with some meaningful way to discuss these issues with the young students, it suddenly dawned on me that the *black* students, as well as every other black youngster in the nation in the same age bracket, are the first clearly identifiable victims of this nation's many promises of the 1950's and 1960's, promises that have been broken, disregarded and ignored. They are the first ones who were promised a racially integrated education, by the 1954 *Brown* decision. They are the ones who were promised an equal educational opportunity by that historic decision which outlawed racially separate schools, a decision which was reinforced by the 1964 Civil Rights Act, Title VI of which prohibits the Federal Government from providing financial assistance to school systems that refuse to comply with the 1954 Court decision. They are the first ones who were promised an *extra* educational advantage, a chance to catch up, or at least a chance to have the educational gap between white and black students reduced by the Elementary and Secondary Education Act of 1965, the Act which established a national policy to provide special education opportunities for educationally disadvantaged, minority youngsters.

The young black people whom I met with in California sincerely feel that all the Federal legislation, court decisions, and lofty statements of national policy are not worth the paper they were written on; they had changed nothing. They told me that they graduated from inferior, from segregated schools despite the *Brown* decision and despite Title VI. They could point to no *extra* educational advantage that either they had received or their younger brothers and sisters, still in grade school—still in segregated schools—were receiving as a result of the Elementary and Secondary Education Act of 1965.

Talking with these young people was one of the most depressing, frustrating experiences of my life because, while I agree that America has a long way to go in redressing racial and social injustices, I believe that some changes have been made—not enough changes and certainly the changes have not come fast enough.

And while I understood their disillusionment, I, myself, was disillusioned at the way they seemed to brush off my arguments that black people must learn how to deal with the *system* in order to bring about effective change. They were ready to junk the system—not ready to learn how it operates. While I readily admit that my argument clearly is not the only answer or the final answer, I do think it has some merit, and I would like to explore it with you as I did with them.

My basic premise is simple—black people, poor people, minority people must *learn* about the decision-making processes in our nation, and challenge both the decision makers and their decisions with facts and figures, and not with emotion or rhetoric. We must study the *laws* designed to bring about change and determine, in fact, what changes have been made as a result of these laws. If there are discrepancies between what the law says and what, in fact, is happening as a result of these laws, we must challenge the authorities responsible for the discrepancies.

Title I of ESEA of 1965 and Title VI of CRA, 1964, read together—what they say on paper—are powerful tools for dealing with the unequal educational opportunities based on race, color, and national origin that are rampant in our nation. They are powerful tools even though both pieces of legislation, both Title I and Title VI, have been watered down since they were originally enactod. Despite the watering down, however, I believe that both pieces of legislation are adequate to bring about meaningful change. But, the *system* for carrying out these laws, the system for implementing the regulations governing the laws, and the system monitoring performance under these provisions, the system which makes the written laws a farce, are the things we must explore, the things we must learn, and the things we must challenge. For example, the regulations and Federal policies governing Title I of the Elementary and Secondary Education Act of 1965 are clear, crystal clear in a number of respects.

First, Title I funds are for the sole benefit of children from disadvantaged homes, educationally deprived children, poor children. It is *not* a general aid-to-education act or a school construction act; on this there is no question. The law is clear;

Second, Title I funds are *supplemental* to state and local funds and *must not* be used to supplant state and local monies. Federal Title I funds are extra, over and above state and local allocations, and the law assumes that the state and local expenditures *are the same* in those schools attended by educationally disadvantaged children as in all other schools in the system; and

Third, programs developed under Title I must be of sufficient size, scope, and quality to give a *reasonable promise of substantially improving* the quality of education afforded disadvantaged children.

There is no question in my mind but that few school officials have paid serious attention to these three important provisions governing the use of Title I funds. Indeed, there is reason to believe that some school officials have flagrantly disregarded these governing principles, and have used Title I funds any way they wanted to use them, sometimes in outright defiance of the law.

Cases are coming to our attention which suggest that in some Southern school systems, the still segregated black schools are being operated almost exclusively by Federal funds, Title I funds, and black classroom teachers, regular classroom teachers assigned to schools are being held captives in these schools and they are also being used to hold black children captive in these schools. These black teachers are told that if Federal funds are cut off for non-compliance with Title VI, they will lose their jobs because they are "Title I teachers." This is a clear violation of the letter and the spirit of the law. Title I funds are extra; they are over and above state and local funds. It is a violation because the law states, on its face, that Title I funds are not to be used to pay regular classroom teachers unless the Title I project itself is to increase the number of teachers in the school, and thus substantially reduce the pupil-teacher ratio in the school, provide for smaller classes, and individual instruction. Title I funds are supposed to hire *extra* teachers, and these teachers *must* be assigned to the schools with the highest concentration of disadvantaged poor children. Telling a teacher that he or she is a Title I teacher is not enough; giving a

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regular classroom teacher responsibility for teaching a special reading or math class is not enough; the law requires more, much more, and we must find out how the Title I funds are being used in our school systems.

There is also substantial evidence to support the charges that black children are also being held captive in black segregated schools by the *tremendous* food programs, the eating programs, and the so-called nutrition programs, *totally* financed by Title I funds. These children, and their parents, are told that as long as they stay in black schools they can have a free breakfast, lunch, and a bag to take home to the family; but, if they dare elect to attend a white school, they will lose all of the free food benefits. These *same school systems* are generally also providing free food programs at the white schools, but under another Federal law, the National School Lunch Program, which is administered by the Department of Agriculture. In fact, the black children, upon transferring or choosing a white school, *should* be eligible for a free lunch under the Agriculture-funded program. Indeed, they should continue to get free food under Title I. The Commissioner of Education has established a policy which provides that Title I benefits such as free food, free health, and free medical services flowing to a black child in a black school should follow him to a formerly white school or desegregated school, and he should not be denied Title I benefits simply because he exercised his constitutional rights.

Just last week, we were told of a situation in Georgia, where a local school system used state and local funds to build a gymnasium in a white high school, and Title I funds to build a gymnasium at the black high school, a clear violation of both Title VI and Title I. This situation came to the attention of the Federal Government *after* the fact, after the facilities had been constructed in violation of the rules and regulations governing both Title VI and Title I. This is the kind of misconduct and malappropriation of Federal funds that we are going to have to identify and document and present the facts on to the governments at all levels, local, state, and Federal.

Cases are also coming to our attention which suggest that a large number of Northern or Southern big city school systems, systems that are in deep financial trouble because the flight of the white people to the suburbs has lowered the tax base, have thrown Title I funds into the general school budget. Title I funds are being used for general school purposes, teachers' salaries, overhead, administrative costs, etc., with total disregard for the Congressional mandate that this money be concentrated in the schools servicing the most educationally disadvantaged youngsters in the community.

As concerned black people, as parents of disadvantaged children, as people vitally concerned about the welfare of our children, we must mount a mammoth campaign to expose the outright violations of the law; we must expose both the school officials that are stealing from our children, and those who are flagrantly misusing the funds. We must also expose those who, because of ineptness and unconcern have instituted Title I programs which are totally useless, of no value, to disadvantaged children.

Every school system receiving Title I funds is required, by law, to have on file for the benefit of parents and citizens an evaluation of the educational needs of disadvantaged children. They are required to have available a copy of the Title I projects that are supposed to meet those needs. There must also be on file a designation of the schools in which the Title I projects are located. And at the end of each year an evaluation must be made of the extent to which the Title I projects are meeting these educational needs of the disadvantaged children they are supposedly designed to help. I wonder how the Georgia school officials who used Title I funds, not state and local funds, but Title I funds, to build a segregated, black gymnasium justified, if they bothered to justify, the construction of that facility as meeting the *educational* needs of the disadvantaged children.

I predict that unless *we* mount a major effort to assure that Title I funds are being used in our school systems the way they are supposed to be used, they will continue to be misappropriated and malappropriated. I also predict that if this happens, seven years hence, a group of educators, psychiatrists, and sociologists are going to come out with a report with the following headline: "Despite the expenditure of X billion of Federal dollars over a ten-year period to upgrade the achievement levels of disadvantaged children—poor children—black children—they are still dumb. The conclusion: They are inherently dumb."

I don't know about you, but I think we ought to do everything in our power to avoid that headline. If school people are going to use Federal funds appropriated solely for poor children to help *all* children, not just for poor children, the world ought to know that's what is going on. Poor children should not be held accountable, seven years hence, for *that* which they have not received. If school officials are going to use Federal funds that are supposed to help raise the educational sights of disadvantaged children to build segregated gymnasiums, to carpet and furnish their offices, to buy IBM equipment for white schools, or to initiate massive programs to feed children to keep them in black schools, then it ought to be brought out in the open.

I'm getting just a little weary of hearing that cutting off Federal funds for failure to comply with Title VI hurts black children only; with the things I'm learning about how Title I funds are being used, I have grave doubts about the validity of the assertions. Scme community leaders now suspect that the black schools and black children are actually receiving *less* financial support when Title I funds are available, than they would otherwise. They fear, with good reason to fear, that black schools are financed by Title I funds only, and all state and local monies are going into white schools.

Unlike the California students, I'm not ready to give up on the system—not yet anyway, and I hope that you are not either. But while I'm not going to give up on the system, I *am* going to make it work and to expose those who disregard the Constitution and the laws of this land. And while I am distressed by the action of the House of Representatives last week defeating an amendment that would have required the establishment of local advisory committees on Title I programs, I know that community interest and involvement can be brought about in a number of ways. PTA groups, churches, and individually concerned parents can raise *these issues* with the local education agency; local advisory committees would have been great, but they are not a necessity. As an old Federal bureaucrat, I can tell you that we are going to have to do the work; the Federal Government does not have the staff, and in some cases, not even the desire, to do the job; it's up to us. I, for one, am going to do all I can to bring these injustices and violations out into the open for the world to see, for I believe that if enough pressure is brought to bear, things will change.

Thank you.

"TIRED STUDENT" ABOUT FED UP

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DENNEY. Mr. Speaker, recently the following letter to the editor came to my attention. The author, a student is Stephen Osborne. The letter appeared in the Oklahoma Daily which is the University of Oklahoma newspaper. It has a message for all of us and having received permission, I insert the following in the RECORD:

"TIRED STUDENT" ABOUT FED UP

(By Stephen Osborne)

To the EDITOR:

I am a tired student of the University of Oklahoma in Norman. I am tired of being called a "damn pig farmer" and a "Bible Belt Okie."

I am tired of having the out-of-state cynics use my state as a whipping boy for 9 months every year.

I am a tired student—weary of having American higher education facilities stoned, ransacked, and burned by mobs of unendingly, insatiably discontented "reformers" operating under order from "love" pushers who preach peace and breed conflict . . .

I am a tired student—choked up to here on this business of trying to intimidate our government by placard, picket line, and sit-ins by the hordes of dirty unwashed who wish to man the barricade against the forces of law and order.

I am a tired student—weary of the hippies who say they should have the right to determine what law of the land they are willing to obey.

I am a tired student—weary unto death of having my tax dollars to go to the SDS-cheered dictators and heroes who play both sides against the middle with threats of what will happen if we cut off the golden stream of dollars.

I am a tired student—who is getting madder by the minute at the filth "journalists" who have launched universities into an obscenity race, who try to foist on us the belief that their "out of sight" filth is an intregal part of culture . . .

I am a damn tired student—weary of the bearded bums who tramp the picket lines and the sit-ins—who prefer Chinese communism to capitalism—who see no evil in Castro or Che Guevera, Eldridge Cleaver, and Huey Newton, but sneer at President Nixon as a threat to peace.

I am a tired student—who has lost all patience with that civil rights group which is showing propaganda movies on my campus and others coast to coast—movies denouncing the United States—movies made in Communist China.

I am a tired student—who is angered by the self-righteous breast-beater revolutionary elements from Columbia, San Francisco State, Fresno State, San Mateo, and old Wheeler Hall at Berkeley, and those abroad, who set impossible yardsticks for the United States, but never apply the same standards to the French, the Cubans, the Russians, the British, the Chinese.

I am a tired student—who is weary of some Negro leaders who scream four-letter words in church meetings for shock purposes.

I am a tired American—who dislikes clergymen who have made a career out of integration causes, yet send their own children to private schools.

I am a tired student—who resents those free-loading goldbricks who try to peddle the belief at my university that capitalism is a ditry word and that free enterprise and private initiative are only synonyms for greed, while they pay their tuition with the money of their middle class parents. They say they hate capitalism, but they are always at the head of the line demanding their share of the American way of life.

I am a tired student—real tired of those who are trying to sell me on the belief that America is not the greatest nation in all the world—a generous-hearted nation—a nation dedicated to the policy of trying to help the "have-nots" achieve some of the good things

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that our system of free enterprise brought about.

Yes, I am a tired student—so damn tired of the long-haired critics screaming for the abolition of our ROTC that I could cry—the same hypocritic cowards that would be the first to take advantage of the militia's absence by storming every building on campus the minute it seemed feasible.

I am a tired student—who thanks the Lord he has the luck to be a student, to be an American citizen—a nation with a ways to go—but better than the rest.

U.S. FOREIGN POLICY: A JOURNEY INTO SCHIZOPHRENIA

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, the words from a popular folk song among our youth today states, "For the Times, They Are a Changin'." No single other fact seems more evident today. The need for change is upon the land and has entered the minds and hearts of our people. The need for change is reflected by the growing rebellion of our youth on campus. The need for change is mirrored by the demands of adults who have called out for tax, urban, and political reforms. The need for change is echoed by the cries of our servicemen, fighting and dying in Vietnam. This need is present, and, immediate.

Let us look and see in what area have these needs gone unanswered. In what area has the status quo remained the supreme guideline? In what area do the realities of today go ignored because of the stultified thinking of yesterday? Sadly enough, the foreign affairs area, that is where.

I have spoken out in the past, calling for a reappraisal of our foreign policy. I have enumerated our countless failures as well as given credit for our pitifully few successes. I have tried to call attention to the disparity between that which we say, and that which we do.

We call for freedom and self-determination for the peoples of the world. Yet we support dictators and dictatorships throughout the globe, from Greece, to Brazil, from Spain to Haiti. We call for equality for all men. Yet we support the racial regimes of Rhodesia and South Africa. We call for the economic advancement of the underdeveloped nations; yet we are only sixth on the list of nations who give foreign aid when you base that aid in proportion to our gross national product. We call for peace throughout the world and yet we continue to kill and be killed in Vietnam. And finally, we call for disarmament and yet our President proposes an anti-ballistic-missile system that would escalate the arms race tremendously. Could it also be said that we call for sanity in this world while we ourselves act somewhat irrationally?

The time has come to review the explanations for the diversity between our ideology and our activities, that is, the rationalization that says every dictatorship we support, every bigoted regime we bolster, every war we engage in, is for and in the best interest of the United States. What are our objectives in world affairs? What are our goals? Is it merely the maintenance of the status quo regardless of what extremes we must go to? I hope not, for that would mean that we would be accepting the Machiavellian principle that the ends justify the means. I reject that principle for I believe that the means to a large degree will determine the worth of the ends. When we utilize foul methods, we pervert and dirty our goal, no matter how right and honorable that goal had been originally.

It is time that we recognize certain basic facts of life and reconcile them with the ideas that most Americans respect. An ally is someone you can depend upon. Our only ally in the Middle East is Israel. Our only allies in Southeast Asia are those troops who are fighting on our side willingly. Those troops are South Koreans and Australians. The South Vietnamese technically qualify. But the questions as to their willingness and spirit that have been raised are valid ones.

The time has come for us to practice what we preach. We must act to fill the credibility gap that we have ourselves created. If America is to stand for democracy, truth, and honor, our future actions must reflect these virtues. Let us end our two-faced policy of arming both sides in the Middle East as quickly as possible without further inflaming the situation and reassure Israel of our continuing support. Let us withdraw from South Vietnam and let the Vietnamese determine their own destiny. Let us act to show our disapproval of the apartheid Government of Rhodesia and South Africa as well as those of dictatorships that stomp upon the principles that our Nation was founded upon. Most important of all. Let us stop stretching the imagination, boggling the mind, and deluding ourselves with flamboyant rhetoric. As many of the youth of today would put it: Let us tell it like it is. And once we tell it that way, let us live up to our words.

REVISING THE SOCIAL SECURITY RETIREMENT TEST

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. GIBBONS. Mr. Speaker, today I have introduced a bill to provide a substantial increase in the amount of outside income permitted without a loss of social security benefits and to provide that all types of income will be included in determining the amount of an individual's income.

My bill would permit a person to get all of his social security benefits as long as his total income did not exceed $10,000 a year. If his total income was more than $10,000 a year, his social security benefits would be reduced by $1 for each $1 of income over $10,000 a year. Under the bill, income is defined as income from all sources: wages, interest, dividends, rents, pensions—including social security—and so forth. This bill, however, would make no change in the provision of present law under which a person's social security benefit is stopped for any month in which he works on 7 or more days in a foreign country.

That some change in the social security retirement test is needed is generally admitted. There is, however, no general agreement as to what the change should be. Some propose that the test be eliminated altogether, while others suggest that the amount of earnings allowed be increased by $10 a month. In my opinion, neither of these extremes is needed. What is needed is a fresh look at the problem and a realistic appraisal of what the test and the social security program are intended to do.

If we look at the present retirement test, the need for a revision is obvious. Under the test, a person who earns over $1,680 a year has his social security benefits reduced by $1 for each $2 he earns between $1,680 and $2,880 and by $1 for each $1 he earns above $2,880. However, under the so-called monthly test, he is paid a benefit for each month in which he does not earn more than $140.

If we apply the present test to the average retiree, whose monthly benefit is about $100, and assume that he works in every month we see that: First, if he earns as much as $2,880, he loses $600 in benefits, and second, if he earns $3,480, or more, he loses his entire benefit for the year. The monthly test does not apply because he earned over $140 in each month.

On the other hand, let us apply the present test to a talented actor who reaches 65 this year and gets the maximum retirement benefit payable at this time, $165 a month, $1,890 a year. If in July and August he does a play for which he is paid $10,000 a month, although his annual earnings are large enough to cause him to lose all of his benefits, the monthly test comes into play and his benefit is reduced by only $330, the amount of his benefits for July and August.

Neither of these situations seem fair to me. In the case of the average worker, the reduction in benefits is too drastic, considering today's wages and prices. In the actor's case the reduction is too little considering his total income because of the monthly test. Accordingly, I have shaped my bill so that the average retiree can have more work and still get all of his benefits while at the same time limiting the benefits paid to those who have a substantial income, that is an income of more than $10,000 a year, regardless of the source of the income.

Mr. Speaker, I know that this seems to represent a departure from some people's concept of what the social security program is. However, I have gone into the matter at some length and I do not believe that it is as great a departure as some may think. If one thinks, as I do, that the social security program is a mechanism for providing a basic retirement income, then the program should be geared to this objective. It should provide for a basic income which can be supplemented up to some realistic cutoff point. This is what the present test purports to do, but not what it does. As the test now stands, the smaller your benefit, the less you can earn and still get a benefit. If you are one of the unfortunate ones who gets the minimum benefit paid to people who retire at age 65, $55 a month, you lose all of your benefits when you earn as little as $2,800 a year. Compare this with what happens to a person, like the rich actor who can earn $20,000 in 2 months and lose only $330 in benefits.

A letter the former Secretary of Health, Education, and Welfare sent to the Speaker on January 7 says:

> Over the years there have been considerable confusion and misunderstanding of the retirement test in social security.

And, while I cannot agree with much of the rest of the letter or the report on the retirement test which it transmitted, I must say that his sentence expresses my own feeling. However, I think there is as much confusion and misunderstanding on this point in the Social Security Administration as elsewhere.

After pointing out that for the people now getting social security benefits the social security taxes paid on their earnings have amounted to only 10 percent of the value of the benefits payable, the letter goes on to say:

> Another misunderstanding that many people have is that a person who works after age 65 is treated unfairly as compared to a person who after retirement has income from savings and investments. People who think this way misunderstand the whole purpose of a retirement system, which is to pay benefits to partially replace lost earnings. If benefits were withheld because the person had income from savings, a private pension plan or the like, the program would discourage people from saving in their productive years to have a more comfortable life in retirement than social security benefits alone can make possible.

Mr. Speaker, I have great regard for the abilities of former Secretary Wilbur J. Cohen when it comes to social security, and, in the last sentence I quoted, he has brought out the most compelling argument against my bill. However, I think the facts do not agree with the argument. In the first place, savings are not income and no one to my knowledge has seriously proposed that people with savings should not be paid social security benefits. Certainly I am not. What I am proposing is that interest paid on savings should count as income for purposes of the retirement test. Second, not very many people get private pensions and the most optimistic projections I have seen indicate that eventually considerably less than one-half of those now working, perhaps 35 percent, will qualify for a retirement pension.

Although I do not agree with the thesis set out by the former Secretary, let us look at how my bill would work with a person who retires this year with a maximum retirement benefit of $1,890 a year. Such a person would get all of his social security benefits if his other income from all sources was not more than $8,110 a year. If his total income should exceed $10,000 a year, his benefits would be reduced by $1 for each $1 of income above $10,000. If we consider 5 percent a good return from savings and investments, that would mean that a person with $160,000 invested could still get all of his benefits. If he had $180,000 invested at 5 percent, his income would be $9,000 in interest plus $1,890 in benefits for a total of $10,890. He would, therefore, lose $890 in benefits. It would not be until he had over $190,000 invested that he would lose all of his benefits.

Similarly, a person with a pension of up to $8,100 would continue to get all of his social security benefits. Now, an $8,000-a-year pension is an extremely large pension, particularly when one considers that in 1966 the average private pension was about $110 a month, $1330 a year. Thus, my bill would permit a person to have a pension of more than 6 times the average without any loss of social security benefits.

The person with a considerable income who has large earnings in 1 or 2 months woud get no social security benefits, while the average retiree could work and earn as much as it is reasonable to expect him to without any reduction in his benefits.

On the other hand, the extraordinary person who has a substantial income without social security benefits would not be paid any benefits, regardless of whether he worked.

Mr. Speaker, the changes my bill would make in the social security retirement test would bring it up to date. When the program started, benefits were to be paid unless the worker received wages from "covered employment." Presumably this was to prevent workers from drawing benefits and then being able to compete at reduced wages in a surplus labor market. Subsequent changes in the retirement test seem to me to be tied to the same idea even though there is now a scarcity of skilled labor of almost every description.

In light of the present conditions, I believe that the objective of the social security program should be to provide a basic income at retirement age which will permit those who want to retire to retire, while not penalizing the average worker who wants to or who needs to work. If my bill is enacted, those who reach retirement age will find that they have a greater variety of choices than under the present law. They will know that as long as they need a social security benefit, it will be paid. But, if their income is substantial enough so that they have more than the average person earns while working, no benefit will be paid to them.

Considering today's wages and prices, the amounts that a social security beneficiary can earn are much too low. Under the present provisions, those who need work to supplement their benefits cannot earn a meaningful amount, while those who have more income than the average working person are permitted to receive benefits without penalty. It is only simple justice to provide benefits to those who need them, while withholding from those who have no need for them. As I indicated earlier, under the present law, benefits are withheld from those who need them and paid to those who do not.

I hope that the next time we vote on a social security bill, it will contain a provision such as is embodied in the legislation I have introduced.

Mr. Speaker, I include a comparison of the present law and my bill in the RECORD, as follows:

THE SOCIAL SECURITY RETIREMENT TEST IN PRESENT LAW AND AS IT WOULD BE MODIFIED BY CONGRESSMAN GIBBONS' BILL

PRESENT LAW	GIBBONS' BILL
Exempt Amount—$1,680 a year of earned income.	Exempt Amount—$10,000 a year, includes all income, wages, interest, rent, dividends, social security benefits, etc.
Benefit Reduction—$1 in benefits for each $2 in earnings between $1,680 a year and $2,880, $1 in benefits for each $1 in earnings above $2,880.	Benefit Reduction—$1 in benefits for each $1 of income above $10,000 a year.
Monthly Test—Regardless of yearly earnings benefits paid for any month in which earnings are less than $140.	Monthly Test—None. (Except for first year of retirement.)
Foreign Test—Benefits not paid for any month in which a person works on 7 or more days outside the United States.	Foreign Test—Same as present law.
Age Exemption—Test does not apply after a person is 72.	Age Exemption—Same as present law.

THE SHEEPSKIN PSYCHOSIS

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. COUGHLIN. Mr. Speaker, most of my colleagues, I am sure, are aware how little relevance much of our current academic curriculums—particularly at the high school level—has for many students. In this regard I wish to offer for consideration a few statistics, a newspaper article, and a short editorial, all of which might conceivably be put to good advantage by those of us who seek to provide a meaningful educational system.

According to information supplied to me by the Legislative Reference Service, for every 100 students in the fifth grade in 1959–60, 72 graduated from high school, 40 entered college in 1967 and 20 are likely to earn degrees in 1971.

In other words, Mr. Speaker, high school education geared solely toward college has precious little relevance for 60 percent of all students.

I have also received some statistics from the State of Ohio, which I believe are just as applicable to my State of Pennsylvania and to the rest of the States as well. I think these figures speak for themselves:

Item: Only 11 percent of present jobs call for persons with a college degree.

Item: Only 5 percent of high school graduates have job training that is applicable and acceptable to industry.

Item: 83 percent of unemployed today are under 35 years of age and 28 percent of these young people never have had a job.

Again, the sheepskin psychosis neglects training for the 89 percent of the jobs that do not require a college degree.

Mr. Speaker, clearly our educational system is still tied to century-old ideas that provide everything for the college-bound student and very little for the 80 percent of students who do not earn a college degree. What we surely need is an increase in our vocational training programs.

History, I am sure, will record the phrase "dropout" as somewhat of a misnomer. What we should call these unfortunate students are "squeeze outs," "push outs," "drift outs," and "fall outs."

In support of my view that many students are victims of the present educational system rather than unwilling participants, I submit an article and editorial from the Main Line (Pa.) Chronicle which I ask be included in the RECORD:

[From the Main Line (Pa.) Chronicle, Apr. 17, 1969]

TRUANCY AND DROPOUTS BLAMED ON CURRICULUMS

Joe is 16, a sophomore at Lower Merion High School. He lives in Narberth, wears a mustache and grins at girls. In other words, there seems to be nothing abnormal about Joe.

But Joe's bag is cutting classes and playing hooky from school. During the first weeks of school last Fall he missed 15 full days and no one knows just how many single classes.

Why does he cut? "I dunno," he'll say when asked. Then he'll grin, "I want to work to earn money to get stuff for my car," he'll explain.

"Like today in math class. All I could think about was putting that new transmission in my car.

"The subjects are dull. I can't spend enough time in the auto shop."

Joe is nuts about cars. "Put him in a lot with a car and a couple of tools," said Lower Merion High School Disciplinarian Fritz Brennan, "and he'll stay there all day. He's great with his hands and he just loves cars."

Joe isn't meant to be a scholar. "I don't like math, or English, or any of the mandated subjects. I just want to work in the shop."

But under the regulations of the State's Department of Education, every student in Pennsylvania public schools must take a quota of "mandated" courses, in the humanities and the sciences. Joe, in other words, is not allowed to spend his time where his talent is.

The result? Truancy.

EMPHASIS ON ACADEMICS

Truancy at Lower Merion High School is not the critical problem that it is in city schools, of course. But it is a problem nonetheless, and according to Mr. Brennan one of the chief disciplinary troubles at the school.

One of the major factors contributing to truancy in Lower Merion's schools, according to Mrs. Walter Rohlfs, community counselor, is academic pressure. "Parents want their children to complete academic courses," Mrs. Rohlfs explained. "And society in general places too much emphasis on academics.

"The result is that students who are not academically oriented dislike school and play hooky."

Which is, in a nutshell, Joe's trouble.

What does he do when he leaves school? "I work. I've been a gardener, I cut grass, I work in gas stations and I park cars. I can make $2.50 an hour. That gives me enough money to work on my cars."

"Mr. Brennan convinced me to stay in school. He got me five hours of shop a week, which is more than I would otherwise have. And next year and senior year I'll have 13 hours of shop a week—that's all afternoon.

"When I graduate I'll go to work. I just want to be a mechanic."

OTHER REASONS FOR TRUANCY

Not all of Lower Merion's hooky players, of course, are obsessed with cars. "There are two main reasons which explain truancy," Mrs. Rohlfs said. "The first is that a lot of students are simply not academic. The second is family trouble. The child wants to get away from a bad situation at home, so he wants to work to make his own living."

The kids themselves never explain it that succinctly. In questionnaires which Mr. Brennan makes them fill out after a truancy incident, they give all kinds of explanations.

"I don't like school. I can't stand to sit in class," wrote one.

"I didn't finish an assignment so I stayed away," another said.

"I just wanted to see if I could get away with it."

"I was depressed and in the kind of mood that I didn't care what I did. All I did was drive around and think about why I was depressed." The boy added, "I never did figure it out."

There are all kinds of excuses.

What do they do when they leave school? "I went to Ardmore and played the pin ball machine," said one. "I walked through the stores, and then I rode around with someone all day."

One solution, according to Mrs. Rohlfs, would be to make state education laws more flexible.

"Truancy emerges at about age 14," she explained. "If a child at that age shows definitely that he is not meant for college or an academic course, the best thing for him would be some sort of vocational apprenticeship program.

"When their grades are poor, they wonder why they should stay in school. 'I'm just going to fail anyway,' they say, and they're probably right. If they could get an apprenticeship somewhere, that would be the answer.

"Now, she continued, "General Electric has a wonderful apprentice machinist course, but they won't take kids without a high school diploma. The emphasis, you see, is wrong."

It's the school routine, it's the fear of exams, it's the car which needs the new transmission. It's a thousand reasons, but it all boils down to one. The student sees a difficult situation, and doesn't want to cope with it.

"Remember, these kids are adolescents," Mr. Brennan pointed out. "They refuse to take responsibility. Society's standards have broken down to such an extent that they don't know why they should try to be responsible human beings. Sometimes I want to crawl up into their head to see what makes them tick."

NOT MANY DROPOUTS

Lower Merion does not have a lot of school dropouts. Until March 12, only 18 students had left school to go to work. Of them, some will probably return next September when they find that they'll do better with a high school diploma. Six of last year's dropouts returned to finish up this term. In every case, performance was much improved.

"You get tired of fighting them," Mr. Brennan said. "Finally you tell them to get a job, if that's what they want. They come back when they discover that it's not quite that simple."

But truancy remains a problem. For a guy like Joe, for the girls who just want to run a beauty shop, an academic course at Lower Merion means little to them.

"We must try to work out more vocational programs," Mrs. Rohlfs concluded. "Until we do, the nonacademic student is going to be dissatisfied and unhappy in school."

[From the Main Line (Pa.) Chronicle, Apr. 17, 1969]

EDITORIAL

The curricula in our high schools are aimed at preparing boys and girls for college, conforming to the sheepskin psychosis that has been fostered in the past decade or two.

Elisabeth Kimbell, our managing editor, has a story in this issue based on interviews at Lower Merion High School. Many of the adolescent kids rebel at having to take prescribed courses that are not going to help them earn a living. "They're simply nonacademic," says Fritz Brennan.

So if we are to become a nation of researchers, teachers, social workers, government employes, computer operators and the like; if we can find nobody in the future to do our dry cleaning, paperhanging, car repairs, roofing, plumbing, electrical work and the like—blame the sheepskin psychosis.

INFLATION CAUSES FARM PRICES TO DIP

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ZWACH. Mr. Speaker, for the first time in 1969, farm prices and also farm parity has receded this past month.

Higher costs for building materials, purchased feed, feeder livestock, seed, taxes, interest and wage rates, raised the overall cost index to a record high of 372. This index rating is based on the standard index of 100 based on the average of the years 1910–14. Farm prices received by farmers dropped 2 points this past month to 270, thus giving a farm parity ratio of 73 percent.

Only on two farm items, was full parity prices received. These two are fresh apples and limes. Less than 50 percent was received for cotton, wheat, wool, grapefruit, oranges, and tangerines.

In addition, corn, barley, oats, sorghum, poultry, and turkeys were sold at less than two-thirds of full parity. Price increases were noted for cattle, lemons, calves, and lambs during the past 30 days, according to the USDA report.

Following is a table of the relative parity percentage ratings for some of our basic farm produce for the months of March and April:

[In percent]

Commodity	*March*	*April*
Cotton	43	43
Wheat	47	47
Corn	64	65
Butterfat	74	74
Milk	83	84
Wool	43	44
Barley	64	65
Flaxseed	68	68
Oats	67	66
Sorghum	64	63
Soybeans	69	69
Beef cattle	82	85
Chicken	70	67
Eggs	78	75
Hogs	78	76
Lamb	91	92
Turkey	61	61
Average of all commodities	74	73

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GONZALEZ INTRODUCES RESIDENCY VOTING ACT OF 1969

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. GONZALEZ. Mr. Speaker, one of the major pieces of unfinished business left by the 90th Congress was passage of legislation to insure that our citizens who change residences can vote in presidential elections. I am today reintroducing the proposed Residency Voting Act.

Inability to exercise the power of the ballot, whether caused by restrictive State-residency requirements or by the happenstance of a change of residence close to election time, result in the loss of a basic civil right.

It is my conviction that equal, unencumbered access to the ballot box is the crucible of a free society. Minutes after I was first sworn in as a Member of Congress in 1962, I introduced a constitutional amendment to abolish the poll tax. Soon, and in every Congress thereafter, I introduced an amendment to lower the voting age to 18 in national elections. I believe the prime requisite of citizenship is to elect responsible officials, and nothing more clearly signals second-class citizenship than the denial of the vote.

It is estimated that 8 million Americans were barred from voting in the 1964 presidential election because of residency changes. This disenfranchisement hits a wide range of our people. It hits the migrant farmworker and the transferred corporation executive. It hits oil well riggers and chemical engineers, only two of the occupations with great job mobility. It hits people temporarily away from home at election time, like the long-distance truckdriver, or the businessman abroad.

Bureau of Census figures show that our people make a move every 4 or 5 years on the average. Our mobile population frequently finds that one of three barriers prevent them from voting.

A major barrier is the State-residency requirement. One State requires its voters to be residents for 2 years. Thirty-two States and the District of Columbia require 1 year of residency; 15 States require 6 months; three require 90 days.

The bill I am sponsoring provides that a citizen, otherwise qualified to vote under the laws of a State or locality, may not be denied his vote for President and Vice President if he has been a resident of that State or locality since September 1 preceding the presidential election. This would in effect establish September 1 as the uniform qualifying date for presidential elections.

However, if a citizen moves after September 1 and before election day in November, he would still be unable to vote in most circumstances. The Residency Voting Act proposes to insure that a citizen be given the opportunity to register and vote in the State or locality from which he most recently moved, either in person or absentee ballot.

A third barrier to voting is faced by private American citizens temporarily residing abroad. Although all but two States provide absentee registration procedures for members of the Armed Forces and employees of the Federal Government stationed abroad, only 12 States extend these procedures to private citizens. All the rest require registration in person. The bill I am sponsoring would remedy this by requiring that any State which permits absentee voting in presidential elections provide an absentee registration process as well.

I was pleased that last year Congress enacted two pieces of legislation which I sponsored to encourage the States to facilitate absentee registration and voting by members of the Armed Forces, and to extend registration privileges to all citizens temporarily living abroad. Both of these laws were amendments to the Federal Voting Assistance Act, a law with only the power of suggestion to the States about uniform procedures for their absent voters.

The States and their political subdivisions, of course, set the manner and places of registering and voting in all elections. They are responsible for registration procedures, keeping voting rolls current, protecting polling places and preventing voting frauds. They should certainly prescribe length-of-residency requirements for local and State elections, and elections for Senators and Representatives to Congress, all of which involve local issues and personalities best known to local residents.

But with national television and press coverage, the candidates for President and Vice President are as well known in one part of the country as the next. I believe it is the responsibility of the Congress to insure that the general population has a reasonable opportunity to vote for the two national offices decided by a vote of all citizens throughout the Nation. I trust the 91st Congress will act promptly to enact the Residency Voting Act of 1969.

RUMANIANS CELEBRATE NATIONAL HOLIDAY

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. CUNNINGHAM. Mr. Speaker, on May 10, the traditional national holiday of the Rumanian people, an observance was held at the Carnegie Endowment International Center in New York City.

Since the Rumanian people at home can no longer commemorate the day that honors the achievement of that country's independence and the founding of its kingdom, it falls upon those in the free world to bring to the day the honor that is its due.

Messages addressed to the Rumanian people by American leaders were read at the commemoration. These messages, together with many others, are broadcast to those brave people behind the Iron Curtain. They serve as assurance to the Rumanian people of the continued interest of Americans in the plight of enslaved nations.

Mr. Speaker, America's observance of this Rumanian national holiday serves to strengthen the hearts of Rumanians at home and abroad. I call to my colleagues' attention the following summary prepared by the Rumanian National Committee:

MAY 10: RUMANIA'S INDEPENDENCE DAY

The 10th of May is the national holiday of the Rumanian people, celebrating three great events of its history.

On May 10, 1866, Charles, Prince of Hohenzollern-Sigmaringen, a scion of the Southern and Catholic branch of the Prussian royal family, was proclaimed in Bucharest Prince of Rumania, and thus founded the Rumanian dynasty. It was the successful outcome of the nation's long struggle to acquire the right of electing as its sovereign a member of one of the Western non-neighbouring reigning families in order to put an end to the strifes and rivalries among native candidates to the throne. This ardent wish, though officially expressed as far back as 1857 by the Moldavian and Wallachian Assemblies—the "Ad-hoc Divans"—convened as a result of the Paris Treaty of 1856, and nevertheless opposed by the Russian and Austrian empires, equally disquieted by the growth in power and prestige of the young bordering nation they both secretly hoped to absorb some day. It was due to unrelenting efforts made and wise steps taken by Rumanian patriots, and also to the constant diplomatic assistance of Napoleon III, Emperor of the French (to whom Prince Charles was related through the Beautharnais and Murat families) that all political obstacles were gradually removed and what was to be the prosperous and glorious reign of Charles I could be inaugurated on May 10, 1866.

Eleven years later, on May 10, 1877, during the turmoil of the Russo-Turkish War, the Principality of Rumania, until then nominally a vassal of the Sultan, proclaimed her independence by severing the old and outdated bonds that linked her with the Ottoman Empire. This independence had to be fought out on the battlefields south of the Danube, where the young Rumanian Army, as an ally of Russia, played a noteforces. The Congress of Berlin of 1878 confirmed Rumania's independence and conferred Europe's official recognition, a bright page in the country's dreary history though marred unfortunately by the loss of Bessarabia, cynically wrenched by Czar Alexander II and his government from the ally who helped them obtain victory over the Turks.

Another four years elapsed after the Rumanian people had proclaimed their independence and a further step was taken as they decided to raise their country to the rank of a kingdom. On May 10, 1881, Charles I was crowned, by the will of his people, King of Rumania. A prosperous era, which lasted over six decades, opened on that day for the nation. Its apex was attained when national unity within the historic boundaries was reached after World War I. The socially progressive country had now become a factor of peace and equilibrium in the South-East of Europe.

During all those years and up to the present time, Rumanians have cherished and revered the Tenth of May as their national holiday, the anniversary of happy and glorious events in their history, in which achievements of monarchy and people were interwoven. It remains the symbol of their permanency and perseverance through woes and bardships to reach the ultimate end of freedom and well being.

The ruthless foreign rule which now oppresses the Rumanian nation has not been able to uproot the people's attachment to the traditional celebration of the 10th of May. In order to try and alter at least its significance, official celebrations were shifted from the 10th to the 9th of May, anniversary of the Soviet victory. But, though flags are now hoisted on May 9th, Rumanians in their captive homeland celebrate in their hearts the following day, awaiting with faith and courage the dawn of new times, when freedom shall be restored to them.

DEPLETION COUNTERATTACK LAUNCHED: ISSUE IN DOUBT

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BELCHER. Mr. Speaker, I wish to insert in the RECORD the following article entitled "Depletion Counterattack Launched; Issue in Doubt," which appeared in the Tulsa Daily World, April 27, 1969:

DEPLETION COUNTERATTACK LAUNCHED; ISSUE IN DOUBT

(By Riley W. Wilson)

The petroleum industry, through two competent associations, last week launched a determined counterattack in Washington against foes of the oil industry's tax provisions and practices.

The Mid-Continent Oil & Gas Association effectively ripped apart a Treasury Department computer study, which said the nation's crude oil reserves would suffer only slightly from the complete elimination of the depletion allowance.

The Independent Petroleum Association of America, in a memo to every member of Congress, submitted charts and statistics to dispute claims that import controls and proration are costing the public billions of dollars.

But there were indications the counterattack against weeks of enemy assaults may have come too late to protect fully the industry's position.

On the very day the Mid-Continent replied to the Consad report, one of oil's greatest shields in Congress wavered publicly on depletion.

Rep. Wilbur Mills, D-Ark., chairman of the powerful House Ways & Means Committee, told the nation's press that passage of a tax reform bill will be "almost impossible" without "some adjustment" in the present oil depletion provisions.

Votes in Congress on altering depletion have always come in the Senate and, of course, have been defeated. Votes have been completely avoided for decades in the House because amendments have never been cleared by the Ways & Means Committee for a floor fight.

Mills has a lot to say about the committee actions and his views on the necessity of some adjustments—especially since they were made publicly—are serious. How serious will be determined by the type of amendments included in the tax reform package.

Any alteration aimed at depletion alone, however, will be the first tax defeat for the petroleum industry and could open the floodgates.

President Nixon later repeated his campaign position that the full 27½ per cent depletion rate is vital and valid. This will go a long way toward preventing a reduction in that figure.

But the President added that other "areas" of petroleum industry tax treatment are subject to investigation and, presumably, alteration.

The Mid-Continent did a thorough job of discrediting the anti-depletion report, prepared by Consad Research Corp. for the Treasury Department. The oil men showed the report's conclusion was "predestined" by some of the assumptions fed into the computer.

The worst was one which said crude production would remain the same no matter what happened to taxes and that production bore no relationship to profits.

Other errors were pointed out and Thomas Martin, the association's executive vice president, said the Consad report should be totally discounted as far as its depletion conclusions were concerned.

The association's critique, however, still had the disadvantage of being a reply to an enemy's charge. Furthermore, it could offer no substitute statistics about the relationships of depletion to reserves. It merely refuted those of the opponents.

The critique, prepared by petroleum experts, said it was impossible to program a computer to come up with acceptable data on this matter. In effect, the oil men said they knew the Consad report was wrong, but couldn't say what is right.

As Sen. Henry Bellmon, R-Okla., said here last week, it would be far better for the industry to come up with some statistics of its own to answer questions rather than to "react" to attacks.

The association's critique, however, did bring out one point about taxation which might prove a positive approach to depletion.

Emotion aside, the biggest complaint of economists to the 27½ per cent rate is that it leads to excessive (in their views) investment in oil through the creation of an "unneutral" tax atmosphere.

The Mid-Continent association, however, said depletion is actually a neutralizing factor that creates equality in tax treatment instead of inequality as claimed by opponents.

The association said:

"A flat-rate corporation income tax alters the relative attractiveness of different investments, depending on risk and uncertainty, asset lives and leveraging power.

"Investments in oil and gas exploration are characterized by high uncertainty, long asset lives and low leveraging power. Thus, in the absence of mitigating provisions, one would expect that imposition of a flat-rate corporate income tax would divert resources away from petroleum exploration to other industries or to liquid investments. . . ."

Since a flat-rate tax would cause a "malallocation" of resources, the association said, it is appropriate to correct it through tax treatment, such as depletion.

While opponents argue that depletion causes wasteful diversion of fiscal resources into the petroleum industry, the Mid-Continent critique said:

"In our opinion, taxation of petroleum exploration and production at the standard rate would cause an un-neutral and economically wasteful shift of resources away from this industry—an industry vital to the economic and military security of the nation.

"Tax provisions which counter the nonneutral effects of the flat-rate corporate income tax on a vital industry are not tax subsidies. They are justifiable provisions which prevent what would otherwise be economic inequities."

CLEVELAND'S WJW TAKES HARD LINE AGAINST SDS

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. MINSHALL. Mr. Speaker, one of the many great public services provided by WJW-TV and WJW-AM and FM in Cleveland, Ohio, is its continuing policy of broadcasting editorials on a broad spectrum of problems, ranging from local to national affairs. And WJW goes one step further—it provides its viewers and listeners an opportunity to make their voices heard in response.

I was particularly impressed by two recent editorials dealing with the Students for a Democratic Society and with the response they evoked. As author of legislation which would deal with one aspect of campus unrest, I am particularly interested in what our colleges and universities are doing to prevent disruption of classes for the vast majority of students who are trying to get an education.

The editorials follow:

EDITORIAL: THURSDAY, APRIL 17, 1969

A hard line is the best defense against SDS and organizations like it.

How is a college supposed to handle campus trouble-makers like Students for a Democratic Society? There seem to be two general but opposite views.

President William Jerome of Bowling Green State University thinks it's wiser to put up with SDS than drive it underground, on the theory that its radical behavior will eventually bring about its own downfall.

This station respects President Jerome for trying very hard to keep the lid on his university. But we also believe that putting up with professionally-guided agitators—in the hope they'll straighten out—is an exercise in wishful thinking.

We're all for the hard-line policy of President J. D. Phillips of Hillsdale College in Hillsdale, Michigan. So far as SDS is concerned, he's for keeping them out.

Anyone who wonders why needn't look beyond that recent escapade at the University of Michigan, where SDS members reportedly kept an Armed Forces recruiter in virtual captivity for six hours. And now the SDS reportedly is setting up shop in Ohio high schools.

When the president of Brigham Young University in Salt Lake City, Utah, was asked to allow an SDS chapter among his 21,000 students, he's quoted as replying that nothing in his contract required him to be stupid. And he promptly and flatly rejected the request.

This hard-nosed, no-nonsense attitude may rile the ultra liberals. But so what! What's more important—ivory-domed permissiveness and concession . . . or the preservation of higher education and, ultimately, our nation?

This, in our opinion, is what campus recognition of SDS and similar groups boils down to. Give an inch . . . lose a mile. It's time to slam the door shut . . . while there's still a door.

EDITORIAL: FRIDAY, APRIL 18, 1969

We applaud Kent State University's firm stand against SDS.

In our last editorial, we supported the firm policies adopted by some university and college presidents in dealing with campus trouble-makers such as SDS, Students for a Democratic Society. We can now add President Robert White of Kent State University to that list.

In the wake of disruptions by a very small group of SDS members and outside agitators, Dr. White has made it clear he will not be intimidated by these radicals.

He has announced that SDS has lost its recognition as an approved campus organization at Kent State, and that students under suspension will be placed under arrest should they return to the campus.

We applaud that decision. We believe Dr White's action deserves the support of the students at Kent State, together with that

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of the taxpayers who provide a major share of the funds for this state-supported institution.

We trust Dr. White's firm and realistic stand will inspire other university and college administrators to follow his example.

Peaceful dissent—Yes; disruptive and violent demonstrations—No. There can be no compromise.

EDITORIAL: TUESDAY, APRIL 29, 1969

We have received many letters in response to our editorials supporting the firm policies of Kent State University and other colleges in dealing with SDS, Students for a Democratic Society. Most of the writers agree with us, a few do not.

First, a man in Brookpark, referring to SDS: "This movement appears to offer no hope, no plans, no ideas and no alternatives to the so-called establishment. It pleases me to see the attitude of the public changing and people like myself depend on editorials like yours to expose this problem for what it is."

A man in Cleveland writes: "The agitators should be dealt with severely so that they will not again interfere with those seeking to better themselves through education and become a benefit to our country and themselves."

A lady in Akron added: "Revolting critters who desecrate our flag, vilify patriots and glorify traitors should have no place in our society."

A man in Cleveland said: "I support those colleges through my taxes and I am sick and tired of the rowdy element that is constantly upsetting the school discipline and actually getting away with it." His wife added this postscript: "Let the hoodlums stay in jail for a while and censor their parents."

Here are the opposing viewpoints of two Kent students: The first said: "Many protestors were suspended and banned from the campus without open hearings. This is a violation of our student conduct code which has been put forth to us as a student constitution." The second student added: "The reason SDS is getting so much support in recent days is because students and certain faculty members have begun to see how Kent State University is operated. Students have no voice in policies that concern them and many faculty members are also ignored."

A man in Berea expressed his feelings in this fashion: "Believe it or not, this country is rotting beneath your feet. Believe it or not, the student demonstrators are working for the majority of students. They would be working for even more if you would stop your one-sided brainwashing."

We think this gentleman's contention can best me answered by this final comment: "Congratulations on your excellent editorial. We are students at Kent State University, who, even though it may not seem possible, are in the majority which agrees with your editorial."

We need not say more. That letter speaks for itself.

TROOP WITHDRAWAL: THE KEY TO PEACE IN VIETNAM

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BOLAND. Mr. Speaker, I introduced a resolution last week calling for an orderly withdrawal of troops from Vietnam and a reduction of our military involvement there. The kind of withdrawal I outlined—a slow and measured withdrawal that would increase commensurately, step by step, with South Vietnam's growing ability to defend itself—is necessary to break the apparent deadlock in the current peace negotiations. It is necessary, first, to convince Saigon that we are not prepared to remain interminably in Vietnam in a futile search for what is conventionally termed a "military solution." South Vietnam must be made to realize that a negotiated peace settlement is the only way to end this war. A withdrawal is necessary, second, to put North Vietnam on notice before world opinion that we are genuinely and honestly seeking a peaceful solution. Hanoi would lose much of its support throughout the world—and much of its support from the Vietnamese themselves—if it continued its belligerence and intransigence once the United States begins withdrawing troops in an effort to achieve peace.

Joseph Kraft, writing in Sunday's Washington Post, points out that an orderly withdrawal would play a major role in the achievement of a negotiated settlement. With permission, Mr. Speaker, I put Mr. Kraft's column in the RECORD at this point:

VIETCONG'S TINY STEP: THE COMMUNISTS' PROPOSAL AT PARIS IS LESS THAN UNITED STATES HOPED FOR—OR BARGAINED FOR

(By Joseph Kraft)

The latest proposals by the other side in Paris talks are a step toward peace in Vietnam. But the step is far smaller than the Administration had anticipated and the proposals are chiefly interesting as a demonstration of how the present approach of the Administration is condemned to yield only the most meager results.

The approach so far followed by the Nixon Administration consists of managing two elements on the American side of the war in a way that constrains the other side to move toward negotiations. One of these elements is American public opinion. The other is the politics of Saigon.

The key to both elements has been the prospect of withdrawing American troops from South Vietnam. And the major innovation of the Nixon Administration has been to talk up—in many ways and to many different audiences—an eventual troop withdrawal.

One consequence of that talk was to silence American critics of the war. Even the campus agitators, persuaded that de-escalation was about to happen, muffled their attacks. Leading political figures—notably Sen. Edward Kennedy—have tended to hold their fire for the same reason.

The second consequence of the withdrawal talk was to prod the government of Saigon. Persuaded that the Americans might eventually move out, the government of President Nguyen Van Thieu moved to win the support of the overwhelming majority of the South Vietnamese who favor peace. President Thieu, in that spirit, came out for direct and immediate negotiations with Communist insurgents, or Vietcong.

These developments tended to make the other side slightly nervous. North Vietnamese and Vietcong officials in Paris and elsewhere complained to this columnist and to others that the Nixon Administration was proposing "surrender" but making it look like a reasonable offer. A Quaker group returned from meetings with the other side in Paris last week reporting that the Communists felt that they had been put "on the defensive in propaganda."

In that situation, Administration officials began to be very optimistic. They felt that the other side, losing public support both in this country and South Vietnam, would have to come forward with a good offer. And these hopes soared last weekend when Le Duc Tho, the chief North Vietnamese negotiator, returned to the Paris talks from a long stay in Hanoi.

But the offer which in fact came in Paris last Thursday was minuscule. It repeats the old call for American withdrawal from Vietnam "without setting any conditions." It provides for that American nightmare—a coalition government. It gives the North Vietnamese—in a clause asserting that "the Vietnamese people's right to defend their fatherland is inalienable"—a free hand to interfere in South Vietnam.

On the positive side, the new program may open the way to talks between the Vietcong and the Saigon government. That it is about the minimum proposal the other side could make to put the ball back in the American court—to put on this country's back the onus for taking the next step.

Before taking that step, the Administration should think hard about why the other side has moved forward so slowly and so minutely. The answer, I think, is that this country has not been making major proposals at the Paris talks. The tactic of the Nixon Administration has been to play hard to get—to wait, applying pressure until the other side moved first.

But even under the greatest pressure, the other side is not going to take the initiative for moving very far very fast. In the current bargaining situation, North Vietnam and the Vietcong are the little fellows—midgets compared to the American giant. The midgets feel that the giant will take advantage of any hint of concession on their part to achieve military gains. Thus when they move, it is in tiny steps and with infinite caution.

The way to push the negotiations ahead forcefully is for the United States to come forward with far-reaching proposals. Inevitably, these proposals will have to be advanced in secret, but their spirit can be expressed dramatically and in public. The way to do that is to begin—without further fooling around—the withdrawal of American troops.

AMERICA'S NEED FOR WATERBORNE REGULATION TODAY

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ADDABBO. Mr. Speaker, on May 7 of this year Commissioner George H. Hearn of the Federal Maritime Commission addressed the annual meeting of the Freight Forwarders Institute at the Mayflower Hotel in Washington, D.C. Commissioner Hearn emphasized that foreign shipping interests must respect the laws enacted by Congress in adopting certain shipping statutes. Carriers in our foreign waterborne commerce who fly flags of other nations carry over 95 percent of our cargoes in international trade, and the United States cannot afford to leave so vital an aspect of its economy in the unfettered hands of those whose interests are not at stake. Commissioner Hearn highlighted this need for regulation with the example of a recent strike surcharge imposed by some carriers on cargo outbound from the United States but not inbound. Commissioner Hearn's remarks should be of considerable interest to every Member. Under leave to extend my remarks in the RECORD, I include the complete text of Commissioner Hearn's address:

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America's Need for Waterborne Regulation Today

It is an extreme pleasure for me to have been invited again this year to address the Freight Forwarders Institute. I don't wish to presume the reason for being invited back. I would like to think it is because my remarks last year were both informative as well as entertaining. On the other hand, it might be due to the fact that I have engaged in many transportation discussions with your Executive Vice President, Chuck Roche, since he has narrowed his interests to your industry.

Speaking of Mr. Roche, I would like to take this opportunity to applaud you for your fine selection in attracting Mr. Roche's leadership ability and transportation know-how into a representative capacity of the Freight Forwarders Institute. I am sure that substantial growth, economic development and commercial achievement will be the result of this union for your industry.

Last year I spoke of the foreign freight forwarders in their waterborne capacity as a segment of the industry over which the Federal Maritime Commission has jurisdiction. This year I thought I would bring to your attention an important problem which we are continually facing and which lately has been receiving much attention in the press: to wit—some of the reasons for our government regulating the foreign waterborne commerce of the United States.

I also feel that many times when in convention you hear things which you are probably more knowledgeable in than those addressing you. Consequently, I will speak about a subject that I am familiar with and which will give you an awareness of the problems of other segments of the industry. This will help us in our daily commercial pursuits since we will at least be cognizant of the problematic areas.

We boldly talk about regulation while we know that really no one wants to be regulated. Actually no one wants to be told to do anything. A review of this morning's front-page will indicate that this is evident in our homes, the neighborhood, educational institutions, the church, the business community, nationally and internationally.

Protest, dissent and confrontation is becoming a way of life in an era when the normal courtesies are not extended—when achievement and the quality of performance are not accorded the highest priority. Is it any wonder that people on the international scene do not wish to conform with the reasonable implementation of the laws of another country.

Because of the inequities that existed in the United States as we grew in the 19th century, our elected leaders, the Congress, embodied in a series of legislative acts and laws a business philosophy which can simply be stated as anti-monopolistic. This philosophy is not only contrary but exactly the opposite to the business philosophy of most other nations. Specifically, it is different from the commercial philosophy of the other maritime nations of the world. The United States has attempted to implement the laws supporting this philosophy in its foreign commerce, specifically the trades in which foreign flag ocean carriers present their service to carry our cargoes.

The United States government has always actively supported the freedom of the seas principle and all carriers of all nations are welcome to engage in our trades. As a matter of fact, foreign flag carriers enjoy a great participation in our trade and last year carried over 95% of our foreign waterborne commerce.

As businessmen I am sure that were you faced with such a situation, wherein you were hiring the services of carriers competing with you, relying on them to transport 95% of your goods, you would be constantly looking into the rates, practices and agreements those carriers would be making in concert pertaining to your business. Some people would call this good business. The Federal Government calls this regulation. I will amplify on this situation as I develop the position of the United States in this area.

The conferences of ocean carriers who serve trades in the foreign commerce of the United States enjoy a unique position within our economic system. They are, in principle, groups organized to fix prices, and such activity is basically contrary to the laws and Constitution of the United States. The rate fixing conferences are, however, in substantial measure exempt from those legal and constitutional prohibitions which constitute our anti-trust policy. Despite this exemption which Congress has granted the conferences, they, their members, their representatives and the nations under whose jurisdiction many have been formed have long taken exception to the manner in which that anti-trust exemption is implemented.

To begin with, there is the complaint that the United States frowns upon restrictions on competition such as are created by conferences of ocean carriers. This objection reflects a fundamental difference in economic philosophy between the United States and other nations.

The United States has long believed that there is an inherent danger in the essence of price fixing and monopoly. There is, in our history, a record of powerful business combinations thriving on their ability to stifle competition and drive worthy competitors out of business. Consequently, in the last decade of the 19th century, our Congress began to codify the principal of freedom of competition.

No one can deny that those laws passed by the Congress are controlling within our boundaries. It is hotly disputed as to the effect of our anti-trust laws when they are sought to be applied not only beyond our borders but to persons, groups and agreements whose allegiance lies with another sovereign.

We must concede at first that Congress cannot have intended "to punish all whom its courts can catch, for conduct which has no consequence within the United States." On the other hand, a nation may impose liabilities on persons of foreign allegiance for activity beyond its borders but which results in consequences within its borders reprehensible to that nation.[1]

Thus, where an agreement is made outside the United States among foreigners, and not only is intended to but does have an effect on our commerce, then our laws may be extended to prevent such agreements from adversely affecting our commerce. After all, if an agreement will be unlawful if executed within the United States by Americans, the same agreement will be equally unlawful although executed outside the United States by foreigners if it is intended to and does have an effect within the United States.

This, then, is the state of the law, and one which I believe to be both reasonable and within the bounds of accepted principals of conflicts of laws. I am, therefore, at a loss to comprehend the agony which contorts the expressions of those abroad who complain against this application of United States law to "their" conferences. The fact that "their" conferences are domiciled abroad does not make them any less our conferences since they engage in our trades. That other countries do not regulate in the same manner or on the same principal as does the United States is no reason for us to compromise a philosophy which has proven beneficial, and which has fostered one of the most affluent and stable economic systems in history. The attitude of foreign shipping interests is all the more astonishing when one considers the economic benefits which they have derived from their participation in our foreign commerce.

In addition, we do not defend our philosophy and practice on the basis only of its uniqueness. Other countries do employ various types of discriminatory regulation over their foreign waterborne commerce unlike our laws which do not discriminate. In Australia, for example, there are boards established for various export commodities and those boards go so far as to allocate and control conference cargo space for the carriage of Australia's exports. Brazil has embarked on a plan to enhance its merchant marine industry by seeking to engage in bilateral arrangements in its foreign commerce. A recent Maritime Administration publication, *Maritime Subsidies*, indicates that of 49 Maritime nations examined 47 of those nations engage in some form of subsidy for their merchant marine. Chilean law favors that nation's flag vessels with respect to commercial cargoes. Various Supreme Decrees in Peru favor that country's flag vessels in the carriage of its imports and exports. Colombia has a similar decree at its disposal.

The fact is that if one country wishes to enjoy the benefits of participating in another nation's commerce, and in doing so enjoys as well the protection of that nation's laws, the first country must bear the obligations attendant upon the benefits. No person who profits from the commerce of the United States can expect to do so on terms different from those imposed on any other person. (And it cannot be denied that participation in the foreign waterborne commerce of this country is profitable to those who fly foreign flags.)

Foreigners engaging in our foreign commerce have no rights greater than those which attach to our own citizens who earn their living in the same manner. The shipping laws of the United States do not discriminate as to flag. The flags of all nations are welcome in our ports provided they abide by our pilotage, immigration, contraband, health *and* commercial regulation laws. Foreign criticism, as a practical matter, has never been directed to the Commission on the ground that we regulate in favor of United States carriers. The criticism is constant: "We are agin regulation."

International waterborne commerce requires a high degree of standard practice among nations; but because all nations do not react similarly to the same stimuli, or do not profess a similar philosophy does not render one wrong and the other right. The merchant marine industry does not play the same role in the economy of all maritime nations, or possess the same status everywhere.

In some countries the merchant marine is a primary industry. In other countries it may be only a small factor of the overall economy. Some countries regard the merchant fleet as a vital adjunct of its foreign commerce; other countries utilize it as a basically domestic service. In any case, when a country relies as much as does the United States on foreign flag ships to service its trades, I believe that country must keep a watchful eye on the service provided by those ships.

No country can afford to leave a vital aspect of its economy in the unfettered hands of those whose interests are not at stake. The foreign interests who have served long and well in our foreign trades have not done so primarily for the benefit of the American economy. They are business interests, controlled by businessmen who make decisions based on commercial considerations. What is good for their balance sheet, however, is not necessarily good for ours or, certainly, for our public interest.

The foreign shipping interests are encouraged by a philosophy and practice very different from ours; and in doing business under our laws those businessmen may not recognize our laws as best for their own na-

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[1] See *U.S. v. Aluminum Co. of America*, 148 F. 2d 416 (1945).

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tional purposes. The foreign shipping industry must, however, respect the judgment of our Congress in adopting certain shipping statutes, and realize that when foreign vessels engage in our trade, it is on condition of observance of our law.

The divergence of national philosophies which I have been discussing is well illustrated by one example. In 1906 the British Royal Commission on Shipping Rings conducted an inquiry into the operation of conferences. Shortly thereafter a United States congressional committee conducted a similar investigation under the leadership of Congressman Alexander. Both investigations arose because in the late 19th century the shipping industry, worldwide, was replete with deferred rebating, discriminatory treatment of competing shippers, fighting ships and other devices inimical to the free flow of commerce. The two investigations, in different ways, produced a similar result. They generally endorsed the conference system.

The British Commission did not, however, see fit to recommend legislation in the area of anti-trust which would have been comparable to our Sherman Act. The Commission was not prepared to suggest "so great a change" for the British economic system.

Similarly, the United States Congress was not prepared to depart from the well established American business philosophy. Consequently, based on the "Alexander Report," we fashioned legislation which gave limited sanction to the conference system and also recognized our national policy of free and open competition. Congress, cognizant of both the benefits and perils of the conference system, granted antitrust immunity to steamship conferences and counterbalanced that license with a plan of regulation. Thus was born our Shipping Act of 1916.

Despite the uniqueness of our shipping statutes, I think history will continue to reveal the fairness of those laws in their enactment and implementation. It is worth my repeating that the United States, under law, welcomes the service offered by vessels of all flags in our foreign commerce; that under the Shipping Act the Federal Maritime Commission does not favor or prejudice the vessels of any flag; and that every ocean common carrier receives fair and impartial treatment before the Federal Maritime Commission and in the courts of the United States. It is not necessary for me to recite the instances in which foreign flag interests have sought and received the protection of our shipping laws. Can you imagine the outcry if the United States were to repeal the Shipping Act and subject carriers and conferences to the full force and effect of all our laws!

I would like now to bring to your attention a related and similarly vexing situation. It may prove even to exemplify the need for regulation which I have been discussing. Despite the profits garnered from participation in our foreign waterborne commerce and the evenhanded surveillance over it, foreign shipping interests do more than persist in their opposition.

They seek every advantage, often seemingly heedless of the consequences. A clear example of this attitude and practice can be seen in the surcharge which most conferences imposed following the recent longshoremen's strike on our East and Gulf Coasts. The longshoremen remained on strike for as long as 57 days in some ports, creating the longest such strike in our history. As a result of the strike many ships lay idle in our port; other ships had to be diverted from their normal routings. Steamship operators suffered substantial economic detriment.

They, however, were not the only ones to suffer. No American shipper could move his goods outbound across the piers. No American consignee could receive goods inbound from across the piers. Neither could a foreign shipper or consignee expect to have his cargo moved in or out of the East and Gulf Coasts. Without further enumeration, suffice it to say that immeasurable economic losses were suffered by a great variety of groups.

Upon termination of the strike, each of those groups sought in its own way to recoup its losses; but all was not yet well as congestion clogged the piers and hindered the movement of cargo.

The carriers, to recover their losses, imposed a "strike surcharge". Almost without exception, the surcharge was set at 10% by conferences and non-conference carriers. The surcharge was not the only rate increase the carriers introduced, however. As recently as December 1968 and January 1969 some conferences, aside from the surcharge, raised their rates with 5% to 10% general rate increases. Perhaps this increase was in anticipation of the strike or otherwise deemed necessary by the carriers. Yet, since the strike further rate increases have been filed with the Federal Maritime Commission in addition to the strike surcharge. In some instances the conferences have put a termination date on the surcharge and converted it into equal or greater general rate increases.

The Federal Maritime Commission does not object to carriers receiving their just reward for services rendered. The Commission does object when the reward creates an injustice. Under Section 18 of the Shipping Act of 1916, all common carriers must file their rates with the Federal Maritime Commission. These may not be just any rates, but must be tested against statutorily-specified standards set forth in Section 18(b)5. The rates must not be so unreasonably high or low as to be detrimental to the commerce of the United States. Also, under Section 16 and 17 of the Act rates must not discriminate against or prejudice any affected party.

Thus, when a series of rate increases flowed into the Commission, we naturally cast a watchful and curious eye in their direction. This was done not only because of our statutory obligation to do so, but also in response to the spate of protests which we received.

Then, however, came the rates which turned the Commission's regard from curious to suspicious. Many carriers imposed surcharges on cargo moving out of the United States but not into this country. The rationale for this was hard for the Commission to comprehend because the strike made it impossible to move cargo across the piers inbound as well as outbound. The foreign shipper was prevented from supplying his American consignee just as much as was the American shipper prevented from exporting his goods.

The Federal Maritime Commission, does not, as I have said, wish to deny the carriers their due; but a disparity as blatant and obvious as the surcharge disparity must be justified. Perhaps it can be justified; and if so the Commission will accept it. On its face, however, such a disparity is a prejudice and discrimination against United States shippers and cannot be permitted to stand without justification.

The Commission, therefore, communicated with various carriers and conferences not only as to the disparity but also as to the level of the surcharge. A few conferences and carriers responded by either removing the surcharges entirely or by postponing their effective date. In general, however, the response was disappointing, and included flimsy justification or delaying tactics.

With this background, and following several requests for justification, the Commission finally took strong action. We issued a show cause order directed to the outbound North Atlantic Continental Freight Conference and the inbound Continental North Atlantic Westbound Freight Conference and their member lines. They were directed to show cause why they should not be found in violation of Section 15 of the Shipping Act because of their responsibility for the inequitable apportionment of a strike surcharge.

It was evident that those two conferences were prime examples of an attitude and practice inimical to our foreign commerce. Of the seven member carriers in the inbound conference and the 10 members of the outbound conference, seven serve both trades—inbound and outbound. Those carriers were directed to justify the imposition of the surcharge only outbound from this country. That the same carriers were members of different conferences could no longer be raised as a defense, and the carriers could not hide behind conference membership.

The response to our order was not so disappointing. On Friday, May 2, the Commission received a telex message from the outbound conference stating that the surcharge would be removed effective Monday, May 5.

This, however, is not the end of the story. In fact, the North Atlantic Continental Freight Conference has filed a 15% general rate increase which would have taken the place of the surcharge, and which is still scheduled to take effect June 1. This increase is on top of other general rate boosts by that conference of 5% on December 1, 1968, 6% on December 18, 1967 and 7½% on March 1, 1967. This is an overall increase of 33½% in about two years. Other carriers and conferences, when confronted with complaints and inquiries as to their surcharges, transformed them into general rate increases which also follow previous similar rate hikes. In that manner they perhaps hoped to hinder or postpone or discourage any action against them.

The Federal Maritime Commission will not, however, be put off by such tactics and will pursue its statutory obligation of surveillance when it appears that there may be an unlawful detriment to the foreign commerce of the United States.

Gentlemen, these facts are proof of why Congress, in its wisdom, enacted our shipping laws and empowered the Federal Maritime Commission to implement them. Under that mandate the Commission has pursued its obligations in a fair and reasonable manner which is consistent with the intent of the Congress.

NOT YOURS TO GIVE

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. SHIPLEY. Mr. Speaker, an article recently published by the Foundation for Economic Education, Inc., has been brought to my attention by one of my constituents, Garth Henrichs, of Litchfield, Ill. I do feel that the message expressed in the article could be applied just as well today as it was in Davy Crockett's time, and I ask unanimous consent that this article be printed in the RECORD:

NOT YOURS TO GIVE

One day in the House of Representatives, a bill was taken up appropriating money for the benefit of a widow of a distinguished naval officer. Several beautiful speeches had been made in its support. The Speaker was just about to put the question when Crockett arose:

"Mr. Speaker—I have as much respect for the memory of the deceased, and as much sympathy for the sufferings of the living, if suffering there be, as any man in this House, but we must not permit our respect for the dead or our sympathy for a part of the living to lead us into an act of injustice to the balance of the living. I will not go into an argument to prove that Congress has no power to appropriate this money as an act of char-

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ity. Every member upon this floor knows it. We have the right, as individuals, to give away as much of our own money as we please in charity; but as members of Congress we have no right so to appropriate a dollar of the public money. Some eloquent appeals have been made to us upon the ground that it is a debt due the deceased. Mr. Speaker, the deceased lived long after the close of the war; he was in office to the day of his death, and I have never heard that the government was in arrears to him.

Every man in this House knows it is not a debt. We cannot, without the grossest corruption, appropriate this money as the payment of a debt. We have not the semblance of authority to appropriate it as a charity. Mr. Speaker, I have said we have the right to give as much money of our own as we please. I am the poorest man on this floor. I cannot vote for this bill, but I will give one week's pay to the object, and if every member of Congress will do the same, it will amount to more than the bill asks."

He took his seat. Nobody replied. The bill was put upon its passage, and, instead of passing unanimously, as was generally supposed, and as, no doubt, it would, but for that speech, it received but few votes, and, of course, was lost.

Later, when asked by a friend why he had opposed the appropriation, Crockett gave this explanation:

"Several years ago I was one evening standing on the steps of the Capitol with some other members of Congress, when our attention was attracted by a great light over in Georgetown. It was evidently a large fire. We jumped into a hack and drove over as fast as we could. In spite of all that could be done, many houses were burned and many families made houseless, and, besides, some of them had lost all but the clothes they had on. The weather was very cold, and when I saw so many women and children suffering, I felt that something ought to be done for them. The next morning a bill was introduced appropriating $20,000 for their relief. We put aside all other business and rushed it through as soon as it could be done.

"The next summer, when it began to be time to think about the election, I concluded I would take a scout around among the boys of my district. I had no opposition there, but, as the election was some time off, I did not know what might turn up. When riding one day in a part of my district in which I was more of a stranger than any other, I saw a man in a field plowing and coming toward the road. I gauged my gait so that we should meet as he came to the fence. As he came up, I spoke to the man. He replied politely, but, as I thought, rather coldly.

"I began: 'Well, friend, I am one of those unfortunate beings called candidates, and—'

"Yes, I know you; you are Colonel Crockett. I have seen you once before, and voted for you the last time you were elected. I suppose you are out electioneering now, but you had better not waste your time or mine. I shall not vote for you again.'

"This was a sockdolager . . . I begged him to tell me what was the matter.

" 'Well, Colonel, it is hardly worth-while to waste time or words upon it. I do not see how it can be mended, but you gave a vote last winter which shows that either you have not capacity to understand the Constitution, or that you are wanting in the honesty and firmness to be guided by it. In either case you are not the man to represent me. But I beg your pardon for expressing it in that way. I did not intend to avail myself of the privilege of the constituent to speak plainly to a candidate for the purpose of insulting or wounding you. I intend by it only to say that your understanding of the Constitution is very different from mine; and I will say to you what, but for my rudeness, I should not have said, that I believe you to be honest. . . . But an understanding of the Constitution different from mine I cannot overlook, because the Constitution, to be worth anything, must be held sacred, and rigidly observed in all its provisions. The man who wields power and misinterprets it is the more dangerous the more honest he is."

" 'I admit the truth of all you say, but there must be some mistake about it, for I do not remember that I gave any vote last winter upon any constitutional question.'

" 'No, Colonel, there's no mistake. Though I live here in the backwoods and seldom go from home, I take the papers from Washington and read very carefully all the proceedings of Congress. My papers say that last winter you voted for a bill to appropriate $20,000 to some sufferers by a fire in Georgetown. Is that true?'

" 'Well, my friend; I may as well own up. You have got me there. But certainly nobody will complain that a great and rich country like ours should give the insignificant sum of $20,000 to relieve its suffering women and children, particularly with a full and overflowing Treasury, and I am sure, if you had been there, you would have done just as I did.'

" 'It is not the amount, Colonel, that I complain of; it is the principle. In the first place, the government ought to have in the Treasury no more than enough for its legitimate purposes. But that has nothing to do with the question. The power of collecting and disbursing money at pleasure is the most dangerous power that can be intrusted to man, particularly under our system of collecting revenue by a tariff, which reaches every man in the country, no matter how poor he may be, and the poorer he is the more he pays in proportion to his means. What is worse, it presses upon him without his knowledge where the weight centers, for there is not a man in the United States who can ever guess how much he pays to the government. So you see, that while you are contributing to relieve one, you are drawing it from thousands who are even worse off than he. If you had the right to give anything, the amount was simply a matter of discretion with you, and you had as much right to give $20,000,000 as $20,000. If you have the right to give to one, you have the right to give to all; and, as the Constitution neither defines charity nor stipulates the amount, you are at liberty to give to any and everything which you may believe, or profess to believe, is a charity, and to any amount you may think proper. You will very easily perceive what a wide door this would open for fraud and corruption and favoritism, on the one hand, and for robbing the people on the other. No, Colonel, Congress has no right to give charity. Individual members may give as much of their own money as they please, but they have no right to touch a dollar of the public money for that purpose. If twice as many houses had been burned in this county as in Georgetown, neither you nor any other member of Congress would have thought of appropriating a dollar for our relief. There are about two hundred and forty members of Congress. If they had shown their sympathy for the sufferers by contributing each one week's pay, it would have made over $13,000. There are plenty of wealthy men in and around Washington who could have given $20,000 without depriving themselves of even a luxury of life. The congressmen chose to keep their own money, which, if reports be true, some of them spend not very creditably; and the people about Washington, no doubt, applauded you for relieving them from the necessity of giving by giving what was not yours to give. The people have delegated to Congress, by the Constitution, the power to do certain things. To do these, it is authorized to collect and pay moneys, and for nothing else. Everything beyond this is usurpation, and a violation of the Constitution.

" 'So you see, Colonel, you have violated the Constitution in what I consider a vital point. It is a precedent fraught with danger to the country, for when Congress once begins to stretch its power beyond the limits of the Constitution, there is no limit to it, and no security for the people. I have no doubt you acted honestly, but that does not make it any better, except as far as you are personally concerned, and you see that I cannot vote for you.'

"I tell you I felt streaked. I saw if I should have opposition, and this man should go to talking, he would set others to talking, and in that district I was a gone fawn-skin. I could not answer him, and the fact is, I was so fully convinced that he was right, I did not want to. But I must satisfy him, and I said to him:

" 'Well, my friend, you hit the nail upon the head when you said I had not sense enough to understand the Constitution. I intended to be guided by it, and thought I had studied it fully. I have heard many speeches in Congress about the powers of Congress, but what you have said here at your plow has got more hard, sound sense in it than all the fine speeches I ever heard. If I had ever taken the view of it that you have, I would have put my head into the fire before I would have given that vote; and if you will forgive me and vote for me again, if I ever vote for another unconstitutional law I wish I may be shot.'

"He laughingly replied: 'Yes, Colonel, you have sworn to that once before, but I will trust you again upon one condition. You say that you are convinced that your vote was wrong. Your acknowledgement of it will do more good than beating you for it. If, as you go around the district, you will tell people about this vote, and that you are satisfied it was wrong, I will not only vote for you, but will do what I can to keep down opposition, and, perhaps, I may exert some little influence in that way.'

" 'If I don't,' said I, 'I wish I may be shot; and to convince you that I am in earnest in what I say I will come back this way in a week or ten days, and if you will get up a gathering of the people, I will make a speech to them. Get up a barbecue, and I will pay for it.'

" 'No, Colonel, we are not rich people in this section, but we have plenty of provisions to contribute for a barbecue, and some to spare for those who have none. The push of crops will be over in a few days, and we can then afford a day for a barbecue. This is Thursday; I will see to getting it up on Saturday week. Come to my house on Friday, and we will go together, and I promise you a very respectable crowd to see and hear you.'

" 'Well, I will be here. But one thing more before I say good-by. I must know your name.'

" 'My name is Bunce.'

" 'Not Horatio Bunce?'

" 'Yes.'

" 'Well, Mr. Bunce, I never saw you before, though you say you have seen me, but I know you very well. I am glad I have met you, and very proud that I may hope to have you for my friend.'

"It was one of the luckiest hits of my life that I met him. He mingled but little with the public, but was widely known for his remarkable intelligence and incorruptible integrity, and for a heart brimful and running over with kindness and benevolence, which showed themselves not only in words but in acts. He was the oracle of the whole country around him, and his fame had extended far beyond the circle of his immediate acquaintance. Though I had never met him before, I had heard much of him, and but for this meeting it is very likely I should have had opposition, and had been beaten. One thing is very certain, no man could now stand up in that district under such a vote.

"At the appointed time I was at his house, having told our conversation to every crowd I had met, and to every man I stayed all night with, and I found that it gave the people an

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interest and a confidence in me stronger than I had ever seen manifested before.

"Though I was considerably fatigued when I reached his house, and, under ordinary circumstances, should have gone early to bed, I kept him up until midnight, talking about the principles and affairs of government, and got more real, true knowledge of them than I had got all my life before.

"I have known and seen much of him since, for I respect him—no, that is not the word—I reverence and love him more than any living man, and I go to see him two or three times every year; and I will tell you, sir, if everyone who professes to be a Christian lived and acted and enjoyed it as he does, the religion of Christ would take the world by storm.

"But to return to my story. The next morning we went to the barbecue, and, to my surprise, found about a thousand men there. I met a good many whom I had not known before, and they and my friend introduced me around until I had got pretty well acquainted—at least, they all knew me.

"In due time notice was given that I would speak to them. They gathered up around a stand that had been erected. I opened my speech by saying:

" 'Fellow-citizens—I present myself before you today feeling like a new man. My eyes have lately been opened to truths which ignorance or prejudice, or both, had heretofore hidden from my view. I feel that I can today offer you the ability to render you more valuable service than I have ever been able to render before. I am here today more for the purpose of acknowledging my error than to seek your votes. That I should make this acknowledgement is due to myself as well as to you. Whether you will vote for me is a matter for your consideration only.'

"I went on to tell them about the fire and my vote for the appropriation and then told them why I was satisfied it was wrong. I closed by saying:

" 'And now, fellow-citizens, it remains only for me to tell you that the most of the speech you have listened to with so much interest was simply a repetition of the arguments by which your neighbor, Mr. Bunce, convinced me of my error.

" 'It is the best speech I ever made in my life, but he is entitled to the credit for it. And now I hope he is satisfied with his convert and that he will get up here and tell you so.'

"He came upon the stand and said:

" 'Fellow-citizens—It affords me great pleasure to comply with the request of Colonel Crockett. I have always considered him a thoroughly honest man, and I am satisfied that he will faithfully perform all that he has promised you today.'

"He went down, and there went up from that crowd such a shout for Davy Crockett as his name never called forth before.

"I am not much given to tears, but I was taken with a choking then and felt some big drops rolling down my cheeks. And I tell you now that the remembrance of those few words spoken by such a man, and the honest, hearty shout they produced, is worth more to me than all the honors I have received and all the reputation I have ever made, or ever shall make, as a member of Congress.

"Now, sir," concluded Crockett, "you know why I made that speech yesterday.

"There is one thing now to which I will call your attention. You remember that I proposed to give a week's pay. There are in that House many very wealthy men—men who think nothing of spending a week's pay, or a dozen of them, for a dinner or a wine party when they have something to accomplish by it. Some of those same men made beautiful speeches upon the great debt of gratitude which the country owed the deceased—a debt which could not be paid by money—and the insignificance and worthlessness of money, particularly so insignificant a sum as $10,000, when weighed against the honor of the nation. Yet not one of them responded to my proposition. Money with them is nothing but trash when it is to come out of the people. But it is the one great thing for which most of them are striving, and many of them sacrifice honor, integrity, and justice to obtain it."

SMALL BUSINESSMAN ON THE MOVE

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. GIBBONS. Mr. Speaker, since this is "National Small Business Week" I would like to pay especial tribute to Frank J. Kearney, Sr., of Tampa, Fla. Mr. Kearney is owner of Consolidated Box Co. and has been named by the Small Business Administration as "Florida's Small Businessman of the Year."

I join others in saluting our 5 million small businessmen, the backbone of our free enterprise system, and particularly Mr. Kearney for the fine honor he has received.

So that others may read of the accomplishments and growth of Mr. Kearney's business, I am attaching an interesting article prepared by the SBA:

FRANK J. KEARNEY: SMALL BUSINESSMAN ON THE MOVE

This is the story of Frank J. Kearney, a man who didn't have sense enough to quit.

Frank Kearney was a small businessman three years ago. He's a pretty big businessman now.

In March 1966, he was president of a fine little business, Consolidated Box Company. He manufactured folding paper containers, employed 75 persons and his sales that year amounted to $1,100,000.

He was doing just fine. His workers were paid well, and he was paid well himself.

But Frank Kearney believed that if you were not going forward you were going backward. When you mark time, as any soldier can tell you, you build only ruts.

He had a feeling for his fellow man. He wanted to do something for the underprivileged, those who were discriminated against and the rejects of society.

It was his contention that people want jobs, not charity, and he set out to change his particular part of the world by creating employment for those who believed themselves abandoned.

He decided to expand his Consolidated Box Company into defense work, but he needed $75,000 in "starting-up" money and a working capital line of credit of $200,000.

The local banks said the venture was too risky. No soap. At that time, Consolidated Box had an outstanding loan of $190,000 with the Small Business Administration, payable over a remaining term of four years. It was personally guaranteed by Frank Kearney.

He discussed his problems with Tom Butler, Miami regional director of the Small Business Administration. The SBA helped Kearney find the necessary $75,000. It declared a six-month moratorium on principal payments of the existing loan. This would provide $25,000. The SBA authorized a new and separate three-year direct loan for $50,000.

Frank Kearney arranged for a $200,000 line loan with Larry Tayne, president of National Acceptance Corporation, of Chicago, through assignment of receivables to become due under government contracts.

The arrangements with the SBA were finalized in July of 1966.

Shortly afterwards, Frank Kearney installed a production line and trained 100 persons capable of producing the M105A-2, the most complicated of spiral-wound ammunition containers. He obtained the sources of supplies and components.

Three months later, in September 1966, he made his first successful competitive bid for ammo shell containers and completed that contract.

In the following month, Frank Kearney took a mammoth business risk and submitted a container bid that was 15½ cents per unit lower than any of his competitors, including the big business representatives.

The entry of Consolidated Box, started a gradual decrease in the competition's container prices, resulting in savings of several millions of dollars to the Federal government. Consolidated has been nominated for consideration to receive the Defense Department "E" Award.

In three years, Consolidated Box has grown to be a plant offering employment to 275 persons with an annual payroll of $1,250,000.

Total sales has increased from $1,100,000 to $7,500,000.

Frank Kearney still refuses to mark time. Consolidated Box has acquired 2½ acres of land adjoining the existing site. It has added three new buildings, including a warehouse with a railroad siding. It has installed over a half million dollars of new commercial box equipment and printing presses.

Diversification is the key word at Consolidated. In addition to ammunition containers, it manufactures boxes for the cigar, meat, frozen shrimp and poultry industries. In the past year its sales extended as far west as Texas and Louisiana and north into Georgia.

Frank Kearney is an exponent of the spirit as well as the letter of the equal opportunity laws governing employment. He hires ex-convicts. There are no fixed educational requirements. He initiated a company-financed job training program. As a result, more than a fourth of his employees are disadvantaged persons coming from sections of Tampa designated as "hard core" areas of extreme unemployment.

He works closely with the U.S. Department of Labor and the Florida State Employment Service. His hiring and employment practices have been certified as complying with Defense Manpower Policy No. 4. All job openings in the ammo division and most of the box divisions are filled by the FSES with disadvantaged persons.

To complement the work performed at Consolidated, Frank Kearney helped form a new business, Component Manufacturers, Inc., of which he is the president, which then acquired control of the assets of Rogers Tool and Die Co. of Texarkana, Tex. Components, also a Tampa firm, now employs 18 persons. It makes dies, parts for Consolidated Box, does electro-plating and has the capability of manufacturing high-precision items such as rocket fuel loaders.

In less than a year after he expanded his business, Kearney cleared his $50,000 SBA loan and paid up the principal payments on the original loan. Consolidated no longer requires working capital loans of any kind.

Frank Kearney is a native of Dubuque, Iowa. He is 63 years old. He and his wife of 38 years, Helen, have three children. He is an active member of Christ the King Catholic Church, the Greater Tampa Chamber of Commerce and the Committee of 100. He is one of the founders of the Tampa Tarpon Tournament.

Frank Kearney still believes in the American Dream. Why not? He is one of those who made it come true.

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UNIVERSITY OF CALIFORNIA AT BERKELEY

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. COHELAN. Mr. Speaker, the University of California at Berkeley is often credited with being the birthplace of student demonstrations in the 1960's. And it is perhaps true to say that the experience of the Berkeley campus since the Free Speech Movement sit-in of the fall of 1964 is the most extensive in the country. Throughout the several confrontations between students, faculty, and university administrators at Berkeley a wide variety of fact, rumor, and misunderstanding has grown up. In an effort to dispell some of this confusion, Chancellor Roger Heyns of the University of California at Berkeley recently delivered a speech in Sacramento, Calif., in which he attempted to sort the truth from the myths. This speech contains much information that is of benefit to the Congress.

Chancellor Heyns points out that in large measure the problems of the campuses are reflective not of just university problems but of national problems. He states:

> Students at Berkeley and elsewhere are deeply troubled by the gap between policy and practice in our Nation. Among many of the issues to which this applies, none is felt more strongly than the plight of the minorities. Thus, while the overwhelming majority of students at Cal were critical of strike violence and did not join picket lines, they gave general support to the broad objectives of a greater role for minority people in the University. They are aware of the many reasons why the condition of the minority peoples has changed so slowly, but they also note that when political pressure was applied through confrontation, the pace of change increased markedly.

There is in this passage a message of large importance. It is the job of Government not just to respond, but to lead. Students and minorities are not the only idealistic and impatient sectors of our society.

I commend Chancellor Heyns' thoughts to the attention of my colleagues and request that they be included at this point in the RECORD:

CHANCELLOR EXPOSES MYTHS ABOUT UNIVERSITY OF CALIFORNIA BERKELEY CAMPUS

(NOTE.—Roger W. Heyns, Chancellor at UC Berkeley, recently sought to dispel some "myths" about his campus. Following is the text of an address delivered before the Comstock Club of Sacramento.)

It always surprises me to find Sacramento can be reached in 90 minutes by car, when information on the true state of the Berkeley campus seems to require several light years for the trip. It was with the hope of improving the "flight time" of fact that I accepted your invitation to appear here today.

The Berkeley campus presents a paradox which I find the news media cannot easily explain. It is the most constantly covered academic news beat in the world today. Four daily newspapers in the Bay Area have full-time, five-day-a-week coverage of the campus. Even the slightest possibility of crisis adds four TV crews, and more newsmen. When a Berkeley student called the media and told them he was going to burn his card on Sproul Hall steps at high noon, newsmen appeared in force. As cameras whirred and reporters edged closer, the student struck a match and declared he was burning his Freshman Class card to announce a dance that night. No other campus is the recipient of such media attention. At the same time, there is more misinformation more widely circulated about it than any other university, despite increasingly balanced reporting of it by the media. In the face of this anomaly and its global dimension, our efforts to give the full picture of Berkeley to our fellow Californians seem to be all but overwhelmed.

I would like to speak first about some of the misconceptions or myths about Berkeley which make our task particularly difficult. These myths also make difficult the role of responsible citizens in a time of great and upsetting change because they mislead Californians and obscure the problems which confront us. I must warn you beforehand that my intentions here today may prove frustrating to you, because they are to replace the simplicity of myth with the complexity of fact. I admit that my object is to complicate your view of Berkeley. If it is not complicated, then it is not accurate, and hence misleads you when you attempt to understand the campus, and indeed many other campuses and their young people.

The first myth we need to examine closely is that only some firm discipline is needed to set everything right at Cal. The suggestion clearly is that the administration at Berkeley has failed to enforce the rules and to punish those who violate them. The record shows, however, that the facts are quite different. In the four years prior to 1969, over 350 students at Cal were disciplined for rules violations (I do not include the types of violations some of your college contemporaries may have told you about, like beer, sex and cheating). Of these, some 64 students were separated from the University and 186 placed on strict probation. For more specific illustration, let me cite two days of protest last fall when there were sit-ins at Sproul and Moses Halls. As a result of disciplinary proceedings against the students involved, seven students were dismissed, 31 suspended from school and 131 placed on probation. All also received sentences in the civil courts for breaking the law. Perhaps of equal importance, some $20,000 in damages done in and around Moses Hall were paid as fines by those arrested in the hall. Whenever we can, we shall assess those involved for such damages. The taxpayer should not have to bear that burden.

Discipline is in progress for those cited during the recent strike at Cal. So far, 12 students have been separated from the University, 9 placed on probation and others given lesser discipline. Another 101 students still are involved in disciplinary proceedings.

I believe it is fair to ask how effective this discipline has been. That is, does it have any effect? The answer is that in the past two years, including the recent discipline cases which have been made final, only 32 out of 369 students committed a second violation, and five committed a third. University discipline is an effective method of protecting the academic community and its freedoms of inquiry and discussion. There is no ignorance of the enforcement of University rules and discipline among our students. The myth survives only outside the campus. It is simply not true, therefore, that there is not enforcement of rules at Berkeley. Indeed the vast majority of our students support and obey those rules. For the few who do not, there has been and is fair, firm discipline. Moreover, there is no amnesty for rules violators, despite strike demands for it.

That myth has a twin. It is that universities so dislike having police on campus that they ignore the commission of crimes. That myth is impressively resilient in the face of overwhelming facts. For one, the campus has its own police who regularly patrol the campus and enforce the law. For another, at Berkeley I have called additional police to the campus five times when they were needed, and shall do so again if the occasion arises. I have not hesitated to call for police reinforcements, and am clearly on record with the faculty and students on this point. As the third fact which counters this myth, let me point out that the Academic Senate has formally supported my authority and my judgment in such decisions involving the police.

I do wish to leave with you, however, my very clear intention to attempt to settle campus difficulties without offcampus police. I believe the police would concur, because campus police work under crisis conditions is very difficult duty. Our ability to resolve our difficulties on campus is improved if we work out the issues by discussion rather than through police action, within the law and the rules, rather than outside the law and rules—which then necessitates bringing additional police. There is no doubt among the militants at Berkeley that I shall ask for police assistance when needed. The only doubts about that appear to lie beyond the campus.

Another myth is that Berkeley faculty is leading and encouraging disruption on the campus. Again the facts dispute the myth. The Academic Senate has given overwhelming support to the maintenance of law and order on the campus, to the enforcement of rules and to firm discipline for rules violators. On February 3, it voted 330 to 31 in condemnation of the use of violence on campus. In addition, its Committee on Academic Freedom has been outspoken in criticism of the use of force on campus. Only one faculty member of some 1,700 at Berkeley is known not to have met his classes and one is believed to have been involved in disruption.

The most substantial proof of the misinformation contained in this myth is the fact teachers at Berkeley continued to teach throughout the strike. Moreover, many of them took personal roles in trying to prevent violence and to reduce tensions, for which they deserve commendation. It is simply not true that the faculty has encouraged disruption.

The fourth myth is that graduate students, more specifically teaching assistants, are the prime movers in campus upset. In the recent strike, some members of a union which includes some teaching assistants did indeed go on strike. Those who struck were not paid for the hours they did not work, in keeping with legally recognized response to strike action. The number so penalized to date is 18, out of a total of some 1,000 teaching assistants. Thus only a small number and an even smaller percentage of TAs were involved. Moreover, the record should show that they exerted a restraining influence on the strike rather than seeking to inflame it. Their strike was illogical and unsuccessful, but nonetheless, even it and its small numbers put down the myth that TAs are the architects of upset.

Let me speak to one other, more general myth. It is one which should have been put down in part by the facts I have brought to bear on the first four myths. That is the widely-held belief that the strike at Berkeley closed down the institution, that classes came to a halt and the educational process stopped. Unfortunately, the declaration of a State of Extreme Emergency, a technical measure to obtain additional police, reinforced the misconception that the University was shut down. The strikers wish that were so. They demanded classes be cancelled for one day, then two days, then three days. When that did not work, they tried obstruction, then disruption and finally destruction. We asked for additional police to protect our students and faculty, and to preserve the right to an

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education, and the University did not close. Indeed, it never was closed. Classes continued, the library was open for use and laboratories were filled. Those who wished to attend class were able to do so. The record makes it clear that those who wanted to go to class did, and that they were the vast majority of students at Cal. For substantive fact to support this point, we compared the Winter Quarter withdrawals for 1969 and 1968 (when there was no strike). Only 60 more students withdrew during 1969 than 1968. Our responsibility was to insure that Berkeley's students were able to go to class and to complete their quarter's work. We met that responsibility.

These myths have been nurtured out of the very serious disorders which have occurred on the Berkeley campus in the past 4½ years. It should be clear to you from the facts that I have set forth here today that demolishing the myths does not diminish the seriousness of these incidents in our recent history. What has occurred there has posed a substantial threat to the existence of a great university, to its fundamental freedoms of discussion and inquiry, and to its public support. In addition to the facts I have recited—and they are but a small bit of the evidence available—let me make some observations which are relevant to a more accurate perception of the contemporary campus.

The first is that the storms of change which are buffeting this nation of ours fall with special fury upon the universities. It is in the classrooms, drawing on both history and contemporary research, that the imperfections of our civilization are subjected to critical examination. The most demanding of this criticism today seems to be reserved for the university itself. (Those outside the university may find both humor and justice at this inward turning of criticism developed in the university for use in society). The university, like the rest of our society, has not yet reached perfection and our students are all too aware of that. What some of them appear not to understand is that perfection recedes in the face of violence, but they are learning that lesson.

The second point is that the campus is well aware of the dangers posed to it by disruption, and more particularly that which employs violence. There is no excuse for the use of force in a university, and the campus has acted out of that strong belief in responding to disruption. Unfortunately, the evidence suggests that the success the campus has had in dealing with disruption has led to increasingly extreme behavior by militant students. These students are either unable or unwilling to perceive that disruption does not have support from any sizeable segment of the campus community. They seize on an issue, begin their protest, then discover it is not generating support, so they begin to escalate. Their ultimate weapon is obvious: Force the administration to call the police, then manipulate the police with provocation. For a successful conclusion, this formulation demands one additional factor: Early capitulation by the administration. Without that, the militants are in deep trouble, because the campus consensus is against disruption and violence, and because the tactics of manipulation are not subtle and they soon begin to neutralize themselves, especially if the police maintain self-control in the face of provocation. In a phrase, while we are winning the battle for discussion and against disruption, we are losing the battle for public support because of the extreme activities of the militants. The nuances of the situation—violence is used because the militants are losing—are lost on the public. And from this are born the myths I spoke of earlier.

The first point, therefore, is that the crisis of change in our nation is hitting the campuses with special force. The second point is that Berkeley does not accept violence as a form of campus conduct. The third is that there are legitimate issues of concern to students regarding the University. It has been my objective to respond to these issues rapidly and openly, to meet valid student needs, when possible. This is our policy because it is necessary to maintain a viable community which enjoys the support of its members. A responsive institution can have that support. In addition, such policy and practice denies militants the legitimate issues they need to recruit a crowd for their own political ends. The fact that student involvement in recent incidents has remained very small when judged against 28,000 students suggests the effectiveness of our policy.

This leads to the fourth point. Students at Berkeley and elsewhere are deeply troubled by the gap between policy and practice in our nation. Among the many issues to which this applies, none is felt more strongly than the plight of the minorities. Thus, while the overwhelming majority of the students at Cal were critical of strike violence and did not join picket lines, they gave general support to the broad objectives of a greater role for minority peoples in the University. They are aware of the many reasons why the condition of the minority peoples has changed so slowly, but they also note that when political pressure was applied through confrontation, the pace of change increased markedly. Most students would prefer that change take place in a rational, nondisruptive, non-violent manner, but they wonder whether our democratic institutions are capable of this. Looking back at the 104 years since the Civil War, they have their doubts. Those doubts extend, I might add, to both the public and the private sectors of the democracy. I personally believe that our institutions can respond rapidly and sensitively to broad social needs, and indeed that they must if they are to obtain the broad political support they need to survive. Our actions at Berkeley have been predicated on that belief, leading us to try to meet the issues posed by our students while acting to protect the freedoms of inquiry and discussion against disruption and violence.

I believe one of the most important functions universities have today is to show that democratic institutions can change to meet legitimate social needs. It is crucial to the future of our nation that our young people know that they can work within the system to make it more responsive. That is the best way to prove the radical ideology, that America must be destroyed to be changed, is nihilistic, not realistic. It is the method by which we can insure the renewal of faith in our democratic institutions with each new generation, and at the same time renew within those institutions themselves the flexibility they must have not merely to survive, but more humanely and efficiently to serve all of us.

This task which is so vital to our future is not an easy one. It is difficult because the university itself, no less than other bureacracies, is reluctant to change. If it is liberal about everyone else's business, it is extremely conservative about its own. That is a problem we are trying to resolve within the campuses. The need for the renewal of young people's faith in our institutions, however, is not confined to the universities. It is tested by the other institutions which we have developed during our history. Many student attacks on the university are in reality attacks on present social and political conditions in America. For the radicals, the attacks are power-seeking in the extreme. In the great majority of our students, however, this criticism is quite different, as I have noted. Their attitude is sharpened almost daily by public response to the unrest on the campuses. Their criticism is not that the public is angry about campus disruption; most students (and faculty) share that unhappiness. What angers them is the use made of the turmoil to attack the institution itself. Evidence of this was contained in a recent California poll which found public support for the pursuit of the truth on campus had declined in two years from nearly two-thirds to less than half of those interviewed. Those who supported political control of the campuses had grown from 18 to 31 per cent. This wavering of belief in democratic ideals—because the freedoms embodied in the university are fundamental to our way of life—by the California citizenry and its leaders further strains the credibility of the older generation. As the Lieutenant Governor so perceptively noted in a speech last week, what is bugging students is not Marx, it is Jefferson: the same Jefferson whose ideas are the bedrock of America's democratic ideals.

Somehow you are allowing yourselves to be placed in a position of attacking the democratic foundations of this nation. Your composure is slipping and your criticism is becoming wilder. You may respond that the California poll did not talk to you, but to other people. I know better. I have talked to hundreds of Californians in my nearly four years here. Most of them have been university graduates and many of them, of stature in their communities. Nonetheless, they seem to have lost their poise, their faith in the democratic tenets of free discussion and inquiry, and their understanding of their own children, for it is they who are our students. The young people can and do maintain poise in the midst of Berkeley's freedoms. They are more precise in their criticism of the university. In fact we are having to turn away large numbers of students who want to come to Berkeley because it is both vigorous in its intellectual activities and rigorous in its academic demands.

These are tempestuous times when some of history's most difficult problems no longer can be put aside. The freedoms of the university are crucial to resolving these problems, and their resolution will be by trial and error, like all great human advances. The Berkeley campus vigorously is defending those freedoms against the threats from within because its students and faculty hold a deep allegiance to those freedoms. Their defense against the threat from outside the institution demands an equal commitment to those freedoms by the leaders of this state.

JUGGERNAUT CONQUERS CLINTON RIVER

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. O'HARA. Mr. Speaker, earlier this month, a small army of volunteers plunged into a difficult and dirty task which they had assigned themselves.

When they were finished, the Clinton River was not crystal clear—it will take years and dollars to accomplish that—but the river was free of tons of debris.

The Clinton River is the major waterway in Macomb County, Mich. Flowing into Lake St. Clair, a link in the Great Lakes chain, it has fine recreation potential.

But over the years it has been badly abused.

Governmental jurisdictions along the river are working at improving the quality of the water. It is hoped that eventually, sportsfishing will return to the river.

In the meantime a number of persons have been increasingly concerned about the debris that had accumulated along its course. The debris, logs swept down the river in periods of high water, and junk dumped by careless people, was both unsightly and dangerous.

A few months ago, Mr. Ray Trombley and the Lake St. Clair Advisory Committee decided to initiate a volunteer effort to clean up the Clinton.

Their long, hard work culminated early this month when more than 1,000 people and a small armada turned out over a 2-day period to remove the debris from a 10-mile stretch of the river.

The Macomb Daily, a newspaper in Mount Clemens, Mich., said the effort "is being hailed as one of the greatest community projects ever undertaken in Macomb County."

Mr. Speaker, I would expand upon that description; I believe it is one of the greatest projects ever undertaken by any community. I think that it serves as a fine example of what can be accomplished by citizens determined to improve their community.

I ask that the article "Juggernaut Conquers Clinton River," from the Macomb Daily "The Sentinel Outdoors," from the Daily Sentinel; and the editorial "The Clinton River Cleanup," from the Detroit Free Press be printed in the Record:

Juggernaut Conquers Clinton River

(By Gene Schabath)

Mount Clemens.—Tons of trees, logs, oil drums—virtually every form of debris imaginable—line the banks of the Clinton River today, remnants on a two-day assault on a blighted 10-mile stretch of the neglected waterway.

A juggernaut work force of aching, blistered, sun-burned people conquered the seemingly insurmountable task in what is being hailed as one of the greatest community projects ever undertaken in Macomb County.

The Lake St. Clair Advisory Committee, originators of the massive Clinton River Clean Up, said they achieved 90 per cent of their objective. Few people will prevaricate about the remaining 10 per cent.

Operating with the adeptness of a well-planned military campaign, the Committee and the hundreds of workers astounded bystanders with the amount of debris they hauled out of the river and the efficiency in which the clean-up was performed.

Although the clean-up attack was planned for 8 o'clock Saturday morning, it wasn't until mid-morning before the massive work force really starting rolling. The army of 700 to 800 workers labored until Saturday evening before the campaign was secured for the day.

Less than half of Saturday's work force returned Sunday. Nevertheless, the assault on the river continued until late Sunday.

The stretch of stream from the spillway to the mouth of the river is cleaner today than it has been in possibly decades.

It was people who accounted for much of the debris. It was people who removed it.

People like Ray Trombley, chairman of the Lake St. Clair Advisory Committee. Trombley coordinated the two-day war against the Clinton. From the base of operations at MacArthur Park in Mount Clemens, Trombley directed the massive clean-up deploying equipment and workers to the 10 work sites.

Numerous occasions during the two-day campaign. Trombley shuttled heavy equipment and man power from one work area to another as the work crews methodically cleaned each site.

People like Ralph Kandt and Ken Fowler, co-chairmen of the Clinton River Clean-Up. The two committee members logged hundreds of miles during the two-day purge, acting as Trombley's war lords.

People like the REACT (Radio Emergency Association Citizens Team) crew which provided invaluable communications for the operation. The St. Clair Shores citizens band radio operators manned two radios at the MacArthur Park staging area and had radio operators at each of the 10 work sites.

People like George Merrelli. UAW Region 1 director. The UAW fed the massive work force from chuck wagons and chuck boats. Workers consumed over 2,000 sandwiches, more than 100 dozen donuts and drank more than 100 cases of pop and 700 cups of coffee during the first day of the clean-up.

People like Ken Hintz, owner of the Noreast Crane Co., located in Detroit.

"There's a couple reasons why I came here to help," Hintz said. "First, I just bought a boat and at least wanted to make an attempt to help clean up. Second, there's a couple guys in our crew who own boats and use the Clinton River as such."

Hintz and his 11-man crew tackled one of the most difficult areas—the property across from the Selfridge missile site.

People like the airmen from Selfridge. The battalion of blue, armed with machetes and muscle, wiped out their assigned section near the Bridgeview Bridge in one day.

People like Delbert Jones and the other residents of Kibbee Flats, who waded into the muck of the Clinton to pull out large logs and assorted debris.

"Macomb County is really classic," said Jones, deputy director of MAP who has helped with clean-up jobs in Detroit's inner city. "I've been on a lot of other clean-ups but they were nothing like this. The people here really have their hearts in it."

People like Harold Emerson, owner of the Emerson Trucking firm, who hauled away truck-load after truck-load of junk extracted from the river.

People like Dr. Harold McNeil and Dr. John Fow, both Mount Clemens, who donated their services, to aid the injured.

People like George Talbert who suffered a smashed finger yet returned to his work after x-rays were taken at Mount Clemens General.

People like John Rogers, one of the 35 workers requiring tetanus inoculations necessitated by cuts and scratches suffered while working in the polluted Clinton River.

People like Mr. and Mrs. Henry Christensen, of New Baltimore, members of the Mac-Hobo, a National Campers and Hikers affiliate. The Christensens, using only a 12-foot pram with no outboard, made numerous trips towing mounds of debris behind their small boat.

People like those from the Roam 'en Oaks hiking group, from Clawson.

People like the workers from Health Corp. of Richmond.

People like the women from the VFW Bruce Post Auxiliary who made more than 4,000 sandwiches.

People like the 100 St. Clair Shores City Employes and those from the Michigan Shade Tree Service.

People like Ray Jennings, Gill Trombley, Al Toth, Larry Sawacki, Charlie Zinner, Ed Rowe, John Agnello and the other work crew chiefs.

People like Mary Saul, of 186 Cass, Mount Clemens.

"It was the darndest thing," Trombley said, relating the episode with Mrs. Saul. "She was a frail little thing and she came with a rake and a plastic bag and wanted to go to work.

"I got three reports from the people working with her behind the VFW," Trombley added. "They just marveled at her."

There were other people along the Clinton River this end, too. They were the residents who could be seen scraping and painting their boats or tending to other chores.

"A goodly number of the homeowners along the river helped but the response from these people is not what we expected." Trombley added. "If it had been, the entire job would have been done.

Trombley said the clean up will be completed probably this fall.

"No one thought we could do what we did," Trombley said. "The debris in the river was beyond what we had expected. The little log turned out to be a big log. Everyone who witnessed the operation—the legislators, news media, county and state people, said it was unbelievable."

Trombley said the Lake St. Clair Advisory Committee will approach the County Board of Supervisors in attempt to get immediate action on the construction of a weir to halt debris from flowing into Lake St. Clair.

The Sentinel Outdoors

(By Roman Typkiewicz)

Our hats are off to the gang who attacked the Clinton River last Saturday and Sunday.

You should have been there to see what determined men and women can do.

Unbelievable!

The young and the elderly, sportsmen, politicians, teenagers, soldiers, housewives—and even children—attacked the ten-mile stretch of river with an amazing amount of vigor and determination.

Our hats also go off to Ray Trombley, chairman of the Lake St. Clair Advisory Committee and his gang for the time and energy they spent formulating last weekend's battle plans.

No less can be said to the hundreds of volunteers who took their time, equipment and muscles to tackle the seemingly insurmountable task.

The river shoreline late Sunday evening was jammed with every imaginable type of junk and debris which eager hands and strong backs hauled out of the river during the two-day assault.

Hopefully, the same thing can be done soon to that stretch of river west of Mt. Clemens.

It could use it.

Hats off again in thanks to the hundreds of persons who made at least that section of the Clinton more a river than a sewer.

The Clinton River Cleanup

The Clinton River cleanup and Dave Eberhard's young people working furiously with shovel and broom on the east side of Detroit are heartening indications that there are a lot of people around who aren't waiting for things to be done that they can do themselves.

The Clinton is a slow stream now, and doesn't clean itself as it did in the old days. But it is still a pretty, meandering river, or was until it became a public dumping ground.

Lacking funds or even an idea as to what public body should do the job even if money were available, the residents between Mt. Clemens and Lake St. Clair have again moved in to clean out the bottles, tires, decaying trees and overshoes.

They got a lot of help from the Selfridge Air Force Base. The Coast Guard sheriff's deputies, Boy Scouts and other sources of manpower, formal and informal. Everybody enjoys a peaceful stream—so why shouldn't everybody keep it looking nice?

The Rev. Mr. Eberhard's push to get rid of the winter's accumulation of debris was almost a joyous occasion over the weekend, with him leading the charge in a dirty sweat shirt.

Come to think of it, we would have quite a handsome town if everybody would walk out of his front door for a few minutes and pick up the cigaret packs, beer cans, empty bottles and dead branches at his own curb.

Clinton-cleaners, east-side sweepers . . . good examples for all of us.

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FIND PEACE IN A VIOLENT WORLD—GO FISHING IN PENNSYLVANIA

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. SCHNEEBELI. Mr. Speaker, the Pennsylvania Fish Commission has issued the following report on fishing conditions in the Keystone State which should be of interest to fishing enthusiasts as well as to those less enthusiastic but interested in "getting away from it all":

FISHING REPORT

(By Pennsylvania Fish Commission)

Northwest, Region 1—Regional Supervisor Lee Shortess reports: Streams are normal and clear throughout the region. Best baits are minnows, worms, streamers; Adams in dry fly; March Brown, Brown Quill in wets. Butler—Thorn Creek. Cameron—Driftwood Branch, Sinnemahoning. Jim Shields, Emporium, caught a 19-inch rainbow there. Erie—Crappie, bass, northern pike are hitting at Presque Isle Bay. Perch hitting at Erie Harbor entrance near South Pier. Northern pike at Buell Dam. Jefferson—Nice rainbows being taken at Cloe Lake. Clearfield—Chest Creek and Parker Dam—Brown and brook trout. McKean—Trout at Kinzua Creek. Some musky action reported in Allegheny River. Potter—Nice catches of trout in all streams on wet flies. Venango—Sugar and Oil Creeks. Warren—Brokenstraw and Tionesta Creeks. Crawford—Pymatuning Reservoir offers a variety of fishing fun with many largemouth bass, walleye and crappies reported from vicinity of Linesville. Curt Smith, 13, Meadville, caught a 48-inch, 37-lb. musky near the Causeway. Harold Peterson, Jamestown, caught a 46-inch, 30-lb. musky on a large minnow from Pymatuning.

Southwest, Region 2—Regional Supervisor John Buck Reports: Streams are normal and clear. Armstrong—Buffalo Creek, March Brown, Black Gnat taking trout. Allegheny River producing walleye below Locks 6, 7, 8, using large minnows fished deep or nitecrawlers, Beaver—Raccoon Lake—small daredevil spinner taking nice rainbows. Bradys Run Lake same. North Fork, Little Beaver River, minnows and salmon eggs for rainbow and brown trout. Traverse Creek brookies on worms. Bedford—Shawnee and Gordon Lakes producing northern, musky and walleye fishing on minnows and large spoons. One 40 inch musky reported from Gordon Lake on big daredevil. Trout in Yellow Creek on March Brown and Minnows. Blair—Clover Creek good catches of trout on Light Cahill fished on surface. Cambria—Chest Creek trout on minnows, worms, salmon eggs. Northern pike, walleye hitting well at Glendale Lake. James Kitchen, Delmont, Pa., caught a 36½″ 11½ lbs. northern pike on large shiner at Glendale. Walleye on nitecrawlers fished deep. Fayette—Youghiogheny River below dam is normal; trout hitting Black Ant, Mallard Quill. Virgin Run Dam rainbows on Black Ant fished wet. Dunbar Creek fly area trout hitting assorted nymphs and early pattern dry flies. Fulton—Cowans Gap Dam trout hitting spinners. Cove Creek trout hitting flies and small spoons. Meadow Grounds Lake northern and walleye hitting minnows. Huntingdon—Standing Stone Creek trout hitting Mallard Quill and March Brown fished wet. Rock bass excellent in Raystown Branch Juniata River on nitecrawlers. Walleye also hitting rapalas in river. Indiana—Little Mahoning, Little Yellow Creeks trout on minnows, small spinners. In fly area use an assortment of spinners and flies. Mifflin-Juniata—Trout hitting at Willow Run, Lost Creek and Penns Creek—Grannom is coming; off Penns Creek. Joe Mitchell, Lewistown, 20 inch brown from Penns. Juniata River is just above normal but rock bass are hitting with zest on small minnows. Worms, spinners and hellgrammites. Washington—Green—Canonsburg, Dutch Fork Lakes fine catches of rainbows and brookies on salmon eggs and worms. Ryerson State Park Lake panfish hitting worms. Westmoreland—Keystone Lake and Loyalhanna Creek trout on minnows, streamers. Twin Lakes and Youghiogheny River taken walleyes, panfish on small minnows and worms.

Northeast, Region 3—Regional Supervisor Clair Fleeger reports: Streams are normal, clear and warming over area. Bradford—Trout at Mountain Lake and Schrader Branch. North Branch Susquehanna River is clearing and should be a good warm water fishing bet over weekend. Wyoming—Bowmans Creek—Crappies, blue-gills, perch hitting well at Lake Carey (boats available). Susquehanna—Rock bass, walleye in Susquehanna River on minnows and worms. Big Elk Lake, Montrose Lake and Heart Lake taking many bullheads on nitecrawlers. Wayne—Trout in Equinunk Creek on wet flies. Bullheads hitting throughout all areas. Good pickerel fishing at White Oak Pond on minnows and spoons. Carbon—Trout in Lehigh River and Mud Run on salmon eggs, muddler minnow and streamers. Lehigh River below Bowmanstown good pickerel spot with spinners. Sullivan-Lycoming—trout—Muncy, Loyalsock Creeks, and Hunters Lake. Earl Eisenhower, York, Pa., caught a fallfish 18¼ inches long, weighing 2 pounds in Muncy Creek. This is a Pennsylvania Angler Citation Award fish. Pickerel at Hunters Lake on spoons and minnows. Lackawanna—Susquehanna—Trout at Chapman Lake, Tunkhannock Creek, Butler Creek on spinners, minnows, Xmas tree lures at Chapman. Columbia—Fishing Creek for trout on Red Quill, Grannam, fished dry. Rock bass, channel cats, walleye in Susquehanna River near Sunbury and Danville. Ralph Oberdorff, Danville, caught 27 inch walleye. Tioga—Trout hitting in Pine Creek and Cedar Run. Some musky action at Hills Creek Lake; Fred Haller, Jersey Shore, Pa. caught a musky 45 inches, 24½ lbs. Luzerne—Lake trout hitting at Harveys Lake. Stanley Keefe, Mountain Top, caught a 30 inch, 10 lb. lake trout there recently. Lehigh River good brown trout action. Bluegills at Sylvan Lake on worms and streamers. Pike-Wayne—Perch, bluegills hitting at Lake Wallenpaupack on small live bait. Trout hitting on worms, speedy shiner and rapala. Monroe—Trout fishing in Broadheads, Big Bushkill is good on streamers, wet flies. Pike—Trout good in Shohola and Lackawaxen.

Southeast, Region 4—Regional Supervisor Miles Witt reports: Streams are normal and clear. Chester-Delaware—French Creek, Ridley Creek trout on spinners, streamers, worms, salmon eggs. Good crappie action in all reservoirs on shad darts. Lebanon—Trout at Marquette Lake, Shuey, Lions Lake and Indiantown Run trout hitting well. Lebanon—Stavers Dam good for catfish. Lancaster—Trout—Hammer, Middle and Octorar Creeks. Donegal fly areas good trout bet. Speedwell Forge Lake—bluegills and Susquehanna River catfish. Schuylkill—Trout—Mahantango Creek. Walleyes and northern pike good at Sweet Arrow Lake on spinners, live minnows; James Reed, Cressona, caught a 23½ inch, 3½ lbs. walleye there. York—Trout at Hanover Water Co. Dam and Muddy Creek—salmon eggs, wet flies. Susquehanna River good catfish, carp, rock bass on live bait. Northern pike at Codorus Creek State Park Lake. Montgomery—Trout at Lock Alsh Reservoir. Excellent bluegill fishing at Black Rock Dam on Schuylkill River. Good panfishing at junction Perkiomen Creek and Schuylkill River; also carp on dough flavored with strawberry flavored jello with honey mixed. Lehigh—Trout on Little Lehigh on wet flies. Northampton—Bushkill Creek trout hitting CP Swings; Fred Recker, Nazareth caught a 22½ inch, 3½ lb. brown trout; Philip Bell, Easton, 20 inch, 4½ lb. brown, also a 19 inch, 3½ lb. brown. Delaware River fishing good—Levere Everett, Easton, caught a 24 inch, 3 lb. northern pike; Thomas Pheiffer, Easton, caught a 22 inch, 5 lb. smallmouth from the Delaware. Philadelphia—Trout fishing excellent in Wissahickon Creek—many over 20 inches reported by fishermen. White perch, striped bass and eels reported from Delaware River on worms and shrimp. Most fish taken after dusk. Bucks—Cooks Creek and Neshaminy Creek, Levittown. Cumberland—Lake for trout. Edward Gyarco, Carlisle, caught a 20½ inch, 3½ lbs, brown trout from Yellow Breeches Creek. Opossum Lake, Laurel Lake also good trout areas. Pickerel hitting in Shermans Creek in Perry County. Rock bass also hitting well.

SHAD REPORT

The Delaware River is in excellent condition. Peak of the shad run is reported from lower Delaware River with many good catches reported in Lambertville, Lumberville, New Hope areas. Both herring and shad are hitting shad darts and gold hooks. The upper Delaware also report shad action from Milford to Narrowsburg where action is lighter. Bruce Fleeger, 6, caught a Citation Award roe shad 22¾ inches in Delaware River. Joe Cartwright, Easton, caught a 24 inch roe shad; Joe Kluska, Easton, 2—21 inch roes; Les Pettis, Nazareth, 22 inch roe; Al Hauser, Easton, 22½ and 20 inch roes; Bill Eisenhauer, Easton, a 23, 21 and 21 inch roe and milt Linsman, Sr. and Jr.—23 and 22½ roe shad.

THE AMERICAN WAY

HON. WILLIAM O. COWGER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. COWGER. Mr. Speaker, we are privileged in Louisville, Ky., in having a new junior college, in name, Jefferson Community College, which is less than 2 years old. On May 1, of this year, Jefferson Community College celebrated its first annual Flag Day.

On many college campuses today there is unrest. I am pleased to report that on the Jefferson Community College campus there is the American way of life. The following is an article which appeared in the college newspaper the Quadrangle, on May 1 of this year:

THE AMERICAN WAY

(By William Kellerman)

This is America—America is a place where people are free. Free to work, free to go to school, free to worship the God one believes in. America is a place where a man can read, write and say what he believes without having fear of being routed from a night's sleep to be interrogated or worse. America is a place where a man can dream and realize the pollibility of the most extravagant of his dreams coming true. In America, a man is even free to protest because he does not think he is free. America is a place where a president is elected not where a king is tolerated. America is a place where a man can fall in love and marry the woman of his choice. America is a place where not dogs and mustard and cold beer taste best at World Series time, where every boy over ten years knows as much about Wilt Chamberlain and Mickey Mantle as he does about George Washington and Thomas Jefferson.

In America, a poor man can become rich overnight by backbreaking work or by the

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death of a rich uncle. In America a man can watch a pretty girl who walks down the street in a mini-skirt instead of an army uniform. An American boy can spend an entire summer lost in the idea of running home and showing Mom that ol' carp he finally caught at the bottom of Cochran's pond. And a little girl serving her doll tea on a warm spring afternoon.

America is knowing that once you have bought something it is yours and no one can legally take it from you. America is the Green Bay Packers on a snowy November afternoon—dozing in the warm sun in the local park—a new pair of shoes that hurt your toes—chocolate ice box pie with graham cracker crust—a movie on Saturday night—the announcing of the new heavyweight champion of the world—Church on Sunday morning—Walter Cronkite—an old late show you have seen three times before—a Coca-Cola—old men wearing old beat-up straw hats, sitting on courthouse benches, spitting tobacco juice and cursing the weather—Raquel Welch—the drunk who lives down the street—the family—Fourth of July—watermelon—a new car—the family budget—standing in front of a tombstone, thinking, praying, remembering.

America is a Jewish Negro named Aristotle O'Bryan—a farmer's daughter joke—the Army vs. Navy football game—the woman next door that always drops in when you are sitting at the table in your shorts—overdue bills—junk mail—landlords—hunting trips—good neighbors—bad neighbors. The old lady down the street who knows everybody else's business. Meatloaf on Wednesday nights. A handshake, a warm smile. The 1910 Fruit Gum Co. The Sunday radio sermon. The fact that Dr. Spock is as well-read as is the Bible. Post Toasties. A new car with engine trouble. Harper Valley P.T.A. A policeman that lends a helping hand. A drink of spring water, T.V. commercials. The Kentucky Derby. Soul Food. $5,000 per year. Christmas cards. Taxes. Hamburgers. Inflation. Two weeks vacation and Old Glory.

Some people want to get rid of these things, they call it bad because it is the "establishment". They want to replace these things with sleep-ins, sit-ins, and stand-ins, love-ins, riots, L.S.D., pot, and other such oddities.

I'll stay with the old standards, you do what you want to do. After all, this is America.

THE SINGING ANGELS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. VANIK. Mr. Speaker, it is my pleasure to take note of one of America's most outstanding and talented young people's singing groups, the Singing Angels of the Greater Cleveland area. These dedicated young people are among the most creative and talented groups who perform today. Their musical performances are lively, entertaining, and professional.

I wish to take special note of the fact that their director, Bill Boehm, and so many parents have supported this group not only morally but with every parental devotion possible which has enabled these fine young people to perform throughout our community in hundreds of splendid concerts since 1964.

I wish to insert at this point in the RECORD a fine article about the Singing Angels which appeared in the Cleveland Press on May 10:

SINGING ANGELS DESERVE PRAISE

(By Frank Hruby)

Before their fifth birthday arrives this fall, the "Singing Angels" will have racked up an enviable record of accomplishment for organizations of this sort.

"Of this sort" means children's choruses, and while there are children's singing groups all over the country in one form or another, few if any have rehearsed and performed as consistently and as widely.

Formed in 1964 by William C. Boehm, Cleveland concert tenor and lyric theater favorite, they quickly won the hearts of greater Cleveland, and their rise to fame—by means of over 100 concerts—in five years' time has been steady and fast.

Among their many successes have been annual trips to the Lakeside, Ohio, Summer Concert Series, performances in Severance Hall, three appearances at the annual Golden Wedding parties sponsored by the Press, a performance with Cleveland Philharmonic Orchestra, countless performances at the Mid-American Boat Show and in 1968 a Voice of America broadcast.

One of the principal tenets of Boehm and the other conductors of the Angels—George Strickling, Luther Blackwell and Tom Neal—is that music is more than a universal language in the international sense. It can and does transcend boundaries, real or imagined, between races, creeds and colors.

Originally planned as a hundred-voice chorus for singers between the ages of five and seventeen. The Singing Angels now have an additional hundred as a reserve chorus which acts as a training ground and supply for the performing group.

On Sunday, May 18 at 3 p.m., the Singing Angels will present their Fifth Annual Spring Benefit Concert in Masonic Hall and will celebrate the event with new blazers especially designed for them.

The public is cordially invited to attend the concert, and tickets will be available at the door.

The Press congratulates the Angels for a successful five years of musical pleasure and entertainment and is proud to have been associated with them from time to time during those years.

NEWSPAPER PRESERVATION ACT

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BROWN of Ohio. Mr. Speaker, as a newspaper publisher in the "real world," I have repeatedly been asked by some of my colleagues for my views on the Newspaper Preservation Act. I have tried to explain what this legislation would accomplish—in my opinion—in my remarks.

The Newspaper Preservation Act is intended to make it legal for 44 newspapers in 22 U.S. cities to fix prices, pool profits, sell jointly, and divide markets. The objective is to maintain separate ownership and editorial views independent of each other by permitting economies from combined activities which would otherwise be subject to possible restraint of trade prosecutions by the Justice Department.

The legislation applies exclusively to so-called joint newspaper operations, currently functioning in Albuquerque, N. Mex.; Birmingham, Ala.; Charleston, W. Va.; Columbus, Ohio; El Paso, Tex.; Evansville and Fort Wayne, Ind.; Knoxville and Nashville, Tenn.; Honolulu, Hawaii; Lincoln, Nebr.; Madison, Wis.; Miami, Fla.; Oil City, Franklin, and Pittsburgh, Pa.; St. Louis, Mo.; Salt Lake City, Utah; San Francisco, Calif.; Shreveport, La.; Tucson, Ariz.; Tulsa, Okla.; and the twin communities of Bristol, Va., and Bristol, Tenn.

In these cities, competing daily publishers have joined their business operations while still retaining separate business entities. This is the factor which differentiates "joint newspaper operations" from the usual mergers into single ownership such as have combined morning and evening newspapers in Milwaukee, Portland, Atlanta, or New Orleans. It is the arrangement for the continuation of two separate ownerships which raises an antitrust problem. Technically they are business competitors, but they have deliberately ceased to compete for business.

Each of the joint operations prints its morning and evening editions out of a single plant, but this violates no antitrust law. Joint printing, and joint distribution also, are wholly acceptable under the law. So the Newspaper Preservation Act does not have as one of its purposes legalizing these production activities.

It is the degree of joint sale of advertising and the joint setting of rates by these business competitors which is significant to whether or not the arrangement violates the Sherman Act. The Newspaper Preservation Act would exempt the 22 joint newspaper operations from the prohibition against price fixing now and retroactively to the time they established their joint operation.

The same can be said of "profit pooling" and "profit division." Since a single advertising sales staff usually serves both of the publishers, they must have a method of dividing their profits—usually on the basis of some predetermined formula. Because "profit pooling" necessarily lessens the incentive to compete, the Supreme Court on March 10 of this year ruled that this practice of the Tucson dailies also violates the antitrust laws.

Again, the Newspaper Preservation Act would legalize the practice, into the future and back to the date on which the publishers launched their joint operation.

The joint newspaper operators insist they must have the right to fix prices and pool profits to sustain both their morning and evening newspapers so as to maintain divergent editorial viewpoints in the community. Critics of the legislation, which include the National Newspaper Association of smaller newspapers and the printing trade unions, say the joint operators can make a go of it utilizing joint printing and distribution, and therefore do not need a special antitrust exemption.

While the proponents have amended the originial "failing newspaper bill" of the 90th Congress to meet some of the specific objections to the bill, it is my understanding that the critics continue to oppose adoption on the basis that a special newspaper exemption from the antitrust laws is neither needed nor desirable.

The bill has been characterized as a "chain operator's bill." While the Nation's largest newspaper chains are represented in the ownerships of the 44 newspapers—seven in the case of Scripps-Howard; two by Lee Newspapers; one each owned by the Hearst Corp., Cox Newspapers, S. I. Newhouse and Knight Newspapers—there are also more than 30 independent newspaper ownerships covered by the bill. The bill has been referred to as a bill for the metropolitan press. Yet several smaller cities, such as, Bristol, Va.; Bristol, Tenn.; Oil City and Franklin, Pa.; Fort Wayne and Evansville, Ind.; are included.

Proponents of the legislation lean heavily on the argument that the joint operations are necessary to preserve vigorously competing editorial voices in their cities. Critics point out that the very efficient business combination makes it virtually impossible for a newcomer to enter the newspaper market in these communities, so that giving the joint operators legal sanction for the price fixing, joint sales and profit pooling tends to stifle would-be new voices. It may also be noted that single ownership sometimes allows divergent editorial views, although the possibility of suspension of such a policy is obviously always available.

It is a fact that new technology in typographical composition and printing make it much easier to launch new newspapers now than in years past. This trend shows promise of continuing. It has spawned many aggressive new publications already—in the suburbs, within ethnic groups, to serve differing economic and intellectual strata. These papers compete with larger established newspapers as well as among themselves for readers, advertising dollars and in editorial influence.

The practical results of the proposed legislation are impossible to measure. Since the provisions of the bill become available to joint operators only if they can show one of their newspapers was "failing" at the time the joint operation was established, presumably most of the 22 operations are prepared to prove this. Some of the combinations date back to the mid-1930's. Most combinations are known to have prospered under their joint operation arrangements, but just how well they are doing now has not been revealed in hearings before the House and Senate Judiciary Committees. And whether they would continue to prosper if they had to forgo price fixing and joint advertising sales and "make do" with joint production and distribution is at best speculative.

By July 4, William Small, owner of the Tucson Citizen, must provide the Federal district court there with a proposal for modification of the joint newspaper operation in his city. This, presumably, will represent the best accommodation mutually acceptable to Mr. Small and the Justice Department, and should be instructive as to what kind of compromise is possible within existing antitrust laws. It should be helpful in assessing whether this legislation is needed or not.

ADDRESS OF DR. HECTOR LUISI

HON. ELIGIO de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DE LA GARZA. Mr. Speaker, in the spirit of hemispheric solidarity, I think it is incumbent on us to be constantly appraised of the aims and aspirations of our good neighbors to the south. With this in mind, I respectfully submit for your consideration a most eloquent speech delivered by His Excellency Dr. Hector Luisi, Ambassador of Uruguay to the United States, at the luncheon of the Pan American Society of the United States, Inc., at New York City, on Thursday, May 8, 1969.

ADDRESS DELIVERED BY DR. HECTOR LUISI, AMBASSADOR OF URUGUAY TO THE UNITED STATES

It is indeed a great honor and privilege for me to be at this meeting of the Pan American Society today.

We men of the Hemisphere are bound by our common belief in certain basic principles on which all our independence movements were founded. Worship of republican ideas, dignity of man and the eternal search for the survival of democracy are the common heritage of the Republics of the Hemisphere.

Barely two centuries since those heroic times, the United States of America has become the major power in the world. The Latin American Republics have, for many reasons, not followed a similar pace of economic growth and we are now in different categories of developed and developing countries. Failure in reaching a harmonious pace of development is driving this world of ours to an emerging North Atlantic civilization with some outposts in the Far East, like Japan and Australia, and the perispheric group of developing countries.

We are fully conscious that inevitable currents of trade will tend to further strengthen the ties between the nations of this North Atlantic civilization, thus further widening the present gap.

Such gaps are factors of tension, which jeopardize progress and indeed the survival of bodies politic, either national or international.

Gibbons gave us a vivid description of how a combination of internal and external uncontrolled tensions led to the final decline and fall of the Mediterranean civilization. I do not believe that history should necessarily repeat itself, as statesmen have sufficent instruments to influence the course of events.

Generous and enlightened efforts such as the Marshall Plan and the Alliance for Progress will go down in history as evidence of intents to avoid otherwise inevitable catastrophies. Many are the reasons which account for the different results achieved through these two enlightened efforts.

We are now about to face new times when many countries in the world are revising the courses to follow. We hope that these new times will find all the countries of this Hemisphere as close together as we have been in the course of our history as independent nations.

President Nixon has emphasized his personal interest in the destiny of the countries of Latin America and his new approach is marked by the fact finding mission headed by Governor Rockefeller. I think I detect the lawyer's touch in President Nixon's pragmatic approach to this new policy. There is wisdom in not creating great expectations and on this point I beg to be allowed to quote myself at the opening address to the Eleventh Conference of Foreign Ministers of the Organization of American States. I then emphasized that there should be an adequate rationality between raised expectations and possibilities for their achievement, lest there should be bitterness, frustration and a loss of trust in our statesmen. Democracy, as a form of Government based on public opinion, is certainly not strengthened when this sort of spirit prevails in our peoples.

We Uruguayans are conscious that efforts of developing nations are a paramount factor in the struggle for their progress.

We have had some real difficult times, but I am proud to say that the country's response has proved to be up to the challenge.

We have been trying to prove that major structural changes can be achieved without weakening the basic principles of democracy.

The Uruguayans have approved by the largest majority ever recorded in our constitutional history, a new constitution which may be defined as a Charter drafted to demonstrate that the essential requirements of efficiency in the modern State are not incompatible with democracy. We do in fact, firmly believe, that efficiency may only be achieved through the democratic process. Dictatorial systems, though apparently more efficient, have in themselves the seeds of self destruction, as they lack the necessary continuity, which is to be kept for any long term policy to be successful. Long term policies for countries do not necessarily coincide with the life span of us human beings. You citizens of the United States are very well aware of the self evident truth that only democracy provides for this essential continuity in the art of government.

President Pacheco is leading the country in this spirit of efficiency within democracy and his government has achieved some very significant results which are pre-conditions for our economic take-off.

We have been able to cut inflation by fifty per cent last year and we are in the process of achieving another cut of at least fifty per cent this year. Our reserves have been improved in some seventy million dollars and our balance of trade for last year was closed with a substantial surplus of more than ten per cent of our imports.

We know that we still have some difficult problems ahead, but I am absolutely confident that the future of Uruguay will be in accordance with its lifelong tradition of political stability and economic and social progress.

May I, Mr. Chairman, take this opportunity to express both my appreciation for the presence of such distinguished personalities as those gathered here today and my conviction that their continued and generous efforts for our common cause in the Hemisphere will result in further strengthening the many bonds which unite our respective countries.

COMMENTARY ON THE GREEK QUESTION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DERWINSKI. Mr. Speaker, a very interesting column by the international correspondent of the Copley News Service, Dumitru Danielopol, was carried Tuesday, May 6.

This article merits special attention since Mr. Andreas Papandreou, the discredited Greek political figure who is presently allied with radical left elements has been in Washington making maximum use of news media to denounce the Greek Government and our country in emotional terms with scant attention to fact or historical exactness.

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This article by Mr. Danielopol is an objective, truthful commentary on the Greek question.

The article follows:

ARTICLE BY DUMITRU DANIELOPOL ON THE GREEK QUESTION

WASHINGTON.—"Greek and Turkish military forces are very strong, determined, well-trained and well motivated forces and very, very essentially part of the NATO forces in Allied Command Europe," said Gen. Lyman Lemnitzer recently.

It's about time somebody had a good word for the Greek military. And an authority like Gen. Lemnitzer, Supreme Allied Commander in Europe, ought to know.

Ever since the military took over in Athens on April 21, 1967, they have been maligned, denigrated, insulted and slandered by every kind of self-professed liberal, fellow traveler and self-styled "fighter for democracy" in Greece. Leonid Brezhnev and other Communists also have joined the chorus.

It did not seem to matter that parliamentary democracy at the time of the takeover was a farce. It didn't seem to matter that corruption and decay was rampant; that the camouflaged Communist party and its stooges were blackmailing industrialists and businessmen for funds lest they promote costly strikes. It didn't seem to matter that the economy was stagnant; the Governments fell at the tip of a hat; that instability, insecurity and the prospects of a civil war fostered by the Reds was terrorising the majority of the Greeks.

One of the great hoaxes perpetrated was that the Greek military had destroyed the morale and capability of the armed forces.

This has now been debunked by Gen Lemnitzer.

"In order to maintain the kinds of forces needed to deal with the enemy capability in their respective vicinities, they (Greece and Turkey) are required to maintain forces that exceed, to a considerable extent their economic and industrial capability to support," Lemnitzer said. "So they are reliant upon the United States and other members of the NATO Alliance for their military equipment."

This is an important statement since after the 1967 coup President Johnson stopped deliveries of heavy equipment to the Greek army—equipment pledged under the 1965 NATO program.

Deliveries were partially restored by the Johnson Administration when the new Greek Constitution won a 92 per cent vote of confidence in the Sept. 30, 1968 referendum and after the Soviet aggression in Czechoslovakia.

Since then the Greek colonels have made a number of long delayed reforms. They have begun to gradually restore freedoms revoked at the time of the coup.

But the flow of arms towards Greece is still stalled. The Nixon administration has the issue under scrutiny. But if they are restored in full, as is likely, the military program established in 1965 falls short of requirements in view of the changes in balance of power in that part of the world.

The Greeks are getting impatient. Some say the security of Greece is at stake and that unless the United States restores deliveries they will go shopping elsewhere.

The situation in the Mediterranean is too precarious as it is to mix politics with security.

TRIBUTE TO LENA WASHINGTON

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BELL of California. Mr. Speaker, one of the great strengths of our Nation's political structure is a two-party system which encourages continuing dialog on philosophy, policies, and programs.

On Friday evening, May 23, 1969, Californians will pay tribute to Mrs. Lena Washington, a Los Angeles Negro Republican leader, for her contributions to the Republican half of our political system.

Mrs. Washington has served for 20 years on the California State Central Committee in almost every capacity including that of executive director. A distinguished—and, I might add, extremely charming—community leader, Mrs. Washington is an active participant in civic, church, and service organizations. Her choice of politics as a particular interest dates back to the age of 16 when she joined the Women's Political Study Club. Republicans have since been the fortunate beneficiaries of her talents.

In recognition of her service to the party of her choice she was selected to serve as honorary secretary of the Republican National Convention of 1952 and as a presidential elector for the State of California in 1968.

Mrs. Washington is presently devoting her outstanding leadership ability to bringing the Republican message to the black community. I believe her efforts should serve as a model to citizens of all political persuasions who recognize that good government is everyone's business and that one of the most effective mechanisms for achieving it is service to the party of one's choice.

It is a privilege to join with Lena's many friends and associates in honoring her truly remarkable career.

McCARRAN ACT

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. EDWARDS of California. Mr. Speaker, thousands of U.S. citizens were imprisoned during World War II in American concentration camps. Up until 1957, many of these camps still existed. This action stands as a black mark on American history and as long as the authority for such action remains, history could be blackened again. The concept of detention camps violates every American principle. If such camps were put to use, the Republic would be no more and the Constitution would be a meaningless piece of paper.

It is for this reason that I believe we must act quickly to repeal section II of the McCarran Act. Such decision was also reached by the city council of San Jose upon recommendation of the city's human relations commission and I include a copy of the city's resolution in the RECORD:

RESOLUTION NO. 2-69: A RESOLUTION OF THE HUMAN RELATIONS COMMISSION OF THE CITY OF SAN JOSE RECOMMENDING REPEAL OF SUBTITLE II OF THE INTERNAL SECURITY ACT OF 1950 (MCCARRAN ACT)

Whereas: As members of the San Jose Human Relations Commission, with knowledge of the experience of Japanese-American citizens in emergency detention, we recognize the danger of Subtitle II of the Internal Securitly Act of 1950 (Emergency Detention Act) to the civil rights of all Americans, and

Whereas: We, as American citizens of all nationalities, regret that said part of our recent history, and

Whereas: The Emergency Detention Act provides that, during periods of "internal security emergency", any person who *probably* will engage in, or *probably* will conspire with others to "engage in, acts of espionage or sabotage" can be incarcerated in detention camps, and

Whereas: A person detained under the Emergency Detention Act will not be brought to trial under law, but instead will be judged by a Preliminary Hearing Officer and a Detention Review Board, wherein the detainee must prove his innocence, but the government is not required to disclose evidence or produce witnesses to justify the detention, and

Whereas: Said procedures violate all constitutional guarantees and protections and are unnecessary, as existing laws and procedures are available and are completely adequate to safeguard internal security, Therefore be it

Resolved: That the San Jose Human Relations Commission affirm its opposition to Subtitle II of the Internal Security Act of 1950 (Emergency Detention Act), and be it further

Resolved: That the San Jose Human Relations Commission strongly recommends to the City Council of San Jose that they also affirm their opposition to Subtitle II of the Internal Security Act of 1950 and that said Council take appropriate steps to exert their influence to bring about the repeal of the Emergency Detention Act with especial attention given to sections 812 and 814d of said Act.

Adopted this 12th day of March, 1969, by the following vote:

Ayes: Commissioners—Avrech, Escamilla, Gray, Lydon, O'Rourke, Stroughter.

Noes: Commissioners—Aram.

Absent: Commissioners—Phillips, Ribbs.

THOMAS F. O'ROURKE,
Chairman.

DEFENSE DEPARTMENT CONCERN FOR DOMESTIC PROBLEMS

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. HALPERN. Mr. Speaker, I recently have seen a copy of a letter written to the Secretary of Defense, Melvin Laird, by June Willenz, executive director of the American Veterans Committee.

I was much impressed by this letter and its contents which praises the Defense Department's newly created Domestic Action Council. Because of the concern of many Members of Congress for Federal agency efforts to help resolve the domestic problems of our Nation regardless of their particular mandate, I therefore call the letter to the attention of my colleagues:

APRIL 28, 1969.

Hon. MELVIN R. LAIRD,
Secretary of Defense,
The Pentagon,
Washington, D.C.

DEAR SECRETARY LAIRD: The American Veterans Committee (AVC) wishes to commend you for your address in St. Leo, Florida on April 26, in which you indicated your commitment for continued efforts by the Depart-

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ment of Defense to help resolve the domestic problems of our Society.

We applaud the creation of a Domestic Action Council at the highest level of your Department and hope that it will play a prominent role in promoting the Department of Defense's contributions to domestic action. We hope, also, that this Council will work closely with the President's Urban Affairs Council and the civilian sector of society.

AVC endorsed the creation of Project 100,000 and Project Transition and has been supportive of their efforts to upgrade many of our young men who have been educationally disadvantaged.

Last month, we wrote to the Deputy Secretary of Defense, Honorable David Packard, indicating that we considered Project Transition and Project 100,000 as "imaginative and worthwhile endeavors to provide important educational and training upgrading for a group of young men." We expressed the hope that these projects would be continued, and we are pleased that you have emphasized their significance.

* * * * *

AVC is looking forward to the development of the social action programs you have outlined in your St. Leo speech. We offer you our support and assistance in this program. As you know, AVC has been committed to the cause of social justice and equal opportunity since it was founded during World War II. We look forward to continuing to work with you in this important area of concern.

Sincerely,

JUNE A. WILLENZ,
Executive Director.

FOR THE POOR, BUSINESS AS USUAL: MUCH TALK BUT LITTLE GOVERNMENT ACTION

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, in a special meeting with members of the Democratic Study Group yesterday, the Rev. Ralph David Abernathy and members of the Poor People's Campaign outlined their demands and explained the deplorable conditions which the poor in this Nation endure. The representatives of the poor who made statements did so with passion and eloquence—not the contrived eloquence of professionalism or demagogery, but the forcefull eloquence of human experience and shattered pride. Hearing these conditions described was both disturbing and frightening; there can be no excuse, in a supposedly moral and humane society as affluant as ours, for allowing these lifestyles to exist. But they do exist because lack of concern, an enormous military budget, rampant bigotry and blatant selfishness all contribute to their existance day in and day out. All too often those with the power to act decisively in these areas have used their power for negative obstructionism. The time is at hand to once and for all replace this attitude with positive action.

Reverend Abernathy pointed out that as many as 40 million Americans have been described as being poor and that poverty in America ranges across all racial and native barriers to include black Americans, Mexican-Americans, Cuban-Americans, Puerto Rican-Americans, Indian-Americans, white Americans, and many other groups. All kinds of Americans share not the bounty of America, but the poverty of America—this is the plight of the poor. Speaking for members of the Southern Christian Leadership Conference, Reverend Abernathy stated, quite simply, that "we as black people and your brothers are entitled to enjoy the blessings of this land." So they are.

The greatest tragedy here is that these people have to come, virtually begging, to their Nation's Capital every year to plead for relief. The problem should have been faced years ago. But come they must, because of continuing neglect and inattention. The time to study the problem has come and gone and we have studied the problem to death. Welfare has been examined and found hopelessly backward and self-sustaining. Yet welfare continues virtually unchanged. Under the previous administration we finally made a commitment to the disadvantaged in this country, but precious little has been done to transform the promises into performance. Reverend Abernathy perhaps put it best when he said that pledges of action have come back like "a bad check marked 'insufficient funds.' "

The funds are not insufficient. They are denied—denied by complacent disinterest and inexcusably inverted spending priorities which allow billions for the tools of death and destruction, while strangling to a pitance the funds to right the wrongs which exist for our own people.

The Nixon administration talks about committing itself to the needs of the disadvantaged, yet Reverend Abernathy emerged from a disgracefully abbreviated meeting with the President and the Urban Affairs Council with the sad news that it was the most "disappointing and fruitless meeting" he has ever attended in Washington. The administration's talk is also less than convincing when one witnesses the spectacle of Cabinet members, whose agencies are responsible for most of the poverty program activities, promising to hear representatives of the Poor People's Campaign and then reneging on that promise. A mere 45-minute audience with the Urban Affairs Council is hardly a substitute for the realistic give and take of a face to face meeting in which to discuss more than generalities and engage in more than platitudes.

Mr. Speaker, I would like to offer at this point an editorial which appeared in this morning's Washington Post which states very well, I think, the unfortunate implications of this action which the Post aptly terms "A Needless Brushoff." This disinterest suggests the kind of "closed" approach which the administration would do well to avoid. There is ample and obvious evidence to show that the time has long since come for turning promises and platitudes to the poor into progress and performance for the poor.

The editorial follows:

A NEEDLESS BRUSH-OFF

The Rev. Ralph David Abernathy, a man of poverty and patience, with no grudge-bearing skills in a role where he could easily exploit them, is in Washington this week with what he calls Chapter II of the Poor People's Campaign. Unlike last year, when the instant urban problems of Resurrection City beclouded the goals and ideas of the encamped poor, this year's confrontation of poor with rich is expected to be free of mud and mayhem.

Whether it will be free of bitterness is another question. Mr. Abernathy and his delegation of 100 have been refused a series of meetings with Cabinet members whose agencies deal with the poor. Instead, the Administration has set up a meeting this morning of the Council on Urban Affairs, including the President, in which Mr. Abernathy and a small group will reportedly have less than an hour of talking time. That's barely enough to let the coffee cool, let alone allow the poor to present their demands.

Mr. Abernathy has been around the Establishment long enough to know that, academically, it is well-acquainted with his proposals: stop hunger, stop the war, stop giving the poor raw deals. The Cabinet officials in question, none of them small or mean-thinking men, would probably agree with the general aims of these demands, at least in private. Thus, in refusing to meet individually with Mr. Abernathy, they are, first, practicing poor public relations. They will come off as being insensitive to the poor, exactly the charge Mr. Abernathy made last week when told he was not welcome in the offices of the various department chiefs.

The poor, and many others, already hold deep suspicions that the Nixon Administration cares little for the Nation's worst-off. In seeing their symbolic leader refused a hearing, the poor are likely to be more than ever convinced they have no friends in Washington.

A second implication is that dialogue is useless. It will make little difference to the rural shack dweller or the urban ghetto dweller that something may seem to have been accomplished in the Urban Affairs Council meeting—assuming that is possible in so short a time. Instead, Mr. Abernathy's followers will see the closed doors in HEW, HUD, Agriculture, Labor, etc., and say, "the big shots brushed him off."

The Cabinet members still have time to meet with Mr. Abernathy and his group. Both parties have been through this before: there's gladhanding, a little blown-off steam and a lot of hope expressed in the future—it doesn't cost very much. As both Mr. Abernathy and the Cabinet members know, the real place where the suffering of the poor can be decreased is in Congress. Even if Mr. Finch and the rest of them could get together individually with Mr. Abernathy to commiserate on that, it would be worth it.

ISSUANCE OF A POSTAGE STAMP IN HONOR OF U.S.S. "PUEBLO" CREW

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BIAGGI. Mr. Speaker, I wish to express my full and enthusiastic support for issuance of a special postage stamp honoring the men who served on the U.S.S. *Pueblo.*

Any group of men so abused and tortured by unfriendly forces as was the crew of the *Pueblo* deserve recognition for their courage and determination in the face of extreme cruelty and brutality.

Such a postage stamp would demonstrate the gratitude of the Nation for the

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devotion and steadfast service exhibited by these fine Americans. It would, in some measure, recognize the extent of their sufferings.

It would demonstrate that while we seek peace and more often than not hold back the power that is ours, we stand behind and fully support the efforts of our men in uniform.

Such a stamp would again serve notice to aggressor nations of our intention not to be bullied and harassed because such nations think our hands are tied and that Americans have gone soft.

A postage stamp honoring the men of the U.S.S. *Pueblo* would demonstrate, despite its lack of explicitness, the new consensus on foreign policy which I believe is rapidly taking shape, that America will not idly stand by and see the reputation, property, and lives of Americans jeopardized in the future.

Such a stamp would serve to remind us that we must work even more arduously for peace: Whether the need is defined in terms of a more versatile defense establishment, a strong peace initiative, or bolder economic assistance to the underdeveloped countries, our leaders must put forth all their energies in the cause of a just and lasting peace.

The issuance of a postage stamp paying tribute to the *Pueblo* crew will serve notice that this country, worthy of its great past, understands the sweep and promise of the American democratic tradition and the pressing need to refocus that tradition on the problems of today's explosive yet infinitely promising world.

What happened to the *Pueblo* was a tragedy. I strongly urge the issuance of this stamp to serve as a reminder of and a tribute to the brave men of the U.S.S. *Pueblo*.

NO HELP FOR THE AVERAGE TAXPAYER?

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BROWN of Ohio. Mr. Speaker, I am inserting this letter, name and identification deleted, so that the Members of this body and others may have another opportunity to read of some of the problems faced by the middle-income families when they try to obtain financial assistance, only to be advised that the assistance is reserved for the underprivileged.

APRIL 22, 1969.

DEAR MR. BROWN: May I say in starting that this is the first letter of this sort I have ever written, so please don't cross me off as a chronic complainer. I've listened to all these programs for school drop-outs, underprivileged, welfare and whatever until I am sick to death. These people undoubtedly need *some* help. However, I would like to present the cause of what seems to me a forgotten group of people.

We have a daughter who is a senior in high school and will graduate in June. She was elected to the local chapter of the National Honor Society last year. She is in the 98th and 99th percentile according to the results of her ACT and SAT aptitude tests. She has been selected for listing in this year's Merit Publishing Company's "Who's Who Among American High School Students," and has received a Letter of Commendation from the National Merit Scholarship testing service.

She is interested in pursuing a course in either music or journalism. She has studied piano since the second grade and is presently studying voice. Her voice teacher, who is also the school choir director, says she is the most gifted musical student he has yet had.

She applied for admission to Ohio University at Athens, Ohio, and was accepted with a token scholarship of $150 on the basis of the Parents' Confidential Statement. We are a middle income group family, partly because of my husband's participation in the Air Force Reserve program at an area Base as a pilot. Fortunately, he is not required to be underprivileged to participate in this. Our income has not always been in the range it is now, so with a family of three children and long-term inflationary prices, we are not in a position to send her to college without help.

We are not asking for a hand-out. We only want a way to help her to help herself. Once again educational loans seemingly are available only to the underprivileged. She was tested and applied for summer employment at an area Base. Although she qualified, they are hiring only underprivileged people as summer help. Isn't this in itself a form of discrimination?

Isn't there something the matter with a society in which the intelligent of the middle class society are so penalized? I can't feel that this problem is peculiar to us. It seems a shame that in view of her qualifications, she still may be deprived of a college education, while her father's income tax money goes to help the underprivileged. If you can direct us to any sources of help, I would appreciate it. Otherwise, maybe we should see that we fall into the ranks of the underprivileged and school drop-outs. It would seem to be encouraged. Thank you.

Sincerely yours,

A CONSTITUENT,
Seventh Ohio District.

UNIVERSITIES UNDER THE GUN—AND OUR REACTION THERETO

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ROBISON. Mr. Speaker, as an aluminus of Cornell University, and as the Representative in this body of the Cornell community—since Ithaca, N.Y., is in my congressional district—I have, naturally enough, been deeply disturbed by the events that took place on that campus last month.

It would be altogether too easy—and far too tempting—to attempt to post-judge the decision made by the administration at Cornell and, after some initial hesitation, subsequently endorsed by its faculty, that at least temporarily ended the crisis that threatened the very life of our university. Easy—and tempting—to do so, that is, from our perspective here, a comfortable 300 miles or so away.

Others have done so, including some nationally syndicated columnists, editorialists around the Nation, and a goodly number of my colleagues here whose judgment I respect. However, I have refrained from doing so, and intend to hold to that posture. This, nevertheless, should not be taken as evidence of my lack of concern, for I am deeply concerned, as are all of us, with this problem of student unrest; and I am as anxious as anyone in this body to find and apply whatever Federal "solutions" there are if, indeed, there be any.

Of course, Mr. Speaker, the Cornell situation was a "sorry mess," as one of my colleagues has recently said, and the university authorities undoubtedly paid a very high price—the true cost of which has yet to be determined—in order to end it, if it be ended.

And, yet, I think it does little good now to speak of "cowardice" and "disgraceful appeasement," in our rehashing of this tragic incident. That sort of thing makes headlines, too, and is undoubtedly appreciated by that average American who is our typical constituent and who, naturally enough, is fed to the teeth by the disruption of and militant threats to destroy our great educational institutions, and who, equally naturally, is demanding that "somebody must do something."

Before we here, in our position of high responsibility, decide what that "something" ought to be, I would like to ask my colleagues to consider, with me, the following two items which, under leave, I include with these remarks.

The first is a letter from Mrs. Millie Ann Koman, a Cornell graduate student not personally known by me, but who, in her own thoughtful manner seeks to set the record of the Cornell crisis "straight" as she, an on-the-scene observer, saw it. I do not say—since we are dealing in an area of personal judgment, and one highly subject to being tinged with emotionalism, at that—that her opinion is of more value than that of those others who read the Cornell crisis and the account of its ending in a different light. I do suggest, though, that her viewpoint is worth considering, and I hope it will be so considered.

The second item is Alan L. Otten's highly perceptive column, entitled "Let the Center Hold," as taken from the Wall Street Journal for May 8. Mr. Otten speaks, as I would wish to, of the "vital center" in every academic community—"the great mass of faculty and students that is beginning to perceive the need to hold and counter the protestors"—and of the need for the rest of us to do what we can, not to threaten retribution, but to rally that center from which, in my considered judgment, the solutions we seek will—and only can—come.

The letter and column follow:

ITHACA, N.Y.,
May 4, 1969.

Congressman HOWARD W. ROBISON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROBISON: As a frequent listener to your Sunday morning broadcasts I have often appreciated the understanding of current issues which you convey to the radio audience. However, your discussion this morning of the recent events on the Cornell University campus indicated that you do not understand what happened here. If your opinions are based on newspaper, radio and T.V. coverage of the Cornell crisis, they are not surprising. The vast majority of the Cornellians now questions whether such media ever tell the truth. We have witnessed during the past two weeks undeniable and inexcusable distortions of reality which have not only misinformed the public but contributed to a heightening of tensions during the crisis itself. As a Cornell graduate student (and, by the way, I am not a radical) I feel an obligation to at least try to set the record straight.

In the first place, you and many others have reacted primarily to the presence of guns in Willard Straight Hall, and, thus blinded, have failed to recognize the real issues which led to the occupation of the building and the circumstances under which guns became involved. For months the black students had been trying to get our attention. They had been asking for special courses which would be relevant to their needs. They had been asking for the chance to develop a sense of community as blacks in this predominantly white institution. They had been trying to tell us that racism can be institutional as well as individual—covert as well as overt—and that racism exists in a very real sense even in our so-called "liberal" university. They talked a long time before even a few people began to listen and a few grudging delayed responses began to be made.

(I might note at this point that in many ways the university reflects American society as a whole. The findings of the Kerner Commission were largely disregarded by decision-makers. The majority of white Americans rejected the possibility of white racism being a cause of black unrest—without even stopping to think about what racism is and how it operates. Even though blacks have been oppressed, degraded and discriminated against for years, many Americans assume that black men need a conspirator to stir up their wrath.)

A few days before the takeover of the Straight a cross was burned in front of the black girls' cooperative dormitory. Campus police for some reason made an inadequate response to this understandably frightening incident which President Perkins later called a "prank".

On Saturday April 19th, frustrated in attempts to negotiate the issues, the blacks non-violently took over the Straight. Only after white fraternity brothers tried to "liberate" the building did guns enter the picture. Frightened by previous incidents such as harrassments, telephone threats and the cross-burning as well as by rumors of white men with guns outside the Straight (some of these rumors were well-founded), the black students obtained guns to use for self-defense. The press, the public and perhaps a majority of the Cornell community at that time, were unable to understand why the blacks felt they needed and might have to use guns for self-defense. Now, many of us are beginning to understand how American blacks must feel in a white society which has so often reacted with hostility, insensitivity and violence to black demands for justice, equality and human respect.

Let me assure you that I do not support the existence of guns in anybody's hand—be it black or white or any other color. But neither do I support the racial injustice which exists and persists in the United States. It is my hope that measures to eliminate both guns and racial injustice from the American scene will not long be delayed—for I am afraid we have already procrastinated too long, perhaps in the hope that these riots, protests and disorders would run their course, so we could return to some sort of stable status quo.

As a result of the recent crisis, many Cornellians have been forced to listen to what blacks have been trying to tell us for years. Many of us have recognized the need to redefine the problem and to ask ourselves not what can we do for the blacks, but *what can we do to combat white racism?* The bookstores in Ithaca are sold out of *Soul on Ice* (Cleaver), *Black Rage* (Grier and Cobb) and *Crisis in Black and White* (Silberman). Please try to understand that during the Cornell crisis the mass of students did not follow a few extremists like sheep, only to return the following week to the pursuit of three-car garages, ever-growing bank accounts and bigger and better plots of land in the "cemeteries" we call suburbs. Many of us had long before decided to reject these latter pursuits which can hardly be challenging goals when we see around us real poverty, discrimination, starvation, crime, distrust among men, etc. etc. This is what is "bugging" students on campuses across the country. We have a desire to do something, to make better communities, to make the notion of justice and equality for all a reality.

We would like to think that at least some of our Congressmen are trying to listen to us and trying to truly represent our interest in the future of America. I hope we can count you among those who are trying to understand.

Yours respectfully,

MILLIE ANN KONAN.

[From the Wall Street Journal, May 8, 1969]

LET THE CENTER HOLD

WASHINGTON.—Continued campus violence provokes angry demands for retaliation. The Attorney General ponders using the antiriot laws. Influential Congressmen crank up investigations and call for cutting off aid to student and faculty participants. State legislators urge new criminal penalties for protesters, hold down appropriations for publicly supported colleges and universities.

Certainly the provocation is intense. The danger to the colleges and universities—and thus indirectly to society itself—is clear and present. Pictures of Negro students carrying guns and professors leaping from seized buildings are shocking. Firmness is clearly needed in dealing with violence and lawlessness.

Yet great care must be taken to avoid an excessive reaction—and that may be what is currently taking shape.

There are two potential pitfalls in too-tough action. One is strategic. Overkill could provide exactly the symbolic confrontation the noisy few need to win over large numbers of uncommitted teachers and students—those not particularly afire with "non-negotiable demands," but yet concerned about shortcomings in society and uncomfortable with fulminating lawmakers and invading cops.

The second possible pitfall is philosophic, an implicit lack of faith in traditional democratic processes. Certainly the demonstrators have consistently displayed this lack—but that's no reason for the university's defenders to react the same way. Tough talk and tough measures may substitute too easily for a determined effort by political and educational leaders to rally the great mass of faculty and students behind a more orderly process of change.

Repeatedly through history, and particularly in recent years, there have been dire predictions of overwhelming peril to American democracy, and the need for extreme measures to preserve it. Yet so far, at least, democracy has proven equal to the crisis.

A few years back, America's cities were pictured as about to be leveled, with violent black rebellion and white counter-violence There were those who despaired of reducing the U.S. military commitment in Vietnam or ending the reign of Lyndon Johnson. Last fall there were worried forecasts of a huge vote for George Wallace and an election thrown into the House of Representatives amid confusion and turmoil.

Yet some degree of Negro good sense and white good will have limited the number of urban riots. Opinion polls and party primaries forced Lyndon Johnson to proclaim a limited bombing halt and refuse to run again. The Wallace support shrank substantially as Election Day neared.

Such a recitation may be naively playing Pollyanna. Fool's luck may have played a bigger part than democracy's strength. A dozen cities may go up in smoke this summer; Richard Nixon may not be able to end the war any more than Lyndon Johnson could; the shock to the electoral system may come in 1972. But thus far, certainly, the Cassandras have been wrong.

And perhaps those who now prophesy the imminent collapse of higher education may similarly be underestimating the good sense of most Americans and the strength of the democratic system. What's needed is to mobilize that good sense and bring out the system's strengths.

This does not mean a call to arms—football stars and other muscular types charging pickets and storming buildings to throw the demonstrators out. Rather, it means persuading the mass of students and professors to involve themselves in rational and constructive efforts to improve the universities, and to remain steadily aloof from the more disruptive, violent protests.

This would require better communications among administration and faculty and students. It would entail considerable effort to show that valid grievances are being listened to and acted on, with a substantial role in the process for those willing to use reason rather than force. It would strive to carry on as normally as possible—makeshift classrooms and other impromptu devices—when sit-ins and picketing disrupt. It would seek to leave the demonstrators isolated in their lawlessness—perhaps even ultimately bored with it.

"The answer to this has to come from within the university community itself," Harvard President Nathan Pusey declared on Sunday's "Meet the Press." "It has to come from the students and faculty primarily, and it will come only as these groups, themselves, come to see that this kind of disrupting activity is something that can't be tolerated, and they will have to withhold, I think, their sympathy with this small group of revolutionaries who don't care about the university, if we are going to come through this period."

Appeals to self-interest may help arouse the university community: The students' stake in getting educated, the faculty's stake in having a place to teach and carry on research. There's the emotional appeal, to preserve institutions that have meant so much in the past. There's the altruistic argument that trained men are needed to help society better itself.

Many students and teachers, particularly the more liberal ones, may be most impressed, however, by the violently hostile political reaction to continued demonstrations and disruptions. In time, the result could be a truly repressive authoritarian government. In an extremely provocative article in "The Public Interest," University of California sociologist Robert Nisbet argues that, as traditional institutional authorities weaken, the vacuum is quickly filled by a police-state government.

"The human mind cannot support moral chaos for very long," he contends. "As more and more of the traditional authorities seem to come crashing down, or to be sapped and subverted, it begins to seek the security of organized power. The ordinary dependence on order becomes transformed into a relentless demand for order. And it is power, however, ugly its occasional manifestations, that then takes over, that comes to seem to more and more persons the only refuge from anxiety and apprehension and perpetual disorder."

In his first statement on campus disorders in late March, President Nixon quoted Yeats: "Things fall apart, the center cannot hold. . . ." Just recently signs have emerged that the center, the great mass of faculty and students, is beginning to perceive the need to hold and counter the protesters. It might be helpful if more of the public officials now threatening retribution would do a little more to rally this vital center.

BUFFALO AREA CHAMBER OF COMMERCE MARKS 125TH ANNIVERSARY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DULSKI. Mr. Speaker, my home city of Buffalo, N.Y., can trace its history back to the late 1600's and had reached a population of about 10,000 when it was incorporated in 1832.

Twelve years after incorporation, in 1844, a group of waterfront interests got together and formed a board of trade. The organization had several name changes along the way until 1962 when the "area" accent was emphasized by inclusion in the name.

So, this year, what is now known as the Buffalo Area Chamber of Commerce marks its 125th anniversary.

The organization has gone through a considerable change in its operations over the years from its beginning as a group concentrating upon the city's waterfront interests, to today's concern for not only the entire economy of the city but also of the suburban area.

During my decade in the House, I have found the Chamber to be constantly alert on matters of wide interest, local and otherwise. We have not always agreed on details of legislation and policy, but still I am convinced that we are going down parallel streets, intent upon the best interests of all our people, as we see it.

Mr. Speaker, the Buffalo Courier-Express carried an interesting and informative article on the Buffalo chamber in its May 11 issue, as follows:

TREND TO PROFESSIONALISM: CHAMBER MARKING 125TH ANNIVERSARY

(By William F. Callahan)

Back in 1844 a group of Buffalo waterfront interests got together and formed a new organization known as the Board of Trade. This organization concentrated on the business activity directly related to the waterfront and the development of its business.

This year the Buffalo Area Chamber of Commerce, which is the successor to the original Board of Trade, is celebrating its 125th anniversary. The waterfront is now just a small part of the all-encompassing interests of the chamber.

In 1882 the Board of Trade changed its name to the Buffalo Merchants Exchange. It retained that title until 1903 when it became the Buffalo Chamber of Commerce. In 1962 the word "Area" was added to better describe the scope of the organization's operations.

But the name is not the only thing that has changed through the years. "For some time the image of a Chamber of Commerce organization throughout the country was the hackneyed, stereotype of a group of handshaking, pat-on-the-back businessmen," said Charles F. Light, executive vice president of the Buffalo Chamber.

"That image is no longer true and has not been for a good many years," said Light. "Today, the whole philosophy of the major chambers such as Buffalo is total involvement in both community problems as well as business development," he stated.

Light, who has been executive vice president of the Buffalo chamber since 1961, said that a major trend toward professionalism in chamber operations began following World War II.

"There have been even more dramatic changes within the last five years, as chambers, such as Buffalo, have had to become deeply involved in inner-city problems and be more active in the legislative areas," he said.

Light began his professional chamber career in 1950 in his hometown of Elmira as assistant manager of that city's Assn. of Commerce. He then became executive secretary of the Ithaca Chamber in 1951.

Three years later, he came to Buffalo as manager of the Buffalo chamber's Business Development Dept. In 1957 he was named general manager of the chamber and four years later succeeded Charles C. Fichtner as executive vice president.

He also has been active in state and national chamber affairs. He served as president of the New York State Chamber of Commerce Executives in 1957.

Currently Light is president-elect of the American Chamber of Commerce Executives. He will assume the helm of this 2,500 member organization next October at the organization's meeting in Detroit.

The Buffalo chamber itself now has 4,307 members representing 2,437 companies.

"The problems today are too complex for any one group or organization to solve. That is why we try to serve as a catalyst in many cases to help bring together all areas of interest. Only when all the groups are in communication, can many of the serious problems, particularly those of the inner city and minority groups, be studied and meaningful progress made," Light added.

The Buffalo chamber plans to celebrate its 125th anniversary year in an active, but fairly quiet way as far as noting the event is concerned.

It will be featured, however, as part of the chamber's annual Directors' Luncheon which will be held next Thursday at the Statler Hilton Hotel. William McChesney Martin, chairman of the board of governors of the Federal Reserve Board, will be the speaker.

The Buffalo Branch of the Federal Reserve Bank of New York is also celebrating its 50th anniversary at the same time.

CLARIFICATION OF ACLU POSITION ON ARMY CHARACTER GUIDANCE PROGRAM

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. CONYERS. Mr. Speaker, I am sure that many of my colleagues are aware of the long and distinguished crusade of the American Civil Liberties Union to insure basic civil rights to all Americans. It was with this purpose that the ACLU raised objection to certain character guidance materials issued by the Department of the Army. It is extremely important to understand that the ACLU is in no way trying to restrict Army chaplains from performing either their secular duties as officers responsible for the implementation of character guidance programs, or their religious functions as ordained clergymen whose services are available, on a voluntary basis, to servicemen and their families who feel that they wish to take advantage of these services. The ACLU merely wishes to insure that these areas will not overlap, and that constitutional separation of church and state will be maintained with regard to training materials and guidance methods which are used by the Armed Forces.

I have asked that the following letters and statements of policy be included in the RECORD in order to help present a clearer, more accurate picture of this dispute:

WASHINGTON OFFICE, AMERICAN
CIVIL LIBERTIES UNION,
Washington, D.C., April 9, 1969.

DEAR CONGRESSMAN: You are no doubt aware of the furor which developed over the ACLU's objection to the Character Guidance Program of the Department of the Army. Since much of that furor has been based on a misunderstanding of exactly what the ACLU's complaint was, I am enclosing copies of all the correspondence involved in the matter to facilitate your understanding of the issues and your ability to respond to constituent mail.

As you will see from the enclosed, the ACLU did not, as has been widely reported in the press, object to chaplains using the words, "God," "Supreme Being," or "Creator," either during Character Guidance discussions or at other times, but rather to the contents of the training manuals used in the Character Guidance Program which contain not mere references to "God" or "Supreme Being" but actual espousal of various religious doctrines and to the overall religious flavor of these lectures. Since attendance at these lectures is mandatory, the use of these materials results in a program amounting to compulsory religious indoctrination.

The ACLU has no desire to "censor" in any way chaplains operating in their regular religious functions in providing counseling, holding services and performing their regular religious duties as ministers to the troops and families of troops who voluntarily seek them out for religious guidance and comfort. Our only aim is to have the Character Guidance Program adhere to the position announced by Secretary of Defense Laird on April 3, 1969, that "espousal of religious dogmas or particular sectarian beliefs is not the purpose and has no place in the Character Guidance Program." If the current religious indoctrination is not eliminated from the Program and its training manuals, then we believe that attendance at these lectures should be purely voluntary.

If you or your staff have any further questions, I will, of course, be most happy to discuss this with them.

Sincerely yours,

LAWRENCE SPEISER,
Director.

DEPARTMENT OF DEFENSE NEWS RELEASE

Secretary of Defense Melvin R. Laird today made the following statement:

Certain misunderstandings have arisen regarding the Department of the Army's actions taken last year with respect to its Character Guidance Program. I believe it is appropriate and important to clarify this matter and to report the preliminary results of a study which I ordered when I learned of the previous actions.

The Army in December 1968, made certain changes in its Character Guidance Program in order to clarify its purpose. The purpose of the Character Guidance Program in the Army, and comparable programs in the Navy, Air Force and Marine Corps, is to instill and strengthen patriotism and a sense of individual moral responsibility in members of the Armed Forces. These programs are sponsored by commanders in the field and are separate and apart from the religious programs conducted by chaplains of the Military Departments.

The actions by the Department of the Army were concerned solely with its Character Guidance Program and in no way affect or otherwise interfere with the religious programs. All military chaplains have a continuing responsibility without restriction, to

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conduct worship services, to provide religious instruction and counseling to interested personnel and their families and to sponsor church related activities.

With regard to Character Guidance Programs within the Military Departments I want to state that there will be no prohibition against the use of "God," "Supreme Being," "Creator," "faith," "spiritual values" or similar words. References to these terms are appropriate for inclusion in the Character Guidance Program. However, all three Military Departments consistently have adhered to the position that espousal of religious dogmas or particular sectarian beliefs is not the purpose and has no place in the Character Guidance Program.

The Assistant Secretary of Defense (M&RA) met yesterday with senior representatives of the Chaplain Corps and representatives of the Military Departments and the General Counsel of the Department of Defense concerning the review which I have directed be conducted. Upon its completion, recommendations will be made to me.

AMERICAN CIVIL LIBERTIES UNION PRESS RELEASE

The American Civil Liberties Union today spelled out its objections to the Army's compulsory "religious indoctrination" of the troops. The clarification came as the aftermath of widespread public misunderstanding of both the decision of the Department of the Army to review its Character Guidance Program and the role played by the ACLU in prompting that decision.

The Character Guidance Program, controlled and implemented by the Corps of Chaplaincy, is intended "to strengthen in the individual those moral, spiritual, and historical truths which motivate the patriot. . . ." The Program is compulsory for all U.S. Army personnel.

In a letter to Defense Secretary Melvin R. Laird, Lawrence Speiser, Director of the Washington, D.C. Office of the ACLU stated that the ACLU objects "not, as has been reported, to any and all references to God which might be made in the lectures and discussions which comprise the program but, rather to its overall religious flavor and mandatory character."

In support of the ACLU's contention that the Character Guidance Program violates the constitutional requirements of separation of church and state, Speiser cited the materials used in lectures. For example, a lesson entitled *The Moral Responsibility of Safety* states: "'God has supreme and exclusive ownership over human lives, and so He is the only one who has the right to allow men to kill other men.' Granted that God may delegate that right to the State for the common good and to the individual to repel an unjust agressor, it is obvious that He does not give that right to the motorist. If, then, we recognize the moral imperative behind the Commandment, we will drive as responsible, decent human beings, conscious of our obligations to our Creator."

Mr. Speiser labeled many of the views set forth in these materials as "sermonizing" and pointed out that "the First Amendment is predicated on the assumption that there may be those who would not agree, and that it is not a part of the business of the government to foster this point of view, and, perhaps most importantly that no individual can be required to adhere to or even be exposed to this view.

"In spite of the impression given by newspaper headlines and outraged Congressional critics, the ACLU neither seeks nor desires to 'censor' all lectures or moral guidance given by military chaplains in order to eliminate all references to God or religion." Rather, he said, the ACLU seeks to separate the proper role of the military chaplain in voluntary counseling and guidance from the military functions which the chaplain performs for and in behalf of the Command. "Certainly no Character Guidance Program could embrace an aim other than to build respect for law and individual liberties. That lesson is indeed lost when the government itself violates that law or makes light of those liberties."

The complete text of Mr. Speiser's letter is attached.

WASHINGTON OFFICE, AMERICAN
CIVIL LIBERTIES UNION,
Washington, D.C., April 2, 1969.

Hon. MELVIN R. LAIRD,
Secretary of Defense,
Department of Defense,
The Pentagon.

DEAR MR. SECRETARY: During the past few days, a great deal of heat has been generated in the halls of Congress and the nation's press over what we feel to be a basic misunderstanding regarding both the decision of officials of the Department of the Army to review the Army's Character Guidance Program and the role played by the ACLU in prompting that decision. Because the central issue of the constitutional requirement of separation of church and state is one which excites the public interest and, more often than not, arouses emotional controversy, we welcome the opportunity to set the record straight afforded by your decision to review the entire problem.

In writing to the Under Secretary of the Army last April concerning the Character Guidance Program, the ACLU objected not, as has been reported, to any and all references to God which might be made in the lectures and discussions which comprise the program but, rather to its overall religious flavor. Of key importance was the fact that attendance at Character Guidance lectures was *mandatory* for all personnel, so that those who might find its religious aspects objectionable was compelled, nevertheless, to attend. While we did and do recognize the legitimacy of the Army's interest in the conduct and "character" of its personnel, it is our view that the program as conceived and conducted raised such substantial problems under the First Amendment of the Constitution as to make its continuation highly improper.

The all-pervasive religious flavor of the Character Guidance Program is perhaps best illustrated by the materials issued by the Department of the Army for use in the Program. The legitimate secular purpose of the program is entirely lost, if not belied, by materials which often amount to texts for religious indoctrination. For example, the materials provided for a lesson entitled "The Moral Responsibility of Safety" state:

"'God has supreme and exclusive ownership over human lives, and so He is the only one who has the right to allow men to kill other men.' Granted that God may delegate the right to the State for the common good and to the individual to repel an unjust aggressor, it is obvious that He does not give that right to the motorist. If, then, we recognize the moral imperative behind the Commandment, we will drive as responsible, decent human beings, conscious of our obligations to our Creator.

"In creating us, God has a purpose for us; He intends that we will have a certain number of years in which to fulfill that purpose. When, however, someone is killed in a traffic accident, it would seem that the plan which God has in mind for that person goes unfulfilled. The driver responsible for the accident has violated the rights of God over human life; he has come between a man and his God; he has cut short the full purpose God created that man to serve. God's Will, for all intents and purposes, has been thwarted by man's will, and we have the intolerable situation of a creature telling the Creator that He cannot have His way about how long a man is to live here on this earth!"

Certainly the individual responsibility for traffic safety can be brought home without resort to sermonizing of this kind which some find not only illogical and unconvincing, but, also offensive to their own religious beliefs.

Similarly, the materials on chastity state:

"Chastity is connected with sex; and sex, I know, is a power implanted in me by the God Who made me. Therefore, the virtue by which I regulate that power and direct it to the ends assigned by God ought also to be referred to God. In prayer, I should seek God's help in developing, practicing, and preserving chastity."

While a majority of Americans well might agree with such a statement, the First Amendment is predicated on the assumption that there may be those who would not agree, that it is no part of the business of the government to foster this point of view, and, perhaps most importantly, that no individual can be *required* to adhere to or even be exposed to this view.

There are countless illustrations of this kind throughout the materials distributed in connection with the Army's Character Guidance Program. Leafing through the manuals at random one finds such statements as: "Without faith a person is like a man shut in a dark room suffering from amnesia, waiting for his memory to come back;" (Materials on the Hazards of Military Service), "The essential evil of blasphemy is in the fact that man takes his magnificent gift from God, his ability to speak, then he uses that same gift to try to show contempt or to be abusive to the One who gave it to him;" (Materials on Clean Speech), and, "It is God's law, dictated by the very nature of marriage, that men and women who marry stay married to each other." (Materials on Marriage).

We cannot emphasize too strongly that these illustrations are not mere isolated examples or references for which the training manuals were fine-combed. They are representative samples of the total nature and content of the materials involved. More lengthy excerpts are included in an appendix to this letter for your information.

There is no need at this time for us to reiterate the legal authority and reasoning which, in our view, compel the conclusion that the Character Guidance Program is in conflict with the Constitution, and which the Department of the Army found to be persuasive. These are set forth at some length in our letter to the Under Secretary of the Army, a copy of which is also attached for your information. There is need at this time, however, to make it perfectly clear that despite the impression given by newspaper headlines and outraged Congressional critics, the ACLU neither seeks nor desires to "censor" all lectures or moral guidance given by military chaplains in order to eliminate all references to God or religion. Even if this organization's well-known position against censorship of any kind would permit this, surely the First Amendment would not!

Rather we seek to separate the proper role of the military chaplain in individual and voluntary religious training and guidance from the military functions which the chaplain performs for and in behalf of the Command. We fully agree with the statement of the General Counsel of the Department of the Army in his reply that

"The Chaplain has an entirely proper role in dealing with the religious problems of those who come to him of their own volition for religious counseling and guidance, but it is quite important that he separate that role from the one involved in the Character Guidance Program." (Letter attached)

We are confident that a careful review of the Character Guidance materials and of the law involved will lead you to concur in the Army's conclusion that a re-casting of the Character Guidance Program to conform with constitutional requirements is both necessary and proper. Certainly no Character Guidance Program could embrace an aim other than to build respect for law and individual liberties. That lesson is indeed lost when the government itself violates that law or makes light of those liberties.

Sincerely yours,

LAWRENCE SPEISER,
Director.

[From the Department of the Army pamphlet]

EXCERPTS, MORAL RESPONSIBILITY OF SAFETY

EXPLANATION

Why traffic safety is a moral problem

It is precisely this indifference to the tragedies of "murder by motor" which we emphasize as we point out to you that it is morally wrong to endanger human life and health on the highway. As Harry F. Berlin, Traffic Advisor to the Provost Marshal, United States Air Force, expressed it, "In reality traffic safety is—more than anything else—a moral problem." Berlin was never so right. Driving is a moral problem. When a man is driving—no less than in any other activity—he has a personal responsibility to the Giver of Life. Authority over human life belongs to God alone and every human being is obliged to do all in his power to preserve and protect it both in himself and in others. Yet the terrible record of death on our highways seems to indicate that, at least when we are driving, we have little regard for God's dominion over human life. It is a frightful thing that we who pride ourselves on our concern for the dignity of the individual; we who profess that man is endowed by his Creator with certain inalienable rights, the first of which is the right to life—that we should accept so complacently that each year more than 40,000 persons are killed on the nation's highways.[1]

Thou shalt not kill

Life is man's most precious possession. While we have found substitutes for almost everything else, there is no substitute for human life—and it is upon this that the morality of traffic safety must ultimately depend. The question arises then, do we want to live as a civilized society, or are we content to live in a jungle? If the latter is the way we want to live, then we will continue violating the Commandment, "Thou Shalt Not Kill." But, in giving us that Law the Creator has emphasized that He and He alone has the right to determine the life span of a human being. As one writer on the Moral Law puts it, "God has supreme and exclusive ownership over human lives, and so He is the only one who has the right to allow men to kill other men."[2] Granted that God may delegate that right to the State for the common good and to the individual to repel an unjust aggressor, it is obvious that He does not give that right to the motorist. If, then, we recognize the moral imperative behind the Commandment, we will drive as responsible, decent human beings, conscious of our obligations to our Creator.

In creating us, God has a purpose for us; He intends that we will have a certain number of years in which to fulfill that purpose. When, however, someone is killed in a traffic accident, it would seem that the plan which God has in mind for that person goes unfulfilled. The driver responsible for the accident has violated the rights of God over human life; he has come between a man and his God; he has cut short the full purpose God created that man to serve. God's Will, for all intents and purposes, has been thwarted by man's will, and we have the intolerable situation of a creature telling the Creator that He cannot have His way about how long a man is to live here on this earth!

The careless driver, in effect, "plays God," in taking to himself a function which the Creator has denied him in the Commandment, "Thou Shalt Not Kill." The God Who created human life intends that those who share in it should regard it as something sacred. He intends that they should respect the dignity of human life—but there's not much dignity in a bundle of blood-soaked rags that once was a man. True, we aren't trigger men, or cold-blooded murderers, but, as J. Edgar Hoover expressed it, "To a grieving parent, is the loss of a child crushed by an automobile more bearable than the death of a loved one at the hands of a kidnapper? Is the plight of a victim crippled for life under the wheels of a speedy car less pitiable than the predicament of a person permanently disabled by a robber's gun?"[3]

In the final analysis, therefore, we must realize that the problem of safe driving is a moral problem. A man who drives in an unsafe manner endangers the security of the life and property of another. Speaking on this matter, Superior Court Judge Herbert Kaufman tells us: "It is grievous enough to endanger the well-being of a man's property, but he who drives in an unsafe manner is doubly guilty, for he also threatens his neighbor's health and life. In other words, the unsafe driver is a potential murderer, and killing is a heinous crime."[4]

WORSHIP

The supreme object

In the strictest sense of the term worship, God alone is its worthy object. The dependence of man and all things else, the fulfillment of man, personally, and the happiness and prosperity of the society in which man lives can be achieved only in accord with the will of God, which has brought all into being, and who supports by His providence all in its continuance.

In spite of the vast fund of knowledge at our command, we are still surrounded by mystery. Modern man is continually trying to understand more about the world in which he lives. Scientists examine, analyze, and explore the physical world. Philosophers ponder the nature and experience of man and try to relate them to the understanding of man. But the knowledge of science, the search for meaning in material creation, and in man himself does not fulfill the needs of man. He still faces the universe with wonder and awe, and, humbly recognizing his dependence, is moved to worship. Whether he thinks of the creator of all this mystery as Mother Nature or a Cosmic Force, The Law, The Supreme Being, or God, he still recognizes in himself the compulsion to pay honor and worship to the Giver of Life and the Source of Order in the world in which he lives.

CHASTITY

Happiness

We have tried to point out specific rewards that come to the man who has practiced chastity, but we know that the reward of all virtue—including the virtue of chastity—in the last analysis is happiness. Happiness is the real reason for a man's being born, for all his living and all his striving. The ideal is a healthy mind in a healthy body, that man achieves and builds within himself the wholeness that makes not only for happiness, but holiness. Carlyle remarked once that health had the same meaning as the word, "holiness." (Holiness comes from doing the will of God, obeying His law respecting the laws of nature, which means the correct use of the sexual power that God gave man. It is in this way that a man begins to fulfill his own destiny and to know happiness in this life—as a prelude to the unending and everlasting happiness which God intends for him.)

CHARITY

Measuring charity

Few of us are intentionally unkind or uncharitable. We do not go about trying to find ways of being mean and cruel. If we are uncharitable, it is because we are thoughtless or so concerned with our own affairs that we do not see the need of others. How, then, can we know when we have acted charitably? Is there some way of measuring our actions toward other people?

First, we must ask ourselves a basic question, a question which deals with the entire matter of motivation: Is what I am about to do in conformity with the way God wants me to act?

God requires of all men that we love one another even as He has loved us.

Beyond this general principle, a simple rule of thumb to determine the charity in anything we think, say or do is to ask ourselves three simple questions—is it true, is it necessary, is it kind?

Strange as it may sound to you at first, even uncharitable thoughts are considered wrong in the eyes of God. Holy Scripture has a passage which states most sharply that out of the heart proceed all evil words and deeds. Modern psychologists recognize the fact that when an individual carries within himself unkindness, uncharitable thoughts, the thoughts of wrong deeds, then those unseen thoughts can eventually affect a person's words and actions.

Have you ever considered the damage that can be done by uncharitable words? Gossip is one of the deadliest of all evils. Gossip likes to have at least a small grain of truth to start with. From there, however, gossip snowballs, gathering size and momentum each time it is repeated until the original is hardly recognizable. That is why we must always ask the question, "Is it true?" before passing along information or talking about someone. We must have the facts first, and even after we are sure of them, we must ask ourselves; should I share them with others, and would it be kind to do so.

Consider this incident from the life of a noted British coin collector, Dr. Seltman. On one of his trips across the Atlantic, he brought along one rare coin of which he was especially proud. As far as he could determine only two such coins were extant.

On board ship one day he passed this coin to a group of friends. They handed it on, from one to the other, as Dr. Seltman explained the marks and inscriptions on the coin.

Suddenly the coin was missing. Obviously one of the members of the group had slipped it into his pocket. Someone suggested that they all submit to a search. Everyone agreed, except one passenger. He excused himself, without giving any particular reason.

Quite naturally the other passengers concluded that he had stolen the coin. For that reason they shunned this passenger for the rest of the voyage. They wanted nothing to do with the thief.

Shortly before the ship docked at New York, one of the mess stewards, reaching down to pick up a spoon that had fallen to the floor, found the lost coin stuck under the leg of a table. He immediately returned it to its owner.

At this point the supposed thief reached into his pocket and pulled out a coin identical to the one that had been lost. The uncooperative passenger had the only other specimen known to exist. Circumstantial evidence made it appear as though he had been guilty of theft.

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[1] *Accident Facts*, Chicago National Safety Council, 1957 ed., p. 41.

[2] Edwin F. Healy, *Moral Guidance*, Chicago, Ill., Loyola University Press, 1968, p. 170.

[3] *Hollingsworth & Belknap, He Rides Beside You*, Stromberg Allen & Company, 1957, p. 84.

[4] *Ibid.* p. 48.

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He had excused himself from being searched, believing that, if the second coin, his own, were found on him, it would be mistaken for the first, and that he would not only lose the coin, but also be called a thief.

The passengers had passed on information which was untrue. What they said about their fellow passenger was harmful gossip. They had certainly not asked themselves our three questions before talking and before passing judgment.

Passing on rumors can be like administering deadly poison in many instances, for rumors are not based on knowledgeable fact. Often the results of rumors can cause terrible damage to individuals, to communities, to the Nation itself.

Even if gossip and rumors may be remotely true, one ought also ask the next question, "Is it needful?" Do you really have to say it? Will what you have to say help anyone?

More often than not somethings are better left unsaid. It is a matter of kindness, of love and charity, to keep one's mouth closed.

A good name, says the book of Proverbs, "is rather to be chosen than great riches."

Do you remember Shakespeare's famous lines:

"But he that filches from me my good name
Robs me of that which not enriches him,
And makes me poor indeed."

Since a man's reputation, like his life, is of primary importance to him, there is in the Moral Law one commandment which protects the reputation and honor of our fellow man. It reads, as you know, "Thou shalt not bear false witness against thy neighbor."

"Bearing false witness" sounds like the kind of thing you could do only in court. But this phrase refers to all forms of spreading gossip, slander, rumor, and idle tales which tend to drag someone's name down into the mud. Such destructive activity is forbidden by this commandment from God's Law.

Some things may be ever so true but very unkind to repeat. Therefore, we must ask ourselves the third question: "Is it kind?" Once an unkindness has left our lips, it cannot ever be recalled. "Four things come not back," says an Arab proverb: "Time past; neglected opportunity; the sped arrow; the spoken word."

Thus these three questions are to be applied to our thoughts and words. How about our deeds? Quite obviously our deeds of love must always be motivated by our love to the Creator. We should help people, not from a driven sense of duty, but with a fullness of love.

A study of the lives of men and women who have enriched human life discloses that they sought not the world's acclaim or gratitude but were concerned primarily with fulfilling their purpose in life and in winning the approval of God.

Dr. William Crawford Gorgas spent his life waging a relentless warfare against yellow fever. As he lay dying in London, he was visited by the King. In recognition of his conquest of this age-old disease which each year had taken thousands of lives, George V knighted him and pinned upon him the Harbin Gold Medal for his "services to mankind."

After expressing his appreciation to the King, Dr. Gorgas added: "I hope, however, that my real decoration will not be lacking when I pass on to the other world. My faith in God and eternal life is absolute." It is reasonable to assume that this was the real motive that sustained him in his long struggle against one of the worst enemies of mankind.

The charitable man goes through life sowing seeds; seeds of goodness, kindness, consideration, compassion, honor, decency. They are seeds of love; scattered abroad in every area of life, in thought, in word and in deed they will invariably bring forth a golden harvest.

The hand that stretches out to help a brother in need who can never repay will be strengthened, the kindly words and actions which we pour out upon our brothers will return to us in a variety of forms. The charitable man has the inner satisfaction of a life lived in conformity with what God asks of us, and he experiences the deep enrichment which must come from the practice of the greatest of all the virtues.

No man can fail when he is genuinely concerned with carrying out the Great Commandment: "Thou shalt love the Lord thy God with all thy heart, with all thy soul, and with all thy mind, and thy neighbor as thyself."

April 15, 1968.

Hon. David E. McGiffert,
Under Secretary of the Army, Department of the Army, the Pentagon:

It has come to our attention that all U.S. Army personnel are required to participate in a "Character Guidance Program," pursuant to Army Regulation No. 600–30. While we recognize the legitimacy of the Army's interest in the conduct of its personnel, it is our view that the program as currently conceived and conducted raises problems under the First Amendment to the Constitution of such a substantial nature as to make its continuation highly improper.

The Regulation governing this program states that its aim is "to strengthen in the individual those basic moral, spiritual and historical truths which motivate the patriot and which undergird the Code of Conduct." Although the program is said to be a command responsibility, it is specifically provided that "the chaplain normally will be the instructor for all Character Training," and that "training materials related to the objectives, and especially the moral aspects, of the Character Guidance Program will be prepared by the Chief of Chaplains." All personnel are required to receive Character Guidance instruction in amounts which vary with their enlisted or officer status and grade level. Our objection is not to the concept of a character guidance program as such, but to the religious flavor of that program as reported to us, and to the control and implementation of that program by the Corps of Chaplaincy.

Supreme Court decisions interpreting both the Establishment and Free Exercise Clauses of the First Amendment clearly proscribe programs of this kind. Moral and spiritual truths are matters about which men may greatly differ. A pluralistic society encourages and protects these differences and a free society allows all individuals to choose for themselves the religious views to which they will be exposed as well as those to which they will adhere. It is no part of the business of the government to interfere with or influence that choice. As the Court pointed out in *West Virginia State Board of Education* v. *Barnette,* 319 U.S. 624 (1943), ". . . no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion."

More specifically, decisions such as *Engle* v. *Vitale* 370 U.S. 421 (1962), and *Abington Township* v. *Schempp,* 374 U.S. 203 (1963) make it quite clear that the Character Guidance Program is a prohibited establishment of religion. Essentially it is a program under which Army personnel are compelled to attend lectures conducted by ordained ministers, dealing with subjects traditionally within the scope of the religious functions of such ministers. We are told that religious references and the use of Biblical texts as a part of these lectures is frequent. Even absent these sectarian materials or references, however, it is difficult to conceive of a program conducted by ordained ministers and embracing the aim of strengthening "moral and spiritual truth" which can be other than religious in nature. The *Schempp* case in which the daily reading, without comment, of Biblical verses in the public schools was forbidden, makes it plain that state sponsored activities of a religious nature are proscribed even absent the compulsory participation which is present in the Character Guidance Program.

A proper secular purpose underlying the Army Regulation would not vitiate the impropriety of the program. In one of the cases involved in the *Schempp* decision, the State's purposes, which were "the promotion of moral values, the contradiction to the materialistic trends of our times, the perpetuation of our institutions, and the teaching of literature," were not questioned. Nevertheless, Justice Brennan in his concurring opinion said, ". . . the State acts unconstitutionally if it . . . uses religious means to serve secular ends where secular means would suffice." Furthermore, even if the Army could be said to have a greater concern with the character of its members than the government ordinarily has with individual character, it would be insufficient justification for so significant an infringement upon First Amendment freedoms. "The war power does not remove constitutional limitations safeguarding essential liberties." *Home Building & Loan Assn.* v. *Blaisdell,* 290 U.S. 398; *United States* v. *Robel* 389 U.S. 258 (1967).

In light of the demonstrated invalidity of the Character Guidance Program, as it now operates, we urge that prompt action be undertaken by the Department of the Army to review Army Regulation No. 600–30 with an eye toward eliminating the program or recasting it so as to conform with constitutional requirements, if, indeed, such a recasting is possible. During the period of any such review, operation of the program should be suspended, or at the very least, participation therein should be made voluntary, so that further violation of individual rights may be avoided.

Lawrence Speiser,
Director, Washington Office, ACLU.

December 6, 1968.

Mr. Lawrence Speiser,
Director, Washington Office, American Civil Liberties Union, Washington, D.C.:

Last April you wrote Dave McGiffert regarding some questions about the Army's Character Guidance Program. You were particularly concerned about the presence in some Character Guidance materials of what you considered to be improper religious references. You may recall that shortly after your letter was received I spoke to you on the telephone and told you that we were undertaking a review of the program.

That review has now been completed, and it confirmed that there were a number of religious references in the prepared materials. While these religious references were, in terms of word count, a relatively small portion of all the materials used in the Character Guidance Program, I think it is fair to say that the number of such references indicated clearly that inadequate attention had been given in the past to assuring that the Character Guidance Program is wholly secular in its approach to training our personnel on matters of duty, honor and patriotism.

As a result of our review, we are revising all of the materials in question to eliminate passages with religious connotations. Furthermore, we have revised our control procedures to assure that materials prepared in the future will be reviewed in a manner which should prevent the problem from recurring. Finally, we have again emphasized that Army Chaplains, in conducting this program, are performing a military function on behalf of the Command, and are not to use the Program in any way as a religious training program. The Chaplain has an entirely proper role in dealing with the religious problems of those who come to him of their own volition for religious counseling and guidance, but it is quite important that he separate that role from the one involved in the Character Guidance Program.

I appreciate your bringing this matter to our attention.

Robert E. Jordan III,
General Counsel, Department of the Army.

QUESTIONABLE USE OF CHURCH FUNDS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ASHBROOK. Mr. Speaker, as with other areas of our society, the high cost of living no doubt has had its effect upon the operations of the many churches throughout the land. An added burden which our churches can do without is the possible alienation of members of its congregations due to the use of church funds for questionable causes. Two articles from yesterday's issue of the New York Times and the Chicago Tribune illustrate the issue.

The "Trib" article by Ronald Koziol reports on the activities the Interreligious Foundation for Community Organization, as outlined by Police Sgt. Robert Thoms of the Los Angeles Police intelligence division. According to Sergeant Thoms, the IFCO, an organization financed by 10 major church denominations, had contributed since late 1966 a total of $774,514 to community groups involved in militant or disruptive activities.

The Times story is a followup on a more direct and unique attempt to latch on to church funds, namely, the demanding of "reparations" money from the Riverside Church of New York City by James Forman, an official of the Student Nonviolent Coordinating Committee and spokesman for the National Black Economic Development Conference. It will be remembered that the SNCC official disrupted services at the church on May 4 and demanded 60 percent of the church's income as "reparations" for past injustices to Negroes. Last Sunday he again appeared at Riverside Church and after the service he was joined on the church steps by none other than Rev. Lucius Walker, the executive director of the IFCO, who stated that Forman's National Black Economic Development Conference had the support of the IFCO. Whether officials of the 10 major church denominations who fund the IFCO concur with Reverend Walker and the Forman gambit would make an interesting query. At any rate, according to the Church Tribune article the IFCO is under investigation by Federal authorities for its contributions to questionable causes.

I insert the two above-mentioned articles by Ronald Koziol of the Chicago Tribune and George Dugan of the New York Times in the Record at this point:

[From the Chicago Tribune, May 12, 1969]

Police Find Church Funds Aid Militants

(By Ronald Koziol)

An organization financed by 10 major church denominations has donated hundreds of thousands of dollars to black militants in Chicago and thruout the nation. The Tribune learned yesterday.

The organization, the Interreligious Foundation for Community Organization, which is based in New York City, is now under investigation by the federal government because of its contributions to militants.

Founded two and a half years ago, the I.F.C.O. is bankrolled by agencies of Protestant, Roman Catholic, and Jewish churches.

DISCLOSURE EXPECTED

Disclosures of the link between the militants and the church-sponsored I.F.C.O. are expected to be made tomorrow by Sgt. Robert Thoms of the Los Angeles police intelligence division at a meeting of the International Security conference at the Sherman House. The three days of seminars are being held for security personnel and are sponsored by Security World Publishing company.

Thoms said that what began as a routine investigation of a Los Angeles group in January has turned into a comprehensive report which has been turned over to two federal agencies for a more detailed inquiry.

However, Thoms' investigation disclosed the names of many militant groups funded by I.F.C.O., including the Garfield organization in Chicago which received $20,000. The group has participated in militant civil rights action against businesses, and in April, 1968, several of its officers were arrested and charged with conspiracy to commit burglary and arson. The arrests came in the aftermath of rioting and looting on the west side.

According to Thoms, I.F.C.O. has disbursed $885,831 since it was founded on Nov. 11, 1966. He learned that $774,514, or about 83 per cent of the total, was granted to community groups involved in militant or disruptive activities.

GROUP IS TAX EXEMPT

The I.F.C.O. was described by Thoms as a nonprofit tax exempt interfaith coalition created to coordinate development of community groups and to provide funds.

He explained that "this is an example of tax-exempt monies being utilized for noncharitable organizations bent on destroying what Americans believe in."

Thoms emphasized that his investigation was not attacking the churches. "But I would like to draw attention to the fact that church people may unwittingly be falling into sentimental traps and are not careful enough about where they are putting their money," he said.

Members of the I.F.C.O. were identified by Thoms as the American Baptist Home Missions society; Board of Homeland Ministries of the Church of Christ; Board of Missions of the Methodist Church; Board of National Missions of the United Presbyterian church; executive council of the Episcopal church; general board of Christian Social Concerns of the Methodist church; American Jewish committee; Catholic Committee for Urban Ministry; National Catholic Conference for Interracial Justice; and the Foundation for Voluntary Service.

SECRETARY DENIES ACTION

Thoms' investigation disclosed that six of the member groups are members of the National Council of Churches. He interviewed D. David Hunter, associate secretary of the council, who denied that the council ever gave money to support the I.F.C.O.

According to Thoms, Hunter also told him that the council has no control over member groups and the dispersal of its money.

Other groups receiving funds from the I.F.C.O., and contained in Thoms' files, include:

The Community Improvement Alliance of Jersey City, N.J., which received $64,341. Alliance officers have also been identified as officers of the Black Panther party of Jersey City.

MORE ARE LISTED

The Los Angeles Black congress, which received a grant of $35,000, and which has participated in high school demonstrations, walk-outs, and other disruptive activities in the south Los Angeles area. Thoms notes that its director has acted as chairman for several Black power rallies.

United Black Community organizations, Cincinnati, O., $44,000. This is a coalition similar to the Los Angeles Black congress. Thoms described its director, Harold Hunt, as "the militant of all militants."

[From the New York Times, May 12, 1969]

Forman Stands Through Riverside Sermon After Denouncing Church Trustees as "Racist Businessmen"

(By George Dugan)

James Forman, the black militant leader, stood silently during the 20-minute sermon yesterday at Riverside Church, except for occasional whispered words of "peace, peace."

His demeanor was in sharp contrast to last week's visit to the church, when he interrupted a communion service by demanding "reparations" for Negroes for the deprivations he said they had suffered in the white capitalist system.

Before entering the huge gothic edifice, Mr. Forman read a statement from the church steps in which he described the Riverside trustees as "white racist businessmen." Then, with 15 of his aides, he marched down the center aisle and quietly occupied two pews up front. They remained seated as the more than 2,000 worshippers stood and joined in congregational singing.

But moments after the Rev. Dr. Ernest T. Campbell, senior minister of the church, began his sermon, the black leader rose to his feet and stood throughout Dr. Campbell's talk.

At least a score of plainclothes men were on hand to maintain order if required.

Garbed in a robin's egg blue African gown and with his hands clasped over a black, white-handled cane, Mr. Forman barely moved. Occasionally, he uttered the words, "peace, peace" in little more than a whisper.

Later, asked why he chose to stand during the sermon, he replied, "I guess the spirit moved me." When the collection plate was passed, Mr. Forman and his followers ignored it.

The bearded, 40-year-old black militant who organized and serves as chief spokesman for the National Black Economic Development Conference, and is official of the Student Nonviolent Coordinating Committee, arrived at the church at 122d Street and Riverside Drive shortly before the 10:45 a.m. service began.

He immediately mounted the church steps and read to the assembled newsmen a 1,500-word statement.

The document said the Black Conference, which is seeking the so-called "reparations," had no quarrel with Dr. Campbell but was only trying to "expose the board of trustees of this church as rich, white racist businessmen who are manipulating the church for their financial interest."

It called upon "all black people across this country, and especially our black brothers and sisters in the churches," to arm themselves with shotguns "to stop the violence of the racist white man."

A week ago, when he interrupted the service at Riverside, Mr. Forman read his "Black

Manifesto," demand that churches and synagogues pay $500-million in "reparations" to black Americans because these institutions were representative of white society.

The statement also described a talk delivered by Dr. Campbell on Saturday night over Riverside's radio station WRVR as "totally inadequate and insulting."

CHURCH FOR AIDING POOR

The Riverside minister said the church had agreed to make a fixed percentage of its annual budget available to a responsible fund for the "rapid" improvement of all disadvantaged people.

Yesterday, a church spokesman made it clear that Riverside had no intention of giving money to Mr. Forman.

At a news conference held in the church's basement assembly hall following the worship service, Mr. Forman and Dr. Campbell engaged in a discussion on what would constitute a responsible black channel for the reception of funds.

The result was something of a stand-off, with Mr. Forman recommending his Black Conference, working through the Interreligious Foundation for Community Organizations; and Dr. Campbell professing inadequate knowledge of either body.

The Interreligious Foundation is composed of several Protestant, Roman Catholic and Jewish groups.

The Rev. Lucius Walker, executive director of the foundation, appeared at yesterday's news conference with Mr. Forman on the steps of the church. He later confirmed Mr. Forman's statement that the National Black Economic Development Conference had the foundation's support.

In a personal statement, the foundation's president, Rabbi Marc Tanenbaum, rejected the "revolutionary ideology and racist rhetoric" of the manifesto and repudiated the "tactics of disruption of churches and synagogues." Rabbi Tanenbaum said the foundation's constitution required him to step down as president at the end of his second term, June 10, but that he would probably remain a member of the board.

On Friday, the trustees of Riverside obtained a temporary restraining order enjoining Mr. Forman from creating further disruptions at the interdenominational church. Later in the day, the black militant burned a copy of the order on the steps of the chancery office of the Roman Catholic Archdiocese of New York after presenting his demands for "reparations" to the Catholic Church.

Some worshipers at Riverside saw the court order as the reason for Mr. Forman's less belligerent attitude yesterday. But several of the church officials interviewed after the service remained incensed at Mr. Forman's tactics on the previous Sunday.

R. L. Dickinson, clerk of the church, said he "hated to see anybody yield to blackmail."

The Rev. Dr. Henry Smith Leiper, a deacon and a former associate general secretary of the World Council of Churches, called Mr. Forman's tactics "a plain holdup" involving "threats and intimidation."

Dr. Leiper said he had always been a "keen advocate" of the Negro cause, but Mr. Forman's attempted "confiscation" of property "out-Marxes Marx" and "smacks of Hitlerism."

He labeled the "Black Manifesto" as reflecting "out-and-out Communist doctrine."

NATIONAL POLICE WEEK

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BIAGGI. Mr. Speaker, this week of May 9–15 has, appropriately, been set aside to honor the distinguished policemen all over the Nation who are this very minute protecting the lives and property of our citizens. We are indebted to these men for the work they are doing to make this Nation a safe and therefore better place to live.

Some of my colleagues know that in one way I am patting myself on the back when I compliment our law enforcement officers because I, myself, am a retired policeman. I am also proud to say that I serve as president of the National Police Officers Association of America.

From experience, I have learned the difficulties that the job of law enforcement entails—the challenges that every policeman faces. Among these are the problems concerning human relations—problems that arise out of the intimate contacts between the police and the community. The President's Commission on Law Enforcement and Administration of Justice has noted:

> Policemen deal with people when they are both most threatening and most vulnerable, when they are angry, when they are frightened, when they are desperate, when they are drunk, when they are violent, or when they are ashamed. Every police action can affect in some way someone's dignity, or self-respect, or sense of privacy . . . As a matter of routine policemen become privy to, and make judgments about, secrets that most citizens guard jealousy from their closest friends: Relationships between husbands and wives, the misbehavior of children, personal eccentricities, peccadilloes and lapses of all kinds. Very often policemen must physically restrain or subdue unruly citizens.

Out of these situations there are bound to be contacts that will upset, or provoke or anger.

Perhaps the most important challenges the policeman faces today are the problems of patrolling and making arrests in black and other minority neighborhoods, managing a hostile or riotous crowd and protecting demonstrators. We have not yet found any easy solutions to these problems. But we have developed and encouraged what we call a community relations program in many cities whereby police and citizens are working together to reach a mutual understanding. Such programs involve long-range efforts to acquaint the police and the community with each other's problems. They are designed to stimulate action which will further the interest of the whole community.

To do an effective and worthwhile job, law enforcement officers need the support of the people they serve. A community relations program can go a long way toward reducing citizens hostility against the police as well as police indifference to or mistreatment of citizens.

Recognizing the needs of black people to have a high representation in the police force, many police departments in large cities are, today, giving high priority to the recruitment of black officers. They are also making a sincere attempt to deploy and promote them fairly. In these areas and in others many policemen are showing the willingness and ability to deal understandably and constructively with their increasing responsibilities. They are making serious attempts to adapt to the rapidly changing patterns of behavior in this country.

Realizing the threat that crime poses to the peace and security of the Nation, the 90th Congress took steps to help State and local governments more effectively prevent and control it with the passage of the Omnibus Crime Control Act. Through this act, Federal funds are now helping States, in cooperation with local communities, develop comprehensive crime control plans. The act provides for financial aid to law enforcement officers pursuing college degrees. Federal funds granted to State planning agencies will be used for a myriad of projects such as public protection—that is, the development and implementation, and purchase of methods, devices, and equipment designed to improve and strengthen law enforcement and reduce crime; also the recruiting and training of policemen, public education relating to crime prevention, combating organized crime, training and educating law enforcement officers in prevention and control of riots, programs to train community service officers who would work to improve police-community relations and encourage community participation in crime prevention; in short, any activity which can best improve police capabilities in furthering public safety.

Great strides were made by the Omnibus Act; greater strides need still to be made if our local law enforcement officers are to receive enough Federal funds to meet the increasing demands we are making on them.

The police need our support badly. We must decide for ourselves just what we expect from our law enforcement officers and what duties we wish them to perform for the good of the community. And when they perform these duties we must rally behind them and give them the encouragement they so well deserve.

I urge all citizens to take advantage of this opportunity—National Police Week—to honor the police officers of your own community with a concerted effort to understand and appreciate the duties they perform for us all.

WAKE UP, PROFESSORS

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. QUIE. Mr. Speaker, the public demand for restoration of a learning environment on universities and colleges today matches the cry for an end to the Vietnam war and tax reform. The public will have its way.

Defying reason, representatives of the American Association of University Professors adopted a resolution attacking the statement of Attorney General John Mitchell when he called for resolute action by university administrators, faculty members, and apathetic students to clear their campuses of violence. The AAUP castigated the Mitchell statement by suggesting it was a policy which is a direct threat to academic freedom and autonomy.

Academic freedom may need definition. By implication, the AAUP statement suggests that academic freedom

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condones student violence and the deprivation of education from the majority by the minority. This freedom is not academic freedom, but unlicensed and irresponsible action.

Academic freedom always meant in my mind the right to search for truth. The ultimate goal of this search was realization of the quotation, "The truth shall set you free." A subsidiary theorem was that right would overcome might through rational processes.

Academic freedom is not listed in the Bill of Rights, but it is by convention, generally accepted to be on a par with the rights in the Constitution. Very few would elevate this right above those specifically itemized in the Constitution. Yet, the AAUP statement appears to place its tortured definition of academic freedom above the rights of nonviolent students seeking an education.

Some student revolutionaries today believe they alone possess the truth. They believe they have the right to use violence to bring about the revolution to bring down the present establishment and allow their truth to fashion the new society. No one has yet, to my knowledge, defined the societal structure which will rise from the revolution. Their thesis needs to be examined in the processes of genuine academic freedom to discover what truth and what error is contained therein.

Academic freedom may be endangered. If it is, it is only because those who are responsible for guarding and nurturing this freedom have failed in their obligation.

Mr. Speaker, I submit editorials from the Rochester, Minn., Post-Bulletin and the St. Paul Pioneer-Press on the crisis in higher education. They speak for countless editors and citizens in our Nation today:

[From the Rochester (Minn.) Post-Bulletin, May 5, 1969]

Wake Up, Professors

There are none so blind as those who will not see, wrote Mathew Henry in his "Commentaries" more than 250 years ago.

Surely that piece of wisdom is applicable today to members of the American Association of University Professors who approved overwhelmingly Saturday a resolution highly critical of President Nixon and Atty. Gen. John Mitchell for voicing strong disapproval of campus violence.

Meeting in Minneapolis, the professors said the statements by the President and attorney general present "a direct threat to academic freedom and (campus) autonomy."

Good God, professors, wake up! The threat to academic freedom comes not from the White House and the Justice Department; it comes from radical students who seize buildings and throw out deans, who throw fire bombs, who destroy equipment and records, who stand with rifles and shotguns in classroom buildings, who prevent the majority of students from attending classes, who terrify faculty and student body alike, who force the closing down of universities. Wake up, professors!

President Nixon, last Tuesday, said: "There can be no compromise with lawlessness and no surrender to force if free education is to survive." And although he welcomed peaceful dissent, the President added: "When we find situations in numbers of colleges and universities which reach the point where students in the name of dissent and in the name of change terrorize other students and faculty members, when they rifle files, when they engage in violence, when they carry guns and knives in the classrooms, then I say it is time for faculties, boards of trustees and school administrators to have the backbone to stand up again this kind of situation."

The President of the United States is 100 percent correct in that statement and everybody but the professors must know it. Wake up, professors!

Atty. Gen. Mitchell, in a Law Day speech last Thursday, said: "I call for an end to minority tyranny on the nation's campuses and for the immediate re-establishment of civil peace and protection of individual rights. If arrests must be made, then arrests there should be. If violators must be prosecuted, then prosecution there should be. It is no admisison of defeat, as some may claim, to use reasonable physical force to elminate physical force."

The attorney general of the United States is 100 per cent correct in that statement and everybody but the professors must know it. Wake up, professors!

It's okay for these academics to be softhearted; that's part of the Halls-of-Ivy and Ivory Tower tradition. But out in the real world there can be no excuse for their softheaded "grave concern" about threats to academic freedom by the President and attorney general.

The threats actually come from a hard core of militant "student" anarchists whose real goal is not reform, but destruction, of higher education. And these blind professors who will not see had better wake up or they will find their beloved ivory towers in rubble and ashes at their feet.

[From the St. Paul (Minn.) Pioneer-Press, May 4, 1969]

Ignoring Real Threat

Representatives of the American Association of University Professors engaged in some curious intellectual gymnastics when they called Atty. Gen. John Mitchell's call for an end to campus violence "a direct threat to academic freedom."

If these professors want to see the greatest threat to academic freedom in existence today, they have but to look at the gun-toting, building-burning, window-smashing, obscenity yelling students on many of their own campuses. These are the people who are tramping on the rights of others—students and faculty, alike—and who are rendering the universities helpless to teach.

Mitchell, in a Law Day speech in Detroit, referred to campus hell raisers as "nothing but tyrants" and had some harsh words for "others who share the blame by failing to act."

"University administrators must take firm and immediate action," Mitchell said. "Faculty members should stop negotiating under the blackmail threat of violence. Apathetic students should stand up for the rights of those who wish to pursue civility and scholarship.

"When people may be injured, when personal property may be destroyed and when chaos begins, university officials only aid lawlessness by procrastination and negotiations."

Some 800 representatives of the AAUP, who met in Minneapolis over the week end, replied with a resolution that said Mitchell's remarks "suggest a policy which is a direct threat to academic freedom and autonomy.

"The present tragic season in our intellectual life must not be made the occasion for premature or punitive intervention by public officials and law enforcement officers," the resolution said.

One gets the impression that these professors feel the campus is a sanctuary where people are free to practice barbarianism without fear of reprisal.

The fact is that in the United States it is just as illegal to burn a university building or attack a Navy recruiter on campus as it is to bomb a barber shop or slug a little old lady on the street.

The bitter truth is that the faculties, more than anybody, are responsible for the "present tragic season." Their years of indifference to student unrest have been followed, in many cases, by an unwillingness to cope with or condemn student violence.

Indeed, some faculty members have joined the student advocates of violence and vandalism (which seems like a wholly irrational position for anyone dedicated to the triumph of mind over matter) and others have been willing to give away control of their universities to young militants under various threats of flames, fists and gunfire.

If American university professors want to avoid government arrests on their campuses, they had better set about the task of restoring order and administrative control at schools where the militants have gone wild.

The public is tired of seeing school buildings wrecked, people beaten up and guns carried on campuses in the name of academic freedom. It doesn't take a college degree to deduce that if the faculties and administrators won't act to stop the destruction of our universities, then society must.

THE WINN REORGANIZATION PLAN

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. WINN. Mr. Speaker, on Wednesday, May 8, I offered the following statement as part of my testimony before the Subcommittee on Executive and Legislative Reorganization of the House Government Operations Committee. I wish to bring my remarks and the resolution of the Kansas Legislature to the attention of my colleagues:

The Winn Reorganization Plan

Mr. Chairman, and distinguished members of the committee, first of all, let me make it perfectly clear that my views to be expressed in this hearing, or my views reported in the public press, are not intended to criticize the fine efforts being made by the administration in the proposed restructuring of Government service systems. On the contrary, I think that the administration should be commended for its work in this area, particularly Mr. Sam Hughes and Mr. Dwight Ink of the Budget Bureau.

I think, too, that we must concur in the administration's basic logic behind its reorganizational efforts. The organization of the Federal service has grown rather piecemeal—creating gaps in some areas, duplications in others, and general inefficiencies across the country. Unfortunately, each agency has its own set of regional boundaries and its own location for its regional offices making program coordination between these agencies on the local and regional levels almost impossible. The advantages of having the regional offices of the five agencies that provide important social and economic services within the same metropolitan area are obvious.

It is, then, in the spirit of our American traditions of open, honest, and forthright discussion that I offer my remarks and recommendations.

As I see it, there is one main problem with the newly proposed regions west of the Mississippi River. They are just too large geographically to allow effective utilization of the services which their centers must provide. For example, the proposed Region VII encompasses almost 25% of the land area of the United States. Travel by regional offi-

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cials within this region would be extremely time consuming compounded by the fact that there would be 2 hours time difference between the eastern and western parts of the region.

This excessive size results in a couple of other problems. One is the lack of adequate transportation facilities within the proposed regions. The other is the lack of homogeneity between these states. The needs of the various states in the new regions are dissimilar in many instances. Plus the fact that for the most part, many of these states are not even in the same trade area.

Basically, my recommendations are that there be five regions west of the Mississippi River, excluding Minnesota, instead of the proposed three. This would bring the total number of regional centers in the U.S. to 10 instead of the proposed 8.

Let's examine the alignment in the regions that I am proposing, which, by the way, except for Minnesota, are already being used as the boundaries for the Regional Centers of the United States Civil Service. Also, three of the five proposed regional centers under this plan are proposed regional centers under the Budget Bureau's new reorganizational plan. Four of the five proposed regional centers under this plan already have regional offices of some of the five agencies being reorganized under the Administration's plan. For example, as we all know, Kansas City has the regional offices of Health, Education and Welfare, Office of Economic Opportunity and Department of Labor.

Region "A" would be comprised of North Dakota, South Dakota, Nebraska, Kansas, Iowa, and Missouri, with Kansas City as the Regional Center.

Region "B" consists of Oklahoma, Texas, Arkansas, and Louisiana, with Dallas-Fort Worth as the Regional Center.

Region "C"—Wyoming, Colorado, New Mexico, Utah, and Arizona with Denver as the Regional Center.

Region "D"—Washington, Oregon, Idaho, Alaska and Montana with Seattle as the Regional Center.

Region "E"—California and Nevada, with San Francisco as the Regional Center.

My proposed regions take many factors into consideration.

First, the matter of distance. All of the proposed regions would allow maximum feasible accessibility. The regional districts would be smaller permitting far less travel time between cities and greater personal contact between local officials and senior level regional officials.

I believe homogeneity of the states in my proposed regions is as great as can be developed without separating individual states, thus simplifying the administration of federal programs.

These are all important factors:

It is very important that I make the final point. The plan I have proposed is meant to be nothing more than an alternate to the Administration's original proposal. It is based on sound and tested reason. However, I have no pride or authorship in this proposal. I make no demands that it be met to the letter. My concern is that the Administration's recommendations be weighed against the many other factors available and that a proper decision be arrived at.

The Nixon administration has developed a program of re-organization that is outstanding. I don't feel that the flaw that I see will tarnish its good works. Let's be positive in our approach and let's examine all of the facts.

It will interest you to know that I have received favorable comment on this plan from many of the public officials in Kansas and Missouri, as well as a seeming unanimity of acceptance among the Kansas and Missouri Congressional delegations.

In addition, I have discussed this plan with members of the White House staff who said that every consideration would be given.

I think the concern of the citizens of the Great State of Kansas is best expressed by Senate Concurrent Resolution No. 36 adopted by the Kansas Legislature on April 15, 1969. The resolution endorses my plan but more importantly, expresses the sentiment that Kansas City should be designated as a Regional Center under the Administration's reorganization plan. I would request that SCR 36 be made a part of the record.

SENATE CONCURRENT RESOLUTION NO. 36

A concurrent resolution requesting the President of the United States to reconsider his executive order transferring the regional offices of numerous federal agencies from Kansas City, Missouri, to Denver, Colorado, and further requesting that the cities of Kansas City and Denver be established jointly as centers for federal offices within prescribed areas of the region

Whereas, Richard M. Nixon, President of the United States, has established, by executive order, the city of Denver, Colorado, as the location for the regional offices of numerous federal agencies in an eleven-state region; and

Whereas, Said region includes the mid-western states of North Dakota, South Dakota, Nebraska, Iowa, Kansas and Missouri; and

Whereas, The regional offices for many of the federal agencies which are proposed to be located in Denver are now located in Kansas City, Missouri; and

Whereas, The regional offices of the federal agencies located in Kansas City, serving the aforementioned mid-western states, serve a large territory and a large number of people: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature and the people of the state of Kansas respectfully request Richard M. Nixon, President of the United States, to reconsider his decision to establish the regional offices of numerous federal agencies for an eleven-state region in the city of Denver, Colorado; and

Be it further resolved: That the legislature and the people of the state of Kansas request the President to give consideration to establishing two regional centers for federal offices within said eleven-state region: One center to be located in Kansas City, Missouri, to serve the mid-western states of North Dakota, South Dakota, Nebraska, Iowa, Kansas and Missouri, and the other to be located in Denver, Colorado, to serve the five remaining states in the rocky mountain area of said region; and

Be it further resolved: That the secretary of state be instructed to transmit a copy of this resolution to Richard M. Nixon, President of the United States; to each member of the congressional delegations from the states of Kansas and Missouri, to Mayor Ilus W. Davis of Kansas City, Missouri; and to Mayor Joseph H. McDowell of Kansas City, Kansas.

NITROGEN FACTS AND FALLACIES

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. SEBELIUS. Mr. Speaker, recently we have seen much in the news media and heard much from men of science and from concerned Americans in all walks of life regarding serious criticisms of what agriculture and industry may be doing to upset our environment.

The upshot of all this, it seems to me, is that man should try harder to leave his environment a better place for future generations and I sincerely hope we can begin to make strides in this direction.

However, in our efforts to accomplish this goal, I wish to point out we should consider all of the scientific evidence available before we jump to any quick conclusions. Mr. Speaker, it is in this light that I would like to call attention to an article by W. H. Garman, vice president of the National Plant Food Institute in Washington, D.C., in the April issue of the Agricultural Chemicals magazine.

In his article, Mr. Garman makes some interesting comments about modern-day technology and its effects upon the nitrogen cycle so important to man's well-being. I might add this article is quite timely in that the end of this month marks the deadline when farmers in my district terminate grazing operations on excess wheat acreage. Dr. Harold E. Jones, the Kansas State University specialist on crops and soils, has underscored the importance of returning nitrogen to the soils by as much as 40 pounds per acre to insure adequate nitrogen for pasture and grain production.

Mr. Speaker, under unanimous consent I include these remarks and Mr. Garman's article within the Extensions of Remarks in today's RECORD:

NITROGEN FACTS AND FALLACIES

(By W. H. Garman)

In recent months, there have been serious criticisms of what agriculture and industry may be doing to "upset our environment." One individual in particular, Dr. Barry Commoner of Washington University, St. Louis, has made a concentrated attack on the nitrogen cycle, and what modern-day technology is doing to upset it. He says that "The nitrogen cycle is very vulnerable to human intervention. In the U.S., the over-all annual biological turnover of nitrogen amounts to about seven or eight million tons." Actually, the amount is vastly greater than that, as I will point out later.

He continues: "At the present time, technology and agriculture introduce into this cycle about seven million tons of nitrogen compounds from chemical fertilizers, and two to three million tons of nitrogen compounds generated by automobile exhausts and power plants."

While these quantities of nitrogen may have significance in the nitrogen cycle, I would like to suggest that they are very small in comparison with the total amount of nitrogen long present in our soils. He says that "The great bulk of the earth's nitrogen is represented by the nitrogen gas in the air." How wrong can one be? Actually, the nitrogen in our atmosphere represents only two percent of the world's nitrogen, and this two percent includes the 35,000 tons of elemental nitrogen that exists in the air over every acre of the earth.

Also consider that, through various biological means, 100 million tons of nitrogen are fixed annually over the world's surface, chiefly by algae in water and bacteria on land. Only about one-fourth of this amount of nitrogen is fixed annually by commercial means. But, this commercial nitrogen is very important because it represents the difference between survival and starvation for most of mankind.

The nitrogen I have discussed thus far does not include the amount excreted by livestock.

XUM

I do not have figures for other countries, but for the United States it is estimated that around 10 million tons of nitrogen are contained in the 1.7 billion tons of animal excreta which must be disposed of annually. How fortunate we would be if there were an economical means of getting this excreta distributed over the land where its nutrients could be utilized, and filtered through the soil for sanitary purposes. Unfortunately, the cost of doing this exceeds the value of the nutrients and the organic matter, thus most of the vast 1.7 billion tons go to waste through one means or another, with much of the soluble constituents entering wells, streams, and lakes. Indeed, disposal of manure is one of the biggest problems facing mankind, yet it goes unmentioned by Commoner.

Another accusation made by Commoner is based on the fact that nitrogen occurs in living things, usually in combination with hydrogen rather than with oxygen. He makes quite a point of the fact that nitrogen in combination with oxygen is a form that does not exist very long in nature, except when it occurs in inorganic mineral deposits, and he says that "It is precisely this slender span of the nitrogen cycle which is most affected by human intrusion, for nitrogen introduced into the environment by technology is almost entirely in oxidized forms."

Now, I must take issue with this statement because the nitrogen introduced into agriculure in the form of commercial fertilizers is largely in the reduced form. Only about one-tenth of the nitrogen added in fertilizers last year in this country was in the nitrate form. Thus, almost 90 percent of it was in the reduced forms of ammonia and urea.

Of course, he admits that the ammonium and the amino forms are readily oxidized in fertile soils to the nitrate form. Fortunately, this is so because all nitrogen must pass into the No_3 form before most higher plants can use it. The nitrate form, then, is very important to the nitrogen cycle because it is essential to almost all plant life on earth.

He makes quite a point of inferring that nitrogen "intrusion" in fertilizers is serious, when actually the quantity thus introduced into our soils is very, very small, indeed, in relation to what is already there. I'll give details of this a little later on.

Commoner states that:

"The maintenance of the naturally low concentrations of oxidized forms of nitrogen is essential to the integrity of the earth-life systems. Important hazards to this system are generated when the concentrations of these nitrogen compounds are artificially increased. One hazard is pollution of surface waters by excessive amounts of nitrate. When the normally low level of nitrate in natural waters is increased, the growth of algae may be sharply enhanced. The resulting 'algal blooms,' which soon die, overburden the water with organic matter, which on being oxidized by microorganisms, depletes the oxygen content of the water, causing the natural cycles of self-purification to collapse."

Here's what Dr. D. R. Keeney of the University of Wisconsin says about such observations:

"Dr. Commoner is making a grave oversimplification when he equates algae growth in surface waters with the concentration of nitrate in the water. In fact, algae are plants and must have *all* nutrients in sufficient supply before they proliferate. Most studies indicate that either or both N and P are limiting nutrients. Environmental contamination certainly has added to the phosphorus load of lakes and streams—particularly from municipal and industrial sources. Because some species of algae are N-fixers, there is a strong possibility that phosphorus has stimulated these growths, causing N to be fixed biologically. Biological breakdown of these algae would then add to the nitrate load of surface waters."

Nowhere does Commoner mention that 40-some species of algae fix nitrogen and that these algae have been very significant factors in providing the nitrogen required to change so many of our ancient inland seas and lakes into peat bogs, coal beds, and muck soils throughout the world, and that these same species will continue to fix nitrogen in years ahead.

Reference is made by Commoner to the work required by plants to take nitrate into their root system. He reasons that when nitrate content in soil water is low, plants somehow find the necessary "energy" to pull in the nitrate.

It seems just as logical to reason that unless plants have a mechanism to exclude the NO_3 molecule, it will go wherever water goes. Whatever the processes involved, oxygen is required because every living cell respires. Don't forget that respiration can take place, and does, even under anaerobic conditions. Energy, likewise, is expended here. But, to supply the necessary oxygen in such instances the nitrate molecule itself is often the oxygen donor. So, here again, NO_3 is necessary.

Seemingly, supernatural powers are attributed to organic matter and humus. Of course, nobody can deny that in a fertile, sandy loam soil, for example, organic matter and humus will impart desirable qualities, but not necessarily on account of making the soil more permeable for oxygen to facilitate nutrient absorption by plants. Instead, the more desirable qualities from a plant-growth standpoint are imparted through improved moisture-holding capacity, and, to some extent, by greater nutrient-holding capacity.

Barring toxic substances, any soil that is fertilized properly will grow huge quantities of top and root material, sufficient to keep the soil in optimum tilth. In fact, the best practical and economical way to get organic matter down into the soil is to grow it there through proper fertiliztaion.

When plant nutrients are applied in proper amounts, and there is ample moisture for crop growth, very little nitrate or any other nutrient will escape the root zone by leaching. Frankly, I doubt if the amount of nitrate lost from any farming region where crops are harvested and where soil erosion is controlled, exceeds the amount being lost under virgin forest or grassland conditions. But, whatever amount is lost under native conditions, we should find out what it is as a benchmark for comparison with farming areas. Certainly, there has always been an appreciable quantity of nutrients in all waters prior to the days of man-made technology. Otherwise there would have been no marine life anywhere on earth, and there would have been no precivilization eutrophication.

The impression is given by Commoner that algal blooms are a result of man-made activities. Actually, algal blooms were in existence long before civilization reached this planet. Otherwise our vast areas of peat and muck soils would not have come into existence. Nourishment for the algal blooms that caused these deposits came chiefly from virgin forest, in the main, but also from prairies. Here's what Dr. Cecil Wadleigh of the USDA said about one aspect of eutrophication in a recent talk.

"The State of Minnesota is essentially a monument to the process of eutrophication. Seven and one-half million acres of the state are comprised of peat and muck. This is $1/7$ of the surface area. Minnesota's known reserves of air-dried peat are estimated to be 6.8 billion tons. Think of the fantastic plant growth that must have taken place in the waters of Minnesota long before any farming or domestic animals came upon the scene!"

The 6.8 billion tons of peat in this one state alone fixed more than 340 million tons of nitrogen, or more than 50 times the amount of all nitrogen fixed by commercial processes in the U.S. since the beginning of the nitrogen industry. Even today, the Minnesota deposits contain at least 100 million tons of nitrogen, according to Dr. Wadleigh.

Nobody knows how much nitrogen from Minnesota's peat beds gets into underground aquifers, but, no doubt, thousands of tons a year move into water channels. And, after a period of several centuries, some of the nitrogen may now be showing up hundreds of miles distant.

FAIRYLAND PICTURE

Another interesting sort of fairyland picture painted by Commoner is as follows:

"In a balanced natural system, the amounts of organic nitrogen and nitrate dissolved in water remain low, the population of algae and animals is correspondingly small, and the water is clear and pure."

To me, the picture is quite different by reason of the pre-civilized conditions and natural situations I have already cited, but beyond those I wonder how one could say "clear and pure" under a natural system such as prevailed in the Midwest as recently as the days of the buffalo. From accounts I have read, there were millions of these creatures grazing the grass into the ground and wallowing in every stream and pond. Indians and settlers going through the area could never find a decent place to get a drink of water. Certainly, the Midwest has much more clear and pure water today than in the days of the buffalo. Just as an added note about our great prairies, I have been told by people who should know that trout never thrived in the central part of this continent, from Canada down into the United States, in the region of tall and short native grasses, because the nutrient content of the streams was too high.

When considering decline in productivity of soils as our ancestors moved westward in early USA, one key point is overlooked by Commoner. He gives all of the credit to the process of nutrient removal by crops, whereas the topsoil too often was washed away by rainstorms and floods, taking the nutrients downstream. Even today, with our advanced farming methods, heavy rains carry vast quantities of sediment into our streams, rivers, and lakes. These sediments (about four million tons a year, half of which come from farms and ranches) contain valuable plant nutrients, and should be kept on the land.

Cost of getting the soil out of lakes and streams is 20 times the cost involved in keeping it on the land in the first place.

But, we cannot deny that our agriculture, up until very recently, was one of extensive soil mining and nutrient depletion. It is only within recent years that farmers in the USA have given serious attention to replenishment of nutrients to their lands, and this has largely been forced on them by their struggle to maintain economic crop and livestock production.

Thousands of experiments around the world have firmly established the value of fertilizer in helping to provide man's basic needs. Essential production of food and fiber is becoming more and more dependent on man's ingenuity in devising ways and means to thwart the adverse effects of nature. Advancing technology, so vital for civilized progress, never has been, is not now, and never will be in accord with nature. These are not my words, but rather those of Dr. Cecil Wadleigh, USDA. Nature could not sustain the world's population—not in food—not in clothing—not in shelter.

THE FATE OF FERTILIZER NITROGEN

Although lacking knowledge to analyze or to criticize constructively the effects of agriculture on the nitrogen cycle, Commoner does make one authentic point when he says that we lack the data needed to draw a total balance sheet. Here we would applaud his suggestion that we need to find out more about these effects.

But, consider some of the following interesting aspects relating to the nitrogen cycle.

Each person in the U.S. consumes about 92 grams of protein a day, about two-thirds of which comes from animal sources. In terms of nitrogen, this is equivalent to about 14.7 grams per day, with 4.3 grams coming from plant sources and 10.4 grams coming from animals. For each gram of animal protein nitrogen, there must be supplied to animals 10 grams of nitrogen as plant protein or urea. Adding this all up means that, in the U.S., we are consuming 8.7 million tons of nitrogen per year from proteins in our food.

This 8.7 million tons does not include nitrogen ingested as amides or amino acids. It does not include nitrogen in foods exported to other countries. It does not include nitrogen consumed in production of fibers, such as cotton, wood pulp, and timber. It does not include nitrogen used on lawns or ornamentals. It does not include the high losses of nitrogen occurring by denitrifying processes in soils. These are the figures of Dr. Wadleigh, whom I have already mentioned, and those of Dr. W. H. Allaway, director of the U.S. Plant Soil and Nutrition Laboratory, Ithaca, N.Y. These individuals are among the world's authorities in soil chemistry and plant nutrition.

Since little of the 8.7 million tons of consumed protein nitrogen finds its way back onto our fields, we might say that the approximate seven million tons of chemical nitrogen used in fertilizers even fall short of balancing this outlet of nitrogen from the system.

Another internationally known soil scientist, Dr. George Stanford of the USDA, has calculated that cultivated soils in the United States over the past 100 years have lost 35 billion tons of organic matter from the surface 40 inches. This is equivalent to 1.75 billion tons of nitrogen. Most of this loss has occurred through mineralization and denitrification since the turn of the century. According to Dr. Stanford, this means that during the last 70 years of our agricultural history, loss of organic nitrogen has approached 20 million tons a year. How long will it be until we are applying enough commercial nitrogen to half-way balance such a loss? In any event, such a big annual loss of nature's own reserve of nitrogen casts doubt that the present use of seven million tons of it a year can be doing very much to inflate the nitrogen reserves in our soils. Also, consider that the total amount of nitrogen being removed by crops from soils in the U.S. now is about two million tons greater than the quantity applied in fertilizers.

Soils have tremendous natural processes for decomposing and nitrifying organic sources of nitrogen. Inorganic sources of nitrogen, such as ammonia and urea, when added to the soil, are likewise nitrified. The end product is NO_3, the most critical nutrient form limiting growth of microorganisms in the soil. Additions of nitrogen rapidly stimulate biological activity and multiplication of all life in the soil. This life has the capacity to "fix" large quantities of nitrogen every year. Of course, about the same amount is mineralized and made available during a favorable growing season as is fixed into bodily protoplasm, but during these processes plant roots must compete with the soil organisms for available sources of nitrate. Often, plant roots cannot find a sufficient supply for optimum plant growth because these organisms are assimilating most of the NO_3.

It is my belief, based on lysimeter experiments, that where plants are actively growing, little nitrate escapes below the root zone. But, when plants are not actively growing and absorbing nitrate, such as is the case in California where native vegetation in the valleys grows only part of the year, some of the nitrate will move deeper into the soil as water may move. It is interesting to observe that Drs. Stout and Burau of the University of California found, from an extensive study of uncropped soils, that there can be high nitrate concentration throughout the soil profile down to the watertable, at depths of 20 feet or more. Concentrations of more than 100 ppm were quite common in their studies. The source of this nitrogen is given as "biological conversion of plant residues and nitrogen fixation." They explain a mechanism by which the underground water reservoir receives percolating water containing 113 ppm of nitrate directly from the soil as a result of vegetative cover and climatic sequences, without any fertilizer contribution whatsoever within the last five years.

The work of these outstanding California scientists convinces me that legume stands can contribute nitrate to percolating waters, at least in a climate where growth is dormant part of the year, and thus I must disagree with Commoner's statements that under natural conditions, or under legume stands, practically nothing is lost to underground drainage. Actually, I believe such losses are probably far greater than under cultivated conditions where crop plants are harvested from the land. Remember, that cultivation stirs up the organic matter in soils and brings on faster decomposition.

In fact, the California scientists say that "tillage of native soils is probably one of the most significant factors in releasing nitrate to underground waters because of the enormous store of nitrogen in the organic matter of most soils and the speed with which nitrate is released from organic matter when oxidation is increased by tillage."

The points to be made here are (1) that the amount of nitrogen already in most soils is vastly greater than any amount now contemplated to be added for crop production, and (2) already in nature there is an appreciable loss to underground waters.

Although the soil is the best natural filtering system in nature, it is scientifically established that nitrate does pass through that medium, and that significant quantities have been doing so for ages prior to the advent of civilization. This is at least one reason why in the Prairie regions of the Midwest, long before the days of fertilizer use, there were rural health problems associated with nitrate in drinking waters. To our knowledge, this situation has not been accentuated due to the recent use of fertilizers in that area. Certainly, there are fewer cases of cyanosis or blue babies than was the case in the 1940's and early 1950's. This is evidence that better sources of drinking water are available now than was true in the 1930's and 1940's.

PLANT GROWTH IMPORTANT

While it is difficult for a soil scientist to see that normal and necessary crop fertilization can upset the "balance of nature," this charge has been dished out to the public. Thus, a few more words regarding nature's vast stores of nitrogen may be in order here. Let's recall the statement by Commoner to the effect that combinations of nitrogen and oxygen are rare. Although numerically they may be, there certainly were many powerful forces in nature which gave rise to nitrates long before the advent of man. Large natural nitrate deposits are located in many parts of the world. For example, nature deposited about 250 million tons of nitrate of soda on the plateau of Tarapaca in Chile. There are significant deposits of nitrate in the Amargosa Valley, Inyo County, California. In fact, nitrate deposits have been found in soils or geological formations in all of the 11 western states.

Even Mr. Commoner likely will be surprised to find out, as I said at the beginning, that he is away off base when he says "The great bulk of the earth's nitrogen is represented by the nitrogen gas in the air." Actually, the reverse is true, and here I want to confirm it by quoting soil biochemist, Dr. D. R. Keeney, University of Wisconsin:

"The great bulk (about 98 per cent) of the earth's nitrogen is in combined form in the lithosphere, the atmosphere contains only about two percent of the earth's nitrogen. The nitrogen cycle, where only a few inorganic forms exist in comparison to large numbers of organic forms, is certainly the rule rather than the exception in nature, as a brief look at carbon, phosphorus and sulphur cycles will attest."

(NOTE.—*For those wishing further information on the 98 percent-two percent ratio, see page 4 of the book,* Soil Nitrogen, *by the American Society of Agronomy, 677 S. Segoe Road, Madison, Wisconsin.*)

CONCLUSION

This is my preliminary report on what allegedly has been happening to the nitrogen cycle since man brought civilization to earth. Actually, man's impact to date has been quite small, and one might even say almost negligible in terms of nature's storehouse of nitrogen. Except for lack of population control and atmospheric smog, things, in general, look pretty good to me. At any rate, man is living longer than ever before, and I think he possesses the knowledge, or knows how to get it, in order to continue to maintain and even to upgrade his environment.

In my next report, I hope to analyze some of Dr. Commoner's observations regarding sources of plant nutrients in streams and rivers. Let me say just one thing, however, regarding water. Dr. Commoner implied in a recent talk that the town of Elgin, Minnesota, had to develop a new water system on account of fertilizer use in the area. Upon checking this with Dr. William P. Martin, head, Department of Soil Science, at the University of Minnesota, I found out that use of fertilizer was in no way associated with the new water system.

If we are to continue a fruitful discussion of basic issues, let's get all the facts, where we do not have them, and refrain from positive declarations until we have them. Even then, the matter of interpretation must be carefully scrutinized, else we will fall into grave error.

MISS NANCY BARBER—HEROINE FROM MONTROSE

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. McDADE. Mr. Speaker, last Friday morning at 10 o'clock, Miss Nancy L. Barber received a gold medal presented to her by Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation.

The medal which Nancy received was the American Automobile Association's Gold Lifesaver Medal, and Nancy was one of only seven boys and girls who were so honored at that ceremony.

All of these young people are credited with saving the lives of schoolmates while serving as members of the Safety Patrol. In Nancy's case, she saved the lives of two small children who had walked into the path of an oncoming automobile.

I know I speak for all of my colleagues here in the Congress in commending these seven fine young people for their acts of heroism. In particular, I know I speak for the parents of two small children who will be eternally grateful to Nancy and who will always remember that soldiers are not the only ones who can be heroes—a 15-year-old girl can be a hero just as well.

ESSAY CONTEST WINNERS

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DUNCAN. Mr. Speaker, I want to pay tribute to two fine young men from Knoxville, Tenn., who have won top place in oratorical essay contests sponsored by the local Optimist Clubs. Ronald R. Allen, Jr., of 5300 Bluefield Road, and Richard J. Smith, Jr., of 613 West Meadecrest Drive, each present a very important message, and I would like to place their essays in the RECORD at this point:

RESPECT FOR THE LAW

(By Ronald R. Allen, Jr.)

According to the title, respect for the law is the cornerstone of citizenship. However, respect for the law doesn't just happen. How is it brought about? I believe that respect for law is brought about by independence.

"Why independence? Well, if it weren't for independence, where would we be now? Obviously, we might still be part of the British Empire, what little of it there is left.

"How much independence should you have? Can you have too little independence? Can you have too much?

"This question may be looked at in several different ways, but I think perhaps two main ways. One, you can say that our ancestors at the time of the Revolution had too much independence. They had no right to throw all that tea into the ocean.

OPEN TO DEBATE

"On the other hand, you can say, and I think it is the right thing to say, that if you believe something is wrong, then by all means protest against it, but do so peacefully.

"Let's look at the hippies. Are they too independent? If you think about it, you will realize that the key to whether you are too independent is how you dissent against something you believe is wrong. Providing that hippies believe in something, which sometimes may be open to debate, how do they go about protesting? Do they do it peacefully? No! They break windows, loot, riot, and generally make life miserable for other people.

"This only proves that they have no respect for the law, and they are very much abusing their right of independence. Nor do they prove anything by breaking into the dean's office, smoking his cigars and thumbing through his little black book. This merely means they want attention, and they are going to awfully juvenile lengths to get it. If hippies want to advance their cause, whatever it is, then that is their right, and good for them! But not by rioting and disruption of schools!

THE OTHER SIDE

"However, there is another side of the street. What happens when you lose your independence. Well, let's let a book by George Orwell be an example. The book 'Animal Farm' is a narrative of what happens on Mr. Jones' farm when the animals revolt. What happens, briefly, is that the animals on Mr. Jones' farm, in sort of miniature coup d'etat, kick him off the farm and set up their own government, based on the principle that all animals are equal.

"Unfortunately, the pigs, who have an intellect superior to the other animals, are soon able to set themselves up as rulers of the other animals. After several years, as sort of a crowning touch to their achievements, the pigs learn to walk on their hind feet. They change the Animal Farm slogan from 'Four legs good, two legs bad' to 'Four legs good, two legs better.' Also, the supreme commandment is no longer just 'All animals are equal.' It is changed to 'All animals are equal, but some are more equal than others.' So that's what happens when you lose your independence—some body else becomes more equal than you.

"To summarize, I'd like to say that independence is the cornerstone—of the cornerstone—of citizenship. Do your own thing, but remember, your right to do your own thing only extends as far as the next person's right to do his own thing."

RESPECT FOR THE LAW

(By Richard J. Smith, Jr.)

"Ladies and gentlemen of the jury, our purpose here today is to determine whether respect for law is the cornerstone of citizenship.

"Since the earliest moments of recorded history, mankind has battled within his soul, heart and mind to determine those values, morals and laws by which he could best serve his country. Through the centuries his respect for law has been a cornerstone of citizenship. We hope to prove to you, the jury, that the cornerstone of citizenship could not have been formed without a known respect for the law.

"Now turn back the hands of time to study and review mankind, his struggles and his deeds.

"I call as the first witness for the defense a man from classic Greek civilization. Socrates, you questioned the principle on which Greek democracy was founded, never really doubting those principles. Yet your misled countrymen judged you guilty in an Athenian court. Guilty of what? Of teaching the youth to examine all the evidence, and to question the principles of democracy, knowing that the truth would prevail.

SEARCH FOR TRUTH

"Your optimism and your search for truth were your life; they guided your citizenship. Lesser men than you were respectful citizens of Athens, but this alone was not enough. They lacked your faith, indeed your courage, and were unable to reach their goal—that goal you dreamed for Athens and her citizens.

"Our next witness gave the last full measure of devotion for his beloved land. Abraham Lincoln, you stood at the head of a country divided by war. In the face of all opposition you signed the Emancipation Proclamation, for you knew that the principle of freedom for all was essential to this country's growth.

"You were one of America's most noble citizens. You are one of America's most remembered citizens. You promoted the founding fathers' hopefulness, one of which was based on the dedication to the proposition that all men are created equal. Even in the face of a conflict that would split your nation, you stood for what was right—right for your nation and its people—and a spirit of faith was rediscovered in the hearts of your countrymen.

ON CITIZENSHIP

"There have also been men and boys in this century that we could call upon to testify.

"As a young boy, you, Joe Citizen, were taught reverence and respect to the tradition and institutions of your country. You were trained to the habit of everyday joy in your citizenship. You decided that the student's role was one of learning, not once doubting it as franchise for the destruction of order, or the dismantling of authority. When your call for the draft came, you felt it an honor to serve your country, due to your respect for the law of the land.

"Ladies and gentlemen of this jury, you have heard the testimony of the witnesses for the defense. Hundreds of crosses in Arlington, and an eternal flame, shall be our silent witnesses. For they tell of men who suffered hardships to protect your rights—yes, your rights—the Constitution of the United States, created by a group of men hoping at that time that future citizens would respect those laws of the land.

PROGRESS ON TRIAL

"Centuries of human progress have been on trial today, as they will be again on trial tomorrow, and in the years to come. If you asked these men how they would best guard their freedom, they would answer: by respecting their laws and their fellow man, through respectful citizens willing to serve, and to dedicate and give their lives for their citizenship, and their pride in their citizenship.

"If you asked them why, they would tell you that they were opimistic in believing that, through their efforts, and the efforts of those like them, they would promote a better and greater world for all men.

"The defense rests its case, knowing that you will concur with me in saying that respect for law is the cornerstone of citizenship, and indeed a greater sense of citizenship means a better world in which to live."

THE PHYSICIANS FORUM AND COMMUNITY CONTROL

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ROSENTHAL. Mr. Speaker, the Physicians Forum is one of the country's outstanding groups seeking the liberalization of American medicine. Composed of nearly 1,000 physicians, its members are leading teachers and practitioners of medicine. About half of its members are in New York City and the rest distributed throughout the country.

A good example of the work of Physicians Forum appeared this week in its statement on community control which stresses a new and enriched role for the progressive doctor when medical care is in the hands of the community it protects. The statement follows:

THE PHYSICIANS FORUM AND COMMUNITY CONTROL

In its "Statement of Principles," The Physicians Forum made the following indictment of medical care in the United States:

"Throughout the country several classes of medical care exist side by side. The prevailing basis for segregating patients is income status. Those who cannot afford medical care are segregated into public ward and clinical services. The charity medicine which they receive is generally piecemeal, inadequate, and provided with scant concern for the dignity of the individual. Furthermore, in many private practices and medical institutions in all parts of the country, more or less overt racial discrimination is superimposed on economic segregation."

These inequities and failures of the health care system are now well documented and well known. There is a growing realization that the system will not be fundamentally altered by the groups now controlling that system: the American Medical Association and American Hospital Association; health insurance companies and fiscal intermediaries; government officials; large medical centers; and the drug industry. While individuals in these groups may be personally concerned about the poor medical care given many in the United States, the interests of these groups, in fact, determine the system of medical services.

Current demands for change come most strongly from consumers who are ill-used by the system, particularly the poor and minority groups of the cities. Out of their personal experiences comes a desire for fundamental change and a sense of urgency not shared by providers of medical services and others who profit from these services.

The call for community control of health services is part of a broader movement for a controlling voice by the people in the public institutions which should serve them. Too often these institutions are remote and unresponsive to the needs of the people. This is true in middle class as well as ghetto communities. Medical institutions are dominated by bureaucrats, professionals, and the wealthy and are oriented to protecting their status, narrow interests, and pocketbooks. Medical care is too important to be contaminated by the profit motive or guild interests.

Community control of hospitals would result in boards of directors composed of a representative cross-section of the community served by the hospitals rather than the wealthy contributors and other "blue ribbon" personages who now compose hospital boards. All hospitals should be viewed as public institutions. Voluntary hospitals are supported to only a minor extent by private contributions; governmental and quasi-public third party funds make up the bulk of their support.

Community control of health services will help to counter the sense of powerlessness which develops in ghetto communities out of their experience with an unresponsive system. The creation of health facilities will provide an organizing nidus in the community. In all communities, middle class or poor, those who actually use the health facilities should have the decision-making power.

Community control can be valuable for several other reasons. Those who live in the community are in an important position to identify major health problems, to set priorities for attacking them, and to work to correct them. To again cite the "Statement of Principles" of the Physicians Forum:

> *Medical care is not the total answer and may not even be the major part of the answer to improvement of the health of the people. Much poor health, disease and disability are the result of the total environment in which we live. Wars, slums, environmental pollution and hazards, racial discrimination, exploitation of human labor and other social ills, are, in a fundamental sense, appropriate concerns of health personnel.*

In the neighborhood health facility, neighborhood needs can be the focus of health planning: environmental health hazards can be identified, case findings and preventive services will be facilitated, and social institutions can be scrutinized in terms of their influence on biological and mental health.

Community participation in the planning of health facilities can result in their more rational distribution and location. When services are offered in a form responsive to the needs of the community, they should be more effectively utilized.

There is a spectrum in degree of community involvement in health facilities. At one end of the spectrum would be a facility owned by the community, a health cooperative. At the other end of the spectrum are facilities where there is a consumer board with only advisory powers. There are now a few health centers which were conceived and organized by community people who themselves sought and obtained funding.

Community control will inevitably raise the level of health consciousness of the community. The planning and running of health programs provides an on-going and relevant education in matters of health.

In the relationship between health care personnel and consumers, there will be mutual education and more honest communication. Physicians will be hired not only on the basis of their technical knowledge and skills but because of their commitment to excellence in medical care for the community, their receptivity to consumer leadership, and their respect for their patients. Community members will be hired preferentially in neighborhood health facilities. As they assume staff positions and are trained to assume increasingly responsible roles as health workers, the dichotomy between provider and consumer will be lessened.

The concept that control of health services should be in the hands of broadly representative community groups requires an altered role for the progressive physician. It means the abdication of an elitist role in which physicians prescribe the structure of health services. It gives more explicit recognition that providers of health care are accorded the privilege to serve the community by the community and thus are always accountable to it. The physician, in a community controlled health service, is called upon to work cooperatively in a health team with consumer leadership, to respect the community's desire for self-determination, and to pay greater heed to the economic, social and other environment influences on health. This new concept will enrich the role of the physician.

SLEEPING BEAR DUNES NATIONAL LAKESHORE IN MICHIGAN

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DINGELL. Mr. Speaker, the board of directors of the National Conference on State Parks, a branch of the National Recreation and Park Association, recently adopted a resolution in support of the proposed Sleeping Bear Dunes National Lakeshore in Michigan.

I share the conference's view that creation of the Sleeping Bear Dunes National Lakeshore is of great importance.

So that my colleagues will be familiar with the conference's resolution, I ask unanimous consent that the text of the resolution appear at this point in the CONGRESSIONAL RECORD:

NATIONAL CONFERENCE ON STATE PARKS: RESOLUTION 3, PROPOSED SLEEPING BEAR DUNES NATIONAL LAKESHORE, MICH.

Whereas, the Sleeping Bear Dunes and adjacent fresh water lakes and glacial moraines with associated plant and animal habitats of interest to natural science on the eastern shore of Lake Michigan in the vicinity of Grand Traverse Bay, together with nearby North and South Monitou Islands, were identified in the Great Lakes Shoreline Survey of the National Park Service several years ago as the finest examples of sand dunes, other glacial phenomena and scenic grandeur remaining in relatively unspoiled condition and

Whereas, bills have been pending before the Congress for eight years to authorize the establishment of a portion of this magnificent scenic and natural area as the Sleeping Bear Dunes National Lakeshore, such bills having been passed twice by the Senate and having been favorably reported by the Interior and Insular Affairs Committee of the House of Representatives and

Whereas, the remaining opportunities to preserve this extraordinarily attractive area for public outdoor recreation and education are diminishing each year without the comprehensive, planned, conservation, management, and use that National Lakeshore status would provide; now, therefore

Be it resolved, that the Board of Directors of the National Conference on State Parks, a branch of the National Recreation and Park Association, meeting in Washington, D.C., March 21, 1969, expresses its wholehearted endorsement of this proposed National Lakeshore and urges the Congress of the United States to enact legislation this year authorizing establishment of the Sleeping Bear Dunes National Lakeshore.

PUBLIC FAITH AND TRUST IN GOVERNMENT

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, if there is one date on the U.S. calendar of events that is viewed with wonder and awe by the rest of the world, that date must be April 15. On that date, millions of Americans, willingly and without overt coercion, give up a sizable portion of their year's earnings to underwrite the spiraling cost of Government. Implicit within this remarkable transfer of funds is an element of trust. To a very great extent, the Internal Revenue Service must rely on the integrity of the American people and over the years, the taxpayers of this Nation have, by their consistent honesty and good faith, more than justified the trust of their Government.

But trust is not a one-way street. The taxpayer has an absolute right to expect and demand that his hard-earned tax money is used honestly and efficiently. The taxpayer has the right to expect that each of his tax dollars will buy $1 worth of essential Government services.

During the past year, the American people were asked to increase their already heavy tax burden in the form of the 10-percent surtax. It was reasoned that additional funds were essential to the maintainance of our national defense. I have no doubt that my constituents and the American people in general will support any truly necessary expenditure for this purpose. However, at a time when tax increase and tax reform proposals are again before the Ways and Means Committee, we see in our defense expenditures shocking examples of Government abrogation of the trust placed in it by the American taxpayer. Instances of astounding waste and mismanagement in Government procurement are becoming alarmingly common and there is now the very real danger that we, as servants of the public trust, may become so accustomed to waste that we unconsciously view it as inevitable. Misuse of public funds is neither inevitable nor tolerable in a society built upon trust.

One particularly outrageous example of this kind of cynical disregard for the public trust is the recent disclosure by the Congress of the manner in which the previous administration contrived to cover up the multi-billion-dollar C5A airplane fiasco.

The strange procurement history of this giant cargo aircraft and its bizarre

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contract first came to public attention in November of 1968 when Mr. A. E. Fitzgerald, an Air Force management systems expert, revealed enormous overruns in the contract with the Lockheed Aircraft Corp. to the Joint Economic Committee of Congress. Much of the overrun, which has been put at $2 billion, can apparently be traced to a system of contracting at the heart of which is a "repricing formula." In essence, this formula means it is to the advantage of the aircraft maker to be extremely inefficient on his first production run and extremely efficient on the second. As truly bizarre as it sounds, the greater the initial inefficiency, the greater the rewards. There can be little doubt that this unbelievable arrangement, which was highly touted by the previous administration as a cost-saving device, has contributed greatly to the huge increase in the cost to the Government of the C5A.

The resultant $2 billion waste is staggering to be certain, but even more disturbing in its long-term implications is the cavalier manner in which the Air Force and Pentagon officials in the last administration conspired to conceal the enormous waste from the Congress and the American taxpayer. The entire procurement history of the C5A is marked by deceit of the most outrageous magnitude. Details of this deceit have been revealed only recently.

To be specific, the Air Force first uncovered discrepancies in the C5A program as far back as February of 1966, but as late as March of 1968, Air Force officials were still telling Congress that all was well. I can point to a December 19, 1966, memorandum from Col. Larry Killpack to Maj. Gen. Harry E. Goldsworthy, commander of Air Force Aeronautical Systems Division, which states:

> Lockheed really busted Budget Number 1 in the engineering area. Numerous overruns, several in excess of 100% were observed.

Nevertheless, Air Force officials testified to the House Appropriations Committee 15 months later, that the program was progressing smoothly and coming in near the target cost.

Air Force Col. Kenneth Beckman has testified that high-ranking Johnson administration appointees directed that references to overruns be omitted from monthly contract reports because these officials were concerned that public disclosure of overruns might endanger the stability of Lockheed's common stock.

I cannot emphasize too strongly the danger inherent in this kind of calculated deceit on the part of public officials. There is a small, but vociferous minority in this Nation at this very moment which attacks the very core of our institutions of Government. There are those who would tear down the structure of government which has held the Nation together for nearly 200 years. Even though this assault comes from a small minority, it is incumbent upon those of us who have accepted positions of public responsibility to defend our system of order against this destructive element.

The erosion of public faith and trust in government is the greatest threat to the survival of any nation. The best way to confront that threat is to prove at every opportunity that public faith in government institutions is wholly justified. If our form of democratic government derives itself from the consent of the governed, it must be remembered that implicit within the consent of the governed is the confidence of the governed. The American people must have absolute confidence that their elected and appointed officials have only the public interest at heart. Nothing can shake and ultimately tumble the pillars of government more rapidly than an environment of mistrust and deceit. The taxpayers of the United States have an inviolable right to know how their taxes are being used. Conspiracy to keep the public in ignorance about the use of tax moneys only serves the cause of those who would tear apart our institutions. We in the Congress, as direct representatives of the people, must take the first steps to insure that the C5A disaster will never be repeated.

I believe our new Republican administration has at this time a perfect opportunity to undertake a complete and thorough housecleaning in the Pentagon. The Department of Defense is directly responsible for the allocation of nearly half of our national expenditures and consequently, has an obligation to take the lead in making Government responsive to the confidence placed in it by the Nation.

The administration must be willing to go out of its way to restore credibility to the actions of its officials. The emergence of the so-called credibility gap was easily the most disturbing feature of the previous administration. To that end, the administration must take steps to insure that only conscientious and capable men are entrusted with the great responsibilities of public service. We need to make it absolutely clear that only those men who understand the nature and obligation of public service are allowed to rise to sensitive, high-level positions. I commend the positive statement of the Secretary of Defense, Melvin Laird on April 30, when he stated his determination to insure that the mistakes of the C5A would never be repeated.

However, I feel obligated to record some personal dissatisfaction with the administration's actions to date in utilizing the competent people available to them. I have recommended several highly qualified individuals who, I firmly believe, would assist our efforts to bring runaway spending under control. In many cases, I feel sufficient consideration has not been given these recommendations. I think the last election proved that the American people want a change. The mandate for a more efficient and less extravagant Government is clear. Now is the time for this administration to rid itself of the old and tired theories and individuals and breathe some real fresh air into the halls of the Pentagon.

The American taxpayer has served notice that he will no longer abide disregard for his interests. Now it is up to the new administration and the Congress to create the kind of environment in which men of imagination and initiative can restore complete confidence and faith in Government.

CITY OF WAYNE, MICH.

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, the city of Wayne in my congressional district—the 15th of Michigan—this year is celebrating its 100th birthday as an incorporated community.

The more than 20,000 residents of this fine community are making plans for a Wayne Community Centennial Celebration to mark this milestone of history.

I would like to briefly recite the story of Wayne's development over the past century, as an outstanding example of how a tiny crossroads hamlet grew into a modern, progressive city. Much of this material was gathered by Mrs. Mildred Hanchett of the Greater Wayne Historical Society.

The history of Wayne officially began on February 27, 1824, when the first known settler, George M. Johnson, purchased a tract of land from the Federal Government for $100 and erected a log cabin home for his family. The following year, the Chicago Turnpike—now Michigan Avenue—was constructed between Detroit and Chicago, and Johnson found himself living beside what was eventually to become one of the Nation's busiest highways.

He responded by converting his home into a tavern, providing meals and overnight lodging for travelers on the turnpike. An 1825 map shows "Johnson's" as the only listed point on the pike between Detroit and Ypsilanti.

On December 2, 1825, Johnson sold the tavern and 80 acres of land to Stephen G. Simmons, who continued operating the tavern until 1829, when he was arrested for beating his wife to death. Two years later, his sons sold the tavern to Ezra Derby for $1,000.

Derby became Wayne's first "land developer." He built a store near the tavern, and helped encourage several other families to locate in the area. The area became known as "Derby's Corners," and was shown on published maps of the day as "Derby's."

In 1936, Rufus Brown and Joshua Howard laid out and sold 169 lots on the south side of the turnpike, then called the Chicago Road. The name of the little hamlet was changed to Wayne, either in honor of General "Mad Anthony" Wayne of Revolutionary War fame, or possibly because it was located about the center of Wayne County.

The westward time of immigation during the 1830's and 1840's brought thousands of settlers to Michigan, and the little crossroads grew and prospered. The residents petitioned the State legislature and in April 1869, the village of Wayne was officially incorporated.

The first village officials were William R. Corlett, president, and five councilmen—Thomas Morrison, Jacob D. Bunting, Frederick Marker, Sr., Israel Bell, and John J. Palmer.

The industrial history of Wayne began with a sawmill and blacksmith shop built in 1832 or 1833 by Ezra Derby. The first

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manufacturing plant of real importance was built by the Prouty and Glass Carriage Co. in 1888. They continued operations until 1915. The Harroun Motors Co. built about 3,000 Harroun cars in Wayne between 1916 and 1920, and then folded. The factory was later occupied by the Gotfredson Body Co., Graham-Paige Motors, Bendix Corp., and Gar Wood Industries.

The Congregational Church, built in 1849, was the first church in Wayne. It was used for a time by the Methodist and Universalist congregations until their own churches were erected. Today, the city is served by modern churches of many denominations.

The first school was a one-room log cabin built in the Derby's Corners days. A two-room frame school was erected in 1851, and a graded school was put up in 1870, with a 3-year high school course added in 1876. Today the city has two high schools, four junior highs, and 25 elementary schools, as well as a Catholic high school and elementary school.

In the years preceding the Civil War, Wayne became an important point on the underground railroad, which helped escaped slaves from the South on their way to freedom in Canada. An underground railroad station was operated by Globe Chubb in a small house on the south bank of the river at Michigan Avenue and Venoy Road.

During the mid-1800's, toll gates were located at each end of the community on the Chicago Road—now Michigan Avenue. Today, Michigan Avenue is a bustling modern highway separated into one-way streets through the heart of downtown Wayne.

The steady growth and development of the community led to a reincorporation movement which culminated in the incorporation of Wayne as a city on July 5, 1960.

Wayne officials are engaged in a far-reaching renewal program for the downtown business area, which is expected to revitalize an already busy shopping district.

Today, Wayne is a modern, progressive city, with fine homes, good schools, excellent shopping facilities, a sound industrial base, and forward-looking city and school officials.

The city of Wayne faces its second century with faith and confidence, and I am proud to represent this outstanding community as its Congressman. I ask my colleagues to join me today in extending birthday greetings, and best wishes for the next 100 years.

COUNCIL OF THE COUNTY OF HAWAII ADOPTS RESOLUTION OPPOSING THE ABM

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. MATSUNAGA. Mr. Speaker, like Americans elsewhere in the Nation, the citizens of Hawaii are deeply concerned over the proposed deployment of an anti-ballistic-missile system.

This concern arises not only because of the probability that the Island State would become an ABM site, but also because of the conviction that the billions of dollars required for an anti-ballistic-missile system could be much better utilized for programs to combat hunger, poverty and disease, and, further, that such programs, at the international level, would accomplish much more in furthering world peace than the establishment and maintenance of the ABM system.

The council of the county of Hawaii expressed these sentiments most appropriately in a resolution adopted earlier this month. As we continue to study the proposed deployment of the anti-ballistic-missile system, I am sure that the Members would wish to take into consideration the views of the citizens of the big island of Hawaii.

I am, therefore, inserting in the CONGRESSIONAL RECORD at this point resolution 86, of the county of Hawaii, State of Hawaii, adopted on May 7, 1969:

RESOLUTION 86, COUNTY OF HAWAII, STATE OF HAWAII

Whereas the President and Congress of the United States are presently considering the establishment of an extensive anti-ballistic missile system to serve as a deterrent to nuclear attack from enemies of this country; and

Whereas according to eminent nuclear physicists, including Nobel prize winners, science advisors and scientists and Department of Defense personnel, no anti-ballistic missile system can adequately protect a country from sophisticated nuclear attack; and present United States superiority is already a deterrent to nuclear threats; and

Whereas the establishment of the anti-ballistic missile system, whether characterized by the United States as an offensive or defensive measure, will undoubtedly step up the nuclear arms race and will necessarily be an additional factor in the collision course being followed by major powers of the world which may lead to the very destruction of civilization; and

Whereas the many billions of dollars required for the establishment of the anti-ballistic missile system can be much better utilized for attacks against hunger, poverty and disease afflicting the peoples of this world and that such programs would accomplish much more towards world peace than the creation of the anti-ballistic missile system; and

Whereas the United States is a peace loving nation, a leader of the world, and a country that is completely devoted towards searching solutions for world peace: Now, therefore, be it

Resolved by the Council of the county of Hawaii, That it go on record opposing the creation and establishment of an anti-ballistic missile system; and be it further

Resolved, That the President and the Congress of the United States be and they are respectfully requested to explore all possibilities leading to reducing of all offensive and defensive nuclear missile systems among nations, a nuclear non-proliferation treaty and gradual multilateral disarmament, and expanded non-military efforts to alleviate hunger, poverty and disease at home and abroad; and be it further

Resolved, That the County Clerk be directed to forward copies of this Resolution to the President of the United States, the President of the United States Senate Pro Tempore, the Speaker of the United States House of Representatives, the Secretary of the United States Department of Defense, Senator Hiram L. Fong, Senator Daniel K. Inouye, Representative Spark M. Matsunaga, and Representative Patsy T. Mink.

Dated at Hilo, Hawaii, this 7th day of May, 1969.

Introduced by:

IKUO HISAOKA,
Councilman, County of Hawaii.
DANTE K. CARPENTER,
ROBERT M. YAMADA,
FRANK DELUZ, III,
JOSEPHINE R. YADAO,
HERBERT T. MAYAYOSHI,
Councilmen, County of Hawaii.

EDUCATION

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ROGERS of Florida. Mr. Speaker, all Americans are concerned with the quality of education. I recently read an editorial by Mr. James Bignell from the quarterly bulletin of the Florida Industrial Arts Association dealing with this important matter. I feel Mr. Bignell's comments will be of wide interest, and insert them at this point in the RECORD:

EDITORIAL

Everywhere you go in education areas today, you run into new plans for teaching this or that. One reason is the huge amounts of federal money available for professors and colleges to develop such programs. About all one must do is to come up with some new idea or new way of teaching a subject and the federal government will fund the project. Whether the idea is good or bad or just mediocre has no effect. It goes on and on. The proponents write volumes, make speeches, become famous and collect federal pay for it. Educators all get on the band wagon and go on down their way with the seeming approval of all. Of course, when the sad end comes and they find out the idea was no good and millions of young, innocent children had been taught little or nothing at all and their education was a failure and their lives have been ruined—then all these educational band wagoners leave the wagon like rats leaving a sinking ship. One good example was progressive education which caught on so well in California. It went on for years to the disgust of many old educators, then when the poor ginny pigs of this idea got into high school they suddenly found out they had learned little or nothing at all and especially one all important thing which was the ability to discipline one's self to study and work for himself or as directed. Modern math is another and there are hundreds of others. In Industrial Arts it's the Ohio plan, the Wisconsin plan, and on and on; all government financed. FSU in Tallahassee has latched on to the space age idea and it's popular.

This may all look bad and bad it may be but now as it has been all through the ages in Education the pendulum swings to one extreme and then to the other, finally settling down to the middle of the road.

The good teacher is the answer to good education. You can have T.V. canned programs, push button programs and many others but in the end it's the good teacher that gets the results. If the teacher is good and is one who understands human beings, and every human is different, then there is a good learning program going on regardless of the many adverse conditions that we see over and over again which are blamed for our educational failures. Yes; it's the teacher, not the program.

What makes a good teacher? How do we distinguish a good teacher from a poor one? Is it college courses and degrees that make a good teacher? Are the good teachers paid more? We have rating scales, principles, opinions, et cetera, to determine the good from the poor but it's the final product that is the final proof. It's the student. All one must do to separate the good from the poor is ask a graduating senior who his good teachers were. His answer will not be the teacher who was easy, or the one with no discipline. No, his answer will be the one who taught him something. It'll be the one who taught not only subject matter but also taught self discipline and good working habits and the one who made him think as well as memorize facts. That's the good teacher. The answer to good education is not this plan or that plan funded by millions of dollars by the federal government, it's the good teacher.

JAMES BIGNELL,
Editor.

SOVIET AGGRESSION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. RARICK. Mr. Speaker, the Soviet war machine continues to maintain a sizable number of spy ships off our east coast and missiles in Cuba.

There is no indication that the Soviet leaders have altered their plans for world conquest nor that they believe in peaceful coexistence except in those remote areas where they are not on the aggressive offense.

I include several local news clippings and an eyewitness report of Soviet missiles in Cuba from the March-April Conservative Journal:

[From the Washington Post, May 12, 1969]

SOVIET SHIPS AGAIN SPY NEAR UNITED STATES

(By George Wilson)

The Soviet Union has resumed spy ship operations close to American territory after a hiatus dating back to the Pueblo seizure.

U.S. intelligence officials, in reporting this full-scale resumption, theorized that Moscow figures the heat is finally off such operations.

Soviet spy ships kept their distance from our shores right after the Pueblo was seized on Jan. 23, 1968—apparently for fear of being harassed or seized in retaliation.

The Soviet ferret ships, however, continued to sail near American naval task forces at sea.

But last week the deployment of the Soviet electronic intelligence ships indicated they were back on their old stations close to shore.

One indication of this came when a Russian ferret sailed so close off Norfolk that it was believed to have intruded inside the three-mile territorial limit.

In the Pacific, the Soviet ocean-going eavesdroppers went back to old positions off Guam—like Norfolk, site of intense American military activity.

The Russians, as usual, are also expected to have their "trawlers" bristling with electronic equipment standing off Cape Kennedy to monitor Sunday's Apollo 10 launch. The Russians most likely will also stay around for the act slated to follow Apollo—another test of the Poseidon missile.

Poseidon is the many-headed missile scheduled to replace Polaris on 31 of our 41 nuclear submarines. The Soviets will try to determine with their radar the characteristics of the dummy warhead when it is flown from the Cape in this next test shot.

American ships did the same thing to the Soviets when they tested their SS–9. An American destroyer, according to Pentagon officials watched the Soviet target practice on the Pacific test range.

The destroyer saw that the SS–9 fired a cluster of three dummy warheads. This was the basis, according to high defense officials, for Secretary of State William P. Rogers to declare on April 21 that the Soviets had made a longer shot with an SS–9 carrying three separate warheads.

Electronic monitoring at sea by both sides influences military decisions in Washington and Moscow.

Pentagon leaders figure the United States is ahead of Russia in MIRV—multiple-independently - targetable - reentry - vehicle. We have tested the MIRV concept, but apparently have not seen the Russians do likewise.

The three warheads on the SS–9 that Rogers talked about flew in a bunch—whereas a true MIRV amounts to sending the individual bombs to different cities hundreds of miles apart.

[From the Conservative Journal, March-April 1969]

EYEWITNESS SAYS MISSILES ARE IN CUBA

Eighteen-year-old Luis Hondares Vizozo was chauffeur for Cuban commanders at missile sites in Cuba. He escaped from Cuba on December 1 in a 15-foot row-boat. Accompanied by three others, all of whom were picked up in the Straits of Florida on December 4 by units of the U.S. Coast Guard, Vizozo granted an interview which was aired over Miami's Spanish-language station, W–QBA. It appears below in translation:

Oscar Angulo, interrogator: "You were in Castro's compulsory military service?"

Hondares Vizozo: "Yes."

Q: "What kind of unit were you assigned to?"

A: "The Havana Division of Missiles and Anti-Aircraft Defense."

Q: "And what was your function in this missile division?"

A: "I was chauffeur for a lieutenant and a missile technician who were administrators for the small missile bases in Cuba."

Q: "In what section of Cuba are these missiles that you refer to?"

A: "The ones that I know about and saw are installed along a stretch extending from Havana del Este to the town of Guanabo, also in El Chico, in Barboza and in bases near the Havana freeway. The Division of Missiles of Havana controls all of these bases."

Q: "Are Soviet technicians in charge of these particular bases in Cuba?"

A: "Yes."

Q: "Hondares, tell me how the missiles are camouflaged."

A: "Well, they are installed underground with holes on the top for them to come out of, and trees and grass camouflage the holes so they cannot be detected from the air or from afar—only right up on them at the base."

Q: "These installations are all along the north coast of Cuba?"

A: "Yes, all of them face north toward the United States. Their obsession is the United States."

Q: "Hondares, during the time that you were driving the jeep for the technician in the corps of missiles, did you hear comments that the missiles had a range which would reach the United States?"

A: "They are always thinking about that . . . and actually, I believe they did say that, but no one can tell until they hit the United States, I supposed."

Q: "What other type of weapon do they have—something that can turn U.S. missiles off course so they don't hit their targets in Cuba?"

A: "Oh, yes, they have some of those mechanisms. I don't know what their technical name is because they treat this with the greatest secrecy. However, they took me one night to drive a truck to the big base at Managua to pick up some of those mechanisms which are small boxes with some control buttons on them so that when missiles are shot at Cuba they can be thrown off course."

Q: "Exactly what type of missiles are installed on the north coast of Cuba?"

A: "Actually, I couldn't find out their true nomenclature, but I believe they were referred to as type 11–24. There are some with the noses on them that are flat (perhaps before nuclear nose cones are affixed: ed.). Then there are smaller missiles mounted on launchers that point toward the sky (surface-to-air missiles)."

Q: "Are some of the missiles movable?"

A: "Yes, they have those. But the ones I refer to are all in fixed bases."

Q: "You mean 'hardened' sites?"

A: "Yes."

Q: "What else?"

A: "Well, there is a great quantity of electrical equipment all around—radar and control equipment."

Several significant facts are evident in the testimony of Hondares. The first is that Soviet missiles on hardened sites are in Cuba. This type of installation is associated with medium or intermediate-range missiles, and certainly not the anit-air surface-to-air missiles which Hondares had identified as being mobile.

What this seems to add up to is that a considerable missile potential remained in Cuba following the missile crisis because, in Hondares' words, "their obsession is the United States." And the heavy stuff is commanded by Russians.

[From the Washington Post, May 12, 1969]

UNITED STATES PLANS TO DISPERSE BOMBERS MORE WIDELY

Taking new precautions in the face of Soviet weapons advances, the Pentagon plans to spread its nuclear bomber fleet over twice as many bases as it now occupies.

The Air Force, under a plan scheduled for announcement soon, will redistribute its 538 B–52 and B–58 bombers over 70 airfields. The Strategic Air Command planes now are stationed at 35 bases.

Two changes in the Soviet weapons program prompted the decisions: Stepped-up deployment of submarines that could launch nuclear-tipped missiles 1500 miles from American shores and the new fractional orbital bombardment system—FOBS.

Either would sharply reduce the warning time and raise the possibility that an unacceptable number of bombers could be destroyed before they reach a safe distance from a nuclear burst.

Despite plans for the Safeguard anti-ballistic missile system to have radar looking toward the south and the sea to guard against attack from those directions, officials say that too many SAC bases are near coastlines where they could get at most two or three minutes' warning.

This would not be enough time to start the engines, get the planes off the ground and out of the danger zone.

Forty per cent of the SAC bomber force is kept on 15-minute alert, but 15 minutes is becoming too long to wait in the missile age.

"What we would like to do is to make sure that a critical number of B–52s will be able to take off in time with their tankers on their way to the Soviet Union," Dr. John S. Foster Jr., the chief Pentagon scientist, said recently.

The exact number is secret, but Foster said, "We plan to have many tens of airfields, and the idea is to make several tens of airfields survive."

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[From the Washington Post, May 12, 1969]

Defense Research Chief Assails ABM Opponents

(By George C. Wilson)

The Pentagon's research chief made a frontal assault last night on scientists opposed to President Nixon's missile defense by declaring "one does not obtain a meaningful technical judgment by taking a vote of . . . Nobel laureates."

John S. Foster, Jr., in the same speech quoted President Eisenhower's warning about the dangers of public policy becoming "captive of a scientific-technological elite."

Foster's unusually blunt words appear certain to raise the temperature of the ABM (anti-ballistic missile) debate and widen the gulf between the Pentagon and much of the scientific community.

His speech—before the Aviation and Space Writers Association in Dayton, Ohio—was designed to rebut a book opposing the ABM. The 344-page book was written by Harvard Professor Abram Chayes, a former State Department legal adviser, and Dr. Jerome Wiesner, former presidential science adviser.

In urging approval of the Safeguard ABM, Foster said:

"There are some eminent scientists who, for one reason or other, claim it won't work. On that I'd like to say, first, that they have offered no problem which we have not long since addressed and resolved.

"Second," Foster continued, "I want to point out that one does not obtain a meaningful technical judgment by taking a vote of the scientific community—even of Nobel laureates."

It was at this point in his speech that Foster, Director of Pentagon Research and Development, quoted President Eisenhower's warning about the scientific-technological elite.

Foster called the Safeguard ABM "a minimum, necessary hedge" to protect the U.S. nuclear deterrent, adding that putting off approval until next year would delay its operational date until 1976 instead of 1974 as now scheduled.

Foster made these other points about the Safeguard ABM in disputing the Chayes-Wiesner study:

One of the three 5-megaton warheads on the Russian SS–9 ICBM could destroy an American missile site if it hit within "a reasonable quarter of a mile." He said the United States does not know how accurate the SS–9 is, however. But he rejected the book's assertion that "it would take at least, two attacking ICBMs" to be sure of destroying one of our Minuteman missiles.

The intelligence estimates themselves have changed since late 1968 about the Soviet rate of missile building. Foster said Defense Secretary Melvin R. Laird is not, as the book contended, putting a new interpretation on old intelligence by asserting that the Russians are building toward a first-strike offense.

It is "just not true" that the parts to go into the Safeguard ABM were designed for another type of defense.

Programming ABM computers to handle various types of attack can be done. Foster said the book picked out "horrible examples" of pioneer systems to cast doubts on this ability.

DDT QUESTIONS AND ANSWERS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DINGELL. Mr. Speaker, the Michigan Department of Natural Resources' publication, Topics, on May 8, 1969, carried a most interesting article listing a series of questions and answers on DDT. So that my colleagues may have this information available, I submit the text of the article for inclusion at this point in the Congressional Record:

DDT Questions and Answers

Q. What is DDT, anyway?

A. One of a group of complex chemicals called chlorinated hydrocarbons. Its full scientific name is dichlorodiphenyltrichloroethane.

Q. How long has DDT been used, what for, and by whom?

A. Since 1942, to combat a wide variety of insect pests. Mosquitoes have been the main target on a world-wide basis. In this country it's been used for just about every bug-killing purpose. The U.S. Army in World War II was the first big user. Since 1946, housewives, home gardeners, farmers, business people, almost any group you can name have sprayed and dusted DDT. Our Department has used tons of the stuff in the past.

Q. If DDT is so useful, why are steps being taken to ban its sale in Michigan? What is the problem?

A. DDT is a broad-spectrum, persistent poison. "Broad-spectrum" means that it will kill anything if the dose is big enough, not just the insects it's aimed at. "Persistent" means that it doesn't go away after a short time but remains active for many years. It gets into the air, the water and living organisms. Traces of DDT are found everywhere in the world, even in places like the Arctic where none has ever been applied. Living things concentrate (store up) DDT in their bodies, sometimes in harmfully large amounts. There is solid evidence that DDT is interfering with the reproduction of or actually killing some fish and birds. It hasn't been proven harmful to larger animals and people, but there is worry that it may be. Many scientists have therefore concluded that use of DDT should stop.

Q. Just exactly what did the Agriculture Commission do when it approved cancellation of all DDT registrations in Michigan?

A. It ruled, in effect, that DDT may not legally be sold in this state for any purpose.

Q. When will the sales ban take effect?

A. Attorney General Kelley says mid-June. Procedures require that manufacturers and sellers be given 30 to 60 days to get DDT off store shelves and to exercise their right to appeal the ban if they wish.

Q. What about supplies of DDT that people already have on hand? Can they be used?

A. Yes. However, Governor Milliken has asked that they be surrendered voluntarily to the Department of Agriculture for safe disposal.

Q. Will it be illegal to use DDT in Michigan from now on?

A. The ban applies only to sales. Legally obtained DDT apparently could be used legally. It's hoped, however, that people will switch to recommended substitutes.

Q. How much DDT is there in the Michigan environment?

A. It depends upon what you mean by how much.

Actual quantities in any one place are very small, measured in parts per million (ppm). A part per million is a one-gram needle in a one-ton haystack. There is some DDT in every body of water in Michigan, in the air and probably in all living organisms, and that's the problem—not the amounts so much as the spread. Every time you breathe in, take a drink or swallow food, you are taking a tiny amount of DDT into your system. If you're an average adult, you have 12 ppm of DDT stored in your body fat and liver.

Q. I've read statements by health authorities that these DDT residues in the environment aren't human health hazards. If so, what's all the fuss about?

A. Health authorities have said there are no proven cases of human illness or death caused by eating food contaminated with DDT, and that is entirely true. Obviously, the last thing anybody wants is for people to start getting sick or dying from DDT. Therefore, steps have been taken to keep human intake of DDT as low as possible so a health hazard won't arise.

Q. Who decides when food has too much DDT in it?

A. The federal Food and Drug Administration (FDA). The FDA follows standards prescribed by the World Health Organization (WHO) and the Food and Agriculture Organization (FAO), both agencies of the United Nations. In Michigan, the Department of Agriculture enforces standards laid down by FDA.

Q. What are some of the DDT levels prescribed by FDA?

A. They range from .05 ppm in milk to 7 ppm in many fruits and vegetables and in the fat of beef and pork. Just two weeks ago FDA set an interim level of 5 ppm for fish.

Q. What do you mean by interim level?

A. A temporary standard, to be replaced by a permanent level, or "tolerance," later on after a full scientific study is completed. This will take about six months.

Q. Why did the FDA pick 5 ppm for fish, instead of 3.5 or 7 or 10 or some other number?

A. The interim level of 5 ppm is based on the assumption that, if you are an average American consumer, you eat one meal of fish every two weeks. If the fish you eat at that one meal contain 5 ppm of DDT and all the other foods you eat during those two weeks contain maximum allowable amounts, the total amount of DDT you take in will be one-fourth of what is considered the upper limit of safety.

Q. Is the permanent level likely to be something other than 5 ppm?

A. It could be, but it's impossible to predict because the scientific findings will determine the permanent level.

Q. Why hadn't a level for fish been set before?

A. Apparently because FDA had no reason to be concerned about fish until frozen Lake Michigan coho salmon, harvested last fall, were found to contain 13 to 19 ppm, much more than allowed in other foods.

Q. Why are the amounts of DDT in Lake Michigan Coho so high?

A. For several reasons. For one, Lake Michigan water has more DDT in it than the other Great Lakes or the oceans. For another, coho salmon eat lots of alewives, which contain 4 ppm of DDT. Salmon are fat fish, and they store the DDT from the alewives in their fat.

Q. Why does Lake Michigan have a relatively high DDT content?

A. Because it sits in the center of an urban-industrial-agricultural complex where lots of DDT has been used since 1946. Much of the chemical has drained into the lake, where it stays and builds up because the rate of water change in Lake Michigan is very, very slow.

Q. What can be done about the DDT in Lake Michigan?

A. The most important step is to stop putting any more in, right now. Once that's accomplished, DDT levels in the water can be expected to decline slowly, although it may take 5 or 10 years or more for any significant change. There's no known way to strain out or neutralize the DDT already there.

Q. Let's get back to fish. Will we have to quit eating Lake Michigan coho salmon?

A. Coho caught during the spring and early summer will contain less than 5 ppm of DDT. Those taken later probably will have more, but there's hope that changes in processing methods will eliminate enough of it so they meet the FDA standard for commercial fish. The sportsman who skins and fillets his coho, and discards the lower belly portion, will get

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rid of most of the DDT. Cooking out as much fat as possible will eliminate still more.

Q. Suppose, despite all precautions, I eat some coho that contains more than 5 ppm.

A. One meal certainly wouldn't hurt you, nor in all likelihood would several. A steady diet of coho with high DDT content over a long period of time might. Common sense is the best guideline here.

Q. What about other fish?

A. The FDA has said that 90 percent of all commercial fish consumed in the United States have less than 1 ppm of DDT. In Michigan, almost all sport fish caught from inland waters apparently will have less than 5 ppm. Only exceptions might be very large trout, pike and bass from specific inland lakes with high DDT. Large salmon and trout, chubs and possibly whitefish from some areas of the Great Lakes appear to be the "problem" fish. An intensive testing program now under way will produce a lot more solid information than is presently available. We're frankly doing some guessing at this stage, although the guesses are pretty well educated.

Q. What does all this really mean to me?

A. The chances of your getting sick or dying from too much DDT are very remote, unless you accidentally swallow a large dose of bug killer. Too much aspirin, alcohol or even salt consumed at one time will kill you, too. That isn't the problem. There could be some subtle, long-term effects on human health that we don't know about yet. That's a cause for concern. We need a lot more research on this, and it's beginning to be done. Most important, we know that DDT is causing changes in the ecosystem, which functions in a state of delicate balance. Any changes in this balance affect everything in the ecosystem, directly or indirectly. We don't know what these effects are in many cases, and we don't understand perfectly much of what we do know. We can assume as a general rule, however, that changes in the ecosystem are not good in the long run, although they may seem to have short-term benefits. That, at least, has been the historical record. DDT and other persistent pesticides are by no means the only threat, of course. They are only one source of environmental pollution. Sewage, industrial wastes, noxious smoke, etc., are others. All endanger the ecosystem, and all therefore should be eliminated from it as quickly as possible.

FOREST RESOURCES LABORATORY, LEE COUNTY, FLA.

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ROGERS of Florida. Mr. Speaker, I recently had the pleasure of participating, along with our colleague, the gentleman from Florida, Congressman JAMES HALEY, in the dedication of a new Forest Resources Laboratory in Lee County, Fla.

Proper development of our natural resources is one of the most vital concerns of all citizens. Certainly the effort being made by the U.S. Forest Service stands as a model for other agencies of Government and for private enterprise as well.

The Lee County lab came about through the untiring effort and cooperation of State Representative Ted Randell and State Senator Elmer Friday, local businessmen, and county and State officials, and of course Congressman HALEY, who as a senior member of the House Interior Committee has established a record of concern for, and interest in conservation.

Mr. A. W. Greeley, of the Forest Service, discussed the development of this particular project and its importance to the Nation in remarks he made at the dedication. We all appreciated his attendance and participation, and the support he has given to the program. I include his remarks on this occasion at this point in the RECORD.

DEDICATION OF FOREST RESOURCES LABORATORY, SOUTHEASTERN FOREST EXPERIMENT STATION, LEHIGH ACRES, FLA., APRIL 11, 1969

Congressman Rogers, Congressman Haley, and Distinguished Guests: We have just heard an excellent principal address for which we are most grateful. It is now my enjoyable task to extend the thanks and appreciation of the U.S. Forest Service to a large number of people who have made possible the construction of this laboratory, and the carrying on of the research program which it represents.

To Congressman Paul Rogers we owe a special vote of thanks. He has maintained a continuous and vigilant interest in forest resources throughout his legislative career. It was through his many efforts, and those of Senator Spessard Holland, both of whom worked closely with your State Representative, Ted Randell, that this laboratory became a reality. We are likewise greatly indebted to Congressman Haley and to other members of the Florida delegation who realized the need for this facility and worked diligently to attain it.

Your community and business leaders have also been most cooperative. The 10-acre site on which the laboratory is situated was donated to the Federal government by Lehigh Acres Development, Inc. Much of the research work done from this laboratory in the woods is conducted on privately owned lands, the use of which is made available by local business concerns.

Almost from the inception of our research program here in the early 1950's, the Babcock Florida Company and the Alico Land Development Company have actively cooperated by permitting us to use their lands for field work on integrated range and timber research. The Collier Corporation and the Agrico Chemical Company were also among our pioneer cooperators. More recently, we have received significant help and cooperation from Lykes Brothers, Inc.

It is doubtful if the program could ever have been established in those early days had it not been for the Florida Board of Forestry. From this Board we have received encouragement, advice and counsel, and some important funding.

The Florida Forests Foundation, the University of Florida, and the Florida Game and Fresh Water Fish Commission are also important and welcomed cooperators. The Commission was especially foresighted, we believe, when it established the Cecil Webb Wildlife Management Area near here. The 62,000-acre tract will be invaluable for wildlife research for years to come.

I want to give a special word of appreciation to my long time colleague in the Forest Service, Dr. V. L. Harper, who is here today (now a member of the faculty at the University of Florida). He was in charge of the Forest Service research program for many years, and was the one in the Forest Service who guided our part of bringing these facilities into being.

I would also like to acknowledge that without the active help of the major timber landowning companies, we would not have been able to carry on the useful and aggressive forest research program we have been doing in this state. This has involved use of land for research.

You know, when a company gives over land for research that company gives up the use of the land. Sometimes the things that we do may seem a little "screwy" to you, but you have been willing to let us go ahead anyway. We could not have a research program if you did not do so—and I want the companies here represented to know that we are deeply grateful.

The shape of things to come clearly shows that we have no choice except to learn how to obtain more of the things people want from forest land and do it using a land base that will not get any larger.

Most people are truly amazed when they are told that forestry, through its products and related processing, contributes more than $1.2 billion a year to Florida's economy. It is second only to tourism in dollar volume generated. In addition, more than 1.2 million beef cattle obtain at least a part of their forage from Florida's forests.

The demands on forest and range lands will continue to increase. There will be recreation pressures. There will also be continuing shifts in land use from forestry and agriculture to urban development and industrially oriented complexes. Large acreages will continue to go to highways, airports, and water impoundments.

In too many places man is boxing himself in with concrete and steel. To live we are going to have to learn to manage our resources more intensively and to utilize them more efficiently. This is the challenge that demands more "doing things together", as has been done with this lab—and learning the answers to many more "what to do" questions. That is what this laboratory is here for.

The research programs that have been conducted in Florida for these past 20 years, have shown that we can make better use of the land. Timber growing, cattle grazing, and wildlife management can be made to complement each other on the same acres.

Research here has proved that timber and cattle are not only compatible but complementary. When lands are planted at a density of about 450 trees per acre, they produce timber faster and cheaper than do the higher planting rates of the past and they permit the same acres to grow forage that gives real opportunities for variety in its uses. It can be for cattle, or for wildlife or for a combination.

Here in Florida, for example, there is an inter-zone strip between the temperate vegetation of northern Florida and the tropical vegetative zone of the southern tip. We need to know what species of trees and shrubs will adapt themselves quickly to conditions in this area? How can they be used to create islands of beauty and to help stabilize ecology of the land along highways, in parks, waysides, and other areas? What will grow here that will help man live?

This will be the province of researchers on the project on landscape management and land use planning. This is research in multiple-use of land, research to create an environment for much better living.

When we practice multiple-use management of land, we are in the truest sense cooperating with the land. We enter into a partnership with nature to help her do that which she can do best on each piece of the sometimes fragile fabric which is the soil layer on which all our living depends. It is imperative that we work knowledgeably to perform our end of that partnership.

So, now, to the dedication of this facility.

In the presence of Almighty God, and with this company of people as witnesses, I hereby dedicate this laboratory, the men and women who will work here, and the combined effort they will represent over the years that lie ahead to the betterment of living for *all* the people of this nation, and to the under-

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standing and compassionate use of this country's total spectrum of renewable resources to the end that man may live well and do so in harmony with his environment.

COURT REFORM

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. HALPERN. Mr. Speaker, reform of our court administration is being widely discussed at the present as part of the broad specter of the crime problem and as a vital step to assure equal justice for all. There is much concern for strengthening the integrity of our court system, and the discontinuing of popular elections of judges in favor of appointment by experts may well be a significant factor in restoring this integrity. An article that appeared in the Queens Bar Bulletin of April 1969 by the noted attorney Nat Hentel, former district attorney for Queens County and former president of the Queens County Bar Association, presents a particularly helpful and incisive proposal for reform which I would like to recommend to the Members of this Congress. Its significance far transcends the bounds of New York City and New York State.

The article follows:

[From the Queens Bar Bulletin, volume XXXII No. 7, April 1969]

PROPOSALS FOR IMPROVING JUDICIAL SELECTION IN NEW YORK

(By Nat H. Hentel*)

I do not wish to labor the necessity for improving judicial selection methods in New York. From my own experience with the courts as a trial lawyer, as an activist in the field of politics and as an enthusiastic participant in the organized Bar activities of New York City and State, I believe that any lawyer knows that the present method of selection of judges is antiquated, and unresponsive to the needs of our society.

I will merely mention the following theorems which I believe to be self-evident as the truth of the situation:

1. There can be no question that justice can be served only where there is complete divorcement of the courts from the influence of the legislative and executive branches of the government.

2. There should not be the slightest hint or taint of suspicion with respect to the operation of the courts. If there is, then the validity of the entire structure collapses, for it is then viewed with cynicism and disrespect by the lay public and the legal profession. Otherwise, there can be no heartfelt feeling by the lay public that their courts are absolutely impartial and non-partisian. The political process involved in the selection of executives and legislators must not be permitted with respect to the election of judges. Otherwise, there will always be those who seek to jockey for a favorable court in which to try their case based upon their own prestige in the community or their political connections.

3. The so-called "popular elections of judges" are neither popular nor elections as we have come to know them. The public does not know the professional acumen or expertise of those it elects to judicial position. The Judicial Convention method of selecting judges is certainly the most undemocratic of processes.

4. An individual suffering from a brain tumor certainly would not entrust his life to a public referendum to determine which surgeon will correct his illness. Why is it then that the public selects the experts who will be charged with their lives and fortunes and liberties in the courts by popular referendum? It is true that it takes experts to know experts and the lay public by and large never is exposed to the courts or to lawyers or to judges. To elect the arbiter of the public's fortunes based upon political label and endorsement is a sorry way to find the best qualified to administer justice. Therefore, all political connection to the judicial selection process should be severed.

5. The public and its courts are entitled to the best expert talent available to man the courts—talent which, if necessary, should be recruited as a public service, and talent suited by training, experience, character and temperament. In other words, judicial experts should be selected by experts, and not subjected to the vagaries of how the public at large votes habitually, by historic predilection or by illogical divination.

6. Once judges are selected, then they should no longer be subjected to any political or societal pressure to make them conform to the popular feelings of the moment. Thus, the spectre of campaign for reelection should also be obliterated.

THE ISSUE

How can the judicial selection process be reformed and improved to insure the nomination of the most qualified as judges, and attract to service on the bench as a full-time and life-long career those best suited for judicial calling?

The following is proposed as the basis for legislative and constitutional reform in this area:

CREATION OF JUDICIAL SELECTION COMMISSION

The so-called "popular election of judges" should be abolished, and a Judicial Selection Commission of the State should be created.

Judges throughout the State should be recruited, screened and selected by such a Judicial Selection Commission which will recommend nominees to fill vacancies to the Governor with respect to State judicial office including the Court of Appeals, the State Supreme Court, the Court of Claims, the Surrogates and County Courts and the Family Court; and to the Mayors of cities, towns and villages and to the County Executives for the filling of vacancies in Municipal and District Courts and for the Civil and Criminal Courts within the City of New York.

The Commission to be instituted should consist of nine members appointed for nine year terms (initially three for three years; three for six years; and three for nine years). The Chairman shall be appointed by the Governor of the State initially for nine years and should be paid a salary of $45,000 per annum. The Vice-Chairman should be appointed by the Chief Judge of the Court of Appeals initially for a six year period. Four distinguished lawyer members should each be appointed by the four Presiding Justices of the four Appellate Divisions within the State. One distinguished lawyer member should be designated by the New York State Bar Association. One distinguished lay member should be designated by the Speaker of the Assembly with the approval of the Assembly. One distinguished lay member should be designated by the Lt. Governor with the approval of the Senate. The Vice-Chairman and each of the members of the Commission should be paid salaries of $40,000 per annum.

ESTABLISHMENT OF APPELLATE DIVISION SCREENING COMMITTEES

Judicial screening committees should be established in each Appellate Division of the State initially to recruit, screen and pass on the names of qualified judicial candidates to the State Judicial Selection Commission for its ultimate consideration and recommendation to the appropriate appointing authorities.

The Appellate Division Judicial Screening Committee shall consist of five members each, all of whom are distinguished lawyers, and all of whom should serve as a public service without salary. The Chairman of each of these committees is to be appointed by the Presiding Justice of the Appellate Division in each instance and should be a senior member of that Appellate Division's Committee on Character and Fitness. The other four distinguished lawyer members of each of said committees should be designated by the County Bar Associations within each Appellate Division by a method devised to rotate the selection of these members on an equitable basis based upon the size of the various Bar Associations, their number within the Appellate Division, etc.

STANDARDS FOR JUDICIAL QUALIFICATION

The Judicial Selection Commission when instituted, should have as its first order of business the establishment of minimum standards for Judicial Qualification.

It is recommended that no judicial candidate should be considered for judicial office unless he has actually served as an attorney for at least fifteen years with respect to District Courts, Family Court, Municipal Courts, Justice of the Peace Courts and the Civil and Criminal Courts in New York City; for twenty years for the Supreme Court of the State, the Court of Claims, the Surrogates and County Courts; and for twenty-five years for the Court of Appeals.

A system should be devised to evaluate the experience of attorneys aspiring to the judiciary which would fit them particularly for the type of work conducted by that type of Court appointment being sought.

Methods to determine qualitatively the ephemeral characteristics of good judges should also be established as guide lines with respect to temperament, candor, honesty, integrity, industry, experience, knowledge, community involvement, freedom from bias and prejudice, education, reputation in the profession, activity in the organized Bar, devotion to ethics, and freedom from arrogance, sloth and loquacity.

JUDICIAL RECRUITMENT

The method of recruitment of judicial candidates should follow the pattern recommended herein:

The Appellate Division Judicial Screening Committees should, via appropriate publicity, welcome and encourage the submission of names of judicial candidates by civic groups, Church groups, Bar Associations, and even by those individuals who are interested in serving in a judicial capacity.

The Judicial Screening Committee should then initially interview in person those who are nominated after the nominee has executed a detailed questionnaire in writing pertaining to background, education, legal experience, legal specialities, public offices held, community and civic activities and involvement, a definitive description of the type of practices engaged in, and wherein he sets forth the names and addresses of at least twenty members of the Bar of the State of New York with whom he has had dealings, litigation and office practice, and thereafter sets forth the names and addresses of at least ten lay civic, community and religious leaders who know him personally as references. All names given as references should be corresponded with and asked to submit

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*Nat H. Hentel, is a past president of The Queens County Bar Association, a former District Attorney of Queens County, in 1962 was one of the authors of The Queens County Bar Association plan for the selection of judges and is presently a member of the Judiciary Committee.

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confidential written evaluations of the candidate.

The Judicial Screening Committee will then orally interview the candidate and initially evaluate the questionnaire. If, by majority vote, the Judicial Screening Committee shall determine that the candidate is qualified for the particular court vacancy under the minimum standards enunciated by the Judicial Selection Commission, then that candidate's name, credentials photograph and any other appropriate documents shall be forwarded to the Judicial Selection Commission headquarters.

SCREENING PROCEDURE

The procedure of the Judicial Selection Commission after receipt of a candidate's name from the Local Judicial Screening Committee should be as follows:

The forwarding papers from the local Judicial Screening Committee should be dated, recorded and filed.

A State and local Police investigation should then be instituted into the background of each candidate and the criminal investigation report in writing on each candidate should then be received and filed.

Each candidate should then be required to submit medical reports in writing as to his current state of physical and mental health, which should be received and filed.

Each candidate should then be required to take an examination into his knowledge of the law and the operation of the court in which he seeks to sit in two parts: written and oral, much as the candidate for a doctoral degree is examined. For this operation, the Judicial Selection Commission should establish two subcommittees of its membership to supervise the foregoing steps—the subcommittee on the State courts and the subcommittee on the lower courts.

Those candidates who pass the physical, mental and judicial knowledge examinations and who are found to be qualified according to the standards of the Commission and who are free from any taint of criminal activity or disciplinary punishment by the Appellate Divisions, should then have their names and addresses published throughout the State as being candidates for the indicated judicial offices for at least thirty days before any nomination to an appointing authority is made.

After the names have been published for the thirty day period, then public hearings should be held by the Judicial Selection Commission at designated times and places to receive testimony from any member of the public interested in the judicial selection process with respect to any candidate.

After the public hearings have been held, then each judicial candidate may then qualify to have his name submitted to the appointing authority only after two-thirds of the whole Judicial Selection Commission have voted approval.

Thereafter, the Judicial Selection Commission shall submit to the Governor (for State judicial office) or to the Mayor or County Executive (for lesser judicial office) the names of three individuals for each judicial vacancy who are found to be the most qualified for that particular vacancy. These nominations by the Commission shall be kept in strict secrecy and confidence as between its office and the appointing authority. Within thirty days thereafter the Governor or the Mayor or County Executive must select one of the three nominees to fill the existing vacancy or vacancies. In the event that the appointing authority fails to do so, then the Chairman of the Judicial Selection Commission shall make the appointment by default.

THE JUDICIARY AS A CAREER

Inasmuch as service on the bench should be a full-time career, the permanence, prestige and security of the office should be attractive.

The appointment by the Governor to State judicial position should be for the judge's life.

The appointment by the Mayor or County Executive to the lesser courts should be for an initial term of ten years subject to reappointment for life after the Judicial Selection Commission evaluates the ten years of service in that particular court and makes its recommendation for a lifetime appointment to the appointing authority.

Judicial salaries should be scaled as follows:

1. Chief Judge of the Court of Appeals—$50,000.
2. Associate members of the Court of Appeals and Presiding Justices of the various Appellate Divisions—$45,000.
3. Chairmen of the Board of Justices within judicial districts of the State Supreme Court—$42,500.
4. Justices of the State Supreme Court—$40,000.
5. Surrogates and County Court judges—$37,500.
6. Court of Claims judges—$35,000.
7. All other judges—$32,500.

With respect to judges to fill State judicial vacancy, their appointment should be provisionally made for two years initially. At the conclusion of the two year trial period, if their record is good, their promptness, courtesy and demeanor satisfactory according to evaluations in writing by the local Judicial Screening Committees, then the Governor shall make the appointment for that vacancy for life.

The legislature shall provide sufficient and appropriate funds to pay the salaries of all judges within the state and to pay the expenses of administrating a unified court system and a unified judicial selection procedure as outlined above.

REMOVAL FROM THE BENCH

The removal of any judge during the term of his office shall be made only by the appointing authority once the recommendation for removal has been received from the Judicial Selection Commission.

Removal may be prompted by physical or mental ill health once this is certified properly to the Judicial Selection Commission or by a record of Judicial misconduct properly proved before and determined by the Judicial Selection Commission.

With respect to judicial misconduct, either willful or caused by physical or mental ill health, complaints in writing and signed by the complainant or complainants must be filed with the Judicial Selection Commission. The Judicial Selection Commission shall then designate one of its members to make an initial investigation, and based upon the investigating Commissioner's written report, a hearing will then be held by the Judicial Selection Commission sitting as a court.

If the Commission determines that the judge complained of should be removed from office, then it must so notify that judge in writing of its determination and shall then suspend that judge from the performance of his duties pending any appeal which that judge may initiate within thirty days of the receipt in writing of the Commission's determination.

The appeal by any judge shall be to the Court of the Judiciary which shall be composed of the Chief Judge of the Court of Appeals, the four Presiding Justices of the Appellate Divisions or the senior trial Supreme Court Justices designated by the said Presiding Justices to sit for them from each Appellate Division. The determination, of the Court on the Judiciary in confirming the Commission's judgment of removal or in reversing the Commission's finding or in directing a new hearing, shall be final and binding upon all concerned.

The hearings by the Commission or by the Court of the Judiciary shall be public.

REVIEW OF CONDUCT AND PERFORMANCE

The Judicial Selection Commission shall be required constantly to review the conduct and performance of each judge within the State.

It is recommended that the Commission require each judge within the State to submit medical recertification as to physical and mental health every three years.

The Judicial Selection Commission shall be empowered to establish the office of Administration of the Courts and to appoint an Administrator thereof who will be responsible to oversee the attendance, work assignments, and appeal records of each judge within the State. The Administrator shall be required to make quarterly reports on these matters for the review and analysis of the Judicial Selections Commission.

JUDICIAL ADMINISTRATIVE INSTITUTES

The State should establish grants to one designated law school within each Appellate Division of the State to establish and maintain Judicial Administration Institutes.

The designated Law School shall organize an Institute of Judicial Administration on the graduate level. It shall conduct annual two week seminars at repeated times during each school year to which each judge serving on the Bench within that Appellate Division shall be required to attend at least once a year on a rotating basis. The Institutes are to be staffed by senior judges and expert professors in the various fields of law. The purpose of these Institutes will be to upgrade continually the knowledge and performance potential of the expert judges to be selected to man the State's courts.

QUASI-JUDICIAL OFFICES

Not only should the Judicial Selection Commission recruit, screen, evaluate and recommend to the appointing authority those for judicial position but also those who would occupy quasi-judicial office so fraught with the public interest.

By virtue of all the foregoing, it is my recommendation that the District Attorneys of each county also be removed from the elective arena for the exact same reasons. The District Attorneys should be appointed by the Governor of the State of New York upon the recommendation of the Judicial Selection Commission following the same procedures as for judicial candidates, except the appointments should be for five year periods and thereafter for as long as that officer performs admirably and well and desires to continue in that job. This would follow the federal pattern of the appointment of U.S. Attorneys by the President of the United States.

All Assistant D.A.'s throughout the State should be lawyers appointed to the various positions involved from State Civil Service rolls after the passage of appropriate Civil Service examinations. This follows the eminently successful procedure and method now in practice in the Los Angeles County District Attorney's Office.

CONCLUSION

No one can honestly state that our democratic society will be made less democratic by taking the power away from the people to select and elect their judges. Right now, the people in effect do not select and elect their judges. It is done for them by political leaders.

It certainly cannot be said that the United States has been made less of a democratic republic because federal judges from the U.S. Supreme Court down to federal district judges are appointed rather than elected. The federal method of appointing judges has by and large worked to much better advantage to the public and to the courts than have the State elective methods.

Amongst practicing lawyers, there is far less criticism and cynicism about the federal

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courts than about state and local courts. Federal judicial candidates are, after all, put through a rigorous screening procedure involving nominations by United States Senators, screening by the American Bar Association Federal Judiciary Committee, screening by the U.S. Attorney General's Office and the FBI, and then the nomination of the President to the United States Senate for its "advice and consent."

After all, the Governor and the Mayor and the County Executive are elected by the people. The Judicial Selection Commission recommended above will operate in the full glare of public scrutiny and publicity and will be selected on a representative basis by the Governor, by the Chief Judge of the State, the Appellate Division Presiding Justices, by the Bar Associations and by the elected legislative bodies of the people—all of whom are ultimately responsible to the people and must answer to them at successive periodic polls. This is not less democracy but more enlightened democracy, providing for experts to select experts.

JOSEPH L. EICHLER

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. EDWARDS of California. Mr. Speaker, Joseph L. Eichler is considered by many as the most creative builder of homes in the United States. I have a special appreciation of Mr. Eichler's genius because during the past 20 years my family and I have owned two of these marvelously exciting "Eichler homes."

In addition to his outstanding success as a homebuilder and developer, Mr. Eichler is an astute observer of American life and of world politics in general. He also is one of our age's most delightful human beings. I am proud to call him a dear friend.

On May 1, Mr. Joseph L. Eichler addressed a Housing Conference at Washington University in St. Louis. I commend to my colleagues his remarks to an appreciative audience:

ADDRESS BY JOSEPH L. EICHLER

According to the agenda, I am supposed to talk about my experiences, make an assessment of the present, and express my hopes as a developer. This sounds like an assignment to sermonize a capability which I don't possess.

I do feel, however, that I did play the part of a crusader. I entered the field in 1947 with the idea that I would build single family houses in the Frank Lloyd Wright manner as a result of having lived in one of his houses.

Subdividing, orientation, lot coverage requirements, setbacks and dealing with authorities were factors that never entered my mind. My concern was that of the building itself. Having no knowledge of construction, I acquired a small home building firm and learned some of the techniques and practices while building conventional houses.

As soon as I had made some progress, I began to search for a qualified architect and in 1948 became associated with Anshen & Allen. An off-shoot of that firm, Claude Oakland, is still doing my work. In 1951, feeling the need for an additional firm, A. Quincy Jones and Fred Emmons, became another associate who have remained to this day.

The aspects of the crusade (if that is a proper term) are twofold:

First, the creation of houses that have architectural integrity and never to repeat them unless they could be improved upon, and to make sure that they always made sense.

Second, to battle what I have long called the numbers game. Whether you build a custom house or a subdivision, you encounter rigid rules which usually were formulated to meet some imagined but remote disaster or fitted in with someone's dormant dream of what an ideal neighborhood ought to be like. Usually this fitted the requirements of a distant locality (both in time and place) where conditions were entirely different.

Third, to create subdivisions that utilize the land more rationally than could be done under the legal prescriptions. My architects felt that environment was just as essential as the design of houses. I think I can truthfully say that especially in Northern California, this idea was instrumental in considerable change in subdivision ordinances.

The first community to adopt such an ordinance was the City of Palo Alto which legislated a PC ordinance which provided that where a property was more than a certain minimum size, a developer could submit a plan for a community which would stand on its own merits disregarding existing rules. This has since been adopted by other progressive cities under various names.

I guess my batting everage is somewhat better than average, but I am still haunted by the memories of bleary-eyed sessions that lasted till the wee hours where scores of irate neighbors all but threatened me with bodily harm and the result was failure.

From the standpoint of a man with considerable business experience extending over a period of 50 years, I wish to state that residential construction is the most complex industry in this country.

You start with the acquisition of a piece of land which can be a simple transaction or most complicated.

You then face the problem of its use and prepare a tentative map trying to meet the laws or rules of the local authority bearing in mind the requirements of your lender and/or the FHA.

You present it at a public hearing held by a planning commission frequently attended by hostile neighbors. Often it takes more than one meeting, usually held at night. If you succeed, you have to do it all over again with the City Council.

When you have overcome that hurdle, you employ a Civil Engineer to prepare the plans for development of the property in whole or in part. At long last, these plans are completed and are again reivewed by the local authority and/or the FHA. Usually there are conflicts to be reconciled.

Now you place houses on the lots and you run into a spate of rules concerning front, rear and sideyard setbacks, lot coverage requirements and height limits.

By this time all of the ideas you had about sales prices are obsolete. While all of the foregoing is unfolding, you are making arrangements for construction and takeout financing, as well as planning a sales program preparing literature and deciding how to furnish your model homes.

After your model homes are completed, you start selling and deal with people who move in and register complaints. It should by now have become obvious that a home builder has to be a hardy soul indeed.

Our industry is undergoing considerable change in that large outside enterprises have been acquiring many of our more successful developers, but I see little change in the end product as far as single family houses are concerned. Also, in the past few years, far greater activity has occurred in multi-family housing which was predictable. In this field, as far as quality is concerned, the change has been far greater and for the better.

Even before the merger trend began, big name corporations embarked on large scale land acquisitions with results that are not yet apparent.

In the past year considerable propaganda has been launched about ambitious housing goals for the ensuing decade. I view these with considerable skepticism because of the following roadblocks most of which are interrelated:

1. The war in Viet Nam.
2. The conservative political climate.
3. The high cost of financing and the uncertainty regarding its availability.
4. Inflation. The ever continuing rise in the cost of materials. In some case, particularly lumber and copper, the rise has been violent.
5. Labor. The shortage of manpower and skill besides the built-in contractual rate raises without any discernible increase in productivity.
6. Shortages of materials. For example, on several occasions in the past few months we have had to delay occupancies because of lack of toilets.
7. A concomitant of the foregoing is that the developer, builder, supplier and subcontractor all need far greater capital requirements, lack of which in itself creates shortages.

A substantial change that has occurred in the last few years has been in the resale or used house market. Resales used to sell at or about the same price as comparable new houses, and sometimes even higher. Lately, the prices range about 15 to 20% below.

Thank you. I shall be glad to answer any questions as best I can.

SENATOR MUSKIE'S GOOD SENSE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. EILBERG. Mr. Speaker, a few short weeks ago at a dinner marking the opening of the 1969 Anti-Defamation League Appeal in New York City, Senator Edmund S. Muskie received the Anti-Defamation League of B'nai B'rith Human Rights Award from Dore Schary, national chairman of the ADL.

Senator Muskie delivered an address which was marked by the good sense and honest judgment which have become hallmarks of the Senator's conduct, performance, and statements.

We in the Democratic Party are fortunate to number the gentleman from Maine among our leaders. The Nation is fortunate that the people of Maine had the good sense to elect Mr. Muskie to the Senate.

The Senator's speech did not go unnoticed in the daily press of my own city, Philadelphia. The Evening Bulletin, in an editorial "The Spirit of Moderation," applauded the Senator's call for the "moderate majority of blacks and whites" to end the racial divisions in this country.

For the Record, I insert Senator Muskie's speech delivered March 31, 1969, at the Waldorf Astoria Hotel and the Bulletin editorial which appeared April 5, 1969:

REMARKS BY SENATOR EDMUND S. MUSKIE

Three hundred years ago the vessel *St. Charles* brought a small band of Jewish people to the shores of what was then the Dutch colony of New Amsterdam.

They were refugees fleeing from the Inquisition. Their arrival was inauspicious, but the event was meaningful—not only to the Jews of America, but to Americans of all faiths and national origins, who were to follow.

For on that day there came to these shores 23 people whose ancestors had given new dimensions to the concepts of liberty and justice, kindness and understanding, brotherhood and trust—ideas and ideals which were to flourish on this continent.

They were descendants of a people dedicated to the principle of human dignity; and they came to a land which would flourish because it would foster that dignity among its citizens in the years to come.

This is the tradition which motivates the Anti-Defamation League today.

I have followed your work with great interest. I have admired your legal and educational efforts to stamp out discrimination wherever it occurs.

I know that from the very beginning, you have practiced what you preached—that as a Jewish organization you sought an end to discrimination against Jews but wrote into your original charter that you sought "justice and fair treatment for all citizens" because you understood that in a democracy the fate of all people is intertwined.

It is obvious to anyone who has followed the enviable and inspiring record of the League, that you have faith in your cause because you have faith in your nation.

And in large measure, the history of the Jewish people in America is the history of America itself. In your aspirations, frustrations and successes are reflected the attempts of all Americans to realize that high degree of individual worth which the Declaration of Independence and the Constitution set forth as the democratic ideal.

When my father came to America from Poland, he wasn't driven by a burning desire for wealth or fame. He came so that he, and his children after him, could have an equal chance for fulfillment in freedom. I have had that chance; my children are having that chance; and to the extent that I have any role in America, my commitment is to insure that every young American gets that chance.

I think this is what we all feel.

But democracy is a difficult business. Someone said that man's perennial struggle to govern himself is the most trying of human endeavors. This is as true today as it was at the time of our nation's birth.

There is always a testing ground in a democracy.

From time to time in our history, certain segments of the population have been subordinated to the lowest rung of society's ladder. Their attempts to attain economic, social and political equality have provided the challenges which have pulled us on to greatness.

Three hundred years ago, every human right the Jews of Dutch New Amsterdam achieved, they earned dearly, by invoking law and justice. They had to fight for the privilege of owning houses, of trading with the Indians, of engaging in retail trade, and of worshipping their God in the manner they were taught by their fathers.

Fifty years ago, the struggle for human rights was called a class conflict and the testing ground was in the factories—where laborers fought to make a place for themselves in American life.

Now the testing ground has shifted. The arena is the inner city, and the issue has become one of equal treatment for all Americans, regardless of irrelevant considerations of ancestry.

The strength of our democracy lies in its traditional capacity to correct its own faults and rectify its own injustices.

The election of John F. Kennedy as President is a far cry from the terrorizing of Irish Catholics by the Ku Klux Klan.

The Wagner Act is a far cry from the sweat shops of the 1920's where women and children worked 14 hours a day.

To our generation falls the historic task of bringing full justice and equality to all citizens of this nation.

The efforts—and the progress—that the disadvantaged have made over the past 15 years have been called the revolution of rising expectations.

But their expectations are no more revolutionary than those things which you and I have come to take for granted.

They want decent jobs. They want their children to be taught to read and write. They want their hungry to be fed, and their sick to be treated.

In this respect, the issues raised by this revolution are no different than the problems raised by poverty and the inner city, and we attempt to solve them in the same way—by the model cities program, low-rent housing, medical care and better educational facilities.

But money alone is not enough to carry through the revolution of rising expectations.

Talk to a young Black who has "made it"—who hasn't missed too many meals lately. You'll find he isn't talking about poverty alone.

He wants to know why empty taxis speed past him on cold nights.

He wants to know why his street is the last to be plowed after a snowstorm.

He wants to know why he has never been asked to serve on a jury.

He wants to know why he couldn't find housing near the campus when he attended college.

Money can buy better schools, better health care, better training for jobs.

But money cannot buy human dignity.

People everywhere are as hungry for respect as they are for bread.

Asser Levy led his band of Jewish Pilgrim Fathers to New Amsterdam because they had to find a country where they could put into practice their belief in the dignity of man.

In this respect, they were no different from the scores of groups who have struggled to attain the same end since then.

Through unpredictable conditions democracy has worked in this country because we have welcomed all peoples, many of whom were different and unfamiliar—when our first reaction to them might have been hesitation and even fear.

Now in 1969 we are again challenged to make democracy work.

Unfortunately, the task is made more difficult by extremists on both sides. Some people have suggested that the old answers are no longer good; that they can no longer be pursued safely; and that at this point in our history we must begin to build walls between people.

The follow-up study recently released by Urban America and the Urban Coalition tells us that the nation is increasingly in danger of dividing into two societies; that blacks and whites remain deeply divided in their perceptions and experiences of American society.

Unless the movement apart is reversed, we are in for difficult, emotion-ridden times, and it is idle to pretend that they will go away.

The problem will be resolved not by hatred and bitterness, but by a determined effort on the part of the moderate majority of blacks and whites.

Americans must demonstrate again that reason can rule passion, communication can replace separation.

I think that one of the greatest barriers to progress is our failure to talk to each other enough—or rather, we don't listen to each other with understanding.

The creation of effective, continuous dialogue among different communities will require patience and imagination. At times, the excesses of extremists may discourage moderates.

But what must be understood is the principle to which the Anti-Defamation League has dedicated itself since its founding 56 years ago—that what effects one segment of the nation, effects all.

We are all Americans with a common problem. We must work it out—all together and each alone.

Because our government is nothing more than the sum total of the people it serves, the choices that we personally make and the courses that we personally follow will finally determine the true character of this country.

I have faith that the day will come when human rights awards will be a thing of the past, simply because all Americans will be judged on their merits, not on their origins, the spelling of their name, their beliefs, or their color.

THE SPIRIT OF MODERATION

Receiving the Human Rights Award of the Anti-Defamation League of B'nai B'rith, Senator Edmund Muskie of Maine said, with his usual good sense, that it would take a determined effort by America's "moderate majority of blacks and whites" to end this country's racial divisions.

He also said that one of the greatest barriers to progress "is our failure to talk to each other—or rather, we don't listen to each other with understanding."

Perhaps it would help if there were less blind contention and more conversations, less clamor and more civility in dealing with each other. Extremists on both sides, to be sure, do not really wish to communicate but to dictate.

This is not to suggest that the urgent needs, the unfulfilled rights, and the decent aspirations which are the source of legitimate strivings today should be swathed in the cotton wool of mere politeness. That often leaves the mind unreached and the heart untouched.

It is to say that the spirit of moderation holds a democratic society together, and that when it is riven from a people no force can bring them cohesion.

"People everywhere are as hungry for respect as they are for bread," Senator Muskie told the audience. Giving one another respect and getting it in return can only be a product of moderation; extremism presses to the bitter end without regard for others.

The spirit of moderation, Judge Learned Hand once said, feels a genuine unity between all citizens, recognizes their common faith and common aspirations, has faith in the sacredness of the individual.

Moderation, in short, humanizes; extremism polarizes.

Senator Muskie said "the day will come when human rights awards will be a thing of the past simply because all Americans will be judged on their merits, not on their origins, the spelling of their names, their beliefs or their color."

If that day is to come, it will be because the American majority asserts itself as militant moderates.

INDIANA STATE REPRESENTATIVE HARRIET BAILEY CONN SPEAKS OUT ON COLLEGE EDUCATION

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. BRAY. Mr. Speaker, the impression is sometimes given that not enough funds are being allotted for State schools, by State legislatures, and the end result is that students will have to drop out as a result of higher tuition fees.

This charge has been made lately in Indiana, at both Purdue and Indiana University, and members of the Indiana State Legislature have come under attack for what they did or did not do at the last session. State Representative Harriet Bailey Conn, Republican, of Indianapolis, has refuted this charge, and in the following story from the May 8, 1969, Indianapolis News, she makes the point:

The Poor Can Go to College

(By Margaret Moore)

"The poor can go to college," Rep. Harriette Bailey Conn (R.), Indianapolis, said in answer to university students who write and telephone her challenging action of the Indiana General Assembly on funds allotted for state schools.

"We made very sure that allotments for regional campuses of both Indiana University and Purdue University were increased," Mrs. Conn said. "We wanted to make it possible for all students to attend college, if they really want an education."

She said funds from taxes were not available to meet the complete requests from state universities.

"We did not believe that taxpayers would put up with another increase in taxes," she said. "And, too, we had to think seriously about the many other obligations of the state—mental health, highways and other vitally important areas."

Mrs. Conn pointed out that "when I say the poor can attend college, I mean that any young person who is serious about an education can find a way—even today.

"In my own family one of my sons dropped out to work and will return to pay his own way," she said. "I know hundreds of young people who are going to evening school and working during the daytime, or visa versa. There are also scholarships for working students."

She said that the overall budget for Purdue was slightly smaller than that for Indiana University, but that the budgets for both regional campuses were greater in 1969–70 than in 1968–69.

"I see no reason for a special session of the legislature at this time," she said.

Mrs. Conn, an attorney, obtained her law degree by going to school at night and working during the daytime.

TRIBUTE TO DWIGHT D. EISENHOWER

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. ROBISON. Mr. Speaker, William A. Grace—of Freeville, N.Y., in my congressional district—has been a participant here, these recent months, in a study group of State University of New York students and others examining "The American National Governmental Process," during which time he has had considerable contact with my office.

I have come to know and appreciate Mr. Grace who also is a contributing reporter to the Inter-County Press, of Dryden, N.Y., writing a column of "Washington Comment" based on his observations while here in the Capital City. One of his recent columns was a tribute to Dwight D. Eisenhower which, under leave granted, I now include as a part of my remarks:

Washington Comment

(By William A. Grace)

"The death of President Eisenhower takes from our midst a great American, a great statesman and military leader who served our country in peace and war with sound judgment and outstanding courage."—Speaker of the House John McCormack.

In Washington tonight, the heart of Dwight David Eisenhower is still. He passed gently from us at 12:25 this afternoon. President, General of the Army, Chairman of the Joint Chiefs of Staff, Supreme Commander of N.A.T.O., author, and former President of Columbia University; all prove an inadequate measure of the man. For Dwight Eisenhower was the embodiment of an American dream.

Only history can judge the ultimate significance of the "Eisenhower Years". It will have much to assess; implementation of containment, the peaceful uses of atomic energy, establishment of coexistence, the first enforcements pertaining to civil rights, the ending of the Korean conflict, and the espousal of the Eisenhower Doctrine, but perhaps most the fact that he moderated the fury of our domestic politics. Only time can validate whatever judgment we hold.

Official Washington, as well as the world, has paid profuse tribute to this great American. Richard Nixon spoke of his "unique place in American history". Lyndon Johnson declared him "A giant of our age". Truman praised his military acumen, and Hubert Humphrey his international foresight. Ted Kennedy cited his 'quiet dignity' and Earl Warren stated that he felt an illustrious chapter in world history had closed. Everett Dirksen, the Republican Senate Minority Leader, had the most definitive comment: "The World Liked Ike."

Yet the significance of Dwight David Eisenhower lies not in the world of Washington's movers and shakers. It lies in the genuine and sincere affection with which he was held by his fellow citizens. Of all the beautiful tributes paid to this former President the greatest was given by an anonymous negro woman who, when asked, stopped before the local television cameras and said: "I think he was a nice man. I'm sorry he died, and I hope he goes to heaven." Dwight Eisenhower's spirit lives in the hearts of those who knew him. There was no facade. His intense humanity has not been lost upon us.

THE LATE EUGENE KINNALY

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mr. ROONEY of New York. Mr. Speaker, the House of Representatives is a poorer place today for the passing of Eugene Kinnaly. I join with my colleagues in sharing the grief for Gene who for more than half a century devoted himself to serving this body, its Members, and our beloved Speaker. It is not possible in a few pale sentences to sum up the measure of this rich human being; for to try and do so is to try to define in mere words his warmth, dignity, goodness, and sincerity. He was friend, confidant, and so much more to all of us; we shall never again see his like. May he rest in peace.

IS ULTIMATE POWER VESTED IN COURT?

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DERWINSKI. Mr. Speaker, while individual members of the Supreme Court are in the headlines these days, we are constantly faced with the problems caused by adverse court decisions and the impact that they have on local and State governments as well as our National Government.

Therefore, it was with great interest that I noted a very pertinent and effective article by Illinois State Senator Terrel E. Clarke, of Western Springs, questioning the philosophy of court decisions.

May I point out, Mr. Speaker, that Mr. Clarke is an outstanding member of the Illinois Legislature and a keen student of government, and therefore his comments appearing in the La Grange, Ill., Citizen, May 8, are extremely relevant:

Is Ultimate Power Vested in Court?

(By Terrel E. Clarke, State senator)

Is ultimate power in this country from the top down: judicial decisions of the United States Supreme court are the law of the land; or is the power from the people up, as in the elected representatives of the people?

The recent decision of the Supreme court that several students at a Des Moines high school have the right to wear black armbands in school raises some interesting questions.

Based on the reasoning in this case, the local "dress codes" in our high school would seem to be in danger of being out the window.

The Supreme court is now going to become the school board for the most local function in our governmental set-up. School boards are locally elected, and yet their powers are becoming increasingly regulated by Washington, whether by the Supreme court or some federal agency edicts tied to federal monies.

The Illinois senate recently passed a bill saying teachers have the right to observe a moment of "silent prayer" in their school rooms.

This bill really means nothing, for certainly teachers now have a right to observe silence in their classrooms, but when it is designated for "prayer" they may be in trouble with the Supreme court. Yet, the state legislature, and the federal congress, start each session with a spoken prayer. I wonder what the Supreme court does?

Several years ago the Illinois voters passed a constitutional change for redistricting legislative districts. A few years later the Supreme court decided that Illinois voters did not have this right, that they must conform to their decision of "one-man, one-vote".

Due to this federal ruling, a number of state senators were cut off in mid-term, including such outstanding men as Arthur Sprague of LaGrange and David Davis of Bloomington.

It appears obvious that if the federal court can decide that a state senator is illegally elected, despite the decision of our state that he was legally elected, they could do likewise to a governor, or a U.S. senator, or possibly even a President!

After all, United States senators least of all conform to the "one-man, one-vote" rule, with each state having two senators regardless of population.

XUM

Our founding fathers envisioned the ultimate power residing in the people. For this reason we have the elective process known as representative government. These elected representatives are supposed to be a check on the judiciary, as well as on the executive branch of government.

In the light of recent decisions of the Supreme court, a serious question arises as to whether the congress is performing its function as a check and instead has forfeited its primary role in government.

The people do have the ultimate power, and they should be letting their elected representatives know what they are thinking!

THE TEACHER CORPS—SUCCESS IN DETROIT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. CONYERS. Mr. Speaker, in recognition of the need to find new and creative ways to strengthen the educational opportunities available to children in low-income areas, the Teacher Corps was formed. This program, as you know, brings college and high school students into action as tutors in core-city schools. Its primary goal is to unite the teacher to the cultural orientation of the child. The Corps has been highly evaluated and one of its most remarkably successful programs operates in my congressional district from Wayne State under the dedicated and able leadership of Mrs. Margaret Ashworth.

Her sensitivity to the goals of the program and the needs of the community has contributed to the meaningful role which the Teacher Corps is playing in its efforts to solve the teacher shortage in the ghetto and in rural centers across this Nation.

It is my privilege to bring to your attention the following article about an outstanding educator and leader in the Detroit community. The article appeared in the May 1969 issue of the Tuesday magazine:

THE TEACHER CORPS: LEARNING LIKE IT IS

(By Ernest Tidyman)

A 20-year-old teacher-trainee walks into the office of a middle-aged, highly experienced school administrator and announces that the school's teaching program for black children is worse than no program at all. Somebody will have to get Margaret Ashworth on the phone about the explosion that follows.

A group of militants decides to protest a vigorous, carefully defined approach to teaching Negro history in one school system because the program is integrated rather than all-black in tone and theme. Better get Margaret Ashworth to come over and deal with that one.

A subtly regressive school board figures it can duck its responsibility toward funding a full inner city schooling plan simply by pleading poverty when it comes time to buy equipment, hire teachers, reorganize classes—since everybody knows that school systems never have enough money. Get Margaret Ashworth involved in the study group there to see where the funds are tucked away and how they can be pried loose.

These are among the constant round of events that make it almost impossible to find Margaret Ashworth in the small, cramped quarters she calls an office at Wayne State University in Detroit. She's always on the move, always on the run, constantly confronted with another problem that must be considered.

Mrs. Ashworth, a tall and attractive middle-aged woman—who is at once soft-spoken, gracious and imposing in that she imparts an air of authority based on both understanding and determination—is director of the Teacher Corps in the Detroit area. The problems that were enumerated above may not have been the ones she dealt with directly last week or this, but they took place somewhere in the Teacher Corps operations in 32 states, the District of Columbia and Puerto Rico. They are typical problems, just as Mrs. Ashworth is somewhat typical of the administrators who run the federally sponsored program.

What she does—and what the administrators like her do throughout the country—is guide teams of experienced teachers and teacher-trainees (or interns, as the Corps calls them) into learning *how* to teach the child of low-income groups.

This may mean the white children of Appalachia or the red children of the Indian reservations—but most of all it means the children of any urban ghetto . . . and that mostly means working with black children. The path of this effort leads directly to problems the child may have in understanding himself, the inadequacy of the curriculum or the school administration, the question of the youngster's pride and belief in himself as a learning, learnable human and the whole essence of education.

"Those interns aren't afraid to confront anybody to do this," Mrs. Ashworth states. "The other day I was talking to a principal from one of our schools who said he couldn't believe that one intern had the gall to come right to the principal and criticize a certain white attitude.

"This is a new breed. They're just beautiful. They do confront the bureaucracy and we encourage them to do it. Some schools may feel threatened by their presence—not open confrontation, but isolated incidents where the principal feels uncomfortable with an intern, because he wears a natural hair style or because he wears his hair long.

"This is not to say that our interns are characteristically identifiable by their hairdos."

But, she added, the natural hairstyle has raised problems among black and white parents who wanted one teacher intern removed because of it, finally admitting that they automatically thought the style meant that the young man was a militant separatist, and these particular black and white parents were alike in not subscribing to such a view.

"He had been accused of teaching hate in a black history course," she said. "Now what I did was drive over to that school and talk the issue over with the principal and the parents who have been objecting."

She seemed confident that the teacher-intern would stay on the job as a result of the talk. She was just as confident that things would be working out as well for the 1,950 men and women in other Corps situations—1,625 college graduates and undergraduates working with 325 team leaders.

The Teacher Corps, which will receive about $20 million this year from the federal government, was set up in 1965 under a proposal to Congress by Senators Gaylord Nelson of Wisconsin and Edward Kennedy of Massachusetts.

It was part of the Higher Education Act of 1965 and placed the Corps under the aegis of the Department of Health, Education and Welfare, although the Corps' operation is less federal than community. Local school systems really run it in cooperation with a nearby university and with the approval of the individual state departments of education.

Corps workers now serve in 150 school systems and study at 45 university training centers.

"We have intense interaction with the community people," Mrs. Ashworth says. The community involvement component is very important.

"The interns do surveys of the neighborhoods to become acquainted with the community. Some teach adult black history courses, sewing, modeling and other extra courses in the evenings.

"The interns are on campus two afternoons a week with course work specially designed for them. Each university designs its own courses for the interns, which must include, according to state requirements, certain courses in sociology, child psychology, etc. In addition, we develop our own courses in language-arts methods, science methods. We're unique because we choose the instructors for the courses.

"They are all Wayne people. We choose only those instructors who demonstrate an interest and understanding of the problems confronting the inner city teacher. In fact, last semester the students boycotted their sociology class. They claimed that this professor was involving himself in certain stereotypes that both the blacks and whites were rejecting. He didn't want to continue with the course, but I went and talked to him, telling him it was as much his challenge as it was the interns."

The interns get $75 a week for their work of carrying a double load of teaching, learning and frequently battling the school system for improvements and innovations. If they are married, there is an additional $15 for each dependent, with the local school systems providing 10 per cent of the salaries, the federal government the rest.

The Health Education and Welfare Department thinks of of the Detroit program as by far the most ambitious of any across the country and a pacesetter for the others. Last summer, Mrs. Ashworth and the Detroit group set up a curriculum development laboratory, and the intensive instruction in Afro-American history in the lab resulted in a package of materials and new ideas for working black achievement, culture and awareness into every subject in the school curriculum—art, literature, music, science, social studies and, of course, history. It began as a program for the local Pattengill Elementary School, but soon spread to five school districts.

Black children in the fifth grade were startled by some of the work material that evolved—pictures of contemporary Africans working in factories and boarding planes, doing a hundred other professional and social things that would show modern Africa as more than a great jungle continent across the sea. The results, the teachers feel, is pride of race, pride of identity.

"The area of curriculum innovation is very broad and important," Mrs. Ashworth says, "in that we can use it to get to other problems such as the negative self-image of the black child or certain teacher attitudes."

Teacher attitudes can hardly be stressed too strongly, Mrs. Ashworth feels, for they are both the greatest help and the worst problem. The difficult confrontation that the Teacher Corps intern most frequently faces is with the school administrator or fellow teacher who is traditional minded and stereotyped in his concepts of the black student and the black teacher.

It is not the white teacher alone who suffers this problem, Mrs. Ashworth points out, for many of the identity and pride difficulties that beset the black child also trouble the black adult who may happen to be a teacher. This is one reason she feels so positive about the confident, even aggressive approach of her "new breed" in the Teacher Corps, ready for any confrontation to help themselves learn and to teach others.

XUM

In addition to Wayne State, several other colleges or universities attended by Teacher Corps workers have initiated courses dealing with black history or black culture. Among them are Temple University in Philadelphia, the University of Miami, East Tennessee State, Xavier in Cincinnati, Prairie View A & M College in Texas and many of the black universities.

Other colleges are putting together relevant courses and teacher interns try to exert pressure wherever possible to move in this direction.

The pressure is passed on along the educational line. Many school districts have incorporated black culture into the study programs. For example, at the Harry Wood School in Indianapolis, black history and culture are treated as an integral part of other studies.

"We think what the community wants is integration into the total society," says Tom Fine, a Teacher Corps team leader there. "And that is why we are considering establishing a course of study identifying social units of people based on income, religion or race, and defining what makes each one different. We will ask where each unit came from, why they left, where they settled, what problems they dealt with and what their contributions were. In this way, the Negro will be studied as one of many groups, but not as an entity apart."

In Indianapolis, however, the calls for basic Negro history study have been answered by the school system's adoption of a policy of integrating it into all elementary, junior high and high schools.

At Crispus Attucks School there, Cliff Robinson and his Teacher Corps interns found that small groups of poor readers, some of them two, three and four years behind their age level in skills, could be brought up to higher levels more rapidly when the reading matter was such as Richard Wright's *Black Boy* or *The Autobiography of Malcolm X*. The material, along with its obvious relevance, proved to encourage verbalization and this, in turn, aided reading.

Since each Teacher Corps unit is more or less autonomous within its area of operation, there are differences of approach in theory and practice. In Akron, for example, there is evidence that some reservations are held about going ahead with such material as an approach to black culture.

Glen A. Childs, associate director of the Teacher Corps at Akron University believes that Akron's slower, more cautious approach is right. He tells of the Teacher Corps intern who prepared an Afro-American history course to teach those children who specifically requested it.

The material was offered on the student's own time and was presented in two ways—first, as propaganda with discussions of "Black Power" and, second, along with other studies in social concepts, language arts in the customary manner of teaching. Childs reports that it was the second approach that had the greater impact.

Childs is not certain that children who do not like history will automatically like black history any better. He is hoping that a direction will be found in the community research study the Teacher Corps interns will conduct to determine exactly what and how much of anything the community itself wants in the schools.

Still another pattern for teaching any minority group studies has been formed in Chicago at Northeastern State College with the inauguration of the Center for Inner City Studies.

The Center, which is funded through the Experienced Teachers Fellowship Program of the Office of Education, was intended to give background to teachers working with the Spanish-speaking disadvantaged and Southern white migrants as well as inner-city blacks. Northeastern State is one college of the group known as the Chicago Consortium that includes six colleges or universities within the area.

Four courses on black culture are offered at the Center. History and Culture of Black People; Culture of Poverty; Literature of Minorities; and Pathology of the Ghetto. Teacher Corps interns may elect two of these. There are two courses offered on the culture of each of the other groups.

As part of the Center program, social workers, nurses, policemen and others were invited to join an evening course to educate themselves about the people they worked with, and 500 signed up for the courses. There is also a Prospective Teacher Fellowship Program at the Center, largely a linguistic curriculum with emphasis on English, to assist in translating, understanding and making more intelligible the various dialects of the disadvantaged.

At the McCorkle School in Chicago, an elementary school adjacent to a low-rent housing development, Afro-American history was used to bring the parents closer to the school. Timuel Black, coordinator of community activities with the Chicago Teacher Corps, grew up in the area around the school and he called upon parents in the area to reconstruct recent history by recalling the many illustrious people they knew who had come from the same area. They remembered Nat King Cole; Welton Taylor, the biologist; Lou Rawls, the singer, and others. "Current" history—and pride—thus became introductory steps to broader studies.

In Pittsburgh public schools, new Afro-American materials pertinent to every subject in the curriculum have been offered to the teachers, which has spared the Teacher Corps interns the problem of initial groundwork in introducing such changes.

Interns studying at Temple University in Philadelphia have been busy teaching black history to adults as well as to children. For example, one evening a week intern David Bell teaches adults attending the Little Fellowship House, an intergroup center, and another evening he teaches at Calvary Settlement in South Philadelphia. Meanwhile, several team leaders and Corpsmen, who are members of the Association of Afro-American Education, are concerned with developing new materials for the inner-city schools.

At Temple, historians and community residents are also finding themselves invited to address interns who are involved in such activities as Negro Culture Week and Black Youth Leadership conferences.

"It is interesting to see," a Philadelphia team leader commented, "how Teacher Corpsmen develop respect for the black community and its achievements. The next step is for the Corpsmen to talk realistically to the youngsters and help them to live through the many frustrations of the black community."

While most Teacher Corps activities are concentrated in urban areas, there are some that deal with equally urgent problems outside the ghettos. These are represented by the pockets of poverty in rural America where blacks and whites alike share the same misery.

One of these areas is in eastern Tennessee, in Carter and Washington counties. There, the Teacher Corps is based at Eastern Tennessee State University and the team consists of three white and one black interns. They conduct classes for whites and blacks, children and adults.

The approach to both young and adult is part of the work in Compton, Calif., where a black teaching materials center has parents helping with the materials development, leading classes in social studies and participating in a workshop where teacher can learn to use the materials.

In the Willowbrook area, near Watts, famous black individuals are brought into the classes for a day—Marian Anderson and O. J. Simpson among them—to persuade youngsters that the black world is not simply the ghetto and its problems but an outer circle of possible achievement.

And, again, leading the most dynamic program of this widespread effort is Mrs. Margaret Ashworth in Detroit, who came to her vital post with a broad background in educational and racial motivation work.

"I've been in the Detroit school system since 1950," she says. "I came with five years experience in Tennessee, where I taught elementary home room and grades one through six. In 1965, I took a leave of absence and worked with the Desegregation Advisory Committee, which was a federal program in Wayne County authorized by Title IV of the Civil Rights Act of 1964.

"As members of the committee, we went to 43 school districts setting up workshops where de facto school segregation could be discussed.

"I worked for the committee for one year. I was then assigned as assistant to the principal to Pattengill School where I used to teach and where my children went to school. I was assistant principal there for a year and a half until the director of the Teacher Corps asked me to join the Teacher Corps staff."

From this point forward, it is a difficult choice for Mrs. Ashworth: Back to teaching with the Detroit Public Schools at a time of their greatest change or continuing on with the Teacher Corps as its "beautiful" young people continue to effect many of those changes.

This choice—which in various ways will confront many others in the Teachers Corps—has one built-in blessing. In either case, she and the others will remain at the heart of an impressive effort in which they have gained in their own human and professional stature as they have contributed to opening others to their own vast possibilities of growth.

BLACKMAIL IN THE CITIES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. RARICK. Mr. Speaker, Daniel Moynihan, chief urban affairs adviser, seeks an additional $20 billion in Federal funds supposedly to fight city problems—where those to be aided only "seek to build and control every institution that operates in the ghetto," not to improve life for the poor, but for the "acquisition of power."

Mr. Moynihan's proposal is thus doomed by the erstwhile leaders of those he would use taxpayers money to help. People who do not want help, cannot be helped. But this should come as no shock to Mr. Moynihan, who as a social scientist is charged with knowledge that mere environmental change has little, if any, effect on character, and ability.

I include a clipping from the Washington Evening Star, a letter of May 5 from Mr. Carleton Putnam to Mr. Moynihan, a report from Barrons, and Victor Riesel's "Now Hear This" following my remarks:

[From the Washington (D.C.) Evening Star, May 13, 1969]

MOYNIHAN ASKS DOUBLED AID TO CITIES

Daniel P. Moynihan has called for a new national urban policy designed to give vitality to cities through more federal funds and recognition of their elected officials.

Moynihan, President Nixon's chief urban affairs adviser, told the U.S. Catholic Conference Task Force on Urban Problems yesterday that federal aid to cities and states should be doubled—adding about $20 billion to the present distribution of aid.

He also urged federal authorities to give more attention to dealing with the elected officials of the cities rather than the leaders of special groups within urban areas and encouragement of state participation in solving urban problems.

Before Moynihan spoke, two black militants told the 100 priests and laymen attending the conference that the goal of the black revolution is "acquisition of power."

C. Sumner Stone, vice chairman of the Black United Front of Washington, and Rev. Franklyn D. R. Florence, president of the FIGHT organization in Rochester, N.Y., agreed that whites have relied too much on the advice of Negro leaders who no longer represent the black masses.

"The problem of the black man in America and the world is powerlessness," Florence said. He said the answer was not in listening to "rhetoric that means nothing," but "to build and control every institution that operates in the ghetto."

Stone said that violence has become accepted by blacks. He predicted there would be more "rebellions," including disorders in Washington, within a few years.

McLEAN, VA., *May 5, 1969.*

Hon. DANIEL P. MOYNIHAN,
Special Counsel to the President on Urban Affairs, the White House, Washington, D.C.

DEAR MR. MOYNIHAN: Forgive the delay in acknowledging your reply of March 20, through Dr. LaVeck, to my note of February 28. When it reached my office I had just left for our annual cruise through the out-islands of the Bahamas—you may advise the Boss that if he ever wants isolation I can find him a harbor in the Exumas—and since my return my desk has been swamped.

Your comments were greatly appreciated, and with most of them I agree. I have never disputed the fact that environment plays an important part in the realization of potential ability and character, and no one is more anxious than I to see social injustices corrected and environments improved. Environment does not, however, alter potential. I would say that the most profound, damaging and dangerous misunderstanding in our society today is the assumption that poverty and inequality are primarily the result of social injustice. This is simply not the case. The primary cause resides in genetic differences in potential human capacity, both individually and racially.

The preaching of the opposite of this truth over a period of forty years by our scientific hierarchy, our educational establishment, our religious leaders, our politicians and our mass media is at the root of most of our national and international problems today. It has given the Negro an imaginary grudge against the White man, and the White man a false sense of guilt toward the Negro with its related attitude of appeasement and permissiveness, which in turn has spread intra-racially throughout our homes, our schools and our courts.

The emphasis has been totally wrong, and the consequences are approaching a national disaster. The essence of the American dream was a fluid society in which ability and character at the bottom could rise to the top; it was never intended to be a society in which the bottom, regardless of either ability or character, could permeate and dominate the top, lowering its standards, flouting its laws, draining its substance and initiating the obvious current decline in our civilization.

Everything therefore which tends to further the fallacy—such as Nixon's statement that intelligence is *largely* formed by the environment—is to be regretted. The best evidence today, as you know, is that 80 per cent of the final product is inborn. Moreover, when you speak of Dr. Jensen you must realize that his racial presentation involves only the field of psychology and genetics. All the available data from other areas such as anatomy, histology, physical anthropology, electroencephalography, kinesthetic maturation studies and world history reinforces and confirms Jensen.

Beyond this, in reply to your remark that there still is "a good deal of controversy" about these issues, I must point out that while we indeed hear debate about an exact measurement here, or a fine point there, no controversy can be sustained as to the side on which the *overwhelming preponderance* of the existing evidence falls, nor can there be any justification whatever for basing all our public policies on the assumption that the opposite of this evidence is true. Human societies cannot act solely on mathematical certainties. Civil cases at law are decided on the balance of the credible evidence, and criminal cases on proof beyond *reasonable* doubt. That we should be making all our decisions on domestic and foreign policy in the human field in defiance of these rules would be an amusing farce were not the consequences so tragic.

Finally as to this matter of hope. I, too, see hope but I do not see it in continuing either the farce or the tragedy. I see the first, faint glimmerings of it in Nixon's and Mitchell's references to the need for backbone on the part of college administrators. If the same exhortations could be directed to the National Academy of Sciences in regard to the proposals of Dr. Shockley, the glimmer would become a distant light. The one thing our people need most today is to be led out of this slough of fawning self-abasement in which we wallow and in which excellence feels forever obliged to surrender to its opposite. It is destroying moral courage throughout our society.

And I might add that nothing is more certain to increase trouble than cowardice toward the troubles you already have.

Sincerely,

CARLETON PUTNAM.

[From the Baton Rouge (La.) Morning Advocate, May 1, 1969]

NOW HEAR THIS

WASHINGTON, D.C.—It does appear that the Black Panther ambassador to Communist China is "Prime Minister" Stokely Carmichael. It's more a matter of accommodation than accreditation. Mr. Carmichael has passport—does travel. In recent weeks he has been accommodating his Maoist supporters by jetting to Dar es Salaam Tanzania, central meeting ground for Peking agents and the violently extremist coalition of neo-black revolutionists.

Mr. Carmichael does not go hat in extended hand as a mendicant. He has money. So do the Panthers, whose headquarters lodge is in Oakland, Calif., as well as those swiftly spreading units which steal their name from the home office.

This money, in fact, has been pouring in from the U.S. government through the seemingly helpless Office of Economic Opportunity (OEO) and a string of other cabinet level antipoverty agencies. And not just in petty cash—but by the millions of dollars.

In addition to the Panthers, who are terrorizing many a black community and now even some large industrial plants, others have raked in this dollar harvest. Money has gone to gangs, thugs, bands of "bully boys" and just plain racketeers. Some of them wear the Panther uniform—the black button-studded beret, blue denims, black jacket and black boots. Some strut about with openly visible side arms.

Some actually are the original Black Panthers, who attempt to control their national organization. Their Oakland people claim some 44 to 46 branches in as many cities. Authorities believe the more realistic count is 24 to 26. The California Panthers try to screen their members and have been rejecting applicants. But this hasn't stopped the roving squads in many cities from donning their uniform.

It's all in the OEO's controversial confidential records, closely guarded by its one truly efficient professional unit, the Office of Inspection. In those files are the grim, sometimes ghoulish stories of efforts to buy "the cool" in big cities—and how money was intercepted by this very tough crowd which sees the poor as ghetto-chained chattel.

For some time now, the OEO staff philosophers have been split over the policy of paying off to criminals or street gangs such as Chicago's Blackstone Rangers (who, according to OEO records, got some $600,000). The battle was finally won by those strategists who fought "piecing off" the underworld.

There seem to be particularly horrendous stories in these reports involving Panther and allied activity and terror in Minneapolis, Boston, New York, Detroit and here in the District.

Many of these OEO reports now are in the hands of the investigation staff. Other reports will follow—but not until the OEO's inspection office's veteran investigators remove the official federal and local sources and names of private informers from the documents. This is understandable. The inspection people don't want their contacts floating in the Hudson or Mississippi Rivers. Nor do they want to breach that desperate secrecy which covers the activities of the best informed sources—the local police departments.

The Permanent Subcommittee on Investigations staff people have been trying to pry these reports from the OEO. They have had no luck because the antipoverty headquarters has been determined firstly, to keep it all secret, and secondly, to protect its own investigators and informers. They wanted neither their loosely operating two-billion-dollar-a-year headquarters wiped out by Congress nor to work with the committee.

OEO had been operating on its own until the new administration. President Johnson did not direct them to keep their files closed. Neither did he pressure them to open the reports of gangster and extremist looting of poverty money.

However, not long after the inauguration, the White House pressured the OEO and the confidential dossiers have been going over to the committee office.

There will be a few routine hearings on riots, burnouts and poverty. Then, late in June, a kleig light hearing on Panther (or reasonable fascimiles) terror, muscling of the poor, diversion of funds and subsidy of the newest of underworlds.

Most tragic in all this are the ghetto poor. In New York, the schools still are terrorized. Parents, principals (including Negro educators) and union leaders have been threatened with brutal beatings. Positions paying upward of $22,000 annually (to $30,000) are simply seized. Thugs threaten the oppositionists of all races and creeds with death—just like that. Oversized goons follow the opposition leaders home.

In one city, the so-called Panthers have moved in on the model cities program. In another, the hustlers have mulcted Labor Dept. and HEW programs.

In many metropolitan areas, especially New York, Washington, Detroit, Boston and northern New Jersey concentrations, the poor are discouraged from involvement. They had not been coming out to vote for their one-third of the boards of Community Action

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Agencies, anyway. Now in many ghettos they rush home, lock their doors and stay in at night.

When his hearings open, it will be a short hot summer for a lot of those who have betrayed their race—the human race.

[From Barron's, July 31, 1967]

POVERTY WARRIORS: THE RIOTS ARE SUBSIDIZED AS WELL AS ORGANIZED

Marion Barry and Rufus Mayfield are angry young men. Former national head of the Student Nonviolent Coordinating Committee (SNCC), Mr. Barry in August, 1965, took part in a protest demonstration organized by the so-called Assembly of Unrepresented People. He was arrested and charged with disorderly conduct while leading demonstrators onto the Capitol grounds. "Riot power and rebellion power," he was quoted as saying last week, "might make people listen now." Mr. Mayfield is a Black Muslim. Twenty-one years old, he has spent most of the past eight years in prison for various offenses, including petty and grand larceny. This month Marion Barry acquired gainful employment. He was hired as a $50-per-day consultant by the United Planning Organization, top anti-poverty agency for the District of Columbia. Rufus Mayfield will serve as Barry's "back-up man."

While perhaps more arresting than most, these are not isolated instances. On the contrary, the files fairly bulge with equally radical cases in point. Thus, federal and state investigations of New York's Mobilization for Youth, pilot project for the Job Corps, disclosed that its staff included several members of the Communist Party. LeRoi Jones, who was taken into custody during the riots in Newark and charged with illegal possession of deadly weapons, once ran a hate-the-whites Black Arts Theater which got $115,000 in federal funds from Haryou-ACT before police discovered an arsenal on the premises. The Southwest Alabama Farmers Cooperative Association of Selma, which the Office of Economic Opportunity recently granted $700,000, numbers among its principals John Zippert and Shirley Mesher. Louisiana's Joint Legislative Committee on Un-American Activities recently documented Mr. Zipperts' association with radical causes, including the Kremlin-financed World Youth Festival. According to the Alabama Legislative Commission to Preserve the Peace, Miss Mesher, a former coordinator for SNCC, is "a prime participant in the Black Panther movement designed to overthrow the government . . ."

Right after Watts (Barron's, August 23, 1965), we observed: "In the name of civil rights, a small band of ruthless men has not hesitated to stir up violence, break the law and undermine duly constituted authority. The so-called civil rights revolution . . . has begun to mean exactly what it says." Since then compelling evidence, including eyewitness testimony and the findings of a Cleveland grand jury, has shown that the riots are less spontaneous outbreaks than carefully planned subversion. To judge by the record, moreover, civil unrest is not only organized but also subsidized. Thanks to the Office of Economic Opportunity, the U.S. taxpayer now has a chance to finance his own destruction. The Great Society, so Newark, Detroit and scores of other smouldering cities suggest, cannot coexist with the American way of life.

Like the poor, slums and rats have always been with us. Only the devastating riots—and the professional agitators who prepare the tinder, await a spark and fan the flames—are significantly new. The 1964 outbursts in Harlem turned up William Epton, vice-chairman of the Red-Chinese-oriented Progressive Labor Party, who taught people how to make Molotov cocktails. Mr. Epton was convicted of criminal anarchy for his part in the riots. The Rev. Billy Graham called Watts a "dress rehearsal for revolution," a description in which radical spokesmen ever since have gloried. Last year's riots in Cleveland, were the work of a "national conspiracy executed by experts." Shortly afterward a Cleveland grand jury, after hearing the testimony of detectives who penetrated the conspirators' ranks, found that "the outbreak of lawlessness and disorder was organized, precipitâted and exploited by a relatively small group of trained and disciplined professionals." In a story on the Newark riots, the current issue of Life Magazine describes its reporters' "clandestine meeting with members of the sniper organization." Finally, SNCC's Stokely Carmichael, whose subversive interests range far and wide, openly boasts of what's afoot. After a quick trip to Prague, he landed last week in Havana. There he told newsmen: "In Newark we applied (guerrilla) war tactics . . . We are preparing groups of urban guerrillas . . . It is going to be a fight to the death."

So much for subversion, which the country will ignore at its own risk. As to federal subsidy of violence, and ominous pattern has emerged. From the beginning, as radicals recognized, the war on poverty, notably the Community Action Programs, had impressive trouble-making potentials. Somehow CAP has expanded much faster than OEO expenditures as a whole, surging from $246.5 million in fiscal '66 to an estimated $500 million in the current fiscal year. As noted above (much of the material comes from a forthcoming book, "Poverty Is Where the Money Is," to be published by Arlington House and written by Shirley Scheibla, Washington correspondent for Barron's), some of the money funded dubious ventures and put jailbirds and subversives on the federal payroll. Mrs. Scheibla cites other horrible examples: John Ross, member of the Progressive Labor Party, who served on an anti-poverty board in San Francisco; Howard Harawitz, member of a similar board in Berkeley and former member of the W.E.B. DuBois Clubs, which the FBI calls "Communist-spawned"; and a number of U.P.O. personnel in Washington, D.C., who turned out to be SNCC organizers and agitators.

Taxpayer-financed trouble has exploded in one part of the country after another. Last fall the mayor of Perth Amboy, N.J., accused the local anti-poverty leader of seeking "to foment and incite unrest, agitation and disorder," a charge which the city manager of Rochester echoed last week. Newark's police chief weeks ago warned that the city faced anarchy because of agitation by federal anti-poverty workers, several of whom were arrested during the riots. In New York City five marauding young Negroes, collared while looting stores on Fifth Avenue, worked for the anti-poverty program; one wore a sweater blazoned, after the OEO-funded agency, "Harlem Youth Opportunities Unlimited."

To fight riots with OEO grants, in short, is like fighting fire with gasoline. However, Sargent Shriver alone is not to blame. Some of the fault lies with local officials like New York's Mayor Lindsay (tapped last week to serve on the President's special advisory body), who repeatedly refused to condemn the appearance of his Human Rights Commissioner at the Black Power conference in Newark, as well as with Mayor Cavanagh of Detroit (first recipient of OEO aid and welfare state showcase), who tied the hands of the police for the first few strategic hours. On the federal level, the country should call to account the Office of Attorney-General and its three recent occupants: Robert Kennedy, who once wrote a letter to the head of an identified Communist front, seeking advice on a national service corps; Nicholas Katzenbach, who shrugged off all evidence of conspiracy; and the incumbent, Ramsey Clark, who testified against pending anti-riot legislation. The blame reaches right up to the official White House family, to Vice President Humphrey, who last summer said that if he lived in a rat-infested slum: "there is enough of a spark left in me to lead a pretty good revolt."

Law and order are the stuff of civilization: they are also the first duty of government. On the record, "liberals" of both parties, by tolerating subversion, have made a mockery of their oaths of office and forfeited the public's trust. Appeals to prayer are all well and good, but what this country needs is a political and philosophic call to arms.

SUPPORT FOR H.R. 8654

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. FEIGHAN. Mr. Speaker, I urge support of H.R. 8654, a bill to provide members of the crew of the U.S.S. *Pueblo* with the same tax benefits for 1968 as enjoyed by the serviceman stationed in a presidentially designated combat zone.

Under this bill, enlisted members of the crew will be entitled to exclude from income tax, all pay received as a member of the Armed Forces during their period of imprisonment in North Korea. Officers will be permitted to exclude up to $500 from their income. This exclusion will continue to apply after 1968 for any member of the crew who was hospitalized as a result of wounds, disease or injury incurred while he was detained in North Korea.

In addition, this legislation provides all U.S.S. *Pueblo* personnel with an extension of time for filing their tax returns, paying taxes, or filing a claim for credit or refund of tax. A waiver of unpaid income tax and a waiver of Federal death taxes is provided for the member of the crew who was killed.

Mr. Speaker, in recognition of the fact that severe hostilities are no longer confined to Vietnam, recently I introduced legislation which would provide American servicemen in the Korean area with the same tax benefits enjoyed by servicemen in Vietnam. The capture of the U.S.S. *Pueblo* and the recent fatal attack on an American EC–121 by the North Koreans are strong indications of the growing perils faced by our servicemen in and around Korea.

The hardships, inhuman treatment and constant threat of loss of life suffered by members of the *Pueblo* crew are well known to every citizen of this country who has carefully followed the proceedings of the naval court of inquiry. The terrible punishments and consistent torture inflicted on the *Pueblo* crew by their captors are in some measure comparable to the sufferings endured by U.S. servicemen engaged in combat in Vietnam. Moreover, this intense pain and suffering was not confined only to the *Puebio* crew but was shared by their loved ones here at home who were burdened with the grief, the sorrow, and the whisper of death. These people could only hope and pray that their men would return home safely.

We can never repay these men and their wives and children and fathers and

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mothers for all they have gone through. The least we can—and must do—is to approve this legislation, which will afford them some deserved tax relief. I urge my colleagues to join me in voting for passage of this worthy legislation.

GRANT APTHORP: EAST CLEVELAND DYNAMO

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. VANIK. Mr. Speaker, on May 18, 1969, the city of East Cleveland in my congressional district is paying tribute to its first citizen and retiring city manager, Grant Apthorp, for 46 years of unequaled service to this active and progressive community.

During Mr. Apthorp's long and distinguished career of service, he has become known as Mr. East Cleveland. He provided exemplary leadership during a period of dynamic change. He has endeavored to provide plans for the decades ahead.

Grant Anthorp graduated from Glenville High School and Case School of Applied Science. Upon receiving a BS in civil engineering, he was hired as assistant city engineer in East Cleveland. He became the city's finance director in 1934, and city manager in 1962.

His 46-year career in East Cleveland was broken only by World War II when he served 2 years in Europe and North Africa. He was awarded the Bronze Star and the French Croix de Guerre.

During his distinguished career as a public servant, Grant Apthorp became known throughout Ohio, as one of the State's most knowledgeable finance men. He served on a committee in 1955 that completely revamped the pension system of public employees.

Married September 18, 1923, Grant Apthorp and his "bride" of 46 years, Mike, have three married sons—Grant, Thomas, and Barney. Mrs. Apthorp, also a native Clevelander, taught in the Shaker Heights and East Cleveland school systems, and at the YWCA.

Grant Apthorp is a member of the International City Managers Association, an executive committee member of the Cuyahoga County Mayors and City Managers Association, and past president of the Ohio Municipal League.

In addition, he is active in several civic groups including the Exchange Club and Kiwanis; is on the board of trustees of Blue Cross of Northeastern Ohio, and has been especially active in the YMCA.

During his long career, Grant Apthorp's duties have ranged from supervising the building of city sewers and streets to development of Forest Hills Park. But, most importantly during his 7 years as city manager, he has met the challenge of a changing community facing urban decay by maintaining good schools, excellent city services, and enforcing a strict housing code.

I wish to extend to Mr. and Mrs. Apthorp a very happy and healthy future together in whatever endeavors they plan to undertake. My pledge goes to Bill Gaskill, executive assistant to Grant Apthorp, who will become city manager. The city of East Cleveland remains in very capable and creative hands. I will continue to offer every possible asistance to assure the continued revitalization of East Cleveland.

I wish to insert at this point a very fine editorial which appeared in the Cleveland Plain Dealer on Thursday, March 20, on the retirement of Grant Apthorp. The editorial is as follows:

APTHORP AN ASSET

It is fortunate for East Cleveland that City Manager Grant T. Apthorp will remain in the community and serve as a consultant-without-pay to the administration after he retires June 1.

We hope the East Cleveland City Commission will continue to profit from Apthorp's complete knowledge of municipal affairs, his special talent for fiscal management and his long experience in dealing with the state legislature on matters of interest to his own and other cities.

Apthorp has given of his skills and know-how to East Cleveland's government for nearly 46 of his 68 years. In the county and in the state he is recognized as an authority on city problems and an effective spokesman for municipal rights.

East Cleveland is fortunate to retain the valuable resource it has so long possessed.

DANGER FROM OVERKILL IN SPENDING CUTS SHOWN

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. McFALL. Mr. Speaker, an inherent danger from the unwise use of an oversharp economy paring knife is the subject of a recent newspaper article deserving close attention.

McClatchy Newspaper correspondent Leo Rennert related the story based upon testimony of Bureau of Reclamation officials who appeared before the Senate Public Works Appropriations Subcommittee April 30.

A Federal investment of almost $9 million now must be written off because of inadequate funding and repeated cutbacks and stretchouts preventing completion of an important high-voltage electrical line, Rennert reported in the May 1 issue of the Modesto, Calif., Bee. Utility companies in the Southwest finally were forced to obtain power elsewhere, causing a loss of potential sales for surplus Northwest power and a project investment of more than $8.7 million, because customers could not wait endlessly.

Bureau officials cautioned in their testimony that a similar Federal "customer" loss may be in the making because of the drastic reduction by the new administration in the budget request for construction of the proposed Folsom South Canal in the San Joaquin Valley of California.

Because of the danger from overkill in the zeal for reduction of Federal expenditures on projects of great value to the public, it is especially important to note the contents of Mr. Rennert's article. I, therefore, commend it to the attention of all Members of Congress. It follows:

BUDGET FORCES KEY CUT IN POWER LINK

(By Leo Rennert)

WASHINGTON.—Budgetary cutbacks have forced the federal government to plan concellation of a major segment of the Northwest-Southwest electric intertie and to figure some way of writing off a useless $9 million investment.

Involved is a 750-kilovolt, direct-current line which the Bureau of Reclamation planned to build from The Dalles, Ore., to Lake Mead behind Hoover Dam to bring surplus northwest power to Arizona and Nevada.

The line was to be a key feature of the $700 million intertie, which was conceived as a giant electric power exchange grid linking federal hydroelectric facilities with private and public utilities in the West.

The federal line from The Dalles to Lake Mead would have made available 1 million kilowatts of electricity to customers of the Bureau of Reclamation in the Southwest and three major utilities—Arizona Public Service, the Salt River Project and the Nevada Power Co.

Repeated delays caused by budgetary reductions in recent years, however, finally prompted the three utilities to look elsewhere for new power supplies—leaving the bureau without enough customers to justify building the line.

Adding to the bureau's problems is the fact that is has entered into contracts for transmission facilities and equipment in preparation for construction of the line.

Officials told the Senate public works appropriations subcommittee yesterday losses from ending the contracts and being saddled with all kinds of unneeded equipment probably will exceed $8.7 million.

MAY RAISE RATES

Reclamation Commissioner Floyd Dominy said the government may have to raise rates to other electric power customers to cover the loss.

Subcommittee Chairman Allen Ellender, D-La., criticized the government's handling of the deal and said its partners in the intertie should not be permitted to walk away without assuming any financial responsibility.

But Sen. Alan Bible, D-Nev., said Congress and budget cutters in the executive branch are the real culprits who should be blamed for economizing the transmission line out of existence.

Dominy also took this view.

"This is the result of inadequate funding, constant cutbacks and stretchouts," he said. "The potential users couldn't wait any longer. So they have made other plans to meet their power needs."

Dominy said the bureau, while still reviewing several alternatives has concluded there now is no need to complete the line.

If it is revived, he said, its earliest use would be in 1977 and costs may be too high then to resume work.

"I don't know whether it will ever be built," he remarked.

R. B. Bennett, assistant commissioner for power, said the bureau initially recommended that contracts for the line be tied to firm purchase agreements with prospective users of the power.

AT WHAT LEVEL

But this condition, he said, was not made part of congressional authorization for the project.

Sen. Ellender instructed the bureau to show exactly at what governmental level the protective clause was deleted.

XUM

Dominy said the ill-fated project involved a major breakthrough in electric power transmission—the first federal direct-current line from one region to another.

Other aspects of the intertie, including segments in California, are proceeding according to plan, he said.

The basic concept underlying the intertie is to take advantage of seasonal differences in power demands to move surplus electricity from the Northwest and the Southwest—and vice versa.

The Southwest's peak demand is in summer, while the Northwest's is in winter. Instead of having to build expensive new generating plants, the intertie offers these western regions a less expensive source of extra power for peak periods.

Bureau officials consider their intertie setback an object lesson for other projects which also are faced with budgetary cutbacks.

Bennett said a parallel story could develop with the Folsom South Canal which is expected to carry cooling water to the upcoming Rancho Seco Nuclear Power Plant of the Sacramento Municipal Utility District.

If the canal fails to reach the plant in time for its scheduled start in 1972, SMUD has served notice that it will build its own pipeline—again raising the prospect of depriving the bureau of a major customer because of budgetary cutbacks.

MORE PEOPLE PAY MORE TAXES

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. SCHADEBERG. Mr. Speaker, in Elkhorn, Wis., Mr. Walt Sands continues to keep close tab on the affairs of the Nation. He recently sent a letter to the editor of the Elkhorn Independent which is worthy of our consideration:

To the EDITOR:

Today, in Wisconsin more people are paying more in social security taxes than they are paying in federal or state income taxes.

In 1969, a man with a wife and four children earning $108.65 a week will find that his employer must withhold from his pay these taxes:

Social security	$271.20
Federal income	166.40
Wisconsin State	119.60

A man with a wife and four children earning $91.50 a week—

Social security	$228.40
Federal income	46.80
Wisconsin State	78.00

A man with a wife and six children earning $104.50 a week—

Social security	$260.80
Federal income	(1)
Wisconsin State	93.60

[1] No tax.

Since more people are now paying more in social security taxes, those covered by social security should receive 50 per cent more retirement and/or survivor benefits.

The social security board will tell you that if you can't live on social security—public welfare will make up the difference. Why should this embarrassment be necessary? Having saved for a rainy day and having paid taxes for our retirement, why should we be penalized for thrift—while those on public welfare in Wisconsin pay nothing to receive up to $133 per month on OAA, and a family with children of legitimate or "illegitimate" parents may collect up to $500 per month on AFDC?

Public welfare payments are based upon the cost of living index issued by the US Bureau of Labor Statistics (June 1968) which reveals "It takes $4,200 a year for a retired couple's needs."

By comparison in January 1969—the average monthly social security benefit to a retired worker was $98.41, the average couple's benefit $149.46, and the average widow's benefit $86.10.

Also in January 1969—Congress raised our President's salary 100% ($100,000 to $200,000) and their own salaries 42⅓% ($30,000 to $42,500) due to the ever-rising cost of living.

If President Nixon needs an extra $8,333.33 per month, and Congress an extra $1,041.66 per month due to the ever-rising cost of living—Congress can well afford to raise present social security benefits by 50%.

Too many people, including our legislators and the social security board, erroneously believe that present social security taxes would have to be increased to provide an increase in present benefits.

This is a pure unadulterated hoax. The social security fund is now $47 billion in the red. All taxes collected for the social security fund beyond "current payments of benefits and operating expenses" have already been spent for general operating purposes of the government. This $47 billion, now in Treasury IOU's belongs to the very same people who have paid social security taxes in the past before inflation began to snowball.

As FDR said "We IOU it to ourselves." The present Treasury deficit amounts to some $361 billion. Of that deficit $47 billion belongs to the social security fund. The government can charge off a 50% hike in our present benefits to the present Treasury deficit of this $361 billion.

The present cost of all social security benefits amounts to $2 billion per month. A 50 per cent hike in all present benefits would amount to $1 billion per month. Since we IOU it to ourselves, let's pay it back to ourselves. This would give our shaky economy a financial shot in the arm, and at the same time circulate most of that $1 billion right back to the government. Those now on social security would have to spend it to survive.

Our federal government is 100% "responsible" for inflation due to endless deficit spending which is no fault of our senior citizens.

If Congress can raise the President's salary 100%, and their own salaries by 42⅓%—due to the ever-rising cost of living—for this very same reason, Congress can well afford to raise social security benefits by 50%.

WALT SANDS.

ELKHORN, WIS.

TRIBUTE TO GENERAL M. R. ŠTEFÁNIK AND SLOVAK CHOIR LÚČNICA

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. OTTINGER. Mr. Speaker, when Czechoslovakia was invaded last August by Soviet military forces, the free world sympathized with the people whom we learned to call "Yankee's of Europe." These people produced great leaders and Sunday, May 4, was the 50th anniversary of the tragic death of one of the great sons of the Slovak nation, Gen. Milan Rastislav Štefánik, scientist, military genius, and a cofounder of the first Republic of Czechoslovakia.

General Štefánik was a close collaborator with the Slovaks of my district, namely, the late Rev. John Kubasek, signer of the Pittsburgh Pact, who labored in Yonkers, N.Y.

In this year of the 50th anniversary of the tragic death of General Štefánik observed on May 4 all over the world where the Slovak people live, no better tribute could be paid to him in the opinion of Mr. John C. Sciranka, American Slovak journalist, than the tour of the Slovak University Choir Lúčnica from Bratislava, capital of Slovakia, which appeared in concerts in various American universities and colleges.

The Slovak American Cultural Center of New York City sponsored a concert for this Lúčnica Choir on March 29 and gave a dinner in its honor, at which it especially thanked Mr. James R. Bjorge, director of the International University Choral Festival of the Lincoln Center for the Performing Arts, Inc., of New York City and Dr. and Mrs. German McVeigh for their splendid cooperation.

In order to appreciate the great mission of this Lúčnica Choir, which represents the famous Bratislava University, originally founded in A.D. 1467, or as Mr. Sciranka puts it—25 years before the discovery of America by Christopher Columbus, and revived after the establishment of the first Republic of Czechoslovakia in 1919 and named in honor of the famous scholar Jan Amos Komensky, known to the world as Comenius; I am pleased to insert into the RECORD the article which appeared in the Good Shepherd-Dobrý Pastier, official organ of the Slovak Catholic Federation of America.

This article is most interesting and shows to the world that the Slovak people are true to their heritage as a singing nation, as they could not be crushed during the thousand years of oppression because of great leaders like Gen. Milan Rastislav Štefánik, to whom I also wish to pay tribute on this, the 50th anniversary of his tragic death in the new established and liberated country of Czechoslovakia.

The article follows:

"LÚCNICA" SLOVAK UNIVERSITY CHOIR FROM BRATISLOVA ACHIEVES GREAT SUCCESS IN AMERICA

The University Choral, known as Lúcnica appeared on a concert tour in various American universities. It appeared with great success on Saturday, March 8, at the Lehigh University in Bethlehem, Pa., singing compositions of renown Slovak composers and popular folk songs. The Lúcnica was invited to this country to participate in the International University Choral Festival, which was presented for the second year at the Lincoln Center in New York City from March 28 through Sunday, March 30, at the Philharmonic Hall.

Lincoln Center's First International University Choral Festival in 1965 was a unique event that thrilled the thousands who filled Philharmonic Hall for each concert. For this second Festival 600 students from 16 universities in 14 countries on five continents gathered for another week of jubilant songs, presenting the world's great choral music as well as popular folk music from each country.

The choruses performed separately during the week and then on Sunday evening, March 30, all 16 choruses joined in a special program of great choral music with orchestra, under the leadership of the Festival's distinguished Music Director, Robert Shaw.

On the opening night, Sunday, March 23, at 8:30 p.m., the Lúcnica Choir from Bratislava University performed. It was followed by choirs from Japan, Chile and the United States.

On Tuesday, March 25, the choruses from the Republic of Korea, Switzerland and Finland performed. On Wednesday, March 26, the students from Australia, Federal Republic of Germany, Ghana and Brazil exhibited their talents. On Friday, March 28, the choirs from Austria, Argentina, Philippines and Morehouse College of Atlanta performed.

On Sunday evening, March 30, a gala closing concert performed with choruses of 600 voices, which was thrilling. The Slovaks had their special concert by the Lúcnica Choir on Saturday, March 29, at St. John Nepomucene Auditorium, 66th St. and First Ave., in New York City at 4 p.m.

This was the first time that such great ovations were given to the Slovak singers from the Republic of Slovakia, which was declared as such 30 years ago and again on January 1, 1969 officially proclaimed by the Czecho-Slovakian Parliament in Prague.

The name "Lúcnica" derives from lúka, which means meadow. The Choir achieved great success in Prague, Moscow, England, Italy and other countries before its U.S.A. tour. Many American Slovaks, especially students in various American Colleges and Universities, were thrilled to hear "Lúcnica", which is a genuine Slovak University students choir. God bless them.

THE DEFENSE OF MATERIALISM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 1969

Mr. DERWINSKI. Mr. Speaker, it is necessary and logical to emphasize the positive on occasion, and I believe the editorial, "In Defense of Materialism," in the Thursday, May 8, Wall Street Journal, makes a very proper and practical point in evaluating the basic virtues of our society.

The editorial follows:

IN DEFENSE OF MATERIALISM

What's basically wrong with American society today is that it is too materialistic; such is the charge leveled by many young people, both the militant and the quiet ones, as well as many of their elders. It is an ancient complaint, of course, but in the current context of violent dissent it is worth another look.

While a lot of youngsters are imbued with genuine idealism, it may be noted in passing that not a few others are themselves fairly hedonistic, with their emphasis on pot and sex. True, that doesn't make the SDS types tolerant; they are utterly intolerant of the behavior and rights of others. Nothing, at any rate, in the militants' own activities and thinking—which is muddled if not nonexistent—equates with idealism in contradistinction to materialism.

As for the charge of excessive materialism in this country, we would say, if we had not grown to hate the word, that it is irrelevant. What society is not materialistic?

Some may argue that India and other parts of the supposedly contemplative East are far less acquisitive-minded, but it is a myth. The unhappy fact that individuals and nations are poor does not make them more spiritual; if anything it makes them more materialistic, for their very poverty forces them to spend most of their time and energy grubbing for a subsistence existence. To those in the underdeveloped world who are aware of America, its abundance still represents the great dream.

In a similar way, the advanced nations of Europe and Japan, recovering from World War II, lost no time in importing U.S. goods, techniques and manners. And in the Soviet Union, one of the big problems has been communism's failure to provide the people with many of the good things of life. The world, in short, scolds America, including its materialism, but the criticism does not seem to deter emulation.

Nor does the past offer much support for the belief that the U.S. today is unusually materialistic. For most men most of history has been a grinding existence, bound to the earth, and the elites of ages past were not commonly noted for their freedom from mundane concerns and fleshly pleasures. Even the spirituality manifesting itself in the spires of the Middle Ages could not have meant much to the exhausted serf.

Our materialism in this age is highly visible because for the first time the average man is not condemned to back-breaking labor but instead has the means to indulge his tastes. Certainly it is a good, not an evil, development that people have been able to pull themselves out of abject poverty and serfdom or actual enslavement and reach a stage where they can lead a more decent and civilized life.

Just as poverty perforce induces to materialism, so a general affluence can permit the luxury of higher values. Perhaps the interest of many Americans in the arts and culture and philosophy is not particularly profound; nonetheless, it is there and it has been growing. Paradoxical as it may seem, our materialism is reflected not only in material abundance but in matters of the mind and soul.

It seems to us that what accounts for the famous malaise of the age is not the materialism as such but a number of other factors—a realization that affluence alone is not enough, the unending violence of this century at home and abroad, a vague or not-so-vague sense that the future may be swamped by forces that could get beyond man's control. Obviously even in a time of economic well-being there is plenty to be annoyed by, to worry and be unhappy about.

But the real point, in an age that is everywhere materialistic and a world that has always been so, is not materialism but freedom. It is easy to sneer at the average American's purported addiction to his car or to suburbia or whatever; it must not be forgotten that it is his right to do what he wants with his money and his life, whether his tastes be mean or elevated, so long as he does not intrude on the rights of others.

That is just what the youthful militants (and a fair amount of professors and other adult critics of American society) are forgetting or somehow never learned. They emphatically do want to take away that man's right to his property and way of life. They loudly proclaim that their intent is to destroy first the university and then the society.

And they fail to realize the grim irony: That their determination to destroy a materialistic society could only lead to the worst kind of materialism, the chains of material poverty and of political authoritarianism.

HOUSE OF REPRESENTATIVES—*Wednesday, May 14, 1969*

The House met at 12 o'clock noon.

Rev. William G. Burrill, St. Martin's Episcopal Church, Davis, Calif., offered the following prayer:

Almighty God, ruler of all the peoples of the earth: forgive, we beseech Thee, our shortcomings as a nation; purify our hearts to see and love the truth; give wisdom to our leaders and our counselors and a steadfastness to our people; guide, we pray Thee, all those to whom Thou hast committed the Government of this Nation, and grant to them at this time special gifts of wisdom and understanding, of counsel and strength; that upholding what is right and following what is true, they may obey Thy holy will and fulfill Thy divine purpose; and bring us at last to that fair city of peace whose foundations are mercy, justice, and good will, whose builder and maker Thou art; through Thy Son, Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1242. An act to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night to file a privileged report on the second supplemental appropriation bill for the fiscal year 1969.

Mr. SHRIVER reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

NEW TAX LOOPHOLES

(Mr. VANIK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. VANIK. Mr. Speaker, today while we are considering tax reform proposals before Congress, it is shocking to see new loopholes come to light every day.

The May 5, 1969, issue of the American Medical Association News lists several advertisements which promote the use of tax loopholes.

XUM

One advertisement on page 15 is headed "Need Tax Advantages?—Want Good Income?—Citrus." The ad further reads:

> Why do Doctors comprise the majority of absentee ownership of young citrus groves? Answer is because (1) it provides immediate tax relief, and (2) income for Retirement, Estate building, capital gains, etc.

The ad lists other tax advantages including depreciation, and investment credit. The ad follows:

> NEED TAX ADVANTAGES?—WANT GOOD INCOME?—CITRUS
>
> Why do doctors comprise the majority of absentee ownership of young citrus groves?
>
> Answer—Because it best fits their requirements of (1) immediate tax relief, and (2) income for Retirement, Estate building, capital gains, etc.
>
> Owner offers young groves in finest citrus area of Southwest. Assured supply of good quality irrigation project water. Our excellent soil and climate produces unusually high quality, and at low growing costs.
>
> High annual income—Mature groves net about $800 to $1,000 per acre per year and sell for about $4,000 per acre.
>
> Tax advantages—Depreciation and investment credit, as well as grove care costs and supervision fees, are tax deductible. 20 acre grove—$2,050 per acre, 29% down, balance 10 years. (10 acre grove also avail.)
>
> For additional information, including tax, crop yield averages, market prices, etc., write:
>
> L. & L. FARMS.
>
> YUMA, ARIZ.

The same issue of the American Medical Association News also lists a very exciting advertisement entitled "Scotch Whiskey for Capital Gain at Maturity."

The ad further says:

> Attractive investment of unusual merit. Learn the exciting story of Scotch, from barrel to bottle.

The complete ad follows:

> SCOTCH WHISKEY FOR CAPITAL GAIN AT MATURITY
>
> Attractive investment of unusual merit. Learn the exciting story of Scotch, from barrel to bottle.
>
> I would like further information:
>
> Name ________________________________
> Address ______________________________
> City and zip __________________________
> Residence phone _______________________
> Business phone ________________________
>
> BRIGADOON SCOTCH DISTRIBUTORS, LTD.
> NEW YORK, N.Y.

The ordinary taxpayer who painfully pays income taxes on his ordinary income without this kind of tax trickery is certainly being taken for a ride to the poorhouse by the loophole manipulators.

TEXTILE IMPORTS AND UNFAVORABLE U.S. TRADE BALANCE

(Mr. DORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DORN. Mr. Speaker, I was shocked to learn of demonstrations in Japan against Secretary Stans' herculean efforts to work out mutually advantageous trade policies. I was further shocked to hear of a resolution adopted by the Japanese Diet before Mr. Stans even arrived in Japan opposing any agreement for orderly trade in textiles. Mr. Stans is advocating a mutually advantageous and long-overdue agreement on textile imports—an agreement which would cover manmade fiber, woolen goods and blends as well as cotton.

It is my understanding that the agreement with Japan proposed by Mr. Stans would provide for the Japanese to continue the 1968 level of textile imports into the United States plus a fair percentage each year of our market growth. This is the maximum that our country and Congress could possibly accept. Failure of our Japanese friends abroad to agree to such a reasonable approach could only lead to mandatory quota legislation and a general rise in protectionist and even isolationist sentiment in the United States.

Congress will bear in mind the facts. The facts are the United States has an overall $1.1 billion unfavorable U.S. balance in trade with Japan. Japanese exports of cotton, wool, and synthetic fibers and apparel to the United States last year totaled $400 million, or half the $800 million unfavorable U.S. trade balance in these items and major portion of the overall $1.1 billion unfavorable balance.

Mr. Speaker, my colleagues have been more than patient through the years. Mr. Speaker, in my 21 years in Congress, however, I have never seen the membership more concerned about the future of our industry and American jobs and balance of trade, than at this moment. Congress will support Mr. Stans' reasonable and fair approach to trade problems. Arbitrary and narrow attitudes on the part of any of our friends abroad can only lead to chaos and isolation in world trade.

Those of us who supported the Reciprocal Trade Act, unless reason prevails, are going to demand more "cip" in our trade policies for the American job holder.

SAVE THE GOLDEN EAGLE PARK PERMIT

(Mr. WALDIE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WALDIE. Mr. Speaker, today I am introducing a bill calling for the repeal of the first section of the act of July 15, 1968, relating to the land and water conservation fund.

If enacted, this legislation would restore the provision for annual fee permits to our national parks, and forests which is scheduled to die as of April 1, 1970.

Mr. Speaker, many of our retired citizens have written to me and other Members asking that this annual permit be retained. In this day of mobility these retired persons are now able to tour this great land of ours and to partake in its great natural wonders. The annual fee permit has allowed them to visit our national parks and forests at a great reduction in cost.

To remove the "golden eagle passport," the name given this permit, would be to penalize those who most wish to visit our parks and who have long contributed to those parks.

The growth of the golden eagle passport since its 1965 inception has been remarkable. From 90,000 in that year to 700,000 in fiscal year 1968 shows its popularity with the people.

I would hope, Mr. Speaker, that the Members will share my belief that the worthwhile golden eagle pass shall be retained.

INCREASING AGRICULTURAL EXPORTS

(Mr. ZWACH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ZWACH. Mr. Speaker, I am introducing a bill today that results from a study on the need and ways of increasing agricultural exports. This particular bill concerns itself primarily with the exportation of beef. I am further advised that the study report on the practicality of beef trade expansion was reported in the 90th Congress in Senate Report 343, June 12, 1967.

The administration, starting with the President and proceeding through the Secretary of Agriculture, believes that greater emphasis must be placed on finding dollar and cash markets in an effort to improve farm income. In fact, a new division within the Agency of International Affairs and Commodity Programs, has been established to help accomplish this major objective. The division is properly named the "Export Marketing Service," and is headed by Mr. Clifford Pulvermacher.

This bill calls for an annual conference to ascertain the outlook in foreign countries for beef consumption, and explore the possibilities of fulfilling these needs by U.S. exports. The Secretary of Agriculture is empowered to call these conferences and to secure the assistance and representation of these agencies, along with producer representatives, to secure all the information needed to make these conferences meaningful in the form of expanded positive trade.

PERSONAL EXPLANATION

(Mr. FULTON of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. FULTON of Pennsylvania. Mr. Speaker, on request of the gentleman from Michigan (Mr. FORD), the House of Representatives granted me an official leave of absence as a member of the Committee on Foreign Affairs to go to Italy and Israel. These countries, their institutions, civic and religious, have always been a special interest to me during my service in Congress. This is especially true under fast changing conditions and new developments as well as threats to peace in the Mediterranean area.

Had I been present on roll No. 53, on Thursday, May 1, 1969, I would have voted "yea" on passage of House Resolution 17, to create a select committee to conduct an investigation and study of all aspects of crime in the United States. I have cosponsored this legislation, by my bill, House Resolution 376, filed April 28, 1969, so my position is plain on this legislation. This bill was not controversial and passed by the wide margin of 325 votes, 343 for, 18 against.

On roll No. 55 on Tuesday, May 6, 1969, I would have voted "yea" on passage of H.R. 5554, to continue Federal special milk programs for children. I have always strongly supported and voted for adequate Federal milk programs for all children.

PERMISSION FOR COMMITTEE ON JUDICIARY TO HAVE UNTIL MIDNIGHT FRIDAY TO FILE CERTAIN REPORTS ON HOUSE JOINT RESOLUTION 681

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight, Friday, May 16, to file certain reports on House Joint Resolution 681.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TO PROVIDE FUNDS FOR THE STUDY AND INVESTIGATION AUTHORIZED BY HOUSE RESOLUTION 17

Mr. **HAYS**. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 399 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 399

Resolved, That, effective May 1, 1969, the expenses of the study and investigation to be conducted by the select committee created by H. Res. 17, not to exceed $400,000, including expenditures for the employment of investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on House Administration.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditures in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Select Committee To Investigate and Study Crime in the United States shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. **HAYS** (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that it be printed in the Record.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

COMMITTEE AMENDMENT

The **SPEAKER**. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 3, delete "$400,000" and insert in lieu thereof "$375,000".

Mr. **GROSS**. Mr. Speaker, will the gentleman yield?

Mr. **HAYS**. I yield to the gentleman from Iowa.

Mr. **GROSS**. I was not aware that this resolution was coming up. Will the gentleman briefly explain it?

Mr. **HAYS**. Yes. Some days ago the House voted to set up a Select Committee on Crime. Then a resolution was introduced to fund that committee to pay for staff work, and so on, which is this resolution, House Resolution 399. The chairman asked for $400,000. The committee amended it to $375,000. That is the amount we are asking to provide at this time.

Mr. **GROSS**. Mr. Speaker, if the gentleman will yield further, at that time I said I feared that it would probably cost a minimum of $300,000. My worst fears have been realized in that it is up to $375,000.

Mr. **HAYS**. That is only for 8 months.

Mr. **GROSS**. That is only for 1 year, as I understand.

Mr. **HAYS**. That is just for 8 months, for the balance of this year.

Mr. **GROSS**. Just for the balance of this year?

Mr. **HAYS**. That is correct. It is going to cost more than that next year, but the gentleman is against crime, is he not?

Mr. **GROSS**. Certainly I am against crime, but, as I said when that resolution was before the House to create this committee, we have crime statistics coming out of our ears. We are literally swamped with crime statistics. I do not know what this committee can contribute to what we already know about this situation.

Mr. **HAYS**. It came out of the subcommittee and the full committee unanimously, and they said they were going to come up with some legislative proposals.

May I say that the Member now addressing the gentleman is the chairman of the Subcommittee on Accounts. I questioned whether they were going to come up hopefully with some proposals about crime—and I call what is happening in the colleges crime, and their connections with dope rings and dope pushers in the colleges, and some other things that are going on. I was assured they would look into this.

I also questioned whether they agreed with me or with Secretary Finch, who was quoted on the radio this morning as saying rioting in the universities was not any of the business of the Federal Government. I am paraphrasing the Secretary. He said it was not the proper job of the Federal Government to do anything about law enforcement on the college campuses. I further questioned them because of the fact that the Federal Government is heavily subsidizing colleges and institutions of higher learning, and I asked them if they thought it was within their purview to look into this, and they said they did.

If they can look into this and can do something about it, it is worth 40 times the amount involved, in my opinion, at least.

Mr. **GROSS**. Mr. Speaker, if the gentleman will yield further, I certainly hope we get something more out of this select committee than the hiring of a costly staff.

I thank the gentleman for yielding.

Mr. HAYS. Mr. Speaker, I hope we will, and I believe we will.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING APPROPRIATIONS FOR THE SALINE WATER CONVERSION PROGRAM, 1970

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 406 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 406

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1011) to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes. After debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and all points of order against section 2 of such substitute are hereby waived. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The **SPEAKER**. The gentleman from Mississippi is recognized for 1 hour.

Mr. **COLMER**. Mr. Speaker, I yield the usual 30 minutes to the minority, to the gentleman from Nebraska (Mr. Martin), pending which I yield myself such time as I may consume.

Mr. Speaker, S. 1011 is the 1969 authorization bill which provides for further research in the matter of converting salt water to fresh water.

This is a most important matter. It affects this whole country—not just one section of it—because of the growing scarcity of water.

This program was started in 1952, Mr. Speaker, and has been conducted with some exceptions since that time.

The bill authorizes $25 million for a continuation of this study and investigation. The Committee on Interior and Insular Affairs in its wisdom has seen fit to cut the budget recommendation

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down from $26 million to $25 million. As one who is interested in holding down these authorizations and appropriations as much as possible, I want to commend the Committee on Interior and Insular Affairs for making even this small reduction of $1 million.

Mr. Speaker, I should also like in this connection to compliment the very able, the very distinguished, and the very sound chairman of this committee, the gentleman from Colorado (Mr. ASPINALL). Members will find, when he presents this matter in the Committee of the Whole, that he, as usual knows what he is talking about. I think he has brought to the House a sound bill.

I of course extend my congratulations also to his counterpart, the gentleman from Pennsylvania (Mr. SAYLOR), for the minority, and to the committee as a whole.

Mr. Speaker, House Resolution 406 provides an open rule with 1 hour of general debate for consideration of S. 1011 to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes. The resolution also makes it in order to consider the committee substitute as an original bill for the purpose of amendment, and points of order are waived against section 2 of the substitute. The waiver of points of order was provided because section 2 of the substitute constitutes a direct appropriation of funds heretofore appropriated but not utilized in fiscal year 1969.

The purpose of S. 1011 is to authorize appropriations for the fiscal year 1970 saline water conversion program, which is administered by the Office of Saline Water in the Department of the Interior. As amended, the bill authorizes the appropriation of $25 million for fiscal year 1970. This amount is $1 million less than the amount requested by the administration in its amended budget request, and is $2 million less than the authorization in the Senate version.

The conversion program authorized in section 1 of the bill is divided into four categories, as follows:

For research and development	$16,233,000
For design, construction, operation and maintenance of saline water conversion test facilities	5,355,000
For design, construction, operation and maintenance of saline water conversion modules	1,450,000
For administration	1,972,000

Section 2 permits the Secretary of the Interior to utilize, in addition to the funds authorized by section 1, any funds previously appropriated but not obligated during fiscal year 1969. However, these funds are subject to the dollar limitations by categories applicable to the fiscal year 1969 program. In other words, carryover can only be used for the purpose for which it was appropriated.

Federal research activities in the field of saline water conversion date from 1952 when Congress authorized a modest research program calling for the expenditure of $2 million over a 5-year period. Through a series of amendments, the program has been expanded in scope and extended in term. Consistent with the practice followed by Congress on other major research undertakings of the Federal Government, annual authorizations have been required since 1967, which procedure enables Congress to stay abreast of the progress being achieved and the emphasis being given to the several alternative categories of saline water conversion research and development.

This is a very important program which was established to develop practicable, economic means of producing fresh water from saline and brackish waters suitable for municipal, industrial, agricultural and other beneficial consumptive uses. It is a part of our national effort to find the means of meeting the future water needs of our Nation. The most remarkable achievement of the program is the incentive it has inspired causing the growth and development of a desalting industry in the private sector of our economy. However, the need for a Federal program will certainly continue until private industry is capable of producing low-cost water without passing on to the consumer the full burden of the additional costs of basic and applied research.

Mr. Speaker, I urge the adoption of House Resolution 406 in order that this important legislation may be considered.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to my friend from Missouri.

Mr. HALL. I appreciate the distinguished chairman of the Committee on Rules yielding.

I rise to query, for the information of the Members of the House, why this Rule House Resolution 406 makes it in order to waive all points of order against section 2 of the committee substitute printed in the bill S. 1011?

Mr. COLMER. Mr. Speaker, I am glad the gentleman asked that, because it gives me an opportunity again to explain that the Committee on Rules has abandoned the practice of just granting broad waivers of points of order to all the provisions of bills generally. The committee chairmen, including the able gentleman from Colorado, have acceded to the request that they justify all requests to waive points of order.

So the Committee on Rules waives points of order only on the particular provisions that are necessary. In this case it provides for the use of unobligated funds heretofore made available in this connection and to be used only for the matters specified in this continuing program.

I hope that answers the gentleman's question.

Mr. HALL. In other words, Mr. Speaker, this applies only to section 2 of the committee amendment, which in turn applies to what we commonly call "carryover funds" from fiscal year 1969 to be used subject to the dollar limitations applied in that fiscal year. Is that correct?

Mr. COLMER. That are unobligated. Yes, sir.

Mr. HALL. I thank the gentleman.

Mr. COLMER. Mr. Speaker, at this time I should like to yield such time as he may desire to the gentleman from New York (Mr. CELLER), chairman of the Committee on the Judiciary.

I would add, also, if it is in order, that I think what he has to say will be important to all of us.

(Mr. CELLER asked and was given permission to speak out of order.)

ASSOCIATE JUSTICE FORTAS

Mr. CELLER. Mr. Speaker, obviously I have been much concerned with matters involving Associate Justice Fortas. I am aware also of the statement made this morning by our distinguished colleague, the gentleman from Minnesota (Mr. MACGREGOR). The ranking minority member of the Committee on the Judiciary, the gentleman from Ohio (Mr. MCCULLOCH), and I are conferring and shall propose such steps as are appropriate at the proper time. I ask the Members of the House to have patience. Patience is bitter, but sometimes it bears rich fruit. I am going to ask Mr. MCCULLOCH to say a few words on this same subject.

Mr. McCULLOCH. Mr. Speaker, the chairman of the Committee on the Judiciary has made a correct report, as all of his reports always are correct. We are in complete agreement on the course of action stated by the chairman of the Committee on the Judiciary of the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I am as much in the dark as anyone could be about the procedure that is being talked about here and the patience that is being asked for. What does the distinguished chairman of the Committee on the Judiciary have in mind that we ought to know and upon which we should use patience?

Mr. CELLER. I hope that the gentleman will not insist in his interrogation in that regard. We are very concerned, as I said before, and at the proper time a statement will be made and proper action will be taken.

Mr. GROSS. Can the gentleman give us no better time frame than that with respect to dealing with the case of Associate Justice Fortas.

Mr. CELLER. I do not wish to promulgate any judgment on that score at this moment.

Mr. GROSS. Can the gentleman give us any time when further information on this subject will be forthcoming? In other words, does the gentleman expect to address the House again today or tomorrow, or to give us some indication of what he has in mind?

Mr. CELLER. I am sure that the gentleman will be satisfied with the action that may be taken in the not-far-distant future.

Mr. GROSS. Well, I am not at all sure that I will be satisfied, I will say to the gentleman, but I thank the gentleman for yielding.

Mr. COLMER. Mr. Speaker, will the gentleman yield to me?

Mr. CELLER. I yield to the gentleman from Mississippi, the chairman of the Committee on Rules.

Mr. COLMER. Mr. Speaker, I must confess that, perhaps, I had anticipated too much when I yielded to the gentleman—and, of course, I would have yielded to him anyway. I am just not quite clear myself about what the gentleman from New York (Mr. Celler) and the gentleman from Ohio (Mr. McCulloch) have in mind. But may I just say to my friend from New York, the able and distinguished chairman of the Committee on the Judiciary, that while Members of Congress generally have been patient and, perhaps, reluctant to even sound off about this matter, that maybe the country is becoming impatient about this situation that reflects upon not only the Justice in question but upon the Court and upon our entire Establishment of Government which seems to be under constant attack today. However, I do want to commend the gentlemen for the statements which they have made which are indicative of the fact that possibly we may have a solution of this matter in a very short time.

I thank the gentleman for yielding.

Mr. MARTIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 406 provides for 1 hour of general debate on S. 1011, a bill authorizing appropriations for the saline water conversion program for fiscal year 1970.

The original proposal requested $27 million for 1970. However, after its budget review was completed, the Nixon administration adjusted the request to $26 million. The committee has further reduced the authorization to $25 million and it believes this cut will not damage the program. In addition, there may be somewhere in the neighborhood of $1 million of carryover funds available.

Mr. Speaker, this is a tremendously important program and I want to commend the chairman and the members of the Committee on Interior and Insular Affairs for this fine piece of legislation which they have brought to the floor today. I am very happy to note that the total authorization is under the budget request for this year.

Mr. Speaker, I support the rule and the legislation.

Mr. COLMER. Mr. Speaker, I have no further requests for this time.

I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. JOHNSON of California. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1011) to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from California.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1011, with Mr. Tiernan in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California (Mr. Johnson) will be recognized for 30 minutes, and the gentleman from Pennsylvania (Mr. Saylor) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. Johnson).

Mr. JOHNSON of California. Mr. Chairman, I yield such time as he may consume to the chairman of the full committee, the gentleman from Colorado (Mr. Aspinall).

Mr. ASPINALL. Mr. Chairman, this is the only bill that the Committee on Interior and Insular Affairs has to pass during this session of Congress.

This is an annual matter, as we now handle it, and it must be taken care of before the appropriation for fiscal 1970 can be taken care of.

Naturally, Mr. Chairman, I am most appreciative of the remarks that the gentleman from Mississippi (Mr. Colmer), the distinguished chairman of the Committee on Rules, and the gentleman from Nebraska (Mr. Martin), had to say about the chairman, the ranking minority member of the committee, and the members of the committee.

We try to bring before the body legislation that is in good order. The order of presentation at this time will be the statement which I shall make, then the statement which the gentleman from Pennsylvania (Mr. Saylor), shall make, then the gentleman from California (Mr. Johnson), then the statement which the gentleman from California (Mr. Hosmer), shall make, and then the gentleman from New York (Mr. Ryan), has a statement.

We hope that our presentation will be such that there will be but few questions left in the minds of the Members as far as this program is concerned.

Now, Mr. Chairman, if I might refer to my manuscript, I would like to say that the management of our public water supply becomes no simpler and easier as our population grows and our citizens require more and better supplies of water consistent with their increasing affluence and sophistication. While public water supply has been and remains largely a local responsibility, there are clearly some things which the Federal Government must undertake for the public good. This is particularly true with respect to reseach in untried concepts and procedures which, by the nature of the risk factors involved, cannot safely be left to local levels of government or to the private sector if reasonable progress is to be expected on a timely basis. The saline water conversion program first initiated by the Congress in 1952, is the way in which the Federal Government has undertaken to assume the financial risks associated with developing the processes and technology required for the successful augmentation of our usable water supply from saline and brackish sources.

S. 1011 would provide authorization of the appropriations required for fiscal year 1970 to continue the work of the Office of Saline Water in the Department of the Interior. The practice of authorizing annual appropriations for this program is consistent with the manner in which most other major federally supported research matters are handled, although it has not alway been the practice followed for this program. In the earlier years of the program, when the amounts involved were small, appropriations authority was granted by lump-sum amounts covering several years of operations. As the program grew in size and cost, this system did not afford Congress an opportunity to stay well informed, on a continuing basis, with the emphasis and trends in program administration. Since fiscal year 1968, the annual authorization process has enabled the committees and the Congress to stay up to date on progress, observe trends, and to participate more actively in the formulation of policy guiding the program.

Since the outset of the program in 1952, the saline water conversion program has been the vehicle for research efforts into promising processes for the conversion of unpotable water to a useful product. The agency charter extends to sea water as well as to brackish water supplies found both on the ground and underground in many interior locations. Principal emphasis has been given to sea water conversion and some progress has been noted in developing methods for reducing the cost of water by the distillation processes. My colleagues would be advised, however, that the progress has not been as dramatic as the publicity would have us believe, and that the utopian breakthrough is nowhere on the immediate horizon. It is also important to note that the state of the art for processes other than distillation are still embryonic in terms of their availability for commercial application in anything except the most unusual situations.

Despite disappointment with the rate of progress toward the goal of low-cost water, the program is important and in the public interest. This is particularly true in the field of basic research and in the environmental testing of the results of this research, and these are the purposes for which S. 1011 is recommended.

Somewhere along the line, since the program started in 1952, Mr. Chairman, the Department, as sometimes happens, began to operate in a manner not intended by Congress. There developed a tendency for the Department to use its latitude to exchange scientific data and information with foreign countries and institutions as a pretext to conduct business relations with sovereign nations. Congress has very wisely, in my opinion, put a stop to this aspect of the Department's activities, while at the same time preserving its latitude to converse with the scientific community throughout the world.

Perhaps, Mr. Chairman, the most important contribution which we may expect from the saline water conversion program is the development of a self-sustaining desalting industry. There has been some notable progress in this area. Along with this growth has been a growth in the capability of the industry to carry applied research to an increasing degree without Federal support. It is likely that

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we shall see the day in a few years when the Federal Government can phase itself out of this field of activity. That time has clearly not arrived, as yet, and for that reason we should support S. 1011 as a proper and necessary measure to fulfill the public interest in the search for continuing sources of water for the decades and generations ahead.

MULTISTAGE FLASH DISTILLATION

This is the most advanced of the processes under development by the Office of Saline Water and is the process involved in the well-known Point Loma plant which was transferred to Guantanamo Bay during the water crisis at that military installation. It makes use of the tendency for water to boil at progressively lower temperatures as pressure is lowered. This is similar to the phenomenon observed when boiling water at high altitudes.

Sea water is heated and introduced into a vessel where vapor "flashes"—this is the same as boiling—and is condensed on coils which have been cooled by the incoming feed water from the sea. The act of vaporization lowers the temperature of the feed water. It is then passed to another vessel where the pressure is slightly reduced allowing another boiling effect or flash to take place. This process is repeated through many stages until the feed water temperature is reduced to approximately ambient levels. In this process the condensation of distilled water takes place on the outside of metallic tubes through which the sea water coolant flows. Apart from representing a substantial part of the cost of a multistage flash plant, the tubes and their performance present the principal area of research needed for this process. Tube configuration and metallurgy influences the heat transfer capability of the tube and controls efficiency of the overall process. Also the inside of the tube is subject to scaling from certain components of sea water and tends to limit heat transfer. Additionally, a leaky tube would cause brine to escape into the product water and detract from the overall effectiveness of the conversion process.

Principal cost factors in this process apart from tube installation and replacement are associated with the large amounts of pumping energy required to move water from one stage to another and to produce the reduced pressures that are needed to make the process function.

FREEZING

The freezing process is the best known of the crystal formation processes. Of course, when water freezes, crystals of pure ice are formed. These crystals can be separated from the residual brine, melted and utilized as pure water.

Two major freezing processes have been studied. The first—vacuum freezing—occurs under pressures so low that the feed water flashes very near the freezing point. The act of flashing to steam utilizes enough heat that the remaining brine forms ice crystals. Various forms of crystal separating and washing devices can then be used to separate out crystals of pure ice.

The secondary refrigerant process something on the order of evaporating butane is used to cool the water to a freezing level. Freezing processes are advantageous in that separation of water from the impurities takes place at low temperatures and this inhibits side reactions such as scale formation. Research in vacuum freezing process is being conducted at the demonstration plant at Wrightsville Beach, N.C. Research in the secondary refrigerant process has been terminated due to the unfavorable prospects for developing an economical process.

ELECTRODIALYSIS

This is a process best suited to the conversion of brackish water supplies. It makes use of a semipermeable membrane which permits the passage of ions, and the tendency of ions to be attracted or repelled by an electrical charge. Two membranes are situated in a manner to provide three compartments in a vessel. In one compartment there is a positive electrode and in another compartment there is a negative electrode. The saline water is introduced into the third compartment. Saline matter in solution is comprised of negative and positive ions. For example, sodium chloride—common salt—is composed of one sodium ion which has a positive charge and one chloride ion which has a negative charge. When current is applied to the electrodes, the sodium ion is attracted to the negative pole and the chloride ion is attracted to the positive ion. The ions pass through the separating membranes leaving purified water in the intervening space.

Direct current energy is required for this process. The substantial amounts of energy are one of the cost factors in this process; however, membrane fabrication and replacement is also an important dimension of the cost of this process.

The demonstration plant—test bed—at Webster, S. Dak., utilizes this process.

VAPOR COMPRESSION DISTILLATION

In the vapor compression process, heat for vaporization of water is supplied through pressurization. A basic law of physics is that the temperature of a gas increases as its pressure increases. This can be noted by touch in the case of a pressure tank on an air compressor.

In this process, brine is forced upward through heat exchange tubes which are surrounded by steam. Being heated in the process, the brine flashes when it escapes at the top of the tubes into a large vessel. Steam from this vessel is drawn off to heat the tubes in another stage. Steam from this stage is mechanically compressed—superheated—and used to heat the tubes in yet another stage. Product water is obtained by drawing off that part of the vapor that is surplus to the heating needs of the subsequent stage. The principal problem with this process is in the development of satisfactory compressor equipment of the scale and performance characteristics required for trouble-free operation.

The demonstration plant at Roswell, N. Mex., is devoted to this process.

REVERSE OSMOSIS

This process involves the use of semipermeable membranes, as does the electrodialysis process. In this case the flow through the membranes is caused by ordinary hydrostatic pressure as distinct from an electrostatic charge.

The process of osmosis as it exists in nature involves the flow of water through a membrane to equalize the salinity on both sides of the membrane. Thus, if a highly concentrated salt solution is on one side and pure water on the other, pure water will diffuse through the membrane until the salinity is equalized. The driving force is, of course, called osmotic pressure.

In the reverse osmosis process, it is necessary to apply enough pressure to the saline solution to overcome the osmotic pressure and actually reverse it so that water from the brine is forced through the membrane. This process is showing great promise on brackish water and the principal research emphasis is on membrane technology. Basic research is emphasized by the Office of Saline Water and many private concerns are working at their own expense to establish competitive proprietary positions in the reverse osmosis membrane field.

The largest new undertaking in the fiscal year 1970 program of OSW is the acquisition of a reverse osmosis test bed. This is a piece of apparatus that can be used to test various membrane concepts utilizing various brackish water supplies in actual field conditions.

The high promise that is held for this process is shared by the Office of Saline Water and private industrialists alike.

VERTICAL TUBE EVAPORATOR PROCESS

In this distillation process the heat transfer tubes are arrayed in a vertical position inside a pressure vessel. The sea water is introduced at the top of the tube and falls through it. It is heated through the tube wall by steam in the pressure vessel, and steam forms within the tube system. Some of the steam surrounding the tubes is condensed in this process and is withdrawn as fresh water. The steam from the inside of the tubes in the first evaporator stage passes to the second evaporator and furnishes the heat source for this stage. The brine that does not vaporize in the first stage is pumped to the top of the second chamber and flows down through the tubes in the second stage. This process is repeated until the temperature of the steam supply drops to approximately atmospheric or ambient temperatures. Of course, to secure vaporization at progressively lower temperatures, it is necessary to lower chamber pressure in successive stages. Brine accumulations at the end of the last effect is wasted. Product water is derived entirely from condensed steam on the outside of the tubes.

This process has been tested at Freeport, Tex. In the industrial community there is conflicting evidence as to the viability of the concept. Those firms which specialize in vertical tube hardware hold vast promise for the method while those firms specializing in multistage flash profess to see little promise. The department feels that this concept may be merged with vapor compression successfully although this combination has not yet been tested at field conditions.

Mr. Chairman, at this point in my remarks, I include a related table:

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PROGRAM STATISTICS—OFFICE OF SALINE WATER, DEPARTMENT OF THE INTERIOR

Fiscal year	Number of contracts, grants, and agreements	Permanent personnel	Total appropriations
1953	8	9	$200,000
1954	10	9	400,000
1955	11	11	400,000
1956	9	12	600,000
1957	10	15	600,000
1958	10	17	700,000
1959	17	27	1,200,000
1960	35	33	3,600,000
1961	10	36	3,800,000
1962	31	56	9,800,000
1963	72	56	9,600,000
1964	124	69	11,800,000
1965	99	109	16,100,000
1966	166	116	23,200,000
1967	195	132	29,900,000
1968	188	137	19,800,000
1969	[1] 189	137	24,700,000
1970 [1]		137	25,000,000
Total	1,184		

[1] Estimated.

As of Mar. 31, 1969, 556 of above were active financially:

Contracts	394
Grants	131
Agreements with other agencies of Government	31

in the search for a continuing source or sources of water for the decades and generations ahead.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I am glad to yield to my friend, the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the distinguished chairman of the Committee on Interior and Insular Affairs yielding. I certainly appreciate the statement he has made. It has cleared up many of the areas of this definite need on the part of the American public, and based on our God-given resources such as water, so that we may repurify them, conserve them, and add to them constantly.

I agree with the gentleman that there is nothing more important to the future economy of our Nation than the proper conservation, use, and reuse of our water cycle.

This program, however, has been funded as the distinguished chairman has said, for a long time, and if I recall properly, last year in the discussion and the debate there was some indication that perhaps by means of some scientific technological breakthrough, would certainly make it worthwhile to increase and continue the program over and above the basic needs of the Nation.

Can the distinguished chairman tell us whether there has been any particular technical breakthroughs that might give us increased courage to vote the taxpayers' funds for this additional year's program?

Mr. ASPINALL. May I say to the gentleman from Missouri that that breakthrough has not yet occurred.

There have been several companies, industrial companies who, at the present time, are offering to the world their manufactured articles.

Here I would like to say that the present general authorization remains until 1972 and at that time there must be a complete review of the overall program and then the decision as to whether or not the program is to be renewed must be made. That time clearly has not arrived as yet. For that reason we of the committee feel that we should support the bill, S. 1011, as a proper and necessary measure to fulfill the public interest in the search for a continuing source or sources of water for the decades and generations ahead.

When we started out we had four processes that at that time were acknowledged to be in existence. These were major processes. We thought perhaps another process might be brought into existence.

There is the multiple-stage distillation process that we have worked on. I explained this in my prepared remarks.

There is the freezing process, which we have worked on.

There is the electrodialysis process, which we have worked on.

There is the vapor compression distillation process, which we have worked on. These are the major processes to date.

The process to which my friend refers, and which we brought into the discussion last year, is known as the reverse osmosis process. This is a very technical, scientific process. They have made progress in the basic science aspect. They still contend there is a great deal of hope in this particular process.

We had before us one witness from the industry field who stated that in this respect industry felt that there should be much more research on this particular process than there has been had to date. On the other hand, he felt that perhaps the process of distillation, had pretty nearly reached the point at which the private sector could take over. Since then we have had a communication from another industry organization which states that we should continue in both of these fields for the time being, especially in the reverse osmosis process, which is a new way of separating the salts and impurities from brackish and sea water. Just how far we can go I do not know. But if there is to be a sizable reduction in the cost of making potable water out of these different kinds of impure water, it more than likely will have to come either from this process or from an enlarged plant using the distillation process and the improvements that have been made to it, combined perhaps with nuclear heating and the production of nuclear power.

We are no further along this year than we were last year in this respect. We have one more process which is new to the evaporation process, and that is the vertical tube evaporator process. We are working on that at the present time. However, there are no funds here at this time in any sizable amount for that particular process. Most of the funds go to the reverse osmosis process, and the basic scientific perfection of the other processes which are well known.

When we took over this responsibility in 1952 the cost of producing potable water out of sea water was $2 a thousand gallons or more. Now at the present time we have it down to the point at which it is said the water that is produced at Key West by a plant which was built by Westinghouse is being produced at 80 cents per thousand gallons—a large reduction in the cost of water. In the opinion of the committee, that reduction would not have been possible if it had not been for the research work that has been authorized by the Congress of the United States.

Mr. HALL. Mr. Chairman, I appreciate the gentleman's excellent response and statement. I think he has anticipated some of my additional or more refined questions. Practically all of these funds, $25 million, are to be used in these different areas of hoped for scientific and technical breakthrough, for further research, development, test, and evaluation. Is that a correct statement?

Mr. ASPINALL. That is correct. I also have in my statement a breakdown of the number of contracts, grants, and agreement year by year throughout the program, and also the amount of permanent personnel, and also the total appropriations.

Mr. HALL. I thank the distinguished gentleman for his statement on the scientific breakthroughs, which are important. As he knows, for a long time we have used the reverse osmosis process in the so-called artificial kidney. This is an area where we can do it on a very extensive basis with dialysis and reverse dialysis through a semipermeable membrane, and so forth. But as in the case of repurifying water in general, so is the problem to make it economically feasible, and on a massively produced basis.

Would the gentleman say that to have water in abundance, whether it is to be used for irrigation or for individual purposes, we must produce it at somewhere between 5 and 8 cents per thousand gallons rather than the current 80 cents per thousand gallons?

Mr. ASPINALL. This depends upon the locality, but by and large as a common operation or a normal operation I would say my friend is correct.

Mr. HALL. If the gentleman will yield for one further question, I have before me his distinguished committees' report for 1968, dated April 1 actually, in which in the paragraph on background, a great deal is said about the Office of Saline Water authorizing the Bolsa Island plant of the Metropolitan Water District of Southern California in association with these developments and/or breakthroughs for provision of water. I have researched the current report and find no mention of it there, or in the bill. Would the gentleman think it in order that a word of explanation should be given about what has happened to the $3 million project in line with these developments and technical breakthroughs?

Mr. ASPINALL. The project was authorized. There was supposed to be a combination of private companies, the Federal Government, and certain power groups and the Atomic Energy Commission. The interested private people withdrew, so it is in a status quo at the present time. We hope in the future to get something like this, but apparently the current economic possibilities are not sufficient to bring private enterprise into it.

Mr. HALL. May I ask specifically, is it for that reason that we have the waving of points of order in section 2 of the Senate-passed bill? Has that been requested so those funds may still be obligated?

Mr. ASPINALL. Not necessarily so, but if those funds are there because of the research work that was intended to be followed in the current year, those funds would be available.

Mr. HALL. I thank the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. SAYLOR).

Mr. SAYLOR. Mr. Chairman, I rise in support of S. 1011, a bill to authorize appropriations for the saline water conversion program for the fiscal year 1970 and for other purposes.

The purpose of S. 1011 is to authorize the appropriation of $25 million for fiscal year 1970, to continue the research, development, and testing of technology in the saline water program and to provide for its administration.

The bill as amended and reported by the Committee on Interior and Insular Affairs differs substantially from the bill as passed by the other body. The first area of difference is the reduction of $2 million in the amount authorized to be appropriated. S. 1011, as introduced and passed by the other body provided for an authorization of $27 million. The bill as amended by the committee and reported to the House provides for an authorized appropriation of $25 million. One-half of this reduction was recommended by the Department to conform with the amended administration budget request. The other $1 million reduction was a decision of the committee to retain this program at approximately the 1969 level of funding.

The second difference concerns the latitude of the Office of Saline Water to adjust expenditures and obligations between the four categories of the program. The bill as amended and reported by the committee reduces from 15 to 10 percent the authority to increase the expenditures and obligations of any category, except the category on administration, by an equal decrease under one or more of the program categories. This action by the committee merely retains the present transfer authority.

The third substantial difference is that the bill as amended and reported by the committee does not include language which would broaden the authority of the basic act to permit the Office of Saline Water to pursue and engage in activities in foreign countries.

S. 1011, as amended and reported by the committee, adopts an approach which I have long sought as the proper approach to the saline water conversion program. In 1952, when this Federal program was initiated, I supported its enactment because I saw the need for such a program, not only for the so-called arid Western States, but a program that was of national interest and scope to assist in meeting the water problems throughout this country.

Since 1952, the saline water conversion program has been expanded and extended from a modest $2 million program to involve a total Federal expenditure of $157,190,000 through fiscal year 1969. Despite this level of funding there has been no significant breakthrough in any desalting process or technology to produce low-cost potable water. While I am the first to admit that this Federal program is necessary and has shown some beneficial results, the expenditures have far exceeded the total benefits to the American taxpayers in meeting this Nation's water problems. With the advent of a viable desalting industry on the horizon I think it is time for the Congress to curtail the Federal expenditures under the saline water conversion program.

Another feature of the saline water conversion program which has disturbed the members of the committee, and other Members of Congress as well, has been the extensive involvement of the Office of Saline Water in activities in foreign countries.

The Office of Saline Water was created for the purpose of solving the water problems, of this country. Unfortunately, some years ago, the Office of Saline Water started on a tangent which had absolutely no relationship whatsoever to the original purpose for which it was created. The result has been that the Office of Saline Water has had more people traveling to foreign countries worrying about foreign water problems than they have had worrying about solving the problems for which they were created. This situation was corrected in the 90th Congress when the authority of the Office of Saline Water to participate in most foreign activities was eliminated in the 1969 appropriation authorization.

Despite the request to restore this authority to engage in foreign activities, the Committee on Interior and Insular Affairs has properly refused to grant such authority in its consideration and report on this legislation. The committee by this action does not intend to limit the ability of the Office of Saline Water to obtain or exchange technical data with foreign entities, but it does place limitations on the ability of the Office of Saline Water to enter into contractual and business relationships with nondomestic entities or engaging in activities which have foreign policy or foreign aid connotations. The research and development capabilities of the growing desalting industry and the colleges and universities of this Nation can, and are perfectly capable of assisting the Office of Saline Water in meeting their needs at this time. Should the development of technology by foreign countries in this field achieve the significant breakthrough in the process of desalting water we are all seeking, I am confident the Congress of the United States will provide the authority and means for obtaining such information.

Mr. Chairman, S. 1011, as amended and reported by the Committee on Interior and Insular Affairs, provides adequate funding of the saline water conversion program for fiscal 1970 with sufficient latitude for effective administration of the program.

I urge and support the passage of S. 1011, as amended and reported by the Committee on Interior and Insular Affairs.

(Mr. BERRY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BERRY. Mr. Chairman, I would like to comment briefly in support of S. 1011, a bill authorizing appropriations for the saline water program.

There are very few research programs that have developed their potential value as this program has. Its purpose is to produce fresh, usable water from either brackish or salt or sea water, and to be able to accomplish this at a reasonable cost.

Since the inception of this program, authorized by Congress in 1952, the cost of converting a thousand gallons of sea water to fresh water has been reduced from over $4 to about $1. The Office of Saline Water operates five conversion plants, three for sea water and two for brackish water.

One of these, the electrodialysis process plant, is located in my home State of South Dakota at Webster. The long-tube vertical multiple-effect distillation process plant is located at Freeport, Tex.; the multistage flash distillation process is located at San Diego, Calif.; the forced circulation vapor compression plant is located at Roswell, N. Mex.; and the freezing process plant is located at Wrightsville Beach, N.C.

In addition, several other new plants are planned or are under construction.

The science of desalination has advanced greatly during the past decade. In 1960 the total estimated capacity for land-based plants in operation or under construction was 64 million gallons per day. Today the total capacity is approximately 250 million gallons per day.

Desalting technology has reached the point where not only coastal communities can use desalination processes to meet water requirements, but inland communities now see the possibility of making use of large brackish water supplies.

The city of Webster in South Dakota, for instance, uses water from the process plant located there and has found that desalted water, using the electrodialysis process, has decreased the need for home water treatment chemicals, detergents, water heater replacements, and plumbing repairs, in addition to providing an adequate water supply.

It is necessary, however, that the next 10 years bring even greater advancement toward the goal of low-cost desalination. National water demands, as reported by the Water Resources Council, will be 1,098 billion gallons per day greater by the year 2020 than was required in 1965. Certain areas will require large amounts of additional water, and desalting technology must be advanced to the point where plants with the capacity of producing water in the quantities needed will be available.

I think it is safe to say that we are now on a threshold of economic effectiveness in achieving the overall objectives of the saline water program. This is not to say that the research and development job is done—but rather that the full-scale application of the new-found laboratory technology is now warranted.

The bill before us today calls for authorizing a 1-year appropriation of $25 million. Approximately $18 million of that sum is earmarked for research and development operating expenses. The remainder is to be expended on construction, operation, and maintenance of saline water conversion test bed and test

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facilities and conversion modules, in addition to administration.

I urge that every Member of this body support the continuation of this important program. The Office of Saline Water has worked efficiently to make a supplemental supply of fresh water at the lowest possible price, but most important of all, to make it available as, and when, needed. We can put a price on water, but we cannot put a value on it.

Mr. JOHNSON of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the distinguished chairman of the full committee has given us a afford to forgo consideration of any procogent explanation of the purpose and background of S. 1011, and an insightful report on the accomplishments and prospects for the saline water conversion program. Based on definitive hearings held by my Subcommittee on Irrigation and Reclamation, I am convinced that the program which we are discussing today is a vital and necessary part of the Nation's array of tools for working on our water resource needs of the near and long-term future.

My service on the two standing committees of this body concerned with major water resource programs has given me the feeling that the Nation cannot afford to forgo consideration of any program holding promise of a solution to our perplexing water problems. While the saline water program is not a panacea to all our ills, S. 1011, which authorizes its continuation for fiscal year 1970, will permit orderly conduct of the program in all of its facets.

As reported, S. 1011 authorizes appropriations in the amount of $25,000,000. This sum of money is $1,000,000 below the administration's amended budget request, and is $2,000,000 below the amount in the Senate-passed bill. Our committee applied the specific reduction to category 1, research and development, by reducing the executive branch recommendation from $17,223,000 to $16,223,000. Amounts requested in other categories of program activity are allowed in the bill as reported; these are: First, category 2—design, construction, acquisition, modification, operation, and maintenance of test beds and facilities—$5,355,000; second, category 3—design, construction, operation, and maintenance of modules—$1,450,000; and third, category 4—administration and coordination—$1,972,000.

Mr. Chairman, we have been trying for several years to achieve a situation in which we can authorize the annual appropriations for the saline water conversion program in a simple measure that would not amend the basic legislation under which the program operates. S. 1011 accomplishes this purpose, in that it does not amend the Saline Water Conversion Act in any respect. The bill, as reported, preserves the proscriptions placed on the Department in the 90th Congress against the conduct of business activity with foreign countries and institutions. The committee felt that it was not necessary to broaden the language in the basic act in this respect as was done in the Senate-passed bill. The present language of the act does not restrict in any way the latitude of the department to engage in international conferences, to inspect foreign projects, or to exchange research findings with friendly countries. These activities are essential to the conduct of a well-rounded research undertaking, and there was no sentiment in our committee to curtail them.

S. 1011 will also enable appropriate administrative latitude to utilize unobligated balances available from prior year funds so long as the funds are spent for the activities for which they were appropriated. Discretion is also provided to reprogram or transfer funds among the categories to the extent of a 10-percent increase for any category except that for administration. Of course, increases in any category must be accompanied by reductions of equal magnitude elsewhere in the program. Our committee considered the desirability of increasing this latitude to 15 percent, as recommended by the Department, but could not find any convincing evidence to support the change.

Mr. Chairman, in summary, I believe we have a responsible bill here. It is one which will allow the program to go forward on a deliberate and timely basis while at the same time retaining congressional oversight of the major policy aspects of the program. The reduction in appropriations authority in the bill, as it has been reported, is considerably less than the $2,800,000 reduction voted by the 90th Congress for fiscal year 1969. I believe it is significant that, in all of its reports and testimony, the Department did not at any time allude to any difficulty having been encountered during fiscal year 1969 as a result of the cuts which we made for that year. I am confident that there will be no appreciable delay caused to the program in fiscal year 1970. Out of this conviction and the companion desire to cooperate with the administration's active program to curb inflationary spending, I strongly urge passage of S. 1011.

Mr. Chairman, I might say at this time that during our hearings there was no action taken in the way of expansion of the number of employees authorized or allowed in the appropriations that are being requested. The number of employees will remain at the same level, approximately 137 employees, as they are now in the Office of the Saline Water Conversion program.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Florida.

Mr. HALEY. I thank the gentleman from California for yielding to me.

Mr. Chairman, I might say that this in my opinion is probably one of the finest programs on which the Federal Government spends money. In my opinion it is very vital to have this program in order to continue the growth one might say of our Nation.

Inasmuch as I offered the amendment to reduce the total amount required, I believe the hearings will indicate that they will have sufficient money in order not to reduce or to harm this program in any manner. Is that statement substantially correct?

Mr. JOHNSON of California. The gentleman is correct.

Mr. Chairman, I want to commend the gentleman from Florida for his activities in the committee. I believe that when the gentleman offered the amendments that they were well thought out, in order, and necessary.

Mr. HALEY. Mr. Chairman, will the gentleman yield further?

Mr. JOHNSON of California. I yield further to the gentleman from Florida.

Mr. HALEY. Mr. Chairman, may I say that the distinguished gentleman from California is very thorough in his work, and that he brings a bill to the floor of the House that has had close scrutiny so that every dollar authorized is necessary to continue this vital program in the manner in which the Congress has requested.

The gentleman is doing a tremendous service not only for his own great State of California and all of the Western States, but also for the people of the Nation as a whole, because right now we are in a situation where we must face up to this vital problem of water shortage.

This is not only true in the Western States, but this is going to be a problem in all of the States of our Nation.

So, Mr. Chairman, I say that the moneys we are expending here now will in the future be money that is well spent.

Mr. JOHNSON of California. Mr. Chairman, I want to thank the gentleman from Florida for his very kind words, and for his real keen interest in this whole saline water program.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Texas.

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman for yielding.

I rise in favor of and wholeheartedly support the bill S. 1011. I would like to commend the chairman of the committee, and I would like also to commend very warmly the gentleman from California for the leadership these gentlemen have demonstrated in this very important legislation for our Nation. In this commendation I would also like to include the ranking minority member of the committee, the gentleman from Pennsylvania.

Mr. DE LA GARZA. Mr. Chairman, I strongly urge favorable consideration of S. 1011 authorizing appropriations for the saline water conversion program for the fiscal year 1970.

It is of the utmost importance that this program go forward on a continuing basis. The water needs of our Nation are increasing at an even faster rate than population, and to meet these needs in the future it is going to be absolutely necessary that we find practical ways of tapping the oceans. Only by doing so can we be assured of obtaining the enormous supplies of water needed for human consumption and for industrial and agricultural use. The 15th Congressional District of Texas, which I represent in the House, is an area which has been transformed by irrigation. Naturally, I have a very close interest in any legislation having to do with water supply, for I have seen at first

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hand the difference that an adequate supply, effectively used, can make to a land and to people. Saline water conversion is no less vital to our Nation than fresh water conservation.

S. 1011, authorizing as it does appropriations for research and development operating expenses as well as for design, construction, acquisition, modification, and maintenance of saline water conversion test beds and conversion facilities and saline water conversion modules, is necessary legislation. It will enable the Government to proceed with this essential work in the areas where the need or projected need for additional water supply exists. It is, in every sense of the word, "must" legislation.

Mr. JOHNSON of California. Mr. Chairman, I also wish to say that I too want to thank the chairman of our full committee, and the ranking minority member of the full committee, as well as the ranking minority member of the subcommittee.

In our State of California the saline water program is a very important one, as it is to the rest of our Nation and, indeed, to the world. I believe the bill that we have before us today will carry on a very active program in fiscal year 1970. I hope that by the end of fiscal 1970 we will be able to have a further breakthrough in lowering the cost of producing water.

As the chairman of the full committee stated, we are at about 80 cents under one of the processes now in operation at the present time in the State of Florida, and I hope we will see a further breakthrough in this program during the next fiscal year.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from California (Mr. HOSMER) who is the counterpart chairman of the subcommittee handling this legislation.

Mr. HOSMER. Mr. Chairman, I rise in support of S. 1011, as amended, a bill to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes.

The purpose of this legislation is to provide the funds necessary to administer and continue a program of research and development, and the testing of technological data to produce low-cost potable water from sea or brackish water. To do this, it is necessary to provide adequate funding and sufficient latitude in the administration of the program.

S. 1011, as amended and reported by the Committee on Interior and Insular Affairs is not, in my opinion, consistent with the intent and purpose of this legislation and the basic program enacted by Congress.

The committee in its report takes the position that, the saline water conversion program "is a useful and important part of the Nation's public effort to assure an adequate water supply to meet our increasing national requirements," and that the Federal effort "should not be abandoned, particularly in the basic research area and in the environmental testing of new processes, concepts, and materials." Yet the committee in its amendment reducing the amount authorized to be appropriated for fiscal 1970 from $27 to $25 million has made these budgetary cuts in the very heart of the program; namely, a reduction from $18,095,000 to $16,223,000 in basic research and development, a decrease of $1,872,000, and a cut of $128,000 in funds available for administration of the program.

The testimony presented to the committee only called for the reduction of $1 million in conformity with the administration's amended budget requests and not a $2 million cut. I should like to note for the record that the additional cut of $1 million imposed by the committee is noteworthy because it is the first cutback or reduction in this program after considerable extension and expansion of the same program during the past 8 years.

Another area of inconsistency in relation to the basic purposes of this legislation is the committee's action in limiting the authority of the Office of Saline Water to participate in foreign activities. While I share some of the concern over the expenditure of funds, and so forth, by engaging in the designing, engineering, construction, and management of foreign desalting plants, the limitations imposed by the committee amendment actually prohibits the search for technical data, plus research and development on a contractual basis in foreign countries and from their scientific communities. It may be that the best man in the world is working on research and development in an important and particular area of desalting technology in a foreign university. Yet the committee amendment prohibits the Office of Saline Water from contracting with the university or individual to obtain such valuable information.

My third objection to the legislation in its present form is its restriction on shifts between expenditure items to 10 percent. In research and development activities more flexibility than this should be allowed to pursue new ideas that may develop during the year. This figure should be at least 15 percent, not 10 percent.

Mr. Chairman, notwithstanding these inconsistencies, I shall support and urge the passage of S. 1011, as amended, and trust that in conference some of its deficiencies may be ironed out.

Mr. JOHNSON of California. Mr. Chairman, I yield the 3 minutes remaining on this side to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Chairman, the bill we are considering today, S. 1011, authorizes the appropriation of $25 million to carry out the provisions of the Saline Water Conversion Act during the fiscal year 1970.

The research conducted by the Office of Saline Water has made a significant contribution to this country's development of a desalting technology and has encouraged the growth of a valuable desalting industry which will help to meet the future water requirements of this Nation. Insofar as the authorization sought today will be used to continue that research, I support this legislation.

As a letter dated January 15, from former Assistant Secretary Max Edwards to the Speaker of the House, which is printed on page 4 of the committee report, points out, the saline water conversion program has achieved other beneficial effects.

In addition to promoting an important desalting technology in the United States, the program—and I quote from the letter—"also has assisted a number of foreign countries in the development of this technology."

The research which has accrued from this assistance has in many cases been invaluable for the saline water conversion efforts of both the participating foreign country and the United States.

As a matter of fact, in that letter former Assistant Secretary Max Edwards stated:

> Much valuable information has been gained through research and development contracts entered into with foreign research institutes, universities, and individuals prior to July 1, 1968. This valuable source of knowledge and technology should be continued.

Unfortunately, this research and development cannot be continued because in 1968 the Congress amended the basic act to prohibit the Office of Saline Water from entering into contracts with public or private agencies in foreign countries.

I am concerned about assisting countries like Israel in the development of their saline water research. This restriction confuses the question of whether or not a saline water project involving a foreign country—such as the proposal I have made for a number of years that the United States participate in the construction of a prototype desalting plant in Israel—would be administered by the Office of Saline Water.

The committee report states at page 4:

> The Office of Saline Water, under this program, should limit its participation in foreign activities to the interchange of data with foreign entities and should refrain from entering into business relationships with nondomestic entities, or otherwise engaging in activities having foreign policy or foreign aid connotations.
>
> Any assistance by the United States in the development of foreign desalting projects should be accomplished under the foreign aid program, rather than under this program.

But, as former Assistant Secretary Max Edwards explained in his letter of January 17, 1969, transmitting to the Speaker of the House of Representatives the Johnson administration's proposal for U.S. participation in the construction of a desalination plant in Israel, U.S. participation in the Israel plant is more than a matter of foreign aid. In Mr. Edward's words it provides, "the opportunity for the United States to participate in a technologically advanced water desalting program to further its—the United States—objectives of developing large-scale desalting processes."

Hence U.S. participation in a prototype project such as the one outlined in my bill, H.R. 587, must be seen as an integral part of our own research efforts in the conversion of salt water to fresh water. In light of the relation of programs like the one with Israel to our own research objectives, it seems clear that this program should be located in the

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Office of Saline Water in the Department of the Interior, and not under the foreign aid program.

The **CHAIRMAN**. The time of the gentleman has expired.

Mr. **SAYLOR**. Mr. Chairman, I yield 2 minutes to the gentleman from New York.

Mr. **RYAN**. I thank the gentleman from Pennsylvania.

Mr. Chairman, during the markup of the pending bill I offered an amendment to the basic act to eliminate the 1968 restriction, which would have made it possible for the Department of the Interior to utilize funds authorized under the Saline Water Conversion Act for cooperative research and development efforts with public or private agencies in foreign countries.

I was supported in that effort, I am happy to say, by the gentleman from California (Mr. Hosmer), who pointed out very cogently some reasons why it is important to reinstate the previous authority to expend funds for research and development in cooperation with public or private agencies in a foreign country.

I might point out that the law previously specified such funds under the act could only be expended if the U.S. Government had assurances that any information gained from the project would be available to the United States without cost.

I certainly hope the committee does not intend that this restriction or prohibition be permanent, and I understand from the remarks of the chairman when my amendment was considered in committee that that was not the intent of the committee in writing the law in 1968.

I am also concerned about the failure of the administration thus far to support the recommendations of the Johnson administration to assist with construction of a desalinization plant in Israel. I originally introduced legislation to accomplish this in 1967. In this Congress my bill is H.R. 587.

President Johnson, before leaving office, made a commitment to Premier Eshkol of Israel that the United States would assist in the construction of such a prototype plant. On January 17, 1969, the recommendation was submitted to the Congress by former Assistant Secretary Max Edwards, along with a draft bill. It is dismaying that the Nixon administration has yet to take a position on this proposal. In view of doubts raised by the testimony of Secretary of Interior Hickle, when he appeared before the House Interior Committee, I have written twice to the President of the United States—on February 18 and April 2—asking for the position of the administration. So far the administration had not taken a position in support of the commitment which was previously made by President Johnson. I believe the United States should proceed immediately to carry out its commitment to the State of Israel and assist with the construction of his desalination plant. It is important to the solution of Israel's water problem and will also provide valuable information and data to the Office of Saline Water.

Mr. Chairman, I include at this point in the Record the exchange of correspondence between my office and the White House.

House of Representatives,
Washington, D.C., February 18, 1969.

The President,
The White House,
Washington, D.C.

Dear Mr. President: Today during the course of his appearance before the House Committee on Interior and Insular Affairs, Secretary of the Interior Walter Hickle indicated that the Interior Department would consider deleting the $40 million from the Fiscal Year 1970 budget of the Office of Saline Water Research which former President Johnson recommended be allocated for United States participation in the construction of a large prototype desalination plant in Israel.

As members of the House Committee on Interior and Insular Affairs, we are very concerned that your Administration may intend to back away from the commitment which President Johnson made to Israeli Premier Eshkol to participate in the construction of this vitally needed facility.

This project offers many potential benefits in terms of research on desalination processes to the United States as well as to Israel. In his January 17 letter to the Speaker of the House of Representatives forwarding the President's proposal, Assistant Secretary of the Interior Max Edwards explained that the "proposal provides the opportunity for the United States to participate in a technologically advanced water desalting program to further its objectives of developing large-scale desalting processes." In addition, he noted that the Israeli government has concluded "that new incremental sources of fresh water must be made available by the mid-seventies in order to maintain (Israel's) industrial and economic growth." For both of these reasons, he concluded, the Department of the Interior believes "we should take advantage of this opportunity and we urge the early enactment of this proposal."

In addition to the research to be gained by the United States, the resulting economic benefits would accrue to the entire area. It would also reduce international tensions which have long been aggravated by a lack of water. A desalination project would make possible the cultivation of large portions of desert land which have hitherto been unusable. The land and jobs which such a plant would create would make a sizeable contribution to stability in the Middle East.

The submission of this proposal by President Johnson was the culmination of a long period of study and research into the feasibility and utility of constructing a desalination plant in Israel. On February 6, 1965, President Johnson, in a speech delivered to the Weizmann Institute of Science, announced that the United States had "begun discussions with the representatives of Israel on cooperative research in using nuclear energy to turn salt water into fresh water." These discussions led to the formation of a United States-Israel team which conducted feasibility studies on a desalination plant which Assistant Secretary Edward states in his January 17 letter "resulted in the submission of this request." The research benefits of this project having been well established by these studies, the United States should proceed to participate in the construction.

During the course of your campaign for the Presidency you made reference on several occasions to the need to maintain America's commitment to Israel. President Johnson's endorsement of the development of a desalting plant in Israel, and his letter to Premier Eshkol affirming that endorsement, constitute an important part of continuing American support for Israel. We urge you to maintain that commitment by reaffirming Executive support for United States participation in the construction of this facility.

Sincerely,

William F. Ryan,
Hugh L. Carey,
Members of Congress.

The White House,
Washington, D.C., February 24, 1969.

Hon. William F. Ryan,
House of Representatives,
Washington, D.C.

Dear Mr. Ryan: Thank you for your and Congressman Carey's letter of February 18 to the President regarding United States participation in the construction of a desalination plant in Israel.

We appreciate your observations. They are being carefully considered and you will hear further soon.

With warm regard,

Sincerely,

William E. Timmons,
Deputy Assistant to the President.

April 2, 1969.

The President,
The White House,
Washington, D.C.

Dear Mr. President: On February 18, 1969, I wrote to you concerning United States participation in the construction of a prototype desalination plant in Israel for which $40 million was included in the Fiscal Year 1970 budget of the Office of Saline Water Research submitted to the Congress by former President Johnson. In addition, President Johnson made a commitment to Israeli Premier Eshkol to participate in this vitally needed facility.

I wrote you on February 18 after the appearance before the House Committee on Interior and Insular Affairs of Secretary of the Interior Walter Hickel who was not willing on that occasion to reaffirm the commitment made by President Johnson.

Although I received an interim reply from William E. Timmons, Deputy Assistant to the President, I still have not received from you a statement of your position on this matter. I urge you not to permit your Administration to renege on this commitment which constitutes an important part of continuing United States support for Israel.

I was disturbed again by the testimony of Carl L. Klein, Assistant Secretary of the Interior for Water Quality and Research, when he appeared before the Committee on Interior and Insular Affairs on March 25. This was some five weeks after Secretary Hickel's appearance, yet Assistant Secretary Klein stated that he had not discussed this issue with Secretary Hickel and that he was not familiar with the January 17 letter from the Department of the Interior to the Speaker of the House of Representatives recommending United States participation in this desalination project.

In closing, let me express my hope that you will clarify your position on this crucial matter as soon as possible.

Thank you very much for your consideration.

Sincerely,

William F. Ryan,
Member of Congress.

The White House,
Washington, D.C., April 11, 1969.

Hon. William F. Ryan,
House of Representatives,
Washington, D.C.

Dear Mr. Ryan: Thank you for your letter of February 18 regarding participation by the United States in a large prototype desalting plant in Israel.

President Nixon has recently directed that a careful and thorough study be made of the Israeli desalting proposal. Until this study is completed, the Administration will

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not be in a position to appraise the merits of this proposal.

We appreciate knowing your views on this matter and you may be assured that they will be carefully considered in any future action taken in connection with the project. A similar reply is also being sent to Congressman Carey.

Sincerely yours,

BRYCE N. HARLOW,
Assistant to the President.

Mr. RHODES. Mr. Chairman, I support the continuation of the saline water conversion program. The development of additional water resources by producing fresh water from salt water may be the only real solution to the water crisis faced by many of this country's urban areas.

S. 1011 authorizes appropriations for the saline water conversion program in the amount of $25 million. I regret that this amount is $2 million less than that originally requested, but recognize the serious budgetary restraints that must be exercised in a time of unprecedented inflation. I am hopeful that the prudence exercised now will enable us to devote significantly increased funds to this essential program in the future.

While progress in this relatively new field of technology has been slow, definite positive steps have been made toward the realization of a truly low-cost water supply from saline sources.

Mr. Chairman, I strongly support the recommendation of the Committee on Interior and Insular Affairs and hope that this body will act favorably upon it.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill and subject to amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to carry out the provisions of the Saline Water Conversion Act (66 Stat. 328), as amended (42 U.S.C. 1951 et seq.), during fiscal year 1970, the sum of $25,000,000 as follows:

(1) research and development operating expenses, not more than $16,223,000;

(2) design, construction, acquisition, modification, operation, and maintenance of saline water conversion test beds and test facilities, not more than $5,355,000;

(3) design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules, not more than $1,450,000; and

(4) administration and coordination, not more than $1,972,000.

(b) Expenditures and obligations under any of the items in this section except item (4) may be increased by not more than 10 per centum if such increase is accompanied by an equal decrease in expenditures and obligations under one or more of the other items, including item (4).

SEC. 2. In addition to the sums authorized to be appropriated by this Act, the Secretary may utilize any funds previously appropriated for this program which are not obligated on June 30, 1969, subject to the dollar limitations applicable to the fiscal year 1969 program.

The CHAIRMAN. If there are no amendments, the question is on the substitute committee amendment.

The substitute committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. TIERNAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1011) to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes, pursuant to House Resolution 406, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill (S. 1011) just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DISPOSAL OF POISON GAS

(Mr. McCARTHY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. McCARTHY. Mr. Speaker, on May 5, 1969, I first learned that the U.S. Army planned to move large quantities of poison gas across the country by railroad, load it on ship, and dispose of it in the ocean. Because of the hazards of moving chemical warfare agents such as mustard gas and nerve gas by rail and because of the possibility that dumping large quantities of poisonous materials in the ocean might prove dangerous both to humans and the marine ecology, I wrote to Secretary of Defense Laird and Secretary of Transportation Volpe urging that the planned shipment be delayed. I urged that a more thorough study be made of the safety of such a move and that alternative methods of disposal be considered.

Subsequently, the Subcommittee on International Organizations and Movements, chaired by the gentleman from New Jersey (Mr. GALLAGHER), held hearings on the proposed move. These hearings shed adidtional light on the proposed move and have been most helpful. The Army now says it will have the National Academy of Sciences review the plan before going ahead. I am including in the RECORD copies of my letters to Secretary Laird and Secretary Volpe, the reply received from the Department of Transportation, my statement on this matter to Mr. GALLAGHER's subcommittee, and two messages on the subject for the information of my colleagues:

TEXT OF THE LETTER TO SECRETARY MELVIN R. LAIRD, MAY 6, 1969

DEAR MR. SECRETARY: As you know, I have been concerned about the safety precautions exercised by the Department of Defense in the testing, storage and transportation of chemical warfare agents.

I was disturbed to learn this week that the Department of Defense plans to move large quantities of poison gas across the United States by rail, load the gas aboard ships, and dispose of the gas at sea.

According to the information I have received, a total of 1,100 gondola cars containing 15 one-ton cylinders of World War II poison gas will be moved from Rocky Mountain Arsenal, Colorado; Pine Bluff Arsenal, Arkansas; and Edgewood Arsenal, Maryland by rail to the Earle, New Jersey Naval Ammunition Depot. At that point, the gas will be loaded on two Liberty ships for disposal at sea.

A number of safety factors appear to have been under-estimated in the planning of this move. Although the Department of Transportation normally requires that cylinders containing highly toxic material for shipment by railroad be hydrostatically tested, most of the cylinders in question have not been tested in this manner and generally date back to 1942–1945. The spillage of gas is apparently a real possibility in view of the accidents that have occurred in gas shipment in St. Louis, Kansas City, and Iowa within the recent past.

Another safety factor that has not been given sufficient weight, in my opinion, is the possibility of an accident involving another train. The Transportation Safety Board has reported that there has been a 100% increase in the number of derailments taking place each year with the total now exceeding 5,000 annually. Even though these trains moving the poison gas will travel no faster than 35 miles an hour, other trains traveling at higher speeds, both passenger and freight, will pass the gas trains with the possibility of derailment and collision always there. The Dunreith, Indiana accident of last year involving just such a case points up this hazard.

And of course, even though the trains will be routed around major population centers as much as possible, they will still be going through Indianapolis, Indiana; Elizabeth, New Jersey and a number of other communities.

A longer range question of safety should be raised concerning the disposal of poison gas at sea. Does the disposal of large quantities of gas at sea raise ecological problems that we are not aware of? Are the gases to be disposed of rendered harmless immediately or are they absorbed by sea life in a manner with which we are not familiar? I do not know the answer to these questions, but I believe that they deserve the most careful consideration.

In view of the many safety problems involved with the very real possibility of accidents, I urge that you halt the shipment of this poison gas now due to begin on May 16, 1969, until alternative methods of disposal, perhaps by decontamination at the Army's arsenals, or more rigorous safety precautions can be taken.

Sincerely,

RICHARD D. MCCARTHY.

TEXT OF THE LETTER TO SECRETARY JOHN A. VOLPE

DEAR MR. SECRETARY: I was disturbed to learn this week that the Department of Transportation has granted a special permit to the U.S. Army to ship large quantities of poison gas by rail across the United States.

According to the information that I have received, the Department of Transportation

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has issued a permit of exemption from the normal safety requirements for the movement of highly toxic materials for the shipment of poison gas. A total of 1,100 gondola cars, each containing 15 one-ton cylinders of poison gas will be moved in 45 to 60 car trains from Rocky Mountain Arsenal, Colorado; Pine Bluff Arsenal, Arkanas; and Edgewood Arsenal, Maryland to the Earle, New Jersey Naval Ammunition Depot. At that point, the cylinders will be loaded on two Liberty ships and taken out to sea for disposal.

It is my understanding that the following safety precautions will be taken. These shipments, to begin on May 16, 1969, and continue through June, are to be handled as special exclusive trains. An Army guard detachment consisting of an officer and a number of enlisted men will be located on three cars, one in the middle and the others at the end of the train. The speed of the trains will be limited to 35 miles an hour. The cylinders, made of steel 11/16ths of an inch thick, will be placed horizontally in the gondola cars. And I understand that as far as possible, the total of about twenty cars will not pass through major population centers.

What is particularly disturbing to me is the willingness of the Department of Transportation to grant a permit of exemption from the normal safety requirements without the most exhaustive consideration of the safety factors involved. Apparently the Department normally requires that each tank used to transport toxic materials on the railroad be tested hydrostatically. Yet in this case I am informed that the Department of Transportation has accepted as sufficient the Army's tests of a few cylinders even though the cylinders generally date back to 1942. The Army apparently considers leakage a problem because they state that they will have a bag of absorbant material under each cylinder valve. It would appear that at a minimum, the Department would have wanted to inspect the cylinders to insure themselves of their soundness before issuing a shipping permit.

I am also disturbed that these trains will be traveling along rail lines at the same time that other trains pass by on adjacent tracks. In one of the major rail accidents that occurred recently at Dunreith, Indiana, the derailment and subsequent explosions were caused by two passing trains rather than one train. As the Department's Transportation Safety Board has just made known, there has been a 100% increase in derailments in the last decade with over 5,000 such incidents now each year. Railroad roadbeds in bad condition certainly increase the possibility of accident with these twenty trains. And yet there is no requirement that passenger trains not operate on the same section of railroad right-of-way as that used by the gas trains. Again as a minimum, I would think that the Department of Transportation would want to require that only the poison gas shipment be allowed on any section of track at one time.

I am also concerned that, although an attempt has been made to route these trains around major population centers, they will pass through cities such as Indianapolis, Indiana, and Elizabeth, New Jersey. Although safety measures are being taken, they are apparently by no means totally effective. I have not been able to learn the details but I have been informed that there were poison gas spillages in St. Louis, Kansas City, and Iowa in the recent past, with the Iowa incident posing serious problems of decontamination.

In view of the questionable safety of moving such large quantities of poison gas, I urge you to withdraw the special permit that has been issued for the shipment of this toxic material until a more thorough investigation of the safety problems has been made or alternative methods of deactivating the gas at the arsenals has been explored.

Sincerely,

RICHARD D. MCCARTHY.

DEPARTMENT OF TRANSPORTATION,
FEDERAL RAILROAD ADMINISTRATION,
Washington, D.C., May 13, 1969.

Hon. RICHARD D. MCCARTHY,
House of Representatives,
Washington, D.C.

DEAR MR. MCCARTHY: Secretary Volpe has asked me to reply to your letter dated May 6, 1969, concerning rail shipments of poison gas by the United States Army.

In accordance with the regulations of this Department, shipments of explosives or other dangerous articles offered by or consigned to the Departments of the Army, Navy, and Air Force of the United States Government, must be packed, including limitations of weight, in accordance with such regulations or in containers of equal or greater strength and efficiency as required by their regulations.

Special Permit No. 5199 authorizes the Department of Defense to ship Class A poisons in military Type A and Type D one-ton containers, without a 5-year hydrostatic retest. The cylinder valve openings must be capped or plugged and protected by valve protection caps which need not be gas tight. The permit was issued May 1, 1967; paragraph 1 was amended April 8, 1968; paragraphs 1 and 10 were amended January 13, 1969. The permit and amendments are attached.

The military specification containers are built to the Department of Transportation specifications for 106A500 Multi-Unit Tank Car Tanks, having a water capacity between 1500 and 2600 pounds. The 106A500 containers are authorized for commercial shipments of certain Class A poisons, such as phosgene.

The containers were hydrostatically tested when they were first manufactured. The regulations require that they be hydrostatically retested at 5-year intervals. These containers have been filled with Class A poisons since they were manufactured, so they have not been retested.

The purpose of retest is to determine whether the containers have been weakened by corrosion or by abuse during transportation. From a continuing quality control and test program, DOD has found no corrosion in containers filled with phosgene, mustard gas, or nerve gas. They have not been in transportation since they were first filled, so they have not been subject to transportation abuse. Therefore, it was appropriate to waive the retest requirement, particularly in view of the hazard involved in emptying the containers for retest and then refilling them.

Our regulatory authority over hazardous materials relates only to safety in transportation. We do not tell DOD (nor any other shipper) where materials may be shipped, nor do we have anything to say about the disposition of materials after they reach their destination.

We are satisfied that we have taken every practical precaution to ensure safety in the transportation of these gases. The proposed shipments meet our standards for transportation safety, so there is no reason for withdrawing Special Permit No. 5199.

Determinations as to scheduling, routing, and disposition of the materials have been made by the Department of Defense. Therefore, inquiries and objections raised in these areas should be directed to that agency.

Sincerely,

R. N. WHITMAN.

SPECIAL PERMIT No. 5199

This special permit is issued pursuant to the authority of S173.22(a)(1), Department of Transportation Regulations for the Transportation of Explosives and Other Dangerous Articles, 49 CFR Parts 171–190, as amended.

1. The Department of the Army is hereby authorized to ship mustard agent (H) in Type D, one-ton containers from Pine Bluff Arsenal Arkansas, Edgewood Arsenal, Maryland and Rocky Mountain Arsenal, Colorado to the Naval Ammunition Depot, Earle, New Jersey, and the Naval Ammunition Depot, Bangor, Washington. Tanks will not be hydrostatically tested. A single trip only is authorized for each tank.

2. Cylinder valve openings must be capped or plugged and protected by valve protection caps which need not be gas tight.

3. Prior to offering for transportation, each container shall be inspected for any evidence of leakage or deterioration which would materially and adversely affect its efficiency. Containers determined to be in a satisfactory condition for transportation shall be securely mounted on cars especially provided for this type of service, or on gondola cars especially prepared with substantial wooden frames and blocks to hold the containers in position. Drop bottom cars are not authorized. Poison gas placards must be applied.

4. Each shipment made under the terms of this permit shall be accompanied by a qualified military escort detailed by the Department of Defense, equipped with materials and devices for making repairs and performing decontamination if necessary in the event of leakage of containers.

5. Each bill of lading, shipping order or other shipping paper issued in connection with shipments made under this permit must bear the notation "DOT Special Permit No. 5199" in connection with the commodity description and the placard notation thereon.

6. A copy of the permit shall be carried by the escort party accompanying shipments.

7. Shipments are authorized by rail only.

8. Any accident involving the loss of product must be immediately reported by telegram or telephone to the Office of Hazardous Materials and the Bureau of Explosives (AAR).

9. This permit does not relieve the shipper or carrier from compliance with any requirement of the DOT regulations, except as specifically provided for herein.

10. This permit shall expire December 31, 1967.

Issued at Washington, D.C., this 1st day of May, 1967.

W. H. BYRD,
Acting Director, Office of Hazardous Materials.

REVISED SPECIAL PERMIT No. 5199

Pursuant to the authority of 49 CFR 173.22(a)(1), Department of Transportation (DOT) Hazardous Materials Regulations, as amended:

Special Permit No. 5199, authorizing shipment of a mustard agent in Type D, one-ton containers, is hereby amended by extending the expiration date to January 31, 1969.

All other terms of the permit remain unchanged.

Issued at Washington, D.C., this 18th day of December 1968.

H. R. LONGHURST.
(For the Administrator, Federal Railroad Administration.)

SECOND REVISED SPECIAL PERMIT No. 5199

Pursuant to the authority of 49 CFR 173.22(a)(1), Department of Transportation (DOT) Hazardous Materials Regulations, as amended:

Special Permit No. 5199, authorizing shipment of a mustard agent in Type D one-ton containers, is hereby amended by changing paragraph (1) to read as follows:

"1. The Department of Defense, is hereby authorized to ship Class A poisons in Type A and Type D one-ton containers which will not have been hydrostatically tested as required by the DOT regulations. A single trip only is authorized for each tank. If other than multi-unit tank car equipment is used, prior approval for shipments must be obtained from the Bureau of Ex-

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plosives of the Association of American Railroads."

All other terms of the permit as revised remain unchanged.

Issued at Washington, D.C., this 8th day of April 1968.

H. R. LONGHURST.

(For the Administrator, Federal Railroad Administration.)

THIRD REVISED SPECIAL PERMIT NO. 5199

Pursuant to 49 CFR 170.13 of the Department of Transportation (DOT) Hazardous Materials Regulations, as amended, and on the basis of the December 13, 1968, petition by the Department of Defense, Washington, D.C.:

Special Permit No. 5199, authorizing the shipment of Class A poisons in Type A and Type D one-ton containers, is hereby amended by changing paragraphs (1) and (10) to read as follows:

"1. The Department of Defense is hereby authorized to ship Class A poisons in Type A and Type D one-ton containers which have not been hydrostatically retested as required by the DOT regulations. A single trip only is authorized for each tank, except that tanks may be initially shipped to a temporary intermediate storage site, provided conditions as herein required for single trip shipment are observed before reshipment from such a site. If other than multi-unit tank car tank equipment is used, prior approval for shipments must be obtained from the Bureau of Explosives (AAR).

"10. This permit expires January 31, 1970."

All other terms of the permit as revised remain unchanged. The permit currently in effect consists of the original issue, and the First and Third Revisions.

Issued at Washington, D.C., this 13th day of January 1969.

MAC E. ROGERS.

(For the Administrator, Federal Railroad Administration.)

STATEMENT OF CONGRESSMAN RICHARD D. MCCARTHY TO HOUSE COMMITTEE ON FOREIGN AFFAIRS, MAY 13, 1969

On May 5, 1969, I first learned that the U.S. Army planned to move poison gas by railroad from a number of arsenals to Earle, New Jersey, where it was to be loaded on ship for disposal in the ocean. Although I had heard rumors before that date, they were not confirmed until May 5th.

On May 6, 1969 I wrote to Secretary of Defense Melvin Laird and Secretary of Transportation John Volpe urging that the shipment of poison gas by railroad and disposal in the ocean be held up pending a more thorough review of the proposed safety measures, a review of the consequencies of dumping large quantities of toxic materials in the ocean, and a consideration of alternative methods of disposing of these highly dangerous materials. I have received an acknowledgment of my letter to Secretary Laird stating that a reply is being prepared. (Transportation reply received 5/13/69)

In my letters of May 6, 1969 I expressed my concern about the possibility of accidents during the shipment of tanks of gas by train across the United States. I pointed out that leaks from the poison gas tanks were a real possibility in as much as spillages had occurred in the past. I have since learned that three accidents have occurred during the past year; two in Kansas City, and one in St. Louis. All involved leaking tanks of phosgene gas, a deadly chemical agent of World War II vintage, that was being moved by rail in two cases and by truck in the other.

I also expresed my concern about the possibility of a derailment or other railway accident which might spread these gases through populated areas or endanger passengers on other trains. The rapidly rising railway accident rate makes large-scale shipment of poisonous materials a major hazard today.

I also raised the question of whether disposal of large quantities of toxic materials in the ocean posed safety problems.

Department of Defense spokesmen have since confirmed that they are planning the move. About 4,000 tons of mustard gas in tanks, 2,500 tons of GB nerve gas in bombs, and a smaller amount of tear gas is to be disposed of. The gas is now located at Rocky Mountain Arsenal, Colorado; Anniston Army Depot, Alabama; Blue Grass Ordnance Depot, Kentucky; and Edgewood Arsenal, Maryland. It is to be moved by train to Earle Naval Ammunition Depot, Earle, New Jersey, and there loaded on four Liberty ships. These ships will be towed to sea and then sunk in the ocean. Defense also stated that poison gas had been dumped in the ocean twelve times before.

When the Chairman of this Committee called witnesses from the Department of Defense, the Department of the Interior, and the Department of State on May 8, 1969, to obtain additional information about the move, the Army representative asked that the hearing be put off until today so that they could complete preparation of material for the hearing. Representatives of State and Interior said that their Departments had not been consulted on the dumping of the poison gas in the ocean.

The information provided by the Department of Defense and the Departments of State and Interior to date has not satisfied my concern about the safety of moving this gas across the country and dumping it in the ocean. If anything, even more questions have been raised.

First, when I initially learned of the planned movement of poison gas, to start on May 16, 1969, I was informed that it was in one-ton steel tanks or cylinders. I also believed that there was little or no nerve gas involved because we did not begin to make nerve gas until after World War II. I now learn that 2,500 tons of the shipment is to be GB, a deadly nerve gas, in the form of bombs. Each bomb contains an explosive charge designed to spread the gas out for maximum effect. Although the bombs will not be fused during shipment—that is—will not have the initial detonating device, each one can explode if subjected to great heat or pressure of the type that might occur in a major railroad collision.

I have learned that the U.S. Army does not need a permit from the Federal Railway Administration to move these nerve gas bombs. Although Defense does need to consult the Department of Transportation about the movement of poison gas in tanks made of 11/16 inch thick steel, it does not need a permit to move gas bombs—bombs that if exploded would shower a cloud of nerve gas on anything or anybody in the vicinity.

Second, I have also learned that the reason that the U.S. Army wishes to get rid of these tanks of mustard gas and these nerve gas bombs is that they are leakers—that is, the containers are either corroded or have become ineffective so that they leak gas. Yet the Department of Transportation states that:

"The purpose of retest is to determine whether the containers have been weakened by corrosion or by abuse during transportation. From a continuing quality control and test program, DOD has found no corrosion in containers filled with phosgene, mustard gas, or nerve gas. They have not been in transportation since they were first filled, so they have not been subject to transportation abuse. Therefore, it was appropriate to waive the retest requirement, emptying the containers for retest and then refilling them."

My question is, what about the hazard to the public in moving these containers?

Third, I have learned that Army instructions set special precautions for the storage of GB nerve gas bombs. They state that "because of the toxicity of GB, special provisions must be made for storing GB-filled bombs. Storage areas for GB-filled bombs must be at least 1½ miles from inhabited buildings, public highways, or public railways." Yet this is the type of weapon that the Army proposes to ship across the countryside and through towns and villages.

Let me describe a typical GB nerve gas bomb. One is the nonpersistent GB, a 10-pound bomb, code named M125A1. It consists of a sheet-steel body with a small explosive burster and fuse at the front and a parachute at the rear. A nerve gas, GB, filling surrounds the burster assembly inside the bomb shell. When the bomb strikes, TM3–4000 notes, the fuse initiates the burster which ruptures the body and releases the bomb filling. Bombs also come in 60 pound, 115 pound and other sizes.

Fourth, I have learned that on Friday, May 9, 1969, a number of members of the oceanographic community were gathered together by Dr. Robert A. Frosch, Assistant Secretary of the Navy for R&D, to discuss the oceanographic and ecological implications of disposing of large quantities of poison gas in the ocean. My question is: was this the first time that oceanographers had been consulted on this matter. Was gas dumped in the ocean 12 times before without consulting the experts?

In light of the information now available to me, I urge that the Army consider the following suggestions.

Ask a panel of oceanographers such as William Scheville and Roger Revelle of Harvard, John Ryther of Woods Hole, Bostwick Ketchem; Gordon Riley, Dalhousie University; Gordon Gunter, Gulf Coast Laboratory; Joel Hedgepeth, University of Oregon; to thoroughly consider the oceanographic aspects of this disposal program and any further disposals.

Seriously consider decontaminating the nerve gas from the bombs at the arsenals rather than move it by rail. Chemical consultants have assured me that the gas can be outloaded from the bombs and destroyed at the arsenals without undue expense.

If mustard gas is to be moved by train, to require that it be moved on sections of track exclusively reserved for the gas trains. And that public health authorities along the route be notified so that they will be prepared in case of any accident.

It appears to me that once again, in the case of this planned shipment of gas, we find that the U.S. Government has not given adequate thought to the requirements for public safey. An exemption has been granted to the normal safety requirement for shipment of poisonous materials. This exemption has been granted by one Department without actually physically checking the containers that are to be shipped. This is very similar to the Santa Barbara exemption.

And in the dumping of gas into the ocean, what assurance do we have that fishermen and seamen will not suffer the fate of the Japanese aboard the Japanese fishing boat, Lucky Dragon, that was contaminated by radioactive fallout from our atom bomb tests in the Marshall Islands. Will a suddenly rising ocean current carry mustard gas or nerve gas to the surface and endanger a passing ship? Will fish be contaminated with mustard gas? These questions should be asked before, not after a move of this type is planned.

REITZEL ASSOCIATES,
Boylston, Mass., May 5, 1969.

Hon. RICHARD MCCARTHY,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE MCCARTHY: I listened with interest to your statement regarding the plans of the Army to dispose of 27 tons of poison gas by shipment to the East Coast and sinking in the Atlantic Ocean.

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As an engineer and scientist, deeply involved in problems of air and water pollution, I am strongly opposed to such action without careful study of possible consequences and better alternatives. Unless such precautions as are employed with nuclear wastes are taken, the containers and the ships in which they are sunk will eventually corrode and release the material. Depending on the specific gases, they may be unaltered in toxicity and produce a substantial danger ranging from actual poisoning of our citizens to an ecological upset of economically important effect.

The research that created a nerve gas should be able to create a process to render the gas harmless. For example, the great majority of organic chemicals, including nerve gases, can be oxidized to non-toxic inorganic compounds by combustion at high temperatures. A stream of nerve gas, injected into a propane flame at 2000° F. would be oxidized principally to water and carbon dioxide, which are harmless, and to smaller quantities of sulphur and phosphorous oxides which could be disposed of by simple spray scrubbing with a water solution of an appropriate neutralizing agent.

There are many companies that supply this equipment commercially and should be pleased to undertake the necessary study of this problem. I suspect this would be a cheaper approach, as well as avoiding the danger of introducing an additional water pollution problem to our country.

If this thought seems of value, you might pass it on for consideration by the Army authorities involved.

Sincerely yours,

NICOLAS M. REITZEL.

COMMITTEE FOR ENVIRONMENTAL INFORMATION,
St. Louis, Mo., May 9, 1969.

Both mustard and nerve gas could easily be detoxified, according to a statement by the Committee for Environmental Information, released today. The Committee's statement, prepared by six scientists, also outlined the safety steps that should be taken if tons of these chemical warfare gases are shipped through heavily populated areas.

The statement is being forwarded to Congressman Richard D. McCarthy, for the Congressional Hearings on the subject which will be resumed on Tuesday. A copy is attached.

STATEMENT BY THE COMMITTEE FOR ENVIRONMENTAL INFORMATION

(Statement on the transportation of chemical war agents through populated areas and disposal dumping in the ocean, prepared by Barry Commoner, Ph.D. professor of plant physiology and director of the Center for the Biology of Natural Systems; Gustave L. Davis, M.D., assistant pathologist, Jewish Hospital of St. Louis, instructor in pathology, School of Medicine; Peter P. Gaspar, Ph.D.., associate professor of chemistry; Malcolm L. Peterson, M.D., Ph.D., chief of Washington University Medical Service, St Louis City Hospital; Steven L. Teitelbaum, M.D., assistant pathologist, Jewish Hospital of St. Louis, instructor in pathology, School of Medicine (all of the above are affiliated with Washington University); and Kevin P. Shea, scientific director, Committee for Environmental Information)

A series of shipments of mustard gas and nerve gas may be shipped through St. Louis beginning later this month.

It is perfectly possible that all 27,000 tons of chemical war gas could pass through St. Louis without harming anyone. Other hazardous materials are frequently shipped by rail with safety. However, accidents do happen. For example, on February 19, 20 cars of a 120 car Chicago, Burlington and Quincy freight train from Denver went off the track at Crete, Nebraska and toppled onto two cars of ammonia on a siding. The fumes drifted through the town, and eight people were killed.

What would be the hazard to the people in the vicinity if such an accident happened to one of the one-ton containers of war gas? We have inadequate information about the safety of the containers to answer this question. It has been said that it would be as dangerous to empty them, in order to subject them to the tests usually required for containers in which hazardous materials are shipped, as to ship them without this test. What this means is that we do not know what would happen if a container were tipped off its railroad car, or how much pressure it would actually withstand if something heavy—like another railroad car—fell on it. If there is no safe method of removing the material from them, these are not safe storage containers.

There are two types of gas to be included in these shipments, and the effects would be very different, depending on which one might escape.

Mustard Gas. Low concentrations of sulfur mustard will cause eye and skin blisters, which can be deep and may require weeks or months of healing. High concentrations may produce shock. A victim who survives the initial effects may later show damage to the bone marrow and ulceration of the gastrointestinal tract. Mustard gas may cause cancer or may have genetic effects—that is, may result in a birth defect in the progeny of parents injured by mustard gas. In its liquid form—presumably the form in which it is stored in the tanks to be transported—it can penetrate leather, clothing, plastics and other materials. It evaporates very slowly. It would be prudent for railroad workers in the vicinity of the trains to wear protective clothing or ointment and to have chemical purification sprays available for decontamination of the air and any contaminated surfaces. In case a tank were ruptured in an accident, the area should be evacuated immediately and decontamination handled by workers wearing gas masks and protective clothing.

Nerve Gas. The nerve gas to be disposed of is one of the "G" agents, now outmoded by the "V" agents, such as the VX which killed more than 6000 sheep in Utah last spring. The G agents, however, may be more dangerous in a situation like this, as they are more volatile than VX. That is, if the liquid leaks from the tank, it can more easily be transformed into a vapor, and inhaled. Some of the G agents are also more persistent than the V agents. Nerve gas is many times more toxic than mustard gas, and inhaled into the lungs, it acts within a few minutes; even the least lethal of the G agents can kill in relatively small amounts. Gas masks and protective clothing are even more important in the case of the nerve gas than in the case of the mustard gas. A small amount of liquid G agent on the skin can kill within a half hour to an hour. The danger of accidental release of nerve gas in a city is a most serious problem. The only known antidote to nerve gas poisoning is atropine. This may be used in conjunction with oxines. In some cases, artificial respiration is necessary also, and sometimes additional treatment for convulsions. The antidote usually has to be administered within a few minutes after exposure if the victim is to be saved, and atropinization maintained for 24 hours. It is routine in laboratories and plants which work with nerve gas to have atropine-filled syringes readily available on wall brackets for instant use. In a crowded area such as a city, this would mean that a large number of atropine-loaded syringes would need to be available for instant use in order to save the lives of the people who are exposed to the gas. However, heavy exposure to the nerve gas requires a spectrum of medical care, not simply a shot of atropine. Obviously, this would require an elaborate organization in any heavily-populated area through which the gas was to be shipped prior to the time the shipment was expected to pass through the city. It should be noted that some medical authorities are doubtful of the usefulness of the atropine antidote under such conditions because of the need for carefully balancing the amount of atropine against the amount of nerve gas received. Finally, in a very densely populated area, it is doubtful that a sufficient number of doses of atropine could be made available at short notice.

There are two other questions that should be considered: whether the war gases should be transported across the country at all, and whether they should be dumped in the ocean.

Part of the research that has gone into chemical warfare has been concerned with chemical defense, and agents for chemically decomposing the war gases have been found. An alternative method of disposal, therefore, would be to render the gases harmless at the arsenals where they are now stored or at the places where they were manufactured. Undoubtedly, there would be some hazard to the workers doing the job, but it would be a known hazard to a few individuals under controlled conditions (as in the case of the manufacture of the war gas in the first place) instead of an unknown hazard under uncontrolled conditions, perhaps to a large number of people.

To convert mustard gas to a non-toxic compound, all that is necessary is to treat it with chlorine, or with nitric acid or with hydrogen peroxide. Treatment with a strong alkali would detoxify the G agent. The chemistry of destroying these agents is very much simpler than the chemistry of making them. The cost could easily be calculated. For what reason has the Department of Defense chosen land shipment and sea disposal rather than these methods of chemical destruction of the noxious gases?

The Department of Defense should be asked if it has estimated the cost of de-activating the war gas, and how this compared with the cost of transportation and dumping. If such a cost comparison was made, were all the necessary safety precautions, such as decontamination teams, personnel to supervise evacuation, and preparation for medical care in case of an accident included in the cost of the proposed transportation scheme?

In regard to dumping the gases in the ocean: Reassuring statements have been quoted to the effect that at the depth of 7200 feet there are only crustaceans, that it would take 400 years for the water at that depth to reach the surface, and that the gas would last only 185 hours (8 days) after escaping. We have limited information about the effect on marine life. However, some forms of ocean life, such as whales and squid may move vertically as much as 7200 feet; a slow leak in a tank might provide continuous contamination over a long period of time, even if the gas remained toxic for only 8 days. We don't know where the dumping is to be done, and, therefore, in what direction and how rapidly the currents would carry the material. If the tanks ruptured on impact, tons of mustard gas might be released which might have a massive genetic effect on a variety of marine organisms. Much more should be known about the possible effects on marine life before such dumping is done.

LOS ANGELES TIMES OFFERS OUTSTANDING ANALYSIS OF ABM DEBATE

(Mr. BROWN of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, I have taken the opportunity on several previous occasions to comment favorably on the editorial stands of the Los Angeles Times, one of the great newspapers of this country. To make such favorable comment has not always been possible for me. When I first entered politics in California the Times, although a great newspaper, was noted for its rather narrowly partisan view on almost any issue. In fact, I could almost always determine my own course by observing the stand of the Times, and then taking the opposite position.

Such is no longer the case. I will not venture an opinion as to whether I or the Times have grown wiser with age, but I take pleasure in commending the paper again for a remarkably well-reasoned, mature, and statesmanlike exposition of views on the extremely heated subject of "The ABM and the National Security." In a two-part series printed on the editorial pages on May 4, and May 6, 1969, under the heading "Viewpoint of the Times," it has made a contribution of lasting value to this great debate.

This editorial seeks to present both strengths and the weaknesses on each side of this debate, and does so remarkably well. Since I have chosen for myself the role of opposing deployment of the Nixon Safeguard system, I cannot take comfort in everything that the Times has to say. I am convinced, however, that the welfare and security of this country hinges on increased public understanding of all important factors underlying this debate, and to this understanding the Times makes a great contribution.

I am personally convinced that the greatest threat to this country's security is a continuation of a headlong arms race fueled by a cold-war ideology of eventual confrontation and inevitable destruction of one side or the other. I am committed to reversing this insane course.

The Times, summing up its positions, says:

> Congress can approve a go-ahead on phase one of Safeguard—with language putting the Administration on notice that construction should be stopped if arms control talks show promise.
>
> Congress can withhold approval—but with language putting the Soviets on clear notice that we are prepared to escalate our side of the arms race if the Soviets do not halt their own missile buildup.
>
> The latter alternative is preferable.

I commend the full text of this editorial to my colleagues, and offer it at this point in the Record. In addition, I would like to insert in the Record some of the outstanding ongoing coverage of the ABM controversy which the Times has done over the past month. There are three articles I wish to include, two by the superb science writer of the Times, Dr. Irving S. Bengelsdorf, and one by John H. Averill.

The material follows:

[From the Los Angeles (Calif.) Times, May 4, 1969]

THE ABM AND THE NATIONAL SECURITY

President Nixon vows to fight as hard as he can for the proposed "Safeguard" missile defense system because he believes "it is absolutely essential to the security of this country."

ABM critics, in turn, deride the proposed system as a military boondoggle, and charge that its deployment will set off a new arms race, divert resources from badly needed domestic programs and "turn the United States into a garrison state."

The controversy, which turns on whether Congress will or will not vote $900 million for the first phase of the $7 billion project, is developing an emotional intensity of the same sort which caused the country to tear itself apart over Vietnam.

In a statement calling for rational debate instead of name-calling, Freedom House correctly observed that opposition to the ABM does not necessarily signify indifference toward the security of the United States.

But the moderate, nonpartisan society also warned that ABM supporters should not be dismissed as "bloodthirsty warmongers, tools of the 'military-industrial complex' or the like."

ARGUMENT HAS GROWN

If there is more heat than light in the debate, it is because the confrontation has escalated into much more than an argument over the merits of a specific weapons system.

Aviation Week, which is anything but hostile to defense spending, made precisely this point in a recent editorial.

The uproar over the ABM, the journal warned its readers, represents an "emotional explosion" against the growth of the military establishment into what many people see as a "vast octopus consuming enormous amounts of blood and money without producing very much security for the nation."

As a result, a jaundiced congressional eye is being cast not just on the ABM, but on military spending as a whole.

Some members of the Senate, in particular, are demanding slashes of a magnitude which would condemn the United States to a second-best military posture relative to the Soviet Union—a situation which most Americans, if faced with a conscious choice, are not prepared to accept.

MUST BE PUT IN FOCUS

If the new skepticism toward defense spending is to serve constructive ends, some perspective is needed, both in regard to the ABM itself and to the larger issue of allocating more resources to civil needs and less to the military.

What is Safeguard? It is important to understand first what the ABM system, as announced by the Nixon Administration on March 14, would not do.

It would *not* protect the cities of the United States against the kind of massive missile attack which the Russians are capable of launching, nor is it intended to.

As the White House put it, "There is no way of doing that. Even if we built a 'thick' defense around our cities at enormous cost, some attacking missiles would get through—enough to inflict extremely high casualties and damage."

To deter the Russians from launching such an attack, Mr. Nixon would continue to rely—as did his predecessors—on keeping the Kremlin convinced that we could absorb a surprise blow and still destroy the Soviet Union with what is left of our missiles and bombers.

As of now, there is absolutely no doubt but that the United States has this capability. The question is whether we will have it in the period from 1973 on.

Russian buildup: In 1965, the year of the massive U.S. escalation in Vietnam, the Soviet Union had some 200 land-based intercontinental ballistic missiles in place compared to our 854.

As of last summer, the Russians had 800 ICBMs compared with our 1,054. Today, they have something over 1,000—and are still deploying more every month—while we have leveled off at 1,054.

The Administration readily agrees that, as of now, our superior bomber forces and missile-firing Polaris submarines give us a clear edge, despite the parity in land-based ICBMs.

The Russians, however, are not standing still.

If they continue to deploy ICBMs at the rate of 200 to 250 a year, while the United States indulges in a unilateral missile freeze, they could have twice as many ICBMs as us by 1973.

Furthermore, the ICBMs now being deployed are the big SS-9 or Scarp missiles which can carry single warheads up to 25 megatons or three smaller multiple-reentry warheads—each of which is several times larger than the warheads atop our Minutemen.

The Russians, meanwhile, also are building missile-firing submarines of their own, as well as killer subs which presumably are intended, in event of hostilities, to knock our Polaris subs out of action before they can fire their missiles.

Finally, they have already built a relatively unsophisticated ABM system around Moscow, and are known to be conducting research and development toward a more advanced system.

The Pentagon's best judgment is, as President Nixon told a recent news conference, that the Soviet Union may be "substantially ahead of us in overall nuclear capability" in 1972 or 1973, unless something is done now.

Defense Secretary Melvin Laird is convinced that the Russians are trying to build a "first strike" capability—that is, the ability to knock us out with a surprise blow.

There is no proof of that. But, as Mr. Nixon put it, "We have to base our policies on their capability"—and this capability is rising in an ominous way.

Enter Safeguard: The main purpose of the ABM proposed by the President is to insure the survival of a significant proportion of our land-based Minuteman ICBMs (and of our bomber forces) in the event of a first strike by the Soviets.

Safeguard is designed secondarily to protect virtually the whole country against the kind of smaller-scale ICBM threat which Communist China will be able to pose in the 1970s.

Finally, if a missile were to be fired accidentally, in our direction from any quarter, Safeguard supposedly would enable us to shoot it down.

Negotiations: In announcing a proposed go-ahead on the ABM, President Nixon made it plain that he hopes it will not be necessary to build the whole $7 billion system. Construction can be stopped whenever arms control talks with the Russians produce results.

In the first phase, what amounts to prototype ABM installations would be built in the vicinities of two Minuteman complexes (in Montana and North Dakota) which are said to contain about 350 ICBMs.

Mr. Nixon is convinced that these two ABM complexes alone should, upon their completion in 1973, go a long way toward deterring a would-be enemy from the temptation of a surprise attack on the United States.

Whether the remaining ten Safeguard complexes would ever be built depends upon the progress of arms control talks with Moscow.

The opposition: One thing which makes the ABM debate so confusing to the ordinary American is the sharp disagreement among the so-called experts.

The Safeguard system, which has been likened to "shooting a bullet with a bullet," involves an extremely complex marriage of radars, computers and missiles.

Some of our most eminent scientists sincerely doubt that, if built, it will work—and they have mounted a vigorous and highly effective lobbying effort to impress their skepticism upon Congress and the public.

Other scientists, equally qualified and sincere, are confident that Safeguard will do the job it is designed to do, and believe it should be built.

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Officials recall that both the hydrogen bomb and the Polaris submarine were developed—fortunately for the security of the United States—in the face of similar disagreement among the "experts."

Dean Acheson, who chaired a presidential advisory group on the hydrogen bomb question 20 years ago, says that "everything which is being said at the present time was said to me then." And he added: "Then, as now, scientists were acting as professors of morality."

Calling Dr. Strangelove: Assuming Safeguard will work, there are still a lot of knowledgeable people who argue that it will not really provide the protection advertised.

If the Communist Chinese were to decide to commit national suicide by launching a nuclear attack on the United States in the 1970's, it is argued, the existence of Safeguard would not stop them.

AN EASY JOB

They would need only to lob in a few short-range missiles from offshore submarines, or smuggle some A-bombs aboard freighters bound for Los Angeles, New York or other port cities.

In the event of a massive Soviet missile attack on the United States, ABM opponents argue that we could fire off our Minutemen before the incoming missiles arrived.

Even if we failed to do so, they insist, the Russians would still have to score near-perfect bull's-eye on virtually all of our Minuteman silos, bomber bases and Polaris subs—else they would face certain destruction from our retaliatory blow.

The survival of a susbtantial retaliatory force is best guaranteed, in the opinion of many experts, not by installing ABMs, but by building more offensive missiles, putting multiple warheads on them—and perhaps mounting some on hard-to-hit mobile platforms such as barges or railroad cars.

Surely, argue the ABM critics, a start on Safeguard can at least be postponed for a few months more. By that time, arms control talks should be under way, and we will have better intelligence on whether the Soviet ICBM buildup is aimed at achieving parity with the United States or an intimidating superiority.

SOME ROOM FOR DOUBT

The Nixon Administration has not, as a matter of fact, been entirely convincing in its insistence that the country faces a now-or-never decision on the ABM. Even if one assumes the worst about Soviet intentions, a few months' delay does not have to condemn the United States to a position of inferior power.

The U.S. Senate, however, will gravely and irresponsibly imperil the security of the United States if it votes down the ABM without serving clear notice that the action is provisional—that the Soviet Union is expected to match our own show of good faith by stopping its buildup of offensive missiles.

If Moscow disappoints these expectations, the anti-ABM senators should make plain, they will support President Nixon in doing whatever is necessary to maintain the American nuclear lead.

Unfortunately, there is no evidence that the more emotional foes of the ABM are prepared to exercise that kind of statesmanship.

[From the Los Angeles (Calif.) Times, May 6, 1969]

SHOULD THE UNITED STATES GO AHEAD?

Sen. Henry Jackson (D-Wash.) noted the other day that we were spending five times as much on defense against manned bombers at the end of the 1950s as we would spend on the "Safeguard" missile defense system proposed by President Nixon.

Why was there so little outcry then and so much now?

The answer, of course, lies in the rising resistance to military spending—the feeling among Americans that we have allowed our national priorities to get out of whack.

To keep the record straight, the polls show that the American people as a whole still favor a strong defense establishment. And, of those who have made up their minds on the ABM, over 60% are for it.

There is no question, however, but that sentiment for a tight rein on Pentagon spending is on the increase.

Paper eagle: As far as the average citizen is concerned, the new resistance to military spending has many roots. These include frustration over high taxes, inflation—plus the seeming inability of the world's most powerful military establishment to defeat a ragtag army of Vietnamese Communists, or prevent the kind of humiliation we suffered in the *Pueblo* incident.

Credibility gap: Leaving disenchantment of that sort aside, the heart of the trouble is the growing cost and complexity of modern weapons systems.

During World War II, destroyers and submarines cost in the neighborhood of $5 to $9 million apiece; today, the going price is closer to $200 million. Today's fighter planes can carry price tags a hundred times higher than the models which outfought the Germans and Japanese 25 years ago.

What particularly angers congressional critics are the cases where costs run 200% to 300% higher than estimated. The over-run on the big C–5A transport plane alone is now calculated at $2.1 billion.

Even after soaking up enormous resources, the new weapons systems are sometimes a flop, the prime example being the Navy version of the F–111 swing-wing jet fighter.

Pork barrel, 1969 style: While all these factors are relevant, they are not the whole story.

"WALK AROUND" VIETNAM

In hard-rock political terms, what we are seeing is the opening round in a fight over the so-called Vietnam dividend—the billions of dollars which will be up for grabs when the war ends or is drastically reduced.

In this context, the so-called military industrial complex is locked in a struggle with competitive power centers—made up of scientists, educators, anti-poverty warriors, etc.—which want federal money for their own projects.

Since the end of the Vietnam tunnel is not in sight, these interests tend to favor a big slash in the non-Vietnam portion of the defense budget now.

The ABM, because of its controversial nature, makes an attractive target. If the first domino falls, reason the more zealous anti-Pentagon crusaders, the political atmosphere will be conducive to congressional veto of other portions of the defense budget.

Fair is fair: There can be no question but that the attack on America's urban ills—poverty, slum housing, snarled transportation, environmental pollution and the like—deserves a far greater claim on the country's resources than it has enjoyed in the past.

If the new skepticism is to serve a constructive purpose, however, it is important to separate fact from distortion. And the facts are as follows:

In 1960, long before the Kennedy-Johnson escalation in Vietnam, defense spending accounted for 8.7% of the gross national product and 47% of the total federal budget.

In 1969, defense spending is $35 billion higher than it was nine years ago. But it still accounts for only 8.8% of GNP and 43% of the total federal budget.

During the Vietnam war years, spending for major social programs has more than doubled, while defense outlays are up only 52%.

To cite specifics, the federal contribution to welfare programs is almost twice what it was six years ago. Outlays for education and manpower training have more than quadrupled, as has spending for community and regional development. Medical expenditures, thanks to Medicare, are up more than 700%.

Where to cut? These statistics hardly bear out the picture, assiduously cultivated by Pentagon critics, of a country which has turned its back on human needs in the name of national security.

Obviously, however, the pertinent standard for "sufficiency" in the war on poverty and environmental blight is not the past but the future.

We can do better—if ways can be found to cut the military budget, which is the largest single category of federal spending. And given sufficient determination, ways can be found.

It is hard to believe, for example, that the United States really needs all the 429 major and 2,972 minor military bases which it maintains around the world. Surely a substantial number can be closed if U.S. overseas commitments are reviewed hardheadedly.

Another obvious target is the Pentagon's contracting and weapons evaluation procedures, so that the problems of cost over-runs and "white elephant" weapons systems can be reduced to manageable proportions.

The Soviet enigma: Inevitably, such a tightening up means that more weapons projects must be vetoed before too much money is invested in them—and Safeguard, all things considered, is a borderline case.

What must be avoided, however, is the know-nothing approach which manages simultaneously to be against the ABM, advanced new bombers and fighters, modernization of the Navy and upgrading of our Minuteman and Polaris missiles—all without regard to what the Russians are up to.

And, the Russians have been up to plenty while the United States has been otherwise engaged in Vietnam.

In fiscal 1965, the last year before the massive escalation of the U.S. role in the war, our defense spending totaled $50 billion.

As a result of war outlays, the total figure soared to $80 billion—but the non-Vietnam portion of the military budget is still not much over $50 billion.

The downhold in non-Vietnam spending was accomplished, to a considerable degree, by postponing or stretching out new strategic weapons projects.

As Sen. Jackson observed the other day, the budget for strategic forces is actually almost 50% less than it was in fiscal 1962, if inflation is taken into account.

While we were cranking down our side of the arms race the Russians have been cranking their side up.

The Institute for Strategic Studies estimates that total Soviet military spending is now on a parity with the non-Vietnam portion of ours—and as a percentage of GNP, is almost twice as large.

Beyond Parity? Four years ago, we had a four to one lead in ICBMs. Today, the Russians have caught up with us and may be going beyond parity to superiority.

We still have a big lead in bombers, ballistic missile-firing submarines and total number of warheads. But the Soviets are now building Polaris-type subs of their own, as well as subkillers which could be used against our Polaris fleet.

As for the big U.S. lead in warheads, UCLA Prof. William G. McMillan, a longtime defense consultant warns that the Russians may be using a different kind of arithmetic.

They may figure that one nuclear torpedo can destroy a Polaris submarine and all 16 of its missiles. One suborbital missile could take out a bomber field with a score of B–52s and a much larger number of H-bombs.

At this point, no one says for sure that the Soviets are shooting for an intimidating strategic superiority. But the evidence is too strong to be ignored.

Missile Freeze? Both the Administration and ABM opponents agree that the best solution is a Big Two arms control arrange-

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ment which would effectively prevent either side from gaining a first strike capability over the other.

Mr. Nixon argues that an immediate start on Safeguard is essential to the U.S. bargaining position in such talks. Sen. William Fulbright (D-Ark.) charges that a start on the ABM would imperil the arms control talks and provoke the Russians to countermoves.

Neither argument stands up to critical analysis.

The Kremlin, it turns out, has accepted President Nixon's announcement on the ABM with more equanimity than the chairman of the Senate Foreign Relations Committee. Arms control talks are still expected within a few weeks or months.

This is not surprising. After all, the Russians have 67 ABMs of their own in place around Moscow, and are thus in no position to argue that defensive missiles are provocative.

U.S. DETERMINATION VITAL

Beyond that, the Kremlin leaders understand, if Fulbright and like-minded senators do not, that deployment of ABMs around ICBM silos—as distinct from cities—is not the act of a nation which is thinking in terms of a surprise attack on the other side.

There would be little point, after all, in spending billions to protect empty silos against a retaliatory blow.

Compromise: It does not necessarily follow, however, that congressional approval of Safeguard is essential to success of arms control negotiations.

What is essential is that the Russians know that the United States is not prepared to indulge in a unilateral missile freeze while the Kremlin indulges in a unilateral drive for strategic supremacy.

Unfortunately, the ABM opponents are coming perilously close to creating the opposite impression.

What, then, is the solution? Two alternatives suggest themselves:

Congress can approve a go-ahead on phase one of Safeguard—with language putting the Administration on notice that construction should be stopped if arms control talks show promise.

Congress can withhold approval—but with language putting the Soviets on clear notice that we are prepared to escalate our side of the arms race if the Soviets do not halt their own missile buildup.

The latter alternative is preferable.

If the lawmakers choose neither of these alternatives, but instead turn the ABM down in a euphoric atmosphere of unilateral disarmament, they will be not only wrong but irresponsible.

[From the Los Angeles (Calif.) Times, May 4, 1969]

AN ELECTRONIC MAGINOT LINE: DESPITE COST, ABM WON'T PROTECT US

(By Irving S. Bengelsdorf)

Whether it is light or thin and costs $5 billion or 5 billion rubles, or is heavy or thick and costs more than $50 billion or 50 billion rubles, we and the Russians are deceiving ourselves if we think that the installation of an antiballistic missile defense system will provide adequate defense against thermonuclear attack. It will not.

Just as it was dangerous for the French to deceive themselves prior to World War II with their defensive Maginot Line, an ABM system in an era of massive thermonuclear attack is an electronic Maginot Line that is dangerous in that it provides the illusion of a defense against ballistic missiles that, in fact, is not there.

And, in spite of agreement among many experts that a massive, thick, anti-Soviet ABM system would not work, the thin $5 billion Sentinel ABM system, proposed by President Johnson and modified to the Safeguard ABM system by President Nixon, appears to be the "foot in the door" that eventually will expand to a thick $50 billion super-ABM system.

In a recent discussion entitled "ABM: Yes or No?" just published by the Center for the Study of Democratic Institutions, Santa Barbara, Dr. Jerome B. Wiesner, special assistant for science and technology to President John F. Kennedy and now provost of Massachusetts Institute of Technology, warned:

It is the general technical consensus that Sentinel is not going to buy us any protection against a Soviet missile attack. One might then ask, 'Well, why do you care whether or not Sentinel is built?'

"I care because I think it is regarded by most advocates of ABM systems as the down payment on a much more substantial system. I have heard high-ranking officers say that if they thought the Sentinel system was all that the United States ever intended to buy, they would be against it. But they believe that it will lead naturally to the large-scale ABM system."

It has been estimated that in a thermonuclear exchange with the Soviet Union, about 120 million Americans would be killed if there were no ABM defense system. Proponents of an ABM defense system point out that if we had a massive ABM system we might be able to cut the number of American deaths to 30 million or 40 million:

1—If the Russians did not increase greatly their arsenal of offensive missiles in response to our intallation of the heavy ABM defense system. It is likely, however, that they would react by strengthening their offensive forces.

2—If a heavy American ABM system would perform well. This also is not very likely for a huge, complex, untested system that must work well the first time it is used. It may not work at all. And even if it did work well it might not accomplish its defense goal.

For not only is there the possibility of it becoming obsolete before it is completed—the defense technology of the 1960s pitted against the offense technology of the 1970s—but the proposed ABM system suffers from severe technical difficulties and shortcomings.

For as Wiesner pointed out in the CSDI discussion, "If we built a $20 billion ABM system and if it functioned just as the designers predict it will—namely, that everything works, the thousands of GIs who man the launching sites are ready, the computer programing is right, there are no surprises in the incoming missiles, and the tremendous battle that takes place in the skies does not produce such chaos and blackout that everything quits working (all reasons why I think it will not work)—then the casualties would be reduced to 15% of our population, or 30 million people.

"It comes down, then, to a matter of somebody's judgment, because there is no way of knowing what the Soviets are going to do, and there is no way of knowing how the ABM system is going to function."

We may find some solace in the argument that offensive missiles carrying thermonuclear warheads also are complex systems that also have to function well the first time they are used. But, unfortunately, the arithmetic of thermonuclear warfare favors the offense rather than the defense.

As Weisner points out, "If you have a 10% failure in a defensive system in a thermonuclear war, you have a catastrophe."

And there are many ways that a sophisticated, clever enemy offense can use to slip through even a massive ABM defense system. Thus, aside from the problem of whether the complex equipment of a proposed ABM system will work or not, many scientists feel that even with it working well, the enemy's offensive warheads still can get through.

The various techniques employed by an offense to insure the delivery of its thermonuclear warheads are called "penetration aids."

To understand how penetration aids could work, one has to consider the detailed makeup of an ABM defense system such as the Sentinel system proposed by President Johnson in 1967 or the essentially similar Safeguard system proposed by President Nixon.

A typical ABM defense designed to protect large areas consists of four parts: two kinds of radars, mammoth computers and two kinds of intercepting missiles.

There is a powerful, large, long-distance radar that can detect incoming objects while they are about 2,400 miles away. About six such radars spotted along the northern rim of the United States are proposed for the Sentinel ABM system to detect missiles coming in from over the North Pole. Since warheads travel at a speed of about 4 miles per second, this rim-radar gives the ABM defense about 10 minutes overall warning time to do something.

Once the incoming objects are detected, the information is passed on to a huge computer that must analyze and process the raw information to decide which of the objects picked up on the radar screen is the real missile or missiles and which of the objects are deceptive and confusing decoys. It is a crucial question of "Will the real missile(s) please stand up?"

Once a genuine warhead is identified, the computer calculates its trajectory or path of travel so that it knows where the warhead will be at any given moment or second.

In conjunction with a second smaller radar located near the antimissile sites, the computer dispatches a long-range antiballistic missile. The second radar is used to guide the missile to interception and destruction of the incoming warhead while it is still a few hundreds of miles from the target.

The particular long-range antiballistic missile proposed in the Sentinel and Safeguard ABM systems is called Spartan. Each one costs well over $1 million, stands 55 feet high and carries a one- to two-megaton thermonuclear warhead. About 14 Spartan sites, each with many Spartan missiles, were proposed for the country with the Sentinel ABM system.

Since it will intercept an incoming missile in airless near-space—before the missile enters the layer of air, or atmosphere, that surrounds the earth—the Spartan cannot rely on the shock wave of its thermonuclear explosion to destroy the incoming warhead. Air is necessary to cause destruction by the blast of an explosion.

So, the Spartan's thermonuclear warhead will release a flood of X-rays to destroy the heat shield that surrounds the enemy warhead, placed there to keep the warhead from burning up when it reenters and travels through the atmosphere.

But, suppose the radar shows that even after interception by the Spartan, the warhead keeps coming. There is no way of knowing if the warhead is dead or still "live." The defense cannot take a chance—all incoming objects must be destroyed—so a short-range antiballistic missile must be dispatched to take care of all incoming objects that get by the Spartan interception.

The particular short-range antiballistic missile proposed in the Sentinel and Safeguard ABM systems is called Sprint. Each one costs close to $1 million, stands 27 feet high, is shaped like a cone, and carries a fractional megaton warhead.

Since by this time the incoming warhead has entered the atmosphere, Sprint is able to kill enemy warheads by the shock wave of its thermonuclear blast.

Even for the interception of a single incoming warhead, the radars and computers would have their hands full. This, however, is the "idyllic" situation usually depicted in a drawing to indicate how an ABM system works: one defensive missile rising to intercept one offensive warhead.

But, in the real thing—during a thermonuclear exchange—all hell would break loose. There would be swarms of enemy warheads arriving and on top of all this dense warhead

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"traffic" the enemy would use penetration aids balloons, chaff, radar jamming, blackout, etc.

Consider balloons. Along with a genuine warhead, an enemy could send over numerous lightweight balloons. Each balloon made of a thin sheet of lightweight polyethylene plastic coated with a thin film of aluminum—somewhat like the Echo communication satellites of a few years back—acts as a reflector of radar rays. To the defensive radar, such a balloon would look just like a warhead.

Suppose the defense radar could discriminate between shapes—detect the difference between a round balloon and a differently shaped warhead. All the enemy has to do is encase the warhead within one of the round balloons.

Balloons are particularly useful to confuse an ABM system like the Sentinel which has to protect large areas. For if large areas are to be protected then every incoming enemy object must be intercepted by a long-range Spartan antiballistic missile as soon as possible—right after radar contact has been made while the object is still above the atmosphere.

But it is precisely at these altitudes at which a radar has the most difficulty in discriminating between deceptive balloons and genuine warheads. Once the balloons and warheads plunge into atmosphere the radar can detect that the heavy warhead moves faster than the lightweight decoy balloons.

If an attacker is clever he also may send over decoys that are sturdier and heavier than balloons. These specially designed frames equipped to reflect a radar beam as does a genuine warhead would confuse the defensive radars even further in their difficult task of trying to differentiate between decoys and warheads. Decoys shaped like "jacks" that children play with in "ball and jacks" are excellent radar reflectors.

If you try to make a decoy look more and more like a warhead, and make it heavier so that it behaves more and more like a warhead, you suddenly realize—why make a decoy at all? Why not use a single missile to carry many warheads—all genuine? This, of course, is the MRV and MIRV concept.

MRV, the abbreviation for multiple reentry vehicles, refers to a missile that carries more than one warhead with all warheads aimed at the same target. MIRV, the abbreviation for multiple individually targetable reentry vehicles, refers to a missile that carries more than one warhead with each warhead capable of being aimed at a different target.

By having three to 20 warheads in a single MRV or MIRV-missile instead of a single warhead with several decoys in a non-MRV missile, then each of the multiple warheads can act as a decoy for the others. This is further confusing to the defensive radar. When a series of objects is observed to be coming in, are they one genuine warhead and many decoys or all genuine warheads?

Or, consider chaff as a penetration aid. The radar used in ABM-defense systems sends out a beam of radar rays that travels as waves with the distance from crest to crest of the waves called the wavelength. A typical ABM-defensive radar wavelength is about three feet.

A piece of copper wire of a length about one-half of the wavelength of the radar waves acts as a powerful reflector of the radar beam. Now suppose an incoming warhead is accompanied by a trail of 100 million fine copper wires each wire one-thousandth of an inch thick.

Such a load weighs only 400 pounds and can be carried easily by an intercontinental ballistic missile. Thus, an incoming warhead can disperse a cloud of copper chaff wires hundreds of miles long.

To the defensive radar, the entire cloud looks "black." Thus, within the chaff cloud the enemy can conceal his warheads and decoys. So, if you want to intercept a warhead above the atmosphere, a number of Spartan missiles must be directed against the entire cloud—and even then the defense is not sure of a kill.

Or, an enemy also can design decoys that carry small radar transmitters that broadcast with the same wavelengths as do the defensive radars—thus, jamming the defense's radars.

Nor is this all. An ABM defense also has to put up with a serious difficulty called blackout.

When a thermonuclear explosion takes place in the atmosphere above earth it produces both an intensely hot fireball and radioactive debris. The effect of the fireball and the behavior of the radioactive debris is to rip off and tear away electrons from the atoms that make up the air.

Atoms from which electrons have been ripped away are called ions. So, fireballs and radioactive debris from thermonuclear explosions contribute to the ionization of the air.

Ionized air is a powerful reflector of radar waves—particularly those radar waves with the longer wavelengths that are used to detect objects at great distances. So, when a defensive radar looks at the sky in which a thermonuclear explosion has taken place, the sky looks "black"—the radar is not able to see beyond this.

A thermonuclear explosion's fireball can blackout the sky to radar waves 100 miles or more above earth, while the radioactive debris can do the same thing 30 to 40 miles above earth.

Although these radar blackouts last from only a few seconds to a few minutes, the entire ABM system only has a few minutes or seconds in which to operate in the first place.

What is even worse is that the thermonuclear explosions of the defensive antiballistic missiles, Spartan and Sprint, would blackout their own "friendly" radar.

And thermonuclear warheads of antiballistic missiles exploded in the defense of the United States or the Soviet Union could add to the damage and radioactivity spread over innocent bystander nations such as Canada or Finland.

The information-gathering and information-processing problems of ABM defense are put well by Dr. Richard Bellman, professor of electrical engineering, mathematics and medicine at the University of Southern California. Bellman has had a long-time interest in the difficult analytical and mathematical problems of how computers can use raw radar information to discriminate between genuine warheads and decoys.

Bellman said, "If you think of the radars as the eyes of the ABM system and the computer as the brains of the ABM system, then it's not a very difficult problem to blind the eyes and to deceive the brain. A blind and dumb ABM system is not of much value."

Thus, the radars of an ABM system are extremely vulnerable. Obviously, any complex system subject to so much chaos and confusion the first time it actually has to be used cannot be built and tested in any meaningful way. There is no test devised that is valid for its required performance under the actual stress of thermonuclear exchange.

[From the Los Angeles (Calif.) Times, Mar. 4, 1969]

Of Atoms and Men: Mutual Vulnerability Called War Deterrent

(By Irving S. Bengelsdorf, Ph. D.)

Hidden beneath the surface of Soviet soil, and beneath the surface of the ocean in Soviet submarines, are Soviet missiles tipped with thermonuclear warheads, aimed and ready to fly against American targets. The Soviet Union has enough thermonuclear warheads to destroy both the American population and its industries.

Hidden beneath the surface of American soil, and beneath the surface of the ocean in American submarines, are American missiles tipped with thermonuclear warheads, aimed and ready to fly against Soviet targets. The United States has enough thermonuclear warheads to destroy both the Soviet population and its industries.

Then why does the Soviet Union not launch a thermonuclear attack to destroy the United States? Or, why does the United States not launch a thermonuclear attack to destroy the Soviet Union?

EITHER COULD RETALIATE

The reason is simple: Although the Soviet Union could destroy the United States, or the United States could destroy the Soviet Union, neither country could inflict total military damage to the other. The attacked nation would have enough power remaining to retaliate and destroy the attacker.

The ability to launch an attack upon a nation and totally destroy the attacked nation's ability to retaliate is called "first-strike capability." Neither the Soviet Union nor the United States has a first-strike capability—and neither nation will permit the other to attain such capability in the future.

The ability of an attacked nation to absorb a surprise thermonuclear attack and survive with sufficient power to launch a retaliatory attack to inflict unacceptable damage on the originally attacking nation is called "second-strike capability." Both the Soviet Union and the United States have a second-strike capability—and both nations will maintain such capability in the future.

OF VITAL INTEREST

In San Francisco on Sept. 18, 1967, Robert S. McNamara, then secretary of defense, spoke before the United Press International Editors and publishers. His address is a remarkable document that should be read widely throughout the world, in general, and in the United States, Soviet Union, and mainland China, in particular. A copy of this address is printed as Appendix XII in Dr. Ralph E. Lapp's recent book "The Weapons Culture" (W. W. Norton & Co.).

McNamara emphasizes, "The blunt fact is that neither the Soviet Union nor the United States can attack the other without being destroyed in retaliation; nor can either of us attain a first-strike capability in the foreseeable future.

"The further fact is that both the Soviet Union and the United States presently possess an actual and credible second-strike capability against one another—and it is precisely this mutual capability (the ability of destroying the aggressor to the point that his society is simply no longer viable in any meaningful 20th-century sense) that provides us both with the strongest possible motive to avoid a nuclear war.

COMPLETELY VULNERABLE

"That is what deterrence to nuclear aggression means. It means the certainty of suicide to the aggressor—not only to his military forces, but to his society as a whole."

McNamara continues, "Our strategic offensive forces are immense: 1,000 Minutemen missile launchers, carefully protected below ground, 41 Polaris submarines, carrying 656 missile launchers—with the majority of these hidden beneath the seas at all times; and about 600 long-range bombers, approximately 40% of which are kept always in a high state of alert.

"Our alert forces alone carry more than 2,200 weapons, averaging more than one megaton each. A mere 400 one-megaton weapons, if delivered on the Soviet Union, would be sufficient to destroy over one-third of her population and one-half of her industry. (A one-megaton nuclear warhead can release an amount of energy equivalent to that released by one million tons of TNT, the conventional explosive of the pre-nuclear world.) And all of these flexible and highly reliable forces are equipped with devices that insure their penetration of Soviet defenses."

TIT FOR TAT

The Soviet Union also has its thermonuclear warheads equipped with devices that

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insure their penetration of American defenses. Which brings us to the currently debated antiballistic missile system (ABM).

McNamara adds, "It is important to understand that none of the (ABM) systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States."

The installation of an American ABM system could trigger an escalation of the thermonuclear arms race. McNamara explains, "Were we to deploy a heavy ABM system throughout the United States, the Soviets would clearly be strongly motivated to so increase their offensive capability as to cancel out our defensive advantage.

"It is futile for each of us to spend $4 billion, $40 billion, or $400 billion, and at the end of all the spending, and at the end of all the deployment, and at the end of all the effort, to be relatively at the same point of balance on the security scale that we are now."

So, after spending $1.3 trillion ($1,300 billion) since 1945 on defense—$80 billion this year—we still cannot prevent the nuclear annihilation of the United States. And after spending trillions of rubles, the Soviets cannot prevent the annihilation of the Soviet Union. What both have bought is nuclear deterrence.

[From the Los Angeles (Calif.) Times, Apr. 27, 1969]

Scientists and Scholars May Shoot Down Nixon ABM Plan

(By John H. Averill)

Washington.—They don't teach lobbying at Calteach or MIT. Yet many distinguished scientists are conducting a lobbying operation that has the earmarks of becoming one of the most successful in memory.

Unless President Nixon comes up in a hurry with some surprise countermeasure, it appears the scientists may well shoot down the Safeguard antiballistic missile system the President wants.

More than any other group, the scientists are responsible for the amazing opposition that has developed in the senate to Mr. Nixon's ABM proposal.

By buttonholing, cajoling, lecturing and writing, the scientists have managed in a little less than two years to convince many in the Senate that the ABM would be a tragic waste of money.

It is an accomplishing that few professional lobbyists can match.

NIKE X WON IN 1966

On Aug. 18, 1966, a proposal to knock out $153.5 million for the Army's Nike X ABM system, on which Mr. Nixon's Safeguard program is patterned, was defeated by a vote of 73 to 14.

Yet reliable soundings and nose counts now suggest that if the ABM issue came to a showdown in the Senate at this time it would be defeated.

Since the first test vote is not expected before late May or early June the situation could change. But the ABM opponents seem confident it won't.

In the view of the opponents, there are only two things the President might do to save his ABM:

—Come up with unchallengeable proof that the Safeguard system would work to counter the arguments by scientists that it won't.

—Take his case to the country and make support of the ABM a test of each legislator's patriotism.

Senate ABM opponents doubt either possibility will materialize.

Thus it is hardly a happy outlook for a President barely three months in office. For this, Mr. Nixon can largely blame the scientific and academic community. Rarely have so many scientists and scholars been so united on one issue as is the case with the ABM opposition.

The basis of their opposition is a dedicated conviction that the ABM simply won't work, that it would be history's most expensive flop. Many of the scientists also argue that the ABM would inevitably accelerate the nuclear arms race with the Soviet Union.

A Harvard physicist, Dr. Thomas B. W. Kirk, estimates that "about 90% of physicists oppose the ABM on either moral, political or technological grounds." .

Kirk, a research fellow in physics, is a member of an informal scientific group at Harvard that is sending petitions to physics departments at universities across the country.

SOURCES OF CONCERN

The petitions, addressed to Mr. Nixon, declare:

"Our concern springs from two basic sources:

"As scientists, we are wholly unconvinced that any proposed antiballistic missile system can defend against a determined missile attack.

"As citizens, we deplore the beginning of a particularly dangerous yet ultimately futile round of nuclear arms escalation when our expanding domestic crisis demands a reallocation of the nation's resources."

Although the Defense Department puts a price tag of $6.3 billion on the Nixon Safeguard plan, the Harvard group contends it would be only the first step for a heavier system that would cost 10 times as much. The President is asking Congress this year for a first installment appropriation of $800 million.

LIMITED BEFORE

Opposition to the ABM by scientists, both in and out of government, is not new. It was largely because of scientific arguments that the system wouldn't work that both the Kennedy and Johnson administrations repeatedly refused to go beyond the research and development stage on the Nike X.

When Congress, responding to pleas from the Joint Chiefs of Staff, voted the $153.5 million for a start on the Nike X in 1966 the Johnson Administration refused to spend it.

But the following year, with the Republicans threatening to make the ABM a major issue in the 1968 presidential campaign, President Johnson suddenly reversed himself.

The Johnson Administration took major elements of the Nike X system, named it the Sentinel program, and embraced it as something vital to counter any Chinese missile threat in the 1970s.

COMMUNITY AROUSED

It was the decision to deploy the Sentinel that began galvanizing the scientific community. In the forefront of the assault on the Sentinel were two former presidential scientific advisers—George B. Kistiakowsky, who served under President Dwight D. Eisenhower, and Jerome B. Wiesner, who served under President John F. Kennedy.

Others included Dr. Herbert York, director of Defense Department research of the Eisenhower Administration and now a physicist at the University of California at San Diego; nuclear physicists Hans Bethe and Ralph E. Lapp, and Dr. George W. Rathgens, former director of the systems evaluation division of the Institute for Defense Analysis.

These scientists and others began cooperating last year in conducting luncheon seminars at the Capitol for interested senators.

Most of the seminars were sponsored by the Council for a Livable World, a Washington-based organization dedicated to arms control and disarmament. The council, founded in 1962 by the late physicist Leo Szilard, also helps raise campaign funds in election years for senators it regards as arms-control-minded.

"We are sort of a scientists' lobby," said Thomas A. Halsted, the council's national director.

Halsted said in an interview that his organization's major accomplishment was in providing ABM opponents with sufficient background information to stand up and debate ABM proponents like Sen. John C. Stennis (D-Miss.), chairman of the Senate Armed Services Committee, and Sen. Henry M. Jackson (D-Wash.), a senior member of the same committee.

Halsted credited the seminars at least in part for the stronger showing by ABM opponents on three separate occasions in the Senate last year. All three attempts, each aimed at deleting spending authority or funds for the Sentinel system, were defeated but one lost by only three votes.

Of more importance to the ABM opposition, however, was the recruiting of such influential senators as John Sherman Cooper (R.-Ky.) and Stuart Symington (D-Mo.).

Both Cooper and Symington had argued against the effort to delete funds for the Nike X in 1966. But by 1968 Cooper had changed his thinking so dramatically that he sponsored and led the three assaults on the ABM last year. What happened?

"I simply became convinced the thing wouldn't work," Cooper said. "If I thought it would provide genuine security I would support it." Instrumental in changing Cooper's mind was his foreign policy aide, William Miller, a young former State Department official who has been among the most active behind the scenes in mobilizing opposition to the ABM.

If anything, the turn-about by Symington was even more dramatic. A former secretary of the Air Force, Symington was known for years as one of the most outspoken champions in Congress of supporting spending requests of the military chiefs. He also had been known as a super-Hawk on Vietnam.

But by 1968 Symington was becoming disillusioned with the Vietnam war and increasingly suspicious of the way the Pentagon was spending the billions that an obliging Congress had become accustomed to hand over almost without question.

In a recent Senate speech, Symington displayed a study which he said showed that the Defense Department had spent more than $23 billion in the last 16 years on missile projects which were scrapped before reaching the deployment stage.

Actually, according to some ABM critics, the history of the missile defense system has been studded with political blunders by both the Johnson and Nixon administrations.

Ralph Lapp, the nuclear physicist-writer-lecturer who has been crusading against the ABM since 1966, said a major Johnson administration mistake was in deciding to plant Sentinels near large population centers as a city defense.

"The opposition didn't really get mobilized," Lapp said in an interview "until the Army goofed and decided to put the Sentinel sites near cities like Chicago, Boston and Seattle."

The political clamor emanating from the Sentinel site cities turned out to be the breakthrough point for the scientists who had long been campaigning against the ABM. They finally were given an official forum.

Largely as a result of the outcry from the ABM cities, the Senate foreign relations subcommittee on disarmament called public hearings on the ABM and a parade of scientists came to testify.

It was the Sentinel uproar from Boston-area citizens that also transformed Sen. Edward M. Kennedy (D–Mass.) from a sideline critic of the ABM into becoming a leader of the ABM opposition.

All this reached a head shortly after Mr. Nixon took office and he quickly suspended the Sentinel program until he could study it further.

LAIRD'S DEFENSE

With Secretary of Defense Melvin R. Laird and the military chiefs strongly defending

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the program, Mr. Nixon revived it with modifications. For one thing, the system's name was changed from Sentinel to Safeguard. For another, it was recast from being a defense of the cities to a defense of the nation's Minuteman strategic missile sites.

Mr. Nixon obviously viewed this as a happy compromise that should satisfy both Hawks and Doves and also the jittery cities where the Sentinel would have been planted.

In the view of the ABM opponents, there have been many Administration missteps.

One is said to have been committed by Laird when he said the Safeguard ABM was essential because of new intelligence showing the Russians were aiming at a first-strike capability designed to eliminate U.S. retaliatory missiles.

SOVIET EFFORT DOUBTED

Other Administration officials have cast doubt on whether there is any reliable evidence the Russians are making such an effort. In fact, they say the Nixon Administration has received no significant new intelligence on Soviet missile capabilities or intentions.

The Pentagon's credibility came into further question when Dep. Defense Secretary David Packard said in Senate testimony that his department had consulted with outside scientists before reaching its decision.

When pressed to identify them, Packard gave the name of a close friend, Dr. Wolfgang K. H. Panofsky, director of the Stanford Linear Accelerator Center.

By sheer accident, and unknown to Packard, Panofsky was in the hearing room and heard Packard's words with some embarrassment.

AIRPORT DISCUSSION

The reason for the embarrassment became evident two days later when Panofsky testified before the same subcommittee. He said he had run into Packard at the San Francisco International Airport before the Safeguard decision and there had been a brief discussion of the ABM.

But, Panofsky said, "I did not participate in any advisory capacity to any branch of the government in reviewing the (Safeguard) decision."

In the view of ABM opponents, the most recent Administration boner came with the recent disclosure that the White House had changed its mind about naming Dr. Franklin A. Long, a Cornell scientist, as director of the National Science Foundation because of Long's opposition to the ABM.

President Nixon confirmed the report at his last press conference. It struck the ABM opponents as ironic that the President's acknowledgment came moments after he promised that the ABM controversy "will not be fought on partisan lines."

CONGRESS MUST ACT NOW TO CURB THE FLOW OF PORNOGRAPHIC LITERATURE

(Mr. ICHORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ICHORD. Mr. Speaker, last week President Nixon asked Congress to provide through legislation the means and tools to curb the flow of pornography and to rid the U.S. mail system of a tremendous burden. His concern seemed to be directed principally to the young people of our Nation who are being victimized by peddlers of filthy and indecent literature.

The three proposals included in the President's message to Congres are contained in legislation which I cosponsored a few weeks ago; namely, H.R. 7167, which purports to deal with pornographers who use the U.S. mail system to flood decent American homes with trash and filth. I am delighted that the President has, in effect, endorsed the provisions of my bill.

Since I joined with Congressman Charles E. Bennett in introducing antismut legislation, I have received hundreds of letters from my own State, as well as from other States, all enclosing some of the most obnoxious, deeply offensive, and even shocking advertisements for pornographic literature of the worst degree. Each day's mail brings additional complaints and I now have in my possession a vast file of samples of pandering advertisements which would shock the average individual. The material offered for sale through the mail system are products of sick, sick minds, and these peddlers of smut should be stopped immediately.

It is my understanding that more than 100 bills all dealing with this concept are pending before the House Judiciary Committee. It is imperative that Congress act now. By letter I have asked the distinguished chairman of the House Judiciary Committee to schedule early hearings on my bill and all other related to it so that our citizens will not be forced to receive advertisements for sex-oriented material which they deem to be offensive. It is my understanding that all proposals on obscene material have now been referred to Subcommittee No. 3 chaired by Congressman Robert W. Kastenmeier, to whom I offer my fullest support. Without qualification I urge early committee action now that the administration has also harkened to the serious problem so that we can put an end to the unlawful distribution of indescribably lewd and defiled literature, the purpose of which seems to be the complete degradation of acceptable moral standards of our society.

HOW MUCH IS A GOVERNOR WORTH?

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WILLIAMS. Mr. Speaker, Edward N. Hay & Associates, management consultants, have prepared a paper in their Men and Management series, which is published monthly, entitled "How Much Is a Governor Worth?" This paper actually deals with the subject of the proper remuneration of those in Government service.

Considering the keen interest in the subject matter, I would like to take this opportunity to bring this incisive article to your attention. Edward N. Hay & Associates are to be congratulated on the following sensitive comments with respect to this situation.

At this point I insert this paper in the Record:

How Much Is a Governor Worth?

As we were mapping out the content of this month's M&M, one of the Hay consultants offered to buy a bottle of champagne for any of us present in the room who could name the current salaries of our mayor, governor, U.S. Senator, and the Chief Justice of the U.S. Supreme Court.

It turned out to be a very dry day.

We mention this not in the belief that memorizing the salaries of our public servants will automatically make better citizens of us, but to illustrate the point that what we pay people in government has never been the kind of conversational topic that keeps our dinner partner so engrossed he forgets all about his shrimp cocktail. To avoid thinking or worrying about this subject, a citizen can adopt any of several comfortable assumptions.

One assumption is that most public employees are mediocrities, so why worry about their pay? Another idea is that the really good men in government are so dedicated they will gladly sacrifice monetary gain in order to serve their fellow citizens. Still a third notion is that adequate compensation standards and practices have already been worked out, and that the question of how much to pay public employees and officials isn't really much of a problem.

All of these assumptions are dead wrong. We would like to dispense with them, one at a time:

On the myth of mediocrity in government: if there ever was a time when the nincompoop-level in government was higher than in other places, that day is vanishing. More and more government posts are turning into pressure-cookers and, to toss in another metaphor, the public servants who can't stand the heat are tending to get out of the kitchen. Government service is becoming a profession; fewer amateurs can apply. Increasing scrutiny of government by the news media and by taxpayers is having a weeding out effect on drones and sinecure-seekers.

The public-spirited executive who will sacrifice his financial interests in order to take a public post is becoming more the exception than the rule. Last month, one state governor told us he had recently interviewed thirty-five fully-qualified men before finding one who would accept the job in question. The job paid substantially less than a position of comparable accountability in the business world, and most of the applicants simply couldn't afford to take a cut in pay. Teaching, law enforcement, and hospital care are three other fields whose workers are no longer willing to accept the theory that the joy of serving one's fellows should take the place of a competitive pay level.

Perhaps the most common misconception concerning public compensation is that "someone has already taken care of all that." Nothing is further from the truth. On the Federal level, crazy-quilt methods of determining compensation have involved everything from Congressional whim to the use of scores of different compensation techniques. The Kappel commission recently concluded a major study of the salaries of management-level Federal employees. A number of states have begun investigations into their compensation programs. In New Jersey, private citizens and members of the business community are paying for a comprehensive study of the state's pay practices. Local government officials, who are closest to the anguished howls of hard-pressed taxpayers, are increasingly on the search for compensation methods that are fair, both to the public employee and to the citizens who must furnish the money.

INCESTUOUS STUDIES

Some government compensation studies tend to be incestuous, in that they focus only on what other government agencies (or cities, or states) are paying their employees. They fail to look at salary practices in the private sector. Thus, one study feeds on another. If Toonerville's salary levels are too low (or too high), Podunk's matching them means only that Toonerville's errors are being perpetuated by imitation.

Another common error in government studies is the comparing of job titles to try to find what should be the incumbent's salary. For comparison purposes, job titles are of dubious value. The nature and scope of

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a sheriff's job in a rural county will probably be much different than that of a sheriff whose county lies on the edge of a large city. In addition, some job titles just don't have opposite numbers. To whose job do you compare that of Senate majority leader? In what other agency but NASA are there astronauts?

The crucial weakness in these foregoing methods is that none of them asks the vital questions for evaluating and setting the compensation of any job. Namely: *what is involved in the job itself? What is its actual content? What does it require of the man holding it, in terms of knowledge and ability to think and reason? Exactly how large is the job's impact on end results, i.e., the objectives for which the governmental unit is striving?* Only by evaluating each job according to its true content can the job then be meaningfully compared to a position of similar content within the same organization, in another agency or political unit, or in business and industry.

The use of a common criterion—*evaluated job content*—liberates the job evaluation and salary comparison processes from the shackles of job titles, employee classification grades, seniority policies, and political pressures. It permits the evaluation and accurate content comparison of a government job against one in industry; of a scientific post against an administrative post; of a newly-created job with one that has existed for years; of a job in Sacramento with jobs in Houston and Buffalo. Once this *uniformity of approach* in evaluating jobs has been achieved, then—and only then—can valid salary *comparisons* be made.

OTHER MISTAKES

It is largely because of the lack of a consistent method of evaluating jobs and of meaningful salary comparison techniques that the compensation of public employees has become so tangled. However, there are a couple of other mistakes in thinking that help to compound the confusion. One of these is the failure to recognize the great influence that the salary of the top man in a government organization has on the salaries of people below him. A specific example would be that of a privately-wealthy governor who is elected to office and, at no personal hardship to himself, is paid a salary that is only half of what, by any rational criteria, the governor's job should pay. To say, "How nice that he can afford it," is to miss the main point, namely, that by accepting an underpaid post the governor suppresses the salary structure of the men who serve under him. This is in accordance with the generally observed rule that no one shall earn more than the top man.

In addition to holding down the salary levels of subordinates, the practice of underpaying a top position tends to cheapen that post, both in the eyes of the public and in the esteem of those men who would seek it. A third mischief wrought by low pay in high position is that it invites government by aristocracy. A hallmark of our republican form of government has been the availability of public office to all men, not merely to the high-born or wealthy. When only the rich can afford to serve, democracy suffers. For this reason, it is important that the rewards of an office are in keeping with its responsibility.

We noted the suppressing effect that comes from basing an entire compensation structure on the highest officer's salary. This practice sometimes works in another, and opposite, way. This can happen when a study reveals that the governor's salary should be substantially increased. Although the governor may agree to the desirability of raising his salary, he may at the same time experience mixed emotions because of the coat-tail effect his increase will almost surely have on the salaries of the officials who serve with him. He will be happy to see their compensation move up to a competitive level, but he will be bracing himself for the public outcry that is likely to follow.

This leads us to another point. The opposition of taxpayers to raising the compensation of high-echelon public officials is, in many cases, based on shallow or uninformed thinking. To increase the salaries of the men and women who occupy the upper reaches of a governmental unit does indeed cost money. But experience often shows that the increase may apply to only two or three percent of the total number of employees, and may mean a rise of perhaps only one percent of the unit's entire payroll. These top positions are usually the ones whose occupants will bring about the success or failure of critical programs and policies. For that reason, the amount of added salary funds needed to attract and retain competent personnel in these jobs usually turns out to be an investment well worthwhile. In contrast, the price of underpaying public servants can be disaster, in the form of inefficiency, bungling, and, occasionally, a susceptibility toward corrupting influences.

NEEDED: A BROAD VIEW

We have written thus far about some of the mistaken ideas concerning the compensation of public employees and officials; about the need for a uniform system of evaluating government jobs so that they can be meaningfully compared with each other and with jobs and salary levels in business and industry; and about the risks that arise when taxpayers and public officials themselves are reluctant to bring salaries to a more competitive level.

Of equal importance, we feel, is the need for all citizens to take a broader view of what public service should mean. Most of us who work in private business confine our professional or occupational interests to advancing the stated objectives of the company that employs us. The nature of economic enterprise places strong emphasis and approval on the rightness of each economic unit's furthering its own welfare. While this does not necessarily imply a narrow frame of reference, it does bespeak a point of view that has fairly well-defined limits.

Because we live in a business economy, much of government is aimed at helping economic units advance and thrive. However, government and the people who work in government have another, larger accountability. That accountability is to maintain a lively concern with the *total* environment—with the health, safety, and welfare of all individuals and groups that the political body or governmental agency was established to serve. This universality of outlook is perhaps the most distinguishing feature of the able public servant. It is a characteristic that should be encouraged, and increasingly demanded, in all areas of government. But it is not purchased cheaply.

How much is a governor worth? Or a policeman? A mayor, senator, teacher, social worker, judge, foreign service officer? While the answers to these questions cannot be pulled at random from a hat, there is a way to find them. The broadening, intensifying search for these answers is a signal that the time has ended when public servants could be regarded as "them." Government is *us*, all of us, and the way we treat government employees inevitably becomes the way we treat ourselves.

JUSTICE ABE FORTAS

(Mr. MacGREGOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MacGREGOR. Mr. Speaker, this morning I handed the following letter to the Honorable Emanuel Celler, chairman of the House Committee on the Judiciary:

House of Representatives,
Washington, D.C., May 14, 1969.

Hon. Emanuel Celler,
Chairman, Committee on the Judiciary,
House of Representatives,
Washington, D.C.

Dear Mr. Chairman: As a Member of the House Committee on the Judiciary, I respectfully request that the Committee initiate a preliminary informal investigation into the facts giving rise to the current allegations of failure of "good Behavior" on the part of Associate Justice of the Supreme Court, Mr. Abe Fortas.

I further request that the investigation begin at 10:00 a.m. on Tuesday, May 20th and that you as Chairman of the Committee invite Mr. Justice Fortas and Attorney General John N. Mitchell to appear at that time before the full membership of the Committee.

Respectfully yours,
Clark MacGregor.

This morning Mr. James Reston of the New York Times comments on the crisis of belief in America in part as follows:

> In the last few weeks, America has witnessed a series of spectacular controversies. The Fortas case, the Bucher case, the trial of Ray for the murder of Martin Luther King and many of the university conflicts have all raised different questions but have dramatized one of the deepest problems and anxieties of our time.
>
> This is the crisis of belief. Justice Fortas is charged with using his position on the Supreme Court for personal gain, and denies it, without giving us the facts. Attorney General Mitchell suggests that he went to Chief Justice Warren on the case because he was disturbed by private information about Justice Fortas, which he does not disclose.
>
> It is hard to know who is right or wrong, * * * but at least we ought to be able to get the facts and know how to decide. Mr. Justice Fortas occupies the seat on the Supreme Court once held by Louis D. Brandeis and Felix Frankfurter. Brandeis went through an even tougher crisis than Fortas before he was confirmed by the Senate. But at least he put the facts on the record and argued his case, and this is what Mr. Justice Fortas had not done.

Mr. Speaker, from various parts of the American body politic we hear the charge that the establishment is corrupt and lacks the capacity to reform itself, and therefore must be forcibly brought down.

Surely we can and must demonstrate that this is a false charge. It is well known that some Members of the House are contemplating the impeachment of Mr. Justice Fortas and are now preparing papers to carry out that purpose.

That may be a proper course, Mr. Speaker, but no one can be sure whether that course is indeed the proper course until there is a preliminary investigation to establish the facts of the matter.

Just such an investigation should be promptly conducted by the House Committee on the Judiciary.

CIGARETTE LABELING AND ADVERTISING

(Mr. SKUBITZ asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SKUBITZ. Mr. Speaker, the Committee on Interstate Commerce has completed its hearings on cigarette labeling and advertising

I am a member of the subcommittee and must admit that, insofar as smok-

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ing is concerned, I am biased. Although I smoke cigarettes, cigars, and a pipe, I am of the opinion that no healthful benefits are derived from it, and that excessive smoking is hazardous to the health. Insofar as cigarette advertising is concerned, it has reached a point where it is not only disgusting but in fact an insult to the intelligence of the viewing public.

I must say, however, that those who testified and supported the thesis that TV advertising of cigarettes should be banned too often relied on hearsay; too often relied on propaganda and myths rather than fact.

I think Congressman PREYER in his statement of May 12 stated it much better than I possibly could when he said that the bandwagon effect of repeating over and over again a number of false and misleading facts gives the impression that the case against tobacco has been strengthened since the Surgeon General's 1964 report.

Although, I do not agree in toto with Congressman PREYER's release, I do think that on balance it is a fair statement.

The release is as follows:

Congressman Richardson Preyer today called for the re-opening of the Surgeon General's study of cigarette smoking and health declaring that recent evidence raised serious questions about the validity of conclusions in the 1964 Report.

"Experimental research conducted since the Suregeon General's Report of 1964 and brought out in the recent tobacco hearings before the Committee on Interstate and Foreign Commerce, raises the most serious doubts about the conclusions reached in that report," the North Carolina Representative stated. He asked, in a letter to Secretary of HEW Robert Finch, that Finch include a re-evaluation of evidence on cigarette smoking and health in a research program the cabinet member recently announced. "Evidence reveals it is at least as likely that constitutional factors other than cigarette smoking are the cause of lung cancer, heart disease, and emphysema. Not a single witness for the anti-smoking forces testified to any research which he himself had done, while 18 witnesses testified that their own research cast serious doubts on the theory that cigarettes cause disease," Preyer declared.

He commended HEW Secretary Finch for his announcement of a cooperative research program on the problems of tobacco and health. "Mr. Finch has recognized that there are gaps in our knowledge about tobacco and health and has urged that these be attacked through cooperative research," he said. Preyer suggested that this should lead to a new Surgeon General's Report, one recognizing the fact that our knowledge is incomplete, and one based on hearing evidence from all sides, not on an ex parte "review of the literature" which ignores new experimental evidence.

Preyer decried the "bandwagon effect" of repeating over and over a number of false and misleading statements which give the impression that the case against tobacco has been strengthened since the Surgeon General's 1964 Report. "Actually, the experimental and statistical evidence has seriously undermined the conclusions of the 1964 report," he said. Among the "myths" that anti-smoking witnesses repeated at the hearings—even though scientific evidence has destroyed their validity—were these:

1. Myth: "Every smoker is damaged by his smoking."

Fact: Most smokers suffer no impairment or shortening of life. For example, the disease most closely connected with smoking is lung cancer. The lung cancer incidence among smokers is 5/100 of 1%.

2. Myth: "There is an epidemic of lung cancer."

Fact: There has been a tremendous reduction in overall respiratory disease since 1900, when respiratory death rates were over five times what they are today. It is particularly misleading to say lung cancer is an "epidemic" in view of the declining rate of increase (indicating that the incidence will level off in the next few years).

3. Myth: "Cigarette smoking causes 300,000 premature deaths a year."

(This was the testimony of the Chairman of the Federal Communications Commission. The Chairman of the Federal Trade Commission testified to "500,000 deaths" and also claimed that smokers miss "33⅓% more working days than non-smokers.")

Fact: These claims have no basis in fact. (The two Chairmen based their statements on findings of the Surgeon General's Advisory Committee but this Committee did not attempt to estimate so-called excess deaths.)

4. Myth: "Cigarette smoking turns the lungs black," or "Doctors can tell cigarette smoker's lung from a non-smoker's lung."

Fact: It is impossible to tell a smoker's lung from a non-smoker's lung upon examination either grossly or microscopically.

5. Myth: "Heavy smoking will shorten your life by 8 years."

Fact: This statement is based on a statistical study by Dr. Cuyler Hammond who has refused to disclose the raw data in his studies so as to permit independent evaluation. To the contrary, recent "twin studies"—where one smokes and the other does not—indicates there is no difference in their death rate.

6 Myth: "Giving up smoking makes one healthier."

Fact: According to the Public Health Service "Morbidity" report former smokers have more ill health than present smokers or those who never smoked! This may only show how misleading statistical information can be.

7. Myth: "There are 77 million excess work days lost each year by smokers."

Fact: The study on which this claim has been based has recently been found to contain such unbelievably large errors that it is worthless. These new analyses have been made available to the Public Health Service with no result.

In addition to replacing "myths" by facts, Preyer said there are many areas of scientific disagreement which additional research can help clarify. For example, testimony relating to nicotine in the recent tobacco hearings was that: (1) nicotine constricts blood vessels; (2) nicotine expands blood vessels; (3) nicotine has no effect on blood vessels. This is the kind of question which Secretary Finch's Committee can help resolve.

CAPITAL UNIVERSITY FAVORS ROTC

(Mr. DEVINE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DEVINE. Mr. Speaker, with ROTC under attack on many campuses by a handful of dissident, SDS-type malcontents that do not really know what they favor, it is most refreshing to have strong ROTC student and faculty support on a highly respectable college campus, such as Capital University in Columbus, Ohio.

Last month the Department of Defense concluded to discontinue the Air Force ROTC program in a number of colleges, including Capital University. The students, as well as the faculty, immediately responded, and about 75 percent of each group actively supported a move to have ROTC reestablished, and prevailed upon the Secretary of Defense to reconsider his decision.

Fortunately, the Secretary has authorized the program to be continued, much to the delight and satisfaction of the overwhelming majority of the students and faculty at Capital University.

The attached correspondence and clippings tell the story:

CAPITAL UNIVERSITY,
Columbus, Ohio, May 12, 1969.

Hon. SAMUEL L. DEVINE,
House Office Building,
Washington, D.C.

DEAR SIR: The enclosed letter to President Nixon indicates Capital University's attitude toward its recent campus-wide action to retain its Air Force ROTC Unit. Since you had a hand in helping us keep this unit, I felt you would be interested.

At the same time that Ohio State students broke up their school's ROTC Honors Day program with an egg-throwing battle too profane for local television stations to record on the air, Capital faculty members were joining students with petitions to keep our ROTC group on campus.

We feel we have something special here. We may not be a Harvard or Dartmouth, or Cornell, but in light of what has happened in those hallowed institutions lately, that may be a good thing. While the officially-labeled Students for a Democratic Society attempt to uproot the American way of life, our own "students *of* a Democratic Society" are perpetuating what great numbers of fellow-Americans fought and died for, all over the world.

Please help spread the word about this action, and about the students who fought to bring it about. They deserve to be an example for the thousands of other young Americans who are just too busy trying to keep this nation great to take time to destroy it, as others are attempting.

Your efforts to benefit "the quiet Americans" are, and will continue to be, greatly appreciated.

Sincerely yours,
JOSEPH A GOLOVERSIC,
Director.

CAPITAL UNIVERSITY,
Columbus, Ohio, May 12, 1969.

Hon. RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Considering the recent policies and attitudes of your administration toward dissent on college and university campuses—particularly those outbursts against Reserve Officer Training Corps, I felt you would be interested in the attitude of Capital University concerning ROTC.

The powers that be saw fit recently to discontinue our ROTC unit because of small productivity. The unit had sponsored the Capital Guards, national drill team champions for the past four years, and its regular Air Force staff had received a Zero Defects Award for the year 1968.

By open vote, 75 per cent of the student body of 2,000 and about the same percentage of the faculty of 140 at Capital had been against the discontinuance. Led by President Dr. H. L. Yochum, the university let its congressmen know of its displeasure.

In the same week that student dissenters at Ohio State University (where you speak next month) had broken up the OSU ROTC Honors Assembly, Capital University was rewarded by notification that ROTC would be continued.

We have a school that, I feel, the entire country can point to with pride. When our students "sit in" in a particular building, they do so because a faculty member is at

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the front of the group, giving a regularly-scheduled lecture. Our students dissent frequently, but through their elected representatives. They abide by the decisions made for the general good.

Our "students for a Democratic Society" carry no such label, although I am sure the majority of true Americans feel they deserve it much more than the group now bearing the tag.

And, as long as we can continue to produce young people such as we now have, people such as yourself will never become obsolete in the United States of America.

Sincerely yours,
JOSEPH A. GOLOVERSIC,
Director.

[From the Columbus (Ohio) Dispatch, Apr. 22, 1969]

Capital University Seeks To Retain ROTC

Capital University's administration and students marshaled their forces in a meeting Monday night before engaging in a high-level skirmish to keep Air Force ROTC.

Recently, the Air Force told Capital officials it would drop the ROTC program because too few students are enrolled in it. The program would be discontinued after three years, when those now enrolled would graduate and receive commissions.

About sixty-five students are in ROTC at Capital.

President Harold L. Yochum, after the meeting, sent telegrams to Congressmen Chalmers Wylie and Samuel Devine, and to Sen. William Saxbe, pleading for retention of the ROTC program.

Yochum presented no specific cost figures, but said Capital's only expense is in providing a small building in which ROTC classes are conducted.

The university received no subsidy for conducting the program, officials said.

Kent Edie of Findlay, a sophomore, said he is to meet Devine Friday and present facts indicating students favor retaining the program.

A survey of 580 Capital students showed, Edie said, 82 per cent think ROTC on the campus is valid; 77 per cent voted to retain ROTC; and 72 per cent thought it is beneficial to the school and students.

Edie also cited the high scoring men's and women's drill teams which probably would be discontinued if the ROTC program is eliminated.

The two drill teams operate on a $4,000 annual budget, officials said.

In recent years, Yochum said, Capital has provided about 16 reserve officers annually to the Air Force.

Capital University Requests Continued AFROTC

A resolution has been forwarded to Air Force officials in Washington urging continuation of the AFROTC program at Capital University.

The seven-member executive committee of the school's board of regents took the action at their Monday meeting.

The Air Force has announced its intention to discontinue the program effective next fall.

Capital has requested assurances as soon as possible that the program will be continued so recruiting of male students can go on as usual.

U.S. REPS. Samuel Devine and Chalmers Wylie and Sen. William Saxbe have notified the school they have written to Air Force leaders urging continuation of the AFROTC program.

The regents' executive committee approved bids on construction of a new $840,000 women's residence hall to house 140 students.

Construction will be aided by a $720,000 federal loan. The building—to be located on the west side of Pleasant Ridge av., south of the present women's dormitories—is scheduled for completion in September, 1970.

A resolution urging passage of Ohio Senate Bill 196 was passed by the committee and forwarded to the legislature.

This measure would provide tuition assistance to qualified Ohio students at Ohio schools where tuition charges are $1000 or more per year.

Amount of each grant would be determined by the student's family income and number of children in the family. Maximum grant would be $900 per year.

[From the Columbus (Ohio) Spectator, Apr. 24, 1969]

Capital Wants To Keep Campus ROTC Program

Keeping Air Force ROTC Officers Training on Capital University's campus was the topic of a meeting between Capital President H. L. Yochum and interested students Monday night.

The meeting was called as a result of the decision of the Defense Department April 11 to discontinue the program for lack of student interest.

The school has failed to meet the required 15 officers per year.

A student poll, which was taken to determine campus opinion on the subject reportedly showed that 82 per cent felt there was a need for ROTC, 77 per cent said they favor the program and 72 per cent said they felt the program contributed in a "very beneficial" way to the campus.

When all the figures were in, it was reported that 94 per cent out of the 580 ballots cast were favorable to the ROTC program.

Yochum has sent telegrams to U.S. Rep. Samuel Devine and Chalmers Wylie and Sen. William Saxbe, asking them to intervene to convince the Defense Department to reinstitute the program.

Some 75 students attended the meeting in the campus center, and no dissenting voices to Dr. Yochum's statements were heard.

Dr. Yochum told the students he hoped the discussion would be free and said he did not expect to change anyone's mind about ROTC, but hoped all sides would have an opportunity to speak.

He outlined what he thought were advantages to keeping the program on campus. He said it gave students a chance to select a branch of the service without being drafted, enabled them to develop advance status because of training, and benefited them financially.

He said the ROTC program was a "service to our nation" and institutions must recognize their obligations to society. He said, "We have the obligation to pay taxes and to bear arms if this is required by our country."

Yochum pointed out that people often forget that involvement of civilians in the services is a safeguard against the "development of a caste of military people who dominate the military scene. If we involve civilians, we help avoid a military caste."

Capital would not be able to attract as many male students if the program were to be withdrawn, according to Yochum.

[From the Columbus (Ohio) Citizen-Journal, May 10, 1969]

Air ROTC To Stay at Capital Campus

Capital University officials learned Friday that its Air Force Reserve Officer Training Corps unit will remain active for at least one more year.

"Naturally we're very happy to hear of this development," a Capital spokesman said.

The Department of Defense told the school by telephone that it had reversed its decision to deactivate the unit in 1972.

Full details on the reversal are being forwarded by mail, a spokesman said. They include an outline of what the school must do to maintain the ROTC unit.

"We anticipate being able to arrive at a point where we can meet these requirements," the spokesman said.

The Pentagon decision will allow Capital to recruit new ROTC students for next fall, but further continuation of the military training program will depend on an official review at the end of the 1969–70 academic year.

Because of a change from the traditional two semester system to a new 4–1–4 course year, there will be fewer students eligible for ROTC commissions at Capital next year.

In later years, the number is expected to return to the past average of 15 or more.

A faculty poll released Friday shows 72 of Capital's 120 teachers favor retaining the ROTC unit. An earlier poll showed 75 per cent of the students favor continuation.

The school's regents had earlier petitioned the Pentagon for reconsideration of the decision to drop ROTC. Columbus Reps. Samuel L. Devine and Chalmers P. Wylie, and Sen. William B. Saxbe were asked to intercede for the school.

REQUEST FOR PERMIT TO MINE IN LAKE OKEECHOBEE SHOULD BE DENIED

(Mr. CRAMER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CRAMER. Mr. Speaker, the U.S. Army Corps of Engineers has scheduled a public hearing to be held in West Palm Beach, Fla., on June 12 regarding an application by the Coastal Petroleum Co. to drill for limerock in Lake Okeechobee.

This public hearing is being held pursuant to U.S. Army Corps of Engineers' regulation No. 1145–2–203 which provides that a public hearing shall be held on permit requests when sufficient public interest is shown. I am happy to point out that this same regulation provides that when State or local authorities object, it is "not usual for the corps to issue a permit." It is my understanding that State and local authorities are properly opposed to the granting of such a permit and they will have an opportunity to make their position known at this public hearing.

On May 9, I directed a letter to Col. John McElhenny, district engineer, U.S. Corps of Engineers in Jacksonville in which I stated some of the reasons for my strong opposition to the granting of this permit. I am pleased to enclose a copy of this letter at this point in the RECORD:

MAY 9, 1969.

In Re Limestone Mining Permit, Lake Okeechobee Coastal Petroleum Co.

Col. JOHN MCELHENNY,
District Engineer, U.S. Army Corps of Engineers, Jacksonville, Fla.

DEAR COLONEL MCELHENNY: This will acknowledge your wire and our recent telephone discussion relating to the above-referred matter.

Pursuant to your wire and our conversation I understand the purpose of the public hearing is to give all parties involved an opportunity to be heard including the many opponents who have voiced their concern about this matter. As you know, I have publicly announced my strong opposition to the granting of such a permit.

I understand further that when the hearing is concluded that you, the Corps of Engineers, and the Department of Army in Washington expect to review the matter carefully and I would hope that, based upon this review, the permit will be denied. I un-

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derstand that in order to adequately justify the exercise of your discretion in this matter the gathering of evidence is determined to be essential, particularly in view of certain litigation which is presently pending challenging the authority of both the State and the federal government in this matter.

If legislative duties do not permit my attendance at the hearing, I shall have a representative present with my prepared statement in opposition.

It is my opinion that the permit should be denied on the following grounds: (1) that the mining of limestone at Lake Okeechobee is contrary to public interest and that the public interest is paramount; (2) that the 1941 Exploration Agreement between the State and Coastal Petroleum requires the approval of the Corps and the State before actual exploration or mining can take place which gives both agencies the power to determine whatever action is taken should be in the public interest; (3) that any such mining or exploration would obviously affect the waters of Lake Okeechobee adversely and thus hinder and interfere with water pollution control, proper fish and wildlife management, and basic conservation; and, (4) such mining would deny the people of Florida and the nation the needed lake bottom material for building the dike around the lake in the interests of preserving water and preventing floods. This is a right paramount to any leasehold interests and the Corps has a duty to protect the public interest.

It is for these reasons and others and because of my great interest in the basic principles and problems involved that I advise you of my opposition and intention to make my views known. As ranking minority member on the House Committee on Public Works that authorizes public works projects, I feel it is my duty to assist on protecting the public interest.

With kindest regards, I am

Sincerely,

WILLIAM C. CRAMER,
Member of Congress.

JOB CORPS CENTERS

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, I suppose the Nixon administration is taking some sadistic pleasure in yesterday's defeat of the Cranston resolution in the other body.

But it is a hollow victory because it means further aggravation of the tensions that have beset our cities.

Some 55 Members of the House have joined in cosponsoring my resolution, House Resolution 381, which expresses the sense of the House that the administration take no further action on its decision to close down 59 of the Nation's 113 Job Corps centers and camps until Congress has an opportunity to review the program. It is similar to the Cranston resolution in the other body.

The action yesterday in the other body makes it all the more urgent that the House Education and Labor Committee report out our resolution so that Members of this body will have an opportunity to debate and vote on this very important question.

Despite the large number of protests expressed in both the House and the Senate in opposition to the administration's decision, the administration appears determined to proceed with its plans to dismantle the Job Corps centers.

One camp, Camp Kilmer, in New Jersey, which has had hundreds of ghetto youth from New York City, has been told that all trainees are to be out of the camp by May 29. The entire facility is to be completely shut down by June 13.

Prior to the announced cutbacks in the Job Corps, between 850 and 900 New York City youths—youths whose lack of skills previously made them virtually unemployable—were receiving vocational skill training at Camp Kilmer. Other young people from New York were enrolled at camps at Wellfleet, Mass., Acadia, Maine, and Poland Spring, Maine, which are also being closed.

The total number of youths at Camp Kilmer was 1,728, of whom approximately 60 percent were from New York City. Today only 521 trainees remain at the camp.

The fate of Camp Kilmer is typical of most of the 59 Job Corps centers and camps which the administration has decided to close. Deprived of this chance to obtain essential skill-training thousands of youth—bitter and disillusioned—have quit the program. Many will no doubt return to the streets of the ghetto and to the poverty and hopelessness that was their lot before they began their training programs.

The turning out of these trainees constitutes nothing less than a national disgrace. Communities throughout the Nation—many of which lack the fiscal base to offer any supplementary training programs—will have to suffer the consequences if the administration's decision to reduce the number of Job Corps enrollees by one-third—from 35,000 to 24,000—is implemented.

The administration's purpose is to reduce the Job Corps budget submitted by President Johnson by $100 million. Not only is this false economy—the House Education and Labor Committee staff estimates that it will cost $101.8 million to close the centers—but it is a vivid illustration of the imbalance of our national priorities.

Mr. Speaker, if the administration will not effect the reordering of priorities that is necessary to stop the decay of our cities and alleviate the misery of the Nation's poor and disadvantaged, then Congress at last must take that responsibility. We cannot tolerate policies which bleed already anemic domestic programs in the name of "economy" and combating inflation but feed more dollars to the bloated military budget, the principle cause of inflation in the first place.

I urge my colleagues to support the resolution to suspend the closing of any Job Corps center until Congress has had an opportunity to review this program and to chart its direction through the normal authorization and appropriation process.

THE U.S. CHAMBER OF COMMERCE FIGHTS ORGANIZED CRIME

The SPEAKER pro tempore (Mr. KLUCZYNSKI). Under a previous order of the House, the gentleman from Florida (Mr. FASCELL) is recognized for 20 minutes.

Mr. FASCELL. Mr. Speaker, a basic truth upon which any expanded Government programs against organized crime must be predicated is that the fight cannot be won without direct involvement of the private sector.

As stated in a report by the House Government Operations Subcommittee on Legal and Monetary Affairs, which I chair:

> Organized crime cannot exist in any community that is determined that it shall not exist, and which backs up that resolve with effective action. (Federal Effort Against Organized Crime: Report of Agency Operations, H. Rept. 1574, June 20, 1968.)

A significant development which augurs well for a comprehensive attack on the underworld took place recently here in the city of Washington. The Chamber of Commerce of the United States at its 57th annual meeting emphasized the necessity for business participation in the war against organized crime and other forms of crime. One of the highlights of the annual meeting was an action forum on organized crime in which Justice Department officials responded to questions from the audience on the nature of organized crime in the United States and the role of the business community and the citizenry in helping to combat these dangerous activities.

Henry Petersen, who is head of the Organized Crime and Racketeering Section of the Justice Department's Criminal Division stated at the forum that in 1960 it would have been impossible to bring together as many law-enforcement officials from the entire United States to discuss organized crime as there were business members of the national chamber present at the session.

Attorney General John Mitchell addressed the annual meeting and stressed that organized crime, in many of its operations, can neither "withstand the pressure of the marketplace" nor survive the threat of free competition. The Attorney General called upon the business community to work closely with the Justice Department in its fight against organized crime and offered some imaginative suggestions on how the American businessman can stem the flow of illegal revenue to the syndicate.

Not to be overlooked among the significant points in the Attorney General's address is the announcement that the facilities of the Justice Department are being organized to assist chambers of commerce and other organizations in their efforts against organized crime. Furthermore, Mr. Mitchell stated that the Department's personnel would be made available for conferences and discussions at the local level.

The national chamber, Mr. Speaker, is particularly well equipped to join in this war against crime in our country. There are 3,800 organization members of the national chamber; 2,700 of these are local chambers of commerce and some 1,100 are associations. There are also about 35,000 business members of the national chamber. These organizations represent approximately 5 million businessmen. They are joined together by a federation which is united by the leadership of the U.S. Chamber of Commerce in Washington.

Because of this structure, which includes federation members in communities all over the United States, the national chamber has the capability of rendering tremendous assistance in local crime prevention and control programs.

Already the national chamber is cooperating through its local members and with the Justice Department in the implementation of the recently enacted Omnibus Crime Control and Safe Streets Act of 1968. The national chamber is doing this—

First, through membership activities in State, regional, and local advisory committees;

Second, by providing individual citizen support to the police and to local enforcement officials in activating programs after they have been established; and

Third, by assisting in the organization of crime prevention and control committees through the leadership of the local chambers of commerce.

A brochure entitled "Guidelines for Effective Business Action To Help Prevent and Control Crime" has been published by the national chamber and is available to local chamber organizations to assist them in properly organizing and executing the functions of a crime prevention and control committee. This organization process has already been completed in many cities.

Pointed out in the brochure, which also includes a working bibliography, are areas in the field of crime prevention and control in which local chambers of commerce have been active: building the police image; the use of the crime check program, which helps build the police image; police recruitment programs; police recognition; organized crime seminars and meetings to alert businessmen to the symptoms of organized crime and to learn what to do about it; shoplifting; courts; court watchers; voluntary probation programs; misdemeanant probation programs; school cooperation programs; speakers bureaus; police-community relations programs; riot control; safety budget and program analysis; case studies on successful crime prevention and control programs; radio watch; lighting programs; and legislative committees to study crime prevention and control legislation.

The national chamber has an advisory panel on crime prevention and control which meets regularly and which includes in its membership businessmen, representatives of all phases of police, courts, and correctional institutions, and has on its membership, Charles Rogovin, Administrator of the Law Enforcement Assistance Administration, and Martin Danziger, Chief of the Organized Crime Programs Division of the Law Enforcement Assistance Administration, both of the Justice Department. This panel already has recommended that the national chamber give leadership to its members, especially in the area of organized crime and street crime. They recommend close cooperation between chambers of commerce, local government, and businessmen in setting up anticrime programs, and encourage the development of programs of public education to establish a good law enforcement image.

The national chamber is committed to give full-fledged leadership at the grassroots in the fight on crime prevention and control. As mentioned previously, it has a built-in network of organization and business members throughout the entire country. If these members resolve that organized crime shall not exist and act effectively to accomplish that objective there can be no doubt that their efforts can be extremely effective.

The national chamber fosters the philosophy of solving problems through the involvement of many individuals. To accomplish problem-solving techniques it has developed a program called Forward Thrust. This is an approach to problem-solving based on the concept that only comprehensive areawide action involving all the major segments of a trade community can truly attack urban problems. Forward Thrust is the "trademark" for materials prepared by the national chamber providing organizational techniques and other assistance to help community leaders bring diverse groups together, establish priorities, define alternative solutions, and mobilize available resources for action.

The program for crime prevention and control is one of the important programs which the national chamber includes under the banner of Forward Thrust in the solving of urban problems.

I commend the national chamber for its expanded commitment in this vital area and wish it every success in achieving universal support for its program from its 35,000 business members.

CONSTITUTIONAL AMENDMENT TO ALLOW PRESIDENT TO VETO INDIVIDUAL ITEMS ON GENERAL APPROPRIATION BILLS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, today I have introduced a resolution calling for a constitutional amendment to allow the President to veto individual items on general appropriation bills. I commend it to your attention for I believe it to be one of the most significant steps we can take toward scaling down nonessential Government spending at a time when legitimate governmental outlays are at an unprecedented high and we are threatened by spiraling inflation.

Our present system of general approval of appropriation bills, which forces the President to take all-or-nothing when a bill comes before him for his signature is one of the most dangerous and most extravagant practices in Government. Frequently, the President must accept pork-barrel projects in order to approve other measures vital to our national security, development, and economy.

Frequently the bargaining and bickering on appropriation bills can reach ridiculous proportions. As the hypothetical Congressman Nubbs said to Congressman Tubbs:

> If you don't vote for digging out Old Mill Stream, I'll oppose your item on flood control for the Lazy River.

And so the bill goes through and all its pork is laid before the President. My proposal would provide a new safeguard against such unnecessary governmental spending at a time when pressing national problems go unmet because we lack the funds.

Such a procedure is not without precedent. Our State governments have provided testing grounds for the workability of such a proposal. Thirty-nine of our States now permit the item veto and the results in all cases have been favorable. It is urgent that as legitimate Government outlays rise we in the Federal Government insure effective control over our fiscal procedures and eliminate irresponsible spending.

PRESIDENT'S PROPOSED DRAFT SYSTEM FUNDAMENTALLY FAIR

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman for Texas (Mr. BUSH) is recognized for 5 minutes.

Mr. BUSH. Mr. Speaker, President Nixon's prudent proposals for draft reform are consistent with the enlightened ideas presented through his previously announced programs. The President has proposed a system that is fundamentally fair.

I have long favored constructive change in the draft system and have been sympathetic to the efforts of those who have sought revision. Therefore, I applaud the President's suggested reform calling for a change from an oldest-first to a youngest-first order of call. As I have spoken out for a draft system founded on a lottery basis, I am in full accord with the President's proposal for a random draft system, distributing the risk of call equally by lot.

If adopted, I believe President Nixon's draft reform measures would be a significant step toward muting the voices of cynicism on the campus.

It is time to return to our educational environments the real purpose for their existence; namely, the developing and unleashing of intellect—not of mob violence.

In these times of contention, when students and administrators have repeatedly been on a collision course, when criticism, agitation and disruption have fused to create a potential schism of national proportions, when universities that should be exploring new educational processes are instead closing their doors—when these conditions exist—then it is time to translate suggestive rhetoric into substantive reform.

The directives proposed by the President represent the sort of substantive measures that cannot only cure our draft system deficiencies, but can help nullify a longstanding argumentative device used by campus dissidents.

In essence, a fairplay change on the draft will help defuse the excesses of dissent.

QUASI-PUBLIC CORPORATION TO STIMULATE PRIVATE INVESTMENT IN UNDERDEVELOPED COUNTRIES

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I am today introducing legislation to establish a quasi-public corporation for the purpose of stimulating private investment in underdeveloped countries.

Foreign aid has fallen into disfavor in the United States and, although we are the richest and most powerful nation in the world, the mood of the country has caused the U.S. contribution of assistance to the lesser developed countries to drop considerably. Diminishing authorizations and appropriations for foreign aid over the last several years have made it apparent to me that some substitute must be found to fill the gap created by these reductions.

I introduce this legislation today in the hope of establishing a mechanism through which private enterprise and particularly small- and medium-sized U.S. companies can step in to fill at least a part of the void by operating through the profit motive. It should be made perfectly clear at the outset, however, that this legislation is not intended as a replacement for foreign aid, but simply as a supplement to it. Private enterprise can undertake many valuable functions in stimulating the economic development of underdeveloped countries, but it cannot be expected to undertake all of the foreign aid functions.

One of the most striking features of my legislation is that it establishes a quasi-public corporation to stimulate private investment in lesser developed countries which would revert to the control of private stockholders when all Government loans and guarantees have been repaid and the President makes a determination that the corporation is capable of remaining in existence without further U.S. Government assistance. In other words, my proposal is not merely a reshuffling of existing functions within the governmental structure—it is a serious attempt to tap the potential of the private sector and in more than a token fashion. This is what distinguishes my bill from others which have been submitted to Congress.

This concept extends to the financing of the corporation as well. Initial financing of the corporation would come from the transfer of the investment guarantee fund from the Agency for International Development to the corporation and from $25 million in annual congressional appropriations for a period of 4 years. Primary reliance for large scale and sustained capitalization would be placed on the public sale of stocks and bonds. Bonds would be guaranteed by the U.S. Government and would entitle the purchaser to one free share of stock. During its period under U.S. Government auspices, the corporation would also be authorized to borrow up to four times the value of public bonds. All money derived from Federal sources would, however, eventually have to be paid back through a requirement that at least 10 percent of the annual profits be placed in a sinking fund for this purpose.

Most of the Western European countries which have programs of aid to underdeveloped countries utilize a mechanism such as the quasi-public corporation I am today proposing to bring the private sector into the development field. Those functions which cannot be accomplished by the private sector are, in turn, handled by governmental agencies. Such arrangements are found in Germany, England, and France.

The corporation would be governed by a 14-member board. Five would be appointed from the business or financial community by the President. No more than three of these may be from the same political party. One of these would also serve as chairman of the board. Five would be elected by the shareholders. The remaining four members would be appointed from within the Government, including the Director of the Agency for International Development or its successor agency.

The corporation would establish an Investment Development Center—IDC—which would identify and evaluate investment opportunities in developing countries. The IDC would also furnish technical assistance and managerial expertise in the promotion, establishment and operation of economic development projects.

Many of the concepts for this corporation came from hearings I held last year on this subject as chairman of the Subcommittee on Foreign Economic Policy, Committee on Foreign Affairs.

U.S. private enterprise can provide key ingredients, namely capital, skills and technology so urgently needed in the less developed countries.

Since 1946, we have disbursed over $160 billion in foreign aid to 117 nations for economic and military purposes. Less than one-third has actually been for "economic development"; the larger percentage was disbursed in the rehabilitation of war-ravaged, previously industrialized nations. As most of the so-called less developed countries—now estimated to be 91 in number—have achieved independence only since 1960, it is evident that a small percentage of our aid has been devoted to their development. As our aid totals have been decreasing, it is also evident that smaller totals of our aid are being made available to the very areas that need it most.

Our current understanding of "developing" means simply that such a country is adjudged poor in economic terms. Among the many causes of this poverty should be mentioned such factors as rapid growth in population, shortages of basic foods, rapid urbanization, inadequate production, small exports, low rate of capital formation, and a scanty technology. Most needed of all for the less developed countries is an increase in their resources of skills and capital and, thereby, their ability to rely increasingly on themselves and less upon outside assistance. Essentially, economic development of a less developed country means an increase in per capita income—and this must come first of all by local private enterprise.

Currently the gap between the industrialized and the developing nations seems to be widening rather than narrowing. Note the difference between the United States and the developing countries of Africa, Asia, and Latin America. In 1960, the comparative GNP per capita was $2,800 for the United States versus $590 for the combined developing nations—a gap of $2,210. In 1965, the difference had increased to $2,735—United States, $3,500 and less developed countries, $765. Today with their exploding populations, the gap is close to $3,000 between the less developed countries and the United States.

The question of our investment, particularly by overseas firms, is important. At the end of 1966, our direct foreign investment outstanding was $54.5 billion, of which $21.5 billion—39 percent—was in the less developed countries. However, over 50 percent of our investment in the less developed countries was in petroleum, mining and smelting industries and only 25 percent in manufacturing. Since 1960, our total direct investment in the less developed countries has amounted to only $4.4 billion and is now leveling off at $250 million per year.

The World Bank has estimated that the less developed countries will need around $4 billion per year in aid and investment for some time to come to enable them to achieve a viable form of industrialization. This will come mostly from Government aid and international agencies. This is aid that is primarily devoted to the building of sound national infrastructures such as communication and transportation facilities, reclamation, hospitals and schools. In fact, this aid is a prerequisite for the ability to induce private capital to move into the less developed countries for purposes of industrialization and development.

This is where the rationale of my bill applies. American private enterprise—small or large scale—with its know-how, expertise, and machinery can contribute a most essential share in the development of the less developed countries. Among our nearly 500,000 private enterprises, only a couple of thousand have entered the foreign field. By means of my bill, the way will now be cleared for many more of them to participate in realistic measure in the development of those countries unable to raise themselves by their own bootstraps, as it were. Participation is the keyword, and my bill will make that possible. As you have noted, the initials of the organization of my bill calls for spell out, "We can do." That is the spirit behind my bill. Let us, with this bill, show what "We can do."

A summary and the text of the bill follow:

SUMMARY OF QUASI-GOVERNMENT CORPORATION BILL

This bill would establish a quasi government corporation with the following main features:

Function to stimulate private investment in underdeveloped countries;

Funding from sale of bonds to public, with some initial government loans and guaranties;

Reverts to control of stockholders when all government loans are paid and the President makes a determination that the Corporation is capable of remaining in existence without further US Government support.

FUNCTIONS OF THE CORPORATION

The Corporation is designed to stimulate an expanded flow of US private investments to developing countries and to encourage development of indigenous private organizations and institutions to contribute to economic development in such countries.

The Corporation would do this by operating the current investment survey program, and the specific and extended guaranty programs.

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It would also provide financial assistance to projects in which there is a substantial private participation, which appear to be financially sound, are potentially profitable, and offer reasonable prospect of repayment of their obligations.

The Corporation would provide assistance through a broad range of guaranties of investor loans, direct loans and, to a limited degree, by the purchase of minority equity participation.

It would in addition furnish technical assistance and managerial expertise in the promotion, establishment and operation of investment projects in underdeveloped countries.

Within the Corporation would be established an Investment Development Center to identify and evaluate investment opportunities in developing countries, to actively promote such investment opportunities in developing countries and to actively promote such investment opportunities within the US private sector.

SOURCES OF FUNDING

The primary source of funding of the Corporation would come from the sale of bonds to the public. These bonds would have a maturity of ten years or less, and be guaranteed for principal and interest by the United States Government. Each bond would also carry one share of common stock.

The Corporation would issue Common stock at par value of $2.50. Such stock would be eligible for dividends and would entitle the stockholder to voting rights.

The Corporation could also borrow from the United States at prevailing Treasury rates up to 4 times the amount of the value of its outstanding public bonds. Such loans would not be for longer than 10 years. For initial establishment and operation, the Corporation would receive $25 million a year Congressional appropriation, for each of up to the first four years of its operation.

The Corporation would be required, in addition, to put at least ten percent of its profits into a sinking fund to repay outstanding loans and bonds.

TRANSITION TO PRIVATE CONTROL

During its initial period of operation the Corporation will be governed by a 14 member Board of Directors, five members of which shall come from private life (including the Chairman) and be appointed by the President with the advice and consent of the Senate, (no more than three of these five may be from the same political party) four members of which shall be governmental personnel (one of whom shall be the Director of the Agency for International Development); and the other five members of which shall be elected by the share-holders.

At the time that 1) the United States Treasury has been reimbursed for all funds derived from United States Government sources, including guaranty funds, but minus any losses incurred; 2) appropriate measures have been taken to insure the payment of all outstanding government guaranteed bonds; and 3) the President has determined that the Corporation is capable of remaining in existence without United States Government support; the Corporation shall revert to the control of the stockholders and the President shall transfer the insurance guarantee functions to the appropriate governmental agency.

H.R. 11244

A bill to establish a World Economic Cooperation and National Development Organization to encourage the contribution of United States enterprise toward the economic development of less developed countries, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

CONGRESSIONAL DECLARATION OF POLICY

SECTION 1. (a) The Congress recognizes the vital role of free enterprise in the economic development process. Free enterprise contributes to achieving rising levels of production and standards of living essential to economic progress and development. It further contributes to the social and political growth of a society through the direct involvement of citizens. Such involvement is consistent with our domestic principles and with United States foreign policy objectives of a peaceful and prosperous world.

(c) The Congress hereby declares that it is the policy of the United States to establish a Corporation for private development dedicated to encouraging an expanded flow of United States private investments to developing countries and to encouraging development of indigenous private organizations and institutions to contribute to economic development of such countries.

ESTABLISHMENT OF CORPORATION

SEC. 2. (a) There is authorized to be created a World Economic Cooperation and National Development Organization (referred to in this Act as the "Corporation") which shall be an independent agency of the United States of America. The Corporation shall be subject to the provisions of this Act. The right to repeal, alter, or amend this Act at any time is expressly reserved.

(b) The principal offices of the Corporation shall be in the District of Columbia but the Corporation may establish such branch offices in other places as may be determined by the Board of Directors.

OFFICERS AND BOARD OF DIRECTORS

SEC. 3. (a) The Corporation shall have a Board of Directors consisting of individuals who are citizens of the United States.

(b) The President shall appoint five members from private life, by and with the advice and consent of the Senate, who shall collectively possess broad experience in various areas of economic development or in foreign business operations, one of whom he shall designate to serve as chairman, to serve for terms of five years. No more than three of five members from private life may be from the same political party. The terms of office of those first appointed as designated by the President at the time of their appointment shall expire as follows: Two after three years, two after four years, and the Chairman after five years.

(c) The President shall appoint four members from various United States agencies concerned with development to serve at the pleasure of the President, one of these to be the Director of the Agency for International Development or any successor agency.

(d) The Chairman of the Board shall serve as chief executive officer of the Corporation and shall receive compensation at the rate of $50,000 per annum. The members of the Board of Directors who are not officers or employees of the United States shall receive compensation for their services at a rate fixed by the Board of Directors, not to exceed $400 per diem when actually engaged in the performance of their duties as members of the Board.

(e) The Board of Directors shall provide for the appointment of such officers and employees of the Corporation as may be necessary for the conduct of the business of the Corporation, define their duties, and fix their compensation.

(f) Shareholders of the Corporation shall annually elect five of their number to serve on the Board of Directors of the Corporation.

(g) Before entering upon his duties, each of the Directors shall take an oath faithfully to discharge the duties of his office. A majority of the Board shall constitute a quorum, and the Board shall act by a majority vote. The Board of Directors shall adopt, and may from time to time amend, such bylaws as are necessary for the proper management and functioning of the Corporation.

(h) No director, officer, attorney, agent, or employee of the Corporation shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly personally interested.

FUNCTIONS

SEC. 4. (a) The Corporation shall provide direct financial assistance to economic development projects in which there is substantial private participation, which projects are determined to be financially sound and potentially profitable, and which offer reasonable prospect of repayment of financial assistance provided under this subsection. The Corporation shall provide assistance under this subsection through a broad range of guaranties of investor loans, direct loans by the Corporation and, when it deems advisable, by the purchase of minority equity participation. The Corporation may provide working capital loans to new businesses and to expand existing ventures which make an additional contribution to economic development. Financial assistance shall be made available under this subsection to supplement private sources of financing, when such private financing is not available on reasonable commercial terms.

(b) There are hereby transferred to the Corporation all functions delegated to the Administrator of the Agency for International Development by the President under titles III and IV of part I of the Foreign Assistance Act of 1961, relating to investment guaranties and survey of investment opportunities.

(c) Section 221(b)(2)(C) of the Foreign Assistance Act of 1961 is amended by striking out "75 per centum" and inserting in lieu thereof "90 per centum".

(d) Section 231 of title IV of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to general authority for surveys of investment opportunities, is amended by redesignating subsection (b) as subsection (c) and by inserting immediately after subsection (a) the following new subsection:

"(b) Notwithstanding the proviso contained in subsection (a), the President is authorized, subject to such regulations as he shall prescribe, to finance up to 75 per centum of the cost of a survey approved by him when he determines that such survey will be undertaken to investigate investment opportunities for a small or medium-sized company."

(e) The Corporation shall establish an Investment Development Center to identify and evaluate investment opportunities in developing countries, to actively promote such investment opportunities in developing countries, and to actively promote such investment opportunities within the United States private sector. The Center shall furnish technical assistance and managerial expertise in the promotion, establishment, and operation of economic development projects on such terms and conditions as it deems advisable. In carrying out its functions under this subsection the Center shall work with domestic, foreign, and international agencies, governments, business organizations, and financial institutions, as well as private entrepreneurs and corporations.

REPORTS TO CONGRESS

SEC. 5. (a) The President shall transmit to the Congress in January of each year a report which shall include a comprehensive description of the activities and accomplishments of the Corporation during the preceding fiscal year, together with an evaluation of such activities and accomplishments in terms of the attainment of the objectives of this Act.

(b) The Corporation shall transmit to the President and the Congress, annually and at such other times as it seems desirable, a comprehensive and detailed report of its operations, activities, and accomplishments under this Act.

(c) The Corporation shall give study to additional measures which would further promote the flow of private development assistance from the United States to developing areas of the world. It should prepare for transmission to Congress at the earliest possible date and from time to time thereafter the results of such studies, including legislative recommendations.

FINANCING

SEC. 6. (a) The Corporation is authorized to issue bonds for public sale. Such bonds shall be in such denominations and shall bear interest at such rate as the Corporation may deem appropriate. Each such bond shall bear a maturity date of ten years or less from the date of its issuance. Such bonds shall be guaranteed as to principal and interest by the full faith and credit of the United States until such time as the private shareholders assume full control of the operation of the Corporation.

(b) The Corporation is authorized to issue common stock for public sale. In addition, such stock may be issued in a ratio of one share of common stock for each bond sold under subsection (a) of this section. Each such share of stock shall bear a par value of $2.50, and shall be entitled to such voting rights, and eligible to receive such dividends, as may be provided by the bylaws of the Corporation.

(c) The Corporation is authorized to issue, in addition to the bonds and common stock referred to in subsections (a) and (b), such nonvoting securities, and other certificates of indebtedness as it may deem appropriate.

(d) The Corporation is authorized to borrow from the United States Treasury up to four times the aggregate value of bonds outstanding under subsection (a) of this section. Such loans shall bear interest at the prevailing Treasury rate for loans of comparable maturities. No such loan shall be made for a period in excess of ten years.

(e) The Corporation shall set aside, as a reserve to repay outstanding bonds, not less than 10 percent of the profits derived by the Corporation from its activities under this Act.

(f) There is authorized to be appropriated $25,000,000 annually for initial operating costs of the Corporation for each of the fiscal years 1970, 1971, 1972, and 1973. At such time as the Corporation reverts to the control of its shareholders, all funds received by the Corporation from the United States, including guaranty funds (minus losses), shall be repaid to the United States.

SUPERVISION OF NEGOTIATIONS

SEC. 7. Whenever the Corporation shall enter into negotiations with any international or foreign entity, it shall notify the Department of State of the negotiations, and the Department of State shall advise the Corporation of relevant foreign policy considerations. Throughout such negotiations the Corporation shall keep the Department of State informed with respect to such considerations. The Corporation may request the Department of State to assist in the negotiations, and that Department shall render assistance as may be appropriate.

EXECUTIVE RESPONSIBILITY

SEC. 8. The President shall—

(1) coordinate the activities of governmental departments and agencies with responsibilities in the field of foreign affairs, so as to insure that there is full and effective compliance at all times with the policies set forth in this Act; and

(2) exercise such supervision over relationships of the Corporation with foreign governments or entities or with international bodies as may be appropriate to assure that such relationships shall be consistent with the national interest and foreign policy of the United States.

POWERS OF THE CORPORATION

SEC. 9. The Corporation—

(1) shall have the power to adopt, alter, and use a corporate seal, which shall be judicially noticed;

(2) shall have the power to make and perform contracts with any individual, corporation, or other body of persons whether within or without the United States of America, and with any government or governmental agency, domestic or foreign;

(3) shall have the power to determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid;

(4) may employ and fix the compensation of such personnel as it deems necessary to carry out its functions under this Act;

(5) shall have the power to acquire by purchase, devise, bequest, or gift, or otherwise lease, hold, and improve such real and personal property as it finds to be necessary to its purposes, whether within or without the United States, and in any manner dispose of all such real or personal property held by it, and use general funds or receipts arising from the disposition of such property;

(6) shall be entitled to use the mails of the United States in the same manner and on the same conditions as the executive departments of the Government;

(7) may, with the consent of any board, corporation, commission, independent establishment, or executive department of the Government, including any field service thereof, avail itself of the use of the information, services, facilities, officers, and employees thereof in carrying out the provisions of this Act;

(8) may accept money, funds, property, and services of every kind by gift, devise, bequest, grant, or otherwise;

(9) may sue and be sued, complain, and defend, in its corporate name in any court of competent jurisdiction; and

(10) shall have such other powers as may be necessary in order to carry out its purposes under this Act.

AUDIT

SEC. 10. At the end of each fiscal year, the financial transactions of the Corporation shall be audited by the Comptroller General of the United States in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the Corporation are normally kept. The Comptroller General shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation and necessary to facilitate the audit, and he shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians.

TRANSITION TO SHAREHOLDER CONTROL

SEC. 11. (a) At such time as the President determines that the Corporation is capable of continuing its operations without financial support from the United States, that the United States has been reimbursed for all funds received by the Corporation from the United States (minus losses), and that the Corporation has made adequate provision for the redemption of all outstanding bonds issued by the Corporation and guaranteed by the United States, the President is authorized to provide for the transfer of control of the Corporation to its private shareholders.

(b) At the time of transfer of control to private shareholders under this section, the President shall transfer the guaranty functions of the Corporation to an appropriate Federal agency and shall make such provisions as he deems necessary to terminate benefits accruing to the Corporation as an agency of the United States, including but not limited to the use of the mails in the same manner as an executive department.

FUTURE OF THE FOOD STAMP PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Missouri (Mrs. SULLIVAN) is recognized for 30 minutes.

Mrs. SULLIVAN. Mr. Speaker, I was in the Canal Zone last week, holding hearings by my Subcommittee on the Panama Canal of the House Committee on Merchant Marine and Fisheries, when the President and his Secretary of Agriculture revealed their long-awaited views on the future of the food stamp program. This is the first opportunity I have had to review those recommendations and comment on them.

First of all, I want to say that I am glad that the new administration recognizes the great value of the food stamp approach to the problems of malnutrition in this country. The previous Republican administration not only opposed passage of any food stamp legislation from 1954 onward, but refused to put into operation the Food Stamp Act we did enact in 1959. I think every single Republican Member of the House Committee on Agriculture, and nearly all Republicans in the House, voted against the Food Stamp Acts of 1959 and 1964, and most of them also opposed the extension and improvement of the 1964 act in 1967 and 1968. Only about 30 or 35 Members of the President's party in the House joined in the successful effort we made here last year to remove from the law the arbitrary ceilings on appropriations when the bill first passed the House.

Had the open-ended authorization agreed to in the House bill last year also been accepted by the Senate, or at least by the conferees from the Senate Committee on Agriculture, nearly every single recommendation made by President Nixon and Secretary Hardin last week for changing or improving the food stamp program could now be put into operation without changes in the basic law, assuming the additional funds needed can be obtained in appropriation bills.

The only exception involves the new proposal to permit side-by-side operation of Federal surplus food distribution programs in the same counties or localities in which there are food stamp projects. Present law requires the termination of direct distribution of surplus foods once a food stamp project begins. This has always been a subject of much controversy; there are good arguments on both sides.

VERY SUBSTANTIAL INCREASES IN FUNDS NEEDED

On the main issue of expanding and improving the program to provide more food to participating families at less cost than they now pay for food stamps, it will be necessary to amend the Food Stamp Act to increase the authorization for fiscal 1970 to at least $610 million from the present ceiling of $340 million if the Nixon administration's recommendations are to be put into effect. And for

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fiscal 1971 and thereafter, about $1 billion more would be needed.

One question in my mind is whether the administration intends to ask for legislation to raise the ceiling, or to eliminate them—as we tried to do here last year. I sincerely hope that the administration's decision is to try to remove the arbitrary limitations on appropriations for this program so that Congress each year can appropriate whatever amount is necessary to operate the program effectively, rather than be held to a ceiling which is out of date before it is even enacted.

That is what happened in 1964, in 1967, and in 1968. The limitations imposed on appropriations under those three authorization acts have always been too low to permit expansion of the program into all the areas which had applied for it and wanted it and were ready to put it into operation.

Further, from the moment this program started as a pilot operation in early 1961, the purchase requirements have been too high and the value of the coupons issued to most families too low to comply with the intent of the program. The purpose of the food stamp program has been to assure an adequate diet for each member of every participating family, and to provide this food purchasing power for the same amount of money such a family would normally be expected to spend for food out of its limited income. Those, in fact, are the standards laid down in the 1964 act.

AGRICULTURE DEPARTMENT POLICIES ALWAYS WERE TOO RESTRICTIVE

The Agriculture Department has always administered the program on standards a little different from those set down in the law. Never sure in advance how many persons would actually be participating, because of changing economic conditions, and mindful of the requirement of the law that if monthly costs exceeded the annualized appropriation figure, everyone participating in the program would have his coupon allotment reduced proportionately. The Department has always charged most families for their food coupons more than they felt they would normally spend for food and gave them in return somewhat less in food purchasing power than the family actually required for a good diet.

For the families participating, the program has meant a great improvement in nutrition and in food purchasing power. Most participating families—certainly most of them in my city of St. Louis—have been deeply grateful for this extra help in achieving a better diet. Their letters of appreciation are truly heartwarming. On the other hand, most of the complaints about the program—about the cost of the stamps or the amount of food the stamps buy—have come not from those participating, but from those who are eligible to join in the program and have not done so. Often, they are not taking part because they were misinformed about the requirements. In other instances, they say frankly that they would rather eat less than others do and have more money out of their limited incomes to spend on things which they prefer to food. This is their right, of course, although it is unfortunate that children in such families are the ones who suffer when the family, by choice, puts a higher priority on other items and skimps on food.

Nevertheless, even for the great majority of the families receiving food stamps each month, the program is not giving them as much assistance as the law intended they should derive from it. I have emphasized this point over and over in every debate we have held in the House on this issue, in order to bring home to my colleagues the fact that we were just not appropriating sufficient funds to make the program as good as it is supposed to be.

As all of the Members know who served in the 88th, or 89th Congresses, we could not get sufficient votes to take off the restrictive ceilings on appropriations, and when we did succeed in doing that here in the House in the 90th Congress, we lost that fight in conference. Therefore, we could never appropriate enough funds to carry out the improvements Secretary of Agriculture Orville L. Freeman wanted to make.

MANY SIMILARITIES TO SECRETARY FREEMAN'S SUGGESTIONS

Mr. Freeman always favored an open-ended authorization and asked for substantially more funds for this program than Congress ever gave him. I call attention to Mr. Freeman's final report to Congress on the food stamp program, which I placed in the Congressional Record on April 2 at pages 8404 through 8407. In all of the dozens of news articles on the hunger situation, I have seen no mention whatsoever of the analysis made by the previous Secretary of the shortcomings and needs of the program as outlined in this report he made to Congress as required under the 1968 act.

Now the new administration seeks to do some of the things Mr. Freeman was not permitted to do. And, from what I have read since returning to Washington, I gather that many of those who opposed Secretary Freeman's proposals for the program now hail his successor's proposals as a "breakthrough" in recommending:

First. Expansion of the program to far more areas;

Second. Increasing to at least $25 per person per month the value of the food stamps available for each participant;

Third. Limiting to 30 percent of income the portion of a family's own funds it would have to spend for the stamps;

Fourth. Free stamps for the very poorest families—those whose incomes are in the neighborhood of $30 a month or less;

Fifth. Expanding the "outreach" efforts of the program to locate eligible families and bring them into the program; also, stepping up the nutrition education efforts of the Extension Service in teaching participating families how to use their stamps more effectively and get value received for their coupons.

Every one of these things can be accomplished under the present law if sufficient funds are appropriated. But the funds cannot be appropriated until the unrealistic ceiling of $340 million for the coming fiscal year is raised or eliminated.

FREE SURPLUS FOOD VERSUS FOOD STAMPS WHICH COST MONEY

Then there is, as I mentioned earlier, the additional Nixon administration suggestion that food stamp and direct surplus distribution programs be permitted to operate side by side in the same localities. This would, as I said, require a change in the law.

If low-income families have a choice between the two programs, many of those families which are most in need of better diets for the children will, unfortunately, choose to take the free food handouts instead, under the direct distribution program. When we went on food stamps in St. Louis in 1963, under the pilot program then in operation, many families which had been living on the free monthly food parcels of flour, dried milk, powdered eggs, corn meal, peanut butter, lard, and similar fare were bitterly disappointed that they had to begin to pay some of their own money for food stamps when they were used to getting nearly all of their food free. Limited and unsatisfactory as the free food was in variety, and nutritional qualities, it was preferred by many families to a good, well-rounded diet which cost them some of their own money.

This can be a real problem in an area where both programs operate simultaneously. Why spend money for food stamps when you can get food free? Those most likely to take that attitude are families which are most in need of better diets.

In any event, Secretary Hardin, in putting together the administration package of ideas for improving the levels of nutrition in the United States testified in the Senate last week that at least $270 million more would be needed in the coming fiscal year than the present law permits to be appropriated, if the improvements in existing food stamp projects are to be put into operation. If new areas are to be added, as everyone desires, he said an additional $1 billion over present ceilings would be needed.

MANY OF US PREPARED TO HELP ACHIEVE IMPROVEMENTS

As I have said on numerous occasions since January 20, if the new administration plans to fight for much higher appropriations, I will be glad to do everything I can to help. I reiterate that offer. I am sure the other Members who joined me last year in cosponsoring the bill we passed to take off the ceilings would be willing to join once again in such an effort, if the new administration will back us up and provide some help.

There were more than 130 House Members among the cosponsors last year—more Members than have cosponsored any other bill ever introduced in the House. I am sorry to say that not very many of them were from the Republican side. But this has never been a partisan issue, and I have not tried to make it one. I have repeatedly singled out Congressman John P. Saylor, of Pennsylvania, as the first, and for a long time the only Republican House Member who completely endorsed this idea, along with Senator George Aiken in the Senate, from the start of my efforts beginning in 1954 to get through the first Food Stamp Act which eventually became law in 1959. Some other Republicans have

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joined in this effort, and I have always welcomed their assistance. I trust now that their numbers will be greatly increased in support of their own administration.

To all of the cosponsors of the 1968 act, I want to say that the act as it now stands can accommodate virtually all of the improvements Secretary Hardin wants to put into effect.

THE ISSUE OF FREE STAMPS

That is not to say, however, that I endorse every one of those proposals. I do not endorse the idea of free stamps. The present law does not preclude giving free stamps to any family which would have so low an income that it would not normally be expected to spend any money for food. The Washington Post this morning reported that some individuals in the District of Columbia with zero income now get free food stamps. But I think every family, no matter how destitute, now spends something for food. It may be more than it can afford. But I think it should be something—at least a token payment, no matter how small. At present a family with an income of $30 a month in the South, or $20 in the North, pays 50 cents per person, up to a maximum of $3 per family, for an entire month's supply of food coupons.

If there are people who do not have 50 cents for a whole month's supply of food, or a family of six, eight, ten, or more which cannot scrape together $3 a month for a good diet, then some agency of the Federal, State, or local government, or some private charity, or some relative, or someone, has the obligation to make sure that such an individual does get his hands on 50 cents a month, or that family does get $3 somewhere, to buy enough food to eat properly for a month. This is the best food bargain in the entire world.

If people could have a blank check for a free choice of $25 worth of food per person in any grocery store each month, and pay absolutely nothing for it, irresponsible use of the stamps could destroy the integrity of the whole program. At least now, when some families use their food stamps less intelligently than they perhaps should, they are spending money of their own as well as the supplementary coupons. But if you say to low-income families that it is the Government's duty to feed them free—give them free choice of any domestic food items they want to buy in the grocery store without any charge to them—who could justifiably complain if the recipients then spent whatever money they had of their own for whisky, beer, cigarettes, gambling, or anything else? After all, it would be their money to spend as they please without having to worry about using any of it to buy food, because the Government has to give them all the food they need.

How do we teach any sense of personal financial responsibility, to people who need such instruction, if they are entitled by right and by law to all the food they require for good nutrition regardless of how they spend, or waste, their own funds?

I realize we are talking now about very little money in relative terms. So few families would qualify for free food stamps that the total dollar cost would be low in a program of this magnitude. But the moral cost would be high, I am afraid.

FOOD STAMPS VERSUS GIFTS OF MONEY

But that is a side issue, a minor one, compared to the major issue of appropriating sufficient funds to make this program work as effectively as it can and should work.

If the new administration is sincere in its desire to make the program more effective, it will have every help I can give it.

At the same time, however, I am worried over the comments attributed to Secretary of Health, Education, and Welfare Robert Finch, that the proposed administration improvements in the food stamp program would be of only short duration, pending a complete revamping of the entire welfare program so that, instead of giving food assistance to families unable to afford an adequate diet, we will just give them more money to spend as they please.

Such a policy would undoubtedly help many of the working poor who do not now earn enough to enjoy a proper diet and adequate living standards, even by working hard. To help such families, minimum wages must continue to rise as living costs do. Also, their tax burden should be reduced. But you would find it very difficult to get legislation through Congress to give low-paid workers a direct Federal handout of money to spend as they like. On the other hand, everyone can see the value of providing special help in meeting the cost of decent housing and medical needs and enough food. That is why we have been able to enact such programs as food stamps, rent supplements, and medicaid.

Everyone on social security should be enabled to live decently on their annuities. The payments have never been high enough to achieve that goal. We all know how hard it is to get the necessary legislation through to increase monthly benefits. Yet no one objects to helping those on social security to meet rent or food or medicare costs.

But many of the poor in this country who do not work or cannot work and never have worked—who have always lived on welfare and have never enjoyed an adequate standard of living—cannot just be handed a blank check and expected to spend it for those things we know they need most. That has been the lesson of our whole welfare program in recent decades. Many of these people must be taught how to add and subtract, how to shop, how to buy the right kind of foods, how to avoid being cheated. The war on poverty was intended to accomplish this purpose. It has made some headway, but not enough. Our obligation to these people is to try to bring them into the mainstream of middle-class America. But our more immediate obligation—a pressing and urgent one—is to make sure that in the meantime their children do not suffer and fall ill or die from malnutrition and neglect.

Even though it goes against the grain of the Department of HEW, as it always has, the food stamp program goes directly to this problem of underwriting minimum standards of nutrition by earmarking for food—and for nothing but food—some of the Government assistance that a welfare mother who is perhaps illiterate or semiliterate might otherwise spend for less urgent purchases.

NEED TO TEACH POOR FAMILIES WHAT TO BUY

I am glad the Nixon administration decided, at least for the time being, against trying to transfer responsibility for the food stamp program to HEW. HEW flatly opposed the food stamp idea in a report to Congress back in 1957, and, as shown by the recent comments of Secretary Finch, it still prefers straight money grants to the very poor unencumbered by any restrictions on how they are spent.

If hunger and malnutrition concern us, as I know they do, then we must use our abundance of food to make sure all who are suffering from malnutrition have food first—before anything else they might prefer to buy.

Just as free handouts of all the food a family needs are a mistake, in my opinion, if there is no way of assuring that the family uses its own limited resources for other necessities, so a handout of money without strings, without restrictions, without assurances of how it will be spent to clothe and shelter and sustain the children, is also in my opinion a grievous mistake.

Mr. Speaker, we can outlaw hunger in America, as the food stamp program has been intended to do, but we can do so only if we seize the opportunity now presented to us to teach very low-income families not only how to eat properly but what to buy, and how to live. We have career welfare families onto the third generation, living in abject misery, because we merely gave these families money without guidance. Nothing in the background of many of them had ever taught them how to spend this money reasonably well. The food stamp program has been teaching many such families for the first time how to set aside a certain amount each month for food, and for nothing but food. Rent supplements can also be used to help them budget for shelter. Poor families with young children must learn also how to budget for shoes and clothing.

Everything else is secondary. Yet the poorest families are often those which are enticed into buying expensive stereos or television, and used cars in deplorable condition, and other items which they just cannot afford except by neglecting the basic needs of food, shelter, and essential clothing.

The great majority of the people on the food stamp program already know how to stretch their limited incomes to meet their basic needs but cannot afford sufficient food without some extra help. Anything done to increase their incomes will be of great and lasting benefit to them. They will know how to spend any extra money they receive. But let us not forget that those hunger case histories which have made the most horrifying television spectacles, and the most disturbing articles in the newspapers and magazines, usually involve families which are not skilled in spending a dollar once they do get it.

The malnutrition of their children is a shocking rebuke to every well-fed American. But merely giving these fam-

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ilies some money will not by itself solve the problem. Giving them the opportunity and incentive to buy the right food, at a cost they can afford, can point the way to ending hunger and malnutrition in this country.

Therefore, the most important task in improving the food stamp program for those in the lowest income levels is to provide sufficient food purchasing power to enable them to eat properly and then give them some guidance in spending the coupons for the right foods. This will cost far more than we have been appropriating for food stamps, but it must be done.

Let us get on with that challenge.

THE TOBACCO AND HEALTH CONTROVERSY

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, recent hearings conducted by the House Interstate and Foreign Commerce Committee on bills affecting the tobacco industry resulted in an astonishing amount of illuminating information which indicates that tobacco has been cast in an undeserved role. Among other things eminent pathologists confirmed that it is impossible in autopsy to differentiate the lungs of smokers and nonsmokers either by casual observation or microscopically; that claims of ill health and lost man-days work from smoking have been the result of poorly constructed statistical studies which actually fail to bear out the claims attributed to them; that officials of the American Heart Association testified that no causal relationship has ever been established between heart disease and smoking; that the Institute of Allergies and Infectious Diseases of the National Institutes of Health has said that the cause or causes of emphysema remain unknown.

The above are a few of the revelations disclosed by the hearings and I cannot overencourage my colleagues to review the hearings as soon as they are in printed form. Certainly the evidence disclosed supports the preemption set by the Congress in the present Tobacco Labeling Act and my bill, H.R. 6545, which supports the continuation of the preemption after June 30, 1969.

Probably no industry in the history of our country has been maligned to the extent experienced by the tobacco industry. On the other hand, it is refreshing to note the various editorials which point out the simple fact that no conclusive proof has ever been offered linking cigarettes to any of the many diseases attributed to it. An editorial in the Salt Lake City Utah Tribune of April 22, 1969, contains a significant paragraph which I would like to quote:

> The fact that nobody has seriously suggested declaring tobacco a dangerous and illegal narcotic suggests that those seeking to discourage its use by flanking attacks don't have enough factual ammunition for a direct frontal assault.

The entire editorial is printed below:

Tobacco Is Still Legal

As senators and individuals Sens. Wallace F. Bennett and Frank E. Moss have every right to believe that smoking is a serious health hazard. They are on solid ground in attempting to warn the public of the alleged dangers. And, if they really believe in their cause they should work to have tobacco placed on the list of harmful narcotics and made illegal.

As things now stand, tobacco growing and smoking are both entirely legal. Tobacco farmers, like sugar beet farmers, benefit from government programs. By Sen. Bennett's figures some 650,000 families are engaged in the production of the U.S. tobacco crop. Many others throughout the country earn a living in some phase of tobacco processing and marketing.

As one way of discouraging smoking, Sen. Bennett has cosponsored legislation to phase out price supports for tobacco producers over a four-year period beginning in 1970 and to prohibit use of government funds to advertise tobacco.

Sen. Moss is attempting to have cigarette advertising banned from television. If the Utahans prevail a perfectly legal product would be discriminated against in the production stage and later in marketing. Is it too much to suggest that someday the buying and selling of tobacco company stocks might likewise be curbed by government? Or that price supports for grains going into whisky production will be withheld? Or that the government would in no way assist in the promotion of California wines in Europe?

The tobacco industry dates from Colonial times. Tobacco has long been recognized as a major agricultural crop. So long as it is legal, tobacco is entitled to the same government support and assistance as sugar beets (which can be converted to alcohol), corn (a source of liquor) or cotton. If the use of tobacco is indeed as harmful as Sens. Bennett and Moss and a lot of other people are coming to believe then the forthright thing to do is declare it off limits like marijuana.

The fact that nobody has seriously suggested declaring tobacco a dangerous and illegal narcotic suggests that those seeking to discourage its use by flanking attacks don't have enough factual ammunition for a direct frontal assault.

Mr. Speaker, from my perusal of editorials over the past several months that have appeared in newspapers throughout the United States, it is obvious that thinking people object to that paternalistic attitude of various government agencies on the subject of smoking and have spoken out clearly on the subject. At this point in the Record, I include a representative group of such editorials for the information of my colleagues:

[From a KOOL Radio–TV editorial, Feb. 11, 1969]

Tobacco companies spend more than 200 million dollars a year advertising on radio and television. That's a lot of money, and because it is, there will be many who think that's the only reason for this editorial. They will be wrong.

Personally, I don't smoke. I used to smoke as many as three packs of cigarettes a day. However, I made the decision not to smoke about ten years ago.

We don't believe that cigarettes are beneficial. We don't know anyone who says they are. However, and we know this is not the popular thing to say, the truth is that no one has ever proven that cigarettes are harmful or that they are the cause of any disease. In fact, there is a large body of research, although little publicized, that indicates cigarette smoking to be relatively harmless.

The Federal Government encourages the production of tobacco by subsidies to growers. In fiscal 1968, the government paid out 61 million dollars in price supports. We sent nine and a half million pounds of tobacco to Viet Nam under our food for peace program. Last year, federal, state and local governments collected from the sale of cigarettes four billion, 96 million, 696 thousand dollars in taxes, of which two billion, 66 million went to the Federal Government.

These are some of the reasons we believe it is wrong for the government to say that cigarettes, a perfectly legal product whose production is encouraged by government, from whose sale the government collects billions in taxes, cannot be advertised on radio and television. Now, if the government really believes that cigarettes cause disease and death, then let's make it illegal to grow tobacco and sell cigarettes. Let's not be hypocritical and widen the governmental credibility gap.

[From the Phoenix, (Ariz.) Gazette, Feb. 25, 1969]

Cigarettes and the Airways

At the core of the Federal Communications Commission defense of its proposed ban on all cigarette advertising over the airways is the following argument:

The obligation is imposed upon broadcasters to operate in the public interest one of the foremost facets of which is health. "It would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of the product (cigarettes) posing . . . a danger measured in terms of an epidemic of deaths and disabilities."

The rebuttal to that FCC syllogism which is most often heard has been that the evidence that cigarettes cause cancer is still inconclusive. It is hardly in keeping with American legal traditions to deal out punishment—as cigarette manufacturers would be punished by such a ban—on the basis of inconclusive evidence.

While this rebuttal may be valid, it nevertheless bypasses the real issue that is involved in the proposed ban. That is, how can a government agency outlaw the principal marketing method used by a product's manufacturers when that product is perfectly legal as a saleable item? There is no law against the sale of cigarettes, thus there should be no more restrictions placed on its mode of advertising than should be placed on cars, mouthwash or lawnmowers.

Spokesmen for the FCC can line up their arguments in defense of the ban until they stretch from the deep South to Washington D.C., but those arguments must still be labeled irrelevant unless Congress declares cigarettes illegal.

And if the FCC attempts to impose its ban despite congressional inaction in the matter, then Congress should, in turn, overrule the commission.

[From the Alhambra (Calif.) Post-Advocate, Feb. 21, 1969]

Ad Ban Is Unconstitutional

Understating the issue, the plan of the Federal Communications Commission to bar cigaret advertising from radio and television is arrogant, high-handed and unconstitutional.

FCC is taking the draconic step because it believes cigaret smoking is hazardous to health. The truth is that the exact effect of smoking has yet to be fully determined.

At the present time the smoking of cigarets is as legal and proper as the sipping of California wine, the drinking of liquor or beer or the driving of a car. It can be proved statistically that automobile accidents kill 50,000 persons a year in the United States.

So long as smoking is legal, the tobacco manufacturers, wholesalers and retailers have the same right to freedom of expression guaranteed in the First Amendment as all Americans do.

Advertising is free speech whether it is a television cigaret ad, a placard carried by a picket or a political speech. Its use should be left to the ethics and the judgment of the communications media.

The FCC ban is plain bureaucratic arrogance.

Congress passed a law in 1965 banning further restrictions upon cigaret advertising. The law expires June 30—the day the FCC ban is designed to take effect. This is an unwarranted pressure upon Congress to enact further restrictions.

The dangers of smoking remain to be seen. There can be no doubt as to the dangers to a free society if the FCC ruling stands.

[From the Phoenix (Ariz.) Republic, Feb. 7, 1969]

FCC's Health Role

The proposal by the Federal Communications Commission for an eventual ban on television and radio of all cigarette advertising is certain to raise a storm, not only in Congress, with which final decision on the proposal would rest, but in the courts, to which the matter would be brought by the cigarette companies if Congress OKs the ban.

The attempted proscription against TV and radio advertising of cigaretttes is prompted, of course, by the results of numerous scientific studies which show that cigarette smoking does exert a deleterious influence on the heart, lungs, and blood vessels of the smoker. We doubt, however, if prohibiting cigarette advertising on TV and radio will have much effect on the nation's smoking habits. For example, hard liquor isn't advertised over the air, but millions still drink it.

Further, the banning of cigarette advertising alone is not enough. To be really effective in safeguarding the nation's health, the ban also should include cigars and pipe tobacco. A recent report from the University of Washington in Seattle shows that pipe and cigar smokers have a higher incidence of kidney cancer than do non-smokers, or even cigarette smokers. Obviously, the FCC has to go beyond cigarette smoking if it is going to play the role of guardian of the nation's health habits.

But none of the medical authorities who object to smoking has yet found in tobacco the causative factor that produces cancer. There are a lot of other things—foul air, polluted water, prepared foods, etc.—that may be to blame. Statistical evidence is convincing, but it is not proof positive that smoking tobacco causes cancer.

The real danger in the action contemplated by the FCC is that it opens a Pandora's box. Suppose the commissioners become convinced that automobile exhausts are bad for the health—and they certainly can't be good. Would it then be justified in telling the radio and TV stations that they can't run auto ads?

[From the Corona (Calif.) Daily Independent, Feb. 17, 1969]

The Cigarette Ad Ban

The Federal Communications Commission has raised a serious constitutional question by its proposal to prohibit the broadcast of cigarette advertising on radio and television.

There is no proposal to ban such advertising in newspapers or magazines. Any such effort would be struck down immediately in the courts as a violation of the First Amendment to the Constitution which, among other things, prohibits the government from passing laws interfering with freedom of speech and press.

The difference here is that newspapers and magazines are privately owned and produced in plants which are privately owned and there can be as many such institutions as the traffic will bear.

Radio wave lengths and television channels are presumed to belong to all the people and are limited in number, hence parceled out to applicants by the federal government and subject, in the person of the FCC, to some federal regulation.

We are quite willing to accept evidence of the relationship between lung cancer, heart and respiratory diseases and smoking. While the evidence may not be absolutely conclusive, it certainly has become overwhelming.

However, there is overwhelming medical evidence that the over-use of alcohol can produce cirrhosis of the liver, which can become fatal, and that alcoholism is a major social problem in the United States, far more serious, as a matter of fact, than is the use of narcotics and dangerous drugs.

In terms of social consequences, alcoholism is far more of a public concern than smoking.

Yet the use of alcohol is perfectly legal and practiced in varying degrees by a substantial majority of the people, and the idea of making smoking illegal has undoubtedly never been given serious consideration by any legislative body in the United States.

Prohibition was tried once in this country and was a colossal failure.

So how far should the government go in being its individual citizen's keeper? Dying of lung cancer, while one of the more terrible ways to die, doesn't create a social problem. We all must die. Social problems arise when alcoholics have to be institutionalized, and often becoming public charges! A heavy smoker may keep his wife awake all night with his coughing, but that can be solved by using another bedroom, rather than his becoming a public charge.

Several years ago we watched Bertrand Russell being interviewed on television. This was about the time when the relationship between lung cancer and tobacco was starting to be widely publicized. He being a celebrated British scientist as well as a philosopher, he was asked about his smoking. His reply made a lasting impression on us. He said:

"I understand the problem and am impressed by the evidence, but why should I give up something which gives me great satisfaction for the dubious privilege of living perhaps an extra four years in a nursing home?"

[From the Burbank (Calif.) Review, Feb. 22, 1969]

Arrogant Action

Understating the issue, the plan of the Federal Communications Commission to bar cigarette advertising from radio and television is arrogant, high-handed and unconstitutional.

FCC is taking the step because it believes cigarette smoking is hazardous to health. The truth is that the exact effect of smoking has yet to be fully determined.

At the present time the smoking of cigarettes is as legal and proper as the sipping of California wine, the drinking of liquor or beer or the driving of a car. It can be proved statistically that automobile accidents kill 50,000 persons a year in the United States.

So long as smoking is legal, the tobacco manufacturers, wholesalers and retailers have the same right to freedom of expression guaranteed in the First Amendment as all Americans do.

Advertising is free speech whether it is a television ad, a placard carried by a picket or a political speech. Its use should be left to the ethics and the judgment of the communications media.

The FCC ban is plain bureaucratic arrogance.

Congress passed a law in 1965 banning further restrictions upon cigarette advertising. The law expires June 30—the day the FCC ban is designed to take effect.

The dangers of smoking remain to be seen. There can be no doubt as to the dangers to a free society if the FCC ruling stands.

[From the Escondido (Calif.) Times-Advocate, Feb. 14, 1969]

Opinion: Smoke Screen

Smoking cigarettes may sometimes cause disability or death. The Federal Communications Commission wants to ban cigarette advertising on radio and television.

Driving automobiles may sometimes cause disability or death. The FCC has not yet suggested a ban on automobile advertising.

By proposing to scuttle cigarette commercials, the FCC seeks to improve the nation's health. A commendable goal. We wonder, though, whether the ban would really do much to cut tobacco consumption and whether it isn't an infringement of the right of free expression.

To begin with, only radio and TV would be affected. Cigarette promotion would continue on billboards, in publications and on point-of-purchase displays.

Advertising of a commodity like cigarettes does not, it's generally believed, increase the market. It only affects the competitive position of various brands. If this is true, a cessation of broadcast advertising wouldn't do much to decrease the market.

Stations which now run cigarette commercials must also run public service warnings that smoking is a health hazard. As a whole these are well done and thought provoking. And they are an extension of free speech rather than a denial of it.

If the sale of a commodity is forbidden by law, advertising it should also be forbidden. But if its sale is permitted, inducing people to buy one brand over another should also be permitted.

[From the San Clemente (Calif.) Sun-Post, Feb. 18, 1969]

Freedom's Not for Burning

The Federal Communications Commission voted 6-1 to ban cigaret advertising on radio and television. If it gets away with that arrogant stand, a part of every American's freedom will go up in smoke.

If, for example, Congress lets the commission muzzle broadcast advertising for cigarets, what is to stop it from banning the huckstering of other proved or assumed hazards to life and health, such as autos, fats and sweets?

No one is forcing Americans to smoke cigarets, nor are they being denied access to warnings about the possible perils of smoking. In effect, the FCC is saying the public is a boob and must be protected from its own gullibility and lack of character.

Nuts to you, Big Brother. And here's hoping Congress administers such an ear-boxing to the agency that it will forever repress its pipe dreams of playing public censor.

[From the San Diego (Calif.) Tribune, Feb. 14, 1969]

FTC Ban on Ads for Cigarettes Would Violate Individual Rights

A recent Federal Communications Commission proposal to prohibit broadcast on radio or television of cigarette advertising has raised questions as to the constitutionality of such a rule.

Significantly, there has been little more than mild protest from those most affected, the broadcasters and the tobacco companies.

The broadcasters have few qualms about their ability to fill the revenue gap the loss of cigarette advertising would bring.

In all probability, if the new regulation is made effective, the constitutional challenge will come from the advertising agencies who arrange for the cigarette company commercials. They would be hardest hit by the broadcast ban.

The action taken by the FCC, according to the commission, was due to federal studies, which show "a serious unique danger to public health" from cigarette smoking.

Commission Chairman Rosel H. Hyde said the regulation would be effective July 7 unless Congress takes contrary action.

The Cigarette Labeling and Advertising Act of 1965 restrains any agency from regulating cigarette advertising. The same act provided for a printed warning on cigarette packages as to health hazards involved in smoking. The act expires July 1.

Constitutional objections to the new pro-

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posals will be based on the Bill of Rights, primarily the amendment guaranteeing freedom of the press. The question of discrimination will also be raised since no restrictions are contemplated on advertising in media other than broadcasting.

While most Americans, including confirmed smokers, can do without the often inane commercials currently the rage among cigarette manufacturers, we must also object to increased meddling by government in what can only be considered a matter of personal choice.

Even if we accept without reservation the conclusion that smoking causes cancer, we must also recognize that it is not illegal.

Until Congress sees fit to call for a constitutional amendment outlawing cigarettes, the government should not meddle with personal freedom. Experience with the attempt to prohibit use of alcoholic beverages makes that improbable.

Banning cigarette advertising is no more logical than prohibiting the advertising of autos—machines that have also proved to be "a serious, unique danger to public health."

[From the San Diego (Calif.) Union, Feb. 19, 1969]

ARROGANT ACTION

Understating the issue, the plan of the Federal Communications Commission to bar cigarette advertising from radio and television is arrogant, high handed and unconstitutional.

FCC is taking the draconic step because it believes that cigarette smoking is hazardous to health. The truth is that the exact effect of smoking has yet to be fully determined.

At the present time the smoking of cigarettes is as legal and proper as the sipping of California wine, the drinking of liquor or beer or the driving of a car. It can be proved statistically that automobile accidents kill 50,000 persons a year in the United States.

So long as smoking is legal the tobacco manufacturers, wholesalers and retailers have the same right to freedom of expression guaranteed in the First Amendment as do all Americans.

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The dangers of smoking remain to be seen. There can be no doubt of the dangers to a free society if the FCC ruling stands.

[From the Santa Ana (Calif.) Evening Register, Feb. 18, 1969]

DO AS I SAY?

We note that the Federal Communications Commission proposes, unless Congress stops it, to ban all cigarette advertising within the powerful FCC domain. That means no more will television viewers have the "opportunity" to see previously unspoiled nature while a couple of clean young persons pollute the air with their exhalations of fumes from that fag with the extra length of tobacco and longer filter.

There are some who will object to the fact that the federal government has not yet decided that cigarettes are illegal, and that what is legal can be advertised. There are some others who have the idea that prohibition on any legal communication such as this is a violation of the free speech-free communications amendment to the Constitution. They seem to have forgotten that federal government seized ownership of the airwaves and has presented it to the FCC, as licensing agent, and that the power to license is the power to deny a license unless the licensee does as he's told.

We don't like the idea of any governmental agency dictating what can and cannot be said. We don't think it's any bureaucrat's business how a legal product is advertised.

But if federal bureaucrats really are against cigarette smoking, as they say, why do they not go to work on stopping federal subsidies for tobacco? Tobacco growers are subsidized, and only a couple of years ago there was quite a to-do over the fact that the state department was promoting the sale of American cigarettes in foreign lands. Also, when some folks hereabouts suggested stopping purchase of all cigarettes containing tobacco from a communist-ruled land, the State Department charged that the would-be boycotters were interfering with the nation's foreign policy.

If cigarettes are as bad as the health and television bureaucrats say they are—and we'll concede they have some evidence on their side—we suggest they work on the other sections of the government which are encouraging the use of the product instead of interfering with private activities.

[From the San Pedro (Calif.) News-Pilot, Feb. 25, 1968]

ARROGANT ACTION

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[From the Turlock (Calif.) Journal, Feb. 26, 1969]

DO AS I SAY?

We note that the Federal Communications Commission proposes, unless Congress stops it, to ban all cigarette advertising within the powerful FCC domain. That means no more will television viewers have the "opportunity" to see previously unspoiled nature while a couple of clean young persons pollute the air with their exhalations of fumes from that fag with the extra length of tobacco and longer filter.

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If cigarettes are as bad as the health and television bureaucrats say they are—and we'll concede they have some evidence on their side—we suggest they work on the other sections of the government which are encouraging the use of the product instead of interfering with private activities.

[From the Santa Monica (Calif.) Outlook, Feb. 10, 1969]

CIGARETTE AD BAN ILLEGAL

Whether cigarette smoking is injurious to health is not the real issue in the proposal by the Federal Communications Commission that cigarette advertising be barred from television and radio. In its jurisdiction over airwave facilities, the commission is charged with regulating operations through the allocation of channels and frequencies, but is not given final authority to decide what the stations may program.

The stations' control over programs is protected under the First Amendment guaranteeing the right of free speech and freedom of the press. The prohibition which FCC proposes cannot be legal unless a new constitutional amendment, covering the cigarette-advertising prohibition, is adopted by both houses of Congress and three-fourths of the states. That was the procedure which ended, theoretically, at least, the sale of alcoholic beverages from 1919 until repeal of the 18th Amendment in 1933.

The argument which FCC is using against cigarette advertising is based on the 1964 report of the U.S. surgeon general, declaring that "cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action." The surgeon general told a Senate committee the following year that "in general, the greater the number of cigarettes smoked, the higher the death rate."

There are other things being advertised and sold today which some people consider injurious to health if used in excess. Should liquor advertising also be banned without a new constitutional amendment? The W.C.T.U. would say yes but the courts would surely say no. Because excessive consumption of candy may be injurious to health, should candy advertising be prohibited? What is involved is the power of FCC or any other agency to determine what may be advertised for sale to the public.

If it is lawful to manufacture and sell a certain article, advertising it is the exercise of a proper right to conduct business. Furthermore, if a federal agency has the power to tell radio, television and the press they cannot offer an article for sale through their media, it would be discriminatory to permit sale of the same product over the counter. To be consistent with precedent, the U.S. government would have to prohibit the sale of cigarettes not merely cigarette advertising.

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FCC has indicated that its directive would not be effective until June 20 in order to give Congress an opportunity to review the proposal. Should Congress fail to act, the cigarette companies, will, no doubt, ask the courts to decide the constitutionality of the FCC order. FCC should withdraw its proposal and spare the courts the trouble of declaring it unconstitutional.

[From the Denver (Colo.) Post, Feb. 9, 1969]

Easy There FCC

We've said it before, but let's say it again: we take a dim view of the Federal Communications Commission's proposal to curb the advertising of cigarettes on radio and television.

The FCC proposal doesn't go as far as did the proposal of the Federal Trade Commission a year ago, which would have asked Congress to ban all cigarette advertising on radio and television. The present FCC proposal would permit cigarette advertising if it stressed the tar and nicotine content of the smokes.

Maybe congressional hearings on this topic will suggest a compromise acceptable to all.

As we see the situation, the evidence is that cigarette smoking is harmful to health, but the evidence does not say that cigarettes are poisonous.

Until scientific evidence against cigarettes gets that strong, if it ever does, we feel cigarettes must be treated as at least a legitimate product; which means it should be possible to advertise them on television or wherever.

There are restrictions now on the content of cigarette commercials; they should be kept. So should the printed warning on every pack of cigarettes. Perhaps one or both should be strengthened.

But the American Cancer Society, which has been the main agency prodding the FCC for more restrictive action, has some beautifully effective anti-cigarette commercials on television too, these days. But we don't see many of them in prime time.

We would suggest that that is a better answer, and probably one where some good FCC prodding of the television industry would do the most good.

[From the Whittier (Calif.) News, Feb. 10, 1969]

FCC Is Off Its Rocker

Let us suppose that a majority of the Federal Communications Commission arrives at the decision that the excessive speed of outboard motorboats makes them a hazard to the safety of a substantial number of citizens.

The same FCC majority might conclude that drinking ale or stout can also adversely affect someone. Or hard liquor. There may be numbers of persons who for health reasons do not drink milk or eat green beans or any fried meats.

Should the FCC have the authority to ban television and radio advertising of such products?

Of course it should not, and the 6–1 vote by the FCC commissioners proposing a ban on cigaret advertising on radio and television bids fair to stand out as the most indiscreet proposal in the history of that questionable board—questionable because it seeks to take unto itself the power to forbid people from hearing about consumer products even if those people desire to be told about them.

Millions of us do not use tobacco in any form. Millions do. Yet six men on the FCC contend that they are so much more intelligent than the millions who do use cigarets that they should forbid public advertising of such products.

It is not within the province of the FCC to determine what is healthy or not healthy for Americans. Its authority should stop long before any such question comes before it.

Neither the Congress nor the courts has in any way established that the smoking of cigarets is illegal.

True, a number of competent authorities have declared that such smoking is injurious to the health of a person. There is not too much disputation of that claim. Most people acknowledge that the introduction of certain foreign elements into the body can be harmful. They know this by experience if nothing else. But those same people have the option of using cigarets or not using them.

They do not have to depend upon the FCC or any other opinionated government bureau to decide what is good or bad for them.

Banning cigaret advertising from radio and television will not cure any of the harm that cigarets might cause. It may reduce the subliminal suggestion that such smoking is fun, popular or tasteful. But the proposed rule, if enforced, could not provide a cure for lung cancer, as an example. So what does the FCC hope to accomplish?

It has invaded a field which it should get out of instantly. It has no business attempting, through curbs on advertising, to dictate what independent people should eat, smoke, feel, see, use or wear.

[From a WMFJ editorial, Feb. 7, 1969]

The Federal Government . . . or a branch of it . . . has taken the first step in attempting to control what you see and hear on radio and television. The Federal Communications Commission has voted to recommend that cigarette advertising be banned on radio and TV . . . the National Association of Broadcasters said "never to our knowledge has an agency of the Federal Government banned the advertising of a product whose sale is legal." . . . We agree. . . . If the ban is adopted, what will be next . . . who is to ultimately decide what we see and hear???? Will another Federal agency ultimately decide that cigarettes can't be advertised in newspaper and magazines too??? It's been our experience that Governmental regulation is like taxation . . . once it starts, there is no end. We still believe that the public should be the final answer as to what they see and hear on radio and television.

[From the Wilmington (Del.) News, Feb. 10, 1969]

Advertising Ban Is Wrong Way

The Federal Communications Commission's plan to clear the airwaves of all cigarette advertising would, if authorized by Congress, be poor public policy, however laudable its intent.

The proposed ban cannot take effect unless Congress permits a provision of the Cigarette Labeling and Advertising Act of 1965 to expire on June 30. The provision prohibits federal, state and local regulation of cigarette advertising.

The outlook between now and the time Congress either renews or revises the labeling act or lets it lapse is for a continued barrage of charges and counter-charges from such as the Tobacco Institute, on one side, and the American Cancer Society, on the other, on the health consequences of cigarette smoking.

The United States Public Health Service estimates that 300,000 cigarette smoking Americans die prematurely each year. A variety of studies, some more persuasive than others, have associated smoking with increased death rates from various forms of cancer, particularly lung cancer, several respiratory ailments and heart disease. Anyone who looks at the statistics without prejudice cannot ignore the fact that he jeopardizes his health by smoking cigarettes.

But the link between smoking and disease is not at issue in the FCC's proposed ban. The commission's move is irrelevant to the health question.

If cigarettes are a menace to the public, their sale and use should be banned, by an appropriate regulatory agency or by Congress—or by an amendment to the Constitution, if necessary. If they are not deemed sufficiently dangerous for such action, advertising should be permitted.

When misused, automobiles kill people, yet no serious attempt has been made to curb automobile advertising and certainly none is warranted. Potentially harmful liquor is advertised in newspapers and magazines, but not over the air, a line of reasoning that makes little or no sense. Non-prescription drug advertisements are permitted on radio and television, assuming that they are not misleading, although abuse of them can be fatal.

It would seem that only when a product or service is misrepresented or illegal should advertising restrictions apply—and they should apply to all media equally. The media and the advertisers themselves, in their own self-interest, should deal with questions of good taste.

If a doctor, for example, should appear in a television commercial, point to his T-zone and claim that smoking improved his health, government regulation would clearly be called for.

But television and radio advertising today is subtler—the gorgeous girls, the virile cowboys, the genéral joie de vivre associated with smoking. This is attempted seduction, but it is not rape, and it is being rather effectively combated by the recently authorized "anti-smoking" commercials produced by groups such as the cancer society and the American Heart Association.

In 1967, cigarette advertising accounted for 8 per cent of all television advertising revenues (216.7 million) and 5.9 per cent of all radio advertising revenues ($17 million). More than three-quarters of all cigarette advertising is devoted to television.

A ban on cigarette advertising as proposed by the FCC could, then, deprive the networks of a substantial source of income and deprive the cigarette manufacturers of what they consider their most effective advertising medium, television.

One suspects that the broadcast organizations would continue to muddle through and that the cigarette companies would merely revamp their advertising campaigns. But even if both encountered some hardship, few would find their condition particularly pitiable if a broadcast advertising ban were in the public interest.

But it is not, and it will not be unless cigarettes should be outlawed, a most improbable event. In all likelihood, the FCC's proposed ban on advertising will die in Congress, and smokers will simply have to rely on their willpower, combined with the statistical evidence, to resist temptation. If advertisements make a former or would-be smoker's hand tremble, one might suggest that he turn off the radio or the television set.

[From the Jacksonville (Fla.) Journal, Feb. 11, 1969]

FCC In Error

The Federal Communications Commission has inhaled a drag that it may choke on trying to exhale.

The FCC's attempt to bar cigarette advertising from television and radio goes far beyond protecting the public's health; it invades the tricky area of trespassing on the public's right.

There's little argument now that habitual cigarette smoking is injurious to the smoker's health. Medical science has produced just about as incriminating a case as anyone could come up with.

But warning the public and laying all the facts before it is just about as far as science can go. By the same token, warning the public is just about all the jurisdiction the FCC should have.

The FCC is primarily a guard against infractions of the law as pertaining to broad-

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casting and a guardian of good taste for public consumption. But nowhere we can find gives them the authority to ban cigarette advertising (as noxious as some of it is) any more than an increase in alcoholism permits them to ban beer advertisements or an upshoot in highway deaths should lead to a ban on motorcar commercials.

If cigarette advertising is vulnerable to a ban by the FCC, then should pipe tobacco and cigars reap the benefit by being allowed to remain on the air? And if cigarette smoking is to be banned in commercials, mightn't a similar ban be handed down against any performer using cigarettes?

Such a prohibitive law pertaining to television and radio might seem a boom to newspaper and magazine advertising, which could profit in the hundreds of millions from the loss by their sister medium.

But the hand of censorship grows greedy with each new triumph. If a federal agency succeeds today in instigating new policy for television and radio, who is to stop a similar move tomorrow for newspapers and magazines? By the same token, if advertising is fair game for federal dictatorship, then why not news and editorial content for all publications?

Does any of the FCC board really believe for a minute that outlawing of cigarette commercials will solve the problem of excessive smoking any more than prohibition did for excessive drinking?

Clearly, this is a move outside the lawful authority of any federal agency. Congress should so declare at its earliest opportunity.

[From the Jacksonville (Fla.) Times-Union, Feb. 11, 1969]

Who Guards the Guards?

The controversial Federal Communications Commission proposed ban of cigarette advertising over radio and television may smoke out an issue far wider than the cigarette health hazard.

Already there appear some Congressmen who would like to require the FCC and similar agencies to precede each pronouncement with the following:

"Warning: The following directive may be an arbitrary usurpation of rights not delegated by the people and injurious to the national interest."

The "big seven" federal regulatory agencies are the FCC, Interstate Commerce Commission, Federal Trade Commission, Federal Power Commission, Securities and Exchange Commission, Civil Aeronautics Board and the National Labor Relations Board.

They have been accused of being a "fourth branch" of government and the extensive effect of their collective influence is little suspected by the average citizen.

They have no constitutional authority for either legislative or judicial powers.

But when the CAB, for example, promulgates a ruling which all U.S. airlines must abide by it is, for all practical purposes, legislating. And when it decides which of several competing airlines be awarded a particular route, it is, for all practical purposes, adjudicating.

Some critics of the agencies contend that, in their exercise of quasi-legislative and quasi-judicial powers they probably account—in share volume—for the bulk of both the legislating and judging done in this nation.

In many areas the influence of these board members—who are not elected but are rather appointed by the President for fixed terms and hence insulated from public pressure while serving that term—can be greater than the influence of the elected representatives.

For example, it is true that Congress passes such major pieces of legislation as, say, the Taft-Hartley Law.

Yet some will argue that even such major legislative actions do not exert as much influence on the nation's labor scene as the day-by-day, week-by-week rulings, interpretations, regulations and guidelines of the National Labor Relations Board.

The FCC, in its proposed cigarette ad ban, was thoughtful enough to give itself an "out" by leaving this particular issue in Congress' lap. But such discretion is the exception rather than the rule, and even this approach probably will not avoid raising the bigger issues of the agencies' concentration of power.

President Nixon has promised a "searching, fundamental reappraisal" of the federal government structure. And many members of Congress may be quite ready to lend an assist.

At present both the President and Congress do exert some restraining influences upon these regulatory agencies, through appointive and appropriations powers, respectively. But both the President and Congress may well be wondering: Is this enough?

In short, who regulates the regulators?

[From the Panama City (Fla.) Herald, Feb. 13, 1969]

FCC Way Off Base

The Federal Communications Commission is wandering pretty far afield in proposing to ban cigarette advertising from radio and television stations. Fact is, the Commission seems to be away from third base and way out in left field.

It was never the intention, we're sure, of the people who formed the FCC to allow the august members of the body to say to any tax-paying free enterprise system, or otherwise, that it shall not be allowed to advertise its legitimate product on radio or that young upstart TV.

It was the purpose of the FCC, under the original plan, to allocate wavelengths and frequencies to licensed operators and to forbid outlaw stations from operating on those channels. The supposition was that there were only so many wavelengths and channels available and that if we didn't have some control over them some sections of the country would not have radio facilities (TV had yet to come).

If cigarette advertising is to be banned, as the FCC desires, then would it not be far afield to predict that advertising of other products might also be banned? We might wake up some wintery morning to hear a news broadcast stating the FCC had banned advertising for Elberta peaches or California Sunkist lemons. Who knows?

This proposal of the FCC should be slapped down once and for all and then forgotten. It smacks back to the days of Henry Wallace who wanted all brand names of merchandise eliminated and just plain wrappers put on cans of peaches, or apples, or preserves' jars. Since those days some extra liberals in Washington from time to time have managed to take cracks at advertising but it has survived them, and we feel cigarettes also will survive them.

Banning cigarette advertising is, frankly, unjust. There has not been positive proof that cigarette advertising brings on cancer. Until there is proof positive then the FCC should close down its big trap, and even than it is problematical whether the Commission has the authority to ban advertising.

[From the Sanford (Fla.) Herald, Feb. 27, 1969]

It's Hazardous

Medical science has produced enough evidence to convince us that the habitual cigarette smoker is endangering his health. But the hazards of smoking are not the real issue in the Federal Communications Commission's attempt to bar cigarette advertising from television and radio. The issue is what authority the FCC should have to ban the advertising of any particular product, so long as the advertising does not offend public taste.

Cigarette smoking, said the Commission by a 6 to 1 vote, constitutes "a serious, unique danger to public health . . . (and) it would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of a product posing this unique danger . . ." Commissioners said they did not know of any other product "calling for such action" and "expressly disclaim any intention to proceed against other product commercials." Perhaps there is no such intent by these Commissioners. But the precedent would be established.

Suppose a majority of a future Commission decided that because alcoholism is a problem all beer commercials should be prohibited. Or that the horrible increase in traffic deaths warranted a blackout on advertising of sports cars. Or that the excessive use of some drugs required a ban on patent medicine ads. The average TV viewer and radio listener would be happy if all commercials could be banished as a hazard to his nerves. But advertising pays the bill for the free entertainment and information he receives. Commercial broadcasting has as yet found no other way to survive. It cannot live under a form of censorship based on the possible prejudices—or even the selfish interests—of the regulatory body.

The appetite of a government censor grows with every bite of power. If a Federal agency could dictate the advertising policies of television and radio, why not newspapers and magazines? And if censorship of advertising is permissible, why not the news and editorial content? The FCC proposal plainly constitutes a "unique danger" to a free press and free enterprise. Congress should rule it out on the ground it is hazardous to the national health.—Tampa (Fla.) Tribune.

[From a WTVT Editorial, Feb. 10, 1969]

Cigarettes and Freedom

Most sensible people have known for decades that cigarette smoking isn't very good for your health. They called them "coffin nails" long before the researchers found a probable link to lung cancer. But now we have reached a point in this nation where the danger of cigarette smoking has blinded some people to the graver danger of destruction of our individual freedom. Most viewers are aware that television stations carrying cigarette advertising are now required to give free time on the air for announcements about the danger of smoking. Now there is talk of banning cigarette ads on television altogether.

WTVT hesitates to comment on this subject, because of the possibility of being misunderstood. But we think there is a serious threat to the freedom of all Americans involved here, and we can hardly leave the responsibility for speaking out to others. What concerns us is the precedent this sort of control would set, and the direction in which it would head us.

If government has the authority to impose such a ban on TV ads on grounds that it's in the public interest, it would be an obvious extension of logic to impose the same ban on all means of advertising . . . newspapers, magazines, billboards or what-have-you. WTVT can't see that it's a problem peculiar to broadcasting, and we can't see what business the Federal Communications has regulating public health. If it's a proper government concern at all, then it's certainly not limited to electronic communication.

And if we concede that the government should have the authority to decide that something is bad for us to see in ads, it's reasonable that it should also have the authority to prevent such merchandise from being made, and to prevent individuals from using it. And, since many things of this nature are dangerous only in quantity, and not significantly harmful in small or infrequent doses, we should then logically concede that the government should control

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consumption. If we get this far, we must realize that a great many things can be harmful if used to excess, including food. We also realize that if our aim is maximum health for all citizens, it's important that they consume enough of the right things as well as avoiding an excess of other things.

WTVT is willing to concede that smoking too much is bad for most people, just as alcohol is, and many other things, such as overindulgence in food or an unbalanced diet. But we would like these decisions left to individuals, not forced on them by an all-powerful government. We don't know what penalty the government might set for someone caught smoking if it were banned, but it would be insignificant in comparison to the loss of our personal freedom.

[From the Macon (Ga.) News, Feb. 18, 1969]

Long Nose of the FCC

Among bureaucrats the craze for running pratically everything has found its latest expression in the Federal Communications Commission's intention, Congress permitting, to ban cigarette advertising on television and radio.

Every cigarette package carries its own warning. Time is provided on the air for admonitions about the perils of cigarettes, and newspapers duly keep the public appraised of developments.

Congress has seen no need for another noble experiment. Cigarettes not having been outlawed, there is no legal basis for FCC to impose its own brand of censorship.

Excessive consumption of coffee may be harmful to some persons; ditto beer and wine. Nevertheless, no bureaucracy has attempted to bar this type of advertising from the air.

What the FCC offers is another example of what President Eisenhower once decried as "Washington poking its long nose where it has no right to be."

[From the Tampa (Fla.) Tribune, Feb. 7, 1969]

It's Hazardous To Nation's Health

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But the hazards of smoking are not the real issue in the Federal Communications Commission's attempt to bar cigarette advertising from television and radio.

The issue is what authority the FCC should have to ban the advertising of any particular product, so long as the advertising does not offend public taste.

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Perhaps there is no such intent by these Commissioners. But the precedent would be established.

Suppose a majority of a future Commission decided that because alcoholism is a problem all beer commercials should be prohibited. Or that the horrible increase in traffic deaths warranted a blackout on advertising of sports cars. Or that the excessive use of some drugs required a ban on patent medicine ads.

The average TV viewer and radio listener would be happy if *all* commercials could be banished as a hazard to his nerves.

But advertising pays the bill for the free entertainment and information he receives. Commercial broadcasting has as yet found no other way to survive. It cannot live under a form of censorship based on the possible prejudices—or even the selfish interests—of the regulatory body.

The tangled web which the FCC would spin is indicated by its suggestion that perhaps those brands of cigarettes low in tar and nicotine would be exempted from the proposed ban. Thus, some companies would gain an advantage over others. Similarly, cigar manufacturers would profit by being able to use a mass advertising medium denied to cigarette makers. Newspapers and magazines could expect to pick up some $300 million in advertising barred from the TV and radio stations.

So it would go. The possibilities for enequity and favoritism, through bureaucratic action, are alarming.

The appetite of a government censor grows with every bite of power. If a Federal agency could dictate the advertising policies of television and radio, why not newspapers and magazines? And if censorship of advertising is permissible, why not the news and editorial content?

The FCC proposal plainly constitutes a "unique danger" to a free press and free enterprise. Congress should rule it out on the ground it is hazardous to the national health.

[From the Boise (Idaho) Statesman, Mar. 12, 1969]

An Encroachment on Free Expression

A proposed Federal Communications ban on cigarette advertising on television may be desirable from the standpoint of public health. But it would represent another encroachment by government on free expression over the public media.

If a federal agency can ban cigarette advertising in the public interest, what other control over the broadcast media might be exercised for the same purpose?

It would be more logical, since cigarettes are a health hazard to millions of people, to bar their production and sale outright. If their sale and distribution are legal, advertising should be legal also.

Should the FCC attempt to ban from television all that might be found harmful to the public, it would assume powers at odds with the First Amendment. Once the concept of freedom of expression is compromised, the descent of government control could be rapid.

Government is properly concerned with the purity of the air people breathe, the water they drink and the food that they consume. Its powers over what people are allowed to hear or see, in the form of advertising or other expression, ought to be restrained.

So long as it permits cigarettes to be sold, by what logic can government deny their advertising?

If cigarette advertising is banned, wouldn't it be as logical to ban advertising of other products which are or might be dangerous?

Cigarettes are a public health problem. Government can legitimately enact regulations concerning the makeup and content of cigarettes. It could ban their sale outright.

A ban on advertising, however, is an attack on the First Amendment, as well as on the tobacco business. A government which can ban the advertising of a commodity for the "public good" may be tempted to exercise other forms of censorship under the same banner.

[From the Savannah (Ga.) News, Mar. 18, 1969]

A Ban on Smoking?

If cigarette advertising on television is considered as promoting a menace to the public health, shouldn't cigarettes and other tobacco products be prohibited altogether?

It would seem to be the next step, though there are questions surrounding the constitutionality of the federal government's proposed action on advertising.

Yet seldom recognized is that not only the tobacco industry and leaf farmers are dependent upon the product, but that even non-smokers benefit from the taxes each pack of cigarettes brings in to sources of government. In Georgia alone, millions are raised each year through the eight-cent tax per pack which goes to the state, and though the taxes could be directed elsewhere it is well to ask what other product is an alternative source.

Would those taxes be applied to the already heavily taxed liquor or gasoline industries? Because, in effect, they are looked upon as a form of "luxury" tax, would they fall upon other products, such as soft drinks? Most certainly government, in the face of rising costs, could not risk dropping the tax or even reducing it in any sizable amount; truly, it would be affixed to other products.

This is just one aspect of the problem, and it is not to say that taxes should preclude health; indeed, an industry which helps the economy and pays its taxes can also pollute the air we breathe and consequently warrant controls. Yet, though there is abundant evidence that cigarettes are contributing factors in cancer and heart disease, the same hazard to health could be applied to liquor. But it is over-use which mainly makes the hazard more real, and prohibition in this country has never been practical.

Complicating any ban on smoking is the fact that the individual chooses to take the risk, and though the end result may affect his family, smoking—unlike air and water pollution—is not a threat to community health. As long as the individual is aware of the possible dangers, it is additionally well to ask if he should be allowed to make this choice—as one might choose to walk a tightrope across Niagara Falls.

There are multiple reasons to disagree with a ban on tobacco by governmental authority. And concerning advertising, as long as anti-tobacco commercials are presented, we think smokers get the picture.

[From the Chicago (Ill.) News, Feb. 13, 1969]

Those TV Cigarette Ads

The Federal Communications Commission's new proposal to ban television advertising of cigarets is impertinent on several counts.

To begin with, it makes little sense to illegalize the advertising while the product itself is legal. A judicial body would readily recognize this; as a quasi-judicial body the FCC has let its arrogance outrun its good sense. And it compounded the mischief by indicating it might discriminate in favor of cigarets low in tar and nicotine. Is the FCC going to set itself up as medical authority as well as judge and jury?

The FCC proposal deliberately puts pressure upon Congress to provide collaborative support in the drive to ban TV cigaret ads.

A 1965 congressional act prohibits any federal, state or local agency from regulating cigaret advertising. The provision will expire June 30 unless Congress acts to retain it. Congress is thus pushed into the position of having to act by that deadline or accede to the "law" that has been promulgated by the agency.

We urge Congress to take this matter decisively out of the hands of the FCC. It should at least continue its restriction on the FCC. Meanwhile it should do what the FCC, in its arrogance, neglected to do. That is to examine the legislative alternatives in depth and detail, and to find out what the likelihood is of voluntary industry action. We do not know how the industry would view such a voluntary ban or curtailment. But we believe Congress will perceive its duty to pass such regulatory laws as it considers in the public interest but stop short of proscribing the advertising of a lawful product.

[From the Aurora (Ill.) Beacon-News, Feb. 20, 1969]

Arrogant Action

Understanding the issue, the plan of the Federal Communications Commission to bar

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cigarette advertising from radio and television is arrogant, high-handed and unconstitutional.

FCC is taking the draconic step because it believes cigarette smoking is hazardous to health. The truth is that the exact effect of smoking has yet to be fully determined.

At the present time the smoking of cigarettes is as legal and proper as the sipping of California wine, the drinking of liquor or beer or the driving of a car. It can be proved statistically that automobile accidents kill 50,000 persons a year in the United States.

So long as smoking is legal, the tobacco manufacturers, wholesalers and retailers have the same right to freedom of expression guaranteed in the First Amendment as all Americans do.

Advertising is free speech whether it is a television cigarette ad, a placard carried by a picket or a political speech. Its use should be left to the ethics and the judgment of the communications media.

The FCC ban is plain bureaucratic arrogance.

Congress passed a law in 1965 banning further restrictions upon cigarette advertising. The law expires June 30—the day the FCC ban is designed to take effect. This is an unwarranted pressure upon Congress to enact further restrictions.

The dangers of smoking remain to be seen. There can be no doubt as to the dangers to a free society if the FCC ruling stands.

[From the Chicago (Ill.) Tribune, Feb. 13, 1969]

CIGARETTES AND THE FCC

As long as it is lawful to grow tobacco and manufacture and sell cigarettes, does an agency of the executive branch of government have the power to prohibit advertising of them on television and radio? If the government can ban advertising of cigarettes in the electronics media, could it not also place similar restrictions on the printed word? And if a federal agency can outlaw cigarette advertising as not being "in the public interest," could it not act similarly on other products?

These would seem to be central issues in the Federal Communications commission's proposal to prohibit cigarette advertising on TV and radio. When the matter last came up four years ago Congress answered with a law forbidding any federal, state, or local agency from regulating cigarette advertising. This law expires next June 30, and unless Congress extends it, the FCC has announced its intention to proceed with its proposed ban.

The FCC maintains its authority to do so "flows, we believe, directly and as a matter of common sense from the public interest standard in view of the hazard to public health here involved." Its critics assert, with considerable justification, we think, that the commission's licensing authority over TV and radio stations is being converted into arbitrary acts of censorship in violation of the free speech provisions of the 1st amendment.

What Congress will do is anybody's guess at this point. If it fails to continue to curb the FCC's grab for power, the whole matter probably will be tested in the courts by the tobacco and broadcasting industries. This is what they should do, for a substantial constitutional issue is involved.

It is important to keep the legal and medical aspects of the controversy separate. By law, cigarette packages are required to carry the printed warning that smoking may be hazardous to health. Presumably, the FCC considers that persuasion, supported by some medical evidence, is insufficient to meet the problem, and so has assigned to itself the role of public protector.

If Congress should decide to go along with this philosophy, then to be consistent it might be expected to go a step further and stop federal subsidization of tobacco growers. Government-guaranteed prices for tobacco farmers have for years encouraged production of ample supplies of this commodity. Can Congress sanction a prohibition against advertising of a product it subsidizes?

[From the Chicago, (Ill.) Sun Times, February 14, 1969]

TUNE OUT THE FCC

The Federal Communications Commission is assuming more authority than it is entitled to. It has proposed that a ban should be put on the television advertising of cigarets on the ground that cigarets are a health hazard. It would exempt—perhaps—those cigarets that are low in tar and nicotine.

The FCC is dead wrong on several counts.

One is that it makes no sense at all to say a product is legal and may be manufactured but that it is too dangerous to be advertised for sale on one specific medium of public information. We dare say more persons die in auto accidents than die from the effects of smoking cigarets. Why not ban auto advertising as well—or the advertisements for every other product that might be an instrument of death to the unwary, including the family bathtub?

In 1965 an act of Congress decreed that no federal agency could regulate cigaret advertising. The prohibition runs out June 30. The FCC is, it would seem, deliberately pushing Congress to either renew the prohibitory regulation or meekly accept the FCC's arrogant assumption that it is qualified and authorized to censor advertising.

We do not believe the FCC should have that power.

We suggest that Congress let the FCC know where its place is and put it there, by renewing the 1965 act which prevents federal, state and local agencies from regulating cigaret advertising. Once that is done Congress should then take up the admittedly difficult problem of resolving the conflicting medical opinion on the dangers of cigaret smoking and decide if the product should be changed to protect the public or let alone.

[From the Joliet (Ill.), Herald-News, Feb. 20, 1969]

AN ARROGANT ACTION

Understating the issue, the plan of the Federal Communications Commission to bar cigarette advertising from radio and television is arrogant, highhanded and unconstitutional.

FCC is taking the draconic step because it believes cigarette smoking is hazardous to health. The truth is that the exact effect of smoking has yet to be fully determined.

At the present time smoking of cigarettes is as legal and proper as the sipping of California wine, the drinking of liquor or beer or the driving of a car. It can be proved statistically that automobile accidents kill 50,000 persons a year in the United States.

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[From the Elgin (Ill.) Courier-News, Mar. 5, 1969]

AN ARROGANT ACTION

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The dangers of smoking remain to be seen. There can be no doubt as to the dangers to a free society if the FCC ruling stands.

[From the Rockford (Ill.) Star, Feb. 7, 1969]

FCC WAY OFF BASE

The issue: FCC's proposed ban on cigarette advertising over television and radio.

Principal purpose of the Federal Communications Commission (FCC), established in 1934 as the successor to the Federal Radio Commission, was and is to ensure that there is equitable use of available broadcast channels to prevent chaos on the airwaves.

The FCC's proposal this week that a ban be placed on cigarette advertising over television and radio is an unprecedented abuse of the democratic process.

The FCC has no authority to tell either television or radio stations what they may say in their programming and advertising. This right is protected under the First Amendment of the Constitution, which guarantees the right of free speech and freedom of the press.

If any government agency or even the executive or legislative branches of government has the power to prevent the advertising of cigarettes on radio or television, it also has the power to prevent similar advertising from being presented through the printed word.

There are many products being sold today which could be injurious to the health of citizens if used unwisely. Many medicines, if taken in excess, could result in death. Automobiles in the hands of dangerous drivers are lethal weapons.

If the federal government or any of its arms, without constitutional amendment, can lawfully rule out the advertising of any product which might be injurious, then the American people are subject to the whim of the government.

Congress in 1965 outlawed any federal or state controls on cigarette advertising. Instead, it required a health hazard warning on cigarette packages. But this law is due to expire on July 1.

Unless Congress extends the present law, or passes a new law, the decks presumably would be clear for regulatory agencies to impose new rules.

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There is one real way to deal with the cigarette problem. If the public desires it, a constitutional amendment prohibiting the manufacture, sale or transportation of such products could be adopted.

That was the route taken in 1919 on alcoholic beverages. But prohibition was repealed in 1933.

If Congress ducks the issue and the FCC does implement its proposed ban on cigarette advertising on television and radio, a court test of the constitutionality of such an action will be demanded immediately.

And it is beyond comprehension how the Supreme Court of the United States can possibly rule that a federal agency can bar the advertising of cigarettes on radio and TV, while at the same time cigarettes may be advertised in print.

This FCC action is a display of bureaucratic arrogance at its worst.

[From the Mt. Carmel (Ill.) Republican-Register, Feb. 7, 1969]

Publisher's Comment: The Right Hand Knoweth Not

(By John F. Hurlbut)

The latest furor over cigarettes is indicative of what can happen when a government becomes a huge, sprawling complex of bureaus.

What often emerges is an indefinite and contradictory pattern of action.

This week the Federal Communications Commission—the body which licenses and regulates radio and television broadcasting stations—proposed that cigarette advertising be eliminated from the air waves.

Previously, the FCC had directed stations which carried cigarette advertising to carry a "significant amount" of anti-cigarette smoking public service messages.

Another arm of government had, of course, directed that all cigarette packages be labeled with a warning about the possible hazards of smoking cigarettes.

And publication of findings concerning the probable harm from cigarette smoking involved even more government funds.

And this action adds up to discouraging the sale of cigarettes and indirectly the production of tobacco.

Meantime, though, back in the Department of Agriculture (same government, same city), there have continued subsidies, research and all sorts of other aids to help farmers produce more tobacco more efficiently.

So out of Washington has come this curious pulling and hauling having to do with tobacco.

This is a serious matter. In Kentucky alone, some 70 percent of the agricultural crop is tobacco. In the Carolinas and Virginia, substantial industrial employment is involved.

And as far as TV is concerned, about 10 percent of its national advertising revenue is concerned with cigarette advertising.

So there is considerable economic interest involved and understandable pressure.

What seems unfair is this. If indeed, the government has proof positive that cigarettes are that dangerous, why is it that this government resorts to sporadic, half way measures?

If it is concluded that cigarettes are a hazard to American health, why not regulate and limit the sale to those, say who cannot kick the habit, who have a medical need (if indeed such exists)?

It seems unfair to find taxpayer money, on the one hand stimulating the production of tobacco and on the other, limiting the sale of some tobacco products (and cigarettes account for the bulk of tobacco sales.)

But it's just more proof that often the right hand knoweth not what the left is doing . . . especially in Washington.

[From the Anderson (Ind.) Herald, Mar. 1, 1969]

The Big Power Play

The recent proposal of the Federal Communications Commission to ban all cigarette advertising from radio and television could well be the first step in a gigantic power grab that eventually will encompass all forms of advertising.

Advertising exists as a method for the manufacturer or retailer to explain the merits of his product to the consumer. Most consumers follow advertising and try many products on the basis of what they have heard and read in the advertisements.

It is not within the province of any governmental agency or bureau to decide what is good or bad for the American public. If cigarettes can be "hazardous to your health" as manufacturers are forced to declare on all packages, then so is overeating, excessive use of alcohol and some patent medicines. We do not feel, however, that it is the business of the FCC to pass judgment on such matters.

Congress has the duty and the responsibility of protecting the people it represents and of preventing regulatory agencies from grabbing power to control what Americans see, hear and read.

[From the Rock Island (Ill.) Argus, Feb. 7, 1969]

TV Cigarette Ad Ban?

The Federal Communications Commission, which has proposed a ban on all cigarette advertising over television and radio, will sit back and wait to see what Congress does about it. We suspect it will have a long wait.

Although statistical evidence has linked cigarette smoking with lung cancer, this is just one hazard of life, like driving on any business highway.

Moreover, we suspect the members will ask themselves whether the advertising ban would really curb smoking. The cigarette makers would concentrate on other advertising media. Put a ban on them too? And on automobile ads as well? There are constitutional limits in such matters, which the highest courts would have to pass on.

[From the Indianapolis (Ind.) Star, Feb. 26, 1969]

Grab for Power?

The recent Federal Communications Commission proposal to ban all cigarette advertising on radio and television could be the first step in a grab for power to control all advertising of any product by government edict.

Whether a person smokes tobacco, in any form, is after all, the business of the individual involved. So is it his business what he eats, what he wears, what toothpaste, deodorant or headache potion he uses, what automobile he drives, what gasoline or oil he prefers. These are matters of individual preference.

Advertising exists to explain the merits of a product to the consumer, to point out that an item is being offered for sale. In strictly institutional advertising the message is less clear but is usually dedicated to extolling the company presenting the ad.

If the FCC can succeed in eliminating the broadcast advertising of cigarettes it can also succeed in eliminating the advertising of other products.

It is not the province of a government agency to decide what is good and what is bad for the American people. More than an issue of health is involved here. If the FCC can censor cigarette ads then it can also censor other material presented over the airwaves—programs as well as ads.

Cigarette smoking may, as the government-instituted warning on the package says, "be hazardous to your health." So is overeating or excessive consumption of certain patent medicines. But it is not the business of the FCC to pass judgment on such matters.

It would appear that the FCC has leaped to a conclusion on a subject still in controversy among many persons better qualified to judge than the would-be censors.

Congress has the duty and responsibility of protecting the people it represents, and of preventing regulatory agencies under its control from grabbing power to control what Americans see, hear and read.

[From the Indianapolis (Ind.) Star, Feb. 9, 1969]

The FCC Reaches Out

The proposal of the Federal Communications Commission for a ban on radio and television advertising of cigarettes is glaring evidence of the evils of unbridled regulatory power.

As things now stand the FCC is prohibited from issuing such an order. The 1965 law requiring a health warning on cigarette labels forbids the FCC to impose changes in cigarette advertising. This law will expire in June, unless extended.

Thus the FCC proposal amounts to fair warning of the sort of thing the commission will do if it has a free hand.

The power of the FCC to make such a ban—if the present prohibition should expire—was immediately challenged by the National Association of Broadcasters. We hope the NAB is right.

The power to ban—by decree—the advertising of a legal product would be an awesome power for the FCC or any other regulatory agency to have. This is power to strike a severely damaging blow to whole industries, on the basis of nothing more substantive than the opinions of the commission members.

Even more than that is involved. If the FCC has power to ban the advertising of a particular product, what is to prevent the extension of that power to complete control over all advertising and programming on radio and television?

The FCC has in fact been moving toward assertion of such power. Last June the FCC issued an order that broadcasters who carry cigarette advertising must also broadcast "a reasonable amount" of anti-cigarette announcements. It claimed authority to do this under its "fairness doctrine."

That was a precedent-setting action. It was the first time the fairness doctrine had been applied to advertising. If the precedent stands, who knows what other demands the FCC may make on broadcasters to give time for answers to their advertising?

Even more significantly, this order of the FCC imposed on broadcasters the obligation to give time to a specified kind of propaganda. If this precedent stands, what other kinds of propaganda may the FCC decree to be imposed on the ears and eyes of American radio and television audiences?

The power to do that is terrifying in its potential.

As to the specific controversy about cigarettes and health, decisions on action to be taken should be made by Congress. They should not be made by a regulatory body, and especially not by one whose competence and jurisdiction lie far outside the field of health.

In the absence of an authoritative, documented finding that cigarettes are so injurious that their manufacture ought to be prohibited, Congress has already gone about as far as it ought to go in attempting to discourage their use.

More urgently, Congress should review the authority of the FCC and the ways in which it is using its authority to control what Americans hear and see. On its present course, the FCC has the makings of a powerful manipulator of the feeding of propaganda to the public.

That's not what it was intended to be, nor what it should be. Congress should trim it back to proper size.

[From the Muncie (Ind.) Star, Mar. 1, 1969]

GRAB FOR POWER

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Whether a person smokes tobacco, in any form, is after all, the business of the individual involved. So is it his business what he eats, what he wears, what toothpaste, deodorant or headache potion he uses, what automobile he drives, what gasoline or oil he prefers. These are matters of individual preference.

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Congress has the duty and responsibility of protecting the people it represents, and of preventing regulatory agencies under its control from grabbing power to control what Americans see, hear and read.

[From the Muncie (Ind.) Star, Feb. 16, 1969]

THE FCC REACHES OUT

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More urgently, Congress should review the authority of the FCC and the ways in which it is using its authority to control what Americans hear and see. On its present course, the FCC has the makings of a powerful manipulator of the feeding of propaganda to the public.

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[From a WMT stations editorial,
Feb. 13, 1969]

A SHORT STEP

The Federal Communications Commission has begun action to eliminate all cigarette advertising from radio and TV. The FCC believes that cigarette smoking is a habit which, in their words, may contribute to the early death of the user; that broadcasters have a duty to operate in the public interest; and that it is not in the public interest to advertise something which is harmful.

First, let's dispose of the suspicion that we may be influenced by self-interest. It's true that the WMT Stations are paid to advertise cigarettes, but this represents a small part of our income, not too hard to replace. It is our opinion that the FCC attempt to deal with the cigarette issue is ill advised for three reasons. First, if its object is to curtail cigarette smoking, it's not likely to be effective. England banned cigarette advertising on television in 1965 and forced a cut-back on advertising in other media. Yet cigarette smoking has increased in England.

Second, this new move by the FCC represents a new extension of government power. It's the first time they've proposed to ban any kind of advertising. If a government agency can control advertising, it's a short step to control other kinds of information.

Finally, we believe the cigarette issue involves a basic question of national policy which more properly should be determined by Congress. If cigarette smoking is, in fact, as deadly as some health authorities believe, then we should adopt a national program designed to discourage it by every possible means. But it should be tackled head-on by Congress, not indirectly by a single government agency.

[From the Topeka (Kans.) State Journal,
Feb. 7, 1969]

FCC REACHES FOR POWER

At this point, it is difficult to determine whether the Federal Communications Commission is attempting to pressure Congress into continuing the health warning on cigarette packages, or is trying to break new ground in censorship of radio and television advertising.

Either effort falls beyond the legal and ethical authority of the FCC, and will certainly draw plenty of fire from interested congressmen and senators.

A 1965 law, which requires cigarette manufacturers to print the warning, "Caution: Cigarette Smoking May be Hazardous to Your Health," on every pack, expires June 30 this year unless Congress re-enacts it.

That same law, possibly anticipating the FCC, prohibits it from imposing any change on cigarette advertising on radio and television, which, an industry spokesman reported, produces about $215 million annually in advertising income.

Wednesday, FCC members voted 6 to 1 to ban all cigarette advertising on radio and teleivsion if Congress allows the 1965 statute to lapse.

Although the FCC now lacks the authority for its action, Rosel H. Hyde, FCC chairman, said the action amounts to giving notice to Congress of the FCC's intentions should the law be allowed to die.

Apparently the FCC selected this sensitive area to test its authority to regulate, change or prohibit certain types of advertising from radio and television. FCC members were aware adversaries on the question of cigarette advertising and smoking are both powerful and articulate.

If the FCC, moving behind the sound and fury of the controversy over cigarette advertising, should succeed in establishing its authority to control all radio and television advertising, it truly would be the czar of the industry.

Already there are controls which prohibit fraudulent, misleading and dishonest advertising. This is as it should be. Federal agencies concerned, aided strongly by advertising industry organizations, are constructly scrutinizing advertising in all media, including the press, to make certain it meets minimum standards.

Congress may simply re-enact the 1965 statute which, beyond opposition by tobacco interests, drew no public criticism or attention.

It appears the FCC, like the cold camel, is attempting to get its nose under the tent.

[From the Waterloo (Iowa) Courier,
Feb. 7, 1969]

START NEW PROHIBITION EXPERIMENT?

The Federal Communications Commission has asked Congress for authority to ban cigarette advertising on radio and television.

We are confident that Congress will see the inherent fallacy of such a proposal.

If cigarettes are so bad that they should not be advertised, then they obviously are so bad that they should be banned entirely.

There is no argument which could be used to ban advertising a product which is not equally valid for national prohibition.

Perhaps the nation should embark on a new prohibition experiment. The Women's Christian Temperance Union has entirely valid arguments regarding the abuses of liquor. People did get drunk and do terrible things. They still do. People ruined their health with alcohol. They still do. So Congress passed the Volstead act and created bootlegging operations which resulted in more abuses than the sale of liquor.

It is, of course, a tribute to the power of advertising that the FCC believes that eliminating radio and TV commercials on cigarettes would cause their use to decline. Certainly the advertising will play a large role in determining which brand the purchaser may buy.

But the elimination of liquor advertising during prohibition did not cause the American people to cease buying liquor. Prohibition merely caused the price to increase and the distribution system to be organized by gangsters who killed each other for exclusive territorial rights.

We see no reason to think that prohibition of cigarette sales would have any different result.

[From the Lexington (Ky.) Leader, Feb. 14, 1969]

CIGARETTES AND TELEVISION

Though the matter hasn't really been settled with any scientific exactitude, it's pretty clear by now that cigarette smoking—like a lot of other things—may indeed be hazardous to your health. And that does raise the question whether cigarette makers should be touting their products with abandon on radio and television.

If you answer that question in the negative, and many people do, a couple of other questions arise: Who should remove cigarette commercials from the broadcast media? And how, precisely, should they go about it?

Well, the Federal Communications Commission, never exactly bashful, appears to feel sure it has the answers to all those queries. Last week it announced that it planned to bar cigarette ads from radio and television.

The commissioners presumably are responsible men, sincerely concerned about the nation's health. Even so, however, there were other approaches open to the agency. For example, it could have proposed detailed legislation to Congress or encouraged current tobacco industry consideration of a voluntary ad ban.

Congress, after all, passed a 1965 law designed to prevent further restrictions on cigarette advertising. The FCC ban is scheduled to take effect only after that law expires on June 30. The agency thus is putting extreme pressure on Congress, a procedure that is—to put it mildly—fairly arrogant.

The arrogance of the agency shows up even more clearly in the suggestion that it may exempt cigarettes that are low in tar and nicotine or include certain types of filters. Thus the commissioners, presumably chosen for their ability to oversee the communications business, not only propose to rule that a product is bad for the citizens but may even hold that some types of that product are less bad than others.

[From the Ashland (Ky.) Independent, Feb. 18, 1969]

FCC'S CENSORSHIP

Among bureaucrats the craze for running practically everything has found its latest expression in the Federal Communications Commission's intention, Congress permitting, to ban cigarette advertising on television and radio.

Every cigarette package carries its own warning. Time is provided on the air for admonitions about the perils of cigarettes, and newspapers duly keep the public apprised of developments.

Congress has seen no need for another noble experiment. Cigarettes not having been outlawed, there is no legal basis for FCC to impose its own brand of censorship.

Excessive consumption of coffee may be harmful to some persons; ditto beer and wine. Nevertheless, no bureaucracy has attempted to bar this type of advertising from the air.

What the FCC offers is another example of what President Eisenhower once decried as "Washington poking its long nose where it has no right to be."

[From the Paducah (Ky.) Sun-Democrat, Feb. 7, 1969]

THE FCC—EVERYBODY'S BIG BROTHER

The Federal Communications Commission has just proposed to ban cigarette advertising on radio and television. A 6-to-1 majority of the board members of the regulatory agency announced the decision to take this step, unless Congress does it for them or takes away the authority they claim to have.

Not unexpectedly, the decision was hailed with enthusiasm by the cancer society and other enemies of cigarette smoking; and with cries of anguish from the tobacco industry and the broadcasters. They all, however, are missing the main point—which is, that no governmental administrative agency in this country, federal or otherwise, has the legal right to do what FCC proposes to do. Perhaps Congress can give FCC such powers, and perhaps it will do so some day. But we can safely bet long odds that even Congress, if it attempts an outright ban on advertising cigarettes or another product whose retail sale has not been prohibited, will have to await the final word of the Supreme Court.

There must be something special about serving as a member of the FCC. We suspect we know what it is. FCC is the only agency having extensive regulatory powers over a major medium of news and information. Therefore it affords its policymakers unique opportunities for imposing, or attempting to impose, their personal opinions on the entire public. That is why Congress, in the Communications Act creating FCC, specifically excluded from the agency's powers any license to influence or censor programs or program content.

Whether this restriction applies in the present circumstances is for Congress and the courts to decide. But this fact does not seem to inhibit the FCC from trying to be everybody's Big Brother.

[From the Morganfield (Ky.) Union County Advocate, Feb. 20, 1969]

WHY SINGLE OUT CIGARETTES?

The Federal Communications Commission, long a governmental bastion of dispute and whose recent rulings have caused nothing but confusion for the radio and television stations affected by their decisions, recently concluded that broadcasters must carry anti-smoking messages during their programming hours.

Actually what the FCC ordered is that broadcasters carrying cigarette commercials contribute a significant amount of time, on a regular basis, for information and education about the hazards of smoking.

Quite naturally the cigarette lobby has appealed to the Supreme Court, hoping for a reverse of a U.S. Circuit Court of Appeals decision last November which upheld the FCC's rule.

The tobacco industry's appeal is based primarily on the protection guaranteed by the First Amendment to the Constitution which they say protects broadcasters from "governmental dictation of what (sic) may say." The broadcasters and the tobacco industry rightly feel that the current warning imprinted on cigarette packages is sufficient.

What is really needed is an in-depth study of the Federal Communications Commission.

[From the Salem (Mass.) News, Feb. 11, 1969]

SMOKING ONE HAZARD—GOVERNMENT ANOTHER

The Federal Communications Commission has embarked on still another new course for the U.S. Government by moving to ban cigarette advertising from television and radio programs.

The FCC's motives are of the highest and we all know that cigarette smoking has been characterized as a hazard to one's health, but we question the move.

The question comes down almost as to whether smoking or the long arm of the federal government represent the biggest hazard.

Prohibition proved a colossal flop because Americans, by their very independent nature, chose to drink alcoholic beverages whether "big brother" told them to or not.

Too much of anything, booze or cigarettes, is bad for one's health.

Too much of the federal government is bad, too.

Our younger people will have to become educated to the dangers of cigarette smoking. We can lead them by the hand but we cannot force them not to start smoking, nor to stop if they have begun.

The example of parents, the advice of medical men and education in our schools should be the controlling segments if we are to keep the next generation from smoking themselves to death.

The federal government should only advise and consent, as it has done in competent fashion through the office of the U.S. surgeon general.

The message which have been placed on cigarette packages advising of the possible health hazards are other acceptable warnings.

Despite all this, we harbor serious reservations about the federal government's sticking its cotton-picking hands into the advertising business and telling us what products we can and cannot advertise.

[From the Athol (Mass.) News, Feb. 8, 1969]

CIGARETTE ADS

The Federal Communications Commission would like to bar cigarette advertising from television and radio. By a six to one vote, the commission adopted a regulation banning the advertising and it will become effective unless Congress allows the present labeling provision to lapse on July 7.

The commission holds power over TV and radio because of the necessity for licensing. Both use the public airways and have exclusive rights to assigned channels in their own territories. They are, therefore, not in the same position as newspapers and other publications, which have no such exclusive rights and do not make use of public property.

Nevertheless, since TV and radio are allowed to carry advertising, and since cigarettes are legal, the commission's position is unsound. It should be possible to advertise anything that can be legally offered for sale.

On a selfish basis, newspapers might be inclined to approve the commission's ban. Television took in about 264 million dollars from cigarette manufacturers last year and newspaper income from them has declined to a dribble. But the principle involved is more important than dollars. If the FCC is so desperately concerned about the use of cigarettes, it should propose that all sale of them be prohibited.

[From a statement of the Springfield Television Broadcasting Corp., Mar. 27, 1969]

A while ago the Federal Communications Commission announced that it would consider the adoption of a rule to forbid its licensees to advertise cigarettes. Their reason for considering this is that the Surgeon General some years ago found cigarette smoking to be hazardous to health, and, people who use the public's airways should not be urging people to buy these awful things.

Now maybe it is possible that the public wouldn't buy cigarettes if they weren't advertised on the air but only in the newspapers, billboards, magazines, direct mail and all the other countless varieties of advertising. We are inclined to think however that even though television and radio are very effective media they, unfortunately, are not the only ones. I guess popularity has its price—the FCC has to do something and this looks like action. But the Postmaster hasn't started to take away his subsidy—a very real dollar expenditure—from the newspapers and

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magazines because they engage in this evil practice.

It is sometimes frightening to think how close 1984 really is. Our federal government has mammoth research programs designed to improve the growing of tobacco. We spend millions of dollars in aid to this kind of farming through the Department of Agriculture. To smoke cigarettes is legal. It may be harmful to your health, like countless other forms of human activity but it is not against the law. It merely aids in the consumption of a commodity that our government is encouraging people to grow.

Cigarettes are probably not a great deal more hazardous to health than automobiles which kill hundreds of thousands each year. There is no arguing about it—they are dead and automobiles give off vast quantities of smog that we are told aids in the killing of many others; but automobiles are legal. You can advertise them. This is, unfortunately, an example of what happens when government instead of doing its fundamental and proper tasks finds itself catering to minutiae which are none of its business in the first place.

[From the Springfield (Mass.) Union,
Feb. 19, 1969]

A Discriminatory Plan

The intent of the Federal Communications Commission to ban cigaret advertising from television next June, unless an existing law against new restrictions on the promotion or sale of cigarets is extended by that time, does not promise much in the way of a decline in cigaret smoking.

By now it is quite apparent that the clear statistical link between cigaret smoking and the incidence of lung cancer and other diseases has not interfered significantly with the smoking habits of Americans. The report of the U.S. surgeon general five years ago showed only a temporary deterrent effect. Just as there are excuses for not using safety belts, reasons are found to continue smoking cigarets. Strict curbs on cigaret advertising in Great Britain have produced no significant decline in the habit there.

The question, then, of why the manufacturers bother to advertise at all can be answered in one word: competition. The proliferation of brands in the past 20 years or so has been accompanied by the pouring of millions of dollars into the fight, via radio and television, for the cigaret smoker's favor. If expenditures on such promotion must be withdrawn, tobacco company stockholders may have something to cheer about. But radio and television stand to lose between 6 and 7 per cent of their total annual revenues.

There is merit in the argument that any product which is manufactured and sold legally should have the right of legal advertising. Liquor, automobiles and guns can be extremely dangerous if not handled properly, but there is no prospect of restrictions on the advertising of such products. An FCC ban on cigaret advertising would have to be discriminatory.

Preserving the income from such advertising for the radio and television industry would not guarantee better programing; but taking it away would impair the quality of what is good now and make the bad even worse.

[From the Worcester (Mass.) Telegram,
Feb. 10, 1969]

An Alarming Proposal

The Federal Communications Commission proposal to ban all cigarette advertising on the air is alarming.

For the first time in its history, that federal agency is trying to prohibit one kind of broadcast advertising. Inescapably, that is government censorship.

It is possible to sympathize with the FCC's motives, yet find its methods terribly wrong. The commission is required to see that the airwaves are used in the public interest. It had decided that cigarette smoking is bad and, to protect the public interest, must not be promoted on the air.

The degree to which cigarettes may be dangerous to health is not the real issue here. Agency-decreed censorship is.

If a government bureau can decide to bar the advertising in a licensed medium of any consumer product that it believes is harmful, where does that lead? Why stop at cigarettes? A variety of other items, ranging from beer to automobiles, might be given the same treatment. If the restriction on cigarette ads were to stick, tomorrow a simple edict from a federal agency could outlaw advertising of coffee or detergents or fluoridated toothpaste, or whatever else the agency decides is not good for the public.

If smoking is as dangerous as the U.S. Public Health Service and some private agencies claim, the logical way to deal with the problem would be to ask Congress for a law prohibiting the manufacture, sale and transportation of cigarettes. Presumably the public would not stand for such a measure.

So the backdoor approach is tried. Sales would be perfectly legal, but the manufacturer couldn't talk about his product on the air. He could not even buy the time to reply on his own terms to criticism of that product.

Cigarette smoking is not compulsory. There is an unending stream of anti-smoking warnings, including those on radio and television. By now, surely, hardly anyone is unaware of the Public Health Service's view of the dangers of excessive smoking.

The issue here is not the truthfulness of advertising. That is a matter for the Federal Trade Commission. In this case, the communications commission suggests rather that certain advertising must be barred no matter how truthful it is and no matter how freely the product may be sold.

Millions of dollars are being spent in scientific exploration of ways to curb cancer and heart disease. That is an established government function. Cigarette smoking itself can be discouraged in many ways, with education being the most effective tool. Government is active in that field.

But it is not a sound rule, in a free society, for a government agency to tell persons they can't talk about a product, if they intend to praise it. If they want to knock it, they are free to advertise endlessly.

The FCC may have the right problem, but it has the wrong solution. Government prohibitions against advertising of legitimate products will not serve the public interest well in the long run.

[From the Detroit (Mich.) Free Press,
Feb. 24, 1969]

FCC Likely To Get Nothing

The Federal Communications Commission and its chairman, Rosel Hyde, are coming in for assorted mayhem these days, and rightly so. The FCC recently voted, 6–1, to ban cigaret advertising from radio and television, shortly after June 30, unless Congress decides otherwise.

The FCC's concern is legitimate. Though the tobacco industry still insists that no links have been proven between smoking and lung cancer, it is a defense which is hard to support.

But the FCC's method is heavy-handed, if not outright unconstitutional. It is proposing to deny to an industry the right to use the airwaves to sell a legal product.

This newspaper would almost certainly profit from such a ban. The cigaret industry would merely put more of its advertising budget into the print medium. That does not alter our opposition. Nor should it alter the opposition of anyone else.

Mr. Hyde, in defending his proposal, pointed out that lung cancer kills some 50,000 people a year. So, by coincidence, do automobiles.

Cigaret advertising does indeed sing the siren song of sex and success, of babbling brooks, virile men and gorgeous, pliant women. So do auto ads. As the Charlotte Observer asks, "What would that be the next category for a ban? Or would beer come next?"

Perhaps the FCC should first get together with another agency of government, the Agriculture Department, so that the right hand can learn what the left hand is doing. On the day of the FCC announcement, Agriculture announced it was giving 9.5 million pounds of tobacco to South Vietnam to help control inflation there. Agriculture also supports tobacco prices through the Commodity Credit Corporation, and spends millions annually promoting American tobacco in foreign nations.

The FCC has the power to see that ads are truthful, accurate and not misleading. But the built-in conflict in government spending, plus the FCC's all-or-nothing approach, are more likely to result in nothing at all.

[From the Flint, (Mich.) Journal, Feb. 7,
1969]

TV Cigarette Ad Ban Alarming Paternalism

Eleven months ago, the Federal Trade Commission adopted by a 3-to-2 vote a recommendation to prohibit all advertising of cigarettes on television and radio.

The Flint Journal expressed concern that such a proposal was dangerously paternalistic and smacked of the type of thinking that plunged this nation into the pitfall of the 18th amendment and all its attendant ills.

There was a surprising, to us, lack of reaction to the proposal, but it might have been because many persons thought of it as only a trial balloon, or as being so farfetched as not to be worth worrying about.

Now the Federal Communications Commission has advanced the proposal one more step.

The FCC (by a 6 to 1 vote) has announced that it will, in effect, carry through such a prohibition unless it is prevented from doing so.

The Tobacco Institute and the National Association of Broadcasters naturally have issued a protest. The American Cancer Society has applauded the move.

Both sides are special-interest groups which have a right and an obligation to speak out on matters so vitally affecting them. The public should listen to them, bearing in mind that they are speaking from a self-interest viewpoint but at the same time admitting that each side has legitimate points to make.

The Flint Journal has no brief for the tobacco industry. The industry has no greater influence over our editorial policy than any other segment of society, and certainly no greater influence than the American Cancer Society.

Prohibiting tobacco advertising on radio and television would, if anything, only increase revenue from that source for newspapers and other publications. Neither way would it be a factor in our condemnation of the philosophy behind such a decision.

What the FCC is saying is simply it knows best what is good for the adults of our nation and it is its duty to protect them from their own bad habits.

It is not, despite any sophistry, a case of protecting the people from a deliberate deception. No person who can read or can hear today can be unaware of the fact that smoking is strongly suspected as a cause of lung cancer and other serious ailments. The packages, themselves, tell the smoker of his risk.

The FCC has, therefore, concluded that it must do the thinking for adults who still choose to smoke, just as the government once decided that the citizens hadn't gotten the message about "the devil rum" and therefore it must protect the individual from himself.

Even more presumptiously, the FCC has decided it must do the thinking for Congress, its creator, which certainly has never given the FCC any indication it believes the FCC would suppress cigarette advertising over the airwaves.

This proposal is bureaucratic paternalism of the most dangerous kind and should be squashed as fast and as completely as possible.

[From a Grand Rapids (Mich.) WOOD Radio-TV editorial, Feb. 10, 1969]

We pride ourselves on our freedoms . . . among them, the freedom to listen, look at, or read whatever, whenever we please.

But those freedoms can be lost. Take what happened a few days ago. A federal agency proposed a rule which will remove your right to watch or listen to cigarette advertising on radio and television.

Your personal feelings about smoking shouldn't cloud the issue at stake here. The point to keep in mind is the unalterable reality that cigarettes, like wash tubs or automobiles, are a legally accepted, legitimate product in the United States. In a free enterprise system a legally accepted legitimate product can be advertised by any method the advertiser chooses . . . newspapers, billboards, magazines, radio, and television.

Government has now interfered with this free enterprise process. Because radio and television are licensed, government chooses to use its authority to keep you from hearing or seeing any more about cigarettes. Government took this action even though there are differences of opinion about damage caused by cigarette smoking; even though some people may think such advertising is proper and enjoyable and even though it severely penalizes legitimate companies manufacturing legitimate products . . . products which the same government encourages by awarding agricultural subsidies to tobacco farmers.

Some of you may think we're objecting to the advertising ban because we'll lose some advertising money. Well, we may lose some money, but not enough to affect WOOD Broadcasting. Cigarette advertising on WOOD accounts for six percent of our business. Obviously, in today's television market there are plenty of other sponsors who would be glad to take over the cigarette time. Our financial status isn't the issue. The real issue—without frills—is whether government can dictate what you ought to see and hear about any legally accepted, legitimate product in this country.

If cigarettes are a menace, then government should, first, ban their production and use. Then all advertising will cease. But the government didn't do that because it couldn't be done.

There is an off and on button on radio and television sets. We'd be a lot more comfortable and the country would be better off if you retained your right to see and hear rather than government deciding what's best for you.

Your basic rights in a democratic system are usually lost an inch at a time. This decision, if allowed to stand, takes you down the road a lot more than an inch!

[From the Port Huron (Mich.) Times-Herald, Feb. 9, 1969]

Cigarette Ban Is Not FCC's Job

The Federal Communications Commission is once again threatening to stop cigarette advertising carried on radio and television.

It is a conditional proposal at this time. The FCC would not take action if the federal law on cigarette labeling and advertising, which expires this summer, is extended by Congress.

Even if the law is not renewed, the FCC suggests it might be willing to settle for a voluntary ban on the part of the broadcasters, or on selective restrictions in favor of the low-tar, low-nicotine brands.

This attitude, at first glance, appears to be both responsible and reasonable. A closer look, however, indicates that it is neither of these.

The FCC cannot rightly claim the authority to decide which legitimate commodities may be offered for sale over the airwaves.

FCC officials have been quoted as saying: "There is a most serious, unique danger to public health authenticated by official and Congressional action. It would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of the product posing this danger, a danger measured in terms of an epidemic of deaths and disabilities."

That the danger exists is not for the FCC to establish. This has already been done—more or less convincingly, depending on point of view—by health authorities.

Means to reduce the danger is not the FCC's prerogative either. That is in the province of science, to find a preventive or cure, or of Congress, to legislate controls.

There is no law at the present time to prevent the production and sale of cigarettes. That is not to say that cigarettes are therefore good. But they are completely legal.

And as long as they are legal, surely it must be legal to offer them for sale, and to announce their qualities. An FCC move to prevent such announcement would be legislation by indirection.

The inequity of banning such ads in one media while no such restrictions affect other media, is obvious. Not so clear are the abuses that could creep into selective bans of this sort, or the degree to which such usurped legislative authority could be extended.

Practically any product, or any kind of merchandising, could be written off by one governmental agency or another if the FCC is allowed to exercise this kind of control.

If it has been shown by sufficiently competent authority that cigarettes do indeed pose a significant threat to the American people, then the action should be against the dangerous product.

With legislative backing, an agency such as the Food and Drug Administration could logically do something about it, even as it restricts production and merchandising of many other hazardous materials.

As we said before, the FCC proposal is conditional at this time. We hope it stays that way, and that the power of legislation is kept firmly within Congressional chambers.

[From the Muskegon (Mich.) Chronicle, Feb. 8, 1969]

As the Chronicle Sees It: FCC on Wrong Frequency in Threat To Ban Cigarette Ads From Airways

The Federal Communications Commission assumes authority it does not have in its proposal to sweep all cigarette advertising off radio and television.

The FCC has jurisdiction over communication facilities, primarily to regulate their operations through allocation of channels and frequencies, but it has no authority to tell either radio or television stations what they may or may not say in their programs. This is protected by the First Amendment to the Constitution, which guarantees the right of free speech and freedom of the press.

The only way such a ban could be enforced would be through a constitutional amendment similar to the Prohibition Amendment, which would have to be adopted by both Houses of Congress and three-fourths of the states.

This is not likely to happen.

The evidence is compelling that cigarette smoking is a serious health hazard. So, for that matter, are many other items being advertised and sold—certain medicines, for instance, guns and ammunition, even cars. If the executive branch of the government, or any of the independent agencies, or Congress, has the power to ban cigarette advertising from radio and television, then it also has the power to extend the ban to the printed word.

The tobacco and broadcasting industries will not lack for supporters in fighting the FCC proposal (The commission can't act until June 30, when a 1965 law forbidding new regulations is due to expire), and the Tobacco Institute has fired the first answering shot, characterizing the threatened ban as "arbitrary and extreme." It is all of that.

But the Institute missed its target in calling it "an obvious threat to usurp a congressional function." It is no function of Congress, the FCC or any other agency to decide what may or may not be advertised for sale to the public. If it is lawful to manufacture and sell cigarettes—or anything else—then it is both lawful and proper to advertise them for sale through any of the existing media.

The way to get at the problem—if it can be determined that a majority of the public believes cigarette smoking is injurious to a degree warranting the action—is to prohibit all sales of cigarettes. The only legal way to do this is to adopt a constitutional amendment prohibiting their manufacture and sale; that is, retrace the legal steps leading to the alcohol ban of 1919–1933.

Obviously, if the FCC can tell radio, television and the press what can or cannot be offered for sale through their media, then it would be discriminatory to allow the same products to be sold over the counter

Congress has time between now and June 30 to brief the FCC on its powers and prerequisities, and on the meaning—and applicability here—of the First Amendment. When it is realized that the basic issue is not whether smoking is dangerous, but whether Congress or a federal agency has authority to violate a constitutional right, the proper action is obvious. The order should be withdrawn.

If allowed to stand, the issue will go directly to the Supreme Court, where it is likely to receive rough treatment. It is extremely unlikely that the high tribunal will support the FCC in the assertion of a right to interfere with freedom of speech by suppressing advertising of cigarettes on radio and television, while at the same time newspapers, magazines and all other forms of public communication are free to plug them at will.

[From the St. Cloud (Minn.) Times, Feb. 20, 1969]

Editor's Notebook

(By Harold Schoelkopf)

Efforts to forbid or curtail the advertising of cigarets particularly on the air waves, radio and television, probably will not get very far. Of course the government controls the air waves, but the rather delicate question of what the controls specifically are, and to what ends they may go, has never been laid out precisely.

After all, there appears to be little essential difference in whether cigarets are advertised on the television screens, or by radio, or by ads in newspapers and other periodicals. The message will be carried to possible consumers, regardless of the medium used.

Some states now have a law which provides that cigaret packs must contain some such words as "may be dangerous to your health" but the figures show the sales have not declined very much in recent years despite medical warnings.

For that matter, there has been no move made to enforce such a warning on alcoholic beverages, the abuse of which is certainly also dangerous "to your health."

There are a lot of things involved when a government steps into the field of prohibition, no matter what its form. In the matter of cigarets, it is a billion dollar industry,

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paying substantial federal and state taxes, and in some instances, also municipal taxes. It spends many millions of dollars each year for the advertising media, and of course tobacco growing itself is a major industry, and one of the most productive in the entire agricultural field. Most of the states grow tobacco in some form or another, and it has been grown with some success right here in Central Minnesota, although it is still very much of a minor cash crop compared with others.

This restrictive business on the sale and advertising of cigarets reminds us that not long ago some straight-faced legislator in Illinois introduced a bill which would require that credit cards carry this warning: "excessive use of credit may be injurious to your economic health."

[From the Lincoln (Nebr.) Evening Journal, Feb. 11, 1969]

Banning Cigarette Ads

If the Federal Communications Commission goes through with its proposed ban on television and radio advertising of cigarets, it will have pierced, perhaps fatally, at least two of the fundamental freedoms of this country.

One is the constitutionally-guaranteed freedom of the press; the other is the freedom of private business to merchandise and promote the sale of goods not prohibited by law.

Granted, the right of business to operate as it pleases has been impeded in various ways. But the outright ban of a certain medium of advertising would go far beyond any restrictions presently in effect.

The FCC rational, of course, is that cigarets may be injurious to human health. This possibility has been pretty thoroughly proven and, as far as we're concerned, humanity would be far better off it if had never devised the senseless practice of drawing hot smoke into the lungs.

But until and unless the government outlaws the manufacture and sale of cigarets—which we don't envision very quickly—then government has no business telling a firm how it may or may not advertise its product.

There are, of course, many items advertised on radio and television that are potentially injurious if misused or used excessively. This indictment could cover anything from razorblades and automobiles to drugs and beer.

By prohibiting the advertising of a certain product on the basis of its potential harm, the FCC would open up a can of worms that it never could control. Where would the line ever be drawn?

The FCC, incidentally, exists to oversee communications facilities, primarily to regulate the allocations of channels and frequencies to electronic media. It has no authority to dictate the content of what the stations broadcast, either in their programs or their commercials. It would be well if Congress were to spell out more precisely the limitations of the jurisdiction of the FCC.

As for the evils of cigarets, the only defense that is effective, as well as acceptable, lies in education—and radio and television, like the printed media, have been engaged in this.

Smoke Ad Nonsense

The Federal Communications Commission's proposed ban on TV and radio advertising of cigarettes is probably unconstitutional and certainly beyond the scope of FCC.

The regulatory agency has no power to say what should or should not be broadcast.

The agency has voted 6–1 for the ban with the prohibition to take effect after July 1 if Congress allows a five-year ban on regulation of cigarette ads to expire on that date.

The FCC is out of its field to be judging the dangers of cigarettes. Statues entrust that judgment to the Food and Drug Administration.

The FCC's majority based its action on findings that some 50,000 deaths a year can be traced to lung cancer, which has been linked to heavy smoking of cigarettes.

About the same number die each year in auto accidents. Does FCC propose to ban car ads or advertising for such other killers as sleeping pills and alcohol?

The agency seems to think it has that power. And they might even get away with it because broadcasters are beholden to the agency.

A free society cannot tolerate such authority.

Most Americans know smoking doesn't contribute to health or longevity. Nor does liquor, wine, beer, or for that matter, overindulgence in coffee, ice cream or potatoes. The issue here isn't the danger of cigarettes.

It's whether a federal agency may, by decree, say what may or may not be advertised to the public when there is no question of fraud or crime involved.

Most cigarette advertising is ridiculous but it's no sillier than the FCC proposal.

[From the Newark (N.J.) Evening News, Feb. 13, 1969]

FCC's Censorship

Among bureaucrats the craze for running practically everything has found its latest expression in the Federal Communications Commission's intention, Congress permitting, to ban cigarette advertising on television and radio.

Cigarettes undoubtedly are injurious to the health. The medical profession generally believes smoking is a factor in cancer, heart and other ills. Statistical support for this position is marshaled regularly, and every cigarette package carries its own warning. Time is provided on the air for admonitions about the perils of cigarettes, and newspapers duly keep the public apprised of developments.

Therefore it may be reasonably assumed that virtually everyone is on notice that cigarettes have no redeeming qualities. That being so, Congress has seen no need for another noble experiment, one to a century being enough. Cigarettes not having been outlawed, there is no legal basis for FCC to impose its own brand of censorship.

Excessive consumption of coffee may be harmful to some persons; ditto beer and wine. Nevertheless, no bureaucracy has attempted to bar this type of advertising from the air. Accordingly, what the FCC offers is another example of what President Eisenhower once decried as "Washington poking its long nose where it has no right to be."

[From the Omaha (Nebr.) Morning World-Herald, Feb. 7, 1969]

FCC's Proposed Ban

The Federal Communications Commission's proposal to prohibit cigaret advertising on television should come as no surprise.

The FCC has been moving toward such a position for some time, and took a large step in that direction in June, 1967, when it ruled that broadcasters who carry cigaret ads must carry antismoking announcements as well.

Under present law, the FCC is prohibited from imposing further changes in cigaret advertising. However, the law expires June 30, and that is when the FCC would like to receive authority from Congress to order the removal of cigaret commercials from TV.

The commission favors a total prohibition, but leaves open the possibility of a milder rule that would allow advertising of "safer" cigarets, those meeting Public Health Service standards for low tar and nicotine content.

The commission also has left open an option for the broadcast industry to adopt a voluntary ban on cigaret ads.

The tobacco industry and the networks have an enormous financial stake in the issue, but implications of the FCC's proposal go far beyond the tobacco people and the broadcasters.

The core question, as David Lawrence points out in his column today, is whether Congress or the FCC or any agency should have the power to decide what may or may not be advertised for sale to the public.

If it is lawful to make and sell the article, then the right to advertise it is part of the right to conduct a business. If it is wrong to make and sell the article, Government should prohibit manufacture and sale.

To give Government power to exclude advertising of products that might be injurious to the public would open the door to vast abuses of governmental power and unprecedented interference in the lives of the people.

[From the Elmira (N.Y.) Star Gazette, Feb. 21, 1969]

Yes, Cigarettes Are Still Legal

In proposing a ban on cigarette advertising over television and radio, the Federal Communications Commission seems to have overlooked the considerable self-regulation already imposed by the broadcasting industry.

The television and radio codes of the National Association of Broadcasters provide:

"The advertising of cigarettes shall not state or imply claims regarding health and shall not be presented in such a manner as to indicate to youth that the use of cigarettes contributes to individual achievement, personal acceptance or is a habit worthy of imitation."

Opinions may differ on whether cigarette commercials comply fully with that restriction. But the broadcasting industry could make certain that they comply and could even ban them completely, as it now bans commercials for hard liquor.

Further, there has been good cooperation by the TV networks and stations with FCC regulations requiring free time for commercials pointing up the health menace of cigarettes. These anti-smoking ads have contributed in no small measure to the current decline in cigarette consumption.

The dilemma is how to control any harm of cigarette commercials in inducing Americans to smoke without setting the dangerous precedent of FCC prohibition of advertising for a product legally sold throughout the nation.

The FCC and Congress should give the industry a fair chance to review and, if needed, strengthen its self-regulation of cigarette ads before there is any consideration of censorship.

[From the Perth Amboy (N.J.) News, Feb. 20, 1969]

What Will Government Ban Next?

The indication that the Federal Communications Commission plans to bar all cigarette advertising from radio and television is disturbing.

It would appear to represent an unwarranted intrusion by government into the right of a company to do business and to attempt to sell its wares through whatever media it chooses.

The tobacco industry has already been subject to severe governmental harassment. Despite the lack of definitive scientific proof, cigarette makers are required to place labels on their packs, alerting the consumer to the alleged hazards of smoking. The FCC has also required the tobacco industry to pay for anti-smoking commercials as a "balance" for the cigarette commercials.

Where will it stop?

It is a dangerous trend if the government can by edict arbitrarily curb any product not

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socially desirable or potentially harmful when there it no legal basis whatever for such curbs and harasement. No laws are being violated and no crime committed and yet a huge and legally operating industry can be threatened with serious losses by government edict alone.

Cars are unsafe and provably so. Why could not the government forbid them to be advertised on radio or television under the same logic?

Secretary of Welfare Robert Finch, the administration's chief in the health field, said he does not agree with the argument that a product that can be used legally should necessarily have a right to advertise on radio or television.

But the danger in the situation is that this rule, which would have the effect of law, is issued by a regulatory agency.

If such action is to be taken, the proper point of origin is in Congress.

In any case, the proposed ban cannot go into effect before June 30, when a 1965 law forbidding new regulations of the tobacco industry is scheduled to expire. Congress could block the FCC's aim by renewing the law or passing a new one.

Government interference in private rights and the rights of companies to do business is a dangerous thing. If such regulation is deemed necessary in this instance, it should come from the action of the nation's lawmakers, not the whim of a governmental agency.

[From a Corinthian Broadcasting Corp. Press Release]

NEW YORK, February 7, 1969.—The following satement was made today by C. Wrede Petersmeyer, President of Corinthian Broadcasting Corporation:

"Corinthian is strongly opposed to the Federal Communications Commission's proposed ban on cigarette advertising on radio and television.

"Corinthian's opposition is based on principle and not on dollars. Obviously, if a ban is imposed, the broadcasting industry and Corinthian will lose some advertising revenue. However, the growth of television advertising is such that the cigarette dollars lost will quickly be replaced by those of other advertisers. Cigarette advertising represents less than 2% of Corinthian revenues.

"Corinthian is opposed to the ban for the following reasons: (1) Corinthian believes that the Federal Government should not prohibit the advertising, on any medium, of a product that can be legally sold and used. We are certain that Congress will recognize this basic principle. Should the people decide, through their elected representatives, that cigarette smoking is so dangerous to health that it should be stopped, then the manufacture, sales and advertising of cigarettes should be outlawed.

(2) Corinthian believes that to prohibit cigarette advertising on radio and television only and not on other media is discriminatory.

(3) Corinthian believes that the Commission lacks the authority under the Communications Act to impose such a ban.

"The issue eventually will be decided by the courts, and we believe that the decision will deny the Commission's authority."

Corinthian Broadcasting Corporation, which is listed on the New York Stock Exchange, owns and operates television stations in Houston (KHOU-TV), Tulsa (KOTV), Sacramento (KXTV), Ft. Wayne (WANE-TV) and Indianapolis (WISH-TV). All are affiliates of the CBS Television Network. It also owns Standard Reference Library, Inc., a publisher and distributor of encyclopedias and other home reference works, and Corinthian Editions, Inc., a publisher of books sponsored by businesses and institutions.

[From the New York Daily News, Feb. 7, 1969]

FREEDOM'S NOT FOR BURNING

The Federal Communications Commission voted 6–1 on Wednesday to ban cigaret advertising on radio and television. If it gets away with that arrogant stand, a part of every American's freedom will go up in smoke.

If, for example, Congress lets the commission muzzle broadcast advertising for cigarets, what is to stop it from banning the huckstering of other proved or assumed hazards to life and health, such as autos, fats and sweets?

No one is forcing Americans to smoke cigarets, nor are they being denied access to warnings about the possible perils of smoking. In effect, the FCC is saying the public is a boob and must be protected from its own gullibility and lack of character.

Nuts to you, Big Brother. And here's hoping Congress administers such an ear-boxing to the agency that it will forget forever its pipe dreams of playing public censor.

[From the Mount Vernon (N.Y.) Argus, Feb. 8, 1969]

WILL TV GIVE UP SMOKING?

It's unclear whether the Federal Communications Commission possesses the legal authority to banish cigarette commercials from radio and television. Congress may make that question altogether academic by extending a law, due to expire June 30, that bars any government agency from regulating cigarette advertising.

Yet, no matter what Congress does, the FCC's tentative recommendation is certain to fire a national debate that is unlikely to cool down in a hurry. For the companion question raised is whether, barring compulsion, the broadcasting industry should banish or curtail cigarette commercials on a voluntary basis.

In one sense, there is a precedent. Broadcasters have a long-established policy against airing liquor advertising, presumably to avoid encouraging a habit that is potentially ruinous for some individuals.

But the analogy is imprecise. Liquor is pretty much a regulated industry, at least at the retail level, where strict licensing and policing are applied. Moreover, the overuse of bottled spirits produces intoxication that represents a menace to society.

Cigarettes are quite another story. While the medical case against them is persuasive, the smoker represents only a potential menace to himself, not a public menace.

So where do cigarette commercials go from here?

Well, for one thing, it is feasible that the broadcast industry could limit them to hours when the proportion of young listeners and viewers is small.

For another thing, it might be a salutary idea to take the glamor, the stridency and the sheer idiocy out of these commercials.

It may well be that the offensive nature of the average cigarette commercial has been as responsible as anything else for kindling the ire of the FCC, not to mention millions of intelligent Americans.

Nor should this mean reverting to the competitive numbers game about tar and nicotine content.

Not many viewers and listeners can discern a "good" milligram figure from a "bad" one, so the end is confusion. And worse. For, implied in this numerical oneupmanship is something approximating positive health claims. Comparative or not, any such approach is unwarranted.

[From the Niagara Falls (N.Y.) Gazette, Feb. 18, 1969]

CIGARETTE AD DILEMMA

In proposing a ban on cigarette advertising over television and radio, the Federal Communications Commission seems to have overlooked the considerable self-regulation already imposed by the broadcasting industry.

The television and radio codes of the National Association of Broadcasters provide:

"The advertising of cigarettes shall not state or imply claims regarding health and shall not be presented in such a manner as to indicate to youth that the use of cigarettes contributes to individual achievement, personal acceptance or is a habit worthy of imitation."

Opinions may differ on whether cigarette commercials comply fully with that restriction. But the broadcasting industry could make certain that they comply and could even ban them completely, as it now bans commercials for hard liquor.

Further, there has been good cooperation by the TV networks and stations with FCC regulations requiring free time for commercials pointing up the health menace of cigarettes. These anti-smoking ads have contributed in no small measure to the current decline in cigarette consumption.

The dilemma is how to control any harm of cigarette commercials in inducing Americans to smoke without setting the dangerous precedent of FCC prohibition of advertising for a product legally sold throughout the nation.

The FCC and Congress should give the industry a fair chance to review and, if needed, strengthen its self-regulation of cigarette ads before there is any consideration of censorship.

[From the Wall Street Journal, Feb. 10, 1969]

CIGARETTES AND TELEVISION

Though the matter hasn't really been settled with any scientific exactitude, it's pretty clear by now that cigarette smoking —like a lot of other things—may indeed be hazardous to your health. And that does raise the question whether cigarette makers should be touting their products with abandon on radio and television.

If you answer that question in the negative, and many people do, a couple of other questions arise: Who should remove cigaret commercials from the broadcast media? And how, precisely, should they go about it?

Well, the Federal Communications Commission, never exactly bashful, appear to feel sure it has the answers to all those queries. Last week, it announced that it planned to bar cigaret ads from radio and television.

The commissioners presumably are responsible men, sincerely concerned about the nation's health. Even so, however, there were other approaches open to the agency. For example, it could have proposed detailed legislation to Congress or encouraged current tobacco industry consideration of a voluntary ad ban.

Congress, after all, passed a 1965 law designed to prevent further restrictions on cigaret advertising. The FCC ban is scheduled to take effect only after that law expires on June 30. The agency thus is putting extreme pressure on Congress, a procedure that is—to put it mildly—fairly arrogant.

The arrogance of the agency shows up even more clearly in the suggestion that it may exempt cigarets that are low in tar and nicotine or include certain types of filters. Thus the commissioners, presumably chosen for their ability to oversee the communications business, not only proposes to rule that a product is bad for the citizens but may even hold that some types of that product are less bad than others.

One irony of a cigaret ad ban is that it apparently would hurt small firms—long a concern of the Government—much more than large ones. In any case, its small tobacco firms that have been the chief opponents of the industry suggestions that cigaret makers voluntarily withdraw their radio-TV commercials. And spokesmen for the big networks have said that, after an initial shock, they would quickly recover from the loss of cigaret ads.

With the none-too-gentle shove from the FCC, Congress now must proceed to consider the matter. It might at the same time give some thought to measures to curb agency arrogance.

[From the Rochester (N.Y.) Times Union, Feb. 14, 1969]

The TV Cigarette Ad Dilemma

In proposing a ban on cigarette advertising over television and radio, the Federal Communications Commission seems to have overlooked the considerable self-regulation already imposed by the broadcasting industry.

The television and radio codes of the National Association of Broadcasters provide:

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The FCC and Congress should give the industry a fair chance to review and, if needed, strengthen its self-regulation of cigarette ads before there is any consideration of censorship.

[From the Oswego (N.Y.) Palladium-Times, Feb. 8, 1969]

Regulation: Worse Than Smoking

There are few persons outside the tobacco industry who would argue seriously that cigaret smoking has not been conclusively proved to be dangerous to one's health. But when a federal regulatory agency comes along, as the Federal Communications Commission did earlier this week, to issue formally a proposed ban on all cigaret advertising on television and radio, we believe an outrage has been committed; that the federal government (Big Brother, if you will) is overstepping its bounds. It is an unconscionable intrusion into the prerogatives of private enterprise.

Why, you may reasonably ask, should a newspaper come to the defense of the competitive media—television and radio? Why especially would we do this when potentially newspapers stand to be a beneficiary of the FCC proposal since advertising dollars that are now going into those media would be diverted to newspapers, which are not covered by the prohibition? The answer is really quite simple:

The sale of tobacco in this country is not illegal, and the tobacco industry is putting a legitimate product on the market. If the federal government is successful in imposing an advertising ban in this area, is it not likely, once the precedent is set, that it will move into other areas as well?

Alcohol kills. So do automobiles and countless other products. Yet the FCC has not moved against the beer industry or the motor car field. Will they be next if this theory the FCC has espoused is allowed to become fact?

The very effective (and sometimes frighteningly amusing) anti-cigaret commercials that are being run as a public service by many radio and TV stations in behalf of the American Cancer Society serve to counteract the tobacco commercials. Moreover, if there is any American today who is unaware of the dangers of smoking, he's unaware of everything else too and the presence or absence of radio won't affect him one way or the other.

Cigarets are unquestionably dangerous to the physical health of some people of this nation today, but more dangerous to the moral and political health of the United States over the long term is the proliferation of government regulation, as exemplified by what the FCC is trying to do at this time.

[From the Asheville (N.C.) Citizen, Feb. 8, 1969]

Is the FCC Puffing or Bluffing?

In threatening a complete ban on radio-television advertising of cigarettes, the Federal Communications Commission is seemingly attempting to usurp a prerogative it doesn't have—certainly not without the concurrence of Congress.

Harmful or not (and the point has never been established to the satisfaction of many research scientists) cigarettes are a lawful product, sanctioned for sale on the open market. If they "May Be Hazardous To Health" as the wrappers must now proclaim, it is possible they are no more hazardous than automobiles, motorcycles, chain saws, certain types of toothpastes, extra-strength detergents, and various other commercial items that are widely promoted on the air. As long as cigarettes are accepted as safe enough to sell, the advertising of competitive brands, within the limits of truth and decency, should not be restricted.

Congress isn't likely to permit the FCC to carry out its threat, which would amount to bureaucratic suppression. Perhaps the agency realizes that; but the fact that such an edict is contemplated seems to reflect the distorted self-image of power this federal commission has assumed and apparently seeks to exercise.

Not that we advocate the smoking of cigarettes; they *may* well be, as the labels maintain, a potential menace. But so, in this instance, is the FCC.

[From the Yonkers (N.Y.) Herald Statesman, Feb. 8, 1969]

Will TV Give Up Smoking?

It's unclear whether the Federal Communications Commission possesses the legal authority to banish cigarette commercials from radio and television. Congress may make that question altogether academic by extending a law, due to expire June 30, that bars any government agency from regulating cigarette advertising.

Yet, no matter what Congress does, the FCC's tentative recommendation is certain to fire a national debate that is unlikely to cool down in a hurry. For the companion question raised is whether, barring compulsion, the broadcasting industry should banish or curtail cigarette commercials on a voluntary basis.

In one sense, there is a precedent. Broadcasters have a long-established policy against airing liquor advertising, presumably to avoid encouraging a habit that is potentially ruinous for some individuals.

But the analogy is imprecise. Liquor is pretty much a regulated industry, at least at the retail level, where strict licensing and policing are applied. Moreover, the overuse of bottled spirits produces intoxication that represents a menace to society.

Cigarettes are quite another story. While the medical case against them is persuasive, the smoker represents only a potential menace to himself, not a public menace.

So where do cigarette commercials go from here?

Well, for one thing, it is feasible that the broadcast industry could limit them to hours when the proportion of young listeners and viewers is small.

For another thing, it might be a salutary idea to take the glamor, the stridency and the sheer iodiocy out of these commercials.

It may well be that the offensive nature of the average cigarette commercial has been as responsible as anything else for kindling the ire of the FCC, not to mention millions of intelligent Americans.

Nor should this mean reverting to the competitive numbers game about tar and nicotine content.

Not many viewers and listeners can discern a "good" milligram figure from a "bad" one, so the end is confusion. And worse. For, implied in this numerical oneupmanship is something approximating positive health claims. Comparative or not, any such approach is unwarranted.

[From the Burlington (N.C.) Times News, Feb. 7, 1969]

Principal, Not Tobacco Industry, at Issue in New Proposal by FCC

It is apparent that the Federal Communications Commission will have its hands full in gaining authority from Congress to ban all cigarette advertising from radio and television.

The role of North Carolina in the controversy which will develop is evident. As the largest crop in the state, any major shift in tobacco production and demand can have an economic affect of unlimited proportions. Therefore, the state must be alert through government and tobacco industry interests to make sure it becomes a major party to what may be done in Congress.

But there is more at stake than the economics through tobacco. There also is the question of private enterprise and its freedom and limitations to handle a legal product on the market. Cigarette consumption also must be considered in a different category than limitations placed on liquors, which may be used as an example in the argument.

Opposition to the FCC proposal to Congress should not be based necessarily on a protective measure of the tobacco industry, as important as this is to North Carolina. The individual is warned now of the hazards of smoking, and this becomes a personal decision. It also is a personal decision if someone wants to drink beer or liquors. The sale is legal, therefore, government can be seeking an authority in an area that can be highly questioned so far as private rights are concerned if it will legislate what can and cannot be done with a legal product.

The argument against the FCC proposal can be strong and reasonable—far beyond the dollars and cents influence of a state's economy.

If the time arrives when tobacco can be classified by government as a narcotic, then regulatory measures can be understood. That time isn't here now, however, meaning that the FCC and Congress must give basic consideration to rights of an industry, just as it is trying to place a protective arm around health issues that are far from unsettled. To reduce one strong and basic principal to support another which cannot be regarded as settled and unquestioned is not the best interests of anyone.

[From the Asheville (N.C.) Times, Feb. 10, 1969]

Banning Cigarette Ads

The Federal Communications Commission, by moving for the prohibition of cigarette advertising on television and radio, is getting

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into a chancy area. Regulation of the personal habits of the nation by executive decree has little to recommend it and much to look askance at.

In its regulations to date, the FCC has been anything but consistent. There is no advertising of hard liquor on the airwaves, but beer and wine have a free hand and bring in their millions to the networks and advertising agencies. All are intoxicating, and there is little logic in excluding one form of intoxicant and permitting others.

Further, some medical experts still dispute the claim that cigarettes are a direct cause of lung cancer. Until all controversy has been settled, the FCC is infringing on private rights in seeking to forbid the advertising of cigarettes on the air.

[From the Durham (N.C.) Sun, Feb. 8, 1969]

POTENTIAL PERILS IN THE FCC PROPOSAL

The Federal Communications Commission proposal to impose a total ban on radio and television advertising of cigarettes—if Congress lets the agency get away with it by allowing the 1965 "health warning" law to expire June 30 without further action—is unwise and unrealistic and would set a potentially dangerous precedent.

The FCC contends that figures from the Department of Welfare showing 50,000 deaths from lung cancer and 25,000 more each year from emphysema and chronic bronchitis, along with other "evidence," show the seriousness of a public health hazard which warrants the FCC's proposed action. The agency says that, according to federal health authorities, the deaths are connected with cigarette smoking.

It is entirely possible that some of those deaths were hastened by excessive smoking. Some doctors say that excessive smoking (such as "chain smoking" or smoking three packs of cigarettes a day) is not good for the smoker and may well be dangerous—even eventually fatal.

It is an established fact, however, that excessive and prolonged drinking of whisky and other largely-alcohol "drinks" results in wholesale deaths each year.

Many doctors and "health experts" also warn that excessive eating of pork, consumption of eggs, and even habitual overeating of anything, is a health hazard and may bring one to an early grave.

Is the FCC going to propose that radio and television advertising of these products be banned, too? We doubt it, despite the fact such action would be just as logical as the proposal on cigarettes—especially in the matter of advertising of liquor.

A very real danger in the FCC proposal is that it poses the hazard of a foothold or "opening wedge" that might lead to efforts toward broader federal controls of all communications media—despite a statement by FCC chairman Rosel H. Hyde that "This is not a first step toward censorship."

Aside from this possibility, there is the certain fact that the proposed ban would deprive many Americans of the right to hear and see anything about cigarettes through radio and TV advertising—an infringement on their "right to know," regardless of how limited that infringement might appear to be in the "opening wedge" stage.

[From the Charlotte (N.C.) News, Feb. 11, 1969]

SMOKING BAN CONGRESS

The Federal Communications Commission's proposal to ban cigaret advertising from radio and television should certainly prod Congress into dealing more thoroughly than it has with the smoking-health controversy. The uncertainty over just how to handle what many Americans believe is a public menace—that is, the sale and promotion of cigarets—has persisted too long. Congress ought to review the data bearing on the publicized dangers and non-dangers of smoking before the FCC jumps into the act, and establish a clear policy based on its own conclusions.

The 1965 act which requires a health hazard warning placed on cigaret labels expires this year. If Congress does not extend or amend the act, the FCC's proposed ban on advertising would automatically take effect. Both the cigaret industry and the television networks can be expected to urge Congress to some sort of action, and with good reason. Neither would like to see the ban take effect.

However, there are other concerns which would arise if the FCC's ban were permitted to become rule. First of all, there is not yet any congressional decision on whether cigarets are harmful; the warning label says that smoking may be hazardous. In view of this, is it wise or even proper for a governmental agency to take so drastic a step as banning cigaret advertising when there is no similarly forceful congressional policy regarding the danger of cigaret smoking?

A second concern arises over the precedent the FCC would appear to be setting by banning cigaret ads from the airwaves. Could it not also move to ban ads for other products which it, and it alone, deems unsatisfactory? Considering again Congress' failure to recognize legally the good or bad effects of smoking on health, the FCC's proposed ban, based on its own opinion, seems very unwise. Nor does meddling with the promotion of a product considered to be harmful seem a very intelligent way of disposing of the danger. If the sale of cigarets is not in the public's best interests, then the government ought to either ban such sales or require that cigaret contents be made safe. A drug considered to be harmful is banned by the government, not permitted to be sold without advertising or with advertisements which warn that this product is harmful.

Approached from this standpoint it becomes all the more obvious that Congress must decide whether cigarettes are dangerous or not—or whether there is enough evidence to draw either conclusion. If tobacco is as dangerous as the FCC seems to think, it makes more sense to begin by regulating the product itself than by tampering with its promotion. Now, regulating the contents of cigarets may be politically difficult or impossible to do in the face of the tobacco and television lobbies and tobacco area legislators. But it is the only consistent and fair approach. And to repeat, attacking the promotion of cigarets is unwise on several counts.

We believe that smoking is hazardous to health. We also think that the day will come when smoking will be less a part of the daily life of Americans than it is now. But the issue at present is whether or not a non-elected federal body should act to ban advertising on a product which is still legal to sell. We don't think so. Congress ought to head off the FCC and make up its own mind about cigarets.

[From the Fayetteville (N.C.) Observer, Feb. 7, 1969]

AD BAN UNJUSTIFIED

The Federal Communications Commission's proposed ban on cigarette advertising on radio and television seems an extreme step at this point in the continuing smoking and health controversy.

One reason, of course, is that public health authorities obviously haven't proved to the satisfaction of the great majority of Americans that smoking does indeed cause all the lung cancer and emphysema deaths being attibuted to it.

At least it seems safe to assume that if the overwhelming majority of Americans did take the "statistical evidence" against smoking as hard proof, the tobacco industry might well be tottering on the brink of disaster.

At the same time, though, some of the outcries against the FCC's proposal seem a little bit extreme and hysterical too. "A supreme example of bureaucratic tyranny," said Sen. Sam J. Ervin of North Carolina.

No tyranny, bureaucratic or otherwise, has been exercised in this matter. The FCC may be wrong but it is moving within its jurisdiction and, as required by law, has given official notice in ample time for Congress to override it in this matter of great importance to the tobacco-growing and tobacco-manufacturing state of North Carolina.

Cigarette advertising is, of course, big business to the television and radio networks. Tobacco firms now spend almost $227 million or about 75 per cent of their advertising budgets on TV and radio commercials. This is about 10 per cent of the broadcasters' revenues. And the industry has not only a large stake in this proposal but a legitimate argument that there should be no outright ban on the advertisement of products that can be legally sold.

If there is any justification for the FCC's new proposal, it hasn't yet been advanced. And the present health warning on cigarette packages, which in effect stresses the need for moderation in cigarette smoking as in other things, is strong enough medicine at this time.

Meanwhile, in its own self-interest, the tobacco industry might be well-advised to look to the content of some of its TV advertising, which at least some parents find objectionable because of its clear pitch to young people.

[From the Elizabeth City (N.C.) Daily Advance, Feb. 9, 1969]

THE FCC MAY BE HARMFUL TO YOU

We don't carry enough cigarette advertising to matter so we aren't grinding a proprietary axe herewith.

But we feel with an almost apoplectic passion our Federal Communications Commission has finally gone around the bend with it's sober-chops proposal to ban cigarette advertising on television and radio.

FCC thinks it has a legal capability to do this if Congress doesn't step in before the 1965 statute—the "hazardous to health" law that every pack of cigarettes now proclaims—expires on 30 June of this year. Under that law FCC is prohibited from taking any regulatory steps against cigarette advertising. So is the Federal Trade Commission. If Congress doesn't do anything before the law runs out presumably *both* Federal agencies will declare open season on Madison Avenue and the tobacco industry.

Well, now, let's take a look at the implications here. First of all FCC bases its desire to ban cigarette huckstering in radio and TV on grounds smoking is "a most serious, unique danger to public health."

We think it is amazing that FCC which, when we last checked, wasn't in the medical business, has the temerity to finally settle the controversy involving the causal relationship between cigarettes and lung-cancer. This is a little like the Agriculture Department banning the F–111 because it is hazardous to the health of Air Force pilots, who may plow cross-furrows in Federally supported dandelion crops when they hit the ground at Mach 2.

We aren't going to argue with FCC, the Public Health Service or anyone else about the health-cigarette issue which will finally be resolved by medical research.

What bugs us is the presumption of FCC. It wants to impose what amounts to censorship in a shockingly bureaucratic way.

We are sure those FCC civil servants are absolutely bemused with good intentions, at the expenses of their own common sense. And We'll go along with the idea cigarettes *seem* to be statistically hazardous to health. But, human nature being what it is, a man who has run out of smokes can be a lot more hazardous to his own human condition if he has to Walk A Mile For A Camel, and finds the store closed.

Health problems aside, the only thing we are sure will compel a person to stop smoking cigarettes, if he is hooked, is will-power, ascendant and supreme. Like ours. We kicked the habit and now we only smoke twenty cigars a day. (Hey, now—why doesn't FCC take a realistic view and allow Muriel to wear a headband that says *Cigars Are Less Hazardous To Your Health*. This could go on to hardly more absurdity than the current FCC proposition. Announcer, reading from FCC authorized script: *Sniffing Snuff Makes You Sneeze But It's Safer*. Or even: *Pipe Smokers Live Longer But Are Hazardous To Carpets*.

If you will look over there on the Op-Ed page you will see that Bill Winslow pursues this idea on a related subject, in more gracious and satisfying prose. He should; he thought of it first.

The point is if Congress let's FCC ban cigarette advertising from the airways (and you can bet your boots it better not) pretty soon it will ban anything it feels is injurious to anyone for any reason.

This, of course, will mean the nation will spend 28-hours a day looking at test patterns on TV or hearing the hum of a carrier signal on AM disc-jockey time because, really now, most of the stuff FCC lets us see and hear is not only hazardous to mental health but is absolutely fatal to sensibility.

If FCC is really so worried about us, we wish it would do something about the casual relationship between a super stinker TV program, and the high cost of a picture tube, imploded by a well-known shoe. This sort of thing *is* hazardous to our health, more so than cigarettes, because Blue Cross doesn't cover the full cost of a hernia bestowed whilst tossing the busted Telly out of a window and concern about the resulting overdraft can cause psychic trauma.

Have a cigar gentlemen, and tidy up your own front yard first.

[From the Greensboro (N.C.) Daily News, Feb. 7, 1969]

CIGARETTE ADVERTISING

Like every other federal regulatory agency, the Federal Communications Commission is basically an instrument of the will of Congress. Its rulings are also subject to review in the courts.

Those who react so hysterically to an exceedingly iffy FCC threat to ban cigarette advertising from television should bear both facts in mind.

Only if Congress permits present legislation in the cigarette advertising field to expire June 30 would the FCC have power to carry out its threat. And even if the ban went into effect temporarily it is difficult to believe that the courts or Congress would uphold a ban so patently discriminatory against one product.

It is, in any case, a matter of speculation how much impact TV cigarette advertising has on the total consumption of cigarettes. Obviously the manufacturers believe it has some impact or they would not spend $227 million a year. But the function of most cigarette advertising on television is to differentiate what it is difficult to differentiate, not to introduce more non-smokers to the hazards and pleasures of smoking. The usual emphasis of cigarette advertising is that this brand adds glamor, that one ruggedness, or another a certain touch of personal unorthodoxy. There are no pitches to the effect that smoking is good for you.

We continue to feel, when all is said and done, that the interest of the FCC and Congress in smoking and health is not misplaced—and certainly no example of wanton "bureaucratic tyranny." Despite the counter-barrage of the tobacco-boosters, there is little reasonable doubt that too much cigarette smoking can be harmful to health and can increase the statistical possibility of lung and heart disorders.

In our view, spokesmen for tobacco interests should not—and many already do not—expect their advertising efforts to cast doubt on the case against cigarette smoking, or change very many minds or habits. Few smokers smoke because they manage to conceal for themselves the persuasive case made by the Surgeon-General's reports. More of them believe, with Dorothy Parker, that—

> "Razors pain you;
> Rivers are damp;
> Acids stain you;
> And drugs cause cramp.
> Guns aren't lawful;
> Nooses give;
> Gas smells awful;
> You might as well live."

About all the FCC has done, in signifying its intent to ban cigarette advertising, is put Congress on notice to renew the 1965 legislation when it expires and, moreover, give a talking point to those in Raleigh who desperately—and wrongheadedly—suggest that tobacco be spared its long overdue share of the tax burden in North Carolina.

[From the Raleigh (N.C.) News & Observer, Feb. 7, 1969]

FACTS AND TACTICS

Tobacco state congressmen can and should contest the decision of the FCC to ban broadcast advertising of cigarettes. If not at least modified, the decision could encourage other attacks on the tobacco industry and threaten the livelihood of thousands of tobacco growers. At the same time some facts need noting, and some tactics may need changing.

The surgeon general's report on smoking and health, including the supplement submitted to the Congress last year, continues to gain public support. Increasingly, its lack of scientific certainty becomes a moot point as more millions of Americans are persuaded that it is probably true. It is these people, not a few misguided crusaders, whose concern must be acknowledged and eased by tobacco interests. These millions, many of them parents, many of them undoubtedly smokers, seek removal from the public airwaves of appeals which encourage the young to smoke. An analogy might be imagined with whisky. The whisky industry spends millions to promote sales each year, but avoids the public airwaves because of public opposition and the FCC's regulatory authority. It has thereby also avoided a health warning label more logically deserved.

Even the tobacco interests have seemed to agree that the FCC has authority to regulate cigarette advertising. In 1965 tobacco state congressmen won, only after great effort, the compromise labeling law which forbids FCC regulation of advertising before this coming July 1. That seems clear admission that such authority otherwise exists.

What is feared now is that the Congress, most of whose members believe the surgeon general's report is either true or probably true, will enact punitive and unwise legislation against tobacco. The industry itself evidently recognizes this threat and is rallying behind a bill to be offered by Congressman Richardson Preyer to extend the present labeling and advertising act. The industry accepts the warning label now required as the best that can be hoped for from a Congress which might well approve a more drastic and unfounded warning.

The FCC advertising ban announcement puts tobacco even more on the defensive. It is the nature of the legislative process that success comes easiest to opponents of a controversial bill. It is easier for the Congress to do nothing than something. And to modify the FCC's ban will require tobacco interests to push a controversial bill to enactment.

Confronted with the situation, tobacco is looking down a double barrel, and its right to fair treatment is not assured by the hurling of wild rhetoric, in the fashion of several North Carolinians on Wednesday. Sen. Sam Ervin termed the FCC announcement "a supreme example of bureaucratic tyranny." Rep. Walter Jones charged it would "open wide the doors for untold censorship of all types." Other verbal blasts from within the State—Governor Scott providing a notable exception—were equally excessive.

The compromise that must be sought to modify the FCC ban and to limit warning labels to reasonableness cannot be achieved with bombast. Tobacco does not face gloom and doom. Its friends should not promote the belief that it does.

[From the Raleigh (N.C.) Times, Feb. 6, 1969]

BASIC DANGER IN FCC PROPOSAL IS A THREAT TO RULE BUSINESS

The basic danger in the Federal Communications Commission's proposal to ban cigarette advertising on radio and TV is the willingness to use a government rule to drive an industry out of business.

If cigarettes are a definite danger to the health of this country because of a threat to the health of its citizens, then cigarettes should be prohibited by law. The FCC shouldn't try to prohibit them in the long run by the devious process of banning advertising of cigarettes. This would be an unwarranted use of a government power to accomplish something by indirection.

Federal health authorities who feel that a definite link has been established between smoking and lung cancer most surely have a right and a duty to say so in every possible way. In doing this, they are giving the citizens of America the benefit of their research and of their considered opinions on the subject. This is a true responsibility of government, and is a legitimate exercise of a government function.

If the FCC proposal should be followed, the gates would be opened for any governmental agency to proceed against any business in the country. People are killed riding in airplanes, but nobody says anything about banning either airplanes or advertising urging people to ride on them. People injure their health by drinking too much alcohol, but nobody now wants to ban alcohol or ban whisky advertising.

Some scientists feel that the link between smoking and cancer has been well proved. Other scientists feel it hasn't been proved.

Both sides in this would do well to spend more energy and money in really trying to find out instead of generating so much heat over such things as banning advertising.

[From the Rocky Mount (N.C.) Telegram, Feb. 7, 1969]

FCC ATTACK IS UNWARRANTED

Setting aside the pros and cons of whether tobacco has a direct relationshp with certain diseases, North Carolina political leaders and representatives of the tobacco industry have every reason to be upset over the latest scheme of the Federal Communications Commission to impose censorship upon all cigarette advertising on radio and television.

Certainly there must be constitutional questions involved. Here we have a federal agency decreeing, on the basis of unproven evidence, that smoking causes lung cancer and other respiratory diseases, and therefore the federal government not only has the authority but is obligated to ban cigarette advertising from the air waves.

We don't believe there is a provision in the Constitution or a law in the statute books that gives the FCC bureaucrats such authority.

Let's assume, for the moment, however, that the FCC does have such dictatorial powers. Where is the consistency?

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—The federal government permits an industry to engage in farming, then takes the product of the farm—tobacco—and permits it to be involved in manufacturing, then permits it to be entered into commerce and the open market, both domestic and foreign. (Then the government says this industry cannot advertise its products on the airwaves)

—The government subsidizes, to the tune of billions of dollars, the growth of tobacco, the purpose of which is to be converted into a consumer's product—the cigarette. (Then the government says this industry cannot advertise its products on the airwaves)

—The government has nothing to say about liquor and other alcoholic beverages which are advertised on the airwaves. When did cigarette smoking ever break up a home and ruin lives financially, socially and business-wise? Where are the warning labels on liquor bottles and beer cans?

So what we have here is a classic example of rank discrimination—something the feds have been screaming about in all fields for a dozen years.

Apparently the FCC, in its zeal to protect the public's health (if that is its motive), has given little consideration to the economic repercussion of such an arbitrary decision. Tobacco firms spend $226.9 million a year in radio and television commercials—about 75 per cent of their advertising budget. As for the broadcasters, this constitutes a hefty 10 per cent of their total revenue.

And of course this does not even take into account the impact such an arbitrary policy will have on the rest of the industry—the farmer, the warehouseman and the manufacturer himself.

FCC Chairman Rosel Hyde offers a rather weak basis for the commission's action: "I don't believe the First Amendment precludes the commission from prohibiting advertising which would cause the deaths of individuals in the numbers presented here."

Hyde ought to know the government is guided by what the Constitution and the Amendments *say,* rather than what they *don't* say.

And nowhere does the Constitution say the government can close down a segment of industry for no reason.

As for whether the FCC has a valid reason for censoring advertisement it has never been proven in court by legal authorities or in the laboratory by scientists that tobacco definitely and finally causes disease in a certain person.

A prominent scientist who has been closely associated with tobacco-health research said only last Monday that "there is no demonstrated causal relationship between smoking and any disease." This statement was made by Dr. Clarence Cook Little who has been engaged in such research for years.

But while this is a serious and vital subject for debate and further research, it is not sufficient reason for the action taken by the Federal Communications Commission.

Hyde denied that the FCC proposal amounted to censorship. Hitler made the same denial: what he was doing, he said, was for the good of the people.

And the federal government has been encroaching far too much in recent years upon the liberties of the people—"for the good of the people."

[From the Rocky Mount (N.C.) Telegram, Feb. 24, 1969]

HAZARDOUS TO THE NATION

The hazards of smoking are not the real issue in the Federal Communication's attempt to bar cigarette advertising from television and radio. The issue is what authority the FCC should have to ban the advertising of any particular product, as long as the advertising does not offend the public taste.

Cigarette smoking, said the Commission by a 6 to 1 vote, constitutes "a serious, unique danger to public health . . . (and) it would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of a product posing this unique danger . . ." Commissioners said they did not know of any other product "calling for such action" and "expressly claim any intention to proceed against other product commercials." Perhaps there is no such intent by these Commissioners. But the precedent would be established.

Suppose a majority of a future Commission decided that because alcoholism is a real problem all beer commercials should be prohibited. Or that the horrible increase in traffic deaths warranted a blackout on advertising of sports cars. Or that the excessive use of some drugs required a ban on patent medicine ads. The average TV viewer and radio listener would be happy if all commercials could be banished as a hazard to his nerves. Commercial broadcasting has as yet found no other way to survive. It cannot live under a form of censorship based on the possible prejudices or even the selfish interests of the regulatory body.

The tangled web which the FCC would spin is indicated by its suggestion that perhaps those brands of cigarettes low in tar and nicotine would be exempted from the proposed ban. Thus, some companies would profit by being able to use a mass advertising medium denied to cigarette makers. Newspapers and magazines could expect to pick up some $300 million in advertising barred from the TV and radio stations. So it would go. The possibilities for inequity and favoritism, through bureaucratic action, are alarming.

[From the Southern Pines (N.C.) Pilot, Mar. 5, 1969]

NOT "PROHIBITION" AGAIN

Whatever the merits of the smoking-health issue, and there are still large questions which need better answers, there is one thing certain, and that is that the proposed FCC ban on advertising is not the right way.

Such an order by the Federal Communications Commission to prohibit cigarette advertising on radio and television may be forthcoming. There is a question of whether it could stand a constitutional test, and undoubtedly it would be tested in court.

What tobacco manufacturers fear is that this would be simply the first step in another excursion into prohibition. Many recall the "noble experiment" of prohibition of all alcoholic beverages, an experiment that didn't work. In fact, there is strong evidence to show that it caused more damage than it did good. At any rate, such prohibitions are doomed to failure, and so it would be for cigarettes.

There are reports that in 1968 there were more people quitting smoking than beginning smoking. It's hard to see how such reports could be backed up with firm statistical support. But, if true, it indicates that the vast amount of governmental propaganda against tobacco is having effect.

Any decline in smoking affects the economy of North Carolina, and any marked decline would prove a severe impairment. Yet North Carolina farmers should read the warnings. Any whose sole dependence is on this one crop should begin now to look for a substitute. Cigarette manufacturers are diversifying their industry, acquiring new and different companies to offset any losses that may come from losses in cigarette sales.

Tobacco is under attack, and North Carolina leaders are justified in coming to its defense.

Much still needs to be proved as to claims against tobacco as a hazard to health. Until such claims are substantiated better than they are now there should be no attempts at prohibition.

[From the Wilmington (N.C.) Star, Feb. 7, 1969]

A DANGEROUS PROPOSAL

The Federal Communication Commission's proposal to ban cigarette advertising on radio and television is one of the most dangerous suggestions to come out of a Washington bureau in years.

This absurd move is based on the FCC's assertion that smoking is "a most serious, unique danger to public health." Obviously, six of the seven members of the Commission have accepted as a fact a highly controversial report. The Commission points to statistics of the U.S. Department of Health, Education and Welfare which blame smoking for the deaths of many Americans. These statistics have been challenged since the time they were issued. But this is not the major aspect of the deplorable proposal by the FCC. What it wants is to compromise the principle of free speech, as represented by advertising and, in doing so, encourage the restraint of legitimate trade.

The point we wish to emphasize is simply this: Commodities or articles which are legal in the eyes of the laws of our Republic—and cigarettes certainly are legal—should not be subjected to any restraint as to their advertising in any form their makers wish.

After all, the principle the FCC is following as to cigarettes could be applied to many other products. And if and when it is applied, then advertising—one of the major assets of the free enterprise system—would be entirely under the control of bureaucrats and politicians.

Thus, when one looks ahead, the danger of the FCC proposal is magnified greatly.

Chairman Hyde has said he is confident his agency will have the legal authority to enforce a cigarette advertising ban when the 1965 Cigarette Labeling and Advertising act expires on July 1. Under this law, both the FCC and the Federal Trade Commission are prohibited from taking any action to regulate cigarette advertising.

Expecting a full congressional review of the smoking controversy after July 1, Mr. Hyde said "it is a matter in which Congress will be the final arbitor."

When the time comes for Congress to make its decision, its answer would be a wholehearted and emphatic "No!" to the latest FCC proposal. Otherwise American freedom of speech and free enterprise will suffer one of the most serious setbacks in modern times.

[From the Cincinnati (Ohio) Enquirer, Feb. 25, 1969]

CIGARETTE ADS AND THE PUBLIC INTEREST

Thanks to the Federal Communications Commission, Congress now has before it a question that none of its members bargained for.

The specific issue is whether to extend a 1965 enactment, due to expire July 1, that denies to the FCC and to the Federal Trade Commission the authority to regulate cigarette advertising. If the legislation is extended, the ban on the commission's authority would continue; if it is allowed to expire, the FCC would be empowered to make good on its 6–1 decision to ban cigarette advertising on radio and television.

To the television networks, the FCC's order could be close to crippling. Fully 10% of TV's total advertising revenue reportedly comes from cigarette manufacturers.

But to the tobacco industry, the order could well prove a blessing. Some cigarette makers advertise on television not because they want to or need to, but because their competitors advertise on television. Without what is perceived to be the necessity of TV advertising, the American Tobacco Co.'s earnings per share in 1967 would have jumped 27%, and the earnings of Liggett & Myers would have risen by 75%. Newsweek magazine quotes one Wall Street analyst as saying that TV adver-

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tising is "like an albatross around (the tobacco companies') necks."

More important than the financial aspects of the projected ban, however, is the constitutional question.

The FCC was created to license TV and radio stations and to exercise general supervision over their operations in the theory that the airwaves belong to the public and that their use must be in what is vaguely known as the public interest.

In this instance, the FCC believes that cigarette commercials are contrary to that interest.

Indeed, the commission, in advancing its proposal, contended that cigarette smoking is so clearly injurious to the nation's health that "the authority to act (against it) is the duty to act."

It seems to us, that, if it becomes unmistakably clear that cigarettes are the public menace that the surgeon general, among others, believes them to be, their manufacture, sale and consumption should be banned—not simply their advertising on TV and radio.

Why should TV and radio be barred from accepting advertising from what remains a legitimate and lawful enterprise? If the cigarette makers can profit from the nation's appetite for smoking, why should the TV and radio networks and stations be singled out and not allowed to profit?

What the FCC is seeking to do with respect to cigarette advertising today, it could just as validly do with respect to a dozen other commodities tomorrow. It has never apparently considered proscribing beer advertising, although beer-drinkers can become drunken drivers; or automobile advertising, although automobiles can become lethal weapons; or sleeping-pill advertising, although sleeping pills are the frequent tool of suicides.

The easiest way out would be for Congress to extend its statutory denial of the FCC's authority to act as sweepingly and as arbitrarily as it has in this instance.

Beyond that, there could well be a redefinition of the FCC's mission and performance.

[From Taft Broadcasting Co., Cincinnati, Ohio, Feb. 24, 1969]

CIGARETTE ADVERTISING

James J. Kilpatrick writes a column for the Enquirer and, periodically, shows up on Tall 12's Eleven PM Newscasts with a comment about something in the news.

Recently, he wrote about the Federal Communication Commission's proposal to ban cigarette advertising on radio and television. His remarks warrant your consideration. Mr. Kilpatrick said, and we quote:

"So drastic an edict cannot be permitted—not so long as we adhere to the principles of a free society. It would be unthinkable for the Congress to enact some law prohibiting the advertising of cigarettes . . . which are still a lawful commodity . . . in magazines and newspapers.

The same First Amendment principles apply, by extension, to advertising by radio and TV; this is by far the most important issue. One day, the causes of cancer will be found. Perhaps cigarette manufacturing will then be banned entirely; or perhaps means will be found to eliminate the carcinogen, or to immunize against it. No one knows.

Meanwhile, voluntary efforts to reduce cigarette consumption are working—and this is all the government should try to do. When Big Brother attempts to impose his own ideas in the fashion proposed by the FCC, our body politic falls victim to a form of cancer that may never be cured at all.

That's James J. Kilpatrick's comment and we think you ought to think about it.

[From the Lima (Ohio) News, Mar. 2, 1969]

DO AS I SAY

The Federal Communications Commission proposes, unless Congress stops it, to ban all cigarette advertising within the powerful FCC domain. That means no more will television viewers have the "opportunity" to see previously unspoiled nature while a couple of clean young persons pollute the air with their exhalations of fumes from that fag with the extra length of tobacco and longer filter.

There are some who will object to the fact the federal government has not yet decided that cigarettes are illegal, and that only what is legal can be advertised. There are some others who have the idea that prohibition on any legal communication such as this is a violation of the free speech-free communications amendment to the Constitution.

They seem to have forgotten that the federal government seized ownership of the airwaves and has presented it to the FCC, as licensing agent, and that the power to license is the power to deny a license unless the licensee does as he's told.

We don't like the idea of any governmental agency dictating what can and cannot be said. We don't think it's any bureaucrat's business how a legal product is advertised.

But if federal bureaucrats really are against cigarette smoking, as they say, why do they not go to work on stopping federal subsidies for tobacco? Tobacco growers are subsidized, and only a couple of years ago there was quite a to-do over the fact the State Department was promoting the sale of American cigarettes in foreign lands. Also, when some folks suggested stopping purchase of all cigarettes containing tobacco from a Communist-ruled land, the State Department charged the would-be boycotters were interfering with the nation's foreign policy.

If cigarettes are as bad as the health and FCC bureaucrats say they are—and we'll concede they have some evidence on their side—we suggest they work on the other sections of the government which are encouraging the use of the product, instead of interfering with private activities.

[From the Youngstown (Ohio) Vindicator, Feb. 12, 1969]

CIGARETTES AND HEALTH

In calling for a complete ban on radio and television advertising of cigarettes, the Federal Communications Commission has added to the haze of contradiction which has clouded the controversy ever since authorities first cited the health hazards in smoking.

Although the FCC's motives are well-intentioned, the proposed rule is a dangerous intrusion into constitutionally protected areas of free speech and free press. There's contradiction in a rule to prohibit advertising a product which may be legally manufactured and sold. While the rule is based on public ownership of the airwaves—which come under FCC regulation—it does not affect cigarette ads in newspapers and via other media.

To avoid discriminatory action, the FCC would best serve the public interest by strengthening warning requirements and encouraging expansion of successful anti-smoking advertisements in all media.

Since a large share of cigarette advertising is relegated to the broadcast industry, it is incumbent upon the FCC to make certain that no citizen is unaware of the increasing evidence that cigarette smoking invites a shortened life span, and that industry commercials do not distort that central fact.

Cigarette-makers have admitted the evidence in a variety of ways. These include a self-adopted code barring exaggerated claims; emphasis on filters; accenting reductions in the content of irritants; and use of assets to diversify into other enterprises.

The FCC recommendation gives Congress an opportunity to strengthen the health warnings required since 1965. Since the fundamental issues involved exceed the scope of the FCC's authority, it is essential that Congress set and implement guidelines.

[From the Tulsa (Okla.) World, Feb. 12, 1969]

CENSORS' AX INSATIABLE

The Federal Communications Commission is moving another step toward Government control of everything in its effort to ban cigarette advertising from television.

In effect, the FCC would replace the public health problem of tobacco with another hazard—Government censorship. There are still a lot of people in Washington who believe Big Brother should tell us all what is good for us and what we can see, hear, eat, drink and do with our time.

We are not defending either television or the tobacco industry. Certainly there is evidence that cigarettes can be harmful, especially if used to excess. But this decision by the FCC, if allowed to stand, will inevitably lead to more and more rulings by Government agencies as to what may be advertised, sold or consumed.

So long as tobacco products are not illegal, does a Federal agency have the responsibility to do more than warn the public of its possible ill effects?

That much is already being done. Anti-tobacco interests are entitled now to present their arguments over the air—and have been doing so. We believe this is fair; the public should be told of the dangers of smoking—along with the perils of smog, alcohol, overeating, speed on the highways and other common problems.

But we insist it is a threat to our free society when a Federal agency begins to decide for us what products may be advertised.

If we understand correctly, the FCC ban might not be absolute; there is still some uncertainty whether cigarettes low in tar and nicotine could continue to be advertised.

Thus, we may reach a place where a Government bureau not only would decree an end to certain advertising but would determine arbitrarily *which brands* could go on the air.

In spite of all its risks, we believe the free-choice system is still best, leaving it to the public to decide its own buying and consumption choices in the light of all the circumstances.

In this case we are confronted with two dangers that balance out—the public's right to overindulge and the Government's right to overcensor.

[From the Portland (Oreg.) Oregonian, Feb. 7, 1969]

SMOKE AD BAN OFF BASE

The Federal Communications Commission's proposed ban on television and radio advertising of cigarettes is not only unprecedented; it is also beyond the authority of the FCC and is probably unconstitutional.

The FCC has regulatory power over broadcasting because channels are limited and must therefore be assigned by responsible authority. But its commission gives it no power to say what must or must not be broadcast. Moreover, it is clearly out of its field in making a judgment on the dangers in smoking cigarettes. This is the kind of judgment that is entrusted by statute to the Food and Drug Administration. But it is out of place in an agency created for the limited regulation of communication media protected by the First Amendment's provisions of freedom of speech and press.

The majority of the commission bases its action on findings that some 50,000 deaths a year can be traced to lung cancer, which has been linked to heavy smoking of cigarettes. It so happens that about the same number of people die each year as a result of automobile accidents. Does the commission, therefore, have authority to ban automobile advertising, or the advertising of other killers such as sleeping pills and alcohol? It apparently believes it does.

American public opinion recognized the injurious personal and public effects of alcoholic beverages by writing their prohibition

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into the Constitution, later relenting. A constitutional amendment is the proper course if cigarette smoking is to be controlled.

The FCC might get away with its fiat for a time, if Congress does not act, for broadcasters are beholden to the agency. But surely the enforcement of such a ruling would be attacked in the courts, and the FCC's legal grounds appear to be nonexistent.

The moral grounds of such a federal government edict are certainly null. The government not only sanctions cigarettes by taxation; it actually encourages their manufacture and sale through support of tobacco crop prices.

The issue here is not the morbidity that may be assigned to smoking cigarettes. It is whether a federal agency may, by decree, say what may or may not be advertised to the public when there is no question of fraud or other crime being involved. Such authority cannot be tolerated in a free society.

[From the Allentown (Pa.) Call,
Feb. 7, 1969]

Bureaucracy at Its Worst

There is something frightening about the Federal Communications Commission proposal for a complete ban on cigarette advertising on radio and television.

While the motivation ostensibly is the protection of the health and welfare of the American people, the implication is one of bureaucratic usurpation of authority, an act of doubtful legality and constitutionality.

Researchers have rather firmly established that cigarettes are harmful to the health. Smoking has been closely related to the incidence of heart disease, lung cancer and other cardiovascular and respiratory ailments.

But millions of Americans continue to smoke billions of cigarettes a year, not because they are unaware of the danger, but because they like to smoke, enjoy a few or many puffs and are willing to take the risks inherent to a habit they cannot or do not care to "kick."

They are doing nothing illegal, because the manufacture, sale and use of cigarettes has not been legally banned.

Under the circumstances, any efforts to institute a ban on advertising them would be an unreasonable restraint upon a legitimate business.

Furthermore, it would be an alarming precedent that could lead to additional restraints on other legitimate enterprises.

We hold no brief for cigarette smoking or the tobacco industry. We do see in this move an example of bureaucracy at its worst. Concerned as we are about the infringement on the rights of one industry, we are even more concerned about the Pandora's box of problems that could result for all industry if this attempt is allowed to go unchallenged.

[From the Bloomsburg (Pa.) Press,
Feb. 17, 1969]

Playing With Fire

The Federal Communications Commission is playing with fire in its preliminary moves toward imposing a ban on cigarette and tobacco advertising on television. A more discriminatory act would be difficult to imagine and general opinion is such a move would be promptly upset in the courts.

Even doctors are not in accord on the extent of danger to health created by smoking. But the ban would not extend to beer and wine advertising, excessive use of which is also hazardous. Neither would it apply to automobiles, which certainly constitute a tremendous health menace.

Of course the FCC has no authority to step into other fields to regulate advertising. It can do nothing about books, pamphlets, newspapers, billboards or window displays. And if it attempts to obtain a law making manufacture, sale and use of tobacco illegal, it would be asking for more trouble than prohibition advocates ran into. Odds are heavy that Congress would show more sense than FCC and not go along with any such proposal.

Even the hint of such action causes wonder about the state of mind of members of FCC.

[From the Butler (Pa.) Eagle, Feb. 13, 1969]

Ban on Cigarette Commercials Opposed

The proposed ban of cigarette advertising from the broadcast media strikes us as a good intention gone awry.

If cigarettes are so undesirable from a health standpoint, the government would do well to prohibit their sale and use, but while they are still legal in commerce, they should be permitted to be advertised, even on radio and television.

The government has already required cigarette makers to label the package with a warning that the contents may be injurious to the user's health, and this seems quite proper, although many unlabeled products can also be harmful, even fatal. But when federal authorities went a step further and required stations to give free anti-smoking plugs, that was too much. Now, proposing a complete ban on broadcast cigarette commercials, the government would go entirely too far.

Admittedly, the government controls broadcast stations through their federal licenses to use the public broadcast frequencies, but the government should be willing to have those licensees carry advertisements for products that are legal elsewhere in the marketplace.

For the public discussion through May 6, before the Federal Communications Commission makes its June 30 formal ruling, we side with those who consider the proposed ban unreasonable.

[From the Philadelphia (Pa.) Inquirer, Feb.
11, 1969]

Where Guidelines Are Needed

There is more than the protection of the public from a presumed health hazard in the 6-to-1 vote by the Federal Communications Commission to ban cigaret advertising on television and radio.

If Congress permits this independent, nonelective agency to get away with this form of censorship, what will the next step be? A decision that automobiles can cause fatalities and thus should be barred from television and radio commercials? Or that fatty foods, or sweets, or headache remedies, if used improperly and to excess, might be harmful, and thus should not be permitted the air waves for the purpose of advertising?

If cigarets are to be barred as a potential health menace, what about other forms of tobacco? Are they to be given competitive advantage? And are movies which show performers smoking, or drinking beer or liquor, to be outlawed on television?

What this latest FCC action serves to spotlight is not the controversy over cigaret smoking as one of the causes of lung cancer and other respiratory diseases, but the effort to usurp the power and functions of Congress.

The elected Congressmen are the lawmakers under our system of Government, not the appointees making up the Federal Communications Commission. There is a law on the books, passed by Congress in 1965, requiring labels on all cigaret packages warning that "Cigaret smoking may be hazardous to your health."

The law expires June 30, and the FCC is making Congress aware of its intentions, this far ahead of time, to press for a ban on cigaret advertising on television and radio.

Congress will have the last say on this subject. Perhaps it will also consider the establishment of new and proper guidelines for the FCC; this is by all means appropriate.

[From the Reading (Pa.) Times, Feb. 18,
1969]

FCC's Censorship

Among bureaucrats the craze for running practically everything has found its latest expression in the Federal Communications Commission's intention, Congress permitting, to ban cigarette advertising on television and radio.

Every cigarette package carries its own warning. Time is provided on the air for admonitions about the perils of cigarettes, and newspapers duly keep the public apprised of developments.

Congress has seen no need for another noble experiment. Cigarettes not having been outlawed, there is no legal basis for FCC to impose its own brand of censorship.

Excessive consumption of coffee may be harmful to some persons; ditto beer and wine. Nevertheless, no bureaucracy has attempted to bar this type of advertising from the air.

What the FCC offers is another example of what President Eisenhower once decried as "Washington poking its long nose where it has no right to be."

[From the Sharon (Pa.) Herald, Mar. 19,
1969]

A Worse Alternative

If cigarette commercials are eventually banned from television and radio by edict of the Federal Communications Commission, it will cost the broadcasting industry some $225 million in annual revenues.

That is a sizable hole in any industry's pocket. There remains, however, one hitherto untapped source of revenue which the broadcasters are reportedly considering to fill the gap.

"If FCC succeeds in banning cigarette ads, we just might consider hard-liquor clients," one network executive is quoted as saying.

Currently, liquor ads are kept off the air by two voluntary codes. It seems highly doubtful that the industry will risk arousing public wrath by abandoning the codes, and perhaps end up with the FCC promulgating a second ban to include liquor.

If worse comes to worse and their tobacco revenue goes up in smoke, the broadcasters will just have to try to do the best they can with what they've got. Possibly they could beef up their deodorant or toothpaste advertising.

These are examples of products that don't injure anyone; they just make a lot of viewers sick.

[From the Charleston (S.C.) News & Courier,
Feb. 7, 1969]

A Smoking Issue

Even though all doctors do not agree about what cigarette smoking does to the human system, let it be assumed that by and large people who do not smoke are better off than those who do.

With that assumption, let's take a hard look at the Federal Communications Commission's threat to stop all tobacco advertising on radio and television after July 1 if Congress fails to extend the "hazardous warning" law passed last year. That law requires cigarette makers to print on each pack of cigarettes this warning: "Caution: Cigarette Smoking May Be Hazardous to Your Health." If the law is extended, the FCC will be unable to put its proposed advertising ban into effect.

Already some anti-cigarette members of Congress, notably Sen. Frank E. Moss (D-Utah), are hailing the FCC's move and are promising to support it, to the extent of filibustering if necessary. Some cooler

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heads—among them David H. Sloan, president of South Carolina State Farm Bureau—are pointing out that the FCC rule would set a dangerous precedent.

Indeed it would. Assuming, again that cigarettes may not be the healthiest things people can consume, the government has not declared their production or sale illegal. If that is so, what authority has a governmental agency to say that this product cannot be advertised?

If cigarettes cannot be advertised on radio or television, what about advertising in printed media? Why discriminate against radio-TV? Or, for that matter, why discriminate against cigarettes and let other products go free?

Beer and wine may be advertised on radio and TV, yet anybody knows that abuse of these products may be hazardous to health. Yet beer and wine are not required to carry cautionary labels. Nor are automobiles, which also may be hazardous to health.

Mr. Sloan of the Farm Bureau surely is on target when he asks: "If tobacco is first, what is going to be second? What is going to be third?"

It is hard to believe that, in order to give an advertising ban on cigarettes some semblance of legality, Congress would go so far as to make production and sales of tobacco illegal. If it should, there would arise a bootlegging operation that would make the Prohibition era seem like small potatoes.

Before this smoking issue bursts into flame, Congress needs to advise the FCC in no uncertain terms that what the agency is proposing is an unwarranted interference with industry, and with individual freedom of choice.

[From the Columbia (S.C.) State, Feb. 11, 1969]

DANGEROUS TO ALL

In its attempt to purge all cigarette advertising from the airwaves, the Federal Communications Commission neatly sidestepped the main objection to its action. "We believe," the six-man majority piously intoned, "that in the case of such a threat to public health, the authority to act is really a duty to act." What the commission prefers to ignore is that, by law, no such authority exists.

Nothing could be plainer than its absence. In 1965, Congress passed the famous Cigarette Labeling and Advertising Act. This is the law that requires manufacturers to print a health warning on each pack of cigarettes. It is likewise the law that prohibits any federal, state or local agency from attempting to regulate cigarette advertising.

The FCC previously nibbled at the corners of this legislation by ruling in 1967 that the "fairness doctrine" requires broadcasters to donate free time for anti-smoking plugs. This was patently an attempt to do what the law says the commission may not do—regulate cigarette advertising—but the temper of the times was such that broadcasters swallowed the ruling rather than provoke more controversy on the subject.

Thus encouraged, the FCC now has moved in for the kill. It will outlaw cigarette commercials altogether, it announced last week, and let Congress stand in the way if it dares. In the meantime, broadcasters are encouraged to dispense with cigarette ads on their own. "We are issuing a serious call to the industry," said last week's announcement, "to focus upon what its responsibilities are."

These responsibilities, it is obvious, are subject to debate. The same may not be said of the responsibilities of the FCC, among whose foremost obligations is obedience to the law. It also might be reasonably expected that the FCC would refrain from thinly disguised threats against the industry it regulates.

Because of the FCC's imperious attitude, the issue no longer is confined to whether cigarette smoking is good, bad or indifferent. The question is whether the FCC is to be permitted to go its own sweet way, irrespective of the law's restraints. Sen. Sam J. Ervin of North Carolina has fairly characterized the commission's action as "the supreme example of bureaucratic tyranny." This is a public evil that even the most convinced nonsmoker should be anxious to see snuffed out.

[From the Austin (Tex.) American, Mar. 7, 1969]

A THREAT TO MEDIA FREEDOM

The mighty arm of the federal government, which seemingly has endless tentacles labeled "federal control," "federal intervention," "federal regulation," reaches out to enforce through the Federal Communications Commission a movement to ban televised cigarette commercials. To many, with only casual consideration of the results, this would seem a wise move as a means of safeguarding health. Protection of the health of the population is indeed a function of government, but by more direct action than administrative regulations of agencies and commissions.

So long as purchase of cigarettes is legal in the United States, administrative rules prohibiting the advertisement of cigarettes in any media would be inconsistent with a person's right to pursue his livelihood within the law. Many years ago our forefathers learned that a rotten potato in the bin soon destroys the whole. Once a government agency establishes that it can prohibit the advertising of legal merchandise through television, as an example, what then prohibits the spread to other media, prohibiting the advertisement of a varied assortment of goods? Or for what purpose the prohibition?

It has been amply put that any governmental action that regulates the freedom of one advertising medium is a threat to the freedom of all media. It is a threat to a merchant's right to buy and sell legal merchandise, at a profit. It is a threat to the right of a television or radio station, or a newspaper or magazine, to exercise its own right to reject or accept advertising on the basis of propriety and taste.

There should be close scrutiny of the FCC's threatening action against televised cigarette commercials. This is the type of administrative regulation that time has proved could have a cancerous effect with more far reaching results in many areas of business.

[From the Amarillo (Tex.) News, Feb. 8, 1969]

ADS AND THE DAD IMAGE

That most solicitous father image, your Federal Communications Commission, has now decided to join with the myriad other fatherly types on the Hill and try to ban smoking ads on radio and television. Down with evil!

Everybody is against evil and sin. So what more popular tack could be taken than to ban those insidious lures, the cigarette smoking ads? That's really protecting the American consumer.

No more of "You've come a long way, baby . . . " or those sparkling folk with black eyes who would rather fight; the lovers, hand in hand, sprinting through the countryside . . . etc. etc., What a pity!

In fact, these comic cigarette ads with spritely song about "happiness is" may dissuade more potential smoking beginners than we can count, simply because they are that—silly.

Americana consists of a vast montage of memories, and it isn't trite to say that the "Lucky Strike Hit Parade" and the Grand Canyon Suite which "called for Philip Morris" on "The First Nighter," are part of that which is uniquely national in flavor. But it wasn't "Johnny" or the Raymond Scott Quintet which started most lifetime smokers down the perilous path. It was the entrancing odor of tobacco smoke wafting to the nostrils—the iniquity of another smoker.

The FCC, if it weren't so serious in its paternal attitude, would be hitting a new high in hilarity. Does the FCC really believe that the American consumer is so weak-minded he will assume the smoking habit after viewing or hearing those satirical tobacco ads? Let us look at the facts:

A confirmed smoker pays no attention to cigarette advertising unless it might offer them less tar and nicotine. This can hardly be construed as bad advertising.

A confirmed smoker who is contemplating quitting isn't affected by the cigarette ads one way or another. The only effect is from the guy across the table or across the room, puffing away and giving the quitter "nicotine fits."

No amount of advertising or nonadvertising affects the boy who steals his mother's "coffin nails" and has a secret smoke in the alley. He is either going to try it and like it or he has been so warned of the devastating consequences that he has no desire to begin.

There also are those youngsters who light up because it's the in thing. The rest of the crowd does, and they want to conform. Cigarette commercials designed to label smoking as sophisticated, romantic, or manly—e.g. the Marlboro Country approach—may contribute some to this aspect of the problem. But not much.

Over all, fewer young people are taking up the habit for the simple reason that they have begun to recognize it for what it is, and they know better.

This may or may not be partly due to the so called public service ads which deplore smoking and talk about subsequent heart trouble and lung cancer. In any case, every pack contains warnings of the hazards of smoking, printed clearly on the outside.

Well, you say, what good is tobacco advertising? Why permit it?

First of all, the banning of advertising of any sort of legitimate business raises the question of just how far government should go in its pressure to tell us what's good for us. There are some things we must choose for ourselves. And we should be allowed the choice unless what we do destroys the rights or property of another.

Tobacco advertising represents 10 per cent of television's sponsorship money and that's employment for a lot of people.

People do a lot of foolish things in the name of pleasure. Many of the things they do lead to disease and death besides smoking. Driving too fast is one. Shall we stop advertising automobiles, too?

If moral fiber is ever going to reassert itself as the steel of human behavior, then its strength must come from resisting temptation (obviously the FCC regards advertising as temptation.) But, if a kindly father image which has no relation to the spiritual part of man at all, is going to sit in Washington and remove all the temptations, we shall bowl merrily down that road which finally consumed Greece and Rome.

Surely, we are smarter and stronger than that.

[From the Dallas (Tex.) Morning News, Feb. 7, 1969]

GAG RULE

If the Nation is to maintain any semblance of a free press, Congress should force the Federal Communications Commission to pull in its horns, pronto.

The latest FCC escapade is a threat to ban cigarette advertising from the airwaves. A law specifically forbidding the FCC to take such action expires June 30.

The FCC may call it regulation in the public interest, but what it amounts to is censorship, pure and simple.

Advertising, be it for cigarettes, automobiles or headache remedies, is information.

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And it should concern all Americans that six men in Washington have taken it upon themselves to sit in judgment on broadcast information, allowing other Americans to see or hear only what the FCC decides is good for them.

Make no mistake, this trend would not stop with cigarettes. Ever since their high priest, FDR, called advertising "economic waste," the liberals in Washington have waged war on advertising of all kinds.

Arguments against advertising are mostly hogwash. No historian or economist, no matter how liberal, can make a sound case that America could have reached this state of relative affluence without advertising.

The clincher is offered by the Soviet Union, whose socialism is the liberal's utopia. In a move that shakes the very foundation of their ideology, the Soviets are gradually relaxing their ban on advertising.

Though they pale beside the censorship issue, two other questions are raised by the FCC's threat:

If the authorities can really prove that cigarettes are deadly or even dangerously harmful, the thing to ban is the cigarette, not cigarette advertising.

Nothing qualifies the FCC to sit in judgment on health matters; even the Food and Drug Administration and the Public Health Service lack sufficient evidence to prove a case against cigarettes.

Over the last few years, the FCC has tightened its grip on radio and television outlets. Through its so-called fairness doctrine, the agency sits as judge and jury on whether a station's license will be renewed.

What station, under the circumstances, would criticize the FCC without fear of losing its license?

If the FCC is given the untrammeled right to censor broadcast material, isn't the next logical target the printed word?

With the FCC censoring the press, who would be free to question the FCC?

[From the Lubbock (Tex.) Morning Avalanche-Journal, Feb. 7, 1969]

Cigarette Ad Proposal Off Base

There are many reasons for doubting the wisdom, the need and the possible legality of the Federal Communications Commission's proposed ban on radio and television advertising of cigarettes.

One more important reason is that all the evidence is far from in on the links between smoking and disease. The U.S. Public Health Service, of course, has concluded that smoking is a tremendous hazard to the public health. However, researchers still are trying to pin down a "cause and effect" role on a scientific basis.

The PHS theory is that if doubts are admitted, smokers will continue to find excuses for not quitting and beginners will not be sufficiently frightened. No Federal or other agency, however, is able to surpass such reports as that of the American Medical Association Committee for Research on Tobacco and Health, issued last year. So far, the report said, research has failed to pin blame conclusively on cigarettes for cancer, lung disease and heart ailments.

The public is aware of health hazards. It is reminded by the warning required on cigarette packages. Broadcasters who use cigarette ads are forced by the FCC to carry also anti-cigarette announcements.

The lone dissenter among the FCC's seven members is James J. Wadsworth. He says the FCC "fairness ruling" allows the public to make its own informed choice whether or not to smoke.

In addition, it may be pointed out that individuals, in making that choice, are influenced by radio and television advertisements far less than the FCC and other agencies seem to think. Choice between brands, yes.

It appears that Congress will have to take a hand by extending, or revising reasonably, the 1965 law requiring the health warning and restricting the FCC's power to control advertising.

[From the Odessa (Tex.) American, Feb. 26, 1969]

Do as I Say?

We note that the Federal Communications Commission proposes, unless Congress stops it, to ban all cigarette advertising within the powerful FCC domain. That means no more will television viewers have the "opportunity" to see previously unspoiled nature while a couple of clean young persons pollute the air with their exhalations of fumes from that fag with the extra length of tobacco and longer filter.

There are some who will object to the fact that the federal government has not yet decided that cigarettes are illegal, and that what is legal can be advertised. There are some others who have the idea that prohibition on any legal communication such as this is a violation of the free speech-free communications amendment to the Constitution. They seem to have forgotten that the federal government seized ownership of the airwaves and has presented it to the FCC, as licensing agent, and that the power to license is the power to deny a license unless the licensee does as he's told.

We don't like the idea of any governmental agency dictating what can and cannot be said. We don't think it's any bureaucrat's business how a legal product is advertised.

But if federal bureaucrats really are against cigarette smoking, as they say, why do they not go to work on stopping federal subsidies for tobacco? Tobacco growers are subsidized, and only a couple of years ago there was quite a to do over the fact that the state department was promoting the sale of American cigarettes in foreign lands.

Also, when some folks hereabouts suggested stopping purchase of all cigarettes containing tobacco from a communist-ruled land, the State Department charged that the would-be boycotters were interfering with the nation's foreign policy.

If cigarettes are as bad as the health and television bureaucrats say they are—and we'll concede they have some evidence on their side—we suggest they work on the other sections of the government which are encouraging the use of the product instead of interfering with private activities.

[From the McAllen (Tex.) Valley Monitor, Mar. 6, 1969]

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[From the Orange (Tex.) Leader, Feb. 26, 1969]

FCC Proposal Hazard to Nation's Health

Medical science has produced enough evidence to convince us that the habitual cigarette smoker is endangering his health. But the hazards of smoking are not the real issue in the Federal Communications Commission's attempt to bar cigarette advertising from television and radio.

The issue is what authority the FCC should have to ban the advertising of any particular product, so long as the advertising does not offend public taste.

Cigarette smoking, said the commission by a 6 to 1 vote, constitutes "a serious, unique danger to public health . . . (and) it would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of a product posing this unique danger . . ." Commissioners said they did not know of any other product "calling for such action" and "expressly disclaim any intention to proceed against other product commercials."

Perhaps there is no such intent by these commisisoners. But the precedent would be established.

Suppose a majority of a future commission decided that because alcoholism is a problem all beer commercials should be prohibited. Or that the horrible increase in traffic deaths warranted a blackout on advertising of sports cars. Or that the excessive use of some drugs required a ban on patient medicine ads.

The average TV viewer and radio listener would be happy if all commercials could be banished as a hazard to his nerves. But advertising pays the bill for the free entertainment and information he receives.

Commercial broadcasting has as yet found no other way to survive. It cannot live under a form of censorship based on the possible prejudices—or even the selfish interests—of the regulatory body.

The tangled web which the FCC would spin is indicated by its suggestion that perhaps those brands of cigarettes low in tar and nicotine would be exempted from the proposed ban. Thus, some companies would gain an advantage over others.

Similarly, cigar manufacturers would profit by being able to use a mass advertising medium denied to cigarette makers. Newspapers and magazines could expect to pick up some 300 million in advertising barred from the TV and radio stations. So it would go. The possibilities for inequity and favoritism, through bureaucratic action, are alarming.

The appetite of a government censor grows with every bite of power. If a federal agency could dictate the advertising policies of television and radio, why not newspapers and magazines?

And if censorship of advertising is permissible, why not the news and editorial content? The FCC proposal plainly constitutes

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a "unique danger" to a free press and free enterprise.

Congress should rule it out on the ground it is hazardous to the national health.

[From the Plainview (Tex.) Herald, Feb. 12, 1969]

Dangerous Precedent

The Federal Communications Commission proposal that cigarette advertising be banned on radio and television continues to spark concern and not only from those in the radio and television industries.

Sen. Barry Goldwater, re-elected to the U.S. Senate last year after his 1964 defeat as the Republican presidential candidate, is one of the latest to rap the proposal.

"I've never smoked in my life," Goldwater said at a Dallas press conference, "but if the government can prohibit the advertising of cigarettes, then maybe it can prohibit other kinds of advertising."

Many people are inclined to agree. After all, why should the federal government stop there?

Lung cancer is increasing at an alarming rate. It has captured the public's fear and attention as no doubt it should. Evidence linking smoking and various diseases continues to mount. The U.S. Public Health Service, as an agency of the federal government, felt it had an obligation to warn the public. It did and continues to do so.

Many smokers and potential smokers no doubt were and are being favorably influenced. Millions of others, judging from cigarette sales, obviously have not.

However, it remains two different things to warn the public and to restrict all advertising of a product which the evidence indicates can, for some people, particularly if used in excess, be seriously harmful.

Many products, particularly when used in excess would fit that category.

Why, then, limit such a ban to cigarettes? Pipe and cigar smoking also have been indicted, even if to a lesser degree, as possible causes of cancer and other diseases. And what about alcohol? Certainly, it would be difficult to convince anyone having even a little common sense that imprudent use of alcoholic beverages cannot be responsible for an entire fleet of physical and mental ailments.

Even use of the common aspirin can be fatal if taken in overdose.

A question of use of federal power definitely is at issue in the anti-advertising proposal and the dangers in such a plan are simple enough to be obvious to all.

[From the Vernon (Tex.) Record, Feb. 12, 1969]

Unwarranted Control Attempt

Responsibility of public authority to institute regulation or control, as conditions may warrant, aimed at protecting the public health and well being is beyond dispute. This is not universally recognized. Some disagree on religious grounds. Others disagree because of a belief that the government has no right to control the habits or behavior of a private individual.

But dissent in matters involving health is exceptional and measures to prevent the spread of disease are generally accepted. Research in recent years has pretty well established that cigarette smoking is a health hazard, not to the degree that the use of drugs or alcohol may be, but still a hazard. Congress took note of this fact and adopted legislation requiring manufacturers to call attention to the existence of these dangers.

A few days ago the Federal Communications Commission announced its intention to enforce a rule prohibiting all cigarette advertising over radio and television, basing its decision on scientific findings that tobacco fumes inhaled over a period of time may cause lung cancer and possibly other ailments.

Regardless of what one may think of smoking as a habit or as a menace to health the fact is that the proposed regulation goes beyond the legal authority of FCC. Open to question even is whether Congress has authority to act in protection of the public health to the extent of prohibiting cigarette advertising over radio and television, or for that matter prohibiting the manufacture and sale of cigarettes.

Possibly, since health measures are generally accepted as being within the scope of Congressional powers, but it would be difficult to justify assumption of such authority by a Government bureau.

In this situation there may be an inclination on the part of a great many to go along with the FCC ruling. Cigarette smoking is not conducive to good manners or good health and probably the general public, especially present smokers, would benefit from any rule which would reduce the consumption of cigarettes.

But that is a decision the Federal Communications Commission has no right, in law or in ethics, to make. If it can prohibit cigarette advertising because of harmful effects of the smoking habit it might later on ban the use of broadcast facilities for most any product it decided was bad for the health of individuals. There are a lot of things going over the air waves more damaging to health and morals than cigarette advertising.

[From the Waco (Tex.) News-Tribune, Mar. 9, 1969]

FCC Oversteps Authority in Zeal To Guard—Whom?

Congress may, and should, prevent the Federal Communications Commission from going through with its proposed ban on radio and television cigarette advertising.

So long as cigarettes are legal merchandise, it does not seem right or logical that one medium of advertising be forbidden the producer while newspapers, magazines, billboards and counter displays are allowed to continue hawking the product.

Congress is expected to review the FCC proposal and to look again at the federal law, which expires June 1, that requires cigarette packages carry the warning: "Caution: Cigarette Smoking May Be Hazardous to Your Health."

The FCC said it is proposing to refuse licenses to broadcasters who carry cigarette advertising because of evidence that smoking is injurious to health and the FCC has an obligation to protect the public interest, This is nibbling at one corner of an issue that is bigger than the FCC and may be bigger than the Congress: the right of individuals to do as they please so long as they don't harm another. It also is a good example of the misguided philosophy that if you don't mention something, maybe it won't hurt you and will disappear.

Congressman Paul Rogers, Florida Democrat, and chairman of the House Interstate and Foreign Gommerce Committee, said in reference to the proposed FCC rule that the agency had overstepped the bounds of its authority. He said he doubts that FCC has any right to tell an advertiser what he could not say in his advertisements. Rogers said Congress will take a close look at the whole question of regulations on television and radio advertising content, not only as to the Federal Communications Commission but in regard to Federal Trade Commission practices as well.

The stakes involved extend beyond the business of broadcasting. They go to the heart of whether government bureaus should be allowed to go beyond the limits of due process and the law.

[From the Arlington (Va.) Sun, Mar. 3, 1969]

Health Hazard?

Medical science has produced enough evidence to convince us that the habitual cigarette smoker is endangering his health.

But the hazards of smoking are not the real issue in the Federal Communications Commission's attempt to bar cigarette advertising from television and radio. The issue is what authority the FCC should have to ban the advertising of any particular product, so long as the advertising does not offend public taste.

Cigarette smoking, said the commission by a 6 to 1 vote, constitutes "a serious, unique danger to public health . . . (and) it would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of a product posing this unique danger . . ."

Commissioners said they did not know of any other product "calling for such action" and "expressly disclaim any intention to proceed against other product commercials."

Perhaps there is no such intent by these Commissioners, but the precedent would be established.

Suppose a majority of a future commission decided that because alcoholism is a problem all beer commercials should be prohibited. Or that the horrible increase in traffic deaths warranted a blackout on advertising of sports cars. Or that the excessive use of some drugs require a ban on patent medicine ads.

The average TV viewer and radio listener would be happy if all commercials could be banished as a hazard to his nerves, but advertising pays the bill for the free entertainment and information he receives. Commercial broadcasting has as yet found no other way to survive.

It cannot live under a form of censorship based on the possible prejudices of the regulatory body.

The tangled web which the FCC would spin is indicated by its suggestion that perhaps those brands of cigarettes low in tar and nicotine would be exempted from the proposed ban. Thus, some companies would gain an advantage over others.

Similarly, cigar manufacturers would profit by being able to use a mass advertising medium denied to cigarette makers.

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The appetite of a government censor grows with every bite of power.

If a federal agency could dictate the advertising policies of television and radio, why not newspapers and magazines?

And if censorship of advertising is permissible, why not the news and editorial content?

The FCC proposal plainly constitutes a "unique danger" to a free press and free enterprise.

Congress should rule it out on the grounds it is hazardous to the national health.

[From the Richmond (Va.) News Leader, Feb. 10, 1969]

Today Cigarette Ads, Tomorrow . . .

All along, the American public in its ignorance has assumed that the Federal Communications Commission, as a regulatory agency, was restricted to duties such as handing out licenses to prospective radio and television stations applicants. Not at all. By advising Congress that it plans to institute a ban on all radio and television advertising of cigarettes after June 30, unless Congress forbids it, the FCC has emerged as a watchdog over the nation's health.

Briefly, the agency reasoned that the Surgeon-General's 1964 report on connections between smoking and lung disease proved beyond a reasonable doubt that smoking is injurious to the health. Never mind that great numbers of experts challenge the report's conclusion, the FCC considers the Surgeon-General's report to be Holy Writ.

Only last year, the FCC extended its fairness doctrine to cover cigarette advertising, forcing stations that carry paid advertising for cigarettes to provide free time for anti-smoking ads. Although that action was considered by many to be an unauthorized arrogation of power it wasn't enough for the FCC. Now all cigarette advertising must be banished from the nation's airwaves, or the FCC will fall into a conniption fit.

If Congress, through some lapse in common sense, should permit the FCC to get away with its latest grab for power, there's no telling what could happen in the future. The agency might decide that because candy can be harmful to teeth, stations must provide equal time for anti-candy commercials. Or because thousands of Americans are killed or injured in automobile crashes, advertising for automobiles must be banned.

Obesity places a burden on the heart, so the FCC might ban all food commercials. The majority of accidents happen in the home, so real estate advertising would stop. Several sports, such as skiing, pose threats to physical well-being, so no advertising of equipment for these sports would be permitted. And of course, the FCC would be the final arbiter of what is hazardous and what is not, just as it proposes now to distinguish between "safe" cigarettes and "dangerous" cigarettes. The FCC indubitably knows What Is Good For Us.

Unlikely? Don't you believe it. If the FCC today can proposed to ban certain paid advertising on radio and television stations, what can it not do in regulating the nation's health, morals and individual freedom? As they say, today cigarette commercials, tomorrow the world. Should Congress approve the FCC's proposed assumption of sweeping powers in the field of advertising, the nation on June 30 would wake up to find that overnight the Federal government had hatched a powerful fourth branch.

[From the Charleston (W. Va.) Mail, Feb. 15, 1969]

By Censorship Toward Some Gain in the State of Public Health?

Because cigarette smoking is not good for people, the Federal Communications Commission would like to ban cigarette advertising on radio and television.

Well and good. It is established, then, as a firm principle of government that what is not good for people may not be advertised on radio and television. People are pretty dumb, after all. They hear and see what they should not hear and see. They are tempted by what no one should be allowed to tempt them with. And by this route, they proceed to their own destruction.

But cigarettes are not the only things that are bad for people. Automobiles are also bad for people. Look at the statistics from the Automotive Safety Foundation on any day's casualties—and especially on a long holiday week-end.

Patent medicines, soft drinks, headache remedies all have their critics—authorities in varying degrees, who say that the American people would live better on less if they did not consume what they please and followed more faithfully the advice of their physicians.

And radio and television are not the only means whereby shrewd advertisers persuade an uninformed and often indifferent people to spend their money unwisely. There are also newspapers and magazines, most of which are guilty in some degree of trafficking in this delinquency of minors and leading the ignorant to their downfall.

Is the next step, then, some new commission, much broader and far more powerful than the FCC, standing guard over a nation of children to make sure that they never see or hear of anything which is not good for their health?

A little far-fetched, to be sure. But in view of the unhappy experience with the prohibition amendment and the Volstead Act, not as far-fetched as one might think. Even when the doctors, the moralists and the lawmakers utterly agree on what the people should and should not do (smoking and drinking, for example), getting them to cease and desist and do as they are told is a tedious and often dangerous undertaking which raises new problems faster than it solves old ones.

[From the Richmond (Va.) Times-Dispatch, Feb. 14, 1969]

The FCC Is Off Base

The Federal Communications Commission may have the legal right—though this is in dispute—to ban cigarette advertising on television and radio. But such a ban would not be in the public interest and could set a dangerous precedent.

The FCC says that cigarette smoking is "a serious, unique danger to public health." So it will prohibit the broadcasting of cigarette commercials unless Congress intervenes to prevent such action.

Cigarette smoking may be injurious to the individual who smokes, but it is not a *public* health hazard in the sense that tuberculosis or other communicable diseases are. Diseases alleged to be caused by tobacco aren't "catching."

But the benevolent FCC wants to protect the individual from his own weakness, by not letting him be seduced by an advertisement on television or radio. This is drastic action, to say the least.

If this ban against an alleged *private* health menace is proper, how much more justified would be bans on innumerable other commercials.

Beer, for example. Excessive use of this commodity can make a driver an extreme hazard on the highway.

Or consider automobile advertisements that glamorize speed and horsepower. Many people believe such ads encourage fast driving with sometimes disastrous results, not only for the driver himself but for others on the road as well.

Many patent medicines advertised via radio and television are dangerous if taken in excess. Are such commercials to be proscribed in order to protect us?

Up to now, the power of the government has not been brought to bear to prevent the commercial promotion of any product that is completely legal in every state in the Union. The federal government even encourages the manufacture and sale of cigarettes through support of tobacco crop prices.

Regulation of broadcast cigarette advertising may be entirely in order; misleading health claims should rightly be banned, for example. But a flat prohibition on use of the airways to promote a legally sold product exceeds any power which the people want given to the FCC or to any other governmental agency.

[From the Parkersburg (W. Va.) News, Feb. 21, 1969]

FCC Far Afield in Advertising Ban

It has been established to the satisfaction of most people, it seems safe to say, that cigaret smoking, at least when extensively indulged in, is detrimental to the health.

Even, however, if the case against the cigaret was more convincing than is the case, it would be possible to challenge both the competence of the Federal Communications Commission to classify it from a public health standpoint and its authority to bar cigaret advertising from the air waves on the basis of that finding.

In its six-to-one decision the Commission declared cigaret smoking to be "a serious, unique danger to public health" and that, therefore, "it would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of a product posing this unique danger." The declaration added that the Commission did not know of any other product "calling for such action" and "expressly disclaim any intention to proceed against other product commercials."

This, no doubt, is an accurate statement of the Commission's present intention. There is no guarantee, however, that it will endure. So that, wholly aside from the merits of its present stand as an isolated exhibit, what we have here is a precedent of mischievous potential.

Suppose that next month or next year or five years from now the present Commissioners or their successors arrive at the conclusion that liquor drinking constitutes the same "unique danger to public health" it professes to see in cigaret smoking. Or, carrying the speculation further, suppose the Commissioners, or a majority of them become convinced that the temptation to overindulge in pastries, various sweets and other foods disposed to produce overweight is stimulated by televising their attractions to the detriment of the public health. Isn't the next step a ban on the broadcasting of tantalizing food commercials?

In the final analysis the chain reaction of the force set in motion by this cigaret ban is to subject all air advertising to the judgment of who-ever happens to sit on the Federal Communications as to what is good or bad for the public.

Whatever may be said of the merits of cigarets or any other products advertised on the air waves, a sound rule of reason to follow, it would seem to this newspaper, is that any product that can be manufactured and sold legally can be advertised honestly via any medium the seller chooses to employ.

[From the Parkersburg (W. Va.) News, Feb. 20, 1969]

Old Problems Are Hard To Solve

Because cigarette smoking is not good for people, the Federal Communications Commission would like to ban cigarette advertising on radio and television.

Well and good. It is established, then, as a firm principle of government that what is not good for people may not be advertised on radio and television. People are pretty dumb, after all. They hear and see what they should not hear and see. They are tempted by what no one should be allowed to tempt them with. And by this route, they proceed to their own destruction.

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the doctors, the moralists and the law-makers utterly agree on what the people should and should not do (smoking and drinking, for example), getting them to cease and desist and do as they are told is a tedious and often dangerous undertaking which raises new problems faster than it solves old ones.—Huntington Herald-Dispatch.

[From the La Crosse (Wis.) Tribune, Feb. 7, 1969]

New High in Nonsense

The Federal Communications Commission—we hope—is setting itself up for a fall in its latest ukase that cigarette advertising be banned from TV and radio.

The FCC hasn't actually issued such an order, the arrogance quotient of its members being balanced for the moment by the fact that it is restrained by law until July 1 from trying any such thing.

The cigarette labeling act of 1965 (Caution: Cigarette Smoking May Be Hazardous to Your Health) called for the warning on each package. It also prohibits the Federal Trade Commission and other federal agencies from putting restrictions on cigarette advertising.

The law expires this summer, unless renewed or toughened. Meantime, the FCC, which in mid-1967 twisted its fairness doctrine to require that anti-smoking messages to be given free air time to balance the tobacco industry's paid ads is ready to ban all cigarette ads from the air unless Congress acts.

And Congress should act, both to put nosy bureaucrats in their place and to reaffirm the right to promote a legal product.

There is little doubt in the minds of most Americans that smoking is no contributor to health or longevity. But the same can be said, at least for most people, in the case of liquor, wine and beer; or overindulgence in coffee or, for that matter, potatoes or ice cream.

The federal government still uses tax funds to promote the sale of American tobacco abroad, and funds price supports for domestic growers. Most cigarette advertising is silly and infantile, but no sillier than the latest FCC proposal.

[From the Weirton (W. Va.) Times, Feb. 26, 1969]

Dangerous Precedent

Medical science has produced enough evidence to convince us that the habitual cigaret smoker is endangering his health. But the hazards of smoking are not the real issue in the Federal Communications Commission's attempt to bar cigaret advertising from television and radio. The issue is what authority the FCC should have to ban the advertising of any particular product, so long as the advertising does not offend public taste.

Cigaret smoking, said the Commission by a 6 to 1 vote, constitutes "a serious, unique danger to public health . . . (and) it would thus appear wholly at odds with the public interest for broadcasters to present advertising promoting the consumption of a product posing this unique danger. . . ." Commissioners said they did not know of any other product "calling for such action" and "expressly disclaim any intention to proceed against other product commercials." Perhaps there is no such intent by these commissioners. But the precedent would be established.

Suppose a majority of a future commission decided that because alcoholism is a problem all beer commercials should be prohibited. Or that the horrible increase in traffic deaths warranted a blackout on advertising of sports cars. Or that the excessive use of some drugs required a ban on patent medicine ads. The average TV viewer and radio listener would be happy if all commercials could be banished as a hazard to his nerves. But advertising pays the bill for the free entertainment and information he receives. Commercial broadcasting has as yet found no other way to survive. It cannot live under a form of censorship based on the possible prejudices—or even the selfish interests—of the regulatory body.

[From the Milwaukee (Wis.) Sentinel, Feb. 7, 1969]

Halt, Big Brother

Step by step, America appears headed away from freedom and toward regimentation. One of the steps in fateful march will be taken if the federal communications commission is authorized by Congress to ban radio and television advertising of cigarets.

What disturbed us about this proposed new prohibition is the effect it has on American principles of government. It cuts down the principle of voluntary rule and promotes in its place the principle of compulsory rule.

There has been, to be sure, a growing tendency for government to tell people what they can and cannot do. One would have thought that the nation's experience with the 18th amendment would have taught it something. But if it did, the lesson has been forgotten. Big Brother is coming on with a vengeance.

So after cigaret advertising on radio and television has been prohibited, then, what? To stay in the area of the specific concern, suppose that it is established—and perhaps it already is—that air pollution, particularly from the internal combustion engine, is as much of a cause of lung cancer as cigaret smoking. Then shouldn't gasoline advertising be banned? In the end such laws and regulations could make life in America as safe as a burial vault.

Congress should reverse this trend toward having government run every aspect of our lives. A good place to start would be by denying the FCC the authority to prohibit cigaret advertising on radio and television.

THE GUN AND THE LAW

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, in the May issue of "Guns & Ammo" magazine is an excellent and timely article by my good friend and colleague, the Honorable BOB CASEY, of Texas, entitled "The Criminal—The Gun And The Law."

In the article, Congressman CASEY explains in detail the provisions of a bill, H.R. 5497, that it was my pleasure to join with him as sponsor.

This legislation seeks to impose an additional mandatory sentence on a person convicted of using a firearm in the commission of a felony. This distinguishes between the right of a citizen to possess a firearm and the necessity to convince the potential criminal that the law considers the use of a firearm in the commission of a crime a serious offense in itself.

I highly commend Congressman CASEY's thoughtful article to my colleagues:

The Criminal—The Gun and the Law

(By BOB CASEY, U.S. House of Representatives)

From the comments I've heard—I gather you are over-supplied in red tape and Federal regulations.

Now, you not only have to be an expert in equipping the outdoorsman—but you had better be as smart as a Philadelphia Lawyer, so you will know just what you can and cannot do—and what your customer can and cannot do.

A few weeks ago, I had the pleasure of speaking to the Sportsmen's Clubs of Texas at their annual meeting in Austin. The members of SCOT represent thousands of your customers—hunters, trap and skeet shooters, gun collectors and fanciers. I told them emphatically that the criminal has cost them dearly in the loss of individual liberty and freedom. The criminal is almost solely responsible for bringing forth restrictive firearms legislation which has placed unnecessary restrictions on the law-abiding citizen—in a vain effort to curb crime.

And if the criminal has cost your customers heavily in the loss of individual freedom and liberty—he has cost you far more in the added burden of red-tape and futile record-keeping. And I tell you, as I've told my colleagues in Congress, the ridiculous record-keeping now requierd of you—particularly on the sale of ammunition—is not going to have one bit of impact on our growing crime rate.

All of you, I know, are somewhat familiar with Public Law 90–618. It is the Gun Control Act of 1968. Title One—dealing with long guns and pistols—is 13 pages long.

Well, there are 18 more pages of "Do's and dont's" that you—as businessmen—have to worry about. These 18 pages are the Rules and Regulations set by the Internal Revenue Service and published in the Federal Register last December 14th. They govern commerce in firearms and ammunition—and they are going to cause you and your customers far more trouble than the law upon which they promulgated. Let me explain briefly why, and give you an example:

A Public Law enacted by Congress, basically, is a broad, general guideline—a skeleton. It outlines—sometimes in vague, legal language—what will be our national policy, our law of the land. It is then up to the Executive Branch to enforce this law, and in order to do so, the "muscle" is added to the skeleton. Rules and Regulations are promulgated to implement the law—public hearings are held on the proposed regulations—and sometimes, if those interested enough to appear are loud enough, and lucky enough, they may get a particularly obnoxious set of regulations modified.

Either you weren't loud enough—or you weren't lucky enough—because I've read the new regulations.

Here's one example:

I'm sure some of the most valued customers of your industry are those who spend vast sums to outfit themselves for skeet, trap, target and similar peaceful shooting activities.

I can find no mention in the Public Law governing these activities. Indeed, many of us in the House worked long and hard and had the purpose of the bill changed to specifically protect these peaceful and law-abiding pursuits. Section 101 states, and I quote a portion of it:

". . . it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection, or any other lawful activity . . ."

That's well and good. We saved the day for the skeet and trapshooter—the outdoor marksman. Or did we? Let me read you Section 1.78.35 of the new I.R.S. Rules and Regulations. It states:

"Skeet, trap, target and similar shooting activities.

"Licensing and record-keeping requirements, including permissible alternate records, for skeet, trap, target and similar organized activities shall be determined by the Assistant Regional Commissioner on a case-by-case basis."

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I.R.S. spokesmen claim this will help the skeet and trapshooters. They can get a license (if they want to go through the red tape) and receive bulk shipments of ammunition. Then, if the Assistant Regional Commissioner approves, they can get permission to record only the number of boxes of shotgun shells fired in a day—rather than listing the amount dispensed to each individual.

Well, I'll leave it to you to tell me just how recording every box of shotgun shells fired at a clay pigeon is going to cut down on crime. To say it is ridiculous is the understatement of the year.

Understand me: I'm not here to hold out any false hope that things are going to get better. Neither am I going to tell you that the industry is completely blameless about the law and regulations you now operate under.

Too long, you sat back and let the pawn shops and the Fly-by-Night operators peddle the "Saturday Night Specials"—the cheap imports good for nothing but a hold-up. Some of your own people would sell a pistol, no questions asked, to anyone who walked in off the street. Some shipped by mail, to anyone—anywhere—any time. Surplus gun dealers unloaded tons of destructive devices, machine guns, cannons—you name it and you could buy it.

And, like most Americans, and many gun dealers, I fully supported legislation to close off the sale of destructive devices, heavy weapons, cheap surplus imports.

You could have—and you should have—taken the leadership in America to push for enactment of good, reasonable laws. Laws that would effectively curb the growing disgrace of gun crimes—that would end the mail-order sale to ex-convicts and juveniles and mental incompetents and drug addicts—laws that would curb crime without placing undue red-tape and restrictions on you and decent businessmen, or restrict your customers' rights to peacefully buy, own and use firearms and ammunition.

Well, all of that is history now. But the hue and cry isn't over.

Make no mistake about it. The push is already underway for new and more restrictive firearms legislation to require registration and licensing of all guns and gun owners. The advocates of such restrictive legislation pay no heed to the fact there is a great and growing arsenal of stolen guns available to the criminal. They ignore completely the fact the U.S. Supreme Court has held that a criminal cannot be prosecuted for failure to register a gun—that such a program would apply only to a law-abiding citizen who could not plead the Fifth Amendment because he hasn't committed a crime.

It may interest you to know that the F.B.I.'s computerized National Crime Information Center only last year began compiling a log of stolen firearms in the United States. As they are recovered, they are removed from the computer. In June—156,386 stolen guns were listed. By January 1, 1969, the total had jumped to 173,003.

Let me add another fact ignored by advocates of licensing and registration.

In 1961—in our state and Federal prisons—we had 220,000 criminals under lock and key. In the meantime, our violent crimes have increased more than a million a year. And at the end of 1967—the last figures available—our prison population had dropped more than 25,000—the lowest it has been since 1956.

Now you tell me the reason for our national crime wave—and who is causing it, and what the answer ought to be.

I wish to urge you, as I have urged every group I have had the privilege to speak to, to become more active as a citizen in stricter law enforcement, by law enforcement I do not mean to limit it to crimes of violence, but we must also be concerned with the disrespect for the law as shown by so-called acts of civil disobedience.

Why should your Mayor or your chief of police be concerned if you are not concerned with the breakdown in respect for the law. Why should your courts be concerned as to lax bonding and parole systems if you are not concerned.

I am still a firm believer that this is a country that is governed by the people and you will have just as good law enforcement as you demand and insist upon. The majority in this country are peaceful, law-abiding citizens but they have not been heard and their full weight has not been felt because they have not become involved.

You have a broad contact with the citizens throughout this land. I would like to see you, as individuals, get involved. And I would like to see you get your associates and your customers involved, for if you do not, the same approach to solving crime that has been pursued in the last few years will be continued to be followed and that is more restrictions and more red tape for the law-abiding citizens.

Just on the basis of the brief statistics I cited to you—on stolen guns—the crime rate increase—the tremendous drop in prison population—I think the answer to our national problem is obvious: Swift prosecution—stiff punishment—tightening up parole and probation procedures. But most of all, make the punishment severe enough to serve as a deterrent to crime.

I take modest pride in the fact that for several years, I have led the fight in Congress to bring it about. The answer is simply to strike at the cause of our problem—the criminal—and strike hard. Some of you are familiar with the Casey bill, and the battle I put on in the House last June to have it incorporated in the Gun Bill. I want to set a mandatory ten-year prison sentence for use of guns during the commission of your major crimes of violence. And on second offense, I want it set at a mandatory 25 years. We were partially successful, for the new law contains a watered-down version of the Casey bill. My Republican colleagues offered a substitute version which restricted it to apply only to Federal crimes and cut the sentence down to one year on first, five on second offense.

Well, there's a new Casey gun bill in this Congress. I picked up an able and distinguished ally last June in the House debate—and the new bill is a joint one co-sponsored by Congressman Claude Pepper of Florida.

Our bill—H.R. 5497—asks for the same stiff mandatory sentences—ten and 25 years—and it specifically prohibits the sentence being suspended, or assessed to run concurrently with any sentence imposed for the commission of the crime itself, or probation being granted. And it covers all crimes in which a gun is used—both State and Federal.

But the most unique feature of our bill—and I give due credit to my colleague for his brilliant idea—is a feature to empower State courts to enforce provisions of our bill.

Gun crimes are no longer a local problem, or a State problem—but a national disgrace. And the solution can only come from the national level.

When I introduced my amendment last June, the chief objections were that it would overwhelm our overworked Federal courts, our law enforcement agencies, our Federal prisons—and probably would require a defendant to undergo two trials—one in State court for the crime, a second in Federal court for use of a gun.

The debate raged nearly four hours on my amendment. And it was here that my colleague stepped in with his amendment to mine, giving State courts the power to enforce these provisions.

His action caught the opponents flatfooted. The strongest argument they could make was that the Judiciary Committee needed time to study its ramifications, that it was not aware Congress had authority to give the States concurrent jurisdiction in such cases. Even though the Republican leaders on the Judiciary Committee grudgingly admitted Congress did have that authority, the objection was, maybe it was not a good policy and both sides asked that it be defeated. It was.

Research shows that we are on the right track. There is ample precedent dating back to 1794, where Congress imposed positive duties on State courts to enforce Federal law, and there are numerous Supreme Court decisions to back it up. Only in recent years have we given exclusive jurisdiction to Federal courts to try violations of Federal law—and in view of the terrible crime-wave in our country I think it is time we took a new look and come up with a new approach to the problem. Our bill is going to give the House Judiciary Committee ample time to study this proposal—and with the help of people like you—force them to take positive action to report out a law which will protect the decent law-abiding citizen and businessman from the career criminal.

They cut the heart out of my proposal last June—and I can tell you for sure that Claude Pepper and I are going to do everything we can to see it is put back in.

GOV. WINTHROP ROCKEFELLER, MAYOR EAGAN, MANY OTHERS LAUD DEPARTMENT OF YOUTH PROPOSAL

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, you will recall that on the 5th of February I introduced H.R. 6259 in the House of Representatives to establish a Secretary for Youth Affairs in the Cabinet of the President.

It is not only the purpose of this resolution to pool together a number of different agencies of the Government which primarily deal with youth affairs but to exhibit to the young men and women of America the concern of their Government for their problems. I think this would be a great boost for the morale of the troubled youth of today.

I have recently received a very heartening commendation on the objectives of my youth affairs bill from the distinguished Governor of the State of Arkansas, the Honorable Winthrop Rockefeller. Governor Rockefeller also has sent me with his letter a magnificent address which he delivered on April 16 to the Association of American Universities at Williamsburg with 12 British counterparts.

This address reveals a rare quality of thought about education of youth in America today and the thinking of this generation of young citizens. I am sure that you, Mr. Speaker, and our colleagues as well as all who read the Record will greatly profit by what Governor Rockefeller has said in his letter and in his penetrating and eloquent address. I, therefore, ask that both appear following my remarks in the Record.

I have also recently received a letter from the mayor of Florissant, Mo., commending me upon my youth affairs bill and pointing out what he is doing as mayor to recognize the youth in his city and to give young people responsibility in the conduct of the city's affairs. I commend also the letter of Mayor Eagan to my colleagues and my countrymen.

Additionaly, I am asking that a sample of the volume of mail that has reached my office from cities and towns across the country be printed to indicate the tremendous national support for this legislation.

As you know, we now have a total of 16 sponsors for a Department of Youth Affairs in the House of Representatives. They are my distinguished colleagues Mr. Blatnik, Mr. Boland, Mr. Farbstein, Mr. Friedel, Mr. Gray, Mr. Howard, Mr. Jacobs, Mr. Joelson, Mr. Kee, Mr. Madden, Mr. Mikva, Mr. Olsen, Mr. Perkins, Mr. Podell, and Mr. Rosenthal. We welcome additional sponsors.

Mr. Speaker, I now include the following:

State of Arkansas, Office of the Governor,
Little Rock, April 22, 1969.

Hon. Claude Pepper,
House of Representatives,
Washington, D.C.

My Dear Congressman: I read with a great deal of interest the article in "Parade" magazine of this Sunday setting forth your views on the proposition that a Secretary of Youth Affairs was timely and worthy of investigation.

One of my concerns through the years has been the development of greater youth participation. I have for some 20 years served on the Board of the Loomis School at Windsor, Connecticut, and for the past eight years I have served on the Board of Trustees of Vanderbilt University after having moved to Arkansas. Prior to that, I served on the Council of New York University.

I am proud to say that in the mock polls held prior to my campaigns in 1964, 1966 and 1968, I enjoyed the support of the youth of the state as evidenced by the fact that my average vote in the mock polls ran from 74 to 78 percent. When I was defeated in my first try by my predecessor and then incumbent, the one Orval E. Faubus, he one time made the statement that he had "never seen so much youth involvement in a political campaign and the hell of it was that they were working for the wrong party."

On taking office in 1967, I organized the first Governor's Youth Council which is still active and becoming more so as we are able to establish the modus operandi to convene the body which is composed of the student leaders of every high school and college in the state. With experience, we feel this organization can be truly meaningful.

The purpose of this letter is to commend you for your vision and leadership and to assure you that I will follow developments with the greatest of interest and would be glad to be of any service that I can in the development of your plans.

With all good wishes,
Sincerely,
Winthrop Rockefeller,
Governor.

P.S. As of possible interest, I am enclosing a copy of a speech that I gave before the AAU and twelve British counterparts.

TEXT OF SPEECH BY GOV. WINTHROP ROCKEFELLER TO THE ASSOCIATION OF AMERICAN UNIVERSITIES, WILLIAMSBURG, VA., APRIL 16, 1969, WITH 12 BRITISH COUNTERPARTS

The relationship between academic success in higher education and actually getting ready for what's ahead seems to become more and more coincidental.

Are we creating a production line system for turning out college graduates?

We feed the undergraduate as we feed a computer . . . On specified days at the end of the semester he gives a print-out. We grade him in turn, on how well—or how poorly—he's been able to adapt to the system—(at least, as his adaptability is reflected on that particular examination day.)

But if we have actually stretched a mind, it's something of a happy accident.

If we have *not* stretched a mind, then what? Then the new graduate is in about the same boat as the computer when it comes to making a decision.

The computer, as you know, makes no decisions at all. It is not equipped to make decisions.

Am I being harsh and narrow? Perhaps . . . That's one of the prerogatives of being a drop-out. You expect these excessive outbursts from us drop-outs.

But how harsh and narrow?

If you can "program" an undergraduate today, then you are far more certain about the future than I.

Program him for what?

How would you have computerized a freshman for the 1960's? . . . for seeing world leaders cut down by the assassin's bullet . . . and innocent citizens unsafe on the streets and in their homes, in a time of mounting violence?

How do you computerize adaptability into a youngster who has grown up in peace, and who finds himself thrown overnight into war?

How do you computerize a young black to run head-on into ancient prejudices that still are very much a way of life?

How do you computerize in anybody the maturity that can enable him to manage that interval between desire and fulfillment?

What happens when soaring aspirations meet up with uncomputerized imponderables and uncertainties beyond the ivy-covered walls?

What happens is a collision . . . During the 60's we have witnessed such a collision . . . and now, a lingering aftermath of alienation.

Somebody has called this the "Decade of Dissent" . . . I won't argue with this, except to say the same has been true of every other decade—as far back as you want to go in time.

It is safe to say that those radical rascals who were the Founding Fathers of this country staged their own notable decade of dissent . . . (At least I hope and trust that, after almost two hundred years, it is safe to say that this evening.)

Being a born New Yorker, having moved to make his home in Arkansas, and becoming the first Republican Governor of the state since midway in the reign of Queen Victoria brands me pretty much a dissenter . . . More important, for two elections a majority of our voters have joined with me in the role.

There is nothing new about dissent . . . And certainly not on our college and university campuses.

The great significance of what we have seen, and are seeing, is that it has nothing to do with such attention-getting pranks as live goldfish eating contests, phonebooth packing contests, or with the confiscation of female undergraduate underthings—(in my day more commonly known as "panty raids").

I believe that our young people today are dissenting not only *with* relevance, but *for* relevance itself.

They are recognizing the fact that having the right answers is of dubious value—if nobody outside is asking the right questions.

Mixed up in this business of relevance, unfortunately, is the fact that one man's relevancy is another man's idiocy . . . One generation's goals and standards are, in the eyes of another generation—irresponsibility.

The question is, how can we create a society that can assimilate everybody?

This decade of the 60's would indicate that the issue is very much in doubt . . . Since this is the case, whose scalp are we after?

I've been tempted on occasion to say that education has about the same incapacity for self-evaluation as government . . . I am not saying that now, because on this particular evening, in this particular place, I am filled with high hopes for both. As a trustee of a University and a preparatory school, as well as being Governor of a struggling state, I know it can be done.

But higher education *must* take a larger role. It *must* take the major role in shaping this society that keeps making such impossible demands of it.

It will be up to higher education, I believe, to make the main determination about whether we control the circumstances that are going to shape our future—or whether we let those circumstances drag us along.

My earliest scholastic experience was at the Lincoln School . . . I say this with pride, knowing that for the longest there was little chance that the institution could never reciprocate the feeling.

My distinctions at the Lincoln School, along with cooking and sewing, included printing and carpentry.

This later surprised my instructors at Loomis, who came to doubt that I could have achieved distinction in anything.

But I am profoundly grateful for those early years . . . and for having had the good fortune to be able to grope where the system did not prevail against groping; where there was latitude, within bounds, for the freer development of the individual.

Fortified by this experience after two and a half years of university training I beat my professors by going to advise them of my resignation . . . I said that I felt further academic effort would not be rewarding, and hardly to my surprise found that they shared my views, and generously accepted my resignation. . . . This is the long way of saying what I said earlier—that I am a drop-out.

I am currently engaged with the Arkansas General Assembly—made up of 130 Democrats and 5 Republicans—a condition that offers daily opportunities for trauma. . . . Not all our politicians will agree that I've adapted to these conditions, but I am happy to report that the people of Arkansas are still on my side.

On the basis of my own personal experience it is obvious that it has not been computerized. I do not surround myself with two-legged computer print-outs. . . . Show me a two-legged computer, and I will show you a print-out for inflexibility and frustration.

Send me some of those young people who, on Graduation Day, are struck by the idea that they may have *none* of the answers—but who are filled with questions, and are eager and hopeful of finding the right answers.

These are the people who, in Professor Einstein's words, have a chance to become harmonious men.

We wring our hands about the number of people who drop out of school every year.

Who has the figures this evening on how many seniors about to be graduated this year dropped out intellectually two or three years ago? . . . Oh yes—they're finishing . . . and I use the word deliberately, because I cannot help but wonder how many are finished.

How many "in residence" drop-outs, who will get degrees this Spring, can our society afford and absorb?

What provisions has the educational establishment made for obviating the early drop-out, and/or the "in residence" drop-out?

It is easy for the establishment to wash its hands—but society cannot.

Can the establishment produce enough guidance counselors, psychologists and psychiatrists to cover up for inability, or reluctance, to make the necessary changes?

Does the establishment, in fact, have an obligation to the drop-out?

If it doesn't then we must conclude that education as we now know it is, in itself, self-defeating.

If across-the-board specialization, and more printing-out of intellect, is what we face in the 1970's, I dissent here and now . . . I want to make a case for irrelevance.

In this, the time when nothing is certain but change, the real relevance must be in the journey itself.

In the quest for personal identity; for fulfillment; for the reward of knowing that you have made the maximum use of your God-given talents . . . It is in the dignity exhibited in the process of making the trip—this is the *real* relevance.

The great challenge to us concerned with education is to equip young people who are capable, and who are unafraid to begin the search.

The search to find the difference between real and imagined pressures.

Between real and imagined pleasures.

Between real and imagined personal capabilities.

Between goals that are worthwhile and goals that are not.

Between what is true and what is false.

These, I believe, are the credentials of the harmonious man.

I repeat, the challenge to you and—yes—to me, is to see that nobody who wants these credentials sets out across the Seventies without them.

City of Florissant,
Florissant, Mo., April 21, 1969.

Hon. Claude Pepper,
House Office Building,
Washington, D.C.

Dear Congressman Pepper: A lot of whiskers have grown since our meeting with Congressman Hungate about a year ago!

Our local paper recently carried your article "Youth Needs a Spokesman in the Cabinet" and I am just dropping a line to let you know that I share your views on the youth of today.

Approximately five years ago, one of my first actions as Mayor of the City of Florissant was to appoint five teenagers to our Park Board. These young people and their successors have done an outstanding job ever since. At the present time, we have a Mayor's Youth Activities Board which is composed of adults and teenagers. This Committee is also doing a fine job on behalf of our citizens.

Once again, I offer you my full support in your proposed program on behalf of the Youth of the Country.

Sincerely yours,

James J. Eagan,
Mayor.

Florida State University,
Tallahassee, Fla., April 20, 1969.

Dear Representative Pepper: I read of your proposed Department of Youth Affairs in the "Parade" section, a magazine in the *St. Petersburg Times*. I wish to tell you of my whole-hearted approval for this Department.

I am a nineteen-year-old co-ed at The Florida State University from Daytona Beach. I have felt the frustration of powerlessness that you described. I am so very happy to hear that all members of the United States Legislature are not "Tom Slades," of the Florida Legislature.

I wish you every success in your attempt to get this bill passed. Even though I cannot vote, I shall support you by speaking to other students and urging those who are more influential to support you, also.

Peace and Love,

Miss Shari Poole.

National Recreation and
Park Association,
Washington, D.C., April 4, 1969.

Hon. Claude Pepper,
Cannon House Office Building,
Washington, D.C.

Dear Mr. Pepper: Re your Bill, H.R. 6259 to create a Department of Youth Affairs, be advised that the National Recreation and Park Association will support in principle this worthy endeavor. The National Recreation and Park Association is extremely pleased to know of your interest in youth affairs and would be more than happy to share our thoughts and recommendations with you on this matter. Please feel free to call upon us.

Sincerely,

Sal J. Prezioso,
President.

Secretary of State,
State of Florida,
Tallahasse, February 7, 1969.

Hon. Claude Pepper,
Longworth Building,
Washington, D.C.

Dear Representative Pepper: It was with great interest that I recently read of your proposal for a Cabinet unit for youth. Certainly such an office would have numerous possibilities for service and could be a great benefit to the people of our nation.

Most of the newspaper articles regarding this matter that I have perused have been brief accounts of your plan. It would be my hope that perhaps you could forward to me a more detailed account of what you have in mind.

Enclosed you will find a recent newsletter of the Florida Youth Advisory Council. Hopefully it will inform you of our missions and goals. Please feel free to call upon the Council for any assistance we might render.

With kindest regards, I remain

Sincerely,

Richard Benton,
Coordinator, Florida Youth Advisory Council.

H. H. Harney, Inc.,
Lincoln, Nebr., April 11, 1969.

Hon. Claude Pepper,
Member of Congress,
House Office Building, Washington, D.C.

Dear Congressman Pepper: In the April 7th edition of the DEMO MEMO, the Democratic National Committee's newsletter, I read with considerable interest that you were leading a move in favor of creation of a Cabinet-level Department of Youth Affairs.

Please know that I commend you and the bill's co-sponsors for a move that is desperately needed. We have a generation of young people that are most interested in doing something of both a relevant and important nature for their nation. Unfortunately, this desire is often lost in the maze of complex problems with which our nation is faced. All too frequently the young person is unable to visualize the way in which he can make a significant contribution to the well-being of his country. The creation of a Department similar to the one you have proposed would serve the very worthwhile coordinating function of bringing together under one department all of the programs that provide the young person the opportunity to do something of value for his nation.

I would also hope that such a Department could, in some way, serve as a sounding board for our young people in terms of securing their assessment of and assistance in the formulation and alteration of both foreign and domestic governmental policy. I believe that this could do much to relieve the feeling that their views are neither desired nor considered by those in governmental positions—a feeling that appears prevalent among our young people today.

If possible, I would appreciate your sending me a copy of the bill you have introduced and some of the information you are utilizing in support of this measure.

Thanking you for your consideration, I am

Sincerely yours,

David V. Evans,
Vice President.

Central Missouri Counties,
Human Development Corp.,
Columbia, Mo., April 21, 1969.

Hon. Claude Pepper,
House of Representatives,
Washington, D.C.

Dear Mr. Pepper: At a recent youth conference, your proposed legislation to establish a cabinet-level Department of Youth Affairs (H.R. 6259) was reported to the meeting. As brief as the explanation was, as to what the proposal specifically provided, it still sounded as though it has exciting potential.

If possible may I have a copy of the proposal? With your permission I would like to help solicit support for the bill here in Missouri.

In addition, if I can be of any further aid to the support of this fine proposal, don't hesitate to make a request. A copy of this letter and another will be sent to Senator Eagleton in request of the support that he can give in the Senate. I feel reasonably sure that other professional sources will provide support as soon as they are more totally informed of the proposal.

Thank you and may I hear from you soon.

Very truly yours,

Richard C. Niemeyer,
Youth Program Specialist.

Castro Valley, Calif., *May 7, 1969.*

Representative Claude Pepper,
House of Representatives,
Washington, D.C.

Dear Mr. Pepper: I read your article in the parade section of the Oakland Tribune edition April 20th. I agree wholeheartedly it is time for youth representation. They want to express their frustrations and dissatisfactions, but don't quite know how to go about doing so.

The bill H.R. 6259 you mentioned sounds very good indeed. As a very interested citizen I would like to know how I can be of assistance. Who can I write to for encouragement and support of this legislation?

Hope to hear from you for further information and instructions.

Thank you for being concerned.

Sincerely,

Mrs. Robert Krause.

National Association of Retired
Civil Employees,
Washington, D.C., April 22, 1969.

Hon. Claude Pepper,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Pepper: I have read with great interest your article which was published in the "Parade" section of the Washington Post of April 20, 1969. As usual your thinking and my thinking is not far apart.

Most sincerely,

Thomas G. Walters,
President.

Minot, Maine,
May 10, 1969.

Representative Claude Pepper,
Democrat of Florida.

My Dear Mr. Pepper: Your article in April 20th issue of Parade magazine has touched similar thoughts of the present youth turmoil. Your bill to initiate a Department of Youth Affairs suggests the power of persuasion is more palatable than the power of compulsion.

Similar plans have been with us at such times when "violence and revolution have tried men's souls". Dr. Benjamin Rush about 1790 anticipated the formation of peace societies. William Penn in 1693–94 in a season of almost universal upheaval published a plea for eternal peace among nations.

William Ladd of Minot, Maine had a plan for a Congress of Nations to constitute a permanent international high court for the settlement of disputes. His essay published in 1840, was the best exponent and argument on the subject that had been published on either side of the Atlantic. It was accomplished at a time when peace prevailed for the most part and not in times of turbulence. Perhaps it was the fore-runner of the United Nations.

This brings the question of why the youth unrest has reached the point of violence before a solid solution was sought to prevent the present situation. Complacency has been over-run which is a blot on the peace and tranquility most desired for an American way of living.

I admire the stand you have taken and commend its success.

Very truly yours,

MRS. SUSIE J. CAMPBELL.

TUCSON, ARIZ.,
May 7, 1969.

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: Your bill for the creation of a *Department of Youth Affairs* is the brightest ray of hope on the national horizon in these troubled times.

We are parents of two concerned—and many times confused—teenagers. They too were considerably heartened by your move, and have a renewed faith that your action will bring about the peaceful revolution that is so desperately needed today.

Please let us know if there is any way we can support your position. We've written Morris Udall.

Sincerely,

Mr. and Mrs. JACK B. HASTINGS.

MCLEAN, VA., *April 21, 1969.*

DEAR REPRESENTATIVE PEPPER: I have just read your article entitled "Youth Needs a Spokesman in the Cabinet" for *Parade Magazine* and am so overwhelmed by your words that I can scarcely slow my thoughts to the pace of my pen.

What amazes me so about your proposal for a Department of Youth Affairs (and your citing of the fact that we should evaluate the student cry for change before we take action) is that these are things that I have been considering in the past year, more so in the last weeks. The idea of some sort of government department or committee to deal with, listen to and assist youth first occurred to me when President Nixon held his television marathon during the campaign and was confronted with so many questions regarding the youth issue.

I am twenty years old and there are many problems, social and governmental, that I encounter either personally or indirectly each day, and I am always uncertain as to what courses of action are open to me. But the upheaval by young people both on and off our campuses, in many cases by individuals who simply have found no other doors open to their inspirations and, in despair, revert to violence, this upheaval touches me so deeply.

I would be among the first to recognize the need for a new look at our college instructors and educational programs to see whether they are indeed adequately stimulating the receptive and eager minds of today's youth. I am not ashamed to admit that I am a college dropout. I left school because, in some subjects, I was being loaded down with old ideas that had little bearing on today's world; in other subjects I had instructors who seemed to know less about the subjects than their students.

Sincerely,

LYNN M. COCKRILL.

SAN DIEGO, CALIF.,
April 22, 1969.

Representative CLAUDE PEPPER,
House of Reprsentatives,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: You have my support for your Bill H.R. 6259.

HARRIET JOSLYN.

DETROIT, MICH.,
April 21, 1969.

Representative CLAUDE PEPPER,
Washington, D.C.

DEAR SIR: Youth needs a spokesman in the Cabinet—Parade, April 21, 1969. In the Detroit Free Press. We believe is a sound sensible suggestion.

Youth must have an opportunity to be heard through a responsible media such as you suggest.

We are over 65 and we do recognize the rights and needs of young pepole.

Sincerely yours,

Mr. and Mrs. GEORGE NORRIS.

HOWARD BEACH, N.Y.,
February 28, 1969.

Congressman CLAUDE PEPPER,
Florida.

DEAR SIR: I am a ninth grade student who is very concerned about United States events. The recent presidential election, of course, was my main interest of 1968.

Although I was a Humphrey supporter, I am very open-minded about Richard Nixon.

Concerned about the use of young people in his administration, I wrote Mr. Nixon a letter inquiring about this. I was told to write you for a copy of a bill you introduced in Congress this month.

I would be very grateful if you would send me a copy.

Thank you.

CARYN GRAINEY.

ROANOKE, VA., *April 24, 1969.*

Hon. CLAUDE PEPPER,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: Your article in this past Sunday's Parade was read with a great deal of interest, and want to congratulate you for so well stating your views.

As a college teacher, I am aware of the needs of youngsters, and do firmly believe a cabinet level position should be established in their best interest.

We need more younger people in all levels of government, and I further believe emphatically that Congress should lower the voting age to 18 in all federal elections. That would encourage the state's to follow the example.

I well recall meeting you in 1948 in Philadelphia, when you announced your intentions of seeking the Democratic nomination. I was a delegate from West Virginia then, and Drew Pearson was in your room when I paid a call on you.

If you would write me a statement especially for the college age youngster, I will be pleased to read it to my classes, and give it to our student newspaper. Thanks a lot Mr. Pepper.

Sincerely,

ROBERT J. WILKINSON, Jr.

SANTA BARBARA, CALIF.

Hon. CLAUDE PEPPER,
House of Representatives,
U.S. Government.

DEAR MR. PEPPER: Encouragement is exactly what the people under 25, myself included, need. We have good educations, experiences unknown to our elders and much responsibility for our future.

Thank you for your wisdom. Please continue to seek avenues for a peaceful voice for today's youth. We are anxious to help. The proposed bill H.R. 6259 sounds promising. Please keep up your good work and keep open your open-mind.

If, as a youth, I can be of any assistance to you, please call on me.

Sincerely,

BARBARA BEAUMONT.

YAKIMA, WASH., *April 21, 1969.*

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR SIR: Your interest in a Department of Youth Affairs about which I have just been reading in the "Parade" is very exciting, and, of course, of great interest and concern to me as a young teenager who is trying to be objective about our so-called problems and become actively involved.

I am 17 years old, a junior at West Valley High School in Yakima, Washington, and have been interested in and involved in politics, locally and nationally, since I was 15. I am an active Young Democrat, as is my 19 year old sister who is a sophomore at Washington State University. I first became interested in politics when a good friend ran for the Legislature in my district and then lost to an ultra-conservative (John Bircher). I probably would have lost interest in politics, but I was angry and concerned because the winner was and is a poor legislator. In the campaign of 1968 I was originally working for Senator Robert Kennedy and then for Hubert Humphrey after his murder. We Young Democrats here campaigned vigorously for our senior Senator—Warren G. Magnuson, and he, of course, won handily.

As Chairman of the mock-election at our high school last fall, I learned a great deal about the inequities and failings of our election system and am very much interested in election reforms. Our State Legislature was considering passage of the 18-year-old vote and I chaired that committee for my school. Unfortunately, this did not pass and I now will not be able to vote in 1972. Right now I am running for ASB President for 1970. Through a 4–H Safety Project on which I have been working for four years, I have learned considerable about legislative process, as my project, the use of a safety vehicle emblem for slow-moving farm vehicles, is now being implemented through a Senate Bill before the State Legislature. I have followed this since its inception.

This background has been given to support some of your contentions about youth and our desire to be involved, to be considered and to have a spokesman. In spite of my youth, I am deeply concerned about the war, about the ABM system, about the student revolt and our outdated schools, about hunger in our country and about our minority groups. I believe that a future career in politics will be a way of really doing something about our problems. I would be extremely interested in hearing more about the progress of your bill, H.R. 6259, and if writing to my congressmen will be of any help, I will be glad to do so.

Respectfully yours,

DONALD MARTIN.

ALBANY, N.Y., *April 21, 1969.*

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR HONORABLE PEPPER: It was with considerable interest I read the enclosed article written by you in which you state you have introduced bill, H.R. 6259, which would authorize a Department of Youth Affairs. Further on in the article you state such a department would recruit, select, train and employ youths up to age 24. I fully agree

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with your statement that young adults today possess a sophistication and intelligence superior to that possessed by their parents and grandparents at the same age.

I have a twenty-three year old son serving in the Peace Corps in Thailand. He is a member of Phi Beta Kappa and was graduated magna cum laude as a Political Science major from the University of Buffalo May 31st, 1968. He entered the Peace Corps the following July, having received his Phase I training the previous summer and has another year of service. He is seriously considering extending his service to an additional two years in spite of the fact that he very much wants to return home; enroll as a graduate student in a university so he may receive his Master and Doctorate degrees and hopefully enter some department in the State Department of our federal government. He is faced with the dilemma of returning home next year and being immediately drafted into military service or remaining in the Peace Corps the additional two years at which time he would have reached the age where he would be less likely to be called up by his draft board.

My son feels he is being of much more service to his country through the work he does in the Peace Corps than any he could contribute through military service. His is not a unique case. This same situation is faced by thousands of other young men. Just where would you find these "youths up to age 24 to select, train and employ"—those who have been declared unfit for military service? I am fully cognizant of the fact that my son or any other Peace Corps volunteer is not asked to pay the supreme sacrifice that so many of our boys do who enter the military service. These are difficult questions and there are no easy answers but it is understandable why our serious, thoughtful youths are impatient; asking and even demanding that you and your colleagues find a solution.

The following has no bearing on the above but has any member of Congress considered giving Peace Corps volunteers special mailing privileges? The volunteers are expected to live at the same level as those with whom they work and therefore are paid by our government accordingly. In my son's case, he has to curtail his correspondence as he finds he cannot afford the cost of postage to reply to all those from whom he receives letters. Therefore, I make copies of his letters which he sends to his family and forward them to those who have written him. At Christmas time he received two monied gifts of $25.00 each from friends. He could have easily used this amount to secure a few "luxuries" for himself but chose instead to establish a scholarship fund in the school where he teaches to encourage the better students to continue with their education and thereby be better citizens in their own country.

I am not a constituent from the State of Florida as you can see from my address but as I stated at the beginning of this letter, I was very interested in your article and hope your bill will be passed and a Department of Youth Affairs will become a reality.

Yours very truly,

Mrs. H. A. Paradis.

April 21, 1969.

Hon. Claude Pepper,
Washington, D.C.

Dear Sir: Your "Youth Needs a Spokesman in the Cabinet" was read in full agreement. To me it was clear thinking, with an understanding of the youth problem.

Would that every member of the governing body could read it, not only in Washington but over our entire country.

I feel the frustration most laymen feel is that those in position do not understand or can clearly pinpoint the problem and thus solve it.

Your solution should and must be heard and there I believe the problem should at least have a starting point.

Too many people do not realize the potentiality and grasp of the younger generation which has advanced us the passing decades and forging ahead with realization of future problems.

Thank you for your understanding of a serious problem.

Most sincerely,

Mrs. Fanette Boswell.

Metropolitan Dade County
Youth Advisory Board,
Miami, Fla., April 21, 1969.

Congressman C. Pepper,
House of Representatives,
Washington, D.C.

Dear Mr. Pepper: I wish to personally commend your plan which would establish a cabinet-level Department of Youth Affairs. The provision to include an Office of Youth participation also seems crucial to responsible and responsive youth involvement.

The Miami Decency Rally was but a fallen indication of what potential youth positively organized possesses.

Sincerely,

Sol Landau.

Floral City, Fla.,
April 21, 1969.

Claude Pepper,

Dear Sir: We read your article in the St. Petersburg Times and are very much in favor of Bill H.R. 6259, this is what the country needs. We are both registered Voters in Citrus County and in our combined families we have 12 votes in Pinellas and Citrus and will do all we can to help. Also we would like to bring to your attention that the Catholic Schools need help with their books and transportation as the parents have to pay taxes and tuition and uniforms and books and transportation and it is a hardship when they have more than two children on their wages. They need some kind of a bill introduced, we do not have enough Schools as it is and if these are forced to close through lack of funds it will cost many, many times more.

Thank you for keeping a watchful eye on the Youth movement.

Sincerely,

Mr. and Mrs. Herman and Pauline E. Rourke.

Berwick, Pa.,
April 20, 1969.

Hon. Claude Pepper,
Washington, D.C.

Dear Representative Pepper: Your article "Youth needs a spokesman in the Cabinet" was read with interest. Your proposed bill H.R. 6259 sounds like a good one.

I agree that the "Secretary of Youth Affairs," if appointed, need not necessarily be a young man, but older man with a young viewpoint. A little "seasoning" is often advantageous.

Sincerely,

Sharleen Daily.

P.S.—Incidentally, I read your article in the April 20th issue Harrisburg Patriot News Parade Magazine.

Minot, N. Dak.,
April 20, 1969.

Representative Claude Pepper,
Congress,
Washington, D.C.

Dear Sir: I have just read your article in the Sunday Parade magazine, proposing a Dept. of Youth Affairs in the Cabinet. I, as a college student, find this to be most progressive and therefore want you to know I support your bill H.R. 6259 100%. Good luck.

Sincerely,

Gracia Schall.

Tacoma, Wash.

Representative Claude Pepper.

Dear Sir: I just read: Youth Needs a Spokesman in the Cabinet—and I wish to thank you for your Bill H.R. 6259 which you have introduced in Congress. If more people would only try to understand as you have done—it would be a big help toward solving our youth problems. I am writing my Senators and Congressmen to support this Bill.

Sincerely yours,

Mrs. H. W. Miller.

Charlotte, N.C.,
April 20, 1969.

Dear Representative Pepper: As a mother of intelligent and inquiring teenagers aged 19, 16, and 13, and step-mother of 3 more—I heartily approve of your bill H.R. 6259—and your thoughts as outlined in Parade, April 20. It's *time* we utilized the vast resource of our young people's energy, basic good, will, and intelligence. I respect my children's unwillingness to accept the status quo of injustice, inequality of opportunity, and unreasoning holding-fast to the past ways that confronts them. As adults, we are a bit jaded, ready to compromise, to approve of change from a distance.

The will to better the world is a vital ingredient in our children, let's listen to their ideas—and see which of their ideas are viable. All are not—they haven't the experience to judge deeply.

But they have the ability to see things in new perspective—sometimes simply to clarify, and so on.

Since they will surely inherit, it's most appropos that they learn the *responsibilities* inherent in the legacy—not as poor Nicholas of Russia—to reap the wild wind through his lack of comprehension of the needs of his time although he was too conservative. We too stand in his shoes, to a degree, and I do hope we don't end up in the position of having someone say "Yes, you've been doing the wrong thing for 23 years as they did, to him."

Cheers for H.R. 6259, and your whole outlook.

Sincerely,

Eleanor T. Hanrahan.

Norfolk, Va.,
April 20, 1962.

Hon. Claude Pepper,
House of Representatives,
Washington, D.C.

Dear Sir: After having read your plans for a Dept. of Youth Affairs in the April 20th issue of *Parade*, I feel thankful that some responsible and intelligent law makers are finally waking up to the needs of the young in America.

I am a college junior and feel deeply committed to the need for social justice. Unfortunately, few channels are open to people like me. And, as you seem to be very aware, there are quite a few who feel like I do. I guess I'm what the "over 25's" like to call idealistic.

Although, I am idealistic (and proud of it) I also tend to be a realist.

Your proposal is the first attempt I have seen by our leaders to constructively use this "realistic idealism."

You have my wholehearted congratulations and support for H.R. 6259.

If in my small way (distributing literature etc. on campus) I can aid, I would be honored to do so.

Respectfully yours,

James P. O'Connell.

April 20, 1969.

Hon. Claude Pepper,
Representative of Florida,
House Office Building,
Washington, D.C.

Dear Congressman Pepper: I immensely enjoyed your article in the April 20th issue

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of *Parade!* I believe that your suggested Department of Youth Affairs would be a wonderful channel to develop our youth resources. As a part of the "under 25 generation", I hope your bill, H.R. 6259, passes.

If there is anything which I could do to promote your bill or help its success, please let me know. Do you have an outline of the proposed Dept. of Youth Affairs which you could send me? If you could, I would really appreciate it. Thank you for your time and again "Congratulations"!!!

Sincerely yours,

JOHN POWELL.

WASHINGTON, D.C.,
April 20, 1969.

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR SIR: I read with great interest your article of 20 April 1969 in "Parade." There seems little doubt that unless they are given the responsibilities of power (that in fact most of them are intelligent enough and adult enough to accept) their disaffection will lead to confrontations that will be quite frightening.

My own-interest has long been the harnessing of the energies and enthusiasm of youth into productive activities in the various field of development, both national and international. I directed a youth leadership training program in 1966 before returning to the university for my Ph. D., and I am now in the process of incorporating a firm which will be known as Developmental Projects, Inc., which will have as its raison d'etre the pragmatic approach to development. We are going to make use of the "studies in depth" in establishing practical programs, but we will shun like the plague the research and study approach to economic development.

If there is any way that a private individual can be of help in your efforts in the establishment of a "Department of Youth Affairs", please feel free to call on me.

Sincerely,

WILLIAM S. SORSBY.

ANN ARBOR, MICH.,
April 23, 1969.

DEAR REPRESENTATIVE PEPPER: I recently read about your bill to establish a cabinet position for the youth. I am very interested in this idea. I would appreciate any information you could send me about the bill and what I could do to help.

Thank you.

BETSY RUBIN.

CASPER, WYO.

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR SIR: This is in reference to your article in Parade magazine, April 20, 1969.

Perhaps if this country had more Representatives of the people such as yourself, this country would be a better place in which to live.

Any information that you have concerning what is being done to establish a Cabinet officer for the youth would be greatly enjoyed by myself and, I'm sure, many other "under 25" citizens.

Sincerely yours,

BARRY W. EVANS.

WEST MANHEIM LUTHERAN CHARGE
OF THE LUTHERAN CHURCH IN
AMERICA,
Hanover, Pa., April 20, 1969.

Hon. CLAUDE PEPPER,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: I have just read your article "Youth Needs a Spokesman . . ." in Parade for today. I heartily agree with you. I am glad that you seem to sense that just condemning violence will not do. I'm sure that we have the violence only because responsible people have not listened to students until they get violent. To try to force our student populations, both college and high school, into some sort of obedience to their leaders will only aggravate the whole situation.

At the age of 54 I am about to get a degree from Millersville State College—a Masters in Education with Guidance as the Major. Right now I am counseling in our local high school for about 6 hours a week. I can see from what goes on there and from what I hear in the class I attend at MSC, a class composed of 2 clergymen, one major in the State Police and seven school teachers, plus our professor, that many high school students really feel that they are in jail. They get disgusted with the arbitrariness in regard to how a boy must wear his hair. Our youth today are near-grown-up at a much earlier time than we 50 year-olds were. T.V. has a lot to do with this. They have just about experienced everything via T.V. by the time they are sixteen years old.

Some of the classes I've attended on graduate level in the past two years have been down-right pitiful. I would be ashamed to be a professor if I couldn't do better—especially in a college traditionally given to training teachers! I've seen from experience what duds many of these teachers are and I can see why college students get thoroughly fed up with much of what goes for classroom teaching-learning experiences.

More power to you as you seek to get a better hearing for youth and their ideas and point-of-view on life. I have two sons. Neither of them would think of being a clergyman. But with MF degrees—Master of Forestry—they are both wanting to be teachers. The older one is, the younger, just back from 2 years in Peace Corps is trying to get into Vista or Teacher Corps and finding it most difficult to do so. But both of these lads will find their life in teaching. The younger one with American Indians or Spanish-Americans since he is fluent in Spanish. They want to be of service to their fellow man. Not in the ways of the establishment that just keeps its machinery oiled, but in new and fresh and meaningful ways. Many more youth feel very much the same way. Our nation may have a future if these youth have a real chance, otherwise we'll go down the drain of history as Rome did. Our lust for power and other lusts are well on the way to driving us there already. Your bill may turn the tide.

Sincerely,

CARL YOST.

UNIVERSITY OF ILLINOIS,
Chicago, Ill., April 22, 1969.

Hon. CLAUDE PEPPER,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: I have just finished re-reading your article in *Parade* magazine which appeared in our Chicago *Sun-Times* on April 20.

Thank you very much for identifying, for the American people, the large proportion of young Americans as responsible, law-abiding citizens. Your article and ideas you present have spurred me to do a lot of thinking the past several days about my place in American life.

I am beginning my senior year at the University of Illinois at Chicago Circle. I expect to graduate with a degree in Business Administration with a major in Marketing.

For many of my 22 years I have been very interested in politics. However, during last year's election I found that along with my first opportunity to vote, I had become rather apathetic. Since then I have begun to realize why apathy has become a part of our lives. There truly is a "generation gap." A great amount of difference seems to exist between what the older and younger generations think, feel, and do. Because of this failure to communicate, the generations seem to have lost the desire to communicate.

Your proposal of a Department of Youth Affairs may, if it is allowed to attempt to accomplish its goals, provide what the country so urgently needs— a *means* of communication between the generations to their common *ends*.

I would like to know more about your proposals and particularly about the content and present status of H.R. 6259. If there is anything I can actively do, please let me know.

Yours very truly,

STANSFIELD SMITH, Jr.

CHEVY CHASE, MD.

Representative CLAUDE PEPPER,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: As a former Miami resident I am writing to let you know that I admire you for writing the recent article in *Parade* on a spokesmen for youth. It was characteristic of you to take such a forward-thinking stand.

It has been twelve years since I left Miami. I had lived there from the age of 7 to age 21 and my ties to it are strong. I know your long record of service to the state and the nation. I have been dismayed by the "conservative" choices that Florida voters have made in recent elections (of course there have always been conservative Democrats), so I'm especially glad that your broadminded voice is being heard in the land.

Sincerely,

CAROL NELSON RACKMALES.

SHARON, PA.,
April 22, 1969.

Representative CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR SIR: I fully agree with you that there is a need for a Secretary of Youth Affairs.

I feel they have a right to be heard and to help *words become actions* for the benefit of all.

Sincerely,

Mrs. CARL O'HARE.

ADELPHI, MD.,
April 22, 1969.

DEAR CONGRESSMAN PEPPER: I am a senior in High Point High School. The article in last Sunday's "Parade" has interested me greatly. Will you please send me any additional information about your current proposal for a new Cabinet member. Thank you very much.

Sincerely yours,

DOUGLAS LEE.

ARLINGTON, MASS.,
April 23, 1969.

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

SIR: Your proposal for a cabinet level Department of Youth Affairs certainly merits serious consideration. One of the serious drawbacks to our American system of representative democracy is that minorities are represented in the councils of government only if they are geographically compact. Minorities which are evenly distributed throughout the country often find they have no representation.

Since so much of our national policy so seriously affects the youth of our nation, it is vital that they be represented in government.

Conscription, as presently practiced by the United States government, is taxation of the most extreme, vile and repugnant nature. It is worth pointing out that this taxation to a great extent is taxation without representation. It is not unheard of for subject peoples to resort to war and other violent means to protest taxation without representation.

Very truly yours,

JEROME T. HOLLAND.

April 23, 1969.

Dear Representative Pepper: I think I have the proper person for your Dept. of Youth Affairs bill H.R. #6259. His name is Dr. Seymore M. Lipset of Harvard, his picture and his report on the disturbances at Harvard are in the U.S. News and World Report, distributed during the week of April 21, 1969. I hope you can get the bill passed, and keep up the good work for the under 25 set, which I am one of.

Sincerely yours,

Preston J. Johnson.

Naperville, Ill.,
April 22, 1969.

Dear Mr. Pepper: I wish to commend you on your bill H.R. 6259 concerning a Department of Youth, it is certainly needed.

Is it possible for you to send me a copy of H.R. 6259 and some information on the bill?

Thank you for your time and help.

Yours truly,

Mrs. R. F. Rende.

Allentown, Pa.,
April 24, 1969.

Hon. Claude Pepper,
House of Representatives,
Washington, D.C.

Dear Representative Pepper: I read recently your article on "Youth Needs A Spokesman in the Cabinet". I am making a study of the Ombudsman system and I note your statement that the Youth Affairs Department would serve not only as a spokesman but as an Ombudsman. I would appreciate a copy of your Bill HR 6259.

Yours truly,

Bernard Frank.

Irving, Tex.,
April 23, 1969.

Hon. Claude Pepper,
Washington, D.C.

Dear Mr. Pepper: I wish to commend you on the interesting ideas you expressed in your timely article "Youth Needs a Spokesman in the Cabinet," Parade Magazine, April 20th, 1969.

As a former state speech champion and presently a scholarship student at the Goodman School of Drama, Art Institute of Chicago, Chicago, Illinois, I am deeply concerned about the vast communication problems confronting us in this jet age.

I feel the possibility of having youth spokesmen for my generation has merit and deserves serious consideration.

I would greatly appreciate your sending any materials further expressing your ideas on this subject and on how I, and others like myself, could become involved in the administrative procedures of such a program should your bill, H.R. 6259, be accepted.

Awaiting your prompt reply I remain

Respectfully,

Kenneth E. Whitener, Jr.

Dayton, Ohio.

Hon. Claude Pepper,
Member of Congress,
House of Representatives,
Washington, D.C.:

I am part of a mock congress in a civic class and I have introduced a bill similar to bill H.R. 6259 which you have introduced to Congress. I would deeply appreciate a copy of the bill and any aids which might help pull it through our mock congress.

Thank you.

Mr. David F. Ingells.

American Society of Appraisers,
Washington, D.C., April 24, 1969.

Hon. Claude Pepper,
House of Representatives, Longworth House Office Building, Washington, D.C.

Dear Sir: Congratulations upon introduction of your bill, H.R. 6259, Department of Youth Affairs! If I understand your bill correctly from the descriptions made public (I am requesting copies of the bill), your suggestion is creative, necessary, and, hopefully, acceptable to the members of Congress.

How may I be helpful, either as private citizen or as editor of a quarterly publication which is concerned with the broad spectrum of Value?

Sincerely,

Dexter D. MacBride.

Syracuse, Ind.,
April 24, 1969.

Representative Claude Pepper.

Dear Sir: Please send me a copy of your bill, H.R. 6259, which would authorize a Dept. of Youth Affairs. I need this bill for a student congress, in which we are treating the youth problem. As I will need this information soon, I will appreciate your sending it to me at once.

Sincerely,

Tom Trudell.

Miami Beach Senior High School,
Miami Beach, Fla., March 13, 1969.

Hon. Claude Pepper,
House of Representatives,
Washington, D.C.

Dear Representative Pepper: Enclosed is a copy of today's issue of the Beachcomber, in which we were pleased to run a story on your proposed department of youth affairs.

The staff joins me in commending you for the accurate appraisal we believe you have made of the current national distress, and the foresight you have displayed in your proposal to deal with one aspect thereof.

Please keep us apprised of the bill's progress. Although the students have a totally free hand on the editorial pages, I'm sure they will want to comment on the proposal soon. May I suggest that the maturity and articulateness with which they discuss major issues on those pages support your contention that today's young people deserve a voice in their nation's affairs.

Sincerest best wishes,

Stanard Evans.

Young Democratic Club
of Philadelphia,
Philadelphia, Pa., April 2, 1969.

Congressman Claude Pepper,
Cannon House Office Building,
Washington, D.C.

Dear Congressman: Thank you very much for the information you sent me on H.R. 8622 a bill to create a Department of Youth Affairs.

The Young Democrats of Philadelphia would like very much to have a representative of our club speak before the House Subcommittee on Executive and Legislative Reorganization in behalf of your bill, please let us know when and where the hearings will be heard.

Thanking you again for the information and invitation to speak before the House Subcommittee, I remain

Sincerely,

Edward J. McBride,
Executive Director.

Government of the District of
Columbia, Recreation Department,
Washington, D.C., April 10, 1969.

Hon. Claude Pepper,
Longworth Office Building,
Washington, D.C.

Representative Pepper: I have read with a great deal of interest and enthusiasm your proposal for a cabinet level Department of Youth Affairs. Being involved with the planning and provision of recreation programs for the youth of Washington, D.C., has made me keenly aware of the need for youth to be involved in decisions that affect them. I certainly support your efforts.

Whenever I can be of any assistance please contact me. All the capabilities under my jurisdiction are at your disposal.

William L. Montgomery,
Recreation Analyst.

Florida Junior College Student
Government Association,
March 13, 1969.

Congressman Claude Pepper,
House of Representatives,
Washington, D.C.:

I am very happy to see that you have again offered some interest and trust in the young people of today. The idea of creating a "Cabinet-level post of Department of Youth Affairs" is a good one. More and more the young people, of which I am one, are showing great interest in politics and moral issues.

Please let me know how the bill does. And, if I can be of any help at a future date I would be glad to help out in any way possible.

Sincerely yours,

Lawrence F. Zorovich.

De Pere, Wis.,
March 14, 1969.

Hon. Claude Pepper,
New Senate Office Building,
Washington, D.C.

Dear Mr. Pepper: First of all, let me congratulate you on your bill introduced in Congress. (The Congressional Record, March 11, HR 6259, To Create A Department Of Youth Affairs.) It's about time someone spoke out for the youth of America. I am only 15, but I am very interested in your concept. Please send me any information about this bill. I have also written my Congressman and Senators urging them to support your bill.

Sincerely,

John Delacenserie.

Indiana Youth Council,
Indianapolis, Ind., March 27, 1969.

Hon. Claude Pepper,
House of Representatives,
Washington, D.C.

Dear Congressman Pepper: According to reports reaching this office, you have introduced legislation aimed at establishing a cabinet-level Department of Youth Affairs. The Indiana Youth Council is interested in learning more about this project.

The Council would appreciate receiving a copy of the proposed legislation and also any additional comment concerning the status of such.

I look forward to hearing from you on this matter.

Yours truly,

Robert W. Galm,
Director.

Tempe, Ariz.,
March 25, 1969.

Dear Representative Pepper: Presently I am a freshman at Arizona State U. I am very interested in your proposal to develop a department of youth affairs. Would you mind expanding your ideas to me, as I would be most interested and honored to be of any help in executing or participating in this department.

A reply would be most welcome.

Thank you.

Sincerely,

Jeffrey Figler.

State of New Jersey, Department
of Community Affairs,
Trenton, N.J., March 13, 1969.

Hon. Claude Pepper,
Cannon House Office Building,
Washington, D.C.

Dear Congressman Pepper: I recently learned of your proposal to create a cabinet level Department of Youth Affairs (H.R. 6259) from *Urban Affairs Reports.*

If you would be kind enough, I would appreciate receiving from your office a copy of this bill and any other information you may have which would pertain to it. I have taken the liberty of enclosing a brochure on the intern program conducted by the New Jersey

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Department of Community Affairs which may be of some interest to you.

Please do not hesitate to call upon me should you wish any further information concerning the New Jersey program. In the meantime I will look forward to receiving information on your proposed legislation.

Thank you for your attention.

Sincerely,

GREGORY NAGY,
Coordinator, Interns in Community Services.

EUREKA, CALIF.,
February 19, 1969.

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR MR. PEPPER: Recently I read about your proposed legislation for a cabinet-level Department of Youth Affairs. As a youth I would like to thank you for helping to give me and my generation a stronger and more responsible voice. As a citizen I would like to commend you for looking toward the future and planning for a better America. I would appreciate it if you could keep me informed on the success or failure of your proposal. If you would ever need any help from youth I would be more than willing to help in any way I can.

Sincerely,

SHARON DUGGAN.

CORNELL UNIVERSITY,
Ithaca, N.Y., April 22, 1969.

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR MR. PEPPER: Please send me a copy of your bill, H.R. 6259, to authorize a Department of Youth Affairs

Thank you for your courtesy.

Very truly yours,

R. L. JEWETT, P.E.,
Assistant Director.

TAMPA, FLA.

DEAR MR. PEPPER: Your bill was very interesting, but I thought you might like several views, and not just mine. So I've taken a poll which many people from my school participated. I hope the results will be of help to you.

As for myself, I am in favor of a 19 year old vote, because at 18 I don't think youth is mature enough to vote. However at the age of 19, we have had one year of college, military service, or work, which you must agree add much to a person's reasoning. I am 100% for your Department of Youth Affairs.

I've enjoyed helping you tremendously, and if you need help in the future please feel free to call on the council, and I to help you.

The results of the poll are as follows:

Lower voting age to 18?

Sophomores:	
Yes	28
No	8
Juniors:	
Yes	16
No	2
Seniors:	
Yes	34
No	15

Are you in favor of the Department of Youth Affairs?

Sophomores:	
Yes	30
No	6
Juniors:	
Yes	18
No	
Seniors:	
Yes	45
No	4

All the best,

BERNARD CHEESEMAN.

GENERAL AMERICAN LIFE INSURANCE CO.,
St. Louis, Mo., February 18, 1969.

Hon. CLAUDE PEPPER,
U.S. House of Representatives,
Washington, D.C.

DEAR CLAUDE: Since a speech of yours in the Seminole Hotel to the Jacksonville Jaycees in the early thirties I have been an admirer and follower-supporter. You may recall that I made a small contribution to good government in Duval County thanks to motivation gained in the only campaign you lost. The State of Florida truly lost that day also.

The enclosed story appeared in the Atlanta Journal-Constitution last Sunday and interests me very much. Having devoted a fair lifetime to just such things as this prompts my congratulations and encouragement in your great effort to create a Cabinet department for youth affairs.

Jeanne and I, you met her when we visited your office in Miami during my State Treasurer campaign, live here in Atlanta and happily have three children of our own, ages 8, 4 and 3. We are both very active in all sorts of activities that can benefit from your project and we are in a position to volunteer to help you in any way possible.

If there is anything that we can do to help you implement this plan just let us know. We are interested to the extent that we, at our expense, will even come to Washington to learn more about it or do something there. When the children get older we both have considered doing what we can as a part of the Peace Corps.

Today I am remembering your help in implementing an International Jaycee program, I as head of it for this hemisphere had conceived and been unable to get rolling. You saw me in your Senate office, arranged an appointment with Dean Rusk and this was gotten underway immediately. A worldwide program of extension and projects resulted, and during my administration thousands of outstanding young men in other lands were recruited and served without pay in community betterment activities.

Count on us for any help you feel we could render and with warmest personal regards for you and Mrs. Pepper, I am

Sincerely,

AL CAHILL.

U.S. NAVAL SUBMARINE BASE,
Groton, Conn., May 4, 1969.

DEAR REPRESENTATIVE PEPPER: I read with interest your article in *Parade*, April 20th. Needless to say, I agree most heartily with you in your analysis of the situation and am also intrigued with your proposed solution.

Although my concern is immediate, my participation will have to await completion of my remaining three years of service. At that time I shall be faced with the decision of graduate school or a career, such as the one you mention. I would be most appreciative if you could forward additional information about H.R. 6259 and how it would affect me. In particular, I would like to know what sort of jobs I could apply for, advancement possibilities and pay scales.

I applaud your concern with this area and for your efforts to restore the confidence of an ever-growing portion of our population in their government.

Very respectfully,

Ens. JUD SCOTT.

SAN ANGELO, TEX.

Hon. CLAUDE PEPPER,
House Office Building,
Washington, D.C.

DEAR SIR: I am a senior government student at San Angelo Central High School, San Angelo, Texas. We are currently in the process of selecting a bill and following its progress. I am interested in bill (H.R. 6259) that you introduced concerning a Department of Youth Affairs.

I would appreciate any information you could supply in regards to the bill (H.R. 6259) and a copy of the bill.

Thank you for your time and consideration.

Yours sincerely,

GEORGE GLAESER.

COUNTY COMMISSIONERS,
PRINCE GEORGE'S COUNTY,
Hyattsville, Md., February 28, 1969.

Representative CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: It would be greatly appreciated if you could send me 10 copies of HR 6259.

With kindest regards, I am,

Sincerely yours,

JOHN F. SULLIVAN.

BROOKLYN COLLEGE OF THE CITY
UNIVERSITY OF NEW YORK,
Brooklyn, N.Y., Feb. 27, 1969.

Congressman CLAUDE PEPPER,
House Office Building, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN: The Department of Youth Affairs you proposed recently is an excellent idea.

As a college official who has been a member of VISTA, I strongly back your effort to set up this new department.

Sincerely yours,

JOSEPH DREW,
Director.

COLLEGE PARK, MD.,
February 18, 1969.

Hon. CLAUDE PEPPER,
U.S. Congress,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: I have read in the newspapers that you plan to introduce legislation establishing a cabinet-level department of youth affairs. I feel this is an excellent idea in that it will give the youth of America the spokesman that they have badly needed. The closing down of colleges and this unnecessary violence must be ended, and this bill seems like a definite step in the right direction.

I am presently a junior at the University of Maryland and am majoring in business law. I am very interested in politics and plan to enter the field of public service as soon as I am finished with my education.

I understand that the bill also calls for youth participation in the department, and I would like to apply for a position in this area if the bill is passed. I would appreciate it if you could tell me what channels I would have to go through to apply.

Thank you for your time, and best of luck with the bill.

Sincerely,

ROBERT SCHERR.

THE FLORIDA DISTRICT OF KEY CLUB
INTERNATIONAL,
February 17, 1969.

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: The receiving of your letter of February 13, meant a great deal to me as Governor of the Florida District of Key Club International. As you stated, it has been too long and is growing longer as time progresses, since the youth of America has had a voice in their government. From what I can see and understand in my travels this year, the youth of this country is ready and able to accept the responsibility of voting, and handling a Department of Youth Affairs. Personally, I have learned this year also, through experiences with the Florida Youth Advisory Council that you can get your voice heard

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through just such an organized body as you propose, and that we have.

Ability, as a matter of fact, is shown through one of the Florida District's Past Governors, Steve Metz, who is now heading the President's Council concerning disturbances on the campuses of America's institutions of higher education. An organization such as the Department of Youth Affairs and a lowering of the voting age should in the trying days of our time, and better interest those who are quickly losing interest in the government. Today it is thought by many that matters of government, politics, etc., can be "forced" down the throats of the youth. It can not. They have to respect it, and the only way to do this is to know someone cares and is willing to help.

I can tell that someone does care. Greatly I respect your efforts and thank you as one of America's youths. If there is ever anything that I can do for you in these respects, please do not hesitate to call. Until this time should come, I remain,

Sincerely,

REID JAMES,
Governor.

MIAMI, FLA., *February 7, 1969.*

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: I was very pleased to read in the Miami News edition of Wednesday, February 5th of your introducing a bill to create a Cabinet Department of Youth Affairs. I am very sure you have made Mrs. Malvin Englander of Miami Beach a very happy person.

So let me congratulate you on this forward step and I would be interested, if you will, in sending me a copy of the bill.

Sincerely yours,

HUGH P. EMERSON.

NATIONAL DEVELOPMENT OFFICE,
New York, N.Y., April 8, 1969.

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: The proposal to establish a cabinet-level Department of Youth Affairs recognizes the critical importance of tapping the talent and enthusiasm of our young men and women. It is obvious that bold new programs alone cannot resolve the problems of our nation. What is needed is the direct involvement of large numbers of skilled and motivated young people in constructive and substantive activities directed towards the national good.

New York's experience in this area is, I believe, illustrative of what can be done in constructively involving our young men and women. Three years ago, New York City established its Urban Corps to provide college students with an opportunity to participate first-hand in all aspects of urban government. Since that time, more than 6,000 students from colleges and universities through, out the nation have gained a unique understanding of the problems and prospects of urban society.

Funded primarily through the Federal College Work-Study Program, the Urban Corps makes large-scale student participation both economically feasible and administratively attractive.

The Ford Foundation has now provided funds for the establishment of an office to encourage and assist cities throughout the nation in the development of local Urban Corps. More than 22 major communities are now participating in this effort.

The enclosed material discusses in fuller detail the concept and implementation of Urban Corps programs. If we can provide you with further information, we will of course be delighted to do so.

Sincerely yours,

MICHAEL B. GOLDSTEIN,
Director.

PAN-AMERICAN'S 747

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, Pan-American Airways' contributions to the economy and growth of the Greater Miami area is nearly impossible to adequately measure.

It is more than the creation of new jobs, the drawing of permanent residents and the transport of thousands upon thousands of annual visitors into a city that thrives and prospers on a tourist economy.

Even more important is the faith the airline has placed in what the future holds for the Miami area. In a sense, this is in large measure why Miami will continue to prosper and grow.

A recent article that appeared in the April 25 edition of the Miami News, written by Mr. Morris McLemore, attests to the faith of Pan-American Airways for the future of our city. It concerns the expected arrival sometime later this year of the new 747's which will have the capacity to skirt as many as 490 passengers to and from Miami International Airport on a single flight.

I commend this article to my colleagues of the House:

HIS JUMBO JET HAS $4 BILLION IN ORDERS

(By Morris McLemore)

In the great American game of salesmanship, the strongly knit figure of Carl Munson must stand a heap taller than does Carl in his socks.

At the age of 38, yet with six years at his position, Mr. Munson can look upon the largest part of a $4 billion (that's $4,000,000,000, Clyde) backlog of orders with a certain measure of satisfaction.

Some of the $4 billion represents orders from foreign firms for the Boeing Jumbo Jet, the huge 747, but the largest part comes from the major airlines of the United States and Canada. Munson is sales supervisor for Boeing in these areas.

The largest, single slice of business so far comes from Pan-American Airways. Pan-Am has contracted for 33 of the 747's and will take delivery on the first one or more late this year. It won't belong after that until clouds of the great birds will be hissing off and on Miami International Airport in "The most important development in aviation since the switchover from propeller aircraft to the jets," according to Munson.

He's here to appear before the Travel Industry Association of Flordia, among others, but looks upon this as a fringe chore undertaken to enable him and Boeing to keep up with what is wanted by people who fly in airplanes.

In our discussion over breakfast, Munson opened with a pained expression and some unease.

"Please don't call the 747 the 'Jumbo Jet,' " he asked, with a monumental lack of effect, as you may have noticed: "That description has the connotation of something ponderous, slow and kind of dull—which the 747 definitely isn't. It's 10 percent faster than our 707 that's been a basic jet transport. It's a very docile aircraft when airborne, handles easily and touches down with less impact on the runway than the 707 and several others."

The former jet fighter pilot and graduate engineer (Stanford) explained in detail how the 747's "four-poster" landing gear distributes the enormous weight of the aircraft (712,000 pounds, maximum) in smaller increments than does the "two-poster" gear of the 707, Douglas DC–8, etc. This would indicate the airfields that now accommodate these standard craft can handle the 747 with no danger. The bigger whopper actually requires no more concrete than does its smaller predecessors.

The 747 program began at Boeing in the spring of 1966 and it hardly was under way before the carriers started signing contracts for it with both hands.

Since Pan-Am signed for the first, some 200 others have been ordered and—in the jargon of the trade—"this is the maximum sales effort consistent with the manufacturing potential for two years." However, if you have $20,000,000 handy for a private 747, Munson probably would find some way to take your order, subject to the flow of finished Jumbos turned out by the 20,000-man work force at a specially built plant at Everett, Wash.

With all these staggering figures and imposing sales, the larger question is what will happen to American airports when each 747 dumps up to 490 people—"but, to the airlines' credit, 360 seats is the average request of us now"—into today's people and baggage facilities.

This enormously complicated, gut problem for the airline passenger of the next decade and beyond is corroding the wits of many of civil aviation's best brains. But the bright, engaging Mr. Munson's remarks about the 747 airplane's own place in this discussion are enlightening.

"The 747 might be called part of a 'system for handling people'," says Munson. "The concept assumes that one 747 will take the place of 2½ of the Boeing 707's in the air, that its disgorging of passengers will be simpler than unloading the same number of people from, say, 2½ 707's or two of the "stretch" versions of the Douglas DC–8, the largest passenger plane now in service.

"In these aircraft, passengers usually are loaded and unloaded through one or, occasionally two doors in the fusilage . . . The 747 will have 10 doors, not all of which will be employed at one time but certainly two or more will be. The 747 will have two, wide aisles instead of one, narrow one for people to walk down. Each of its doors is double the size of the present ones on jet aircraft, by the way.

"In the baggage compartment, all work will be done by machines under the control of one man. Each bag will be placed in one of several containers, each container will be moved laterally by machines into the baggage compartment. It will be faster, more efficient and less expensive than present methods.

"The cabin of the aircraft is divided into four compartments for passengers. That'll keep you from feeling like you're peering through the Holland Tunnel to the other end. It also will make for easy assignment of seats. . . ."

Results of the first, 100 hours of tests with the two 747's now flying for factory tests indicate the aircraft is more stable in turbulent air than expected and the noise of its four JT 90 engines (42,000 lbs. of thrust each) "not only is less than that of the 707 but considerably less abrasive to the senses," according to his extraordinary salesman.

"Its size won't eliminate congestion over airports but it will alleviate this when it replaces the smaller aircraft . . . it's a machine designed to blend and get its maximum results and benefit for the passenger in new, mechanized terminals of the years just ahead," is the rest of the basic concept.

That's all very dandy and logical and I'm happy for logical and I'm happy for Boeing and look forward to that sweet some day when all of these majestic works fall into place. But I still can't help but shudder at the thought of the baggage claim areas at Miami International when the Jumbos wing in. I'm still looking for bags lost in the days of the Curtiss Condor.

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CRY RAISED: INSPECT FISH

(Mr. **PEPPER** asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. **PEPPER**. Mr. Speaker, in the Miami Herald edition of May 2 was an interesting and informative article on efforts toward Federal inspection of fish and fish products written by the newspaper's homemaking editor, Mrs. Virginia Heffington.

In the article Mrs. Heffington accomplishes the difficult task of summarizing and assimilating the various proposals for inspection aimed at assuring the housewife that the fish product she buys is of the highest quality.

Special attention was given to H.R. 5550, a bill introduced by myself and my distinguished colleague from Michigan, the Honorable John Dingell.

The news story of May 2 was followed May 9 by an article suggesting that the Bureau of Commercial Fisheries might be the best Federal agency equipped to stamp the seal of inspection on fish products. As I have stressed before, the American housewife is not so much concerned as to what agency does the inspecting but that the product be inspected. The author of the article makes a number of strong points in favor of inspection by the Bureau of Commercial Fisheries.

Mr. Speaker, I commend to my colleagues in the House these two informative articles and include them at this point in the Record:

[From the Miami (Fla.) Herald, May 2, 1969]

Cry Raised: Inspect Fish

(By Virginia Heffington)

It's interesting that union men who work in the nation's fish canneries, processing plants, and retail markets are spending money to promote mandatory federal inspection of fish and fish products.

The half-million membership of the Amalgamated Meat Cutters and Butcher Workmen of the AFL–CIO have hired Washington, D.C., public relations counsel to spread the word that fish plants need inspection even more than the meat and poultry packers did. Meat and poultry inspection laws were passed in 1967 and 1968. The union hopes fish inspection will be mandatory in 1969.

Sen. Philip A. Hart (D., Mich.) introduced a bill in the Senate to make fish inspection law. In the house, Rep. Claude Pepper (D., Fla.) introduced a similar bill Jan. 30. When asked what he thought of the legislation being backed by the union, Rep. Pepper said, "I'm delighted. I have not heard one word in the fishing industry on a national or state level that was not for it."

Rep. Pepper had introduced a similar bill a year ago but had to revise it. There was disagreement over whether inspection should be handled by the Food and Drug Administration (FDA) or the United States Department of Agriculture (USDA). USDA thought it had an edge because it handles meat and poultry inspection. But Rep. Pepper says his bill splits the duties between the two to the satisfaction of both "USDA will handle inspection from the time the fish leaves the water till it enters the plant. Once in the processing plant, FDA will take over."

A better idea would be to have all fish inspection handled by the men who really know fish—members of the United States Department of the Interior Bureau of Commercial Fisheries. Rep. Pepper said he didn't really care who did it—he just wanted federal inspection.

This is a minor slap at the state of Florida, which just now adopted a mandatory Seafood Quality Control Code. But this is not the continuous inspection Rep. Pepper and the union want, meaning an inspector on duty every day—not now and then.

Why federal inspection? Rep. Pepper claims people don't have confidence in fish they should have. "The proof is the line about smelly fish. A fish straight from the water has no odor." We agree. Fish and seafood are highly perishable products—they don't improve with age like beef does.

Rep. Pepper would like to see more than the present 11 per cent of the food dollar go for fish. "Fish is good for you, plentiful, and cheap. We can increase consumption if we have inspection. Federal inspection gives confidence to meat and poultry. We want to apply the same principles to fish. Florida is a big producer of fish and it would mean a lot to the state if people all over the country ate more."

The union may or may not want to sell more fish—it does want to clean up the fish industry. Eleven people have died in the last five years after eating bad fish and thousands more have been made seriously ill, according to the union.

Right now federal inspection for fish is voluntary. But now many plants take advantage. Miami has the only federally inspected fish cannery in the country. This is Florida Finest Seafood Inc., which unfortunately does not supply the retail grocer at the present time. Most of its products go to schools and other institutions.

When Rep. Pepper was asked what the little homemaker could do to guarantee she can buy high quality fish, he gave the obvious answer—"Write your senators and representatives." Rep. Pepper calls this the power of public opinion. But to do any good, those letters have to go out in a hurry. Though no date is set, hearings will be soon.

[From the Miami (Fla.) Herald, May 9, 1969]

Is Your Fish Inspected?

(By Virginia Heffington)

Does the homemaker really realize that the fish she eats is not federally inspected? And probably not inspected at all? We doubt it, but that's the way it is.

Right now there is federal inspection in only about 40 plants across the nation. Two of these are in Miami. There is federal inspection in so few plants because it is voluntary and costs money.

Because there is legislation for federal fish inspection up before both houses of Congress, we're trying to stir interest in getting a bill passed that really helps the consumer, which is you.

The issue right now is who does the inspecting. At present, there is the possibility of dividing it between the United State Department of Agriculture (USDA) and the Food and Drug Administration (FDA).

The plan is to let USDA handle inspection from the time the fish leaves the water till it enters the plant. Once in the processing plant, FDA would take over.

As we stated last week, a better idea is to let the people who know how to handle the fish—members of the United States Department of the Interior Bureau of Commercial Fisheries. They are set up to do the job—they're the ones handling what little fish inspection is done now. And they're certainly the ones who know fish and the people who process them.

However, the only important thing is that the Bureau of Commercial Fisheries inspect fish at the plant. Inspection on the boat is not important because often those fish are frozen and no one can analyze a frozen fish. Wait till it gets to the plant and if it's bad, reject it.

Once the fish or seafood has been processed, the agency to take over is FDA. They do this with other foods now so they're the ones equipped to handle this end. In other words, if you buy bad fish, call FDA.

Besides the fact that it costs money, industry has a valid argument against federal inspection and this is that it would mean just one more person to deal with. The way out of this is to let the Bureau of Commercial Fisheries inspector see to it that all local and state requirements above and beyond the federal code are taken care of. Local and state inspectors would deal with the Bureau and leave management alone.

If you would like to see federal fish inspection handled this way, write your congressman or this reporter. Hearings on the bill will be held very soon. If you've had any personal experience with low quality fish you've bought, let us know. This will be fuel for the fire arguing for better inspection.

A MASON, A MINISTER, AN AMERICAN

(Mr. **ASPINALL** asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. **ASPINALL**. Mr. Speaker, on February 24, 1969, the Reverend Irvin R. Pusey, grand chaplain of the Grand Lodge of Delaware and pastor of the Red Lion Methodist Church, of Red Lion, Del., delivered an address before the Conference of Grand Masters of Masons of North America here in Washington, D.C.

Reverend Pusey's address was one of the most thoughtful that I have heard in many years. In an age when spirituality and patriotism are being challenged by materialism and cynicism, it is refreshing to hear someone who can and will remind us of the values that are the very foundation of this Nation.

Reverend Pusey's address follows:

I consider it a privilege to be with you tonight, to share in this great meeting with great people. I come to you as a Mason; as a Minister; and as an American. I have a love for my Lodge; a love for my land; and a love for my Lord. And these themes of circumstance will color what I have to say to you tonight. They all flow together; they all mingle in; they cannot be separated. I thank God for all of these.

I should like to share with you three things you can hang your thoughts on: Masons as men of purpose; Masons as men of patriotism; Masons as men of prayer.

So to you distinguished guests; to you, Mr. Chairman; to you dear ladies and to you brethren, let me speak to these three things.

Masons as men of purpose. We live in a divided world tonight; a world where there are two Koreas; two Vietnams; two Germanys; two Chinas; two Berlins. A world that is divided by philosophical and political idealogies and even in our fair land, we see many, many problems. Freedom is under attack by Communism. Don't you think it is not. Men by the hundreds are coming back from Vietnam in little wooden boxes; pant legs pinned up, coat sleeves tucked in. They know Freedom is under attack tonight. We see in America tonight the ravages of an increasing crime rate that many of our police departments are now admitting they cannot really control. Immorality in America is no longer a disgrace—it is a way of life. If there was ever a time for Masons to live by the spirit of their Fraternity, it is now. To become men of purpose, and I do not mean men of purpose just by saying "Oh, I have a purpose for my life", but as Masons to take the purposes and the spirit of Masonry and get it out of the ritual of a Lodge Room and let it live in our hearts; on the streets, in our homes and in our factories. Let Masonry come alive; let it become incarnate in our

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bodies, because unless it does then I am afraid of its future.

Not long ago I gave my little daughter a stuffed toy lion. She played with it, carried it around; kicked and mauled it. I often wondered what would happen if that stuffed lion ever came alive. Many Masons are treating Masonry that way. We dabble in it; we play with it. Oh, if it could only come alive. I hear people say "you know we have got to defend Masonry." I do not believe it. You do not have to defend Masonry any more than you have to defend a lion. Let it loose. It will protect itself. Let it loose in your life and my life.

We read in the Book of Acts in the Bible, of Peter and John going up to the Temple and they met a lame man at the gate of the temple. He was begging. It was quite surprising, because at that time most beggars used to beg on the outside of the city at the gates of the city where the marketing was done and the caravans came through. But, this man was begging at the gates of the Temple. Why? Because he expected more from those who entered the Temple, more from those who believed in God.

I think he was right. And I believe tonight that the world has a right to expect more from Masons than many other groups. And God help us if we do not think so. I believe Masonry makes a man a better man and if it does, it gives him an awesome responsibility to let loose the spirit and the morals and the principles of Masonry. Let it come alive. Let that be our purpose.

I want to say that Masons ought to be patriotic. This is a dirty word in our day and time. The thing to do if you want to be popular is to criticize America; find fault with her. And this can be done. She has got her faults and she is certainly open to criticism. I have done some myself. But I am just a little bit weary of hearing all of this. Because, as I look at this land, I believe there is a lot to be said for America. And now I would like to say a good word for America. I think she is the greatest nation on earth. I make no apologies for that. Patriotism, comes from the word patriarch. It means love of fatherland. Let us not be ashamed of it.

I would like to take the letters of the word America: A-m-e-r-i-c-a, and ascribe some thoughts for each letter.

A. A is for *Ahead*. We live in a time of social and political revolution, where people are telling us that a democracy can no longer cope with the needs of the time. This is a technological age, they say, and the only way a government can control and compete and take care of its people is to become socialistic or communistic. I do not believe it. No nation has done more for her people than America. No Nation has given more dignity and freedom and opportunity to her people than America. And I know her standard of living is the envy of the world. There are some who like to compare us with the communist nations, notably the Soviet Union.

Do you realize that if we were to become equal with the Soviet Union, we would have to go backwards? We would have to cut our agricultural and industrial production by great percentages. We would not be able to meet here tonight, if this hotel was located in Russia. Such a thing as Masonry would not be tolerated. Such a society could not exist in the Soviet Union. You couldn't be here tonight and if you were, there would be secret police in the garage taking down your license numbers from your cars.

Speaking of police. The police in Russia are there to protect the *government*. The police in America are here to protect the *public*. And I am one who thinks that the police of America are doing a *great job* and are ridiculed unnecessarily. The Grand Master of Delaware, Warren Schueler, is a lieutenant colonel of the state police. We have three other state troopers on the staff, who are masons, and whenever I hear the cry of police brutality go up I cringe, because usually, it is just an attempt to get out of a crime a person has already committed. And I will tell you something tonight, brethren and friends, I hope I never have to make the choice, but if I do have to make the choice, I would far rather have police brutality of the criminal rather than criminal brutality of the public the way it is being done today. And so as I look at America, I see that she is already *far ahead* of any other system of government. Name any system of government that has done as much for their people as the United States of America! In fact, many of these governments today exist because of the American dollar that's kept them afloat. So why should we want to change to another form of government when we are *already ahead*!

M stands for *Mighty*, she is a mighty nation; and I, for one, am not ashamed of the military power of the United States because I'm convinced tonight that the only thing that stands between the Soviet, the Red Chinese war machine and world domination is the military power of the United States! I believe they fear and respect it and I'm not ashamed of our military power! I'm proud of every one of our men in uniform because they not only represent their country, but they represent a direct challenge to a way of life that would ruin our way of life. They represent power that the enemy will respect! And to those who would burn the American flag and tear it down, burn their draft cards (and by the way, when they burn their draft cards, I would have a lot more respect for them if they burnt their social security cards at the same time.) Those who burn the American flag ought to read up on their history and I'll make this statement in front of anybody—no nation has done more for the world in the history of the world than the United States of America!

Ask any Englishman if there would be an England today without America's help in World War II. Of course not! Charles De Gaulle, in France, can say all he wants to about his anti-Americanism (you notice he doesn't do it too much anymore . . . not since he got stung himself by the Communists last spring when they turned on him), but he used to be very anti-American in many respects. Yet, Charles De Gaulle has a nation to be President of tonight because there are 10,000 American graves in Normandy and throughout France that bought his country back from Hitler! I'll say this too! There wouldn't even be a Russia tonight without America! Just go back in history a few years. In 1942, Hitler's armies were at the gates of Moscow and we know that the Russian winter took its toll. But it wasn't the Russian winter that defeated Hitler's army—it was the Russian army that defeated Hitler's armies, but with what? Ships—hundreds of them left American ports and put in at Russian ports. It was American guns, and American tanks, and American planes, and American bombs in the hands of Russian soldiers that turned the tide and if she didn't have the war equipment we gave to her, she could never have done it! Hitler would have marched right into the streets of Moscow. So there is a Russia today because there was an America who pumped out of her factories war materials and armed the Soviet Soldiers. And then those who would say about America's involvement in Vietnam—how criminal we are over there—Look at the past! What did we do with West Germany, this enemy that had ravaged Europe and killed many of our men? Why we turned our treasuries loose and we poured money into West Germany and today she is the fastest growing economy in all of Western Europe and her dollar is the soundest! What did we do with Japan? Here is an enemy that had a sneak attack on Pearl Harbor and 2700 American men died! With this enemy that stabbed us in the back, we signed a peace treaty on the decks of the U.S.S. Missouri. Did we go in and plunder and loot and rape that nation? No! We sent money, medical aid, food supplies, factory equipment—we went in there and we put Japan back on her feet! We also turned back to her many islands of the Pacific taken at such a high price, Iwo Jima to name one. Today, Japan is the fastest growing economy in the whole world, thanks to her enemy, America, who treated her better than she had ever been treated before, even after Pearl Harbor. Who was the first one to come to the aid of the South Koreans, even before the United Nations involved themselves in it? And those in South Vietnam! When no other nation cared, the very finest of our young men went over there and are over there going through the ravages of war for the freedom of another country! Don't tell me we're criminal—History just doesn't prove it!

I am reminded of a story I heard when I was in theological seminary. It was told to me by one of the associate editors of the Baltimore Sun Newspaper. He said, "when I was born, my mother died in giving me childbirth. He said, my father was a good man—a farmer, and I was the last of eleven children. Dad wanted to keep the family together and he did. He said one warm summer day I saw my dad sitting on the front porch of the old farm house and I ran and climbed up into his lap. I was then about seven years old. Dad put his big arm around me and began to tell me all about my mother, whom I never knew. Tears rolled down his checks and when he had finished he pointed to a little cemetery across the way and said, son, you'll never know how much you cost me."

All across the world America can point to hundreds of thousands of little white crosses and say to the world, you'll never know how much you cost me. She is a *mighty* nation and I am not ashamed of her military power.

E stands for *Everyone*. Now we know and we have to admit that there have been injustices in this country. This is certainly true. But there have been injustices in every country. I do believe, however, that more people have been given an opportunity in this country than in any other nation. There are a lot of people tonight who are submitting bills to America. They want something. It is like the little boy who went to school. He found out from his classmates that some of them were getting a larger allowance than he was getting. When he found it out he thought he would give Mom the word. But when he got home, he chickened out and could not bring himself to tell her that he needed a larger allowance because every one else in the class was getting it. He wrote her a note, and left it on the dining room table. When he went to school the next morning his mother found it. She picked it up and read it. It went something like this: (To Mom. A bill from your son. For taking out the garbage, fifty cents; for helping with the dishes, seventy-five cents; for saying thank you and please, two dollars. It all totaled up to several dollars.

When he came home that night his mother did not say a word to him and he was a little bit surprised, but he was too afraid to bring up the subject. After he finished his supper, he saw a little note sticking out from under the plate. He pulled it out and opened it up. It said something like this: *To my son, a bill from your Mother*. For bringing you into this world and going into the jaws of death to do it, the cost was love. For walking the floor with you at night when you were sick, the cost was love. For teaching you to talk and to walk, the cost was love. He got the idea. He could never repay his mother).

Suppose that in some way America could submit a bill to us for the privilege of being born in this country. The cost was the grace

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of God. For the freedom you have enjoyed, the cost was innumerable lives given at Valley Forge, Gettysburg, Iwo Jima, Korea and so on. We could never repay her for what she has done for us.

R stands for *Religion*. We will never be able to understand this great American phenomena *apart from God*. What is it that makes America unique? Not democracy. Other nations have had democracy. The Greeks had it thousands of years ago. Not her military power. Other nations have had military power. Not her resources. Other nations have great resources. I believe it is the fact that she is one nation under God. Notice that phrase—Under God. Not equal with God, or above God, or along side of God, but a nation under God. Under God's rule and law. As I have surveyed the American scene, I have wondered how people can get the idea she is supposed to be religiously neutral. Oh, I know that there was no religious denominations to be supported by our government. But I cannot buy the idea that she was supposed to be religiously neutral, not when I look at history. When the Pilgrims would rather have their Bibles than their lives, and came to these shores and wrote a Mayflower pact and stated therein that they took possession of this land in the name of God and for the propagation of the Gospel of Jesus Christ.

When I see Washington kneeling at Valley Forge, praying. When I hear Benjamin Franklin call thirteen colonies together when they were about to split up at the Continental Congress and say to those gentlemen, "let us pray." And out of that prayer meeting came much of the structures of our Government. I see the Continental Congress in 1775—one year before the Declaration of Independence—call upon the American people on July 12th to have a day of fasting and prayer in humility and recognition of Almighty God. That was done by the Continental Congress in 1775. It was George Washington who issued a statement that he would like to see ministers or chaplains in all branches of the armed services. And it was Washington, after he had finished his oath of office said *"so help me God,"* and so has every President all down through history. The Congress in 1853 decreed that the motto on our coinage and our money should be "In God We Trust." Consider the National Anthem of this Nation (*The Star Spangled Banner*). It has this phrase in it: (*"Praise power that has made us and preserved us a nation. Then conquer we must when our cause it is just and this be our motto In God is our Trust."*) That is our National Anthem. Go to the Lincoln Memorial and there you can read his Gettysburg address which has this phrase in it (*"one nation under God"*). Go to the tomb of the Unknown Soldier and there you can read (*"Here Lies One Known Only To God"*). Go to the Washington Monument and there you can read many portions of Scripture, one of which says (*"Suffer the little children to come unto me and forbid them not for of such is the Kingdom of God"*). In 1956 the Congress of the United States had the phrase (*"One Nation Under God"*) inserted into the Pledge of Allegience to our flag. Many of the men who wrote our great historic documents were *Men of God* and they *did not* separate their Religious Convictions from their Political Philosophy. America's history is rooted in the Bible; she was reared in the cradle of prayer and nursed at the breast of the church.

I stands for her *Institutions!* Which one of her institutions would you want to do away with? A trial by jury? I wouldn't! A free press? I wouldn't! Free Elections? I wouldn't! Some may need updating, as times change, but, those who want to eliminate them never seem to have any better alternatives. And until they do, I am not for destroying a structure of government that has served so many, so well, for so long.

C stands for *Capitalism*. Here is another dirty word today. It simply defines an economic system that says a man has a right to make a profit and own property. And it is this economic system called capitalism that has released the energies of man as no other system has, that he might achieve the capabilities God gave him. And this system, as Senator Walter Judd said, "has made it possible for *six percent* of the world's population living in the United States to own *fifty* per cent of the world's wealth. Six per cent of the world's population owns fifty per cent of the world's wealth. It didn't just happen. There was an economic system that sparked it and primed it and that system is called capitalism. Although there are many nations around the world who look down their noses at it and do not want to have anything to do with it, they will take all the cream that it can produce. They will take all the money capitalism can make. They do not want the system, but they want all that it can produce."

We have this great system of capitalism because the political structure of our Government says that man is endowed with certain inalienable rights, and these rights are endowed by his Creator, including the right to own property and to make a profit. This rests on the foundation of a religious philosophy that men are important to God. That they are made in the image of God, and that freedom is not just something that we obtained. Freedom is something in the human heart. We can go back to the Book of Genesis in the Old Testament and note the creation of Adam and Eve. When God made Adam he gave him a free will. And God did it at a risk. A risk that he would rebel and disobey God. God was willing to take that risk because he thought it was so valuable for man to have freedom. Whenever the flame of that freedom planted there by Almighty God, has been imprisoned it has leaped out into the world. All are created with certain inalienable rights and endowed by their Creator. That is the philosophy that lets capitalism be what it is tonight.

A stands for *Abundance*. America is an abundant nation. We have over 500,000 men in Vietnam: 300,000 or so in Europe; 50,000 in Korea; hundreds of other thousands scattered around the world. We are fighting a costly, bloody war. We have a multi-billion dollar program in space going on now, reaching out to the stars. We have a multi-billion dollar social improvement program reaching out to the people. And not one of us has a ration card for food or gasoline. She is an abundant nation, she's been good to you and to me.

I remember several years ago a couple who celebrated their 60th wedding anniversary. Their daughter, now grown up, with children of her own, wanted to take mother and dad out for dinner. The parents said certainly we will be happy to go, but before we do, we would like to go to an old farm some miles from here. So the daughter drove them out to the farm. The barn had fallen down. Someone else was tilling the ground. The house had burned down. They got out of the car and they walked up the lane, the old farm lane, covered now with weeds. The wife said to the husband, let's stop right here. The daughter shook her head and said I do not understand it. I wanted to take you out to a very lovely dinner for your 60th wedding anniversary, and here you are in the middle of nowhere. Why did you come here before we go to dinner? The wife slipped her hand into that of her husband, saying, it was right here that your father first told me that he loved me. It is a meaningful place.

When history is written, may they look back on this troubled era of America saying of the Masonic Lodges, they were one of the first that told America they loved her.

Finally, Masons should not only be men of *purpose* and men of *patriotism*, but men of *prayer*. Men of faith who not only believe in the reality of God but that they can commune and communicate with God through prayer. If our prayers have simply degenerated into a little ritual that means nothing, then God help us. Whenever the Masonic Lodge loses its spiritual dimensions it will lose its life. We need to keep alive the great sinews of faith, a belief in God. A supreme being, not just an ideal but a personal God, who I believe as a Christian minister has made himself known in Jesus Christ.

Someone has said when you depend on money, you will get what money can do. And that is something. If you depend on organization, you will get what organization can provide. And that is something. If you depend on programs, you will get what programs can do. And that is something. But, when you depend on prayer, you will get what God can do. I know in my life I need what God can do. What my church needs is what God can do. What America needs tonight so desperately is what God can do for her through people like you.

Abraham Lincoln in his famous Gettysburg Address said that this nation needed a new birth of freedom and in his time that was very true. I think tonight we could change the words to say that this nation needs a new birth of faith; faith in God, so that government of the people, by the people, and for the people *shall not perish* from the earth.

God bless you.

WHAT HAS HAPPENED TO PATRIOTISM?

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, recently I had the high pleasure of introducing Brig. Gen. Robert L. Scott, Jr., U.S. Air Force, retired, at a lecture on LSU campus in my district.

General Scott, a combat veteran and author of the best-seller "God Is My Co-Pilot," is one of the most dynamic patriotic Americans I have been privileged to be associated with. General Scott knows war—and despises it. As a combat officer he knows fighting men, their morale and their purpose. As an American leader he knows what happened to our morality and national prestige.

His speech, "What Has Happened to Patriotism?" is in itself a classic pro-American document which I include following my remarks, along with General Scott's biography:

WHAT HAS HAPPENED TO PATRIOTISM?

(By Robert L. Scott)

Greetings! My fellow-workers in the modern American underground! Isn't it difficult to understand how this can happen today? It was understandable back there at the birth of this nation in 1775. . . . Those forefathers of ours had to meet underground then to even utter the forbidden words "freedom" and "liberty." Because, after all—there were Red-coats roaming around outside on guard—and there were Tories as neighbors ready and willing to "turn-somebody-in" to be hanged as a traitor to the Crown. Here though—almost two hundred years later—why do we have to meet almost clandestinely?

Why? . . . Because Patriotism *has* almost become a dirty word . . . as our liberal-leaning press seems to fairly delight in printing such bold-black headlines as: "War Hungry Military Blamed for Vietnam!" Yes, these very

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same words that press of ours attribute to former U.S. Marine Corps Commandant David M. Shoup . . . written in his handwriting for *Atlantic Monthly*. . . .

Hastily other U.S. Armed Service greats commented that they did not agree and it wouldn't do any good anyway. After all—said one admiral . . .: "These are Shoup's views—at least he just signed his name to such a thing, so the newspapers say. But Shoup's a has been and so am I. And we're both retired."

Well, Ladies and Gentlemen, I am retired too—an *Old Fighter Pilot*—and while never on a parity with the heads of the U.S. Army, our Navy or the Marine Corps—I was the Director of Information for the U.S. Air Force. And by the gods I shout this now to that former Marine Corps Commandmant—that somewhere along the line *you must have at the very least suffered brain damage*—surely your patriotism has disappeared and it is a monumental shame because I have been to Vietnam four times as just a tourist-visitor to friends of mine I taught to fly. And of all the men I met out there *not one single one*—including hundreds of U.S. Marines—agreed with you that we were wrong in Vietnam—except they were not being permitted to fight to win.

Recently—speaking before the American Fighter Pilots Association on convention in Houston, Texas—A prominent Senator charged: there is a deliberate anti-defense campaign afoot which will reach fever-pitch among certain groups in the near future. . . .

The Senator went on to say that the *radical left* is busy trying to convince the American public that the ABM System is a device cooked-up by the *Pentagon Military* to siphon-off billions of dollars from anti-poverty programs and other social welfare projects dealing with improvements of our ghettos. . . .

Hells' Fire! All of us want the living conditions in America improved for every American. But please don't permit them to make you believe that the traitors among us are the military. Because that is just exactly what the Communists want you to believe. . . . As bad as things are in the United States for some people . . . get rid of the military professional or degrade him as the Communists are dictating—and there won't be much in our America as good as one of our present-day white or brown or yellow or black ghettos . . . Not under Communism—there won't be.

I am concerned not so much with the apparently senile statement of a used-to-be great American. *I am concerned* with the fact that such treason shrieks across the headlines of great American newspapers . . . *I am concerned* with what the Black Power advocates of the Marxist Doctrine slip so effortlessly into headlines. They all add-up to what we are forced to read ourselves and what our children and grandchildren are educated to accept as public opinion . . . All in all—it could not have been drafted better in Moscow or Red China.

Recently our Supreme Court ruled that a school board *may not* require students to salute the flag or pledge their allegiance thereto . . . Now—as you well know such meetings as this usually start out with the pledge of allegiance: "I pledge allegiance to the flag of the United States of America and to the democracy for which it stands."

Wait a moment—of course I made a mistake there—Our Constitution does not set up a democracy . . . our pledge of allegiance is to a republic. . . . The thing is: Do all of us know the difference? Because *that difference* is what has made this nation great.

The enemies of our country would like nothing better than to convince us that we are a democracy. Samuel Adams warned: "Remember democracy never lasts long. It soon wastes, exhausts and murders itself! There never was a democracy that did not commit suicide!"

And James Madison, one of the members of the convention—charged with drawing-up our Constitution, wrote: "Democracies have been found incompatible with personal security, or the rights of property; and have in general been as short in their lives as they have been violent in their deaths."

You see our founding fathers knew all about democracies—and, if they had wanted one for themselves and their posterity, they would have founded one. But—the word "democracy" does not appear in our Declaration of Independence and *neither does it appear in the constitution of any single one of our fifty states*. Madison, Hamilton and Jay and their compatriots of the convention prepared and adopted a Constitution in which they nowhere *even mentioned* the word democracy—not because they were unfamiliar with such a form of government, but, because they *were* familiar. . . .

John Marshall, who was Chief Justice of the Supreme Court from 1801 to 1835 said: "Between a balanced Republic and a democracy—the difference is like that between order and chaos."

Thus, we are a government of law—and not of men. . . Nevertheless the Communists are fast convincing us; sometime through our own news media that we are a democracy—maybe a "mobocracy."

My friends—I am tired of my own stories. I almost cringe each time I have to rise and narrate (in modesty—I hope)—how a handful of us fighter pilots did—as we say—"won the war". . . . I gird myself and go on talking regardless—because of one thing I never can China—back there in World War Two . . . Shot off my wings, some of them, killed in aerial combat. These fine young Americans sacrificed their lives for this nation over a quarter century ago. *They* never did get to come home to its wonders—its comforts and pleasures or even its disgraces—its riots and its national cowardice—its very anarchy today. That is why I keep on telling my time-worn stories—*speaking out for them*. Otherwise, all they did—all that their sons—*your sons*—do in Vietnam today: goes all for naught. . . .

We elect some fine men to serve our civilization. And most of them serve us with honor. These professional politicians from city to county to state and all the way to the Federal Establishment. Oh, there are some exceptions and some failures—because man is frail and he is human. These we can accept. But there is another element of our society about which I have absolute contempt—that part which political writers call: The Invisible Government.

Man after man nobody ever elects—nobody ever has voted for—seems to gravitate to positions of the greatest responsibilities—and remain there administration after administration—decade after decade . . . Making crucial decisions concerning our heritage—methodically destroying our freedoms. And there is nothing new about it . . . it is as though we had walked into an old movie and finally realized we had seen the picture before. We are so certain that no such thing can ever happen to us . . . but it is happening. It has happened over and over to every great civilization of the past. *Why should ours be any exception?*

Rome has reached its zenith. That once great Republic was rotten to the core. Yet the people refused to heed the warnings repeated to them time after time that their civilization was failing. Was dying—is a better word . . . *dying of a moral cancer*.

It was 2000 years ago—seventy years before the birth of Christ—Marcus Tulius Cicero—a lawyer who had become Tribune—stood before the Roman Senate—this time to plead his own case before he was exiled. *And why* was he being banished from his land? For nothing less than having dared stand in the forum and warn his fellow countrymen that they were losing all their freedoms by *indifference, cowardice*, and by *debauchery*. Back there though—it was much like it is today here in America—the Romans wouldn't listen either!

Said Cicero: "The traitor appears no traitor. He speaks in the accents of his victims—he wears their faces and their garments. He rots the soul of a nation. He works secretly and unknown in the night to undermine the pillars of the city. He infects the body politic until it can no longer resist. A murderer is less to be feared . . the traitor is the carrier of the plague.

Here now—all these centuries later—we stand as did Rome. We have complacently permitted our destinies to be *managed* into disaster by avaricious men *we sat by and saw appointed* to high office. We indifferently permitted year after year to make vital decisions in our names . . . until now—the once awesome power of the United States *stands impotent*. We have become virtually a captive of our own mis-used power . . a laughing stock for much of the jealous world . . . a scape-goat—a "paper tiger" the Red Chinese call us in derision.

Why is it so difficut to awaken all Amerimans to what is going on . . . make them realize the tragedy that came to Rome and all those other great civilizations is upon us now. Why can't we recognize this Shadow Government which sells us out—and summons these *never elected*—always *appointed* managers before us and say to them as Cicero said to his Roman peers:

"You are traitors. And I tell you this: A nation can survive its fools and even its ambitious . . . but it cannot survive treason from within. An enemy at the gate is less formidable. He carries his banners against the city . . . but the traitor moves freely among those within—his sly whispers rustling through all the alleys . . . heard in the very halls of government."

These security risks we insist on bearing as our national "crosses" administration after administration . . . the same worn-out names . . . are certainly not ordinary conventional traitors . . . they are far worse than all our Benedict Arnolds. For they are out there planning for us and acting in our names—designing new worlds for our children—sabotaging our heritage.

Thomas Jefferson said at the birth of this Republic that he didn't want to hear any more of placing our trust in mere man. But, that *man* be firmly bound-down from human errors by the chains of a constitution . . . A government of law . . . not of men.

And, that is what our forefathers did . . . *bound down* humanly frail man with the Constitution of the United States . . . an instrument most certainly handed down to us by Divine Hands.

Now, men to whom we permitted power to be given in our names have taken over as our managers and *say to us that our Constitution is outmoded . . . an obsolete eighteenth century document*. Thus, they advocate the violation of the very safety factor our forefathers wrote-in to protect us from foolish errors or from mischief or from diabolical plot.

Consider a few—Harry Dexter White, Alger Hiss, Dean Acheson, Owen Lattimore, and far more important ones—because they are still with us: former Secretary of State, Dean Rusk, former Secretary of Defense, Robert Strange McNamara, Under Secretary of State Nicholas Katzenbach—and President Johnson's special assistant, Walt Rostow.

Not one of these was ever elected to any office. Without exception they all were appointed . . . a special group of untouchables who have taken upon themselves the cloak of some kind of holy priesthood in a shadow world . . . this mythical *One World* they envision and advocate . . . all calling for the abandonment as archaic—our Constitution.

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These *manipulators*—so arrogant they consider themselves not answerable to anyone . . . Regarding themselves as workers in the *Service of History*.

And by no means do they represent any single administration—not that of President Kennedy, nor General Eisenhower, nor Lyndon Johnson—not the administration incumbent today. Neither are they just Democrats or just Republicans. Though they must be considered mighty important somewhere because they seem absolutely indispensable. Every administration has a vital job ready and waiting for them.

Oh, if only these usurpers were mere busybodies or was it just nepotism—but they are far worse than that. They are smart and either carefully trained or monumental dupes—they are most industrious and they seem to have unlimited funds behind them—*they are dangerous!* That is why it is so very important what we do about them now.

We live in a new age . . . We are reminded of that every day . . . *we are in World War Three.* That, we are told repeatedly by our leaders, we are not in. But because of our technological advances . . . symbolized by such magnificent achievements as we have made in space; our advanced communications—that most educational of all mediums—television in our daily lives. We not only read and hear we have orbited the moon—we participate. Yes, we are almost passengers along with our astronauts in deep space—we are there! Made so aware of all this triumph in technology that suddenly there comes upon us the shock that we also have with us a thing called *The Bomb*.

Until, I cannot help thinking—that the ever alert Communists have used our own mighty medium of ultra-communications to *educate us* in reverse—brainwash us—to use an already badly overused word—that should ever a rash thought come to any American that the two mightiest powers on earth confront one another—both sides—could only lose at the very best. *Nobody wins*. We are not so much taught that, as we are conditioned over and over like the chant of some cigarette ad. *Defeat is drummed into our very subconscious souls*. The big eye and the nagging radio and the liberal-leaning press—our magazines and books and even the youthful rioters in our streets—shout at us constantly: "Everybody loses! Give up! Surrender!"

Until, having admitted there is no such thing as victory . . . and, *The Bomb* is ever-present for all time . . . hanging over our heads like the sword of Damocles . . . we are beaten before we start. Our minds become numb with the stark realization: The Communists already have *the bomb* too. And at least *they imply they will use it*. We, on the other hand, have announced formally to the world—we never will use it first . . . and of course that First Strike capability is all that really counts with that weapon. Far worse, though, we have failed to use it properly all the way—since Hiroshima and Nagasaki—as the true deterrent—that weapon might have been. Therefore, does it not follow—Q.E.D.—that any victory over Communism is impossible? *We accept defeat without raising a hand*—without raising even a feeble voice.

Because we are told over and over that all we can do is act mature. This is explained by our managers—that we must be objective and show the rest of the world that we realize *the bomb* is there and that by its very presence all those antiquated things like the U.S. Constitution and Freedom as we have known it have vanished forever.

The only realistic course, say these men who think and act for us—who design and execute our Foreign Policy—is to encourage the Communist World to move towards us. While simultaneously we counter by "building bridges" of cultural understanding towards them . . . meet that godless left more than halfway . . . until, in the not too distant future, we will find our civilization merging with theirs. Then we come to form that World Brotherhood which the United Nations surely represents—*that body* to become the custodian of all weapons, and *all armies* and *all navies* and *all air forces,* thus rendering war impossible between nations.

And of course on the face of things, *they are exactly right,* these master planners, because absolutely nothing would be carried on between nations then—there would no longer be any such thing as nations, including our own United States of America.

We have become conditioned by our modern educational media to be convinced, that to retain our creature comforts to which we have become slaves, we close our eyes and simply wait while our Foreign Policy is managed—*manipulated* by those men with names we have become accustomed to, until no longer do we even act like Americans.

We must be careful never to provide our enemy with any cause to even question us—not even an honorable move to make the slightest effort at preventing the pirating on the high seas of one of our practically unarmed ships by barbarians—murderers—we dare sit still and permit this United Nations to dignify by calling a nation—nor, do we by any positive act—other than indifferent cowardice do anything to rescue a crew of Americans who trusted the *might* as well as the *integrity* of their United States. Nor do we do any more when an unarmed aircraft is wantonly destroyed over International Waters—oh, we announce apologetically that we are ordering that Task Force for top cover—and it is ordered "return to the USA—" even before it arrives off Korea. We shun any word or act which could be remotely construed that we remember there ever was such a course of action as *victory*.

This once mighty land of the free—this home of the brave—*has reduced itself* to epitomize national cowardice as we accept defeat after defeat and make excuses to ourselves. Give the Communists anything—anything they demand with nuclear blackmail—*anything,* just so they don't decide to become the aggressors again—just as they decided *anyway* last year when they marched into Czechoslovakia—Just as they did a few years before that when they violated Hungary and destroyed what remained of freedom there—and, just as they will do now anytime they think the time is ready and it be to their advantage. All their plans have been written down long ago by their historians, and the present day Communists are methodically carrying them out *while we aid them all we can*.

Fellow Americans, is this not our America? Even at this zero hour, not quite yet has the United Nations completely taken over. These traitors among us—managing us—have sort of "painted us in" to a dread predicament. But, *are they not still our servants?* Did we not vote into office the men who appointed them? Thus, could we not remove them—as per our Constitution—if we do not approve of what they do in our names?

Well, when the Communists want to damn anything to perdition, they simply lump together good solid American organizations in the same breath with Communism, Nazis, fascism and other abominations. Thus the good becomes guilty by association.

Therefore, right here I resort to the same tactics. Oh, I hope you read or have read the following books. I could read you boring quotes, but they bore me too, and so instead I am just going to take the essence of Robert Strange McNamara's: "Seven Years in the Hot Seat," and Walt Rostow's "The United States in the World Arena," and by another author, "Old Myths and New Realities," and certify to you that all their ideas have appeared before over and over, in *this book,* Karl Marx's "Das Kapital." All of these so-called Americans parrot his Communism.

"Victory is no longer possible"—the words of Rostow, Rusk, McNamara and repeated by others—not just average Americans, but one the man who was given the responsibility of managing our Foreign Policy Planning Division, and President Kennedy's special advisor on Foreign Affairs—Another the man recently replaced as our Secretary of State—and of course the man who was our Secretary of Defense.

Nobody can win, they all chant at us. Transfer our loyalty from the Nation of our birth to that mythical one world. These so-called Americans who think fuzzy and come to consider themselves citizens of the world, first—and surely United States citizens no better than second.

Can there be any wonder that the youth of our land knows not where to turn for leadership? No wonder they search for status and march on anything (a few of them) when those we have selected to safeguard their heritage *defect themselves*.

This thought is effervesced on page 87 of the book "Old Myths and New Realities" with the comment: "To survive we Americans must transfer our loyalty from our sovereign nation to the United Nations." And they all, these defectors, advocate it as a legitimate American objective—to remove from all nations, including the United States, *the right to use military means to pursue their own interests*.

"Since this residual right is the very root of national sovereignty, it is therefore an American interest to see an end to nationhood—as has been historically defined." (Unquote from the same author.)

And we sit placidly by and permit such treason to go on around us. While our children grow up not only having to read such Communist propaganda *but are taught it in our schools*—officially ordered by our Supreme Court—and given an aura of authority because it stems from men (we their parents) approved for high places—these Rostows and McNamara's and Hiss's untouchables—acting in accordance with their consciences—they say—and managing our American Heritage into its grave.

Well, enough of just plain criticism—what must we do *if* this Nation is to survive?

The best answer I have is to refer to the timeless words of General of The Armies Douglas MacArthur:

"Now is the time", he said "for *some-one* here in America to drink deep from the chalice of courage."

That *some-one,* the great soldier was talking about, ladies and gentlemen, is *you*.

Concerned Americans such as you must dedicate yourselves to awakening the unconcerned. If that requires a billion letters and telegrams and phone calls to our leaders—from the President on down—all through Congress and the Senate—including leading TV producers—especially the paying sponsors—the editors of our newspapers—*demanding* that facts about America be set forth—that riots be halted—that Americanism be the central theme—that our men in Vietnam be permitted to fight to win—that none of these managers were ever elected to anything—and they are aiding in the sale of our birthright.

And so we come back to President Nixon at the opening of this talk—Richard M. Nixon should know the Communist far better from first-hand experiences at their hands than any other chief executive before him. Moreover, we all heard his great acceptance speech at the Republican Convention in Miami, reiterating that the administration before his had refused to let the greatest military and economic advantage one nation had ever had in history be effectively used in Vietnam. *Never had so much been used so ineffectively. "We shall, with this new administration,"* Mr. Nixon said, *"restore the strength of America so that we shall always negotiate from strength and never from weakness. And I say to you tonight that* *when the respect for the United States of America falls so low that a fourth-rate military power like North Korea will seize an American naval vessel on the high seas, it is time for new leadership."*

Nevertheless on April 15th it all happened again—only worse—that U.S. Navy EC–121 was shot down over the Sea of Japan. *You know the rest*—again we have acted like a nation of cowards. We sent the Task Force and after it was announced on TV and the press, it was withdrawn, *most likely before it ever got there.* Does not Mr. Nixon know that sudden, massive retaliation against North Korea is all Communists respect? If our President will not take such American action then *the people must force* Congress to declare war on both North Vietnam and North Korea. After all those promises which brought Richard Nixon victory, there is anarchy still going on in America under the guise of "unrest" on our campuses. Nothing has been done about making the debacle in Vietnam a winning effort—men are dying and not being permitted to fight to win.

Therefore, Mr. Nixon, you are in the place at the time to be the greatest President this nation has ever had. *Or, sir, you can be about the worst.* This no-win tragedy, though, must be turned into a win-war with our first victory over the Communists—no matter what these rioters and these communists and these other American malcontents shout at you over television. But before anything can change, Mr. President, all those soft-on-Communism do-gooders have got to go. Those managers, those socalled *diplomats,* executing our military tragedy (not strategy) must be eliminated. Get them out of control and return the execution of the war to our military professionals. That, sir, is imperative. Next, Mr. President, there must go out from your office a cease and desist order against all aid and trade with our Communist enemies—to our so called friends among the nations—any nation who delivers the goods of war to our enemies which are in turn used to *murder* our own sons in Vietnam.

Above all, you, sir, the Commander in Chief of all our Armed Services, can you not demand that at the very least our own America cease this trade with our enemies? I am convinced that this is the most damning issue of our time—we finance our own destruction!

We are at war—and we mean total war. Old wars, as bad as they were, are but adventurous picnics compared to this one. We do not even dignify with the name war—in which our sons are sacrificed. This could only happen by our people being conditioned to think only in the old fashioned concept where the primary weapons were guns and bullets and planes and bombs. We have failed to understand that for the first time in history we face a ruthless enemy which has mastered total war.

World War Three, which wages hot all around us today, is a *political war,* an *economic war,* a *psychological war*—and many other kinds of war—including a *shooting military war.* And, the military aspect is one of absolute frustration. *This frustration* to our professional soldiers on the field of battle is intentional, because of a frightening batch of *hand-cuffing rules,* self-imposed upon our troops by our own political leaders and master-planner-manager. In such a stupid manner we permit our military elite to be used as pawns, with its might frittered away in hopeless guerilla tactics. Exactly as the enemy would have us fritter it way—exactly, I repeat, as though our enemy had conceived and written our battle plans.

Favorite weapons of Communist conquest have never been bullets and bombs in the hands of soldiers in uniform. They are, instead, propaganda, the slanted view of history, internal subversion, assassination, the preaching of hatred to incite riot and civil turmoil, treason from within, blackmail and the smear—all committed by another kind of soldier *who never wears a uniform.* This is how Communism has spread across the globe.

Certainly the Atomic Bomb poses a terrible threat. Americans put it together and have been conditioned by propaganda to take upon themselves a guilt-complex ever since they used it first—*to stop a war.* All while other so called Americans—traitors among us—were speeding the terrible capability to the U.S.S.R.—building those "bridges"; being "do-gooders" to the rest of the downtrodden world.

And that is one reason it faces us now in the Soviet arsenal—and grows near capability in other Communist nations. However, it is a psychological weapon right now, *not a military one.* The Soviets have gained far more this way than they ever would have gained had they directed their military to deliver it. But they are realists. Under its constant threat, used the way they had the guts to use it, we have made concessions and compromises and suffered defeats one after the other. Such things which would have been unthinkable without the specter of that mushroom nuclear cloud—depicted faithfully before our eyes hour after hour *by our mighty entertainment and communications facilities.* All its horrors are indelibly fixed deeply in the subconscious of every American. As a matter of fact, the bomb, has already been "dropped" many times on the American people. Entertaining movies such as *On The Beach, Seven Days in May, Doctor Strangelove* and *Fail Safe,* well produced with top budgets, have been used to educate us all—*as entertainment, yes,* but with another kind of more subtle intent. A most professional job of furthering the Master Plan of Communism—why we cannot fight it—why we must not—why *we have but to surrender;* and even why we Americans are the aggressors in Vietnam—how we should take this collective shame upon us because we have brought so much misery to the world.

Anyone daring to be outspoken *against* the Communist had best have a thick skin because he becomes a "fright peddler". Thus, the devastating problems of the nuclear age have been exaggerated for propaganda. *We accept the bomb as terror*—but that is not the point. War is a terrible thing—but not the most terrible! Perhaps that most terrible thing is to have to stand by and see the once most powerful nation in the world grovel at the feet of the Communists—maybe to die, without ever making a stand for liberty.

Ask the men of the Pueblo. In recent testimony before the Naval Board of Inquiry one of the officers testified that he prayed that his County *would* drop the bomb on Wonsan—*upon them* as well as their inhuman North Korean captors. Far better to be destroyed as human beings with a shred of dignity left than die by torture—forgotten. While all the time their America sat back and waited it all out—safely, complacently hoping.

We have become so conditioned to Communist propaganda and our own manipulated news that we seldom get far enough in our thoughts to see the facts. Thus we fear nuclear war far more than we should fear a Communist dictated peace.

Instead of maintaining this fixation as to nuclear war, we must recognize that because Communist strategy is what it is—the chances of World War Three involving any exchange of nuclear warheads is so remote as to be almost negligible.

Far worse though is the preaching of these "managers" of our destiny that victory is impossible. Fellow Americans victory is not only not impossible; *Victory is inevitable!* The only question is: whose victory, ours or the Communists. For it is inconceivable that the forces of freedom shall exist side by side with those of Communism for very long. One side or the other is going to triumph. And *that triumph must be given some thought from our side.*

As to what side is leading in the contest today, all one has to do is compare the relative prestige of the United States *now* all over the world with what it was at the end of World War Two. *We lose on every front*—even on the home front! It is epitomized in the classrooms of our schools, on our captured college campuses, in the riot-torn streets of our land. We aid in our own destruction by condoning that Communists "educate" our children and work in our defense plants. All the while some of these same Communists are organizing and leading anarchy among us. While we do nothing more dramatic than hope it will all go away like a bad dream.

There is something we can do—that is why I am here. I do not say we are going to lose regardless—but we are losing now and the trend is a losing trend. But to start winning, *what have we got to do?*

Step one: Independence must be restored to our military, economic and political leaders and functions. *They must all be freed from the entanglements of the United Nations.* Instead of further disarmament by agreeing to such a farce as the Non-Proliferation Treaty (which we would sign and honor) and which surely the Russians might sign with no intention whatever of honoring, we should investigate any American who proposes such a thing. Disarmed nations are far more vulnerable to war than those combat-ready to defend themselves. The best way to insure our peace—and peace in the world—is to be ready for war. And, in our case our aim must not be the *containment of Communism;* or *co-existence with Communism;* or *gradualism in our present effort with Communists in North Vietnam*—it must be victory over communism. This is the only way our nation and our civilization is going to survive. Thus, *we have no other choice.*

Victory over communism—wherever the Communists advance—whether their aggression be in the form of a Berlin Blockade—with which they tested us in 1949—and with which they test us now periodically whenever the whim strikes them—or, be it in Vietnam. No matter if it be with the National Liberation Front of the Viet Cong, or another form of Communist aggression here at home just as sinister, where Communists have infiltrated our heartland of America—all these are carefully planned—overt acts against us and must be halted—stopped absolutely—whether they be the befuddled youth of the SDS, the Black Panthers, or any other color-power against the integrity of the United States of America. We have sat by indifferently far too long. Such treason and Communist take-over should have been halted on the very first university campus. But we failed there and have failed again and again. Now this Communist inspired anarchy must cease. I do not say neutralize it—destroy it—as we would the cells of a cancer—*because that is what it is.*

Step two: Win this war in Vietnam—better, *permit our Armed Forces to win*—and so we come to the word *"escalate."* The very object of war, once our political action and our diplomatic (civilian) efforts have failed, is to turn it over to the military professional and escalate. War is an extension of diplomacy—we soldiers are taught—but I repeat: *after civilian leadership has failed to keep the peace,* turn the *combat* over to the professional soldier and get the diplomats out of the way.

Escalate—pour it on—increase all pressures upon the enemy absolutely beyond his ability to tolerate—beyond all his endurance to exist under such military pressure—until he quits—until he ceases all resistance and begs for peace at our terms—*not his terms.* That is not only the military way—it is the only humane way, because without such a

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decision the slaughter drags on—for our people as well as for the enemy.

Yet, contrary to all this we have ceased all positive action time after time, against the advice and the pleas of our professional soldiers, at the whim of our own do-gooders as well as at the request of a treacherous enemy—that enemy, which has used every such truce to betray and murder more Americans. Our Communist enemy does not want peace—he is after victory in his own way. And he surprises our diplomats by demanding our surrender when they meet him with expectancy at the conference table—which, no matter what its shape, is but another part of the battlefield to a Communist.

Yet, for such indecision as this we have asked over a million of our sons to put on a uniform and be ready to die in the mess of Vietnam. The overall effort our *strategic managers have permitted* our military forces to make out there has not been worth one of the American lives we have sacrificed. Our young men have been used shamefully. Why have we the people not forced our elected officials to give our sons a chance to win and come home to live again? *Instead,* orders have been given them *not to win*. *Instead,* we have made it a game of doing it all as the enemy dictated—*on the ground;* slogging it out in a way we gave our sons no chance—*instead* of honoring the strategy advocated by an admiral we had out there until he retired in disgust—Ulysses Grant Sharp—who said we should have taken the war to the enemy with our air power—*exactly as the enemy did not want us to*—and destruction should have been taken right to the heart of his war-making industry even if inside the city limits of Hanoi—even if inside the *"Court House"* there. *Instead,* sanctuary was granted by our manipulators to hundreds of strategic targets as we waged a land war of attrition in rice paddies and jungles—man to numberless man—against the limitless population of Communist Asia. Thus our military had no chance to win. *We made our sons lose*—made them lose the only way the United States could have lost. No, our enemies could not have planned it better.

Step Three: This *would* be step III—except it cannot be. I wanted to say we must get on with the bombing and above all bomb the Viet Cong's main source of war supplies. But, like I say, I cannot because, as much as I am ashamed to have to remind you, *that supply source is right here at home in the United States*. For we do give *Aid* and *Trade* to our mortal enemies. Never before in history can there be found such an analogy—as we make the motions of fighting Communism with one hand, and with the other hand helping murder our own sons. *What a reality.*

There you have it. I could stop right here. But if I did I would be less than honest with you. For I'd be leaving one big issue hanging in thin air . . . . glossing-over The Bomb—it is still there. Sure, I know I said it was primarily a psychological weapon, and that I didn't think even the Russians would use it as a terror weapon on the world—because it is their world too. But, nevertheless *The Bomb* could become much more than a psychological weapon. And it cannot be ruled out. So, with that admission, *what is our position now?* Do we give up the whole idea of any resistance and resign ourselves—that somehow by compromise we can co-exist, as our managers advise? Live a little longer enjoying free all the blessings of America—just ignoring duty along with that black nuclear cloud. Well, I don't think we can do this—*certainly not as Americans*.

Because I don't think the goal of any American should be simply to exist and last-out as *comfortable passengers in this civilization*. After all, our forefathers had to risk everything for these freedoms we are given, and if we are not willing to risk something for the principles upon which our very civilization has been founded, how then could we have had the callousness to send our sons onto any foreign battlefield and ask them to give up this civilization as well as their lives? Can we do such a thing without risking something—without risking *all,* if need be—*ourselves?*

As Americans today, we are truly a privileged people living in a privileged land. A land we could take charge of and make better for all Americans. But for all these blessings God has bestowed upon us—He has also bestowed great responsibility. *Responsibility that risks be taken for blessings enjoyed—and if we are worthy of keeping such blessings*. If we refuse to accept these risks then we do not deserve those blessings which are but a part of the risk.

This I consider the obligation of citizenship in America—the land our fathers bought and paid for with their all—and then presented to us with the trust we would have the guts to keep it.

BIOGRAPHY OF BRIG. GEN. ROBERT L. SCOTT, JR., U.S. AIR FORCE, RETIRED

Robert Lee Scott, Jr., was born in Waynesboro, Georgia, April 12, 1908. After initial frustrations for an easy method of entrance to West Point he enlisted in the Regular Army. He won a competitive presidential appointment to the United States Military Academy from the Regular Army in 1928 and was graduated a 2nd Lieutenant of Infantry in 1932. His first assignment was to the Air Corps Training Center at Randolph Field, Texas. He was successfully graduated from pilot training at Kelly Field, Texas, October 14, 1933—with tactical assignment to Mitchell Field, New York. While there he flew the Air Mail when that duty fell to the Army Air Corps in the winter and spring of 1934. His first command was the 78 Pursuit Squadron in Panama—an organization to which he was assigned in March 1935. After three years there he was returned to the United States in August 1938 to fill assignments as a flying instructor in Texas and California.

At the start of World War II he was in command of the largest Air Force flying training school in the USA—Cal-Aero Academy, Ontario, California. General Scott was ordered overseas almost immediately after the advent of WW II—with the Japanese attack on Pearl Harbor. He was a part of Task Force Aquila whose secret mission was to bomb Tokyo in conjunction with the Doolittle Raiders. He was active in pioneering phases of all Air Force activity in the China-Burma-India theatre of war. Within his first month in the Asiatic action he was made executive and operations director of the Assam-Burma-China Ferry Command, forerunner of the famous Air Transport Command—The Hump Route from India across the Himalayas into Burma and China.

On July 4, 1942 he was ordered by the President of the United States, at the request of Generalissimo Chiang Kai-shek—to command the Flying Tigers—who, at that date were inducted into the US Air Forces as the 23rd Fighter Group of the China Air Task Force—all under General Claire Lee Chennault. At a later date General Scott became Fighter Commander for all the China Theatre of War—when Chennault's command was the 14th US Air Force.

In October 1943 as leading American Ace—he was recalled to the Zone of the Interior (within the USA) by General Hap Arnold—and used for publicity purposes. Officially he was assigned as Deputy for Operations on the Army General Staff—and assigned to the School of Applied Tactics—Orlando, Florida. However, he was used to make countless speeches across the country for morale purposes. He occupied pulpits as a layman, made radio appearances, did war-bond speeches and put on gunnery demonstrations in every gunnery school. It was during this period that he wrote his first book *God is My Co-Pilot*.

By 1944 he had again managed an overseas combat assignment and led an aerial rocket team (firing the first HVAR's—High Velocity Aerial Rockets—upon the enemy from fighter aircraft) in China for General Chennault. His team had as their primary targets the armored troop trains of the Japanese in Eastern China. When the war ended he had advanced with his rocket team to where there was a war still going on—across the China Sea to Okinawa and even against the home islands of Japan. At the conclusion of combat and after the surrender aboard the Battleship *Missouri* he was returned to the USA for staff duty in Washington's Pentagon—then detailed to command the first jet fighter school in the world—The Fighter School, Williams Field, Arizona—1946–1949. From there he was ordered to USAFE (US Air Force in Europe) to command half of our fighter aircraft in Germany—the 36th Fighter Wing (jet) at Furstenfeldbruck, Bavaria. After this duty he was selected for the National War College in Washington, D.C.—from which he was graduated in 1954. Then came duty with the Directorate of Plans, Headquarters USAF in the Pentagon which led to the duty in which he was promoted to general officer as Director of Information, Office of the Secretary of the Air Force . . . 1955. After two hectic years in that hot seat with literally a thousand speeches—always controversial—as he fought for more recognition for the Air Force—he was sent back to his first love—the command and leadership of a fighter wing—the Jets at Luke Air Force Base, Arizona. It was from this station he requested retirement in 1957 after 30 years of service, which had begun in 1927. He then hung up his parachute and turned in his suit.

General Scott is a command pilot with more than 23,000 hours in the air in single seater aircraft—that is a total time of over three solid years. It is estimated that he flew his own craft over six million miles without accident except the bullet scars of enemy action. He led some 388 combat missions in World War II, was credited with 22 confirmed victories against the enemy in the sky.

Gen. Scott says he used to say he accidentally wrote a book in three days and three nights and came to be called an author—however, after having to keep on writing successive books, not only to get things off his mind but to make enough money to pay the back income tax (he had already spent) from his first effort—*God is My Co-Pilot*—he guesses now he must be considered an authentic author. His thirteen books now include: *God Is My Co-Pilot, Damned to Glory, Runway to the Sun, Between the Elephant's Eyes, Look of the Eagle, Samburu, Flying Tiger, Chennault of China,* and *Boring a Hole in the Sky*.

Decorations: Silver Star with two oak leaf clusters (award of the medal successive times)—for Gallantry in Aerial Action, Distinguished Flying Cross with three clusters, Air Medal with five clusters—USA. British Distinguished Flying Cross, Special Necklet, YUMWHEI (Flying Cloud Order) and Ten Star Dragon—from China. Is retired now—but happily in name only—as he admits he has just started to work—and there is much work to do.

KOREA AND VIETNAM—THE PENALTY OF PERFIDY

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, in 1950–53, the Armed Forces of the United States fought a "no-win" type of war in Korea and since 1965 has been bogged down in a second "no-win" war in Vietnam. Both

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have been "meatgrinders" of American youth. In the Korean war, our country had a total of 157,530 casualties of which 33,629 were battle deaths and 20,617 other deaths. In the Southeast Asian war, battle deaths have already exceeded those of the Korean war and the end is not yet in sight. It is, therefore, natural that growing numbers of our citizens wish to know how and why we have been so calamitously involved.

Such tragic results were not because our Government was not properly advised by professional officers. After the Chinese intervention in the Korean war, General MacArthur offered a program for ending the war with the least possible delay and the saving of countless lives for which statesmanlike initiative he was summarily relieved of his command.

Even so, this greatest of American soldiers outlined his ideas with the eloquence born of experience in an immortal address before the Congress on April 19, 1951, and in 3 days of testimony without notes or prompters on May 3–5, 1951, before joint hearings in the Senate Committees on Armed Services and Foreign Relations. He stressed that if the Korean war was not brought to a decisive and victorious conclusion it would spread and that the United States would have to accept the consequences of a disastrous defeat. General MacArthur's ideas apply with even greater force today in Southeast Asia than they did in Korea.

Mr. Speaker, I would urge all Members of the Congress and officials of the executive branch of our Government charged with war policy matters to study the indicated address and testimony. Those who do will understand that General MacArthur's removal from command has served to intimidate the professional officers of the Armed Forces who followed him. For additional information on the Korea war, I would commend General MacArthur's "Reminiscences," published in 1964 by McGraw-Hill, and Maj. Arch E. Roberts' book, "Victory Denied," published in 1966 by Charles Hallberg, Inc.

Though our country has not produced any more leaders of MacArthur's vision and capacity, some of our experienced officers in high command positions have spoken out clearly and strongly. The most recent article on the Vietnam war is one by Adm. U.S. Grant Sharp, former commander in chief, Pacific, in the May 1969 issue of the Reader's Digest. It is accompanied by the following biographical sketch of its author:

> As Commander in Chief Pacific from June 30, 1964, to July 31, 1968, Adm. U. S. Grant Sharp had charge of the largest American military command in the world, covering an area extending from the West Coast of the United States to the Indian Ocean. During this period he personally directed the air war against North Vietnam. Though most of his 41-year career in the Navy was spent on surface ships—he was decorated for gallantry under enemy fire as the skipper for a destroyer in World War II—Sharp has long been a strong advocate of air power. Now 63 years old, he lives in San Diego, Calif.

Admiral Sharp's article is timely and correct in stating that "Vietnam is a classic example of how not to fight a war." Experienced professional officers have pointed out that regardless of its value in clarification, the article does not deal with the cruxes of the Vietnam situation. These are:

First. That our prime adversaries in Southeast Asia are the U.S.S.R. and Red China, which countries are utilizing the military manpower of their puppets, furnishing them with munitions without which they could not wage war;

Second. That these munitions flow mainly by sea through, and under the guns of our 7th Fleet; and

Third. That these munitions are utilized to needlessly slaughter and maim tens of thousands of ours and our allies' fighting men, sacrificed futilely in a war that Washington officialdom did not, and does not, intend to win.

In addition, I would add that there has not been a single example of brilliant exercise of command leadership in the Far East since the Inchon landing of 1950 in the Korean war. This failure is not because of inability of professional fighting men but because of controls imposed by high civilian officials in our Government who, because of their obsessive but groundless fears of the U.S.S.R. and Red China, have failed to take needed steps on the assumption that such action might spark world war III.

This, Mr. Speaker, is not a valid contention because we ran this very risk when we intervened in both Korea and Vietnam.

As I have stated on other occasions, there are a number of strategic points in the current struggle for the world:

First. The Near East where the Soviets dominate the Suez Canal-Red Sea route to the Indian Ocean through its puppet, Nasser;

Second. The Panama Canal where pro-Red and internationalist groups in Panama and their collaboration in our Government have jeopardized U.S. sovereignty over the Canal Zone;

Third. Southern Africa where Red influences seek to overthrow the only stable and efficient governments in Africa;

Fourth. Southeast Asia, where the United States is engaged in a bloody war; and

Fifth. The crucial Denmark-Alps line in Europe where the control of the world island will ultimately be decided.

In addition of these, we are facing what is a total warfare against Western civilization being waged in our churches and schools, in the streets, in art and literature, and under the guise of civil rights. The United States is civilization's strongest bulwark and it is rapidly being undermined.

The gravity of the situation in the Far East was illustrated dramatically in the seizure by North Korea of the *Pueblo* in January 1968, and that country's shooting down in April 1969, of one of our unarmed naval reconnaissance planes over international waters. Such incidents were not happenstances but parts of a grand design that aim to divert our forces from Vietnam. Moreover, the same influences that seek to bring about a unilateral withdrawal of our forces from Southeast Asia are exerting strenuous efforts to involve the United States in a war in southern Africa. These influences include not only vocal Members of the Congress but also the Carnegie Endowment for International Peace, which organization has published a general staff type of war plan against the pro-Western Republic of South Africa. This plan estimates that the forces involved in the contemplated military action would suffer losses between 19,000 and 38,000 killed and wounded. This iniquitous proposal for another military intervention would be a far more sanguinary war than either Korea or Vietnam. Moreover, it is one desired by international communism which wishes the United States to withdraw from Asia.

Mr. Speaker, in view of the facts above set forth, I submit that responsible committees of the Congress should conduct full and complete inquiries into the formulation of policies that have brought, and can only bring, disastrous consequences, including the activities of the Carnegie Endowment for International Peace.

Fundamental to proper understanding of the situation just described, is knowledge of the secret pacts by which China was turned over to Red control during and immediately after World War II.

When Harry S. Truman assumed the Presidency in April of 1945, he was known to hesitate over the secret pacts which he inherited from the preceding administration and then reluctantly decided to honor these secret deals though none was ever ratified by the U.S. Senate as required by the Constitution of the United States. One of the most evil of these secret pacts provided that Red troops under Soviet command were to take over the occupation of Manchuria and the northern half of Korea. This was, of course, a base betrayal of the Koreans who had been promised their complete independence by Washington officials. It was likewise a betrayal of the Chinese because, as Owen Lattimore himself had said in his writings, that control of Manchuria by any power meant domination of East Asia by that power. Hence, as one of the chief architects of the U.S. policy in Asia, Lattimore knew that Red domination of Manchuria would mean Red domination of China within a short time. Assisting this process, the Soviet Government in Manchuria by U.S. secret agreement turned over to the Chinese Reds under Mao Tze-tung vast quantities of surrendered Japanese arms. On top of this, Gen. Albert C. Wedemeyer relates, in his famous report, how Chiang Kai-shek was notified by Washington that he would receive no more U.S. aid to fight the Communists and was told, in effect, to admit the Communists to partnership in the Chinese central government. So Chiang Kai-shek became a fugitive from the superior Red forces built up by Washington secret pacts, and by 1949 the Reds dominated the Chinese mainland.

Patriotic Americans who struggled in vain to avert this catastrophe to the world between 1945 and 1949 were ridiculed as antiliberal horse-and-buggy types, unworthy of serious national attention. This ridicule in the press came from exactly the same columnists, publishers, and editors who in the 1930's and 1940's had pictured Mao Tse-tung and Chou En-lai as harmless agrarian

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reformers with no ambitions whatsoever to make China Red. When after 1945 the real Bolshevik character of the Mao Tse-tung gang was unmistakable, the same elements in the U.S. press explained away the Red accession to power as a natural trend which thinking Americans should not oppose.

Thus by a succession of betrayals by topmost U.S. officials and planned secret deals by influential elements of the U.S. press, the calculated conspiracy to install Reds in command in China was achieved.

Since then the Chinese Reds from their central position have been able to make pushbutton wars at will in Korea and Vietnam. American soldiers, sailors, marines, and airmen have died under the absurd and tragic obligation to defend fractions of the Asian mainland against the same Red armies which U.S. betrayals planted in China. It is in this retrospect that we view with anguish today the consequences of what "liberals" step-by-step contrived over a period of years in the 1930's and 1940's.

As the issues were global and beyond the realm of partisan politics, I quote two papers, which together give a realistic picture of the military-naval situation in the Far East and how to meet it, and refer our colleagues to my remarks in the Congressional Record, volume 113, part 12, pages 15863–15865—"What Would General MacArthur Do?"

The articles referred to above are as follows:

[From the Reader's Digest, May 1969]

WE COULD HAVE WON IN VIETNAM LONG AGO

(By Adm. U. S. Grant Sharp, U.S. Navy, retired)

During the four years I was deeply involved in the direction of the war in Vietnam, I faithfully carried out the orders of my superiors. Now that I am retired, I feel obliged to speak out, to warn the American people against the folly of conducting a major war on a piecemeal basis.

There is no need for the United States to be bogged down as it is in a seemingly endless struggle in Vietnam. We could have won the war long ago—perhaps by the end of 1967. We could have achieved victory with relative ease, and without using nuclear weapons or invading North Vietnam. All that we had to do to win was to use our existing air power—*properly*.

We had tremendous air power within easy striking range of North Vietnam—on aircraft carriers in the Gulf of Tonkin and at bases in Thailand and South Vietnam. Yet never in the entire course of the war have we used our air power to its full advantage. This tragic failure to do so is, in my opinion, perhaps the most serious error we have made in all of American military history. It has resulted in needless casualties. It has added billions of dollars to the cost of the war, and each month that passes causes our worldwide prestige to sink lower and lower.

For this failure, Robert S. McNamara, former Secretary of Defense, must take a large share of responsibility.

DEAD WRONG

I strongly support our American concept of civilian control of the military; it is one of the vital bulwarks of our system of government, and I would oppose any effort to change it. At the same time, I believe wisdom dictates that the civilian authority should consider carefully the advice of his professional military advisers. In his handling of the air war, however, Secretary McNamara arbitrarily and consistently discarded the advice of his military advisers. His insistence that we pursue the campaign on a gradualistic basis gave the enemy plenty of time to cope with our every move. He was, I submit, dead wrong.

The primary purpose of the air campaign against North Vietnam should have been to disrupt the enemy's economy and thus destroy his ability to wage war. We could easily have done this. Instead, primary emphasis was put on seeking to cut down on the infiltration of men and materiel from North to South Vietnam. Now, you can slow infiltration with air power, and we did just that—but you can never stop it. To concentrate on infiltration and to refrain from hitting primary targets—as we were required to do—emasculated our war effort.

We were and are in this war for just one purpose—to convince the leaders of North Vietnam that they should cease their aggression, get out of South Vietnam and leave their neighbors alone. We said long ago that we would stop the bombing and withdraw our troops when their aggression ceased. Until North Vietnam does stop its aggression, I believe we should use the force necessary to win the war as rapidly as possible.

What my colleagues in the field and I wanted to do was to bring the economy of North Vietnam to a halt. That is one of the major functions of air power in warfare. Some argue that North Vietnam has an agrarian economy and that air power is thus less effective than it would be against an industrialized nation. North Vietnam's *is* an agrarian economy, but it functions around the hubs of Hanoi and Haiphong, and we could have brought that economy to a grinding halt. This would have deprived the enemy of his ability to support his forces in the south—and thus brought the war to a quick end.

Instead, what did we do? To take just one example: there are several railroad yards in the Hanoi area which are vitally important to the enemy's war effort. We should have hit them fast and hard, but we were never allowed at them. We were permitted to go in and peck at some less important yards on the fringes of the city. And then we were pulled off. This happened time and time again. We would get authority to go to Hanoi; the communists and their sympathizers would then push the propaganda buttons, and there would be a worldwide outcry. Washington would get nervous, and we would be pulled back.

Neither I nor my military colleagues ever favored hitting targets that would result in the deaths of large numbers of civilians. Indeed, we went to great lengths to avoid killing civilians, even though this often created extra risks for our pilots. Our air campaign was the most precise ever fought. It is worth noting that the communists observed no such restrictions; they have repeatedly lobbed rockets blindly into Saigon and other population centers. From 1957 through 1968, the communists killed more than 27,000 South Vietnamese civilians and kidnaped more than 52,000 others, most of whom have never been heard from again. There is no precise information on the number of civilians who may have been killed in our air raids over North Vietnam, but the North Vietnamese frequently published reports indicating the number of civilian casualties resulting from individual attacks. An analysis of these reports during a 7½-month period at the height of our air campaign in 1967 indicates that fewer than 400 civilians were killed.

When I was Commander in Chief Pacific, I submitted repeated requests to my superiors for permission to bomb additional military targets in order to make the air war really effective. I made these requests about once every two weeks. I have been given to understand that the Joint Chiefs of Staff supported my position 100 percent. But most of my requests were denied when they reached the office of the Secretary of Defense.

When McNamara visited Saigon in July 1967, he was briefed by Gen. William C. Westmoreland, the commander of U.S. forces in Vietnam, by Lt. Gen. William W. Momyer, commander of the Seventh Air Force, and by me. I emphasized what I thought ought to be done about the air war against the north. On several occasions I also talked with President Johnson about the problem. I thought he was receptive to the arguments of our military leadership, but the Secretary of Defense seems always to have prevailed.

It may well be that our civilian leadership believed that to use our military tools properly, to eliminate the enemy's ability to make war would have been to risk a nuclear confrontation with the Soviet Union. Personally, I believe the risk was minimal; in any case, a nation which is not willing to take calculated risks to achieve its objectives should never go to war in the first place. Further, I believe that once a political decision is made to commit American troops to battle, we are morally obligated to use our military power in such a way as to end the fighting as quickly as possible.

POWER ON A LEASH

Our first chance to win the war quickly came in February 1965, when we started bombing the north. At once, we should have launched a sustained, maximum-effort attack on all of the enemy's war-supporting industries, transportation facilities, military complexes, petroleum-storage depots. At that time, the enemy had no Soviet surface-to-air missile (SAM) sites installed, and his antiaircraft capability was practically nil. He could not have opposed us in any significant way, and we could have quickly broken North Vietnam's resistance.

If we had launched a maximum-effort air campaign—coupled with heavy pressure on the enemy's troops in South Vietnam—it would not have been long before he would have been forced to ask for negotiations. And it is important to note that these negotiations would have been conducted on terms favorable to us—instead of, as it turned out, our having to coax him to the negotiating table, more or less on his terms. It's also possible that under this extreme pressure the enemy's aggression in the south might just have faded away. Either way, it would have been a victory for us.

But what happened? From the start, our air power was kept on a tight leash. At first, when we sent even a reconnaissance plane over the north, Washington would tell us what route and altitude to fly. We started our operations close to the Demilitarized Zone and worked gradually northward about 30 miles at a time, always under Washington's close control. It was obvious to anybody plotting the course of events that the enemy could expect us eventually to move on up to the heartland of the country. Thus, the vital military elements of surprise and maximum impact were lost.

We also lost valuable time. Our policy of gradualism enabled North Vietnam to mount the most formidable air-defense system that has ever been used in combat history. The North Vietnamese began building SAM sites in 1965, and during that year were able to fire only 125 missiles. Eventually, the North Vietnamese had about 40 SAM battalions and during 1967 they fired nearly 3500 missiles at our aircraft. The result is that we have lost nearly 1000 planes over North Vietnam. Many of the pilots were killed or captured. Not only did we suffer this needless loss of men and aircraft, but the North Vietnamese were given time to disperse their factories and military installations. This made it all the more difficult to go after them later, and hence prolonged the war.

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HAVEN IN HAIPHONG

Of all the things we should have done but did not do, the most important was to neutralize the port of Haiphong. During 1967, some 80 percent of North Vietnam's imports came in by sea, mostly through Haiphong. This included arms, ammunition, oil, trucks, generators, machinery, spare parts, steel and cement—all vital to the war. We should have blocked the approaches to the harbor with mines laid by aircraft. Closing an enemy harbor is customary and logical in warfare. This was the simplest and most effective measure we could have taken.

All along, our military leaders recommended that the port be neutralized. The recommendation was always vetoed. It was claimed that closing Haiphong would not affect the enemy's capability of waging the war in South Vietnam—that North Vietnam could sustain the war at the same level by means of rail, road and coastal shipments from China. But a reasonable evaluation of our intelligence convinced us that it was next to impossible to move that amount of matériel over North Vietnam's exceedingly limited transportation network. In my opinion, closing Haiphong would have shortened the war by many months.

Along with mining the approaches to the harbor, we should have destroyed the enemy's stockpiles of matériel on the docks at Haiphong and in the centers of the cities of Haiphong and Hanoi. The stockpiles were easy targets there—but the Defense Department ruled that we had to wait until the enemy moved this matériel away from the cities and scattered it for 300 to 400 miles along the trails into South Vietnam. Then it was extremely difficult to find, and much of it, including vast amounts of ammunition, reached South Vietnam, where it was used to kill American and other Allied soldiers.

LOST TARGETS

Much earlier in the conflict, we should have gone after North Vietnam's most important bridge, the Paul Doumer span in Hanoi, which handles all rail traffic between Hanoi and Red China and Hanoi and Haiphong. We hit a lot of minor bridges in North Vietnam before we finally were allowed to go after the Doumer. Even then, we were allowed to hit it only for limited periods of time. Then it would be taken off the list, and the North Vietnamese were given time to build it up again! Whenever we struck anywhere close to Hanoi, people in Washington would complain that we were causing too much disruption in the city—which was exactly what we were trying to do.

We were never permitted to hit the docks along the Red River in Hanoi. We should have kept the Hanoi power station out of commission. We hit it several times. Inexplicably, after each strike it was taken off the target list, and the enemy would put it back into commission. Eventually, we were prohibited from making any more attacks on it—and this was long before the Johnson Administration ended all bombing of the north.

We also should have hit the Hanoi waterworks, which was next door to the power station, but we were never allowed to do it. We hit the railroad yard close to the town of Hongai once; then we were pulled off that. This is another thing that is hard to understand: we were allowed to do something, then two months later it would be off limits—and it stayed off limits for the rest of the air war.

Privileged Sanctuary. But even with the restrictions, the air campaign was effective as far as it went. By early 1967, we had destroyed or disrupted about 50 percent of North Vietnam's war-supporting industry. The North Vietnamese were hurting far more than most people realized. We had intelligence reports that their morale was suffering. Their whole effort was weakened by the fact that they had to have more than 500,000 people working to rebuild their transportation network—plus 125,000 to man their anti-aircraft defenses. Thus, despite all the restrictions, we really had the enemy on the ropes by late 1967. If we had hit his war-making resources harder all along, he would have been knocked out by then. In my judgment, the war would have been over.

Once North Vietnam gave up, the Vietcong in the south would have had no choice but to follow suit. The Vietcong are directed and supplied by Hanoi. Vietcong combat units are now two-thirds North Vietnamese; they cannot fight without North Vietnamese regular forces in close proximity, and could not have continued on their own.

If there is no progress in the negotiations with the communists in Paris, and if the communists continue to wage their aggression in South Vietnam at either present or increased intensity, then we should resume the air war. If they are going to continue to fight, I don't think they should be granted the luxury of being able to conduct their aggressions from a privileged sanctuary. We should resume the air war, moreover, on an all-out basis and not in piecemeal fashion. We should finish the whole Vietnam war quickly.

Vietnam is a classic example of how not to fight a war. The "gradual" approach requires the expenditure of much more of one's manpower, resources and prestige than is necessary. Our prestige is by no means as high now as it would have been if we had gone in, cleaned the thing up and made our exit.

If we had fought World War II as we have fought the Vietnam war, we would still be fighting it—if we hadn't lost it.

[From the Dan Smoot Report, Apr. 28, 1969]

MORE "PUEBLOS"

In October, 1966, North Korean Premier Kim Il Sung told the Korean communist party central committee to prepare the country for war. He said that all of Korea must be united under communist domination and that this could be accomplished only by armed force.

Overt acts of war against the U.S. and South Korea soon began. On November 2, 1966, North Korean soldiers ambushed and killed six Americans and one South Korean in the southern half of the demilitarized zone.

During 1967, North Korean communists made more than 450 sneak assaults in, and south of, the demilitarized zone, killing 139 Americans and South Koreans, wounding 294. During that year, two American camps were shot up, trains were sabotaged, and a South Korean patrol boat in South Korean waters was sunk.

During 1968, North Korean sneak attacks killed 62 American and South Korean soldiers, wounded 130, and killed and wounded several South Korean police and civilians. The two most notable incidents of 1968 occurred in January. During the night of January 21, 1968, 31 North Korean commandos slipped through the demilitarized zone and got within 800 yards of the presidential mansion in Seoul, before they were discovered. Their mission was to assassinate the South Korean President. Thirty-six hours later, North Korean gun boats seized the U.S.S. *Pueblo* in international waters in the Sea of Japan.[1]

The South Korean government pleaded with the Johnson administration to retaliate against the communists for their repeated, bloody violations of the Korean armistice agreements of 1953. Johnson did nothing.

The outcome of the *Pueblo* affair is now known to the world. The Johnson administration finally ransomed the *Pueblo* crew with a bald-faced lie (falsely confessing that the ship had deliberately violated North Korean territorial waters, abjectly apologizing for an offense that was never committed)—after our men had been subjected to 11 months of bestial treatment at the hands of communist barbarians.

Far more than American pride was damaged by the disgraceful *Pueblo* incident. The vital security of our nation was deeply compromised. Without a change of policy in Washington, American servicemen would be fair game whenever in range of communist guns, with no hope of protection from their own government.

The people were anxious and angry.

In his acceptance speech to the Republican Convention at Miami on August 8, 1968, Richard M. Nixon said:

"For four years, this Administration has had at its disposal the greatest military and economic advantage that one nation has ever had over another in a war in history. For four years, America's fighting men have set a record for courage and sacrifice unsurpassed in our history. . . .

"Never has so much military and economic and diplomatic power been used so ineffectively. And if after all this time, and all of this sacrifice, and all of this support, there is still no end in sight, then I say the time has come for the American people to turn to new leadership not tied to the mistakes and policies of the past. That is what we offer to America. . . .

"We shall restore the strength of America so that we shall always negotiate from strength and never from weakness. . . .

"For five years hardly a day has gone by when we haven't read and heard a report of the American flag being spit on, and our embassy being stoned, a library being burned, or an ambassador being insulted some place in the world, and each incident reduced respect for the United States until the ultimate insult inevitably occurred.

"And I say to you tonight that when respect for the United States of America falls so low that a fourth-rate military power like Korea will seize an American naval vessel in the high seas, it's time for new leadership to restore respect for the United States of America."

That brought Nixon the most thunderous and sustained ovation he received during his acceptance speech. When it subsided, he said:

"My friends, America is a great nation. It is time we started to act like a great nation around the world."

During the campaign, Nixon said:

"Unless the United States reacts to those small slights, you are bound to encourage bigger slights and you're going to have more *Pueblos*. And in a new administration, I say we've got to stop that kind of action against the United States before it gets started."[2]

On April 15, 1969, North Korea—that "fourth-rate military power"—shot down a slow-moving, propeller-driven, unarmed U.S. Navy reconnaissance plane (an EC 121) over the Sea of Japan, not far from where the U.S.S. *Pueblo* was seized in January, 1968. The plane was on a routine monitoring flight, out of Japan, under strict orders never to get closer than 40 miles to the nearest point of North Korean land. Apparently, the crew detected the oncoming attack and notified its command headquarters at Atsugi, Japan. On orders from that command, the plane aborted its mission and headed further out to sea, but was overtaken by the faster, Russian-built North Korean jets.

Our plane scrupulously respected North Korean air space throughout its flight. Radar proves this. In fact, our technology for radar scanning is so good that we *know* what the North Korean and Soviet radar equipment showed: it showed that the plane was over

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[1] *The Dallas Times Herald*, April 17, 1969, p. 1.

[2] Editorial, *The Dallas Morning News*, April 17, 1969.

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international waters throughout its flight, never anywhere near penetrating North Korean territory.

First news of the event came from an official North Korean radio broadcast which said that a "reconnaissance plane of the insolent U.S. imperialist aggressor army . . . was reconnoitering after intruding deep into the territorial air of the northern half of the republic," and that the North Korean air force "scored the brilliant battle success of shooting it down with a single shot at high altitude."[3]

A few hours later, North Koreans demanded a meeting with U.S. representatives at the "Truce Village" in Korea where we have had 290 fruitless meetings with them since the Korean armistice of 1953. At first, President Nixon declined; but Dr. Henry Kissinger said our refusal might give the communists a pretext to reject some future American request. Nixon authorized the meeting, which was held on April 18.

Since the communists had asked for the meeting, they had the privilege of speaking first. The North Korean representative did not even mention the shooting down of our plane. Instead, he accused the U.S. of breaking Korean cease-fire agreements.

Major General James B. Knapp, U.S. Air Force officer replied by denouncing the attack on our plane. Getting no response, he walked out of the meeting.

For three-and-a-half days, President Nixon made no public statement about the airplane incident, but his spokesmen worked hard to create an atmosphere of calm. It was reported that Nixon had asked the Soviets to help us search for the downed plane. They cooperated. On April 16, a Soviet destroyer found airplane wreckage on the sea about 85 miles off the North Korean coast. A few hours later and a few miles away, an American destroyer found other wreckage and the bodies of two of the 31 crewmen who had been aboard the plane.

On April 16, Secretary of State William Rogers made a speech in Washington. He did not mention the shooting down of our plane (which had occurred the day before), but he explained the Nixon administration's Orwellian theory that strength is weakness. Secretary Rogers said:

"International affairs, the weak can be rash; the powerful must be restrained . . . .

"One lesson is quite clear. Great power does not mean great freedom of action and decision. On the contrary, it often means very narrow choices of action, and what we can do to influence events in a given case may well be marginal."[4]

Thus, we are impotent because we are strong. That extraordinary attitude became the hallmark of the Nixon administration, even before the administration was officially installed; and it is the exact opposite of the attitude that Nixon assumed in bidding for votes last year.

During the political campaign, Nixon said that communist nations, in committing atrocities against America, were testing American power—"not the quantity of American power, but its credibility and utility." Nixon explained that the credibilty of our power is the "linchpin of our alliances, and it stands behind all the commitments that keep global peace." The foundation of our global strategy, Nixon said, is the general conviction that we have adequate power and that we will use it when our vital interests are under attack.[5]

Candidate Nixon promised in 1968 to strive to regain American nuclear superiority over the Soviets, so that we could always "negotiate from strength" with communists. Immediately after becoming President, he repudiated that stand. Now, he accepts the present balance of power, which (on the basis of his political criticism of the Democrats for letting American military power degenerate) means American inferiority in weaponry and defense. During his trip to Europe shortly after his inauguration, President Nixon told NATO nations that the West no longer has, and will not seek, predominance of nuclear power. Instead, he said, his administration will try to have strategic arms-control talks with the Soviets to "codify the present balance."[4]

At a news conference on April 18, 1969, President Nixon discussed the EC 121 incident. He said the North Koreans and the Soviet know positively, as well as we do, that the plane never penetrated North Korean air space. He said a protest had been filed, but no response had been made. He refused to say more, in the absence of a response from the communists.

He said the reconnaissance flights had been stopped immediately after the incident, but had been renewed because they are necessary to the security of American troops in South Korea. He said if he had known the plane was in danger, he would not have let it go on the mission without protection; and he promised protection for all future flights of this kind.

The President declined to say what kind of protection. Reports indicated that heavy U.S. naval units were being moved into the Sea of Japan. Are we to tie up a substantial part of our Pacific fleet to protect our unarmed aircraft from one "fourth-rate military power"? Forcing us to divert that much naval power from other missions is a major victory for North Korea.

It is difficult to see what other protection can be given. Fighter jets cannot feasibly fly escort for low-altitude, slow-moving, propeller-driven planes. There have been reports that we will have fighters stationed on call where they can fly to the defense of a reconnaissance plane that comes under attack. Where will they be stationed? We have jet fighters now at all our Pacific bases. We are told that none of them had time to get to the EC 121 before it was shot down.

On April 19, 1969, President Nixon was reported to have told congressional leaders he "means to go beyond the mere accompaniment of the intelligence craft by fighters and warships." The congressional leaders are said to have reported that the President "will order drastic retaliation, without warning, for any future attack on U.S. intelligence ships or planes."[6]

After the President's mild-mannered, noncommittal public pronouncement about the EC 121 incident, the communists are not likely to pay much attention to a warning attributed to unnamed sources and reported at third hand.

Nothing but sudden, massive retaliation against North Korea will give us any protection in Asia, and discourage communist atrocities against us elsewhere. That retaliation should be coordinated with a sudden all-out attack on North Vietnam, to knock out that "fourth-rate military power," and stop the loss of American lives. The Republic of Free China should also be given our blessing to move against the Chinese mainland, when and if it pleases.

President Nixon will not take such action, but Congress could force his hand by declaring war on both North Vietnam and North Korea.

POLISH CONSTITUTION DAY

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the Record and that his remarks appear in the permanent Record with other remarks on the above subject.)

Mr. STRATTON. Mr. Speaker, I take pride again in rising to commemorate the adoption of the Polish Constitution of 1791, officially on May 3. I take pride in joining with Polish Americans throughout the Nation and with all men dedicated to the spirit of freedom, in turning our thoughts back once again to one of the earliest awakenings of democracy in Europe.

This would be a great and happy occasion if the seeds of freedom planted way back in 1791 had been allowed to grow into full flower and if a free people now lived and prospered in Poland. If the people of Poland could live today in pursuit of their aspirations, without fear and intimidation, we could celebrate this occasion with real pleasure and satisfaction and in a full holiday spirit.

But the ugly fact is that millions of freedom-loving people in Poland and in other captive nations around the world, still live under the domination of Soviet Russia and its Communist counterparts in Asia.

Because of these unhappy circumstances we must mark the Polish 3d of May Constitution Day in a spirit of hope but with a sense of sorrow and resolution.

Neither the ravages of the Nazis nor the iron control of the Russians has extinguished the flame of hope in the hearts of the Polish people. The yearning for self-determination and the hope that the future will release them from the evil Soviet domination are what keeps the spirit of freedom alive in Poland today.

But hope and yearning are not enough unless they are bolstered by resolution and determination—a resolution that the captive nations will not for long remain slaves to their Russian masters and a determination to move toward that day when all the Polish people are free again.

To the Polish people I say—keep alive your hope and resolution.

To the free people of the world I say, we must maintain and strengthen our determination to set these captive peoples free.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Fascell, today, for 20 minutes; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. Eshleman) and to revise and extend their remarks and include extraneous matter:)

Mr. Halpern, for 10 minutes, today.

Mr. Bush, for 5 minutes, today.

(The following Members (at the request of Mr. Burlison of Missouri) and to revise and extend their remarks and include extraneous matter:)

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[3] *The Wall Street Journal,* April 18, 1969, pp. 1, 12.

[4] *The Wall Street Journal,* April 17, 1969, p. 1; *The Wall Street Journal,* April 18, 1969, p. 14.

[5] Editorial, *The Dallas Morning News,* April 18, 1969.

[6] *The Dallas Times Herald,* April 20, 1969, p. 1.

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Mr. Farbstein, for 20 minutes, today.

Mr. Gonzalez, for 10 minutes, today.

Mrs. Sullivan, for 30 minutes, today.

Mr. Corman, for 60 minutes each, on June 17 and June 24.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Devine.

Mr. Ryan to include extraneous matter with his remarks during debate on S. 1011.

(The following Members (at the request of Mr. Eshleman) and to include extraneous matter:)

Mr. Derwinski in two instances.
Mr. Zwach.
Mr. Eshleman.
Mr. Riegle.
Mr. Bush in two instances.
Mr. Halpern.
Mr. Harvey.
Mr. Bray in three instances.
Mr. Conte.
Mr. Bob Wilson in two instances.
Mr. Dickinson.
Mr. Morton in two instances.
Mr. Michel.
Mr. Miller of Ohio.
Mr. Reid of New York.
Mr. Blackburn.
Mr. Ashbrook.
Mr. Brotzman.
Mr. Landgrebe.

(The following Members (at the request of Mr. Burlison of Missouri) and to include extraneous matter:)

Mr. Evins of Tennessee in two instances.
Mr. Fisher in three instances.
Mr. Minish.
Mr. Fallon.
Mr. Montgomery in two instances.
Mr. Friedel in two instances.
Mr. Bolling.
Mr. Brown of California in two instances.
Mr. Carey.
Mr. Delaney.
Mr. Gonzalez in two instances.
Mr. Ashley.
Mr. de la Garza in two instances.
Mr. Rarick in three instances.
Mr. Wright.
Mr. Van Deerlin.
Mr. Nix.
Mr. Olsen in two instances.
Mrs. Sullivan in two instances.
Mr. Bingham.
Mr. Ryan.
Mr. Vanik in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1242. An act to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT

Mr. BURLISON of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Thursday, May 15, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

769. A letter from the Director of Selective Service, transmitting a draft of proposed legislation to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such act; to the Committee on Armed Services.

770. A letter from the Chairman, Federal Home Loan Bank Board, transmitting the 1968 annual report of the Board, pursuant to the provisions of section 17(b) of the Federal Home Loan Bank Act; to the Committee on Banking and Currency.

771. A letter from the Acting Administrator of General Services; transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to enter into contracts for janitorial services, trash removal, and similar services in federally owned and leased properties for periods not to exceed 3 years, and for other purposes; to the Committee on Government Operations.

772. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a request for the withdrawal of a certain case involving suspension of deportation under section 244 (a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on House Administration. House Resolution 399. Resolution to provide funds for the study and investigation authorized by House Resolution 17; with amendment (Rept. No. 91–239). Ordered to be printed.

Mr. PERKINS: Committee on Education and Labor. H.R. 10666. A bill to establish a National Commission on Libraries and Information Science, and for other purposes (Rept. No. 91–240). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 10946. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects (Rept. No. 91–241). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. S. 408. An act to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required (Rept. No. 91–242). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 6808. A bill to amend section 1781 of title 38, United States Code, to eliminate the prohibition against receipt of certain Federal educational assistance benefits, and for other purposes; with amendment (Rept. No. 91–243). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Committee on House Administration. Senate Joint Resolution 13. Joint resolution to provide for the reappointment of Dr. John Nicholas Brown as Citizen Regent of the Board of Regents of the Smithsonian Institution (Rept. No. 91–246). Referred to the House Calendar.

Mr. THOMPSON of New Jersey: Committee on House Administration. Senate Joint Resolution 35. Joint Resolution to provide for the appointment of Thomas J. Watson, Jr., as Citizen Regent of the Board of Regents of the Smithsonian Institution (Rept. No. 91–247). Referred to the House Calendar.

Mr. THOMPSON of New Jersey: Committee on House Administration. H.R. 2667. A bill to revise the pay structure of the police force of the National Zoological Park, and for other purposes (Rept. No. 91–248). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RODINO: Committee on the Judiciary. H.R. 3044. A bill for the relief of Rodric Stewart Pence (Joo, James); with amendment (Rept. No. 91–244). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 10060. A bill for the relief of Lance Cpl. Peter M. Nee (2465662), (Rept. No. 91–245). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRADEMAS (for himself and Mr. Reid of New York):

H.R. 11235. A bill to amend the Older Americans Act of 1965, and for other purposes; to the Committee on Education and Labor.

By Mr. BROTZMAN:

H.R. 11236. A bill to amend title 13, United States Code, to provide for a mid-decade census of population in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

H.R. 11237. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BUTTON (for himself, Mr. Fish, and Mr. McKneally):

H.R. 11238. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DELANEY:

H.R. 11239. A bill to prohibit the expenditure of Federal funds by the Secretary of Health, Education, and Welfare to promote the fluoridation of public water supplies; to the Committee on Interstate and Foreign Commerce.

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By Mr. DELLENBACK:

H.R. 11240. A bill to establish the National Oceanic and Atmospheric Agency; to the Committee on Merchant Marine and Fisheries.

By Mr. EDWARDS of Alabama:

H.R. 11241. A bill to make certain expenditures made by the city of Mobile, Ala., eligible as local grants-in-aid for the purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. EDWARDS of California:

H.R. 11242. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the only son of a family, and for other purposes; to the Committee on Armed Services.

By Mr. EDWARDS of California (for himself, Mr. Gubser, and Mr. McCloskey):

H.R. 11243. A bill to amend section 608(c) (2) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture.

By Mr. FARBSTEIN:

H.R. 11244. A bill to establish a World Economic Cooperation and National Development Organization to encourage the contribution of U.S. enterprises toward the economic development of less developed countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FISH:

H.R. 11245. A bill to promote fair competition among prime contractors and subcontractors and to prevent bid peddling on public works contracts by requiring persons submitting bids on those contracts to specify certain subcontractors who will assist in carrying them out; to the Committee on the Judiciary.

H.R. 11246. A bill to amend title II of the Social Security Act to provide for standard-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 11247. A bill to create a Department of Youth Affairs; to the Committee on Government Operations.

By Mr. GAYDOS:

H.R. 11248. A bill to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees; to the Committee on Education and Labor.

By Mr. GRAY:

H.R. 11249. A bill to amend the John F. Kennedy Center Act to authorize additional funds for such Center; to the Committee on Public Works.

By Mr. GUDE:

H.R. 11250. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H.R. 11251. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 11252. A bill to amend the Internal Revenue Code of 1954 to increase the credit against tax for retirement income; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 11253. A bill to amend section 204(a) of the Coinage Act of 1965 in order to authorize minting of all new quarter dollar pieces with a likeness of the late President Dwight David Eisenhower on one side; to the Committee on Banking and Currency.

H.R. 11254. A bill to designate the Washington National Airport as the "Dwight David Eisenhower National Airport"; to the Committee on Interstate and Foreign Commerce.

H.R. 11255. A bill to provide improved judicial machinery for the selection of juries, to further promote equal employment opportunities of American workers, to authorize appropriations for the Civil-Rights Commission, to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices, and for other purposes; to the Committee on the Judiciary.

H.R. 11256. A bill to amend title 13, United States Code, to increase the penalties for wrongful disclosure of information by employees of the Bureau of the Census; to the Committee on Post Office and Civil Service.

H.R. 11257. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 11258. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. HORTON (for himself and Mr. Reid of New York):

H.R. 11259. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOWARD:

H.R. 11260. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 11261. A bill to amend the Internal Revenue Code of 1954 to provide relief to certain individuals 65 years of age and over who own or rent their homes, through a system of income tax credits and refunds; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 11262. A bill to protect consumers and to assist the commercial fishing industry by providing for the inspection of establishments processing fish and fishery products in commerce, and to amend the Fish and Wildlife Act of 1956 to provide technical and financial assistance to the commercial fishing industry in meeting such requirements; to the Committee on Merchant Marine and Fisheries.

By Mr. McDADE:

H.R. 11263. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

H.R. 11264. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in benefits, and to liberalize the retirement test; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 11265. A bill to provide for crediting service as an aviation midshipman for purposes of retirement for nonregular service under chapter 67 of title 10, United States Code, and for pay purposes under title 37, United States Code; to the Committee on Armed Services.

H.R. 11266. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. McFALL (for himself and Mr. Johnson of California):

H.R. 11267. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MADDEN:

H.R. 11268. A bill to amend the Immigration and Nationality Act to made additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 11269. A bill to amend the act to establish Federal agricultural services to Guam; to the Committee on Agriculture.

By Mr. MICHEL:

H.R. 11270. A bill to amend title 13, United States Code, to increase the penalties for wrongful disclosure of information by employees of the Bureau of the Census; to the Committee on Post Office and Civil Service.

By Mr. MILLER of California:

H.R. 11271. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes; to the Committee on Science and Astronautics.

By Mr. MILLER of Ohio:

H.R. 11272. A bill to establish a system for the sharing of certain Federal tax receipts with the States; to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 11273. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Interstate and Foreign Commerce.

By Mr. PODELL:

H.R. 11274. A bill to assist in removing the financial barriers to the acquisition of a post-secondary education by all those capable of benefiting from it; to the Committee on Education and Labor.

H.R. 11275. A bill to amend the Higher Education Act of 1965 to increase the maximum annual educational opportunity grant to $2,000, and for other purposes; to the Committee on Education and Labor.

H.R. 11276. A bill to amend the Public Health Service Act to provide increased support for medical education; to the Committee on Interstate and Foreign Commerce.

H.R. 11277. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

By Mr. PICKLE:

H.R. 11278. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 11279. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RIEGLE:

H.R. 11280. A bill to provide for financial disclosure by members of the Federal judiciary; to the Committee on the Judiciary.

H.R. 11281. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Florida:

H.R. 11282. A bill to promote safety in the operation of manned submersibles; to the Committee on Merchant Marine and Fisheries.

By Mr. ROSENTHAL:

H.R. 11283. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STRATTON:

H.R. 11284. A bill to amend section 131 of title 23 of the United States Code relating

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to the control of outdoor advertising; to the Committee on Public Works.

H.R. 11285. A bill to amend section 131 of title 23 of the United States Code relating to the control of outdoor advertising; to the Committee on Public Works.

By Mr. TALCOTT:

H.R. 11286. A bill to amend titles 18 and 39, United States Code, to make a certain category of material, designed to appeal primarily to the prurient interests of the viewer, reader, or listener, nonmailable to minors, and nonmailable as second-, third-, or fourth-class matter to any person; to the Committee on the Judiciary.

H.R. 11287. A bill to amend title 39, United States Code, to make a certain category of material, designed to appeal primarily to the prurient interests of the viewer, reader, or listener, nonmailable to minors, and nonmailable as second-, third-, or fourth-class matter to any person, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WALDIE:

H.R. 11288. A bill to repeal the first section of the act of July 15, 1968, relating to the land and water conservation fund; to the Committee on Interior and Insular Affairs.

H.R. 11289. A bill to amend section 4005 of title 39, United States Code, to restore to such section the provisions requiring proof of intent to deceive in connection with the use of the mails to obtain money or property by false pretenses, representations, or promises; to the Committee on Post Office and Civil Service.

By Mr. WAMPLER:

H.R. 11290. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. WATTS:

H.R. 11291. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing elgibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. WHALEN:

H.R. 11292. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE:

H.R. 11293. A bill to amend title 5, United States Code, to correct inequities with respect to the overtime, night, holiday, and Sunday pay of certain employees of the Departments of Agriculture and Health, Education, and Welfare, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WILLIAMS:

H.R. 11294. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES H. WILSON:

H.R. 11295. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959, and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 11296. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

H.R. 11297. A bill to apply the prevailing wage provisions of the Davis-Bacon Act to the construction, modification, alteration, repair, painting, or decoration of buildings leased for public purposes; to the Committee on Public Works.

By Mr. ZWACH:

H.R. 11298. A bill to provide for an annual conference between representatives of the beef industry, the Secretary of Agriculture, and representative of other departments and agencies of the Federal Government to consider problems relating to the export of beef and beef products from the United States and related international trade problems, and for other purposes; to the Committee on Agriculture.

By Mr. COLLIER:

H.J. Res. 719. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H. Con. Res. 254. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII,

166. Mr. HICKS presented a memorial of the House of Representatives of the Washington State Legislature, through which, by a vote of 96 to 0, the said house seeks to provide that income from increases in social security benefits or public or private pensions or annuities shall not be counted as income for establishing eligibility for Veterans' Administration benefits, which was referred to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 11299. A bill for the relief of Fabio Rodriguez; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 11300. A bill for the relief of Catello, Garcia, and Adriana Striano; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 11301. A bill for the relief of Mrs. Edith Arbogast and her children, Edward Lee Arbogast, and Harold Leroy Arbogast; to the Committee on the Judiciary.

By Mr. DICKINSON:

H.R. 11302. A bill to provide private relief for certain members of the U.S. Navy recalled to active duty from the Fleet Reserve after September 27, 1965; to the Committee on the Judiciary.

By Mr. REES:

H.R. 11303. A bill for the relief of Mr. Dong Yup Lee; to the Committee on the Judiciary.

H.R. 11304. A bill for the relief of Mr. and Mrs. Rinaldo L. I. Mariani and their daughters, Chantal and Fabienne Mariani; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 11305. A bill for the relief of James Ryan; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

110. The SPEAKER presented a petition of Ralph Borzysewski, Rochester, N.Y., relative to impeachment proceedings, which was referred to the Committee on the Judiciary.

SENATE—*Wednesday, May 14, 1969*

The Senate met at 12 o'clock noon, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Let your light so shine before men that they may see your good works and glorify your Father who is in Heaven. Matthew 5:16.

Almighty God, renew the energies of our minds and bodies as we dedicate the labor of this day to Thee. Make us to know that the divine vocation is fulfilled in the work of this place as truly as before the altar in the house of worship. Keep our ears open to the call for justice, righteousness, and peace and our souls attuned to the guidance of Thy spirit. May discord and disunity give way to concord and harmony, that this Nation under God may lift high the banner of freemen everywhere and advance Thy kingdom among the nations of the earth.

In the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, May 13, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate sundry messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

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COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The **VICE PRESIDENT.** Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar, beginning with "New Reports."

There being no objection, the Senate proceeded to the consideration of executive business.

The **VICE PRESIDENT.** The nominations on the Executive Calendar will be stated, as requested by the Senator from Montana.

U.S. ARMY

The bill clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The **VICE PRESIDENT.** Without objection, the nominations are considered and confirmed en bloc.

U.S. NAVY

The bill clerk read the nomination of Vice Adm. Ray C. Needham to be vice admiral.

The **VICE PRESIDENT.** Without objection, the nomination is considered and confirmed.

U.S. MARINE CORPS

The bill clerk read the nomination of Maj. Gen. Louis B. Robertshaw to be lieutenant general.

The **VICE PRESIDENT.** Without objection, the nomination is considered and confirmed.

DEPARTMENT OF JUSTICE

The bill clerk read the nomination of Victor Cardosi, of New Hampshire, to be U.S. marshal for the district of New Hampshire.

The **VICE PRESIDENT.** Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—AIR FORCE, ARMY, NAVY, AND MARINE CORPS

The bill clerk proceeded to read sundry nominations in the Air Force, the Army, the Navy, and the Marine Corps, which had been placed on the Secretary's desk.

The **VICE PRESIDENT.** Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The **VICE PRESIDENT.** Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 157 and 158.

The **VICE PRESIDENT.** Without objection, it is so ordered.

AUTHORIZATIONS OF APPROPRIATIONS FOR METRIC SYSTEM STUDY

The bill (S. 1287) to authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1287

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated for the use of the Department of Commerce during fiscal years 1970, 1971, and 1972, such sums, not to exceed a total of $2,500,000, as may be necessary to carry out the purposes of the Act of August 9, 1968 (82 Stat. 693; Public Law 90–472).

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–168), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

S. 1287, would authorize the appropriation to the Department of Commerce of a total of $2,500,000, over a 3-year period, to enable the Secretary to conduct the study of the metric system which was authorized last year by Public Law 90–472. In that study, the Secretary is directed to appraise the desirability and practicability of increasing use of metric weights and measures in this country, to examine the feasibility of retaining and promoting international use of engineering and products standards based on our customary measurement units, and to evaluate the costs and benefits of the various alternative courses of action available to the United States.

BACKGROUND AND NEED

The metric system of measurement is a decimalized system of weights and measures based on the meter as the unit of length and the gram as the unit of mass. Since the metric system was first introduced in France in the early 19th century, its use has accelerated rapidly until today an estimated 90 percent of the earth's population uses that system of measurement. With the announcement in 1965 by the United Kingdom that it will convert to metric measurements over a period of 10 years, and the active consideration of similar action by Australia, it is conceivable that the United States and Canada will shortly stand alone in their use of the English or customary inch-pound system of measurement.

Faced with this evidence of expanding world wide use of metric measurement which could adversely affect U.S. trade with other countries as well as international defense and scientific programs, the 90th Congress authorized a study of the advantages and disadvantages of increased use of the metric system within the United States. That law authorized the Secretary to commence the study with funds, not to exceed $500,000, which had been previously appropriated to the Department of Commerce. During fiscal 1969, Commerce will spend approximately $330,000 on this project, but it estimates that an additional $2,500,000 will be necessary if it is to adequately complete the study.

The Commerce Committee held 1 day of hearings on the metric study legislation on November 15, 1967. At this hearing both Government and industry witnesses strongly supported the proposed study. This authorization bill was sent to Congress in January by the Johnson administration, and the Nixon administration has endorsed it.

PROVISIONS

The bill contains a single provision which would authorize the appropriation to the Department of Commerce "during fiscal years 1970, 1971, and 1972, such sums, not to exceed a total of $2,500,000, as may be necessary to carry out * * *" the metric system study authorized by Public Law 90–472.

COST

The bill would authorize the Secretary to expend a total of $2,500,000 over a 3-year period, commencing with fiscal 1970, to conduct the study. The Nixon administration budget for fiscal 1970 has earmarked $700,000 for this project.

EXTENDING THE NATIONAL COUNCIL ON MARINE RESOURCES AND ENGINEERING DEVELOPMENT TO JUNE 30, 1970

The bill (H.R. 8794) to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–169), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill, H.R. 8794, is to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development.

In amending the Marine Resources and Engineering Development Act of 1966, the bill would—

(1) Change the expiration date of the National Council on Marine Resources and Engineering Development from June 30, 1969, to June 30, 1970, an extension of authorized existence of one year beyond that provided in Public Law 89–454, as amended by Public Law 90–242.

(2) Reduce the annual authorized appropriation in section 9 of Public Law 89–454 from $1,500,000 to $1,200,000.

An identical bill (S. 1925) to H.R. 8794, was introduced in the Senate cosponsored by 20 Senators, including 17 members of the Committee on Commerce. As the House of Representatives acted first on its identical bill, the Committee on Commerce has accepted the legislation proposed by the House of Representatives without amendment and recommends passage by the Senate.

BACKGROUND OF THE LEGISLATION

The Marine Resources and Engineering Development Act was enacted on June 17,

1966. The act declared a policy and objectives to develop, encourage, and maintain a coordinated, comprehensive, and long-range national program of marine science, created a National Council of Marine Resources and Engineering Development, and also created a Commission on Marine Science, Engineering, and Resources, both for limited periods. The 1966 act as amended provided that the Commission make its final report to the President not later than January 9, 1969, and would expire 30 days after, which have occurred. The act as amended also provided that the life of the Council should expire on June 30, 1969. The pending bill (H.R. 8794) would extend the life of the Council to June 30, 1970.

Reasons for extending the Council for 1 year following the present expiration date appear clear to those participating in the enactment of the Marine Resources and Engineering Development Act of 1966.

One of the duties assigned to the Commission on Marine Science, Engineering, and Resources was to recommit a governmental organizational plan with estimated cost. This, with other Commission recommendations, was to be submitted to the President, via the Council, and to the Congress. This, as stated previously, was done early in January 1969. In addition to the Commission's recommendation of a governmental organizational plan, the Commission report also contained 212 recommendations of significance relating to many aspects of marine affairs.

The 91st Congress began its first session January 3 of this year; the new Executive administration commenced on January 20.

As well stated in the report of Chairman Garmatz of the Merchant Marine and Fisheries Committee of the House of Representatives." * * * the fact, in view of the voluminous and comprehensive scope of the Commission's excellent report, that it is most unlikely that legislation establishing a new organizational structure for a national program in marine sciences can be enacted during the remainder of this fiscal year, it seemed appropriate, and, in fact, essential that the life of the Council should be extended for a reasonable period in order to give Congress and the new administration a reasonable time to review and act upon the numerous recommendations of the Commission."

The Marine Resources and Engineering Development Act of 1966 authorized appropriations not to exceed $1,500,000 for any one fiscal year. This authorization was to provide administrative expenses for both the Council and the Commission. Termination of the Commission makes possible reduction of the authorization stated in section 9 or the act from $1,500,000 to $1,200,000.

COST OF THE LEGISLATION

Enactment of this legislation will not involve any additional cost to the Government.

ORDER OF BUSINESS

The VICE PRESIDENT. Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ALLEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

COL. MARION RUSHTON OF MONTGOMERY, ALA.

Mr. ALLEN. Mr. President, it was not until yesterday, after the Senate recessed, that I learned the sad news of the death of Col. Marion Rushton of Montgomery, Ala.

He was an outstanding attorney, an able and dedicated public servant, and a southern gentleman in every lofty sense of the word.

It was my honor and pleasure to be numbered among his friends for some 30 years, so I feel a deep sense of personal loss in his passing.

Speaking on behalf of the people of Alabama and in my own behalf, I say that Alabama and the Nation are poorer because of his death, but richer because of the life he lived and the example he set.

I make these remarks today in order that there may be recorded for all time in the archives of this Nation the respect, the veneration, and the high esteem which the people of Alabama had for this great Alabamian, this great American.

I ask unanimous consent that an editorial published in the Montgomery Advertiser of May 13, 1969, be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Montgomery Advertiser, May 13, 1969]

COL. MARION RUSHTON

With the death of Marion Rushton at 75, the thinning ranks of such gentlemen-scholars of the old school are diminished by more than one.

Col. Rushton was worth many score of the kind who attach themselves to a cause—states rights, in his case—but lack the eloquence, conviction, sincerity and philosophical underpinnings he had in such abundance.

The present writer first met him in 1948, after he had resigned as Democratic National Committeeman in protest to the national party's civil rights policies. He joined forces with the Dixiecrats (a word he scorned, since he thought it maligned his concept of states rights).

We were fresh out of college and not at all in sympathy with the Dixiecrats. Thus we assumed that in going to interview Col. Rushton, we would find just another bombastic, unreconstructed rebel, despite his towering reputation, formidable educational background (University of Virginia, Harvard, the Sorbonne) and his military record. Just a few years before he had won the Legion of Merit for organizing a compassionate judicial review of 60,000 desertion cases in Europe at the close of World War II.

The occasion for the interview was an impending debate between him, representing the States Rights Party, a representative of the Democratic loyalists and, of all people, a young crewcut Ph.D. from somewhere who had accepted the invitation to present the case for Henry Wallace's crazy Progressive Party. If memory serves, the Republicans were not represented in the debate, which was held at Lanier Auditorium.

When we arrived, on the afternoon before the debate, at his law office in the Bell Building, the Colonel was the soul of courtesy and goodwill, but something was obviously irritating him. After a few pleasantries, he revealed what it was. An *Advertiser* editorial had treated the Progressive Party's speaker shabbily, in Col. Rushton's opinion.

Of course he regarded Henry Wallace and his party as abominations, but the Colonel was offended by the breach of civility to a guest to the city. His words come back over almost 21 years:

The editorial was "petulant," he said, and unbecoming a city and region which prided itself in hospitality. He did not bother to mention that he opposed everything the Progressive Party stood for. It was characteristic of him that he did not feel compelled to make that disclaimer: his objection was to what he regarded as poor manners.

We have recalled this because national manners have all but vanished. He lived by them as he did by the law. Not to put too fine a point on it, he was that kind of Southern gentleman, of strong opinions, but with a courteous regard for the opposite opinions of others, which many Southerners imagine themselves to be but often are not.

Few men would have declined to join the prosecution of the Nazi war criminals at Nuremburg, but Col. Rushton did because he was fundamentally opposed to the precedent of trying a crime which was defined as such "ex post facto," as he said. He hated the Nazis as much as any man and was revolted by their atrocities, but he stood fast on what he believed: that it was drumhead justice which made the law "an instrument of propaganda."

The attention he gave to deserters was another example of his departure from the conventional wisdom of the military at that time. Desertion in time of war is an enormous crime and even though many cases occurred after victory, the war was not officially over.

"You had to be careful with those cases," Col. Rushton once said. "Some of the boys were just simply homesick and wanted to get back to the farm. But there were others who schemed and plotted to time their desertion with troop pull-outs."

The Legion of Merit citation for his work cited his "rare judgment and understanding" in handling the cases and the fine balance he showed between humanitarianism and discipline.

Nothing less should have been expected of Marion Rushton, among the last of a vanishing breed.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order of the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

FINANCIAL STATEMENT BY SENATOR PASTORE

Mr. PASTORE. Mr. President, this being May 14, 1969, and having already met the requirements of disclosure as prescribed by the Senate rules, so that there will be no question of conflict of interest, I make the following declaration:

First. Mrs. Pastore and I received dividends in the amount of $1,077.36 during the calendar year 1968 on the following shares of stock:

First National Bank of Boston, 30 shares.

Chase Manhattan Bank, 60 shares.

Columbus National Bank of Providence, 420 shares.

Providence Gas Co., 24 shares.

Washburn Wire Co., 200 shares.

Industrial National Bank of Providence, 110 shares.

Second. For the calendar year 1968 I received $450 in director's fees from the Columbus National Bank.

Third. I received no attorney's fees.

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Mr. President, I suggest the absence of a quorum.

The ICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ALLEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

TVA AT 36

Mr. ALLEN. Mr. President, I wish to call to the attention of the Senate that next Sunday, May 18, marks the 36th anniversary of a unique and successful experiment in the history of our Nation and one of the greatest victories ever won for the people of America. I am, of course, speaking of that great engine of democracy, the Tennessee Valley Authority.

In my judgment TVA is a magnificent achievement of which every American should be proud, and in particular the Congress of the United States, for TVA is peculiarly a child of the Congress.

Launched by the initiative and to the credit of the Congress, TVA was bread upon the waters that has come back a three-layered cake. I think it is safe to say that the accomplishments of TVA have far exceeded every expectation of the Congress. Since 1933 across-the-board progress has been the rule in the Tennessee Valley, and I should like to take a few moments to give the Senate some facts and highlights of the TVA records for the past three and a half decades.

We recall that in creating the Tennessee Valley Authority, the Congress told the agency to control the waters of the entire Tennessee River system that floods might be reduced, to provide a navigation channel for the movement of commerce and to produce electricity to be made available to the people of the area at rates which would encourage use. In addition, the Congress instructed TVA to put the idle chemical plants at Muscle Shoals to work in order that the cost of fertilizer to the American farmer might be lowered and the quality improved. The Congress not only told TVA to control a river and operate a chemical facility, but to also undertake a general program of resource development to make certain that the land, the water, and the forests of the Tennessee River Valley would provide a better living for the people. The whole concept was experimental, designed to try out new ideas and new methods.

Yes, boldness and imagination were written into the act creating TVA, and perhaps the most unique part of the law was for Congress to locate the headquarters of a Federal agency away from Washington, D.C., and place its management down in the valley, close to the people it would serve. All too often we have witnessed the ineptness of decisions reached far away from the people those decisions affect. I think that the matchless achievements of TVA can, in large measure, be attributed to the fact that Congress freed it, insofar as possible, from redtape, from the ailments of bureaucracy, from centralized control in Washington, D.C., by giving the powers of decision to the men in the field.

When TVA was created in 1933, navigation on the Tennessee River was negligible. It was a moody and inconstant river, changing from season to season, an angry flood in spring and summer, a sluggish trickle in summer and autumn. Today, a series of majestic dams has converted the 650-mile length of the Tennessee River into an unbroken chain of lakes for year-round navigation for today's big inland barges and towboats.

In 1933 the Tennessee River carried less than a million tons of barge traffic, most of it local sand and gravel movements. Last year this modern water highway carried more than 22½ million tons, most of it interregional traffic between the Tennessee Valley and other inland waterway ports. Freight traffic each year on the Tennessee River now totals more than 2½ billion ton-miles, which is roughly 80 times as much as river traffic was in 1933. In 1933 approximately $100,000 was saved by shippers using barge transportation on the Tennessee River. Last year the savings were approximately $35,000,000. In addition, private industry has invested nearly $2 billion in waterfront plants and terminals, and a system of public docks has been built by the State of Alabama along its portion of the river.

In 1933 there was no significant flood control on the Tennessee River, and the flooding of homes and farms and towns had occurred again and again. Today floods have been controlled. Today the people know that when the rains come and the water rushes down in angry torrents, the same massive dams which created the navigation channel will stand watch through all the days and nights of peril, silent guardians of their safety. Private investment is protected and the people are safe. TVA dams provide more than 12 million acre-feet of storage capacity to regulate floods on the Tennessee River and its major tributaries. These flood control operations have prevented an estimated $369 million in flood damages—not only by controlling floods on the Tennessee, but by helping reduce flood crests downstream on the lower Ohio and Mississippi Rivers.

The TVA power program is perhaps the most famous and important part of the mission of TVA to comprehensively develop the natural resources of the Tennessee Valley. The same dams that provide a modern waterway and control floods also provide vast amounts of electric power. The largest power system in the United States has been developed and serves the electric needs of an 80,000 square mile area. The people of the region are using power in their homes, on their farms and in their private enterprises, and the Nation's security has been fortified by TVA power used for our defense effort. TVA sells power at wholesale rates to 108 municipal, 50 cooperative and two private electric distribution systems. It also sells power direct to 42 industries and 10 Federal installations with large or unusual power requirements.

When TVA began power operations in 1933, only a few of the area's farm homes had electric service, and most city homes used it only for lighting. Today, electricity is available everywhere in the region.

Under the high-use, low-cost approach, the use of electricity has increased faster in the Tennessee Valley than anywhere else in the country. Transmission towers rise high from the valleys and hills, supporting nearly 15,000 miles of lines which carry to the people power generated at the multipurpose dams and gigantic modern steam plants built by TVA. In 1933 there were only 225,000 residential electricity consumers in the Valley. Today TVA reaches more than 1,800,000 homes and farms through local municipal and cooperative electric systems. In 1933 TVA consumers used an average of 600 kilowatt hours of electricity in their homes every year. Today their annual use has increased twentyfold, more than twice the national average.

The great program of rural electrification began in the Tennessee Valley. In 1933 only 3 percent of the farms in the region were connected for electric service. Today more than 95 percent of the farms use electricity in their homes and in their barns. Every year the farms of the area use as much power as all the region used, in all the towns and cities, in all its business enterprise, before TVA.

The use of electricity in the valley is continuing to grow rapidly, and if the present growth in annual sales of electricity to consumers continues as expected, the power requirements of the region will double in the next 10 years. To meet these immense demands, TVA now has under construction or scheduled more new generating capacity than at any time in its history, including the construction of the world's largest nuclear powerplant near Athens, Ala.

TVA has also demonstrated how the same water which generates power, provides navigation, and controls floods can be manipulated to abate malaria. In 1933 malaria was a crippling, enervating disease in the valley. Today malaria is virtually nonexistent, and the demonstration given by TVA in which the manipulation of the water level is combined with the careful use of chemicals has been exported around the globe.

The Tennessee River, however, is only one resource which is providing more abundantly for the people because of TVA. The forests which cover more than half of the Tennessee Valley are one of its key natural resources. Prior to TVA overharvesting and neglect had left the forests of the area poor in quality and thinly stocked with timber. Erosion was rampant and fires destroyed or damaged 10 percent of the forests each year.

Since 1933 more than 603 million seedlings have gone from TVA nurseries to stimulate forestation progress and to control erosion. Today fire is no longer a major hazard to the forests. Loss from

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fire has been reduced to less than one-half of 1 percent. Forest owners from large operators to farm woodlots have learned sustained-yield practices which will preserve the productiveness of forest lands into perpetuity.

Wood products make up one of the valley's chief industries, ranking third in the number of jobs it provides. The value of wood products from these industries is more than $700 million a year, seven times greater than it was in the 1930's. Millions of acres of the soil have been rebuilt and the scars of erosion are healing. Where erosion was once a problem on 7 million acres of valley land in the 1930's, it now affects less than 5 percent of that figure. Where acres were gullied and bare in 1933, today trees stand tall and pastures lie green. The landscape is more beautiful and the land more productive.

Hand-in-hand with the reforestation of the area, the soil of the Tennessee Valley is also being rebuilt through new systems of agriculture based on high-analysis phosphate fertilizers which have been developed and experimentally manufactured at the chemical nitrate plants at Muscle Shoals, Ala. Thousands of farms all over the country have demonstrated TVA fertilizers in actual farm operations, and agricultural colleges in almost every State and more than 200 manufacturers and distributors are working with TVA in various fertilizer research and educational projects. Technical information is made available free to industry. More than 450 fertilizer and chemical plants from Maine to California are licensed to use TVA's fertilizer developments. Use of products from the National Fertilizer Development Center at Muscle Shoals has helped to bring about a fivefold growth in U.S. fertilizer consumption since World War II, and with better fertilizers, the cost of plant nutrients to the farmer has dropped steadily.

Fertilizer, together with electricity, has given the farmer the tools he needs to change his whole farm management, to reverse a century's trend of soil depletion, to make his individual prosperity an addition to, and not a drain upon, our common resource base—soil.

TVA's vast experience and fertilizer know-how are also being applied around the world to help meet an impending world food crisis. Each year several hundred technicians visit Muscle Shoals to attend programs and gain knowledge to establish fertilizer industries of their own. In addition, TVA sends teams of specialists abroad to advise governments of developing nations on fertilizer production and use.

The Fertilizer Center at Muscle Shoals is also kept ready to be converted to its original national defense use. We recall that it supplies 60 percent of the total phosphorus requirements of the military for bombs, fire, and smoke screens during World War II, and it has been the sole supplier of phosphorus to the U.S. Army throughout the Vietnam conflict without interruption to nondefense demands.

The Tennessee Valley is no longer the heart of what was once called America's economic problem No. 1. In the last three and a half decades U.S. average income multiplied 8½ times, but the average income in the valley region multiplied more than 13 times, reaching 71 percent of the national average. In 1933, 62 percent of the region's people depended upon agriculture for a living; this has dropped to 12 percent. In 1933 only 12 percent of the region's employment was in manufacturing, but since that time the number of manufacturing employees has multiplied four times. Since 1960 manufacturing employment in the Tennessee Valley has increased 37 percent, compared to 14 percent nationally. Progress toward more finished products has meant higher wages and greater return to valley industry.

Yes, the people of the TVA area have outstripped the Nation in their progress—in their agriculture, their business, their industry, in the increase of their personal incomes and in the comforts and conveniences of modern life.

This amazing economic growth has benefited the entire Nation by making the Tennessee Valley a stronger and more productive part of the national economy, with more purchasing power to use products from other regions. Rising incomes have increased the region's share of tax support for national programs. Federal income tax collections from individuals in the Tennessee Valley area are now twice as much as it would have been if the region's percentage share of the national total had remained as small as it was in 1933.

Mr. President, I am proud when I survey the financial record of the Tennessee Valley Authority. Since 1933 the TVA power program, which is required by law to pay its own way, has covered all the costs of operation, including depreciation, and in addition has provided the Government a return which has averaged nearly 5 percent on investment. More than $646 million from proceeds have been reinvested in the system, enhancing the Government's investment without requiring appropriation. Out of earnings TVA is repaying to the U.S. Treasury all funds which have been appropriated and employed in its power program and is consistently ahead of the schedule fixed by law for this refund.

The TVA unified resource development program is also related to the valley's urban and industrial growth. Today TVA is working with communities on planning programs to make the best use of reservoir shorelines. Through its tributary area development program, TVA is working with citizens associations and public agencies in valley areas that face special needs and opportunities for economic growth. TVA has also stepped up its work on air and water pollution control in cooperation with valley States and with national air and water pollution control agencies. New concepts in recreation development are being demonstrated and planning is underway to develop new programs to protect and preserve still unspoiled scenic resources. In these and other activities, the unified approach to resource development is proving as useful today as it was in meeting the needs of the 1930's.

These, Mr. President, are some of the achievements of the Tennessee Valley Authority in the last three and a half decades. This is a record of men at work with their Government to provide a better living for all the people. This partnership with the people is the hallmark of TVA.

Mr. President, the accomplishments of TVA and the many contributions it has made to the economic well-being of the people and to the strength of our Nation are, of course, immense, breathtaking to see, and stimulating to report. But they are not the end purpose of TVA. The Tennessee Valley Authority was not established by Congress to deal in commodities and statistics. It deals in human happiness. With TVA power production, flood control, navigation, soil improvement, and conservation, malaria eradication, and recreation are all but means to that end.

Judgment upon the TVA balance sheet must be passed with that goal in mind. I am sure that all will agree that TVA's dealings in happiness have to put the ledger of this great enterprise in the black.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report of Disbursements of Appropriations for Defense Contingencies

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, a report of disbursements made against the contingencies, defense, appropriation contained in the Department of Defense Appropriation Act, fiscal year 1969 (Public Law 90–580); to the Committee on Appropriations.

Report on Number of Civilian Officers and Employees in Executive Branch of the Government

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, on the number of civilian officers and employees in the executive branch for the quarter ending March 31, 1969 (with accompanying papers); to the Committee on Finance.

Proposed Legislation To Authorize the Administrator of General Services To Enter Into Contracts for Janitorial Services, Trash Removal, and Similar Services

A letter from the Acting Administrator, General Services Administration, transmitting a draft of proposed legislation, to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to enter into contracts for janitorial services, trash removal, and similar services in federally owned and leased properties for periods not to exceed 3 years, and for other purposes (with accompanying papers); to the Committee on Government Operations.

Proposed Legislation To Authorize the Appropriation of Funds for Padre Island National Seashore

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation

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to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Suspension of Deportation of Alien—Withdrawal of Name

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Woo Huey Tip from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on October 1, 1968; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Post Office and Civil Service:

"S. Con. Res. 18

"Concurrent resolution requesting the Congress of the United States to enact legislation providing for automatic increases in annuities for retired civil service employees

"Whereas the Congress from time to time authorizes general increases in wages, salaries and other compensation paid to groups of employees of the United States government; and

"Whereas such increases do not usually provide for any increases in the annuities paid from the retirement and disability fund, so there is an ever-increasing inequity between the compensation paid to active federal employees and the annuities paid to retired employees; and

"Whereas the ever escalating inflation of prices and increased medical needs affect the retirees more than any other group; and

"Whereas H.R. 4280, which was introduced into the 91st Congress, 1st Session, by Congressman Matsunaga would correct this inequity and provide federal retired employees with a more reasonable standard of living: Now, therefore, be it

"*Resolved by the Senate of the Fifth Legislature of the State of Hawaii, Regular Session of 1969, the House of Representatives concurring,* That the Congress of the United States be, and it hereby is, respectfully requested to enact H.R. 4280, 91st Congress, 1st Session, into law; and be it further

"*Resolved,* That duly certified copies of this Concurrent Resolution be sent to the Honorable Richard B. Russell, President Pro Tempore of the United States Senate; to the Honorable John W. McCormack, Speaker of the United States House of Representatives, and to all members of Hawaii's delegation to the United States Congress.

"THE SENATE OF THE STATE OF HAWAII, MAY 8, 1969, HONOLULU, HAWAII

"We hereby certify that the foregoing Concurrent Resolution was adopted by the Senate of the Fifth Legislature of the State of Hawaii, Regular Session of 1969 on April 23, 1969.

"David C. McClung,
"*President of the Senate.*
"Seichi Hirai,
"*Clerk of the Senate.*

"THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII, MAY 8, 1969, HONOLULU, HAWAII

"We hereby certify that the foregoing Concurrent Resolution was adopted by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1969 on May 6, 1969.

"Tadao Beppu,
"*Speaker, House of Reprsentatives.*
"Shigeto Kanemoto,
"*Clerk, House of Representatives.*"

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency, without amendment:

S. 1995. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Alabama (Rept. No. 91–171).

By Mr. HOLLINGS, from the Committee on Banking and Currency, without amendment:

H.R. 6269. An act to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina (Rept. No. 91–172).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Ira De Ment, of Alabama, to be U.S. attorney for the middle district of Alabama.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. KENNEDY (for himself, Mr. Cannon, Mr. Baker, Mr. Cranston, Mr. Fong, Mr. Gore, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hughes, Mr. Inouye, Mr. Magnuson, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. Mondale, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Randolph, Mr. Ribicoff, Mr. Stevens, Mr. Tydings, and Mr. Young of Ohio):

S. 2165. A bill to enable citizens of the United States who change their residence to vote in presidential elections, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Kennedy when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 2166. A bill to designate the Spanish Barb and Andalusian Wild Mustangs as endangered species threatened with extinction, and to provide for their protection; to the Committee on Commerce.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 2167. A bill to provide additional protection for the rights of participants in employee pension and profit-sharing-retirement plans, to establish minimum standards for pension and profit-sharing-retirement plan vesting and funding, to establish a pension plan reinsurance program, to provide for portability of pension credits, to provide for regulation of the administration of pension and other employee benefit plans, to establish a United States Pension and Employee Benefit Plan Commission, and for other purposes; to the Committee on Labor and Public Welfare, by unanimous consent, then to the Committee on Finance, when reported, if it contains amendment of the Internal Revenue Code.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT (for himself, Mr. McCarthy, Mr. Hatfield, Mr. Miller, Mr. Dominick, Mr. Nelson, Mr. Mundt, Mr. Allott, Mr. McGovern and Mr. Proxmire):

S. 2168. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, to the Committee on Finance.

By Mr. BENNETT:

S. 2169. A bill for the relief of Victor Arturo Hurtado; to the Committee on the Judiciary.

By Mr. McCLELLAN (by request):

S. 2170. A bill to amend the Federal Property and Administrative Services Act of 1949 with respect to the disposal of excess property and surplus property, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF:

S. 2171. A bill for the relief of See Ming Lee; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 2172. A bill to amend an act entitled "An act to prescribe penalties for certain acts of violence or intimidation, and for other purposes," approved April 11, 1968; and

S. 2173. A bill to amend an act entitled "An act to prescribe penalties for certain acts of violence or intimidation, and for other purposes," approved April 11, 1968; to the Committee on the Judiciary, by unanimous consent.

(See the remarks of Mr. Ervin when he introduced the above bills, which appear under separate headings.)

S. 2165—INTRODUCTION OF A BILL—THE VOTING RIGHTS AMENDMENTS OF 1969

Mr. KENNEDY. Mr. President, on behalf of the Senator from Nevada (Mr. Cannon) and myself, together with 25 other Senators: Senators Baker, Bible, Fong, Gore, Harris, Hart, Hartke, Hughes, Inouye, Magnuson, McCarthy, McGee, McGovern, Mondale, Moss, Muskie, Pell, Randolph, Ribicoff, Stevens, Young of Ohio, Nelson, Tydings, Cranston, and Williams of New Jersey, I introduce, for appropriate reference, legislation to enable citizens who change their residences to vote in presidential elections.

The purpose of the bill is to amend the Voting Rights Act of 1965 to enable citizens of the United States who change their residences to vote in presidential elections.

One of the most distressing facts of our modern democratic process is that millions of American citizens are unable to participate in the election of the President of the United States, because they fail to meet the lengthy and unfair residence requirements established by many of the States. Today, more than ever before, we live in a highly mobile society that encourages all Americans, of whatever race or creed or walk of life, to pull up stakes and make a new start or seek a better opportunity. According to data available from the Bureau of the Census,

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a total of about one-sixth of our people move their residences from one State to another every decade. In no small measure, the historical development of our Nation and the continuing vitality of our democratic system is attributable to the exercise by our citizens of their constitutionally protected right to travel freely from State to State throughout the Nation.

For far too many of these citizens, however, their change of residence is accompanied by the loss of one of the most cherished American rights—the right to cast their vote for the election of their President. Ironically, the loss of this right to vote falls especially heavily on many of our ablest and most responsible citizens. Scientists, teachers, corporate executives and employees, professional people, craftsmen, foremen, and semiskilled workers—all of these groups are among the citizens who change their residences most frequently, and who therefore bear the heaviest burden of State and local residence requirements for voting.

The problem that exists for these citizens is hardly a new one. As long ago as 1963, the report of President Kennedy's Commission on Registration and Voting Participation turned national attention to the plight of these "lost" voters. As the Commission concluded:

> No American should be deprived of the right to vote for President and Vice President because he changed his address before the election and did not have time to meet State residence requirements.

Yet, in the 1968 election, as in each preceding presidential election, millions of otherwise eligible American voters were disfranchised by existing State and local residence laws. At the time of the 1968 election, for example, four States imposed a State residence requirement of 6 months, 15 States and the District of Columbia required residence for 1 year, and one State required residence for 2 years before a citizen could cast his vote for President.

Equally serious, in addition to the requirement of State residence, the voting laws in the overwhelming majority of the States also impose separate residence requirements in the city or county and in the election precinct or the local voting unit. As a result, a voter who changes his residence can be disfranchised in a presidential election in one or more of three different ways:

Because he moved from one State to another.

Because he moved within his State from one city or county to another.

Because he moved within his city or county from one election precinct to another.

Whatever the merits of lengthy residence requirements in elections for the Senate and the House of Representatives, or for State and local office, such requirements are hardly valid for presidential elections, where the issues are national and transcend State and local boundaries. The vote of an American citizen for his President is no less valued and no less informed because he moves from Maine to California, or from Minnesota to Texas. The President of the United States is the President of all the people, and no one's vote should be sacrificed because of narrow State or local interests.

In recent years, of course, a number of States have embraced the principle that excessive residence requirements unfairly disfranchise voters in presidential elections, and have enacted special remedial legislation to reduce the residence period for such elections. However, there still remain a significant number of States that continue to impose unreasonably long residence requirements for voting in presidential elections. According to the best available estimates from the Bureau of the Census, nearly 2 million Americans were unable to vote for their President in the 1968 election because they failed to meet State or local residence requirements. Possibly, the number may be even larger—a Gallup poll taken immediately after the election suggests that the number may be as high as 5 million.

I believe that the time is now appropriate for action by Congress to eliminate this unjust discrimination. The bill that I have introduced would amend the Voting Rights Act of 1965 to limit State and local residence requirements for voting in presidential elections to a maximum period of 30 days preceding the election. Under this amendment, citizens who change their residences anywhere within the United States will have a maximum opportunity to participate in the election of their President, and a significant burden on the right to travel will be removed. At the same time, the 30-day statutory residence period will provide ample opportunity to the States to establish orderly procedures and to take reasonable precautions for the prevention of voting frauds.

Somewhat similar bills have already been submitted in this Congress and in previous Congresses, but in many cases they take the form of proposed constitutional amendments. I believe that Congress can and should accomplish this important goal by statute, rather than by amending the Constitution. As recent decisions of the Supreme Court make clear, Congress has broad authority to legislate in this area, and we are not compelled to pursue our goal by the arduous route of constitutional amendment.

The power of Congress to legislate with respect to State residence requirements for voting in presidential elections is perhaps best established by the Supreme Court's recent ruling in the case of Katzenbach against Morgan, decided in 1966. In the Morgan case the Court held, by a strong 7 to 2 majority, that a challenged provision of the Voting Rights Act of 1965 was constitutional. At issue in the case was section 4(e) of the act, now section 1973b(e) of title 42 of the United States Code, which provided that no person who had a sixth-grade education and who met certain other requirements could be denied the right to vote in any election—Federal, State, or local—because of his failure to pass a literacy test in English. Section 4(e) originated as an amendment proposed by Senator Robert Kennedy and Senator Jacob Javits during the Senate debate on the Voting Rights Act in 1965, and the amendment was primarily designed to give the right to vote to citizens of Puerto Rican descent living in New York and elsewhere within the United States.

In sustaining the validity of this provision of the Voting Rights Act in the Morgan case, the Supreme Court significantly expanded the power of Congress under the 14th amendment of the Constitution to legislate in the area of State laws in general and State voter qualifications in particular. Even though several years earlier, the Court had upheld the use of State literacy tests in the absence of Federal legislation, the Court held in the Morgan case that Congress itself had broad authority to act by statute in this area, even though the effect of the statute was to override certain provisions of State law.

The constitutional principle established by the Supreme Court is clear: where Federal and State interests conflict under the 14th amendment, Congress has power to resolve the conflict in favor of the Federal interest. As the Court stated:

> It is not for us to review the Congressional resolution of these factors. It is enough that we be able to perceive a basis upon which the Congress might resolve the conflict as it did.

In fact, legislation to modify State residence requirements for voting in presidential elections would probably be constitutional a fortiori after the decision in Katzenbach against Morgan. Unlike the circumstances of the Morgan case, where the use of an English literacy test could obviously be said to fulfill a significant State interest, there is no such legitimate State interest supporting the use of lengthy residence requirements for voting in a presidential election. Since the election is national, there is no merit to the conventional argument that residence requirements are essential to insure that voters are enlightened in their exercise of the franchise and are familiar with the candidates and issues. All that is required is that the States have an adequate opportunity to establish reasonable procedures for orderly voting and prevention of fraud. That requirement is fully met in the 30-day residence period permitted in the bill I have proposed, since it offers the States ample opportunity to establish appropriate procedures, including voter registration, to safeguard their legitimate interests.

Indeed, as the Morgan case suggests, Congress can almost certainly go a great deal further in the area of voting legislation if it desires to do so. It would probably be constitutionally permissible, for example, for Congress to enact statutes to accomplish the following goals:

Reduce State residence requirements in all elections—Federal, State, and lo-

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cal—and not merely for presidential elections.

Enact uniform Federal voter registration and absentee ballot laws.

Reduce the voting age to 18.

In each of these areas, all that would be necessary to sustain the constitutionality of such a statute under the Supreme Court's decision in the Morgan case would be for Congress to make a reasonable determination that a strong Federal interest should prevail over the opposing State interests.

This is not to say, of course, that I necessarily favor legislation at this time to accomplish such results. Especially in the case of the goal of reducing the voting age to 18—a goal that I strongly support—the change is of such fundamental importance to the basic political processes of the Nation that it should be carried out by the route of constitutional amendment, rather than by statute. A proper respect for our federal system and for the rights of the States requires no less.

In the case of residence requirements for voting in presidential elections, however, there is no such compelling reason to employ the cumbersome process of constitutional amendment. Although the goal is important, its implementation by statute involves no abrogation of legitimate State interests, and its overall impact will be far less substantial than the impact of a reduction in the voting age.

One further consideration should be noted with respect to action by Congress in the area of State residence requirements. On May 5, 1969, the Supreme Court accepted for judicial review a case from Colorado, known as Hall against Beals, which challenges the constitutionality of the State's 6-month residence requirement for voting in presidential elections. The mere fact that the issue of the validity of the Colorado law is now pending before the Supreme Court is no reason to delay action on the bill I have proposed. Whatever the decision of the Court, I believe that the issue is one that should properly be handled by Congress through the legislative process.

Even if the Supreme Court sustains the Colorado requirement, the decision would not affect the power of Congress to legislate in this area. It would mean only that the State residence period is not so flagrantly arbitrary that it is per se unconstitutional under the bare language of the 14th amendment itself, in the absence of action by Congress. Such a result would leave the law on State residence requirements in much the same posture as the law on English literacy tests before enactment of section 4(e) of the Voting Rights Act in 1965.

On the other hand, even if the Supreme Court holds that the Colorado requirement is invalid under the 14th amendment—and a number of constitutional law experts believe that this will be the likely result in the case, in light of the Court's recent decision on April 21 of this year in Shapiro against Thompson, invalidating lengthy State residence requirements as a condition of eligibility for welfare payments—the decision would not establish the specific length of a residence period that would be constitutionally permissible. Thus, the decision would not affect the election laws now in force in numerous other States having residence requirements shorter than the Colorado requirement, but still too long to justify their application to presidential elections. Obviously, Congress, acting through the legislative process—not the Supreme Court acting through the judicial process—is the proper institution to determine the length of residence requirements for voting in presidential elections.

In addition, there is a distinct possibility that the issue before the Supreme Court in the Hall case may have become moot because of legislation recently enacted in Colorado. Less than 2 weeks before the Supreme Court agreed to hear the case, the Governor of Colorado signed into law a provision reducing the State residence period for voting in presidential elections from 6 months to 2 months. If the new Colorado law had been in effect for the 1968 election, it seems clear that the plaintiffs in the Hall case would have been entitled to cast their votes for President in that election. As a result, there is substantial doubt, even under the more liberalized doctrines of jurisdiction and mootness recently enunciated by the Supreme Court for reviewing cases in such circumstances, that the Court will actually proceed to a decision in the Hall case.

In sum, there is no impediment, either constitutional or practical, to prevent Congress from giving prompt consideration to the legislation I have proposed. I therefore urge Congress to act at the earliest opportunity to eliminate the unfair disfranchisement that now exists because of the unreasonable residence requirements for voting in presidential elections. For far too long, we have tolerated the fact of millions of lost voters in the Nation's most important election. Their cry for help is urgent, and relief for their plight is long overdue.

Moreover, when the proposed legislation is considered, it may also be desirable to consider the enactment of additional provisions to help another large group of lost voters in presidential elections—the millions of Americans at home and abroad unable to vote in such elections because they are absent from the place of their residence at the time of the election. The problem is especially acute for our oversea citizens. According to the Passport Office of the State Department, approximately 750,000 American citizens are officially registered at American embassies and consular offices throughout the world. Obviously, the total number of persons disfranchised may be far larger, since the State Department figure does not include either those unregistered abroad, or the large number of citizens within the United States away from home on election day.

In the past, proposals have been put forward to enfranchise these citizens by encouraging or requiring the States to adopt more lenient requirements for absentee voting and absentee registration. Indeed, in 1968, Congress amended the Federal Voting Assistance Act to include hortatory provisions urging the States to make the act's simplified absentee voting and registration procedures available to all overseas Americans, and not only to members of the Armed Forces, Federal civilian employees, and certain other groups of citizens. Unfortunately, little information is currently available on the status of such citizens or the specific provisions of State or local law that disfranchise them. At a time when increasing numbers of Americans—both public servants and private citizens—are pursuing the interests of the United States around the world, it is encumbent on us to take every reasonable step to insure them of a voice in electing their President. I am hopeful, therefore, that Congress will take the present opportunity to examine all aspects of the problem of disfranchised Americans in presidential elections, and to enact comprehensive legislation resolving the many inequities in our present laws.

Mr. President, I ask unanimous consent that the proposed legislation be printed in the RECORD, as well as the following other materials relating to the proposal that may be of interest to Members of Congress:

Table I, listing State and local residence requirements for voting in presidential and other elections, according to the most recently available data on State and local laws; and table II, grouping the States according to the length of the existing requirement of State residence for voting in presidential elections. I have asked the Bureau of the Census to determine the number of persons disqualified from voting in the 1968 presidential election because of failure to meet State, county, or precinct residence requirements; the estimate, which is being compiled from the Bureau's data on interstate, intrastate, and intracounty migration, should be available soon on a State-by-State basis. According to preliminary figures made available by the Bureau, a total of 1,900,000 citizens in the Nation as a whole were disfranchised by State or local residence requirements in the 1968 presidential election.

A Gallup poll released in December 1968, estimating that 5 million Americans were unable to vote in the 1968 presidential election because of State residence requirements.

The Supreme Court's decision in *Katzenbach* v. *Morgan*, 384 U.S. 641 (1966), the case in which the Court granted broad authority to Congress to legislate in the area of voter qualifications.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and material will be printed in the RECORD.

The bill (S. 2165) to enable citizens of the United States who change their residence to vote in presidential elections, and for other purposes, introduced by Mr. KENNEDY (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2165

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this

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Act may be cited as the "Voting Rights Amendments of 1969."

SEC. 2. Section 4 of the Voting Rights Act of 1965 (Pub. L. 89–110; 79 Stat. 437, 438; 42 U.S.C. 1973b) is amended by adding the following new subsection at the end thereof:

"(f) (1) Congress hereby declares that to secure the constitutional right of citizens to travel freely from State to State, to enjoy equal access to the right to vote in the election for President and Vice President of the United States, and to be free of discrimination in public services, it is necessary to prohibit the States from conditioning the right to vote on the fulfillment of lengthy requirements of residence or registration.

"(2) No citizen of the United States who is otherwise qualified to vote in any election for, or for the choice of electors for, President and Vice President of the United States shall be denied the right to vote for such electors in such election because of any requirement of residence or registration: *Provided*, That such citizen has resided in the State or political subdivision, with respect to which the requirement of residence applies, for the period of thirty days next preceding such election, and has complied with the requirements of registration during such period.

"(3) In the exercise of the powers of the Congress under section 5 of the fourteenth amendment to the Constitution, the Attorney General is authorized and directed to institute forthwith in the name of the United States such actions, including actions against States or political subdivisions, for declaratory judgment or injunctive relief against the enforcement of any requirement of residence or registration as a precondition to voting, as he may determine to be necessary to implement the purposes of this subsection.

"(4) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section, which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code, and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited."

The material presented by Mr. KENNEDY, follows:

TABLE I.—MINIMUM LENGTH OF RESIDENCE REQUIREMENTS FOR 1968 GENERAL ELECTION BY STATE

State	Federal, State, and local offices			President and Vice President only (for recent movers to the State)
	In State	In county	In precinct	
Alabama	1 yr	6 months	3 months[1]	Not applicable.
Alaska	1 yr	None	30 days	No minimum.
Arizona[2]	1 yr	30 days	do	60 days.
Arkansas	1 yr	6 months	do	Not applicable.
California	1 yr	90 days	54 days	54 days.
Colorado	1 yr	do[1]	20 days	2 months in State, 2 months in county, 15 days in precinct.
Connecticut[2]	6 months	6 months in town	None	60 days.
Delaware	1 yr	3 months	30 days	3 months.
District of Columbia	1 yr	None	None	Not applicable.
Florida	1 yr	6 months	45 days	30 days.
Georgia	1 yr	do	None	Do.
Hawaii	1 yr	3 months	3 months	Not applicable.
Idaho	6 months	30 days	90 days for county seat election.	60 days,
Illinois	1 yr	90 days	30 days	60 days in election district.
Indiana	6 months	60 days in township	do	Not applicable.
Iowa	do	60 days	10 days for municipal and elections.	Do.
Kansas	do	None	30 days	45 days in township or precinct.
Kentucky	1 yr	6 months	60 days	Not applicable.
Louisiana	1 yr	do	3 months[1]	Do.
Maine	6 months	3 months in city or town	None	30 days.
Maryland	1 yr	6 months	6 months[1]	45 days in ward or election district.
Massachusetts	1 yr	None	do	31 days in city or town.
Michigan	6 months	30 days in city or township.[1]	None	No minimum.
Minnesota	do	None	30 days[3]	30 days.
Mississippi	2 yrs	do	1 yr	Not applicable.
Missouri	1 yr	60 days	None	60 days.
Montana	1 yr	30 days	do	Not applicable.
Nebraska	6 months	40 days	10 days	No minimum.
Nevada	do	30 days	do	Not applicable.
New Hampshire	do	6 months in town[1]	None	30 days.
New Jersey[1 2]	do	40 days	do	40 days in county
New Mexico	1 yr	90 days	30 days	30 days in county.
New York[3]	3 months	3 months	3 months	30 days in election district.
North Carolina	1 yr	None	30 days[1]	60 days.
North Dakota	1 yr	90 days	do.[1]	No minimum.
Ohio	1 yr	40 days	40 days	Do.
Oklahoma	6 months	2 months	20 days	Do.
Oregon	do	30 days	30 days	Do.
Pennsylvania	90 days	None	60 days in district	Not applicable,
Rhode Island	1 yr	6 months in town or city	None	Do.
South Carolina	1 yr	6 months	3 months	Do.
South Dakota	1 yr	90 days	30 days[1]	Do.
Tennessee	1 yr	3 months	None	Do.
Texas[2]	1 yr	6 months	do	60 days.
Utah	1 yr	4 months	60 days	Not applicable.
Vermont	1 yr	90 days in town[1]	None	Do.
Virginia	1 yr	6 months	30 days	Do.
Washington	1 yr	90 days	do	60 days.
West Virginia	1 yr	60 days	None	Not applicable.
Wisconsin[2]	6 months	None	10 days[1]	No minimum.
Wyoming[2]	1 yr	60 days	do[1]	Not applicable.

[1] If less may vote in old precinct.

[2] State permits former residents to vote for President and Vice President where not qualified in new State of residence.

[3] If less may vote in old precinct if in same municipality.

Source: U.S. Senate, Office of the Secretary, "Nomination and Election of the President and Vice President of the United States," U.S. Government Printing Office, January 1968. Corrected to Sept. 18, 1968. (Table as published by the Bureau of the Census in "Current Population Reports," series P–25, No. 406, Oct. 4, 1968.) (Colorado requirements corrected to Apr. 23, 1969.)

TABLE II.—MINIMUM STATE RESIDENCE REQUIREMENTS FOR VOTING IN PRESIDENTIAL ELECTIONS

2 years	1 year	6 months	3 months	60 days	54 days	45 days	40 days	31 days	30 days	No minimum
Mississippi	Alabama Arkansas District of Columbia Hawaii Kentucky Louisiana Mantana Rhode Island South Carolina South Dakota Tennessee Utah Vermont Virginia West Virginia Wyoming	Indiana Iowa Nevada	Delaware[1] Pennsylvania	Arizona[1] Colorado[1] Connecticut[1] Idaho[1] Illinois[1] Missouri[1] North Carolina[1] Texas[1] Washington[1]	California[1]	Kansas[1] Maryland[1]	New Jersey[1]	Massachusetts[1]	Florida[1] Georgia[1] Maine[1] Minnesota[1] New Hampshire[1] New Mexico[1] New York[1]	Alaska[1] Michigan[1] Nebraska[1] North Dakota[1] Ohio[1] Oklahoma[1] Oregon[1] Wisconsin[1]

[1] Special provisions applicable only to presidential elections.

Source: Table I.

[From the Gallup opinion index, December 1968]

A LOOK AT THE NONVOTER: 15 MILLION DISINTERESTED VOTERS SAT OUT 1968 ELECTION

An estimated 15 million eligible voters "sat out" the 1968 presidential election out of disinterest in politics or dissatisfaction with the three candidate choices.

This startling statistic comes from an exhaustive look at the non-voter, part of the Gallup Poll's in-depth analysis of the 1968 balloting. Results in this report are based on a post-election survey conducted No. 8–16 with 1530 adults in over 300 localities across the nation.

Of the approximately 120 million men and women living in the U.S. and of voting age, about 72 million voted and 48 million did not. Among this 48 million, close to 4 million are aliens or inmates of prisons and mental institutions and thus ineligible to vote.

REASONS FOR NON-VOTING

Here are the reasons given for not going to the polls, with the percentages projected into numbers of people:

15 million were registered but were disinterested or didn't like the candidates.

10 million could have registered but did not.

7 million were sick or disabled.

5 million were prevented from voting by residence requirements.

3 million were away from home.

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3 million said they could not leave their jobs.

1 million did not obtain absentee ballots.

As the above table indicates, more than half of non-voters (25 million) could have voted if they had made an extra effort to register and to vote.

The remaining 19 million have a good excuse for not voting—sickness, being away from home, working, or prevented by residence requirements.

STATISTICAL PROFILE OF THE NONVOTER

A statistical picture of the person least likely to vote—among those meeting voting requirements—is a woman in her twenties with little formal education and married to a manual worker.

The person most likely to vote is a man, 50 years or older, college-educated and a member of the business and professional class.

GETTING OUT THE VOTE

Every presidential election offers valuable lessons for the vanquished party and one that comes through loud and clear this year is the importance of "getting out the vote."

At this writing, it appears that only 60 per cent of all individuals of voting age actually cast their ballots this year, a lower turnout ratio than in 1964 (62 per cent) and lower than in 1960 (63 per cent).

NINETEEN MILLION VOTERS CHANGED MIND

Apathy among voters—and many were unenthusiastic about the candidate choices this year—is difficult to overcome. However, greater party activity on the part of Democrats (as well as Republicans) would likely have paid dividends.

For example, as many as 19 million voters said they had at some point during the campaign intended to vote for a candidate other than the one they supported on November 5.

In addition, one voter in four said that, even two weeks before the election, he had not "definitely" made up his mind how he would vote.

Finally, party lines showed considerable fragility in this election. A majority of 54 per cent of voters in the latest post-election Gallup survey said they "split" their ticket and voted for candidates of different parties.

KATZENBACH, ATTORNEY GENERAL, ET AL. *v.* MORGAN ET UX.—APPEAL FROM THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

[No. 847. Argued Apr. 18, 1966.—Decided June 13, 1966. 384 U.S. 641 (1966)]

MR. JUSTICE BRENNAN delivered the opinion of the Court.

These cases concern the constitutionality of § 4(e) of the Voting Rights Act of 1965.[1] That law, in the respects pertinent in these cases, provides that no person who has successfully completed the sixth primary grade in a public school in, or a private school accredited by, the Commonwealth of Puerto Rico in which the language of instruction was other than English shall be denied the right to vote in any election because of his inability to read or write English. Appellees, registered voters in New York City, brought this suit to challenge the constitutionality of § 4(e) insofar as it *pro tanto* prohibits the enforcement of the election laws of New York[2] requiring an ability to read and write English as a condition of voting. Under these laws many of the several hundred thousand New York City residents who have migrated there from the Commonwealth of Puerto Rico had previously been denied the right to vote, and appellees attack § 4(e) insofar as it would enable many of these citizens to vote.[3] Pursuant to § 14(b) of the Voting Rights Act of 1965, appellees commenced this proceeding in the District Court for the District of Columbia seeking a declaration that § 4(e) is invalid and an injunction prohibiting appellants, the Attorney General of the United States and the New York City Board of Elections, from either enforcing or complying with § 4(e).[4] A three-judge district court was designated. 28 U.S.C. §§ 2282, 2284 (1964 ed.). Upon cross motions for summary judgment, that court, one judge dissenting, granted the declaratory and injunctive relief appellees sought. The court held that in enacting § 4 (e) Congress exceeded the powers granted to it by the Constitution and therefore usurped powers reserved to the States by the Tenth Amendment. 247 F. Supp. 196. Appeals were taken directly to this Court, 28 U.S.C. §§ 1252, 1253 (1964 ed.), and we noted probable jurisdiction. 382 U.S. 1007. We reverse. We hold that, in the application challenged in these cases, § 4(e) is a proper exercise of the powers granted to Congress by § 5 of the Fourteenth Amendment[5] and that by force of the Supremacy Clause, Article VI, the New York English literacy requirement cannot be enforced to the extent that it is inconsistent with § 4(e).

Under the distribution of powers effected by the Constitution, the States establish qualifications for voting for state officers, and the qualifications established by the States for voting for members of the most numerous branch of the state legislature also determine who may vote for United States Representatives and Senators, Art. I, § 2; Seventeenth Amendment; *Ex parte Yarbrough*, 110 U.S. 651, 663. But, of course, the States have no power to grant or withhold the franchise on conditions that are forbidden by the Fourteenth Amendment, or any other provision of the Constitution. Such exercises of state power are no more immune to the limitations of the Fourteenth Amendment than any other state action. The Equal Protection Clause itself has been held to forbid some state laws that restrict the right to vote.[6]

The Attorney General of the State of New York argues that an exercise of congressional power under § 5 of the Fourteenth Amendment that prohibits the enforcement of a state law can only be sustained if the judicial branch determines that the state law is prohibited by the provisions of the Amendment that Congress sought to enforce. More specifically, he urges that § 4(e) cannot be sustained as appropriate legislation to enforce the Equal Protection Clause unless the judiciary decides—even with the guidance of a congressional judgment—that the application of the English literacy requirement prohibited by § 4(e) is forbidden by the Equal Protection Clause itself. We disagree. Neither the language nor history of § 5 supports such a construction.[7] As was said with regard to § 5 in *Ex parte Virginia*, 100 U.S. 339, 345, "It is the power of Congress which has been enlarged. Congress is authorized to *enforce* the prohibitions by appropriate legislation. Some legislation is contemplated to make the amendments fully effective." A construction of § 5 that would require a judicial determination that the enforcement of the state law precluded by Congress violated the mendment, as a condition of sustaining the congressional enactment, would depreciate both congressional resourcefulness and congressional responsibility for implementing the Amendment.[8] It would confine the legislative power in this context to the insignificant role of abrogating only those state laws that the judicial branch was prepared to adjudge unconstitutional, or of merely informing the judgment of the judiciary by particularizing the "majestic generalities" of § 1 of the Amendment. See *Fay* v. *New York*, 332 U.S. 261, 282–284.

Thus our task in this case is not to determine whether the New York English literacy requirement as applied to deny the right to vote to a person who successfully completed the sixth grade in a Puerto Rican school violates the Equal Protection Clause. Accordingly, our decision in *Lassiter* v. *Northampton Election Bd.*, 360 U.S. 45, sustaining the North Carolina English literacy requirement as not in all circumstances prohibited by the first sections of the Fourteenth and Fifteenth Amendments, is inapposite. Compare also *Guinn* v. *United States*, 238 U.S. 347, 366; *Camacho* v. *Doe*, 31 Misc. 2d 692, 221 N.Y.S. 2d 262 (1958), aff'd 7 N.Y. 2d 762, 163 N.E. 2d 140 (1959); *Camacho* v. *Rogers*, 199 F. Supp. 155 (D.C.S.D.N.Y. 1961). *Lassiter* did not present the question before us here: Without regard to whether the judiciary would find that the Equal Protection Clause itself nullifies New York's English literacy requirement as so applied, could Congress prohibit the enforcement of the state law by legislating under § 5 of the Fourteenth Amendment? In answering this question, our task is limited to determining whether such legislation is, as required by § 5, appropriate legislation to enforce the Equal Protection Clause.

By including § 5 the draftsmen sought to grant to Congress, by a specific provision applicable to the Fourteenth Amendment, the same broad powers expressed in the Necessary and Proper Clause, Art. I, § 8, cl. 18.[9] The classic formulation of the reach of those powers was established by Chief Justice Marshall in *McCulloch* v. *Maryland*, 4 Wheat. 316, 421:

> "Let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the constitution, are constitutional."

Ex parte Virginia, 100 U.S., at 345–346, decided 12 years after the adoption of the Fourteenth Amendment, held that congressional power under § 5 had this same broad scope:

> "Whatever legislation is appropriate, that is, adapted to carry out the objects the amendments have in view, whatever tends to enforce submission to the prohibitions they contain, and to secure to all persons the enjoyment of perfect equality of civil rights and the equal protection of the laws against State denial or invasion, if not prohibited, is brought within the domain of congressional power."

Strauder v. *West Virginia*, 100 U.S. 303, 311; *Virginia* v. *Rives*, 100 U.S. 313, 318. Section 2 of the Fifteenth Amendment grants Congress a similar power to enforce by "appropriate legislation" the provisions of that amendment; and we recently held in *South Carolina* v. *Katzenbach*, 383 U.S. 301, 326 that "[t]he basic test to be applied in a case involving § 2 of the Fifteenth Amendment is the same as in all cases concerning the express powers of Congress with relation to the reserved powers of the States." That test was identified as the one formulated in *McCulloch* v. *Maryland*. See also *James Everard's Breweries* v. *Day*, 265 U.S. 545, 558–559 (Eighteenth Amendment). Thus the *McCulloch* v. *Maryland* standard is the measure of what constitutes "appropriate legislation" under § 5 of the Fourteenth Amendment. Correctly viewed, § 5 is a positive grant of legislative power authorizing Congress to exercise its discretion in determining whether and what legislation is needed to secure the guarantees of the Fourteenth Amendment.

We therefore proceed to the consideration whether § 4(e) is "appropriate legislation" to enforce the Equal Protection Clause, that is, under the *McCulloch* v. *Maryland* standard, whether § 4(e) may be regarded as an enactment to enforce the Equal Protection Clause, whether it is "plainly adapted to that end" and whether it is not prohibited by but is consistent with "the letter and spirit of the constitution."[10]

There can be no doubt that § 4(e) may be regarded as an enactment to enforce the Equal Protection Clause. Congress explicitly declared that it enacted § 4(e) "to secure the rights under the fourteenth amendment of persons educated in American-flag schools in which the predominant classroom language was other than English." The persons

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Footnotes at end of article.

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referred to include those who have migrated from the Commonwealth of Puerto Rico to New York and who have been denied the right to vote because of their inability to read and write English, and the Fourteenth Amendment rights referred to include those emanating from the Equal Protection Clause. More specifically, § 4(e) may be viewed as a measure to secure for the Puerto Rican community residing in New York nondiscriminatory treatment by government—both in the imposition of voting qualifications and the provision or administration of governmental services, such as public schools, public housing and law enforcement.

Section 4(e) may be readily seen as "plainly adapted" to furthering these aims of the Equal Protection Clause. The practical effect of § 4(e) is to prohibit New York from denying the right to vote to large segments of its Puerto Rican community. Congress has thus prohibited the State from denying to that community the right that is "preservative of all rights." *Yick Wo* v. *Hopkins*, 118 U.S. 356, 370. This enhanced political power will be helpful in gaining nondiscriminatory treatment in public services for the entire Puerto Rican community.[11] Section 4(e) thereby enables the Puerto Rican minority better to obtain "perfect equality of civil rights and the equal protection of the laws." It was well within congressional authority to say that this need of the Puerto Rican minority for the vote warranted federal intrusion upon any state interests served by the English literacy requirement. It was for Congress, as the branch that made this judgment, to assess and weigh the various conflicting considerations—the risk or pervasiveness of the discrimination in governmental services, the effectiveness of eliminating the state restriction on the right to vote as a means of dealing with the evil, the adequacy or availability of alternative remedies, and the nature and significance of the state interests that would be affected by the nullification of the English literacy requirement as applied to residents who have successfully completed the sixth grade in a Puerto Rican school. It is not for us to review the congressional resolution of these factors. It is enough that we be able to perceive a basis upon which the Congress might resolve the conflict as it did. There plainly was such a basis to support § 4(e) in the application in question in this case. Any contrary conclusion would require us to be blind to the realities familiar to the legislators.[12]

The result is no different if we confine our inquiry to the question whether § 4(e) was merely legislation aimed at the elimination of an invidious discrimination in establishing voter qualifications. We are told that New York's English literacy requirement originated in the desire to provide an incentive for non-English speaking immigrants to learn the English language and in order to assure the intelligent exercise of the franchise. Yet Congress might well have questioned, in light of the many exemptions provided,[13] and some evidence suggesting that prejudice played a prominent role in the enactment of the requirement,[14] whether these were actually the interests being served. Congress might have also questioned whether denial of a right deemed so precious and fundamental in our society was a necessary or appropriate means of encouraging persons to learn English, or of furthering the goal of an intelligent exercise of the franchise.[15] Finally, Congress might well have concluded that as a means of furthering the intelligent exercise of the franchise, an ability to read or understand Spanish is as effective as ability to read English for those to whom Spanish-language newspapers and Spanish-language radio and television programs are available to inform them of election issues and governmental affairs.[16] Since Congress undertook to legislate so as to preclude the enforcement of the state law, and did so in the context of a general appraisal of literacy requirements for voting, see *South Carolina* v. *Katzenbach supra*, to which it brought a specially informed legislative competence,[17] it was Congress' prerogative to weigh these competing considerations. Here again, it is enough that we perceive a basis upon which Congress might predicate a judgment that the application of New York's English literacy requirement to deny the right to vote to a person with a sixth grade education in Puerto Rican schools in which the langauge of instruction was other than English constituted an invidious discrimination in violation of the Equal Protection Clause.

There remains the question whether the congressional remedies adopted in § 4(e) constitute means which are not prohibited by, but are consistent "with the letter and spirit of the constitution." The only respect in which appellees contend that § 4(e) fails in this regard is that the section itself works an invidious discrimination in violation of the Fifth Amendment by prohibiting the enforcement of the English literacy requirement only for those educated in American-flag schools (schools located within United States jurisdiction) in which the language of instruction was other than English, and not for those educated in schools beyond the territorial limits of the United States in which the language of instruction was also other than English. This is not a complaint that Congress, in enacting § 4(e), has unconstitutionally denied or diluted anyone's right to vote but rather that Congress violated the Constitution by not extending the relief effected in § 4(e) to those educated in non-American-flag schools. We need not pause to determine whether appellees have a sufficient personal interest to have § 4(e) invalidated on this ground, see generally *United States* v. *Raines*, 362 U.S. 17, since the argument, in our view, falls on the merits.

Section 4(e) does not restrict or deny the franchise but in effect extends the franchise to persons who otherwise would be denied it by state law. Thus we need not decide whether a state literacy law conditioning the right to vote on achieving a certain level of education in an American-flag school (regardless of the language of instruction) discriminates invidiously against those educated in non-American-flag schools. We need only decide whether the challenged limitation on the relief effected in § 4(e) was permissible. In deciding that question, the principle that calls for the closest scrutiny of distinctions in laws *denying* fundamental rights, see n. 15, *supra*, is inapplicable; for the distinction challenged by appellees is presented only as a limitation on a reform measure aimed at eliminating an existing barrier to the exercise of the franchise. Rather, in deciding the contsitutional propriety of the limitations in such a reform measure we are guided by the familiar principles that a "statute is not valid under the Constitution because it might have gone farther than it did," *Roschen* v. *Ward*, 279 U.S. 337, 339, that a legislature need not "strike at all evils at the same time," *Semler* v. *Dental Examiners*, 294 U.S. 608, 610, and that "reform may take one step at a time, addressing itself to the phase of the problem which seems most acute to the legislative mind," *Williamson* v. *Lee Optical Co.*, 348 U.S. 483, 489.

Guided by these principles, we are satisfied that appellees' challenge to this limitation in § 4(e) is without merit. In the context of the case before us, the congressional choice to limit the relief effected in § 4(e) may, for example, reflect Congress' greater familiarity with the quality of instruction in American-flag schools,[18] a recognition of the unique historic relationship between the Congress and the Commonwealth of Puerto Rico,[19] an awareness of the Federal Government's acceptance of the desirability of the use of Spanish as the language of instruction in Commonwealth schools,[20] and the fact that Congress has fostered policies encouraging migration from the Commonwealth to the States.[21] We have no occasion to determine in this case whether such factors would justify a similar distinction embodied in a voting-qualification law that denied the franchise to persons educated in non-American-flag schools. We hold only that the limitation on relief effected in § 4(e) does not constitute a forbidden discrimination since these factors might well have been the basis for the decision of Congress to go "no farther than it did."

We therefore conclude that § 4(e), in the application challenged in this case, is appropriate legislation to enforce the Equal Protection Clause and that the judgment of the District Court must be and hereby is

Reversed.

Mr. Justice Douglas joins the Court's opinion except for the discussion, at pp. 656–658, of the question whether the congressional remedies adopted in § 4(e) constitute means which are not prohibited by, but are consistent with "the letter and spirit of the constitution." On that question, he reserves judgment until such time as it is presented by a member of the class against which that particular discrimination is directed.

Mr. Justice Harlan, whom Mr. Justice Stewart joins, dissenting.[22]

Worthy as its purposes may be thought by many, I do not see how § 4 (e) of the Voting Rights Act of 1965, 79 Stat. 439, 42 U.S.C. § 1973b (e) (1964 ed. Supp. I), can be sustained except at the sacrifice of fundamentals in the American constitutional system—the separation between the legislative and judicial function and the boundaries between federal and state political authority. By the same token I think that the validity of New York's literacy test, a question which the Court considers *only* in the context of the federal statute, must be upheld. It will conduce to analytical clarity if I discuss the second issue first.

I.

The Cardona Case (*No. 673*)

This case presents a straightforward Equal Protection problem. Appellant, a resident and citizen of New York, sought to register to vote but was refused registration because she failed to meet the New York English literacy qualification respecting eligibility for the franchise.[23] She maintained that although she could not read or write English, she had been born and educated in Puerto Rico and was literate in Spanish. She alleges that New York's statute requiring satisfaction of an English literacy test is an arbitrary and irrational classification that violates the Equal Protection Clause at least as applied to someone who, like herself, is literate in Spanish.

Any analysis of this problem must begin with the established rule of law that the franchise is essentially a matter of state concern, *Minor* v. *Happersett*, 21 Wall. 162; *Lassiter* v. *Northampton Election Bd.*, 360 U.S. 45, subject only to the overriding requirements of various federal constitutional provisions dealing with the franchise, *e.g.*, the Fifteenth, Seventeenth, Nineteenth, and Twenty-fourth Amendments,[24] and, as more recently decided, to the general principles of the Fourteenth Amendment. *Reynolds* v. *Sims*, 377 U.S. 533; *Carrington* v. *Rash*. 380 U.S. 89.

The Equal Protection Clause of the Fourteenth Amendment, which alone concerns us here, forbids a State from arbitrarily discriminating among different classes of persons. Of course it has always been recognized that nearly all legislation involves some sort of classification, and the equal protection test applied by this Court is a narrow one: a state enactment or practice may be struck down under the clause only if it cannot be justified as founded upon a rational and permissible state policy. See,

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Footnotes at end of article.

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e.g., Powell v. *Pennsylvania,* 127 U.S. 678; *Lindsley* v. *Natural Carbonic Gas Co.,* 220 U.S. 61; *Walters* v. *City* of *St. Louis,* 347 U.S. 231.

It is suggested that a different and broader equal protection standard applies in cases where "fundamental liberties and rights are threatened," see *ante,* p. 655, note 15; dissenting opinion of Douglas, J., in *Cardona, post,* pp. 676–677, which would require a State to show a need greater than mere rational policy to justify classifications in this area. No such dual-level test has ever been articulated by this Court, and I do not believe that any such approach is consistent with the purposes of the Equal Protection Clause, with the overwhelming weight of authority, or with well-established principles of federalism which underlie the Equal Protection Clause.

Thus for me, applying the basic equal protection standard, the issue in this case is whether New York has shown that its English-language literacy test is reasonably designed to serve a legitimate state interest. I think that it has.

In 1959, in *Lassiter* v. *Northampton Election Bd., supra,* this Court dealt with substantially the same question and resolved it unanimously in favor of the legitimacy of a state literacy qualifications. There a North Carolina English literacy test was challenged. We held that there was "wide scope" for State qualifications of this sort. 360 U.S., at 51. Dealing with literacy tests generally, the Court there held:

"The ability to read and write . . . has some relation to standards designed to promote intelligent use of the ballot. . . . Literacy and intelligence are obviously not synonymous. Illiterate people may be intelligent voters. Yet in our society where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise. . . . It was said last century in Massachusetts that a literacy test was designed to insure an 'independent and intelligent' exercise of the right of suffrage. *Stone* v. *Smith,* 159 Mass. 413–414, 34 N.E. 521. North Carolina agrees. We do not sit in judgment on the wisdom of that policy. We cannot say, however, that it is not an allowable one measured by constitutional standards." 360 U.S., at 51–53.

I believe the same interests recounted in *Lassiter* indubitably point toward upholding the rationality of the New York voting test. It is true that the issue here is not so simply drawn between literacy *per se* and illiteracy. Appellant alleges that she is literate in Spanish, and that she studied American history and government in United States Spanish-speaking schools in Puerto Rico. She alleges further that she is "a regular reader of the New York City Spanish-language daily newspapers and other periodicals, which . . . provide proportionately more coverage of government and politics than do most English-language newspapers," and that she listens to Spanish-language radio broadcasts in New York which provide full treatment of governmental and political news. It is thus maintained that whatever may be the validity of literary tests *per se* as a condition of voting, application of such a test to one literate in Spanish, in the context of the large and politically significant Spanish-speaking community in New York, serves no legitimate state interest, and is thus an arbitrary classification that violates the Equal Protection Clause.

Although to be sure there is a difference between a totally illiterate person and one who is literate in a foreign tongue, I do not believe that this added factor vitiates the constitutionality of the New York statute. Accepting appellant's allegations as true, it is nevertheless also true that the range of material available to a resident of New York literate only in Spanish is much more limited than what is available to an English-speaking resident, that the business of national, state, and local government is conducted in English, and that propositions, amendments, and offices for which candidates are running listed on the ballot are likewise in English. It is also true that most candidates, certainly those campaigning on a national or statewide level, make their speeches in English. New York may justifiably want its voters to be able to understand candidates directly, rather than through possibly imprecise translations or summaries reported in a limited number of Spanish news media. It is noteworthy that the Federal Government requires literacy in English as a prerequisite to naturalization. 66 Stat. 239, 8 U.S.C. § 1423 (1964 ed.), attesting to the national view of its importance as a prerequisite to full integration into the American political community. Relevant too is the fact that the New York English test is not complex,[25] that it is fairly administered,[26] and that New York maintains free adult education classes which appellant and members of her class are encouraged to attend.[27] Given the State's legitimate concern with promoting and safeguarding the intelligent use of the ballot, and given also New York's long experience with the process of integrating non-English-speaking residents into the mainstream of American life, I do not see how it can be said that this qualification for suffrage is unconstitutional. I would uphold the validity of the New York statute, unless the federal statute prevents that result, the question to which I now turn.

The Morgan cases (Nos. 847 and 877)

These cases involve the same New York suffrage restriction discussed above, but the challenge here comes not in the form of a suit to enjoin enforcement of the state statute, but in a test of the constitutionality of a federal enactment which declares that "to secure the rights under the fourteenth amendment of persons educated in American-flag schools in which the predominant classroom language was other than English, it is necessary to prohibit the States from conditioning the right to vote of such persons on ability to read, write, understand, or interpret any matter in the English language." Section 4(e) of the Voting Rights Act of 1965: Section 4(e) declares that anyone who has successfully completed six grades of schooling in an "American-flag" school, in which the primary language is not English, shall not be denied the right to vote because of an inability to satisfy an English literacy test.[28] Although the statute is framed in general terms, so far as has been shown it applies in actual effect only to citizens of Puerto Rican background, and the Court so treats it.

The pivotal question in this instance is what effect the added factor of a congressional enactment has on the straight equal protection argument dealt with above. The Court declares that since § 5 of the Fourteenth Amendment[29] gives to the Congress power to "enforce" the prohibitions of the Amendment by "appropriate" legislation, the test for judicial review of any congressional determination in this area is simply one of rationality; that is, in effect, was Congress acting rationally in declaring that the New York statute is irrational? Although § 5 most certainly does give to the Congress wide powers in the field of devising remedial legislation to effectuate the Amendment's prohibition on arbitrary state action, *Ex parte Virginia,* 100 U. S. 339, I believe the Court has confused the issue of how much enforcement power Congress possesses under § 5 with the distinct issue of what questions are appropriate for congressional determination and what questions are essentially judicial in nature.

When recognized state violations of federal constitutional standards have occurred, Congress is of course empowered by § 5 to take appropriate remedial measures to redress and prevent the wrongs. See *Strauder* v. *West Virginia,* 100 U.S. 303,, 310. But it is a judicial question whether the condition with which Congress has thus sought to deal is in truth an infringement of the Constitution, something that is the necessary prerequisite to bringing the § 5 power into play at all. Thus, in *Ex parte Virginia, supra,* involving a federal statute making it a federal crime to disqualify anyone from jury service because of race, the Court first held as a matter of constitutional law that "the Fourteenth Amendment secures, among other civil rights, to colored men, when charged with criminal offenses against a State, an impartial jury trial, by jurors indifferently selected or chosen without discrimination against such jurors because of their color." 100 U.S., at 345. Only then did the Court hold that to enforce this prohibition upon state discrimination, Congress could enact a criminal statute of the type under consideration. See also *Clyatt* v. *United States,* 197 U.S. 207, sustaining the constitutionality of the antipeonage laws, 14 Stat. 546, now 42 U.S.C. § 1994 (1964 ed.), under the Enforcement Clause of the Thirteenth Amendment.

A more recent Fifteenth Amendment case also serves to illustrate this distinction. In *South Carolina* v. *Katzenbach,* 383 U.S. 301, decided earlier this Term, we held certain remedial sections of this Voting Rights Act of 1965 constitutional under the Fifteenth Amendment, which is directed against deprivations of the right to vote on account of race. In enacting those sections of the Voting Rights Act the Congress made a detailed investigation of various state practices that had been used to deprive Negroes of the franchise. See 383 U.S., at 308–315. In passing upon the remedial provisions, we reviewed first the "voluminous legislative history" as well as judicial precedents supporting the basic congressional finding that the clear commands of the Fifteenth Amendment had been infringed by various state subterfuges. See 383 U.S., at 309, 329–330, 333–334. Given the existence of the evil, we held the remedial steps taken by the legislature under the Enforcement Clause of the Fifteenth Amendment to be a justifiable exercise of congressional initiative.

Section 4(e), however, presents a significantly different type of congressional enactment. The question here is not whether the statute is appropriate remedial legislation to cure an established violation of a constitutional command, but whether there has in fact been an infringement of that constitutional command, that is, whether a particular state practice or, as here, a statute is so arbitrary or irrational as to offend the command of the Equal Protection Clause of the Fourteenth Amendment. That question is one for the judicial branch ultimately to determine. Were the rule otherwise, Congress would be able to qualify this Court's constitutional decisions under the Fourteenth and Fifteenth Amendments, let alone those under other provisions of the Constitution, by reporting to congressional power under the Necessary and Proper Clause. In view of this Court's holding in *Lassiter,, supra,* that an English literacy test is a permissible exercise of state supervision over its franchise, I do not think it is open to Congress to limit the effect of that decision as it has undertaken to do by § 4(e). In effect the Court reads § 5 of the Fourteenth Amendment as giving Congress the power to define the *substantive* scope of the Amendment. If that indeed be the true reach of § 5, then I do not see why Congress should not be able as well to exercise its § 5 "discretion" by enacting statutes so as in effect to dilute equal protection and due process decisions of this Court. In all

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such cases there is room for reasonable men to differ as to whether or not a denial of equal protection or due process has occurred, and the final decision is one of judgment. Until today this judgment has always been one for the judiciary to resolve.

I do not mean to suggest in what has been said that a legislative judgment of the type incorporated in § 4(e) is without any force whatsoever. Decisions on questions of equal protection and due process are based not on abstract logic, but on empirical foundations. To the extent "legislative facts" are relevant to a judicial determination, Congress is well equipped to investigate them, and such determinations are of course entitled to due respect.[30] In *South Carolina* v. *Katzenbach, supra,* such legislative findings were made to show that racial discrimination in voting was actually occurring. Similarly, in *Heart of Atlanta Motel, Inc.* v. *United States,* 379 U.S. 241, and *Katzenbach* v. *McClung,* 379 U.S. 294, this Court upheld Title II of the Civil Rights Act of 1964 under the Commerce Clause. There again the congressional determination that racial discrimination in a clearly defined group of public accommodations did effectively impede interstate commerce was based on "voluminous testimony," 379 U.S., at 253, which had been put before the Congress and in the context of which it passed remedial legislation.

But no such factual data provide a legislative record supporting § 4(e) [31] by way of showing that Spanish-speaking citizens are fully as capable of making informed decisions in a New York election as are English-speaking citizens. Nor was there any showing whatever to support the Court's alternative argument that § 4(e) should be viewed as but a remedial measure designed to cure or assure against unconstitutional discrimination of other varieties, *e.g.*, in "public schools, public housing and law enforcement," *ante*, p. 652, to which Puerto Rican minorities might be subject in such communities as New York. There is simply no legislative record supporting such hypothesized discrimination of the sort we have hitherto insisted upon when congressional power is brought to bear on constitutionally reserved state concerns. See *Heart of Atlanta Motel, supra; South Carolina* v. *Katzenbach, supra.*

Thus, we have here not a matter of giving deference to a congressional estimate, based on its determination of legislative facts, bearing upon the validity *vel non* of a statute, but rather what can at most be called a legislative announcement that Congress believes a state law to entail an unconstitutional deprivation of equal protection. Although this kind of declaration is of course entitled to the most respectful consideration, coming as it does from a concurrent branch and one that is knowledgeable in matters of popular political participation, I do not believe it lessens our responsibility to decide the fundamental issue of whether in fact the state enactment violates federal constitutional rights.

In assessing the deference we should give to this kind of congerssional expression of policy, it is relevant that the judiciary has always given to congressional enactments a presumption of validity. *The Propeller Genesee Chief* v. *Fitzhugh,* 12 How. 443, 457–458. However, it is also a canon of judicial review that state statutes are given a similar presumption, *Butler* v. *Commonwealth,* 10 How. 402, 415. Whichever way this case is decided, one statute will be rendered inoperative in whole or in part, and although it has been suggested that this Court should give somewhat more deference to Congress than to a state legislature,[32] such a simple weighing of presumptions is hardly a satisfying way of resolving a matter that touches the distribution of state and federal power in an area so sensitive as that of the regulation of the franchise. Rather it should be recognized that while the Fourteenth Amendment is a "brooding omnipresence over all state legislation, the substantive matters which it touches are all within the primary legislative competence of the States. Federal authority, legislative no less than judicial, does not intrude unless there has been a denial by state action of Fourteenth Amendment limitations, in this instance a denial of equal protection. At least in the area of primary state concern a state statute that passes constitutional muster under the judicial standard of rationality should not be permitted to be set at naught by a mere contrary congressional pronouncement unsupported by a legislative record justifying that conclusion.

To deny the effectiveness of this congressional enactment is not of course to disparage Congress' exertion of authority in the field of civil rights; it is simply to recognize that the Legislative Branch like the other branches of federal authority is subject to the governmental boundaries set by the Constitution. To hold, on this record, that § 4(e) overrides the New York literacy requirement seems to me tantamount to allowing the Fourteenth Amendment to swallow the State's constitutionally ordained primary authority in this field. For if Congress by what, as here, amounts to mere *ipse dixit* can set that otherwise permissible requirement partially at naught I see no reason why it could not also substitute its judgment for that of the States in other fields of their exclusive primary competence as well.

I would affirm the judgments in each of these cases.[33]

FOOTNOTES

[1] The full text of § 4(e) is as follows:

"(1) Congress hereby declares that to secure the rights under the fourteenth amendment of persons educated in American-flag schools in which the predominant classroom language was other than English, it is necessary to prohibit the States from conditioning the right to vote of such persons on ability to read, write, understand, or interpret any matter in the English language.

(2) No person who demonstrates that he has successfully completed the sixth primary grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English, shall be denied the right to vote in any Federal, State, or local election because of his inability to read, write, understand, or interpret any matter in the English language, except that in States in which State law provides that a different level of education is presumptive of literacy, he shall demonstrate that he has successfully completed an equivalent level of education in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English." 79 Stat. 439, 42 U. S. C. § 1973b(e) (1964 ed., Supp. I).

[2] Article II, § 1, of the New York Constitution provides, in pertinent part:

"Notwithstanding the foregoing provisions, after January first, one thousand nine hundred twenty-two, no person shall become entitled to vote by attaining majority, by naturalization or otherwise, unless such person is also able, except for physical disability, to read and write English."

Section 150 of the New York Election Law provides, in pertinent part:

". . . In the case of a person who became entitled to vote in this state by attaining majority, by naturalization or otherwise after January first, nineteen hundred twenty-two, such person must, in addition to the foregoing provisions, be able, except for physical disability, to read and write English. A 'new voter,' within the meaning of this article, is a person who, if he is entitled to vote in this state, shall have become so entitled on or after January first, nineteen hundred twenty-two, and who has not already voted at a general election in the state of New York after making proof of ability to read and write English, in the manner provided in section one hundred sixty-eight."

Section 168 of the New York Election Law provides, in pertinent part:

"1. The board of regents of the state of New York shall make provisions for the giving of literacy tests.

"2. . . . But a new voter may present as evidence of literacy a certificate or diploma showing that he has completed the work up to and including the sixth grade of an approved elementary school or of an approved higher school in which English is the language of instruction or a certificate or diploma showing that he has completed the work up to and including the sixth grade in a public school or a private school accredited by the Commonwealth of Puerto Rico in which school instruction is carried on predominantly in the English language or a matriculation card issued by a college or university to a student then at such institution or a certificate or a letter signed by an official of the university or college certifying to such attendance."

Section 168 of the Election Law as it now reads was enacted while § 4(e) was under consideration in Congress. See 111 Cong. Rec. 19376–19377. The prior law required the successful completion of the eighth rather than the sixth grade in a school in which the language of instruction was English.

[3] This limitation on appellees' challenge to § 4(e), and thus on the scope of our inquiry, does not distort the primary intent of § 4(e). The measure was sponsored in the Senate by Senators Javits and Kennedy and in the House by Representatives Gilbert and Ryan, all of New York, for the explicit purpose of dealing with the disenfranchisement of large segments of the Puerto Rican population in New York. Throughout the congressional debate it was repeatedly acknowledged that § 4 (e) had particular reference to the Puerto Rican population in New York. That situation was the almost exclusive subject of discussion. See 111 Cong. Rec. 11028, 11060–11074, 15666, 16235–16245, 16282–16283, 19192–19201, 19375–19378; see also Voting Rights, Hearings before Subcommittee No. 5 of the House Committee on the Judiciary on H.R. 6400, 89th Cong., 1st Sess., 100–101, 420–421, 508–517 (1965). The Solicitor General informs us in his brief to this Court, that in all probability the practical effect of § 4(e) will be limited to enfranchising those educated in Puerto Rican schools. He advises us that, aside from the schools in the Commonwealth of Puerto Rico, there are no public or parochial schools in the territorial limits of the United States in which the predominant language of instruction is other than English and which would have generally been attended by persons who are otherwise qualified to vote save for their lack of literacy in English.

[1] Section 14(b) provides, in pertinent part:

"No court other than the District Court for the District of Columbia . . . shall have jurisdiction to issue . . . any restraining order or temporary or permanent injunction against the . . . enforcement of any provision of this Act or any action of any Federal officer or employee pursuant hereto." 79 Stat. 445, 42 U.S.C. § 1973*l* (b) (1964 ed., Supp. I).

The Attorney General of th United States was initially named as the sole defendant. The New York City Board of Elections was joined as a defendant after it publicly announced its intention to comply with § 4(e); it has taken the position in these proceedings that § 4(e) is a proper exercise of congressional power. The Attorney General of the State of New York has participated as *amicus curiae* in the proceedings below and in this Court, urging § 4(e) be declared unconstitutional. The United States was

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granted leave to intervene as a defendant, 28 U.S.C. § 2403 (1964 ed.); Fed. Rule Civ. Proc. 24(a)

[5] SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

It is therefore unnecessary for us to consider whether § 4(e) could be sustained as an exercise of power under the Territorial Clause, Art. IV, § 3; see dissenting opinion of Judge McGowan below, 247 F. Supp., at 204; or as a measure to discharge certain treaty obligations of the United States, see Treaty of Paris of 1898, 30 Stat. 1754, 1759; United Nations Charter, Articles 55 and 56; Art. I, § 8, cl. 18. Nor need we consider whether § 4(e) could be sustained insofar as it relates to the election of federal officers as an exercise of congressional power under Art. I, § 4, see *Minor* v. *Happersett*, 21 Wall. 162, 171; *United States* v. *Classic*, 313 U.S. 299, 315; Literacy Tests and Voter Requirements in Federal and State Elections, Hearings before the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary on S. 480, S. 2750, and S. 2979, 87th Cong., 2d Sess., 302, 306–311 (1962) (brief of the Attorney General); nor whether § 4(e) could be sustained, insofar as it relates to the election of state officers, as an exercise of congressional power to enforce the clause guaranteeing to each State a republican form of government, Art. IV, § 4; Art. I, § 8, cl. 18.

[6] *Harper* v. *Virginia Board of Elections*, 383 U.S. 663; *Carrington* v. *Rash*, 380 U.S. 89. See also *United States* v. *Mississippi*, 380 U.S. 128; *Louisiana* v. *United States*, 380 U.S. 145, 151; *Lassiter* v. *Northampton Election Bd.*, 360 U.S. 45; *Pope* v. *Williams*, 193 U.S. 621, 632–634; *Minor* v. *Happersett*, 21 Wall. 162; cf. *Burns* v. *Richardson*, *ante*, p. 73, at 92; *Reynolds* v. *Sims*, 377 U.S. 533.

[7] For the historical evidence suggesting that the sponsors and supporters of the Amendment were primarily interested in augmenting the power of Congress, rather than the judiciary, see generally Frantz, Congressional Power to Enforce the Fourteenth Amendment Against Private Act, 73 Yale L. J. 1353, 1356–1357; Harris, The Quest for Equality, 33–56 (1960); tenBroek, The Antislavery Origins of the Fourteenth Amendment 187–217 (1951).

[8] Senator Howard, in introducing the proposed Amendment to the Senate, described § 5 as "a direct affirmative delegation of power to Congress," and added:

"It casts upon Congress the responsibility of seeing to it, for the future, that all the sections of the amendment are carried out in good faith, and that no State infringes the rights of persons or property. I look upon this clause as indispensable for the reason that it thus imposes upon Congress this power and this duty. It enables Congress, in case the States shall enact laws in conflict with the principles of the amendment, to correct that legislation by a formal congressional enactment." Cong. Globe, 39th Cong., 1st Sess., 2766, 2768 (1866).

This statement of § 5's purpose was not questioned by anyone in the course of the debate. Flack, The Adoption of the Fourteenth Amendment 138 (1908).

[9] In fact, earlier drafts of the proposed Amendment employed the "necessary and proper" terminology to describe the scope of congressional power under the Amendment. See tenBroek, The Anti-slavery Origins of the Fourteenth Amendment 187–190 (1951). The substitution of the "appropriate legislation" formula was never thought to have the effect of diminishing the scope of this congressional power. See, *e. g.*, Cong. Globe, 42d Cong., 1st Sess., App. 83 (Representative Bingham, a principal draftsman of the Amendment and the earlier proposals).

[10] Contrary to the suggestion of the dissent, *post*, p. 668, § 5 does not grant Congress power to exercise discretion in the other direction and to enact "statutes so as in effect to dilute equal protection and due process decisions of this Court." We emphasize that Congress' power under § 5 is limited to adopting measures to enforce the guarantees of the Amendment; § 5 grants Congress no power to restrict, abrogate, or dilute these guarantees. Thus, for example, an enactment authorizing the States to establish racially segregated systems of education would not be—as required by § 5—a measure "to enforce" the Equal Protection Clause since that clause of its own force prohbits such state laws.

[11] Cf. *James Everard's Breweries* v. *Day*, *supra*, which held that, under the Enforcement Clause of the Eighteenth Amendment, Congress could prohibit the prescription of intoxicating malt liquor for medicinal purposes even though the Amendment itself only prohibited the manufacture and sale of intoxicating liquors for beverage purposes. Cf. also the settled principle applied in the *Shreveport Case* (*Houston, E. & W. T. R. Co.* v. *United States*, 234 U.S. 342), and expressed in *United States* v. *Darby*, 312 U.S. 100, 118, that the power of Congress to regulate interstate commerce "extends to those activities intrastate which so affect interstate commerce or the exercise of the power of Congress over it as to make regulation of them appropriate means to the attainment of a legitimate end . . . ." Accord, *Atlanta Motel* v. *United States*, 379 U.S. 241, 258.

[12] See, *e. g.*, 111 Cong. Rec. 11061–11062, 11065–11066, 16240; Literacy Tests and Voter Requirements in Federal and State Elections, Senate Hearings, n. 5, *supra*, 507–508.

[13] The principal exemption complained of is that for persons who had been eligible to vote before January 1, 1922. See n. 2, *supra*.

[14] This evidence consists in part of statements made in the Constitutional Convention first considering the English literacy requirement, such as the following made by the sponsor of the measure: "More precious even than the forms of government are the mental qualities of our race. While those stand unimpaired, all is safe. They are exposed to a single danger, and that is that by constantly changing our voting citizenship through the wholesale, but valuable and necessary infusion of Southern and Eastern European races . . . The danger has begun. . . . We should check it." III New York State Constitutional Convention 3012 (Rev. Record 1916). See also *id.*, at 3015–3017, 3021–3055. This evidence was reinforced by an understanding of the cultural milieu at the time of proposal and enactment, spanning a period from 1915 to 1921—not one of the enlightened eras of our history. See generally Chafee, Free Speech in the United States 102, 237, 269–282 (1954 ed.). Congress was aware of this evidence. See *e.g.*, Literacy Tests and Voter Requirements in Federal and State Elections, Senate Hearings, n. 5, *supra*, 507–513; Voting Rights, House Hearings, n. 3, *supra*, 508–513.

[15] Other States have found ways of assuring an intelligent exercise of the franchise short of total disenfranchisement of persons not literate in English. For example, in Hawaii, where literacy in either English or Hawaiian suffices, candidates' names may be printed in both languages, Hawaii Rev. Laws § 11–38 (1963 Supp.); New York itself already provides assistance for those exempt from the literacy requirement and are literate in no language, N.Y. Election Law § 169; and, of course, the problem of assuring the intelligent exercise of the franchise has been met by those States, more than 30 in number, that have no literacy requirement at all, see *e.g.*, Fla. Stat. Ann. §§ 97.061, 101.061 (1960) (form of personal assistance); New Mexico Stat. Ann. §§ 3-2-11, 3-3-13 (personal assistance for those literate in no language), §§ 3-3-7, 3-3-12, 3-2-41 (1953) (ballots and instructions authorized to be printed in English or Spanish). Section 4(e) does not preclude resort to these alternative methods of assuring the intelligent exercise of the franchise. True, the statute precludes, for a certain class, disenfranchisement and thus limits the States' choice of means of satisfying a purported state interest. But our cases have held that the States can be required to tailor carefully the means of satisfying a legitimate state interest when fundamental liberties and rights are threatened; see, e.g., *Carrington* v. *Rash*, 380 U.S. 89, 96; *Harper* v. *Virginia Board of Elections*, 383 U.S. 663, 670; *Thomas* v. *Collins*, 323 U.S. 516, 529–530; *Thornhill* v. *Alabama*, 310 U.S. 88, 95–96; *United States* v. *Carolene Products Co.*, 304 U.S. 144, 152–153, n. 4; *Meyer* v. *Nebraska*, 262 U.S. 390; and Congress is free to apply the same principle in the exercise of its powers.

[16] See, *e. g.*, 111 Cong. Rec. 11060–11061, 15666, 16235. The record in this case includes affidavits describing the nature of New York's two major Spanish-language newspapers, one daily and one weekly, and its three full-time Spanish-language radio stations and affidavits from those who have campaigned in Spanish-speaking areas.

[17] See, *e. g.*, 111 Cong. Rec. 11061 (Senator Long of Louisiana and Senator Young), 11064 (Senator Holland), drawing on their experience with voters literate in a language other than English. See also an affidavit from Representative Willis of Louisiana expressing the view that on the basis of his thirty years' personal experience in politics he has "formed a definite opinion that French-speaking voters who are illiterate in English generally have as clear a grasp of the issues and an understanding of the candidates, as do people who read and write the English language."

[18] See, *e.g.*, 111 Cong. Rec. 11060–11061.

[19] See Magruder, The Commonwealth Status of Puerto Rico, 15 U. Pitt. L. Rev. 1 (1953).

[20] See, *e.g.*, 111 Cong. Rec. 11060–11061, 11066, 11073, 16235. See Osuna, A History of Education in Puerto Rico (1949).

[21] See, *e.g.*, 111 Cong. Rec. 16235; Voting Rights, House Hearings, n. 3, *supra*, 362. See also Jones Act of 1917, 39 Stat. 953, conferring United States citizenship on all citizens of Puerto Rico.

[22] [This opinion applies also to *Cardona* v. *Power*, *post*, p. 672.]

[23] The pertinent portions of the New York Constitution, Art. II, § 1, and statutory provisions are reproduced in the Court's opinion, *ante*, pp. 644–645, n. 2.

[24] The Fifteenth Amendment forbids denial or abridgment of the franchise "on account of race, color, or previous condition of servitude"; the Seventeenth deals with popular election of members of the Senate; the Nineteenth provides for equal suffrage for women; the Twenty-fourth outlaws the poll tax as a qualification for participation in federal elections.

[25] The test is described in McGovney, The American Suffrage Medley 63 (1949) as follows: "The examination is based upon prose compositions of about ten lines each, prepared by the personnel of the State Department of Education, designed to be of the level of reading in the sixth grade. . . . These are uniform for any single examination throughout the state. The examination is given by school authorities and graded by school superintendents or teachers under careful instructions from the central authority, to secure uniformity of grading as nearly as is possible." The 1943 test, submitted by the Attorney General of New York as representative, is reproduced here:

NEW YORK STATE REGENTS LITERACY TEST

(To be filled in by the candidate in ink)

Write your name here______________________
First name Middle initial Last name
Write your address here____________________
Write the date here________________________
Month Day Year

Read this and then write the answer to the questions. Read it as many times as you need to.

The legislative branch of the National Government is called the Congress of the United States. Congress makes the laws of the Nation. Congress is composed of two houses. The upper house is called the Senate and its members are called Senators. There are 96 Senators in the upper house, two from each State. Each United States Senator is elected for a term of six years. The lower house of Congress is known as the House of Representatives. The number of Representatives from each state is determined by the population of that state. At present there are 435 members of the House of Representatives. Each Representative is elected for a term of two years. Congress meets in the Capital at Washington.

The answers to the following questions are to be taken from the above paragraph:

1. How many houses are there in Congress?
2. What does Congress do?
3. What is the lower house of Congress called?
4. How many members are there in the lower house?
5. How long is the term of office of a United States Senator?
6. How many Senators are there from each state?
7. For how long a period are members of the House of Representatives elected?
8 In what city does Congress meet?

[26] There is no allegation of discriminatory enforcement, and the method of examination, see n. 3, *supra*, makes unequal application virtually impossible. McGovney has noted, *op. cit. supra*, at 62, that "New York is the only state in the Union that both has a reasonable reading requirement and administers it in a manner that secures uniformity of application throughout the state and precludes discrimination, so far as is humanly possible." See *Camacho* v. *Rogers*, 199 F. Supp. 155, 159–160.

[27] See McKinney's Consolidated Laws of New York Ann., Education Law § 4605. See generally Handbook of Adult Education in the United States 455–465 (Knowles ed. 1960).

[28] The statute makes an exception to its sixth-grade rule so that where state law "provides that a different level of education is presumptive of literacy," the applicant must show that he has completed "an equivalent level of education" in the foreign-language United States school.

[29] Section 5 of the Fourteenth Amendment states that "The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

[30] See generally Karst, Legislative Facts in Constitutional Litigation, 1960; The Supreme Court Review 75 (Kurland ed.); Alfange, The Relevance of Legislative Facts in Constitutional Law, 114 U. Pa. L. Rev. 637 (1966).

[31] There were no committee hearings or reports referring to this section, which was introduced from the floor during debate on the full Voting Rights Act. See 111 Cong. Rec. 11027, 15666, 16234.

[32] See Thayer, The Origin and Scope of the American Doctrine of Constitutional Law, 7 Harv. L. Rev. 129, 154–155 (1893).

[33] A number of other arguments have been suggested to sustain the constitutionality of § 4(e). These are referred to in the Court's opinion, *ante*, pp. 646–647, n. 5. Since all of such arguments are rendered superfluous by the Court's decision and none of them is considered by the majority, I deem it unnecessary to deal with them save to say that in my opinion none of those contentions provides an adequate constitutional basis for sustaining the statute.

Mr. CANNON. Mr. President, the senior Senator from Massachusetts and I are cosponsoring, together with other Members of the Senate, a bill to enfranchise hundreds of thousands, perhaps millions, of deserving citizens in presidential elections.

The 1963 report issued by the Commission on Registration and Voting, appointed by President John F. Kennedy, cited annual changes of residence by more than 20 million adults.

Mobility of citizens in this country is a sign of the times and our laws should keep pace with progress.

Whether one moves east to west, north to south, his choices remain the same in presidential elections and national issues do not change. Almost half of the States today grant new' residents the right to vote for President and Vice President if they establish their residences within 30 to 60 days prior to the date of the election.

The choosing of a President is a privilege which ought to be enjoyed by every American.

S. 2166—INTRODUCTION OF A BILL TO PROTECT WILD MUSTANGS

Mr. MOSS. Mr. President, ever since I came to the Senate I have heard recurring discussions about the wild horses and burros who roam the western plains—and what should be done with them. It is estimated that there are over 25,000 and they can be found primarily in 10 States: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Wyoming, and Utah.

They are variously considered as marauders who threaten domestic herds and damage crops, as swift and colorful accessories to our western scenery, or as nuisances who eat forage intended for other livestock.

Some of these horses are domestic animals who have strayed from ranches and farms, but among the herds are a few blooded Spanish mustangs, descendants of animals which escaped from early Spanish explorers and missions. There are two main types: First, the Spanish Barb; and second, the Andalusian, an offshoot of the Barb. I am told there are points of confirmation by which the species can be identified.

These blooded mustangs will soon become extinct if we do not do something about them. They are being killed off along with other wild horses and burros as they aggravate stockmen and farmers. They are being lost through disease, epidemics, and starvation. And their blood is gradually being diluted through crossbreeding with domestic stock.

I am today introducing a bill to authorize the Secretary of the Interior to round up all wild horses and burros on lands under his jurisdiction, and to have separated from them any Spanish barb and Andalusian mustangs, and to place these animals on selected lands under his jurisdiction for conservation, protection, restoration, and propagation.

The bill also authorizes the Secretary to dispose of all horses rounded up which are not suitable for conservation or propagation by sale or any other such means as he determines to be in the public interest. The bill anticipates that when and as the wild mustangs under the protection of the Secretary become too numerous they may also be disposed of by sale for use or further propagation.

Finally, the bill provides that in rounding up the wild horses, the Secretary may enter into contracts or other agreements with any person or private organizations for assistance. In this provision, I have in mind the National Mustang Association which has taken great interest in the wild mustang and in his preservation. I feel its many dedicated members could be used to good advantage in riding the range to round up the wild horses, and helping to select the blooded mustangs which should be protected and bred so this remarkable animal will not be lost to us.

In introducing this bill, I make no case that it presents the only solution for the wild mustang problem, or even the best solution. I say only that it seems the most realistic way to handle the problem after some months of study and discussion. My primary purpose in introducing the measure is to provide a vehicle for further study, further discussion, congressional hearings, and eventual legislation.

Mr. President, I introduce the bill for appropriate reference, and ask that the full text be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2166) to designate the Spanish Barb and Andalusian Wild Mustangs as endangered species threatened with extinction, and to provide for their protection, introduced by Mr. Moss, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2166

Be is enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Act entitled "An Act to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge System; and for other purposes", approved October 15, 1966 (80 Stat. 926), the Spanish Barb and Andalusian Wild Mustangs shall be considered endangered species threatened with extinction and the Secretary of the Interior shall take such action under this Act and the Act of October 15, 1966, as may be necessary to conserve, protect, restore, and propagate such species.

SEC. 2. (a) In carrying out the provisions of this Act and the Act of October 15, 1966 (80 Stat. 926), the Secretary of the Interior is authorized to take such action as may be necessary to round up wild horses on lands under his jurisdiction. With respect to such wild horses so acquired, the Secretary shall inspect or cause to be inspected such horses with a view to separating therefrom any Spanish Barb and Andalusian Wild Mustangs which he determines should be conserved, protected, restored, and propagated. Following his determination, the Secretary shall place such Mustangs so selected on lands under his jurisdiction or acquired by him in accordance with the provisions of the Act of October 15, 1966.

(b) With respect to wild horses acquired by the Secretary of the Interior pursuant to subsection (a) of this section and determined by the Secretary to be not suitable for conservation, protection, restoration, and propagation in accordance with this Act and the Act of October 15, 1966, such horses shall be disposed of by the Secretary by sale or by

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such other means as he determines to be in the public interest.

(c) The Secretary of the Interior is authorized to enter into contracts or other agreements with any person or private organization to assist the Secretary in carrying out the provisions of subsection (a) of this section.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

S. 2167—INTRODUCTION OF THE PENSION AND EMPLOYEE BENEFIT ACT OF 1969

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill entitled "The Pension and Employee Benefit Act of the 1969." This bill is a comprehensive legislative proposal to deal with the major problems and defects in our private pension plan system, and would accomplish the following:

First, the bill would establish minimum vesting standards for pension plans, thereby giving assurance that no pension plan could set its eligibility standards so high as to deny pension eligibility to all but a few employees.

Second, the bill would establish minimum funding standards, thereby giving assurance that pension funds will be operated on a sound and solvent basis, enabling the fund to deliver the benefits which have been promised.

Third, the bill would establish a program of pension plan reinsurance so that plans meeting the vesting and funding standards of the bill would be insured against termination, and retirees would be insured against loss of benefits if an employer goes out of business before the plan has been fully funded.

Fourth, the bill would provide for the establishment of a special central portability fund, participation in which would be on a voluntary basis, enabling pension plans to have a central clearinghouse of pension credits for persons transferring from one employer to another.

Fifth, the bill would establish certain minimum standards of conduct, restrictions on conflicts of interest, and other ethical criteria which are to be followed in the administration of pension plans and other plans providing benefits for employees.

Sixth, the bill would establish a U.S. Pension and Employee Benefit Plan Commission to administer the requirements of this bill. The Commission would be given sufficient enforcement powers to insure compliance, but the bill also provides for judicial review, insuring to the maximum feasible extent against arbitrary exercise of the Commission's powers.

Seventh, the bill consolidates in the Commission most existing Federal regulatory standards relating to pension and welfare plans, thereby relieving employers, unions, insurance companies, and banks of the necessity of dealing with multiple Federal agencies—such as the Labor Department under the Disclosure Act or the Treasury Department under the pension provisions of the tax code. Under this bill, a qualification certificate from the Pension Commission will be sufficient to satisfy substantially all Federal regulatory statutes governing employee benefit plans.

And eighth, the bill establishes Federal court jurisdiction of suits involving pension plans, and provides a simplified method for enforcement and recovery of pension rights.

I. BACKGROUND

Mr. President, there are now over $100 billion in private pension plans, yet there is almost no Federal regulation of the conduct of these plans' affairs, no minimum standards governing their establishment or operation, and, far too often, no practical means by which a beneficiary can secure his rights.

Mr. President, I am committed to preserving, fostering, and improving the private pension plan system. I join those who also want to improve social security, but I have no illusions that social security will, or ought to, replace private pension plans.

For private plans serve a dual purpose of supplementing the limited benefits payable under social security while at the same time providing very substantial funds for investment, thereby fostering the growth of this Nation's economy.

Four years ago, the President's Committee on Corporate Pension Funds issued a report in which it was recommended that every pension plan be required to "provide some reasonable measure of vesting for the protection of employees"; that minimum funding standards be established because "inadequate funding of private pension plans under present standards places an unwarranted financial risk on employees during their retirement years"; that "the possibility of developing an institutional arrangement for transferring and accumulating private pension credits deserves serious study"; and that, although funding provides some measure of protection for retirees, it "may not protect plan participants from losing at least some of their equity in the event of a plan's termination," and, to meet the latter problem, the idea of reinsurance "is worthy of serious study."

The Cabinet Committee's report has stimulated a great deal of thought and discussion during the past 4 years. Various congressional committees have begun to look into the problem. Thus, the Fiscal Policy Subcommittee of the Joint Economic Committee, of which I am also a member, held several hearings growing out of many complaints received from all parts of the country protesting that people who had worked long years for a pension were denied benefits on various grounds which seemed unfair or that the funds set aside to provide the benefits they had been promised proved far from sufficient. Other hearings looked into the feasibility of a pension reinsurance program and the possibility of amending the Taft-Hartley provision dealing with labor-management trust funds. And, of course, the Senate Permanent Investigations Subcommittee, of which I am also a member, held several very revealing investigations of the affairs of certain plans, and unearthed shocking misapplication of plan assets—some $4 million in one case—all without violation of any State or Federal law.

Finally, last year, the General Subcommittee on Labor of the House held hearings on S. 1024, the administration's fiduciary standards bill, and the Senate Labor Subcommittee held 1 day of hearings on that bill as well as my own comprehensive bill, S. 1103, and the administration's minimum standards bill, S. 3421.

These hearings, however, constitute no more than a beginning.

II. THE BASIS FOR THIS BILL

The subject of employee benefit plans, particularly pension plans, is very complex, so much so that in the absence of a specific legislative proposal, the dialog tends to remain abstract and diffuse.

The bill I introduce today represents the distillation of years of inquiry and thought by my staff and myself on this problem. I do not, however, claim that this bill represents the only way of dealing with problems in the pension field; there are other approaches which can and should be explored. It is my hope that this bill will serve as a focal point for the pension debate and that out of subsequent discussions of it and other proposals which have and will be made, will emerge specific legislation designed to cope with the problems which exist in the pension field.

III. THE NEED FOR A COMPREHENSIVE APPROACH

I believe that all of these problems are so interrelated that they cannot be solved without a comprehensive legislative program dealing not only with malfeasance of administrators, and not only with the consequences of plant shutdowns and plant terminations, but also with the broad spectrum of questions such as adequacy of funding, reasonable minimum standards of vesting, transferability of credits under some circumstances, and, in short, the establishment of certain general minimum standards to which all private pension plans must conform.

That is by no means to say that we should create a legislative straightjacket which would destroy the flexibility and inventiveness which have been one of the foundations of the enormous growth of pension plans in recent years. But I do think there ought to be some minimum standards in this field. And, in my judgment, those minimum standards will no more force all pension plans to be the same than the minimum wage law forces all employees' wages to be the same. The minimum is merely the basic level which decency and order require.

A. FUNDING AND VESTING

When we speak of adequate "funding," we mean setting aside sufficient funds to pay the benefits provided in the plan. When we speak of "vesting," on the other hand, we ordinarily mean the establishment of a participant's interest in a fund which he will retain even if he loses his job.

It is easy enough to "fund" a plan with no vesting—as there are no vested liabilities, there is no need for funds to pay those liabilities. For example, if a fund promises to pay "such benefits as the trustees may decide from time to time to pay," the plan can never be "unfunded" because the trustees can always decide to cut benefits.

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Conversely, a "vested interest" in an unfunded plan may be worth very little, because no matter how "vested" a pension right may be, it is worthless if the trust fund is depleted.

Either way—a vested interest in an unfunded plan, or a funded plan with no vested interests—an employee may learn after years of faithful service that his expected pension was a cruel hoax.

There is no easy solution, however, for industry needs vary widely; vesting after 20 years may work well in an industry with a stable workforce, while in certain high-labor-turnover trades such 20-year vesting may set the standards so high as to make pension almost unattainable for most employees.

I refuse to believe, however, that the problem is insoluble.

This bill sets the standards at a point which is, in my judgment, a bare minimum: As to vesting, the bill requires that an employee after 6 years of service must receive a nonforfeitable right to at least 10 percent of his pension benefits, and an additional 10 percent for each additional year of service under the plan, so that full vesting would occur after 15 years.

This approach is generally referred to as "deferred graded vesting"; it not only assures men and women who have devoted years of their lives to working under a pension plan that they will not be deprived of benefits to which they are, in fairness, entitled, but it also eliminates the possibility of a worker losing all of his pension rights because he loses his job 1 day, or 1 month, before benefits are to vest.

In the Committee on Government Operations, where we looked into these matters, we have found plans where no one was entitled to any benefits, and some millions of dollars were left floating in the air, so strict were eligibility standards.

As to funding, again this bill is minimal, for it gives existing plans 40 years to amortize their unfunded liabilities, and 30 years for new plans. That is a long time, but it is considered a reasonable amortization period by most pension planners.

Nevertheless, it has been suggested that this bill, without further qualifications, could have a damaging effect on pension plans in certain low-wage industries. In some of those industries, it is argued, payment of even minimal pensions depends upon marginal funding and eligibility standards so high that most employees do, in fact, forfeit their rights before retirement. That is an unhappy situation, but if it is true that the choice in those industries is between such a plan or no pension plan at all, then we need to find out the facts—the precise details—and I call upon the pension planners and administrators, the Government agencies, and others with specific knowledge and experience in the field to come forward with what information they have so that we can be sure that whatever law we enact will help and not hinder the development, solvency, and fairness of private pension plans.

Conversely, it may also turn out, in some multiemployer plans, that, because of the added opportunity for continued employment under these plans even after involuntary separation from a particular job, vesting standards may not need to be as high as elsewhere and can still assure eligibility of a reasonable proportion of the participants. Once again, we need the facts, the precise details of as many varied types of pension plans as we can find, to be sure that this legislation is refined and tailored to fit the needs of the private pension industry. But the only way, in my judgment, to find those facts is to focus on a particular bill, a precise legislative proposal, and see exactly how it will work.

Finally there is provision in the bill for granting a delay of 5 years in complying with the vesting and funding standards to plans which would face real hardships if compliance were required immediately. This 5-year delay could be granted to plans which would otherwise be threatened with termination because of the added cost of immediate compliance or where a reduction in wages or plan benefits might be necessary to allow the plan to comply.

B. PORTABILITY

The problem of portability is intimately related to funding and vesting. As long as plans have no minimum standards, it will be difficult indeed to devise any effective portability scheme—for how can an employee with a vested interest in an inadequately funded plan convert that interest into an "equivalent" participation in another plan which has lots of money but no vested interests. At first the employee had an enforceable interest in nothing and now he wants to exchange that for an unenforceable interest in something.

On the other hand, I want to make it very clear—and the bill specifically provides—that the portability clearinghouse feature of this bill is completely voluntary. It is a convenience to those funds which already have, or will have, benefit and funding structures similar enough to permit transferability. It is my hope that this portability service will be attractive enough to induce many plans to participate, but it will be up to them.

There is, however, another feature in this bill which is, in effect, a kind of a defacto portability. The bill permits special funding standards for multiemployer plans, allowing them to fund over a longer period of time on a less stringent basis, under certain specified conditions. The theory of this less stringent funding for multiemployer plans is that, while employers come and go, many industries, as such, go on "forever," and therefore there is much less risk that a plan will be terminated before its unfunded liabilities are amortized. As a result, multiemployer plans are made comparatively more attractive by this bill, and, of course, a multiemployer plan gives to each participant a kind of "portability" of his pension credits, as long as he works for any employer under the plan.

Finally, the mere existence of minimum vesting standards creates, if not portability, at least a substitute for it. An employee with a vested pension right may not be able to take it with him when he moves to another job, but at least he can come back and get the pension when he reaches retirement age. The result may be that he will get two small pension checks instead of one larger one later on, but the total will often be the same.

Thus, voluntary portability under the bill, plus incentives for multiemployer plans, plus minimum standards for vesting, all aim in the same direction—giving the employee the right to some protection from forfeiture when circumstances require that he change jobs.

C. REINSURANCE

Reinsurance, like portability, sounds fine all by itself, but it is part and parcel of the vesting-funding package. If we are to insure employees that their pensions will be paid even if the employer's business terminates, then we must regulate the pension fund itself, at least to a limited extent. Surely we would not ask the Federal Deposit Insurance Corporation to reinsure bank deposits without some control of the bank's affairs. Yet, if we regulate the fund itself, it seems inevitable that we require some minimum standard of vesting, or else we may be insuring that the money will be there, without insuring that anyone will have a right to receive it when he retires.

This bill reinsures against only one contingency: termination of the employer's business before the unfunded liabilities of the pension plan are funded. The premium is geared to the amount of such unfunded liabilities, and cannot exceed 1 percent of that amount.

This is not the maximum type of pension reinsurance which would be devised. But it meets the major problem: It would, if it had been on the books 10 years ago, have protected against the tragedy in the Studebaker shutdown in South Bend, when one employee who was 59 years old and had worked for Studebaker for 43 years, starting at the age of 16, forfeited 85 percent of his pension rights. And he was not alone, for there were 20 other Studebaker employees, each with more than 40 years of service, who were in the same boat. Studebaker's plan was a good one. It would have met the funding standards of this bill, and it could have been reinsured, and those employees could have been 100 percent protected.

I am not prepared to ask for compulsory reinsurance of pension plans without some minimum standards for all. It is easy enough to set up an actuarily unsound plan which is bound to go broke, and then make the solvent plans pay higher premiums to cover the unsound ones. But I do think we can devise a scheme which will let each plan bear a minimal cost of reinsurance, each knowing that every other participant in the reinsurance program is held to the same minimum standards of solvency. That is what this bill would do.

D. ETHICAL STANDARDS OF ADMINISTRATION

Title IV of this bill establishes certain basic standards for the administration of all employee benefit funds—not just pension funds. Conflicts of interest, kickbacks, pay-roll-padding, and so forth are prohibited. This title of the bill is spe-

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cifically designed to outlaw the practices disclosed several years ago in hearings before the Permanent Investigations Subcommittee.

But beyond such standards, the bill provides for jurisdiction in the Federal courts and a wide battery of remedies to insure not only that benefit plans are administered without conflicts of interest, but also in accordance with the contract or trust agreement, as well as pursuant to the fiduciary standards which we have developed over the years in our courts of equity.

E. REMEDIES

Title V of the bill gives the Commission the right to sue in Federal court to require compliance with the vesting-funding-reinsurance provisions of the bill, and it gives the Federal district courts equivalent jurisdiction to entertain a suit by a plan administrator to test any action of the Commission. This title also gives the Commission authority to sue to enforce the ethical standards established by title IV of the bill. And it also permits private parties to sue for rights guaranteed by the bill, as well as for breach of any contract or trust guaranteeing them any rights.

The alternative remedies are important; too often a beneficiary who has wrongfully been denied his rights will not bring suit because his costs in maintaining a legal action will exceed the small amount of his pension. It is in cases like these in which a pensioner—or a group of pensioners—with a meritorious case can request the Commission to bring suit in their behalf.

The district courts, in turn, are authorized to issue injunctions or other orders to compel compliance with the law, and, if necessary, to put a fund into receivership until its affairs are put in order.

The bill does not attempt to spell out all the fiduciary standards to which every trustee must adhere. It does specifically prohibit certain conflicts of interest, but, beyond that, the bill leaves the matter of trustee standards to the courts—as has been done with great success for hundreds of years under our Anglo-American legal tradition. The law the courts will apply under this bill in such cases will vary—if the trust agreement specifies the law of a particular State, that State's law will apply unless it is contrary to the policy of Federal law; otherwise, it will be Federal common law, as developed by the Federal courts. In my judgment, that is the best way to develop fiduciary standards—and it is the way most consistent with our legal traditions.

F. SPECIAL PROBLEMS OF PROFIT-SHARING RETIREMENT PLANS

Profit-sharing plans, which I have long sought to encourage as a valuable inducement to labor-management cooperation in the interest of stability and higher productivity, present many significant differences from pension plans, even when profit sharing involves payment of benefits on retirement. This was clearly brought out in recent hearings on private pension plans held by the Joint Economic Committee. These differences in operation necessitate differences in treatment, although in both cases the goal should be to insure fulfillment of the legitimate expectations of the participants.

The bill I am introducing today seeks to reflect these important differences. It defines profit-sharing retirement plans separately from ordinary pension plans, and reflects the fact, for example, that true profit-sharing retirement plans are automatically fully funded because benefits are entirely dependent upon the employer's profits.

IV. THE PENSION COMMISSION—A SINGLE AUTHORITY TO REPLACE MULTIPLE AGENCIES

The concept of a single authority to regulate the creation and operation of pension plans is one which should be beneficial to the labor organizations, employers, and participants as well as those who sell and service pension plans, such as the banks, insurance companies, and pension consultants. Presently various aspects of some pension plans are unregulated while other aspects are regulated by State agencies, by the Treasury Department, Labor Department, and the Securities and Exchange Commission, among others. The need for coordination of these efforts together with any new regulation is obvious. Accordingly, this bill would make the qualification procedures now administered by the Treasury a part of the operations of the proposed Pension Commission. It may be that the entire scope of Treasury operations affecting pension plans should be transferred to the Commission. And, yet, such determinations as the manner of integrating pension benefits with social security benefits and the determination of reasonable levels of compensation obviously have an important impact on Federal revenue considerations. Similarly, the extent to which regulations of pension plan investments is now performed by the Securities and Exchange Commission warrants careful consideration as to what functions, if any, should be transferred to the proposed Commission.

The point to be made here is that a great deal of thought will be required to develop a rational and coordinated system for the regulation of pension and other employee benefit systems without adversely affecting the traditional role of existing agencies now concerned with some aspect of these plans. But the goal is an important one, and worthy of the effort that will be required. For I am convinced that a single agency is required. It will be a very difficult task to regulate the operations of employee benefit plans sufficiently to assure the legitimate expectations of employee participants while at the same time avoiding undue or unnecessary interference with the operation of these plans. Overregulation or unnecessary regulation would be worse than none, for it would deter the installation and improvement of these much needed programs. It is a tortuous course to be steered between the problems of frustrated expectations for pension plan members growing out of no regulation and the equally damaging frustrations growing out of an irrational regulatory scheme which deters the employer from instituting a pension plan for the employees. It seems clear to me that this course could best be steered by an agency which has the general responsibility for encouraging the growth of the private pension system including the implementation of needed rules to protect pension participants.

Mr. President, as I have said, the complexities in this field are awesome. The bill I introduce today is not perfect, but it represents several years work by myself and my staff, in consultation with representatives of the business community, organized labor, and the banking and insurance industries. I hasten to add that none of those groups endorse all of the bill, though each, I suspect, has much to gain from certain features of it.

The bill I introduce today is similar in many respects to S. 1103, which I introduced in the 90th Congress. It is also similar in some respects to provisions of two separate and less comprehensive bills sponsored by the Johnson administration in the last Congress, and I would hope that the Nixon administration would carefully study all these proposals.

One of the principal differences between this bill and S. 1103 is in the vesting provisions. S. 1103 would have permitted two different types of vesting: full vesting at age 45 after 15 years or 50 percent vesting after 10 years and 5 percent per year thereafter, also at age 45.

Upon further reflection, I have become convinced that deferred graded vesting is preferable to full vesting at a given point of time since it eliminates the possibility that a worker can be forced to lose all his pension benefits just because he was laid off or quit 1 day before all his benefits were scheduled to vest. Under the present bill, no benefits would have to vest for 6 years. At the end of the 6th year of continuous service, 10 percent of benefits would have to vest, with an additional 10 percent for each year thereafter until full vesting occurs after 15 years.

Another change from S. 1103 concerns the Commission's power to issue regulations to implement the act and the establishment of a unified scheme of Federal law applicable to employee benefit plans. Under today's bill the Commission is given the power to issue regulations, in accordance with the Administrative Procedure Act; such regulations may define actuarial, accounting, technical and trade terms and may prescribe limitations on actuarial assumption as to such matters as interest rates, mortality and turnover. The Commission is, moreover, required to consult with other Federal agencies which have jurisdiction over employee benefit plans with a view to insuring a unified consistent scheme of regulation of employee benefit plans. Finally, the bill gives the President power to delegate authority to enforce and administer other laws applicable to employee benefit plans from other Federal agencies to the Commission, where such delegation would help in establishing a simplified, unified and consistent scheme of regulation and administration of laws applicable to these plans.

I wish to express my admiration and

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gratitude to my administrative assistant, Frank Cummings, for the years of thought and experience as an outstanding labor-management lawyer he has poured into the months of work he spent in drafting this bill. For several years, he was the minority counsel to the Committee on Labor and Public Welfare. It is largely due to his brain and hard work that this entire concept has been established, structured, and presented to the Senate. He has a great right to be proud of this proposal. Also to others who have been consulted or otherwise helped, I express my gratitude and appreciation, and particularly to Eugene Mittleman, the minority counsel of the Senate Committee on Labor and Public Welfare, who has worked with me and Mr. Cummings in refining and revising this bill.

Following my sponsorship of this subject, the previous administration felt it incumbent to come in with a bill. I am hopeful that based on the bill I am introducing today, which is revised and brought up to date, this administration may adopt the concept and come forward with a measure to deal with this problem.

I do not claim that my bill is the only one to deal with this problem. There are other approaches which can and will be explored, but I think this bill can serve as a focal point, and, with other proposals which have been made and will be made, specific legislation can emerge designed to cope with the problems I have outlined as existing in this field.

Mr. President, technical aspects of this bill, as well as other changes from S. 1103, are explained in an explanatory memorandum I have prepared, and I ask unanimous consent that the full text of the bill, together with the text of that explanatory memorandum, be printed in the RECORD at the conclusion of my remarks.

Mr. President, this bill was referred to the Committee on Labor and Public Welfare when it was introduced in the 90th Congress, and I ask unanimous consent that it again be referred to that committee, with the understanding that if the bill is reported, and if it contains any provision, as reported, amending the Internal Revenue Code, the bill shall then be re-referred to the Finance Committee for consideration of any such provision within the jurisdiction of that committee.

The VICE PRESIDENT. The bill will be received and appropriately referred, as requested by the Senator from New York; and, without objection, the bill and the memorandum will be printed in the RECORD.

The bill (S. 2167), to provide additional protection for the rights of participants in employee pension and profit-sharing-retirement plans, to establish minimum standards for pension and profit-sharing-retirement plan vesting and funding, to establish a pension plan reinsurance program, to provide for portability of pension credits, to provide for regulation of the administration of pension and other employee benefit plans, to establish a U.S. Pension and Employee Benefit Plan Commission, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare, by unanimous consent, then to the Committee on Finance, when reported, if it contains amendment of the Internal Revenue Code, and ordered to be printed in the RECORD, as follows:

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Pension and Employee Benefit Act of 1969".

DEFINITIONS

SEC. 2. As used in this Act—

(1) The term "Commission" means the United States Pension and Employee Benefit Plan Commission established under section 3.

(2) The term "employee" means an individual who performs service for a continuous period of not less than six months in one or more States for an employer, and includes an officer or director of a corporation or of an unincorporated organization and an agent acting for his principal on a substantially full-time basis.

(3) The term "employees' benefit plan" means any plan providing for the payment of any of the benefits specified in section 2(4).

(4) The term "employees' benefit fund" means any fund, whether established pursuant to a collective bargaining agreement or unilaterally by an employer or by a labor organization, which is available for the payment either from principal or income, or both, to persons who are employed in an industry affecting commerce or who are members of a labor organization representing employees in an industry affecting commerce, or to members of the families, dependents, or beneficiaries of such persons, of one or more of the following benefits: Medical or hospital care, pension on retirement or death of employees, benefits under a profit-sharing-retirement plan, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness benefits, or accident benefits, or pooled vacation, holiday, severance or similar benefits, or defraying the costs of apprenticeship training programs, or, in the case of a fund subject to the restrictions of section 302(c) of the Labor-Management Relations Act, providing any other benefit which may be permitted by subsections 302(c)(5) or 302(c)(6) of that Act: *Provided,* That any fund to which contributions are made solely to provide workmen's compensation benefits, disability benefits, or other benefits required by State or local law to be provided to employees shall not be deemed to be an employees' benefit fund. To the extent that benefits under an employees' benefit plan are provided through the medium of an insurance contract under which benefits are guaranteed by the insurance company to the extent that insurance premiums are paid, and under which neither the employer nor any labor organization retains the power to instruct the insurance carrier with respect to entitlement to receipt of benefits, disposition of assets or any other matter relating to the moneys received by the insurance carrier pursuant to the plan, such plan shall not be deemed to involve an employees' benefit fund subject to the provisions of title IV.

(5) The term "employer" means any person acting directly as an employer or indirectly in the interest of an employer in relation to a pension plan or employee's benefit fund, and includes a group or association of employers acting for an employer in such capacity.

(6) The term "person" means an individual, partnership, corporation, mutual company, joint stock company, trust, unincorporated organization, association, or employee organization.

(7) The term "State" means any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf Lands defined in the Outer Continental Shelf Lands Act.

(8) The term "commerce" means trade, commerce, transportation, or communication, among the several States, or between any foreign country and any State, or between any State and any place outside thereof.

(9) The term "industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.

(10) The term "life annuity" means an annuity that continues for the duration of the life of the annuitant, whether or not it thereafter continued to some other person.

(11) The term "deferred life annuity" means a life annuity that commences at retirement age under a pension plan, but in no event later than age seventy.

(12) The term "pension benefit" means the aggregate annual, monthly, or other amounts to which an employee will become entitled upon retirement or to which any other person is entitled by virtue of such employee's death.

(13) The term "pension plan" means a pension fund or plan, other than a profit-sharing-retirement plan, organized and administered to provide pension benefits for employees or their beneficiaries, and includes, without limiting the generality of the foregoing:

(A) a unit benefit plan under which pension benefits are determined with reference to remuneration of an employee for each year of service, or for a selected number of years of service.

(B) a money purchase plan under which pension benefits are determined at the retirement of an employee with reference to the accumulated amount of the aggregate contributions paid by or for the credit of the employee, and

(C) a flat benefit plan under which the pension benefits are expressed either as a fixed amount in respect of each year of employment or as a fixed periodic amount.

(14) The terms "registered pension plan" and "registered profit-sharing-retirement plan" mean, respectively, a pension plan or profit-sharing-retirement plan registered with and certified by the Commission as a plan organized and administered in accordance with title I.

(15) The term "reinsured pension plan" means a registered pension plan which has been reinsured under title II and which has been in operation for at least five years and, for each of such years, has met the registration requirements of the title I: *Provided,* That any addition to or amendment of a reinsured pension plan shall, if such addition or amendment involves a significant increase, as determined by the Commission, in the initial unfunded liability of such pension plan, be regarded as a new and distinct pension plan which may become a "reinsured pension plan" only after meeting the five-year operation requirements of this paragraph and section 202(c) and the registration requirements of title I.

(16) The term "supplemental pension plan" includes a pension plan established for employees whose membership in another pension plan is a condition precedent to membership in the supplemental pension plan.

(17) The term "voluntary additional contribution" means an additional contribution by an employee to or under a pension or profit-sharing-retirement plan except a con-

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tribution the payment of which, under the terms of the plan, imposes upon the employer an obligation to make concurrent additional contributions to or under the plan.

(18) The term "experience deficiency" with respect to a pension plan means any actuarial deficit, determined at the time of a review of the plan, that is attributable to factors other than (i) the existence of an initial unfunded liability, or (ii) the failure of the employer to make any payment as required by the terms of the plan or by the provisions of title I, other than as required by section 108(b)(3).

(19) The term "fully funded" with respect to any pension plan means that such plan at any particular time has assets actuarily determined by a person authorized under section 108(e) to be sufficient to provide for the payment of all pension and other benefits to all employees and former employees then entitled to an immediate or deferred benefit under the terms of the plan.

(20) The term "provisionally funded" with respect to any pension plan means that such plan at any particular time has insufficient assets to make it fully funded, but has made provision pursuant to section 108 for special payments sufficient to liquidate all initial unfunded liabilities or experience deficiencies.

(21) The term "initial unfunded liability" means the amount, on the first day of January, 1968, or the effective date of a pension plan or any amendment thereto, whichever is later, by which the assets are required to be augmented to ensure that the plan is fully funded.

(22) The term "special payment" means a payment made to or under a pension plan for the purpose of liquidating an initial unfunded liability or experience deficiency.

(23) The term "fund" shall mean a trust fund, but shall also include a contractual right pursuant to an agreement with an insurance company.

(24) The term "funding" shall mean payment or transfer of assets into a fund, but shall also include payment to an insurance company to secure a contractual right from such company.

(25) The term "profit-sharing-retirement plan" means a plan established and maintained by an employer to provide for the participation in his profits by his employees in accordance with a definite predetermined formula for allocating the contributions made to the plan among the participants and for distributing the funds accumulated under the plan upon retirement or death. Such plan may include provisions permitting the withdrawal or distribution of the funds accumulated upon contingencies other than, and in addition to, retirement and death.

(26) The term "interest in a profit-sharing-retirement plan" means the amount allocated to the account of a participant in a profit-sharing-retirement plan.

(27) The term "service for a continuous period" means service for a period of time without regard to periods of temporary suspension of employment.

(28) The term "administrator" means the person or persons designated by the terms of a pension plan, collective bargaining agreement, trust agreement, or other document establishing or relating to a pension plan or employees' benefit fund as having responsibility for the effective control, disposition or management of the money or other assets contributed to or received by a pension plan or employees' benefit fund; or, in the absence of such designation, the person or persons actually responsible for the control, disposition, or management of such money or other assets, irrespective of whether such control, disposition, or management is exercised directly or through an agent or trustee designated by such person or persons.

ESTABLISHMENT OF PENSION AND EMPLOYEE BENEFIT PLAN COMMISSION

SEC. 3. (a) There is hereby established in the executive branch of the Government an independent agency to be known as the "United States Pension and Employee Benefit Plan Commission". The Commission shall be composed of five members to be appointed by the President, by and with the advice and consent of the Senate. Members of the Commission shall serve for terms of six years, except that (i) of the members first appointed, two shall be appointed for a term of two years, two shall be appointed for a term of four years, and one shall be appointed for a term of six years, and (ii) members appointed to fill vacancies occurring by reason of death or resignation shall be appointed for the unexpired term of their predecessors. Not more than three members of the Commission shall be members of the same political party, and in making appointments members of different political parties shall be appointed alternately as nearly as may be practicable. No member of the Commission shall engage in any business, vocation, or employment other than that as serving as a member, nor shall any member participate, directly or indirectly (except as a beneficiary) in the management of any plan or fund subject to regulation under this Act. One of the members shall be designated by the President as Chairman of the Commission. Three members shall constitute a quorum of the Commission.

(b)(1) Section 5314 of title 5, United States Code (which lists positions in level III of the Executive Schedule) is amended by adding at the end thereof the following:

"(46) Chairman, United States Pension Commission."

(2) Section 5315 of such title (which lists positions in level IV of the Executive Schedule) is amended by adding at the end thereof the following:

"(78) Members, United States Pension Commission."

(c) The Commission is authorized to appoint and fix the compensation of such officers and employees, and to incur such expenses, as may be necessary to enable it to carry out its functions.

POWERS AND DUTIES OF COMMISSION

SEC. 4. (a) It shall be the duty of the Commission—

(1) to promote the establishment, extension, and improvement of pension, profit-sharing-retirement and other employee benefit plans;

(2) to accept for registration all pension and profit-sharing-retirement plans required and qualified to be registered with the Commission under title I, and to reject any pension or profit-sharing-retirement plan that does not qualify for registration;

(3) to cancel certificates of registration of pension and profit-sharing-retirement plans registered under such title which cease to be qualified for such registration;

(4) to direct and administer the pension reinsurance program established by title II;

(5) to direct and administer the pension portability program established by title III;

(6) to enforce the provisions of title IV; and

(7) to perform such other functions as may be necessary to administer the provisions of this Act.

(b) The Commission or its duly authorized representatives shall have power, at any reasonable time—

(1) to inspect the books, files, documents, and other records respecting pension and profit-sharing-retirement plans kept by an administrator, employer, insurer, trustee, or other person in relation to such plans: *Provided*, That the Commission may delegate its powers under this subsection (b) to the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, or the Federal Deposit Insurance Corporation in cases involving books, files, documents, or other records held by a bank or trust company, subject to their respective supervisory power, and

(2) to require any such administrator, employer, insurer, trustee, or other person to furnish, in a form acceptable to the Commission, such information as the Commission deems necessary for the purpose of ascertaining whether this Act and regulations of the Commission hereunder have been or are being complied with.

(c) The Commission is authorized by regulation to prescribe minimum standards and qualifications for persons performing services required by the provisions of this Act to be performed by actuaries and, upon application of any person, to determine whether such person meets the standards and qualifications so prescribed. The Commission shall issue certificates of qualification to applicants determined by the Commission after such examination, investigation, or other procedure as it may deem necessary, to meet such standards and qualifications.

(d) The Commission is authorized by regulation to prescribe reasonable fees for the registration of pension and profit-sharing-retirement plans and other services to be performed by it in connection with such plans under this Act, and to make and enforce such other regulations as may be necessary to enable it to carry out its functions and duties under this Act. All fees collected by the Commission shall be paid into the general fund of the Treasury.

(e) The Commission shall transmit to the Congress annually a report of its activities under this Act during the preceding fiscal year.

(f) In accordance with the Administrative Procedure Act, the Commission may prescribe such rules and regulations as may be necessary or appropriate to carry out the purposes of this Act. Among other things, such rules and regulations may define actuarial, accounting, technical, and trade terms; may prescribe reasonable limitations or actuarial assumptions as to interest rates, mortality, turnover rates and other matters; may prescribe the form and detail of all reports required to be made under this Act; and may provide for the keeping of books and records and the inspection of such books and records. Prior to promulgating rules or regulations, the Commission shall consult with other Federal departments or agencies which have jurisdiction over employee benefit plans with a view to avoiding unnecessary conflict, duplication or inconsistency in the rules and regulations which are applicable to such plans under other laws of the United States.

APPROPRIATIONS

SEC. 5. There are authorized to be appropriated such sums as may be necessary to enable the Commission to carry out its functions and duties.

ADMINISTRATION OF WELFARE AND PENSION PLANS DISCLOSURE ACT

SEC. 6. (a) The functions of the Secretary of Labor and the Department of Labor under the Welfare and Pension Plans Disclosure Act, as amended, are hereby transferred to and shall be administered by the Commission.

(b) All personnel, property, records, and unexpended balances of appropriations, which the Director of the Bureau of the Budget determines are used or intended for use by the Secretary of Labor or the Department of Labor primarily in the administration of functions transferred under the provision of this section, are transferred to the Commission.

(c) In addition to the filing requirements of the Welfare and Pension Plan Disclosure Act, it shall be a condition of compliance

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with section 7 of such Act that each annual report hereinafter filed under that section shall be accompanied by a certificate or certificates in the name of and on behalf of the plan, the administrator, and any employer or labor organization participating in the establishment of the plan, designating the Commission as agent for service of process on the persons and entities executing such certificate or certificates in any action arising under the Welfare and Pension Plans Disclosure Act or this Act.

TITLE I—BENEFIT STANDARDS

PLANS TO WHICH TITLE APPLIES

SEC. 101. (a) Except as provided by subsection (b), this title applies to any pension plan and, to the extent hereinafter provided, to any profit-sharing-retirement plan, established by an employer engaged in commerce or in any industry or activity affecting commerce or by any employee organization or organizations representing employees engaged in commerce or in an industry or activity affecting commerce or by both.

(b) This title shall not apply to a pension or profit-sharing-retirement plan if—

(1) such plan is administered by the Federal Government or the government of a State or subdivision thereof, or by an agency or instrumentality thereof;

(2) such plan is administered by an organization which is exempt from taxation under the provisions of section 501(a) of the Internal Revenue Code of 1954 and is administered as a corollary to membership in a fraternal benefit society described in section 501(c)(8) of the Internal Revenue Code of 1954 or by an organization described in section 501(c) (3) or (4) of such Code: *Provided*, That the provisions of this paragraph shall not exempt any plan administered by a fraternal benefit society or organization which represents its members for purposes of collective bargaining;

(3) such plan is established by a self-employed individual for his own benefit or for the benefit of his survivors or established by one or more owner-employers exclusively for his or their benefit or for the benefit of his or their survivors;

(4) such plan covers not more than twenty-five participants;

(5) such plan is established and maintained outside the United States by an employer primarily for the benefit of employees who are not citizens of the United States; or

(6) such plan is unfunded and is established by an employer primarily for the purpose of providing deferred compensation for a select group of management employees and is declared by the employer as not intended to meet the requirements of section 401(a) of the Internal Revenue Code.

REGISTRATION OF PLANS

SEC. 102. (a) Every administrator of a pension or profit-sharing-retirement plan to which this title applies shall file with the Commission an application for registration of such plan. Such application shall be in such form as shall be prescribed by regulation of the Commission, and shall be accompanied by a copy of the plan, a copy of the trust deed, insurance contract, by law, or other document under which the plan is constituted. Thereafter, while such plan is in force, the administrator shall maintain its qualification for registration under this title.

(b) In the case of plans established on or after January 1, 1968, the filing required by subsection (a) shall be made within six months after such plan is established. In the case of plans established prior to January 1, 1968, such filing shall be made on such date or on such later date as may be specified by the Commission.

(c) If after examination of a pension or profit-sharing-retirement plan filed under this section, the Commission is satisfied that such plan is qualified for registration under this title the Commission shall issue a certificate of registration with respect to such plan. If the Commission is not so satisfied it shall notify the administrator.

(d) If at any time subsequent to the issuance of a certificate under subsection (c) with respect to any plan, the Commission determines that such plan is no longer qualified for registration under this title, it shall notify the administrator.

(e) A notification under subsection (c) or (d) shall set forth the deficiency or deficiencies in the plan or in its administration by reason of which the notification is given, and shall give the administrator, the employer of the employees covered by the plan, and the labor organization, if any, representing such employees a reasonable time within which to remove such deficiency or deficiencies. If the Commission thereafter determines that the deficiency or deficiencies have been removed it shall issue or continue in effect the certificate, as the case may be. If it determines that the deficiency or deficiencies have not been removed it shall enter an order denying or canceling the certificate of registration.

ANNUAL REPORTS ON REGISTERED PLANS

SEC. 103. The Commission may, by regulations promulgated pursuant to the Administrative Procedures Act, provide for the filing of single reports satisfying the reporting requirements of this Act and the Welfare and Pension Plans Disclosure Act.

AMENDMENTS OF REGISTERED PLANS

SEC. 104. Where a pension or profit-sharing-retirement plan filed for registration under this title is amended subsequent to such filing, the administrator shall within six months after the effective date or the date of adoption of such amendment, whichever is later, within sixty days after the effective date of such amendment file with the Commission a copy of the amendment and such additional information and reports as the Commission by regulation requires to determine the amount of any initial unfunded liability created by the amendment and the special payments required to liquidate such liability.

QUALIFICATION OF PLAN FOR REGISTRATION

SEC. 105. A pension or profit-sharing-retirement plan shall be deemed to be qualified for registration under section 102 if it conforms to, and is administered in accordance with, the standards and requirements set forth in section 102 and sections 106 to 110, inclusive.

GENERAL REQUIREMENTS

SEC. 106. (a) Every pension plan and, to the extent required by regulations issued by the Commission, every profit-sharing-retirement plan shall define the benefits provided by such plan, the method of determination and payment of benefits, conditions for qualification for membership in the plan and the financial arrangements made to ensure provisional or full funding of benefits under the plan. Each such plan shall provide for the furnishing of a written explanation to each member of the plan of the terms and conditions of the plan and amendments thereto applicable to him, together with an explanation of the rights and duties of the employee with reference to the benefits available to him under the terms of the plan and such other information as may be required by regulations of the Commission.

(b) The Commission shall by regulation require each plan to furnish each participant, upon termination of service with a vested right to a deferred life annuity, pension, or other vested interest, with a certificate setting forth the benefits to which he is entitled, including but not limited to the name and location of the entity responsible for payment, the amount of benefits, and the date when payment shall begin, as such regulations shall specify. A copy of each such certificate shall be filed with the Commission. In any proceeding arising under this Act, such certificate shall be deemed prima facie evidence of the facts and rights set forth in such certificate.

(c) A pension or profit-sharing-retirement plan filed for registration under this title, and any trust forming a part of such plan, shall meet all the requirements set forth in section 401 of the Internal Revenue Code of 1954, as determined by the Commission, except to the extent such requirements are inconsistent with the provisions of subsection (a) of this section or of sections 107 to 110, inclusive.

VESTING OF BENEFITS

SEC. 107. (a) A pension or profit-sharing-retirement plan filed for registration under this title shall provide, under the terms of the plan in respect of service on or after the effective date of this Act, or by amendment to the terms of the plan or by the creation of a new plan on or after such date in respect of service on or after the effective date of such amendment or new plan, that—

(1) a member of the plan who has been in the service of the employer, or has been a member of the plan, for a continuous period of six years is entitled upon termination of his employment or membership in the plan prior to attaining retirement age (i) in the case of a pension plan to a deferred life annuity commencing at his normal retirement age, and (ii) in the case of a profit-sharing-retirement plan to a nonforfeitable right to his interest in such plan, equal to 10 per centum of full pension benefits as provided by the plan in respect of such service or of such interest, respectively, and such entitlement shall increase by at least 10 per centum per year of continuous service thereafter until the completion of fifteen years of continuous service, after which such member shall be entitled upon termination of employment or membership in the plan prior to attaining retirement age to a deferred life annuity commencing at his normal retirement age equal to the full pension benefits as provided by the plan in respect of such service, or to the full amount of such interest in the profit-sharing-retirement plan, respectively;

(2) the pension benefits provided under the terms of a pension plan, the deferred life annuity referred to in paragraph (1), and an interest in a profit-sharing-retirement plan referred to in paragraph (1) shall not be capable of assignment or alienation and shall not confer upon any employee, personnel representative or dependent, or any other person, any right or interest in such pension benefits, deferred life annuity, or profit sharing retirement plan, capable of being assigned or otherwise alienated: *Provided*, That the Commission may by regulation provide for the final disposition of plan assets when beneficiaries cannot be located or ascertained within a reasonable time.

(b) Anything in subsection (a) to the contrary notwithstanding, a pension or profit-sharing-retirement plan may provide for vesting upon service or membership in the plan for a lesser period than is provided in such subsection.

(c) Anything in subsection (a) to the contrary notwithstanding, when a plan so provides, an employee may receive in discharge of his rights thereunder upon termination of employment prior to attaining normal retirement age as defined in the plan, or upon attaining such retirement age, a lump sum amount equal to the command value of the annuity prescribed by the plan, or, in the case of a profit-sharing retirement plan, the value of his interest in such plan.

(d) If a pension plan so provides, a person who is entitled to a deferred life annuity under subsection (a) may, before the commencement of payment of such life annuity, elect to receive, partly or wholly in lieu of

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the deferred life annuity described by subsection (a)—

(1) a deferred life annuity the amount of which is reduced or increased by reason of early or deferred retirement, by provision for the payment of an optional annuity to a survivor or to the estate of the employee, or by variation of the terms of payment of such annuity to any person after the employee's death, and

(2) a payment or series of payments by reason of a mental or physical disability as prescribed by regulations of the Commission.

(e) For the purposes of subsections (b) (2) and (c), the commuted value of a deferred life annuity shall be computed on the basis of such interest rate and mortality tables and in such manner as may be approved by the Commission.

FUNDING OF PLANS

SEC. 108. (a) A pension plan filed for registration under this title shall provide for funding, in accordance with the tests for solvency prescribed by this title, that is adequate to provide for payment of all pension benefits, deferred life annuities and other benefits required to be paid under the terms of the plan. A pension plan shall be deemed to be solvent for the purposes of this title if it is fully funded or provisionally funded.

(b) Provisions for funding shall set forth the obligation of the employer to contribute both in respect of the current service cost of the plan and in respect of any initial unfunded liability and experience deficiency. The contribution of the employer, including any contributions made by employees, shall consist of the payment currently into the plan or fund of—

(1) all current service costs;

(2) where the plan has an initial unfunded liability, special payments consisting of equal annual amounts sufficient to liquidate such initial unfunded liability over a term not exceeding,

(A) in the case of an initial unfunded liability existing on the effective date of this Act, in any plan established before that date, forty years from that date, and

(B) in the case of an initial unfunded liability resulting from an amendment to a pension plan made on or after the effective date of this Act, or resulting from the establishment of a pension plan on or after the effective date of this Act, thirty years from the date of such amendment or establishment; and

(3) where the plan has an experience deficiency, special payments consisting of equal annual amounts sufficient to liquidate such experience deficiency over a term not exceding five years from the date on which the experience deficiency was determined: *Provided,* that the Commission may suspend the special payments requirements or extend the five year period provided in this subparagraph (3) in cases involving business necessity or substantial risk to the continuation of the employing enterprise.

Notwithstanding the provisions of this subsection, (i) the liquidation of initial unfunded liabilities or experience deficiencies may be accelerated at any time, and (ii) where an insured pension plan established before the effective date of this Act, is funded by level annual premiums to retirement age for each individual member and benefits are guaranted by the insurance company to the extent that premiums have been paid, it shall be deemed to meet the requirements of paragraph (2)(A) of this subsection.

(c) one year after the effective date of this Act, in the case of pension plans registered on or before that date, or within six months after the date of establishment of the plan in other cases, the Administrator shall submit a report of the person authorized by subsection (e) certifying—

(1) the estimated cost of benefits in respect of service in the first year during which such plan is required to register and the rule for computing such cost in subsequent years up to the date of the next report;

(2) the initial unfunded liability, if any, for benefits under the pension plan as of the date on which the plan is required to be registered; and

(3) the special payments required to liquidate such initial unfunded liability in accordance with subsection (b).

Where an insured pension plan is funded by level annual premiums extending not beyond the retirement age for each individual member and benefits are guaranteed by the insurance company to the extent that premiums have been paid, the report required by this subsection may certify the adequacy of the premiums to provide for the payment of all benefits under the plan in lieu of the matters required to be certified under clauses (1), (2), and (3).

(d) The administrator in respect of a registered pension plan shall cause the plan to be reviewed by a person authorized by subsection (e) not more than three years after registration and at intervals of not more than three years thereafter and the person reviewing the plan shall prepare a report certifying—

(1) the estimated cost of benefits in respect of service in the next succeeding year and the rule for computing such cost in subsequent years up to the date of the next report;

(2) the surplus or the experience deficiency in the pension plan after making allowance for the present value of all special payments required to be made in the future by the employer as determined by previous reports; and

(3) the special payments which will liquidate any such experience deficiency over a term not exceeding five years.

If any such report discloses a surplus in a pension plan, the amount of any future payments required to be made to the fund or plan may be reduced by the amount of such surplus. A report under this subsection shall be filed with the Commission by the administrator upon its receipt.

(e) The reports and certificates referred to in subsections (c) and (d) shall be made by an actuary certified by the Commission under section 4(c): *Provided,* That the Commission may exempt any plan, in whole or in part, from the requirement that such reports and certificates be filed where the Commission finds such filings to be unnecessary. .

(f) Anything in this section 108 to the contrary notwithstanding, if evidence satisfactory to the Commission shall be filed on behalf of a pension plan in connection with an application for registration under this title demonstrating that (i) such pension plan is a multiemployer plan in which at least 25 per centum of the employees in the industry covered by the plan, either nationally or in a particular region in which a substantial number of employees in such industry is employed, participate, and (ii) no single employer employs more than 20 per centum of the employees covered by the plan, and (iii) the history and present business condition of the industry make it improbable that there will be a substantial decrease in employment in the industry within the foreseeable future—

(I) the Commission may register such plan without regard to the funding requirements of section 108 if such plan meets the following alternative funding requirements:

(1) annual payment into the fund of all current service costs;

(2) annual payment into the fund of an amount equal to the interest, at such rate of interest as the Commission shall prescribe, but not more than 6 per centum per annum, on the unfunded liability of such fund at the date each such payment is made;

(3) annual payment into the fund of an amount equal to the insurance premium for such year required to be paid on behalf of such fund by section 203 of title II of this Act; and

(4) in computing unfunded liability under this subsection (f), the Commission may permit a multiemployer plan to compute such liability solely on the basis of information obtained from participants pursuant to a requirement of the plan under which each such participant, upon reaching the age of forty and completing ten years of continuous service, is required to file with the Administrator of the plan notification of his status under the plan.

(II) the Commission may by regulation approve alternative requirements for payments into the fund other than those specified in subparagraph I of this subsection (f) when, in the opinion of the Commission, such standards will provide reasonable assurance of sufficient assets in the fund of the multiemployer plan to provide for payment of anticipated benefits.

(g) Each pension plan shall, as a condition of registration under this title, apply for reinsurance and pay the reinsurance premiums provided in title II.

(h) For the purpose of this section, a profit-sharing-retirement plan, within the meaning of section 2(26) of this Act, which meets the requirements of title I insofar as they are made specifically applicable to such a plan by section 105 shall be deemed fully funded.

DISCONTINUANCE OF PLANS

SEC. 109. (a) Upon complete termination, or substantial termination as determined by the Commission, of a pension plan—

(1) All contributions by an employer, a labor organization, an employee or other person made after January 1, 1968, in respect of the deferred life annuity prescribed in section 107(a) shall be applied under the terms of the plan—

(A) first, in the case of persons who have already retired and begun to draw benefits under the plan, or who, on the date of such termination, had the right to retire and begin to draw such benefits immediately, to provide the life annuities to which such persons were entitled at the date of termination of their employment;

(B) second, in the case of persons who have vested rights under the plan but have not reached retirement age and begun to draw benefits, to provide the deferred life annuities to which they were entitled at the date of such termination of the plan; and

(C) third, in the case of any other participants in the plan, to provide deferred life annuities to which they are entitled under the plan pursuant to the requirements of section 401(a)(7) of the Internal Revenue Code of 1954, as amended; and

(D) in any case, the Commission may approve payment of survivor benefits with priorities equal to those of the employees or former employees on whose service such benefits are based.

(2) The employer, and the employees if the plan so provided, shall be liable to pay all amounts that would otherwise have been required to be paid to meet the tests of solvency prescribed by section 108, up to the date of such termination, to the insurer, trustee, or administrator of the plan.

(3) No part of the assets of the plan shall revert to the employer until provision has been made for all pensions and other benefits vested or otherwise payable under section 109 according to the plan in respect of age and service up to the date of the discontinuance to members of the plan and for all benefits to pensioners and their pension beneficiaries in accordance with the terms of the plan.

(b) Upon complete termination, or substantial termination as determined by the Commission, of a profit-sharing-retirement plan, the interests of all participants in such plan shall fully vest.

PAYMENTS TO SURVIVORS

SEC. 110. (a) Where in accordance with the terms of a pension or profit-sharing-retirement plan an employee or former employee has designated a person or persons to receive a benefit payable under the plan in the event of the employee's death—

(1) the employer's liability to provide the benefit shall be discharged upon payment to such person or persons of the amount of the benefit; and

(2) such person or persons may upon death of the employee or former employee enforce payment of the benefit, but the employer shall be entitled to set up any defense that he could have set up against the employee or former employee. As used in this subsection, the term "employer" includes a trustee or insurer under a pension or profit-sharing-retirement plan.

(b) An employee or former employee may from time to time alter or revoke a designation made under a pension or profit-sharing-retirement plan, but any such alteration or revocation may be made only in the manner set forth in the plan.

AMENDMENT TO INTERNAL REVENUE CODE

SEC. 111. (a) Section 401 of the Internal Revenue Code of 1954 (relating to qualified pension, etc. plans) is amended by redesignating subsection (j) as (k) and by inserting after subsection (i) the following new subsection:

"(j) PENSION AND PROFIT-SHARING-RETIREMENT PLANS TO WHICH THE PENSION AND WELFARE BENEFITS ACT OF 1969 APPLIES.—For purposes of this part, any pension or profit-sharing-retirement plan to which title I of this Act applies, and any trust forming a part of such plan—

"(1) shall be treated as meeting the requirements of this section during any period for which a certificate of registration with respect to such plan issued by the United States Pension Commission under such title is in effect or an application therefor is pending before the Commission, and

"(2) shall be treated as not meeting the requirements of this section during any period for which such application has not been timely filed or such certificate has been denied or cancelled by such Commission."

(b) The amendment made by the subsection (a) shall apply with respect to periods after the effective date of this Act, except that with respect to any pension plan established before the effective date of this Act, such amendment shall not apply to any period before the date specified by the Commission under section 102(b).

MINIMUM WAGE QUALIFICATION

SEC. 112. Contributions by an employer to a registered pension or profit-sharing-retirement plan shall not be deemed to be part of or to affect the "regular rate" as that term is used in section 7 of the Fair Labor Standards Act.

DELEGATION OF OTHER REGULATORY AUTHORITY

SEC. 113. The President, as may be necessary or appropriate to establish and maintain a uniform, consistent and simplified system of law applicable to employee benefit plans, may be Executive Order delegate to the Commission authority to administer and enforce any other provisions of the laws of the United States insofar as such provisions regulate or affect employee benefit plans.

DELAY IN THE APPLICATION OF TITLE I

SEC. 114. If the Commission finds that the application of this Title to any employee benefit plan would increase the costs of the parties to the plan to such an extent that there would result a substantial risk to the voluntary continuation of the plan or a substantial curtailment of pension benefit levels or the levels of employees' compensation it may grant to such plan a delay, not to exceed five years, in satisfying the requirements of this Title, under such conditions as it may prescribe as necessary or appropriate to effectuate the policies of this Act.

TITLE II—PENSION REINSURANCE

ESTABLISHMENT OF PROGRAM

SEC. 201. There is hereby established a program to be known as the Federal pension reinsurance program (hereinafter referred to as the "program"). The program shall be administered by, or under the direction and control of, the Commission.

CONTINGENCY INSURED AGAINST UNDER PROGRAM

SEC. 202. (a) The program shall insure (to the extent provided in subsection (b)) beneficiaries of a reinsured pension plan against loss of benefits to which they are entitled under such pension plan arising from substantial cessation of one or more of the operations carried on by the contributing employer in one or more facilities of such employer before funding of the unfunded liabilities of the fund.

(b) The rights of beneficiaries of a reinsured pension plan shall be insured under the program only to the extent that such rights do not exceed—

(1) in the case of a right to a monthly retirement or disability benefit for the employee himself, the lesser of 50 per centum of the average monthly wage he received from the contributing employer in the five-year period after the registration date of the plan for which his earnings were the greatest, or $500 per month;

(2) in the case of a right on the part of one or more dependents, or members of the family, of the employee, or in the case of a right to a lump sum survivor benefit on account of the death of an employee, an amount found by the Commission to be reasonably related to the amount determined under subparagraph (1). In the case of a periodic benefit which is paid on other than a monthly basis, the monthly equivalent of such benefit shall be regarded as the amount of the monthly benefit for purposes of clauses (1) and (2) of the preceding sentence.

(c) If a registered pension plan has not been registered under title I for each of at least the five years preceding the time when there occurs the contingency insured against the rights of beneficiaries shall not be insured: *Provided*, That the Commission may, in its discretion, credit against the five year requirement of section 202(c) one or more years prior to the effective date of this Act for any pension plan which, during such prior years, would have satisfied the registration requirements of title I had this Act been in effect.

PREMIUM FOR PARTICIPATION IN PROGRAM

SEC. 203. (a) Each registered pension plan shall pay an annual premium for reinsurance under the program upon payment of such annual premium as may be established by the Commission. Premium rates established under this section shall be uniform for all pension funds insured by the program and shall be applied to the amount of the unfunded liability to catch insured pension fund. The premium rates may be changed from year to year by the Commission, when the Commission determines changes to be necessary or desirable to give effect to the purposes of this title; but in no event shall the premium rate exceed 1 per centum for each dollar of unfunded liability. Premiums under this title shall be payable as of the effective date of this Act, or for plans adopted after that date, as of the effective date of such plans.

(b) If the Commission determines that, because of the limitation on rate of premium established under subsection (a) or for other reasons, it is not feasible to insure against loss of rights of all beneficiaries of reinsured pension plans, then the Commission shall insure the rights of beneficiaries in accordance with the following order of priorities—

First: individuals who, at the time when there occurs the contingency insured against, are receiving benefits under the pension plan, and individuals who have attained normal retirement age or if no normal retirement age is fixed have reached the age when an unreduced old-age benefit is payable under title II of the Social Security Act, as amended, and who are eligible, upon retirement, for retirement benefits under the pension plan;

Second: individuals who, at such time, have attained the age for early retirement and who are entitled, upon early retirement, to early retirement benefits under the pension plan; or, if the pension plan does not provide for early retirement, individuals who, at such time, have attained age sixty and who, under such pension plan, are eligible for benefits upon retirement;

Third: in addition to individuals described in the above priorities, such other individuals as the Commission shall prescribe.

(c) Participation in the program by a pension plan shall be terminated by the Commission upon failure, after such reasonable period as the Commission shall prescribe, of such pension fund to make payment of premiums due for participation in the program.

REVOLVING FUND

SEC. 204. (a) In carrying out its duties under this title, the Commission shall establish a revolving fund into which all amounts paid into the program as premiums shall be deposited and from which all liabilities incurred under the program shall be paid.

(b) The Commission is authorized to borrow from the Treasury such amounts as may be necessary, for deposit into the revolving fund, to meet the liabilities of the program. Moneys borrowed from the Treasury shall bear a rate of interest determined by the Secretary of the Treasury to be equal to the average rate on outstanding marketable obligations of the United States as of the period such moneys are borrowed. Such moneys shall be repaid by the Commission from premiums paid into the revolving fund.

(c) Moneys in the revolving fund not required for current operations shall be invested in obligations of, or guaranteed as to principal and interest by, the United States.

TITLE III—PENSION PORTABILITY PROGRAM

ACCEPTANCE OF DEPOSITS

SEC. 301. (a) It is declared to be the policy of the Congress that a system of pension portability should be established by the Federal Government to facilitate the voluntary transfer of credits between registered pension or profit-sharing-retirement plans having similar benefit features and actuarial assumptions. Nothing in this title nor in the regulations issued by the Commission hereunder shall be construed to require participation in such portability system by a plan as a condition of registration under this Act.

(b) The Commission is authorized and directed, in accordance with regulations prescribed by it, to receive amounts which are transferred to it from a registered pension or profit-sharing-retirement plan and which are in settlement of an individual's rights under the plan when such individual is separated from employment covered by the plan before the time prescribed for payments under the plan to such individual or to his beneficiaries.

SPECIAL FUND

SEC. 302. Amounts received by the Commission pursuant to section 301 shall be deposited in a special fund which shall be established by it for the purposes of this title The amounts in the fund which are not needed to meet current withdrawals shall be invested as provided under regulations prescribed by the Commission.

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INDIVIDUAL ACCOUNTS

SEC. 303. There shall be established and maintained in accordance with regulations prescribed by the Commission, an account for each individual with respect to whom the Commission receives amounts under this title. The amount credited to each such account shall be adjusted at the times and in the manner provided by such regulations to reflect earnings of the special fund and transfers from the special fund for costs of administration.

PAYMENTS FROM INDIVIDUAL ACCOUNTS

SEC. 304. Amounts credited to the account of any individual under this title may, in accordance with regulations prescribed by the Commission, be paid by the Commission—

(1) to a registered plan, if such individual becomes an employee covered by such plan and if such plan has benefit features and actuarial assumptions similar to those of the plan which such amount was originally transferred, or

(2) to such individual or his beneficiaries, if he dies or reaches the age of sixty-five.

Payments under this section shall be made at such times, in such manner, and in such amounts in a lump sum or otherwise as may be determined under such regulations. The amount of any periodic payments shall be determined on an actuarial basis.

COST OF ADMINISTRATION

SEC. 305. There are authorized to be made available out of the special fund established pursuant to section 302 such amounts as the Congress may deem appropriate to pay the costs of administration of this title.

EFFECTIVE DATE

SEC. 306. No amount may be transferred to the Commission pursuant to section 301 of this title before the first day of the twelfth month following the month in which this Act is enacted.

TECHNICAL ASSISTANCE

SEC. 307. The Commission and the Secretary of Labor are authorized to provide technical assistance to employers, trade unions, and administrators of pension and profit-sharing-retirement plans in their efforts to provide greater retirement protection for individuals who are separated from employment covered under such plans. Such assistance may include, but is not limited to (1) the development of reciprocity arrangements between plans in the same industry or area, and (2) the development of special arrangements for portability of credits within a particular industry or area.

TITLE IV—ADMINISTRATION OF EMPLOYEES' BENEFIT FUNDS

SEC. 401. Every employees' benefit fund established to provide for the payment of benefits under an employees' benefit plan shall be established pursuant to a duly executed trust agreement which shall set forth the purpose or purposes for which such fund is established and the detailed basis on which payments are to be made into and out of such fund.

SEC. 402. Moneys in an employees' benefit fund shall be available for expenditure only for the sole and exclusive purpose of paying to employees or their families, dependents, or beneficiaries the benefits for which it was established, and for defraying the reasonable costs of administration of such fund. None of the assets of an employees' benefit fund shall be held, deposited, or invested outside the United States unless the indicia of ownership remain within the jurisdiction of a United States district court. Any such assets remaining upon dissolution or termination of the fund shall, after complete satisfaction of the rights of all beneficiaries to benefits accrued to the date of dissolution or termination, be distributed ratably to the beneficiaries thereof or, if the trust agreement so provides, to the contributors thereto: *Provided*, That in the case of a registered pension or profit-sharing-retirement plan, such distribution shall be subject to the requirements of the previous titles of this Act.

SEC. 403. The person or persons responsible for the administration of an employees' benefit fund shall cause an independent audit to be made of the fund annually, and shall make the results thereof available for inspection by interested persons at the principal office of the fund and at such other places as may be designated in the agreement or instrument pursuant to which the fund is established.

SEC. 404. No person who is an officer or employee of an employer or association of employers or a labor organization, which is a party to any agreement establishing or relating to an employee's benefit fund, shall receive or accept, directly or indirectly, whether through a corporation or other entity owned or controlled in any substantial degree by such person or otherwise, any payment, loan, pledge, hypothecation, assignment, or other transfer out of the assets of such fund (other than benefits to which such person is entitled as an employee), except that if such person is an officer or employee of such fund, reasonable fees or expenses of attending meetings in connection with the business thereof may be paid from the fund to any such officer or employee attending such meetings in an official capacity. Nothing herein contained shall prohibit the purchase by a profit-sharing-retirement plan or other profit-sharing plan, in the ordinary course of business, of the securities or indebtedness of any corporation or other business entity employing directly or through a subsidiary or parent entity a substantial number of the beneficiaries of such fund.

SEC. 405. All investments and deposits of the funds of an employees' benefit fund and all loans made out of any such fund shall be made in the name of the fund or its nominee, and no officer or employee of the fund, no trustee or administrator or officer or employee thereof, no employer or officer or employee thereof, and no labor organization, or officer or employee thereof shall either directly or indirectly accept or be the beneficiary of any fee, brokerage, commission, gift, or other consideration for or on account of any loan, deposit, purchase, sale payment or exchange made by or on behalf of the fund.

SEC. 406. The provisions of this title shall not be applicable to a bank, trust company, or insurance company which is subject to examination and regulation by the Federal Government or a State government, nor to the employees or representatives, acting in an authorized capacity, of such a bank, trust company, or insurance company, nor to the assets owned or held by such a bank, trust company, or insurance company; *Provided*, That this section shall not exempt from the coverage of this title any person other than such a bank, trust company, insurance company, or their employees or representatives, acting in an authorized capacity, issuing instructions or otherwise dealing with such a bank, trust company, or insurance company in connection with an employees' benefit fund.

TITLE V—ENFORCEMENT

SEC. 501. Whenever the Commission—

(1) determines, in the case of a pension or profit-sharing-retirement plan required to be registered under title I, that no application for registration has been filed in accordance with section 102(a), or

(2) issues an order under section 102(e) denying or canceling the certificate of registration of a pension or profit-sharing-retirement plan,

the Commission may petition any district court of the United States having jurisdiction of the parties, or the United States District Court for the District of Columbia, for an order requiring the employer or other person responsible for the administration of such plan to comply with such requirements of title I as will qualify such plan for registration under title I.

SEC. 502. Whenever the Commission has reasonable cause to believe that an employees' benefit fund is being or has been administered in violation of the requirements of title IV, the Commission may petition any district court of the United States having jurisdiction of the parties or the United States District Court for the District of Columbia for an order (1) requiring return to such fund of assets transferred from such fund in violation of the requirements of such title, (2) requiring payment of benefits denied to any beneficiary in violation of the requirements of such title, and (3) restraining conduct in violation of the requirements of such title by any person performing duties in connection with the administration of such fund.

SEC. 503. Upon the filing of any petition pursuant to section 501 or 502, the district court may, in its discretion, appoint a receiver to take possession of the assets of the plan or fund which is the subject of the petition and to administer them until such time as the violations of law alleged in such petition no longer exist.

SEC. 504. Suits by persons entitled, or who may become entitled, to benefits from employees' benefit funds or plans may be brought in any district court of the United States having jurisdiction of the parties, or in the United States District Court for the District of Columbia without respect to the amount in controversy and without regard to the citizenship of the parties (1) against any such fund or plan to recover benefits required to be paid from an employees' benefit fund or plan pursuant to the terms of the agreement pursuant to which such fund or plan is established or other constituent instrument; or (2) on behalf of and in the name of an employees' benefit fund against any person who shall have transferred or received any of the assets of such fund in violation of any such agreement or of the requirements of title IV.

SEC. 505. The provisions of the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", approved March 23, 1932 (29 U.S.C. 101–115) shall not be applicable with respect to suits brought under this title.

SEC. 506. Suits by an administrator of a pension plan, a profit-sharing-retirement plan, or an employees' benefit fund, to review any final order of the Commission, to restrain the Commission from taking any action contrary to the provisions of this Act, or to compel action required under this Act, may be brought in the name of the plan or fund in the district court of the United States for the district where the fund has its principal office, or in the United States District Court for the District of Columbia.

SEC. 507. In any case in which a trust agreement relating to a fund subject to this Act contains a provision stating that it shall be construed under the law of a particular State, such provision shall be controlling in any suit arising under this Act for breach of any agreement or trust relating to an employees' benefit fund, unless such State law shall be contrary to the provisions or policy of this Act.

SEC. 508. Nothing in this Act shall be deemed to nullify any provision of any State or Federal law not in direct conflict with a provision of this Act. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected.

The explanatory memorandum presented by Mr. JAVITS is as follows:

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EXPLANATORY NOTES CONCERNING PRINCIPAL PROVISIONS OF THE PENSION AND EMPLOYEE BENEFIT ACT

DEFINITIONS

The definitions, as well as title I of the bill, follow the general format, after extensive revision, of the Pension Benefits Act, 1965, of the Province of Ontario, Canada. While the language of that Act obviously required substantial re-working to fit within the special framework of United States law and the different pattern of United States pension plans, nevertheless the general outlines of the Ontario Act may be useful, as a statute *in pari materia*, in interpreting this bill. The full text of the Ontario Act, as well as its interpretative regulations and an explanatory statement by the Prime Minister of Ontario, are set forth in *Private Pension Plans, Hearings Before the Subcommittee on Fiscal Policy of the Joint Economic Committee* 89th Cong., 2d Sess. 6–21 (1966).

The term "Commission" (section 2(2)) refers to a new agency, the United States Pension and Employee Benefit Plan Commission, which would be established under section 3 and would be given enforcement jurisdiction over all provisions of this Act, as well as over other existing laws dealing with employee benefit plans which are now administered by other agencies.

The terms "employee benefit plan" and "employee benefit fund" are used only in title IV and the enforcement provisions of title V. Title IV does not regulate employee benefit plans which do not provide for benefits through the medium of an employee benefit fund. Only one section of the Act in any way affects an employee benefit plan without a fund, and that is section 504, which permits suits by private parties for breach of an agreement relating to an employee benefit plan.

The "commerce" language (section 2(9)) is intended to reach the outer limits of the Constitutional power to regulate interstate commerce, subject to the specific exemptions and exclusions set forth in the bill.

The term "pension plan" (section 2(13)) does not include a plan meeting the definition of a "profit-sharing-retirement plan" (section 2(25)). Profit-sharing-retirement plans are dealt with separately in the bill. To the extent that a deferred profit sharing plan does not meet the terms of the definition set forth in section 2(25), however, it could nevertheless be considered a pension plan subject to the requirements of the bill applicable to such plans. A regular profit-sharing plan, however, as distinguished from a profit-sharing-retirement plan, ordinarily would not fall within either definition and would not be covered by title I, because no retirement benefits would be provided.

The term "reinsured pension plan" (section 2(14)), which is used in title II, is, strictly speaking, a misnomer, as the program provided under title II is really an insurance, rather than a "reinsurance", program, except in cases involving plans funded originally through the medium of an insurance contract. Note also that, while plans are required to pay premiums from the first day of coverage under the Act, they do not become effectively "reinsured" until 5 years have expired. Note further that an amendment to a plan resulting in a substantial increase in unfunded liability may be deemed a new "plan" for reinsurance purposes.

ESTABLISHMENT OF COMMISSION

The Commission established by section 3 would be an independent agency organized on the SEC pattern. The language of section 3(a) is similar to the language establishing the SEC. The general intent of the bill is to centralize all federal regulation relating to employee benefit plans in a single agency, thereby to the maximum feasible extent relieving plan administrators of the burden of multiple-agency regulation and avoiding the necessity of multiple applications, multiple inspections, and overlapping jurisdictions. Thus, Sections 111 and 112 would have the effect of consolidating within the Commission jurisdiction over the principal existing regulatory laws concerning pension plans—tax and minimum wage qualification. It is understood that jurisdiction over section 401 of the Internal Revenue Code has been jealously guarded by the Treasury. Nevertheless, section 111 recognizes that the Treasury may have conflicting policy considerations: on the one hand, it seeks to implement the policy of encouraging pension plans, which is inherent in section 401 of the Code, yet on the other hand the Treasury is legitimately concerned with maximization of revenue. The transfer of section 401's enforcement to the Commission would ensure that that section will be interpreted in a manner most sympathetic to the growth and soundness of private pension plans.

In order to further the objective of consolidation and simplification, two provisions have been added to this bill which were not contained in S. 1103 of the 90th Congress. Sec. 113 would allow the President to delegate power from other agencies concerned with administering or enforcing other laws covering employee benefit plans to the Commission for the purpose of establishing a unified, simplified and consistent scheme of regulation of employee benefit plans. Sec. 4(f) requires the Commission, prior to adopting regulations, to consult with other federal agencies concerned with administering or enforcing other laws affecting employee benefit plans with a view to ensuring consistency among the regulations of different agencies, insofar as they affect employee benefit plans. This latter provision is in recognition of the fact that it may not be possible to consolidate all regulations in this field under the Commission. Thus, the SEC will continue to have responsibility to enforce the securities laws, and the Federal Reserve and other agencies will continue to regulate banks. Section 4 (b)(1) also recognizes this fact and attempts to avoid duplication by allowing the Commission to delegate its functions in certain cases to other agencies which would be inspecting banks in any event.

Section 6(a) transfers to the Commission the administration of the Welfare and Pension Plans Disclosure Act. Ideally, that Act should be consolidated with and made a part of the provisions of this bill, and no doubt such would be the case in the long run. As an interim matter, however, Section 103 does permit the Commission to consolidate the reporting requirements of the two Acts into a single report form.

Section 4(c) would authorize the Commission to license persons performing actuarial services and certifications under the bill. Despite the rather extended series of definitions in section 2 and rather technical statement of funding and vesting requirements in title I, a great deal will inevitably depend on the accuracy of actuarial determinations. It would be impractical to regulate actuarial assumptions such as life expectancy and rate of labor turnover by setting forth requirements in statutory form. The approach of this bill, therefore, is to regulate to some extent the persons competent to make certifications based on such assumptions and to permit the Commission to promulgate regulations concerning actuarial assumptions. This bill contains a provision, not included in S. 1103 of the 90th Congress, which would permit the Commission to promulgate such regulations. The long-term accuracy of actuarial assumptions and certifications is also subject to a check under section 108(b)(3), which requires that an actuarial error resulting in an experience deficiency would need to be corrected and funded over a much shorter period of time than any other unfunded liability.

Section 6(c) should be read together with the enforcement provisions of title V. While title V permits institutions of legal proceedings in any of the United States District Courts, there are often problems of obtaining service of process upon all the necessary parties. Section 6(c) of my bill would permit an action to be brought against a plan or person in only one district outside his home district, and that would be the District of Columbia, as service of process could always be made upon the necessary parties merely by serving the Commission as statutory agent.

FUNDING AND VESTING

As indicated above, this title uses the Ontario Pension Benefits Act as a general model (see comments on definitions, above). It should be noted that the enforcement provisions relating to title I do not, however, appear in this title but rather are placed in title V, along with all other enforcement provisions under the Act. Enforcement of title I is not based on the typical device of an administrative hearing followed by review in the Court of Appeals, where the Commission's findings would be final and binding. Rather, the Commission would be required in any case in which, for example, registration is denied, to bring an action in a District Court to compel compliance with the registration requirements of the Act, and the Commission would have to prove its case *de novo*. In addition, any person aggrieved by an action of the Commission, as, for example, in a case in which registration is denied, would not be required to wait for the Commission to seek enforcement but could bring an action in a District Court immediately to review the Commission's action. Thus, maximal judicial review is provided.

The notice requirements of section 106(a) require not only that each participant receive an explanation of his rights under a plan, but also that an employee leaving his job with a vested interest in a pension must receive a certificate telling him what kind of a right he has, so that, years later when he reaches retirement age, he will know percisely what he can expect. This bill also provides (S. 1103 did not) that a copy of the certificate must be filed with the Commission and that the certificate will constitute prima-facie evidence of the facts stated therein in a proceeding under the Act.

One of the major differences between S. 1103 of the 90th Congress and this year's bill concerns vesting. This bill requires what has come to be called "graded deferred vesting." The requirement is that 10% of benefits must be vested by the end of six years of service, plus 10% per year thereafter so that full vesting must be achieved by the end of 15 years. There are no minimum age requirements.

The funding provisions of section 106 are basically 40 year funding for old plans, and 30 years funding for new plans or new amendments. Thus, a plan starting out anew with an initial unfunded liability based upon past credited service occurring prior to the effective date of the plan would be required to pay into the plan sufficient money to cover current service costs plus sufficient additional moneys to amortize the initial unfunded liability over 30 years. But in any case in which the estimate of the sums necessary to achieve such 30-year funding is in error and an "experience deficiency" develops, the deficiency must be made up in 5 years, subject to the hardship proviso set forth in section 108(b)(3).

In the case of multiemployer plans meeting the requirements of section 108(f), alternative funding requirements are provided, in recognition of the fact that such plans tend to be more stable and less susceptible to termination. Section 108(f) is designed to meet some of the problems of such industries as the apparel and clothing industries, where, because the plans' continuance

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does not depend on the continuance of any particular employer, full funding need not be achieved as rapidly. Even so, it has been suggested that an additional alternative funding arrangement in such industries may be warranted, requiring that in such plans, for example:

(A) The projected income throughout the ensuing 10-year period, based on expected contributions at contribution rates stipulated in existing collective bargaining agreements, plus expected interest, shall be at least as great as the projected expenses of the plan, provided that such plan (i) has been in existence and has paid benefits for at least 10 years prior to the registration of the plan, and (ii) has retired at least 5 per centum of the employees covered by the plan at the time of registration and thereafter; and

(B) The calculation of the projections under paragraph (A) above shall be based on the following numbers of employees: (1) employees who may be anticipated to receive retirement payments during the succeeding 10 years, including those already on the retirement rolls and (2) employees who within one year prior to acquiring vested rights hereunder notify the plan administrator in writing of their expectation to acquire such rights under the plan during the following year.

The viability and soundness of such additional alternatives, along with such others as may be proposed, are certainly worthy of serious consideration.

REINSURANCE

This feature of the bill is based in part on a measure sponsored by Senator Hartke in the 89th Congress. The two major differences between this title and that bill are that this bill does *not* insure against loss of plan assets through bad investments, and it does undertake to insure pension plans without regulating them. Instead, this title insures against one contingency only—termination of the employing enterprise before full funding—and insurance applies only to plans meeting the vesting and funding standards of title I, and then only after 5 years compliance. The bill sponsored by Senator Hartke made reinsurance a condition of tax qualification, while this bill makes reinsurance a mandatory requirement, under section 203 (a), as well as a condition of registration under section 108(g).

PORTABILITY

The portability program under title III is completely voluntary, and section 301(a) sets forth a specific declaration of policy prohibiting the Commission from making participation in the portability program a condition of registration under title I. The existence of a portability clearing house, however, may be a useful service to those organizations which have already begun to seek ways of developing reciprocal credit systems. Certain labor organizations, particularly in the building trades, have pension plans in various regions of the country with similar benefit and funding features and have sought to establish reciprocity systems between such regional plans. The existence of a central pension credit clearing house may be a useful accommodation and catalyst for such reciprocity arrangements.

ADMINISTRATION OF EMPLOYEES' BENEFITS FUNDS

Title IV deals with many of the same problems as are dealt with in the Administration bill introduced by Senator Yarborough, S. 1024, and Mr. Perkins, H.R. 5741. There are a number of significant differences, however.

Section 401 requires that if there is a fund, it must be established pursuant to a duly executed trust agreement, thus, in effect, producing substantially the same effect as is accomplished by the Administration's bill, which clothes the administrators of such funds with the responsibilities of "fiduciaries."

The basic difference here is that establishes the familiar standard of "a man of ordinary prudence" and then turns the interpretation of that term over to the Federal courts exclusively. (Sections 14(a) and 9). The result of those provisions of the Administration bill would seem to be to wipe out the vast body of State case law on the subject of trusts and fiduciary responsibility, except to the extent that it is incorporated into the development of federal case law on the subject. Such a development of a federal case law of trusts, however, will only occur after many years, as the cases arise one by one in the federal courts. In the meantime, there will be considerable uncertainty among trustees as to what the law really is. Such uncertainty for an extended period may well be too high a price to pay for the establishment of federal fiduciary standards.

Titles IV and V of this bill, on the other hand, take a more moderate approach. Insofar as trust agreement contain "choice of law" provisions designating the trust law of a particular state as applicable, such provisions are required to be honored, pursuant to section 507, provided they do not conflict with the policy of this Act (this proviso was not included in S. 1103). If no such "choice of law" provisions is included in the trust agreement, then the federal courts would apply federal law. Under this system, certainty would be preserved for those trustees who require it—typically banks and trust companies—while the development of federal trust law would proceed in those cases where no specific State law is spelled out.

Along the same lines, the Administration bill again attaches no importance to the historical development of trust law, in that it provides, in section 14(k), that no "exculpatory provision" shall relieve any fiduciary from any of his responsibilities. Of course, the law of trusts, as it has developed in the cases down through the centuries, has developed various standards for enforcing or nullifying such "exculpatory clauses," depending on the circumstances. For example, in many pension trusts, responsibility is divided between the trustee (often a bank or trust company) and a labor-management "Committee," which typically is given power to "instruct" the trustee as to certain matters. Typically, a trust company or bank simply will not accept appointment as a trustee under these circumstances unless the trust agreement provides that the Bank shall not be held responsible for any action taken in reliance on instructions from the "Committee" as provided in the agreement. Is this an illegal "exculpatory clause" under the Administration bill? It seems likely. Nor can all such problems be spelled out in the statute. The answer, once again, is to leave such matters to development through the case law, and to preserve what certainly we already have by allowing existing case law to continue in existence where it is specifically made applicable under the terms of the trust agreement.

The "conflict of interest" provisions of this bill and the Administration bill are quite similar. As indicated above, title IV applies only to funds, not to plans without funds—i.e., those whose benefits are payable solely out of the general assets of the employer. A principal difference between the provisions of this bill and the administration bill concerns the prohibition against being on two payrolls at once. The administration bill, like this bill, prohibits fiduciaries from receiving any assets out of the fund, except as regular benefits. The administration bill attempts to accomplish this first, by stating that the moneys in the fund shall be used "for the sole and exclusive purpose" of providing benefits and defraying "reasonable costs of administering the plan." (Section 14(c)). The Administration bill also prohibits the making of loans from the fund to any fiduciary (Section 14(f)), and prohibits a fiduciary from dealing with the fund in his own account (section 14(e)(3)). These provisions will *probably* cover most conflict of interest situations, unless a dishonest person is quite clever. The trouble is that recent hearings have shown the development of the most ingenious schemes for siphoning off pension funds, and a bill such as this ought to be drafted with such ingenious schemes in mind.

The administration concentrates on the possible misdeeds of the fiduciary—the trustee himself, while my bill concentrates on the representatives of the employer or the union. My bill controls the actions of the truly independent trustee only by application of the law of trusts, without attempting to spell out every detail of that law as it exists in the cases, but my bill does specifically prohibit the representatives of the employer or the union from siphoning off fund assets to their own use, and this is done in much more comprehensive language than that used in the administration bill (section 404).

One other major difference between the two bills relates to payroll padding. Last year's Investigations Subcommittee hearings disclosed that one of the most effective ways of depleting a fund was to permit an officer of the employer or the union to draw a salary from both the fund and the employer or union, as the case may be. The theory of my bill is that if a union officer is serving as a trustee and still drawing his salary from the union, he may not also draw a salary from the fund itself—though he may receive expense money and a reasonable fee for attending fund meetings, and the same prohibition is applied to management officers. (Section 404). The Administration bill allows such officers to be on both payrolls at once, but instead limits fiduciaries to "reasonable compensation". Such a provision may well get the Labor Department into the business of passing on the reasonableness of every fee paid to every trustee in the Nation, which seem to me to be neither necessary nor wise. I would rather focus on those salaries which are paid in the true conflict of interest situation, and, when it comes to the hiring of the truly independent trustee in a truly arms-length business situation, rely on the ordinary law of trusts.

ENFORCEMENT

Title V contains enforcement provisions covering the whole bill. These provisions should be read in connection with the notes under section 6 (service of process) and Title I (judicial review of Commission determinations with respect to funding and vesting). Basically, section 501 permits the Commission to sue to enforce title I, and section 502 permits the Commission to sue to enforce title IV. Section 503 authorizes the Court to appoint a receiver where necessary, in either case. Section 504 provides a private remedy in case of violation of title IV or in case of violation of any provision of a plan. The law applicable in any such case based upon a breach of contract or breach of trust, however, would be State law in any case in which the agreement designates the law of a State as applicable, and in all other cases, federal common law would apply, although, of course, the federal courts would be expected to draw upon the State common law as a source for the development of a federal common law in this area. Of particular importance are the provisions of sections 502 and 504 which permit suit to be brought by the Commission or a participant *either* against the fund to compel payment of benefits, *or* "in the name of the fund" against any other person to compel return of misappropriated assets—a remedy comparable to the familiar "stockholders derivative suit" under the law of corporations.

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Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. GOLDWATER. I wonder if the Senator from New York, during the period in which he will hold hearings, would extend his investigations to include the retirement fund provided for civil service. I make this request because the last report I heard on that fund, which was sometime ago, showed this fund to be in dangerous arrears.

While I know it does not come within the purview of what the Senator is trying to do, and I am in full accord with what he is trying to do, I think the hundreds of thousands of Federal workers looking forward to retirement and retirement income would be very interested in the current status of the fund provided for by reductions from our payrolls and their payrolls and which are supposed to be matched by the Government. However, my information is they have not been for a good many years.

I would ask the Senator if he could extend his inquiry that far.

Mr. JAVITS. Mr. President, I would like to do so, but that matter falls so peculiarly within the purview of the Committee on Post Office and Civil Service that they might think it amiss. However, I would say that I am very sympathetic with the Senator, and I know that he is correct. Undoubtedly, we will have questions of comparability as to the way in which the Federal Government handles its plan, its funding, and vesting, and so forth.

I deeply believe that quite legitimately, therefore, in connection with that evaluation we can dig into the facts and then it would so intrigue the Committee on Post Office and Civil Service, because they have legislative jurisdiction, that they would push further along that line.

Mr. GOLDWATER. I shall depend on the Senator's ingenuity.

Mr. JAVITS. I thank the Senator.

S. 2170—INTRODUCTION OF A BILL TO AMEND THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. McCLELLAN. Mr. President, I introduce, by request, a bill to amend the Federal Property and Administrative Services Act of 1949, as amended, with respect to the disposal of excess and surplus property, and for other purposes.

This bill is introduced at the request of the National Association of State Agencies for Surplus Property, which is the nationwide organization responsible for screening surplus property to ascertain whether it is usable for health, education or civil defense purposes. The members of this organization are composed of State employees, who are affiliated with the offices of education, or the State procurement offices. They are authorized to screen surplus property at Federal installations and if needed, the property is transported to a State warehouse where it is placed on display for selection by local school or public health administrators.

Since the enactment of the Federal Property and Administrative Services Act of 1949, more than $6.7 billion—Federal acquisition cost—of surplus property has been made available to health and educational institutions of which $1.3 billion was real property and $5.4 billion was the original cost of personal property transferred to such activities. The transfer of surplus property to public schools, colleges, universities, and other nonprofit educational institutions since the end of World War II has contributed substantially to improve the level of education throughout the United States. Many school districts and institutions have depended on the use of surplus property to supplement their limited budgets, and have thereby made possible classroom and educational facilities which otherwise would not have been possible.

Mr. President, I have recently directed the staff of the Committee on Government Operations, of which I am chairman, to review this program and obtain information on the amount of property which becomes surplus each year, together with an analysis of what disposition is made of such property. According to the latest figures available, personal property which cost the Government more than $2.6 billion became surplus to the needs of all the Federal agencies in the fiscal year 1968. Of that amount, property with an acquisition cost of $774 million was sold, $51 million was abandoned or destroyed, $15 million was transferred to other users, $1.8 billion was disposed of as scrap, and $218 million or about 8 percent was donated to public instrumentalities.

The bill I am introducing today is intended to clarify certain phases of the surplus property program, by defining more precisely those eligible to receive such property. It will strengthen and support the main objectives of the basic surplus property statute, and at the same time eliminate some of the administrative interpretations which have hindered rather than helped the program. Enactment of this proposed legislation will incorporate almost all of the authority over surplus property disposition in one place; namely, the Federal Property and Administrative Services Act of 1949; it will modify or eliminate some of the priorities which cause considerable delay and confusion; eliminate or minimize competition, duplication, and overlapping of functions between the Federal agencies and result in more efficient Federal, State, and local administration.

The following section-by-section analysis of the bill clearly identifies the areas to be improved, the objectives to be attained, and other background information which support the proposed legislation. I ask unanimous consent that this section-by-section analysis of the bill, together with a report and statement of surplus property generated and disposed of for the period 1964–68, be inserted in the RECORD at this point, and made a part of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis of the bill, together with a report and statement will be printed in the RECORD.

The bill (S. 2170) to amend the Federal Property and Administrative Services Act of 1949 with respect to the disposal of excess property and surplus property, and for other purposes, introduced by Mr. MCCLELLAN, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The material, presented by Mr. MCCLELLAN, follows:

SECTION-BY-SECTION ANALYSIS

Section 2 of this bill would continue the authority of the Secretary of Defense to determine whether a school or a national organization such as, the Boy Scouts of America, are of special interest to the armed services, but would transfer the responsibility of determining whether surplus property is usable and needed for educational purposes to the Secretary of the Department of Health, Education and Welfare. It would also provide for an orderly transfer of certain types of surplus property to the National Military Academies which are now eligible to receive such property, as well as to any similar educational institution which may be established or operated by any executive department or agency.

Section 3 is intended to encourage the acquisition of excess property for Federal utilization, including those agencies specifically identified in Section 109(f), but would prohibit such agencies from obtaining excess property for transfer to State related activities; and from obtaining excess property for the purpose of exchanging it for new-procurement as authorized by Section 201(c) of the Act. This proposal would eliminate some of the abuse and the broad administrative interpretations which has been made in the past without Congressional sanction, but would retain the advantages of permitting private concerns who have cost reimbursement contracts to obtain supplies at a discount in the same manner as in the past.

Section 4 of this bill would clarify the intent of Congress with respect to the exchange sale of certain items of equipment and the trade-in allowance as credited against the price of the new procurement. This is designed to clarify the existing law and procedures, by restricting the items exchanged to a rigid similarity test—based on a one-for-one exchange. It would prohibit the sale of items by one agency for another with the proceeds going into a no-year fund which can be obligated without a fiscal year limitation, and require a determination that it is more economical to exchange than to purchase without a trade.

Section 5 would increase the dollar value of property donated on which certain restrictions, limitations or conditions were placed by the HEW. At the present time property which had an original acquisition cost of $2,500 or more is subject to a number of restrictions which the HEW places thereon, and which must be enforced or supervised for a number of years after the property is transferred to a donee. The detailed paperwork involved in this procedure frequently costs more than the property is worth, because the true value is not $2,500 but more like $250. By raising the basic original cost from $2,500 to $3,500 less paperwork, less coordinating with GSA and the over-all administrative costs will be substantially reduced without impairing the integrity of the donation program.

A similar reduction in the cost of operation will be possible by the enactment of Section 6 of this bill. Section 203(k)(2)(A) through (E) of the Federal Property and Administrative Services Act of 1949 now requires the Secretary of HEW to enforce all of the restrictions, terms and conditions placed on the conveyance, or use of surplus property, but the cumbersome procedure of notifying the administrator of GSA, the Secretary of the Interior, or the Secretary of the Army—

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whoever is involved, and then permitting those officials to veto the action contemplated by HEW has pyramided the paperwork, delayed enforcement, created confusion and increased the cost of administration. This procedure compels the donee, and the State Agency representative to deal simultaneously with two Federal agencies on the same property. My bill would simplify this by placing the responsibility in a single agency—the HEW—with authority to notify the GSA that compliance action will be instituted but the Administrator would not have any authority to veto the contemplated enforcement action.

Section 7 of the proposed legislation would amend Sec. 203(j)(3) of the Property Act by eliminating the enumeration of a long list of schools, colleges, clinics, hospitals, radio and television stations with respect to organizations eligible to receive surplus personal property and in lieu thereof substitute the same broad general language which has been in use and applicable for the donation of surplus real property. No change is anticipated in the number or type of donees, but the same broad general statutory authority would prevail for both real and personal property. This is another amendment which should improve administration, reduce the cost of operation and be beneficial to the Federal and State organizations involved in administering the program. If this amendment is enacted it would eliminate the need for laborious interpretations of the statute every time a potential donee contends he is eligible to receive surplus property under the statute. Under the existing authority of law counsel for the operating agencies spend a great deal of time settling disputes, and reconciling the rationale of this provision of law. It is believed that this change in the law will contribute much to the stability and confidence in the program.

Sections 8 and 9 of the bill are clarifying amendments with respect to the availability of surplus property for institutions engaged in research, and establishes a definite time, when title to surplus property passes to the respective donees.

Section 10 is designed to transfer to, and incorporate in section 203 of the Federal Property and Administrative Services Act of 1949, sections 13(d), 13(g) and 13(h) of the Surplus Property Act of 1944.

Section 13(d) of the Surplus Property Act of 1944 restricts the lease or sale of power transmission lines which are needed by a State or political subdivision thereof, for at least one year or pursuant to a specific act of Congress.

Section 13(g) of the 1944 Act permits the Administrator of General Services or other agency designated by him, to convey surplus real property and the related personal property to any State, political subdivision, municipality or tax-supported institution, which is determined by the Administrator of Federal Aviation Agency (Department of Transportation) as essential, suitable, or desirable for operation of a public airport.

This amendment would not change or modify the authority of the Administrator of FAA, nor affect the jurisdiction of the Administrator of the GSA, but would incorporate existing authority of law in the Federal Property and Administrative Services Act of 1949.

Section 13(h) of the 1944 Act would continue the existing authority and control over surplus property which could be transferred to the Department of the Interior for inclusion in the National Park Service. The determination of use and conveyance of property which is needed for historical monuments would continue in the same manner as is now administered under the provisions of Section 13(h) but the substantive authority would be transferred to the appropriate title of the Federal Property and Administrative Services Act of 1949.

Section 11 of this bill would authorize the Administrator of General Services, on approval of the Secretary of Defense, to transfer property from the National Industrial Reserve to the State Agencies designated by Section 203(j) of the Federal Property and Administrative Services Act of 1949, to distribute surplus property to the eligible designees in each State.

The Secretary of the Department of Health, Education and Welfare would be required to determine that such property is usable and necessary for the purpose of education, research, or training, and the Secretary of Defense would be required to determine that transfer of the property to non-profit educational institutions was deemed to be in the interest of national security.

This is an extension of a practice which has existed under 5 U.S.C. 456 for almost twenty years, however, at the present time only those schools which are near the industrial reserve storage centers, or have large budgets can afford to send screeners to the storage centers for selection and acquisition of machine tools or other needed items of supply.

Enactment of this section of my bill will provide a more equitable method of making property available to all schools which have need, or are interested in acquiring property on a loan basis from the industrial reserve.

Section 12 would repeal Sections 13(d), 13(g) and 13(h) of the Surplus Property Act of 1944 because the provisions of these sections would be incorporated in section 302 of the Federal Property and Administrative Services Act of 1949, as amended.

Provision is also included in this bill to repeal section 505 of the Agriculture Act of 1958 which permits the Secretary of Agriculture to donate cotton acquired through the Commodity Credit Corporation to educational institutions for the training of students in the processing and manufacture of cotton into textiles.

It would appear that very little cotton is utilized for this purpose, however, if this material is needed and usable for training of students it should either be obtained from excess or surplus and processed through the State Agencies for Surplus Property rather than under specialized legislation authority, thereby undermining the general procedure of transferring excess or surplus to a local entity in preference to the old established procedure of transferring surplus, without regard to, or in compliance with, the general disposal process.

The need or justification for such legislation is not challenged, but in fairness to the State and local interests it was determined that the specific authority which in most cases establishes a priority should be repealed, or incorporated in the general statute for the utilization and disposal of property which is surplus to the needs of the Government.

REPORT OF SENATOR JOHN L. McCLELLAN, SHOWING THE ACQUISITION COST OF SURPLUS PROPERTY GENERATED BY THE MILITARY AND CIVILIAN AGENCIES TOGETHER WITH THE DISPOSITION OF SUCH PROPERTY FOR FISCAL YEARS 1964–68

Mr. President, the Federal Property and Administrative Services Act of 1949, as amended, provides, that personal property which becomes surplus to all Federal requirements may be donated for educational, public health, and civilian defense purposes upon a determination by the Secretary of Health, Education, and Welfare that the property is useful and needed for such purposes. The Act also provides that certain types of surplus property may be destroyed, abandoned, or in those instances where the property has no commercial value, or the cost of care and handling would exceed the estimated sale such property may be donated to States, Territories or other public bodies. The Property Act and certain related statutes authorizes the Administrator of General Services, or in some instances the agency in possession of the property which has been declared surplus to sell, transfer to non-profit institutions, give to other Federal Agencies, or convey to cities or municipalities for public airport use.

In view of the recent interest in the high cost of Government and the public concern over the large amount of property which is used by the armed forces, I have requested the staff of the Committee on Government Operations to ascertain how much Government property becomes surplus each year, together with the disposition thereof.

In cooperation with the officials involved in the administration of the surplus property program, the staff has prepared a report showing the acquisition cost of the property generated each fiscal year since 1964, together with the disposition of such property, and the proceeds realized from the sale of surplus property. The figures used in compiling these statistics are based on the original acquisition cost of the property, rather than the value at the time of disposal. This basis is used throughout the government because all property is recorded at cost with no provision for depreciation as is commonly followed by private enterprise.

The report indicates that the total surplus property generated by the civilian and military departments in 1968 was in excess of $2.6 billion and the total for the last five years exceeded $17 billion dollars. Mr. President, I repeat, during the past five years, personal property which cost the American taxpayer more than $17 billion dollars, became obsolete, worn-out, broken, destroyed, or otherwise lost its useful life and was declared surplus to the needs of the Government.

I believe it is safe to assume that some of this property was purchased during World War II, while in other cases it may have been acquired and placed in the supply system during the Korean conflict, or during our involvement in Viet Nam. Regardless, as to when it was purchased, it has lost its value and useful life to the military or civilian agencies and was therefore declared surplus. When property reaches this status, it is moved out of the warehouse or supply system to make room for its replacement.

An examination of the latest figures available reveal that of the $2.6 billion dollars worth of surplus generated last year almost 96% originated from the military installations while only 4% was generated by the civilian departments and agencies.

This report is not intended to pass judgment on the management or control of our Defense Establishment but is presented here today to indicate that the very nature of our military posture, and our world-wide military commitments have created a condition where obsolescences, changes in military requirements, science, technology and the deterioration of existing equipment, supplies and facilities forces a large amount of property out of the military supply system. The disposition of property which has become surplus to the needs of the Government is big business, not only in the United States but throughout western Europe, and certain other areas of the free world, as indicated by the figures shown on the staff report.

Of the total amount of property which became surplus last year, $1.8 billion or more than one half of the total amount was sold as scrap. Commercial type property which cost $774 million was sold to the public or to other users while $51 million was abandoned or destroyed because it had no sale or commercial value. Usable property costing in excess of $15 million was transferred to other agencies of the Government. While

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at the same time more than $218 million of surplus property which was usable and needed by schools, colleges, public health, civil defense and other users, was donated to those institutions where the public will continue to benefit in many ways.

Proceeds from the sale of surplus property classified as "scrap" was sold for $47 million, while $35 million was received from the sale of commercial type property during the year. The average return from salable commercial type property realized only 4.5 percent of the original cost during 1968, however the average for the other years fluctuated from 4.4 to 10.1 percent of the cost thereof.

In conclusion, Mr. President, I wish to point out that the amount of property which has generated together with the disposal of such property during the past five years, remained fairly constant except during 1964 when a substantial amount of high-cost, electronic, and military hardware was phased-out of the system under an accelerated retirement program.

COMPARATIVE REPORT OF SURPLUS PERSONAL PROPERTY GENERATED, DISPOSALS, AND PROCEEDS FROM SALES BY FISCAL YEAR

	1968	1967	1966	1965	1964	Total
Generated	$2,671,623,312	$2,446,678,429	$2,923,996,045	$4,665,313,760	$4,797,359,821	$17,504,971,367
Military departments	2,561,858,167	2,318,649,173	2,722,290,688	4,539,308,279	4,701,285,680	16,843,391,987
Civilian agencies	109,765,145	128,029,256	201,705,357	126,005,481	96,074,141	661,579,380
Total donated	[1] 218,193,716	261,957,821	320,544,410	316,066,588	298,538,506	1,415,301,041
Education (73.0 percent)	159,281,413	191,229,209	233,997,419	230,728,609	217,933,109	1,033,169,759
Health (10.5 percent)	22,910,340	27,505,571	33,657,163	33,186,992	31,346,543	148,606,609
Civilian defense [2] (11.5 percent)	25,092,277	30,125,149	36,862,607	36,347,658	34,331,928	162,759,619
Public airports [3] (1.4 percent)	3,054,712	3,667,410	4,487,622	4,424,932	4,179,539	19,814,215
DOD educational activities [4] (1.9 percent)	4,145,681	4,977,199	6,090,344	6,005,265	5,672,232	26,890,721
Public bodies (1.7 percent)	3,709,293	4,453,283	5,449,255	5,373,132	5,075,155	24,060,118
Sold	773,972,747	849,759,165	608,313,577	787,433,544	777,611,536	3,797,090,569
Abandoned or destroyed	51,056,323	34,883,296	106,445,990	117,302,397	107,569,149	417,257,155
Transferred to other agencies	15,749,360	30,723,150	212,196,576	79,768,567	22,092,427	360,530,080
Scrap	1,791,754,077	1,821,646,905	2,204,983,126	2,537,691,301	3,363,643,521	11,719,718,930
Military	1,784,669,592	1,814,685,787	2,199,788,539	2,531,222,454	3,358,970,798	11,689,337,170
Civilian	7,084,485	6,961,118	5,194,587	6,468,847	4,672,723	30,381,760
Proceeds from sales:						
Scrap	47,002,843	48,828,699	44,141,231	47,428,590	37,953,234	225,354,597
Other property	34,833,324	37,632,567	61,299,687	50,619,060	44,964,110	229,348,748
Total proceeds	81,836,167	86,461,266	105,440,918	98,047,650	82,917,344	454,703,345
Percent other than scrap	4.5	4.4	10.1	6.4	5.8	6.0

[1] 0.08+ of generations.

[2] Civil defense.

[3] Public airports.

[4] Educational activities of special interest to the Department of Defense.

S. 2172—INTRODUCTION OF A BILL TO AMEND SECTION 201 OF TITLE II OF AN ACT ENTITLED "AN ACT TO PRESCRIBE PENALTIES FOR CERTAIN ACTS OF VIOLENCE OR INTIMIDATION, AND FOR OTHER PURPOSES"

Mr. ERVIN. Mr. President, prior to April 11, 1968, Indians residing on reservations had no fundamental rights which they could assert for their protection against arbitrary action of their tribal councils and other governing bodies. When the bill which became Public Law 90–284, 90th Congress, on April 11, 1968, was being considered by the Senate, I offered an amendment in behalf of myself and certain other Senators to give such basic rights to Indians residing on reservations. This amendment was approved by the Senate and finally became title II of the act entitled "An act to prescribe penalties for certain acts of violence or intimidation, and for other purposes."

The primary purpose of this amendment was to give the basic rights set forth in title II to Indians residing on reservations. It has been suggested, however, that title II should be amended so as to make it clear that it does not confer such rights upon non-Indians.

In order to afford the Congress an opportunity to consider the advisability of amending title II in this fashion, I am introducing today for appropriate reference a proposed amendment to this effect.

I ask unanimous consent that a copy of such bill be printed at this point in the body of the RECORD as a part of my remarks.

Since the original bill was considered and reported by the Senate Committee on the Judiciary, I also ask unanimous consent that the proposed amendment be referred to that committee.

The VICE PRESIDENT. The bill will be received, referred to the Committee on the Judiciary by unanimous consent; and, without objection, will be printed in the RECORD.

The bill (S. 2172) to amend an act entitled "An act to prescribe penalties for certain acts of violence or intimidation, and for other purposes," approved April 11, 1968, introduced by Mr. ERVIN, was received, read twice by its title, referred to the Committee on the Judiciary, by unanimous consent, and ordered to be printed in the RECORD, as follows:

S. 2172

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 201 of Title II of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes", approved April 11, 1968 (25 U.S.C. 1301), is amended by inserting immediately before paragraph (1) thereof the following new paragraphs:

"(1) 'Person' means American Indian;

"(2) 'People' means American Indians;"

(b) Such section 201 is further amended by redesignating paragraphs numbered (1), (2), and (3) as paragraphs (4), (5), and (6), respectively.

S. 2173—INTRODUCTION OF A BILL TO AMEND CERTAIN PROVISIONS OF THE ACT ENTITLED "AN ACT TO PRESCRIBE PENALTIES FOR CERTAIN ACTS OF VIOLENCE OR INTIMIDATION, AND FOR OTHER PURPOSES," APPROVED APRIL 11, 1968

Mr. ERVIN. Mr. President, since Congress adopted as titles II and III, Public Law 90–284 of the 90th Congress, an amendment offered by me on behalf of myself and certain cosponsors, giving certain basic rights to Indians residing upon reservations and providing for the preparation of a model code of Indian offenses by the Secretary of the Interior, some misapprehensions have arisen that the amendment goes beyond the language in which the amendment is couched and affects rights of property of Indian tribes in tribal lands and abridges the powers of self-government of Indian tribes in a manner inconsistent with the language of the amendment.

To allay these misapprehensions, I am introducing a bill which will amend the original amendment and make it plain that title II does not affect the property rights of any Indian tribe in its tribal lands or abridge any of the rights of self-government of any Indian tribe except to the extent of the prohibitions upon governmental action expressly set forth in title II.

The bill which I introduce makes it clear that the model code mentioned in title III of the act will not become applicable to any tribe unless it is first adopted by the tribal council or other governing body of the tribe.

I introduce the bill for appropriate reference and ask unanimous consent that a copy of the bill be printed in the RECORD immediately following this statement and that the bill be referred to the Senate Committee on the Judiciary which considered and reported the original act to which my amendment was attached.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2173) to amend an act en-

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titled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes," approved April 11, 1968, introduced by Mr. ERVIN, was received, read twice by its title, referred to the Committee on the Judiciary, and was ordered to be printed in the RECORD as follows:

S. 2173

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

SECTION 1. That section 202 of Title II of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation and for other purposes", approved April 11, 1968 (25 U.S.C. 1302), is amended by inserting "(a)" between "Sec. 202" and "No Indian tribe" and by adding after such Section the following new subsection:

"(b) Subsection (a) shall not be construed (1) to affect any rights in tribal lands secured to any Indian tribe by any law or treaty, or (2) to abridge the powers of self-government of any Indian tribe except to the extent specified in the prohibitions set out in subsection (a), or (3) to affect any tribal law or custom of any Indian tribe regulating the selection of the officers, bodies, or tribunals by or through which the powers of self-government of the tribe are executed, or (4) to invalidate any tribal law or custom of any Indian tribe which is consistent with the prohibitions set out in subsection (a), or (5) to deprive any Indian court of the power to impose in any case within its jurisdictions any penalty or punishment sanctioned by tribal law or custom which does not constitute cruel and unusual punishment within the purview of paragraph 7 of subsection (a) or exceed the limits of punishment as therein specified."

SEC. 2. That Section 301 of Title III of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes", approved April 11, 1968, (25 U.S.C. 1311) is amended by substituting "July 1, 1973" for "July 1, 1968" and by adding at the end thereof the following new sentence:

"Nothwithstanding any provisions of this section, no model code recommended to the Congress by the Secretary of the Interior pursuant to this section shall be applicable with respect to any Indian tribe unless the body exercising the legislative powers of the tribe has first adopted such code."

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. BURDICK. Mr. President, I ask unanimous consent that, at their next printing, the name of the Senator from Arizona (Mr. GOLDWATER) be added as a cosponsor of the bill (S. 1229) to amend the Omnibus Crime Control and Safe Streets Act of 1968 in order to make assistance available to Indian tribes on the same basis as to other local governments, and of the bill (S. 1230) to amend the Juvenile Delinquency Prevention and Control Act of 1968 in order to make assistance available to Indian tribes on the same basis as to other local governments.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, at their next printing, the name of the Senator from Illinois (Mr. PERCY) be added as a cosponsor of the bill (S. 2073) to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors, and of the bill (S. 2074) to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Alaska (Mr. GRAVEL), I ask unanimous consent that, at its next printing, the name of the Senator from Oregon (Mr. HATFIELD) be added as a cosponsor of the joint resolution (S.J. Res. 108) to provide for a study and evaluation of the relationship between underground nuclear detonations and seismic disturbances.

The VICE PRESIDENT. Without objection, it is so ordereed.

Mr. DOMINICK. Mr. President, I am glad that the Senator from Arizona (Mr. GOLDWATER) is in the Chamber. The Senator from Arizona has a bill on voting rights.

Mr. GOLDWATER. The Senator is correct.

Mr. DOMINICK. I do not know whether that bill has been introduced or not.

Mr. GOLDWATER. Yes, it has been.

Mr. DOMINICK. If it has been introduced, I wonder if the Senator would consent to having my name added as a cosponsor at the next printing of the bill. I have forgotten the number.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the name of the Senator from Colorado (Mr. DOMINICK) be added as a cosponsor at the next printing of the bill (S. 1911) to expand the time for voting in presidential elections to a 24-hour period and to provide that such period shall be uniform throughout the United States.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GOLDWATER. I have a joint resolution which is a constitutional amendment (S.J. Res. 59) proposing an amendment to the Constitution of the United States providing that citizens of the United States shall be entitled to vote for President and Vice President without regard to excessive residence and physical requirements.

Mr. DOMINICK. I believe it is the constitutional amendment I am thinking of.

I should like to be on both of them, as a matter of fact. I do this because during my 4 years in the State Legislature of Colorado, I tried to get the Democratic majority to lower the residency requirements for voting for President and Vice President from 1 year to 6 months. I was not successful. When I came to Congress, we got the Republican majority to get it through immediately. Now we have in our State a 6-months' residency requirement for voting for President and Vice President, but 1 year's requirement for voting on other offices. I think it should be lowered even more than that. I have received letter after letter from people objecting to the fact that they have lost their voting rights, and I think they properly should object. In fact, it is now coming up, as I understand it, before the Supreme Court.

Thus, I appreciate the initiative which has been shown by the distinguished Senator from Arizona on this subject and would like to participate with him.

Mr. GOLDWATER. Let me say to my distinguished friend from Colorado that this constitutional amendment is prompted by the knowledge that somewhere between 12 and 18 million people were denied the right to vote for President and Vice President in the last election. My constitutional amendment would not extend to races other than the Presidency and Vice Presidency but, broadly, it would allow any American to vote for President and Vice President regardless of where he or she might be in the world. Coming from a State like the Senator's, Colorado, which is a fast-growing State and attracting many people all over the country, we find tens of thousands of people each year who cannot vote either in Colorado or Arizona, which has rather broad voting provisions, or voting in their old State because they are not a citizen, technically, of either one.

My constitutional amendment would erase that and allow a period of 30 days for residency in voting for President and Vice President, and in the event of absence from the country, to vote by absentee ballot up to 7 days before election in any State he happened to call home.

Mr. DOMINICK. I think that is an admirable step and I hope we move on it. It is one of the reforms we need very badly in this country. I am positive of that. I tried to take it piecemeal in my State, as I said, just to get it to half what it was, and I was not successful, but I think this is the better approach. If we put in a constitutional amendment on it, then no State can deny to anyone in the country the right to vote because he happens to be moving from one job to another.

Mr. GOLDWATER. I thank the Senator.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from South Carolina (Mr. HOLLINGS) be added as a cosponsor of the bill (S. 2146) to encourage the flow of credit to urban and rural poverty areas in order to stimulate the rate of economic growth and employment in those areas, and to provide the residents thereof with greater access to consumer, business, and mortgage credit at reasonable rates.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Washington (Mr. MAGNUSON), I ask unanimous consent that, at its next printing, the name of the Senator from Texas (Mr. YARBOROUGH) be added as a cosponsor of the bill (S. 1400) to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 25—CONCURRENT RESOLUTION EXPRESSING THE SENSE OF CONGRESS THAT PROGRAMS OF SCIENTIFIC RESEARCH AND TRAINING IN AGING BE ENCOURAGED AND SUPPORTED

Mr. MONTOYA submitted the following concurrent resolution (S. Con. Res. 25); which was referred to the Committee on Labor and Public Welfare:

S. Con. Res. 25

Resolved by the Senate (the House of Representatives concurring), That—

Whereas there are over 19 million older Americans 65 and over; and

Whereas the number of older Americans increases by over three hundred thousand per year; and

Whereas by the year 2000, 35% of our population will be 65 and older; and

Whereas the average life span of an American child born today is 70 years as compared with 47 years in 1900; and

Whereas Gerontology is a relatively new science; and

Whereas Congress is continually concerned with the well-being of older Americans, said concern having been demonstrated by the establishment of the Administration on Aging (P.L. 89–73); therefore,

It is the sense of Congress that programs of scientific research and training in Aging, such as The Ethel Percy Andrus Gerontology Center located at the University of Southern California, be encouraged and supported.

BOBBY BAKER ASSOCIATE'S TAXES FORGIVEN

Mr. **WILLIAMS** of Delaware. Mr. President, I ask unanimous consent to have printed in the Record an article by Clark Mollenhoff entitled "Baker Associate's Taxes Forgiven," which was published in the Minneapolis Tribune on Saturday, May 10, 1969.

There being no objection, the article was ordered to be printed in the Record, as follows:

Administration Reports on IRS Action: Baker Associate's Taxes Forgiven

(By Clark Mollenhoff)

Washington, D.C.—The Johnson administration forgave Fred B. Black Jr., for $122,213 in delinquent federal income taxes in the last months the administration was in power, it was learned Friday.

The Nixon administration found that the Internal Revenue Service (IRS) wrote off the taxes as "uncollectable."

Black, former Washington representative for North American Aviation, was a key figure in the investigation of Robert G. (Bobby) Baker and was involved in what the Senate Rules Committee called "gross improprieties" in connection with the creation and operations of the Serv-U Vending Co.

Black was indicted on a federal tax evasion charge in 1961 during the Kennedy administration. That charge went to trial while Robert F. Kennedy was attorney general early in 1964, and resulted in a conviction. Black was sentenced to a prison term of from 15 months to four years and was to be fined $10,000.

Although the IRS had the right to act immediately and file liens against Black's property, there was no action taken.

At the time of the conviction he owned stock in the Serv-U firm which had an estimated value of $500,000. He also owned a large home in the exclusive Spring Valley section in Washington with an estimated value of more than $150,000.

The IRS filed no liens against Black until after he had lost title to the $500,000 in Serv-U stock through a transfer to Baker that put his stock outside the government's reach.

During the same period in 1964 and 1965, Black borrowed more than $100,000 on his Washington home, that was already encumbered by a mortgage of $65,000.

The mortgages totaling $165,000 on the home closed out his second major asset and put it beyond the reach of the IRS. Tax agents have been unable to find what Black did with any substantial amount of the money.

In the spring of 1965 when it appeared almost certain that Black would serve his prison term, a newly appointed assistant attorney general, Mitchell Rogovin revealed that he had found that an eavesdropping device had been used on Black's Carlton Hotel suite.

Rogovin, appointed by President Johnson only a few weeks earlier, insisted that the evidence of the FBI eavesdropping be taken to the Supreme Court in an unprecedented move.

Over the objections of the FBI and other lawyers, who said the eavesdropping was totally unrelated to Black's tax evasion conviction, Rogovin insisted that the disclosure be made. It was, the conviction was voided, and the case was sent back for retrial.

The second trial under a Rogovin-headed tax division resulted in acquittal for Black. There was sharp dispute within the Justice Department as to the manner in which the trial should be conducted, and as to whether there were even better counts.

Black still is subject to government tax claims totaling more than $600,000.

Although the Johnson administration wrote off the $122,213 as "uncollectable" in 1968, in the period just before the Nixon administration took over Black received notice that he owed $228,000 in back taxes for the years 1960 through 1965.

No fraud penalties were assessed in those records that were filed in the U.S. Tax Court in December, 1968.

Early this year, the Nixon administration sent Black a letter claiming he owed $389,027 in back taxes and fraud penalties for the years 1956 through 1959.

FORTAS MAY SIT OUT CATHOLIC UNIVERSITY CASE

Mr. **WILLIAMS** of Delaware. Mr. President, I ask unanimous consent to have printed in the Record an article entitled "Fortas May Sit Out Catholic University Case," as written by Dan Thomasson, a Scripps-Howard staff writer.

There being no objection, the article was ordered to be printed in the Record, as follows:

Professor Cites "Partnership": Fortas May Sit Out Catholic University Case

(By Dan Thomasson)

Besieged Supreme Court Justice Abe Fortas' real estate interests here are expected today to bring a demand that he disqualify himself from ruling on an appeal motion brought by a university law professor.

Dr. William Roberts, professor of international law and relations at Catholic University, will file a petition with the Supreme Court seeking disqualification of Justice Fortas and a fellow associate justice, William Brennan, on grounds they are business partners with two lower court judges whose decisions in the case are under challenge by Dr. Roberts.

This latest challenge to Justice Fortas follows reports by congressional sources that the Justice Department has been checking into Justice Fortas' connections with real estate syndicates in the district area. The sources said some of these associations might constitute a conflict with Justice Fortas' court duties.

RESIGNATION RUMORS

The continuing furor over Justice Fortas' dealings with jailed Florida financier Louis E. Wolfson produced a new round of reports today that Justice Fortas' resignation is "imminent."

Sen. Paul Fannin, R-Ariz., who said Monday that Justice Fortas would quit before week's end, said today he had been informed the resignation will be announced Friday.

And House Republican leaders have asked Rep. H. R. Gross, R-Iowa, to hold up until next week filing of a resolution to impeach Justice Fortas, implying that Justice Fortas by then will have resigned. House GOP Leader Gerald Ford (Mich.) told Rep. Gross "the Fortas matter will be resolved within the next few days."

In his petition to the high court, Dr. Roberts will charge that Justice Fortas and Justice Brennan are limited partners in a Virginia apartment complex with David L. Bazelon, chief judge of the U.S. Court of Appeals for the District of Collumbia, and J. Skelly Wright, also a Court of Appeals judge here.

The Washington Daily News and other Scripps-Howard newspapers disclosed in November that Justice Fortas, Justice Brennan, Justice Wright, Judge Bazelon, Mrs. Bazelon, Mrs. Fortas (Washington tax attorney Carolyn Agger), former United Nations Ambassador Arthur Goldberg and Sen. Abraham Ribicoff, D-Conn., all had an interest in Concord Village Associates, which operates a 531-garden apartment complex in Arlington.

The project was described by tax experts as a legal "tax shelter" in which the partners could deduct from taxes on ordinary income their share of theoretical depreciation losses on the apartment complex.

Dr. Roberts also will note in his petition to the court that Judges Bazelon and Wright, who ruled on his case, are limited partners in a downtown Washington office building.

Dr. Roberts' petition stems from his efforts to prevent the university from abolishing an Institute of International Law and Relations which Dr. Roberts had a contract to head.

Two motions filed in 1967 and 1968 asked the District Court here to issue an injunction halting the dissolution of the institute. Both motions were rejected and Dr. Roberts appealed to the U.S. Court of Appeals headed by Judge Bazelon.

After numerous delays, the appeals were denied and Dr. Roberts turned to the Supreme Court, asking for a writ of certiorari. His impending petition seeks to disqualify Justice Fortas and Justice Brennan from taking part in the court's decision on whether to grant the writ and go into the case.

As partners in the Virginia complex, Dr. Roberts charges, Justice Fortas and Justice Brennan should not be sitting in judgment of decisions made by two other partners in the same venture, Judge Bazelon and Judge Wright.

In addition to his holdings in Concord Village, Justice Fortas also has a limited partnership in Duke Associates, which also operates a Virginia apartment complex.

Last fall, Justice Fortas conceded to Scripps-Howard Newspapers that he was interested in obtaining the tax breaks such ventures offered. He said this was particularly true when he was practicing law.

Last night, almost at the last minute, Justice Fortas cancelled a scheduled appearance before the First Circuit Judicial Conference in New Castle, N.H. No reason was given.

MEDICARE AND MEDICAID

Mr. **WILLIAMS** of Delaware. Mr. President, the Finance Committee has developed some important material in its investigation into the operations and status of the medicare and medicaid programs.

This investigation was undertaken following the committee's unanimous agreement in February to direct its staff to initiate the inquiry and to request the cooperation of the General Accounting Office.

All of this is in addition to the review work which the committee and its staff

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have been doing since the inception of medicare and medicaid.

For example, even before medicare started we held an executive hearing with Health, Education, and Welfare officials where we were highly critical of the proposed hospital reimbursement formula. Unusually liberal methods of paying for depreciation and a 2 percent bonus on top of actual costs were among the specific items questioned at that time.

I urged the Finance Committee to expand its review activities because the present and projected financial difficulties of those two programs far exceed my earlier pessimistic estimates.

We are not talking about small change, either. Without a modification in the program the total costs of parts A and B of medicare during the next 25 years will equal or exceed the present national debt of about $370 billion. The latest report of the trustees of the hospital insurance fund states that under present financing that fund will be broke by 1976. According to Social Security's Chief Actuary, current experience with part B of medicare indicates that the $4 monthly premium will be insufficient for fiscal 1970.

Medicaid is also running wild. For example, in a report published just this past September the Advisory Commission on Intergovernmental Relations forecast a total medicaid cost of "$6 or 7 billion a year, or more by 1975." But in January the budget estimated that level of expenditure would be reached in fiscal 1970—5 years sooner.

The new administration has just proposed some steps to limit medicaid costs. I do not know to what extent these partial measures will prove effective, but I do know that in every single year since medicaid started we have had to approve a supplemental appropriation to pay for it. The Department of Health, Education, and Welfare is asking for more than $278 million in additional funds for fiscal 1969 alone.

One indication of the depth of this Finance Committee undertaking is that detailed questionnaires were mailed to every Governor, to every medicare intermediary and carrier, to every State hospital association, and to every State medical society, as well as to every major national organization concerned with medicare and medicaid. Additionally, the Department of Health, Education, and Welfare was requested to provide the names and addresses of every health practitioner who was paid $25,000 or more in 1968 under either medicare or medicaid. Other background information relating to these people was also requested.

The formal staff report to the committee may not be available for another month or more, but enough data has already been gathered to more than justify the committee's request for the report. The Senate—indeed the American people—will, I think, be extremely interested in some of the initial results.

First, in 1968 the medicare program paid $25,000 or more to each of at least 5,000 physicians.

Second, thousands of health practitioners—doctors, dentists, optometrists, and others—were each paid $25,000 or more under the welfare health care programs in 1968. The total number of these is no yet known—names and addresses are still coming in. A surprising note is the large number of dentists appearing on the lists from welfare agencies.

The staff is handling the data carefully so as to prevent misunderstanding.

The committee's request for complete information as to each person who was paid $25,000 or more in public funds was difficult to comply with for both medicare and medicaid. The Social Security Administration had neglected to require a uniform nonduplicating identification system for physicians. Consequently each medicare carrier employs his own code, which all too often is indecipherable and incomplete. Currently we have confusion rather than control.

Apparently all of these different systems function more to obscure than to identify. Oddly enough, it was the Social Security Administration—of all people—which did not take the obvious step of requiring that each physician be identified by his social security number so as to have one simple national system. Such reporting would also facilitate regular reporting to the Internal Revenue Service of the amounts paid. Obviously this same commonsense approach should also be applied to medicaid.

Data has also been gathered and detailed tables prepared comparing the average medicare payments for the most common surgical procedures for older people with the maximum payments allowed under the most widely held Blue Shield contract in the same geographical area.

The results are startling. Medicare's average payments run as much as two to four times as high as Blue Shield maximums. For example, in two areas of the country medicare's average payment for a cataract operation is more than four times as much as the Blue Shield allowance. These are not isolated cases. There is a pronounced pattern of inflated payments by medicare.

The report to the committee will include pinpointing the causes underlying these extremely generous handouts of public funds.

Another unusual situation has occurred in Social Security's pressing carriers to pay for so-called supervisory services rendered by a teaching physician even though the actual care is provided by an intern or resident. Before medicare virtually no insurer paid for such services.

At the beginning of the program a special group was set up by Social Security to draft regulations which would require payment for this type of service. The group consisted solely of individuals and representatives of organizations which stood to benefit directly from this new and unusual sort of payment.

They did an excellent job of telling the Government exactly how to give themselves tens of millions of dollars. One large medicare carrier told us that it wrote Social Security advising that the courts in its State had held that patients were under no legal obligation to pay for the services of supervising physicians in teaching hospitals. The carrier told Social Security that payment for such services in the absence of a legal obligation to pay on the part of the patient would be in violation of an express prohibition in section 1862(a)(2) of the Social Security Act.

Despite several requests the carrier was not given a written response by Social Security. They then were given general instructions, along with all carriers, to make such payments. That one carrier alone has already paid out several million dollars despite an unequivocal statutory enjoinder prohibiting such payments. Social Security officials knew of the prohibition—they had notice that no legal obligation to pay existed in that State—yet they ordered those payments.

This sort of decision is pyramiding the costs of medicare, but it is not contributing one bit to the quality of care provided under the program. For example, in one large Midwestern hospital alone claims for supervisory physician services are already well above $2½ million. Encouraged by this success, these people are getting ready to do the same thing to medicaid.

Their abuse of medicare has been systematic and flagrant. It involves formal arrangements worked out with the cooperation of the medicare carrier.

In fact, the medical staff of that institution has virtually tripled the salary of the individual they hired to show them how to take medicare for a ride. His salary, of course, comes from the results of his success. Along with other areas of concern the committee is examining this situation in detail.

Since medicare started there has been a remarkable increase in the number of chains entering the for-profit hospital and nursing home field. These groups, whose stocks have soared to unbelievable price-earnings ratios, are obviously lured by medicare's generous reimbursement. The 1½ percent bonus paid on top of reimbursable costs, the prospect of getting accelerated depreciation allowances and then selling a facility at an inflated price, the fact that medicare will pick up all of the costs of a 100-bed facility even if its total patient load consists of just five medicare beneficiaries, the fact that there is no effective review of the utilization of beds and services in these facilities, and the fact that the nursing home or hospital can choose the Government agent who will determine how much it is to be paid have certainly encouraged the get-rich-quick operations.

Furthermore, if a chain owns an extended care facility as well as a hospital it can see that patients go from its hospital to its nursing home. A chain may also own pharmacies or sell hospital supplies to a ready-made captive market in its hospitals and nursing homes at high noncompetitive prices. Chains actively solicit and sell stock to local doctors who thereafter are inescapably subject to questions of conflict of interest any time they place patients in and order medical services in the facilities in which they have an ownership interest.

Sometimes these conflicts of interest are quite open and blatant. For example,

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we have a report that the director of medicare operations for one of our largest intermediaries and carriers sits on the board of directors of a nursing home chain.

Perhaps the principal victims of this spurt in chain profitmaking operations are our community nonprofit hospitals. They find their paying patients siphoned off to one of those institutions which does not have to worry about providing such money losing but vital community services as 24-hour emergency room care.

The investigation has expanded the evaluation of carrier and intermediary performance to determine whether the Government is getting what it is certainly paying for and the extent to which intermediaries and carriers are carrying out specific functions assigned to them by the medicare statute.

Thus far a wide variance and level of performance has been observed. Clearly, the medicare administrators have been unwilling to insist that all carriers and intermediaries be "efficient and economical" as Congress required when it enacted medicare.

The law requires intermediaries and carriers to exercise effective controls on utilization of services. This provision was designed to prevent abuse of the program by doctors and hospitals as well as by beneficiaries who might seek unnecessary care simply because the Government paid for it.

Yet some carriers and intermediaries appear virtually to ignore performance of this vital function while others seem to be doing a reasonably effective job.

There is uncertainty regarding the effectiveness of the utilization review required in hospitals and extended care facilities. For example, one State medical society said that utilization review only worked where hospital beds are in short supply, that elsewhere the economic pressure of an empty bed on the administrator of a hospital or nursing home far outweighed the "token" pressure of a utilization review committee for conserving program funds.

Of course, in addition to the problems that I have just outlined there are other areas of concern which are now being investigated. It is gratifying that honest employees and individuals have, on their own, reported questionable activities and situations. Among these are: Allegations of "kickback" arrangements by pharmacists, podiatrists, and physical therapists with nursing homes; billing and payment for services never provided; "gang visits" by physicians to 20, 30, and 40 patients at a single time in nursing homes with each patient billed separately at the full fee, regardless of whether the visit was medically necessary.

Mr. President, we know that the fact that many pertinent questions have been raised and asked in the course of the study initiated by the Finance Committee has led others into healthy reexaminations of their policies and procedures.

I fear that many people regarded the medicare program as an invitation to concoct money-making schemes at the expense of the taxpayers. Unfortunately, up to this point profiteers have had a field day with the program, and their schemes for cheating medicare are still coming to light. I now fully appreciate why the private insurance actuaries added 10 percent to the original medicare cost estimates solely because this was to be a Government program.

One handicap has been that while States pay from 20 percent to 50 percent of the costs of the medicaid program, far too often neither the State nor the Federal Government has been auditing the expenditures, with the result that great abuse and inefficiency have developed.

Recently some States have initiated a more extensive review of these programs; grand juries have been convened, and several indictments have resulted.

Today I shall cite a few examples of some of the more glaring abuses that have been uncovered in the administration of this program in California. The names of the individuals, nursing homes, and so forth, are being withheld since some of the cases are under active study by the courts.

The following are excerpts from an investigative report as compiled by officials of the California Department of Justice. In California the medicaid program is referred to as Medi-Cal.

EXCERPTS FROM THE CALIFORNIA MEDI-CAL REPORT

Of the money spent under the Medi-Cal Program, approximately fifty per cent is paid by the federal government with the state and counties contributing the remainder of such funds.

Our investigation indicates that illegal and unethical activities of persons providing services under Medi-Cal are siphoning millions of dollars annually from the program. Poor administration of the program has contributed to further needless expenditure of money by Medi-Cal. . . .

Our investigation leads us to conclude that six to eight million dollars annually is being drained from the program by illegal and unethical activities by various professionals involved in Medi-Cal. This would not include funds paid out in error and as a result of faulty administration. . . .

In addition to the violations of the laws and regulations of Medi-Cal by the vendors, the investigation disclosed that an effective enforcement program to discover, investigate and deter such activities does not exist. . . .

There is a lesson here for both the state and federal governments. The enactment of federal legislation which requires immediate response from the states to take advantage of federal funding is laden with peril, as well as with token prosperity. Unprepared and without sufficient analysis, the states are rushed into formulating programs which are both essential and ill-considered. There should be an effort by both federal and state governments to transform such programs into more meaningful and fruitful cooperative actions. . . .

NURSING HOMES

. . . The investigation revealed that nursing homes are engaged in numerous activities which violate the laws and regulations governing Medi-Cal.

. . . Many nursing homes require beneficiaries or their relatives to pay money 'under the table' to secure admission of the beneficiary into the home. Such payments are often required not just upon the initial admission of the beneficiary but also for each month the beneficiary is kept in the home. . . .

In one case, for example, it was found that a nursing home was in possession of some $2,000 which belonged to persons who either died or who were discharged from the home.

. . . Several nursing homes have been found to be submitting claims to Medi-Cal for services rendered to patients who either died or who had been discharged from the home prior to the period covered in the billing.

One home, for example, received $3,000 for rendering services to patients who had in fact died prior to the date of the alleged services. . . .

Duplicate payments also occur where a nursing home has patients who are eligible to receive benefits from both Medi-Cal and Medicare. While Medi-Cal is only supposed to pay that amount which Medicare does not cover, the submission of duplicate claims under both welfare programs often results in the nursing homes getting paid in full from both Medi-Cal and Medicare. One nursing home, for example, received a duplicate payment of approximately $50,000 by billing in this manner.

Nursing homes may also receive duplicate payment in another manner. A home is reimbursed by Medi-Cal for providing a service, yet it also bills and receives payment for this same service from the patient or his relatives. Many persons receiving Medi-Cal benefits do not know that the services they are billed for have already been paid by Medi-Cal.

. . . The investigation revealed that it is common practice for nursing homes to require vendors with whom they deal to give kickbacks in order to provide their services to persons in the nursing home.

"In some instances the kickbacks ranged as high as 35 per cent of the fee received by the vendor.

"Kickbacks are prohibited by Medi-Cal regulations. Nevertheless, it is a common practice for vendors such as pharmacists, therapists, X-ray technicians and laboratory clinics to give kickbacks in order to obtain business from nursing homes.

. . . Nursing homes often provide services to their residents which are greatly in excess of the services actually needed. Such overservicing is cause for dropping a nursing home from the Medi-Cal program. . . .

For example, one nursing home had a patient who was to take three pills a day. A prescription of 100 pills would have lasted an entire month. The home, however, ordered three prescriptions, each for 100 pills, during this one month. . . .

Another method by which excessive services are provided is where nursing homes have arrangements with vendors such as physicians, dentists, optometrists, podiatrists, etc., which permit them to examine persons in the home whether or not their services are required or requested.

Indications of 'mass examinations' by such vendors have been observed by county consultants throughout the state in the course of their processing requests for prior authorization. Persons in the home seldom object to such examination since they are not usually required to pay for such services. . . .

PHYSICIANS

. . . The Primary fraudulent activity engaged in by physicians as disclosed by the investigation has been submitting claims for services which were not in fact rendered by the physicians.

One area in particular where this type of activity occurs relates to physicians submitting claims for having examined patients in nursing homes, although such examinations were not in fact performed. . . .

For example, our investigation revealed incidents where physicians signed blank prescriptions which were given to them by the nursing home and which were subsequently completed by the home itself. . . .

In another case, 75 blank prescriptions signed by a doctor were found in a nursing home. Review of claims by consultants have also given rise to suspicion that it is the

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nursing home which prepares the forms describing the physical condition of persons who seek admission into the home. The 'house physicians' sign such forms although they, in fact, have not examined the patients. . . .

Over 3 million dollars in payments have been made to just 35 physicians in a period of one year, with payments ranging from $70,000 to $131,000 each. Investigation disclosed overservicing by many of these physicians.

Physicians with a financial interest in pharmacies, laboratories and hospitals are also presented with the opportunity of subjecting Medi-Cal beneficiaries to these services, although they may not be required for medical reasons. For example, of four hospitals whose claims are under constant review by Blue Cross to determine if excessive services are being provided, all four are owned by physicians.

One blatant example of unnecessary services in a physician-owned hospital concerns a patient who was hospitalized for sixteen days. Ten blood tests, many of them identical, were taken each day the patient was hospitalized. Of the 160 tests taken, not one revealed an abnormal finding.

PHARMACISTS

Pharmacists are instructed not to charge the state a price which is in excess of the price charged to the public for the same drug. Based upon investigations made both before and since the enactment of Medi-Cal, it appears that a large number of pharmacies are violating this instruction.

Indeed, spot-checks which have been made on pharmacies since Medi-Cal revealed that a majority of the pharmacies visited are still charging prices to the state which are in excess of those charged to the public.

There is a special problem involving the difference in drug prices charged to public agencies and private individuals. This involves private health programs which may pay less for drugs than the public welfare program. For example, the United Auto Workers is negotiating a contract under which Blue Shield would cover the expense of drugs purchased by members of the union. Under the proposed contract, the UAW Program would pay less for drugs than the state welfare program.

Examples of the difference in price can be seen by a comparison of the cost of some leading brand name drugs with the cost of comparable generic drugs.

Brand name		*Comparable generic*	
Achromycin caps, 250 mg: 100	$11.22	Tetracycline caps, 250 mg: 100	$4.20
Peritrate tabs, 100 mg:		Pentaerythritol tetranitrate tabs, 10 mg:	
100	2.50	100	.65
1,000	22.50	1,000	3.00
Seconal sodium, 1½ gr:		Secobarbital sodium, 1½ gr:	
100	2.16	100	1.25
1,000	19.92	1,000	8.80
Tedral tabs:		Theophylline, ephedrine and phenobarbital tabs:	
100	3.18	100	.60
1,000	28.60	1,000	4.65
Noctec caps, 7½ gr: 100	4.20	Chloral hydrate caps, 7½ gr: 100	1.75

. . . Some pharmacies dispense an excessive number of prescriptions for a particular patient or family on one day, or within a relatively short period of time.

In one case, 15 prescriptions were dispensed to a single family on a given day. The family consisted of a husband, wife and three children. The 15 prescriptions involved only three different medicines. An identical prescription for each member of the family was written for each of the three medicines. (E.g., each member of the family got a prescription for 4 ounces of the same cough medicine; each member of the family got a prescription for 2 ounces of the same antibiotic.). . . .

Nursing homes usually order all the drugs required by persons residing in the homes. This often amounts to the purchase of a few thousand dollars worth of drugs per month. The investigation revealed that many pharmacies are giving kickbacks to nursing homes in order to obtain their business. One pharmacy has even sent letters to nursing homes offering to give discounts for their business. . . .

One pharmacy submitted 15 prescriptions, all of which were given to one family in a single day. Five of the prescriptions were identical, each being for four ounces of the same cough medicine. . . .

A pharmacy dispensed in a period of 33 days 300 pills to a single patient. If taken as directed (one pill three times a day) 100 pills would have sufficed for the entire period. . . .

A pharmacy employing one pharmacist dispensed 290 Medi-Cal prescriptions in a single day. These prescriptions amounted to his being reimbursed $1,190. Many of these prescriptions were preprinted. Around fifty per cent of these prescriptions were written by two physicians, one of whom sees 75 to 100 patients a day and prescribes 100 to 125 prescriptions a day. For comparison purposes, a major chain drugstore employing seven pharmacists in a thirteen hour day writes an average of 300 prescriptions a day. . . .

DENTISTS

. . . Just as suspicion of overservicing is raised when large fees are paid to physicians, the same is equally true when big fees are received by dentists. Eleven dentists received close to one million dollars in fees in the year 1967. The activities of many of these dentists are, in fact, suspect by dental consultants at the county level.

OPTOMETRISTS

. . . Fraudulent activities by optometrists have primarily involved requesting prior authorization to provide appliances based upon the submission of false information. . . .

In one case, for example, an optometrist requested approval for a pair of expensive prescription sun glasses for a patient. Investigation disclosed that the patient was blind. . . .

HOSPITALS

. . . There have been numerous instances where vendors have received double and triple payment for services they have rendered.

Preliminary investigation has disclosed that one hospital, for example, has received duplicate payments involving some 59 different patients amounting to $17,000 in overpayments.

. . . Various reasons exist for such duplicate payments. In the case of the hospital it was found that employees of the fiscal agent insert a diagnostic code on the claim received from the hospital. The code is determined by the diagnosis set forth on the claim. If a duplicate claim is submitted a different employee might interpret the same diagnosis in such a way so as to insert a different code number on the claim. Due to the difference in code numbers the computer will not detect the duplicate claim and payment will be made upon both claims.

. . . Another means in which duplicate payments can occur is where a vendor initially submits a claim for $1,000 which shows that the patient's liability for such services is $100. The claim would thus request a net payment to the vendor of $900. If it was subsequently determined that the patient's liability should have been $200 a duplicate claim might be submitted by the vendor requesting $800. Due to the difference in the net amount claimed the computer would once again be unable to detect the duplicate claim and again it is probable that payments of both $800 and $900 would be made to the vendor. . . .

Computers are presently used by both fiscal agents in the reviewing and processing of claims. Efforts should be made to improve control procedures and the programming of computers to assist them in their handling of claims.

Improved procedures in the computer program should eliminate errors such as making payments to persons who do not participate in the program and in making duplicate payments. . . .

FINANCE COMMITTEE INQUIRY—MEDICARE AND MEDICAID

Mr. LONG. Mr. President, for several months the staff of the Committee on Finance has been compiling data and information with respect to the medicare and medicaid programs. Together, these two health programs involve total Federal expenditure of $8.6 billion during this fiscal year. The medicaid program also requires outlays by State and local governments of another $2.2 billion.

The medicare program, employing the trust fund concept of the social security system, is providing medical care in hospitals, nursing homes and physicians' offices for literally millions of our aged citizens. In a great many instances these people would have been without this sort of help if it had not been for the passage of medicare. They just did not have the money to pay for it on their own.

But medical care has become far more costly than Congress imagined when medicare was enacted in 1965. We now have cost estimates which indicate that the hospital insurance trust fund will be broke by 1976. These same cost estimates show that if we are to keep the program as we now know it in operation then we must increase medicare taxes by at least $44 billion over the next 25 years. This $44 billion is on top of the $230 billion that we understood the program would cost in the same period of time. Not only that, but the $230 billion estimate includes many additional billions in medicare taxes we voted in 1967.

Now, not all of the higher costs can be blamed on the hospitals and doctors, although we have a lot of data that there have been costly changes in their pricing practices that seem to have come about, not naturally, but because of the Federal programs. In addition to these costly changes there are indications that the reimbursement rules fixed by the Department of Health, Education, and Welfare may be more generous than they need be and not in accord with congressional intent. And the fiscal intermediaries and carriers appear to be lax in a number of respects as to their responsibilities under the medicare program.

All these factors are hurting the program and seem to be encouraging some ruthless providers of health services to take advantage of medicare, and of the aged, for their own selfish enrichment. I am sure no one wants to do away with medicare and I am equally sure no one wants to deny providers a fair return for the services they render under the program. On the other hand, I think the American people have a right to expect that their tax dollars are not filtering out of the program into the pocket of someone whose aim is to cheat medicare for all he can get.

For the sake of the program we must find these abusers and deal with them.

In this respect I want to applaud the efforts of the distinguished senior Senator from Delaware who is the ranking minority member of the Committee on Finance. He has been aroused for sometime about allegations of abusers of medicare—and of medicaid. Earlier this year he talked with me about a Finance Committee inquiry into the whole area. I agreed with him that it would be desirable and a few days later the committee itself approved the study and directed the staff to begin work. We wanted them to take a long, hard and thorough look at the problems and potential of titles 18 and 19 of the Social Security Act. When the results of that effort are reported to the Finance Committee within the next month or so, I anticipate that the committee will want to begin formal hearings.

Of course, we have been carefully watching developments in these programs from the beginning. In fact, the Finance Committee in an executive hearing in May 1966, raised serious questions concerning an over-generous formula for reimbursing hospitals.

Some of us were particularly critical of the idea of paying hospitals on a cost-plus basis. Payment of a 2-percent bonus on top of liberal reimbursement for actual costs did not seem to be an inspired method of encouraging efficiency and economy. Quite simply, the existence of the 2-percent bonus served as an open invitation to inflate costs—the more you could run those costs up the greater the bonus.

Some months back, I wrote Secretary Finch pointing out the inappropriateness of the regulation requiring States to pay the 2-percent bonus under medicaid—a cost estimated at $50 million in Federal and State funds in fiscal year 1970. I am pleased to say that 2 weeks ago the Department announced that it was dropping the 2-percent bonus from both medicare and medicaid. The medicare reduction in cost is estimated at another $65 million for fiscal 1970.

Of course, I will continue to support appropriate assistance with hospital capital needs through programs such as Hill-Burton which are designed specifically for that purpose, and under which funds are allocated according to demonstrated need. The purpose of medicare was not to provide capital to hospitals, but rather to pay for the cost of medical care provided for our senior citizens.

As word of the Finance Committee inquiry has spread, more and more concerned citizens are beginning to write us of their own experiences with apparent abuses of medicare and medicaid. We welcome such letters and we are taking appropriate followup action where indicated.

Let me illustrate for the Senate a few examples of the kind of mail we are receiving.

A Michigan resident writes concerning the alleged forging of his name to two different claims for medicare payment which were submitted by a physician. He said that he had not been that doctor's patient for one and a half years previous to the submission of those claims, and medicare paid the claim.

A California resident writes that doctors in her area charge from $25 to $50 to have a patient admitted to a hospital. She reports that this is in addition to any fees for office or house calls and the first $44 of the patient's hospital costs. She says medicare approves of this in California and pays 80 percent of the charge. She reports that this was not the practice prior to medicare.

A lady in Pennsylvania tells of a doctor who keeps people on medicare coming regularly to his office and setting up appointments for them every month. She reports that she refuses to comply and accordingly she is not one of his favorite patients. She feels most doctors are doing the same thing and in so doing are becoming wealthy at the Government's expense.

A writer from Florida advises of a doctor who visits the widow of a former colleague. He says most of the visits to her home consist only of friendly visits. But, he charges medicare for them as if they were professional visits. Besides collecting from medicare he submits a bill to the widow every month. When the widow inquires about it she is told to forget it. The writer reports that the doctor involved is "robbing the Government's medicare department blind."

From New York comes a report which reads in part as follows:

> I have proof positive where a doctor rendered a bill to medicare without having obtained the patient's signature, where no medical service had been rendered and was paid off by Medicare.
>
> The patient was shocked upon receiving this doctor's bill; she notified the doctor's secretary that this bill would not be paid; the secretary told the patient not to worry because Medicare will pay it and she would send the patient a Medicare form to sign; was told by the patient not to dare send any Medicare form to be signed, that she will not be a party to defrauding our government. Patient assumed the matter was closed.
>
> Some time later, the patient received from her area Medicare payment branch a carbon copy indicating that this doctor had been paid by Medicare, and the fact that he did not press the patient for the balance is proof that he knew he rendered no service (patient never saw this man in her life), and was just satisfied with what he received from Medicare for it was all gravy.

As one aspect of the staff study, data has been assembled which indicates that more than 5,000 doctors were paid $25,000 or more by medicare in 1968. Additional thousands of health care practitioners are on our lists of those who where paid $25,000 or more in 1968 under medicaid, and other welfare health programs. Those lists are, of course, being cross-checked and analyzed carefully so the committee can view it in proper perspective. For example, a physician's name on that list would by no means indicate any wrongdoing or profiteering. He might, for example, have a large portion of his practice consist of medicare and medicaid patients.

I hope we will not find any misconduct. But if these Federal health programs are being abused we should know about it so that proper actions may be taken—whether by changes in the statute or by prosecution, if necessary, or by some other means.

The Finance Committee takes its jurisdictional and legislative oversight responsibilities for medicare and medicaid quite seriously. Our objective is to pursue our inquiry and subsequent activity to whatever lengths are necessary to set those two programs aright.

When we receive and evaluate the staff report, I anticipate that the committee will want to hold hearings to determine just what might be done to tighten the lines and purse-strings of medicare and medicaid.

We want the medicaid program to provide help to people who need it and we want the medicare program to look after the medical needs of our senior citizens. We want that care to be high quality. But, we think it should be provided on a basis that is efficent and economical, not on a basis which is wasteful and extravagant.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PEARSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

PRESIDENT COMMENDED FOR PROPOSAL TO REVISE AND REFORM SELECTIVE SERVICE SYSTEM

Mr. PEARSON. Mr. President, I commend and endorse President Nixon's proposal to revise and reform the Selective Service System.

This proposal whereby each young man will be eligible for the draft for only 1 year, at age 19, the continuation of college deferments with subsequent eligibility for the draft, the lottery method whereby the days of the year and names of the young men eligible for the draft are picked at random, provide a new element of fairness and reasonableness concerning a most difficult problem regarding our national security.

Moreover, Mr. President, I commend the administration for making this proposal at this time without waiting for the end of the conflict in Vietnam. The President's proposal very closely follows the legislation I cosponsored on March 25 of this year. It seems to me that it will go a long way toward equality of treatment in permitting the young men of America to serve their nation on as non-disrupting a basis as possible.

President Nixon's proposal shall have my support.

XUM

TAX-DODGE FARMING MUST BE CURBED

Mr. PEARSON. Mr. President, in recent years the practice of what is commonly referred to as tax-loss or tax-dodge farming has attracted considerable attention. A number of bills aimed at curbing this practice have been introduced in Congress. And more recently, President Nixon has proposed a number of changes in the tax code intended to help reduce tax-dodge abuses.

The fact that the Internal Revenue code can be "farmed" by high-bracket taxpayers has been well established.

A Treasury Department study of 1966 income tax returns shows that 75 percent of the 4,778 individuals with incomes in excess of $100,000 per year who also engaged in some type of farm operation reported farm losses totaling $72 million. A breakdown of the farm returns of these high-income individuals is particularly interesting:

Of the 103 millionaires, only 15 showed a profit, 88 reported a loss.

Of the 228 with total incomes between $500,000 and $1,000,000, only 27 showed a profit, 201 or 88 percent reported a loss.

Of the 1,104 with total incomes between $200,000 and $500,000 only 209 showed a profit, 895 or 81 percent reported a loss.

Of the 3,343 with total incomes of $100,000 to $200,000 only 986 showed a profit, 2,357 or 70.5 percent reported a loss.

Another study of 1965 returns reveals that the "farmers" of Los Angeles reported $42 million more in farm losses than in profits. Dallas "farmers" reported $10 million of net farm losses, Houston $20 million of net losses, and San Antonio another $5 million in net farming losses.

An analysis of 1963 tax returns of all individuals reporting farm income by the Department of Agriculture shows that the more wealthy the individual the more likely he is to report a farm loss. For example, 86 percent of those classified as poor—total income of less than $2,500—reported a net profit on their farm return, while only 31 percent of the wealthy—those with total income of more than $25,000—reported a net profit on their farm operation.

Now, of course, not all of these farm losses were deliberately contrived. On the other hand, I think it is now quite clear that many, too many, high income individuals are using farm investments as a tax haven; many of these are "tax losses," not true economic losses.

For the most part tax-dodge farming has its basis in two provisions of the tax code which have been adopted in recognition of the special circumstances of the working farmer and rancher, the cash method of accounting and the special handling of certain capital costs.

Cash method: In most businesses the taxpayer is required to use the accrual accounting method of reporting, which requires the maintenance of inventory accounts so that the costs of the merchandise are deducted in the accounting period in which the income from the sale of the merchandise is reported.

Farmers, however, are permitted to use the cash method of reporting. They are not required to report year-end inventories of their crops, cattle, and so forth. Production expenses are reported and deducted at the time the expense is incurred even though the income from the sale of the final product or commodity may not be realized until a later reporting date.

Capital costs: The costs incurred in developing a capital asset are normally treated as a capital expenditure which may not be deducted as incurred but may be covered only by depreciation over the useful life of the asset. Farmers, however, are allowed to deduct as they are incurred the costs of developing certain capital assets such as breeding herds and citrus groves.

These special accounting practices are permitted for farm operations in order to spare the ordinary working farmer and rancher the bookkeeping chores associated with inventories and accrual accounting. The need and justification for the use of this simplified accounting procedure has been recognized and upheld by the U.S. Supreme Court.

Over the long run, these regulations do not result in any net reduction in taxes for the individual who depends upon his farm operations for his principal source of livelihood. However, the high bracket taxpayer, whose primary economic activity is other than farming, is in a position to plan and control his farm operations in such a way that he can use the regulations to achieve considerable tax savings.

The greatest potential for tax savings occurs where deductions are associated with eventual capital gains income such as in the purchase and sale of livestock breeding herds. The Treasury cites the following general example to illustrate: A top bracket taxpayer invests in a cattle breeding herd. Under existing laws, he chooses not to capitalize his cost of raising the herd, which, say, is $200,000. The entire $200,000 is treated as an ordinary expense item and deducted from his other income, saving him $140,000 in income taxes. On the sale of the herd, however, the sales price will be taxed at the 25 percent capital gain rate, or $50,000 in this example which is less than half the tax savings realized in earlier years. Thus, he realized a tax profit of $90,000 from a transaction which economically is merely a breakeven. Actually the "tax farmer" could sell the herd for as little as half what he invested in it and still come out ahead.

While the most glaring examples of tax-dodge abuses are to be found in operations involving livestock breeding and citrus groves, additional abuses are to be found in almost all types of operations from large scale land development schemes to cattle feeding investments.

Several different proposals have been advanced to get at this problem of tax-dodge farming. One approach would allow the claiming of farm losses only by defined bona fide farmers. Another approach, as recently proposed by the administration, would require all farm operations to establish an excess deduction account—EDA—for losses over $5,000. This account would be reduced by net farm income in any subsequent year while on the other hand future capital gains would be treated as ordinary income to the extent of the amount in the EDA in the year of the sale. The administration proposal would also extend depreciation recapture provisions to breeding livestock.

Another approach would seek to get at the problem by setting a limit on the amount of farm losses which could be offset against nonfarm income. This approach has wide support in the Congress at this time. And I have joined 23 other Senators in cosponsoring the tax-loss bill—S. 500—introduced by the distinguished junior Senator from Montana.

Generally speaking, this bill would set a limit of $15,000 in farm losses which can be offset against nonfarm income. Setting the limit at this level means that farmers can earn at least $15,000 a year in nonfarm income without being affected by this bill.

Taxes, interest, casualty losses, losses from drought, and losses from the sale of farm property are exempted from the $15,000 limitation. These are deductions which are generally beyond the control of the operator and which occur regardless of the intent of the operator. The bill also allows losses to be carried back 3 years and forward 5 years so long as these losses do not exceed the farm income in those years.

With these two provisions an individual would not likely be affected by this bill unless he rather consistently lost upwards of $20,000 a year and unless nonfarm income against which these losses could be offset, was generally in excess of this figure.

The loss limitation would not apply to the taxpayer who adopts a system of strict accrual accounting and capitalizes all costs of capital items rather than reporting them as ordinary expenses fully deductible in the current year.

Thus the objective of this bill is quite simple; it seeks to curb the practice whereby individuals operate their agricultural investment in such a way that they are able to report sizable losses year after year, with these losses being offset against their nonfarm income and thereby reducing their total tax payment.

This type of approach to the tax-dodge problem has been endorsed by all three of the general farm organizations, the American Farm Bureau Federation, the National Grange, and the National Farmers Union. Other endorsing groups include: the National Association of Wheat Growers, the National Association of Farmer Elected Committeemen, the Mid-Continent Farmers Association, the National Council of Farmer Cooperatives, the Cooperative League of the U.S.A., and the Farmland Industries Cooperative.

Mr. President, those who engage in agricultural operations primarily for tax reasons are, of course, vigorously opposed to this type of legislation. But I have also heard expressions of concern from a number of other people who would not in actual fact be affected. After reviewing these objections it is clear that they are based on a misunderstanding of the bill. Therefore, I want to make it clear what the bill would not do.

XUM

First. Working farmers and ranchers would not be forced to shift from the cash reporting method to the accrual accounting method. If the bill did this then indeed every farmer and rancher should be vigorously opposed to it. But the bill does not do this. I am unalterably opposed to any proposal that would require the working farmer and rancher to change his present system of income tax reporting. I know that Senator METCALF is of the same view and believe I can say without fear of contradiction that all the other cosponsors of this and similar proposals share this view.

It is true, of course, that certain individuals with large nonfarm incomes and who rather consistently lose over $15,000 a year on their farm and ranch operations might find it necessary to adopt the accrual system.

But very, very few working farmers and ranchers would fall into this category. And those who claim otherwise are either trying to deliberately mislead farmers and ranchers or are ill informed about the economics of the agricultural sector. Considering the source of some of these claims, I imagine both factors are involved.

Second. This bill would not stop the flow of outside capital into agriculture. The objective of this type of proposal, of course, is to stop the flow of the "tax gimmick" dollar into agriculture. I believe that it would go a long way toward solving this problem. But it certainly would not stop serious, legitimate investment as some opponents, in their frenzy, have proclaimed.

Third. It would not force down land values or stop the progress in the improvement of breeding lines.

Here we see the reason why some opponents have tried to peddle the nonsense that this type of legislation would stop all, or virtually all, outside investment. For once you assert such a proposition you then can wave the red flag of lower land values. It is hoped, of course, that this legislation would help to prevent those situations whereby the "tax gimmick" investor goes in and buys up land at a price far above its true economic producing value, thereby denying the working farmer and rancher access to land he needs for expansion in order to maintain an economically viable operation.

The argument that such legislation would slow the advance in livestock breeding is even more tenuous. For it is based not only on the proposition that all or most outside investment would be halted but also on the proposition that outside money has been the principal cause of breeding improvements.

Mr. President, the question is no longer whether something should be done but what should be done. For my own part, I believe we need to enact legislation embodying the basic principle of S. 500. Enactment of such legislation would help a great deal. However, additional steps will likely be necessary.

For example, it may be desirable to include breeding livestock under the depreciation recapture provisions. The present exemption of livestock from depreciation recapture tends to encourage the outside investor to buy a breeding herd, depreciate it at an accelerated rate and then sell it after a relatively short period of time. Another possible step would be to extend the holding period—the time required to qualify as a capital asset—for breeding livestock from 12 months to 24 months. And an effective prohibition against the practice of trading male for female calves is in the must category of the type of more vigorous enforcement action which can be taken by the Internal Revenue Service.

In another important area, tougher regulations are needed to crackdown on land promotion schemes. Outside high bracket taxpayers abuse present regulations by buying land, running up lavish "improvement" expenses which are offset against nonfarm income and then selling the land in a few years at capital gains rate. The National Livestock Tax Committee has proposed a system for recapturing these deductions. I believe this proposal has considerable merit.

Mr. President, in considering corrective actions to be taken we must judge each proposal first on the basis of whether or not it would have any adverse effect on the bona fide farmer and rancher. Working farmers and ranchers have too many economic problems as it is. We must not add to those problems by writing well intentioned, but poorly designed tax reforms.

Mr. President, tax regulations as applied to agricultural operations today are being abused by skillful outside investors to reduce their overall tax obligations. The Treasury Department estimates that S. 500-type legislation would recover at least $145 million a year in taxes just from individual—corporations were not included in the study—tax-dodge "farmers."

Serious as this is, an even more important consideration is the fact that the tax-dodge operators constitute unfair competition for the bona fide, working farmer and rancher. The individual who is trying to make a living in agriculture today is plagued by many problems. He should not have to endure the additional problem of unfair competition from the "tax gimmick" investor.

These abuses can be stopped. They must be stopped. And to help assure that effective and speedy action is taken, our bona fide farmers and ranchers need to express themselves loudly and clearly. They must make sure that Congress hears their views as well as the views of the tax-dodge operators who try to wear the cloak of the "agriculturalists."

Mr. PEARSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

IMPENDING RESIGNATION OF LEE WHITE AS CHAIRMAN OF FEDERAL POWER COMMISSION

Mr. PROXMIRE. Mr. President, yesterday news reported that Lee White is resigning as Chairman of the Federal Power Commission, effective not later than the end of July. His resignation will mean the loss of a dedicated and effective public servant.

Lee White has had a long and illustrious career in the legislative and executive branches of the Government. Following his graduation from law school, he joined the Tennessee Valley Authority in Knoxville, Tenn., as an attorney in the Law Division. He left TVA in 1954 to join the staff of then Senator John F. Kennedy as a legislative assistant.

He served with Senator John Kennedy through 1956, and in January 1957 he was named counsel to the Senate Small Business Committee. The following year he became administrative assistant to Senator JOHN SHERMAN COOPER, and he served in that capacity for 3 years.

After President Kennedy's election in the fall of 1960, Lee White was named assistant special counsel to the President, and he served continuously on the White House staff from January 1961 to March 1966. Early in 1966 President Johnson nominated him Chairman of the Federal Power Commission, and he took the oath of office as Commissioner on March 2, 1966.

Since becoming Chairman of the FPC, Lee White has done an outstanding job of handling one of the most demanding jobs in Government. It is a job which requires a delicate balance between consumer protection on the one hand and promotion of a vital industry on the other. The Chairman must play the role of judge, juror, intermediary, negotiator, and prosecutor, and often he must wear several of these hats simultaneously. Lee White has shown that he can handle all of these jobs—and with consummate skill.

Several items in particular deserve mention. In November 1965, the Northeast was hit by a massive power failure—a crisis of enormous magnitude but fortunately of short duration. To do everything that is humanly and mechanically possible to prevent repetition of this situation, the FPC under Lee White's leadership has played a very active role in seeking to further electric power reliability. A great deal of progress has been made in this area, but, of course, much more is necessary. To this end, the Commission proposed an electric reliability bill during the last session of Congress, and still believes such legislation necessary.

In the area of natural gas regulation, the last few years have seen continued growth within the industry. At the same time, thanks to Lee White's effective leadership, gas prices to the consumer have been kept down. In addition, the Commission has worked closely with the gas industry in developing the network analysis program for designing offshore pipelines. This should result in significant cost savings in offshore pipeline construction. The Commission has played a leading role in trying to resolve the problems of the interrelationship between the electric and gas industries and the environment.

Lee White has done a splendid job as FPC Chairman. His departure leaves a void which it will not be easy to fill.

XUM

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am delighted to yield to the distinguished chairman of the Commerce Committee.

Mr. MAGNUSON. I join the Senator from Wisconsin in his tribute to Lee White. The Commerce Committee, of course, has had many dealings with Mr. White as Chairman of the Federal Power Commission. He has always been fair and objective. As the Senator from Wisconsin has pointed out, his is a most difficult job, but I think in the field of gas rates he did more than many, many prior Commissioners to stir matters up to see that rates were not raised unreasonably. The gas pipe safety bill is one matter in which he took leadership, as well as many others.

I am sorry to see Mr. White leave. He has contributed a great deal to the very sensitive field of power and gas regulation. I think he has the respect not only of management but of consumers and everybody else in that field.

I thank the Senator from Wisconsin for making his remarks. I join him.

Mr. PROXMIRE. I thank the distinguished Senator from Washington. No one in the Senate is more expert in this area, and I think his praise is something that Mr. White will cherish.

Mr. PEARSON. Mr. President, I suggest the absence of a quorum.

The **VICE PRESIDENT.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER** (Mr. PEARSON in the chair). Without objection, it is so ordered.

ELECTING THE PRESIDENT: TIME FOR A CHANGE

Mr. YARBOROUGH. Mr. President, Thomas Jefferson once wrote:

> I am not an advocate for frequent changes in laws and constitutions. But, laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy as civilized society to remain ever under the regimen of their barbarous ancestors.

In this instance, as in many others, I find myself in complete agreement with Mr. Jefferson, for we must change our institutions to keep pace with the changing times.

One change which the times have made it imperative that we make is a change in our present method of electing a President. Our present system is old, outdated, cumbersome, and undemocratic. Pressures of life in a modern nation in a rapidly changing world make a change in this system necessary to correct the first three deficiencies in the present system. A changing and broadening concept of democracy and the suffrage makes change necessary to correct the fourth deficiency.

Several measures to change the presidential electoral system have been introduced in the 91st Congress, including my proposal contained in Senate Joint Resolution 18.

What I propose is to amend the Constitution in order to expedite and to democratize the election process prescribed for those occasions when the electors cannot choose a President. Currently, the House of Representatives is supposed to select a President on such occasions, and the House ballots with one vote for each State delegation. A simple majority is required for election.

I should like to have this provision changed to give each Member of the House one vote. I believe that such a change would speed up a contingent election, would further reduce the chance that the House might be deadlocked, and would make this vote by the House more accurately reflect the wishes of the people. I feel that by making this change, we can eliminate what Jefferson called "the most dangerous blot on our Constitution."

GEORGE WASHINGTON ADDRESS BY FORMER GOV. CECIL H. UNDERWOOD

Mr. MUNDT. Mr. President, on April 30, at the annual George Washington Dinner of the American Good Government Society held in the Sheraton Park Hotel, former Gov. Cecil H. Underwood, of West Virginia, delivered a stirring address which I take great pleasure in bringing to the attention of Congress and the country by asking unanimous consent that it be reprinted in the RECORD at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY HON. CECIL H. UNDERWOOD

Coming from a state whose early lands were surveyed by the young engineer, George Washington, I am highly honored tonight to participate in this program to honor the first inauguration of George Washington, the first President of these United States of America. For seventeen years, the American Good Government Society has honored outstanding leadership in modern America as a means of keeping faith with the tradition and character of leadership established at the beginning of our republic by George Washington.

I congratulate Senator Bennett of Utah and Congressman Mahon of Texas for the honors they will receive here tonight, but more importantly the service they have rendered this nation which entitles them to be here tonight.

The qualities of leadership exhibited by Washington are worthy of honor by any generation of mankind and they will be in public demand as long as mankind survives on this earth. His towering strength takes on monumental dimenions when we remember that his greatest contributions to this republic were made without the benefit of prior experience or precedent—he was the first Commander in Chief of American Armies; he was the first President of an American Constitutional Convention; he was the first President of these United States.

After the work of the Constitutional Convention was completed, Washington commented on the new document in a letter to Bushrod Washington, November 10, 1787:

"The warmest friends and the best supporters the Constitution has do not contend that it is free from imperfections; but they found them unavoidable and are sensible, if evil is likely to arise therefrom, the remedy must come hereafter; for in the present moment, it is not to be obtained; and, as there is a Constitutional door open for it, I think the people (for it is with them to judge) can as they will have the advantage of experience on their side, decide with as much propriety on the alterations and amendments which are necessary as ourselves."

For the past twenty years, American Presidential elections have alternated between landslides and cliffhangers. A significant third party movement emerged during the 1968 election, and for awhile threatened to render an indecisive result in the election. These developments are probably responsible for the renewed concern expressed currently about the manner by which we elect the President of the United States.

Widely expressed fears of what might happen in a presidential election tend to blind our appreciation for a historically successful electoral system. This system comes to us partly from constitutional origins and partly from custom.

Most knowledgeable people agree that America has problems in the present electoral system; but few leaders agree on the proper remedy for these problems. The several proposals advanced and the widespread public comment have left confusion among the electorate.

Much the same situation existed among the delegates at the 1787 Convention in Philadelphia. The method of electing the President came up for discussion on June 1, just twelve days after the Convention opened, but the question was not decided finally until the closing hours of the Convention.

Delegates James Wilson and Gouverneur Morris of Pennsylvania were the leading proponents of popular election of the executive. Wilson argued, "If the President is to be the guardian of the people, let him be appointed by the people."

Elbridge Gerry of Massachusetts was the chief opponent of popular election. He was so strongly opposed that he refused to sign the completed document, fearing it did not have enough safeguards against democracy: "The people are uninformed and will be misled by a few designing men . . . popular voting is radically vicious."

Sensing he could not carry the day for popular election, Wilson came forth on June 2nd with a proposal to enable the people to select the executive through representative electors: From districts, into which all states would be divided, the qualified voters would choose persons to serve as electors of the executive; then the electors would meet and elect a president by ballot. Wilson gained only the support of Delaware, and his plan was defeated, 8–2.

The Convention then proceeded to provide that the executive would be elected by Congress. But Morris and Wilson waged a relentless attack on this method, arguing that an executive elected by Congress would be controlled by the legislative branch, especially if he were permitted more than one term in office. Although the election-by-congress method prevailed on four ballots, the Convention finally reversed its earlier decisions and defeated this method. Once more the conflict between small and large states had brought the Convention to a deadlock. To resolve the impasse, a committee of eleven delegates was named to seek a compromise.

After four days of deliberation, the committee reported a plan authored by James Wilson to create intermediary electors as representatives of the people. The plan called for an electoral vote, providing two votes for

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each state corresponding to their Senators and one elector for each member of the House of Representatives. The winner must have a majority of the electoral votes, and inconclusive votes would be resolved by the House of Representatives.

This compromise broke the convention impasse. Later it aided materially in the ratification of the new constitution by the states. It was destined to become a cornerstone of success for the newly-created federal union.

The founding fathers were happy with this compromise plan—they felt they had found a logical scheme to strengthen the federal system and protect the rights of people. In fact, this part of the Constitution attracted little debate during the ratification period. Madison did question the House election in case of ties or inconclusive elections. But Hamilton wrote:

"The mode of appointment of the chief magistrate of the United States is almost the only part of the system, of any consequence, which has escaped without severe censure, or which has received the slightest mark of approbation from its opponents."

The Electors met in their own states in 1789; they considered the best talent available and elected George Washington President by a vote of 69–0. The Electors gave Washington a second term in 1792 by a vote of 132–0. Factions which developed during the Washington administrations reflected themselves in the 1796 electoral vote of 71 for John Adams and 68 for Thomas Jefferson.

Then came the 1800 election when political maneuvering first entered American presidential elections. The Electors gave Thomas Jefferson and Aaron Burr 73 votes each. The House of Representatives, in its first effort to elect a president, found itself deadlocked for 35 consecutive ballots. Finally, Jefferson was elected on the 36th ballot. Alexander Hamilton, who had been a personal friend and social companion of Burr and, at the same time, a bitter political enemy of Jefferson, could not see Burr as president and joined the support for Jefferson. This split became so bitter that it led to the duel in which Burr killed Hamilton.

The constitution makers apparently had no concept of political parties and never dreamed they would rise in America. But political parties did rise, even though they had no constitutional basis. The parties, once established, changed materially the workings of the electoral system. The method changed from outstanding men meeting in the respective states to choose a national leader to political party leaders maneuvering straight party votes among the states.

Three major problems have arisen in our electoral system: (1) election of the electors; (2) binding of the electors; and (3) the winner-take-all concept. These problems are the direct result of custom, and they have no relation to the original Constitution or any subsequent amendment.

The original Constitution left to the states the method of selecting the Electors. The states employed various methods during the early years and moved to the state-wide election of Electors only in response to pressure from political parties.

Today, sixteen states and the District of Columbia require by law the Electors to be bound by the popular vote of their respective states. Even so, this custom has been firmly established since 1804 and challenged only in recent elections.

The constitutional delegates never anticipated that states would vote their electoral votes by blocks. But political practice soon taught the big states the advantages they held if they could control their electoral votes. Hence, the winner-take-all concept has been a part of our electoral system since 1836, and is perhaps the most unfair, unreasonable custom we have created.

These problems and their resulting frustrations have caused the American voters to follow a pattern they have been content to accept for the past three decades: look for a national solution to every problem. Many strong voices in America today call for the national election of our President. I say that a national election is the greatest threat to what remains of our federal system, and to the balance of power historically residing between the states and the national government.

The original Constitution provided that United States Senators would be elected by the state legislatures and that the Senators would, in effect, be the voices of the states in the national government. Repeated failure by the states to exercise this important responsibility led to the 13th amendment to the national constitution in 1913 and the popular election of United States Senators. Since that time Senators have come to look upon themselves as representatives of the majority voter blocks within their respective states and not as the voices of the states. Since 1913, we have witnessed a steady decline of the states' influence in the federal system, because they have no voice in national decisions. Recently, we gave the cities a voice in the national government through a cabinet officer, but where is the voice of the states?

Election of the President by a direct vote would wipe out the last vestige of the state's role in the American federal system. If the states cannot function in the making of national government, how can they influence the direction of national government?

Voting qualifications and standards would have to be nationalized and removed from the states to prevent bargain discount approaches to political advantage. Elections would come to hinge on big-city leverage, and big-city bosses would likely emerge stronger than any we have ever known before. Corruption through stolen votes, mishandling of absentee ballots and pressures on certifying election officials would be enhanced. Pockets of corruption, now contained by state boundaries, could contaminate the whole national election.

Let us in America not make haste to destroy a historically sound and successful electoral system which we have allowed political custom and voter lethargy to corrupt and weaken. The office of Presidential Elector has lost its prestige and become meaningless only because the voters have allowed political cancer to consummate its historical prominence and honor.

Let us make the Presidential Elector an office of honor and responsibility, elect him by a fair and representative manner, and restore rather than destroy our famous checks-and-balances system. George Washington persided over a convention which gave America a republic; let us keep it.

In September, 1788, contemplating the first meeting of the Electors, Alexander Hamilton wrote to George Washington:

"Your signature to the proposed system pledges your judgement for its being such an one as upon the whole was worthy of the public approbation. If it should miscarry (as men commonly decide from success or the want of it) the blame will in all probability be laid on the system itself. And the framers of it will have to encounter the disrepute of having brought about a revolution in government, without substituting any thing that was worthy of the effort."

We bear no less responsibility today. We dare not tear down one column of our republic to substitute a weaker column or nothing in its place.

Washington replied to Hamilton, expressing, as he often had, his dedication to public service and his longing for private life:

"If I should receive the appointment and if I should be prevailed upon to accept it, the acceptance would be attended with more diffidence and reluctance than ever I experienced before in my life. It would be, however, with a fixed and sole determination of lending whatever assistance might be in my power to promote the public weal, in hopes that at a convenient and an early period, my services might be dispensed with, and that I might be permitted once more to retire—to pass an unclouded evening, after the stormy day of life, in the bosom of domestic tranquillity."

Such noble purpose might be hard to sell in today's political market. But let us not forget—the future of the federal republic may be determined by the nobility of our purpose as we seek to shape anew the very form in which the highest political office in America is chosen.

Mr. MUNDT. Mr. President, for 17 years the American Good Government Society has honored two Americans annually who in its opinion have made outstanding contributions to the building of a better America through their careers of public service. This year, Senator Wallace Bennett of Utah and Congressman George Mahon of Texas were cited by the American Good Government Society for their distinguished public service.

I ask unanimous consent that the program for the dinner on April 30 be printed at this point in the Record.

There being no objection, the program was ordered to be printed in the Record, as follows:

Program

Presiding: The Honorable Louise Gore, vice president of the American Good Government Society and member of the Senate of Maryland.

Invocation: The Reverend Daniel E. Powers, S.J., Georgetown University.

The George Washington Address: The Honorable Cecil H. Underwood, Governor of West Virginia, 1957–1961.

Presentation of the George Washington Awards to the Honorable Wallace F. Bennett, a United States Senator from Utah by the Honorable John C. Stennis, a United States Senator from Mississippi and to the Honorable George H. Mahon, a representative in Congress from Texas by the Honorable Frank T. Bow, a representative in Congress from Ohio.

Benediction: The Reverend Doctor Thomas A. Stone, associate minister, the National Presbyterian Church.

Mr. MUNDT. Mr. President, I ask unanimous consent that the names of the trustees of the American Good Government Society, be printed at this point in the Record.

There being no objection, the names were ordered to be printed in the Record, as follows:

Trustees of the American Good Government Society

Mr. Frank M. Cruger, Mr. D. Jack Gibson, Hon. Louise Gore, Hon. Harold O. Lovre, Mrs. Edmund C. Lynch, Jr., Hon Charles E. Potter, Hon. Hayes Robertson, and Mr. J. Harvie Williams.

Mr. MUNDT. Mr. President, in the tradition of the American Good Government Society's annual George Washington dinner, the address of the evening delivered by former Governor Underwood dealt with one of the current problems confronting our Republic. The Underwood address contains a most interesting and informative analysis of the actions and discussions of the constitutional forefathers at Philadelphia as they were putting together the constitutional mechanics employed in the elec-

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tion of our President. In view of the growing interest in electoral college reform, both in Congress and around the country, it seems to me that the address by former Governor Underwood was not only especially appropriate to the occasion but contains some valuable background material which many Americans will want to read and evaluate before finally making up their mind as to the optimum course to be followed in connection with the programs and problems of Electoral College reform.

Mr. President, I commend the careful reading of Governor Underwood's discussion of the whole electoral college spectrum at all thoughtful Americans and especially to those who may be giving speeches or writing articles about the little understood but highly important factors involved not only in the creation of the electoral college but in finding a way to preserve its values while at the same time eliminating the defects which have crept into the system.

In conclusion, Mr. President, I wish to read into the Record the list of previous recipients of the George Washington awards and the years in which they were so honored:

Previous Recipients of the George Washington Awards

1953: U.S. Senator Harry Flood Byrd, of Virginia, and U.S. Senator Robert A. Taft, of Ohio.

1954: Former President Herbert Hoover, and Governor Allan Shivers, of Texas.

1955: Representative Howard W. Smith, of Virginia, and General Robert E. Wood, of Illinois.

1956: U.S. Senator Walter F. George, of Georgia, and Secretary of the Treasury George M. Humphrey.

1957: Representative William M. Colmer, of Mississippi, and U.S. Senator Karl E. Mundt, of South Dakota.

1958: U.S. Senator William F. Knowland, of California, and U.S. Senator Richard B. Russell, of Georgia.

1959: U.S. Senator John L. McClellan, of Arkansas, and Secretary of Commerce Lewis L. Strauss.

1960: Representative Graham A. Barden, of North Carolina, and U.S. Senator Barry Goldwater, of Arizona.

1961: Representative Charles A. Halleck, of Indiana, and U.S. Senator Spessard L. Holland, of Florida.

1962: Representative John W. Byrnes, of Wisconsin, and Representative Wilbur D. Mills, of Arkansas.

1963: U.S. Senator A. Willis Robertson, of Virginia, and U.S. Senator John J. Williams, of Delaware.

1964: U.S. Senator Frank J. Lausche, of Ohio, and U.S. Senator Everett McKinley Dirksen, of Illinois.

1965: Representative Oren Harris, of Arkansas, and U.S. Senator Roman L. Hruska, of Nebraska.

1966: U.S. Senator Sam J. Ervin, Jr., of North Carolina, and Representative Gerald R. Ford, of Michigan.

1967: Representative Melvin R. Laird, of Wisconsin, and Speaker Jesse M. Unruh of the California Assembly.

1968: U.S. Senator Thruston B. Morton, of Kentucky, and U.S. Senator John C. Stennis, of Mississippi.

Finally, Mr. President, to complete this report and to help those who read it or hear it to better understand the significance of the American Good Government Society and its annual George Washington dinner awards, I ask unanimous consent that the list of sponsors comprising the George Washington Dinner Committee be printed in the Record.

There being no objection, the list was ordered to be printed in the Record, as follows:

George Washington Dinner Committee

Mr. L. D. (Don) Anderson, Crosbyton, Tex.

Mr. and Mrs. Richard A. Armstrong, Boyd's, Md.

Mr. Sidney Bean, Waco, Tex.

Hon. and Mrs. John W. Bricker, Columbus, Ohio.

Mr. Ralph W. Brite, San Antonio, Tex.

Hon. and Mrs. John W. Byrnes, Green Bay, Wisc.

Charles Max Cole, M.D., Dallas, Tex.

Hon. and Mrs. William M. Colmer, Pascagoula, Miss.

Hon. and Mrs. Everett McKinley Dirksen, Pekin, Ill.

Hon. and Mrs. Sam J. Ervin, Jr., Morganton, N.C.

Mr. and Mrs. Mark Evans, Washington, D.C.

Hon. and Mrs. Gerald R. Ford, Grand Rapids, Mich.

Mr. Daniel C. Gainey, Owatonna, Minn.

Mr. John F. Geis, Beaumont, Tex.

Hon. Barry M. Goldwater, Phoenix, Ariz.

Mr. and Mrs. H. Grady Gore, Potomac, Md.

Mr. Rufus W. Gosnell, Aiken, S.C.

Hon. and Mrs. Ed Gossett, Dallas, Tex.

Mr. W. P. Gullander, New York, N.Y.

Mr. Elmo W. Hamilton, Riverton, Utah.

Hon. and Mrs. Oren Harris, El Dorado, Ark.

Hon. and Mrs. George M. Humphrey, Mentor, Ohio.

Hon. James S. Kemper, Chicago, Ill.

Hon. William F. Knowland, Oakland, Calif.

Hon. and Mrs. Melvin R. Laird, Marshfield, Wisc.

Hon. and Mrs. Frank J. Lausche, Cleveland, Ohio.

Hon. and Mrs. John L. McClellan, Camden, Ark.

Mr. and Mrs. J. Willard Marriott, Washington, D.C.

Hon. and Mrs. Wilbur D. Mills, Kensett, Ark.

Hon. and Mrs. Thruston B. Morton, Louisville, Ky.

Hon. and Mrs. Karl E. Mundt, Madison, S. Dak.

Mr. Frank A. Nelson, Murray, Utah.

Hon. A. Willis Robertson, Lexington, Va.

Hon. Richard B. Russell, Winder, Ga.

Hon., and Mrs. Allan Shivers, Austin, Tex.

Homer E. Smith, M.D., Salt Lake City, Utah.

Hon. and Mrs. Howard W. Smith, Broad Run, Va.

Hon. and Mrs. John C. Stennis, DeKalb, Miss.

Hon. and Mrs. Lewis L. Strauss, Washington, D.C.

Hon. Jesse M. Unruh, Los Angeles, Calif.

Hon. and Mrs. John J. Williams, Millsboro, Del.

General Robert E. Wood, Lake Forest, Ill.

CORPUS CHRISTI CALLER-TIMES ENDORSES S. 4, BIG THICKET NATIONAL PARK BILL, AND CALLS FOR ACTION THIS YEAR

Mr. YARBOROUGH. Mr. President, the Corpus Christi Caller-Times of January 31, 1969, endorsed S. 4, my bill to establish a Big Thicket National Park of not less than 100,000 acres in southeast Texas. In an editorial entitled "Congress Should Act Now To Preserve Big Thicket," the paper declared that "Congress should take action this year to create the Big Thicket National Park."

Also appearing in the February 8, 1969, edition of the newspaper is a letter from Mrs. A. A. Luckenback of Odem, Tex., expressing her concern that immediate action be taken to preserve the Big Thicket area.

I ask unanimous consent that the editorial and the letter, expressing support for my Big Thicket National Park bill, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Corpus Christi Caller-Times, Jan. 31, 1969]

Congress Should Act Now To Preserve Big Thicket

Sen. Ralph Yarborough, dissatisfied with some proposals that would create a "monument" or a "playground" in the area, has introduced a bill calling for the creation of a Big Thicket National Park in East Texas of not less than 100,000 acres. This bill expresses in concrete terms a general and unspecific measure he introduced first in 1966.

Most Texans by now probably are aware that there is an area known as the Big Thicket in East Texas. But all too few have actually penetrated that wilderness of great trees and dense undergrowth, of scattered lakes and boggy sloughs, abounding with animal and exotic plant life. The noise and the stress of civilization seem far away indeed around a campfire while the wind sighs among the leaves of the lofty trees.

When the first white man found this wilderness it encompassed an area of approximately 3.5 million acres. But lumbering and agriculture have reduced the Thicket to an area of ony about 300,000 acres in Hardin, Liberty, San Jacinto, Polk, and Tyler Counties. The encroachment proceeds at the rate of about 50 acres a day. It will be gone if prompt steps are not taken to set aside a portion of it for the enjoyment of this and future generations of Americans.

Congress should take action this year to create the Big Thicket National Park.

[From the Corpus Christi Caller-Times, Feb. 8, 1969]

Preservation of Big Thicket

Editor, the Caller: Wonder what will be done about the proposed "Big Thicket National Park" under the new administration. Some of us are a bit concerned over what the policy of our new secretary of the interior may be, since publication of his remark about "conservation for conservation's sake." (I have read since that he was misquoted.)

Anyhow, there is a possibility that he could give prior consideration to the lumbering interests that have already destroyed irreplaceable trees.

A recent copy of the Texas Parks and Wildlife magazine told about a kind of woodpecker that depends for living quarters on a certain variety of mature pinetree—a living tree. There is danger that this bird will become extinct unless measures are taken to preserve such trees.

And I wonder if maybe there are such trees among those in the Big Thicket—I don't know, I do know however, that there is animal life that will be dispossessed if we don't preserve the Big Thicket. We need to be alert to what is going on: Such things cannot be replaced.

Mrs. A. A. Luckenback.

THE NEW GENERATION—AN ANALYSIS

Mr. JAVITS. Mr. President, the New York Times Sunday Magazine of April 27, 1969, contains a most incisive and

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provocative article about the present student generation and the discontent which has come to characterize so many of our college and university campuses. The author of the article, Dr. Kenneth Keniston, an associate professor of psychology at Yale University, is the author of "The Uncommitted" and "Young Radicals," and he is widely regarded as one of the most objective and thoughtful analysts of this "new generation" of Americans and of the processes of change and turmoil which have marked their lives.

Dr. Keniston in this article and in his previous writings repeatedly cites the need to view campus turmoil in some broader context. He has pointed out that the existing value structure of our society has seemed outdated and irrelevant to the lives of many young people and to the realities of the decisions which they face. The result has been, to quote Dr. Keniston, a "mood," rather than an ideology, of young people searching for new goals and new values:

> . . . Students . . . are searching for a new vision, a new set of values, a new set of targets appropriate to the post-industrial era—a myth, an ideology or a set of goals that will concern itself with the quality of life and answer the question, "Beyond freedom and affluence, what?"

I commend this important statement by this thoughtful scholar to the attention of Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times Magazine, Apr. 27, 1969]

YOU HAVE TO GROW UP IN SCARSDALE TO KNOW HOW BAD THINGS REALLY ARE

(By Kenneth Keniston)

The recent events at Harvard are the culmination of a long year of unprecedented student unrest in the advanced nations of the world. We have learned to expect students in underdeveloped countries to lead unruly demonstrations against the status quo, but what is new, unexpected and upsetting to many is that an apparently similar mood is sweeping across America, France, Germany, Italy and even Eastern European nations like Czechoslovakia and Poland. Furthermore, the revolts occur, not at the most backward universities, but at the most distinguished, liberal and enlightened—Berkeley, the Sorbonne, Tokyo, Columbia, the Free University of Berlin, Rome and now Harvard.

This development has taken almost everyone by surprise. The American public is clearly puzzled, frightened and often outraged by the behavior of its most privileged youth. The scholarly world, including many who have devoted their lives to the study of student protest, has been caught off guard as well. For many years, American analysts of student movements have been busy demonstrating that "it can't happen here." Student political activity abroad has been seen as a reaction to modernization, industrialization and the demise of traditional or tribal societies. In an already modern, industrialized, detribalized and "stable" nation like America, it was argued, student protests are naturally absent.

Another explanation has tied student protests abroad to bad living conditions in some universities and to the unemployability of their graduates. Student revolts, it was argued, spring partly from the misery of student life in countries like India and Indonesia. Students who must live in penury and squalor naturally turn against their universities and societies. And if, as in many developing nations, hundreds of thousands of university graduates can find no work commensurate with their skills, the chances for student militancy are further increased.

These arguments helped explain the "silent generation" of the nineteen-fifties and the absence of protest, during that period, in American universities, where students are often "indulged" with good living conditions, close student-faculty contact and considerable freedom of speech. And they helped explain why "superemployable" American college graduates, especially the much-sought-after ones from colleges like Columbia and Harvard, seemed so contented with their lot.

But such arguments do not help us understand today's noisy, angry and militant students in the advanced countries. Nor do they explain why students who enjoy the greatest advantages—those at the leading universities—are often found in the revolts. As a result, several new interpretations of student protest are currently being put forward, interpretations that ultimately form part of what Richard Poirier has termed "the war against the young."

Many reactions to student unrest of course, spring primarily from fear, anger, confusion or envy, rather than from theoretical analysis. Governor Wallace's attacks on student "anarchists" and other "pin-headed intellectuals," for example, were hardly coherent explanations of protest. Many of the bills aimed at punishing student protesters being proposed in Congress and state legislatures reflect similar feelings of anger and outrage. Similarly, the presumption that student unrest *must* be part of an international conspiracy is based on emotion rather than fact. Even George F. Kennan's recent discussion of the American student left is essentially a moral condemnation of "revolting students," rather than an effort to explain their behavior.

If we turn to more thoughtful analyses of the current student mood we find two general theories gaining widespread acceptance. The first, articulately expressed by Lewis S. Feuer in his recent book on student movements, "The Conflict of Generations," might be termed the "Oedipal Rebellion" interpretation. The second, cogently stated by Zbigniew Brzezinski and Daniel Bell, can be called the theory of "Historical Irrelevance."

The explanation of Oedipal Rebellion sees the underlying force in all student revolts as blind, unconscious Oedipal hatred of fathers and the older generation. Feuer, for example, finds in all student movements an inevitable tendency toward violence and a combination of "regicide, parricide and suicide." A decline in respect for the authority of the older generation is needed to trigger a student movement, but the force behind it comes from "obscure" and "unconscious" forces in the child's early life, including both intense death wishes against his father and the enormous guilt and self-hatred that such wishes inspire in the child.

The idealism of student movements is thus, in many respects, only a "front" for the latent unconscious destructiveness and self-destructiveness of underlying motivations. Even the expressed desire of these movements to help the poor and exploited is explained psychoanalytically by Feuer: Empathy for the disadvantaged is traced to "traumatic" encounters with parental bigotry in the students' childhoods, when their parents forbade them to play with children of other races or lower social classes. The identification of today's new left with blacks is thus interpreted as an unconscious effort to "abreact and undo this original trauma."

There are two basic problems with the Oedipal Rebellion theory, however. First, although it uses psychoanalytic terms, it is bad psychoanalysis. The real psychoanalytic account insists that the Oedipus complex is universal in all normally developing children. To point to this complex in explaining student rebellion is, therefore, like pointing to the fact that all children learn to walk. Since both characteristics are said to be universal, neither helps us understand why, at some historical moments, students are restive and rebellious, while at others they are not. Second, the theory does not help us explain why some students (especially those from middle-class, affluent and idealistic families) are most inclined to rebel, while others (especially those from working-class and deprived families) are less so.

In order really to explain anything, the Oedipal Rebellion hypothesis would have to be modified to point to an unusually *severe* Oedipus complex, involving especially *intense* and unresolved unconscious feelings of father-hatred in student rebels. But much is now known about the lives and backgrounds of these rebels—at least those in the United States—and this evidence does not support even the modified theory. On the contrary, it indicates that most student protesters are relatively *close* to their parents, that the values they profess are usually the ones they learned at the family dinner table, and that their parents tend to be highly educated, liberal or left-wing and politically active.

Furthermore, psychological studies of student radicals indicate that they are no more neurotic, suicidal, enraged or disturbed than are non-radicals. Indeed, most studies find them to be rather more integrated, self-accepting and "advanced," in a psychological sense, than their politically inactive contemporaries. In general, research on American student rebels supports a "Generational Solidarity" (or chip-off-the-old-block) theory, rather than one of Oedipal Rebellion.

The second theory of student revolts now being advanced asserts that they are a reaction against "historical irrelevance." Rebellion springs from the unconscious awareness of some students that society has left them and their values behind. According to this view, the ultimate causes of student dissent are sociological rather than psychological. They lie in fundamental changes in the nature of the advanced societies—especially, in the change from industrial to post-industrial society. The student revolution is seen not as a true revolution, but as a counter-revolution—what Daniel Bell has called "the guttering last gasp of a romanticism soured by rancor and impotence."

This theory assumes that we are moving rapidly into a new age in which technology will dominate, an age whose real rulers will be men like computer experts, systems analysts and technobureaucrats. Students who are attached to outmoded and obsolescent values like humanism and romanticism unconsciously feel they have no place in this post-industrial world. When they rebel they are like the Luddites of the past—workers who smashed machines to protest the inevitable industrial revolution. Today's student revolt reflects what Brzezinski terms "an unconscious realization that they [the rebels] are themselves becoming historically obsolete"; it is nothing but the "death rattle of the historical irrelevants."

This theory is also inadequate. It assumes that the shape of the future is already technologically determined, and that protesting students unconsciously "know" that it will offer them no real reward, honor or power. But the idea that the future can be accurately predicted is open to fundamental objection. Every past attempt at prophecy has turned out to be grievously incorrect. Extrapolations from the past, while sometimes useful in the short run, are usually fundamentally wrong in the long run, especially when they attempt to predict the quality of human life, the nature of political and social organization, international relations or the shape of future culture.

The future is, of course, made by men. Technology is not an inevitable master of man and history, but merely provides the possibility of applying scientific knowledge to specific problems. Men may identify with it or refuse to, use it or be used by it for good or evil, apply it humanely or destructively. Thus, there is no real evidence that student protest will emerge as the "death rattle of the historical irrelevants." It could equally well be the "first spark of a new historical era." No one today can be sure of the outcome, and people who feel certain that the future will bring the obsolescence and death of those whom they dislike are often merely expressing their fond hope.

The fact that today's students invoke "old" humanistic and romantic ideas in no way proves that student protests are a "last gasp" of a dying order. Quite the contrary: *All* revolutions draw upon older values and visions. Many of the ideals of the French Revolution, for example, originated in Periclean Athens. Revolutions do not occur because new ideas suddenly develop, but because a new generation begins to take *old* ideas seriously—not merely as interesting theoretical views, but as the basis for political action and social change. Until recently, the humanistic vision of human fulfillment and the romantic vision of an expressive, imaginative and passionate life were taken seriously only by small aristocratic or Bohemian groups. The fact that they are today taken as real goals by millions of students in many nations does not mean that these students are "counterrevolutionaries," but merely that their ideas follow the pattern of every major revolution.

Indeed, today's student rebels are rarely opposed to technology *pe se*. On the contrary, they take the high technology of their societies completely for granted, and concern themselves with it very little. What they *are* opposed to is, in essence, the worship of Technology, the tendency to treat people as "inputs" or "outputs" of a technological system, the subordination of human needs to technological programs. The essential conflict between the minority of students who make up the student revolt and the existing order is a conflict over the future direction of technological society, not a counterrevolutionary protest against technology.

In short, both the Oedipal Rebellion and the Historical Irrelevance theories are what students would call "put-downs." If we accept either, we are encouraged not to listen to protests, or to explain them away or reject them as either the "acting out" of destructive Oedipal feelings or the blind reaction of an obsolescent group to the awareness of its obsolescence. But if, as I have argued, neither of these theories is adequate to explain the current "wave" of student protest here and abroad, how can we understand it?

One factor often cited to explain student unrest is the large number of people in the world under 30—today the critical dividing line between generations. But this explanation alone, like the theories just discussed, is not adequate, for in all historical eras the vast portion of the population has always been under 30. Indeed, in primitive societies most people die before they reach that age. If chronological youth alone was enough to insure rebellion, the advanced societies—where a greater proportion of the population reaches old age than ever before in history—should be the least revolutionary, and primitive societies the most. This is not the case.

More relevant factors are the relationship of those under 30 to the established institutions of society (that is, whether they are engaged in them or not); and the opportunities that society provides for their continuing intellectual, ethical and emotional development. In both cases the present situation in the advanced nations is without precedent.

Philippe Aries, in his remarkable book, "Centuries of Childhood," points out that, until the end of the Middle Ages, no separate stage of childhood was recognized in Western societies. Infancy ended at approximately 6 or 7, whereupon most children were integrated into adult life, treated as small men and women and expected to work as junior partners of the adult world. Only later was childhood recognized as a separate stage of life, and our own century is the first to "guarantee" it by requiring universal primary education.

The recognition of adolescence as a stage of life is of even more recent origin, the product of the 19th and 20th centuries. Only as industrial societies became prosperous enough to defer adult work until after puberty could they create institutions—like widespread secondary-school education—that would extend adolescence to virtually all young people. Recognition of adolescence also arose from the vocational and psychological requirements of these societies, which needed much higher levels of training and psychological development than could be guaranteed through primary education alone. There is, in general, an intimate relationship between the way a society defines the stages of life and its economic, political and social characteristics.

Today, in more developed nations, we are beginning to witness the recognition of still another stage of life. Like childhood and adolescence, it was initially granted only to a small minority, but is now being rapidly extended to an ever-larger group. I will call this the stage of "youth," and by that I mean both a further phase of disengagement from society and the period of psychological development that intervenes between adolescence and adulthood. This stage, which continues into the 20's and sometimes into the 30's, provides opportunities for intellectual, emotional and moral development that were never afforded to any other large group in history. In the student revolts we are seeing one result of this advance.

I call the extension of youth an advance advisedly. Attendance at a college or university is a major part of this extension, and there is growing evidence that this is, other things being equal, a good thing for the student. Put in an oversimplified phrase, it tends to free him—to free him from swallowing unexamined the assumptions of the past, to free him from the superstitions of his childhood, to free him to express his feelings more openly and to free him from irrational bondage to authority.

I do not mean to suggest, of course, that all college graduates are free and liberated spirits, unencumbered by irrationality, superstitution, authoritarianism or blind adherence to tradition. But these findings do indicate that our colleges, far from franking out only machinelike robots who will provide skilled manpower for the economy, are also producing an increasing number of highly critical citizens—young men and women who have the opportunity, the leisure, the affluence and the educational resources to continue their development beyond the point where most people in the past were required to stop it.

So, one part of what we are seeing on campuses throughout the world is not a reflection of how bad higher education is, but rather of its extraordinary accomplishments. Even the moral righteousness of the student rebels, a quality both endearing and infuriating to their elders, must be judged at least partially a consequence of the privilege of an extended youth; for a prolonged development, we know, encourages the individual to elaborate a more personal, less purely conventional sense of ethics.

What the advanced nations have done is to create their own critics on a mass basis—that is, to create an ever-larger group of young people who take the highest values of their societies as their own, who internalize these values and identify them with their own best selves, and who are willing to struggle to implement them. At the same time, the extension of youth has lessened the personal risks of dissent: These young people have been freed from the requirements of work, gainful employment and even marriage, which permits them to criticize their society from a protected position of disengagement.

But the mere prolongation of development need not automatically lead to unrest. To be sure, we have granted to millions the opportunity to examine their societies, to compare them with their values and to come to a reasoned judgment of the existing order. But why should their judgment today be so unenthusiastic?

What protesting students throughout the world share is a mood more than an ideology or a program, a mood that says the existing system—the power structure—is hypocritical, unworthy of respect, outmoded and in urgent need of reform. In addition, students everywhere speak of repression, manipulation and authoritarianism. (This is paradoxical, considering the apparently great freedoms given them in many nations. In America, for example, those who complain most loudly about being suffocated by the subtle tyranny of the Establishment usually attend the institutions where student freedom is greatest.) Around this general mood, specific complaints arrange themselves as symptoms of what students often call the "exhaustion of the existing society."

To understand this phenomenon we must recognize that, since the Second World War, some societies have indeed begun to move past the industrial era into a new world that is post-industrial, technological, post-modern, post-historic or, in Brzezinski's term, "technectronic." In Western Europe, the United States, Canada and Japan, the first contours of this new society are already apparent. And, in many other less-developed countries, middle-class professionals (whose children become activists) often live in post-industrial enclaves within pre-industrial societies. Whatever we call the post-industrial world, it has demonstrated that, for the first time, man can produce more than enough to meet his material needs.

This accomplishment is admittedly blemished by enormous problems of economic distribution in the advanced nations, and it is in terrifying contrast to the overwhelming poverty of the Third World. Nevertheless, it is clear that what might be called "the problem of production" can, in principle, be solved. If all members of American society, for example, do not have enough material goods, it is because the system of distribution is flawed. The same is true, or will soon be true, in many other nations that are approaching advanced states of industrialization. Characteristically, these nations, along with the most technological, are those where student unrest has recently been most prominent.

The transition from industrial to post-industrial society brings with it a major shift in social emphases and values. Industrializing and industrial societies tend to be oriented toward solving the problem of production. An industrial ethic—sometimes Protestant, sometimes Socialist, sometimes Communist—tends to emphasize psychological qualities like self-discipline, delay of gratification, achievement-orientation and a strong emphasis on economic success and productivity. The social, political and economic institutions of these societies tend to be organized in a way that is consistent with the goal of increasing production. And industrial societies tend to apply relatively uniform standards, to reward achievement rather than status acquired by birth, to emphasize emotional neutrality ("coolness") and rationality in work and public life.

The emergence of post-industrial societies, however, means that growing numbers of the young are brought up in family environments where abundance, relative economic security, political freedom and affluence are simply facts of life, not goals to be striven

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for. To such people the psychological imperatives, social institutions and cultural values of the industrial ethic seem largely outdated and irrelevant to their own lives.

Once it has been demonstrated that a society can produce enough for all of its members, at least some of the young turn to other goals: for example, trying to make sure that society does produce enough and distributes it fairly, or searching for ways to live meaningfully with the goods and the leisure they already have. The problem is that our society has, in some realms, exceeded its earlier targets. Lacking new ones, it has become exhausted by its success.

When the values of industrial society become devitalized, the elite sectors of youth—the most affluent, intelligent, privileged and so on—come to feel that they live in institutions whose demands lack moral authority or, in the current jargon, "credibility." Today, the moral imperative and urgency behind production, acquisition, materialism and abundance has been lost.

Furthermore, with the lack of moral legitimacy felt in "the System," the least request for loyalty, restraint or conformity by its representatives—for example, by college presidents and deans—can easily be seen as a moral outrage, an authoritarian repression, a manipulative effort to "co-opt" students into joining the Establishment and an exercise in "illegitimate authority" that must be resisted. From this conception springs at least part of the students' vague sense of oppression. And, indeed, perhaps their peculiar feeling of suffocation arises ultimately from living in societies without vital ethical claims.

Given such a situation, it does not take a clear-cut issue to trigger a major protest. I doubt, for example, that college and university administrators are in fact more hypocritical and dishonest than they were in the past. American intervention in Vietnam, while many of us find it unjust and cruel, is not inherently more outrageous than other similar imperialistic interventions by America and other nations withn the last century. And the position of blacks in this country, although disastrously and unjustifiably disadvantaged, is, in some economic and legal respects, better than ever before. Similarly, the conditions for students in America have never been as good, especially, as I have noted, at those élite colleges where student protests are most common.

But this is precisely the point: It is because so many of the other problems of American society seem to have been resolved, or to be resolvable in principle, that students now react with new indignation to old problems, turn to new goals and propose radical reforms.

So far I have emphasized the moral exhaustion of the old order and the fact that, for the children of post-industrial affluence, the once-revolutionary claims of the industrial society have lost much of their validity. I now want to argue that we are witnessing on the campuses of the world a fusion of two revolutions with distinct historical origins. One is a continuation of the old and familiar revolution of the industrial society, the liberal-democratic-egalitarian revolution that started in America and France at the turn of the 18th century and spread to virtually every nation in the world. (Not completed in any of them, its contemporary American form is, above all, to be found in the increased militancy of blacks.) The other is the new revolution, the post-industrial one, which seeks to define new goals relevant to the 20th and 21st centuries.

In its social and political aspects, the first revolution has been one of universalization, to use the sociologist's awkward term. It has involved the progressive extension to more and more people of economic, political and social rights, privileges and opportunities originally available only to the aristocracy, then to the middle class, and now in America to the relatively affluent white working class. It is, in many respects, a quantitative revolution. That is, it concerns itself less with the quality of life than with the amount of political freedom, the quantity and distribution of goods or the amount and level of injustice.

As the United States approaches the targets of the first revolution, on which this society was built, to be poor shifts from being an unfortunate fact of life to being an outrage. And, for the many who have never experienced poverty, discrimination, exploitation or oppression, even to witness the existence of these evils in the lives of others suddenly becomes intolerable. In our own time the impatience to complete the first revolution has grown apace, and we find less willingness to compromise, wait and forgive among the young, especially among those who now take the values of the old revolution for granted—seeing them not as goals, but as rights.

A subtle change has thus occurred. What used to be utopian ideals—like equality, abundance and freedom from discrimination—have now become demands, inalienable rights upon which one can insist without brooking any compromise. It is noteworthy that, in today's student confrontations, no one requests anything. Students present their "demands."

So, on the one hand, we see a growing impatience to complete the first revolution. But, on the other, there is a newer revolution concerned with newer issues, a revolution that is less social, economic or political than psychological, historical and cultural. It is less concerned with the quantities of things than with their qualities, and it judges the virtually complete liberal revolution and finds it still wanting.

"You have to have grown up in Scarsdale to know how bad things really are," said one radical student. This comment would probably sound arrogant, heartless and insensitive to a poor black, much less to a citizen of the Third World. But he meant something important by it. He meant that even in the Scarsdales of America, with their affluence, their upper-middle-class security and abundance, their well-fed, well-heeled children and their excellent schools, something is wrong. Economic affluence does not guarantee a feeling of personal fulfillment; political freedom does not always yield an inner sense of liberation and cultural freedom; social justice and equality may leave one with a feeling that something else is missing in life. "No to the consumer society!" shouted the bourgeois students of the Sorbonne during May and June of 1968—a cry that understandably alienated French workers, for whom affluence and the consumer society are still central goals.

What, then, are the targets of the new revolution? As is often noted, students themselves don't know. They speak vaguely of "a society that has never existed," of "new values," of a "more humane world," of "liberation" in some psychological, cultural and historical sense. Their rhetoric is largely negative; they are stronger in opposition than in proposals for reform; their diagnoses often seem accurate, but their prescriptions are vague; and they are far more articulate in urging the immediate completion of the first revolution than in defining the goals of the second. Thus, we can only indirectly discern trends that point to the still-undefined targets of the new revolution.

What are these trends and targets?

First, there is a revulsion against the notion of quantity, particularly economic quantity and materialism, and a turn toward concepts of quality. One of the most delightful slogans of the French student revolt was, "Long live the passionate revolution of creative intelligence!" In a sense, the achievement of abundance may allow millions of contemporary men and women to examine, as only a few artists and madmen have examined in the past, the quality, joyfulness and zestfulness of experience. The "expansion of consciousness"; the stress on the expressive, the aesthetic and the creative; the emphasis on imagination, direct perception and fantasy—all are part of the effort to enhance the quality of this experience.

Another goal of the new revolution involves a revolt against uniformity, equalization, standardization and homogenization—not against technology itself, but against the "technologization of man." At times, this revolt approaches anarchic quaintness, but it has a positive core as well—the demand that individuals be appreciated, not because of their similarities or despite their differences, but because they are different, diverse, unique and noninterchangeable. This attitude is evident in many areas: for example, the insistence upon a cultivation of personal idiosyncrasy, mannerism and unique aptitude. Intellectually, it is expressed in the rejection of the melting-pot and consensus-politics view of American life in favor of a post-homogeneous America in which cultural diversity and conflict are underlined rather than denied.

The new revolution also involves a continuing struggle against psychological or institutional closure or rigidity in any form even the rigidity of a definite adult role. Positively, it extols the virtues of openness, motion and continuing human development. What Robert J. Lifton has termed the protean style is clearly in evidence. There is emerging a concept of a lifetime of personal change, of an adulthood of continuing self-transformation, of an adaptability and an openness to the revolutionary modern world that will enable the individual to remain "with it"—psychologically youthful and on top of the present.

Another characteristic is the revolt against centralized power and the complementary demand for participation. What is demanded is not merely the consent of the governed, but the involvement of the governed. "Participatory democracy" summarizes this aspiration, but it extends far beyond the phrase and the rudimentary social forms that have sprung up around it. It extends to the demand for relevance in education—that is, for a chance for the student to participate in his own educational experience in a way that involves all of his faculties, emotional and moral as well as intellectual. The demand for "student power" (or, in Europe, "co-determination") is an aspect of the same theme: At Nanterre, Columbia, Frankfurt and Harvard, students increasingly seek to participate in making the policies of their universities.

This demand for participation is also embodied in the new ethic of "meaningful human relationships," in which individuals confront each other without masks, pretenses and games. They "relate" to each other as unique and irreplaceable human beings, and develop new forms of relationships from which all participants will grow.

In distinguishing between the old and the new revolutions, and in attempting to define the targets of the new, I am, of course, making distinctions that students themselves rarely make. In any one situation the two revolutions are joined and fused, if not confused. For example, the Harvard students' demand for "restructuring the university" is essentially the second revolution's demand for participation; but their demand for an end to university "exploitation" of the surrounding community is tied to the more traditional goals of the first revolution. In most radical groups there is a range of opinion that starts with the issues of the first (racism, imperialism, exploitation, war) and runs to the concerns of the second (experiential education, new life styles, meaningful participation, consciousness-expansion, relatedness, encounter and community). The first revolution is personified by Maoist-oriented Pro-

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gressive Labor party factions within the student left, while the second is represented by hippies, the "acid left," and the Yippies. In any individual, and in all student movements, these revolutions coexist in uneasy and often abrasive tension.

Furthermore, one of the central problems for student movements today is the absence of any theory of society that does justice to the new world in which we of the most industrialized nations live. In their search for rational critiques of present societies, students turn to theories like Marxism that are intricately bound up with the old revolution.

Such theories make the ending of economic exploitation, the achievement of social justice, the abolition of racial discrimination and the development of political participation and freedom central, but they rarely deal adequately with the issues of the second revolution. Students inevitably try to adapt the rhetoric of the first to the problems of the second, using concepts that are often blatantly inadequate to today's world.

Even the concept of "revolution" itself is so heavily laden with images of political, economic and social upheaval that it hardly seems to characterize the equally radical but more social-psychological and cultural transformations involved in the new revolution. One student, recognizing this, called the changes occurring in his California student group, "too radical to be called a revolution." Students are thus often misled by their borrowed vocabulary, but most adults are even more confused, and many are quickly led to the mistaken conclusion that today's student revolt is nothing more than a repetition of Communism's in the past.

Failure to distinguish between the old and new revolutions also makes it impossible to consider the critical question of how compatible they are with each other. Does it make sense—or is it morally right—for today's affluent American students to seek imagination, self-actualization, individuality, openness and relevance when most of the world and many in America live in deprivation, oppression and misery?

The fact that the first revolution is "completed" in Scarsdale does not mean that it is (or soon will be) in Harlem or Appalachia—to say nothing of Bogotá or Calcutta. For many children of the second revolution, the meaning of life may be found in completing the first—that is, in extending to others the "rights" they have always taken for granted.

For others the second revolution will not wait; the question. "What lies beyond affluence?" demands an answer now. Thus, although we may deem it self-indulgent to pursue the goals of the new revolution in a world where so much misery exists, the fact is that in the advanced nations it is upon us, and we must at least learn to recognize it.

Finally, beneath my analysis lies an assumption I had best make explicit. Many student critics argue that their societies have failed miserably. My argument, a more historical one perhaps, suggests that our problem is not only that industrial societies have failed to keep all their promises, but that they have succeeded in some ways beyond all expectations. Abundance was once a distant dream, to be postponed to a hereafter of milk and honey; today, most Americans are affluent. Universal mass education was once a Utopian goal; today in America almost the entire population completes high school, and almost half enters colleges and universities.

The notion that individuals might be free, en masse, to continue their psychological, intellectual, moral and cognitive development through their teens and into their 20's would have been laughed out of court in any century other than our own; today, that opportunity is open to millions of young Americans. Student unrest is a reflection not only of the failures, but of the extraordinary successes of the liberal-industrial revolution. It therefore occurs in the nations and in the colleges where, according to traditional standards, conditions are best.

But for many of today's students who have never experienced anything but affluence, political freedom and social equality, the old vision is dead or dying. It may inspire bitterness and outrage when it is not achieved, but it no longer animates or guides. In place of it, students (and many who are not students) are searching for a new vision, a new set of values, a new set of targets appropriate to the post-industrial era—a myth, an ideology or a set of goals that will concern itself with the quality of life and answer the question, "Beyond freedom and affluence, what?"

What characterizes student unrest in the developed nations is this peculiar mixture of the old and the new, the urgent need to fulfill the promises of the past and, at the same time, to define the possibilities of the future.

PROPOSED REFORM OF SELECTIVE SERVICE PROCESS

Mr. INOUYE. Mr. President, I was delighted to read the press account of President Nixon's proposal to reform the selective service process with the establishment of a lottery system. I was especially delighted because his proposal coincides with S. 1269, which I introduced on March 4, to amend the Selective Service Act of 1967.

The two plans contain a number of similar proposals. Both would retain present deferments. Both would establish a 1-year period of maximum eligibility for all young men immediately following their 19th birthday or for 1 year immediately following the termination of their deferment. Both would establish a lottery system whereby draft eligible young men would be randomly selected for service in the Armed Forces. And both would retain the local draft boards.

While these proposals do not cure all the ills and problems of our Selective Service System, they are, I think, steps in the right direction—the direction toward insuring that all men who are mentally qualified and physically able will share equally the possibility of being drafted. I am sure Senators share my belief that that which may call for the supreme sacrifice is particularly demanding of equality in the imposition of that burden.

The day we must demonstrate our concern for the just treatment of our young men is upon us. The time to act is now. Our security as a nation depends not alone upon our military strength. It depends also upon the apparent justice with which we impose the burdens of her defense.

UNIVERSITY OF WYOMING GOVERNOR'S DAY REVIEW CEREMONIES

Mr. McGEE. Mr. President, last Friday the University of Wyoming Army and Air Force ROTC units conducted their annual Governor's Day review ceremonies. As was to be expected, there was a counterdemonstration. But the day ended, in the words of University President William D. Carlson, as "one of the great days for the State of Wyoming and even the Nation." Dr. Carlson observed that students "stood by their beliefs and clearly demonstrated there can be harmony, that conflicting opinions do not necessarily breed violence."

Prior to the event, the university administration met with student and faculty members planning the demonstration and supported their right to demonstrate, so long as they remained within legal bounds and did not interfere with the annual review. They did not. Both the review and the demonstration were held. There was no violence. And I am inclined to concur with President Carlson in his assessment that the result was a message that bears repeating across the land. In line with that belief, I ask unanimious consent that accounts of the demonstration and the prior negotiations, taken from the Laramie Daily Boomerang, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Larmie Daily Boomerang, May 9, 1969]

Carlson Offers Praises to All on Governor's Day

University of Wyoming President William D. Carlson Thursday praised students, ROTC cadets and officers, and townspeople for their orderly conduct of a peace demonstration on the UW campus.

The peace demonstration was staged during the Governor's Day review of Army and Air Force ROTC units at War Memorial stadium.

"From the outset, leaders of the demonstration assured us there would be no violence," Carlson said. "We fully supported their right to demonstrate, as long as the demonstration was orderly, within legal bounds, and did not interfere with programs of the university.

"There were no incidents," he pointed out. "The ROTC annual review was held as scheduled. Those participating in the peace demonstration stayed behind the fences at the north and south end zones and along the east stands, as was planned. The ROTC review was held on the field and there were no attempts to interrupt or interfere with the execution of the drill."

Other University of Wyoming students were in the west stands of the football stadium in a counter demonstration to the peace marchers. Displaying a large American flag, the students gave a standing ovation to Gov. Stanley K. Hathaway, Carlson, and other dignitaries as they entered the stadium for the review and cheered loudly as the military units passed by the stands.

"I feel today was one of the great days for the State of Wyoming and even the nation," Carlson said. "Today our students stood by their beliefs and clearly demonstrated there can be harmony, that conflicting opinions do not necessarily breed violence. There is a great message in what happened here today, a message that bears repeating across the land."

No Disruptions as Harmony Prevails at Governor's Day

Air Force and Army ROTC units at the University of Wyoming, their supporters and an estimated 350 peace marchers demonstrated their philosophies in harmonious accord at Laramie Thursday when the annual Governor's Day festivities were conducted.

Students, faculty members, women and children and three members of the clergy, gathered together in front of the Arts and Sciences building about 45 minutes before the annual military review at 11:15 at War Memorial stadium.

The marchers carried banners asking for peace and filed in orderly, silent fashion,

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three abreast across Prexy's Pasture and on east to the stadium.

The group stood at either end of the football field and along the east side when they reached the spot where Gov. Stanley K. Hathaway and visiting military dignitaries watched ROTC cadets pass in review.

A large number of UW students held a counter demonstration in support of the ROTC units at the review and greeted Gov. Hathaway, UW President William D. Carlson and other dignitaries with a standing ovation as they entered the stadium.

A bright sun warmed the otherwise slightly chilly morning as the troops passed in review. When the national anthem was played and the American Flag displayed, spectators held their hands over their hearts, saluted or removed their hats in respect to the flag and country. There were no incidents before during, or after the ceremonies.

"I feel today was one of the great days for the nation and the world," UW President William D. Carlson said. "Today our students stood by their beliefs and clearly demonstrated there can be harmony, that conflicting opinions do not necessarily breed violence. There is a great message in what happened here today, a message which bears repeating across the land."

Gov. Hathaway, in speaking at a luncheon following the review said those supporting the ROTC far outnumbered those who did not.

"Although we defend the right of all to demonstrate, there can be no argument the majority must rule. The majority spoke here today," he said. He continued that a lasting peace will come only through strength. If protestors of the Vietnam war have a solution, then "I'm sure President Nixon would welcome their answer."

Hathaway commented if the anti-war demonstrators' answer to hostilities in Vietnam is unilateral withdrawal, then "they had better think of the consequences." The governor noted that between the Revolutionary War and the present time, over 40 million men and women have gone to war in defense of the United States. Over one million have died.

"I believe they died believing they were protecting liberty and freedom in the United States. Like the military, this country cannot survive with an undisciplined society," he concluded.

Telegrams marking the Governor's Day activities were received from Sen. Clifford Hansen, Sen. Gale McGee, and C. E. "Jerry" Hollon, president of the UW Board of Trustees.

Senator Hansen expressed regret at being unable to be present for the review. He offered his thanks "to all of our University of Wyoming students who are participants in the ROTC program. . . . I want to offer my thanks for their demonstrated loyalty to this great country of ours. You young men are the backbone of our nation. I firmly believe that the Reserve Officer Training Corps is vital to our national defense and to our survival as a free nation. . . ."

Hollon wired . . . "I am sure that I speak for all of the Trustees of the University of Wyoming when I say that we are very proud of our fine student participation in this program which is so vital to our American way of life. I only wish that I could have been with you for this splendid event."

Senator McGee's wire said in part: "At a time when the military is under attack from some quarters and when the ROTC has been singled out for criticism by students at some universities in America I am pleased to bring you greetings. . . . For my own part I choose to disregard the sniping directed your way in recent weeks. Instead I would state my belief in the desirability of maintaining a solid source of educated reserve officers for each of the branches of our military establishment. ROTC gives us the benefit of diversity bringing into military ranks junior officers of different backgrounds, different disciplines and with different goals and different philosophies. This, I think is good. . . . I have said nothing here about the fact you are volunteers in the time of danger. You are, and I salute you for that. . . ."

REVIEW WILL BE CONDUCTED THURSDAY; PEACEFUL PROTEST

A statement concerning a planned nonviolent demonstration on the University of Wyoming campus was issued Tuesday by UW President William D. Carlson.

Carlson's statement reads:

"The University has been advised of the intention of a group of students, faculty, and interested people from the community of Laramie to stage a peaceful demonstration during the Governor's Day review of ROTC units Thursday.

"I have met with leaders of the group and they have assured me the demonstration will be peaceful. Their plans have been made known to me and have been reviewed by the administration.

"The ROTC review will be held on the War Memorial football field. Only ROTC cadets, officers, and official guests will be permitted on the field. Those participating in the peace demonstration plan to stand behind the fence at the north and south end zones and along the east stands. To this, the University has no objection.

"We fully support the right of anyone to demonstrate, so long as the demonstrations are orderly, within legal bounds, and do not interfere with programs of the University.

"The ROTC annual review is a part of the regular class schedules of both the Army and Air Force ROTC programs. The review traditionally has been held in such fashion as to permit members of the general public to attend. This year is no exception.

"We do expect that those in attendance will not display any conduct that by any means interrupts or interferes with the execution of the drill. The University is, and always has been, committed to supporting the lawful rights of all individual whether ROTC supporters or peace demonstrators."

CONTRADICTIONS IN GOVERNMENT POLICY

Mr. HART. Mr. President, I have received a letter from one of Detroit's leading clothing retailers which points up some contradictions in Government policy. The gist of the letter is that the imposition of textile import quotas will be paid for by the consumer in the form of higher prices for the products covered by the quotas.

Only a short time ago, the administration negotiated voluntary steel quotas with the Japanese and Europeans. Not unexpectedly, domestic steel producers raised prices on a variety of items. Also, not unexpectedly, they did it in unison. Now the administration is negotiating voluntary textile quotas. If it is successful, we can expect prices on those commodities to go up.

We raise taxes and interest rates hoping to bring down prices. We negotiate quota agreements knowing prices will rise. In either event, it is the consumer who pays. The inconsistency of our goals should, by now, be obvious.

As one who has worked in the antitrust field I have become acutely aware of the relationship between competition and price levels. In industries with few competitors—industries which are highly concentrated—the manufacturers generally set their prices in lock-step fashion and usually only upward.

Manufacturer control of price level depends on two elements: little domestic competition, and keeping low-cost imports off the market.

Domestic competition in the textile business has declined sharply in the last 15 years. In 1954, for example, the eight largest cotton weaving mills controlled 29 percent of the output. By 1966 the eight largest controlled 48 percent of the output. Dozens of mergers linking textile mills with clothing manufacturers and retailers have occurred, further reducing competition.

With domestic competition diminishing, the most serious obstacle to an administered market price in the textile industry is the availability of imports. This is what the "voluntary textile import quotas" are all about. If negotiations on quotas result in an agreement, the price of clothing will increase sharply.

Mr. President, recently newspapers carried yet another report of rising consumer prices. On the average, the Bureau of Labor Statistics said, consumer prices increased 5.1 percent last year. We have been told that the way to change this is to raise taxes and increase interest rates. In my view the way to change it is by insuring price competition.

The American Government should not be party to the elimination of competition in textiles and should not be working to burden the consumer with yet another round of price increases—not if it means what it says about inflation.

Mr. President, I ask unanimous consent that a letter which I received from Mr. Stanley J. Winkelman, a leading retailer in Michigan, which summarizes this situation, be printed at this point in the RECORD; also a recent excellent analysis in Consumer Reports entitled "How Import Quotas Raise Consumer Prices."

There being no objection, the items were ordered to be printed in the RECORD, as follows:

WINKELMAN'S,
Detroit, Mich., March 7, 1969.

Hon. PHILIP A. HART,
U.S. Senator,
Washington, D.C.

DEAR SENATOR HART: The purpose of my letter is to express to you some thoughts on the subject of textile import quotas and duties.

Our stores, with which I believe you are familiar, offer a full variety of ladies fashions and accessories. Of course, the great preponderance of the items are conceived and made in this country. However, the assortment includes a number of imports, which add a very important element of style, detailing and price variety. Their availability also contributes significantly to the price discipline of the U.S. goods.

We are fully sympathetic to the U.S. industries, and their employees, which might be adversely affected by free trade in textile products. We firmly believe the Federal procedure should be improved to provide prompt and adequate support for anyone who can show injury by reason of a free trade policy.

However, Senator, it appears to us that in the long run the customers of this country will pay the cost of Federal involvement in textile imports; whether it is done through

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their taxes, used to support adversely affected U.S. industry and employees, or whether it is spent in the form of necessarily higher prices and from more limited selections.

The American customer's ability to obtain good fashion and design, some hand work, and fabrics . . . many of which simply cannot be produced in the United States . . . is an important part of the low and moderate income budgeting. If these resources are denied to the American consumer, their absence will be reflected not only in the elimination of things they clearly want to buy, but also in the absence of price competition with American goods which has been a very healthy aspect of the fashion business.

I am sure we both believe very strongly in the principle of free competition. It is the customer's best defense against unnecessarily high prices and artificially reduced choices. Whether restraints on this kind of constructive market are imposed by law, in the form of quotas or defensive duties, or through "voluntary quota agreements" is really immaterial, in practical competitive consequences. It can hardly avoid development of international cartels and the elimination from U.S. markets of the small foreign producers whose goods offer so much in both choice and price to the fashion-conscious and price-conscious Americans.

I do not pretend to be an expert on international trade or international financial manipulations. I am sure whatever is done will take into account the real interest of the American consumer, and the retailer whose job it is to serve that consumer wisely and well.

I am writing to ask you to do everything you can to preserve customer choice and maximum value in the huge variety of items in which textiles are involved.

Best personal wishes from all of us here.

Sincerely yours,

STANLEY J. WINKELMAN.

HOW IMPORT QUOTAS RAISE CONSUMER PRICES—THE NEW PROTECTIONISTS NOW PLUMP FOR IMPORT QUOTAS INSTEAD OF TARRIFFS, BUT THE EFFECT IS THE SAME—CONSUMERS PAY MORE

President Nixon brought home from Europe last winter some news that may hit consumers squarely in the wallet. The President's news, couched as it was in dry-as-dust references to tariffs, import quotas and other intricacies of international trade, was scarcely meant to arouse public concern; it was, rather, intended to reassure American manufacturers who have been crying for protection against foreign competition. What Mr. Nixon said he had done was to urge European governments, in no uncertain terms, to cut back on the volume of certain goods their industries are selling in this country.

The political pressures that have been building up in recent years in behalf of protectionism could bring seemingly remote matters, such as import quotas and trade balances, close to home in the form of higher prices and fewer choices in a large array of consumer goods. As the President himself pointed out during a televised news conference in March, 93 bills in the last session of the Senate proposed quotas on various goods imported into this country at the rate of $7.7 billion worth a year—more than 40 per cent of America's dutiable imports—and additional goods would have been affected by omnibus quota schemes. The list of products involved ranges from clothing to typewriters, from glassware to radios, from sewing machines to costume jewelry to meat and dairy products.

The protectionist assault, launched by dozens of industries and supported by dozens of unions and scores of Congressmen, caused Mr. Nixon to point out to foreign leaders "that unless some voluntary restrictions or restraints are worked out . . . the pressure for legislative quotas would be immense." Indeed, not since the eve of the Great Depression has protectionism been so strongly on the offensive as it is today. In 1930, it may be recalled, Congress passed the Smoot-Hawley Act, raising tariffs to the highest level in the nation's history. Unable to compete any longer in U.S. markets, other nations raised trade barriers of their own. As the worldwide depression deepened from 1930 to 1934, the value of American exports took a 70 percent drop; world trade fell by two-thirds. Instead of alleviating the economic slump, protectionist policies of the U.S. and other countries only aggravated it.

THE LESSON OF SMOOT-HAWLEY

A hard but valuable lesson was learned, and in 1934 Congress reversed the protectionist trend by passing a reciprocal trade program based on lower tariffs. In the post-World War II years the shortage of consumer goods and the disarray of foreign industry encouraged further tariff lowerings, as did American policies to foster economic recovery in Europe and Asia. While an economic decline in 1957 brought an upsurge of protectionist demands, the Eisenhower Administration did not entirely succumb. It held to the view that the Government could not go on "building competition shelters for every segment of the economy."

The spirit of trade liberalization was forwarded by the Trade Expansion Act of 1962, and reached its culmination at the Kennedy Round of tariff negotiations completed in Geneva in 1967. There, 50 nations agreed to cut tariffs an average of 35 per cent in five annual stages on an exceedingly wide range of goods. For the American consumer, the Kennedy Round held out the prospect of significantly lower prices on such imported items as cars, cameras, chocolate, chinaware, bicycles, TV sets and perfumes.

Hardly had the Kennedy-Round rejoicing commenced, however, than it was dampened by a large-scale counterattack. Industrial lobbyists in many of the participating countries swiftly began putting on pressure for nontariff import barriers. "Nature abhors a vacuum, and manufacturers abhor free trade," observed an international-trade official. The result has been a crazy quilt of border taxes, "sanitary regulations," quotas and artificial pricing.

ENTER THE QUOTA SYSTEM

In the U.S., for instance, the legislatures of industrial states and municipal governments increasingly have adopted "Buy American" policies under which, at extra cost to the taxpayers, domestic suppliers of equipment and materials get preference over the potentially lower foreign bidders on public works contracts. Then, too, existing quotas limit imports of crude oil, boosting prices on gasoline and home-heating oil.

With tariff protection politically unpalatable and foreign industry bidding keenly for American business, many protectionists are turning to quotas, which set an absolute limit on the amount of a given product that can be shipped to these shores in any given year. As an official of the beleaguered steel industry put it, quotas are the most "effective and prompt" means of limiting imports. Or, as a Washington trade expert put it, "For protectionists there is nothing more delicious than a quota."

The Johnson Administration yielded in some degree to pressures in favor of weakening the Kennedy-Round agreements, and today the protectionists are filled with great expectations. For one thing, they have a powerful argument in the drastic shift of America's foreign-trade balance that has become unhappily apparent during the past two years. This country has long been accustomed to selling more merchandise abroad than it buys, thereby bringing in several billions of dollars annually to help make up for the dollars that keep flowing out in the form of military expenditures, foreign aid, the open-handedness of U.S. tourists and so forth. In 1967 our trade surplus reached $4 billion.

That surplus, however, can no longer be taken for granted; it can come and go, and it appears to be going. Last year it fell to only $726 million, the lowest figure since 1937. Whereas exports rose by about 9 per cent in 1968, imports went up 23 per cent. According to a Federal Reserve Board analysis, "A considerable range of U.S. goods may have become somewhat less competitive since 1965. . . . To some extent this may be a matter of price. . . . But for some products—automobiles, for example—the problem may involve not only prices but also design."

Shoppers with no mind for big numbers can see the evidence of the import boom in their favorite department stores: shoes from Italy, bicycles from Britain, all manner of radios, TV sets, tape recorders and electronic gadgetry from Japan—the list is a long and attractive one. Never have our retail counters showed such tempting variety. But, argue the protectionists, as long as the dollar drain continues, Americans cannot afford to treat themselves to so many foreign-made things.

The protectionists pin their hopes now on the new Republican Administration and the G.O.P.'s strong old-line protectionist elements. One must not make too much of party platforms, but the 1968 Republican platform with its emphasis on "fair trade" rather than "free trade" contained a somewhat ambiguous paragraph that injected new spirit into the old protectionist veins: "Imports should not be permitted to capture excessive portion of the American market but should, through international agreements, be able to participate in the growth of consumption. Should such efforts fail, specific counter-measures will have to be applied. . . ."

TURNING OFF TEXTILES

Philosophically, President Nixon and his new administration have identified themselves as unequivocally favoring unhindered trade relations. For example, the President told one of his first press conferences, "I believe that the interest of the United States and the interest of the whole world will best be served by moving toward freer trade rather than toward protectionism. I take a dim view of this tendency to move toward quotas. . . ." Nevertheless, Mr. Nixon in the next breath went to bat for the textile industry. In its behalf, at least, he seems inclined to use the protectionist tendencies in Congress to help persuade textile-exporting countries to negotiate "voluntary" quotas on their shipments to the U.S.

Free-trade advocates were particularly dismayed at the expanded role being given to Commerce Secretary Stans as the chief international trade negotiator in the Nixon Administration. Under the previous two administrations, the President's Special Representative for Trade Negotiations handled the job and brought to it the single-minded objective of dismantling trade barriers. The Commerce Department, on the other hand, has been traditionally sympathetic to domestic industry in its conflicting pleas for protection from imports and Federal assistance in the promotion of exports.

The President specifically designated Secretary Stans as his trade envoy to discuss import quotas on a trip to Europe in April. Mr. Stans took the occasion to affirm the Administration position. "At heart, we are free traders," he said, and proceeded to the necessity, in his view, of some quotas on imports of synthetic textiles, not only from Europe but also from Japan, Hong Kong, Korea and Taiwan. U.S. textile firms, he said, are faced with an "unbelievable" increase in imports, which could do "great harm" to the industry.

Legislation put forward in 1967 and 1968

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would have kept textile imports down to the 1961–1966 level. When Chairman Wilbur Mills kept it bottled up in the House Ways and Means Committee, it was attached as a rider to the Senate bill for an income-tax surcharge and thereby passed overwhelmingly. Mr. Mills finally killed it for that session of Congress in the Senate-House conference on the tax bill.

In view of the fact that textile imports rose an additional 27 per cent in the first nine months of 1968, there is some risk that the last has not been heard of textile-quota legislation. At the least, the nation seems stuck with Mr. Nixon's campaign promise to negotiate textile-quota agreements. If he is successful, he may possibly stave off even more restrictive quotas by act of Congress on a broader assortment of goods. But protectionists aren't so easy to placate. Nor are their arguments entirely foolproof—at least not in the view of persons who refuse to fool themselves about the give and take of international trade. Former Ambassador William M. Roth, who was President Johnson's Special Representative for Trade Negotiations is one such person. He described those who advocate import-quota bills as a means of stopping the outflow of dollars as "dressing up self-serving legislation in the gleaming garments of serving the national interest."

CASHMERE AND HAMBURGER

It takes no gift of prophesy to grasp what even "voluntary" restraints by foreign producers could mean for the American consumer. At present, to take a simple example, a man's cashmere sweater made in England costs an American sweater fancier about $25. The retail price of a comparable sweater manufactured in this country is about $35. If the number of cashmere sweaters that the British may send us is limited at a point where the demand for them is not yet satisfied—which, of course, is the very essence of a quota—then some U.S. customers will find themselves with the choice of paying at least $10 more for a sweater or going without. Moreover, the protected American firms would have no incentive to lower their price and, indeed, might be tempted to raise it, since they would no longer have to worry about price competition from overseas. Would du Pont, for example, have reduced the price of its *Corfam* leather substitute by 20 per cent in 1967 if the Japanese had not been marketing a similar product?

Although connoisseur items and gourmet treats are among the most delightful of our imports, the impact of a quota would by no means be limited to luxury-priced merchandise. Especially affected would be low-income shoppers who have welcomed bargains from abroad in clothing, sporting equipment, toys, chinaware and other goods. The equivalent of a pair of U.S.-made women's sandals that retails for $14 can be had for $10 from a foreign maker. Since our meat imports consist almost entirely of the lower-priced grades of meat used in hamburger, sausage and frankfurters, import quotas in that area would raise the price of the processed meats that occupy a large place in the menus of families that cannot afford more costly cuts? Hamburger and frankfurters would go up an estimated 2c to 3c a pound. John McEwen, trade minister of Australia, from where half of our meat imports come, may have had in mind Mr. Nixon's campaign pledge to cattlemen to act against "cheap foreign beef," when he remarked dryly: "It is difficult to understand why the U.S. should be taking steps to curtail imports at a time when domestic meat prices are at or above record levels."

Any trend toward quotas would predictably spur the present inflation, which is a major factor in our balance-of-trade difficulties. Prices are already too high on some U.S.-made goods to interest foreign markets. As *The Wall Street Journal* has pointed out: "In these inflationary times, import competition is among the few factors working toward holding prices down.

It is not conceivable that our customers overseas will sit still while we block the entry of their goods and hurt their industries without reciprocating. The many U.S. businesses and workers in both agriculture and manufacturing whose livelihoods depend on exports would be hurt in retaliation, and the repercussions would be felt throughout the economy. The Department of Labor estimates that every billion dollars of exports supports nearly 100,000 jobs. When the Belgians were annoyed by an increase in the U.S. tariffs on carpets, they cracked down on our exports of plastics, which deprived a U.S. industry of millions of dollars in sales to an expanding market. (The U.S., for its part, has engaged in much the same tactics. When the Common Market countries put up barriers against our chicken exports, American tariffs were raised on German trucks and French cognac.) As Austria has warned, protectionist measures by the United States will "probably provoke similar measures . . . [which] will eventually affect the interest of American exporters to a much greater degree than those of the foreign importers." Ambassador Roth had such dim prospects in mind when he observed that once the game of retaliation and counterretaliation gets under way, "the effects on our balance of payments would be incalculable."

DISTASTE FOR COMPETITION

No one, not even the most fervent free trader, denies that some Americans will be hurt by increased imports. The Government can hardly overlook the industries, groups of workers and even sections of the country that could be severely injured if they were not protected to some degree from outside competition, and everyone is in favor of granting them assistance. Such assistance was in fact written into the Johnson Administration's Trade Expansion Act of 1968, which did not make its way through Congress. But most of the *efficient* firms in industries calling for protection are not in truth suffering from anything more painful than a distaste for competition. In the long run, the most economical way to help those truly in need of help is to tailor assistance to specific needs—loans for plant modernization, job retraining and so forth—rather than to slap down across-the-board quotas, which would be a windfall for the prosperous as well as a benefit for the ailing.

The national interest would be far better served by a campaign to get Japan and the European trading countries to relax their nontariff trade restrictions, which are in some cases more severe than American ones. As its quid pro quo, the U.S. might relax its own barriers, such as the American Selling Price system, under which certain imported chemicals are valued for tariff purposes not on the basis of their actual foreign price, but on the higher price of the equivalent domestically produced products. The lamented 1968 Trade Expansion Act would have abolished the American Selling Price system in return for an agreement by other countries to reduce their duties on chemicals even below the Kennedy-Round levels.

President Nixon appears to have abandoned the effort. "I think we have to realize," he said after returning from Europe, "that we cannot anticipate in the near future another big round of reductions of tariff barriers. We're going to do well if we can digest what we have on the plate."

Another focus of ostensible-protectionist concern is for the group of industries that have to be subsidized because they would be irreplaceable in case of national emergency. Such industries doubtless exist, but a certain skepticism is in order regarding the discovery by every sort of businessman that he is indispensable to the national security and that patriotism therefore demands that he be coddled. It is on such grounds that the petroleum industry, for example, has convinced the Government to make consumers subsidize it through—among other things—an import quota on crude oil.

Beyond a very few legitimate considerations of national security and individual hardship, the protectionist argument is not powerful. Retailer groups, which in this fight stand with the consumer ("The consumer wants—and we want to give her—the widest selection and the broadest assortment of merchandise at the lowest possible price," says the president of the Hecht Company), point out that far more jobs would be lost and far more industries hurt by raising world trade barriers than by expanding world trade. Good times abroad mean more purchases of U.S. merchandise. The prosperity enjoyed by Europe and Japan in 1964 was reflected in this country in the form of a profitable year for our exporters, and a healthy $6.6 billion export surplus for the country.

The decline in the U.S. export surplus is in significant part attributable to the reluctance of American industry, grown fat and comfortable, to compete with less comfortable and more energetic foreign firms. The outstanding example of this phenomenon is the passenger car. Imported cars have won more than 10 per cent of the U.S. market—one million of them entered the country last year—and their sales are increasing at an embarrassing rate. Volkswagen sells twice as many cars in this country as does American Motors. The implications have not been altogether lost on Detroit; Ford is currently introducing its "smaller-than-compact" *Maverick* in the foreign-dominated $2000 class. Corresponding General Motors and American Motors small cars are due within a year or so.

SOFT AS STEEL

America's formidable steel industry, which for years relied on "administered prices" to keep up its profits, has also been behaving like an aging champion who is reluctant to enter the ring again, and has been asking for quotas to keep down foreign imports. As a writer in *Fortune* summed up that situation last year:

"The steel industry has been a desultory competitor in the international arena. It has until recently been raising prices and has refused to use pricing as a competitive weapon, while foreign steel companies have been cutting export prices—accepting lower profit margins to get added volume. Now U.S. Steel has broken out of the pattern: almost furtively, the company has cut prices sharply on a variety of products to meet foreign quotations. Much of the industry is distressed about this untraditional behavior, but it may be the best thing that's happened in steel for years."

Yet steel interests continue to clamor for protection that will relieve them of the challenge of foreign price competition; in January, in an effort to head off Congressional imposition of quotas on steel imports, the State Department helped negotiate "voluntary" quotas by the major steel producers in Western Europe and Japan—somewhat like an old-fashioned cartel arrangement, if you please. (Indeed, the steel agreements were the immediate precedent for Mr. Nixon's present textile negotiations.) Richard S. Thorn, an economics professor at the University of Pittsburgh, commented: "Quota restrictions are simply an unimaginative effort to preserve profit margins in a manner which will take away most of the incentives from the steel industry to deal with the underlying factors which have prevented it from participating fully in the unprecedented growth in the American and world economies."

Where U.S. companies have exerted themselves and tried to compete, the results have

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sometimes been rewarding for them and of benefit to the consumer. A good example comes from a vice president of General Electric: "In early 1960, General Electric chose to make a determined competitive effort in the six-transistor shirt-pocket radio. At that time, our retail price had been in the general range of $36. We were finding that Japanese-made sets were selling for $19 and we projected their price to drop to about $12 by 1970. Accordingly, we had to aim at the same retail price. This represented a formidable task—a reduction of two-thirds of the cost. We not only made the target, but last year we got our price down to about $7 . . . We are now selling our transistors in Japan."

BETTER SEWING MACHINES

The invigorating effects of competition have been demonstrated in other industries, too. We owe most of the improvements in sewing machines since the war to foreign makers. The domestic watch industry, hard hit by foreign competition, was virtually forced to exploit the pin lever watch and the electric watch, both of which have won a sizable market. Surely, that was a healthier response to competition than the tariff boost on watches put through in 1954 by the Eisenhower Administration on the ground that the watch industry was being injured by foreign competition. (Price of those tariff boosts to the U.S. consumer: $7 per wristwatch.)

Not all industries, to be sure, can hope for such technological breakthroughs; those, such as textiles, where labor constitutes a high proportion of costs, are at a considerable disadvantage in world markets. Still, there is room for greater ingenuity. And for all its moaning, the textile industry is doing nicely, thank you. In many industries, furthermore, profits are more to blame for high prices than wages are. The record indicates that though businessmen continue, on public occasions, to pay homage to Free Enterprise, when things threaten to get uncomfortable they are quick to turn to the Federal Government with demands for controls.

The assault of the protectionist forces goes beyond such homely matters as the prices we must pay for goods and the kinds of goods that are permitted to find their way into our stores. Any movement back to the "beggar-thy-neighbor" philosophy of the early 1930's threatens to slam shut doors which, over long and arduous months, have been opened among nations. The hopes of free and fruitful international commerce, raised high by the tariff cuts agreed on at the Kennedy Round, will suffer a thumping rebuff if the U.S. protectionists have their way.

ASSOCIATED STUDENT GOVERNMENTS—MODEL CODE OF CONDUCT

Mr. STEVENS. Mr. President, in this day of emotionalism regarding student unrest, it is more than gratifying to see efforts being made to deal with the campus problems in a logical and rational manner. Recently, I received a copy of the first draft of a model code on student rights, responsibilities and conduct, prepared by members of the Law Student Division of the American Bar Association. This model code represents a commendable attempt to articulate just what rights—legal and moral—students do have as well as to emphasize the need for utilizing lawful methods and techniques to deal with the problems and causes of student unrest.

The model code was brought to my attention by Steve Snyder, former president of the University of Alaska students. Mr. Snyder is now the treasurer of a national student group—the Association of Student Governments—ASG. This organization, I am informed, is dedicated to change through evolution rather than revolution. ASG is distributing the model code to colleges and universities with the hope that similar rules and regulations will be established—regulations which give our institutions of higher learning authority to take effective action when those rules are broken, but, at the same time, provide effective channels for the processing of legitimate student grievances.

It is time that more attention is paid to this group which seeks change through prescribed and lawful channels. It is time that the Nation indicated its support for groups such as ASG which publicly abhor violence and other tactics of disruption and which is willing to meet radical campus organizations—that we all know too well—on their own ground. Above all, it is time we recognized that the generation gap may also bring a communication gap if we do not listen to groups such as ASG and encourage these young men and women to convey our hopes and desires for their generation to the students of today.

It is with this in mind that I wish to bring the draft of the model code to the attention of the Senate. I emphasize that it is a draft—one which could provide the basis for assuring campus justice and freedom. I ask unanimous consent that the draft of the model code be printed in the RECORD.

There being no objection, the model code was ordered to be printed in the RECORD, as follows:

SCHOOL OF LAW,
VILLANOVA UNIVERSITY,
Villanova, Pa., February 11, 1969.

To whom it may concern:

Attached is the February 1 draft of the Proposed Model Code on Student Rights and Responsibilities prepared by the A.B.A. Law Student Division Committee on Student Rights. Please note the following information:

1. The Committee on Student Rights and Responsibilities is a special L.S.D.—Law Student Division— Committee created at the August 1968 meeting. Its mandate is to draft a proposed model code of student rights and responsibilities. The resolution creating the committee cited the need for such a code because, "there is much student unrest prevalent today; and . . . the relationship of the student and his university is in a state of flux."

2. In accordance with the mandate, work on the proposed model code must be completed by August 1969 in time for the Annual Meeting of the Law Student Division in Dallas, Texas.

3. The final draft of the proposed code will include commentary which will explain the various sections and give examples and solutions to various problems that may be met under it. Because of budget limitations it has not been possible to do this with preliminary drafts. The information received from those who review the attached draft will influence the substantive portions of the code as well as the commentary which will include explanations of why we did or did not accept various suggestions. In addition, the commentary will mention controlling case law in this field.

MARVIN L. PEEBLES,
Chairman.

PROPOSED MODEL CODE OF STUDENT RIGHTS, RESPONSIBILITIES, AND CONDUCT—DRAFT, FEBRUARY 1, 1969

SHORT TITLE

Sec. 1. These rules shall be known as the ———————— (insert name of institution) Code of Conduct.

BILL OF RIGHTS

Sec. 2. The following enumeration of rights shall not be construed to deny or disparage others retained by students in their capacity as members of the student body or as citizens of the community at large;

A. Free inquiry, expression, and assembly are guaranteed to all students and shall not be abridged.

B. Students are free to pursue their educational goals and appropriate opportunities for learning in the classroom and on the campus shall be provided by the institution.

C. The right of students, living in residence halls, to be secure in their persons, living quarters, papers and effects against unreasonable searches and seizures shall not be abridged.

D. No disciplinary sanctions may be imposed upon any student without notice to the accused of the nature and cause of the charges, and a fair hearing which shall include confrontation of witnesses against him and the assistance of a person of his own choosing.

E. A student accused of violating institution regulations is entitled, upon request, to a hearing before a judicial body composed solely of students.

DEFINITIONS

Sec. 3. When used in this Code—

(1) The term "institution" means ——— (insert name of college or university) and, collectively, those responsible for its control and operation.

(2) The term "student" includes all persons taking courses at the institution both full-time and part-time pursuing undergraduate, graduate, or extension studies.

(3) The term "instructor" means any person hired by the institution to conduct classroom activities. In certain situations a person may be both "student" and "instructor." Determination of his status in a particular situation shall be determined by the surrounding facts.

(4) The term "legal compulsion" means a judicial or legislative order which requires some action by the person to whom it is directed.

(5) The term "organization" means a number of persons who have complied with the formal requirements of institution recognition.

(6) The term "group" means a number of persons who have not yet complied with the formal requirements of becoming an organization.

(7) The term "shall" is used in the imperative sense.

(8) The term "may" is used in the permissive sense.

(9) All other terms have their natural meaning unless the context dictates otherwise.

ACCESS TO HIGHER EDUCATION

Sec. 4. Within the limits of its facilities, the institution shall be open to all applicants who are qualified according to its admission requirements.

A. The institution shall make clear the characteristics and expectations of students which it considers relevant to its programs.

B. Under no circumstances shall an applicant be denied admission because of race or ethnic background.

C. (Optional) Religious preference for applicants shall be clearly and publicly stated.

CLASSROOM EXPRESSION

Sec. 5. Discussion and expression of all views is permitted in the classroom subject

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only to the responsibility of the instructor to maintain order.

A. Students are responsible for learning the content of any course for which they are enrolled.

B. Requirements of participation in classroom discussion and submission of written exercises are not inconsistent with this Section.

Sec. 6. Academic evaluation of student performance shall be neither prejudicial nor capricious.

Sec. 7. Information about student views, belief, and political associations acquired by professors in the course of their work as instructors, advisors, and counselors, is confidential and is not to be disclosed to others unless under legal compulsion.

A. Questions relating to intellectual or skills capacity are not subject to this Section except that disclosure must be accompanied by notice to the student.

CAMPUS EXPRESSION

Sec. 8. Discussion and expression of all views is permitted within the institution subject only to requirements for maintenance of order.

A. Support of any cause by orderly means which do not disrupt the operations of the institution is permitted.

Sec. 9. Students and campus organizations may invite and hear any persons of their own choosing subject only to the requirements for use of institutional facilities (Sec. *infra.*)

CAMPUS ORGANIZATIONS

Sec. 10. Organizations may be established within the institution for any legal purpose. Affiliation with an extramural organization shall not, in itself, disqualify the institution branch or chapter from institution privileges.

Sec. 11. Membership in all institution-related organizations, within the limits of their facilities, shall be open to any member of the institution community who is willing to subscribe to the stated aims and meet the stated obligations of the organization.

Sec. 12. Membership lists are confidential and solely for the use of the organization except that names and addresses may be required as a condition of access to university funds.

Sec. 13. Institutional facilities shall be assigned to organizations for regular business meetings, for social programs, and for programs open to the public.

A. Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of the space assigned, to regulate time and use, and to insure proper maintenance.

B. Subject to subsection A of this Section, facilities shall also be assigned to individuals and groups within the institution community.

C. Preference may be given to programs designed for audiences consisting primarily of members of the institutional community.

D. Allocation of space shall be made based on priority of requests and the demonstrated needs of the organization, individual or group.

E. The institution may delegate the assignment function to an administrative official.

E. (Alternate Provision) The institution may delegate the assignment function to a student committee on organizations.

F. Charges may be imposed for any unusual costs for use of facilities.

G. Physical abuse of assigned facilities shall result in reasonable limitations on future allocation of space to offending parties as well as restitution for damages.

H. The individual, group, or organization requesting space must inform the institution of the general purpose of any meeting open to persons other than members and the names of outside speakers.

Sec. 14. The authority to allocate institutional funds derived from student fees for use by organizations shall be delegated to a body in which student participation in the decisional process is assured.

A. Approval of requests for funds is conditioned upon submission of budgets to, and approval by this body.

B. Financial accountability is required for all allocated funds, including statement of income and expenses on a regular basis. Otherwise, organizations shall have independent control over the expenditure of allocated funds.

C. (Optional) Any organization seeking access to institutional funds shall choose a faculty member to be a consultant on institution relations. Such a person may not have a veto power.

Sec. 15. No individual, group, or organization may use the institution name without the express authorization of the institution except to identify the institutional affiliation. Insitution approval or disapproval of any policy may not be stated or implied by any individual, group, or organization.

PUBLICATIONS

Sec. 16. A student or organization may publish and distribute written material on campus without prior approval providing such distribution does not disrupt the operations of the institution.

Sec. 17. The student press is to be free of censorship. The editors and managers shall not be arbitrarily suspended because of student, faculty, administration, alumni, or community disapproval of editorial policy or content. Similar freedom is assured oral statements of views on an institution controlled and student run radio or television station.

A. This editorial freedom entails a corollary obligation under the canons of responsible journalism and applicable regulations of the Federal Communications Commission.

Sec. 18. All institution published and financed student communications shall explicitly state on the editorial page or in broadcast that the opinions expressed are not necessarily those of the institution or its student body.

INSTITUTIONAL GOVERNMENT

Sec. 19. All constituents of the institutional community are free, individually and collectively, to express their views on issues of institutional policy and on matters of interest to the student body. Clearly defined means shall be provided for student participation in the formulation and application of institutional policy affecting academic and student affairs.

Sec. 20. The role of student government and its responsibilities shall be made explicit. There should be no review of student government actions except where review procedures are agreed upon in advance.

Sec. 21. Where the institution acts as landlord, the students have final authority to make all decisions affecting their personal lives, including the imposition of sanctions for violations of stated norms of conduct.

Sec. 22. On questions of educational policy, students are entitled to a participatory function.

A. Faculty-student committees shall be created to consider questions of policy affecting student life.

B. Students shall be designated as members of standing and special committees concerned with curriculum, discipline, and other matters of direct student concern.

C. There shall be an ombudsman who shall hear and investigate complaints and recommend appropriate remedial action.

PROTEST

Sec. 23. The right of peaceful protest is granted within the institutional community. The institution retains the right to assure the safety of individuals, the protection of property, and the continuity of the educational process.

Sec. 24. Orderly picketing and other forms of peaceful protest are permitted on institution premises.

A. Interference with ingress to and egress from institution facilities, interruption of classes, or damage to property exceeds permissible limits.

B. Even though remedies are available through local enforcement bodies, the institution may choose to impose its own disciplinary sanctions.

Sec. 25. Orderly picketing and orderly demonstrations are permitted in public areas within institution buildings subject to the requirements of non-interference in Section 24A.

Sec. 26. Every student has the right to be interviewed on campus by any legal organization desiring to recruit at the institution.

A. Any student, group, or organization may protest against any such organization provided that protest does not interfere with any other student's right to have such an interview.

VIOLATION OF LAW AND UNIVERSITY DISCIPLINE

Sec. 27. If a student is charged with an off-campus violation of law, the matter is of no disciplinary concern to the institution unless the student is incarcerated and unable to comply with academic requirements, except,

A. the institution may impose sanctions for grave misconduct demonstrating flagrant disregard for the rights of others. In such cases, expulsion is not permitted until the student has been adjudged guilty in a court of law.

Sec. 28. Under Section 27A, the institution shall reinstate the student if he is acquitted or there is a failure to bring him to trial within a reasonable period of time.

Sec. 29. The institution may institute its own proceedings against a student who violates a law on campus which is also a violation of a published university regulation.

PRIVACY

Sec. 30. Students have the same rights of privacy as any other citizen and surrender none of those rights by becoming members of the academic community. These rights of privacy extend to residence hall living. Nothing in the institutional relationship or residence hall contract may expressly or impliedly give the institution or residence hall officials authority to consent to a search of a student's room by police or other government officials.

Sec. 31. The institution is neither arbiter or enforcer of student morals. No inquiry is permitted into the activities of students away from the campus where their behavior is subject to regulation and control by public authorities. Social morality on campus, not in violation of law, is of no diciplinary concern to the institution.

Sec. 32. When the institution seeks access to a student room in a residence hall to determine compliance with provisions of applicable multiple dwelling unit laws or for improvement or repairs, the occupant shall be notified of such action not less than twenty-four hours in advance. There may be entry without notice in emergencies where imminent danger to life, safety, health, or property is reasonably feared.

STUDENT RECORDS

Sec. 33. The privacy and confidentiality of all student records shall be preserved. Official student academic records, supporting documents, and other student files shall be maintained only by full-time members of the institution staff employed for that purpose.

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Separate files shall be maintained of the following; academic records, supporting documents, and general educational records; records of discipline proceedings; medical and psychiatric records; financial aid records.

Sec. 34. No entry may be made on a student's academic record, and no document may be placed in his file without actual notice to the student.

A. Publication of grades and announcements of honors constitute notice.

B. A student may challenge the accuracy of any entry or the presence of any item by bringing the equivalent of an equitable action against the appropriate person before the judicial body to which the student would be responsible under Sec. —.

Sec. 35. Access to his records and files is guaranteed every student subject only to reasonable regulations as to time, place, and supervision.

Sec. 36. No record may be made in relation to any of the following matters except upon the express written request of the student:

A. Race;

B. Religion; (omit if Section 4C is enacted)

C. Political or social views; and

D. Membership in any organization other than honorary and professional organizations directly related to the educational process.

Sec. 37. No information in any student file may be released to anyone except with the prior written consent of the student concerned or as stated below:

A. Members of the faculty with administrative assignments may have access for internal educational purposes as well as routinely necessary administrative and statistical purposes.

B. The following data may be given any inquirer; school or division of enrollment, periods of enrollment, and degrees awarded, honors, major field, and date.

C. If an inquiry is made in person or by mail, the following information may be given in addition to that in Section 37B; address and telephone number, date of birth, and confirmation of signature.

D. Properly identified officials from federal, state and local government agencies may be given the following information upon express request in addition to that in Section 37B and 37D; name and address of parent or guardian if student is a minor, and any information required under legal compulsion.

E. Unless under legal compulsion, personal access to a student's file shall be denied to any person making an inquiry.

Sec. 38. No record may be preserved beyond graduation or other final departure from the institution except;

A. academic records subject to the limitations of non-disclosure,

B. financial records of continuing obligations, and

C. medical and psychiatric records subject to the normal rules for privileged information.

SANCTIONS

Sec. 39. The following sanctions may be imposed upon students;

A. Admonition. An oral statement to a student that he is violating or has violated institution rules.

B. Warning. Notice, orally or in writing, that continuation or repetition of conduct found wrongful, within a period of time stated in the warning, may be cause for more severe disciplinary action.

C. Censure. A written reprimand for violation of specified regulations, including the possibility of more severe disciplinary sanctions in the event of the finding of a violation of any institution regulation within a stated period of time.

D. Disciplinary probation. Exclusion from participation in privileged or extracurricular institution activities as set forth in the notice for a period of time not exceeding one school year.

E. Restitution. Reimbursement for damage to or missappropriation of property. This may take the form of appropriate service or other compensation.

F. Suspension. Exclusion from classes and other privileges or activities as set forth in the notice for a definite period of time not to exceed two years.

G. Explusion. Termination of student status for an indefinite period. The conditions of readmission, if any, shall be stated in the order of explusion.

Sec. 40. No sanctions may be imposed for violations of rules and regulations for which there is not actual or constructive notice.

PROSCRIBED CONDUCT

Sec. 41. Generally, institutional discipline shall be limited to conduct which adversely affects the institutional community's pursuit of its educational objectives. The following misconduct is subject to disciplinary action;

A. All forms of dishonesty including cheating, plagiarism, knowingly furnishing false information to the institution, and forgery, alteration or use of institution documents or instruments of identification with intent to defraud.

B. Intentional disruption or obstruction of teaching, research, administration, disciplinary proceedings or other institution activities.

C. Physical abuse of any person on institution premises or at institution sponsored or supervised functions.

D. Theft from or damage to institution premises or damage to property of a member of the institutional community on institution premises.

E. Failure to comply with directions of institution officials acting in performance of their duties.

F. Violation of published institutional regulations including those relating to entry and use of institutional facilities, the rules in this Code of Conduct, and any other regulations which may be enacted.

G. Violation of published rules governing residence halls.

H. Violation of law on institutional premises or residence halls in a way that affects the institutional community's pursuit of its proper educational purposes.

PROCEDURAL STANDARDS IN DISCIPLINE PROCEEDINGS

Sec. 42. Any academic or administrative official, faculty member or student may file charges against any student for misconduct. In extraordinary circumstances the student may be suspended pending consideration of the case. Such suspension shall not exceed a reasonable time.

Sec. 43. The institution may make a preliminary investigation to determine if the charges can be disposed of informally without the initiation of disciplinary proceedings.

Sec. 44. All charges shall be presented to the accused student in written form and he shall respond within seven days. The time may be extended for such response. A time shall be set for a hearing which shall not be less than seven or more than fifteen days after the student's response.

Sec. 45. A calendar of the hearings in a disciplinary proceeding shall be fixed after consultation with the parties. The institution shall have discretion to alter the calendar for good cause.

Sec. 46. Hearings shall be conducted in such manner as to do substantial justice, but shall not be unduly restricted by rules of procedure or rules of evidence.

A. Hearings shall be private if requested by the accused student. In hearings involving more than one student, severance shall be allowed upon request.

B. An accused student has the right to be represented by counsel or an adviser who may come from within or without the institution.

C. Any party to the proceedings may request the privilege of presenting witnesses subject to the right of cross-examination by the other parties.

D. Production of records and other records may be required.

Sec. 47. In the absence of a transcript, there shall be both a digest and a verbatim record, such as a tape recording, of the hearing.

Sec. 48. No recommendation for the imposition of sanctions may be based solely upon the failure of the accused student to answer the charges or appear at the hearing. In such a case, the evidence in support of the charges shall be presented and considered.

Sec. 49. An appeal from a decision by the initial hearing board may be made by any party to the appropriate appeal board within ten days of the decision.

A. An appeal shall be limited to a review of the full report of the hearing board for the purpose of determining whether it acted fairly in light of the charges and evidence presented.

B. An appeal may not result in a more severe sanction for the accused student.

C. An appeal by the institution, in which the decision is reversed, shall be remanded to the initial hearing board for a determination of the appropriate sanction.

JUDICIAL AUTHORITY

Sec. 50. Appropriate judicial bodies shall be formed to handle all questions of student discipline. The initial hearing board shall be composed solely of students and any appeal board shall have voting student representation.

Sec. 51. The judicial bodies may formulate procedural rules which are not inconsistent with the provisions of this Code.

Sec. 52. The judicial bodies may give advisory opinions, at their sole discretion, on issues not before any judicial body and where no violation of institution regulations has taken place. Such opinions shall not be binding on the party making the request nor may it be used as precedent in future proceedings.

Sec. 53. A judicial body may be designated as arbiter of disputes within the institutional community. All parties must agree to arbitration and agree to be bound by the decision with no right of appeal.

BRUNO BITKER REMARKS AT CONFERENCE ON HUMAN RIGHTS, UNIVERSITY OF CALIFORNIA, BERKELEY, APRIL 12, 1969

Mr. PROXMIRE. Mr. President, I am proud and honored to count as a friend of mine, Mr. Bruno Bitker, who is a distinguished Milwaukee attorney. Mr. Bitker has been a member of the President's Commission for the Observance of Human Rights Year 1968. For many years, Mr. Bitker has been very active in the human rights field, particularly in behalf of Senate ratification of the Human Rights Conventions. Mr. Bitker appeared as one of the guest speakers at the Conference on Human Rights at the Law School of the University of California, Berkeley, held April 12, 1969.

I ask unanimous consent that his very succinct and erudite remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

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REMARKS OF BRUNO V. BITKER, MILWAUKEE ATTORNEY AND MEMBER OF PRESIDENT'S COMMISSION FOR THE OBSERVANCE OF HUMAN RIGHTS YEAR, 1968, CONFERENCE ON HUMAN RIGHTS, LAW SCHOOL, UNIVERSITY OF CALIFORNIA, BERKELEY, CALIF., APRIL 12, 1969

When the Genocide Convention was under consideration within the United Nations, the United States representatives were among the leaders in its preparation. Mrs. Eleanor Roosevelt was the U.S. Representative to the Human Rights Commission. At that same time, 1948, the Universal Declaration of Human Rights was also under consideration by the General Assembly.

Americans, perhaps in an understandable spirit of chauvinism, have long insisted that they were the principle drafters of both documents, particularly the Universal Declaration. In fact, of course, many of the world's leading statesmen participated in the work. The Honorable Rene's Cassin was one of the most effective among them. But it is true that many of the ideas, even words and phrases, were out of American tradition and national documents. Indeed, at the Teheran Human Rights Conference in 1968, the memory of Mrs. Roosevelt, as a leading spirit in producing the Declaration, dominated the opening sessions of the Conference.

With that in mind it is difficult to understand why the United States has dragged its feet in ratifying human rights treaties. It is not only difficult for other nations to understand it, but is equally so for many Americans, particularly those of the generation to whom the stench of the Nazi gas chambers was something sensed in their own lifetime. It is no less a matter of wonderment to those of a younger generation of Americans even though they know of the horrible crime of the Nazi years only through reading history.

When in 1949, the President of the United States sent the Genocide Convention to the U.S. Senate for its advice and consent, as required by our Constitution, it was assumed that its approval by the required two thirds of that body was more or less routine. As President Truman pointed out in his letter of transmittal to the Senate, "By the leading part the United States has taken in the United Nations in producing an effective international legal instrument outlawing the world shocking crime of Genocide, we have established before the world our firm and clear policy toward that crime."

But to the surprise of our own government, opposition from respected sources to the treaty began to make itself heard. It was inconceivable that, in the post-war atmosphere, serious opposition could exist. But exist it did, and its spokesman was the American Bar Association, the leading organization of American lawyers. Although the ABA was usually regarded as conservative, on questions of international law it had usually taken a forward looking position, contrary to the isolationist philosophy that was again rearing its head as part of the then developing cold war. The ABA had in fact, strongly advocated expansion of the jurisdiction of the International Court. This evidenced its international outlook.

In September, 1949, however, the Bar Association through its policy making body, the House of Delegates, adopted a resolution by a divided vote opposing ratification of the Genocide Convention on the ground that it "involves important constitutional questions" and "raises important fundamental questions but does not resolve them in a manner consistent with our form of government."

In the ensuing debate which took place before the Foreign Relations Committee of the U.S. Senate, it became clear that the opposition was moved more by fears of threats to the sovereignty of states within the United States than by any basic constitutional objections. It was asserted, in effect, for example, that if a citizen of a southern state were accused of the crime of lynching that he would be "seized" by some foreign secret police agency, flown to an unknown destination and tried before a "communist controlled court".

It was clear, of course, from a reading of the Convention that the usual crime of murder, such as lynching, was not intended to be and in fact was not covered by the treaty. It was clear, too, that under the treaty the persons charged with Genocide were to be tried by a court of the nation in which the act was committed. A trial by an international penal tribunal, if one were ever created, was possible only as to those parties which had accepted its jurisdiction. As of 1949 no such tribunal had been established, and during the ensuing 20 years none has been seriously suggested let alone established. Even if one were brought into existence it would require treaty recognition by the United States through its constitutional treaty making process before it became binding on the United States. This means that the President would have to approve it and submit it to the U.S. Senate for its advice and consent by a two thirds vote, before it could be ratified. Certainly no President or Senate would treat this problem lightly.

The hearings before the Senate Sub-committee in 1950 were lengthy. Many prominent members of the bar appeared both for and against ratification. Finally the sub-committee filed a report supporting ratification but, in order to satisfy the real or imagined fears of objectors, recommended certain clarifications which, among other things, would resolve all doubts of the convention's applicability to a single lynching. Despite that, however, the full Senate committee delayed favorable action. By this time the early winds of McCarthyism began to be felt, the cold War had attained a sub-zero level, and anything which seemed to favor cooperation with foreigners became suspect. Finally the Senate committee in 1950, tabled the matter. In other words it took no positive action. The treaty has been in the deep freeze ever since. It was ironic that McCarthyism should have had such an effect because subsequently Senator McCarthy announced his support of ratification.

It is not easy now to understand the atmosphere then existing in the United States which produced the fear that too much traffic with foreigners, particularly through the United Nations, might undermine our sovereignty. But the fact is that this produced substantial support for the proposed Bricker Amendment which amendment to the U.S. Constitution was intended to hamstring the authority of the President in his dealings with other nations. Among the dangers it was claimed would be eliminated by the Bricker Amendment were the human rights treaties that were being supported by our representatives to the United Nations. Many of the lawyers who had opposed Genocide were leaders in support of Bricker.

By 1953, during the presidency of Dwight Eisenhower, support for the Bricker Amendment was strong enough and the likelihood of its adoption disturbingly possible, so as to move the administration to take whatever steps appeared proper and desirable to halt the threat. Human rights treaties were constantly cited as the witches whose evil effects would undermine the American Republic; they could only be stopped by the Bricker Amendment. John Foster Dulles, then Secretary of State, in April 1953, on behalf of the Administration informed a Senate Committee that it did not then intend to become a party to any human rights covenant or press for ratification. By this gesture of appeasement the Administration hoped to take the ammunition away from the Bricker forces. But the act was in vain. The Bricker supporters would not withdraw. Although it now appears that the sacrifice was not necessary, the fact is that the Bricker Amendment lost by only one vote.

From 1953 to 1963 although various citizens groups were urging ratification of other human rights treaties, none were sent by the President to the Senate for its advice and consent and no serious effort was made to force action on Genocide. Finally, recognizing how important to our national interest was our participation in these treaties, President Kennedy did, in 1963, send three new conventions to the Senate. They were considered so innocuous as to almost insure favorable action. They were the Conventions on the Political Rights of Women, Forced Labor, and Slavery. But the Senate took no action on them.

Beginning in January 1967 Senator William Proxmire began issuing a series of statements on the floor of the Senate demanding action on ratification of the three treaties submitted by President Kennedy as well as on Genocide. His almost daily demands on the Senate floor is still continuing into the current 1969 session of the new Congress. But his efforts in early 1967 had some effect because Senator Fulbright, Chairman of the Foreign Relations Committee did appoint a special subcommittee to hold hearings on the three Kennedy treaties but not on Genocide.

The Kennedy treaties appeared to avoid any possible constitutional questions. The U.S. Constitution long ago had made slavery and forced labor unlawful and had granted political rights to women. Nevertheless, a number of lawyers, including some of those who had originally opposed Genocide and subsequently supported Bricker, expressed strong opposition to ratification. There was a lengthy debate within the ABA's House of Delegates in August, 1967, with the result that the Association, by a divided vote, resolved to oppose the women's rights treaty, to withhold support of the treaty against forced labor, but to support ratification of the slavery convention.

In November 1967 the U.S. Senate went along with the recommendation by endorsing the Slavery treaty but placed the other two on the table. No consideration was given to Genocide. A year later, in October, 1968, a treaty on refugees, classified as a human rights treaty, was approved by the U.S. Senate.

Thus the ice jam on human rights treaties, caused in part by the cold war, has been broken in the United States. There seems now little reason to doubt the existence of the power of the United States to become parties to human rights treaties which do not contravene a specific prohibition in its Constitution or, if some doubt exists as to a particular provision, ratifying with a reservation or understanding as to such provision.

The President's Commission for the Observance of Human Rights Year in its final report presented in 1969 to President Nixon recommended ratification of the human rights treaties then pending before the Senate, and urged that other conventions be reviewed for submission to the Senate. Although no other convention was specified by that Commission, it would seem that a logical one for present consideration is that on Elimination of Racial Discrimination. It was signed by the United States with an explanatory statement as to freedom of speech. Subject thereto it should be ratified, and many leading lawyers and scholars in the United States have so expressed themselves.

It is difficult enough for many Americans, and more so by others, to understand the real basis for our failure to have been among the leaders in ratifying these treaties as we were among the leaders in drafting them and supporting them in the United Nations and its affiliated organs. But fears and prejudices run deep and with the old concept of the sanctity of sovereignty having

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so strong a hold on many politicians it is explainable even though not wholly understandable why there is such failure to move forward on the human rights front through treaties.

As Chief Justice Earl Warren said in December, 1968: "This sad record [failure of the United States to act on these conventions] and the responsibility for it lies squarely with those who have a parochial outlook on world problems. They have failed to measure the climate of change in the world."

Editorial comment among some of America's leading newspapers, such as the New York Times, following the Chief Justice's remarks, indicates a new look at the problem. The position in support of ratification taken by the U.S. National Commission for UNESCO (constituted in part by representatives of leading nongovernmental organizations) and the attitude of the world of education as expressed by the teaching guide recently published by the National Council for the Social Studies (a department of the National Education Association) are additional signs of the widespread endorsement of these treaties. The continued active support of religious bodies is well known.

Conferences at law schools, including this one at the University of California, Berkeley, in April, 1969, shows the trend toward a broader outlook. The public position of the present and of the incoming president of the American Bar Association in support of ratification plus the interest of three sub-committees of the Association in reviewing the Association's position together with the encouraging attitude of a number of local and state bar associations, indicate that a change in the official position of the American Bar may be in the making. All of this is bound to have its effect upon the U.S. Senate and makes the outlook for further ratifications most helpful.

VIRGINIA H. KNAUER—"WOMAN OF THE YEAR"

Mr. SCOTT. Mr. President, Virginia H. Knauer, Special Assistant to the President for Consumer Affairs, today received a well-deserved tribute by the Friends of the March of Dimes, when she was named "Woman of the Year" at an award luncheon at the Warwick Hotel in Philadelphia.

Mrs. Knauer, formerly director of the consumer protection division of the Pennsylvania Department of Justice, was honored for her dedicated work in behalf of the health and protection of our children.

I ask unanimous consent that Mrs. Knauer's remarks at the award luncheon be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks by Virginia H. Knauer, May 14, 1969

It is a privilege and a pleasure for me to be here today—not only because of our past close association and the great honor you are paying me, but because of your strong dedication to the health of mankind in general and children in particular.

Let me assure you that the health of our citizens is of equal concern to the Federal Government and to me in my new job as Special Assistant to the President for Consumer Affairs. In fact, my assignment as spokesman for the consumer at the highest levels of Government gives me a fine opportunity to consider his health, as well as his pocketbook, and I have already done so on several occasions.

Soon after I was sworn into my new post, I gave strong endorsement to a bill to provide additional protection for children from toys which contain electrical, mechanical or thermal hazards. The general purpose of this bill is to amend the Child Protection Act of 1966, which deals only with certain hazardous substances.

At recent hearings of the Product Safety Commission—and I testified at one of them in Chicago—it was brought out that a child's blow-gun caused serious injury when darts were inadvertently inhaled and imbedded in his lungs. A witness testified that a nine-year old child was blinded in one eye by an exploding cap device which was advertised as harmless. Another witness said that his small son was strangled in a lidded crib. The baby died when his head became wedged between the lid and the side of the crib.

We must take immediate steps to make certain that tragedies such as these will never happen again.

The right to safety is one of our basic consumer rights. This does not apply, however, only to products which we buy over the counter. It applies to our right to clean air, clean water, and a safe environment.

We are surrounded by potential hazards to our health and life in the environment in which we live. Of what use is financial and economic protection in the marketplace if we do not have the elementary and basic protection of clean air to breathe, pure water to drink, and uncontaminated food to eat? If we cannot live and function in our environment, it becomes pretty academic as to how we spend our money or whether the right label is on the right can.

Our overall concern must be environmental health. You, in your dedication to preserving and improving the health and lives of our children, will be particularly interested in environmental safety and the road to reach it—environmental research and education. We have conquered polio, the dread disease that afflicted so many of our children—and adults too—and was the reason the March of Dimes was founded. There are still left the other crippling illnesses and birth defects, many of which science now tells us may very well be harbored in our modern industrial environment.

The Secretary of Health, Education, and Welfare, Robert H. Finch, is concerned by the evidence of pesticides that persist in the environment. This concern has led to his appointment of a Commission on Pesticides and their Relationship to Environmental Health. The Commission, of which I am a member, will explore the field of environmental pollution and its consequent risk to the health of our citizens.

We all know the tremendous benefits that have been derived from the use of pesticides since World War II. However, the disadvantages of pesticides have been receiving increasing scientific attention.

There is no question that DDT, for example, persists in the environment. It has been discovered in the tissues of animal life in virtually every part of the world. But as Secretary Finch has pointed out, modern technology which has brought such assaults upon our environment, has also brought us the means to provide constant vigilant protection. We must have this protection.

Incidentally, it was a Pennsylvania woman, the late Rachel Carson, who first alerted the people—in laymen's language—to the possible dangers arising from the misuse of pesticides.

Rachel Carson did this simply and eloquently in her book, *The Silent Spring*, which was really a clarion call to save the environment for human beings as well as wildlife.

Today, officials at the highest levels of Government are considering naming a National wildlife refuge after this great conservationist to commemorate her service to mankind. When this idea was first brought to my attention in an article in *This Week Magazine*, written by Ann Cottrell Free, I promptly made my support known to our Department of Interior, where Rachel Carson worked for many years.

I know that Pennsylvanians are proud of Rachel Carson—who was born in Springdale, in the western part of our State—just as Americans all over the country are proud of her—and I am hopeful that we will soon have a wildlife refuge bearing her name.

The Administration in Washington is keenly aware of the need for the Federal Government to improve environmental management. The President is establishing an interdepartmental Council on Environment Quality. This new Council will provide a focal point for coordination of environmental protection and management programs within the Federal Government.

It will help provide overview necessary to predict, judge, and control the effects of our environmental actions. It is an important step, one which evidences clearly this Administration's determination to protect and enhance the quality of environment.

The new Council will be no ordinary Cabinet-level committee. It will be chaired by the President himself. Thus this will be no more discussion group but a mechanism for effective decision-making.

Surely such a Presidential commitment to the protection and enhancement of the quality of our environment is the best kind of news we can have for the preservation of our health and the well-being of our children and their children for generations to come.

And now, finally, I must tell you how really touched I am by the tribute you have paid me today. It will become a memory that I shall always cherish. Whatever I have done, I could not have done without the help of my friends in Philadelphia, many of whom are present today.

It's wonderful to be in Washington and my new job is a great challenge, but I miss you all and think of you often—and of your interest and dedication to the important work you are doing as Friends of the March of Dimes.

INNOCENT VICTIMS OF CRIME—S. 9

Mr. YARBOROUGH. Mr. President, we are all aware of the problem of crime in this country. In the Nation's Capital, the problem is particularly acute, and we are reminded almost daily of that fact. I ask unanimous consent to have printed at this point in the Record, two brief articles published in the Washington Post of April 15, 1969, concerning two shootings which have taken place recently.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Man Beaten, Robbed, Shoots at Youths

Two youths got more than they bargained for yesterday afternoon after they robbed and beat a man in Northeast Washington.

Francis Davidson, 43, of 5635 Eads st. ne., was walking in a field in the 5700 block of Dix Street when the youths grabbed and beat him and tore off his pants, containing a wallet and $6.

Police said Davidson raced to his home, a block away and returned with a .38-caliber revolver. He fired three shots at the fleeing

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> youths. Police were checking local hospitals last night to see if any of the robbers were wounded.
>
> Parking Lot Worker Shot by Teenager
>
> A pistol-wielding teen-ager shot a Southwest parking lot attendant in the head yesterday, blinding him in the right eye, when he resisted orders to enter his office during an apparent holdup attempt, police reported.
>
> Police said John C. Foushee, 29, of 523 Benning rd. nw., was shot after two youths, one of them armed, approached him at the Consolidated Parking lot, 12th and C Streets sw., and tried to force him into the lot office.

Mr. YARBOROUGH. Mr. President, these two articles tell sad stories, too frequently repeated every day across the entire United States. But one factor not explicitly brought forth in either of these articles is also of concern to me: What will happen to the victims? Perhaps the criminals will be captured. If they are, they will probably be punished, but they will also be cared for, be given medical and maybe psychiatric treatment, food, clothing, housing, and all the other services our society quite properly provides to criminals.

But the victims, the people injured in these crimes, can lay claim to no similar rights. Beyond giving them the dubious satisfaction of seeing their offenders captured, tried, and punished, society gives the victims nothing, and they must bear the burdens of acts which they certainly did not will, and probably did nothing to bring about.

My bill, S. 9, is introduced specifically for the purpose of remedying this situation. This bill, now before the Committee on the Judiciary, would set up a Criminal Injuries Compensation Commission empowered to investigate injured victims and to award them up to $25,000 compensation for wrongs done to them. This is a long-overdue and much needed remedy for one of the cruelest injustices in our entire system. I hope that Congress will take action on this proposal this year.

PROPOSED MODIFICATIONS IN SELECTIVE SERVICE SYSTEM

Mr. HARRIS. I commend President Nixon for his proposed modifications in the existing Selective Service System call-up procedures. President Nixon stated in his message yesterday:

> Under present conditions . . . some kind of draft will be needed for the immediate future.

I agree with the President that as long as a Selective Service System is necessary we must make every effort to see that it is as fair as possible to all persons concerned.

The President has indicated in his message that, given the authority by Congress, he will make the following changes in the existing draft system.

First. Initiate a youngest first order of call so that all 19-year-olds would be drafted first and vulnerability to the draft would diminish according to age. This would be a far better system than we now have under which we draft our young men in their middle or late twenties who have already established themselves with a job, and a family, and other responsibilities.

Second. President Nixon has proposed that we reduce the time for prime draft vulnerability from 7 years to 1 year. I endorse this proposal also, because it will remove a great deal of the uncertainty which all young men now face when they begin to plan their lives. I think we all agree that 7 years is a long time to be faced with the possibility of being removed from one's job and from one's family in order to fulfill a commitment to the Armed Forces. I, therefore, applaud the President for proposing to reduce this period of uncertainty to 1 year.

Third. The President has indicated that he intends to implement a system of random selection of young men for service in the military. I have long advocated this as I have advocated the selection of the youngest first; and I, therefore, endorse this proposed change in the Selective Service System, because I feel that random selection will remove most of the inadequacies which now exist in selection of draftees and will certainly remove a great deal of the pressure on our local Selective Service Boards.

I certainly agree with the President that changes in the Selective Service System are long overdue and that while no system which singles out certain individuals to serve while others are not selected can be totally fair, the utilization of random selection and selection of the youngest first and the adoption of a 1-year prime vulnerability will certainly make the system a great deal fairer than at the present time.

THE PESTICIDE PERIL—VIII

Mr. NELSON. Mr. President, during the current hearings before the Wisconsin State Department of Natural Resources regarding a citizens' petition to ban DDT, the defense of this persistent pesticide has primarily been championed, understandably, by the chemical industry. Also, a few agricultural spokesmen are claiming that "Wisconsin agriculture would collapse if farmers were deprived" of DDT, according to a recent article in the Madison Capital Times.

However, the voices of some of our State's farmers seeem to dispute this statement.

A dairy farmer in the Evansville, Wis., area told of having to withhold all of his milk and beef from the market for 11 years because a chlorinated hydrocarbon pesticide similar to DDT was found in his grain, which in turn was eaten by his cows which produced harmful residues in their milk and fat.

In fiscal year 1968, Wisconsin dairy farmers received $22,302 in reimbursements from the Federal Government, under the pesticide indemnity payment program administered by the U.S. Department of Agriculture.

This program, which I originally proposed in 1964, provides payments to reimburse dairy farmers for milk barred from commercial markets because it contains traces of pesticides approved for use by the U.S. Department of Agriculture. Up to date, farmers in 29 States have been reimbursed nearly a million dollars.

Most pesticide residues have been traced to drift caused by off-farm spraying, to feed purchased off the farm, and to pesticides transferred from the soil to crops used for feeding dairy cattle. Until adequate restrictions are adopted on the use of DDT and other persistent pesticides, this program will be necessary to protect our dairy farmers from financial losses which result from factors far beyond their control.

I ask unanimous consent that the article from the Capital Times be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

> [From the Capital Times, Apr. 28, 1969]
>
> Farm Bureau Doesn't Speak for Them: What Farmers Really Say About DDT
>
> (By Whitney Gould)
>
> Next to spokesmen for the pesticide industry, some of the most vociferous opponents of a ban on the use of DDT in Wisconsin have been representatives of large farm organizations in the state, who have given the impression that Wisconsin agriculture would collapse if farmers were deprived of the pesticide.
>
> One would also conclude, from listening to testimony at recent State Capitol hearings on bills that would either tighten regulations on pesticide use (S-124, S-338), or ban DDT completely (A-163), that Wisconsin farmers are universally enamored of DDT.
>
> Nothing could be farther from the truth.
>
> There is great division among farmers on the merits and dangers of DDT, and for that matter, on the whole question of pesticides.
>
> The impression that DDT is indispensible to farmers comes largely from the testimony of such lobbyists as William Kasakaitas, representing the Wisconsin Farm Bureau Federation, the Wisconsin Potato and Vegetable Growers Association and other farm groups.
>
> Kasakaitas, his orotund voice rising, told an Assembly Agriculture Committee hearing earlier this month on a proposal to ban DDT in Wisconsin, that such a ban would be "courting economic disaster by depriving Wisconsin farmers of the means to protect their crops and keep the quality of their food products competitive with those produced in other states."
>
> Conveniently, copies of Kasakaitas' rhapsodic statement on the benefits of DDT were distributed to the press by public relations representatives of the National Agricultural Chemicals Association of Washington, D.C., which has financed the case for DDT at the state Natural Resources Department's hearings on a petition to ban the pesticide from further use in Wisconsin. (The hearings resume Tuesday at 9 a.m. in Room 144 of the Hill Farms State Office Building in Madison.)
>
> Not heard at public airings like those in the Capitol are the voices of farmers like Ken Schmidt of Evansville, whose experiences with DDT and its relatives have been distinctly negative.
>
> Schmidt, who has 60 milk cows on a 290-acre farm north of Evansville, had to withhold all of his milk and beef from the market from April 4, 1957 to March 2, 1968, after aldrin, a chlorinated hydrocarbon pesticide similar to DDT was found in his grain. The grain was eaten by his cows, and harmful residues showed up in their milk and fat.
>
> "These chemicals have done nothing for the farmer," Schmidt insists. "They claim pesticides like DDT produce abundance for

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the farmer, but then that extra production itself turns around and plagues him."

Schmidt contends that at hearings on pesticides, farmers "are being represented by people who belong to agribusiness, who are interested in selling chemicals, but have little to do with real farming."

Some 100,811 pounds of DDT were shipped to Wisconsin last year, according to figures from the State Department of Agriculture. Of that total, 59,000 pounds were used for Dutch elm disease control. Largest agricultural users were carrot producers (over 44,000 pounds), followed by apple growers. The pesticide was used in considerably smaller quantities on cherries, potatoes, snap beans and other crops.

Were the pesticide to be banned completely, "It wouldn't be entirely fatal," says Robert Bodin of Barronett, secretary of the Barron County Farmers Union. "There are other pesticides that would work just as well."

Though the state Farmer's Union rejected endorsement of a complete DDT ban at its state convention in Eau Claire in February, Bodin's unit at least has backed tighter control of persistent pesticide like DDT.

Ray Brandenburg, who raises wheat, corn, oats and hay organically—entirely without pesticides—on a 160-acre farm east of Greenleaf in Brown County, and also owns 64 head of dairy cattle, says he's never used DDT in his life and never will.

He admits, however, to having been subjected to considerable pressure from pesticide salesmen, who laud their products as great developments of advanced technology and savers of lives.

"I just ask them," says Brandenburg, who sells most of his crops to health food outlets, "that if the world is smarter and better educated and healthier than ever before, why are the hospitals fuller than ever? Then they back down a little."

Dairy farmers have every reason to cast a skeptical eye at DDT and its relatives, though DDT has not been recommended as a fly spray in cow barns here for some time.

Some dairy farmers continue to use it. But over the past four years, farmers in 28 states have been reimbursed nearly $1 million for milk contaminated accidentally with pesticides recommended by the U.S. Department of Agriculture. They are compensated under provisions of emergency federal legislation passed in 1964.

Among the long-time supporters of DDT are representatives of canners and freezers associations, who cite possible economic hardships in opposing a ban on the pesticide.

Henry Ochsner of Plain, in Sauk County, however, lists peas among the crops on his 500-acre farm, and says he hasn't used any pesticides for 10 years, and "my pea crop hasn't suffered a bit."

Ochsner has followed recent DDT indictments by scientists with interest, and is convinced the pesticide is no longer necessary. "Other means work just as well, even though they may cost a little bit more."

One of the most vigorous figures in the fight against DDT is Ochsner's sister, Carla (Mrs. Harold Kruse) of Loganville, who with her husband is an active member of the Citizens Natural Resources Association, one of the petitioners in the Wisconsin DDT fight.

The Kruses, too, are dairy farmers, convinced, as Mrs. Kruse puts it, "that most dairy farmers try to stay as far away as possible from DDT."

Brandenburg, Schmidt, Ochsner, the Kruses are small voices among the 480,000 members of Wisconsin's farm population, which is dwindling every year. But they are awake to the stresses of pollutants on the total environment. And they know that a threat to that environment is also a threat to themselves as farmers.

"Maybe we don't get disturbed enough about this DDT thing," says Schmidt, "when we should."

A GROWING RESPECT FOR NIXON'S POLICIES

Mr. MUNDT. Mr. President, the Daily Argus-Leader of Sioux Falls, S. Dak., is the largest newspaper in the largest city of a five-State area in the Upper Midwest and through most of its steady growth, Fred C. Christopherson served as the editor of the Argus. He now is editor emeritus and contributes frequent editorials as well as writing a weekly notebook filled with commentary on current activities.

Recently Mr. Christopherson wrote an "Editor's Notebook" reflecting on the first 100 days of the new Nixon administration and because this report so faithfully and accurately reflects the prevailing opinion of this great area of the country, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Argus-Leader, May 4, 1969]

A GROWING RESPECT FOR NIXON'S POLICIES

(By F. C. Christopherson)

It has become an American tradition to appraise a new president after his first 100 days in office. So it is that President Nixon is now being subjected to that test with varied opinions about his performance in the White House.

It is also a tradition to allow a new president a sort of honeymoon of similar length—a period during which comments are restrained and friendly. This is based upon the idea that the new executive should be given time to get his feet on the ground, survey the scene from the White House and develop his program.

Now the honeymoon is over. So are the first 100 days. And what may be said about Nixon?

Much. And some of it is negative in a praiseworthy way. He hasn't mounted his horse and gone charging off in all four directions at once. He hasn't kept the nation awake wondering about what he might do next. He hasn't excited the people with startlingly new programs. He has just plodded along, keeping his cool and studying new and old crises.

A CAUTIOUS PROGRAM

Well, is that bad? Or is it good? It is my impression that the Nixon behavior as of now is comforting to the American people and that his average rating is higher today than it was at the time of the election last November. The polls indicate that his popularity has advanced since the inauguration last January.

His obviously cautious mood, as indicated in his handling of the intelligence airplane that was shot down by the North Koreans, seemingly reflects a common viewpoint. Perhaps the people are looking forward to quiet and stability and are weary of turmoil and unrest. They may be eager for time to digest what has been done in the past. There could be a feeling that too often in the past we have acted first and then studied the course after it had been launched.

Many projects, noble in purpose, have been dismal in operation because of inadequate preparedness and study. Over a period of several years, we have ventured into job programs, educational programs, welfare programs and other similar projects without knowing precisely what we were doing. Now, after the expenditure of billions, we are learning belatedly that our efforts have served only to confuse, complicate and make the problems more difficult.

NO INSTANT ANSWERS

Nixon isn't setting the nation afire or the world for that matter. But he is doing something far more important, constructive and progressive. He appears to be moving steadily ahead with plans to put out some of the destructive fires started by zealots who knew not what they were doing.

In his first 100 days, Nixon hasn't come up with an answer to Vietnam. But let's not forget for a moment that Presidents Kennedy and Johnson struggled with that problem for several years and came up with no answer. The same comment can be made in respect to inflation and other domestic problems.

BUILDING FOUNDATION

The assumption that Nixon has spent his time in the White House just looking out over the greensward and the rose garden is highly erroneous, however. Step by step, he has come forth with a program to stop inflation and already there are some complaints as its impact is being felt. The effort, nevertheless, is determined and very likely will be effective even though it might not be popular.

And there are inklings that the period of watchful waiting and consultation about Vietnam is nearing an end—perhaps nearer than the news dispatches indicate. There's a new hand at the throttle and those in the warring areas are being made aware of it.

As of now at least, there is abundant reason for the thoughtful citizen to be happy over the Nixon approach to the vexing problems of the times. He is justifying the high hopes of those who know him well and establishing the foundation for a program of progress that may be one of the most useful in American history.

RETIREMENT OF FLOYD E. DOMINY, COMMISSIONER OF RECLAMATION

Mr. McGEE. Mr. President, it has become public knowledge that Commissioner of Reclamation Floyd E. Dominy has decided, at the age of 59, to step down and retire after more than 35 years of Federal service, including service in his present position under four Presidents—two of each political persuasion.

Mr. President, Mr. Dominy's long career came to life after he graduated from the University of Wyoming in the class of 1932 with a B.S. in agricultural economics and an A.B. in liberal arts. He taught for a time at Hillsdale, a small community in Laramie County, later becoming the county agent for Campbell County, Wyo.

After holding various Government jobs in the field of agriculture, Mr. Dominy joined the Bureau of Reclamation as a career employee in 1946, rising until he was named, by the late President Eisenhower, as Commissioner of Reclamation in 1959. He served in that post under Presidents Eisenhower, Kennedy, Johnson and, now, under President Nixon.

Mr. President, we in Wyoming take particular pride in Mr. Dominy's contributions and salute him at this juncture. He has chosen to step down at the close of the current congressional session, announcing his decision in a letter to President Nixon. I ask unanimous consent that his letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D.C., May 8, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As a career civil servant who was first appointed Commissioner of

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the Bureau of Reclamation by President Eisenhower on May 1, 1959, it has been my pleasure to have served under four Presidents.

It has been a rich and rewarding experience. Speaking from a background of more than 35 years of Government service, I am greatly impressed with the sense of purpose and stability you are bringing to the Government.

Your determined efforts to control the inflationary processes which threaten the very roots of our democracy are particularly notable. I want you to know that I stand four-square behind you and will do everything in my power to adjust the Bureau of Reclamation budget and operations accordingly. However, this will mean a reduction in our forces which I am seeking to meet by encouraging the older echelon of Bureau of Reclamation employees who are eligible to retire to do so in the hope that an indiscriminate reduction-in-force process can be avoided. My objective is to retain a trained and experienced cadre of younger employees in anticipation of an expanded program when the budgetary emergency and threat of runaway inflation subsides.

Since I am one of those eligible for full retirement, I cannot, in good conscience, urge such a policy on my associates without leading the way. I, therefore, will retire from the Federal service at the close of this first session of the 91st Congress. I have presented on your behalf the proposed Reclamation budget for fiscal year 1970 to both houses of the Congress. I have briefed the House Interior and Insular Affairs Committee in detail on the state of the Reclamation program. This early announcement of my retirement from Federal service will permit ample time for selection of my successor as Commissioner of the Bureau of Reclamation and will assure the opportunity for orderly transfer of important operating responsibilities in water and power production and marketing that affect directly the well-being of millions of people.

If it should be your wish to transfer the Commissioner's responsibilities to a successor prior to adjournment of the first session of the 91st Congress, I will, of course, cooperate fully to accommodate your wishes.

Respectfully,

Floyd E. Dominy,
Commissioner.

NEGOTIATIONS WITH THE SOVIET UNION

Mr. ALLOTT. Mr. President, with the fall of Alexander Dubcek in Czechoslovakia, the Soviet Communists have made it clear they are not ready to tolerate freedom in the Eastern European States they control. Not that Dubcek ever granted real freedom, for he was a committed Communist, too; but he did grant certain limited liberties to the people of Czechoslovakia, particularly partial religious freedom.

Obviously, Mr. President, even the modest, liberal efforts of Mr. Dubcek proved too much for Moscow. Though it is clear that the leaders in the Kremlin are unable to accept the nationalistic and freedom-oriented spirit of the East Europeans, I believe the people in these countries are more determined than ever to wrest their freedom from the yoke of communism which was imposed upon them shortly after World War II.

Accordingly, if the Soviets are at all interested in preserving their sphere of influence in this area without sheer and bloody military force, I submit that the time has come for Moscow to recognize its tenuous situation.

In that connection the American Hungarian Federation, the Hungarian Freedom Fighters Federation of the Free U.S.A., and the Federation of the Free Hungarian Jurists have submitted a memorandum to the President, the Secretary of State, and the National Security Council on the entire east central European question.

The report urges negotiations between the United States, Western Europe, and the Soviet Union concerning the establishment of a neutral buffer zone between the NATO nations and the Soviet Union.

This suggestion has much merit and in my judgment fits into the theme of President Nixon's policy relative to the Soviets. The President has said that we now seek negotiation rather than confrontation. I can think of no better matter about which to negotiate than the freedom of the east central European nations.

I strongly urge that our Government take a good, long, hard look at this memorandum. It may not contain all the answers, but certainly its contents must be considered as one alternative which could liberate us from the deadlock in which our foreign policy toward that region of the world has been since the mid-1940's.

SOIL STEWARDSHIP WEEK

Mr. PERCY. Mr. President, this week is Soil Stewardship Week. It is a time when all Americans should pause and consider the personal and national enrichment we have been blessed with as a result of our fertile soil. It is a time when we should consider how to better conserve our soil and water, as these are basic resources on which all other resources, and humanity itself depends.

The concept of Soil Stewardship Week has its roots in antiquity, and the custom of setting aside special days to give thanks for the precious gifts of soil and water is common to many countries around the world.

In recent months, a variety of circumstances both at home and abroad have served to highlight the ever increasing need for effective resource management. The issues centering around resource problems are substantial. They include the population explosion, the spread of hunger, the concern about basic resource quality, and the concern over environmental quality. Increasing emphasis is being placed on outdoor recreation, preservation of wilderness and forest areas, multiple use of resources, soil reclamation, flood control, and others too numerous to mention.

The continuing public discussion on all the resource issues has created a new climate for stewardship. Never before have there been so many reasons for so many people with their organizations and institutions, to become involved in the resource management area.

Clearly, this is a time for initiative, action, and innovation. It is a time when our resource alternatives must be systematically delineated, our resource priorities carefully established, and our national energies effectively mobilized to conserve and protect our precious natural resources.

THE PEOPLE CARE ABOUT POLLUTION

Mr. TYDINGS. Mr. President, in one respect the pollution problems facing this Nation are identical to the other major difficulties confronting the United States today: They will only be solved if the people of our country truly desire it.

A significant indication of how the people in Catonsville, Md., feel about State pollution laws and the water quality of the Chesapeake Bay is revealed in yesterday's Evening Sun.

Fifteen citizens of Catonsville were asked "Do you think Maryland's water pollution laws should be better enforced, especially regarding the Chesapeake Bay?"

I ask unanimous consent that the article now be printed in the Record so that we may read their reply.

There being no objection, the article was ordered to be printed in the Record, as follows:

Should Pollution Laws Be Better Enforced?

Question: Do you think Maryland's water pollution laws should be better enforced, especially regarding the Chesapeake Bay?

Joseph A. Dalfonzo, barbershop owner. Yes, anyone who is a lover of fishing, I would assume, would resent the pollution the most.

Boat enthusiasts, fishermen, people who like seafood, even the fishing industry, would be highly against it.

I would assume the government will do something about this eventually.

William Kennedy, homebuilder. Yes. It destroys our national natural resources and we won't have the use of them as we have in the past. If we don't do something to protect them they'll be gone.

Mrs. Louise Jones, housewife. I definitely do. We go fishing and it seems like when you're looking for a lake that seems decent enough to take your family for a picnic you find pollution in many areas.

If the state would make the laws stricter for ordinary people throwing things in the water, your parks and recreation areas would be better areas for children.

George Butts, truck driver. I do. Because I like to fish and I think it would be more healthy. I've seen quite a bit of it.

Ronald Delph, farmer. Definitely. Something should be done about it. If it keeps going the way it is pollution will kill all the sea animals.

I think it should be up to the state to enforce the laws more. The state should see that industries adopt methods to prevent pollution.

Mrs. Joyce Kepas, housewife. Yes. Because the disease that is caused by pollution spreads not only along the waterfront but to the counties as well. There are many streams in the county that are unsafe to let your children play in.

We happened to put a down payment on a house that had a polluted stream on the ground around it, so I know first hand it exists.

For an area such as Baltimore, which is supposed to be highly civilized, I think we are way behind.

Wayne Cavey, student. Well, I think they should have a law not to throw anything into the bay or have any pollution.

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They should investigate the industries and see what they dump into the bay, individually, like dyes or some kinds of chemicals, and if they don't revise their methods, they should be fined.

Eugene J. Swann, fireman. I definitely think they should. There's so many things that are a thermal threat to the bay. At certain times of the year the fish are attracted to that hot water that is poured into the bay by power companies and at certain times they are not.

I think the state should take a hand to find a way to control the various companies and find out what type of chemical is used by the power companies. The water isn't a threat, but I think the chemicals that are in it are.

Timothy Hoffman, fireman. I think they ought to start with the larger companies and industries instead of picking on the small person all the time.

They contribute more to it than the average person and I believe they should be the first ones to be stopped. I think the state should exert more control on the industries if it's possible. I don't know, somehow.

Won't be long, you won't be able to get a hard crab out of there, if this keeps up.

Marvin Meyer, clothing store owner. Definitely. There probably are laws on the books and if they were enforced, I think that the biggest part of pollution would stop.

Tony Rettaliata, student. Well, you can't go swimming anymore. I guess the only thing you can do is write the congressman and let him know—talk to him if you can.

I think the state should make the industries control the pollution and fine them if they don't. And they should have inspectors go around and check to make sure they're doing it.

Mrs. Richard Weibel, housewife. Why can't the industries solve the problem among themselves? I think the state should lend a hand, but as far as doing it entirely, no.

I think the men that own these industries have their rights but I do think something should be done.

William H. Jolly, telephone company employe. I certainly do. It's not even fit to swim in.

It seems like our crab population was down last year, whether this is a biological, cyclic condition or not, I don't know.

I've been fishing in the bay for about 20 years and see more dead fish every year. I think something should definitely be done.

I wish I knew what the industries have to do to combat the problem. I'm quite sure there are people who do.

Dave Luber, assistant bank manager. Yes; they should be enforced more and they should also make them stronger, as indicated in the series this week.

Anybody that has access to the bay—the city sewage plant, industries, power companies—should revise their methods.

They should start thinking before they do it, instead of thinking about the dollar all the time.

Mrs. Donna Asquith, cosmetologist. Definitely. Because I think it's ruining our seafood industry.

Not only that, it's harming our beaches, for people who can't afford to go to private country clubs or pools.

OPPOSITION TO THE LOTTERY PROPOSAL

Mr. HATFIELD. Mr. President, it seems that President Nixon has misunderstood the threat to freedom and equity which conscription poses to America. The President has proposed to reform the draft through a lottery. I submit that such a proposal is not reform at all but only a random distribution of inequity. Substituting Lady Luck for General Hershey will not alter the fact that some young men are forced into service and denied their individual liberty while others escape any military duty. An attempt to reform the draft is somewhat like trying to reform slavery—one does not reform inequity, one abolishes it.

Patching up the draft will not necessarily move us toward an all-volunteer Army. The continuation of a peacetime conscription serves as a case in point. Though the draft had served its usefulness, the impetus of bureaucratic machinery and its effect upon the American public has continued to perpetuate an outmoded Selective Service System. Similarly stopgap lottery system will only postpone the necessary transition to an all-volunteer military. As long as the incentives for voluntary enlistment are not improved, the undemocratic principle of the military draft is further entrenched in our society.

This proposal will only prolong the alienation of our youth and prohibit us from achieving a greater realization of freedom for all. The dehumanizing forces in our society must be halted if we are to regain youth's confidence and participation in our democratic system. Delaying promised action to end conscription is certainly not the answer to such a pressing issue.

THE GRANT CONSOLIDATION ACT

Mr. PERCY. Mr. President, President Nixon recently submitted a message to the Congress, in which he proposed legislation which would give the President power to initiate the consolidation of closely related Federal assistance programs, and to place consolidated programs under the jurisdiction of a single agency. I believe that the President's proposal constitutes a sound and reasonable approach toward resolving the vexing problems created by the presently fragmented and uncoordinated Federal grant-in-aid system.

The major problem of the Federal grant-in-aid system revolves around the question of how the Federal Government should structure its services delivery system so that the benefits thereof effectively reach the target areas and individuals in as efficient and economical manner as possible. We are all too familiar with past history in this area; it is a history replete with examples of waste, inefficiency, and unfulfilled needs. It is a history which bears witness to the inadequacies inherent in a system whereby the Federal Government attempts to meet social and economic needs without fully taking into account the practical realities of the situation.

In his message to the Congress, President Nixon aptly summarized the present situation when he declared:

> As grant-in-aid programs have proliferated, the problems of delivery have grown more acute. States, cities, and other recipients find themselves increasingly faced with a welter of overlapping programs, often involving multiple agencies and diverse criteria. This results in confusion at the local level, in the waste of time, energy and resources, and often in frustration of the intent of Congress.

The accurateness of the President's description can be truly appreciated by considering the problems and frustrations facing a mayor of a fair-sized city, who has dedicated his administration to bettering the lot of his community. During the course of his administration, the mayor would invariably turn to the Federal Government for financial and technical assistance. Much to his chagrin, he would be greeted with a plethora of Government grant-in-aid programs, and both he and his programs would be buried in administrative detail and bureaucratic redtape.

As my colleagues in the Senate know, the scenario I have just described is unfortunately not a figment, but a reality. The more than 600-page catalog of Federal assistance programs published by the Office of Economic Opportunity is mute testament to the deplorable state of affairs we all know exists.

President Nixon's proposed Grant Consolidation Act would resolve, in large measure, the present problems associated with the delivery of Federal assistance programs. The President is seeking to mold the many programs, the diverse criteria, and the multiple agencies into a rational, productive, and efficient system within which promises and performances can be matched to the benefit of our people and our Nation. I welcome his initiative and applaud his efforts.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 301, the Speaker had appointed Mr. McClure of Idaho, as a member of the Joint Commission on the Coinage, to fill the existing vacancy thereon.

The message announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2718. A act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk;

H.R. 4229. An act to continue for a temporary period the existing suspension of duty on heptanoic acid;

H.R. 4239. An act to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing;

H.R. 8644. An act to make permanent the existing temporary suspension of duty on crude chicory roots;

H.R. 8654. An act to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone;

H.R. 10015. An act to extend through December 31, 1970, the suspension of duty on electrodes for use in producing aluminum;

H.R. 10016. An act to continue until the close of June 30, 1971, the existing suspension of duties for metal scrap; and

H.R. 10107. An act to continue for a temporary period the existing suspension of duty on certain istle.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Finance:

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H.R. 2718. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk;

H.R. 4229. An act to continue for a temporary period the existing suspension of duty on heptanoic acid;

H.R. 4239. An act to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing;

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H.R. 10107. An act to continue for a temporary period the existing suspension of duty on certain istle.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

INCREASED PARTICIPATION BY THE UNITED STATES IN THE INTERNATIONAL DEVELOPMENT ASSOCIATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The Bill Clerk. A bill (H.R. 33) to provide for increased participation by the United States in the International Development Association, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the bill. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, without surrendering my right to the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, pending before the Senate is a bill—H.R. 33—to provide for U.S. participation in the amount of $480 million over 3 years in the second replenishment of funds of the International Development Association. It is a bill which in one form or another has been before the Congress since April of 1968. In other words, for a variety of reasons—some good and some not—we have in effect been avoiding our international obligations in the area of peaceful, as distinct from warlike, cooperation.

The proposal before us today incorporated in H.R. 33 derived in part from an initiative of the U.S. Government—not to mention the fact that the entire institution of the IDA owed its origin in large measure not merely to the U.S. Government but to the U.S. Senate. Our executive branch representatives as long ago as 1966 took a lead in beginning long and difficult negotiations among 18 developed member countries of the IDA for a second replenishment of the Association's resources. Perhaps those concerned—although many of them rather tough-minded bankers—were a trifle naive when they originally contemplated a total contribution of almost $1 billion from the United States over a three-year period. Or perhaps they were being more sanguine than events permitted about the chances of ending the war in Vietnam and bringing U.S. military expenditures under some form of control. In any event, the original request has been scaled down to just about half the original amount. Even so, the United States has been the main reason for a situation in which no less than three tentative deadlines for action have been missed since June of last year.

Fortunately, however, the other industrialized countries—notably our European friends from whom we are so used to castigating for parsimonious attitudes toward defense expenditures—have taken a forthcoming and responsible attitude toward the need for the developed countries to help the less developed nations of the world. As an instance, the Netherlands acted last evening to make its first installment available to the IDA, even though the replenishment agreement has not become operative.

Indeed, 12 of the 18 scheduled contributing countries to the IDA have already completed action and are all in various stages of making contributions available to the IDA, even though the United States by failing to act has prevented any formal ratification of the second replenishment plan. In this connection, particular praise should be given to the Canadians, who have pledged and made available for use their entire 3-year contribution of $75 million. Almost all the other 11 countries have given final approval to use of their first year's allotment. In addition, the Association has been able to use the $75 million transferred by the World Bank last fall from its fiscal year 1968 net income. The IDA in fiscal year 1969 thus has had available over $200 million in resources, when in fact it looked for a time as if the Association virtually would have to close its loan window for at least an interim period while waiting for the U.S. Congress to make up its mind.

Mr. President, I see no need to go into a description of what the IDA is, what it does, and what it means to the underdeveloped countries and to the future of the international community of nations. This kind of material is available in both the committee hearings and the committee report on the bill. Moreover, this will have been the third time—or, rather, the fourth time, counting the Monroney resolution of 1958—that the Senate has considered the role and the merits of the International Development Association.

Today I prefer, and indeed consider it imperative, to emphasize a more general question; namely, the sense of values maintained not only in this body but in the country at large. It is being noted repeatedly in this Chamber that the U.S. Government is primarily responsible for the domestic welfare of our people and that we really cannot afford to spend money abroad. Personally I have very great sympathy for the proposition that we have become overextended internationally and that we have been paying too little attention to urgent domestic needs. But this kind of argumentation does not mean that we must be stampeded into some kind of headlong retreat from our obligations abroad, and especially from the idea of creating a peaceful community of nations in the world. The very odd thing about this argument is that it always seems to be trotted out when we are considering relatively modest sums for peaceful purposes, but seldom gets much attention when we are dealing with enormous expenditures devoted to warlike purposes.

The chairman of the Foreign Relations Committee had occasion during the most recent hearing on this bill with the new Secretary of the Treasury, David M. Kennedy, to ask whether the total sum of $480 million requested over a 3-year period from the United States for the IDA would do more than keep the war going in Vietnam for something short of a week. The answer is that this total sum is actually less than we spend on the average in one week of fighting in Southeast Asia.

I do not know how people can argue that we can afford an annual $80 billion defense budget but not the sum of $160 billion a year for IDA lending in each of the next 3 years. What in the world do people think we are spending armaments money for if it is not for international, as opposed to purely domestic, purposes? The greater portion of these defense expenditures admittedly are made within the United States. At the same time, we must not overlook the fact that approximately half of our past contributions to the IDA have also been spent in the United States, even without any tied-loan provisions being involved.

This brings me to another subject which needs to be emphasized in terms of this pending proposal. For once, the United States has demanded and received special treatment from its allies among the developed countries who are joining with us in this effort to help the poorest countries of the world. There is contained in the second replenishment agreement a complicated formula which assures that there will be no balance-of-payments impact on the U.S. position at least until the middle of 1971, and a rather modest effect annually thereafter.

Frankly, it gives me considerable pleasure to see a document which has a subtitle which refers to "Special Arrangements for the United States." I wish

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to share this pleasure with Senators and accordingly ask unanimous consent to insert in the RECORD at this point a document entitled "Appendix to Resolution (Annex A)." This is a part of the replenishment agreement drawn up by the Executive Directors of the IDA and, of course, the World Bank—since World Bank personnel, including executives, under a sort of "second-hat" arrangement comprise the entire working force of the IDA.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

APPENDIX TO RESOLUTION (ANNEX A)

PROCEDURAL MEMORANDUM REGARDING USE OF CONTRIBUTIONS UNDER SECOND REPLENISHMENT

I. Introduction

Pursuant to paragraph (f) of the Resolution adopted by the Board of Governors of the Association (herein called the Second Replenishment Resolution) providing for the second replenishment of the resources of the Association, this memorandum sets forth the procedure which the Association will follow in using the contributions of the contributing members to the second replenishment (including Supplementary Contributions as referred to in the second Whereas clause in the Second Replenishment Resolution) to meet its disbursement requirements on Second Replenishment Credits and to maintain an appropriate working balance.

The term "Second Replenishment Credits" shall mean all credits entered into after the date when the replenishment authorized by the Second Replenishment Resolution shall have become effective (the Effective Date) and any credits entered into prior to the Effective Date and deemed by the Association to be made from resources provided to the Association under the Swiss Confederation loan referred to in the Preamble to the Second Replenishment Resolution and from resources provided by any transfer by the Bank to the Association authorized after June 30, 1968.

II. Initial drawing rules

Whenever the Association decides to make a periodical drawing on contributions (the Drawing), it shall draw:

(a) upon the contribution of each contributing member which shall have notified the Association by the date when the Executive Directors of the Association shall have adopted their report submitting the Second Replenishment Resolution to the Board of Governors that it desires its contribution to be used only on a *pro rata* basis, for its *pro rata* share of the Drawing;

(b) upon the contribution of the United States, for the lesser of (i) its *pro rata* share of the Drawing and (ii) such amount as shall represent identifiable procurement in the United States under Second Replenishment Credits (as reasonably determined by the Association, taking account from time to time of such procurement on a cumulative basis within a year prior to the date of the Drawing), any excess of (i) over (ii) accruing before June 30, 1971, or thereafter if and to the extent that amounts are available under paragraph (c) below to cover the balance of the Drawing, becoming a "Deferred Amount;"

(c) upon the contributions of other members, *pro rata* among such members, up to the balance remaining of the Drawing;

(d) thereafter, if needed, upon the contribution of the United States excluding Deferred Amounts, up to the balance remaining of the Drawing;[1] provided, however, that no drawings under this paragraph (d) shall be made prior to July 1, 1971; and

(e) finally, upon the Deferred Amounts of the contribution of the United States for any balance remaining of the Drawing; [1] provided, however, that no drawings may be made on any Deferred Amount prior to the expiration of three years after such amount was deferred.

Notwithstanding the foregoing, any portion of a contribution of a contributing member paid in currency (either of the contributing member or of another member) for which notes or similar obligations shall not have been substituted in accordance with Article II, Section 2(e) of the Articles of Agreement of the Association will be used by the Association more rapidly than provided above if such contributing member so requests.

III. Drawing rules after termination of special arrangements for the United States

If the United States notifies the Association that it waives the special arrangements set forth in II above, the Association, whenever it decides to make a Drawing, will thereafter draw *pro rata* on the undrawn portions of the contributions of contributing members.

IV. Carry-over

Immediately prior to the Effective Date the Association will have, *inter alia*, resources available to it derived from the 10% portions of subscriptions, from profits and from transfers to the Association authorized by the Bank prior to July 1, 1968, but not yet utilized. (The amount of such resources is herein called the Carry-Over.) If it proves necessary at any time to meet disbursements on Second Replenishment Credits, the Association may, in anticipation of the receipt of contributions under the Second Replenishment, use these resources for that purpose. To the extent that the Carry-Over is so used, the Association shall, whenever such contributions become available for the purpose (a) draw on such contributions so that the position of each contributing member shall, to the extent practicable, be adjusted to that which it would have been if the contributions had been initially available when needed to meet the disbursements and (b) restore the accounts from which amounts were used to meet such disbursements.

V. Determination by the Association

Apportionments, adjustments and other calculations provided herein may be based when necessary upon approximate amounts and estimates of the Association.

Mr. MANSFIELD. Mr. President, taken in conjunction with the fact that the other developed countries will put up $3 for every $2 contributed by the United States, it seems to me that the IDA is one of the rarest and most valuable instruments of true international cooperation for peaceful developmental purposes. In addition to the formal agreements of the past, certain of the developed countries—most notably Sweden—have contributed something like $65 million to the IDA over the years completely of their own volition, because of their belief in the merits of the joint endeavor. They have done so with full understanding that the terms of IDA credits are the most liberal or "softest" available to the underdeveloped world.

In this last connection I have some understanding and sympathy with those who complain about the highly concessional terms given by the IDA. On the other hand, there is little question that the debt repayment burden of the poorest countries has become so great that they cannot really handle anything but highly flexible terms. It is conceivable, at least to me, that in talking about future replenishments full consideration will have to be given to the mutability of such factors. But at this advanced stage in the process of approval of the pending agreement, no useful purpose is served by pulling this particular plant out to examine its roots.

Mr. President, I do not believe in long presentations of legislative proposals. Surely the great majority of my colleagues already have determined their positions on the pending bill. Therefore, I will close with one simple proposition: If we believe in the cause of peaceful economic development in the poorest nations of the world, and in doing so with the fullest possible cooperation from our friends and allies in the developed world, then I believe the IDA deserves our vote of confidence. It really is just about as simple as that. And I would remind my colleagues that all the hundred and more countries associated with us in the IDA are waiting for us to act and to make the second replenishment a reality.

Mr. JAVITS. Mr. President, I shall have a further statement to make on the International Development Association, as the debate develops.

I am a member of the Foreign Relations Committee, and we had quite a discussion in the committee about IDA. If any amendment is offered, I shall wish to be heard again.

For the present, may I just support very strongly that which the majority leader has already said, and the support which I am sure our chairman—as the whole committee did—will give to this idea.

In dealing with it, for the purpose of this preliminary debate, I should like to emphasize three points.

First, that IDA developed right here. It is the product of the initiative of former Senator Monroney, of Oklahoma, and I supported it at the time it was first developed. I consider it a most enlightened idea, because, although it is a soft loan window, it is still a loan rather than a grant. The loan becomes infinitely more significant, because, although it takes a long time—it is a 50-year credit—nonetheless it must be repaid. In the life of nations, even 50 years is not an inordinately long time, and I would much prefer it to a grant.

I am sure that if the same program were administered under our foreign aid program, it would be unthinkable that it be anything but a grant; but, because it has international auspices, the recipient countries cannot blame the United States, for example, that it is exacting loan terms which complicate their balance sheets and their budgets and their opportunity for other credits. This is a multilateral international fund, administered through an international agency. Therefore it is acceptable to the recipient developing countries, even though it is in loan form. I consider this extremely desirable.

Second, two questions always rise in American minds. One, are we better off doing this ourselves, and thereby getting the credit for the United States? Two, is it a fair allocation of the responsi-

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[1] This drawing would be in addition to drawing on the United States subscription under (b).

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bilities of the world? Are we carrying less or more than we ought to carry in respect?

In my judgment, Mr. President, one thing we are learning is that we gain far more than we lose by making such loans under international auspices. In a sense this makes us somewhat anonymous, though, as the principal financial power on earth, anything that is done by the United Nations or any similar agency is always credited to us in terms of good will. We do not have to carry the responsibility for being the creditors insisting on conditions with respect to the operations of a particular country or its economy. It is in that situation where there is resentment, which becomes counterproductive in terms of international relations. An international agency such as the IDA, working under the auspices of the World Bank—which has the most outstanding reputation in this regard—stands very much better able to do the things we would do ourselves.

The third point in this matter, which I think is extremely important, is that in this way we have found the most effective means for sharing the burden with other nations. We have 55 percent of the gross annual product of all the members of the contributing group to IDA. Yet, in this replenishment we participate only to the extent of 40 percent, so that for every $2 we put up, others put up $3. I think that is a critically important matter.

Incidentally, the contributions from others, and successive replenishments, have grown very materially, especially as there is built into our contribution a balance-of-payments protection, for we essentially provide for the loans to be tied to purchases in this country.

For all those reasons, I believe this represents a constructive and intelligent commitment by the United States to the developing countries of the world.

Also, one always hears the argument, "Why should we put up $160 million a year for this purpose when we have so many problems in our own country?"

The answer is that the greatest problem in our own country still remains the peace of the world and that this is a tremendous contribution to the maintenance of peace. After all, although we are at war in Vietnam and we have grave tensions in many parts of the world, including the Middle East, it could be much worse than it is if developing nations with enormous populations, occupying tremendously strategic parts of the globe, felt that there was no hope for them and that they were facing an advanced industrial world which was not concerned about them.

This is something the American people have to remember. We do not hesitate to spend $80 billion a year for national security. In my judgment, the kind of expenditure contemplated here is, dollar for dollar, an infinitely better investment than so much of the sterile money, necessary as it is, which we spend for the hardware and the compensations of national defense. That is the classic argument with respect to foreign aid. That does not make it invalid. It remains as valid today as it was in 1948, when it was first proposed in the Greek-Turkish aid program by President Truman.

So, Mr. President, because it is intelligent, because it works, because it makes it possible to share the burden, and because it gets us the greatest credit with the least discredit, I deeply believe that it is very statesmanlike to proceed in this way. I like it particularly because it is loan money, which is dignified and encourages self-respect; yet, it is precisely the kind of money which, if we were giving it, would be given on a grant basis, for which there would be no hope of repayment.

I hope very much, Mr. President, that this authorization will be approved.

Mr. DOMINICK. Mr. President, I believe there are grave defects in the pending bill and I would like to try to bring some of them out. A great many of them were brought out in the supplementary views of the Senator from Missouri (Mr. SYMINGTON).

Is my understanding correct, if I may ask the Senator from Alabama, that the distinguished Senator from Missouri (Mr. SYMINGTON), in fact, voted against the bill in committee?

Mr. SPARKMAN. That is correct.

Mr. DOMINICK. Were there other votes against it in committee?

Mr. SPARKMAN. One more. The Senator from Tennessee (Mr. GORE) joined in that vote.

Mr. DOMINICK. Senator GORE.

I bring that out for this reason. Some years ago, when I had the privilege of serving with the Senator from Alabama on the Committee on Banking and Currency, we had a subcommittee called International Financing. I assume we still have it. If my recollection is correct, at that point the Secretary of the Treasury asked for some $6 billion—or $2 billion, I guess it was—in increased American participation in the capital of that bank. It was passed through the committee against my objections. We went to conference with the House under the former distinguished Senator from Pennsylvania, Mr. Clark, who was then the chairman of that conference; and time after time after time I kept telling him that, if my opinion was correct, the bank had more than enough capital and more than enough subscriptions to provide the capital. Perhaps I am talking about a different bank.

Mr. SPARKMAN. I believe that the Senator may be making reference to a request made by the World Bank. This is the International Development Association we are discussing.

Mr. DOMINICK. I know. It is an offshoot of the World Bank, though, is it not?

Mr. SPARKMAN. That is correct; but its funds are not a part of the funds of the World Bank.

Mr. DOMINICK. Fine. I thank the Senator from Alabama. I was pretty sure I was right and that is why I wondered, how come this had gone to the Foreign Relations Committee and not to the Committee on Banking and Currency. I can see that the Senator is talking about the International Development Association and not the World Bank, even though, as a matter of fact, both are run by the same board of directors.

As a matter of fact, if my understanding is correct, former Secretary of Defense, Mr. McNamara, is now the President of the World Bank, is he not?

Mr. SPARKMAN. Yes, he is President of the World Bank—that is right.

Mr. DOMINICK. Is he not also head of the International Development Association?

Mr. SPARKMAN. He is also president of the IDA.

Mr. DOMINICK. That is what I thought.

Mr. SPARKMAN. That is true.

Mr. DOMINICK. That makes me even more troubled over this particular bill, if I may say so; and I do not mind saying so, to be perfectly frank, because Mr. McNamara and I—and he is a constituent of mine and I should be careful about what I say—have disagreed on a great number of items in connection with the defense of this country.

I certainly disagree with what I understand is his new policy in the World Bank which is to start making soft loans. He is doing it through the IDA. As I understand it, there is nothing within the charter of the World Bank, or of IDA, which requires that this be on a soft-loan basis, which is not, in fact, a loan at all. My understanding is that during the first 10 years there is no repayment of any kind, that all they have is a three-quarters of 1 percent interest as a service charge. I do not even know whether we have this service-charge payments, have we?

Mr. SPARKMAN. Yes.

Mr. DOMINICK. Good.

Mr. SPARKMAN. The Senator has correctly stated the situation regarding the interest question and the grace period.

Mr. DOMINICK. Have we had any service charge repayments?

Mr. SPARKMAN. Repayments?

Mr. DOMINICK. Yes.

Mr. SPARKMAN. Yes.

Mr. DOMINICK. They have been making those payments?

Mr. SPARKMAN. They are up to date.

Mr. DOMINICK. We are not in default on any of those payments to the best of the Senator's knowledge?

Mr. SPARKMAN. No.

Mr. DOMINICK. I realize that we put up over 40 percent of the total fund of the World Bank, and that we have 26 percent of the voting power. I also realize that as one of the leading countries in the international field, we should be of assistance where we can; but we are also in some trouble with our own problems right here in our own country with Federal spending, and we are being asked to pledge at least another $160 million a year for 3 years to the International Development Association which will make soft loans. This is the very thing, under the foreign aid bill, that we have been trying to get rid of for at least the past 8 years since I came to Congress.

I remember being the author of the first raise in interest rates we had on

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the economic development loan situation under the Foreign Aid Act, in which I declared at the very least that we should ask other countries, if we are going to give them money for loan purposes, to pay at least the lowest amount of interest that any American citizen is required to pay, which would be, under an REA loan, 2 percent. We got up to 2 percent through the Senate, but we got it knocked down again in conference. When the distinguished Senator from Virginia (Mr. BYRD) came into this, he was very helpful, as was his predecessor on this same type of subject.

Here we go all over again, only this time we are not doing it through the front door but we are doing it through the back door. We are not doing it through foreign aid but through IDA.

The Senator from Missouri (Mr. SYMINGTON), if I understand it correctly, and I should like to have the comments of the Senator from Alabama on this, did add an amendment to the bill which was put into effect last year which stated that, to the extent there were net earnings in the World Bank in excess of $170 million, they should try to use them to match the amount of money to which we were subscribing. Is that approximately correct?

Mr. SPARKMAN. An amendment calling for matching sums by the Bank was offered in the committee bill. We voted it out, but it never did come to the Senate floor. That amendment was approved. There are objections to such a proposal because we cannot dictate distribution of the income of the World Bank.

There is a Board of Governors. The Senator mentioned the President of the Bank, former Secretary McNamara. Secretary McNamara can propose, but he cannot dispose. The Board of Governors has to approve everything.

Mr. DOMINICK. That gives me some encouragement.

Mr. SPARKMAN. He has a favored spot, there is no question about that, but there is a Board of Governors and all actions taken must be taken through them.

May I say to the Senator from Colorado that it was the Senator from Missouri (Mr. SYMINGTON) who proposed this amendment last year. This year he did not propose the same amendment. He did make a proposal that was an entirely different version, that looked, more or less, to the future; but the limitation that was contained in the proposed amendment last year was not offered this year, and the Senator from Missouri (Mr. SYMINGTON) did not insist upon the amendment that he discussed in the committee, and withdrew it without a vote.

Mr. DOMINICK. I thank the Senator from Alabama for clearing up that point. I do think it is worthwhile to point out at this time that the World Bank has total reserves at the present time of $1.16 billion—and I am reading from the views of the Senator from Missouri (Mr. SYMINGTON)—

> The Bank's financial backing—in the highly unlikely event of major defaults—also includes the uncalled capital subscriptions of member countries, totaling $20,647,710,000; the U.S. portion of that total is around $5.7 billion.

Some years ago, I started saying, when we got into this matter in the Banking and Currency Committee, we went into conference. I kept saying that I did not believe that the World Bank was in as tight financial straits as it indicated for future loans, and that if we ever got the actual facts, we would find that with the repayment of loans on the low cash basis, it had more than enough to continue its operations without further subscriptions by the United States.

The then Senator from Pennsylvania, Mr. Clark, took the opposite view. After about four conferences on the matter, he finally got to the head of the World Bank. He made a compilation of the amount of money that was to be repaid over the period during which subscriptions were going to become due, the amount of money in default that was going to be called in if the countries could pay, and found that the Bank had in excess of $6 million that had not been reported to Congress. And here we were being asked for $2 million of capital subscriptions, which was not necessary.

As a result of that, we compromised our attitude, went along with the House, the Senate position was withdrawn, and we saved the taxpayers about $2 million by getting the facts with respect to the World Bank.

I bring that up because the International Development Association is certainly a direct offshoot of the World Bank.

It is my understanding that the World Bank takes all its questionable loans—if they can be called loans at all—and puts them in the International Development Association. So the Bank loans are pretty solid, since I gather it has profited to the extent of around $170 million a year. That is a pretty good, profitable organization. It has been doing pretty well with its banking methods.

If the World Bank has uncalled subscriptions of some $20.6 billion, of which $5.7 billion are ours—perhaps the Senator could clarify this—and there are still many of these obligations, how much are other countries putting into the International Development Association as we put up what is asked for in the bill?

Mr. SPARKMAN. If the Senator will refer to page 5 of the report, I believe he can get the information he is asking for country by country.

Let me say, however, that actually the United States puts up 40 percent. I believe the Senator mentioned that fact a few minutes ago. The other countries of the world put up 60 percent.

May I say, with respect to the callable capital the Senator mentioned with reference to the World Bank, under the original subscription each nation participating subscribed to a certain part of the capital stock, only a portion of which had to be paid in.

Mr. DOMINICK. I understand that.

Mr. SPARKMAN. The rest of it is callable capital. In other words, it is not capital due to have been paid and not paid.

By the way, I wonder if the Senator, in discussing the difficult time we had in the Banking and Currency Committee a few years ago, was not talking about the Export-Import Bank. That committee handled the matter, and the facts that the Senator from Colorado has given are almost the exact facts that applied to the Export-Import Bank matter.

I think the Senator from Maine (Mr. MUSKIE) remembers when we had a long, drawn-out conference on the Export-Import Bank, involving much of that very question. I wondered if the Senator meant that matter, instead of the World Bank.

Mr. DOMINICK. It is entirely possible. I do not remember clearly.

Mr. SPARKMAN. It sounds like the Export-Import Bank, because I heard what the Senator just said. We made further inquiry and found that the bank had resources which we decided were sufficient to carry it on.

Mr. DOMINICK. The point I was trying to make was that we did make further inquiries, but we did it only after we got into conference and had a deadlock with the House.

Mr. SPARKMAN. Yes. May I say one word while we are talking about the World Bank? It is true there is a $1.2 billion reserve, but of that, over $900 million is devoted to hard loans to countries that are applying or will be applying.

Mr. DOMINICK. But those countries have returned their loans at a net earning rate of $170 million a year to the World Bank for good, hard loans.

Mr. SPARKMAN. That is true, but there is a constant movement, a constant coming in, of loan applications; and much of this money is already earmarked for that.

I think this point is important, too: Every year the World Bank gives a part of its net income, or earnings, to the International Development Association. During the time that IDA has been in operation, the World Bank has given $285 million to the association.

Mr. DOMINICK. A total of $280 million since 1964?

Mr. SPARKMAN. $285 million.

Mr. DOMINICK. $285 million since 1964?

Mr. SPARKMAN. That is correct.

Mr. DOMINICK. So, within a period of 5 years, it has put up $285 million?

Mr. SPARKMAN. Yes.

Mr. DOMINICK. Here we are being asked to put up, in 3 years, $480 million all by ourselves.

Mr. SPARKMAN. The reason why I brought the matter up was that the Senator said something about using the World Bank's profits. I pointed out that the agency has had gifts from the World Bank of $285 million in 5 years time.

Mr. DOMINICK. I am happy to hear that they are doing something.

Mr. SPARKMAN. It is true we are asked to put up $160 million a year over a period of 3 years, but, again, that is 40 percent, and that is the percentage that we have agreed to.

This is a multilateral program. It is based on an agreement among a number of nations which have gone in together. This way, at least, the aid that normally we would be expected to provide is, I think we can say, safely cut down by reason of other countries sharing the burden with us.

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Mr. DOMINICK. Let me assure the Senator from Alabama that I am in favor of this multilateral approach. I wish we had regional agricultural banks around the world on a multinational basis, and I have tried to get some interest, in previous administrations, in this type of approach. I have been unsuccessful. I think we are going to need it to prevent starvation in many countries in the future, by giving them technical agricultural knowhow.

I think we need those things. Let me also assure the Senator from Alabama that if this were a bill, whereby the United States undertook to supply $480 million to an International Development Association without any multilateral support, I would emphatically insist upon a rollcall vote, and I might anyway, in order to vote against it; because I think, at a time when our country is in the red and is going to continue to be in the red, unless we can make some appropriate cuts that we are going to try to make in spending, and insist upon matching our revenues and our expenditures—at a time like that, to go into something of this sort, which puts another $480 million worth of money into a contingent liability fund, at the very least, which can be drawn on year by year, and thereby increase the problems that we have would be acting in a manner as though we still think we can be Santa Claus to everybody in the world, when we know we cannot be. That is why I am happy that there is a multinational approach to this problem.

There is another problem with this, as I understand it. Most of the IDA loans, as I gather, have been going to India and Pakistan. I happen to have been there, as a member of a committee appointed by former Vice President Humphrey. We were there in December of 1965. At that time, I made inquiry about how much in United States funds was held in India in soft currencies, which was not being repaid, and which could not be under Public Law 480 or the other agreements we had with them.

At that point, in December 1965, the amount was over $800 million. India was not making constructive use of that money. It had not been put into programs. We had not arrived at an agreement by which the funds could be used. We have not yet arrived at such an agreement; and here we are, pouring more money on a 10-year-no-payment basis into India, with a three-quarters of 1 percent surcharge over the next 10 years, and no interest or principal repayments asked for at all. Certainly we have gone pretty far down the road in trying to help India.

In Pakistan, where we have had the same type of situation, although less money is involved because it is a small country, they had reached an agreement with the United States, and they were putting the soft currency money into development of their hamlets, bridges and culverts, wells, sanitation, and other programs throughout their country. So that money was at least being used, which was the purpose for which we put it there to begin with. But the money in India is not being used, and now we are putting more money in.

I presume that they will use the money for whatever they need, on this particular loan, but the question is. Should we just go ahead this way, with the leadership ability we have in the free world, or should we start insisting upon some type of business-like arrangement, where funds that can be used for development are actually going to be used for development, and not just create some kind of inflationary cloud over their currency and put us more in the hole day by day, from the point of view of the United States?

I invite the Senator's comments on those points.

Mr. SPARKMAN. I find nothing in the Senator's statement I wish to quarrel with. I feel quite sympathetic with his point of view. I feel that those local or foreign currencies that have been generated by our aid, ought to be used by those countries for their development, but I realize there are a lot of technicalities involved.

I hope we can work out a program. If I understand correctly, that is what the Senator is aiming at.

Mr. DOMINICK. I am glad the Senator mentioned that. The reason I am saying this, and the reason I point it out, whether it was the World Bank or the Export-Import Bank, the question before was whether we have gone into this in enough detail to really know what they intend to do with the money, to really know whether or not we are going to be using these funds as a pressure instrument, so that we can get some agreement which will be of assistance both to us and the other country, or whether we are just simply throwing more money down the rathole.

I do not know. We do not have any hearing record before us except just this little, short hearing record of 1 day; is that correct?

Mr. SPARKMAN. We had only 1 day of hearings this year. Last year we had rather extensive hearings. Everyone on the committee was familiar, at least all of the returning Senators were quite familiar with the programs, and we did not feel that extensive further hearings were necessary.

Mr. DOMINICK. I really do not have the faintest idea whether anyone else in the Senate feels the way I do about this particular situation. I am frank to say that, with the other work we have had on committees, I have not been able to follow this in as much detail as I would have liked.

But I have had some experience in the field. We had the pleasure, on that particular trip to India, of having traveling with us Dr. Marcy, who is the chief of the foreign aid staff, and who does an excellent job, I might say.

I just happen to feel that we are being asked to do something here that most Senators really have not had a chance to dig into, and that, it may be, ought to be given some more time, or maybe we ought to put on it an amendment to say, "All right, we will do it for 1 year, but let us look at it again next year."

Do we need the whole $480 million committed now?

Mr. SPARKMAN. Mr. President, may I say this word?

The Senator realizes, of course, that this grows out of an international agreement, and it calls for these percentages that have been agreed upon over a period of 3 years. We cannot change that without going back and asking the other countries to negotiate the whole agreement.

The President, the Secretary of the Treasury, and all of those concerned in the last administration, back in previous administrations, and in this administration have recommended and strongly urged the adoption of this legislation. One of the first things that Secretary of the Treasury Kennedy and President Nixon did this year was to ask for the early enactment of this legislation, and our committee responded; we held hearings and held an executive session on the bill. We have tried to expedite it as much as we possibly could, to comply with the request of the President and the Secretary of the Treasury. It has been gone into thoroughly by our committee, not just once but several times.

I believe that if the Senator will read the report carefully and remember that this is a multilateral program that grew out of an agreement among all of those countries named, his questions will be answered. And I hope that his doubts will be resolved.

Mr. DOMINICK. Mr. President, I have been approaching it very carefully because I have read the report. I do know that it is based on a treaty. And if it had not been for that fact, I would have alerted the Senate long since that we would have a full-scale debate to see if we could defeat the measure.

I think we are going at it wrong. There are some 19 countries, as I understand it, on page 5 of the report who are members of the International Development Association. And 11 out of those 19 have already put in their funds to participate in this particular program to replenish their resources. Is that correct?

Mr. SPARKMAN. There are 18 developed countries listed on page 5. And there are 84 underdeveloped countries. That makes a total of 102 countries that participate in the IDA.

Mr. DOMINICK. I count 19 in that table. The Senator counts 18. It does not make any difference.

Mr. SPARKMAN. The question arises with reference to Switzerland. Switzerland is lending money but is not a member of IDA. It did not sign the agreement.

Mr. DOMINICK. It is lending money at an interest rate to the association?

Mr. SPARKMAN. No interest. They are virtually a contributor without having signed the agreement.

Mr. DOMINICK. The Senator knows well that the Swiss are in such shape at the present time that if one wants to deposit money there, he has got to pay them. They do not pay him.

Mr. SPARKMAN. They are a participating member in this.

Mr. DOMINICK. I am happy to hear that 11 out of the total of 18, not counting Switzerland, have gone ahead and actually participated.

Mr. SPARKMAN. There are 12 countries now.

Mr. DOMINICK. Twelve, counting the United States? On page 7, toward the

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bottom of the page, it says that 11 of the necesary 12 countries have already completed action on the agreement.

Mr. SPARKMAN. The Netherlands has come in since then.

Mr. DOMINICK. There are still some six that are displaying the same kind of cold feet I have.

If we are giving loans from the International Development Association for a 10-year period with no repayment and no interest, we are contributing to the new resources here for a 3-year period. That means that 3 years from now we may have to do it again.

Mr. SPARKMAN. Probably so.

Mr. DOMINICK. I presume that it will be three-fourths of 1 percent per year as a service charge.

Mr. SPARKMAN. The Senator probably is correct.

Mr. DOMINICK. We are not really talking about $480 million. We are really talking about $960 million.

Mr. SPARKMAN. This is the third time that we have acted on this matter. First we acted when we set it up, and we have replenished it once since then, and now there is a second replenishment.

When they use up these funds, of course, we will be asked to put in such an amount as may be agreed to at that time among the many nations. The United States will have full control of its future position.

Mr. DOMINICK. Has any one of the countries that has already received these grants, as I call them—and soft loans, as the Senator calls them in the committee report—indicated that it is going to repay or can repay?

Mr. SPARKMAN. When they sign the papers for the loan, of course, they promise to pay. None of them has come due yet. In other words, the program has not yet been operating 10 years. Therefore, none of the debts has matured.

Mr. DOMINICK. We have not had a soft loan policy in IDA until fairly recently, have we?

Mr. SPARKMAN. It was set up as a soft loan agency.

Mr. DOMINICK. Was much money loaned out to begin with? It has been going on now since 1964.

Mr. SPARKMAN. No. I would not say that much money was loaned out to begin with. It developed rather slowly. The disbursements in fiscal year 1962 were $12 million. In 1963, they were $56 million. In 1964, they were $124 million. In 1965, they were $222 million. In 1966, they were $267 million. In 1967, they were $342 million. In 1968, they were $319 million. It has been building up over the years.

Mr. DOMINICK. Do they have any anticipated figure for 1969 and 1970?

Mr. SPARKMAN. It is the hope of the Governors of the Bank that they may get to the point of about $400 million a year in loan commitments.

Mr. DOMINICK. I thank the Senator from Alabama. He has been most helpful in answering the questions.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. SPARKMAN. Mr. President, I yield to the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, the distinguished junior Senator from Colorado has made a real contribution to the Senate and to our Nation today in the colloquy that he has had with the distinguished senior Senator from Alabama.

It seems to me that this is a very important matter that the Senate is considering this afternoon. It involves approximately one-half billion dollars. I do not believe anyone can say this is a really high priority item, considering all of the money demands for public moneys that have been made on Congress and on the President.

I would hope that the distinguished senior Senator from Alabama would give consideration to not seeking a vote on this matter today. It seems to me that this is a matter that should be considered at some greater detail by the Senate.

I know that three distinguished members of the Committee on Foreign Relations have grave reservations about the proposal. I refer to the distinguished senior Senator from Tennessee (Mr. GORE), the distinguished senior Senator from Missouri (Mr. SYMINGTON), and the distinguished senior Senator from Delaware (Mr. WILLIAMS).

The Senate is not unduly rushed these days. We do not have much on the calendar. I would hope that the distinguished senior Senator from Alabama would permit this measure to go over until tomorrow for additional debate because there are certainly some items that I want to obtain additional information on.

This is tied up with the World Bank. I think that this is a good time to give some consideration to some of the affairs of the World Bank.

Would the Senator from Alabama entertain a unanimous consent agreement for a time certain tomorrow for a vote, whether it be a voice vote or a rollcall vote, so that we may have an opportunity tonight and early tomorrow morning to give full consideration to what I think is an extremely important measure. It involves a great deal of the taxpayers' money. We are talking about continuing the 10-percent surtax. This is a half billion dollars over a 3-year period.

I do believe that instead of rushing it through, we should debate it today, debate it again tomorrow, and then, if Senators desire, have a vote on it.

Would the distinguished senior Senator from Alabama entertain a unanimous consent agreement along that line?

Mr. SPARKMAN. Let me say this to the Senator from Virginia, first. The Senator from Virginia said something about rushing it through. That may be appropriate so far as action on the floor of the Senate is concerned, but we have had this matter before us in the Committee on Foreign Relations for over a year.

Mr. BYRD of Virginia. But the other Senators have not had the benefit of it.

Mr. SPARKMAN. The various Secretaries of the Treasury and the two Presidents we have had during that time all have urged action on it. This grows out of an agreement with 102 nations involved.

Mr. BYRD of Virginia. Will the Senator yield?

Mr. SPARKMAN. They have urged expeditious action.

Mr. BYRD of Virginia. If we have waited for 2 years, another day will not make much difference.

Mr. SPARKMAN. The question of when the vote shall come is not a matter for me to decide but for the leadership to decide.

Mr. BYRD of Virginia. Will the Senator yield at that point?

Mr. SPARKMAN. I yield.

Mr. BYRD of Virginia. I ask unanimous consent——

Mr. SPARKMAN. Will the Senator withhold that for just a moment?

It makes no difference to me personally, but I do know that Secretary of the Treasury Kennedy and President Nixon are urging quick action on this matter.

Mr. DOMINICK. Mr. President, will the Senator yield to me while the other Senators are discussing the matter?

Mr. SPARKMAN. I yield.

Mr. DOMINICK. It is my understanding that a little more than $200 million has been put in now—$12 million of which is from Switzerland as a sort of contribution—and that out of that total amount $143 million already has been committed to Pakistan and India—two countries alone. I happen to like both Pakistan and India; I have nothing against them; but this seems pretty incredible.

Mr. SPARKMAN. That matter is discussed on page 3 of the report, which the Senator may have seen. It is true that during this year loans to India and Pakistan will be made in keeping with previous arrangements and long-term project developments.

Mr. DOMINICK. Am I correct in stating that approximately $125 million has been committed to India and $18 million to Pakistan?

Mr. SPARKMAN. That is approximately correct, yes.

Mr. DOMINICK. I do not want to be any more difficult than I usually am—which is pretty difficult, I guess, at times, to many people—but let me ask the Senator this. Suppose we do not go ahead with this. Suppose we just do not. Suppose we had a vote on this and the United States' participation did not go in. We are already supporting the World Bank, the Export-Import Bank, the Asian Bank, and a bucketful of other banks. Is there any reason why they cannot get the money from the World Bank to take care of participation, if the United States says it is not going in this time?

Mr. SPARKMAN. The bank can do what it has been doing in the past—give a certain part of its earnings as a grant. But the World Bank itself cannot make the type of loans that are covered here.

Mr. DOMINICK. The total amount is approximately $300 million that the Senator says is proposed to be loaned for 1969—leveling it out at about that level.

Mr. SPARKMAN. Level off at about $400 million.

Mr. DOMINICK. There is already over $200 million in from other countries, and the Bank has $170 million in net earnings.

Mr. SPARKMAN. Yes.

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Mr. DOMINICK. So that if the United States did not put up a nickel, they have more than enough money to take care of what their proposals are, which could be cut back.

Mr. SPARKMAN. Twelve countries have agreed on depositing their notification of commitment. Naturally, they do that on the assumption that the United States will come along and do its part.

Mr. DOMINICK. Is it not about time that we found out whether they are just going to assume we are Santa Claus, whether we are going to assume that the executive department runs everything in the appropriation of funds and all the rest, or whether Congress itself is going to take the lead in finding out, both in foreign affairs and in expenditure of funds overseas, that Congress is the one that is the responsible agency?

Mr. SPARKMAN. I think they understand that. But this is a long-term arrangement. It has been running for practically 10 years. We went into it originally. We joined in replenishing the fund once before, and now we are asked to do it a second time.

Mr. DOMINICK. I voted against it the first time.

Mr. SPARKMAN. I think the assumption is reasonable that we will go ahead with it.

Mr. DOMINICK. I thank the Senator for yielding. I would like to get the floor later in my own right.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER** (Mr. MONDALE in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending measure take place at 15 minutes to 3 o'clock this afternoon.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

Mr. DOMINICK. Mr. President, I ask for the yeas and nays.

The **PRESIDING OFFICER.** Will the Senator yield?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that rule XII be waived.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD of Virginia. Mr. President, I rise to oppose the proposal to take $480 million of U.S. tax funds to increase the U.S. participation in the International Development Association.

I had hoped that we might consider this matter for several days; but since many prefer that the vote be taken today, I will make my remarks briefer than I had anticipated.

Mr. President, this is clearly a giveaway program of $480 million of American tax funds in a year and at a time when there is supposed to be a tight squeeze on money to do many necessary jobs in the United States.

This certainly is not a high priority item.

Somewhere along the line in all this Federal spending Congress must decide what it considers to be the most important items and finance those items and let some of the less important ones go to another day.

I submit that this $480 million, which will go to increase the position of the United States in the International Development Agency, is a low priority item.

If the American taxpayers have plenty of money then I think it is fine to go into programs like this one and to increase our participation in these programs. We already are participating heavily in these programs. This is an additional participation.

There is provided $160 million a year for 3 years under this proposal. Therefore, Mr. President, I believe that a vote in favor of the "second replenishment," and that is the way the bill reads, of this fund totaling $480 million is unjustified at the present time.

As has been established on the floor of the Senate today, this International Development Association is a direct offshoot of the World Bank. The profits of the World Bank are roughly $170 million a year.

If the World Bank wants to increase the amount of funds which go to the International Development Association, a direct offshoot of the World Bank, it is making a profit of $170 million and it can use all of that profit to help finance the International Development Association.

Mr. President, I do not see any real need for the taxpayers to be called upon for this additional money. It is a grant. The funds are for 50-year loans. No interest is paid.

Therefore, I do not believe that it is a very wise program for our Government to continue to increase its subscriptions at this particular time.

I have some concern about certain aspects of the World Bank which I wanted to go into, but I shall not do that now because of the lateness of the hour.

In any case, it seems to me that this item of $480 million in additional funds for the International Development Association, coming at a time of high inflation in this Nation, coming at a time when Congress is committed to reducing Government expenditures, coming at a time when the President is committed to reducing Government expenditures, and coming at a time when there is an effort to keep on the statute books the 10-percent surtax which has hit so hard all the American taxpayers, this $480 million is one of many items that Congress can eliminate.

Mr. COTTON. Mr. President, will the Senator yield briefly?

Mr. BYRD of Virginia. I yield to the distinguished Senator from New Hampshire.

Mr. COTTON. Mr. President, I do not wish to trespass on the Senator's time. However, in order to save time I wish to commend him for his position and for his able presentation of it. I wish to associate myself with everything the distinguished Senator from Virginia has said.

Mr. BYRD of Virginia. Mr. President, I am very grateful to the distinguished senior Senator from New Hampshire for his kind remarks.

Mr. President, I wish to mention again that if the Senate feels our Government has plenty of funds, if the Senate feels it is not necessary to bring about some reduction in certain expenditures, if the Senate feels this item going to the International Development Association is of such high priority that these funds must be voted at this time, then, of course, those who feel that way will vote in the affirmative.

But so far as the Senator from Virginia is concerned, I expect to vote in the negative.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am delighted to yield to the distinguised Senator from Tennessee.

Mr. GORE. Mr. President, in the past I have many times supported, and I am prepared to continue to support, the programs which lend money for development in underdeveloped countries on a reasonable sound repayable basis with a reasonable rate of interest.

I am unable at this time to support the pending proposal because it does not meet any of those standards. It carries no interest rate at all. Indeed, it is not even anticipated that the money will ever be repaid to the United States.

Let us face it. This is a giveaway. A giveaway is sometimes justified. We have for years had a foreign aid program. In that program we face up to the fact that we are appropriating public funds for aid to particular causes, for particular programs, and some Senators vote for those bills and some Senators choose to oppose them. I have voted for them. I have tried to know, however, for what purpose I was voting taxpayer funds.

Here is another standard that the pending bill does not meet. I challenge any Senator to say for what specific purpose program, or undertaking this $480 million will be used.

Oh, they say, it is multilateral. The funds will be loaned—soft loan lending. Well, what is magic about soft loans? There is something magic about a bank. Some people rush to the conclusion that if the World Bank is going to make soft loans that, somehow, it is a bankable proposition. They will be funds loaned at a rate of interest which will be repaid. That is not the case here. This is the soft loan window. It is never anticipated that one single dollar will be repaid. I challenge any Senator to say for what purpose the money will be spent. We do not know. Yet this is tantamount to an appropriation. Make no mistake about it. This is a commitment of $480 million. For what? Someone tell me.

Mr. DOMINICK. Mr. President, will the Senator from Virginia yield?

Mr. CHURCH. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield to the Senator from Idaho.

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Mr. CHURCH. I thank the distinguished Senator from Virginia.

The PRESIDING OFFICER. The Chair has recognized the Senator from Virginia. To whom does the Senator from Virginia yield?

Mr. BYRD of Virginia. Mr. President, I yield to the Senator from Idaho.

VISIT TO THE SENATE BY MEMBERS OF THE PARLIAMENT OF COLOMBIA

Mr. CHURCH. Mr. President, I ask unanimous consent that we may have 3 minutes, not to be charged against either side, in order that we might introduce some distinguished guests, now in the Chamber, who are Members of the Parliament of Colombia.

For that purpose, I should like to have the distinguished Senator from North Carolina (Mr. JORDAN), who recently visited Colombia, recognized at this time so that he may proceed with the introduction of our guests.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JORDAN of North Carolina. Mr. President, last fall, a delegation from the Inter-Parliamentary Union, on its way to Lima, Peru, had the great pleasure and honor to stop off in Bogotá, Colombia, to meet with Members of the Colombian Parliament.

We had a most delightful visit, a most entertaining visit, and a most enlightening visit. We visited their Parliament and had an exchange of views for quite some time. We thoroughly enjoyed our short stay, and I know that we profited from it a great deal.

It is my great pleasure now to introduce three Members of the Parliament of Colombia who are visiting the United States as guests of the Senate and Congress.

First, let me introduce Mr. Luis Guillermo Arango, representative from the Department of Antioquia, capital Medellin, Member of Conservative Party.

Cra 42, No. 59–72, Medellin. Bachelor degree 1955 from Colegio San Jose in Medellin; civil engineering degree from National University in 1962; past positions—state representative Antioquia, president of Independent Conservative Directorate Antioquia, president of Young Conservatives in Antioquia; travels in Europe and from 1962 to 1966 in the United States; good English; member of Society of Engineers, Antioquia.

Mr. Roberto Cerlein Echeverria, representative from the Department of Atlantico, capital Barranquilla. Member of Conservative Party.

Cra 52, No. 72–75, Barranquilla: Bachelor degree in 1954 from Colegio Biffi, Law degree in 1963 from Javeriana University, and attended Duke University in 1966; born in Barranquilla November 18, 1938; past positions—municipal judge 1961, city councilman 1963–67, and secretary of the treasury department of Atlantico 1967–68; visited the United States as a student and speaks fluent English.

Mr. Guillermo Plazas Alcid, representative from the Department of Huila, capital Neiva. Member of Liberal Party.

Calle 44, No. 20–48, Bogotá: Born Huila April 26, 1936; bachelor 1955 Colegio Santa Librada and law degree from the University of Cauca in 1961; past positions—municipal judge and mayor of Neiva; travels in Germany and Ecuador. [Applause, Senators rising.]

Mr. GOLDWATER. Mr. President, will the Senator from North Carolina yield?

Mr. JORDAN of North Carolina. Mr. President, before I yield to the Senator from Arizona, I ask all Senators present to come by and meet these gentlemen, shake hands with them, and welcome them to the Senate.

Mr. GOLDWATER. Mr. President, speaking as acting minority leader, I know that I speak the sentiments of both sides of the aisle when I say, "bienvenido, amigos."

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Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess for 3 minutes so that Senators may greet our distinguished guests.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, at 2 o'clock and 24 minutes p.m., the Senate took a recess until 2 o'clock and 27 minutes p.m.

During the recess, the distinguished guests were greeted by Members of the Senate.

On expiration of the recess, the Senate reassembled and was called to order by the Presiding Officer (Mr. MONDALE in the chair).

INCREASED PARTICIPATION BY THE UNITED STATES IN THE INTERNATIONAL DEVELOPMENT ASSOCIATION

The Senate resumed the consideration of the bill (H.R. 33) to provide for increased participation by the United States in the International Development Association, and for other purposes.

The PRESIDING OFFICER. The Chair recognizes the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I just want to say that I think the distinguished Senator from Tennessee (Mr. GORE) made a most eloquent summation of the pending legislation. I associate myself with the remarks that he made, particularly with the point that this goes beyond any reasonable type of loan.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I join the Senator from Virginia and the Senator from Tennessee in stating most emphatically that this is not a loan program but an aid program. There is nothing in the proposal which relates to good, sound, banking principles. For example, while they call them loans, the so-called loans are made for a 50-year period. For 10 years there is to be no repayment of interest whatsoever, either required or expected. For the full 50-year period the interest rate will be three-quarters of 1 percent at a time when the Federal Government is having to pay 6½ percent and 7 percent to borrow money. We have to borrow this $480 million and pay 6½ percent or 7 percent interest.

For what purpose? The plan is to loan it out in these other countries at three-quarters percent interest for 50 years with no payment on the principal for the first 10 years and then only 1 percent per annual payment on the principal. In addition, it will be used to finance projects in those areas similar to projects we are having to curtail in our own country. We do not have the money to finance a full-scale war and carry on our domestic programs at the same time.

I cannot conceive of expanding the foreign aid program in any such manner.

If we are going to make a grant let us increase foreign aid and say it is a giveaway and tell the American people that it is a gift. Certainly there is no semblance to a loan here. That is the reason the World Bank is asking for this $480 million to be put through IDA, because they do not consider these loans to be good banking loans. I think we should clear up any feeling by any Senator that when we appropriate this money it is ever going to be repaid: I think it will prove to be a 100 percent giveaway.

Mr. BYRD of Virginia. The Senator from Delaware has made an excellent point.

Mr. DOMINICK. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield to the Senator from Colorado.

Mr. DOMINICK. I agree with the Senator from Delaware, who is both on the Committee on Foreign Relations and on the Committee on Finance, so he certainly knows what he is talking about in this field.

I started this discussion because I was not happy with what I thought was lack of full information on this particular program. I have the hearings from last year, which occurred in May of 1968. On page 28 of those hearings, in answer to a question from the Senator from Missouri (Mr. SYMINGTON), as to why the World Bank does not finance the IDA, former Secretary Fowler said:

> Yes; there was a good deal of discussion about it. It was a level of assistance through payments out of earnings of the World Bank to IDA. The management of the bank felt, that given the tight condition in the money market and some question as to the availability to the World Bank of access to the money markets, it should protect its position at that time.

That is what the World Bank said. If the World Bank can say that with $20 billion of unsubscribed funds from other countries and $5.7 billion from us, what are we to say when we are in a devastating financial position now, where we have to borrow money, money is tighter than it has ever been, and interest rates are the highest in world history as far as this country is concerned?

It seems to me that not only are we going the wrong way at the wrong time, but, adding to what the Senator from Tennessee said, we are not really committing ourselves to $480 million now; we are committing ourselves to $960 million because we cannot possibly get any principal repayment for 10 years, and at the end of the 3-year term we will be asking for replenishment of the resources, before we get around to the position where we get any repayment. So we

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are going to have to do it again. That is all I am saying.

Mr. GORE. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield.

Mr. GORE. Mr. President, at a time when there are hundreds of applications for community loans, from communities throughout the United States, which cannot be funded now, we are asked to authorize the U.S. Governor to commit the country to $480 million. After we pass this bill, the appropriation procedure is pro forma. The Appropriations Committee asks no questions. The Governor, representing the United States, has been directed and authorized to commit the United States to this. He has done so. Therefore, how do we ask any questions?

So, while hundreds of applications for community facilities, waterworks, sewage disposal plants, playgrounds, and schools are going unfunded and unmet, we commit ourselves to $480 million, for perhaps similar projects in other countries. We do not know. I have asked any Senator to rise and identify and specify for what purpose this money will be loaned on soft terms.

Speaking of terms, the legislature of my State just raised the interest rate ceiling to 10 percent. Towns and counties are trying to raise money and they are having to pay 5½ and 6 percent on tax-exempt bonds to build schools.

Then we pass this measure, for soft loans, with no interest at all, not even any repayment of principal for the first 10 years, and the principal does not come back to the United States then. This is fantastic. Is this what the people voted for last November?

Mr. ALLEN. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield.

Mr. ALLEN. Mr. President, I find myself once again in hearty agreement with the senior Senator from Virginia. I oppose H.R. 33. I think it is certainly ill-timed and ill-advised for the Senate and this Congress to appropriate or to authorize the expenditure of $480 million—$480 million of American taxpayers' dollars—for this purpose, the International Development Association.

It is certainly putting the wrong priority on this bill at this time. What of our battle against crime? What of the needs of our schools? What of our health needs? What of our public works needs? We are putting this ahead of the real needs of this country.

Some of my colleagues are worried for fear that no interest will be collected on this money. I think they need not worry about that. No matter what interest rate is proposed, no interest will be paid; nor will the principal. This schedule of no payments for the first 10 years, 1 percent for the next 10 years, and then 3 percent for the next 30 years, stretches it out for 50 years.

We have dumped over $130 billion overseas in foreign assistance since World War II. This bill may not be foreign aid, but, if it is not, I would like to know what it is. It is dumping almost half a billion dollars overseas.

I came to the U.S. Senate only in January. During my campaign for the Senate, I promised the people of Alabama that I would be in favor of slashing, and in many cases eliminating altogether, our foreign aid programs. I think this is one place where I can certainly start.

This half billion dollars is sufficient to provide a block grant for schools of $10 million for each State in the Union. It would help us to develop our human resources.

The junior Senator from Alabama is strongly opposed to H.R. 33. I hope the Senate will see fit to vote it down. I think it is outrageous for us to throw away at this time, with the needs we have in this country, a half billion dollars which will not be repaid. It will not be appreciated. It will create enemies for this country, instead of friends. We cannot buy friendships abroad, just as we cannot buy friendships among our fellow man in everyday life. We cannot do that.

We should defeat H.R. 33.

I thank the Senator from Virginia for yielding.

Mr. COOPER. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield.

Mr. COOPER. Mr. President, I have not heard all the debate. I note the statements made that $480 million would be spent in the next 3 years. I, too, would not want to mislead anyone. If this measure is enacted, it does pledge us to $480 million over a 3-year period, but, so far as actual expenditures for the next 3 years are concerned, they are limited.

During the hearings I asked Secretary of the Treasury Kennedy to provide for the record the amounts which he estimated would be applicable and charged against the budget over the 3-year period. His reply appears on page 32 of the hearings. For fiscal 1969, he estimates expenditures of $30 million; for fiscal 1970, $40 million; and for fiscal 1971, $50 million, or a total of $120 million.

I am not denying, and I want to make it absolutely clear, that we are authorizing a total of $480 million. However, I did not want the impression to go out that we are actually spending $160 million a year over a 3-year period.

Mr. DOMINICK. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD of Virginia. I yield.

Mr. DOMINICK. I had a discussion on this matter with the Senator from Alabama, who stated that they were trying to level this amount out at $400 million a year in loans. They have $200 million. So that means $200 million a year is going to be used, no matter how one looks at it.

Mr. COOPER. I am citing the statement of the Secretary of the Treasury as it relates to budget expenditures. I believe that he will make every effort to see to it that our expenditures through fiscal 1971 are in line with his estimates.

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. The Senator from Virginia has the floor.

Mr. BYRD of Virginia. Mr. President, I believe that the American people are expecting Congress to show some determination to reduce appropriations and expenditures. This is one item, and today is a time, where the Senate can begin to show its determination to reduce some of the swollen expenditures of our Government.

I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I simply wish to say that we have had this argument before. I gather this flurry arose about the essentiality of this expenditure in terms of the priorities of our Nation. Those of us who are for it take the position that it ranks with defense expenditures, and, indeed, that it is more a measure of conservation than expenditures for sterile hardware, in terms of the effort to keep peace in the world. It takes no great genius to fight; the question is how we are going to obtain a world in which we do not have to fight.

Mr. FULBRIGHT. Mr. President, I think the Senator from New York has expressed that point very well.

The total amount authorized here, $480 million, would not run the war in Vietnam but for about a week. While that in itself is not decisive, it is significant as to the relative amount involved. I think, over the long term, the security implications of this investment are perhaps greater than those inovlved in the war in Vietnam, for a week or any other length of time, for that matter.

By way of summary, $285 million has been granted to the IDA out of the earnings of the International Bank, over the years. Last year, I think it was in September, the International Bank did approve transfer of $75 million out of its earnings into this fund.

Twelve countries have ratified the agreement we are considering here. Those countries have agreed to contribute $538,440,000. Ten countries have made contributions, amounting to $241.9 million, in advance of our ratification. Of course, I am quite sure all of them assume that we are going to ratify. Not that that is determinative here; I mention it simply as a matter of pointing out that many of the smaller countries, 10 of them, have already put up their money, and 12 have ratified.

I ask unanimous consent to insert the appropriate tables in the RECORD at this point.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Status of ratification action by part I countries—(As of May 14, 1969)

[In millions of dollars]

Countries that have deposited notification of commitment:	
Japan	66.48
Australia	24.00
Austria	8.16
Canada	75.00
Denmark	13.20
Finland	4.08
Germany	117.00
Kuwait	5.40
Netherlands	29.28
Norway	10.68
Sweden	29.64
United Kingdom	155.52
Total	538.44

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Status of ratification action by part I countries (as of May 14, 1969)—Continued

[In millions of dollars]

Countries that have not deposited notification of commitment:	
Belgium	20.40
France	97.20
Italy	48.36
Luxembourg	.60
South Africa	3.00
United States	480.00
Total	649.56
Total committed	538.44
Total not committed	649.56
Swiss credit	12.00
Total	1,200.00

IDA

Advance second replenishment contributions

[In millions of dollars]

Firm commitments:	
Netherlands	9.8
Japan	22.2
Canada	75.0
Denmark	4.4
Finland	1.4
Germany	39.0
Norway	4.4
Sweden	9.9
United Kingdom	51.8
Australia	24.0
Total	241.9
Parliamentary approval obtained but formalities of commitment to IDA not yet completed: Austria	2.7
Awaiting Parliamentary approval:	
Belgium	6.8
Italy	16.1
Special supplementary contributions made since the replenishment agreement:	
Sweden	21.4
Denmark	15.0

Mr. FULBRIGHT. Mr. President, I think the position of the Senator from Alabama and the Senator from Virginia is a very logical one. If you take the position that this country, with all its abilities and capacities, does not need to contribute anything at all in the field of aiding foreign countries, then it is a logical position to say you are against this measure.

My own position is that I think we should do something, and if I had to choose between this operation and what we call aid, the bilateral aid—which will be before us soon, though it has not yet been sent up to us by the administration—it seems to me this is a more efficient and a better proposition for the country.

In the first place, we pay only 40 percent of this fund, and the other countries pay 60 percent. In the second place, it is administered by an established organization, with a great reputation. The International Bank has been operating now for some 15 or 16 years. It has made profits of more than $1 billion, from which, of course, these contributions I have mentioned have been made. It has never had a default.

I do not wish to exaggerate that point, because its hard loans are all of a commercial type guaranteed by the governments of the countries to which the loans are made, so it is a little different matter. I do not wish to argue, from that fact, that that necessarily means these soft loans are of the same category, even though Government-guaranteed. All it means is, I think, that this operation has been reasonably efficient, and has had good judgment and administration, and good technical advice from its engineers, the people who evaluate the opportunities for the loans in the respective countries.

Third, and perhaps most important from my point of view, is that in doing this, in the operation of giving aid to these countries, we do not, as a country, ourselves become involved in the internal politics of the receiving country. In other words, we do not run the risk of creating further Vietnams, in which we become allied with a domestic faction. In other countries, where there is not any war, we do not become allied with a government which may or may not have its enemies, and which can cause a great deal of trouble for us.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I agree with the distinguished Senator. This is one way in which we can proceed on a multilateral basis without becoming involved in domestic issues. I believe our efforts should be directed toward measures of this kind.

Mr. PERCY. Mr. President, there is an increasing need to provide long-term development loans to less developed countries. Sufficient external capital cannot be obtained solely from private investment or from international lending institutions making loans on hard commercial terms.

Fundamentally, IDA provides poor countries with loans on very favorable terms for high-priority development projects. Thus, low-income countries which cannot afford conventional foreign-exchange loans may finance development programs and maintain some momentum for progress.

The importance of IDA to U.S. foreign aid policy should not be underestimated. IDA represents international cooperation to assist in the development of low-income countries. IDA represents the effort to channel more aid resources into multilateral channels in order to minimize the political and military entanglements of unilateral aid while maximizing the constructive impact of the aid. IDA represents the willingness of 17 other developed nations to share with the United States the responsibility to help less fortunate nations. IDA represents the commitment of other developed nations to contribute, as a group, 60 percent of the funds required.

The pending proposal for a second replenishment of IDA resources would provide IDA with $1.2 billion over fiscal years 1969–71. Of this amount the U.S. share would total $480 million or $160 million annually over the next 3 years. That this amount is vitally needed can be seen by the fact that on June 30, 1968, the IDA only had $41 million available for lending. In fiscal 1968, the IDA was only able to make $107 million in new loan commitments.

The IDA authorization would not aggravate the U.S. balance of payments. The second replenishment resolution has procedures to safeguard the U.S. balance of payments. Drawings by the IDA on U.S. contributions will not exceed identifiable procurement in the United States from IDA operations. There will be a zero balance of payments effect until at least July 1, 1971, and hopefully thereafter. Thus for 3 years U.S. contributions to the IDA will have no adverse effect on the balance of payments.

It should be remembered that for every $2 the United States contributes to IDA, other nations will contribute three. This principle of matching funds was an important departure when IDA was established. It is still important and deserves the continuing support of the U.S. Congress.

I urge Senators to approve the authorization for the second replenishment of IDA resources today on the Senate floor. The value seems obvious and I urge the Senate to continue international cooperation to assist in the development of low-income countries.

Mr. KENNEDY. Mr. President, I strongly support the bill recommended by the Committee on Foreign Relations approving the U.S. contribution of $480 million to the International Development Association. The IDA, which has been appropriately called the "soft loan window" of the World Bank, performs an extremely valuable function in the crucial area of international economic development. By providing loans bearing no interest and allowing 50 years to repay, the IDA is making an especially important contribution in granting much-needed financial assistance to the underdeveloped nations of the world. As the Foreign Relations Committee has properly concluded, the IDA approach of granting multilateral foreign assistance is the most appropriate method for aiding less-developed nations, and I urge the Senate to give its full approval to the pending bill.

For far too long, the developed nations of the Western world have failed to recognize that the stability of the world community depends on the stability of all nations. The basic and successful principles of our own domestic economic programs can and should be applied to encourage world development. I believe that the new IDA bill, when enacted, will be a significant step forward in the growing commitment of the United States to a sound program of joint economic assistance to nations in need. It is my understanding that the world bank has agreed to distribute IDA loan funds on a new and broader basis to developing nations, and that the extraordinarily large shares previously granted to India and Pakistan will be reduced in the interest of a more equitable overall distribution. I also understand that the Secretary of the Treasury has made clear that the World Bank will contribute a reasonable share of its own funds to IDA.

Even though the availability of funds in our domestic budget is extremely tight, few priorities are more important to the best interests of the United States than a strong and effective program of economic assistance to developing nations. I, therefore, urge the Congress to accept the bill recommended by the Foreign Relations Committee without delay, and I look forward to the early implementation of IDA's expanded and far-reaching programs.

Mr. COOPER. Mr. President, I support H.R. 33, the pending business of the Senate. This bill would amend the International Development Association Act of 1960 to authorize a second replenishment by the association's membership of $1.2 billion over a 3-year period and would authorize the U.S. contribution of $480 million over that period as the U.S. share.

I shall note briefly our prior contributions to IDA.

IDA was first established in 1960 with a capitalization of $1 billion of which some 75 percent was to be provided by the economically advanced countries. At this time, the original U.S. contribution was $320 million and represented approximately 43 percent of the hard currencies initially received by the association.

By 1964 the original contributions to IDA had been disbursed in loans. The economically advanced member countries undertook to provide the first replenishment of IDA funds in the amount of $750 million to be paid over a 3-year period. The U.S. contribution to this first replenishment was $312 million or approximately 41 percent of the total.

Today, we are asked to authorize a second replenishment of IDA funds of $1.2 billion over a 3-year period, with the U.S. contribution amounting to $480 million or 40 percent of the total of this second replenishment.

Last year the Foreign Relations Committee held hearings on a similar request, S. 3378, and the Committee reported the bill to the Senate with an amendment that would have limited the U.S. contribution to IDA to that amount contributed by the World Bank to IDA during any given period. No action was taken by the Senate on this bill in the last session. I opposed this amendment at that time in committee and when it was again offered in committee this year.

The Foreign Relations Committee held hearings on H.R. 33 on April 16 of this year. During these hearings, I was pleased to note that the administration witnesses offered the committee certain assurances as to the method the administration would employ to deal with several problems connected with the bill which were a source of comment and criticism by members of the committee last year.

First, with other members of the committee I have felt that a too large proportion of the loans made by IDA were concentrated in too few countries. As of June 30, 1968, out of a total of $1.8 billion loans made by IDA, some $1.3 billion has been disbursed to four countries and two countries alone—India and Pakistan—have received over 50 percent of this amount.

In the course of the hearing, the Secretary of the Treasury Kennedy and Mr. Covey Oliver, the U.S. executive director of the World Bank, assured the committee that there would be a wider distribution of IDA's funds to a greater number of countries. In fact, the committee was informed that IDA anticipated that a substantial amount of these funds would be made available to Latin American countries. This testimony is found on page 10 of the hearing record.

A second problem that concerned the committee both last year and this year is the relationship of the U.S. contribution to our balance-of-payments position. The second replenishment resolution approved by IDA's executive directors provides that during the 3 years ending June 30, 1971, and as long thereafter as permitted by the state of its resources, IDA would call upon the U.S. contribution to meet disbursements on its loans only for the amount needed to finance procurement in the United States. Thus, during this period payments under the second replenishment would have no adverse effect on the U.S. balance of payments. To assist in this procedure a number of other participating countries have agreed to permit an acceleration of IDA's drawings upon their contributions in order to meet IDA's disbursement required for its loan program.

During the hearings, I requested Secretary Kennedy to estimate the anticipated U.S. budgetary expenditures for IDA for fiscal years 1969–71 so that the committee might gage their effect on the U.S. balance of payments. His estimate is found at page 32 of the hearing record. He indicates that although the appropriation for each of the fiscal years 1969, 1970, and 1971 calls for $160 million annually, the expenditures are estimated to be $30 million in fiscal 1969, $40 million in fiscal 1970, and $50 million in fiscal 1971.

Another question that concerned the committee was the belief that the World Bank should undertake to make annual contributions out of its earnings to IDA, which is in effect the Bank's soft-loan window. I share this view. But I am opposed to proposals that would condition the U.S. contribution to IDA on a fixed or variable amount of the Bank's contribution from its annual earnings. I have opposed these proposals for I think it is wrong for a country such as the United States or any other country for that matter to condition its contribution—and thus to seek to impose its policies—on the actions of a multilateral organization such as the World Bank. We must keep in mind that a multilateral organization such as the World Bank has its own obligations and duties to all its members. For individual countries to seek to impose differing conditions on the operations of a multilateral organization would probably result in our not having a World Bank—an institution which has made a remarkable record financially in serving the international community.

In this connection, I wrote Secretary of the Treasury Kennedy on April 23 and requested his views concerning the contributions to IDA by the World Bank. I ask unanimous consent to have placed in the Record at this point my letter to Secretary Kennedy and his response.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

April 23, 1969.

The Honorable David M. Kennedy,
Secretary of the Treasury,
Washington, D.C.

Dear Mr. Secretary: In connection with the hearings conducted by the Senate Committee on Foreign Relations on H.R. 33, the International Development Authorization bill, several questions were raised concerning the policy of the World Bank to make annual contributions out of current earnings to IDA and the legal authority of the World Bank, under its Articles of Agreement, to increase substantially these contributions.

I wish to say that I support the bill. It would be helpful to my consideration of these matters if you would provide me with your comments concerning these specific questions raised at the Hearing and any other information that you believe appropriate.

With kind regards, I am,

Yours sincerely,

John Sherman Cooper.

April 24, 1969.

Hon. John Sherman Cooper,
U.S. Senate,
Washington, D.C.

Dear Senator Cooper: Thank you for your letter of April 23, 1969, expressing your support for the Second Replenishment of the International Development Association. I am pleased to comment on the World Bank's annual contributions to IDA, as requested in your letter.

Since IDA was instituted as a "soft-loan" window of the World Bank, the Bank has transferred $285 million from net earnings to IDA's resources. These transfers average 40 percent of the Bank's earnings since 1964. I feel that the World Bank has significantly supported IDA. I was pleased by the Bank's decision to transfer $75 million out of Fiscal Year 1968 net earnings. I wish to emphasize that I do not foresee a decline in such transfers. Rather, as conditions permit, I will actively support transfers from net earnings over the 1968 level. The President of the World Bank has assured me that he will support this objective before his governing boards.

While I am in favor of strong Bank support for IDA, I am firmly opposed to adding a provision to H.R. 33 limiting the yearly United States contribution to an amount equal to World Bank transfers to IDA. Establishment of such a linkage would be almost impossible to negotiate and any attempt to renegotiate would be a serious blow to multilateral cooperation not only in IDA but also in other fields. Moreover, it would be financially unwise for the Bank to undertake an unalterable advance commitment to transfer a fixed amount of its future earnings to IDA.

In response to Senator Symington's request at the hearing on April 16, I have submitted for the record additional comments on this point. I am enclosing a copy of these comments for your information.

Sincerely yours,

David M. Kennedy.

Comment on IBRD Reserves and Transfers of Net Earnings to IDA

As of February 28, 1969, IBRD reserves were $1.25 billion. They consist of two components: (1) the Special Reserve ($291 million), and (2) the Supplemental Reserve ($963 million). The Special Reserve represents commissions which are required by the IBRD Charter to be set aside and held in liquid form to be used only for the purpose of meeting liabilities of the Bank on its borrowings and guarantees. The Supplemental Reserve represents retained earnings that have been fully committed along with the World Bank's paid-in capital and borrowings to the Bank's own lending operations under contracts with borrowers.

This earned surplus represents an increase in the Bank's equity, and thus it improves both the Bank's equity-debt ratio, and the ratio between the Bank earnings and the interest charges it must pay on its funded debt. These relationships—the equity-debt ratio and the interest-earnings cover—are of great importance to the judgment of the market about the Bank's financial position, and hence to the Bank's credit rating.

XUM

It is a fact of financial life that buyers of World Bank bonds want to be assured that the reserve position of the Bank will be reasonably maintained. Notwithstanding that government guarantees in the form of callable capital also stand behind Bank issues, purchasers of these bonds require assurance of the integrity of the Bank's balance sheet itself. The Bank's callable capital is intended only as a protection or last resort, and if the Bank were ever required to draw upon it in order to meet debt obligations, its ability to tap capital markets for further lending operations would, no doubt, be adversely affected. Nor is a prudent reserve policy rendered unnecessary by the fact that World Bank loans, which are made almost exclusivly to developing countries, are made to or guaranteed by governments and backed up by a lien on the investment financed.

Maintenance of the Bank's present "Triple A" rating would not be possible if the equity-debt ratio and interest-earnings cover of the Bank were to be materially impaired. The market for Bank bonds has come to expect that a portion of the Bank's annual earnings will be allocated to the supplemental reserves. Moreover, both the Bank and IDA would suffer from a policy that did not consider the adequacy of reserves, since the Bank's volume of lending and its earnings would decline with a consequent impairment of its ability, over the long run, to make transfers to IDA.

Bank policy very wisely calls for transfers to be determined annually by the Governors on the basis of actual earnings for the previous year. All circumstances relevant to the determination—such as the Bank's cash needs and borrowing prospects for the following year—are also taken into account. This practice should be continued.

As I said in my opening statement, the Bank transferred $75 million out of fiscal 1968 net earnings, compared with only $10 million the previous year. I am very pleased that the Bank has increased its contribution to IDA. I do not foresee a decline in such transfers. On the contrary, should conditions permit, transfers from net earnings over the 1968 level would be in order. I am assured by the President of the World Bank that he will support this objective before his governing board.

Again, as I said in answer to questions, a proviso which would limit the yearly U.S. contribution to the same amount as the World Bank transferred to IDA from its reserves or net earnings should not be adopted, since the material change this would require in the IDA Resolutions would negate any favorable Congressional action on H.R. 33, and would undoubtedly frustrate the replenishment agreement from coming into effect.

Mr. COOPER. Mr. President, I am pleased to note that the World Bank has agreed to transfer $75 million of its fiscal 1968 net earnings to IDA. In addition, Secretary Kennedy has assured me that he will actively support transfers from the Bank's net earnings over the 1968 level. Furthermore, Mr. Robert McNamara, president of the World Bank has promised his support to this objective before the Bank's governing board.

In order for the Second Replenishment Agreement to take effect, 12 countries whose contributions would total $950 million must agree to provide their shares On May 6, Mr. Robert McNamara, president of the World Bank, announced that the Government of Japan had notified IDA of its ratification of the second replenishment. Including Japan's pledge of $66,480,000, notifications have been received from 12 countries contributing $538,440,000.

In conclusion, Mr. President, it has been my view for some time now—and I know that an increasing number of Members of Congress share the view—that it is by far preferable that the United States devote a larger part of its resources in foreign aid through multilateral organizations and international banks so as to avoid the political liabilities and our involvement in the internal affairs of foreign countries which have resulted from some of our bilateral foreign aid programs.

We do need to husband our resources and to provide for the needs of our people but our country cannot fail to meet reasonably the need to join other advanced countries in a cooperative effort to help people of countries struggling for health, food, and life itself.

The PRESIDING OFFICER. The hour of 2:45 p.m. having arrived, under the unanimous-consent agreement, the Senate will now proceed to vote.

The question is on the third reading of the bill.

The bill (H.R. 33) was ordered to a third reading, and was read the third time.

Mr. FULBRIGHT. Mr. President, before proceeding to vote on the bill, may we have a quorum call?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time for the quorum call to be outside of the time on the bill, and not to exceed 2 minutes in length.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent, now that the 2 minutes have expired, that the order for the quorum be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Nevada (Mr. BIBLE) is absent on official business.

I also announce that the Senator from Indiana (Mr. BAYH), the Senator from Alaska (Mr. GRAVEL), the Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. HARTKE), the Senator from Iowa (Mr. HUGHES), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Utah (Mr. MOSS), and the Senator from Connecticut (Mr. RIBICOFF) are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana (Mr. BAYH), the Senator from Alaska (Mr. GRAVEL), the Senator from Michigan (Mr. HART), the Senator from Iowa (Mr. HUGHES), the Senator from Utah (Mr. MOSS), and the Senator from Connecticut (Mr. RIBICOFF) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Massachusetts (Mr. BROOKE), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

The Senator from Hawaii (Mr. FONG), the Senator from Kentucky (Mr. COOK), and the Senator from New York (Mr. GOODELL) are absent on official business.

The Senator from Nebraska (Mr. CURTIS) and the Senator from Ohio (Mr. SAXBE) are detained on official business.

If present and voting, the Senator from Massachusetts (Mr. BROOKE), and the Senator from New York (Mr. GOODELL) would each vote "yea."

On this vote, the Senator from Hawaii (Mr. FONG) is paired with the Senator from Nebraska (Mr. CURTIS). If present and voting, the Senator from Hawaii would vote "yea" and the Senator from Nebraska would vote "nay."

The result was announced—yeas 49, nays 34, as follows:

[No. 34 Leg.]

YEAS—49

Anderson
Baker
Bellmon
Bennett
Boggs
Case
Church
Cooper
Cranston
Dirksen
Dodd
Eagleton
Fulbright
Griffin
Harris
Hatfield
Holland
Hollings
Inouye
Jackson
Javits
Kennedy
Magnuson
Mansfield
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Schweiker
Scott
Smith
Sparkman
Stevens
Tower
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—34

Allen
Allott
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Cotton
Dole
Dominick
Eastland
Ellender
Ervin
Fannin
Goldwater
Gore
Gurney
Hansen
Hruska
Jordan, N.C.
Jordan, Idaho
Long
McClellan
Montoya
Mundt
Murphy
Randolph
Russell
Spong
Stennis
Symington
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NOT VOTING—17

Aiken
Bayh
Bible
Brooke
Cook
Curtis
Fong
Goodell
Gravel
Hart
Hartke
Hughes
Mathias
McCarthy
Moss
Ribicoff
Saxbe

So the bill (H.R. 33) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DIRKSEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PROGRAM

Mr. DIRKSEN. Mr. President, I would like to ask the distinguished majority leader about the schedule for the remainder of the week.

Mr. MANSFIELD. Mr. President, before responding to the question of the distinguished minority leader I wish to make the following request.

The PRESIDING OFFICER. The Senator from Montana is recognized.

ORDER FOR ADJOURNMENT TO FRIDAY, MAY 16, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Friday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM FRIDAY TO TUESDAY, MAY 20, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on Friday it stand in adjournment until 12 o'clock noon on Tuesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, to respond specifically to the distinguished minority leader, the business will be determined by the calendar.

ORDER FOR RECOGNITION OF SENATOR PERCY ON FRIDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of transaction of routine business on Friday, the distinguished Senator from Illinois (Mr. PERCY) be recognized for not to exceed 40 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES DURING ADJOURNMENT

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that during the adjournment of the Senate on Thursday and on Monday next, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives, and that they may be appropriately referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS DURING ADJOURNMENT

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that during these periods of adjournment all committees may file reports, together with individual, minority, or supplemental views.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL FRIDAY, MAY 16, 1969

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon on Friday next.

The motion was agreed to; and (at 3 o'clock and 20 minutes p.m.) the Senate adjourned until Friday, May 16, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate May 14, 1969:

ASSOCIATE JUDGE

Donald E. Lane, of the District of Columbia, to be associate judge, U.S. Court of Customs and Patent Appeals, vice Arthur M. Smith, deceased.

U.S. ATTORNEYS

Keith S. Snyder, of North Carolina, to be U.S. attorney for the western district of North Carolina for the term of 4 years, vice William C. Medford, deceased.

Seagal V. Wheatley, of Texas, to be U.S. attorney for the western district of Texas for the term of 4 years, vice Ernest Morgan, resigned.

John O. Olson, of Wisconsin, to be U.S. attorney for the western district of Wisconsin for the term of 4 years, vice Edmund A. Nix.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 14, 1969:

U.S. ARMY

The following-named officers, under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

To be general

Lt. Gen. William Bradford Rosson, O23556, Army of the United States (brigadier general, U.S. Army).

To be lieutenant general

Maj. Gen. Julian Johnson Ewell, O21791, U.S. Army.

Lt. Gen. Marshall Sylvester Carter, O18359, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general, under the provisions of title 10, United States Code, section 3962.

The following-named Medical Corps officers for temporary appointment in the Army of the United States, to the grades indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general, Medical Corps

Brig. Gen. Oscar Elliott Ursin, O21687, Medical Corps, U.S. Army.

Brig. Gen. Frederic John Hughes, Jr., O26370, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Kenneth Dew Orr, O31042, Medical Corps, U.S. Army.

Brig. Gen. James Arista Wier, O26416, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Hal Bruce Jennings, Jr., O26995, Army of the United States (colonel, Medical Corps, U.S. Army).

To be brigadier general, Medical Corps

Col. John Boyd Coates, Jr., O20924, Medical Corps, U.S. Army.

Col. David Edward Thomas, O22700, Medical Corps, U.S. Army.

Col. Carl Wilson Hughes, O58018, Medical Corps, U.S. Army.

Col. Louis Joseph Hackett, Jr., O66622, Army of the United States (lieutenant colonel, Medical Corps, U.S. Army).

Col. Richard Ray Taylor, O62785, Army of the United States (lieutenant colonel, Medical Corps, U.S. Army).

The following-named officers for appointment in the Regular Army of the United States, to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier general, Medical Corps

Col. David Edward Thomas, O22700, Medical Corps, U.S. Army.

Brig. Gen. Frederic John Hughes, Jr., O26370, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Hal Bruce Jennings, Jr., O26995, Army of the United States (colonel, Medical Corps, U.S. Army).

Lt. Gen. John Joseph Davis, O18530, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general, under the provisions of title 10, United States Code, section 3962.

U.S. NAVY

Vice Adm. Ray C. Needham for appointment to the grade of vice admiral on the retired list, in accordance with the provisions of title 10, United States Code, section 5233.

U.S. MARINE CORPS

Maj. Gen. Louis B. Robertshaw, U.S. Marine Corps, having been designated, in accordance with the provisions of title 10, United States Code, section 5232, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of lieutenant general while so serving.

DEPARTMENT OF JUSTICE

Victor Cardosi, of New Hampshire, to be U.S. marshal for the district of New Hampshire for the term of 4 years.

IN THE AIR FORCE

The nominations beginning Joseph Rohrich, Jr., to be colonel, and ending David E. Wenzel, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 10, 1969; and

The nominations beginning James R. Abbott, to be second lieutenant, and ending James E. Walkenbach, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 23, 1969.

IN THE ARMY

The nominations beginning Joseph P. Madden, to be major, and ending Noe Palacios, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 24, 1969; and

The nominations beginning O. Glenn Goodhand, to be colonel, and ending John W. Zunka, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 25, 1969.

IN THE NAVY

The nominations beginning Lynn "W" Adams, to be captain, and ending Margaret M. Burrell, to be lieutenant commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 18, 1969.

IN THE MARINE CORPS

The nominations beginning Albert A. Acri, to be second lieutenant, and ending Juan C. Nogueira, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 14, 1969; and

The nominations beginning Jeffrey W. Oster, to be captain, and ending Thomas M. Timberlake, Jr., to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 10, 1969.

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EXTENSIONS OF REMARKS

HON. HENRY B. GONZALEZ

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. WRIGHT. Mr. Speaker, the San Antonio Express and News on Sunday, April 27, published a very perceptive front page column by Paul Thompson concerning our extremely able and highly respected colleague, Hon. Henry B. Gonzalez.

In reviewing the Gonzalez record from the days when our colleague served on the San Antonio City Council, Mr. Thompson reveals the steady sense of fairness and the consistency of conviction which those of us here in Congress have come to recognize as hallmarks of the Gonzalez character and career.

Henry Gonzalez is universally respected by his colleagues, and I know many will enjoy reading this splendid column which I include herewith under leave to extend my remarks:

Back in 1953, when he left the county juvenile office to try his hand at politics, Henry B. Gonzalez used to say that he aimed to represent "all the people of San Antonio" and would never allow himself to be categorized as a purely Mexican-American candidate.

As a city councilman for three years (he resigned to run for the Texas Senate), Gonzalez used to tell Mexican-Americans who appeared in the council chamber and addressed their remarks solely to him: "Look, talk to these other eight men too. We all represent you."

This was regarded as quite proper and even edifying by leaders of the Mexican-American community at that time, including men like Albert A. Pena Jr., the county commissioner, but it fell rather quaintly on the ear of conservative elements on the north side of town, particularly the so-called "pure Anglos" among them.

To put it mildly, they didn't believe Gonzalez.

And when he staged a record-breaking filibuster in behalf of Mexican-American civil rights as one of his first acts upon election of the State Senate, these conservatives felt justified in their suspicion that Gonzalez was a mere publicity seeker who wanted to be a hero on the West Side of San Antonio and was trying to kid everybody else with his repeated declaration, "I represent all the people."

It soon became clear, however, that Gonzalez was a senator who recognized needs of the business community and who would not back legislative bills of an impractical nature simply because somebody said they would do the Mexican-Americans a lot of good.

In brief, State Senator Gonzalez turned out to be pretty much of a legislative hardnose—liberal in the area of civil rights and conservatively disposed when it came to questions of how the taxpayers' money ought to be spent.

While supporting any workable program that would help the poor, he didn't believe in heaving petty cash around like the Aga Khan on a shopping tour. He described himself at the time with the neologism, "I am a consiberal."

The business community and a whole heap of Anglo-Americans on the north side of San Antonio came to believe that Gonzalez was in fact a "consiberal" with ability to see both sides of every question. That's why he was able to muster enough support to defeat a massive Republican campaign highlighted by barnstorming here of the late Dwight D. Eisenhower in 1961 to become the first Mexican-American ever to be elected congressman from Bexar County.

And Gonzalez since then has stayed elected by pursuing the policies that won him the job in the first place.

His liberal voting record in Congress is almost perfect with regard to civil rights and social reform and wage legislation. But he has also labored unstintingly for state and local business projects and any bill needed to put them over. And from being a candidate who squeaked by in 1961, he now has such all-pervading community support that not even his worst political enemies would dream of running against him.

But today Congressman Gonzalez finds that he hasn't been liberal enough to suit the aforementioned County Com. Pena, State Sen. Joe J. Bernal and other "Viva La Raza" types who want Henry B. to say, in effect, "I am no longer a 'consiberal' who represents all the people. I have reformed. From now on, I am representing the Mexicanos."

Does any sensible Mexican-American here really believe that this would be a good move for Henry B. Gonzalez? Or for anyone else?

SENATOR ROBERT C. BYRD STRESSES INTERDEPENDENCE OF WATER SYSTEMS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, May 14, 1969

Mr. RANDOLPH. Mr. President, on April 18, 1969, my colleague from West Virginia (Mr. Byrd), addressed an audience of civic and business leaders in Pittsburgh, Pa. He discussed that area's mutuality of interest with farflung river valley communities from the Gulf Coast to the headwaters of the Mississippi and Missouri and the Ohio Valley in water resource development for pollution abatement, flood control, water supply, and navigation.

Senator Byrd's effective remarks were centered on Pittsburgh at the headwaters of the Ohio, but they have a profound relevance for all other river communities in their graphic delineation of the unity of the river systems and of the interdependence of water resource development programs.

The Nation is afflicted with disastrous floods; the pollution of our lakes and rivers threatens public health; our needs for water for communities and industries are rapidly mounting; our navigation system is inadequate for the growing requirements of commerce.

Senator Byrd's emphasis on the widespread mutuality of interests involved in water resource development serves to encourage the broad public support and cooperative effort needed for an accelerated program urgently required in the national interest.

Mr. President, I ask unanimous consent that Senator Byrd's remarks on this important subject be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Mankind's development from the beginning has followed the course of rivers. From the earliest civilization, cradled between the Tigris and the Euphrates, to the present, commerce and trade have moved along the major waterways and in their valleys. Economic and cultural growth has been the almost inevitable result.

Today some two and one-half million people live in the Pittsburgh Metropolitan Area. This is more population than in any one of 22 states of this country. And these two and one-half million people earn a higher level of income than do those of many of the states. How do the Pittsburgh people do it, compacted as they are into so limited an area? And why are all these people congregated here at this particular spot on the map?

Pittsburgh is preeminently a river city. Like the tree by the waters, of which the prophet Jeremiah spoke, the city has spread out her roots by the river, and her leaf has been green as a result, and she shall not cease from yielding fruit.

Pittsburgh has grown here to these majestic proportions because she is at the headwaters of the Ohio-Mississippi River system, and because for over two centuries, the site of this city has been the historic gateway between the Atlantic Coast and the waterway connections leading southward to the Gulf of Mexico, westward half way to the Rockies, and north to the Canadian border.

The geographic and historic underpinning of Pittsburgh's vitality has been her mutuality of interest with the other waterway communities to which she is linked over hundreds, and even thousands, of miles by her river connections: Huntington, Cincinnati, Louisville, St. Louis, New Orleans—and Kansas City, Omaha, and innumerable other cities, when one thinks, for example, of the Mississippi and Missouri Rivers.

The Mississippi-Missouri is the third longest river system in the world, exceeded only by the Nile and the Amazon, and longer than either the Yangtze or the Congo.

Including all of the developed tributaries, such as the Monongahela, the Knawha, the Arkansas, and so on, the Mississippi comprises the longest navigable waterway system in the world.

As a major member of this great inland river community, then, Pittsburgh shares with these distant cities the common opportunities and problems of her waterway linkages, those of water supply, navigation development, pollution and flood control. Pittsburgh has held a position of leadership in the extensive pollution control program of the Ohio Valley. Acting under authority of the eight-state compact of 1948 and under standards of the Ohio River Valley Water Sanitation Commission (commonly known as ORSANCO), the city of Pittsburgh, in association with 68 adjacent communities established one of the earliest, and the largest, municipal water quality control works of the Ohio Valley program. This facility was dedicated in 1956.

Industry has joined with government in the extensive anti-pollution efforts that have been made, and substantial progress has resulted. But much still remains to be done, according to the Federal Water Pollution Control Administration, which keeps a close check on the Ohio Valley situation.

In this connection, I noted that the *Wall Street Journal* had an article on March 17

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dealing with the Ohio pollution problem. It said the river is still polluted, despite years of effort to clean it up. Cities and factories continue to dump raw sewage—or insufficiently treated sewage—and industrial wastes into the river, the paper said. Politics and the high costs of clean-up combine to keep the anti-pollution progress slow.

Most experts agree, the article said, that the Ohio is cleaner today than it was in the 1930's. But the amount of filth that still pours into the river appalls pollution fighters. Thus far nearly a billion dollars has been spent in the anti-pollution drive.

This, I think, underlines the fact that pollution control is a continuing task, and I wish to emphasize that it is a total river—basin task, intercity and interstate. I am glad to note that Pittsburgh has been a leader, as well as a participant, in the anti-pollution fight.

But, if Pittsburgh has been a leader in efforts to improve her waterways, she has also been a beneficiary. In the Monongahela Valley, my home state of West Virginia is upstream from Pittsburgh. The Monongahela River, in its natural state, has an extreme variation in flow from season to season, at times pouring savage floods down upon the valley communities, at other times virtually drying up. The Monongahela fluctuates between deluge and desert. The President's Water Resources Policy Commission stated in 1950 that the ratio of maximum flow to the minimum monthly average at Pittsburgh is 400 to 1. For one gallon of trickle in the dried-up bed in one season, the river delivers 400 gallons into the city streets in the flood season. Only by means of upstream works in southwestern Pennsylvania and northern West Virginia has this hydrological maniac been tamed.

Navigation structures have made an important contribution. These big dams on the Monongahela, in addition to their primary navigation function, maintain a constant depth of water, permitting uninterrupted supply for water intakes of municipalities and industries which otherwise would be above the surface in the low water season. Two structures, long in service, the Morgantown and Hildebrand locks and dams, plus the new Opekiska installation, all three within West Virginia, team up with the downstream Pennsylvania structures in this contribution to water supply in the Pittsburgh District.

Reservoirs in the upstream tributaries above the head of navigation are major contributors both to water supply and to flood control. In the wet season, when the melting snows and the rains in the mountains pour their floods into the valley, these reservoirs catch and hold the waters which otherwise would flood the downstream communities. During the following dry seasons, controlled releases from the reservoirs maintain, not only the quantity of water available to communities and industries, but, in addition, a movement of current to flush out wastes and provide aeration. Tygart Lake, a man-made body of water in West Virginia performs this vital function for the entire downstream valley of the Monongahela to Pittsburgh and into the main stream of the Ohio River.

But, this job is only begun. The danger of floods in the Pittsburgh area persists, and much improvement remains to be accomplished in dry season water supply. Two new projects in West Virginia on the upstream tributaries of the Monongahela have been designed to meet this need and await congressional action towards their construction. One is the Rowlesburg Lake project on the Cheat River, which is to be a very large body of water, indeed, with a flood-control storage capacity of 300,000 acre-feet and about 523,000 acre-feet for water quality control and recreation. The other is Stonewall Jackson Lake on the West Fork River with a projected gross storage capacity of 75,200 acre-feet. The waters which these man-made lakes will eventually hold for controlled release in the dry season, represent a serious potential flood hazard for the Pittsburgh area and other communities in the wet season. The water would be wasted then and eventually lost in the Gulf of Mexico. Although these projects are some distance away and in another state, they are of vital concern to the Pittsburgh community.

Thus, in these great undertakings with respect to water supply, flood control, and pollution abatement, Pittsburgh has common cause with far-flung river valley regions, both upstream in West Virginia and downstream into states and communities hundreds or thousands of miles away. The waters of the Cheat, the Monongahela, and the Ohio become, as well, the waters of the Mississippi, and, intermingled with the drainage of the Missouri, the Upper Mississippi, and the Illinois Basins, these waters from states as far away as Colorado and Montana join with those from West Virginia and Pennsylvania to wash the docks of Baton Rouge and New Orleans.

The rivers thus are one, I think, with respect to pollution control. Pittsburgh has demonstrated an awareness of this unity at least as penetrating as any river community in the country, and the entire Mississippi Valley owes tribute to Pittsburgh for this vision. In the field of river navigation, the facts justify a similar awareness and initiative.

Pittsburgh is one of the nation's leading ports. In 1966, over 15 million tons of waterborne cargo were loaded and unloaded in the Pittsburgh-Aliquippa area. As a measure of magnitude, this tonnage was equivalent to 52 percent of all the United States tonnage moved that year through the St. Lawrence Seaway.

Pittsburgh's waterborne commerce provides, at low cost, the fuels and materials for her basic industries. It provides low-cost outlets for Pittsburgh products to distant markets. The jobs and incomes of countless Pittsburgh families rest directly upon this water transport foundation.

Through the re-spending of these household incomes by employees, executives, and investors in the water-based industries, the revenues of local industries, retail store, and professional services are sustained. Pittsburgh's waterborne commerce in the latest year reported (1966) amounted to more than 24 tons for each and every household in the Pittsburgh Metropolitan Area—a 24-ton foundation for the rising standard of living of that household.

When you look out your office window in Pittsburgh and see a great tow of barges moving some 10,000 tons of industrial materials and products on the Monongahela or the Allegheny River, I am sure you recognize that this traffic is playing a vital role in the foundations of Pittsburgh's livelihood.

But, what would you say if you saw a tow of barges over a thousand miles away while you were vacationing on the Gulf Coast, perhaps at Destrehan, Louisiana, or Beaumont, Texas? Would you feel that this distant commerce had much to do with the economy of Pittsburgh? You well might. You would say, I think, at times, that this tow of barges, shadowed by the palm trees of the Gulf Coast, is just as much a part of the economy of Pittsburgh as though it were in the shadow of Mount Washington. For, on numerous occasions, it would, indeed, be exactly the same tow of barges—only a few days later than when you saw it in Pittsburgh. And a few days still later you may see that tow in Pittsburgh again. For much of the waterborne traffic moving under the bridges of Pittsburgh moves, also, under the bridges of Huntington and Cincinnati, and some of this, also, moves under the bridges of Memphis and New Orleans. An ever-growing portion of Pittsburgh's river commerce is long-haul traffic, reaching to the extremes of the Mississippi River system.

In a few years, action will have to be taken to enlarge the lockage capacity in the Upper Ohio River. Traffic growth will soon be crowding the old locks at Emsworth, Dashields, Montogomery Island, and, farther downstream, at Gallipolis. These locks are of mounting concern to Pittsburgh industry.

For many years one of the basic strengths of the Pittsburgh steel industry has been its supply of metallurgical coal near at hand. This coal has been brought in, principally via the Monongahela River, from origins a short distance upstream in southwestern Pennsylvania. But, this is getting less true than it used to be. For efficient operation of coke ovens, the Pittsburgh steel industry must bring in a growing tonnage of low volatile coal from southern West Virginia, principally from District 7. This coal originates at the mine by rail and is transshipped at West Virginia ports to barges for carriage upstream on the Ohio River to Pittsburgh and Monongahela River coke ovens. In 1961, waterborne coal shipments from the Huntington, West Virginia, district of the Ohio River into the Pittsburgh District and the Monongahela River amounted to about 4 million tons. In 1966, this had risen to 7.3 million tons, and in 1969, it may well exceed 8 million.

I say all of that to say this: The traditional long-time reliance of Pittsburgh coke ovens on short-haul coal transportation on the Monongahela must now be reinforced, to a growing degree, by a comparably low-cost reliance on longer-haul carriage on the Ohio. And, this longer-haul movement must get through the aging locks of Gallipolis, Montgomery Island, Dashields, and Emsworth. The eventual modernization of these locks is thus of rising consequence to the Pittsburgh economy.

Even on the Monongahela, the haul is getting longer. Coal on the Monongahela is a big growth movement, having risen from 19.8 million tons in 1962 to 27.9 million in 1966. While much of this increase has originated in Pennsylvania, a growing portion comes from farther upstream in northern West Virginia. In 1955, the portion of Monongahela River coal moved into the Pittsburgh District from West Virginia was only 12 percent. In 1966, this was up to 30 percent. At one time, the navigation facilities in the upstream reaches of the Monongahela were of only secondary concern to Pittsburgh industry. But they are rising to a higher level of importance.

There is also much that is of importance to Pittsburgh in the lower Ohio River, for just above where it empties into the Mississippi, a major traffic crisis is developing. In 1955, about 15 million tons of cargo were carried through this gateway. Ten years later, it had doubled to 30 million tons. In 1968, the traffic reached 39 million tons.

Under production and shipping contracts for electric utility coal already concluded, about 45 million tons will be seeking passage in another two or three years.

The Corps of Engineers estimates the capacity of the four old locks at the Ohio-Mississippi gateway at about 40 million tons. More than that simply cannot be accommodated.

The Corps, however, is ready with construction plans for a new high-lift installation, known as the Smithland Locks and Dam, to replace two of the old structures, and is expected to be ready, probably next year, to start construction of a second new one at Mound City, Illinois, to replace the other two. Only upon the completion of these two facilities will capacity again become adequate for the enormously rising volume of cargo carried between the Ohio and the Mississippi Rivers. Smithland is 918 miles from Pittsburgh, but the bottleneck there can hurt the economy here.

The lower Ohio River gateway has long performed a function of particular meaning to the Pittsburgh steel industry. As you know, to utilize its steel-making capacity

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adequately, the Pittsburgh District must deliver steel to markets which are closer to competitive steel-making centers than Pittsburgh is. This means that low cost, long-hauling transportation is of distinctive importance to the Pittsburgh steel industry.

Barge transportation on the rivers has performed an important function in meeting this problem. In 1966, for example, slightly over one million tons of Pittsburgh District steel moved through the lower Ohio River gateway to Mississippi Valley and Gulf Coast destinations. Of this total, about 50 percent was pipe and tubing of high value. It may be estimated that the total sales value of this steel in Pittsburgh, at published prices, was about $160 million and that its production yielded about $55 million in local payroll incomes.

Pittsburgh shares with other domestic steelmaking districts the problem of foreign competition, and this competition, of course, hits hardest on the coasts. On the Gulf Coast, Pittsburgh steel meets this competition by barging its product down the rivers. Of the one million tons of Pittsburgh District steel barged through the lower river bottleneck into the Mississippi in 1966, 660,000 tons were carried down the Mississippi to Gulf Coast markets.

As an illustration, 228,000 tons of Pittsburgh District steel were delivered by barge at Galveston Bay, whereas imported steel at Galveston Bay amounted to 1.2 million tons. I believe it is reasonable to say that Pittsburgh stays in the Gulf market only by virtue of low-cost, long-haul barge transportation. And this barge transportation has to move through the lower Ohio River bottleneck to get there. Relief of this bottleneck, 918 miles away, is thus of considerable importance to Pittsburgh.

Steel shipments are only one illustration. In addition, large quantities of petroleum and petroleum products are brought from Gulf Coast and Mississippi Valley origins through the lower Ohio River to Pittsburgh consumers. Fuel oil and gasoline are especially worthy of mention. The 1.5 million barrels of residual fuel oil so moved in 1966, large as this quantity is, constitutes only a partial measure of its importance. The availability of waterborne fuel oil to Pittsburgh tends to set a ceiling price on this fuel delivered from other origins and by other means of transportation, so that the beneficial effect on the area's economy extends to far larger quantities than those actually carried by water.

The gateway of the lower Ohio carries very large quantities of gasoline from Gulf Coast and Mississippi and Ohio Valley refineries to the Pittsburgh area. Waterborne gasoline received in this port area from these distant origins amounted in 1966 to 266.9 million gallons, enough to move every automobile registered in Allegheny County a distance of 7,500 miles. The river thus constitutes a major source of fuel supply for motorists, trucking companies, and other consumers in the Pittsburgh area.

Other examples could be cited, notably the large and growing movement of chemicals. In view of the rising use of petrochemicals, Pittsburgh's connection with the Gulf Coast and other points is of increasing importance for the receipt of feed stocks and intermediates.

Pittsburgh is probably unique among American cities in being served by three great rivers. Its very existence arises from the fact that the Allegheny and the Monongahela—within sight of this room—flow together here to form the Ohio. Pittsburgh's fortunes, from the first, have inextricably been bound up with the three rivers—which are really one. The future of the city is likewise one wih the continued development of the waterway system of which its rivers are a part.

ADDRESS BY LAWRENCE M. GELB

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. HALPERN. Mr. Speaker, in these troubled times it is not difficult for one to fall into a mood of gloom and despair. Over and over we are reminded of all the problems—the war, the cities, the dissatisfied youth, and minority groups. Several evenings past a man spoke of a new outlook on our unsettled society. In all the chaos and unrest he saw hope—something few are brave enough to mention these days. He spoke, with a level head and a clear eye, of seeing beyond the turmoil to the true message of those who are in conflict and whose voices are raised. He asked us to listen more closely, not to the harsh words, but to the minorities' new aspirations and feeling of dignity, and to the songs of love and friendship sung by the young in search of a new sense of human values. He spoke of the ability of the individual to make a positive contribution to better things.

Mr. Speaker, I should like to place into the RECORD, and commend to all in search of a new response to our problems, the speech of Mr. Lawrence M. Gelb, chairman of the board of Clairol, at the dinner in his honor given by the Anti-Defamation League at the Waldorf-Astoria in New York on March 31, 1969:

ADDRESS BY LAWRENCE M. GELB, ANTI-DEFAMATION LEAGUE DINNER, MARCH 31, 1969

You've heard a lot about the problems our country faces. You'll hear a lot more tonight. But I, for one, refuse to look at them despairingly.

I trust you will not regard me as a blind optimist when I say to you . . . let's look at the bright side.

Let's remember that much of the unrest in our nation is due to the desire for achievement and opportunity. For the first time, minorities are beginning to see some real light up ahead. That's why they are trying so much harder to reach that light.

We should feel re-assured that people, who have been denied so much, can still hope and work for a chance to determine their own fate. And we should recognize how important it is to protect their rights and interests as well as our own.

For we know what every doctor knows: For the body to be truly healthy, every one of its parts must be sound. If our nation neglects the rights and needs of any one group of citizens, we will have a sick society.

It matters not whether they are unemployed farmers . . . disenfranchised voters . . . deprived schoolchildren . . . or qualified professionals who are banned from equal opportunity because of their religion or their color. If one minority is overlooked in the equitable distribution of opportunity in our society, then we are all in trouble.

If we keep this thought in mind, I suggest we might find a new way of listening to the voices of all minorities in our country.

The truth is that the basic message of the underprivileged is neither threatening nor frightening. It is, instead, a fervent appeal . . . sometimes militant—sometimes conciliatory . . . for self-determination and dignity. Doesn't this demand our fullest respect, attention, and above all . . . action?

Therefore . . . in our dialogue with minorities . . . we must develop an acute sense of hearing. We must learn to listen to things we may not wish to hear . . . to things that may embarrass us . . . that even generate feelings of guilt among us.

But, by listening, we can learn. And we can use whatever power we have to help do what has to be done.

Listen, for example, to what black people are saying, and you will hear a cry . . . a plea . . . for the opportunity to share in this Nation's bounty . . . a respectable job, a decent home, a good education and the chance to do better.

Today there are new powerful voices . . . the voices of our young people . . . and, by the way, I'm afraid there are more of them than there are of us . . . and they too ask to be heard.

Listen to the dropouts—to the protesters—to the doubters and the bewildered, who are trying so hard to find their way. Listen also to the songs our young people are singing. They sing of love . . . and friendship . . . and yes, they sing about brotherhood. They are all trying to tell us the same thing—that maybe we older people have lost some of our sense of human values.

Whether that is true or not, one thing is certain. We must pay heed and respond to their message. Because, if we cannot communicate our values by the quality of our everyday actions, then perhaps we really have lost them.

But when the raucous voices of the extremists of any race, color, or creed shout hate and engender fear, let us not be stampeded. Let us react courageously and listen fearlessly . . . and understandingly . . . patiently.

And if we do, the message will come in loud and clear . . . the message that we are being asked to find a new way to look at the concept of equality.

It is a fact that equal treatment, as we have known it, is meaningless to people who have been treated unequally for generations. What is needed is not so much equality as equity. Our task is to discover equitable means by which minority groups can share in the unprecedented opportunities that America offers.

Those of us who are working in that direction know that much has been accomplished. And we know how rewarding it can be. But our successess must not breed complacency. For there is a never-ending amount of work to be done!

Like the walls of Jericho, the barriers of discrimination and prejudice are beginning to tumble. In our businesses . . . in practically every walk of life . . . we have found a new way of looking at these things.

We must vow . . . each of us . . . in our everyday dealings . . . to treat every man . . . in business . . . in our social lives . . . and in our political involvements . . . only on the basis of his true individual worth.

If we can do this, we can really harness the genius and drive of decent people everywhere, to the challenge of helping all groups in our country become happy, proud, and productive . . . and we will have taken a giant step forward!

If we can apply our capacity for facing realities and making tough decisions, as well as our knack for communicating ideas to the problems of individual prejudices, we will get brotherhood rolling . . . and fast!

It is time . . . right now . . . to stop wringing our hands and start linking our arms . . . . to address ourselves to rights rather than to rifts . . . to work to bridge the gap that separates people . . . to find fulfillment in the knowledge that such of us—one man at a time—one day at a time—has made some meaningful contribution to better human understanding.

Ladies and Gentlemen . . . if we make this effort . . . we will build—unquestionably—a far better world for ourselves and for those who follow us. Thank you.

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ADMIRAL RICKOVER URGES A STRONG NATIONAL DEFENSE

HON. JOHN O. PASTORE

OF RHODE ISLAND

IN THE SENATE OF THE UNITED STATES

Wednesday, May 14, 1969

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an article entitled "Report From Washington," written by Walter Trohan, and published in the Chicago Tribune of Friday, May 9, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Chicago Tribune, May 9, 1969]

REPORT FROM WASHINGTON

(By Walter Trohan)

WASHINGTON, May 8.—A powerful case for a strong national defense was made recently by Adm. Hyman G. Rickover, father of the nuclear navy, at the request of Sen. John O. Pastore [D., R.I.], chairman of the joint committee on atomic energy.

The case, put by a responsible and learned citizen, deserves the earnest study of every American in view of the fight being waged against a strong defense, as highlighted by the campaign being waged against development of missile defenses. The opponents are not public servants charged with responsibility to secure the country against foreign conquest, but private individuals not in the least responsible or accountable for the consequences of their opinions.

The opponents abhor war, but so do the military who are charged with awesome responsibility of security. The opponents argue that military spending should be ended so we can assume unmet domestic needs in a war on poverty. Some would argue that war is so horrible it is better to suffer defeat than fight, even tho the cost of preparedness is 8.8 per cent of the gross national product, which is what it was 10 years ago, excluding the cost of the war in Viet Nam, of course.

HITLER'S THREAT WAS ALSO IGNORED

"The Soviets have frequently announced their intent to be the preeminent world power," Rickover wrote Pastore. "Why do we not believe them?"

"Hitler, in 'Mein Kampf,' plainly announced his intent to dominate the world. We did not believe him, either—until it was nearly too late.

"Adm. Gorshkov, commander in chief of the soviet navy, and recently: 'The flag of the soviet navy now flies proudly over the oceans of the world. Sooner or later, the U.S. will have to understand that it no longer has mastery of the seas.'

"And just a few days ago the Russians announced a projected 50 per cent increase in the size of their merchant fleet. These facts should be weighed when assessing the judgment of those who argue for a reduction of American military power while the soviet military power is rapidly expanding.

"The bearer of bad news is always punished. In ancient times, he might be put to death. Today he becomes 'controversial' and unpopular. But if there is one subject on which the American people must know the truth, however unpalatable, it is our military position vis-a-vis the soviets."

SEA MASTERY BOLSTERS WORLD RACE

In his letter, Rickover emphasized that the soviets are just as adept in research and development as is the United States, observing they have already proved this by progress in space, in missiles, in aviation, in military equipment, and in nuclear submarines.

Britain was the world's foremost power when she ruled the waves. That leadership passed to the United States when we became the foremost naval power. Now Russia has set her sights on dominating the seven seas in order to achieve her long-announced goal of world domination.

DIALECTICS

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. BUSH. Mr. Speaker, Dr. Jack G. Elam, editor of the newsletter of the Society of Independent Professional Earth Scientists—SIPES—offered an incisive analysis of the oil depletion issue in the September 1968 issue of his publication, entitled "Dialectics." As Dr. Elam's particular approach to the topic is one I found uniquely refreshing, I thought it might be of interest to Members of the House, especially in consideration of the tax reform proposals now being studied by the Ways and Means Committee. The article is as follows:

DIALECTICS

(By Jack G. Elam)

It might seem strange to discuss dialectics in the Newsletter but the mineral industries are critically affected by the affairs of state and SIPES members should never forget this.

Dialetics, as defined in Webster's Collegiate Dictionary is "that branch of logic which teaches the art of disputation and of discriminating truth from error". The unabridged dictionary is much more definite however, and the word has different meanings as applied to Socrates, Kant, Hagel, and Marx, for example. The latter two have really supplied the modern definition. They propose that "a given state of affairs (the 'thesis') generates contrary forces (the 'antithesis') which, when they accumulate sufficiently, causes a reordering of things into a new state (the 'synthesis')." This means little to those of us not trained in philosophy. However, if we examine the political scene carefully, we will find that those who do understand the philosophy have been able to achieve many otherwise unattainable objectives. Therein lies the danger to earth scientists and the laws which permit them to discover the natural resources required for a viable economy.

Most associate dialetics or dialectic materialism with the communists, although a branch of logic need not be restricted to a single economic system. As one prominent writer put it, if you hit a man on the head with a hammer once you will make him mad, but if you hit him on the head for an extended period of time and then promise to start hitting him on the head less hard, or to let up entirely, he will then start thanking you for your generosity.

A classic example of this is evident in Russia. Stalin was a terrible despot who was responsible for millions of deaths by starvation and in slave labor camps. Yet, his tyranny provided the cement which has allowed Russian communism to survive. Now the Russian people think only of the fact that, compared to his reign of terror, they are extremely well off.

Many of our leading intellectuals point with pride to the recent tremendous rate of growth supplied by the communist system, forgetting that for many years the productive capacity of the Soviet Union actually decreased from pre-revolutionary days. The rate of economic growth in Russia from 1900–1917 was actually higher than for the period 1917–1967.

It is alarming that in recent years the dialectic technique has been used in the United States with increasing success. It is most evident in the current political campaign.

I would like to show how this technique is being used to eliminate the depletion allowance and, with it, the domestic petroleum industry. If the depletion allowance and intangible drilling costs provisions are eliminated, for all practical purposes, exploration will cease unless there is a severalfold increase in the price of oil. We all know what happens to an industry which attempts to raise prices, even modestly, in order to maintain profits. We can also imagine the political furor which would be created if the rig count dropped to zero. Obviously, no politician really would want to be identified with either alternative. However, this does not prevent them from advocating it.

The depletion allowance (the "thesis") generates the contrary forces (abolition—the "antithesis") which, when they accumulate sufficiently, causes a reordering of things into a new state (reduction—the "synthesis"). As soon as the reduction is accomplished, the same attack starts anew; 27½% becomes 23½% which then becomes 17½% and on ad infinitum. At no single instance can the public say the reduction killed domestic exploration but, in the long run, the objective will have been achieved. So what if gasoline is rationed! (Note that there are still only a few gasoline stations in all of Moscow.)

When one of the leading economic advisors for the Democratic party comes out with the statement that the depletion allowance costs the Federal government $4,000,000,000 per year in taxes and the nation receives absolutely nothing in return, don't think he is so stupid that he can't even understand elementary economics. Realize that he understands dialectics!

ROTC PROGRAM

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. MONTGOMERY. Mr. Speaker, since my sponsorship of H.R. 10136, concerning campus unrest, and my testimony before the House Education and Labor Subcommittee on Campus Unrest, with particular emphasis of the ROTC aspect of this problem, I have received widespread indication of the interest of the people of America have in this problem. Even from people outside my congressional district such as the following letter from Mrs. Evelyn Floyd, of Miami, Fla., which I commend to my colleagues:

MAY 8, 1969.

Congressman G. V. MONTGOMERY,
Cannon House Office Building,
Washington, D.C.

DEAR SIR: Thank God for a man like you who will speak out. My husband and I adopted two boys years ago out of an orphanage and raised these boys and worked hard—I on one job for 33 years and Mr. Floyd for 30 years on one job. We sent them to college and they took R.O.T.C. Thank God, it really made fine men out of both of them. They both "joined"—not drafted—and served their country and now are both back working for the same company their father works for. We are both still working—him at 69 and me at 60. Our boys have never given us one bit of trouble. We stayed home with our boys when they were growing up. Keep after this R.O.T.C. matter. My father was born in Batesville, Mississippi.

MRS. EVELYN MEEKS FLOYD.

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WHERE ARE WE GOING IN TITLE III ESEA?

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. LANDGREBE. Mr. Speaker, I would like to bring to the attention of my colleagues in the House some facts and figures about title III of the Elementary and Secondary Education Act, which provides for supplemental education centers and services, and particularly to acknowledge the program and accomplishments of the Wabash Valley Education Center, in West Lafayette, Ind.

As the costs of education are increasing at an enormous rate—about 10 percent a year as opposed to the increase in our GNP which is about 5 percent or less—we must endeavor to find ways to provide lower costs and yet continue to develop better instructional methods.

The Wabash Valley Education Center, a center funded under title III of ESEA, has taken some significant steps in this regard. According to Mr. William Floyd, its director, the center has developed a new instructional system that makes elementary education more relevant to the child and, at the same time, eases the burden on the teacher. "The system is oriented toward the audio-tutorial mode of instruction . . . Our experience to date, dealing with hundreds of children and dozens of teachers, indicates to us and other educators that it has a great deal of promise pedologically as well as toward reducing the costs of instruction."

I would urge my colleagues to carefully study the following article which appeared in Challenge and Change, January–February 1969, a newsletter of the center, and which will be of interest and importance to all who are concerned about our educational needs and programs:

WHERE ARE WE GOING IN TITLE III ESEA?

The Title III ESEA projects in Indiana are too numerous to describe each one in any great detail. For those of you who may not be familiar with the activities of these projects, some of the types of assistance which schools in Indiana are receiving through Title III ESEA funds include: several supplementary centers which *supplement* but do not *supplant* the regular school programs; curriclum assistance; consulative services; new materials and teaching procedures; guidance and counseling assistance; psychological services; assistance for children with behavioral and learning disabilities; the use of paraprofessionals in remedial reading; speech and hearing laboratories; aerospace education; an outdoor education center, in-service training for teachers; assistance to center-city schools; and other types of assistance.

Prior to relinquishing control of the program, the United States Office of Education obligated the major portion of the Hoosier allocation and only a minimal amount of the $3.8 million funding for Fiscal Year 1969 is available for programs which are deemed to meet priorities in Indiana.

Currently, five of Indiana's thirty-two operative grants have established service centers for the purpose of planning, coordinating and utilizing resources to provide educational programs in groups of communities related either by location or by the programs they offer. The centers assume a variety of forms and focus on many targets such as team teaching, individualized instruction, in-service training for teachers, leadership development for administrators, pupil personnel services, curriculum development, consultant services, the collection and preparation of instructional media; and diagnosis, prescription, and treatment of reading difficulties.

A second major group of approved Indiana projects is aimed at expanding, developing and demonstrating new techniques in specific subjects at specific grade levels or for specific groups of pupils. This includes the planning and operation of an exemplary elementary school, creation of a mobile art center and art gallery for children, and implementation and demonstration of vocational opportunities.

State	Number of title III projects	Scope of areas
Ohio	45	From transportation to creativity.
Illinois	32	From language development of preschoolers to a demonstration laboratory school.
Kentucky	7	From innovation to improvement of management and administration.
Michigan	48	From special services to leadership programs in the language arts.
Indiana	32	From outdoor education to supplementary center (WVEC).

Surveying the states adjacent to Indiana, one readily sees that large amounts of federal money are being invested in educational improvement. Taxpayers have been accustomed in the past to feel pride in their individual share in the space program, in advanced weaponry, in the federal research on drugs. With the advent of Title III of ESEA Public Law 89–10, the means are being provided for the taxpayer to feel pride and a sense of accomplishment in the educational output of America. Research in education, and by this is meant practical research which is of direct and immediate benefit in helping the student learn and the teacher teach better, has traditionally lagged far behind that of medicine or industry. But the end products in medicine, well persons, and in industry, greater profits, are easily identifiable and it is no difficult matter to determine whether the research has achieved its goal or not. In education, this is a much more difficult task. Indeed, it is sometimes impossible to get educators to agree on what education's end product should be.

Public Law 89–10 with special reference to Title III ESEA, represents a massive national attack on education's oldest bugaboos: lack of money for research; lack of trained professionals to conduct it; and perhaps the oldest bugaboo and certainly the most fearsome, the reluctance to admit failure and the concomitant unwillingness to undertake action which entails a high risk.

To a large extent, the risk factor has been nullified. Educators who may not have wished being put in the position of explaining or justifying the failure of an educational experiment to their boards and patrons, no longer have to do so.

The very figures cited at the beginning of this article are indicative of the concern Indiana and its neighboring states have in improving the quality of their educational system on every level.

And they are not alone in their interest. Across the 50 states and in U.S. territories, similar projects in comparable quantities are being instigated and operated.

In addition to comprehensive centers like ours, ESEA funds are available for single-concept programs of a highly specialized nature which are tailor-made for a local problem. An example of this in Indiana is the multiservice center built around remedial reading in Valparaiso.

Funds are also available for a teacher who may wish to initiate a new experimental program in the classroom.

The Wabash Valley Education Center is just one piece of a comprehensive whole whose main thrust is to help local school systems improve themselves. Their collective goal is to give every child within the responsibility of the federal government the best education possible whatever life he may choose to lead.

WABASH VALLEY EDUCATION CENTER

An educational cooperative, it serves 200 schools in twelve counties (twenty-nine corporations), 4,000 teachers, 250 administrators, 80,000 children. It is funded partly through local funds, partly U.S. Office of Education Title III ESEA funds.

Local director: William Floyd.

ORGANIZATIONAL BODIES

The Governing Board, composed of the superintendent of each school corporation; the staff, the Curriculum Advisory, a group of teachers, counselors, and other administrators that studies selected aspects of Center operations and makes recommendations to the Governing Board.

MEDIA SERVICES

This division of the Center is an *educational "filling station"* through which teachers can tank up on educational hardware and services for immediate and tangible use in the classroom. The hardware includes films, filmstrips, slides, realia, multi-media kits on a variety of subjects taught in area schools, tapes, books (geared to the profession of teaching), magazines, and pamphlets. In addition, teachers and other educators may request special audio-visual services which include laminating, tape duplication, and use of a video-tape recorder. A media specialist is available to conduct training workshops in the use and development of any of the equipment offered for loan to schools and teachers by the Media Section. As an example, the video-tape recorder may be used in a classroom so that a teacher may observe his or her own teaching performance. The specialist will instruct the teacher in the operation of the VTR.

CONSULTANT SERVICES

(*1*) *Social studies,* (2) *language arts,* (3) *remedial reading,* (4) *curriculum,* (5) *special education,* (6) *elementary science, and* (7) *high school physics.* (*A media specialist who conducts workshops on the development and use of audio-visual materials is listed under the next section.*)

The first four consultants listed above each organize and conduct workshops and seminars in their respective fields. The workshops are organized around plans laid by the participant and are tailored to specific needs. They are usually, but not exclusively, planned for specific grade levels, elementary, intermediate, or secondary. Some of the consultant services are performed at the requesting school, some at a central location in the area, some at the Center. All offer new methods and materials as well as new ways to work out old problems. The latter numbers mentioned, 6 and 7, offer a special program or programs in their respective area. Each is audio-tutorial in concept, each has been or is in the process of being, thoroughly tested for optimum performance.

For two teaching areas not directly served by Center consultants, *teacher organizations* have been initiated through which teachers may share ideas and problems.

The Wabash Valley Mathematics Teachers Association offers monthly meetings for area *math teachers* with talks and discussion by authorities in the field. In the organizational stages is a similar organization of and for *science teachers* in the Center area.

SPECIAL SERVICES

A *delivery system* of four vans makes two trips to each school each week school is in session. It brings to your school all the materials, equipment, and media you have ordered, except consultants. You must call them and they come under their own power.

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Printing services **are offered to schools at cost. With an offset press, mimeograph and folding facilities, the program for your class play or your study guides, etc. may look more professional and cost less if they are done by means of this Center service.**

PARTICIPATION

While teachers may be aware of the services just listed not all are fully cognizant of how they might become involved. The organizations and services are open to any teacher in an appropriate subject area with few limitations. Because of the intensive nature of the workshop/seminar services, it has been necessary to limit enrollment to two teachers and one administrator for each school corporation. But while the participants were chosen at first, to provide an initial supply of trained teachers, any teacher may now ask to participate. A call or letter to the consultant concerned will reserve your space in the course. However, if when you call the participant roster if filled, a special workshop may easily be designed for you and other teachers in or near your geographical location. For a listing of topics under discussion in seminar workshops through the rest of the year, call or write the Center, 500 By Pass 52–West, West Lafayette, Indiana 47906. Mark your letter to the attention of the consultant by subject area.

We of the Wabash Valley Education Center hope that this article will be widely read by teachers and administrators. For if it is read and understood, the Center will be a long way toward creating an atmosphere for educational betterment of which understanding and utilization are key concepts. The Center belongs to area schools and can only serve by serving. By your understanding and utilization, you will help the Center do just that.

NEW ALLTIME HIGH IN ATTENDANCE AT ARMY ENGINEER RECREATION AREAS

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. FALLON. Mr. Speaker, as chairman of the Committee on Public Works, I am proud to note the contribution to the Nation's outdoor water recreation opportunities which has resulted from the water resource development projects of the Army Corps of Engineers—projects which the committee has recommended and which the Congress has authorized. These projects have created vast expanses of water areas and many miles of shoreline. Corps of Engineers' reservoirs alone store nearly one-quarter billion acre-feet of water, which provide an enormous potential for outdoor recreation.

At this point I would like to insert in the RECORD a release concerning attendance at corps recreation areas recently put out by the Chief of Engineers:

NEW ALLTIME HIGH IN ATTENDANCE AT ARMY ENGINEER RECREATION AREAS

As the Army's Corps of Engineers readies itself for the summer's throngs of recreation seekers at its man-made lakes, recently compiled figures show that attendance last year reached the record-breaking total of 227.5 million visits—23.5 million more than the previous all-time high registered in 1967.

These figures include only the attendance at major lakes. Recreational use of small-boat harbors, marinas, canals, and other waterways provided by the Corps of Engineers has not been estimated, but is believed to be at least equally great.

The enthusiastic manner in which the American people have utilized the recreation facilities which the Congress of the United States has authorized as part of Corps of Engineers reservoir projects is indicated by the substantial year-by-year increases in attendance figures:

	Million
1960	109
1961	120
1962	127
1963	147
1964	156
1965	169
1966	194
1967	204
1968	227. 5

Visits in excess of one million were recorded at 74 projects last year. The top attraction, Lake Sidney Lanier in Georgia, is now nearing the ten million mark in attendance. The ten projects with the highest attendance in 1968 are:

1.	Lake Sidney Lanier (Buford Dam), Chattahoochee River, Georgia	9, 324, 800
2.	Lake Texoma (Denison Dam), Red River, Oklahoma and Texas	8, 793, 600
3.	Allatoona Reservoir, Etowah River, Georgia	5, 692, 400
4.	Old Hickory Lock and Dam, Cumberland River, Tennessee and Kentucky	5, 607, 700
5.	Lake Cumberland (Wolf Creek Dam), Cumberland River, Kentucky	4, 930, 700
6.	Lake O' the Pines (Ferrells Bridge Dam), Texas	4, 594, 000
7.	Hartwell Reservoir, Savannah River, Georgia and South Carolina	4, 227, 100
8.	Table Rock Reservoir, White River, Missouri and Arkansas	3, 931, 800
9.	Clark Hill Reservoir, Savannah River, South Carolina and Georgia	3, 368, 200
10.	Whitney Reservoir, Brazos River, Texas	3, 119, 900

Parks and water-related recreation facilities are available at 267 man-made lakes operated by the Army Corps of Engineers throughout the United States. Available to the public are picnic grounds, camp grounds, tent and transient trailer spaces, parking areas, swimming beaches, boat-launching lanes, sanitary facilities, foot trails, and rental boats. Roads, parking areas, water supply and other basic facilities are generally provided by the Federal Government, while State and local governments and private concessionaires are encouraged to further develop the areas for use by the general public. As an over-all average, non-Federal interests in the past have invested more than $2 for every $1 of Federal investment in park and recreation facilities.

POSTAL WORKERS' PAY PLEA

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. NIX. Mr. Speaker, I was extremely interested in the column of May 9 of the very competent reporter for the Washington Star, Joe Young.

His article is an analysis of the postal pay bill, H.R. 10000, sponsored by my good friend, the gentleman from Montana, ARNOLD OLSEN. Through H.R. 10000, the loyal and dedicated postal employees would receive a wage and benefits befitting their skills. I hope each of you will read Mr. Young's column and give serious thought to cosponsoring this excellent legislation. The column follows:

POSTAL WORKERS' PAY PLEA SUPPORTED BY U.S. DATA

Many people, including administration officials, profess great horror at the thought of giving postal workers an annual starting salary of $7,500, and $10,000 a year at the end of five years' service.

But the federal government, by its own figures, shows that most letter carriers and postal clerks can't live on their present salaries.

According to latest Labor Department figures, a family of four in an urban area needs an income of at least $9,728 a year to maintain a "modest but adequate" standard of living. For those living in cities with populations of more than 50,000, the necessary annual income is $10,036 a year.

Compare these figures with the present postal starting salary of $5,938 a year and the top pay of $8,094 a year after 21 years of service.

Most postal clerks and letter carriers are family men. Their average pay is less than $7,000 a year, a sizeable cut below the Labor Department's "modest but adequate" standards.

The cost of the bill sponsored by Rep. Arnold Olsen, D-Mont., that would provide a $7,500 to $10,000 pay range for clerks and carriers, plus some modest increase for supervisors and managerial personnel, would be $1.5 billion.

This cost is nothing to sneeze at but in the long run it could be a bargain for the American taxpayer in the form of dramatically improved mail service.

It's no secret that one of the major problems in the postal service is the poor quality of many employes recruited in recent years. With most high school graduates in these affluent times able to get truck-driving and other jobs paying them at least $7,500 a year to start, who wants to become a postal worker at $5,938 a year and have to wait another 21 years to get the munificent pay of $8,094?

The result is that the quality of recent hirees has been poor in many instances, and the turnover is great.

No one disputes that a drastic reorganization of the postal service is necessary. But until you get the proper personnel, no reorganization by itself will do much good.

And since we live in a materialistic society, until you offer proper pay that assures, in the words of the Labor Department, "a modest but adequate" standard of living, you just aren't going to get the kind of employes you need.

During the depression years, pay wasn't an important factor. Any job, no matter how little it paid, was a bonanza, and consequently the postal service had no trouble attracting very able people. But this group, which still is the backbone of the postal service, is about ready for retirement, and when they are gone the need for able people to take their places will be even more acute.

Congress and the administration should wake up to the fact that this is 1969, not 1932.

HARVARD VOICE

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. DEVINE. Mr. Speaker, the May 6 Wall Street Journal carried an article by J. C. Helms, described as a 4th-year graduate student and teaching fellow of

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classics at Harvard. His views are worthy of consideration, since not much is heard from the "good guys."

The article follows:

HARVARD: THE VOICE OF A NONSTRIKER

(By J. C. Helms)

The problem at Harvard is not SDS. The problem is not the use of police, nor is it the student strike. The problem is the Harvard faculty: Its leniency, its blindness and its cowardice.

On April 9 several hundred students seized University Hall by force. They came armed with crowbars for smashing windows and chains to secure the doors once they were inside. They evicted nine deans, dragging some of them through the halls: One was even carried out, slung over a student's shoulder. They physically beat an undergraduate in University Hall who was not in sympathy with their action: He was alone, and five of them held his arms and his hands while two others beat him. They rifled the faculty files and published the private letters of the dean. And the next morning one of their leaders urged a mob of many hundreds to pelt President Pusey's house with rocks.

The community was startled.

But how can it surprise us that such an incident occurs, when two years ago Robert McNamara was humiliated and subjected to mob coercion, and the university did next to nothing? How can it surprise us that such an incident occurs, when last year a mob of students held an interviewer from Dow Chemical Co. prisoner for seven hours, and the university did next to nothing? Will the faculty never see that it is only reaping the reward of leniency and indecision in the past?

GRASPING AT THE UNTRIED

Yet this time, too, our faculty has failed to take swift action. Instead of bringing the matter before the administrative board, a body established to deal with problems of discipline, the faculty has thought it wise to abandon, in the middle of a crisis, proven and equitable procedures and to grasp at the untried compromise of an elected punishing committee of ten professors and five students.

And so they add confusion to confusion. Or do they suppose that elections held on one day's notice at a time of high emotion are going to select the best jury to pass judgment on the offenders? It is a travesty of justice, whatever the decision of this jury. But in any case that decision will most probably be lenient, for the watchwords of today are popularity and license, not rightness and order.

Can our faculty not see the damage that will surely come to this university if it is not made crystal clear that lawless force can never be permitted here? Or is the faculty always blinded by the argument that these militant moralists are fighting in a good cause?

I think it's time somebody called nonsense nonsense. I think it's time somebody calls nuts nuts. Isn't this the generation that wants to tell it like it is? Why, then, is everyone mincing words? The students who occupied University Hall are violent people, they do not belong here. Their wrongdoing is not just youthful restlessness, it is not just misdirected idealism: It is a crime, and those who committed this crime should be expelled immediately and never allowed to return.

Why, then, does our faculty hesitate? Is it because it recognizes a certain validity in the demands of SDS? So what? All thinking men at Harvard grant that these demands are not without some merit, but there is still no justifying SDS' use of force and violence. Not even a comparison with the civil rights movement can justify these tactics. It is true that in the civil rights movement just ends were attained by illegal means, but this achievement set a dangerous, very dangerous precedent, because such action opens wide the door to all sorts of selfish people who are only too willing to circumvent the law in order to attain their ends—ends that they invariably call good, but which are all too often bad.

Just several days ago one of SDS' members told me in The Yard that if by killing one, specific person, he could end the war in Vietnam, he would kill that person. How about two persons? How about 10? How about Robert Kennedy or Martin Luther King? Nobody likes the war in Vietnam, but how far will they go to achieve a goal that they're convinced is good?

But let there be no doubt about it: What has happened here has not been good. Or do you think we should be thankful to the students who have caused this mess? Do you think the mass-meetings and the television cameras and the bull-horns have made us better? It is loathesome to men of good sense to listen and listen and listen to people who talk about peace in Vietnam and make war here. It is loathesome to men of good sense to see these faceless mobs and committees and organizations all marching behind one banner, all wearing one ribbon, all chanting one song, all shouting one word: Strike, Strike, Strike. Where are the individuals I hoped to find at Harvard? Where are their individual thoughts? Where are the careful distinctions? Where are the subtle refinements?

They have been swept away by passions, by crude and simple passions, that are usually covered for our common welfare by the merciful veneer of civilization. But this veneer is very thin, and those who expose themselves to the abrasive activity of revolution will see it quickly stripped away. It is an unfortunate inequity that thousands of years are required to make men civilized, while only one generation can reduce us to beasts. We swim against a current of barbarity: It takes great effort to hold our own, and superhuman effort to advance, but if we give up for a single moment, we are swept back into darkness.

A CARNIVAL ON CAMPUS

The noise and the chaos and the violence have not been good, yet there are some who feel that we have gained in recompense a new sense of community. That is not surprising: For 10 days there was a carnival on campus and we saw our friends and watched the light show in The Yard and listened to the rock bands and let the orators entertain us in the stadium, and we had bull-sessions all night long. If this is "community" and this is what we want, then let's go on with it all year. But let's not fool ourselves by calling it a university.

A bull-session can be a good thing, but it is not a substitute for thought, and a party is certainly pleasant, but it is not a substitute for learning. Learning is difficult. It can also give great pleasure, but it is not the pleasure of a carnival: It is a pleasure that is hard-won, it demands sacrifice and discipline and is attained by few.

The sit-ins and the be-ins and the mill-ins are communal, they are cozy, they are fun. But their coziness does not develop leaders, for leadership is lonely. And that is why this campus has always been a lonely place. Perhaps some day Harvard will be on big happy tribe, but on that day Harvard will no longer be significant, for she will have lost the courage to accept the loneliness of leadership.

But the issue is not only Harvard. At stake is more. At stake is American education. At stake is the survival of a vision in our young that there is goodness which transcends the many and obvious evils of the "real world." It is a vision of gentleness and decency and order, of nobleness and generosity and justice. A naive vision, but a good one.

And it is a vision that can be strengthened by the teachers in our universities, for teachers are not mere conveyers of facts or masters of scholarly method. They are spiritual leaders. They stand before the young whose minds are plastic and receptive, and they have a power greater than kings, for they have the power to shape the character of men who will live and think and act for another 50 years. This shaping is done by example and by lesson. But what lesson do we want our young to learn? That might is right?

Yet this is what we have learned at Harvard recently, for our faculty has yielded to force. Out of fear of student anger it has instituted student participation in the punishment of colleagues, out of fear of violence it has reconsidered an earlier decision on the ROTC. These new decisions may be sound in substance, but they were not made on the merits of the issues, and the students know it. Need we ask, then, why our faculty is hesitating to expel the radicals who seized University Hall and threw our campus into chaos? It hesitates because it is afraid, afraid that if the punishment is severe, there would be a serious student reaction. And perhaps there would be.

So what?

THE TIME HAS COME

It is time to call an end to playing politics with students. It is time to call an end to appeasement. It is time to call an end to making all decisions out of expediency. If there is one, large group in our society apart from organized religion that can and must still show the world that principles are preferable to politics, it is the teachers. For if they do not show us, who will?

We need change at Harvard, much change. We must free ourselves from outside control; the students should play a more active role in university affairs; Harvard must show greater concern for the community around her. All this is true. Moral sensitivity and an eagerness to make reforms are admirable, necessary and rare, and must not be discouraged.

But there are dangers in untempered zeal, and we need courage as well as change, perception as well as compassion. If the faculty fails to perceive the long-term effects of its decisions, if the faculty loses its courage in the face of student disorder, if Harvard does not deal swiftly and severely with people who are bent on destroying American universities as a prelude to destroying all of American society, then Harvard is through.

TENNESSEE VALLEY AUTHORITY SPEARHEADS PROGRESS IN VALLEY, DIVERSIFIES ASSISTANCE PROGRAMS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. EVINS of Tennessee. Mr. Speaker, hearings were held recently in our Subcommittee on Public Works Appropriations on the projected budget for the Tennessee Valley Authority for fiscal 1970.

Testimony at these hearings outlined the pattern of progress achieved in our area with the assistance of TVA, and in this connection I place herewith in the RECORD, my newsletter, Capitol Comments, which discusses TVA's diversified assistance and its role in the growth and progress of our area.

The newsletter follows:

TVA BROADENS ITS SCOPE OF OPERATIONS INTO MUNICIPAL ASSISTANCE AND EDUCATION

Chairman Aubrey Wagner and Directors Frank Smith and Don McBride of the Ten-

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nessee Valley Authority this week outlined the Agency's program for next year and summarized accomplishments in testimony before our Subcommittee on Public Works Appropriations.

As TVA observes its 35th anniversary, the pattern of growth and progress the Agency has helped to develop in the Tennessee Valley is clearly evident, with per capita income tripling, manufacturing jobs up by a half-million employees, industry booming along TVA waterways, and out-migration severely reduced. Although TVA's basic concept was keyed to multi-purpose dams with flood control, power production and navigation functions, the Agency has now expanded its concept and role to include such activities as municipal planning, conservation instruction, agricultural assistance, studies in air and water pollution and strip mine reclamation, among others.

Perhaps the most innovative proposal in the budget for next year is participation in a multi-county educational project with the State of Tennessee and the Appalachian Regional Commission to demonstrate how to improve and upgrade the educational systems in Bledsoe and Sequatchie Counties. This program includes improvement of elementary and secondary education, development of basic vocational and technical education for adults and improved guidance, counseling and health services. The general purpose of the program is to upgrade the education systems in these counties to the quality level of nearby Chattanooga. TVA officials said the justification for TVA involvement in an educational project was in its general mission of assisting in the economic growth of our area.

In the area of direct assistance to cities, as contrasted with resource development, TVA has established a municipal assistance program called "Operation Townlift" which provides planning, technical assistance, program coordination and other service to smaller cities. Oliver Springs in Roane and Anderson Counties has become the showcase project under this program with TVA joining forces with other Federal, state and local agencies to develop a general plan for community improvement. TVA will be primarily concerned with channel improvement and flood control in the area.

Improvements planned include a new major highway, expansion of sewer and water systems, public housing and improvement and expansion of the business district, among others.

In the area of pollution, TVA is making preliminary studies in Roane County in an industrial area between Rockwood and Harriman to determine the feasibility of curbing air and water pollution.

In the area of conservation, the Land Between the Lakes project in West Tennessee is the showcase. Here TVA literally brings the classroom to the forest, with students working directly from school notebooks and materials in the Youth Stadium, Education Farm, and related facilities.

TVA's mainline programs continue, of course, with the waterway system carrying more than 21 million tons of shipping annually, the flood control program saving millions annually in damages—$355 million in savings to date—with hydroelectric power production expanding and TVA's tributary development program continues to bring benefits to the area.

TVA's proposed appropriations budget for next year of $55,750,000 was reduced by $6 million in the new Administration's budget recommendations to the Congress. Efforts will be made to restore some of these cuts.

The overall TVA budget from all sources for next year is recommended at a level of $709.7 million, including power proceeds. Dividends and repayment of the Federal investment to the Treasury will total $68 million which is $18 million more than Congress is requested to appropriate, attesting to the financial soundness and integrity of this dynamic demonstration of democracy in action for our people.

ABM NONEXPERTS SHOULD HEED PHYSICIST

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. MICHEL. Mr. Speaker, there has been a considerable flap in recent days over the release of a study commissioned by a Member of the other body which, unsurprisingly, conforms to that Member's expressed opposition to the Safeguard ABM system.

An article in the Washington Evening Star edition of May 12, 1969, written by Mr. Richard Wilson raises the interesting question as to why Congress and the country are expected to listen to these nonnuclear experts such as the Senator referred to above, as well as the former Vice President, Mr. Humphrey, who has become quite vocal on the issue since leaving public office, and at the same time ignore expert scientific opinion on the other side of the issue.

In any event, Mr. Wilson's column sets forth the views of Prof. Eugene Wigner, of Princeton University, Nobel Prize winner and the only, repeat, the only, physicist to have been awarded the four highest honors a physicist can receive. I recommend very strongly that my colleagues read these views which relate to one of the most significant and critical issues upon which we will be casting our votes this year. I include the column in the RECORD at this point:

ABM "NONEXPERTS" SHOULD HEED PHYSICIST

(By Richard Wilson)

It is puzzling why Congress and the country listen to nuclear non-experts like Sen. Edward M. Kennedy and Hubert H. Humphrey on the ABM issue and pay no attention to a very substantial body of expert opinion on the other side.

By all indicators the country is quite exercised on this issue, equating the ABM with the Vietnam war as a disgraceful manifestation of American militarism which is outraging world opinion and robbing the nation of desired social gains. Therefore, it should do no harm to know that there are very able men, equally as "involved" as Kennedy's team of scientists, who firmly state views exactly opposite and vigorously support deployment of the Safeguard system.

One of them is a Nobel prize winner and the only physicist to have been awarded the four highest honors a physicist can receive: the Nobel prize for physics, the National Medal of Science, the Fermi Award, and the Atoms for Peace award. He is Prof. Eugene Wigner of Princeton University.

Recently in Washington Dr. Wigner engaged in a debate with Prof. Hans A. Bethe, Nobel laureate of Cornell University, and Prof. George Rathjens, former director of the weapons system evaluation division, Institute for Defense Analysis, Massachusetts Institute of Technology, Dr. Donald Brennan of the Hudson Institute also took part in the symposium on the same side of the issue as Dr. Wigner. Dr. Wigner devoted part of his presentation to demolishing Dr. Bethe's arguments as scientifically erroneous, which saddened him because of his regard for Dr. Bethe.

Dr. Wigner also recalled another painful incident some years ago in which the distinguished sceintist, Nils Bohr, had convinced most of his audience that a nuclear chain reaction could not be established and had very sound reasons for this view which have, of course, been proved entirely erroneous.

Dr. Wigner might have noted also, but did not, that Dr. Robert Oppenheimer, the "father" of the atomic bomb, did not believe in the feasibility of the thermonuclear reaction of the hydrogen bomb largely because in his heart he hoped it could not be made to work.

The Princeton physicist could have recalled also, but he did not, that a large part of the scientific community saw no sense in the Russian development of the fantastically destructive 50 megaton warhead. But the utility of that warhead is now seen in its capability of destroying American Minuteman missile sites.

Dr. Wigner's arguments were profound and well beyond the comprehension of the average layman or the average congressman. But he made two very strong points which can readily be understood.

First, the Soviet Union is overtaking us in general nuclear capability, not withstanding the soporific statements of two Democratic secretaries of defense, Robert S. McNamara and Clark M. Clifford. Russia is moving into that range of nuclear capability which could cause its more extreme leaders to think that they could win in an all-out nuclear confrontation with the United States. This condition is brought about in large part by its own nuclear defenses, not alone its ABM deployment but its extensive and massive plans and training in civil defense which extend down to the lowest levels in the public school system and which are unknown in this country.

Second, the assumption that the deployment of a defensive system by the United States would serve as a provocation to the Soviet Union is illogical to a dangerous degree and contrary to the official position of the Russian government that defensive measures do not accelerate the arms race.

"One could almost claim," said Dr. Wigner, "that the absence of true defense is considered provocative by the USSR. Doing nothing in the face of the by-now alarming USSR military buildup would give the impression that the leadership of the country does not consider defense to be important."

We have become accustomed in this country to think of ourselves as having nuclear superiority over the Russians. This is thought of as our ultimate protection. All that has changed during the period since Stalin's death when every American president, dating back to 1953, has sought a new era in Russian relations. The nuclear balance has shifted toward the Russian side during this period and now we are faced by new and ominous conditions.

A 66-YEAR-OLD LIVESTOCK ASSOCIATION PASSES RESOLUTIONS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. ZWACH. Mr. Speaker, the oldest livestock association in Minnesota held their annual meeting March 19, 1969, and passed a very sound set of resolutions affecting agriculture and our national economy. The Minnesota Livestock Breeders Association is composed of cattlefeeders, dairymen, hog producers and feeders, and allied interests in

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the marketing of livestock. A very close relationship is maintained with this group and the Institute of Agriculture at the University of Minnesota.

I am including those resolutions dealing with Federal issues here so that we may benefit from the thinking of these men on some of the vital issues affecting agriculture:

POLLUTION CONTROL

We fully recognize that the livestock and meat industry has a responsibility to control its pollutants, but we feel just as strongly that livestock breeders and feeders should have a voice in how this can best be done. Impractical, technically faulty, and unwise regulations and directives might jeopardize the production of vitally needed food and fiber, including the products of animal agriculture. Therefore, to facilitate the control of water, soil and air pollution, we strongly recommend that agriculture be granted proper representation on State and Federal pollution control agencies, and that the issuance of regulations, directives, and restrictions be withheld until such time as sound, comprehensive research has been completed.

MEAT, WOOL, AND DAIRY PRODUCTS

Imports of red meats and meat products from foreign countries are increasing at an alarming rate. Further, with the United States in mind as a market, exporting countries are "tooling up" to substantially increase their production of meat and other livestock products. New ways are being found to circumvent the few weak and ineffective regulations currently in existence to prevent excessive and damaging red meat imports. The 1964 Meat Import law is inadequate in that only fresh, frozen and chilled beef, veal, mutton and goat, are included in the law. Quotas increase in direct proportion to the increase in our own domestic production of these same meats. Quantities of these meats allowed to enter are far too liberal before import restrictions are required. Further, these quotas must be exceeded by 10 percent before Presidential action would be triggered or import quotas imposed. Offshore purchases of meats for the military are not included in the quota. Pork, lamb, canned, smoked and processed meats of all kinds are not included in the present law.

Excessive imports of cheaply produced, foreign woolen textiles are liquidating and destroying our only customer for domestically produced wool—the American textile industry. This situation represents another serious threat to the survival of our United States sheep industry, producer of wool, a strategic commodity.

Dairymen of America are faced with the same serious threat to their prosperity because of potential foreign imports of dairy products, should temporary restrictions be modified, evaded, or abandoned.

We urge livestock producers and feeders to contact their Representatives in Congress and ask that they recognize the requests of farmers, ranchers, and farm organizations, and present a united front and an intensified effort to enact legislation that will provide more adequate protection from excessive importations that pose a serious threat, not only to the livestock industry, but to our entire economy.

PACKER FEEDING OF LIVESTOCK

Packer feeding of cattle and lambs is definitely on the increase. This rapidly developing form of "backward" integration poses a serious and dangerous threat to livestock producers and feeders. Packer feeding represents a transfer of proprietorship of livestock feeding out of agriculture. Further, recent government studies indicated that packers can use livestock out of their own feed lots to suppress competition in our price-determining markets and to depress livestock prices. The monopolistic control and use by packers and chain stores of their own livestock is not in keeping with a program to preserve free enterprise and seriously threatens to weaken, undermine, and destroy our pricemaking mechanism. Therefore, we strongly urge, without reservation, the bi-partisan support of the enactment in this session of Congress, of a bill to amend the Packers and Stockyards Act, 1921, to prohibit the feeding of livestock by meat packers and chain stores.

INTEREST RATES AND THE FARM CREDIT ADMINISTRATION

We deplore the continued drift in interest rates on borrowed money to higher and higher levels. This is one of the biggest increases in cost of production—further handicapping farmers. Government policies need to be reviewed and reformed to prevent further rises in interest rates. We recall that most farm depressions for the past have been signaled by a tightening of credit, advancing interest rates, and a failure on the part of public officials to note these signals of danger promptly. We recognize, with appreciation, the excellent service which the district and central banks for cooperatives have provided to farmer-owned cooperatives. We appreciate that the whole Farm Credit System and the Farmers Home Administration have been of great value in helping farmers. We urge the continued support by Congress of the program of the Farmers Home Administration. We urge Congress to pass the Nelson Bill to provide long-term, low-interest credit to young men starting farming. There is a desperate need to provide opportunity for able young farmers.

CONSTRUCTIVE STEPS TOWARD IMPROVED MARITIME COLLECTIVE BARGAINING

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mrs. SULLIVAN. Mr. Speaker, collective bargaining between unions and employers has evolved as the standard process in the United States for determining the pay and conditions of work for wage earners. It is the policy of the Federal Government to support and encourage this process. All of us have a stake in the successful operation of the collective bargaining process.

As ranking member of the House Merchant Marine and Fisheries Committee, I have been particularly conversant with collective bargaining in our country's vitally important maritime industry. The men and women of the merchant marine have derived very substantial benefits from the give-and-take of labor-management negotiations. It has been recognized for many years, however, that the complexity of that industry—involving such factors as Government interest and subsidies, corporate structures, and a multiplicity of unions—has led to frequent criticism of the collective bargaining process in the maritime industry.

The situation is complicated by the fact that, on the Atlantic coast for example, the majority of people employed on shipping lines subsidized by the Federal Government belong to four principal unions. In the past, differences among these unions concerning their collective bargaining objectives have complicated the negotiating process. Indeed, employers have sometimes complained that they were in effect being "whipsawed" by the various unions—that no sooner had they acceded to a proposal advanced by one union than all the others would ask for the same benefit.

In those years we heard complaints from many employers that it was becoming increasingly difficult to determine costs and liabilities; that fact in turn made settlements more difficult of achievement; and at its worst the uncertainty, bitterness and divisions produced by this chain of events threatened to undermine the collective bargaining process and destroy its effectiveness as a method for reaching agreement on the terms and conditions of work.

It is no secret, I believe, that as a result of this background of labor-management relationships, a number of us who have a strong sense of concern for the American merchant marine felt a considerable degree of concern about this year's contract negotiations.

Thus, I have been greatly heartened by the fact that three of the leading maritime unions have recognized these dangers and have taken steps to unify and simplify the collective bargaining process involving the subsidized ship operators this year.

The National Marine Engineers' Beneficial Association; the American Radio Association; and the National Maritime Union have proposed joint negotiations with the employers. They have, in addition, agreed that all three unions will negotiate with the employers on the same general set of proposals for pay and benefit improvements. Finally, and perhaps most important, under the agreement suggested there are no open ends for the duration of the contract. Under this proposal, there would be no possibility of "leapfrogging" and no interminable escalation or whipsawing among them.

At this early stage in the negotiations, I do not believe it would be appropriate to comment on the substance of the unions' proposals or on the companies' counteroffers. The present agreements do not terminate until June 15, and it would be best for the parties to seek the basis of settlement without the intrusion at this time of the Government.

I do feel, however, that the proposal by the three unions—the MEBA, the ARA, and he NMU—is a welcome display of wisdom and concern. It offers, indeed, the one great hope for a speedy settlement between the parties. It offers the employees the promise of fair improvements in their conditions, and it offers the employers a measurable limit to their increased financial obligations. These elements provide a basis, it seems to me, for effective collective bargaining.

I hope the parties can proceed from this point in such a manner that this Nation and the maritime industry will not be tragically strangled by a walkout next month.

I have great faith in the good will and the sense of responsibility of men on both the management and labor sides of the table.

Opportunity does not present itself every day. It is essential that when opportunity knocks, the door be promptly opened.

THE INNOCENTS

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. BOLLING. Mr. Speaker, Kenneth Crawford, whom I regard as one of the most sensible, level-headed correspondents in Washington, discussed the motivation of students in their seizures and sackings of college buildings. His column appeared in the May 19, 1969, issue of Newsweek. Mr. Crawford's remarks provide a useful insight and understanding of the problem. The column follows:

THE INNOCENTS

(By Kenneth Crawford)

The innocent, endearing kid who piped that the emperor wore no clothes probably spent much of his childhood pulling the wings off flies. That is the way of endearing innocents. They speak the truth without regard for consequences, indeed without knowing what consequences are likely to flow from their honesty. Even if they knew, they wouldn't care. Childish innocence is cruel, heedless and free of the hypocrisies in which adults indulge to make life endurable and societies viable.

These attributes of childhood account in some degree for the campus disturbances now so much in the headlines. Ability to grow a beard is not necessarily proof of maturity. Neither, it develops, is ability to hold down a teaching job in an institution of higher learning. There seems to be something in today's academic atmosphere that retards the normal process of maturation in some adults as well as in many youths. The miseries of childhood and youth command sympathy, as everybody knows, because everybody has experienced them, but there must be some limit to tolerance.

BLOCK PARTY

It is now accepted that the war in Vietnam, the draft, the disorientation of black students, the nuclear menace and the unsatisfactory state of U.S. society are to blame for violence on the campuses. But whether these are more reasons than excuses is questionable. The nation is no stranger to troubles comparable with those it is now having. The Depression was more traumatic. Yet students in other times have managed to kick up their heels in the spring without recourse to the torch. What is different now may be more what is inside the students, put there by prosperity and lack of discipline, than by what is outside them in the environment. That and the preoccupation of the pervasive communications industry with the cult of youth.

The variety of professed reasons for sit-ins, riots and all the rest suggests that almost any excuse is enough. At Wisconsin an exuberant block party in violation of a local ordinance brought the cops and created a case against police repression. At Dartmouth and Harvard opposition to the ROTC was a more respectable cause because it could be related to Vietnam. At Cornell and several other universities demands for black studies and a measure of black autonomy were even more plausible, given the blacks' problem of adjustment, but they scarcely excused the armed mobilization. In Indiana, increased tuition became a crass, nonideological justification for outrage.

ORIGINAL HEROES

Gradually, Students for a Democratic Society, the revolutionary organization that pioneered campus uprisings at Berkeley and Columbia, seems to be losing influence. Moderates have become impatient with its nihilism and its tactics. Like all revolutions, this one is consuming its original heroes. Sen. William Fulbright, once a paragon to students because of his opposition to the war, is now busy denying that he favors unilateral disarmament, a position unacceptable to the pure in heart. Sen. Eugene McCarthy, once a pied piper, now says he has never favored premature withdrawal from Vietnam, which in some quarters is almost treasonable desertion of the true faith.

Prof. George Wald of Harvard, a Nobel Prize winner in Medicine, is the latest craze not only of students but of certain publications, congressmen and worried citizens. His thesis is that students are justifiably upset because they see no future for themselves in a world of nuclear terror and overpopulation. Get rid of nuclear weapons, abolish the draft, pull out of Vietnam and the students will happily return to their books, he says. All war is criminal. How do we get out of Vietnam? By leaving—in ships.

Everything Wald says about the world predicament is a kind of truth—the uncomplicated, unhypocritical truth as innocents and children see it. But it is cruel truth. Withdrawal from Vietnam in ships, no questions asked, would leave South Vietnam at the mercy of the same Ho Chi Minh who executed some 50,000 of his fellow countrymen and sent another 100,000 into forced labor because he considered them politically unreliable when he took control of North Vietnam. Not to have committed the crime of war a quarter century ago would have left Europe at the mercy of Hitler. To forswear nuclear weapons now would be to open the world to Soviet leaders who seem to be reverting to Stalinism. These are also truths—the truths hypocritical, responsible, unchildlike officials have to see.

OLSEN URGES REINSTATEMENT OF UMPIRES SALERNO AND VALENTINE

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. OLSEN. Mr. Speaker, due largely to the efforts of our distinguished colleague, the gentleman from New York (Mr. PIRNIE) the attention of Congress has been focused recently on the archaic labor practices followed by the President of the American League, Joe Cronin. Last September Mr. Cronin summarily dismissed Umpires Al Salerno and Bill Valentine, allegedly for incompetence. However, by charging incompetence, Mr. Cronin has created a credibility gap that most of us are unable to bridge, try as we may. Why, if the two umpires are incompetent, did it take the American League so long to discover the fact? It took the league 7 years in Mr. Salerno's case and 6 years in Mr. Valentine's. Why, if these men are so incompetent, has no one else echoed Mr. Cronin's claim? As a matter of fact the opposite has happened. Fellow umpires, players, and managers have all rallied to the defense of the banished umpires with statements attesting to their skills. While baseball officialdom is sheepishly backing Mr. Cronin in this affair, no one seems to be parroting his charge of incompetence. The commissioner's office is staying out of it, resorting to the old favorite reply that it is a "league matter."

Perhaps the one action most damning to Mr. Cronin's allegation was withdrawing his own support from himself. This he managed to do by offering Mr. Salerno another position in the American League after his dismissal. The new position called for Mr. Salerno to scout the minor leagues and to evaluate the umpires working in those leagues. Presumably the incompetent Mr. Salerno would recommend certain men and they would then be promoted to the major leagues. In essence Mr. Cronin has doubted his earlier evaluation and is now supporting Salerno and Valentine against Mr. Cronin. This appears rather ludicrous but apparently this is what has happened.

If the charge of incompetence lacks substance why then did Mr. Cronin dismiss two experienced umpires for no apparent reason? The answer to that came to light when it was revealed that Salerno and Valentine were actively attempting to organize their fellow American League umpires into a union similar to the one that has existed for the benefit of National League umpires since 1963.

Of course, one may ask, is the goal of collective bargaining for higher salaries and better fringe benefits so radical as to warrant immediate dismissal? Does such activity constitute anarchy? Are Salerno and Valentine to be confused with Sacco and Vanzetti? Obviously the answer to all these questions is, "No." Yet Mr. Cronin reacted as if the answer to those questions was, "Yes." I am certain that had he put the matter aside until season's end his reaction would have been reasonable. However, he did not and we now have a situation where, on one hand, baseball stands adamantly by Mr. Cronin in his refusal to reinstate the two umpires and, on the other hand, a concerned Congress is discussing plans to investigate baseball's exemption from the Antitrust Act.

Congress is always reluctant to interfere with the baseball operation. It is the sentiment of Congress generally that baseball should run its own shop and police its own activities. It is only when baseball completely disregards the rights of its members, such as has happened in this instance, that Congress concerns itself with the activities of baseball. The revocation of its exemption from the Antitrust Act is not being held over baseball as if it were a weapon to force baseball to do the will of Congress. Rather it is a reminder to baseball that it enjoys a special status in this country, and should it persist in riding roughshod over the rights of others it could find that special status gone up in smoke.

I urge Commissioner Kuhn and American League President Cronin to reconsider their present stands and take the necessary steps to reinstate Umpires Salerno and Valentine.

CONGRESSMAN JACK EDWARDS TELLS IT LIKE IT IS ON CAMPUS

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. DICKINSON. Mr. Speaker, many of our colleagues, along with commentators in the news media, and others, have made remarks recently on the current wave of disorder on the college campus.

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But none, in my opinion, have reached the effectiveness of an address made this week by Congressman JACK EDWARDS at Mobile, Ala.

His address to the Spring Hill College commencement on May 12 is so outstanding that I hope it will be seen and read by many of our colleagues as well as others.

The address follows:

ADDRESS BY CONGRESSMAN JACK EDWARDS TO SPRING HILL COLLEGE COMMENCEMENT, MOBILE, ALA., MAY 12, 1969

Graduating seniors, students of Spring Hill College, Father Rimes, members of the faculty, parents, ladies and gentlemen; I appreciate very much the opportunity to be here with you today to participate in your commencement exercise. To be able to share this great day with you gives me a real thrill, because I've been down this old road before. I know that this day didn't just happen; that it is the result of a lot of blood, sweat and tears on the part of 202 wonderful young people. I also know that it has been a lot of fun.

Over the last 4½ years, I have had several opportunities to visit on campus and exchange views with many of you. The truth of the matter is that I have probably gained more from these visits than you have. But this two-way communication is very necessary if our colleges are going to adequately serve the local community as well as the nation.

This is the kind of two-way communication in which Spring Hill excels—drawing together representatives of business, industry, education and government for support and a genuine free exchange of ideas. There is a direct link with relevancy involved in this communication, and the College should be commended for it. Industry and government leaders should be proud of it, and students should be thankful for it. The end result of this relationship, in my opinion, is a more balanced perspective on the part of the student—a tempering of idealism with realism, a matching of what *ought* to be with what *is*—and a solid base of preparation for the old world out there.

And it is about this time in the speech that a commencement speaker is supposed to tell graduating seniors about going out into the world.

Bob Hope did this one time. He said, "The world is too full of trouble. Don't go."

Of course, Bob Hope was kidding. Graduating from college does not automatically put you in another world. You have already gone out into the world in many respects. The world you already know is not so much different from the world you are going to find tomorrow. You are going to have some success and some failure just as you already have experienced in college. The whole idea from this point onward is to take advantage of your college experience, and to build on the knowledge which you have acquired.

Each one of us, every day, is exposed to literally millions of impressions—impressions of sight, sound, smell, touch, and taste; all of which have a direct effect on our perspective of a rapidly changing world.

Change comes so fast that today's college age people have grown up in circumstances far different from any other before them.

Have you ever thought about the fact that you are the first generation weaned on television? You have experienced in your living room an incredibly broad range of events, from orbiting the moon, to heart transplants, from monstrous science-fiction violence to deadly combat in Asian jungles, all in living color.

Problems of the world have been neatly packaged for you in 5 or 15-minute wrap-ups just before such things as special reports on starvation in Biafra, or just after a documentary on unemployment in the large cities. The ills of the world have been interpreted in honeytoned voices which, in some cases, have become more familiar than those of your parents. Who can say on what basis these interpretations are prepared.

Scientific advancement has been awesomely fast in the past 15 years, far faster than anyone's moral judgment can match.

Broadcast and printed advertisements have promised instant solutions for all kinds of maladies, both real and imagined.

Furthermore, Government has been guilty of engaging irresponsibly in promising easy solutions to immense problems. Total reliance on Government has been encouraged while individual and family reliance has been discouraged.

We are in the midst of an unpopular war which has been badly handled and poorly explained.

Permissiveness has been the order of the day across the land.

And into this atmosphere rushes the student of today, morally sensitive, impatient, sophisticated, and filled with the feeling that the world is such a mess that about any course of action he devises would have to provide improvement. Well, we do have something of a mess and the student should be encouraged to consider and put forward positive, constructive ideas. But I am firmly convinced that your ideas today are far superior to those that you thought were so important four years ago when you entered this fine institution. Four years of maturity, study, contemplation, and patience during the learning process at Spring Hill College stand you in good stead now when perspective is so important.

But with some, their impatience exceeds and distorts their perspective. They seek instant answers, prompt assurances, and they cannot understand why change is not immediate.

THE SERIOUS STUDENTS

The majority of today's students are aware, morally sensitive, intelligent people who retain their perspective. What they want is simply to pursue their education.

These serious students, white and black alike, probably do not give full approval to their college administration in most cases, anymore than I did when I was in college. But they are responsible, energetic, capable, and most important, they understand that an education will provide them with immense opportunity.

They sense, and rightly so, I think, that while nobody owes them a living, their opportunities for an education are very valuable, and that *with* an education their prospects for pleasant and productive lives are virtually unlimited. They want change on the campus to be constructive, not destructive.

It is unthinkable that these serious students would not be accorded the full right to pursue their education free of disruption engineered by radical malcontents.

To say that a handful of students can rightfully close down a college or university when the majority wishes to learn, and to do this under the camouflage of social justice, is blatant hypocrisy.

THE COLLEGES

Now what about the colleges? Do they need improvement? Well, of course they do. Many of them provide only very impersonal, computerized contact between the student and the college administration.

I know at least one university where each student's primary identification is his Social Security number, for example.

And it may be that in the social sciences, education and humanities, there are tendencies to drift away from the kind of study material today's students would consider most useful.

There is probably a core of legitimacy to many of the major complaints heard on the campus today. I could never argue that we can be satisfied with our educational system as it is. It can always be improved. This is especially the case at the larger colleges and universities where the administrators are often unreachable, the grade system is mechanized, classes are far too large, and the content of some courses is entirely unrelated to the needs of the students.

But we should never lose sight of the fact that our system of higher education must be doing something right, or we would not find our economic, scientific, industrial, and, yes, our cultural achievements at the highest level of attainment they have ever reached.

Our universities and colleges must be doing something right or U.S. higher education, in terms of its overall quality, and availability, would not be the immense envy of almost every nation of the world today.

To suggest that dissent has been stifled on college campuses in this country is absolute tommyrot. There is no place at any time in world history where opportunities for student expression of opinion have been greater than on the American campus today.

The militants, black and white alike, are as phony as they can be when they use the shibboleth of "dissent" as a tool with which to organize student mob action.

They do not want improvement of the educational system, they clearly want its destruction.

They do not want reform, but closing of the classrooms.

They don't even want dissent if by that is meant dissent from their own views.

The right to dissent does not include the right to destroy property or to prevent by obstruction, noise, or physical violence, the vast majority of the students from going about their business of getting an education.

Students do not lose their rights as individuals when they enter a college or university, but neither do they shed their obligation to obey the law.

Concerned students must come to draw the distinction between constructive improvement and destructive emotionalism; between those who really want an education and those who seek to manipulate others as a weapon for bringing down the social, educational and cultural fabric of the Nation. The very survival of our educational system is at stake.

But while students are attempting to sift through the right and wrong of all that is transpiring on the campuses, I perceive a very solemn duty on the part of the college administrators and faculty members to assure that their education is not interrupted.

Dissent and protest are as American as apple pie. But when student action goes beyond this and infringes on the rights of others, then college administrators should, in my view, be quick to eject from the campus those individuals who show such utter contempt for their fellow students. Some have done this, but others have panicked. It is time they bow up their collective backs and support the great majority of students instead of yielding to the force of a few radicals.

CLEARING THE AIR

It seems evident that what we need on the college campus today is a clearing of the air. It is time students, faculty, administrators and parents understand that those students who rifle files in the Dean's office, or carry rifles in the President's office, are not the least bit interested in the future of the college. Those who seize the administration building or prevent others from attending classes could care less about the free pursuit of knowledge.

These organizers claim to champion the cause of free expression, non-conformity, and participatory democracy, but they really are working to produce anarchy which would be followed by the tightest authoritarian government. They understand this. The internal fight that is going on this very day within SDS is whether they will follow Chinese or

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Russian oriented leaders. The end result would be suppression of freedom, rigid conformity, and a police state. Is this what the average student wants? I don't believe it! ! !

An important key to the behavior of these people is that they indulge themselves in the easy act of negativism, centering on criticism of what exists, but they have no real answers other than the old cliches.

They say they need to be afforded a greater measure or responsibility in their own lives and a louder voice in the administration of colleges, but one of their first demands is to be granted the assurance that they will not be held responsible for their disorderly activity. This is absurd!

They talk first about the need for open discussion of their grievances, but end up by presenting demands they say are "non-negotiable."

It is rather clear that these organizers are not really opposed to power and the establishment. On the contrary, they simply want to *be* the establishment and to have the power *themselves*.

They are not libertarian, but authoritarian.

They do not want free individuals, but individuals subserviant to them.

They do not want free inquiry, but rather a closing off of debate and discussion, enforced by their own decree and their own power.

Well, a wave of public revulsion is sweeping this nation. The people are fed up; parents are freightened; serious students are concerned; the extreme action of the campus radicals is breeding extreme reaction, and the colleges and universities of this great nation will be the worse for it. The end result could be the loss of academic freedom altogether. Great demands are now being heard for the federal government to move in and throw its weight around. This may yet be necessary, but it is not the answer.

It is time for the passive majority of students to assert itself, to speak up and say, "We have come to school for an education."

It is also time for the professors so say, "We have come here to *teach*, and we will not be bullied, harassed or threatened."

And yes, it is time for the administrators to wake up to the fact that education must be relevant; it must satisfy inquiring minds; it must come into the 20th Century with an eye to the 21st. And above all educational standards must not be compromised.

And it is also time for campus administrators to remember that lawlessness is lawlessness, *wherever* they find it—on a downtown street or on a college campus—and that it cannot be tolerated.

If the campus turmoil is a real problem, and it is, it is in many ways indicative of the problems and turmoil that have beset our great nation and world. And in the final analysis the question before the House is whether you are ready to become a part of the solution to these problems.

Well, I know this institution from which you are graduating. You have dedicated professors. Father Rimes and his staff are able administrators, and you have applied yourselves to the task or you wouldn't be sitting here.

So now you go into a world where your challenge is great. But your opportunity for good is even greater. It won't be long before the torch of leadership of this nation is passed into your hands. It will be your responsibility to act wisely, to protect the right of dissent, to find the elusive key to peace, to provide for quality education, to guarantee equal opportunity and freedom for all, to cure the ills of this country and the world.

These are issues which very properly concern all college students. But you must understand that generations down through the ages have had the same or similar concerns.

Much progress *has* been made, but history marches on and what is progress today is the antique of tomorrow. Change comes so rapidly that yesterday's ideas are out of date today, and today's solutions have little relevance to the next generation.

And so I pray that you and your generation will have the wisdom, the compassion, the foresight, and the ability to wrestle with and perhaps even conquer at least some of these problems.

If you are successful, you will surely have your place in history.

I wish you Godspeed.

FEDERAL SALARIES

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. BROTZMAN. Mr. Speaker, during the 90th Congress a bill came to the floor which proposed what seemed to be an orderly and businesslike method for appraising and adjusting the salaries within the three branches of the Federal Government.

These adjustments were, in many cases, long overdue, and under the plan a Commission on Executive, Legislative, and Judicial Salaries would be set up to recommend specific adjustments. However, the way the bill was drafted the recommendations would be automatically adopted unless specifically rescinded by Congress.

This legislation was adopted, and in due course the Commission recommended very large increases for members of the Cabinet, Supreme Court Justices and other judges, and Congressmen and Senators.

Despite the fact there was substantial objection from many Members of this body—myself included—on the grounds the increases were excessive, legislation necessary to stop the raises never got out of committee.

Today, Mr. Speaker, I am introducing a bill which would abolish this Commission. I do not do this out of any sense of personal pique with members of the Commission. I believe they made recommendations which they honestly believed were reasonable.

The fault, in my opinion, lies with the fact that the Commission should have been given advisory powers only. Their recommendations should have been subject to a direct vote by Congress. In practice the mechanisms which we set in motion in the 90th Congress have been unfortunate.

The Commission still exists and will, in 4 years, conduct another study of Federal salaries. Thus, it is important that we set aside the legislation now.

It is my feeling that a factfinding commission may, indeed, be a useful tool for future adjustment of Federal salaries. But we should make certain that its powers are not tantamount to those of a lawmaking body.

THE SEARCH FOR PEACE

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. ESHLEMAN. Mr. Speaker, I think it is mandatory for the Congress and the Nation to support the Nixon administration's obvious attempt to develop a coordinated program for peace in Vietnam, a program which seeks to sort out and effectively execute the steps, both political and military, needed to resolve the conflict in a manner which promises future stability in Southeast Asia and serves those limited national interests which originally lead to our involvement. This effort is the first priority of the administration. It should be and must be for the ramifications of the Vietnam war extend into nearly all areas of our foreign and domestic policy.

Surely, we all recognize that patience is required of responsible Americans during this period of formulating and implementing new directions toward peace. Time is required to undo and correct those mistakes of the past which contributed so greatly to the present dilemma. The Nixon team has had but 4 months to begin reversal of the policies which failed the cause of peace during the past 8 years. Yet, indications are that the reversal is underway, the hopeful sign that we have all awaited.

Certainly, the quickie solutions to the war proposed by some would not serve the long range interests of the United States. Easy answers have no place in a frustrating situation which is a fact, not a theoretical problem to be bantied about in a manner befitting preparation of a high school debating society topic. Opinions of every citizen should be welcomed in the quest for peace, but the final settlement will require the hard choices which can only be made by those who can determine the options available after taking command of all of the facts and after recognizing all the future meaning their course of action will have for American world leadership.

The fundamental consideration in the settlement of any war is human life, and this is particularly true in the case of the Vietnam conflict. We are most concerned with the lives of American soldiers and therefore pray that involvement of our young men in the fighting can be ended at the earliest possible date. I am confident that we are now acting upon, not merely talking about, creating a condition conducive to beginning a withdrawal of substantial numbers of U.S. military personnel from Vietnam. We are in the process of correcting the great mistake of the past which Americanized the war to the extent of disregarding South Vietnamese self-reliance as an uppermost consideration.

But, within the moral arguments regarding Vietnam which we hear so much of today, the lives of thousands of Asians cannot be totally ignored. The outcome of the application of a "quickie" solution to the war such as a complete, unilateral, nonreciprocated withdrawal of American troops would leave thousands of South Vietnamese citizens without the kind of protection from Communist terrorism which we have helped encourage them to expect. The South Vietnamese Government today is not prepared to assume the entire burden of protecting all of its citizens, particularly without an assured withdrawal of North Vietnamese forces from the South. Yet, the Communist terrorists have shown them-

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selves to be perfectly capable and quite willing to carry out mass slaughter of innocent persons. Perhaps some are willing to write off the possibility of such senseless murders as a purely internal Vietnamese problem, but I believe that such an occurrence as the finale of a struggle which has cost so many American lives would have intense reverberations throughout the United States.

Since the critics of President Nixon's attempts to find an honorable settlement in Vietnam have been so profuse with their conjectures, let me conjecture a little on the meaning that I believe a failure to disengage honorably from this war might hold for the United States. Mass murder by Communist intimidators throughout South Vietnam following a precipitous U.S. pullout likely would receive the same extensive press coverage which has helped make the war itself so difficult to accept for many Americans. Such coverage could prove so revolting to the majority of our citizens that new political pressures could result. The observance of the obvious failure of our Nation to follow through on its commitment and the knowledge that tens of thousands of American lives had been lost for no purpose would surely affect future policy choices. Foreign affairs could be reduced to a matter of satisfying intense mass emotionalism. Public pressure could demand involvement and follow through on every brushfire conflict. And I think it is reasonable to assume that this type of conflict would become widespread if the revolutionaries of the world observed an American capitulation in Vietnam. In other words, public opinion might push us toward the undesirable and seemingly impractical position of attempting policing duties around the globe. While I am sure that many would disagree that this sequence of events is within the realm of probability, it is interesting that we have not given much thought to this kind of possibility when talking in terms of mere conjecture.

Prolonged involvement of U.S. forces in Vietnam is not a viable course of action for the future nor is precipitous pullout of our military personnel. A reasoned program for peace must balance our disengagement from the conflict with a host of humanitarian considerations and political realities. The hints of progress toward peace to date indicate that the Nixon administration is in the process of developing just such a program. If real progress is to follow the first glimmers of hope, the national interest will not be served by those who frustrate policy options by holding forth false hopes to opposition belligerents at the bargaining table in Paris. A display of public patience will be helpful in producing an early, honorable settlement to the war. Correcting past mistakes to assure future advances on the peace front requires time. Given the present indications that we are at last moving toward a point when our soldiers can be brought home from Vietnam having insured self-determination for the South Vietnamese people, I believe we should be willing to grant the time and patience necessary to make that point the earliest possible date. My impression is that remarkable progress can be shown within the year if the Nation stands behind the Nixon administration's fervent search for peace.

THE FORTAS CONTROVERSY: THE SENATE'S ROLE OF ADVICE AND CONSENT TO JUDICIAL NOMINATIONS

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. HARVEY. Mr. Speaker, the April 1969, issue of Prospectus: A Journal of Law Reform, includes articles by Michigan's two distinguished Senators, Philip A. Hart and Robert P. Griffin.

Prospectus is a relatively new student law journal published by the University of Michigan Law School. Needless to say, the publication of these thoughtful and timely articles is a fine tribute to the editorial excellence of Prospectus.

Mr. Speaker, I ask unanimous consent that these articles on "The Fortas Controversy: The Senate's Role of Advice and Consent to Judicial Nominations" be printed at this point in the Record:

The Fortas Controversy: the Senate's Role of Advice and Consent to Judicial Nominations

THE BROAD ROLE, BY HON. ROBERT P. GRIFFIN

THE DISCRIMINATING ROLE, BY HON. PHILIP A. HART

". . . and [the President] shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the Supreme Court. . . ."

United States Constitution, art. II, sec. 2:

In June 1968, President Lyndon Johnson nominated Mr. Justice Abe Fortas to be Chief Justice of the Supreme Court of the United States and Federal Circuit Judge Homer Thornberry of the Court of Appeals for the Fifth Circuit to fill Fortas' position as Associate Justice. On October 1, 1968, after four days of debate, the United States Senate voted not to invoke cloture, thereby effectively refusing to confirm the nominations. The controversy over the nominations, which developed during the summer months, involved disparate elements ranging from the circumstances surrounding the resignation of incumbent Chief Justice Earl Warren to the tenor of recent Court decisions on a wide variety of subjects.

Central to the final outcome was this question: what is the nature and extent of the constitutional role of the Senate to advise and consent to judicial nominations of the President? The Senators from the State of Michigan, Philip A. Hart and Robert P. Griffin, reached different conclusions on what should be required of the Senate and what the Senate should require of a nominee. Each became a respected representative of his position in this controversy.

Senator Griffin challenges the Senate role which characterized the immediate pre-Fortas years by propounding a relatively simple, broad rule that the Senate must always go beyond the qualifications to examine the quality of the nominee. Senator Hart suggests that many questions relating both to the standards that govern nominee qualifications and to those that govern the evaluation process remain unanswered. Therefore, the Senator suggests that the Senate's role should be discriminating, which implies some selectivity in going beyond the qualifications of a nominee and expressly insists on responsibility in the use of tactics available to the Senate in its evaluation process. In soliciting an expression of their reflections here, we asked the Michigan Senators to focus the thinking of the legal profession on means of clarifying the Senate's role of advice and consent. Their articles are intended to generate thoughtful consideration rather than provide a completely researched and documented solution to the problem. We believe they serve this purpose well, and we express our deep appreciation to both men.

The Broad Role

(By Hon. Robert P. Griffin) *

Alexis de Tocqueville, Democracy in America:

"The President, who exercises a limited power, may err without causing great mischief in the State. Congress may decide amiss without destroying the Union, because the electoral body in which Congress originates may cause it to retract its decision by changing its members. But if the Supreme Court is ever composed of imprudent men or bad citizens, the Union may be plunged into anarchy or civil war."

The debate in the United States Senate over the nomination of Mr. Justice Abe Fortas to the highest judicial post in our country culminated in a motion of cloture on October 1, 1968. This motion was intended to deny those opposed to Senate confirmation an opportunity to continue discussion. The controversy surrounding the cloture motion and in a broader sense surrounding the entire debate centers on one question: what is the duty of the Senate to "advise and consent" to nominations by the President for judges of the Supreme Court under the U.S. Constitution, article II, section 2? The Senate answered this question by refusing to shut off debate and simply rubber-stamp the President's nominee. Significantly, a majority of those voting, and those on record but not voting, supported further debate.[1] Therefore, the Senate reaffirmed the broad and purposive obligation to scrutinize not only the qualifications but also the quality of nominees to the high court: an obligation which precedent and the very structure of our government have entrusted to that chamber. The course of the actual debate, which lasted only four days prior to the cloture vote, indicates that the proponents of this broad and purposive interpretation of the Senate's duty pursued the central question honestly and diligently without the dilatory irrelevancies of a "filibuster." The same concerns which I had expressed at the time incumbent Chief Jus-

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*United States Senator from Michigan. The source material for this article is drawn primarily from *Hearings on the Nomination of Abe Fortas, of Tennessee, to be Chief Justice of the United States, and the Nomination of Homer Thornberry, of Texas, to be Associate Justice of the Supreme Court of the United States, Before the Senate Comm. on the Judiciary*, 90th Cong., 2d Sess., pts. 1 & 2 (1968) and from several speeches given by Sen. Griffin and reprinted in the *Congressional Record:* 114 Cong. Rec. E5977 (daily ed. June 28, 1968); *Id.* at S8504, (daily ed. July 11, 1968); *The Fortas–Thornberry Issue,* an address to the National Press Club, Washington, D.C., July 30, 1968, *reprinted in* 114 Cong. Rec. S9848 (daily ed. July 31, 1968); *Id.* at S10717 (daily ed. Sept. 13, 1968); *Id* at S11012 (daily ed. Sept. 18, 1968); *Id.* at S11337 (daily ed. Sept. 25, 1968); *Id.* at S11684 (daily ed. Oct. 1, 1968); *Id.* at S11856 (daily ed. Oct. 2, 1968).

[1] The recorded vote was forty-five for cloture and forty-three against. Adding the recorded preferences of Senators not voting, the outcome would be forty-seven for cloture and forty-eight against, with five absent senators not indicating a preference. 114 Cong. Rec. S11856 (daily ed. Oct. 2, 1968).

tice Earl Warren indicated his desire to resign in June of 1968, were raised and weighed in the September debate:

"If an appropriate balance is to be maintained among the branches of our government, there are times in the course of history when the United States Senate must draw a line and stand up.

"I am convinced that this is such a time.

"Positions on the Supreme Court of the United States cannot be regarded as ordinary political plums. Such deviations as may have been condoned in the past cannot serve as a guide for the present or the future.

"The importance of the Supreme Court as an institution cannot be over-emphasized. Its decisions reach out and touch the lives of every American every day.

"It was the intention of our founding fathers that an appointment to the Supreme Court should represent the pinnacle of achievement and recognition in the field of law.

"At the very least, nominations to the Supreme Court should never be based on cronyism. If and when they are, the Senate's responsibility is clear.

"I reject the view that the Senate should rubber-stamp its approval of every Presidential appointment simply because a nominee doesn't beat his wife. The responsibility of the Senate must be of a higher order, particularly with respect to the Supreme Court of the United States.

"At the present time, the American people are in the process of choosing a new government. By their votes in November the people will designate new leadership and new direction for our nation.

"Of course, a 'lame duck' President has the Constitutional power to submit nominations for the Supreme Court. But the Senate need not confirm them—and, in this case, should not do so.

"The maneuvering to deny the people and the next President their choice in this instance is wrong in principle—and everybody knows it.

"The appointments announced yesterday smack of 'cronyism' at its worst—and everybody knows it."

Although other elements came into consideration as further evidence was brought out in the hearings of the Senate Judiciary Committee, that summary indicates the basic reason for opposing the nomination of Abe Fortas. This article will expand on two major points: first, the nature of the higher responsibility which the Senate owes to considerations of judicial nominations; and second, the factors generally influencing nonconsent in the Fortas case. The purpose is not to reopen a discussion of the particularities of Justice Abe Fortas' *quality* for appointment as Chief Justice of the United States. Rather we will be concerned only with the types of factors influencing a Senate determination.

THE HISTORICAL CONTEXT FOR ADVICE AND CONSENT

Much of the controversy revolves around the appropriate functions of the President and of the Senate in the circumstances of a nomination to the Supreme Court. There are some who suggest that the Senate's role is limited merely to ascertaining whether a nominee is "qualified" in the sense that he possesses some minimum measure of academic background or experience. It should be emphasized at the outset that any such view of the Senate's function with respect to nominations for the separate judicial branch of the government is wrong and simply does not square with the precedents or with the intention of those who conferred the "advice and consent" power upon the Senate.

I am firmly convinced that approval by the confirming authority of a nomination to the third highest post in our land, the highest judicial post, on the basis of the record before the Senate in the Fortas case, would have been a disservice to the nation and would have constituted an abdication of the "advice and consent" power of the Senate. To assure the independence of the judiciary as a separate and coordinate branch, then, it is important to recognize that this power of the Senate with respect to the judiciary is not only real, but it is at least as important as the power of the President to nominate.

No one denies the constitutional power of the President to make an appointment to the Supreme Court, technically even at a time when he is only a few months from leaving office. But, of course, that is *not* the point. Some have not understood, or will not recognize, that under our Constitution the power of any President to nominate constitutes only *one-half* of the appointing process. The *other half* of the appointing process lies the solemn obligation to determine whether within the jurisdiction of the Senate, which has not only the constitutional power but to confirm such a nomination. Because the Senate has not used its power of "advice and consent," there is a widespread belief that it is almost a rubber-stamp.

However, against the backdrop of history, we must recognize that the Senate has not only the right but the responsibility to consider more than the mere qualifications of a nominee to the Supreme Court of the United States, the highest tribunal in a separate, independent and coordinate branch of the government. The Senate has a duty to look beyond the question: "Is he qualified?" The Senate must not be satisfied with anything less than application of the highest standards, not only as to professional competence but also as to such necessary qualities of character as a sense of restraint and propriety. A distinguished former colleague, Senator Paul Douglas of Illinois, put it this way:

"The 'advice and consent' of the Senate required by the Constitution for such appointments (to the Judiciary) was intended to be *real*, and *not* nominal. A large proportion of the members of the (Constitutional) Convention were fearful that if judges owed their appointments solely to the President the Judiciary, even with life tenure, would then become dependent upon the executive and the powers of the latter would become overweening. By requiring *joint* action of the legislature and the executive, it is believed that the Judiciary would be made more independent."

Illuminating the appropriateness of these views is the clear history of the formulation of constitutional obligations built into the structure of our government to realize such objectives as an independent judiciary and checks and balances on respective centers of power. In the Federalist Papers, Alexander Hamilton wrote that the requirement of Senate approval in the appointing process would . . . be *an excellent check upon a spirit of favoritism of the President*, and would tend greatly to prevent the appointment of unfit characters from state prejudice, from family connection, from personal attachments, or from a view to popularity.

In the Constitutional Convention of 1787, James Madison generally favored the creation of a strong executive; he advocated giving the President an absolute power of appointment within the executive branch of the government. Madison stood with Alexander Hamilton against Benjamin Franklin and others who were concerned about granting the President such power on the ground that it might tend toward a monarchy. While he argued for the power of the President to appoint within the executive branch, it is very important to note that Madison drew a sharp distinction with respect to appointments to the Supreme Court, the judicial branch. Madison did not believe that judges should be appointed by the President; he was inclined to give this power to "a senatorial branch as numerous enough to be confided in—and not so numerous as to be governed by the motives of the other branch; as being sufficiently stable and independent to follow clear, deliberate judgments."

At one point during the convention, after considerable debate and delay, the Committee on Detail reported a draft which provided for the appointment of judges of the Supreme Court by the Senate. Gouverneur Morris and others would not agree, and the matter was put aside. It was not finally resolved until the next to last day of the Constitutional Convention. The compromise language agreed upon provides that the President "shall nominate, and by and with the advice and consent of the Senate, shall appoint judges of the Supreme Court and all other officers of the United States." Clearly, the compromise language neither confers upon the President an unlimited power to appoint within the executive branch nor confers upon the Senate a similar power of appointment with respect to the judiciary. Significantly, however, we have moved in actual practice over the years toward those original objectives of Madison. It is a fact, though sometimes deplored by political scientists, that judges of the lower federal courts are actually "nominated" by Senators while the President exercises nothing more than a veto authority. On the other hand, the Senate has generally accorded the widest latitude to the President in the selection of the members of his cabinet. It is recognized that unless he is given a free hand in the choice of these associates, he cannot be held accountable for the administration of the executive branch of government.

I believe that history demonstrates that the Senate has generally viewed the appointment of a cabinet official in a different light than an appointment of a Supreme Court Justice. The general attitude of the Senate over the years with respect to cabinet nominations was expressed by Senator Guy Gillette of Iowa in these words:

"One of the last men on earth I would want in my cabinet is Harry Hopkins. However, the President wants him. He is entitled to him . . . I shall vote for the confirmation of Harry Hopkins. . . ."

Throughout our history, only eight out of 564 cabinet nominations have failed to win Senate confirmation.

The reasons for a limited Senate role with respect to executive branch appointments, however, do *not* apply when the nomination is for a *lifetime* position on the Supreme Court, the highest tribunal in the *independent*, third branch of government.[2] No less a

In considering such nominations, it has not been unusual for the Senate to focus on the charge of "cronyism." That was the issue in 1946 when President Truman nominated a close personal friend, George Allen, not to a lifetime position on the Supreme Court, but to be a member of the Reconstruction Finance Corporation. Not only did such columnists as David Lawrence react sharply, but the New York Times opposed the nomination as well. Senator Taft led the opposition declaring that Allen was one of three

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[2] In this context, it is interesting to take note of the Senate's approach toward nominations for regulatory boards and commissions—agencies which are "neither fish nor fowl" in the scheme of government and perform quasi-executive functions and quasi-judicial functions. For example, in 1949, President Truman nominated Leland Olds for a third term as a member of the Federal Power Commission. Since Olds had served on the Commission for ten years, it was difficult to argue that he lacked qualifications. The Senate finally voted to reject the nomination. Afterward, there was general comment in the press that the real issue had nothing to do with the nominee's qualifications but everything to do with regulation of the price of natural gas.

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spokesman than former Justice Felix Frankfurter has emphasized one of the chief reasons for the higher responsibility of the Senate to look beyond mere qualifications in the case of a Supreme Court nominee:

"The meaning of 'due process' and the content of terms like 'liberty' are not revealed by the Constitution. It is the Justices who make the meaning. They read into the neutral language of the Constitution their own economic and social views . . . Let us face the fact that five justices of the Supreme Court are the molders of policy rather than the impersonal vehicles of revealed truth."

In an oft-quoted statement Chief Justice Charles Evans Hughes noted wryly: "We are under a Constitution, but the Constitution is what the judges say it is."

Thus, when the Senate considers a nomination to one of the nine lifetime positions on the Supreme Court of the United States, particularly a nomination to the position of Chief Justice, the importance of its determination cannot be compared in any sense to the consideration of a bill for enactment into law. If Congress makes a mistake in the enactment of legislation, it can always return at a later date to correct the error. But once the Senate gives its "advice and consent" to a lifetime appointment to the Supreme Court, there is no such convenient way to correct an error since the nominee is not answerable thereafter to either the Senate or to the American people.

Throughout our history as a nation, until the pending nominations were submitted, one hundred and twenty-five persons have been nominated as Justices of the Supreme Court. Of that number, twenty-one, or one-sixth, failed to receive confirmation by the Senate. The question of qualifications or fitness was an issue on only four of these twenty-one occasions. In debating nominations for the Supreme Court, the Senate has never hesitated to take into account a nominee's political views, philosophy, writings, and attitude on particular issues.

The Senate's responsibility to weigh these factors is not diminished by the fact that such professional organizations as the American Bar Association limits their own inquiries. The ABA committee on the federal judiciary has acknowledged limitations on its role. For example, letters from the chairman of the committee, Albert E. Jenner, to Senator James Eastland which transmitted the committee's recommendation with respect to the nominations of Abe Fortas and Homer Thornberry contained this statement:

". . . [O]ur responsibility [is] to express our opinion *only on the question of professional qualification,* which includes, of course, consideration of age and health, and of such matters as temperament, integrity, trial and other experience, education and demonstrated legal ability. *It is our practice to express no opinion at any time with regard to any other consideration not related to such professional qualifications which may properly be considered by the appointing or confirming authority.*" [Emphasis added.]

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who were nominated "only because they are personal friends of the President. Such appointments as these are a public affront."

In 1949, the Washington Post severely criticized the nomination by President Truman of Mon C. Wallgren, not to a lifetime position on the Supreme Court, but to be a member of the National Security Resources Board. A former Governor and Senator, the nominee had become a close friend of President Truman when the two served together on the Truman committee. The Washington Post characterized this nomination as a "revival of government by crony which we thought went out of fashion with Warren G. Harding." The Senate Committee which considered Wallgren's nomination voted seven to six against confirmation and the matter never reached the Senate floor.

FACTORS AFFECTING QUALITY IN A NOMINATION AND A NOMINEE

Only the broader and more purposive interpretation of the Senate's duty to "advise and consent" to judicial nominations to the highest court can insure that the quality of those nine influential public servants will remain worthy of the reputation established in the past. Even before the current controversy erupted, public confidence in the Supreme Court, regretfully, had fallen to an all-time low. The Gallup poll survey in June 1968 reported before this controversy arose that sixty per cent of the American people did not have a favorable opinion of the Supreme Court. Undoubtedly, much of this disfavor can be attributed to widespread dissatisfaction with some of the more controversial rulings of the Court in various fields, but the prestige of the Supreme Court does not hinge solely on the results it may reach in particular cases. There are other even more compelling influences; the same Gallup poll, for example, reported that sixty-one per cent of the people favored a change in the method of selecting Supreme Court Justices. This strongly suggests that the circumstances which surround the appointment of a Justice profoundly affect the capacity of the Court to merit public confidence. Therefore, a part of the Senate's responsibility must be to guarantee that under the present method of selection these circumstances are unimpeachably correct.

At the beginning of this crusade before Mr. Fortas and Mr. Thornberry were even named, I made it clear that I would vote against confirmation of any nominee by President Johnson to be Chief Justice—whether he named a Republican or Democrat, a liberal, conservative or a moderate. The circumstances surrounding the resignation of the incumbent indicated, first, that the outgoing President should not attempt to fill the vacancy and, second, that a "retractable retirement" was being used to pressure the Senate into accepting a particular nominee. I took the position that, in view of these circumstances, public confidence in the Court could be strengthened if the next Chief Justice were named to fill a real vacancy by the new President after the people had an opportunity to vote in November.

With regard to the retractable resignation, *The New Republic* magazine commented:

"Executive officers serve under the direction and at the pleasure of the President. It is unobjectionable, and right, that they should make their resignations effective at his pleasure . . . But judicial officers are independent of the President . . .

"It is perhaps a small, symbolic point only, but the symbols of judicial independence are not trivial; they are an important source of judicial power and effectiveness.

"The point, moreover, goes beyond the symbolic, as Chief Justice Warren himself ingeniously emphasized at his press conference on July 5. He was still in office, said the Chief Justice, and would return to preside in the fall if the Senate fails to confirm Abe Fortas, of whom he thinks well.

"That may not have been intended as a form of pressure, but it looked like it. The pressure was, in any event, implicit in the manner of Chief Justice Warren's retirement . . . Retirements which are effective on a date which is certain and irrevocable ensure that a replacement will be considered on his own merits, and not as a choice between himself and his predecessor.

"The practice of retiring or resigning, as Chief Justice Warren did, effective upon the qualification of a successor, is unprecedented in the Supreme Court. It seems to have grown up among lower federal judges. It has nothing to commend it."

Apart from this unfortunate pressure tactic, the "vacancy" so created was to be filled by an outgoing President. The nation in 1968 was seething with unrest and calling for change. A new generation demanded to be heard and given a voice in charting the future of America. Particularly at such a point in our history the Senate would have been most unwise to put its stamp of approval on a cynical effort to thwart the orderly processes of change.

In addition to this responsibility to guarantee quality in the circumstances of nomination, the Senate must evaluate the quality of the nominee himself. Since the duty to "advise and consent" requires more than a cursory glance at the nominee's credentials, various factors may legitimately concern the Senate. I do not intend to evaluate once again the merits of the controversy surrounding the nomination of Mr. Justice Fortas. However, I will use the facts of that situation to illustrate some of the factors that indicate quality or lack of it in a presidential nomination to the Supreme Court.

To be quite candid, I suspect that I might have been a lonely figure standing in the Senate opposing *any* nominees solely on the ground that they were appointed under "lame-duck" circumstances. In submitting the particular nominations that he did, however, President Johnson provided in a most accommodating way several additional reasons to oppose his candidates.

Mr. Fortas and Mr. Thornberry were selected primarily because they were close and long standing personal friends of President Johnson, not because they were among the best qualified in the nation to fill the particular positions. The charge of "cronyism" is not new in Senate confirmation debates, but it is highly unusual for any President to subject himself to that charge with respect to a nomination for the Supreme Court of the United States. Never before in history has any President been so bold as to subject himself to the charge of "cronyism" with respect to *two* Supreme Court nominations at the same time.

Some have said that if a person, even though nominated because he is a "crony", is still "qualified", he should be approved. I reject this view because it diminishes public respect for the Supreme Court. In 1968 there was clearly manifested a desperate need to restore respect for law and order, as well as respect for the institutions which bear responsibility for maintaining law and order. This need was not met by nominations to the highest court which could be legitimately branded as "cronyism".

Similarly the public must be expected to respond with the utmost skepticism to the acceptance by a Supreme Justice of a fee for seminar teaching which exceeded by a ratio of nearly seven to one the usual compensation for such a course and which, more importantly, was privately raised by a former law partner from businessmen previously unconnected with the university through which the fee was paid. Such an action is clearly wrong in principle and violates the canons of judicial ethics. While it may not violate any law, the Senate has the responsibility nevertheless to weigh such conduct in measuring the sense of discrimination, propriety and judgment of a nominee.

Notwithstanding the grave concern raised by the propriety of the "Seminar fund", I believe the factor that gave rise to the most disagreement in the Fortas case concerned the Justice's extrajudicial involvement. I am confident that the public did not approve of the admitted telephone call made by Mr. Justice Fortas to a business friend, criticizing a public statement that Vietnam war costs would run $5 billion higher than Administration estimates. I am also confident that the public did not condone the fact that Mr. Justice Fortas admittedly participated in the decision-making process of the executive branch of government on such matters as the Vietam war and the Detroit riots.

However, perhaps most disturbing was the fact that the nominee stated to the Senate Judiciary Committee that he was proud of

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his extrajudicial activities and that he "did not see anything wrong" with them. When it became apparent that the Senate was far more deeply concerned with these extrajudicial activities than he himself was, the nominee declined to appear on a second occasion before the Judiciary Committee. I have never questioned the right of Mr. Justice Fortas to refuse to answer questions concerning decisions in which he has participated.[3] My concern goes to his refusal to answer questions concerning his participation in extrajudicial matters as to which he could not possibly assert immunity under the doctrine of the separation of powers. As he came to the committee at one time to discuss these subjects voluntarily, he was simply without justification in refusing to answer further questions in this regard.[4]

SCRUTINIZING ONE FACTOR: INVOLVEMENT WITH THE EXECUTIVE

Each of these aspects in the record before the Senate generated serious questions as to the *quality* of the nominee, if not as to his qualifications. Perhaps the most crucial aspect deserves an extended examination: the involvement of a Justice in the executive branch of the government.

The doctrine of separation of powers is the most fundamental concept embodied in our Constitution, and yet separation of powers was not even a unique invention of the delegates assembled at Philadelphia in 1787. Even before the Constitutional Convention, every state constitution drafted or revised during the Revolutionary period embodied the doctrine of separation of powers as the very starting point, creating in each instance separate and distinct executive, judicial, and legislative branches. As James Madison told the convention, separation of powers is "a fundamental principle of free government." Only when power is divided under a system of checks and balances can we expect to find government limited, responsible, and free. But if the doctrine of separate powers is important, what constitutional justification is there for a member of the judicial branch while serving on the bench to participate actively in decisions of the executive branch on a regular, undisclosed basis?

The answer has been clear since 1793, when Secretary of State Thomas Jefferson, acting on behalf of President George Washington, sought the advice of the Justices of the Supreme Court on twenty-nine controversial matters. Jefferson asked the Justices "whether the public may, with propriety, be availed of their advice on these questions." The Supreme Court firmly declined to give its opinion to the executive branch, saying in part:

"We have considered the previous question stated . . . regarding the lines of separation, drawn by the Constitution between the three departments of government. These being in certain respects checks upon each other, and our being Judges of a Court in the last resort, are considerations which afford strong arguments against the *propriety* of our extrajudicially deciding the questions alluded to, especially as the power given by the Constitution to the President, of calling on the heads of departments for opinions, seems to have been *purposely* as well as expressly united in the *Executive* departments." [Emphasis added].

This same principle has been reinforced through time. In 1942, President Franklin D. Roosevelt called upon Chief Justice Stone for assistance in arriving at executive decisions in connection with wartime rubber problems. In response to the President's request Chief Justice Stone replied as follows:

"I have your letter of the 17th. . . . Personal and patriotic considerations alike afford powerful incentives for my wish to comply with your request that I assist you in arriving at some solution of the pending rubber problem. But most anxious, not to say painful, reflection has led me to the conclusion that I cannot rightly yield to my desire to render for you a service which as a private citizen I should not only feel bound to do but one which I should undertake with zeal and enthusiasm . . .

"A judge, and especially the Chief Justice, cannot engage in political debate or make public defense of his acts. When his action is judicial he may always rely upon the support of the defined record upon which his action is based and of the opinion in which he and his associates unite as stating the ground of decision. But when he participates in the action of the executive or legislative departments of government he is without those supports. He exposes himself to attack and indeed invites it, which because of his peculiar situation inevitably impairs his value as a judge and the appropriate influence of his office."

I do not suggest that a Justice of the Supreme Court should have no contact whatever with the President or with members of the legislative branch while he sits on the bench. However, the people have a right to expect that such contacts will not breach the constitutional line which necessarily separates the branches of our government and that such contacts will be characterized by the restraints customarily observed by members of the judiciary.

In his testimony, Mr. Justice Fortas acknowledged that he had participated in White House deliberations concerning the policy of the executive branch with respect to Vietnam and the Detroit riots while sitting on the Supreme Court. In seeking to explain this to the committee, Mr. Fortas said:

". . . I have, on occasion, been asked to come to the White House to participate in conferences on critical matters having nothing whatever to do with any legal situation or with anything before the Court or that might come before the Court."

At another point the nominee assured the Judiciary Committee:

"There was nothing involved in the conferences, the consultations, or the issues that were discussed in which the Court might possibly become involved."

Acceptance of such assurances would certainly have been misplaced, for it is evident that cases have already reached the Court pertaining to executive matters in which Mr. Fortas participated while sitting as a Justice of the Supreme Court. In *United States v. O'Brien*,[5] a case arising out of the burning of a draft card on protest to the Vietnam war. Justice Douglas stated in dissent:

"The Court states that the constitutional power of Congress to raise and support armies is 'broad and sweeping' and that Congress' power 'to classify and conscript manpower for military service is 'beyond question.' This is undoubtedly true in times when, by declaration of Congress, the Nation is in a state of war. The underlying and basic problem in this case, however, is whether conscription is permissible in the absence of a declaration of war. That question has not been briefed nor was it presented in oral argument; but it is, I submit, a question upon which the litigants and the country are entitled to a ruling. . . . This case should be put down for reargument and heard with *Holmes v. United States* and with *Hart v. United States, post*, p. 956, in which the Court today denies certiorari.

"The rule that this Court will not consider issues not raised by the parties is not inflexible and yields in 'exceptional cases' (*Duignan v. United States*, 274 U.S. 195, 200) to the need correctly to decide the case before the court. E.g., *Erie R. Co. v. Tompkins*, 304 U.S. 64; *Terminiello v. Chicago*, 337 U.S. 1.

"In such a case it is not unusual to ask for reargument (*Sherman v. United States*, 356 U.S. 369, 379, n. 2, Frankfurter, J. concurring) even on a constitutional question not raised by the parties. . . . [case citations and discussion omitted] . . .

"These precedents demonstrate the appropriateness of restoring the instant case to the calendar for reargument on the question of the constitutionality of a peacetime draft and having it heard with *Holmes v. United States* and *Hart v. United States*."[6]

Thus, although the issue was not directly presented, Justice Douglas dissented from the Court's opinion and raised the question whether the Supreme Court should hear argument on the constitutionality of the draft absent a declaration of war by Congress in the Vietnam war. The issue was, therefore, before the Court because the Justices had to decide whether to hear argument which they ultimately decided not to invite.

In *Holmes* v. *United States*[7] and *Hart* v. *United States*,[8] Justice Stewart as well as Justice Douglas indicated that the Court should consider questions concerning the war in Vietnam. In *Holmes* Justice Stewart stated in a memorandum:

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[3] There is serious question whether the nominee preserved his right, however. Senator Ervin of North Carolina questioned Mr. Fortas on many of his decisions, and Mr. Fortas refused to answer those questions. The nominee was quite consistent in that decision until he recalled a case that was in his favor, and suddenly he felt free to discuss a decision in which he had participated:

"For example—may I mention one, I wonder, without breaching my constitutional responsibility as I see it—just one. For example, I think that one of the most important decisions that we made in my three years on the Court in the field of criminal law is a case that has received no attention, a case called *Warden v. Hayden* [387 U.S. 294 (1967)]. In that case we did overrule a precedent. We overruled the case of *Gouled v. United States* [255 U.S. 298] decided in 1921 by a unanimous Court. Holmes and Brandeis were on the court . . . "*See Hearings, supra* note *, pt 1 at 170.

It might be argued that at that point the nominee waived his immunity from discussing other decisions of the Court as well.

[4] In addition two officials of the Johnson administration refused to appear and give testimony before the Committee on Judiciary concerning reports that Justice Abe Fortas had helped the White House in drafting legislation in 1968. In letters to the committee, Treasury Undersecretary Joseph W. Barr and W. DeVier Pierson, associate special counsel to the President, based their refusal on the claim of "executive privilege."

Yet in a letter dated March 7, 1962, to Chairman John Moss of the Special Government Information Subcommittee of the House Committee on Government Operations, President John F. Kennedy wrote:

"As you know, this Administration has gone to great lengths to achieve full cooperation with the Congress in making available to it all appropriate documents, correspondence and information. This is the basic policy of this Administration, and it will continue to be so. *Executive privilege can be invoked only by the President and will not be used without specific Presidential approval.*" [Emphasis added].

Further, in a letter of April 2, 1965, to Representative Moss, President Johnson wrote:

"Since assuming the Presidency, I have followed the policy laid down by President Kennedy in his letter to you of March 7, 1962, dealing with the subject. *Thus, the claim of "executive privilege" will continue to be made only by the President.*" [Emphasis added].

To my knowledge, the refusal by Messrs. Barr and Pierson was the first outright violation of that sound policy.

[5] 391 U.S. 367 (1968).

[6] 391 U.S. at 389–91.

[7] 391 U.S. 936 (1968).

[8] 391 U.S. 956 (1968).

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"This case, like *Hart* v. *United States,* No. 1044, Misc., *post,* p. 956, involves the power of Congress, when no war has been declared, to enact a law providing for a limited period of compulsory military training and service, with an alternative of compulsory domestic civilian service under certain circumstances. It does not involve the power, in the absence of a declaration of war, to compel military service in armed international conflict overseas. If the latter question were presented, I would join Mr. Justice Douglas in voting to grant the writ of certiorari." [9]

Although his opinion was somewhat more limited than that of Justice Douglas, Justice Stewart in these cases also believed that the questions pertaining to the validity of the war in Vietnam should have been heard by the Court. Justice Fortas did not disqualify himself, but rather, as far as the record shows, he participated on the Court in these three decisions. Moreover, it would not sufficiently protect the public interest for a Justice who had engaged in executive consultations merely to disqualify himself from judicial consideration of any resulting litigation. If one or two Justices were allowed to participate in executive decisions on such a basis, then surely all nine Justices could do so and then there would be no Court to decide the controversy. Even if this ultimate breakdown were not likely to occur frequently, the number of Justices available in each case would probably be reduced, thus decreasing the interaction of human minds which was envisioned by those who set the number by law.

In response to questions concerning his participation in the actual drafting of legislation within the executive branch, the nominee responded at one point very flatly: "It is not true that I have ever helped to frame a measure since I have been a Justice of the Court." Yet less than two months earlier Justice Fortas was involved in the preparation of an amendment to the Treasury Department's appropriation bill, pertaining to the security and protection of presidential candidates. The testimony of Senator Gordon Allott of Colorado on May 27, 1968, revealed that Under Secretary of the Treasury Joseph Barr had informed him in substantially the following terms:

". . . [T]his is the amendment [referring to the Secret Service protection amendment] they want at the White House. It has been gone over by De Vier Pierson and Abe Fortas, and they have cleared it and they can live with it."

Obviously, Senator Allott's testimony raised serious question concerning the weight which could have been accorded by the Senate to Mr. Fortas' earlier testimony. As has already been pointed out, even more disturbing than this apparent contradiction was the refusal by Mr. Fortas after his discrepancy came to light to return to the committee in order to clear it up.

After acknowledging participation in White House conferences concerning the Vietnam war and the Detroit riots, Mr. Fortas testified, "I guess I have made full disclosure now." Senator Allott's testimony is a direct challenge to that statement: a challenge which stands uncontradicted saying to the Senate and to the nation that the nominee did not make a full disclosure of his activities in the executive branch while serving as a Justice of the Supreme Court.

Mr. Fortas admitted under questioning that he had called a friend, Ralph Lazarus, to criticize a statement made on behalf of the business council of Hot Springs, Virginia, concerning the cost of the Vietnam war. It had been reported in the June 4, 1967, issue of the New York Times that Justice Fortas had made this call to transmit President Johnson's ire to the business council over the statement. However, when he was questioned further concerning a report in the New York Times of July 18, 1968, that business executives at the meeting said that Lazarus reported that Fortas told him that the President was upset, Justice Fortas replied: "Senator, I could not say in one say or the other about that. I just do not remember."

Thus, whether we look to the testimony of Senator Allott, or to the testimony of the nominee himself, or to the other uncontradicted reports, one cannot avoid the conclusion that serious doubts existed as to whether Mr. Fortas did in fact make a full disclosure of his activities in the executive branch. Both the questions which were left unanswered and the responses that were in fact made suggested less than the minimum level of to the problem of involvement with the executive branch.

It is well to remember that the problem does involve propriety and discretion because existing law does not provide adequate rules of conduct for involvement of a judge in executive affairs. On the contrary, the propriety of taking men from the bench to fill executive posts is governed almost wholly by judicial ethics and public policy.[10] The practice of a federal judge acting in some other governmental capacity without resigning his office is restricted statutorily only by the Dual Compensation Act of 1964 [11] which repealed and updated the prior Act of July 31, 1894.[12] The Act of 1894, when in effect, had been narrowly circumscribed by rulings such as those which construed "office" to apply only to "constitutional" offices, creating a broad field of non-judicial posts where a judge could serve unhampered by legal restrictions. Neither the Act of 1894 nor the present law applies to the situation where the non-judicial post carries no compensation.

When the practice of using federal judges beyond the judiciary arose in the early period of our country's history, men like Jefferson, Madison and Pinckney were opposed because it tended to make the bench an "annex" of a political party and an "auxiliary" to the executive branch. In the words of the Senate Judiciary Committee in 1947:

"Where the practice is infrequent, it may well be reasoned that the situation will take care of itself; but where there is an increasing tendency to draft members of the judiciary for executive and nonjudicial duties, as is the case in modern times, the propriety of the practice should be examined anew if the integrity of the judiciary in American life is to be preserved.

What may happen to judges in the exercise of their judicial functions if the tendency increases to appoint them to Executive offices? Will it not be difficult for them to maintain the integrity and independence of the judicial office if the practice becomes common of selecting them for executive positions carrying exceptional privileges and prestige? Would not the suspicion be ever present that the President might gain desired ends by favoring judges in Executive appointments? Ill motives need not be charged at all; they will be present as a matter of course where the situation, by its very nature, carries the seeds of suspicion."

With respect to the acknowledged fact that a judge may not be compelled to perform nonjudicial duties, the Senate Judiciary Committee has warned of other pressures which may become equally coercive:

"Elements other than statutory are present. Public opinion is a compelling factor. It is difficult for a judge to refuse the Executive when the request is placed on the plane of patriotism in time of war. Even without the compelling argument of war a judge is embarrassed in refusing an appointment when urged to serve on the grounds of indispensability even though the doctrine of the indispensable man has no real place in American public life.

"Personal motives may easily join with the urgent call to duty in exerting strong pressure on the judge to accept nonjudicial appointments. Ambition is a wholesome human trait and judges are human. If it becomes common to expect Executive appointments, judges may slip into that frame of mind which seeks promotional opportunity at the hand of the Executive and the quality of the judicial character may be impaired. This could take on an ugly political tinge if judges came to see in the Executive appointment a chance to advance themselves politically or a chance to aid the Chief Executive politically."

The American Bar Association's Committee on Professional Ethics and Grievances has ruled on whether a judge might also properly hold an office in another branch of the government. The committee concluded that this was clearly improper, since it "might easily involve conflicting obligations." The Canons of Judicial Ethics of the American Bar Association themselves admonish against this practice. Canon 24 precludes acceptance of "inconsistent duties". Canon 34 insists that the judge's "conduct should be above reproach". Canon 31 precludes the judge's practice of law, though it allows acting as an arbitrator, author, lecturer or instructor of law and accepting compensation *provided* "such course does not interfere with the due performance of his judicial duties." The same conclusions were summed up in the 1947 Senate Judiciary Committee report:

"A judge who embarks upon official nonjudicial activities in another branch of the Government lays himself open to the charge that he is undertaking "conflicting obligations" or "inconsistent duties", that in spirit he is violating the doctrine of the separation of powers, and that in discharging his nonjudicial duties he is neglecting the proper performance of the judicial ones." [Footnotes omitted].

Since statutory law is inadequate to govern such a practice and control the dangers inherent in it, a heavy burden of discretion must rest with the President who would suggest non-judicial missions. The obligation of the Senate is equally important, for it can contribute a means of control through close scrutiny of the propriety of judicial nominees who have during their term participated in executive affairs. The conclusion of the Senate Judiciary Committee in 1947 was clear:

"The Committee on the Judiciary of the United States Senate declares that the practice of using Federal judges for nonjudicial activities is undesirable. The practice holds great danger of working a diminution of the prestige of the judiciary. It is a determent to the proper functioning of the judicial branch of the Government."

This same conclusion governed the determination of the Senate with respect not only to the non-judicial activities of Justice Fortas in the executive branch, but also with respect to the other factors which retracted from the level of quality in that nomination, I am convinced that due to the Senate vote on October 1, 1968, rejecting cloture of debate on the presidential nomination of Abe Fortas, future Presidents will take more care in submitting nominations, particularly those for the Supreme Court. I believe there will be hope again that judges approaching the stature of Learned Hand or Benjamin Cardozo will be appointed to the Supreme Court: not for personal or political reward, but simply because they are among the best qualified in the land. If this hope is realized, there will be a sounder foundation upon which to build confidence and to restore public respect for the Supreme Court as an institution.

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[9] 391 U.S. at 936.

[10] *Report of the Senate Committee on the Judiciary, Independence of Judges: Should They be used for Nonjudicial Work?, reprinted in* 33 A.B.A.J. 792 (1947).

[11] Dual Compensation Act § 301, 5 U.S.C. § 5533 (1964).

[12] 5 U.S.C. § 62.

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The Discriminating Role

(By Philip A. Hart)[*]

The controversy which arose in the summer of 1968 over the nomination of Mr. Justice Abe Fortas to be Chief Justice of the United States has raised serious questions about the proper role of the Senate in advising and consenting to such nominations. That my remarks may be read in perspective, it should be mentioned that I supported strongly the nomination of Mr. Fortas. I believe that were it not for the unique circumstances of last summer—the erosion of the power of the President with the approach of a political campaign, the nearness of the end of the legislative session, and the opportunity the nomination afforded for political attacks on the Court and the President—the nomination would have been endorsed by a majority of my colleagues. If my view is correct, then the nomination procedure established by the Constitution was thwarted by a minority of the Senate who turned events to their advantage and were indifferent to the support given the nominee by the bar, by the academic community, by businessmen who recognized his perceptive handling of their problems and by the deprived members of our society who felt his concern for them.

The Fortas controversy raised additional questions about the role of the Senate and that of an individual member in confirming judicial appointments. To what extent, as a member of the Judiciary Committee and as an individual Senator, was I to take into account my philosophical agreement or disagreement with the nominee? Should a sitting Justice, subjected to the confirmation process just three years earlier, be required to appear before us again at all? Was it proper for me in committee to probe the nominee's prior judicial record or to seek to defend or challenge particular opinions? What weight was I to give the nominee's relationship to the President or to his writing, speaking and teaching activities outside the Court?

These questions do not exhaust the possibilities. Many of my colleagues thought, and have frequently proposed, that the Senate should do more than simply say "yea" and "nay" to nominees of the President. Some for example, would attempt to restrict the President in the selection process, requiring him to choose Supreme Court Justices from among sitting federal or state judges or from lists of people drawn up by bar associations or other supposedly elite groups. Others would settle for attempting to pin a nominee down as to his views on particular issues, whether they be matters of obscenity, civil rights, or the relationship of government to business. Some would attempt to assess a nominee's relative hardness or softness on crime, as though that were a sufficient test of judicial fitness.

From my experience I have little faith in any of these mechanical solutions, nor does history give me any cause for optimism. Consider the difficulties in attempting, either by legislation or by more informal means, to define in advance the categories from which a President may nominate a Justice. The history of the Supreme Court abundantly demonstrates that great Justices and mediocre ones have come from extremely disparate settings. State supreme courts, for example, have supplied great Justices, including Holmes from Massachusetts and Cardozo from New York. These courts have also supplied mediocrities whose names are better left unremembered. Moreover, for a variety of reasons many state courts have today become relative backwaters in the law. While this is not true of all state courts and there are state judges today who certainly would grace the Supreme Court, how does one define in advance a category which would limit the President to the "great" state judges and rule out the mediocrities and the political wheelhorses? The same can be said for the federal bench; there are great federal appellate and trial judges and there are less distinguished ones.

A survey of the Court's history suggests that any effort to define categories from which Justices may be selected will neither guarantee greatness nor preclude mediocrity. Chief Justice Marshall, considered by many the greatest man ever to sit on the Court, had virtually no legal education and little experience as a lawyer. He was a soldier, state assemblyman, Congressman, diplomat (accused by historians of attempting to bribe the French), and Secretary of State. Those who propose to restrict the scope of the President in selecting nominees would certainly bar a man like Marshall. Or consider Brandeis, a successful corporate lawyer who had become a controversial social reformer and presidential confidante. The legal establishment of this country, including all then living former presidents of the American Bar Association and the heads of leading universities, fought the appointment of Brandeis as a Supreme Court Justice with a venom unprecedented in our history. Think how much poorer this nation and its judicial heritage would have been had they prevailed. Should we exclude professors, and close the Court to such different men as Story, Rutledge, Frankfurter or Douglas? Or should we preclude the selection of attorney generals, knowing that that category has supplied such different men as Chief Justice Taney, the reactionary McReynolds, the liberal Murphy of Michigan, or Stone and Jackson? What of prosecutors? On the present Court the most experienced prosecutor is Chief Justice Warren, hardly a hero to those who believe the Court lacks prosecutorial zeal. Are corporate lawyers to be excluded, although that class has contributed Hughes and Harlan? And what about country lawyers like Jackson and Black, the one by way of the Justice Department and the other by way of the Senate? If anything, history teaches that no door should be closed and that diversity is the goal.

How deeply should we probe the background of a nominee? Cardozo's father was a Tammany Hall judge, yet his son became one of the saintlies figures in Anglo-American law. Stone was a rebel both as a college student and later as a law teacher. He was also a successful Wall Street lawyer, an Attorney General, and a great justice. Into which category does he fit?

The more I read, the less confidence I have, not only in mechanical devices, but in any kind of prediction. In the 1920's, for example, Senate liberals engineered the defeat of the nomination to the Court of federal judge John Parker. Parker was alleged to have made an anti-Negro slur in a speech and organized labor was angry at his decision in a labor case. Parker became one of our great federal appellate judges. The man the Senate accepted in his place had been a vigorous prosecutor of the Teapot Dome crowd, but on the bench Justice Roberts cast the key vote in the early decision defeating major New Deal proposals favored by the very men who had achieved his nomination.

TOWARD CLARIFICATION OF THE SENATE'S ROLE

I appear to be advocating that the Senate continues to muddle along as it has done in the past: approving most appointments, but occasionally being cantankerous. But this does not mean that there are not lessons to be learned and to be applied arising out of our experience last session with the Fortas nomination.

First, it is the unmistakable teaching of the recent controversy that use of the filibuster, an anti-democratic device in the legislative process, is intolerable in the process whereby the Senate advises and consents to a nomination to the Court. Were it not for the filibuster, Mr. Justice Fortas would now be Chief Justice. He had the support of a majority of the Senate. In the hands of a well-organized but small band of men, however, the filibuster frustrated the will of the majority. To allow this to happen again would be to threaten every judge in the land: if he wishes promotion within the federal court system, he had better trim his sails and decide cases not according to the Constitution and the laws of the land but with an eye to the prejudices of an unrepresentative group of Senators. Such a concept is destructive of the separation of powers laid down by the Constitution, and it is outrageous that this doctrine should become part of the banner of men who proclaim to be strict constitutionalists. As the Fortas experience demonstrates, the time has come to extricate the filibuster from the Senate, root and branch.

Second, the Fortas controversy revealed to me both my own and our society's uncertainty about the role of a Justice. Do we want men appointed to the Court to sever all ties with the forces which brought them to the Court? Is it appropriate, for example, for a Chief Justice Marshall to continue to serve as Secretary of State after his entry into service on the Court? I suppose this question is academic today, but there is no law which forbids such overlapping functions, and Marshall did fill the two chairs for some six months. Do we want to erect a complete barrier between a Brandeis and a Wilson, a Stone and a Hoover, a Frankfurter and a Roosevelt? Would these Presidents have appointed these great Justices had they known that in so doing they would deprive themselves of the advice of men whose counsel they valued, perhaps more than any others? Do we want to prevent a Story from almost single-handedly creating American legal education; or can we say to a Douglas or a Black or a Fortas, "you must not write for publication, or speak your views, or teach youngsters"? Shall we say that they may do so, but may not receive compensation as do Senators,[1] Congressmen and other public officials? Do we want a firm rule at all? Can we not honor both those Justices and judges who devote themselves single-mindedly to their judicial work and those who enrich the potential of other departments of public service? Or is the risk of diverting judicial energies into other areas and perhaps enveloping the Court in political controversy too great?

The time has come for the Senate, for the bar, and especially for the law schools to focus on these problems. I doubt that the answer will be found in legislation. However, trenchant and fair-minded analysis of these issues, raised above the recent controversy, could influence future Presidents and the Senate, in addition to furnishing a guide to members of the Court. What must be done is to create a consensus as to what judicial propriety requires: None now exists.

The third lesson to be learned from the recent experience is that the prior judicial record of a nominee, like his prior legal career, is at best an uncertain guide with limited utility in determining whether his nomination should be confirmed and dangerously susceptible to misuse and abuse. I believe it is totally unrealistic and, indeed, foolish to hold that the Senate cannot properly consider a nominee's prior record, including judicial opinions he may have written. At the same time, I greatly doubt either the value or the wisdom of having a sitting Justice, whose opinions speak for themselves, personally testify before the Judiciary Committee. So long as the Senate has the power to say "no," those who wish to say "no" will avail themselves of whatever weapons are at hand. When the nominee is already a judge, these weapons will include his prior opinions.

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[*] United States Senator from Michigan.

[1] The writer does not accept "honorariums" or pay for lectures or speeches. But it is a widely practiced and presumably approved pattern.

Indeed, a Senator who is asked to assess the fitness of the candidate cannot decline to see what he has written and how he has voted.

What struck me, especially during Judiciary Committee sessions on the recent nomination, was the danger of irresponsible use of a nominee's prior record. Some examples will illustrate the magnitude of this danger. One of the chief issues which arose last year concerned Mr. Justice Fortas' position on the terribly complex subject of obscenity. Here was an opportunity for critics of the present Court, well organized and well financed, to use a controversial subject to punish a sitting Justice and thereby threaten every other judge in the country. The record gave these forces very little support. Mr. Justice Fortas had in fact contributed the deciding vote which sustained the conviction of Ralph Ginzburg.[2] Until he came to the Court, no obscenity conviction had been sustained on the merits for more than a decade. Moreover, although Mr. Justice Fortas had not himself written an opinion for the Court in any obscenity case, one of his separate opinions made clear his view that the states had ample power under the Constitution to protect children from obscene materials and to protect the public at large from panderers. But those who opposed his nomination totally overlooked his role in these cases, choosing instead to fasten upon his votes in a number of minor obscenity cases decided by the Court without opinion. I deny anyone to draw any intelligent conclusion with respect to the Justice's position on the law of obscenity from these cases. The cases, as former Dean O'Meara of the Notre Dame Law School has pointed out, bristle with alternative grounds for decision relating to both procedural and substantive issues. Some cases involved genuine efforts at artistic expression, however misguided, while others involved no more than hard core pandering. Critics of the Justice did not make these distinctions. They used little more than case names as sticks with which to pummel him. The same tactics characterized the attacks on the nominee's role in such sensitive areas of the law as criminal procedure and civil rights.

How unfair these tactics are! Even when a Justice has written a majority opinion for the Court or has written a dissent, one cannot rightfully assume that one knows his entire position. It is impossible for Senators carefully to examine the records of thousands of cases which come before the Court, much less the records on which a nominee from a state or lower federal court has acted. Nor do we know, and it would he highly improper for a nominee to tell us, what alternatives faced him and had an influence on his vote. Did he vote for a position with which he did not fully agree in order to stave off an even more distasteful result? Did he vote out of concern for the effect of this case upon another case, or upon another area of the law? Surely the fact that a Justice joins the opinion of one of his brethren does not establish that he agrees with every word, or that he would not have written the opinion differently, or even that he would not have come out the other way if he had the votes.

Even more disturbing, indeed frightening, were the inquiries of some Senators as to the identity of clients the nominees had represented as an attorney. It was improper to require Mr. Justice Fortas to justify the pursuit of his professional duty in defending victims of political hysteria when that was decidedly unfashionable.

In short, our recent experience demonstrates to me the need for far greater responsibility in the use of the ammunition provided by a nominee's prior opinions. Of course, the same is true when a state or federal judge is appointed either to the Supreme Court or to a federal appellate bench. It is totally unfair for the Senate to attempt to second guess opinions written in the heat of work or votes necessarily cast with little or no explanation. One might counter that part of the fault lies with the judges who have a duty to explain carefully and accurately what they are doing. One might hope that this responsibility were truly reciprocal: the courts would show legislative handwork sympathetic understanding of the factors affecting the writing of legislation and Congress would give the same consideration to a judicial nominee's written opinions.

The fact of the matter is that, if we are to continue selecting our judges in the present way, the treatment accorded prior judicial opinions and legal background must be made more responsible. In an age when professors and students, particularly law professors and law students, are so vocal on so many issues, one might have expected these groups to have addressed themselves to these matters last summer, as many did with respect to the use of the filibuster. But few bothered to cry out when Mr. Justice Fortas was being pilloried for the *Mallory*[3] and *McNabb*[4] decisions which were decided long before he came to the Court and in which the Court relied not on constitutional interpretation but on the Federal Rules, an area in which Congress has always had power to act. Only a few joined Dean O'Meara in his brave effort to clear the air on the obscenity issue. In my judgment a certain shame attached to this general silence.

But that is spilled milk. The profession, and especially those who teach and write, ought now to correct those errors of omission and help define for us some guidelines in dealing with the problems I have discussed. To arms! *i.e.*, to thought!

OLIVER SPRINGS, TENN., DRAWS NATIONAL ATTENTION FOR SELF-IMPROVEMENT PROJECT WITH TVA ASSISTANCE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. EVINS of Tennessee. Mr. Speaker, Oliver Springs, Tenn., located in the Fourth Congressional District of Tennessee, which I am honored to represent in the Congress, has drawn national attention because of its program of progress.

The program grew out of a disaster when a flood severely damaged much of the city. The Tennessee Valley Authority stepped in to provide assistance as did other Federal agencies and, in cooperation with local and State officials, Oliver Springs is well on the way toward a new era of growth and progress.

I want to commend and congratulate Mayor J. H. Burney and other local leaders for their leadership and initiative in the matter. It has been my pleasure to work with Mayor Burney in the matter of securing approval of applications for assistance from the Department of Housing and Urban Development and other Federal agencies and departments.

In this connection and because of the interest of my colleagues and the American people in community progress, I place in the RECORD herewith an article by the national columnist, Marquis Childs, which tells the Oliver Springs story. The article follows:

[From the Washington (D.C.) Post, May 14, 1969]

LESSON OF TVA IS IGNORED BY FLOOD RAVAGED STATES

(By Marquis Childs)

The rivulets, the small streams, the great rivers run brown with the precious soil that each spring is lost forever. This is a heedless waste of the capital of a land ravaged by the quick-buck builders and the highway promoters who will not be satisfied until the whole country is covered with concrete.

It has been going on for a long time. As predictable as the first crocus, appeals come to Washington for help under the Federal disaster act to repair flood damage. The total so far this year is $12,750,000 which is little enough alongside the vast sums this capital deals in.

Yet, as a measure of the cost of putting back bridges, restoring roads and sewage plants and providing temporary homes for the homeless, this says a lot about the cost of years of neglect and indifference. Of the total, California, where the builders have stripped steep hillsides and perched houses and apartments on perilous slopes, got $8-million. The balance went to Minnesota, North Dakota, South Dakota, and Iowa. While last January's prolonged rainfall on the West Coast and the heavy snows in the Midwest increased the likelihood of serious flooding, there is no reason to believe that the same thing will not happen next year and the year after that ad infinitum, with the same demands on Washington to pay for a patching job again.

On a recent tour of the Tennessee Valley this reporter saw an example of the work of the Tennessee Valley Authority that has gone a long way toward eliminating floods and restoring the health of the land in that region. The contrast showing what can be achieved by no shying away from that scare word, planning, is striking.

Oliver Springs, Tenn., a town of 3600 had a severe flood in July, 1967. It was in the nature of a flash flood, as storm water roared down Indian Creek which runs through the town. Oliver Springs has had 16 major floods since 1905, 11 occurring after the construction of nearby highways.

As the town surveyed the devastation to schools, roads and homes in the steamy aftermath of the flood, TVA came in. They did not say, "Okay, we're going to put in some dams and fix things up for you." The first move in accord with long-established policy was to enlist support from the townspeople themselves. They were asked by TVA representatives, "Do you want to join in a common effort to rebuild the town and try to insure that there will be no more flooding? If you do, we're prepared to help."

Mayor J. H. Burney, a quiet-spoken Tennesseean who is a guard at the nearby Oak Ridge atomic plant, saw what an opportunity this was. He started in at once to get understanding and support for a comprehensive plan to which local citizens contributed ideas. Cooperating with Burney was Jim Point, a part-time TVA consultant working for a graduate degree in city planning at the University of Tennessee. Point showed remarkable skill in beating a path through the jungle of Washington agencies involved in one way or another with the project and pulling them together.

The result was a redevelopment program that will cost $5,700,000. TVA will spend $1,920,000 including the share to be put up by Oliver Springs. The balance is from the gaggle of Federal agencies—Housing and Urban Development, the Water Pollution Control Administration, the Appalachian Regional Commission—that have a finger in the pie. When the work is completed total benefits on an average annual basis are put at $1,344,600. This is broken down in flood prevention, the enhancement of land values, public housing, recreation and the savings in transportation as a result of rerouting highways.

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[2] Ginzburg v. United States, 383 U.S. 463 (1966).

[3] Mallory v. United States, 354 U.S. 449 (1957).

[4] McNabb v. United States, 318 U.S. 332 (1943).

Nothing could better illustrate TVA's primary goal—to build up the region so that people will want to stay rather than migrate to the cities. With seven Southern and border states in the region, including Mississippi and Alabama, TVA claims the rate of migration for Negroes has been cut in half over the past three decades. At the start of the experiment in reconstructing a whole area two-thirds of employment was in agriculture, with 12 per cent in manufacturing. This is reversed today, with 30 per cent in industry and 12 per cent on the farms.

Strict conservationists grouse over some TVA decisions where favorite trout streams and a bucolic setting are the issue. But TVA has built 22 major lakes that are a source of pleasure and profit to hundreds of thousands not only in the area but for visiting vacationers.

Denounced as socialism at its inception, TVA by the year 2009 will have repaid the Government all money invested in power facilities through appropriations, and the properties will still be Government-owned. Today Federal expenditures in the area are only 60 per cent of the national average and that includes Oak Ridge and the space installation in Alabama. While the TVA pattern might not fit another region, the lessons are there to be learned as America's rivers elsewhere run brown with irreplaceable topsoil.

THE CENSUS, NOW AS THEN

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. OLSEN. Mr. Speaker, I am compelled once again to speak out in behalf of one of the Nation's oldest institutions—the decennial census.

It does seem incongruous for a Member of this body to feel obliged to defend a truly democratic process, established by our Founding Fathers and honored by each succeeding generation. But I cannot stand by when this hallmark of our heritage continues to be subjected to unwarranted, unfounded allegations. I cannot be indifferent when the historic role of the census in our life as a nation is obscured by misinformation and misunderstanding.

I want to do my part to correct these misconceptions. I am especially concerned, for, as a member of the Subcommittee on Census and Statistics for 8 years, I came to appreciate fully the importance of the census and the value of the information that only the census can obtain.

Unfortunately, many of us have a tendency to forget—almost to the point of being unable to recall that we participated in a census less than 10 years ago, just as all Americans have taken part in this survey of population and progress once a decade since 1790. And as I look back to each preceding census, I am forced to ask myself what all the current commotion is about.

We hear that planners of the 1970 census have overstepped their bounds, that they have devised an excessively personal and burdensome questionnaire that goes far beyond the census as we used to know it. This, of course, is not so.

Let us go back a century, to the late 1800's. In those years there was no Bureau of the Census to bear the credit or the blame. The Congress itself determined what questions were to be asked. And every question was asked of every person. There was no sampling of the sort which next year will make it possible to limit to a bare minimum the number of questions for the great majority of citizens and still collect sufficiently useful information from the remainder.

In 1870, 100 years ago, Americans were asked by direction of the Congress whether they were able to read or write, and whether they were deaf, dumb, blind, insane, or idiotic. In 1880, the household acknowledging a mentally defective member was asked:

> Is this person restrained by a strap, straitjacket, etc.? Is this person kept in a cell or other apartment under lock and key? What is the size of his head (large, small or natural)?

In 1890 the same questions were included, and more were added. The census takers, instructed by Congress to do so, asked each citizen whether he was suffering from an acute or chronic disease—and what disease it was. They noted whether he was a prisoner, convict, homeless child, or pauper. And there were supplemental questionnaires for such persons as the inmates of soldiers' homes or benevolent institutions. The number of different inquiries rose that year to a peak unequaled before or since. The better part of a decade was required to complete and total up the census. Its objectives was being smothered in details.

So, to anyone who has been led to believe the 1970 census is the product of an increasingly overzealous Government, I would suggest that he contrast the censuses of a century ago with those of more recent years. The scope of the census has, since 1940, been broadened to cover housing as well as population. The world and its problems are more complex. The pressures of time are more demanding. The Congress is called upon to consider many more complicated questions of public policy. Yet, the census questionnaires are more compact and the inquiries more tightly drawn.

In 1970 the number of questions will be just about the same as in 1960 and 1950. There will be fewer than were asked in 1940. As a matter of fact, the average in 1970 will be less than in any census for more than 100 years.

Only five questions dealing with population will be asked of each person in four households out of five. The longer form which goes to one household in five, under the sampling procedure recently announced by Secretary of Commerce Stans, will include 23 additional population questions. Eleven of these are limited to persons over 14 years of age. Even on the longer form there will be only 23 housing questions, including the 13 that appear on the short form. I do not consider this burdensome in any circumstance, particularly when compared with prior censuses. All in all, the census has been trimmed enough. We cannot afford any further cutback.

None of the intended questions, I assure my colleagues, is frivolous. Not one is an unnecessary, busy, nose-poking inquiry, as some would have us believe. Each is of broad public interest and serves a clear governmental purpose. And taken together, the questions on people, on employment, and on housing are interrelated, one with another.

For example, the replies to questions on years of schooling, on income, employment, quality of housing, and other items can be cross-tabulated to show the relationship between education and environment, between levels of schooling and occupation, success in other areas of life, and so forth. The kind of data that can be obtained is as varied as it is useful.

Many more questions could be asked. Much more data could be compiled. As a matter of fact, hundreds of inquiries are proposed for each census but must be rejected after careful review and evaluation by professionals in the Census Bureau. Questions are accepted only when they meet the Census Bureau's rigorous criteria.

I will have more to say on later occasions about other aspects of the census which have been misinterpreted or misrepresented. So that I will not be misunderstood, I want to reassert now my firm belief that the Congress has a vital interest in the development of the census. And I support a more extensive study of how that interest can best be exercised.

For the moment, let me repeat that the census planned for 1970 in no way constitutes an undue burden on the individual citizen. It does not abuse the citizen's right to privacy. But it will provide valuable information that can be put to effective use for every citizen.

THE DEVELOPMENT OF LATIN AMERICA AND MEXICO WITHIN THE ALLIANCE FOR PROGRESS

HON. ELIGIO de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. DE LA GARZA. Mr. Speaker, we have been very fortunate in the past that our sister Republic of Mexico has always honored our country by sending its ablest and most illustrious statesmen to serve as ambassadors to the White House. The present Ambassador, His Excellency Hugo B. Margain, continues in every sense this precedent, for he represents his country with honor and distinction, and yet is a cordial friend and a perfect gentleman to all who know him—indeed the true mark of a great diplomat. Recently, Ambassador Margain delivered a most interesting lecture to the Mexican Chamber of Commerce of the United States. He did so in his usual scholarly masterful way. It contains some quite interesting data about our

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friends to the south and should be of great interest to the Members. I, therefore, very respectfully submit the same for your consideration:

THE DEVELOPMENT OF LATIN AMERICA AND MEXICO WITHIN THE ALLIANCE FOR PROGRESS

It is a pleasure for me to be with you in New York and to participate in the annual luncheon-meeting of the Mexican Chamber of Commerce of the United States. The special envoy of President Richard M. Nixon, Governor Nelson Rockefeller will arrive on the 11th of this month in Mexico. He will also visit other countries of Latin America for the purpose of listening to what we may have to say and to study what can be done to meet the goals of the Alliance for Progress. This is a timely subject, and several excellent studies have appeared regarding the results obtained up to the present time, during the existence of the Alliance for Progress signed at Punta del Este in 1961. One of those studies has just been submitted to the House of Representatives of the United States, last March, entitled "A Review of Alliance for Progress Goals" ("A Report by the Bureau for Latin America, Agency for International Development"). An evaluation of development in Latin America is made in this review, and a comparison is made of the results of different countries, in connection with each one of the goals outlined at Punta del Este. I will be referring to Mexico as one of the countries in this vast continental extension, highlighting what has been done in my country, as reported in the study mentioned, in comparison with what has been done in the other countries, so that we may put Mexico in the place it deserves. I will take the statistical data from the research presented to the Congressmen of the United States, carried out by experts in international studies, and divorced from any partial inclination. I will not mention any Mexican statistics, and when my source of information is different from the study referred to, I shall so indicate.

The member countries of the Alliance for Progress were in agreement in setting as a goal an economic increase of 2.5% growth rate per capita per year. This indicator of growth per inhabitant combines the gross national product and the population increase. It was considered that the 2.5% mentioned as a minimum was pertinent, due to the fact that the income per person could be double in 28 years. This measuring stick has also served as a pattern to measure the governmental efficiency or incompetence, and although this isolated data should not be used to make comparisons between different countries, because the purchasing power varies in each of them, and although it tells us little of the due redistribution of income, it is nevertheless one of the mose efficient instruments at our disposal now, for measuring the progress of nations, as it brings together consumption, investments and exports, on which the growth and the social welfare depend.

During the existence of the Alliance for Progress (1961–1968), Latin America reached a growth of 4.5% per year of the total gross national product of member countries. During the same period, the average growth in the United States has been higher, having reached the figure of 5.1%.

Let us compare the Latin American growth with that obtained in other areas of the world during this same period. The countries of the OECD had a growth of 4.3% and the underdeveloped region of Southern Asia, in which India, Pakistan and Ceylon are considered, reached the figure of 4.2%, while Africa showed an increase of 4%.

Now then, since Latin America has one of the highest percentages of population growth, it requires a constant increase of at least 5.5% in order to reach the goal of 2.5% per capita. Therefore, in having reached a growth of only 4.5% it means that the region did not reach the minimum stipulated in the Charter of the Alliance for Progress. From 1961 to 1967 the growth per capita of the 18 Republics who signed the Alliance for Progress, was of 1.5%

Let us now move to analyzing the situation in the different countries of the region, studying the increase per capita obtained in each one of them.

In 1967, Panama obtained 4.7%. Bolivia 3.4%, in third place Mexico with 3.1% and an estimated 3.3% for 1968. Panama has a population of 1,329,000 inhabitants and Bolivia 3,800,000, and Mexico with 45,671,000 inhabitants is the most highly populated Spanish speaking country. Peru with 12,385,000 inhabitants reached 2.6%. Chile with 8,925,000 inhabitants obtained 1.8%; Venezuela with 9,352,000 inhabitants reached 1.5%. Colombia with 19,215,000 inhabitants, 1.1%; Brazil with 85,655,000 inhabitants had 0.9%. Argentina with 23,031,000 inhabitants had 0.4%.

It is hoped that in 1968 the minimum goal of 2.5% per capita was reached in the Latin American region, due to the economic recovery of Brazil, Argentina and Colombia, and the high rate of growth of Mexico and Venezuela.

Productivity per person in Mexico was $507.00 Dollars, one of the highest in the region.

Let us now analyze this subject of the total growth in Dollars and the per capita income in Dollars of the more highly populated and more extensive countries of Latin America. Brazil had in 1960 a total gross national product of 20,080 million and in 1967 it reached the 27,100 million, which allowed it to pass from $286.00 per capita to $316.00 during the years mentioned.

In Argentina in 1960 the gross national product was of $13,780 million and in 1967 it rose to 16,550 million. During the two years mentioned it passed from $667.00 per capita, to 718.00.

During the same period the growth of the gross national product in Mexico was more dynamic, having reached the figure of 15,150 million in 1960, and 23,160 million in 1967, meaning that we gained 8,010 million while the gain in Brazil was of 7,020 million and in Argentina 2,770 million. As a result of the efforts carried out, the per capita income in Mexico climbed from $420.00 in 1960, to $507.00 in 1967.

Venezuela has had an important economic growth. In 1960 it had 6,060 million of G.N.P. and in 1967 it reached the sum of 8,340 million, which, with the population of less than 10 million inhabitants in 1967, it has the highest per capita income in Latin America—$823.00 in 1960 and $892.00 in 1967. Venezuela is in 1967 at the head of the list of the income per capita; Argentina following with $718.00; in third place Panama with $568.00; Chile in fourth place with $563.00; Uruguay in fifth place with $547.00; and Mexico in sixth place with $507.00.

As it was stated before, mere statistics of the economic progress and of the per capita income reveal nothing about a greater equity in the distribution of wealth, which is a fundamental goal in countries where there is a tremendous difference of wealth and a tendency for the concentration of wealth in a few hands within a general framework of poverty. The growth of the so-called middle class, fundamentally absorbing part of the population of low income until these social strata are liquidated, is one of the most ambitious goals to be reached in Latin America.

An economic commission of the United Nations, which was created to study in 1967 the economic structure of the distribution of wealth in Latin America found out the following data: In Argentina, as well as in Brazil and in Mexico, 10% of the population receives approximately 40% of the total income, while 40% of the population of lowest income receive from 10 to 14% of the total income, a situation that has remained unchanged since the early part of 1960, according to the document mentioned.

It is evident in the light of the foregoing information that we have to activate all of the instruments of redistribution that we have at our disposal, in order to prevent such a marked disparity in income—the ferment of all social tensions that can erupt into violence. We must give special attention to the income of the rural areas, which constitute the part of the population that suffers more hardships and limitations.

The earnings of foreign exchange of the countries of the area is indispensable to accelerate progress. The countries that depend on a limited number of exportable products, even when they have them in great quantities and if they produce foreign exchange for them, are at a great disadvantage. Any fluctuation of prices in the international market, almost always of a downard trend, can produce an internal crisis. Consequently, the greatest diversification in exports is conducive to greater stability in income from abroad, thus preventing violent political-social upheavals.

The increase of exports for the purpose of accelerating the progress of our countries is not sufficient; it is also necessary to send to the international markets, not only raw materials subject to variations in their prices, but also manufactured products, that aside from maintaining a relative stability in their prices, they signify an increase in the income of each country, because of the fact that they are products of a greater economic content. Giving one single example, let me refer to cotton: Each kilogram of baled cotton that Mexico exports, produces 7.00 Pesos (U.S. $0.56); if it transforms it into yarn then the price doubles and even triples itself from 15.00 to 22.00 Pesos (U.S. $1.20 to $1.76) per kilogram; if the industrial transformation of the fiber goes as far as crude textiles, the price reaches an average of 30.00 to 35.00 Pesos (U.S. $2.40 to $2.80), and in finished products it can go as high as 80.00 Pesos per kilogram (U.S. $6.40), that is to say that in montary terms, if we transform bale cotton, the raw material, into a finished product, the income from this source would increase more than 10 times.

The industrial transformation also means the establishment of new factories, where employment is offered to laborers, skilled laborers, technicians and scientists; factories absorb the products of the country, they generate taxes; they activate the means of transportation and communication, and in one word, it means industrialization—the final stage in the economic progress of the countries. When we speak of a wealthy nation, we are speaking of a highly industrialized country.

Precisely, the Latin American zone is not an industrialized region; we are, in general terms, beginning the basis of industrialization, which will allow us to meet our national needs, doing away with costly imports from the wealthy nations and on a second stage trying to export the goods produced in industries of the region in competition in the international markets, in order to obtain the highest possible incomes indispensable for the economic social progress of our countries.

As to the objectives outlined: diversification of exports and the export of manufactured goods, Mexico, according to the document mentioned before, has met these goals in an outstanding manner.

Let us examine the corresponding figures. During the years 1962 to 1966, of the total

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Mexican exports, an average of 22.6% were manufactured goods, the highest of the whole region, and therefore the study concludes that "manufactured goods were the principal factor of the general growth of the gross national product in Mexico within this period".

In the study mentioned, there is a comparative table between the exports of Argentina, Brazil and Mexico, with the following results: The total exports in 1962 were the following: Argentina 1,216 million Dollars; Brazil 1,214 million Dollars; Mexico, 899 million dollars. Of that total in that year, Argentina exported 42 million in manufactured goods (3.5% of the total; Brazil 37 million (3.1% of the total); Mexico 208 million (23.1% of the total).

From 1962 to 1966, according to the same comparative table, Argentina exported manufactured goods for a total of 411 millions of Dollars. Brazil, during the same period, 407 millions of Dollars; and Mexico, 1,157 millions of Dollars.

This fact that we have just analyzed illustrates the industrial capacity of Mexico, which we have achieved during the last four decades, thanks to the investments in infrastructure carried out by the State; to the capacity and organization of the laborers; to the activity of the technicians and the scientists; to the technical assistance received from abroad; and to the new empresario who has social conscience in his activities. We all know the difficulties that we had to face in order to place 1,157 millions of dollars in manufactured goods within a period of five years.

This is the result of a collective effort carried out in an admirable form. We have been able to compete in the international markets, where one may enter only when the quality of the product is good and the prices can compete with those of the highly industrialized countries. Furthermore, since Mexico is a country that is only beginning its exports of manufactured goods, it has to overcome innumerable barriers and difficulties in the international markets, always full of unpleasant suprises for those countries that enter these markets for the first time.

We have been able to forge ahead in this field, thanks to a sustained internal effort and to a determined battle to open markets for our products in the centers of high consumption, which always correspond to the highly integrated countries, who quite naturally are reluctant to give up their markets to the developing countries, in detriment to their own interests. The revolutionary movement which started in 1910 clearly showed us that in order to accelerate the economic-social progress of Mexico, it was necessary to break with our situation of economic serfdom, which shackled us to produce and export only raw materials and to be consumers of the great centers. With the view of liberating ourselves economically, atfer we had gone through the cruel period of the fight, the process of industrialization was begun, having to overcome great difficulties of an internal order in order to project ourselves abroad, having to surmount different and greater difficulties, which are always present in the exports to the international markets.

The desired goal in trying to industrialize the Latin American area is twofold: the production of goods on the one hand, and therefore the creation of wealth, and on the other hand that of providing opportunities for productive and well-remunerated labor to the population. In trying to establish industrial complexes in the underdeveloped countries, this has sometimes been done in detriment of agricultural progress or that of education; and thusly a wise policy is that which finds a balance between progress in the farm, industrial integration and the education of the people, which basically are complementary. Mexico, according to the opinion of Dr. Theodore W. Schultz, has been able to balance its development in both fields, the agricultural and the industrial. In his treatise "Economic Growth Theory and Profit in Latin American Farming," this professor of the University of Chicago states, "In achieving this success in agriculture, Mexico has not neglected her industry. Instead, economic incentives have been such that both industry and agriculture have been growing rapidly." ("Agricultural Development in Latin America: The Next Decade," Inter-American Development Bank, page 176.)

The indicators of the industrial growth in each country, however, give only a very general idea of the economic progress. This index, for example, does not show whether the industrial investments are the adequate ones and if in other fields the money employed could have been more productive. With these limitations we can establish, following the study mentioned, that in the Latin American area manufactured goods contributed with one fourth of the gross domestic product, while agriculture, the exploitation of forests and fisheries contributed with one fifth. In the generality of the countries the industrial growth from 1960 to 1966 was of 40%. In Panama and in El Salvador it grew more or less 50%, and there was an increase of 66% in Peru and in Mexico. As we can see, Mexico was located in the study in question, together with Peru, among the countries who most increased the production of their manufactures in this decade.

Another interesting indicator in relation to industrialization is the production of electric energy. According to the report, the production of electric energy in the area rose from 69 billion kilowatt-hours in 1961, to 100 billion in 1966 and it is estimated at 106 billion for 1967. Two thirds of this electric power were produced in Brazil, Mexico, and Argentina. The report to the House of Representatives concludes with the following figures: "the relative increase in these countries was: Brazil, 34%; Mexico, 62%, and Argentina, 33%.

Agricultural productivity by area is subjected to examination in the study presented before Congress. Of the 18 countries studied, 12 have increased their productivity in the 5 principal crops of each country in the years 1961 to 1966, and the increase goes from 0.8% in Paraguay, to 24.3% in Mexico, which is the country that has achieved the highest productivity. Chile follows with 18.8%. Agricultural development in Mexico is the most important of Latin America, according to professor Theodore W. Schultz, who in his treatise already mentioned underlines the fact that the success obtained in Mexico is due to the agricultural research centers and to the use of modern fertilizers at a low price. Dr. Schultz says: "Although too many of the countries of Latin America have done badly in agriculture, the success of Mexico is most instructive. It has no equal in Latin America in view of the more than 5 per cent compound rate of growth in agricultural production between 1940 and 1962 and the further more than 8 per cent of increase in crop output between 1963 and 1965". The agricultural development of Mexico is presented by Schultz as an example of what the use of fertilizers and insecticides and the research programs can do for a country. "We can learn much from Mexico on this score", he says, and adds, "Hopefully, Latin Americans, will be increasingly disposed to take this lesson to heart".

As we can see, in Mexico industry has developed in such a manner that it is the country that exports more manufactured goods of the Latin American countries, and on the other hand it is also the one with the greatest relative development in the field of agriculture. The efforts that Mexico has made in the field of irrigation are really remarkable because nature has not been prodigal in this aspect. Another contributing factor to the success we have had, and a major one has been the agrarian policy of the distribution of land, together with the modernization of agriculture and the granting of credits for farming. Public education has been of prime importance in our development, although we have not done away with illiteracy, which has gone down according to BID to 22.5% of the population in 1968. In other countries of the area, the index of illiteracy is much less, such as in Argentina, 8%; Chile, 10%; Costa Rica, 15%; Uruguay, 9%; and Trinidad and Tobago, 11%. Nevertheless, the effort put forth by my country in this respect has been impressive. For example, the number of secondary school professors employed in Mexico in 1960 were 51,830. Brazil had 58,296, and Argentina 22,753. In 1967 the number increased in Mexico to 138,069, which placed it at the head of all the countries of the area; Brazil follows with 114,997 and Argentina with 29,093.

In the study presented to Congress, Mexico is considered in the first group of Latin American countries with greater stability of prices. The data presented in the report on this subject reveal that from 1961 to 1967, Mexico has had a total of 16.3% increase in the cost of living, while Argentina experienced an increase of 325.4% and Brazil an increase of 1,413.2%. Venezuela had a lesser increase along these lines with only 2%; Panama with 5%; Guatemala 2%; El Salvador 4.1% and the Dominican Republic with 10.6%.

As to gross investment, Mexico occupies first place; in 1960 Brazil was leading with 3,569 million of dollars; in second place Argentina with 3,207 million of dollars; and in third place, Mexico with 3,020 million of dollars. This situation varies and since 1964 to 1967, Mexico is in first place in gross investments. I shall give only the figures for 1966: Mexico, 4,570 million of dollars; Brazil 3,723 million of dollars; and Argentina 2,900 million of dollars. In the study in question, it is estimated that for 1967, gross investments were: Mexico, 4,940 million of dollars; Brazil, 4,065 million of dollars; and Argentina, 3,240 million of dollars. In conclusion, in this point of capital importance, according to the study presented to the American Congress, from 1960 to 1963 Brazil carried out a gross investment of 15,661 million of dollars; in this same period Argentina occupied second place with 12,384 million of dollars, and Mexico third place with 11,460 million of dollars. From 1964 to 1967 the situation was as follows: Mexico in first place with 17,810 million of dollars; Brazil in second place with 14,941 million of dollars, and Argentina in third place with 12,285 million of dollars.

As a result of the development attained in my country, based on agricultural development and industrial integration; as a result of the increase of the internal and international market, and of the greater purchasing power of the masses, the gross national product of Mexico in 1968 reached first place according to statistics of the International Monetary Fund. As a matter of fact, at 1964 prices, in 1968 Mexico had a gross national product of 21,983 million of dollars; Brazil was in second place with 20,591 million of dollars, and Argentina in third place with 17,589 million of dollars.

As a result of the economic development that has taken place in Venezuela and in Mexico, and of the constant increase in their monetary reserves and the consequent firm monetary parity with the dollar, there has been a tendency in the Inter-American Development Bank not to authorize soft loans ear-marked for social ends, while this type of a loan is authorized for the rest of the countries in Latin America. This attitude of discrimination was vigorously attacked by the Secretary of Finance and Public Credit of my country, during the last meeting of the IADB in Guatemala. It is not justifiable that as a consequence of such a meritorious

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effort put forth by Mexico and Venezuela, we be denied loans at the longest term and with a low rate of interest. In Mexico we need to rescue from poverty and ignorance, large segments of the population, who have not yet participated in the benefits of the relative progress achieved. We hope with confidence, that this situation will be modified as soon as possible.

In international trade the rule of strict reciprocity has varied. Since the 1st. and the 2nd. meetings of UNCTAD there have been discussions and it has been accepted that the highly developed countries should grant preferences to developing countries, that should be of a universal type, non-discriminatory, and not reciprocal, in order to correct the effects of international trade, which constantly accumulates wealth in the larger centers, so that the abysm that separates these two groups of countries is widened from day to day. This is an important year in this respect. The Commission on Preferences, of UNCTAD in Geneva is working to formulate a list of semi-manufactured and manufactured products, over which the large centers are in agreement in allowing preferences to the developing countries. Since the Governments of the Latin American countries were worried by the abstention of the United States in presenting a list of these products to the Commission in Geneva, in accordance with the approved calendar (March 1st and April 28), they gave instructions to their Ambassadors accredited before the White House, to present a collective note to the United States on this transcendental matter. In this respect we are certain that the Unied States will honor its commitments and that in 1970 the treatment of non-reciprocal preferences of a general type will begin.

However, out of this general thesis my country is willing to study concrete cases in the United States, in which there can be reciprocity: I refer concretely to the duty-free importation of Mexican alcoholic beverages, which was recently reduced from one gallon per tourist, to one fifth of a gallon. Mexico has proposed that the amount of alcoholic beverages that can be brought to this country duty-free by tourist be increased, and on the other hand we will afford the same treatment to American alcoholic beverages that tourists from both countries can take to Mexico duty-free.

We must not lose sight of the fact that the increase in the interchange of trade between Mexico and the United States is beneficial to both countries. As a result of our industrialization, we require a constant and increasing purchase of machinery in this country, so that we live with a constant deficit in our balance of trade. This phenomenom has actually become more acute, and in 1968, for each dollar that Mexico sold to the United States, we acquired merchandise in the United States for $1.58. In the measure that the dollar income in Mexico from any concept is increased, Mexico immediately increases its imports from the United States. For this reason any restriction to the increase in our economic relations cannot be beneficial. Such restrictions harm us very seriously, and although to a lesser degree, they also affect the United States. Consequently, the more trade there is between our two countries, the more progress there will be for both.

THE LATE FRED HARTLEY

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. FISHER. Mr. Speaker, the untimely death of Fred Hartley of New Jersey took from the American scene a man of great distinction. He made a mark on history which will be recognized and appreciated for generations yet to come.

Fred Hartley served in the House of Representatives for 20 years— from 1929 to 1949, when he voluntarily retired. He became chairman of the Labor Committee in 1947, at a time when labor unions were operating at the peak of irresponsibility. Excesses and abuse of power, under the sanction of the old and discredited Wagner Act, were commonplace. As history has recorded, many of the union leaders were pampered and wet-nursed by politicians, to the extent that the Nation had become groggy from a long series of ill-advised and wholly unjustified strikes. Big name labor leaders had become spoiled by overattention and excessive power granted by the Congress. The time was overdue for reform.

It was in that setting that Fred Hartley became chairman. Fortunately for the Nation he had the courage, intelligence, and sense of responsibility which was needed and was put to good use. I was a member of that committee and attended every session of the hearings on proposed changes in the Wagner Act. The chairman was fair and objective as hearings continued for weeks and scores of witnesses were heard.

Unfortunately, the heads of the big unions did not choose to cooperate. A virtual boycott on their part ensued despite constant urging that they come forth with constructive suggestions. Some of them grudgingly appeared, but offered no usable ideas.

Under Hartley's able leadership the committee reported a measure which was both progressive and constructive. The accent was on the public interest to be served, and both labor and management were treated fairly. The Hartley bill was approved in the House, and although weakened and watered down considerably in the other body, it was enacted and became known as the Taft-Hartley Act, finally approved over a veto by President Truman.

Mr. Speaker, the late Fred Hartley is entitled to much credit for that historic accomplishment. He was guided by a deep sense of duty to the American people, and he never faltered in advancing that reform in the highly controversial field of labor legislation.

It is of interest to note that serving on the Labor Committee during that Congress were two freshmen both of whom were destined to later become Presidents of the United States—the late and lamented John F. Kennedy and Richard Nixon. I recall that although their views often differed they were both quite active throughout the hearings.

A number of others who were on that committee were equally as interested. Of the 25 who were on that group only three are still in the House—myself, the gentleman from Indiana, Mr. Madden, and the gentleman from New York, Mr. Powell. Others who were particularly active, as I recall it, included such distinguished members as Wint Smith of Kansas; himself a tower of strength; the indomitable Wingate Lucas of Texas; Graham Barden of North Carolina, who later became chairman, himself an extremely able member; the late Ralph Gwinn of New York; the late Sam McConnell, Jr. of Pennsylvania; the late Clare Hoffman of Michigan; Carroll Kearns, also of Pennsylvania; and others too numerous to mention. All of them, without exception, respected the fairness and the dedication of Fred Hartley.

Mr. Speaker, Fred Hartley was a great patriot. He spent time and money in aiding and encouraging youngsters to seek the better life. He was a prominent sponsor of the Golden Gloves tournaments in Washington, and for years the Fred Hartley Award was much sought after by contestants.

Always surrounded by friends, Hartley's company was much sought after. He was affable and sincere, always anxious to help the worthy and deserving. I regarded him as a personal friend. The American people owe Fred Hartley an everlasting debt of gratitude.

To Mrs. Hartley and other members of his family, I extend my deepest sympathy in their bereavement.

DR. VIRGINIUS D. MATTIA HONORED

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. MINISH. Mr. Speaker, it was my privilege to be among the 2,000 guests who attended the 125th anniversary dinner of the B'nai B'rith in the Waldorf Astoria Hotel in New York City on May 7. The felicitious choice for the 1969 Humanitarian Award conferred at this notable event was Dr. Virginius D. Mattia, president of Hoffmann-LaRoche, Inc., of Nutley, N.J.

In honoring Dr. Mattia, B'nai B'rith did justice to the noble principles that have guided this great organization over the past century and a quarter of its illustrious service to humanity.

Few men are endowed with the intellectual capacity, business acumen, enormous energy and wide-ranging interests that have made Dr. Mattia a commanding figure in his profession and industry. Rarer still is his combination of the practical and idealistic—his belief that in this life God's work must truly be our own—as evidenced by his sponsorship of free medicine for the indigent from his company, jobs for the disadvantaged through the National Alliance of Businessmen and his innumerable other acts of charity and compassion for suffering humanity. He has set an inspiring example of enlightened business leadership that realizes that our free enterprise system must be motivated by more than simple economic self-interest.

Mr. Speaker, in a perceptive editorial of May 7, the Newark Star Ledger paid fitting tribute to the qualities that prompted B'nai B'rith to select Dr. Mattia for this 1969 Humanitarian Award. The editorial follows in full:

[From the Star-Ledger, May 7, 1969]

HUMANITARIAN

In an affluent era, where an imbalanced, premium value is placed on materialism, the thread of humanitarianism too often becomes obscured in our social fabric. But a profound, abiding concern for one's less fortunate fellow man is the distinguishing mark of mortality, the imprint more indelibly impressed than any notable achievement in public or corporate service.

There are some men and women—unfortunately the number is small in comparison with contemporary human suffering and deprivation—who have been able to retain a fulfilling sense of social responsibility, even in a system where the profit factor is an obsessive symbol of the fierce competitiveness of the free enterprise system.

In precise, human terms, it is a difficult role to fill.

But it has been filled, in full compassionate dimension, by the president of a major, Jersey-based drug firm, Dr. V. D. Mattia, who is being given tonight the 1969 Humanitarian Award by the worldwide B'nai B'rith organization for his "service to humanity . . . personal beneficence . . . leadership in causes which promote brotherhood."

"Barney" Mattia is a rugged individualist in an industry that has been censured and railed against for profiteering and price-fixing (which three of its members tacitly admitted with their agreement to refund $120 million to purchasers who felt they had been overcharged). Dr. Mattia declined to jointly underwrite a massive promotional campaign to cosmeticize the industry's down-at-the-mouth image, but his firm each year gives away $1.4 million worth of pills to needy persons selected by physicians.

It is a social program that is an amalgam of humanity and corporate acuity, and the latter does not diminish the spiritual and material worth of the act of helping those in difficult circumstances. The motivation can be gleaned from the man's own words: "I came to the conclusion a long time ago that a man can reap the benefits of this great society for only so long before he's in debt to it."

Barney Mattia has been amortizing that debt, paying it off in impressive human installments.

AMERICAN PATRIOTISM

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. MILLER of Ohio. Mr. Speaker, at a time when our great patriotic traditions are under almost constant attack by those who reject true American values, it is refreshing to read an editorial entitled "Can We Wave the Flag Too Much?" that recently appeared in the Caldwell Journal and Noble County Leader—one of the outstanding newspapers in southeastern Ohio. I submit this editorial for reprinting in the RECORD, as follows:

CAN WE WAVE THE FLAG TOO MUCH?

Is it possible to wave the flag too much? Provided, of course, that you wave it with integrity? Is it possible to study Lincoln or Shakespeare too much? Is it possible to read the Bible too much?

The great, the good, the true, are inexhaustible for inspiration, example and strength. I believe that we are not waving our flag enough, not nearly enough.

It seems to me that we are developing a tendency to be timid or even apologetic about waving the stars and stripes. Walk up and down the streets on July 4th and count the flags. It is our nation's birthday, a sacred day in world history, the most important day of America. Why isn't the flag flying on every rooftop and from every home and building? This complacent attitude is strong evidence of cancerous patriotic decay. The flag is a symbol of our national unity. It is the spirit of our undying devotion to our country. It stands for the best that is in us . . . for loyalty, character, and faith in democracy.

Isn't our flag a synonym of the United States of America? Does it not represent man's greatest, noblest, most sublime dream? Is it not the zenith of achievement, the goal to which generations have aspired?

Ladies and gentlemen, I believe it is time for us . . . for the mad rushing, Twentieth Century American . . . to stop for a moment and think. Let us arrest our near reverential admiration of material success and return to the spiritual and ethical values. Let us imbue and rekindle in ourselves and our children the so-called old-fashioned way of patriotism, a burning devotion to the principles and ideals upon which our country was founded.

Should not every home own and proudly display the colors on holidays and other such occasions? Isn't the flag Patrick Henry, Jefferson, Franklin, Washington, Nathan Hale, Gettysburg and Valley Forge, Paul Revere, Jackson and other great men and women who have given us our heritage. When you look at the flag can't you see the Alamo, Corregidor, Pearl Harbor, The Monitor, The Merrimac, Wake Island, and Korea? Lest we forget, isn't the flag Flanders Field, Bataan, Iwo Jima, Normandy, Babe Ruth and Davy Crockett? The great events of our past and present are wrapped up in our flag.

It is a symbol of this blessed nation, a giant in industry, education and commerce. Millions of fertile square miles, wheatlands, coal mines, steel plants. Our great republic, the chosen infant destined to be man's last and remaining hope for suffering humanity, a shining beacon of light, noble and glorious, the haven for the oppressed and persecuted and truly God's gift to mankind.

MORTON URGES AUTHORIZATION TO CONSOLIDATE FEDERAL GRANTS

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. MORTON. Mr. Speaker, the President has asked Congress to give him authority to consolidate certain Federal grant-in-aid programs, subject to a congressional veto.

In his message to Congress on April 30, the President pointed out, and I completely agree with him, that with more than 500 Federal aid programs now in existence, the time has come to simplify and coordinate the operation.

States, cities, and other recipients find themselves increasingly faced with a welter of overlapping programs often involving multiple agencies and diverse criteria. As the President stated:

> This results in confusion at the local level, in the waste of time, energy and resources, and often in frustration of the intent of Congress.

The President has taken a bold and long overdue step. A recent editorial in the Philadelphia Inquirer commended him for his action. For the information of my colleagues, in include that editorial:

[From the Philadelphia Inquirer, May 1, 1969]

CONSOLIDATING FEDERAL AID

According to the 1962 Census of Governments, there were in this country more than 90,000 identifiable units of state and local governance. There are probably more than that by now. And every one of them is influenced, if not assisted with grants, subsidies or loans, by the federal government—which seems at times to have a matching "identifiable unit" of its own for every one out in the country at large.

The scramble for federal assistance, then, well deserves the understated term "tangle" which President Nixon used in asking Congress for authority to consolidate aid programs. These programs, to which Philadelphia is no stranger, nor the State of Pennsylvania, either, handle billions upon billions of the taxpayers' dollars every year.

The potential for waste, overlapping and empire-building by bureaucrats, which we may be sure has been fully exploited at every turn, is almost infinite. So is the exasperation and frustration of local government officials who have to go to Washington for help, only to be referred and deferred and passed along from one red tape depository to another for months or years.

The President now seeks authority to put scattered pieces of the jigsaw puzzle together—for efficiency, savings and common sense. There is sure to be controversy over the proposal if only because a lot of timeservers are serving their time in sheltered nooks where there is little work and less responsibility and they all have wives and families and, probably, cousins by the dozens who all vote.

But it has been a long, long while since anybody even made the effort. We are delighted that Mr. Nixon is willing to try.

WASHINGTON STAR COLUMNIST WARNS OF THREAT TO BLUE COLLAR PAY ADJUSTMENT SYSTEM

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. VAN DEERLIN. Mr. Speaker, 2 days ago I addressed the House on the subject of an impassé which has blocked pay increases due some 13,000 blue collar workers in the San Diego area, and which is threatening to destroy the system for awarding raises to all 800,000 of the Government's Wage Board employees.

The dilemma of these employees was explored in a recent article by Joseph Young, veteran civil service columnist for the Washington Star. Since the problem has nationwide implications, I feel that Mr. Young's report will be of interest to many of our colleagues, and I am, therefore, including it at this point with my remarks:

DATA IMPASSE THREATENS BLUE COLLAR PAY SYSTEM

(By Joseph Young)

The government's wage-setting program for its more than 800,000 per diem (blue-collar) employes is in danger of collapse because of the refusal of many big companies to supply the salary data needed for wage-comparison purposes.

The pay of government blue collar work-

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ers is determined by prevailing industry rates in the locality where they are employed.

Until this year industry cooperated with government on a voluntary basis in furnishing salary and payroll information for comparison purposes.

But last year a new federal wage board system went into effect, under which for the first time government employe unions were represented on the wage-survey teams that compare federal blue collar pay with that of industry.

Most of the government unions represented on the federal wage survey teams are AFL–CIO affiliates and many firms hesitate to furnish them the information, apparently fearful that this data subsequently would be turned over to the AFL–CIO unions with which they deal in negotiating contracts involving their own employes.

The companies apparently feel that the confidential pay data, including classification of jobs and ranges of salaries, could be used to advantage by the unions in their plants.

Non-union companies have a more compelling reason for being wary about giving out wage and job information. The information, if conveyed to interested unions, could encourage organization attempts, and provide the unions with ammunition when such attempts are made.

As a result of companies refusing to cooperate, pay raises for federal blue-collar workers in San Diego, Salt Lake City and Denver have been held up. And the situation is spreading to all parts of the country.

It's sufficiently serious for the House Manpower and Civil Service subcommittee headed by Rep. David Henderson, D-N.C., to schedule hearings within the next few weeks to see what can be done.

The Defense Department, the government's largest employer of blue-collar workers, is also very much concerned. Defense officials say that unless industry cooperates the pay-setting system for blue-collar workers will collapse and some other type of pay system will be necessary.

One alternative being discussed is to have the pay data collected by the Bureau of Labor Statistics. But the government employe unions are not happy about this either, because they fought for many years to have official representatives on surveys comparing government blue-collar and industry wages.

SMALL BUSINESS WEEK

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. CONTE. Mr. Speaker, in my first year as ranking Republican on the Select Committee on Small Business, I am pleased to acknowledge that the Nation is currently observing Small Business Week; and add my tribute to that given earlier this week by the distinguished chairman of our committee, Mr. Evins of Tennessee.

Since 1964 I have had the pleasure of serving on the Small Business Committee, and in the position, I have increasingly come to appreciate both the vital contribution made by our Nation's 5 million small businessmen and the necessity of their interests being fully and adequately represented in the councils of Government.

And so, of course, I commend this annual celebration and recognition of the Nation's small businessmen, since it provides an excellent opportunity for all of us to reconsider both the debt we all owe to the independent entrepreneur as the foundation of our free enterprise system, and what measures can be taken to insure the continuing vitality of this vital segment of our Nation.

The trend toward the centralization of economic power in the hands of a decreasing number of corporate giants poses a real threat to the continued existence of many of our smaller businesses. Partly because of this threat, a Small Business Subcontracting Conference and Workshop is being held today to consider a report on the small businessman's position in Government subcontracting. That report was prepared in response to a recommendation of our committee.

One of the great opportunities before this Government today is to assist the economic development of minority communities. This is an area about which President Nixon has often expressed great concern. As the President himself so well stated in his proclamation designating this week as Small Business Week:

> A society which opens constructive business opportunities to all of its citizens can liberate and uplift the isolated minorities at the bottom.

I am grateful for this opportunity to take note of this important observance and to renew my pledge to do my utmost to preserve and strengthen the independence of America's small businessman.

CHEMICAL AND BIOLOGICAL WEAPONS

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. KASTENMEIER. Mr. Speaker, I have been encouraged by the increasing public attention being given to the implications of our Nation's chemical and biological weapons programs. I first raised the issue of our policy with respect to the use of these terrible weapons almost 10 years ago in this House. At that time, I called upon the U.S. Government to renounce publicly the use of chemical and biological warfare except in retaliation against such an attack. While the Congress failed to act upon this request, President Eisenhower's public statement on nonfirst use by the United States appeared to answer this inquiry.

Public attention was focused on another vital aspect of this whole issue in early 1968, with the death of over 6,000 sheep near the Dugway Proving Ground in Utah, as a result of a testing error, only belatedly, and still not fully, admitted by the Army. More recently, congressional concern has forced the disclosure of additional information as to our Government's expenditures for CBW development and stockpiling which was hithertofore largely concealed in our huge military budget.

Most recently, we have learned of the Army's intention to ship some 27,000 tons of deadly nerve gas by rail from Colorado for disposal at sea. The hazard of such an operation to the public is both real and obvious, and I am pleased that the shipment is to be delayed pending further study of the dangers involved. What appears to me to be a sensible alternative to this questionable method of disposal has been offered by a scientist at the University of Wisconsin. Professor Orme-Johnson of the institute for enzyme research, in a letter to Defense Secretary Laird with a copy addressed to me, offers the suggestion that chemical means be used to render the gas harmless prior to its ultimate disposal. I hope that the Defense Department will give due consideration to this professional opinion, and to all available means to protect the public from further CBW accidents. I, therefore, include this letter in the Record at this time.

I would also like to call my colleagues' attention to the observations on this problem made by Columnist Laurence Stern in the Washington Post. I fully agree with his conclusion that—

> It would be the height of folly not to have a national policy on an issue so politically charged and close to the horizon as CBW.

The important issues raised by our CBW programs have been concealed from the Congress and from the public far too long. I include Mr. Stern's column also in the Record at this time.

The above-mentioned material follows:

May 9, 1969.

Hon. Melvin Laird,
Secretary of Defense,
The Pentagon,
Arlington, Va.

Dear Mr. Laird: A story in the Milwaukee Journal of May 8 states that the Army intends to dispose of 27,000 tons of obsolete CW gas by sinking tanks of it in the ocean. This may well be inadvisable for the following reasons:

(a) Fifty-four million pounds of any organic compound represents a considerable financial investment. In the chemical process industry anything produced in excess of a million pounds a year is considered an important undertaking. One wonders whether a chemical processor could not be found who would utilize the material in question, with a guaranteed supply of fifty-four million pounds, to produce something more useful.

(b) If it is determined that there is no commercial use for the gas, then disposing of it could be handled in better ways than by dumping it in the ocean. Although diluting 27,000 tons of anything into the North Atlantic would in effect cause it to vanish, this is not in practice what will be done. The accidental release of a tankful, broken on the ocean bottom, could cause a great deal of misery in a small area before the gas dispersed. Poison gases, at least as they are known in the open literature, fall into two general classes. The older vessiccant type are chemically very reactive, and could be inactivated by procedures such as mixing with hot alkali. The modern acetyl cholinesterase inhibitors might have to be inactivated by more complicated reactions. In any case, the most complete destruction would be assured if the gas, an organic compound, were burned after mixing with oxygen perhaps in the presence of a catalyst. These means of disposal would require special equipment installed preferably where the gas is stored, but the fate of the gas, ending up an non-toxic products, would be absolutely certain.

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Please understand that the case of a poisonous substance is entirely different from that of disposing of unwanted radioactive materials. In the case of radioactive materials, one essentially can't do anything about them but wait until the radioactivity decays, and it may be justifiable to bury or sink carefully sealed containers of such wastes.

With chemical rubbish, particularly when in a concentrated form such as a cylinder of CW gas, it is on the other hand always possible to remove the danger by combustion or a milder chemical transformation.

Any dealings with such substances involve expense and precautions, but one feels that for the price of the transport and handling proposed presently, one could come up with a much safer final disposition of the surplus poison gas.

The letter represents my personal but professional opinion, based on the facts as reported in the press.

Yours truly,

W. H. ORME-JOHNSON,
Assistant Professor, Institute for Enzyme Research

[From the Washington (D.C.) Post, May 7, 1969]

REVELATIONS ON CHEMICAL ARMS SURFACE AT A CRUCIAL TIME

(By Laurence Stern)

Early in March a group of Congressmen met in executive session with Army officials and received a series of grisly revelations on the Nation's highly-secret chemical and biological warfare stockpile.

Their little excursion into the thicket of the unthinkable may spark the next round in Congress of the battle between the Pentagon and its critics.

Without going into the classified information reviewed at the March session, it has been asserted that the destructive power of newly developed nerve gases and biological agents approaches that of the thermonuclear bomb. These same materials are stored in quantities of overkill far surpassing the numbers of potential targets.

One widely circulated statistic in the CBW debate is that the United States has in storage at an arsenal near Denver 100 million lethal doses of nerve gas. Rep. Richard D. McCarthy (D-N.Y.), who has opened up the issue for debate in the House, cited Army testimony that a one-quart bomb of nerve gas could destroy all life within a mile.

One of the apocalyptic truths in the secrecy-shrouded technology of chemical and biological warfare is that there is now the capability to create worldwide epidemics of such ancient scourges as plague and anthrax with a few strategically-placed bombs and sprays.

There are certain democratic virtues to CBW weapons. They can be produced cheaply and quietly—far more so than nuclear weapons. They can be delivered without bombers or missiles. The dangers of proliferation are, therefore, more immediate and pervasive than the spread of the bomb.

One of the most gruesome aspects of the CBW program is its well-demonstrated susceptibility to accidents. The most publicized case recently was the killing of 6400 sheep by a wayward whiff of nerve gas near Dugway Proving Grounds in Utah 14 months ago. (Though the Army has refused to acknowledge that the mass poisonings were caused by nerve gas the Government has awarded half a million dollars in damages.)

But there is far less awareness of such facts as the 3300 accidents at Fort Detrick, the Army's principal biological warfare research center at Frederick, Md., over a span of eight years. Rep. McCarthy's research recalled the prolonged episode at Rocky Mountain Arsenal during the 1950s when leakage of poison gas defoliated crops and slaughtered farm animals until the Army decided to drill deep disposal wells.

The two-and-a-half mile deep wells were dug along a geological fault ridge and in the five year period from 1962 to 1967 there were 1500 measurable earthquakes in the Denver area after 80 years without a tremor. The quakes stopped when the wells were plugged.

The surfacing of concern over chemical and biological weapons programs in Congress and the academies comes at a propitious moment. Both in Washington and in Moscow there has been publicly-expressed interest in putting CBW talks on the agenda of the 18-nation disarmament meeting in Geneva.

There is a universal abhorrence against the use of poison gas in warfare. This is attested to by the fact that the 1925 Geneva protocol againt poison gas has been honored more in the observance than the breach, unlike most international conventions.

Since the signing of the protocol, from which the United States abstained, there have been only four widely-reported instances of chemical warfare: in Ethiopia by Italy, in China by the Japanese, in Yemen by the United Arab Republic and, currently, in Vietnam by the United States.

Although this country takes the position that tear gas attacks used to flush suspected enemy forces in Vietnam are non-lethal, their purpose is to render the foe more vulnerable to lethal B–52 bombing attacks. The use of herbicides to destroy the food supply of the South Vietnamese insurgents has also raised the question of whether American compliance with the Geneva agreement is real or merely professed.

McCarthy and other critics of the CBW program have proposed that President Nixon resubmit the 1925 Geneva protocol to the Senate for ratification. More drastic is Britain's proposal to the Geneva disarmament conference that all biological warfare research be banned.

The Administration's views are not yet visible if, in fact, they have as yet been formulated. But it would be the height of folly not to have a national policy on an issue so politically charged and close to the horizon as CBW.

INCREASE PAY FOR POSTAL ESTABLISHMENT

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. REID of New York. Mr. Speaker, today I am introducing, along with several of my colleagues from New York, a bill identical to H.R. 10000. This legislation, which was originally introduced by the gentleman from Montana (Mr. OLSEN), would establish wage comparability for the lowest paid employees in the postal establishment—those who occupy levels 1 through 7 in the pay structure. It would also correct inequities in supervisory pay scales.

Under the terms of this legislation, all employees in levels 1–6 will be elevated to the next higher level; letter carriers, in level 5, will have a starting pay of $7,500; and there would be a $500 salary increase for each of the first 5 years of service. In addition, the bill contains provisions regarding longevity pay, night differential, and rural carrier pay which have been recommended by the National Association of Letter Carriers.

Mr. Speaker, our letter carriers are justifiably dissatisfied with their present salary scales. A beginning letter carrier earns a salary of $5,938 per year, compared with the $8,200 to $10,000 per year being offered beginning patrolmen and firemen in some cities in our country. Even after 21 years of service, the letter carrier will still be earning only $8,094 annually. The 4.1-percent raise which postal workers will receive July 1 will not go far toward alleviating this problem.

If we are to make progress toward making postal salaries truly comparable to those received by employees in private industry, and in other Federal agencies, I believe we must give careful consideration to H.R. 10000. While members may not agree with all aspects of the pay and benefit package, the clear principles it incorporates are worthy of serious study. It is my understanding that the President will shortly submit a postal reform package to the Congress, and I would hope that he will propose salary increases commensurate with the needs and responsibilities of our postal workers.

BEFORE YOU BUY

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. DORN. Mr. Speaker, a very timely and superb article by Margaret Dana recently appeared in the Boston Herald Traveler. I commend this outstanding article "The Consumer Deserves Say on Imports," to the attention of my colleagues in the Congress and to the American people:

BEFORE YOU BUY

(By Margaret Dana)

We hear a good deal these days, against a political background, of what must be done to help consumers. Curiously enough, many who talk about helping or protecting consumers do not understand much about consumers and their attitudes, nor really much about the theory and practice of intelligent buying.

Too often I detect a tone of "papa knows best" in the projects or programs announced or discussed by groups—from Congress to the State Department and from educators to labor leaders. In effect, they tend to pat the consumer on the head and tell us to run along and not bother ourselves about important decisions best left to experts.

But judging by the thoughtful and well-informed letters which come in to me each week, consumers—both men and women—everywhere are beginning to question whether consumers should be left out of the "big" decisions, which affect not only buying but our economic system.

Take, for instance, a battle which has been going on for several years: how much to limit or invite the increasing avalanche of imported goods coming in to our country each year. In all the debates and off-the-cuff discussions I find little real consideration of the actual consumer interest. Each industry, of course, wants to do what is best for that industry; each section of government, from State Department to Congress, talks about the national and international interest. But seldom does the question come up as to what the actual consumer interest is in this country.

We are at present importing an enormous amount of goods. Except for the quota set to limit certain cotton imports, there is no

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limit as to what we can import in textiles and textile products, and the current figures may startle you. In the two years ending in 1966 imports of wool textiles rose 35 per cent, cotton textiles 72 per cent, and man-made fiber textiles 146 per cent. And in 1967 three billion square yards of textiles and textile products (meaning garments, furnishings, etc.) were imported.

Note that any product is made up of material, labor and design, or technical engineering. Labor that goes into a product is employment. If we import products in which the labor content is high and export products in which the design or technical engineering value is high and the labor low, we are bound to decrease employment in this country, because more of the work is done abroad.

This is what the foreign trade director of the American Textile Manufacturers Institute said, at a Congressional hearing last year, is actually happening. For every 15,000 yards of that three billion yards we imported and unloaded last year, one American job was lost. This does not mean exclusively in textiles. It touches many industries from truck-driving to typewriter-ribbon manufacturing.

It is cheaper to make things in foreign countries. The average woman apparel production worker in Hong Kong was paid 17 cents an hour in 1965, while similar workers in this country were paid $1.83, plus about 30 cents an hour in benefits. But if this means consumers here can buy goods that are cheaper in cost, it is really in the consumer interest to invite an overwhelming import while jobs are lost, companies are forced to cut production schedules, and in some cases inferior products are offered without any means of the consumer's understanding the difference?

Does it make sense to consumers that as we reduce more and more our own cotton acreage we import more and more cotton textiles from other countries? Does it make sense that more and more dairy farms must go out of business for lack of a market when we import an increasing amount of milk and milk products? Does it make sense that while the cast-iron soil pipe industry is struggling to meet the challenge of a changing world by inventing and designing new consumer use improvements we should be actually importing quantities of cast-iron pipe to compete with them?

None of these facts means that we should not have solid and increasing trade with other countries. As consumers, and as part of our economic system, we need and want this. But a common-sense demand for orderly marketing, geared to our own production, and to employment, quality standards and maintenance of our own standards of living, is not "protectionism." It is merely a realistic understanding of the consumer interest.

THE INTEGRITY OF OUR JUDICIAL AND POLITICAL SYSTEM IS AT STAKE

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. RIEGLE. Mr. Speaker, any public official, whether elected or appointed, has an obligation to the people not only of acting in perfect honesty according to the public interest and the dictates of his own conscience, but also of avoiding any inference that his actions could be otherwise motivated. Nowhere is this more compelling than in respect to our judiciary system.

Over 350 years ago, Sir Francis Bacon wrote:

> The place of justice is a hallowed place; and therefore not only the bench, but the foot-pace and precincts and purpose thereof, ought to be preserved without scandal and corruption.

Like many other private citizens and Members of Congress, I have been deeply disturbed by the recent article in Life magazine which has cast doubt upon the propriety of the action of Justice Fortas in accepting a check for $20,000 from the Wolfson Family Foundation at a time when Louis Wolfson was under investigation by the Security and Exchange Commission on charges of stock manipulation that later led to his conviction and imprisonment.

Mr. Speaker, the implications of this article have become even more sinister by the most recent revelation made by the Attorney General that there is still more damaging material in the Fortas file which may yet come to light. At a time when all authority is under attack, these disclosures strike a severe blow not only at the country's most hallowed place of justice but at the whole concept of Federal authority itself.

Mr. Speaker, both public and congressional reaction has been swift. A variety of courses of action have been proposed by the legislative branch. Senator KENNEDY has suggested that Justice Fortas might wish to explain himself to the Judiciary Committee; Senator MONDALE and others have urged his resignation; Senator SCOTT has proposed that the question be turned over to investigation by an ad hoc panel of past presidents of the American Bar Association who would recommend appropriate action to the Court; Representative GROSS has stated that he has already drafted an impeachment resolution—the first such action against a member of the tribunal in the past 165 years—which he will introduce if the Justice does not resign his seat on the bench.

I do not, as yet, share in the most drastic of these proposals. And, I base my position on one of our most commonly held precepts of justice—that a man is "innocent until proven guilty." I am most primarily concerned, however, that while reaction from all other sources has been swift, there has been no significant reaction on the part of the one person most concerned—Justice Fortas himself.

Mr. Speaker, the people of my State share my misgivings on this point and their concern is reflected in the introduction last week by Michigan's Senator GRIFFIN and Congressman GERALD FORD of a bill which would require Federal judges, who are appointed for life and do not regularly answer to the electorate, to make public disclosures concerning their outside income and financial affairs. This proposed legislation, which I am introducing today, is, I feel, a proper avenue for enabling members of the judiciary to establish that their conduct is free both from impropriety and the appearance of impropriety. I also believe that this bill is a logical extension to the existing laws which require the President, Cabinet members, Senators, and Congressmen to reveal their outside sources of income.

As Senator GRIFFIN pointed out when he submitted this legislation, he was prompted to do so by his concern for the weakening of the public's confidence in our judiciary system, of which individual and independent judges form the foundation. This legislation itself, however, will not provide an immediate remedy to the case now under consideration; only a voluntary and full explanation by Justice Fortas himself can do that. As of now, Mr. Fortas has been unwilling to take such action. He must, apparently be convinced that such action on his part is the best course to follow.

The framers of our Constitution created a system of a free and independent judiciary which entailed with it an implicit responsibility on the part of each and every member of that judiciary system. As Chief Justice Marshall once observed, a Justice must be—"perfectly and completely independent, with nothing to influence and control him but God and his conscience."

It is now incumbent upon Justice Fortas to remove any doubts as to his adherence to these earlier but still valid principles and to assist in restoring public confidence to the now tarnished image of our most hallowed hall of justice.

RECOMPUTATION OF MILITARY RETIRED PAY

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. BOB WILSON. Mr. Speaker, I recently introduced legislation to provide for the recomputation of military retired pay.

In 1958 and 1963 Congress broke faith with our retired military when the time-honored retirement formula was changed. Until 1958, retired pay was tied directly to active duty pay, and when active duty members received a pay increase, retired members did likewise. Public Law 85-422 in 1958, however, increased active duty pay by 10 percent, but retired pay by only 6 percent. Then in 1963 Congress in Public Law 88-132 tied future retired pay increases to a rise in the cost-of-living index as maintained by the Labor Department. As presently stated, the law provides that the retired military basic pay rate will be adjusted when the CPI—Consumer Price Index—shows an increase of at least 3 percent for 3 months. Let us consider, for a moment, just how this system works. Each retired member's pay is based at present upon the pay scale at the time of his retirement. Thus, we now have many situations with retirees at the same grade and years of service—and the same hardships endured—drawing seven different rates of pay, dependent upon the date of retirement. The ironic twist to this situation is that these men enlisted and reenlisted in the military service over the years on the assurance of the pre-1958 retirement system. They were promised that, although active duty pay was low, a meaningful retired pay system would help offset the cleavage between civilian and military pay. These men surely fulfilled their part of the bargain—they gave long years of faithful, devoted service in war and peace. How shameful that we in Congress have reneged on our obligation.

The most perplexing problem, however, in restoring recomputation is the great cost involved. The figures listed by the Department of Defense are truly staggering. One suggestion that has been put forth as means of cutting the cost considerably is to limit recomputation only to those who retired before the law was changed in 1958 and thus had no opportunity to alter their career decision in light of the change in their retirement benefits. According to this reasoning, those not already retired were forewarned of the change in benefits. While this would greatly benefit pre-1958 retirees, it would also create another group of second class retirees in the process—those with considerable service who retired shortly after 1958. It is most unrealistic to say that a man with 17 or 18 years service in 1958 could change his career decision at that point in his military career. In fact, I feel that anyone with more than 10 years service in 1958 was a career man and entitled to the retirement benefits promised him at the time of his enlistment and reenlistments.

I am, therefore, introducing legislation to recompute retired pay based on active duty rates for all those who had at least 10 years service when the law was so abruptly changed in 1958. I feel that this bill is more equitable than legislation to limit these benefits to pre-1958 retirees, but it would still reduce considerably the cost of the Defense Department's retirement commitment in the years ahead.

The time for action to correct this inequity for retirees is now and I sincerely hope that Congress will consider my bill and the numerous other recomputation bills at the earliest possible time. We must close the Government's credibility gap with the military retiree.

The language of the bill is as follows:

H.R. 10764

A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the armed forces

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 71 of title 10, United States code, is amended—

(1) by inserting immediately before the period at the end of the first sentence of section 1401a(a) the following: "; except that the retired pay of any member or former member who was on active duty or in an active status before April 1, 1958, for a period of not less than ten years, and who became or will become entitled to receive retired pay based upon age, length of service, or physical disability under the provisions of the Career Compensation Act of 1949, shall be computed at current active duty pay rates and increased to reflect later changes in applicable pay rates; and retired pay so computed shall not be increased in the manner provided for in subsection (b) of this section";

(2) by amending the catchline of such section 1401a to read as follows:

"§ 1401a. ADJUSTMENTS TO RETIRED PAY AND RETAINER PAY";

and

(3) by amending the table of sections at the beginning of such chapter 71 by striking out:

"1401a. Adjustment of retired pay and retainer pay to reflect changes in Consumer Price Index."

and inserting in lieu thereof the following:

"1401a. Adjustments to retired and retainer pay."

SEC. 2. The enactment of this Act shall not create any retroactive entitlement to additional retired pay.

(3) by amending the table of sections at the begin-retired pay or retainer pay to which a member or former member was entitled on the day before the effective date of this Act.

SEC. 4. This Act takes effect on the first day of the first calendar month beginning after the date of its enactment.

RESOLUTION BY HAWAII STATE LEGISLATURE REQUESTING THE PRESIDENT TO EXEMPT HAWAII FROM MANDATORY OIL IMPORT PROGRAM

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. MATSUNAGA. Mr. Speaker, it is a well-known fact that Hawaii, because of its geologic origin, does not have indigenous sources of energy. Our island State, separated from the west coast by some 2,200 miles, must depend almost wholly upon foreign oil for its energy requirements.

The mandatory oil import control program, established by Presidential Proclamation No. 3279 on March 10, 1959, has only served to sharply delineate Hawaii's unique geographic position and the inequity resulting from her inclusion in the program. Established to safeguard our Nation's security by providing special incentives for exploration and discovery of new oil reserves in the continental United States, the program, and its stated objectives are clearly meaningless to insular Hawaii.

Mr. Speaker, on May 1, 1969, I, therefore, cosponsored legislation which would eliminate the mandatory oil import control program over a 10-year period. My support of this legislation follows my numerous appearances over a period of years before administrative bodies and House committees urging that action be taken to exempt Hawaii from the program, or at least to accord Hawaii the same privileges that are granted to Puerto Rico, another island community.

I am considerably encouraged in my efforts to know that the members of the Hawaii State Legislature are fully in agreement with my views. As evidence of this I submit for inclusion in the CONGRESSIONAL RECORD a copy of house concurrent resolution 16, the fifth Legislature of the State of Hawaii, which was adopted by the house on March 20, 1969, and by the senate on May 9, 1969:

HOUSE CONCURRENT RESOLUTION 16

Whereas, Hawaii is unique among the fifty states of the Union in that, being 2,200 miles from the mainland United States, it does not have readily available to its economy such energy sources as coal, natural gas, or hydroelectric power; and

Whereas, Hawaii is dependent upon imports of foreign oil for the energy to turn the wheels of its industries, generate its electricity, make its synthetic gas, and drive its trucks, automobiles, and agricultural machines; and to supply the ships and aircraft which take its products to market and bring necessary supplies from overseas; and

Whereas, Presidential Proclamation No. 3279 established a mandatory oil import quota program to safeguard our national security by providing special incentives for exploration and discovery of new oil reserves in the United States; and

Whereas, the foreign oil import quota program does not serve any national defense purpose in Hawaii since the program does not result in the use of crude oil or crude oil products from the continental United States, and there is no indigenous oil supply, nor is any supply expected from the volcanic substances which make up the Hawaiian Islands; and

Whereas, the effect of the quota program has been to lessen the normal forces of competition among oil companies in Hawaii;

Whereas, prices charged by the oil companies in Hawaii for oil products refined from low-cost foreign crude oil are generally as high or higher than prices charged on the West Coast for products refined from the higher-cost west coast crude oil; and

Whereas, the present high cost of oil is detrimental to the entire economy of Hawaii; and

Whereas, there is presently in Hawaii no feasible alternative source of energy to oil; now, therefore,

Be it resolved by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1969, the Senate concurring, that the President of the United States is requested to review the effects of the foreign oil import quota program in Hawaii, reevaluate Hawaii's unique geographic and economic situation, and provide relief by exempting Hawaii from the program with respect to oil and oil products consumed in Hawaii or exported to foreign countries; and

Be is further resolved that Hawaii's delegation to the Congress of the United States be and they are hereby requested to use their best efforts to secure relief for Hawaii by convincing the President of the United States that Hawaii should be exempted from the Oil Import Quota program; and

Be it further resolved that duly certified copies of this Concurrent Resolution be transmitted to President Richard M. Nixon, Secretary Walter J. Hickel of the Department of Interior, Senator Hiram L. Fong, Senator Daniel K. Inouye, Congressman Spark M. Matsunaga, and Congresswoman Patsy T. Mink.

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: March 20, 1969.

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1969.

TADAO BEPPU,
Speaker, House of Representatives.
SHIGETO KANEMOTO,
Clerk, House of Representatives.

THE SENATE OF THE STATE OF HAWAII

Date: May 9, 1969.

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the Senate of the Fifth Legislature of the State of Hawaii, Regular Session of 1969.

DAVID C. MCCLUNG,
President of the Senate.
SEICHI HIRAI,
Clerk of the Senate.

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MORTON BACKS PROPOSALS AGAINST OBSCENITY IN THE MAILS

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. MORTON. Mr. Speaker, on May 2, the President took a long-needed step to cut down the volume of sex-oriented mail that is bombarding American homes.

He asked the Attorney General and the Postmaster General to submit to Congress new legislative proposals to attack the rain of pornography and smut.

In asking Congress to make it a Federal crime to use the mails or other facilities of commerce to deliver to anyone under 18 years of age, material dealing with a sexual subject in a manner unsuitable for young people, the President has taken a step which has been needed for a long time.

I commend the President for his action. His proposed legislation will meet with a broad base of support in Congress and I look for early passage of this important measure.

HAZARDS OF DANGEROUS TOYS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. EILBERG. Mr. Speaker, on March 6, 1969, I introduced the Child Protection Act of 1969 which asks broader safeguards for children from the hazards of dangerous toys.

My bill would amend and extend the protections of the Federal Hazardous Substances Act, as amended in 1969, to protect youngsters against hazards associated with sharp or protruding edges, fragmentation, explosion, stangulation, suffocation, asphyxiation, electric shock, and electrocution, heated surfaces and fire.

Ample evidence has been uncovered by the National Commission on Product Safety that an unsuspecting parent can, and often does, buy a child a toy which later kills or permanently maims the youngster.

The existing legislation now protects children against chemical hazards—mostly toxic, corrosive, irritating and sensitizing. In hearings last year, the Product Safety Commission proved that these safeguards are clearly not enough.

Hearings have been scheduled for next week on my bill, H.R. 8377, before the Interstate and Foreign Commerce Committee by its distinguished chairman, the Honorable HARLEY STAGGERS, of West Virginia.

Mr. STAGGERS also has scheduled hearings on another bill I have introduced, H.R. 10012, which would extend the life of the National Commission on Product Safety. The Department of Commerce has favorably reported on this measure.

There is keen interest in the Child Protection Act in my home city, Philadelphia. Recently, WCAU–TV, channel 10, the Columbia Broadcasting System affiliate endorsed this legislation. For the RECORD I insert that editorial, as follows:

THE CHILD PROTECTION ACT OF 1969

(Presented by Peter W. Duncan, WCAU–TV, editorial director)

A wide-eyed child touring a toy store is something to behold. But some of the items on the shelves may be potentially dangerous to youngsters. You perhaps remember not too long ago when some stuffed animals were found to be harboring a highly volatile substance which, if brought into contact with flame or even just a hot cigarette ash, could flare up violently. When called to their attention, store owners took them off the shelves to avert possible tragedy.

Even though store owners are cooperative when hazardous items are discovered, they can't possibly check out each and every item inside and outside to see if it's potentially dangerous. This determination should be made by the manufacturer before the item is marketed.

Hearings going on in Washington have displayed, for example, a child's oven that builds up to an excessive heat—enough to burn severely. There have been other toys with long spikes inside holding them together, plus other examples.

Any manufacturer should look for potential dangers and eliminate it before it goes on the shelves. Hopefully, most do.

But, we are a trusting people—at times trusting to a fault. Too many of us go on the assumption that if it's for sale, it must be okay. (Past investigations into other areas like meat standards and other food and drugs should show us how naive we are. Government regulation now protects us in those areas.)

Shouldn't children be assured protection? Shouldn't the parents have the peace of mind to know that an item is safe when they purchase it for their child?

Philadelphia Congressman Joshua Eilberg has introduced the Child Protection Act of 1969 which would provide protection. It would extend existing legislation to cover items which present any real electrical, mechanical, or thermal hazard to a child.

The legislation opens the way for the federal regulating agency to get an injunction. This would halt the manufacture and marketing of any toy which was regarded as hazardous under the terms of the legislation.

WCAU–TV supports the Child Protection Act of 1969. The bill (introduced by Philadelphian Joshua Eilberg) deserves the support of lawmakers throughout the Delaware Valley.

GENERAL EISENHOWER

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, the Senate of the State of Pennsylvania has recently adopted a resolution honoring the late Dwight David Eisenhower. A letter from the senate secretary, Mark Gruell, Jr., and the resolution follow:

SENATE OF PENNSYLVANIA,
May 13, 1969.

Hon. JAMES G. FULTON,
House Office Building,
Washington, D.C.

GOOD MORNING CONGRESSMAN FULTON: At its session on May 6, 1969, the Senate of Pennsylvania unanimously adopted the enclosed Resolution.

In accordance with the directions contained therein, I am forwarding a certified copy to you.

Sincerely,

MARK GRUELL, Jr.

RESOLUTION

Dwight David Eisenhower, thirty-fourth President, was the embodiment of patriotism both as a military man and as a statesman. His ethical code of behavior and fear of God was expressed in his every action.

The Commonwealth of Pennsylvania was honored for many years by the presence of the Eisenhower family while living near Gettysburg; therefore be it

Resolved, That this Senate of the Commonwealth of Pennsylvania memorialize the Congress of the United States to adopt the proposed commemorative stamp honoring Dwight D. Eisenhower, depicting the Civil War monument and United States flag in Center Square, Easton, Pennsylvania; and be it further

Resolved, That a copy of this resolution be transmitted to the presiding officer of each House of Congress of the United States, and to each Senator and Representative from Pennsylvania serving in the Congress of the United States.

I certify that the foregoing is a true and correct copy of Senate Resolution Serial No. 28 introduced by Senator Jeanette F. Reibman and adopted by the Senate of Pennsylvania the sixth day of May, one thousand nine hundred and sixty-nine.

MARK GRUELL, Jr.,
Secretary, Senate of Pennsylvania.

VIEW ON CAMPUS LIBERTY

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. CAREY. Mr. Speaker, on February 22, 1969, a distinguished resident of my congressional district, Dr. James B. Donovan, delivered an important address entitled "The Limits of Campus Liberty." The occasion for his talk was the 21st annual University Women's Forum. Mr. Donovan is nationally recognized as a "defender of unpopular causes." He is the author of a book called "Challenges" which contains some of his best essays, and a book and film account of his famous transfer of the Russian spy, Rudolph Abel, in exchange for the American U–2 pilot, Gary Powers. The latter work is entitled "Strangers at the Bridge."

I have asked permission at this time to insert the text of his address on the important matter of campus liberty, since Mr. Donovan has established himself as an authority on education in his capacity of former president of the New York City Board of Education, and now president of Pratt Institute, Brooklyn, N.Y.

Many of the views expressed in the text of Mr. Donovan's speech are both unusual and innovative. In the insertion of this speech I do not wish to indicate that I am prepared to support the concept of national conscription as he advocates. I do, however, believe Dr. Donovan's thoughts are significant and enlightening, and I commend the speech to the attention of my colleagues:

THE LIMITS OF CAMPUS LIBERTY

(By James B. Donovan)

May I express my pleasure in being with you at the Twenty-First Annual University Women's Forum. Meetings such as this, with representatives of our greatest centers of learning, have a significance today possibly greater than at any time in our national past. This is not only because of the sheer numbers of young Americans in higher education have grown so tremendously during the last twenty years, but also because most in this audience necessarily are concerned every day with what we all recognize to be a deeply disturbed youth population.

We of the older generation must accept a large measure of responsibility for the unsettled and at times chaotic world into which our young have been thrust. They are part of a society fearful of nuclear warfare and racked by domestic civil disorders; they are unwilling to accept poverty in the midst of plenty or the racial discrimination imbedded in our social fabric; they resent having no clear voice in shaping the educational and social institutions in which they must live and learn; their young lives are being disrupted by the draft—and sometimes lost in combat—in American military adventures increasingly difficult to justify or sanction.

All our understanding, however, is virtually wasted if we do not devote ourselves to the education of the majority of our students, who sincerely seek the values of learning. We must recognize as a small minority those who come to our institutions only to indulge in so-called freedom of expression for a few years and who resent the primary obligation of every student to be educated by those who have earned the right to teach. These self-alienated youths are not so much misunderstood as they are unwilling to be understood, perhaps because they do not understand themselves. To a point they should be welcomed on a campus, but the outer limit of toleration is reached the moment they interfere with the rights of others to learn or to teach in the academic community. Such "students" are entitled to be told in advance the bounds of freedom but they also should be given explicit notice that they will not be permitted to exceed those limits for one day, if a university is to serve the very purposes for which it exists. The overwhelming majority of those on the campus also have rights which must be respected and protected.

University disorders have reached a crisis point in the United States which menances the very foundation of our academic system. It would appear that today there is a general consensus among realistic university administrators with respect to recognizing tremendous latitude in student liberty, without permitting that liberty to degenerate into license. So great is this consensus that in the limited time permitted today I thought it best to speak briefly on a possible national solution to the problems of our youth; some such solution must be found if peace and order are to be assured on our streets as well as on the campus, with due regard to the civil liberties of all.

Radical problems require radical solutions. It is my proposal today that in the near future the academic community take the leadership in making radical proposals to our national political structure with respect to a basic re-evaluation of existing codes of education and conduct applicable to American youth. It is a necessity that we strive toward a dramatic creation of a new national unity which emphasizes among our young a deeper sense of national pride and awareness of their own responsibilities to this nation. Otherwise the United States will not survive for long as the leader of the free world.

My proposal is that the present Selective Service system, now applicable only to military duty, be abolished and that instead the United States, recognizing the international and domestic crises which we face, institute National Conscription to be applicable to all our youth at age 17 or 18 for a period of perhaps two years. When I say "all our youth" I mean women as well as men, wealthy as well as poor. For the two-year period those seeking experience in any branch of our armed forces could voluntarily make that election; for those seeking work in trainee positions in the Peace Corps or similar organizations overseas, this path also could be voluntarily selected; for those motivated to work as assistants in counseling, guidance and other capacities in domestic anti-poverty organizations such as Vista or Operation Headstart, these duties could be voluntarily chosen. There also are infinite needs in the fields of public health and the preservation of natural resources in which battalions of our youth could serve to bring us closer to the achievement of a better society in America. With proper safeguards of academic standards, certain credits for those who later pursue higher education could be granted for such national service experience.

This proposal at first may appear to be drastic but I believe that our country must embark on some comparable program if we are to meet our foreign and domestic responsibilities. We also should be developing matured youth better prepared and better motivated to absorb the benefits of college. Our young today are asking for activist programs that give them an opportunity to fulfill idealistic aspirations to aid in our domestic social problems and to assist less fortunate peoples throughout the world.

As I said at the outset, the time limitation of my remarks prevents presentation of a more detailed blueprint as to what could emerge if we seek to explore such a basic concept.

The proposal is not wholly unprecedented. May I point out to you that because of the grave national emergencies which threaten the State of Israel, universal conscription is now in effect in that tiny country for both young men and women. While their programs are primarily aimed at military defense for survival, they also embrace civic service in the kibbuts community patterns throughout the land.

Israel has taken these steps because in a very real sense it is constantly at war. We in the United States must realize that today and probably throughout our generation, the United States is and will be compelled to defend itself. We are threatened abroad by powerful enemies intent upon the destruction of our way of life. At home we are in the midst of grave civil strife, basically created by the underprivileged demanding some hope of a better life for their children at a time when they live in and observe social behavior in a nation whose affluence is at an unprecedented high.

Because so many aspects of this proposal would vitally affect the future of higher education, I suggest that the academic community not sit back and wait for political leadership to dictate answers to these problems. We should come forward with concrete proposals. These proposals should be in the national interest of the United States and specifically incorporate sound educational values in the broadest sense of that term, often unfortunately limited in a pedantic way.

Our proposal should be aimed to develop in American youth a deep sense of national responsibility as younger citizens of our country, while giving them an opportunity to express their idealism in meaningful action beneficial not only to themselves but also to future American generations.

BRITISHERS CALL CALIFORNIA OIL DAMAGE EXAGGERATED

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. BOB WILSON. Mr. Speaker, there have been more gallons of crocodile tears shed over the unfortunate Santa Barbara oil leak than there were gallons of oil washed onto the beaches. It was a most unfortunate accident and some sea ana birdlife suffered as a result, but it was not the disastrous event that many would have us believe. In the future, necessary precautions must and will be taken. Nonetheless, we will have other such accidents and many other natural disasters such as mudslides, floods, tornadoes, and so forth, that will wreak far more damage.

The following article from the April 20 Washington Star puts the Santa Barbara tragedy into clearer focus with respect to the effects of earlier and larger oil mishaps, such as the wreck of the tanker *Torrey Canyon* off the Cornish coast in 1967, and outlines the thinking of British marine biologists with regard to the extent of permanent damage caused.

The article follows:

BRITISHERS CALL CALIFORNIA OIL DAMAGE EXAGGERATED

(By Smith Hempstone)

PLYMOUTH, CORNWALL.—The worst fears of permanent damage to the Southern California coast and its ecology by pollution from the Union Oil Company's leaking offshore rig in February may have been exaggerated.

This is the view of British marine biologists familiar with both the Santa Barbara underwater gusher and the 1967 wreck of the tanker Torrey Canyon off the Cornish coast in 1967 (the tanker, paradoxically, was on permanent charter to the Union Oil Co.).

The hopeful view of the scientists is substantiated by one reporter's recent inspection of this rock-girt coast.

The first fact to be kept in mind is that the Torrey Canyon disaster was on a much greater scale than the Santa Barbara tragedy.

WILDLIFE RECOVERS

The tanker was carrying 118,000 tons of crude when she piled onto Seven Stones Reef two years ago. Pounding waves broke her into three sections and RAF bombers sent her broken wreckage to the bottom, spewing vast quantities of oil into the sea.

Roughly 13,000 tons of oil drifted ashore in Cornwall, while about 15,000 tons reached the Breton coast of France. In contrast, only about 1,000 tons apparently fouled the Southern California beaches.

Despite the magnitude of the Torrey Canyon disaster, only negligible traces of oil are in evidence here, and the flora and fauna of Cornwall appear to have made an almost complete recovery.

The most heart-rending (because it was the most obvious) loss of life from Torrey Canyon pollution, as was the case in California, involved the deaths of many thousands of birds.

Of the 8,000 sea birds treated for oil pollution in Cornwall, the British were able to save less than 80.

Oiling clogs a bird's feathers and allows water to get between them, destroying the

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insulating layer of down and air which coats the skin. If the bird remains in the water it is drowned or killed by the cold; if it leaves the sea, it dies of hunger.

Trying to wash the oil off, the British concluded, can have a deleterious effect, since it frightens the birds when they already are in a state of shock. The less than 1 percent survival rate for treated birds suggested that the most humane action is to destroy badly oiled birds immediately.

The rocky, much-indented coast of Cornwall is such that the entire area affected by the Torrey Canyon was not equally polluted by oil or by the 1,000,000 gallons of detergents which the British dumped on land and sea in an attempt to destroy the oil.

Thus pockets of flora and fauna survived all along the cost. As evaporation and currents reduced the level of pollution, these pockets gradually expanded, according to Dr. J. E. Smith, director of the Marine Biological Laboratory here.

The spraying of rocks with detergents initially caused a heavy loss of life among small animals such as limpets and periwinkles. But even these have now recovered, Smith said.

The French had even greater success in protecting the ecology of Brittany because they refused to use detergents, preferring to sink the oil at sea with sawdust or scoop it from the beaches manually or mechanically.

FISH UNAFFECTED

The danger to the Santa Barbara Channel fishing grounds, which in 1967 yielded 27 million pounds of fish, also may be less serious than originally thought. British authorities flatly assert that fish are "virtually unaffected by floating oil," although they can become tainted if caught in contaminated nets or landed on polluted beaches.

Smith reported that the abalones of the Santa Barbara Channel now seem to be thriving on a diet which contains a rich mixture of oil.

After another oil pollution incident in Britain's Tay estuary last year, the official report concluded that "there has been no evidence so far of any damage to fisheries from the oil or from detergent spraying."

Dr. Quentin Bone of the Plymouth Marine Biological Laboratory, who had the opportunity to observe the aftermath of both the Torrey Canyon and the Santa Barbara incidents, credited the American authorities with a "quite impressive" job of cleaning the California beaches.

DETERGENTS DAMAGING

Bone felt that the U.S., like France, was right not to use great quantities of detergents in fighting the oil. Toxic detergents, he said, almost always are more damaging to the ecology of an area than the oil itself.

In any event, detergents are effective only on rock. On sand, they simply sink into the beach.

Bone said dire predictions of the premanent end of animal life in the Santa Barbara area were "a bit of a stunt." Nor was he particularly alarmed by the residual leak near the Union Oil Company's rig, which was discharging about 500 gallons a day long after the 11-day main gusher had been capped.

"There are many charted natural leaks of that size all over the sea bottom off Southern California," he asserted.

Smith and Bone agreed that, as long as industry's appetite for oil remains unslaked, pollution will become a growing problem. What is needed, they asserted, is a central agency to deal with the problem, strong international regulations on pollution control, and regional organizations equipped to deal with accidents as soon as they take place.

AFRICA'S INDIANS: NEW "APARTHEID"

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. DERWINSKI. Mr. Speaker, there is an obvious lack of objective coverage of problems on the African continent and, in addition, too few reporters covering that area.

Therefore, I feel that an article by Richard Pattee, carried May 9 in the New World is of special significance since he dares to discuss an unfortunate problem that has been deliberately ignored in both governmental and private circles. The article follows:

AFRICA'S INDIANS: NEW "APARTHEID"

(By Richard Pattee)

This is not going to be a learned disquisition on the status of rights of minorities over the world.

Nor do I intend to deal in the least with the efforts of minorities in the United States and elsewhere to attain an "identity" or achieve an equality with the majority.

The problem that leads to this week's considerations is the tragic and not much publicized exodus of Indians from Uganda, Kenya and the other East African countries where they have lived sometimes for generations.

At the time of independence, they were given the option of becoming citizens or of retaining their British citizenship, to which they had full right. A large number opted for British citizenship.

As every reader of the daily press knows, the Kenyan government has begun a concerted movement against the Indians and thousands sought refuge in the United Kingdom. But in Britain they are now being refused admission.

This is not a question of whether Britain is right or wrong in not wanting thousands of Indian refugees on its soil who will only make the economic and social situation that much worse.

The main points that come to mind in this case are these:

That the holder of a genuine passport of a given country is refused admission into his own country (his own in the legal and technical sense at least);

That the Kenyan government, of Jomo Kenyatta, which is African, should continue to proclaim its love for mankind and faith in people regardless of color and yet take these dramatic steps against a long established community;

That India, which from the days of Pandit Nehru—more than that, from the days of Mahatma Gandhi—has screamed bloody murder every time an Indian has been insulted or mistreated in Britain, South Africa or Australia, is not interested in the matter.

My knowledge of international law is sketchy in the extreme. Yet I am certain that an individual holding the legitimate passport of a country, and not a criminal or on the run or wanted for any offense within the land, cannot be denied the right to reenter his own country.

I know that passports can be lifted from people—as the United States does to those who visit Cuba. A passport can be denied a person so that he cannot leave the country.

But I wonder under what statute or practice, an individual, who falls in none of these categories and holds a proper passport of the country he proposes to enter, can be denied such entrance?

It is an extraordinary development in the whole problem of the movement of persons. We may find that any one of us with his passport in order and nothing against him may one day find that he cannot get into his own country for reasons that will be most obscure to him.

The second point is that the Kenya government is practicing discrimination on the basis of race. The Indian is hounded and expelled. Why is there no outcry, no protest, no comment on this?

Why do the numerous commissions of the U.N., that have nothing better to do than make plans to rule South West Africa and bring down apartheid, pay no attention to the plight of the Indians in Kenya?

In the third place, the attitude of India is even more perplexing. Madame Gandhi has washed her hands of the whole thing. These Indians are no longer her concern, which is true from the legal angle. But, heretofore, India has been extraordinarily sensitive about the treatment of her peoples everywhere in the world.

A tremendous storm was kicked up some years ago and Gandhi made a name for himself in protesting the treatment of Indians in the province of Natal in South Africa.

In the Kenya case, India not only will not admit the Indians to their former homes; the government will not even intervene on their behalf in an active manner.

It is all very strange. If the government of Kenya were white, what would be the world's reaction?

OBSERVATIONS ON CAMPUS DISORDERS

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. BLACKBURN. Mr. Speaker, the disorders which have been disrupting the major college campuses throughout the Nation have been a source of concern to myself and many other Members of this body.

The American university system, considered to be the finest in the world, is providing higher education for more of our citizens than any other such similar system in any other country of the world now provides. Our system is now under violent attack and is threatened with possible destruction. After a long and hard struggle, our university system has developed the academic freedom of today which assures students the right to learn and professors the right to teach all subject matter which they consider pertinent to a proper education. We now find that revolutionary forces are trying to suppress this evolvement.

Recently, Congressman THOMAS J. MESKILL delivered a speech to the Connecticut Broadcasters Association at Wesleyan University in Middletown, Conn. In his address, Congressman MESKILL pointed out four important facts which should be remembered by all persons concerned with agitation on campuses.

First, and foremost, he feels very strongly that this present generation of college students is extremely idealistic and has not had the opportunity to compare our society and our system of government with others which exist throughout the world. Second, our colleges and universities, in their policies toward dissenters are acting from a sense of guilt and maybe even liberal masochism. Third, today in our society, the idea that everyone should have a college education has gained widespread acceptance. This has put many students into the academic community who do not really desire to attend college. Fourth, and most importantly, the disruptions which are occurring on our college campuses are being caused by small well-trained revolutionary cadres who, through their extremely well-organized techniques, are able to immobilize a university against the wishes of the students who desire to receive an education.

For the interest of my colleagues, I hereby insert Congressman MESKILL's speech into the RECORD:

Observations on Campus Disorders

(A speech before the Connecticut Broadcasters Association by the Honorable THOMAS J. MESKILL, Wesleyan University, Middletown, Conn., May 8, 1969)

I would like to give you my thoughts on the subject of campus disorders. I claim no expertise in this field, I am merely one more observer on the national scene who has watched matters go from bad to worse and wondered what to do about it.

I believe the campus disorders are caused by many things, all of which seem to be surfacing at the same time.

First of all, it is almost a truism to note that every generation of college students is idealistic. And we can be glad for this. Let us look at a typical college boy. He is on the threshold of manhood, full of high ideals and great hope for his own future. He sees about him imperfections in our institutions and in our society, in our laws and in our government. He is critical of the lack of perfection, and he is impatient to do something about it.

Unfortunately, growing up in this country during a period of affluence, he has nothing with which to compare life in this country of ours. And thus, he cannot appreciate how much better things are in America than anywhere else on earth. This is element number one.

Secondly, in recent years we have seen our colleges and universities, motivated by a sense of guilt, eagerly seek out young people from minority groups to become members of the student body.

In many cases it has been done out of a desire to atone for past wrongs to the minorities of this country.

In other cases it has been done to give demonstrable evidence that this particular college or university is truly "liberal" and does not discriminate on the basis of race in its admissions policies.

In their eagerness, Admissions officers have in many cases closed their eyes to inadequate preparation for college when the applicant comes from a minority group. This has been a serious mistake.

In a sincere effort to help young blacks, our colleges and universities have put them in competition with students who were fortunate to have had the benefit of superior secondary educational backgrounds. Sadly, this is a competition with which most of these underprivileged students cannot cope. These young people have soon become discouraged and disgruntled, making demands for "meaningful" courses; that is, black studies programs. Often, what they are really seeking is an easier curriculum which they can master. Our schools of higher learning have been naturally and rightly reluctant to lower their academic standards, and this has been a source of great controversy.

Negro civil rights strategist, Bayard Rustin, recently addressed himself to this very problem. He said that blacks were "ill prepared for college education," and he called on college officials to "stop capitulating to the stupid demands of Negro students" and to see that "they get the remedial training that they need."

Rustin went on to say, "What the hell are soul courses worth in the real world? In the real world, no one gives a damn if you've taken soul courses. They want to know if you can do mathematics and write a correct sentence." I think blacks and whites alike would do well to listen to Mr. Rustin's admonition.

The third element in this scenario is fostered by the "over thirty" portion of our society. Our adult population has an "everybody should have a college education" syndrome. As a result, many young people from all economic and cultural backgrounds are being pushed into our colleges and universities because "it's expected of them" by their relatives and friends.

Many of these young people would be happier and more successful if they were to enter vocational and technical schools.

The need for technicians in this country has never been greater.

These misplaced, unhappy college students are often borderline failures. They resent the faculty because of their intellectual achievements; they resent the school administration because of the restrictions on college campus life.

A great deal of the blame for the chaos on the campus must be accepted by the parents of the students involved. Any young man or woman who has not been taught to respect the rights and property of others in his own home cannot be expected to learn it on the campus. We can only hope that parents of youngsters will take note of this and better prepare their children for the responsibilities of adulthood.

This brings us to the catalyst. On the campuses across the country, there is a small group of well-organized, well-financed, well-trained revolutionaries whose sole purpose in entering our universities is the destruction of the institution and our national way of life.

They will, and they have, seized every opportunity to capitalize on dissatisfaction, discord and resentment.

The Students for a Democratic Society, The Black Panthers, whatever they choose to call themselves, are dedicated to an ideology completely foreign to our great nation. They have provided the spark and organization which have ignited the fires of disruption across the country. They have been sowing their seeds in fertile fields.

As long as this country is involved in a very unpopular war in Southeast Asia, we will continue to have discontent on our campuses. Students will protest against the war; they will try to oust ROTC; they will hold rallies against the draft; and they will picket recruiters from the Armed Services and corporations which do business with the Defense Department.

With all of these factors working together to create unrest on our campuses, there are still other factors which work against an easy solution. Most of our college presidents have enjoyed, up until a few years ago, a rather ideal existence. They have lived and worked with young people in an ivy-covered, tree-lined campus environment. Their lives have been intellectually stimulating but politically tranquil. Their concern was in promoting scholarship, not politics.

Now they find themselves in unfamiliar territory. They have little or no training for the type of decisions they now must make.

To make matters worse, many members of the faculty who have been teaching and influencing our young people feel a commitment to them and to their behavior. They are unable to extricate themselves, and consequently, find themselves siding with the students and against the administration. No demonstration has succeeded without the support of faculty members.

In many instances this has influenced and substantially weakened the position of the administrators and has resulted in a capitulation to unreasonable demands of the college students.

The administrators are reluctant to call in the police when things get out of hand. In their thinking, to do so would be to admit that they have lost control. Local government is reluctant to intercede without being asked.

The Federal Government is reluctant to intervene for fear of being accused of interfering with the freedom of education.

One thing is certain—we cannot continue to go on much longer. What we thought was a fad has turned out to be a nightmare!

The initial responsibility must rest with the administration of the college. If the President of a university has neither the intention nor the ability to administer the affairs of his institution in a manner which guarantees that all students of that institution, who wish to attend classes and complete their education have the opportunity to do so, then that administrator should resign or be fired. The trustees must not shirk their responsibilities either. Recently, a number of administrators have indicated their intentions to retire or resign. College presidents must insist on the support of the members of their faculty, as President Kingman Brewster has done at Yale.

College administrators must keep the avenues of communication open to legitimate student requests. Dissent is normal and healthy and should not be discouraged. It is the responsibility of the college, however, to provide a forum for discussion in order to keep this dissent in proper bounds, keeping in mind that the students are not always wrong.

But, when certain militant students violate the law by interfering with the individual rights of other students or by destroying school property, the college administrators must call on our law enforcement officers to bring the lawbreakers to justice. They must put saving education ahead of saving face.

To do less is an open invitation to more lawlessness. Violations of the law which are not tolerated on our streets should not be tolerated on our campuses. Membership in an academic institution does not grant immunity from prosecution.

Members of the alumni of non-tax supported schools can and should use their influence on college administrators. This is a delicate area, however, because refusal to furnish financial support to the institution punishes the innocent student as well as the guilty.

The same caviate applies to Federal intervention. For the Federal Government to withhold assistance to universities because of campus disorders, hurts many students who are not involved in the disorders themselves. I do support, however, any reasonable restriction on individual aid to students involved in disruptive activities on the campuses.

According to the Attorney General of the United States, we do have confirmed information that a number of the university disturbances reported have been incited by a small cadre of professional militants who travel from campus to campus across the country. They are trained in turning peaceful and natural dissatisfaction and frustration into ugly, violent confrontation. Where this is the case, I support the application of the anti-riot provisions of the 1968 Civil Rights Act which make it a Federal crime to travel across state lines to incite a riot. It must

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be clear that we will not tolerate professional revolutionaries who seek to exploit our serious students. Where their tactics violate the law, they must be prosecuted if justice is to triumph.

But the final solution really rests with our young people in college. As Sir Edmund Burke said in a speech before the House of Commons, "All that is necessary for the forces of evil to win in the world is for enough good men to do nothing." If the great majority of our students, who are not involved in these disorders, sit idly by and allow a small cadre of anarchists to disrupt and destroy their institutions, they too must share in the blame. It is time for them to stand up in support of their institutions. They must speak out, and they must exert leadership. Their incentive should be that they have so much to lose by the destruction of their institution.

Recently, elections on college campuses have dealt severe blows to the prestige of SDS and other radical groups.

This should serve as a message to the student body that the small group of anarchists do not speak for the majority. They do not speak for the freedom of education; they do not speak for the impoverished people in our country; they do not speak for the long-suffering minorities; they speak only for those who are dedicated to the destruction of everything that our founding fathers fought for and our gallant war dead died for.

Let them be reminded of Newton's Law that "For every action there is an equal and opposite reaction." If these young people would study their history, instead of their handbooks for revolution, they would know that nihilism and anarchy lead only to authoritarianism and suppression. For as the philosopher, Santayana said, "Those who do not remember the past are condemned to repeat it." If calm does not return to the campuses, I am afraid we may see a battle line drawn down the center of the classroom—on the one side the radical right, on the other, the radical left. The loser in this conflict will surely be the student who truly wants and needs an education.

Let us all hope that we have the sense and the wisdom to avert such a calamity before it is too late. Time is running out.

KITTY GENOVESE TRAGEDY RECALLED

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. DELANEY. Mr. Speaker, law enforcement officials are growing increasingly concerned about the apathy of citizens in assisting in the apprehension and conviction of criminals. In this connection, I would like to call to my colleagues' attention an interesting article on this subject written by the Honorable Thomas J. Mackell, district attorney of Queens County, N.Y., in which my district is located. The article, which follows, appeared in the May 1, 1969, issue of the New York Law Journal:

KITTY GENOVESE TRAGEDY RECALLED

(By Thomas J. Mackell)

At about 3 A.M. on March 13, 1964, Kitty Genovese parked her automobile near her home in Kew Gardens after driving alone from work. Winston Moseley had been cruising the streets of Queens for an hour looking for a woman alone, contemplating murder, rape and robbery. He had been following Kitty Genovese. He parked his car at a bus stop and alighted. Kitty saw him and ran. Moseley overtook her and stabbed her twice in the back.

Her screams shattered the stillness of a courtyard area, reverberating from the surrounding apartment house brick walls. At least thirty-eight neighbors of this woman in peril heard her cries. Not a single one took the trouble to pick up a telephone and call police.

One neighbor on the seventh floor of a dwelling heard the kneeling victim's repeated cries, "Help me, help me." His only response was a shout from his window, "Hey, get out of there."

Even this half-hearted assistance had its effect. Moseley was frightened, left his victim, jumped into his automobile and backed it into an adjoining street. Kitty Genovese was able to remove herself from the scene of the attack around the corner to the vestibule of an apartment house adjoining her residence.

It is fairly reasonable to assume that if anyone awakened by her screams had taken the trouble to call the police, Kitty Genovese might have escaped death. Moseley waited almost fifteen minutes before resuming his enterprise of mayhem and murder. He did so, he later testified, because he did not think that the person who yelled would come down to help. And he was right!

After minutes spent searching the area for his wounded prey, Moseley discovered her lying in the vestibule. He proceeded at once to stab her in the throat when she began to scream again. All told, a total of thirteen stab wounds were inflicted, four in the back and nine in the front of Kitty Genovese's body. Yet the victim was still alive more than an hour later when she was placed in an ambulance, and died only upon arrival at the hospital (see People v. Moseley, 20 N.Y. 2d 64, 1967).

The tragedy of Kitty Genovese was her brutal killing. The greater tragedy was the advertent omission of community response that might easily have prevented her death. The significance of the higher tragedy for law makers and administrators is that such callous failure to assist is neither criminal nor in any other way unlawful.

Nothing in Anglo-American law makes criminal intentional omission to save life. This is so even when assistance could be rendered without personal danger or measurable risk of pecuniary loss or degree of personal inconvenience.

"A man," Justice Holmes has said, "has a perfect right to stand by and see his neighbor's property destroyed, or, for the matter of that, to watch his neighbor perish for the want of his help, . . ." (*The Common Law*, 228). Only the imposition by law of a duty to act makes omission criminal, and such duties are imposed only in a handful of interpersonal relationships.

When William the Conqueror brought his Normans to England a thousand years before the tragedy of Kitty Genovese, so far from being "perfect," no "right to stand by" existed at all. Over most of England, all persons, unless excused by rank or property or other cause had to be enrolled in a tithing—a group of ten men presided over by a tithingman. If one of the tithing committed an offense, the other nine men produced him for trial. If they could not produce him, they had to make good the damage caused by the defaulter and pay a fine.

Gradually, the tithing become synonymous with the territorial unit of a township. With the coming of William the Conqueror, the need for communal responsibility for crime was increased since the Normans were fewer than the Anglo-Saxons. Under the Normans, if anyone were murdered and could not be proved English, he was presumed to be Norman. The Hundred or Group of Ten tithings was liable to pay a murder fine. Of course, the township or tithing would have to contribute its quota. It was logical then to make each member of the tithing personally responsible for the criminal behavior of his fellow-townsmen.

One of the most interesting examples of the imposition of such police duties was the requirement of hue and cry. If, for example, anyone found a dead body and omitted to raise the hue, he committed an amerceable offense, besides laying himself open to ugly suspicions.

The proper hue was "out! out!" Neighbors were then expected to turn out with bows, arrows and knives, which they were required to have on hand. Besides much shouting, horns were blown so that the hue was horned from village to village. Incidentally, if a man was overtaken by hue and cry while he still had about him the signs of his crime, he was dealt with quite summarily. If the thief had about him any of the stolen goods, he was promptly hanged, beheaded or precipitated from a cliff.

The responsibility imposed upon the community to prevent crime is also deeply imbedded in the Anglo-American history of the jury system. The original juries that replaced trial by battle, ordeal and compurgation, were actually neighborhood witnesses to the crimes that were presented or tried before them. They acted upon their own private information as recognitors.

For many centuries, no witnesses could be produced at trial by the prisoner. As late as 1670, Chief Justice Vaughn could rule that "the evidence in court is not binding evidence to a jury" (Bushell's Case, Vaughan's Rep., at p. 152). When later witnesses were permitted, they could not be sworn. Not until 1816 in England, did jurors cease to be witnesses and become independent triers of fact.

Modern penal laws are stripped of sanctions upon non-action of community members in the face of crime with a few vestigial reminders of the past. It is misprision of felony under federal jurisdiction for anyone who, "having knowledge of the actual commission of the crime of murder or other felony cognizable by the courts of the United States, conceals and does not as soon as may be disclosed and make known the same to some one of the judges or other persons in civil or military authority under the United States, shall be fined not more than $500, or imprisoned not more than three years, or both" (18 U.S.C., sec. 261). This statute has been partially assimilated in New York under "Hindering Prosecution" (Penal Law, secs. 205.45–205.65), but, under both, affirmative action is necessary for criminality.

A curious survival of "hue and cry" still persists in making criminal unreasonable failure or refusal to aid a policeman in making an arrest (Penal Law, sec. 195.10), and also for restricted medical personnel in failure to report gunshot wounds (id., sec. 265.25).

Modern withdrawal of numerous sanctions upon willful omission to assist ought not to be considered legislative approbation of Cain's question, "Am I my brother's keeper?" (Gen. iv).

The Anglo-American criminal law machinery—unlike Continental ministries of justice—cannot even begin to function without community assistance, no matter how many skilled professionals are provided for its operation. Lay participation—in the form of complainants, witnesses and others with information and leads, as well as the cross-section of the community to serve as grand and petit jurors, are indispensable.

The so-called "code" that makes us deplore "stooipigeons," and persons who "blow the whistle" or "yell for the cops" is a spurious guide to the conscience of the community. It is not sufficient merely to spurn an opportunity to engage in criminal conduct; affirmative action to report crime in a moral incident of citizenship in an American community.

One step toward encouraging wider community concern with crime is to encourage wider community participation in the administration of the criminal law. Such participation has been encouraged by three recent decisions of the Supreme Court disapproving juryless trials for minor offenses (Duncan v. Louisiana, 391 U.S. 145, 1968; Bloom v. Illinois, 391 U.S. 194, 1968; Dyke v. Taylor Implement Mfg. Co., Inc., 391 U.S. 216, 1968).

Such participation would reawaken community awareness of the grave extent and nature of minor crimes that frequently form the basis of subsequent careers in major crime.

GUS HALL WOOS REDS IN LOS ANGELES MAYOR RACE

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. FISHER. Mr. Speaker, the news media have been rather generous in publicity given to the current campaign for mayor of the city of Los Angeles. A story which appeared in the May 2 issue of the Los Angeles Herald-Examiner is of interest because it indicates that the Communist Party, under Gus Hall, has injected itself into that campaign. It is noted that the recipient of Hall's solicitude referred to it as being "too absurd" for comment.

Under leave to extend my remarks, I include the article, written by Phil Hanna. It follows:

Communists in Los Angeles recently have been urged by Gus Hall, general secretary of the Communist Party in the United States, to give "total focus" to electing Councilman Thomas Bradley as mayor.

Bradley, on reading Hall's remarks, said today: "It's too absurd to comment."

Hall addressed the party's Southern California district convention here at Larchmont Hall April 5. The meeting opened at the hall, 118 N. Larchmont Blvd., the evening of April 4, and continued April 5.

The Communist Party leader told fellow Communists that party members have a "historic responsibility they must accept" to elect the Negro councilman as mayor of Los Angeles.

Hall told the Communist conclave:

"First let me congratulate you, the movement and working people, for the (primary) election results of last week. I think it is a tremendous achievement. I think it has tremendous significance for the future, of not only Los Angeles, but for the struggle in America.

YOU MUST GIVE TOTAL FOCUS

"I think above all, and among other achievements (it is) a tremendous blow against racism, and I would only urge that we see the full significance and I would suggest that you take seriously the idea that you must, as a party, be able to give total focus—I mean total focus—for the next two months on the election of Bradley.

"I think there is a historic responsibility that you must accept, that no stone will go unturned or untouched in the election of Bradley for mayor."

Bradley, a former Los Angeles police lieutenant, polled high in the April 1 city primary and will meet Mayor Sam Yorty in a run-off election May 27 for the city's highest office.

Hall differed with long-time Southern California Communist Mrs. Dorothy Healey, an arch-rival, as to the focus of the party in the future.

He said Mrs. Healey was taking a "rightist" position in terms of Communist Party strategy.

Hall wants to concentrate Communist recruitment on the entire working class. He claimed, in his Larchmont Hall speech, that the Los Angeles woman wanted to "forget the industrial workers and forget the organized sector of the working class."

URGES TOTAL WORKING CLASS RECRUITMENT

Hall also called for sweeping Communist organizational attempts in the youth sector. He said the party must gather "all types of militants" to form youth organizations, not limit young peoples cadres to "simply Marxists and Leninists."

He said he believed that young people would favor this broad type organization as one which would allow them to accomplish their ends on campuses and elsewhere.

Bradley has denied there are any Communists working for his election.

"Just like (Gov. Ronald) Reagan, I ask people to accept my philosophy, not I theirs," the councilman told a recent meeting.

On the councilman's election staff is an admitted former member of the Communist Party. Don Rothenberg, a campaign aide, has been identified as a Communist Party member before the House Committee on Un-American Activities.

Rothenberg admitted his former Communist Party membership to The Herald-Examiner, but said he resigned several years ago.

Hall wants to remold the party "ideologically, organizationally and politically," he told the district convention.

He called on Southern California Communists to "march under the party banner."

"The struggle of racism," he said, "is the place where the party should spend most of its time in organization and development."

SUPPORT FOR HOUSE RESOLUTION 329 TO INVESTIGATE SIECUS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. RARICK. Mr. Speaker, I was happy to learn that the Public Affairs Luncheon Club of Dallas, Tex., had endorsed by resolution House Resolution 329, my bill to create a select committee to investigate the operations and tax-exempt status of the Sex Information and Education Council of the United States, and like organizations.

I include a copy of their resolution, as follows:

RESOLUTION: CONCERNING THE TEACHING OF SEX IN THE PUBLIC SCHOOLS

The 500 members of the Public Affairs Luncheon Club of Dallas believe that the right of parents to teach their own moral values to their children is inalienable and that sex education is too intimate and personal to be subjected to group study and therapy of the classroom. In a classroom situation, the readiness of each child varies, and perfectly accurate information can be disturbing and damaging if the child is not ready intellectually or emotionally. Indoctrination devoid of moral values encourages permissiveness at a time when our nation is suffering from the effects of a lack of self-discipline.

Biological facts taught in school courses at suitable ages have proved valuable, but to move into the social and behavioral aspects of sex void of moral and human values would serve to destroy and undermine the moral foundations of our children. The curriculum of the public schools should contain nothing that would drive a wedge in the parent-child relationship or that would destroy the family as a basic unit of social organization.

The propelling force behind the teaching of sex in the public schools comes from a privately supported, so-called "health" agency known as the Sex Information and Education Council to the U. S. or SIECUS. Their humanistic materials, which excite the prurient interests of the young, have been made an integral part of sex education, family life, or health courses in various school systems throughout the United States. SIECUS is involved in promoting a multi-million dollar exploitation of sex among the nation's school children. Joining Dr. Mary Calderone, Executive Director, on the SIECUS Board of Directors are five associates who all hold dual positions as members of the Board of Consultants of *Sexology*, a magazine which appeals to salacious and prurient interests and which is helping to create the problems which SIECUS purports to solve.

Resolved that the Public Affairs Luncheon Club supports the teaching of physical hygiene that promotes healthful living and helps establish proper health habits in the public schools but believes that attempts to promote the "new morality" or "situation ethics" approach to sex education involving attitudes regarding sex, intersexual relations, perversions, and birth prevention by SIECUS or any other interrelated organization by any name which uses SIECUS materials or personnel for promotional purposes is not fit for our children and can only serve to weaken the religious faith and morals of a generation of young people; and be it further

Resolved that the Public Affairs Luncheon Club go on record as supporting Congressman John R. Rarick's bill which would establish a special ten-man Committee to conduct a full and complete investigation into the operations and tax-exempt status of SIECUS; and be it further

Resolved that copies of this resolution be sent to the members of the Dallas School Board and surrounding communities and be made a part of the public record.

THE PUBLIC AFFAIRS LUNCHEON CLUB OF DALLAS,
MRS. MILAM B. PHARO,
President.
MRS. PHILIP L. COLLINS,
Chairman, the Resolution Committee.
APRIL 21, 1969.

THE ABM DEBATE CONTINUES—FURTHER DOUBTS RAISED

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. BROWN of California. Mr. Speaker, opposition to President Nixon's proposed Safeguard ABM has brought together heretofore divergent groups and individuals—Democrats, Republicans, independents, conservatives, liberals, laborers, students, professionals, scientists, and so on.

In many cases, those who now find themselves expressing severe doubts about the need for ABM never before had occasion to question seriously broad issues of military power in our society.

Over the past months I have had the

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opportunity to directly participate in the awakening by citizens who are greatly worried about implications of the ABM system. In March I shared the rostrum at MIT during the "March 4 demonstration" when Dr. George Wald made his superb address on the overriding questions now facing this Nation; later that month I was a sponsor of the Congressional Conference on National Priorities and the Military Budget; last month I was in Fargo, N. Dak., to speak at the initial meeting of the North Dakota Citizens Against the ABM; 2 weeks ago I hosted members of the Union of Concerned Scientists when they came here to Washington to outline their dissent on ABM; and this week I shall travel to Miami, Fla., to a meeting of the Florida Coalition on National Priorities.

Throughout my participation in this "movement" I have noticed one recurring thing—that opposition to ABM was very broadbased, and that wherever the public had been exposed to varying viewpoints about ABM, understanding and opinions were much more clear cut.

Of course, here in Congress the ABM issue still is far from decided. Many Members have yet to come to a final decision on the value of the proposed Safeguard system. I believe it imperative that those Members be given the whole range of arguments on the entire ABM concept, and by this I do not necessarily mean that such exposure be limited only to the technical aspects of ABM.

While the technical problems encountered in any ABM system stand as a telling argument against deployment, the so-called nontechnical—or political—issues must be given as much consideration. The effect that ABM deployment has on arms talks and on further allocation of resources is largely independent of the purely technical side of the debate.

Today I would like to insert in the Record what I consider two important contributions in the drive to halt ABM deployment. First is a statement by the National Religious Committee Opposing ABM, a nationwide interdenominational group headed by Dr. Reinhold Niebuhr; and second is a staff study, "On the Issue: ABM," prepared by the National Citizens Committee Concerned About Deployment of the ABM, a group which has on its executive committee such persons as Roswell Gilpatric, Arthur Goldberg, Whitney Young, Jr., and W. Averill Harriman. I include these articles in the Record at this point:

Statement of National Religious Committee Opposing ABM, Tuesday, April 29, Hotel Roosevelt, New York City

Our nation has just celebrated the Christian and Jewish Holy Days of Easter and Passover. Both events remind us all of mighty acts of deliverance and fresh hope for despairing peoples. Both events were also challenges to the established political powers of their times. These themes—of deliverance, hope and challenge—are the context out of which we declare ourselves on an issue of ultimate consequence for the agonized people of today's world.

We are disturbed by the increasing dependence of our national government on military might and nuclear weaponry as the means of securing world order. At just the time when a halt in the insane development of weapons of war and destruction must come, our administration and military propose to continue that development by an even greater reliance on nuclear weaponry through the creation of an antiballistic missile system.

We do not believe that an ABM system will really safeguard world peace or increase our nation's security. On the contrary, the proposed plan makes nuclear warfare more likely by permitting the nuclear arms race to proceed. The world will not interpret a decision to deploy ABM as a "defensive" gesture on our part, since it can only force other nations to upgrade their offensive nuclear capabilities in response. We are unconvinced by the argument that the system is designed to discourage China from attacking us, since it has subsequently been promised that if Russia de-escalates we will not need to build the system after all. We are unconvinced by the claim that a "thin" system is what we are asked to approve, for once begun, such projects have an almost irreversible momentum that is increasingly difficult to curb or deflect.

And, we are distressed by the arguments for a missile system used by our administration and military which seem designed to exploit the natural fears and confusions of our people and which appeal to a narrow nationalism at a time when *world concern* should be evidenced.

The administration and military, in short, appear to us to have made an ill-conceived decision and subsequently to have begun a vain search for arguments that would convince a skeptical public. We remain unconvinced.

We *are* convinced that such a missile system can only persuade other nations to increase their offensive capacity in an effort to cancel our defensive advantage, after which we will have to increase our defensive capacity in an effort to cancel their offensive advantage, and so on in a gruesome spiral, until just one small miscalculation is made and the nuclear holocaust is triggered.

We are convinced also that the ABM system would draw resources away from the pressing needs of our decaying cities and our oppressed poor. The cry of the downtrodden poor, the sick, and the hungry in the midst of fabulous affluence makes us all guilty before God and before our fellow man. An investment in ABM would perpetuate the agony of the poor and the guilt of our nation for many years to come. We cannot stand still in the face of an imminent moral disaster.

Somewhere, sometime, a halt must be called to this senseless expansion of military might which can not only kill but can "overkill." *That time is now.* Having developed the ABM system to its present stage, to put it aside would be a powerful symbol of our nation's determination to stop the arms race and proceed on the way of peace. In a time of the celebration of renewed life we must stop our preparation for death. Therefore, we unequivocally oppose the construction of the ABM, and we urge others who feel as we do to join us in making their views known, particularly to members of our Congress since they have the final responsibility for stopping nuclear madness. We call upon church and civic groups to examine thoroughly the moral issues involved in the ABM and then to make known their beliefs.

We call upon the American people to respond in such a way that when men of the future look back to this era of human history they will say, "The defeat of the ABM proposal was the beginning of a great breakthrough, the moment when a major world power demonstrated its willingness to begin a new quest for peace and repented of the old, mad race toward war." Our present warring madness, grievously violates God's promised purpose for man's fulfillment in history. We challenge this madness. Through such a challenge, we believe, the deliverance and hope symbolized for us in Easter and Passover can become new possibilities for the agonized people of today's world.

NATIONAL RELIGIOUS COMMITTEE OPPOSING ABM

Executive committee

Chairman: Dr. Reinhold Niebuhr, Professor Emeritus, Union Theological Seminary, New York, N.Y.

Dr. Robert McAfee Brown, Professor of Religion, Stanford University, Palto Alto, Calif.

Bishop John J. Dougherty, President, Seton Hall University, South Orange, N.J.

Rabbi Abraham Heschel, Professor, Jewish Theological Seminary, New York, N.Y.

Rev. Channing Phillips, Lincoln Memorial Congregational Temple, Washington, D.C.

National committee

Dr. John Bennett, President, Union Theological Seminary, New York, N.Y.

Dr. S. Loren Bowman, General Secretary, General Brotherhood Board of the Church of the Brethren.

Dr. Balfour Brickner, Union of American Hebrew Congregations, N.Y.

Dr. J. Edward Carothers, Associate General-Secretary, United Methodist Board of Missions, New York, N.Y.

Dr. Harvey Cox, Professor of Divinity, Harvard University.

Bishop William Crittenden, Episcopal Bishop of Erie, Pennsylvania.

Bishop Charles F. Golden, Bishop of the San Francisco Area, United Methodist Church.

Dr. Dana McLean Greeley, President, Unitarian-Universalist Association of America.

Bishop Thomas Gumpleton, Auxiliary Bishop, Roman Catholic Archdiocese of Detroit.

Dr. David R. Hunter, Deputy General Secretary, National Council of Churches.

Bishop John Wesley Lord, Bishop of the Washington Area, United Methodist Church.

Dr. Martin Marty, Professor of Church History, University of Chicago.

Bishop James K. Mathews, Bishop of Boston Area, United Methodist Church.

Dr. Patrick McDermott, S.J., Assistant Director of the Division of World Justice and Peace, the U.S. Catholic Conference, Washington, D.C.

Bishop Paul Moore, Suffragan Bishop, The Episcopal Diocese of Washington, D.C.

Rev. Richard John Neuhas, St. John The Evangelist Lutheran Church, New York, N.Y.

Michael Novak, Dean, State University of New York at Old Westbury.

Dr. Culbert G. Rutenber, President, American Baptist Convention, Valley Forge, Penna.

Bishop James Shannon, Auxiliary Bishop, Roman Catholic Archdiocese of St. Paul-Minneapolis.

William P. Thompson, Stated Clerk of the General Assembly, The United Presbyterian Church in the U.S.

Executive Director: Rev. John Boyles, Assistant Chaplain, Yale University.

Liaison to Organizations: Mr. Robert Maurer.

Institutional affiliations for identification only.

On the Issue: ABM

(Prepared by the staff of the National Citizens Committee Concerned About Deployment of the ABM)

(Note.—Responsibility for the contents of this paper, and any mistakes, opinions, or interpretations remains solely with the staff; not with any individual member of the Committee, New York, N.Y., April 1969.)

INTRODUCTION

For the past several months, a furious debate has been raging in the public forums of this country—in the Senate and the House of Representatives, in the media, and among the members of the scientific and military communities—about whether or not the

United States should deploy an anti-ballistic missile system (ABM).

Within the next few months, the bills authorizing and appropriating funds for the Safeguard ABM system will be before the Congress. Ultimately, the Congress may decide whether or not the Safeguard system will be built and deployed at various locations around the United States. These bills will almost certainly pass the House, but the vote in the Senate may be very close. Since no bill can become law unless approved by both houses of Congress,[1] deployment of the ABM can be stopped in the U.S. Senate.

Even before the bills reach the floor of the Senate, the Administration has several options which would enable it to stop or defer deployment. One alternative (suggested by Dr. Killian of the Massachusetts Institute of Technology) would be to appoint a Presidential Commission to review all aspects of the ABM. Another alternative would be to initiate arms control negotiations with the Soviet Union as soon as possible. Secretary of State William Rogers, in recent testimony before the Subcommittee on International Organization and Disarmament Affairs of the Senate Committee on Foreign Relations, indicated that the disarmament talks might in fact be a feasible and desirable alternative to deployment of the ABM. He indicated that such talks might begin this spring or summer.

It is within the power of either the Administration or the Senate to stop the proposed deployment of the Safeguard ABM system. Whether either will do so depends, more than anything else, on expressed public opinion. American public opinion, as indicated in the Gallup Poll of April 5, 1969, is still ill-defined or unformed on the ABM question. According to the survey, only 69 per cent of the people questioned had ever heard of the ABM controversy and only 40 per cent of those questioned had formed an opinion. Unfortunately, that 40 per cent favor the ABM program by a five to three ratio. Our energies must be devoted to explaining the issues to the 60 per cent who either have not heard the issues or have not made up their minds. Through an intensive education program, it is possible to rally the American public against deployment.

The ABM presents a unique set of problems with respect to educating the public. *First*, discussion of the ABM can involve the most esoteric aspects of not one but several sophisticated academic disciplines from Nuclear Physics to Sino-Sovietology. *Second*, the discussion involves the emotional questions of national defense and national security. *Third*, the rationale for the ABM—why we need it—has been changed several times; *e.g.*, President Johnson said it was needed to protect us from the Chinese, while President Nixon claims it is really needed primarily because of the Russian threat.[2] Never has an issue of such subtlety and complexity been debated so widely and openly in the public forums. But never has an issue so widely debated been so little understood by the general public.

The purpose of the National Citizens Committee concerned about deployment of the ABM and the enclosed material is to help you clarify the issues involved in the ABM debate for the man on the street. Although the subject seems complex, it can be easily understood and explained if the issues are analyzed separately and if the military jargon is translated into language comprehensible to the layman. Your job as a spokesman against deployment of the ABM is to present a few effective and understandable points and be prepared to answer, clearly and simply, questions regarding its complexities. Below is a suggested structure of argument against the ABM. The enclosed summaries and reprints of articles should enable you to speak clearly and convincingly on this complicated subject.

I. Arguments against the ABM

The arguments against the ABM can be organized into two general categories: First, why the ABM will not contribute to our national security. Second, how deployment will have detrimental consequences.

A. Why ABM Will not Contribute To Our National Security

1. It will not work: The ABM system cannot really defend the United States in case of an enemy attack because it is technically imperfect.

2. Even if it worked, the ABM defense can easily be penetrated: An enemy can easily overwhelm or confuse the most perfectly operating ABM defense.

3. Even if it worked and even if it could not be penetrated, the ABM is not needed: With our present nuclear arsenal we have sufficient offensive missiles to destroy the Soviet Union as much as eight times over, *even if they attacked us first*.

4. Even if it worked and even if it could not be penetrated, deployment of the ABM will upset the balance of strategic power now existing between the two major nuclear powers.

B. How Deployment of the ABM Will Have Detrimental Consequences

1. The ABM will cost huge amounts of money: Deployment will cost many more billions of dollars than the Administration currently estimates. But even if it cost only the seven billion dollars, this money could be better spent on domestic problems.

2. Deployment will cause the arms race to resume, thereby increasing the chance of nuclear holocaust: Deployment will encourage the Soviet Union to develop penetration aids and increase offensive missile strength to counter the ABM defense. In response, the U.S. will inevitably expand its arsenal.

3. Deployment of the ABM system would make it improbable that the United States will accept a comprehensive test ban treaty until the mid-1970s: Deployment of the ABM will require testing of components such as the nuclear warhead for the Spartan missile, thereby preventing the United States from signing a treaty prohibiting all testing of nuclear weapons.

4. In fact, its desire to perfect the ABM may tempt the U.S. to violate the existing test ban treaty, which prohibits testing of nuclear devices in the atmosphere.

5. In a nuclear war, explosion of ABM's will increase the total amount of radioactivity in the atmosphere.

II. How to counter the administration's rationales for deployment

Secretary of Defense Melvin Laird has stated in recent Senate hearings that the main reason we need the ABM is that our nuclear arsenal is too weak and too small to cope with the Soviet Union's planned increase in offensive missiles. It is imperative that every American understand that not only do we lack information on how many more offensive weapons the Soviets plan to build, but even if they were planning to substantially increase their offensive weapons, our weapons systems are strong enough and numerous enough to deter the Soviets from launching a surprise attack. In advocating the Safeguard ABM as necessary to protect our land-based missiles, the Administration seems to ignore cheaper more reliable methods to improve our defense—methods such as further hardening the silos housing our land-based ICBMs, increasing the number of Polaris submarines, *et cetera*.

The numbers of nuclear weapons we possess are enormous and their destructive power is horrible. And faced with the statistics of the incredible extent of our present weaponry, it becomes nearly impossible to argue that we need more.

THEORY OF DETERRENCE

I. Definition of deterrence

Prevention of war between nations which possess strategic nuclear weapons, such as the United States and the Soviet Union, is based on the principle of deterrence. Quite simply, a nuclear power is deterred from attacking another nuclear power because each knows (or thinks) that even if all the missiles and weapons it fired at its adversary were to hit their targets, the attacked country would have sufficient weapons remaining after the attack to strike back and cause unacceptable damage to the attacker.

II. Mutual deterrence

Mutual deterrence requires that all enemy countries, possessing strategic nuclear weapons, respect each other's "second strike capability," *i.e.*, each country's ability to withstand a "first strike" and effectively retaliate. Country A is deterred from launching a "first strike" at country B because A thinks that B's "second strike" capability is sufficient to assure unacceptable destruction of A's population and productive capacity. Each recognizes that an unstable situation would be created if either side attempted to achieve a "first strike" capability, *i.e.*, the power to annihilate its adversary before the latter can retaliate. It is generally acknowledged that the U.S. and U.S.S.R. have achieved "mutual assured destruction" and that the fear of each other's "second strike" capability has resulted in a strategic stand-off.

In his recent article, *The Future of the Strategic Arms Race: Options for the 1970's*[3] (enclosed), Dr. George W. Rathjens explains how the U.S. and the U.S.S.R. have achieved a "stable deterrent balance" based on destructive potential of the "second strike" capability. He describes in detail how it would be suicidal for either side to launch a first strike against the other *under any circumstances* and analyzes the dynamics of the arms race.

III. Preserving a second strike capability

A country can use a number of methods to preserve a second strike capability, and thus maintain the stable deterrent balance.

First, it may increase its number of offensive weapons to an extent that it would be impossible for enemy first strike weapons to destroy all of them. If the Soviet Union increases its strategic offensive weapons, America could do the same. This action-reaction phenomenon results in an arms race until a balance is reached, *i.e.*, until each side feels it has a second strike capability (from the point of view of the other) to deter a first strike.

With the development of the MIRV (Multiple Independent Re-entry Vehicle), a single missile can now carry three to ten independent warheads. In effect, MIRV now permits a country to increase its offensive capability without increasing the actual number of missiles. Dr. Rathjens explains the relation between ABM and MIRV. He is concerned with the effect on deterrence of both systems, independently or in combination.

Second, a country may protect its strategic offensive weapons so that first strike enemy weapons cannot succeed in destroying enough of the attacked country's strategic weapons to deprive the attacked country of a second strike capability. "Protection" of strategic weapons can be achieved in various ways. The underground sites in which intercontinental ballistic missiles are kept can be hardened so that an enemy missile will have to actually hit the site, or come very close to it, before it can destroy the missile inside.

Third, American strategic intercontinental bombers carrying nuclear warheads (B52s and B58s) are kept on instant alert. As soon as incoming missiles are detected by radar, many of these airplanes can be in the air before being hit by the missiles.

Fourth, strategic missiles carried by submarines constitute a second strike force that

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Footnotes at end of article.

is nearly impossible to destroy given the present state of technology. Since it is difficult to detect and track submarines and because submarines can be constantly mobile, it is highly improbable and almost virtually impossible that an enemy's first strike could annihilate the destructive power of a submarine fleet.

IV. How deployment of ABM's might affect an adversary

The advocates of the anti-ballistic missile reason that such a system is needed to protect our strategic offensive Minuteman (land-based) missiles. They argue that the ability of the ABM to destroy incoming enemy missiles before they reach their target will increase the protection of America's strategic land-based offensive Minuteman missiles and thereby increase America's second strike capability.

As explained by Dr. Rathjens, deployment (building) of an ABM system may result in strategic instability and, therefore, either increase the risk of irrational behavior by our adversaries or cause them to increase their offensive weapons.

The deployment of ABMs by country A may cause its adversary, country B, to fear a first strike. Why? Country B may think that A could strike first, using the ABMs to counter B's retaliatory missiles. In other words, country B might reason that country A would be tempted to launch a nuclear attack with the confidence that its ABMs will effectively limit the destructive capability of B's second strike weapons. In this way, the deployment of ABMs could unsettle the current stable deterrent balance by giving one side virtual first strike capability. In turn, this would push its adversary to develop a missile force capable of penetrating the ABM shield.

WHY THE ABM WILL NOT WORK

I. Testing the components

The proposed ABM system is perhaps the most complex undertaking in the history of man. The system is not simply a single weapon but is composed of five intricate and interlocking sub-systems—two distinct missiles, two distinct radars and a highly sophisticated data processing system. Three of these sub-systems still have to undergo a great deal of testing, and one major sub-system is still in the design stage. There is no assurance, as yet, that the components of the Safeguard will work even individually.

II. Testing the complete system

Even if all five sub-systems had been successfully tested individually, there is no assurance that they would function with any degree of reliability as a fully integrated system. Moreover, any test of the integrated system would probably be inadequate. Such a test would involve the interception of a few ICBMs under ideal, experimental conditions. The conditions under which the system would have to function in case of a surprise attack by *hundreds* of enemy missiles and decoys could not be duplicated.

The Pentagon's experience with complex weapons systems of this type is that they rarely can be expected to function adequately the first time. They can only be made effective through successive testing and subsequent modification. In fact, the effectiveness of the total system can never be known until an actual attack. Judging from past experience with complex radar and tracking sub-systems, it is highly probable that the ABM would fail to perform adequately the first time it was actually needed to defend against enemy missiles. Nuclear war does not grant a second chance to an ABM system which has failed the first time.

III. The TFX example

An excellent example of the Pentagon's failures with such systems is the TFX or F–111 fighter-bomber. The F–111 contains a highly sophisticated radar system which is in some ways similar but not nearly as complex as those in the ABM system. All the individual sub-systems of the F–111 functioned perfectly when tested alone. But when the integrated system was put into combat for the first time in Vietnam, five of the eight aircraft crashed, apparently due to technical failures in the operation of the integrated system.

IV. Testing and the Nuclear Test Ban Treaty

Should the United States attempt to simulate conditions of a nuclear attack in order to more fully test the ABM system as a unit, it might be tempted to violate the Nuclear Test Ban Treaty which prohibits the testing of nuclear devices in the atmosphere. Such a violation would aggravate the tension between the U.S. and U.S.S.R. and increase the probability of nuclear confrontation.

In recent testimony before the Subcommittee on International Organization and Disarmament Affairs of the Senate Committee on Foreign Relations, Dr. John Foster, the Pentagon's Director of Defense Research and Engineering, said that because of the need to test the warhead for the Spartan missile of the Safeguard ABM system, the United States would not be able to enter into a *comprehensive* nuclear test ban treaty until at least 1973.

V. Components of the ABM system

The components of the ABM system are described on page 26 of *Newsweek,* March 24, 1969 (reprint enclosed). These are:

A. *PAR—the Perimeter Acquisition Radar*—a long-range radar system which performs the initial tracking of an incoming enemy missile when it is still very far away from its target. This sub-system is still being designed and so testing has, of course, not yet begun.

B. *MSR—the Missile Site Radar*—this is a more accurate radar system than the PAR, but with a shorter range. After the PAR plots an initial estimate of an attacking missile's course, the MSR takes over, continues tracking the incoming missile, and guides the ABM to intercept it. Tests on this sub-system are under way, but have not yet been completed.

C. *Spartan*—this is a long-range anti-ballistic missile which intercepts enemy missiles from 300–500 miles away from the target. Tests of this sub-system are under way, but have not yet been completed.

D. *Sprint*—this is a short-range ABM which intercepts those missiles which get past the Spartan, at a range of 20–50 miles from the target. Most of the testing of this system has been completed.

E. *Data processing equipment*—the ABM requires an intricate computer system to process the information collected by the PAR, transfer it to the MSR, and then coordinate the guidance of the anti-ballistic missile by the MSR. There has been some difficulty encountered in designing computer programs for the exceedingly complex job which the computer equipment must perform.

How much testing is still required by components of the proposed Safeguard ABM system is apparent from the testimony of Deputy Secretary of Defense David Packard before the Subcommittee on International Organization and Disarmament Affairs of the Senate Committee on Foreign Relations, March 21, 1969.

VI. Additional material

The enclosed statement by Dr. Herbert F. York submitted to the Subcommittee on International Organization and Disarmament Affairs of the Senate Committee on Foreign Relations, March 11, 1969, provides an excellent summary of some of the problems inherent in the proposed ABM system as seen by a distinguished scientist.

A recent paper by Richard A. Stubbings,[4] formerly with the Bureau of the Budget, analyzes 13 major Air Force/Navy aircraft and missile programs with sophisticated electronic systems. The programs were initiated since 1955 at a total cost of 40 billion dollars. The paper describes how only 4 to 13 missile and aircraft systems initiated by the Air Force or Navy since 1955 had "satisfactory" performance, *i.e.*, 75 percent or better of predicted reliability:

"Less than 40% of the effort produced systems with acceptable electronic performance—an uninspiring record that loses further lustre when cost overruns and schedule delays are also evaluated. . . .

"Systems of increasing complexity . . . requiring new radars, computers or circuitry experienced cost overruns of 200–300%, schedule delays averaging two years and most importantly, low performance when the operational system was deployed."

His conclusion concerning 11 high risk electronic programs was that average reliability was only 50 percent of predicted reliability; and that in the seven projects with development times of four years or less, performance dropped to an average of 28½ per cent of that predicted.

The weapons systems which Stubbings studied are much less complex than the completely integrated proposed ABM system.

HOW THE ABM DEFENSE CAN BE EASILY PENETRATED

Several inexpensive methods have been developed to aid in penetrating the ABM system and rendering it ineffective:

1. One ABM is needed to intercept each attacking missile (ICBM). Consequently any ABM defense system can be easily overwhelmed if the number of ICBMs fired by the enemy exceed the number of anti-missiles in the ABM system. Even if only a few enemy ICBMs hit their targets, they could cause unacceptable damage.

2. Instead of going to the expense of building more ICBMs than ABMs, the offense can simply and cheaply confuse the defense with decoys. An ICBM can carry many balloons to be released and inflated into the same shape as the real ICBM, as soon as it is within range of the defense's radar. Thus, the offense can overwhelm and penetrate an ABM defensive system at a fraction of the cost at which the defense was constructed.

3. The ABM carries a nuclear warhead to destroy incoming missiles. When this warhead explodes, its radiation causes ionization of the surrounding atmosphere. The ionization blacks out the radar tracking systems upon which the ABM depends. In order to penetrate an ABM defense, the offense needs only to fire one ICBM, followed shortly by another ICBM fired at the same target. Even if the first ICBM is destroyed, the explosion of the ABM warhead will cause ionization of the atmosphere and the ABM radar system would be unable to track the second ICBM.

These and other inexpensive methods of penetrating an ABM system are discussed in greater detail in the enclosed article by Dr. Richard L. Garwin and Nobel Prize winner Dr. Hans Bethe, "Anti-Ballistic Missile System," *Scientific American,* March 1968.

WHY THE ABM IS NOT NEEDED

In announcing his decision on March 14, 1969, President Nixon gave three reasons for deploying the Safeguard ABM system.

I. Protection of our land-based retaliatory forces against a direct attack by the Soviet Union.

II. Defense of the American people against the kind of nuclear attack which Communist China is likely to be able to mount within the decade.

III. Protection against the possibility of accidental attacks from any sources.[5]

I. Do we need to protect our land-based (second strike) capability against a Soviet attack?

The key to preventing nuclear war is "second-strike capability." This is defined as the

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ability to withstand surprise nuclear attack and still retain weapons to inflict unacceptable damage on the attacker. The Soviets will be deterred from attacking us as long as even after a surprise attack, we would have *enough* nuclear weapons left to devastate them.

The proponents of the ABM allege that not enough of our weapons would survive a Soviet first strike. The final rationale for the ABM system is that it is needed to defend our ICBM missile sites—to assure that enough survive—and so preserve our second strike capability.

However, the United States already possesses so many kinds of nuclear weapons in such quantity, that an ABM system would simply be a needless addition to an overkill capacity already sufficient to destroy the entire world 10 or 15 times over.

In 1968, Secretary McNamara said of our second strike capability that ". . . the most severe threat we must consider in planning our 'Assured Destruction' forces [second strike capability] is a Soviet deployment of a substantial hard target kill capability in the form of highly accurate small ICBMs or MIRVed target ICBMs, together with an extensive, effective ABM defense. A large Soviet ICBM force with a substantial hard target kill capability might be able to destroy a large part of our residual missile warheads, including those carried by submarine-launched missiles. In combination, therefore, these two actions could conceivably seriously degrade our [second strike] capability. . . . even though such a threat is extremely unlikely, we have taken account of the possibility in our longer range force planning.

"Against the massive and highly unlikely combined greater-than-expected offensive and defensive threats, the same forces with Poseidon missiles carrying a full load of *warheads* and with bomber penetration aids . . . could still destroy in a second strike . . . about 18 to 25 per cent of the population and two-thirds to three-quarters of the industrial capacity of the Soviet Union, even after absorbing a surprise attack."[6]

In order to understand Secretary McNamara's statement—why we could sustain an enormous first strike by an enemy and still be able to devastate him—we must examine the components of the American nuclear striking force.

A. Polaris-Poseidon Submarine Missile Force

The United States possesses 41 nuclear submarines. Each of the 41 submarines carries 16 Polaris missiles—656 Polaris missiles in all. At the present time, these submarines are practically invulnerable to Soviet attack. Secretary Laird recently stated that "We have our Polaris fleet of nuclear submarines. This system is today virtually invulnerable. *It cannot be attacked successfully by the Soviet Union*, and it increases the credibility of our deterrent tremendously, as far as our second strike capability is concerned."[7] (emphasis added)

If a Soviet first strike totally destroyed (an impossibility) all our other missile forces, the submarine-carried missiles would remain. If less than one-third (200) were successfully launched, they could immediately destroy over 37 million Russians and 72 per cent of the industrial capacity of the Soviet Union. Another 37 million Russians would probably die within the next days from fallout, injury, shock, and other collateral effects of the nuclear attack.

This overwhelming second-strike capability is to be greatly expanded within the next five years as the Polaris—which has one warhead—is replaced by the Poseidon missile. Each Poseidon is equipped with a system known as MIRV, multiple individually targetable re-entry vehicle or multiple warhead. This means that after the Poseidon is launched, it breaks up into as many as ten independent nuclear warheads. The one Poseidon, in effect, could become ten missiles.

In other words, in our submarines alone, we could soon have over 5,000 warheads which can be fired at the Soviet Union. Each submarine alone could have over 150 warheads and could be capable of destroying millions of Soviets. Thus, even if the Soviets should develop an effective, near-perfect weapons system to launch a surprise attack on nuclear submarines, we would still possess an awesome second-strike capability. For three submarines, equipped with the Poseidon, surviving such an attack, could have about 480 warheads. Even if less than half were launched successfully, they might well be able to inflict unacceptable devastation on the Soviet Union. More than three would almost certainly survive—for no weapons system is ever near-perfect.

B. Minuteman Missile Force

We have land-based forces of 1,000 Minuteman missiles. Each of these missiles, if MIRVed, can be equipped with up to three nuclear warheads. If the Soviet Union launched a surprise attack against these land-based missiles and if only 66 out of 1,000 survived, *i.e.*, if the Soviet attack was 93.3 per cent effective and only 6.7 per cent of our Minuteman missiles survived, those would still be able to inflict at least 37 million fatalities and destroy 72 per cent of the industrial capacity of the Soviets immediately—plus over 37 million more deaths within the few days following the attack due to related causes.

C. Strategic Bomber Force

Besides our missile forces, we have over 650 intercontinental bombers—over four times as many as the Soviet Union—which carry about 1,000 warheads. Each bomber can carry several warheads in the megaton range. Some bombers have been equipped with missiles having nuclear warheads (SRAM) that can be launched while the plane is over 50 miles from the target—that is, before they have come within range of the most intense anti-aircraft fire.

Our reconnaissance satellite over the Soviet Union would provide us with a thirty minute warning, in case of a Soviet attack against the United States. Many of these aircraft are on ready-alert to take off immediately and at least 40 per cent would be off the ground, in case of an attack, before the Soviet missiles struck. Even if a Soviet surprise attack destroyed the 60 per cent of our aircraft which might be still on the ground after a warning, we would still have more than twice as many intercontinental bombers as Russia.

The most optimistic estimate for the effectiveness of an anti-aircraft defense, according to Dr. Jerome Weisner, is ten per cent.[8] Under actual combat conditions, Soviet anti-aircraft missiles in Vietnam have had an effectiveness of only one or two percent against American planes bombing North Vietnam. This is because bombers, like missiles, can employ numerous decoy devices to confuse enemy defenses. In addition, the manned bomber, unlike a missile, can change course or fly in at near-ground level to avoid early detection by radar. Thus, to defend against bombers in the air is in some ways much more difficult than to defend against missiles.

Suppose that a surprise attack destroys all our sea-based and land-based missiles. If we assume an effectiveness ratio for Soviet anti-aircraft defenses double that of the most optimistic estimate (20 per cent) in the event of a surprise attack, 80 of our bombers would still get through to the Soviet Union. One-half that number probably could destroy 37 million Soviet citizens and 72 percent of the Soviet industrial capacity.

D. U.S. Nuclear Forces in Europe

In addition, we have over 7,000 nuclear weapons overseas, many of which could hit the Soviet Union from our bases in Europe and from our aircraft carriers in the Mediterranean and the Pacific. Thus, even if all our bombers, land-based, and submarine-based missiles were destroyed, these overseas warheads would remain sufficient to inflict probable unacceptable damage on the Sovet Union, that is, to preserve our second-strike capability.

In short, the United States possesses not simply one nuclear striking force, but four separate ones, any of which in the event of total destruction of the other three forces—plus severe damage to itself—would still guarantee us a second-strike capability so devastating as to deter the Soviet Union from a first strike. This is overkill with a vengeance. It is difficult to understand why or how American security could be threatened by not increasing this capacity further through deployment of an ABM system which simply is not needed, which probably would not work, and which can be cheaply countered.

E. Soviet SS–9 ICBM's

Defense Secretary Laird testified in March, 1969 before the Senate Committees on Armed Services and Foreign Relations that the Soviets were building an SS–9 ICBM capable of carrying a 20–25 megaton warhead. He implied that these huge warheads were designed to destroy our Minuteman (land-based) missiles and therefore prevent the United States from launching a second strike. Whether the SS–9 is capable of carrying such a large warhead is in dispute. In addition, the larger missiles may be less accurate than smaller missiles. Finally, it would still require at least one SS–9 armed with one warhead, to destroy one Minuteman. Although the information is classified, each of our Minuteman silos are spaced about ten miles apart.[9] If this is true, then it is impossible that a 25 megaton SS–9 warhead could knock out more than one Minuteman missile, because it appears that even a 25 megaton warhead would have to hit within two miles of a hardened Minuteman silo to disable the Minuteman missile. Our Minuteman silos are hardened to withstand at least 100 pounds, but probably up to 200 pounds per square inch of pressure.

The Soviets might put three separate warheads on each SS–9, increasing the number of deliverable warheads and thereby increasing the number of Minuteman silos destroyed by a Russian first strike. In this case, each warhead will probably be no larger than five megatons. Dr. Ralph Lapp, in his recent paper of April 1969, calculates that it would still require more than one warhead (assuming each warhead is five megatons) to disable a Minuteman missile in a silo hardened to withstand pressure of 200 pounds per square inch.

Even were all of our existing Minuteman missiles destroyed by a Soviet first strike, the United States still has its Polaris and Poseidon submarine-carried missiles as well as our strategic bomber force, not to mention well over 7,000 tactical nuclear weapons abroad.

As Secretary of State Rogers stated in response to the question:

"*Question*: Well, in your own mind, are the Soviets or are they not trying for first-strike capability?

"Secretary Rogers. I have difficulty in believing that the Soviet Union would initiate a first strike. I have difficulty believing that any nation would initiate a first nuclear strike because any leader or leaders of sound mind would know that it probably would result in the destruction of mankind.

* * * * *

"Certainly, it is difficult to understand why the Soviet Union is deploying SS–9's.

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"But insofar as whether they are doing it with the intention of actually having a first strike, I don't believe that." [10]

II. Defense against Communist China

The second reason for deploying the Safeguard is to protect America against Chinese missiles.

1. This assumes that the Chinese would be irrational enough to attack America, given the fact that in retaliation the United States could devastate China, especially Chinese industrial capacity which is smaller and geographically more concentrated than that of the U.S.

It is expected that by the mid-1970's, Communist China will possess from 30–50 ICBMs which is less than one per cent of the projected American offensive capability by that time. This means that if China should attack the United States in this period, she would be faced with the certainty of nearly total incineration by an overwhelmingly superior American force.

2. China apparently has exploded a thermo-nuclear device, but the Chinese have not even test-fired an ICBM. Secretary Laird is quoted in the *U.S. News & World Report* of April 7, 1969 to the effect that he thought the Chinese *might* test-fire an ICBM within the next 18 months, but that he did not anticipate that the Chinese Communists will have a significant ICBM capability before late 1975.[11]

American and Russian experience with the development of weapons systems indicates that there is usually a substantial time period between the first testing of a system and production.

3. The best deterrent against Chinese nuclear attack is the threat of massive American retaliation. Assuming the Chinese are as irrational as the present Administration seems to believe they are, they could destroy some of our cities by methods other than ICBMs—methods against which an ABM system would offer no protection: bombers equipped with nuclear warheads; weapons smuggled on to a neutral ship; a missile launched from a ship close to American shores. In short, no *adequate* protection can be offered against an *irrational* adversary. It should be pointed out, however, that although her propaganda may be bellicose, to date China's foreign policy has been exceptionally cautious.

III. Protection against accidental missiles

This last justification given for deployment of the Safeguard overlooks several points.

1. An accidental firing is highly unlikely. It should be remembered that a missile in the American ABM system could be fired accidentally or could explode in its silo as readily as an enemy ICBM.

2. An accidentally fired "enemy" missile may not be armed, *i.e.,* the various safety mechanisms that may be in warheads to prevent explosion until it is desired, may be operating even if the missile has been fired. If such is the case, the ABM missiles sent up to intercept an incoming missile may cause more damage than the incoming missile. Should a Sprint missile be used to assure interception, its explosion would have blinding effects on the population which would be more damaging than the landing of an unarmed missile.

3. In the case of an accidentally fired armed missile, it may be equipped with fail-safe mechanisms that permit the country controlling the missile to destroy or disarm it after firing. Because the information is classified, it is not known whether it is possible to disarm a missile once it has been fired. If this cannot be done, at present, perhaps it would be easier and cheaper to develop the ability to disarm accidentally fired missiles than for nations to build complex ABM systems. It may be possible for a country, accidentally firing a missile to change the course of that missile and send it into outer space.

4. The probability of an "enemy" missile firing accidentally should be compared to the probability of an accidental firing—or explosion in a silo—of an ABM missile. To be effective an ABM system must be fully armed at all times, thereby increasing the probability of a warhead exploding by accident. The damage from an accidental explosion of an ABM missile in its silo could be much greater than the damage from an accidentally launched enemy missile.

IV. Appendix—Inventory of nuclear weapons

[Figures as of October 1968]

	United States	U.S.S.R
Intercontinental ballistic missiles (ICBM)	[1] 1,054	900
Sea-launched ballistic missiles (SLBM)	[2] 656	75–80
Intercontinental bombers	[3] 646	150–155

[1] 54 are Titan II liquid fueled. The remainder are solid-fueled Minuteman missiles in hardened silos.

[2] The United States has 41 nuclear submarines, each of which carries 16 Polaris missiles. 31 are to be converted to carry the Poseidon C–3 MIRV missile. Each Poseidon can carry up to 10 independent warheads.

[3] U.S. bombers are capable of carrying 3 to 4 warheads. Soviet bombers are capable of carrying 2 warheads.

Source: Secretary of Defense McNamara, Posture Statement, January 1968, Congressional Record vol. 114, pt. 13, p. 17212, and Rathjens, G. W. "The Dynamics of the Arms Race, Scientific American, April 1969, p. 20.

It is estimated that the Titan II missiles can carry a warhead between 5 and 18 megatons. However, the Titan is considered less accurate than the solid-fueled Minuteman missile.[12]

The Soviets have deployed about 1,200 ICBMs. Of these actually deployed about 225 are SS–9s, about 50 are SS–11s, both of which are liquid fueled.

1. SS–9: liquid-fueled ICBM estimated to be able to carry a warhead of 9 to 25 megatons.

2. SS–11: liquid-fueled ICBM, estimated to be able to carry a warhead exceeding 1 megaton.

3. SS–13: a solid-fueled ICBM which the Soviets have just begun to deploy. It is estimated that it can carry a 1 megaton warhead.[13]

A majority of the Soviet land-based missile force is in the less reliable liquid fueled type. Further, not all of them are in silos.

In its most recent report, released April 1969, the Institute for Strategic Studies (London) states that the Soviets *have deployed* close to 1,000 ICBMs. Some of these are solid fueled. The Institute's report noted that this development was not viewed as bringing a shift in the strategic power balance because superiority in other delivery systems—planes and submarine missiles—would still give the United States a lead in the total number of nuclear weapons.[14]

COST OF THE ABM

I. Official estimated cost

The official estimated cost of the Safeguard system is presently about 7.0 billion dollars. However, this figure is almost certainly an underestimate of the true cost for the development and production of the ABM, for three reasons:

1. The ABM is a very highly intricate and complex weapons system. Because of its intricacy and complexity, there are almost certain to be unforeseen difficulties in producing it. In the past 15 years, such difficulties have raised the price of new weapons of similar complexity from two to seven times their original estimate. Thus, it is realistic to expect that the ABM will at least double in price, simply by the time it reaches the end of the production line, *i.e.,* 14.0 billion dollars would be a *conservative realistic estimate* of its cost. It could go as high as 30.0 billion dollars or more.

2. In addition to production costs, 10 per cent a year should be added for maintenance. Deployment of the ABM is scheduled to begin by 1972 and to continue at least through 1980. So a *conservative realistic estimate* of maintenance costs for the eight year period would be 11.2 billion dollars. This could go as high as 24.0 billion dollars or more.

Adding the figures under paragraphs one and two, we find that our conservative estimate of the cost of the ABM—including development, production, and maintenance, would be 25.2 billion dollars—and could go as high as 54.0 billion dollars or more.

3. Once a "thin" system is approved and deployed, the foot is in the door and pressure increases to "thicken" the system, *i.e.,* to expand it both in terms of the number of missiles deployed and the number of bases. Estimates of the costs of a "thick" system range from 75.0 to 400.0 billion dollars.

Deployment of a "thick" ABM system would probably be accompanied by a massive civil defense program to protect the population and new offensive weapons system. The cost of these programs must also be calculated when estimating the cost of the "thick" system. (It was estimated in 1965 that it would cost at least 38 billion dollars for a shelter system to protect only 75 million of our urban population.) [15]

II. Alternative expenditures

An ABM system costing 10.0 billion dollars represents the annual wages of 2 million families earning $5,000 per year.

The recently completed moderate income housing complex, Co-op City, Bronx, N.Y. which cost about 340.0 million dollars, will house over 60,000 people. On this basis, 7.0 billion dollars could be used to provide new housing for over 1,260,000 people.[16] Alternatively, 7.0 billion dollars could provide low cost housing for nearly 500,000 families.

It is estimated that 1.4 billion dollars could provide job training for nearly 1,000,000 unskilled workers.[17]

For less than one-fifth of one per cent of $10 billion we could innoculate all the children in the world against tuberculosis.

III. Background material

The ABM system involves two categories of expenditures: (1) expenditures for research and development (R&D); (2) expenditures for deployment; which include procuring the components for the system, acquiring the sites for the radars and silos to house the missiles as well as maintenance and personnel costs.

When we refer to stopping the ABM we mean stop deployment, but not research and development.

The present official estimated cost of about 7.0 billion dollars includes neither maintenance and personnel costs nor the cost of continued research and development. Nor does it reflect obsolescence of the system which will require continual updating and modernization to remain functional.

A. Obsolescence

When testifying in behalf of the Sentinel system in 1967, Dr. John S. Foster, Director of Defense Engineering and Research for the Pentagon, stated, in reference to the obsolescence factor of the then proposed Sentinel ABM, that "because of the enormous quantities of equipment involved, and the near rapid rate at which technology charges, to maintain an effective system one would essentially have to turn over the whole system, the whole 20.0 billion dollars every few years."

Secretary McNamara testified in January 1967, that had the Nike-Zeus system been produced and deployed, at an estimated cost of 14.0 billion dollars, most of it would have had to be torn out almost before it became operational, and replaced by new missiles

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and radars.[18] For that reason, President Eisenhower refused in 1959 to authorize construction.[19]

It was estimated that it would cost approximately 1.0 billion dollars per year just to maintain the proposed "thin" Sentinel system at today's price levels, not including research and development.[20] There is no reason to believe that the proposed Safeguard will require less.

B. Accuracy of the Estimated Costs

There is no reason to believe that the estimated 7.0 billion dollars for installation of the system represents the final cost. Cost estimates given by defense contractors are, more often than not, substantially underestimated.

For example, former Secretary McNamara stated, in January 1967, that a "thin" ABM system would cost 3.5 billion dollars to deploy. By September 1967, the estimated cost had risen to 5.0 billion dollars (including the defense of Minuteman silos). In January 1968, the estimated cost of the "thin" Sentinel system was still 5.0 billion dollars, but that figure no longer included the defense of Minuteman silos.[21]

On March 2, 1967, when testifying before the House Committee on Armed Services, Secretary McNamara admitted that initial estimates for the "thin" ABM system ". . . may be underestimated by 10 to 100 per cent." [22]

Recently Senator Symington estimated that the "thick" Sentinel ABM system, estimated by the Pentagon to cost about 50.0 billion dollars, could run as high as 400.0 billion dollars. The Senator referred to a recent study by the respected Brookings Institute in Washington, D.C. which stated, in part, that "during the 1950's virtually all large military contracts reflected an acceptance by the military agencies of contractor estimates which proved 'highly optimistic'. Such contracts ultimately involved costs in excess of original contractual estimates from 300 to 700 per cent." [23]

C. Past and Current Costs

The table below indicates approximately how much has been appropriated for ABM systems since 1965 (fiscal year 1966). Since the Federal accounting year ends on June 30 every year, the funds involved are for the fiscal year indicated.

ABM APPROPRIATIONS

[In millions]

Year	Bill	Deployment	R. & D.
1965 (fiscal year 1966)[1]	H.R. 9221		$400.0
1966 (fiscal year 1967)[1]	H.R. 15941	$153.5	431.4
1967 (fiscal year 1968)[1]	H.R. 13606	64.0	
	H.R. 10738	287.6	421.4
1968 (fiscal year 1969)[1]	H.R. 18785	227.3	
	H.R. 18707	342.7	312.9
		44.7	268.0
	H.R. 17903		324.5
Total		1,129.8	2,158.1
Grand total		3,287.9	

[1] No estimates for these years of how much of Atomic Energy Commission appropriations were used directly on R. & D. for the various ABM systems.

It has been estimated that as of 1969, approximately 6.0 billion dollars has been appropriated for ABM systems. Most of this has been for research and development.[24]

For fiscal year 1970 (ending June 30, 1970) the Administration is requesting 905.4 million dollars for procurement and 97.1 million dollars for construction, or a total of $1,002.5 million. Some of this includes funds for R&D.

D. Related Cost Required To Counter the Effects of an ABM System

Not only is the proposed ABM system costly to construct and maintain but as indicated by Secretary McNamara in testimony before the House Committee on Armed Services in 1967 that an opponent can counter the effectiveness of an ABM system up to a certain level as comparatively less cost than required to build the ABM:

"If the Soviets are determined to maintain an assured destruction capability/second strike capability against us, and they believe that our development of an ABM defense would reduce our fatalities . . . they would have no alternative but to increase the second strike potential of their offensive forces. They could do so in several different ways. Shown in the table below are the relative costs to the Soviet Union of responding to U.S. ABM deployment in one of these possible ways.

Level of U.S. fatalities which Soviets believe will provide deterrence [1]:	Cost to the Soviet of offsetting U.S. cost to deploy an ABM:
40,000,000	$1 Soviet cost to $4 U.S. cost.
60,000,000	$1 Soviet cost to $2 U.S. cost.
90,000,000	$1 Soviet cost to $1 U.S. cost.

[1] U.S. fatalities if United States strikes 1st and the Soviets retaliate.

Source: CONGRESSIONAL RECORD, vol. 114, pt. 16, p. 20714.

Finally, if deployment of the Safeguard forces the Soviets—due to fear that America may launch a first strike—to increase their offensive weapons, it is likely that the United States will react by building more ICBMs *et cetera.*

As the arms race spirals, so do the costs and expenditures.

ABM FUNDING REQUESTS, FISCAL YEARS 1969 AND 1970

[In millions of dollars]

Activity	Funds requested: Fiscal year 1969, appropriated	Funds requested: Fiscal year 1970, requested	Legislation, fiscal year 1970: Authorization: Procurement	Legislation, fiscal year 1970: Authorization: Military construction	Legislation, fiscal year 1970: Appropriation: Procurement	Legislation, fiscal year 1970: Appropriation: Military construction
I. Sentinel/Safeguard:						
A. Military construction authorization	227.3	(97.1)		97.1		97.1
1. Planning		24.4				
2. Construction		43.6				
3. Access roads		16.4				
4. R. & D construction		12.7				
B. Procurement	342.7	(360.5)	360.5		360.5	
1. Sprint		26.5				
2. Spartan		76.6				
3. Ground support equipment		249.3				
4. Production base support		.8				
5. Spare parts		4.0				
6. Communications		3.3				
C. Operations and maintenance	39.0	23.2			23.2	
D. Manpower	5.7	9.8			9.8	
Subtotal, deployment	641.7	490.6	360.5	97.1	393.5	97.1
E. Research and development, Sentinel/Safeguard	312.9	400.9	400.9		400.9	
Total, Sentinel/Safeguard	927.6	891.5	761.4	97.1	794.4	97.1
II. Other ABM R & D:						
Nike-X	165.0	141.0	141.0		141.0	
"Defender"	130.0					
SABMIS		3.0	3.0		3.0	
Subtotal	268.0	144.0	144.0		144.0	
Grand total	1,195.6	1,035.5	905.4	97.1	938.4	97.1

THE ABM WILL CAUSE THE ARMS RACE TO RESUME, INCREASING THE CHANCE OF NUCLEAR HOLOCAUST

According to the theory of deterrence, each nuclear power must maintain second strike capability in order to deter the other side from a surprise nuclear attack.

I. How might American deployment of the ABM affect Soviet military planners?

Defense planners always base their needs on the worst possible expectations. Although the ABM probably wouldn't work and can be easily penetrated, the Soviets would have to consider the worst possible case in planning their defense needs. The worst possible case, from their point of view, is that the ABM might work and shoot down large numbers of their offensive missiles in order to retain their second-strike capability.

II. Will deployment of the Safeguard make the Soviets feel that America might launch a first strike?

In fact the deployment of the American ABM system may cause the Soviets to fear that America is building the ABM in order to be in a position to launch a first strike at the Soviet Union. Soviet military planners may conjecture that the United States can launch a first strike at Russia, thinking that the ABMs could destroy most, if not all of the missiles launched by the U.S.S.R. in a second strike. This reasoning assumes, of course, that Americans will be confident that the ABM system will work well enough to destroy enough of the Soviet missiles—launched in retaliation to America's first strike—to prevent unacceptable damage to America. Although it is highly probable that our ABM system will not be effective, the Soviets will have no way of knowing this to be true, nor will they probably trust the opinions of American ABM critics.

It is not unreasonable to expect that the Soviets may react this way when the American response to the deployment of the Galosh ABM system around Moscow was to increase the number of offensive weapons. As Secretary McNamara testified on January 2, 1968:

"Now, in the late 1960s, because the Soviet Union might deploy extensive ABM defenses, we are making some very important changes in our strategic missile forces. Instead of a single large warhead, our missiles are now being designed to carry several small warheads and penetration aids, because it is the number of warheads or objects which appear to be warheads to the defender's radars, that will determine the outcome in a contest with an ABM defense." [25]

Footnotes at end of article.

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The American response to the Soviet ABM defense was to develop an increased offensive capability such as MIRVs. We probably can expect the Soviets to respond likewise to our deployment of an ABM system. The result is what Dr. George Rathjens describes as the ABM-MIRV action-reaction phenomenon.

The development of the MIRV (Multiple Individually Targetable Re-Entry Vehicle) marks a decisive escalation in the arms race. MIRV is a single missile which can deliver several warheads against a separate target. The deployment of MIRVs would increase the tension between the U.S. and the U.S.S.R. because neither side could be sure of how many warheads each missile carried. Assuming the worst of the other, each country would probably produce their own MIRV force. Since ABM defense would easily be saturated or exhausted by a MIRV attack, American deployment of an ABM makes it inevitable that the Soviet Union would produce MIRVs, or other types of offensive missiles.

With luck, the chain of causation will end there. But it is likely that the deployment of large numbers of extra Soviet offensive missiles, especially MIRVs, in response to our ABM system will not go unnoticed. Pentagon planners will urge that we respond to the Soviet build-up by extending our ABM system even further—or by building more offensive missiles of our own. Nor is it likely that our reaction to the Soviet's reaction would end the cycle.

Each great power would continue to respond to the other by deploying even more weapons as the arms race resumes in an ever-increasing spiral of nuclear weapons.

III. Is the Safeguard ABM provocative?

Apparently the present Administration feels that the Sentinel ABM plan of the Johnson Administration involving ABM sites around the cities was provocative; whereas the present Safeguard proposal is not.

In an interview with *U. S. News & World Report,* April 7, 1969, Secretary Laird stated in response to the following question:

"Q: Why should the Russians want to place their ABM missile sites around Moscow and other cities, while we now want to put our defensive weapons around missile bases and defense installations?

"A: I believe it is rather provocative to put your ABM sites around your cities. In that way, under the program outlined by the previous Administration, it could be said that we were trying to protect our cities from Soviet missile attack and thus be in a position to launch a first strike. What we're trying to do with the Safeguard system, as it relates to the Soviet Union, is to insure the reliability of our second-strike capability. We believe that we can protect our people better in that way."

Although the Administration has emphasized the fact that Safeguard is primarily to protect our Minuteman ICBM's, the only difference between the Safeguard and the Sentinel is that most of the sites will not be near large population centers. Safeguard, as was the proposed Sentinel, is designed, however, to protect all of continental United States.

Deputy Secretary of Defense Packard in a news conference on March 14, 1969 admitted that "the area defense will be very similar (to that of the Sentinel system) and will provide complete coverage (of the continental United States) . . . I think the life saving capability will be comparable . . . the same area defense capability will be provided in this system."

If the same area defense is to be provided by Safeguard, doesn't this mean that the cities will be "protected"? If so, it would seem that the Safeguard is as provocative as the Sentinel.

The only argument Deputy Secretary Packard seemed to offer to the conclusion is that the proposed Safeguard does not call for deployment of Sprints (short range missiles) close enough to the cities so they can protect the cities.

But does the fact that Sprints are not deployed near the cities make the Safeguard any less provocative? The primary defense of the cities under the Sentinel plan relied upon the longer ranged Spartan missiles. Because of the range of Spartans, the fact that the sites are moved away from the cities probably does not make the Safeguard less provocative.

WHAT THE ABM WILL DO WHEN IT "PROTECTS" US

The ABM destroys offensive missiles by exploding its own nuclear warhead. The size of the warhead on the Spartan is 2 megatons, and the size of the warhead on the Sprint is 10 kilotons. The nuclear weapon which destroyed Hiroshima was about 20 kilotons. If the missiles of our own ABM system, especially the Sprint, explode their nuclear warheads it will increase the total amount of radiation in the atmosphere. Moreover, the detonation of the Sprint warhead within the earth's atmosphere at an altitude of only 20–50 miles may blind, at least temporarily, if not permanently, anyone who happens to be looking at the time.

On August 1, 1958, a nuclear device called TEAK in the one megaton range was exploded at an altitude of about 50 miles above Johnston Island. It was reported that ". . . it is possible that a high-altitude nuclear explosion in the megaton range could produce effects on the eyes at all distances up to the line of sight permitted by the earth's curvature." [26]

In order to determine the benefits of an ABM, one must weigh the damage the ABM causes by exploding against the damage it prevents. The amount of damage that the ABM prevents depends on the extent to which the ABM is able to reduce the number of enemy missiles which hit us. It is, however, probable that the same number of missiles would strike us, in case of an attack, whether we had the ABM or not. This is so because the Soviets and Chinese are almost certain to match our deployment of an ABM with the increased offensive capability needed to penetrate it—by using decoy devices and extra offensive warheads.

THE SOVIET UNION'S ABM SYSTEMS

The Soviet Union is building an ABM system. If they have one, why doesn't the United States need the Safeguard ABM system?

I. Response

1. The evidence as to whether the Soviets are still proceeding to deploy an ABM system is unclear.

2. Even if the Soviets proceeded with the deployment of an ABM, it would not make any sense for us to build our own. It would be cheaper and simpler to build the decoy devices and additional warheads needed to penetrate their ABM defense.

II. Background material

The Soviet Union has built or is building their defensive missile systems.

A. In 1962, the Soviets began to deploy an ABM system around Leningrad. This system is now considered obsolete.

B. The Tallinn system deployed across the northwest approaches to Soviet territory and in several other places was originally thought to be an ABM system. In February 1968, Secretary of Defense McNamara testified before the Senate Committee on Armed Services that "now I can tell you that the majority of our intelligence community no longer believes that this so-called 'Tallinn system' . . . has any significant ABM capability . . . This system is apparently designed for use within the atmosphere, most likely against our areo-dynamic [airplane] rather than a ballistic missile threat." [27]

C. The Galosh, deployment of which began about 1960, is an ABM system around Moscow only. Although the exact number of missiles already deployed around Moscow is not known, "our intelligence appears to be good enough that we can determine that the Soviets have now deployed about 75 missiles in their ABM defenses around Moscow, and will, when the defense is completed, have about 100 . . . Former Defense Secretary Clifford told us, in fact, that the Soviets had apparently curtailed construction at some of their ABM installations around Moscow." [28]

It now appears that construction of the Galosh has been slowed down if not stopped.

Recently Secretary of Defense Laird stated that the Soviets have ". . . slowed deployment of this system about a year ago, and have been going forward with tests of a more sophisticated ABM system in their test grounds. We think for that reason they probably will not deploy many more of the Galosh missiles around Moscow at this time." [29]

A recent report of the London-based Institute for Strategic Studies states that the Galosh had encounered technical difficulties and rising costs, but does not bear out Laird's thesis that the Soviets are working on a more sophisticated ABM. The report finds that ". . . the dispute at the highest [Soviet] military level over the value of this system has temporarily been settled in favor of the doubters." [30]

Perhaps the U.S. could learn from the Soviet's expensive mistake and avoid investing 7.0 billion dollars (a minimum figure) in a system which will at best be obsolete in a few years and at worst won't work.

HISTORY OF THE ABM

The development of anti-ballistic missiles grew out of the research and development of anti-aircraft missiles, which were designed to protect our cities against attack by Soviet bombers. Built at a cost of over 15.0 billion dollars, the most sophisticated anti-aircraft missile, Nike-Hercules, was described by its proponents as a near-perfect defense against a Soviet bomber attack. In April 1968, Senator Stennis of the Senate Committee on Armed Services stated:

"I remember some 10 years ago when we were putting in the Nike-Hercules that it was testified that they would be able to knock down all of them—all of them—if we would approve and fund the Nike-Hercules. I asked someone else about that, and he said he did not believe they could knock down any of them. That is just history . . . I just do not know. Now you say you would get only (deleted)." [31]

With the advent of the offensive missile race, the Pentagon began to develop anti-missile missiles (ABMs) to protect our cities from a surprise attack by Soviet missiles. Their first model, Nike-Zeus, was rejected by President Eisenhower because the explosion of the ABM within a 20-50 mile range and thus seriously threatened the American population with blindness and increased radioactive fallout. It was acknowledged that deployment of Nike-Zeus would have had to be completed with a massive shelter program conservatively estimated to cost 38.5 billion dollars.[32] Had Nike-Zeus been deployed, 14.0 to 20.0 billion dollars would have been spent on the system alone, and it would have been obsolete before completion.

President Kennedy refused to reverse Eisenhower's decision. Not only was Nike-Zeus permanently shelved, but the improved version, Nike-X, remained on the drawing boards.

During the Johnson Administration, the Pentagon unveiled their third ABM system, the Sentinel (which combined two radar systems with missiles—the Spartan, a long range missile, and the Sprint, a short range missile). For four years, President Johnson,

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Footnotes at end of article.

as had his predecessors, resisted pressure from the military, particularly the Army, to deploy an ABM system. In fact, in the Military Posture Statement for fiscal year 1968, Secretary of Defense McNamara in January 1967 testified against deployment of the Sentinel system. Even when Secretary McNamara later announced the Administration's decision to deploy a "thin" ABM defense, two-thirds of his speech was a powerful argument against deployment of ABM systems. His attempt to justify the "thin" systems while detracting from "thick" systems seemed incongruous since most of the arguments against the latter are applicable to the former.

The Johnson Administration's rationale for deploying a "thin" Sentinel system was the potential Chinese threat. In anticipation of China's developing a nuclear strike force in the early 1970s, the U.S. was to deploy ABMs at 14 sites, many near large cities (see enclosed map). The sites were located to protect the population from an enemy attack.

After much debate in both the Senate and the House during 1968, Congress authorized and appropriated funds to begin deployment of the Sentinel.

During the Senate debate on S. 3293, the procurement authorization bill, Senator Cooper, on April 18, 1968, offered an amendment which provided that none of the funds authorized to be appropriated were to be expended for deployment of the ABM until the Department of Defense certified that such a system was practicable and that the cost could be determined with reasonable accuracy. The amendment was defeated by a vote of 31 to 28.[33]

The proximity of many sites to large population areas raised the danger of an accidental explosion and resulted in a public outcry from the citizens of those cities. Residents of the area feared an accidental explosion of a 2 megaton Spartan warhead which has a blast death radius of about three miles, and a fire radius of about ten miles.

Upon assuming office, President Nixon ordered a complete review of the proposed deployment, and on March 14, 1969, the Administration announced its decision to deploy a modified version renamed Safeguard. The given rationale for the Safeguard is that we need it to protect our "second strike" capability in the event of a Soviet attack.

A new name and new site locations notwithstanding, the Safeguard system is similar to the Johnson Administration's proposed Sentinel system. When announcing the decision to continue plans to deploy the Safeguard, however, the Administration emphasized the need to protect our ICBM Minuteman bases. The Safeguard system will provide area defense for the United States as would have the Sentinel:

"In addition, this new system will provide a defense of the continental United States against an accidental attack and will provide substantial protection against the kind of attacks which the Chinese communists may be capable of launching throughout the 1960's." [34]

Parenthetically, the Safeguard plan proposes 12 sites for Spartan missiles in the continental United States with an option to add two more sites at a later date—one in Hawaii and one in Alaska.[35]

In effect the Safeguard is exactly the same as the Sentinel in that it is an area defense system. The only difference is that the sites will not be constructed near large cities. The most distinct fact about the Safeguard program is the Administration's new rationale. Nixon finds the Soviets *supposed* expansion of its nuclear weaponry more threatening than Chinese missiles.[36]

In a fuller discussion of the Safeguard system see p. 24, *Newsweek*, March 26, 1969. (Reprint enclosed.)

Footnotes at end of article.

LEGISLATION: FUNDING THE DEPLOYMENT OF THE ABM SYSTEM

What role will the Congress play in deciding whether to deploy the Safeguard ABM system? The funds necessary to build the Safeguard system must be authorized *and* appropriated by the Congress. In the two steps process by which each house of Congress allocates funds, an authorization bill defines how the money can be spent and an appropriations bill is needed to legalize the actual expenditure of money. Authorization must always precede appropriation.

Most defense requests are submitted to Congress under two classifications: procurement and construction. There is a procurement authorization bill and a construction authorization bill. After authorization is reived, there will be a procurement appropriations bill and a construction appropriations bill. The authorization bills, S. 1192 for procurement and S. 779 for construction, are now before the Senate Committee on Armed Services. Similar bills are before the House Committee on Armed Services. Hearings will be held on each bill in this Senate committee and in its counterpart in the House of Representatives before it is debated by the full membership of each house.

There is no separate bill for the Safeguard ABM system. Part of this project will be approved under the procurement bill, others under the construction bill, and still others under the bill for the Atomic Energy Commission which controls the production of nuclear warheads. Some of the funds requested are for research; the balance are for deployment.

The opposition to the ABM system cannot simply vote down (reject) the procurement and construction authorization bills because each bill includes expenditures for numerous defense projects other than the ABM. Those opposed to deployment of the Safeguard system must propose an amendment to each bill withholding authorization of those activities related to deployment of this system.

The House will almost certainly pass the bills, but the Senate vote may be very close.

Hopefully the Executive will see fit to defer deployment of the proposed Safeguard system pending arms negotiations with the Soviet Union. If, however, the Congress is forced to decide this issue, it will probably be decided in the Senate by a vote on an amendment to delete funds for *deployment* of the ABM from either the defense procurement or the defense construction authorization bill. It is expected that either or both bills will reach the Senate floor in late May or early June. If amendments to delete the ABM from the authorization bill fails, the Congress will have the opportunity to delete the funds contained in the subsequent appropriations bills.

FOOTNOTES

[1] If the Senate and the House disagree on certain aspects of a bill, a conferenec committee made up of several members from each body is appointed to reconcile the differences. If agreement is reached in the conference committee, the bill, as reconciled, is reported back to each body which votes upon the recommendations of the conference committee.

[2] When announcing his decision to deploy the Safeguard ABM, President Nixon, on March 14, 1969 stressed the need to protect our land based ICBMs against a surprise Soviet attack.

But in his press conference of April 18, 1969, the President, referring once again to protection against a Soviet attack, seemed to place more emphasis on the Chinese threat to our *cities* that he had in his March 14, announcement. On April 19 he said "the other reason—and I emphasize this strongly—is that the Chinese Communists . . . have not moved as fast recently as they had over the past three to four years but that nevertheless by 1973 or '74 they would have a significant nuclear capability which would make our diplomacy not credible in the Pacific unless we could protect our country against a Chinese attack aimed at our cities.

"The ABM system will do that and the ABM Safeguard system therefore has been adopted for that reason." (*N.Y. Times*, April 19, 1969, p. 14).

[3] Rathjens, G. W., *The Future of the Strategic Arms Race: Options for the 1970's*, Carnegie Endowment For International Peace, New York, 1969.

[4] Stubbings, R. A., *Improving the Acquisition Process for High-Risk Military Electronics Systems*, 1968, on file at the Woodrow Wilson School, Princeton University. Reprinted in *Congressional Record* S 1450 (daily ed., Feb. 7, 1969).

[5] *New York Times*, March 15, 1969.

[6] *Congressional Record* S 7234 (daily ed. June 13, 1968).

[7] *U.S. News & World Report*, April 7, 1969.

[8] *Look*, Nov. 28, 1967.

[9] *New York Times*, March 24, 1969.

[10] Secretary of State, William Rogers, *Press Conference*, April 7, 1969.

[11] On April 18, 1969, President Nixon stated that ". . . the Chinese Communists, according to our intelligence, have not moved as fast recently as they had over the past three to four years but by 1973 or '74 they would have a significant nuclear capacity . . ." *N.Y. Times*, April 19, 1969, p. 14.

[12] *Washington Post*, April 13, 1969.

[13] *N.Y. Times*, March 14, 1969, p. 1.

[14] *N.Y. Times*, April 11, 1969, p. 5.

[15] *Congressional Record*, H 6340 (daily ed., July 11, 1968).

[16] *Congressional Record*, S 3774 (daily ed., April 15, 1969).

[17] *Id.*

[18] Senator McGovern, *Congressional Record* S 4261 (daily ed., April 18, 1968).

[19] Congressman Podell, *Congressional Record*, H 1235 (daily ed., Feb. 26, 1969).

[20] Senator Percy, *Congressional Record* S 1368 (daily ed., Feb. 4, 1969).

[21] Senator Hart, *Congressional Record* S 7632 (daily ed., June 24, 1968).

[22] *Congressional Record* S 4251 (daily ed., April 18, 1968).

[23] *Congressional Record* S 2243 (daily ed., March 4, 1969).

[24] Congressman Tunney, *Congressional Record* H 1220 (daily ed., Feb. 26, 1969).

[25] McNamara, R. S., *Military Posture Statement*, F.Y. 1969. Jan. 22, 1968.

[26] Glasstone, E., ed., *The Effects of Nuclear Weapons*, U.S. Atomic Energy Commission, April 22, 1962.

[27] *Congressional Record*, S 7233 (daily ed., June 13, 1968).

[28] Senator Hart, *Congressional Record*, S 1738 (daily ed., Feb. 18, 1969).

[29] *U.S. News & World Report*, April 1, 1969.

[30] *N.Y. Times*, April 10, 1969.

[31] Hearings before the Preparedness Investigating Subcommittee of the Senate Committee on Armed Services, *Status of U.S. Strategic Power*, April 1968.

[32] *Congressional Record*, H 6340 (daily ed., July 11, 1968).

[33] *Congressional Record*, S 4268 (daily ed., April 18, 1968).

[34] Text of President Nixon's announcement, March 14, 1969.

[35] Secretary Laird, *U.S. News & World Report*, April 7, 1969.

[36] In his press conference of April 18, 1969, the President, referring once again to protection against a Soviet attack, seemed to place more emphasis on the Chinese threat to our *cities* than he had in his March 14 announcement. On April 18 he said:

"The other reason—and I emphasize this strongly—is that the Chinese Communists . . . have not moved as fast recently as they had over the past three to four years but that nevertheless by 1973 or '74 they would have

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a significant nuclear capability which would make our diplomacy not credible in the Pacific unless we could protect our country against a Chinese attack aimed at our cities.

"The ABM system will do that and the ABM Safeguard system therefore has been adopted for that reason. (*New York Times*, April 19, 1969, p. 14)"

REDS EXPLOIT "RACISM"

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. RARICK. Mr. Speaker, Gus Hall's open endorsement of a political candidate for reason of race can only be interpreted as the CPSUA's exploiting a dupe to secure a springboard to launch one of their vitriolic diatribes.

Gus Hall, general secretary of the Communist Party of the United States, in calling on southern California Communists to "march under the party banner" seized this occasion to reiterate the Communist Party's monomaniac central theme—"racism."

Hall is quoted as saying:

> The struggle of racism is the place where the party should spend most of its time and organization in development.

I include an article from the Los Angeles Herald Examiner, as follows:

[From the Los Angeles (Calif.) Herald-Examiner, May 2, 1969]

GUS HALL WOOS REDS FOR BRADLEY

(By Phil Hanna)

Communists in Los Angeles recently have been urged by Gus Hall, general secretary of the Communist Party in the United States, to give "total focus" to electing Councilman Thomas Bradley as mayor.

Hall addressed the party's Southern California district convention here at Larchmont Hall April 5. The meeting opened at the hall, 118 N. Larchmont Blvd., the evening of April 4, and continued April 5.

The Communist Party leader told fellow Communists that party members have a "historic responsibility they must accept" to elect the Negro councilman as mayor of Los Angeles.

Hall told the Communist conclave:

"First let me congratulate you, the movement and working people, for the (primary) election results of last week. I think it is a tremendous achievement. I think it has tremendous significance for the future, of not only Los Angeles, but for the struggle in America.

YOU MUST GIVE TOTAL FOCUS

"I think above all, and among other achievements (it is) a tremendous blow against racism, and I would only urge that we see the full significance and I would suggest that you take seriously the idea that you must, as a party, be able to give total focus—I mean total focus—for the next two months on the election of Bradley.

"I think there is a historic responsibility that you must accept, that no stone will go unturned or untouched in the election of Bradley for mayor."

Bradley, a former Los Angeles police lieutenant, polled high in the April 1 city primary and will meet Mayor Sam Yorty in a run-off election May 27 for the city's highest office.

Hall differed with long-time Southern California Communist Mrs. Dorothy Healey, an arch-rival, as to the focus of the party in the future.

He said Mrs. Healey was taking a "rightist" position in terms of Communist Party strategy.

Hall wants to concentrate Communist recruitment on the entire working class. He claimed, in his Larchmont Hall speech, that the Los Angeles woman wanted to "forget the industrial workers and forget the organized sector of the working class."

URGES TOTAL WORKING CLASS RECRUITMENT

Hall also called for sweeping Communist organizational attempts in the youth sector. He said the party must gather "all types of militants" to form youth organizations, not limit young peoples cadres to "simply Marxists and Leninists."

He said he believed that young people would favor this broad type organization as one which would allow them to accomplish their ends on campuses and elsewhere.

Bradley has denied there are any Communists working for his election.

"Just like (Gov. Ronald) Reagan, I ask people to accept my philosophy, not I theirs," the councilman told a recent meeting.

BRADLEY AIDE ADMITS BEING AN EX-RED

On the councilman's election staff is an admitted former member of the Communist Party. Don Rothenberg, a campaign aide, has been identified as a Communist Party member before the House Committee on Un-American Activities.

Rothenberg admitted his former Communist Party membership to The Herald-Examiner, but said he resigned several years ago.

Hall wants to remold the party "ideologically, organizationally and politically," he told the district convention.

He called on Southern California Communists to "march under the party banner."

"The struggle of racism" he said, "is the place where the party should spend most of its time in organization and development."

SMALL SHIPMENT PROBLEM

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. FRIEDEL. Mr. Speaker, the small shipment problem was vividly set forth as demanding immediate steps for action by Senator VANCE HARTKE in a speech last week to the Freight Forwarders Institute at the Mayflower Hotel, Washington, D.C.

I should like to commend my distinguished friend from Indiana, the chairman of the Senate Subcommittee on Surface Transportation for his thoughtful appraisal of the situation. As chairman of the Subcommittee on Transportation and Aeronautics, I am always interested in the views of those who have given much thought and study to our transportation problems and I think my colleagues will find Senator HARTKE's remarks very helpful.

Therefore, I include his address ir. the RECORD for the information of all interested parties. It is as follows:

OUR TRANSPORTATION SYSTEM AND THE SMALL SHIPPER

(By Senator VANCE HARTKE)

Not long before his death the founder of the Freight Forwarders Institute and one of the great sages of our time, Morris Forgash, presented one of the most eloquent statements on transportation ever delivered.

In his speech, entitled "Transportation—Year 2000" given on October 30, 1964, he said:

"Traditional methods established during a century and a quarter of proud history are are not easily broken, but the railroads are slowly yet surely making their equipment compatible, interchangeable, and versatile. Long before the year 2000 the box car will cease to be the predominant vehicle of carriage. Everything except commodities requiring specialized equipment—grain, ore, lumber—will move in containers that will hardly interrupt their journey as they are transferred swiftly from highway to rail or ship or air for continuous movement from the door of the shipper to the platform of the consignee. One bill of lading and one rate will apply to the movement of anything from anywhere to anywhere else. It is in these areas that the freight forwarder, both foreign and domestic, will play an indispensable role in coordinating the services of the underlying modes of transportation.

Morris Forgash was a brilliant man—few people have understood the problems of transportation in the U.S. as well as he did and fewer still had his capacity for combining heady dreams, unsurpassed knowledge, and tremendous vitality to produce results. He was indeed much more than a visionary. We are now in the throes of a revolution in transportation wrought by the development of containerization. Without Morris Forgash this revolution would have started much later in our history. He was a man who believed that technological development was a most important answer to the survival of transportation by common carrier.

But he also recognized that better coordination among the transport modes is essential to the maintenance of a viable transportation "system." For reasons which will become clear later, I use the term "system" advisedly. In testimony before the Senate subcommittee on surface transportation in 1961, he said: ". . . the regulated common carriers have been fighting each other for so many years that shippers and the public seem to have forgotten that our real business is transportation." He went on to suggest that there ought to be established a "working committee" (as opposed to another talking committee) "composed of executives with power to act, technicians with know-how and researchers to explore and present the facts."

I will not attempt to pass on the merits of Mr. Forgash's proposal except to say that to my knowledge we have yet to see any great improvements in cooperation. As a Senator with millions of constituents who are shippers or users of transportation services and as the chairman of the Senate subcommittee with jurisdiction over the most significant portions of domestic transportation, I am very concerned. I am concerned because service to the shipper, I fear, is not what any of us would like to be nor what it ought to be. Unnecessary intramural, that is, intermodal, combat has contributed to the lack of coordination and the decline in service. Some kind of voluntary cooperation among the modes would help. Improvements in regulatory law might help.

Utilization of advanced technology which Morris Forgash advocated with such conviction has brought a measure of coordination, but it provides only a partial answer. We will need more effort at the governmental level as well as the private level if we are to attain the goal of "one bill of lading and one vote" which will apply to movement of anything from anywhere to anywhere else.

The Congress and the administration formally recognized the need for a coordinated transportation system. By enacting legislation to create the Department of Transportation. It was the expressed purpose of the

Congress to satisfy the need for *development* of national transportation policies and programs. The system, it was agreed, should permit travelers and goods to move conveniently and efficiently from one means of transportation to another. In short, the Congress and the President had recognized that the United States does not have a transportation system. It had and still has a series of uncoordinated railroads, barge lines, airlines, trucking companies, pipeline operators, and motorists. This loose-jointed collection of transportation enterprises served the needs of the country effectively for many years, and what coordination exists has been brought about in no small part by freight forwarders. But we are still very short of attaining the system stage in transportation history.

The railroad company, the airline, the steamship company, the bus and truck carriers no longer operate in a vacuum. They all need each other to perform the best possible service for the customer. It is seldom that the problem of one mode does not have an impact upon at least one, and usually all, the other modes.

To develop an integrated system it would be appropriate and probably essential for the Federal Government to evolve policy guidelines to deal with problems ranging from uniform bills of lading to coordination of various government subsidy and promotional programs.

It was hoped that DOT would be the vehicle, or at least an element in, developing a system. In the next six years this country will have 30 million more people and the economy will generate 50 percent more goods and services than it does now. If transportation is to meet that demand, the capacity of the existing transportation network will have to be doubled within the next 20 years. It seems doubtful that the network will function unless there is developed an integrated system.

Unfortunately progress by DOT has been quite slow. The intermodal battles of course are not confined to private companies—they have their extensions within the Government. Even though DOT has supposedly been programmed to bring about greater coordination, it is common knowledge that very little intermodal communication exists within the department itself. It is conceivable that new leadership in the department can at least eliminate the communication problem, but the chances of soon resolving basic policy questions are rather slim. At least this is true so long as the transportation companies continue to avoid cooperative efforts except where forced to do so. But the department is still very young and the first secretary faced monumental organizational problems which were enough to occupy most of his time and effort. With most of these problems resolved perhaps the Department will get about the business of generating forward looking new policy. But development of policy by DOT certainly does not guarantee its early implementation—for that the modes must be willing to work together as Mr. Forgash indicated.

The freight forwarders thrive on coordination. Industry leadership in this regard often comes from the freight forwarders and today that kind of leadership is needed more than ever before. Innovation and application of technical advances have always been an important part of the freight forwarders arsenal—just as containerization has brought the modes closer to being an integrated system, other innovations could accelerate that movement. Greater cooperation should benefit every mode of transportation—it could, for example, make land-bridge a reality and induce more shippers to ship via common carrier rather than through some other means.

Until these things occur, we will continue treating the symptoms without curing the underlying ills.

One symptom of the total problem which is becoming increasingly serious is the lack of reasonably priced shipping service available to the shipper of small shipments. It is becoming ever more difficult for a mother to find a carrier willing to transport her 100 pound package across country to her son. Large corporations who wish to send small shipments can usually find assistance or if all else fails, can purchase equipment to move the goods themselves. But the housewife and the small businessman do not have these options available. And if they happen to live in a small community it is very likely that their situation will be intolerable. The so-called "small shipment problem"—while it has not yet come to the attention of the general news media—is rapidly becoming one of the most serious flaws in our transportation network.

What can be done to bring about a solution? Recently some shippers have vehemently supported deregulation of shipments under 500 pounds. Others argue that this would benefit the shipper which enjoyed sufficient economic power to negotiate from strength but would still leave the small shipper without a remedy.

There is support for stricter regulation and the ICC has begun to place increased emphasis on the carrier's obligation to small shippers by requiring carriers to perform as their certificates require. In addition, the ICC has once again proposed legislation which would give it the power to impose through routes and joint rates where appropriate.

Legislation is now before the Commerce Committee which would provide shippers with the opportunity for obtaining reasonable attorney's fees when the shipper prevails in a damage suit against a carrier.

I am familiar with the freight forwarder's proposal to repeal statutory prohibitions on the publishing of lower rates for freight forwarders.

Because the problem is becoming so serious I anticipate that the surface transportation subcommittee will give very careful attention to all of these proposals to the extent that additional legislation could provide an answer, I would hope that it will receive congressional approval.

This one problem demonstrates clearly how important industry initiative is in solving transportation problems. It is doubtful that legislation can provide a complete answer—the problem is much too complex for that. All the Congress can really do is provide a framework within which the industry can work effectively.

The freight forwarders are presented by the small shipments problem with an opportunity and a challenge. They are in a unique position to help solve the current dilemma. The gathering together and consolidation of shipments into a single lot would seem to be of prime importance here. The solution in so far as it relates to widely disposed shippers in a low traffic density area may well be found in technological advances—and this is a matter about which freight forwarders in the tradition of Morris Forgash know a good deal.

I have tried to outline briefly what appears to me at this time to be the major failing of transportation in the United States—primarily the lack of a system as such. The small shipments problem is an outstanding example of what is lacking. I intend to do what I can to insure that the Congress and, most particularly the Senate Subcommittee on Surface Transportation will review the various proposals and give very careful consideration to those suggestions which seem to provide the best chance for attaining the goal of better transportation service in the U.S. I hope that the freight forwarders will, as envisaged by Morris Forgash, "play an indispensable role in coordinating the services of the underlying modes of transport."

Before I conclude my remarks there is one further matter upon which I would like to touch briefly—and that is the transportation safety. Freight forwarders may well, and reasonably, consider themselves somewhat disassociated from the various problems involved in enhancing transportation safety in contrast to those carriers in the operating modes.

But transportation safety is a matter which should be of extreme concern to freight forwarders. As a major user of transportation facilities, the forwarder can well understand the tremendous economic loss that results from transportation accidents. There has been a great emphasis upon transportation safety in recent years and I am sure that emphasis will continue and even be strengthened.

As chairman of the Subcommittee on Surface Transportation I shall shortly begin hearings on the proposed Federal Railroad Safety Act of 1969. I have introduced this bill in an effort to lessen the terrible toll taken each year by railroad accidents. And that toll is increasing at an alarming rate. In 1968 there were over 8000 railroad accidents—an increase of 93 percent since 1961. It is almost impossible to calculate the millions upon millions of dollars that have been lost and will be lost in the future because of inadequate safety efforts in the transportation field.

It seems to me that it is just plain good business sense for anyone in the transportation business to support, encourage and enhance safety efforts for every mode at every stage of operation. As freight forwarders you have a unique understanding of the economic loss that is caused by damaged or destroyed cargoes and equipment. Congress is going to try to help ease that situation and I am hopeful that we can count on your support.

CORNELL: WAS THE PRICE OF PEACE TOO HIGH?

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. ROBISON. Mr. Speaker, yesterday I had a few remarks to offer about the situation at Cornell University—my alma mater, and the largest educational institution in my congressional district. New dimensions seem to be added to the current campus atmosphere every day since last month's crucial events. One reporter notes:

> The campus is alive as I've never seen it before. The very essence of a university, the concept of academic freedom, is the focal point of some of the most far-reaching and important debate and discussion that can take place on any campus today.

It remains difficult, from this perspective, to determine exactly what is taking place. There are wide differences of opinion. Some observers declare that Cornell University is dying if, indeed, it is not already dead. Others state that, instead, the university is undergoing an essential process of self-renewal—and is about to be "reborn."

Only a few weeks now remain before the current semester is ended. Most, if not all of the factors that precipitated the April confrontation still remain, and

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one has to suppose that violence—and disorder—could again break out to an extent beyond the university's remaining control. However, to a Congress pondering what, if anything, it should do in order to "stiffen the backbone" of university authorities, and that is under substantial pressures to do at least "something," this recent summary of the Cornell future by its president, James Perkins, deserves our attention:

> If at the end of the semester—

Says Mr. Perkins—

> there is not a common, binding, sincere effort on the part of the administration, faculty, and students toward a more progressive, forward-looking institution, then the price we paid was too high. If, on the other hand, the administration, faculty, students and others face the problems and build, then history will treat us more kindly.

President Perkins' remarks are taken from an article about the Cornell problem and ensuing crisis that appeared in the May 5 edition of the National Observer, and under leave so to do it is herewith included in its entirety as a part of these remarks:

Cornell: A University in Anguish—Suddenly the Price of Peace on Campus Soars

(By Jerrold K. Footlick)

Ithaca, N.Y.—The agony of the American university is far from over.

That is the lesson of Cornell.

The events at the university here are popularly believed to have added a new dimension to student protest—the presence of guns on campus.

That is a mistake. A shoot-out two years ago at Texas Southern University in Houston took one life; three students were killed last year at South Carolina State College in Orangeburg.

Those are black colleges. The distinction, perhaps, is that Cornell is not and that almost everyone has heard of Cornell.

The issue of race was partly involved in the Berkeley rebellion over four years ago, more closely involved at Columbia last spring and at Harvard a month ago. At Cornell it is pivotal.

Thus two great domestic issues discomforting the land—race protest and student protest—have now been intimately joined.

The critical fusion here began on the morning of Saturday, April 19, when unarmed black students seized the student union building, Willard Straight Hall, dislodging, among others, 30 parents who were staying there for Parents' Weekend. Three hours later, a delegation of white fraternity men broke in; there was a fight, and four students, three of them white, were slightly injured. That night, guns were brought to the blacks in the building.

The next day, Sunday, administration negotiators arranged an agreement to get the blacks out without violence. It included amnesty for this action. It also included a promise to nullify "reprimands" against three black students; these had been voted the evening of April 17 for disturbances last December and were the immediate reason for the seizure. The faculty, which has final authority for all student discipline, at first refused to agree, then reversed itself on Wednesday. Students spent most of the week in mass meetings. There was talk of the "rebirth" of the university.

But if Cornell is reborn, it will have survived a wrench such as it has never known in its 104-year history.

Consider:

The president of the University, James Perkins, generally acknowledged to be one of the outstanding administrators in the nation, has been humiliated by students, castigated by faculty, vilified by friends of Cornell, and roundly denounced by outsiders. At best, his ability to govern the school is seriously compromised.

The faculty is in what historian Donald Kagan calls a "mindless" turmoil. Says political scientist Walter Berns: "There is absolutely no law on this campus." Those two and at least two others among the outstanding members of the faculty already have submitted resignations. Scholarship and teaching are impaired for the rest of this academic year and perhaps longer.

The white students are just as confused. Listen to J. T. Weeker, a senior and a student leader: "The kids who have been the silent center and haven't done anything are in the midst of such guilt complexes that it's amazing. Instead of calling you a Commie or a pinko, you're a racist. If the students don't do something, bring some assurance of academic freedom back to the place, it will go from a great university to a mediocre one at best."

The black students, 250 in a student body of more than 13,000, are, if anything, angrier than ever. This is Ed Whitfield, chairman of the Afro-American Society (AAS), which now has changed its name to Black Liberation Front: "Until black people in this country are liberated, and until black college students are in a position where they can effectively work for that, we won't stop. It is not a question of how far we will go. There are certain things that are wrong. And until these things that are wrong are made right, we won't stop."

The trustees and alumni are furious. The mail to the administration is counted not by individual pieces but by boxes full. It runs at least 5–1 against the administration's position. Meeting in special session last week, the Board of Trustees pledged that "tactics of terror will be met by firm and appropriate response" and that "duress, intimidation, and violence . . . are unacceptable as expressions of dissent."

The public's reaction is mostly sharp and nasty. "I didn't think you could call a Western Union operator and dictate some of the words that were sent to us," says Steven Muller, vice president for public affairs. Aside from the writers of such mail, the calmer people are plainly belligerent. President Nixon seemed to speak for them when he said last week: "When we find situations . . . where students in the name of dissent . . . terrorize other students and faculty members, when they rifle files, when they engage in violence, when they carry guns and knives in the classrooms, then I say it is time for faculties, boards of trustees, and school administrators to have the backbone to stand up. . . ."

This, then, is the setting for the "rebirth" of Cornell. It is the situation facing other colleges and universities, and, indeed, the whole nation. There is a need for a clear understanding of what happened here.

Whatever the cosmic issues, the event that galvanized the public's attention on Cornell, that gave it something of the milestone status of Berkeley and Columbia, was the arming of the black students who had captured what Cornell students call "the Straight." And the single moment that said it all was the black students' carrying their guns high as they walked out after the compromise. The moment was fixed by a photograph that appeared in hundreds of newspapers. "Oh, that picture, that damned picture," moaned a high Cornell official last week.

The administration's settlement drew charges of capitulation and cowardice. "You don't do things for applause," says President Perkins in hindsight. "Our decision was a balancing of lives and property on the one hand and the standards of authority on the other. We would have had it under control but for the guns. That made it a whole new thing."

It is commonplace on campus now to look back and see how events have built toward the present state over several years. Most of them are interpreted differently depending on one's point of view. The only certainty is that the seizure of the Straight was not the beginning of Cornell's trouble.

Professor Berns says that he has been keeping a file over the past two or three years of incidents gone unpunished and issues on which the administration has softly compromised. "It's really incredible," he says, "but not a single item of punishment, except for the wrist slap [the reprimands] a few days ago, has even been handed out."

Professor Berns is among the most bitter members of the faculty. He is not, however, alone. And the faculty is, of course, the heart of an institution like Cornell. Its quality is the reason good students want to come here.

The center of faculty bitterness is Sibley Hall, an ancient, drafty building that smells of disinfectant and houses one of the most impressive groupings of academic talent in the world—the history and government departments of Cornell University.

In Sibley one day last week, three of the brightest luminaries gathered with John Morton of The National Observer to state their positions. They were Allan Sindler, chairman of government; Professor Berns of government; and Professor Kagan of history. All three are leaving. Mr. Kagan already had resigned to accept a position at Yale; if he had not before, he would now, he says. On Professor Berns' desk that day, not long after his resignation was announced, were six telegrams from universities offering him jobs and messages asking him to return calls to several others, among them Harvard and Yale.

EVALUATING ALL THE FACTS

"If you teach history or government," says Professor Kagan, "in a way you are engaging in the very human business of asking why human beings behave as they do and what effects their actions will have and how we should evaluate how they behave. When we here a statement, immediately our minds go 'click' and we say to ourselves, 'Aha! What's on the other side of it, what are the other facts on the issue?' It arms us not to be fools and dupes as other men often are, not because they are stupid but because they have had no training in this kind of evaluation."

To which Professor Berns added: "We are confronted constantly with the consequences of lack of courage."

Professor Sindler identifies the central issue as academic freedom, which he believes was compromised by the administration and students who pressured the faculty into its reversal. "There has been a year and a half's pattern of not setting limits on what is and is not permissable on campus," he says. "There has been no education from the university down to the student on what the limits are."

Mr. Berns: "I am a teacher. I am not willing to become a general of troops. I've been besieged by deputations of students, even crying students, wanting me to stay and fight. I won't. They can if they want, and if they do and if they do win, they will save something I now hold in utter contempt.

"What we are is a bunch of damned New Deal liberals and the difference between us and those others is that we don't have yogurt spines. The only fresh air on this campus is here in the government and history departments. And I'm proud of it."

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The pride shows. Professor Sindler noted that both colleagues in the room, as well as Walter F. LaFeber, chairman of the history department who has resigned, and Allan Bloom, a professor of government on the brink of resignation, all have won the annual award as the oustanding teacher on campus for the year. Says Mr. Kagan:

"One element of this is what I call the revolt of the mediocrities. Very few people who are oustanding as students or professors are involved in this. People who can't make it are always rebeling one way or another. Go look up the enrollment figures and see how many students enroll in Walter Berns' classes or LeFeber's classes—they have to turn students away. Compare that with some of those on the other side. What is the test of quality? How is it that men of this quality—quality that the students have recognized—should be in this position? In a way the students have chosen between Berns and LaFeber on the one hand and their opponents on the other. If they think they have made a happy choice, well, God bless them."

Among those on the other side of the faculty quarrel is Walter Slatoff, professor of English, chairman of the faculty-student human-rights organization, and one of the 60-plus faculty members calling themselves "concerned faculty" who worked toward a calm settlement. He has a different response than Professor Sindler to the charge of coercion.

"The resignations and threats of resignation were coercion," says Professor Slatoff. "This was the faculty equivalent of taking over a building." The faculty meetings seemed to him to show an incompetence to deal with realities. "I felt at that point that the faculty was hopeless. They were jeering and shouting at each other.

"The tragedy was that there were so many points at which all of this could have been averted. Nobody ever wanted to suspend the students—there would have been resignations all over the place," says Professor Slatoff. "The faculty became so wrapped up in its judicial machinery that it couldn't make a decision.

"By Tuesday night it was clear that one of two things had to happen. Either an enormous number of police would have to be on campus to maintain order or there would be a granting of black demands, which simply meant nullification [of the reprimands]."

The latter occurred Wednesday, followed by the "Barton Hall spirit"—the mass meetings of students in the university fieldhouse—that demonstrated to Professor Slatoff more responsibility and awareness among the students than in the faculty. "In talking to these kids you find a level of understanding and complexity of positions that you wouldn't believe—better than the faculty." He believes that the students in effect persuaded the faculty to act rationally.

The principal achievement in his view is that violence was averted, thus clearing the way for constructive improvements. "Other schools have tried the police route—Harvard, Columbia—and have shut down. We haven't yet."

Representative of the scores of faculty members in the middle is economist Dennis Mueller. He supported the original faculty decision, then joined in its reversal two days later. He is disturbed that "a lot of students didn't understand" the original decision. He felt the decision was neutral on the merits—that is, not to approve the reprimands but simply not to reverse them under pressure.

"I don't think there are procedures that can be set up to deal with campus incidents like this. If there were procedures I'm sure we wouldn't set them. This would involve line-drawing, which the university is not prepared to do. The university and its faculty are against violence. We are prepared to redraw lines rather than stand behind them and draw violence."

Professor Mueller, whose field is corporate economics, draws a parallel between large universities and large corporations, which continually suffer internal problems. "A university is a bureaucracy just like a corporation or the Pentagon and is subject to loss of communication. The communications problems here are such that it's impossible not to have another crisis."

The student awareness of which Professor Slatoff spoke has been translated into action through what is now known as the Barton Hall Community. The mass meetings finally approved a call for a constituent assembly that would recommend changes in the governing of the university. It would have representatives from the undergraduate student body, graduate schools, and faculty, selected by departments; from the administration; and from special-interest groups. The black students, the white students decided, should be over-represented in relation to their numbers.

The possible changes are now being discussed by drafting committees. Whenever the committees finish, they will report back to a mass meeting. What will happen then—for example, how much authority the faculty will surrender and how the black students will take it—no one can be sure.

The students are excited about what they are doing. And if, as Professor Kagan said, they chose against their best teachers, they seem not to be sorry. Professor Berns said at one point: "Please stress this—there is no antiblack sentiment on this campus." It is hard to find a single student who agrees with him.

Theodore W. Landphair of The National Observer talked to dozens of students; they exhibited a compulsion to confess past inequities toward blacks. In a typical fraternity house—fraternity men are considered by black students to be enemies—there was support for the black position. "One of the reasons the last few days have been so illuminating to me," said one junior, "is they have brought out the fact that there is a racism problem on this campus. It's not a blatant thing. Blacks are treated on the surface as equals, but there are just so many things in society that are inbred in all of us and that have to be brought out sooner or later."

CENTERED ON THE RIGHT ISSUES

The faculty "capitulation" won overwhelming white-student support. From another fraternity man: "The only thing a tough stand would have done—bringing in police or something—would have been to cloud the issues. We would have been in an entirely different atmosphere; police brutality or the administration's toughness would have been the major issues. As it is, the whole discussion has centered on the racism controversy and the restructuring of the university."

Another: "Those people who say 'capitulation' are separating two issues. Blacks for months have been trying to get something done. The seizure was not the first resort; it was a last resort. So how can we separate the action of taking over the building from the racism issue itself. What is more important? That someone seized a building or that we have a chance to destroy some of the vestiges of racism?"

Many of the students seem convinced that outsiders, especially, don't understand the issues. "I called my parents," said one sophomore. "I got in a big argument with my father. I said, 'Look, wait until I get home to make up your mind, so we can discuss things intelligently.' I told him to keep his mind open and his eyes shut. He started hitting me about the gun issue."

A senior added: "I got sort of the classic reaction. My parents told me because I'm a senior with a month to go, stay out of it. I wrote a letter to my summer employer. In the letter he sent back, he said in the last line, 'I hope things are going well at school and that the issues we're reading about in the newspapers aren't touching you.' This is sort of typical of the way people outside feel."

But the students are not surprised at such reactions. "Just two weeks ago," said one, "you would have found most of us a lot less concerned. We saw Harvard and a lot of other places, but we were here and they were there, and you didn't have to question yourself. Right here we became part of it. You didn't have to take a stand, but you had to question."

In one conversation, writer Landphair asked about the possibilities of destroying the university itself. He got this response from an upstate New York junior:

"That's a very interesting comment, that we have a chance now to destroy it, where we couldn't destroy it before. That's why I'm a little ticked off at some of the professors who are leaving, who feel that they can no longer teach without being intimidated. I view the situation as an entire re-evaluation of our system and a re-evaluation of each individual within the system. Something very substantial, very creative can come out providing that everybody has his part. The real issue is whether we can make something viable, something that's going to last, that's going to satisfy the needs of everyone within the community. That's why I feel the professors' leaving is a sorry thing."

The next comment, from a senior: "Especially Professor Berns. There is a true need for somebody on campus who doesn't feel as most people do, to make people substantiate their arguments and to show us we're wrong in certain instances."

Not a few people at Cornell have found out in the last few days that they are wrong, or at least that things aren't what they seemed. One thing is the institution's relations with black students.

AS WHITE AS POSSIBLE

Says poet Don Lee, who joined the faculty last fall as its first black writer in residence: "Schools like Cornell and Harvard bring blacks in and try to assimilate them into the school community—the white community. They try to make them as white as possible so they will fit into the predominantly white society after graduation. But we don't want black men graduating with white faces. Up until now, white people have taught us. Now we are saying, 'Look at the job you've done. We want to do it from now on. Sure, we'll make mistakes, but at least they'll be our mistakes, and we won't have anybody to blame but ourselves.'

"Black students understand that cities—and universities—cannot be pulled down with guns and Molotov cocktails. But they also understand what power—political power—is. They've learned that from white society.

"Up to this point, black students have fallen for the myth that it is good to emulate white standards," Mr. Lee says. "I went through school without being required to read one black author. But now we are looking at our own race, and we are seeing that our people have made a lot of contributions to the world too."

The National Observer's Daniel Greene had to do considerable negotiating himself last week before he was able to speak with Mr. Lee and other black teachers and students. They don't like to speak to the press. They don't trust white men easily. Once Mr. Greene did get to the blacks, he heard angry recountings of a long series of broken promises, racial slurs, and subtle manifestations of bigotry. The blacks have essentially the same list of events that Professor Berns has; they just see it differently. He

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sees those events as crime without punishment; they see them as a series of frustrated attempts to make their education more pertinent to their needs.

Cornell has a long history of teaching black students, but always a handful; its costs and standards always have been too high for most. In 1963 the university welcomed eight black freshmen, and a new president, James Perkins. His concern for Negro education led to the founding of COSEP, the Committee on Special Educational Projects. Its main purpose was to recruit black students from ghettos and the rural South whose official credentials were not good enough but who seemed to have what it takes. To direct this task, the university chose a black woman sociologist, Dr. Gloria I. Joseph, who speaks the students' language. Academically, the gamble looks good: The first full COSEP class will graduate this June; before the current trouble, only six of the original 39 students had left the university.

EXPERIMENT IN COOPERATION

For a while the whole experiment of cooperation looked good. In the academic year of 1966–67, after charges of discrimination by fraternities, the Interfraternity Council (IFC) put Phi Delta Theta on social probation for the year; the school paper devoted a supplement to black power; IFC and the newly-formed Afro-American Society cosponsored a "soul of blackness" week.

But tensions grew. In February 1968, the AAS asked for a co-op residence for black women "because of the incredibly hostile atmosphere in the dorms." The demand was granted. That spring, black students charged a visiting professor of economics with racism. When their protests seemed vain, they trapped the department chairman in his office. The special commission that investigated recommended against punishment of the students, concluding: "The local situation cannot be understood apart from the pervasive awareness of students of world and national events in race relations. Especially crucial is the high sensitivity of some black students to any hint of derogation of racial (or, sometimes, cultural) categories."

President Perkins urged the white community to "be sensitive to the possibility that they may unconsciously reflect white racism in forms of speech and behavior to which they are accustomed." Then last fall he announced plans for a black-studies program. It was to be developed by a 17-member committee, with nine black members but a white chairman.

Meanwhile, the concept of the Afro-American Society was changing. Last winter, a group of 50 blacks marched into a black-studies committee meeting and announced it was taking over the program. About the same time, the AAS evicted a small staff of education-department employes with whom they shared a building at 320 Walt Ave. and turned it into their own headquarters. They foraged through the university one night for furnishings; campus police retrieved most of the things. In pressing demands for a separate dining room, they danced on tables in the Straight Cafeteria.

In December the AAS demanded an autonomous Afro-American College, totally controlled by black people. That was refused, but President Perkins did pledge again that a black-studies program would start in the fall with a black director; the Board of Trustees appropriated $225,000 to start it. The president also promised to add a black psychiatrist to the staff. Cornell now has a total of 11 black people on faculty and staff.

From the events of December sprang the changes that culminated in the seizure of the Straight. Six students were charged (one later dropped out of school). The black students protested on three grounds: First, that the 6 were symbols, no more responsible than 40-plus others; second, that the disciplinary body was unrepresentative because there were no blacks on it; finally, that the university judicial machinery had no right to judge a matter in which the protest was against the university.

DECISION—CROSS—SEIZURE

The students refused to appear for a hearing. A decision was postponed several times. Finally, on April 17, the committee decided to try them in abstentia, which it could have under the rules all along. Several hours later came the verdict; two acquittals, three reprimands. Barely an hour after it was announced, a cross was burned at Wari House, the black coeds' co-op. Then the seizure.

"What is really happening," says Mike Thelwell, a militant black writer who joined the faculty as a resident fellow this semester, "is that the whole education system in this country is being attacked by groups that have been traditionally excluded from it. I don't think that minority groups are going to tolerate the way the universities have always functioned—as an adjunct of the ruling class."

Professor Thelwell has his own view, too, of the guns: "This is hunting country. There have always been guns on this campus, guns in the hands of the ROTC, guns in the hands of the white police, guns in the hands of the fraternity boys. Guns on campus is nothing new; what was new, and shocking to the whites, was the sight of guns in the hands of black students.

"The guns served to cool things off," Mr. Thelwell continued. "If the brothers hadn't had guns in there, their heads would have been busted. That's the way this society has traditionally responded to black people who fight for their rights. It meant that the last card, the trump card that the white system has always reserved—that is, the use of violence—was taken away from them. They could have gone ahead and used it anyway; but who knows how many white people would have been killed in the rush?"

If black students are not satisfied with the way that America's educational system is treating them, Mr. Greene inquired, what are they going to college for? Replied Robert Jackson, a slender Harlem youth who is a spokesman for what is now the Black Liberation Front:

"We are here to get certain types of things, technical and intellectual resources, that black people need to struggle for liberation in this country. Traditional education does not address itself to the needs of black people today. What relevance does Shakespeare have for the black community? I've read Shakespeare, but I wish I had spent that time reading Baldwin, Ellison, and Wright."

Adds strapping Ed Whitfield, the Front's chairman, who graduated fifth in a class of 600 from Little Rock Central High School of desegregation fame: "Education for us isn't a nicety. It isn't something you do between high school and whatever else you want to do. It should be aimed toward the liberation of poor black people."

Bob Jackson sets out to explain the black students' attitudes: "The COSEP program was designed to bring black students here, but it didn't address itself, once they were here, to things like living units or the food black people eat—it is different from the food white people eat in this country. When we demonstrated in the Straight last winter, we were trying to show that black people had no place where black people could eat the food that was indigenous to our community and listen to music that was indigenous to our culture. So, since the university had never taken us seriously about an Afro-American studies program, we wanted to bring this to the attention of the university on a different level—through our culture. Our problem is the university seems to be negotiating in good faith, but it doesn't take us seriously. We take our education seriously."

Education has certainly been different at Cornell in the past two weeks—for everybody, including President Perkins.

"We have learned that that level of violence, the presence of guns, is something a university can't handle by itself," says Mr. Perkins. "I would advise any university to check its relatoins with civil authorities. We had, but guns made it all different. We must learn the rules of gun control—what rights we have to bar guns, on campus and off, rights of confiscation, whether this extends to faculty. In this case we must have police; we can't do it by ourselves.

"Second, we must recognize that once you are 'the incident,' whether it be Berkeley, Columbia, Harvard, or Cornell, you are in the grip of the mass media. They report all the events, interview everyone who has a complaint, and sometimes they aren't interested in cooling down the story.

"Third, there ought to be a better understanding on the part of both black and white about the question of whether more blacks should be admitted to the institutions. There are anxieties for blacks, concerns for whites. They are played down, unstated. But they can erupt."

And what is the lesson for Cornell? President Perkins:

"If at the end of the semester, there is not a common, binding, sincere effort on the part of the administration, faculty, and students toward a more progressive, forward-looking institution, then the price we paid was too high. If, on the other hand, the administration, faculty, students and others face the problems and build, then history will treat us more kindly."

REPORT FROM THE MIDEAST

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. BROWN of California. Mr. Speaker, over the past months, residents of the Los Angeles area have been receiving on-the-spot reporting of the current situation in the Middle East from Carol Stevens Kovner, managing editor of Kovner Publications.

In two recent dispatches, Miss Kovner tells of Arab shelling of Eilat and of Israel's 21st birthday. I would like to insert these reports into the RECORD at this point:

THE SHELLING OF EILAT: LOS ANGELES' SISTER CITY IN ISRAEL

(By Carol Stevens Kovner)

The shelling of Los Angeles' Sister City of Eilat by the Jordanian City of Akaba has been expected for months. Ever since a rocket attack in the fall of last year, all building was stopped on the new city square and funds and workmen were concentrated into building deep and strong concrete shelters all over the city for its 12,000 inhabitants. The shelter program was first priority, when I visited Eilat in November, 1968.

But Monday's attack on Eilat occurred at 4 a.m. in the morning when the small city was packed with Israeli tourists for the Passover season. The attack occurred with thousands packing the hotels to capacity and the overflow sleeping in tents on the stony beaches of the resort area.

The news reports of Israel hitting civilians in Akaba in reprisal was the kind of twisted propaganda reports from the Arab public relations service of the terrorist organiza-

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tions filling US newspapers these past months with the "heroic" actions of blowing up students shopping on the Sabbath in Jerusalem supermarkets, or shooting Israeli air line passengers in the head while they are strapped to their seats.

The fact that the Jordanians shelled Eilat, a peaceful port town, for the second time since 1967, and in an attempt to kill civilians in their beds is overlooked, it seems.

Eilat is a tourist city. It is not a war depot. It is not a "settlement in Israeli occupied territory" as was reported in a notoriously "accurate" daily newspaper in Los Angeles.

Eilat is Israel's southernmost port. Eilat is Israel's oil pipeline, the life blood of any modern industrial country. The residents of Eilat, a great many of them former Americans who have helped to build the city, say they are the leading pioneering town of Israel, but Eilat has been a part of Israel since the founding of the state in 1948.

It began to grow in 1956 when the Sinai war stopped the fedeyeen raids from Egypt and made possible continuous communication with the rest of Israel. The town of 600 grew to a modern small city with all new American style buildings, some quite beautiful. It has the most modern new hospital in Israel designed, of course, with shelter in mind from the shelling from Jordan.

Half of Eilat's young population, the youngest statistically in Israel, are refugees from Arab and North African countries, mostly Morrocan Jews. They have married the tough sabras who licked the hostile environment and made a liveable place in the desert. At first they didn't have even decent water to drink but now, with a desalinization plant, they have the purest water in Israel.

It is a dynamic little town, conceived with commerce and the tourist business foremost in mind. What interests Eilatese is their shipping, and their most thriving industry, the fabulous jewelry workshops that transform the semi-precious stones from King Solomon's mines into the most beautiful of jewelry, in ancient and modern designs.

Eilat is a town striving with all of its might to be an international resort of Europe. It has no reason to shell or bomb Akaba's citizens. The surprise attack by the Jordanians was a foolish move. The town of Akaba is extremely vulnerable, three miles from Eilat and on a lower plain. It is Jordan's only outlet to the sea lanes of the world.

Akaba is so vulnerable, yet even when King Hussein speaks of his desire for peace on national U.S. TV—and he is sincere in his desires for peace, there is not a doubt that only peace will insure his survival, save his own life and his kingdom—the suicidal attack on Eilat occurs.

When Israel jets bombed Akaba (this is now standard Israeli military procedure in all shellings of Israeli cities and kibbutzes) it was not "retaliatory" in nature, as reported in the U.S. news services.

When Israel hits back hard, it is saying to the world once again, Jews will not be slaughtered like sheep in their own country. When Israel is attacked she will hit back hard and fast, but only when she is attacked.

Coming back by El Al, elaborate precautions were taken to insure the safety of the passengers from terrorist attack. When a country's only airline passengers must be bussed from remote corners of international airports in order to avoid being killed by Arab terrorist bombs, I fail to understand the sympathy shown for the little King's tears in Washington this week. He started it first, man.

In the 1967 war, the Jordanians were told by Nassar the Egyptians were winning the war, giving the Jordanians the incentive to attack Jerusalem, Jewish Jerusalem. Israel would not be in the West Bank at all if King Hussein had just kept his American-made guns to himself in 1967.

In the Negev this week, the same foolish thing happened again, Akaba shelling Eilat. The Israelis are in no mood to trifle with those who kill their civilians. After this winter of terrorist bombing in Jerusalem market places and the shelling of peaceful kibbutzes of the north along the Jordan border, after the attacks on the El Al airline, the Israelis are not in the mood to be gentle.

Israel's 21st Birthday

(By Carol Stevens Kovner)

On the occasion of Israel's 21st birthday on April 23rd, shooting along its borders initiated by its enemies was the background to the celebrations in its streets; not a military parade of tanks and guns and troops—but school children marching in a two-hour parade.

The big event in Jerusalem this year was a four-day march into Jewish, Arab, and Christian history.

Young and old hiked the beautiful hills, terraced with ancient walls, vines and figs bursting into spring growth and olive trees, many dating back to the time of the early Christians. As the march climaxed in Jerusalem, Israel's capital city, this year Arab citizens of Jerusalem stood among the crowd to watch.

Commenting in honor of Israel's birthday in the House of Representatives of the United States, one member said there was no reason to doubt that Israel could do for the entire Middle East what it had already done within its own borders, perform a miracle of development." Israel sits as an island of plenty in a sea of hunger and poverty," he said.

Not true. Half of Israel's population would be considered poverty-level in the United States, although they do not want for health and welfare aid, and free education to age 14, soon to be 16. But they live in below standard housing, slums in too many cases.

Of course, these people were living in unspeakable conditions in Baghdad, Cairo and Damascus. From Yemen especially, the Jews are tiny and fragile, stunted from centuries of undernourishment.

Coming as refugees, thousands only as recently as after 1956, a tiny house or apartment in a development town or agricultural village, or kibbutz, a water heater powered by the sun, food they grow themselves, a sheep or two and they have it made.

It took 21 years to bring these refugees from 70 different countries to this standard, more than one million of them. It is a dream to expect Israel to perform the same miracle for over 100 million Arabs, while struggling still to provide for her own people.

Peace in the Middle East would allow development of the Arab countries by their own people. Effort now wasted in learning Jewish hate propaganda from the first grades through college could go into learning and technology—and the teaching profession, the most needed. Only in this way can Egypt, Jordan and the other Arab neighbors of Israel catch up to its agricultural and industrial development, its miracle.

Israel could share much of her know-how with her neighbors but they can teach much to Israel. The Arabs can offer Israel the richness of her cultural past. The food in Israel is already predominantly Arab, and much of her dancing is Arab-inspired. Half her population are refugees from Arabian and North African countries, with a centuries-long Oriental tradition. Jews are learning the Arab language by the thousands today in Israel, particularly since the Six-day War.

Economically, over 10,000 Arabs from the occupied or administered territories have jobs in Israel, working on roads, in agricultural work and in factories. Ways are being found to help the territories directly by starting factories, helping with the shipping of citrus products from Gaza, and with agricultural assistance. This is being done now, not some time in the future.

There is a meeting ground today between Jew and Arab, but the politics of the powerful nations obscure the issues, overload the parties with weapons for overkill, and interfere to keep the pot boiling.

When Jew can meet Arab as equals across a negotiating table to decide their own fate, instead of America and Russia trying to make a deal to serve their economic interests in the Middle East, then might there be a chance for friendship among the Semites.

EXTORTION AND COMPLICITY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 1969

Mr. RARICK. Mr. Speaker, constitutional thinking Americans are aghast over the blackmail-type "reparations demands"—including disruption of religious services—by the so-called United Black Appeals.

Many wonder what happened to the freedom of religious worship and separation of church and state under the Bill of Rights. Perhaps these concerned citizens are not aware of what happens to organizations which take Federal funds but apparently the black militants are. The race issue is interpreted by some with purse strings as paramount over all constitutional provisions.

Recently an announcement appeared in a South Carolina paper indicating a church expects to receive $2.5 million in HUD funds to construct housing for the elderly.

And, if the church meets the "reparations demands" who will, in actuality, pay the blackmail but the U.S. taxpayers through Federal funds—in this instance HUD? Any "reparations funds" can be expected to be used, in turn, to further embolden the activists, draw more recruits into their ranks, and further alienate them from society.

I include several recent news clippings, as follows:

[From the New York Daily News, May 14, 1969]

Forman Meets Bishop, Calls the Demands Just

(By Edward Benes)

James Forman, Negro militant, terms his request for $60 million in "reparations" from the Episcopal Church an amount which "may be unlikely to most people, but not unlikely to me."

He made the statement yesterday after meeting with the Rt. Rev. John E. Hines, presiding bishop of the Episcopal Church in the United States, at the church's national headquarters, 815 Second Ave.

It is part of the campaign waged by Forman, chairman of the United Black Appeal, demanding $500 million from "racist" churches and synagogues for use by the National Black Economic Development Conference as outlined in a Black Manifesto.

CONFER FOR AN HOUR

Forman and his aides met for more than an hour with Bishop Hines and other leaders of the Episcopal Church. The demands had originally been presented at the church's headquarters May 1 when Bishop Hines was out of the country. Hines returned Monday.

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A church spokesman said no statement would be made on the meeting, but Forman called it "productive and conducted in a warm, friendly atmosphere."

"I realize that Bishop Hines is not a one-man outfit, he has to consult with others, but I expect some positive results to come from the Episcopal Church," he said.

WANTS 60 PERCENT OF PROFITS

Forman, in a letter presented to the bishop, asked, in addition to the $60 million, 60% of the profits from church-held properties. He demanded a complete listing of all assets of the Episcopal Church in all dioceses. A church spokesman said the church's national budget is about $14 million, with about $3 million earmarked for projects proposed by community groups for use among the poor.

Forman said the $60 million could be raised if "the church would divest itself of it's outside holdings and become purely a religious entity." He likened the Catholic Church to General Motors. "In fact," he said, "the Catholic Church is more powerful."

The black leader said his reparation demand was gaining support and thanked his supporters, including the sit-ins at Union Theological Seminary, 120th St. and Claremont Ave.

OPPOSITION DEVELOPS

However, serious opposition arose among other students at the seminary concerning the sit-ins and the principle of "guilt payments" by churches and synagogues. Opposing students debated the sit-inners at a teach-in conducted by the latter.

The sit-inners, who had been occupying the administration building since Sunday night retreated to the seminary chapel at 11 p.m. Monday. A spokesman for the rebellious students said they would remain in the chapel until the seminary's board of directors meets tomorrow night. The rebels will then present a demand for $1.1 million from the school and its benefactors, to be donated to Forman's group.

[From the Charleston (S.C.) Evening Post, May 9, 1969]

TEXAS FIRM BIDS LOW ON HOUSING UNIT

The Campbell Construction Co. of Texas was the apparent low bidder on the construction of a high-rise apartment building on Market Street. Bids were opened yesterday at South Carolina Episcopal Diocese headquarters.

The company's bid, lowest of five, was $2,548,000, and was approximately $400,000 above the estimated cost, a spokesman for the diocese said.

The 13-story building will be used for the elderly. Facing on Market Street it will be bounded by Archdale, Logan and West streets.

The building is to be constructed with funds made available through a loan by the federal Department of Housing and Urban Development.

Representatives of the diocese and Lyles, Bisetst, Carlisle & Wolff, architects for the building, will go to HUD headquarters in Atlanta next week to study the bids.

The building will contain 204 units especially adapted for the elderly. Rental costs are expected to be $76 to $112 a month.

[From the Washington (D.C.) Post, May 5, 1969]

BLACK'S DEMANDS DISRUPTS COMMUNION

NEW YORK, May 4.—The leader of an organization demanding that churches and synagogues throughout the country pay $500 million as reparations to Negroes today forced a communion service at Riverside Church to be terminated five minutes after it began.

James Forman, director of the National Black Economic Conference, which made the demand April 26, tried to read a list of five demands his group was making on the church just after a hymn opening the 11 a.m. service had concluded.

As Forman began to speak before an estimated 1500 worshippers, Pastor Ernest Campbell interrupted him. When Forman refused to stop speaking, Mr. Campbell led the blue-and-white robed choir out of the church and an organ began to play loudly.

The worshippers began to file out and the organ continued to play for about 10 minutes as Forman remained standing in front of the altar. When the music stopped, with a majority of the congregation still seated or standing at the rear of the church, Forman read his demands, which include:

That the church give 60 per cent of its yearly income from stocks and real estate to the Negro organization.

That the church donate an unspecified proportion of its income from pensions, retirement and investment funds to the group.

That the Negro group be allowed free office space, use of telephones in the church, and the unrestricted use of the church's radio station, WRVR, for 12 hours a day and all day on weekends, except for those times when services are broadcast.

That the church use its influence to raise the $500 million.

[From the Washington (D.C.) Post, May 3, 1967]

A VIEW OF RELIGION: DROP IN GIVING WORRIES EPISCOPALIANS

(By William R. MacKaye)

"The Episcopal Church is in deep trouble," an acquaintance of mine, a staff member of that denomination's national headquarters, said to me the other day in New York.

For evidence he pointed to the shortfall in contributions to his Church's national headquarters that recently required the Episcopal Executive Council to pare its 1969 budget by 8 per cent.

"Furthermore," he continued, "I fully expect our decline in income to continue for several years."

This falling of income is not peculiar to the Episcopalians. Other major religious bodies appear to be suffering similar reverses.

Leaders of the United Presbyterian Church, for example, are currently studying disquieting figures that indicate their members decreased their benevolence giving from $77,397,000 to $72,979,000 between 1967 and 1968. In the same period, by contrast, they increased their contributions for other purposes—mainly local church construction, renovation and operation—from $275,613,000 to $276,478,000.

United Methodists are receiving decidedly mixed first year's reports on the progress of their ambitious four-year, $20-million Fund for Reconciliation.

With reports in from 37 of their Church's 45 episcopal areas, quotas of slightly more than $22 million have been accepted. But only $13,068,000 has actually been pledged by prospective givers, and Bishop Paul Hardin Jr., chairman of the Council on World Service and Finance, disclosed the other day that only $600,000 has actually been paid in to the national treasurer.

No figures were immediately available on how Washington and Maryland Methodists have responded to the Fund for Reconciliation drive. The Fund is to be applied to problems of racial injustice and poverty.

But in the Methodists' Virginia Annual Conference, which includes the Northern Virginia suburbs, pledges so far have reached only $724,615, nearly a half-million dollars short of the Conference's $1.25-million goal.

Even the Roman Catholic Church, which combines its traditional secrecy about money matters with a reputation for efficient money raising, seems to be suffering reverses, if the failure of the bishops' fund drive for Catholic University can be taken as indicative.

The private document University officials distributed to the Nation's bishops three weeks ago, which subsequently came into the hands of some newsmen, does not seem to bear out charges from some quarters that the drive failed because conservative bishops were punishing the University for tolerating theological dissent on its faculty.

It does suggest that pressures on the pocketbooks of many bishops, particularly of smaller dioceses, barred them from responding as they said they would to a call for increased subsidization of the University.

One year after they pledged $4,378,000 to the University the bishops had paid in only $2,722,000.

Various interpretations have been placed on this growing thriftiness by laymen. Some see it as a consequence of a simple increase of selfishness among churchgoers, others as a sign of silent protest by the man in the pew against the growing involvement of church leaders and other clergy in social protest activities.

Still others wonder if the decline in giving does not result from the laity's new awareness that the churches are no freerer than other organizations from the temptation to endlessly multiply their bureaucracies.

My acquaintance in New York suspects this last possibility may be the most significant.

"People want to feel some sense of personal involvement in the programs to which they give support," he said. He pointed out that even as his denomination's total giving was declining, Episcopalians rushed Presiding Bishop John E. Hines nearly twice the amount he asked in a special appeal for funds for direct aid to the hungry in Biafra.

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